

City of Kelowna

Regular Council Meeting

AGENDA



Monday, May 6, 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

6 - 17

Regular PM Meeting - April 29, 2019

3. Development Application Reports & Related Bylaws

3.1 Short-Term Rental Accommodation in Secondary Suites and Carriage Houses

18 - 37

To amend the Zoning Bylaw by adding short-term rental accommodation as a permitted use in secondary suites and carriage houses, with associated regulations.

3.2 TA19-0011 - Short Term Rental Accommodations (Secondary Suites and Carriage Houses)

38 - 39

To give Bylaw No. 11820 first reading in order to amend the Zoning Bylaw No. 8000 in regards to Short Term Rental Accommodations for Secondary Suites and Carriage Houses.

3.3 Union Rd 1550, OCP18-0014 Z18-0070 - Glenwest Properties Ltd., Inc. No. CO889227

40 - 56

To amend the Official Community Plan designation from COMM – Commercial and MRM – Multiple Unit Residential (Medium Density) to the MRL – Multiple Unit Residential (Low Density) and rezone the subject property from RM2 – Low Density Row Housing, RM5 – Medium Density Multiple Housing and P3 – Parks and Open Space to RM3 – Low Density Multiple Housing to accommodate a 61 unit townhome development.

3.4	Union Rd 1550, OCP18-0014 (BL11824) - Glenwest Properties Ltd.,Inc.No.CO889227	57 - 58
	Requires a majority vote of Council (5)	
	To give Bylaw No. 11824 first reading in order to amend the Official Community Plan designation of portions of the subject property from COMM – Commercial and MRM – Multiple Unit Residential (Medium Density) to the MRL – Multiple Unit Residential (Low Density).	
3.5	Union Rd 1550, Z18-0070 (BL11825) - Glenwest Properties Ltd.,Inc.No.CO889227	59 - 60
	To give Bylaw No. 11825 first reading in order to rezone portions of the subject property from RM2 – Low Density Row Housing, RM5 – Medium Density Multiple Housing and P3 – Parks and Open Space to RM3 – Low Density Multiple Housing	
3.6	West Ave 454-464, OCP18-0021 and Z18-0118 - West Avenue - Mission Group Rentals Ltd	61 - 72
	To amend the Official Community Plan to change the future land use designation and to rezone the subject properties to facilitate the development of apartment housing.	
3.7	West Ave 454-464, OCP18-0021 (BL11826) - West Avenue - Mission Group Rentals Ltd	73 - 73
	Requires a majority vote of Council (5).	
	To give Bylaw No. 11826 first reading to change the future land use designation of the subject properties from MRM - Multiple Unit Residential (Medium Density) to the MRX - Mixed Use (Residential/Commercial) designation.	
3.8	West Ave 454-464, Z18-0118 (BL11827) - West Avenue - Mission Group Rentals Ltd	74 - 74
	To give Bylaw No. 11827 first reading in order to rezone the subject properties from the RU6 - Two Dwelling Housing and the RU1 - Large Lot Housing zones to the C4 - Urban Centre Commercial zone.	
3.9	Airport Way 5505-5507, Z19-0034 - Midwest Ventures Ltd Inc No BC0046021	75 - 80
	To rezone the subject property to facilitate the development of a retail cannabis sales establishment.	
3.10	Airport Way 5505-5507, Z19-0034 (BL11828) - Midwest Ventures Ltd Inc No BC0046021	81 - 82
	To give Bylaw No. 11828 first reading in order to rezone portions of the subject property from the C9 - Tourist Commercial zone and from the CD15 - Airport Business Park zone to the C9rcs - Tourist Commercial (Retail Cannabis Sales) zone.	
3.11	Walker Rd 4480, Z18-0047 – Thomas A.M. Brown	83 - 95
	To give Rezoning Bylaw No. 11829 first reading and forward to Public Hearing.	

3.12	Walker Rd 4480, Z18-0047 (BL11829) - Thomas A.M. Brown	96 - 97
	To give Bylaw No. 11829 first reading in order to rezone a portion of the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.	
3.13	Main St 5300, DP18-0252 - 1129549 B.C. Ltd, Inc.No. BC1129549	98 - 131
	To consider the form and character of a mixed use, 28 unit residential townhouse and live/work studio commercial development.	
3.14	Ellis St 950, DP19-0047 - 1188666 B.C.Ltd.,Inc.No. BC1188666	132 - 154
	To consider a Development Permit for the form and character of a 5 storey self-storage building.	
4.	Bylaws for Adoption (Development Related)	
4.1	HWY 97 N 7770, 7782, 7800 and 7810, LUCT18-0006 (BL11762) - Multiple Owners	155 - 156
	To adopt Bylaw No. 11762 in order to early terminate Land Use Contract LUC76-1104 and revert the parcels back to the underlying A1 – Agriculture 1 and RR2 – Rural Residential 2 zones.	
4.2	Bernard Ave 547-559, BL11775 (Z19-0005) - Salco Management Ltd, Inc. No. BCo744182	157 - 157
	To adopt Bylaw No. 11775 in order to rezone the subject property from C7 - Central Business Commercial zone to the C7rcs - Central Business Commercial (Retail Cannabis Sales) zone.	
4.3	Rutland Rd S 140-160, BL11779 (Z19-0026) - Canada West Realty Ltd, Inc. No. 71313	158 - 158
	To adopt Bylaw No. 11779 in order to rezone the subject property from the C4 - Urban Centre Commercial zone to the C4rcs - Urban Centre Commercial (Retail Cannabis Sales) zone.	
4.4	Springfield Rd 2121, BL11780 (Z19-0029) - 417414 BC Limited, Inc No 417414	159 - 159
	To adopt Bylaw No. 11780 in order to rezone the subject property from the C4 - Urban Centre Commercial zone to the C4rcs - Urban Centre Commercial (Retail Cannabis Sales) zone.	
4.5	Harvey Ave 1455-1475, BL11792 (Z19-0010) - 449048 British Columbia Ltd, 1145399	160 - 160
	To adopt Bylaw No. 11792 in order to rezone the subject property from the C3 - Community Commercial zone to the C3rcs - Community Commercial (Retail Cannabis Sales) zone.	

4.6	Harvey Ave 2090, BL11793 (Z19-0008) - T 252 Enterprises Ltd Inc No BC1184462	161 - 161
	To adopt Bylaw No. 11793 in order to rezone the subject property from the C ₄ - Urban Centre Commercial zone to the C ₄ rcs - Urban Centre Commercial (Retail Cannabis Sales) zone.	
4.7	Commercial Frontage Amendment, BL11796 (TA19-0005) - City of Kelowna	162 - 162
	To adopt Bylaw No. 11796 in order to amend the C ₄ – Urban Centre Commercial zone to require functional commercial space on appropriate streets.	
5.	Non-Development Reports & Related Bylaws	
5.1	Redefinition of City of Kelowna Boundary	163 - 168
	To obtain Council’s approval to move forward with the redefinition of the City of Kelowna boundary adjacent to Kelowna International Airport (the Airport).	
5.2	Updated Energy Step Code Implementation Strategy	169 - 261
	To consider the Energy Step Code Implementation Strategy for Part 9 buildings under the British Columbia Building Code.	
5.3	BL11823 - Amendment No. 13 to Building Bylaw No. 7245	262 - 263
	To give Bylaw No. 11823 first, second and third readings in order to amend Building Bylaw No. 7245.	
5.4	Bikeshare Permit Program	264 - 313
	To propose a permit program to regulate bikeshare operators into the future, as well as amending and advocating for enabling regulatory changes.	
5.5	BL11804 - Amendment No. 32 to Traffic Bylaw No. 8120	314 - 315
	To give Bylaw No. 11804 first, second and third readings in order to amend Traffic Bylaw No. 8120.	
5.6	190 Highway 33 East – Road Closure	316 - 319
	To close a 157 square meter portion of excess lane for consolidation with 190 Highway 33 East, 230 Highway 33 E and 145 Sadler Road.	
5.7	A portion of 190 Highway 33 East, BL11729 - Road Closure Bylaw	320 - 321
	To give Bylaw No. 11729 first, second and third readings in order to permanently close and remove the highway dedication of a portion of Highway 33.	

6. Resolutions

6.1 Munson Pond Naturalization Project 322 - 322

To endorse the Munson Pond Naturalization Project for submission and consideration for the 2019 UBCM Community Excellence Award.

7. Bylaws for Adoption (Non-Development Related)

7.1 BL11805 - Five Year Financial Plan 2019-2023 323 - 328

To adopt Bylaw No. 11805 to approve the Five Year Financial Plan 2019-2023.

7.2 BL11806 - Tax Structure Bylaw, 2019 329 - 329

To adopt Bylaw No.11806 to approve the 2019 Tax Structure Bylaw.

7.3 BL11807 - Annual Tax Rates Bylaw, 2019 330 - 332

To adopt Bylaw No. 11807 to approve the 2019 Annual Tax Rates Bylaw.

7.4 BL11808 - Development Cost Charge Reserve Fund Expenditure Bylaw, 2019 333 - 333

To adopt Bylaw No. 11808 to approve the 2019 Development Cost Charge Reserve Fund Expenditure Bylaw.

7.5 BL11809 - Sale of City Owned Land Reserve Fund Expenditure Bylaw, 2019 334 - 334

To adopt Bylaw No. 11809 to approve the 2019 Sale of City Owned Land Reserve Fund Expenditure Bylaw.

8. Mayor and Councillor Items

9. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 29, 2019
Council Chamber

Location: City Hall, 1435 Water Street

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

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Karen Needham; Deputy City Manager, Joe Creron*; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Suburban and Rural Planning Manager, Dean Strachan*; Planner Specialist, Adam Cseke*; Financial Planning Manager, George King*; Budget Supervisor, Melanie Antunes*; Divisional Director, Financial Services, Genelle Davidson*; Divisional Director, Infrastructure, Alan Newcombe*; Utility Planning Manager, Rod MacLean*; Legislative Coordinator (Confidential), Arlene McClelland

Guests: Deborah Buszard*, Deputy Vice-Chancellor and Principal Prof.; Brent Mundle*, Superintendent Kelowna RCMP Detachment

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:35 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

R457/19/04/29 THAT the Minutes of the Regular Meetings of April 15, 2019 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 University of British Columbia - Okanagan (UBC-O)

Deputy Vice-Chancellor and Principal Prof. Deborah Buszard

- Displayed a PowerPoint Presentation, re: Shaping UBC Okanagan's Future
- Displayed a video of what the campus is envisioned to look like in 2040.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Sieben

R458/19/04/29 THAT Council receive the University of British Columbia presentation from the Deputy Vice-Chancellor dated April 29, 2019.

Carried

3.2 RCMP Quarterly Report

Brent Mundle, Superintendent Kelowna RCMP Detachment

- Displayed a PowerPoint Presentation outlining achievements in the 2016-2019 Crime Reduction Strategy and provided year-to-date crime statistics.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R459/19/04/29 THAT Council receive the RCMP Quarterly/Yearly Update report from the Superintendent, Kelowna RCMP Detachment dated April 29, 2019.

Carried

4. Development Application Reports & Related Bylaws

4.1 Walker Rd 4480, Z18-0047 - Thomas A.M. Brown

Staff:

- Displayed a PowerPoint Presentation summarizing and providing rational for non-support of the application.
- Responded to questions from Council.

Thomas Brown, Walker Road

- Displayed a PowerPoint Presentation.
- Displayed neighbourhood petition results in favour of this proposal.
- Displayed a photo of an aerial view of six abutting neighbour's lots that provided letters of approval for this proposal.
- Provided the lot history and noted that the lot was created in 1966; the lot was not part of the City of Kelowna and there was no zoning bylaw.
- This is a huge lot of 15,193 sq. ft. and currently irrigating a ½ acre land; the shape of the land does not relate at all to today's Zoning Bylaw.
- Displayed a sketch of the proposed lot and noted staff's concern with length of side lot line; to make up for the lot depth deficiency of 4.3 m the lot width has been increased by 4.7 m.
- The existing home does not require demolition or variances.
- Commented that the application purpose is to create an RU2 lot of 4855 sq. ft. and retain owner's original house on a lot of 10,333 sq. ft.
- Spoke to the similarities of this lot and the lot at 504 Knowles Road that had been supported and approved for rezoning by staff and Council.
- The Planning Department would like a long and thin lot and my neighbours would like a short and wide lot; neighbours are very concerned about appearance.
- Believes the staff report rationale for non-support is not accurate.
- Two neighbours have expressed interest in buying the lot in order to downsize.

- Commented that existing trees will not be affected by the RU2 zone.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R460/19/04/29 THAT Rezoning Application No. Z18-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 1 District Lot 167 ODYD Plan 16858, located at 4480 Walker Road Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone. as shown on Map "A" attached to the Report from the Community Planning Department dated April 29, 2019, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated April 29, 2019;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer;

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

Carried

Councillor DeHart departed the meeting at 3:41 p.m.

4.2 Lakeshore Rd 4119, Z19-0046 - Whitworth Holdings Ltd., Inc. No. BC1059455

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Sieben

R461/19/04/29 THAT Rezoning Application No. Z19-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, Section 6, Township 26, ODYD, Plan 4912, located at 4119 Lakeshore Road from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment A attached to the report from the Community Planning Department dated April 29, 2019;

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

Carried

4.3 Lakeshore Rd 4119, BL11816 (Z19-0046) - Whitworth Holdings Ltd., Inc. No. BC1059455

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R462/19/04/29 THAT Bylaw No. 11816 be read a first time.

Carried**4.4 Kirschner Rd 1977, Z19-0023 - Lambert and Paul Construction Ltd, Inc. No 80191**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Donn

R463/19/04/29 THAT Rezoning Application No. Z19-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 129 Osoyoos Division Yale District Plan 22769, located at 1977 Kirschner Road, Kelowna, BC from the C10 – Service Commercial zone to the C10rcs – Service 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**4.5 Kirschner Rd 1977, BL11817 (Z19-0023) - Lambert and Paul Construction Ltd, Inc. No 80191**Moved By Councillor Wooldridge/Seconded By Councillor Given

R464/19/04/29 THAT Bylaw No. 11817 be read a first time.

Carried**4.6 Clement Ave 1049, Z19-0045 - Gurpreet Pannu**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Givene/Seconded By Councillor Hodge

R465/19/04/29 THAT Rezoning Application No. Z19-0045 to amend the City of Kelowna Zoning Bylaw No.8000 by changing the zoning classification of Lot 3, District Lot 138 and of section 30 Township 26 ODYD, Plan 3763, located at 1049 Clement Ave, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM4 – Transitional Low Density Housing zone;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated April 23, 2019;

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

Carried

4.7 Clement Ave 1049, Z19-0045 (BL11814) - Gurpreet Pannu

Moved By Councillor Given/Seconded By Councillor Wooldridge

R466/19/04/29 THAT Bylaw No. 11814 be read a first time.

Carried

4.8 Neptune Rd 1260, OCP17-0014 Z17-0053 - Davara Holdings Ltd. Inc. No. BCo797640

Staff:

- Provided an overview of the application.

Moved By Councillor Given/Seconded By Councillor Singh

R467/19/04/29 THAT Official Community Plan Amendment Bylaw No. 11558 and Rezoning Bylaw No. 11559 be amended at third reading to revise the legal description of the subject properties from Lot 2, Section 14, Township 26, ODYD, Plan 27837 and Lot 3, Section 14, Township 26, ODYD, Plan 27837 to Lot A, Section 14, Township 26, ODYD, Plan EPP83144;

AND THAT Council waives the requirement for a Council-issued Development Permit to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11559;

AND FURTHER THAT Final Adoption of Official Community Plan Amendment Bylaw No. 11558 and Rezoning Bylaw No. 11559 be considered by Council.

Carried

4.9 Neptune Rd 1260, OCP17-0014 (BL11558) - Davara Holdings Ltd

Moved By Councillor Singh/Seconded By Councillor Hodge

R468/19/04/29 THAT Bylaw No. 11558 be amended at third reading.

Carried

Moved By Councillor Singh/Seconded By Councillor Hodge

R469/19/04/29 THAT Bylaw No. 11558 as amended, be adopted.

Carried

4.10 Neptune Rd 1260, Z17-0053 (BL11559) - Davara Holdings Ltd

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R470/19/04/29 THAT Bylaw No. 11559 be amended at third reading.

CarriedMoved By Councillor Wooldridge/Seconded By Councillor HodgeR471/19/04/29 THAT Bylaw No. 11559 as amended, be adopted.Carried**4.11 Ethel St 1675 & 1685, TA19-0006 - Petel Properties Inc., Inc. No. A0069509**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Donn

R472/19/04/29 THAT Zoning Bylaw Text Amendment Application No. TA19-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 as outlined in "Schedule A" within the report from the Community Planning Department dated April 29th 2019, for Strata Lots 1 & 2, District Lot 138, ODYD, Strata Plan EPS3699, 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 1675 & 1685 Ethel St be considered by Council;

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

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amendment Application No. TA19-0006 be considered subsequent to the approval of Ministry of Transportation.

Carried**4.12 Ethel St 1675 & 1685, BL11818 (TA19-0006) - Petel Properties Inc., Inc. No. A0069509**Moved By Councillor Hodge/Seconded By Councillor SinghR473/19/04/29 THAT Bylaw No. 11818 be read a first time.Carried**4.13 Bach Rd 140, Rutland Rd N 615 & 625, OCP19-0001 Z19-0039 TA19-0002 - Bharosa Developments Ltd. Inc. No. BC1177705**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Given

R474/19/04/29 THAT Zoning Bylaw Text Amendment Application No. TA19-0002 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined within this Community Planning Department Report and within Attachment 'B' be considered by Council;

THAT Official Community Plan Map Amendment Application No. OCP19-0001 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of:

- Lot 25, Section 26, Township 26, ODYD, Plan 19679 except Plan 41879, located at 140 Bach, Kelowna, BC from the S2RES (Single Two Unit Residential) designation to the MXR – Mixed Use (Residential/Commercial) designation;

- Lot 26, Section 26, Township 26, ODYD, Plan 19679 except Plan 41879, located at 615 Rutland Rd N, Kelowna, BC from the MRL – Multiple Residential (Low Density) designation to the MXR – Mixed Use (Residential/Commercial) designation; and
- Lot A, Section 26, Township 26, ODYD, Plan 5624 except Plan 41879, located at 625 Rutland Rd N, Kelowna, BC from the MRL – Multiple Residential (Low Density) designation to the MXR – Mixed Use (Residential/Commercial) designation;

be considered by Council;

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

THAT Rezoning Application No. Z19-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

- Lot 26, Section 26, Township 26, ODYD, Plan 19679 except Plan 41879, located at 615 Rutland Rd N, Kelowna, BC from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone;
- Lot A, Section 26, Township 26, ODYD, Plan 5624 except Plan 41879, located at 625 Rutland Rd N, Kelowna, BC from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone;

be considered by Council;

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

AND FURTHER THAT final adoption of the OCP Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the outstanding conditions identified in Attachment "A" of this Community Planning Department report.

Carried

4.14 Bach Rd 140, Rutland Rd N 615 & 625, BL11815 (OCP19-0001) - Bharosa Developments Ltd. Inc. No. BC1177705

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R475/19/04/29 THAT Bylaw No. 11815 be read a first time;

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

Carried

4.15 Bach Rd 140, Rutland Rd N 615 & 625, BL11819 (Z19-0039) - Bharosa Developments Ltd. Inc. No. BC1177705

Moved By Councillor Hodge/Seconded By Councillor Singh

R476/19/04/29 THAT Bylaw No. 11819 be read a first time.

Carried

4.16 Bach Rd 140, Rutland Rd N 615 & 625, BL11821 (TA19-0002) - Bharosa Developments Ltd. Inc. No. BC1177705

Moved By Councillor Hodge/Seconded By Councillor Singh

R477/19/04/29 THAT Bylaw No. 11821 be read a first time.

Carried

4.17 Sutherland Ave 1149, DP19-0038 - Culos Development (1996) Inc., Inc. No. BC1099204

Staff:

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

Moved By Councillor Given/Seconded By Councillor Wooldridge

R478/19/04/29 That Council authorizes the issuance of Development Permit No. DP19-0038 for Lot A, District Lot 137, ODYD, Plan EPP88875, located at 1165 Sutherland Avenue, Kelowna, BC subject to the following:

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

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

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

Carried

Councillor Hodge - Opposed

4.18 Harvey Ave 2271, DP19-0061 - Orchard Park Shopping Centre Holdings Inc. No. A59814

Staff:

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

Moved By Councillor Given/Seconded By Councillor Hodge

R479/19/04/29 THAT Council authorizes the issuance of Development Permit No. DP19-0061 for Lot 1 District Lot 127 ODYD, Plan KAP53260, Except Plans KAP56123 and EPP3467 and Lot 1 District Lots 127 and 4646 ODYD Plan KAP47934, located at 2271 Harvey Avenue, Kelowna, BC subject to the following:

1. The dimensions and siting of the building renovation to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building renovation to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";

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

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

Carried

The meeting recessed at 4:15 p.m.

The meeting reconvened at 4:25 p.m.

5. Non-Development Reports & Related Bylaws

5.1 Council Priorities 2019 – 2022

City Manager:

- Displayed a Video and PowerPoint Presentation summarizing Council's priorities for 2019 - 2022.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R480/19/04/29 THAT Council approve the 2019-2022 Council Priorities as attached to the report of the City Manager dated April 29, 2019;

AND THAT Council direct staff to bring the 2020 action plan forward in January 2020;

AND FURTHER THAT Council direct staff to report back on the progress of the 2019 – 2022 Council Priorities in spring 2020.

Carried

5.2 2019 Financial Plan – Final Budget

Staff:

- Displayed a PowerPoint Presentation summarizing the 2019 Financial Plan and Final Budget submissions.

Moved By Councillor Donn/Seconded By Councillor Stack

R481/19/04/29 THAT Council adopts the 2019-2023 Financial Plan;

AND THAT Council approves the formulation of 2019 Property Tax Rates that will raise the required funds in 2019, from General Taxation, in the amount of \$142,524,821, resulting in an average net property owner impact of 4.10 per cent;

AND THAT Bylaw No. 11805 being the 2019-2023 Five Year Financial Plan, 2019 be advanced for reading consideration;

AND THAT Bylaw No. 11806 being the Tax Structure Bylaw, 2019 be advanced for reading consideration;

AND THAT Bylaw No. 11807 being the Annual Tax Rates Bylaw, 2019 be advanced for reading consideration;

AND THAT Bylaw No. 11808 being the DCC Reserve Fund Expenditure Bylaw, 2019 be advanced for reading consideration;

AND FURTHER THAT Bylaw No. 11809 being the Sale of City Owned Land Reserve Fund Expenditure Bylaw, 2019 be advanced for reading consideration.

Carried

5.3 BL11805 - Five Year Financial Plan 2019-2023

Moved By Councillor Stack/Seconded By Councillor Singh

R482/19/04/29 THAT Bylaw No. 11805 be read a first, second and third time.

Carried

5.4 BL11806 - Tax Structure Bylaw, 2019

Moved By Councillor Donn/Seconded By Councillor Stack

R483/19/04/29 THAT Bylaw No. 11806 be read a first, second and third time.

Carried

5.5 BL11807 - Annual Tax Rates Bylaw, 2019

Moved By Councillor Stack/Seconded By Councillor Donn

R484/19/04/29 THAT Bylaw No. 11807 be read a first, second and third time.

Carried

5.6 BL11808 - Development Cost Charge Reserve Fund Expenditure Bylaw, 2019

Moved By Councillor Donn/Seconded By Councillor Sieben

R485/19/04/29 THAT Bylaw No. 11808 be read a first, second and third time.

Carried

5.7 BL11809 - Sale of City Owned Land Reserve Fund Expenditure Bylaw, 2019

Moved By Councillor Donn/Seconded By Councillor Sieben

R486/19/04/29 THAT Bylaw No. 11809 be read a first, second and third time.

Carried

Councillor Sieben departed the meeting at 5:05 p.m.

5.8 BMID Boundary Inclusion for 1421 Tower Ranch Drive and 1920 Swainson Road (Frind Properties Ltd.) and 1955 McCurdy Road East (FortisBC Inc.)

Staff:

- Provided an overview of the BMID boundary modification and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

R487/19/04/29 THAT Council receives, for information, the report from the Utility Planning Manager dated April 29, 2019, with respect to BMID Boundary Inclusion for 1421 Tower Ranch

Drive and 1920 Swainson Road (Frind Properties Ltd.) and 1955 McCurdy Road East (FortisBC Inc.);

AND THAT Council approve the request by the Black Mountain Irrigation District (BMID) to amend its water service area boundary to include 1421 Tower Ranch Drive, 1920 Swainson Road and 1955 McCurdy Road East as outlined in this report.

Carried

5.9 Council Policy No. 304 – Expanding or Adding Properties to Specified Areas

Staff:

- Displayed a PowerPoint Presentation providing an update of Council Policy 304.

Moved By Councillor Given/Seconded By Councillor Stack

R488/19/04/29 THAT Council receives, for information, the report from the Utilities Planning Manager dated April 29, 2019 with respect to Council Policy No. 304 – Expanding or Adding Properties to Specified Areas;

AND THAT Council Policy No. 304 – Expanding or Adding Properties to Specified Areas, be revised as outlined in Attachment 1 of the Report from the Utilities Planning Manager dated April 29, 2019.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 BL11658 - Amendment No. 31 to the Traffic Bylaw No. 8120

Moved By Councillor Donn/Seconded By Councillor Stack

R489/19/04/29 THAT Bylaw No. 11658 be adopted.

Carried

6.2 BL11795 - Amendment No. 1 to Five Year Financial Plan 2018-2022

Moved By Councillor Donn/Seconded By Councillor Stack

R490/19/04/29 THAT Bylaw No. 11795 be adopted.

Carried

6.3 BL11803 - Sterile Insect Release Program Parcel Tax Bylaw 2019

Moved By Councillor Donn/Seconded By Councillor Stack

R491/19/04/29 THAT Bylaw No. 11803 be adopted.

Carried

7. Mayor and Councillor Items

Councillor Donn:

- Spoke to his attendance at the Community & Civic Awards Ceremony.

8. Termination

This meeting was declared terminated at 5:18 p.m.

Mayor Basran

/acm

K. Sedham

Deputy City Clerk

DRAFT

Report to Council



Date: May 6, 2019
File: 1200-40
To: City Manager
From: Laura Bentley, Community Planning Supervisor
Subject: Short-Term Rental Accommodation in Secondary Suites and Carriage Houses

Recommendation:

THAT Zoning Bylaw Text Amendment Application No. TA19-0011 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated May 6, 2019 be considered by Council;

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

Purpose:

To amend the Zoning Bylaw by adding short-term rental accommodation as a permitted use in secondary suites and carriage houses, with associated regulations.

Background:

On March 12, 2019, Council directed staff to prepare a text amendment to Zoning Bylaw No. 8000 to permit short-term rental accommodation as a use in secondary suites and carriage houses. This was following the public hearing on the same date regarding the text amendment that introduced short-term rental accommodation as a use and outlined associated regulations in the Zoning Bylaw.

Staff propose that short-term rental accommodation be permitted in secondary suites and carriage houses with the following conditions:

- a) The short-term rental operator must have their principal residence on that property, as either the tenant of the secondary suite or carriage house, or the resident of the main house;
- b) One short-term rental operation is allowed per property for single dwelling housing with or without a secondary suite or carriage house;
- c) A maximum of two bedrooms or sleeping units can be used for short-term rentals in a secondary suite or carriage house; and

- d) One parking space is required, which may be the secondary suite or carriage house space.

These regulations will help to ensure that short-term rentals in secondary suites and carriage houses act as good neighbours by limiting the scale of this use in residential neighbourhoods. They are generally consistent with those already in place for short-term rentals in single, two, or multi-unit residential buildings. The proposed text amendment is outlined in Schedule A.

Secondary suites and carriage houses are an integral part of Kelowna's secondary market¹. Allowing short-term rentals in these units is expected to remove units from the long-term rental housing market, putting added pressure on purpose-built rentals and other forms of rental housing. Kelowna's Healthy Housing Strategy identifies a need to promote and protect rental housing, and taking action on those recommendations is important to support a more stable rental housing market. Other recommended actions, some of which are underway, include aligning land investments with housing needs, creating an inventory of existing purpose-built rental housing, reducing the cost of developing affordable purpose-built rental housing, and revising tax incentives for purpose-built rental housing.

The following sections provide a brief background of secondary suites and carriage houses in Kelowna, as well as other options that were considered in developing the proposed regulations.

Secondary Suites & Carriage Houses in Kelowna

Secondary suites and carriage houses have long been part of Kelowna's range of housing options. As of the end of 2018, Kelowna has an estimated 2,247 legal secondary suites and carriage houses, with upwards of 650 building permits issued for those housing types in 2017 and 2018 alone. For comparison, the primary rental market² has 5,176 units, with 708 units added from October 2016 to October 2018³.

As smaller units with relatively few overhead costs, secondary suites and carriage houses are generally a more affordable form of rental housing. On average in Kelowna, rent for secondary suites and carriage houses is 13% less than that for purpose-built rental apartments and 43% less than single detached houses⁴. Availability varies between rental unit types, with the vacancy rate for the primary rental market being 1.9% and the vacancy rate for rented condo units being 0.6%⁵. Although the primary rental market vacancy rate rose in 2018, it is still below the targeted rate of 3% to 5%.

Recognizing the value of secondary suites and carriage houses in providing more affordable forms of rental housing, adding incremental density in residential areas, and offering homeowners flexibility in adding a dwelling unit on their property, the development process for secondary suites and carriage houses has been streamlined over time to make it easier for homeowners to add a secondary dwelling unit. A brief timeline of the development process for these housing types is as follows:

- Mid-1990s: Secondary suites allowed in most single detached zones (rezoning to 's' subzone).
- Early 2000s: Carriage houses allowed in most single detached zones (rezoning to 's' subzone).

¹ The secondary rental market consists of individually owned units that are rented out on a long-term basis (minimum monthly tenancy), including secondary suites, carriage houses, condo units, and single detached houses.

² The primary rental market consists of purpose-built rental apartments and townhouses.

³ Canada Mortgage and Housing Corporation (2018). *CMHC Rental Market Survey*.

⁴ Canada Mortgage and Housing Corporation (2016). *Rental Market Report Kelowna CMA*.

⁵ Canada Mortgage and Housing Corporation (2018). *Rental Market Report Kelowna CMA*.

- 2012: Removed 's' subzone for secondary suites and changed to 'c' subzone for carriage houses.
- 2016: Extended secondary suites to all zones that allow single detached houses, with location-specific exceptions due to servicing limitations. Removed requirement for secondary suites and carriage houses to hold a business license.
- 2017: Removed form and character development permits for carriage houses.

Where before 2012 a homeowner looking to add a secondary suite needed to go through a full rezoning process, building permit, and business license, today a homeowner who meets the requirements for a secondary suite only needs a building permit. The intent behind these changes was to simplify opportunities to achieve legal and more affordable housing options.

Guiding Principles & Public Survey

On July 16, 2018, Council endorsed guiding principles to direct the development of regulations for short-term rentals. They are based on Kelowna's housing context, concerns about potential nuisance impacts in residential areas, and establishing a fair approach among short-term accommodation providers. The three guiding principles are:

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

The public survey conducted in fall 2017 has been used throughout the development of the short-term rental regulations in conjunction with stakeholder consultation and consideration of Kelowna's housing context. In ranking eight objectives for regulating short-term rentals, respondents identified 'protect the supply of long-term rental housing' as the fourth most important. Just over 60% of respondents indicated that secondary suites and carriage houses should be used for short-term rentals, though suburban areas had the least support (62%) when asked where short-term rentals should be located.

Other Considerations

Over the course of developing the regulations, staff heard from many property owners who rent to post-secondary students during the school year (September to April) and operate short-term rentals in the summer. Staff considered a four-month restriction on short-term rentals in secondary suites and carriage houses to encourage these units to be used for long-term rentals during the school year. However, staff recognize that short-term rentals serve a variety of needs and residents are looking for flexibility. For example, residents around Kelowna General Hospital may be more likely to operate short-term rentals year-round. Similarly, a geographic area to support student rentals is not proposed because students live in many neighbourhoods across the City, and different neighbourhoods serve different demands for short-term rentals.

Recognizing the relationship to the long-term rental housing market, staff considered connecting regulations for short-term rentals in secondary suites and carriage houses to the vacancy rate. A healthy vacancy rate is generally considered to be 3%; this provides opportunities for a variety of suitable rental housing options for residents and represents more stability in the rental market.

One model would be to set a maximum number of short-term rental business licenses for secondary suites and carriage houses when Kelowna is below a 3% vacancy rate, and increase it when above 3%. This option has several challenges for implementation and administration. Vacancy rates are reported annually in the fall and lag time is not well-captured, meaning that vacancies may actually be higher or lower come the main tourist season. It would also create uncertainty for operators. Further, Kelowna's vacancy rate has been below 3% since 2013, calling into question the usefulness of such a cap. Should short-term rentals be allowed in secondary suites and carriage houses, other measures should be used to help to promote and protect rental housing.

It should be noted that from 2003 to 2008, second kitchens were allowed in single detached homes without being part of a formalized secondary suite. These kitchens were to be used exclusively for residents of the house and were to be free-flowing spaces with no locking doors. For those spaces to be used for short-term rentals, homeowners with previously approved second kitchens would need to either decommission the second kitchen or convert them into full secondary suites.

Across BC, municipalities have taken different approaches to regulating short-term rentals in secondary dwelling units (e.g., secondary suite, carriage house). Vancouver and Victoria, for example, only allow the principal resident (i.e., tenant) of a secondary dwelling unit to operate a short-term rental, while Nelson and Penticton allow the property owner to operate a short-term rental out of a secondary dwelling unit. Each municipality has associated regulations regarding the number of guests per unit.

Regulations around short-term rentals in secondary suites and carriage houses will be reviewed along with the broader set of short-term rental regulations following two tourist seasons.

Internal Circulation:

G. Wise, Business Licence Manager

J. Moore, Long Range Policy Planning Manager

K. O'Rourke, Community Communications Manager

Existing Policy:

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

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

Submitted by:

L. Bentley, Community Planning Supervisor

Approved for inclusion: R. Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A – Short-Term Rental Accommodation in Secondary Suites & Carriage Houses Zoning Bylaw No. 8000 Text Amendments

CC:

G. Wise, Business Licence Manager

D. Gazley, Bylaw Services Manager

J. Moore, Long Range Policy Planning Manager

K. O'Rourke, Community Communications Manager

Schedule A – Short-Term Rental Accommodation in Secondary Suites & Carriage Houses Zoning Bylaw No. 8000 Text Amendments

No.	Section	Relevant Existing	Proposed	Explanation
1.	8 – Parking and Loading Table 8.1 – Parking Schedule, Residential and Residential Related	n/a	<div> <div> <u>Short-Term Rental Accommodation in a Secondary Suite or Carriage House.</u> </div> <div> <u>Equivalent to parking requirements for a secondary suite or carriage house.</u> </div> </div>	Add parking requirement specific to short-term rental accommodation in a secondary suite / carriage house.
2.	9 – Specific Use Regulations 9.17 Short-Term Rental Accommodation	9.17.1 Where short-term rental accommodation is a secondary use , it must be secondary to a dwelling unit as a principal use and must be operated by a resident who resides for more than 240 days of the year at that dwelling unit.	9.17.1 Where short-term rental accommodation is a secondary use , it must be secondary to a dwelling unit as a principal use and must be operated by a resident who resides for more than 240 days of the year at that dwelling unit. <u>(a) For short-term rental accommodation in a secondary suite or carriage house, the operator must be a resident who resides for more than 240 days of the year on the lot.</u>	Add clarification that the operator of a short-term rental in a secondary suite / carriage house must live on the property (i.e., tenant of suite / carriage house, or resident of the main house). Owner's authorization would be required for any tenant looking to operate a short-term rental.

No.	Section	Relevant Existing	Proposed	Explanation
3.	9 – Specific Use Regulations 9.17 Short-Term Rental Accommodation	9.17.2 Short-term rental accommodation is not permitted in a secondary suite or carriage house .	9.17.2 Short-term rental accommodation is not permitted in a secondary suite or carriage house . <u>For single dwelling housing with or without a secondary suite or carriage house, a maximum of one short-term rental accommodation operation is permitted per lot.</u>	Add regulation that a resident may operate a short-term rental out of a house or a secondary suite / carriage house, but not both.
4.	9 – Specific Use Regulations 9.17 Short-Term Rental Accommodation Table 9.17.1 Maximum Sleeping Units for Short-Term Rental Accommodation	n/a	Add <u>Secondary suite</u> and <u>Carriage house</u> under “Use” in the third row, indicating a maximum of 2 sleeping units for short-term rental accommodation in a secondary suite or carriage house.	Add maximum of two sleeping units for short-term rentals in a secondary suite / carriage house.



TA19-0011 Short-Term Rental Accommodation

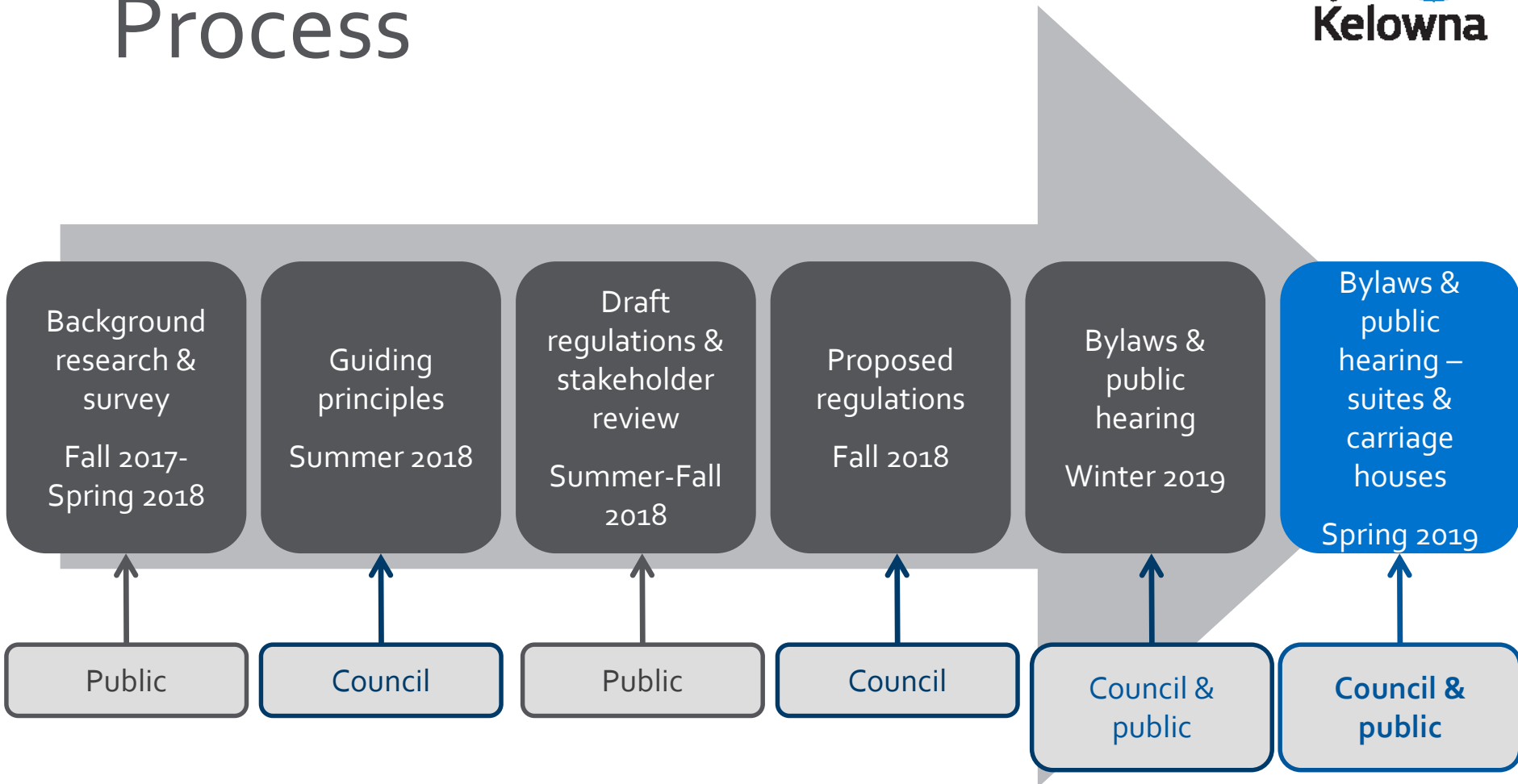
Zoning Bylaw Text Amendment



Proposal

- ▶ To consider adding short-term rental accommodation as a permitted use in secondary suites & carriage houses

Process



Public Survey

- ▶ Priority #4: Protect the supply of long-term rental housing
- ▶ 63% of respondents supported using secondary suites & carriage houses for short-term rentals
- ▶ 62% of respondents supported locating short-term rentals in suburban areas

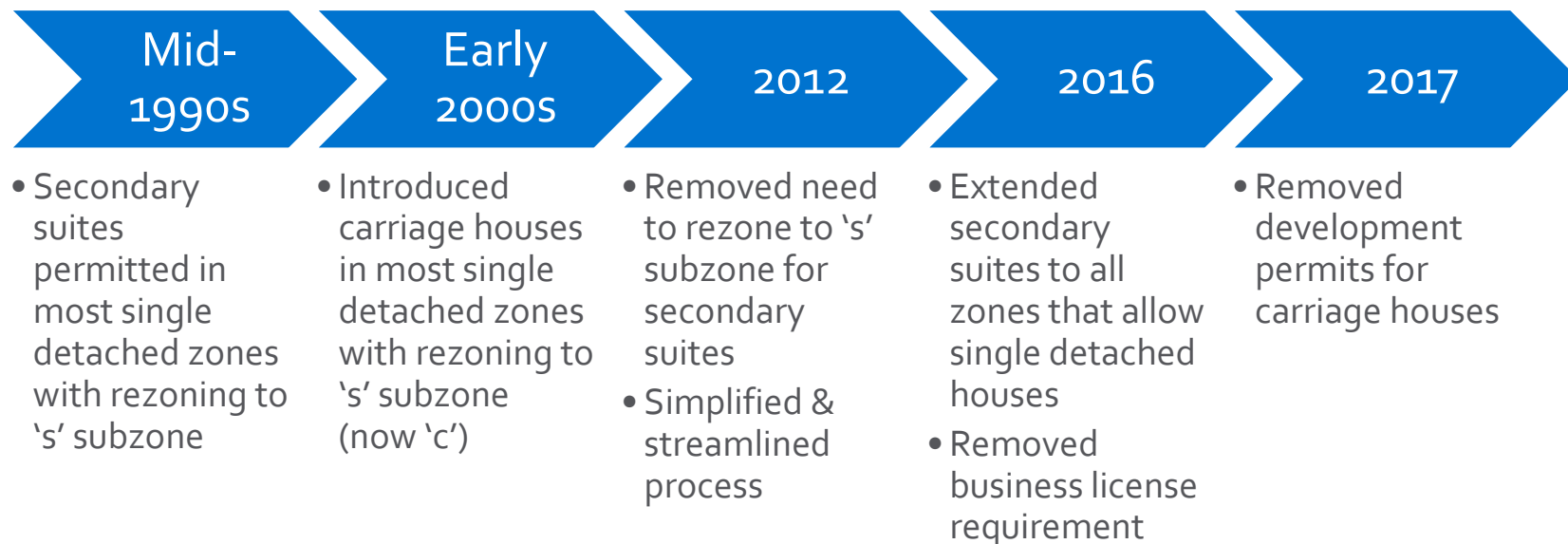
Guiding Principles

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

Secondary Suites & Carriage Houses

- ▶ Policies to encourage suites & carriage houses
- ▶ Enables legal suites that offer more housing options for various long-term renters
 - ▶ Ground-oriented
 - ▶ More affordable than other options
- ▶ Approx. 2,247 legal suites & carriage houses in Kelowna

Secondary Suites & Carriage Houses



Proposed Regulations

- ▶ Allow short-term rentals in suites & carriage houses with conditions
- ▶ Meet the guiding principle of acting as a good neighbour

Regulation	Requirement	Note
Principal residency	Operator must live on the property	Principal resident of main house or suite / carriage house
Maximum # of short-term rental operations	1	Per property for single dwelling housing
Maximum # of bedrooms	2	
Minimum # of parking spaces	1	Can be the suite / carriage house space

Long-Term Rentals

- ▶ Removal of units from the secondary rental market
- ▶ Expect more pressure on purpose-built rentals
 - ▶ 73% of new households are renters
 - ▶ 550 new rental units needed annually
- ▶ Expect more challenges for those needing long-term rentals seasonally

Considerations

- ▶ Student rentals
 - ▶ 4-month restriction
 - ▶ Geographic restriction
- ▶ Vacancy rate cap
- ▶ Second kitchens
- ▶ Two-year review

Staff Recommendation

- ▶ Recommend **support** for the Zoning Bylaw text amendment for short-term rental accommodation
 - ▶ Allows residents to operate short-term rentals
 - ▶ Aligns with previously endorsed guiding principles
 - ▶ Establishes clear regulations so the public understands the rules that apply to them



Questions?

Proposed Regulations

- ▶ Allow short-term rentals in suites & carriage houses with conditions
- ▶ Meet the guiding principle of acting as a good neighbour

Regulation	Requirement	Note
Principal residency	Operator must live on the property	Principal resident of main house or suite / carriage house
Maximum # of short-term rental operations	1	Per property for single dwelling housing
Maximum # of bedrooms	2	
Minimum # of parking spaces	1	Can be the suite / carriage house space

CITY OF KELOWNA

BYLAW NO. 11820

TA19-0011

Short Term Rental Accommodation in Secondary Suites and Carriage Houses Amendments

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

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

1. THAT **Section 8 – Parking and Loading, Table 8.1 – Parking Schedule, Residential and Residential Related** be amended by adding in its appropriate location the following new section:

Short-Term Rental Accommodation in a Secondary Suite or Carriage House.	Equivalent to parking requirements for a secondary suite or carriage house .
--	---

2. AND THAT **Section 9 – Specific Use Regulations; 9.17 Short-Term Renal Accommodation**, be amended by:

- a) adding to sub-section 9.17.1 at the end of the paragraph in its appropriate location the following sub-paragraph:

“(a) For **short-term rental accommodation** in a **secondary suite or carriage house**, the operator must be a resident who resides for more than 240 days of the year on the lot.”

- b) deleting sub-section 9.17.2 that reads:

“9.17.2 **Short-term rental accommodation** is not permitted in a **secondary suite or carriage house**.”

And replace it with a new sub-section 9.17.2 that reads:

“9.17.2 For **single dwelling housing** with or without a **secondary suite or carriage house**, a maximum of one **short-term rental accommodation** operation is permitted per lot.”

- c) deleting from **Table 9.17.1 Maximum Sleeping Units for Short-Term Rental Accommodation** the following:

Three dwelling housing Four dwelling housing Multiple dwelling housing (including apartment housing) as a secondary use	2
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And replacing it with:

Secondary suite and carriage house Three dwelling housing Four dwelling housing Multiple dwelling housing (including apartment housing) as a secondary use	2
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2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 6, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (WM)

Application: OCP18-0014/Z18-0070 **Owner:** Glenwest Properties Ltd.,
Inc.No. Co889227

Address: 1550 Union Road **Applicant:** Glenwest Properties Ltd.

Subject: Rezoning and Official Community Plan Amendment Application

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

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

Existing Zones: RM2 – Low Density Row Housing
RM5 – Medium Density Multiple Housing
P3 – Parks and Open Space

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP18-0004 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation for portions of Lot 4 Section 9 Township 23 ODYD Plan KAP86750 located at 1550 Union Road, Kelowna, BC from the COMM – Commercial and MRM – Multiple Unit Residential (Medium Density) designation to the MRL – Multiple Unit Residential (Low Density) designation, as shown on Map “A” attached to the Report from the Community Planning Department dated May 6th, 2019 be considered by Council;

THAT Rezoning Application No. Z18-0070 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications for portions of Lot 4 Section 9 Township 23 ODYD Plan KAP86750 located at 1550 Union Road, Kelowna, BC from the RM2 – Low Density Row Housing, RM5 – Medium Density Multiple Housing and P3 – Parks and Open Space zones to RM3 – Low Density Multiple Housing, as shown on Map “B” attached to the Report from the Community Planning Department dated May 6th, 2019 be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated May 6th, 2019;

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

2.0 Purpose

To amend the Official Community Plan designation from COMM – Commercial and MRM – Multiple Unit Residential (Medium Density) to the MRL – Multiple Unit Residential (Low Density) and rezone the subject property from RM2 – Low Density Row Housing, RM5 – Medium Density Multiple Housing and P3 – Parks and Open Space to RM3 – Low Density Multiple Housing to accommodate a 61 unit townhome development.

3.0 Community Planning

Community Planning Staff are recommending support for the proposed OCP and Rezoning amendments to facilitate a future townhouse development. The proposed amendments allow for a reduction in permitted density however are consistent with the objectives and policies of the OCP and the revised Wilden Village neighborhood plan. The proposed development is considered compatible with the existing neighborhood and the surrounding environmentally sensitive areas including Still Pond.

4.0 Proposal

4.1 Background

The subject property is within the Glenmore Highlands ASP area, adopted by Council in April 2000. The Wilden development team also has an active application to redesignate and rezone (OCP17-0023 & Z17-0098) the Wilden Village neighborhood to the west. In conjunction, the proposal for this site is to down zone and develop the 2.39 ha property to create 61 townhouse units in row house configuration. The property was originally proposed for higher density residential and commercial centre prior to the revision of the Wilden Village neighborhood. As part of that overall change, the proposal for lower density residential is seen to fit more sensitively within the overall neighborhood as well as the physical characteristics of the site including Still Pond and Still Pond Park. The potential loss of commercial area is to be transferred west across Union Road as part of the updated Wilden Village neighborhood plan.

4.2 Project Description

The proposal is to amend the OCP to MRL – Multiple Unit Residential (Low Density) and rezone to RM3 – Low Density Housing to accommodate future townhome development. Staff are also tracking a Form and Character Development Permit, a Natural Environment Development Permit and a Development Variance Permit for an over height retaining wall.

The 'Wilden Pondsides Landing' is a multi-unit residential development consisting of 61 units in row house form separated into eleven buildings. There is a 15 m Riparian Area setback next to Still Pond and wildlife corridor area at the south end of the property. These areas are protected by restrictive covenants and will remain undisturbed with the exception of a pedestrian trail which will connect from the south to Union Road.



4.3 Site Context

The proposed area is located within the Permanent Growth Boundary, and is fully serviced. The subject property's location is a short vehicle commute to the Kelowna International Airport, and the University of British Columbia Okanagan Campus. The subject property has a Walk Score of 2 as almost all errands require a car, in addition there are few transit stops near the subject property.

Subject Property Map: 1550 Union Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Policy 5.2.3 to meet the objective of developing sustainably supports a mix of uses within Kelowna's suburbs in accordance with 'smart growth' principals including all types of residential uses at appropriate locations and densities. The proposed zone is compatible with the surrounding

neighbourhood and meets smart growth principals by contributing to a mix of land uses in the area and provides for more compact building types than single detached houses.

Policy 5.3.2 to meet the objective of focusing development to designated growth areas encourages developing a compact urban form that maximizes the use of existing infrastructure. The subject property is located within the permanent growth boundary and will be able to utilize existing infrastructure such as water and sewer.

Policy 5.4.1 to meet the objective of ensuring adherence to form and character, natural environment, hazardous condition and conservation guidelines requires that multiple unit residential developments obtain the applicable Development Permits prior to building permit issuance. This property is located within the Urban Design Comprehensive Development Permit Area and the Natural Environment Development Permit area.

Policy 5.3.9 to meet the objective of ensuring all development is consistent with the vision, goals and objectives of the OCP development applications that require an OCP amendment are evaluated on the basis of the extent to which they comply with underlying OCP objectives, this proposed development meets the applicable objectives of the OCP, specifically the property is serviced with water and City sanitary sewer, the project involves redevelopment of currently under-utilized urbanized land, and the proposed use is compatible with the existing neighbourhood.

6.0 Technical Comments

6.1 Development Engineering Department

- Refer to Development Engineering Memo dated July 16, 2018.

7.0 Application Chronology

Date of Application Received: June 21, 2018

Date Public Consultation Completed: March 13, 2019

Report prepared by: Wesley Miles, Planner Specialist

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A: Conceptual Site Layout/Elevations

Attachment A: Development Engineering Memorandum

Attachment B: Applicant Rationale Letter

Map A: OCP Amendment

Map B: Zoning Bylaw Amendment

SCHEDULE

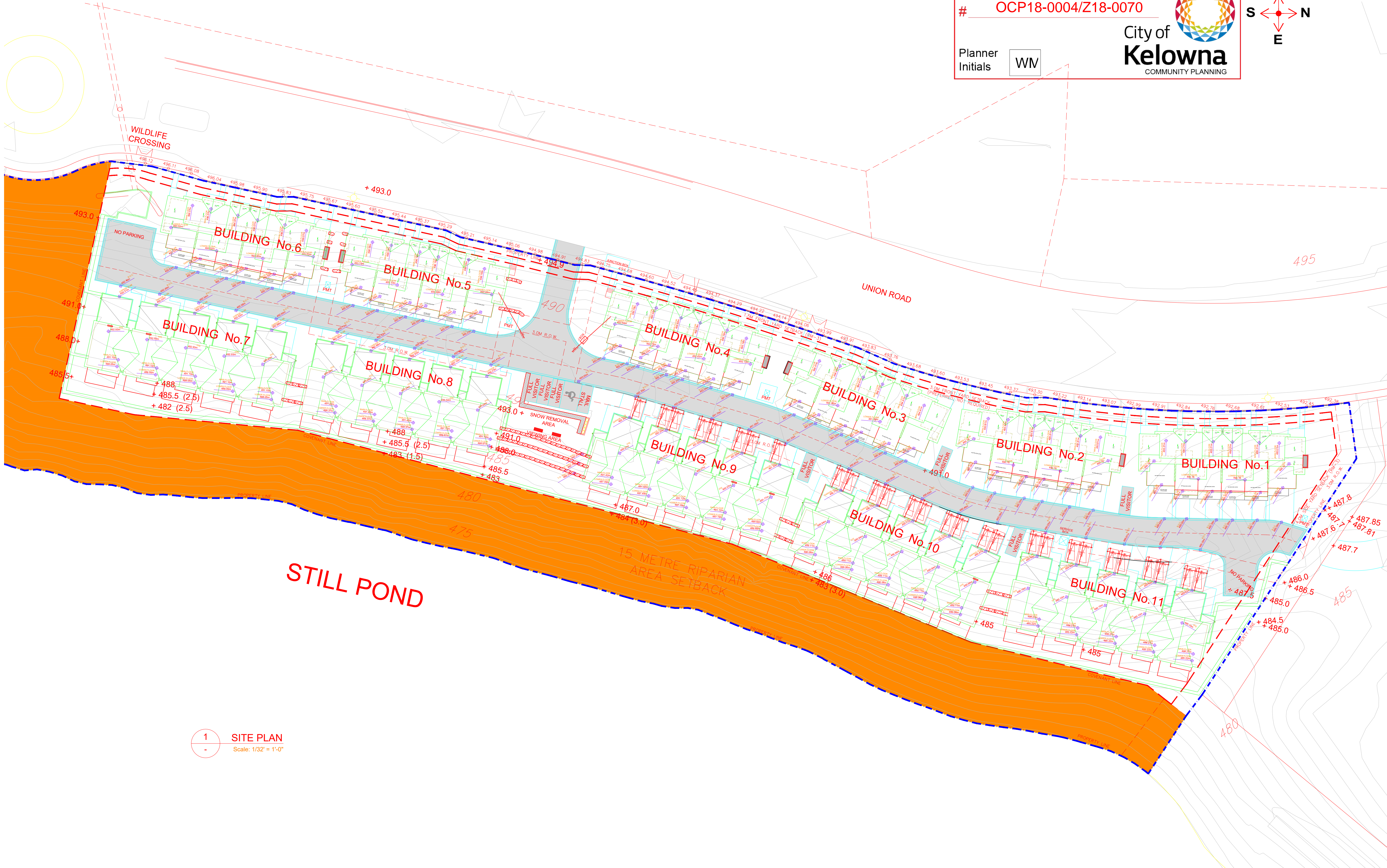
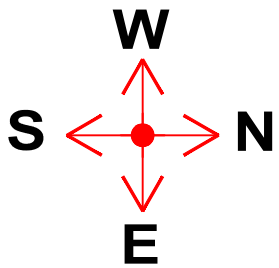
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This forms part of application
OCP18-0004/Z18-0070

Planner
Initials WM

City of
Kelowna

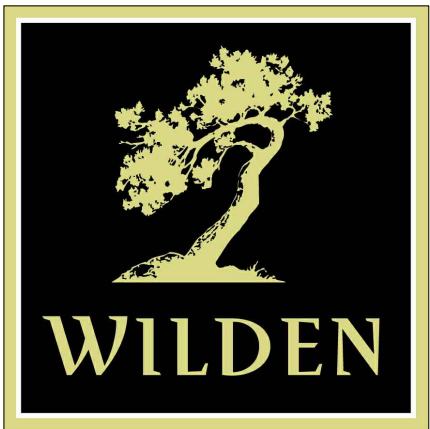
COMMUNITY PLANNING



1 SITE PLAN
Scale: 1/32" = 1'-0"

1925 Main Street
Vancouver, BC,
Canada, V5T 3C1

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F. 604 876-5060
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REVISIONS	
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CONSULTANT	

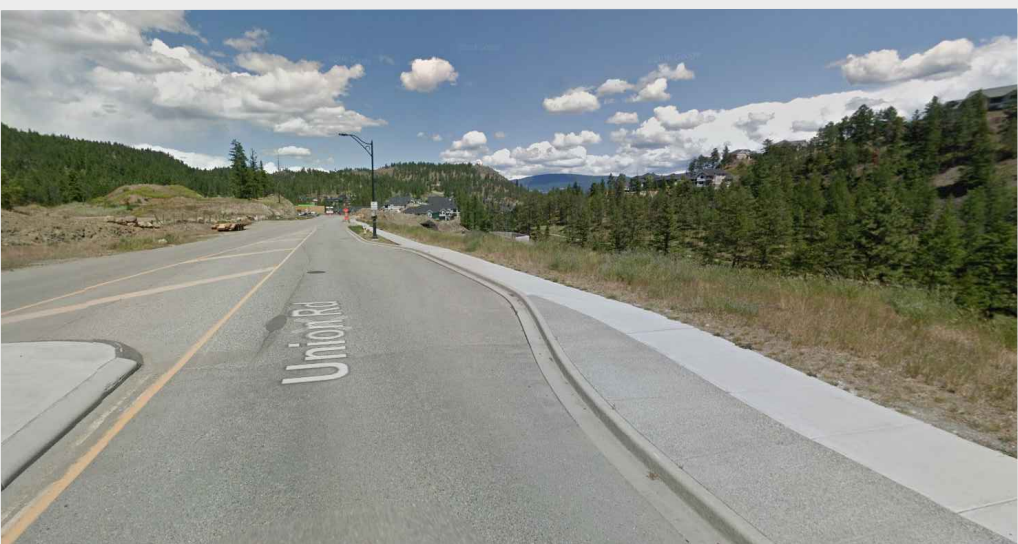
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POND SIDE LANDING	
KELOWNA, BC	
DRAWING TITLE	
SITE PLAN	
DRAWING No.	
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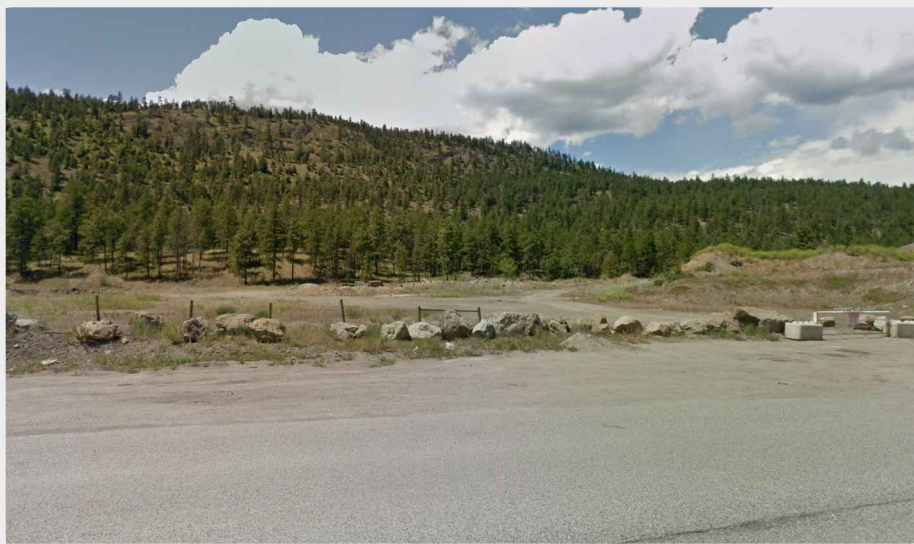
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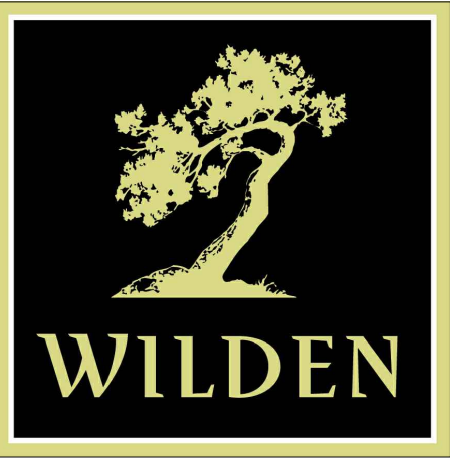
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CHECKED BY	RB
DATE PRINTED	
CONSULTANT	

PROJECT

POND SIDE LANDING

KELOWNA, BC

DRAWING TITLE

CONTEXT PLAN

DRAWING No.

A0.03





CITY OF KELOWNA
MEMORANDUM

Date: July 16, 2018
File No.: Z18-0070
To: Community Planning (TH)
From: Development Engineering Manager (JK)
Subject: Rezoning from RM5 Medium Density Multiple Housing to RM3 Low Density Multiple Housing

LOCATION: 1520, 1550 Union Road	ZONE RM3
APPLICANT: Glenwest Properties (Blenk)	
LEGAL: Lot 4 PL 86750	

WORKS AND SERVICES REQUIREMENTS

The City's Works & Utilities Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Approval of a subdivision plan. The Development Engineering Technician for this project is Ryan O'Sullivan

.1) General

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

.2) Geotechnical Report

- a) Provide a comprehensive geotechnical report and hydro-geotechnical report (3 copies), 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 Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- ii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- iii) Recommendations for items that should be included in a Restrictive Covenant.
- iv) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- v) Any items required in other sections of this document.
- vi) Recommendations for erosion and sedimentation controls for water and wind.
- vii) Recommendations for roof drains and perimeter drains.
- viii) Recommendations for construction of detention or infiltration ponds if applicable.

.3) Water

- a) This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

.4) Sanitary Sewer

- a) Provide an adequately sized sanitary sewer system complete with individual lot connections and inspection chamber (IC) complete with brooks box must be installed on the service at the owner's cost.
- b) Confirmation is required from City of Kelowna that the sanitary system components proposed satisfy the Bylaw and that security is in place for any offsite Works and that all associated fees are paid.
- c) Design drawings must be reviewed by City of Kelowna prior to the City issuing the drawings for construction.

.5) Drainage

- a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b) Provide the following drawings:
 - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii) A detailed Stormwater Management Plan for this subdivision; and water treatment before entering any storm water pond or wet land
 - iii) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- d) Any Stormwater discharged to Stormwater ponds or wet lands must be approved by City of Kelowna, Suburban and Rural Planning Department.

.6) Roads

- a) All Lanes to be constructed to SS-H15 or SS-R2 with 6.0m clear asphalt roadway with no parking.
- b) Access from Union road installed as a let down and when ultimate Union road is constructed as SS-H1 2 lane village parkway, this access will be right in right out only.
- c) Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense.
- d) Provide a Street Sign, Markings and Traffic Control Devices Drawing.
- e) Grade the fronting road boulevards in accordance with the standard drawing and provide a minimum of 50 mm of topsoil. Major cut/fill slopes must start at the property lines.
- f) Verify that physical driveway access will satisfy City requirements for all lots. For steeper lots (15% and greater), show driveways on the lot grading plan with grades or profiles.
- g) MoT Section 440H Solid Rock Cut Section please use detail for any and all rock cuts on Road Right of Way or pathway sections.

.7) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground.
- b) Street lights must be installed on all roads.
- c) Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application.
- d) 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.

.8) Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

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

.9) Servicing Agreements for Works and Services

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


.10) Other Engineering Comments

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

.11) Charges and Fees

- a) Development Cost Charges (DCC's) are payable at Subdivision or Building Permit.
- b) None of the Works & Services required are items included in the DCC calculations and therefore not eligible for DCC credits.

- c) Fees per the "Development Application Fees Bylaw" include:
- i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument Fee: \$50.00 per newly created lot (HST exempt).
 - iii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iv) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



James Kay, P.Eng.
Development Engineering Manager
RO

Design Rationale – Wilden Pondsides Landing

The Pondsides Landing townhome project is ideally situated to take advantage of both the natural setting and proximity to future civic amenities within Wilden. Fronting onto Union Road, homes will experience the vibrant urban interface at the edge of the Village & Market Square, while backing onto the tranquil natural landscape that surrounds Still Pond.

Of the total 2.39 ha. site area, approximately 43% (1.03 ha.) remains as a protected wildlife corridor, increasing biodiversity and connecting wildlife habitats to provide safe migration to nearby greenbelts and wetlands.

The plan proposes to down-zone the property from RM5 to RM3 utilizing a layout and building form more conducive to the site, while shifting density across the street as part of updated plans for the Village neighbourhood. Moving away from the previous 4-storey apartment development (approved 2009), the new 3-storey townhomes fit the landform more closely, mitigating overall site massing and visual impact.

The updated design reduces the height of retaining walls from the previously approved 12m maximum to just over 7m in one location – which coincides with the least-visible area of the site – with an average height of roughly 4.5m over the length of the footprint. The proposed Sierrascape retaining wall system utilizes gabion-style baskets filled with rock extracted from site which blends in with existing geological features, and will be further enhanced with planted screening. This wall system has proven successful on other projects in Wilden.

The townhomes facing Union are urban in character with strong, vertical, gable ends and row-home like facades. Porches front onto Union Rd encouraging a sense of home and pedestrian orientation. These townhomes transition in form as they re-orient on the lane side to take advantage of views over Still Pond and the natural wooded hillside. Decks emerge out of the sloped roof structure to provide private rooftop amenity to each unit.

The townhomes on the pond side of the site are approached from the lane with a low-profile garage and entrance, and a gable-end roof form set back from the street. The building floor plates split at the entrance, step down to engage the slope and take advantage of the spectacular natural setting adjacent to the pond.

The buildings in Pondsides Landing utilize traditional gable roof forms while incorporating contemporary flat roof elements and crisp, modern detailing. Articulated decks and architectural elements provide visual relief to the rear building face. Each building volume is clearly delineated with distinct materials emphasizing the architectural form, with a subtle colour palette drawing on surrounding natural elements.

The architecture bridges the traditional and modern languages bringing a new identity to the Wilden Village neighbourhood.

Refer to the attached Site Rendering.



(W OF)

Subject Properties Notes:

Amend a portion of the subject property from MRM - Multiple Unit Residential (Medium Density) to MRL Multiple Unit Residential (Low Density)

Subject Properties Notes:

Amend a portion of the subject property from COMM - Commercial to MRL Multiple Unit Residential (Low Density)

UNION RD

UPPER CANYON DR N

STILL POND LANE

STILL POND PL

MAP "A" OCP AMENDMENT
File OCP18-0014



COMM to MRL



MRM to MRL



Subject Property

This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.

0 45 90 Metres



Rev. Tuesday, April 16, 2019

(W OF)

Subject Property Notes:

Rezone a portion of the subject property from RM5 - Medium Density Multiple Housing to RM3 - Low Density Multiple Housing

225





Subject Property Notes:

Rezone a portion of the subject property from P3 - Parks and Open Space to RM3 - Low Density Multiple Housing

Subject Property Notes:

Rezone a portion of the subject property from RM2 - Low Density Row Housing to RM3 - Low Density Multiple Housing

MAP "B" PROPOSED ZONING File Z18-0070

-  Subject Property
-  P3 to RM3
-  RM5 to RM3
-  RM2 to RM3

This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.

0 30 60 Metres

Rev. Tuesday, April 30, 2019



CITY OF KELOWNA

BYLAW NO. 11824

Official Community Plan Amendment No. OCP18-0014 1550 Union Road

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Future Land Use designation of portions of Lot 4 Section 9 Township 23 ODYD Plan KAP86750, located on Union Road, Kelowna, BC from the COMM – Commercial and MRM – Multiple Unit Residential (Medium Density) designation to the MRL – Multiple Unit Residential (Low Density) designation as shown on Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

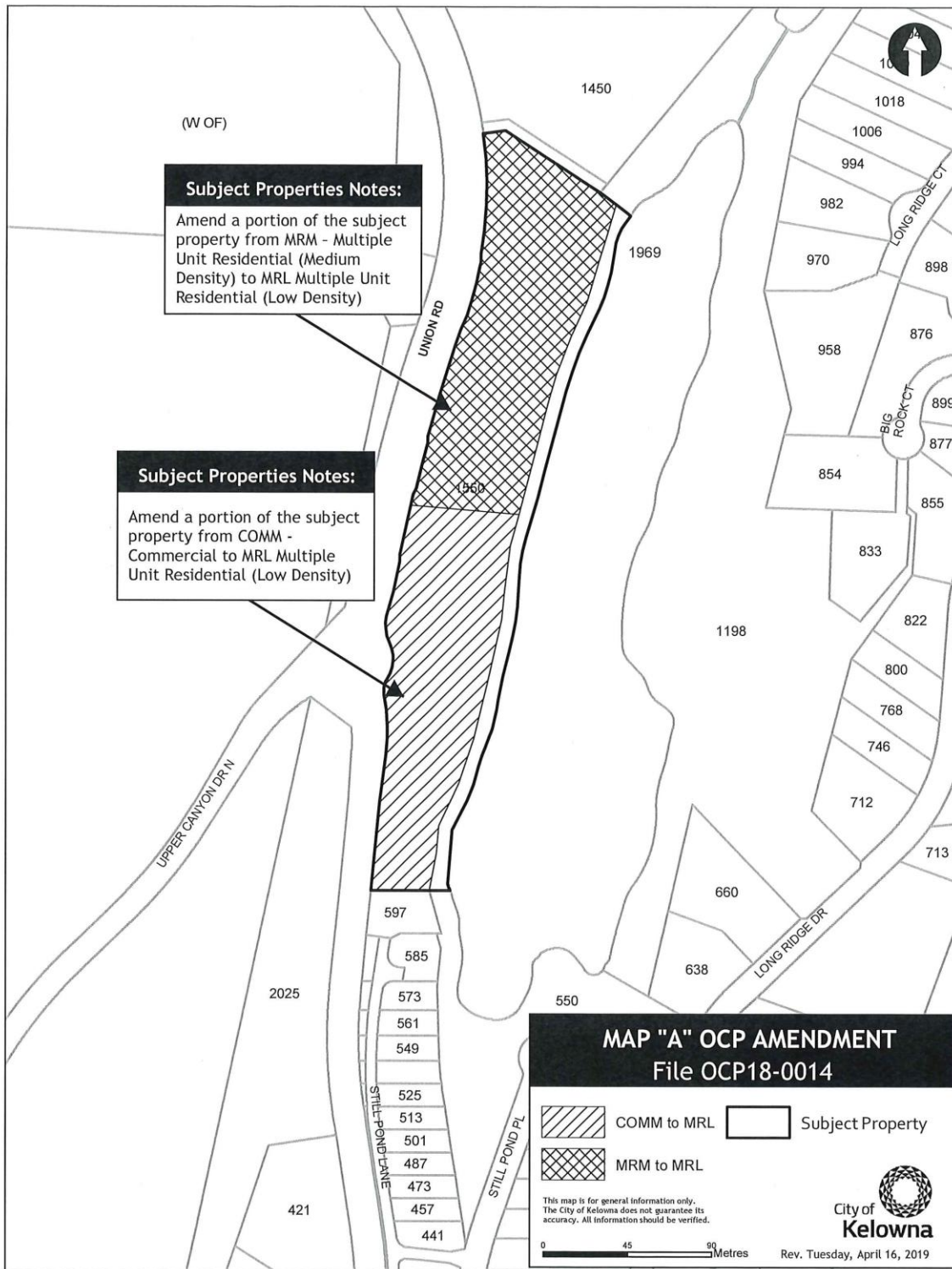
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11825
Z18-0070 – 1550 Union Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot 4 Section 9 Township 23 ODYD Plan KAP86750 located on Union Road, Kelowna, BC from the RM2 – Low Density Row Housing, RM5 – Medium Density Multiple Housing and P3 – Parks and Open Space zones to the RM3 – Low Density Multiple Housing zone as shown on Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

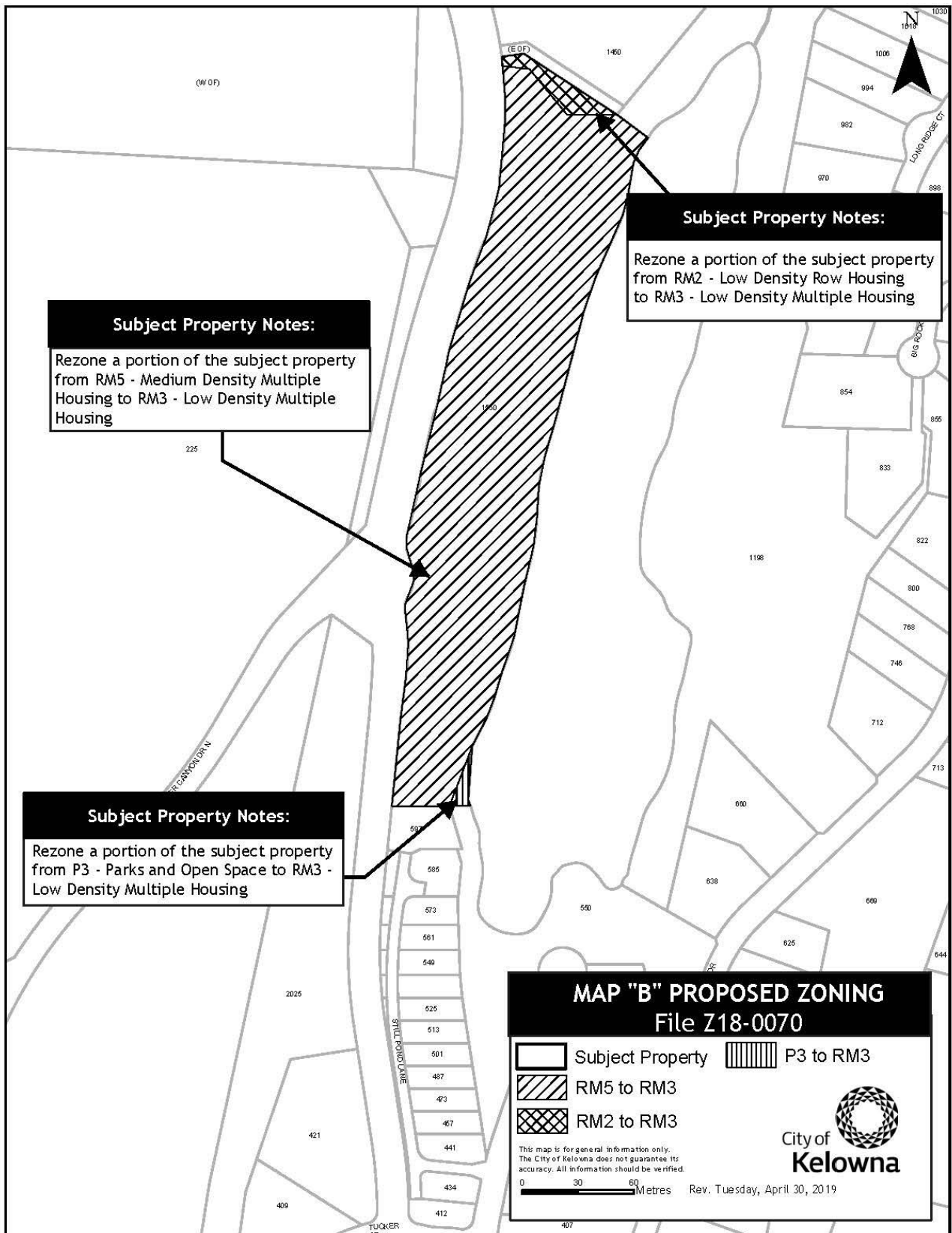
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date: May 6, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: OCP18-0021 & Z18-0118 **Owner:** West Avenue – Mission Group Rentals Ltd., Inc. No. BC1151526

Address: 454 & 464 West Avenue **Applicant:** Mission Group Rentals Ltd.

Subject: OCP Amendment & Rezoning Application

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

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

Existing Zone: RU1 – Large Lot Housing and RU6 – Two Dwelling Housing

Proposed Zone: C4 – Urban Centre Commercial

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP18-0021 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Amended Lot 3 (DD 138121F) and Amended Lot 4 (DD 138122F) District Lot 14 ODYD Plan 3056, located at 454 and 464 West Avenue, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MRX – Mixed Use (Residential/Commercial) designation, be considered by Council;

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

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated May 6, 2019;

THAT Rezoning Application No. Z18-0118 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Amended Lot 3 (DD 138121F) and Amended Lot 4 (DD 138122F) District Lot 14 ODYD Plan 3056, located at 454 and 464 West Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing and the RU1 – Large Lot Housing zones to the C4 – Urban Centre Commercial 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 Official Community Plan Map Amending Bylaw and Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated May 6, 2019;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and Rezoning Bylaw be considered subsequent to the Applicant registering on title a Section 219 Covenant (to restrict commercial uses to the main floor and that the remainder of the building be residential uses);

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

2.0 Purpose

To amend the Official Community Plan to change the future land use designation and to rezone the subject properties to facilitate the development of apartment housing.

