

City of Kelowna

Regular Council Meeting

AGENDA



Monday, April 1, 2019
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

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

2. Confirmation of Minutes

4 - 14

March 25, 2019

3. Development Application Reports & Related Bylaws

3.1 Byrns Rd 2089, OCP18-0018 Z18-0094 - Mohammed Maizal Munif

15 - 26

To consider Staff recommendation to NOT amend the Official Community Plan from REP – Resource Protection Area to S2RES – Single/Two Unit Residential, and to NOT rezone the subject property from A1 – Agricultural to RU6 – Two Dwelling Housing that would facilitate the development of a second dwelling on the subject property.

3.2 McCurdy Rd E 1425, A18-0001 - Shari Matvieshen

27 - 61

To consider a Staff recommendation NOT to support an application requesting permission in accordance with Section 20(3) of the Agricultural Land Commission Act for a non-farm use to have a second dwelling.

4. Non-Development Reports & Related Bylaws

- | | | |
|------------|---|-----------|
| 4.1 | Rescind Housing Agreement for 3477-3499 Lakeshore Rd | 62 - 69 |
| | To consider rescinding the Revitalization Tax Exemption Agreement and repealing the Purpose-Built Rental Housing Agreement Bylaw for the subject property to allow the development to operate a combination of long-term and short-term rentals. | |
| 4.2 | BL11800, Rescind Housing Agreement for 3477-3499 Lakeshore Rd | 70 - 70 |
| | To give Bylaw No. 11800 first, second and third reading in order to rescind the Revitalization Tax Exemption Agreement and repealing the Purpose-Built Rental Housing Agreement Bylaw for the subject property to allow the development to operate a combination of long-term and short-term rentals. | |
| 4.3 | Capri-Landmark Urban Centre Plan | 71 - 162 |
| | To present the final Capri-Landmark Plan for Council endorsement. | |
| 4.4 | RCMP and Police Services Resourcing Review and 5 Year Resourcing Plan | 163 - 164 |
| | To develop a 5 Year Resourcing Plan for both the RCMP and the Police Services support staff. | |
| 4.5 | Water Utility 2019 update | 165 - 187 |
| | To inform Council about recent and upcoming activities that affect the Kelowna water utility, its customers, and water rates. | |
| 4.6 | Water Utility Rates 2019 and 2020 | 188 - 191 |
| | To obtain approval for water utility rates for 2019 and 2020 as well as to suggest minor administrative adjustments to the Water Regulation Bylaw. | |
| 4.7 | BL11774 - Amendment No. 9 to Water Regulation Bylaw No. 10480 | 192 - 199 |
| | To give Bylaw No. 11774 first, second and third reading to amend Water Regulation Bylaw No. 10480. | |
| 4.8 | Wastewater Utility 2019 Update | 200 - 214 |
| | To provide Council with information on wastewater utility operations and items affecting utility rates over the longer term. | |
| 4.9 | Wastewater Utility Rates 2019 | 215 - 218 |
| | To obtain approval for wastewater utility rates for 2019. | |

4.10	BL11788 - Amendment No. 36 to Sewerage System User Bylaw No. 3480	219 - 221
	To give Bylaw No. 11788 first, second and third reading to amend the Sewerage System User Bylaw No. 3480	
4.11	Kerry Park – Budget for Wall Repair and Protection	222 - 223
	To provide budget to cover the cost of repair and protection work for two of the lakefront retaining walls at Kerry Park, to compensate for the impacts of erosion and extend their functional life span.	
5.	Bylaws for Adoption (Non-Development Related)	
5.1	Pacific Ave 1145, BL11776 - Housing Agreement Authorization Bylaw - Okanagan Opportunity (Pacific) GP Inc.	224 - 231
	To adopt Bylaw No. 11776 in order to authorize the City of Kelowna to enter into a Housing Agreement with Okanagan Opportunity (Pacific) GP Inc.	
5.2	Clement Ave 573-599, BL11777 - Housing Agreement Authorization Bylaw - Okanagan Opportunity (Pacific) GP Inc.	232 - 239
	To adopt Bylaw No. 11777 in order to authorize the City of Kelowna to enter into a Housing agreement with Okanagan Opportunity (Pacific) GP Inc.	
5.3	Drysdale Blvd 333, BL11784 - Housing Agreement Authorization Bylaw - Drysdale Blvd. Kelowna Apartments 2019 Ltd.	240 - 247
	To adopt Bylaw No. 11784 in order to authorize the City of Kelowna to enter into a Housing Agreement with Drysdale Blvd. Kelowna Apartments 2019 Ltd.	
5.4	Glenmore Rd 773, BL11786 - Housing Agreement Authorization Bylaw - 0904419 B.C. Ltd.	248 - 255
	To adopt Bylaw No. 11786 in order to authorize the City of Kelowna to enter into a Housing agreement with 0904419 B.C. Ltd.	

6. Mayor and Councillor Items

7. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, March 25, 2019

Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Charlie Hodge, Luke Stack* and Loyal Wooldridge

Members Absent Councillor Brad Sieben and Mohini Singh

Staff Present Acting City Manager, Genelle Davidson; City Clerk, Stephen Fleming; Community Planning Supervisor, Laura Bentley*; Planner Specialist, Alex Kondor*; Suburban and Rural Planning Manager, Dean Strachan*; Planner Specialist, Ross Soward*; Long Range Policy Planning Manager, James Moore*; Transit Service Coordinator, Mike Kittmer*; Transit and Programs Manager, Jerry Dombowsky*; Cultural Services Manager, Christine McWillis*; Community & Neighbourhood Services Manager, Mariko Siggers*; PT Community Development Coordinator, Tanya Sletten*; Legislative Coordinator (Confidential), Rebecca Van Huizen

(*denotes partial attendance)

1. Call to Order

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

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio 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 Wooldridge/Seconded By Councillor Hodge

(Ro296/19/03/25) THAT the Minutes of the Regular Meeting of March 18, 2019 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Joe Riche Rd 2450, A19-0002 - Coral Beach Farms Ltd

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

(R0297/19/03/25) THAT Agricultural Land Reserve Appeal No. A19-0002 for Part of Lot 7 Sections 18 and 19 TWP 27 ODYD Plan 1991 except (1) Parcel A (Plan A1441) (2) Plan 16599, located at 2450 Joe Riche Rd, Kelowna, for a Non-Farm Use in the Agricultural Land Reserve pursuant to Section 20(3) of the Agricultural Land Commission Act, be supported by Council.

AND THAT Council directs staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

3.2 Gallagher Rd 2975, FH19-0001 A19-0005 - David Geen

Staff displayed a PowerPoint presentation summarizing the application, noting restrictive covenant recommendation should read "10 months" rather than "8 months" and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

(R0298/19/03/25) THAT Agricultural Land Reserve Appeal No. A19-0005 for Lot A, Section 12, Township 26, ODYD, Plan EPP71625 located at 2975 Gallagher Drive, Kelowna, BC for a non-adhering residential use permit pursuant to Section 25 of the *Agricultural Land Commission Act*, be supported by Council;

AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

AND THAT Council authorizes the issuance of Temporary Farm Worker Housing Permit No. FH19-0001 for Lot A, Section 12, Township 26, ODYD, Plan EPP71625 located at 2975 Gallagher Drive, Kelowna, BC subject to the following:

1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application #A19-0005;
2. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
3. A minimum 3-metre-wide vegetated buffer is provided for screening to adjacent property lines and between the temporary farm worker housing and active farming areas.
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 landscape buffer, as determined by a Registered Landscape Architect;
5. Registration of a Section 219 restrictive covenant on title that states:
 - The dwellings will be used for temporary farm workers only;
 - The owner will remove the dwellings if the farm operation changes such that if they are no longer required;
 - The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
 - The maximum number of accommodation permitted on this farm unit within this City sector is 60 workers; and,
 - The temporary farm worker housing building footprint is a maximum of 0.3ha.

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

Carried

3.3 Leon Ave 815, 823-825, 829 & 831 and Harvey Ave 814 & 822 Z15-0027 - 1409493 Alberta Inc.

Staff summarized reasons for rescindment of the application.

Moved By Councillor Given/Seconded By Councillor Hodge

(R0299/19/03/25) THAT Council receives, for information, the Report from the Community Planning Department dated March 7, 2019 with respect to Rezoning Application No. Z15-0027 for the property located at 815, 823-825, 829 & 831 Leon Avenue and 814 & 822 Harvey Avenue;

AND THAT Bylaw No. 11354 be forwarded for rescindment consideration and the file be closed.

Carried

3.4 Leon Ave 815, 823-825, 829 & 831 and Harvey Ave 814 & 822 Z15-0027 (BL11354) - 1409493 Alberta Inc.

Moved By Councillor Donn/Seconded By Councillor DeHart

(R0300/19/03/25) THAT Bylaw No. 11354 be rescinded after first, second and third reading.

Carried

3.5 Bernard Ave 547-559, Z19-0005 - Salco Management Ltd, Inc. No. BCo744182

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

(R0300/19/03/25) THAT Rezoning Application No. Z19-0005 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 139 Osoyoos Division Yale District Plan 5470, located at 547-559 Bernard Avenue, Kelowna, BC from the C7 – Central Business Commercial zone to the C7 – Central Business Commercial (Retail Cannabis Sales) 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 approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and

- Local government recommends that the application be approved because of compliance with local regulations and policies.

Carried

3.6 Bernard Ave 547-559, Z19-0005 (BL11775) - Salco Management Ltd, Inc. No. BCo744182

Moved By Councillor Donn/Seconded By Councillor Stack

(R0301/19/03/25) THAT Bylaw No. 11775 be read a first time.

Carried

3.7 Glenmore Rd 401, Z19-0006 - 653332 BC Ltd, Inc. No. 653332

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Donn

(R0302/19/03/25) THAT Rezoning Application No. Z19-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 1 Section 32 Township 26 Osoyoos Division Yale District Strata Plan KAS3545 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V, located at 401 Glenmore Road, Kelowna, BC from the C3 – Community Commercial zone to the C3rcs – Community Commercial (Retail Cannabis Sales) zone, be considered by Council;

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

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

Carried

3.8 Glenmore Rd 401, Z19-0006 (BL11778) - 653332 BC Ltd, Inc. No. 653332

Moved By Councillor Donn/Seconded By Councillor DeHart

(R0303/19/03/25) THAT Bylaw No. 11778 be read a first time.

Carried

3.9 Gordon Dr 3818, TA19-0008 Z19-0013 - Save on Shoes Ltd Inc No 397854

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

(R0304/19/03/25) AND THAT Zoning Bylaw Text Amendment Application No. TA19-0008 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated March 11, 2019 be considered by Council;

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

AND THAT final adoption of the Zoning Bylaw Text Amendment Application No. TA19-0008 be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND THAT Rezoning Application No. Z19-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 134 Osoyoos Division Yale District Plan 40137, located at 3818 Gordon Drive, Kelowna, BC from the C2 – Neighbourhood Commercial zone to the C2rcs – Neighbourhood Commercial (Retail Cannabis Sales) zone, be considered by Council;

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

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

Carried

3.10 Gordon Drive 3818, TA19-0008 (BL11782) - Save on Shoes Ltd Inc No 397854

Moved By Councillor Donn/Seconded By Councillor DeHart

(R0305/19/03/25) THAT Bylaw No. 11782 be read a first time.

Carried

3.11 Gordon Dr 3818, Z19-0013 (BL11783) - Save on Shoes Ltd Inc No 397854

Moved By Councillor DeHart/Seconded By Councillor Stack

(R0306/19/03/25) THAT Bylaw No. 11783 be read a first time.

Carried

3.12 Rutland Rd S 140-160, Z19-0026 - Canada West Realty Ltd, Inc. No. 71313

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Given

(R0307/19/03/25) THAT Rezoning Application No. Z19-0026 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 23 Township 26 Osoyoos Division Yale District Plan 18642, located at 140-160 Rutland Road South, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) 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 approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

Carried

3.13 Rutland Rd S 140-160, Z19-0026 (BL11779) - Canada West Realty Ltd, Inc. No. 71313

Moved By Councillor Wooldridge/Seconded By Councillor Given

(R0308/19/03/25) THAT Bylaw No. 11779 be read a first time.

Carried

3.14 Springfield Rd 2121, Z19-0029 - 417414 BC Limited, Inc No 417414

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor DeHart

(R0309/19/03/25) THAT Rezoning Application No. Z19-0029 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 District Lot 128 Osoyoos Division Yale District Plan 18971 Except Plan 20452 and 42606, located at 2121 Springfield Road, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) 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 approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and

- Local government recommends that the application be approved because of compliance with local regulations and policies.

Carried

3.15 Springfield Rd 2121, Z19-0029 (BL11780) - 417414 BC Limited, Inc No 417414

Moved By Councillor Wooldridge/Seconded By Councillor Given

(R0310/19/03/25) THAT Bylaw No. 11780 be read a first time.

Carried

3.16 Harvey Ave 1455-1475, Z19-0010 - 449048 British Columbia Ltd, 1145399

Staff displayed a PowerPoint presentation summarizing the application

Moved By Councillor Donn/Seconded By Councillor Hodge

(R0311/19/03/25) THAT Rezoning Application No. Z19-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 137 Osoyoos Division Yale District Plan KAP54811, located at 1455-1475 Harvey Avenue, Kelowna, BC from the C3 – Community Commercial zone to the C3rcs – Community Commercial (Retail Cannabis Sales) 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 approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

Carried

3.17 Harvey Ave 1455-1475, Z19-0010 (BL11792) - 449048 British Columbia Ltd, 1145399

Moved By Councillor Given/Seconded By Councillor Wooldridge

(R0312/19/03/25) THAT Bylaw No. 11792 be read a first time.

Carried

3.18 Harvey Ave 2090, Z19-0008 - T 252 Enterprises Ltd Inc No BC1184462

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Donn

(R0313/19/03/25) THAT Rezoning Application No. Z19-0008 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 127 Osoyoos Division Yale District Plan 34162 Except Plan EPP5106, located at 2090 Harvey Avenue, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) 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 approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

Carried

3.19 Harvey Ave 2090, Z19-0008 (BL11793) - T 252 Enterprises Ltd Inc No BC1184462

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

(R0314/19/03/25) THAT Bylaw No. 11793 be read a first time.

Carried

4. Bylaws for Adoption (Development Related)

4.1 Taylor Rd 545, BL11757 (Z18-0114) - Jessica Michelle Rypstra

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

(R0315/19/03/25) THAT Bylaw No. 11757 be adopted.

Carried

4.2 Altura Rd 30, BL11759 (Z18-0102) - David & Camille Harkins

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

(R0316/19/03/25) THAT Bylaw No. 11759 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Housing Agreement Bylaws - Spring 2019

Councillor Stack declared a perceived conflict of interest on items 5.1 to 5.5 as his employer applies for the housing grants from time to time and left the meeting at 2:06 p.m.

Staff provided a summary of the housing agreements and associated projects and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

(R0317/19/03/25) THAT Council, receives, for information, the Report from the Planner Specialist dated March 25, 2019 recommending that Council adopt the following Housing Agreement Bylaws to secure 351 purpose-built rental housing units.

AND THAT Council approves the staff recommendation that affordable rental projects with long-term operating agreements with BC Housing shall not be required to enter into Housing Agreements with the City of Kelowna as described in the Report from the Planner Specialist dated March 25, 2019.

AND THAT Bylaw No. 11776 authorizing a Housing Agreement between the City of Kelowna and Okanagan Opportunity (Pacific) GP Inc., Inc. No. BC1188652 which requires the owners to designate 31 dwelling units in a purpose-built rental housing for Lot A, District Lot 137 ODYD, Plan EPP84914 at 1145 Pacific Avenue, Kelowna, BC, be forwarded for reading consideration.

AND THAT Bylaw No. 11777 authorizing a Housing Agreement between the City of Kelowna and Okanagan Opportunity GP Inc., Inc. No. BC1188652 which requires the owners to designate 58 dwelling units in a purpose-built rental housing for Lot A, District Lot 139 ODYD, Plan EPP82176 at 573-599 Clement Avenue, Kelowna, BC, be forwarded for reading consideration.

AND THAT Bylaw No. 11786 authorizing a Housing Agreement between the City of Kelowna and 0904419 B.C. LTD., which requires the owners to designate 87 dwelling units in a purpose-built rental housing for Lot B, Section 29 Township 26 District Lot 139 ODYD, Plan EPP54061 at 773 Glenmore Road, Kelowna, BC, be forwarded for reading consideration.

AND THAT Bylaw No. 11784 authorizing a Housing Agreement between the City of Kelowna and Drysdale Blvd Kelowna Apartments 2019 Ltd. Inc. No. BC1193818, which requires the owners to designate 175 dwelling units in a purpose-built rental housing for Lot 2 Section 33 Township 26 ODYD, Plan EPP48909 at 333 Drysdale Road, Kelowna, BC, be forwarded for reading consideration.

AND FURTHER THAT Bylaws Nos. 11776, 11777, 11786 and 11784 be forwarded for final reading consideration.

Carried

5.2 Pacific Ave 1145, BL11776 - Housing Agreement Authorization Bylaw - Okanagan Opportunity (Pacific) GP Inc.

Moved By Councillor DeHart/Seconded By Councillor Donn

(R0318/19/03/25) THAT Bylaw No. 11776 be read a first, second and third time.

Carried

5.3 Clement Ave 573-599, BL11777 - Housing Agreement Authorization Bylaw - Okanagan Opportunity (Pacific) GP Inc.

Moved By Councillor Donn/Seconded By Councillor DeHart

(R0319/19/03/25) THAT Bylaw No. 11777 be read a first, second and third time.

Carried

5.4 Drysdale Blvd 333, BL11784 - Housing Agreement Authorization Bylaw - Drysdale Blvd. Kelowna Apartments 2019 Ltd.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

(R0320/19/03/25) THAT Bylaw No. 11784 be read a first, second and third time.

Carried

5.5 Glenmore Rd 773, BL11786 - Housing Agreement Authorization Bylaw - 0904419 B.C. Ltd.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

(R0321/19/03/25) THAT Bylaw No. 11786 be read a first, second and third time.

Carried

Councillor Stack returned to the meeting at 2:15 p.m.

5.6 September 2019 Transit Service Expansion and Optimization Plan

Staff displayed a PowerPoint presentation summarizing the proposed expansion and optimization plan and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

(R0322/19/03/25) THAT Council, receives, for information, the Report from the Transit and Programs Manager dated March 25, 2019 with respect to the September 2019 Transit Service Expansion and Optimization Plan;

AND THAT Council approve the recommended service plan and direct Staff and BC Transit to initiate detailed service design and ultimately implementation of the Plan.

Carried

5.7 Update of the 2020-2025 Cultural Plan Process

Staff displayed a PowerPoint presentation summarizing the public engagement process to date and early findings and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

(R0323/19/03/25) THAT Council receives, for information, the report from the Cultural Services Manager dated March 25, 2019, regarding the activities related to the development of an updated Cultural Plan.

Carried

5.8 Neighbourhood Grant Program Renewal

Staff displayed a PowerPoint Presentation summarizing the program and proposed memorandum of understanding.

Moved By Councillor DeHart/Seconded By Councillor Stack

(R0324/19/03/25) THAT Council receives, for information, the report from the Community Development Coordinator dated March 25, 2019, with respect to the Neighbourhood Grant program;

AND THAT Council endorses the Memorandum of Understanding between the City of Kelowna and the Central Okanagan Foundation to support the continuation of the Neighbourhood Grant program as outlined in the report dated March 25, 2019;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Memorandum of Understanding as attached to the report dated March 25, 2019.

Carried

6. Mayor and Councillor Items

Councillor Donn:

- Attended World Down Syndrome Day, the 2nd annual in Kelowna and read a poem by Dale Froese.

Councillor Wooldridge:

- Attended on behalf of the Mayor various events including the BC Land Surveyors AGM and convention.

- Attended the Daughter of the Wolf movie premiere on Saturday.

Councillor Given:

- Attended prayers with Councillor Wooldridge on behalf of the Muslim community in light of the recent attacks in New Zealand.

- Mentioned Stunt Man Steve provided April is Cancer Month daffodils.

- Mentioned this Saturday, Mar 30th is the Repair Café at Okanagan College from 10-2, details on the RDCO website.

7. Termination

This meeting was declared terminated at 3:06 p.m.

Mayor Basran

sf/rvh

City Clerk

REPORT TO COUNCIL



Date: April 1, 2019

RIM No. 0920-20

To: City Manager

From: Community Planning Department (BBC)

Application: OCP18-0018 and Z18-0094 **Owner:** Mohammed Maizal Munif

Address: 2089 Byrns Rd **Applicant:** Urban Options Planning & Permits – Birte Decloux

Subject: Official Community Plan (OCP) Amendment and Rezoning Application

Existing OCP Designation: REP – Resource Protection Area

Proposed OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: A1 – Agriculture 1

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP18-0018 to amend Map 4.1 of the Kelowna 2030 – Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of Lot 24, Block 3, District Lot 130, Osoyoos Division, Yale District, Plan 415B, located at 2089 Byrns Road, Kelowna, BC, from the REP – Resource Protection Area designation to the S2RES – Single/Two Unit Residential designation NOT be considered by Council;

AND THAT Rezoning Application No. Z18-0094 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24, Block 3, District Lot 130, Osoyoos Division, Yale District, Plan 415B, located at 2089 Byrns Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RU6 – Two Dwelling Housing zone NOT be considered by Council.

2.0 Purpose

To consider Staff recommendation to NOT amend the Official Community Plan from REP – Resource Protection Area to S2RES – Single/Two Unit Residential, and to NOT rezone the subject property from A1 – Agricultural to RU6 – Two Dwelling Housing that would facilitate the development of a second dwelling on the subject property.

3.0 Community Planning

Community Planning Staff do not recommend support to amend the future land use and to rezone the subject property to facilitate the development of a second dwelling on the subject property. The property and the neighbouring residential lots are outside of the Permanent Growth Boundary (PGB), designated as Resource Protection in the Official Community Plan (OCP) and located within a farming area.

While the subject property is not within the Agriculture Land Reserve (ALR), it is adjacent to ALR lands and is within an agricultural interface area. The OCP directs growth and development inside the PGB in order to reduce speculative pressure on agricultural lands, avoid isolated development pockets (both within the ALR and outside the ALR), and ensure the long-term viability of surrounding farmland. As the property is surrounded by active agricultural lands, additional residential dwellings have the potential to increase urban encroachment and agricultural / urban land use conflicts created by non-farm activities within agricultural areas. It is important to acknowledge the difficulties farmers have due to complaints and possible perceived restrictions regarding normal farming practices.

In alignment with the OCP and Agricultural Plan objectives to preserve agricultural land, in recent years the City has committed significant resources to regain viable agricultural land along the Benvoulin agricultural corridor, successfully increasing agricultural uses on a number of lots. These include several properties along Benvoulin between Byrns Road and KLO Road. The Agricultural Land Commission (ALC) strongly endorses the protection and preservation of the Benvoulin agricultural corridor to re-establish active farming on lands located within this corridor. Allowing additional density in the isolated residential areas may undermine the success gained to date along this corridor due to land use conflicts.

Further, the OCP sets clear goals for creating a sustainable future and community, and the proposal contradicts the following objectives: contain urban growth and focusing development into a compact urban form that maximizes the use of existing infrastructure in urban centers; contribute to energy efficient settlement patterns; promote healthy and productive agriculture through diverse strategies that protect farmlands and food production. The addition of a second dwelling in this location does not support the infill role of the RU6 zone as the property does not have easy access to adequate transit, active transportation, schools, parks, and employment districts.

Standard urban neighbourhood amenities such as curb, gutter and sidewalk are not present in this area. Permitting urban development and density increase at this and other similar interface areas would require City investment and resources to be re-allocated from urban and village centers, and other priority infill areas as identified by the OCP.

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

4.0 Proposal

4.1 Background

The subject property along with the surrounding lots located immediately to the west, east, and southeast resulted from a subdivision dating June of 1967. Throughout the late 1960s and early 1970s, prime agricultural lands were being lost each year to urban development. The provincial government responded by establishing the ALC and the ALR in 1973. Had the ALR been established at the time of the subdivision, it is unlikely the subdivision that created this and the surrounding lots would have been permitted.

In August of 2014, a nearby property located at 2049 Byrns Road received an OCP amendment approval from REP – Resource Protection Area to S2RES - Single/Two Unit Residential and was rezoned from A1 – Agriculture to RU6 – Two Dwelling Housing (OCP13-0012/Z13-0019, Bylaw #10897 and #10898).

At the time of application, three structures existed on that property: a legal non-conforming duplex, an accessory structure (garage) with an illegal dwelling unit, and an illegal carriage house. Both the duplex and the garage structure were permitted in 1973 by the Regional District, however the carriage house did not appear to be authorized by way of Building Permits.

An initial application for 2049 Byrns Road proposed to amend the OCP to higher density (from REP – Resource Protection to MRL – Multiple Unit Residential, Low Density) on a portion of the property. A recommendation of non-support for the OCP amendment was considered and deferred by Council. An alternate proposal for S2RES - Single/Two Unit Residential and RU6 – Two Dwelling Housing was ultimately adopted by Council; however, it is important to note that Staff identified and outlined a number of land use related conflicts and concerns, many of which are identified in this report and share commonality with the current proposal at the subject property.

4.2 Project Description

The applicant is proposing to amend the Future Land Use designation for the subject property from REP – Resource Protection Area to S2RES - Single/Two Unit Residential, and rezone from A1 – Agriculture 1 to RU6 – Two Dwelling Housing to facilitate the development of a second dwelling on the property. If the application to rezone the land is successful, the applicant proposes to relocate an existing house onto the subject property, which has been recently renovated and is similar in character to the existing dwelling on the property.

The applicant has provided an on-site parking plan that meets zoning requirements for the proposal. However, Staff has received comments of concern from neighbouring residents regarding parking practices and the potential number of vehicles parked on and off-site.

There are no variances being tracked at this time. Should Council support the proposed OCP amendment and rezoning, issuance of a Farm Protection Development Permit would be required prior to any construction on the property.

4.3 Site Context

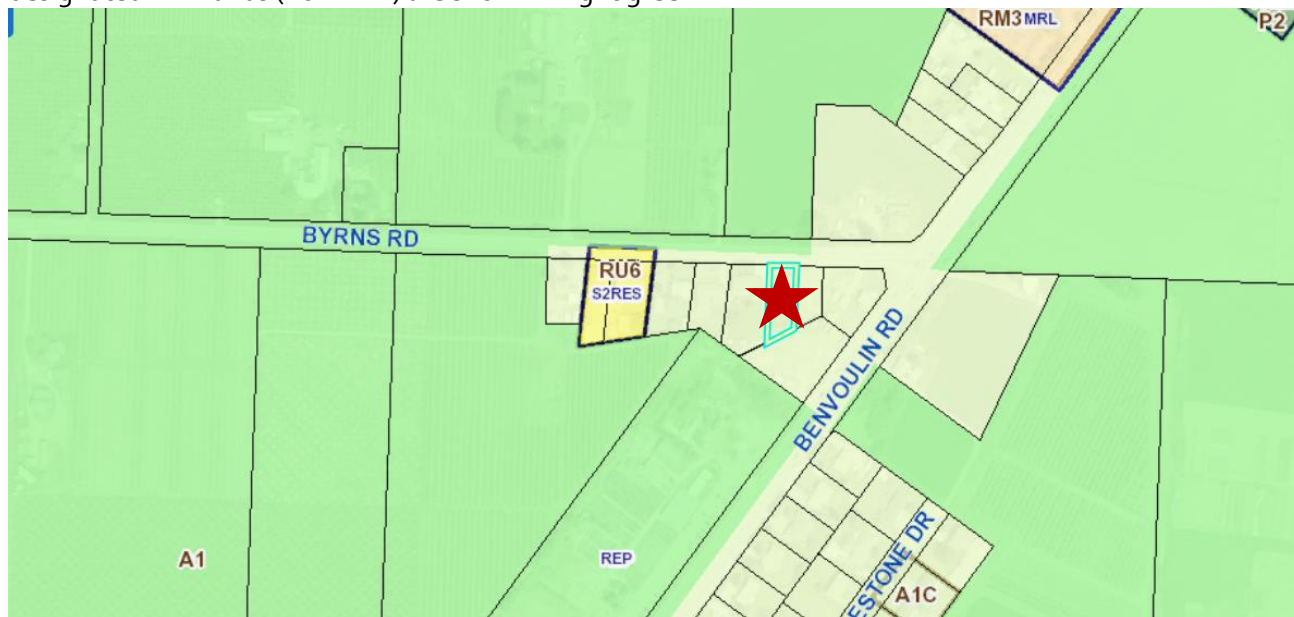
The subject property is located along the south side of Byrns Road, between Benvoulin Road and Burtch Road. The 1,052 m² (0.26 acre) subject property is in an agricultural / rural residential interface area and is outside of the City's PGB. With the exception of the two RU6 lots located west of the subject property, the subject lot along with all other properties fronting Byrns and Benvoulin Road are non-conforming A1 – Agriculture zoned properties given their parcel size; all are significantly less than 4.0 ha. All properties are connected to community water and sewer. Byrns Road is constructed to a rural standard and contains no storm sewer, curb, gutter or sidewalk.

The properties to the north and south of the subject property are large agricultural properties, while the properties to the east and west are rural residential, consistent with the subject property

Adjacent land uses are as follows:

Orientation	Zoning	ALR (Yes/No)	Land Use
North	A1 – Agriculture 1	Yes	Agriculture
East	A1 – Agriculture 1	No	Rural Residential
South	A1 – Agriculture 1	No – abutting Yes – adjacent	Agriculture
West	A1 – Agriculture 1 RU6 – Two Dwelling Housing	No	Rural Residential

Subject Property Map: 2089 Byrns Road. Current ALR lands are shown in dark green, future land use designated REP lands (non-ALR) are shown in light green.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

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

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .1 Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

Objective 5.33 Protect and enhance local agriculture

Policy .3 Urban Uses. Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Policy .8 Housing in Agricultural Areas. Discourage residential development (both expansions and new developments) in areas isolated within agricultural environments (both ALR and non-ALR).

Chapter 15: Farm Protection DP Guidelines

Objectives:

- Protect farm land and farm operations;

- Minimize the impact of urban encroachment and land use conflicts on agricultural land;
- Minimize conflicts created by activities designated as farm use by ALC regulation and non-farm uses within agricultural areas.

5.2 City of Kelowna Agriculture Plan (2017)

Official Community Plan Recommendations

- Restrict additional density outside the Permanent Growth Boundary.

6.0 Technical Comments

6.1 Development Engineering Department

- See Attachment C – Development Engineering Memorandum

7.0 Application Chronology

Date of Application Received:	April 18, 2018
Date of Neighbourhood Consultation Completed:	November 12, 2018
Date of Public Information Session Completed:	November 18, 2018

8.0 Alternate Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP18-0018 to amend Map 4.1 of the Kelowna 2030 – Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of Lot 24, Block 3, District Lot 130, Osoyoos Division, Yale District, Plan 415B, located at 2089 Byrns Road, Kelowna, BC, from the REP – Resource Protection Area destination to the S2RES – Single/Two Unit Residential be considered by Council;

AND THAT Rezoning Application No. Z18-0094 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24, Block 3, District Lot 130, Osoyoos Division, Yale District, Plan 415B, located at 2089 Byrns Road, Kelowna, BC from the A1 – Agriculture 1 zone to RU6 – Two Dwelling Housing zone be considered by Council;

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

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment C attached to the Report from the Community Planning Department.

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

Attachments:

Attachment A – Applicant's Letter of Rationale
Attachment B – Conceptual Site and Landscape Plans
Attachment C – Development Engineering Memorandum



ATTACHMENT A	
This forms part of application # OCP18-0018 Z18-0094	
Planner Initials	BC
City of Kelowna COMMUNITY PLANNING	

March 26, 2018

City of Kelowna
Planning Department
1435 Water Street
Kelowna, BC

RE: OCP Amendment / Rezoning at 2089 Byrns Road

Dear Planning Department:

This application seeks to rezone the property at 2089 Byrns Road to the RU6 – Two Dwelling Housing zone to allow a second home to be moved to the property. Although the property is located outside of the Permanent Growth Boundary and the future land use is “Resource Protection”, we ask you to consider the following reasons to support and send the application to Council for their consideration:

- Infill density in the immediate area
- Unique situation
- Rescue of a home
- Good quality affordable rental housing
- Neighbourhood support

In 2013 the property at 2049 Byrns Road sought to change the future land use designation to MRL (Multiple residential low density). The land had all the attributes for this designation, however, it was felt to be too intensive for the area given the proximity of active agriculture land and being outside of the Permanent Growth Boundary. A compromise was found, and Planning staff supported the change to the S/2RES (single two unit residential) and the associated RU6-Two Dwelling Housing zone was approved by Council. The file number associated with this change is OCP13-0012/Z13-0019.

The neighbourhood is unique given that it consists of 11 residential properties surrounded on all sides by agricultural land within the Agricultural Land Reserve. Interestingly, the neighbourhood is across from the Benvoulin Heritage Church which was constructed here in 1892 and the church was expected to be the center of the Benvoulin townsite. It is suspected that the subject property and its neighbours to the east (with 3-digit plan numbers) were created at that time as part of the town center.

If the application to rezone the land is successful, the house (below) will be placed directly behind the existing home on the parcel. This “new” home was purchased because the interior

had been recently renovated, its structural integrity and how it is similar in character to the existing dwelling. The benefits to bring the home to the site are:

- the mature vegetation can be retained,
- no additional driveway access needed, and
- no changes to the front home or how the property presents to the street are required.

To move the home onto the site, access to the property has been secured through 2430 Benvoulin Road. The house is in storage awaiting its fate.



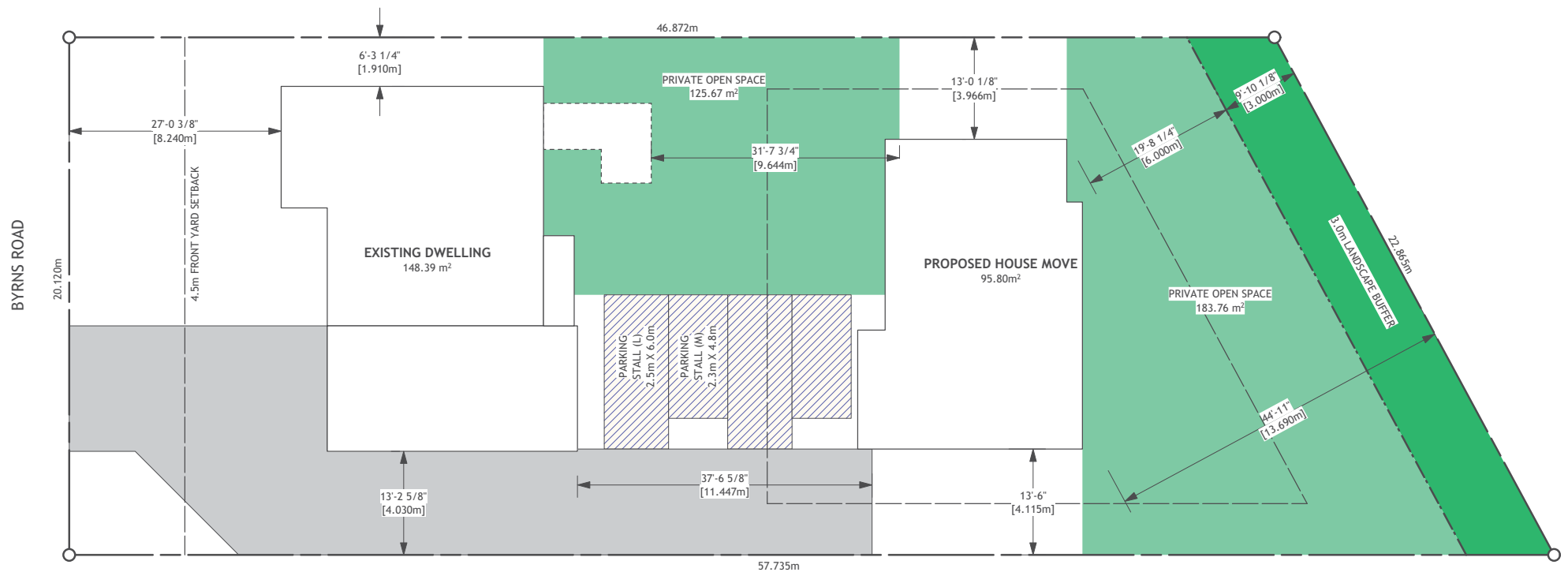
In this case, it is believed that the infill is affordable. The cost of construction is limited to a foundation, associated water and sewer accesses, and moving the building to the site. The existing house is currently being rented and the land owner (who is renting elsewhere) plans to move in to the second home. Given the age of the homes, it will be difficult to strata title them for individual sale and it is expected that at least one home will continue as a rental dwelling.

To strengthen the case for a positive Staff recommendation, the landowner conducted a neighbourhood canvass to secure support from the neighbours. The results, site plan and letter supplied are provided as part of the submission. Fifteen immediate neighbours were contacted for a face-to-face visit with thirteen providing signatures of support and two remaining neutral. The properties that abut the subject property all agreed with the project.

We are seeking to rezone the property to allow a “rescue” house to be placed on the site which will provide additional housing stock while keeping the integrity of the neighbourhood intact. Support of the neighbours has been provided as part of the submission package. Now we ask you, Planning Staff and City Council to support this application.

Regards,

Birte Decloux on behalf of M. Maizal Munif



2089 BYRNS ROAD, KELOWNA, BC

PRELIMINARY SITE PLAN



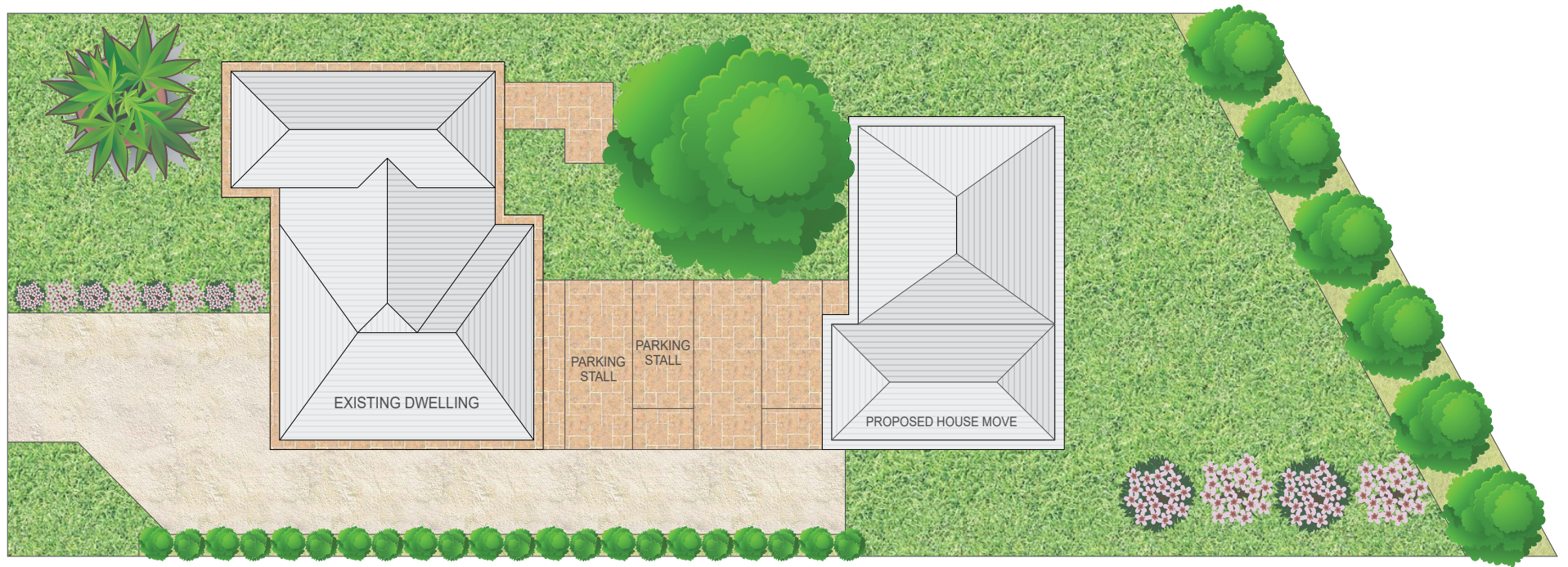
IHS DESIGN

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

MARCH 27, 2018

SCALE = 1:150

1 OF 1



SITE PLAN

CITY OF KELOWNA

MEMORANDUM

Date: August 28, 2108
File No.: Z18-0094
To: Community Planning (BC)
From: Development Engineering Manager (JK)
Subject: 2089 Byrns Road A1 to RU6

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

- i) 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.
- ii) Provide easements as may be required.

2) Geotechnical Study.

- i) 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:
 - (a) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - (b) Site suitability for development.
 - (c) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - (d) Any special requirements for construction of roads, utilities and building structures.

- (e) Recommendations for items that should be included in a Restrictive Covenant.
- (f) Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- (g) Any items required in other sections of this document.
- (h) Additional geotechnical survey may be necessary for building foundations, etc

1) Water

- i) The This property is currently serviced with a 19mm-diameter copper water service. One 50mm water service c/w two curb stops are required to meet current by-law requirements. One new water service can be provided by the City at the owner's cost. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades. For estimate inquiry's please contact Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783
- ii) An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- iii) 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

3) Sanitary Sewer

- i) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber (IC) which is adequate for this application.

4) Roads

- i) Byrns Road 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, street lights, treed middle median and left turn bays. 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 **\$31,895.50** not including utility service cost.

5) Power and Telecommunication Services and Street Lights

- i) 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.
- ii) Streetlights must be installed on all roads.

- iii) 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.
- iv) Remove existing poles and utilities, where necessary. Remove aerial trespass (es).

6) Other Engineering Comments

- i) 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.
- ii) 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.
- iii) Direct the roof drains into on-site rock pits.
- iv) A maximum driveway width of 6m is to be designed to.

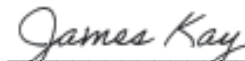
7) Bonding and Cash-in-lieu Summary

- i) Cash-in-lieu

(a) General Requirements	
1. Byrns Road Improvements	\$31,895.50

- ii) Bonding

(a) General Requirements	
1. Utility Improvements	\$ TBD



James Kay, P.Eng.
Development Engineering Manager

JA

REPORT TO COUNCIL



Date: April 1, 2019

RIM No. 1210-21

To: City Manager

From: Community Planning Department (AF)

Application: A18-0001 **Owner:** Shari Matvieshen

Address: 1425 McCurdy Rd E **Applicant:** Shari Matvieshen

Subject: Non-Farm Use Application for a Second Dwelling

Existing OCP Designation: REP – Resource Protection Area

Existing Zone: A1 – Agriculture 1

Agricultural Land Reserve Yes

1.0 Recommendation

THAT Agricultural Land Reserve Appeal No. A18-0001 for Lot 2, Section 36, Township 26, ODYD, Plan 23935 Except Plans KAP53090 and KAP84358, located at 1425 McCurdy Rd E, Kelowna for a Non-Farm Use in the Agricultural Land Reserve pursuant to Section 20(3) of the Agricultural Land Commission Act, NOT be supported by Council;

AND THAT Council directs Staff NOT to forward application A18-0001 to the Agricultural Land Commission for consideration.

2.0 Purpose

To consider a Staff recommendation NOT to support an application requesting permission in accordance with Section 20(3) of the Agricultural Land Commission Act for a non-farm use to have a second dwelling.

3.0 Community Planning

Community Planning staff do not support the proposal to allow a second dwelling on the subject property located within the Agricultural Land Reserve (ALR) as it is not consistent with the objectives of the Official Community Plan (OCP) and Agriculture Plan or the regulations of Zoning Bylaw No. 8000.

In order to protect and enhance local agriculture, OCP policies only provide support for non-farm use applications where the proposed use meets the following criteria:

- i. Consistent with the Zoning Bylaw and OCP;
- ii. Provides Significant Benefits to Local Agriculture;
- iii. Can Be Accommodated Using Existing Municipal Infrastructure;

- iv. Minimizes Impacts on Productive Agricultural Lands; and,
- v. Will Not Harm Adjacent Farm Operations.

i. Consistent with the Zoning Bylaw and OCP

To protect agricultural land and ensure that farming is the primary use in the ALR, policies in the OCP and Agriculture Plan direct additional residential development to within the Permanent Growth Boundary (PGB) and outside of the ALR (see section 5 of this report). The proposed second dwelling is not considered necessary for farm use and it does not directly benefit agriculture. The A₁ – Agriculture 1 zone permits one single detached house, which may contain a secondary suite. It should also be noted that in accordance with the direction of the Agriculture Plan, Council adopted a bylaw removing the A_{1c} – Agricultural 1 with Carriage House subzone from the Zoning Bylaw on October 1, 2018.

A secondary suite within the existing principle dwelling is an alternative way to achieve an additional residential unit on the property while adhering to the policies of the OCP and Agriculture Plan, Zoning Bylaw regulations, and Agricultural Land Commission (ALC) requirements.

ii. Provides Significant Benefits to Local Agriculture

Additional permanent dwellings typically offer limited direct benefits to agriculture and/or agricultural production, particularly where there is not a significant degree of farming taking place on the property. Non-farm use of farmland is a concern because it is rarely reversed, often resulting in land that is not used for agricultural production for the foreseeable future. Furthermore, additional dwellings increase the value of farmland, making it more difficult for younger or newer farmers to access land.

iii. Can be Accommodated Using Existing Municipal Infrastructure

The subject property is connected to sanitary services situated along McCurdy Rd E. Although the property is connected to sanitary sewer, typically the extension of municipal sewer into the ALR is restricted to avoid speculation and pressure for further urban development. The extension of municipal infrastructure into the ALR is only supported where it is needed to address public health issues and protect natural resources. The availability of sanitary sewer to agricultural properties within the ALR does not translate to support for additional dwellings beyond what the Zoning Bylaw or ALC regulations permit.

iv. Minimizes Impacts on Productive Agricultural Lands

Multiple dwellings on agricultural land is generally considered to have a negative impact on farming potential. According to the Ministry of Agriculture Guide for Bylaw Development in Farming Areas (2015) there are a number of objectives aimed at preserving, protecting and enhancing farm land, including:

- minimizing the impact of residential uses on farm practices and farming potential in farming areas
- minimizing loss and/or fragmentation of farmland due to residential uses; and
- minimizing the impact of residential uses on increasing the costs of farmland

Adding a secondary suite instead of a full second dwelling would better align with these and City objectives, and allow the existing accessory building to be used for farming activity, such as equipment storage.

v. Will Not Harm Adjacent Farm Operations

The addition of a second dwelling on the subject property raises some concerns with increased potential for land use conflicts between agricultural and residential uses. Adding residential uses on or adjacent to agricultural land can put more pressure on farmers who are following normal farm practices due to conflicts regarding odour, noise, and spray, for example.

4.0 Proposal

4.1 Background

This proposal includes an existing 250 m² (2690.9 ft²) accessory building which was issued a building permit in 2008 as a 7 bay garage but did not receive final occupancy. Approximately 109.5 m² (1178.6 ft²) of the accessory building was converted without building permits into a 2 bedroom and 2 bathroom living space in 2010 and has since been used as a dwelling. Currently, the owner's aging parents live in the illegal dwelling.

A previous application for a second dwelling on the subject site was received by the City of Kelowna in 2009 from the current property owner and was subsequently forwarded to the ALC for a decision following support from Council. The ALC reviewed the proposal in 2010 and did not approve it.

The owner of the property has made improvements to approximately 2,900 m² of lot area through the use of terracing, grading and clearing with the intent of increasing the agriculture capability of the land. The property owner has indicated the intent to develop a vineyard on the site which is anticipated to encompass nearly 1.5 ha of cleared land, representing roughly 40% of the total land area of the property. The planting of the future vineyard is anticipated to begin sometime this year.

4.2 Site Context

The subject property is located outside of the Permanent Growth Boundary and within the Rutland City Sector on the north side of McCurdy Rd E between Gibson Rd and Latta Rd. The site has a Future Land Use Designation of REP – Resource Protection Area and is not located in close proximity to amenities or transit routes. The surrounding neighbourhood is comprised largely of A1 – Agriculture 1 zoned properties.

Subject Property Map: 1425 McCurdy Rd E



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .1 Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

Objective 5.33 Protect and enhance local agriculture

Policy .1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agriculture Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

Policy .3 Urban Uses. Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Policy .6 Non-farm Uses. Restrict non-farm uses that do not directly benefit agriculture. Support non-farm use applications on agricultural lands only where approved by the ALC and where the proposed uses:

- are consistent with the Zoning Bylaw and OCP;
- provide significant benefits to local agriculture;
- can be accommodated using existing municipal infrastructure;
- minimize impacts on productive agricultural lands;
- will not preclude future use of the lands for agriculture;
- will not harm adjacent farm operations.

Policy .8 Housing in Agricultural Areas. Discourage residential development (both expansions and new developments) in areas isolated within agricultural environments (both ALR and non-ALR).

6.0 Technical Comments

6.1 Building & Permitting Department

- Accessory building was originally permitted as a 7 bay garage but never received final occupancy.
- Accessory building was illegally converted to a dwelling without proper building permits or approvals. If dwelling is to be supported and allowed to remain building permits will be required.

6.2 Ministry of Agriculture

- See attached response letter dated October 12, 2018.

6.3 Interior Health

- See attached response letter dated December 18, 2018.

7.0 Application Chronology

Date of Application Received: January 8, 2018
Date of Complete Submission: September 25, 2018

8.0 Alternate Recommendation

THAT Agricultural Land Reserve Appeal No. A18-0001 for Lot 2, Section 36, Township 26, ODYD, Plan 23935 Except Plans KAP53090 and KAP84358, located at 1425 McCurdy Rd E, Kelowna for a Non-Farm Use in the Agricultural Land Reserve pursuant to Section 20(3) of the Agricultural Land Commission Act, be supported by Council;

AND THAT Agricultural Land Reserve Appeal No. A18-0001 be supported with the following conditions:

THAT the second dwelling be restricted to a maximum floor area of 110.0 m²;

AND THAT the property owner be required to register a farm residential footprint on Title;

AND FURTHER THAT Council directs Staff to forward application A18-0001 to the Agricultural Land Commission for consideration.

Report prepared by: Andrew Ferguson, Planner

Reviewed by: Laura Bentley, Community Planning Supervisor

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Site Plan
Attachment B: Floor Plan
Attachment C: Ministry of Agriculture Letter
Attachment D: Interior Health Letter
Attachment E: Agrology Report
Attachment F: Rationale Letter

SITE PLAN

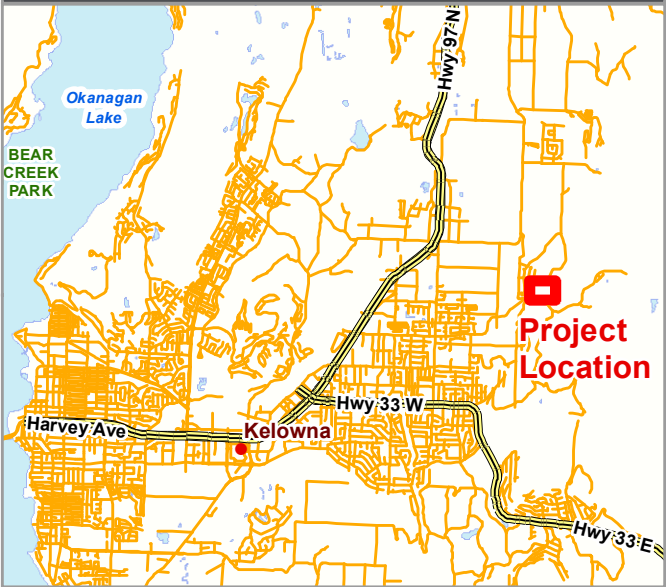


NON-FARM USE ON
ALR APPLICATION
1425 MCCURDY ROAD
KELOWNA, BC

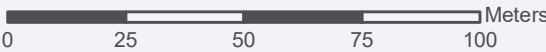
Legend

- City of Kelowna 1m Contours
- City of Kelowna Roads
- City of Kelowna Legal Parcels
- Area Proposed For Non-Farm Use
- Existing Residential Dwelling
- Landowner Improvements
- Property Boundary

LOCATION MAP



1:1,600



Project No.: NK-18-277-SUN
Client: Sunlogics Power Fund

Date: 2018/07/27
Drawn: JS Check: DT

NAD 1983 UTM Zone 11N

Figure 1.0

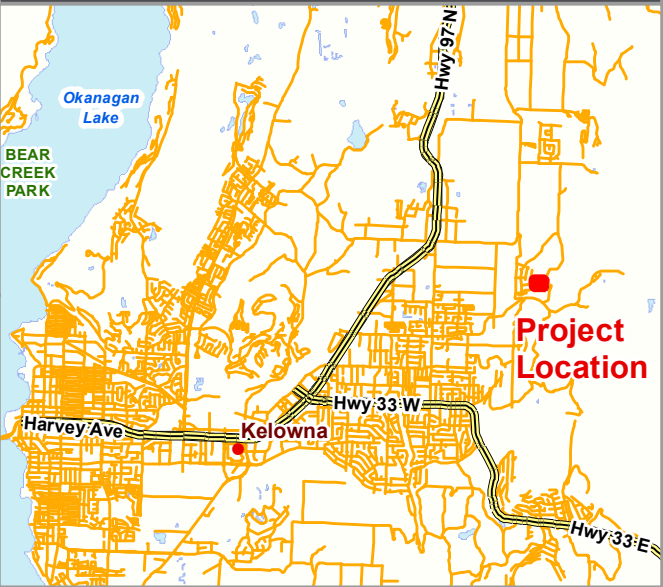


NON-FARM USE ON
ALR APPLICATION
1425 MCCURDY ROAD
KELOWNA, BC

Legend

- City of Kelowna 1m Contours
- City of Kelowna Roads
- City of Kelowna Legal Parcels
- Area Proposed For Non-Farm Use
- Existing Residential Dwelling
- Property Boundary

LOCATION MAP



1:600



Project No.: NK-18-277-SUN Date: 2018/07/27
Client: Sunlogics Power Fund Drawn: JS Check: DT

NAD 1983 UTM Zone 11N

Figure 2.0

ATTACHMENT

B

This forms part of application

A18-0001

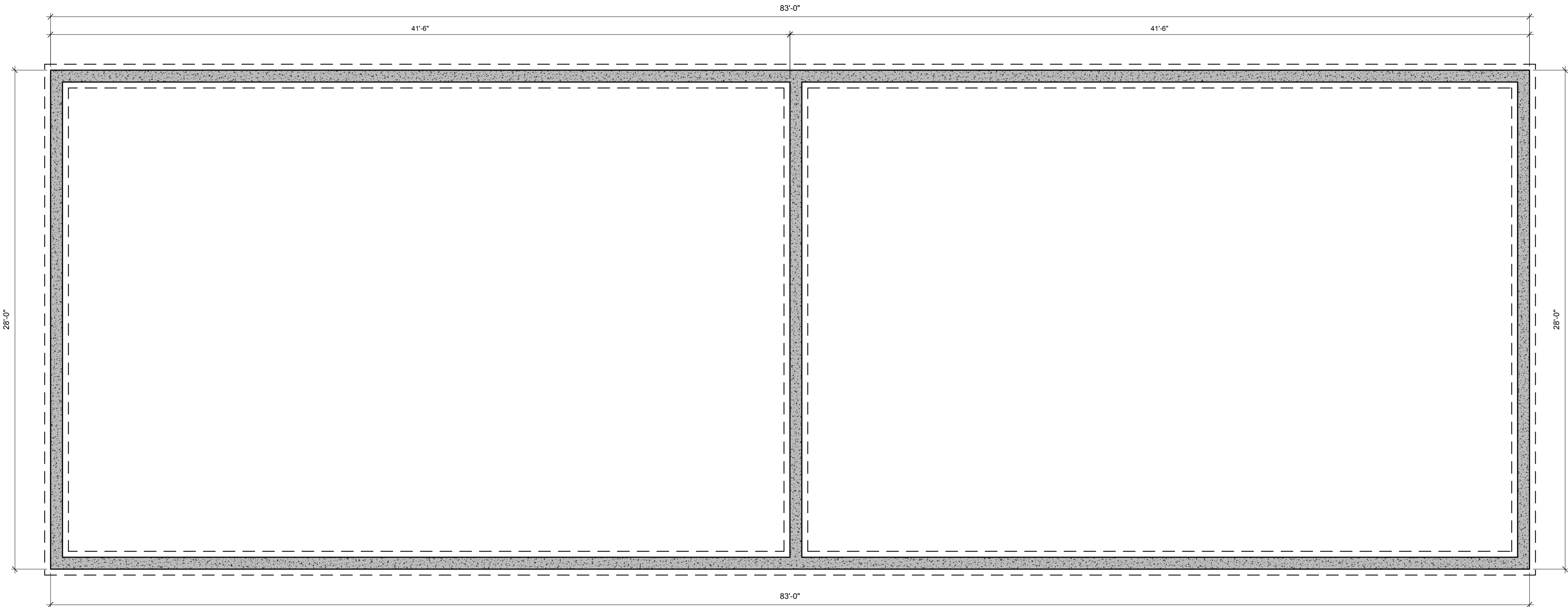
Planner

Initials

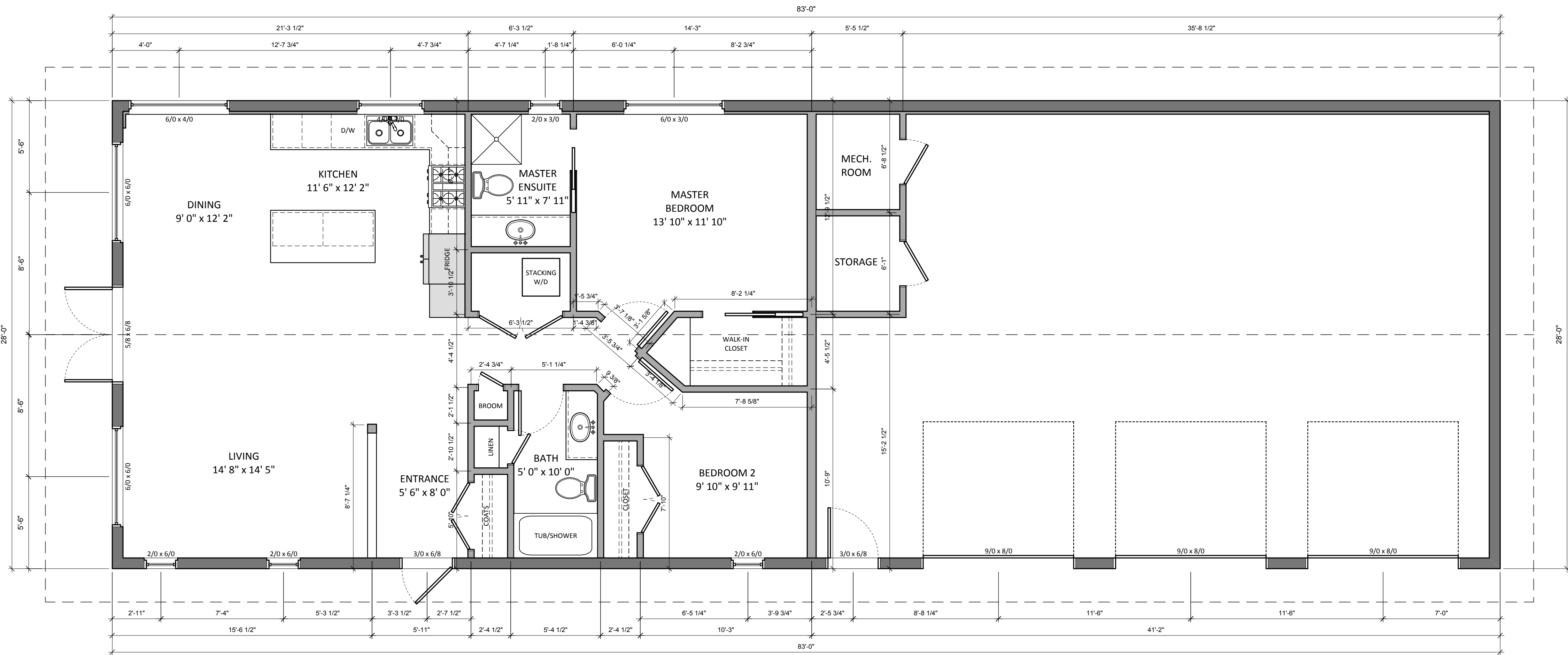
AF

City of Kelowna

COMMUNITY PLANNING



FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



CARRIAGE HOUSE FINISHED FLOOR AREA: 1,086 SQ.FT.
MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"

GENERAL NOTES:
-DRAWINGS ARE AS-BUILTS AND ALL DIMENSION ARE APPROXIMATE AND TO THE BEST KNOWLEDGE OF RK STUDIO
-CONFIRM ALL DIMENSIONS BEFORE ANY WORK
-EXTERIOR DIMENSIONS TAKEN FROM OUTSIDE FACE OF STUD AND EXTERIOR FACE OF CONCRETE (U.N.O.)
-INTERIOR DIMENSIONS TAKEN FROM CENTER LINE OF STUD (U.N.O.)
-RK STUDIO IS NOT RESPONSIBLE FOR ANY ERRORS AND EMISSIONS THAT MAY ALTER THE OVERALL CONSTRUCTION

SITE STATISTICS
ZONING: A1 - AGRICULTURAL

LEGAL DESCRIPTION:
1425 MCCURDY RD.
KELOWNA, BC
LOT 2, PLAN 23935 ODYD

RK|STUDIO

RESIDENTIAL DESIGN AND DRAFTING

1760 KLOPPENBURG RD. KELOWNA, BC V1P 1G2

(250)-317-6875 ryan.rkstudio@gmail.com

PROJECT NAME

1425 MCCURDY RD CARRIAGE HOUSE

DRAWN BY

RK

NOTES

SHEET TITLE

MAIN FLOOR PLAN

SCALE

1/4" = 1'-0"

DATE

2018-07-20

ISSUED FOR

AS-BUILT DRAWINGS

LEGAL DESCRIPTION

LOT 2 , PLAN 23935 ODYD

A1

THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF RK STUDIO AND ARE NOT TO BE REPRODUCED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF RK STUDIO

34



ATTACHMENT C	
This forms part of application # A18-0001	
Planner Initials	AF
City of Kelowna COMMUNITY PLANNING	

Oct 12, 2018

File: A18-0001

City of Kelowna
1435 Water Street
Kelowna BC V1Y 1J4
E-mail: planninginfo@kelowna.ca

Re: ALC Non-Farm Use Application A18-0001 Application McCurdy Road 1425

To the City of Kelowna,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the Agricultural Land Commission (ALC) non-farm use application for the property located at 1425 McCurdy Road. I have reviewed the documents you have provided.

- Ministry staff recognize the potential benefits of this specific residential conversion to a portion of the pre-existing garage, including its size and siting, however, Ministry staff nevertheless encourage the applicant to pursue either the development a secondary suite in the existing single family dwelling, or a manufactured home as per Agricultural Land Reserve Use, Subdivision and Procedures Regulation (3)(1)(b) including compliance with City of Kelowna bylaws.
- This is primarily because of the associated potential negative impacts of additional residential use on long-term agricultural potential on the ALR - found throughout the province both on the specific lot and neighbouring parcels.
- Further, while the application also references the use of the residential unit for either a care taker or seasonal farm worker in the longer term, a recommendation for additional documentation to support this, along with a possible requirement to decommission the unit if not used for farm help, may also be a potential option if forwarded to the ALC.

If you have any questions please contact me directly at christina.forbes@gov.bc.ca or 250-861-7201.

Sincerely,

Christina Forbes, P.Ag
Regional Agrologist
B.C. Ministry of Agriculture – Kelowna
Office: (250) 861-7201
E-mail: christina.forbes@gov.bc.ca
Email copy: ALC Planner, ALC.Okanagan@gov.bc.ca

December 18, 2018

Andrew Ferguson, Planner
City of Kelowna – Planning & Development
1435 Water Street
Kelowna, BC V1Y 1J4
aferguson@kelowna.ca

Re: File No. A18-0001
1425 McCurdy Road, Kelowna

On behalf of Interior Health's Healthy Communities portfolio, I appreciate the opportunity to provide comment to the City of Kelowna on consideration of the application for non-farm use in the ALR. It is our understanding the applicant is proposing for 100m² to be allowed as an immediate family residence for an ailing parent. This application has been reviewed from a healthy food systems perspective and is provided to you for consideration.

Interior Health has an interest in the preservation of farmland to support local agricultural capacity now and in the future. Agricultural capacity is a key aspect of local healthy food systems, contributing to our community's food security. Food systems determine how we choose food and what food we have access to. The food we eat is critical to our health. Land use decisions can influence use of agricultural land which can thereby impact the accessibility, quality and variety of food available to us. Having access to healthy and safe food helps to protect the population from chronic disease and infectious illnesses.

In the interest of food security, and the ability of our citizens to access healthy and safe food, we suggest consideration of the following:

- From a food security perspective, it is ideal that land in the ALR be used for its intended purpose. Any changes made to land within the ALR should support agricultural capacity and provide significant benefit to agriculture, including non-farm use. This non-farm use application for a residence does not appear to contribute to a healthy food system nor support agricultural capacity.
- Farmland preservation helps to maintain a level of food production that contributes to food self-sufficiency for the community. Food self-sufficiency increases food security and supports healthy eating. Food self-sufficiency in BC is increasingly important, as extreme weather will affect food production in California and elsewhere. Currently, California supplies 40%-50% of BC's imported fruits and vegetables. Greater availability of locally produced fruits and vegetables may increase their consumption.



