

**City of Kelowna
Regular Council Meeting
AGENDA**



Monday, December 3, 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 26, 2018

3. Reports

3.1 RCMP Quarterly Council Update 2018: July to September

14 - 41

To provide Council with an update on the activities of the RCMP and on progress toward goals and outcomes in the 2016-2019 Crime Reduction Strategy.

4. Committee Report

4.1 2018 Civic & Community Awards Nomination Period

42 - 51

To announce the nomination period for the 44th Annual Civic & Community Awards.

5. Development Application Reports & Related Bylaws

**5.1 McCurdy Rd 2755 OCP16-0004 Z16-0030 Prodev GP Ltd Inc No A87135 1378310
Alberta Ltd Inc No A77231**

52 - 54

To extend the deadline for adoption of Bylaw No. 11472 and Bylaw No. 11473 to September 19, 2019.

5.2 Eagle Dr 925, Z18-0052 - Gary Johnson and Edi Cote

55 - 61

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

- 5.3 Eagle Dr 925, Z18-0052 (BL11709) - Gary Johnson and Edi Cote** 62 - 62
- To give Bylaw No 11709 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.
- 5.4 Clement Ave 816, TA18-0006 & Z18-0059 - PC Urban Clement Holdings Ltd., Inc. No. BC 1099980** 63 - 80
- To rezone the split-zoned subject property from the I4 – Central Industrial zone and I2 – General Industrial zone to the I4 – Central Industrial zone and consider a Zoning Bylaw Text Amendment to allow for additional commercial uses on the subject property.
- 5.5 Clement Ave 816, TA18-0006 (BL11711) - PC Urban Clement Holdings Ltd., Inc. No. BC 1099980** 81 - 81
- To give Bylaw No. 11711 first reading in order to amend the I4 - Central Industrial zone in Zoning Bylaw No. 8000.
- 5.6 Clement Ave 816, Z18-0059 (BL11712) - PC Urban Clement Holdings Ltd., Inc. No. BC 1099980** 82 - 82
- To give Bylaw No. 11712 first reading in order to rezone the subject property from the I2 - General Industrial & I4 - Central Industrial zones to the I4 - Central Industrial zone.
- 5.7 Fuller Ave 555, OCP18-0013 Z18-0062 - City of Kelowna** 83 - 100
- To amend the Official Community Plan to change the Future Land Use designation and to rezone the subject property to facilitate the development of apartment housing.
- 5.8 Fuller Ave 555, OCP18-0013 (BL11713) - City of Kelowna** 101 - 101
- Requires a majority of all members of Council (5).**
To give Bylaw No. 11713 first reading in order to change the future land use designation of the subject property.
- 5.9 Fuller Ave 555, Z18-0062 (BL11714) - City of Kelowna** 102 - 102
- To give Bylaw No. 11714 first reading in order to rezone the subject property from the RM5 – Medium Density Multiple Housing zone to the C7 – Central Business Commercial zone.
- 5.10 Knox Cr. 1969, Z18-0098 - Charles and Lesley Roberts** 103 - 110
- To rezone the subject property from RU1 – Large Lot Housing zone to RU1c Large Lot Housing with Carriage House to facilitate the development of a carriage house.

5.11	Knox Cr. 1969, Z18-0098 (BL11716) - Charles and Lesley Roberts	111 - 111
	To give Bylaw No. 11716 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.	
5.12	Richter St 2125 and 2137, Z18-0081 - 1140648 B.C. LTD., Inc. No. 1140648	112 - 122
	To consider rezoning the two subject properties from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone to facilitate the development of multiple dwelling housing.	
5.13	Richter St 2125 and 2137, Z18-0081 (BL11717) - 1140648 B.C. LTD., Inc. No. 1140648	123 - 123
	To give Bylaw No. 11717 first reading in order to rezone the two subject properties from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.	
6.	Bylaws for Adoption (Development Related)	
6.1	Harvey Ave 1717 LUC18-0005 (BL11675) - Al Stober Construction Ltd	124 - 124
	Requires 2/3 of all members of Council present.	
	To adopt Bylaw No. 11675 in order to discharge LUC76-1054 off the subject property.	
7.	Non-Development Reports & Related Bylaws	
7.1	Proposed Short-Term Rental Accommodation Regulations	125 - 147
	To consider proposed regulations for short-term rental accommodations and a corresponding business licensing and enforcement strategy.	
7.2	Community, Culture and Recreation Program Grant application for City Park	148 - 151
	To provide Council with background information on a grant funding opportunity, and a recommendation to proceed with an application for City Park, subject to budget approval.	
7.3	Protection of the Fire Damaged Fleming House	152 - 170
	To seek Council approval to proceed with the protection of the remaining Fleming House structure.	

8. Bylaws for Adoption (Non-Development Related)

8.1 Raymer Rd (Portion of), BL11697 - Road Closure and Removal of Hwy Dedication 171 - 172

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

To adopt Bylaw No 11697 in order to authorize the City to permanently close and remove the highway dedication of a portion of highway on Raymer Road.

8.2 BL11710 - Amendment No. 21 to Bylaw Notice Enforcement Bylaw No. 10475 173 - 176

To adopt Bylaw No. 11710 in order to amend Bylaw Notice Enforcement Bylaw No. 10475.

9. Mayor and Councillor Items

10. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, November 26, 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, Luke Stack and Loyal Wooldridge

Staff Present Deputy City Manager, Joe Creron; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Acting Divisional Director, Community Planning & Strategic Investments, Derek Edstrom*; Community Planning Supervisor, Laura Bentley*; Policy & Planning Department Manager, Danielle Noble-Brandt*, Long Range Policy Planning Manager, James Moore*; Partnership Manager, Sandra Kochan*; Utility Planning Manager, Rod MacLean*; Divisional Director, Infrastructure, Alan Newcombe*; Bylaw Services Manager, David Gazley

Guest Bill McKinnon*; Public Safety Consultant

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:33 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 Donn/Seconded By Councillor Hodge

R1027/18/11/26 THAT the Minutes of the Regular Meetings of November 19, 2018 be amended with Councillor Stack being absent.

Carried

3. Consultant Report

3.1 Public Safety Report

Bill McKinnon:

- Displayed a PowerPoint Presentation summarizing the Public Safety Report recommendations.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Donn

R1028/18/11/26 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.

Carried

4. Development Application Reports & Related Bylaws

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

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Singh

R1029/18/11/26 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.

Carried

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

Moved By Councillor Stack/Seconded By Councillor DeHart

R1030/18/11/26 THAT Bylaw No. 11358 be rescinded at first, second and third reading.

Carried

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

Staff:

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

Council:

- Discussed whether to hold the Public Hearing as a "stand alone" item and whether to hold the Public Hearing in a larger venue.

City Clerk:

- Staff will come back with recommendations to a future Monday afternoon meeting.

Moved By Councillor Stack/Seconded By Councillor Given

R1031/18/11/26 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.

Carried

4.4 Agassiz Rd 2025, BL11701 (Z18-0109) - Provincial Rental Housing Corporation, Inc. No. BC0052129

Moved By Councillor Donn/Seconded By Councillor Stack

R1032/18/11/26 THAT Bylaw No. 11701 be read a first time.

Carried

4.5 Darin Pl 4627, Z18-0090 - Calvin Meldrum & Barbara Laupitz

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R1033/18/11/26 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.

Carried

4.6 Darin Pl 4627, BL11702 (Z18-0090) - Calvin Meldrum & Barbara Laupitz

Moved By Councillor Stack/Seconded By Councillor DeHart

R1034/18/11/26 THAT Bylaw No. 11702 be read a first time.

Carried

4.7 Abbott St 2783 & 2787, Z18-0038 - AJ Wiens Development Group Ltd., Inc. No BC0798391

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Hodge

R1035/18/11/26 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.

Carried

4.8 Abbott St 2783 & 2787, BL11703 (Z18-0038) - AJ Wiens Development Group Ltd., Inc. No. BC0798391

Moved By Councillor Donn/Seconded By Councillor Stack

R1036/18/11/26 THAT Bylaw No. 11703 be read a first time.

Carried

4.9 Sarsons Rd 439, Z18-0076 - Rock Shore Developments Ltd., Inc. No. BC1114860

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Hodge

R1037/18/11/26 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.

Carried**4.10 Sarsons Rd 439, BL11705 (Z18-0076) - Rock Shore Developments Ltd., Inc. No. BC1114860**Moved By Councillor Stack/Seconded By Councillor DeHartR1038/18/11/26 THAT Bylaw No. 11705 be read a first time.Carried**4.11 Molnar Rd 435, Z18-0096 - Craig J. and Natasha B. Guidi**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Singh

R1039/18/11/26 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 24651, 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.

Carried**4.12 Molnar Rd 435, BL11707 (Z18-0096) - Craig J. and Natasha B. Guidi**Moved By Councillor Hodge/Seconded By Councillor SinghR1040/18/11/26 THAT Bylaw No. 11707 be read a first time.Carried**4.13 Hwy 97 N 2629 DP18-0021 (Amendment) - SKJJ Holdings Inc.**

Councillor DeHart declared a conflict of interest as she is employed in the hotel industry and the applicant's hotel ownership company also owns the hotel she works for and departed the meeting at 3:17 p.m.

Staff:

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

Moved By Councillor Given/Seconded By Councillor Sieben

R1041/18/11/26 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.

Carried

Councillor DeHart rejoined the meeting at 3:21 p.m.

5. Bylaws for Adoption (Development Related)

5.1 Curlew Drive 461, Z18-0084 (BL11674) - Alexander and Nadja Duffield

Moved By Councillor Singh/Seconded By Councillor Hodge

R1042/18/11/26 THAT Bylaw No. 11674 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Affordable Housing and Revenue from Online Accommodation Platforms

Councillor DeHart declared a conflict of interest to be consistent with the previous declarations when considering the Municipal and Regional District Tax as her employer collects the tax and left the meeting at 3:23 p.m.

Councillor Stack declared a perceived conflict of interest as his employer Society of Hope has applied for and received rental housing grants and may do so in the future and left the meeting at 3:23 p.m.

Staff:

- Provided an overview of the report, suggested an additional recommendation and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R1043/18/11/26 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.

AND THAT Council direct staff to continue data sharing and discussions on OAP revenues with Tourism Kelowna and report back to Council in the Fall of 2019.

Carried
Councillors Hodge and Sieben – Opposed

Councillors DeHart and Stack rejoined the meeting at 3:39 p.m.

6.2 Borrowing Bylaw 11708: Investing in Canada Infrastructure Program (ICIP) – Green Infrastructure – Sanitary Sewer Connection Area Water Quality Enhancement Project

Staff:

- Provided a summary of the grant application and senior government requirement for the Loan Authorization Bylaw at third reading.

Moved By Councillor Stack/Seconded By Councillor Hodge

R1044/18/11/26 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.

Carried

6.3 BL11708 - Sanitary Sewer Connection Areas Water Quality Enhancement Project

Moved By Councillor Hodge/Seconded By Councillor Singh

R1045/18/11/26 THAT Bylaw No. 11708 be read a first, second and third time.

Carried

6.4 Bylaw Enforcement Notice Bylaw Amendments

Moved By Councillor Given/Seconded By Councillor Wooldrige

R1046/18/11/26 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.

Carried
Councillor Hodge - Opposed

6.5 BL11710 - Amendment No. 21 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Wooldridge/Seconded By Councillor Given

R1047/18/11/26 THAT Bylaw No. 11710 be read a first, second and third time.

Carried
Councillor Hodge - Opposed

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

Moved By Councillor Given/Seconded By Councillor Wooldridge

R1048/18/11/26 THAT Bylaw No. 11704 be amended at third reading.

Carried

7. Resolutions

7.1 Draft Resolution, re: 2019 Council Meeting Schedule

Moved By Councillor Stack/Seconded By Councillor Donn

R1049/18/11/26 THAT the 2019 Council Meeting Schedule be adopted as follows:

Monday Regular Meetings	Public Hearing/Regular Meetings
January 7, 14, 21 and 28	January 15 and 29
February 4, 11 and 25	February 12 and 26
March 4, 11, 18 and 25	March 12 and 26
April 1, 8, 15 and 29	April 9 and 23
May 6, 13 and 27	May 7 and 21
June 3, 10, 17 and 24	June 4 and 18
July 15 and 29	July 16 and 30
August 12 and 26	August 13 and 27
September 5 *, 9, 16 and 30	September 10 and 17
October 7, 21 and 28	October 8 and 22
November 4, 18 and 25	November 5 and 19
December 2, 9 and 12 *	December 3

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

Carried

8. Bylaws for Adoption (Non-Development Related)

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

Moved By Councillor Wooldridge/Seconded By Councillor Given

R1050/18/11/26 THAT Bylaw No. 11623 be adopted.

Carried

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

Moved By Councillor Hodge/Seconded By Councillor Singh

R1051/18/11/26 THAT Bylaw No. 11715 be adopted.

Carried**9. Mayor and Councillor Items**

Councillor Stack:

- Spoke to his attendance at the BC non-Profit Conference last week and noted how engaged senior governments are and looking for supportive local governments.

Councillor DeHart:

- Spoke to her attendance at the CMHA Health Awards on behalf of Council.
- Spoke to her attendance at the Okanagan College Awards night.
- Reminder of the Canada Games Torch Relay at Stuart Park this coming week.

Councillor Donn:

- Reminder of the Taste of Japan event on December 2nd at the Parkinson Recreation Centre.

Councillor Sieben:

- Spoke to his attendance at the 29th Annual Innkeepers Celebration at the Hotel Eldorado.
- Spoke to his attendance at the "Ending Us and Them" showing at the Community Theatre.

Councillor Hodge:

- Made comment received from a visitor on how nice Bernard Avenue looks with the lights.

Councillor Wooldridge:

- Spoke to his attendance at the lighting of the Tree of Hope.
- Spoke to his attendance at the "Ending Us and Them" showing at the Community Theatre.
- Attended his first City Hall school tour with Councillor Donn.

Councillor Given:

- Spoke to her attendance at the "Ending Us and Them" showing at the Community Theatre.

Mayor Basran:

- Spoke to his attendance at the lighting of the Tree of Hope.
- Spoke to his attendance at the Kelowna Jaycees luncheon where Imagine Kelowna was discussed.
- Spoke to his attendance at the "Ending Us and Them" showing and how impactful it was.

10. Termination

This meeting was declared terminated at 3:59 p.m.

 Mayor Basran

/cm/acm



 City Clerk

Report to Council



Date: December 3, 2018
File: 0100-01
To: City Manager
From: Brent Mundle, Superintendent Kelowna RCMP Detachment
Subject: RCMP Quarterly Council update 2018: July to September

Recommendation:

That Council receive the RCMP Quarterly/Yearly Update report from the Superintendent, Kelowna RCMP Detachment dated Dec. 3, 2018.

AND THAT the Superintendent Kelowna RCMP Detachment investigate providing Community Impact Statements signed by the Superintendent Kelowna RCMP Detachment and the Mayor to be included in our court packages that are forwarded to Crown Counsel for charge approval.

Purpose:

To provide Council with an update on the activities of the RCMP and on progress toward goals and outcomes in the 2016-2019 Crime Reduction Strategy.

Background:

The 2016-2019 Crime Reduction Strategy consists of four main goals each with multiple strategies within. The four goals include:

1. Taking a proactive approach to crime
2. To work with partner agencies for more effective policing
3. To maximize the effectiveness of resources using an intelligence-led model
4. Leveraging effective communications

In the previous two quarters of 2018, work continued to meet these goals.

Taking a proactive approach to crime

Proactive policing initiatives this quarter focused on bicycle theft crime prevention, targeted drug criminal activity, auto-theft crime and traffic offences, especially speed enforcement in school zones.

The Police Services Crime Prevention Unit participated in seven events to encourage residents to register their bicycles with Project 529 Garage. Registration increases the chances of a bicycle being returned to its rightful owner if stolen. Additional efforts to promote the program included social media posts, a Facebook Live video and proactive media relations. More than 3,050 regional bicycles are registered in the program at this time. There have been 25 bicycles successfully recovered and returned to their owner.

The Downtown Drug Project continues on its track record of proactively targeting drug activity in the downtown core. From May to October the project resulted in 120 drug charges against 73 individuals

In July, officers ran a two-week initiative with the Integrated Municipal Provincial Auto Crime Team (IMPACT) program. The program uses bait vehicles and automatic licence plate readers to target auto-theft criminals. As a result, 10 stolen vehicles were recovered, 11 individuals were arrested and an additional eight auto-theft files were cleared.

The combined RCMP and Bylaw Services bike patrol teams were out in City parks and neighbourhoods over the summer months, with patrols extended into late October this year. The RCMP members have now been re-assigned to work with the team targeting street level property crime.

Entering into a new school year, in September a new school zone speeding silhouette was purchased with an additional five silhouettes on order. The silhouettes are a highly-visible reminder to motorists of school-zones in effect and act as a deterrent to speeding.

Heading into the holiday season, the RCMP is actively planning for holiday Counter Attack road-checks to target impaired driving, and the Crime Prevention Unit along with RCMP volunteers will once again be patrolling parking lots around high-shopping areas as extra eyes and ears to deter theft from vehicles.

To work with partner agencies for more effective policing

The RCMP continued to partner with the John Howard Society in delivering the STOP Project to increase awareness about the harms of domestic violence. STOP incorporates free counselling for men who use violence or controlling behaviours in their relationships and supports those with or without criminal charges. The project is an independent, community-focused and offender-oriented program with voluntary enrolment by participants. Information is confidential and protected. The program has received a \$25,000 grant from the Federal Family Violence Initiative to help further the work being done.

The Police and Crisis Team (PACT), a partnership between Interior Health and the RCMP, received a total of 417 referrals from June to September, 2018, generating 318 police files. PACT members brought individuals to the hospital 22 times to receive medical attention, and successfully diverted 54 individuals from the hospital to other support services, helping reduce traffic to the emergency room.

As a next step in collaboration with community organizations, including Interior Health, School District No. 23, BC Housing, Probation Canada and the Ministry of Children and Family Development, a HUB Model for community safety is being coordinated for implementation in 2019. Weekly meetings will see improved inter-agency communication and help triage individuals presenting high risk of crisis in the community. The goal is to connect them immediately with support services so they can access the help they need. An all-stakeholders awareness session is planned for late January with training in late February, and subsequently implementation.

To maximize the effectiveness of resources using an intelligence-led model

The effective use of crime analysis informs RCMP staff of trending criminal activity within the region. By focusing on trending crime patterns and prolific offenders, crime prevention activities and resource allocation can be focused on potential hot spots.

Property crime this quarter indicates a 20 per cent rise over the same period last year. Bike theft and thefts from auto (TFA), generally, are drivers to Kelowna's property crime. While the rise in TFA's was relatively low (five per cent), bicycle theft spiked by 66 per cent with 339 bikes reported stolen from July to September.

Downtown-specific crime data indicates increases across the board. Person offences, at 63, remain relatively low, but it is double over last year (31 person offences). There were 238 reported property crime offences in the downtown area, indicating a 23 per cent rise.

Resources are being redeployed to combat the spike in property related crime, in addition to proactive policing efforts in place. This includes the creation of a rotating unit to target street level property crime during the winter months. Supplemental downtown foot patrols this fall have been increased to include three additional afternoons. Resources are being increased to include four new Members allocated in the 2018 budget cycle.

Crime data continues to inform special event policing, Online Crime Report and Kelowna General Hospital protocols to help reduce wait times.

Supporting staffing resources, the Kelowna RCMP Detachment has continued to work with a well-being consultant and the therapy dog BARK Program in partnership with UBC Okanagan to offer additional health-resources to employees.

Leveraging effective communications

The local RCMP took part in several community events including: food bank collections and a gratitude barbecue open house event at the Police Services Building the early fall.

Supporting the RCMP's charitable arm, Cops for Kids, Kelowna welcomed the traditional RCMP Musical Ride on Aug. 9 for the first time in 13 years. In September, the annual Cops for Kids Bike Ride saw 36-riders cycle around the Okanagan for 10 days. Combined, these two events raised more than \$440,000 for the Southeast B.C. Interior charity.

Addressing public safety in the community, Supt. Brent Mundle continues to conduct monthly interviews with AM1150 and with Kelowna Now, in addition to ongoing proactive media relations.

Community Impact Statements

In support of the Canadian Victims Bill of Rights, the Province has established a Community Impact Statement Program so that statements describing the impacts of a particular offence on the community can be admitted in court and considered by the judge during the sentencing of a convicted offender.

A Community Impact Statement is a statement that describes the harm or loss that an offence has caused to a community. If we submit a community impact statement, the court must take it into account when it sentences an offender, assuming it meets the Criminal Code requirements for admissibility. Whether these requirements have been met in a particular case will be for the judge to decide. How much weight the Community Impact Statement will be given, once admitted, is also up to the judge to decide.

Our expectation is that the RCMP would prepare the Community Impact Statement for those crimes having a significant impact on Kelowna and it be signed by the Superintendent RCMP Kelowna Detachment and the Mayor.

Internal Circulation:

S. Jackson, Police Services Manager
D. Gazley, Bylaw Services Manager
C. Cornock, Crime Prevention Supervisor
A. Bazett, Communications Consultant
T. Wilson, Communications Manager

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:
Personnel Implications :
External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:

Submitted by:

B. Mundle, Superintendent Kelowna RCMP Detachment

Approved for inclusion:



Joe Creron, Deputy City Manager, Operations

CITY COUNCIL PRESENTATION

December 3, 2018



Officer In Charge
Supt. Brent Mundle
Kelowna RCMP

2016-2019 CRIME REDUCTION STRATEGY

- ❖ The Kelowna RCMP continues to work diligently towards the four goals set forth in the 2016-2019 Crime Reduction Strategy



Crime Reduction Strategy

GOAL #1

TAKING A PROACTIVE APPROACH TO CRIME

GOAL #2

TO WORK WITH PARTNER AGENCIES FOR MORE EFFECTIVE
POLICING

GOAL #3

TO MAXIMIZE THE EFFECTIVENESS OF RESOURCES USING AN
INTELLIGENCE-LED MODEL

GOAL #4

LEVERAGING EFFECTIVE COMMUNICATIONS

GOAL #1

TAKING A PROACTIVE APPROACH TO CRIME

❖ Downtown Drug Project

- May 2018 – 46 charges against 29 individuals
- July 2018 – 17 charges against 11 individuals
- September 2018 – 19 charges against 9 individuals
- October 2018 (2 phases) – 38 charges against 24 individuals

❖ IMPACT Auto Theft

- 2 week initiative in July utilizing bait vehicles / ALPR
- Automatic licence plate readers

GOAL #1

TAKING A PROACTIVE APPROACH TO CRIME (CONT'D)

❖ Traffic Initiatives

- School Zone Speeding Silhouettes
- Christmas Counter Attack Planning



safety on the roads...



... and in the water

GOAL #1

TAKING A PROACTIVE APPROACH TO CRIME (CONT'D)

- ❖ **Inadmissible Patron Program – Public Safety Initiative**

- ❖ **Project 529 – Bike Search Warrant and Recovery**

- ❖ **Notable Investigations**

- SW resulting in recovery of 45 stolen bikes related to rental bikes stolen from Myra Canyon and 4 stolen vehicles;
- SW resulting in seizure of 1 handgun, loaded tactical shotgun, 5 long guns;
- Series of robberies involving hotels and restaurants winter of 2017; lengthy investigation resulting in the identification of the offender. In October, the offender was convicted and sentenced to 4 years in jail.

GOAL #1

TAKING A PROACTIVE APPROACH TO CRIME (CONT'D)



GOAL #2 TO WORK WITH PARTNER AGENCIES FOR MORE EFFECTIVE POLICING

- ❖ **STOP – Family Violence Initiative Fund Grant**
- ❖ **HUB Model**
- ❖ **PACT (Police and Crisis Team)**
- ❖ **Central Okanagan Crime Stoppers International Award**
 - Best Public Service Announcement, “How Crime Stoppers Works”



GOAL #2

❖ TO WORK WITH PARTNER AGENCIES FOR MORE EFFECTIVE POLICING (CONT)

❖ Crown Led Bail Hearings

❖ High Potency Lab



GOAL #3

TO MAXIMIZE THE EFFECTIVENESS OF RESOURCES USING AN INTELLIGENCE-LED MODEL

❖ Staffing 4 new resources approved in last budget cycle

- 1 Police & Crisis Team Member
- 2 Permanent Bike Patrol Members
- 1 Forensic Identification Specialist

❖ Employee Wellness

- Established an Employee Lead Wellness Committee
- Trauma Informed Leadership Workshop for Senior Management
- Trauma Workshop hosted by RDCO for First Responders
- Stress Management Presentations for Employees & Partners
- BARK
- Leadership Training for Detachment Employees



GOAL #3

TO MAXIMIZE THE EFFECTIVENESS OF RESOURCES USING AN INTELLIGENCE-LED MODEL (CONT)

❖ **Redeployment of Resources**

- Spike in property related crime has resulted in the creation of a rotating unit to target street level property crime through the winter months;
- Supplemental fall downtown foot patrols – 3 afternoons a week

❖ **Special Event Policing**

- YTD – 31 special events = 232 member shifts = 1548 hours

GOAL #4

LEVERAGING EFFECTIVE COMMUNICATIONS

- ❖ National Day of Remembrance for Road Traffic Victims – Nov 21
- ❖ Community Involvement
 - Jeans Day Food Bank Collection – 154 lbs of food;
 - Food Drives;
 - Kelowna Morningside Rotary Club Donates Ballistic K9 Vests;
 - Gratitude Barbecue



GOAL #4

LEVERAGING EFFECTIVE COMMUNICATIONS (CONT)

❖ Positive Community Involvement



Cops for Kids – Bike Ride / Musical Ride



GOAL #4 LEVERAGING EFFECTIVE COMMUNICATIONS



GOAL #4 LEVERAGING EFFECTIVE COMMUNICATIONS

Rotary Club Donates Ballistic Protection Vests for Police Dogs



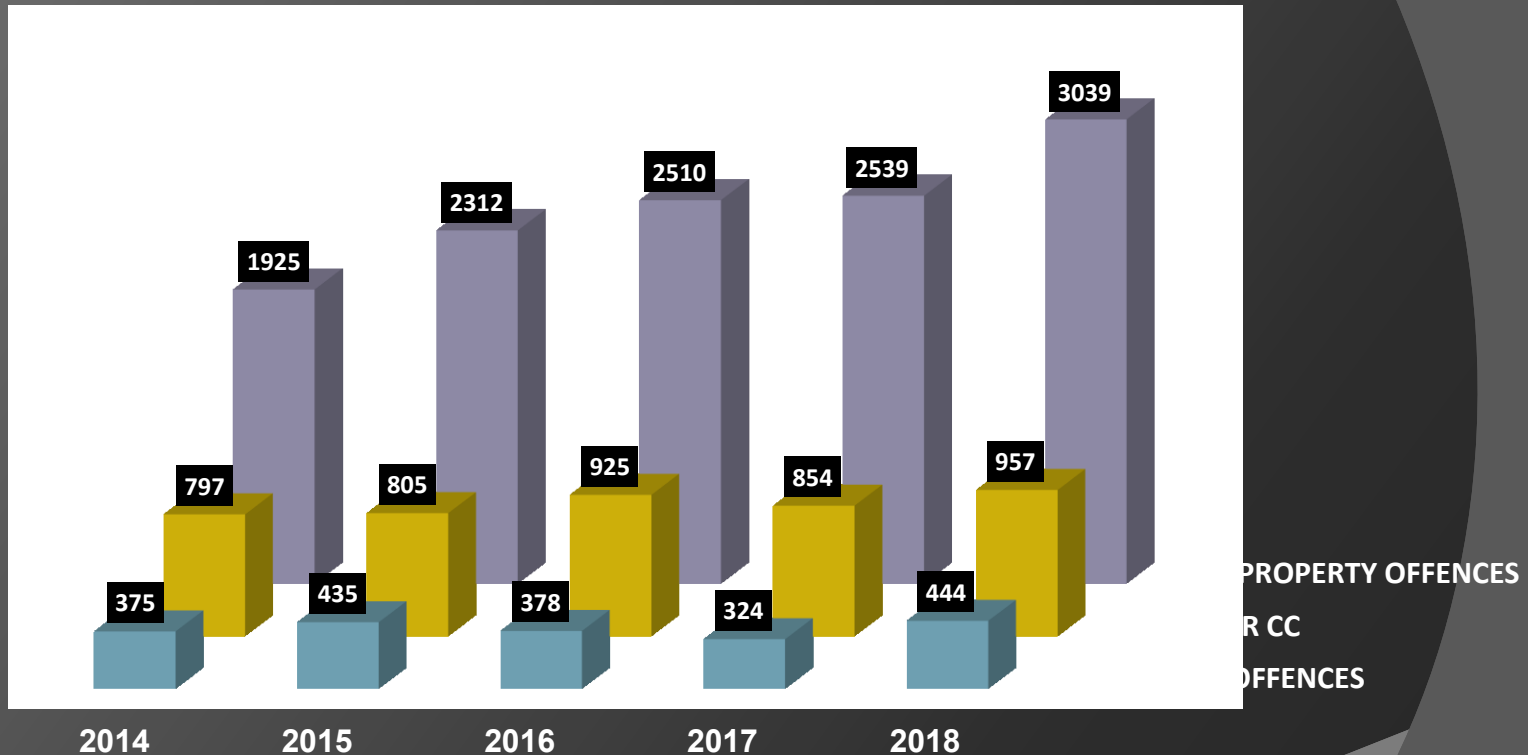
GOAL #4 LEVERAGING EFFECTIVE COMMUNICATIONS (CONT)

RCHA Bravery Awards Ceremony



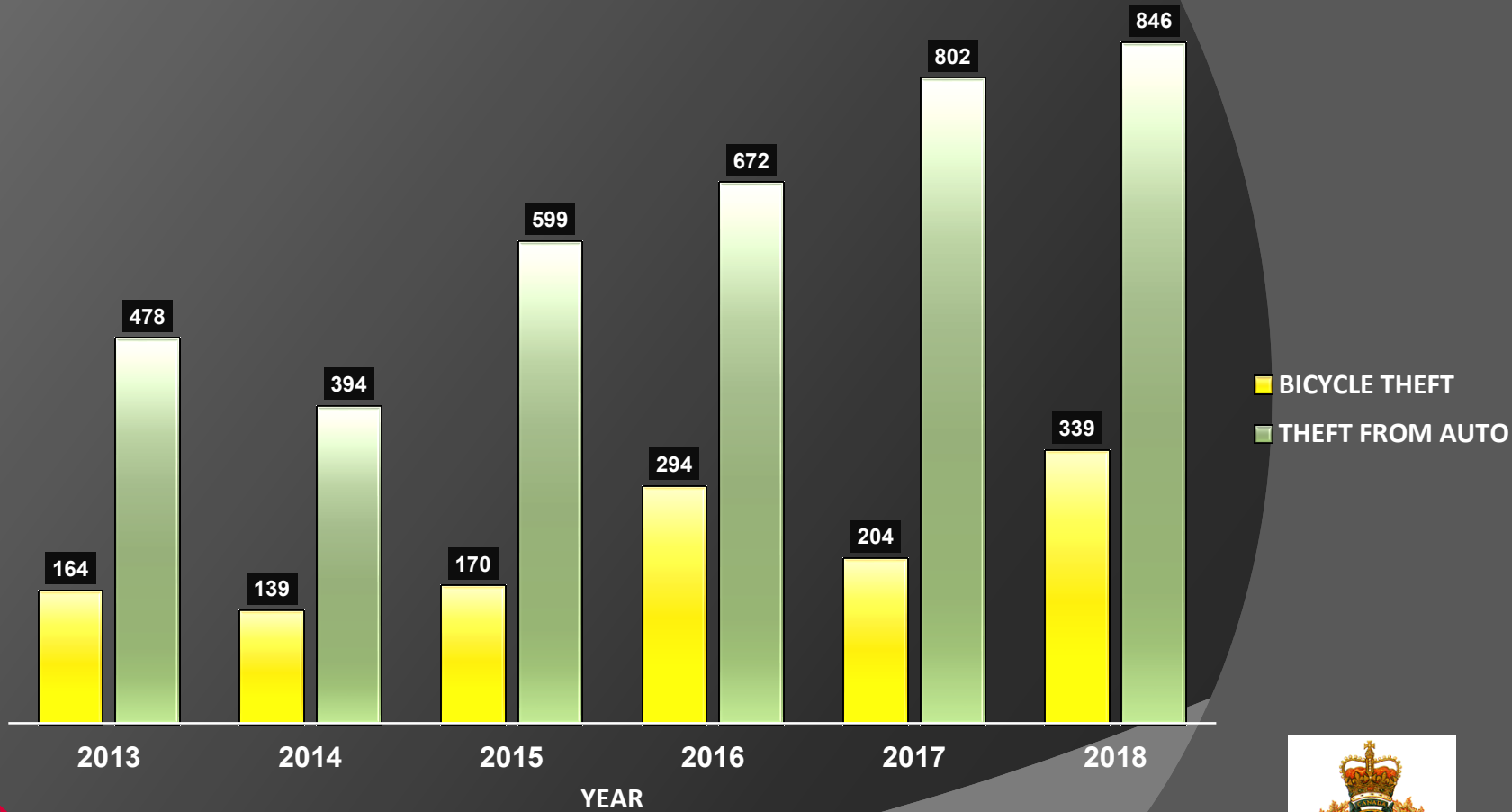
THIRD QUARTER OF 2018

YEARLY COMPARISON BY QUARTER (JULY TO SEPT)