3.0 Community Planning

The applicant is requesting an Official Community Plan amendment from MRM – Multiple Unit Residential (Medium Density) to MXR – Mixed Use (Residential/Commercial) and rezoning from RU1 – Large Lot Housing and RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone.

Community Planning Staff are supportive of the applications to facilitate the development of apartment housing mixed-use project. The subject development site is located within the South Pandosy Urban Centre on West Avenue half a block west of Pandosy Street. The parcel has a Walk Score of 86 (Very Walkable – Most errands can be accomplished on foot) and a Transit Score of 38 with a few nearby transportation options in the area. The development is in proximity of many nearby amenities including parks, restaurants, shops and recreational opportunities in the immediate area.

The C4 – Urban Central Commercial zone allows the applicant to design a building with greater density and no setback requirements (appropriate in the urban context) as compared with the RM5 – Medium Density Housing zone. The OCP Amendment and Rezoning would also allow the building to contain main floor commercial development of which Staff are supportive to contribute to the South Pandosy shopping and retail experience. To ensure that commercial development is limited to the main floor only and that the remainder of the building is residential in nature, the applicant will be required to register on title a Section 219 Covenant prior to adoption of the Rezoning Bylaw.

To fulfill Council Policy No. 367 for 'OCP Amendment Major' and 'Zoning Major' applications, the applicant held a public information session on April 2, 2019 at Raymer Elementary School Gymnasium located at 627 Raymer Avenue. The open house was held from 4:30 - 6:30 p.m. The session was advertised in the Kelowna Daily Courier on Tuesday, March 19, 2019.

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

4.0 Proposal

4.1 Project Description

The applicant is proposing to construct a 6-storey 48-unit purpose built rental housing project on the subject property. The units will vary in size to include 25 one-bedroom units, 21 two-bedroom units and 2 three-bedroom units. The development fronts onto West Avenue and would incorporate street level retail uses to provide a stronger, contiguous urban interface to the street along with the existing commercial on

the north side of West Avenue. The building massing is focused to the east side of the site, away from the residential uses to the west. The additional two storeys of building height allows for a reduced building footprint above the main floor which also reduces the amount of shadowing cast on adjacent parcels. The building design provides for a landscaped rooftop amenity area at the second-floor level.

One level of at-grade structured parking is provided with access from the rear laneway. Additional visitor and commercial at-grade parking stalls are provided along the laneway. There are five floors of dwelling units above the retail/parking podium. Each unit provides balconies to meet the amenity space requirements.

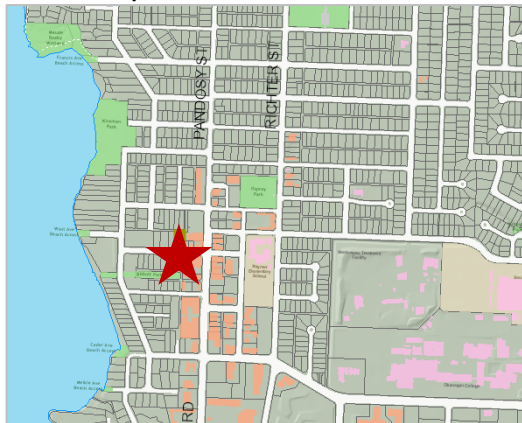
Staff is supportive of the OCP Amendment and Rezoning applications as there has been limited redevelopment in the South Pandosy Area which includes residential rental units. Staff are tracking one variance to increase the maximum building height from four to six storeys. The applicant would be providing payment for five parking stalls to the Cash In Lieu of Parking Bylaw No. 8125 and will not require a parking variance.

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

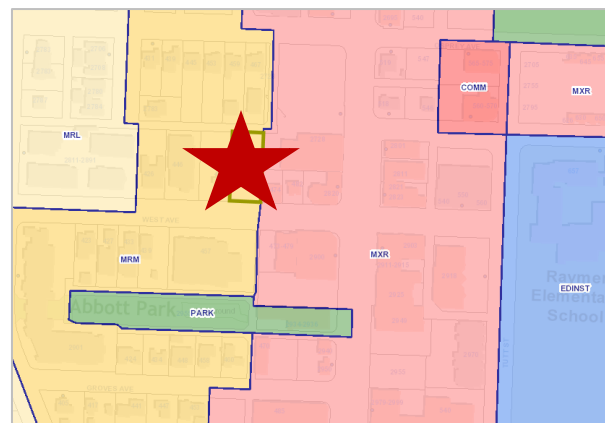
4.2 Site Context

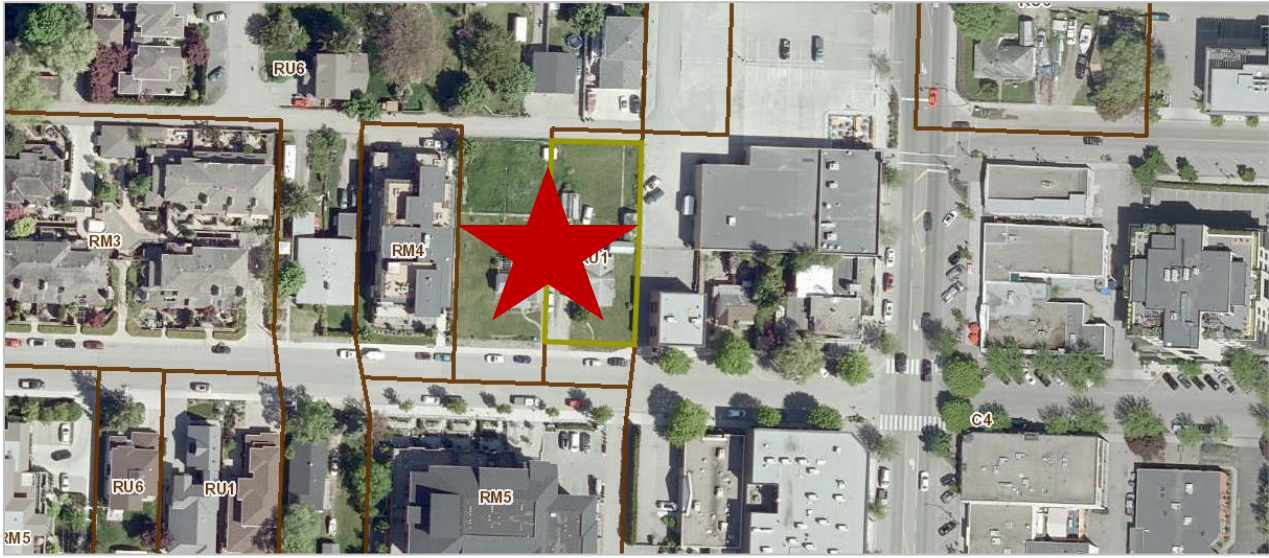
The subject property is located within the South Pandosy Urban Centre and is half a block off of Pandosy Street on West Avenue.

Context Map:



Future Land Use:



Subject Property Map: 454 & 464 West Avenue**5.0 Current Development Policies****5.1 Kelowna Official Community Plan (OCP)****Development Process**

New Housing Distribution.¹ The development of new housing between 2010 and 2030 is projected to occur as a function of both development / redevelopment in some areas, and development initiatives in new growth areas. Based on previous planning initiatives, and approved projects within the community, a pattern of housing growth is projected to occur on a distribution of 57% multiple unit and 43% single / two unit. To meet these goals, Table 3.5 in the OCP calls for an additional 1150 multi-family units added to the South Pandosy area.

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

Healthy Communities.³ Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Housing Mix.⁴ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed-use developments.

¹ City of Kelowna Official Community Plan, Table 3.5 (Growth Projections Chapter).

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

³ City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

6.0 Technical Comments

6.1 Building & Permitting Department

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

6.2 Development Engineering Department

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

7.0 Application Chronology

Date of Application Received: December 11, 2018

Date Public Consultation Completed: April 2, 2019

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

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

Attachments:

Attachment A: Development Engineering Memorandum

Site Plan

Conceptual Rendering

CITY OF KELOWNA

MEMORANDUM

Date: December 12, 2018

File No.: Z18-0118

To: Community Planning (LK)

From: Development Engineering Manager (JK)

Subject: 454-464 West Ave

ATTACHMENT A	
This forms part of application	
# OCP18-0021	
Z18-0118	
Planner Initials	<div style="border: 1px solid black; padding: 2px 10px; display: inline-block;">LK</div>

RU1 & RU6 to C4

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

The Development Engineering Technologist for this project is Jason Angus

1. General

- a. Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- b. The Fire Department and Environment Division requirements and comments are addressed separately by them.

2. Domestic Water and Fire Protection

- a. The subject properties are currently serviced by 19mm-diameter water services. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development. The applicant, at his cost, will arrange for the installation of a new service to this development as well as the decommissioning of the existing services at the main.

3. Sanitary Sewer

- a. The subject properties are currently serviced with 100mm-diameter sanitary service. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service.

4. Storm Drainage

- a. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation

(MBE) if applicable, and recommendations for onsite drainage containment and disposal systems.

- b. On site storm drainage systems for the site will be reviewed and approved by Engineering when a site servicing design is submitted.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

5. Road Improvements

- a. West Ave. must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk that matches what is built to the east, BLVD trees, and pavement removal and replacement, street lighting, re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- b. The Laneway on the Northside of this development will need to be upgraded to an asphalt standard c/w a storm drainage system. Lane cross section to be used is a SS-R2.

6. Road Dedication and Subdivision Requirements

- a. By Registered plan to provide the following
 - i. Grant statutory rights-of-way if required for utility services
 - ii. Lot consolidation is required
 - iii. Access to the development will be from the East-West Laneway

7. Electric Power and Telecommunication Services

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

8. Design and Construction

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

drawings must first be “Issued for Construction” by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs

9. Servicing Agreements for Works and Services

a. A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.

b. Part 3, “Security for Works and Services”, of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

10. Other Engineering Comments

a. Provide all necessary Statutory Rights-of-Way for any utility corridors as required.

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

11. Development Permit and Site Related Issues

a. Provide all necessary Statutory Rights-of-Way for any utility corridors as required.

b. If any road dedication affects lands encumbered by a Utility right-of-way (such as 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.

c. Access to the development will be from the lane only.


12. Geotechnical Study

(a) Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below. NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:

- i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- ii. Site suitability for development.
- iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).

- iv. Any special requirements for construction of roads, utilities and building structures.
- v. Recommendations for items that should be included in a Restrictive Covenant.
- vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- vii. Any items required in other sections of this document.

Additional geotechnical survey may be necessary for building foundations, etc



James Kay, P.Eng.
Development Engineering Manager

JA

CITY OF KELOWNA
MEMORANDUM

Date:	December 12, 2018	<div>ATTACHMENT A</div> <div>This forms part of application # OCP18-0021 Z18-0118</div> <div>Planner Initials <input type="text" value="LK"/></div> <div>City of Kelowna COMMUNITY PLANNING</div>
File No.:	OCP18-0021	
To:	Community Planning (LK)	
From:	Development Engineering Manager (JK)	
Subject:	454-464 West Ave	
		MRM - MXR

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

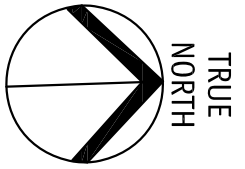
1. General

All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z18-0118


James Kay, P. Eng.
Development Engineering Manager

JA

2018-11-08
update



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No.	Date	Revision
01	2018-11-08	receiving application

Project Title
**WEST AVE RENTAL
5-STORY WITH
PARKADE LEVEL**

454 & 464 WEST AVENUE KELOWNA V1Y 4Z2

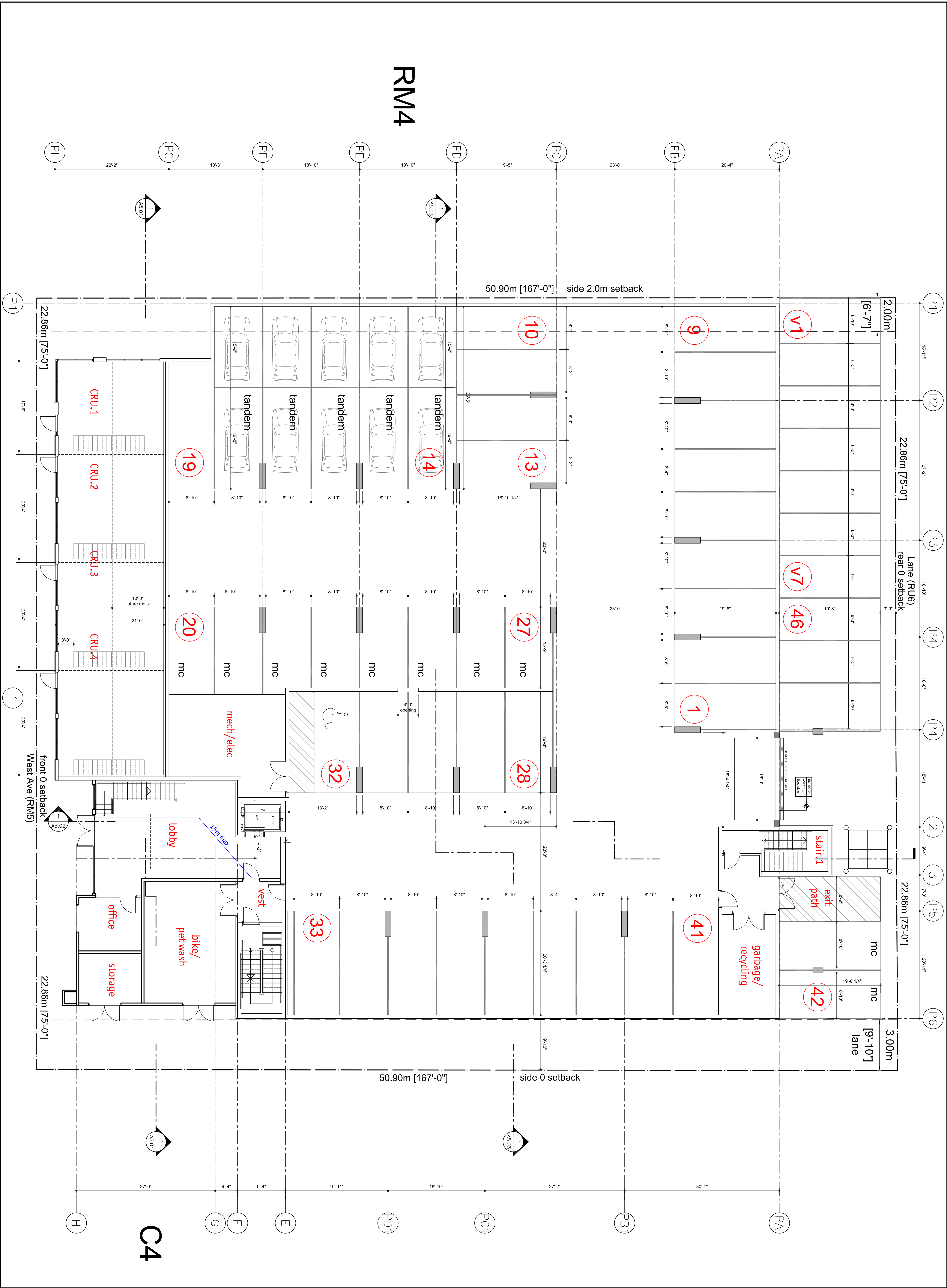
Drawing Number

A3.01

Drawings are NOT TO BE SCALED.
ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Drawing Title
LEVEL 1 PLAN

Date	
Job No.	m+m 17-1781
Scale	AS SHOWN
Drawn	SN
Checked





CITY OF KELOWNA

BYLAW NO. 11826

Official Community Plan Amendment No. OCP18-0021 454 & 464 West Avenue

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Amended Lot 3 (DD 138121F) District Lot 14 ODYD Plan 3056 and Amended Lot 4 (DD 138122F) District Lot 14 ODYD Plan 3056 located on West Ave, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MRX – Mixed Use (Residential/Commercial) designation.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11827

Z18-0118

454 & 464 West Ave

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Amended Lot 3 (DD 138121F) District Lot 14 ODYD Plan 3056 and Amended Lot 4 (DD 138122F) District Lot 14 ODYD Plan 3056, located on West Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing and the RU1 – Large Lot Housing zones to the C4 – Urban Centre Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 6, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z19-0034

Owner: Midwest Ventures Ltd., Inc.No.
BC0046021

Address: 5505-5507 Airport Way

Applicant: National Access Cannabis

Subject: Rezoning Application

Existing OCP Designation: COMM - Commercial

Existing Zone: C9 – Tourist Commercial
CD15 – Airport Business Park

Proposed Zone: C9 – Tourist Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0034 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 14 Township 23 Osoyoos Division Yale District Plan EPP23036, located at 5505-5507 Airport Way, Kelowna, BC from the C9 – Tourist Commercial zone and from the CD15 – Airport Business Park to the C9rcs – Tourist Commercial (Retail Cannabis Sales) zone as shown on Map "A" attached to the Report from the Community Planning Department dated May 6, 2019, 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.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, based on its score, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. This application received a score of 84.29, and the average overall score of all applications evaluated was 69.53. There were no other applications received that were located within a 500 metre radius of this application.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store license for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

The unit proposed to be used for the retail cannabis sales establishment was previously another retail store, however is currently vacant.

4.2 Site Context

A Retail Liquor Sales Establishment is an identified sensitive use within 150 metre radius (at 1730-1756 Pier Mac Way).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD15CO- Airport Business Park	Mix of business park uses
East	CD12- Airport & A1- Agriculture 1	Restaurant, airport parking lot
South	CD15- Airport Business Park	Mix of business park uses
West	CD15- Airport Business Park	Mix of business park uses

Subject Property Map: 5505-5507 Airport Way



5.0 Technical Comments

5.1 Development Engineering Department

This application does not compromise any City of Kelowna municipal infrastructure.

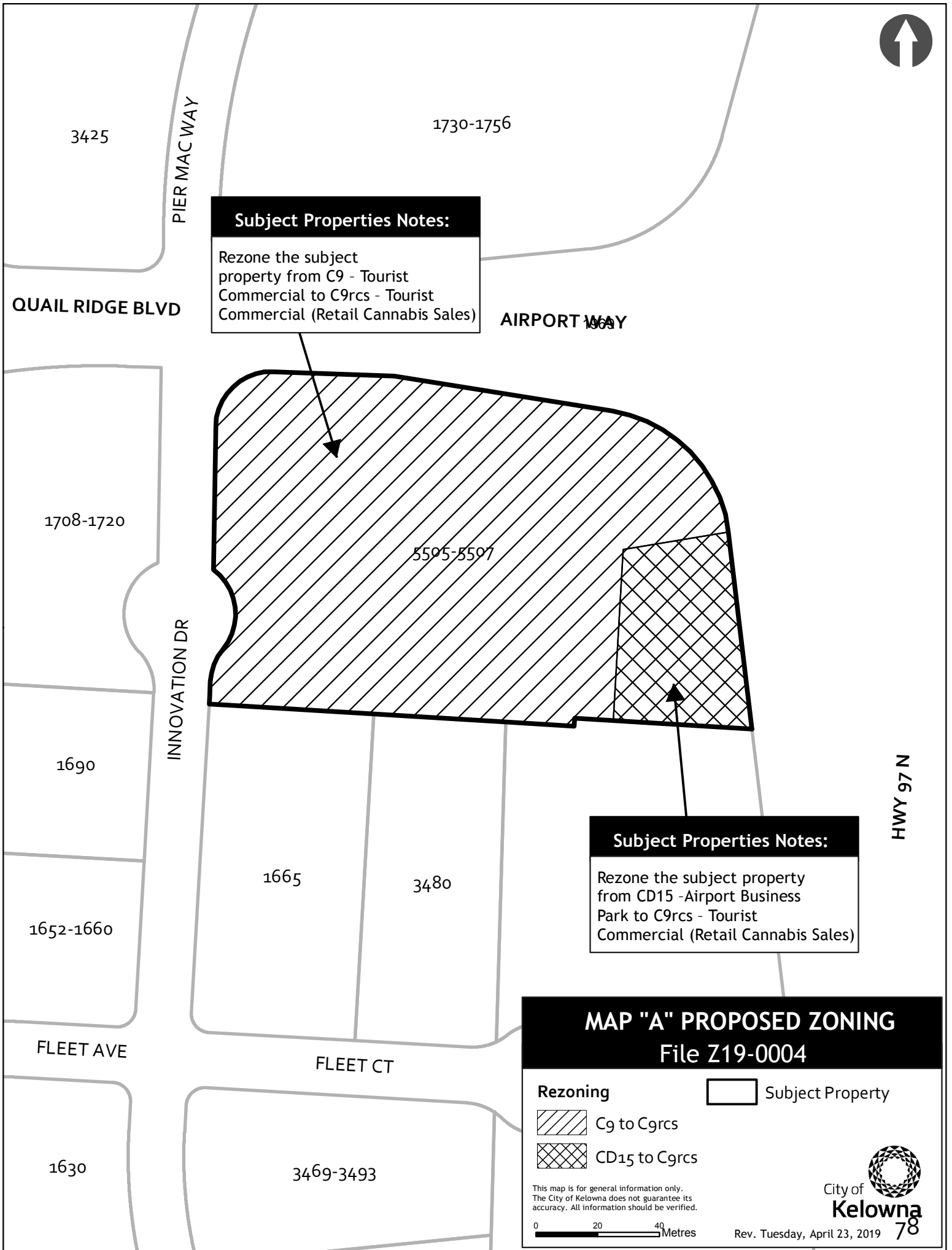
6.0 Application Chronology

Date of Committee Evaluation of Application: January 11, 2019
Date of Application Accepted: February 4, 2019
Date Public Notification Completed: February 22, 2019

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

Attachments:

Map A – Proposed Zoning Map
Attachment A – Site Plan and Floor Plan



NAC TENANT IMPROVEMENT

UNIT 120 - 5507 AIRPORT WAY KELOWNA, B.C



CONTEXT PLAN
NTS

SCOPE OF WORK
UNIT 120, 5507 AIRPORT WAY
KELOWNA, B.C

PROJECT DATA

CIVIC ADDRESS

UNIT 120 - 5507 AIRPORT WAY KELOWNA, BC

ZONE

C9 ; C15

LAND USE

COMMERCIAL ; COMPREHENSIVE DEVELOPMENT

BUILDING AREA

454 m² (4890 SF)

GROSS LEASABLE AREA (GLA)

111.66 m² (1,202 SF)

GENERAL PARKING REQUIREMENTS (KAMLOOPS BYLAW) REQUIRED PARKING SPACES

TOTAL REQUIRED PARKING SPACES: 5

PROVIDED PARKING SPACES: 5 (TO BE SITE VERIFIED)

REQUIRED PARKING SPACES FOR BICYCLE

0.2 SPOTS PER 100 m² GLA

122.2 m² / 100 m² = 1.2 X 0.2 SPACES = 0.24 SPACE

TOTAL REQUIRED PARKING SPACES FOR BICYCLE: 0

EXISTING BUILDING INFORMATION

1 STOREY
NON-COMBUSTIBLE
NON-SPRINKLERED

SUMMARY OF BUILDING CODE ANALYSIS BASED ON B.C. BUILDING CODE 2018 BUILDING CLASSIFICATION

3.2.2.66. Group E, up to 2 Storeys

1) A building classified as Group E is permitted to conform to Sentence (2) provided
a) it is not more than 2 storeys in building height, and
b) it has a building area not more than the value in Table 3.2.2.66.

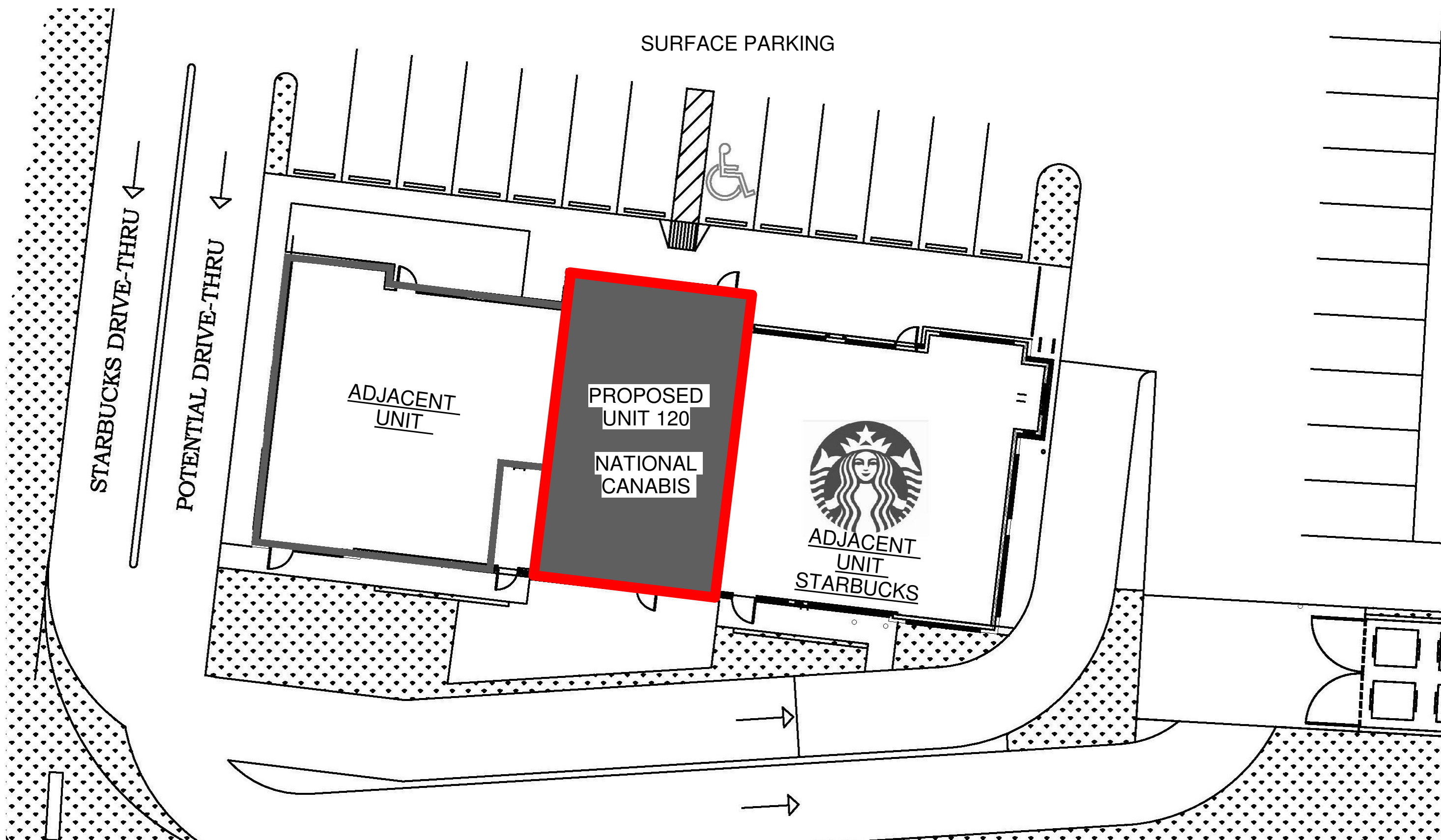
Table 3.2.2.66.

Maximum Building Area, Group E, up to 2 Storeys
(Forming part of Sentence 3.2.2.66.(1))

No. of Storeys	Maximum Area, m ²
1	Facing 1 Street: 1,000 Facing 2 Streets: 1,250 Facing 3 Streets: 1,500

2	Facing 1 Street: 600 Facing 2 Streets: 750 Facing 3 Streets: 900
---	--

2) The building referred to in Sentence (1) is permitted to be of combustible construction or noncombustible construction used singly or in combination, and
a) floor assemblies shall be fire separations with a fire-resistance rating not less than 45 min, and
b) loadbearing walls, columns and arches shall have a fire-resistance rating not less than that required for the supported assembly.



SITE PLAN
NTS

Revision Schedule

No	Description	Date
24		
23		
22		
21		
20		
19		
18		
17		
16		
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14		
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12		
11		
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5		
4	ISSUED FOR LCRB	FEB 12 2010
3	ISSUED FOR CLIENT REVIEW 3(META 2.0)	FEB 8 2019
2	ISSUED FOR CLIENT REVIEW 2	OCT 11 2018
1	ISSUED FOR CLIENT REVIEW 1	SEP 26 2018

Project Name

NAC
TENANT
IMPROVEMENT

Project Address

UNIT 120, 5507 AIRPORT WAY
KELOWNA, B.C

Sheet Name

CONTEXT PLAN
&
SITE PLAN

Sheet No.

A100

Project No.

180902

Start of Project

SEPTEMBER 2018

SIGN & SEAL

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It is the responsibility of the Owner and General Contractor to verify all dimensions and site conditions prior to commencement of work and they shall notify the architect of any errors, omissions or discrepancies. Any work completed without architect's knowledge will be the full responsibility of the Owner and General Contractor.

MARA + NATHA
ARCHITECTURE LTD.
285 - 9600 Cameron Stree Burnaby B.C. V3J 7N3

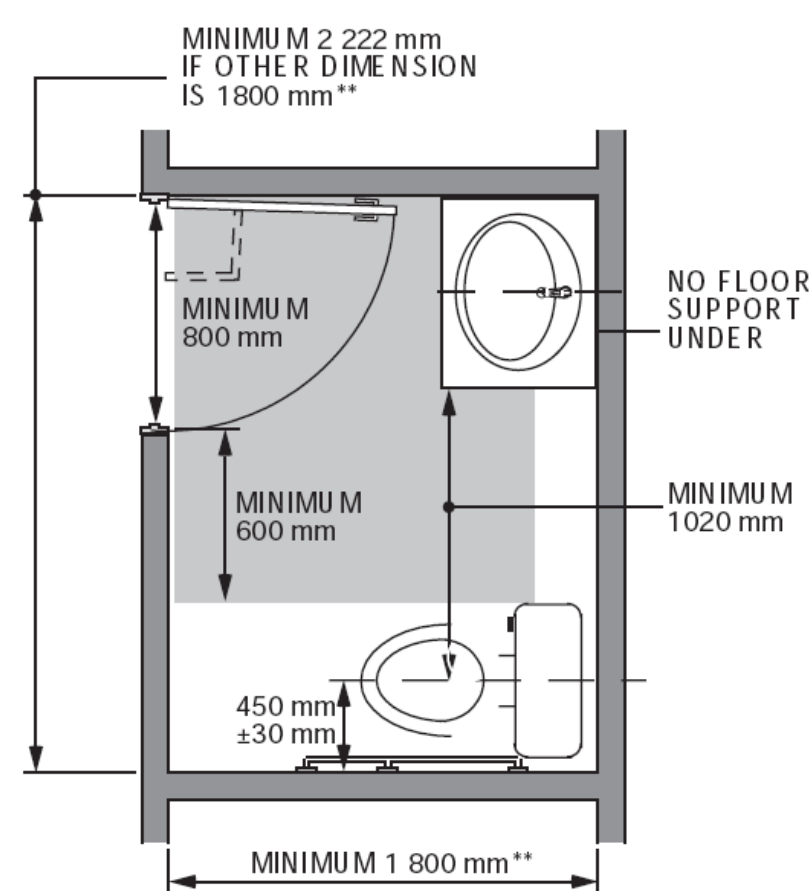
O: 604. 420-2233

C: 604. 970-8413

Email: rob@maraarch.com

Web: www.maraarch.com

AIBC, AAA78AA



Project Name	Project Address	Sheet Name	Sheet No.	<p>These plans are COPYRIGHTED and ALL RIGHTS ARE RESERVED. The reproduction of these plans in any form, in part or as a whole is strictly prohibited. This plan and design are, and at all times remain the exclusive property of MARA + NATHA ARCHITECTURE LTD., and may not be reproduced without written consent.</p> <p>It is the responsibility of the Owner and General Contractor to verify all dimensions and site conditions prior to commencement of work and they shall notify the architect of any errors, omissions or discrepancies. Any work completed without architect's knowledge will be the full responsibility of the Owner and General Contractor.</p> <p>SIGN & SEAL</p>
NAC TENANT IMPROVEMENT	UNIT 120, 5507 AIRPORT WAY KELOWNA, B.C	FLOOR PLAN	A101	
			Project No. 180902	
			Start of Project SEPTEMBER 2018	

CITY OF KELOWNA
BYLAW NO. 11828
Z19-0034 – 5505 – 5507 Airport Way

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot A Section 14 Township 23 Osoyoos Division Yale District Plan EPP23036, located on Airport Way, Kelowna, BC from the C9 – Tourist Commercial zone and the CD15 – Airport Business Park to the C9rcs – Tourist Commercial (Retail Cannabis Sales) zone as per Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

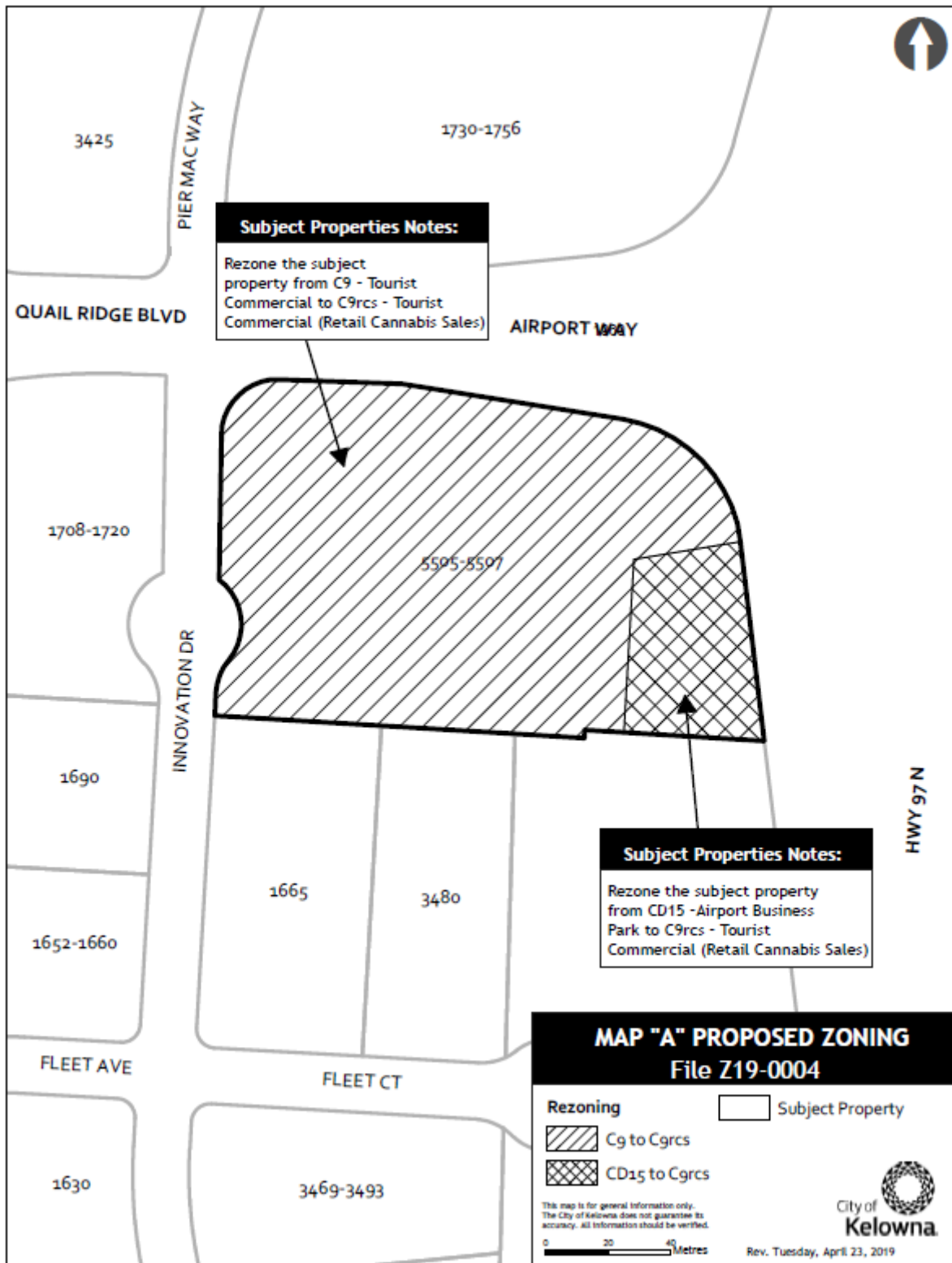
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



Report to Council



Date: May 6, 2019

File: 0610-50

To: City Manager

From: Deputy City Clerk

Subject: Walker Rd 4480, Z18-0047 – Thomas A.M. Brown

Report Prepared by: Clint McKenzie, Legislative Coordinator

Recommendation:

THAT Rezoning Bylaw No. 11829 be given first reading as approved by Council at the April 29, 2019 Regular PM Meeting.

Purpose:

To give Rezoning Bylaw No. 11829 first reading and forward to Public Hearing.

Background:

At the April 29, 2019 PM Council Meeting, Council supported the alternate recommendation for the application at 4480 Walker Road, to consider rezoning the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone.

The bylaw will be forwarded to the May 21, 2019 Public Hearing.

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:
Alternate Recommendation:

Submitted by:

K. Needham, Deputy City Clerk

REPORT TO COUNCIL



Date: May 6, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (DS)

Application: Z18-0047

Owner: Thomas Brown

Address: 4480 Walker Road

Applicant: Thomas (Michael) Brown

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1 – Large Lot Housing
RU2 – Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z18-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 1 District Lot 167 ODYD Plan 16858, located at 4480 Walker Road Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone NOT be considered by Council.

2.0 Purpose

To consider a Staff recommendation to NOT rezone portions of the subject property to facilitate a two-lot subdivision requiring a variance.

3.0 Community Planning

The application to Council is to amend the zone of a portion of the subject property to permit a two-lot subdivision of the residential parcel. The proposed subdivision would require a variance to lot depth. As such, this report will detail the zone amendment, subdivision details, and a brief explanation of the variance required to complete the subdivision.

Community Planning does not support the request for rezoning of a portion of the subject parcel to complete a two-lot subdivision that would require a lot depth variance. Variances to lot depth or width are rarely supported by Community Planning. Rare rationale for support include protection of sensitive natural environments or a small request such as 0.7 m or 0.5 m variances. The variance required to complete a subdivision on the subject parcel is to request a lot depth 4.3 m less than the required minimum. Kelowna's OCP does not have policy for supporting subdivision of lots that do not meet the required lot sizes unless

rationale such as natural environment protection is achieved. Further explanation of Kelowna's policies and Staff rationale are detailed in Section 4.2 of this report.

4.0 Proposal

4.1 Background

The subject parcel is located in a neighbourhood of RU1 zone, Single/Two Unit Residential designation. The area of large lot housing contains average lot sizes of 22 m width and 34.0 – 40.0 m depth. The subject parcel and many parcels to the east were constructed in the 1960's. Many other homes in the neighbourhood were constructed between 1970 and 1989. As such, this neighbourhood has seen applications to subdivide, rezone and reconstruct new single and two unit residential dwellings.

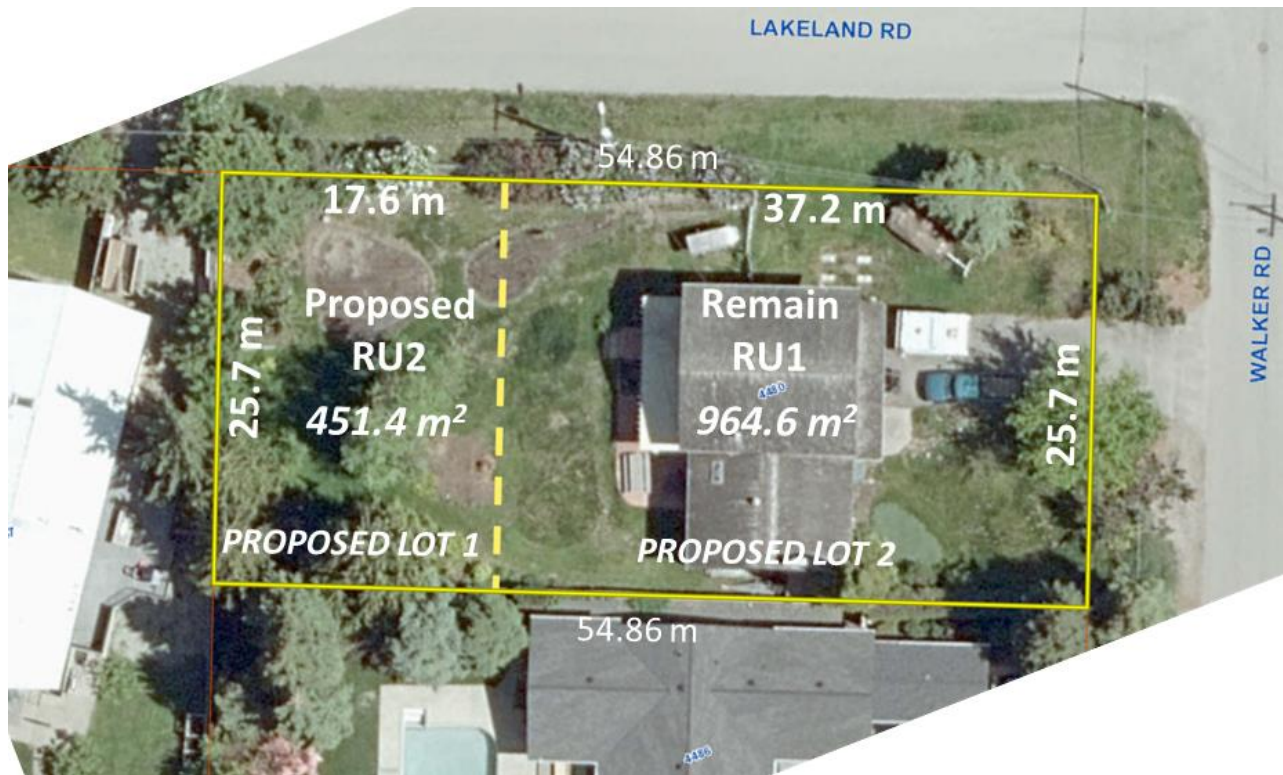
Subject Property Map: 4480 Walker Road



4.2 Project Description

The applicant is proposing to retain the existing 1968 single family dwelling, and redevelop only in an area of the rear yard. The applicant seeks to create a two-lot subdivision that would result in one RU1 zoned lot, and one RU2 zoned lot. The proposed subdivision does not meet the minimum lot dimensions for an RU2 zoned lot.

Proposed Lot 1, to be rezoned to the RU2 zone is designed to be 17.6 m in width, and 25.7 m in depth. Required RU2 zoned lots must meet a minimum of 13.0 m width, and 30.0 m depth. Zoning Bylaw No. 8000 requires a minimum lot depth requirement of 30.0 m in every zone with the exception of two hillside zones.

Subject Property Map: Proposed Two Lot Split & Rezoning

Subdivisions requiring variances (lot width or depth) require strong rationale for Staff to consider support. The rationale provided by the applicant was reviewed by staff and deemed insufficient to warrant support for the application. The existing neighbourhood consists of parcel that average approximately 930 m² in area. While the four parcels along Walker Road exceed this average, subdividing the parcels requires a reduced lot depth, which will create parcels that are not in keeping with the existing neighbourhood.

The Official Community Plan (OCP) has an objective of ensuring that subdivision design respects the existing neighbourhood context. Community Planning has concerns that this application could set a precedent and if this application and variance are supported, the same rationale would be applied for the remainder (proposed lot 2) of the subject property. This would result in another two-lot subdivision creating RU2 zoned lots with 4.3 m lot depth variances.

Although the subject property is large for the RU1 zone, it does not meet the subdivision regulations required for two RU1 zoned lots, or 2 RU2 zoned lots. There is opportunity to redevelop the subject parcel under the RU6 zone. This would allow a new semi-detached dwelling or two new detached dwellings to be constructed on the property. Secondary suites would not be permitted in two dwellings under the RU6 zone.

4.3 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	RU ₂ ZONE REQUIREMENTS	Lot 1 RU ₂ PROPOSAL	Lot 2 RU ₁ PROPOSAL
Subdivision Regulations			
Lot Area	400 m ²	451.4 m ²	964.6 m ²
Lot Width	13.0 m	17.6 m	25.7 m
Lot Depth	30.0 m	25.7 m ❶	37.2 m
Development Regulations			
Site Coverage	40 %		22 %
Height	9.5 m or 2.5 storeys	m	2 storeys
Front Yard	4.5 m 6.0 m to garage	m	13.0 m
Side Yard (west)	1.8 m	m	2.3 m
Side Yard (east)	1.8 m	m	6.0 m
Rear Yard	7.5 m	m	11.2 m
Other Regulations			
Minimum Parking Requirements	2	2	2
❶ Indicates a requested variance to the RU ₂ zone Lot Depth from 30.0 m to 25.7 m (4.3 m variance).			

4.4 Site Context

4480 Walker Road is located in the North Mission-Crawford sector of Kelowna. The parcel is 1,415 m² in size and fronts Walker Road with Lakeland Road as a flanking street. The parcel and neighbouring parcels are within a Natural Environment Development Permit Area for vulnerable groundwater aquifers. The parcel is within 650 m of an elementary school and 1.1 km of neighbourhood commercial along Lakeshore Road.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU ₁	Single Family Dwelling
East	RU ₁	Single Family Dwelling
South	RU ₁	Single Family Dwelling
West	RU ₁	Single Family Dwelling

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Kelowna's OCP does not have supporting policies for this application.

6.0 Technical Comments

6.1 Development Engineering Department

See attached Development Engineering Memorandum for required upgrades.

7.0 Application Chronology

Date of Application Received: May 1, 2018

Date Public Consultation Completed: July 3, 2018

8.o Alternate Recommendation

THAT Rezoning Application No. Z18-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 1 District Lot 167 ODYD Plan 16858, located at 4480 Walker Road Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone. as shown on Map “A” attached to the Report from the Community Planning Department dated May 6, 2019, be considered by Council;

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

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer;

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

Report prepared by: Tracey Hillis, Planner

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Alternative Recommendation Map A: Rezoning Map

Alternative Recommendation Schedule A: Development Engineering Memorandum



4460

423

4440

433

4446

4456

1969

4454

4452

4450

4455

BARKLEY RD

Subject Properties Notes:

Rezone a portion of the subject property from RU1 - Large Lot Housing to RU2 - Medium Lot Housing

44

4468

LAND RD

4474

4467

4480

494

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4486

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426

4492

4485

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436

4491

ELDORADO RD

WALKER RD

427

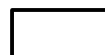
431

435

4523

439

MAP "A" PROPOSED ZONING
File Z18-0047



Subject Property



RU1 to RU2

This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.

0 15 30 Metres



Rev. Friday, September 14, 2018

CITY OF KELOWNA
MEMORANDUM

SCHEDULE A

This forms part of application
Z18-0047



City of
Kelowna
COMMUNITY PLANNING

Planner
Initials LK

Date: May 03, 2018
File No.: Z18-0047
To: Community Planning (TH)
From: Development Engineering Manager (JK)
Subject: 4480 Walker Road

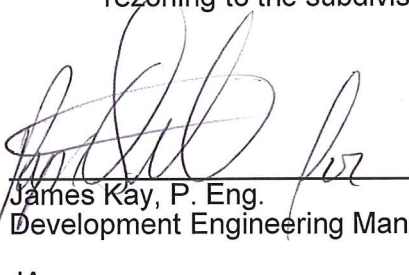
RU1 to RU2

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

1. General

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

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


James Kay, P. Eng.
Development Engineering Manager

JA

CITY OF KELOWNA
MEMORANDUM

SCHEDULE		A
This forms part of application # Z18-0047		
Planner Initials	LK	 City of Kelowna <small>COMMUNITY PLANNING</small>

Date: May 03, 2018
File No.: S18-0038
To: Community Planning (TH)
From: Development Engineering Manager (JK)
Subject: Subdivision Application – PLR Requirements

LOCATION: 4480 Wlaker Road
APPLICANT: Thomas Brown
LEGAL: Lot 1 Plan 16858

WORKS AND SERVICES REQUIREMENTS

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

1. General

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

2. Geotechnical Report

- a. Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.
 - i. The Geotechnical reports must be submitted to the Development Services Department (Subdivision Approving officer) for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

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

3. Water

- a. The property is located within the City of Kelowna service area. The existing 19mm PVC water service will be utilised to service one of the lots.
- b. Provide an adequately sized domestic water and fire protection system complete with individual lot connections. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this subdivision to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits.

4. Sanitary Sewer

- a. The existing 100mm diameter service will be utilised to service one of the proposed lots.
- b. A new sanitary service should be provided at the applicants cost prior to subdivision approval

5. Drainage

- a. The property is located within the City of Kelowna drainage service area. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b. The development is required to contain and dispose of site generated storm drainage on the site by installing a ground recharge system designed by the consulting civil engineer. The existing lots do not presently have storm drainage services.

6. Roads

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

7. Power and Telecommunication Services and Street Lights

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

8. Other Engineering Comments

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

9. Design and Construction

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b. Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

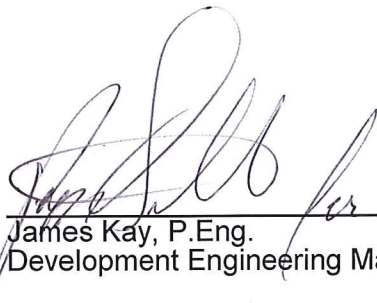
- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d. A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e. Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

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

11. Charges and Fees

- a. Development Cost Charges (DCC's) are payable
- b. Fees per the "Development Application Fees Bylaw" include:
 - i. Survey Monument Fee: **\$50.00** (\$50.00 per newly created lot GST exempt).
 - ii. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
- c. A hydrant levy charge of **\$250.00** (250.00 per new lot).



James Kay, P.Eng.
Development Engineering Manager

JA

CITY OF KELOWNA
BYLAW NO. 11829
Z18-0047 – 4480 Walker Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot 1 District Lot 167 ODYD Plan 16858, located on Walker Road Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone as per Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

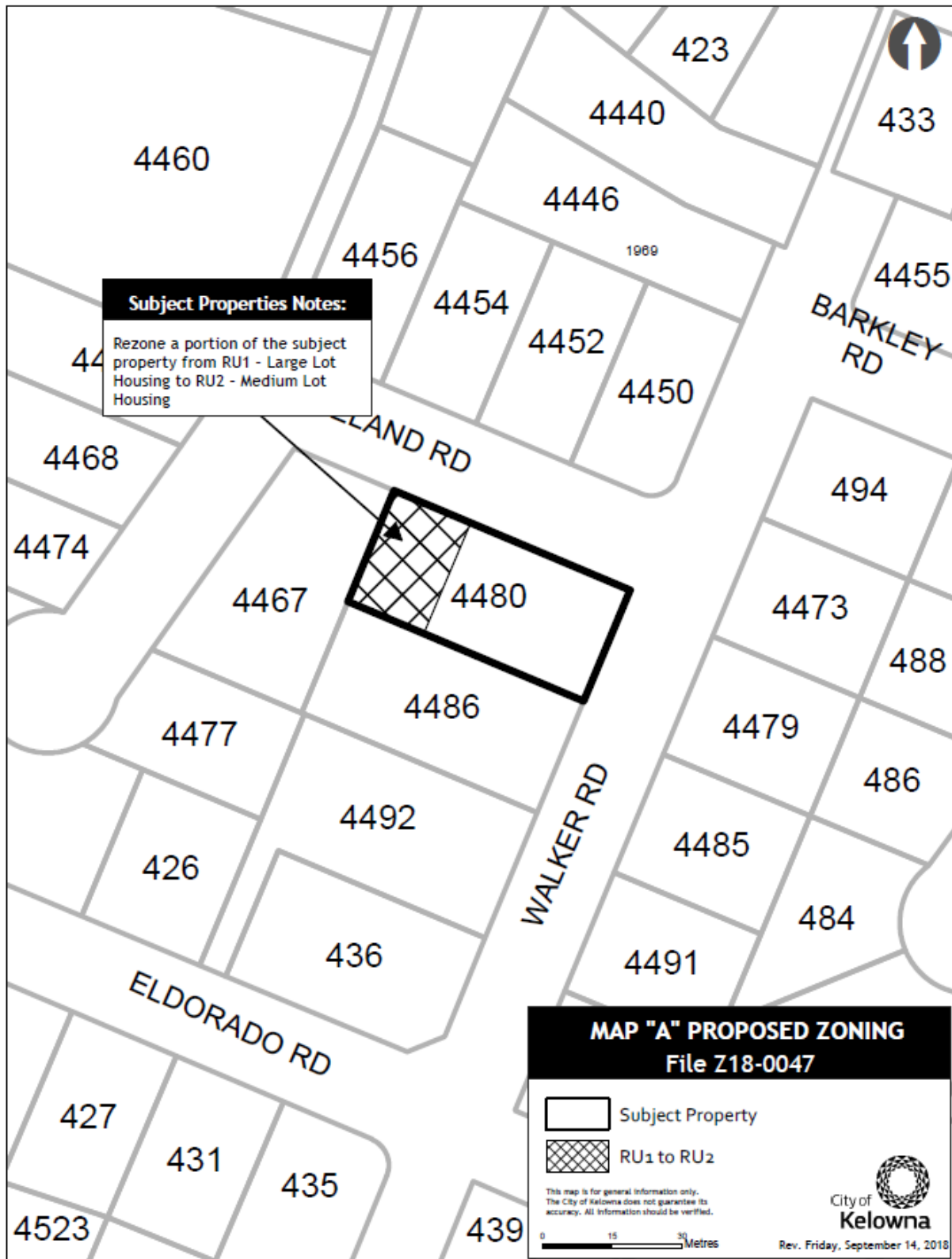
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date: May 6, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (WM)

Application: DP18-0252 **Owner:** 1129549 B.C. Ltd, Inc.No. BC1129549

Address: 5300 Main Street **Applicant:** Patrick McCusker Architecture Inc.

Subject: Development Permit Application

Existing OCP Designation: MRM – Multiple Unit Residential (Medium Density) & COMM - Commercial

Existing Zone: CD2 – Kettle Valley Comprehensive Residential Development

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP18-0252 for Lot A Section 23 Township 28 Similkameen Division Yale District Plan KAP80574, located at 5300 Main Street, Kelowna, BC subject to the following:

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

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

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

2.0 Purpose

To consider the form and character of a mixed use, 28 unit residential townhouse and live/work studio commercial development.

3.0 Community Planning

Community Planning is recommending support for the proposed residential and live/work commercial mixed use development project. The ground oriented design meets the Official Community Plan (OCP) Comprehensive Development Permit Area design guidelines and the intent of the Kettle Valley Comprehensive Development Zone. The variety of units proposed provides a variety of housing types while providing a neighbourhood commercial aspect to the Mixed Use Village Town Centre.

4.0 Proposal

4.1 Project Description

The applicant is proposing a 28 unit mixed use townhouse development consisting of five buildings each three stories tall. This includes a 7 unit building oriented towards Main Street which incorporates live/work commercial space for those units. The majority of units will have entrance ways oriented off of public street frontage with the exception of Building 3 which is accessed internally from the common access road. There is a variety of two and three bedroom units and vary in size from 942 ft² – 2,363 ft².

The proposal meets the parking requirements of the Zoning Bylaw. Four visitor parking stalls are provided, two at the entrance to the site from the laneway, and two on the west side between Buildings 1 and 2. Parking for residents is provided in garages and driveways in tandem and side-by-side configurations, in addition to a below grade parkade which provides parking for the commercial live/work units. In general, the primary site access will be from McCarren Avenue and the lane along the south property line with emergency access available off of Main Street.

The form and character of the buildings have a traditional exterior which fits well with the existing neighbourhood and are articulated by numerous bay windows with raised dormers. The commercial live/work portion incorporates brick façade and a prominent 'clock tower' architectural feature on the corner of Chute Lake Road and Main Street.

Image 1 – Rendering of Building 4 looking south from Main Street.



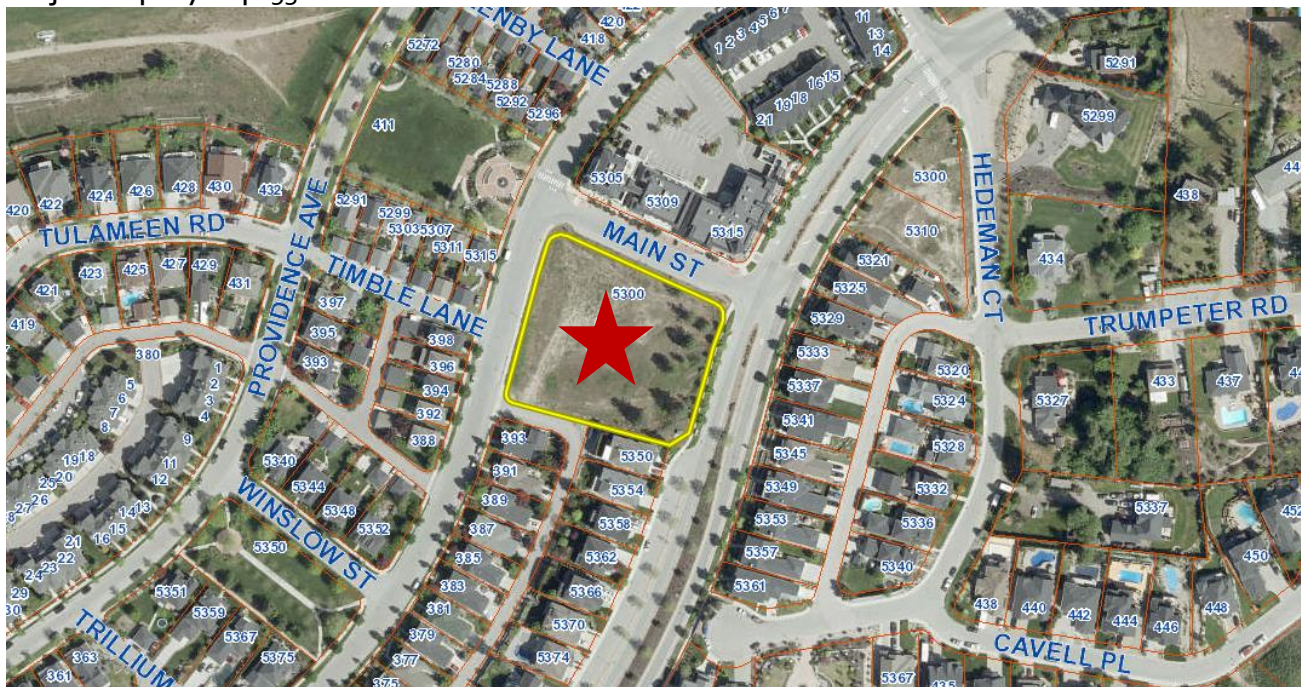
4.2 Site Context

The subject property is 0.58 hectares in size with three fronting roads Main Street, Chute Lake Road and McCarren Avenue. The site is one of the last remaining vacant sites in the Kettle Valley Neighbourhood and is designated Type IX – Mixed Use Village Town Centre, a subzone of the CD2 – Kettle Valley zone.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD2 – Kettle Valley Comprehensive Development	Commercial
East	CD2 – Kettle Valley Comprehensive Development	Residential
South	CD2 – Kettle Valley Comprehensive Development	Residential
West	CD2 – Kettle Valley Comprehensive Development	Residential

Subject Property Map: 5300 Main Street



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	1.0	0.79
Height	16 m	15.9 m
Front Yard	4.5 m	4.5 m
Exterior Side Yard (west)	4.5 m	4.5 m
Exterior Side Yard (north)	4.5 m	4.5 m
Side Yard	1.2 m	4.5 m

Other Regulations		
Minimum Parking Requirements	2 stalls / 3 bedroom = 48 1.5 stalls / 2 bedroom = 6 2.0 / 100 m ² (commercial) = 10 1 stall / 7 unit visitor = 4 Total = 68 stalls	Total: 68 stalls
Bicycle Parking	Class 1 - 0.5 / per unit = 14 Class 2 - 0.1/ per unit = 3 Total = 28 stalls	Total: 28 stalls
Private Open Space	25 m ² per 2 bedroom Total: 700 m²	983 m ²

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

5.2 RDCO - Regional Growth Strategy (RGS)

Policy 3.2.6.1. Preserve and enhance existing neighbourhoods through encouragement of a variety of housing types, densities, choices and affordability.

6.0 Technical Comments

6.1 Development Engineering Department

See Attachment A.

7.0 Application Chronology

Date of Application Received: August 30, 2018

Revised Drawings Received: March 14, 2019

Prepared by: Wesley Miles, Planner Specialist

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Permit No.18-0252

Schedule A: Site Plan / Layout

Schedule B: Elevations / Renderings / Section Drawings

Schedule C: Landscaping Plan

Attachment A: Development Engineering Memorandum

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

Attachment B: Applicant Rationale Letter

Development Permit DP18-0252



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

5300 Main Street

and legally known as

Lot A Section 23 Township 28 Similkameen Division Yale District Plan KAP80574

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

Mixed Use Multiple Dwelling Housing and Live/Work Studio Commercial

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

Date of Council Decision

Decision By: COUNCIL

Issued Date:

Development Permit Area: Comprehensive Development Permit Area

This permit will not be valid if development has not commenced by April, 2021.

Existing Zone: CD2 – Kettle Valley Comprehensive Residential Development

Future Land Use Designation: MRM – Multiple Unit Residential (Medium Density) & COMM - Commercial

This is NOT a Building Permit.

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

NOTICE

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

Owner: 1129549 BC. Ltd.

Applicant: Patrick McCusker Architecture Inc.

Ryan Smith
Community Planning Department Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

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

3. PERFORMANCE SECURITY

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

- a) An Irrevocable Letter of Credit in the amount of **\$102,575.00**

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

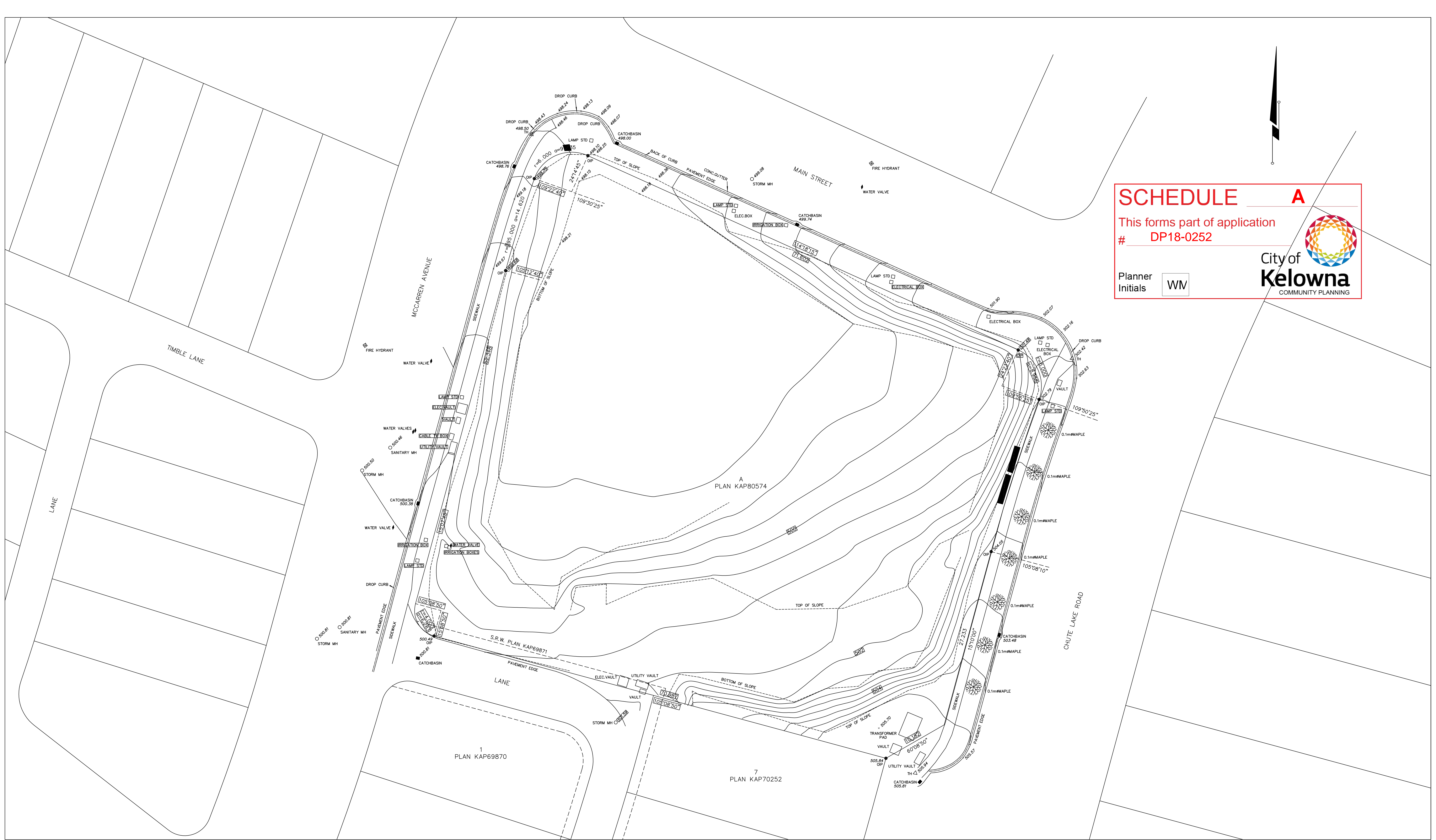
5. INDEMNIFICATION

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

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

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

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



SCHEDULE

A

This forms part of application
DP18-0252

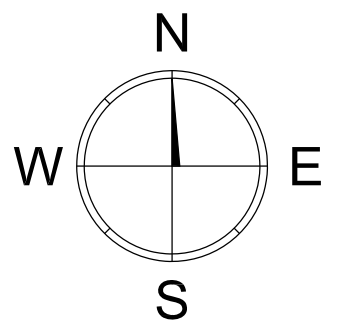
Planner
Initials

WM

City of
Kelowna

COMMUNITY PLANNING

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					DATE: OCTOBER 20, 2006.
					DWG: 12202.DWG
			CLIENT: CIRRATEK		FILE: 12202



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This drawing must not be scaled.

Contractors shall verify all dimensions prior to commencement of work.

Any omissions or discrepancies shall be reported to the architect.

Seal

2019.04.11 Revision : Site Plans (DP1.01, DP1.02, DP1.03 AND DP1.04), Addition of Removable Bollards for Emergency Access at Main Street.

SCHEDULE

This forms part of application # DP18-0252

Planner Initials WV

A

City of Kelowna
COMMUNITY PLANNING

04	2019.03.13	Re-Issued for DP
03	2019.01.20	Re-Issued for DP
02	2018.12.01	Re-Issued for DP
01	2018.08.16	Issued for DP
No.	Date	Description

Revisions



PATRICK McCUSKER ARCHITECTURE INC.
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KELOWNA BC V1W 4M5
Phone: 778-484-0223
pat@pmccarch.com
www.pmccarch.com

project title
KETTLE VALLEY TOWNHOMES

MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.

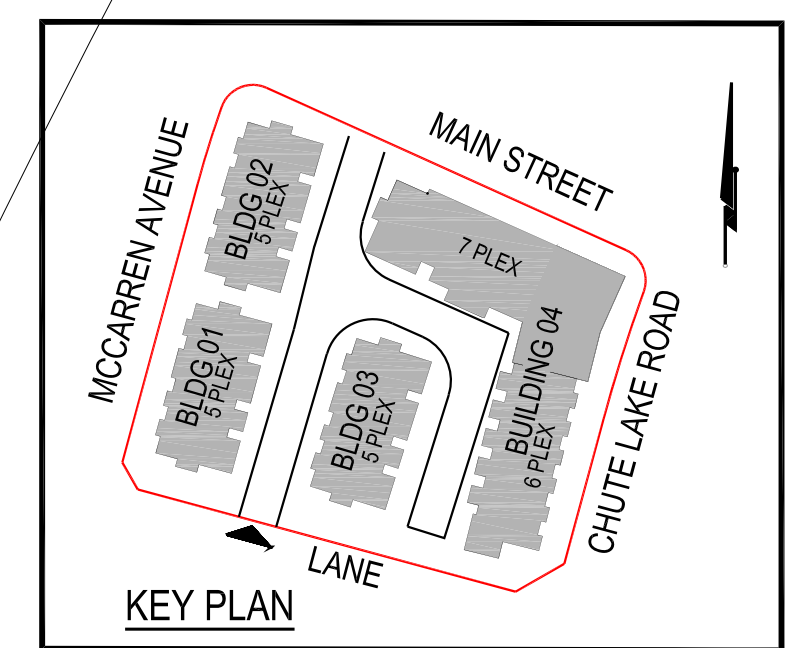
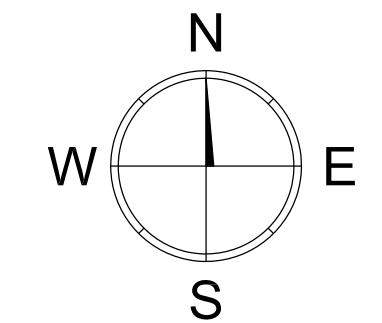
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drawing title
KEY PLAN

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checked	PMC		
drawing no.			

DP1.01

plotted April 11, 2019 09:14 AM



SCHEDULE A

This forms part of application # **DP18-0252**

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City of Kelowna
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Seal

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No.	Date	Description
04	2019.03.13	Re-Issued for DP
03	2019.01.20	Re-Issued for DP
02	2018.12.01	Re-Issued for DP
01	2018.08.16	Issued for DP

Revisions

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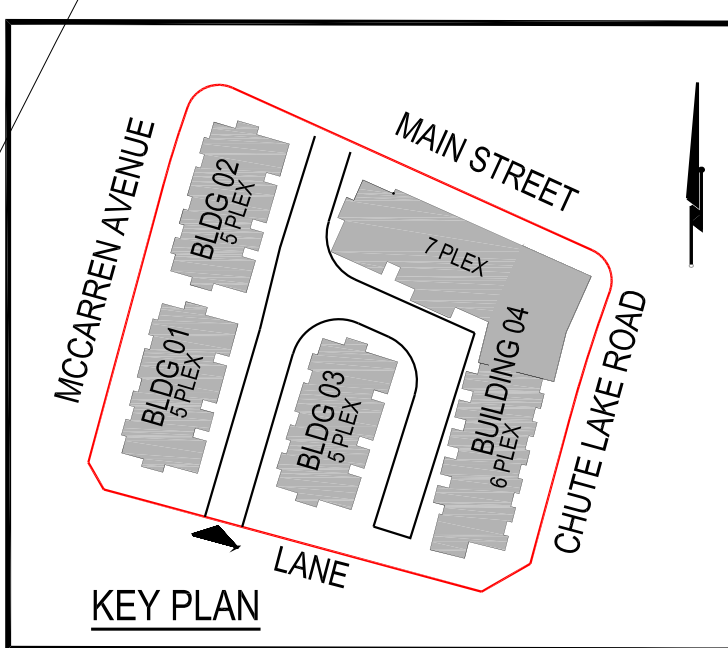
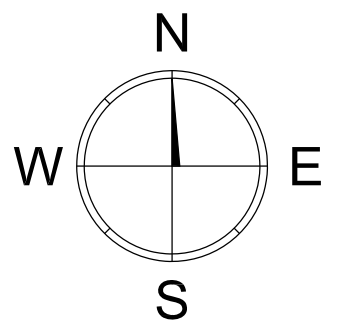
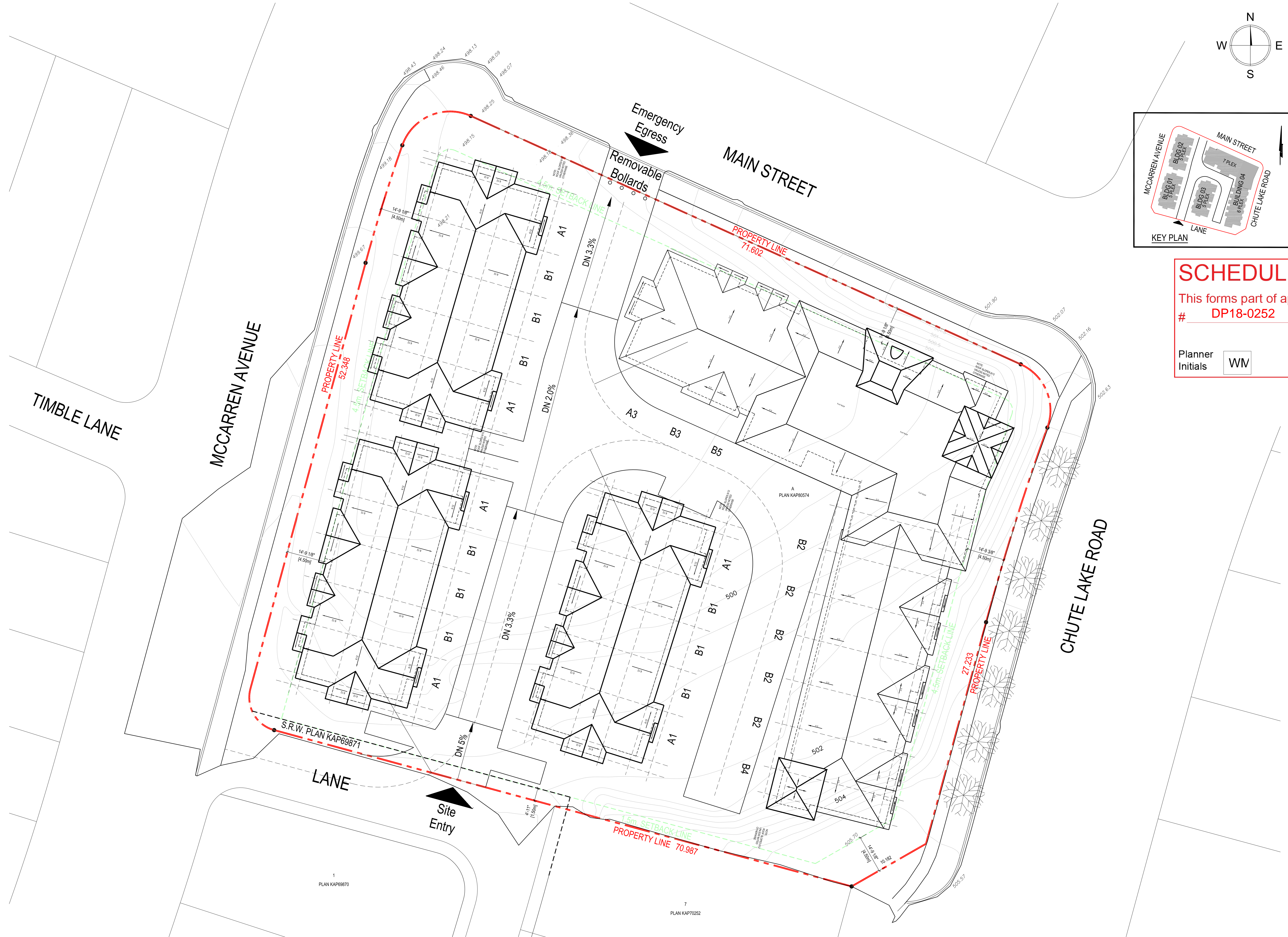
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drawing no.			

DP1.02

plotted April 11, 2019 09:17 AM



SCHEDULE

This forms part of application # **DP18-0252**

Planner Initials **WM**

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Seal

2019.04.11 Revision : Site Plans (DP1.01, DP1.02, DP1.03 AND DP1.04), Addition of Removable Bollards for Emergency Access at Main Street.

04	2019.03.13	Re-Issued for DP
03	2019.01.20	Re-Issued for DP
02	2018.12.01	Re-Issued for DP
01	2018.08.16	Issued for DP
No.	Date	Description

PM

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project title
KETTLE VALLEY TOWNHOMES

MIXED USE

3430 CHUTE LAKE ROAD
KELOWNA, B.C.

project no. 3377

drawing title
SITE AT ROOF

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drawing no.			