Interior Health
Every person matters

ATTACHMENT D	
This forms part of application # A18-0001	
Planner Initials	AF
City of Kelowna COMMUNITY PLANNING	

On behalf of the Healthy Communities portfolio, I appreciate the opportunity to provide comment on this application.

Regards,

Katrina Lehenbauer, MPH
Healthy Communities
Population Health

KL/kl



Agrologist Report re: ALC Non-Farm Use Application – 1425 McCurdy Rd, Kelowna, BC

Presented To: Shari & Michael Matvieshen

Dated: August 23, 2018

Ecora File No.: NK-18-277-SUN

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ATTACHMENT		E
This forms part of application		
# A18-0001		
Planner Initials	AF	 City of Kelowna COMMUNITY PLANNING

Presented To:

Shari & Michael Matvieshen
1425 McCurdy Road
Kelowna, BC V1X 4W1

Prepared by:



August 23, 2018

Jesse Kitteridge, LL.B.
Environmental Scientist
jesse.kitteridge@ecora.ca

Date

Reviewed by:

August 23, 2018

Catherine Piedt, P.Ag.
Environmental Sciences Manager
catherine.piedt@ecora.ca

Date

ATTACHMENT E	
This forms part of application # A18-0001	
Planner Initials	AF
 City of Kelowna COMMUNITY PLANNING	

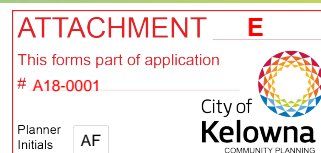
Limitations of Report

This report and its contents are intended for the sole use of Shari & Michael Matvieshen and the applicable regulatory authorities. Ecora Engineering & Resource Group Ltd. (Ecora) does not accept any responsibility for the accuracy of any data, analyses, or recommendations contained or referenced in the report when the report is used or relied upon by any Party other than Shari & Michael Matvieshen and the applicable regulatory authorities or for any Project other than that described in this report. Any such unauthorized use of this report is at the sole risk of the user.

Where Ecora submits both electronic file and hard copy versions of reports, drawings and other project-related documents, only the signed and/or sealed versions shall be considered final and legally binding. The original signed and/or sealed version archived by Ecora shall be deemed to be the original for the Project. Both electronic file and hard copy versions of Ecora's deliverables shall not, under any circumstances, no matter who owns or uses them, be altered by any party except Ecora.

Table of Contents

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Photographs

Appendices

- Appendix A Field Maps
- Appendix B Land Title
- Appendix C Kelowna Municipal Council Letter of Support



1. Introduction

Ecora Engineering & Resource Group Ltd. (Ecora) was retained by Shari & Michael Matvieshen (the Client) to complete a comprehensive agrologist report to supplement an application to the Agricultural Land Commission (ALC) for a non-farm use of a property, in accordance with s.20(3) of the *Agricultural Land Commission Act*.

This report includes a record of all work/improvements undertaken by the property owners, a site plan showing existing property conditions, dimensions, layout and spacing of existing buildings, floor plans for the non-farm use building, future farm plan description, as well as elevation drawings and site photos for contextual purposes.

1.1 Objective

The objectives of this report are to:

- Describe any improvements made to the land, demonstrating an increase in agricultural capability of the property. The improvements are a result of converting approximately 88.4m² of a 250m² garage into a suite, to house the ailing parents of the property owners; and
- Satisfy the requirements of the ALC application.

2. Site Description

Ecora visited the site on May 7, 2018. The legal description of the property is as follows:

- Plan KAP23935, Lot 2, Section 36, Township 26, EXCEPT Plan KAP53090 & KAP84358

The property, located on the north side of McCurdy Road East, 3 km east of Highway 97, is within the Agricultural Land Reserve, and zoned Agricultural A1. The 3.62 ha (8.96 acres) property has the following characteristics:

- A southward sloping aspect, approximately 10% grade, at 517m ASL;
- 14,650 m² of land cleared for future agriculture (2,900 m² recently improved by the Client)
- 5,350 m² of roadway and/or parking area;
- 3,050 m² of landscaped lawn;
- 1,300m² of mature orchard;
- 1,150 m² of vineyard (grape);
- 130 m² of raised beds (vegetables);
- Three Beehives;
- A two-story residential home, approximately 575m²;

- Three-car garage, part of which is in use as a residential suite, approximately 250m². This 88.4m² suite was built as part of the garage in 2010, after city council resolution in 2010 (Appendix C), and the parents have lived in the suite since that time (November 2010);
- One accessory building currently in use as a staff room/first aid building, approximately 75m²;
- One greenhouse/workshop, approximately 25m²;
- Additional small sheds and storage containers;



2.1 Adjacent Land Uses

The surrounding area is mostly agricultural in character with the exception of a small subdivision west of site. More specifically, the surrounding uses are as follows:

North	A1	Agricultural	ALR
East	RR2	Rural Residential	ALR
South	A1	Agricultural	ALR
West	A1	Agricultural	ALR

2.2 Non-Farm Use

The Client indicated that 88.42 m² of space within the three-car garage in the NW corner of the property is currently in use as living quarters to accommodate the parents of the Client while they recover from an illness. The total area of the garage is 225m², while 88.42m² is considered non-farm use. (Figure 1.0) The suite currently has 2 bedrooms; however there are tentative plans to convert the second bedroom into a storage space, accessible from the garage. The suite was built in 2010, and the Client's parents have lived in the suite since November of 2010 (approx. 8 years). The application for the suite was supported by city council resolution in 2010 (Appendix C).

The Client has indicated that in the future, they wish to utilize the suite inside the garage to house agricultural workers for the vineyard which is being planted.



SITE PLAN



Figure 1.0 – Location of non-farm use on property. Southern section of garage has been converted to non-farm use.

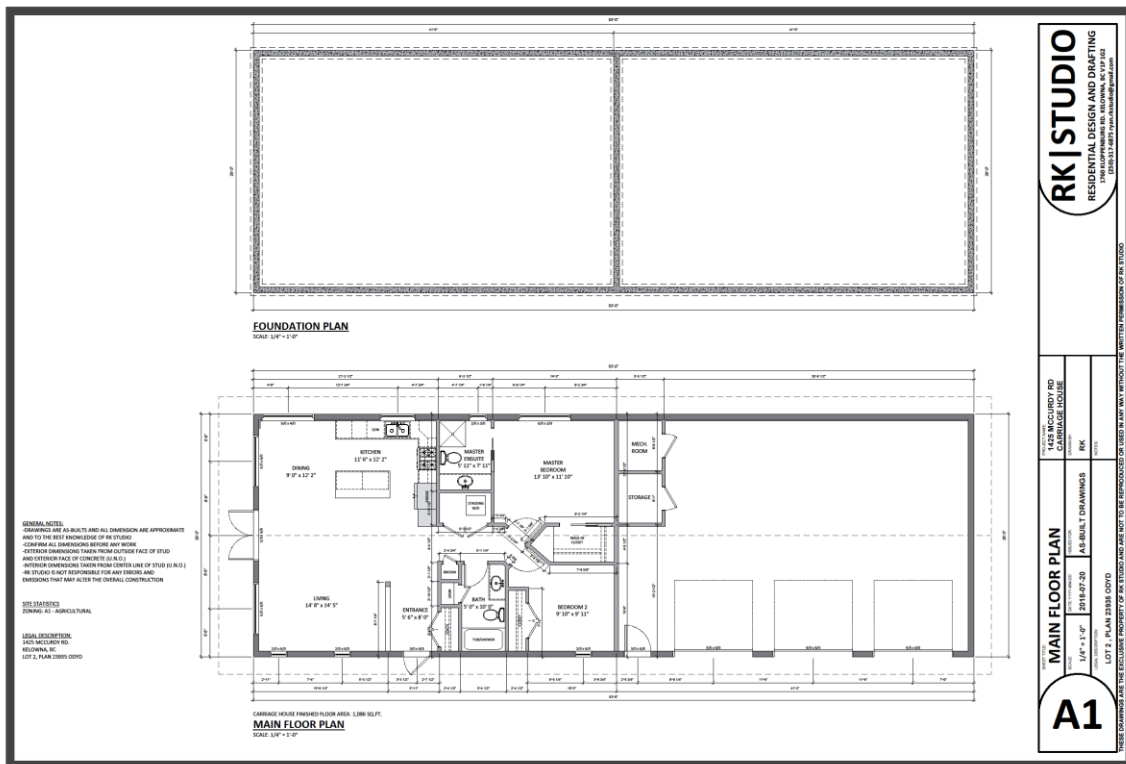


Figure 2.0 – Current floor plan of non-farm use building.

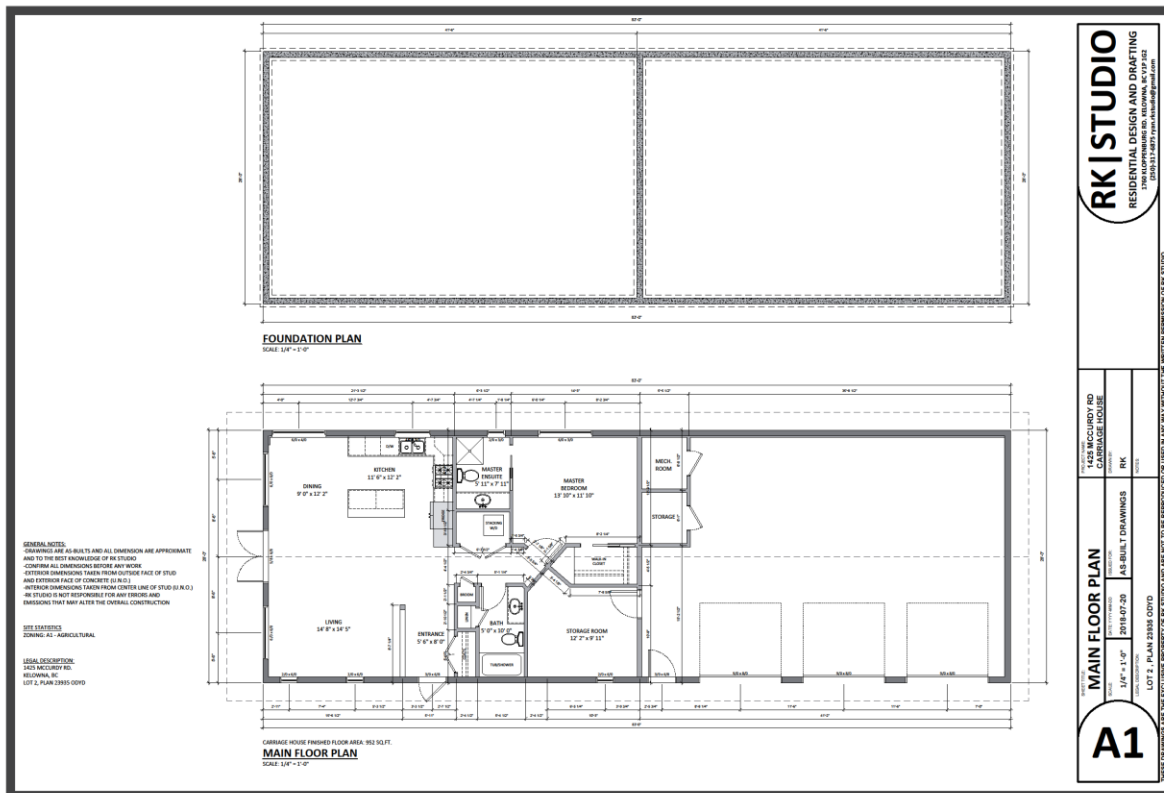


Figure 3.0 – Tentative floor plan of non-farm use building. Access to storage area will be from both the suite and the garage.

2.3 Improvements

The Client, based on discussions with the ALC, has made improvements to approx. 2,900m² of the property, including terracing, grading, and clearing, in order to increase the agricultural capability of the property. The improved areas are identified in Figure 4.0. These improvements were made to areas that were either too steep, contained vegetation, or were otherwise unfit for agriculture, in order to offset the non-farm use elsewhere on site.

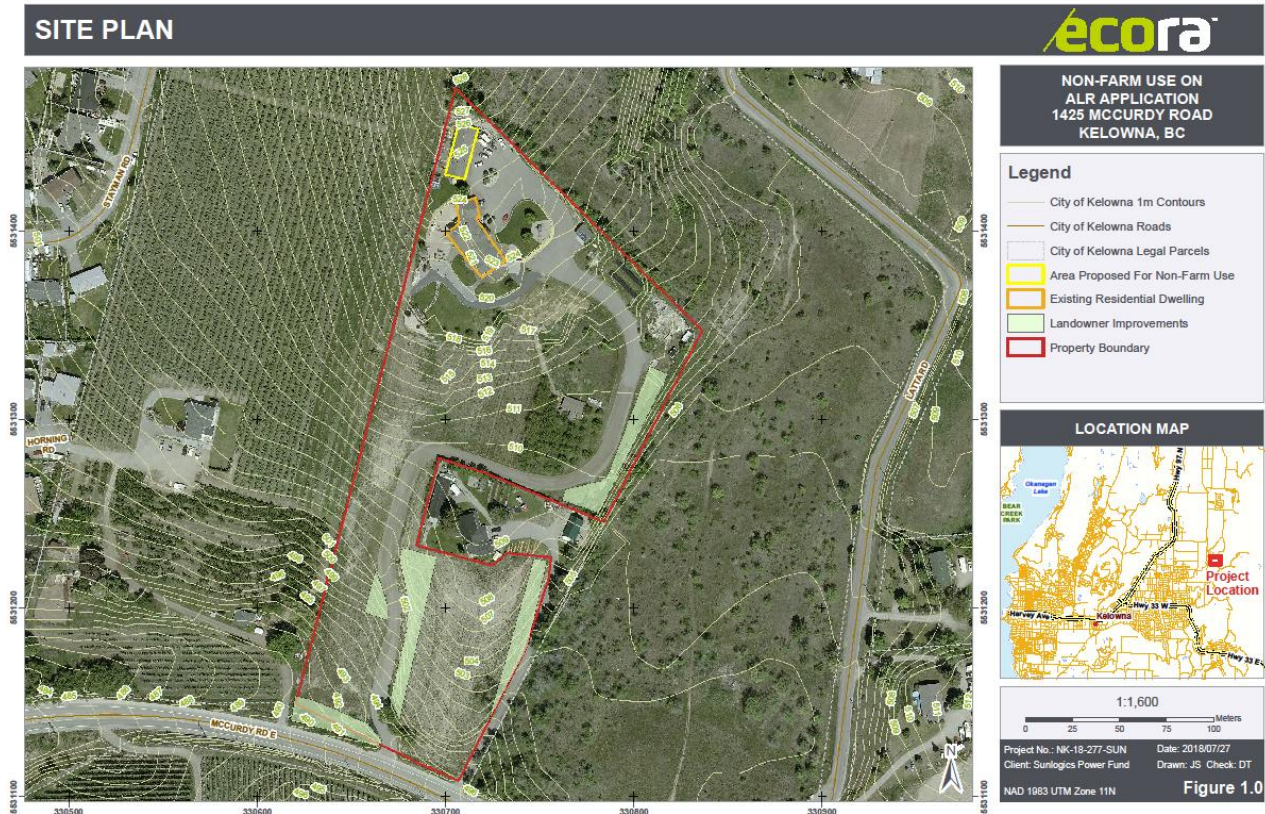


Figure 4.0 – Location of improvements made to property by the Client

3. Future Farm Plans

3.1 Vineyard

The Client has indicated that they intend to develop a vineyard on the 14,650 m² (1.465 ha) of cleared land available on the property, representing approximately 40% of the 3.62 ha Property. The Client has indicated that planting of the vineyard is scheduled to begin in 2019. Planting will occur on land that previously supported a vineyard, in addition to the 2,900 m² (0.29 ha) that was recently improved by the Client.

4. Closure

We trust this report/proposal meets your present requirements. If you have any questions or comments, please contact the undersigned.

Sincerely

Ecora Engineering & Resource Group Ltd.

Prepared by:

Reviewed by:



Jesse Kitteridge, LL.B
 Jr. Environmental Scientist
 Direct Line: 250.469.9757 x1085
 jesse.kitteridge@ecora.ca



Catherine Piedt, P.Ag.
 Environmental Scientist
 Direct Line: 250.469.9757 x1013
 catherine.piedt@ecora.ca



Version Control and Revision History

Version	Date	Prepared By	Reviewed By	Notes/Revisions
0	June 26, 2018	JHK	SH	
A	August 7, 2018	JHK		
B	August 23, 2018	JHK	CP	

Photographs



Photo 1 - Looking northwest at garage. Non-farm use is on southern end of building, on left of frame.



Photo 2 – Looking northwest at property subject to non-farm use application. Total building dimensions are 9m x 26m, however area converted to residential is approx. 9m x 11m



Photo 3 – Looking south across property. Mature fruit tree orchard (1300m²) is visible on left, and vineyard (1150m²) is visible on right.



Photo 4 – Looking southeast across property. Mature fruit tree orchard (1300m²) is visible on left, and vineyard (1150m²) is visible on right. Accessory building (75m²) is behind fruit tree orchard.



Photo 5 - Looking south across property. Vineyard (1150m²) is visible on left.



Photo 6 – Looking southwest across property. Area has been cleared, and is ready to be planted.



Photo 7 – Looking south at southern end of property. Client has improved area immediately adjacent to McCurdy Rd. by clearing and grading land, which has increased the agricultural capability of the property.



Photo 8 – Looking north at main residence



Photo 9 – Raised vegetable beds behind garage.



Photo 10 – Beehives in north-eastern corner of Site



Photo 11 – Looking south at accessory building on property. Building is used as a lunch-room and first-aid room.



Photo 12 – Looking west into mature fruit tree orchard



Photo 13 – Looking north across property. Area has been cleared, with planting scheduled for 2019.

Appendix A

Field Maps



SITE PLAN

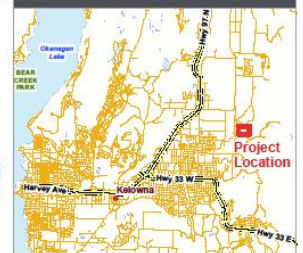


**NON-FARM USE ON
 ALR APPLICATION
 1425 MCCURDY ROAD
 KELOWNA, BC**

Legend

- City of Kelowna 1m Contours
- City of Kelowna Roads
- City of Kelowna Legal Parcels
- Area Proposed For Non-Farm Use
- Existing Residential Dwelling
- Landowner Improvements
- Property Boundary

LOCATION MAP



1:1,600
 0 25 50 75 100 Meters

Project No.: NK-18-277-SUN Date: 2018/07/27
 Client: Sunlogics Power Fund Drawn: JS Check: DT
 NAD 1983 UTM Zone 11N **Figure 1.0**



Appendix B

Land Title

TITLE SEARCH PRINT

2018-06-26, 16:07:07

File Reference:

Requestor: Jamie Kouwenhoven


Declared Value \$ 2000000

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District	KAMLOOPS
Land Title Office	KAMLOOPS
Title Number	CA2222737
From Title Number	CA1228885
Application Received	2011-10-06
Application Entered	2011-10-13
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	SHARI LYNN MATVIESHEN, BUSINESSWOMAN 1425 MCCURDY ROAD KELOWNA, BC V1X 2B4
Taxation Authority	Kelowna, City of Black Mountain Irrigation District
Description of Land	
Parcel Identifier:	006-181-406
Legal Description:	LOT 2 SECTION 36 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 23935 EXCEPT PLANS KAP53090 AND KAP84358
Legal Notations	
THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT, SEE PLAN M11328	
THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE LB520630	
Charges, Liens and Interests	
Nature:	STATUTORY RIGHT OF WAY
Registration Number:	LB54718
Registration Date and Time:	2007-05-15 11:36
Registered Owner:	FORTISBC INC.
Remarks:	INTER ALIA

Appendix C

Kelowna Municipal Council Letter of Support



Corporate Services

City Clerks Office
1435 Water Street
Kelowna, BC V1Y 1J4
Tel: (250) 469-8645
Fax: (250) 862-3315

January 26, 2010

Travis Kuchma
0816896 BC Ltd.
990 Sutcliffe Court
Kelowna, BC V1P 1B6

Dear Mr. Kuchman:

Re: Agricultural Land Reserve Appeal No. A09-0015 - Michael & Shari Matvieshen (Travis Kuchma) - 1425 McCurdy Road East

The above-noted application was considered by the Municipal Council at a Regular Meeting held on Monday, January 25th, 2010, when the following resolution was adopted:

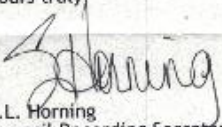
THAT Agricultural Land Reserve Appeal No. A09-0015 for Lot 2 Section 26 Township 26 ODYD Plan 23935 except Plans KAP53090 and KAP84358 for a non-farm use of the subject property within the Agricultural Land Reserve, pursuant to Section 20(3) of the *Agricultural Land Commission Act*, be supported by Municipal Council;

AND THAT Municipal Council forward the subject application to the Agricultural Land Commission.

Pursuant to Council's policy for notifying the B.C. Agricultural Land Commission of Council's recorded vote on each Agricultural Land Reserve Appeal, there were 9 members of Council at this meeting, Mayor Shepherd, Councillors Blancheil, Craig, Hobson, Hodge, James, Reid, Rule and Stack, all of whom supported A.L.R. Appeal No. A09-0015.

Council's decision on your application will be forwarded to the B.C. Agricultural Land Commission at the earliest opportunity; however, if you have any questions, please contact Ms. Birte Decloux of the Land Use Management Department (469-8608).

Yours truly,



S.L. Horning
Council Recording Secretary

SLH/dd

cc: Planning & Development Officer (B. Decloux)

Michael & Shari Matvieshen
1425 McCurdy Road East
Kelowna, BC V1P 1B4

September 21, 2018

ATTACHMENT F	
This forms part of application # A18-0001	
Planner Initials	AF
City of Kelowna COMMUNITY PLANNING	

- On January 25, 2010 the City of Kelowna approved unanimously our Appeal to the ALC for rezoning for a suite.
- I'm not sure when the recommendation from the city was sent to the ALC but we didn't receive any correspondence on this matter until May 11, 2010.
- On June 9, 2010, 3 people from the ALC came out to inspect our property. I explained to them that my parents were aging and not in good health. I wanted them to come and live with us from Manitoba.
- There was a letter sent from the ALC on June 25, 2010 refusing our application. They commented on the extensive access (our driveway) to the new house. The new driveway needing to be built was the fault of the City of Kelowna because they did not include an easement for using the existing driveway when they approved to the subdividing of the property and the neighbor was very unreasonable and wouldn't let us use his driveway and they put a gate in to ensure we didn't use the driveway. So we had to pay to get our own driveway access. The city also did not include access to the power lines from the neighbor so we had to pay him to let us use his lines so we didn't have to put more poles through our property. The city did not do their due diligence, in my opinion when they subdivided the land.
 - The ALC's "Conclusions" did not make any sense for the refusal of a secondary suite particularly because it stated: "That the proposal will have a negative impact on agriculture." And yet all the buildings and the driveway are already in place and that isn't going to change and the amount of available ALR land isn't going to change.
- My parents were moving from Manitoba and because of their health we decided to proceed with building them a suite in our detached garage. At the beginning of December 2010 my parents moved into the suite.
- At the beginning of 2011 we decided to build a chicken coop so we could have organic eggs and chickens. I spoke with someone from the city, I believe it was Larry, and my understanding was that we did not need a permit to build a chicken coop because of the size.
- June 2011 we got 230 baby chicks, with no antibiotics or vaccinations, and we fenced in a large area of the land for free ranging the chickens.
- October 2011, my dad had a heart attack which required surgery of 2 stents being implanted and a lot of medication to be administered. He was not allowed to drive.
- In January 2012, just a few months after my dad's heart attack, my mom was diagnosed with breast cancer and had to go through 2 surgeries, a lumpectomy and mastectomy. She had to go through chemotherapy and radiation over a 1 ½ year period. I was the primary caregiver to both of my parents and having them live with us was essential. Our four children were all still living at home so we didn't have room for them in our home.

We have had to hire people to help us manage our property throughout the years.

- When my parents moved on our property my dad took on a great deal of the farm/ acreage responsibilities. He did pruning of the trees, planted a large vegetable and fruit garden and took care of the chickens. He picked several bins of apples every year for juicing and to take to the Food Bank. He changed a lot of the irrigation pipes in the orchard, replaced some waterlines and put in new valves. He's always fixing and repairing the endless things that need to be done on a farm.
- In 2015 we had to take out all of our apple trees due to codling moth. This was a huge undertaking. We hired people to get this done.

- We arranged for the city to chip all of the trees, which took a long time for someone to actually come to get the work done, as opposed to how long the city said it would take to get it done. The chipping program was through the city of Kelowna. It was done too close to winter so nothing else could be done to the property.
- In 2016 we graded the property and put in all new water lines throughout the agriculture land. We hired people to do this.
- We now need to decide what we should replant where the apples were. We will be hiring people to help get this done.

As far as my parent's health, they still have a lot of health issues. My dad is 78 years old and my mom will be 73. My mom had a severe stroke in December 2017 and she has not fully recovered, and probably never will. As I am their only daughter it is crucial at their age for them to remain living with my husband and I so we can continue to care for them and so they can have the quality of life without going into a care facility.

As far as the decommissioning of the chicken coop, it makes no sense at all to decommission everything and then have to pay someone to come in and put it all back in??? Our lawyer, Robert Tonsoo, is away until next week so I couldn't get his conclusion or anything from him on the decommissioning. As Michael mentioned in his meeting with you, that there are several properties, actually most farming properties around us, with extra units on their properties so we don't understand why we are being discriminated against. I think we should meet again to discuss the chicken coop.

Sincerely,

Shari Matvieshen

Report to Council



Date: April 1, 2019
File: 0505-35
To: City Manager
From: Laura Bentley, Community Planning Supervisor
Subject: Rescind Housing Agreement for 3477-3499 Lakeshore Road

Recommendation:

THAT Council receives, for information, the report from the Community Planning Department dated April 1, 2019, with respect to the Housing Agreement for 3477-3499 Lakeshore Road;

AND THAT Council approves the City rescinding Revitalization Tax Exemption Agreement RTE18-0001 with 0984342 BC Ltd for Lot A District Lot 134 ODYD Plan EPP65105, located at 3477-3499 Lakeshore Road, Kelowna, BC, as per the report from the Community Planning Department dated April 1, 2019;

AND THAT the Mayor and City Clerk be authorized to execute the rescindment of the Revitalization Tax Exemption Agreement on behalf of the City of Kelowna;

AND THAT Council consider a Bylaw that would authorize the City of Kelowna to repeal Bylaw No. 11610 being Housing Agreement Authorization Bylaw 0984342 BC Ltd Inc. No. BC0984342 – 3477-3499 Lakeshore Road, and all amendments there to, for Lot A District Lot 134 ODYD Plan EPP65105, located at 3477-3499 Lakeshore Road, Kelowna, BC;

AND FURTHER THAT Bylaw No. 11800 being Repeal Housing Agreement Authorization Bylaw No. 11610 be forwarded for reading consideration.

Purpose:

To consider rescinding the Revitalization Tax Exemption Agreement and repealing the Purpose-Built Rental Housing Agreement Bylaw for the subject property to allow the development to operate a combination of long-term and short-term rentals.

Background:

On May 28, 2018, Council authorized a Revitalization Tax Exemption Agreement and Purpose-Built Rental Housing Agreement for the development known as The Shore at 3477-3499 Lakeshore Road.

The proponent met the following requirements for a revitalization tax exemption as an incentive for purpose-built rental housing:

1. The vacancy rate was at or below 3%;
2. The subject property entered into a Purpose-Built Rental Housing Agreement; and
3. The development was in compliance with the OCP Future Land Use designation.

To ensure that rental housing projects receiving tax exemptions or other City incentives are used for long-term rentals (defined as a minimum of 30 days), one of the conditions of the City's Purpose-Built Rental Housing Agreement is that units may not be used for short-vacation accommodation.

In further discussions with City staff, the developer has indicated a desire to operate long-term rentals for students during the school year (roughly September-April) and short-term rentals in the summer months. Currently, the property's zoning of C4 – Urban Centre Commercial would allow for this combination of uses under multiple dwelling housing and apartment hotels; however, this is restricted by the Purpose-Built Rental Housing Agreement, which does not allow for short-term rentals.

On March 12, 2019, Council gave third reading to Bylaw No. 11766 regarding short-term rental accommodation. That bylaw would limit short-term rentals to an operator's principal residence in the C4 zone, among others. In order for The Shore to operate short-term rentals as intended under the existing C4 regulations, the project would need to qualify for non-conforming use provisions prior to adoption of Bylaw No. 11766.

As such, the developer has applied for Council to repeal the Purpose-Built Rental Housing Agreement Bylaw. The property would no longer qualify for incentives for purpose-built rental housing, meaning the Revitalization Tax Exemption Agreement associated with this project also needs to be rescinded. The estimated annual taxation impact for this project was \$51,000, which the property owner would no longer be exempt from paying. Should the request to repeal and rescind the Bylaw and Agreement be supported, the project would qualify for non-conforming use provisions and be able to do student rentals during the school year with short-term rentals in the summer months.

Legal/Statutory Authority:

Local Government Act section 483

- (1) A local government may, by bylaw, enter into a housing agreement under this section.
- (2) A housing agreement may include terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:
 - (a) the form of tenure of the housing units;

Existing Policy:

Revitalization Tax Exemption Program Bylaw No. 9561

For Purpose-Built Rental Housing Projects throughout the City, 100% of the Revitalization Amount on the parcel, for projects that are subject to a Housing Agreement (for up to 10 years) and are in compliance with the OCP Future Land Use designation as at May 30, 2011. A tax incentive for rental housing will only be considered when the vacancy rate is at or below 3%.

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:

L. Bentley, Community Planning Supervisor

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

cc:

City Clerk

Long Range Policy Planning Manager



Housing Agreement Rescindment

3477-3499 Lakeshore Road



Proposal

- ▶ To rescind the Revitalization Tax Exemption Agreement & repeal the Purpose-Built Rental Housing Agreement for 3477-3499 Lakeshore Rd
 - ▶ Allow the property to operate a combination of long-term and short-term rentals

Background

- ▶ The Shore mixed-use project in South Pandosy
- ▶ Revitalization Tax Exemption Agreement & Purpose-Built Rental Housing Agreement Bylaw
 - ▶ Authorized in May 2018
 - ▶ Met requirements for Revitalization Tax Exemption
- ▶ Rental Housing Agreement does not allow for short-term rentals

Short-Term Rentals

- ▶ Developer would like to operate student rentals September-April & short-term rentals in summer
- ▶ To qualify for non-conforming use provisions regarding short-term rentals:
 - ▶ Repeal the Rental Housing Agreement
 - ▶ Rescind the associated Revitalization Tax Exemption
- ▶ Prior to adoption of the short-term rental accommodation bylaw
 - ▶ Changes provisions for short-term rentals in C4



Questions?

CITY OF KELOWNA

BYLAW NO. 11800

A Bylaw to Repeal Housing Agreement Authorization Bylaw No. 11610

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

1. THAT City of Kelowna Housing Agreement Authorization Bylaw 0984342 BC Ltd., Inc. No. BC0984342 - 3477-3499 Lakeshore Road Bylaw No. 11610, be repealed.
2. This bylaw may be cited for all purposes as "Bylaw No. 11800, being Repeal Bylaw to Housing Agreement Authorization Bylaw for 3477-3499 Lakeshore Road Bylaw No. 11610."
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: April 1, 2019
File: 1200-70
To: City Manager
From: Ross Soward, Planner Specialist
Subject: Capri-Landmark Urban Centre Plan – Final Endorsement

Recommendation:

THAT Council receives, for information the report, from the Planner Specialist dated April 1, 2019, with respect to the Capri-Landmark Plan;

AND THAT Council endorses the Capri-Landmark Urban Centre Plan as described in the report, from the Planner Specialist dated April 1, 2019.

THAT Council directs staff to move forward with updates to the Official Community Plan and Zoning Bylaw to support the redevelopment objectives of the Capri-Landmark Urban Centre Plan, as described in the report, from the Planner Specialist, dated April 1, 2019.

Purpose:

To present the final Capri-Landmark Plan for Council endorsement.

Background:

In September 2018, the Capri-Landmark Urban Centre Plan was presented to Council for endorsement. Council deferred endorsement of the final plan until a further review of the transportation network and parks plan was provided. On February 11th, 2019 staff presented a review of the transportation network options and parks plan, receiving direction from Council to prepare the final Capri-Landmark Plan for endorsement.

Subsequent to the meeting on February 11th, 2019 staff have incorporated recent direction on parks and transportation from Council and met with key landowners to ensure the final Plan will limit impacts to existing landowners in the Landmark area. The report presents the final Plan for Council

endorsement, positioning this urban centre for future change and representing a major milestone toward building vibrant urban centres.

The Capri-Landmark Plan aligns with Kelowna’s growth management strategy and supports the revitalization of an emerging urban centre. This Plan strategically integrates core community values with City policies and sound planning principles to guide and enable positive change for the Capri Landmark area over the next 20 years and beyond. The recently endorsed OCP growth scenario sets the target of focusing 48 per cent of future growth in Kelowna’s urban centres, reinforcing the significant amount of redevelopment and change anticipated within the five urban centres. More specifically, Capri-Landmark is expected to add 8,000 new residents over the next 20 years as older service commercial buildings and other properties are redeveloped to mixed-use residential apartments.

To support the redevelopment and transformation of the urban centre, strategic transportation investments are proposed that improve safety and make it easier for people to walk, cycle, drive or use transit in the area. Parks and public space investments are identified to encourage the transformation of the area as a desirable residential area and ensure that those living and working in the area are a short walk from a range of parks and public spaces. The Plan provides a framework to support the redevelopment of the area as a dynamic live-work hub that will drive innovation and economic investment.

Planning Process

Since early 2017, the City led an extensive public engagement process that invited local residents, landowners, community groups, and the general public to assist in determining the community’s values and long-term priorities for Capri-Landmark. The engagement plan followed the International Association for Public Participation’s best practices in an effort to provide meaningful opportunities for public involvement and to ensure transparency. The engagement and consultation opportunities were organized around four key phases. Staff made further efforts to engage with key landowners through additional workshops, meetings, and presentations. The graphic below highlights key activities over the four phases of the planning process and the various opportunities for the public and Council to provide input and feedback on the plan.

Phase 1	Phase 2	Phase 3	Phase 4
<ul style="list-style-type: none">•Background research•Public engagement sessions•Concept planning	<ul style="list-style-type: none">•Preliminary concept options•Community workshops•Online engagement	<ul style="list-style-type: none">•Refining the preferred concept•Open house and workshops•Draft financing strategy	<ul style="list-style-type: none">•Landowner consultation•Transportation network assessment•Final Plan development

Figure 1: Overview of Planning Process

Big Moves of Plan

The concept plan (figure 2) illustrates the “big moves” proposed to support the transformation of Capri-Landmark as a live-work-play urban centre over the next 20 years and beyond.



Figure 2: Illustrative Concept Plan

The Big Moves of the Plan advance many of the strategic objectives established through the *Imagine Kelowna* process.

Imagine Kelowna Objective	Capri-Landmark Plan Response
Grow vibrant urban centres and limit sprawl	By directing 8,000 new residents to the area, existing infrastructure can be optimized and less development will be required at the edge of the city.
Create Great Public Spaces:	New parks and public spaces will ensure that the thousands of people living and working in the area are a short walk to a range of public spaces.
Embrace Transportation Options	The extension of Sutherland Avenue as a multi-modal corridor will make it easier for people to walk, cycle or take transit to the area.
Take Action in the face of Climate Change	New linear park corridors (Mill Creek & Ritchie Brook) will reduce flood impacts during major rain events, mitigating damage to stormwater systems and enhancing climate resilience.
Build Healthy Neighbourhoods for All	By maintaining existing rental housing stock and increasing housing diversity, housing options will be accessible to a range of ages and

	incomes.
Support Innovation	Strategic infrastructure investments will support further growth of the Landmark District as an important employment centre where significant clusters of the technology sector are concentrated.
Nurture Entrepreneurship	The addition of thousands of residents will result in a critical mass of people living and working in the urban centre to support a range of new walkable businesses and shops in the area.

Delivering Infrastructure Improvements

The Capri-Landmark Plan will add roughly 8,000 new residents and add more jobs to what is a regional office employment hub in Landmark. The plan provides strategic direction for future capital investments that will support the revitalization of Capri-Landmark as a livable, healthy and sustainable community. Analysis has demonstrated that at least two thirds of the cost for key infrastructure will be borne by development, while ensuring Capri-Landmark remains an affordable area for development compared to many suburban locations in the city. There is also a major opportunity to reduce the costs of infrastructure by coordinating with landowners as redevelopment occurs in the area over the next 20 years. At the same time, the proposed amenities such as future parks, public spaces, and the Sutherland Avenue Multi-Modal Corridor will cater to both the local area and deliver citywide quality of life benefits to Kelowna residents. Overall, analysis confirms the feasibility of integrating the proposed improvements into the City's capital planning processes over the next 20 years.

Capital Planning Costing Estimates

Project Type	Land Costs	Project Costs	Total
Parks & Public Spaces	\$17,500,000*	\$12,000,000*	\$29,500,000*
Transportation	\$20,000,000	\$34,000,000	\$54,000,000
Utilities	N/A	\$8,000,000	\$8,000,000
Total	\$37,500,000	\$54,000,000	\$91,500,000

*Approximately \$15,000,000 of parks costs are already included within the City's existing capital plans.

Next Steps

Should Council choose to endorse the Capri-Landmark Plan, there are a number of key actions that will be triggered moving forward. Staff will begin work on a package of OCP future land use amendments to ensure alignment with the Capri-Landmark Plan. Also, the 20-year Servicing Plan and 10-year Capital Plan updates in 2020 will consider inclusion of the Capri-Landmark Plan infrastructure projects. Other important actions will relate to an update of the zoning bylaw to support the redevelopment of key sites in Landmark in accordance with the objectives of the Plan.

Staff anticipate that within the next 5 years a series of redevelopment applications will come forward, providing opportunities to advance the various land use, urban design, and transportation objectives of the plan. Overall, the implementation of the plan will be the cumulative result of policy updates, civic investment, and redevelopments projects in Capri-Landmark over the next 20 or more years. Over the lifespan of the Plan, the City will look for opportunities to work with local businesses and landowners to deliver infrastructure as redevelopment applications come forward.

Conclusion

The plan is the outcome of a comprehensive four step planning process that included extensive community engagement. It represents a major step toward focusing growth in the Urban Core to create complete communities where residents can live, work, shop and play, while enhancing the city's long-term financial sustainability. It also serves as the first major Urban Centre Plan to deliver on the spirit of the Urban Centres Roadmap, creating livable urban centres by aligning land use and transportation and strategic civic investments. The Capri-Landmark Plan will serve as a transformative and progressive model for urban centre revitalization that aligns with citywide growth management goals. The plan positions the urban centre to evolve into a complete and dynamic community that leverages the organic growth underway and ensures Capri-Landmark will become one of Kelowna's most exciting urban centres.

Internal Circulation

Divisional Director, Community Planning and Real Estate
Department Manager, Policy and Planning
Department Manager, Community Planning
Manager, Urban Planning
Manager, Integrated Transportation Department Manager
Manager, Transportation Engineering
Manager, Infrastructure Engineering
Manager, Development Engineering
Manager, Parks & Buildings Planning
Manager, Communications Manager
Director, Strategic Investments

Financial/Budgetary Considerations:

Should Council endorse the Capri-Landmark Plan, the significant capital infrastructure will be considered as part of the 20-Year Servicing Plan update and will be funded through the DCC program. This update is being done concurrent with the 2040 OCP update. It is anticipated that the 20-Year Servicing Plan update will be complete in 2020. Some small-scale public infrastructure projects will be considered as part of the 10-Year Capital Plan process.

Submitted by:

Ross Soward, Planner Specialist

Approved for inclusion:



James Moore, Manager of Long Range Policy & Planning

Attachment A – Capri-Landmark Urban Centre Plan

CAPRI-LANDMARK URBAN CENTRE PLAN

Council Presentation – Plan Endorsement
April 1, 2019



Positioning Capri-Landmark for Change



Engagement by the Numbers

2144



direct mail postcards were delivered at start of process

200
PEOPLE



attended **3** drop-in
sessions in **APRIL 2017**



225
PEOPLE

attended the **NOVEMBER 2017** open house



80

people
participated at
3 engagement
sessions in
JUNE 2017

2500



visitors accessed the project page online



750

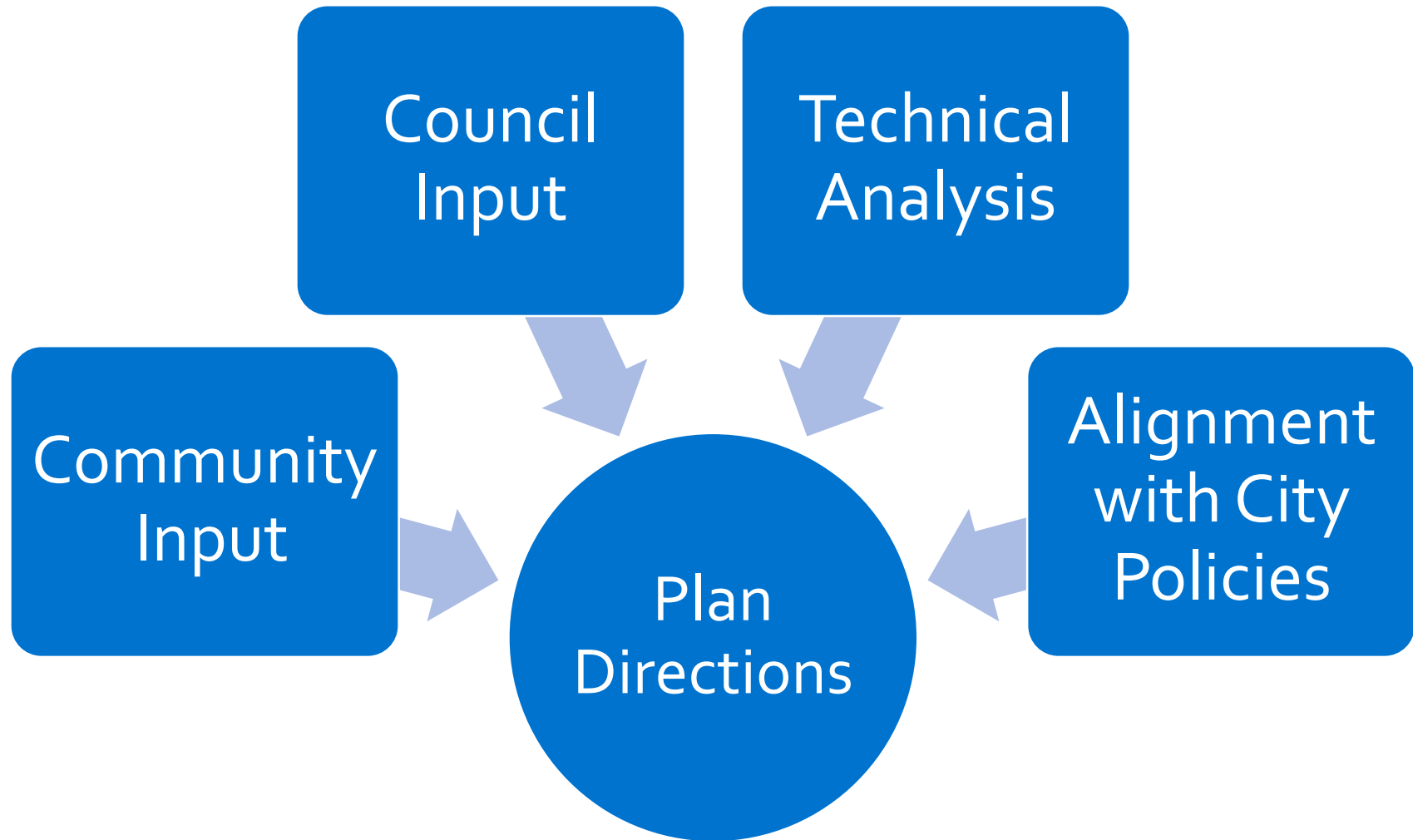
subscribers for
8 online plan
e-updates



Engagement Outcomes

- ▶ Encourage mixed-use development
- ▶ Add high-density residential in key locations
- ▶ Ensure amenity with density
- ▶ Improve walkability, invest in sidewalks
- ▶ Strengthen cycling connections
- ▶ Improve transportation connectivity & traffic flow
- ▶ Maintain rental housing
- ▶ Develop Mill Creek & Ritchie Brook as natural assets to reduce flooding risks
- ▶ Strengthen connections to Parkinson
- ▶ Support businesses as area transitions

Developing the Plan



Big Moves for Capri-Landmark



Grow Vibrant Urban Centres



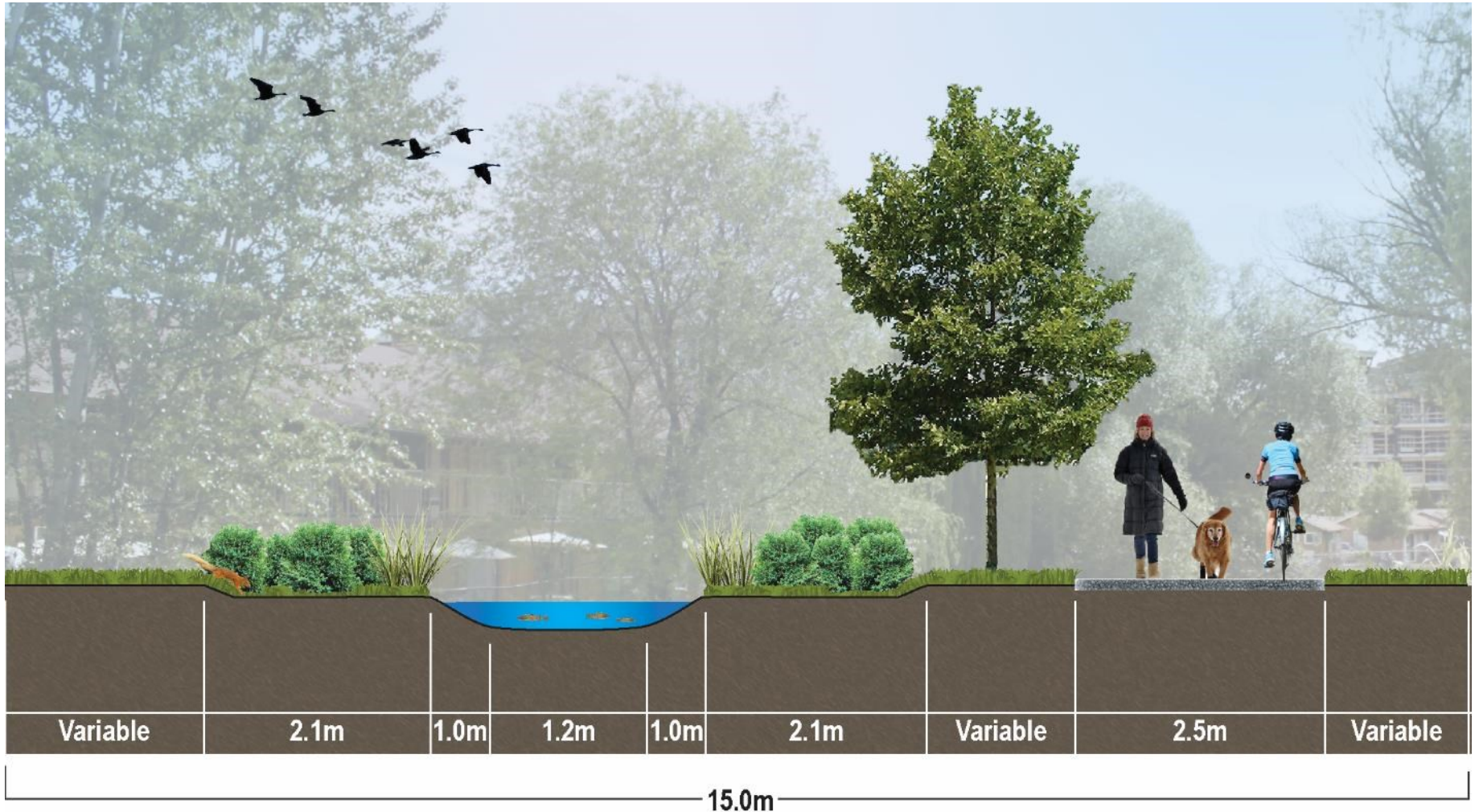
Embrace Transportation Options



Create Great Public Spaces



Take Action in the Face of Climate Change



Healthy Neighbourhoods for All



Cost Estimates for Key Infrastructure

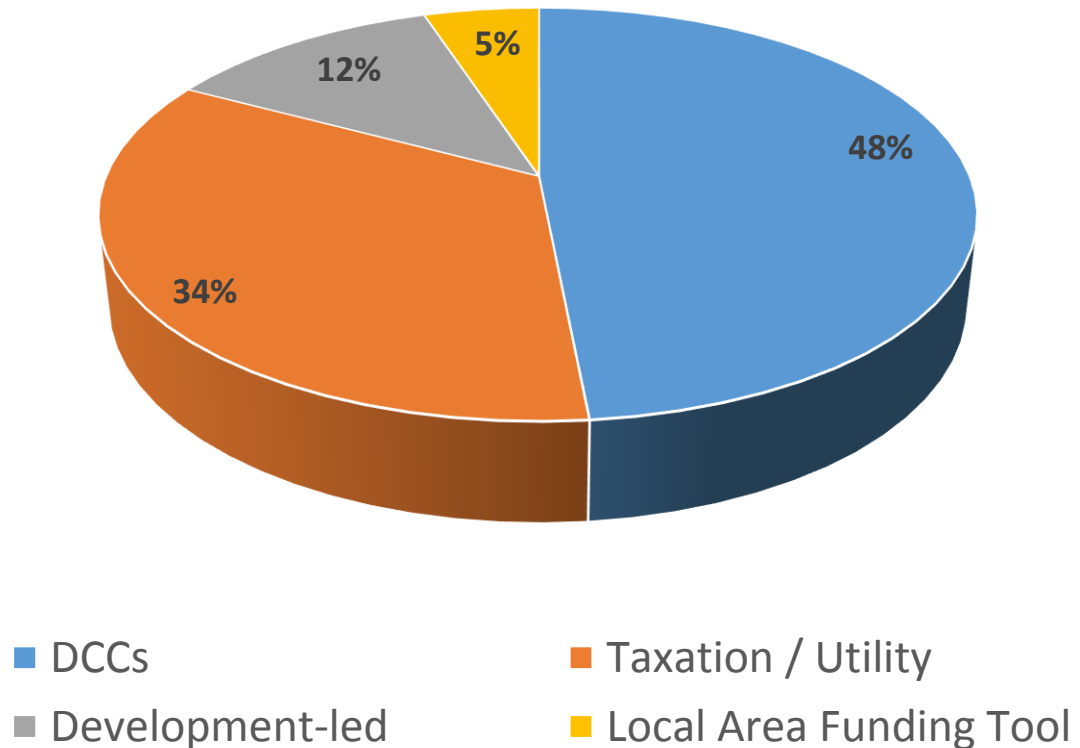
Project Type	Land Costs	Project Costs	Total
Total	\$37,500,000	\$54,000,000	\$91,500,000

- ▶ Infrastructure is vital to long-term success of area
- ▶ Using BC Gov. CLIC tool, at least 3 times more expensive to service similar level of growth via greenfield development
- ▶ Investments supports a range of City policy objectives

Approach to Deliver Infrastructure

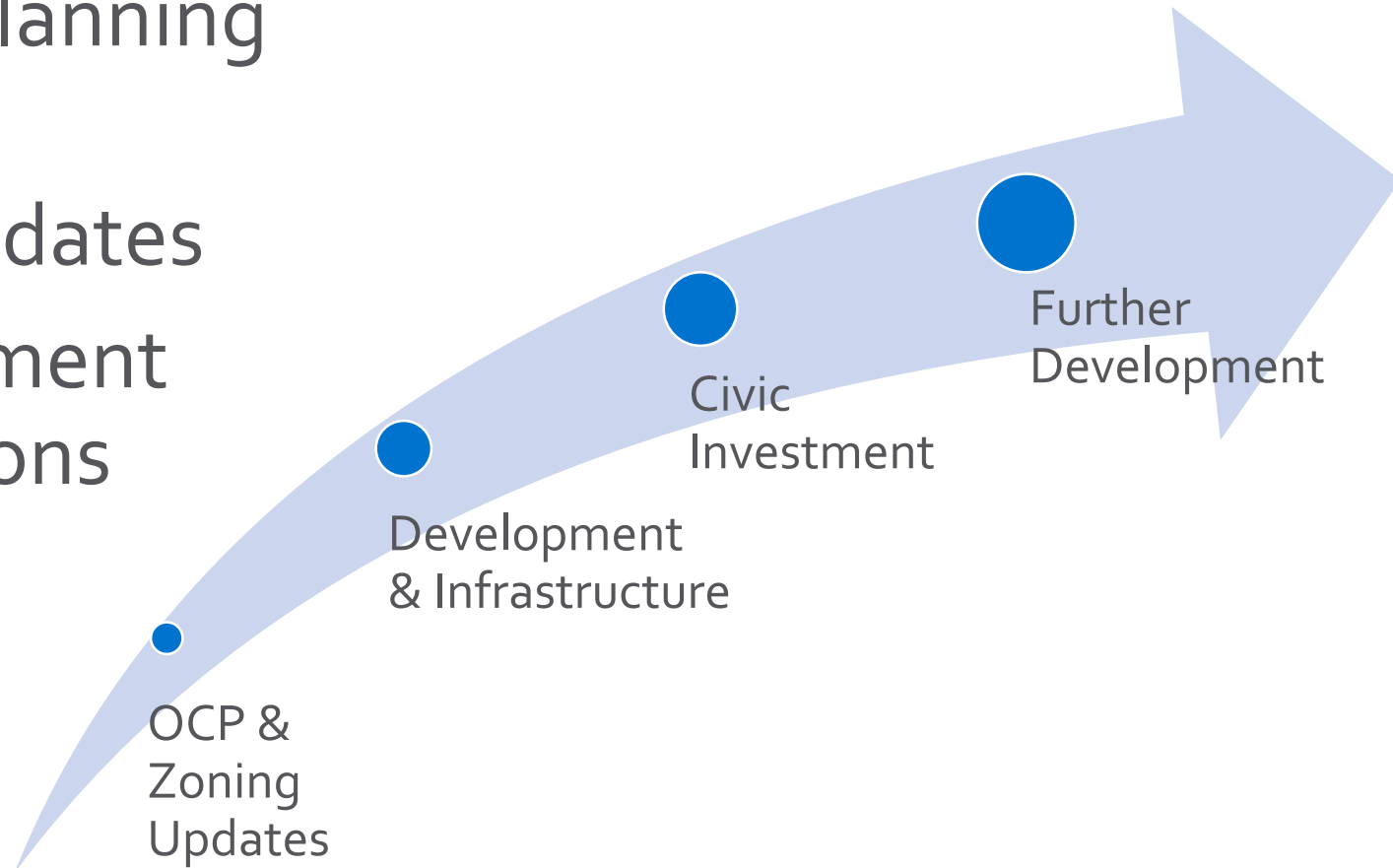
- ▶ Two thirds of infrastructure borne by redevelopment
- ▶ Key projects to be considered in 2020 servicing plan update
- ▶ Partnerships with landowners

Proposed Funding Sources for Capri-Landmark



Next Steps (subject to approval)

- ▶ OCP updates
- ▶ Capital Planning updates
- ▶ Bylaw updates
- ▶ Development applications



Conclusion

- ▶ Major step toward vibrant urban centres
- ▶ Adding 8,000 new residents requires investment
- ▶ Cost-effective approach to growth
- ▶ Hub for economic development
- ▶ Create an urban centre that advances many of the City's goals



CAPRI-LANDMARK URBAN CENTRE PLAN

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Vision

“

Capri-Landmark will be a vibrant neighbourhood that residents are excited to live and work in. The neighbourhood will be known for its various amenities including great parks and public spaces as well as local shops and services. Its central location will add to its desirability, allowing for easy access to other popular neighbourhoods like Downtown Kelowna and amenities like the Parkinson Recreation Centre.

The neighbourhood will be defined by two high-density hubs: the redeveloped Capri-Centre Mall site and the Landmark District. The Five Bridges residential area will connect these two hubs, providing a wide range of housing types and tenures. These two hubs will also be linked by water via the new Ritchie Brook and Mill Creek linear paths that will serve as natural amenities, connecting key destinations.

An enhanced Sutherland Avenue will be realigned to run through the heart of the Landmark District, and will be designed to provide new protected cycling lanes, transit access, and wide sidewalks for people living and working in the area. Dickson Avenue will become the “High Street” for the neighbourhood, complete with restaurants and lively sidewalk patios.



The Capri-Landmark area has a long history of transformation. Originally, the area was home to an extensive network of streams and wetlands, which were eventually converted into prime agricultural lands. As the city grew, commercial and industrial development replaced farming. Residential and office development followed. Today, Capri-Landmark finds itself in a strategic location at the centre of the city. The area is home to over 2,600 residents and hundreds of businesses that together employ over 5,200, and the next phase of its transformation is underway.

The Capri-Centre Mall is undergoing a wholesale redevelopment into a high-density, mixed-use community, and pressure for more residential and commercial development is occurring throughout the urban centre. The trouble is, the area was never designed to handle this growth. Rather than supporting a more vibrant place, this new development exacerbates already stretched infrastructure. Continuing down this path will not deliver an area with the high quality of life that citizens have come to expect from Kelowna.

Reacting to these difficulties, council placed a strict limit on new development in the Landmark District and asked staff to prepare a new plan for the urban centre. This would be the first plan based on the newly minted principles and targets of the Urban Centres Roadmap (UCR), which provides direction for development in Kelowna’s urban centres.

When the planning process began in 2017, residents, businesses, and workers in the Capri-Landmark area told us about what they love about the area, and what they think needs to be improved. One thing was clear: the opportunity for transformation in Capri-Landmark got people excited. By the end of the process, hundreds of residents provided their thoughts and ideas on ways to make the neighbourhood better as it grows. The following actions emerged from these discussions:

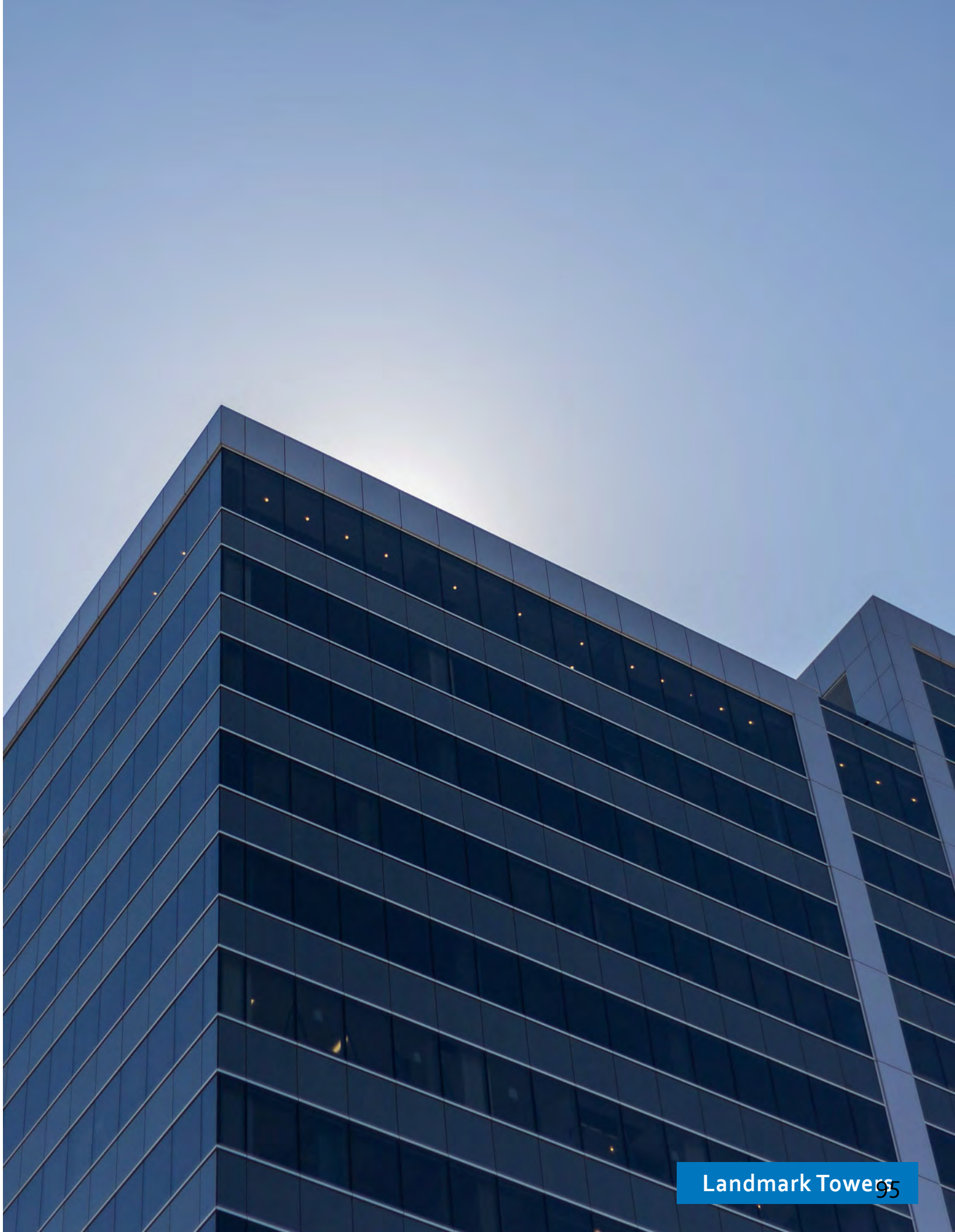
- 1. Encourage mixed-use residential development that balances jobs and residents in the area
- 2. Add high-density residential in key locations to support the vitality of the area

- 3. Ensure amenity with density and invest in green space as density increases
- 4. Improve walkability, invest in sidewalks, and break up larger blocks
- 5. Strengthen cycling connections to key destinations
- 6. Improve transportation connectivity and traffic flow
- 7. Maintain rental housing as the area densifies and revitalizes
- 8. Work to develop Mill Creek and Ritchie Brook as natural assets to reduce flooding risks
- 9. Strengthen the connection and access to Parkinson Recreation Park, a citywide recreation asset

Working with this foundation and the principles of the UCR, the Capri-Landmark Urban Centre Plan delivers a bold vision that will transform the area over the next twenty years and beyond. The Illustrative Concept on pages 8-9 identifies the most significant changes that the plan proposes for the area.

Providing a clear plan is the first step. Delivering on the plan’s commitments over the coming decades will take long-term buy-in from a range of stakeholders. The City and other levels of government, land developers, non-profits, businesses, and residents all have important roles to play to ensure that the vision translates into reality.

“The Capri-Landmark Urban Centre Plan delivers a bold vision that will transform the area over the next twenty years and beyond



Capri-Landmark Illustrative Vision



INTRODUCTION

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The Capri-Landmark urban centre is in a strategic location at the centre of the City, minutes away from downtown, Okanagan Lake, Parkinson Recreation Centre, and Orchard Park Mall. Today, the Capri-Landmark urban centre is home to over 2,600 residents, nearly 5,200 jobs and hundreds of businesses. It is a place of diversity, where residents of all different ages and incomes live in many types of housing, from rental apartments to single family homes. It is also a place of contrast, with gleaming office towers standing next to aging single-storey buildings. Mill Creek meanders through the urban centre, weaving it together and connecting it to neighbouring areas.

Change is happening in Capri-Landmark, and it brings many benefits and challenges. New residential buildings are under construction across the area, and these new residents will bring even more life to the area, supporting local businesses. But, without a plan in place, the challenges that come with rapid change can be overwhelming. New residents and businesses mean more traffic on the same roads. These residents also put pressure on a parks and public space system that is already limited. Due to the development pressure and transportation challenges in the Landmark District, council put a limit on future development until a plan is in place.

The Capri-Landmark Urban Centre Plan provides a clear strategy that builds on the many strengths of the area. It

addresses the challenges presented by growth head-on and lays out a forward-looking plan that will make this urban centre an engaging, vibrant, and healthy place for generations to come. The plan identifies the requirements for land use, transportation, parks, and public spaces that will facilitate Capri-Landmark's transformation into a vibrant live-work centre.

At the core of this plan are several defining directions:

- Encouraging major mixed-use residential projects to enhance vibrancy
- Enhancing existing and creating new transportation options for all road users
- Ensuring all residents are close to top quality parks, public spaces, and amenities
- Maintaining a range of housing options for all income levels

The Capri-Landmark Urban Centre Plan sets in motion a long-term strategy to deliver on these directions and more. Transforming this area will, however, take significant public and private investment, clarity of purpose, and a flexible approach. This plan goes one step further than many others, providing a clear financing strategy that will help make the vision for Capri-Landmark a reality.