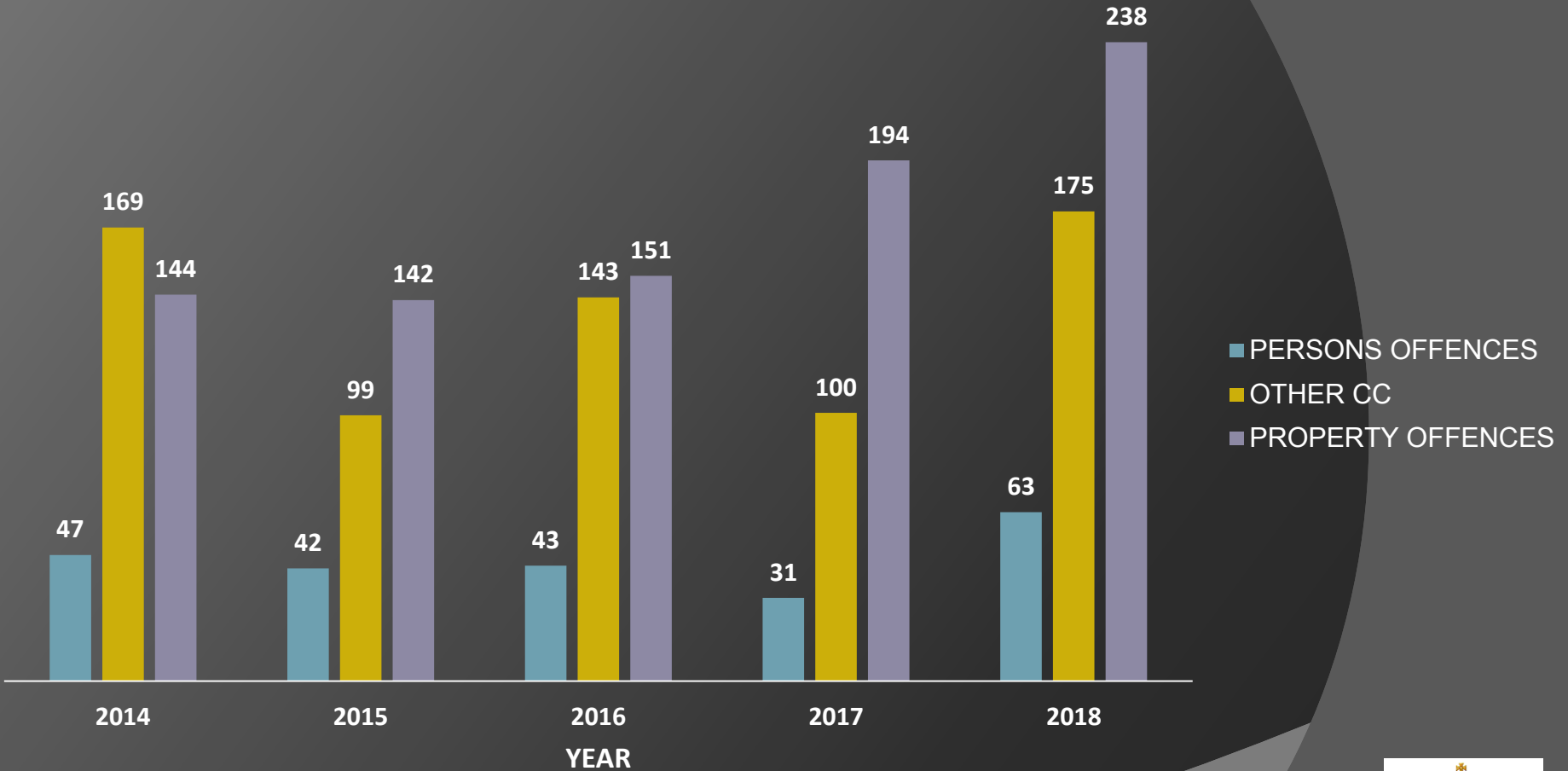
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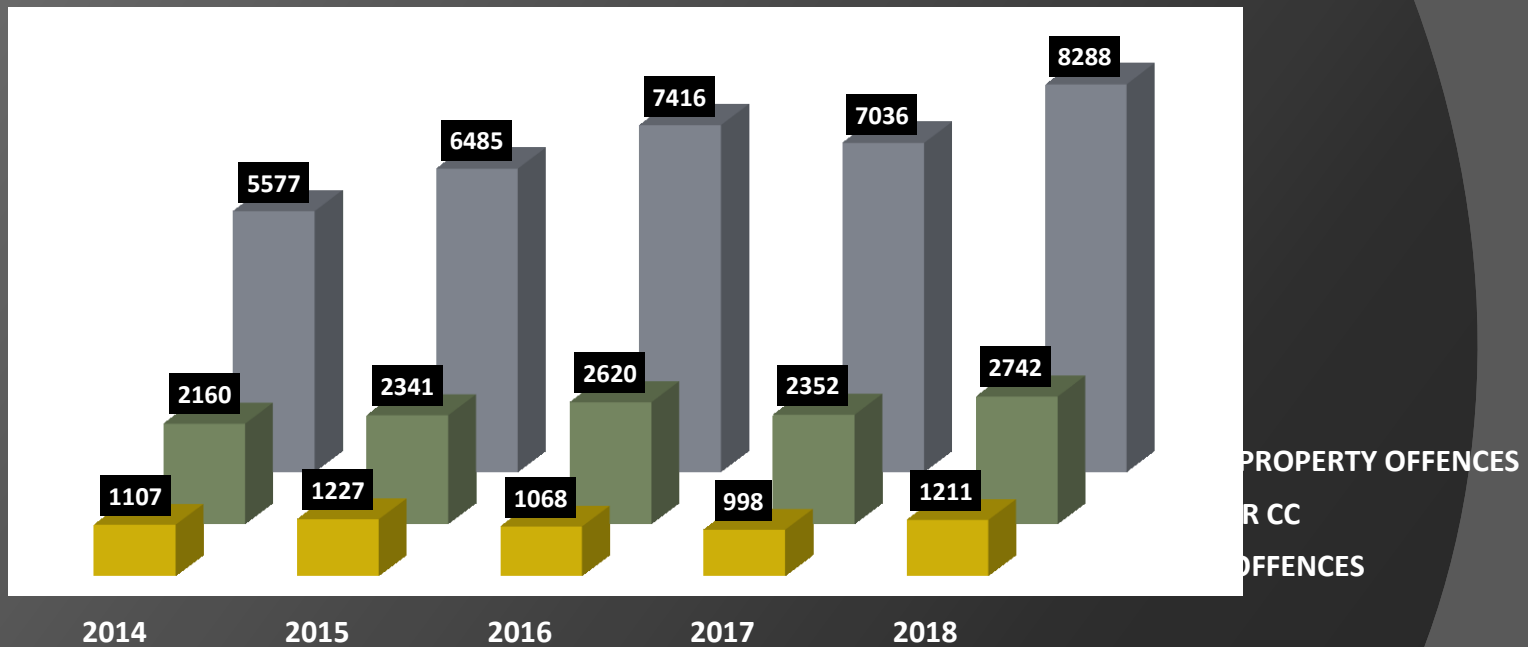
THIRD QUARTER OF 2018

YEARLY COMPARISON OF CRIME DOWNTOWN BY QUARTER (JULY TO SEPT)



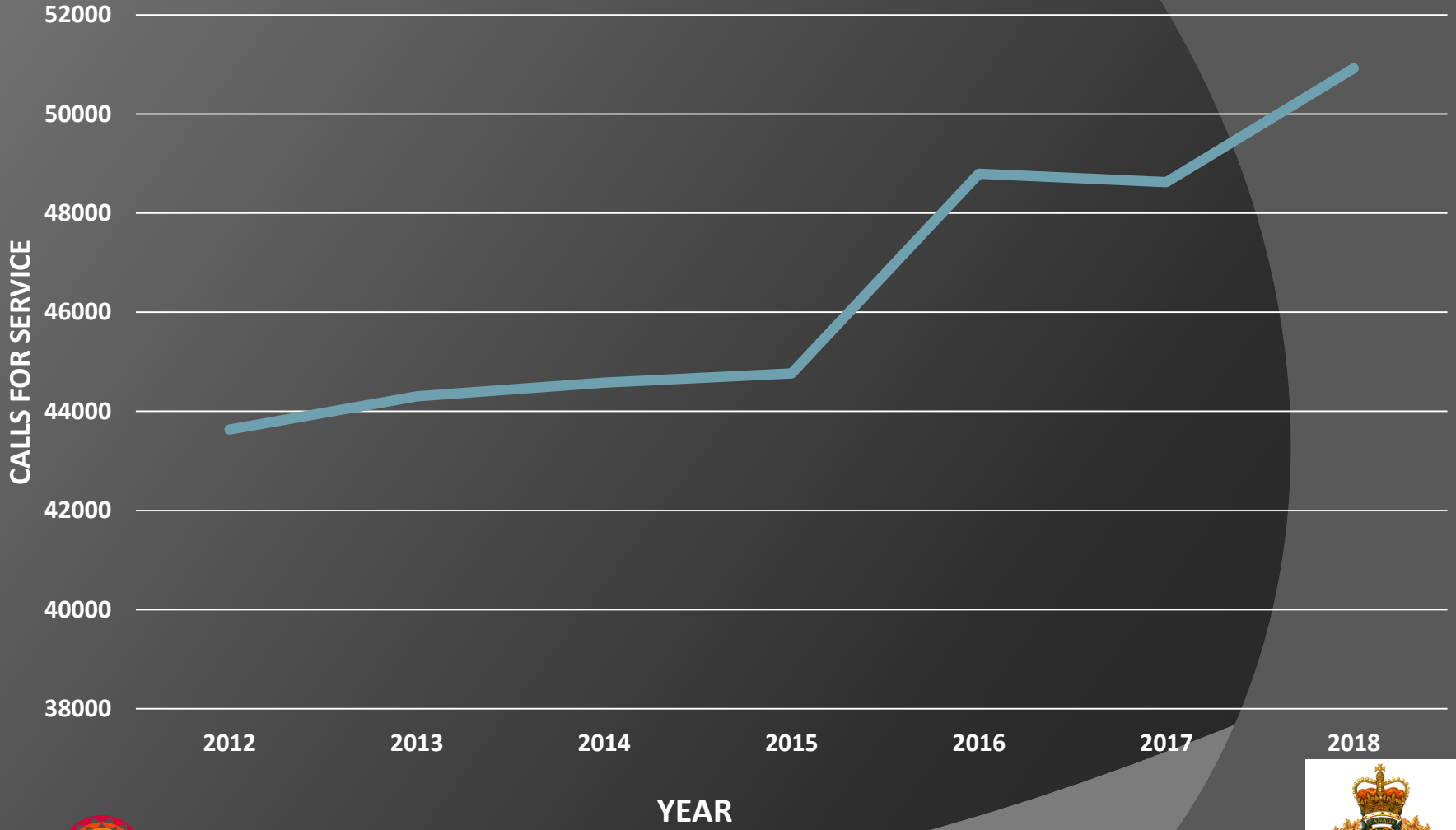
YEAR TO DATE OFFENCES

YTD COMPARISON (JAN TO OCT)



CALLS FOR SERVICE

KELOWNA - YEAR TO DATE (JAN TO OCT)



QUESTIONS?



Report to Council



Date: December 3, 2018

File: 0115-20

To: City Manager

From: Mariko Siggers, Community & Neighbourhood Services Manager

Subject: 2018 Civic & Community Awards Nomination Period

Report Prepared by: Melina Moran, Acting Community Development Coordinator

Recommendation:

THAT Council receives as information the report from the Community & Neighbourhood Services Manager dated December 3, 2018, which outlines the 44th Annual Civic & Community Award categories and nomination period.

Purpose:

To announce the nomination period for the 44th Annual Civic & Community Awards.

Background:

The 44th Annual Civic & Community Awards will take place on April 24, 2019. This program recognizes outstanding contributions and achievements in our city. It is overseen by a Steering Committee made up of members of the community which provides direction to three sub-committees: the Nominating Committee, the Sports Committee and the Selection Committee. Nominees are vetted through the committees and finalists are recognized at the event.

The nomination period for the 44th Annual Civic & Community Awards commences on Monday December 3rd, 2018 and remains open until Friday February 8th, 2019. Nomination forms and criteria for all categories are available on the City's website, with hard copy forms available at City Hall, the Parkinson Recreation Centre and all Okanagan Regional Library locations. Nominations may be submitted online, by e-mail, or in person at the Parkinson Recreation Centre. More information can be found at kelowna.ca/our-community.

Two award categories that are part of the annual event but are not part of this nomination call include the Anita Tozer Memorial Award, which is selected by City Council, and the Augie Ciancone Memorial Award, which recognizes the top male and female high school athletes as selected through the Okanagan Central Schools Athletic Association.

The 44th annual awards night will be held on Wednesday April 24th, 2019, at the Kelowna Community Theatre. The Mayor's Reception will be held on Sunday April 14th, 2019, as an opportunity for Mayor and Council to honour each finalist with a special plaque from the City.

Each year the award recipients are further recognized at Jim Stuart Park with their names on an individual name plate. At the conclusion of the next Civic Awards event the name plates are replaced with the current year's award recipients.

The table below lists the award categories, criteria and the 2017 recipients:

Category	Criteria	2017 Recipient
Teen Honour in the Arts and Honour in the Arts	Awarded to an adult and youth who has made outstanding contributions to Kelowna through cultural and/or artistic efforts	Madelyn Miyashita and Simone Orlando
Young Male and Young Female Volunteer of the year	Awarded to a young male and young female in recognition of their overall outstanding voluntary contributions to Kelowna.	Finnegan Pihl and Ashley Robinson
Bob Giordano Memorial Award	Awarded to an individual who has contributed significantly to Kelowna through voluntary service to amateur sport, such as coaching or administrative support.	Linda McIntosh
Male and Female Athlete of the Year	Awarded to the athlete (amateur or professional) who brought the greatest amount of recognition to Kelowna.	Grant Shephard and Taryn O'Neill
Bryan Couling Memorial, Athletic Team of the Year	Awarded to the Kelowna based team (amateur or professional) who brought the greatest amount of recognition to Kelowna.	Kelowna Secondary School Owls Boys Curling Team
Champion for the Environment (Individual and Business)	Awarded to an individual and a business whose actions and achievements have shown outstanding environmental leadership or innovative contributions having a direct benefit on the city of Kelowna.	Individual: Angela Nagy Business: One Big Table
The Central Okanagan Foundation, Volunteer Organization of the Year	Awarded to a Kelowna volunteer organization that has provided outstanding community services with direct benefits to the city of Kelowna.	Central Okanagan Search and Rescue

The Corporate Community of the Year, Small business and Medium to Large Businesses	Awarded to the Kelowna businesses that have provided outstanding support for employee volunteerism in addition to financial contributions and initiatives having a direct benefit on the city of Kelowna.	Small: Scotia McLeod/Scotia Wealth Management Med/Lrg: Crowe MacKay LLP
The Fred Macklin Memorial, Man of the Year	Awarded to a man in recognition of his overall outstanding voluntary contributions to the city of Kelowna.	Peter Boyd
The Sarah Donalda Treadgold Memorial, Woman of the Year	Awarded to a woman in recognition of her overall outstanding voluntary contributions to the city of Kelowna.	Catherine Williams
Augie Ciancone Memorial Award. (not part of this call for nominations)	Most outstanding male and female high school athlete of the year, in the area of the Central Okanagan.	Taryn O'Neill and Clarke Larsen

Internal Circulation: Communications Advisor

Considerations not applicable to this report:

Legal/Statutory Authority

Legal/statutory Procedural Requirements

Existing Policy

Financial/Budgetary Considerations

Personnel Implications

Technical Requirements

Communications comments

External Agency/Public Comments

Alternate Recommendation

Submitted by: M. Siggers, Community & Neighbourhood Services Manager

Approved for inclusion: J. Gabriel, Divisional Director, Active Living & Culture

Attachments:

PowerPoint Presentation- 44th Annual Civic & Community Awards Nomination Period



44th Annual Civic & Community Awards



The City of Kelowna's Civic & Community Awards

- ▶ Recognizes and celebrates individuals, businesses and organizations for their volunteerism and outstanding achievements.
- ▶ Made a significant contribution to our community in the year 2018.



Categories

Teen Honour in the Arts & Honour in the Arts	Champion for the Environment (Individual/Business)
Young Male/Female Volunteer of the Year	The Central Okanagan Foundation, Volunteer Organization of the Year
Bob Giordano Memorial Award	Corporate Community of the Year (Small/Med to Large businesses)
Male/Female Athlete of the Year	The Fred Macklin Memorial, Man of the Year
Bryan Couling Memorial, Athletic Team of the Year	The Sarah Donalda Treadgold Memorial, Woman of the Year
Augie Ciancone Memorial Award	

Nomination period

- ▶ Nomination period:
 - ▶ December 3rd – February 8th, 2019
- ▶ All nomination forms and info available online, www.kelowna.ca/our-community
- ▶ Three easy ways to nominate:
 - ▶ Online submission
 - ▶ Email
 - ▶ Drop-off at the Parkinson Rec. Centre or City Hall

Completing the nomination form

- ▶ Selections are based on achievements and contributions in 2018
- ▶ Award selections are based solely on the information provided in the nomination package
- ▶ Finalists will be announced in early March.

44th Annual Civic & Community Awards

*Wednesday April 24, 2019
at the Kelowna Community Theatre*





Questions?

For more information, visit kelowna.ca.

REPORT TO COUNCIL



Date: December 3, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TH)

Application: OCP16-0004 & Z16-0030 **Owner:** Prodev GP Ltd., Inc.No. A87135
1378310 Alberta Ltd., Inc.No. A77231

Address: 2755 McCurdy Road **Applicant:** Troika Management Corp.

Subject: EXTENSION REQUEST Official Community plan Amendment & Rezoning Application

Existing OCP Designation: REP – Resource Protection Area
PARK – Major Park / Open Space (Public)
MRL – Multiple Unit Residential (Low Density)

Proposed OCP Designation: REP – Resource Protection Area
PARK – Major Park / Open Space (Public)

Existing Zone: A1 – Agriculture 1

Proposed Zone: A1 – Agriculture 1
RHM₄ – Hillside Cluster Multiple Housing

1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Bylaw No. 11472 and Bylaw No. 11473, be extended from September 19, 2018 to September 19, 2019

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

2.0 Purpose

To extend the deadline for adoption of Bylaw No. 11472 and Bylaw No. 11473 to September 19, 2019.

3.0 Community Planning

Development application OCP16-0004 and Z16-0030 received Third Reading by Council on September 19, 2017. There are multiple substantial conditions to be completed by the applicant in order to achieve fourth reading and final adoption.

The original applicant, Optus Advisors Inc. has been working over the past year towards their conditions, no items have been met to date. The original applicant has also been working with a new partner, who is now the new applicant that will carry this development forward.

Troika Management Corp. submitted a letter of rationale to the Community Planning Department stating that they understand the requirements to achieve fourth and final adoption of the OCP Amendment and Rezoning Application and understand they will need to meet all requirements within one year.

Due to the application being submitted May, 2016 Staff recommend only extending the Bylaws for one year, if the Bylaws have not received final adoption by September 19, 2019 the applicant would be required to reapply.

4.0 Application Chronology

Date of Application Received:	May 19, 2016
Date Public Consultation Completed:	July 31, 2017
Date of Third Reading by Council:	September 19, 2017
Date Extension Application:	October 17, 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:

Letter of Rationale from Applicant

October 19, 2018

Tracey Hillis
Planner | City of Kelowna

Re: OCP16-0004 & Z16-0030

Dear Tracey,

ProDev GP Ltd. and 2137259 Alberta Ltd., the owners of the subject property 2755 McCurdy Road, have been looking for a partner to develop their land. On September 19, 2017, the formal Rezoning Application and Official Community Plan Amendment received Third Reading by City Council.

Troika Management Corporation has partnered with the land owners in order to move the development forward. To date the applicant has conducted a variety of third party reports including an Environmental Study, Geotechnical Reports, Engineering Studies and Architectural Plans that has provided them with the necessary information to move forward with the development.

Now partnered with Troika, the development has gained momentum to move forward with completion and submission of the items identified as conditions of final approval. The new partnership aims to submit a formal Development Permit to the City of Kelowna early in 2019 with the intent of having the first building permit issued in 2019. To that end, we are applying for an extension to OCP and Rezoning files noted above. For clarity, we understand the property is in the BMID service area and there are associated requirements to provide water service to the site. The scope and construction timing of this work will be dependent on final designs and approval schedules.

We look forward to bringing another successful community to Kelowna

Sincerely,



Rich Threlfall, P.Eng
Vice-President, Development

supported by Council, a Development Permit would not be required and the applicant could apply directly for a Building Permit. Parking requirements can be accommodated with the existing double car garage and driveway.

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

4.0 Proposal

4.1 Project Description

The applicant has submitted conceptual drawings siting the carriage house on the property. The proposal indicates the single storey carriage house can be developed to meet all of the Zoning Bylaw Regulations without any variances.

The conceptual carriage house design is for a modern style building with an angled shed roof to match the existing accessory building.

4.2 Site Context

The 1255 m² property is located in the Glenmore area, south of Summit Drive and east of Valley Road.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU ₁ – Large Lot Housing	Single Family Dwelling
East	RU _{1c} – Large Lot Housing with Carriage House	Single Family Dwelling
South	RU ₁ – Large Lot Housing	Single Family Dwelling
West	RU ₁ – Large Lot Housing	Single Family Dwelling

Subject Property Map: 925 Eagle Drive



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.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments relevant to Rezoning. Building Code analysis will occur at time of Building Permit.

6.2 Development Engineering Department

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).

- Refer to attached memo. No outstanding issues.

7.0 Application Chronology

Date of Application Received: May 10, 2018
Date Public Consultation Completed: August 26, 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
Schedule B: Conceptual Elevations

CITY OF KELOWNA
MEMORANDUM

ATTACHMENT A

Date: May 10, 2018
File No.: Z18-0052
To: Community Planning (LK)
From: Development Engineering Manager(JK)
Subject: 925 Eagle Dr.

This forms part of application
Z18-0052

Planner
Initials LK



RU1 – RU1c Carriage House

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

1. Domestic Water and Fire Protection

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

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) is required at applicant cost.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Walk way lighting must be installed from parking spot to carriage house.

New Carriage house parking spot must be provided for on existing lot.

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

RO

GENERAL NOTES

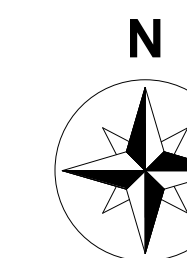
- The following notes are to be included as part of the drawings.
- The Contractor or the Owner shall verify all dimensions, details, structural materials and conditions shown on the drawings or noted in the specifications.
- The Contractor or Owner shall resolve any problems arising out of any variances from the drawings and specifications, or from conditions encountered at the job site. Such resolution shall be the sole responsibility of the Contractor or Owner.
- The Designer shall not be responsible for any departure from the drawings and Specifications authorized by any inspection authority during the course of construction.
- The Contractor or the Owner shall ensure that all work conform to the current Building Code adopted by the authorities having jurisdiction or local Building Codes and By-laws that may take precedence.
- The Contractor or the Owner shall be responsible for correct placement of this building on the site.
- The Designer shall not be responsible for site conditions such as soil bearing capacity, depths of water tables or buried structures.
- All work shall be equal in all respects to good building practice.
- Written dimensions take precedence over scaled drawings.
- Construction loads on the structure caused by interim storage of materials or use of equipment will not be allowed to exceed the design loads.
- These drawings are not to be scaled.

ERRORS AND OMISSIONS

- The Designer makes every effort to provide complete and accurate home plans. This office assumes no liability for any errors or omissions that may affect construction.
- Should any discrepancies be found on this set of drawings, please advise our office at your earliest convenience.

COTE / JOHNSON RESIDENCE

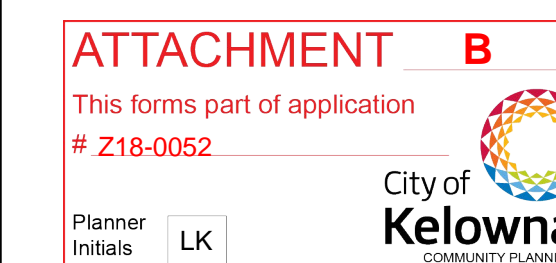
925 EAGLE DR



Blue Vision
Drafting & Design
3448 Cougar Rd
West Kelowna, BC
V4T 2G9
250.864.6666
blue.vision@hotmail.com

Issue Schedule

Issue Number	Description	Date
1	RE-ZONING	23.10.18



CONTRACTOR TO SITE CONFIRM ALL DIMENSIONS PRIOR TO CONSTRUCTION

Edi Cote & Gary Johnson
925 Eagle Dr.
Kelowna, BC V1Y 4S9
250.212.6688
Gary17@shaw.ca

Carriage House
Re-Zoning

925 Eagle Dr.
Kelowna, BC

SITE PLAN

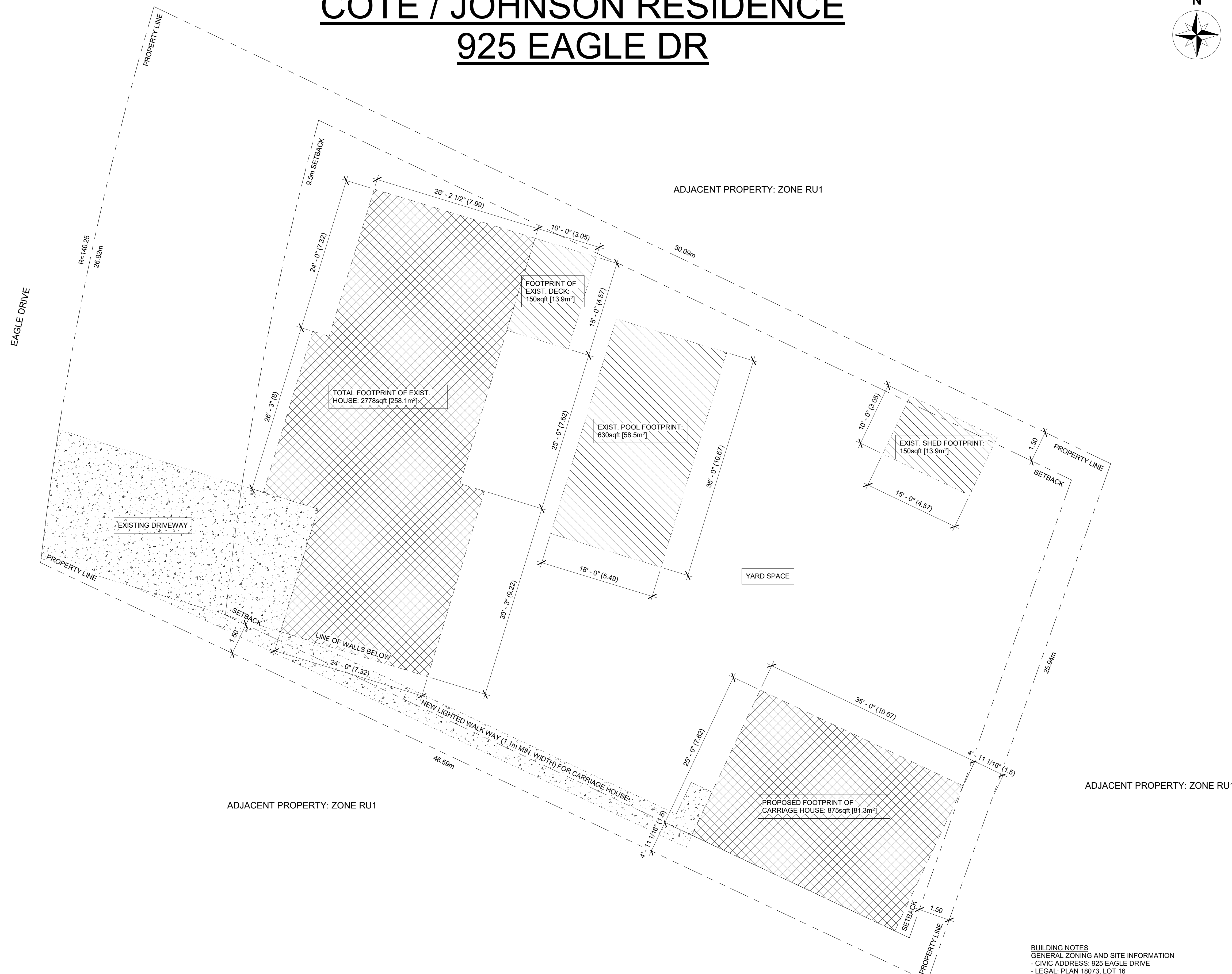
SCALE:

AS NOTED

DRAWN BY: DS CHECKED BY: BV

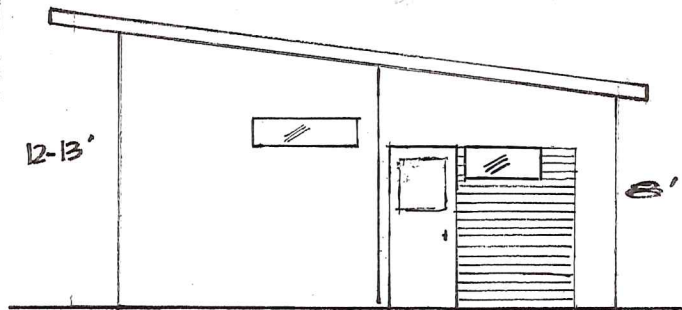
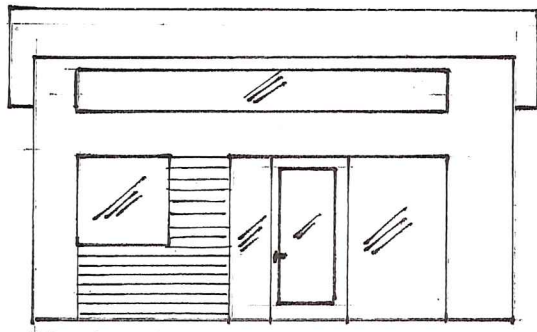
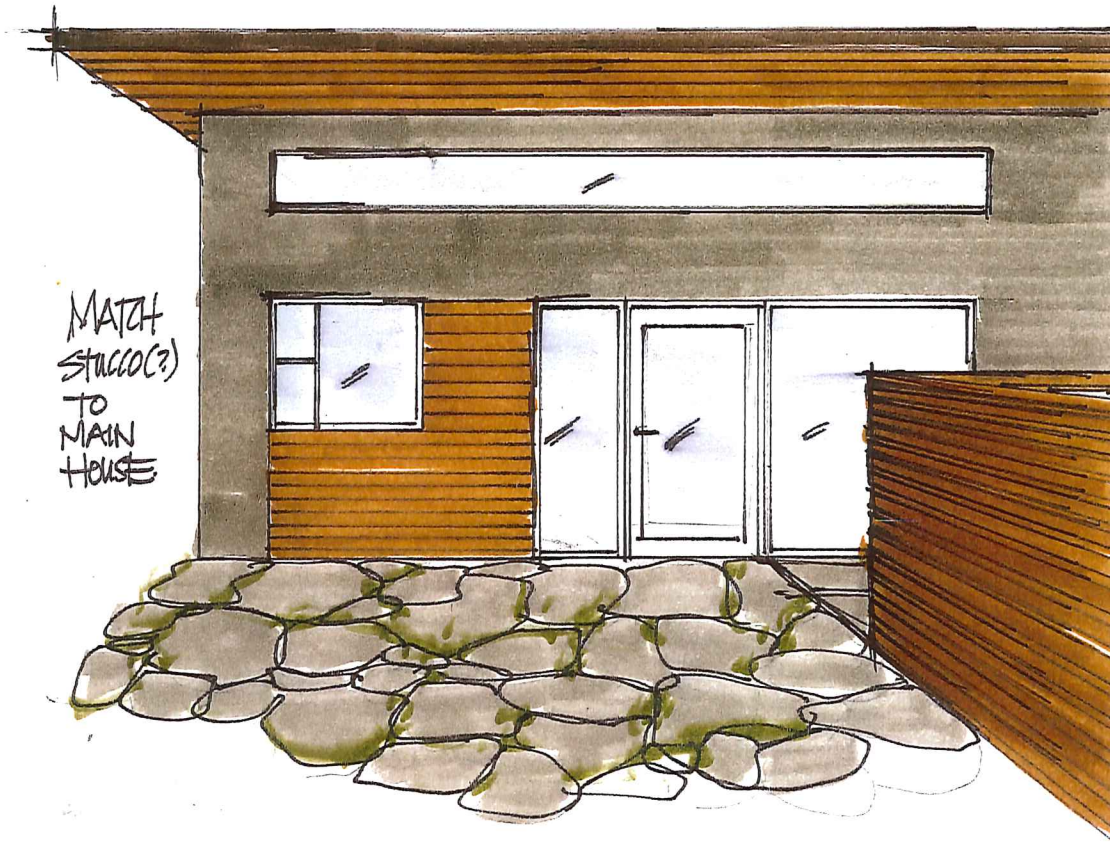
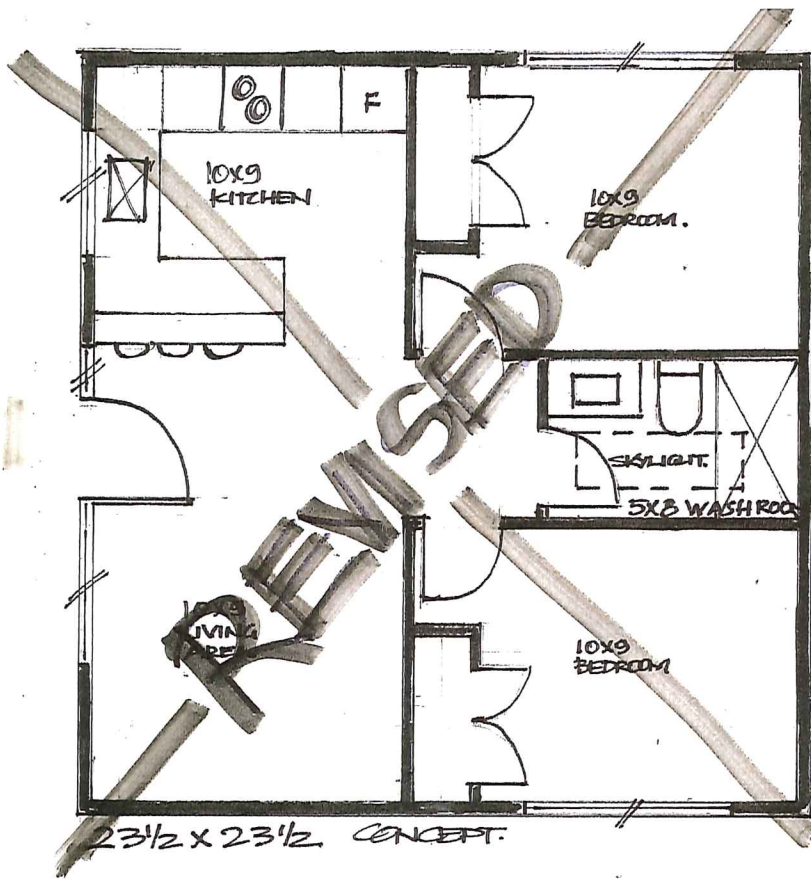
DATE: 23.10.18 PROJECT: 2018-047