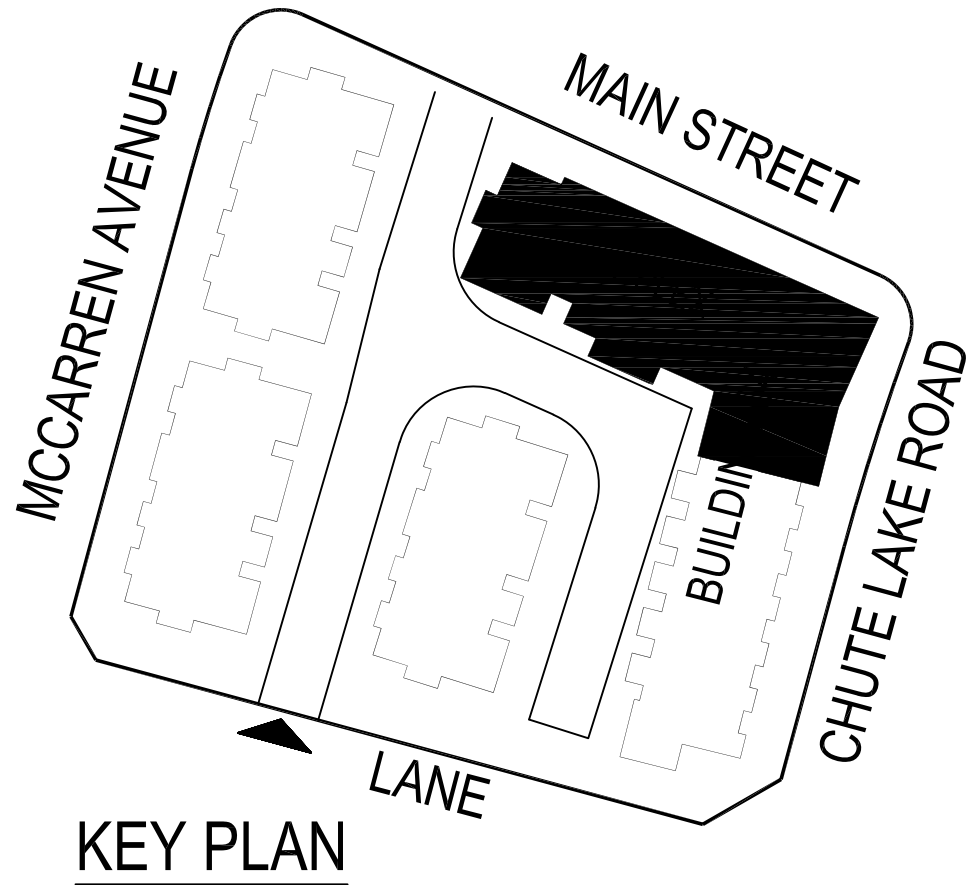
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SCHEDULE A

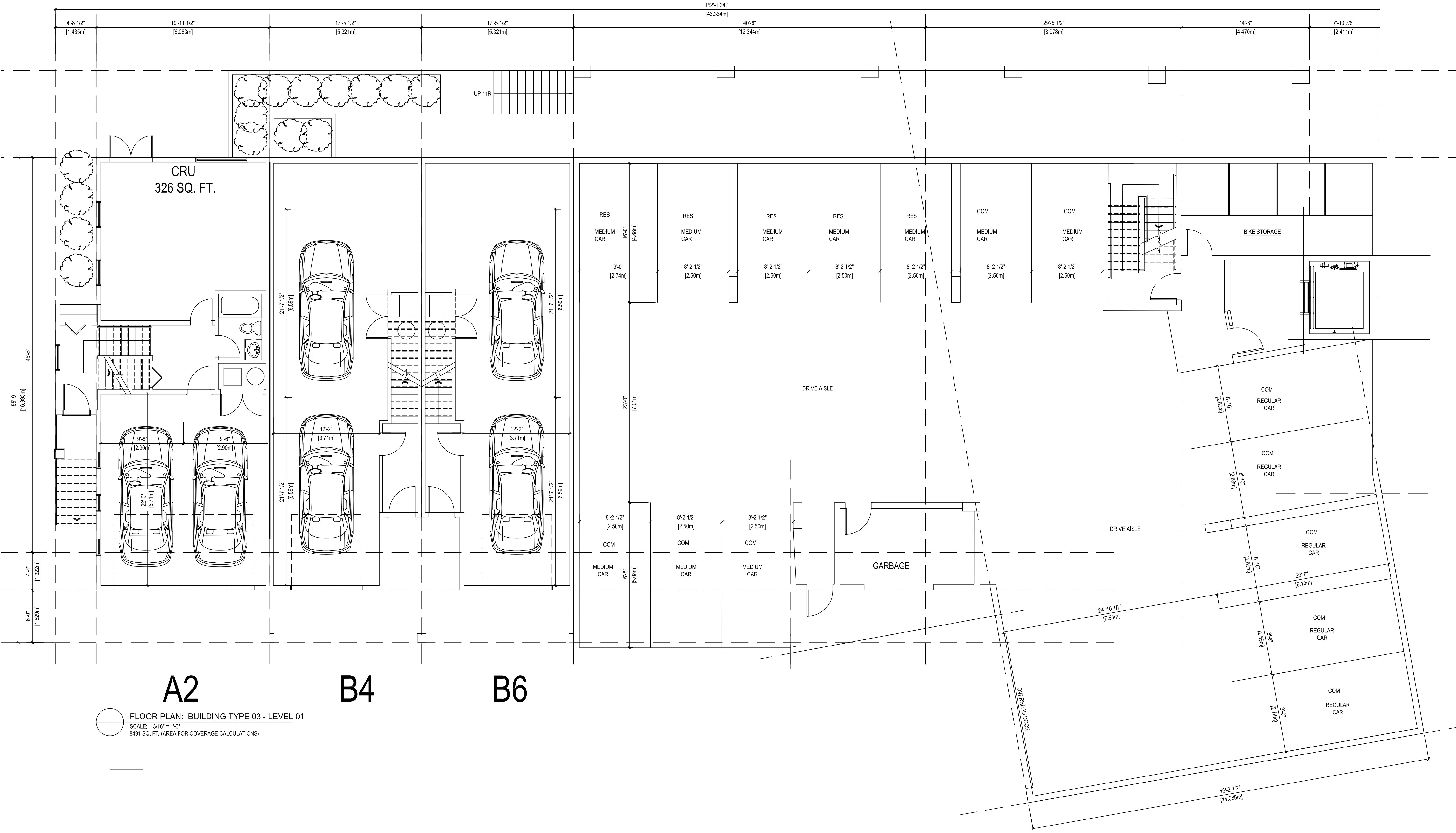
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DP18-0252

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Initials W/V



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Tabulated scales refer to Arch D size drawing sheet.
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Seal



FLOOR PLAN: BUILDING TYPE 03 - LEVEL 01
SCALE: 3/16" = 1'-0"
8491 SQ. FT. (AREA FOR COVERAGE CALCULATIONS)

03	2019.01.20	Re-issued for DP
02	2018.12.01	Re-issued for DP
01	2018.06.16	Issued for DP
No.	Date	Description

Revisions



PATRICK MCCUSKER
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project title
KETTLE VALLEY TOWNHOMES
MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.

project no. 3377

drawing title
PLAN: OVERALL @ GARAGE
7 PLEX

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drawing no.			

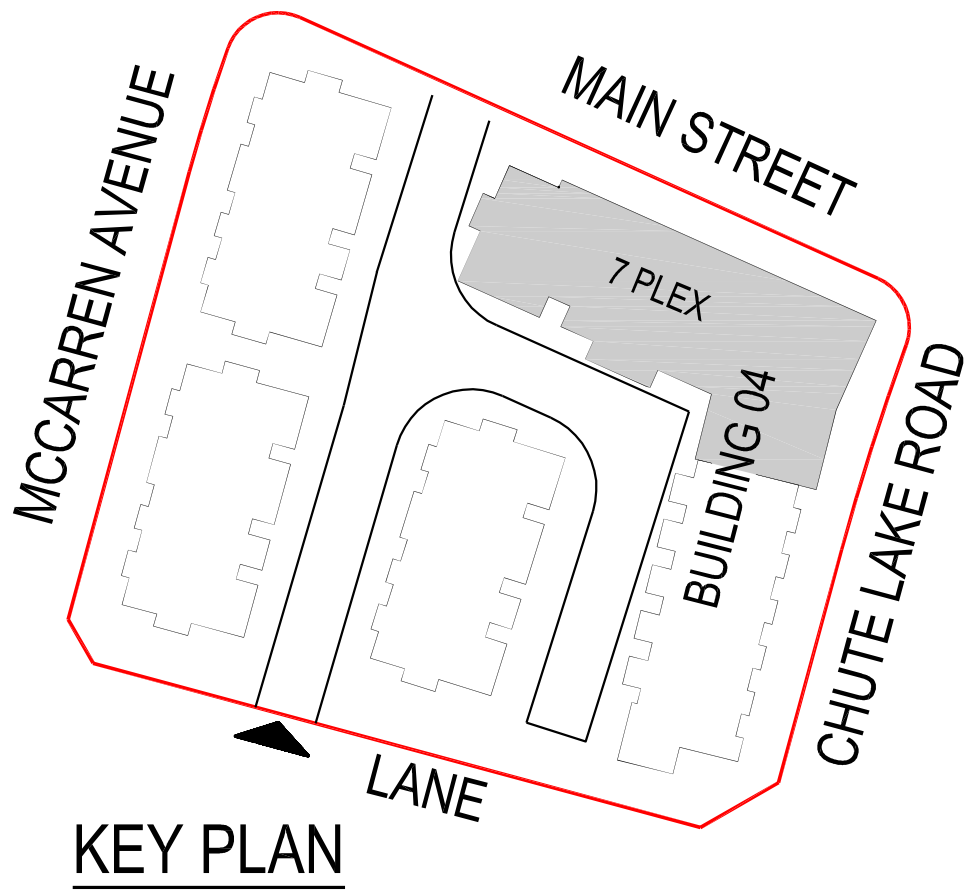
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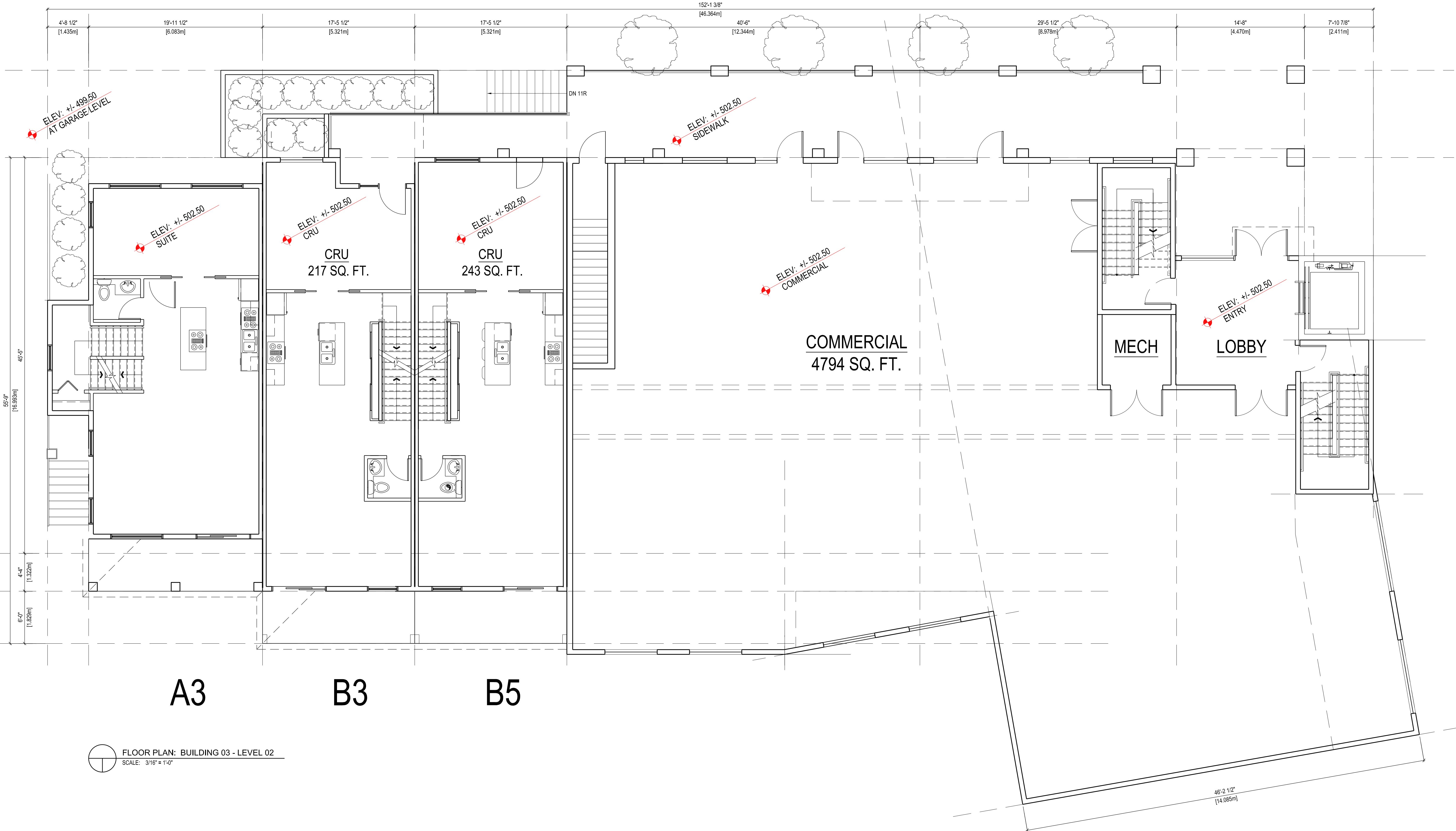
SCHEDULE A

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DP18-0252

Planner
Initials WV



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Tabulated scales refer to Arch D size drawing sheet.
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Seal



FLOOR PLAN: BUILDING 03 - LEVEL 02
SCALE: 3/16" = 1'-0"

03	2019.01.20	Re-Issued for DP
02	2018.12.01	Re-Issued for DP
01	2018.08.16	Issued for DP
No.	Date	Description

Revisions



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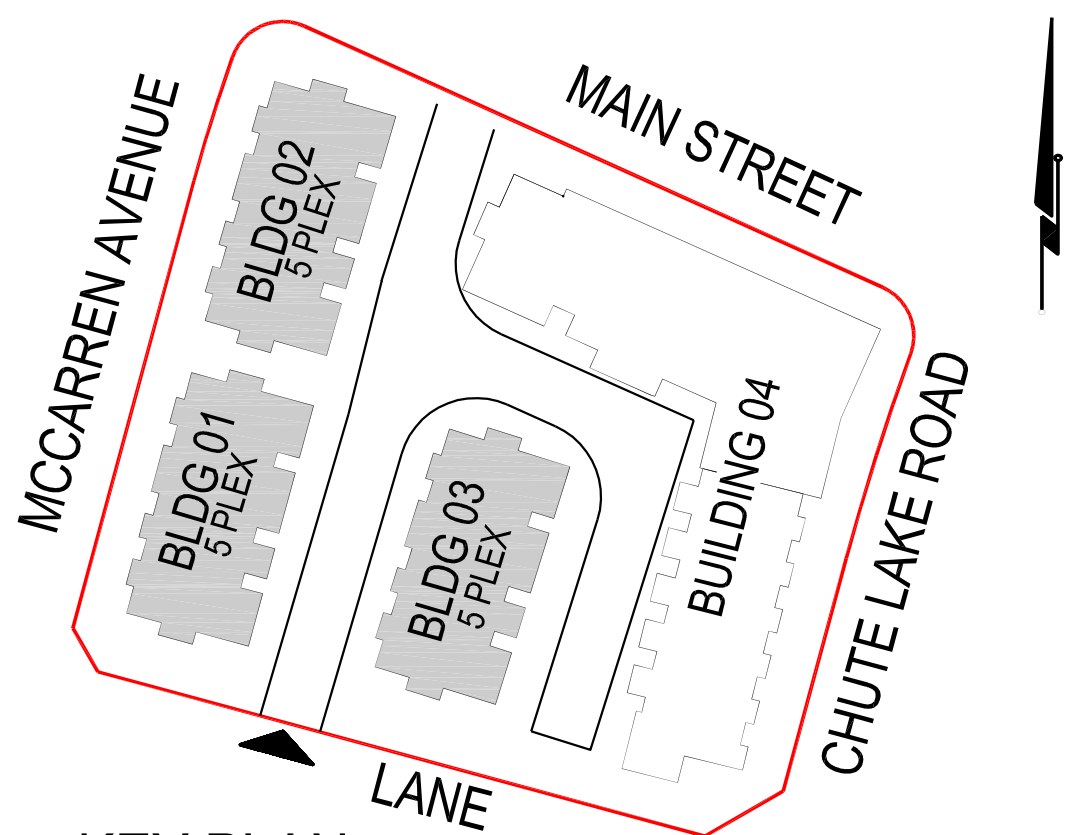
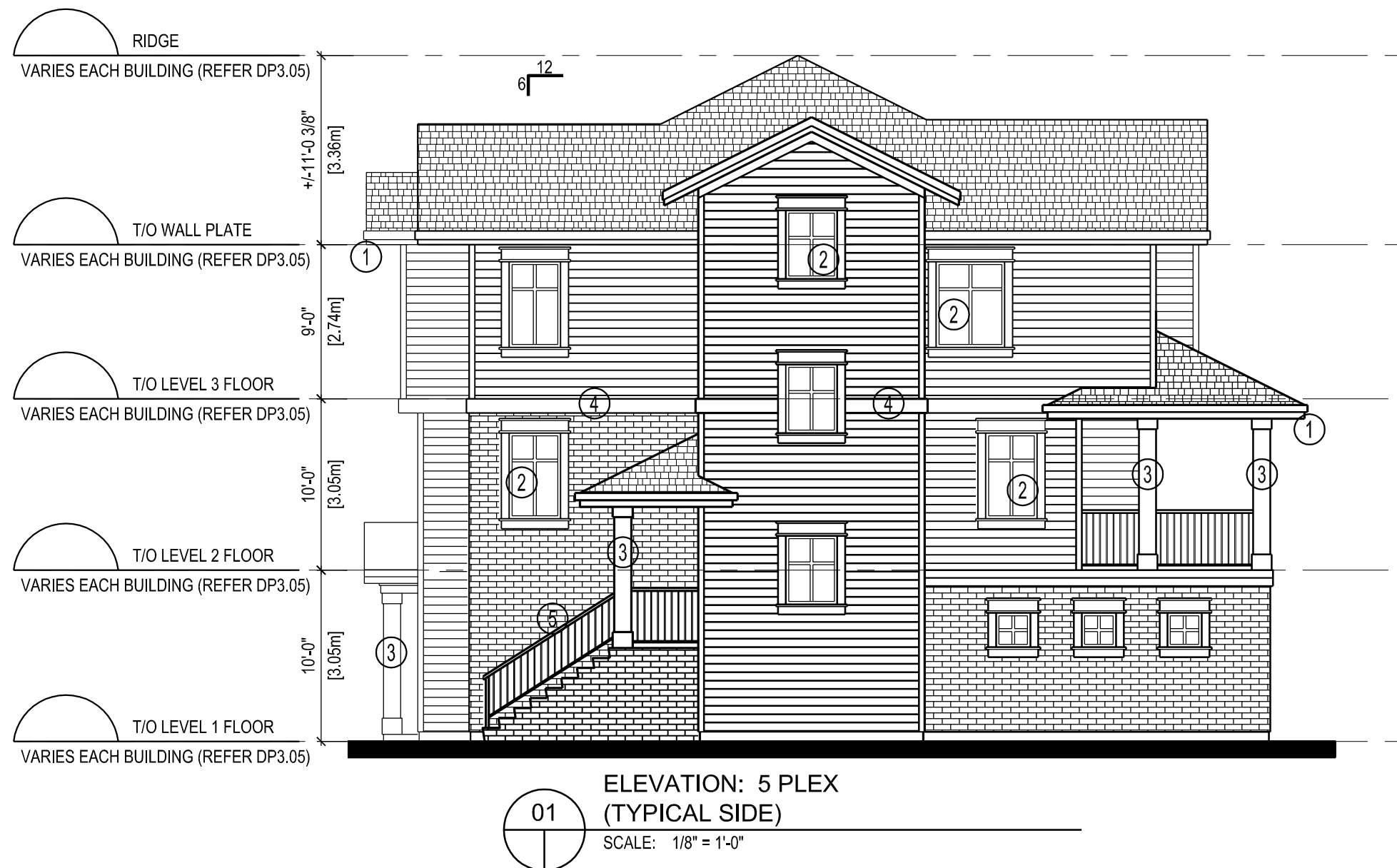
project title
KETTLE VALLEY TOWNHOMES
MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.
project no. 3377

drawing title
PLAN: OVERALL @ MAIN
7 PLEX

designed	PMC	scale	3/16"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP2.10

plotted January 20, 2019 04:37 PM



SCHEDULE B

This forms part of application
DP18-0252

Planner
Initials WM



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Seal

03	2019.01.20	Re-issued for DP
02	2018.12.01	Re-issued for DP
01	2018.08.16	Issued for DP
No.	Date	Description

Revisions

MATERIALS LEGEND:

- FIBERGLASS LAMINATED ROOF SHINGLES
- HORIZONTAL LAP SIDING
- RED BRICK
- PARGED CONCRETE AT FOUNDATION AND RETAINING WALLS

- METAL GUTTER ON FASCIA BOARD
- VINYL WINDOWS
- BUILT UP COLUMNS
- BAND BOARD
- ALUMINUM EXTERIOR DECK RAILING WITH PICKETS
- OVERHEAD DOOR

COLOUR LEGEND:

(JAMES HARDIE PRODUCT LINE)

- EVENING BLUE
- PEARL GRAY
- COBBLE STONE



project title
KETTLE VALLEY TOWNHOMES
MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.

project no. 3377

drawing title
ELEVATIONS (5 PLEX)

designed	PMC	scale	1/8"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

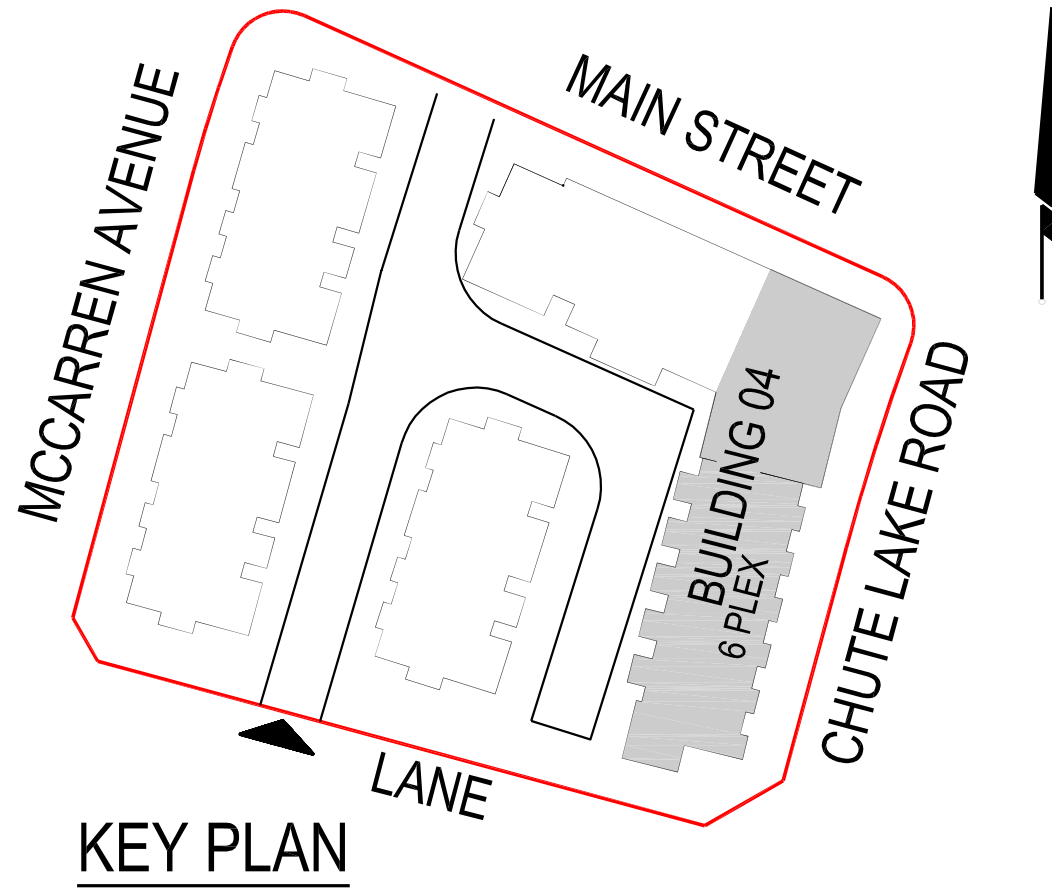
DP3.01

plotted January 20, 2019 04:45 PM

SCHEDULE B

This forms part of application
DP18-0252

Planner
Initials WV



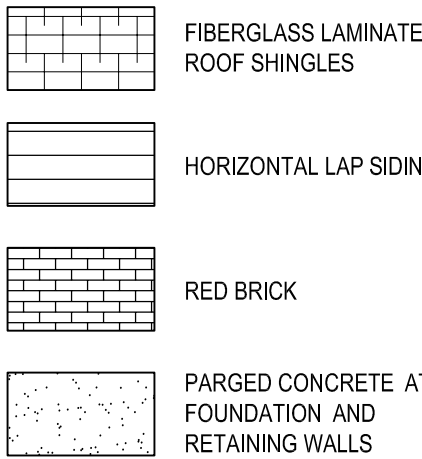
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Seal



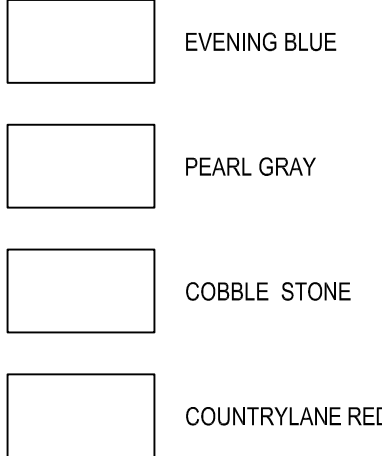
02
ELEVATION: BUILDING 02 (6 PLEX)
FROM INTERIOR DRIVE AISLE
SCALE: 1/8" = 1'-0"

MATERIALS LEGEND:



- ① METAL GUTTER ON FASCIA BOARD
- ② VINYL WINDOWS
- ③ BUILT UP COLUMNS
- ④ BAND BOARD
- ⑤ ALUMINUM EXTERIOR DECK RAILING WITH PICKETS
- ⑥ OVERHEAD DOOR

COLOUR LEGEND:
(JAMES HARDIE PRODUCT LINE)



01
ELEVATION: BUILDING 02 (6 PLEX)
FROM CHUTE LAKE ROAD
SCALE: 1/8" = 1'-0"

04	2019.03.13	Re-Issued for DP
03	2019.01.20	Re-Issued for DP
02	2018.12.01	Re-Issued for DP
01	2018.08.16	Issued for DP
No.	Date	Description

Revisions



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project title
KETTLE VALLEY TOWNHOMES
MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.
project no. 3377
drawing title
ELEVATIONS (6 PLEX)

designed	PMC	scale	1/8"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

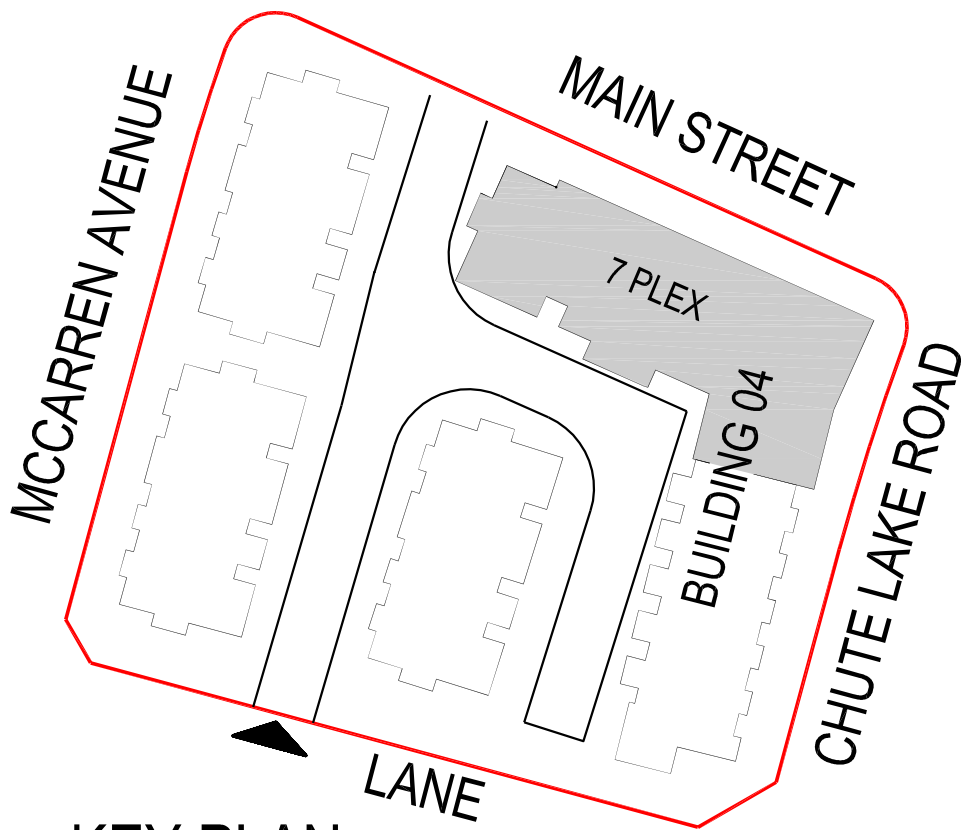
DP3.02

plotted March 13, 2019 05:01 PM

SCHEDULE B

This forms part of application # DP18-0252

Planner Initials WV



KEY PLAN

MATERIALS LEGEND:

- FIBERGLASS LAMINATED ROOF SHINGLES
- HORIZONTAL LAP SIDING
- RED BRICK
- PARGED CONCRETE AT FOUNDATION AND RETAINING WALLS
- METAL GUTTER ON FASCIA BOARD
- VINYL WINDOWS
- BUILT UP COLUMNS
- BAND BOARD
- ALUMINUM EXTERIOR DECK RAILING WITH PICKETS
- OVERHEAD DOOR

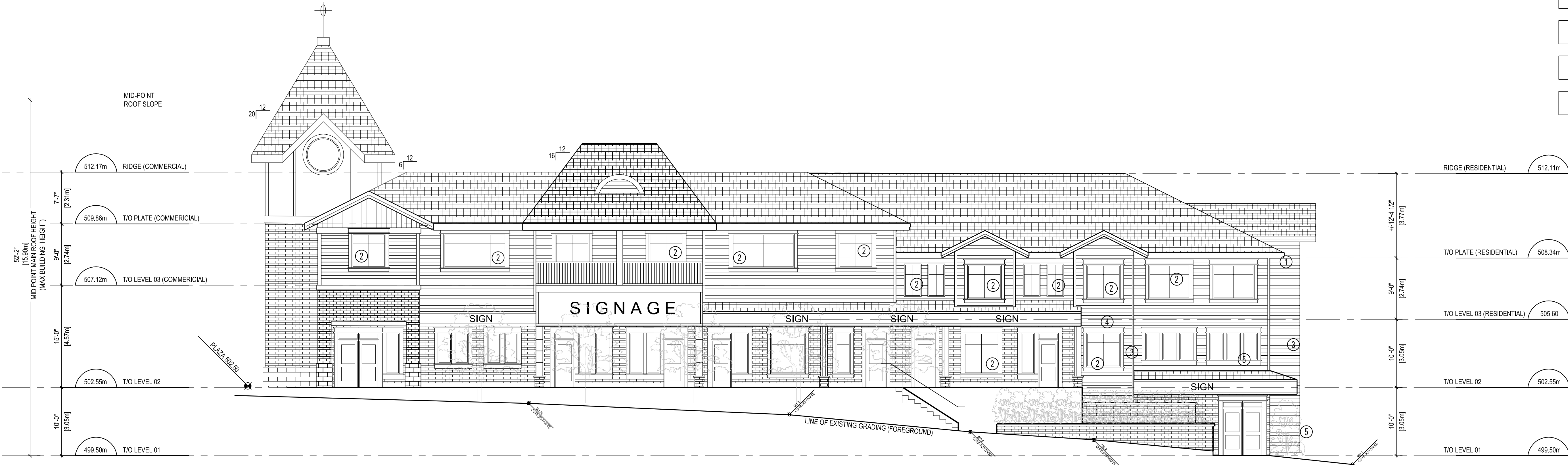
COLOUR LEGEND:

(JAMES HARDIE PRODUCT LINE)

- EVENING BLUE
- PEARL GRAY
- COBBLE STONE
- COUNTRYLANE RED



ELEVATION: BUILDING 03 (7 PLEX) FROM INTERIOR DRIVE AISLE
SCALE: 1/8" = 1'-0"



ELEVATION: BUILDING 03 (7 PLEX) FROM MAIN STREET
SCALE: 1/8" = 1'-0"

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02	2018.12.01	Re-issued for DP
01	2018.08.16	Issued for DP
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project title
KETTLE VALLEY TOWNHOMES

MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.

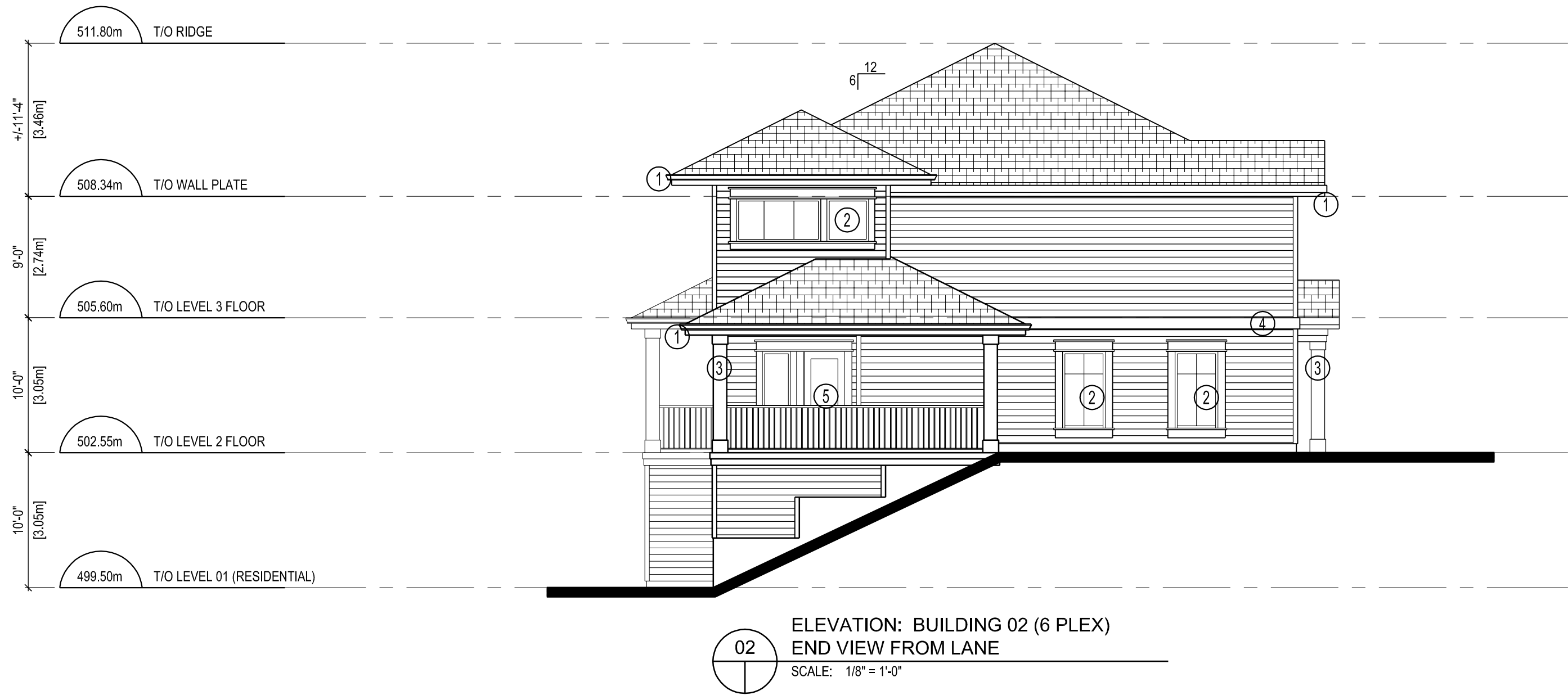
project no. 3377

drawing title
ELEVATIONS (7 PLEX)

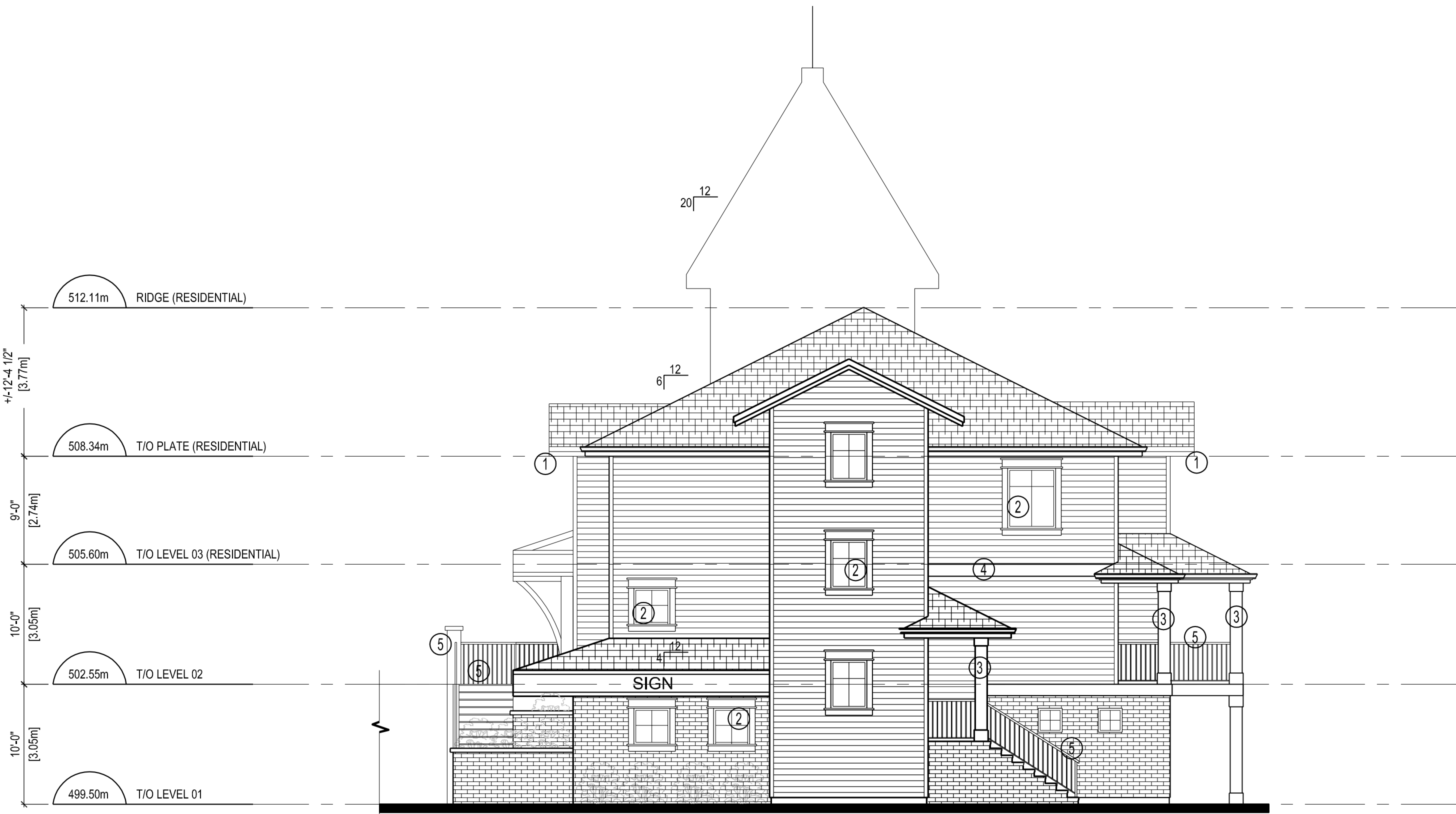
designed	PMC	scale	1/8"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP3.03

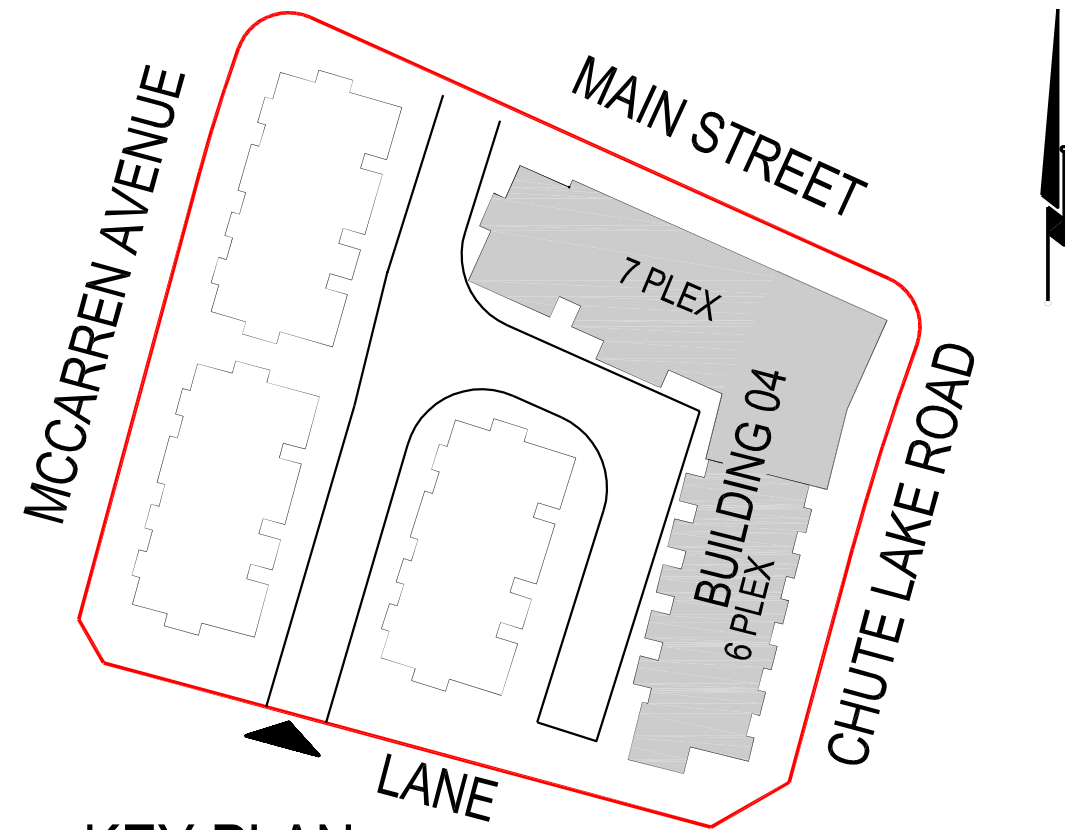
plotted January 20, 2019 04:47 PM



ELEVATION: BUILDING 02 (6 PLEX)
END VIEW FROM LANE
SCALE: 1/8" = 1'-0"



ELEVATION: BUILDING 03 (7 PLEX)
END VIEW NEAR MAIN STREET ADJACENT 5 PLEX
SCALE: 1/8" = 1'-0"



KEY PLAN

SCHEDULE B

This forms part of application
DP18-0252

Planner
Initials WV



MATERIALS LEGEND:

- FIBERGLASS LAMINATED ROOF SHINGLES
- HORIZONTAL LAP SIDING
- RED BRICK
- PARGED CONCRETE AT FOUNDATION AND RETAINING WALLS
- METAL GUTTER ON FASCIA BOARD
- VINYL WINDOWS
- BUILT UP COLUMNS
- BAND BOARD
- ALUMINUM EXTERIOR DECK RAILING WITH PICKETS
- OVERHEAD DOOR

COLOUR LEGEND:

- (JAMES HARDIE PRODUCT LINE)
- EVENING BLUE
- PEARL GRAY
- COBBLE STONE
- COUNTRYLANE RED

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02	2018.12.01	Re-issued for DP
01	2018.08.16	Issued for DP
No.	Date	Description

Revisions



project title
KETTLE VALLEY TOWNHOMES
MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.
project no. 3377
drawing title
ELEVATIONS

designed	PMC	scale	1/8"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP3.04

plotted January 20, 2019 04:48 PM



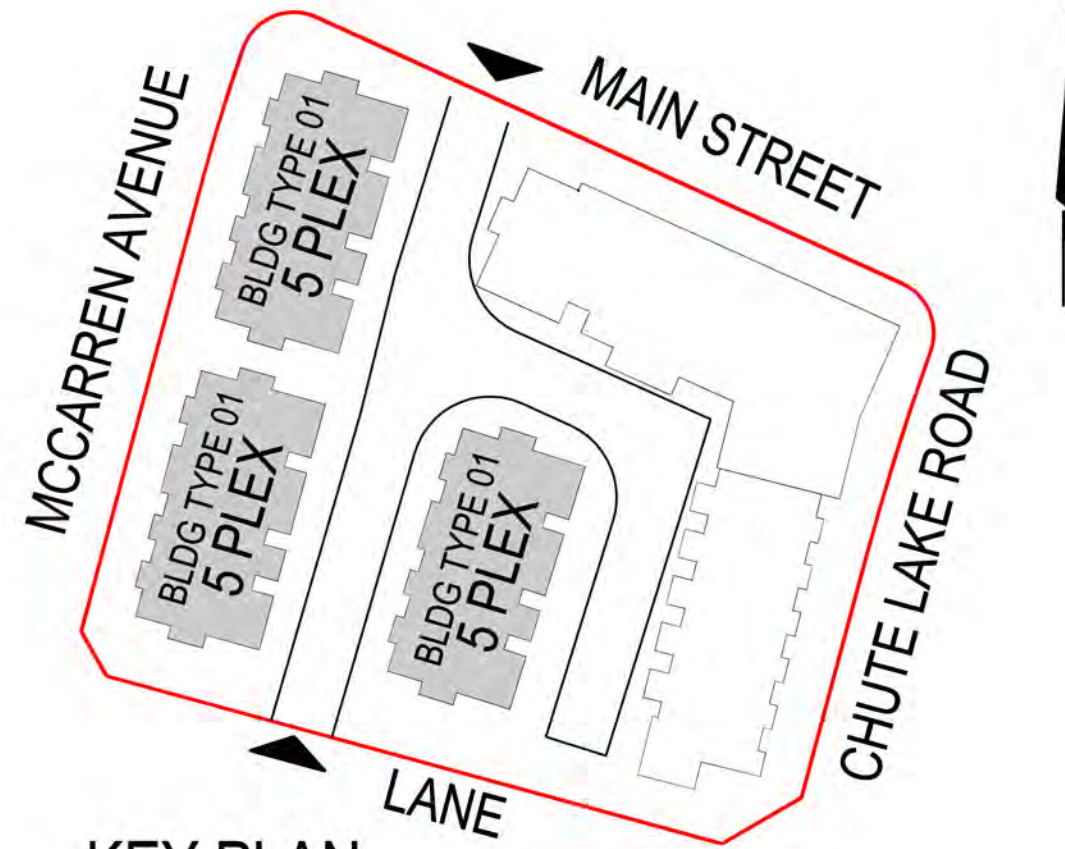
03
ELEVATION: 5 PLEX
(TYPICAL AISLE FACING)
SCALE: 1/8" = 1'-0"



02
ELEVATION: 5 PLEX
(TYPICAL STREET FACING)
SCALE: 1/8" = 1'-0"



01
ELEVATION: 5 PLEX
(TYPICAL SIDE)
SCALE: 1/8" = 1'-0"



KEY PLAN

SCHEDULE

B

This forms part of application
DP18-0252

Planner
Initials WV



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Seal

MATERIALS LEGEND:

- FIBERGLASS LAMINATED ROOF SHINGLES
- HORIZONTAL LAP SIDING
- RED BRICK
- PARGED CONCRETE AT FOUNDATION AND RETAINING WALLS

- ① METAL GUTTER ON FASCIA BOARD
- ② VINYL WINDOWS
- ③ BUILT UP COLUMNS
- ④ BAND BOARD
- ⑤ ALUMINUM EXTERIOR DECK RAILING WITH PICKETS
- ⑥ OVERHEAD DOOR

COLOUR LEGEND: (JAMES HARDIE PRODUCT LINE)

- EVENING BLUE
- PEARL GRAY
- COBBLE STONE

No.	Date	Description
Revisions		



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project title
KETTLE VALLEY TOWNHOMES

MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.

project no. 3377

drawing title
ELEVATIONS (5 PLEX)
(COLOURED)

designed	PMC	scale	1/8"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

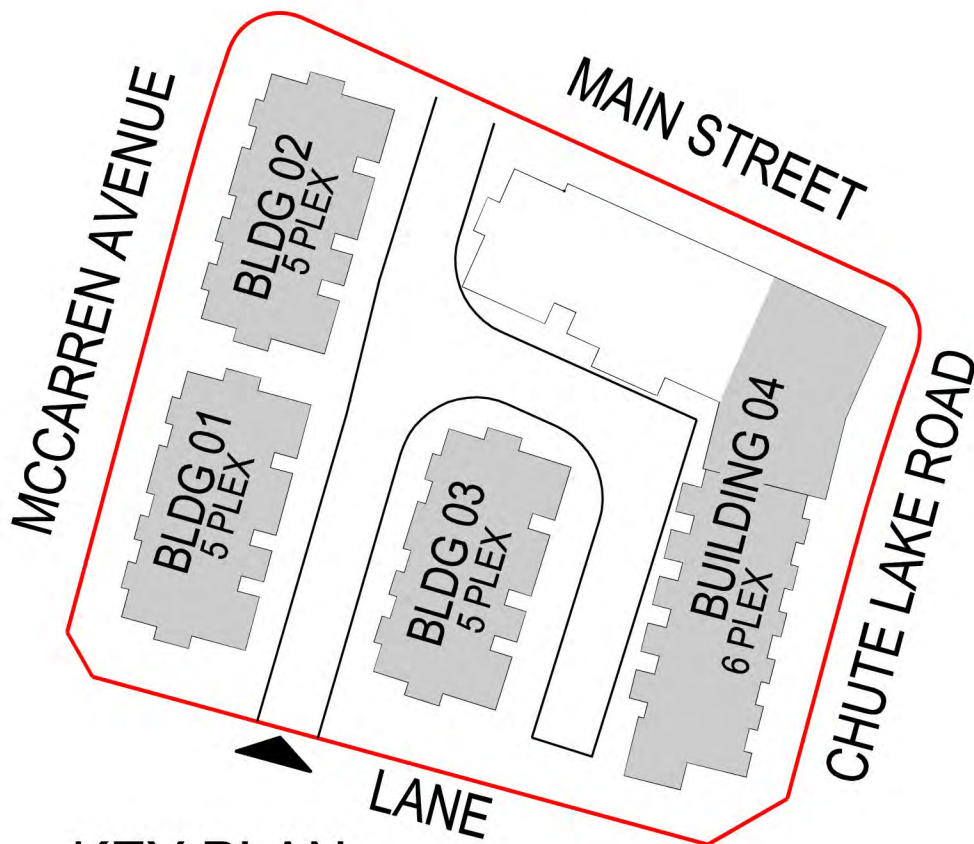
DP3.11

plotted November 14, 2018 12:16 PM 17

SCHEDULE B

This forms part of application # DP18-0252

Planner Initials WM



KEY PLAN



02 ELEVATION: BUILDING 02 (6 PLEX) FROM INTERIOR DRIVE AISLE SCALE: 1/8" = 1'-0"

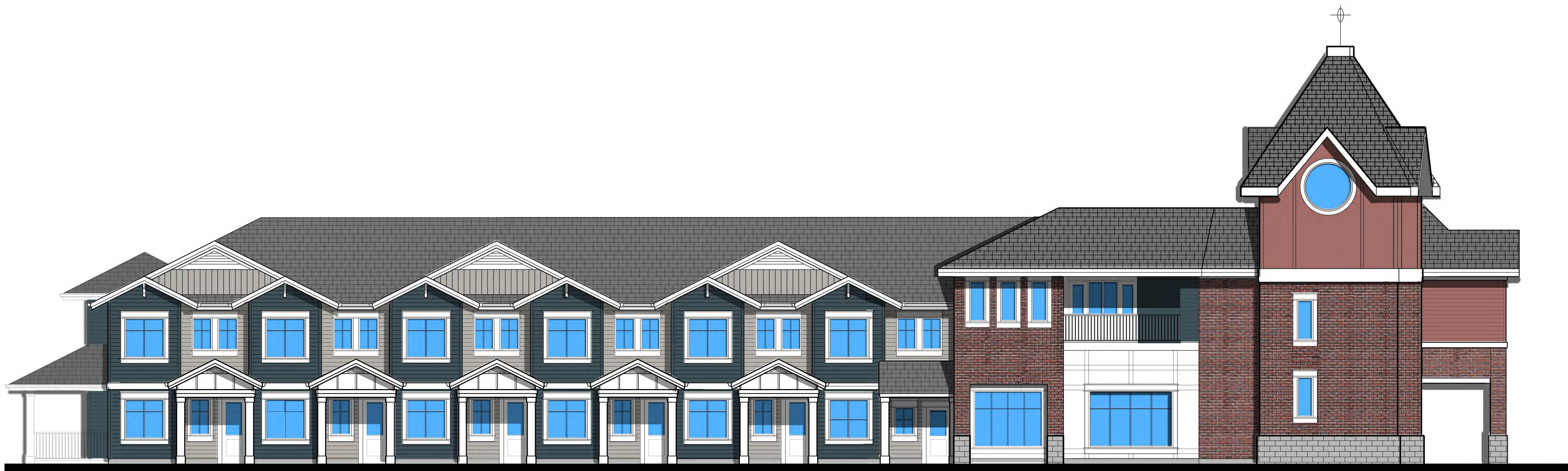
MATERIALS LEGEND:

- FIBERGLASS LAMINATED ROOF SHINGLES
- HORIZONTAL LAP SIDING
- RED BRICK
- PARGED CONCRETE AT FOUNDATION AND RETAINING WALLS

- METAL GUTTER ON FASCIA BOARD
- VINYL WINDOWS
- BUILT UP COLUMNS
- BAND BOARD
- ALUMINUM EXTERIOR DECK RAILING WITH PICKETS
- OVERHEAD DOOR

COLOUR LEGEND: (JAMES HARDIE PRODUCT LINE)

- EVENING BLUE
- PEARL GRAY
- COBBLE STONE
- COUNTRYLANE RED



01 ELEVATION: BUILDING 02 (6 PLEX) FROM CHUTE LAKE ROAD SCALE: 1/8" = 1'-0"

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04	2019.03.13	Re-issued for DP
03	2019.01.20	Re-issued for DP
02	2018.12.01	Re-issued for DP
01	2018.08.16	Issued for DP
No.	Date	Description

Revisions



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project title
KETTLE VALLEY TOWNHOMES
MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.

project no. 3377

drawing title
ELEVATIONS (6 PLEX) - COLOURED

designed	PMC	scale	1/8"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP3.12

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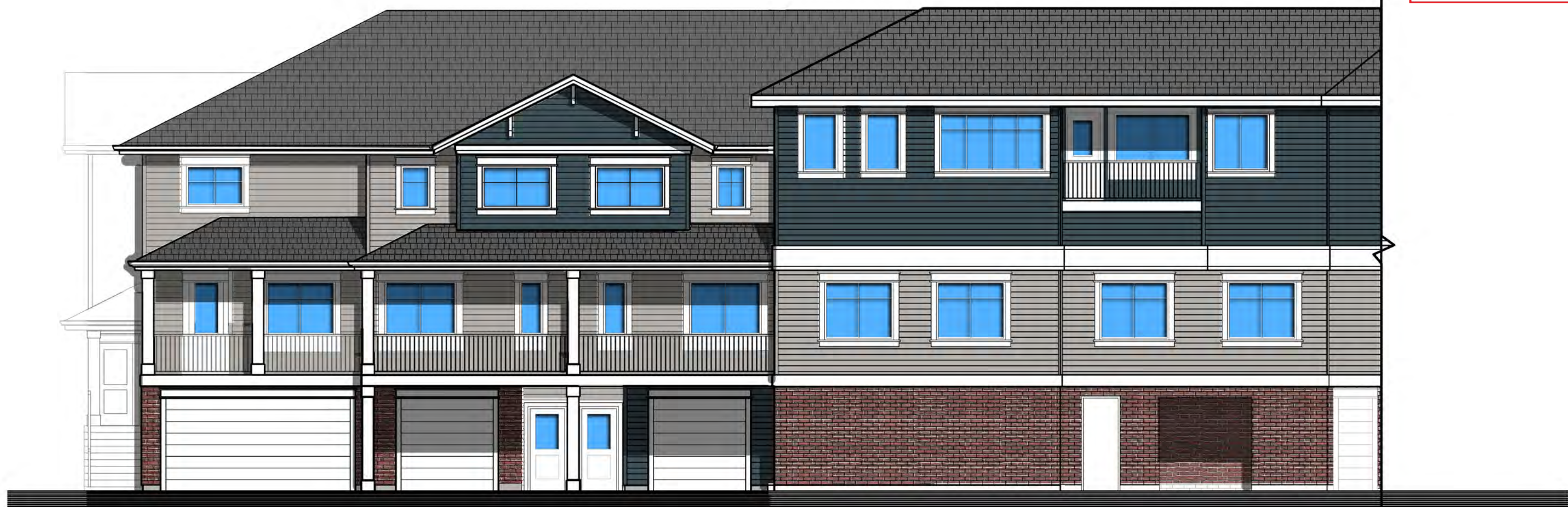
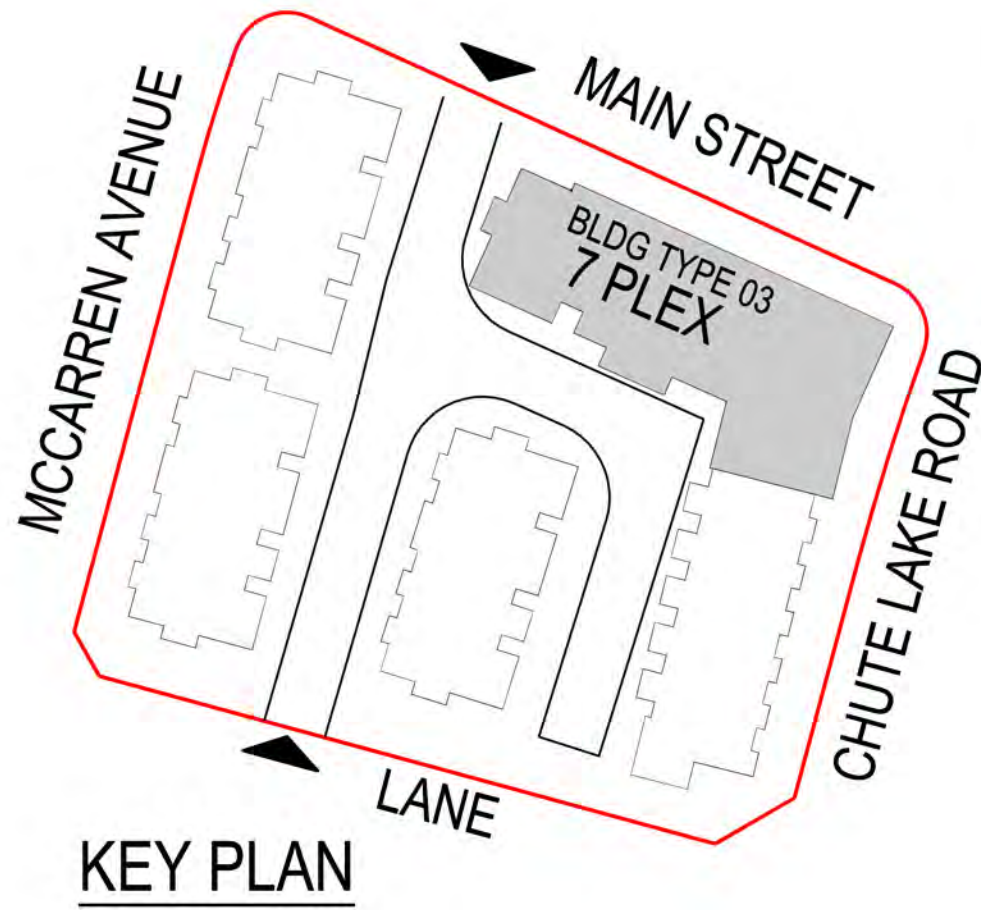
Any omissions or discrepancies shall be reported to the architect.

Seal

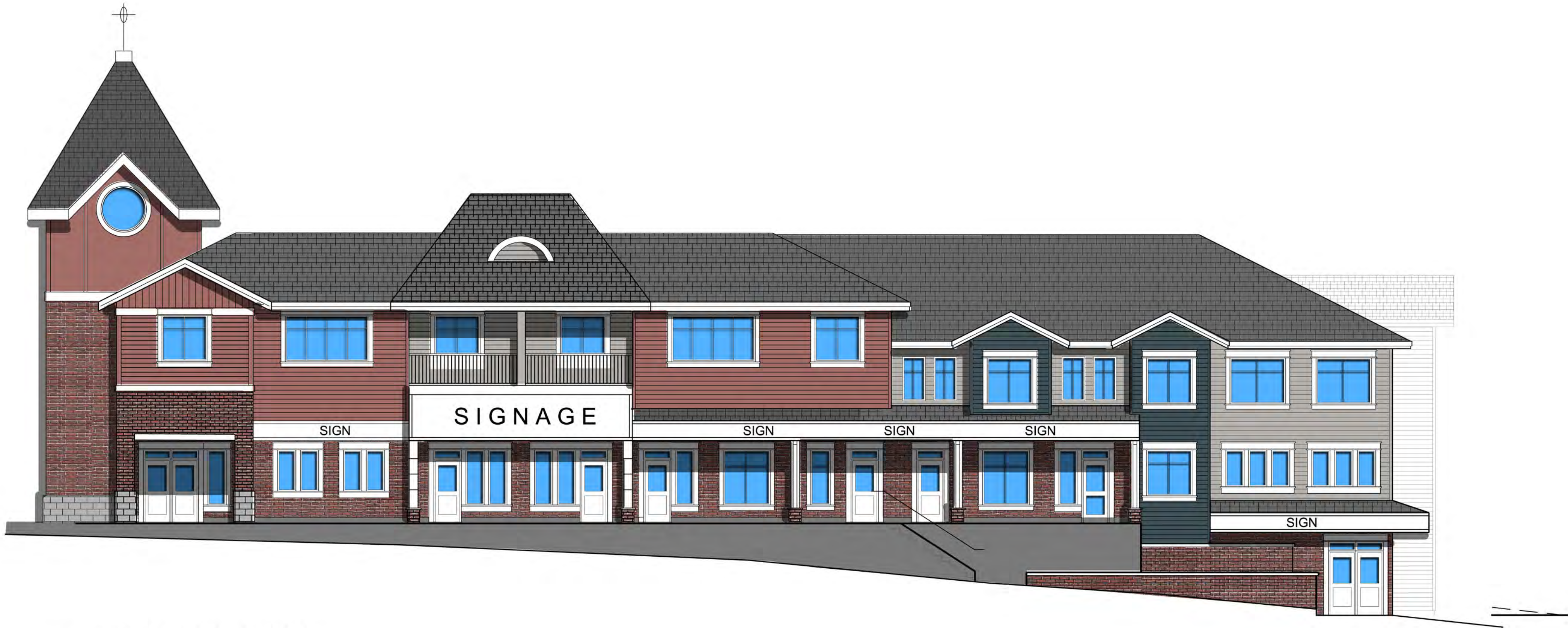
SCHEDULE B

This forms part of application
DP18-0252

Planner
Initials WV

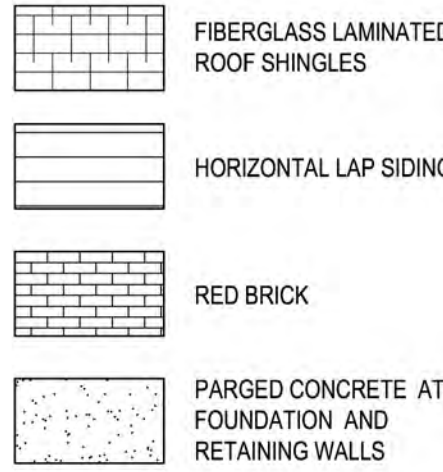


02
ELEVATION: BUILDING 03 (7 PLEX)
FROM INTERIOR DRIVE AISLE
SCALE: 1/8" = 1'-0"



01
ELEVATION: BUILDING 03 (7 PLEX)
FROM MAIN STREET
SCALE: 1/8" = 1'-0"

MATERIALS LEGEND:



- 1 METAL GUTTER ON FASCIA BOARD
- 2 VINYL WINDOWS
- 3 BUILT UP COLUMNS
- 4 BAND BOARD
- 5 ALUMINUM EXTERIOR DECK RAILING WITH PICKETS
- 6 OVERHEAD DOOR

COLOUR LEGEND:

(JAMES HARDIE PRODUCT LINE)



No. Date Description
Revisions



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project title
KETTLE VALLEY TOWNHOMES

MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.

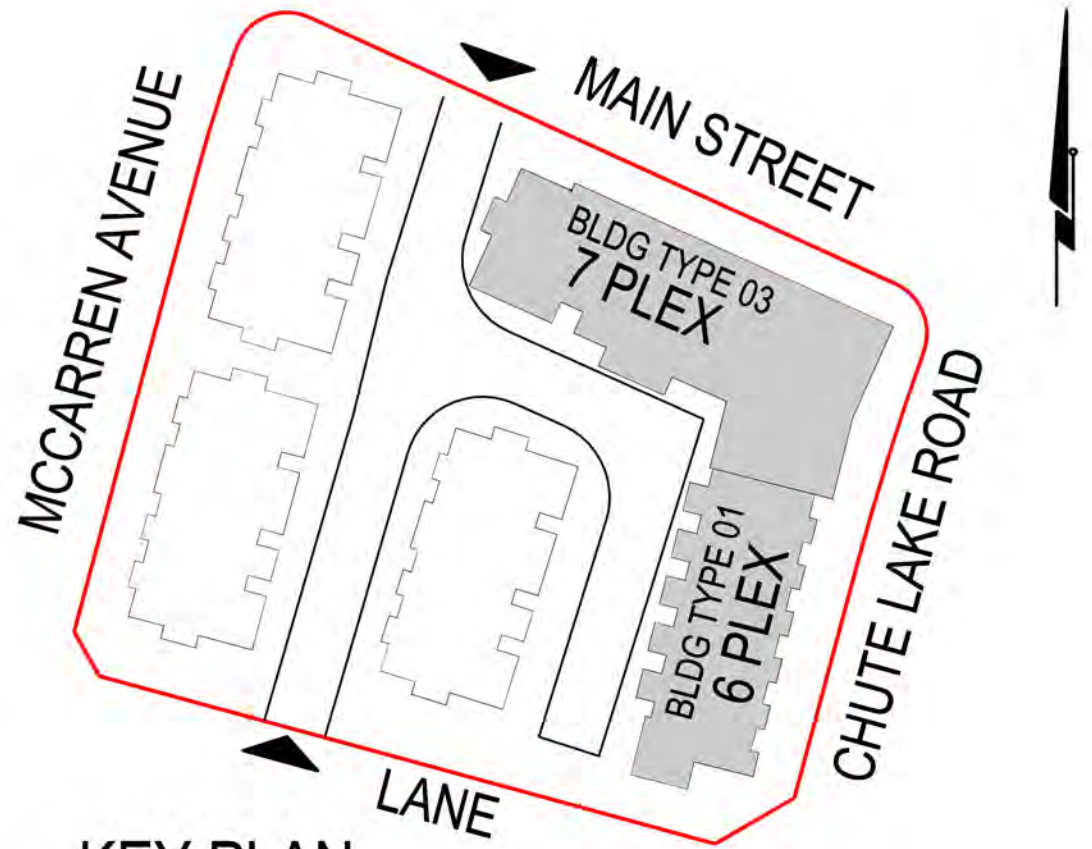
project no. 3377

drawing title
ELEVATIONS (7 PLEX) -
COLOURED

designed	PMC	scale	1/8"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP3.13

plotted November 29, 2018 02:58 PM

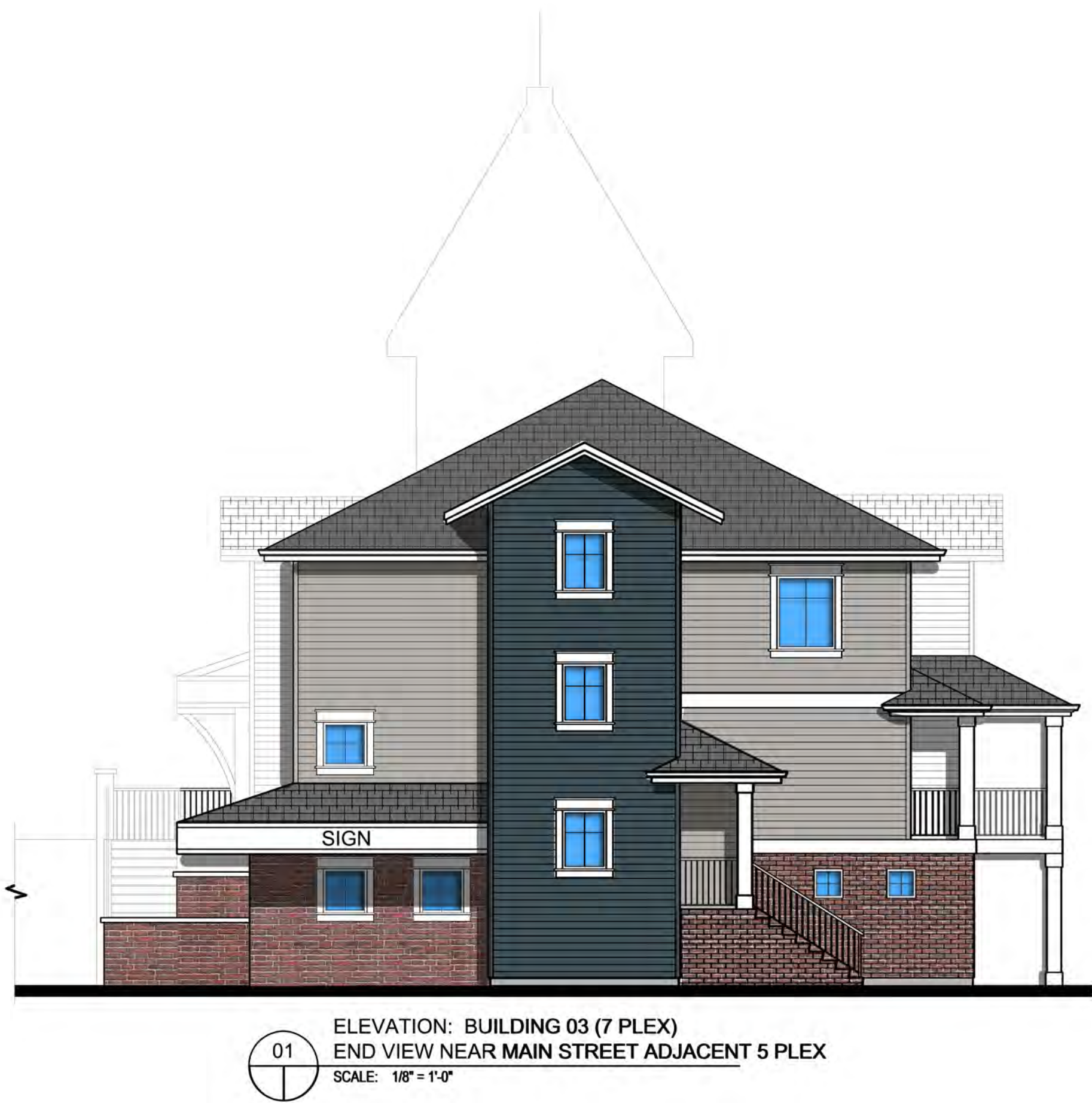


KEY PLAN

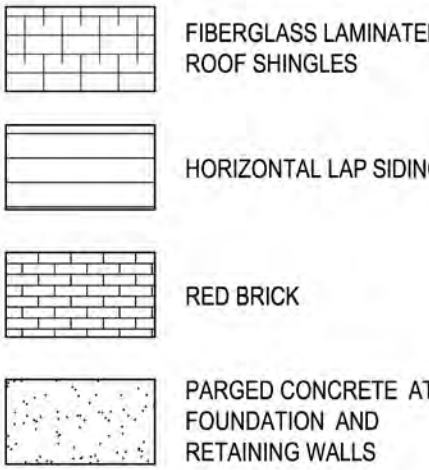
SCHEDULE B

This forms part of application
DP18-0252

Planner
Initials WV



MATERIALS LEGEND:



- ① METAL GUTTER ON FASCIA BOARD
- ② VINYL WINDOWS
- ③ BUILT UP COLUMNS
- ④ BAND BOARD
- ⑤ ALUMINUM EXTERIOR DECK RAILING WITH PICKETS
- ⑥ OVERHEAD DOOR

COLOUR LEGEND:

(JAMES HARDIE PRODUCT LINE)



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Seal

No. Date Description
Revisions



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MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.