The Importance of Urban Centre Revitalization in Kelowna

Dynamic, mixed-use urban centres drive growth and create enjoyable spaces where people can thrive. Developing engaging urban areas also allows cities to foster economic development while simultaneously providing social and environmental benefits. High-density areas that are home to a variety of housing and amenity options have lower infrastructure costs than suburban areas and are more cost effective to service. Additionally, compact urban spaces allow for viable sustainable transportation options, including public transit, biking, and walking, which can reduce traffic congestion and carbon emissions. Overall, effectively designed urban centres provide a high quality of life and allow businesses to prosper.

Kelowna's 2030 Official Community Plan (OCP) established five urban centres: City Centre, Capri-Landmark, South Padosy, Rutland, and Midtown. Currently, the OCP outlines a high-level vision for Kelowna's urban centres as vibrant, pedestrian friendly areas with access to amenities and a mix of land uses within close proximity. The successful revitalization of these urban centres is critical to advancing a range of City policies and provides Kelowna with its greatest opportunity to create urban centres that contribute to the City's economic development and long-term sustainability.

The Urban Centres Roadmap (UCR) process was undertaken in 2015-16 to build upon OCP direction. Through the UCR process, staff collaborated with key stakeholders and community partners to determine the key ingredients of successful urban centres. Upon completion, the UCR established guiding principles for planning Kelowna's urban

centres, as well as targets that translate the principles into on-the-ground objectives. The UCR's objectives align closely with the recently endorsed Imagine Kelowna Vision 2040, which is based on feedback from thousands of Kelowna residents. Imagine Kelowna calls for growing vibrant urban centres, limiting sprawl, building healthy neighbourhoods, creating great public spaces, and embracing transportation options, among other goals.

Each of the City's urban centre plans, including the Capri-Landmark Plan, will be guided by the following UCR principles:

- **Mix it Up** – Promote vitality through a mix of land uses
- **Places for People** – Encourage building and street proportions that are inviting for people
- **Healthy Housing Mix** – Ensure a diversity of housing types
- **Social Spaces** – Establish public spaces that promote social interaction
- **Placemaking** – Promote local character and sense of place
- **Going Green** – Design for environmental resilience
- **People First Transportation** – Prioritize alternative transportation options and connections
- **Make it Walkable** – Create streets and blocks that are walkable and comfortable for all

Urban Centres by the Numbers

Based on analysis using the BC Government's Community Lifecycle Infrastructure Costing tool, the capital costs of urban sprawl are three to four times greater than development in an urban centre. Up front capital costs of a suburban home range from \$30,000-35,000, where the capital costs of a home in an urban centre are \$7,000-15,000.



Plan Organization

The Capri-Landmark Plan is organized into seven chapters. A brief summary of each chapter is provided below.

CHAPTER 1 INTRODUCTION

Outlines the need for a plan to guide the transformation of Capri-Landmark and how this project is vital to the City’s broader goal of urban centre revitalization.

CHAPTER 2 PLAN PROCESS

Reviews the phases of the planning process and key public engagement milestones. Summarizes key themes from public engagement, and explains how the plan will advance a range of City plans and policies.

CHAPTER 3 BACKGROUND

Describes the current character of Capri-Landmark, including land use, demographics, transportation options, and parks and public spaces. This chapter also provides a summary of the strengths and challenges of the area, highlighting observations that informed the Plan.

CHAPTER 4 COMMUNITY STRUCTURE

Provides an overview of the long-term physical structure of the urban centre, indicating how land use and building heights might change through redevelopment over the next 20 years. The Future Transportation Network and Parks and Public Space maps describe structural changes that are envisioned to support the transformation of the area to a vibrant live-work hub.

CHAPTER 5 SUB-AREA POLICIES

Outlines the more specific policy goals and targets that will guide redevelopment opportunities within the five sub-areas of the plan. The recommendations for each sub-area build on the OCP and the UCR policies and targets, providing detailed direction related to land use, building height, urban design, and transportation.

CHAPTER 6 SUPPORTING BUSINESS

Identifies objectives that will help maintain a thriving business community, welcoming new businesses and helping existing ones grow.

CHAPTER 7 TAKING ACTION

Describes how Capri-Landmark might transform over the next 20 or more years, summarizing key actions for long-term implementation of the plan. Also, Chapter 7 highlights the key infrastructure projects required to support future growth in the area, as well as the estimated costs and proposed approach for financing and delivering key improvements.



PLAN PROCESS

02

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The Planning Process

The Capri-Landmark Plan is the first plan that was developed following the direction of the Urban Centres Roadmap (UCR). Chapter 2 of the plan describes the planning process, highlighting key milestones and outcomes of the public engagement process. This chapter reviews the existing City policy and plans that informed the development of the plan and explains how the plan will be used to guide redevelopment in the area moving forward.

Over the course of 18 months, the City led a robust public engagement process that invited local residents and landowners, community groups, and the general public to assist in determining the community's values and long-term priorities for Capri-Landmark. The engagement plan followed the International Association for Public Participation's best practices in an effort to provide meaningful opportunities for public involvement and to ensure transparency. The engagement and consultation opportunities were organized around four key phases.

Phase 1

The community was invited to assist in determining key strengths and issues facing Capri-Landmark. The UCR principles were also used as a tool to understand areas of focus for the Capri-Landmark Plan.

Phase 2

This phase included community workshops, a public open house, and online engagement to identify a preferred concept plan direction. These engagement activities assisted staff in determining a recommended concept plan option to deliver to council.

Phase 3

Phase three of the engagement process included workshops, online engagement, and a public open house to review the preferred concept plan. This phase allowed the public to provide feedback on the draft of the preferred concept.

Phase 4

A final review of the parks plans and transportation network options was undertaken by staff. An additional opportunity was provided for key landowners and the public at-large to learn about the plan's final direction and the actions that will shape the implementation of the plan. This phase took place primarily through the City's Get Involved online engagement platform, as well as through targeted landowner meetings.

Engagement by the Numbers

- 2,144 direct mail postcards delivered at start of process
- 200 people attended three drop-in sessions in April 2017
- 80 people participated at three engagement sessions in June 2017
- 225 people attended November 2017 Open House
- 2,500 visitors to the online project page
- 750 online subscribers for eight e-updates for the plan

Public Engagement Outcomes

The following themes emerged from the public engagement process and informed the plan:

- Encourage mixed-use residential development that balances jobs and residents in the area
- Add high-density in key locations to support the vitality of the area
- Ensure amenity with density and invest in green space as density increases
- Improve walkability, invest in sidewalks, and break up larger blocks
- Strengthen cycling connections to key destinations
- Improve transportation connectivity and traffic flow
- Maintain rental housing as the area densifies and revitalizes
- Work to develop Mill Creek and Ritchie Brook as natural assets to reduce flooding risks
- Strengthen the connection and access to Parkinson Recreation Park, a citywide recreation asset



Timeline of Milestones



March 27, 2017
Staff presented to council the goal of the Plan, as well as the general engagement strategy for the project.

November 2017
Staff hosted a session on November 15th with key commercial landowners in the Landmark area; approximately 15 people attended. On November 16th, staff hosted a public open house that was attended by 225 people. The open house was promoted by Castanet, Kelowna Capital News, and Kelowna Now.



January 2018
On January 15th, City of Kelowna staff presented the preferred concept to council for endorsement. Staff also created a video about the project that was published online on January 18th. In terms of online engagement, more than 2,440 visitors were aware of the project on this platform, and 1,300 were informed overall.



July 2018
Staff held a final round of landowner consultation to provide an update on the planning process and how the plan would be implemented.

February 2019
Staff presented a report to Council summarizing the transportation network options review and parks plan summary.

April 2017
2,144 direct mail postcards were delivered by Canada Post to all households and businesses in the Capri-Landmark urban centre. Staff hosted drop-in sessions at Landmark Six Tower, Capri-Centre Mall, and Parkinson Recreation Centre with roughly 200 people attending. Online engagement also occurred from April 4-17.

June 2017
Staff hosted two community workshops with 35 participants to review preliminary concept options at Landmark 6. Staff also hosted a community drop-in session at Parkinson Recreation Centre. Online engagement was available for 30 days, and more than 500 people viewed the project page.

August 28, 2017
Staff presented a report to council on preferred plan direction, sharing two preliminary concept options.

June 11, 2018
Council affirmed the key directions of the Plan and endorsed an implementation approach for how infrastructure improvements could be integrated into the City's capital planning process.

April 2019
Staff presented the final plan to Council for endorsement.

September 2018
Draft Plan presented for initial consideration.



Transportation Network Assessment

As part of phase 4 of the planning process staff undertook a review of the street network options for the urban centre. The review focused on the Landmark area where the current street network was designed to support low-density industrial and service commercial uses. To address current congestion challenges in Landmark and to support future densification, significant upgrades to the Landmark Street network are required. The review assessed the relative performance of four east-west street alignments in the Landmark area.

Background research, community engagement and the city's policy objectives established the following criteria to compare the four street network options.

“ The Sutherland multi-modal corridor knits together the Capri area with Landmark and potentially Midtown in the future

Criteria for Landmark Network Assessment Comparison

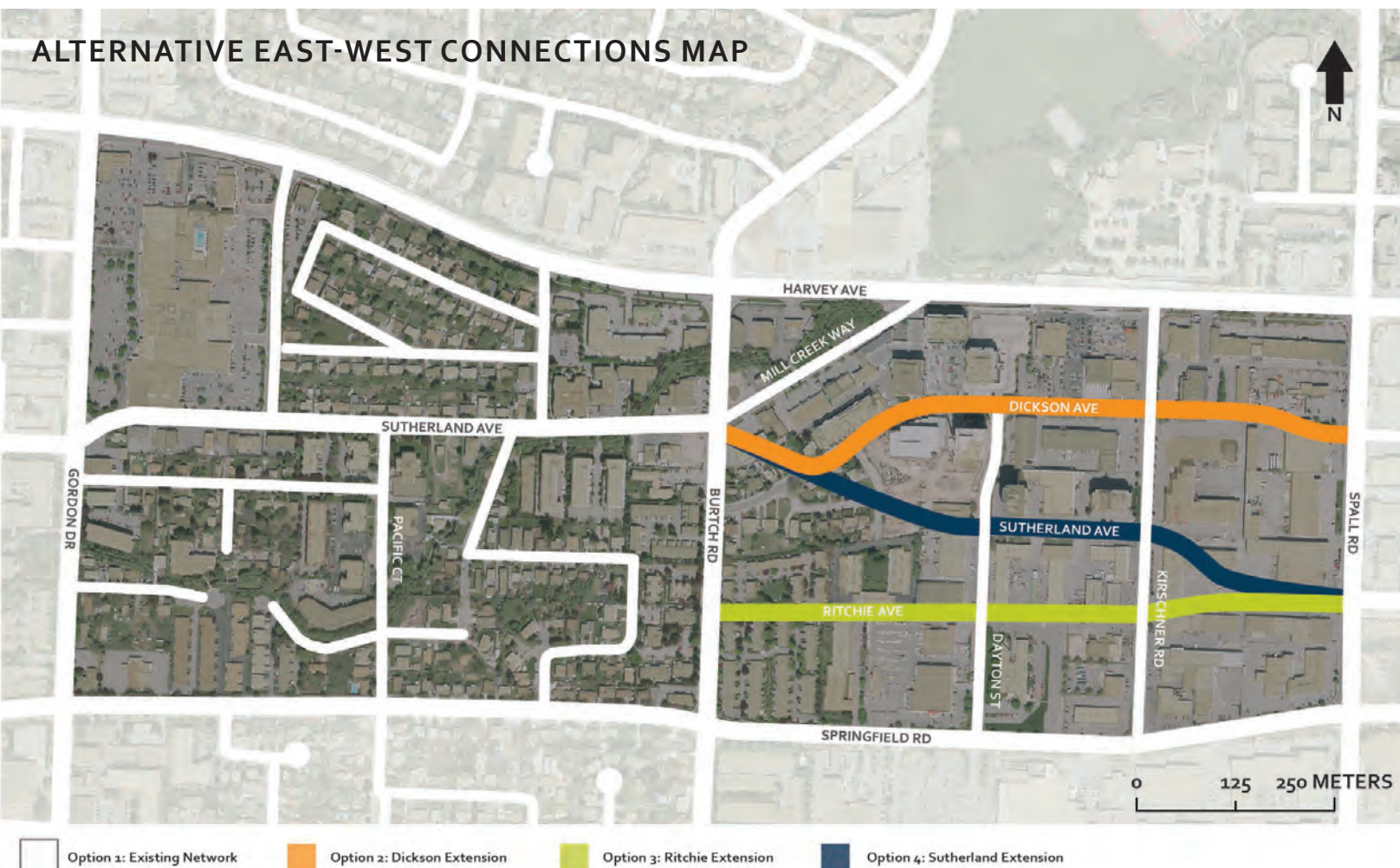
1. Ability to provide a continuous east-west connection through Landmark, adjacent to existing employment and future residential development, linking Capri and potentially Midtown in the future.
2. Improved access in and out of the Landmark District from the west.
3. Improved access in and out of the Landmark District to the east.
4. Improvements to access and convenience of transit, cycling and walking within Landmark.
5. Minimize land acquisition costs and impacts and enhance potential to secure land via redevelopment versus solely through acquisition.
6. Capital costs of options based on corridor length and major infrastructure elements.

Summary of Landmark Network Assessment

The Sutherland multi-modal corridor option best responds to the transportation criteria and delivers the following major benefits:

- Provides the greatest potential to improve access in and out of the Landmark area, easing the acute congestion challenges in Landmark.
- Allows for direct transit service to be re-routed into the Landmark District, providing door-to-door transit service for the thousands of office workers.
- Creates a safe and continuous Active Transportation Corridor (ATC) that will provide direct access to the employment hub in Landmark.
- Has the greatest potential for a long-term connection to the Midtown urban centre in the future via Kent Rd.

The Sutherland multi-modal corridor knits together the Capri area with Landmark and potentially Midtown in the future. This option best addresses the transportation challenges of Landmark today and into the future while minimizing capital costs and impacts on adjacent properties.





Harvey Avenue Pedestrian Overpass

Relationship to Other Plans & Policies

Imagine Kelowna, the City’s strategic vision to 2040, reflects City’s most extensive public engagement process. Through Imagine Kelowna, the community affirmed the importance of urban centres to support a thriving and resilient city. Kelowna’s 2030 Official Community Plan (OCP) establishes the goal of accommodating 44 per cent of future residential growth in the City’s five urban centres: City Centre, Capri-Landmark, South Pandosy, Rutland, and Midtown. The goal of focusing future residents and employment in urban centres is the lynchpin of the City’s growth management strategy.

Without the establishment of detailed plans for Kelowna’s urban centres, it will be challenging to accommodate this level of growth in a coordinated way that will result in complete communities. The Capri-Landmark Plan addresses this challenge through comprehensive planning and integration with a number of other City plans and policies. The adjacent table highlights the wide range of City plans and policies that could be advanced by the Capri-Landmark Plan.

City Plans & Policies that can be Advanced by the Capri-Landmark Plan

City Plan / Policy	Key Directions	Relationship to Capri-Landmark Plan
Imagine Kelowna	Imagine Kelowna goal, concentrate on growing vibrant urban centres to limit urban sprawl.	Create land use polices and supporting infrastructure plans that position the urban centre for growth.
Official Community Plan	Focus 44 per cent of future residential growth in the five urban centres.	Develop more detailed growth projections for the urban centre.
Pedestrian & Bicycle Master Plan	Create a comprehensive network of walking and cycling routes within the Urban Core.	Establish higher order walking and cycling routes to link Capri-Landmark with Downtown, Pandosy, and Midtown.
Urban Centres Roadmap	Establishes high level targets for 150-250 people and jobs combined per ha for urban centres as well as direction for transportation, public space, housing, etc.	Work with targets to guide future development and civic investment in parks and transportation in the urban centre, ensuring a holistic approach to planning.
Central Okanagan Transit Future Plan	Calls for improving direct connections between key local and regional destinations.	Provide direct transit service to the Landmark Towers, one of the largest employment hubs in the region.
Community Climate Action Plan	Sets the target of an 80 per cent reduction in GHGs by 2050. Currently transportation accounts for the largest share of community-wide GHG emissions.	Encourage a compact urban settlement pattern and provide sustainable transportation options in Capri-Landmark to support the area’s shift toward a low carbon future.
Healthy Housing Strategy	This strategy establishes citywide targets for rental and affordable housing to encourage a healthy and balanced housing market.	Ensure a share of new units are in the form of market and affordable rental housing in locations that are well served by transit and amenities.
Linear Park Master Plan	Identifies the goal of an interconnected network of linear parks that provide transportation and recreation opportunities along the Mill Creek corridor.	Make the most of the opportunity presented by Mill Creek and Ritchie Brook corridors to create connected pedestrian pathways that could improve access to linear parks, while enhancing stormwater management.

The Capri-Landmark Plan is a long-term plan that will guide future land use, transportation, and public space improvements over the next 20-30 years. The plan’s land use directions will be used to update the OCP policies and future land uses for the area to ensure the Capri-Landmark Plan is the main policy document for future development

in the area. Because the plan looks ahead 20-30 years, it will be reviewed every 5-10 years to ensure growth projections and infrastructure recommendations reflect emerging priorities in the area.

How this Plan will Guide Redevelopment Process

To achieve the future land use direction and growth envisioned for the urban centre, most redevelopment sites will require rezoning. While the OCP and UCR provide general policy direction on development in urban core and urban centres, the Capri-Landmark Urban Centre Plan is much more specific and detailed. The Plan describes City's land use, transportation, and public space objectives for the area in order to guide rezoning applications as they come forward in the area. The plan also identifies on-site, off-site, and frontage improvements (transportation, parks, and public spaces) that will be required through rezoning. Chapter 7 clarifies step-by-step how this plan should guide new development.

“ The plan describes City's land use, transportation and public space objectives for the area

Construction in Five Bridges

Landmark Towers 105

BACKGROUND

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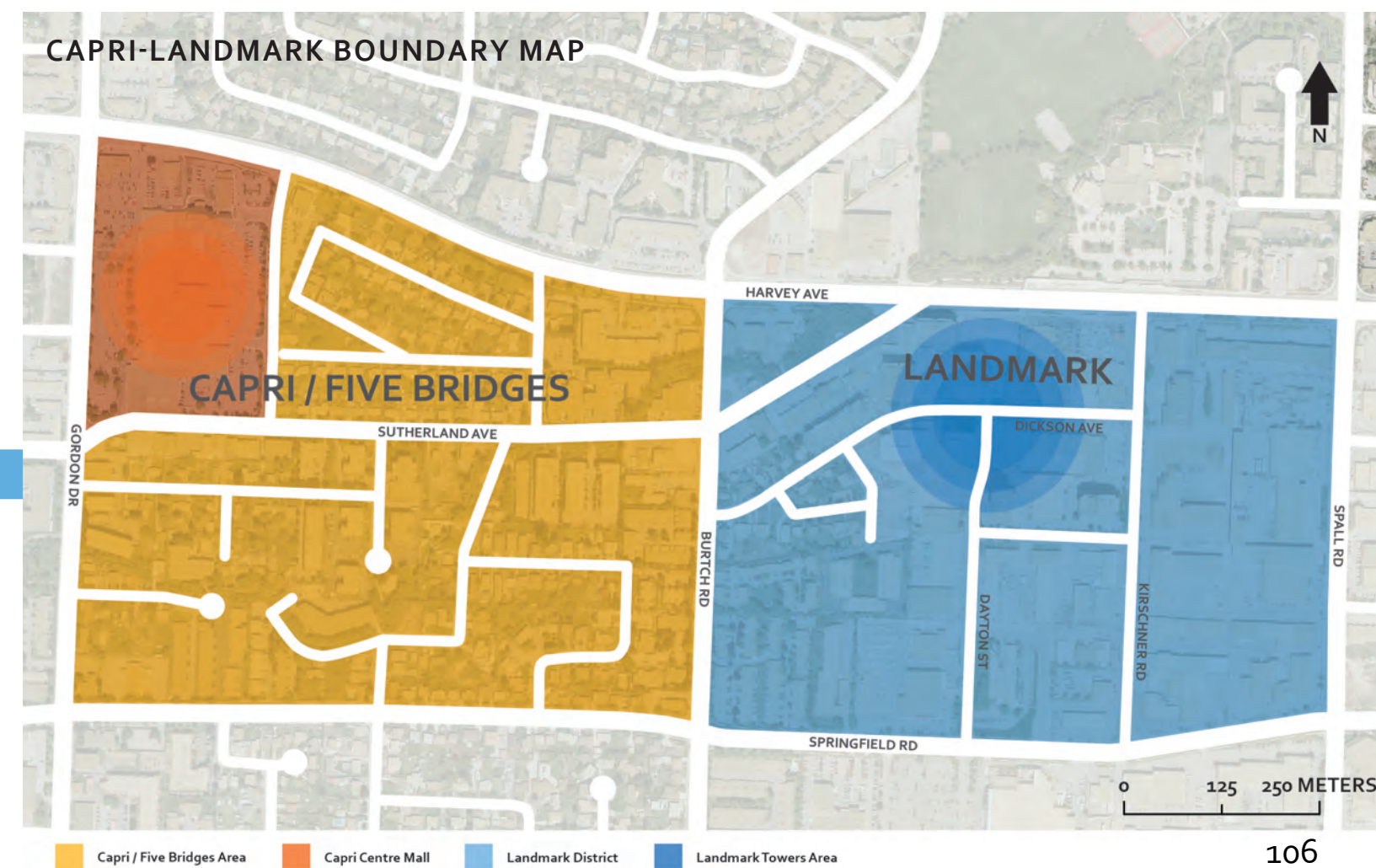
SUPPORTING BUSINESS

TAKING ACTION

Current Context

The Capri-Landmark urban centre is located centrally within Kelowna's Urban Core, abutting the south side of Highway 97 between Gordon Drive on the west, Spall Road on the east, and Springfield Road on the south. The entire urban centre is approximately 94 hectares in area and contains 2,645 residents and 5,200 jobs. The urban centre includes two distinct focal points: the Capri-Centre Mall in the west, and the Landmark District in the east. The lands in between the two focal points contain the overwhelming majority of the area's residential development, mainly in the form of apartment buildings and lower density dwellings, such as detached homes.

“ The entire urban centre is approximately 94 hectares in area and contains 2,645 residents and 5,200 jobs



History

Prior to agricultural development, the lands forming the Capri-Landmark urban centre were part of the Mission Creek floodplain and flooded on a regular basis in spring freshet. Early non-First Nations settlement led to the development of orchards and other forms of agriculture in the area, which continued to be the dominant land use for decades. The area was segmented by several streams which were all linked to Mill Creek, the Capri-Landmark's largest watercourse.

The first major development to take place in Capri-Landmark was the establishment of the Capri-Centre Mall in 1960. The name "Capri" was chosen by amalgamating the first letters of the last names of the two families on whose land the mall was built: the Capozzi family and the Pridham family. At that time, the Capri-Centre Mall was situated at the edge of town.

From 1960 to 1980, the area around the Capri-Centre Mall expanded through residential development and the establishment of the Parkinson Recreation Centre. During that time, the area was known as "Five Bridges" for the five bridges crossing various creeks and streams in the area.

In the 1970s, service commercial and industrial businesses were established in the Landmark District. In the mid 1990s, the first of six technology-oriented office buildings, known as the Landmark Towers, was constructed as the first step towards transforming the area into a major employment hub.

“ In the mid 1990s, the first of six technology-oriented office buildings, known as the Landmark Towers, was constructed as the first step towards transforming the area into a major employment hub



1. Newspaper article describing the history of Capri-Landmark and the Pridham family (Credit: Kelowna Museum Archives).
2. Contestants from Lady of the Lake in the 1960s held in Capri-Centre Mall (Credit: Kelowna Museum Archives).
3. Aerial photo of the Capri District in 1938, prior to major development (Credit: City of Kelowna).
4. Aerial photo of Capri-Landmark partially developed as of 1973 (Credit: City of Kelowna).
5. Aerial photo of Capri-Landmark fully developed as of 1996 (Credit: City of Kelowna).
6. Capri-Centre Mall and the surrounding area under development in the 1960s (Credit: Kelowna Museum Archives).
7. Postcard from the Capri Hotel in the 1960s (Credit: Kelowna Museum Archives).

Capri-Landmark Today



Looking East on Sutherland Avenue



- 1. **Landmark Technology Centre Office Towers 3-5:** Office and employment land uses are concentrated at the intersection of Dickson Avenue and Dayton Street.
- 2. **Parkinson Recreation Centre:** The City of Kelowna and School District 23 are investigating a coordinated redevelopment of the Parkinson Recreation Centre that could result in a new recreation centre and high school on the site.
- 3. **Mill Creek:** The creek is a significant natural asset for the area with great potential to become an amenity for residents. The City's long-term plan is to make the most of Capri-Landmark's proximity to Mill Creek by creating a linear park along the waterway.
- 4. **Walk-up apartment housing in the Five Bridges area:** Much of the established rental housing in the area provides housing for lower socio-economic status individuals, as well as retirees. As rental housing stock ages it will be important to ensure that affordable rental housing options are maintained in the area.
- 5. **Capri-Centre Mall:** The mall is an important hub for many residents in the Capri area, offering key day-to-day services and amenities. The area's planned redevelopment could be a trigger for gentrification as redevelopment brings in higher value housing and new retail services.

Community Character

Capri-Centre Mall / Five Bridges

The focal point of the urban centre's western portion is the Capri-Centre Mall, a traditional, single-storey enclosed shopping mall surrounded by large amounts of surface parking. The mall is anchored on the north side by the Coast Capri Hotel and on the south side by a large format grocery store. The Capri-Centre Mall provides key amenities to the area's residents including a fitness centre, a pharmacy, and banking services. In January 2016, the owners of the mall received council approval for a major re-development of the site that envisions residential towers, commercial developments, and community park space.

Between the Landmark District and the Capri-Centre Mall, the lands consist primarily of multi-unit residential developments. The lands fronting Sutherland Avenue and Pacific Court are dominated by three- and four-storey apartment buildings with a mix of surface and covered parking. Beyond the apartment blocks, the residential area is characterized by curvilinear streets and cul-de-sacs containing predominantly single-family detached dwellings. More recently, several new multi-family housing projects have been proposed along Pacific Avenue near Pasnak Street.

Landmark District

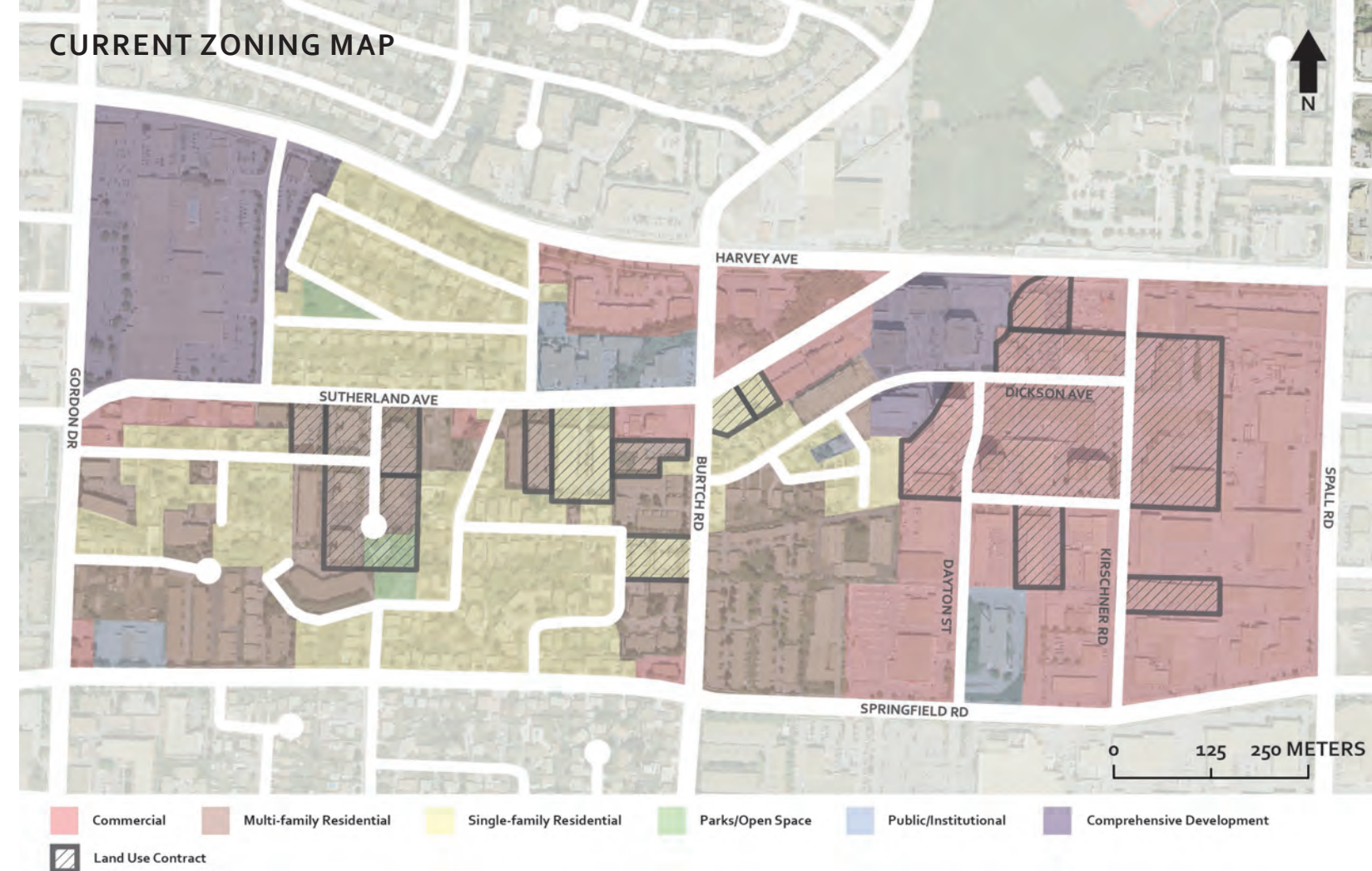
In the 1970s, the Landmark District started as an industrial and service commercial development, built under the provisions of a Land Use Contract. Starting in the early 1990s, a series of large new office buildings was constructed under the development rights of the original Land Use Contract. Today, there are six Landmark Towers in the eastern portion of the urban centre, with the most recently built being an 18 storey tower. As the Landmark District has grown to become

one of the city's largest employment hubs, demand has intensified for other forms of urban development in the area, including apartment housing. Currently, the area is a mixture of recent office-oriented development interfacing with older industrial, residential, and service commercial development.

Influential Surrounding Areas

There are a number of areas outside the boundaries of the Capri-Landmark that have major impacts on the urban centre. Areas of influence include service commercial amenities south of Springfield Road, as well as commercial developments on the west side of Gordon Drive. Additionally, Parkinson Recreation Park and Parkinson Activity Centre represent a key community hub just north of Capri-Landmark.

“As the Landmark District area has grown to become one of the city's largest employment hubs, demand has intensified for other forms of urban development in the area



Current Zoning

The above map denotes the zoning for the Capri-Landmark urban centre. In the Capri / Five Bridges area, land is zoned for a mix of multi- and single-family residential housing, as well as for commercial shopping at the Capri-Centre Mall. In the Landmark District, much of the land is zoned for service commercial and office uses. Recently, a number of rezoning applications have come forward for multi-family housing projects.

Key Considerations

- The Capri-Landmark urban centre contains numerous assets including affordable housing, local services, access to employment, and proximity to creeks.

- Major transitional projects such as the redevelopment of the Capri-Centre Mall and Parkinson Recreation Centre could be catalysts for increased and significant private investment in the area.
- As the desirability of living and working in Capri-Landmark grows, the area is experiencing increasing development pressure as evidenced by the number of development applications for multi-family residential projects.
- Many proposed projects, such as the Capri-Centre Mall redevelopment, do not cater to the needs of the existing Capri-Landmark community, and there is a risk that renters could be displaced.

Demographics, Jobs & Housing

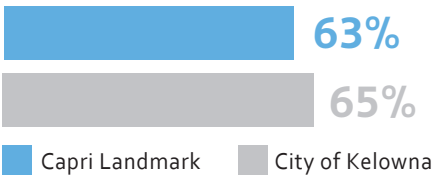
Demographics

The Capri-Landmark urban centre is home to approximately 2,645 residents, representing 1.9 per cent of Kelowna’s total population. The population density in the area is 28 people per hectare, which is considerably higher than the citywide average. Within Capri-Landmark, the bulk of the residential population is situated between the Capri-Centre Mall and the Landmark District.

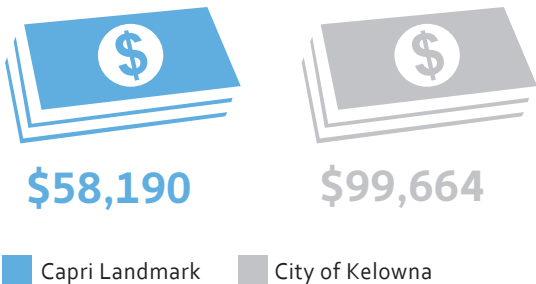
Jobs

Approximately 450 businesses supporting 5,200 jobs are located within the boundaries of the Capri-Landmark urban centre, making the area Kelowna’s second largest employment destination and a vital employment hub in the Central Okanagan region. In terms of employment location, roughly 3,700 jobs are based out of the Landmark District and approximately 1,500 jobs are based out of the Capri-Centre Mall. The Landmark District contains mainly office tenants, many with a technology-related focus.

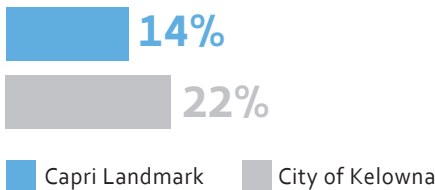
Labour Force Participation



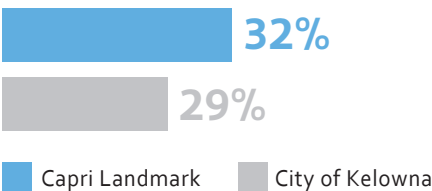
Average Household Income



Percent with University Degree



Proportion of Residents Over 65



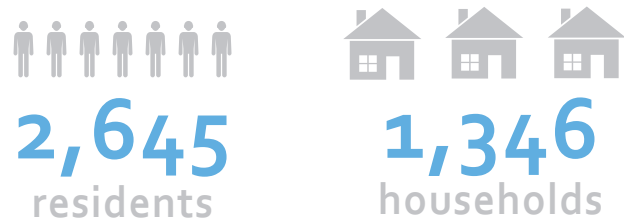
Housing

The housing stock in Capri-Landmark is considerably older than the housing stock in the rest of Kelowna. The majority of Capri-Landmark’s private dwellings (57 per cent) were built prior to 1980, compared to an average of 36 per cent citywide. Additionally, apartments make up a larger share of the housing stock and single-family dwellings make up a smaller share of the housing stock in Capri-Landmark compared to the rest of the city. Across Kelowna, almost 50 per cent of all dwellings are single-family detached homes, compared to only 8 per cent of dwellings in Capri-Landmark. Within the Five Bridges area there are several supportive housing facilities that serve homeless and at-risk residents. There are also 31 legal secondary suites located in the Capri-Landmark urban centre.

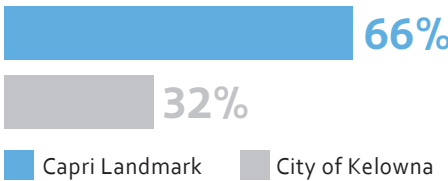
Key Considerations

- Residents in Capri-Landmark are more likely to be retired, live in single-person households, and have lower household incomes than other Kelowna residents.
- Much of the current housing stock in Capri-Landmark is in the form of older multi-family rental apartments that could be at risk for redevelopment.
- If affordable rental housing options are not maintained, a significant number of households could be displaced from the area.
- Currently, the Capri-Landmark urban centre is largely employment-oriented, especially within the Landmark District.

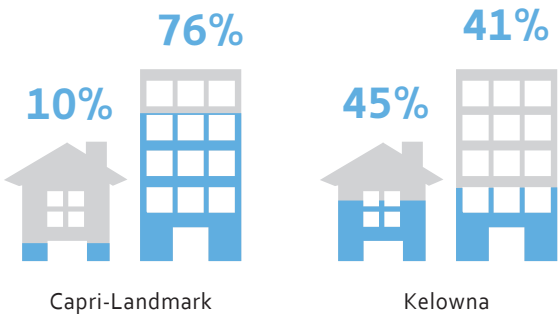
Capri-Landmark Snapshot



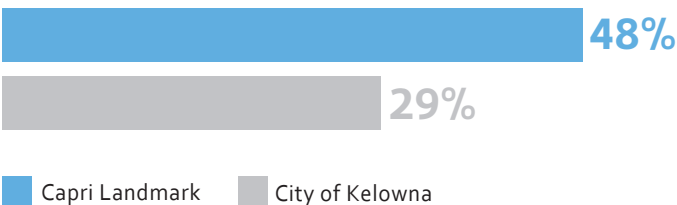
Proportion of Renters



Housing by Type



Proportion of One Person Households

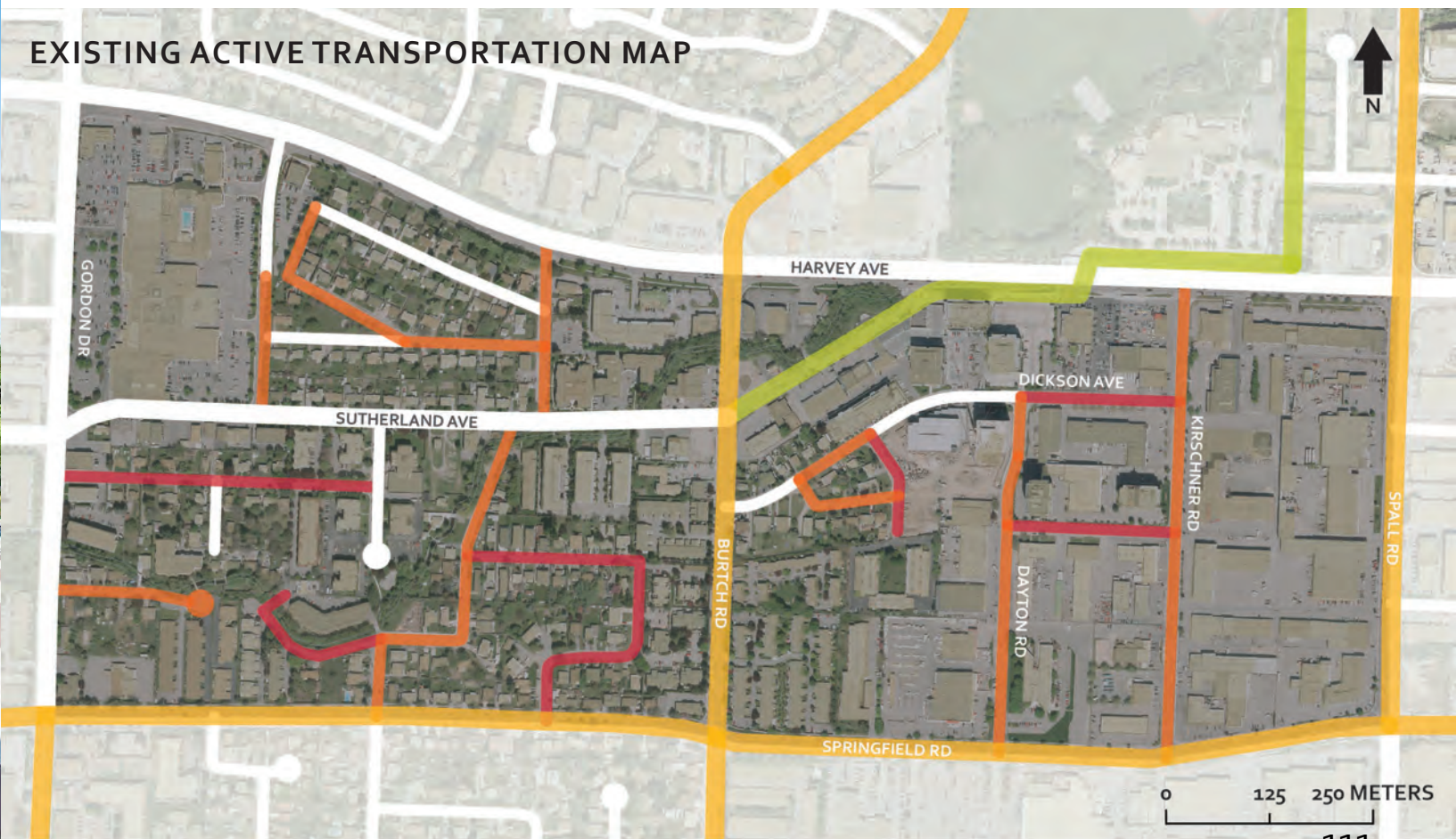
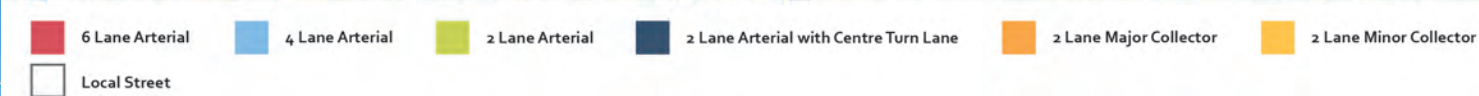
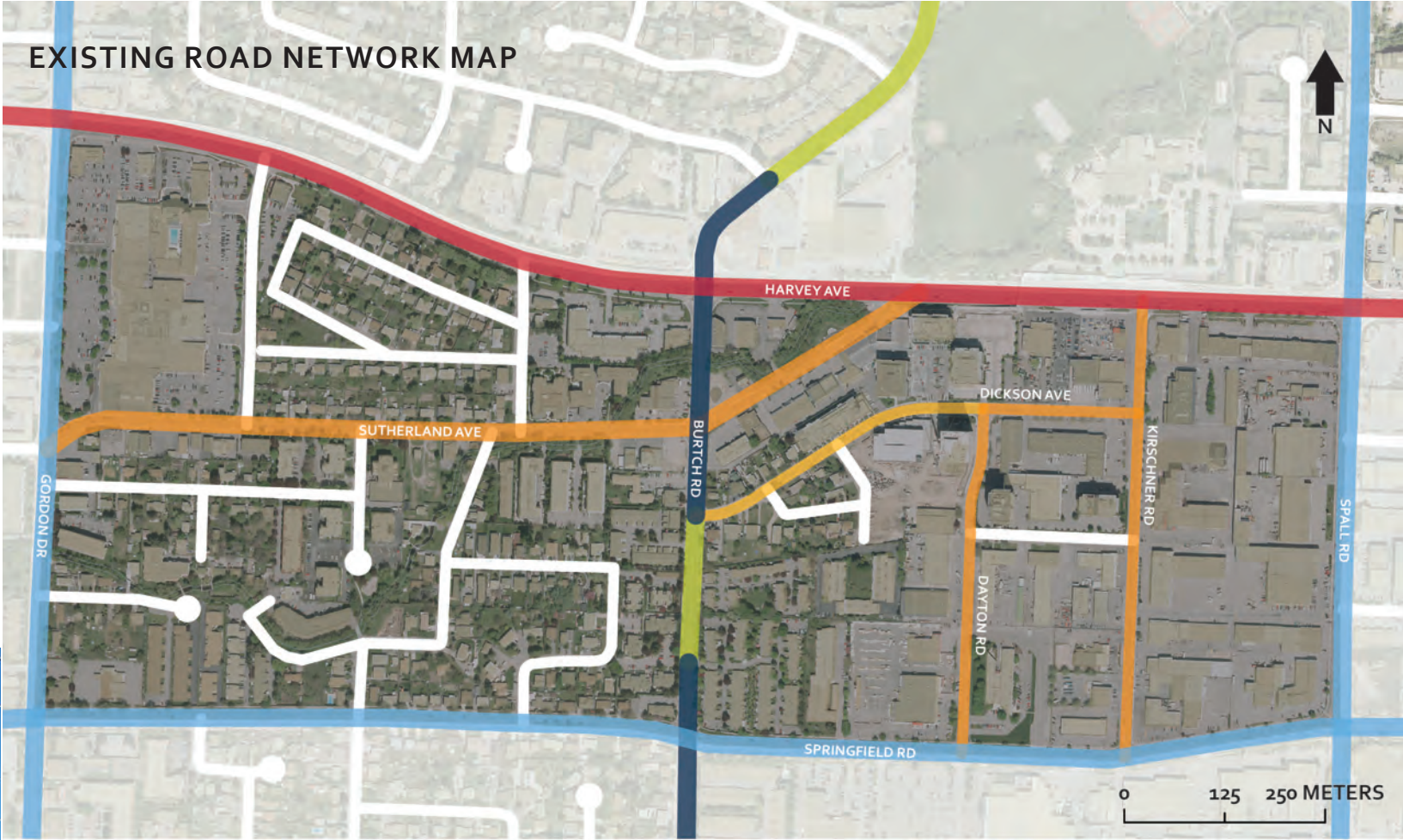


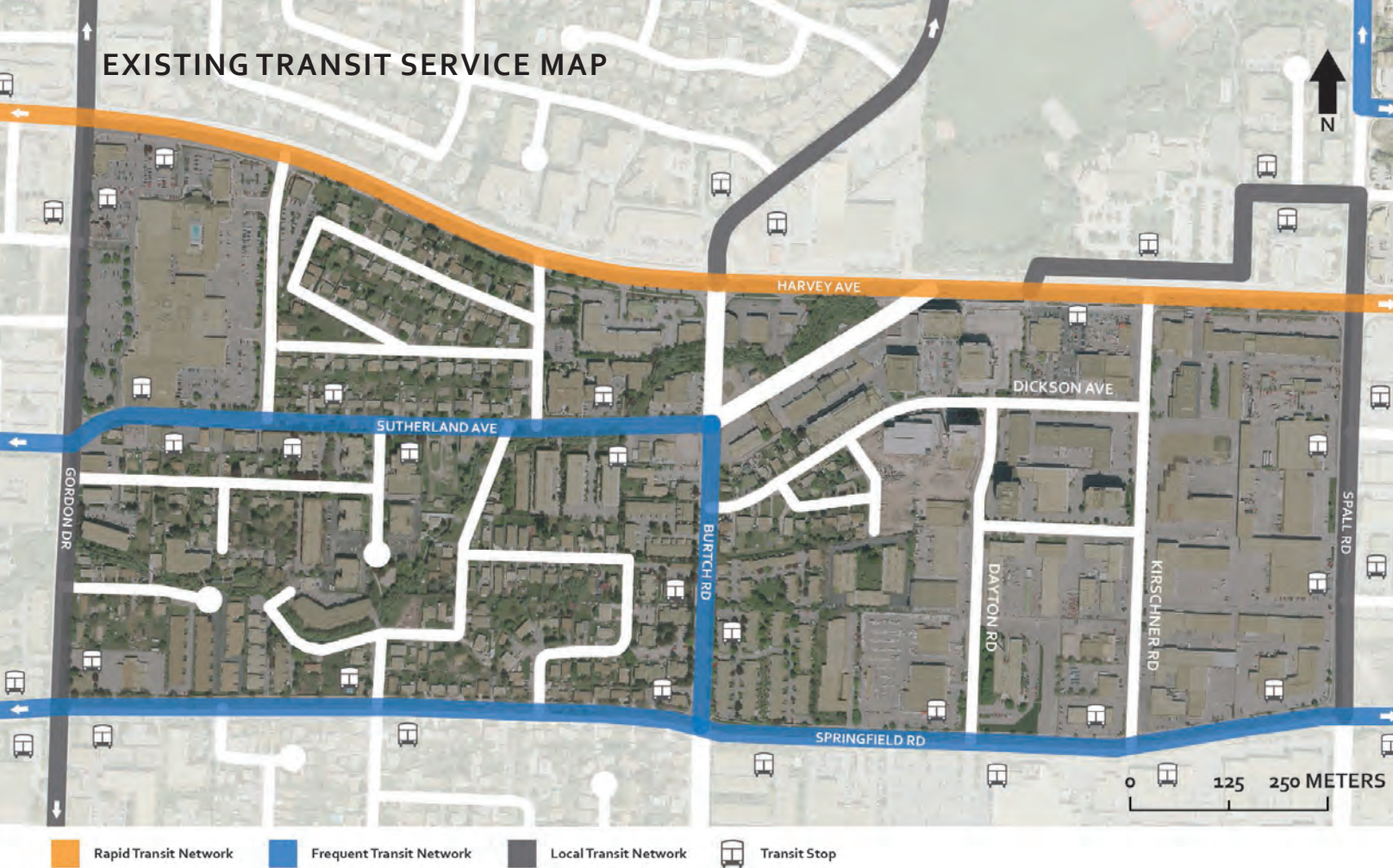
Data source: Environics Analytics based on data from Statistics Canada

Transportation

Vibrant urban centres need effective ways to move people and goods. Whether it is employees getting to and from work or area residents getting their groceries, easy and safe movement in an urban centre is key. An effective transportation system provides people with many different ways to get around safely and easily, from transit, to cycling, to walking and driving.

“ Easy and safe movement in an urban centre is key





Existing Road Network

The Capri-Landmark road network is underdeveloped and suffers from limited internal and external road connections. Within the Landmark area the transportation network was not designed to accommodate high-density office development, resulting in high levels of congestion during the morning and afternoon as commuters leave the area. The urban centre is bounded on all sides by major arterial roads, with no continuous internal east-west road. The internal street network within the Capri/Five Bridges area is poorly connected, and contains many cul-de-sacs and private strata driveways.

Existing Active Transportation

The active transportation network in Capri-Landmark is focused along Sutherland Avenue, which connects the urban centre to the Rails-with-Trails cycling corridor via a pedestrian bridge across Highway 97. Additional active transportation corridor (ATC) work is planned in the coming years, eventually resulting in the completion of corridors along Sutherland Avenue and Burtch Road. Currently, there are no bike lanes that provide a connection into the Landmark District.

Walkability is a major challenge for the urban centre. Sidewalks and landscaped boulevards are relatively uncommon across Capri-Landmark. In the Landmark District specifically, there are a number of key areas lacking sidewalks and safe crossings, despite this area being one of the city's most important employment hubs.

Existing Transit Service

Kelowna's Rapid Transit line, the 97 Okanagan, has two connections to Capri-Landmark: one at the north side of Capri-Centre Mall and the other at the north side of the Landmark District. The Frequent Transit Network (FTN) provides service to the boundary of the urban centre along Springfield Road (Route 8), and through Capri via Sutherland Avenue and Burtch Road (Route 11). Along Gordon Drive (Route 5), a Local Transit Network (LTN) level service operates today. Additionally, there is a existing limited-service LTN route (Route 9) running through Parkinson Recreation Centre and along Spall Road. The existing internal streets within the Landmark District do not feasibly allow for transit access.



Pedestrian Environment in the Landmark District

Key Considerations

- Currently, the area's internal road network has limited east-west connections and poor connectivity to the surrounding road network.
- Many of the Landmark District's streets are missing sidewalks and bicycle lanes, making it challenging for people walking and cycling in and around the urban centre and further contributing to the auto-oriented character of the area.
- The concentration of one land use, office commercial, creates sharp peaks of inbound/outbound traffic. While local streets in the Landmark District work well most of the day, they are overwhelmed by traffic travelling

- in the same direction, at the same time, each morning and afternoon. This high level of congestion motivated council to place a limit on rezonings in the area.
- Capri-Landmark transit riders, have close access to some of the City's best transit routes, but riders are challenged by poor or missing sidewalks and transit services are mostly at the perimeter of the urban centre.
- The Landmark District is home to thousands of jobs, creating a large market for sustainable transportation if greater walking, cycling, and transit options existed.

Parks & Public Space

Natural areas, parks, and other civic spaces enhance community health, promote social interaction, and are vital for quality of life within urban areas. Public and open spaces also help to shape the identity of the City’s urban centres.

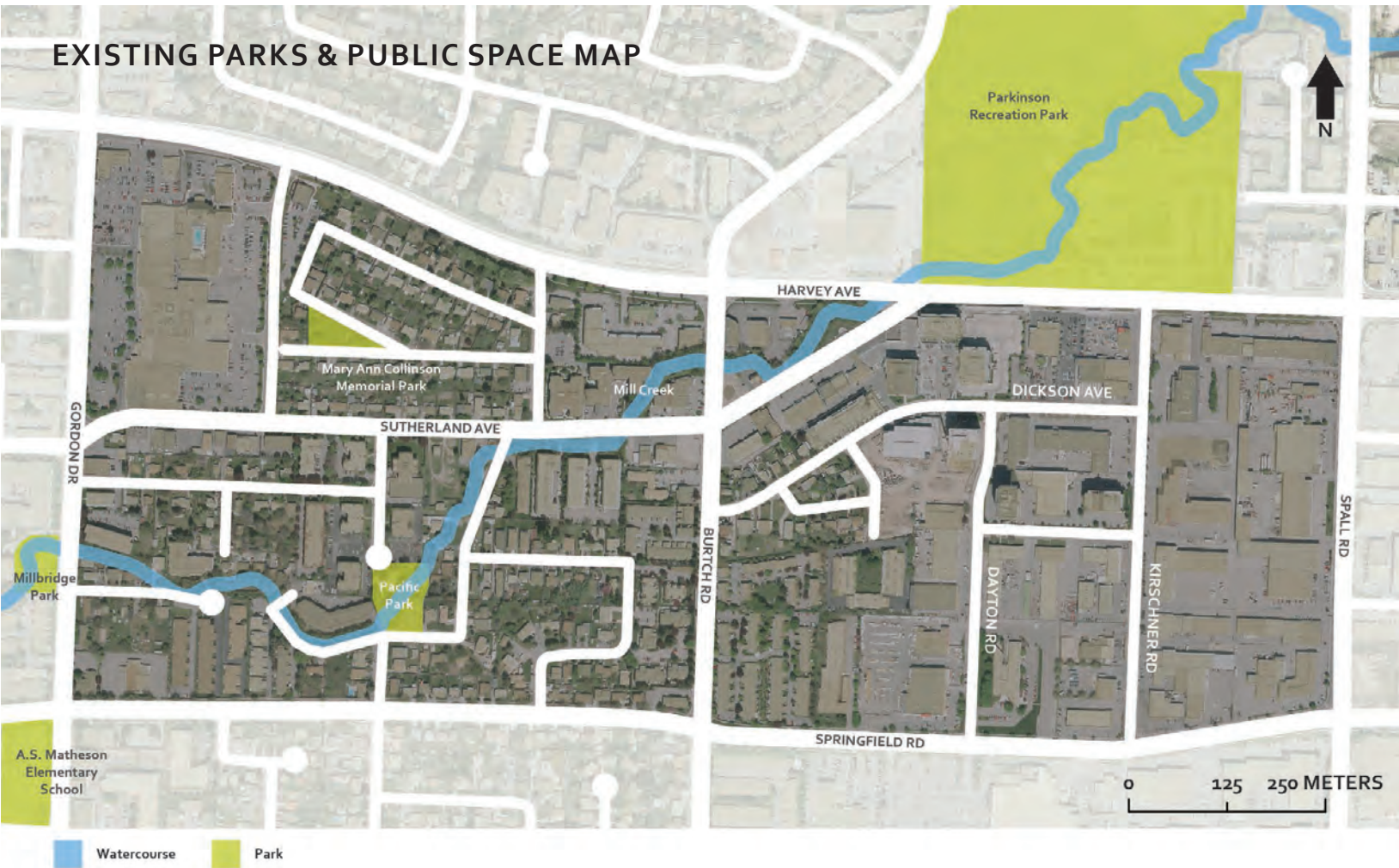
The creeks within Capri-Landmark represent the largest opportunity for the protection and restoration of natural elements. For example, Mill Creek, one of Okanagan Lake’s main tributaries, runs through the area. Additionally, other smaller watercourses connect to Mill Creek, including Ritchie Brook, a spring fed brook that was channelized, piped underground, and used for agricultural irrigation in the mid-twentieth century.

Two parks are located within the Capri-Landmark urban centre: Pacific Park, which is host to a successful community garden, and Mary Ann Collinson Memorial park. Both parks contain play structures and open green spaces. No community centres, plazas, or public squares are currently located within Capri-Landmark, but Parkinson Recreation Centre is located just north of the Landmark District across Harvey Avenue.

Key Considerations

- There is a substantial deficit in terms of the amount of park space in Capri-Landmark given the current population of the area.
- In the Landmark District, there is no public or green space despite the area being home to approximately 3,500 jobs and a growing number of residents.
- The lack of green space contributes to stormwater management challenges, highlighting the role that Mill Creek and Ritchie Brook could play as green infrastructure.

“The creeks within Capri-Landmark represent the largest opportunity for the protection and restoration of natural elements



Pacific Park, Located in Five Bridges

Summary of Strengths & Challenges

The background chapter provides important insight as to how Capri-Landmark functions on-the-ground today. Through discussions with people living and working in the area, a number of strengths and challenges were identified. These strengths and challenges are bolstered by background research and analysis.

Summary of Strengths and Challenges

Strengths

- Capri-Landmark is home to a variety of amenities, and is in close proximity to key community assets such as the Orchard Park Mall, Parkinson, and Downtown areas.
- Capri-Landmark, and the Landmark District in particular, is a regional employment hub.
- Numerous affordable housing options are found within the Capri-Landmark urban centre.
- Redevelopment in Capri-Landmark could be a catalyst for broader investment, accelerating the transformation of Capri-Landmark into a live-work urban centre over the next 20 years.
- Mill Creek and Ritchie Brook offer considerable potential to increase access to natural areas, connect linear parks, and improve stormwater management.

Challenges

- A large proportion of Capri-Landmark's residents are currently renters and single-person households, highlighting the need to maintain affordable rental housing stock as the area redevelops.

- Capri-Landmark's ratio of jobs to residents is heavily slanted toward employment, and the area's population density is below the city's target of 100-175 people per hectare.
- Current peak hour congestion exists due to lack of internal road network connection, specifically a continuous east-west connection, as well as limited access to major road network.
- Capri-Landmark lacks the continuous and connected sidewalks and bike lanes that are needed to support further densification.
- Although it is a major employment hub, transit stops are limited to the edge of the Landmark District area, reducing the incentive to access the area by public transit.
- There is a deficit of parks and public space in Capri-Landmark based on current population.

Based on background research, Capri-Landmark shows many of the traits of an early-stage urban centre as defined by the UCR "phases of change". The strengths and challenges outlined above, as well as the UCR phases of change, helped to inform the plan recommendations for land use, transportation, parks, and public space.



COMMUNITY STRUCTURE

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Vision

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Capri-Landmark will be a vibrant neighbourhood that residents are excited to live and work in. The neighbourhood will be known for its various amenities including great parks and public spaces as well as local shops and services. Its central location will add to its desirability, allowing for easy access to other popular neighbourhoods like Downtown Kelowna and amenities like the Parkinson Recreation Centre.

The neighbourhood will be defined by two high-density hubs: the redeveloped Capri-Centre Mall site and the Landmark District. The Five Bridges residential area will connect these two hubs, providing a wide range of housing types and tenures. These two hubs will also be linked by water via the new Ritchie Brook and Mill Creek linear paths that will serve as natural amenities, connecting key destinations.

An enhanced Sutherland Avenue will be realigned to run through the heart of the Landmark District, and will be designed to provide new protected cycling lanes, transit access, and wide sidewalks for people living and working in the area. Dickson Avenue will become the “High Street” for the neighbourhood, complete with restaurants and lively sidewalk patios.

Capri-Landmark’s community structure is the blend of the area’s land use changes, transportation network improvements, and enhancements to parks and public spaces. The Illustrative Concept shows how all of these elements combine to achieve the above vision over the coming decades.

The structure maps in this chapter are accompanied by policy objectives that describe the goals for Capri-Landmark. Together the structure maps and policy objectives set the overarching direction for the area. The objectives established in Chapter 4 are explained at the street and site scale in Chapter 5 in the form of area-specific policies.



Capri-Landmark Illustrative Vision

Land Use & Housing

The mix of land use and quality of new development projects will be of critical importance to support the transformation of Capri-Landmark into a vibrant live-work urban centre. Also, ensuring housing diversity as redevelopment occurs will be important to ensure the area continues to be home to a range of ages and incomes. By aligning both private sector investment and civic capital projects with the vision and objectives of the plan, the transformation of the area will continue over the coming decades. New mixed-use developments will provide additional amenities and services, allowing Capri-Landmark to thrive as a diverse live-work community supported by a variety of sustainable transportation options.

Policy Context

The 2030 Official Community Plan (OCP) introduced the goal of accommodating 44 per cent of future growth in the City’s five urban centres to support a more compact settlement pattern. The urban centres were also identified as areas with a mix of land uses, providing a range of housing types and vibrant commercial nodes. To support the higher density, the OCP determined that the urban centres would incorporate high-quality urban design with greater attention to the public realm. Several key policy themes established by the 2030 OCP guided the land use objectives of the plan:

- Develop context sensitive built form (Policy 5.1, 5.5)
- Achieve high quality urban design and public realm (Policy 5.8, 5.8.1)
- Encourage affordable housing options (Policy 5.9)
- Encourage vibrant commercial nodes (Policy 5.2, 5.25.2)

The Urban Centres Roadmap (UCR) provides further policy direction, outlining key land use goals for the City’s urban centres. The UCR highlights the need for a balanced land use mix and the importance of a critical mass of people for vitality and activity at different times of day. The UCR also provides additional direction around how building design should relate to the public realm to create inviting places and spaces. The following policy themes and UCR targets informed the land use objectives of the plan:

- Establish a critical mass of people for community vitality (Target 1,2 Mix it up)
- Create retail streets with enhanced public realm (Targets 1,4,5 Places for People)
- Encourage a healthy housing mix (Target 1, Healthy Housing)

Land Use & Housing Objectives

The above policy context from the OCP and UCR was instrumental in guiding the land use and housing objectives for Capri-Landmark.

Land Use

1. **Encourage a 2:1 ratio of residents to jobs:** By bringing in 8,000 new residents to the area, it will improve opportunities for people to walk and cycle to work, and the access shops and services. This will not only improve the sustainability of the area, but also add to the vitality and vibrancy of the area and support higher quality amenities and services.
2. **Support mixed-use development:** Introduce mixed-use residential with ground floor commercial / retail in the Landmark District. Single-purpose office buildings should be limited until the number of residents is equal to employment.
3. **Prevent under-development of sites:** Ensure that residential density targets are achieved to allow for the viability of transit, services, and amenities.
4. **Support high-density development within 400m of frequent transit service:** Encourage high-density redevelopment in areas that are well served by rapid or frequent transit. Consider incentives such as reduced parking requirements to encourage residential density in these areas.
5. **Promote Dickson Avenue as a main street in the Landmark District:** Encourage commercial and retail uses on the first two to four floors of mixed-use redevelopment on Dickson Avenue. Support ground-floor uses through increased setbacks, ensuring a high-quality pedestrian zone and generous café space on Dickson Avenue.
6. **Intensify existing residential neighbourhoods:** Encourage the consolidation and redevelopment of existing low-density development to increase residential density.
7. **Protect Service Commercial lands for today and tomorrow:** Maintain Service Commercial future land use and zoning along Spall Road, Springfield Road, and

Sutherland Avenue corridors, with the exception of the Spall/Sutherland Gateway. Promote intensification of existing Service Commercial lands.

8. **Maximize permeable surfaces for improved stormwater management:** Require new developments to increase the amount of permeable surface on their sites. Invest in green infrastructure projects such as the daylighting of Ritchie Brook.
9. **Facilitate tall buildings and increased density, but not to the same intensity as downtown:** Reinforce downtown as the City’s premier urban centre and central business district.

Housing

10. **Build a variety of multi-unit housing types and tenures:** Encourage new residential development and redevelopment to include a range of unit types and tenures, such as:
 - Apartments varying in number of bedrooms.
 - Ground-oriented townhouses integrated into larger buildings.
11. **Protect rental housing in Five Bridges:** Discourage the stratification of existing purpose-built rental buildings and require the replacement of rental units lost to redevelopment.
12. **Facilitate the creation of new affordable housing units:** Encourage social diversity by ensuring housing options for single-person households and residents with incomes below the citywide average. Through partnerships and policy incentives, encourage a proportion of new units as affordable housing.
13. **Provide incentives for affordability:** Pilot the use of density bonusing (additional FAR provided in exchange for affordable housing units) to encourage the creation of affordable housing.
14. **Require rental replacement:** Where redevelopment of existing rental housing is proposed, require its 1:1 replacement in new development.
15. **Consider rental only zoning:** Explore the use of rental only zoning if additional protection of rental housing is required.