A1.0



1 SITE PLAN
1/8" = 1'-0"

- BUILDING NOTES**
GENERAL ZONING AND SITE INFORMATION
- CIVIC ADDRESS: 925 EAGLE DRIVE
 - LEGAL: PLAN 18073, LOT 16
 - CURRENT ZONING: RU1 - URBAN RESIDENTIAL 1
 - PROPOSED ZONING: RU1c - URBAN RESIDENTIAL 1 w/ CARRIAGE HOUSE
 - AUTHORITY: CITY OF KELOWNA
 - TOTAL LOT AREA: 13,504sqft [1254.6m²]
 - EXISTING HOUSE FOOTPRINT: 2778sqft [258.1m²]
 - EXISTING DECK FOOTPRINT: 150sqft [13.9m²]
 - EXISTING TOTAL FOOTPRINT: 2928sqft [272m²]
 - EXISTING % LOT COVERAGE: 21.7%
 - MAX COMBINED LOT OF ALL ACCESSORY BUILDINGS: 14%
 - EXISTING SHED FOOTPRINT: 150sqft [13.9m²]
 - PROPOSED CARRIAGE HOUSE FOOTPRINT: 875sqft [81.3m²]
 - PROPOSED COMBINED LOT OF ALL ACCESSORY BUILDINGS: 7.6%
- CARRIAGE HOUSE SETBACKS:**
- FRONT YARD SETBACK: 9.0m
 - REAR YARD SETBACK: 1.5m
 - SIDE YARD SETBACK: 1.5m
 - 4.5m (FLANKING STREET)
 - MAXIMUM HEIGHT OF MAIN HOUSE: 4.8m (1.5 STOREYS)



CVK
CONCEPT
BACK SUITE

ATTACHMENT C

This forms part of application

Z18-0052

Planner Initials LK



CITY OF KELOWNA
BYLAW NO. 11709
Z18-0052 – 925 Eagle 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 the zoning classification of Lot 16 Section 29 Township 26 ODYD Plan 18073, located on Eagle Drive, 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: December 3, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AC)

Application: Z18-0059 TA18-0006 **Owners:** PC Urban Clement Holdings Ltd., Inc. No. BC 1099980

Addresses: 816 Clement Ave **Applicant:** PC Urban – Shawn Oh

Subject: Rezoning and Text Amendment Application

OCP Designation: IND – Industrial

Existing Zone: I2 – General Industrial & I4 – Central Industrial

Proposed Zone: I4 – Central Industrial

1.0 Recommendation

THAT Rezoning Application No. Z18-0059 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of LOT B SECTION 30 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP83554, located at 816 Clement Ave, Kelowna, BC from the I2 – General Industrial & I4 – Central Industrial zones to the I4 – Central Industrial zone.

AND THAT the Zoning Bylaw Text Amendment Bylaw Application No. TA18-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 as described in Attachment 'B' outlined in the Report from the Community Planning Department dated November 29th 2017, be considered by Council;

AND THAT the Rezoning and Text Amendment Bylaws NOT be forwarded to a Public Hearing for further consideration until such time as OCP Amending Bylaw No. 11604 (OCP17-0021) and Rezoning Bylaw No. 11605 (Z17-0093) for the property located at 726 Clement Ave are adopted;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated November 29th, 2018;

AND 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 split-zoned subject property from the I₄ – Central Industrial zone and I₂ – General Industrial zone to the I₄ – Central Industrial zone and consider a Zoning Bylaw Text Amendment to allow for additional commercial uses on the subject property.

3.0 Community Planning

The applicant has applied to rezone the entirety of the property to the I₄ zone with plans to build two light – industrial buildings. In combination with the previously submitted mixed-use residential / commercial proposal on the adjacent Lot A, this proposal facilitates the vision of this site as a transition away from residential and towards industrial uses. In an effort to facilitate that vision, the applicant is seeking a Text Amendment to the Zoning Bylaw to add a number of principal land uses to the I₄ zone. Staff are recommending these land uses be applied only to this lot due to the unique circumstances and only be permitted for the building fronting along Clement Ave. This will help the transition to the industrial properties to the east and north. The proposed principal land uses are:

- Offices
- Business Support Services
- Financial Services
- Government services
- Health Services
- Retail liquor sales establishment
- Retail stores, service commercial
- Retail stores, general
- Commercial Schools

Staff are recommending support for the proposed rezoning and Text Amendment as these changes will help facilitate the transitional land uses as part of the overall plan for the block. However, the applicant's first phase rezoning (from I₂/I₄ to C₄) on 726 Clement Avenue is currently sitting at 3rd reading. The applicant needs to complete the Development Engineering requirements prior to final adoption which includes signing a servicing agreement and paying the associated performance bond. The applicant has stated the financing is taking some time for that project and they desired to proceed with first reading for phase 2. Staff are recommending that Council delay scheduling the public hearing for phase 2 until such time as the adoption of final reading for phase 1 as Staff's recommendation for phase 2 is contingent upon phase 1 adoption.

4.0 Proposal

4.1 Background

This site has a long history of varied development proposals following the sale of the former BC Tree Fruit packing house. See Staff's Report to Council (dated April 26th 2018) for the development and site history. That report went to Public Hearing on May 15th 2018.

The applicant also completed the neighbourhood notification process by contacting all properties within 50m of the subject properties.

4.2 Project Description

The applicant has applied to rezone the property from a split I₂ / I₄ zone to the whole I₄ zone with plans to build two light – industrial buildings. Staff are not tracking any variances with the current plans. Should

Council support the Text Amendment and Rezoning bylaws, staff will bring forward a detailed report evaluating the design guidelines for Council’s consideration of the Development Permit.

4.3 Site Context

The subject properties are currently vacant as the former BC Tree Fruit Packinghouse was demolished in 2017. The total properties owned by the applicant represent 3.6 acres (1.5 ha) of under-developed land in a strategic location on the edge of the ‘City Centre’ Urban Centre at the corner of Clement Avenue and Richter Street. The site is connected to urban services and is located within the Permanent Growth Boundary.

Subject Properties Map: 816 Clement Ave



5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Industrial Land Use Polices

Objective 5.28. Focus industrial development to areas suitable for industrial use.

Objective 5.29. Ensure efficient use of industrial land supply.

North End Industrial (High Tech and Incubator).¹ Encourage the redevelopment of industrially designated lands north of the Downtown Urban Centre for high-tech projects and buildings, including the potential for “incubator space” for smaller businesses.

¹ Policy 5.19.6 (Development Process Chapter 5).

Industrial Land Use Intensification.² Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

Secondary Housing in Light Industrial Areas.³ Consider the limited expansion of housing as a secondary use within industrial buildings in light or transitional industrial areas.

Objective 5.30. Ensure adequate industrial land supply.

Industrial Supply Protection. Protect existing industrial lands from conversion to other land uses by not supporting the rezoning of industrial land to preclude industrial activities unless there are environmental reasons for encouraging a change of use

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

- See Attachment 'A', memorandum dated May 31, 2018.

6.3 Fire Department

- No comments related to zoning.

7.0 Application Chronology

Date of Application Received: May 22, 2018

Date Public Consultation Completed: Nov 3, 2018

Report prepared by: Adam Cseke, Planner Specialist
Reviewed by: Terry Barton, Urban Planning Manager
Reviewed by: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment 'A' – Development Engineering Memorandum dated May 31, 2018
Attachment 'B' – TA18-0006 language changes to Zoning Bylaw No. 8000
Schedule 'A & B' – Preliminary Development Plans

² Policy 5.29.1 (Development Process Chapter 5).

³ Policy 5.29.2 (Development Process Chapter 5).

October 18, 2018

Mr. Adam Cseke, Planner
City of Kelowna Planning Department
1435 Water Street
Kelowna, BC V1Y 1J4

RE: Development Proposal for 816 Clement Ave, Kelowna, BC – Development Rationale

Dear Adam:

Further to our prior meetings and correspondence we hereby submit this rationale letter, rezoning application, development permit application, text amendment application, and supporting documents in support of the above referenced property.

Introduction

The Clement corridor provides exciting opportunities for the City as it grows and evolves, and PC Urban’s acquisition of the subject property two years ago was based on understanding of the complex dynamics in play in this area and to see beyond the current physical environment to a future that is evolving beyond its traditional industrial past to a more transitional – and eventually more urban - future.

PC Urban purchased the property with a commitment to the transition concept and a belief in the power of a mixed-use formula to create interesting and functional enclaves that serve the City’s objectives and the needs of a spectrum of users within the growing and changing neighbourhood.

The subject property is located mid-block on north side of Clement Avenue between Richter and Ethel streets in Kelowna, BC (the “Property”). In September 2018, PC Urban completed technical subdivision of three legal lots into two legal lots including a road dedication to the City: Lot A (1.21 ha) and Lot B (0.675 ha), and 0.277 ha of road – a 10-meter dedication to allow for widening of Clement Ave. Lot B is the subject of this application.

In May 2018, PC Urban applied to rezone the Property from current I2 (General Industrial) and I4 (Central Industrial) to I4 (Central Industrial) with plans to build two light-industrial buildings on Lot B which complies with the current Official Community Plan (OCP) designation as Industrial (IND) land. In combination with the previously submitted mixed-use residential proposal on Lot A, this proposal compliments and completes the vision for this site. The transition from residential on Lot A to light-industrial on Lot B signifies the eastern boundary of residential zoning along Clement Avenue and maintains preservation of the industrial land.

The application on Lot A is currently under development review by the City of Kelowna and consists of retail at grade with residential units above. In contrast this proposal focuses on employment and industry related uses and will set a precedent for and encourage similar uses in the area. Based on pre-application discussions and meetings with the Planning Department and councilmembers, we understand the proposed form of development is strongly aligned with the City's objectives. This development proposal application reflects these previous discussions with Staff.

Our proposed plan takes into consideration the strong support for creation of light-industrial spaces for businesses near the downtown core. PC Urban has developed similar projects in North Vancouver (Barrow Centre -1515 Barrow Street) and Vancouver (IntraUrban – 8811, 8855 & 8889 Laurel Street). Both projects have been well received by their respective community's and provide an attainable ownership option for small businesses interested in locating close to city centres with proximity to established transportation networks and shorter commute times than those found in the outer suburbs.

The Property neighbours industrial users to the north (BC Tree Fruits, Sun Ripe, Sandhill Wines), a vacant lot to the east, single family homes to the south, and a new regional RCMP station to the west. In the larger context, the Property is a few blocks northeast of downtown and Bernard Street corridor, and nearby several large scale residential and mixed-use developments. Currently the Property has had all former improvements removed and remediated with three commercial Certificates of Compliance ("CoC") issued from the Ministry of Environment.

Development Rationale

The current application proposes two buildings. South building fronting Clement Avenue accommodates double height units at grade with mezzanines and glazed overhead doors facing an interior "mews". Upper floor will consist of general office space with generous outdoor amenity areas for employees. The north building fronting Vaughan Avenue is proposed to provide double height flex units which could accommodate a range of light industrial and office uses.

The units at the western end of each building are intended to house restaurant or café style uses to provide amenity for the employees of this development and the residents of surrounding areas, including the residents who will live within the rental units being proposed for our adjacent site. These uses will also help animating the shared service lane between the two phases.

Within the industrial space, and in addition to the users who would currently fit the I4 zoning parameters, we also envision local 'crafty' artisan and lifestyle businesses which we believe will serve the residential population to the west and south, along with patrons from throughout the downtown and beyond.

Examples of the types of businesses we envision but are not currently allowed in the I4 zone include local food purveyors (butcher/produce merchants), yoga studios, guitar manufacture and sales, bike repair classes and sales, and musical venue within the lower industrial floor and creative marketing agencies, walk-in clinics, and tech startups within the upper office floor.

A key component of what we believe needs to characterize the allowable range of uses on this site is creating a synergy that serves and attracts both employees who will work here along with the surrounding and growing residents. This type of mixed-use cross-pollination, we believe, is becoming a necessary component for all forms of new industrial development.

We also believe that this mixed-use concept would create a unique enclave in Kelowna, an interesting and attractive neighbourhood amenity for residents and also a vibrant 'edge' between the urban core and the traditional industrial lands behind and beyond.

In an effort to facilitate our vision for the site, we are seeking the following text amendments to the I4 zoning bylaw, limited to the building facing Clement Avenue:

- Offices
- Business support services
- Financial services
- Government services
- Health services
- Retail liquor sales establishment
- Retail stores, convenience
- Retail stores, service commercial
- Retail stores, general
- Commercial schools

The Property has strong potential to serve in a unique and functional transitional role within a broader definition of 'industrial' development. A broader development vision also reflects a contemporary economy that works within transitioning industrial areas, especially in the context of more urban, live-work neighbourhoods.

An example of where this type of transition is thriving can be found in the Mt. Pleasant neighbourhood in Vancouver, where a growing number of tech industry and modern industrial users are locating in enclaves which also accommodate commercial amenities and services. What is being created is a strong, people-friendly synergistic dynamic providing both 'new-industrial' employment and amenity areas for the employees and neighbouring residents. For further reference, please see the following articles:

- <https://vancouver.sun.com/opinion/opinion-redefining-industrial-real-estate>
- <https://biv.com/article/2016/02/yuppie-industrial-development-meets-vancouver-dema>

Design Rationale

Site Organization

The site is organized to provide maximum animation to the street frontages with Clement assuming the primary focus in the hierarchy. The "mews" environment, which accommodates all visitor and employee parking for the site, will act as the primary entry for all units and is heavily landscaped to provide a tranquil and enjoyable pedestrian environment. The outdoor dining areas for the two restaurants are

oriented to receive south and western sun in Winter and Spring and will be shaded by Street trees in the hot summer months.

Form & Character

The project has been developed with a simple and rigorous design philosophy that draws up the areas industrial heritage. The Clement frontage incorporates a simple but harmonious rhythm of solid and void elements with transparent and opaque materials that provide both animation as well as individual identity and exposure for each of the tenants. Each unit entry is identified by wood lined framing elements that are reinforced by a recessed second storey balcony above them. These balconies provide south facing exposure with deep overhangs that shade the office windows from harsh summer sun while allow access to the sun in winter and spring.

Materials are warm and robust and reinforce the industrial heritage that include board-form and tilt-up concrete, “Weathered Zinc” prefinished metal cladding with Natural Wood and weathered steel accents.

Landscape Design Rationale

Use of textured concrete paving, and concrete seat and wall elements reflect on the traditional industrial materials and forms. Feature paving will have a wood pattern, along with chunky timber elements and weathered steel, to express and reflect the historic patterns and materials of the area. Elements will be durable and simple in a modern manner by using the material textures to generate historic impressions without trying to imitate historic forms.

Plantings will also help the project fit in with the context and the local ecology. Drought tolerant, local, and native plant choices will be expressive of Kelowna while being durable and attractive in all seasons. Mixed with natural stone and wood elements, plantings will feel very expressive of the area.

Clean and simple materials will be fitting to the style of the architecture and help reduce maintenance demands. Detailing for landscape elements will look to the architectural forms for inspiration as plans develop. Plant materials are in addition selected based on low-maintenance and highly attractive characteristics with low water requirements. These components combined are designed to maximize the year-round visual interest and function of the landscape designs.

Civil & Storm Water Management

Draft civil drawings including servicing, grading, and erosion & sediment control drawings have been included in the submission. A storm water management plan has also been included in the submission which proposes use of infiltration tanks for Lot A. Lot B will use an Oil Grit Separator, impermeable underground storage tanks and discharge controlled runoff to the Lot A stormwater management system via an SRW in favour of Lot B. The storm sewer on Clement frontage of Lot B is far too shallow to connect the Lot B stormwater tank via gravity. Hence an SRW through Lot A allows for a connect to a deeper gravity outlet near Richter Street.

Summary

We believe the proposed form of development is consistent with and compliments the existing industrial and residential neighborhood, provides employment generating opportunities to the City, and maintains continuity of the urban environment. Based on the successful completion of our previous urban Industrial projects, we are confident that the form of development is balanced and will function well for land use, parking, and tenant operations.

We are anxious to continue to move the vision and our development plans forward and toward that end, we look forward to advancing this application through the approval process. Please contact PC Urban should you require any additional information or would like to meet to discuss the application.

Thank you for your consideration.

Yours truly,

PC Urban Clement Holdings Ltd.

A handwritten signature in black ink, appearing to read 'Shawn Oh', with a stylized, cursive script.

Shawn Oh
Assistant Development Manager

CITY OF KELOWNA

MEMORANDUM

Date: May 31, 2018
File No.: TA18-0006
To: Community Planning (AC)
From: Development Engineer Manager (JK)
Subject: 726-816 Clement Ave

The Development Engineering comments and requirements regarding this Text Amendment application are as follows:

1. **General.**

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z18-0059.

James Kay, P. Eng.
Development Engineering Manager

JA



CITY OF KELOWNA
MEMORANDUM

Date: May 31, 2018
File No.: Z18-0059
To: Community Planning (AC)
From: Development Engineering Manager (JK)
Subject: 816 Clement Ave I2 to I4

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) The proposed Development triggers a traffic impact assessment that should have been completed with zoning application Z17-0093. Recommendations from the Traffic Impact Analysis (TIA) will become requirements of rezoning.

.2) Road Dedication and Subdivision Requirements

- a) On the Clement Ave frontage, provide a 10m dedication for a roadway allowance totalling 30m road right of way.
- b) Lot consolidation with 726 Clement must be completed.
- c) Access to the development should be via Vaughan Ave and the proposed lane.
- d) All access points should be designed to the SS-C7 standard with a continuous sidewalk at property line.

.3) 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 reports must be submitted to the Development Services Department



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.

Additional geotechnical survey may be necessary for building foundations, etc

.4) Water

- a) The property is located within the City of Kelowna service area. The existing lot is serviced with small -diameter water services (4). Only one service will be permitted to the site or per property. The applicant, at his cost, will arrange for the removal of all existing services and the installation of one new larger metered water service.
- b) 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 commercial zoning 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.
- c) An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- d) 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

.5) Sanitary Sewer

ATTACHMENT		A
This forms part of application		
# Z18-0059		
Planner Initials	AC	 City of Kelowna <small>COMMUNITY PLANNING</small>

- 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 (2) and the installation of one new larger service.
- b) A flow analysis check is required by the developer's civil engineering consultant to determine if there are any down stream impacts to the sewer system triggered by this development.

.6) 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) It will be necessary for the developer to construct storm drainage facilities on Clement Ave, and Vaughan Ave, to accommodate road drainage fronting the proposed development.
- c) Provide a detailed Stormwater Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- d) 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.

.7) Roads

- a) Clement Ave is designated an urban arterial road. Frontage improvements required include curb and gutter, separate sidewalk, piped storm drainage system, road works, landscaped boulevard complete with underground irrigation system and irrigation sleeves to the treed middle median, street lights. A modified SS-R9 cross section will be used and provided at the time of design. The design should include up to centreline of the Clement ROW
- b) Vaughan Ave is designated an urban local road. Frontage improvements required include Curb and Gutter, separate sidewalk, piped storm drainage system, landscaped boulevard complete with underground irrigation system, curb extensions at the intersections and access points, and street lights. Parallel parking only is permitted on Vaughan Ave. A modified SS-R5 cross section will be used and provided at the time of design.
- c) Proposed lane from the development will be restricted to a right in and right out at the intersection of the lane and Clement Ave unless otherwise agreed upon with the City of Kelowna.
- d) Provide a Street Sign, Markings and Traffic Control Devices design drawing for review and costing.
- e) Landscaped boulevards, complete with underground irrigation design drawing as per bylaw, is required on Clement Ave and Vaughan Ave.

.9) 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 as the subject properties are within the “City Center Urban Center”.
- b) Streetlights must be installed on all roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City’s approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

.10) 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.

.11) Other Engineering Comments

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

.12) Servicing Agreements for Works and Services



- b) 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.
- c) 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.

.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).
- c) A hydrant levy charge of **\$250.00** (\$250.00 per new lot)

James Kay, P.Eng.
Development Engineering Manager

JA

ATTACHMENT A

This forms part of application
Z18-0059

Planner
Initials

AC



**City of
Kelowna**
COMMUNITY PLANNING

ATTACHMENT B – PROPOSED TEXT AMENDMENTS TO ZONING BYLAW 8000 – TA18-0006

Zoning Bylaw 8000 – Amending C4 – Urban Centre Commercial Zone				
No.	Section	Existing Text	Proposed Text	Rationale
1.	15.4.2 – Principal Uses	<p>The principal uses in this zone are:</p> <p>(a) analytical testing</p> <p>(b) animal clinics, major</p> <p>(c) auctioneering establishments</p> <p>(d) automotive and equipment repair shops</p> <p>(e) automotive and minor recreation vehicle sales/rentals</p> <p>(f) breweries and distilleries, major</p> <p>(g) breweries and distilleries, minor</p> <p>(h) broadcasting studios</p> <p>(i) bulk fuel depots</p> <p>(j) child care centre, major</p> <p>(k) concrete and asphalt plants</p> <p>(l) contractor services, limited</p> <p>(m) contractor services, general</p> <p>(n) custom indoor manufacturing</p> <p>(o) equipment rentals</p> <p>(p) fleet services</p> <p>(q) food primary establishment</p> <p>(r) gas bars</p> <p>(s) general industrial uses</p> <p>(t) industrial high technology research and product design</p> <p>(u) liquor primary establishment, minor</p> <p>(v) medical marihuana production facilities</p> <p>(w) mobile catering food services</p> <p>(x) non- accessory parking</p> <p>(y) participant recreation services, indoor</p> <p>(z) pawnshop</p> <p>(aa) private clubs</p> <p>(bb) rapid drive-through vehicle services</p> <p>(cc) recycled materials drop-off centres</p> <p>(dd) service stations, major</p> <p>(ee) service stations, minor</p> <p>(ff) temporary parking lot</p> <p>(gg) temporary shelter services</p> <p>(hh) utility services, minor impact</p> <p>(ii) warehouse sales</p>	<p>keep existing and add the following:</p> <p>(jj) The following land uses are permitted only within buildings fronting onto Clement Ave and on LOT B SECTION 30 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP83554, located at 816 Clement Ave:</p> <ul style="list-style-type: none"> - Offices - Business Support Services - Financial Services - Government services - Health Services - Retail liquor sales establishment - Retail stores, service commercial - Retail stores, general - Commercial Schools 	See Report

ATTACHMENT B

This forms part of application
TA18-0006

Planner
Initials

AC



City of Kelowna
COMMUNITY PLANNING



816 CLEMENT AVENUE

816 Clement Avenue, Kelowna, BC

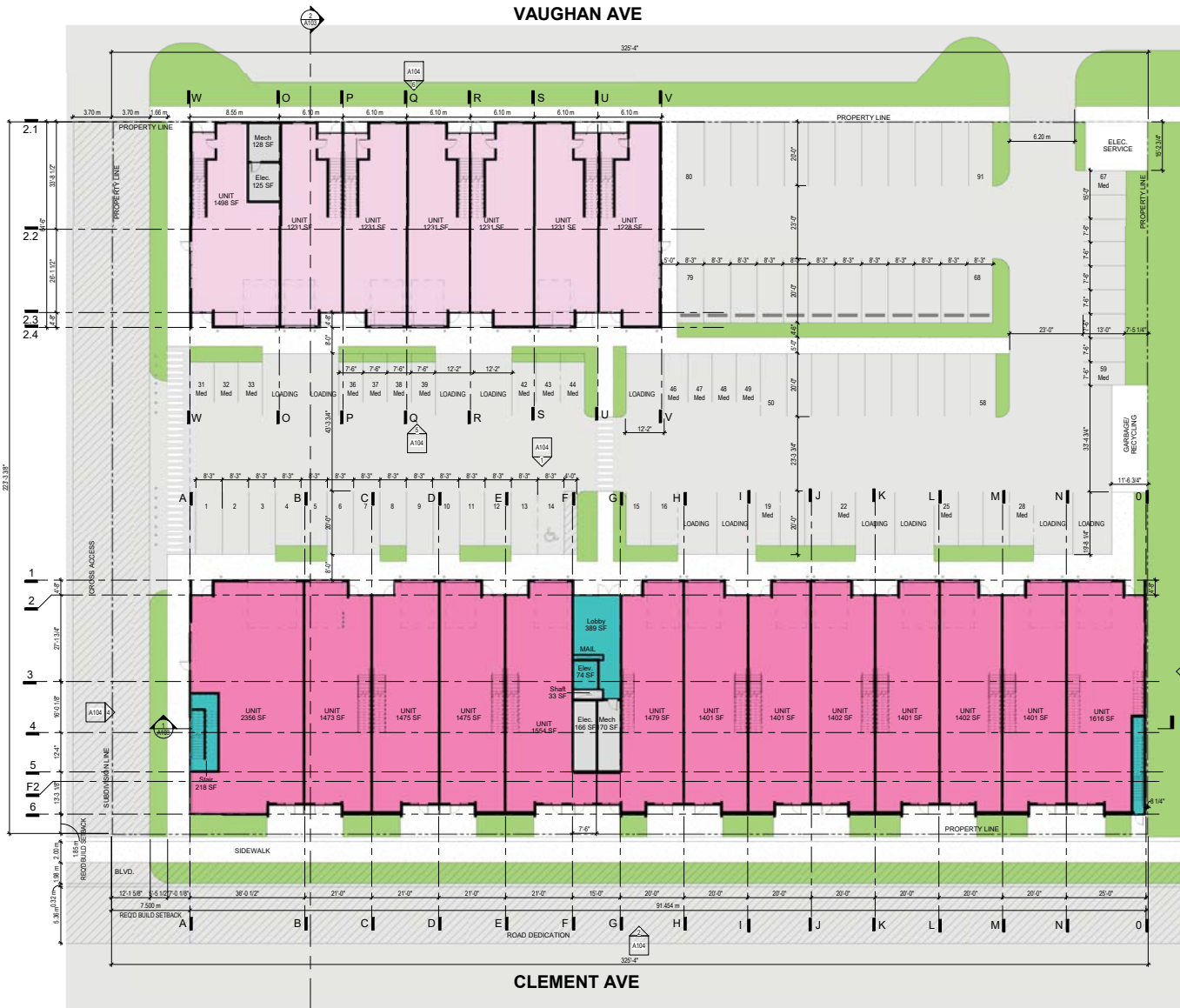
Applicant: Robert Spencer
PC Urban
604.408.5687
Suite 880, 1090 West Georgia Street, Vancouver, BC

Architect: Craig Taylor
Taylor Kurtz Architecture + Design Inc.
604.569.3499
1183 Odium Drive, Vancouver, BC V5L 2P6

Landscape Architect: David Stoyko
Connect Landscape Architecture
604.681.3303
2305 Hemlock Street, Vancouver, BC V6H 2V1

Land Surveyor: -

Drawing Index (Master)											
Discipline	Sort Order	Sheet Type	Sheet Number	Sheet Name	Sheet Issue Date	Drawn By	Checked By	Designed By	Approved By	Sort	Disc
			A102	Building 2 - Plans	10/03/17	Author	Checker	Designer	Approver		
			A109	Unnamed	10/05/17	Author	Checker	Designer	Approver		
Architectural			.	Cover Page	06/22/17	LJ	CT	CT	Approver		
Architectural			A100	Site Plan	02/20/17	LJ	CT	CT	Approver		
Architectural			A101	Building 1 - Plans	02/21/17	LJ	CT	CT	Approver		
Architectural			A103	Sections	04/18/17	LJ	CT	CT	Approver		
Architectural			A104	Elevations	04/04/17	LJ	CT	CT	Approver		
Architectural			A105	3D Views	04/04/17	LJ	CT	CT	Approver		
Architectural			A106	Precedent Images	04/19/17	LJ	CT	CT	Approver		
Architectural			A107	View Looking North East	06/06/17	LJ	CT	CT	Approver		
Architectural			A108	View Looking South East	06/06/17	LJ	CT	CT	Approver		



ZONING SUMMARY:

LEGAL DESCRIPTION:	TBA
BUILDING SETBACKS:	
Front Yard Setback (Vaughan Ave):	Proposed: 0m Required: 0m
Side Yard Setback (West):	Proposed: 7.5m Required: 7.5m
Side Yard Setback (East):	Proposed: 0m Required: 0m
Rear Yard Setback (Clement Ave):	Proposed: 1.85m Required: 0m
EASEMENTS:	TBA
ZONE:	I-4
USES:	Commercial/ Office (see table below)
Gross Floor Area:	72,620.02 sf
Site Area:	41%
Site Cover:	Proposed: 41% Permitted: 75%

Area Summary (Gross Floor Area - By Building and Level)

Building	Area (SF)	Area (SM)
Ground Floor Level		
Building 1	20670 SF	1920 m ²
Mezz		
Building 1	6930 SF	644 m ²
Second Floor - Building 1	10590 SF	984 m ²
Building 1	38190 SF	3548 m ²
Ground Floor Level		
Building 2	9010 SF	837 m ²
Mezz		
Building 2	4830 SF	448 m ²
	13830 SF	1285 m ²
	52020 SF	4833 m ²

Area Summary (Net Floor Area - By Building and Level)

Building	Area (SF)	Area (SM)
Ground Floor Level		
Building 1	19840 SF	1843 m ²
Mezz		
Building 1	6510 SF	605 m ²
Second Floor - Building 1	10090 SF	937 m ²
Building 1	36430 SF	3385 m ²
Ground Floor Level		
Building 2	8880 SF	825 m ²
Mezz		
Building 2	4830 SF	448 m ²
	13710 SF	1273 m ²
	50140 SF	4658 m ²

FSR:	Proposed: 0.69 Permitted: 1.48
Height:	Proposed: 14.9m (49') Permitted: 14.9m (49')

Parking:	Proposed: 91 Required: 91
Parking Provided	
Description	Count
Kelowna 3.7m x 6m LOADING: 3700 X 6000	11
Parking Space 1: 7'-6" X 15'-8" - 90 deg	11
Parking Space 1: 8'-3" x 20' - 90 deg	53
Parking Space: 7'-6" X 15'-8" - 90 deg	16
	91

Loading	Required: 1/1900 sm GFA = 2
Off-Street Bicycle Parking	Required:
	Class I: = TBD
	Class II: = TBD
Landscaping Area Required	2sm x 91 spaces = 182 SQ. M.
Landscaping Area Proposed	= 778 SQ. M.