project no. 3377

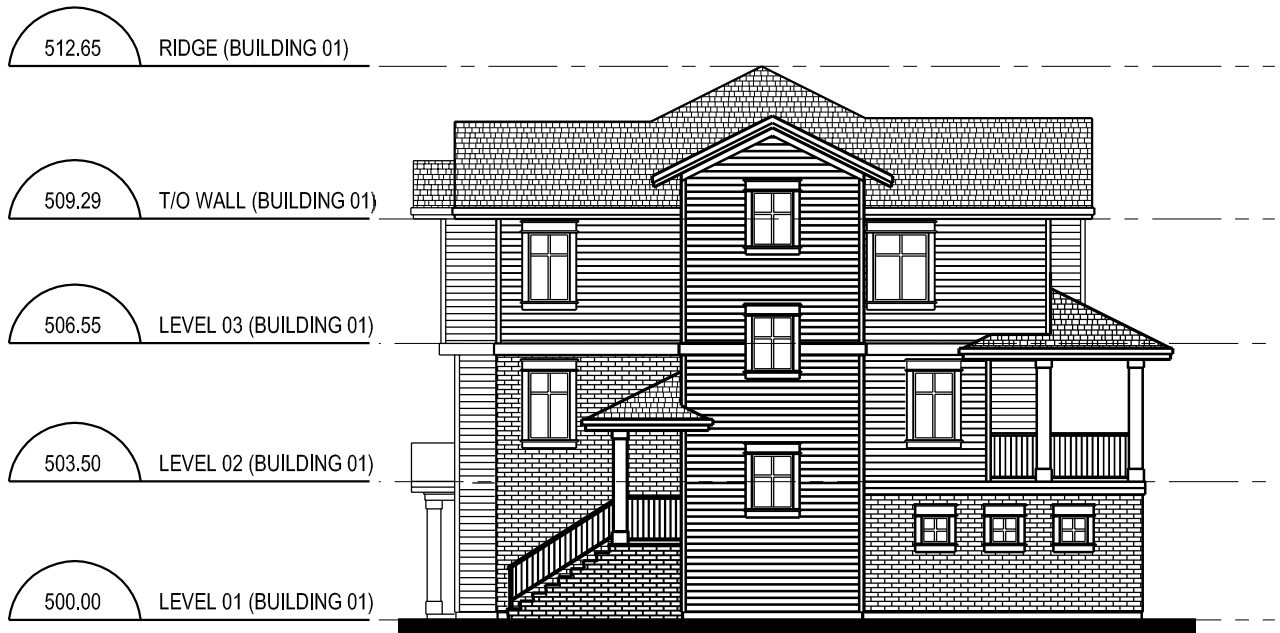
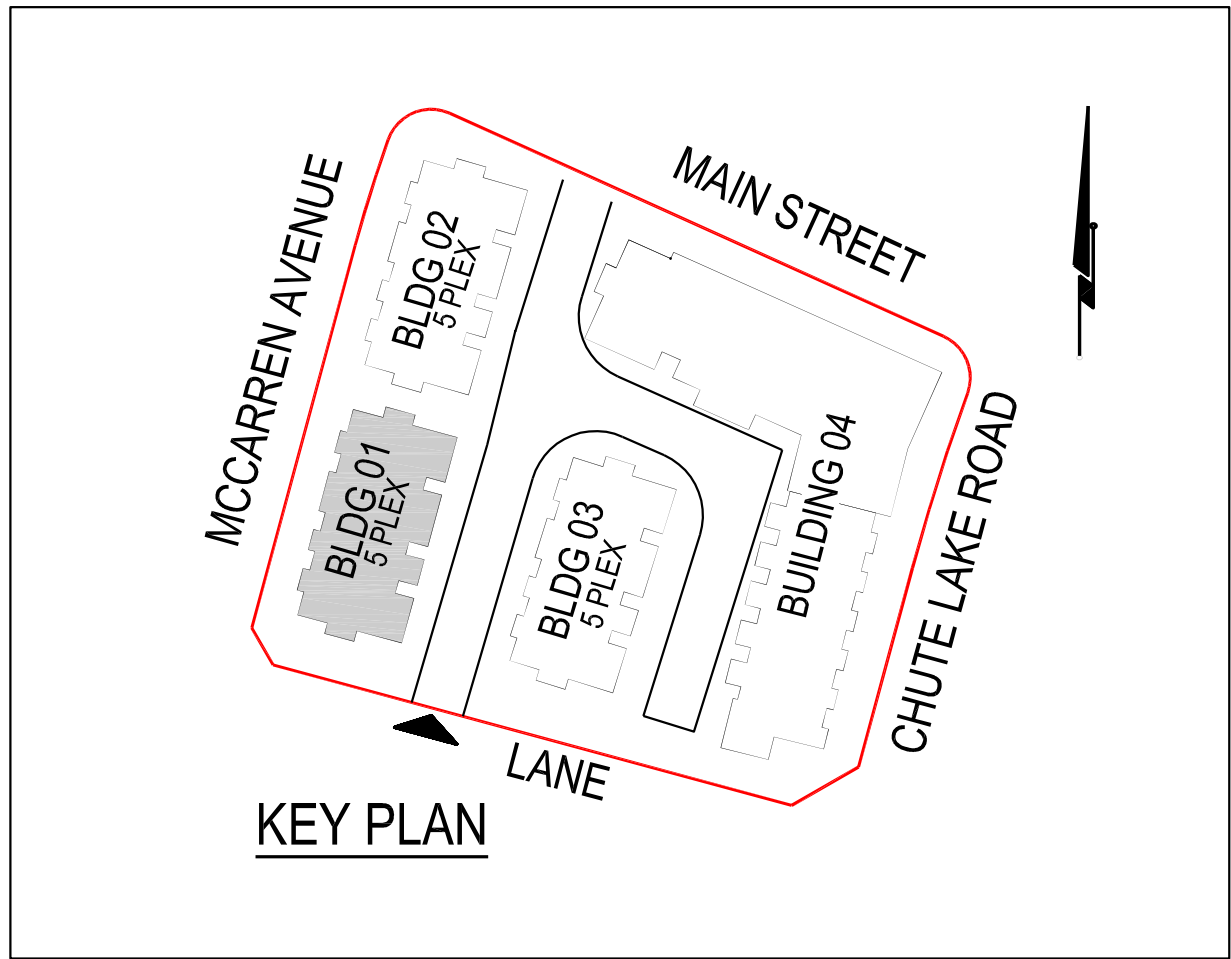
drawing title
ELEVATIONS -
COLOURED

designed	PMC	scale	1/8"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

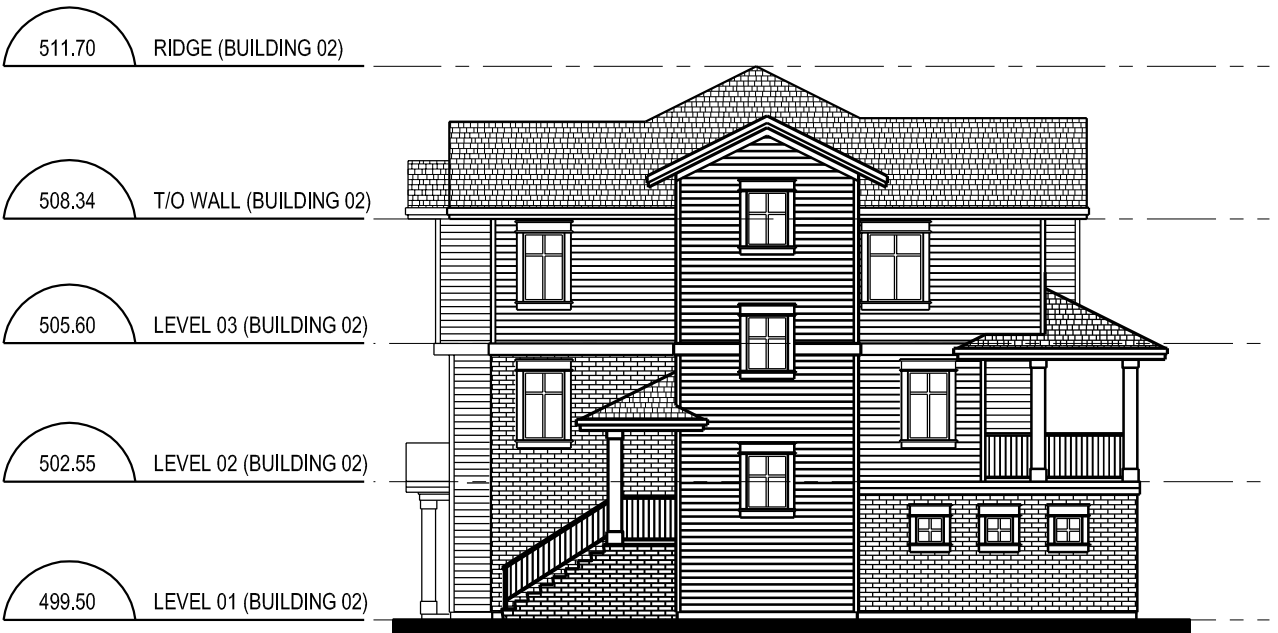
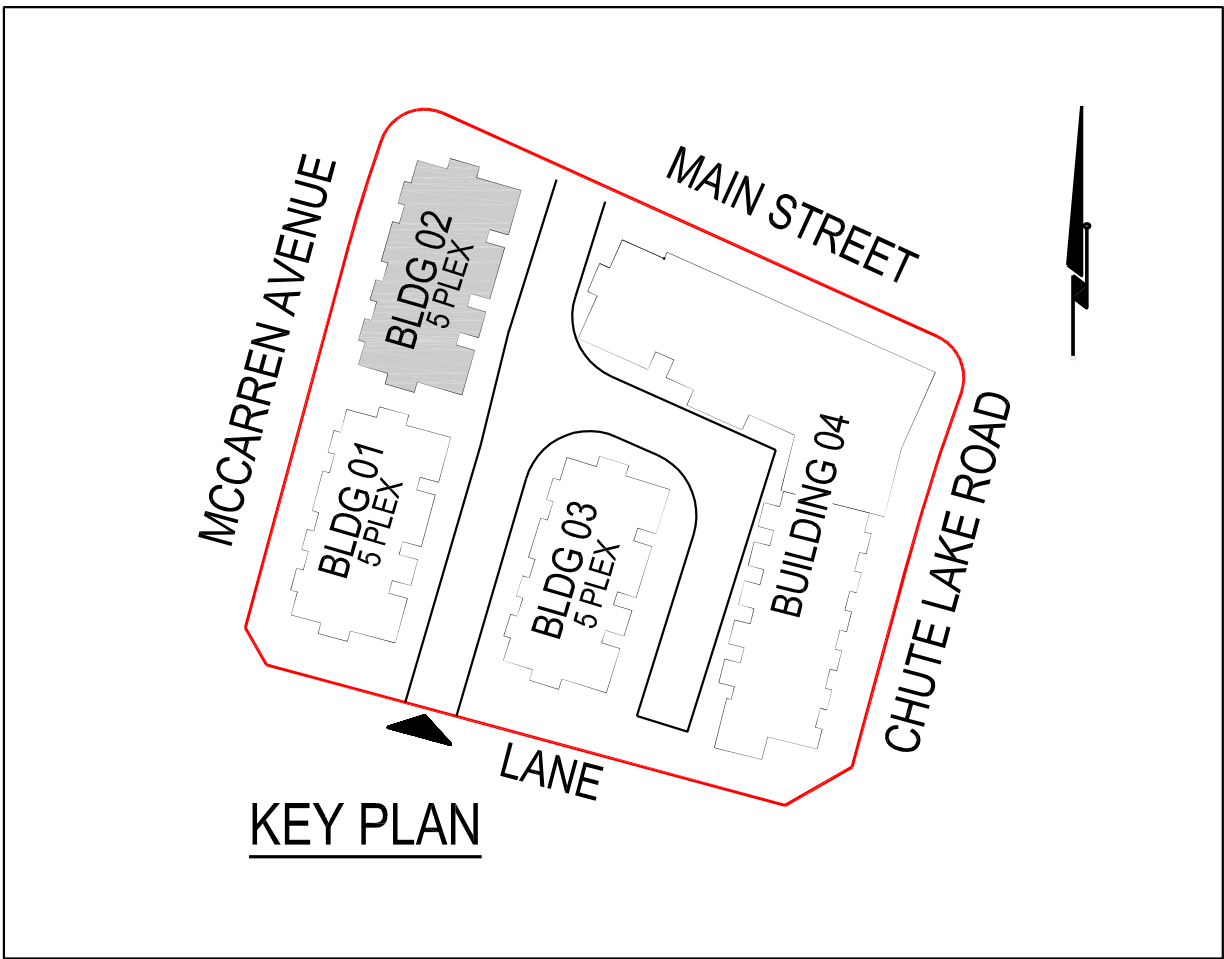
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plotted November 15, 2018 09:42 AM 20

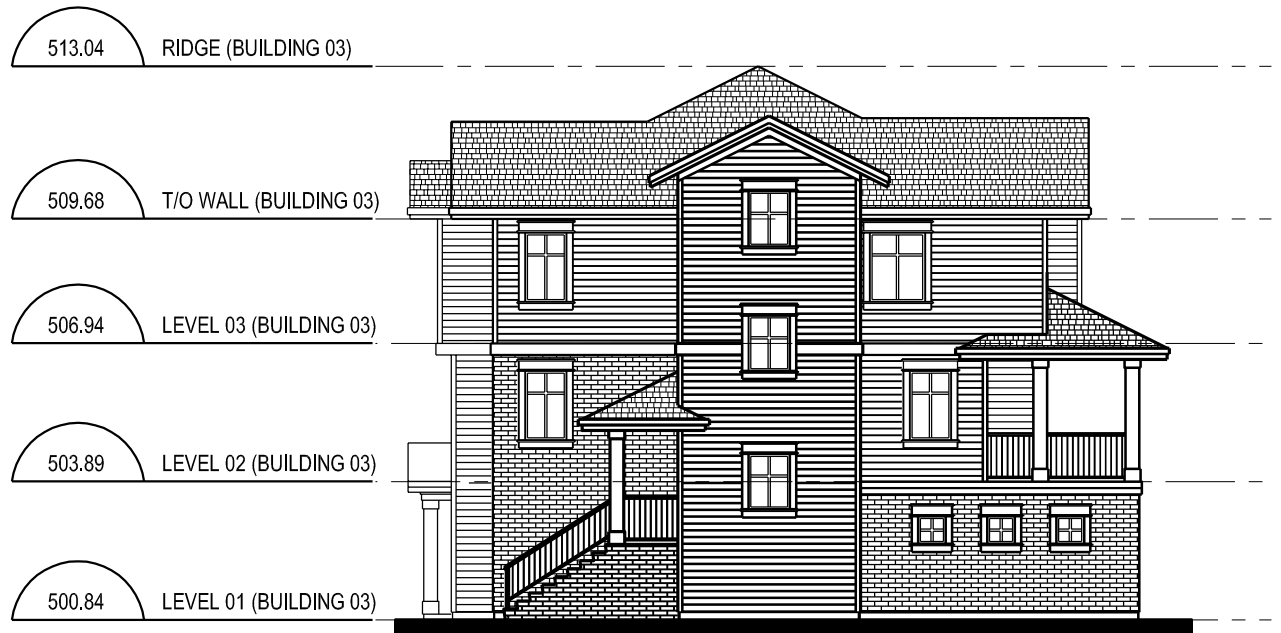
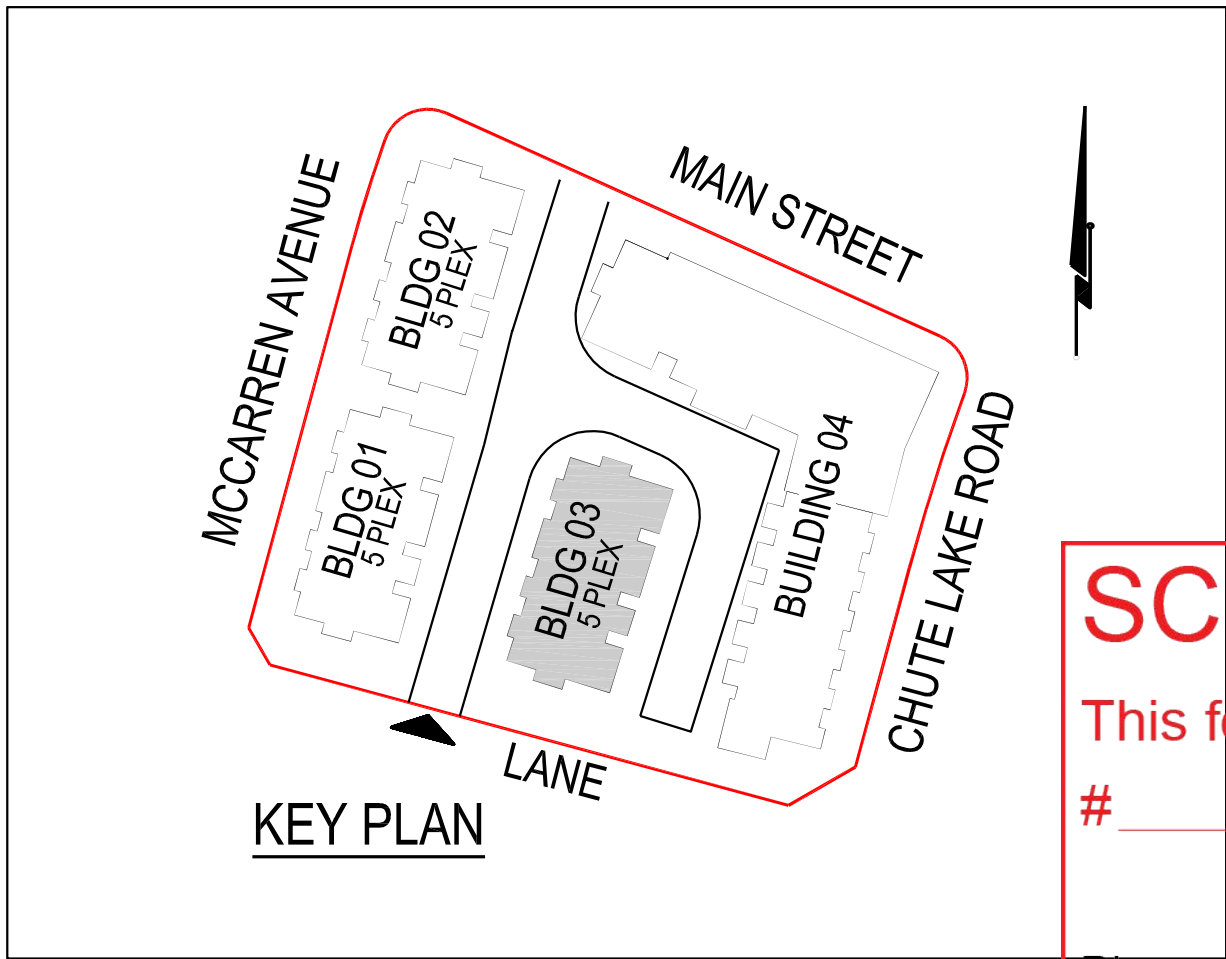
BUILDING 01



BUILDING 02



BUILDING 03



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Seal

SCHEDULE B

This forms part of application # DP18-0252

Planner Initials WM



City of Kelowna
COMMUNITY PLANNING

03	2019.01.20	Re-issued for DP
02	2018.12.01	Re-issued for DP
01	2018.08.16	Issued for DP
No.	Date	Description
Revisions		



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project title
KETTLE VALLEY TOWNHOMES
MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.
project no. 3377

drawing title	ELEVATION DETAILS 5-PLEX (GRADING INFORMATION)	
designed	PMC	scale NTS
drawn	JB	
checked	PMC	
drawing no.		

DP3.05

plotted January 20, 2019 04:49 PM

SCHEDULE

B

This forms part of application

#DP18-0252

Planner Initials

WV

City of Kelowna

COMMUNITY PLANNING



ILLUSTRATION 02: CORNER OF CHUTE LAKE ROAD AND MAIN STREET LOOKING WEST



ILLUSTRATION 01: MAIN STREET

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01	2018.08.16	Issued for DP
No.	Date	Description

Revisions

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ARCHITECTURE INC.

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KELOWNA BC V1W 4M5

~ Phone: 778-484-0223 ~

pat@pmccarch.com

www.pmccarch.com

project title

KETTLE VALLEY TOWNHOMES

MIXED USE

3430 CHUTE LAKE ROAD
KELOWNA, B.C.

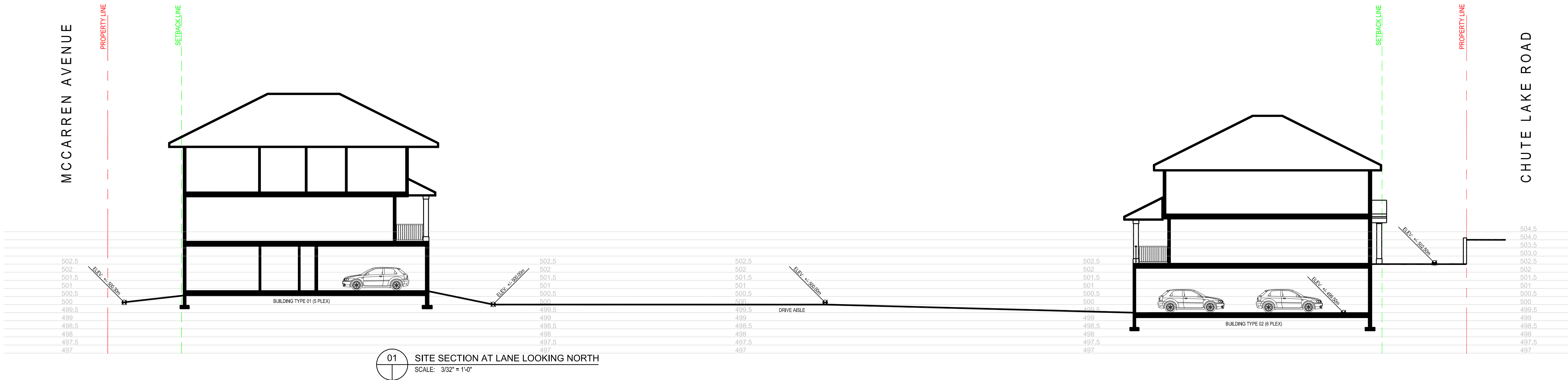
project no. 3377

drawing title

ILLUSTRATIONS

designed	PMC	scale	N/A
drawn	JB		
checked	PMC		
drawing no.			

DP3.21



Notes:

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Tabulated scales refer to Arch D size drawing sheet.

This drawing must not be scaled.

Contractors shall verify all dimensions prior to commencement of work.

Any omissions or discrepancies shall be reported to the architect.

Seal

SCHEDULE B

This forms part of application
DP18-0252

Planner
Initials **WV**



03	2019.01.20	Re-issued for DP
02	2018.12.01	Re-issued for DP
01	2018.08.16	Issued for DP
No.	Date	Description

Revisions



PATRICK MCCUSKER
ARCHITECTURE INC.

AAA MAIBC MRAIC
3430 BENOULIN ROAD
KELOWNA B.C. V1W 4M5
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project title
KETTLE VALLEY TOWNHOMES

MIXED USE

3430 CHUTE LAKE ROAD
KELOWNA, B.C.

project no. 3377

drawing title
ELEVATIONS AT ROAD

designed	PMC	scale	3/32"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP3.31

plotted January 20, 2019 04:23 PM

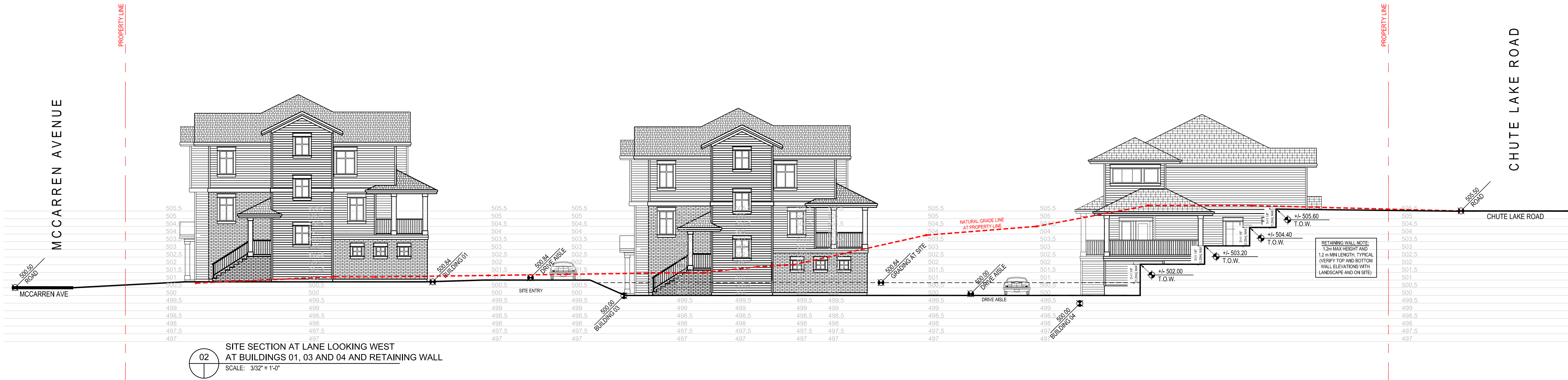
SCHEDULE B

This forms part of application
DP18-0252

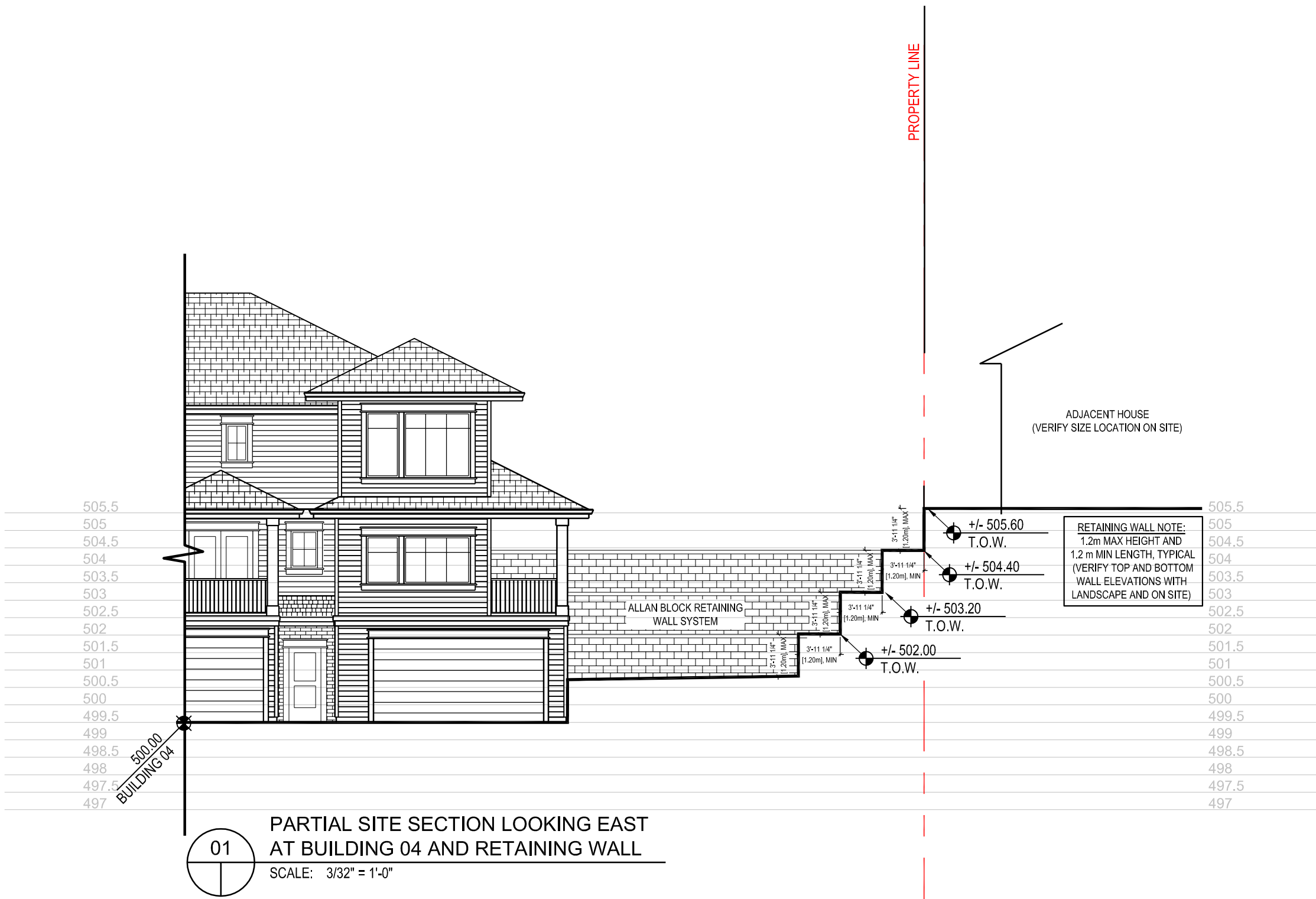
Planner
Initials WM



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Tabulated scales refer to Arch D size drawing sheet.
This drawing must not be scaled.
Contractors shall verify all dimensions prior to commencement of work.
Any omissions or discrepancies shall be reported to the architect.
Seal



02 SITE SECTION AT LANE LOOKING WEST
AT BUILDINGS 01, 03 AND 04 AND RETAINING WALL
SCALE: 3/32" = 1'-0"



01 PARTIAL SITE SECTION LOOKING EAST
AT BUILDING 04 AND RETAINING WALL
SCALE: 3/32" = 1'-0"

03	2019.01.20	Re-issued for DP
02	2018.12.01	Re-issued for DP
01	2018.08.16	Issued for DP
No.	Date	Description

Revisions

PM

PATRICK MCCUSKER
ARCHITECTURE INC.

AAA MAIBC MRAIC

3430 BENOULIN ROAD
KELOWNA B.C. V1W 4M5
~ Phone: 778-484-0223 ~
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project title
KETTLE VALLEY TOWNHOMES
MIXED USE
3430 CHUTE LAKE ROAD
KELOWNA, B.C.

project no. 3377

drawing title
SITE SECTIONS

designed	PMC	scale	3/32"=1'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP3.32

plotted January 22, 2019 10:14 AM



SCHEDULE C

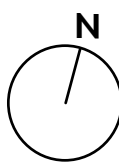
This forms part of application # DP18-0252

Planner Initials WM



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

303-590 KLO ROAD
Kelowna, BC V1Y 7S2
T (250) 868-9270
www.outlanddesign.ca



PROJECT TITLE

5300 MAIN STREET

Kelowna, BC

DRAWING TITLE

CONCEPTUAL
LANDSCAPE PLAN

ISSUED FOR / REVISION

1	18.08.16	Development Permit
2	18.11.22	Development Permit
3	19.01.10	Development Permit
4	19.04.12	Development Permit
5		

PROJECT NO. 18-037

DESIGN BY KM

DRAWN BY NG/KF

CHECKED BY FB

DATE APR. 12, 2019

SCALE 1:200

SEAL



DRAWING NUMBER

L1/2

ISSUED FOR REVIEW ONLY

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NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE CANADIAN LANDSCAPE STANDARD. ALL OFF-SITE LANDSCAPE WORKS TO MEET CITY OF KELOWNA BYLAW 7900 STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm WOOD MULCH. DO NO PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
ACER GRISEUM	PAPERBARK MAPLE	7	5cm CAL.
FRAXINUS PENNSYLVANICA 'SUMMIT'	SUMMIT GREEN ASH	5	5cm CAL.
LIQUIDAMBAR STYRACIFLUA 'WORPLESDON'	WORPLESDON SWEETGUM	7	5cm CAL.
PINUS FLEXILIS 'CESARINI'	CESARINI BLUE LIMBER PINE	6	2.5m HT.
SYRINGA PEKINENSIS 'MORTON'	CHINA SNOW PEKING LILAC	13	5cm CAL.
SHRUBS			
BERBERIS THUNBERGII 'GENTRY'	ROYAL BURGUNDY BARBERRY	62	#01 CONT. /1.0M O.C. SPACING
BUXUS 'GREEN VELVET'	GREEN VELVET BOXWOOD	31	#01 CONT. /0.75M O.C. SPACING
CORNUS ALBA 'BAILHALO'	IVORY HALO DOGWOOD	27	#02 CONT. /1.5M O.C. SPACING
EUONYMUS ALATUS 'SELECT'	FIRE BALL BURNING BUSH	40	#02 CONT. /1.25M O.C. SPACING
PHILADELPHUS 'SNOWBELLE'	SNOWBELLE MOCKORANGE	62	#01 CONT. /1.0M O.C. SPACING
SALIX PURPUREA 'NANA'	DWARF ARCTIC WILLOW	27	#02 CONT. /1.5M O.C. SPACING
SAMBUCUS NIGRA 'EVA'	BLACK LACE ELDERBERRY	21	#02 CONT. /1.75M O.C. SPACING
SPIRAEA BUMALDA 'FROEBELI'	FROEBEL SPIREA	40	#02 CONT. /1.25M O.C. SPACING
SYRINGA X BLOOMERANG 'DARK PURPLE'	DARK PURPLE REBLOOMING LILAC	21	#02 CONT. /1.75M O.C. SPACING
ROSA 'OSO EASY' PAPIKA	PAPIKA ROSE	111	#01 CONT. /0.75M O.C. SPACING
PICEA ABIES 'NIDIFORMIS'	NEST SPRUCE	27	#02 CONT. /1.5M O.C. SPACING
PICEA PUNGENS 'GLOBOSA'	DWARF GLOBE BLUE SPRUCE	15	#02 CONT. /2.0M O.C. SPACING
PERENNIALS & GRASSES			
ACHILLEA 'GOLD PLATE'	GOLD PLATE YARROW	90	#01 CONT. /0.6M O.C. SPACING
ALCHEMILLA MOLLI	LADY'S MANTLE	90	#01 CONT. /0.6M O.C. SPACING
ARUNCUS DIODICUS	GIANT GOAT'S BEARD	20	#02 CONT. /1.25M O.C. SPACING
ASTER FRIKARTII 'MONCH'	FRIKART'S ASTER	58	#01 CONT. /0.75M O.C. SPACING
ECHINACEA PURPUREA 'WHITE SWAN'	WHITE SWAN CONEFLOWER	58	#01 CONT. /0.75M O.C. SPACING
GERANIUM X 'JOHNSON'S BLUE'	JOHNSON'S BLUE CRANESBILL	32	#01 CONT. /1.0M O.C. SPACING
HEMEROCALLIS 'RUBY STELLA'	RUBY STELLA DAYLILY	90	#01 CONT. /0.6M O.C. SPACING
HOSTA 'NORTHERN EXPOSURE'	NORTHERN EXPOSURE HOSTA	32	#01 CONT. /1.0M O.C. SPACING
NEPETA X FAASENII 'WALKER'S LOW'	WALKER'S LOW CATMINT	90	#01 CONT. /1.2M O.C. SPACING
PARTHENOCISSUS QUINQUEFOLIA 'ENGELMANNII'	VIRGINIA CREEPER	5	#01 CONT. /0.75M O.C. SPACING
RUDBECKIA TRILOBA	THREE LOBED CONEFLOWER	58	#01 CONT. /0.75M O.C. SPACING
SEDUM 'FIRECRACKER'	FIRECRACKER STONECROP	90	#01 CONT. /0.6M O.C. SPACING
VINCA MINOR	PERIWINKLE	90	#01 CONT. /0.6M O.C. SPACING
MATTHEUCCIA STRUTHIOPTERIS	OSTRICH FERN	58	#01 CONT. /0.75M O.C. SPACING
MISCANTHUS SINENSIS 'HURON SUNRISE'	HURON SUNRISE MAIDEN GRASS	22	#02 CONT. /1.2M O.C. SPACING



SCHEDULE

C

This forms part of application

DP18-0252

Planner

Initials WM

City of Kelowna

COMMUNITY PLANNING

- ### IRRIGATION NOTES
1. IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE WATER USE REGULATION BYLAW NO. 10480 AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KELOWNA BYLAW 7900 (PART 6, SCHEDULE 5).
 2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER PURVEYOR.
 3. THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, AND SHUT OFF VALVE LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE CITY.
 4. AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM ET VALUE OF 7" / MONTH (KELOWNA JULY ET), TAKING INTO CONSIDERATION SOIL TYPE, SLOPE, AND MICROCLIMATE.
 5. DRIP LINE AND EMITTERS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTRUSION.
 6. IRRIGATION SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES AND FEATURES.
 7. IRRIGATION PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m / SEC.
 8. A FLOW SENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

- ### IRRIGATION LEGEND
- ZONE #1: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 171 sq.m.
MICROCLIMATE: NORTH WEST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 95 cu.m.
- ZONE #2: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 143 sq.m.
MICROCLIMATE: SOUTH WEST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 79 cu.m.
- ZONE #3: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 201 sq.m.
MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 112 cu.m.
- ZONE #4: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 172 sq.m.
MICROCLIMATE: NORTH EAST EXPOSURE, PARTIALLY SHADED BY TREES AND BUILDING
ESTIMATED ANNUAL WATER USE: 96 cu.m.
- ZONE #5: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 156 sq.m.
MICROCLIMATE: NORTH EAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 87 cu.m.
- ZONE #6: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 192 sq.m.
MICROCLIMATE: SOUTH EAST & SOUTH WEST EXPOSURE, PARTIALLY SHADED BY TREES AND BUILDING
ESTIMATED ANNUAL WATER USE: 107 cu.m.
- ZONE #7: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 98 sq.m.
MICROCLIMATE: SOUTH EAST & SOUTH WEST EXPOSURE, PARTIALLY SHADED BY TREES AND BUILDING
ESTIMATED ANNUAL WATER USE: 54 cu.m.
- ZONE #8: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 35 sq.m.
MICROCLIMATE: SOUTH WEST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 50 cu.m.
- ZONE #9: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 50 sq.m.
MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY BUILDING
ESTIMATED ANNUAL WATER USE: 71 cu.m.
- ZONE #10: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 80 sq.m.
MICROCLIMATE: NORTH EAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 114 cu.m.
- ZONE #11: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 61 sq.m.
MICROCLIMATE: NORTH EAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 87 cu.m.
- ZONE #12: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 111 sq.m.
MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 159 cu.m.
- ZONE #13: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 80 sq.m.
MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
ESTIMATED ANNUAL WATER USE: 114 cu.m.
- ZONE #14: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 49 sq.m.
MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
ESTIMATED ANNUAL WATER USE: 70 cu.m.
- ZONE #15: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 68 sq.m.
MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 97 cu.m.
- ZONE #16: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 99 sq.m.
MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 141 cu.m.

WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WB) = 1,719 cu.m. / year

ESTIMATED LANDSCAPE WATER USE (WU) = 1,501 cu.m. / year

WATER BALANCE = 218 cu.m. / year

*REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS

OUTLAND DESIGN

LANDSCAPE ARCHITECTURE

303-590 KLO ROAD

Kelowna, BC V1Y 7S2

T (250) 868-9270

www.outlanddesign.ca

PROJECT TITLE

5300 MAIN STREET

Kelowna, BC

DRAWING TITLE

WATER CONSERVATION/
IRRIGATION PLAN

ISSUED FOR / REVISION

1	18.08.16	Development Permit
2	18.11.22	Development Permit
3	19.01.10	Development Permit
4	19.014.12	Development Permit
5		

PROJECT NO

DESIGN BY

DRAWN BY

CHECKED BY

DATE

SCALE

18-037

KM

NG/KF

FB

APR. 12, 2019

1:200

SEAL

DRAWING NUMBER

L2/2

ISSUED FOR REVIEW ONLY

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CITY OF KELOWNA

MEMORANDUM

Date: January 30, 2019
File No.: DP18-0252
To: Community Planning (KB)
From: Development Engineering Manager (JK)
Subject: 5300 Main Street Lot A Plan 80574 Form and Character

Development Engineering Services comments and requirements pertaining to a Form and Character Development Permit for one mixed use building and four townhome buildings. Existing CD2 Zoning.

1. General
 - a) Provide easements as required.
 - b) Development Engineering have no comment regarding the form and character of the proposed buildings.
 - c) **Potential requirements associated with this development are provided for information purposes only and are subject to the drawing details submitted, policies in effect at the time when a building permit application is submitted**
2. Domestic Water and Fire protection
 - a) The property is located within the City of Kelowna service area.
 - b) The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this development to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits. Note: Private pumps are not acceptable for addressing marginal pressure.
 - c) We have no records indicating that this property is serviced. Provide an adequately sized water service connection
 - d) Note that the existing infrastructure at the Adam's Reservoir is limited in capacity for this area (37 EDU's remaining).
3. Sanitary Sewer
 - a) Provide an adequately sized sanitary sewer connection.

4. Drainage

- a) The property is not connected to the Municipal storm drainage system therefore a comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application.

5. Roads

- a) Main Street, McCarren Avenue, must be upgraded to a full urban standard including sidewalk and landscaped boulevards.
- b) Construction of access driveways and curb letdowns will require the removal of existing curb and gutter and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.

5. Design and Construction

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

5. Servicing Agreements for Works and Services

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

6. Latecomers

a) Water Extended Service Area Latecomers:

ESA#	Frontender	Component	Anniversary (rates increase)	*Rate/unit \$
14	Kettle Valley	Reservoir	2019-09-29	4,179

*(these fees are to be confirmed at time of building permit)



James Kay, P. Eng.
Development Engineering Manager

JF

Aug 10, 2018

Our File: 3377

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Land Use Management Department

Re: Application for Development Permit -5340 Chute Lake Road Street, Kettle Valley, Kelowna B.C
Lot A, Plan KAP 80574, Sec 23, TB 28, SDYD

Project Description

This proposal is for a 28-unit mixed use side by side townhouse development located in the CD2 IX Village Town Center Zone in the Village of Kettle Valley on an existing single lot parcel. The Project is arranged into five buildings consisting of three stories side by side townhouses, Three five plex, one 6 plex and a seven plex.

Except for one internal five plex, all unit's primary entries will be accessed from the street they face on to. Ten units along McCarren, seven units along Chute lake Road and seven along Main street. Grade will allow for a second story walk out condition for the seven plex along Chute lake road and the seven plex along Main Street allowing for each of these units to have street access as well of a potential for a small front yard. In addition, the Main street units will have a live work space facing the street to allow for home businesses

Parking for the units will be a combination of side by side and tandem within enclosed garages located under each unit on the first story.

All vehicle parking to the units including visitor parking will be off the internal lane which will have access off the existing Lane off McCarren. Provision for Fire trucks and Garbage trucks onsite maneuvering will be via a vehicle hammerhead within the internal laneway.

Individual refuse bins will be stored within each garage and pick up will be handled on an individual unit basis (as per current city operations). Pickup will be done by way of a third-party waste management company.

Zoning and Variance Requirements

The lot is currently zone CD2 IX and the project will conform to these zoning provisions (refer to the enclosed statistics)

Cont....

Design Rationale

Smart urban growth entails higher residential density within appropriate areas (e.g. those that can provide the necessary amenities for people to live, work and play in an area with reduced private vehicle transportation needs). Looking forward, this project begins to fulfill the City's projected densification of this area to include low scale, multi-family residential development.

The main concept of the project is to maximize the livability while at the same time providing a vibrant addition to the Kettle Valley Village Center.

This is achieved by way of providing the density in the appropriate areas while at the same time respecting the existing single-family residential scale of Kettle Valley.

The CD2 zone IX has proposed a commercial component along Main street our proposal will respect this intent by providing a live-work space for each of the units facing Main Street allowing for home businesses with the potential store front opportunity off Main Street

Along McCarren and Chute lake Road the project will continue to reinforce the single family residential by way of creating a front yard for the main floor units through the introduction of porches, patios, gates and direct pedestrian access to the sidewalks.

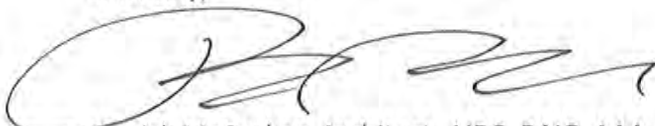
The elevation treatments through rustication and fenestration continues the classic tradition of Kettle Valley with a variation of traditional exterior materials combined with architectural detailing in keeping with The Kettle Valley Design Guidelines. The variation of lap siding, brick and shakes, all in a similar colour palette to the rest of Kettle Valley provides visual interest through colour as well as texture. The elevations are further articulated by bay windows with raised dormers

The various projecting bays and balconies extend from the façade provide additional visual interest to the buildings form.

Overall, these design elements are incorporated to create an attractive and rational elevation.

I trust that you will find our application in good order. For complete building statistics, please refer to the cover page of the drawings (A0.00). Please contact our office if you require any further information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick McCusker', with a large, stylized initial 'P'.

Patrick McCusker, Architect, AIBC, RAIC, AAA

Encl.

REPORT TO COUNCIL



Date: May 6, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (SS)

Application: DP19-0047 **Owner:** 1188666 B.C.
Ltd., Inc. No. BC1188666

Address: 950 Ellis Street **Applicant:** West Point Projects

Subject: Development Permit Application

Existing OCP Designation: IND - Industrial

Existing Zone: I4 – Central Industrial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0047 for Lot 3 District Lot 139 ODYD Plan KAP68693, located at 950 Ellis Street, Kelowna, BC subject to the following:

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

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated May 6, 2019;

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

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

2.0 Purpose

To consider a Development Permit for the form and character of a 5 storey self-storage building.

3.0 Community Planning

Staff are recommending support for the proposed Development Permit due to the proposal's consistency with the majority of the Official Community Plan's (OCP) urban design guidelines. Overall the form and character of this industrial building is in keeping with the general context of the neighbourhood and consistent with all development regulations in the Zoning Bylaw. The development consists of a five storey building and its orientation onsite works well with the existing building and provides an attractive storefront façade along the Ellis Street frontage.

4.0 Proposal

4.1 Project Description

The proposal is for a five-storey, 8341 m² personal storage facility for individuals and businesses. The design of the building is contemporary with a two-story storefront and full height glazing in the southeast corner which activates the side along Ellis Street.

The five-storey project uses a compact form and the design provides an active, two-storey storefront along Ellis Street to activate the pedestrian realm, with vehicular access, loading and parking to the south. The two-storey storefront along Ellis accommodates lobby spaces, office and security.

At the south corner of the Ellis Street façade, floor to ceiling style window glazing on the top three storeys of the building enhances the urban design related to the building mass and height. The off street parking and loading spaces will be located along the south side of the building. The development is not adding garbage facilities to encourage tenants to take their garbage with them.

The loading areas and a number of the exterior units along the south façade are protected from the elements by an overhead canopy. All areas are designed with no concealed spaces for urban pedestrian safety. The facility office area has direct views of the entrance on Ellis Street helping to create 'eyes on the street' which will help make the neighborhood safer.

The site landscaping encompasses the building frontage along Ellis Street complete with street trees, drought tolerant shrubs, perennials and grasses, a dry creek bed and water feature and street frontage south of the driveway access with a street tree, drought tolerant shrubs, perennials and grasses, a dry creek bed enhancing the existing landscaping adjacent to the creek. The hard surface will be setback 15m from the top of bank to reduce the impact on the riparian management area. The development will require a staff-issued Environmental Development Permit.

4.2 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I ₄ – Central Industrial	Industrial - Vacant
East	I ₄ – Central Industrial	Concrete Plant
South	I ₄ – Central Industrial	Utility Services
West	I ₄ – Central Industrial	Commercial

Subject Property Map: 950 Ellis Street



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Industrial Land Use Policies

Objective 5.28.¹ Focus industrial development to areas suitable for industrial use.

Public and private open space.² Design industrial developments to include outdoor break areas, green space, bicycle racks, skylights and windows in work areas, and linkages to recreational opportunities (e.g. linear parks).

Urban Design Objectives

Exterior elevations and materials.³

- Exterior building materials should be selected for their functional and aesthetic quality, and should exhibit qualities of workmanship, durability, longevity and ease of maintenance;
- Provide visually prominent, accessible, and recognizable entrances through attention to location, details, proportions, materials, and lighting that act to personalize or lend identity to a building;

¹ City of Kelowna Official Community Plan, Objective 5.28, Chapter 10 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 7.5, Chapter 14 (Urban Design Development Permit Areas).

³ City of Kelowna Official Community Plan, Objective 6.0, Chapter 14 (Urban Design Development Permit Areas).

- Continue higher quality materials used on the principal façade around any building corner or edge which is visible to the public;
- Use materials in combination to create contrast, enhance human scale, and reduce the apparent bulk of a building;
- Colour should not be used as the predominant feature of a building.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s) / area(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
- Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
- Location, Heights, Colors of mechanical systems and the required screening are to be determined at time of DP.
- Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- Handicap Accessibility to the main floor levels to be provided, ramps may be required.
- Hard surfaced paths leading from the egress stairwells to a safe area are to be clearly defined as part of the DP. Any unprotected openings in the building along these paths must be protected.
- Access to the roofs are required per NFPA and guard rails may be required and should be reflected in the plans if required.

6.2 Development Engineering Department

See Development Engineering Memo dated February 8th 2019 (Attachment 'A')

6.3 Fire Department

- Approved Construction fire safety plan required prior to construction and updated as required. Template at Kelowna.ca - please include site plan as indicated.
- Fire Department access is to be met as per BCBC 3.2.5. and 5.6.1.4 BCFC.

- New hydrant operational prior to start of construction - hydrants (if required).
- Fire department connection to be within 45M of a fire hydrant - unobstructed. Ensure FD connection is clearly marked and visible from the street.
- During construction standpipes and FD connections are operational. Standpipes to be 1 floor below the highest forms, staging, and similar combustible elements at all times. BCFC 5.6.1.6.
- Provide protection from adjacent buildings that would be exposed to fire originating from building under construction. BCFC 5.6.1.2.
- The fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- Provide CANULC 561 Monitor Certificate in panel at time of occupancy.
- Standpipes shall be located on the intermediate landings if provided.
- Should racking exceeding 12 feet be installed, high rack permit required from fire department.
- An approved fire safety plan as per BCFC 2.8 required at occupancy. Floor plans to be submitted in AutoCAD Drawing format on a CD as well as a fire pre-plan as per bylaw 10760.
- Approved Fire Department lock box required by fire dept. entrance to be flush mounted and operational prior to occupancy.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Sprinkler zone valves shall be accessible as per fire prevention bylaw (10760) - no higher than 7 feet.
- Provide fire sprinkler owners certificate and copy of NFPA 25 for sprinkler system upon completion.
- Building will comply with Bylaw 10760.
-

7.0 Application Chronology

Date of Application Received: February 7th, 2019

Prepared by: Sergio Sartori, Development Technician
Reviewed by: Terry Barton, Urban Planning Manager
Reviewed by: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A" Site Plan
 Schedule "B" Elevations
 Schedule "C" Landscape Plan
 Attachment "A" Development Engineering Services dated February 8, 2019
 Attachment "B" Applicant's Project Rationale

Attachment "C" Development Permit Guidelines
Draft Development Permit

CITY OF KELOWNA

MEMORANDUM

Date: February 08, 2019
File No.: DP19-0047
To: Community Planning (LK)
From: Development Engineering Manager (JK)
Subject: 950 Ellis Street



Form and Character

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

1. General.

- a. This Development Permit for the form and character of a proposed self-storage building will be required at Building Permit to complete the following works as laid out in this Engineering Memo:
 - i. Frontage Improvements on Ellis Street
 - ii. Possible water service upgrade
 - iii. Possible sanitary service upgrade
 - iv. Landscape requirements
- b. Provide easements as may be required.
- c. The proposed development may require the installation of centralized mail delivery equipment. Please contact Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0 (250-763-3558 ext. 2008) to obtain further information and to determine suitable location(s) within the development.

2. Geotechnical Study

- a) Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development. 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 development approval:
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.

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

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

3. Domestic Water and Fire Protection

- a. Provide an adequately sized domestic water and fire protection system complete with individual lot connections. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this property to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits.
- b. An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- c. A water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at their cost.

4. Sanitary Sewer

- a. Our records indicate that this property is currently serviced with a 200mm-diameter sanitary sewer service. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new service at the applicant's cost.

5. Drainage

- a. Provide a detailed Storm Water Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems

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

6. Road Improvements

- a. Ellis Street fronting this development site is urbanized but there are areas of existing curb and sidewalk that are in a deteriorated state which will need to be replaced.
- b. A landscaped design and cost estimate is needed for the purpose of the service agreement as well as approval from parks department for the BLVD design.
- c. The existing driveway letdown will be required to be replaced with sidewalk and curb & gutter to match existing sidewalk to the east and west. A new driveway let down will be constructed in the new location. The driveway letdown will need to conform to the City's bylaws.

7. Development Permit and Site Related Issues

- a. By Registered plan to provide the following
 - i. Grant statutory rights-of-way or dedicate lands if required for utility services and/or pedestrian access.
- b. The developer's civil consultant should determine if the existing fire hydrants will need to be relocated further north so that it does not conflict with the proposed driveway letdown.

8. Power and Telecommunication Services and Street Lights

- a. All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road or laneway immediately adjacent to the site, are to be relocated and installed underground.
- b. 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.

9. Design and Construction

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

submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs

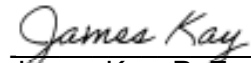
10. Servicing Agreements for Works and Services

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

11. Bonding and Levy Summary

- a. Service Agreement Bonding

To be Determined



James Kay, P. Eng.
Development Engineering Manager

JA

Proposed Building for West Point Projects Inc.- 950 Ellis street, Kelowna, B.C.

Design Rationale:

Function and use

The proposed project has been designed as a self-storage facility, in addition to the boat storage facility that is currently on site. The entire building will be divided into individual lockers and associated circulation spaces consistent with this type of use. Offices and security will be housed in the main floor of the building on the south east corner, as well a covered loading area on the south side. Access for the existing boat storage and the proposed building will be from the new drive way at the south east corner of the site off Ellis street.

Building Siting:

The building is sited perpendicular to the fronting Road with most of the parking and offices on the south side of the building. There is a 15-meter setback to a hard surface from the top of the bank of the creek, that will be gravel on site from that setback to the property line. There is adequate parking and loading areas on site as well as bike parking just off Ellis street. There are no garbage facilities on this site to help encourage the tenants take their garbage with them.

Neighbourhood Context:

The site is in an established industrial area with compatible zoning in place for the proposed use. The site across the street is a concrete batch plant, the site immediately to the north is vacant industrial land. The site on the west side is a multi-unit building with some tech companies as well as a distillery and winery. The proposed self-storage will enhance and compliment the neighborhood as part of the existing boat storage facility with a responsible corporate citizen running a thriving business that serves the community in which it operates. Self storage as a use is generally quiet, produces no harmful waste or air pollution, has minimal traffic and is highly secure. It operates primarily during regular business hours and will be a welcome neighbour.

Massing:

The existing building massing will remain unchanged and will be partially obstructed from the street view from the proposed building. Using bold colours and breaking up the massing with glass and corrugated metal panel at the office seeks to break down the scale to a human level and significant covered entrances encourage interaction of the building with its employees and visitors. Reveals in the concrete, a complimentary colour pattern and highly articulated roof lines add detail and visual interest to the building from all visible angles. The landscaping of a dry river bed at the front of the property brings a nice harmony to the site.



DEVELOPMENT PERMIT GUIDELINES

Comprehensive Development Permit Area

Consideration has been given to the following guidelines as identified in Section 14.A. of the City of Kelowna Official Community Plan relating to Comprehensive Development Permit Areas:

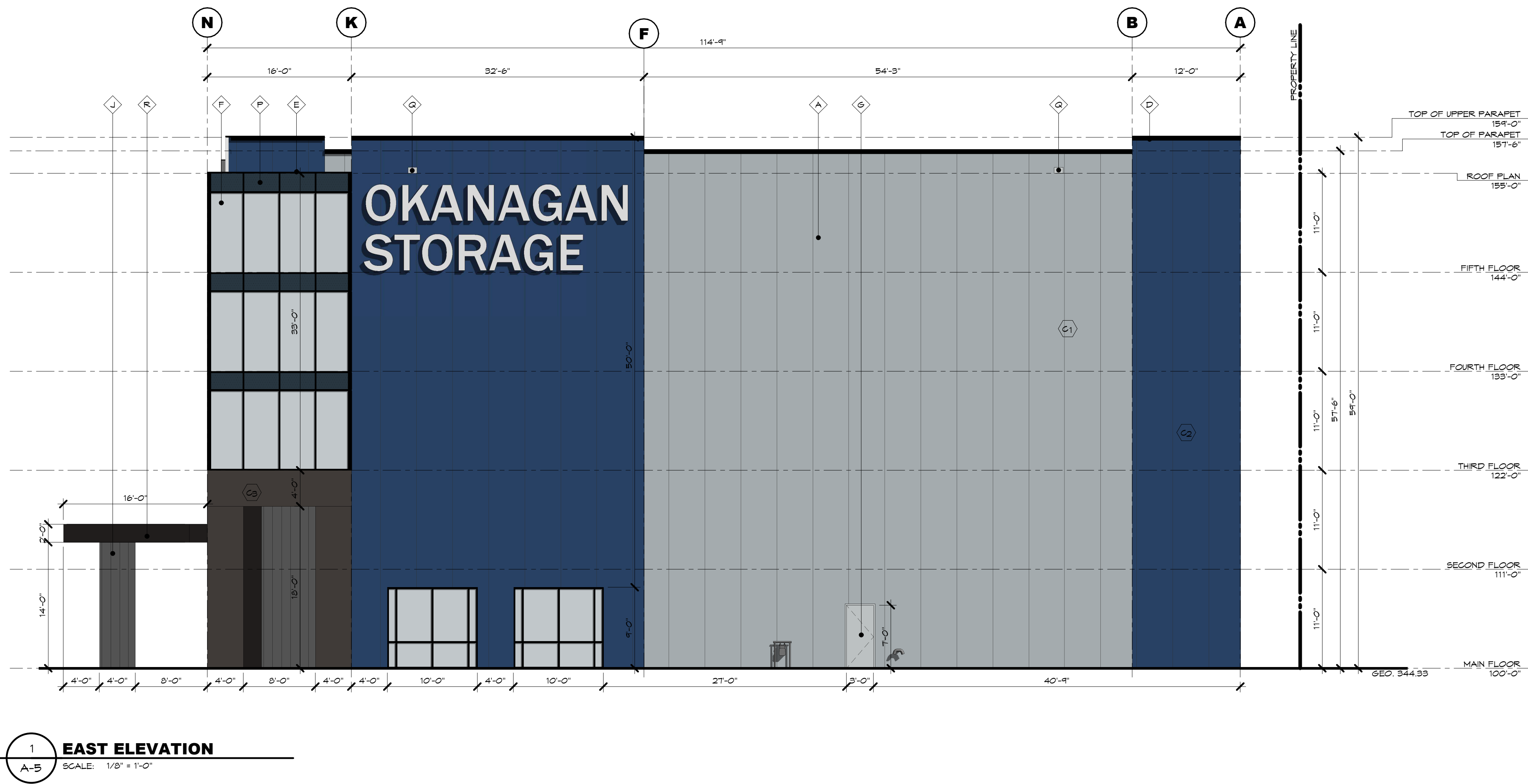
COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Authenticity and Regional Expression			
Do landscaping and building form convey a character that is distinct to Kelowna and the Central Okanagan?	✓		
Are materials in keeping with the character of the region?	✓		
Are colours used common in the region's natural landscape?	✓		
Does the design provide for a transition between the indoors and outdoors?	✓		
Context			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	✓		
Does interim development consider neighbouring properties designated for more intensive development?			✓
Are façade treatments facing residential areas attractive and context sensitive?			✓
Are architectural elements aligned from one building to the next?	✓		
For exterior changes, is the original character of the building respected and enhanced?			✓
Is the design unique without visually dominating neighbouring buildings?	✓		
For developments with multiple buildings, is there a sense of architectural unity and cohesiveness?	✓		
Relationship to the Street			
Do buildings create the desired streetscape rhythm?	✓		
Are parkade entrances located at grade?			✓
For buildings with multiple street frontages, is equal emphasis given to each frontage?			✓
Massing and Height			
Does the design mitigate the actual and perceived mass of buildings?	✓		
Does the height consider shading and view impacts for neighbouring properties and transition to less intensive areas?			✓
Human Scale			
Are architectural elements scaled for pedestrians?	✓		
Are façades articulated with indentations and projections?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are top, middle and bottom building elements distinguished?	✓		
Do proposed buildings have an identifiable base, middle and top?	✓		
Are building facades designed with a balance of vertical and horizontal proportions?			✓
Are horizontal glazed areas divided into vertically proportioned windows separated by mullions or building structures?	✓		
Does the design incorporate roof overhangs and the use of awnings, louvers, canopies and other window screening techniques?	✓		
Is the visual impact of enclosed elevator shafts reduced through architectural treatments?			✓
Exterior Elevations and Materials			
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	✓		
Are entrances visually prominent, accessible and recognizable?	✓		
Are higher quality materials continued around building corners or edges that are visible to the public?	✓		
Are a variety of materials used to create contrast, enhance the pedestrian environment and reduce the apparent mass of a building?	✓		
Are elements other than colour used as the dominant feature of a building?	✓		
Public and Private Open Space			
Does public open space promote interaction and movement through the site?			✓
Are public and private open spaces oriented to take advantage of and protect from the elements?			✓
Is there an appropriate transition between public and private open spaces?			✓
Are amenities such as benches, garbage receptacles, bicycle stands and community notice boards included on site?			✓
Site Access			
Is the safe and convenient movement of pedestrians prioritized?	✓		
Are alternative and active modes of transportation supported through the site design?	✓		
Are identifiable and well-lit pathways provided to front entrances?			✓
Do paved surfaces provide visual interest?			✓
Is parking located behind or inside buildings, or below grade?		✓	
Are large expanses of parking separated by landscaping or buildings?		✓	
Are vehicle and service accesses from lower order roads or lanes?			✓

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do vehicle and service accesses have minimal impact on the streetscape and public views?	✓		
Is visible and secure bicycle parking provided in new parking structures and parking lots?	✓		
Environmental Design and Green Building			
Does the proposal consider solar gain and exposure?	✓		
Are green walls or shade trees incorporated in the design?		✓	
Does the site layout minimize stormwater runoff?	✓		
Are sustainable construction methods and materials used in the project?	✓		
Are green building strategies incorporated into the design?		✓	
Decks, Balconies, Rooftops and Common Outdoor Amenity Space			
Are decks, balconies or common outdoor amenity spaces provided?			✓
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?			✓
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			✓
Amenities, Ancillary Services and Utilities			
Are loading, garage, storage, utility and other ancillary services located away from public view?			✓
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?			✓
Landscape Development and Irrigation Water Conservation			
Does landscaping:	-	-	-
• Compliment and soften the building's architectural features and mitigate undesirable elements?	✓		
• Maintain the dominant pattern of landscaping along the street and surrounding properties?	✓		
• Enhance the pedestrian environment and the sense of personal safety?	✓		
• Screen parking areas, mechanical functions, and garbage and recycling areas?			✓
• Respect required sightlines from roadways and enhance public views?	✓		
• Retain existing healthy mature trees and vegetation?			✓
• Use native plants that are drought tolerant?	✓		
• Define distinct private outdoor space for all ground-level dwellings?			✓
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?		✓	

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do parking lots have one shade tree per four parking stalls?		✓	
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
<ul style="list-style-type: none"> Meet the requirements for Landscape Water Budget calculations for the landscaped area? 	✓		
<ul style="list-style-type: none"> Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines? 	-	-	-
<i>Landscape Water Conservation Guidelines</i>			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?	✓		
Does at least 25% of the total landscaped area require no irrigation / watering?	✓		
Does at least 25% of the total landscaped area require low water use?	✓		
Does at most 50% of the total landscaped area require medium or high water use?	✓		
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?	✓		
Do water features such as pools and fountains use recirculated water systems?			✓
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?	✓		
Are the required written declarations signed by a qualified Landscape Architect?	✓		
<i>Irrigation System Guidelines</i>			
Is the Irrigation Plan prepared by a Qualified Professional?	✓		
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?	✓		
Is drip or low volume irrigation used?	✓		
Are the required written declarations signed by a qualified Certified Irrigation Designer?	✓		
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	✓		
Are building materials vandalism resistant?	✓		
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?	✓		
Are the site layout, services and amenities easy to understand and navigate?	✓		
Lakeside Development			
Are lakeside open spaces provided or enhanced?			✓

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are lake views protected?			✓
Does lakeside development act as a transition between the lake and inland development?			✓
Signs			
Do signs contribute to the overall quality and character of the development?	✓		
Is signage design consistent with the appearance and scale of the building?	✓		
Are signs located and scaled to be easily read by pedestrians?	✓		
For culturally significant buildings, is the signage inspired by historical influences?			✓
Lighting			
Does lighting enhance public safety?	✓		
Is "light trespass" onto adjacent residential areas minimized?			✓
Does lighting consider the effect on the façade, neighbouring buildings and open spaces?	✓		
Is suitably scaled pedestrian lighting provided?	✓		
Does exterior street lighting follow the International Dark Sky Model to limit light pollution?	✓		



PROJECT COLOURS

G1 KINGSPAN PANEL DOVE GRAY
G2 KINGSPAN PANEL REGAL BLUE
G3 KINGSPAN PANEL DARK BRONZE

EXTERIOR FINISH LEGEND

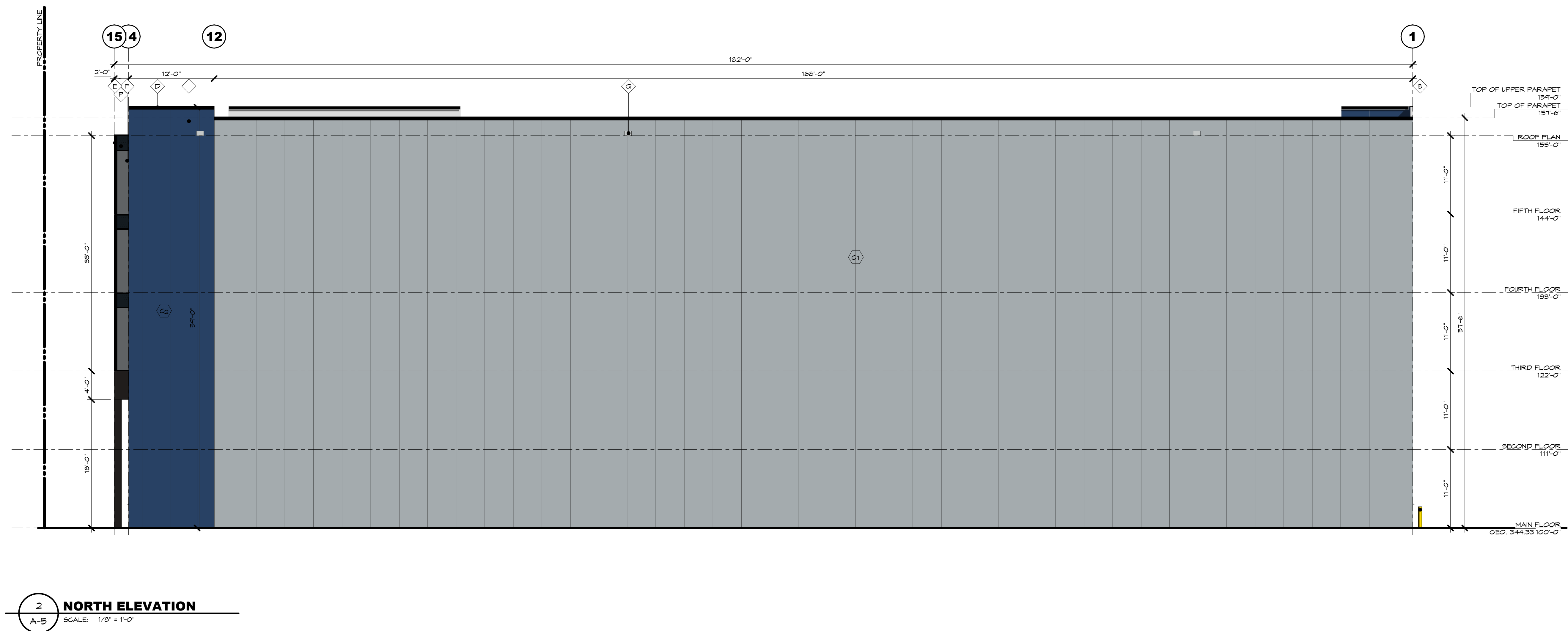
A KINGSPAN INSULATED METAL PANEL
B STEEL SECTIONAL FIRE SHUTTER - PAINTED
C FLASHING STOCK METAL COLOUR
D ALUMINUM MULLIONS
E GLAZING
F STEEL MANDOOK - PAINTED
G STEEL SECTIONAL OVERHEAD DOORS - PAINTED
H HORIZONTAL METAL GLAZING
I SPANDREL GLAZING
J SCUPPER
K METAL GLAD CANOPY
L STEEL BOLLARD - PAINTED

NOTE: THE ABOVE LEGEND ITEMS ARE SHOWN ONLY ON A SMALL AREA OF THE ELEVATIONS. HOWEVER, THEY APPLY TO ALL SIMILARLY MARKED AREAS THROUGHOUT THE BUILDING.

SCHEDULE B
This forms part of application
DP19-0047

Planner Initials SS

City of Kelowna
COMMUNITY PLANNING



CHIP BARRETT ARCHITECT
440-1555 2625A ALLIANCE STREET, ABBOTSFORD, B.C., V2B 3J9
TEL: (604) 607-5655
IN ASSOCIATION WITH
D.FORCE DESIGN INC.
2625A ALLIANCE STREET, ABBOTSFORD, B.C., V2B 3J9
TEL: (604) 607-5655

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5	2019/03/20	REISSUED FOR DP
4	2019/03/14	REISSUED FOR DP
3	2019/01/17	ISSUED FOR DEVELOPMENT PERMIT
2	2019/01/04	ISSUED FOR CLIENT REVIEW
1	2019/01/03	ISSUED FOR CLIENT REVIEW
NO.	DATE Y/M/D	DESCRIPTION

5 STOREY SELF STORAGE

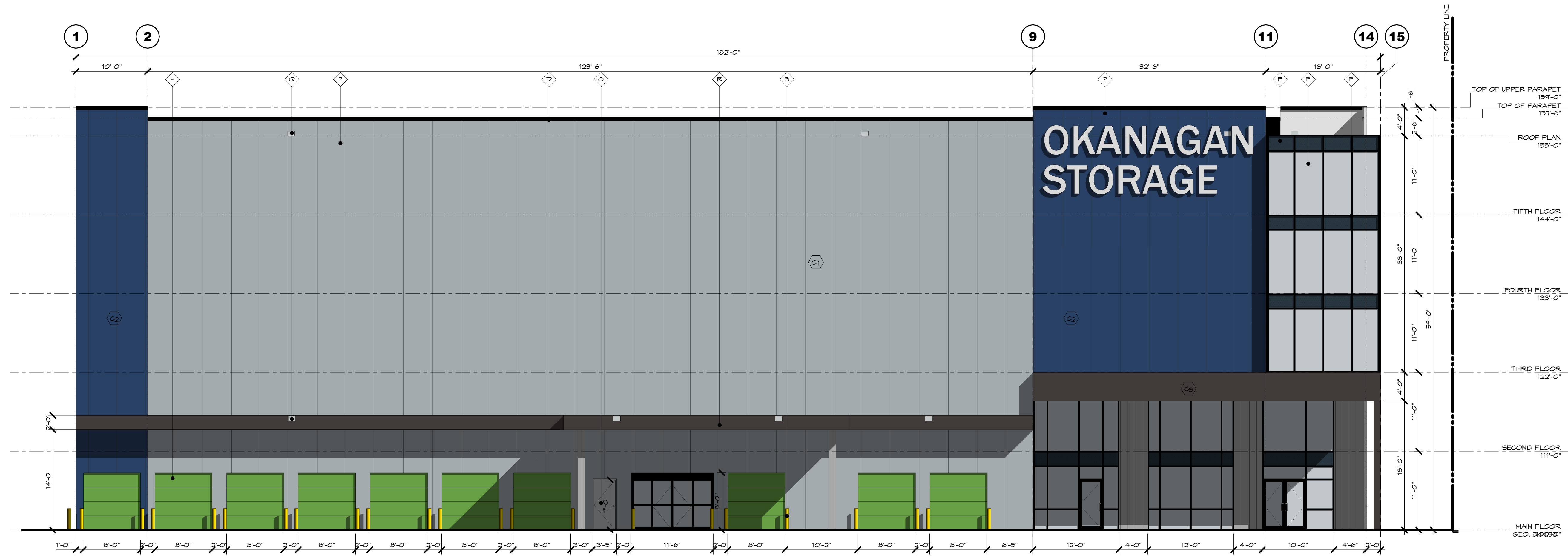
950 ELLIS STREET KELLOWNA

DRAWING
ELEVATIONS

SEAL	JOB NO 18-055	DRAWN NP
	DESIGNED NP	
	CHECKED CB	
	PLOT DATE 20/03/2019 7:48:54 AM	

PROJECT - DRAWING NUMBER
A-5

REV.
5



1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

SCHEDULE

This forms part of application

DP19-0047

Planner

Initials

SS

City of Kelowna

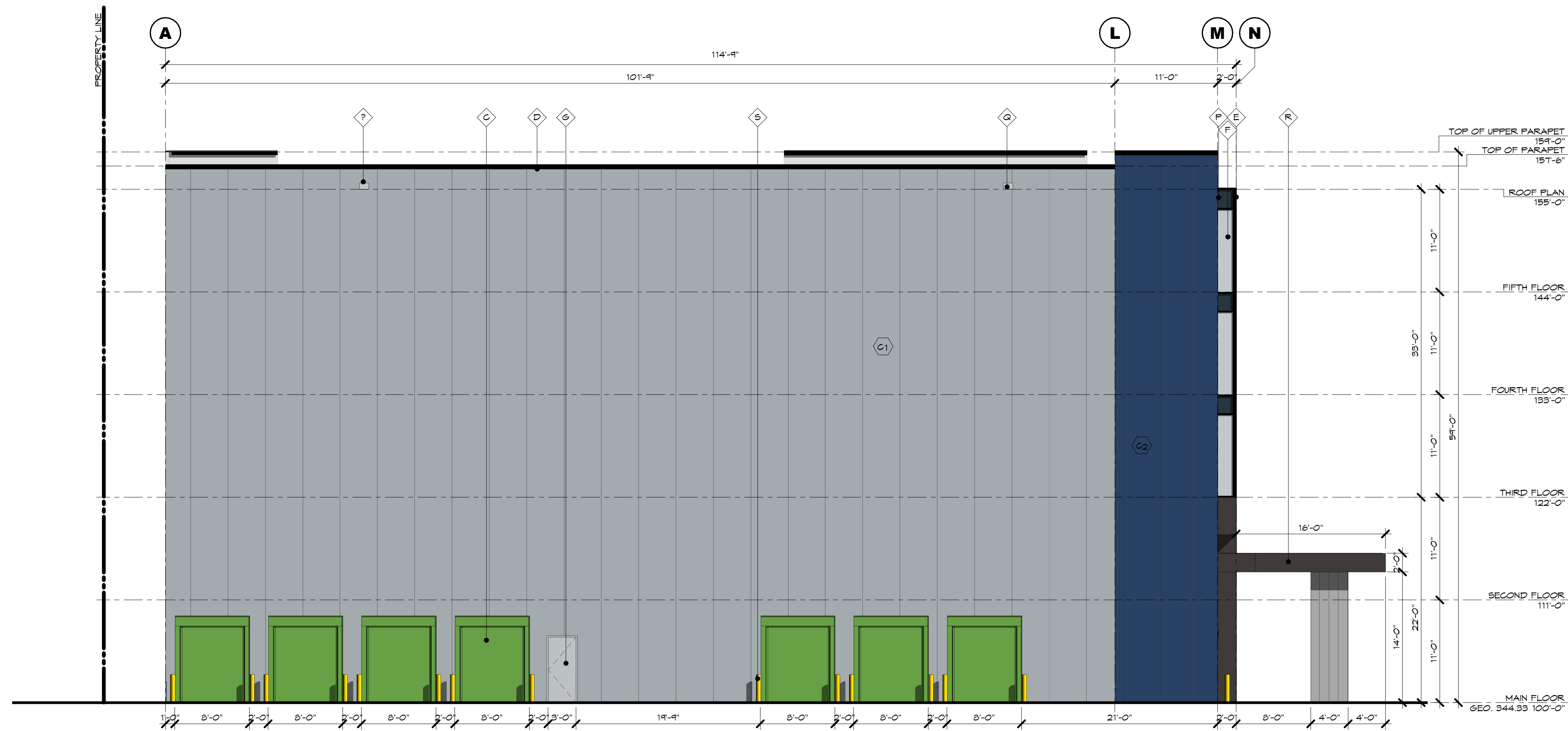
COMMUNITY PLANNING

PROJECT COLOURS

- G1 KINGSPAN PANEL DOVE GRAY
- G2 KINGSPAN PANEL REGAL BLUE
- G3 KINGSPAN PANEL DARK BRONZE

EXTERIOR FINISH LEGEND

- A KINGSPAN INSULATED METAL PANEL
 - C STEEL SECTIONAL FIRE SHUTTER - PAINTED
 - D FLASHING STOCK METAL COLOUR
 - E ALUMINUM MULLIONS
 - F GLAZING
 - G STEEL MANDOOK - PAINTED
 - H STEEL SECTIONAL OVERHEAD DOORS - PAINTED
 - J HORIZONTAL METAL GLAZING
 - K SPANDREL GLAZING
 - L SCUPPER
 - M METAL CLAD CANOPY
 - N STEEL BOLLARD - PAINTED
- NOTE: THE ABOVE LEGEND ITEMS ARE SHOWN ONLY ON A SMALL AREA OF THE ELEVATIONS. HOWEVER, THEY APPLY TO ALL SIMILARLY MARKED AREAS THROUGHOUT THE BUILDING.



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"

CHIP BARRETT ARCHITECT

440-15555 PHASE 2, 2727
IN ASSOCIATION WITH

D.FORCE DESIGN INC.

2625A ALLIANCE STREET, ABBOTSFORD, B.C., V2S 3J9
TEL: (604) 607-5655 EMAIL: DARC@DFORCE.CA

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5	2019/03/20	REISSUED FOR DP
4	2019/03/14	REISSUED FOR DP
3	2019/01/17	ISSUED FOR DEVELOPMENT PERMIT
2	2019/01/04	ISSUED FOR CLIENT REVIEW
1	2019/01/03	ISSUED FOR CLIENT REVIEW
NO.	DATE Y/M/D	DESCRIPTION

5 STOREY SELF STORAGE

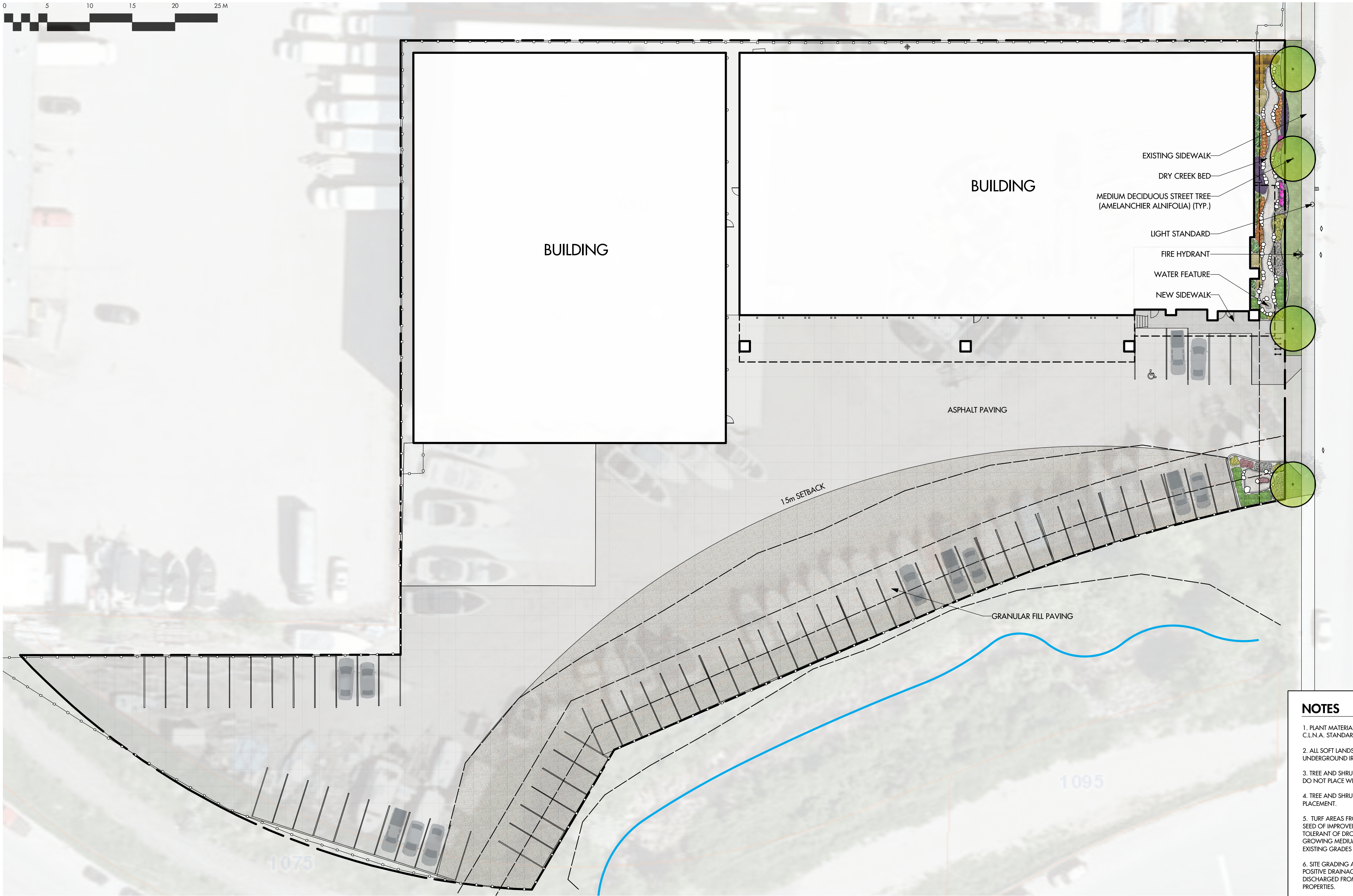
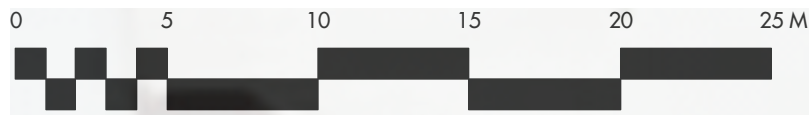
950 ELLIS STREET KELLOWNA

DRAWING
ELEVATIONS

SEAL	JOB NO 18-055	DRAWN NP
DESIGNED NP	CHECKED CB	PLOT DATE 20/03/2019 7:51:42 AM

PROJECT - DRAWING NUMBER
A-5.1

REV.
5



NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED C.L.N.A. STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 150mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.