Now Canada, an Example of Affordable Rental Housing

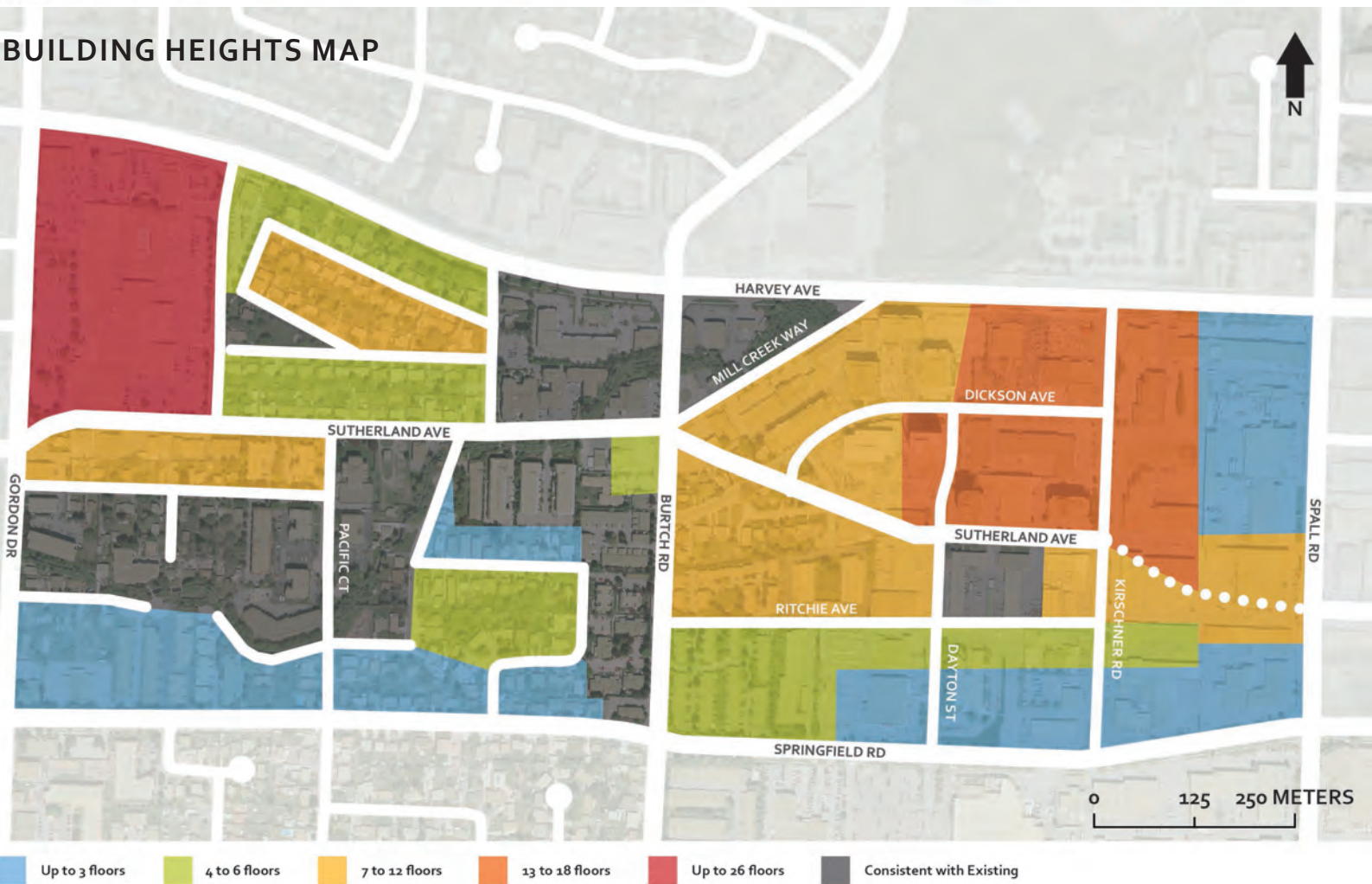
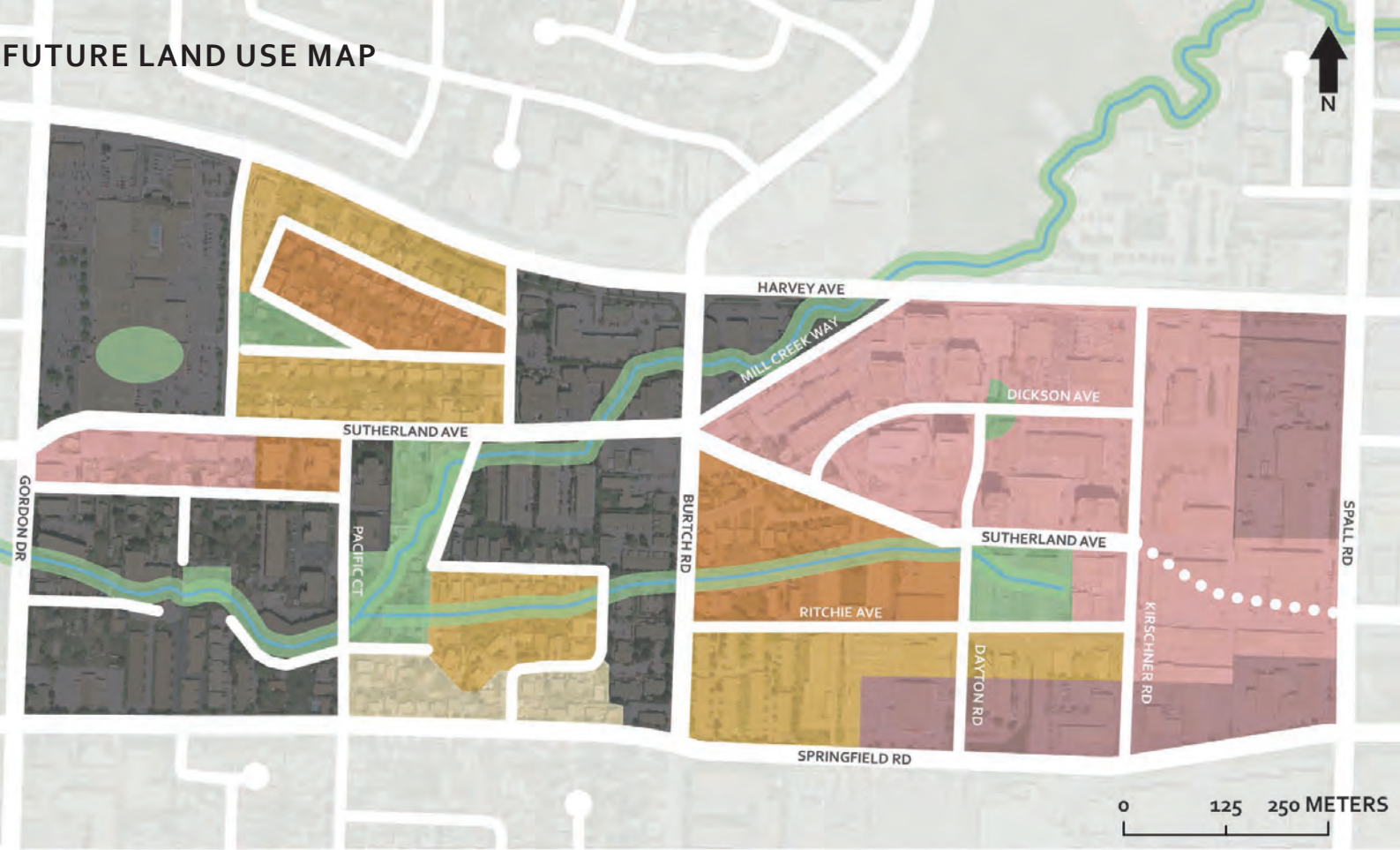
Expected Land Use & Building Types

To transform Capri-Landmark into a vibrant live-work urban centre, the number of people living in the urban centre will need to be increased substantially to rebalance the residential and employment densities. Successfully rebalancing the ratio of people living in Capri-Landmark with the number of people working in the area will require shifting much of the Landmark

District’s land from varied low-density commercial uses to mixed-use residential buildings and apartment housing. The plan envisions the following future land uses, densities, and building types to support the shift to a complete community over the next 20-30 years.

Future Land Use	Expected Building Types	Floor Area Ratio / Supported Density	Precedent Image
Multiple Unit Residential (low density), MRL	Townhouse, small apartment buildings	Base: 0.75	
Multiple Unit Residential (medium density), MRM	Low-rise or walk up apartment buildings	Base of 1.1, max 2.0	

Future Land Use	Expected Building Types	Floor Area Ratio / Supported Density	Precedent Image
Multiple Unit Residential (high density), MRH	Tower residential buildings with ground oriented housing or ancillary commercial uses	Base 1.5, max 4.5	
Mixed Use (Residential/ Commercial), MXR	Mixed-use low-rise and mixed-use towers in key locations	Base 1.5, max 4.5	
Service Commercial (commercial), SC	Service commercial buildings	Base .65	



Future Land Use

The Future Land Use Map (left) and Building Heights Map (bottom left) illustrate the application of the land use objectives. These maps, along with the sub-area policies in Chapter 5, will be adopted into the OCP as policy framework for the area. The OCP’s Urban Design Guidelines will be updated as necessary to reflect the design objectives of the plan and the Zoning Bylaw will also be updated as the regulatory bylaw for land use regulations.

Building Height

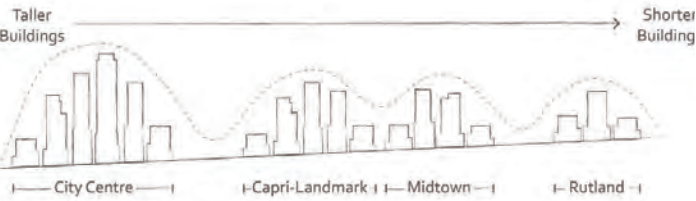
Additional building heights will be supported in key areas of the urban centre to achieve the proposed densities and build out for Capri-Landmark. The following principles form the foundation of the building heights map below, describing the rationale as to where taller (tower) buildings and transitional (mid-rise) buildings are appropriate to support the long-term vision for the urban centre.

Foundational Principles

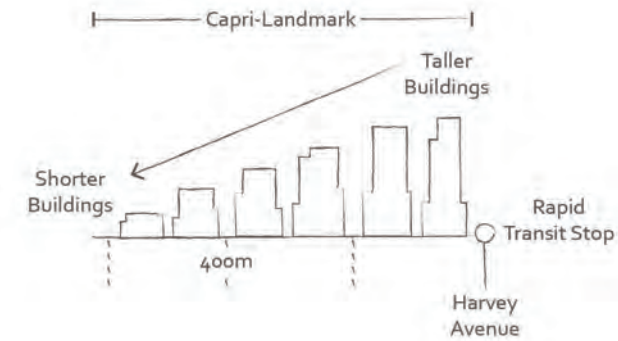
- **Respect the hierarchy of building height citywide:** Gradually reduce maximum building heights from 26 storeys in the Capri Centre to 18 storeys in the Landmark District.
- **Support rapid transit:** Focus the tallest buildings within a 400m proximity of rapid transit.
- **Respect surrounding context:** Create mid-rise transition areas between towers and adjacent low-rise residential and service commercial buildings.
- **Promote energy efficiency:** Protect the southern exposure for future buildings by increasing height gradually from south to north.
- **Maintain sunlight access for public spaces:** Ensure that new developments have minimal shading impacts on adjacent parks and public spaces, particularly during winter months.

The OCP building height policy complements the Capri-Landmark building heights map, providing design direction for tower buildings. The OCP building height principles will be used to review the design of individual development applications for buildings above 22m.

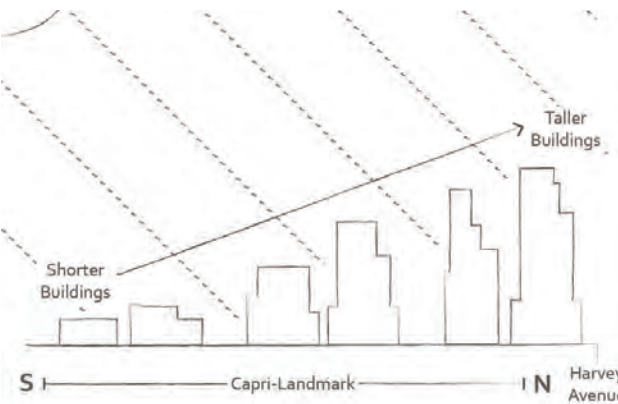
Respect the Hierarchy of Building Height Citywide



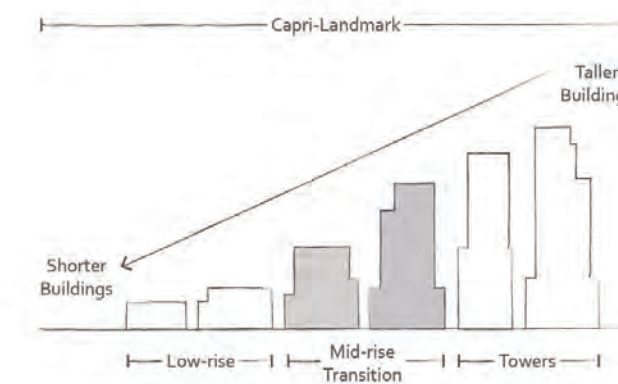
Support Rapid Transit



Promote Energy Efficiency



Respect Surrounding Context



Transportation & Mobility

Three transportation strategies are identified in this plan and the Transportation Servicing Review (TSR)¹ to address the current challenges and support future redevelopment of Capri-Landmark as a successful live-work community.

1. **Rebalance the land use mix with residential / non-office land uses:** Allow more residents to live and work within the urban centre, creating short trips that can be completed by walking/cycling and trip patterns from new developments that will differ (in direction and timing) from existing office uses for which road network capacity is limited.
2. **Strengthen the street network, for all modes:** Improve street network connectivity and redundancy; strengthen east-west road capacity and make it easier to access the surrounding major road network.
3. **Shift transportation behaviour by investing in pedestrian / cycling and transit infrastructure:** Make streets comfortable and attractive places for walking and cycling and make transit more competitive by making it a faster and more convenient travel option for workers in area.

The plan applies these three levers in a coordinated way to accommodate future growth and deliver the quality of life that Kelonwa’s residents have come to expect.

Policy Context

The 2030 Official Community Plan introduced the goal of aligning land use and transportation planning to achieve a more sustainable city. Further, the OCP policies established the importance of a balanced transportation network where

¹ The Transportation Servicing Review (TSR) assessed the future impacts of proposed land use changes within the Capri-Landmark urban centre on the transportation network and identifies the improvements and policies required to support redevelopment of the area. Chapter 8 of the TSR is provided as Appendix B of the plan, ensuring an exhaustive list of transportation improvements is included within the plan and shall be reviewed as individual development applications come forward.

active transportation and transit were viable options for residents. The policy directions below guided the Capri-Landmark Plan recommendations, affirming the importance of coordinating land use and transportation planning and the need to prioritize sustainable transportation using transportation demand management strategies.

- Support the shift to sustainable transportation (policies 5.10, 5.11, 7.6)
- Encourage more efficient use of transportation network (Policies 7.7, 7.10)
- Provide efficient and effective transit service (Policy 7.9)

The UCR advances the transportation goals for the city’s urban centres further, highlighting that the city’s urban centres are where the greatest opportunity exists to prioritize sustainable transportation. Urban centres are in central locations and host a mix of land uses, resulting in services and amenities that are accessible by walking and cycling. Additionally, successful urban centres are home to densities that can support frequent transit service. As a result, the UCR advocates for urban centres that prioritize sustainable transportation through comprehensive networks of frequent transit routes, active transportation corridors, and walkable streets that make it safe and convenient to travel without a vehicle. Also, the UCR identifies the importance of aligning high-density development in close proximity to transit and cycling routes. The following UCR directions guided the transportation objectives of the plan:

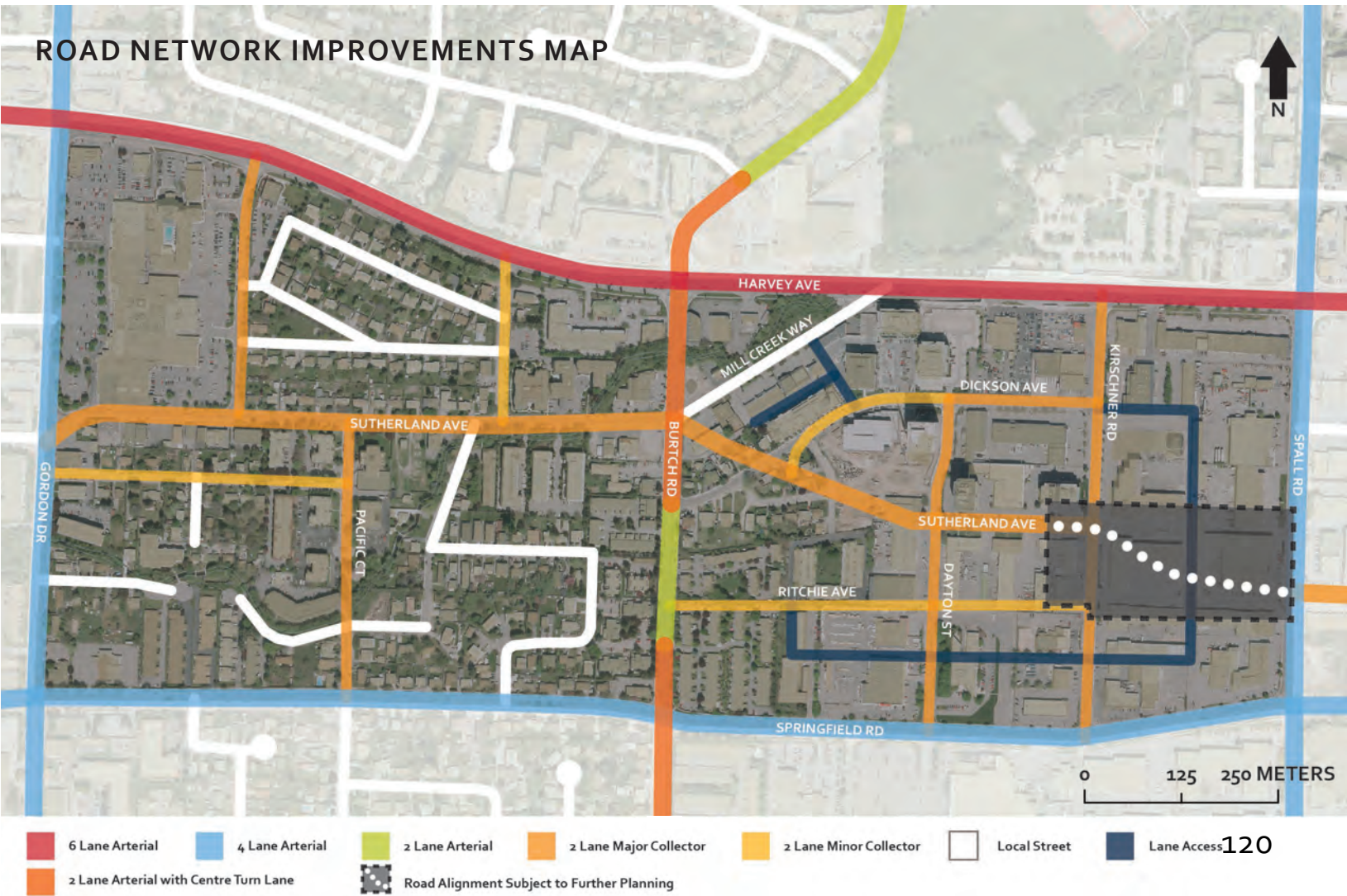
- Ensure people and jobs are in close proximity to higher order transit and cycling (People first, Targets 1 and 2)
- Create a fine-grain walkable street network (Make it walkable Targets 1, 2, and 5)
- Ensure street and roadway designs that accommodate all ages and abilities (Make it walkable Target 3)

Capri-Landmark General Transportation Objectives

The map below highlights the major road network improvements to strengthen the road network, increasing connectivity and redundancy within the urban centre. A comprehensive list of intersection improvements and vehicle infrastructure improvements is provided in Appendix B of the plan and shall be reviewed as individual development applications come forward.

1. **Strengthen Road Network:** Provide more opportunities to travel east-west within the urban centre for pedestrians, cyclists, transit users, and drivers.
2. **Prioritize walking, cycling, and transit:** Ensure investments into the transportation network put active modes of transportation first.
3. **Make it easier to exit and enter the area:** Improve access by providing new opportunities to enter and

- to exit the urban centre onto the surrounding road network.
4. **Accept congestion at peak hours:** Recognize that some congestion at peak hour is unavoidable and is part of a successful live-work environment.
 5. **Consider the needs of all ages and abilities:** Plan and design transportation infrastructure to ensure universal accessibility.
 6. **Maintain and strengthen secondary access:** Establish and enhance lane access as redevelopment occurs to ensure multiple vehicle access options.
 7. **Shift transportation behaviour:** Invest in pedestrian, cycling and transit infrastructure making active modes of transportation a safe and convenient option.





Multi-use Path on Cawston Avenue

Capri-Landmark Pedestrian Objectives

1. **Improve major street crossings:** provide pedestrian signals at key locations on busy high traffic arterial roads.
2. **Strengthen the connection with Parkinson Recreation Centre:** Improve the connection between the Landmark District and the Parkinson Recreation Centre to provide easy access to this amenity for residents and workers.
3. **Make walking safe and comfortable:** Establish a continuous pedestrian network in the area with sidewalks on both sides of all streets and street trees for shade. Require redevelopment to assist in addressing gaps in the pedestrian network.
4. **Make walking more convenient:** Provide mid-block pedestrian connections through redevelopment (as shown on Active Transportation Improvements Map, page 60) to encourage walkability. Establish walkable blocks with perimeters ranging between 600-800m. Walkways should be 4-6m in width depending on

building setbacks, minimizing grades and abrupt turns and considering crime prevention through environmental design principles.

5. **Integrate with linear paths:** Promote Ritchie Brook and Mill Creek as secondary pedestrian pathways connecting the Capri (Five Bridges) and Landmark District areas.

Capri-Landmark Cycling Objectives

1. **Make all streets cycle-friendly:** Ensure roadway improvements and frontage improvements provide cycling infrastructure as shown on the Active Transportation Improvements Map (page 60) to support the long-term transportation vision for the area.
2. **Make cycling safe and comfortable:** Establish a connected network of protected cycling routes (Primary Cycling Routes) to ensure direct connections between Capri-Landmark and important destinations in the urban core.

3. **Create a bike boulevard:** Provide a low-stress secondary cycling route (i.e. bike boulevard) that provides east-west connections through the urban centre. Improvements may include: traffic calming, traffic diversion, wayfinding signage, and other designs as an alternative to Sutherland Avenue protected bike lanes.
4. **Promote bike share and other micro-mobility services:** Encourage deployment of micro-mobility services within the urban centre.
5. **Make cycling more convenient:** Enhance the availability of safe and weather protected bicycle parking throughout the urban centre.

Capri-Landmark Transit Objectives

1. **Make transit more convenient:** Promote improved transit usage by ensuring fast, frequent, and reliable service within Capri-Landmark.
2. **Support transit with the right land use:** Focus residential and employment density at locations that are along frequent and rapid transit corridors.
3. **Make transit safe and comfortable:** Require redevelopment along transit corridors, as identified in the Transit Improvements Map, to support transit improvements such as bus shelters, bus bays, bicycle parking, and scheduling information.
4. **Consider transit in new development reviews:** Assess the potential for transit performance improvements such as transit priority measures and accessible bus stop features, shelters, and seating through the traffic impact assessment process for new developments.
5. **Require transit infrastructure:** Road designs and frontage improvements should support transit service as identified on the Transit Improvements Map.

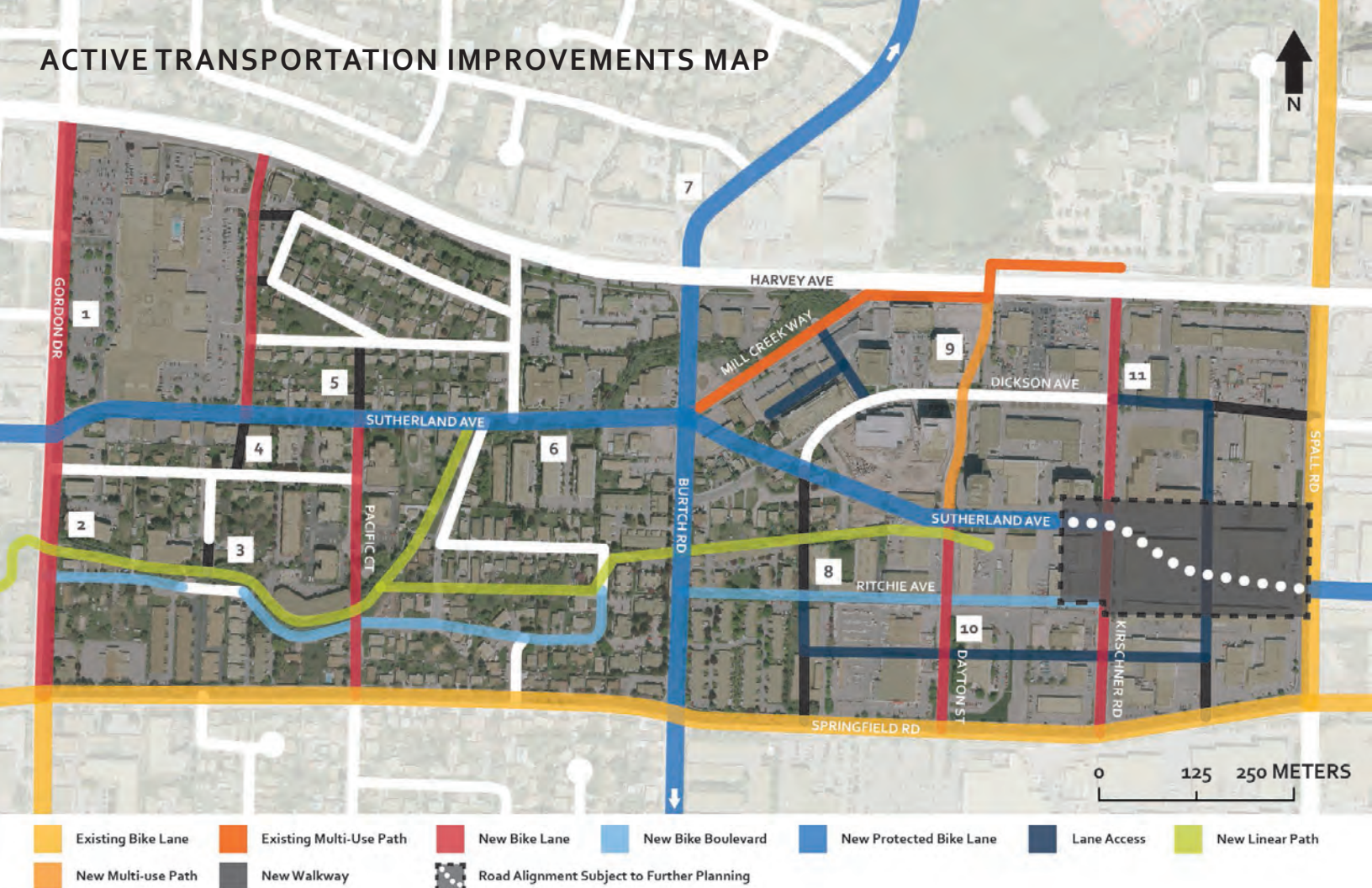
Capri-Landmark Transportation Demand Management Objectives

1. **Manage on-street parking effectively:** Optimize on-street, short-term parking to benefit businesses and to encourage transportation behavior change. Work toward 85 per cent occupancy of on-street parking

in key commercial and retail areas in the Landmark District. Parking management strategies may include: time restrictions, parking benefit districts, on-street metred parking, and variable parking rates.

2. **Support car-sharing:** Encourage car-sharing as a community transportation amenity, where all residents are within 400 metres of a car-share location. Prioritize car share locations and electric vehicle charging stations at key destinations within the urban centre.
3. **Reduce off-street parking requirements where practical:** Support reductions in parking requirements in cases where a suite of transportation demand management options is provided in lieu of parking, such as: transit passes, car share memberships, car share vehicles, enhanced bicycle parking, bike share havens, or other transportation amenities.
4. **Explore use of cash-in-lieu bylaw for TDM:** Investigate the use of cash-in-lieu monies in Capri-Landmark to fund sustainable transportation initiatives.
5. **Share parking:** Consider reduced parking requirements where development applications make use of parking supply in existing parkades.

The following maps illustrate how these strategies will be implemented on the ground to encourage a balanced transportation network over time. The improvements identified reflect the 2040 land use goals and the Transportation Servicing Review (TSR) that was undertaken to support the plan. The maps in this section of the plan highlight the major transportation improvements required to support the future growth in Capri-Landmark. However, the comprehensive list of transportation improvements identified by the TSR is included as Appendix B of the plan and shall be reviewed as individual development applications come forward. If redevelopment differs from what is envisioned by the plan or behaviour shifts are slower, there may be further transportation improvements required to support the desired transportation vision for the urban centre.



Active Transportation Improvements

The above map highlights the major active transportation improvements. A comprehensive list of pedestrian and cycling infrastructure improvements identified by the TSR is included as Appendix B of the plan and shall be reviewed as individual development applications come forward. The improvements to cycling routes in the urban centre build on the direction of the Pedestrian and Bicycle Master Plan that recommends a connected network of cycling routes for all ages and abilities. See sub-area policy direction for further details as to the prioritization of policies for different locations.

1. Bike lanes along Gordon Drive.

2. Multi-use pathway and bike boulevard connections at Brookside Avenue/Gordon Drive intersection.

3. Multi-use pathway connections at Psnak Street.

4. Multi-use pathway connecting Pacific Avenue and Sutherland Avenue.
5. Multi-use pathway connecting Pridham Avenue and Sutherland Avenue.

6. Protected bike lane along realigned Sutherland Ave Multi-modal corridor

7. Protected bike lane along Burtch Road.

8. Bike boulevard and multi-use pathway connections along Ritchie Avenue.

9. Multi-use pathway along Dayton Street Promenade, connecting to the existing pedestrian bridge with new ramp to the south to Sutherland ATC.

10. Multi-use pathway connection and bike lane along Dayton Street.

11. Bike lanes along Kirschner Road, Capri Street, and Pacific Court.

Transit Improvements

The map below shows the major transit service improvements in Capri-Landmark to enhance transit service for people living and working in the area. A comprehensive list of transit improvements identified by the TSR is provided in Appendix B and shall be reviewed as individual development applications come forward.

1. New bus stops at Sutherland Avenue and Gordon Drive along Sutherland Avenue between Gordon Drive and Burtch Road.

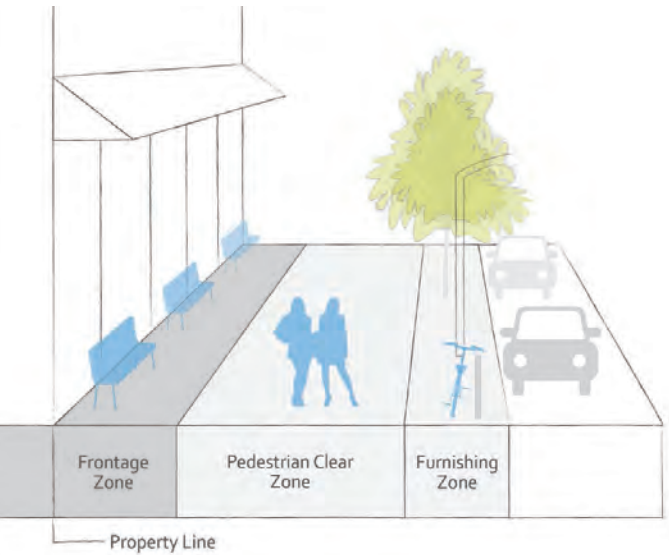
2. Bus stop upgrades and adjustments along Sutherland Avenue.

3. Transit infrastructure improvements and adjustments along Springfield Road.

4. Extension of bus route and new transit stops along realigned Sutherland Avenue multi-modal corridor, providing access to Landmark Towers.

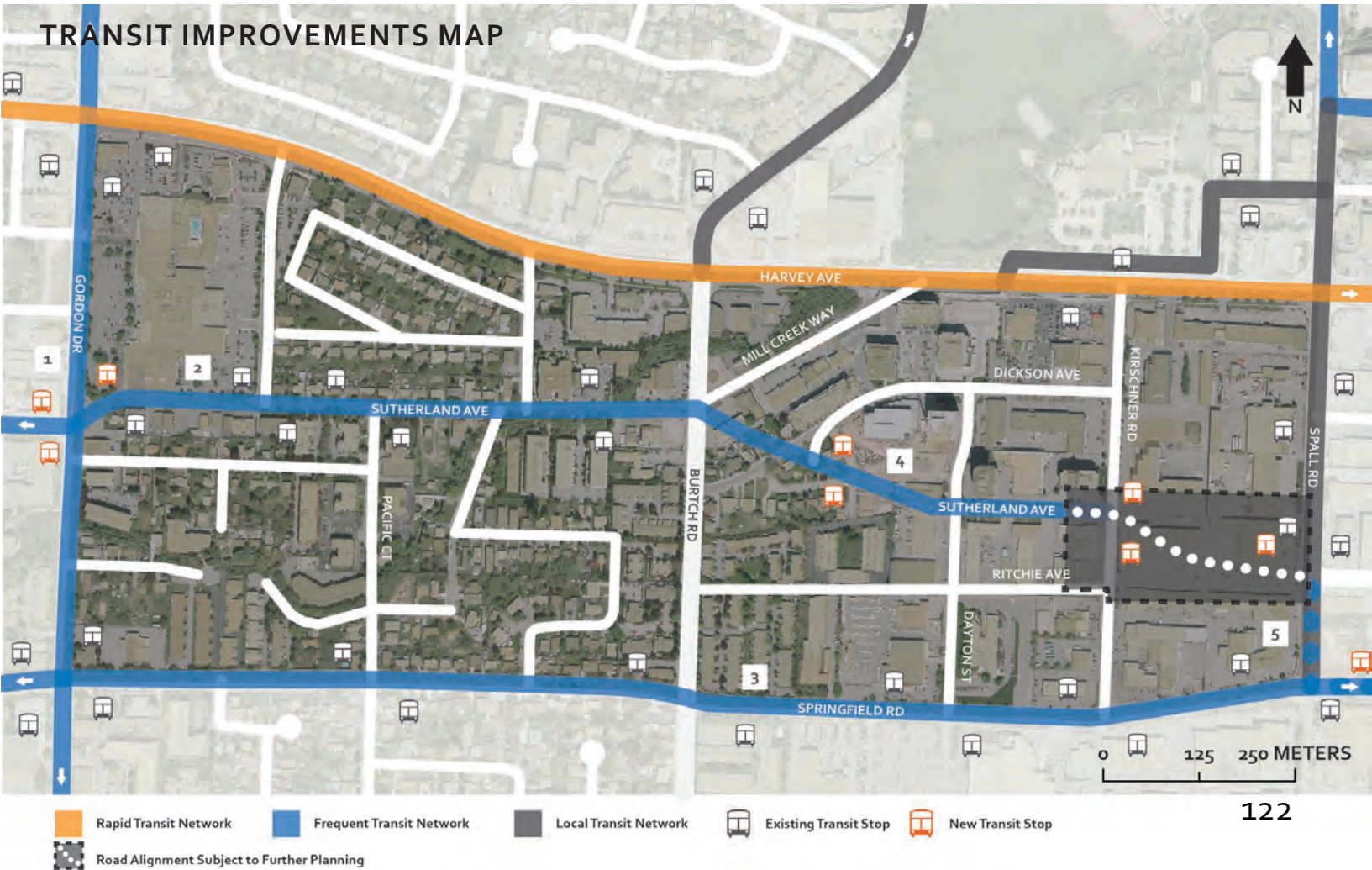
5. New bus stops at Sutherland Avenue and Spall Road in support restructured transit routes.

Street Frontage Diagram²



² The frontage zone is between the pedestrian clear zone and the property line and/or building face. The pedestrian clear zone is reserved for unobstructed pedestrian travel. The furnishing zone is between the roadway curb face and the pedestrian clear zone. Minimum curb to building face or other vertical elements is 5.0m; 4.0m on local streets fronted only by residential and with limited pedestrian network connectivity. Activity spaces such as patios require additional width.

TRANSIT IMPROVEMENTS MAP



Parks & Public Space

Parks and public spaces are vital amenities for future residents and workers and will be catalysts to support the transformation of the Capri-Landmark urban centre. Parks promote active and healthy communities, but also encourage social interaction which strengthens community. Within a dense urban centre where many people live in apartment buildings, parks and public spaces are an especially important part of providing a high quality of life.

The parks and public space improvements build on the City of Kelowna target of 2.2ha of parks per 1,000 new residents. When applied to Capri-Landmark, a total target of 8.0 ha of active park space is needed. This is based on 8,000 new residents being added to the urban centre. However, based on Capri-Landmark’s close proximity to Parkinson Recreation Centre and the challenge and cost of acquiring large parcels in a built up area, an adjusted target of 3-4 ha of active park space was identified in an effort to reflect the unique context of this urban centre.

The Capri-Landmark target of 3-4 ha of active parks space is bolstered by an integrated approach to parks and public space planning that is based upon four key strategies:

- 1. Active park space will be developed to a higher standard to account for the more intensive use associated with parks in a dense live-work area.
- 2. Active park space will be complemented by integrating the linear paths (Ritchie Brook and Mill Creek) as pedestrian corridors and natural amenities for area residents.
- 3. Key streets (e.g. Dickson Avenue and Sutherland Avenue) will be designed so they can be used as additional public and open space for the community at key times (weekends, community events, etc.).
- 4. Private open space in large redevelopments will be designed to provide additional gathering spaces for residents in the area.

This integrated approach will ensure all residents are within walking distance of a diversity of parks and public spaces.

Policy Context

The Official Community Plan outlines the importance of establishing a range of parks and public spaces within walking distance of residents to achieve a high quality of life within urban areas. Also, the OCP sets the goal of creating a city-wide linear park network and encourages designs of alternative spaces, such as streets, paths, and rooftop gardens so they can function as public space. Overall, the OCP sets a strong framework for the level of park service throughout the city through the following policies:

- Provide a range of park and public spaces (7.12)
- Encourage linear park networks (Policy 7.13)
- Ensure parkland responds to local user needs (7.16)

The City’s UCR builds upon the OCP, highlighting the importance of creating parks and public space in an urban centre context. The UCR identifies the role of parks and public spaces not only for physical activity but also to encourage community gathering. The UCR calls for creating green corridors (e.g. linear parks) that connect parks and key destinations. Lastly, the UCR describes the need to program or activate parks, streets, and public space to ensure a rich public life. The following policies and targets were instrumental in guiding the parks and public space objectives:

- Create public spaces that promote social interaction (Social Spaces, Targets 1, 2, and 3)
- Design linear parks that link community destinations (Going Green, Policy 1)
- Design streets to promote public gathering (Places for people, Target 5, Policy 1)

Parks & Public Space Objectives

- 1. **Develop multi-purpose parks and public spaces:** Where land availability is constrained, develop smaller parks that can meet multiple objectives.
- 2. **Connect parks and public spaces:** Enhance pedestrian and cycling connections between parks and public spaces to ensure that park users have access to a full range of activities.
- 3. **Focus on water:** Invest in Mill Creek and Ritchie Brook as defining public space corridors that establish physical connections and define the identity and character of the area.
- 4. **Prioritize active uses:** Ensure that there is adequate park space for active uses.
- 5. **Build parks for intensive use:** Promote park and public space designs and standards that reflect the intensive use associated with a high-density live-work environment.
- 6. **Bring arts and culture into the picture:** Encourage community and cultural partnerships that support increased programming and use of parks and public space.
- 7. **Develop semi-private parks:** Support private open space in major redevelopments that supplement the City’s active park spaces.
- 8. **Embrace streets as public spaces:** Create flexible streetscape designs to support the use of streets as public spaces for special events and community gatherings.
- 9. **Pilot new approaches to public space:** Encourage innovative approaches to public space within the road right-of-way (e.g. parklets).
- 10. **Support density with amenity:** Consider the concentration of residential units when prioritizing parkland acquisition.
- 11. **Obtain parkland through redevelopment:** Require land dedication at redevelopment for identified linear path routes shown in Parks and Public Space Improvements Map (page 64). Ensure that there is no net loss of development density resulting from the dedication.



Landmark Plaza Conecpt

Landmark Plaza will form the social centre of the Landmark District providing a place for workers and residents to congregate, shop, linger awhile, and watch people go about their daily actives.



Parks & Public Space Improvements Map

The core elements of the parks and public space plan are identified on the map above.

Active Parks

- 1. Pacific Park Expansion
- 2. Ritchie Park
- 3. Landmark Plaza
- 4. Mary Anne Collinson Memorial Park Expansion
- 5. Brookside Park

Linear Park / Paths

- 6. Mill Creek
- 7. Ritchie Brook

Ritchie Brook

The parks and public space plan identifies two linear parks for Capri-Landmark, Mill Creek and Ritchie Brook. Mill Creek is a citywide linear park that is partially constructed and is envisioned to extend from Parkinson through the Capri / Five Bridges area. Ritchie Brook was originally a tributary of Mill Creek but was piped underground when the Landmark area developed as a light industrial business park in the mid twentieth century. The plan envisions daylighting Ritchie Brook to create a naturalized stream corridor and pedestrian path to support the long-term revitalization of Capri-Landmark.

Role of Ritchie Brook

Ritchie Brook linear path will start at Ritchie Park in Landmark District and connect to expanded Pacific Park in the Five Bridges area following the rough alignment of the historic creek. The inclusion of a green corridor will provide a much needed amenity for people living and working in the urban centre and serve as an important placemaking feature to

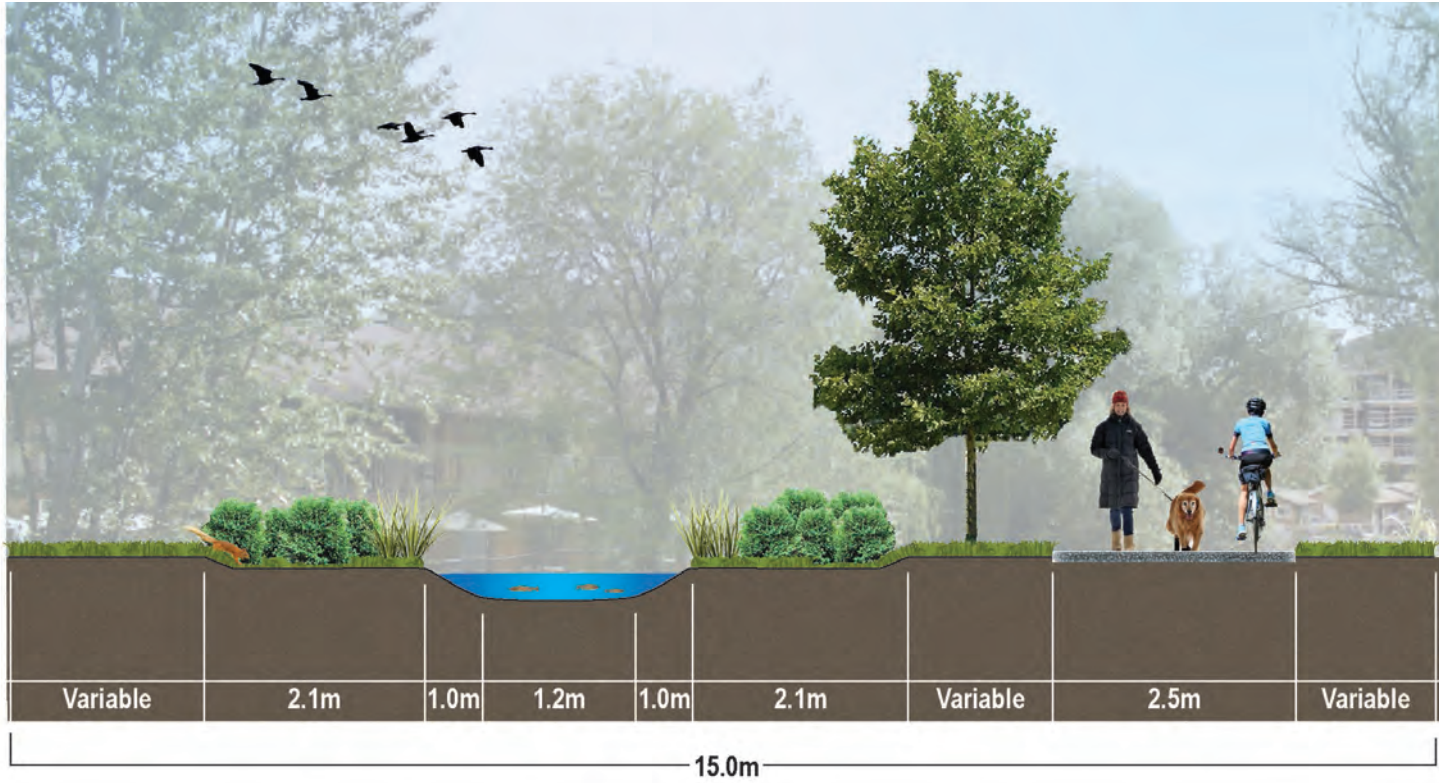
enhance identity and connection to nature. A secondary pedestrian path adjacent to the creek will connect the Landmark District with the Five Bridges area. Lastly, Ritchie Brook will provide improved stormwater management by reducing impervious surface and adding stormwater capacity for extreme rain events. The long-term vision (30-40 years) for Ritchie Brook aligns with the long-term vision of Capri-Landmark as an amenity-rich live-work community.

“ The plan envisions daylighting Ritchie Brook to create a naturalized stream corridor and pedestrian path

Existing Sutherland Avenue Active Transportation Corridor



Illustrated Cross Section of Ritchie Brook Daylighting





Key Benefits of Daylighting

- **Climate Resilience:** A stream that flows above ground (not culverted), is better suited to perform its natural functions as an artery of natural drainage, absorbing flows and reducing the risk of flooding, and providing a natural amenity for the community.
- **Water Quality:** Runoff from development will have a greater chance to infiltrate via natural aeration into vegetated banks along the corridor, reducing downstream impacts and improving water quality in Lake Okanagan.
- **Economic Revitalization:** Projects across North America (Kalamazoo, Michigan and Yonkers) are associated with increases in property values and broader community revitalization strategies.
- **Community Amenity:** Daylighting projects result in access to enhanced open spaces – natural beauty, connection to nature, improved mental health, and increased recreational opportunities.

Strategy for Delivery¹

The vision for Ritchie Brook is anticipated to be achieved over the next 30-40 years. Over the next 20 years' land will be acquired via dedication as redevelopment occurs. However, because several of the larger parcels adjacent to the corridor are not expected to redevelop by 2040, the implementation and daylighting of Ritchie Brook will likely extend beyond the 20-year horizon of the plan. Once a contiguous linear corridor with a width of roughly 15 metres is assembled the development of the naturalized channel will begin. As land is secured detailed design and engineering studies will be required in order to determine final costs and phasing of daylighting. Staff will be opportunistic working with landowners and community partners to identify partnership or grant funding opportunities to accelerate the vision for Ritchie Brook. In certain cases, a flexible approach may require re-routing or partial daylighting of sections where technical constraints exist. In summary, the Plan establishes a long-term vision for daylighting Ritchie Brook and identifies key actions to acquire land over the next 20 years.²

¹ Urban systems report identifies a current base flow of 5-20 L/s in Ritchie Brook, with estimated future peak flows of 600-780 L/s (minor system) and 1000-1500 L/s (major system). The cross section proposed will contain the 2 year storm, with a wider cross section proposed to contain up to the 100 year storm.

² The City of Kelowna's recommendation to daylight Ritchie Brook was supported by a Daylighting Feasibility Study that was undertaken by Urban Systems in 2018-2019. The Study confirms the flows present in the corridor would support year-round daylighting and affirms the long-term viability of the corridor alignment identified in the Capri-Landmark Plan.

Piloting a Target-based Approach to Urban Centre Planning

A wide range of information including technical analysis, city policies, and community engagement feedback guided the development of the plan. However, the UCR was foundational in guiding the long-term vision for the physical structure of Capri-Landmark. This is the first plan where the UCR principles and targets were in place to allow for a target-based approach in developing this urban centre plan. Furthermore, the UCR provided more detailed direction on land use, transportation, and parks and public space planning that was instrumental in the development of preliminary concepts and evaluating preliminary options, as well as guiding final refinements to the plan.

The UCR also helped to determine what actions were most important for Capri-Landmark based on its stage of development as an urban centre. Through the background research it was possible to identify that Capri-Landmark still demonstrated many of the traits of an early-stage urban centre. Based on the direction of the UCR, the priority for early-stage urban centres is to establish an effective transportation network and to plan for the parks and public space network that will support future growth and densification (see phases of change diagram on page 68).

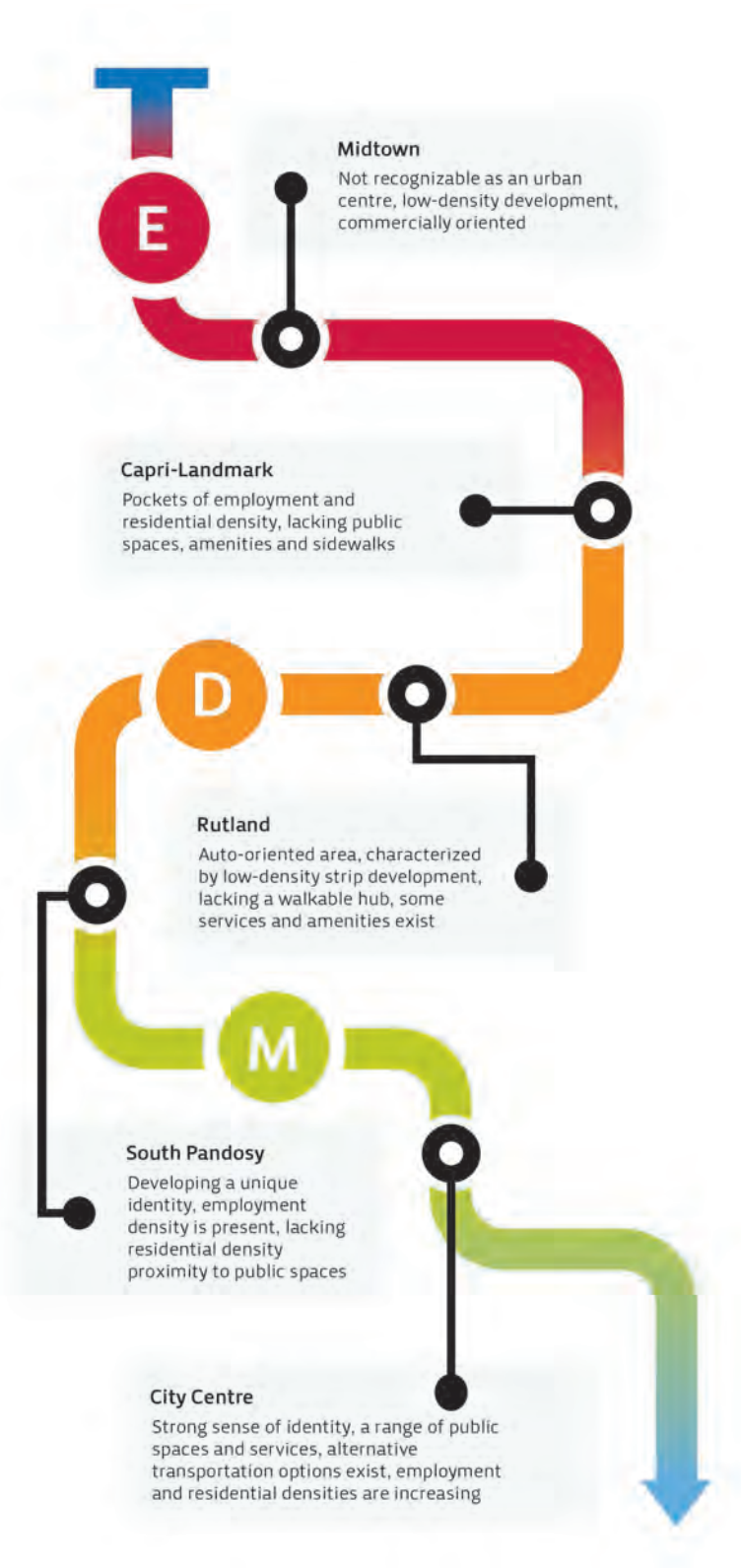
To understand how the Capri-Landmark Plan aligns with the UCR principles and targets, a brief analysis is provided in the table on page 69. The table shows the baseline performance of Capri-Landmark in comparison to the plan's goals on 10 key UCR targets.

The plan has achieved many of the UCR targets, but there are areas that will require further action and long-term commitment as the area redevelops over the next 20-

30 years. Across the City it is a challenge to ensure that a proportion of new growth is in the form of affordable housing. Also, the area has a limited street tree canopy and the Landmark District will continue to be underserved in terms of pedestrian routes in the near-term. Overall, the strong performance of the plan in relation to the UCR targets demonstrates the value of the UCR targets in guiding the physical structure of the urban centre. The UCR targets are also integrated into Chapter 5 of the plan, providing area-specific performance goals for land use.

“The plan has achieved many of the UCR targets, but there are areas that will require further action and long-term commitment as the area redevelops over the next 20-30 years

Phases of Change



Early

Urban centres in their nascent stage of development may hardly be recognizable as distinct centres. They may simply be significant concentrations of employment.

Developing

Urban centres showing clear signs of moving towards becoming vibrant, engaging places. While there may be significant progress to be made yet, there have been both public and private investments that are beginning to transform the centre.

Mature

Mature urban centres have achieved high standards in many, if not most, of the key elements of what makes great urban centres. They demonstrate many of the hallmarks of what people associate with the term "downtown".

Plan Performance on Urban Centres Roadmap Target

UCR Principle	UCR Target	Baseline	Proposed Plan
Promote vitality through a mix of land uses	150-250 combined jobs and residents per hectare	78.6 jobs and residents/ha	180
Promote vitality through a mix of land uses	Ratio of 2 residents to 1 job (2:1)	1:2.4 residents to jobs	2:1
Healthy housing mix	Housing Mix 80% apartments, 20% ground oriented	73% apartment, 13% ground-oriented	100% of new will be in the form of attached housing
Prioritize people first transportation options & connections	90% of residents within 400m of frequent transit route (Harvey/Springfield)	100%	100%
Prioritize people first transportation options & connections	90% of residents close within 400m to (north-south and east-west ATC route)	1.5%	43%
Create streets & blocks that are walkable	Short blocks: 100% of blocks <250m for cars, 100% of blocks <150m for pedestrians/cyclists	52% for cars, 25% for pedestrians/cyclists	82.4% <250 m for cars, 36.5% <150M for pedestrians
Create streets & blocks that are walkable	Street network with 0.8 intersections/ha	0.26 intersections/ha	0.31 intersections/ha
Establish social spaces that promote social interaction	All residents in walking distance (400m) of a public space	83%	100%
Establish social spaces that promote social interaction	Diversity of public spaces (Simpson Index score of less than 0.2)	0.37	0.17
Establish social spaces that promote social interaction	At least 1 central plaza or square	Zero	1
Design for environmental resilience	20% tree canopy coverage	Major deficiency in Landmark District	Continues to be challenge in the near-term but permeable surfaces will increase

AREA SPECIFIC POLICY DIRECTION

05

EXECUTIVE SUMMARY
INTRODUCTION
PLAN PROCESS
BACKGROUND
COMMUNITY STRUCTURE
AREA SPECIFIC POLICY DIRECTION
SUPPORTING BUSINESS
TAKING ACTION

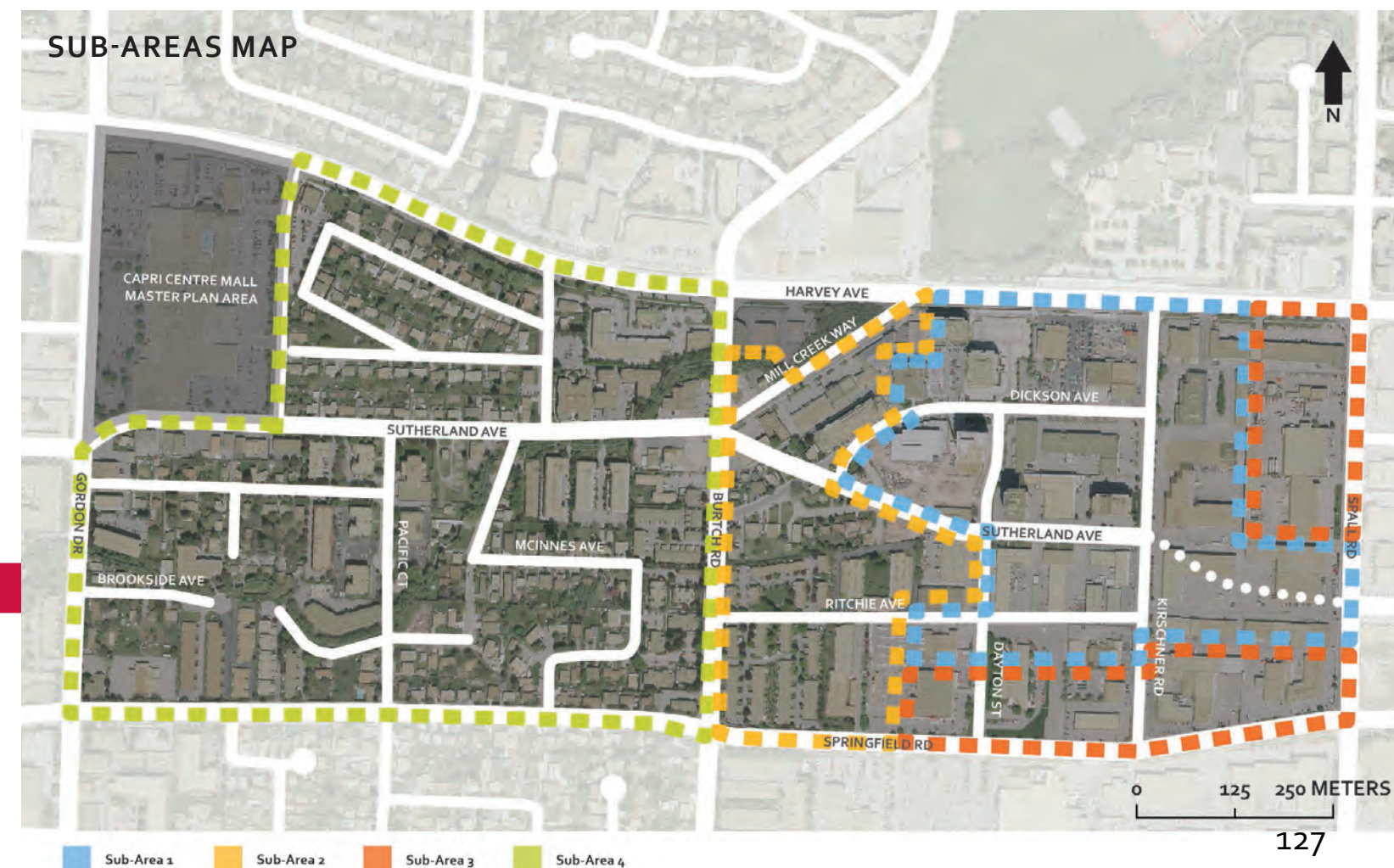
Sub-Area Policies

The following policies are specific to projects and initiatives located in each of Capri-Landmark's sub-areas and are based on the objectives established in Chapter 4. Each sub-area contains a concise vision as well as policies that are divided, where applicable, under the headings of Land Use, Transportation, and Parks and Public Spaces. In most instances, each sub-area will only have detailed policy relating to a selection of the above topics. Specific performance targets are also provided for each sub-area. These targets are meant to provide the yardsticks against which new proposals in each sub-area will be measured.

General policies in each sub-area are supplemented by clear direction for any key features located within the sub-area. Key features are major physical elements that are vital to

achieving the goals of the plan. Typically, they are major public space elements, such as plazas, parks, or retail streets. The description of each key feature includes a vision for its role and function, and direction for its development and any development abutting it.

“ Key features are major physical elements that are vital to achieving the goals of the plan





Sub-Area 1: Landmark Mixed-Use Business District

Vision

The Landmark Mixed-Use Business District will be recognized as one of the City’s most significant hubs of activity and will be a destination for people across the community. Thousands of residents will live and work here, all supported by connected, high-quality public spaces and civic amenities. The area will still be a major focus for regional employment, but new development and public investments will signal the transformation of the area from an employment-only area to a complete live-work environment.

Performance Targets

- Residents per Ha: 180
- Units per Ha: 110
- FAR targets: 1.5-4.5
- New active parkland: 1.4 Ha

Sub-Area 1 Policies

Land Use Policies

1. Encourage new development to be mixed-use, emphasizing residential, retail, and service uses.
2. Limit the amount of new office space, with no more than 20,000 square feet or 10 per cent of the floor area ratio (FAR) of any one development dedicated to office uses.
3. Encourage a mix of unit types and sizes in each new residential development, including ground-oriented units.
4. Ensure residential buildings have units that access the street directly, with appropriate design of semi-private space.
 - Where buildings include ground floor residential units (e.g. townhouses), the ground floor grade level should be raised above the adjacent sidewalk elevation by at least 0.6m (2 ft.) to create a clear separation between public and private space.
5. Support building heights generally consistent with the Building Heights Map (page 54) and the Building Heights Design Principles (page 55).
6. Focus highest-density/tallest development in the Sutherland Avenue/Dayton Street/Dickson Avenue area, in close proximity to multiple sustainable transportation options, including protected cycling corridors, major pedestrian corridors, and rapid transit (Harvey Avenue RapidBus).
7. Create transit-supportive development by ensuring that sites under development generally achieve prescribed FAR regulations.
8. Encourage the consolidation of existing single-family development near Dickson Avenue and Bedford Avenue to support high-density, mixed-use development.
9. Ensure the south side of Harvey Avenue is fronted by high-density, mixed-use residential towers that will contribute to transit-oriented development and the establishment of a new urban form.

- Redevelopment of key sites can incorporate office or commercial uses in larger podium structures of up to 4 storeys with residential uses above.
10. Provide a minimum tower separation of 30.5m, consistent with building heights policy in the Official Community Plan.
 11. Encourage building orientation toward Harvey Avenue to establish a consistent streetwall along Harvey Avenue.
 12. Encourage private outdoor public space on the south side of Harvey Avenue that enhances the visibility and desirability of the RapidBus stop.

Transportation Policies

1. Achieve a new east-west connection (Ritchie Avenue) through redevelopment of the area.
2. Bring regular transit service through Sutherland Avenue with a stop close to the intersection of Sutherland Avenue and Dickson Avenue as shown on the Transit Improvements Map (page 61).
3. Achieve laneways in identified locations through redevelopment to provide appropriate access and loading opportunities.
4. Ensure that new development provides short-term and long-term bicycle parking for residents and employees.
5. Establish a pedestrian crossing at Dickson Avenue and Kirschner Road as shown on the Active Transportation Improvements Map (page 60).
6. Incorporate streets trees and a consistent pedestrian zone to create a more attractive and pedestrian friendly environment along the south side of Harvey Avenue.
7. Encourage reduced minimum parking requirements within the Landmark District where a suite of transportation demand management options is provided as described in Chapter 4.



Sutherland Multi-modal Corridor

Sub-Area 1 Key Features

1. Sutherland Multi-modal Corridor

Vision

Sutherland Avenue will be realigned at Burtch Road and extended through the Landmark District, connecting ultimately to Spall Road. Sutherland Avenue will become a vital backbone supporting the Landmark District and offering all the amenities of a complete street, including transit access, streetfront retail, comfortable pedestrian environments, and protected cycling infrastructure. A conceptual design of Sutherland Avenue between Mill Creek Way and Spall Road was developed to guide its future implementation.

Sutherland Avenue Street Wall



Sutherland Avenue Cross Section



Objectives & Policy

- Support mixed-use development along the Sutherland corridor.
- Require 90 per cent of building frontages to have active commercial uses at grade:
 - Along the north side of Sutherland Avenue, between Dickson Avenue and Spall Road; and,
 - Along the south side of Sutherland Avenue, east of Ritchie Park.
- Establish a consistent street wall of 2-4 storeys along the north side of Sutherland Avenue.
- Ensure that residential development fronting the south side of Sutherland Avenue addresses the street with direct entrances and appropriate semi-private space.
- Establish a build-to line of 1.5m along both sides of the street to allow for adequate pedestrian circulation.
- Access across the Sutherland Cycle Track and Dayton Multi-use Pathway should be avoided.

2. Landmark Plaza

Vision

Inspired by the traditional town square as a central meeting space, Landmark Plaza will be situated at the crossroads of Dickson Avenue and Dayton Street. Bordered by retail and commercial uses along its edges, with a central open space, it will support and accommodate a variety of pedestrian activities. The design and treatment of the plaza will blur the line between the street and building frontage, adapting to changes between day and night, as well as seasonal activities. Landmark Plaza will form the social centre of the Landmark District, providing a place for workers and residents to congregate, shop, linger awhile, and watch people go about their daily activities.



Objectives & Policy

- Obtain 0.5 acres for Landmark Plaza through acquisition or redevelopment of 1715 Dickson Avenue.
- Design the plaza to act as a key hub of public activity.
- Balance through-movement of people with space to relax and socialize.
- Require adjoining buildings to have 100 per cent active commercial spaces at grade to activate the plaza.
- Provide high quality materials and ground plane treatment in response to the plaza’s flexible programming and highly urbanized activities.
- Ensure that the plaza has both sunlight and shade to support pedestrian comfort.
 - Make sure that adjoining buildings still allow ample sun access for the plaza.