Clement Ave
816 Clement Ave, Kelowna, BC

Site Plan
PLOT DATE: 8/11/2018 11:28:59 AM



1 Site Plan
1/16" = 1'-0"

CITY OF KELOWNA

BYLAW NO. 11711

TA18-0006 – I4 – Central Industrial – 816 Clement Avenue

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 **Section 15.4.2 – I4 – Central Industrial – Principal Uses**, be amended by adding in its appropriate location a new subsection (kk) that reads as follows:

(kk) The following land uses are permitted only within buildings fronting onto Clement Ave and on LOT B Section 30 Township 26 ODYD PLAN EPP83554 located on Clement Ave:

- **offices**
- **business support services**
- **financial services**
- **government services**
- **health services**
- **retail liquor sales establishment**
- **retail stores, service commercial**
- **retail stores, general**
- **commercial schools**

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

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11712
Z18-0059 – 816 Clement Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of LOT B, Section 30, Township 26, ODYD, PLAN EPP83554 located on Clement Ave, Kelowna, BC from the I2 – General Industrial and I4 – Central Industrial zones to the I4 – Central Industrial 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: December 3, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: OCP18-0013 & Z18-0062 **Owner:** City of Kelowna

Address: 555 Fuller Avenue **Applicant:** DiStefano Jaud Architecture

Subject: Official Community Plan Amendment Application & Rezoning Application

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

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

Existing Zone: RM5 – Medium Density Multiple Housing

Proposed Zone: C7 – Central Business Commercial

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP18-0013 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1 District Lot 139 ODYD Plan EPP78052, located at 555 Fuller Avenue, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential / Commercial) designation, be considered by Council;

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

THAT Rezoning Application No. Z18-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 139 ODYD Plan EPP78052, located at 555 Fuller Avenue, Kelowna, BC from the RM5 – Medium Density Multiple Housing zone to the C7 – Central Business Commercial zone, be considered by Council;

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

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated December 3, 2018;

AND THAT Housing Agreement Bylaw No. 9999 be forwarded for rescindment consideration;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the rescindment of Housing Agreement Bylaw No. 9999;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated December 3, 2018;

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

2.0 Purpose

To amend the Official Community Plan to change the Future Land Use designation and to rezone the subject property to facilitate the development of apartment housing.

3.0 Community Planning

The applicant is requesting an Official Community Plan amendment from MRM – Multiple Unit Residential (Medium Density) to MXR – Mixed Use (Residential/Commercial) and rezoning from RM5 – Medium Density Multiple Housing zone to the C7 - Central Business Commercial zone. The site is owned by the City of Kelowna and leased to the Pathways Abilities Society to manage, with construction funding provided by BC Housing.

Community Planning Staff are supportive of the applications to facilitate the development of apartment housing. The subject development site is located within the City Centre Urban Centre on Bertram St at the intersection with Fuller Avenue. The parcel has a Walk Score of 93 (Walker's Paradise – Daily errands do not require a car) and a Transit Score of 48 with a few nearby transportation options in the area. The development is in proximity of many nearby amenities including parks, restaurants, shops and recreational opportunities in the immediate area. The C7 – Central Business Commercial zone allows the applicant to design a building with greater density and no setback requirements (appropriate in the urban context) as compared with the existing RM5 – Medium Density Housing zone.

To fulfill Council Policy No. 367 for 'OCP Amendment Minor' and 'Zoning Major' applications, the applicant held a public information session on July 26, 2018 at the Pathways building on the subject property at 555 Fuller Avenue. The open house was held from 7-9pm. The session was advertised in the Kelowna Daily Courier on Thursday July 12, 2018. Approximately 600 postcards/invites were delivered through Canada Post to parcels within 100 m radius of the project site.

In 2008, Council approved a Housing Agreement Bylaw no. 9999, which was registered as a Section 219 Housing Agreement Covenant on the land title for the property. The housing agreement allowed the development of a maximum of eleven units to be developed on the site. To facilitate the current proposal, the existing Housing Agreement Bylaw will be rescinded and the covenant discharged from the land title.

Staff have reviewed this application and it may proceed without affecting the City's Financial Plan or the Waste Management Plan.

4.0 Proposal

4.1 Background

The City of Kelowna owns the project site and has extended a long- term lease to the Pathways Abilities Society. The Society has occupied the building for various non-profit purposes since the early 1950's. Due to the proposed development, the Society has secured a new location at 1216 St. Paul Street and have

already relocated the 'lost and stolen bike program' to the new space. Should Council support the development proposal, the remaining uses would also be relocated to the new location.

Fuller Avenue was downgraded from a road to a lane for the half block portion of the roadway that extends west of Bertram Street (the length of the development site). Once the roadway was deemed unnecessary, as a connection to Ellis Street is not in the transportation plan, the roadway width was reduced from the existing 10 m width to a 6.0 m lane standard. This surplus area has since been consolidated with the subject property.

4.2 Project Description

The applicant is proposing to construct a 6-storey 68-unit purpose built affordable housing project on the subject property. The units will vary in size to include 9 bachelor units, 40 one-bedroom units and 19 two-bedroom units. The development fronts onto Bertram Street with the primary entry being flanked by a ground-oriented unit on either side to provide a stronger urban interface to the street.

One level of parking is provided (partially above- grade) with access from the rear laneway. There are five floors of dwelling units above the parkade podium. Each unit provides balconies to meet the amenity space requirements. Shared laundry facilities are provided on each floor for the use of the tenants. Each dwelling unit is equipped with a mounting rack to allow bike storage within the suite.

While Staff is supportive of the OCP Amendment and Rezoning, there are concerns regarding the applicants desire for a parking variance without the appropriate payment to the Downtown Cash In Lieu of Parking Bylaw No. 8125. This will be discussed in-depth with the Development Permit and proposed variances should Council support the OCP and Rezoning proposal.

The proposed development is supported by OCP Policies for Ground-Oriented Housing, Healthy Communities and Housing Mix which encourages a diversity of housing types, tenure, and size.

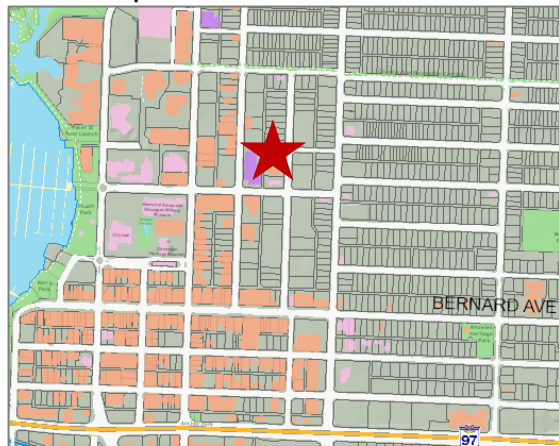
4.3 Site Context

The subject property is located within the City Centre Urban Centre at the corner of Fuller Avenue and Bertram Street.

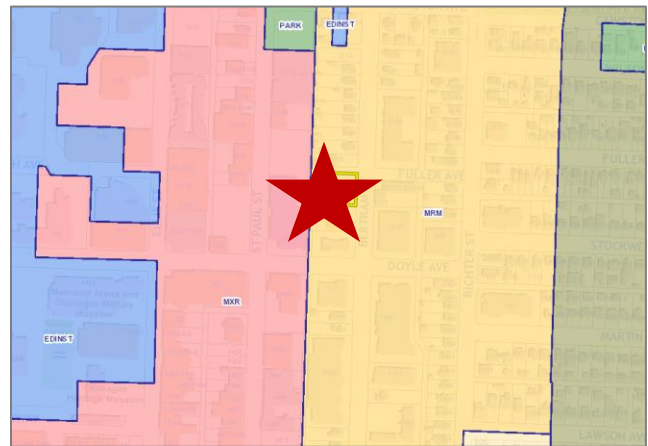
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 -Two Dwelling Housing	Single Family Dwelling
East	RM5 – Medium Density Multiple Housing	Townhouses, Condo Units
South	P2 – Education & Minor Institutional	Royal Canadian Legion
West	C7 – Central Business Commercial	Daily Courier

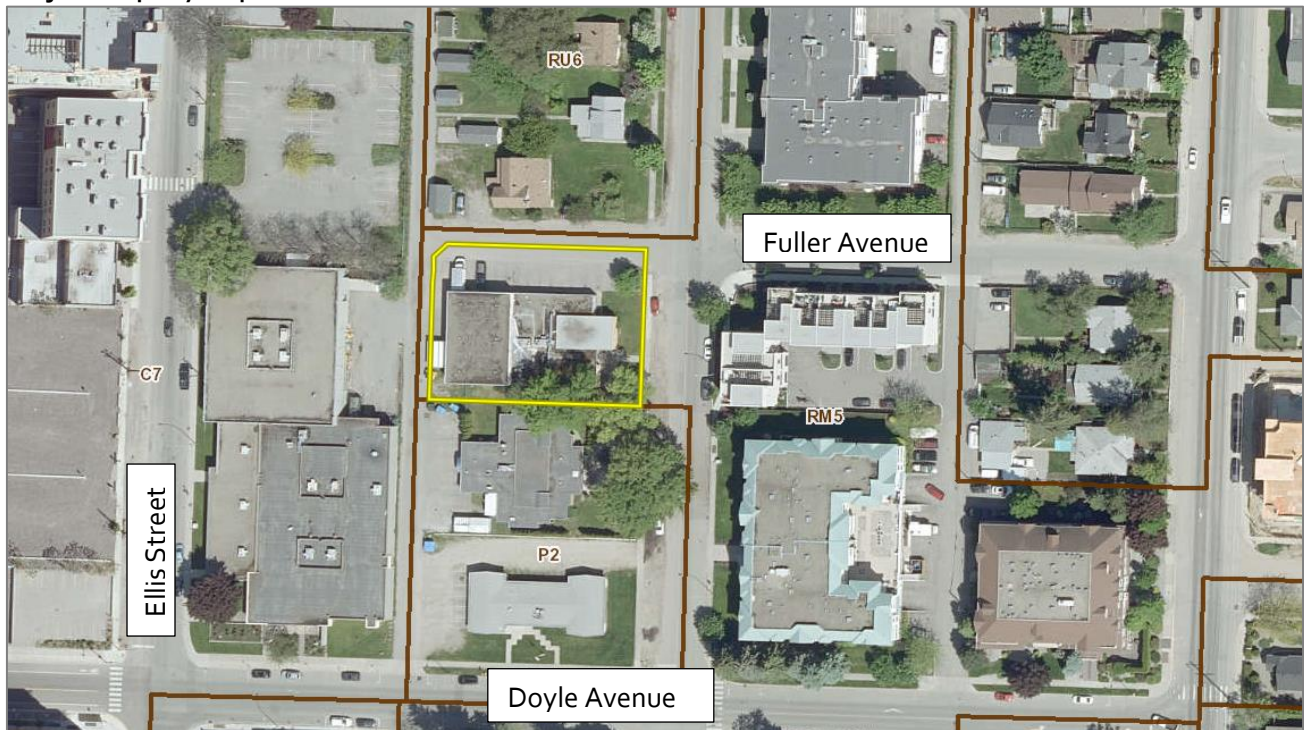
Context Map:



Future Land Use:



Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Objective 5.9¹ Support the creation of affordable and safe rental, non-market and/or special needs housing.

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

¹ City of Kelowna Official Community Plan, Objective 5.9 (Development Process Chapter).

(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.

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.

City Owned Land.⁴ Continue to consider the potential to lease City-owned land to non-profit housing societies to assist in the delivery of affordable housing.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments applicable to the OCP Amendment and Rezoning applications.

6.2 Development Engineering Department

- Refer to Attachment 'A' dated June 7, 2018.

6.3 Fire Department

- No comments applicable to the OCP Amendment and Rezoning applications.

6.4 Ministry of Transportation and Infrastructure (MOTI)

- Refer to attachment 'B' dated June 18, 2018.

7.0 Application Chronology

Date of Application Received: May 28, 2018

Date Public Consultation Completed: July 26, 2018

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

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

Attachments:

Attachment A: Development Engineering Memorandum

Attachment B: MOTI Letter

Site Plan and Floor Plans

Conceptual Elevations

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

³ City of Kelowna Official Community Plan, Policy 5.11.1 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 10.3.1 (Social Sustainability Process Chapter).

CITY OF KELOWNA
MEMORANDUM

Date: June 07, 2018
File No.: Z18-0062
To: Community Planning (LK)
From: Development Engineering Manager (JK)
Subject: 555 Fuller Ave

ATTACHMENT A

This forms part of application
OCP18-0013 & Z18-0062

Planner Initials LK

City of 
Kelowna
COMMUNITY PLANNING

RM5 to C7

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) These are Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.
- d) The address of this proposed development should be addressed off of Bertram St and not Fuller Ave.

.2) Road Dedication and Subdivision Requirements

- a) Access to the development should be via laneways.
- b) Laneway access from Bertram St should be designed to the SS-C7 standard with a continuous sidewalk at property line.

.3) 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 reports must be submitted to the Development Services Department 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.

Additional geotechnical survey may be necessary for building foundations, etc

.4) Water

- a) The property is located within the City of Kelowna service area. The existing lot is serviced with a small -diameter water service. Only one service will be permitted to the site or per property. The applicant, at his cost, will arrange for the removal of the existing service and the installation of one new larger metered water service.
- b) 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 commercial zoning 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.
- c) An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- d) 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

.5) 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 service and the installation of one new larger service.

.6) 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) It will be necessary for the developer to construct storm drainage facilities on Bertram Street and the laneway to accommodate road drainage fronting the proposed development.
- c) Provide a detailed Stormwater Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- d) 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.

.7) Roads

- a) Bertram Street is designated an urban collector road. Frontage improvements required include curb and gutter, separate sidewalk, piped storm drainage system, road works, landscaped boulevard complete with underground irrigation system, street lights. A modified SS-R5 cross section will be used and provided at the time of design. The design should include up to centreline of the Bertram Street ROW.
- b) The lane way is designated to be constructed to a commercial cross section of SS-R2. Storm drainage system will be required for this laneway.

.9) 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 as the subject properties are within the "City Center Urban Center".
- b) Streetlights must be installed on all roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

.10) 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.

.11) Other Engineering Comments

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

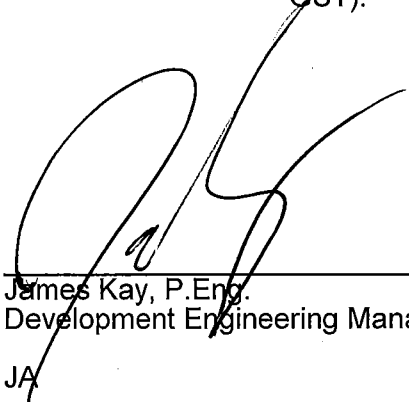
.12) Servicing Agreements for Works and Services

- b) 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.
- c) 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.

.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).



James Kay, P.Eng.
Development Engineering Manager

JA

CITY OF KELOWNA
MEMORANDUM

Date: June 06, 2018
File No.: OCP18-0013
To: Community Planning (LK)
From: Development Engineering Manager (JK)
Subject: 555 Fuller Ave

ATTACHMENT A

This forms part of application
OCP18-0013 & Z18-0062

Planner Initials LK


City of 
Kelowna
COMMUNITY PLANNING

MRM - MXR

The Development Engineering Branch comments and requirements regarding this OCP amendment application are as follows:

1. General

All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z18-0062



James Kay, P. Eng.
Development Engineering Manager
JA

Your File #: Z18-0062
eDAS File #: 2018-02840
Date: Jun/18/2018

ATTACHMENT <u> </u> B		
This forms part of application # <u>OCP18-0013 & Z18-0062</u>		
Planner Initials	<table border="1"><tr><td>LK</td></tr></table>	LK
LK		
 City of Kelowna COMMUNITY PLANNING		

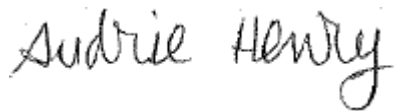
City of Kelowna
1435 Water Street
Kelowna, British Columbia V1Y 1J4
Canada

Re: Proposed Bylaw – RM5-C7:
555 Fuller Avenue, Kelowna

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

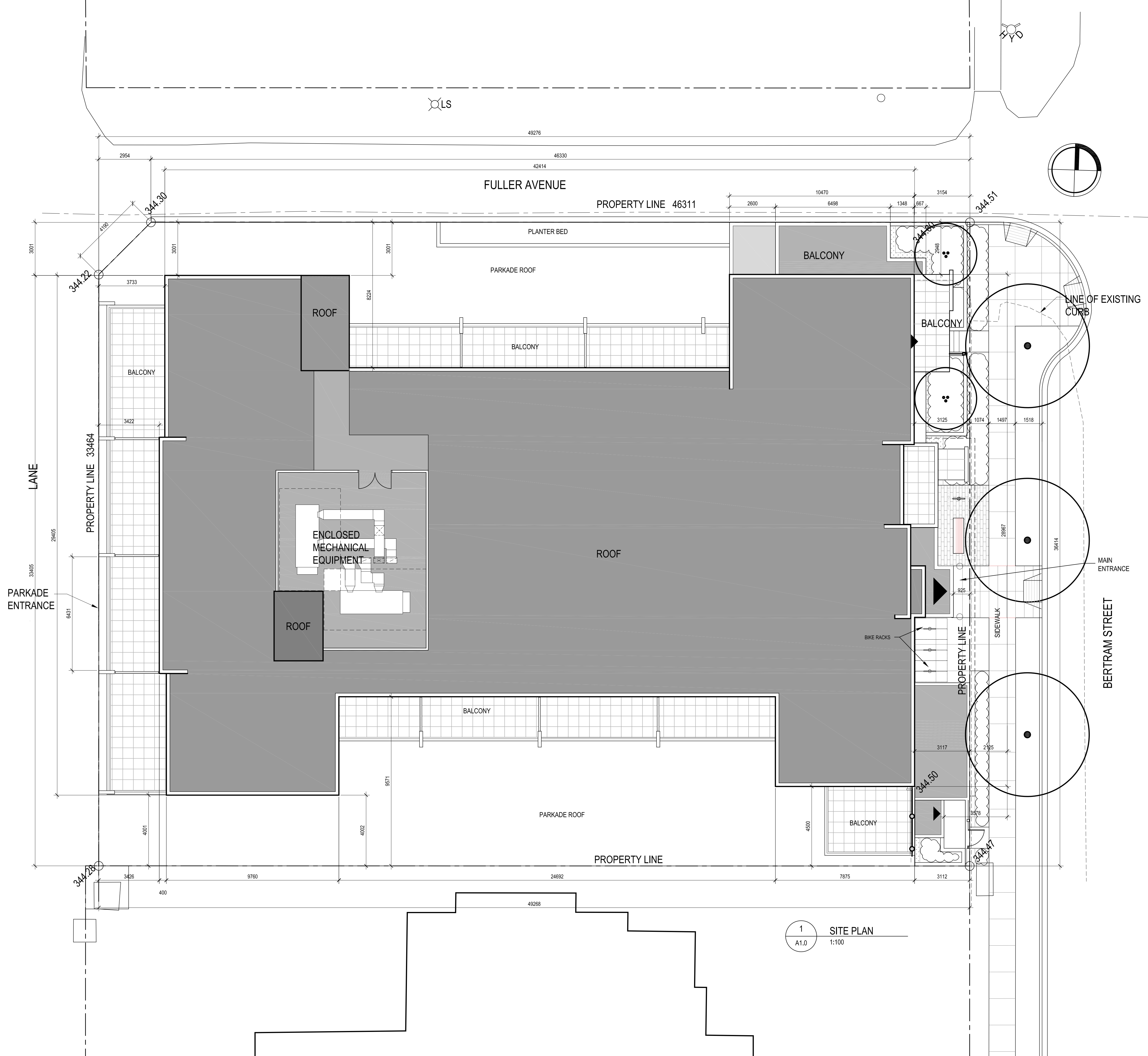
If you have any questions please feel free to call Kelowna Development Approvals at (250) 712-3660.

Yours truly,



Audrie Henry
District Development Technician

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



LEGAL ADDRESS:
 LOT A
 PLAN 86241
 DL 139

MUNICIPAL ADDRESSES:
 555 FULLER AVENUE

ZONING:
 CURRENT: RM5
 REQUESTED: C7

PROJECT AREAS :
 LOT AREA: 1790 m2
 BUILDING AREA:
 PARKING LEVEL 1676m2
 FIRST FLOOR 1000m2
 SECOND FLOOR 999m2
 3RD FLOOR 999m2
 4th FLOOR 999m2
 5TH FLOOR 991m2
 GROSS FLOOR AREA: 6686m2

FLOOR AREA RATIO CALCULATIONS:
 ALLOWABLE F.A.R. = 9.0
 MAX BLDG. AREA - 1790 X 9 = 16110

PROJECT FAR
 NET FLOOR AREA = 4102m2
 LOT AREA = 1790
 PROJECT FAR = 2.29

SITE COVERAGE :
 SITE AREA 1790m2
 BLDG. AREA 1668m2
 COVERAGE 94%

REQUIRED SETBACKS :
 SIDE YARD SETBACK: 0.0m (3M ABOVE 16M TO STREET)
 FRONT YARD SETBACK: 0.0m (3M ABOVE 16M)
 SIDE YARD TO ADJACENT PROPERTY: 0m(4M ABOVE 14M)
 REAR YARD SETBACK: 0.0m

ALLOWABLE HEIGHT:
 MAX. HEIGHT: 22m
 ACTUAL HEIGHT - 18.206m

GEODETIC ELEVATIONS
 MAIN FLOOR EL. 346.41
 PARAPET EL. 362.61

PRIVATE OPEN SPACE REQUIREMENTS:
 BACHELOR - 6.0 m2 REQUIRED
 ONE BED - 10.0 m2 REQUIRED
 TWO BED - 15.0 m2 REQUIRED
 739 m2 - REQUIRED
 1,324 m2 - PROVIDED

ALL AREA PROVIDED WITH BALCONIES, LANDSCAPED AREAS AT THE FRONT OF THE BUILDING AND PRIVATE COMMON ROOM ON SECOND FLOOR

PARKING REQUIREMENTS:
 REQUIRED PARKING:
 BACHELOR - 9 UNITS X 1.0 = 9
 ONE BED - 40 UNITS X 1.25 = 50
 TWO BED - 19 UNITS X 1.5 = 29
 TOTAL REQUIRED = 88 STALLS
 PARKING PROVIDED = 45 STALLS

RESIDENTIAL DWELLINGS
 68 UNITS

BICYCLE PARKING
 CLASS I: 0.5 PER DWELLING UNIT
 0.5 X 68 = 34
 PROVIDED - 1 PER DWELLING UNIT IN EACH UNIT
 CLASS II: 0.1 PER DWELLING UNIT
 0.1 X 68 = 6.8
 PROVIDED = 7

PARKING VARIANCE REQUEST
 44 PARKING STALLS

ISSUE	NO.	DATE
BC Housing review	1	April 6, 2018
DP Submission	2	May 5, 2018
DP Revisions	3	August 16, 2018
DP Revisions	4	September 17, 2018
DP Revisions	5	October 2, 2018
DP Revisions	6	October 15, 2018

PROFESSIONAL SEAL(S)
 CONSULTANTS
DiStefano Jaud, Architecture

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The contractor shall verify all dimensions and specifications before and during the construction project. Any errors, omissions and misunderstanding must be reported to the Architect.

DiStefano Jaud Architecture

DISTEFANO JAUD ARCHITECTURE
 3 - 1331 Ellis Street
 Kelowna, British Columbia, V1Y 1Z9
 T 250 868-9278 F 250 868-9217
 WWW.DISTEFANOJAUD.COM

PROJECT
Pathways Abilities

PROJECT NUMBER
DJA 2017-24

PROJECT LOCATION
Kelowna

SHEET TITLE
Site Plan

DATE
October 15, 2018

SHEET NUMBER
A1.0

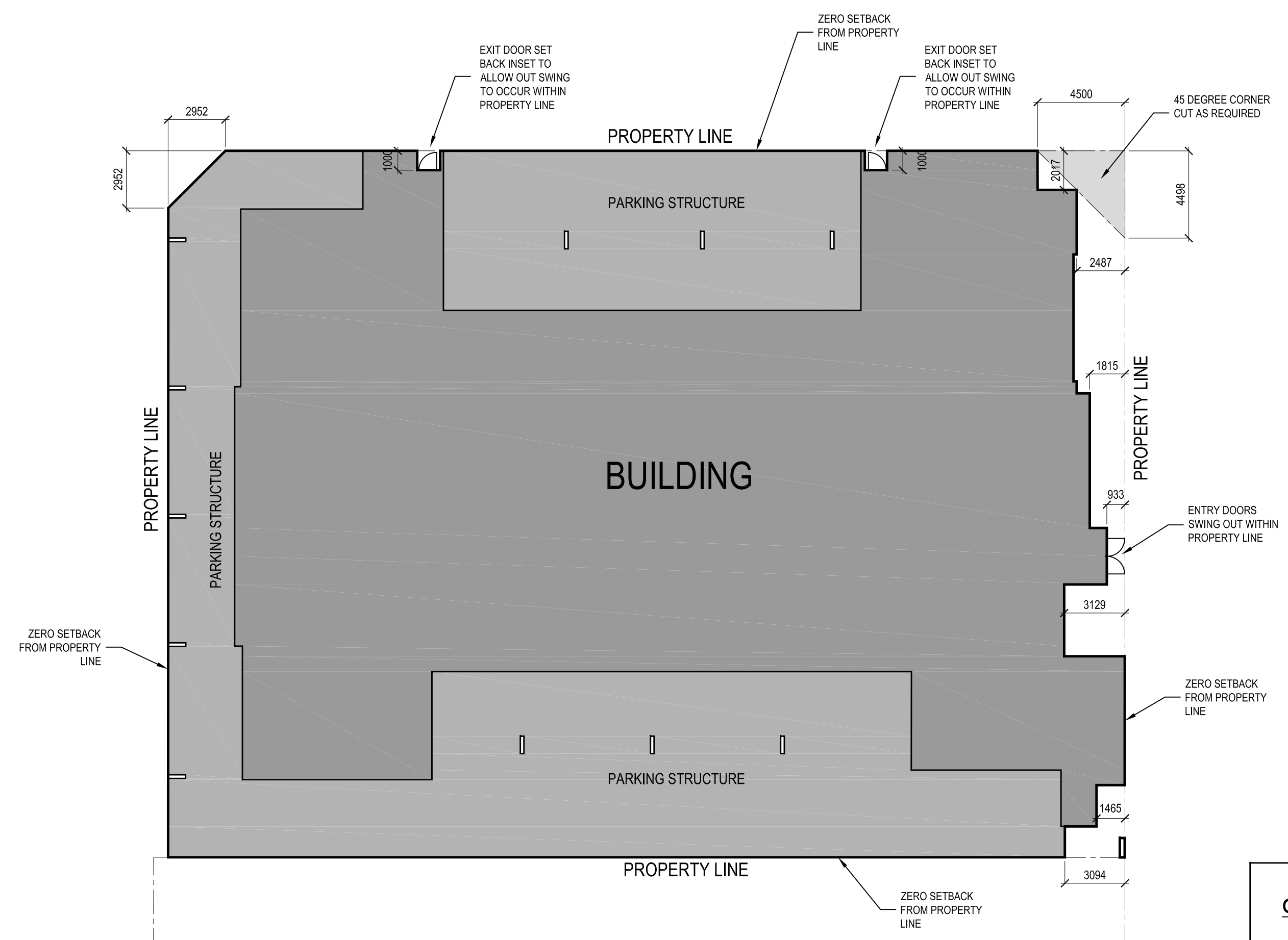
SCALE
1:100

1 SITE PLAN
 A1.0 1:100

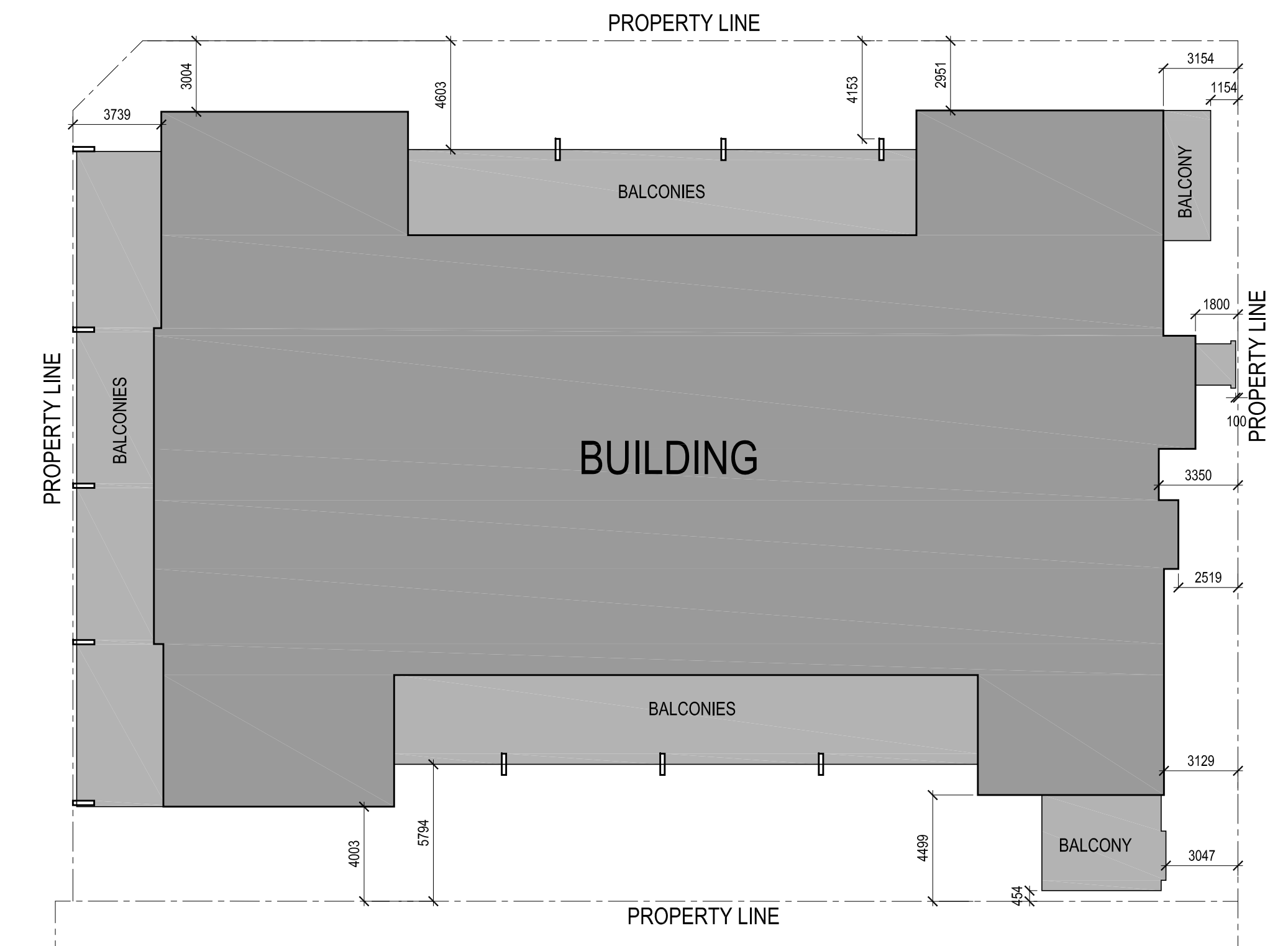
ISSUE	NO.	DATE
DP Submission	1	October 2, 2018
DP Submission	2	October 15, 2018

GENERAL NOTES:

- PROJECT PROPERTY LIES OUTSIDE OF CIVIC PRECINCT BOUNDARY AS REFERRED TO FOR C7 MAP B. LESS RESTRICTIVE SETBACKS THEN ARE USED