PLANT LIST

KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE / REMARKS
TREES				
	AMELANCHIER ALNIFOLIA	SASKATOON SERVICEBERRY	4	6cm CAL.
SHRUBS, PERENNIALS AND GRASSES				
	ACHILLEA MILLEFOLIUM 'PINK GRAPEUIT'	PINK YARROW	9	#01 CONT. /0.6M O.C. SPACING
	ARUNCUS DIOCLUS	GOAT'S BEARD	8	#01 CONT. /1.25M O.C. SPACING
	CAREX MARROWII 'AUROE VARIEGATA'	VARIAGATED JAPANESE SEDGE	9	#01 CONT. /0.6M O.C. SPACING
	DESCHAMPSIA CAESPITOSA	BRONZE TUFTED HAIR GRASS	9	#01 CONT. /0.6M O.C. SPACING
	DIANTHUS 'NEON STAR'	NEON STAR PINKS	17	#01 CONT. /0.45M O.C. SPACING
	HEMEROCALLIS 'FRENCH LINGERIE'	FRENCH LINGERIE DAYLILY	9	#01 CONT. /0.6M O.C. SPACING
	HEUCHERA 'CAMEL'	CAMEL CORAL BELLS	17	#01 CONT. /0.45M O.C. SPACING
	HOSTA 'PRAYING HANDS'	PRAYING HANDS HOSTA	25	#01 CONT. /0.6M O.C. SPACING
	MISCANTHUS SINENSIS 'LITTLE ZEBRA'	LITTLE ZEBRA GRASS	3	#01 CONT. /1.0M O.C. SPACING
	SEDUM RUPESTRE 'ANGELINA'	ANGELINA'S STONECROP	9	#01 CONT. /0.6M O.C. SPACING
	SEDUM SPATHIFOLIUM 'CAPE BLANCO'	CAPE BLANCO STONECROP	4	#01 CONT. /0.6M O.C. SPACING

SCHEDULE C

This forms part of application

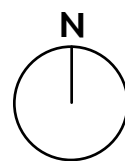
DP19-0047

Planner Initials **SS**



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

303 - 590 KLO Road
Kelowna, BC V1Y 7S2
T (250) 868-9270
www.outlanddesign.ca



PROJECT TITLE

950 ELLIS STREET

Kelowna, BC

DRAWING TITLE

CONCEPTUAL LANDSCAPE PLAN

ISSUED FOR / REVISION

1	19.01.09	Review
2		
3		
4		
5		

PROJECT NO. 19-003

DESIGN BY SR

DRAWN BY WVC

CHECKED BY FB

DATE JAN. 9, 2019

SCALE 1:250

PAGE SIZE 24"x36"

SEAL



DRAWING NUMBER

L1/2

ISSUED FOR REVIEW ONLY

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Development Permit DP19-0047



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

950 Ellis Street

and legally known as

LOT 3 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN KAP68693,

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

5 storey personal storage facility

and permits the land to be used for the following development

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

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

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

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

<u>Date of Council Decision</u>	May 6, 2019
<u>Decision By:</u>	CITY COUNCIL
<u>Issued Date:</u>	May 7, 2019
<u>Development Permit Area:</u>	Floodplain

This permit will not be valid if development has not commenced by May 6, 2021.

Existing Zone:	I4-Central Industrial	Future Land Use Designation:	Industrial
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This is NOT a Building Permit.

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

NOTICE

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

Owner: 1188666 B.C. Ltd., Inc. No. BC1188666

Applicant: West Point Projects

Ryan Smith
Community Planning Department Manager
Community Planning & Strategic Investments

May 7, 2019

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

This Development Permit is valid for two (2) years from the date of May 6, 2019, with no opportunity to extend.

3. PERFORMANCE SECURITY

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

- a) An Irrevocable Letter of Credit in the amount of **\$18,704.69** or
- b) A certified cheque in the amount of **\$18,704.69**

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

4. INDEMNIFICATION

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

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

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

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

CITY OF KELOWNA

BYLAW NO. 11762

LUCT18-0006

Early Termination of Land Use Contract – LUC76-1104 7770, 7782, 7800 & 7810 Hwy 97 North

WHEREAS a land use contract (the "Land Use Contract LUC76-1104") is registered at the Kamloops Land Title Office under the charge number M36870 against lands in the City of Kelowna particularly known and described as in Schedule "A" attached (the "Lands"), located on Hwy 97 North, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract LUC76-1104 Bylaw";
2. Land Use Contract LUC76-1104 is hereby terminated as of the date of adoption; and
3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 11th day of March, 2019.

Considered at a Public Hearing this 26th day of March, 2019.

Read a second and third time by Municipal Council this 26th day of March, 2019.

Adopted by the Municipal Council this

Mayor

City Clerk

Schedule A

Land Use Contract: **LUC76-1104**
Charge Number: **M36870**

<u>No.</u>	<u>Legal Description</u>	<u>Address</u>	<u>Parcel Identifier Number</u>	<u>Underlying Zone</u>
1	Lot 1 Section 34 Township 23 ODYD Plan 28056	7770 Hwy 97 N	004-635-779	RR2 - Rural Residential 2 zone
2	Lot 2 Section 34 Township 23 ODYD Plan 28056	7782 Hwy 97 N	004-635-787	RR2 - Rural Residential 2 zone
3	Lot 3 Section 34 Township 23 ODYD Plan 28056	7800 Hwy 97 N	004-635-809	RR2 - Rural Residential 2 zone
4	Lot 4 Section 34 Township 23 ODYD Plan 28056	7810 Hwy 97 N	004-635-817	A1 - Agriculture 1 zone

CITY OF KELOWNA
BYLAW NO. 11775
Z19-0005 – 547-559 Bernard Ave

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 139 Osoyoos Division Yale District Plan 5470, located on Bernard Avenue, Kelowna, BC from the C7 – Central Business Commercial zone to the C7rcs – Central Business Commercial (Retail Cannabis Sales) zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 25th day of March, 2019.

Considered at a Public Hearing on the 9th day of April, 2019.

Read a second and third time by the Municipal Council this 9th day of April, 2019.

Approved under the Transportation Act this 16th day of April, 2019.

Blaine Garrison

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11779
Z19-0026 – 140-160 Rutland Rd South

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 Section 23 Township 26 Osoyoos Division Yale District Plan 18642, located on Rutland Road South, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone.

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

Read a first time by the Municipal Council this 25th day of March, 2019.

Considered at a Public Hearing on the 9th day of April, 2019.

Read a second and third time by the Municipal Council this 9th day of April, 2019.

Approved under the Transportation Act this 16th day of April, 2019.

Blaine Garrison

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11780
Z19-0029 – 2121 Springfield Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 District Lot 128 Osoyoos Division Yale District Plan 18971 Except Plan 20452 and 42606, located on Springfield Road, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone.

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

Read a first time by the Municipal Council this 25th day of March, 2019.

Considered at a Public Hearing on the 9th day of April, 2019.

Read a second and third time by the Municipal Council this 9th day of April, 2019.

Approved under the Transportation Act this 16th day of April, 2019.

Blaine Garrison

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11792
Z19-0010 – 1455-1475 Harvey Ave

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 137 Osoyoos Division Yale District Plan KAP54811, located on Harvey Avenue, Kelowna, BC from the C3 – Community Commercial zone to the C3rcs – Community Commercial (Retail Cannabis Sales) zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 25th day of March, 2019.

Considered at a Public Hearing on the 9th day of April, 2019.

Read a second and third time by the Municipal Council this 9th day of April, 2019.

Approved under the Transportation Act this 16th day of April, 2019.

Blaine Garrison

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11793
Z19-0008 – 2090 Harvey Ave

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 6 District Lot 127 Osoyoos Division Yale District Plan 34162 Except Plan EPP5106, located on Harvey Avenue, Kelowna, BC from the C₄ – Urban Centre Commercial zone to the C₄rcs – Urban Centre Commercial (Retail Cannabis Sales) zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 25th day of March, 2019.

Considered at a Public Hearing on the 9th day of April, 2019.

Read a second and third time by the Municipal Council this 9th day of April, 2019.

Approved under the Transportation Act this 16th day of April, 2019.

Blaine Garrison

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11796
TA19-0005 – C4 Commercial Frontage Amendment

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

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

1. THAT **Section 14 – Commercial Zones, 14.4 C4 – Urban Centre Commercial, 14.4.6(e) Other Regulations** be amended by deleting:

"A **building** incorporating residential uses shall provide a functional commercial space on the first floor, which must occupy a minimum of 90% of all street frontages, OR a minimum of 75% on secondary **street** frontages provided 100% of the principal frontage has a functional commercial space. Access driveways or other portions of the **street** frontage not used as a **building** will not be considered for the purpose of this calculation."

And replacing it with:

"Any building located on streets classified as a collector or arterial as identified in the OCP Map 7.3 – 20 Year Major Road Network and Road Classification Plan shall provide a functional commercial space on the first floor, which must occupy a minimum of 90% of all street frontages, OR a minimum of 75% on secondary **street** frontages provided 100% of the principal frontage has a functional commercial space. Access driveways or other portions of the **street** frontage not used as a **building** will not be considered for the purpose of this calculation."

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

Read a first time by the Municipal Council this 8th day of April, 2019.

Considered at a Public Hearing on the 23rd day of April, 2019.

Read a second and third time by the Municipal Council this 23rd day of April, 2019.

Approved under the Transportation Act this 25th day of April, 2019.

Audrie Henry
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: May 6, 2019

File: 0610-50

To: Doug Gilchrist, City Manager

From: Shayne Dyrdal, Senior Airport Finance and Corporate Services Manager

Subject: Redefinition of City of Kelowna Boundary

Report Prepared by: Mira Malkowsky, Airport Corporate Services Manager

Recommendation:

THAT COUNCIL receive for information the report of the Senior Airport Finance and Corporate Services Manager dated May 6, 2019 with respect to the redefinition of the City of Kelowna boundary;

AND THAT the Mayor, on behalf of Council, forward a letter to the Regional District of Central Okanagan regarding a City of Kelowna boundary redefinition as outlined in the report of the Senior Airport Finance and Corporate Services Manager;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute all documents necessary for a City of Kelowna boundary redefinition.

Purpose:

To obtain Council's approval to move forward with the redefinition of the City of Kelowna boundary adjacent to Kelowna International Airport (the Airport).

Background:

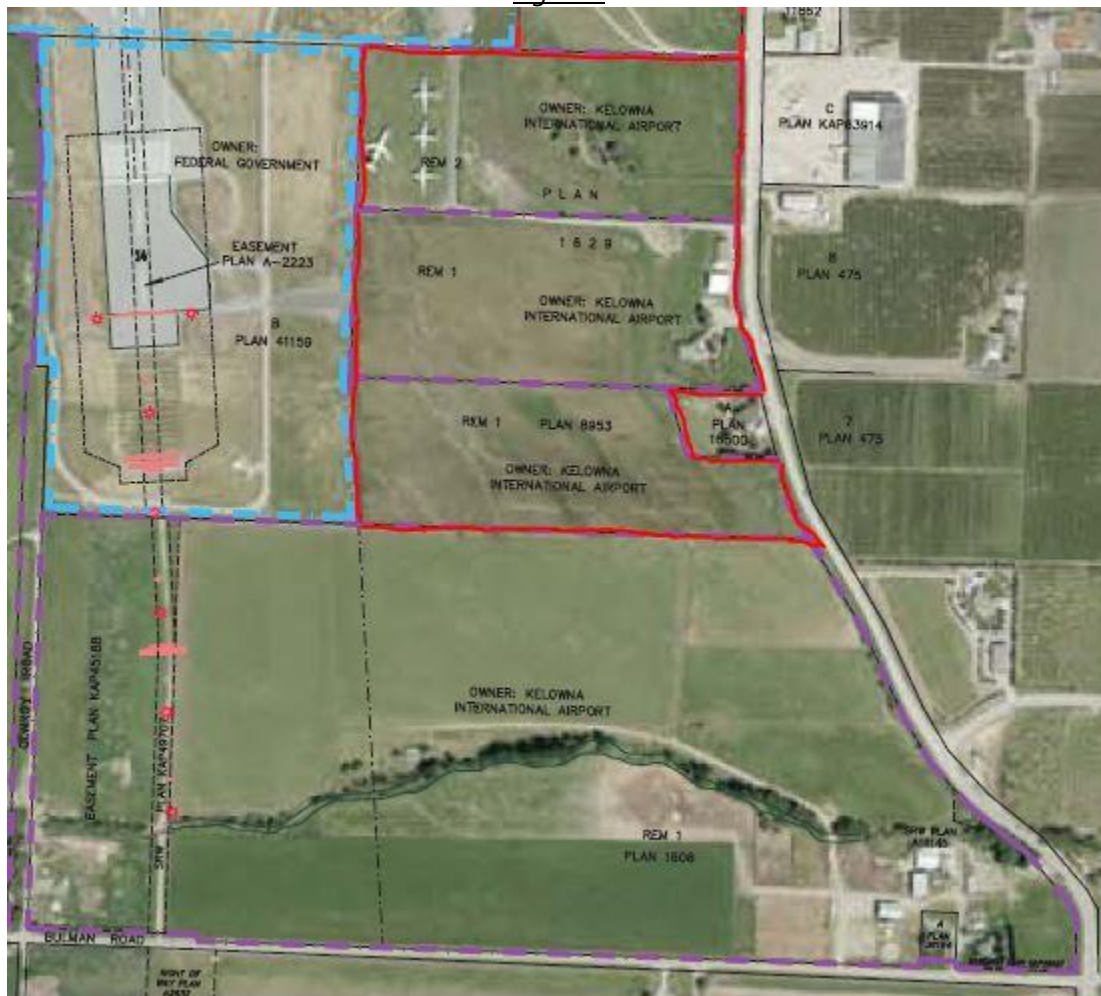
In 2018, the Airport's passengers totalled a record-breaking 2,080,372, a 31 percent increase or more than 486,700 passengers compared to 2015. As a result, the Airport became the 10th busiest airport in Canada. With increased passenger numbers comes an increase in the number of aircraft operating at the Airport and a need for additional support services for the Airport's aerospace campus (the Aerospace Campus).

The land that is or will one day become a part of the Aerospace Campus is outlined in Appendix A. In Appendix A, the land outlined in blue represents the Federally leased land. The airside land (that has direct access to the taxiways and/or runway) to the west of the runway, and to the north of the terminal building has been fully developed. In accordance with the Airport's 2045 Master Plan (the Master Plan),

the airside land to the east of the runway will be used for a future taxiway. As such, land that is currently groundside (i.e. land that does not have direct access to the taxiways and/or runway) will need to be developed and turned into airside land.

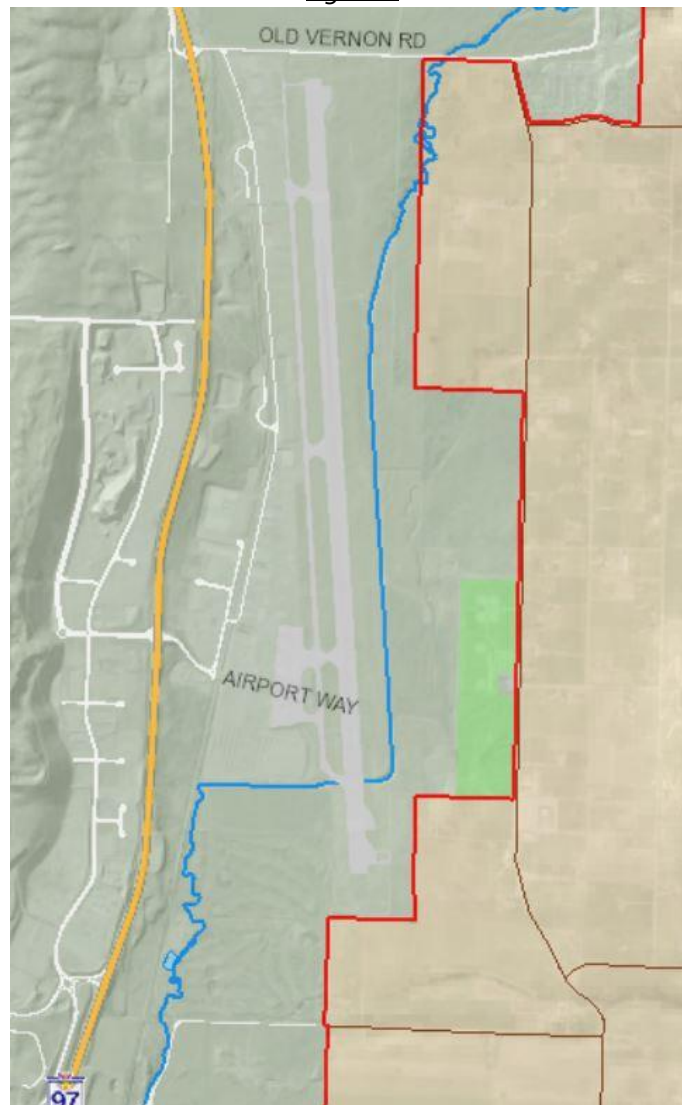
The Master Plan identified the land in the southwest corner of the Aerospace Campus to be used for future expansion of the terminal building, apron and other infrastructure owned and operated by the Airport. The Master Plan also identified the land in the southeast corner of the Airport to be developed to provide support services operated by third parties for the Aerospace Campus. The land outlined in red in Figure 1 below (the East Lands), is the land that the 2045 Master Plan identified for support services development in the short-term.

Figure 1



As shown in Figure 2 below, the East Lands are currently within the Regional District of the Central Okanagan (RDCO) and not the City of Kelowna.

Figure 2



In Figure 2, the area highlighted in green and outlined in red represents land within the City of Kelowna. All other land in Figure 2 is within the RDCO. The land in the southeast corner of the Aerospace campus consists of the East Lands, the Polo Fields (the land to the south of the East Lands and to the north of Bulman Road), and the Homestead (the area highlighted in red in Figure 3 below). In Figure 2, these lands are outlined by the red boundary to the west, and the brown lines representing Old Vernon Road to the east and Bulman Road to the south. The City of Kelowna owns all of these properties except for the Homestead and all of these properties are currently within the RDCO.

The East Lands has one home on it that is being rented by the City of Kelowna to a tenant. The Polo Fields have one home on it that is being rented by the City of Kelowna to a tenant. In addition, the Polo Fields are being leased to the Polo Club. The Homestead has a house on it that is owned and inhabited by a family.

[illegible]

It is the Airport's recommendation that the East Lands and the Polo Fields become a part of the City of Kelowna. Figure 4 on the following page shows the existing boundary outlined in red and the proposed new boundary as a blue dashed line. The Airport recommends leaving the Homestead as a part of the RDCO.

Figure 4



This proposed change in boundary would fall under a boundary redefinition.

Internal Circulation:

Stephen Fleming, City Clerk
Johannes Saufferer, Director Strategic Investments
Jackie Dueck, Controller
Kari O'Rourke, Community Communications Manager

Legal/Statutory Procedural Requirements:

In accordance with the *Local Government Act*, the City of Kelowna Council would be required to submit a request to redefine the boundary between the City of Kelowna and the RDCO to the Lieutenant Governor in Council.

Considerations not applicable to this report:

Existing Policy: N/A
Legal/Statutory Authority: N/A
Financial/Budgetary Considerations: N/A
Personnel Implications: N/A
External Agency/Public Comments: N/A
Communications Comments: N/A
Alternate Recommendation: N/A

Submitted by:

Shayne Dyrdal, Senior Airport Finance and Corporate Services Manager

Approved for inclusion:



Doug Gilchrist, City Manager
Sam Samaddar, Airport Director

cc: Derek Edstrom, Divisional Director, Strategic Investments, Parks and Building Planning, Intergovernmental Affairs, and Partnerships
Ryan Smith, Divisional Director, Community Planning, Policy and Planning, Development Services and Business Licenses
Genelle Davidson, Divisional Director, Financial Services

Report to Council



Date: May 6, 2019
File: 0920-02
To: City Manager
From: Sustainability Coordinator
Subject: Updated Energy Step Code Implementation Strategy

Recommendation:

THAT Council receives, for information, the Report from the Sustainability Coordinator dated May 6, 2019 with respect to the Updated Energy Step Code Implementation Strategy;

AND THAT Council endorse the compliance of all new Part 9 residential buildings to the BC Energy Step Code to satisfy the energy efficiency requirements of the British Columbia Building Code as follows:

- i. Effective December 1, 2019 – Step 1 Energy Step Code requirement
- ii. Effective June 1, 2021 – Step 3 Energy Step Code requirements

AND THAT Council direct staff to use up to a maximum of \$75,000 from the Permit Averaging Reserve Account to provide building permit rebates as follows:

- i. \$500 for engaging an energy advisor for modelling and final blower door test between May 20, 2019 and November 30, 2019
- ii. \$500 for Step 4 residential buildings between May 20, 2019 and May 31, 2021 to incent achieving higher steps of the Energy Step Code.
- iii. \$1,000 for Step 5 residential buildings or certified Passive House between May 20, 2019 and May 31, 2021 to incent achieving higher steps of the Energy Step Code

AND THAT Bylaw No. 11823, being Building Bylaw Amendment No. 13 be forwarded for reading consideration.

AND FURTHER THAT Council direct staff to consult with key stakeholders on Energy Step Code implementation for Part 3 buildings as outlined in the report of the Sustainability Coordinator, dated May 06, 2019.

Purpose:

To present Council with the Energy Step Code Implementation Strategy for Part 9 buildings for endorsement.

Background:

The BC Energy Step Code is designed to improve the efficiency of new construction for Part 9¹ and Part 3² buildings. This provincial standard is intended to achieve the goals set out in the national Pan-Canadian Framework³, to help both local government and industry incrementally move toward a future in which all new construction across the province is “net-zero energy ready” by 2032.

Currently there are 65,000 housing units in Kelowna. These housing units account for 21 per cent of Kelowna’s community greenhouse gas emissions.⁴ Over the next two decades, it is anticipated that the housing stock will grow to 90,000 units, so that by 2040, nearly 30 per cent of all housing units will have been built after 2018. This provides a significant opportunity to improve efficiency, as the easiest and most cost effective time to make energy efficiency upgrades is during the construction of new buildings, as recommended in both the Council-endorsed Community Climate Action Plan and the Healthy Housing Strategy.



Advancements in the Energy Step Code

On August 27, 2018 Council deferred further consideration of the Energy Step Code implementation for Part 9 buildings and Text Amendment Application No. TA18-0007 in order for the Canadian Home Builders Association (CHBA-CO) to complete and submit their Energy Step Code Costing Study (R810/18/08/27). This original proposal was for Part 9 buildings with an implementation of Step 1 on April 1, 2019 and Step 3 on October 20, 2020.

Since that time, notable progress has been achieved on many fronts: 1) the Intergovernmental Panel on Climate Change has released a special report, 2) the Province has solidified their position regarding provincial implementation of the Energy Step Code, 3) more communities have referenced Energy Step Code in their building requirements, 4) new costing information has become available and, 5) staff has further engaged with the local building community. Table 1 summarizes the advancements in Energy Step Code since August 2018.

¹ Part 9 buildings are buildings that are three storeys or less and have a building area no more than 600 m². It includes single family homes, duplexes, townhomes, small apartment buildings and small stores, offices, and industrial shops. Source: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/guides/bcenergystepcode_guide_v1.pdf

² Part 3 buildings are buildings that are four storeys and taller and greater than 600 m² in building area. It includes larger apartment buildings, condos, shopping malls, office buildings, hospitals, care facilities, schools, churches, theaters and restaurants. Source: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/guides/bcenergystepcode_guide_v1.pdf

³ The Pan-Canadian Framework is the federal government’s plan to meet Canada’s emission reduction targets, grow the economy and build resilience to a changing climate. <https://www.canada.ca/en/services/environment/weather/climatechange/pan-canadian-framework/climate-change-plan.html>

⁴ City of Kelowna, 2018. Community Climate Action Plan. Based on 2012 residential emission data. Community greenhouse gas emissions come from on road transportation, buildings (residential and commercial) and waste.

Table 1: Advancements in Energy Step Code since August 2018

New Information	Description
Climate Information	<p>The Intergovernmental Panel on Climate Change's (IPCC) special report, 'Global Warming of 1.5°C', released October 2018, stresses the urgency for rapid, far-reaching and unprecedented changes in all aspects of society by 2030 to limit global warming to 1.5°C, and avoiding catastrophic impacts associated with warming beyond that⁵.</p> <p>To compound matters, Canada's Changing Climate Report released by Environment and Climate Change Canada (April 2019), shows that Canada is experiencing warming at twice the rate of the rest of the world. This will increase the severity of heatwaves and contribute to increased drought and wildfire risks.⁶</p>
Province set timelines for Energy Step Code implementation within the BC Building Code	<p>The provincial CleanBC Strategy provides a step by step path for Energy Step Code implementation. Compared to current base BC Building Code, new Part 9 homes will be required to reach:</p> <ul style="list-style-type: none"> • Step 3 by 2022 (20 per cent more energy efficient); • Step 4 by 2027 (40 per cent more energy efficient); and • Step 5 by 2032 (80 per cent more energy efficient / net-zero energy ready)⁷.
More communities reference Energy Step Code in their building requirements	<p>BC communities that issue more than two-thirds of the province's residential building permits have now referenced the BC Energy Step Code in building bylaws or policies.⁸ This includes local jurisdictions including Penticton and Lake Country, which started requiring Step 1 for Part 9 buildings earlier this year (see Attachment A of the Energy Step Code Report for details).</p>
Energy Step Code costing information	<p>Released last fall, the 2018 Metrics Research Full Report Update modelled thousands of energy conservation combinations to determine how to achieve low costs for each step based on optimized building design. Part 9 buildings in Climate Zone 5 (which Kelowna is in) showed cost increments between 0.4 and 1.2 per cent for Step 3.⁹</p> <p>The Canadian Home Builders Association of the Central Okanagan</p>

⁵ IPCC, October 8, 2018. Intergovernmental Panel on Climate Change Press Release: Summary for Policymakers of IPCC Special Report on Global Warming of 1.5°C approved by governments.

https://www.ipcc.ch/site/assets/uploads/2018/11/pr_181008_P48_spm_en.pdf

⁶ Environment and Climate Change Canada, April, 2019. Canada's Changing Climate Report.

<https://changingclimate.ca/CCCR2019/>

⁷ Province of BC, 2018. CleanBC our nature. our power. our future.

https://cleanbc.gov.bc.ca/app/uploads/sites/436/2018/12/CleanBC_Full_Report.pdf

⁸ Energy Step Code Council, 2019. March 2019 Stakeholder Update email report.

<https://mailchi.mp/energystepcode/march2019?e=4cd7c05fad>

⁹ BC Housing, 2018. Energy Step Code: 2018 Metrics Research Full Report Update.

http://energystepcode.ca/app/uploads/sites/257/2018/09/2018-Metrics_Research_Report_Update_2018-09-18.pdf

New Information	Description
	<p>(CHBA-CO) costing study, released in November, took a different approach from the Metrics Report. The CHBA-CO study examined the incremental costs that would need to be added to an existing building design in order to meet the various steps for a small, medium, and duplex home. For Step 3, average cost increase ranged from 2.5 to 6.4 per cent.¹⁰</p> <p>Case studies released by BC Hydro's Community Energy Manager's network detail costs of five recently constructed single family homes to meet Step 3 or 4. Cost increases varied from zero per cent in Campbell River to reach Step 3, to four per cent in Kamloops to achieve Step 4 (both of these locations are in the same climate zone as Kelowna).</p> <p>(Note: the "Addressing Concerns" section of the Energy Step Code report provides further explanations of the differences in costs between the studies).</p>
Additional Engagement on Energy Step Code	<p>Staff hosted an Energy Step Code Solutions Lab on February 12, 2019. The intent of the Solutions Lab was to gather a diverse group of representatives from the building industry to develop an implementation solution that builds industry capacity in advance of the Province mandating Step 3 in 2022. The majority of proposed solutions identified implementing Step 1 by the end of 2019. Further, 5 out of 6 proposed solutions identified Step 3 should become mandatory in Kelowna in advance of when the province requires it in 2022. Participants also recommended the desire for more training and incentives to support the implementation. (Attachment D in the Energy Step Code Report provides a summary of the Solutions Lab).</p>

Taking into consideration all of the new information received, and building on the work done prior to August 2018, staff have developed a revised implementation strategy for the Energy Step Code as detailed in Appendix A: Energy Step Code Implementation for Part 9 Residential Buildings.

Updated Energy Step Code Implementation Strategy

Table 2, below, summarizes the implementation strategy and illustrates how the strategy has evolved since the August 2018 Council presentation. (Note: Appendix B provides a more detailed table of the implementation strategy timeline).

¹⁰ Canadian Home Builder's Association Central Okanagan, 2018. A study by Industry for Consumers.
<https://www.chbaco.com/wp-content/uploads/2018/12/CHBA-CO-Step-Code-Costing-Report-Full-2018-12-05.pdf>

Table 2: Updated Energy Step Code Implementation Strategy

	Original Proposal (August 27, 2018)	Revised Implementation Strategy (May 6, 2019)
Step 1	April 1, 2019	December 1, 2019
Step 3	October 1, 2020	June 1, 2021
City Financial Incentives	Building Permit rebates: <ul style="list-style-type: none"> • \$500 for Step 4 compliant homes • \$1,000 for Step 5 compliant homes or certified Passive House 	Building Permit rebates: <ul style="list-style-type: none"> • \$500 for an energy advisor and final construction blower door test until November 30, 2019 • \$500 for Step 4 compliant homes • \$1,000 for Step 5 compliant homes or certified Passive House
Zoning Incentives	<ul style="list-style-type: none"> • Relax setbacks for Step 5 homes or certified Passive House 	<ul style="list-style-type: none"> • Relax setbacks for Step 5 homes or certified Passive house
Training		<ul style="list-style-type: none"> • City of Kelowna building officials training on Energy Step Code permitting process • Builders and trades training: understanding the permitting process for Energy Step Code • Explore other opportunities through Energy Step Code Council, FortisBC, and Okanagan College.

The revised implementation strategy proposes implementing Step 1 for all new Part 9 residential construction on December 1, 2019. Step 3 is proposed to be implemented eighteen months later. Building Bylaw Amendment No. 13, attached as Appendix C for Council consideration, includes a section for Energy Step Code implementation to make explicit and provide transparency for the dates the different steps of Energy Step Code come into effect. The proposed bylaw amendment also includes wording to make the language in the bylaw gender neutral.

The revised implementation strategy also includes revisions to the City's proposed incentives. Adjustments have been made based on input from the Solutions Lab to include incentives prior to the implementation of Step 1, so the building industry can become familiar with the new procedures and using an Energy Advisor. Further, training will be offered by the City to the building industry this fall to acquaint them with the Energy Step Code permitting process.

As in the original proposal, the revised implementation strategy also includes a recommendation for a Zoning Bylaw amendment to ensure that the thicker walls (needed for additional insulation) required at Step 5 do not inadvertently impact the size of the home built, particularly on urban lots. Staff are in the process of preparing these amendments and will bring them for Council consideration in the coming weeks.

The proposed implementation strategy was circulated to a variety of stakeholders (including CHBA-CO, UDI, and BC Housing), attendees of the Solutions Lab, and the City's Energy Step Code e-scribe list (approximately 320 people) for final input, and four letters were received (see Appendix D). Three stakeholders (UBCO, Okanagan Innovative Energy Forum, and Total Home Solutions) stated that the City should adopt Energy Step Code at a more accelerated rate than what is proposed. One

stakeholder, CHBA-CO, reiterated their position that the Energy Step Code implementation should be delayed. The External Agencies / Public Comment section below provides additional information on these comments.

Next steps:

Consulting on the Energy Step Code for Part 3 buildings and creating a Community Energy Retrofit Strategy are the next steps for creating more energy efficiency buildings.

Energy Step Code for Part 3 Buildings:

Until recently, communities outside of Climate Zone 4 (the lower mainland and southern Vancouver Island) were only able to reference the Energy Step Code for Part 9 buildings. As of December 10, 2018, all municipalities can now reference Energy Step Code for Part 3 buildings, such as larger apartment buildings, condos, shopping malls, office buildings, hospitals, care facilities, schools, churches, theaters and restaurants. Like its Part 9 counterpart, the Province has mandated Part 3 buildings to also be 20 per cent more efficient by 2022. To help build capacity and reduce emissions from this sector prior to the Province mandating the change, the City needs to engage with stakeholders and develop a separate strategy for Energy Step Code Implementation for Part 3 buildings.

Community Building Energy Retrofit Strategy:

Approximately 72 per cent of the current housing stock in Kelowna was built prior to 2000.¹¹ Many of these homes are reaching the age where major structural components will need to be replaced. This offers an opportunity to increase energy efficiency through building envelope and mechanical system upgrades. The City's new Community Energy Specialist will be developing a Community Energy Retrofit strategy later this year that examines options and incentives to encourage energy retrofits. Further, FortisBC has selected Kelowna for a targeted campaign for building retrofits in 2019.

Conclusion:

The Energy Step Code is designed to improve the energy efficiency of new construction. The Province has established timelines to move the industry incrementally toward a future in which all new construction is net-zero energy ready by 2032. Municipalities that issue more than two-thirds of the province's residential building permits have already adopted Energy Step Code, including Penticton and Lake Country. Kelowna has an opportunity to follow the leadership taken by these communities in creating more energy efficient homes that reduce emissions while preparing the building industry for the changes that are coming.

The Energy Step Code Implementation Strategy takes into consideration numerous inputs including the mandated provincial timelines and the collaborative approach taken at the Energy Step Code Solutions Lab.

With the continued urgency to reduce climate change, it is critical to take action. Implementing the Energy Step Code directly aligns with the newly endorsed Council priority of environmental protection with the goal of being *adaptable in the face of climate change*. It also demonstrates the commitment to two Council-endorsed plans, the Community Climate Action Plan and the Healthy Housing Strategy. The implementation strategy will aid industry in moving towards more energy efficient buildings in an

¹¹ City of Kelowna, 2018. Our Kelowna As We Take Action: Kelowna's Community Climate Action Plan. https://www.kelowna.ca/sites/files/1/docs/community/community_climate_action_plan_june_2018_final.pdf

incremental manner with support from the City of Kelowna, and demonstrate a commitment and responsibility to the community's role in climate leadership.

Legal/Statutory Authority:

To support energy conservation and greenhouse gas reduction objectives, Section 5 of the *Building Act* ("Unrestricted Matters") authorizes local governments in BC (except the City of Vancouver) to reference the *BC Energy Step Code* in their policies and bylaws, and may begin enforcing requirements as of December 15, 2017, subject to notification timelines.¹²

Existing Policy:

The City of Kelowna has established a number of climate action goals and programs that are delivering on Council's commitment to low-carbon energy, including:

Official Community Plan

- OCP Objective 5.16. "Improve the energy efficiency and environmental performance of new buildings."
- OCP Objective 6.2. "Improve energy efficiency and reduce community greenhouse gas emissions."
- OCP Policy 6.2.1 GHG Reduction Target and Actions. The City of Kelowna will, in partnership with: senior governments; local residents and businesses; NGOs; external agencies; and utility providers, work towards reducing absolute community greenhouse gas emissions by:
 - 4% below 2007 levels by 2023;
 - 25% below 2007 levels by 2033; and
 - 80% below 2007 levels by 2050.

Our Kelowna as We Take Action: Kelowna's Community Climate Action Plan (2018-2023):

- Action # B5 Update Kelowna's Building Bylaw to reference the Energy Step Code as a city-wide requirement for Part 9 buildings with an adoption timeline of Step 1 by April 2019, graduating to Step 3 by October 2020 (carriage houses would require Step 2 compliance at this time).
- Action # B6 Relax the setback requirements in Kelowna's Zoning Bylaw to ensure thicker walls to accommodate more insulation (common to buildings constructed to Steps 4 and 5 of the Energy Step Code).
- Action # B7 Create a building permit fee rebate program for part 9 buildings to incentivize projects achieving Steps 4 and 5 of the Energy Step Code.

Healthy Housing Strategy

- i. Recommended action: Implement the Energy Step Code for New Housing: Develop an Energy Step Code Implementation Plan to increase energy efficiency and reduce utility costs in new builds to reduce household carrying costs.

Financial/Budgetary Considerations:

\$75,000 from the Permit Averaging Reserve Account to provide building permit fee rebates:

¹² Province of BC, 2017. BC Energy Step Code: A Best Practices Guide for Local Governments.

https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/guides/bcenergystepcode_guide_v1.pdf

- i. \$500 for engaging an energy advisor for modelling and final blower door test between May 15, 2019 and November 30, 2019 (maximum 10 rebates per builder)
- ii. \$500 for Step 4 residential buildings between May 20, 2019 and May 31, 2021 to incent achieving higher steps of the Energy Step Code.
- iii. \$1,000 for Step 5 residential buildings or certified Passive House between May 20, 2019 and May 31, 2021 to incent achieving higher steps of the Energy Step Code

External Agency/Public Comments:

Attachment B of the Energy Step Code Report summarizes almost 60 engagement contacts that have taken place during the development of the Energy Step Code implementation strategy. Further, Attachment C includes the results of the Industry Survey completed in 2018 and Attachment D summarizes the Energy Step Code Solutions Lab hosted in early 2019.

On March 12, 2019, the revised Energy Step Code Implementation Strategy was circulated for final comment to:

- ii. Energy Step Code Solutions Lab attendees
- iii. CHBA-Central Okanagan
- iv. UDI Okanagan
- v. FortisBC
- vi. Community Energy Association Network
- vii. City of Kelowna's Energy Step Code e-subscribe list

Letters of comment were received from the following organizations (see Appendix D for copies of the letters):

Organization forwarding letter	Comment summary	How concerns were addressed
UBC-O	Support for City of Kelowna's adoption for Step 1 in December 2019. Recommend the City consider implementing the ESC at an accelerated pace.	The implementation dates were informed by the collaborative solutions proposed at the Energy Step Code Solutions Lab attended by a diverse group of building industry representatives with differing views on Energy Step Code.
Okanagan Innovative Energy Forum	Adopt Steps earlier than proposed: Step 1 on September 1, 2019 and Step 3 on October 1, 2020, which aligns with District of Lake Country.	The implementation dates were informed by the collaborative solutions proposed at the Energy Step Code Solutions Lab attended by a diverse group of building industry representatives with differing views on Energy Step Code.
Total Home Solutions Inc.	Adopt Step 1 prior to December 1, 2019. Overall support for Energy Step Code Implementation	Implementation dates informed by the collaborative solutions proposed at the Energy Step Code Solutions Lab attended by a diverse group of building industry representatives with differing views on Energy Step Code.
CHBA-	1. No implementation of the BC	1. Several members, including the President

Organization forwarding letter	Comment summary	How concerns were addressed
Central Okanagan	Energy Step Code until there is a "Retrofit Code" implemented by the City of Kelowna.	<p>and other board members, of CHBA attended the Energy Step Code Solutions Lab, and provided input into a collaborative solution for implementation dates prior to the provincial requirements.</p> <p>Currently municipalities cannot require energy efficiency upgrades during retrofits. However, through the CleanBC plan, the Province has committed to develop a Retrofit Code for existing buildings by 2024 which would require efficiency upgrades during retrofits. The City will be developing a Retrofit Strategy in 2019 which will examine opportunities to encourage and incentivize energy retrofits in older homes. Further, FortisBC will be piloting a project in Kelowna in 2019 to encourage retrofits.</p>
	2. Before implementation occurs, work with the Development community to amend Zoning Bylaws and Design Guidelines to better complement the BC Energy Step Code requirements.	2. Zoning Bylaw amendments are included in this package to relax side, rear, front and/or flanking street requirements so that the incremental additions of insulation needed to achieve the upper steps do not inadvertently impact the size of a home built on urban lots. Through the OCP update process, the Urban Design DP will be revised and will address Energy Step Code requirements. These will be in place prior to the implementation of Step 3.
	3. The City of Kelowna should monitor the implementation of the BC Energy Step Code in the City of Penticton.	3. City of Kelowna staff will continue to communicate with other local jurisdictions on Energy Step Code implementation. In addition, staff will also continue to participate in a Local Government Step Code Peer Network to learn from other communities around the province.
	4. There needs to be more Certified Energy Advisors in the region and should re-evaluate in June 2019 to see if Kelowna is ready for implementation.	4. There are currently 8 energy advisors active in the Kelowna area. Lake Country and Penticton are the only jurisdictions currently requiring Energy Step Code. Further, there are 10 students registered for the April Energy Advisor course which could provide

Organization forwarding letter	Comment summary	How concerns were addressed
	5. City and CHBA-CO work together on a home through the permitting process as a training opportunity.	<p>additional advisors.¹³ It has been communicated to staff that additional energy advisor capacity is contingent on governments enacting robust regulations to provide assurance to those wishing to hire or invest in training to become an Energy Advisor.</p> <p>5. The City will work with CHBA-CO to look for training opportunities on the permitting process.</p>

Two letters of support for Energy Step Code implementation provided as part of the August 27th, 2018 Council Report, from BC Housing and FortisBC, are still relevant to the revised strategy.

Submitted by:

M. Kam and T. Guidi

Approved for inclusion:



Danielle Noble-Brandt, Policy & Planning Department Manager

Attachments:

- Appendix A: Energy Step Code Implementation Strategy for Part 9 Buildings
- Appendix B: Energy Step Code Implementation Strategy Timeline Part 9 Residential Buildings
- Appendix C: Building Bylaw Amendment No. 13 for Energy Step Code
- Appendix D: Consultation response letters:
 - UBC Okanagan
 - Okanagan Innovative Energy Forum
 - Total Home Solutions
 - CHBA-CO

cc:

Divisional Director, Community Planning and Development
 Development Services Director
 Building & Permitting Manager
 Energy Program Manager
 Community Energy Specialist
 Community Planning Supervisor
 Legislative Coordinator

¹³ Total Home Solutions, April 5, 2019. Letter regarding Energy Step Code Implementation.

Energy Step Code

Implementation for Part 9 Residential Buildings

Updated May 2019

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Executive Summary

The BC Energy Step Code is a provincial standard, designed to achieve the goals set out in the national Pan-Canadian Framework, to help both local government and industry incrementally move toward a future in which all new construction across the province is “net-zero energy ready” by 2032. Currently, local governments can voluntarily reference requirements of the Energy Step Code, however, according to the Province’s CleanBC Strategy, released December 2018, future iterations of the BC Building Code¹ will require Energy Step Code compliance through a step by step path so that, compared to current base BC Building Code, new homes will be:

- 20 per cent more energy efficient by 2022 (approximately Step 3 for part 9 buildings and Step 2 for part 3 buildings)
- 40 per cent more energy efficient by 2027 (approximately Step 4 for part 9 buildings and Step 3 for part 4 buildings)
- 80 per cent more energy efficient by 2032 (Step 5, net-zero energy ready standard for part 9 buildings, and Step 4 for part 3 buildings)²

Many communities across the Province are already currently referencing the Energy Step Code. In fact, communities that issue more than two-thirds of the province’s residential building permits have referenced the BC Energy Step Code in building bylaws or policies. An additional nine per cent of communities are consulting with industry on a plan to do so.³

Since the fall of 2017, the City of Kelowna has been engaging and developing an Energy Step Code Implementation Plan for Part 9 buildings as outlined in this document (Part 3 buildings will be addressed in a separate process). The engagement process included over 55 touchpoints with affected stakeholders from September, 2017 through February, 2019. This was through a series of meetings, informational offerings (print, email, web), several industry surveys, targeted training opportunities and an Energy Step Code Solutions Lab. The proposed Energy Step Code Implementation Strategy for Part 9 buildings, as outlined in the table below, takes into consideration the input from stakeholder engagement and best practices from across the province.

The Energy Step Code Implementation Plan for Kelowna seeks to provide a balance of building industry capacity while reaching the community’s goals for energy and greenhouse gas emissions reduction. The timeline allows the industry to build capacity and to catch up to other communities in the Province who are requiring buildings to meet Step 3.

¹ The BC Building Code will be updated two or three times prior to 2032, and the Province will most likely move up the steps with each of the Building Code iterations.

² Province of BC, 2018. cleanBC our nature. our power. our future.

https://cleanbc.gov.bc.ca/app/uploads/sites/436/2018/12/CleanBC_Full_Report.pdf

³ Energy Step Code Council, 2019. March 2019 Stakeholder Update email report.

<https://mailchi.mp/energystepcode/march2019?e=4cd7c05fad>

Training	Incentives
Prior to Step 1 Spring – November 30, 2019	
<ul style="list-style-type: none"> City of Kelowna building officials training on Energy Step Code permitting process Builders and trades training: Understanding the permitting process for Energy Step Code Additional training opportunities being explored with the Energy Step Code Council, FortisBC, and Okanagan College. 	<ul style="list-style-type: none"> City of Kelowna Rebates*: <ul style="list-style-type: none"> \$500 building permit rebate for engaging an energy advisor for modelling, and final construction blower door test (maximum 10 rebates per builder). Mid-construction blower door tests as learning opportunity are encouraged, but not required. Incentive available until Nov. 30, 2019. ** \$500 building permit fee rebate to achieve Step 4 – available until May 31, 2021 \$1000 building permit fee rebate to achieve Step 5 or certified Passive House – available until May 31, 2021 Fortis Rebates: <ul style="list-style-type: none"> Energy advisor support - \$500 Builders achieving various steps are eligible for rebates in addition to energy advisor support: <ul style="list-style-type: none"> \$1000 (Step 2), \$2000 (Step 3), \$4000 (Step 4) and \$8000 (Step 5) Zoning bylaw amendment for Step 5 / certified Passive House to relax setbacks as outlined in Attachment E.
Step 1 Implementation December 1, 2019 to May 31, 2021	
<ul style="list-style-type: none"> Staff/Council training on building form and character associated with upper steps, as part of design guideline discussion with OCP update Additional training opportunities being explored with the Energy Step Code Council, FortisBC, and Okanagan College. 	<ul style="list-style-type: none"> City of Kelowna Rebates*: <ul style="list-style-type: none"> \$500 building permit fee rebate to achieve step 4 – available until May 31, 2021 \$1000 building permit fee rebate to achieve step 5 – available until May 31, 2021 Fortis Rebates: <ul style="list-style-type: none"> Energy advisor support - \$500 Builders achieving various steps are eligible for rebates in addition to energy advisor support: <ul style="list-style-type: none"> \$1000 (Step 2), \$2000 (Step 3), \$4000 (Step 4) and \$8000 (Step 5)
Step 3 Implementation June 1, 2021 to December 2022	
<ul style="list-style-type: none"> Training opportunities to be determined 	<ul style="list-style-type: none"> Fortis Rebates: <ul style="list-style-type: none"> Builders achieving various steps are eligible for rebates in addition to energy advisor support: <ul style="list-style-type: none"> \$2000 (Step 3), \$4000 (Step 4) and \$8000 (Step 5)
Province requiring buildings to be 20% more energy efficient December 2022 – BC Building Code Update	

*A maximum of \$75,000 is dedicated to all City of Kelowna rebates. If the maximum value of rebates is used prior to 2021, staff will review and investigate opportunities for new incentives.

**The \$500 rebate will be applied at time of building permit issuance. Occupancy will be granted on the condition of the builder completing the energy model, final construction blower door tests and associated compliance forms. There are no targets to be met as this is being provided as a learning opportunity for builders to begin working with an energy advisor and completing blower door tests on their buildings prior to Step 1 becoming mandatory.

Introduction

Energy Step Code Overview

The federal Pan-Canadian Framework on Clean Growth and Climate Change was developed to meet Canada's emissions reduction targets, grow the economy and build resilience to a changing climate. This federal plan, adopted in 2016, outlines targets to make new buildings more energy efficient. It calls for federal, provincial and territorial governments to develop and adopt increasingly stringent model building codes, with a goal of achieving "net-zero energy ready"⁴ model building codes by 2030⁵.

The BC Energy Step Code is a provincial standard, designed to achieve the goals set out in the Pan-Canadian Framework, to help both local government and industry incrementally move toward a future in which all new construction across the province is "net-zero energy ready" by 2032. A variety of stakeholders were involved in its development, including the Urban Development Institute (UDI), Canadian Home Builders Association (CHBA), BC Hydro, FortisBC, Architectural Institute of BC, Engineers and Geoscientists BC, BC Housing, the Local Government Management Association, as well as a number of local governments.

On April 11, 2017, the Province announced its adoption of the BC Energy Step Code as a technical regulation. It is currently a voluntary compliance path within the BC Building Code (9.36.6) that establishes a series of measurable, performance-based energy efficiency targets (or steps) that supports market transformation from the current prescriptive energy efficiency requirements to net-zero energy ready buildings by 2032. The BC Energy Step Code aims to provide consistency across BC by creating a standard set of performance requirements for a buildings envelope, equipment and systems, and air-tightness, while offering local governments a simple and effective set of standards to support their energy conservation and greenhouse gas (GHG) emissions reduction goals.

The Energy Step Code consists of two broad sets of energy standards that cover:

- "Part 3" buildings – large and/or complex buildings such as large multi-family, commercial, and industrial buildings, and
- "Part 9" buildings – residential buildings three (3) stories and less, and under 600m² building area.⁶

The Province of BC released the CleanBC Strategy in December 2018. The purpose of the Strategy is to reduce GHG emissions from all sectors while building the economy. Future iterations of the BC Building Code will require Energy Step Code compliance through a step by step path so that, compared to current base BC Building Code, new homes will be:

- 20 per cent more energy efficient by 2022 (approximately Step 3 for part 9 buildings and Step 2 for part 3 buildings)
- 40 per cent more energy efficient by 2027 (approximately Step 4 for part 9 buildings and Step 3 for part 4 buildings)

⁴ A net-zero energy ready building is designed and built to reduce energy needs to a minimum such that with the inclusion of on-site renewable energy systems, the building has the ability to produce as much energy as it consumes on a yearly basis.

⁵ Government of Canada. Pan-Canadian Framework on Clean Growth and Climate Change.

<https://www.canada.ca/en/services/environment/weather/climatechange/pan-canadian-framework/climate-change-plan.html>

⁶ In the future, the Energy Step Code Council will work with stakeholder and experts to develop proposals for Part 3 buildings in other climate zones.

- 80 per cent more energy efficient by 2032 (Step 5, net-zero energy ready standard for part 9 buildings, and Step 4 for part 3 buildings)⁷

Since the fall of 2017, the City of Kelowna has been engaging and developing an Energy Step Code implementation plan for Part 9 buildings as outlined in this document. The City of Kelowna will address Energy Step Code Implementation for Part 3 buildings in a separate process.

Shifting to a Performance-Based Approach

The BC Energy Step Code marks an end to the prescriptive approach. Instead, a building's performance must be proven, demonstrated through whole-building energy modelling and on-site testing to validate how the design, and the constructed building, meet the performance targets associated with each 'Step'. A "performance" approach is inherently flexible, as it simply establishes a performance target and leaves it to the building team to decide how to meet the target in the most efficient and cost effective manner. The efficiency requirements of the Energy Step Code vary between climate zones⁸.

For Part 9 buildings, there are five performance target steps, each representing a higher level of performance. Steps 1 through 3 represent the Lower Steps, while Steps 4 and 5 form the Upper Steps (Figure 1).

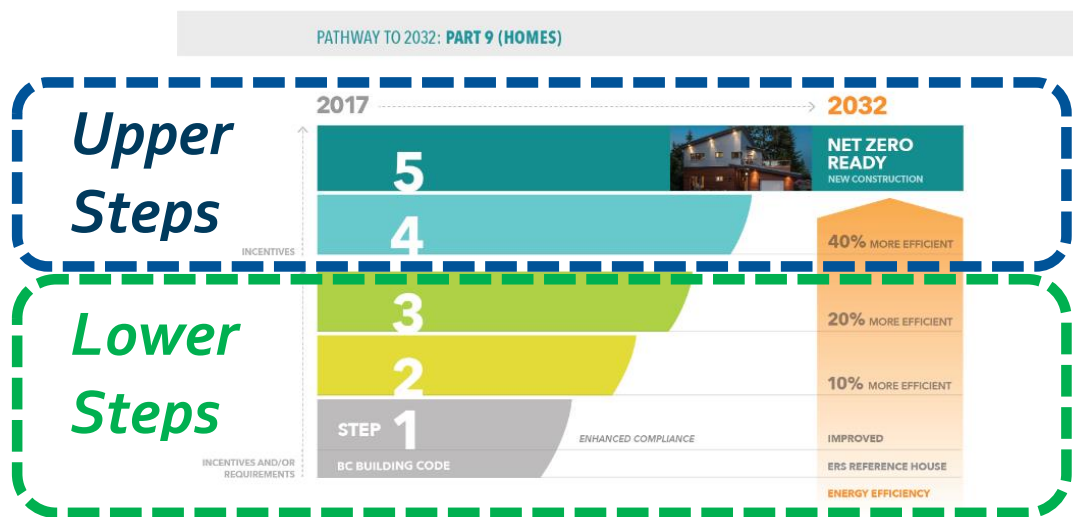


FIGURE 1: 'STEPS' FOR PART 9 BUILDINGS.

The Step Code forms a framework by which the construction industry can, over time, "step up" the performance of their buildings to the net-zero energy ready level that must be achieved by 2032. The purpose

⁷ Province of BC, 2018. cleanBC our nature. our power. our future.

https://cleanbc.gov.bc.ca/app/uploads/sites/436/2018/12/CleanBC_Full_Report.pdf

⁸ The climate zones are based on an average annual temperature indicator called a heating-degree day (HDD). The higher the HDD value, the colder the location. In BC there are six climate zones (4, 5, 6, 7A, 7B, and 8) (Attachment A). Kelowna is in Climate Zone 5.

of Step 1 is to familiarize builders with a new way of measuring energy efficiency although the actual construction of the building remains the same as conventional construction.⁹

How the Energy Step Code can be used by Local Governments

The BC Energy Step Code policy states that the first three years (2017 to 2020) are to serve as a transition period, during which time the Energy Step Code Council¹⁰ and member organizations will provide support to communities as they learn to apply the regulation. Recognizing that builders, designers, and trades will need time to build capacity to achieve better performing buildings, the Energy Step Code Council recommends that local governments only cite Lower Steps in their policies and regulations (Steps 1 – 3 for Part 9 residential buildings); upper Steps should only be referenced if significant incentives are being offered.¹¹ This transition period is an opportunity for local governments to be proactive by adopting one or more Steps to enable the local market to mature and to spur increased industry capacity for services and products that support higher performing buildings.

Benefits to the City of Kelowna and Community

Buildings account for approximately 36 per cent of Kelowna's community GHG emissions.¹² Increasing energy efficiency in buildings is identified as one of the means for Kelowna to achieve its GHG emissions reduction target of 4 per cent below 2007 levels by 2023. The easiest and most cost effective time to make energy efficiency upgrades is during the construction of new buildings. Significant additional benefits are associated with higher performing buildings, including:

- Increased comfort – Buildings with high performance building envelopes are more comfortable, with fewer drafts and more consistent temperatures near exterior windows and walls.
- Quieter homes – Homes with better insulation and airtightness are quieter, with less external noise pollution entering the interior spaces.
- Improved indoor air quality – Buildings constructed with performance in mind have balanced ventilation, delivering fresh air to occupants, while expelling stale air and excess moisture. This results in better indoor air quality and health outcomes for occupants, while reducing moisture related problems. Local anecdotal evidence demonstrates that higher performing homes are also effective in filtering out smoke and particulate associated with summer wildfires.
- Increased building durability and ease of maintenance - Buildings built to Energy Step Code requirements require a whole-systems approach, resulting in better performing building envelopes that manage moisture and increase durability, while also simplifying building heating and cooling systems.

⁹ Province of BC, 2017. BC Energy Step Code: A Best Practices Guide for Local Governments.

https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/guides/bcenergystepcode_guide_v1.pdf

¹⁰ The Energy Step Code Council (ESCC) is comprised of associations representing industry professions and trades, local government and public sector organizations, and utilities and consumer interests. Its role is to build consensus between stakeholders and to support a smooth transition to BC Energy Step Code implementation.

¹¹ Province of BC, 2017. BC Energy Step Code: A Best Practices Guide for Local Governments.

https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/guides/bcenergystepcode_guide_v1.pdf

¹² City of Kelowna, 2018. Our Kelowna as We Take Action: Kelowna's Community Climate Action Plan. Estimate based on 2012 GHG Emissions inventory. https://www.kelowna.ca/sites/files/1/docs/community/community_climate_action_plan_june_2018_final.pdf

Durable buildings with simpler systems reduce the potential for expensive repairs as a building and its systems age.

- Regional economic development - The global green-building market is said to double every three years, with a value of the green building materials market expected to reach \$234 billion by 2019.¹³ Since the BC Energy Step Code encourages high performance building envelopes, with many of the components manufactured locally – insulation, windows, framing components – new local economic development opportunities await.
- Climate change adaptation - Buildings with better building envelopes are more adaptable to changing climates, remaining warmer in the winter and cooler in the summer.
- Reduced utility costs – As identified in Kelowna’s Healthy Housing Strategy, the cost of housing is increasing and income isn’t keeping pace. In both rental and ownership categories, many Kelowna residents are spending over 30 per cent of their annual income on housing costs. Utility costs can be a significant portion of shelter costs, and improving energy efficiency in buildings can result in lower utility bills for owners and occupants.¹⁴

¹³ “World Green Building Trends 2016, Developing Markets Accelerate Global Green Growth.” World Green Building Council.

¹⁴ City of Kelowna, 2018. Healthy Housing Strategy.

<https://kelownapublishing.escribemeetings.com/filestream.ashx?DocumentId=16448>

Approach to Step Code in other BC Communities

Local governments across BC have used a broad spectrum of policy tools including tools that raise awareness, provide incentives, institute bylaw requirements, remove barriers to energy efficient buildings, and/or demonstrate leadership. Many communities across the Province are already currently referencing the Energy Step Code. In fact, communities that issue more than two-thirds of the province's residential building permits have now referenced the BC Energy Step Code in building bylaws or policies. An additional nine per cent of communities are consulting with industry on a plan to do so.¹⁵

As of April, 2019, the following local governments have referenced the Energy Step Code in their policies¹⁶:

Adopted the Step Code (currently in effect, or will come into effect)	Incentivizing the Step Code
<p>Already in effect:</p> <p>Climate Zone¹⁷ 5:</p> <ul style="list-style-type: none"> • City of Penticton • District of Lake Country <p>Climate Zone 6:</p> <ul style="list-style-type: none"> • Resort Municipality of Whistler <p>Climate Zone 4:</p> <ul style="list-style-type: none"> • City of Burnaby • City of New Westminster • City of North Vancouver • City of Richmond • City of Surrey • City of Victoria • District of North Saanich • District of North Vancouver • District of Oak Bay • District of Squamish • District of West Vancouver • Township of Langley • University of British Columbia • Village of Anmore <p>Adopted to come into effect:</p> <ul style="list-style-type: none"> • Bowen Island Municipality (October 2019) • City of Abbotsford (September 2019) 	<p>Climate Zone 5:</p> <ul style="list-style-type: none"> • City of Campbell River • City of Kimberley • Comox Valley Regional District • District of Sparwood

¹⁵ Energy Step Code Council, 2019. March 2019 Stakeholder Update email report.

<https://mailchi.mp/energystepcode/march2019?e=4cd7c05fad>

¹⁶ Province of BC, Implementation Updates: Local Governments Referencing the BC Energy Step Code.

https://energystepcode.ca/implementation_updates/ and Energy Step Code Council, 2019. March 2019 Stakeholder Update email report. <https://mailchi.mp/energystepcode/march2019?e=4cd7c05fad>

¹⁷ See footnote 8 for a description of climate zones. See Attachment A for a map showing the six climate zones in BC.

For a complete list of the steps each local government is referencing or incentivizing, see the summary presented in Attachment A: Local Governments Reference the BC Energy Step Code as of April 2019.

Locally, Okanagan municipalities (City of Kelowna, City of Penticton, District of Summerland, District of Peachland, City of West Kelowna, District of Lake Country, and City of Vernon) have been collaborating on Energy Step Code in the region. The City of Penticton has already adopted an implementation timeline, and Step 1 came into effect in that community on March 15, 2019 (Step 3 will follow in March, 2020). District of Lake Country has also endorsed Energy Step Code and Step 1 was implemented on April 1, 2019 and Step 3 will be implemented on October 1, 2020 (Step 2 for accessory suites). Many other Okanagan communities have provided their “notification to consult” to the Province stating their intent to engage with industry on an adoption approach to the Step Code including:

- City of Vernon
- District of Peachland
- City of West Kelowna
- District of Summerland

Step Code Strategy for Kelowna

Kelowna's Official Community Plan (OCP) has a goal of improving energy efficiency and performance of buildings. The OCP targets an 80 per cent reduction in community greenhouse gas emissions by 2050 (below 2007 levels). Actions to achieve these goals are outlined in Our Kelowna as We Take Action, Kelowna's Community Climate Action Plan, including actions to implement Energy Step Code to reduce GHG emissions and energy use in new buildings. The recently endorsed Healthy Housing Strategy also recommends the implementation of Energy Step Code to help improve affordability, as improvements to energy efficiency help reduce household operating costs.

After an initial round of stakeholder engagement that commenced in September 2017, City Council directed staff to engage key stakeholders on the Energy Step Code Implementation Strategy on March 26th, 2018. In collaboration with the UDI Okanagan Chapter, Canadian Home Builder's Association Central Okanagan (CHBA-CO), and with local municipalities from Penticton to Vernon, staff sought to inform and gather feedback from development industry representatives, home builders, architects and designers, engineers, suppliers, energy advisors/modelers and others.

Building Permit Impact

It is estimated that by 2040, 30 per cent of all the residential units in the community will have been constructed since 2018, providing an opportunity to include energy efficiency as part of this new construction. In 2018 alone, the City issued building permits for 2,639 residential units.

This Energy Step Code implementation strategy focuses on Part 9 residential buildings. Part 9 residential buildings are three storeys or less and have a building area no more than 600 square meters. These include single family dwellings, duplexes, triplexes, quadplexes, townhouses, some smaller apartment buildings, and carriage houses. Based on the trends of previous years, it is anticipated that the Step Code requirements for Part 9 buildings will affect 700 to 800 building permits annually.

Industry Engagement on Proposed Approach

The engagement process included over 55 touchpoints with affected stakeholders from September, 2017 through February, 2019. This was through a series of meetings, informational offerings (print, email, web), several industry surveys, targeted training opportunities and an Energy Step Code Solutions Lab. A full list of stakeholder touchpoints is available in Attachment B: Engagement Summary on Energy Step Code Implementation.

Engagement prior to August 2018

Engagement prior to August, 2018 was based on a proposed implementation timeline for Part 9 buildings of:

- Step 1 on April 1, 2019
- Step 3 on October 1, 2020.

An industry survey (See Attachment C: Regional Industry Survey and Results) was completed by 53 people in the building industry with roles including property owners/developers, general contractors, design-builders, construction managers, trade contractors, design professionals, and energy advisors, who were involved in construction of a variety of Part 9 buildings between April 15 and May 30, 2018. Feedback from the survey on the proposed timeline is summarized below.

- 86 per cent of survey respondents indicated that the proposed timeline is achievable:
 - 31 per cent indicated that the City should not wait to implement the Step Code, and that we should get started today
 - 29 per cent indicated that it is achievable with the right supports
 - 26 per cent indicated that it is achievable but may pose challenges
 - Only 14 per cent of survey respondents indicated that the proposed timeline was not achievable
- Many viewed training/educational supports as a key to success for a smooth transition, including:
 - Energy modelling and the role of the Energy Advisor
 - Trades specific training (e.g., air and moisture barriers, window installation, etc.)
 - New construction techniques
 - Ventilation and mechanical systems for high performance housing
- Incentives such as those offered by FortisBC are seen as an important tool in helping transition the market:
 - 73 per cent of survey respondents said they were 'very likely' or 'somewhat likely' to access the FortisBC incentives available for each step achieved of the Energy Step Code in 2018.
- The need for City staff to be trained to ensure a smooth roll-out and processing of building permit applications
- Having sufficient Energy Advisor capacity was noted as necessary for meeting the proposed timelines and ensuring they are accredited and that quality assurance checks are in place
- Some concern for impacts to affordability was noted, especially for the higher 'Steps'
- The need to communicate customer benefits, particularly through home energy labeling programs such as the EnerGuide label.

Additional engagement during this time period included workshops with CHBA-CO and UDI, individual discussions with builders, energy advisors, contractors, FortisBC, BC Housing and a local government working group. While many thought the timeline was achievable (including letters of support from FortisBC, BC Housing, a local builder), others felt that there were challenges to achieving the timeline including impacts to affordability, insufficient energy advisors, lack of industry skills, and impacts to processing times.

Engagement after August 2018

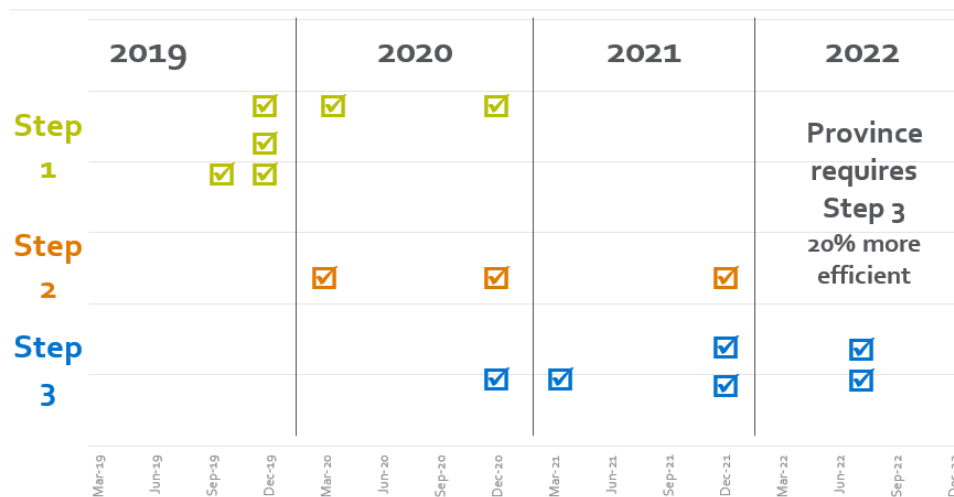
On August 27, 2018 Council made the decision to defer the proposed implementation strategy of Step 1 on April 1, 2019 and Step 3 on October 1, 2020 in order for the CHBA-CO to complete their Energy Step Code Costing Study. They also requested that staff do additional engagement with stakeholders.

After receiving CHBA-COs costing study (for additional information on the study see "Addressing Concerns" section), staff worked with the BC Buildings Standard Branch, Energy Step Code Council, BC Housing, and FortisBC to understand the differences between the results of CHBA-CO's costing study and BC Housing's 2018 Metrics Research Full Report Update.

In December, 2018, the Province released its CleanBC Plan which provided a provincial timeline for the implementation of the Energy Step Code, with Step 3 for Part 9 buildings being mandated as part of a BC Building Code update by 2022.¹⁸

An Energy Step Code Solutions Lab was hosted by the City on February 12, 2019. The intent of the Solutions Lab was to gather a diverse group of representatives from the building industry to gather additional feedback on an implementation timeline for Part 9 buildings that seeks to reduce energy and GHG emissions while building industry capacity in advance of the Province implementing Step 3 in 2022. Thirty participants were chosen from over fifty applicants ensuring a variety of building industry representation (e.g., builders, developers, trades, architects/designers, energy advisors/consultants) with differing views on Energy Step Code.

Working together in diverse groups, participants developed options for implementation between now and when the Province makes Step 3 mandatory in 2022. As illustrated in the figure below, the majority of proposed solutions identified Step 1 becoming mandatory by the end of 2019 (the green check marks). Only three of the groups felt that there was a need to include Step 2 in the implementation process (the orange check marks). There were differing views on when Step 3 should be implemented by the City; however the majority of the proposed solutions thought it should be adopted in advance of when the province requires it in the BC Building Code in 2022.



Participants also identified the importance of training to support implementation, including training on working with energy advisors and designers, blower door testing, and the new permitting process. They also suggested additional incentives such as subsidized training, incentives for blower door testing, and bylaw relaxations for more efficient homes.

Attachment D: Energy Step Code Solutions Lab Summary provides a complete summary of the event.

¹⁸ Province of BC, 2018. cleanBC our nature. our power. our future.
https://cleanbc.gov.bc.ca/app/uploads/sites/436/2018/12/CleanBC_Full_Report.pdf

Addressing Concerns

The engagement process revealed a number of concerns regarding Step Code implementation. These concerns were carefully considered and informed the Implementation Strategy and recommended timeline for adoption presented in this report.

1. Insufficient Energy Advisor Capacity

Through discussions with energy advisors, it was shown that boosted energy advisor capacity is contingent on governments enacting robust regulations that provide some measure of assurance to those wishing to invest in the training to become an energy advisor, or for those businesses wishing to hire more energy advisors. Currently, there are approximately eight energy advisors servicing the area. In addition, to an energy advisor course and exam hosted in Kelowna in 2018, another training course will be offered in Kelowna for April 2019¹⁹. Further, the timeline proposed below provides over 7 months from the time of Council adoption to the implementation of Step 1 for energy advisor capacity to respond to the anticipated demand.

2. Impacts affordability

Staff have reviewed the findings of several costing studies for cost increases associated with building to the lower steps.

BC Housing's *Metrics Research Full Report Update (2018)*²⁰ modelled between 10,000 and 20,000 combinations of energy conservation measures for six different archetypes (multi-unit residential buildings, row house, quadplex, large single family dwelling, medium single family dwelling and a small single family dwelling) in each climate zone. Part 9 buildings in Climate Zone 5, which Kelowna is in, showed the following lowest increases in costs over constructing to the base building code as:

	10 unit MURB	6-unit Row House	Quadplex	Large SFD	Medium SFD	Small SFD – slab on grade
Step 1	0.1%	0.2%	0.2%	0.2%	0.2%	0.4%
Step 2	0.5%	0.5%	0.3%	0.4%	0.2%	0.5%
Step 3	0.6%	0.5%	1.1%	0.6%	0.4%	1.2%

In 2018, CHBA-CO also commissioned a study on the costs of achieving various steps of the Energy Step Code. The BC Housing Metrics study focused its research on how to achieve low costs based on optimized building design and energy efficiency measures. The CHBA-CO study question was slightly different, and it looked at the incremental cost increases of what would need to be added to an existing building design in order to meet the various steps. The results of the CHBA-CO study²¹ for the lower steps showed:

¹⁹ Personal Communication with Total Home Solutions, March 5, 2019.

²⁰ BC Housing, 2018. 2018 Metrics Research Full Report Update. <http://energystepcode.ca/app/uploads/sites/257/2018/09/2018-Metrics-Research-Report-Update-2018-09-18.pdf>

²¹ Canadian Home Builder's Association Central Okanagan, 2018. A study by Industry for Consumers. <https://www.chbaco.com/wp-content/uploads/2018/12/CHBA-CO-Step-Code-Costing-Report-Full-2018-12-05.pdf>

	Small (2,307 ft ²)	Medium (2,806 ft ²)	Duplex (4,432 ft ²)
Step 1	2%	4%	0.3%
Step 2	3%	4.3%	1.3%
Step 3	4.3%	6.4%	2.5%

(note: in cases of multiple iterations for a step, the average of those provided in the study are illustrated here)

Enquiring to BC Building and Safety Standards Branch, the Energy Step Code Council and BC Housing as to the cost differences between the two studies, several factors were identified. Several differences were noted including:

1. The BC Housing study had thousands of possible design combinations while the CHBA-CO study was limited in the scope of its analysis. While it is unreasonable to expect builders to examine thousands of combinations, tools have been developed, such as BC Housing's Energy Step Code Builders Guide, to help identify cost-effective solutions.
2. Administration and management fees were included in the CHBA-CO study but were not in the Metric's study.
3. Architectural differences resulted in higher energy costs for the CHBA-CO study. For example, comparing the medium homes, CHBA-CO window wall ratio was significantly higher (25.9 per cent versus 14.7 per cent) and there is a penalty in both the Energy Step Code and the base BC Building Code for homes with more than 22 per cent window-to-wall ratio, while a bonus for less than 17 per cent. Further, the CHBA-CO medium home had more west windows compared to the even distribution in the Metric's study which would have added to the cooling loads. The envelope to floor area was 26 per cent greater in the CHBA-CO allowing more envelope area for heat loss per unit of floor area.²²

BC Hydro's Community Energy Manager's network recently produced a series of 5 case studies²³ (from various climate zones), of actual constructed single family homes and the strategies and costs associated to meet Step 3 or Step 4 of the BC Energy Step Code. Cost increases for the various steps were:

Location	Climate Zone	Single Family Dwelling Size	Step Achieved	Cost Increase over base BCBC
Campbell River	5	2,525 ft ²	3	0%
Kamloops	5	2,300 ft ²	4	4%
Whistler	6	2,198 ft ²	3	2%
Invermere	6	1,536 ft ²	3	Less than 2%
Victoria	4	2,505 ft ²	4	2%

While all three costing studies show some variability in the costs to construction of more efficient homes, by adopting Energy Step Code, long term affordability is bolstered by providing lower operating costs and protecting tenants/homeowners from rising utility costs.

²² Zachary May, 2019. Energy Step Code Solutions Lab Presentation: Assessing Step Code Compliance Options and Costs.

²³ BC Hydro, 2018. Step 3: Hassle-Free: Five new British Columbia homes that cost-effectively meet the energy efficiency requirements of the BC Energy Step Code

To help off-set any added costs of building to the Energy Step Code, FortisBC's New Home Program offers rebates of \$500 for engaging an energy advisor. Added to this, builders achieving Steps 2 to 5 are eligible for between \$1,000 and \$8,000 in rebates.²⁴

3. Will slow down building permit processing times

The energy modelling required as part of the Step Code is done during the design phase and will be completed before a building permit is applied for. Furthermore, the City of Kelowna has created a Bulletin and compliance reports (pre-build and as-built) to make the reporting requirements straightforward.

4. Lack of industry skills

Step 1 is the first step in helping move toward the Step Code's performance-based approach and requires that builders use the services of an energy advisor or energy modeler to satisfy the requirements. The design and construction techniques necessary to comply are unchanged from the requirements found in the base BC Building Code. Additionally, staff have noted that CHBA, BC Housing, Natural Resources Canada, and FortisBC, among others, have already begun offering training and resources related to the Step Code, and access to training is not anticipated to be a challenge going forward. Further, the City of Kelowna, in partnership with the Community Energy Association, CHBA-CO, and FortisBC hosted a one-day workshop in 2018 to introduce the Step Code, with a special emphasis on high performance construction methods.

Recommended Energy Step Code Implementation for Part 9 Buildings

The process for developing Kelowna's Energy Step Code Implementation Strategy is based on the direction provided in the BC Energy Step Code: A Best Practices Guide for Local Governments.²⁵ The Implementation Strategy takes into consideration the feedback from all of the stakeholder engagement over the past 1.5 years and best practices from across the province. The table below outlines the recommended Energy Step Code Implementation Strategy in Kelowna for Part 9 buildings and allows for:

- Over 7 months to allow for increased energy advisor capacity prior to Step 1 implementation.
- Rebates to become familiar with using an energy advisor for modelling and blower door tests prior to implementation of Step 1.
- Builder and trades training in advance of Step 1 on the new permitting process associated with Energy Step Code.
- Implementation of Step 1 by December 2019. This date was chosen as 4 out of 6 proposed solutions at the Energy Step Code Solutions Lab recommended Step 1 implementation by December 2019. This is further supported by the industry implementation survey done last Spring, which 86 per cent of respondents felt the timeline of implementing Step 1 by April 1, 2019 was achievable.
- Implementation of Step 3 in June of 2021. There were differing views on when Step 3 should be implemented; however the majority of the proposed solutions identified it should be in advance of when the province requires it in the BC Building Code in 2022. As many other communities will be requiring Step 3 by 2020 (including Penticton which requires Step 3 by March of 2020; Lake Country

²⁴ FortisBC. The New Home Program in support of the BC Energy StepCode (brochure)

²⁵ Province of BC, 2017. BC Energy Step Code: A Best Practices Guide for Local Governments.

https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/guides/bcenergystepcode_guide_v1.pdf

has proposed October, 2020), the building industry will have had an opportunity to learn from these endeavors. Further, requiring Step 3 eighteen months in advance of the BC Building Code update allows the building community to focus on the other changes in the 2022 Code update.

- Building Permit Fee Rebates for Steps 4 and 5 of Energy Step Code, and Certified Passive Houses to incentivize high performance buildings. These are in addition to the FortisBC Rebates offered.

Training	Incentives
Prior to Step 1 Spring – November 30, 2019	
<ul style="list-style-type: none"> City of Kelowna building officials training on Energy Step Code permitting process Builders and trades training: Understanding the permitting process for Energy Step Code Additional training opportunities being explored with the Energy Step Code Council, FortisBC, and Okanagan College. 	<ul style="list-style-type: none"> City of Kelowna Rebates*: <ul style="list-style-type: none"> \$500 building permit rebate for engaging an energy advisor for modelling, and final construction blower door test (maximum 10 rebates per builder). Mid-construction blower door tests as learning opportunity are encouraged, but not required. Incentive available until Nov. 30, 2019. ** \$500 building permit fee rebate to achieve Step 4 – available until May 31, 2021 \$1000 building permit fee rebate to achieve Step 5 or certified Passive House – available until May 31, 2021 Fortis Rebates: <ul style="list-style-type: none"> Energy advisor support - \$500 Builders achieving various steps are eligible for rebates in addition to energy advisor support: <ul style="list-style-type: none"> \$1000 (Step 2), \$2000 (Step 3), \$4000 (Step 4) and \$8000 (Step 5) Zoning bylaw amendment for Step 5 / certified Passive House to relax setbacks as outlined in Attachment E.
Step 1 Implementation December 1, 2019 to May 31, 2021	
<ul style="list-style-type: none"> Staff/Council training on form and character associated with upper steps, as part of design guideline discussion with OCP update Additional training opportunities being explored with the Energy Step Code Council, FortisBC, and Okanagan College. 	<ul style="list-style-type: none"> City of Kelowna Rebates*: <ul style="list-style-type: none"> \$500 building permit fee rebate to achieve Step 4 – available until May 31, 2021 \$1000 building permit fee rebate to achieve Step 5 or certified Passive House – available until May 31, 2021 Fortis Rebates: <ul style="list-style-type: none"> Energy advisor support - \$500 Builders achieving various steps are eligible for rebates in addition to energy advisor support: <ul style="list-style-type: none"> \$1000 (Step 2), \$2000 (Step 3), \$4000 (Step 4) and \$8000 (Step 5)
Step 3 Implementation June 1, 2021 to December 2022	
<ul style="list-style-type: none"> Training opportunities to be determined 	<ul style="list-style-type: none"> Fortis Rebates: <ul style="list-style-type: none"> Builders achieving various steps are eligible for rebates in addition to energy advisor support: <ul style="list-style-type: none"> \$2000 (Step 3), \$4000 (Step 4) and \$8000 (Step 5)
Province requiring buildings to be 20% more energy efficient December 2022 – BC Building Code Update	

*A maximum of \$75,000 is dedicated to all City of Kelowna rebates. If the maximum value of rebates is used prior to 2021, staff will review and investigate opportunities for new incentives.