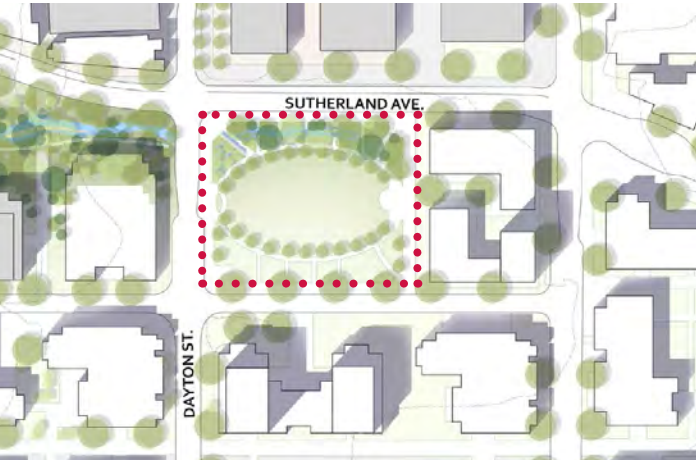


Landmark Plaza Concept

3. Ritchie Park

Vision

Ritchie Park will be the principal green space within the Landmark District’s highly urbanized setting. It will provide both passive and active recreational opportunities. As a neighbourhood park it will primarily serve the needs of local residents, but will also accommodate the intensive use and varied activities generated by the daily fluctuation in population. The park will also be the source or terminus for the Ritchie Brook linear path.



Objectives & Policy

- Require new development on the east side of the park to treat the park as a front yard, with active uses abutting the park area.
- Ensure that new development surrounding the park does not result in significant shade impacts.
- Provide high quality materials and comfort amenities in park design to accommodate intensive all-day, all-year use.
- Establish the majority of park space as green space with a mix of turf, shade tree, and shrub planting. Consider use of riparian species in formal plant grouping as part of Ritchie Brook landscape feature.
- Locate more active recreation along perimeter edges of the park and passive uses in the centre of the park.



Ritchie Park Concept

4. Ritchie Brook Linear Corridor

Vision

Ritchie Brook Linear Path will be a secondary pedestrian route and linear greenspace that will roughly follow the alignment of a historic creek. It will serve as a green thread stitching the different neighbourhoods of the urban centre together. Its source or terminus at either end will form major landscape features within Pacific Court Park and Ritchie Park. It will function as both a natural drainage channel as well as a passive stormwater management system for adjacent development. In certain areas rain gardens will flank the channel to provide additional stormwater capacity.

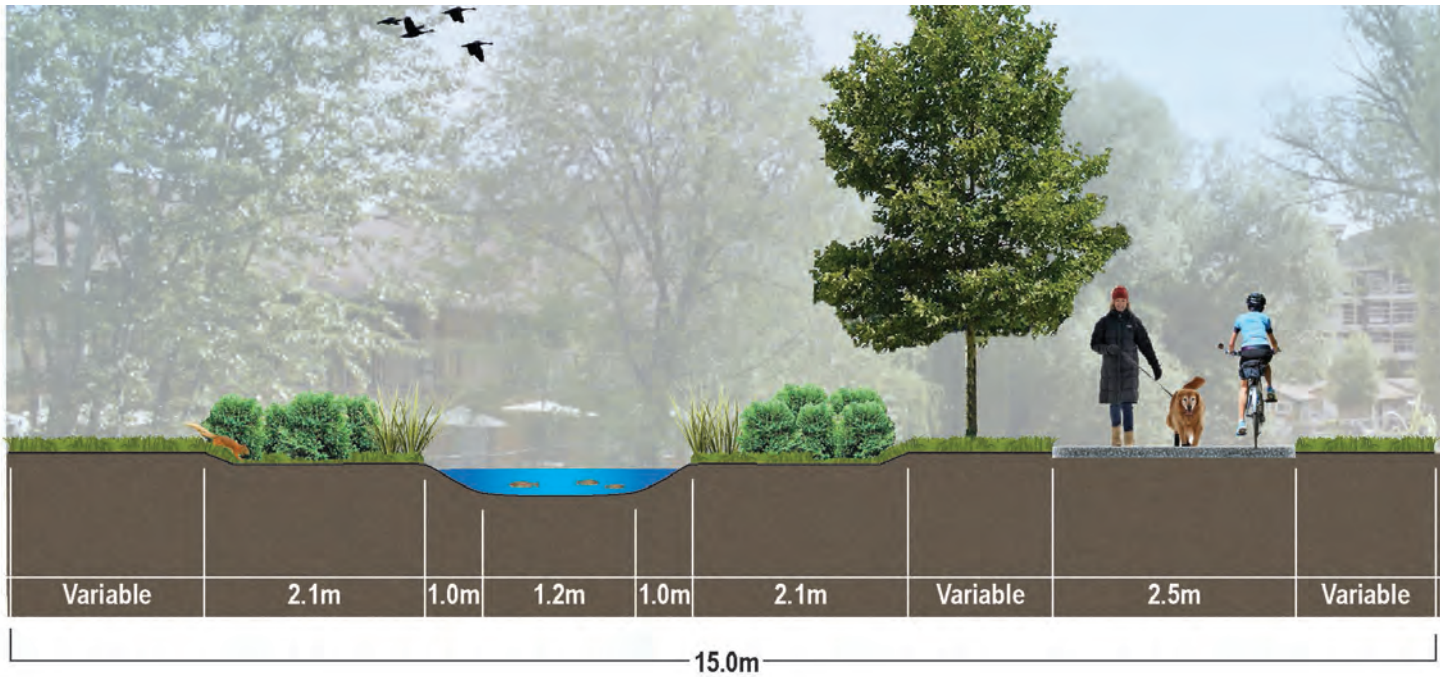
Ritchie Brook



Objectives & Policy

- Require the dedication of Ritchie Brook through redevelopment of 1910-1960 Dayton Street to establish a total width of 15.0m.
- Provide a minimum 3.0m wide continuous public pathway system that will alternate on both sides of the Ritchie Brook channel.
- Encourage ground-oriented units along Ritchie Brook as redevelopment occurs in the area.
- Minimize impervious surfaces in adjacent development and incorporate features that will encourage ground water recharge such as rain gardens, green roofs, and pervious paving material.
- Adjacent residential development will allow for a direct access to the pathway system as well as natural surveillance to activate and provide safety of movement along the corridor.
- Encourage semi-private open space designs that incorporate Ritchie Brook as an amenity space for surrounding residents.
- When reviewing building designs for new developments interfacing with Ritchie Brook, ensure that building height and massing maintain 4-5 hours of sunlight per day to access to the corridor (see the Building Heights Map page 54).

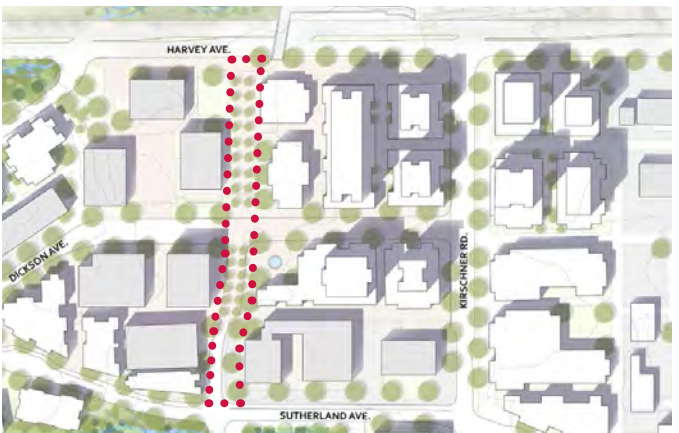
Illustrated Cross Section of Ritchie Brook Daylighting



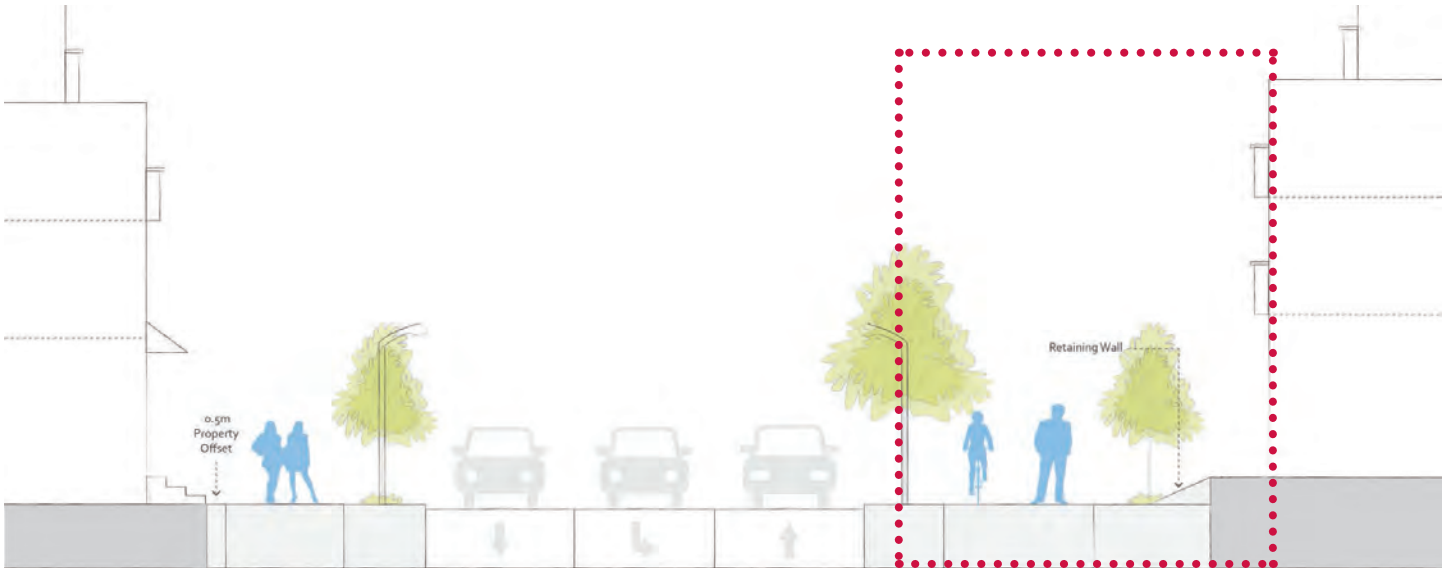
5. Dayton Promenade

Vision

The Dayton Promenade will be a vital pedestrian spine connecting the Parkinson Recreation Centre with the Landmark District. The promenade will begin at the north edge of the Landmark District with a new connection to the existing Highway 97 pedestrian overpass, extending south through a series of terraced spaces and ramps to accommodate grade / elevation changes that will connect to Landmark Plaza, continuing along the east side of Dayton Street until it reaches the northwest corner of Ritchie Park. The design and treatment of the north section of the promenade is envisioned as an extension of the plaza and public realm of Dickson Avenue to create a unified series of public spaces.



Dayton Street Cross Section (Dayton Promenade)



Objectives & Policy

- Require the dedication of a 5.0m multi-use ramp as part of the redevelopment of 1717 Harvey Avenue and 1640-1710 Dickson Avenue that connects the existing pedestrian overpass directly to Dickson Avenue.
 - Incorporate terraced planters with shade trees and comfort amenities to accommodate pedestrians of all ages and abilities.
- Provide a 3.0-4.0m wide continuous multi-use path for the Dayton Promenade, south of the Landmark Plaza as part of the redevelopment of 1850-1854 Kirschner Road, with shade trees and full urban amenities to make pedestrians of all ages and abilities comfortable.
- Ensure that buildings along Dayton Street, south of Sutherland Avenue, have approximately 75 per cent active commercial frontages.
- Ensure that promenade connects directly to Ritchie Park, the Landmark Plaza, and the pedestrian overpass.
 - Provide pedestrian priority crossing at Dickson Avenue to connect to Landmark Plaza.
- Connect the Dayton Promenade with the broader pedestrian and cycling network.

6. Dickson Avenue Main Street

Vision

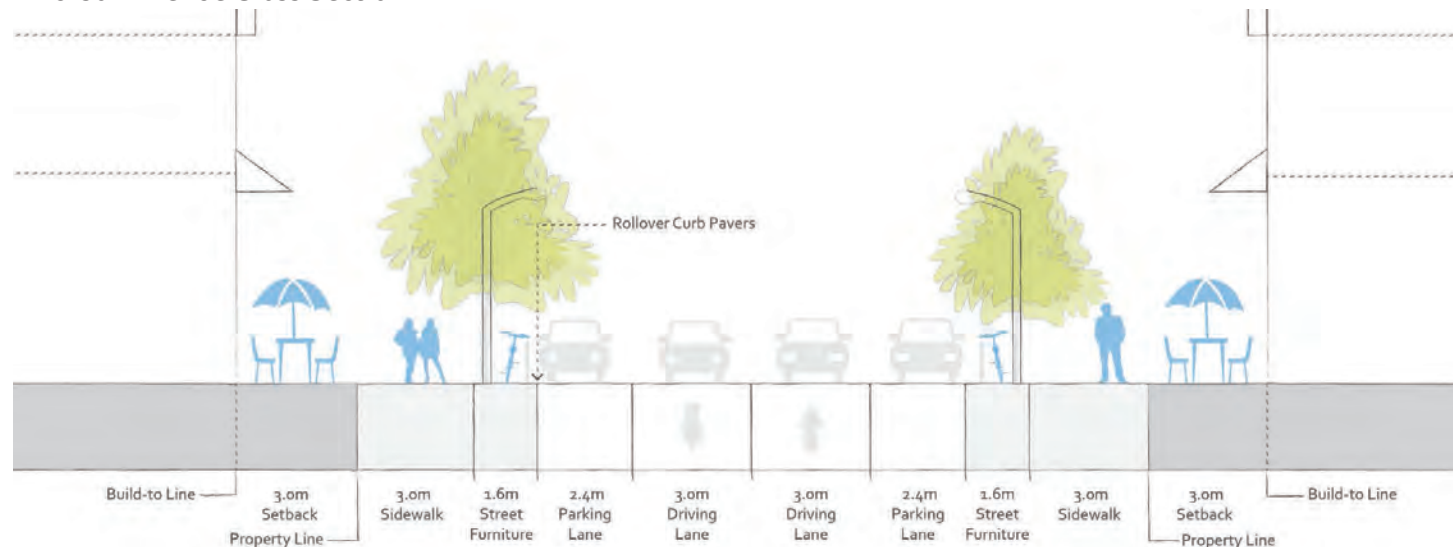
The Dickson Avenue Main Street will be Landmark's 'High Street' serving as the social and commercial anchor of the Landmark District. The design and treatment will blur the line between street, sidewalk and building frontage to create a shared public realm. It will be a vibrant all-day, all-year destination for local residents, workers, and visitors within the area. On weekends and evenings when traffic demand is lower, Dickson Avenue Main Street can be easily closed off to vehicles to accommodate street festivals, open-air markets, and other local community events.

Objectives & Policy

- Support mixed-use commercial and residential development along Dickson Avenue.
- Require new development fronting the street to have 100 per cent active commercial frontage along the street, encouraging streetfront uses such as cafes, restaurants, retail uses, etc.
- Require building facades to include a higher level of architectural detailing to promote pedestrian interaction.
- Require a build-to line of 3.0m on both sides of Dickson Avenue between Dayton Street and Kirschner Road to accommodate more generous pedestrian circulation space, patios, and other streetfront uses.

- Require a build-to line of 1.5m on both sides of Dickson Avenue between Sutherland Avenue and Dayton Street to accommodate a high volume of pedestrian activity.
- Require first floor spaces to have minimum floor-to-ceiling heights of 4.0m and a depth of 35m to ensure spaces will attract commercial tenants.
- Establish a consistent 2-4 storey streetwall along both sides of the street.
- Allow building heights ranging from 12-18 storeys, as shown on the Building Heights Map (page 54).
- Design roadway to allow for shared pedestrian and vehicle access by: paving treatment to delineate different types of movement, minimizing use of curbs to allow easy pedestrian movement, reducing traffic speeds, and traffic calming to increase pedestrian safety.
- Provide a higher level and amount of site furnishings, tree planting, lighting and other comfort amenities to create social spaces that will promote and support increased pedestrian use.
- Discourage new vehicle entrances along the main street; vehicle entrances should be focused on lanes or secondary street frontages.
- Encourage private development that provides publicly accessible spaces and parkettes to support streetfront activities.

Dickson Avenue Cross Section



Mixed Use Development

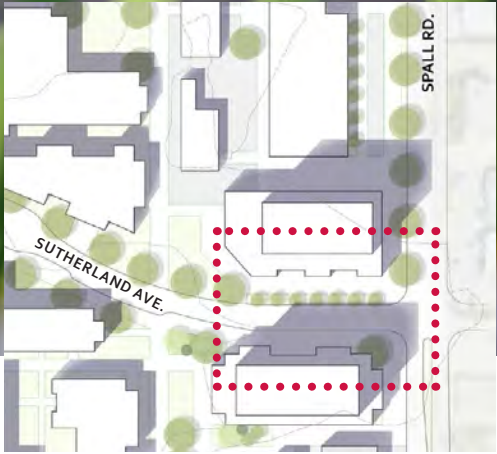


Street Furnishings



2-4 Storey Street Wall





7. Spall Road & Sutherland Avenue Gateway Site

Vision

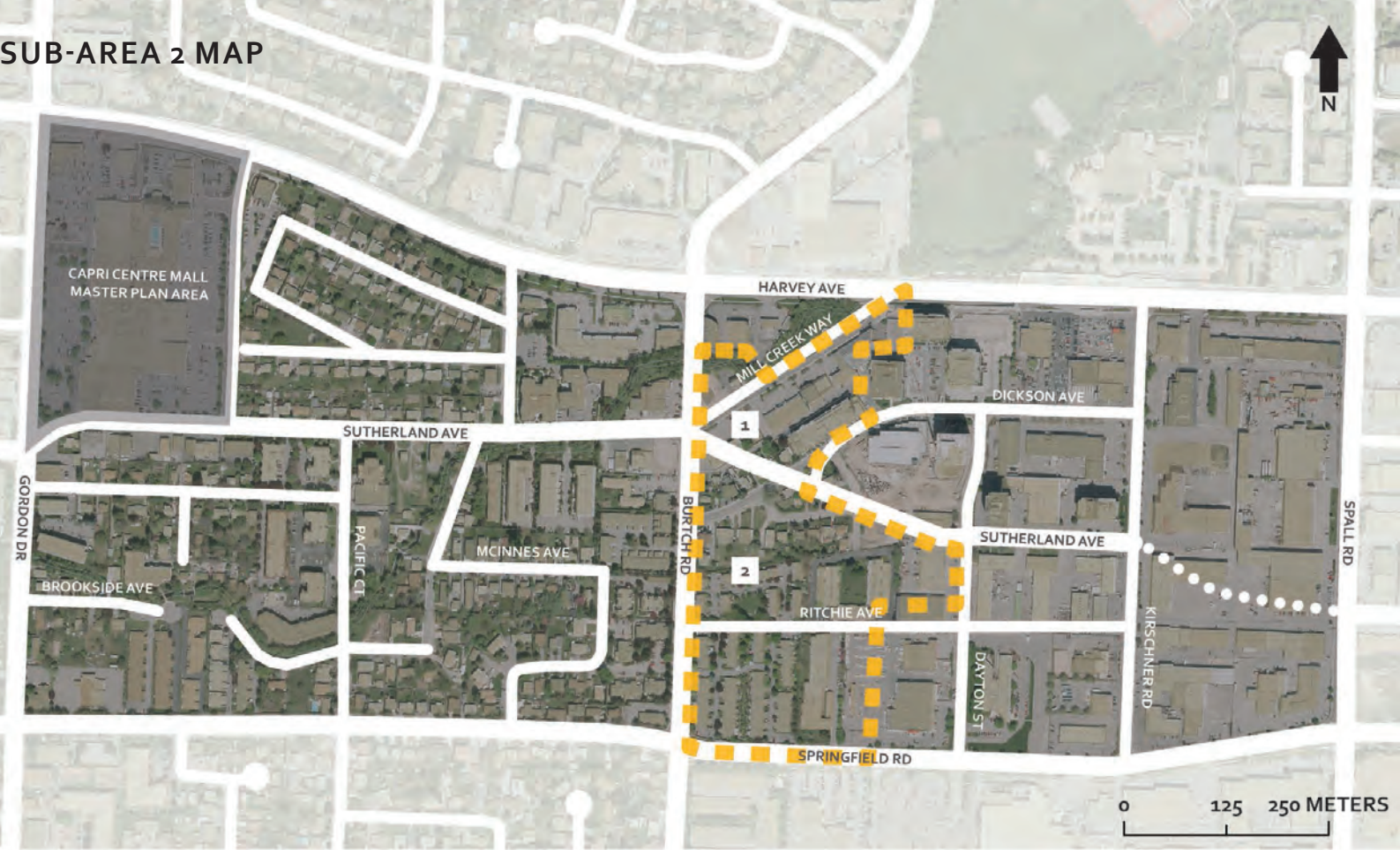
As the easternmost gateway for the Capri-Landmark Urban Centre, the area will feature buildings, streetscaping, and landscaping with unique, signature designs that signal a clear break from the urban fabric of surrounding areas and that provide a welcoming entry to the Landmark District.

Objectives & Policy

- Encourage the streetscape to include public art features that reinforce the gateway theme.

- Require development on adjacent sites on the north and south sides of Sutherland Avenue to direct their building massing towards the corners of the site nearest to the intersection to frame the gateway.
- Support distinctive and unique architecture and landscaping on gateway sites.
- Support taller buildings on the gateway sites, up to a maximum height of 12 storeys, as shown on Building Heights Map (page 54).

SUB-AREA 2 MAP



Sub-Area 2: Burtch Road / Mill Creek Way

Vision

This predominantly residential area is on the doorstep of the Landmark District, steps away from the employment centre at Dayton Street and Dickson Avenue. The mid-rise development in this area will provide a transition from the high-density towers of the Landmark District and the low-rise townhouse and apartment buildings on the west side of Burtch Road in the Five Bridges area of Capri. The area will have a mix of low-rise and mid-rise apartment buildings with opportunities for some neighbourhood commercial services and amenities on the 1500 block of Mill Creek Way (formerly Sutherland Avenue). As development occurs, the area will become home to hundreds of new residents, all minutes away from the amenities, parks and transportation options now found in the Landmark District.

Performance Targets

- Residents per Ha: 200
- Units per Ha: 150
- FAR targets: 1.5-3.5

Sub-Area 2 Policies

Land Use Policies

1. Encourage redevelopment along Mill Creek Way as high-density mixed-use residential or high-density residential.
2. Encourage redevelopment along Burtch Road and the realigned Sutherland Avenue as medium and high-density residential.
3. Require a build-to line of 1.5m along both sides of realigned Sutherland Avenue.
4. Allow opportunities for neighbourhood commercial uses on Burtch Road and Mill Creek Way.
5. Discourage office uses in areas designated mixed-use residential on Mill Creek Way. Limit office uses to the lesser of 20,000 square feet or 10 per cent of gross floor area.
6. Support building heights consistent with the Building Heights Map (page 54) with mid-rise buildings of up to 12 storeys north of Ritchie Avenue.
 - Focus the highest and densest development within 400m walking distance of RapidBus stops.
 - Encourage building heights of up to 6 storeys (low-rise) south of Ritchie Avenue.
7. Encourage lot assembly along Mill Creek Way to reduce the area required for vehicle access and to achieve efficient building layouts.
8. For high-density residential, encourage building podiums of 2-3 storeys with ground-oriented housing such as townhouses on the first 2-3 floors.
9. Where buildings include ground floor residential units (e.g. townhouses), ensure the ground floor grade level is raised above the adjacent sidewalk elevation by at least 0.6m (2 ft.) to create a clear separation between public and private space.
10. Ensure the residential buildings fronting Burtch Road have residential units that access directly onto the street.
 - As walled communities redevelop, if multiple buildings are proposed, orient buildings to maximize passive solar and energy efficiency.

Transportation Policies

1. Maintain vehicle access from rear lanes to provide secondary vehicle access and loading between Mill Creek Way and Dickson Avenue.
2. Investigate roundabout designs as part of Burtch Road and Mill Creek Way intersection improvements to maintain access for businesses on Mill Creek Way.
3. Require the construction of Ritchie Avenue as a local road through land dedication and road reserve as redevelopment occurs adjacent along the identified road corridor.
 - Encourage street design that prioritizes people walking and cycling and provides local access for multi-family housing along the street.
4. Support the construction of Sutherland Ave as a complete street with a protected cycling route as redevelopment occurs in the area.
5. Provide mid-block pedestrian connections and crossings connecting the realigned Sutherland Avenue with Ritchie Avenue as illustrated on the Active Transportation Improvements Map (page 60).
6. Provide a mid-block pedestrian connection from Springfield Road to the lane that connects to Ritchie Avenue.
7. Establish a mid-block half signal at Ritchie Avenue and Burtch Road when redevelopment occurs south of Ritchie Avenue.
8. Provide pedestrian connectivity to key destinations in the Landmark District as walled townhouse communities are redeveloped.
9. Provide parking in screened or structured areas to reduce visual impact of parking on the building from the street.

Sub-Area 2 Key Features

1. Burtch Road & Sutherland Avenue Gateway Site

Vision

After Sutherland Avenue is realigned, a new gateway development site will be created at Sutherland Avenue and Burtch Road. The building design for this site will feature a unique, signature design that signals a clear break from the urban fabric of surrounding areas and provides a welcoming entry to Landmark District.

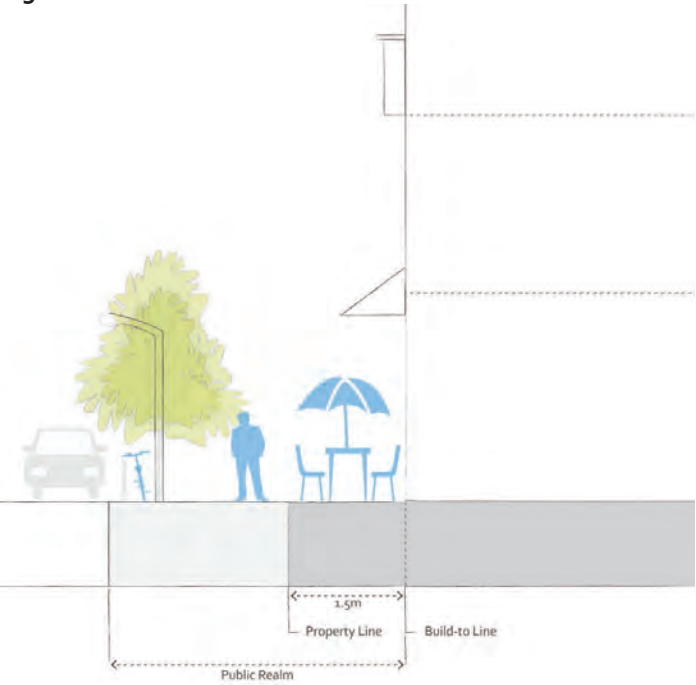
2-3 Storey Building Podium



Objectives & Policy

- Encourage high-density residential with opportunities for neighbourhood commercial use on the ground floor of the Burtch Road frontage.
 - Incorporate ground-oriented residential, such as townhouses, fronting on Sutherland Avenue to provide a streetfront presence.
- Ensure that any redevelopment on the gateway site is defined by distinctive architectural or public art features that announce a key corner building and reflect the dual frontage along Burtch Road and Sutherland Avenue.
- Support building heights of 8-12 storeys as per the Building Heights Map (page 54).
- Ensure building façades are oriented toward both Sutherland Avenue and Burtch Road.
- Require a build-to line of 1.5 metres along Sutherland Avenue to support the complete street objectives.
- Encourage building podium of 2-3 storeys that provides human scale design along Sutherland Avenue.

1.5m Build-to Line

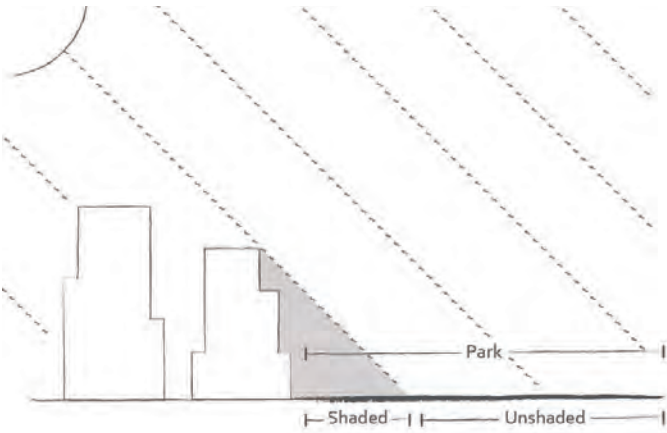


2. Ritchie Brook

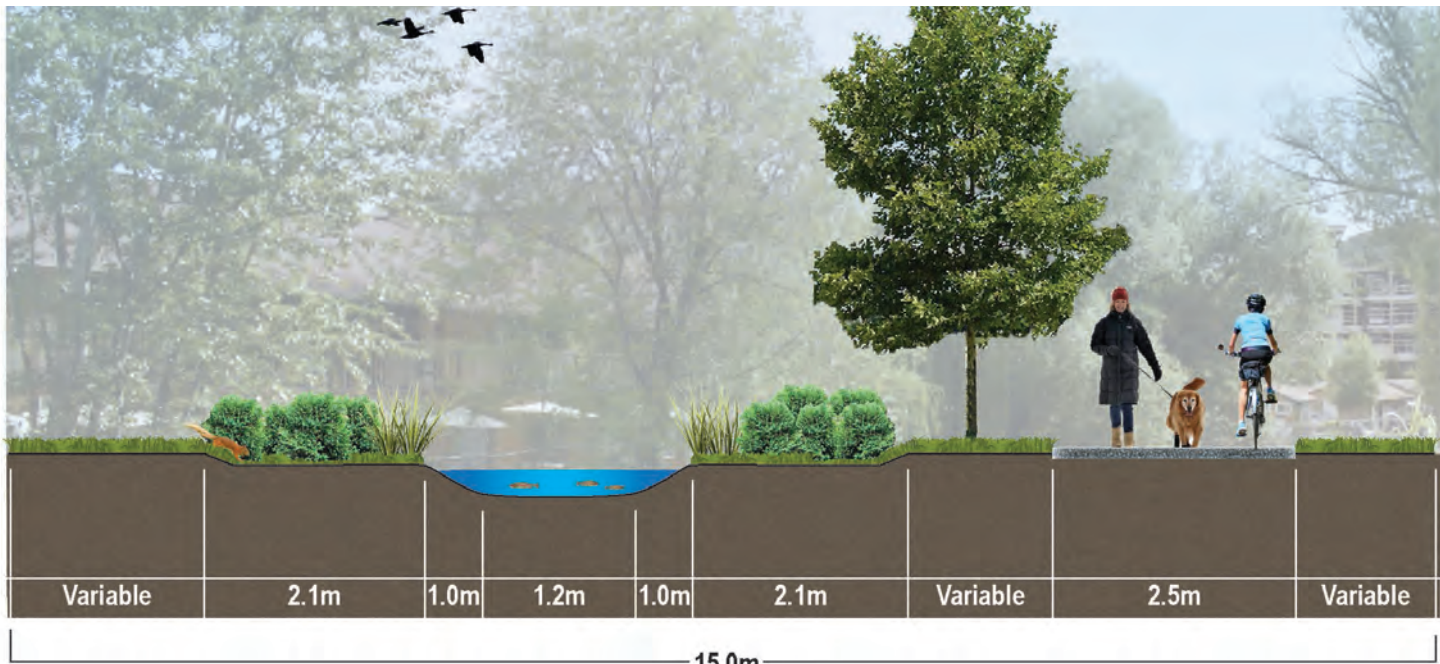
Vision

Ritchie Brook Linear Path will be a secondary pedestrian route and linear greenspace that will roughly follow the alignment of a historic creek. It will serve as a green thread stitching the different neighbourhoods of the urban centre together. Its source or terminus at either end will form major landscape features within Pacific Court Park and Ritchie Park. It will function as both a natural drainage channel as well as a passive stormwater management system for adjacent development. In certain areas rain gardens will flank the channel to provide additional stormwater capacity.

Maintain Sunlight Access for Public Spaces



Illustrated Cross Section of Ritchie Brook Daylighting



Objectives & Policy

- Require the dedication of Ritchie Brook corridor through redevelopment of 1985 Burtch Road, 1947-49 Burtch Road, 1961 Dunn Street, 1559 and 1567 Bedford Avenue to establish a total width of 15.0m.
- Provide a minimum 3.0m wide continuous public pathway system that will alternate on both sides of the Ritchie Brook channel.
- Encourage ground-oriented units along Ritchie Brook as redevelopment occurs in the area.
- Minimize impervious surfaces in adjacent development and incorporate features that will encourage ground water recharge such as rain gardens, green roofs, and pervious paving material.
- Encourage adjacent residential development to allow for a direct access to the pathway system as well as natural surveillance to activate and provide safety of movement along the corridor.
- Encourage semi-private open space designs that incorporate Ritchie Brook as an amenity space for surrounding residents.
- When reviewing building designs for new developments interfacing with Ritchie Brook, ensure that building height and massing maintain sunlight access to the corridor (see the Building Heights Map, page 54).

SUB-AREA 3 MAP



Sub-Area 3: Service Commercial Corridor

Vision

This area will remain an important service commercial corridor that helps to maintain a diversified economic base within the Urban Core Area. Businesses in this area will continue to rely on regional vehicle traffic and major goods movement, requiring large loading bays, surface parking and truck access. Over time, the area will see some redevelopment, as existing aging buildings reach their end of life and landowners choose to intensify development on the sites. This intensification of existing sites will provide room for existing service commercial operations that could be displaced by major redevelopments in other parts of the Landmark District. As major arterials grow busier, laneways will become more important, particularly for goods movement.

Performance Targets

- 550,000 square feet of future floor area of service commercial
- FAR targets: 0.65-1

Sub-Area 3 Policies

Land Use Policies

1. Retain service commercial zoning, protecting the integrity of service commercial uses in the urban centre.
2. Focus high-density mixed-use development in other parts of the Landmark District where services and amenities are planned.
3. Maintain service commercial corridors on both sides of Spall Road and Springfield Road.
 - Do not support general commercial or residential development in these areas, as they may undermine the viability of service commercial in the area.
4. Support more intensive service commercial development with heights of 2-3 storeys as per the Building Heights Map (page 54).
5. Encourage redevelopment to support service commercial and auto repair uses on the ground floor with loading bays and adequate ground-to-ceiling heights.
6. In areas where residential and service commercial uses are adjacent, ensure that new developments take appropriate measures to limit any potential nuisance impacts (noise, odour, etc.).

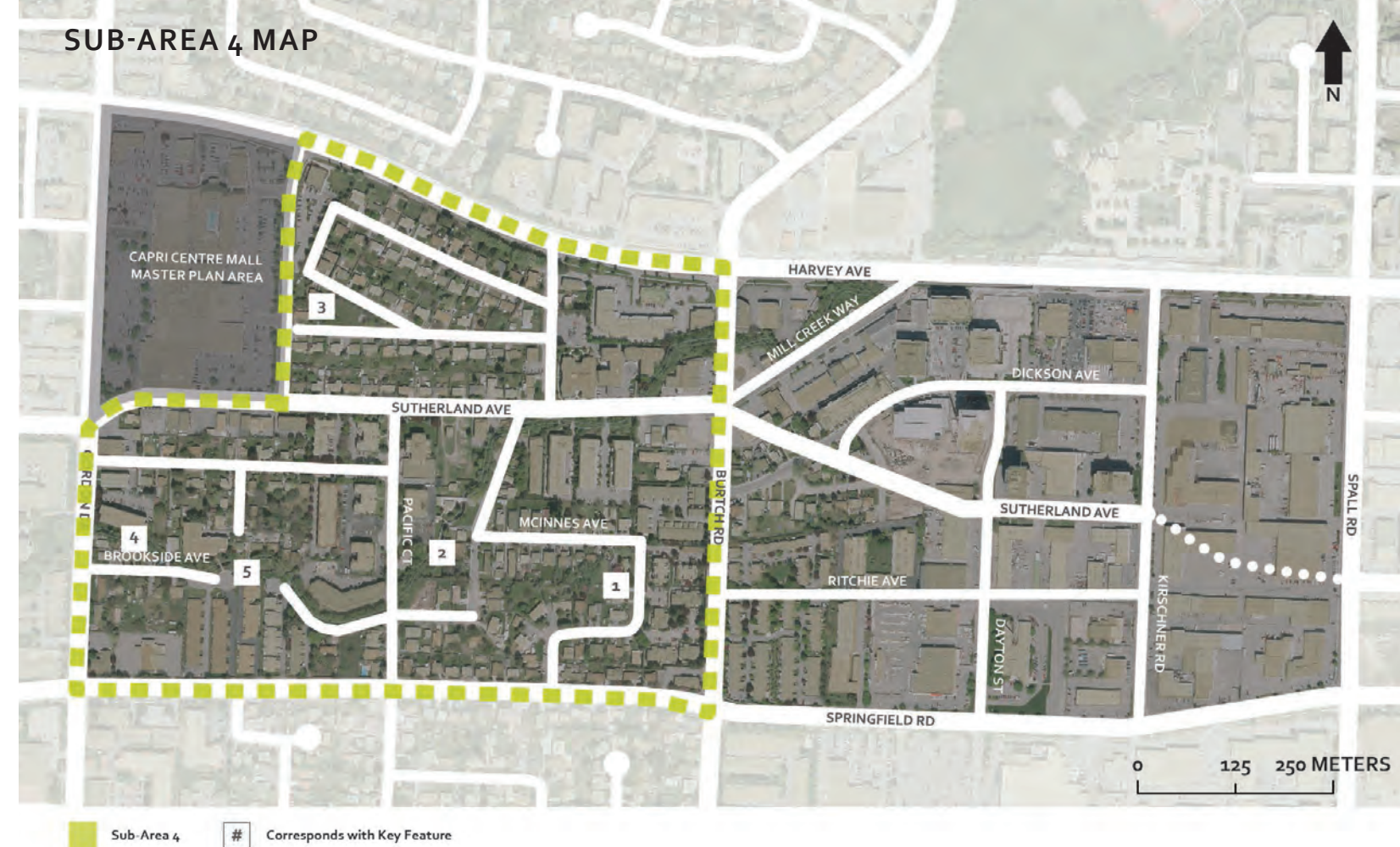
Transportation Policies

1. Establish an east-west lane at the north edge of lots fronting Springfield Road, providing access for loading bays and trucking access to support service commercial uses.
2. Establish a north-south lane at the west edge of lots fronting Spall Road, providing access for loading bays and trucking access to support service commercial uses.
3. Maintain and strengthen the sidewalk and planting strip on north side of Springfield Road.
4. Improve the sidewalk and establish a planting strip with street trees on the west side of Spall Road to provide an improved pedestrian environment.
5. Provide supporting infrastructure such as transit shelters, bicycle parking, and route scheduling information to support frequent transit service on Spall Road and Springfield Road.
6. Provide a pedestrian connection between Springfield Road and Ritchie Avenue as illustrated on the pedestrian improvements map.



Service Commercial in the Landmark District

SUB-AREA 4 MAP



Sub-Area 4: Five Bridges

Vision

This established residential area will be defined by its proximity to the Capri-Centre Mall, nearby parks and the connection to water through the Mill Creek and Ritchie Brook linear paths. Over time, single-detached housing in the area will be redeveloped to apartment buildings and row-housing developments, gradually increasing density in the area. Rental housing units will be preserved as the area redevelops, maintaining housing affordability. Areas adjacent to the Capri-Centre Mall will provide a mid-rise transition from the high density redevelopment of the Capri-Centre Mall, buffering nearby townhouse and low-rise development in the area.

Performance Targets

- Residents per Ha: 125
- Units per Ha: 75
- FAR targets: 0.75- 3.0
- New active parkland: 1.48 Ha

Sub-Area 4 Policies

Land Use Policies

1. Encourage residential and mixed-use areas adjacent to Capri-Centre Mall on Sutherland Avenue to redevelop as mid-rise residential buildings.

- Support mid-rise building heights of 8-12 storeys to provide a transition from Capri-Centre Mall consistent with the Building Heights Map (page 54).
 - Encourage mixed-use development on the south side of Sutherland Avenue from Gordon Drive to Capri Street.
2. For high-density residential in the Pridham Avenue/ Devonshire Avenue area, encourage building podiums of 2-3 storeys with ground-oriented housing such as townhouses on the first 2-3 floors.

- Where buildings include ground floor residential units (e.g. townhouses), the ground floor grade level should be raised above the adjacent sidewalk elevation by at least 0.6 m (2 ft.) to create a clear separation between public and private space.
3. Encourage medium density residential development along Sutherland Avenue east of Capri Street and along Pacific Avenue with an emphasis on the development of a mix of housing tenures to promote housing diversity.

- Where buildings include ground floor residential units (e.g. townhouses), the ground floor grade level should be raised above the adjacent sidewalk elevation by at least 0.6 m to create a clear separation between public and private space.
4. Promote the consolidation of single-detached lots to support efficient building layouts for apartments along Sutherland Avenue, Pridham Avenue, Devonshire Avenue, Belaire Avenue, Pacific Avenue, and McInnes Avenue.

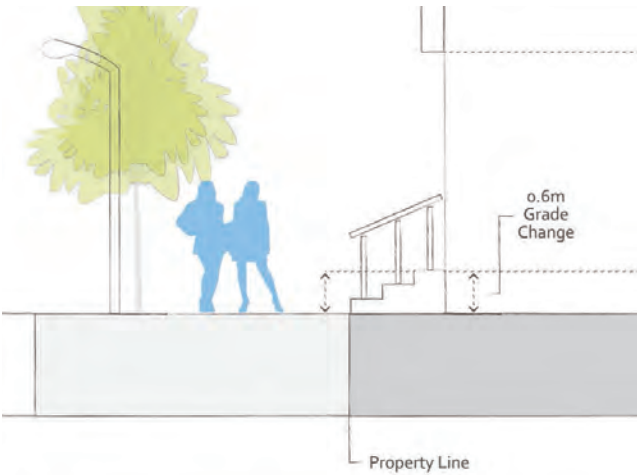
- Where buildings include ground floor residential units (e.g. townhouses), the ground floor grade level should be raised above the adjacent sidewalk elevation by at least 0.6 m to create a clear separation between public and private space.
5. Encourage ground-oriented housing such as townhouses or row-housing in low-density residential areas along Springfield Road and Burtch Road.

- Reduce curb cuts in the layout of row-house and townhouse developments to limit the amount of space allocated to vehicle access for each individual unit.
 - Encourage townhouse and row house designs that access directly onto the street.
6. Encourage the creation of more affordable housing through reduced parking requirements.

- Where buildings include ground floor residential units (e.g. townhouses), the ground floor grade level should be raised above the adjacent sidewalk elevation by at least 0.6 m to create a clear separation between public and private space.
7. Encourage landscaping that contributes to the urban forest and supports improved stormwater management.

- Where buildings include ground floor residential units (e.g. townhouses), the ground floor grade level should be raised above the adjacent sidewalk elevation by at least 0.6 m to create a clear separation between public and private space.

0.6m Grade Change



Medium Density Residential Development



Sub-Area 4 Key Features

1. Ritchie Brook

Vision

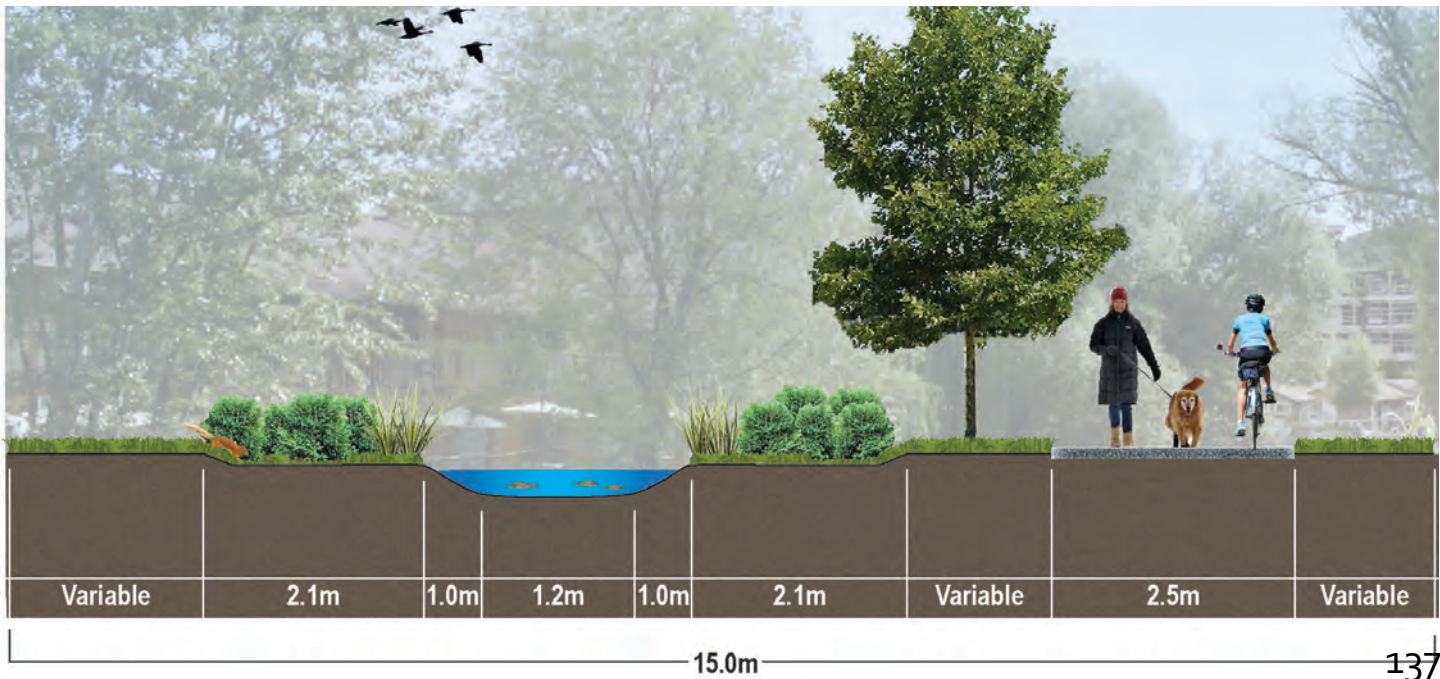
Ritchie Brook Linear Path will be a secondary pedestrian route and linear greenspace that will roughly follow the alignment of a historic creek. It will serve as a green thread stitching the different neighbourhoods of the urban centre together. Its source or terminus at either end will form major landscape features within Pacific Court Park and Ritchie Park. It will function as both a natural drainage channel as well as a passive stormwater management system for adjacent development. In certain areas rain gardens will flank the channel to provide additional stormwater capacity.

Objectives & Policy

- Require the dedication of Ritchie Brook as shown on the Parks & Public Space Improvements Map (page 64) to establish a total corridor width of 15.0 m. through redevelopment of the following properties:
 - South side of McInnes Avenue 1405-1441,
 - 1410, 1418-20, and 1481 Inkar Road
 - 1999 Lindahl Street
 - 1950 Burtch Road

- Encourage ground-oriented units along Ritchie Brook as redevelopment occurs in the area.
- Adjacent residential development will allow for a direct access to the pathway system as well as natural surveillance to activate and provide safety of movement along the corridor.
- Minimize impervious surfaces in adjacent development and incorporate features that will encourage ground water recharge such as rain gardens, green roofs, and pervious paving material.
- Encourage private open space designs that incorporate Ritchie brook as a semi-private amenity space for residents and surrounding residents.
- When reviewing building designs for new developments interfacing with Ritchie Brook, ensure that building height and massing maintain sunlight access to the corridor during the winter months (see the Building Heights Map, page 54)

Illustrated Cross Section of Ritchie Brook Daylighting



2. Pacific Community Park

Vision

As an intersection point for both Mill Creek and Ritchie Brook, Pacific Community Park will form a natural meeting place within the Capri Landmark Urban Centre. The existing Pacific Court Park will increase in size to better serve the area's population and will provide a wide range of amenities within close proximity to Mill Creek, the area's dominant existing natural feature. A key theme of the area will be incorporating nature play into the park to provide both a recreational and educational component that will compliment the existing playground. The existing community gardens will also be enhanced as a valuable resource to the residents living in the area.

Objectives & Policy

- Design the park to emphasize the natural beauty of the site, and incorporate natural play features that relate to the Mill Creek corridor.
- Design the park to emphasize community amenities such as shared garden plots, social gathering opportunities, education, and nature play.

- Locate intensive and active uses, such as sports courts, at north end of the park and a passive informal lawn and playground at south end of the park.
- Incorporate bridge connections over Mill Creek to link nature play areas with the existing playground in southwest.
- Create strong gateway connections to park from adjacent development, as part of Ritchie Brook and Mill Creek trail systems, to promote safe pedestrian movement and access.
- Ensure that new development surrounding the park does not result in significant shade impacts.
- Design and build the park for large-scale and intimate gatherings, as well as intensive year-round use.
- Promote park designs that serve as temporary stormwater detainment during annual freshet.

Parks Featuring Nature Play and Temporary Stormwater Detainment



3. Mary Anne Collinson Memorial Park

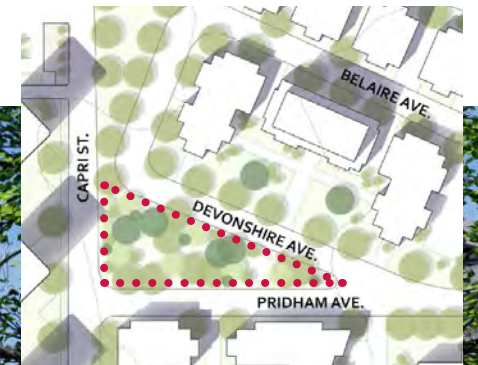
Vision

Mary Anne Collinson Memorial Park will be a neighbourhood park that provides a small green space and playground area for Capri-Centre Mall site residents. The park will be framed by low-rise apartment buildings to the south and mid-rise apartment buildings to the north, both incorporating ground-oriented units that will provide a strong interface between the park and the neighbouring buildings.

Objectives & Policy

- The park should be designed and built for large-scale and intimate gatherings, as well as intensive year-round use.
- Ensure the park provides playground features for young children.

- Ensure new development along the northeast and southern edges of the park provide ground-oriented housing units that front the park and provide eyes on the street.
 - Where buildings include ground floor residential units (e.g. townhouses), the ground floor grade level should be raised above the adjacent sidewalk elevation by at least 0.6 m (2 ft.) to create a clear separation between public and private space.
- Ensure that new development surrounding the park does not result in significant shade impacts during the winter months.



4. Mill Creek Linear Park

Vision

Mill Creek Linear Park will be a natural amenity that offers access to nature and recreational opportunities for people living and working in the area. As areas are redeveloped, the lands adjacent to the creek will be dedicated to the City for public access and a continuous linear park and pedestrian corridor will be established throughout the Five Bridges area. The pathway and amenities will allow for access and enjoyment by people of all ages.

Objectives & Policy

- Require land dedication on both sides of Mill Creek corridor in accordance with OCP parkland dedication policies as redevelopment occurs along Brookside Avenue, Pasnak Street, and Lindahl Street as shown on the Parks and Public Space Improvements map, page 64.
- Provide a minimum 2.5m wide continuous public pathway system outside the riparian setback zone that will alternate on both sides of the creek.
- Focus design to improve riparian planting along the water course.
- Encourage development that interfaces with Mill Creek to treat the corridor as park frontage with direct pedestrian access.
- When reviewing building designs for new developments interfacing with Mill Creek, ensure that building height and massing maintain sunlight access to the corridor during the winter months (see Building Heights Map, page 54).

5. Brookside Park

Vision

Brookside Park will be a new neighbourhood park situated next to Mill Creek in the southwest corner of the Five Bridges Area. The design and treatment will focus on passive recreation opportunities and children’s play area. In addition to providing an intimate play area for a number of multi-family residential buildings bordering the park, the park will also serve as a gateway to the Mill Creek Linear path.

Objectives & Policy

- Design of the park to emphasizes the pedestrian connections to Mill Creek from existing street network.
- Create a gateway connection to the Mill Creek linear path corridor.
- Incorporate bridge connections over Mill Creek to link with residential areas to the south.
- Integrate playground or nature play facilities into park to promote use by families and young children.
- New development on park edges to promote natural surveillance for the park.
- Ensure that new development surrounding the park does not result in significant shade impacts.
- Promote park designs that serve as temporary stormwater detainment during annual freshet.

Other Surrounding Areas

While the focus of the Capri-Landmark Urban Centre Plan is for development and investment within its boundaries, the plan must also consider its relationship to surrounding areas. Generally, direction in the current Official Community Plan (OCP) will hold in areas surrounding the urban centre, and each project will be considered on a case-by-case basis. However, where some more specific direction is warranted, the following objectives are provided.

Parkinson Recreation Centre (PRC)

- Strengthen the connection between the Capri-Landmark urban centre and the PRC to increase ease of access to this high-quality amenity for future residents.
- Encourage a major secondary school to be located near the PRC.

Burtch Road / Harvey Avenue Gateway

- Consider mixed-use commercial/residential development up to 6 storeys in height on the northeast corner of the intersection (1544-1634 Harvey Avenue).
- Support commercial redevelopment of the northwest corner of the intersection, not including residential (1470 Harvey Avenue).

Springfield Service Commercial (south side)

- Support the retention of service commercial uses on the south side of Springfield Road.
- Facilitate intensification of these service commercial sites over time with development up to 3 storeys.
- Consider proposals for other commercial uses on 1585-1711 Springfield Road on a case-by-case basis.

Gordon Drive Commercial (west side)

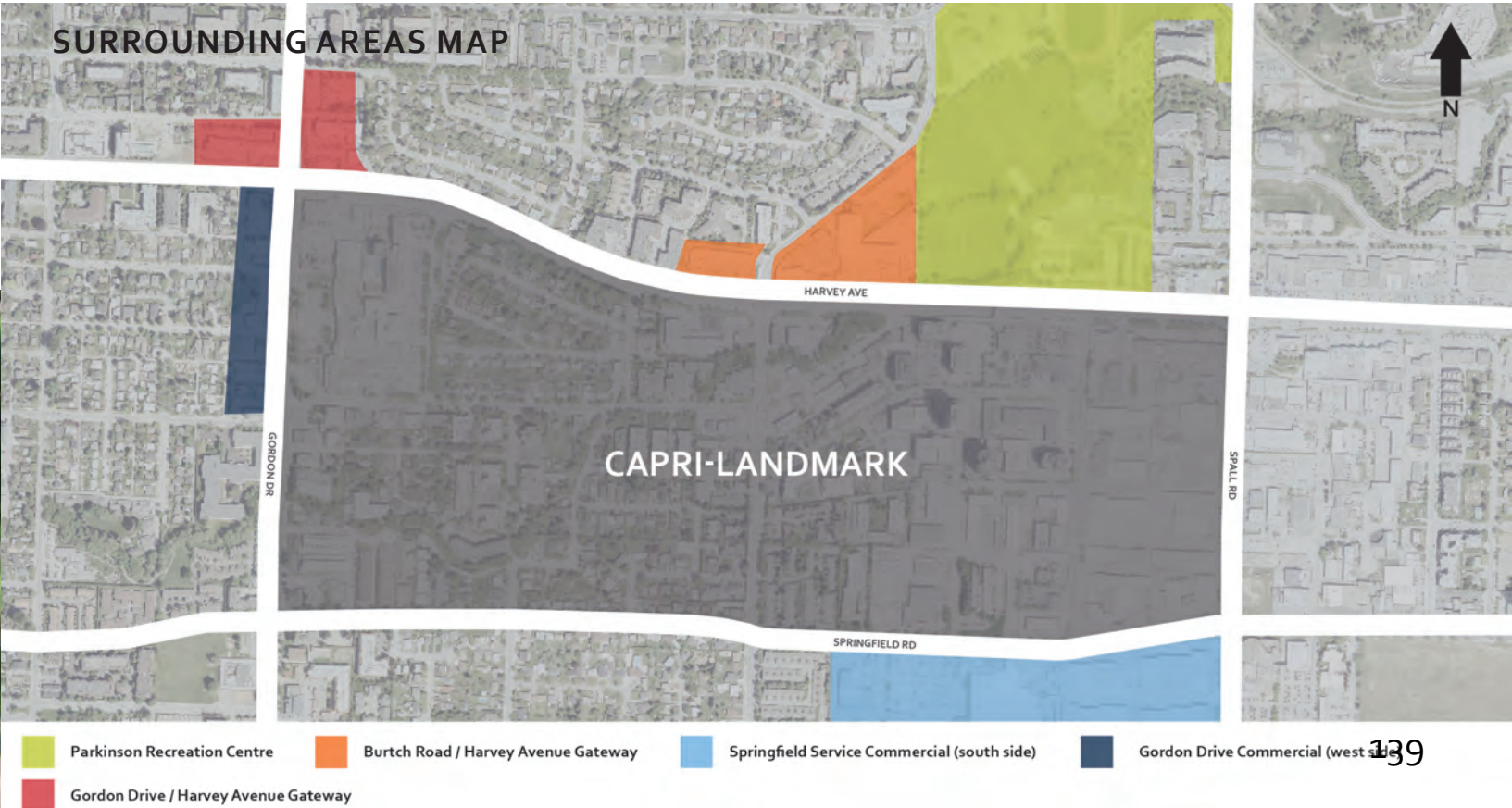
- Support commercial or mixed-use commercial and residential uses on the west side of Gordon Drive, north of Sutherland Avenue.
- Transition building height between the surrounding low-density residential neighbourhood to the west, and high-density residential and commercial to the east.
 - Building heights should not exceed 6 storeys.

Gordon Drive / Harvey Avenue Gateway

- Consider mixed-use commercial/residential development up to 6 storeys in height on the north side of Harvey Avenue (1030-1140 Harvey Avenue).



Mill Creek Linear Park Concept



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Business in Capri-Landmark Today

There are two significant concentrations of employment in the Capri-Landmark Urban Centre. The first is the Capri Mall area. This area employs approximately 1,000-1,500 people, with the large majority being focused on the Capri Centre Mall site itself. The nature of these businesses ranges, but generally consists of retail, commercial and food services.

Moving eastward, the Landmark District area is the region’s most significant office hub, with approximately 3,500 employees in the six Landmark towers. This area has seen the most rapid growth since it began development in the 1990’s. Businesses in the Landmark towers are typically professional services, ranging from law to finance, and from technology companies to real estate.

Surrounding the Landmark Towers is a broad range of businesses occupying large sites with older building stock. While there are examples of newer buildings in the area surrounding the Landmark towers (e.g.: Stuart Centre), the majority of the buildings are original to when the area was first developed at the periphery of the city. The area contains over 120 businesses with approximately 1,000-1,500 employees. Businesses in the area include professional services and retail in newer buildings, and retail, service commercial/industrial and manufacturing in older buildings

While the businesses in the Landmark area are eclectic and diverse, there is a shortage of businesses needed to provide for the full range of daily needs of future residents. The residential density in the area is simply not high enough to support businesses that operate seven days a week, meaning that residents and workers in the area are poorly served outside of regular work hours.

A Bright Future for Business in Capri-Landmark

Vision

The Capri-Landmark Urban Centre will be host to a vital business community with a wide range of businesses represented. Relatively new businesses will grow at pace with the increase of new residents in the area, supporting their daily retail and service needs. New businesses will mix shoulder-to-shoulder with older, established businesses. Some of the established businesses will take the opportunity to move into new retail and office spaces created through redevelopment. Others will remain in place, but will shift their business model to cater to the growing number of residents in the area. Throughout this transition, the city will work hard to ensure that existing businesses are able to thrive, with business support services, and active parking and access management.

On its journey to become a complete urban centre, Capri-Landmark has a head start when it comes to employment, with one of the largest concentrations of jobs in the region. The greatest opportunity in the area is for increased levels of residential development and associated services and amenities. With this in mind, the following goals are laid out to build a successful environment for a wide range of businesses:

Goals

1. Maintain or modestly increase current levels of office employment.
2. Provide more amenities and services to improve the experience for employees.
3. Support business offerings that cater to the growing residential population.
4. Protect a service commercial / industrial base with major road access.

A Gradual Transformation

Change to businesses in the Capri-Landmark urban centre will likely occur slowly over time, and will largely be done through normal market means. The earliest changes to businesses in the Capri-Landmark Urban Centre may come from the Capri Centre Mall, which has an approved plan for phased redevelopment. As each phase of the redevelopment takes place, it will be the responsibility of the landowner to negotiate with each business tenant regarding individual lease arrangements.

Additionally, as buildings age and deteriorate, some landowners may begin to explore the potential benefits that redevelopment and intensification can bring. Some may choose to take advantage of development potential sooner than others. This is the normal function of the land development market over time. As buildings age, they gradually turn over to a higher and better use. Once again, the individual arrangements with tenant businesses will be the responsibility of the landowner at the time.

As the number of residents grows in the area and demand increases for services, more retail, restaurants and other resident-service businesses are expected to take root in the area. Likely, these new businesses will take over spaces vacated by other businesses, or will occupy new space provided through the redevelopment of an older site.

Managing Change for Businesses

While it is easy to imagine a different future, the transition from here to there can be challenging. New construction, road realignments, and increased competition for parking can present difficulties to businesses operating during these changes. This chapter lays out the critical strategies that the City will employ to support the Capri-Landmark business community through these transitions over the coming decades.

Ensure an Adequate Supply of Industrial and Commercial Land

At any point in time, businesses are changing locations all around Kelowna. Some are expanding and need more space. Others are moving to take advantage of a different location

or to gain access to different markets. Still others are on the move looking for better pricing, or more favourable lease terms.

Through all this change, the City's most important role in this is to manage the supply of land at a city-wide scale. To this end, the City completed an industrial and commercial land inventory.¹ The result of the inventory indicated that the City has an adequate supply of designated commercial and industrial land to meet expanding market needs for the next 20 or more years.

Support a Balanced Market for Commercial and Industrial Space

Further analysis was conducted of the supply of Class B commercial space across the city. The work was completed to ensure that adequate space is available for businesses who do face the prospect of having to find new space elsewhere in the city. The results indicated that there is roughly 250,000 sq ft of Class B commercial space in the city². Given the incremental pace of change for businesses in the Capri-Landmark area, this is seen to be an ample supply of space. The City will continue to monitor the levels of available commercial and industrial space to ensure a healthy business climate.

Other Strategies

Beyond managing overall land supply and the supply of available space, there are other detailed strategies to help businesses thrive as the Capri-Landmark urban centre grows:

- 1. Parking management:** As the urban centre attracts more development, parking will become an even more contentious issue. Customers walking and cycling to these businesses will increase, but businesses will still need access to a healthy supply of on-street parking for their clients.
 - Develop a parking management strategy for the Capri-Landmark urban centre.
 - As demand for on-street parking grows, ensure that there is regular supply of on-street parking for the customers of nearby businesses.

¹ Rollo and Associates, Commercial Demand Study (November, 2018).

² Based on a market assessment by HM Commercial (Fall 2018), including office and retail.

- Support innovative approaches to off-street parking that help make better use of existing parking facilities.
 - Consider reductions in minimum parking standards where a full transportation demand management plan is provided.
- 2. Business support services:** As the urban centre grows and changes gradually over the coming decades, existing businesses will encounter new challenges and opportunities. Helping each of those businesses through that change will be critical.
 - Connect existing businesses to support services to help them take advantage of the growth and development occurring around them.
 - Utilize both the City's and the Central Okanagan Economic Development Commission's services to meet with each individual business owner in the area to determine challenges and opportunities, and use this as the basis of future programming to minimize impacts.
 - 3. Access management:** Private and public investments in the Capri-Landmark area will mean changes to the way people and vehicles move around the urban centre.
 - Where road network changes are anticipated, maintain maximum access for existing businesses.
 - Where identified, obtain rear lane right-of-way through redevelopment to support easy access for goods delivery in the long-term. Lanes will become more valuable as on-street loading and goods movement becomes more constrained.



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Introduction to Key Actions

Chapters 1-6 of the Capri-Landmark Urban Centre Plan outline an ambitious, forward-looking strategy that will build on the strengths of the area today to create a vibrant, amenity-rich live-work destination in the coming decades. This chapter outlines the key actions required to move the plan from vision to reality, and the alignment of the plan with a range of important City policy objectives. The infrastructure and policy updates that will operationalize the plan over the next 20 years are summarized along with the relevant teams responsible for delivering them. The approach to financing the plan describes how key infrastructure projects will be integrated into the City's capital planning processes.

Translating the vision of the plan into action on the ground will require long-term buy-in from a range of groups. It will require staff and council to support the goals and objectives of the plan by prioritizing strategic investments in parks, public spaces, and transportation improvements over the next 20-30 years. At the same time, it will require staff and council to explore new tools for building great urban centres from a funding, design, or operations perspective. The development community will be the other major player, bringing forward development applications and re-zonings that reflect the policy goals and objectives for the area. In short, the implementation of the plan will take shape gradually through each redevelopment and civic investment in the area over the next 20 or more years.



“Translating the vision of the plan into action on the ground will require long-term buy-in from a range of groups

Key Infrastructure

The projected growth for Capri-Landmark is expected to account for 13 per cent of citywide growth to 2040, translating into a future population of 10,000 people. Based on this considerable growth, the plan identifies core infrastructure improvements that meet both the basic operational needs for the urban centre and that deliver a high quality of life for future residents and workers. Key infrastructure improvements are organized around three key categories: transportation, parks, and utilities. The key infrastructure projects within these three categories are summarized below, supported by estimates of the financial impacts and the proposed funding strategies to deliver key projects.

Transportation Infrastructure

The plan promotes a mix of land uses and identifies various infrastructure improvements to make it easier to walk, cycle or take transit. The proposed transportation improvements will be critical to support growth and to ensure residents have a range of transportation options within the urban centre. Chapter 4 highlights the major transportation improvements; however, the full list of transportation improvements and infrastructure required is identified in the TSR and included as Appendix B of the plan. The improvements will be implemented as redevelopment occurs and using the funding strategies identified in this chapter.