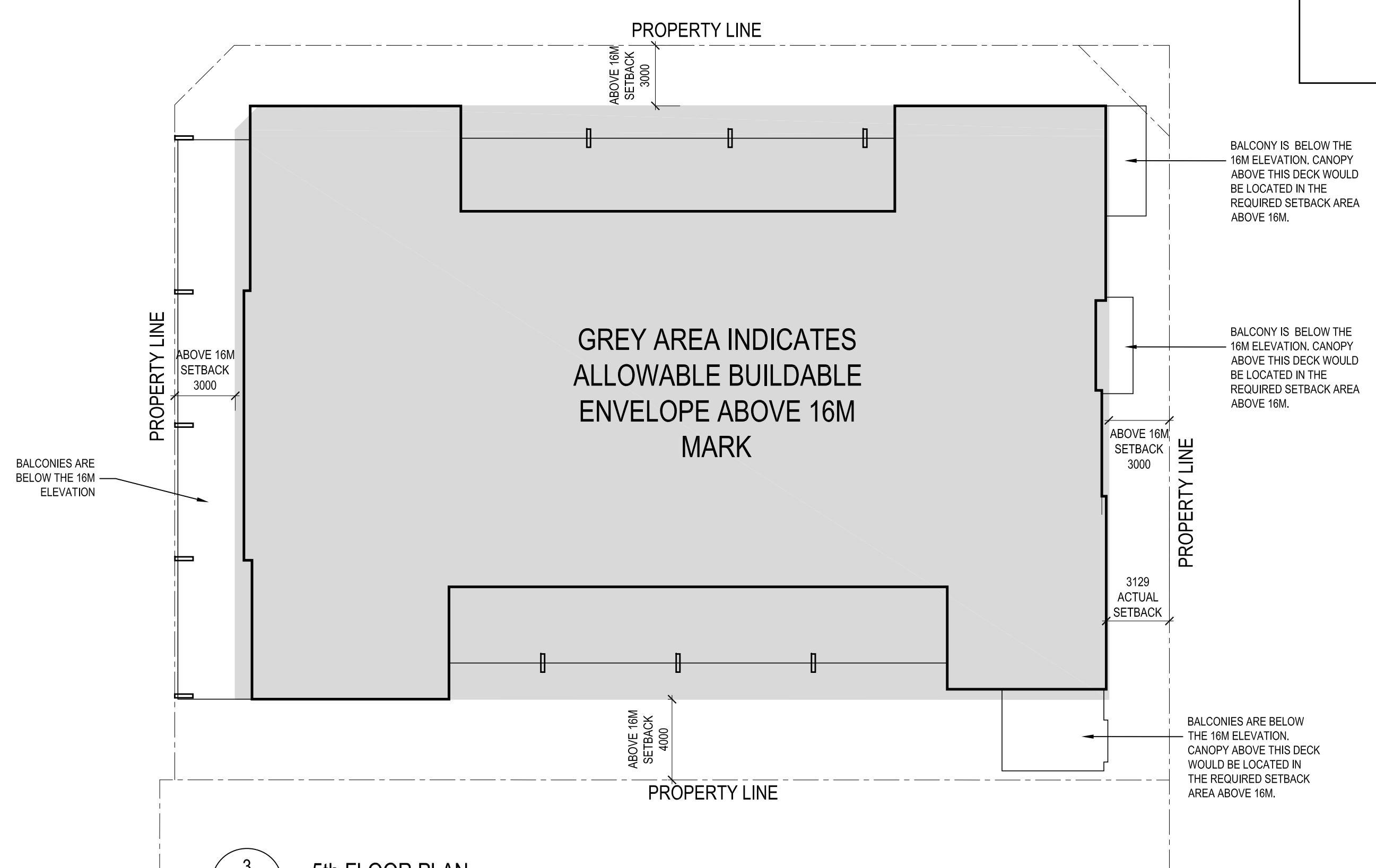
1 STREET LEVEL PLAN
A1.1 1:200



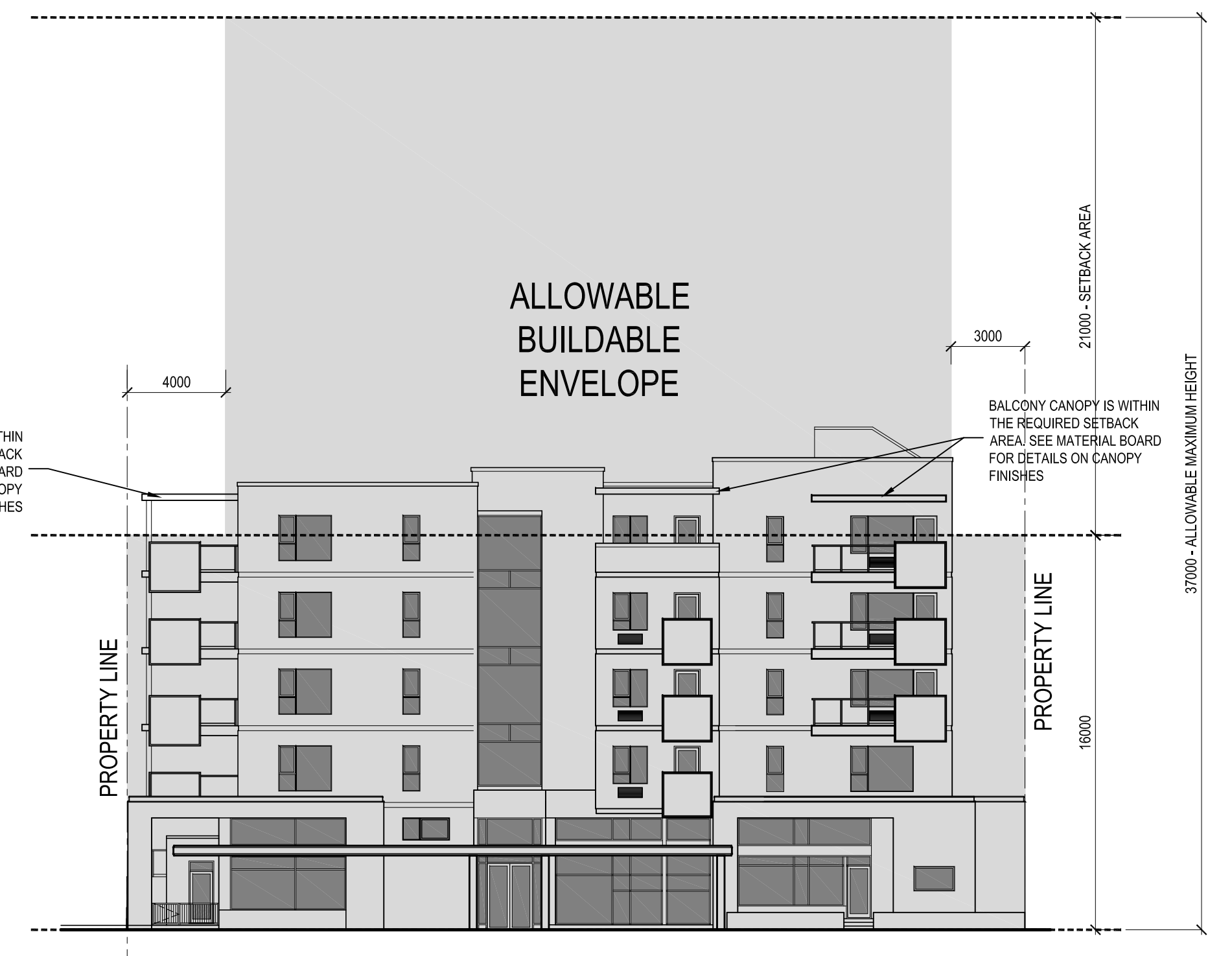
2 LEVELS 2 TO 4
A1.1 1:200

GENERAL NOTES:

- PROJECT PROPERTY LIES OUTSIDE OF CIVIC PRECINCT BOUNDARY AS REFERRED TO FOR C7 MAP B. LESS RESTRICTIVE SETBACKS THEN ARE USED
- SETBACKS ARE ALL AT ZERO UNTIL 16M ABOVE GRADE
- ABOVE 16M SETBACK BECOMES 3M EXCEPT FOR ADJACENT PROPERTIES WHERE IT IS 4M



3 5th FLOOR PLAN
A1.1 1:200



4 BERTRAM ELEVATION
A1.1 1:200

PROFESSIONAL SEAL(S)
CONSULTANTS
DiStefano Jaud, Architecture

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The contractor shall verify all dimensions and specifications before and during the construction project. Any errors, omissions and misunderstanding must be reported to the Architect.

DiStefano Jaud Architecture

DISTEFANO JAUD ARCHITECTURE
3 - 1331 Ellis Street
Kelowna, British Columbia, V1Y 1Z9
T 250 868-9278 F 250 868-9217
WWW.DISTEFANOJAUD.COM

PROJECT
Pathways Abilities

PROJECT NUMBER
DJA 2017-24

PROJECT LOCATION
Kelowna

SHEET TITLE
Bylaw Review
Diagrams

DATE
October 15, 2018

SHEET NUMBER

A1.1

SCALE
1:200

ISSUE	NO.	DATE
BC Housing review	1	April 6, 2018
DP Submission	2	May 5, 2018
DP Revisions	3	August 16, 2018
DP Revisions	4	September 17, 2018
DP Revisions	5	October 15, 2018

PROFESSIONAL SEAL(S)
CONSULTANTS
DiStefano Jaud, Architecture

Robert Turik (retired)
CONSULTING ARCHITECT

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WWW.DISTEFANOJAUD.COM

PROJECT
Pathways Abilities Society

PROJECT NUMBER
DJA 2017-24

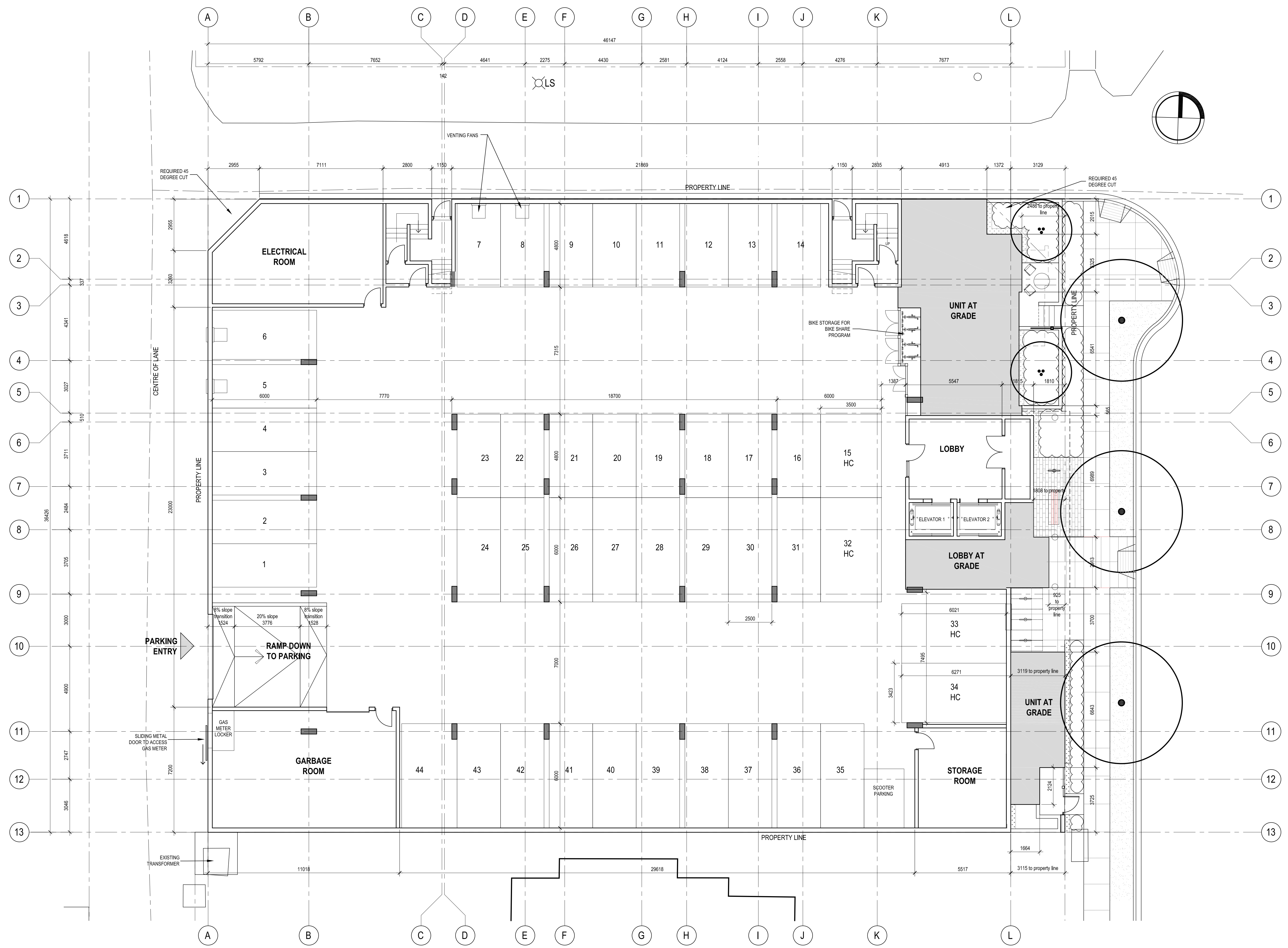
PROJECT LOCATION
Fuller Ave. Kelowna

SHEET TITLE
Parking Plan

DATE
October 15, 2018

SHEET NUMBER
A2.0

SCALE
1:100



1 PARKING LEVEL
A2.0 1:100

ISSUE	NO.	DATE
BC Housing review	1	April 6, 2018
DP Submission	2	May 5, 2018
DP Revisions	3	August 16, 2018
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PROJECT
Pathways Abilities Society

PROJECT NUMBER
DJA 2017-24

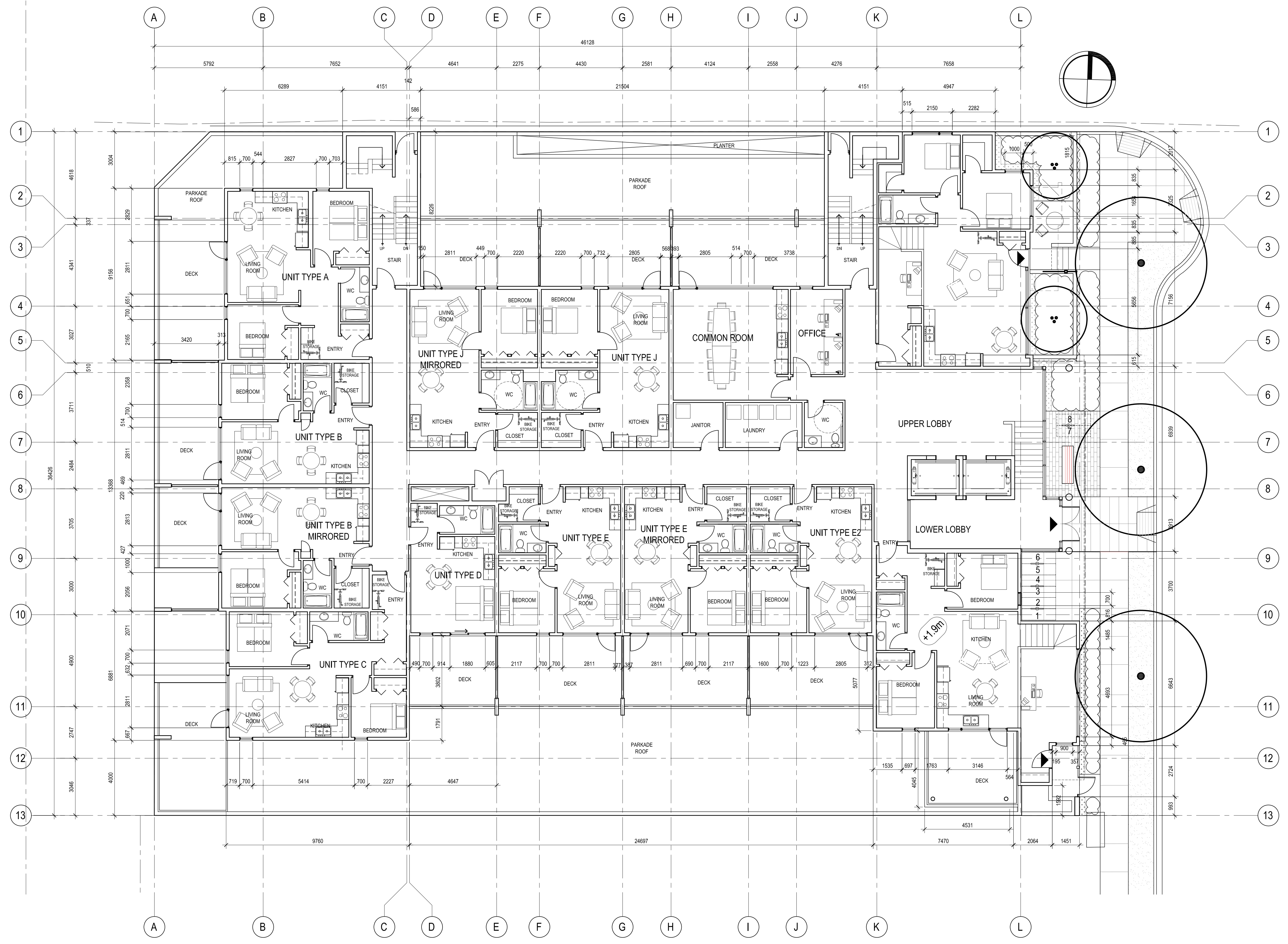
PROJECT LOCATION
Fuller ave. Kelowna

SHEET TITLE
First Floor Plan

DATE
October 15, 2018

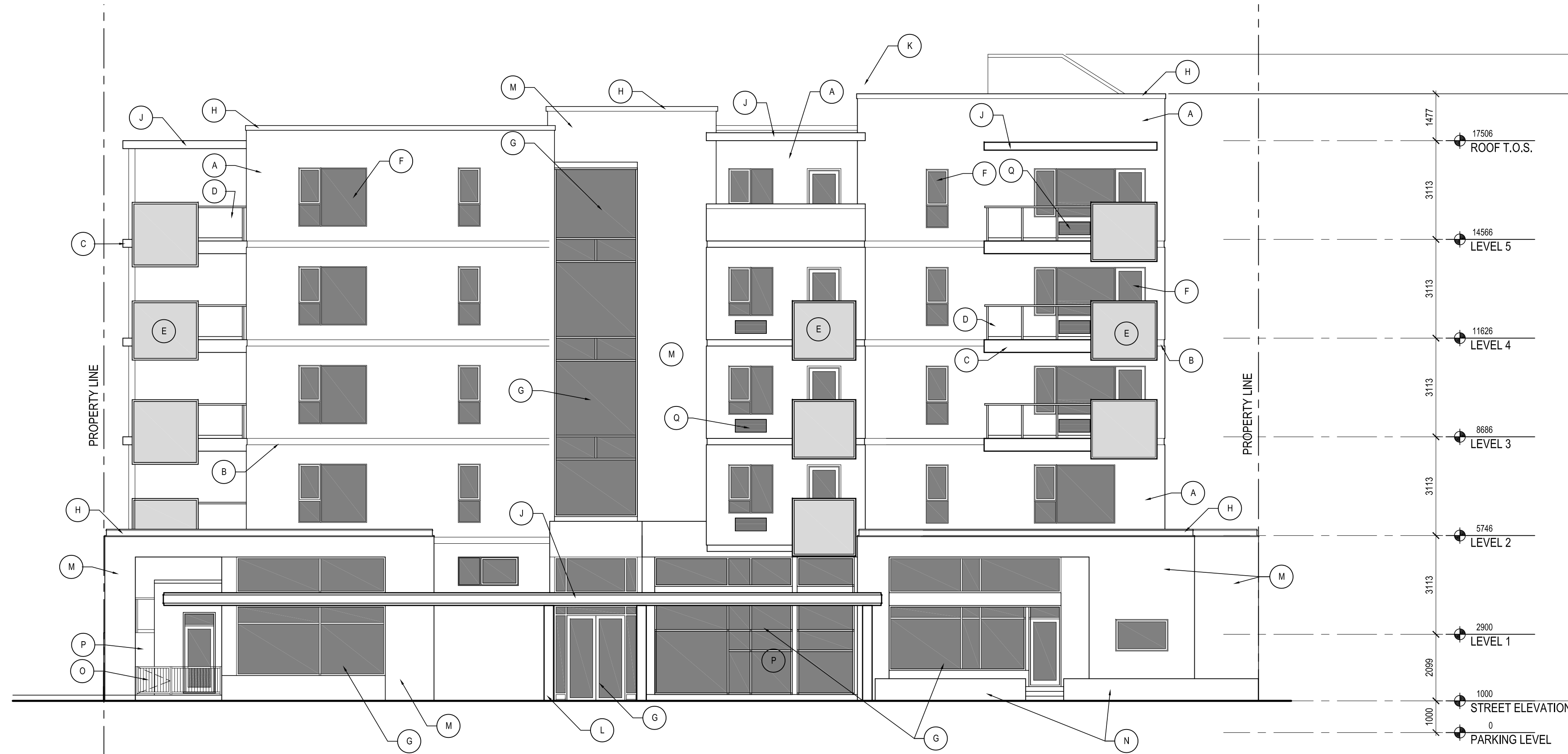
SHEET NUMBER
A2.1

SCALE
1:100



1 LEVEL 1
A2.1 1:100

ISSUE	NO.	DATE
BC Housing review	1	April 6, 2018
DP Submission	2	May 6, 2018
DP Revisions	3	August 16, 2018
DP Revisions	4	September 17, 2018
DP Revisions	5	October 2, 2018
DP Revisions	6	October 15, 2018



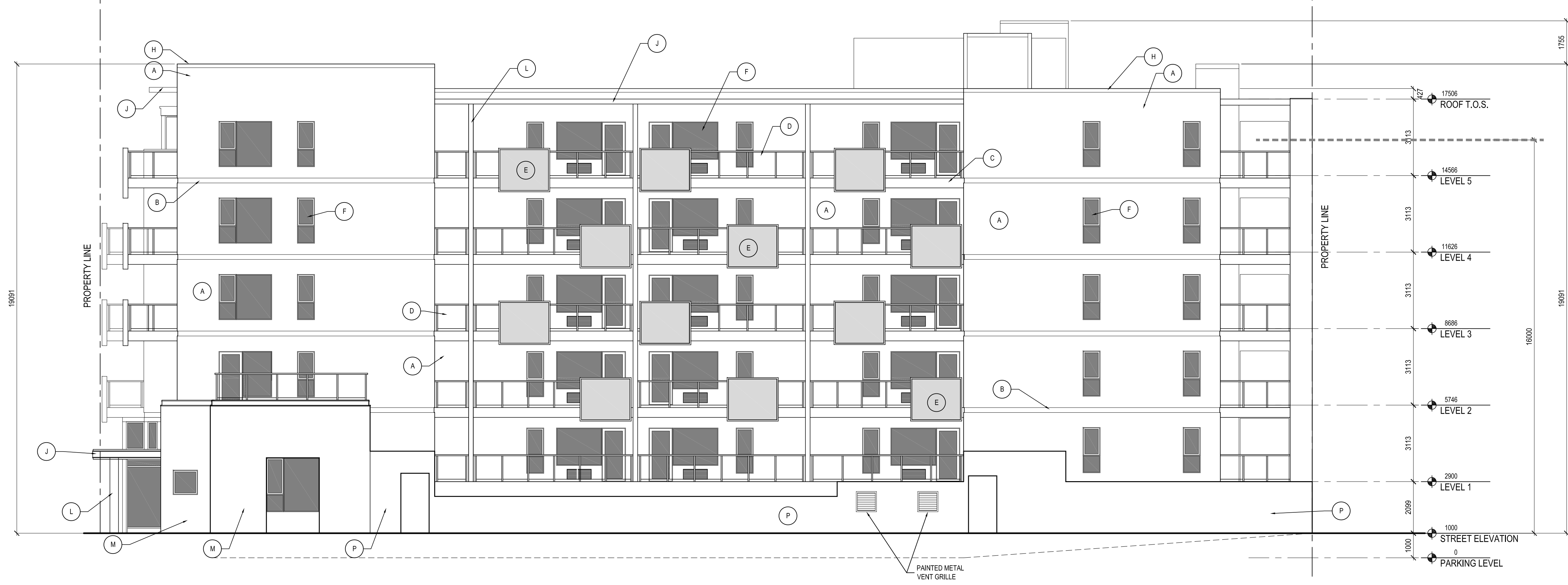
EXTERIOR CLADDING LEGEND

TYPE	DESCRIPTION
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B	METAL FLASHING EXPANSION JOINT
C	METAL CLAD BALCONY EDGE
D	PAINTED METAL RAILING WITH GLASS PANEL
E	ALUMINUM FRAMED SPANDEL PANEL WITH COLOURED GLASS
F	VINYL WINDOWS / DOORS
G	ALUMINUM WINDOWS
H	METAL FLASHING
J	METAL CLAD CANOPY WITH STAINED WOOD SOFFIT
L	STEEL COLUMN
M	STUCCO
N	RAISED CONCRETE PLANTER
O	DECORATIVE METAL FENCE AND GATE
P	COLOURED CONCRETE WALL - TEXTURED
Q	THROUGH WALL AC UNITS
	WINDOWS

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CONSULTANTS
DiStefano Jaud, Architecture

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1 EAST ELEVATION - BERTRAM STREET
A3.1 1:100



2 NORTH ELEVATION - FULLER STREET
A3.1 1:100

DiStefano Jaud Architecture

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PROJECT
**Pathways Abilities Society
Apartment Complex**

PROJECT NUMBER
DJA 2017-24

PROJECT LOCATION
555 Fuller Avenue, Kelowna, BC

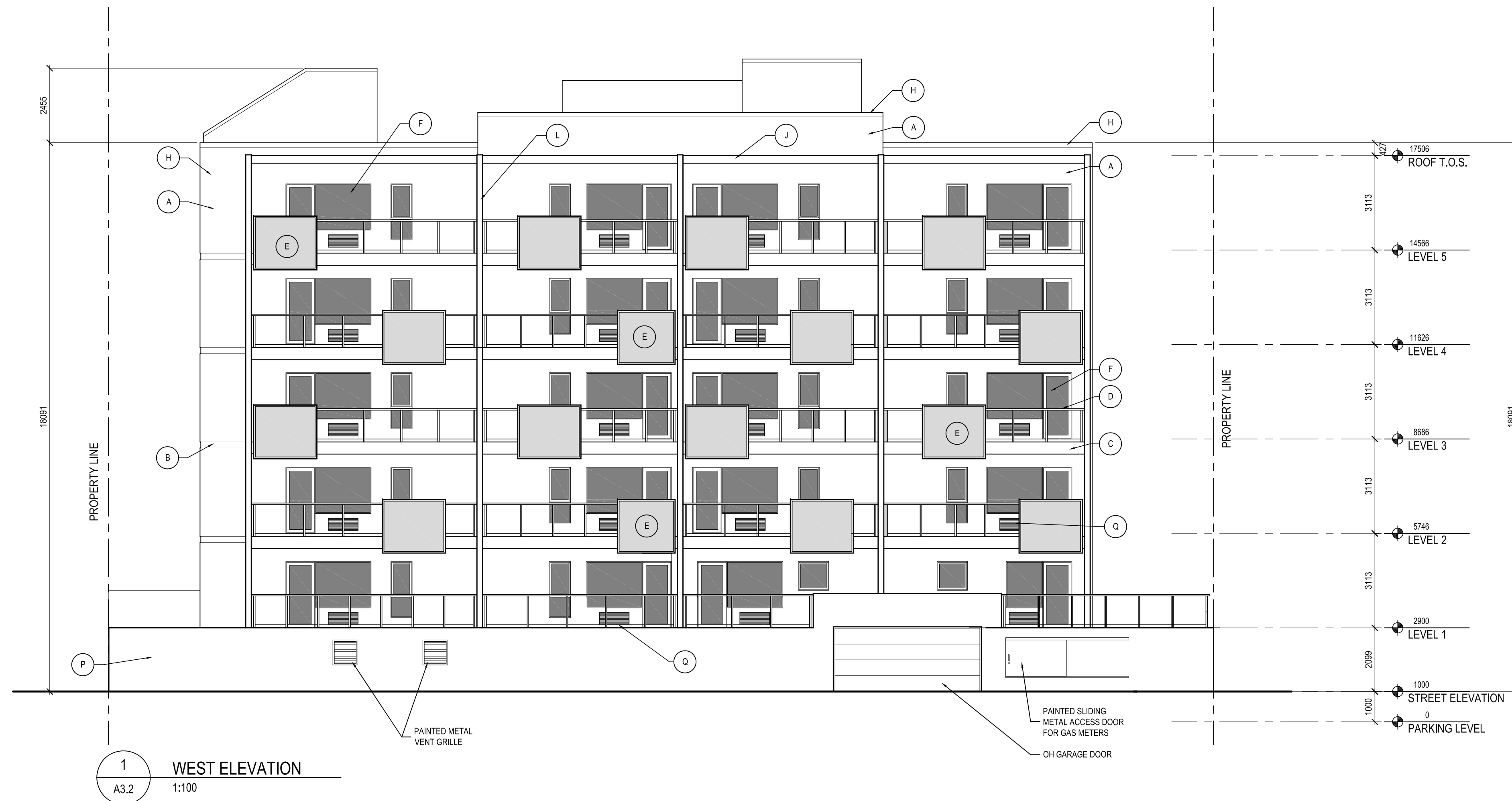
SHEET TITLE
Building Elevations

DATE
October 15, 2018

SHEET NUMBER
A3.1

SCALE
1:100

ISSUE	NO.	DATE
BC Housing review	1	April 6, 2018
DP Submission	2	May 5, 2018
DP Revisions	3	August 16, 2018
DP Revisions	4	September 17, 2018
DP Revisions	5	October 2, 2018
DP Revisions	6	October 15, 2018



1 WEST ELEVATION
A3.2 1:100

EXTERIOR CLADDING LEGEND

TYPE	DESCRIPTION
A	METAL SIDING
B	METAL FLASHING EXPANSION JOINT
C	METAL CLAD BALCONY EDGE
D	PAINTED METAL RAILING WITH GLASS PANEL
E	ALUMINUM FRAMED SPANDREL PANEL WITH COLOURED GLASS
F	VINYL WINDOWS / DOORS
G	ALUMINUM WINDOWS
H	METAL FLASHING
J	METAL CLAD CANOPY WITH STAINED WOOD SOFFIT
L	STEEL COLUMN
M	STUCCO
N	RAISED CONCRETE PLANTER
O	DECORATIVE METAL FENCE AND GATE
P	COLOURED CONCRETE WALL - TEXTURED
Q	THROUGH WALL AC UNITS
	WINDOWS

PROFESSIONAL SEAL(S)
CONSULTANTS
DiStefano Jaud, Architecture

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2 SOUTH ELEVATION
A3.2 1:100

DiStefano Jaud Architecture

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WWW.DISTEFANOJAUD.COM

PROJECT
**Pathways Abilities Society
Apartment Complex**

PROJECT NUMBER
DJA 2017-24

PROJECT LOCATION
555 Fuller Avenue, Kelowna, BC

SHEET TITLE
Building Elevations

DATE
October 15, 2018

SHEET NUMBER

A3.2

SCALE
1:100

CITY OF KELOWNA

BYLAW NO. 11713

Official Community Plan Amendment No. OCP18-0013 555 Fuller Avenue

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot 1 District Lot 139 ODYD Plan EPP78052, located on Fuller Avenue, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential / Commercial) designation.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11714
Z18-0062 – 555 Fuller Avenue

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 139 ODYD Plan EPP78052, located on Fuller Avenue, Kelowna, BC from the RM5 – Medium Density Multiple Housing zone to the C7 – Central Business Commercial 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

The applicant has submitted preliminary drawings for a carriage house indicating that it can be constructed to meet the Zoning Bylaw requirements without any variances. Should the rezoning application be supported by Council, a Heritage Alteration Permit would be required and reviewed and approved by Community Planning Managers.

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

4.0 Proposal

4.1 Project Description

The applicant has submitted conceptual drawings siting the carriage house on the property. The proposal indicates the 1-1/2 storey carriage house can be developed to meet all of the Zoning Bylaw Regulations without any variances.

The conceptual 1-1/2 storey carriage house design has a gable roof form with dormers. The building finishes will be complementary to match the existing dwelling on site. All parking is accessed from the rear lane.

4.2 Site Context

The property is located in the Abbott Street Heritage Conservation Area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Apartment Building
East	RM5 – Medium Density Multiple Housing	Apartment Building
South	RU1 – Large Lot Housing	Single Family Dwelling
West	RU1 – Large Lot Housing	Single Family Dwelling

Subject Property Map: 1969 Knox Crescent



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.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments relevant to Rezoning. Building Code analysis will occur at time of Building Permit.

6.2 Development Engineering Department

- Refer to attached memo. No outstanding issues.

7.0 Application Chronology

Date of Application Received: September 6, 2018

Date Public Consultation Completed: October 30, 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/ Floor Plan

Schedule B: Conceptual Elevations

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).

CITY OF KELOWNA
MEMORANDUM

Date: September 14, 2018
File No.: Z18-0098
To: Community Planning (LK)
From: Development Engineering Manager(JK)
Subject: 1969 Knox Cr.

ATTACHMENT A

This forms part of application
Z18-0098
HAP18-0013

Planner Initials LK


City of Kelowna
COMMUNITY PLANNING

RU1 – RU1c Carriage House

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

1. Domestic Water and Fire Protection

This property is currently serviced with a 13mm-diameter water service. It is suggested that the property owner upgrade the water service to a minimum 19mm. One metered water service will supply both the main residence and the carriage house.

Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783.

2. Sanitary Sewer

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


3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

All access to this property is permitted from the lane as per bylaw.

4. Electric Power and Telecommunication Services

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



James Kay, P. Eng.
Development Engineering Manager

JA

CITY OF KELOWNA

MEMORANDUM

Date: September 14, 2018
File No.: HAP18-0013
To: Community Planning (LK)
From: Development Engineering Manager (JK)
Subject: 1969 Knox Cr.

ATTACHMENT A

This forms part of application
Z18-0098
HAP18-0013

Planner Initials

City of **Kelowna**
COMMUNITY PLANNING

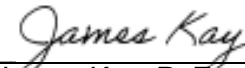


Heritage Alteration

The Development Engineering comments and requirements regarding this HAP application are as follows:

1. **General.**

- a) All the offsite infrastructure and services upgrades are addressed in the Zoning Engineering Report under file Z18-0098



James Kay, P. Eng.
Development Engineering Manager

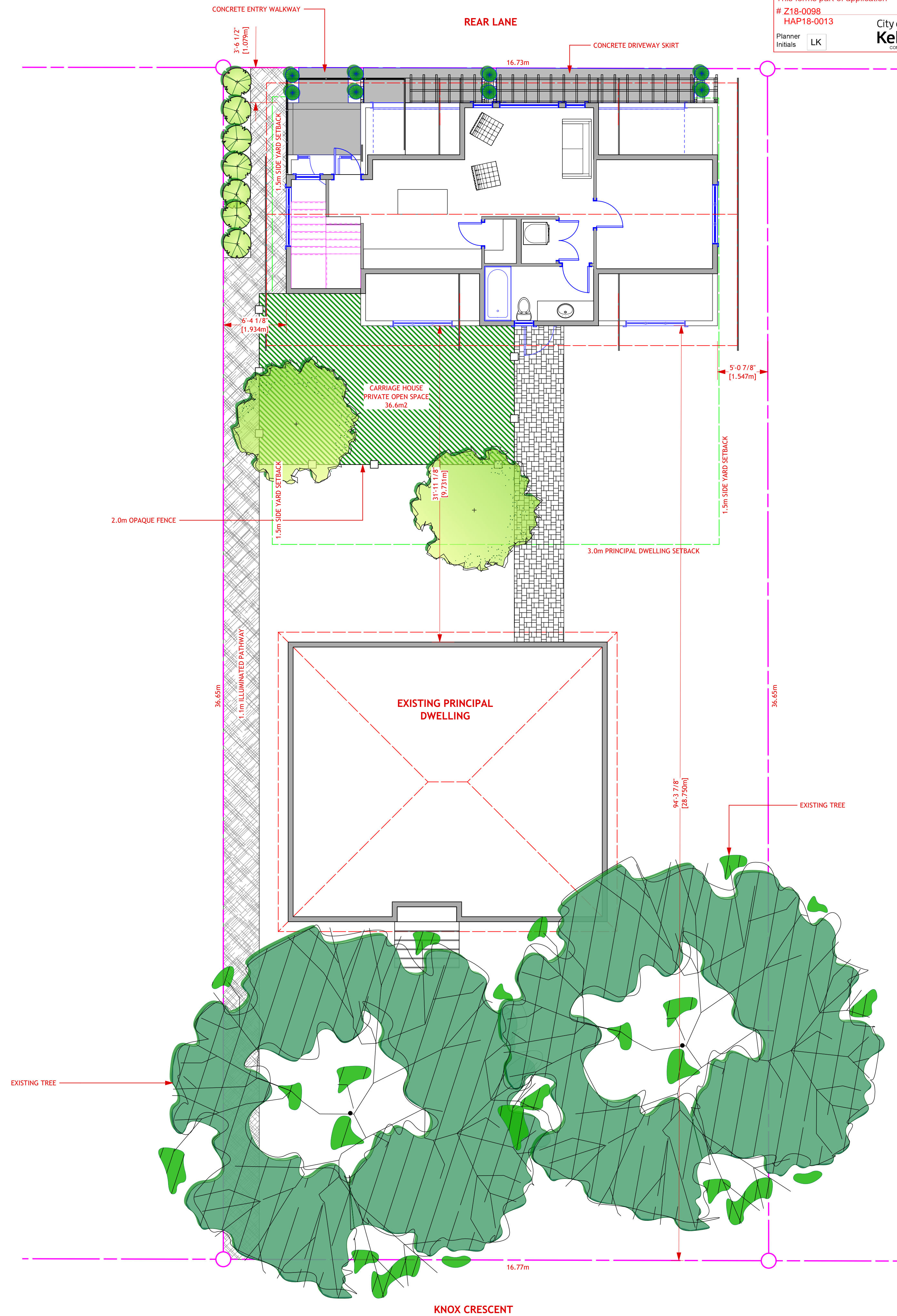
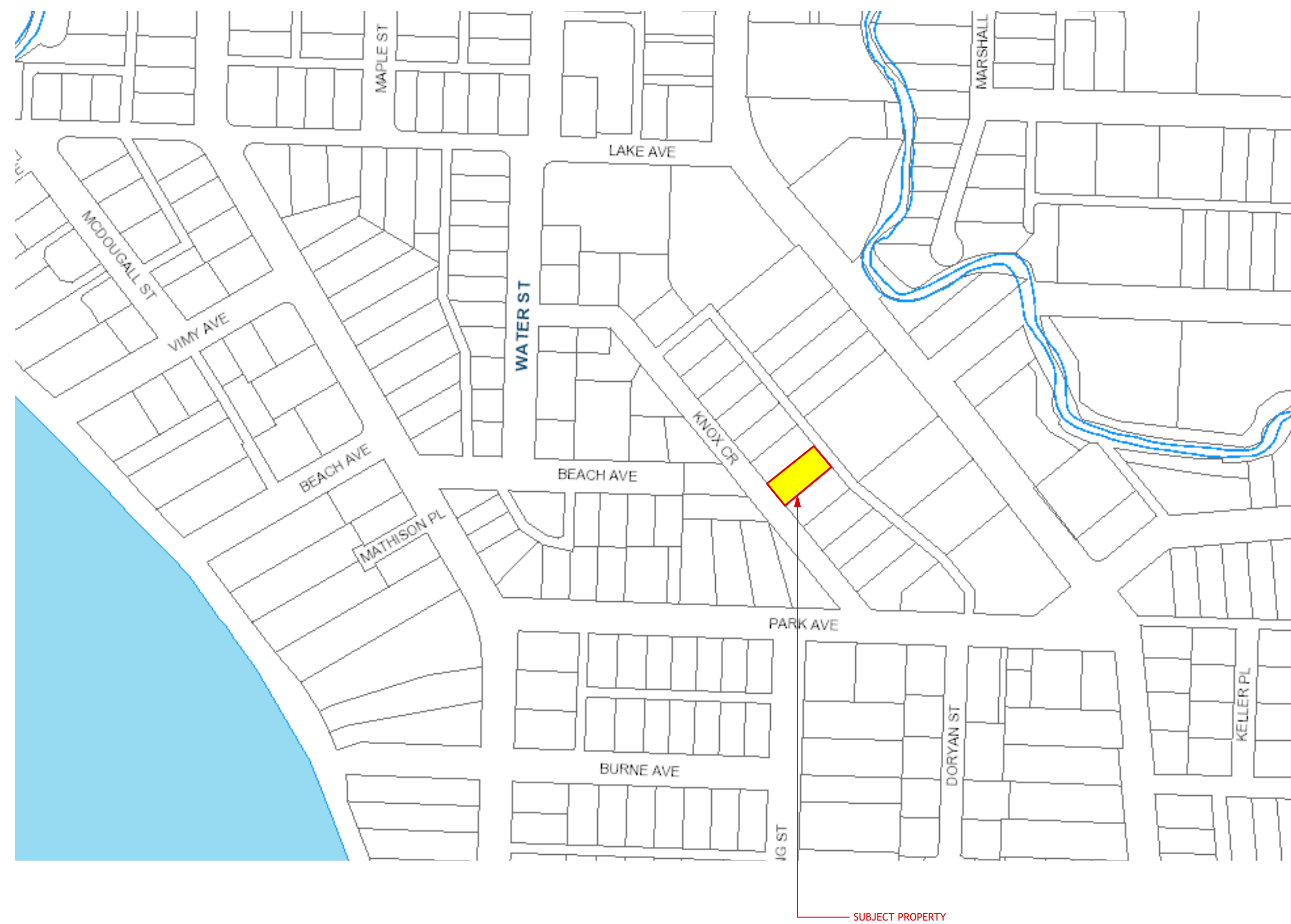
JA

PROJECT DATA: CIVIC ADDRESS 1969 KNOX CRESCENT
 LEGAL ADDRESS KELOWNA, BC V1Y 1K9
 CURRENT ZONING LOT 6 PLAN KAP2767 ODYD
 PROPOSED ZONING RU1c LARGE LOT HOUSING WITH CARRIAGE HOUSE

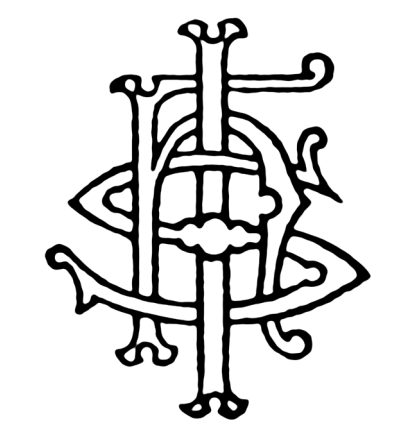
ZONING INFORMATION

RU1c - LARGE LOT HOUSING WITH CARRIAGE HOUSE	PERMITTED	PROPOSED
SITE AREA	550.00m ²	613.93m ²
EXISTING BUILDING FOOTPRINT AT GRADE		83.52m ²
CARRIAGE HOUSE FOOTPRINT AT GRADE		85.01m ²
DRIVEWAY AREA		10.35m ²
ACCESSORY BUILDING SITE COVERAGE	14.0%	13.8%
SITE COVERAGE	40.0%	27.5%
SITE COVERAGE W/ HARDSURFACE	50.0%	29.1%
PRINCIPAL DWELLING BUILDING HEIGHT (PEAK OF ROOF)	9.5m/2 1/2 STOREYS	6.18m/1.5 STOREYS
CARRIAGE HOUSE BUILDING HEIGHT (MID-POINT OF ROOF)	4.8m/1 1/2 STOREYS	4.794m/1.5 STOREYS
CARRIAGE HOUSE BUILDING HEIGHT (PEAK OF ROOF)	6.18m	6.09m
FLOOR AREAS		
PRINCIPAL DWELLING BASEMENT GROSS FLOOR AREA		83.92m ²
PRINCIPAL DWELLING MAIN FLOOR GROSS FLOOR AREA		80.29m ²
CARRIAGE HOUSE GROSS FLOOR AREA	90.00m ²	63.83m ²
PERCENTAGE OF CARRIAGE HOUSE GFA TO PRINCIPAL GFA	75.0%	38.9%
SETBACKS		
FRONT (SOUTH) YARD SETBACK	9.500m	28.750m
REAR (NORTH) YARD SETBACK	0.900m	1.079m
SIDE (EAST) YARD SETBACK	1.500m	1.547m
SIDE (WEST) YARD SETBACK	1.500m	1.934m
PARKING & PRIVATE OPEN SPACE		
PARKING STALLS (LARGE)	3	3
SUITE PRIVATE OPEN SPACE (AT SECOND FLOOR DECK)		10.28m ²
SUITE PRIVATE OPEN SPACE (AT GRADE)	30.00m ²	36.60m ²

SITE CONTEXT

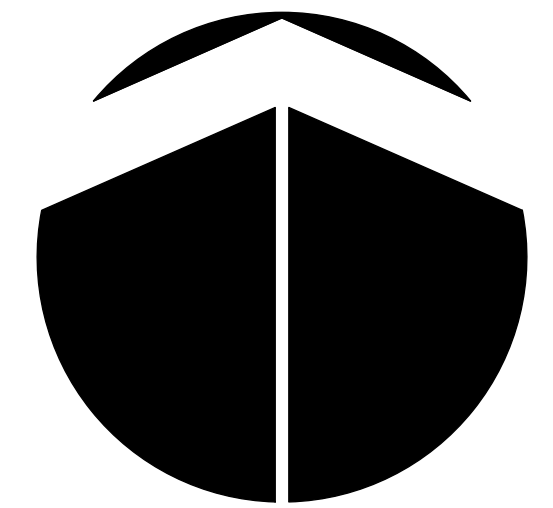


SCHEDULE A
 This forms part of application
 # Z18-0098
 HAP18-0013
 City of Kelowna
 Planner Initials LK



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PROJECT NORTH

REVISION	DATE	DISRIPTION

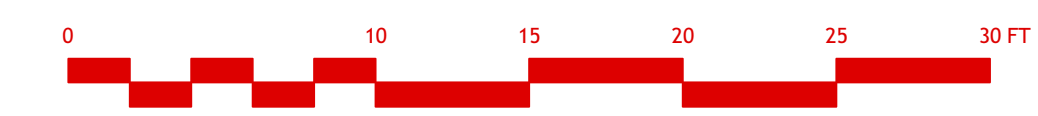
PROJECT
CARRIAGE HOUSE
 1969 KNOX CRESCENT
 KELOWNA, BC V1Y 1K9
 LOT 6 PLAN KAP2767

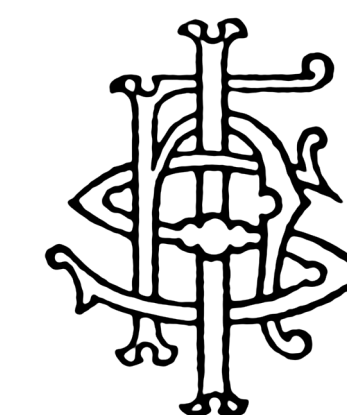
DRAWING TITLE
SITE PLAN

DATE
 JULY 30, 2018

DRAWING NUMBER
1
 of
4

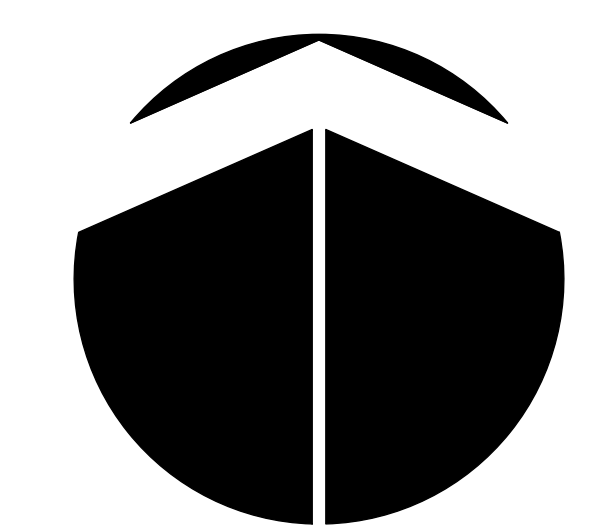
1 SITE PLAN
 Scale: 1:75





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PROJECT NORTH

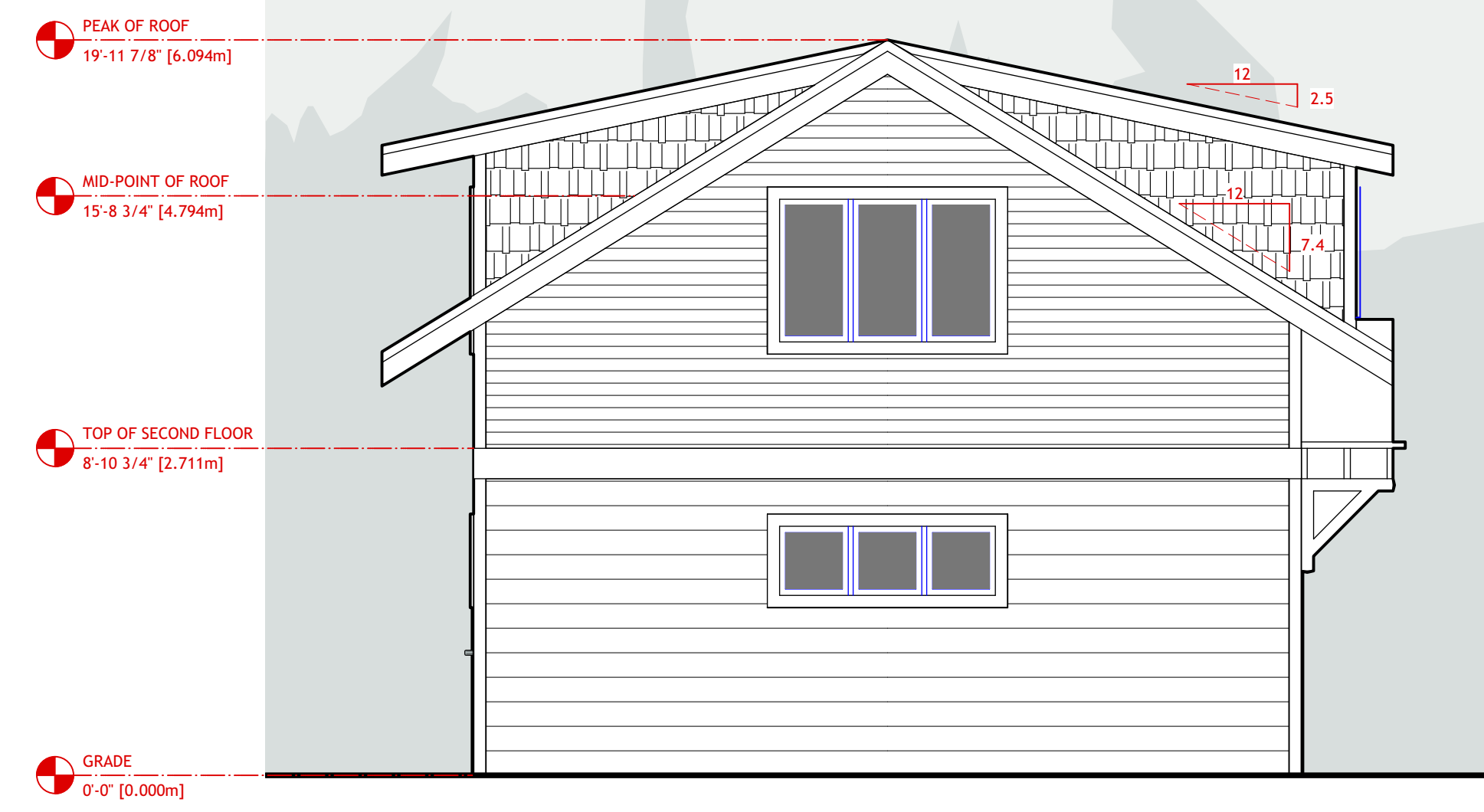
REVISION	DATE	DISRIPTION

PROJECT
CARRIAGE HOUSE
 1969 KNOX CRESCENT
 KELOWNA, BC V1Y 1K9
 LOT 6 PLAN KAP2767

DRAWING TITLE
ELEVATIONS

DATE
 JULY 30, 2018

DRAWING NUMBER
2
 of
4



1 EAST ELEVATION
 Scale: 1/4" = 1'-0"



HORIZONTAL SIDING
 HARDIEPLANK LAP SIDING SELECT CEDARMILL
 5" & 8" EXPOSURE
 MONTEREY TAUPE



HORIZONTAL SIDING
 HARDIESHINGLE SIDING STAGGERED EDGE PANEL
 NAVAJO BEIGE



FIBERGLASS REINFORCED LAMINATE SHINGLES
 IKO ROOFING PRODUCTS
 CAMBRIDGE DUAL BLACK



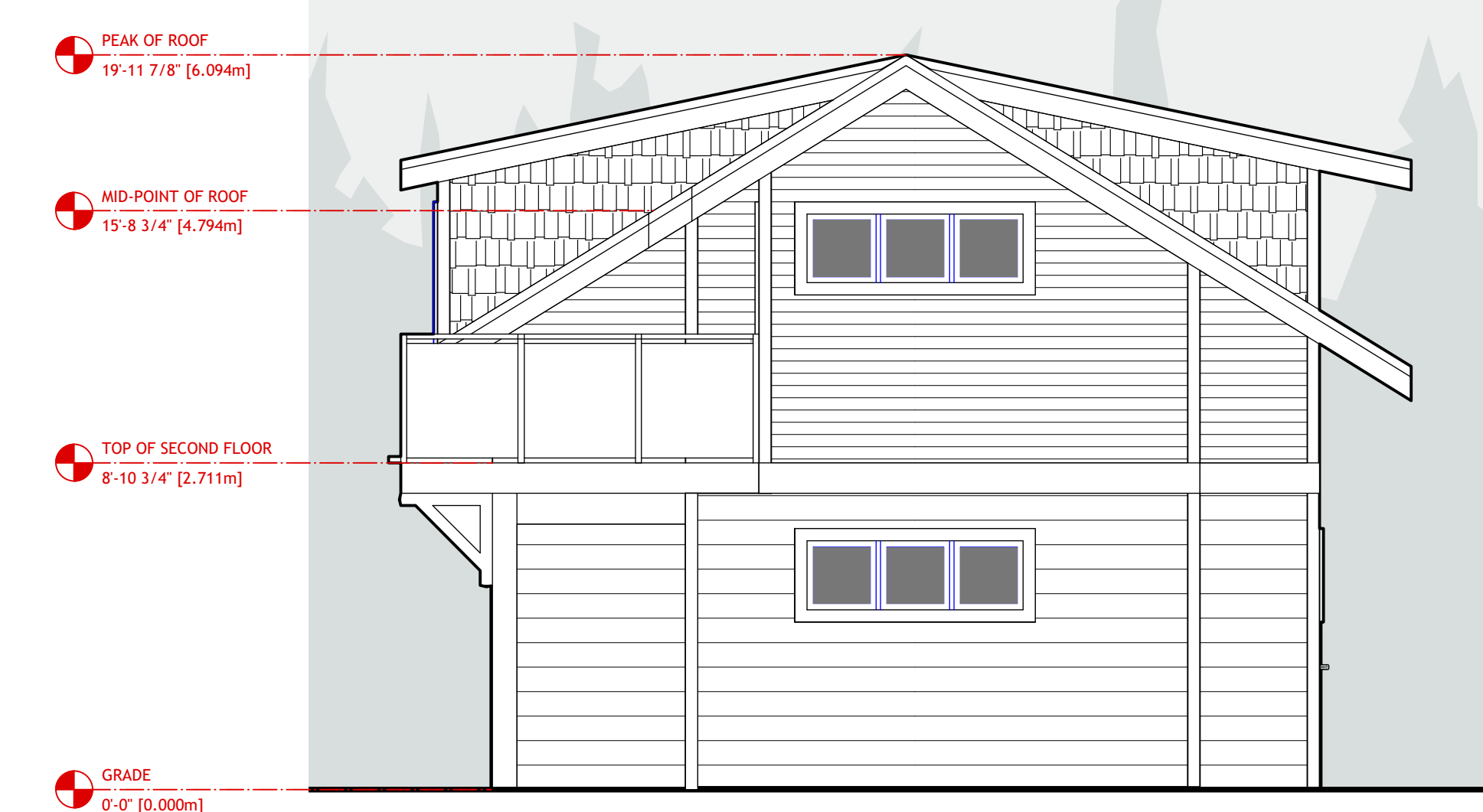
SMART TRIM FASCIA & WOOD DETAILS
 BENJAMIN MOORE
 OC 117 - SIMPLY WHITE



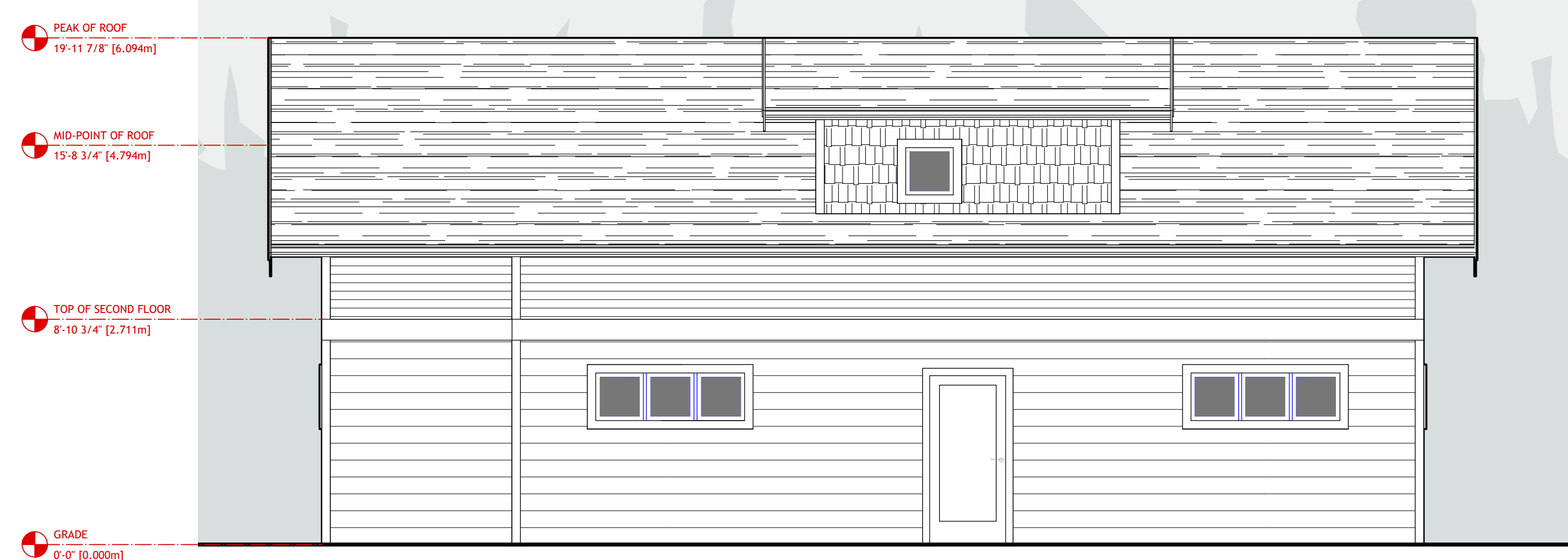
FRONT DOOR
 BENJAMIN MOORE
 2087-20 WATERMELON RED



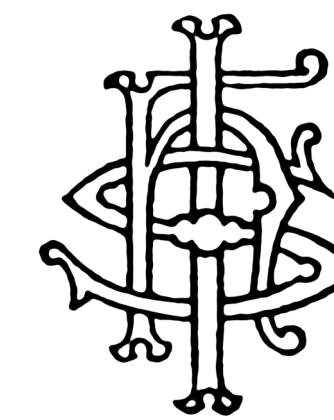
2 NORTH ELEVATION
 Scale: 1/4" = 1'-0"



3 WEST ELEVATION
 Scale: 1/4" = 1'-0"

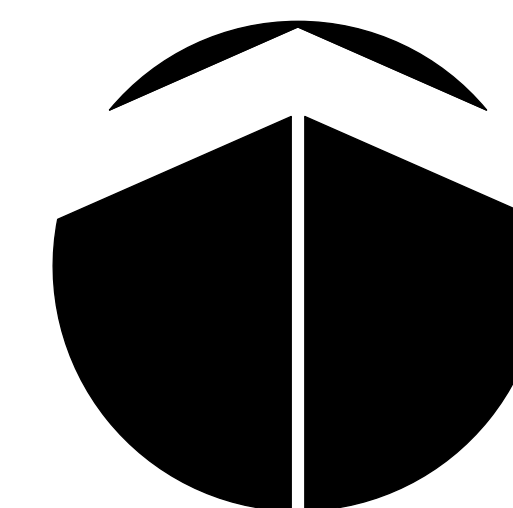


4 SOUTH ELEVATION
 Scale: 1/4" = 1'-0"

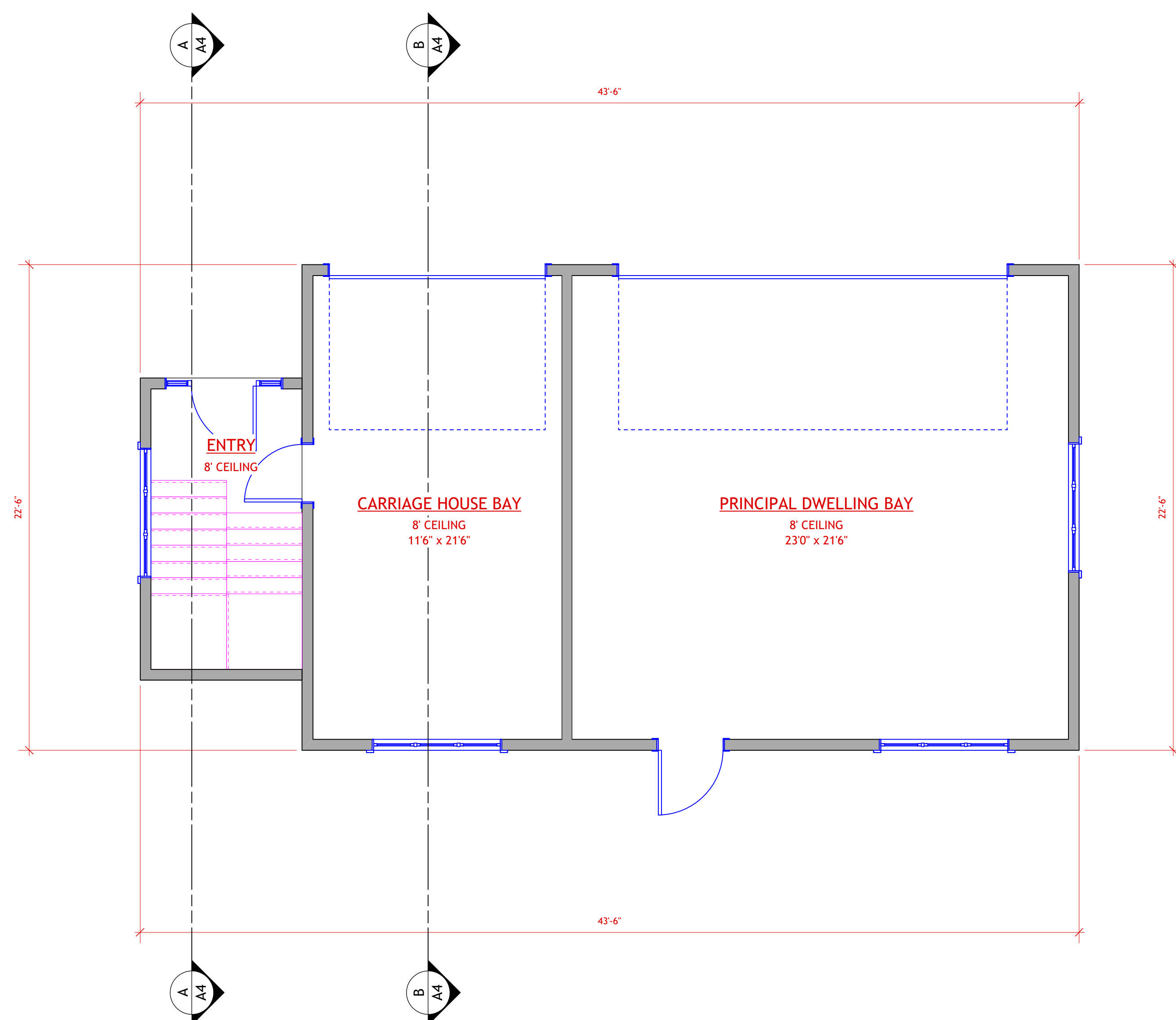


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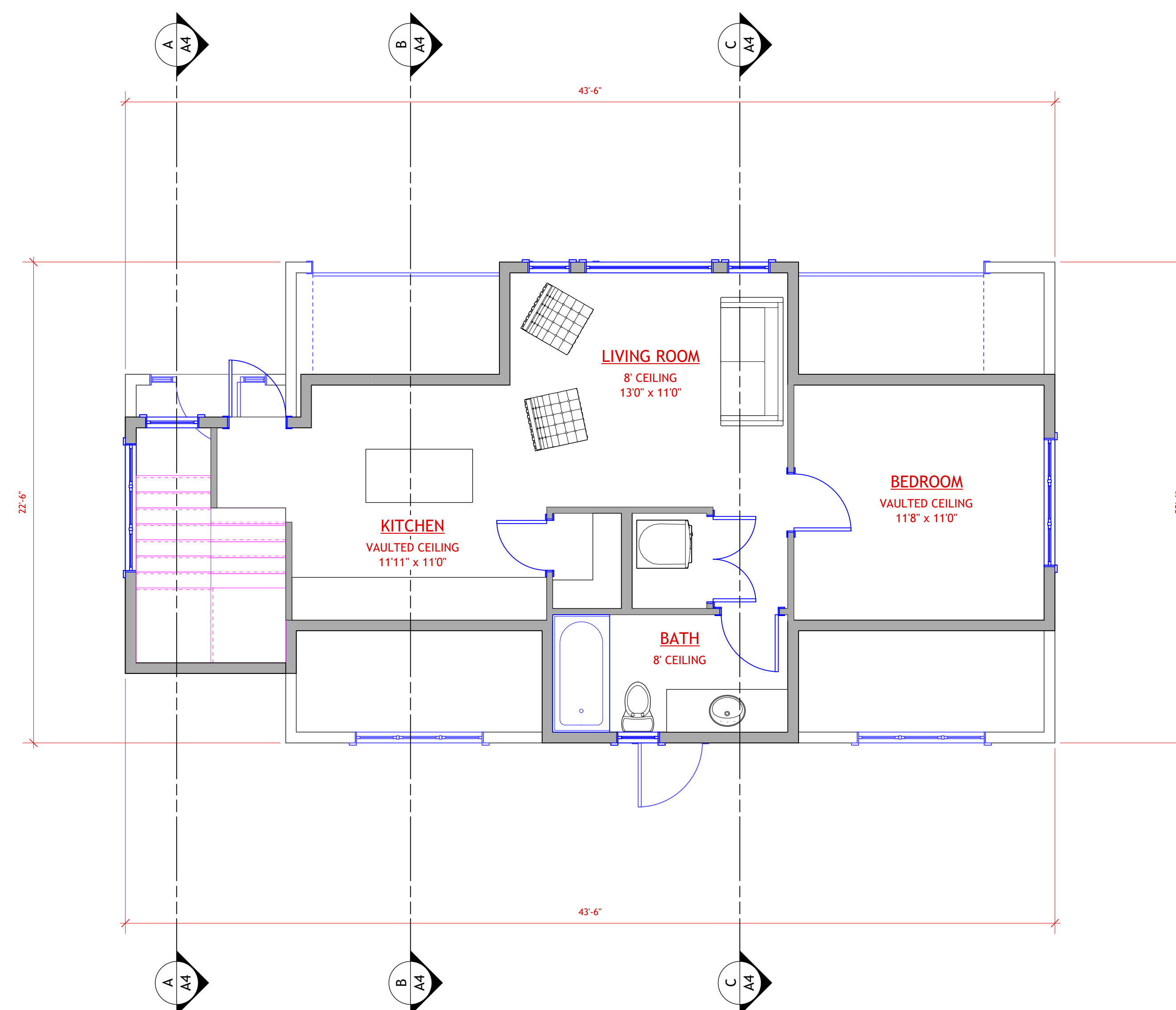
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PROJECT NORTH



1 MAIN FLOOR
 Scale: 1/4" = 1'-0"



2 SECOND FLOOR
 Scale: 1/4" = 1'-0"

REVISION	DATE	DISCRIPTION

PROJECT
 CARRIAGE HOUSE
 1969 KNOX CRESCENT
 KELOWNA, BC V1Y 1K9
 LOT 6 PLAN KAP2767

DRAWING TITLE
 FLOOR PLANS

DATE
 JULY 30, 2018

DRAWING NUMBER
 3
 of
 4

CITY OF KELOWNA
BYLAW NO. 11716
Z18-0098 –1969 Knox Crescent

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 6, District Lot 14, ODYD, Plan 2767, located on Knox Crescent, 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

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: December 3, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z18-0081 **Owner:** 1140648 B.C. LTD., Inc. No. 1140648

Address: 2125 & 2137 Richter Street **Applicant:** Innascore Developments Inc.