** The \$500 rebate will be applied at time of building permit issuance. Occupancy will be granted on the condition of the builder completing the energy model, final construction blower door tests and associated compliance forms. There are no targets to be met as this is being provided as a learning opportunity for builders to begin working with an energy advisor and completing blower door tests on their buildings prior to Step 1 becoming mandatory.

This timeline seeks a balance between local and Provincial energy efficiency and GHG emissions reduction goals, and provides industry adequate time to build the capacity necessary to achieve the Step Code targets. All projects will be monitored during these first few years of adoption of the Energy Step Code and will help to inform an appropriate adoption timeline for the Upper Steps beyond 2022.

Application Process and In-Stream Applications

The application process for *all new Part 9 residential projects* is recommended to be as follows:

- Projects that have applied for building permit prior to December 1, 2019 will be considered in-stream and will not be subject to Step Code requirements.
- Building permits applied for between December 1, 2019 and May 31, 2021 will need to demonstrate compliance with Step 1 of the Step Code.
- Building permits applied for on or after June 1, 2021 will need to demonstrate compliance with Step 3 of the Step Code.
- The application process for projects subject to Step Code will require:
 - o A 'pre-build' (aka 'as-designed') compliance report completed by a licensed energy advisor and submitted along with the building permit application.
 - o An 'as-built' compliance report completed by a licensed energy advisor and submitted along with the occupancy permit application.

Recommended Future Work

There are a number of additional and related pieces of work that staff recommends undertaking to continue improving energy efficiency of buildings in Kelowna.

Energy Step Code Implementation Strategy for Part 3 Buildings

As of December 10, 2018, municipalities outside of Climate Zone 4 (the lower mainland and southern Vancouver Island) can now reference Energy Step Code for Part 3 Buildings. As the provincial CleanBC plan outlines an implementation of updates to the BC Building Code that all buildings are to be 20 per cent more energy efficient buildings by 2022, the City should look to engage and develop a strategy for building types which includes building industry capacity and knowledge.

Energy Retrofit Strategy

Approximately 72 per cent of the current housing stock in Kelowna was built prior to 2000.²⁶ Many of these homes are reaching the age where major structural components will need to be replaced. This offers an excellent opportunity to increase energy efficiency through envelope and mechanical system upgrades.

²⁶ City of Kelowna, 2018. Our Kelowna As We Take Action: Kelowna's Community Climate Action Plan.
https://www.kelowna.ca/sites/files/1/docs/community/community_climate_action_plan_june_2018_final.pdf

Attachment A: Local Governments Referencing the BC Energy Step Code as of April, 2019

Communities can use a wide variety of policy tools to either incentivize or require the BC Energy Step Code. The tables below outline how local governments in different climate zones across BC (see map below) are putting the standard to work. It should be noted, that some local governments are using a combination of both mandatory requirements and incentives to achieve a variety of steps.

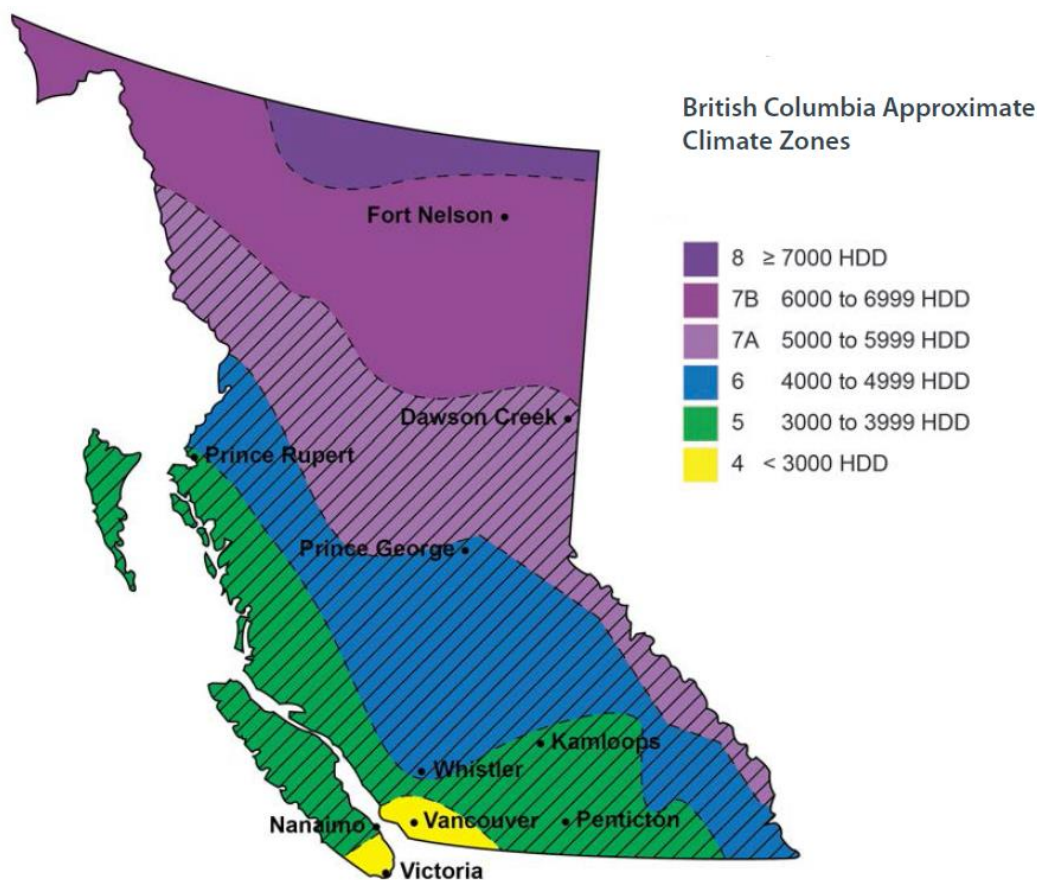


Figure 2: Climate Zones in BC²⁷

²⁷ Homeowner Protection Office – a Branch of BC Housing. 2014. Illustrated Guide - Energy Efficiency Requirements for Houses in British Columbia (Zones 5-7A North Vancouver Island and Interior). Retrieved from <https://www.bchousing.org/research-centre/library/residential-design-construction/ig-energy-efficiency-houses-climate-zone-5-7a&sortType=sortByDate>.

Local Governments that have adopted Energy Step Code policy (mandatory requirements)

Local Government	Part 3	Part 9
Climate Zone 5		
City of Penticton		<ul style="list-style-type: none"> March 15, 2019: Step 1 March 15, 2020: Step 3
District of Lake Country		<ul style="list-style-type: none"> April 1, 2019: Step 1 October 1, 2020: Step 3 (Step 2 for accessory buildings)
Climate Zone 6		
Resort Municipality of Whistler		<ul style="list-style-type: none"> Jan. 1, 2019: Step 3 (Step 4 for rezoning to increase density or permit additional uses)
Climate Zone 4		
Bowen Island Municipality		<ul style="list-style-type: none"> October 1, 2019: Step 1 October 1, 2020: Step 3
City of Abbotsford		<ul style="list-style-type: none"> Sept., 2019: Requirement to submit energy modelling reports April 1, 2020: Step 1
City of Burnaby	<ul style="list-style-type: none"> February 2019: Step 1 for new Part 3 buildings July 2019: Step 3 of the BC Energy Step Code or Step 2 with a low carbon energy system for buildings seeking rezoning 	
City of New Westminster	<ul style="list-style-type: none"> January 1, 2020: Step 3 or Step 2 with approved low carbon energy system for Group C residential occupancies 6 stories or less and combustible construction. Step 2 for offices, other group D and E occupancies 	<ul style="list-style-type: none"> March 31, 2019: Step 1 January 1, 2020: Step 3 for single-detached, semi-detached, townhomes and apartment buildings up to three floors, Step 2 for laneway and carriage homes.
City of North Vancouver	<ul style="list-style-type: none"> July 1, 2018: Step 2 (residential) July 1, 2018: Step 1 (commercial) If rezoning, then requires one step above (i.e. Step 3 and Step 2 respectively) 	<ul style="list-style-type: none"> July 1, 2018: Step 1 for small buildings (under 1200 ft²) July 1, 2018: Step 3 for large residential buildings (over 1200 ft²)
City of Richmond	<ul style="list-style-type: none"> Sept. 1, 2018: Step 3 Group C (greater than 6 stories) (or Step 2 with a low carbon building energy system) Sept. 1., 2018 Step 3 (less than 6 stories) Sept. 1, 2018 Step 2 Group D and E 	<ul style="list-style-type: none"> Sept. 1, 2018: Step 3 (townhomes and apartments) Sept. 1, 2018: Step 1 (Single family, duplex). Goes to Step 3 January 2020
City of Surrey	<ul style="list-style-type: none"> April 1, 2019: Step 3 for residential (or Step 2 if connected to Surrey City Energy or satisfies low-carbon energy requirements) April 1, 2019: Step 2 for commercial and mercantile 	<ul style="list-style-type: none"> April 1, 2019: Step 1 Jan. 1, 2021: Step 3
City of Victoria	<ul style="list-style-type: none"> Nov. 1, 2018: Step 1 Jan. 1, 2020: Step 3 (under 6 stories residential), Step 2 (over 6 stories residential), Step 2 commercial office. 	<ul style="list-style-type: none"> Nov. 1, 2018: Step 1 Jan. 1, 2020 Step 3 (except small homes which require Step 2)

Local Government	Part 3	Part 9
District of North Saanich	<ul style="list-style-type: none"> Jan 1, 2019: Step 1 Jan. 1, 2020: Step 3 	<ul style="list-style-type: none"> Jan. 1, 2019: Step 1 Jan. 1, 2020 Step 3 (less than 92m2, Step 2)
District of North Vancouver	<ul style="list-style-type: none"> July 1, 2018: Step 1 for commercial, Step 2 for residential. All residential projects requiring rezoning are required to meet Step 3. 	<ul style="list-style-type: none"> July 1, 2018: Step 3
District of Oak Bay	<ul style="list-style-type: none"> Nov. 1, 2018: Step 1 Jan 1, 2020: Step 2 	<ul style="list-style-type: none"> Nov. 1, 2018: Step 1 Jan 1, 2020: Step 3
District of Squamish	<ul style="list-style-type: none"> July 1, 2018: Step 3 (wood frame residential), Step 2 (concrete frame residential), Step 2 (commercial) Jan 1, 2021: Step 4 (wood frame), Step 3 (concrete frame residential), Step 3 (commercial) 	<ul style="list-style-type: none"> July 1, 2018: Step 1 (residential under 1000 ft2), Step 2 (residential over 1000 ft2), Step 2 (commercial) Jan 1, 2019: Step 3 over 1000ft2 Jan 1, 2021: Step 4 (over 1000ft2), step 3 (commercial)
District of West Vancouver		<ul style="list-style-type: none"> July 1, 2018: Step 3 for SFDs
Township of Langley	<ul style="list-style-type: none"> Jan. 1, 2019: Step 1 (not located within a DPA), Step 2 (located in a DPA) 	<ul style="list-style-type: none"> Jan. 1, 2019: Step 1 (not located within a DPA), Step 2 (located in a DPA) Incentives for mid-construction blower door tests and upper steps
University of British Columbia	<ul style="list-style-type: none"> Sept. 27, 2018: Step 2 (optional credits within their own green building rating system can be obtained for projects that achieve higher steps). 	
Village of Anmore		<ul style="list-style-type: none"> Feb. 19, 2019: Step 1 for all new single family dwellings

Local Governments Incentivizing Energy Step Code (voluntary uptake)

Local Government	Part 3	Part 9
City of Campbell River		<ul style="list-style-type: none"> Incentives for different steps for new Part 9 residential buildings (Step 2 and above)
City of Kimberley		<ul style="list-style-type: none"> \$500 off the BP cost subject to completion of pre-construction EnerGuide Evaluation Report Additional rebate based on final EnerGuide Evaluation Report based on Step achieved (step 2 and up, ranging from 10% - 60% of BP fee).
Comox Valley Regional District	<ul style="list-style-type: none"> Jan. 1, 2018: BP rebate for step 3 or higher 	<ul style="list-style-type: none"> Jan. 1, 2018: BP rebate for step 3 or higher
District of Sparwood	<ul style="list-style-type: none"> Rebates for step 1 and above 	<ul style="list-style-type: none"> Rebates for step 1 and above

Attachment B: Engagement Summary on Energy Step Code Implementation

Summary of Engagement Points of Contact

Date	Contact	Notes
Sept 7, 2017	CHBA, BC Housing, various builders, engineers, consultants	Input sought from industry stakeholders on the Energy Step Code as part of the Community Climate Action Plan engagement process.
Oct 5, 2017	CHBA-CO (Marika Luczi)	Mo Bayat, Development Services Director, presented to the Canadian Home Builders Association on the BC Energy Step Code
Jan 11, 2018	Industry stakeholders involved in the construction of new Part 9 buildings in Kelowna and area (150 attendees)	Mo Bayat, Development Services Director, presented at the BC Housing-sponsored Energy Step Code seminar in Kelowna, which was attended by roughly 150 participants, the majority of which are directly involved in the construction industry in the city
Jan 15, 2018	UDI (Jennifer Dixon)	City staff participated in the UDI-led Step Code roundtable discussion with industry and local government staff from the City of Kelowna, City of West Kelowna, District of Lake Country, District of Peachland and City of Vernon.
Jan 23, 2018	Total Home Solutions (Gilles Lesage)	Met to discuss Energy Advisor capacity, upcoming training opportunities offered by Total Home, and to discuss local builder capacity to build to a higher level, particularly around airtightness.
Jan 23, 2018	City of Penticton (Ken Kunka)	Met to discuss City of Penticton's proposed approach to Step Code and to explore the opportunity for developing a regional approach to Step Code Implementation.
Feb 2, 2018	ROV Consulting (Bahareh Reza)	Met to discuss Energy Advisor capacity, and to discuss local builder capacity to build to a higher level, particularly around airtightness.
Feb 6, 2018	CHBA-CO (Marika Luczi)	Met with Marika to discuss our intended approach to Step Code implementation and to explore ways to get the message out to the CHBA membership.
Feb 26, 2018	Little House Contracting (Tara Tschritter)	Met to discuss the potential impact of the Step Code on small houses/carriage houses.
Mar 1, 2018	ASTT-BC (Bruce Stevens & Jason Jung)	Met to discuss the City's intended approach to Step Code implementation and to explore the potential regulation of Energy Advisors/energy modellers by ASTT-BC.
Mar 3, 2018	Industry stakeholders involved in the construction of new Part 9 buildings in the Okanagan	Participated in the BC Housing-sponsored Energy Step Code seminar in Penticton, which was attended by roughly 60 participants
Mar 8, 2018	Regional Governments	Met with municipal governments from City of Penticton, District of Summerland, District of Peachland, City of West Kelowna, Westbank First Nation, District of Lake Country, Regional District of Central Okanagan, and City of Vernon to discuss moving forward on a regional approach to engagement/implementation.

Date	Contact	Notes
Mar 21, 2018	OK College (Brian Rippy)	Sent email to discuss the City's intended approach and to discuss opportunities for training opportunities with the College.
Mar 22, 2018	OK College (Rob St Onge)	Met to discuss the City's intended approach and to discuss opportunities for training opportunities with the College.
Mar 27, 2018	UDI (Jennifer Dixon)	Provided email to inform that Council had endorsed Energy Step Code proposed timeline and implementation strategy. Requested that Council Report be shared with the UDI/CHBA Energy Step Code Roundtable group.
Apr 16, 2018	Industry stakeholders involved in the construction of new Part 9 buildings in Kelowna and area	Developed an Energy Step Code landing page on the kelowna.ca to provide information on the Energy Step Code, including the proposed implementation timeline and ways to engage (202 unique page views from April 15 – June 24, 2018)
Apr 19 – May 30, 2018	Industry stakeholders involved in the construction of new Part 9 buildings in Kelowna and area	Invitation to engage on Step Code Survey and Industry Workshop displayed on One Window Screen on Second Floor of City Hall behind Development Services counters
April 20 - 27, 2018	Okanagan Regional Governments	Invitation to engage on Step Code Survey and Industry Workshop: <ul style="list-style-type: none"> - Regional governments (April 20, 2018) - Fortis BC (April 20, 2018) - CHBA-CO (April 23, 2018) - UDI (April 23, 2018) - CEA (April 23) - Okanagan College (April 23, 2018) - City of Kelowna Architect Committee (April 27, 2018)
April 29/30, 2018	BOABC Annual Conference hosted by City of Kelowna	Staffed City of Kelowna booth for 2 days promoting the City's proposed timeline, implementation strategy, and engagement opportunities
May 4, 2018	Daily Courier	Public Notice on Step Code engagement
May 5, 2018	Building Suppliers	Distributed information about the regional engagement process to 11 of the largest building suppliers in Kelowna: <ul style="list-style-type: none"> - OK Builders Ellis St - Home Hardware Springfield - Rona - BC Fasteners and Tools - Home Depot - Brock White - Foundation Building Materials - OK Builders McCurdy Rd - Kenroc Building Supply - Home Hardware Rutland - Home Depot Westbank
May 9, 2018	UDI (Jennifer Dixon)	UDI/CHBA-CO Energy Step Code Roundtable meeting
May 9, 2018	UDI (Jennifer Dixon)	Sent reminder email invitation to engage on Step Code Survey and Industry Workshop and information about the CHBA Innovation Exchange workshop
May 10, 2018	Southern Interior Construction Association (Carolyn Mann)	Sent email invitation to engage on Step Code Survey and Industry Workshop to distribute to the SICA membership

Date	Contact	Notes
May 10, 2018	CHBA-CO (Marika Luczi)	Emailed Marika requesting the CHBA costing study and methodology that Les Bellamy referenced in the May 9, 2018 Roundtable meeting
May 11, 2018	Daily Courier	Public Notice on Step Code engagement
May 11, 2018	City of Penticton (Ken Kunka)	City of Kelowna's Community Energy Specialist presented on the engagement process at the Penticton-hosted BCBC Training session for area building inspectors and builders. 60 in attendance
May 18, 2018	Troika Group (Josh Klassen)	Sent email invitation to engage on Step Code Survey and Industry Workshop
May 18, 2018	Regional Governments, CHBA-CO (Marika Luczi) & UDI (Jennifer Dixon)	Sent reminder to municipal government contacts that Step Code Industry Survey closes May 23, 2018
May 31, 2018	Industry stakeholders involved in the construction of new Part 9 buildings in Kelowna (106 attendees) Co-hosted with Community Energy Association, and in partnership with CHBA-BC and CHBA-CO	Full day Industry Energy Step Code workshop. Presenters: Peter Robinson: Community Energy Association Marika Luczi: Canadian Home Builders Association - Central Okanagan Ashley Lubyk: City of Kelowna Hayley Newmarch: FortisBC Hamid Heidarali: Hamid Design Build Gilles Lesage: Total Home Solutions
June 12, 2018	CHBA-CO (David Pfuetzner)	Phone call requesting meeting to discuss CHBA-CO Energy Step Code subcommittee
July 4 – July 27, 2018	UDI Okanagan Chapter CHBA-CO City of Kelowna Architect Subcommittee (local architects) Energy Advisor community (including the Canadian Association of Consulting Energy Advisors – BC Chapter) Okanagan College Kelowna's Innovative Energy Forum FortisBC BC Housing Municipal governments in the Okanagan	Invitation for final comments on initial proposed implementation timeline for Part 9 buildings.
July 13, 2018	CHBA-CO	Email to City of Kelowna, City of Vernon, City of West Kelowna, District of Coldstream, District of Lake County, District of Peachland with recommendations to: implement only in coordination with provincial BC Building Code, suspend mandatory implementation until CHBA BC cost analysis complete, and provide voluntary incentives. Note: City of Kelowna provided a response on August 3, 2018.
July 25, 2018	En Circle Design & Build	Letter of support for initial implementation timeline for Part 9 buildings
July 26, 2018	FortisBC	Letter of support for initial implementation timeline for Part 9 buildings
August 13, 2018	BC Housing	Letter of support for initial implementation timeline for Part 9 buildings

Date	Contact	Notes
August 24, 2018	CHBA-CO	City staff met with CHBA-CO representatives who had three main points of concern: affordability, energy advisor capacity, timing.
August 27, 2018	CHBA-CO / Bellamy Homes	Email to Mayor and Council disagreeing with early adoption of BC Energy Step Code in Kelowna and request to defer 90 days pending CHBA-CO's costing study.
September 20, 2018	FortisBC	Staff met with Fortis to discuss options for Energy Step Code Implementation.
October 4, 2018	Total Home Solutions	Staff met with representatives from Total Home Solutions to discuss Energy Step Code.
October 4, 2018	McEwen Climate	Staff met with McEwen Climate to discuss Energy Step Code and what has been done in other jurisdictions
October 30, 2018	QuikTherm	Inquiries about Energy Step Code in Kelowna
November 5, 2018	CHBA-CO	CHBA-CO presented the results of their costing study to City of Kelowna Staff, FortisBC and UDI. (note: other local governments were invited, but unable to attend)
November 7, 2018	BC Housing	Email communication to understand results of CHBA-CO Costing Study compared to Provincial Metrics Study
November 7, 2018	FortisBC	Staff met with FortisBC to discuss technical aspects of CHBA-CO Costing Study and options moving forward.
November 7, 2018	Energy Step Code Council of BC	Staff met with representative from Energy Step Code Council of BC / City of Surrey to discuss the results of the CHBA-CO Costing Study and relationship to Provincial Metrics Study.
November 21, 2018	Energy Step Code Council of BC	Staff met with Maxwell Sykes from Energy Step Code Council of BC / City of Surrey to further discuss the results of CHBA-CO Costing Study and relationship to Provincial Metrics Study
November 21, 2018	City of Richmond	Staff met with City of Richmond staff to understand how Energy Step Code is implemented in that community.
November 22, 2018	ROV Consulting	Response letter to CHBA-CO on their costing study with cc to City of Kelowna Staff
December 13, 2018	BC Building Standards Branch	Staff met with BC Building Standards Branch to discuss the differences of CHBA-CO Costing Study and Metrics Study, assumptions pertaining to Step 1, and workshop options.
January 8, 2019	BC Building Standards Branch	Staff met with BC Building Standards Branch to understand assumptions of Base Building Code versus Step 1 and provincial implementation timelines for Energy Step Code.
January 10, 2019	District of Lake Country	Email update from District of Lake Country on Energy Step Code implementation progress in that community and request for Kelowna's timelines.
January 17-30, 2019	Invitation sent to apply to participate was distributed through the following channels: <ul style="list-style-type: none"> City of Kelowna's Energy Step Code e-subscribe CHBC-Central Okanagan membership UDI Okanagan membership FortisBC network 	Invitation to participate in Kelowna Energy Step Code Solutions Lab

Date	Contact	Notes
	<ul style="list-style-type: none"> Community Energy Association network 	
January 30, 2019	City of Penticton	Email update on status of Energy Step Code implementation in Penticton and request for Kelowna's implementation process
February 4, 2019	BC Building Standards Branch	Staff met with BC Building Standards Branch to discuss content for Energy Step Code Solutions Lab in Kelowna
February 12, 2019	Energy Step Code Solutions Lab Consultation – 10 builders, 5 developers, 3 trades, 6 architects/designers, 5 energy advisors/energy consultants	Staff hosted an Energy Step Code Solutions Lab which had participants work in groups to develop options for implementation moving forward
March 4, 2019	Local Energy Advisors	Responsibilities of Energy Advisors and local capacity.
March 11, 2019	BC Buildings Standards Branch	Costing study information and draft implementation strategy
March 12 – April 5, 2019	UDI Okanagan Chapter CHBA-CO City of Kelowna Architect Subcommittee (local architects) Energy Advisor community (including the Canadian Association of Consulting Energy Advisors – BC Chapter) Okanagan College Kelowna's Innovative Energy Forum FortisBC BC Housing Municipal governments in the Okanagan	Invitation for final comments on proposed implementation timeline for Part 9 buildings.

Attachment C: Industry Survey Results

Recognizing that challenges exist and understanding that local governments can be instrumental in helping the building industry prepare for forthcoming regulations and changes to the Building Code to meet the Energy Step Code ("Step Code"), the purpose of the Energy Step Code Industry survey was to:

- Raise awareness of the Step Code;
- Identify capacity gaps as it relates to implementation of the Step Code;
- Inform respondents of incentives related to the Step Code;
- Assess industry readiness for the forthcoming changes to the Building Code.

The survey was coordinated by the City of Kelowna and encouraged anyone involved in the building industry related to the construction of Part 9 buildings in the City of Kelowna or neighbouring municipalities from Penticton to Vernon, who were also investigating Energy Step Code implementation strategies. Licenses residential builders, trades, architects, home designers, and Energy Advisors had the opportunity to complete the survey between April 15 and May 30, 2018.

Responses to the survey questions are outlined below:

1. In which municipalities and electoral areas are your projects located?

Municipality	Responses (%)	Responses #
City of Kelowna	88.68%	47
City of West Kelowna	50.94%	27
City of Vernon	41.51%	22
City of Penticton	39.62%	21
Regional District of Central Okanagan	37.74%	20
District of Lake Country	60.38%	32
District of Summerland	26.42%	14
District of Peachland	28.30%	15
Other	24.53%	13
Total Respondents: 53		

2. How would you describe your role in the building industry? Check all that apply.

Role	Responses (%)	Responses #
Property owner/developer	28.30%	15
General contractor	32.08%	17
Design-builder	30.19%	16
Construction manager	22.64%	12
Trade contractor	5.66%	3
Design professional	33.96%	18
Energy Advisor	11.32%	6
Other	20.75%	11
Total respondents: 53		

3. Which types of Part 9 residential buildings do you construct? Check all that apply.

Type of Part 9 Residential Building	Responses (%)	Responses #
Carriage / Laneway Houses	56.60%	30
Small Single Family Dwellings (SFDs) (up to 1100ft ²)	54.72%	29
Medium SFDs (1100 to 2550ft ²)	77.36%	41
Large SFDs (greater than 2550 ft ²)	83.02%	44
Duplexes	43.40%	23
Tri/Quadplexes	32.08%	17
Row houses	45.28%	24
Multi-Unit Residential Buildings (3 storeys and under and under 600 m ² building area)	50.94%	27
Total respondents: 53		

4. How many Part 9 buildings units are you involved in the design/construction of on a yearly basis? Check the one that applies.

# Part 9 building units	Responses (%)	Responses #
5 or fewer	28.30%	15
6 to 10	24.53%	13
11 to 25	11.32%	6
26 to 50	13.21%	7
51 to 100	7.55%	4
101+	15.09%	8
Total responses: 53		

5. How often do you currently build using the performance path for energy efficiency in the BC Building Code, use energy modelling, and/or air tightness testing? Check the box that applies for each row. A performance path requires that the building as a whole performs to a certain standard, as opposed to a prescriptive path that requires each component to be built to a certain standard (e.g. Wall R-value at least 20). Although the performance path requires energy modelling and air tightness testing, some professionals may have used these while following prescriptive code requirements (for example when obtaining an EnerGuide label).

Answered: 38 Skipped: 15

	All the time	Sometimes	Never	N/A	Total	Weighted Average
Performance path	23.68% (9)	42.11% (16)	28.95% (11)	5.26% (2)	38	2.06
Energy modelling	34.21% (13)	23.68% (9)	36.84% (14)	5.26% (2)	38	2.03
Air tightness testing	28.95% (11)	34.21% (13)	31.58% (12)	5.26% (2)	38	2.03

6. If you've used the tools listed above have they helped to improve design performance or resulted in other benefits? Check the box that applies.

Answered: 38 Skipped: 15

Helped improved performance?	Responses (%)	Responses #
Yes	55.26%	21
Maybe	7.89%	3
Unsure	23.68%	9
No	13.16%	5
Total responses: 38		

Please state the benefits you have seen:

- Energy modelling and performance path makes the design options to be more open, being able to search for trade-off solutions among the passive design and HVAC systems.
- PHPP Energy Modeling is a fully encompassing piece of software for all assemblies and systems of a home. Even if it's not being used for passive house applications, it calculates a very accurate snapshot of how the house consumes energy and gives a target for air tightness requirements. I have always taken the prescriptive approach for building assemblies to meet or exceed minimum code requirements.
- Energy modelling has helped optimize our designs for performance and cost-effectiveness to our clients. They help us optimize everything from building form, to what wall assembly is necessary to meet the insulation requirements, how much to insulate the slab and roof, specifying HVAC equipment so that it's right sized, optimizing design for passive cooling, and understanding the impact of glazing and air tightness on overall performance. The air tightness testing is a no brainer. By testing air tightness before drywall is up we are able to locate leaks to further enhance energy performance.
- in the past the performance path has resulted in the buildings only requiring the basic insulation requirements to meet code yet perform close to the old EnerGuide level of 80
- Simple, yet accurate, energy modelling is used on every project to establish a direct, specific estimate of annual energy consumption and intensity, as well as sizing of peak loads for heating, cooling and DHW. The carbon intensity (kg CO₂e per year) is also a straightforward byproduct of energy modelling. It makes total sense to do this for every project.
- The only way to get a modern building is by measuring it.
- use of air tight testing helped establish new standards for us in the use of spray foam in complex assemblies
- More coordination between architect and design professionals for a more comprehensive design.
- Have a hard time gauging the accuracy of our modelling results.
- We recently air tested a 4200sf home just prior to drywall. We used the test to seal penetrations.
- Performance based compliance allows for cost-optimized design regardless of the target.
- Yes, using the PHPP (Passive House Planning Package) allows our projects to exceed Step 5.
- When not doing full Passive House, we still energy model all of our projects and use "highperformance" assemblies using the five basics - superinsulation, airtightness, high-performance windows/doors, thermal bridge free and heat recovery ventilation.

7. What is the most stringent energy efficient home building standard you have designed or built, and what do you typically build to? Check all that apply.

Answered: 38 Skipped: 15

	Have Built to this once or more	Typically Build to this Level	Total	Weighted Average
Base BC Building Code	21.43% (6)	78.57% (22)	28	1.79
BUILT GREEN® Silver	55.56% (5)	44.44% (4)	9	1.44
BUILT GREEN® Gold	85.71% (6)	14.29% (1)	7	1.14
BUILT GREEN® Platinum	75.00% (3)	25.00% (1)	4	1.25
LEED® Homes	75.00% (3)	25.00% (1)	4	1.25
ENERGY STAR® for New Homes	63.64% (7)	36.36% (4)	11	1.36
R-2000	60.00% (3)	40.00% (2)	5	1.40
Passive House	58.33% (7)	41.67% (5)	12	1.42
CHBA Net Zero Ready Home	62.50% (5)	37.50% (3)	8	1.38
CHBA Net Zero Home	87.50% (7)	12.50% (1)	8	1.13

Other, e.g. EnerGuide rating (please specify)

- Many homes we design use Passive House principles. Some clients don't want to certify so we design homes well above minimum code but short of Passive House to give them the best possible house within their budget and design constraints.
- Living Building Challenge. NetZeroEnergy (ILFI)
- Living building challenge
- EGR 82
- 9.36. compliance or BC Step 1 equivalent (nic airtightness)

8. Which of the following education and training opportunities would be helpful in supporting a smooth transition to Step Code adoption? Check all that apply.

Answered: 34 Skipped: 19

Helped improved performance?	Responses (%)	Responses #
Introduction to BC Energy Step Code	61.76%	21
Energy modelling and the role of Energy Advisors	61.76%	21
Hands-on training	41.18%	14
Trades specific training (e.g. air and moisture barriers, window installation,...)	61.76%	21
Marketing energy efficient homes	44.12%	15
New technologies	41.18%	14
New construction techniques	61.76%	21
Right-sizing of heating systems	50.00%	17
Ventilation in energy efficient homes	52.94%	18
Other:	14.71%	5
Total responses: 34		

Other:

- Giving incentive to North American HVAC manufacturers to offer smaller capacity systems.
- Many of the current systems are oversized because the minimum capacities are beyond what a building requires.
- A systems approach. A course tailored to help the industry understand the tradeoffs and potential avoided costs to do the right things right. Then also trade specific training in window installation, HRVs, and air tightness. Moisture management in wall assemblies will be a big concern with these thicker walls. It's important there are good resources in the design of walls that work for our climate.
- Educating how much the envelope and orientation effect the energy performance – especially with regard to preventing summertime overheating - one of the most important issues with climate change and the Okanagan.
- how to conduct a blower door test and calculate air changes
- The energy component is one side, what is being lost in the discussion is that water (air borne or liquid) behaves differently in thicker assemblies. Training must be provided on this or the number of failures of higher performance assemblies will be the next "leaky condo" problem.

9. Aside from the challenges to implementation outlined in the introduction (e.g. costs, lack of technical training, energy advisor capacity, compliance monitoring), do you have any other comments on what regional governments should consider leading up to the implementation of the Energy Step Code? Please comment.

Answered: 22 Skipped: 31

- It is not feasible to accurately test Modular buildings until they are set up on site. As we deliver homes throughout BC including smaller remote communities availability and cost of the energy advisors would be even greater to our industry and could result in lost sales opportunities.
- Have an immense concern with the Energy Step Code being introduced as it will have an overall dramatic negative effect with the cost of housing. Based on studies that I have researched and partaken in we are moving towards \$300 per square foot without land. I can appreciate there are efficiencies and cost savings with respect to utilities, but I don't believe those efficiencies will be greater than the mortgaged amount the typical homeowner will be borrowing. This is a really bad idea!!!!
- Don't hesitate on implementation. Industry needs a wake up call and we can't keep building to the current minimums. I also think the municipal or provincial governments should be in charge of energy modeling, right along side plan checking in the permit application stages.

- Implementation of Step Code is absolutely necessary to support consumer choice and keep energy costs low. Having a performance based approach is entirely reasonable despite resistance to change from the industry. One important point, once we start designing and building homes with more insulation than a 2x6 stud wall then adding more insulation beyond that based on budget or energy model requirements is straightforward. With housing prices rapidly rising step code or not, it is essential that at the very least a massively better product is offered. I hope governments will take this opportunity to lead in this important initiative.
- The energy used by pools and hot tubs. This should be included with the home modelling. Silly that we can build an energy efficient home and then waste electricity heating a pool in the early fall and late spring.
- building to this level should be an option not a mandate. This adds to the cost of a home and does not promote getting young families into the housing market. Also what about all the commercial buildings that are energy hogs with no standards for insulation
- Try to make builders and consumers understand the big picture. The long term effects of energy efficient housing and how it reduces GHGs and costs due to the efficiency of the product.
- Mainly the costs will rise to an unattainable or sellable level. We need affordable homes.
- The cost benefit ratio for home owners as the requirements for higher steps cost way more money
- We need to consider the promotion of healthier buildings in the light of energy efficiency. Most specifically the ventilation/air-exchange during peak summer/winter when outdoor air is often reduced due to energy costs for tempering. We have proven alternate solutions that we have installed on numerous projects in the Okanagan that guarantee healthier buildings with no energy penalty.
- We need legislation to bring our building practices out of the dark ages.
- They should at min do air test regardless of the ACH outcome. This should happen now.
- rate of implementation as it relates to additional cost. i.e. selling similar spec homes with different step code levels and inherent cost.
- Education is extremely important. More emphasis on the building envelope design and air sealing especially.
- Lack of supply of building products that help achieve air tightness. Currently only 3 companies providing this product with only one them being sold locally.
- no
- An educated, consistent and practical enforcement from the local building officials so all buildings are on the same basis. Respect the knowledge and assistance of design professionals.
- Costs of implementation, it is becoming very expensive to build and although these programs sound fantastic with increases in every sector of building we need to be aware of how this will impact the consumer, currently with all the engineering required the cost of permits and cost of materials how one will it be before the average consumer will not be able to afford a Home, we are already there
- Negative impact to creating affordable Housing. Does not address the real energy users – like older homes.
- With building compliance to be largely dependent on the quality of of energy compliance reports, it will be important for municipalities to be versed with what are 'reasonable results' and to be able to detect obvious modeling mistakes if they are made. I think it is important that municipalities be aware of the advantageous modeling flexibility currently built into the Step Code to ensure it is retained in future code editions. The current allowance for the use of alternate ASHRAE 140 compliant (as opposed to a Hot2000 only approach) ensures consumer choice and design innovation is not limited to the capabilities/scope of a single software tool. As an active energy consultant I would be pleased discuss these matters in person or over the phone.
- Make using www.u-wert.com (u-value.com in English) mandatory to mitigate potential moisture issues within thicker assemblies. When submitting this data to local municipalities, our experience has shown that plan checkers do not understand the information presented and yet this should be mandatory in our opinion. I also recommend using U-values (not RSI...!!!) consistently for all assemblies including windows as mixing RSI into the same discussion is confusing. u-wert allows users to quickly build

assemblies to determine the U-value, condensate, moisture content of wood, drying time, interior surface temperatures, drying reserve, temperature amplitude drying, phase shift and finally heat storage capacity.

10. How likely are you to use the incentives being provided by FortisBC/Fortis Energy Inc. in 2018? Keep in mind that performance requirements of the Step Code will be embedded in the base BC Building Code in future code updates, and that these incentives are an initial offering for 2018 and may change beyond that.

Answered: 35 Skipped: 18

	Responses (%)	Responses #
Very likely	57.14%	20
Somewhat likely	11.43%	4
Somewhat unlikely	17.14%	6
Very unlikely	8.57%	3
I'm ineligible	5.71%	2
Total responses: 35		

11. If you are likely to use the incentives being provided by FortisBC/Fortis Energy Inc. in 2018, what Step of the Energy Step Code are you most likely to attempt to build to?

Answered: 35 Skipped: 18

	Responses (%)	Responses #
Step 1 (Enhanced Compliance)	17.14%	6
Step 2 (10% improvement over base BC Building Code)	8.57%	3
Step 3 (20% improvement over base BC Building Code)	28.57%	10
Step 4 (40% improvement over base BC Building Code)	5.71%	2
Step 5 (Net Zero Energy Ready)	17.14%	6
Not applicable	22.86%	8
Total responses: 35		

12. Which statement best reflects how you feel about the proposed timeline?

- Step 1 compliance within 12 to 18 months (Spring/Summer 2019); graduating to
- Step 3 compliance 18 months later (Autumn/Winter 2020).

Answered: 35 Skipped: 18

	Responses (%)	Responses #
Why wait a full year? We should get started today	31.43%	11
The timeline is achievable with the right supports	28.57%	10
It's achievable but may pose challenges	25.71%	9
Not achievable	14.29%	5
Total responses: 35		

Please comment on previous answer. In particular, please state your perspective.

- It is difficult to make the whole construction market be ready for such a challenging task, without fail in some other important aspects like economic feasibility, quality control of new construction methods, implementation of new HVAC systems...
- Feasibility of energy testing on 100% of Modular homes delivered within BC is unrealistic with current capacity of energy advisors and due to associated costs.
- There are not enough Energy Advisors to take up this demand. I think Energy Advisors should be a public service at the Municipal or Provincial Level. This also guarantees a third party to confirm all the data hand in hand while a building permit application is being reviewed.

- Step 3 should be sooner, 12 months after Step 1. Step 1 doesn't require any deviation from minimum code.
- The sooner the better.
- Costs will rise to a point people will not build anymore. Costs are not worth the risk of our construction economy. This should be by choice of the client building their home. Not pushed on by governments.
- Still concerned about the costs of construction
- Let's get going. I am all for soft starts to get things moving and everyone on board, but energy efficiency is a NOT A NEW IDEA! Just take the lead and show the community that we are a grown up and responsible region of districts, towns and municipalities - who want to get this moving. With growth in the Okanagan expanding - we are constructing a legacy of buildings that will be around for many years. Let's start the process with Step 3 right now - and offer benefits to Step 4 / 5 that offer tangible rewards to the developers who want to take them on.
- We are a growing region and have the means to do this.
- How will home assessments vary for each step achieved. How will home pricing vary based on which step home was built to. Until home pricing is valued the same way as the automotive industry ie .cost of automobiles is based on performance.
- Many builders and trades are unaware of the energy step code and haven't prioritized ongoing education as business is so good right now in the Okanagan that they don't have to.
- Not sure, with the large demand for energy advisors, that the current professionals will meet the time demands on completing the calculations in a timely manner.
- Educating every single trade to the level required will be very difficult. Especially trades that are not governed by an organizing body (ex. insulators)
- I am biased. We intend to support Step Code compliance within the Okanagan.
- Get on with it.....what are we waiting for? We've been designing and building Passive Houses since 2012 and the rest of the industry is stuck. The reality is that every builder/designer is not going to make the cut and the question that should be asked is, is that a bad thing?
- Based on my experience, the one year gap is not encouraging the industry to get ready for the changes, but is rushing them to build more building before the new changes apply!

13. If you have any additional comments you'd like to add, please include them here:

Answered: 8 Skipped: 45

- This initiative is extremely negative towards housing affordability. I believe we need to restructure our overall approach to the BC Building Code with respects to overall phasing/levels of the code. In essence it would be the same as purchasing a vehicle. Standard safety code applies (typical construction - Level 1), then add steps as they have been outlined, however it should not be "required" for housing to reach "net zero". When these houses are sold it would be disclosed under which level of the Building Code home was constructed under. This will maintain affordability measures for those looking to be introduced to home ownership or don't believe efficiency measures are of priority.
- Affordable homes should be top priority.
- I greatly admire and offer sincere thanks to the City and Fortis for funding this process to get energy efficiency rolled out in our region. Please use this timing to achieve the higher goal of straight to step 3, rather than moving slowly, by which time another 5,000 homes will be less efficient for their lifetime. Let's go higher now. Thank you to those involved in this program.
- We support legislation to get this move forward in our building practices.
- very proud of our construction community leading the way to energy efficient building
- Need to have incentives in BC Hydro territory as well as Fortis areas.
- The Step code will negatively impact housing affordability for only a minuscule return in energy savings to the consumer. It does not address the real energy usage - older homes. The step code is politically motivated in its current form and should be applied to all homes - not just new homes (low hanging fruit)

- Incentives....hmmm.....if it is like the FortisBC new home program incentives then a lot of Passive House projects will not be eligible because we are forced to use European components simply because the comparable components, on a performance level, do not exist in North America (this is starting to change but we shouldn't be penalized when the data clearly shows higher performance). For example, on numerous projects we have used Zehnder HRV's and European windows simply because we can't get the same levels of performance from North American products. The issue is that the European products do not have the silly "EnergyStar sticker" and so our customers are not able to obtain the incentive. To date, our customers have received very little to zero, on average, for building massively better and that is quite honestly pretty frustrating.

Attachment D: Energy Step Code Solutions Lab Summary

Introduction

Furthering the conversation on Energy Step Code Implementation in Kelowna, the City hosted an Energy Step Code Solutions Lab on February 12, 2019. The intent of the Solutions Lab was to gather a diverse group of representatives from the building industry to discuss options for implementation of the Energy Step Code for Part 9 buildings in Kelowna.

As part of their [CleanBC Plan](#), the Province is committed to require buildings to be 20 per cent more energy efficient by 2022 when compared to the current base BC Building Code. Building on the input already provided, the City wanted to gather additional feedback on an implementation timeline that seeks to reduce energy and GHG emissions while building industry capacity.

The Participants

An invitation to apply to participate in the Energy Step Code Solutions Lab was distributed through the following channels:

- City of Kelowna's Energy Step Code e-subscribe
- CHBA-Central Okanagan membership
- UDI Okanagan membership
- FortisBC network
- Community Energy Association network

As part of the process, applicants were asked what segment of the building industry they were from, their experience with energy efficient construction, and their initial thoughts about implementing Energy Step Code early in Kelowna or aligning with the Provincial timeline for 20 per cent more efficient buildings by 2022.

Thirty participants were chosen from over 50 applicants, ensuring a variety of building industry representation with differing views on the Energy Step Code. Participants included four CHBA-CO board members and three UDI Okanagan board members. The composition of the participants included the following:

- 10 builders
- 5 developers
- 3 trades
- 6 architects / designers
- 6 energy advisors / energy consultants

Please note that participants may have backgrounds in more than one category, but for this purpose have been grouped according to primary area.

The Solutions

Prior to developing solutions, presentations were provided to ensure that all participants had the same information on Energy Step Code including Provincial timelines, current incentives and consultation to date. The three presentations were as follows:

1. The Provincial Energy Step Code, Province of BC
2. Incentives to build to the steps, FortisBC
3. Energy Step Code in Kelowna, City of Kelowna

Participants were grouped in six tables ensuring a variety of building industry representation (such as builders, contractors, developers, trades, architects, designers and energy advisors) with differing views on Energy Step Code. Tables were tasked to:

"Work together to create a solution that incorporates reducing energy use while building industry capacity between now and 2022"

The solutions that participants came up with were to address three items:

1. Timeline for implementation for Steps 1 to 3, as local governments outside of the lower mainland are only currently allowed to mandate the lower steps and incentivize the upper steps. It should be noted that not all steps needed to be included in the implementation timeline and it was up to each table to determine when and if a Step should be required;
2. Education and training that is required to support the implementation of Energy Step Code; and
3. Other tools to support implementation.

The sections that follow summarize the input that was received. The 6 Proposed Implementation Solutions at the end of this section provide a photo representation of all of the solutions proposed.

Implementation Timeline

Figure 1 summarizes the input received regarding their ideas on when the City should make each of the Steps mandatory between now and 2022. The majority of proposed solutions identified Step 1 becoming mandatory by the end of 2019 (the green check marks). Only three of the groups felt that there was a need to include Step 2 in the implementation process (the orange check marks). There were differing views on when Step 3 should be implemented, however the majority of the proposed solutions identified it should be in advance of when the province requires it in the BC Building Code in 2022.

	2019				2020				2021				2022			
Step 1			✓	✓	✓		✓						Province requires Step 3 20% more efficient			
Step 2			✓	✓								✓				
Step 3							✓		✓			✓		✓		
	Mar-19	Jun-19	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22

Figure 3: Summary of proposed implementation dates

Education and Training

Two distinct timelines for education/training were identified: education/training that is required prior to the implementation of Step 1, and other education/training that was suggested. It is recognized that training may be required from multiple organizations.

1. Education/training required in advance of Step 1:
 - Industry education/training on blower door testing
 - Industry training on working with an Energy Advisor and designers
 - Communication between Energy Advisors, architects and mechanical companies
 - Training for insulators and framers
 - Value proposition training
 - Training on the new permitting process
 - Building official training on Step Code implementation
2. Other education/training required
 - Life cycle costing in place of capital costing
 - Training to industry and consumers on economic benefits of energy step code
 - Professional trade education on air-tightness
 - Information sharing within industry on cost-effective solutions
 - Sub-trade training on targets
 - Form and character implications of Energy Step Code to city Council and staff
 - Building envelope training
 - Contractor training
 - Advanced framing techniques training
 - Alternative building assembly training

- Builder information meetings with Energy Advisors on basic information required on varying design
- Understand how test results are recorded for the long term
- Promote training to builders who are not attending workshops
- Continuing professional development (CPD) credits should require energy education / step code training

Other Tools

Other tools to support the implementation of Energy Step Code are compiled below in two categories: incentives and other tools.

1. Incentives

- Subsidize training
- Offer incentives for mandatory pre-drywall blower door testing
- Offer incentives or have penalties
- Offer non-utility based incentive for builders pursuing Step 1 prior to implementation
- Offer incentives for new Energy Advisors
- Offer rebates to offset costs
- Bylaw relaxations for more efficient homes
- City should offer incentives for all steps

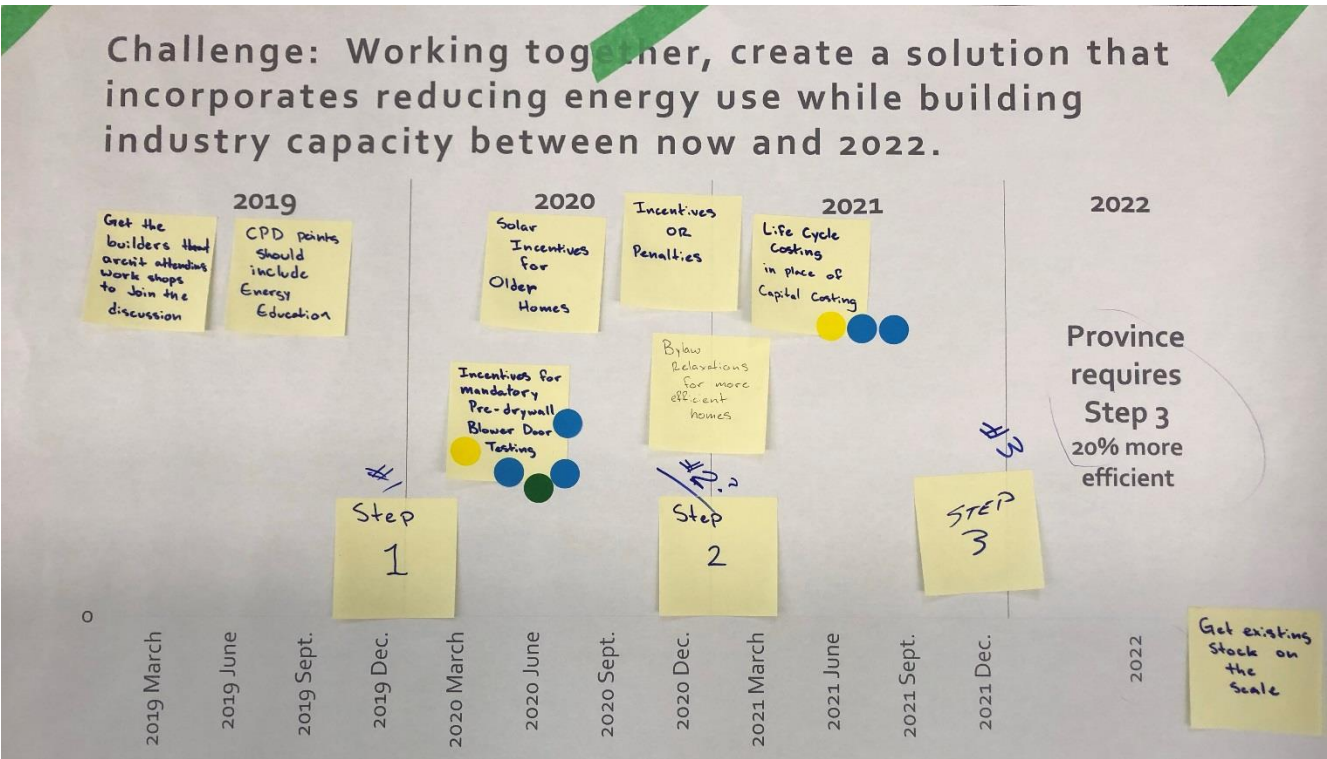
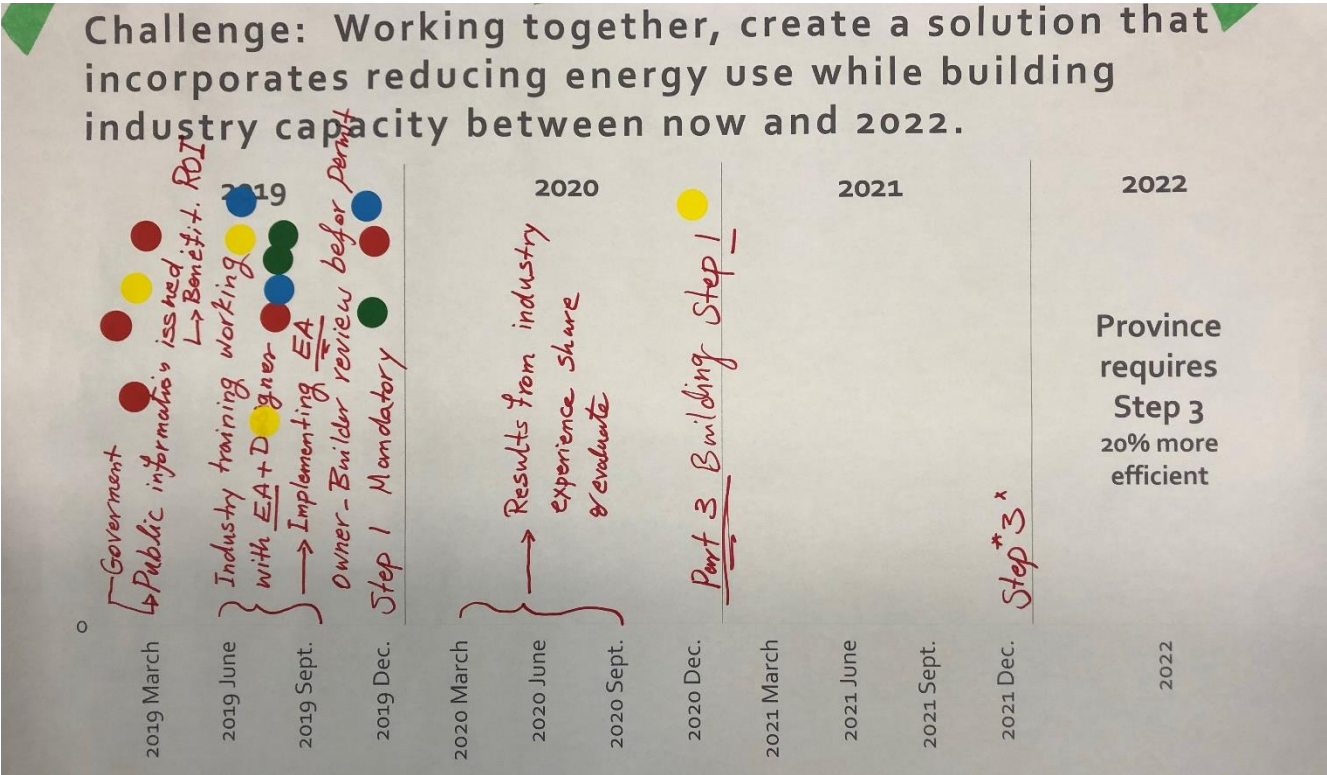
Other tools to help support implementation of Energy Step Code include:

- Better data on incremental construction – design techniques, RSI values and their related benefits
- Build up Energy Advisors
- More training for Energy Advisors
- Government public information issued (benefit, ROI)
- Program merging Hot 2000/heatloss calculation
- Implementing Energy Advisor owner-builder review before permit
- Share results and experiences of Step 1 implementation with industry
- Monitor performance and capacity of energy advisors
- Mandatory certification on air barrier installation for trades
- Voluntary home model and blower door testing (gauging the capacity of Energy Advisors and other stakeholders)
- Mid construction blower door test
- Gather data on what is being built and all air tightness measures and their benefits
- Cost effective facades for simple massing
- Get 10% of existing stock on EnerGuide or TEUI Scale
- Air tightness
- HRV, ERV or Bath Fan
- Provincial harmonization
- Reduced municipal inspections replaced by Energy Advisor (insulation, vapor barrier)
- City to conduct 'scorecard' on each builders' performance. Builders who perform well may require less continuing education than a builder that needs help. 'Scorecards' help City to monitor progress of each builder.
- City to certify builders as Step Code certified

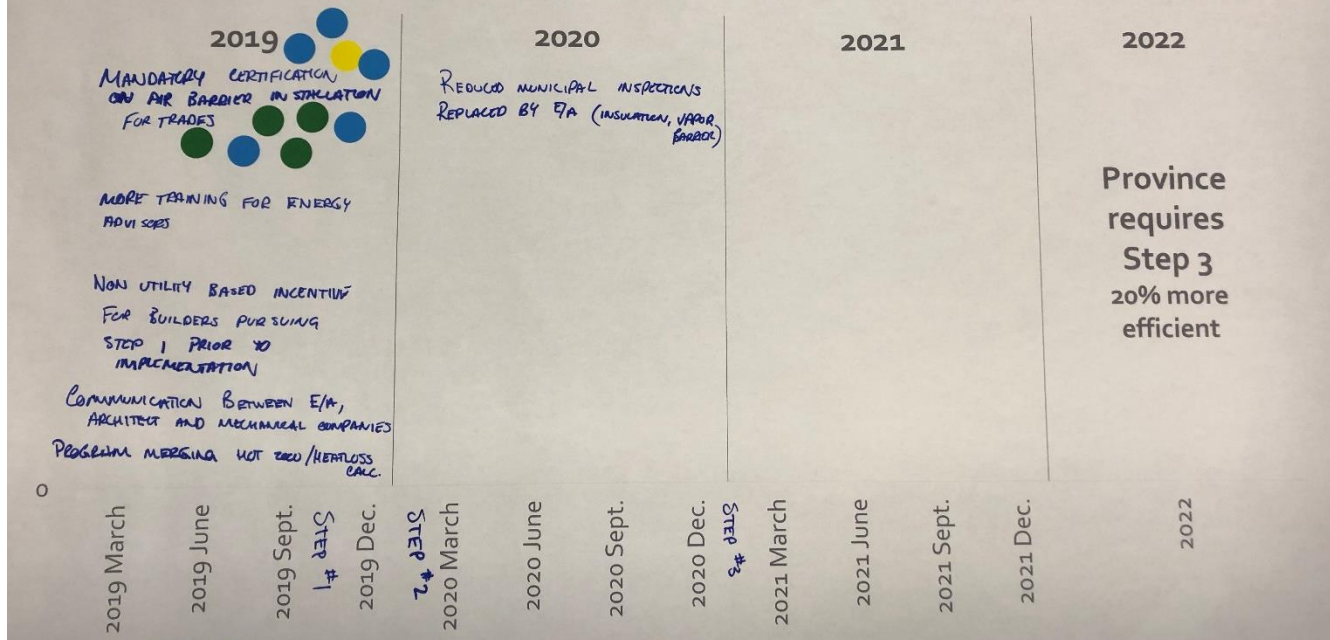
*Identified as beneficial
prior to implementation
of Step 1*

- How does Step Code address cost of manufacturing Styrofoam, etc?
- What are the costs of the Steps?
- Integrated Energy Advisors
- Builders should be able to do internal blower door tests
- Orientation needs to be less dominant in reference house

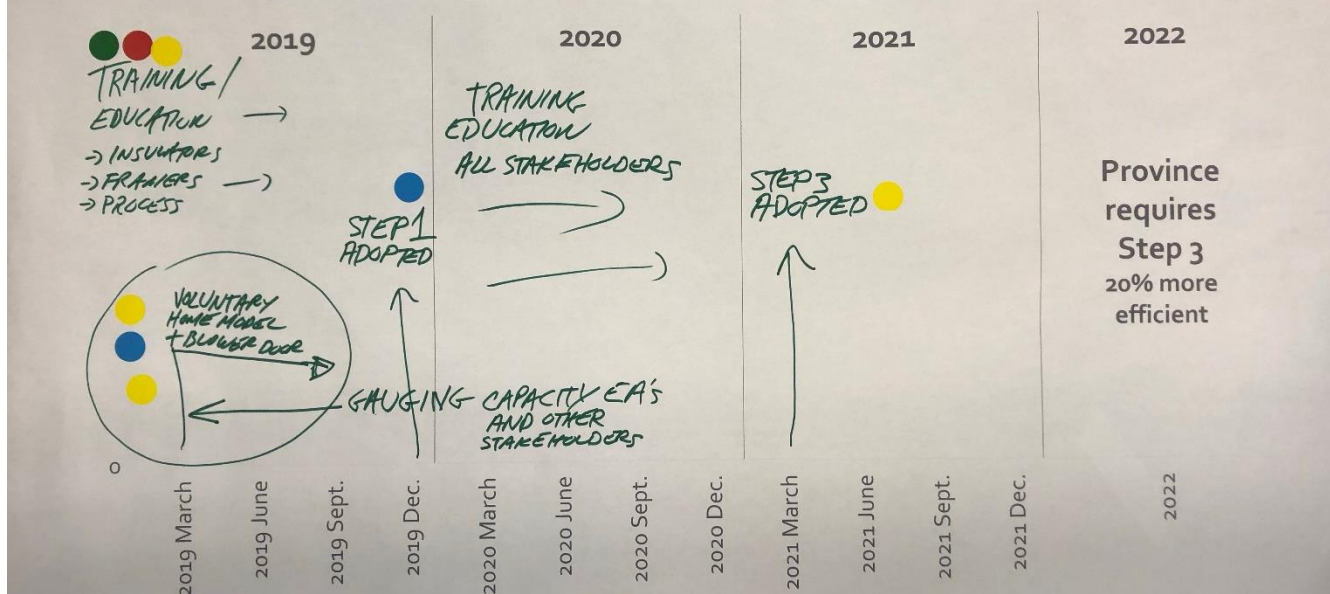
The 6 Proposed Implementation Solutions



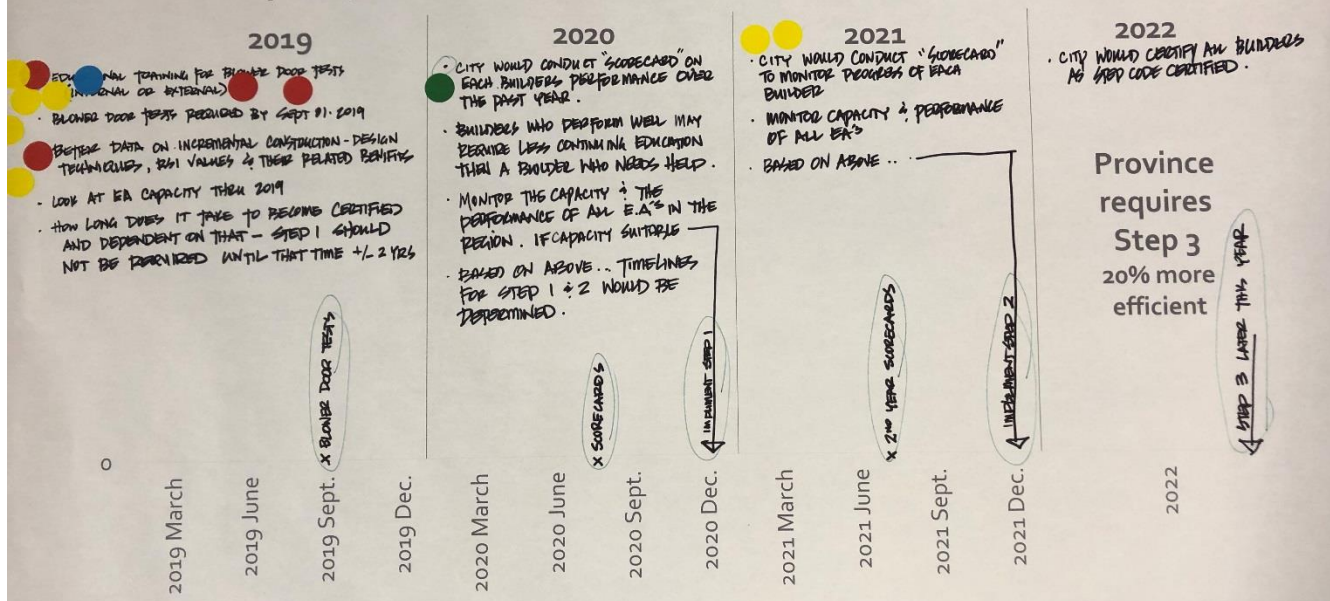
Challenge: Working together, create a solution that incorporates reducing energy use while building industry capacity between now and 2022.



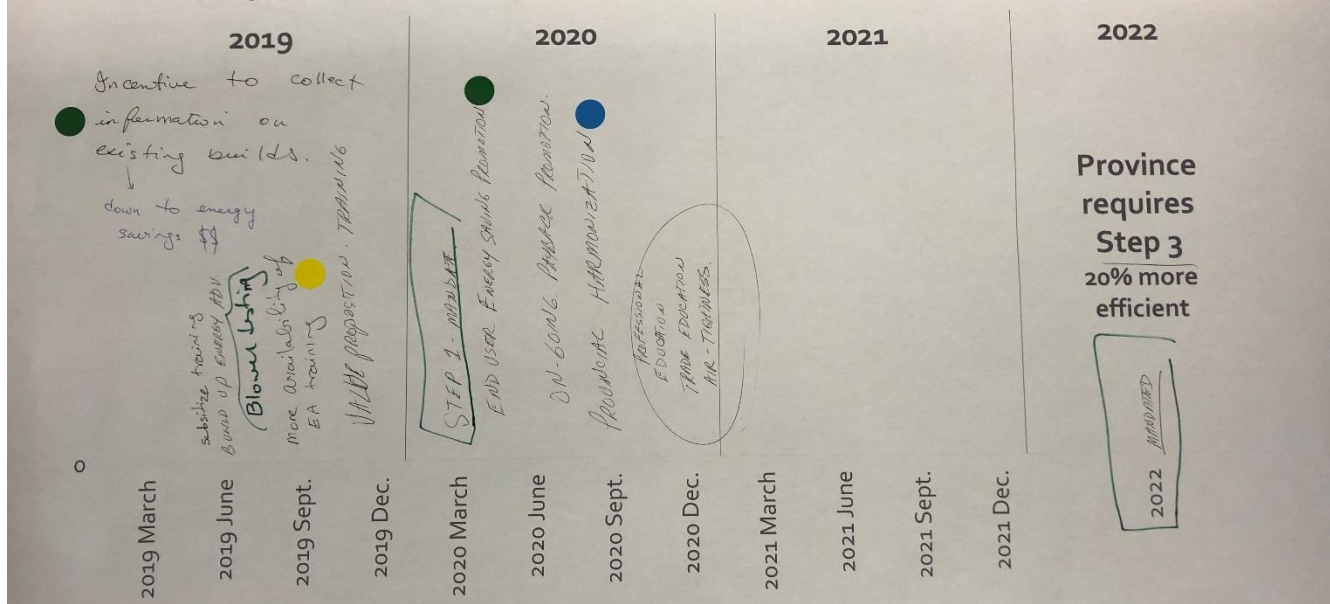
Challenge: Working together, create a solution that incorporates reducing energy use while building industry capacity between now and 2022.



Challenge: Working together, create a solution that incorporates reducing energy use while building industry capacity between now and 2022.



Challenge: Working together, create a solution that incorporates reducing energy use while building industry capacity between now and 2022.



Attachment E: Proposed Zoning Bylaw Regulations

Amendments to Bylaw No. 8000 to incent achieving higher steps of the Energy Step Code

No.	Section	Existing	Proposed	Explanation
1	Section 6 – General Development Regulations Add a new section as 6.17		6.17 Energy Efficiency	
2	Section 6 – General Development Regulations Add a new regulation as 6.17.1		6.17.1 Any Part 9 residential building, as defined by the BC Building Code, that is constructed to Step 5 of the BC Building Code's Energy Step Code or is constructed as a certified Passive House, may reduce the minimum side yard, rear yard, front yard, and/or flanking street requirements of the zone by up to 0.25 metres. Where there is a minimum requirement of 6.0 m for a front yard or from a flanking street to a garage or carport, that 6.0 m may not be reduced.	<p>- OCP Policy 5.16.3 Variances for "Green" Features. Staff will give favourable regard to variance applications to reduce setbacks whose sole purpose is to accommodate green building features (e.g. solar panels etc.), provided that safety and neighbourhood impact issues can be addressed.</p> <p>- The Energy Step Code is a provincial standard designed to transition new construction across the province to "net-zero energy ready" by 2032. This amendment seeks to remove the barrier associated with thicker walls needed to achieve Step 5 of the Standard.</p>

Appendix B: Energy Step Code Implementation Timeline for Part 9 Residential Buildings

Training	Incentives
Prior to Step 1 Spring – November 30, 2019	
<ul style="list-style-type: none"> City of Kelowna building officials training on Energy Step Code permitting process Builders and trades training: Understanding the permitting process for Energy Step Code Additional training opportunities being explored with the Energy Step Code Council, FortisBC, and Okanagan College. 	<ul style="list-style-type: none"> City of Kelowna Rebates*: <ul style="list-style-type: none"> \$500 building permit rebate for engaging an energy advisor for modelling, and final construction blower door test (maximum 10 rebates per builder). Mid-construction blower door tests as learning opportunity are encouraged, but not required. Incentive available until Nov. 30, 2019. ** \$500 building permit fee rebate to achieve Step 4 – available until May 31, 2021 \$1000 building permit fee rebate to achieve Step 5 or certified Passive House – available until May 31, 2021 Fortis Rebates: <ul style="list-style-type: none"> Energy advisor support - \$500 Builders achieving various steps are eligible for rebates in addition to energy advisor support: <ul style="list-style-type: none"> \$1000 (Step 2), \$2000 (Step 3), \$4000 (Step 4) and \$8000 (Step 5) Zoning bylaw amendment for Step 5 / certified Passive House to relax setbacks as outlined in Attachment E.
Step 1 Implementation December 1, 2019 to May 31, 2021	
<ul style="list-style-type: none"> Staff/Council training on form and character associated with upper steps, as part of design guideline discussion with OCP update Additional training opportunities being explored with the Energy Step Code Council, FortisBC, and Okanagan College. 	<ul style="list-style-type: none"> City of Kelowna Rebates*: <ul style="list-style-type: none"> \$500 building permit fee rebate to achieve Step 4 – available until May 31, 2021 \$1000 building permit fee rebate to achieve Step 5 or certified Passive House – available until May 31, 2021 Fortis Rebates: <ul style="list-style-type: none"> Energy advisor support - \$500 Builders achieving various steps are eligible for rebates in addition to energy advisor support: <ul style="list-style-type: none"> \$1000 (Step 2), \$2000 (Step 3), \$4000 (Step 4) and \$8000 (Step 5)
Step 3 Implementation June 1, 2021 to December 2022	
<ul style="list-style-type: none"> Training opportunities to be determined 	<ul style="list-style-type: none"> Fortis Rebates: <ul style="list-style-type: none"> Builders achieving various steps are eligible for rebates in addition to energy advisor support: <ul style="list-style-type: none"> \$2000 (Step 3), \$4000 (Step 4) and \$8000 (Step 5)
Province requiring buildings to be 20% more energy efficient December 2022 – BC Building Code Update	

*A maximum of \$75,000 is dedicated to all City of Kelowna rebates. If the maximum value of rebates is used prior to 2021, staff will review and investigate opportunities for new incentives.

** The \$500 rebate will be applied at time of building permit issuance. Occupancy will be granted on the condition of the builder completing the energy model, final construction blower door tests and associated compliance forms. There are no targets to be met as this is being provided as a learning opportunity for builders to begin working with an energy advisor and completing blower door tests on their buildings prior to Step 1 becoming mandatory.

Appendix C

Building Bylaw Amendment No. 13 (Energy Step Code and Gender Neutrality Amendments)

No.	Section	Existing	Proposed	Explanation
1	Part 1 – Interpretation, 1.3 in this bylaw, Field Reviews. Replace his / hers with theirs	" Field Reviews " means such reviews of the work at the project site and at fabrication locations, where applicable, as the Architect or Engineer in his/her professional discretion considers to be necessary in order to ascertain that the work substantially conforms in all material respect to the plans and supporting documents prepared by the Architect or Engineer and accepted by the City for the project. This includes keeping records of all site visits and any corrective actions taken as a result thereof.	" Field Reviews " means such reviews of the work at the project site and at fabrication locations, where applicable, as the Architect or Engineer in their professional discretion considers to be necessary in order to ascertain that the work substantially conforms in all material respect to the plans and supporting documents prepared by the Architect or Engineer and accepted by the City for the project. This includes keeping records of all site visits and any corrective actions taken as a result thereof.	Updating language in the Building Bylaw to be gender neutral
2	Part 4 – Building Permits Section 4.8 Issuance of Permit 4.8.2 – remove words "to him"	The Building Inspector may refuse to issue a permit when the owner has been notified of a violation of this bylaw with regard to the construction of another building for which a permit has been issued to him and the violation has not been remedied.	The Building Inspector may refuse to issue a permit when the owner has been notified of a violation of this bylaw with regard to the construction of another building for which a permit has been issued and the violation has not been remedied.	Updating language in the Building Bylaw to be gender neutral
3	Add a new section as Part 14: Energy Step Code and renumber all subsequent sections		Part 14: Energy Step Code 14.1 Regulations 14.1.1 Effective December 1, 2019, any Part 9 building, as set out in the Building Code , must be designed and constructed to meet the minimum performance requirements specified in Step 1 of the BC Energy Step Code. 14.1.2 Effective June 1, 2021, any Part 9 building, as set out in the Building Code , must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the BC Energy Step Code.	To include Energy Step Code requirements in the Building Bylaw to ensure transparency and clarity regarding requirements.
4	Replace in all instances in the Building Bylaw	His	Their	Updating language in the Building Bylaw to be gender neutral
5	Replace in all instances in the Building Bylaw	Building Inspector	Building Official	Updating language in the Building Bylaw to conform to the BC Building Act

Appendix D: Consultation Response Letters

Letters from:

- UBC Okanagan
- Okanagan Innovative Energy Forum
- Total Home Solutions Inc.
- CHBA – Central Okanagan



March 14, 2019

City of Kelowna
1438 Water Street
Kelowna, BC V1Y 1J4

Attention: Michelle Kam, Sustainability Coordinator mkam@kelowna.ca

Subject: City of Kelowna Energy Step Code Implementation Strategy

Thank you, for the opportunity to comment on the City of Kelowna's Energy Step Code Implementation Strategy for Part 9 residential buildings. We recognize the Step Code's importance in advancing the design and construction of low-carbon, high performance buildings, towards meeting Provincial net zero energy ready requirements by 2032.

In response to the climate imperative generally, UBC Okanagan is systematically improving the energy performance of its buildings with a focus on energy efficiency and connection to low carbon district energy systems. Our Point Grey campus requires all new Part 3 residential construction meet a minimum of Step 2 of the BC Energy Step Code (ESC). UBC Okanagan is also developing UBC's first Passive House Building, a 220 unit residence equivalent to Step 4 of the ESC. Future buildings will be developed to align with the evolving ESC, as outlined in the recently completed UBC Okanagan Design Guidelines. These projects can help build local capacity in upper Step design, specialized trades, application of innovative products and emergence of new enterprise.

In line with UBC's commitment to climate action generally, UBC Okanagan supports the City of Kelowna's adoption of the ESC for Part 9 (Step 1 in Dec 2019). Given the urgency of climate change (IPCC AR5) and the ESC leadership demonstrated by many local governments, UBC Okanagan recommends the City consider implementing the ESC, or equivalent GHG reduction measures, at an accelerated pace. Currently, the Province reports that many local governments are adopting advanced steps of the ESC (in advance of the BCBC mandated Step 3 requirements by 2022). This suggests that a market and industry transformation across the province is underway. Locally, for example, the City of Penticton and the District of Lake Country have implemented Step 1 of the ESC for Part 9 residential buildings. A similar approach across the valley will help accelerate the market shift toward a higher standard of building design and construction, towards a more climate-friendly future! Several of our local and Vancouver faculty members are also active in enhancing society's understanding of green buildings through their research.

We understand the City of Kelowna's Energy Step Code Implementation Strategy for Part 3 buildings is anticipated this spring and look forward to providing input at that time. Should you have any questions please feel free to contact me directly.

Sincerely,

David Waldron
Director, Campus Planning and Development
University of British Columbia, Okanagan Campus

April 3, 2019

Michelle Kam
Sustainability Coordinator
City of Kelowna

Re: Support for BC Energy Step Code Implementation in Kelowna

Dear Michelle,

I am writing on behalf of a group of professionals that live and work in Kelowna who, after reviewing the Energy Step Code (“Step Code”) Implementation Plan for Kelowna, support the City of Kelowna (“the City”) adopting Step 1 earlier on September 1, 2019 and Step 3 on October 1, 2020 (the City’s original proposed implementation date). Adopting Step 3 in Fall 2020 will ensure that the homes that start construction in 2021 will meet Step 3. This timeframe aligns with the District of Lake Country to provide consistency in the region and avoid confusion. However, this implementation date is later than the City of Penticton and many other cities in BC so the City will not be alone. The proposed timeline to adopt Step 1 on December 1, 2019 and Step 3 on June 1, 2021 means another 1,200 homes will be built to the current building code which would be a missed opportunity to improve homes when it is least expensive (compared to renovating them).

We believe that the Step Code is good for homeowners and our community based on our work and experience with the building community. The adoption of Step 1 of the Step Code will allow the City to collect data on the performance of homes built in Kelowna. This data will show the level of performance that today’s building practices achieve to identify the best ways to support builders in moving to higher levels of the Step Code. It will give builders a chance to identify the changes they need to make to meet higher steps (if any). Our consultation indicates that there are currently eight energy advisors active in the Kelowna area with an additional 10 individuals attending Energy Advisor training in April 2019, enough to meet the demand.



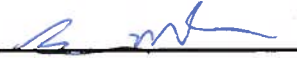







Beyond Step 1, improving home energy performance will save homeowners money over the long term and make their homes healthier, more comfortable, and more durable. Adopting the higher levels of Step Code will lead to more efficient designs, improved durability, better indoor air quality, better insulation, fewer drafts, lower cost HVAC systems, reduced operating costs, better indoor air quality, and reduced community GHG emissions. We need to shift discussion away from the first cost of homes to focusing on the total cost of ownership. We believe that people who can afford to build homes can easily afford a small increase in construction cost for a Step 3 home that realizes these benefits.

It makes sense to start building better, healthier homes today. Many builders in Kelowna are already exceeding current building code. In our experience, we believe that builders often achieve Step 3 with no extra work and a small increase in material costs. The time to act is now to build better homes that will reduce GHG emissions for the next 100 years. Early adoption may have some challenges, but we encourage the City of Kelowna to show leadership in BC’s interior and adopt the Step Code to serve as an example for other communities to move forward as well.

Sincerely,

Okanagan Innovative Energy forum (OkIE) c/o Steven Groves, P. Eng.