Key Transportation Improvements

- Realign Sutherland Avenue as a multi-modal corridor with an ATC to enhance east-west connectivity from Gordon Drive to Spall Road.
- Provide transit access within the Landmark District by changing route 11 service and adding several bus stops to the Landmark District.
- Provide additional access to the pedestrian bridge overpass from Dickson Avenue and link to the Dayton Promenade.
- Extend Pacific Court through to Springfield Road to create a new north-south vehicular connection, including the closure of a portion of Lindhal Street to thru traffic.
- Develop Dickson Avenue as a main street to encourage a destination for streetfront retail and community gathering.
- Establish a bicycle boulevard between Gordon Drive and Burtch Road to provide a low-stress secondary cycling route in the Five bridges area.
- Establish Ritchie Avenue as a local low-traffic street that will provide additional east-west connectivity for pedestrians and residents in the Landmark District.
- Require sidewalks on all streets in the urban centre.

- Improve the following intersections to reduce congestion:
 - Burtch Road and Springfield Road
 - Burtch Road and Harvey Avenue
 - Spall Road and Springfield Road
 - Gordon Drive and Harvey Avenue

Parks & Public Space Infrastructure

The other investment needed to provide a high quality of life and to transform Capri-Landmark is the addition of parks and public spaces. As per the City’s Urban Centres Roadmap principles, investments in park and public spaces will offer a much needed amenity for future residents and workers and serve as a catalyst to support the transformation of this urban centre.

Active Parks Space

- Ritchie Park will serve as the primary green space for the Landmark District, functioning as a gathering space for residents and workers in Landmark.
- Landmark Plaza will be the civic heart of the Landmark District serving as a focal point for activity for the area, providing places for people to linger, relax, and socialize.
- Pacific Court Park will be the community park for the urban centre, offering spaces to access nature, relax, socialize, and play. The park will also serve as a gateway and access point for the Mill Creek and Ritchie Brook linear parks.
- Brookside Park will be a small neighbourhood park providing a green space for residents in the Five Bridges Area.
- Mary Anne Collinson Park will see a small expansion and continue to serve as a neighbourhood park and green space for nearby Five Bridges and Capri-Centre Mall site residents.

Linear Parks

- Mill Creek Linear Park will traverse the urban centre, providing a green corridor and pedestrian path that will meander through the Five Bridges neighbourhood.
- Ritchie Brook will be a secondary linear path that will connect from Pacific Park to Ritchie Park, providing a pedestrian connection and green corridor for local residents.

Utility Infrastructure

Several major utility improvements are required to support the projected 2040 population. A number of these projects will require monitoring of utility capacity as redevelopment occurs. In addition to the projects identified below additional improvements will be identified as development applications come forward.

Key Water Utility Improvements

- Sutherland Utility realignment will be required to support the realignment of Sutherland Avenue as the main east-west transportation corridor for the Landmark District.

Key Wastewater Improvements

- The Capri-Centre Mall redevelopment will require upgrading of sanitary sewer in the area around the Capri-Centre Mall.
- From Burtch Road to Dayton Street the Central Quadrant Sanitary pipes will need to be upgraded to accommodate the long-term densification of the area.
- Southwest quadrant of the Capri area will need to be monitored in order to determine when the pipes that link to the Ethel Street trunk need to be upgraded.

Key Drainage & Stormwater Improvements

- Establish Ritchie Brook as a naturalized channel to support drainage and pedestrian connectivity.
- Further naturalize sections of Mill Creek to improve stormwater management.



Change on the Ground

The illustrative vision in Chapter 4 shows how the Capri-Landmark area could look at full build-out, with all of the infrastructure in place and redevelopment completed. That transformation will, however, take more than 20 years to realize. The pace of change in the area is likely to start off slowly as the area begins its transition into a more complete urban centre. As key infrastructure is put in place and early redevelopment occurs, the pace of change is likely to accelerate. The sequence and timing of any single one of these changes are very difficult to predict. The scenario on page 106 illustrates the gradual transformation of the area in 10-year increments from today as an early stage urban centre to full build-out as a mature urban centre after 2040.

2020-2030

The Capri-Landmark urban centre will still be at an early stage in terms of its maturity as an urban centre. The focus at this point will be to establish the physical structure

(roads, sidewalks, parks, and land use policies) to support the future densification in the area. Key actions at this stage of urban centre development will relate to establishing the transportation network, acquiring lands for parks and public space, and building a strong population base by encouraging medium and high-density residential development.

Potential Actions

- Sutherland Avenue extension from Burtch Road to Dayton Street.
- Gateway redevelopment at western edge of Landmark District.
- High-density mixed-use redevelopment projects in the Landmark District.
- Low-rise service commercial along Springfield Road.
- New pedestrian connection from Harvey Avenue to Dayton Promenade.

- Future park lands in the Landmark District acquired.
- Mid-rise redevelopment projects along Sutherland Avenue in Five Bridges.
- Tower redevelopment projects at Capri-Centre Mall site.
- Low-rise (3-6 storeys) redevelopment in the Five Bridges area.
- Land along Mill Creek Linear Park corridor acquired.
- Redevelopment along Mill Creek is required to naturalize the channel, restoring stormwater capacity and improving the ecosystem.
- Pacific Park Phase 1 (southern portion).

2030-2040

Over the next 10 years, the pace of change will increase. With the physical structure of the area in place, the urban centre will transition from an early stage urban centre to a developing urban centre. At this point the focus for urban centre planning and civic investment will relate to increasing population and employment density and making strategic investments in parks and public space. Also, further investments in the transportation network will enhance connectivity and ensure a range of transportation options as the residential population increases.

Potential Actions

- Sutherland Avenue extension from Kirschner Road to Spall Road.
- Redevelopment of gateway site at Spall Road and Sutherland Avenue.
- High-density mixed-use redevelopment in the Landmark District.
- Ritchie Neighbourhood park in Landmark District developed.
- Urban Plaza in Landmark District developed.
- Dayton Promenade in the Landmark District developed.
- Pacific Park development Phase 2 (northern portion).

- Skating rink at Capri-Centre Mall built.
- Low-rise townhouses in Five Bridges developed.
- Improvements to Mill Creek Linear Path corridor.
- Lands for Ritchie Brook corridor acquired as redevelopment occurs.
- Service commercial intensification along Springfield Road and Spall Road.
- Redevelopment of the Parkinson Recreation Centre.
- Expansion of Mary Anne Collinson Memorial Park.

2040-2050

By 2050 the Capri-Landmark urban centre will be largely transformed, demonstrating many of the characteristics of a mature urban centre. Many of the foundational investments and actions will be in place, but on-going investment and improvements will be needed to support a vibrant and livable urban centre. At this phase of urban centre development when population and employment densities have increased, the development of linear parks and other amenities will be of utmost importance. Further improvements to the transportation network and increased attention to the urban design of new development will also be required at this stage.

Potential Actions

- Ritchie Brook Linear Park developed.
- Mill Creek Linear Park developed.
- On-going mixed-use redevelopment in Landmark District.
- Completion of the Capri-Centre Mall redevelopment.
- Townhouse and apartment redevelopment throughout Five Bridges area.
- Transportation network improvements at Pacific Court and Springfield Road.
- Ritchie Avenue in Landmark District built as redevelopment occurs in the area.
- Service commercial sites throughout Landmark District redeveloped.
- Brookside Neighbourhood Park acquired and developed.





KEY ACTIONS 2020-2030 ILLUSTRATION

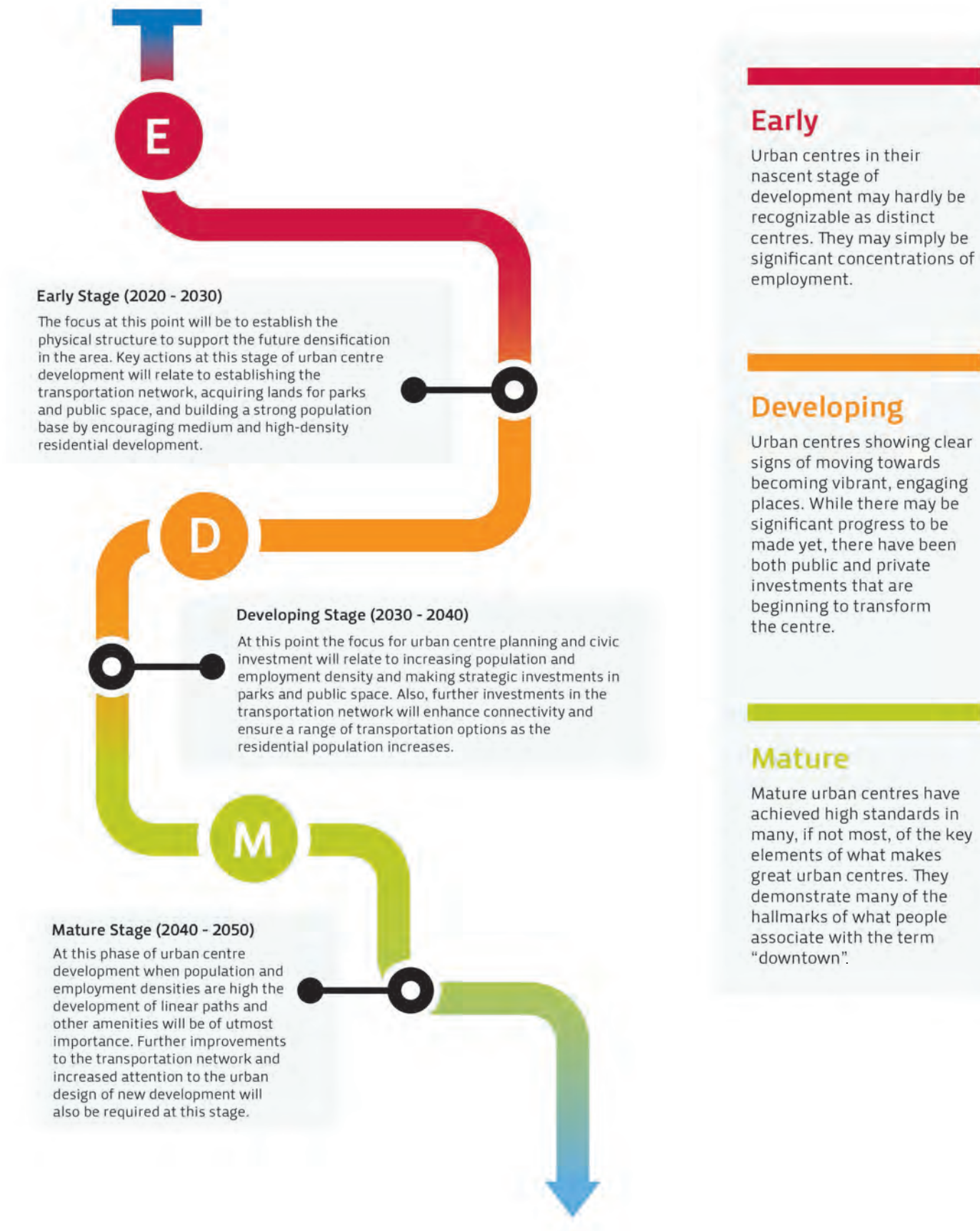


KEY ACTIONS 2030-2040 ILLUSTRATION



KEY ACTIONS 2040-2050 ILLUSTRATION

Phases of Change



Role of New Development

Each new development proposed in the Capri-Landmark urban centre presents a major opportunity to move the area towards the vision articulated in this plan. This section lays out the general expectations of new development to provide clarity for landowners, staff, and the development community.

1.

Consistency with plan objectives: The first step is to ensure that any proposed development is generally consistent with the objectives laid out in Chapter 4.
2.

Alignment with plan policies: The proposal must also be consistent with the relevant sub-area policies laid out in Chapter 5. This includes the detailed directions associated with each key feature.
3.

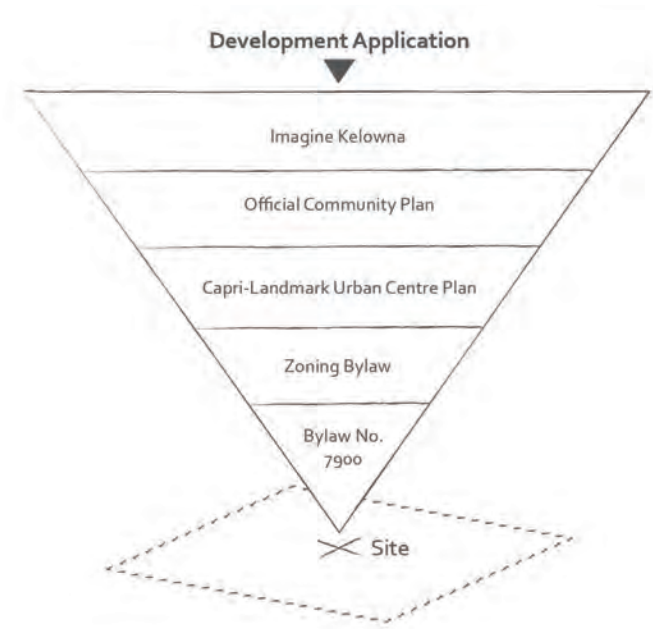
Land dedications at rezoning: Some sites in the urban centre overlap with key features that are needed to realize the vision of the plan. Achieving these key features will, in some cases, require land dedication at rezoning, as follows:
 - Properties fronting linear paths (Ritchie Brook, Mill Creek, and the Dayton Promenade) or walkways will need to dedicate the specified right-of-way at rezoning.
 - Properties that include the future alignment of Sutherland Avenue as per the conceptual design developed for the plan and other streets where the cross-section or project requires partial land dedication such as Pacific Avenue, Kirschner Road, Pacific Court, Capri Street, Dayton Street, Ritchie Avenue, or identified laneways will need to dedicate the specified right-of-way at rezoning.
 - Properties where land is needed for bus stops and shelters will need to dedicate the specified right-of-way at rezoning.
 - Properties that include key public spaces (Landmark Plaza) will need to dedicate the appropriate space at rezoning. Floor Area Ratio potential lost from this dedication should be transferred to the remainder of the site.
4.

Transportation analysis: Each development that generates ≥ 100 trips will be required to complete a TIA and a TOR to identify scope of work. The TSR will guide future TIA work in the urban centre, establishing the strategies and improvements to support a balanced transportation network. TIAs will confirm site circulation, access, implementation of TSR strategies and assumptions, and the timing of individual standalone projects to ensure the short and long-term success of the urban centre.
5.

Design guidelines: Each project must also be consistent with the Comprehensive and Revitalization Design Guidelines in the Official Community Plan (OCP).
6.

Frontage improvements: In addition to any off-site servicing improvements (e.g. water, sewer) triggered at rezoning, each new development will be responsible for frontage improvements. These frontage improvements must be completed based on the cross-sections identified in Appendix A. These cross-sections supersede the standards set out in Bylaw 7900.

Development Application Review Process



Costs Estimates & Funding Strategies

Costs Estimates

Based on projections to 2040, delivering the key infrastructure identified above will require considerable public and private resources. The table below shows high-level cost estimates, including both land and construction costs.

Costs Estimates for the Capri-Landmark Plan

Project Type	Land Costs	Project Costs	Total
Parks & Public Spaces	17,500,000	12,000,000	29,500,000
Transportation	20,000,000	34,000,000	54,000,000
Utilities	N/A	8,000,000	8,000,000
Total	\$37,500,000	\$54,000,000	\$91,500,000

Funding Strategies

In order to transform Capri-Landmark into a vibrant urban centre key investment will be needed. The plan identifies a range of different funding strategies to support the development of key infrastructure over the long-term. The recommended funding approach for plan implementation is based on the following financial planning principles:

1.

Establish fees and charges where those who benefit the most from future infrastructure improvements are expected to contribute the most (area funding tool).
2.

Limit funding strategies that create a disincentive for future development in Capri-Landmark.

3.

Promote fairness and equity for all development through funding strategies.
4.

Utilize funding tools that will ensure viability of the long-term plan goals.
5.

Encourage tools that provide flexibility for long-term urban centre planning and revitalization.

Based on these principles, the City’s Development Cost Charge (DCC) program (20-Year Servicing Plan) is recommended as the primary funding tool to deliver the proposed infrastructure. All identified projects will be

reviewed during the citywide update of the DCC program where the appropriate DCC / tax share can be fairly apportioned. The parkland acquisition projects, transportation works, and utility improvements will all be considered for inclusion in the 20-Year Servicing Plan / Infrastructure Plan through consultation with key stakeholders and will require council approval. All DCC projects added to the 20-Year Servicing Plan would also have a corresponding taxation assist.

Staff are also recommending that a local area funding tool (e.g. area-specific DCC) be investigated through the 20-Year Servicing Plan update in 2019-2020 to ensure local landowners who benefit the most pay their fair share of transportation infrastructure. In addition, the plan will rely on development-led improvements related to transportation, parks and utilities that will be secured through the rezoning of key parcels.

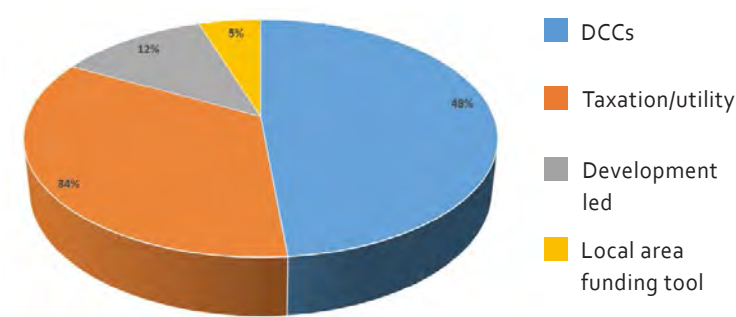
The infrastructure improvements identified are vital to the success of the revitalization of the urban centre, reinforcing that a defined approach for delivering the infrastructure is fundamental to the success of the plan and the City’s growth strategy. A clear approach for financing key improvements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

Funding Strategies for the Capri-Landmark Plan

Project Category	Cost Estimate	Taxation / Utility	Development Cost Charges	Development Led	Local-area Funding Tool
Parks & Public Space	\$29,500,000	\$18,000,000	\$11,000,000	\$0	\$0
Transportation	\$54,000,000	\$12,000,000	\$27,500,000	\$9,500,000	\$5,000,000
Utilities	\$8,000,000	\$1,500,000	\$4,700,000	\$1,800,000	\$0
Total	\$91,500,000	\$31,500,000	\$43,700,000	\$11,300,000	\$5,000,000

Infrastructure projects will be considered for inclusion in the updated 20-Year Servicing Plan / Infrastructure Plan in 2019-2020. Due to the scale of improvements proposed, the addition of the Capri-Landmark projects will require additional taxation funding via the removal of lower priority projects in the current Infrastructure Plan or by reviewing the City’s approach to taxation assists and DCC rates. All infrastructure projects not in the 10-year capital plan and all Capri-Landmark projects will be subject to the annual capital planning process, and council will need to prioritize Capri-Landmark amongst all the other capital projects for implementation to occur.

Proposed Funding Sources for Capri-Landmark Infrastructure



Key Policy & Bylaw Amendments

The following table summarizes the actions required to set the implementation of the Capri-Landmark Urban Centre Plan into motion.

Actions Required for Capri-Landmark Plan Implementation

Action	Description	Group Responsible
Update OCP future land use designations	Align OCP future land use map to reflect the future land use plan described in the Capri-Landmark Plan.	Policy & Planning
Update Capri-Landmark Chapter 5 OCP policy objectives	Incorporate key policies from the Capri-Landmark Plan into Chapter 5 of the OCP to ensure key plan directions.	Policy & Planning
Update zoning bylaw to create a mixed-use residential zone that supports Capri-Landmark	Update C4 Zone to reflect the mixed-use policy and density goals of the Capri-Landmark Plan.	Community Planning
Discharge land use contracts in Capri-Landmark	Discharge the land use contracts that are still in place to ensure future development is subject to the Capri-Landmark Plan.	Community Planning
Explore the potential for local-area funding tool through the 20-year Servicing Plan	Explore the potential of introducing a local-area funding tool such as an Area Specific DCC for transportation in Capri-Landmark.	Infrastructure Planning
Add key projects to the 20-year Servicing Plan	As the 20-year servicing plan is updated in 2019-20 key transportation, parks, and utility projects from the Capri-Landmark Plan will be considered for inclusion.	Infrastructure Planning
Update the OCP transportation maps	Update citywide transportation maps and Pedestrian and Bicycle Master Plan to show new DCC roads and ATC corridors.	Integrated Transportation
Move forward with land acquisition as identified in the plan	As the Capital Plan is updated to include key parks and transportation infrastructure, the City will need to update its land acquisition strategy to support key plan actions.	Real Estate & Strategic Investments
Require development applications to meet policy objectives of the plan	As development applications come forward the, overarching policy objectives and sub-area policy objectives will inform development applications.	Community Planning
Require development applications to meet identified transportation improvements and cross-sections	The TIA and development engineer requirements process will ensure improvements identified by the TSR in Appendix B and the cross-sections shown in Appendix A are required.	Development Engineering

Summary / Conclusion

Achieving the direction established by the Capri-Landmark Plan will require a long-term commitment from a range of different groups. In order to realize the goals of a comprehensive plan each redevelopment or project in the area must be looked at holistically as an opportunity to advance the different land use, transportation, and public space goals of the plan. The plan also outlines the growth and infrastructure that will guide the transformation of the urban centre over the next 20 or more years. Although the infrastructure works proposed are not insignificant they are commensurate with the considerable growth projected for dense amenity-rich urban centre. The plan will be implemented gradually over the next 20 or more years with significant leadership roles for both the city and the development community. The investment to transform Capri-Landmark into a vibrant urban centre represents a cost-effective approach to civic investment, simultaneously advancing a range of the City's long-term goals for climate action, smart growth, and healthy communities.

“ To realize the goals of a comprehensive plan, each redevelopment or project in the area must be looked at holistically as an opportunity to advance the different land use, transportation, or public space goals of the plan



APPENDICES

APPENDIX A. TRANSPORTATION CROSS SECTIONS

APPENDIX B. TRANSPORTATION
SERVICING REVIEW (CHAPTER 8)

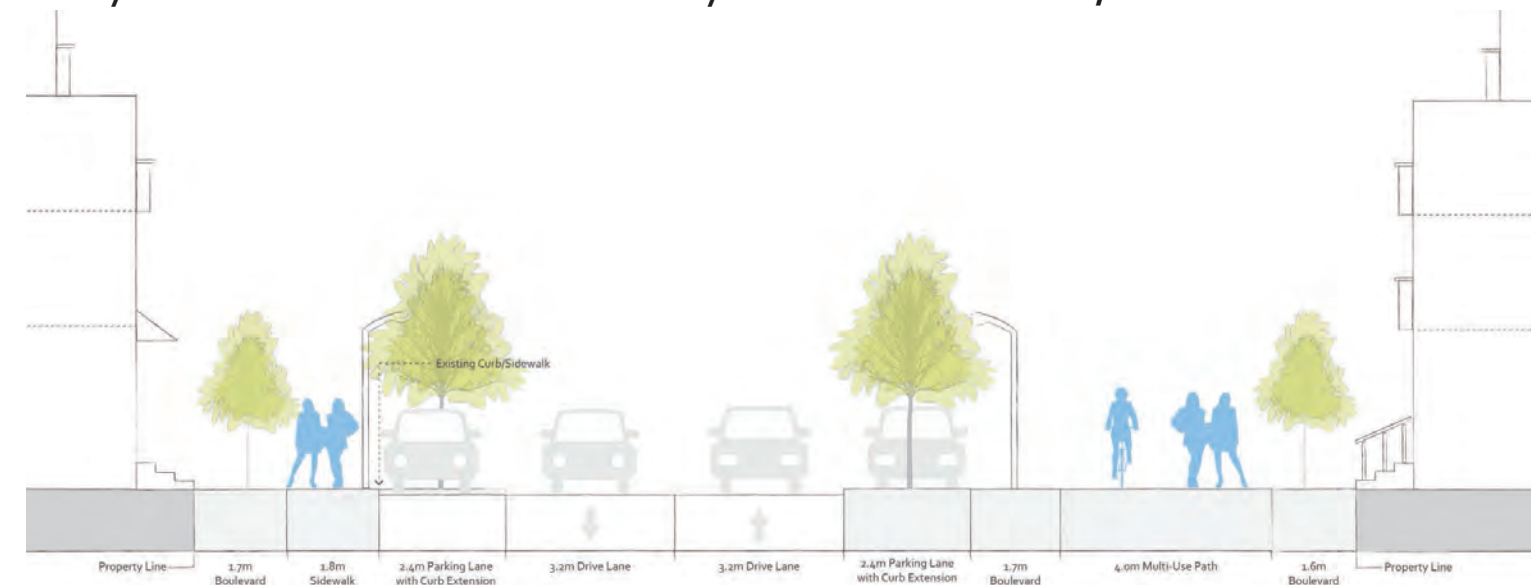
Appendix A. Transportation Cross Sections

The following cross sections are to be applied as redevelopment and roadway design work takes place in Capri-Landmark. The cross sections provided in Appendix A will supersede bylaw 7900 within the Capri-Landmark urban centre. Cross sections are general visual representations of intent and do not represent all locations along each corridor; dimensions are shown to face of curb. Changes at intersections, bus stops, curb extensions, bus pull outs, etc. will require the ROW to be expanded to accommodate.

1. Burtch Road - 25m ROW

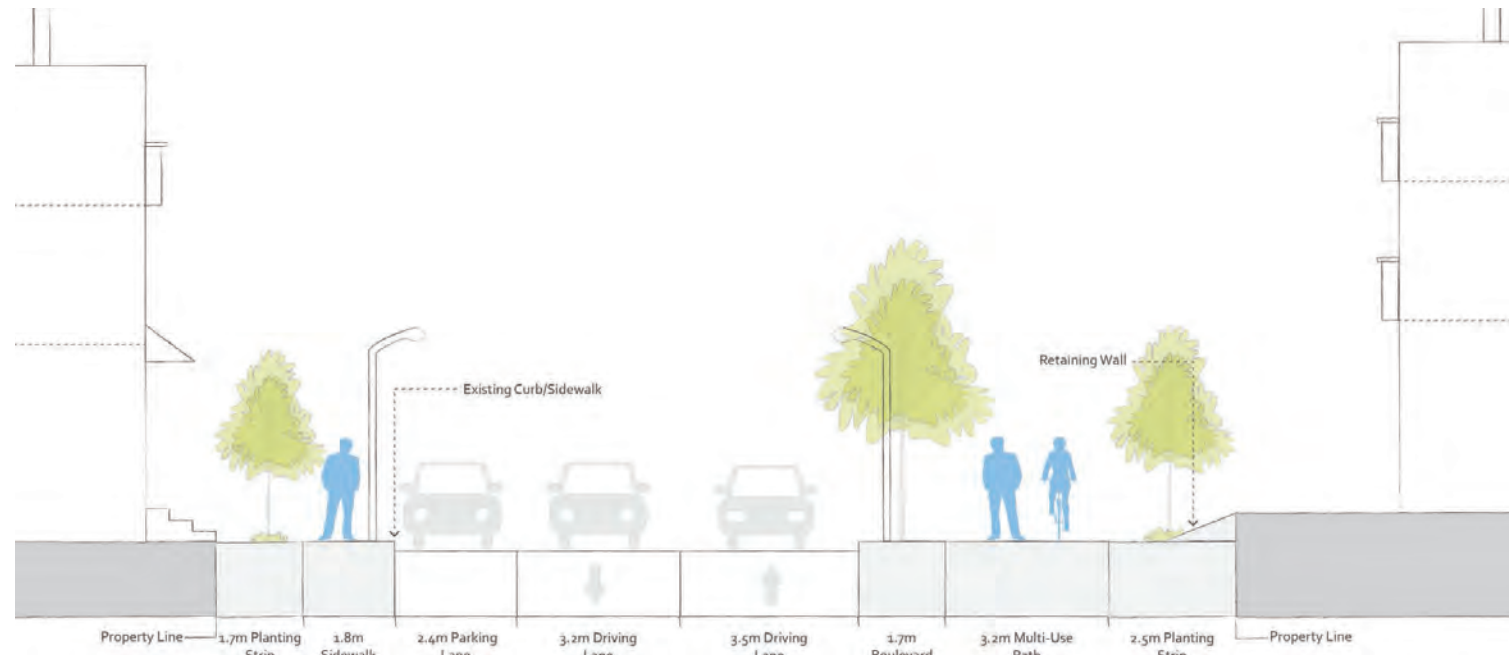


2. Dayton Street - Dickson Avenue and Dayton Street Intersection, 22m ROW*

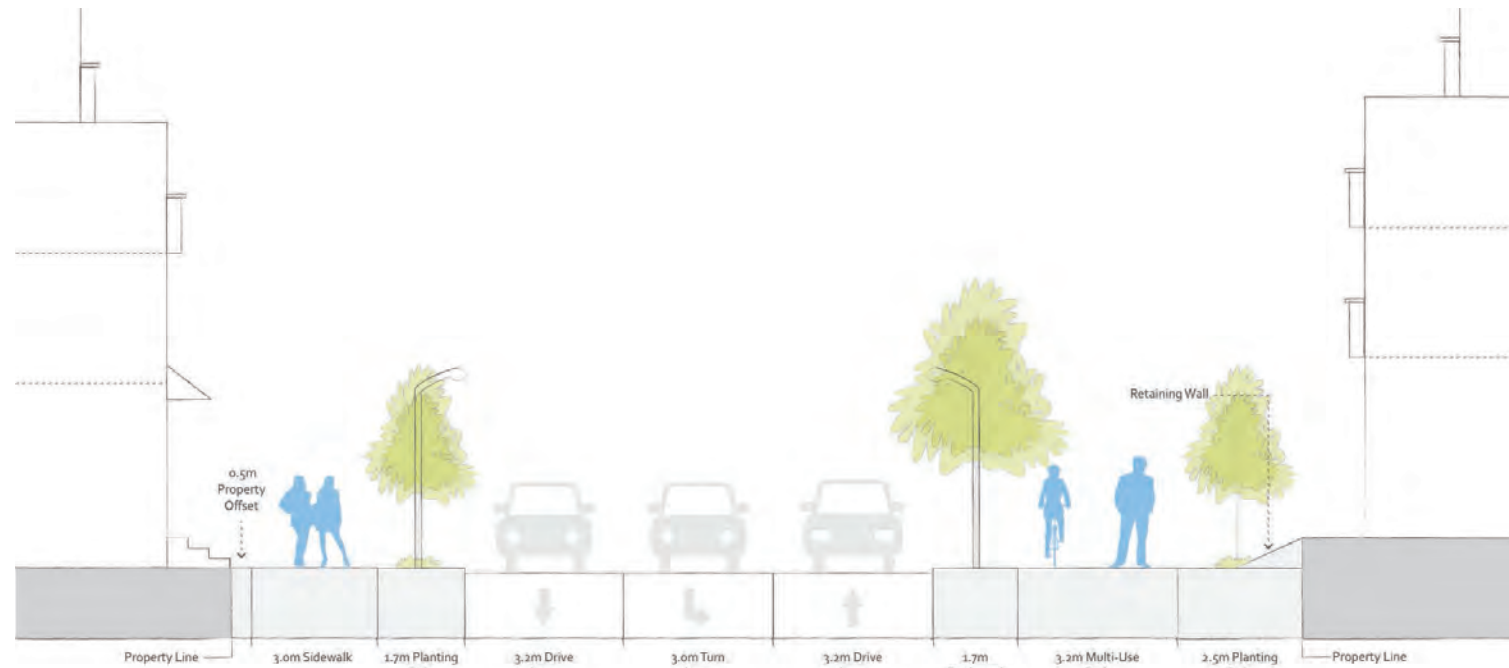


*2.0m dedication from east side

3. Dayton Street - Mid-block Sutherland Avenue to Dickson Avenue, 20m ROW

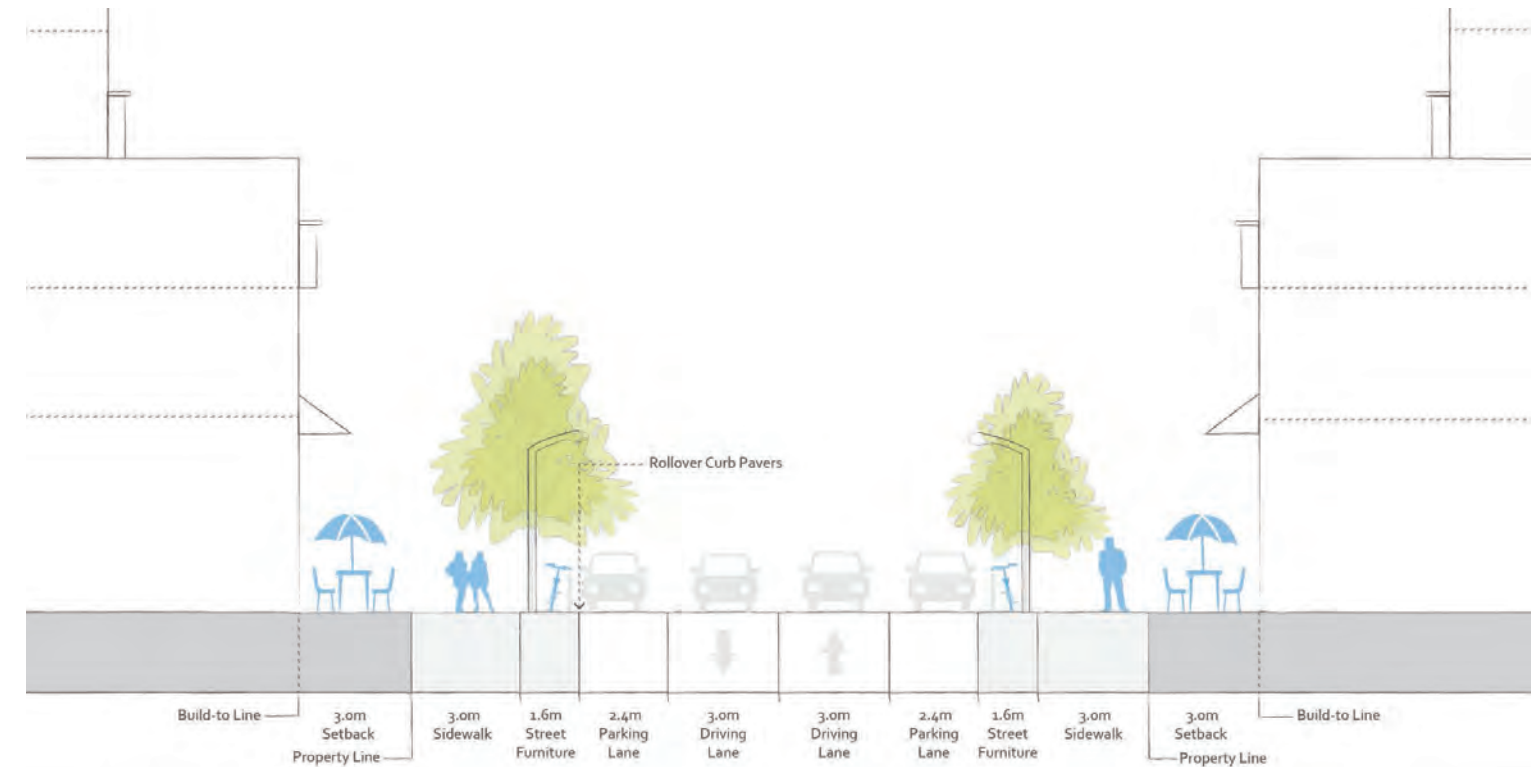


4. Dayton Street - Sutherland and Dayton Street Intersection, 22m ROW*



*2.0m dedication from west side

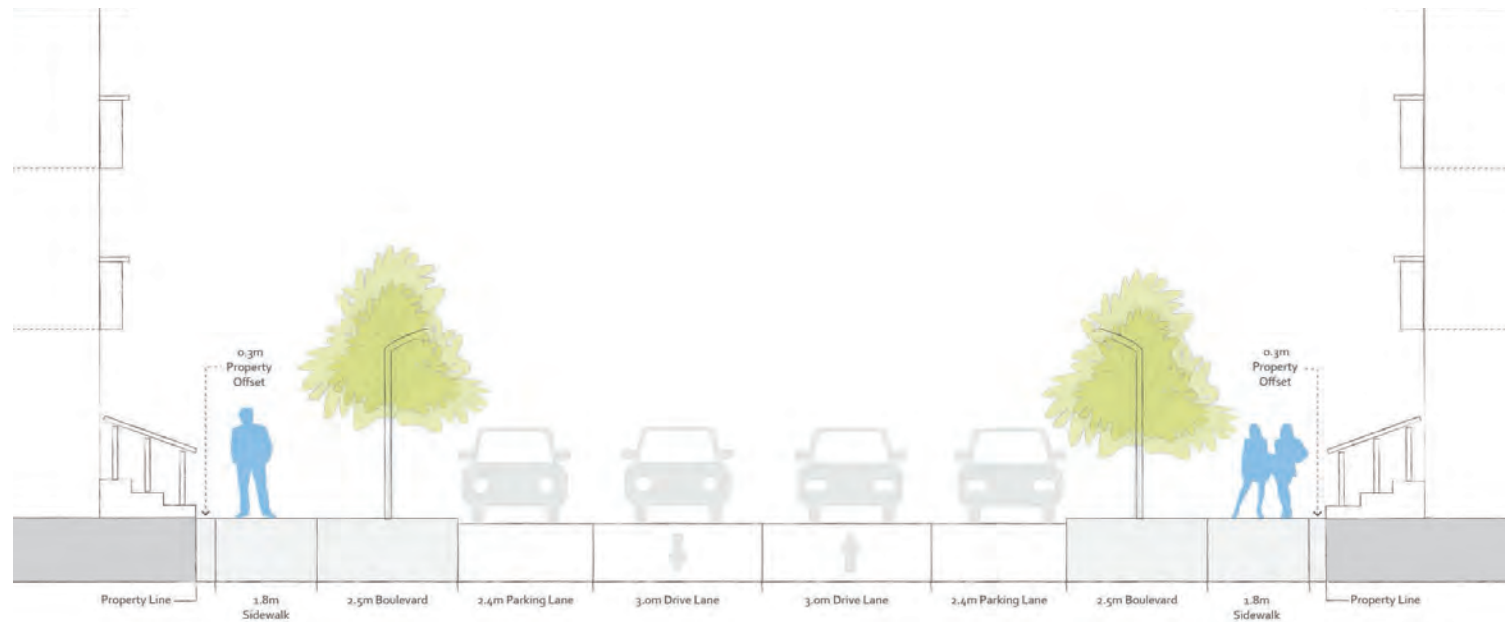
5. Dickson Avenue - Dayton Street to Kirschner Road, 20m ROW



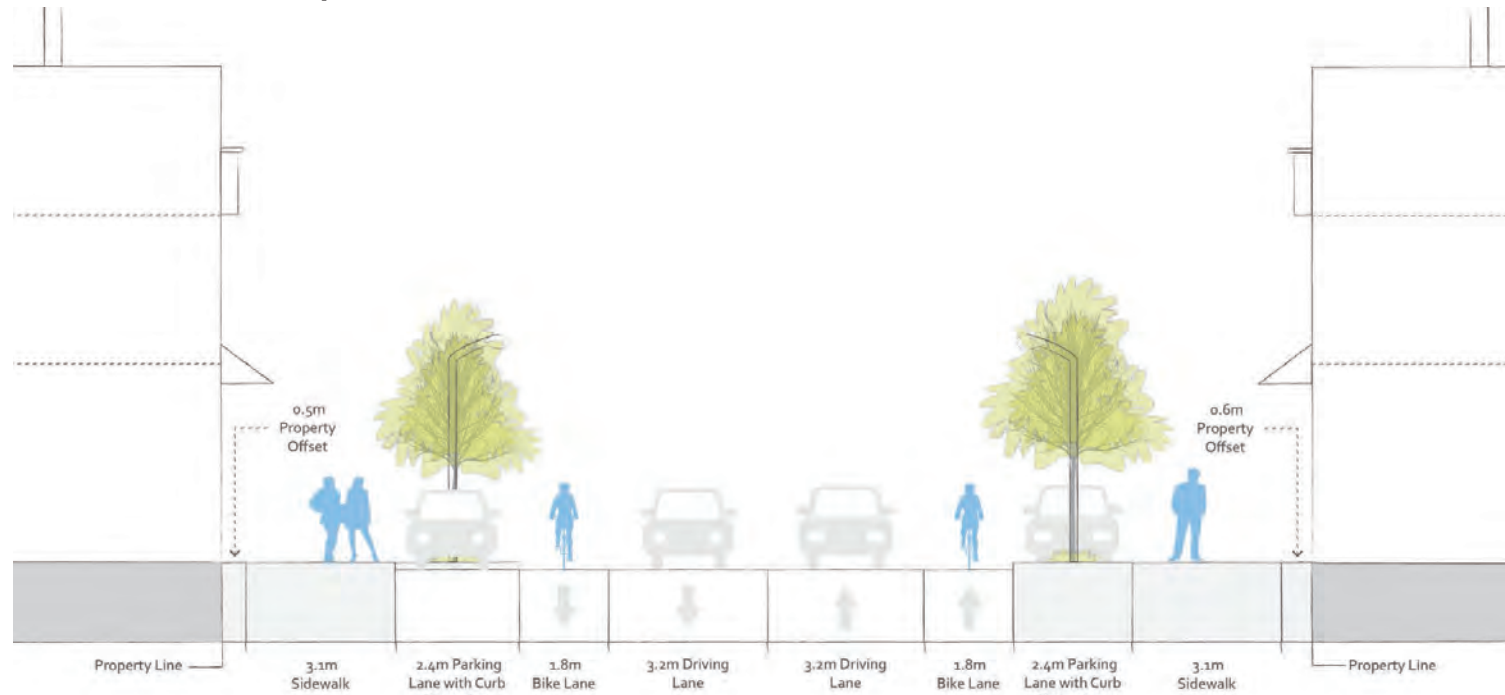
6. Local Street - Brookside Avenue, Pasnak Street, McInnes Avenue, Lindahl Street EW, Devonshire Avenue, Belaire Avenue, 15m ROW



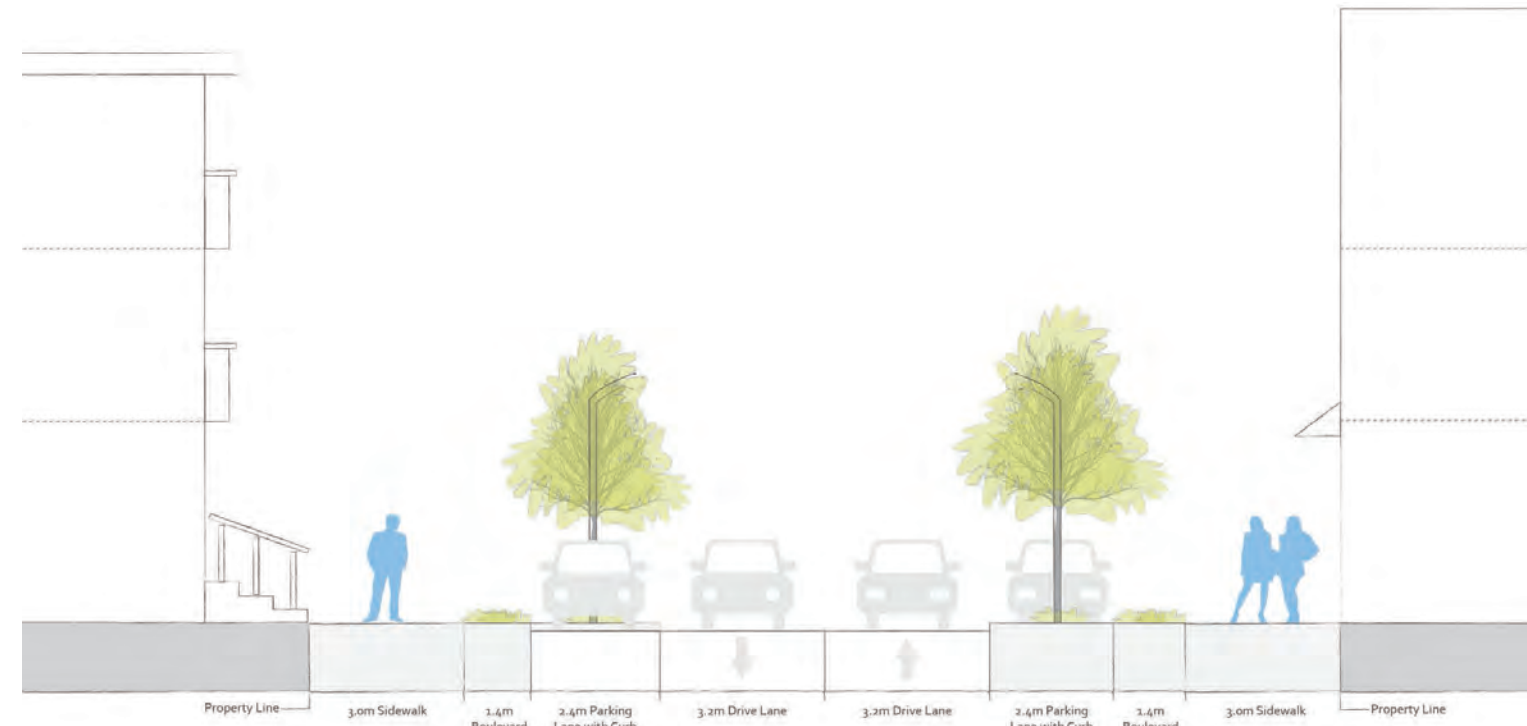
7. Local Street - Lindahl Street NS, Inkar Road, Pridham Avenue, 20m ROW



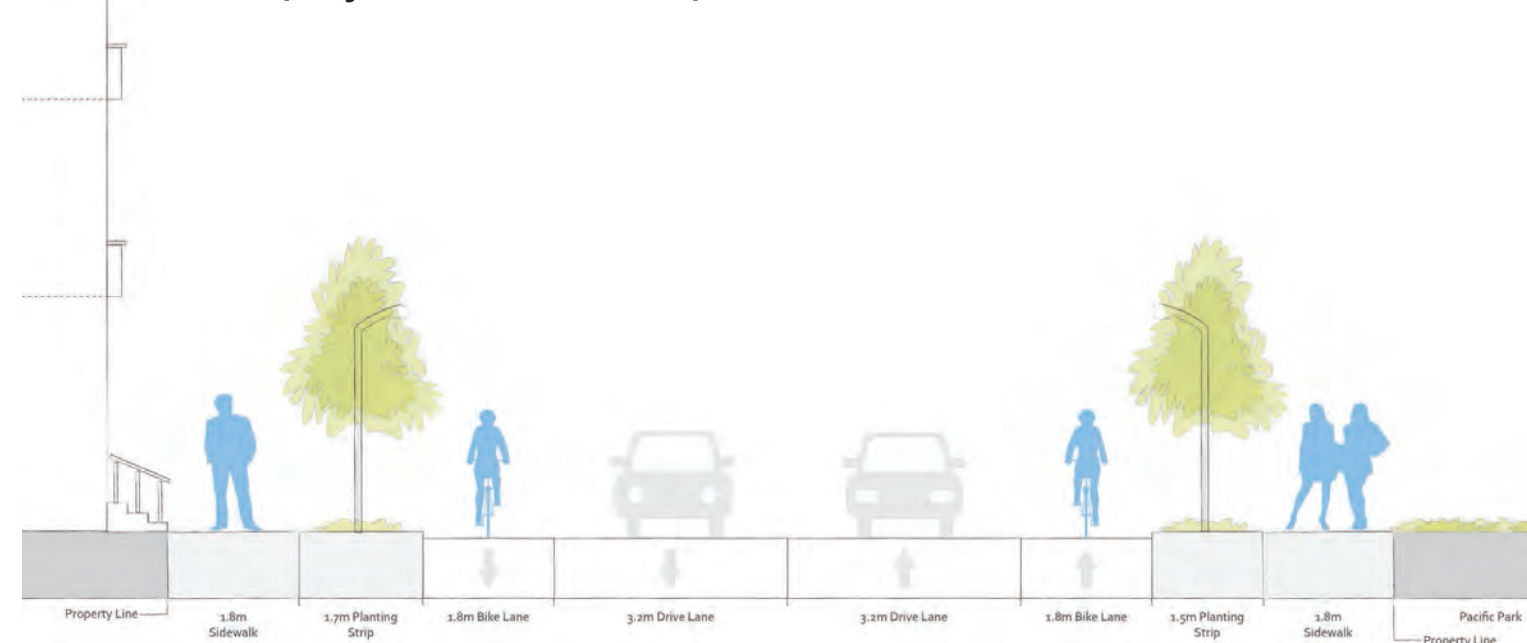
8. Major Collector - Kirschner Road, Pacific Court, Capri Street, Dayton Street south of Sutherland Avenue, 22m ROW



9. Minor Collector - Pacific Avenue, Chandler Street, Ritchie Avenue, Dickson Avenue Sutherland Avenue to Dayton Street, 20m ROW



10. Pacific Court, Adjacent to Pacific Park, 17m ROW



11. Sutherland Avenue, Kirschner Road to Spall Road, Mid-block, 24m ROW



13. 5 Lane Arterial - Spall Road and Gordon Drive, 30m ROW



12. Sutherland Avenue, Typical Section, 24m ROW



Appendix B. Transportation Servicing Review (Chapter 8)

8.0 CONCLUSIONS AND RECOMMENDATIONS

The following sections provide a summary of conclusions from each section of the report, and recommended infrastructure to implement the Capri-Landmark concept plan.

8.1 CONCLUSIONS

8.1.1 Existing Capri-Landmark Transportation Challenges (Section 2.0)

The Capri-Landmark Urban Centre Plan will lay the groundwork toward creating a successful urban centre that delivers a high quality of life for current and future residents and employees in the area. Great urban centres are the result of careful planning, strategic investment and thoughtful development. The Capri-Landmark Plan will be the first opportunity to comprehensively apply the principles and targets of the Urban Centres Roadmap to an urban centre in Kelowna.

Within the Plan there are two distinct sub-areas with different land uses and issues. Capri is an established neighbourhood with a shopping centre in its northwest corner and surrounded by some of the City's busiest roadways. Its main east-west corridor, Sutherland Avenue, provides access from the neighbourhood to Gordon Drive and Burtch Road. North-south movement and access to the southeast quadrant is limited due to circuitous local street connections. For some local trips it's easier to travel outwards, onto surrounding major roadways and then back into the neighbourhood. During peak periods, surrounding major roadways (including Gordon Drive, Springfield Road, Harvey Avenue and Burtch Road) experience congestion which can make travel to/from and within the neighbourhood challenging. Within these major roadways, traffic is dominated by City and Region-wide trips.

In contrast, today's Landmark is a regional employment centre dominated by commercial, retail and office developments. Concentration of office land use results in intense peaks of traffic, inbound in the morning and outbound in the evening. These peaks create congestion at access points to the surrounding major road network, as well as, on the surrounding major road network (including Burtch Road, Spall Road, Springfield Road and Harvey Avenue). While City and Region-wide trips dominate on these roadways, the influx and outflux of workers from Landmark contributes to congestion in the morning and evening peaks.

Within Landmark travelers face a range of challenges, including:

- The concentration of one land use type, office commercial, creates sharp peaks of inbound/outbound traffic. While local streets in Landmark work well most of the day, they are overwhelmed by traffic all travelling in the same direction, at the same time, particularly in the afternoon peak period.
- Vehicles entering or exiting Landmark are often restricted to a small number of connections to the surrounding major road network. This results in vehicles heading in the same direction to converge on a key intersection, leading to congestion, and queuing. The lack of network redundancy offers motorists few options to avoid large delays caused by collisions.

- For those who walk to work from surrounding neighbourhoods or transit, many of Landmark's streets are missing sidewalks. Many streets are edged with gravel, are heavily parked and force pedestrians to walk between and around cars. During the winter or inclement conditions, walking conditions are even more challenging.
- For Landmark and Capri transit riders, they have close access to some of the City's best transit routes, including; Route 97 along Harvey Avenue, Route 8 along Springfield Road, Route 11 along Sutherland Avenue/ Burtch Road and a possible future re-routing of Route 7 along Spall Road; together these routes offer almost 500 bus trips per weekday to and from the urban centre. Despite this, riders are challenged by poor or missing sidewalks, missing pedestrian crossings across major roads between opposing bus stops, easy connections to stops (mostly located on the periphery) and limited or missing shelters / amenities to keep riders comfortable in inclement weather.
- Similar to transit, good cycling facilities exist or are planned adjacent to the Landmark area but getting to/from them to rider's final destinations via the internal road network can be a challenge with no specific cycling facilities.

8.1.2 Strategies for Success (Section 3.0)

The Capri-Landmark Urban Centre Plan includes a wide range of improvements and strategies to support future growth in the area. Status quo for development in the area is no longer sufficient to achieve a successful plan. Transportation strategies for the urban centre will seek to reduce the future rate of growth in travel by personal vehicle, encourage and support the shift to other modes of transportation including walking, cycling and transit and improve the transportation network to better move all street users, including vehicles. Ultimately the Plan seeks to accommodate additional growth and density within the Landmark-Capri Urban Centre while improving the quality of life and vibrancy for Kelowna residences and businesses. The Plan includes three broad transportation strategies to achieve these goals, including:

- **Rebalance the land use mix.** The current dominance of office space results in most trips, particularly in the Landmark area, traveling in the same direction at the same time of day. Portions of the transportation network are strained to capacity each day while other segments, in other directions or at other times often have capacity to move more traffic. Future growth of residential and non-office commercial will generate more travel demand, but at different times and directions, making use of existing capacity in transportation network. Future growth will have smaller impacts if it can avoid mimicking the travel behavior of office land uses. See Figure 43 as an example.

The addition of residential development also creates opportunities for future workers to live in the same neighbourhood as they work. Now traveling short distances within the urban centre, and with support infrastructure, the shift to walking or cycling to work is much easier.
- **Strengthen the transportation network** by extending Sutherland Avenue and Pacific Court (Wilkinson Street) as complete streets and improving connectivity to/from the surrounding major road network. An extended Sutherland Avenue will improve east-west connectivity for pedestrians, cyclists, transit and vehicles and reduce use of the busy Springfield Road/ Harvey Avenue corridors for short, local trips. Stronger connections between local streets and the surrounding major road network will create multiple routes for drivers arriving / departing the Urban Centre, reducing congestion at exit/entrance points and increasing redundancy. Sutherland Avenue will also allow transit to re-route into the heart of Landmark and facilitate the extension of the planned Sutherland cycle track as far east as Orchard Plaza. Finally, the development of non-motorized (multi-use) corridors in linear greenspaces connecting key destinations within the community will further bolster the network and offer mobility and recreational opportunities within Capri-Landmark.
- **Make transit, cycling and walking practical and attractive modes of travel.** A successful future Landmark-Capri Urban Centre will need to meet a greater proportion of its transportation needs through alternatives to the personal automobile. To achieve this shift, these modes have to become the default mode of travel for short trips within the urban centre and attractive for longer trips to/from surrounding neighbourhoods. This will require the creation of comfortable and efficient walking, cycling and transit facilities beyond a simple utilitarian infrastructure within an interesting urban context. The more that future residents choose these modes of travel over private vehicles, the more successful the urban centre will be. See Figure 44 as an example.



Figure 43: Rebalanced Land Use could see more people living and working in Capri-Landmark making walking and cycling more viable travel options.



Figure 44: Create sufficient space for people to walk comfortably.

8.1.3 Network Assessment (Section 4.0)

The land use and transportation networks included in the concept plan developed in Section 3.0 was evaluated against key targets in the Urban Centre Roadmap (UCR). For comparison, existing Capri-Landmark conditions were also evaluated. These evaluations considered the general characteristics and key vehicle, active transportation, and transit corridors in the concept plan. Detailed intersection and crossing analyses were not included in this assessment.

Conclusions from the network assessment of the concept plan were:

- Density and access to parks are greatly increased
- An improved sidewalk network provides a more convenient and comfortable walking environment, with less exposure to vehicular traffic
- Upgraded cycling facilities provide more routing options through Capri-Landmark, with some options either separated from vehicle traffic or in low vehicle speed and volume environments
- Transit service through the centre of Capri-Landmark via Sutherland Avenue increases transit competitiveness through direct routing and stops near destinations with high population and employment density
- Greater vehicular connectivity to the arterial road network, plus improved internal connectivity, providing additional route options for accessing the arterial road network and allowing for internal travel without using the arterial road network

The network assessment found that the concept plan meets or exceeds the targets in the UCR.

8.1.4 Multi-Modal Travel Demand Forecasts (Section 5.0)

Detailed analysis of key intersections, active transportation crossings, and transit infrastructure required estimates of future travel demand. Travel demand was forecast for four modes:

- Walking
- Cycling
- Transit
- Motorized Vehicles

Existing demand data was limited to turning movement counts at intersections in the Capri-Landmark area. Data on walking, cycling, and transit demand was limited, so future projections for those modes were based on demand generated by development in Capri-Landmark. Vehicular traffic forecasts included future background traffic (representing regional growth in traffic with both origins and destinations outside the Capri-Landmark area) and traffic generated by development in Capri-Landmark.

The future horizon year was set to 2040 at which time it is projected a significant portion of the Capri-Landmark redevelopment will be complete. This is also the planning horizon for the upcoming Official Community Plan (OCP), Transportation Master Plan (TMP) and Regional Travel Demand Forecasting Model.

Future background vehicular traffic was estimated based on output from the regional travel demand model, with adjustments to account for incongruities between the model output for 2014 and existing traffic data.

Site generated travel demand was forecast using data from the Institute of Transportation Engineers Trip Generation Manual, 9th Edition. Vehicle trip generation forecasts were converted to person-trip generation using a vehicle occupancy factor and estimates of existing walking, cycling, and transit trips. Person-trips were then assigned to each travel mode according to two scenarios:

- Scenario 1 – Existing Capri-Landmark Mode Split
 - 86% of person-trips by automobile (assumed 1.165 people per vehicle)
 - 5% of person-trips by walking
 - 4% of person-trips by cycling
 - 5% of person-trips by transit
- Scenario 2 – Future Mode Split
 - 71% of person-trips by automobile (assumed 1.165 people per vehicle)
 - 16% of person-trips by walking
 - 8% of person-trips by cycling
 - 5% of person-trips by transit

For Scenario 2 the future mode split scenario shifts 15% of person-trips from automobiles to walking (11%) and cycling (4%) relative to existing Capri-Landmark mode splits; represented by Scenario 1. Scenario 2's mode splits are similar, but slightly higher than existing mode splits seen in Downtown Kelowna, the City's most mature Urban Centre. In order to achieve this shift, it is critical that the general network structure identified in the Concept Plan (Section 3.0), the specific intersection and crossing treatments identified in the performance analysis (Section 6.0) are implemented.

Trips were then assigned to the walking, cycling, transit, and vehicle networks within the Capri-Landmark area. Assigning trips separately by mode allowed for projections of usage of different streets and AT corridors by each travel mode.

8.1.5 Detailed Multi-Modal Performance Analysis (Section 6.0)

The concept plan was developed at a general, route-level in Section 3.0, and evaluated against the Urban Centre Roadmap targets at a network level in Section 4.0. In Section 6.0 detailed intersection layouts, active transportation crossing treatments, and transit infrastructure were developed and evaluated considering the demand forecasts from Section 5.0.

Detailed transportation performance analyses included:

- Peak Hour Traffic Operations Analysis
- Active Transportation Crossing Control Analysis
- Consideration of Transit Operations

8.1.5.1 Peak Hour Traffic Operations Analysis

Peak hour traffic operations at intersections within the Capri-Landmark area were analyzed and categorized into three “levels”. Level 1 intersections are on Harvey Avenue and Springfield Road. Those intersections are currently being evaluated as part of the larger planning process currently underway by the BC Ministry of Transportation and Infrastructure (MoTI) and the City. Level 2 intersections are the major internal intersections in Capri-Landmark, plus the intersections on Sutherland Avenue at Gordon Drive and at Spall Road. At these intersections most travel demand is generated by activity in Capri-Landmark, and any performance issues should be resolvable as part of this TSR. Level 3 intersections are all other minor intersections within Capri-Landmark, where travel demand is too low to create any performance issues.

Peak hour analyses were conducted on the Level 1 and Level 2 intersections, using the forecast 2040 post-development travel demand from Section 5.0. Analyses were conducted for the existing mode split scenario and for the future mode split scenario.

Analysis using the existing mode split scenario found many of the Level 1 and Level 2 intersections failed to meet the City of Kelowna’s performance criteria. Analysis of the future mode split scenario found all Level 2 intersections meeting the performance criteria, although many of the Level 1 intersections failed to meet the criteria. This was an indication that if Capri-Landmark mode splits in the future are similar to the existing mode splits, the major internal intersections will fail to meet the performance specified in the performance criteria. However, if Capri-Landmark is developed according to the network structure presented in Section 3.0 and travel behavior changes according to the future modes split scenario in Section 5.0, then the major internal intersections can achieve performance that meets the performance criteria but congestion beyond performance targets will remain on Harvey and Springfield and are best addressed through larger Regional/City-wide planning processes.

8.1.5.2 Active Transportation Crossing Analysis

Active transportation crossing analyses were conducted for locations where key active transportation corridors identified in the concept plan (Section 3.0) cross major streets and roads. Crossing control treatments were evaluated using the procedure from the Transportation Association of Canada’s Pedestrian Crossing Control Guide (2012).

Many key crossing locations already had signalized intersections or required new traffic signals for vehicle operations. However, half signals were found to be warranted for active transportation crossings on Spall Road at Windsor Road and on Gordon Drive at Borden Avenue and at Brookside Avenue. Signs were warranted at crossings on Sutherland Avenue, Dayton Street, Capri Street, and Dickson Avenue. Engineering judgement suggests more extensive treatments than warranted by the PCCG crossing Burtch Road at Ritchie Avenue (half signal treatment) and crossing Pacific Court at Lindahl Street (ground mounted sign).

8.1.5.3 Transit Operations

Detailed transit considerations included re-routing Route 11 down Sutherland Avenue through the middle of Capri-Landmark, as well as improved service on Spall Road and Harvey Avenue. This will improve transit service to high-density areas in Landmark and provide connections to the rest of the City of Kelowna, including Rutland, Okanagan College and the University of British Columbia Okanagan. Improved transit stop infrastructure in Capri-Landmark will also help to make transit service more attractive.

8.1.6 Transportation Demand Management (Section 7.0)

Transportation Demand Management (TDM) are strategies used, in conjunction with infrastructure and land use policies, to help encourage sustainable transportation options.

Four key TDM areas could be applied to Capri-Landmark to help shift some trips from automobiles to walking, cycling, and/or transit:

- Smarter Parking Management.
 - Reduce the supply of free, unrestricted on-street parking and increase on-street parking availability (through more frequent turn-over) through pricing, restrictions, permits, and technology including smart meters, online payment tools, and varying parking prices.
 - Prioritize active modes and more sustainable automobile travel at Off-street parking facilities by providing secure bike parking, shower and locker facilities, and reserving the most convenient parking spots for carshare parking.
 - Reconsider off-street parking minimums to better respond to market demand, rather than standards that may prescribe parking supplies that are excessive and encourage automobile travel.
- Making Transit More Competitive
 - Universal transit passes (U-Pass) and transit pass subsidies provide access to transit at discounted rates.
- Supporting Shared Mobility
 - Bikeshare programs give members easy access to bikes.
 - Carshare programs provide an alternative to vehicle ownership by allowing members to reserve a common vehicle for short periods of time. Increased utilization of carshare programs can lead to reduced parking space requirements.
 - Rideshare programs provide an alternative to vehicle ownership by providing on- demand access to individual vehicle trips.
- Informing Transportation Choices
 - Information on the benefits and costs of different transportation choices can be provided to neighborhood associations, employers, and individuals to encourage them to travel by modes other than automobiles.

8.2 RECOMMENDATIONS

The following infrastructure is recommended for supporting the Capri-Landmark urban centre redevelopment. Recommendations are provided based on corridor level considerations resulting from the Concept Plan presented in Section 3.0 and intersection / crossing level needs based on the results of the analyses in Section 6.0.

Recommendations are for the 2040 Post-Development scenario and the timing of individual improvements to maintain performance targets and facilitate behavior shifts will need to be considered as development occurs. The City of Kelowna should monitor transportation behavior (including mode splits and demand volumes) and performance (including delay, queuing, and safety) as Capri-Landmark is redeveloped. Transportation behavior and performance should be considered in light of the progression in land use and transportation network development in Capri-Landmark. This will help to determine the degree to which the concept plan has been implemented, and if that implementation is having the anticipated effect on transportation behavior and performance. If the concept plan is being implemented but transportation behavior and performance is not following the trends anticipated in this transportation servicing review, the concept plan should be revisited and reevaluated to

determine if additional measures are required to achieve the desired transportation behavior and performance or if the proposed land use needs to be reduced.

Transportation impacts from individual developments should be evaluated through Transportation Impact Assessments (TIAs). The TIAs should evaluate the development’s impact and required street network improvements based on travel behavior on the development’s opening day. This will help to account for interim conditions where mode splits are shifting towards greater shares of travel by non-auto modes, but the future infrastructure and mode split targeted in the TSR has not yet been realized.

Level D cost estimates are provided, in 2017 Canadian Dollars, for projects of significant value where available.

8.2.1 Vehicular Infrastructure

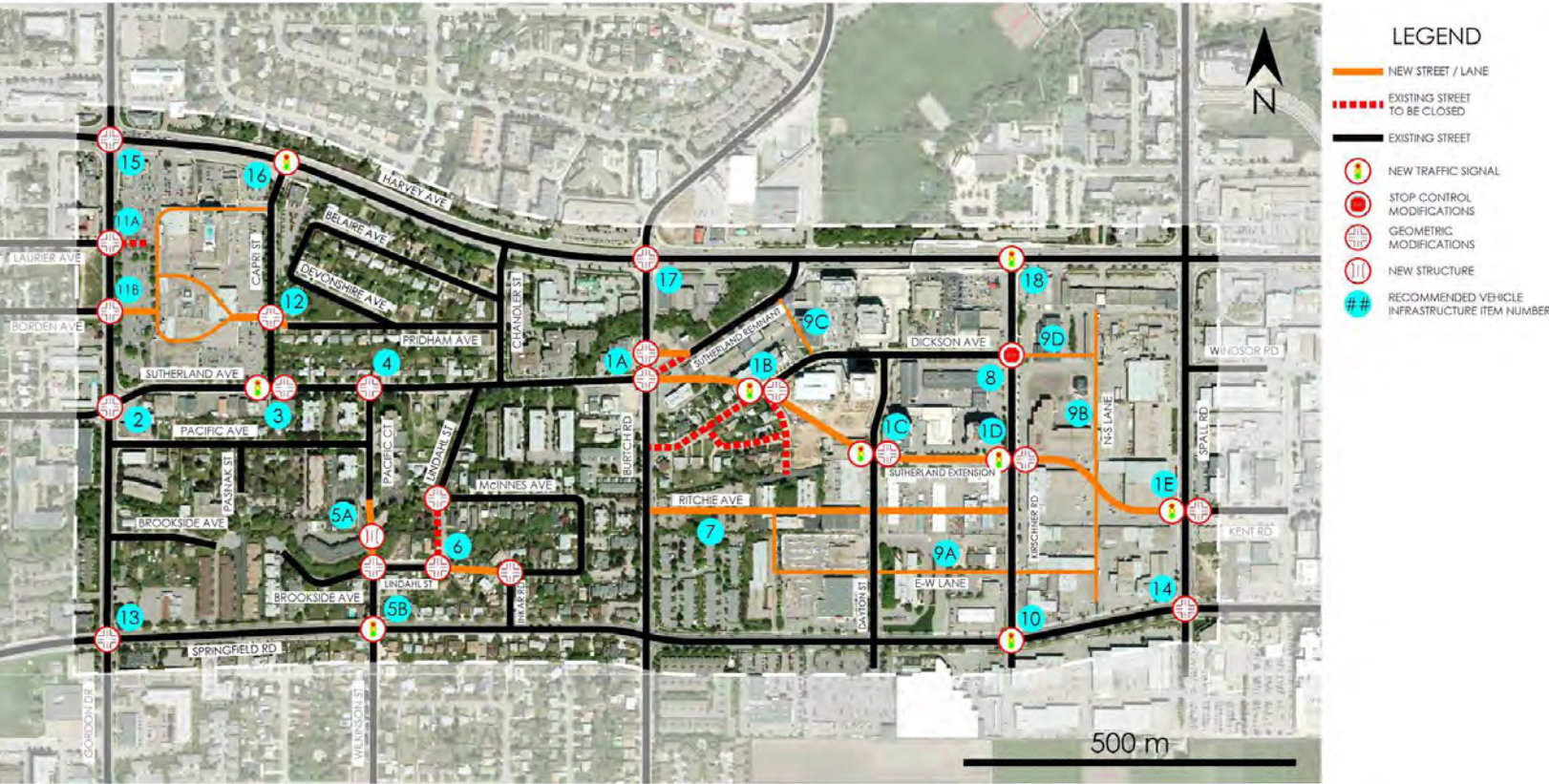
Vehicular infrastructure improvements will provide more connections between Capri-Landmark and the adjacent arterial roads, as well as more internal connectivity within Capri-Landmark, both of which will allow for more routing options.

Infrastructure improvements have been selected to accommodate projected 2040 Post- Development travel demand. All infrastructure improvements should be reviewed at the time of implementation to determine opening-day requirements, which may differ from 2040 Post- Development requirements. Notes below indicate items considered highly likely to have opening day requirements different than the 2040 Post-Development requirements.

Infrastructure improvements are recommended based on the Concept Plan presented in Section 3.o, the Network Assessment outlined in Section 4.o, and the Detailed Analysis documented in Section 6.o. Some items have been added or modified based on Concept Plan changes that have occurred since the Network Assessment and Detailed Analysis were completed. Those items are noted on the following pages.

Figure 45 illustrates the recommended vehicular infrastructure recommendations. Vehicular infrastructure recommendations are listed on the pages that follow.

Figure 45: Recommended Vehicular Infrastructure



1 – Sutherland Avenue Extension from Burtch Road to Spall Road as a Complete Street with protected two-way Cycle Track on the north side, As Per True Concept Design and Cost Estimate (March 2018).

- 1A – Reconfigure the intersection with Burtch Road to include:
 - Realignment to the south
 - Modify existing traffic signal to allow for protected eastbound left-turn phasing and cycle track signal heads
 - Northbound Approach: 40 m left-turn lane + thru lane + shared thru and right-turn lane
 - Southbound Approach: 35 m left-turn lane + thru lane + 140 m right-turn lane
 - Eastbound Approach: 110 m left-turn lane + shared thru and right-turn lane
 - Westbound Approach: 30 m left-turn lane + thru lane + 55 m channelized right-turn lane into a free lane continuing north to Harvey Avenue
 - Existing east leg realigned to intersect Burtch Road north of the intersection at a right-in right-out intersection.
- 1B – New intersection at Dickson Avenue
 - New signalized intersection with protected eastbound left-turn phasing and cycle track signal heads
 - Signalization is likely not required for opening day—reassess need for signalization at time of implementation
 - Northbound Approach: driveway with one lane out (right-turns only), one lane in
 - Southbound Approach: one lane approaching (right-turns only), one lane departing
 - Eastbound Approach: 30 m left-turn lane + shared thru and right-turn lane
 - Westbound Approach: single lane approaching, single lane departing
- 1C – Reconfigure intersection at Dayton Street (existing Dayton Street & Dolphin Avenue intersection)
 - New traffic signal with protected phasing for eastbound left-turns and southbound left- turns, and cycle track signal heads
 - Signalization is likely not required for opening day—reassess need for signalization at time of implementation
 - Northbound Approach: 15 m left-turn lane + shared thru and right-turn lane
 - Southbound Approach: 15 m left-turn lane + shared thru and right-turn lane
 - Eastbound Approach: 15 m left-turn lane + shared thru and right-turn lane
 - Westbound Approach: 15 m left-turn lane + shared thru and right-turn lane
- 1D – Reconfigure intersection at Kirschner Road (existing Kirschner Road & Dolphin Avenue intersection)
 - New traffic signal with protected phasing for eastbound left-turns and cycle track signal heads
 - Signalization is likely not required for opening day—reassess need for signalization at time of implementation
 - Northbound Approach: 15 m left-turn + shared thru and right-turn lane
 - Southbound Approach: 30 m left-turn + shared thru and right-turn lane
 - Eastbound Approach: 15 m left-turn lane + shared thru and right-turn lane
 - Westbound Approach: 15 m left-turn lane + thru lane + 35 m right-turn lane

- 1E – Reconfigure intersection at Spall Road and Kent Road (add Sutherland Avenue extension, west leg)
 - New traffic signal control with protected eastbound left-turn phasing, protected- permitted phasing for northbound and southbound left-turns, and cycle track signal head
 - Northbound Approach: 70 m left-turn lane + thru lane + shared thru and right-turn lane
 - Southbound Approach: 125 m left-turn lane + thru lane + shared thru and right-turn lane
 - Eastbound Approach: 35 m left-turn lane + shared thru and right-turn lane
 - Westbound Approach: 50 m left-turn lane + thru lane + 80 m channelized right-turn lane
 - Level D Cost Estimate: \$29,150,000
 - Includes land acquisition costs
 - Does not include utilities
- 2 – Sutherland Avenue and Gordon Drive intersection modifications as part of Sutherland Avenue cycle track project, and to provide future capacity northbound on Gordon Drive.
- Traffic signal modified to include protected phasing for eastbound left-turns, protected- permitted phasing for northbound and southbound left-turns, and cycle track signal heads
 - Northbound Approach: 90 m left-turn lane + two thru lanes + 50 m right-turn lane
 - 50 m right-turn lane is likely not required for opening day—reassess need for signalization at time of implementation
 - Southbound Approach: 40 m left-turn lane + thru lane + shared thru and right-turn lane
 - Eastbound Approach: 70 m left-turn lane + thru lane + 40 m right-turn lane
 - Westbound Approach: 90 m left-turn lane + thru lane + 25 m channelized right-turn lane
 - Level D Cost Estimate: works identified are to be included in the Ultimate Sutherland Avenue/Gordon Drive intersection realignment project.
- 3 – Sutherland Avenue and Capri Street intersection modifications as part of Sutherland Avenue cycle track project.
- Traffic signal control with protected phasing for eastbound left-turns and cycle track signal heads
 - Southbound Approach: 80 m left-turn lane + right-turn lane
 - Eastbound Approach: 40 m left-turn lane + thru lane
 - Westbound Approach: thru lane + 20 m right-turn lane
 - Level D Cost Estimate: Included in costs for Sutherland Avenue active transportation corridor (Recommended Active Transportation Infrastructure Item 1)
- 4 – Sutherland Avenue and Pacific Court eastbound right-turn lane.
- Eastbound Approach: provide a thru lane + a 15 m right-turn lane
 - This can be accomplished through parking restrictions upstream of the intersection on Sutherland Avenue
- 5 – Pacific Court Extension to Springfield Road. One travel lane in each direction, with bike lanes and sidewalks.
- 5A – New bridge over Ritchie Brook, including the existing T intersection at Wilkinson Street and Brookside Avenue / Lindahl Street modified to a four-lane intersection with stop-control on the eastbound (Brookside Avenue) and westbound (Lindahl Street) approaches
 - 5B – The existing intersection at Springfield Road and Wilkinson Street modified to include traffic signal control with permitted left-turns in all directions

- Level D Cost Estimate: \$2,260,000
- 6 – Lindahl Street Connections
- Late Modification Based on Latest Concept Plan
 - Lindahl Street closed south of McInnes Avenue
 - Lindahl Street east of Wilkinson Street / Pacific Court extended east to connect to Inkar Road
 - Level D Cost Estimate: \$350,000
- 7 – Ritchie Avenue running east-west from Burtch Road to Kirschner Road, approximately 200 m north of Springfield Road
- Modified Based on Latest Concept Plan: Modified to terminate at Kirschner Road (as shown on Figure 6), not at the north-south lane east of Kirschner Road as in the original Concept Plan as shown on Figure 5.
 - Level D Cost Estimate: \$1,800,000
- 8 – Kirschner Road at Dickson Avenue conversion from two-way to four-way stop-controlled intersection
- 9 – New Lanes in Landmark including:
- 9A – East-West Lane North of Springfield Road running east-west from 190 m east of Burtch Road to 130 m west of Spall Road, approximately 100 m north of Springfield Road
 - 9B – North-South Lane approximately 130 m west of Spall Road from north of Springfield Road to south of Harvey Avenue
 - Modified Based on Latest Concept Plan: Modified to terminate south of Harvey Avenue (rather than extending to Harvey Avenue) and north of Springfield Road (rather than extending to Springfield Road). Lanes may continue to Harvey Avenue and Springfield Road as pedestrian-only connections. Initial concept shown on Figure 5, latest concept shown on Figure 6.
 - 9C – Dickson Lane the extension of Dickson Avenue east of Kirschner Road to Spall Road at Windsor. Includes modifying the existing stop-controlled intersection at Dickson Avenue and Kirschner Road to a four-way stop-controlled intersection
 - 9D – Dickson-Sutherland Lane connecting Dickson Avenue to Sutherland Avenue remnant east of Burtch Road
 - Level D Cost Estimate: \$540,000
- 10 – Springfield Road and Kirschner Road traffic signal control.
- Traffic signal control with protected-permitted phasing for eastbound left-turns.
 - Level D Cost Estimate: \$650,000
- 11 – Capri Centre Gordon Drive Access
- 11A – Close existing Laurier Avenue access
 - 11B – Create new left-in, right-in, right-out access at Borden Avenue
 - Create new 15 m southbound left-turn lane on Gordon Drive at Borden Avenue
 - Level D Cost Estimate: Included in costs for Gordon Drive half-signal crossings (Recommended Active Transportation Infrastructure Item 11)
- 12 – Pridham Avenue Extension to Capri Street at Capri Centre south access.
- Two-way stop control intersection at Capri Street
 - Level D Cost Estimate: \$60,000
- 13 – Springfield Road and Gordon Drive eastbound and westbound dual left-turn lanes.
- Eastbound left-turn storage = 2 x 60 m = 120 m total
 - Allocate 40 m to leftmost left-turn lane, 80 m to rightmost left-turn lane

- Westbound left-turn storage = 2 x 170 m = 340 m total
 - Allocate 100 m to leftmost left-turn lane, 240 m to rightmost left-turn lane
 - Close existing left-in access to driveway west of Hoy Street
 - Level D Cost Estimate: \$2,400,000
 - Includes cost of land acquisition
- 14 – Springfield Road and Spall Road eastbound and southbound dual left-turn lanes, westbound right-turn lane.
- Eastbound left-turn storage = 2 X 175 m = 350 m total
 - Allocate 160 m to leftmost left-turn lane, 190 m to rightmost left-turn lane
 - Close existing Springfield Road median openings between Spall Road and Kirschner Road
 - Close median access to driveway on south side of Springfield Road across from Kirschner Road
 - Southbound left-turn storage = 2 X 125 m = 250 m total
 - Allocate 50 m to leftmost left-turn lane, 175 m to rightmost left-turn lane
 - Requires additional land acquisition
 - Westbound 35 m right-turn lane
 - Level D Cost Estimate: \$3,000,000
 - Includes costs of land acquisition
 - Design and costs to be reevaluated at time of Springfield Corridor analysis
- 15 – Harvey Avenue and Gordon Drive northbound and southbound left-turns modified from single lane to dual lane.
- Level D Cost Estimate: \$4,020,000
- 16 – Harvey Avenue and Capri Street traffic signal.
- With protected-permitted phasing for westbound left-turns
 - Signal will need to be coordinated with the signal at Harvey Avenue and Gordon Drive
 - Level D Cost Estimate: \$490,000
- 17 – Harvey Avenue and Burtch Road northbound right-turn lane reconfigured to a shared thru + right-turn lane.
- Extend existing northbound right-turn lane south to the channelized westbound right-turn lane at Sutherland Avenue
 - Level D Cost Estimate: \$470,000
- 18 – Harvey Avenue and Kirschner Road traffic signal.
- With protected-permitted phasing for westbound left-turns
 - Signal will need to be coordinated with the signal at Harvey Avenue and Spall Road
 - Level D Cost Estimate: \$490,000

8.2.2 Active Transportation Infrastructure

Active transportation (walking and cycling) infrastructure will make it more convenient and comfortable to travel by active modes within, though, and to Capri-Landmark. It is important that land uses include a mix of residential, employment, recreational, and commercial uses to enable short trips which are better suited to active transportation. Few concepts in active transportation include frontage zones, pedestrian clear zones, and landscape and furnishing zones each of which are briefly explained on the following page:

Frontage Zone is an area between the pedestrian clear zone, the property line, and/or a building face. It is a minimum width of 0.5 m which allows for shy distance from fixed objects such as the building face. Wider frontage zones are required to accommodate street furniture, sidewalk cafés, store entrances, landscaping, transit stop amenities, or features that activate the pedestrian environment. Some of these elements can be located within buildings offsets/ private property while others require public right-of-way.

Pedestrian clear zone is the area of the sidewalk that is reserved for unobstructed pedestrian travel. Generally, they are of a minimum width of 3.0 m but may be reduced to 1.8 m on local streets fronted only by residential units with limited pedestrian network connectivity. Street trees, planters, poles, fire hydrants and street furniture, as well as temporary signs and other items shall not protrude into the pedestrian clear zone.

Landscape/furnishings zone is the area between the roadway curb face and the pedestrian clear zone with a minimum width of 1.5 m plus curb. This zone buffers pedestrians from the adjacent roadway and may contain street furniture, street trees, signage, pedestrian lighting, hydrants, and other fixed objects located against the street. As transit stops the zone may be utilized for waiting, boarding, and alighting.

Recommended active transportation infrastructure is illustrated on Figure 46 and listed on the pages that follow.

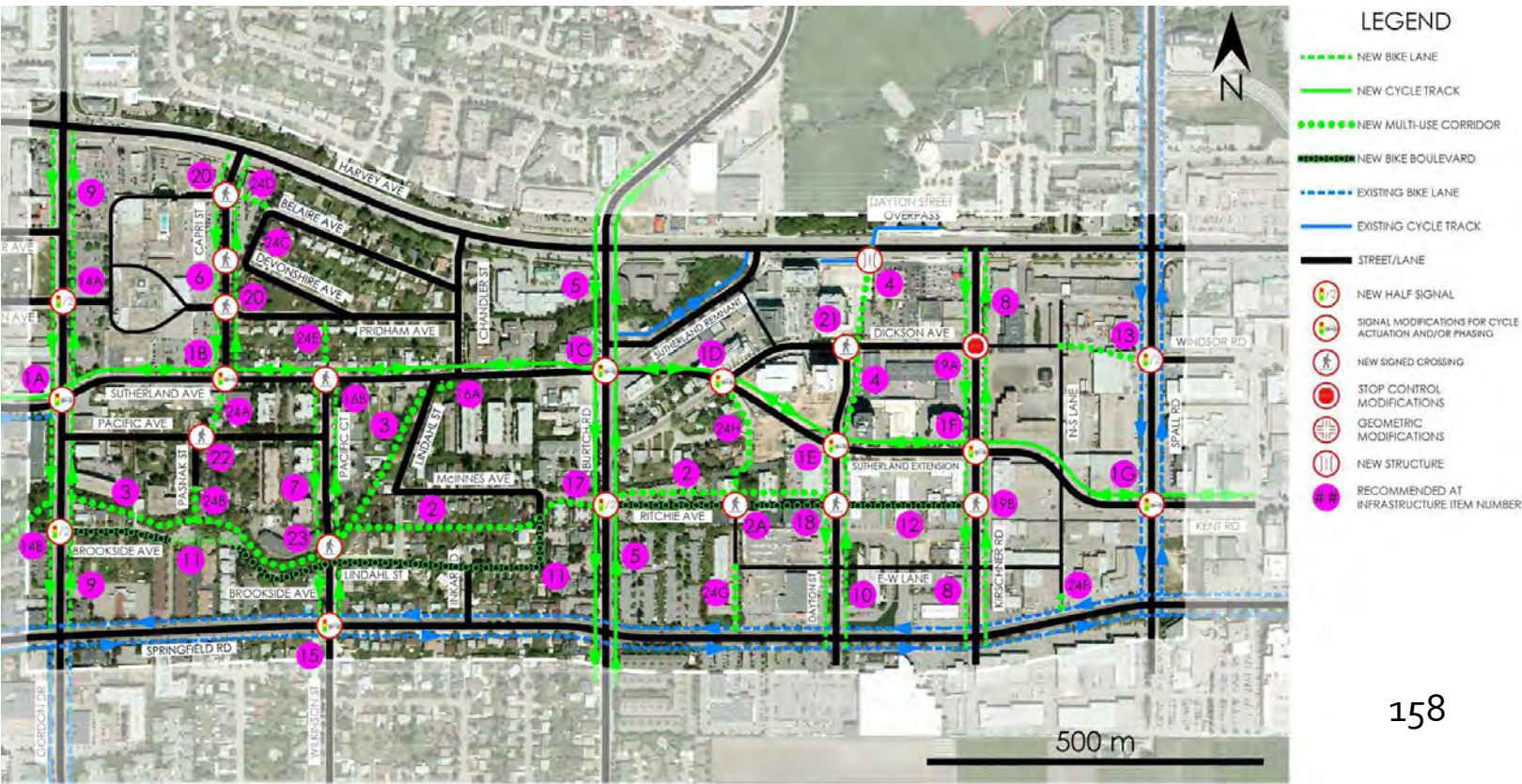
All Streets should have sidewalks on both sides of the street

Urban Frontage Sidewalks should be developed on streets where pedestrian volumes are high, along multi-story buildings and or commercial frontages with limited property line setbacks (0- 1m).

- Sidewalks should be 5 m wide, measured from face of curb to the property line, with additional space for active uses such as patios if required.

Curb Extensions for parking at intersections and mid-block crosswalks.

Figure 46: Recommended Active Transportation Infrastructure



1 – Sutherland Avenue Active Transportation Corridor (Two-Way Cycle Track) from Gordon Drive to Spall Road

- Traffic signals at major street crossings, included in Vehicular Infrastructure Recommendations
 - 1A – Gordon Drive (existing signal to be modified for cycle track)
 - 1B – Capri Street (new signal)
 - 1C – Burtch Road (existing signal to be modified for cycle track)
 - 1D – Dickson Avenue (new signal)
 - 1E – Dayton Street (new signal)
 - 1F – Kirschner Road (new signal)
 - 1G – Spall Road (new signal)
- Intersection treatments including cycle track signal heads at traffic signals on Sutherland Avenue (discussed in the Vehicular Infrastructure Recommendations)
- Level D Cost Estimate: \$2,400,000
 - Costs for Gordon Drive to Burtch Road
 - Costs from Burtch Road to Spall Road included in Vehicular Infrastructure Recommendations

2 – Ritchie Brook Linear Park Corridor from Pacific Park to the east across Burtch Road to Dayton Street. While this improvement is a component of the Urban Centre parks network, it will serve as an alternative east-west active transportation route.

- 2A – Signed mid-block crossing at new multi-use corridor connection north to Sutherland Avenue. No treatment warranted, signed crossing recommended based on City of Kelowna UCRM Policy.

3 – Mill Creek Linear Park Corridor from west of Gordon Drive to Pacific Park and north to Sutherland Avenue.

4 – Dayton Street Multi-Use Corridor from Sutherland Avenue to the Dayton Street overpass.

- Includes a new ramp to the Dayton Street Overpass from the south on Dayton Street
- Level D Cost Estimate: \$2,020,000

5 – Burtch Road Cycle Tracks upgrade from the existing painted bike lanes to cycle tracks with physical protection from traffic.

- Level D Cost Estimate: \$65,000

6 – Capri Street Bike Lanes from Harvey Avenue to Sutherland Avenue

- Based on latest concept plan—consistent with high-quality cycling network corridor spacing (400 m or less between quality cycle corridors).

7 – Pacific Court Bike Lanes from Sutherland Avenue to Springfield Road

- Based on latest concept plan—consistent with high-quality cycling network corridor spacing (400 m or less between quality cycle corridors).

8 – Kirschner Road Bike Lanes from Harvey Avenue to Springfield Road

- Based on latest concept plan—consistent with high-quality cycling network corridor spacing (400 m or less between quality cycle corridors).

9 – Gordon Drive Bike Lanes from Harvey Avenue to Springfield Road

- Based on latest concept plan—Harvey Avenue to Sutherland Avenue section required as part of the Capri-Centre development

10 – Dayton Street Bike Lanes from Sutherland Avenue to Springfield Road

11 – Brookside Boulevard Bike Boulevard from Gordon Drive to Burtch Road

- Via Lindahl Street and Inkar Road, connecting to Ritchie Brook Linear Park Corridor west of Burtch Road

12 – Ritchie Avenue Bike Boulevard from Burtch Road to Kirschner Road

13 – Spall Road Crossing at Windsor Road intersection

- Half signal controlling Spall Road traffic
- Level D Cost Estimate: \$460,000

14 – Gordon Drive Crossings

- 14A – Half signal controlling Gordon Drive traffic at Borden Avenue
- 14B – Half signal controlling Gordon Drive traffic at Brookside Avenue
- Level D Cost Estimate: \$800,000

15 – Springfield Road Crossing at Wilkinson Street intersection

- Existing stop control intersection to be signalized as part of Vehicular Infrastructure Recommendations
- Include cyclist actuation for minor street movements (from Wilkinson Street)
- Level D Cost Estimate: Costs included in Vehicular Infrastructure Recommendations

16 – Sutherland Avenue Crossings

- 16A – Existing sign/flasher combination at Chandler Street / Lindahl Street exceeds the warranted treatment (ground mounted sign) and should remain.
- 16B – Ground mounted sign controlling Sutherland Avenue traffic at Pacific Court

17 – Burtch Road Crossing at Ritchie Brook AT Corridor

- Ground mounted sign treatment warranted, upgraded to half signal treatment based on engineering judgment.
- Level D Cost Estimate: \$460,000

18 – Dayton Street Crossing at Ritchie Avenue

- Ground mounted signs

19 – Kirschner Road Crossings

- 19A – at Dickson Avenue
 - Ground mounted signs warranted
 - Vehicular Infrastructure Recommendations include four-way stop-control
 - Pedestrian crossing signs are unnecessary due to four-way stop-control
 - Include painted crosswalk delineation

- 19B – at Ritchie Avenue

- Ground mounted signs warranted

20 – Capri Street Crossings between Sutherland Avenue and Harvey Avenue

- Ground-mounted signs crossing Capri Street at Pridham Avenue, Belaire Avenue, and Devonshire Avenue

- Consider additional changes to the design of Capri Street to reinforce pedestrian priority through this section. Design elements may include:
 - Curb extensions at crossings to shorten crossing distance and improve visibility
 - Raised crossings to control vehicle speeds through vertical deflection, communicate pedestrian priority, and provide less vertical deflection for pedestrians
 - Street trees to calm traffic by increasing visual side friction

21 – Dickson Avenue Crossing at Dayton Street

- Ground mounted signs

22 – Pacific Avenue Crossing at Paskak Street

- No treatment warranted, but ground mounted signs recommended based on City of Kelowna UCRM Policy.

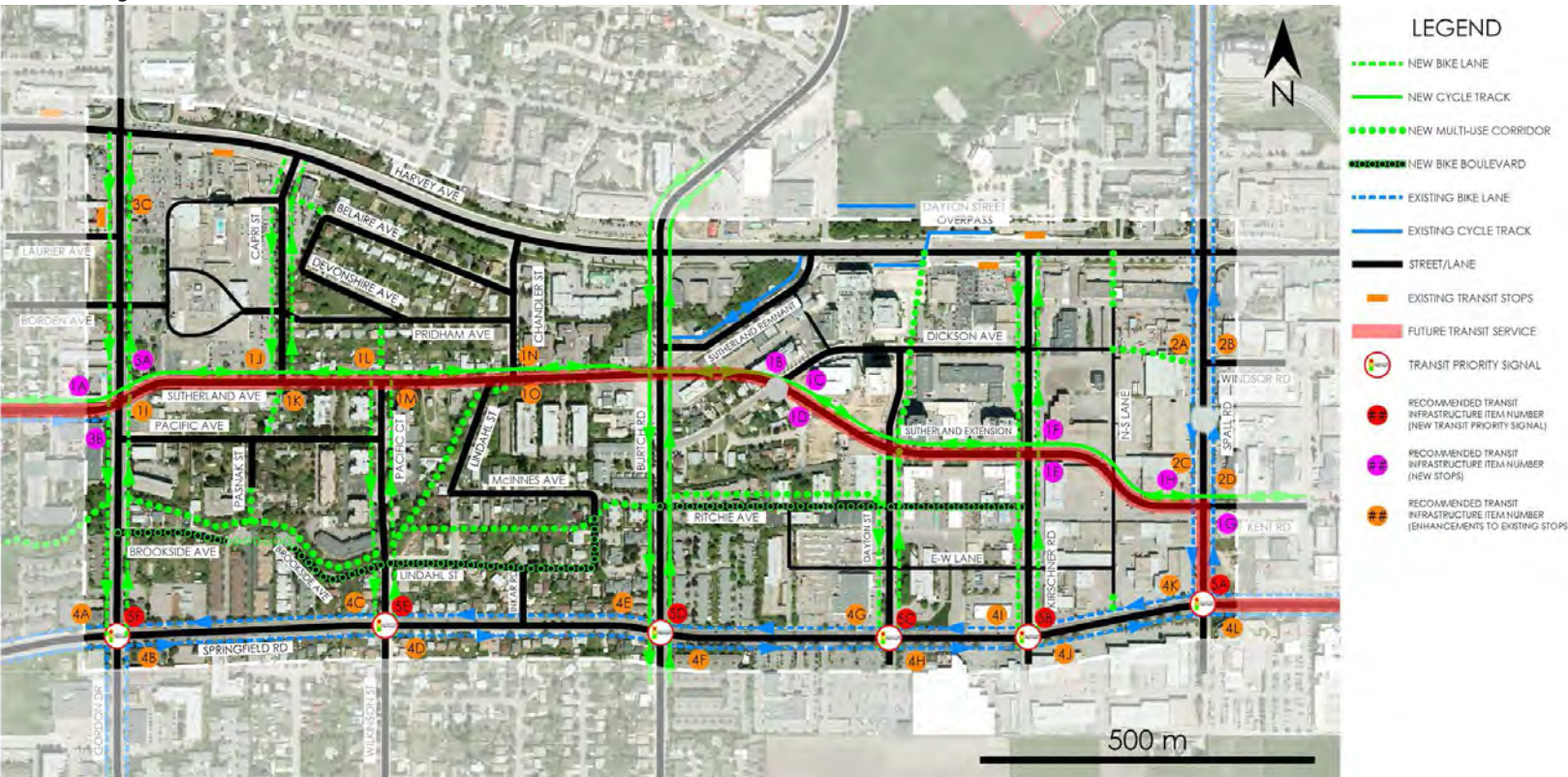
23 – Pacific Court Crossing at Pacific Park

- No treatment warranted, but ground mounted signs recommended based on City of Kelowna UCRM Policy.

24 – New Multi-Use Corridor Connections

- 24A – Sutherland Avenue to Pacific Avenue at Paskak Street
- 24B – Paskak Street to Brookside Avenue
- 24C – Devonshire Avenue to Capri Street
- 24D – Belaire Avenue to Capri Street
- 24E – Sutherland Avenue to Pridham Avenue at Pacific Court
- Based on Latest Concept Plan
 - 24F – Springfield Road to North-South Lane in Landmark (modified from lane to multi-use corridor)
 - 24G – Springfield Road to Ritchie Avenue
 - 24H – Ritchie Avenue to Sutherland Avenue

Figure 47: Recommended Transit Infrastructure



8.2.3 Transit Infrastructure

Transit infrastructure will provide alternatives to single vehicle travel for longer trips that are less conveniently made by active modes.

Recommended transit infrastructure is illustrated on Figure 47 and described on the pages that follow. Table 20 in Section 6.3.2 provides more information on the expected timeline for each modification.

1 – Re-Route Route 11 to Sutherland Avenue from Spall Road through Gordon Road

- Add new stops on Sutherland Avenue:
 - 1A – Westbound Sutherland Avenue west of Gordon Drive:
 - New curbside bus stop including bus bulb, accessible boarding platform, and bench seating
 - 1C – Westbound Sutherland Avenue east of Dickson Avenue:
 - New stop with pull-out, accessible boarding platform, concrete pad with shelter at back of sidewalk
 - 1D – Eastbound Sutherland Avenue east of Dickson Avenue:
 - New stop with pull-out, accessible boarding platform, concrete pad with shelter at back of sidewalk
 - 1F – Westbound Sutherland Avenue east of Kirschner Road:
 - New stop with pull-out, accessible boarding platform, concrete pad with shelter at back of sidewalk
 - 1E – Eastbound Sutherland Avenue east of Kirschner Road:
 - New stop with pull-out, accessible boarding platform, concrete pad with shelter at back of sidewalk
 - 1G – Eastbound Sutherland Avenue east of Spall Road:
 - New curbside bus stop, accessible boarding platform, concrete pad with shelter at back of sidewalk
 - 1H – Westbound Sutherland Avenue west of Spall Road:
 - New curbside bus stop, accessible boarding platform, concrete pad with shelter at back of sidewalk
- Enhance or modify existing stops on Sutherland Avenue west of Burtch Road:
 - 1I – Eastbound Sutherland Avenue east of Gordon Drive:
 - Shift stop 40 m west, accessible boarding platform, concrete pad with shelter at back of sidewalk
 - 1J – Westbound Sutherland Avenue west of Capri Street:
 - Shift stop 120 m east, bus bulb, accessible boarding platform, new cantilever shelter
 - 1K – Eastbound Sutherland Avenue east of Capri Street:
 - Accessible boarding platform, concrete pad with shelter at back of sidewalk
 - 1L – Westbound Sutherland Avenue west of Pacific Court:
 - Remove existing Stop #102938
 - 1M – Eastbound Sutherland Avenue east of Pacific Court:
 - Removed existing Stop #102944
 - 1N – Westbound Sutherland Avenue east of Chandler Street:
 - Shift stop approximately 65 m west, bus bulb, accessible boarding platform, and bench seating

- 1O – Eastbound Sutherland Avenue east of Chandler Street:
 - Shift stop approximately 25 m east, accessible boarding platform, concrete pad with bench at back of sidewalk
- Level D Cost Estimate: \$190,000
 - For Eastbound Sutherland Avenue stops between Gordon Drive and Burtch Road (1I, 1K, 1M, 1O)
 - Costs for Westbound Sutherland Avenue stops between Burtch Road and Gordon Drive included in Sutherland ATC

Costs for Sutherland Extension stops included in Sutherland Extension2 – Re-Structure Route 19 to enhance transit service along Spall Road

- Enhance existing stops on Spall Road:
 - 2A – Southbound Spall north of Windsor Road:
 - Shift stop approximately 40 m north, accessible boarding platform, concrete pad with bench at back of sidewalk
 - 2B – Northbound Spall north of Windsor Road:
 - Shift stop approximately 30 m north, accessible boarding platform, concrete pad with bench at back of sidewalk
 - 2C – Southbound Spall north of Kent Road:
 - Shift stop approximately 15 m north, accessible boarding platform, concrete pad with bench at back of sidewalk
 - 2D – Northbound Spall north of Kent Road:
 - Accessible boarding platform, concrete pad with bench at back of sidewalk
- Level D Cost Estimate: \$180,000

3 – Monitor Demand on Route 5 and increase from local transit network (LTN) service frequency to frequent transit network (FTN) service frequency when warranted by demand

- Add new stops on Gordon Drive:
 - 3A – Northbound Gordon Drive north of Sutherland Avenue:
 - New curbside bus stop including accessible boarding platform, concrete pad with bench at back of sidewalk
 - 3B – Southbound Gordon Drive south of Sutherland Avenue:
 - New curbside bus stop including accessible boarding platform, concrete pad with bench at back of sidewalk
- Enhance existing stops on Gordon Drive:
 - 3C – Northbound Gordon Drive south of Harvey Avenue:
 - Transit pull-out, accessible boarding platform, shelter improvements
- Level D Cost Estimate: \$260,000

4 – Enhance Service Reliability on Routes 97 and 8 Kelowna Transit Core Optimization – Phase 1: Midtown report by Watt Consulting (Feb 2017)

- Enhance or modify existing stops on Springfield Road:
 - 4A – Westbound Springfield Road west of Gordon Drive:

- Accessible boarding platform, concrete pad with bench at back of sidewalk
- 4B – Eastbound Springfield Road east of Gordon Drive:
 - Shift stop approximately 20 m east, accessible boarding platform, concrete pad with bench at back of sidewalk
- 4C – Westbound Springfield Road west of Wilkinson Street:
 - Shift stop approximately 15 m west, accessible boarding platform, concrete pad with bench at back of sidewalk
- 4D – Eastbound Springfield Road east of Wilkinson Street:
 - Accessible boarding platform, concrete pad with bench at back of sidewalk
- 4E – Westbound Springfield Road west of Burtch Road:
 - Relocate shelter to new concrete pad at back of sidewalk, retain existing boarding platform
- 4F – Eastbound Springfield Road east of Burtch Road:
 - Relocate shelter to new concrete pad at back of sidewalk, retain existing boarding platform
- 4G – Westbound Springfield Road west of Dayton Street:
 - Relocate shelter to new concrete pad at back of sidewalk, retain existing boarding platform
- 4H – Eastbound Springfield Road east of Dayton Street:
 - Shift stop 20-40 m, accessible boarding platform, concrete pad with bench at back of sidewalk
- 4I – Westbound Springfield Road west of Kirschner Road:
 - Relocate bench to new concrete pad at back of sidewalk
- 4J – Eastbound Springfield Road east of Kirschner Road:
 - Accessible boarding platform, relocate shelter to new pad back of sidewalk
- 4K – Westbound Springfield west of Spall Road:
 - Transit pull-out, relocate shelter to new concrete pad at back of sidewalk
- 4L – Eastbound Springfield East of Spall Road: (Stop also served by Route 11)
 - Transit pull-out, shift stop east, relocate shelter to new concrete pad at back of sidewalk

- Level D Cost Estimate: \$1,780,000

5 – Implement Transit Priority Signals on Springfield Road

- As per the Kelowna Transit Core Optimization – Phase 1: Midtown report by Watt Consulting (Feb 2017)
- 5A – At Spall Road
- 5B – At Kirschner Road
- 5C – At Dayton Street
- 5D – At Burtch Road
- 5E – At Wilkinson Street
- 5F – At Gordon Drive

- Including an eastbound queue jump lane

- Level D Cost Estimate: \$580,000

- Includes \$240,000 for transit priority signals and \$340,000 for an eastbound queue jump lane on Springfield Road at Gordon Drive

8.3 CLOSURE: INTEGRATED LAND USE AND SUSTAINABLE TRANSPORTATION PLANNING

The details of this TSR clearly present that to achieve the targets outlined in the Urban Centres Roadmap, and the desired amount of development, require a fundamental planning shift – ensuring achievement of higher active transportation mode splits. Three strategies will be pivotal in achieving this mode split:

- A mix of residential, employment, and recreational land uses in the Capri-Landmark area, rather than large single-use areas. This allows for shorter distance trips, increasing the convenience for travel by active modes.
- Improved active transportation and transit infrastructure to provide greater routing options, more direct routes, reduced conflict exposure, better protection at conflict points, and more convenient transit service.
- A more redundant street network allowing for spreading of traffic among more internal streets, resulting in less concentration of traffic on main internal streets. This allows more streets to function as great public spaces while still moving some traffic, rather than being primarily traffic corridors.

Active Transportation corridors need to be not just utilitarian, but comfortable and desirable. This plan envisions a significant investment in active transportation linear infrastructure, as well as thoughtful interventions at vehicular junctions to emphasize safety for walking and cycling modes (and other non-motorized forms of travel). This includes the first/last mile component of a transit trip, as well.



Report to Council



Date: April 1, 2019
File: 1920-73
To: City Manager
From: Joe Creron, Deputy City Manager
Subject: RCMP and Police Services Resourcing Review and 5 Year Resourcing Plan

Recommendation:

That Council receive for information the report from the Deputy City Manager dated April 1st, 2019 regarding RCMP and Police Services Resourcing Review and 5 Year Resourcing Plan.

AND THAT the 2019 Financial Plan be amended to include up to \$73,000 funded from the RCMP reserve.

Purpose:

To develop a 5 Year Resourcing Plan for both the RCMP and the Police Services support staff.

Background:

In 2012 Robert Prosser and Associates completed a 5-year resourcing plan which concluded that the Kelowna Detachment was understaffed. It also concluded to invest resources in pro-active crime reduction strategies to reduce criminal code and drug offenses per 1,000 populations.

A consultant will be engaged to develop a new 5-year resourcing plan. As part of this assignment we expect among other things a status report on how we performed over the last 5 years with respect to the Prosser Report recommendations, how the environment has changed and what we need to consider to address these new challenges, the impact on service delivery with the placement of the RCMP Auxiliary on hold and best management practices that need to be considered for implementation over the next 5 years.

A report will be completed in time for consideration for the 2020 Provisional Budget.

Internal Circulation:

RCMP Superintendent
Divisional Director Financial Services
Police Services Manager
Acting Director Community Safety
Police Services Manager
Senior Buyer

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:

A handwritten signature in purple ink, appearing to read 'Joe Creron', with a stylized, flowing script.

Joe Creron, Deputy City Manager

Report to Council



Date: April 1, 2019
File: 1880-01
To: City Manager
From: Kevin Van Vliet, Utility Services Manager
Subject: Water Utility 2019 update

Recommendation:

THAT Council receives for information, the report from the Utility Services Manager dated April 1, 2019, pertaining to an update on the City water utility.

Purpose:

To inform Council about recent and upcoming activities that affect the Kelowna water utility, its customers, and water rates.

Background:

The City of Kelowna water utility provides water for potable use and firefighting to more than half of the City's population. Three large Improvement Districts and about two dozen other small water providers service the rest of the City. In addition to continuing to provide quality, reliable water to over 70,000 residents, city staff have been extremely busy over the last couple of years with the integration of the South East Kelowna Irrigation District (SEKID), the Auditor General's report on the Kelowna water utility, implementation of a new asset management system and two challenging spring freshet seasons that resulted in the utility's first water quality advisories in 20 years.

SEKID and SOMID Integration

Bringing potable water that consistently meets Canadian drinking water quality guidelines to residents in southeast Kelowna was a main driver of the SEKID integration. This is being accomplished by extending the City's water system by constructing a new potable distribution system into southeast Kelowna. Construction is progressing on schedule and we can expect to see a lot of construction activity in 2019 and 2020. This includes 82 km of new pipe, 3 new reservoirs, 16 new pressure regulating stations and 3 new or modified pump stations for a total investment of \$98 million. As construction

progresses, the new facilities will be commissioned and operated by City staff. The 2019 operating budget was increased to fund operations of the expanded system.

As an entity, SEKID officially dissolved on June 4, 2018. SEKID was a significant-sized operation and the integration has turned out to be a unique challenge for staff. Administrative transfer of the operation is ongoing and is expected to be complete at the end of 2019. Integration of SEKID operations is also ongoing and will also be complete at the end of this year.

In addition to merging operations, staff are assessing existing SEKID infrastructure to develop an asset management strategy and determine capital needs. The SEKID system, which will transition to a non-potable irrigation system, is old but well-maintained given SEKID's limited operating budgets. Fire flows in rurally serviced areas will remain off the old irrigation system. The City will likely incur further operating costs to comply with confined space entry and dam management issues. These will be addressed in 2020 once we fully inventory existing assets.

By 2021 it is expected that all aspects of the SEKID system and operation will be merged into the City water utility and both domestic and irrigation water supply will be a seamless part of City of Kelowna utility operations.

The Phase 1 Kelowna Integrated Water project also includes bringing adequate supply for irrigation to the South Okanagan Mission Irrigation District (SOMID) customers. SOMID is a non-potable irrigation system serving a dozen large properties on the south slopes of the City. It is scheduled for dissolution on January 1, 2020, and the system integrated with the City water utility at that time. Capital works are planned for 2019 that will assure continuous irrigation water service to the remaining agricultural customers of SOMID. Prior to dissolution, the City three wells and a dam operated by SOMID will be decommissioned. Most of the capital costs of this integration project are included in the Water Integration Project costs but some costs will be recovered from the benefiting agricultural land owners of SOMID.

Area Based Water Management

As part of long term infrastructure planning, staff have initiated a Kelowna Area Based Water Management Planning process that coordinates water supply, flood protection, wastewater and eco-system preservation. The City is approaching area based water management within the context of other City and Regional plans. Two key external partners are the Regional District of Central Okanagan and the Okanagan Basin Water Board, with some high-level participation from the Province.

AGLG Audit

In March 2018, the Auditor General for Local Government published "Local Government's Role in Ensuring Clean Drinking Water – City of Kelowna", which provided the results of their audit of the Kelowna Water Utility. The document stated that "Overall this was a positive audit, where we identified a number of strong practices as well as some areas for improvement." Of the 15 recommendations included in the audit, seven have been completed and seven are in progress. Only one, "...improve its water conservation and demand-management efforts..." has had limited additional attention in 2018 due to staff workload.

The audit also highlighted that the City Water Utility is not yet fully recovering the cost of infrastructure renewal. Our infrastructure is deteriorating at a rate faster than it is being renewed. This adds pressure on water rates to ensure that the system is sustainable. The Capital Plan proposes significant increases in funding for capital renewal beginning in 2023. Water rate increases should be made gradually to reduce the risk of rate shock to our users.

Agricultural Rate Structure

With the SEKID integration, the City needs to make significant bylaw and policy changes to accommodate the non-potable irrigation system by 2021. An initial consultation with the agricultural community occurred in the winter / spring of 2018 and was very informative for staff, however further work and engagement with this group is necessary. Council fixed the water rates for SEKID customers through 2020 to allow for further consultation to help provide direction on the following:

1. Irrigation rate structure. On what basis (e.g. area of land, volume used, etc.) will users of the irrigation system pay for their water and on what basis might be defined “agricultural use” for agricultural rates?
2. Irrigation revenues. How will Council target irrigation revenues to set irrigation rates?
3. Growth. How will the City regulate or address demand for new / additional users to the irrigation system?

Further consultation will occur in the fall of 2019. Staff will work on bringing forward recommendations for an updated Water Regulation Bylaw in 2020.

Water Meter Replacement Program

The City has approximately 17,000 water meters, many of which were installed over 20 years ago and are nearing the end of their service life. In preparation for a large meter replacement effort, staff have sourced new automated meter reading technology which moves away from the current labour intensive manual reading system. The automated meter reading system will use an established local cellular network to report usage to the Utility on a daily basis. These meters are more reliable, efficient and resilient than the current system or other meter reading solutions and provide timely data that allow the utility to manage our system more effectively and provide customers with more timely consumption information. This system is expected to be particularly valuable for large water users in the industrial and agricultural sectors.

2019 will see the new water reading meter system implemented at a couple hundred locations to prove the technology in our local setting and develop the link with the City’s utility billing software. Full implementation of the metering system will take place over six years beginning in 2020. This meter technology will be installed for all Southeast Kelowna customers prior to 2021 billing.

Water Conservation

The City’s main driver for water conservation is the increasing block rate structure, which is proving to be a very effective strategy. The Utility is piloting a more intensive water irrigation training program for irrigation contractors to improve the water consumption performance of landscaping within the city. We are leading an effort to make this higher level of training an industry standard in the Okanagan Valley. Implementation of the automated meter reading program, and the resulting customer access

to water information, is expected to have a significant impact on water consumption patterns, efficiency and leak reduction.

Energy Management

In 2018 staff commissioned an energy audit for water and wastewater infrastructure. The audit suggested some relatively minor improvements to pumping infrastructure that we will pursue over the coming years. The report also highlighted technical changes that may allow for the generation of energy at some of our pressure reducing stations. Staff will begin to investigate these opportunities over the next couple of years as time permits.

Internal Circulation:

Divisional Director, Infrastructure
Infrastructure Engineering Manager
Utility Planning Manager
Senior Engineer- Infrastructure
Financial Planning Manager
Revenue Supervisor
Communications Consultant

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:

Kevin Van Vliet, P.Eng., Utility Services Manager

Approved for inclusion:



J. Creron, Deputy City Manager

cc:

Utility Planning Manager

Revenue Supervisor

L. Wilson, Communications Consultant



Water in Kelowna

April 1, 2019



*We are fortunate in Kelowna to
enjoy established access to water*



Ongoing access to clean, safe water is critical to our economy, health and way of life.





Our community depends on water and the infrastructure that connects, protects, and supports it.

We have one water

Our drinking water, stormwater and wastewater are all connected.

- ▶ Protecting & conserving our water is critical
- ▶ This takes effort and ongoing investment. Water is not free.





Water Utility 2019

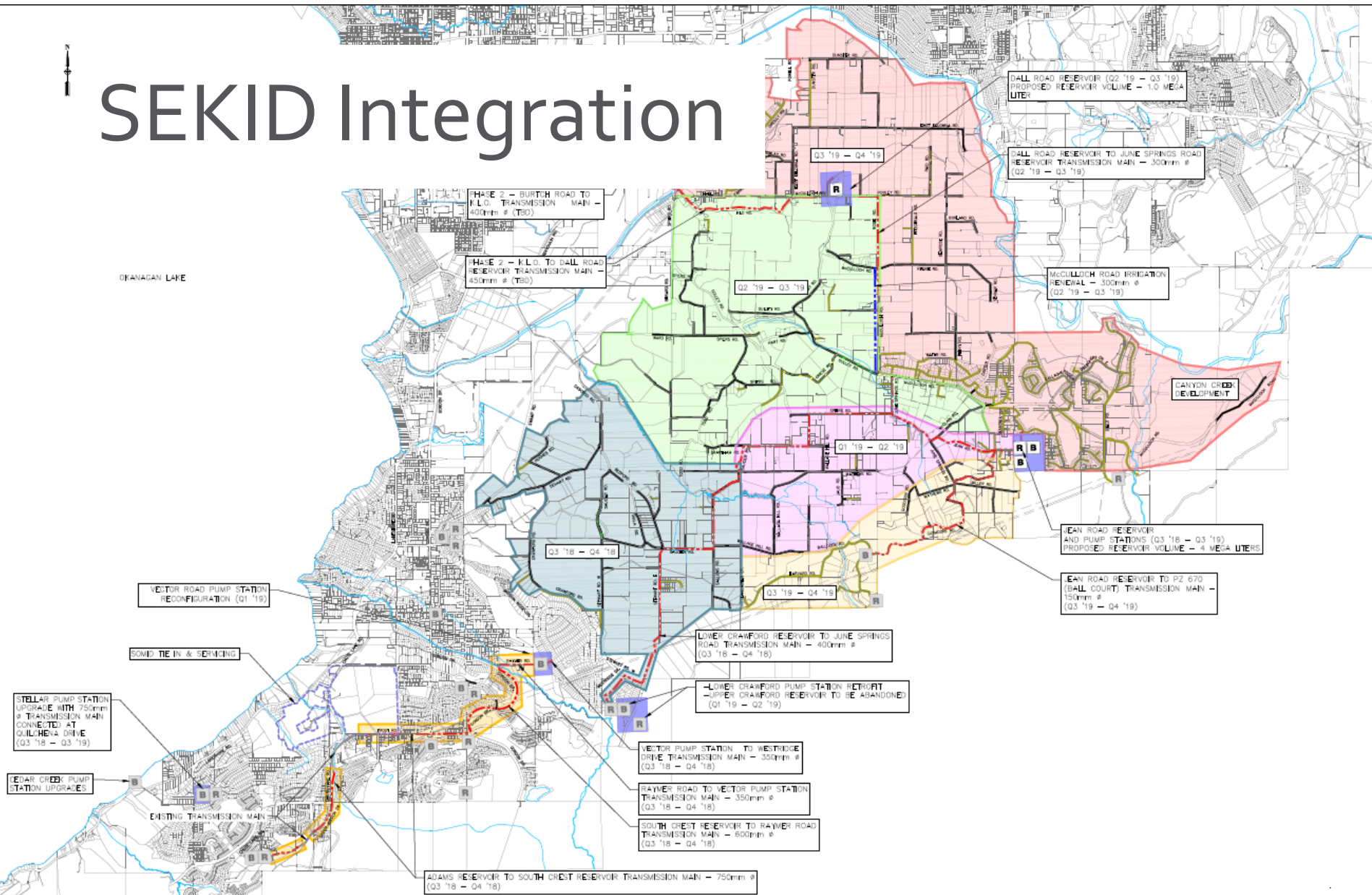


2018-2020 Activities

- ▶ SEKID & SOMID Integration
- ▶ Area Based Water Management
- ▶ AGLG Audit Update
- ▶ Water Meter Replacement Program

SEKID Integration

OKANAGAN LAKE



SEKID Integration

- ▶ SEKID Dissolution June 4, 2018
- ▶ Extend & Expand City domestic water (\$98M)
 - ▶ 82 km pipe, 3 reservoirs, 16 pressure regulating stations, 3 pump stations
- ▶ Integration of Operations & infrastructure
 - ▶ 7 staff positions, fleet,
 - ▶ 12 dams and upland storage
 - ▶ Agricultural customer base

SEKID Integration

- ▶ Transfer SEKID system to “non-potable”
- ▶ Substantial bylaw work for 2020. Fall consultation
 - ▶ Irrigation rate structure
 - ▶ Irrigation rate policy
 - ▶ Managing growth in demand

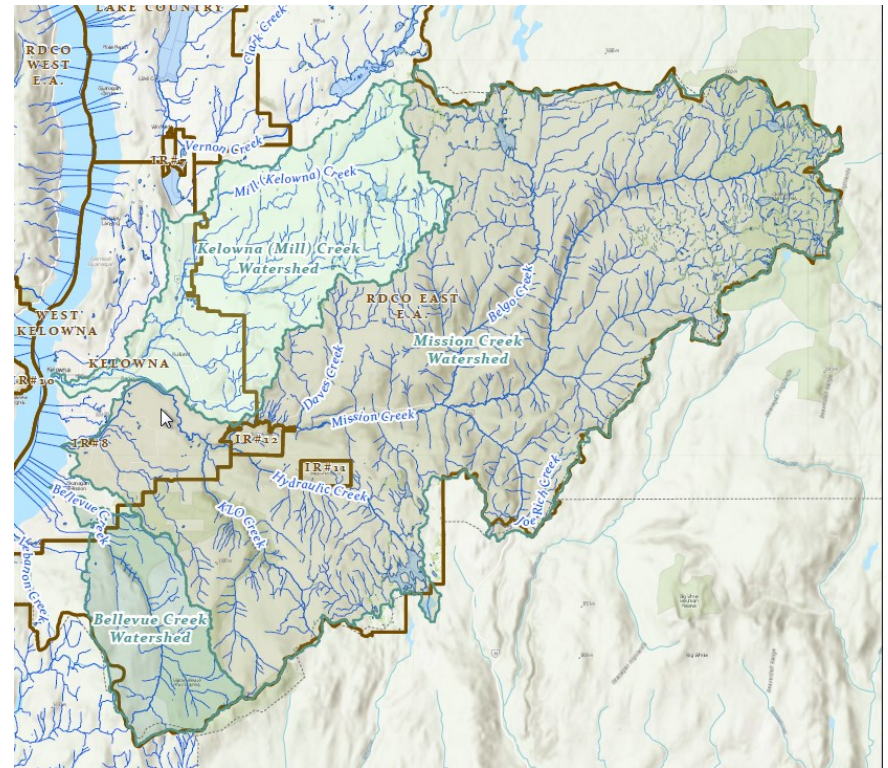
SOMID Integration

- ▶ SOMID planned January 1, 2020
- ▶ Local construction 2019
- ▶ Facility decommissioning



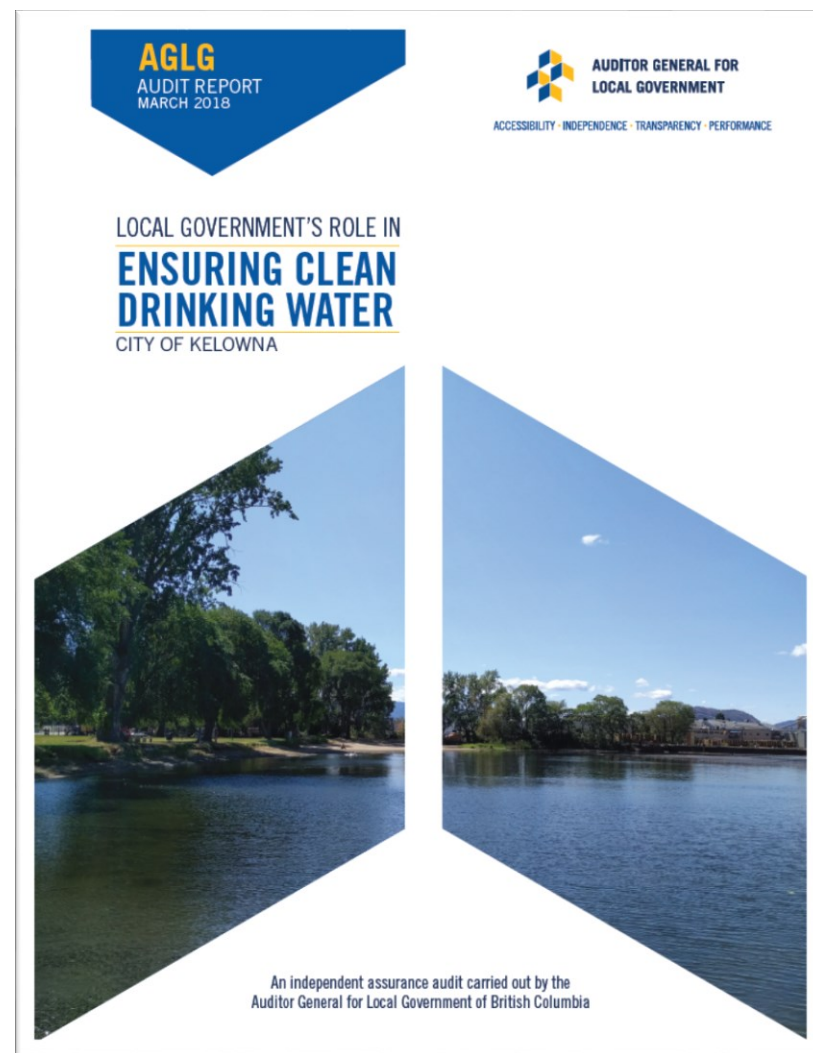
Area based Water Management

- ▶ Coordinate water supply, source water protection, flood protection, wastewater and ecosystem protection
- ▶ Key external partners RDCO, OBWB and Province.



AGLG Audit

- ▶ 2018 Auditor General for Local Government report
- ▶ 15 Recommendations
 - ▶ 7 complete
 - ▶ 7 in progress
 - ▶ 1 outstanding
(Water conservation & Demand Management)



Energy Management



- ▶ Energy Audit
- ▶ Future review of possible energy generation

Water Meter Replacement

- ▶ 17,000 water meters increasing to ~20,000 (2020)
- ▶ Over half >20 years old
- ▶ Update program (6 years)
 - ▶ Transition to cellular based reading system
 - ▶ Increased reliability, efficiency
 - ▶ Significant increase to customer service
- ▶ 2019 proof implementation and system setup
 - ▶ Minimum 200 meters
- ▶ 2020 Start replacement and all SEKID

Meters - Customer Benefits

- ▶ Leak detection
- ▶ Customer monitoring ability
 - ▶ Reduce waste, understand use

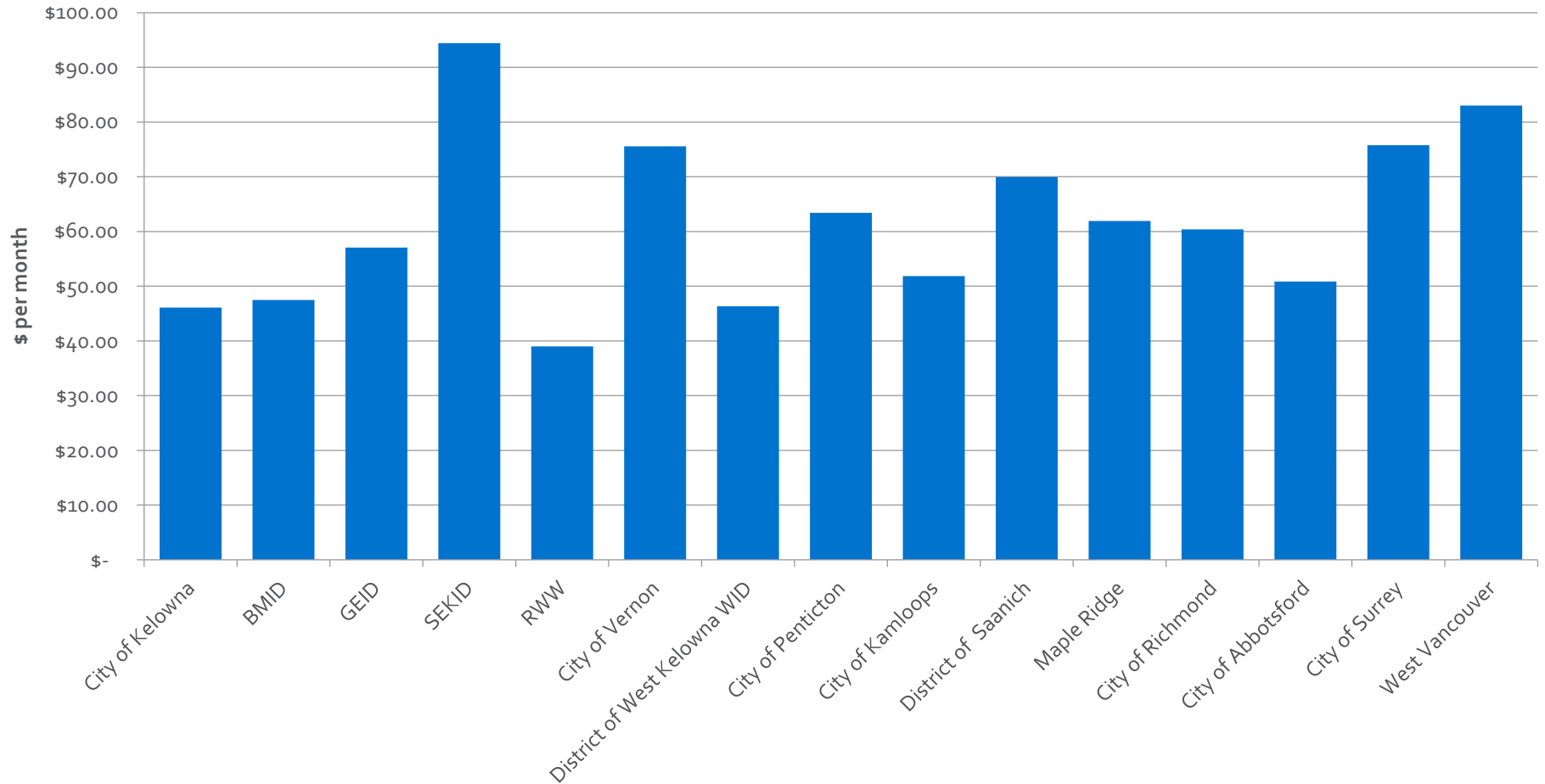


Water Rates

- ▶ Recommending 4% rate increase for each of next two years
- ▶ 3% increase to Water Quality Enhancement Fee
- ▶ Drivers:
 - ▶ Replacement cost increases faster than inflation
 - ▶ Infrastructure Deficit. Significant Inc planned for 2023
 - ▶ Smooth rate increases.

SFD Monthly Water Rates

(41 cu.m./month)





Questions?

For more information, visit kelowna.ca.

Report to Council



Date: April 1, 2019
File: 1890-01
To: City Manager
From: Kevin Van Vliet, Utility Services Manager
Subject: Water Utility Rates 2019 and 2020

Recommendation:

THAT Council receives for information the report from the Utility Services Manager dated April 1, 2019, regarding Water utility rates for 2019 and 2020;

AND THAT Bylaw No. 11774 being amendment No. 9 to Water Regulation Bylaw 10480 be forwarded to Council for reading consideration;

AND FURTHER THAT the 2019 Financial Plan be amended to reflect the increase in Water revenue of up to \$278,900 for the 4 per cent rate increase and an increase in the Water Quality Enhancement Fee Revenue of up to \$43,400 for the 3 per cent rate increase that are effective May 6, 2019.

Purpose:

To obtain approval for water utility rates for 2019 and 2020 as well as to suggest minor administrative adjustments to the Water Regulation Bylaw.

Background:

The City Water Utility provides domestic water to more than half of the City's population and now, with the integration of the South East Kelowna Irrigation District (SEKID), provides irrigation water in southeast Kelowna. The balance of the City is serviced by three large Improvement Districts and two dozen minor systems. The City drinking water supply comes from Okanagan Lake and our water fully meets Canadian Drinking Water Quality Guidelines and Interior Health Authority water quality requirements.

Staff have conducted a review of the City water utility's operations, maintenance, and capital costs to determine financial revenue needs to support a sustainably funded utility. This analysis includes a pro-forma statement of revenues and expenditures that is a 10-year projection, based on present budget figures, future capital, and operating expenditures in all areas of the utility. Revenues and costs of the

former SEKID system are included in this analysis and form part of the new utility rates. The utility is fully self-funded.

As was reported to Council when rates were adjusted in 2017 there remain several factors that drive rate adjustments higher than inflation. This trend will continue over the coming years as we move towards fully funding all water utility costs. These factors are:

1. Water assets are currently depreciating faster than they are being renewed. This issue was also identified by the Auditor General for Local Government's audit. Our current renewal rate is adequate given the relatively young age of our assets, but renewal will need to increase in the longer term as the system ages. The financial model assumes that renewal rates increase stepwise in 2023 through 2030.
2. We can expect operating costs to rise as the average age of our infrastructure increases.
3. The construction cost inflation rate typically exceeds general consumer inflation.

The Water Utility has been building reserves to address planned infrastructure replacement, such as water meters, in the short and medium terms. In order to continue on a sustainably funded path without future large rate increases there is a need for a general four per cent rate increase to water user fees and three per cent increase to the Water Quality Enhancement Fee for both 2019 and 2020. This means that the average single-family household water cost will rise \$1.52 per month from \$44.57 to \$46.09 (assuming that the average home uses 41 cubic metres per month).

There remain two rate structure anomalies that staff intended to address but have not had the opportunity due to the workload driven by the SEKID integration and the expansion of the City's domestic water supply into south east Kelowna:

1. **Beaver Lake Industrial Area.** Transitioning to the same rate structure as other commercial / industrial properties will not affect the Utilities overall revenue, but would have a significant impact on a few large volume customers. Staff will consult with these customers before recommending any changes to their water rate structure.
2. **Agricultural Customers.** The City's rate structure is significantly different than that of the Improvement Districts. Staff began the process of consulting with the agricultural community in 2018 and expect to complete that work and bring forward substantial bylaw changes to address the new Irrigation system (SEKID) and how agricultural customers pay for water.

The proposed rate increases, including the Water Quality Enhancement Fee, continues to keep the City water utility rate for single family residential customers in a very competitive position with the other three water purveyors in the City and well below most municipalities in British Columbia (see Attachment 1). The City's benchmarking efforts which compare our operations with other municipalities across Canada continue to show that Kelowna provides some of the least expensive water in the country.

Internal Circulation:

Divisional Director, Infrastructure
Financial Planning Manager
Financial Services Supervisor
Revenue Supervisor
Utility Planning Manager,

Infrastructure Engineering Manager,
Communications Consultant

Financial/Budgetary Considerations:

The 2019 Financial Plan will need to be amended to include up to \$278,900 in revenue for the 4 per cent Water rate increase and up to \$43,400 for the 3 per cent Water Quality Enhancement Fee Revenue increase that are effective May 6, 2019.

Communications Comments:

Our water customers will be notified of the rate changes on their utility bills and via the City's website.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Personnel Implications:

External Agency/Public Comments:

Alternate Recommendation:

Submitted by:

K Van Vliet, P.Eng., Utility Services Manager

Approved for inclusion:

A square box containing a handwritten signature in blue ink, which appears to be 'J. Creron'.

J. Creron, Deputy City Manager

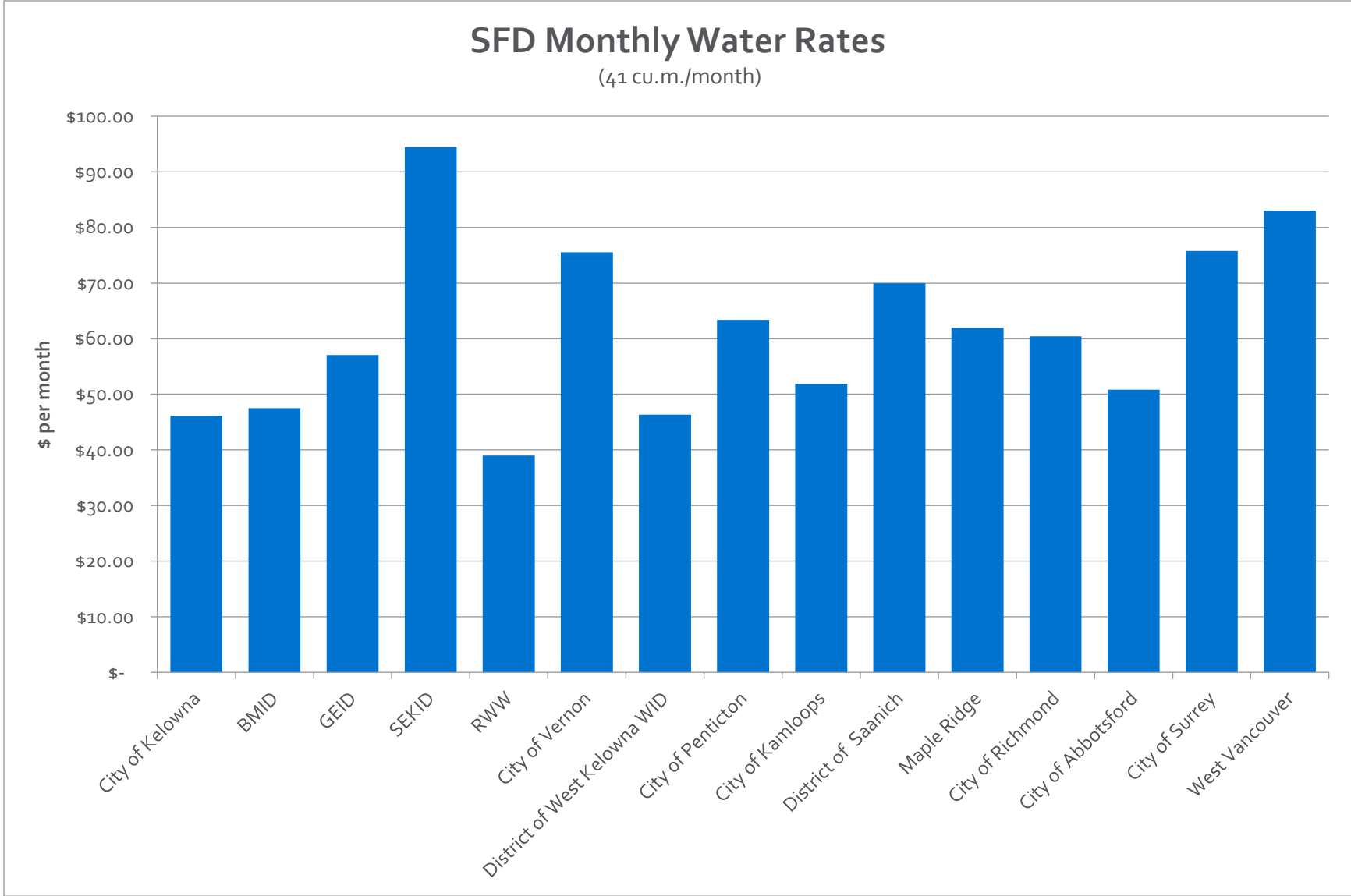
cc:

Revenue Supervisor

Utility Planning Manager,

Infrastructure Engineering Manager

Attachment 1. B.C. Sampling of water rates



CITY OF KELOWNA

BYLAW NO. 11774

Amendment No. 9 to Water Regulation Bylaw No. 10480

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Water Regulation Bylaw No. 10480 be amended as follows:

1. THAT **PART 1 – INTRODUCTION, 1.2 Interpretation** be amended by:
 - a) deleting the definition for “Manager” that reads:

“Manager” means the person to manage and oversee the day-to-day operation of the City Water Utility, to represent the City on the Kelowna Joint Water Committee and along with other City staff to administer this bylaw.”

And replacing it with:

“Manager” means the person to manage and oversee the day-to-day operation of the City Water Utility along with other City staff to administer this bylaw.”; and
 - b) deleting in the definition for “Multi-Family Residential” the word “attached”;
2. AND THAT **PART 4 – WATER QUALITY PROTECTION and Water Conservation, 4.1 Cross Connections** be amended by adding a new sub-paragraph 4.1.5 in its appropriate location that reads:

“4.1.5 Any Property with an alternate water source, other than supplied by the City, and is connected to the City water supply shall require an Approved Backflow Preventer to be installed at the expense of the Property owner.”
3. AND THAT **SCHEDULE “A” Water Rates and Charges**, be deleted in its entirety and replaced with a new **SCHEDULE “A” Water Rates and Charges** as attached to and forming part of this bylaw;
4. AND THAT **SCHEDULE “B” Water Meter Fees and Service Charges**, be deleted in its entirety and replaced with a new **SCHEDULE “B” Water Meter Fees and Service Charges** as attached to and forming part of this bylaw;

5. This bylaw may be cited for all purposes as "Bylaw No.11774, being Amendment No. 9 to Water Regulation Bylaw No. 10480."
6. 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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE "A"

Water Rates and Charges

Water Utility billing for **Customers** with a water **meter** shall consist of two charges, a flat rate charge based on **meter** size and a consumption charge based on water consumed in the bi-monthly billing period. **Customers** shall pay the following **rates** and charges for water service with 2019 rates effective on May 6, 2019 and the 2020 rates effective on May 6, 2020:

1. **All metered properties, except those Customers in the Beaver Lake Industrial Area, and Agricultural Properties, shall pay the following bi-monthly flat rate charge based on Water Meter size as follows:**

Meter Size	Bi-Monthly Flat Charge	
	In 2019	In 2020
5/8" (15 mm)	\$26.59	\$27.66
3/4" (20 mm)	\$31.82	\$33.10
1" (25 mm)	\$41.77	\$43.44
1½" (37 mm)	\$62.55	\$65.05
2" (50 mm)	\$100.80	\$104.83
3" (75 mm)	\$330.19	\$343.40
4" (100 mm)	\$450.55	\$468.57
6" (150 mm)	\$761.09	\$791.53
8" (200 mm)	\$1002.71	\$1042.81

Plus a consumption charge per cubic metre consumed bi-monthly according to the following table:

Customer type - Metered	May 6, 2019	May 6, 2020
Single Family and Single-Family Strata		
First 60 cubic metres	\$0.454	\$0.473
Next 100 cubic metres	\$0.612	\$0.636
Next 90 cubic metres	\$0.927	\$0.964
Balance of cubic metres	\$1.855	\$1.930
All other Customer types		
Multi-Family Residential Properties – 3 or more dwelling units on a single property	\$0.454	\$0.473
Mixed Use properties	\$0.516	\$0.536
Commercial, Industrial and Institutional	\$0.525	\$0.546
Park and Non-ALR Farm Use	\$0.396	\$0.412

2. Beaver Lake Industrial Area Properties

A combined bi-monthly flat rate charge plus a consumption charge for all properties within the Beaver Lake Industrial Area as follows:

Meter Size Bi-Monthly Flat Charge

	In 2019	In 2020
5/8" (15 mm)	\$21.52	\$22.38
¾" (20 mm)	\$31.38	\$32.63
1" (25 mm)	\$41.68	\$43.35
1½" (37 mm)	\$87.86	\$91.37

2" (50 mm)	\$141.72	\$147.39
3" (75 mm)	\$335.10	\$348.50
4" (100 mm)	\$544.06	\$565.82
6" (150 mm)	\$1146.79	\$1192.66
8" (200 mm)	\$1396.19	\$1452.04

Plus a consumption charge of \$0.318 per cubic metre for 2019 and \$0.331 per cubic metre for 2020.

3. Agricultural Properties

A consumption charge of \$0.116 for 2019 and 2020 per cubic metre.

4. Temporary Use

For Temporary Use of water during construction. The following rates and charges will apply beginning two months after approval of each New Construction Building Permit and end upon the first of either the installation of the Water Meter or the project is deemed complete as defined by the British Columbia Builder's Lien Act on:

Single Family residential properties a flat charge of \$42.90 bi-monthly for the years 2019 and 2020.

For non-residential properties and Multi-Family Residential properties a bi-monthly flat charge of \$114.40 for 2019 and 2020.

For Projects deemed to be complete as defined above and that do not have a Water Meter then rates will be twenty (20) times the applicable Temporary Use rate.

5. Fire Protection Use

For **Fire Protection Use** a bi-monthly flat **rate** charge of \$56.54 for 2019, \$58.81 for 2020.

6. Bulk Water Filling Station Use

The cost of a card for use of the **Bulk Water Filling Stations** is \$20.00, non- refundable.

For **Bulk Water Filling Stations**, a consumption charge of \$0.93for 2019 and \$0.96 for 2020 per cubic metre of water used.

7. Water Quality Enhancement Reserve Fund Contribution

All **Customers**, except those **Customers** in the **Beaver Lake Industrial Area**, or in the **Park and Non ALR Farm Use**, or **Agricultural Property** rate classes, shall pay an additional bi-monthly flat charge, as follows:

Meter Size	Bi-Monthly Flat Change	
	In 2019	In 2020
5/8" (15 mm)	\$16.56	\$17.06
3/4" (20 mm)	\$16.56	\$17.06
1" (25 mm)	\$34.04	\$35.06
1½" (37 mm)	\$75.10	\$77.35
2" (50 mm)	\$121.56	\$125.21
3" (75 mm)	\$284.73	\$293.28
4" (100 mm)	\$388.80	\$400.47
6" (150 mm)	\$656.69	\$676.39
8" (200 mm)	\$865.17	\$891.12

SCHEDULE "B"

Water Meter Fees and Service Charges

1. Water Meter Fees

Customers shall pay a **Water Meter Fee** at the time of application for water service as follows:

METER TYPE			
Meter Size	Standard	Turbine	Compound
5/8" x 3/4" (residential)	\$ 308.10		
3/4" (commercial)	\$ 308.10		
1" (commercial)	\$ 398.59		
1.5" (commercial)		\$ 1,518.95	\$2,156.69
2" (commercial)		\$ 1,809.81	\$ 2,980.80
3" (commercial)		\$ 2,712.57	\$ 3,669.18
4" (commercial)		\$ 4,488.98	\$ 5,652.38
6" (commercial)		\$ 7,330.82	\$ 9,183.72
8" (commercial)		\$ 11,375.96	
4" Fire line	\$ 11,283.32		
6" Fire line	\$ 14,424.64		
8" Fire line	\$ 21,200.66		

The **Water Meter Fee** for commercial meters includes the following components as applicable to each meter setting: specified meter, companion flanges, strainer, gaskets, bolts, remote reading device and connecting cable all supplied and owned by the **City**.

The **Water Meter Fee** for commercial meters does not include the following: master control valve on service inlet and meter isolation valve downstream of meter, pressure reducing valve(s) (PRV's), pressure gauges, back flow prevention device and bypass piping and bypass valve all to be supplied and owned by the **Property** owner.

The **Water Meter Fee** for residential meters includes the following: **Water Meter**, meter setting fittings, installation of **Water Meter** within a 325 mm copper pipe run, supply of a remote reading device and connecting cable all of which will be supplied and owned by the **City**.

2. Service Fees

Customers will pay and will be invoiced on their **City Water Utility** bills for the following service fees:

Service	Fees
Water disconnect (shut-off) or connect (turn-on) during regular office hours	\$ 25.00
Emergency water disconnect (shut-off) or connect (turn-on) during off-hours	\$160.00
Meter Testing Fee	\$50.00

Both the transfer and water turn-on charge will apply if water is turned on and a new account is established.

Regular office hours shall mean the regular operating hours of the **City's** Water Utility Services Branch.

3. Hydrant Use Permit Fee

The fee for each **Hydrant Use Permit** shall be \$60.00 plus \$25.00 per day for each day of Hydrant Permit. The fee for a **Hydrant Use Permit** shall include the costs of providing, installing and removing **Approved Backflow Preventer**.

Report to Council



Date: April 1, 2019

File: 1880-01

To: City Manager

From: Kevin Van Vliet, Utility Services Manager

Subject: Wastewater Utility 2019 Update

Report Prepared by: Mike Gosselin, Wastewater Operations Manager

Recommendation:

THAT Council receives, for information, the report from the Utility Services Manager dated April 1, 2019, pertaining to an update on the City wastewater utility.

Purpose:

To provide Council with information on wastewater utility operations and items affecting utility rates over the longer term.

Background:

The City of Kelowna provides wastewater collection and treatment services to approximately 70 percent of all residents within the City. All wastewater collected is treated at the City's state of the art biological nutrient removal (BNR) wastewater treatment facility before safely discharging to Okanagan Lake. Biosolids collected in the process are composted at a facility operated jointly with the City of Vernon and sold as "Ogogrow"; an unrestricted Class A compost product.

The wastewater utility manages more than \$750 million worth of assets. These assets include two wastewater treatment facilities, 45 wastewater lift stations, over 590 kilometres of wastewater mains and the equipment required to maintain these assets and provide a high level of service to Kelowna residents.

The Kelowna wastewater treatment facility has been a leader in the industry for BNR, and has been the flagship of the wastewater community for cold weather BNR operations for over 20 years. This facility has been featured in several industry publications, has headlined discussions at the Annual Water Environment Conference and has provided a strong connection with the community and industry through facility tours and outreach.

Energy Management

Energy management has been a long-standing key performance indicator (KPI) for the wastewater utility. In 2018, staff commissioned an energy audit at the wastewater treatment facility. The audit suggested several potential energy savings opportunities; three of these proposed changes have been included in the 2019 budget, with other suggestions to be pursued over the next few years.

Utility Services Re-Organization

In 2018, Utility Services initiated a staff re-organization to streamline both wastewater operations (collection and treatment) and water operations. Over the next two years the wastewater utility will combine all wastewater operations equipment and staff in one location. Housing the groups in the same location will enable effective communication, direction and customer support, as well as allow the utility to further explore operating efficiencies. Some capital funding was approved for this transition in 2019 in anticipation of the changes.

Regional Biosolids Composting Facility (RBCF)

The RBCF is approaching capacity and significant capital investment will be required to either increase capacity or modify our treatment process to extend the life of the existing facility. On February 26, 2018 staff updated Council on a technical review of how best to address the growing volume of biosolids being managed at the RBCF. Expanding the composting capacity is not only challenged with new capital and regulatory needs, but requires a guaranteed source of hog fuel that has proven difficult to sustain. The review recommended proceeding with the preliminary design of biosolids digestion over simply expanding the existing compost facility to provide more capacity. Further technical review and analysis is being conducted in 2019. Biosolids digestion, or expanding the compost facility, is estimated to cost between 30 and 50 million dollars. As the need is mainly driven by growth, staff will work to assess an appropriate project cost for the DCC program. As the cost of accommodating growth in biosolids management is substantial and the exact funding of that project needs to be worked out, staff will be recommending a 1 year adjustment in wastewater utility rates. This will allow for more informed decisions around longer-term wastewater rates for Kelowna beginning in 2020.

The new Operating Permit (July 2017) for the RBCF added the following requirements that staff have been working to comply with:

Requirement	Due	Status
Update Odour Management Plan	Nov 30, 2017	Complete
Conduct Air Emissions Review Study	Mar 31, 2018	Complete
Select and Implement Secondary Odour Treatment Process	Selection Oct 2018, implementation June 2019	Extension to June 2020 approved by the Province
Submit updated Design and Operating Plan	May 31, 2019.	Reviewing final draft In progress

Ensure all leachate management uses impervious containment	Oct 31, 2018	Extension to summer 2019 requested of MoE. Environmental requirements completed in 2018. Construction phase to be completed in Spring-Summer 2019.
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In addition to the Permit requirements required by the Ministry of Environment outlined above, the Province began a consultation process on revisions to the Organic Matter Recycling Regulation in the fall of 2018. Most of the proposed changes will have little impact on the RBCF or the City of Kelowna, or will be manageable. However, one proposed change would be to require that existing biosolids compost facilities be fully enclosed within 10 years of changes to the regulation; regardless of consideration to location of the facility or historical community impact. Given the size of our facility, this regulatory change would have a very significant financial impact on our operation and threatens its financial viability. Staff provided a strong and clear response to the proposed change to inform the Ministry of the serious implications this decision would have on our compost facility.

Internal Circulation:

Divisional Director, Infrastructure
Financial Planning Manager
Infrastructure Engineering Manager
Utility Planning Manager
Communications Consultant

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:

K. Van Vliet, P. Eng. Utility Services Manager

Approved for inclusion:



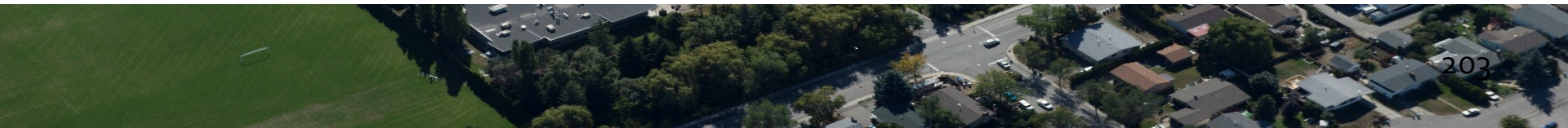
J. Creron, Deputy City Manager - Operations

cc:

Divisional Director, Infrastructure
Infrastructure Engineering Manager
Utility Planning Manager
Senior Engineer, Infrastructure
L. Wilson, Communications Consultant

WASTEWATER UTILITY UPDATE

April 1, 2019



BACKGROUND:

All collected wastewater is treated at the state of the art wastewater treatment facility

Bio solids collected are composted at the Commonage facility

BACKGROUND:

Utility manages more than \$750 million worth of assets

Assets include; 2 wastewater treatment facilities, 45 lift stations, over 590 kilometers of wastewater mains

TREATMENT FACILITY:

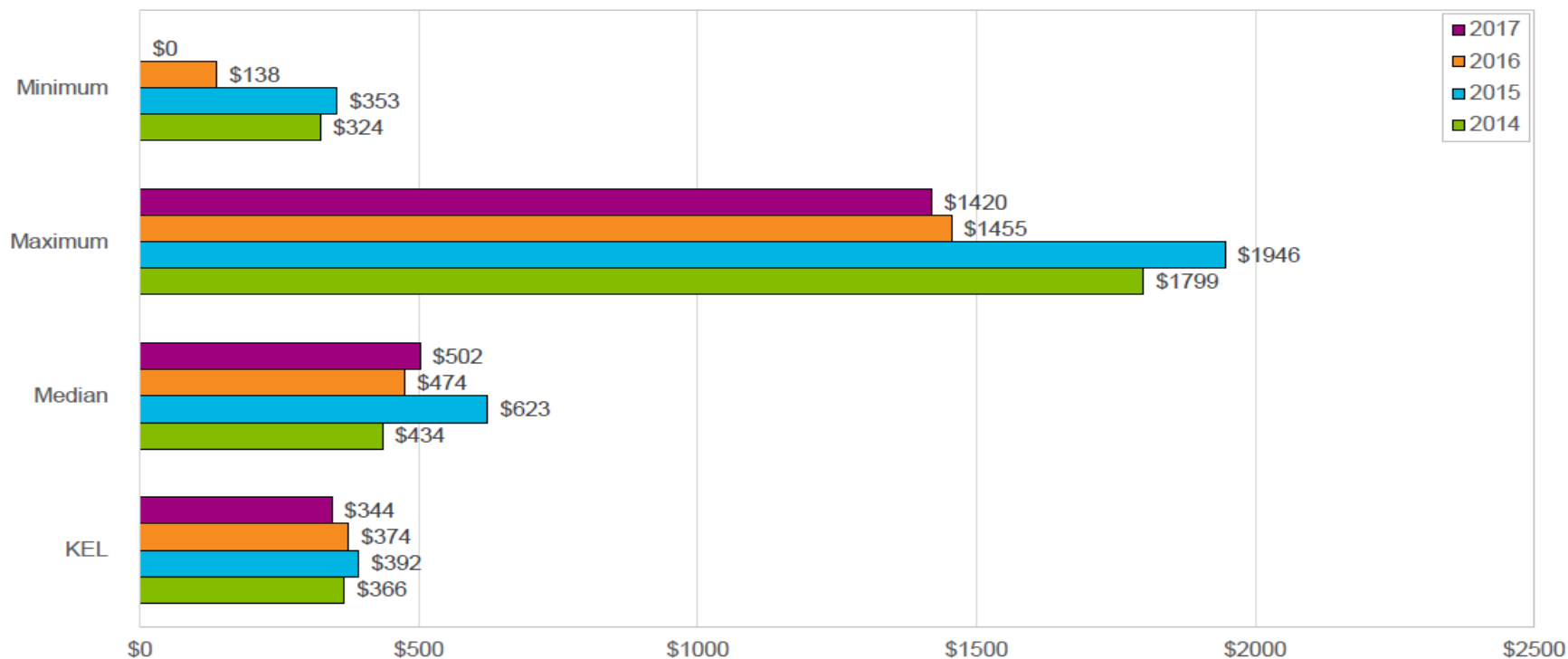
State of the art wastewater treatment facility, a leader in the industry



TREATMENT FACILITY:

Meet Service Requirements with Economic Efficiency - 1

O&M Cost / ML Treated
Tertiary WWTPs



Negative Values - no data available

ENERGY MANAGEMENT:

2018 - Energy audit completed

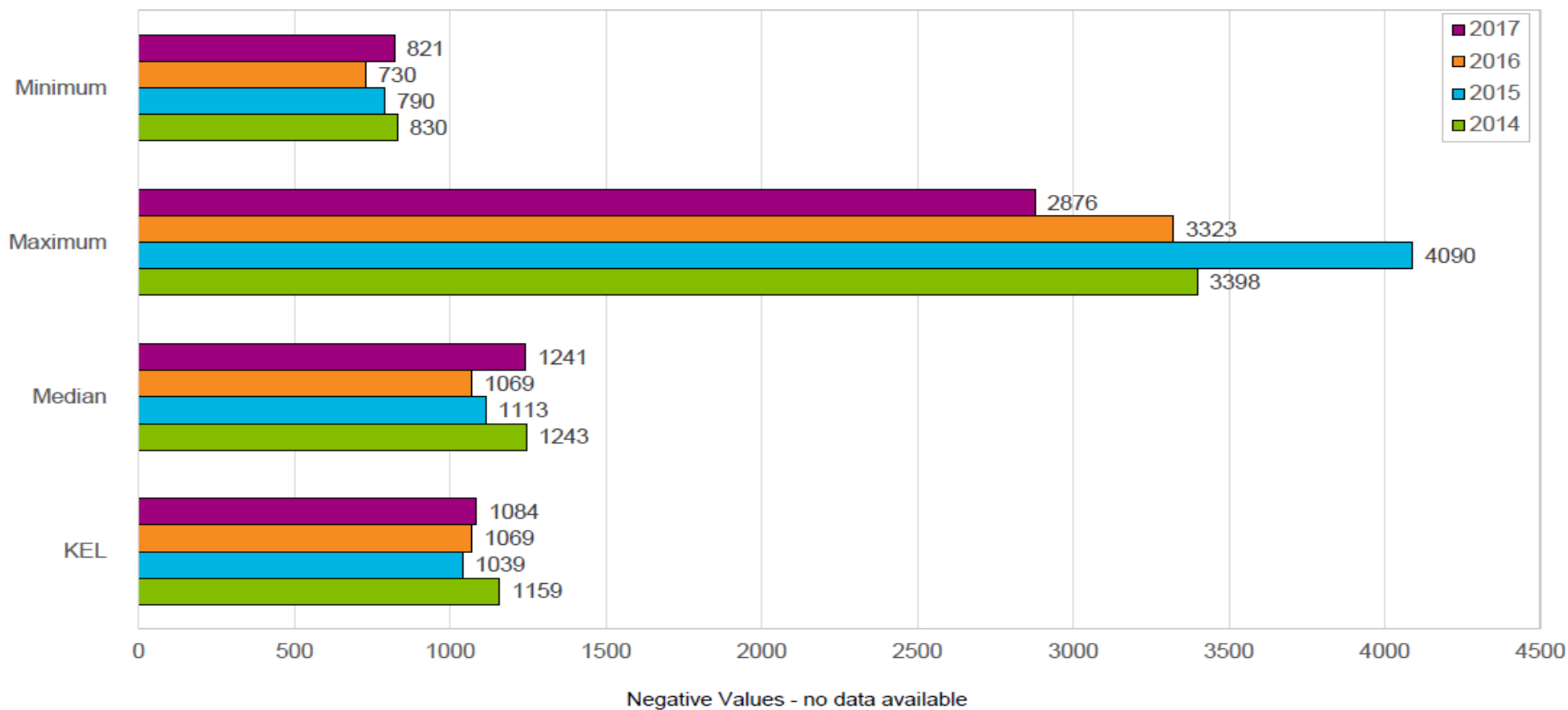
3 report suggestions currently being reviewed by staff



ENERGY MANAGEMENT:

Meet Service Requirements with Economic Efficiency - 3

Energy Consumed (kWh) / ML Treated
Tertiary WWTPs



UTILITY RE-ORG:

Over the next 2 years all wastewater operations will be combined in one location



REGIONAL COMPOSTING:

Jointly operated facility, operating at capacity



UTILITY RATES

Wastewater utility healthy

3% annual increase proposed

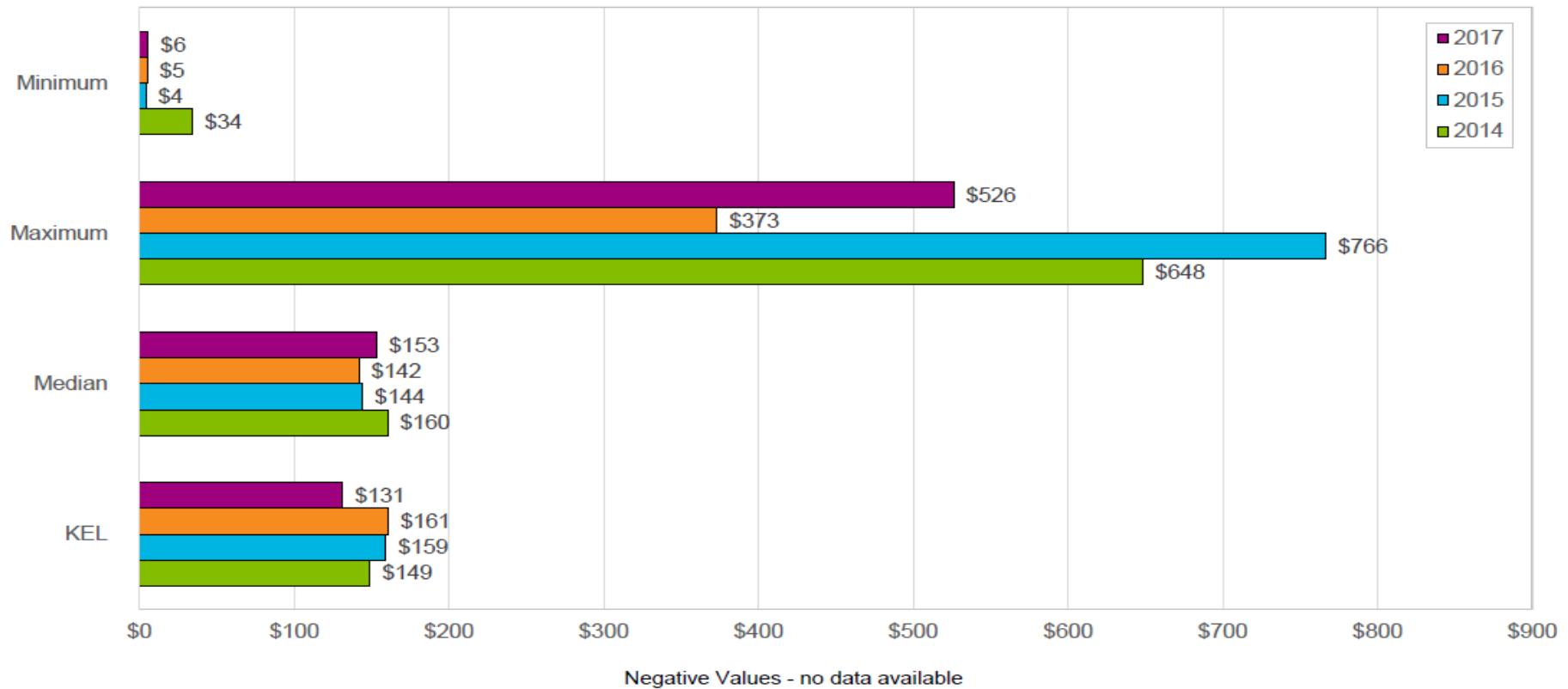


UTILITY RATES

Meet Service Requirements with Economic Efficiency - 1

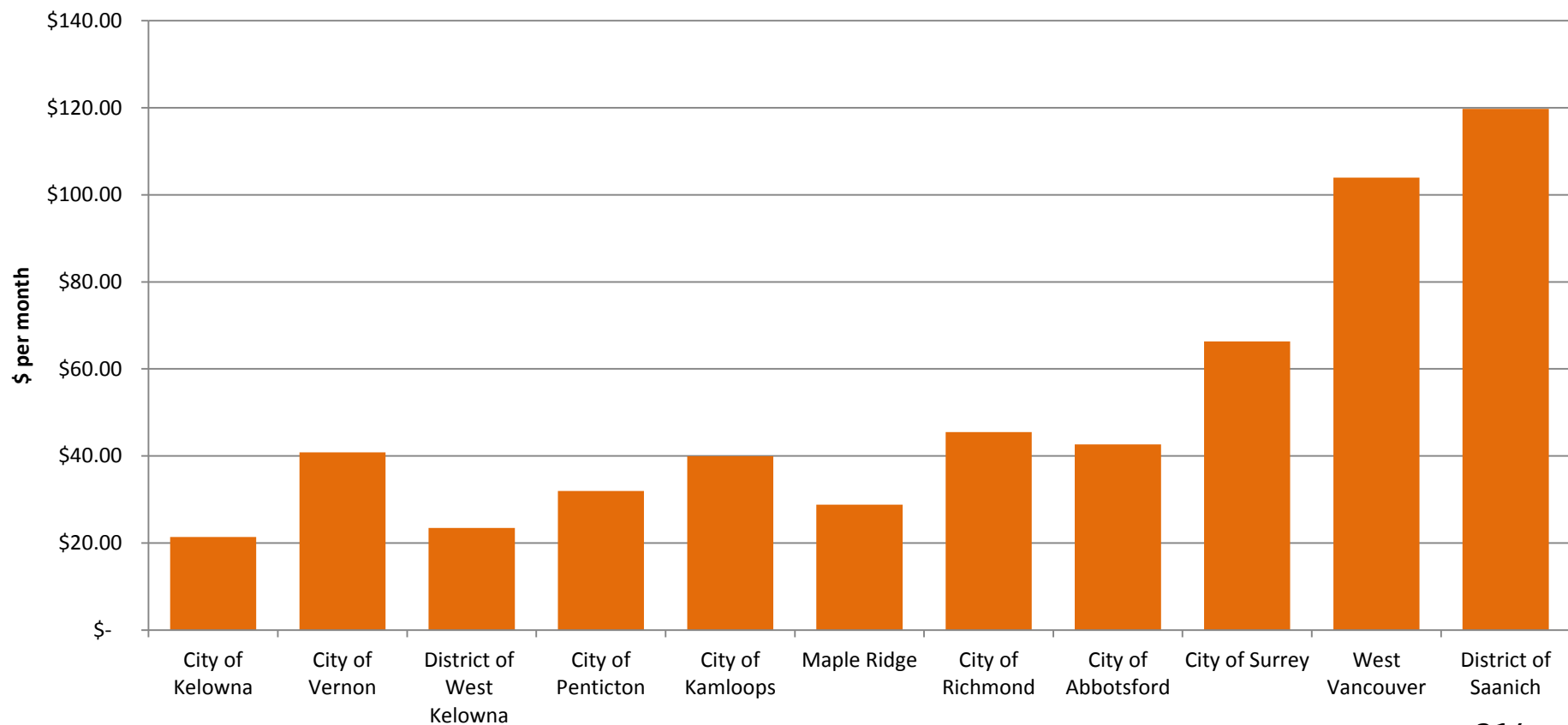
Total Cost to Provide Wastewater Service / Population Served

Wastewater Collection Systems



UTILITY RATES

2019 SFD Monthly Sewer Rates



Report to Council



Date: April 1, 2019
File: 1880-01
To: City Manager
From: Kevin Van Vliet, Utility Services Manager
Subject: Wastewater Utility Rates 2019

Recommendation:

THAT Council receives for information the report from the Utility Services Manager dated April 1, 2019, regarding wastewater utility rates for 2019;

AND THAT Bylaw No. 11788 being amendment 36 to Sewerage System User Bylaw 3480 be forwarded to Council for reading consideration;

AND FURTHER THAT the 2019 Financial Plan be amended to reflect the increase in wastewater revenues of up to \$327,000 for the 3 percent rate increase that is effective May 6, 2019.

Purpose:

To obtain approval for wastewater utility rates for 2019.

Background:

Staff have conducted a review of the City wastewater utility's operations, maintenance, and capital costs to determine financial revenue needs to support a sustainably funded utility. This analysis includes a pro-forma statement of revenues and expenditures that is a 10-year projection, based on present budget figures, future capital, and operating expenditures in all areas of the utility. The utility is fully self-funded.

There are several factors that drive rate adjustments higher than inflation. This trend will continue for the foreseeable future as we move towards fully funding all wastewater utility costs including asset depreciation. These factors are:

1. Assets are depreciating faster than they are being renewed. Our current renewal rate is adequate given the relatively young age of our assets, but renewal will need to increase in the longer term as the system ages. The current 10-year capital plan increases renewal on a step-wise basis beginning in 2023,

2. We can expect operating costs to rise as the average age of our infrastructure increases,
3. The construction cost inflation rate typically exceeds general consumer inflation.

The wastewater utility has healthy reserves to address planned infrastructure replacement over the 10-year capital planning horizon. However, there is risk of substantial demand on reserves to contribute to the cost of increasing capacity in solids management. The final cost and the breakdown of funding is still being determined. As such staff are recommending setting the wastewater utility rates for one year at a general three percent rate increase for 2019 and returning to Council in early 2020 to set 2020 rates.

The proposed rate increases continue to keep the City wastewater utility rate for single family residential customers in a very competitive position and well below most municipalities in British Columbia (See Attachment 1). The 2019 rate increase will cost residential homes an addition \$0.62 per month to a total monthly fee of \$21.41. The City's benchmarking efforts which compare our operations with other municipalities across Canada continue to show that Kelowna provides some of the most cost effective tertiary wastewater treatment in the country.

Internal Circulation:

Divisional Director, Infrastructure
Financial Planning Manager
Financial Services Supervisor
Revenue Supervisor
Utility Planning Manager
Infrastructure Engineering Manager
Communications Consultant

Financial/Budgetary Considerations:

The 2019 Financial Plan will need to be amended to include up to \$278,900 in revenue for the 3 per cent Wastewater rate increase.

Communications Comments:

Our wastewater customers will be notified of the rate changes on their utility bills and via the City's website.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Personnel Implications:

External Agency/Public Comments:

Alternate Recommendation:

Submitted by:

K Van Vliet, P.Eng., Utility Services Manager

Approved for inclusion:



J. Creron, Deputy City Manager

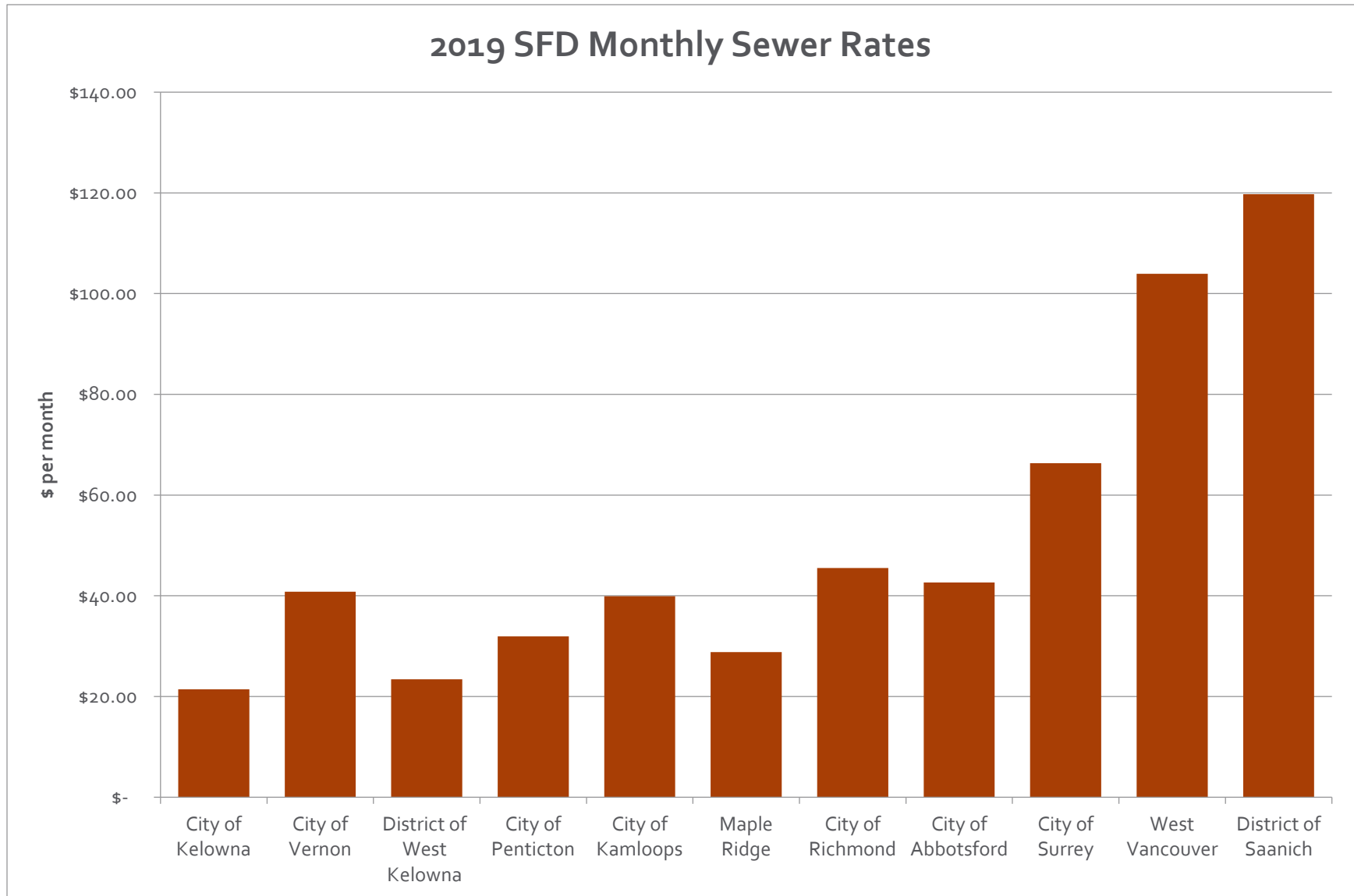
cc:

Revenue Manager,

Utility Planning Manager,

Infrastructure Engineering Manager

Attachment 1. Sampling of B.C. Wastewater rates



CITY OF KELOWNA

BYLAW NO. 11788

Amendment No. 36 to Sewerage System User Bylaw No. 3480

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Sewerage System User Bylaw No. 3480 be amended as follows:

1. THAT Section 4 be amended by deleting the following:

- "4. Residential users shall pay a monthly or bi-monthly flat rate charge for each residential unit for the use of the sewerage system as follows:

	2017	2018
Flat Rate per Month	\$20.38	\$20.79
Bi-Monthly Rate	\$40.76	\$41.58

Replacing it with:

- "4. Residential users shall pay a monthly or bi-monthly flat rate charge for each residential unit for the use of the sewerage system as follows:

	Effective May 6, 2019
Flat Rate per Month	\$21.41
Bi-Monthly Rate	\$42.82

2. AND THAT Section 5 (1) be amended by deleting the following table:

	Effective May 2017	Effective May 2018
Metered base rate per month	\$11.14	\$11.36
Bi-Monthly	\$22.28	\$22.72
Consumption charge	\$0.92/m ³	\$0.94/m ³

And replacing it with:

	Effective May 6, 2019
Metered base rate per month	\$11.70
Bi-Monthly	\$23.40
Consumption charge	\$0.97/m ³

3. AND THAT Section 5 (2) be amended by:

a) deleting the following table:

	Effective October 2017	Effective May 2018
Metered base rate per month	\$261.14	\$261.36
Bi-Monthly	\$522.28	\$522.72
Consumption charge	\$0.92/m ³	\$0.94/m ³

And replace it with:

	Effective May 6, 2019
Metered base rate per month	\$269.20
Bi-Monthly	\$538.40
Consumption charge	\$0.97/m ³

b) deleting the following "Base Costs" that reads:

Base Costs

- (1) Biochemical Oxygen Demand (BOD) -
for each kilogram discharged 41 cents
- (2) Total Suspended Solids (TSS) - for each
kilogram discharged 41 cents
- (3) Fats, Oil & Grease (FOG) – for each
kilogram discharged 18 cents
- (4) Volume (V) – In addition to the amounts listed above, under (1), (2)
and (3) the discharger shall also pay for the liquid Volume at the
current rate per cubic meter as specified in the first paragraph of
Section 5 (1) this bylaw.

And replace it with:

Base Costs

- (2) Biochemical Oxygen Demand (BOD) -
for each kilogram discharged 42 cents
- (2) Total Suspended Solids (TSS) - for each
kilogram discharged 42 cents
- (3) Fats, Oil & Grease (FOG) – for each
kilogram discharged 19 cents
- (4) Volume (V) – In addition to the amounts listed above, under (1), (2)
and (3) the discharger shall also pay for the liquid Volume at the
current rate per cubic meter as specified in the first paragraph of
Section 5 (1) this bylaw.

4. AND THAT Section 13 be deleted that reads:

"13. For each Sewer Credit Meter Users shall pay a flat rate charge as follows:

	2017	2018
Flat Rate per Month	\$5.00	\$5.08
Bi-Monthly Rate	\$10.00	\$10.16

And replace it with:

"13. For each Sewer Credit Meter Users shall pay a flat rate charge as follows:

	2019
Flat Rate per Month	\$5.23
Bi-Monthly Rate	\$10.46

3. This bylaw may be cited for all purposes as "Bylaw No.11788, being Amendment No. 36 to Sewerage System User to Bylaw No. 3480."
4. This bylaw shall come into full force and effect as of the date of adoption.

Read a first, 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: April 1, 2019
File: 1840-10
To: City Manager
From: Senior Project Manager, Infrastructure
Subject: Kerry Park – Budget for Wall Repair and Protection

Recommendation:

THAT Council receives, for information, the report from the Senior Project Manager, dated April 1, 2019 with respect to funding for repair and protection of waterfront retaining walls at Kerry Park;

AND THAT the 2019 Financial Plan be amended to include up to \$86,000, funded from general capital funds currently held in reserve, to facilitate repair and stabilization works required at Kerry Park.

Purpose:

To provide budget to cover the cost of repair and protection work for two of the lakefront retaining walls at Kerry Park, to compensate for the impacts of erosion and extend their functional life span.

Background:

Erosion has undermined the lakeside retaining walls along the Kerry Park shoreline at two places; at the Sails plaza and on the north side of Queensway Avenue. Over time wave action and fluctuating water levels have washed fill and sand out from underneath the walls at these locations, leaving voids behind. A consulting engineer retained by the City has advised that these voids may compromise the structural stability of the walls and that the walls will be at risk of further undermining unless the voids are repaired and the walls protected from the impacts of fluctuating water levels and wave action.

Designs for the required works have been prepared and the required authorization from the provincial agency with authority over the works has been obtained. The funding is required as soon as possible in order to undertake the work before the lake level rises this year.

The estimated cost of the works are as follows:

• Project management, engineering and environmental services	\$ 14,000
• Sails site (concrete backfill, gravel, fabric, rip-rap)	\$ 42,000
• Queensway site (concrete backfill, gravel, fabric, rip-rap)	\$ 20,000
• <u>Contingency</u>	<u>\$ 10,000</u>
	\$ 86,000

Financial/Budgetary Considerations:

The 2019 Financial Plan will need to be amended to include up to \$86,000, funded from general capital funds held in reserve (Rooo), in-order to undertake repair and stabilization works for lakeside protection walls at Kerry Park.

Internal Circulation:

Divisional Director, Infrastructure
Financial Planning Manager
Infrastructure Administration Manager
Infrastructure Delivery Department Manager
Infrastructure Operations Department Manager

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:

Andrew Gibbs, Senior Project Manager

Approved for inclusion:



R. Parlane, Acting Divisional Director, Infrastructure

cc: Deputy City Manager
Divisional Director, Financial Services
Divisional Director, Infrastructure
Infrastructure Operations Department Manager

CITY OF KELOWNA

BYLAW NO. 11776

Housing Agreement Authorization Bylaw – Okanagan Opportunity (Pacific) GP Inc., Inc. No. BC1188652 1145 Pacific Avenue

Whereas pursuant to Section 483 of the *Local Government Act*, a local government may, by bylaw, enter into a housing agreement.

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

1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with Okanagan Opportunity (Pacific) GP Inc., Inc. No. BC1188651 for the lands known as Lot A District Lot 137 ODYD Plan EPP84914 located on Pacific Avenue, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 25th day of March, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference February 25, 2019 affects:

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:

Lot A District Lot 137 Osoyoos Division Yale District Plan EPP84914
Parcel Identifier: 030-544-637

("Land")

And is

BETWEEN: Okanagan Opportunity (Pacific) GP Inc.
1593 Ellis Street
Kelowna, BC
V1Y 2A7

("Owner")

AND:

CITY OF KELOWNA, a local government incorporated pursuant to the *Community Charter* and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

("City")

GIVEN THAT:

- A. The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;
- B. The City may, pursuant to section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the *Local Government Act*; and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

This Agreement is evidence that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and Owner agree, as a housing agreement between the Owner and the City under s. 483 of the *Local Government Act*, as follows:

ARTICLE 1 INTERPRETATION

1.1 Definitions -

"Caregiver" means an individual who provides assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for himself or herself;

"City" means the City of Kelowna;

"Dwelling Unit" means accommodation providing sleeping rooms, washrooms, and no more than one kitchen, intended for domestic use, and used or intended to be used permanently or semi-permanently for a Household. This use does not include a room in a hotel or a motel.

"Household" means

- (a) a person;
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities;
- (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities.

In addition, a household may also include up to one Caregiver or nanny;

"Land" means the land described herein;

"LTO" means the Kamloops Land Title Office or its successor;

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 10500, or its successor bylaw;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the Lands are subdivided;

"Purpose-Built Rental Housing" means a Dwelling Unit that is intended to be used for rental housing; and

"Tenancy Agreement" means a tenancy agreement as defined in, and subject to, the *Residential Tenancy Act*.

1.2 Interpretation - In this Agreement:

- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (l) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 8000, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

1.3 Purpose of Agreement - The Owner and the City agree that:

- (a) this Agreement is intended to serve the public interest by providing for occupancy of a certain number of Dwelling Units, of the kinds provided for in this Agreement, that are in demand in the City of Kelowna but that are not readily available;

- (b) damages are not an adequate remedy to the City in respect of any breach of this Agreement by the Owner, such that the Owner agrees the City should be entitled to an order for specific performance, injunction or other specific relief respecting any breach of this Agreement by the Owner.

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

2.1 Land Use Restrictions - The Owner and the City hereby covenant and agree as follows:

- (a) The Land will be used only in accordance with this Agreement;
- (b) The Owner will design, construct and maintain one or more buildings providing 31 Dwelling Units as Purpose-Built Rental Housing
- (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

3.1 Purchaser Qualifications - The City and the Owner agree as follows:

- (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
- (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

4.1 Notice of Housing Agreement - For clarity, the Owner acknowledges and agrees that:

- (a) this Agreement constitutes a housing agreement entered into under s. 483 of the *Local Government Act*;
- (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;
- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.

4.2 No Effect On Laws or Powers - This Agreement does not

- (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
- (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
- (c) affect or limit any enactment relating to the use or subdivision of land, or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.

4.3 Management – The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.

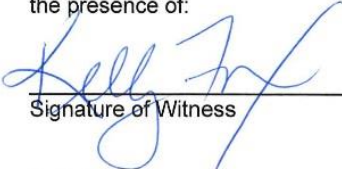
4.4 Notice - Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.

4.5 Agreement Runs With the Land - Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the *Strata Property Act*.

- 4.6 **Limitation on Owner's Obligations** - The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 **Release** – The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.
- 4.8 **Joint Venture** – Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- 4.9 **Waiver** - An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- 4.10 **Further Acts** - The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- 4.11 **Severance** - If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 4.12 **Equitable Remedies** – The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 4.13 **No Other Agreements** - This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- 4.14 **Amendment** - This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- 4.15 **Enurement** - This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- 4.16 **Deed and Contract** - By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties hereunto have executed this Agreement on the date and year first above written.

SIGNED, SEALED & DELIVERED in)
the presence of:)



Signature of Witness)

Kelly Fox)
12 Gallagher Crescent)
Midhurst, ON L9X 0K1)

Professor)

"OWNER"
by its authorized signatories:



Okanagan Opportunity (Pacific) GP
Per: Edward Lea

SIGNED, SEALED & DELIVERED in)
the presence of:)

Signature of Witness)

Print Name)

Address)

Occupation)

CITY OF KELOWNA
by its authorized signatories:

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11777

Housing Agreement Authorization Bylaw – Okanagan Opportunity GP Inc., Inc. No. BC1129792 – 573-599 Clement Avenue

Whereas pursuant to Section 483 of the *Local Government Act*, a local government may, by bylaw, enter into a housing agreement.

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

1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with Okanagan Opportunity GP Inc., Inc. No. BC1129792 for the lands known as Lot A District Lot 139 ODYD Plan EPP82176 located on Clement Avenue Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 25th day of March, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference February 25, 2019 affects:

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:

Lot A District Lot 139 Osoyoos Division Yale District Plan EPP82176
Parcel Identifier: 030-556-384

("Land")

And is

BETWEEN:

Okanagan Opportunity GP Inc
1593 Ellis Street
Kelowna, BC
V1Y 2A7

("Owner")

AND:

CITY OF KELOWNA, a local government incorporated pursuant to the *Community Charter* and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

("City")

GIVEN THAT:

- A. The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;
- B. The City may, pursuant to section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the *Local Government Act*; and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

This Agreement is evidence that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and Owner agree, as a housing agreement between the Owner and the City under s. 483 of the *Local Government Act*, as follows:

ARTICLE 1 INTERPRETATION

1.1 Definitions -

"Caregiver" means an individual who provides assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for himself or herself;

"City" means the City of Kelowna;

"Dwelling Unit" means accommodation providing sleeping rooms, washrooms, and no more than one kitchen, intended for domestic use, and used or intended to be used permanently or semi-permanently for a Household. This use does not include a room in a hotel or a motel.

"Household" means

- (a) a person;
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities;
- (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities.

In addition, a household may also include up to one Caregiver or nanny;

"Land" means the land described herein;

"LTO" means the Kamloops Land Title Office or its successor;

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 10500, or its successor bylaw;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the Lands are subdivided;

"Purpose-Built Rental Housing" means a Dwelling Unit that is intended to be used for rental housing; and

"Tenancy Agreement" means a tenancy agreement as defined in, and subject to, the *Residential Tenancy Act*.

1.2 Interpretation - In this Agreement:

- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (l) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 8000, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

1.3 Purpose of Agreement - The Owner and the City agree that:

- (a) this Agreement is intended to serve the public interest by providing for occupancy of a certain number of Dwelling Units, of the kinds provided for in this Agreement, that are in demand in the City of Kelowna but that are not readily available;

- (b) damages are not an adequate remedy to the City in respect of any breach of this Agreement by the Owner, such that the Owner agrees the City should be entitled to an order for specific performance, injunction or other specific relief respecting any breach of this Agreement by the Owner.

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

2.1 Land Use Restrictions - The Owner and the City hereby covenant and agree as follows:

- (a) The Land will be used only in accordance with this Agreement;
- (b) The Owner will design, construct and maintain one or more buildings providing 58 Dwelling Units as Purpose-Built Rental Housing
- (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

3.1 Purchaser Qualifications - The City and the Owner agree as follows:

- (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
- (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

4.1 Notice of Housing Agreement - For clarity, the Owner acknowledges and agrees that:

- (a) this Agreement constitutes a housing agreement entered into under s. 483 of the *Local Government Act*;
- (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;
- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.

4.2 No Effect On Laws or Powers - This Agreement does not

- (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
- (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
- (c) affect or limit any enactment relating to the use or subdivision of land, or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.

4.3 Management – The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.

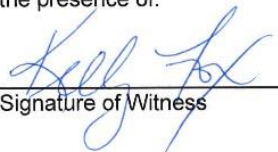
4.4 Notice - Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.

4.5 Agreement Runs With the Land - Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the *Strata Property Act*.

- 4.6 Limitation on Owner's Obligations** - The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release** – The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.
- 4.8 Joint Venture** – Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- 4.9 Waiver** - An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- 4.10 Further Acts** - The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- 4.11 Severance** - If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 4.12 Equitable Remedies** – The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 4.13 No Other Agreements** - This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- 4.14 Amendment** - This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- 4.15 Enurement** - This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- 4.16 Deed and Contract** - By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties hereunto have executed this Agreement on the date and year first above written.

SIGNED, SEALED & DELIVERED in)
the presence of:)



Signature of Witness)

Kelly Fox)
12 Gallagher Crescent)
Midhurst, ON L9X0K1)

Professor)

"OWNER"
by its authorized signatories:



Okanagan Opportunity GP Inc.
Per: Edward Lea

SIGNED, SEALED & DELIVERED in)
the presence of:)

Signature of Witness)

Print Name)

Address)

Occupation)

CITY OF KELOWNA
by its authorized signatories:

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11784

Housing Agreement Authorization Bylaw – Drysdale Blvd Kelowna Apartments 2019 Ltd., Inc. No. BC1193818 – 333 Drysdale Boulevard

Whereas pursuant to Section 483 of the *Local Government Act*, a local government may, by bylaw, enter into a housing agreement.

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

1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with Drysdale Blvd Kelowna Apartments 2019 Ltd., Inc. No. BC1193818 for the lands known as Lot 2 Section 33 Township 26 ODYD Plan EPP48909 located on Drysdale Boulevard Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 25th day of March, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference March 25, 2019 affects:

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:

Lot 2 Section 33 Township 26 ODYD Plan EPP48909

("Land")

And is

BETWEEN: DRYSDALE BLVD KELOWNA APARTMENTS 2019 LTD
500/1708 Dolphin Avenue, Kelowna BC

("Owner")

AND:

CITY OF KELOWNA, a local government incorporated pursuant to the *Community Charter* and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

("City")

GIVEN THAT:

- A. The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;
- B. The City may, pursuant to section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the *Local Government Act*; and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

This Agreement is evidence that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and Owner agree, as a housing agreement between the Owner and the City under s. 483 of the *Local Government Act*, as follows:

ARTICLE 1 INTERPRETATION

1.1 Definitions -

"Caregiver" means an individual who provides assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for himself or herself;

"City" means the City of Kelowna;

"Dwelling Unit" means accommodation providing sleeping rooms, washrooms, and no more than one kitchen, intended for domestic use, and used or intended to be used permanently or semi-permanently for a Household. This use does not include a room in a hotel or a motel.

"Household" means

- (a) a person;
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities;
- (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities.

In addition, a household may also include up to one Caregiver or nanny;

"Land" means the land described herein;

"LTO" means the Kamloops Land Title Office or its successor;

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 10500, or its successor bylaw;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the Lands are subdivided;

"Purpose-Built Rental Housing" means a Dwelling Unit that is intended to be used for rental housing; and

"Tenancy Agreement" means a tenancy agreement as defined in, and subject to, the *Residential Tenancy Act*.

1.2 Interpretation - In this Agreement:

- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (l) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 8000, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

1.3 Purpose of Agreement - The Owner and the City agree that:

- (a) this Agreement is intended to serve the public interest by providing for occupancy of a certain number of Dwelling Units, of the kinds provided for in this Agreement, that are in demand in the City of Kelowna but that are not readily available;
- (b) damages are not an adequate remedy to the City in respect of any breach of this Agreement by the Owner, such that the Owner agrees the City should be entitled to an order for specific performance, injunction or other specific relief respecting any breach of this Agreement by the Owner.

**ARTICLE 2
HOUSING AGREEMENT AND LAND USE RESTRICTIONS**

2.1 Land Use Restrictions - The Owner and the City hereby covenant and agree as follows:

- (a) The Land will be used only in accordance with this Agreement;
- (b) The Owner will design, construct and maintain one or more buildings providing 175 Dwelling Units as Purpose-Built Rental Housing
- (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

**ARTICLE 3
HOUSING AGREEMENT AND TRANSFER RESTRICTIONS**

3.1 Purchaser Qualifications - The City and the Owner agree as follows:

- (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
- (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

**ARTICLE 4
GENERAL**

4.1 Notice of Housing Agreement - For clarity, the Owner acknowledges and agrees that:

- (a) this Agreement constitutes a housing agreement entered into under s. 483 of the *Local Government Act*;
- (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the

Land;

- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.

4.2 No Effect On Laws or Powers - This Agreement does not

- (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
- (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
- (c) affect or limit any enactment relating to the use or subdivision of land, or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.

4.3 Management – The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.

4.4 Notice - Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.

4.5 Agreement Runs With the Land - Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the *Strata Property Act*.

4.6 Limitation on Owner's Obligations - The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.

4.7 Release – The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages,

actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.

- 4.8 **Joint Venture** – Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- 4.9 **Waiver** - An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- 4.10 **Further Acts** - The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- 4.11 **Severance** - If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 4.12 **Equitable Remedies** – The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 4.13 **No Other Agreements** - This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- 4.14 **Amendment** - This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- 4.15 **Enurement** - This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- 4.16 **Deed and Contract** - By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties hereunto have executed this Agreement on the date and year first above written.

SIGNED, SEALED & DELIVERED in)
the presence of:)



Signature of Witness

Alisia Strautins

Print Name: Alisia Strautins

300/1100 Dolphin Ave Kelowna
Address

Development Manager
Occupation

"OWNER"
by its authorized signatories:



Corey Makus
Print Name: Corey Makus

Print Name:

SIGNED, SEALED & DELIVERED in)
the presence of:)

Signature of Witness

Print Name

Address

Occupation

CITY OF KELOWNA
by its authorized signatories:

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11786

Housing Agreement Authorization Bylaw – 0904419 BC Ltd – 773 Glenmore Road

Whereas pursuant to Section 483 of the *Local Government Act*, a local government may, by bylaw, enter into a housing agreement.

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

1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with 0904419 BC Ltd., Inc. No. BC0904419 for the lands known as Lot B Section 29 Township 26 ODYD Plan EPP54061 located on St. Paul Street, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 25th day of March, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference February 28, 2019 affects:

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:

Lot 1 Section 29 Township 26 ODYD Plan EPP54061

("Land")

And is

BETWEEN: 0904419 B.C. Ltd.
2000 - 77 Bloor Street West
Toronto, ON
M5S 1M2

("Owner")

AND:

CITY OF KELOWNA, a local government incorporated pursuant to the *Community Charter* and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

("City")

GIVEN THAT:

- A. The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;
- B. The City may, pursuant to section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the *Local Government Act*; and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

This Agreement is evidence that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and Owner agree, as a housing agreement between the Owner and the City under s. 483 of the *Local Government Act*, as follows:

**ARTICLE 1
INTERPRETATION**

1.1 Definitions -

"Caregiver" means an individual who provides assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for himself or herself;

"City" means the City of Kelowna;

"Dwelling Unit" means accommodation providing sleeping rooms, washrooms, and no more than one kitchen, intended for domestic use, and used or intended to be used permanently or semi-permanently for a Household. This use does not include a room in a hotel or a motel.

"Household" means

- (a) a person;
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities;
- (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities.

In addition, a household may also include up to one Caregiver or nanny;

"Land" means the land described herein;

"LTO" means the Kamloops Land Title Office or its successor;

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 10500, or its successor bylaw;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the Lands are subdivided;

"Purpose-Built Rental Housing" means a Dwelling Unit that is intended to be used for rental housing; and

"Tenancy Agreement" means a tenancy agreement as defined in, and subject to, the *Residential Tenancy Act*.

1.2 Interpretation - In this Agreement:

- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (l) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 8000, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

1.3 Purpose of Agreement - The Owner and the City agree that:

- (a) this Agreement is intended to serve the public interest by providing for occupancy of a certain number of Dwelling Units, of the kinds provided for in this Agreement, that are in demand in the City of Kelowna but that are not readily available;
- (b) damages are not an adequate remedy to the City in respect of any breach of this Agreement by the Owner, such that the Owner agrees the City should be entitled to an order for specific performance, injunction or other specific relief respecting any breach of this Agreement by the Owner.

**ARTICLE 2
HOUSING AGREEMENT AND LAND USE RESTRICTIONS**

2.1 Land Use Restrictions - The Owner and the City hereby covenant and agree as follows:

- (a) The Land will be used only in accordance with this Agreement;
- (b) The Owner will design, construct and maintain one or more buildings providing 87 Dwelling Units as Purpose-Built Rental Housing
- (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

**ARTICLE 3
HOUSING AGREEMENT AND TRANSFER RESTRICTIONS**

3.1 Purchaser Qualifications - The City and the Owner agree as follows:

- (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
- (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

**ARTICLE 4
GENERAL**

4.1 Notice of Housing Agreement - For clarity, the Owner acknowledges and agrees that:

- (a) this Agreement constitutes a housing agreement entered into under s. 483 of the *Local Government Act*;

- (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;
- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.

4.2 No Effect On Laws or Powers - This Agreement does not

- (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
- (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
- (c) affect or limit any enactment relating to the use or subdivision of land, or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.

4.3 Management – The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.

4.4 Notice - Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.

4.5 Agreement Runs With the Land - Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the *Strata Property Act*.

4.6 Limitation on Owner's Obligations - The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.

4.7 Release – The Owner by this Agreement releases and forever discharges the City and each of its elected

officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.

- 4.8 Joint Venture** – Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- 4.9 Waiver** - An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- 4.10 Further Acts** - The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- 4.11 Severance** - If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 4.12 Equitable Remedies** – The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 4.13 No Other Agreements** - This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- 4.14 Amendment** - This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- 4.15 Enurement** - This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- 4.16 Deed and Contract** - By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties hereunto have executed this Agreement on the date and year first above written.

SIGNED, SEALED & DELIVERED in)
the presence of:)

Catherine Moresco)
Signature of Witness)

Catherine Moresco)
Print Name)

80 Burns Blvd, Apt. 328)
Address King City, CA 94003)

Law Clerk)
Occupation)

"OWNER" 090419 BC Ltd.
by its authorized signatories:

Per: [Signature]

Geoffrey Wayne Scribb, President
Print Name:

Print Name:

SIGNED, SEALED & DELIVERED in)
the presence of:)

Signature of Witness)

Print Name)

Address)

Occupation)

CITY OF KELOWNA
by its authorized signatories:

Mayor

City Clerk