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. Z18-0081 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 2 & 3 Section 19 Township 26 ODYD Plan 700 located at 2125 & 2137 Richter 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 Attachment "A" attached to the Report from the Community Planning Department dated December 3, 2018;

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

2.0 Purpose

To consider rezoning the two subject properties from the RU6 – Two Dwelling Housing zone to the RM₃ – Low Density Multiple Housing zone to facilitate the development of multiple dwelling housing.

3.0 Community Planning

Community Planning Staff are supportive of the proposed rezoning application to facilitate the proposed development on the two parcels. The proposed development will consolidate the two properties located

along Richter Street between Cadder Ave and Glenwood Ave. The properties have a Walk Score of 63 (Somewhat Walkable – Some errands can be accomplished on foot) and a Transit Score of 46 – A few nearby public transportation options in the area. The property is in proximity of many nearby amenities including restaurants, parks, recreational opportunities and the Kelowna General Hospital all in the surrounding area.

The applicant is requesting to rezone the parcels from the RU6- Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.

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

4.0 Proposal

4.1 Background

The proposal consists of two parcels which each have an existing house that would be demolished and the lots consolidated to a single titled parcel with the units forming a strata development.

4.2 Project Description

The applicant is proposing ten dwelling units on the site, which have a shared upper courtyard to disguise the covered at-grade parking. The parking is accessed from the rear laneway and ground oriented units are provided along the Richter Street frontage. A conceptual site plan has been submitted to show the layout of the building and parking arrangement. The proposal indicates the development can be accomplished to meet the Development Regulations of the RM3 zone without requiring any variances.

4.3 Site Context

The two properties are located along Richter Street between Cadder Avenue and Glenwood Avenue and is centrally located between the City Centre, Capri-Landmark and South Pandosy Urban Centres.

Subject Property Map: 2125 & 2137 Richter Street



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.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments applicable to Rezoning.

6.2 Development Engineering Department

- Refer to Attachment A dated July 30, 2018.

7.0 Application Chronology

Date of Application Received: July 25, 2018
Date Public Consultation Completed: September 19, 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/ Landscape Plan

Schedule B: Conceptual Elevations

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).

CITY OF KELOWNA
MEMORANDUM

ATTACHMENT A

This forms part of application
Z18-0081



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials LK

Date: July 30, 2018
File No.: Z18-0081
To: Community Planning (LK)
From: Development Engineering Manager (JK)
Subject: 2125-2137 Richter 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.
- a. 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. Richter St must be upgraded to an collector standard along the full frontage of this proposed development, including sidewalk, pavement removal and replacement, boulevard landscaping, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road cross section to be used is a modified SS-R5
- b. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$49,653.13** not including utility service cost.

7. Power and Telecommunication Services and Street Lights

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

8. Development Permit and Site Related Issues

- a. Access to the property will be lane access only

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

CITY OF KELOWNA

MEMORANDUM

SCHEDULE A

This forms part of application

Z18-0081



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials

Date: July 30, 2018
File No.: DP18-0159
To: Community Planning (LK)
From: Development Engineering Manager (JK)
Subject: 2125-2137 Richter Street

The Development Engineering comments and requirements regarding this Development Permit application are as follows:

1. **General.**

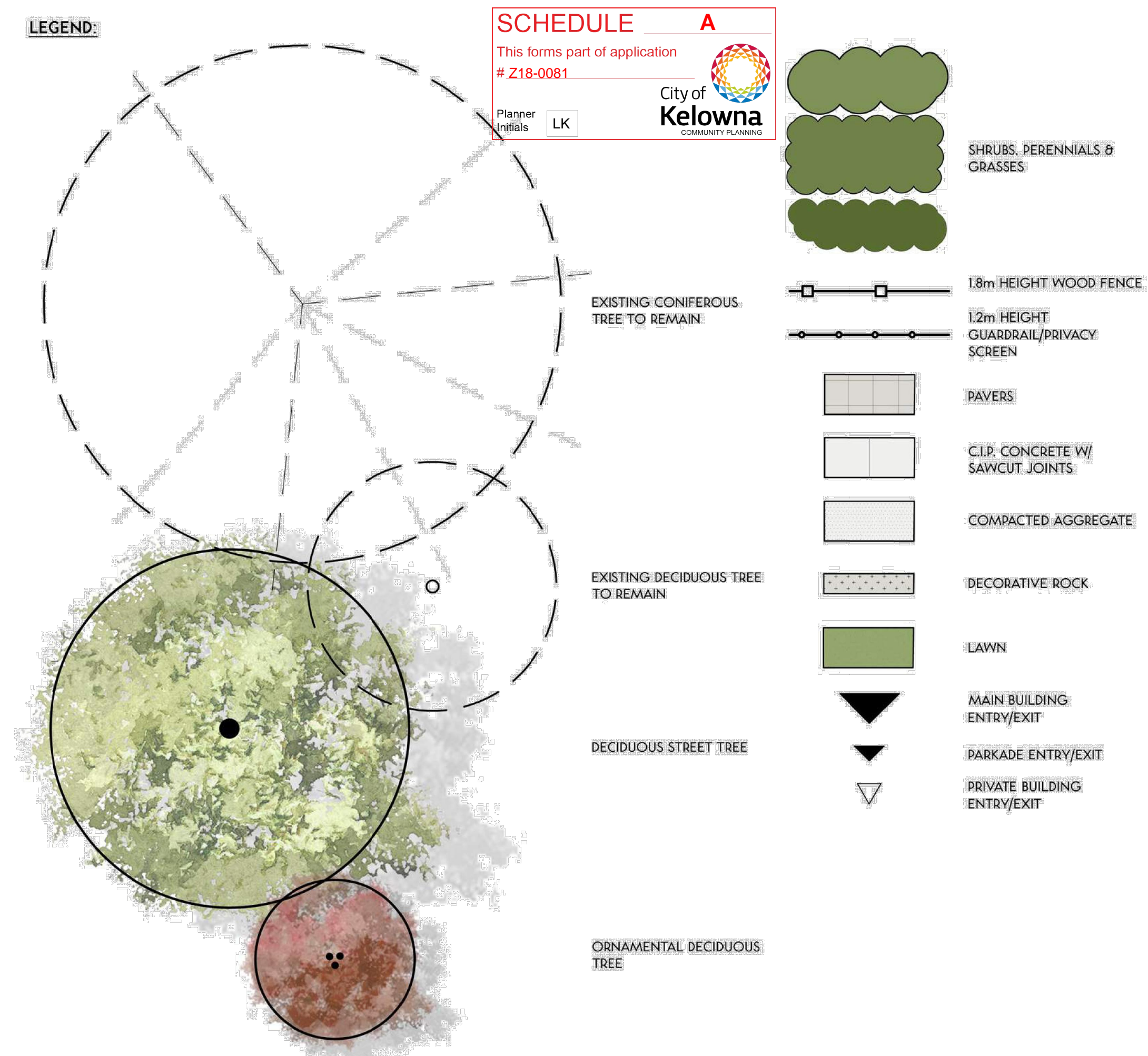
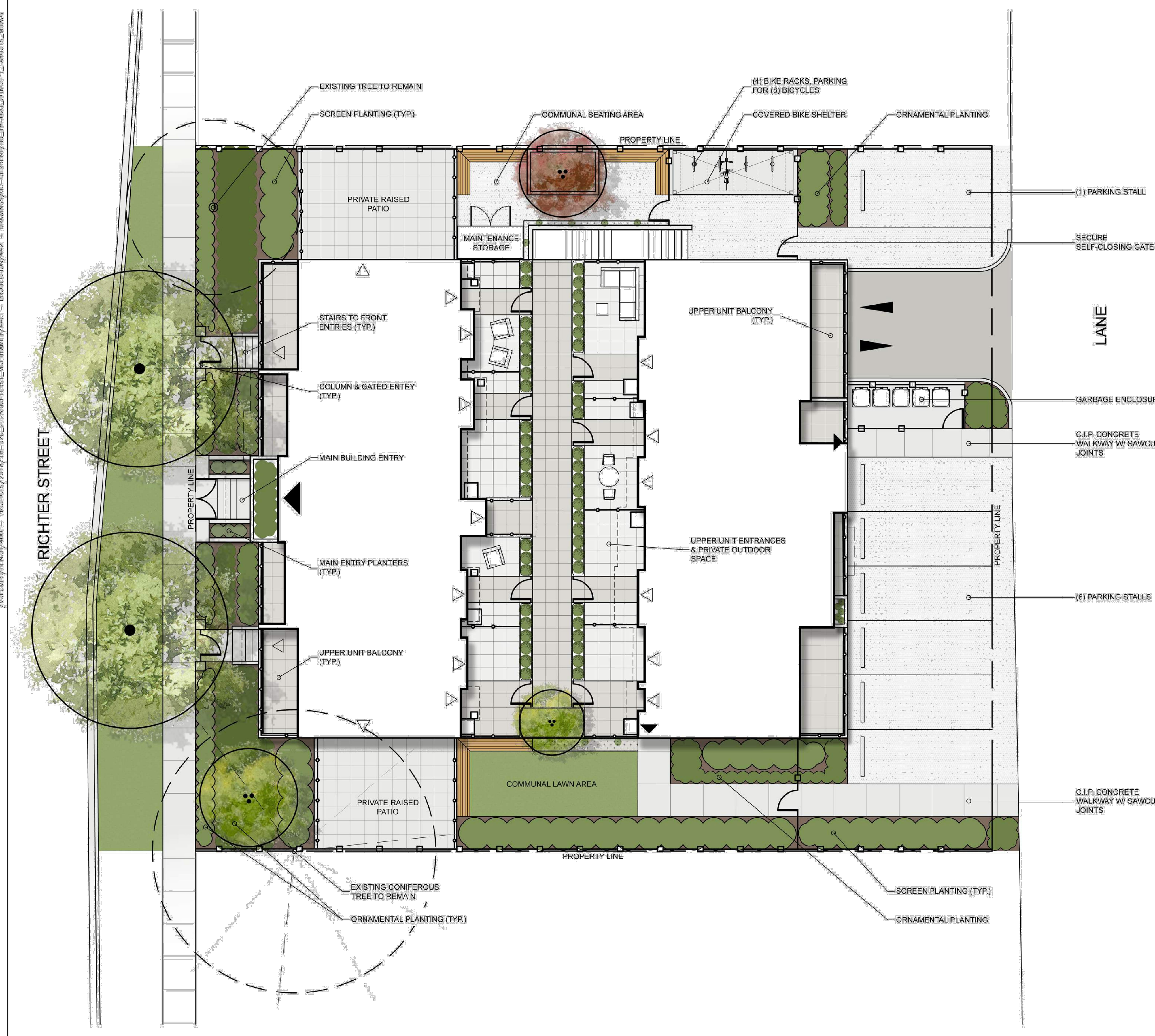
- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z18-0081

A handwritten signature in blue ink, appearing to read 'JK', written over a horizontal line.

James Kay, P.Eng.
Development Engineering Manager

JA

/VOLUMES/BENCH/400 - PROJECTS/2018/18-020_2125RICHTERSTREET_MULTIFAMILY/440 - PRODUCTION/442 - DRAWINGS/00-CURRENT/00-18-020_CONCEPT_LAYOUTS_M.DWG



DEVELOPMENT PERMIT NOTES:

A PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE LATEST EDITION OF THE B.C. LANDSCAPE STANDARDS, PUBLISHED BY B.C.N.T.A. AND B.C.S.L.A. AS WELL AS THE CITY OF KELOWNA LANDSCAPE STANDARDS IN BYLAW 7900.

B THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM CITY OF KELOWNA FORM AND CHARACTER REQUIREMENTS.

C PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY AT THE TIME OF CONSTRUCTION.

D TREES SHALL BE INSTALLED IN DEFINED SOIL PITS OR PLANTING BED AREAS. ADEQUATE SOIL VOLUME SHALL BE PROVIDED BASED ON THE SPECIFIED TREE SPECIES AND LOCATION.

E ORNAMENTAL SHRUB, GRASS AND PERENNIAL CLUSTERS ARE TO BE PLACED WITHIN DEFINED PLANTING BEDS. ALL PLANTING BEDS SHALL HAVE A MIN. OF 450mm (18") IMPORTED GROWING MEDIUM AND 75mm (3") OF COMPOSTED MULCH OR APPROVED EQUAL.

F DECORATIVE ROCK AREAS SHALL HAVE A MIN. OF 75mm (3") OF DECORATIVE ROUND, COMMERCIAL GRADE LANDSCAPE FABRIC SHALL BE INSTALLED BELOW ALL DECORATIVE ROCK AREAS.

G TURF AREAS SHALL BE LOW WATER USE 'NO. 1 PREMIUM' SOD WITH A MIN. OF 150mm (6") IMPORTED GROWING MEDIUM.

H A HIGH EFFICIENCY IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL ORNAMENTAL LANDSCAPE AREAS AND SHALL CONFORM TO THE CITY OF KELOWNA'S IRRIGATION STANDARDS IN BYLAW 7900.

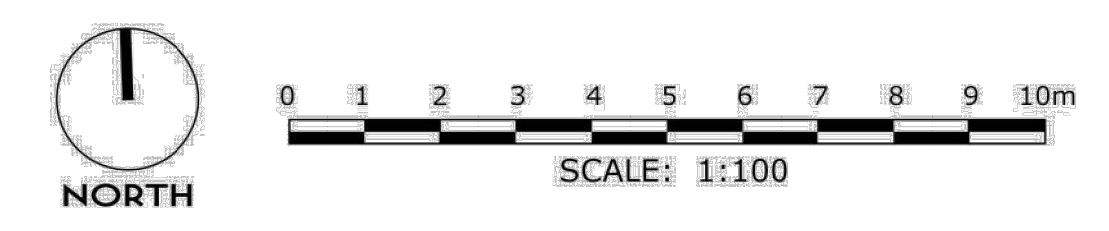
PLANT LIST:

TREES	Botanical Name	Common Name	Size/Spacing	Root
	<i>Acer palmatum</i> 'Bloodgood'	Japanese maple	6cm Cal.	E&B
	<i>Hamamelis x intermedia</i> 'Arnold Promise'	Witchhazel	1.5m Ht.	Potted
	<i>Hamamelis x intermedia</i> 'Jelena'	Witchhazel	1.5m Ht.	Potted
	<i>Parrotia persica</i> *	Persian ironwood	6cm Cal.	B&B
SHRUBS & VINES	Botanical Name	Common Name	Size/Spacing	Root
	<i>Aristolochia macrophylla</i>	Dutchman's pipe	#02 Cont./1.5m O.C.	Potted
	<i>Buxus</i> 'Green Mountain'	Boxwood	#02 Cont./1.0m O.C.	Potted
	<i>Hydrangea anomala ssp. petiolaris</i>	Climbing hydrangea	#02 Cont./1.5m O.C.	Potted
	<i>Paxistima canbyi</i>	Cliffgreen	#02 Cont./1.0m O.C.	Potted
	<i>Syringa meyeri</i> 'Paladin'	Dwarf korean lilac	#02 Cont./1.5m O.C.	Potted
	<i>Taxus x media</i> 'Hicksii'	Hick's yew	#02 Cont./1.25m O.C.	Potted
PERENNIALS & GROUNDCOVERS	Botanical Name	Common Name	Size/Spacing	Root
	<i>Pachysandra terminalis</i>	Japanese spurge	#01 Cont./0.45m O.C.	Potted
	<i>Salvia nemerosa</i> 'Sensation Deep Blue Improved'	Meadow sage	#01 Cont./0.45m O.C.	Potted
GRASSES	Botanical Name	Common Name	Size/Spacing	Root
	<i>Calamagrostis acutiflora</i> 'Karl Foerster'	Feather reed grass	#01 Cont./0.9m O.C.	Potted
	<i>Pennisetum alopecuroides</i> 'Little Bunny'	Little Bunny fountain grass	#01 Cont./0.5m O.C.	Potted

*Tree form

NO.	DATE	DESCRIPTION
2	JUN 20 2018	ISSUED FOR DP
1	JUN 05 2018	ISSUED FOR REVIEW

PROJECT
THE CENTRAL
 2125 RICHTER STREET MULTI-FAMILY
 INNASCORE DEVELOPMENTS INC.



NOT FOR CONSTRUCTION



SHEET TITLE	
LANDSCAPE PLAN	
SHEET NO.	PROJECT #
L-1	18-020
SCALE	
1:100	



2 SOUTH ELEV,
A11 SCALE: 3/16" = 1'-0"



1 EAST ELEV,
A11 SCALE: -

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..
..
..
..
..
..
..
01	ISSUED FOR DP	07-05-18
NO.	REVISION DESCRIPTION	DATE

NEXUS DESIGN

SUITE 200-1626 WEST 2ND AVENUE
VANCOUVER, BRITISH COLUMBIA V6J 1H4
T. 604.228.4000
F. 604.228.4001

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Dimensions
The Contractor shall verify all dimensions, and immediately report any errors and/or omissions to Nexus Construction. DO NOT SCALE DRAWINGS.

CLIENT / PROJECT:
INNASCORE THE CENTRAL

ADDRESS:
2125-2137 RICHTER ST.
KELOWNA, BC

COLOURED RENDER	
SCALE:	DRAWING NUMBER:
-	A11.0 12.2

CITY OF KELOWNA

BYLAW NO. 11717

Z18-0081 – 2125 & 2137 Richter 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 2 & 3 Section 19 Township 26 ODYD Plan 700 located on Richter 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

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11675

**Discharge of Land Use Contract
LUC76-1054 - (M68950)
1717 Harvey Avenue**

WHEREAS a land use (the "Land Use Contract") is registered at the Kamloops Land Title Office under number M68950 against lands in the City of Kelowna particularly known and described as Lot B District Lot 129 ODYD Plan KAP68674 (the "Lands"), located at 1717 Harvey Avenue, Kelowna, B.C.;

WHEREAS Section 546 of the *Local Government Act* provides that a land use contract that is registered in a Land Title Office may be discharged in the manner specified in the Land Use Contract, by bylaw following a public hearing on the proposed bylaw;

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

1. This Bylaw may be cited for all purposes as "Land Use Contract LUC76-1054 Discharge Bylaw".
2. The Land Use Contract is hereby cancelled and of no further force and effect and the City of Kelowna is hereby authorized and empowered to apply for the discharge of the Land Use Contract from the Lands.

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

Considered at a Public Hearing on the 18th of September, 2018.

Read a second and third time by the Municipal Council this 18th of September, 2018.

Approved under the Transportation Act this 20th day of November, 2018.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: December 3, 2018
File: 1200-40
To: City Manager
From: Laura Bentley, Community Planning Supervisor
Subject: Proposed Short-Term Rental Accommodation Regulations

Recommendation:

THAT Council receives, for information, the report from the Community Planning Department dated December 3, 2018;

AND THAT Council direct staff to proceed with preparing bylaws and policies to implement the proposed short-term rental accommodation regulations and licensing.

Purpose:

To consider proposed regulations for short-term rental accommodations and a corresponding business licensing and enforcement strategy.

Background:

Staff are proposing new regulations for short-term rental accommodations in residential and commercial zones, based on previously endorsed guiding principles, Kelowna’s specific context and public and stakeholder feedback. These regulations also implement the City’s Healthy Housing Strategy recommendation to update regulations to protect the rental stock from the impacts of short-term rentals.

Guiding Principles

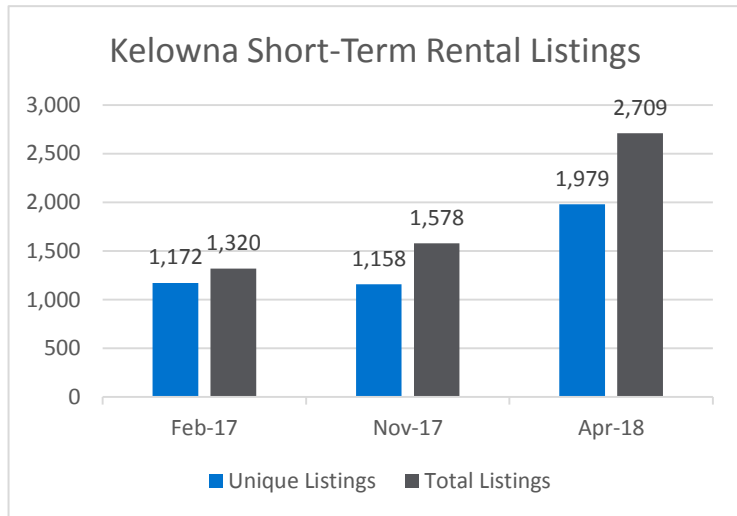
In July 2018, Council endorsed three guiding principles to direct the development of short-term rental regulations:

1. Ensure short-term rental accommodations do not impact the long-term rental housing supply in a negative way.
2. Ensure short-term rental accommodations are good neighbours.
3. Ensure equity among short-term accommodation providers.

These principles are based on Kelowna’s housing context, concerns about potential nuisance impacts in residential areas, and establishing a fair approach among short-term accommodation providers.

Short-Term Rental Market

Globally, the short-term or vacation rental market grew eightfold between 2011 and 2017, with 8 million listings last year¹. In Kelowna, although short-term rentals are currently not permitted in residential zones, the number of short-term rental listings increased nearly 69% between winter 2017 (1,172 listings) and spring 2018 (1,979 listings)². Part of this increase may reflect seasonal changes; however, it also suggests overall growth in the number of homes being used for short-term rental accommodation. Airbnb identified Kelowna as a trending North American destination for 2018, with an increase of 170% guests in 2017³. Over 80% of listings are entire homes being rented out, and the units are nearly evenly divided between single detached homes and multi-family units⁴.



The median nightly rate for short-term rentals increased from \$190 in November 2017 to \$220 in April 2018⁵. Across the Okanagan, short-term rentals are generally used approximately 30 nights a year, and most stays are two to three nights long⁶. There is clear demand and interest in short-term rentals in Kelowna, and these regulations are intended to balance that interest with measures that address the above-mentioned guiding principles.

Kelowna's Rental Housing Context

After five years of declining vacancy rates, Kelowna's vacancy rate increased in 2018 to 1.9%. This reflects the significant investment in new rental apartment buildings in the last couple of years. That said, the vacancy rate is still below the targeted rate of 3% to 5%, and strong demand for rental units is expected to continue as Kelowna grows and housing prices make home ownership less attainable for many. The Healthy Housing Strategy indicates that between 2011 and 2016, nearly three quarters of new households in Kelowna were renters, compared to one third in the five years prior. Approximately 550 new rental units are expected to be needed annually across the primary and secondary rental markets⁷ to accommodate anticipated growth.

The secondary rental market accounts for approximately 70% of all long-term rental units, and Kelowna currently has an estimated 1,650 known secondary suites and carriage houses. Maintaining these units for long-term rental housing supports opportunities for residents to access rental housing options, and security of tenancy is critical for residents to find and retain stable housing.

¹ Host Compliance LLC (April 2018).

² Host Compliance LLC (February 2017 & April 2018).

³ Airbnb's 2018 Travel Trends.

⁴ Host Compliance LLC (April 2018).

⁵ Host Compliance LLC (November 2017 & April 2018).

⁶ Airbnb: Bringing Home Sharing to Wine Country.

⁷ The primary rental market consists of purpose-built rental apartments and townhouses. The secondary rental market consists of individually owned units that are rented out, including secondary suites, carriage houses, and entire homes.

Proposed Regulations

The proposed regulations would allow for short-term rental accommodation to be a secondary use to a principal dwelling unit in most zones where residential uses are permitted, including single family, multi-family and mixed-use commercial zones. Operation of short-term rental accommodation would be restricted to the operator’s principal residence in these zones, supporting the first two guiding principles. This would let residents rent out an extra bedroom or two, or occasionally rent out their entire home for short periods when they are away. To further support protection of long-term rentals, short-term rental accommodations would not be permitted in secondary suites or carriage houses.

Select zones, where the purpose of the zone includes tourist accommodation, could have short-term rental accommodation as a principal use without being limited to an operator’s principal residence, much like the existing ‘apartment hotel’ use. These include the C9 – Tourist Commercial zone and portions of CD18 – McKinley Beach (Area I – Village Centre), and Hiawatha’s CD24 – Comprehensive Development Zone (Sub-Area A). The apartment hotel use would be removed and replaced with a new definition and regulations for short-term rental accommodation.

The RM6 – High Rise Apartment Housing zone currently allows dwelling units that are owner-occupied or rented as long-term rentals for at least half of the year to also operate short-term rentals. This is not limited to the operator’s principal residence. Several RM6 developments in the Sunset Drive area (e.g. Waterscapes and Discovery Bay) currently have short-term rental and tourist accommodation, and this use is supported by area amenities. Staff propose a new RM6 subzone be created for the Sunset Drive area to recognize these existing uses and clarify the provisions. Short-term rental accommodation would still be secondary to a long-term dwelling unit, though not limited to the operator’s principal residence, and individual stratas would have the opportunity to further regulate this use. All other properties zoned RM6 would follow the same regulations as other multi-family zones, namely that short-term rental accommodation would be a secondary use in the operator’s principal residence only.

Zones where short-term rental accommodation is proposed are shown below. As a secondary use, short-term rentals would be secondary to a principal dwelling unit (e.g. house, townhouse, condo unit).

Zone Category	Principal Use	Secondary Use
Rural residential (RR1-RR3)		✓
Single/two unit residential (RU1-RU6, RH1, RH2)		✓
Single/two unit residential - health district & comprehensive development (HD2, HD3, CD2, CD4, CD10)		✓
Multi-unit residential (RU7, RM1-RM6, RH3)		✓
Multi-unit residential - health district & comprehensive development (HD2, HD3, CD1, CD2, CD3, CD5, CD14, CD17, CD22, CD26, CD27)		✓
Urban commercial (C3-C8)		✓
Sunset Drive area (new RM6 subzone)		✓
Tourist commercial (C9)	✓	
McKinley Beach (CD18)	✓	✓
Hiawatha (CD24)	✓	✓

More specific regulations related to the number of bedrooms, bookings, parking, business licensing, and residence are shown in the table below. These are generally intended to limit the scale and impact of short-term rental accommodation in residential neighbourhoods and multi-family buildings,

supporting the principle of short-term rental operations acting as good neighbours. As with all uses, short-term rental accommodations must abide by relevant provisions of other City bylaws, including the Good Neighbour Bylaw, which regulates nuisances and disturbances such as noise.

Definitions:

- *Short-term rental accommodation:* the use of a dwelling unit or one or more sleeping units within a dwelling unit for temporary overnight accommodation for a period of 29 days or less. This use does not include bed and breakfast homes, hotels or motels.
- *Sleeping unit:* a habitable room not equipped with self-contained cooking facilities, providing accommodation for guests.

Regulation	Rural and single / two unit residential	Multi-unit residential & commercial	RM6 subzone, C9, and parts of CD18 and CD24
Maximum # of adults per sleeping unit	2	2	2
Maximum # of sleeping units	3	2	3
Maximum # of days per booking	29		
Maximum # of bookings at a time	1		
Minimum # of parking spaces	1 space per 2 sleeping units		
Business license	Yes		
Operator's principal residence	Yes		No*

* A higher business license fee is proposed where it is not the operator's principal residence.

As an example, the proposed regulations would allow the resident of a single detached home to rent three bedrooms to up to six adults under one booking at a time, providing two parking spaces for the short-term rental guests in addition to the required parking for the single detached home. Similarly, the resident of a condo unit could do a short-term rental in two bedrooms with up to four adults under one booking, providing one parking space for this use. The only zones where short-term rental accommodation would not be limited to the operator's principal residence are the proposed RM6 subzone, C9, and parts of CD18 (McKinley Beach) and CD24 (Hiawatha).

Other Considerations

Staff considered various options through the review of regulations in other jurisdictions and feedback from stakeholders and residents. Specifically, two items staff considered as they relate to short-term rentals were bed & breakfast homes and student housing.

Many residential zones currently allow for bed & breakfast homes to operate as a secondary use in a single detached home. These may have up to four sleeping units and have additional parking and licensing requirements. Although this use is similar to short-term rental accommodation, staff are proposing to leave bed & breakfast homes as a distinct use to acknowledge their unique business model. One of the key differences is that the licensed operator of a bed & breakfast must be on-site when it is operating, whereas a short-term rental accommodation provider may rent out their home when they are away for short periods of time.

Through the public and stakeholder consultation, staff heard that some property owners rent to post-secondary students during the school year (September to April) and operate short-term rentals through the summer. While staff recognize this can create opportunities for students, tourists and homeowners,

allowing this under the new short-term rental regulations would present significant monitoring and enforcement challenges to ensure homeowners are renting to students. Furthermore, the tourism and hospitality industry has identified it has trouble finding sufficient housing for seasonal staff in the summer season, in part because of short-term rentals. By not permitting short-term rentals in secondary suites or carriage houses, these units can continue to be used for long-term rentals throughout the year, for students and seasonal employees alike.

Stakeholder Consultation

In November 2018, staff sent the proposed regulations to stakeholders and interested residents for feedback. Stakeholders included local business and neighbourhood associations, tourism industry representatives, some short-term accommodation providers, short-term rental platforms, and the Healthy Housing Advisory Committee. A total of 30 stakeholder groups were contacted in addition to nearly 30 interested residents. Staff also met directly with some members of the tourism industry and short-term rental providers through this process.

Feedback on the proposed regulations varied widely, reflecting the diverse needs and interests in the community. Staff received feedback from three stakeholder groups with comments ranging from support, to concerns about specific items, to concerns over core elements of the proposed direction. Some specific concerns and suggestions included protecting for owner-occupancy and long-term rentals within the RM6 zone and establishing a maximum number of days short-term rentals can operate each year. One stakeholder group suggested that fewer limitations, in particular allowing short-term rentals to operate outside of a principal residence and in secondary suites, would better support the use of short-term rentals as part of Kelowna's tourism industry. Responses from residents generally expressed concern with short-term rentals in residential neighbourhoods and suggested additional restrictions and enforcement would better protect against potential nuisances (e.g. noise, parking) in residential areas.

While responses showed some consensus that short-term rentals should be regulated and licensed, there was little agreement on the specific regulatory direction. Overall, the proposed regulations aim to achieve a balance between allowing short-term rentals as an option for tourists and other visitors, and protecting long-term rentals and limiting impacts on neighbouring properties and uses.

Online Accommodation Platform Taxes

In 2018, the Province expanded the collection of the Municipal and Regional District Tax (MRDT), which is applied to hotels, motels and resorts, to Online Accommodation Platforms (OAP). As of October 1, 2018, online accommodation providers (e.g. hosts using Airbnb, VRBO and others) must register and collect the 3% OAP MRDT. Through an agreement with the Province, Airbnb collects and remits both the 3% OAP MRDT and 8% provincial sales tax. This change supports the third guiding principle to support equity among different types of short-term accommodation providers. As outlined in the report from the Policy & Planning Department dated November 26, 2018, the City has applied to access OAP revenue to use towards affordable housing initiatives and will continue to work with Tourism Kelowna to further discuss use of the OAP revenues.

Non-Conforming Uses

Under the *Local Government Act*, uses that were permitted and legally in operation before a bylaw changes can continue to operate under certain conditions. If a unit was legally operating a short-term rental in a permitted commercial zone under the apartment hotel use or in the RM6 zone before new regulations are adopted, that use can continue. It should be noted the *Local Government Act* establishes

that where a portion of a building has a use that is considered non-conforming, that use may continue in the entire building. If the short-term rental use stops for a continuous period of six months, not including normal seasonal discontinuation, then the legal non-conforming status no longer applies. Non-conforming use provisions would not apply to short-term rentals that were operating in contravention of Zoning Bylaw regulations.

Stratas

A strata corporation may have bylaws that are more restrictive than what the Zoning Bylaw allows. Some stratas have restricted or prohibited short-term rentals while others allow them with few restrictions. The City can only enforce City bylaws, not strata ones, and stratas are encouraged to review their bylaws as they relate to short-term rentals in light of the potential for new regulations.

Business Licensing & Bylaw Enforcement Strategy

All short-term rentals, including legal non-conforming operations, will require a business license. Staff are proposing a business license fee of \$345 where the short-term rental is in the operator's principal residence, and a fee of \$750 where it is not the operator's principal residence. These fees are in line with other municipal short-term rental licenses, and fees would be adjusted annually with the Consumer Price Index. These fees are intended to support cost recovery for licensing and compliance needs associated with short-term rental accommodations.

To support the first two guiding principles and address safety concerns, staff propose the following documentation be required as part of the license application:

- Proof of residency – documentation to demonstrate the unit is their principal residence;
- Owner's authorization – a tenant must have authorization from the property owner and property management company (where applicable);
- Strata authorization – a letter from the strata council confirming operation of a short-term rental does not contradict any strata bylaws (where applicable);
- Good Neighbour Agreement – confirm neighbours have been informed of intent to operate a short-term rental, and sign agreement to operate in accordance with Good Neighbour Bylaw;
- Inspection – confirm the property meets minimum health and life safety standards; and
- Contact information – the name and contact information of the operator and at least one other individual who can respond during the duration of any short-term rental stay.

Conditions of a business licensing permitting operation of a short-term rental would include:

- Inspection – operators would be subject to a random inspection (approximately 25% of units to be inspected annually) to ensure health and life safety standards are met;
- Advertise license number – a valid business license number must be included in any advertising, listing or promotion material;
- Contact information – the name and contact information of the operator and at least one other individual must be posted in the area where the short-term rental is operated.

Staff will work with applicants to inform them of the license requirements and conditions. Operators who are found to be in breach of these conditions, including the proposed Good Neighbour Agreement, may be subject to a license suspension in accordance with business licensing procedures.

To date, enforcement of short-term rental accommodations and associated nuisances has been complaint-based and staff do not have adequate tools or resources to pursue enforcement proactively.

To support compliance and enforcement efforts and mitigate impacts to staff resources, staff propose contracting a third party company with software capable of searching listings across multiple online accommodation platforms to effectively provide accurate and enforceable information. These companies offer a range of services, including license application platforms and listing identification to more robust monitoring and communications services. Staff would prepare a Request for Proposals to engage a company to perform a suite of services that will support Business License and Bylaw Services staff. Complaint-based enforcement through Bylaw Services will still form part of the enforcement strategy, particularly as it relates to nuisance issues.

Internal Circulation:

Business License Manager
Bylaw Services Manager
Communications Coordinator, Community Engagement
Long Range Policy Planning Manager
Sustainability Coordinator

Existing Policy:

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

Healthy Housing Strategy Action: Update regulations to protect the rental stock from the impacts of short-term rentals.

Financial/Budgetary Considerations:

Estimated \$320,000 annually for business licensing and enforcement. Fees support cost recovery.

Personnel Implications:

One new License and Bylaw Inspection Officer and one new Administrative Clerk are needed to support licensing needs associated with short-term rental accommodation. These positions would be shared with the need for additional resources to support regulation and compliance demands of new cannabis retail sales establishments and the increasing number of cannabis production facilities.

Considerations not applicable to this report:

Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Communications Comments:
External Agency/Public Comments:
Alternate Recommendation:

Submitted by:

L. Bentley, Community Planning Supervisor

Approved for inclusion: R. Smith, Community Planning Department Manager

cc:

Business License Manager
Bylaw Services Manager
Long Range Policy Planning Manager
Sustainability Coordinator



Short-Term Rental Accommodation

Proposed Regulations



Short-Term Rental Accommodation

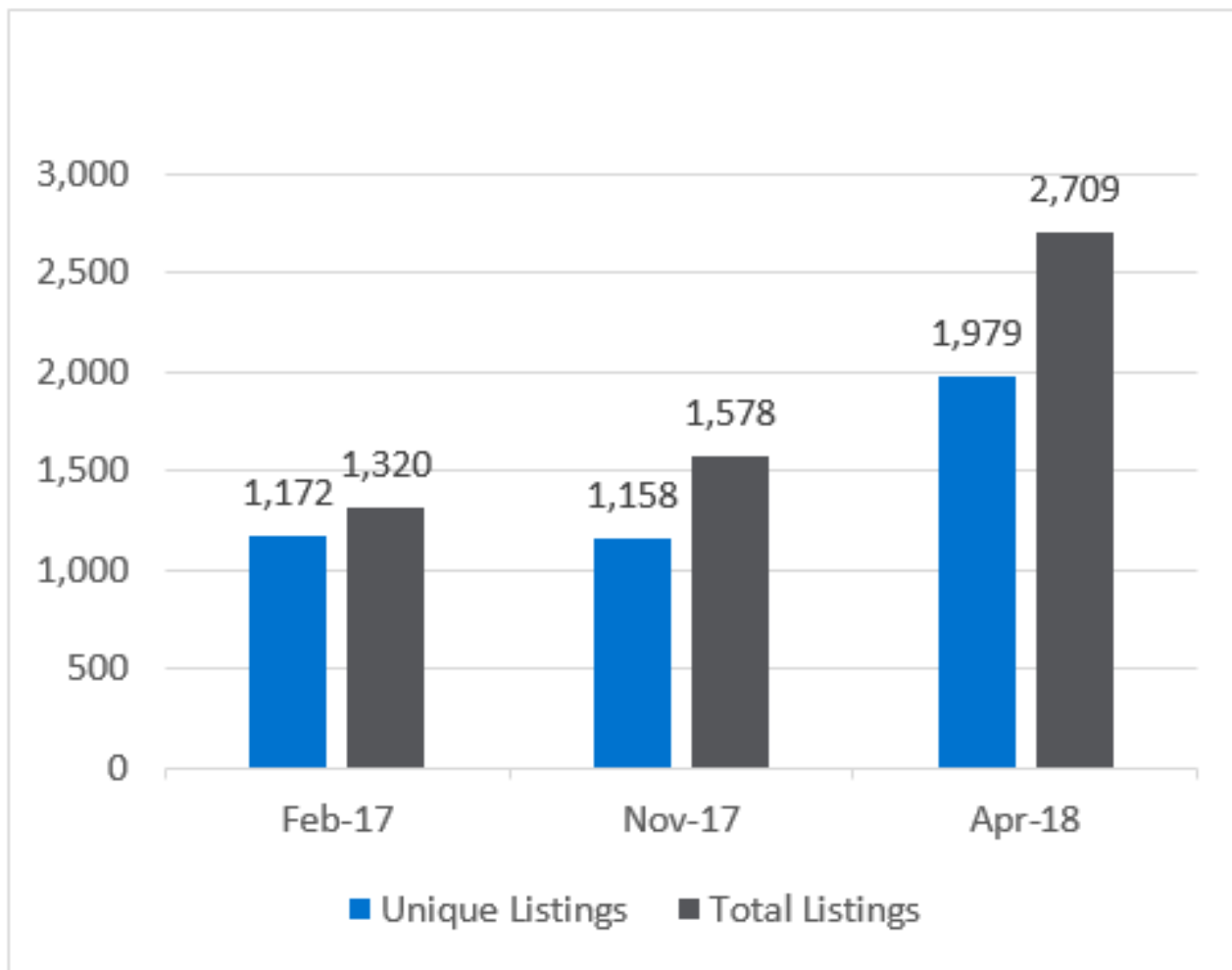
- ▶ Kelowna's context
- ▶ Guiding principles
- ▶ Proposed regulations
- ▶ Licensing & enforcement
- ▶ Next steps

Short-Term Rentals

- ▶ Short-term rentals: stays of less than 30 days
- ▶ Current provisions:
 - ▶ Minimum 30-day tenancy in residential zones
 - ▶ Allowed in some commercial zones & RM6



Short-Term Rental Listings



Long-Term Rentals

Vacancy Rate	New Households Renting	Unit Types	New Rental Units Needed
1.9%	73%	70% suites, carriage homes & entire homes	550 annually

Guiding Principles

1. Ensure short-term rental accommodations **do not impact long-term rental housing supply** in negative way.
2. Ensure short-term rental accommodations are **good neighbours**.
3. Ensure **equity among** short-term accommodation providers.

Stakeholder Consultation

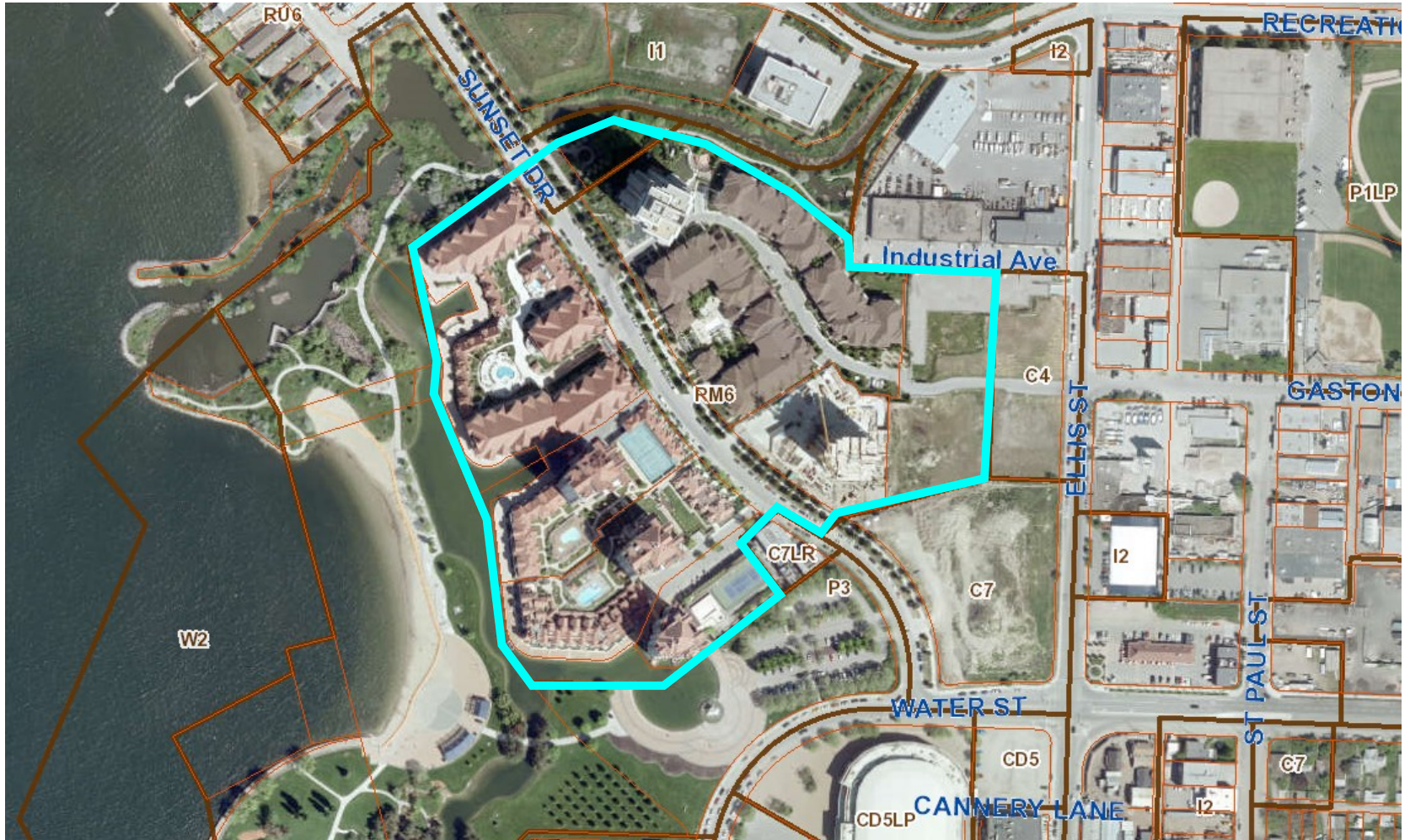
- ▶ Sent proposed regulations to stakeholder groups & interested residents
- ▶ Wide range of responses
 - ▶ Support for proposed regulations
 - ▶ Concerns with specific items
 - ▶ Concerns with core elements
- ▶ Reflects diverse community needs & interests

Proposed Zones

Zone Category	Current	
	Principal Use	Secondary Use
Rural & single / two unit residential		
Multi-unit residential		✓ (RM6)
Mixed-use commercial	✓ (C4, C7)	✓ (C6, C8)
Tourist commercial*	✓	

* Tourist commercial includes C9 and parts of CD18 (McKinley Beach) and CD24 (Hiawatha)

Proposed RM6 Subzone



Proposed Regulations

Regulation	Rural & single / two unit residential	Multi-unit residential & commercial	RM6 subzone, C9, parts of CD18 & CD24
Maximum # of adults per sleeping unit	2		
Maximum # of sleeping units	3	2	3
Maximum # of days per booking	29		
Maximum # of bookings at a time	1		
Minimum # of parking spaces	1 space per 2 sleeping units		
Business license required	Yes		
Operator's principal residence	Yes	No*	

* A higher business license fee is proposed if it is not the operator's principal residence

Other Considerations

- ▶ Bed & breakfast homes
- ▶ Student rentals
- ▶ Online accommodation platform taxes
- ▶ Non-conforming uses
- ▶ Stratas

Licensing & Compliance

- ▶ Business license will be required
 - ▶ Fees to support cost recovery
 - ▶ Documentation requirements
 - ▶ License conditions
- ▶ Third party monitoring & compliance
 - ▶ Proactive approach to enforcement
 - ▶ Provide additional tools
 - ▶ Limit impact on staff resources

Next Steps

- ▶ Develop Zoning Bylaw amendments
- ▶ Develop Short-Term Rental Regulation Bylaw for business licensing
- ▶ Prepare RFP for monitoring & compliance company
- ▶ Develop education & application materials



Questions?

Public Survey

- ▶ Diverse views from residents & business owners
- ▶ Top themes:
 - ▶ Affordability for homeowners & tourists
 - ▶ Homeowner's decision how to use property
 - ▶ Benefit for tourism industry
 - ▶ Regulation of short-term rentals
 - ▶ Noise concerns

Hotels and Motels Condo Complex Residential Areas Regardless
 Vacation Rentals Alternative Noise Struggling Regulations
 Collect Home Owners Survey Long Term
 Neighborhood Property Low Income Air Bnb Bed
 Tourists Excellent Tourism Report Neighbourhood Treated
 Summer Months Housing Shortage Insurance

Case Studies

Municipality	Location of Short-Term Rentals	Licensing & Enforcement
Nelson	Most zones Operator's principal residence (some exceptions)	Municipal bylaw enforcement
Tofino	Limited locations Operator's principal residence (some exceptions)	Third party compliance
Vancouver	Most zones & locations Operator's principal residence only	Business license must be included in listing Agreement with Airbnb
Victoria	Most residential areas Operator's principal residence only	Business license must be included in listing Third party compliance

Report to Council



Date: 12/3/2018
File: 1840-01
To: City Manager
From: Parks & Buildings Planning Manager
Subject: Recommendation for Investing in Canada Infrastructure grant application

Recommendation:

THAT Council receives the report from the Parks & Buildings Planning Manager dated December 3, 2018, with respect to the Investing in Canada Infrastructure Program – BC – Community, Culture and Recreation Infrastructure;

AND THAT Council directs staff to make grant application for City Park under this program.

Purpose:

To provide Council with background information on a grant funding opportunity, and a recommendation to proceed with an application for City Park.

Background:

On September 12, 2018 the governments of Canada and British Columbia committed up to \$134M towards the initial intake of the Community, Culture, and Recreation Program (CCR Program). The CCR Program will support infrastructure projects that improve citizen access to and quality of cultural, recreational and community spaces. Municipalities, Regional Districts, Indigenous and Non-profit groups are all eligible to apply, but each may submit only one application per intake.

For a municipality the Government of Canada contribution is up to 40 per cent, and the Province of British Columbia contribution is up to 33.33 per cent. Therefore, the municipality would be responsible to fund 26.67 per cent. The applicant must demonstrate that their share of funding has been, or is being secured, and that a plan is in place to cover any cost overruns beyond budgeted contingencies. Further, the application must demonstrate that funds have been committed to operate, maintain and plan for replacement.

There is no cap on the maximum allowable funding amount per project; however, consideration will be given to a fair distribution of the funding across the Province. Applicants should submit the project that

will give them the best value for the given cost. Applications must be submitted by January 23, 2019. Full details of the program can be found at:

<https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/funding-grants/investing-in-canada-infrastructure-program/community-culture-recreation>

Staff compared many projects across the City's parks and buildings portfolios for compatibility with the CCR Program objectives, City priorities, and available matching funding. Three projects in particular were considered in more detail: Glenmore Recreation Park, Mission Recreation Park and City Park. After evaluation by staff City Park ranked highest for a combination of close correlation with CCR Program goals and City priorities.

City Park

City Park is one of our primary waterfront parks in downtown Kelowna. It is visited by thousands of tourists every summer, and popular with residents throughout the year. However, the main promenade is damaged due to upheaval from tree roots, the street furniture is in poor condition, the playground equipment is dated and unappealing, and the waterfront where the Aquatic Centre once stood is rapidly degrading. Furthermore, the sea wall, foreshore and children's spray park were all badly damaged during the flooding of 2017 and 2018. The overall impression of this park is underwhelming for one of our most prominent locations.

Most park visitors are currently attracted to the waterfront perimeter of the park. The inner heart of the park is under used, and is challenged with social issues and illegal/illicit activity.

The grant application will seek to reinvigorate the park, both the waterfront and the inner heart, to make it an appealing and attractive destination for residents throughout the year, and to demonstrate Kelowna at its best for our visitors.

Subject to prioritization for costs and return on value, the grant application will include (refer to Attachment 1):

- Restoration of the promenade from the Hot Sands Beach washroom through to the 'Spirit of Sail' sculpture,
- Essential repairs to the seawall along Cold Sands Beach, and shoreline restoration,
- Creation of a new boardwalk along Cold Sands waterfront,
- Partnering with WFN regarding the installation of public art within the waterfront area,
- Creation of a large and appealing children's playground, as a destination playground serving all Kelowna kids,
- Reduction of public vehicular access, and construction of a pedestrian loop trail through the park.

Prior to the submission of the application, other components may be added to the scope as the costs are assessed in more detail, prior to submission of the application. A grant application for \$9M is proposed, of which the City would be responsible for \$2.43M.

Financial/Budgetary Considerations:

Applicants are required to demonstrate that their share of funding has been, or is being secured, and that a plan is in place to cover any cost overruns beyond budgeted contingencies. If staff are directed to proceed with the grant application, a late Capital request will be submitted for Council consideration, in the 2019 Provisional Budget, on December 13, 2018. The Capital request will be drafted to not create any additional burden on taxation at a late stage.

External Agency/Public Comments:

Staff will be meeting with Westbank First Nations Public Art Committee on 30 Nov 2018, and can report back to Council following this meeting.

Internal Circulation:

Divisional Director, Infrastructure
Divisional Director, Active Living & Culture
Financial Planning Manager
Infrastructure Engineering Manager
Sports & Event Services Manager
Grants & Special Projects Manager
Partnership Manager
Parks Services Manager
Sponsorship & Advertising Manager
Community Engagement Manager
Senior Project Manager (GRP)

Considerations not applicable to this report:

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

Submitted by:

Robert Parlane, Architect AIBC, Parks & Buildings Planning Manager

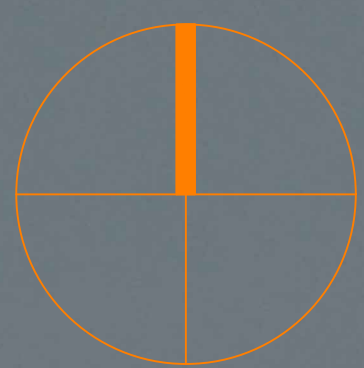
Approved for inclusion:



Alan Newcombe, Infrastructure Divisional Director

Attachment 1: City Park Diagram

cc: Divisional Director, Financial Services
Divisional Director, Civic Operations
Divisional Director, Communications & Information
Cultural Services Manager



NORTH

LAKEWALL REPAIR /
TIMBER BOARDWALK

PUBLIC ART
OPPORTUNITY

NEW PEDESTRIAN
CONNECTION

UPGRADE
PEDESTRIAN
PROMENADE

ENLARGE
CHILDREN'S
PLAYGROUND

RETAIN EXISTING
VEHICLE ACCESS



Report to Council



Date: December 3, 2018
File: 1810-50
To: City Manager
From: Project Architect, Parks & Buildings Planning
Subject: Protection of the Fire Damaged Fleming House
Report Prepared by: Paul Reyes, Project Architect

Recommendation:

THAT Council receives, for information, the report from Parks & Buildings Planning dated December 3, 2018, with respect to the protection of the fire-damaged Fleming House;

AND THAT Council direct staff to proceed with a temporary roof and other modifications to protect the remaining Fleming House structure following the July 2, 2018 fire.

Purpose:

To seek Council approval to proceed with the protection of the remaining Fleming House structure.

Background:

The Fleming House was badly damaged by fire on July 2, 2018. Staff was initially in discussion with the Central Okanagan Heritage Society (COHS) to complete the entire remedial and salvage scope. However, the subsequent discovery of asbestos and lead paint on site then necessitated specialized contractor services.

Following a hazardous materials study and subsequent lab assessments by Peak Environmental, staff proceeded with a contract with Stutters DKI for hazardous material abatement and structural safety. The total contract value was established at \$71,500, funded from the 2018 Risk Management Insurance Deductible budget.

The work was halted on October 19 due to safety concerns raised by Stutter's engineer, which would have necessitated additional destructive measures to be undertaken for the work to continue. On October 25, staff met with COHS representatives to review these safety concerns and the potential permanent loss of heritage elements (See Attachment 1 – Fleming House Site Photos 2018 10 25). COHS expressed the desire to complete the remainder of the cleanup and salvage works, and include a temporary, protective roof to prevent further moisture damage to the remaining structure. The

Stutters DKI scope was revised to terminate at completion of external work, pending City staff review of the COHS proposal.

COHS recommended “to do the minimum necessary to mitigate current threats, and preserve the building for future restoration or rehabilitation”. Their concern for the Fleming House is echoed by the Kelowna Museums Society Executive Director. City staff have discussed and concur with this recommendation.

Staff recommendation is therefore to proceed with these works to ensure the remaining structure is structurally sound and provides protection against the elements. The proposed works will remain within the original remedial budget. This will afford the City more time to determine a more considered approach for the future of these heritage assets.

As the Okanagan Rail Trail becomes more popular, pedestrian and cycling traffic adjacent to this site will increase, and interest in these buildings may also increase. Hence there may be increased potential for future restoration works to be assisted through appropriate adaptive reuse of the Fleming House and/or the Brent’s Grist Mill adjacent.

Financial/Budgetary Considerations:

The City maintains an annual Insurance Deductible budget administered by Risk Management. For property losses, \$100,000 is the current insurance deductible level. The budget reserve is used to fund losses under the \$100,000 level.

The total cost to date for the Stutter’s contract to make the site safe and remove hazardous materials, including the removal of all lead contaminated siding and the sealing of all existing openings is \$43,776. There is a potential for trace amounts of asbestos in the fire debris which can be deferred to a later stage and therefore, the Stutter’s contract can be terminated at this stage. The Caherogan Enterprises proposal to protect the remaining historical asset is estimated at \$29,340 for a total of \$73,116. This will be funded by the insurance deductible budget.

The Grist Mill Heritage Park is identified as a P1 project in the 10-year Capital Plan with \$150,000 budgeted for 2021 and \$1.2 million for 2022. This would put the EOI process for long term adaptive reuse partnership in the 2019/2020 timeframe.

Due to the lack of fire suppression infrastructure to the site, these heritage buildings are presently uninsurable. Until a fire hydrant is installed to service this site or other fire prevention measures are put in place, the risk to these heritage assets remain high and will continue to carry significant financial loss exposure for the City. Staff is continuing to investigate alternate modes of fire prevention that would be acceptable to the insurance company in lieu of permanent service installation.

Internal Circulation:

Deputy City Manager
Divisional Director, Infrastructure
Parks and Buildings Planning Manager
Building Services Manager
Safety and Risk Manager
Long Range Policy Planning Manager
Cultural Service Manager
Community Engagement Manager
Budget Supervisor

Considerations not applicable to this report:

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

Submitted by:

Paul Reyes, Project Architect, Parks & Buildings Planning

Approved for inclusion:



Alan Newcombe, Divisional Director, Infrastructure

Attachment 1 - Fleming House Site Photos
Attachment 2 - Caherogan Enterprises Proposal
Attachment 3 - Kelowna Museums Society Curatorial Opinion on Brent's Mill
Attachment 4 - Brent's Grist Mill Heritage Park Fleming House Fire damage - presentation

cc: 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, Human Resources
Divisional Director, Infrastructure
Infrastructure Operations Department Manager

Fleming House Site Photos October 25, 2018

Note photos taken prior to removal of all exterior siding and closure of all openings.



Fig. 1 North East Corner



Fig. 2 North Wall



Fig. 3 West wall



Fig.4 South wall



Protection of Fire Damaged Fleming House

December 3, 2018





- ▶ Chronology of Brent's Grist Mill Heritage Park
- ▶ Chronology of post fire initiatives
- ▶ COHS Protection proposal
- ▶ Recommendation and next steps

Brent's Grist Mill Heritage Park

- ▶ Brent's Grist Mill, Dairy Barn and Fleming House were donated to the City in 2001 and relocated to the purpose built Heritage Park at 2128 Leckie Place on September 2002.
- ▶ Heritage Designated and listed in the National Heritage Register, as well as the City of Kelowna Heritage Register and protected by Municipal Bylaw #9185.
- ▶ Historical background and details including Statement of Significance can be found on the City of Kelowna Heritage Register.



Brent's Grist Mill Heritage Park



Chronology

- ▶ September 2002 - Relocation of Brent's Grist Mill, Dairy Barn and Fleming House to 2128 Leckie Place
- ▶ 2002 to 2004 - Site Servicing Project including Ministry of Environment approvals for Mill Creek crossing. This work did not proceed.
- ▶ 2006 - MoU with Central Okanagan Heritage Society (COHS)
- ▶ 2007 - Restoration and Business Plan Feasibility Study (Donald Luxton)
- ▶ 2007-2008 - Conceptual Site Development Plan undertaken with COHS
- ▶ 2008 - Fleming House Restoration Project by COHS
- ▶ 2009 - Site Servicing project (Urban Systems). This work did not proceed.
- ▶ 2011 - Heritage Condition Assessment (AMTi)
- ▶ 2012 – RFP for adaptive re-use.
- ▶ 2014 - Heritage Conservation Plan (Lorri Dauncey)
- ▶ 2014 – RFP for adaptive re-use.
- ▶ 2015 - Grist Mill Stabilization Project
- ▶ 2016 - UBC Pollinator Project
- ▶ July 2018 - Fleming House Fire
- ▶ September 2018 – Completion of Okanagan Rail Trail adjacent to site

Post – Fire Conditions July 2, 2018



Post – Fire Summary

- ▶ July 12 2018 – Staff site review
- ▶ July 18, 2018 – Staff review with COHS
- ▶ August 13, 2018 – Discovery of vermiculite in fire debris

- ▶ October 19, 2018 – Stutter's stop work order
- ▶ October 25, 2018 – Site meeting with COHS
- ▶ October 29, 2018 – COHS Proposal

Site Conditions October 25, 2018



COHS Proposal

- ▶ Preservation and Protection of remaining Fleming House structure
 - ▶ Critical and urgent to preserve remaining structure with great heritage value with onset of winter and moisture damage
 - ▶ Based on Standards and Guidelines for the Preservation of Historic Places in Canada
 - ▶ Highlights
 - ▶ Structural Engineer assessment of remaining structure
 - ▶ Install a simplified roof structure with metal cladding
 - ▶ In place until future plans are determined
 - ▶ Value: \$29,340

Financial Implications

- ▶ Risk Management Insurance Deductible Budget
 - ▶ Annual Insurance Deductible budget administered by Risk Management.
 - ▶ \$100,000 is the current insurance deductible level for property losses.
 - ▶ The budget reserve is used to fund losses under the \$100,000 level.

Financial Implications

▶ Continued Risk

- ▶ Site is currently un-insurable due to lack of site services and fire protection infrastructure.
- ▶ Staff continuing to investigate alternate measures that would be acceptable to Insurance company in lieu of permanent site services

Financial Implications

▶ Expenditure to date

Contract	Value
Stutter's Remediation Contract	\$71,500
Stutter's Work to date	\$43,776
Stutter's Remaining Budget	\$27,724
Caherogan Enterprises Proposal	\$29,340
Budget Deficit	\$1,616

▶ 10 Year Capital Plan – Grist Mill Heritage Park

- ▶ 2021 - \$150,000
- ▶ 2022 - \$1.2 Million

Recommendation

- ▶ Proceed with protecting the existing structure
 - ▶ Within original funding budget
 - ▶ Addresses immediate need for weather protection
 - ▶ Affords time for the City to consider future of the site
- ▶ Okanagan Rail Trail Completion
 - ▶ Brings attention and interest to Heritage Park
 - ▶ Potential adaptive reuse



Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 11697

Road Closure and Removal of Highway Dedication Bylaw
(Portion of Raymer Road)

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 Raymer Road

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 419.1m² shown in bold black as Road to be Closed on the Reference Plan prepared by Simone Porcellato, 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.

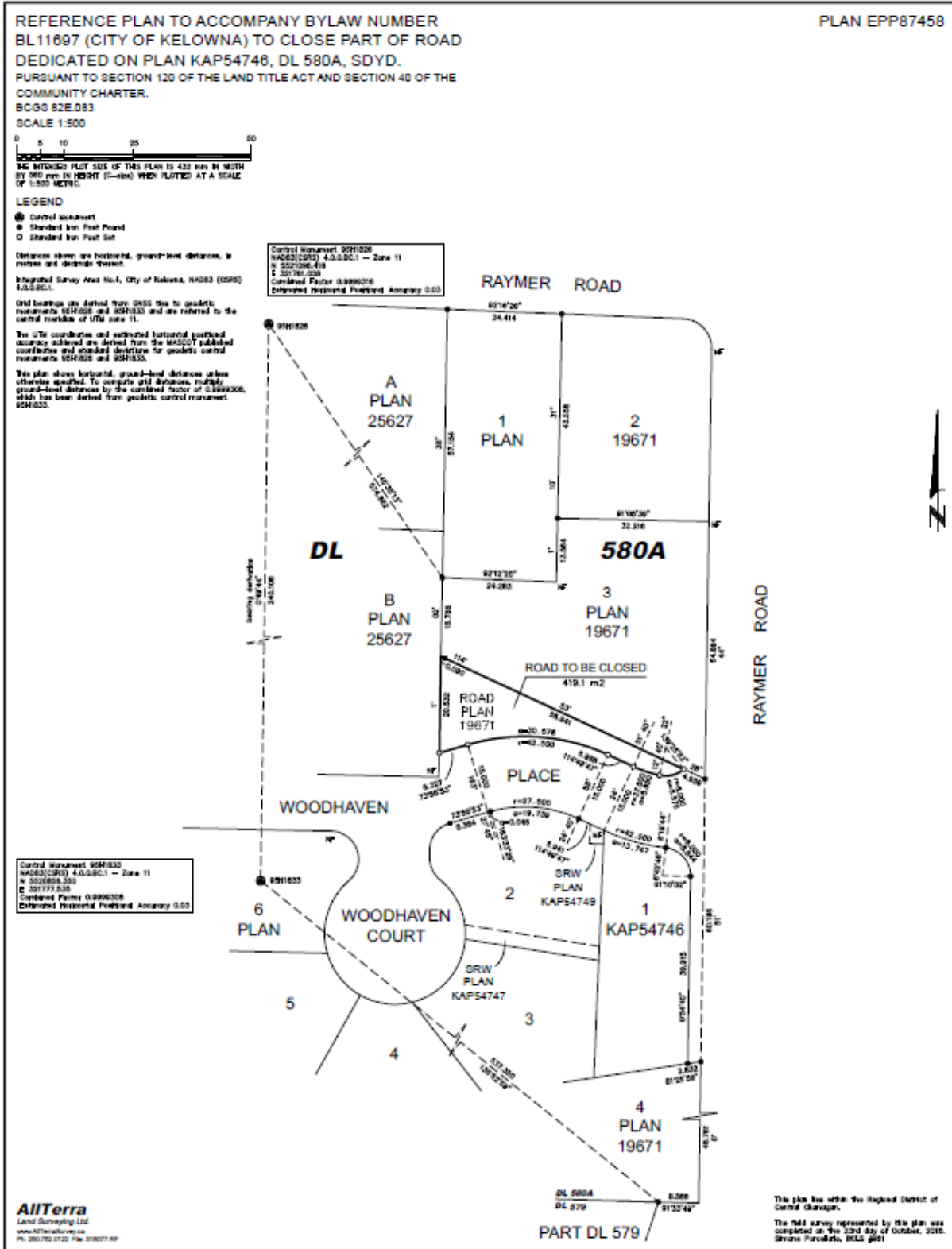
Read a first, second and third time by the Municipal Council this 19th day of November, 2018.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule "A"



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 26th day of November, 2018.

Amended at third reading by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

_____ Mayor

_____ City Clerk