Support for BC Energy Step Code Implementation in Kelowna

Name	Profession	Organization (optional)	Address	Telephone	Signature
Steven Groves	Engineer		765 Valrod St	250 878 2226	
PETER ROBINSON	CHIEF TECHNOLOGY OFFICER		2711 BENEDECK RD	778 755 1778	
Brendan McEwen	Principal Consultant	McEwen Climate Energy	460 Doyle Ave Kelowna BC V1Y 0A2	236 986 3568	
Tanya Rumak	Energy Professional		17-1865 Begbie Rd	780-222-0891	
Trevor Butler	Engineer	Architects	460-Doyle Ave	250 864 3020	
Derek Sentes	General Contractor		1671 Lambert Ave	250 979 8005	
Ashley Lubyk	Building Scientist		1454 Richter St	250 276 7251	
Andrew Stringer	Mechanical Engineer	Falcon Eng.	210-1715 Dickson Ave	778-821-3454	
BRETT SICHELLO	ARCHITECT	NIDO DESIGN	203-28 KAWENAKE AVE	250 448 4307	
SCOTT HILDER	ENERGY ADVISOR	THS	203-5309 MAIN ST.	250-899-3222	

To Whom It May Concern,

Total Home Solutions is continually grateful for the opportunity to work with the City of Kelowna, local stakeholders and industry professionals to assist in the implementation plan for step code. We are also a part of the local CHBA-CO's step code committee, which we applaud for their due diligence in understanding what this means for the local building industry and the concerns they have.

Before we look at these concerns, one thing is for certain, that the BC Building Code is changing in 2022 to make performance path modelling to **STEP 3** the base building code! Kelowna, and other municipalities have the opportunity to set our industry up for success by gradually implementing each step of the code leading up to this Provincial Building Code before it is mandated.

That is what Step Code is, an evolution of the building code.

The definition of a building code is a set of rules that specify the standards for constructed objects such as buildings and nonbuilding structures. The main purpose of building codes is to protect public health, safety and general welfare as they relate to the construction and occupancy of buildings and structures. The building code becomes law of a particular jurisdiction when formally enacted by the appropriate governmental or private authority.

As technology advances so does the building code, it is a natural evolution to protect public health, safety and general welfare as stated in the definition of a building Code. Every building code change we've had in the past has come with potential cost increases, however, with BC Energy Step Code, for the first time, designers, builders and homeowners have more options how to achieve the building code targets.

The Province of BC has committed to increase energy efficiency requirements in the BC Building Code in order to provide the basic definition of the building Code with the introduction of the BC Energy Step Code.

With BC Energy Step Code there is a significant emphasis on heat loss control through assemblies, most notably air leakage. Therefore, air sealing is of the utmost importance to control. Because "uncontrolled airflow (i.e. leakage) through the building envelope can be a major source of heat loss and can lead to other problems. Since warm air can carry large amounts of water vapour, airflow is also the main means by which moisture is carried into the envelope."

In today's construction world builders are not required to test their air barrier system so there are no quantitative measures to ensure that it is functioning as intended.

Enter the BC Energy Step Code. The BC Energy Step Code now focuses primarily on the performance-based approach rather than the traditional prescriptive approach. The BC Energy Step Code does not specify how to construct a building but identifies an energy-efficiency target that must be met and lets the designer/builder decide how to meet it.

Included in different levels of the Energy Step Code are air sealing targets. Before a builder would just rely on the insulator to install the air barrier "correctly". They would also assume that any trades poking holes in the air barrier would seal those up. Or perhaps the builder was oblivious to the impact that

inefficient air barriers would have on the air changes per hour and the efficiency and comfort of the home. However, through blower door tests and energy modelling we can determine what the actual air change per hour rating is of every home!

Step 1 will provide the framework for local builders and contractors to have complete control over the air barrier in the homes they build.

What the Step Code is aiming to achieve is a level of efficiency in home building where we are less reliant on non-renewable fuel sources to power our homes. It also aims to have complete transparency between builder and consumer regarding the actual construction of the home. The consumer will now have a way to gauge the fuel consumption of the home they are going to build BEFORE it's built.

Being a part of the Step Code Committee with the local CHBA, Total Home Solutions is aware of the concerns and have attempted to address them within the committee.

1. Cost Increase to Design/Build process for Step 1:

- a. A cost study completed by the CHBA-CO seemed to show a significant increase in potential costs just to achieve Step 1.
- b. The misconception that Step 1 is meant to “introduce Step Code” to the industry is actually not the intention of Step 1. Step 1 is the base code for the Building Code, meaning that to build a home to minimum code is to achieve Step 1 or higher. The home that the CHBA-CO cost study alludes to does not meet those minimum standards. Therefore, the issue is within the design of the house, not step code. That is what a building code does, assess whether a house design is safe, healthy and now, energy efficient. If a house design does not meet minimum code then there should be costs associated to bring it up to code.

2. Time Delays:

- a. The initial plan modelling, and energy calculations are completed during the design phase. This is typically an ongoing communication between the plan designer, builder and Energy Advisor. There are certain requirements the City of Kelowna plan checking department needs in order to process permits. This will be the same system when reviewing step code calculations.
- b. To avoid potential delays within this framework does it not make sense to implement Step 1 sooner than later to ensure that any potential delays are ironed out before the Province makes Step 3 Code?
- c. As an actual Service Organization and team of Energy Advisors, Total Home Solutions is currently working with builders and designers in real time. There have been no significant delays in any part of the permit process. By implementing Step 1 The City of Kelowna will be able to streamline the permit process so that Energy Advisors, Builders and the Building Permit departments plan checkers will all be on the same page regarding the information required to issue a building permit.

3. Not enough Energy Advisors to handle the capacity:

- a. This is an inaccurate statement. Kelowna is in a unique position because we currently have 4 certified Energy Advisors with Total Home Solutions, 2 certified Energy Advisors working with ROV Consulting and 1-2 Energy Advisors with Enforma, all located within Kelowna. There are also Certified Energy Advisors in Penticton, Lake Country, Vernon and Kamloops, meaning that the EA's here in Kelowna are not in fact servicing the rest of BC interior.
- b. Let's do the math. CHBA-CO states that in 2018 in the BC Interior there are 2,162 SFD Building Permits. Broken down into the South Okanagan (Penticton, Peachland, West Kelowna, Kelowna and Lake Country) there were 1,145 SFD Building Permits Issued. Conservatively, an Energy Advisor can complete an entire evaluation (initial plan modelling, mid construction Air Test and Final) in 2 days, keep in mind this is a very conservative number. With 10 Energy Advisors in South Okanagan, that would be 25 homes per week, 100 per month and 1,200 per year. You can see the capacity is there and growing. Keep in mind that not all municipalities will be implementing Step Code right away and not every home will have a Mid Construction Blower Door Test.
- c. No more than we worry about builders, plan designers and other valuable trades having to service all areas of the interior BC, to assume that EA's in Kelowna are having to service the entire interior BC is just not true.
- d. Another point made was that ROV has been trying to hire EA's for 4 months. However, EA's aren't typically "hired" in conventional terms. An EA completes extensive training and exams, then mentors under a senior EA to complete test files. That Energy Advisor is now certified and typically operates as an independent contractor not a traditional employee. This may explain why ROV has not had success with "hiring" EA's.
- e. It should also be noted that Total Home Solutions is conducting training April 15, 2019 with 10 trainees. Majority of the trainees will be certified and completed their test homes within 6 months. Meaning the Okanagan and other areas will be getting an influx of EA's.

4. Retrofit Code Implemented by City of Kelowna:

- a. Retrofit and new construction are two completely different animals. To think that we need to have a retrofit strategy/plan in place in order to increase the efficiency of our new homes is not realistic. The Retrofit strategy is going to take quite a bit of planning to implement. Retrofits are more costly to make energy efficient than new home builds. 90% of the money lost on home builds happens in design phase. We have the framework and the methods now to ensure that we won't be having this conversation in 15 years about homes we are building today about how to make them more energy efficient.
- b. A retrofit strategy is important however not at the cost of the potential energy savings we can implement now with new home construction.

One thing that everyone can agree on is that implementing a different design strategy is going to come with issues and growing pains, it has happened with every addition and change to the conventional

April 5, 2019

building code. That is part of the process and impossible to predict. To think that Kelowna can wait until other communities have ironed out these details is not going to set up our building industry and our community for success. Of all the municipalities in the Okanagan, Kelowna has by far the most SFD building permits issued per year. We also have several Energy Advisors to handle the capacity. While we wait to see what other municipalities are doing, we are losing valuable time to design a process that will be near flawless when the Provincial Mandate of Step 3 comes in 2022, as well as EA's who may relocate to municipalities that are more progressive with Step Code. Not to mention the amount of energy losses experienced between now and when the City of Kelowna chooses to move forward with Step Code.

Early implementation of Step 1 is imperative to ensuring our building community (builders, designers, building officials, trades, energy advisors) can start educating themselves on improving the energy efficiency of our homes and the process from plan design to permit. Much like the home itself should imply the "house-as-a-system" approach, everyone involved in the construction of the home are part of that same approach. We are all working together to provide the best possible product to the consumer. As much as we believe that this should be a priority and implemented before the stated date of December 19, 2019, Total Home Solutions will continue to support our local building industry and the City of Kelowna with the direction we choose to go.

Kelowna is and always has been a leader of change and growth in the South Okanagan. Total Home Solutions is dedicated to work with the City of Kelowna to continue that trend!

With Gratitude,



Scott Hilder

Total Home Solutions

203 – 5309 Main St

Kelowna, BC

V1W 4V3

April 5, 2019

Attention: Building & Planning Department

Re: BC Energy Step Code

To whom it may concern,

The Canadian Home Builders Association of the Central Okanagan (CHBA CO) applauds the ongoing efforts by Central Okanagan cities and municipalities to ensure a uniform and collaborative approach to the BC Energy Step Code. The CHBA CO has attended several round table discussion groups with municipalities and we are encouraged by the open dialog between stake holders. CHBA CO has conducted the cost analysis on the BC Energy Step Code and have sent it to all City's and District's for review.

The Step Code Solutions Lab that was hosted by the City of Kelowna on February 12, 2019 was incredibly well received from our members that attended. CHBA CO would like to applaud the City's effort on this and take note that our members found it meaningful, beneficial, well organized and the set up at each table was well done.

On December 12, 2018 David Pfuetzner of Align West Homes and Les Bellamy of Bellamy Homes presented to the BC Energy Step Code Council at BCIT on the cost analysis that was conducted by CHBA CO on the BC Energy Step Code. From this meeting, it was clear that there are some issues with the current BC Energy Step Code in our climate zone.

The most concerning factor that was found by the BC Energy Step Code Council is that one home owner could potentially be paying an additional \$11,000 for their home, due to the orientation, while another home owner on the same street, might not have any additional costs. That would not be reflected in the value of the home and would put that one home owner at a financial disadvantage. The BC Energy Step Code Council agreed that this result is not their intent. Step 1 is supposed to be about the process and introducing the Step Code to the industry; it was not intended to have any additional costs. With changes still occurring to the metrics and reference house, we should not be in a rush to implement the BC Energy Step Code, something that will be a drastic change to the construction industry.

In the report from the City of Kelowna "*BC Energy Step Code Implementation Strategy March 2019*", under "*Addressing Concerns*" on page 16, point three, it states that there will be no additional delays with the implementation of the BC Energy Step Code because the modeling is done during the design phase. This is simply not true. Any additional time needed on a house build, will result in further delays. For example, you may need to modify plans with the designer based on the modeling or the extra communication between the builder and Energy Advisor for any revisions. This is all extra time that has not been accounted for. To put it clearly, you can not add more work to a project without adding more time or resources to that project.

Canadian Home Builders' Association Central Okanagan
216 – 1884 Spall Road, Kelowna BC. V1Y 8T5
P: 250.861.3988 E: info@chbaco.com W: chbaco.com

On page 9 of the “BC Energy Step Code Implementation Strategy March 2019”, it states each City and/or District that has adopted the BC Energy Step Code. CHBA CO would like to request that the City of Kelowna outlines which climate zone each City/District are in. Since this document will be presented to City Council, it is important to note which climate zones are looking at implantation or have adopted the Step Code to provide insight into any gaps in specific climate zones there may be.

As we have stated before, we are also faced with the challenge of available Energy Advisors. Implementing modelling and blower door testing are just not feasible with the current availability of Energy Advisor's throughout the Okanagan. We also recognize that in order for the Energy Advisor's to grow their businesses they are wanting some level of implementation; however, it will not make a difference as the demand is already there to hire Certified Energy Advisors. ROV Consulting has been trying to hire Energy Advisors from across Canada for 4 months now and have had no results.

2018	Penticton	Peachland	West Kelowna	Kelowna	Lake Country	Vernon	Armstrong	Salmon Arm	RDCO	Kamloops	TNRD	Williams Lake	Total
SFDH	217	58	44	800	79	139	14	20	49	438	220	84	2,162

Between Penticton and Kamloops there has been 2,162 building permits issued in 2018 for Part 9 buildings. Right now, we are concerned about the total number of Energy Advisors in this region when they are currently working throughout the Thompson-Nicola Valley.

Currently, Cassidy deVeer and Bahar Reza are participating on a Review Committee that has been formed to address the difference in costing studies around the Province. The study is an analysis and comparison of previous costing studies completed around the BC Energy Step Code, with three objectives:

1. Following economic analysis best practices, provide a detailed understanding of the source(s) of, or reason(s) for, differences in the findings of existing costing studies regarding the incremental capital construction costs of building to the BC Energy Step Code.
2. Provide advice or guidance on how to better gather and share information about the cost impacts of the BC Energy Step Code.
3. Provide advice or guidance on how future studies can be improved to consider multiple perspectives, provide data that can be compared more easily across different studies, and improve the study validity.

Most of the studies chosen for the costing review focused on BC Energy Step Code specifically. However, several other studies were included as well as they provided relevant information relevant to this exercise. These other studies provide additional data points looking at energy savings or net zero ready construction in other target frameworks and locations to provide a wider range of information.

Table 1: List of Studies Considered

Tag	Study Name	Commissioned By
1	Step Code Metric Report (Original)	BC Housing
2	Step Code Metric Report (Updated)	BC Housing
3	Energy Step Code: A Study by Industry for Consumers	CHBA (Central Okanagan)
4	CHBA Central Interior Energy Step Code: Building Beyond the Standard	CHBA (Central Interior)
5	The Economics of Passive House: Costing Study on Passive House for Single Family Homes in Vancouver	City of Vancouver
6	City of Vancouver Zero Emissions Building Plan - Costing Info	City of Vancouver
7	City of Richmond - Step Code costing info	City of Richmond
8	City of Surrey - Step Code costing info	City of Surrey
9	UBC Study	UBC
10	Making the Case for Buildings to Zero Carbon	CAGBC and others

Based on the above, CHBA CO would like to make the following requests to the City of Kelowna:

1. No implementation of the BC Energy Step Code until there is a 'Retrofit Code' implemented by the City of Kelowna. Both retrofits and the BC Energy Step Code should happen simultaneously and it is unfair to have one come before the other. Retrofits would be much more effective as 60% of existing housing stock in BC was built before 1990. National studies report on average, homes built before 1990 consume 100% more energy than a home built today. Stats Canada reports another 39% of existing stock was built between 1990 and 2012. The same National study reports homes built in that time frame on average consume 60% more energy than a home built today. For clarity – 99% of all existing housing in BC on average consume between 60% and 100% more energy than homes built today.
2. Before any implantation occurs, the City will need to work with the development community to amend their zoning bylaws and design guidelines to better complement the BC Energy Step Code requirements.
3. The City of Kelowna monitors the implementation of the BC Energy Step Code in the City of Penticton, that was implemented on March 15, 2019. The City of Penticton has had issues with design drawing details not matching energy assessment assemblies. There has also been issues with engineering drawings not being submitted properly.
4. There needs to be more Certified Energy Advisors in our region and we should re-evaluate the number of Certified Energy Advisors in June 2019 to see if we are ready for implementation in December 2019. We would like to work on this list with the City so we can disperse it to our membership. *See attached "BC Energy Advisors 2019 for reference.*

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5. The City of Kelowna to work on a home through the permitting process, in turn will help train staff on the Step Code. CHBA CO is happy to work with the City to provide a 'pilot home' similar to what the City of Kamloops has done.

CHBA BC, our provincial body has been on top of the BC Energy Step Code by developing two new courses, one being available to members and non-members of CHBA that will be delivered online, and the other is training for the Step Code for both builders and Energy Advisors. CHBA BC will be forming a Step Code Task Group that will have members from across BC to help contribute to the Step Code Council. Vanessa Joehl, Director, Environmental Programs & Service Organization Manager with CHBA BC, is the co-chair for the Compliance and Energy Advisor subcommittee of the Step Code Council which focuses on compliance and implementation practices for the Step Code. Lastly, CHBA BC has relayed all issues and concerns from members across BC with their challenges with the new Step Code metrics back to the province. CHBA BC has provided courses to train Certified Energy Advisors and from their intake within the past year of 67 students, there is only one in our Central Okanagan region that may become an Energy Advisor, contingent on them passing the final exam.

We'd like to thank the City of Kelowna for providing incentives to those who choose to build to any level of the Step Code and the ongoing effort and initiative that has continued between the City of Kelowna and CHBA CO. We look forward to further discussion on the BC Energy Step Code within the coming months.

Regards,



Cassidy deVeer
CHBA CO President



Updated Energy Step Code Implementation Strategy

May 6, 2019

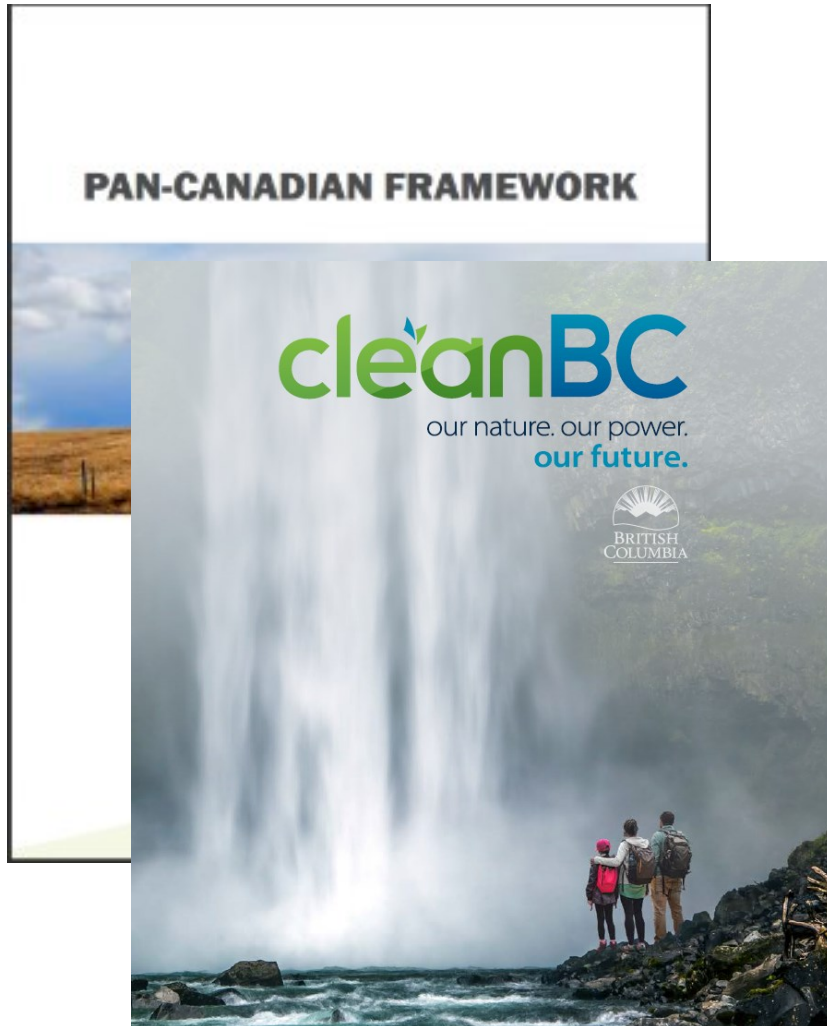


The time to act is now



Urgently need rapid, far-reaching and unprecedented change in all aspects of society by **2030** to limit global warming to **1.5°C** to avoid catastrophic impacts

National and Provincial direction



- ▶ Pan Canadian Framework
 - ▶ Federal plan to reduce GHGs
 - ▶ Net-zero energy ready by 2030
- ▶ Clean BC
 - ▶ Provincial plan to reduce GHGs and energy
 - ▶ Timeline for Energy Step Code

BC Energy Step Code

Designed to help industry move incrementally toward “**net-zero energy ready**” for all **new construction** by 2032.

Net-Zero Energy Ready

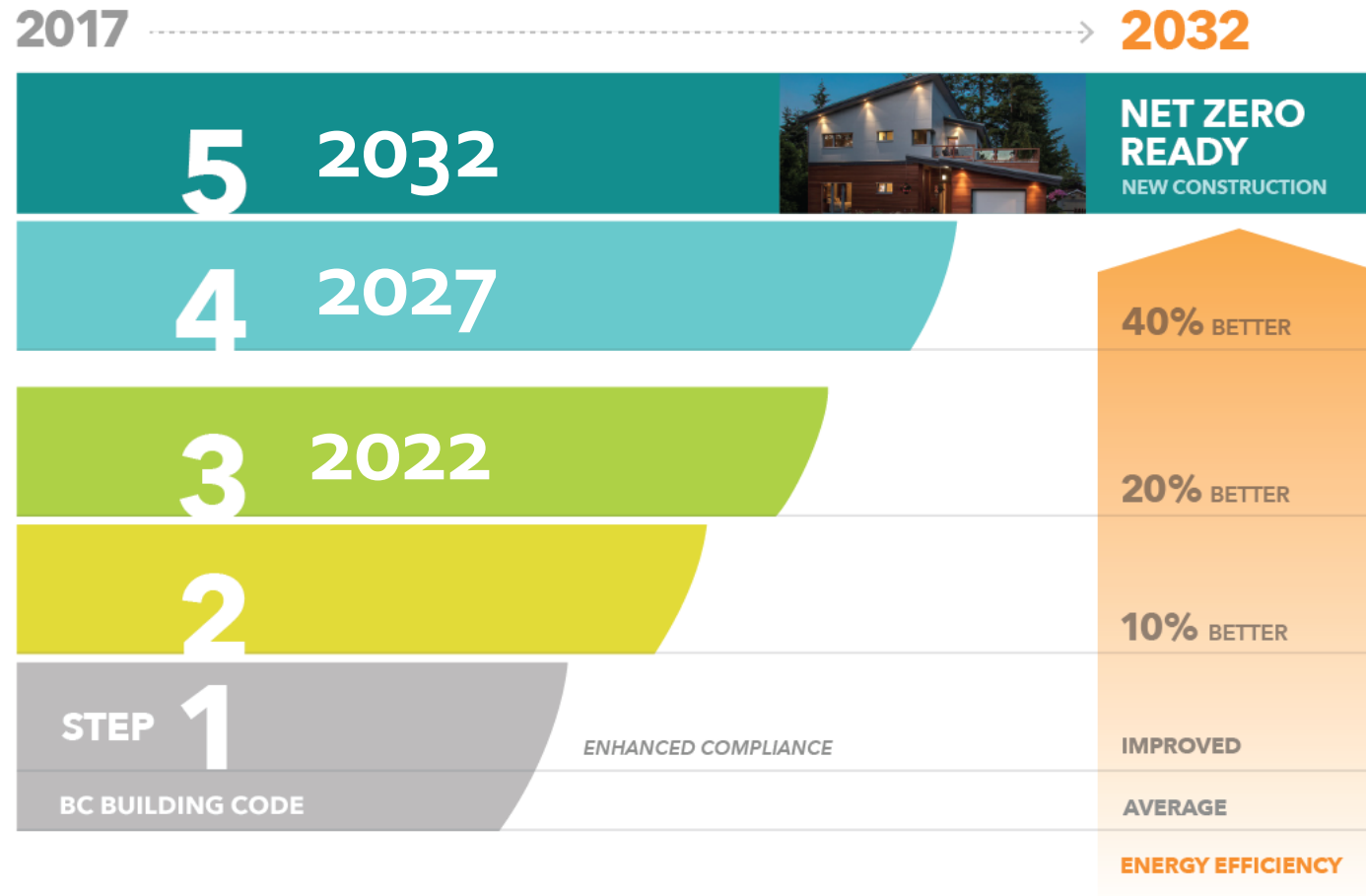
A building built to high energy efficiency standards such that it could – with additional measures – generate enough on-site energy to meet its own energy needs



Energy Modelling

On-Site Testing

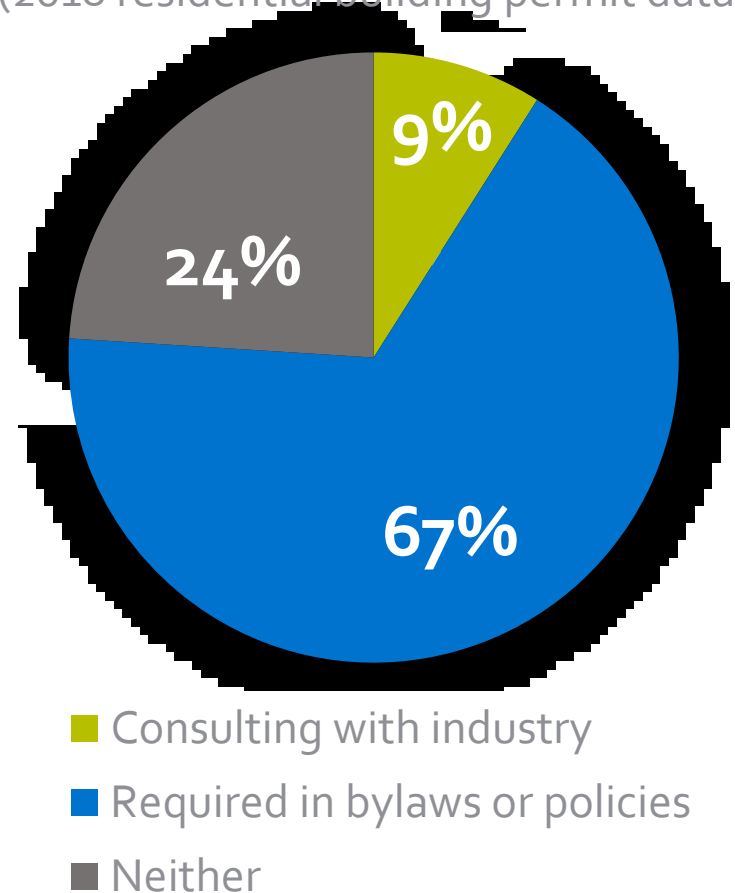
Province sets timelines



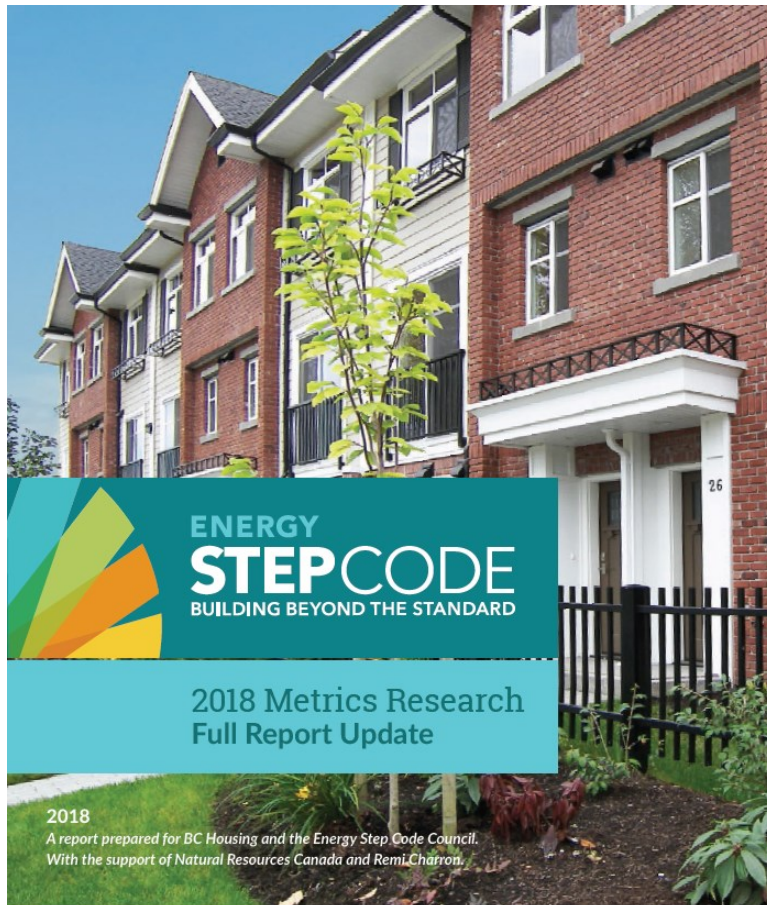
Step Code adoption

- ▶ Communities that represent two-thirds of the province's residential building permits have now enacted Step Code in building bylaws or policies.
- ▶ Local adoption:
 - ▶ Penticton
Step 1: March 15, 2019
 - ▶ Lake Country
Step 1: April 1, 2019

Status of implementation
by building starts
(2018 residential building permit data)



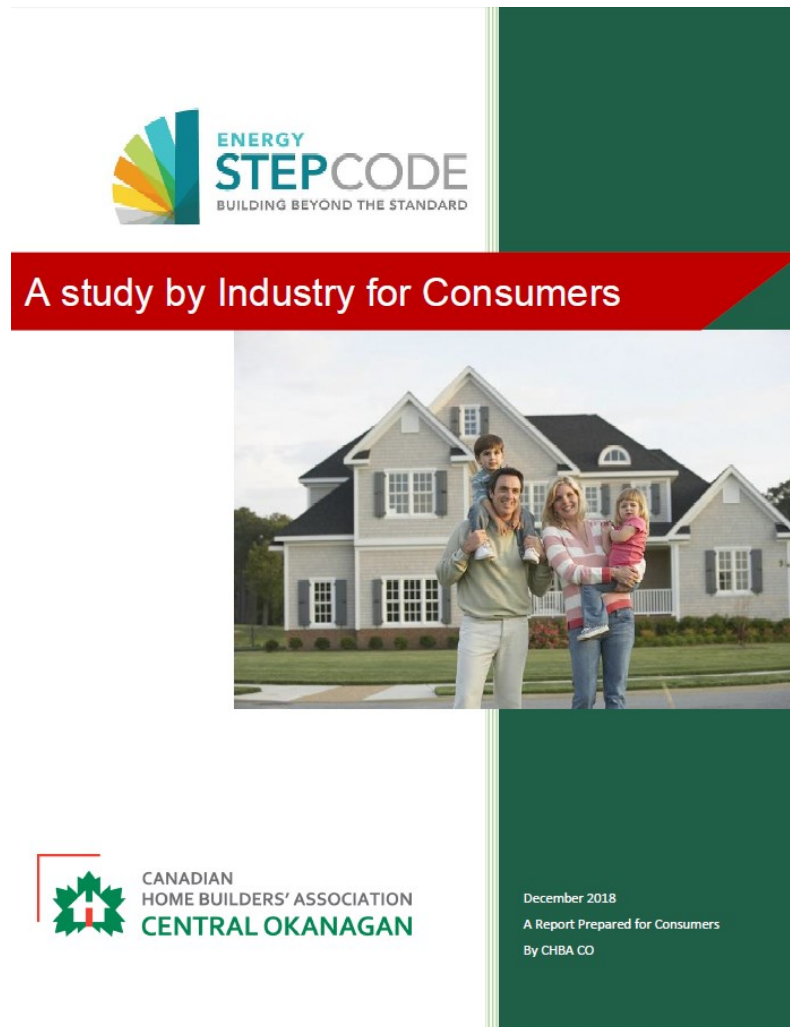
Costing studies



▶ BC Housing's Metrics Research

- ▶ Studied how to achieve low costs for each step based on **optimized** building design
- ▶ Costs varied between 0.4 – 1.2% to achieve Step 3

Costing studies



▶ CHBA-CO Costing Study

- ▶ Studied **incremental costs** to an **existing design** to meet various steps
- ▶ Costs varied between 2.5 – 6.4% to achieve Step 3

Costing studies

INSIDE THE STEP 3 HOME

Projects that point to the future of B.C. home performance

CASE STUDY: Maryland Residence, Campbell River



Project size:
2,525 square feet
Build cost:
\$381,564 or \$151/sq. ft.
Climate zone 5

This Campbell River four-bedroom home reaches Step 3 for a total cost premium of... zilch. The secret? Everyday materials and a strict attention to detail.

0% above
cost to build to the
existing energy efficiency
requirements of the
BC Building Code

Two of the many strategies used to boost performance include:

SEAL IT UP

The crew sealed the house with standard building wrap, taping it to poly plastic sheathing on the underside of the roof trusses, and at the foundation. They also spray-foamed the boards covering the ends of joists, and in a zillion other places. Result? An impressive 1 air change per hour. (A Step 3 home must clock in at, or under, 2.5.)

MIND YOUR MACHINES

A air-source heat pump keeps the home cozy through the chilly and damp northern Vancouver Island winters. A tankless on-demand natural gas water heater serves up abundant hot water – and allowed Farren to access a utility incentive.

I've been given a chance, as a builder, to do my part to make more responsible housing. All the technology is out there, why wouldn't you want to use it?

- Todd Farren, builder



▶ BC Hydro' Community Energy Managers' Network Case Studies

- ▶ Studied 5 **recently constructed** single family homes
- ▶ Costs varied from 0-2% to achieve Step 3 (4 homes)



**90,000 Total
Units by 2040**



**30% of Units will
be built after 2018**



Actions for New Housing Built After 2018

- 1. Energy Step Code for Part 9 (2019)**
- 2. Energy Step Code for Part 3 (TBD)**

Engagement

- ▶ **Over 55 touchpoints** from Sept. 2017 to April 2019:
 - ▶ Meetings, print, email, web, industry surveys, targeted training
- ▶ **Energy Step Code Solutions Lab**
 - ▶ February 12, 2019
 - ▶ Diverse group of representatives



*Photo credit: Energy Step Code Council March 2019
Monthly Update*

Solution Lab task

Diverse group of impacted industry stakeholders worked together to create a solution that incorporated reducing energy use while building industry capacity between now and 2022.

FOCUS
Getting to 2022

**We
are
here**

2019

2020

2021

2022

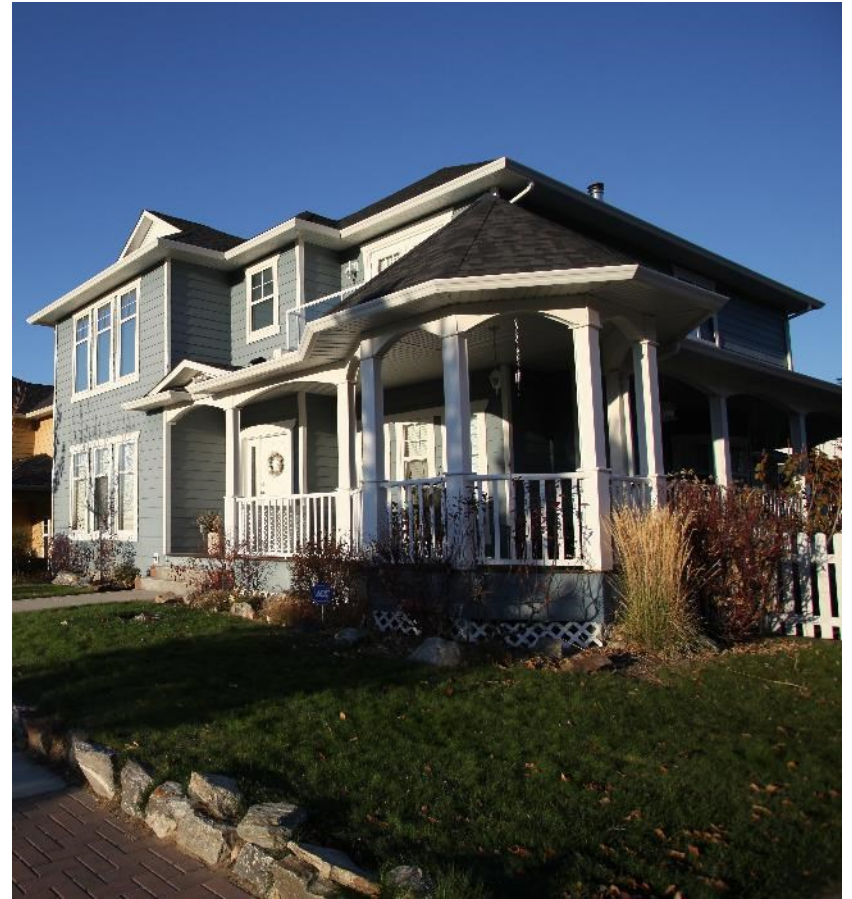
**20%
Step 3**

Solutions Lab summary

	2019				2020				2021				2022			
	Mar-19	Jun-19	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22
Step 1			✓	✓	✓			✓					Province requires Step 3 20% more efficient			
			✓	✓												
Step 2					✓			✓				✓				
Step 3								✓	✓			✓	✓			

Updated Implementation Strategy

- ▶ For Part 9 Residential Buildings
 1. Timeline
 2. Incentives
 3. Training



Timelines

	Original Proposal (August 27, 2019)	Revised Implementation Strategy (May 6, 2019)
Step 1	April 1, 2019	December 1, 2019
Step 3	October 1, 2020	June 1, 2021

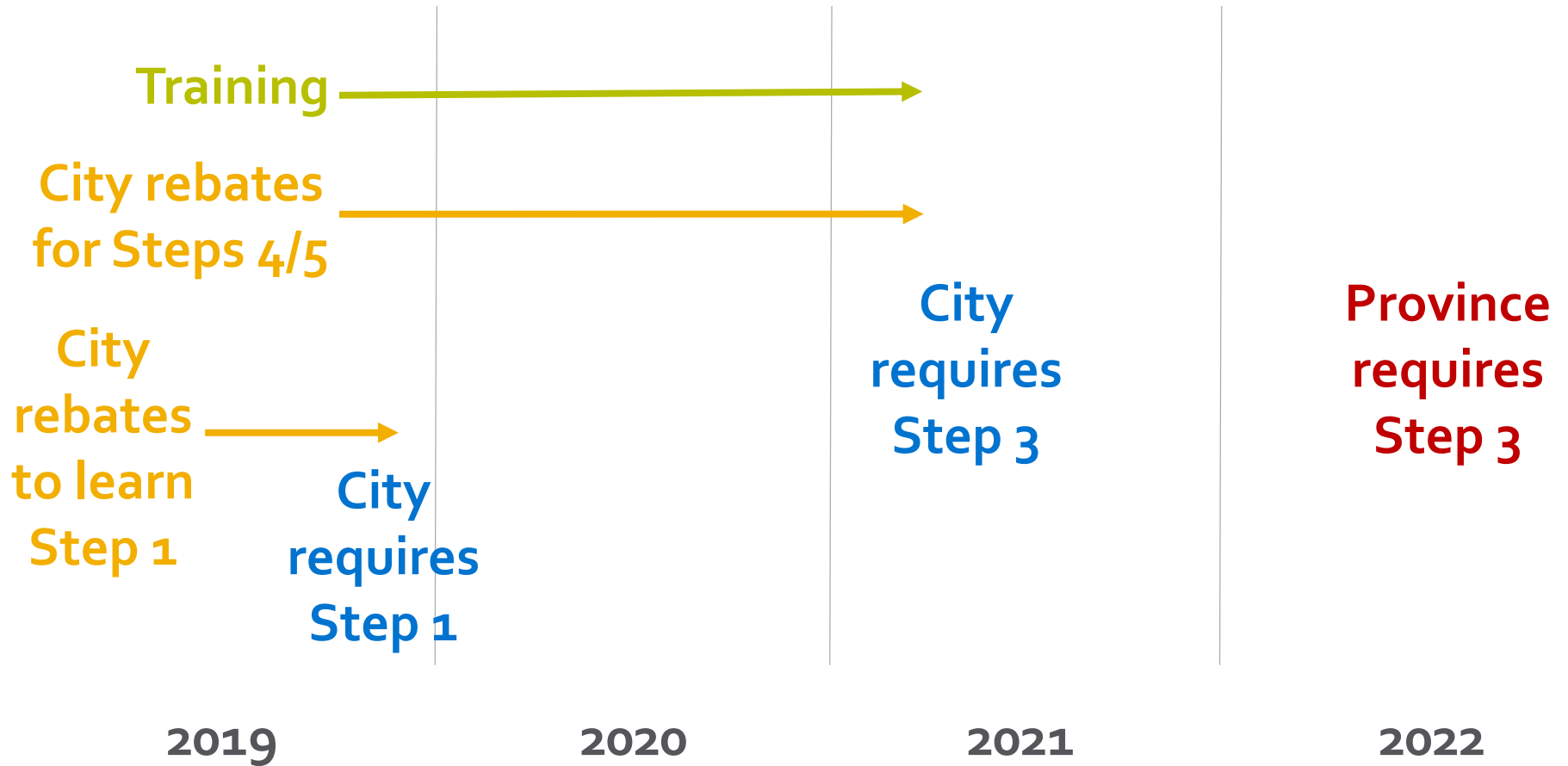
Incentives

	Original Proposal (August 27, 2019)	Revised Implementation Strategy (May 6, 2019)
City Financial Incentives	Building Permit rebates: <ul style="list-style-type: none">• \$500 for Step 4• \$1,000 for Step 5	Building Permit rebates: <ul style="list-style-type: none">• \$500 for an energy advisor and final construction blower door test <i>(until Nov. 30th 2019)</i>• \$500 for Step 4• \$1,000 for Step 5
Zoning Incentives	<ul style="list-style-type: none">• Relax setbacks for Step 5 homes	<ul style="list-style-type: none">• Relax setbacks for Step 5 homes

Training

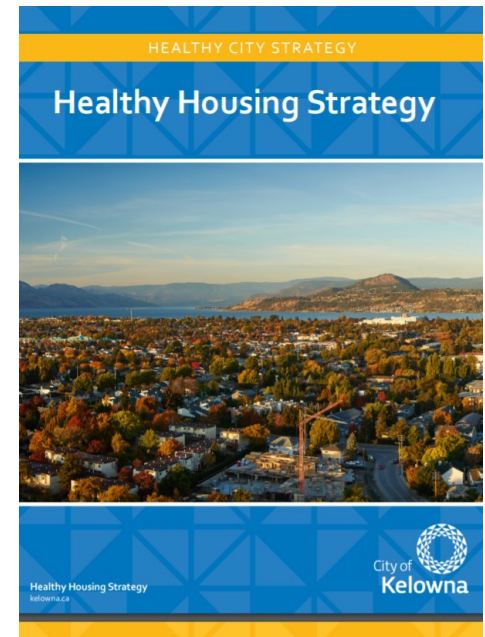
	Original Proposal (August 27, 2019)	Revised Implementation Strategy (May 6, 2019)
Training		<ul style="list-style-type: none">• Building officials training on permitting process• Builders and trades training: understanding the permitting process• Explore other opportunities through ESC Council, FortisBC, and Okanagan College

Step Code timeline



Delivering on our plans

- ▶ Kelowna's Community Climate Action Plan
 - ▶ City-wide requirement for Step Code by April 2019
 - ▶ Relax setback requirements in Zoning bylaw
 - ▶ Create a building permit rebate program to incentivize Upper Steps
- ▶ Kelowna's Healthy Housing Strategy
 - ▶ Implement Step Code to increase energy efficiency and reduce household carrying costs.



Council Priority: Environmental Protection

- ▶ Goal: adaptable in the face of climate change
 - ▶ Greenhouse gas emissions are decreasing
 - ▶ Resiliency & adaptability to climate change



Next steps

1. Consultation on Energy Step Code for Part 3 buildings
 - ▶ Examples of Part 3 buildings include larger apartment buildings, condos, etc.
2. Develop Community Retrofit Strategy



Actions for Pre-2018 Housing Stock

1. Community Retrofit Strategy (City-led 2019)
2. Provincial Retrofit Code (BC Gov 2024)

When we build better buildings, we are putting new skills and newly skilled workers to work, and the building or home owner is going to save money in the long run.

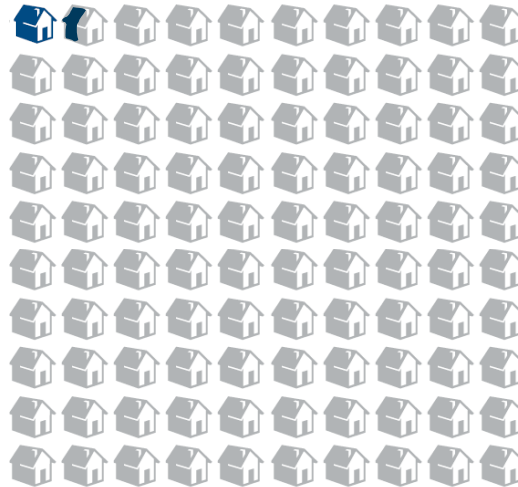
CleanBC, 2018



Impact through Leadership



Voluntary
Uptake



Incentive
Uptake



Combined
Approach –
Regulation &
Incentives



Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 11823

Amendment No. 13 to Building Bylaw No. 7245

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Building Bylaw No. 7245 be amended as follows:

1. THAT **PART 1 – INTERPRETATION, 1.3 Definitions** be amended by:
 - a) deleting the term “**Building Inspector**” and replacing it with “**Building Official**”;
 - b) replacing all references of “**Building Inspector**” with “**Building Official**”;
 - d) in the definition “**Field Reviews**” deleting the words “his/her” and replacing it with “their”; and
 - e) in the definition “**Person**” deleting the word “his” and replacing it with “their”;
2. AND THAT **PART 1 – INTERPRETATION, 1.7 Owner’s Responsibility** be amended by deleting both instances of the word “his” and replacing each with “their”;
3. AND THAT **PART 3 – THE BUILDING INSPECTOR, 3.2 Refusal to Issue Permit, 3.2.1** be amended by deleting the word “his” and replacing it with “their”
4. AND THAT **PART 3 – THE BUILDING INSPECTOR, 3.4 Revocation of Permit, 3.4.1** be amended by deleting the word “his” and replacing it with “their”;
5. AND THAT **PART 4 – BUILDING PERMITS, 4.8 Issuance of Permit**, section 4.8.2 by deleting the words “to him”;
6. AND THAT **PART 5 – INSPECTIONS, 5.1 Inspection Schedule, 5.1.1** be amended by deleting the word “his” and replacing it with “their”;
7. AND THAT a new **PART 14 – ENERGY STEP CODE** be added that reads as follows and all subsequent sections be renumbered accordingly:

“14.1 **Regulations**

14.1.1 Effective December 1, 2019, any Part 9 building, as set out in the **Building Code**, must be designed and constructed to meet the minimum performance requirements specified in Step 1 of the BC Energy Step Code.

14.1.2 Effective June 1, 2021, any Part 9 building, as set out in the **Building Code**, must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the BC Energy Step Code.”
4. AND THAT **SCHEDULE “E” OWNER’S UNDERTAKING** be amended by:
 - a) deleting the following:

“The above must be signed by the **Owner** or his appointed **Agent**. The signature must be witnessed. If the **Owner** is a company, the authorized signatory(ies) must sign.”

And replacing it with:

"The above must be signed by the **Owner** or their appointed **Agent**. The signature must be witnessed. If the **Owner** is a company, the authorized signatory(ies) must sign."

b) under section **1.7 Owner's Responsibility**, 1.7.1 deleting both instances of the word "his" and replacing each with "their";

8. This bylaw may be cited for all purposes as "Bylaw No. 11823, being Amendment No. 13 to Building Licence Bylaw No.7245."

9. 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: May 6, 2019
File: 1850-50
To: City Manager
From: Transit and Programs Manager
Subject: Bikeshare Permit Program

Report Prepared by Matt Worona, Active Transportation Coordinator

Recommendation:

THAT Council receives, for information, the report from the Transit and Programs Manager dated May 6, 2019 with respect to the Bikeshare Permit Program;

AND THAT Council approve the Bikeshare Permit Program for Bikeshare Operators as outlined in the report of the Transit and Programs Manager dated May 06, 2019;

AND THAT Council give reading consideration to Bylaw No. 11804 being Amendment No. 32 to the Consolidated Traffic By-Law No. 8120;

AND FURTHER THAT Council authorize the Mayor to forward a letter to the Honorable John Horgan M.L.A., Premier of British Columbia and Honorable Claire Trevena M.L.A., Minister of Transportation and Infrastructure, regarding an exemption from the Motor Vehicle Act, as attached to the report of the Transit and Programs Manager, dated May 06, 2019.

Purpose:

To propose a permit program to regulate bikeshare operators into the future, as well as amending and advocating for enabling regulatory changes.

Background:

There currently exists considerable opportunity to modernize our bikeshare regulations. A new permit program could scale up the area served, the ridership from these fleets, and the variety of vehicles available to residents and visitors. It also poses the opportunity to close gaps in our current bikeshare regulations and ensure we are responding to resident concerns that were identified in the pilot. Staff recommend permitting bikeshare operators, with the appropriate approvals, to explore new ways of providing flexible, affordable and accessible transportation options.

Alignment with the Transportation Master Plan Vision and Goals

"Kelowna will be a city with vibrant urban centres where people and places are conveniently connected by diverse transportation options that help us transition from our car-centric culture."

To align with the City of Kelowna's Transportation Master Plan(TMP) vision, bikeshare should aim to achieve high quality service, delivering that service to the largest number of people and managing negative externalities like disorder within the public realm and on our right of ways. By building a permit program to regulate bikeshare, we will be able to maximize investment and competition from firms delivering small shared vehicles in Kelowna.

Staff have built the Bikeshare Permit Program so that it delivers on the TMP vision. This program is most aligned with the following goals from the vision:

- *Ensure value for public investment* – Make efficient use of public funding by maximizing benefits and reducing the costs of transportation infrastructure.
- *Improve travel choices* – Ensure residents and visitors have access to multiple means of getting around so they can choose what best meets their needs for a given trip.
- *Enhance travel affordability* – Reduce the cost of travel for individuals by ensuring a wide range of affordable transportation options are available in Kelowna.
- *Improve health* – Improve resident health by making it easier for people to be physically active (e.g. biking and walking) and reducing exposure to air pollutants caused by vehicles.
- *Improve safety* – Reduce the frequency and severity of collisions involving people who are walking, biking and driving.

Highlights of the Permit Program

- *Multiple Vehicle Types* – a *Bikeshare Device* could be a variety of small vehicle types with features for people of different abilities and needs for the trip at hand. Currently, a cycle, electric cycle and electric scooter, are vehicle types that are defined in the permit program. New vehicles up to 500 kg in weight can be approved through the application process to remain flexible and adaptable into the future.
- *Multiple Operators* – Open to multiple operators to create a competitive marketplace while minimizing obstructions to the right of way. Dropbike will be able to stay within their license agreement for the remainder of the term. If Dropbike chooses to add new vehicle types, they will be asked to move to the permit program.



Figure 1: Jump electric scooter. Jump is Uber's bikeshare brand.¹

- *Flexible and Specific Parking Requirements* – Vehicle parking will move away from the 'haven' model to specific areas where parking is permitted. The specific areas outlined in the permit enable bikeshare to scale city-wide while minimizing staff time and ensuring that users have more opportunity to end their trip in a way that doesn't negatively impact other road users.
- *Application Process* – Operators will be vetted in advance with how they intend to run their service in Kelowna. They will be asked to provide details on the vehicles they plan to deploy, how they will operate the system, educate the public and deliver an accessible and equitable service to residents and visitors.

- *Fees to Ensure Compliance* – Ensure operators adhere to the requirements and conditions of the permit by levying fees if they are not met. Fees will be reassessed yearly including the possibility to charge for the use of the public right of way in the future.
- *Ongoing Evaluation* – The term for a bikeshare permit will be 1-year. The City will evaluate the permitting process and assess if bikeshare is meeting our expectations for safety, reliability, availability and public acceptance.

Enabling Electric Bikes and Electric Scooters in Kelowna

At present, electric bikes are not an approved use on our park pathway system such as the Waterfront Walkway as per the Parks and Public Spaces Bylaw No. 10680.

Electric scooters have no more than three wheels, a handlebar, are designed to be stood upon by the operator, and are powered by an electric motor capable of propelling the user at a speed of no more than 35 km/h. Unlike electric bikes, electric

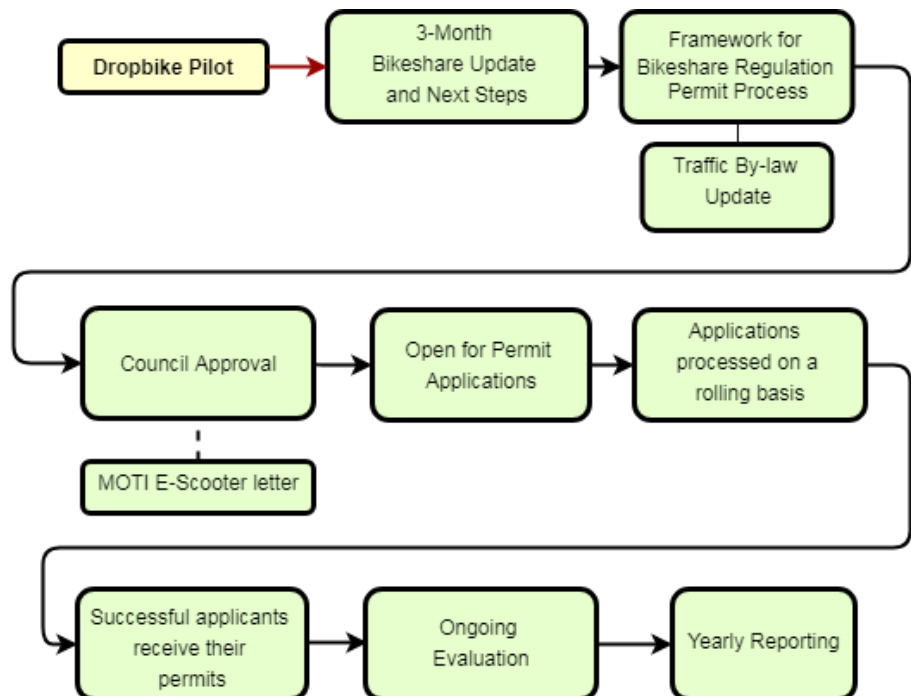


Figure 2: Implementation process for the Bikeshare Permit Program

scooters are a non-permitted use on BC roadways due to restrictions from the Province.ⁱⁱ Without an exemption from the Motor Vehicle Act, they can be operated only on parks pathways with signage to that effect.

In step with this new permit program, Staff will add signage along key parks corridors to allow the operation of electric bicycles and electric scooters. See Exhibit D. Potential Electric Scooter Network for a map of the corridor proposed for e-scooters.

The Okanagan Rail Trail Committee has permitted electric scooters on the trail within the City of Kelowna and Staff are in talks with the Kelowna International Airport and University of British Columbia's Okanagan campus whose lands fall outside of the jurisdiction of the Motor Vehicle Act. Attached to this report, you will find Exhibit D outlining where a potential shared electric scooter network could be operated. This minimum network will enable us to understand how this service behaves in Kelowna before any permissive changes are made to the Province's Motor Vehicle Act.

Additional Notes

Staff's approach to bikeshare was assessed through the City's Business Investment Evaluation Advisory Service, through Strategic Investments. The review concluded that the bikeshare program has been well received by City residents, businesses and staff alike and has accomplished a significant role in helping to build the City of Kelowna brand. The review committee would like to see more validation of new vehicle types (electric scooters, electric bikes, etc.) and an examination of revenue opportunities. Assessing true costs should also be a key component moving forward. The committee is supportive of the positive impacts with multiple bottom lines that bikeshare has brought and would recommend building on the apparent success in moving forward.

Next Steps

Should council amend the Consolidated Traffic Bylaw No. 8120 with Amendment No. 32, staff will open the permit program to applicants. With Council support, the attached letter will be sent to the Premier of British Columbia and the Minister of Transportation and Infrastructure requesting changes to the Motor Vehicle Act. The City will invite applicants who have experience delivering bikeshare systems to apply for a permit. After review, successful applicants will be issued permits and are free to operate bikeshare systems within the confines of the permit program. Updates as to performance of the Bikeshare Permit Program will be prepared on a yearly basis.

Internal Circulation:

Divisional Director, Corporate Strategic Services
Divisional Director, Community Planning and Strategic Investments
Divisional Director, Infrastructure
Director, Business and Entrepreneurial Development
Department Manager, Infrastructure Operations
Manager, Community Communications
Manager, Transportation Engineering
Manager, Bylaw Services
Manager, Long Range Policy Planning
Manager, Financial Planning
Deputy City Clerk

Transit Service Coordinator
Transportation Planner
Planner Specialist
Park and Landscape Planner
Traffic Operations and Technical Services Supervisor
Communications Advisor

Existing Policy:

The Kelowna On The Move: Pedestrian and Bicycle Master Plan recommends staff “research and develop a strategy to demonstrate which programs would be most effective in achieving behavioural change to grow the share of residents selecting active modes of transportation.”

The Community Climate Action Plan recommends staff “expand the pilot community bike share program”

External Agency/Public Comments:

Downtown Kelowna Business Association

Considerations not applicable to this report:

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

Submitted by:

J. Dombowsky, Transit and Programs Manager

Approved by:

R. Villarreal, Manager, Integrated Transportation

Approved for inclusion:



A. Newcombe, Divisional Director, Infrastructure

Attachment A - Bikeshare Permit Program: Application Process for Operators

Attachment B - Bikeshare Permit Program Presentation

Attachment C- Letter to the Provincial Government on Electric Scooters and the Motor Vehicle Act

cc: City Clerk

Divisional Director, Community Planning and Strategic Investments

Divisional Director, Corporate Strategic Services
Divisional Director, Financial Services
Divisional Director, Human Resources & Community Safety
Divisional Director, Infrastructure
Director, Business and Entrepreneurial Development
Infrastructure Operations Department Manager

ⁱ "Press Kit." *JUMP Bikes*, jump.com/press-kit/.

ⁱⁱ "Motorized Scooters and Skateboards." *ICBC*, www.icbc.com/vehicle-registration/specialty-vehicles/Low-powered-vehicles/Pages/Motorized-scooters-and-skateboards.aspx.



Bikeshare Permit Program

Application Process for Operators

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BIKESHARE PERMIT PROGRAM

This **Permit** program intends to regulate free-floating, shared mobility **Fleets** for small **Bikeshare Devices** operating within the City of Kelowna. Currently, the **Permit** defines **Cycle**, **Electric cycle** and **Electric Scooter** as **Bikeshare Device** types. The **City** will allow **Permit Holders**, to access the street network, parks and pathways through a **Permit** to operate within the lands of the City of Kelowna while adhering to all applicable Provincial and Federal regulations. **Bikeshare** was first tested through the Kelowna **Bikeshare** Pilot in 2018. The **City** is currently working to deliver on the recommendations from the *Kelowna On The Move Pedestrian and Bicycle Master Plan* which recommends that staff “research and develop a strategy to demonstrate which programs would be most effective in achieving behavioural change to grow the share of residents selecting active modes of transportation.” Through the pilot, staff have discovered **Bikeshare** can act as an extension of the public transportation system and add new mobility options for residents and visitors to our **City**.

The City of Kelowna intends to **Permit Bikeshare** operators, with the appropriate approvals, to explore new ways of providing flexible, affordable, and accessible mobility options. These new options can help achieve the **City**’s stated mobility goals in the *Kelowna On The Move Pedestrian and Bicycle Master Plan* as well as the forthcoming *Transportation Master Plan*.

Transportation Master Plan Vision

“Kelowna will be a city with vibrant urban centres where people and places are conveniently connected by diverse transportation options that help us transition from our car-centric culture.”

From the City of Kelowna’s Transportation Master Plan vision, bikeshare should aim to achieve the best quality service, delivering that service to the highest number of people and managing negative externalities like disorder within the public realm and across our right of ways. By building a **Permit** program to regulate Bikeshare, we will be able to maximize investment and competition from firms delivering small **Bikeshare Devices** in shared **Fleets** in Kelowna.

The City of Kelowna should look to regulate bikeshare so that it delivers on the following objectives:

- Delivers the opportunity for more residents not to drive by building an interconnected network of transportation options.
- Ensure public benefit by removing the pressure to move more cars on our road network, therefore, minimizing the requirements for new transportation infrastructure investment associated with the growth in travel demand.
- Encourage people to walk, cycle and take public transit more often, by additional options that improve the utility of other sustainable travel modes.
- Lower the cost of living by giving residents the opportunity to build a robust set of options around how they move, enabling some to avoid the cost of car ownership.

- Build on a culture of active living in the community.

A. Components of Bikeshare Permit Program

This Bikeshare **Permit** Program document has three sections:

1. **Permit** Overview;
2. *Application Process*;
3. *Dockless Bikeshare Requirements and Permit Conditions*;
4. *Appendix*
 - a. *Data Tables*;

The **Applicant** must review, understand and agree to each of these components as they all relate to the **Permit** application and operation of **Bikeshare** in Kelowna.

II. Permit Overview

A. Expected Benefits

Bikeshare is expected to potentially generate the following **City**-wide benefits including:

Solving Public Transit's Last Mile Problem

The first or last part of the trip between the bus stop and a **Customer's** final destination is one of the main challenges that stop residents from regularly using transit. **Bikeshare** can help connect residents to higher order transit services and make transit the first choice.

Better Evidence-Based Decision Making

Data sharing requirements give staff access to anonymized travel pattern of **Customers**. **Bikeshare** data helps the City of Kelowna make better decisions in prioritizing infrastructure and understanding where people are travelling.

Reducing Greenhouse Gas (GHG) Emissions:

A **Bikeshare** system will provide additional transportation options to Kelowna residents that will help to reduce auto dependency for certain residents in our community. In Kelowna, 28% of all bikeshare trips would have been made by automobile.¹ **Bikeshare** is supportive of Kelowna's GHG reduction goals as described within the draft Community Climate Action Plan.

Supporting Active Transportation:

The creation of additional cycling infrastructure and programs aligns with the *Kelowna On The Move Pedestrian and Bicycle Master Plan*. A **Bikeshare** system will support Council's objective that "by 2036, 25% of all trips less than 5km in length are made by walking and cycling".

Improving Road Safety:

In cities with **Bikeshare**, there is a decrease in injury rates, concerning both general injury and head injury compared to numbers from control cities without a **Bikeshare** system.² **Bikeshare** collision and injury rates are lower than previously calculated rates for personal **Cycles**.

Improving Transportation Choice and Cost of Living

Bikeshare programs are typically affordable and low cost to use. The availability of **Cycles** for point to point rental improves transportation choice for Kelowna residents and visitors.

Reduction in Car Use and Congestion

There have been measurable reductions in automobile congestion following the introduction of **Bikeshare** programs.³

Supporting the Tourism Economy

Bikeshare systems are attractive for tourists and visitors to Kelowna who want to experience the city without the cost and inconvenience of driving and parking. A **Bikeshare** program is a valuable addition that would improve the experience of many visitors and enable tourists to visit businesses and attractions beyond a comfortable walk.

The term for a **Bikeshare Permit** will be 1-year. The **City** will evaluate the permitting process and assess if **Bikeshare** is meeting the **City's** expectations for safety, reliability, availability and public acceptance. The **City** is seeking **Applicants** who have previous experience designing, building, operating, maintaining, managing and marketing **Bikeshare** systems in other jurisdictions to apply for a **Permit**.

Permit Holders are not guaranteed a **Permit** upon re-application. While this document outlines the **Permit** requirements and conditions, the **City** may at any time adjust any of the requirements and conditions contained within this **Permit** based on public nuisance or safety concerns.

B. Definitions

All terms bolded and capitalized within this document are defined terms in Traffic Bylaw No.8120. If terms are not defined in the Traffic Bylaw, the following apply to the Bikeshare Permit Program:

"Applicant" means a person or corporation that completes a **Permit** application form for a **Permit** to operate within the City of Kelowna for a one-year term.

"App" means the **Permit Holder's** piece of software for a **Customer's** phone that is used to connect to the **Permit Holder's Bikeshare** system.

"Cycle" means a device having any number of wheels that is propelled by human power and on which a person may ride.

"Bikeshare" means a system of **Bikeshare Devices**, placed in the public right-of-way in a defined **Service Area**, available for **Customers** to rent.

"Bikeshare Device" means a personal device, under 500 kilograms, with any number of wheels on which a person may ride that is propelled by human or electric power such as, but not limited to, cycles or electric cycles.

"Broken Bikeshare Device" a **Bikeshare Device** that is no longer reasonably safe to operate on public roadways, fails to meet the standards of the **Bikeshare Device** specifications section of the **Permit** requirements or is unable to be unlocked.

“Customer” means a person or corporation that rents a **Bikeshare Device** from a **Permit Holder** for any amount of time within the lands of the **City**.

“Electric Scooter” means a personal device with no more than three wheels that has handlebars, is designed to be stood upon by the operator, and is powered by an electric motor that is capable of propelling the device with or without human propulsion at a speed of no more than 35 kilometers per hour on a paved level surface.

“Fleet” means all the **Bikeshare Devices** available for rent covered under one **Permit** which might include a variety of **Bikeshare Device** types.

“Geo-fence” means a virtual geographic boundary, defined by The Global Positioning System (GPS), that enables software to trigger a response when a **Bikeshare Device** enters or leaves a specific location.

“Indemnified Parties” means the **City** and the **City’s** elected officials, officers, agents, employees and volunteers.

“Maximum Fleet Size” means the highest total number of **Bikeshare Devices** all **Permit Holder** may have in operation, excluding any **Bikeshare Devices** out of operation for maintenance or storage.

“Minimum Fleet Size” means the lowest total number of **Bikeshare Devices** a **Permit Holder** may have in operation, excluding any **Bikeshare Devices** out of operation for maintenance or storage.

“Permit Holder” means an **Applicant** who has been issued a **Permit** to conduct **Bikeshare** operations.

“Permit” means a **Permit** issued to allow for a **Permit Holder** to conduct **Bikeshare** operations.

“Power Bicycle” means a motor-assisted cycle as defined in the B.C. Motor Assisted Cycle Regulation (B.C. Reg. 151/2002).

“Rebalancing” means the redistribution of **Bikeshare Devices** to respond to **Customer** needs within the **Service Area**, address locations that have too many or too few parked **Bikeshare Devices**, removal of **Broken Bikeshare Devices**, and redistribution of **Bikeshare Devices** parked inappropriately.

“Service Area” means the geographic area that a **Permit Holder** designates where they allow **Customers** to end a **Trip** without a penalty fee.

“Trip” means the action of a **Customer** renting a **Bikeshare Device** by unlocking (“**Trip start**”), travelling during that period “**Trip time**” and ending the rental in its final parking location (“**Trip end**”).

III. Application Process

A. General Information

This application process for **Permit** covers **Bikeshare** operations within **The City of Kelowna**. Each **Bikeshare Applicant** interested in being permitted to operate **Bikeshare** in **Kelowna** must apply to **The City**.

The City may request additional information from **Applicants** to make an evaluation. **Applicants** will be notified of next steps within four weeks of receipt of a complete application.

The **Maximum Fleet Size** for all operators will be one **Bikeshare Device** for every ten residents according to the latest Canadian census. The minimum **Bikeshare Devices** in a fleet are 100 **Bikeshare Devices** for each **Permit Holder**. **Permit Holders** must reach the **Minimum Fleet Size** within four weeks of launch.

Applicants must review all Federal, Provincial and **City** legislation relevant to operating in the **Permit**. Nothing in this document, including the **Permit** Requirements and **Permit** Conditions, relieves an **Applicant** from conducting their due diligence and reviewing all applicable legislation. **The City** encourages the **Permit Holder** to seek legal advice before making an application.

B. General Application Requirements

An **Applicant** must meet the application requirements and are required to read, understand and agree to all information and requirements contained within the *Bikeshare Permit Program*. An **Applicant** is not guaranteed the issuance of a **Permit**, and **The City** may refuse to issue a **Permit** for any reason including and not limited to:

1. If the **Applicant** has failed to comply with the laws of any other jurisdiction;
2. If the **Applicant** has previously commenced **Bikeshare** operations without the proper approvals;
3. If the **Applicant** is unable or unwilling to agree to any of the terms and conditions of the **Permit**; or
4. If **The City** for any other reason believes the **Applicant** will be unable to provide safe, equitable and reliable service.

The **Applicant** must certify that all **Bikeshare Devices** provided meet the requirements identified in the *Bikeshare Device Specifications* section of the **Permit** requirements.

C. Application Materials

Application materials must be submitted in English, by email to, tranmgmt@kelowna.ca in PDF format.

An application must include the following elements:

1. A completed **Permit** application form;
2. Images and description of all **Bikeshare Devices** that will be used in the fleet must include the following specification description:

- a. Overall dimensions of the **Bikeshare Devices** to be made available as part of the **Bikeshare** system with all components intact;
- b. **Bikeshare Device** weight with all components intact;
- c. The diameter of each wheel;
- d. The width of each tire;
- e. The distance between the centers of the front and rear wheels ("wheelbase");
- f. The maximum load capacity;
- g. The number of gears and gear ratios;
- h. The power source and recharge procedure for all electrical components, including lights, batteries, and location tracking unit;
- i. The location of any cargo-carrying component or area and the maximum cargo load;
- j. The proposed location of all required information the **Permit Holder** is to provide on the **Bikeshare Devices** as stated in **Bikeshare Device** specifications section of the **Permit** requirements;
- k. If the fleet includes **Power Bicycles, Electric Scooters** or other electric **Bikeshare Devices**, the motor wattage, maximum assisted speed on flat level ground, power source, operating range, and user control mechanism;
- l. Any other specifications deemed relevant; and
- m. Evidence of compliance with applicable **Bikeshare Device** attributes defined in the **Bikeshare Device** Specifications section of the **Permit** Requirements.

3. Operations plan, including:

- a. Describe your qualifications to operate a **Bikeshare** system including experience operating shared mobility fleets in North America
- b. Enforcement of **Customers** adhering to local laws as applicable to the **Bikeshare Device**;
- c. Initial **Service Area** map;
- d. Images of the **App** interface;
- e. Maintenance plan;
- f. Recharging plan (if applicable)
- g. Staffing plan.
 - I. Describe the staffing plan including hired staff and contractors, for operation and maintenance of your **Bikeshare** system.
 - II. Describe how your hiring plan will comply with local laws and best practices regarding equal opportunity and fair wages.
 - III. Will you provide skills training for potential staff and contractors?

4. Parking and relocation plan that describes how the **Applicant** will:

- a. Ensure staff and users park **Bikeshare Devices** legally;
- b. Employ **Geo-fence** capabilities;
- c. Detect and re-park improperly parked **Bikeshare Devices** and meet response-time requirements as defined in the **Permit** Requirements; and
- d. Encourage **Customers** to report safety, parking, and maintenance concerns.

5. Education plan that describes how the **Applicant** will ensure **Customers** are aware of:

- a. Proper riding behaviour on streets and pathways;
 - b. The rules for where to park **Bikeshare Devices** safely and correctly; and
 - c. Helmet laws.
 - D. Ensure **Customers** have a valid driver's license if required by law, based on the **Bikeshare Device** type.
6. Options for low-income individuals and the diversity of payment options available.
7. Proposed payment plan outlining how the **Applicant** will provide service to those without smartphones and those without a credit card, debit card, and bank account.
8. Provide any privacy policies, user agreements and terms of service in plain text for review.

An **Applicant** who is approved for a **Permit** must submit the following additional materials and fees before the **Permit** will be issued.

- 1. Proof of insurance which meets the requirements set out in **Permit** conditions; and
- 2. The security deposit as outlined in the fee schedule below.

D. Fee Schedule

Traffic Bylaw No.8120 establishes fees for the Bikeshare Permit Program. Fees collected will help ensure **Permit Holder's** manage right-of-way constraints and deliver effective operations throughout the **Permit** and will offset unforeseen costs incurred by **The City** during the **Permit** period.

Security deposit - 15\$ per **Bikeshare Device** to a maximum of \$5,000 per **Permit Holder**. The bond is due before the **City** issues a **Permit** and in advance of fleet size increases.

The security deposit fee is refundable less any deductions.

Fines for contravening of any requirements or conditions of the **Permit** will be fined at a rate of 50\$ for each occurrence, per **Bikeshare Device**, if applicable.

E. Permit Application Form

BY COMPLETING THIS APPLICATION FOR THE PERMIT PROGRAM, THE APPLICANT IS WAIVING CERTAIN LEGAL RIGHTS. PLEASE READ CAREFULLY

Release of Liability, Waiver of Claims and Assumption of Risk by Making Application to Participate in Permit program

The **Bikeshare Permit** allows for the operation of a **Bikeshare** system within Kelowna's right-of-way under specific and clearly articulated requirements and conditions. **The City** intends to monitor and evaluate the **Permit** program, making any necessary adjustments to the **Permit** to ensure a successful and well-used transportation option is delivered. **The City** offers no guarantees regarding the duration, success or viability of the **Permit** program and the **Applicant** must conduct their own due diligence regarding the potential risks and liabilities of participating in the **Permit** program. In addition, **The City** makes no guarantees as to the accuracy of any information or representations provided by **The City** in the past, now or in the future and cannot be held liable for any misrepresentations. The **Applicant** must agree to the following Release of Liability, Waiver of Claims and Assumption of Risk in order to submit an application for a **Permit**:

Assumption of Risk

THE APPLICANT IS AWARE AND UNDERSTANDS THAT PARTICIPATION IN THE PILOT INVOLVES MANY RISKS, INCLUDING BUT NOT LIMITED TO THE RISK OF PROPERTY DAMAGE, LOSS OF PROFIT, REGULATORY CHANGES IMPACTING THE ABILITY TO OPERATE AND EVEN CANCELLATION OF THE PILOT. THE APPLICANT ACKNOWLEDGES THAT PARTICIPATING IN THE PILOT IS VOLUNTARY. THE APPLICANT FREELY ACCEPTS AND FULLY ASSUMES ANY AND ALL RISKS, WHETHER CAUSED BY THE NEGLIGENCE OF THE CITY OR OTHERWISE. THIS MEANS THAT THE APPLICANT IS GIVING UP THE RIGHT TO SUE THE CITY FOR ANY REASON, INCLUDING NEGLIGENCE OR GROSS NEGLIGENCE, IF THE APPLICANT SUFFERS ANY DAMAGE, INJURY OR LOSS BY PARTICIPATING IN THE PILOT.

1. The **Applicant** expressly waives and releases any and all claims which the **Applicant** has or may in the future have against **The City**, including its employees, officials, officers and agents (collectively, "Releasees"), on account of damages arising out of or attributable to the **Applicant's** participation in the **Permit** program, due to any cause whatsoever, including without limitation the negligence or gross negligence of **The City** or any other Releasee and any misrepresentation made by **The City** or any other Releasee. The **Applicant** agrees not to make or bring any such claims against **The City** or any other Releasee, and forever releases and discharges **The City** and all other Releasees from liability under such claims.
2. By applying to the participate in the **Bikeshare Permit** program, the **Applicant** acknowledges and agrees that the duration and success of the **Permit** program is not guaranteed, and **The City** may choose not to implement, maintain or complete the **Permit** for any reason whatsoever. In addition, **The City**, at **The City's** sole discretion, may do any of the following at any time:
 - a. Change the dates or the term of the **Permit**;
 - b. Cancel a **Permit**;
 - c. Adjust the **Maximum Fleet Size** of any **Permit Holder**;
 - d. Issue changes to the **Permit** requirements including changes to any parking requirements;
 - e. Changes to the **Permit** conditions; or

f. Change any fees imposed under the application process, the Permit requirements or the Permit conditions. g. Modify any terms of the Permit including any information contained within this document
Initial Here:

Applicant Information	
Company Name of Bikeshare Applicant: (Parent Company Name if Applicable)	
Contact Name:	
Mailing Address:	
Phone Number:	
Email Address:	
Website:	
Type of Application:	
<input type="checkbox"/> New	<input type="checkbox"/> Re-application

THE **APPLICANT**, HEREBY MAKES AN APPLICATION FOR A **PERMIT** TO PARTICIPATE IN THE **PERMIT**, AND ACKNOWLEDGES HAVING READ AND UNDERSTOOD ALL OF THE TERMS OF THIS APPLICATION AND VOLUNTARILY WAIVES SUBSTANTIAL LEGAL RIGHTS, INCLUDING THE RIGHT TO SUE **THE CITY** AND ANY OTHER RELEASEE.

Per:

Witness Signature (Corporate seal or Signature of Authorized Corporate Agent)

(Print name here) (Print name here)

Per:

(2nd Signature of Authorized Corporate Agent if required)

(Print name here)

Tracking Information (Staff Only)	
Date Received:	Received By:

IV. Bikeshare Permit Requirements

A. General Requirements

Permit Holders must ensure their **Bikeshare** systems are available for rental to the public 24 hours per day, 7 days per week while operating to **Customers** that sign up for the service. Staff acknowledge that, for power **Bikeshare Device** fleets with batteries that are not field swappable, high use in the day can lead to most or all of the fleet needing to be charged overnight. **Permit Holders** with electric **Bikeshare Device** fleets are expected to be at or above the **Minimum Fleet Size** between the hours of 7am to 9pm daily.

- **Permit Holders** are responsible for informing all **Customers** about all helmet laws if applicable based on **Bikeshare Device** type.
- **Permit Holders** must not display third party advertising, sponsorships, or sponsored content on **Bikeshare Devices** without written approval from **The City**.
- **Permit Holders** must agree to indemnify **The City** and its employees for any loss or action arising out of the **Permit** as set out in the **Permit** conditions.
- **Permit Holders** must prove and continuously maintain commercial liability insurance throughout the entire term of the **Permit** that meets the requirements set out in the **Permit** conditions.
- **Permit Holders**, who provide **Bikeshare Devices** equipped with lock-to devices in their fleet, must provide municipal staff access to unlock **Bikeshare Devices** for no charge. Less than 15 of such accesses will be required from each **Permit Holder**.
- **Permit Holders** may not transfer a **Permit** without the prior written approval from **The City**. **Permit Holders** shall promptly notify **The City** of any changes to **Permit Holder's** corporate structure or ownership. Failure to do so shall be cause for revocation of the **Permit**. For purposes of this paragraph, "transfer" shall include the sale or other exchange of 50% or more of the ownership or control of a **Permit Holder** to a third party.
- **Permit Holders** must hold **The City** harmless for any damage that may occur to its **Bikeshare Devices** from routine maintenance on the roadways, pathways, sidewalks and boulevard spaces.
- Any changes to the **Permit** will be communicated via email at the address provided at the time of application unless the **Permit Holder** provides a subsequent email address for notification.

B. Compliance and Rights of Removal

Permit Holders must respond to pedestrian obstructions and safety concerns as soon as possible but no later than 24 hours from when they become aware of an issue. **The City** will monitor citizen feedback, review on-going **Permit Holder** data requirements, and perform field audits as necessary to ensure **Permit Holders** remain in compliance of all **Permit** conditions and **Permit** requirements.

The City may remove or re-park any **Bikeshare Devices** parked in violation of the **Permit** or other **City** Bylaws at any time. **The City** will deduct from the **Permit Holders** security deposit for any fees, resources, and staff time related to the removal of the **Bikeshare Devices**.

If the **Permit Holder** fails to comply with any conditions of the **Permit**, in addition to revocation of the **Permit**, **The City** may modify the **Permit** conditions including reducing fleet sizes and/or add additional **Permit** conditions. If the **Permit** is revoked for failure to comply with the conditions of the **Permit** or

for any other reason, the **Permit Holder** must remove its entire fleet from all **City** streets, parks and pathways within 14 days of notice, unless otherwise directed by **The City**. If this is not completed, **The City** will remove the **Permit Holder's** fleet from the **City** right-of-way and deduct the costs from the remaining security deposit.

Importantly, in the case of an emergency or immediate threat to public safety, **The City** may take any action necessary it deems necessary to remove the emergency or threat.

C. Bikeshare Device Specifications

Permit Holders must ensure all **Bikeshare Devices** that are made available for the **Permit**, meet the following

conditions:

1. **Permit Holders** must display easily visible contact information including a toll-free phone number on each **Bikeshare Device** so that **Customers** or other members of the public can report issues or make relocation requests;
2. All **Cycles** deployed in a **Bikeshare** fleet must have the following features:
 - a. Adjustable seat post;
 - b. All-weather tires;
 - c. Front and Rear Fenders;
 - d. Cargo basket;
 - e. Kickstand;
 - f. Bell;
 - g. Lights on the front and back of the **Cycle**;
 - h. A phone number displayed on the **Cycle** where residents can reach the **Permit Holder**
 - i. Each **Cycle** must have a unique identifier number that is clearly displayed and visible to the **Customer** on the **Cycle**; and
 - j. Active location tracking component capable of providing real-time location data of the **Cycle**, even when it's not in use.
3. If **Permit Holders** have fleets that consist of **Power Bicycles** they must meet all conditions outlined above, as well as meet any additional Federal, Provincial and **City** legislation related to **Power Bicycles**.
4. If **Permit Holders** have fleets that consist of **Electric Scooters** they must meet all Federal, Provincial and **City** legislation related to **Electric Scooters** and have the following features:
 - a. Kickstand;
 - b. Bell;
 - c. Lights on the front and back of the **Bikeshare Device**;

- d. A phone number displayed on the **Bikeshare Device** where residents can reach the **Permit Holder**
- e. Each **Bikeshare Device** must have a unique identifier number that is clearly displayed and visible to the **Customer** on the **Bikeshare Device**; and
- f. Active location tracking component capable of providing real-time location data of the **Bikeshare Device**, even when it's not in use.

The City, through the Transit and Programs Manager may, at their sole discretion, approve other **Bikeshare Devices** for inclusion in the ***Bikeshare Permit Program***. As those **Bikeshare Devices** are identified any specifications for those **Bikeshare Devices** will be reviewed and potentially added to these **Bikeshare Device** specifications. **Bikeshare Devices** to be added shall weigh no more than 500 kg.

D. User Protections

1. **Permit Holders** must employ an electronic payment system that is compliant with the Payment Card Industry Data Security Standards (PCI DSS).
2. **Permit Holders** must provide a privacy policy that safeguards **Customers'** personal, financial, and travel information and usage including, but not limited to, **Trip** origin and destination data. **Permit Holders** agree to make its policies, procedures and practices regarding data security available to the **City**, upon request, and further agrees that the **City** reserves the right to hire a third party to perform a security audit at any time through the **Permit** term, or at any time **City** determines that an audit is warranted.
3. **Permit Holders** must provide **Customers** with the opportunity to explicitly assent to any terms of service, or user agreements. Separately, **Customers** must have the ability to decline sharing any data not required to enable the **Permit Holder** to process and complete the transaction. The **Customer's** options with regard to these requirements shall be clearly stated and easily accessed by the **Customer**.
4. **Permit Holders** shall not claim any legal right in its Terms of Use, Privacy Policy, or elsewhere to institute retroactive changes to its Privacy Policy and shall provide an opportunity for the **Customer** to explicitly assent prior to any changes to its data practices, including uses of data the **Permit Holder** collected under a prior policy.

E. Parking Requirements

Permit Holders are responsible for informing **Customers** on how to park **Bikeshare Devices** properly within their **Service Area**.

Bikeshare Devices belonging to the **Permit Holders** may be parked on **City** sidewalks, in **City** parks and adjacent pathways, subject to all Federal, Provincial and **City** Legislation and any further parking requirements set out below.

The **Permit** does not authorize the parking of **Bikeshare Devices** on property other than **City**-owned property. It is expected that **Permit Holders** will seek and maintain agreements with third parties, and other private property owners.

Permit Holders must have the ability to communicate by text or phone notification to let the **Customer** know if a **Bikeshare Device** is parked outside their **Service Area**.

Permit Holders must **Geo-fence** designated parking areas, no parking, and no riding zones, or other locations at the request of **The City**. **Permit Holders** will be responsible for marking these areas appropriately in their **App** within 1 week of notice and ensure **Customers** are informed on how to operate in these areas.

All parked **Bikeshare Devices** must remain in an upright position with its wheels in contact with the ground. All **Bikeshare Devices** which are not parked upright need to be re-parked appropriately within 24 hours of notice. A relaxation to 72 hours will be granted if the **Bikeshare Devices** are found to have been knocked down due to a weather event.

Permit Holders must ensure **Bikeshare Devices** must not be parked in a way that obstructs or interferes in the pedestrian or vehicular clearway at any time including blocking:

- a. Sidewalks,
- b. Pathways,
- c. Laneways,
- d. Doorways,
- e. Driveways,
- f. Curb ramps,
- g. Cycle ramps,
- h. Bus Stops,
- i. Bus Bays,
- j. **Bikeshare Device** travel lanes, and
- k. Bike lanes.

Permit Holders that require **Bikeshare Devices** to be locked to a fixed object must ensure that **Bikeshare Devices** are not to be locked to:

- a. Transit shelters,
- b. Patios, and
- c. Trees.

Street Parking

Parking **Bikeshare Devices** on the street in the parking lane will be allowed in residential areas, wherever an automobile may be legally parked. On streets where a time restriction is in effect, **Bikeshare Devices** may only be parked in the parking lane within 5 meters of an intersection. **Bikeshare Devices** may not be parked on the street within a pay parking area.

Bikeshare Devices must not be parked in a way that impedes vehicular traffic from moving on the roadway or accessing driveways and must not be parked in any travel lanes, including bike lanes at any time.

Bikeshare Devices must not be parked in locations within or on:

- a. Loading zones;

- b. Accessible parking stalls;
- c. Wheelchair ramps, bicycle ramps or curb ramps;
- d. Bridges;
- e. Center median islands;
- f. Blocking access to a garage or driveway; or
- g. Street furniture that requires pedestrian access (benches, pay parking station, bus shelters).

Within City-owned Park Spaces

All operators are required to mark all **City**-owned Park spaces as no parking zones. Designated parking areas may be designated by the **City** within Park spaces.

Bikeshare Devices must not be parked within Park spaces.

Designated Parking Areas

The City anticipates designating parking areas in high pedestrian traffic locations such as business improvement areas, transportation hubs or in other public spaces. The purpose of these parking areas is to provide an orderly and intuitive location to place **Bikeshare Devices** and will not necessarily require racks to lock **Bikeshare Devices** physically.

The City will determine where designated parking areas will be required. **Permit Holders** will be able to suggest locations, but **The City** will provide final assignments and timelines for installation of these designated parking areas. **The City** will be responsible for the installation and maintenance of these designated parking areas. **Permit Holders** will be responsible for marking these areas appropriately on their **App**.

No-Riding and No-Parking Zones

No-riding and no-parking zones may be designated by **The City**, and the **Permit Holders** will be responsible for marking these areas appropriately in their **App** within 1 week of notice and ensure **Customers** are informed on how to operate in these areas. These zones could be for the long or short term.

Temporary Parking Restrictions

Upon direction of **The City** due to a weather event, emergency event, construction, parade, festivals, public gatherings, or other situations affecting the normal operation of the right-of-way, the **Permit Holder** must collect and secure all, or a portion of, the **Permit Holder**-owned or controlled **Bikeshare Devices** to a location outside of the public right-of-way or to a location that does not otherwise impede **The City's** access and response to the situation for the duration of the event.

Permit Holders will be responsible for marking these areas appropriately on their **App** within 1 week of notice and ensure **Customers** are informed on how to operate in these areas.

The City may update, add, and or change any parking requirements in response to issues that come to light during the operation of the **Permit**. Any changes will be circulated to **Permit Holders**.

F. Operations and Maintenance

Permit Holders must:

- operate 24 hours a day, 7 days a week.
- reach the **Minimum Fleet Size** within 4 weeks of delivering the first **Bikeshare Device** associated with the **Permit**.
- have staffed operations located within **The City** for the purpose of **Bikeshare Device** maintenance, **Rebalancing**, collection, and retrieval.
- have visible language on each **Bikeshare Device**, within their **App**, and on the website, that requires **Customers** to follow all relevant laws including Federal, Provincial, and **City** legislation.
- have a 24-hour **Customer** service phone number and email that is monitored 24 hours a day, 7 days a week during their operation season, so the public can report safety concerns, complaints, or ask questions.
- provide **The City** with a direct contact for staff that are capable of **Rebalancing Bikeshare Devices**.
- **Rebalance** any **Bikeshare Devices** within 24 hours of receiving notice that a **Bikeshare Device** is parked improperly.
- immediately remotely lock down any **Bikeshare Device** that is inoperable, unresponsive or not safe to operate once notified. Once notified of an issue, the **Permit Holder** should remove the broken or inoperable **Bikeshare Device** from the public right-of-way or have the **Bikeshare Device** repaired within 1 week.

Permit Holders are required to remedy any **Bikeshare Devices** parked in violation of the **Permit** or other **City** Bylaws and must be re-parked in a correct manner or removed by the **Permit Holder** within 24 hours of being reported.

The City may remove or re-park any **Bikeshare Device** parked in violation of the **Permit** or other **City** Bylaws at any time. **The City** may deduct from the security deposit for any fees, resources, and staff time related to the removal of the **Bikeshare Devices**.

Permit Holders must take steps to inspect, repair and maintain all **Bikeshare Devices** so as to ensure public safety.

Permit Holders must operate year-round. Interruptions in service may only be permitted with approval in writing from the Transit and Programs Manager of **The City**. Service interruption permission over winter can be expected for **Bikeshare Devices** not designed for safe winter operation. Additionally, service can be curtailed for up to 72 hours at the **Permit Holder's** discretion in response to adverse weather conditions including snow storms, freezing rain and hail.

G. Education and Encouragement

Permit Holders are responsible for informing **Customers** on how to use its services, how to operate and park its **Bikeshare Devices** legally and in compliance with any requirements set out in this document.

Permit Holders must forward periodic updates to **Customers** as per information prescribed by **The City**.

Permit Holders must create and maintain a website and/or a social media platform that clearly states the terms of service, including **Customer** instructions, privacy policies, and all rental fees and costs.

Permit Holders must give out, donate to a local organization or use in their **Bikeshare** service one helmet per **Bikeshare Device** deployed if there is a mandatory all-ages helmet law that applies to the **Bikeshare Device** type.

Permit Holders shall not give or make any representation, or otherwise hold themselves out as being agents or representatives of the **City**, or as having the right to bind the other or any of the other's assets or property, except as set out herein, without the prior written permission of the other.

Permit Holders shall not imply the **City's** ownership or operation of the **Permit Holder's Bikeshare** system without the prior written permission of the **City**.

Permit Holders are individually responsible for communicating to the public information about their **Bikeshare Devices**, infrastructure, systems, and policies.

H. Data Sharing and Reporting

Permit Holders must comply with the following data sharing requirements:

- a. **Permit Holders** must supply a **Bikeshare Device** inventory list to **The City** complete with each unique identifier number and serial numbers before making any **Bikeshare Devices** available for rent;
- b. **Permit Holders** must publish real-time information about their systems and **Bikeshare Device** availability to the public through the General Bikeshare Feed Specification;
- c. **The City** requires access to past **Trip**, **Fleet**, parking, and incident data, which must be stored by the **Permit Holder** and made accessible to **The City** at any time during the **Permit**;
- d. To ensure that **Bikeshare Device** locations are known, even when on **Trip**, all **Bikeshare Devices** must have a location tracking component that is affixed to itself. This excludes phone-based location services information (i.e. Bluetooth technology);
- e. The **Permit Holder** must make all data accessible to **The City** through an application program interface (API). **Fleet**, **Trip**, rider, parking, incident and maintenance data must be secured with a token or authentication that is shared with **The City**;
- f. Personally-identifiable information shall not be shared with the **City** or any other entity; permittee shall ensure the privacy of its users; and
- g. Data shall be available for the duration of the permitted program.
- h. **Permit Holders** shall only sell data related to trips in Kelowna with prior permission from **The City**

General Bikeshare Feed Specification

All **Permit Holders** must generate a GBFS compliant, publicly available data feed. Real-time information about the system and **Bikeshare Device** availability is to be published using the General **Bikeshare** Feed Specification (GBFS) v1.0 or the most current (<https://github.com/NABSA/gbfs>).

Permit Holders will need to inform **The City** of the location of the gbfs.json file on the internet. The gbfs.json file contains the necessary information to find other files related to the GBFS data. This feed must be publicly available via an https endpoint. The data table requirements for GBFS can be found in

Appendix - Item 1.1. **The City** will maintain links to the full specification of these required data formats on **The City's** webpage. **Permit Holders** may use the MDS, MDS+, or other emerging data specifications to share the required data feeds for real-time availability and additional required data including **Fleet**, parking, and incident data fields with prior approval from **The City**.

Data consistency

To ensure consistency between reporting to **The City** and the GBFS data feed, **Permit Holders** must use the following data standards:

Reporting to The City		General Bikeshare Feed Specification
COMPANY_ID	must equal	system_id
VEHICLE_ID	must equal	bike_id

Coordinate System

Permit Holders must ensure all latitude and longitude coordinates be stored in Web Mercator Projection EPSG:4326.

Fleet Data

The **Permit Holder** must collect and make available data on the status and location of each **Bikeshare Device** that is deployed within **The City**. The data table requirements for **Fleet** data can be found in Appendix - Item 1.2.

The **Permit Holder** must generate a data record describing each **Bikeshare Devices** status and location, as reported by its tracking component at the following times:

- When the **Permit Holder** deploys the **Bikeshare Device**;
- When the **Permit Holder** remove or replace a **Bikeshare Device** from the **Fleet**; and
- When a **Bikeshare Device** is available for rent versus suspended.

Trip Data

The **Permit Holders** must collect and make available anonymized data on each **Trip** made. The **Trip** data must be updated weekly for **The City** to access. The data table requirements for **Trip** data can be found in Appendix - Item 1.3.

The **Permit Holder** must generate a data record that describes each **Bikeshare Device's** status and location as reported by its tracking component and if available cell phone GPS at the following times:

- When the **Trip** starts
- When the **Trip** ends
- And during the **Trip** at a frequency of no less than once every 6 minutes.

Parking Data

The **Permit Holder** must collect and make data available for occurrences reported and the responses to each of them. This will include parking infractions reported by **The City**, general public, **Customers** and the **Permit Holder**.

The **Permit Holder** must generate a data record that describes each parking report, the location of the **Bikeshare Device** if possible, the time it was reported, the time it was responded to, what action was required, and when was that action completed. Parking data must be updated monthly for **The City** to access. The complete data table requirements for parking data can be found in Appendix – Item 1.4.

The **Permit Holder** must submit the monthly update of parking data it collects in a calendar month, no later than the tenth day of the following month in either .xls or .csv format.

Incident Data

The **Permit Holder** must collect and make data available 24 hours after each known incident in which their **Bikeshare Devices** were involved in a collision, accident, injury or property damage. The data table requirements for Incident data can be found in Appendix – Item 1.5

The **Permit Holder** must submit a report 24 hours after every incident in either .xls or .csv format.

Data Privacy and Security

Permit Holders must ensure **Customer** data privacy. Any **Customer** data collected must not be shared with third parties without express consent from the **Customer**.

Permit Holders must provide a written justification to the **Customer**, for why they need access to each type of the **Customers** files (e.g. contacts, camera, photos, other **Apps** etc.) **Customers** must not be required to provide access to contacts, photos, files and other private data to use the provided service.

Permit Holders must provide **Customers** with clear, prominent information about what data will be accessed (e.g. location services, camera, contacts, photos etc.) and explain how the data will be used.

Customers must be provided with an opt-in option feature, where they can agree to provide to access to their contacts, camera, photos, files, other private data and third-party data sharing.

Customer Survey

Permit Holders must conduct an opt-in member survey once per year. **Permit Holders** and **The City** shall develop a set list of 3-20 survey questions to **Customers** collaboratively for each survey. The **Permit Holder** must include these questions and may include other questions, subject to approval by **The City**. Survey results, showing the response and feedback a must be shared with **The City** in a .xls or .csv format.

Optional Mobility Data Specification

Permit Holders may use the Mobility Data Specification (MDS) or the most current (<https://github.com/CityOfLosAngeles/mobility-data-specification>) to share additional data with the **City**.

I. Bikeshare Permit Conditions

The **Permit Holder** must comply with all requirements and conditions contained within the *Bikeshare Permit Program* (the “program”), including all requirements set out in the application process and **Permit** requirements sections of the program, including but not limited to the following:

- a. The **Permit Holder** must submit all fees required under the program;
- b. must comply with any changes to the **Permit**, including the **Permit** requirements or **Permit** conditions within the period specified by **The City**;
- c. must comply with all parking requirements specified in the program, in addition to any requirements contained in **City**, Provincial or Federal legislation;
- d. must comply with all operation and maintenance requirements as specified in the program; and
- e. must comply with all data sharing and reporting requirements as set out in the program.

The **Permit Holder** must obtain insurance and agrees to indemnify **The City** as follows:

- a. **Indemnity:** The **Applicant** shall indemnify and save harmless the **City** from and against all claims, demands, loss, costs, damages, actions, suits, adjuster’s fees, or other proceedings by third parties, sustained, brought or prosecuted in any manner, based upon, or attributable to any injury or damage arising or resulting from any action or omission of the **Permit Holder**, its invitees, servants or agents, in connection with the **Permit Holder’s Bikeshare** program and the use or occupation of the **Bikeshare Devices**, the designated parking areas, or any other **City** property. Further, the **Applicant** shall indemnify and save harmless the **City** from any costs, charges or damages to which the **City** may be put or suffer by reason of any breach of the **Permit** requirements and conditions. The **Applicant** will not indemnify, defend and hold harmless the **City** or the **City’s Indemnified Parties** from and against all claims resulting from or arising out of (i) the negligence or willful misconduct of **The City** or the **City’s Indemnified parties** or (ii) the design, construction, maintenance of **City** infrastructure or projects permitted by **The City**, or any and all acts or omissions related thereto.
- b. **Insurance** – The **Permit Holder** shall at its own expense maintain, during the term of the **Permit**, general liability insurance of not less than \$5,000,000.00, naming **The City** as an additional insured. This insurance shall not relieve **The City** from any liability for its own negligence, or that of its servants or agents except as provided herein, and shall not relieve **The City** from the obligation to maintain insurance on its own property as any owner would in the normal course of prudent business affairs. Before a **Permit** may be issued, the **Permit Holder** shall provide a certificate of insurance verifying the coverage and confirming **The City** is shown as additional insured on the policy that is effective for the term of the **Permit**.

V. Appendix

1. Data Tables

1.1 GBFS Data Table

The City requires that **Permit Holders** publish the following GBFS files:

gbfs.json	Auto-discovery file that links to all of the other files published by the system. This file is optional in the GBFS but required by The City .
system_information.json	Describes the system including System operator, System location, year implemented, URLs, contact info, time zone.
station_information.json	Mostly static list of all stations, their capacities, and locations. Note: this file may contain no information in a dockless system but is required by GBFS.
station_status.json	Number of available vehicles and docks at each station and station availability. Note: this file may contain no information in a dockless system but is required by GBFS.
free_bike_status.json	Describes vehicles that are available in non-station-based systems

1.2 Fleet Data Table

Field Name	Required	Type	Description	Allowed Values	Example
CREATE_DT_UTC	Yes	String	Time of record in Universal Coordinated Time (UTC)	yyyy-mm-dd hh:mm:ss AM or PM	2018-08-20 09:15:51 AM
LATITUDE_X	Yes	Number	Bikeshare Device latitude at time of recording to at least four decimal places	00.0000	51.0453
LONGITUDE_Y	Yes	Number	Bikeshare Device's latitude at time of recording to at least four decimal places	000.0000	-114.0573
EVENT_TYPE	Yes	String	Recorded status of Bikeshare Device : - CycleAdded: The record is generated when the company deploys a Cycle and is made available for rental - CycleRemoved: The record is generated when the company removes the Cycle - Available: Available for rent by a Customer . - Unavailable: Lock no longer speaking to the server, system offline or other technological challenge preventing use by a Customer . - Occupied: Being used by a Customer , Rebalanced by the operator	CycleAdded CycleRemoved Available Unavailable Occupied	Available

			<i>*These four values are standard; others can be added with The City's approval</i>		
COMPANY_ID	Yes	String	Company name, assigned by The City , Depends on company	Company	Name
BICYCLE_ID	Yes	String	Unique identifier for the Cycle Assigned by vendor, max 30 characters		905435
VEHICLE_TYPE	Yes	String	The type of Bikeshare Device	Cycle, Power Bicycle	Cycle
CHARGE_PERCENT	Yes, if electric	Number	The remaining battery charge at time of record, as a percentage	0 to 100	23

1.3 Trip Data Table

Field Name	Required	Type	Description	Allowed Values	Example
CREATE_DT_UTC	Yes	String	Time of record in Universal Coordinated Time (UTC)	yyyy-mm-dd hh:mm:ss AM or PM	2018-08-20 09:15:51 AM
LATITUDE_X	Yes	Number	Bikeshare Device's latitude at time of record to at least four decimal places	00.0000	51.0453
LONGITUDE_Y	Yes	Number	Bikeshare Device's latitude at time of record to at least four decimal places	-000.0000	-114.0573
EVENT_TYPE	Yes	String	Reported status of Cycle: - TripStart: The report is generated when the Trip starts - Waypoint: The report is generated at between TripStart and TripEnd - TripEnd: The report is generated when the Trip ends.	TripStart Waypoint TripEnd	Waypoint
COMPANY_ID	Yes	String	Company name	Depends on company	Company Name
BICYCLE_ID	Yes	String	Unique identifier for the Cycle	Assigned by company	
VEHICLE_TYPE	Yes	String	The type of Bikeshare Device	Cycle, Power Bicycle, Electric Scooter	Cycle
TRIP_ID	Yes	String	Unique identifier for the Trip	Assigned by company	
USER_ID	Yes	String	Unique identifier for the User	Assigned by company	

1.4 Parking Data Table

Field Name	Required	Type	Description	Allowed Values	Example
CREATE_DT_UTC	Yes	String	Time the company receives a parking report in Universal Coordinated Time (UTC)	yyyy-mm-dd hh:mm:ss AM or PM	2018-08-20 09:15:51 AM
LATITUDE_X	No, if not provided must include location	Number	Bikeshare Device's latitude at time of record to at least four decimal places	00.0000	51.0453
LONGITUDE_Y	No, if not provided must include location	Number	Bikeshare Device's latitude at time of record to at least four decimal places	-000.0000	-114.0573
LOCATION	No, if not provided must include lat/long	String	The reported location of the Cycle, if latitude and longitude are not available		Harvey and Richter, Southeast Corner, Kelowna
COMPANY_ID	Yes	String	Company name	Depends on company	Company Name
BICYCLE_ID	Yes	String	Unique identifier for the Cycle	Assigned by company	
VEHICLE_TYPE	Yes	String	The type of Bikeshare Device	Cycle, Electric Bicycle, Electric Scooter	Cycle
REPORTER	Yes	String	The entity that reported the Cycle	Company Public City Other	Public
REPORT_TYPE	Yes	String	The report allegations (multiple values permitted): - Obstruction: the Cycle is alleged to be an obstruction or hazard - Parking: the Cycle is alleged to be improperly parked but not a hazard - Other: Any other issue	Obstruction Parking Other	Obstruction, Other
RESPONSE_DT_UTC	Yes	String	Time the vendor responds to a parking report in UTC	yyyy-mm-dd hh:mm:ss AM or PM	2018-08-20 09:15:51 AM
RESPONSE_ACTION	Yes	String	Description of companies response: - Reparked: The Cycle was located, visually confirmed to be improperly parked or idle, and removed, reparked, or adjusted. - NoAction: The Cycle was located and visually confirmed to be properly parked. - Lost: The Company confirms that the cycle is not at the reported location, and the company is unable to locate the Cycle.	Reparked NoAction Lost Irretrievable RiderMoved Reparked Other	Lost

			- Irretrievable: Hazard or lack of legal access prevent the company from locating or removing the Cycle. - RiderMoved: A rider rents and moves the Cycle before the company responds to the report. -Other: Describe response		
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1.5 Incident Data Table

Field Name	Required	Type	Description	Allowed Values	Example
CREATE_DT_UTC	Yes	String	Time the company receives an incident report in Universal Coordinated Time (UTC)	yyyy-mm-dd hh:mm:ss AM or PM	2018-08-20 09:15:51 AM
LOCATION	Yes	String	The reported location of the incident		
COMPANY_ID	Yes	String	Company name	Depends on company	Company Name
VEHICLE_ID	Yes	String	Unique identifier for the Bikeshare Device	Assigned by company	
INCIDENT_TIME	Yes	String	Time of the incident in UTC	yyyy-mm-dd hh:mm:ss AM or PM	2018-08-20 09:15:51 AM
INJURY	Yes	String	Whether any injuries are reported	Yes No	Yes
POLICE_REPORT	Yes	String	Whether a police report is filed	Yes No	No
NOTES	Yes	String	Description of the incident, including any additional information the company collected		



Bikeshare Permit Program

Report to Council

May 6th, 2019

Our Kelowna as we Move

Transportation Master Plan Vision

“Kelowna will be a city with vibrant urban centres where people and places are conveniently connected by diverse transportation options that help us transition from our carcentric culture.”

Highlights of the Bikeshare Permit Program

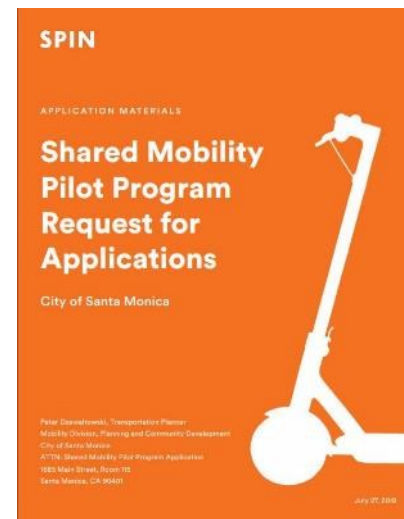
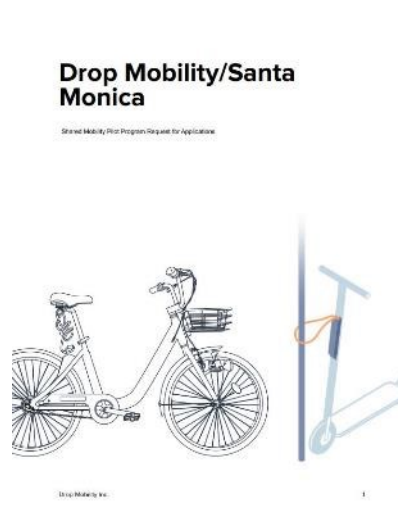
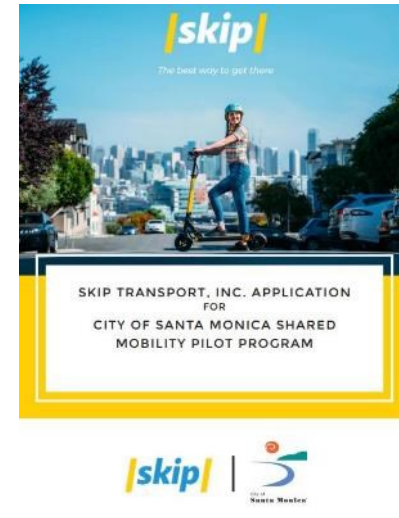
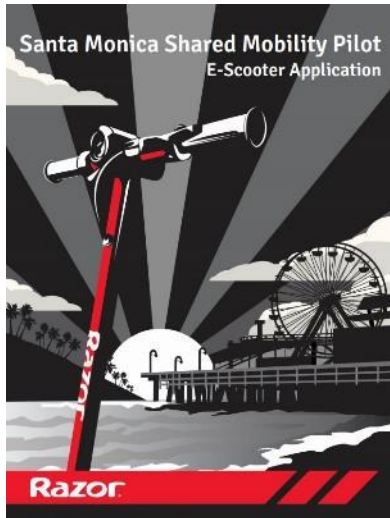
Multiple Vehicle Types and Operators



Flexible and Specific Parking Requirements



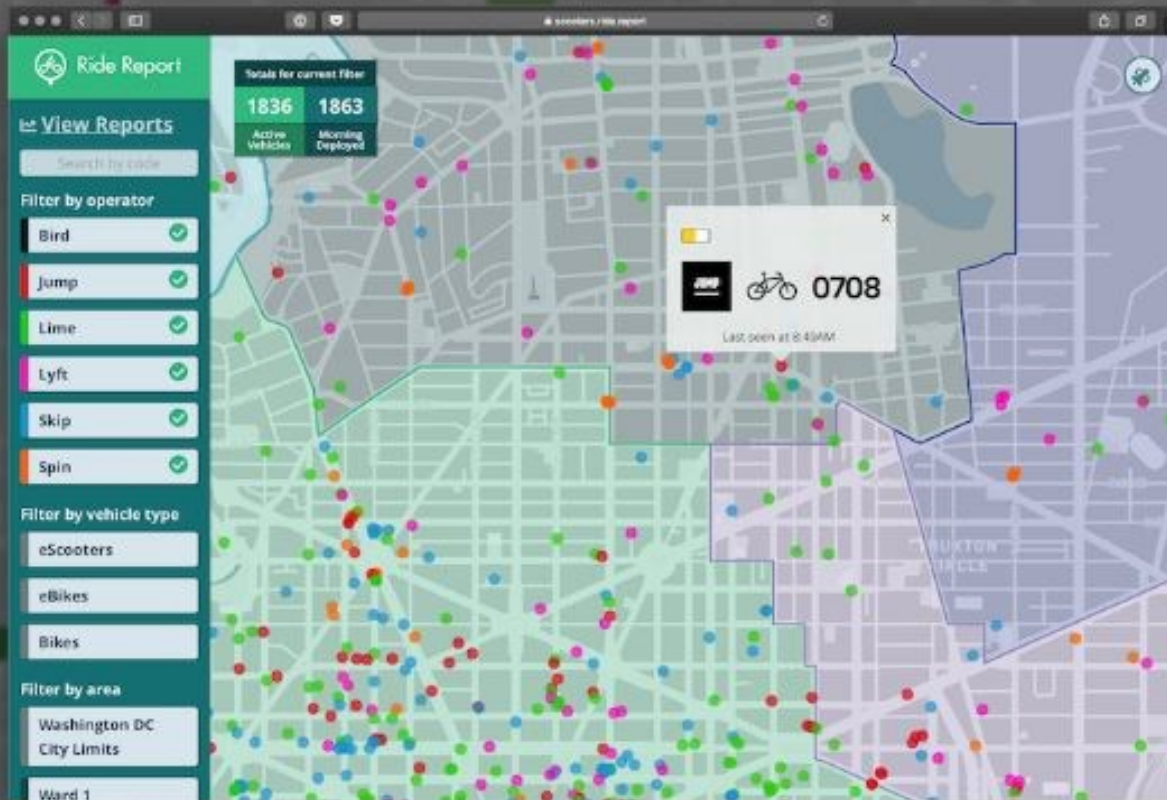
Application Process



Fees to Ensure Compliance



Ongoing Evaluation



Changes needed for proposed vehicle types

Enabling New Shared Vehicles

► Electric Bicycles



JUMP/UBER

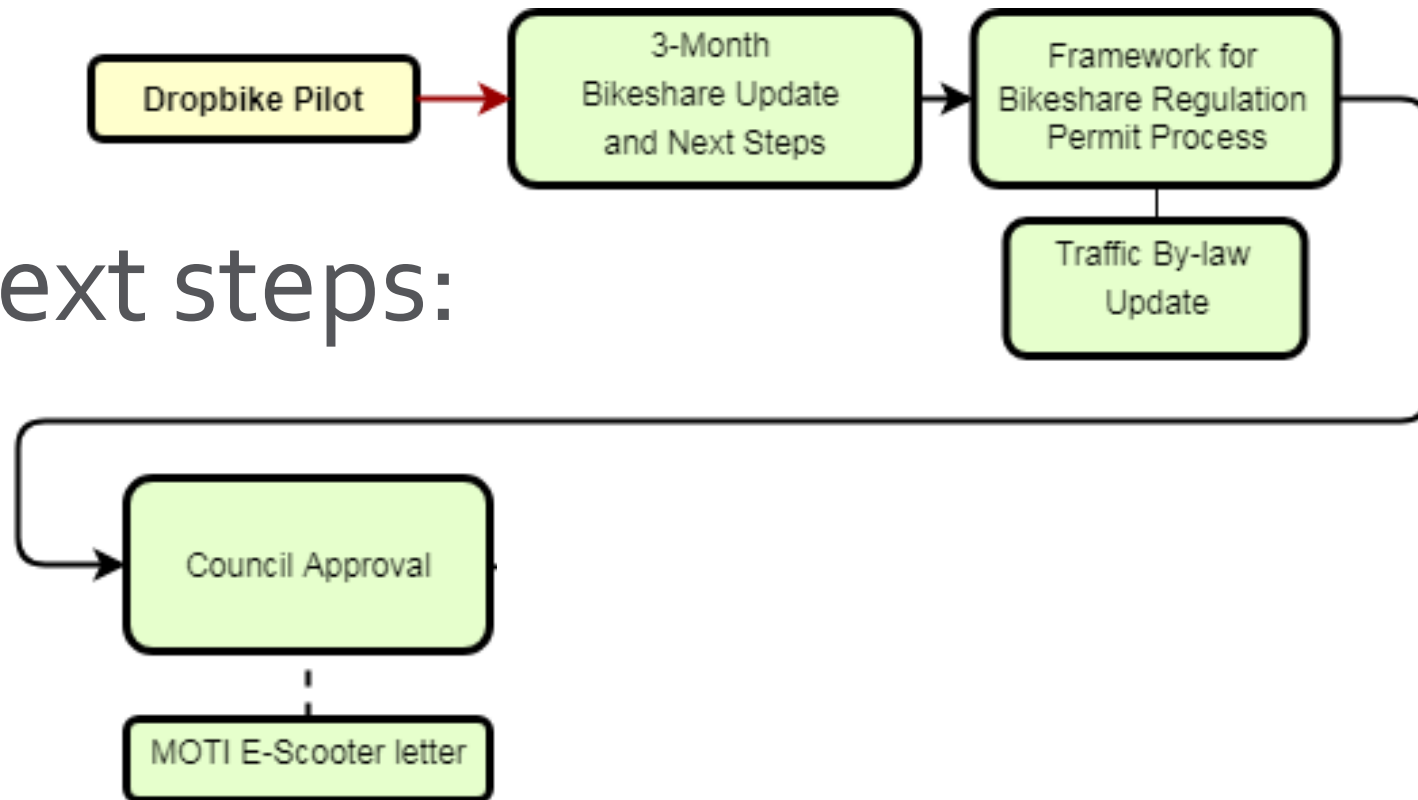
► Electric Scooters



Lime

Implementation process

Next steps:



Coordinated Approach

- ▶ Parks signage
- ▶ Traffic by-law update
 - ▶ Enable fees for the permit
- ▶ Letter to the Province
 - ▶ Electric scooter exemption



Photo credit Instagram: @meego77

Questions



Photo credit Instagram: @jverdes

Photo References

“Lime in the Press.” Lime, www.li.me/press.

“Free-Floating Bike Share.” *Seattle.gov*, Seattle Department of Transportation, www.seattle.gov/transportation/projects-and-programs/programs/bike-program/bike-share.

“Scooter and Bike Share Services” City of Santa Monica, www.smgov.net/Departments/PCD/Transportation/Shared-Mobility-Services/.

“Homepage.” *Ride Report*, ride.report/.

“Press Kit.” JUMP Bikes, jump.com/press-kit/.

“Photo.” *Instagram*, @meego77, www.instagram.com/p/BmBQZL3FHbw/.

“Photo.” *Instagram*, @jverdes, www.instagram.com/p/CmTQVL3FNrp/.



May 6th 2019

File: 1350-30

Honourable John Horgan

Premier of British Columbia

Government of British Columbia

Honourable Claire Trevena

Minister of Transportation and Infrastructure

Government of British Columbia

Dear Premier Horgan and Minister Trevena,

We write to respectfully request the Ministry of Transportation and Infrastructure for an exemption from the Motor Vehicle Act to permit the City of Kelowna to Pilot the operation of electric scooters on public roadways, in a manner similar to the existing operation of bikeshare systems throughout British Columbia.

Shared low-speed electric standup scooters are a new type of service that has provided safe, sustainable, and low-cost "last-kilometre" transportation to tens of millions of riders across North America. In doing so, they have reduced carbon emissions, relieved congestion, and made streets safer by eliminating car trips from the road.

However, British Columbia's Motor Vehicle Act does not define and therefore bans the low-speed electric scooters used by such systems. This lack of definition has created confusion over how these low-speed devices should be regulated, causing British Columbia cities to fall behind in adopting this next generation transportation option.

Precedent

The Government of British Columbia has adopted the CleanBC plan with a focus on clean transportation. Through CleanBC, the Ministry of Transportation and Infrastructure is creating an Active Transportation Design Guide that includes low-speed electric scooters in the draft planning considerations for designs of new active transportation facilities in the province.

The low-speed electric standup scooters operated in scooter-share systems go by many names (e.g., "e-scooters", "motor assisted scooters"), but share the following common characteristics:

- They weigh less than 50 kilograms;
- They have two or three wheels and handlebars;
- They do not have pedals, and instead are designed to be stood upon while riding;
- They are solely powered by human power and an electric motor of no more than 500 watts; and
- Their maximum speed is no more than 32 kilometers per hour on level ground.

City Hall, 1435 Water Street, Kelowna, B.C. V1Y 1J4

Telephone: 250 469-8980

Facsimile: 250 862-3399

www.kelowna.ca



Although low-speed electric scooters are a relatively new technology, many states in the United States have already incorporated them into their motor vehicle codes.ⁱ Most have chosen to regulate them similar to bicycles or electric bicycles, e.g.:

- Registration, certificates of title, etc. are not required;
- Brakes and nighttime lights are required, but not other equipment or inspection requirements; and
- Permitted to travel where bicycles are allowed to travel, e.g., on roads, bicycle lanes, and bicycle paths, but not limited-access highways

We believe regulating these devices like bicycles and electric bicycles is a sensible approach that minimizes confusion. Indeed, such a regulatory structure would mirror how British Columbia currently defines and regulates electric bicycles, which are operated in a similar manner to low-speed electric standup scooters. This approach is also the easiest for operators to understand while setting reasonable expectations for drivers, pedestrians, and others sharing the road with such devices.

Benefits to British Columbians

Data from early adopter cities in the United States such as Portland, Kansas City, Austin, and San Jose have demonstrated the wide range of benefits scooter-share systems provide to cities. In particular, scooter-share systems have been shown to be:

SAFE: every safety study of scooter-share systems conducted by cities have shown them to be as safe as or safer than bicycling:

- In Austin, TX, staff found scooter share had fewer injuries per trips than electric and non-electric bikeshareⁱⁱ
- Personal bike trips have been found to be less safe than bikeshare trips for a variety of reasons including safety in numbers effects, equipment design and presence of safe infrastructure where use is concentrated;ⁱⁱⁱ

SUSTAINABLE: relieving congestion and reducing carbon emissions by replacing car trips:

- In Portland, Oregon, for instance, suggests that over 230,000 car trips were eliminated by scooters in just 4 months;^{iv}

COMPLEMENTARY: filling a vital last-kilometre niche between walking and bicycling, frequently combined with public transit,^v and linked to an increased utilization of bikeshare systems;^{vi}

INCLUSIVE: popular among all demographics, but particularly among those for whom transportation options have remained out of reach;^{vii}

RESPONSIBLE: operating with respect to pedestrian rights-of-way, and being parked responsibly.^{viii}



Conclusion

Scooter-share systems can help Kelowna reach our community's transportation, safety, and sustainability goals at a low public cost. A pragmatic regulatory structure for such systems has already been developed and applied with success in other jurisdictions. Allowing Kelowna to pilot the operation of dockless scooter-share systems will allow British Columbia to continue to be a sustainable transportation leader, setting an example for other provinces to follow.

As such, we respectfully request that the Ministry issue guidance permitting low-speed electric scooters in Kelowna, in general compliance with local and provincial regulations for bicycles as an exemption from the Motor Vehicle Act.

Yours very truly,

Colin Basran
MAYOR

ⁱ See, e.g., California Vehicle Code § 21220 et seq.; Minnesota Statutes 2018 § 169.225; 2017 Oregon Revised Statutes § 814.510 et seq.; Utah Code § 41-6a-1115; Washington Rev. Code § 46.61.710.

ⁱⁱ Austin Mobility Committee of Council, "DOCKLESS MOBILITY PROGRAM UPDATE", available at <http://www.austintexas.gov/edims/document.cfm?id=307564>.

ⁱⁱⁱ Martin, Elliot, et al. "Bikesharing and Bicycle Safety." Mineta Transportation Institute, 16 Jan. 2018, transweb.sjsu.edu/research/bikesharing-and-bicycle-safety.

^{iv} Willamette Week, "Portlanders Took Nearly 700,000 Scooter Rides During the City's Pilot Program", available at <https://www.wweek.com/news/2018/11/22/portlanders-took-nearly-700000-scooter-rides-during-the-citys-pilot-program/> (698,880 trips completed in four months); Portland Bureau of Transportation, "2018 E-SCOOTER PILOT User Survey Results", available at <https://www.portlandoregon.gov/transportation/article/700916> (34% of scooter riders would have taken a personal car or TNC if a scooter was not available).

^v In Portland, OR, 27% of scooter riders reported using a scooter to access public transit. Portland Bureau of Transportation, "2018 E-SCOOTER PILOT User Survey Results", available at <https://www.portlandoregon.gov/transportation/article/700916>.

^{vi} Willamette Week, "Portland's E-Scooters Didn't Squelch Bike Share Use. In Fact, They Might Have Helped.", available at <https://www.wweek.com/news/2018/11/26/portlands-e-scooters-didnt-squelch-bike-share-use-in-fact-they-might-have-helped/>.

^{vii} In Portland, OR, 45% of scooter riders reported never biking, 78% had never used the local bikeshare system, and 43% had annual incomes of 50,000 dollars or less. Portland Bureau of Transportation, "2018 E-SCOOTER PILOT User Survey Results", available at <https://www.portlandoregon.gov/transportation/article/700916>. See also Wired, "Not Just Tech Bros: E-Scooter Fans Are Surprisingly Diverse", available at <https://www.wired.com/story/electric-scooter-share-demographics-report-study-populus/> (finding scooters especially popular among women and low-income riders).

^{viii} In San Jose, CA, 97% of scooters were well-parked: standing upright, placed on the edge of the sidewalk, and not blocking pedestrian access. Mineta Transportation Institute at San Jose State University, "Life of the Dockless: E-Scooter Parking in San José", available at <http://transweb.sjsu.edu/press/Life-Dockless-E-Scooter-Parking-San-Jos%C3%A9>.

CITY OF KELOWNA

BYLAW NO. 11804

Amendment No. 32 to Traffic Bylaw No. 8120

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Traffic Bylaw No. 8120 be amended as follows:

1. THAT **PART 1 – INTRODUCTIONS, 1.4 Definitions** be amended by adding new definitions in their appropriate locations as follows:

“Bikeshare Service” means a system of bikeshare devices, placed in the public right-of-way, available for customers to rent.

“Bikeshare Device” means a personal device, under 500 kilograms, with any number of wheels on which a person may ride that is propelled by human or electric power such as, but not limited to, cycle, and electric cycle.

“Electric Cycle means a device having any number of wheels that is propelled by electric power and on which a person may ride.”

2. AND THAT **Part 7 – SIDEWALK/ROADWAY OCCUPANCY PERMITS**, be amended by:

- a) Adding a new sub-section **7.3 Bikeshare Program Permit** that reads:

“7.3 Bikeshare Program Permit

7.3.1 Permit Required. No person may operate a **bikeshare service**, without first obtaining a Bikeshare Permit from the **City** in accordance with the conditions outlined in this Bylaw and the Bikeshare Permit Program.

7.3.2 Security Deposit. Successful applicants for the bikeshare permit must submit a security deposit as outlined on Schedule “A” prior to being issued a permit. The security deposit fee is refundable, less any deductions.

7.3.3 Penalty Fee. Permit holders pay any penalty fees outlined on Schedule “A” of this bylaw, in accordance with an invoice, received from the **City**. Penalty fees will be deducted from the security deposit.

Penalty fees will be issued for contravention of the requirements and conditions of the Permit.”

3. AND THAT **SCHEDULE “A” FEES, PART 7 – SIDEWALK/ROADWAY OCCUPANCY PERMITS** be amended by adding a new subsection in it’s appropriate location that reads:

“Subsection 7.3.2 – Security Deposit for Bikeshare Permit
\$15.00 per bikeshare device deployed to a maximum of \$5,000 per permit holder.

Subsection 7.3.3 - Penalty Fee for Bikeshare Permit
Fines for contravening of any requirements or conditions of the permit holder will be assessed at a rate of \$50.00 for each occurrence, per bikeshare device, if applicable.”

4. This bylaw may be cited for all purposes as "Bylaw No. 11804, being Amendment No. 32 to Traffic Bylaw No. 8120."
5. 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: 2019-05-06
File: 1125-51-088
To: City Manager
From: J. Säufferer, Real Estate Services Manager
Subject: 190 Highway 33 East – Road Closure
Report Prepared by: B. Walker, Property Officer

Recommendation:

THAT Council receives, for information, the Report from the Manager, Real Estate Services dated May 06, 2019, recommending that Council adopt the proposed closure of a portion of road adjacent to 190 Highway 33 East;

AND THAT Bylaw No. 11729, being proposed road closure of a portion of road adjacent to 190 Highway 33 East, be given reading consideration.

Purpose:

To close a 157 square meter portion of excess lane for consolidation with 190 Highway 33 East, 230 Highway 33 E and 145 Sadler Road.

Background:

The proposed road closure (shown as "Closed Lane" on the attached Schedule 'A') has been deemed excess to municipal needs, and will be transferred to and consolidated with the adjacent lands at 190 Highway 33 East, 230 Highway 33 E and 145 Sadler Road.

Legal/Statutory Authority:

Section 26 and 40, Community Charter

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations

Personnel Implications:

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

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

Approved for inclusion: D. Edstrom, Divisional Director, Community Planning & Development

Attachment: 1. Schedule A – Survey Plan

cc: J. Kay, Manager, Development Engineering
G. Foy, Manager, Transportation Engineering
T. Barton, Manager, Urban Planning

SURVEY PLAN CERTIFICATION
PROVINCE OF BRITISH COLUMBIA

By incorporating your electronic signature into this form you are also incorporating your electronic signature into the attached plan and you
(a) represent that you are a subscriber and that you have incorporated your electronic signature to the attached electronic plan in accordance with section 168.73 (3) of the Land Title Act, RSBC 1996 c.250; and
(b) certify the matters set out in section 168.73 (4) of the Land Title Act,
Each term used in this representation and certification is to be given the meaning ascribed to it in part 10.1 of the Land Title Act.

Ryan Delaurier
DFC32Z

c=CA, cn=Ryan Delaurier
DFC32Z, o=BC Land
Surveyor, ou=Verify ID at
www.juricert.com/
LKUP.cfm?id=DFC32Z

1. BC LAND SURVEYOR: (Name, address, phone number)

Ryan Anthony James Delaurier
Ferguson Land Surveying & Geomatics Ltd.
#404 - 1630 Pandosy Street
Kelowna BC V1Y 1P7

Tel: (250) 763-3115
Fax:(250) 763-0321
Job #: 21796-LANE

☐ Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:

Control Number: **155-605-1212**

Plan Number: **EPP91865**

3. CERTIFICATION:

☒ Form 9 ☐ Explanatory Plan ☐ Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

The field survey was completed on:	2019	April	17	(YYYY/Month/DD)	The checklist was filed under ECR#:
The plan was completed and checked on:	2019	April	23	(YYYY/Month/DD)	223929

☒ None ☐ Strata Form S

☒ None ☐ Strata Form U1 ☐ Strata Form U1/U2

Arterial Highway ☐

Remainder Parcel (Airspace) ☐

4. ALTERATION: ☐

REFERENCE PLAN TO ACCOMPANY BYLAW NO. 11729
(CITY OF KELOWNA) TO CLOSE PARTS OF LANE DEDICATED
ON PLAN 5971 SECTION 26 TOWNSHIP 26 ODYD

PLAN EPP91865

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND SECTION 40 OF THE COMMUNITY CHARTER
BCGS 82E.084



THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY 560mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:600

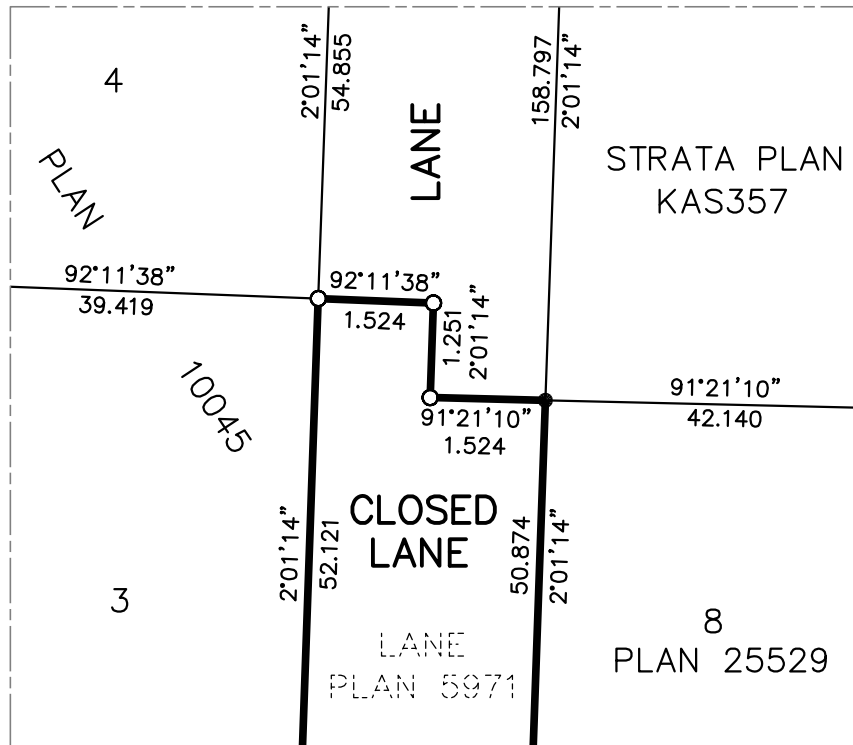
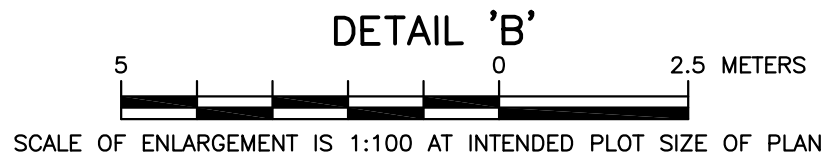
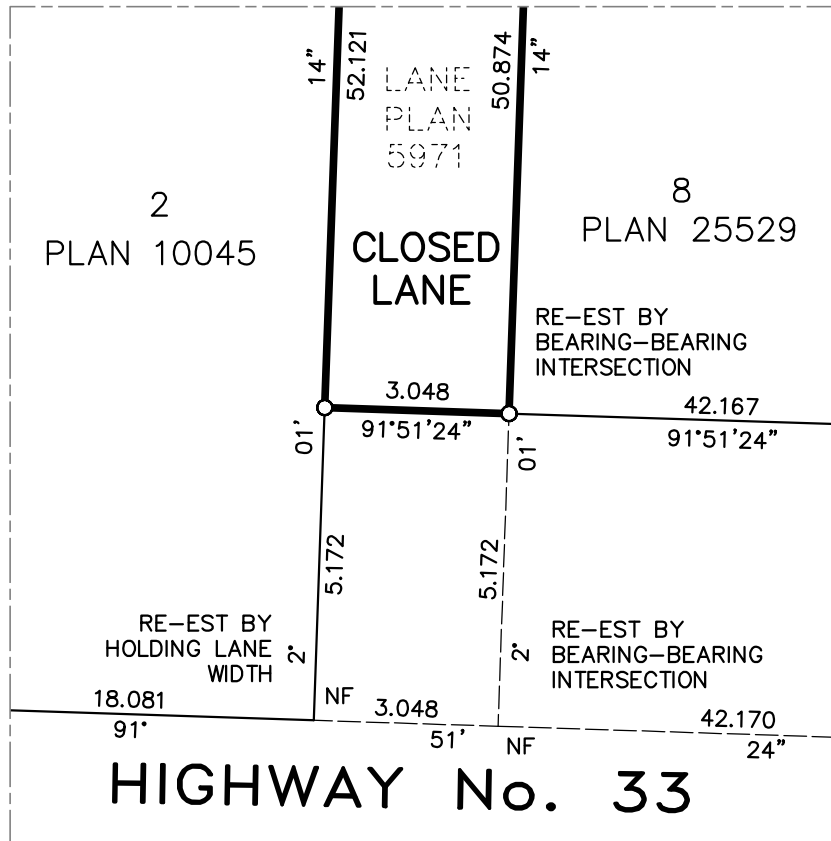
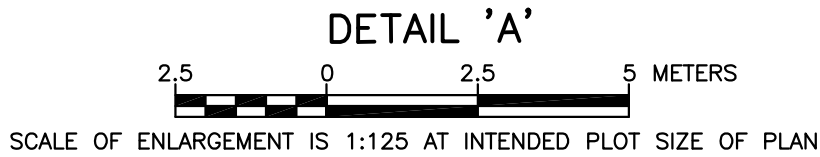
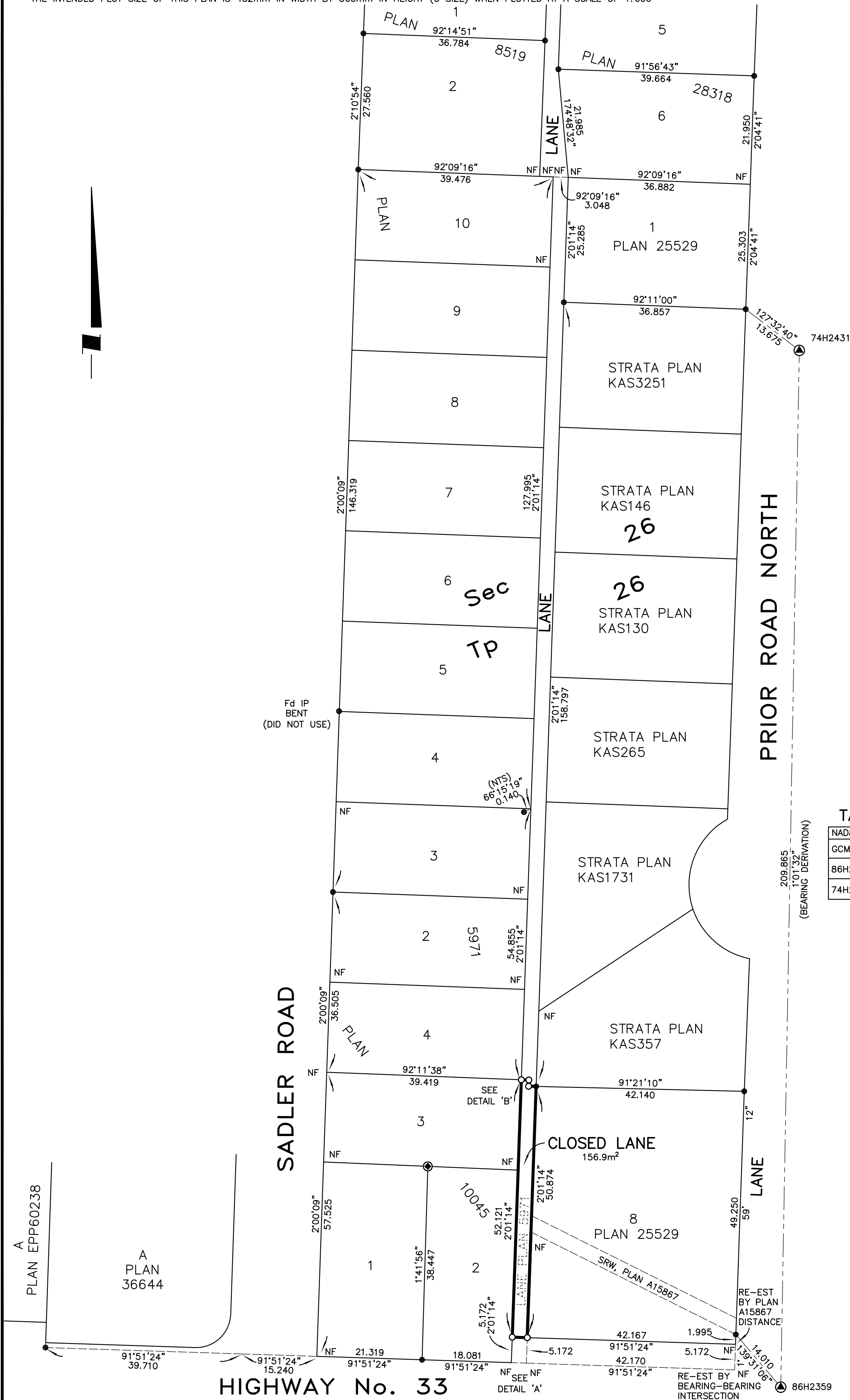


TABLE OF GEODETIC CONTROL MONUMENTS

NAD83(CSRS) 4.0.0.BC.1 UTM ZONE 11 COORDINATES				
GCM	NORTHING	EASTING	COMBINED FACTOR	ESTIMATED ABSOLUTE ACCURACY
86H2359	5529021.416	328765.938	0.9998971	0.02
74H2431	5529231.226	328769.693	0.9998975	0.02

LEGEND

INTEGRATED SURVEY AREA NO. 4, CITY OF KELOWNA,
NAD83 (CSRS) 4.0.0.BC.1

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS
BETWEEN GEODETIC CONTROL MONUMENTS 86H2359 AND
74H2431.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE
ACCURACY ACHIEVED ARE DERIVED FROM MASCOT
PUBLISHED COORDINATES AND STANDARD DEVIATIONS FOR
GEODETIC CONTROL MONUMENTS 86H2359 AND 74H2431.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL
DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE
GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES
BY THE AVERAGE COMBINED FACTOR OF 0.9998973
WHICH HAS BEEN DERIVED FROM GEODETIC CONTROL
MONUMENTS 86H2359 AND 74H2431.

- DENOTES CONTROL MONUMENT FOUND
- DENOTES STANDARD IRON POST FOUND
- DENOTES NON-STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST PLACED
- NTS DENOTES NOT TO SCALE
- RE-EST DENOTES RE-ESTABLISHED

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF
CENTRAL OKANAGAN.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS
COMPLETED ON THE 17th DAY OF APRIL, 2019
RYAN DELAURIER, BCLS 979

Ferguson Land Surveying & Geomatics Ltd.
B.C. AND CANADA LAND SURVEYORS
404-1630 PANDOSY STREET, KELOWNA, B.C.
TELEPHONE (250) 763-3115 FAX (250) 763-0321

JOB No: 21796-CLOSE

S:\Shared (Aug 10, 2006)\Job_Files\21796\21796\CAD DRAWINGS\21796-CLOSE.DWG
DRFTD BY: RD

CITY OF KELOWNA

BYLAW NO. 11729

Road Closure and Removal of Highway Dedication Bylaw **(Portion of Lane North of Highway 33)**

A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway on Highway 33

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

1. That portion of highway attached as Schedule "A" comprising 156.9m² shown in bold black as Closed Lane on the Reference Plan prepared by Ryan Delaurier, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

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

Approved Pursuant to Section 41(3) of the Community Charter this
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



DRAFT RESOLUTION

Re: 2019 UBCM Community Excellence Award

THAT Council support the submission of the Munson Pond Naturalization Project for consideration of a 2019 UBCM Community Excellence Award.

BACKGROUND:

The Munson Pond Naturalization Project demonstrated the value of strong community partnership and engagement in support of important environmental values in Kelowna's rapidly urbanizing landscape.

Partnering with the Central Okanagan Land Trust (COLT), the City of Kelowna was able to build and open new trails, boardwalks and viewing platforms for public enjoyment of this park, with over 9 hectares of natural area. The project enjoyed wide public support and contributions from many community groups in the form of research, planting and engagement.

The park is a magnet for both resident and migratory birds, and many flora and fauna species, including species at risk. The project transformed the site into an amenity while improving wildlife habitat and repairing important riparian values.

Date: May 06, 2019

File: 0610-50

CITY OF KELOWNA

BYLAW NO. 11805

Five Year Financial Plan 2019-2023

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

1. Schedule "A" attached hereto and forming part of this bylaw is hereby declared to be the Five Year Financial Plan of the City of Kelowna for the period January 1, 2019 to and including December 31, 2023.
2. Schedule "B" attached hereto and forming part of this bylaw is hereby declared to be the Statement of Objectives and Policies in accordance with Section 165 (3.1) of the *Community Charter*.
3. This bylaw may be cited for all purposes as the "Five Year Financial Plan Bylaw, 2019-2023, No. 11805".

Read a first, second and third time by the Municipal Council this 29th day of April, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule A

Financial Plan 2019-2023

	2019	2020	2021	2022	2023	2024-2030
Revenue						
Property Value Tax	142,524,821	149,280,095	154,351,756	160,126,155	167,901,157	1,340,717,882
Library Requisition	6,389,123	6,516,905	6,647,244	6,780,189	6,915,793	52,442,244
Parcel Taxes	2,956,580	2,675,802	3,439,556	3,464,276	3,486,612	20,376,265
Fees and Charges	137,048,716	139,008,937	141,836,210	144,561,903	147,902,606	1,135,270,026
Borrowing Proceeds	10,434,250	-	6,684,000	68,079,300	32,680,000	46,560,000
Other Sources	115,422,050	59,308,105	53,078,490	50,408,903	51,703,739	443,671,340
	414,775,540	356,789,843	366,037,256	433,420,725	410,589,906	3,039,037,757
Transfer between Funds						
Reserve Funds	1,603,176	1,187,644	1,187,644	1,187,644	972,916	6,810,412
DCC Funds	28,530,637	16,059,074	27,104,714	12,460,219	20,974,029	182,321,644
Surplus/Reserve Accounts	138,278,367	59,946,363	56,796,162	65,667,632	52,628,191	296,706,440
	168,412,180	77,193,081	85,088,520	79,315,495	74,575,136	485,838,496
Total Revenues	583,187,720	433,982,924	451,125,776	512,736,220	485,165,042	3,524,876,253
Expenditures						
Municipal Debt						
Debt Interest	5,327,772	4,288,586	4,025,619	5,229,466	6,771,620	51,933,311
Debt Principal	11,810,243	8,728,587	6,830,677	6,326,306	8,735,609	63,470,188
Capital Expenditures	241,876,020	100,191,975	109,507,785	163,692,564	123,053,076	725,185,818
Other Municipal Purposes						-
General Government	34,631,612	34,341,777	35,304,099	36,080,808	37,079,795	289,504,825
Planning, Development & Building Services	31,489,726	24,649,249	24,073,356	24,720,542	25,448,095	198,510,371
Community Services	86,757,074	88,258,268	92,006,036	94,660,384	97,522,535	770,246,336
Protective Services	60,459,039	63,795,721	66,016,961	68,204,137	70,464,448	561,335,346
Utilities	24,624,088	23,364,975	23,316,868	23,861,273	24,442,709	188,607,284
Airport	17,492,496	17,623,510	18,148,970	18,701,101	19,271,837	152,098,542
	514,468,070	365,242,648	379,230,371	441,476,581	412,789,724	3,000,892,020
Transfers between Funds						
Reserve Funds	26,707,935	28,650,867	28,755,866	28,341,785	28,425,465	201,224,980
DCC Funds	-	-	-	-	-	-
Surplus/Reserve Accounts	42,011,715	40,089,409	43,139,539	42,917,854	43,949,853	322,759,253
	68,719,650	68,740,276	71,895,405	71,259,639	72,375,318	523,984,233
Total Expenditures	583,187,720	433,982,924	451,125,776	512,736,220	485,165,042	3,524,876,253

Schedule "B"

Statement of Objectives and Policies

In accordance with Section 165(3.1) of the *Community Charter*, municipalities are required to include in the Five Year Financial Plan, objectives and policies regarding each of the following:

- (a) For each of the funding sources described in Section 165(7) of the *Community Charter*, the proportion of total revenue that is proposed to come from that funding source;
- (b) The distribution of property value taxes among the property classes that may be subject to taxes;
- (c) The use of permissive tax exemptions.

Funding Sources

Table 1 shows the proportion of total revenue proposed to be raised from each funding source in 2019. Property taxes and fees and charges are two of the largest sources of revenue. Both have advantages in that they are stable, relatively simple to administer and are generally understood by citizens. The City of Kelowna also utilizes funds from reserves and surplus as another main source of financial support. Reserve funds are closely managed to ensure and protect the current and future financial viability of the municipality. Other sources of revenue may be variable and fluctuate from year to year depending on the economic influences and capital programs undertaken by the City.

Objectives

- Investigate other potential funding sources and securing opportunities for additional revenues.
- Begin to decrease the municipality's reliance on property taxes and explore opportunities to increase the percent of total revenue received from user fees and charges and senior government grants.
- Maintain a fees and charges structure whereby increases are applied on a regular basis in line with inflation, while ensuring that service levels remain competitive and affordable.

Policies

- Pursue non-property tax revenues whenever possible through applying for government grants and charging user fees at appropriate levels.
- Perform regular reviews of revenue generating areas for appropriate application of rate increases.
 - Planning and Development Fees.
 - Recreation & Cultural Services – application of BC Consumer Price Index.
 - Utility Revenues – ensure Utilities operate as self-supporting enterprise funds.
- Increase provincial and federal grant revenue through maximum utilization of the City's Grant Manager position.

Table 1: Sources of Revenue

Revenue Source	Revenue \$ (000's)	% of Revenue
Property Value Tax	142,525	24%
Library Requisition	6,389	1%
Parcel Taxes	2,957	1%
Fees & Charges	137,049	23%
Borrowing Proceeds	10,434	2%
Other Sources	115,422	21%
Reserve Funds/Accounts	168,412	28%
Total	583,188	100%

Distribution of Property Tax Rates

Table 2 outlines the council approved municipal tax distribution policy for 2019 and the relative proportion of tax revenues. Projected revenues from the combined residential, recreational and Non-Profit classes, provides the largest proportion of property tax revenue. This cumulative class represents the largest tax assessment base and hence utilizes the majority of City services.

Objectives

- Provide an effective tax change that is the same for all property classes.
- Ensure that business and light industry property tax ratios remain below the average of BC municipalities with populations greater than 75,000.
- Allow for a maximum ratio cap of 3:1 for the Light Industrial/Business class.

Policies

- Council will annually review and modify tax class ratios to provide an effective tax change that is the same for all classes.
- The impacts on other property classes from administering a ratio cap on the Light Industrial/Business classes will be reported to Council during the annual Tax Distribution Policy review.
- Regularly review and compare the City's relative position in terms of distribution of taxes to other similarly sized municipalities in British Columbia.

Table 2: Tax Class Ratios and Projected Revenues

Property Class	Description	2019 Tax Class Ratios	Tax Revenue \$ (000's)	2018 Tax Class Ratios
01/08/03	Res/Rec/NP/SH	1.0000:1	99,656	1.0000:1
02	Utilities	5.4690:1	681	5.5475:1
04	Major Industrial	6.4174:1	462	6.6176:1
05/06	Light Ind/Bus/Other	2.3555:1	41,152	2.3777:1
09	Farm Land	0.1523:1	10	0.1524:1
91	Farm Improvements	0.4980:1	564	0.4987:1
	Total Revenues		142,525	

Property Tax Exemptions

The City has an existing permissive tax exemption policy which guides the administration and approval of permissive tax exemptions. Some of the eligibility criteria for permissive tax exemptions that are outlined in the policy include the following:

- The applicant must qualify for an exemption under the provisions of the Community Charter.
- The organization receiving an exemption must be a registered non-profit society or registered charity, as the support of the municipality will not be used for commercial and private gain.
- The tax exemption must demonstrate benefit to the community and residents of the City by enhancing the quality of life (spiritually, educationally, socially and culturally), while delivering services economically to the citizens within the community.

The value of tax exemptions provided by Council for 2019 (based on 2018 assessment totals and tax rates) is \$2,541,867. The following breaks down the total into various exemption categories and the exemption value for the category:

Places of Worship - \$ 298,649

Private schools - \$ 201,084

Hospitals - \$ 18,889

Special Needs Housing - \$ 63,762

Social Services - \$262,901

Public Park, Athletic or Recreational - \$ 442,443

Cultural - \$ 395,649

Partnering, Heritage or Other Special Exemptions Authority - \$ 360,899

Revitalization - \$ 497,601

In order to encourage the restoration and preservation of commercial, industrial and institutional building, properties that meet the criteria outlined in the Heritage Building Tax Incentive Program policy can receive a tax exemption.

The establishment of the Revitalization Tax Exemption policy allows qualifying properties within the Downtown Urban Centre and Rutland Urban Centre areas to receive a tax exemption.

Objectives

- Continue to provide permissive tax exemptions to support qualifying organizations that improve the well-being of the community.
- The municipality will continue to provide heritage and revitalization tax exemptions for qualifying properties.

Policies

- Permissive tax exemptions will be considered to encourage activities that: (a) are consistent with the quality of life objectives of the municipality; (b) provide direct access and benefit to the public; and (c) would otherwise be provided by the municipality.

- To meet the city's commitment to the ongoing restoration, preservation and maintenance of buildings and structures on its Heritage Register, eligible properties will be considered for a tax exemption.
- To support the city's revitalization program of the Downtown Urban Centre and Rutland Urban Centre, qualifying properties will be considered for a tax exemption.

CITY OF KELOWNA

BYLAW NO. 11806

Tax Structure Bylaw, 2019

WHEREAS the Letters Patent of the City of Kelowna provide that the municipality may be divided into two (2) or more taxation areas by bylaw adopted prior to the adoption of the Annual Budget Bylaw;

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

1. **Taxation Area 1**

All lands and improvement thereon classified for assessment purposes as "Farm".

2. **Taxation Area 2**

All lands and improvements thereon not included in Taxation Area 1.

3. This bylaw shall be applicable for the 2019 taxation year.

4. This bylaw may be cited for all purposes as "Tax Structure Bylaw, 2019 No. 11806".

Read a first, second and third time by the Municipal Council this 29th day of April, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11807

Annual Tax Rates Bylaw, 2019

WHEREAS the Letters Patent dated the Twenty-fifth day of April, 1973 for the City of Kelowna provides for differing levels of taxation taking into consideration the extent of level of services being provided to different areas within the municipality.

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

1. The following rates are hereby imposed and levied for the taxation year 2019:
 - (a) For all lawful General purposes of the municipality on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in column "A" of Schedule 1 of this Bylaw;
 - (b) For Debt purposes on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in column "B" of Schedule 1 of this Bylaw;
 - (c) For purposes of the Okanagan Regional Library on the assessed value of land and improvements taxable for Regional Library purposes, rates appearing in column "C" of Schedule 1 of this Bylaw;
 - (d) For Hospital purposes on the assessed value of land and improvements taxable for Regional Hospital District purposes, rates appearing in column "D" of Schedule 1 of this Bylaw;
 - (e) For purposes of the Regional District of Central Okanagan on the assessed value of land and improvements taxable for Regional District purposes, rates appearing in column "E" of Schedule 1 of this Bylaw;
 - (f) For purposes of the Regional District of Central Okanagan on the assessed value of land only for the Regional District of Central Okanagan Sterile Insect Release Program, rates appearing in column "F" of Schedule 1 of this Bylaw; and
 - (g) For Local Service Area purposes on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in columns "A" and "B" of Schedule 2 of this Bylaw.
2. This bylaw may be cited as "Annual Tax Rates Bylaw, 2019 No. 11807".

Read a first, second and third time by the Municipal Council this 29th day of April, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE 1

CITY OF KELOWNA

**GENERAL MUNICIPAL, DEBT, HOSPITAL AND REGIONAL DISTRICT
TAX RATES - 2019**

PROPERTY CLASS		TAX RATES (DOLLAR OF TAX PER \$1,000 TAXABLE VALUE)					TAXABLE LAND ONLY
		A	B	C	D	E	F
		GENERAL MUNICIPAL	DEBT	LIBRARY	REGIONAL HOSPITAL DISTRICT	REGIONAL DISTRICT	REGIONAL DISTRICT SIR
01	Residential	2.9335	0.0940	0.1356	0.2483	0.2327	0.0292
02	Utilities	16.0436	0.5141	0.7413	0.8691	0.8144	0.1022
03	Supportive Housing	2.9335	0.0940	0.1356	0.2483	0.2327	0.0292
04	Major Industrial	18.8257	0.6033	0.8699	0.8443	0.7912	0.0993
05	Light Industrial	6.9100	0.2214	0.3193	0.8443	0.7912	0.0993
06	Business/Other	6.9100	0.2214	0.3193	0.6084	0.5701	0.0716
08	Recreation/Non-Profit	2.9335	0.0940	0.1356	0.2483	0.2327	0.0292
09	Farm:						
	a) Land	0.4657	0.0143	0.0200	0.2483	0.2327	0.0292
	b) Improvements	1.4608	0.0468	0.0675	0.000	0.0000	0.0000

SCHEDULE 2

CITY OF KELOWNA

2019 LOCAL SERVICE AREA TAX RATES

PROPERTY CLASS	A	B
	DOWNTOWN BUSINESS IMPROVEMENT AREA	UPTOWN RUTLAND BUSINESS IMPROVEMENT AREA
1. RESIDENTIAL	0	0
2. UTILITY	0	0
4. INDUSTRIAL – MAJOR	0	0
5. INDUSTRIAL – LIGHT	1.1666	1.0350
6. BUSINESS	1.1666	1.0350
7. TREE FARM	0	0
8. SEASONAL	0	0
9. FARM		
a) LAND	0	0
b) IMPROVEMENT	0	0

CITY OF KELOWNA

BYLAW NO. 11808

Development Cost Charge Reserve Fund Expenditure Bylaw, 2019

WHEREAS, there is an unappropriated balance in the Development Cost Charge Reserve Fund of Sixty Six Million, Eight Hundred Thirty Four Thousand, Two Hundred Fifty Five dollars (\$ 66,834,255.00) as at January 1, 2019.

AND WHEREAS, it is deemed desirable to expend a portion of the monies set aside under said Development Cost Charge Reserve Fund for the purpose of utility, road and land improvement and additions;

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

1. The sum of Sixty Six Million, Eight Hundred Thirty Four Thousand, Two Hundred Fifty Five dollars (\$66,834,255.00) is hereby appropriated from the Development Cost Charge Reserve Fund to be expended in 2019 for the following purposes:

Land for Park Purposes	\$ 18,279,051.00
Road Construction	\$ 33,048,985.00
Water Mains, Pump Stations & Reservoir Construction	\$ 4,429,280.00
Wastewater Trunks, Plant & Debt Repayment	\$ 11,076,939.00
	<u>\$ 66,834,255.00</u>

2. The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified and authorized by resolution of Council.
3. Should any of the above remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the Development Cost Charge Reserve Fund.
4. This bylaw may be cited as the "Development Cost Charge Reserve Fund Expenditure Bylaw, 2019, No. 11808".

Read a first, second and third time by the Municipal Council this 29th day of April, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11809

Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2019

WHEREAS, there is an unappropriated balance in the Sale of City-Owned Land Reserve Fund of Fourteen Million, Seven Hundred Seventy-One Thousand, Two Hundred Seventy-Seven Dollars (\$14,771,277) as at January 1, 2019.

AND WHEREAS, it is deemed desirable to expend a portion of the monies set aside under said Sale of City-Owned Land Reserve Fund for the purpose of land purchases and enhancements set out below;

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

1. The sum of Fourteen Million, Seven Hundred Seventy-One Thousand, Two Hundred Seventy-Seven Dollars (\$14,771,277) as at January 1, 2019 is hereby appropriated from the Sale of City-Owned Land Reserve Fund to be expended in 2019 for the following purposes:

General Land	\$ 12,906,139.00
Parks Land	\$ 1,153,534.00
Housing Opportunity	\$ 711,604.00
	<u>\$ 14,771,277.00</u>

2. The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified and authorized by resolution of Council.
3. Should any of the above remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the City-Owned Land Reserve Fund.
4. This bylaw may be cited as the "Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2019, No. 11809".

Read a first, second and third time by the Municipal Council this 29th day of April, 2019.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk