

City of Kelowna

Regular Council Meeting

AGENDA



Monday, May 30, 2016

9:00 am

Knox Mountain Meeting Room (#4A)

City Hall, 1435 Water Street

Pages

1. Call to Order
2. Confirmation of Minutes 3 - 6
AM Meeting - May 16, 2016
3. Reports
 - 3.1 Urban Centres Roadmap - Interim Report 30 m 7 - 26
To inform Council on recent project activities and review key elements of the Urban Centres Roadmap prior to drafting the final report.
 - 3.2 Agriculture Plan Update Engagement Strategy 45 m 27 - 38
To obtain Council's input on the draft vision for the update to the Agriculture Plan and to inform Council of the engagement strategy for this plan.
 - 3.3 Secondary Suite Amendments with the CD6 and Related Zones 60 m 39 - 51
To provide Council with the implications of adding secondary suites to residential Comprehensive Development zones.
4. Resolution Closing the Meeting to the Public
THAT this meeting be closed to the public pursuant to Section 90(1) (a) and 90(2) (b) of the *Community Charter* for Council to deal with matters relating to the following:
 - Position Appointment; and
 - Negotiations with another level of government (Province).
5. Adjourn to Closed Session
6. Reconvene to Open Session

7. Issues Arising from Correspondence & Community Concerns

7.1 Mayor Basran, re: Lakeshore Road Bus Lane 10 m

7.2 Mayor Basran, re: Issues Arising from Correspondence 30 m

8. Termination



City of Kelowna

Regular Council Meeting

Minutes

Date: Monday, May 16, 2016
 Location: Knox Mountain Meeting Room (#4A)
 City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh* and Luke Stack

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Divisional Director, Corporate & Protective Services, Rob Mayne*; Risk Manager, Lance Kayfish*; Crime Prevention Supervisor, Garth Letcher*; Divisional Director, Community Planning & Real Estate, Doug Gilchrist*; Divisional Director, Communications & Information Services, Carla Weaden*; Regional Planning Manager, Rafael Pacheco*; Community Engagement Consultant, Kari O'Rourke*; and Acting Policy & Planning Department Manager, James Moore*

Guests: Interior Health, Chief Medical Health Officer, Dr. Trevor Cornell*; Interior Health, Medical Health Officer, Dr. Silvina Mema*; Interior Health, Communications Officer, Lesley Coates*; and Consultant, Allan Neilson*

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 9:05 a.m.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Given

R408/16/05/16 THAT the Minutes of the AM Meeting of May 9, 2016 be confirmed as circulated.

Carried

3. Reports

3.1 Dr. Trevor Corneil, Chief Medical Health Officer, Interior Health, Verbal Presentation, re: Harm Reduction

Staff:

- Introduced Dr. Trevor Corneil, Chief Medical Health Officer, Interior Health, and Dr. Silvina Mema, Medical Health Officer, Interior Health.

Guests, Dr. Corneil and Dr. Mema:

- Displayed a PowerPoint presentation summarizing Interior Health's Harm Reduction Strategy and the recently declared Provincial medical health emergency.
- Solutions require communication and cooperation between Interior Health and the community, with the City an important partner.
- Looking to engage the community and other partners on harm reduction solutions.
- Responded to questions from Council.

Council:

- Requested that the Interior Health PowerPoint be distributed to Council.
- Raised the issue of public concern and public perception of impact of discarded needles on non-using segments of the population.

Councillor Singh joined the meeting at 10:12 a.m.

Moved By Councillor Hodge/Seconded By Councillor DeHart

R409/16/05/16 THAT Council receives, for information, the verbal presentation from Interior Health dated May 16, 2016 entitled "Drug Overdose Public Health Emergency: Interior Health Response".

Carried

The Guests, Dr. Trevor Corneil, Dr. Silvina Mema and Lesley Coates, left at 10:37 a.m.

The meeting recessed at 10:37 a.m. The meeting reconvened at 10:45 a.m.

3.2 Strategic Community Visioning - Imagine Kelowna Workshop No. 2

Staff:

- Displayed a PowerPoint presentation summarizing the next phase in the process.

- Distributed Maslow's hierarchy of needs diagram.
- Reviewed the questions that will be asked to the community.
- Identified the next steps in the project.

Guest, Alan Neilson:

- Displayed a PowerPoint presentation with three purposes:
 - o Start to think long term;
 - o Look at draft questions being asked;
 - o Respond to questions from Council.
- Asked Council through a series of questions in a workshop format on:
 - o Council's role;
 - o Community visioning as an exercise;
 - o Prosperity as a term and concept;
 - o Values;
 - o Future Context - Impacts of technology & innovation; resources & climate; citizen roles & expectations; and population.

Moved By Councillor Sieben/Seconded By Councillor Donn

R410/16/05/16 THAT Council receives, for information, a facilitated session dated May 16, 2016 regarding the Strategic Community Visioning process.

Carried

The Guest, Allan Neilson, left the meeting at 12:35 p.m.

The meeting recessed at 12:35 p.m. The meeting reconvened at 4:52 p.m.

3.3 Urban Centres Roadmap - Interim Report

This item was deferred to the May 30, 2016 AM Council Meeting.

7. Issues Arising from Correspondence & Community Concerns

7.1 Councillor Gray, re: Okanagan Regional Library - Permissive Tax Exemption

Councillor Gray:

- Spoke to BCLTA initiative to amend the Community Charter to include libraries leasing commercial space be a statutory exemption.
- Distributed BCLTA Talking Point handout.

Council:

- Made comment on the appropriateness of such a scenario to be a statutory exemption.
- Consensus is not to support such an amendment.

7.2 Mayor Basran, re: Lakeshore Road Bus Lane

This item was deferred to the May 30, 2016 AM Council Meeting.

4. Resolution Closing the Meeting to the Public

Moved By Councillor Hodge/Seconded By Councillor Singh

R411/16/05/16 THAT this meeting be closed to the public pursuant to Section 90(1) (e) and (k) and 90(2) (b) of the *Community Charter* for Council to deal with matters relating to the following:

- Acquisition, Disposition, or Expropriation, of Land or Improvements;
- Provision of a Municipal Service; and
- Negotiations with another level of Government.

Carried

5. Adjourn to Closed Session

The meeting adjourned to a closed session at 4:59 p.m.

6. Reconvene to Open Session

The meeting reconvened to an open session at 5:04 p.m.

7. Issues Arising from Correspondence & Community Concerns

7.3 Mayor Basran, re: Appaloosa/Sexsmith Correspondence

Council:

- Discussed recent Appaloosa/Sexsmith correspondence.

City Manager:

- Will confirm what staff may have said and report back.

8. Termination

The meeting was declared terminated at 5:10 p.m.

Mayor

/scf/slh

City Clerk

Report to Council



Date: May 16, 2016
File: 1200-40
To: City Manager
From: Ross Soward, Planner Specialist
Subject: Urban Centres Roadmap - Interim Report

Recommendation:

THAT Council receives for information, from the Planner Specialist dated May 16, 2016 with respect to the Urban Centres Roadmap.

Purpose:

To inform Council on recent project activities and review key elements of the Urban Centres Roadmap prior to drafting the final report.

Background:

The revitalization of Kelowna's five urban centres represents a significant opportunity to reduce long-term infrastructure costs and to enhance the economic competitiveness of the city. Increasingly, economic development is associated with the presence of compact development and walkable urban places. The *Urban Centres Roadmap (UCR)* establishes the core ingredients of great urban centres to ensure future density and growth translates into vibrant livable urban centres.

On December 7, 2015, Council endorsed the principles and targets for the *UCR*. The principles and targets are the core elements of the *UCR* and will guide future urban centre planning work. The *UCR* will also provide flexible criteria to support development application review in the urban centres and provide further rationale to support prioritization of civic investment in urban centres.

This report provides an opportunity to share with Council the work that has occurred since Council endorsed the draft principles and targets and allows for an interim discussion on several elements that will be included in the final report.

Subsequent to Council’s endorsement of the *UCR* principles and targets, further consultation was completed to refine key products of the *UCR*. This consultation included:

- The third and final workshop with stakeholder representatives; and,
- Final workshops and discussions with a wide range of City departments.

Both the staff and stakeholder consultation provided direction as to minor refinements, and reinforced support for a higher standard of investment and development within the urban centres.

In addition, two key elements of the *UCR* have been developed, both of which are needed to take the project from concept to implementation.

1. The Theory of Urban Centre Change
2. The Urban Centre Planning Prioritization Matrix

Each of these elements is discussed in greater detail below.

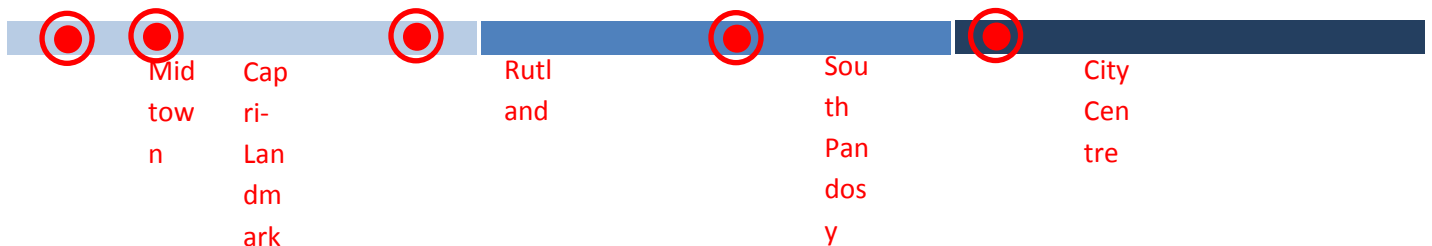
Theory of Urban Centre Change:

In consultation with several departments, staff identified three categories to define how urban centres will transform over time: *early*, *developing* and *mature* urban centres. Key actions and priorities for each stage are also needed to ensure strategic actions are taken to support urban centre revitalization. Specific actions will be determined through a detailed understanding of the strengths and weaknesses of each of the five urban centres. The table (below) highlights key characteristics of each stage and associated priorities or actions.

Description	Key Characteristics	Key Actions or Priorities
Early	<ul style="list-style-type: none"> • May not be recognizable as distinct centres • Significant concentrations of employment • Predominantly low-density development • Auto-oriented • Lacking amenities, public spaces and parks 	<ul style="list-style-type: none"> • Identify future transportation/road network for acquisition during development • Plan and budget for improvements to public space (e.g.: parks and plazas) • Work with other levels of government to plan for other key services (e.g.: schools) • Plan and budget for improved transit and active modes infrastructure
Developing	<ul style="list-style-type: none"> • Clear signs of becoming a distinct place • Public and private investment is taking place • Low to medium density development • Some services and amenities are available • Modest access to public 	<ul style="list-style-type: none"> • Acquire identified road dedications in development to achieve a more permeable transportation network • Enhance the ratio of residential density to employment density • Determine priority areas for streetscaping • Identify partnership opportunities for affordable housing • Require all new development to be multi-storey and to address the street

	spaces and parks • Alternative transportation options exist	• Construct a central public gathering space • Invest in improved transit and active modes transportation infrastructure
Mature	• Identifiable and distinct urban places • Medium to high density development • Predominantly multi-storey development • People-oriented streets • A range of public spaces are in close proximity • Balanced transportation system • A range of day-to-day services are available	• Encourage high-density residential or mixed-use development near frequent transit • Ensure the highest attention to design in relation to architecture and the public realm • In new development, carefully consider the balance of residential and employment generating uses • Continue investing in improved transit and active transportation infrastructure • Invest in public spaces and streetscaping • Establish a parking management plan/strategy (including operational programming and infrastructure investment) • Construct the facilities necessary to deliver key municipal services • Ensure strategies to support affordable housing

These three key stages can be applied broadly to Kelowna's urban centres. Currently, all of the city's urban centres have considerable opportunity for revitalization moving forward.



The Urban Centre Planning Prioritization Matrix

One of the key strategies for applying the principles and targets and encouraging urban centre revitalization will be the development of urban centre plans. However, the development of each urban centre plan will require significant time, energy and resources on the part of staff, community partners and local residents. Therefore, it is critical that the City is strategic in where it chooses to direct resources and what urban centre is prioritized. The matrix (below) highlights urban centres that will benefit from more detailed planning and where the greatest degree of development pressure is anticipated; providing direction as to where urban centre planning is required.

Urban Centre	Degree of change and development pressure expected (e.g. Land Use & Transportation)	Need for community amenities (parks, public space, streetscaping)	Need to define civic investment priorities (parks, transit streetscaping)	Age of existing plans
City Centre	High	Low	Low	2012, 2016
Capri-Landmark	High	High	High	N/A ¹
Midtown	High	High	High	1998
South Pandosy	Medium	Low	Low	1983,1995, 1997,2013
Rutland	Medium	Medium	Medium	2005 ² , 2009

Capri-Landmark, Rutland and Midtown are all likely to face significant development pressure over the next twenty years and would benefit from more detailed planning to guide development and civic investment. All three urban centres are strong candidates for urban centre plans where the principles and targets could be applied to position the areas for future growth, livability and overall success. Moving forward, staff will review the matrix with other City departments to recommend the primary candidate for future urban centre planning.

The final steps of the project will include drafting the final report and the finalization of the principles and targets based on the consultation with staff and stakeholders. Also, staff will develop tools (for e.g. Urban Centres Roadmap Development Checklist) that will be used to support implementation of the principles and targets through the development application process. The other elements of the report that will be refined will be the prioritization matrix and urban centre theory of change section based on comments and discussion at Council. The final draft report will be reviewed by a range of City departments and external stakeholders, ensuring buy-in and understanding for future implementation.

Conclusion

The Urban Centres Roadmap will put in place a framework to guide future urban centre planning initiatives. This level of planning excellence will ensure future growth and investment translates into distinct and livable urban centres. At the same time the principles and targets and other key elements will have a more immediate impact in shaping urban

¹ Although, no area redevelopment plan exists, the Capri Centre Plan was adopted in 2016

² Transit-oriented Planning Charrette 2005, Conceptual Streetscaping Planning 2009

centres through development applications and guiding civic investment decisions. The *Urban Centres Roadmap* will inform the City, community and private sector as to the key investments and actions required to capitalize on the opportunity to build vibrant urban centres in Kelowna.

Internal Circulation:

Divisional Director, Community Planning and Real Estate
Department Manager, Policy and Planning
Manager, Urban Planning
Department Manager, Community Planning
Manager, Parks and Buildings Planning
Sustainability Planner, Policy and Planning
Manager, Transportation and Mobility
Department Manager, Infrastructure Planning
Divisional Director, Civic Operations

Existing Policy:

2030 Official Community Plan Goals For a Sustainable Future 1.3 - Chapter 1

- Contain urban growth
- Include distinctive and attractive neighbourhoods
- Address housing needs of all residents
- Feature a balanced transportation network, Foster sustainable prosperity
- Protect and enhance natural areas
- Provide spectacular parks
- Encourage cultural vibrancy

Urban Centre / Town Centre Definition

A vibrant, amenity-rich area wherein different land uses frequently occur within the same building and almost always occur within a one-block area. Urban Centres contain a variety of housing types, the presence of which contributes to social diversity. Urban Centres are highly urbanized, pedestrian-friendly environments that draw people for work, shopping, and recreation from a broad community of approximately 25,000 residents living within approximately 2km. Town Centre cores are located at least 2km from the core of other Urban Centres, a City Centre, or a Highway Centre. Density will decrease as the distance from the core increases.

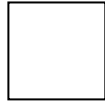
Council Priorities

Focus on Planning Excellence: Council wants to ensure a strong foundation is in place so the short- and long-term needs of the community are met. This will require a focus on long-term planning.

Building Vibrant Urban Centres: Council recognizes more work and focus is needed to achieve vibrancy in its five urban centers - City Centre (Downtown), Pandosy by The Lake, Midtown (Hwy 97), Capri/Landmark and Rutland.

Submitted by: R. Soward, Planner Specialist

Approved for inclusion:



J. Moore, Acting Department Manager of Policy & Planning

cc:

Divisional Director, Community Planning and Real Estate
Department Manager, Policy and Planning
Manager, Urban Planning
Department Manager, Community Planning
Manager, Parks and Buildings Planning
Sustainability Planner, Policy and Planning
Manager, Transportation and Mobility
Department Manager, Infrastructure Planning
Divisional Director, Civic Operations

URBAN CENTRES ROADMAP

Interim Report

Ross Soward, Planner Specialist



TRANSFORMING KELOWNA'S URBAN CENTRES



EXISTING

EARLY-STAGE URBAN CENTRE



FUTURE

ESTABLISHED URBAN CENTRE

A FRAMEWORK FOR CENTRE PLANNING

Urban Centres Roadmap

- Community Profiles
- Principles and Target for Urban Centre Plans
 - Urban centre best practices
- Land inventory and incentive strategy
- Prioritization matrix

Capri /
Landmark
Development
Plan

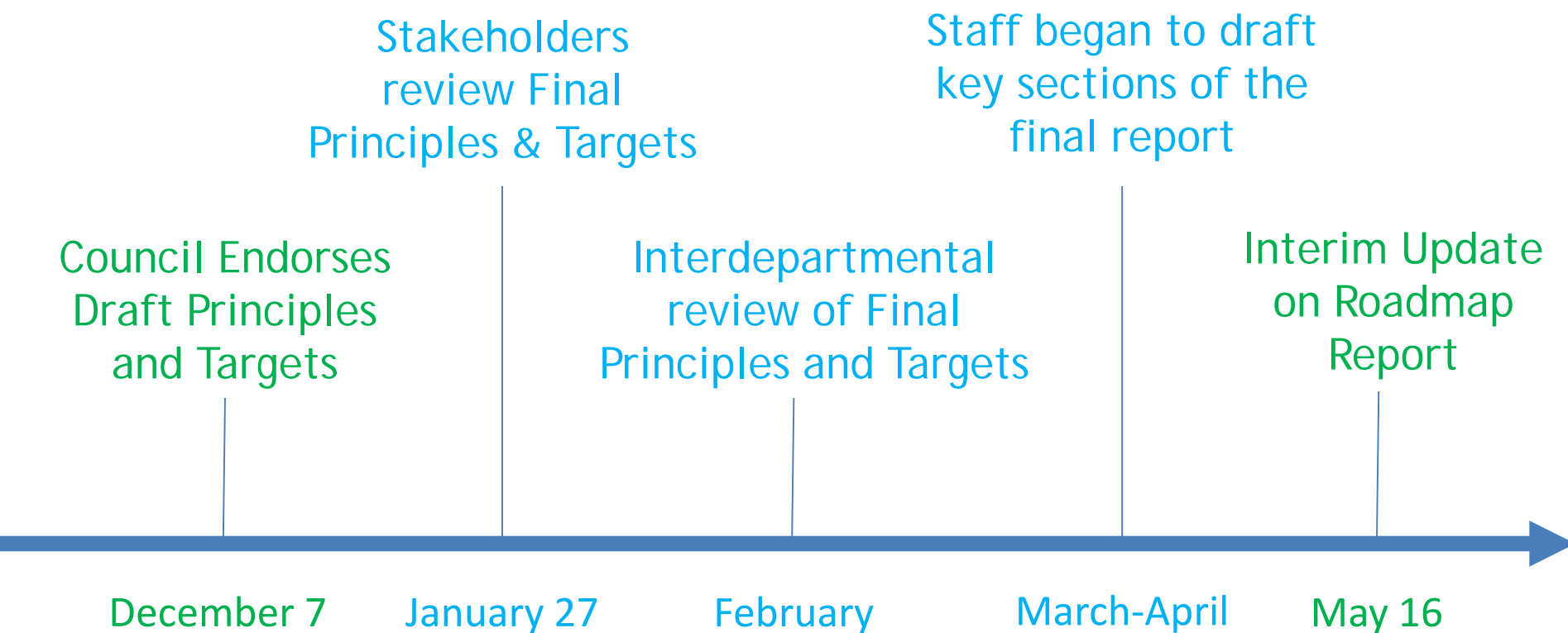
City Centre
(Downtown)
Development
Plan

Midtown
Development
Plan

Rutland
Development
Plan

South Pandosy
Development
Plan

RECENT PROJECT ACTIVITIES



URBAN CENTRES ROADMAP KEY ELEMENTS

1. The Theory of Urban Centre Change
2. Urban Centre Planning Prioritization Matrix

URBAN CENTRE THEORY OF CHANGE

- ▶ Urban Centres are always changing
- ▶ Three categories to define transformation

Early



Developing



Mature



EARLY STAGE URBAN CENTRE

- ▶ Not recognizable
- ▶ Low-density
- ▶ Concentration of employment



DEVELOPING URBAN CENTRE

- ▶ Becoming a distinct place
- ▶ Low to medium density
- ▶ Investment is occurring



MATURE URBAN CENTRE

- ▶ Distinct identity
- ▶ Medium to high density
- ▶ Range of services



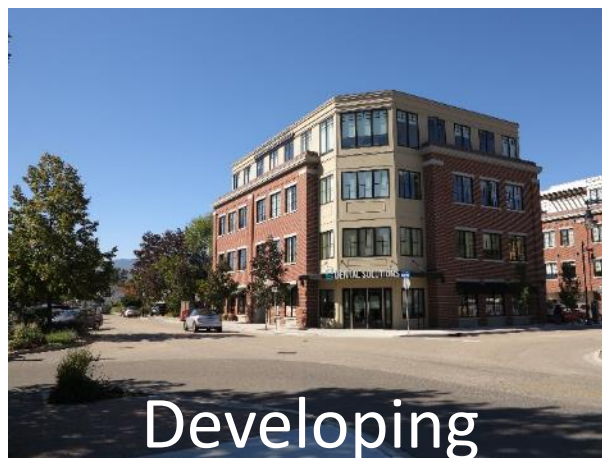
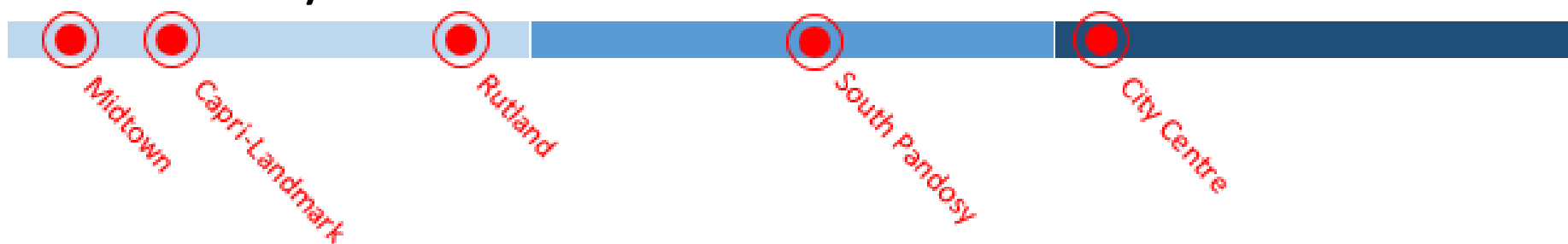
URBAN CENTRE THEORY OF CHANGE

► Kelowna's Urban Centres Stage of Development

Early

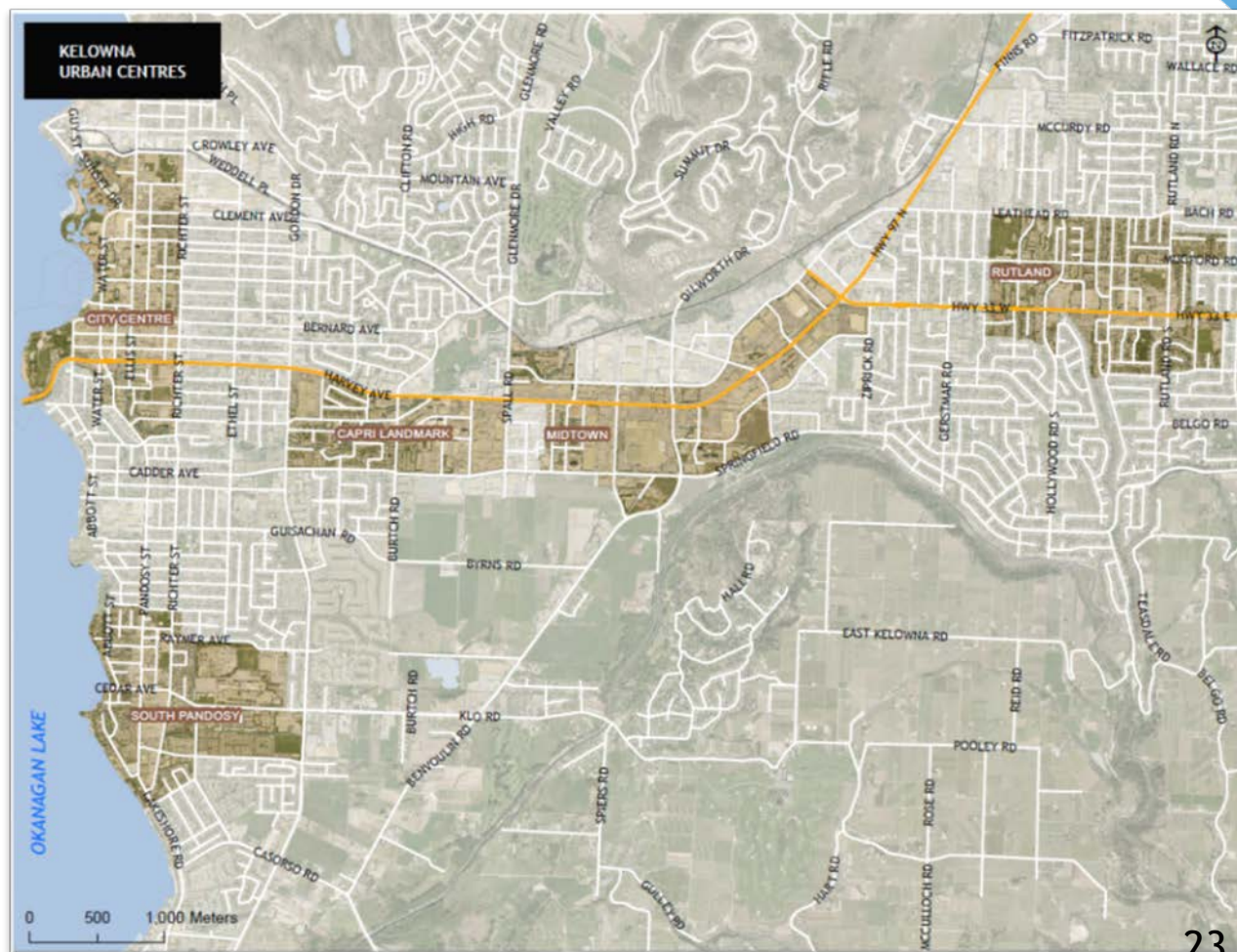
Developing

Mature



URBAN CENTRE PLANNING

- ▶ Key step to implement *UCR*
- ▶ Requires significant resources
- ▶ Ensure greatest impact



URBAN CENTRE PLANNING PRIORITIZATION

Urban Centre	Degree of Change & Development Pressure Expected	Need for Community Amenities	Need to Define Civic Investment Priorities	Age of Existing Planning
City Centre	High	Low	Low	2012, 2016
Capri-Landmark	High	High	High	No Plan*
Midtown	High	High	High	1997
South Pandosy	Medium	Low	Low	1995, 1997, 2013
Rutland	Medium	Medium	Medium	2005, 2009

* No area redevelopment plan is in place, but Capri Centre Plan adopted in 2016

NEXT STEPS

- ▶ Final refinement of principles & targets
- ▶ Refinement of UCR key elements
- ▶ Prepare final report for Council Adoption

FINAL THOUGHTS

- ▶ Urban Centres are engine of cities
- ▶ Planning is critical to transformation of centres
- ▶ Roadmap is key tool to encourage livable urban centres



Report to Council



Date: May 30, 2016
File: 1210-22
To: City Manager
From: Community Planning (TG)
Subject: Agriculture Plan Update Engagement Strategy

Recommendation:

That Council receives, for information, the report from Community Planning dated May 30, 2016, with respect to the Agriculture Plan Update Engagement Strategy.

Purpose:

To obtain Council's input on the draft vision for the update to the Agriculture Plan and to inform Council of the engagement strategy for this plan.

Background:

The Agriculture Plan Update, currently underway, will provide clear direction for the land zoned for agriculture in the City of Kelowna (currently representing more than 55 per cent of the land base) and will allow the following goals to be integrated into a current and responsive policy document:

1. Develop clear policies that serve to protect and to promote agriculture while preserving the character of the city of Kelowna;
2. Identify opportunities to strengthen farming and to develop agriculture as an economic driver;
3. Increase the amount of, and access to, locally grown and produced food; and
4. Build resilience in the community against rising costs of food and risks from changing conditions.

The Agriculture Plan Update project will take approximately 15 months to complete according to the timeline illustrated in figure 1.



Figure 1

The background scoping and Agricultural Profile development is currently in progress. Information is being compiled pertaining to the number of farms, farm type, production levels, under-utilized agricultural land, and demographic and financial information. When complete, this profile will include updated maps, including land use inventory, farmland use and availability, crops currently being grown, presence of agricultural constraints and presence of value added activities.

Public consultation and issues identification started earlier this month. Facilitating meaningful dialogue amongst stakeholders and input from the community will be a critical goal of this phase. In all forms of consultation, emphasis will be placed on considering both collective and individual needs, ensuring all voices are heard and analyzing the range of issues.

Guided by an engagement strategy and communications plan, consultation with stakeholders and the public will take place at three key times throughout the project:

- Spring 2016 - Input on draft vision, goals and objectives and identify opportunities and challenges.
- Fall 2016 - Input on recommended draft actions and policies.
- Winter 2017 - Input on draft Agriculture Plan.

Further, key organizations, such as Ministry of Agriculture and the Agriculture Land Commission, will be engaged throughout the process to obtain guidance on issues and policies that arise throughout the process as well as to gain support for the updated Agriculture Plan.

The Agriculture Advisory Committee (AAC) was the first to be engaged. To date, staff and the project consultant have had two workshops with the AAC. At the first, the AAC provided input to the engagement strategy and helped identify people, organizations and industries to engage. At the second workshop, held on May 11, the AAC helped draft a vision statement for the Agriculture Plan Update:

“Kelowna is a resilient, diverse, and innovative agricultural community that celebrates farming and values farmland as integral to our healthy food system and economy.”

The City of Kelowna’s current Agriculture Plan (1998) does not have a vision statement. A vision statement is key element, providing plan direction, and offering guidance for what future needs might look like in order for the plan to be deemed successful.

Throughout the month of June, stakeholders and the public will have an opportunity to provide input on the draft vision as well as identify opportunities and challenges that need to be considered. A variety of in-person and online techniques will be utilized to gather input:

What	When	Where
Online Survey	May 31 - June 30	www.kelowna.ca/planningprojects www.getinvolved.kelowna.ca
Stakeholder Session	June 8	EECO Center, Mission Creek Park
Open House	June 8, 4 pm - 6:30 pm	Mission Creek Park
Mini Open House	June 11 10 am - Noon	Save on Foods, 101 - 1876 Cooper Road Kelowna

Summary & Next Steps:

This fall, staff will report back to Council with a summary of the spring engagement, and will gather Council's input on draft policy and actions arising from public and stakeholder feedback.

Once complete, the Agriculture Plan Update will be used to inform the Official Community Plan review as well as provide information to the Healthy Food Systems theme area of the Healthy City Strategy.

Internal Circulation:

Divisional Director, Community Planning & Real Estate
Suburban and Rural Planning Manager
Planner Specialist, Suburban and Rural Planning
Communications Advisor
Director, Business and Entrepreneurial Development

Existing Policy:

One of the goals of the Official Community Plan is to *Enable Healthy and Productive Agriculture* by promoting healthy and productive agriculture through diverse strategies that protect farmlands and food production. Policies in the OCP that support this goal include:

- OCP Objective 5.33 Protect and enhance local agriculture. (and all associated policies)
- OCP Objective 5.34 Preserve productive agricultural land. (and all associated policies)
- OCP Policy 7.20.1 Water Availability for Agriculture. Work with stakeholders to ensure the continued delivery of sufficient quantities of water as per best practices for water conservation to ensure continued agricultural productivity.
- OCP Chapter 15 Farm Protection DP Guidelines

Agriculture policy is also guided by the 1998 Agriculture Plan.

Financial/Budgetary Considerations:

The cost to complete the Agricultural Plan Update is \$60,000. The City of Kelowna acknowledges the support of the Real Estate Foundation of BC who recently granted \$20,000 towards this project. An application has also been made to the Investment Agriculture

Foundation for further funds to support the project. The remainder of the funds will be funded by existing Community Planning budget.

Communications Comments:

An engagement strategy and complimentary communications plan have been developed and approved by Communications.

Information on upcoming engagement as well as a link to the online survey will be available on the Agriculture Plan Update webpage (kelowna.ca/planningprojects). Further, the community will also be engaged on the City's public engagement platform at getinvolved.kelowna.ca.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Personnel Implications:

External Agency/Public Comments:

Alternate Recommendation:

Submitted by:

T. Guidi, Sustainability Coordinator

Approved for inclusion:



JM

cc:

Divisional Director, Community Planning & Real Estate
Suburban and Rural Planning Manager
Planner Specialist, Suburban and Rural Planning
Communications Advisor
Director, Business and Entrepreneurial Development

AGRICULTURE PLAN UPDATE

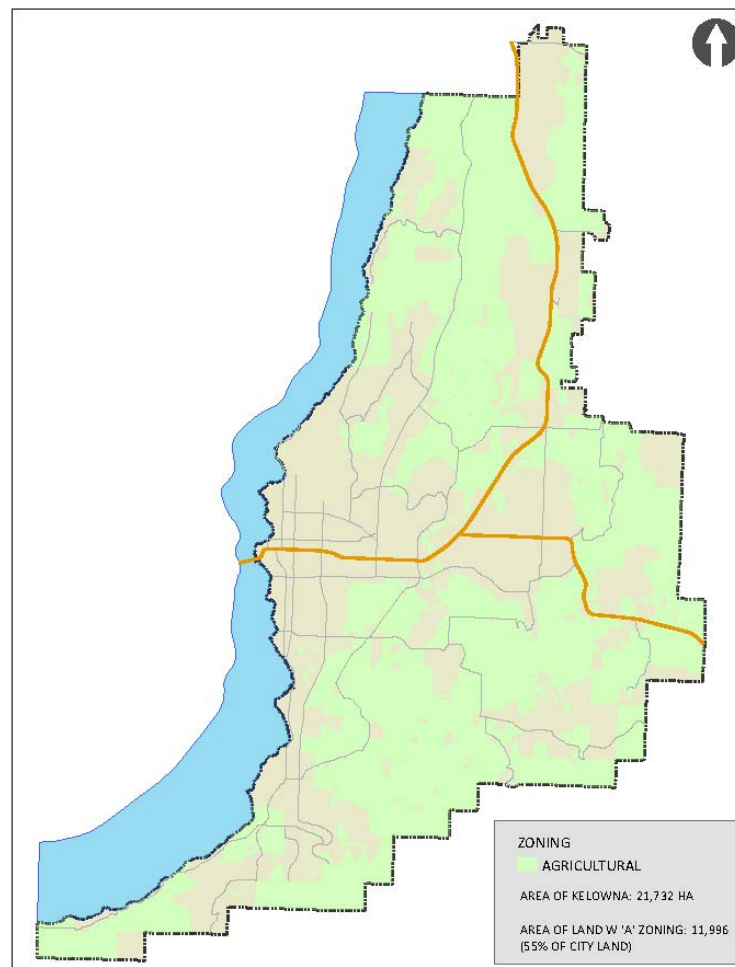
Vision and Engagement

May 30, 2016



AGRICULTURE IN KELOWNA

- ▶ 11,996 hectares with Agriculture Zoning (55% of land base)
- ▶ 8,621 hectares in ALR (40% of land base)

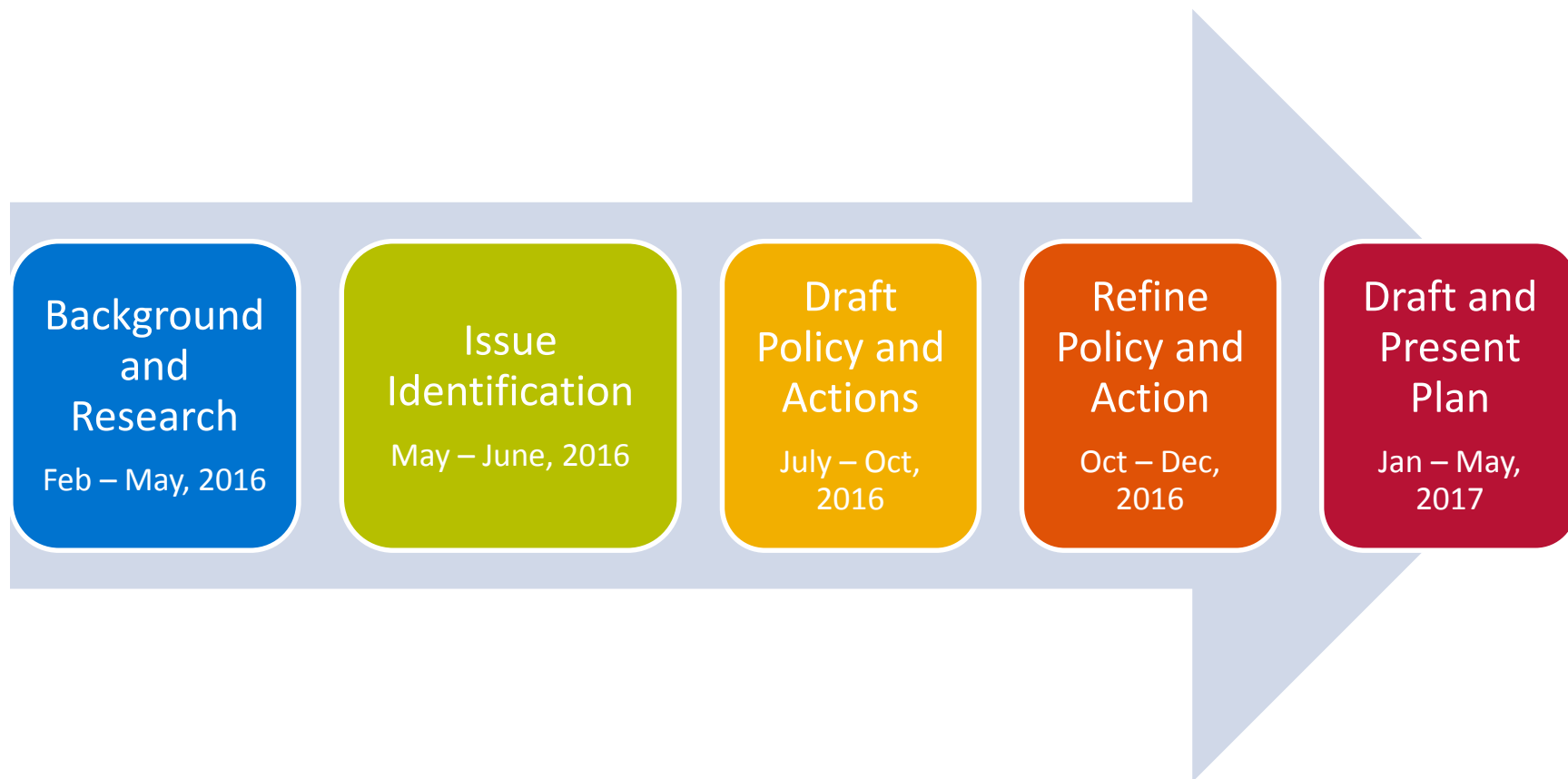


PROJECT GOALS

- ▶ Develop clear prescriptive policies;
- ▶ Identify opportunities to strengthen farming and develop agriculture as an economic driver;
- ▶ Increase the amount of, and access to, locally grown food; and
- ▶ Build resilience against rising food costs and changing conditions.



PROJECT TIMELINE



ENGAGEMENT

Takes place at 3 key times during project:

Spring 2016:	Vision, opportunities and challenges
Fall 2016:	Recommended draft actions and policies
Winter 2017:	Draft Agriculture Plan



DRAFT VISION

Kelowna is a resilient, diverse, and innovative agricultural community that celebrates farming and values farmland as integral to our healthy food system and economy.



UPCOMING ENGAGEMENT

WHAT	WHEN	WHERE
Online Survey	May 31 – June 30	kelowna.ca/planningprojects or getinvolved.kelowna.ca
Stakeholder Session	June 8	EECO Center, Mission Creek Park
Open House	June 8 4 pm – 6:30 pm	Mission Creek Park
Mini Open House	June 11 10 am – Noon	Save On Foods 101 – 1876 Cooper Road

NEXT STEPS

- ▶ Report back to Council in fall
 - ▶ summarizing public input to date
 - ▶ Gather Council input on draft policy and actions arising from feedback



REPORT TO COUNCIL



Date: May 30, 2016
RIM. 1250-30
To: City Manager
From: Community Planning Department (AC)
Application: TA16-0004/Z16-0010
Subject: Secondary Suite Amendments within the CD6 and Related Zones

1.0 Recommendation

THAT Council receives, for information, the report from Community Planning Department dated May 30, 2016, with regards to a proposed text amendment that would permit secondary suites within single family dwellings throughout the City of Kelowna, eliminate the CD6 zone, and amend various secondary suite regulations;

AND THAT Council directs staff to report back at a PM Council Meeting with zoning amendments and a communication strategy as identified in the Report of the Community Planning Department Manager dated May 30, 2016;

AND THAT Council directs Staff to not enforce secondary suite 'land use' infractions on properties within the RU4, RU5, RH1, RH2, RH3, CD2, & CD6 zones until further notice;

AND FURTHER THAT Council considers allocating up to \$14,000 from Council Contingency to support this project.

2.0 Purpose

To provide Council with the implications of adding secondary suites to residential Comprehensive Development zones.

3.0 Community Planning

3.1 Options for proceeding with Bylaw Amendments

Council previously provided direction to Staff to investigate permitting secondary suites in single family homes and eliminating the CD6 zone.

This would result in approximately 1050 properties that would need to be rezoned. City policy and standard practice has always required a title search for every rezoning application. This has ensured the majority of the City's zoning boundaries follow legal lot lines. However, that current method is problematic in this case because the Land Titles Office requires approximately \$12 per title search which would result in a total cost of \$12,600 to the City. The other method is to rely on tax roll numbers and BC assessment data to derive the title information.

This amount has not been budgeted by Community Planning and in order to follow the standard method of rezoning applications, Council would need to authorize this cost through a contingency.

Further, Council needs to provide Staff with direction regarding public consultation. City Staff foresee three plausible options:

- 1) Follow the regular development notification process ~ \$500;
- 2) Send additional direct letters to homeowners ~ \$2,000;
- 3) Host public meetings in the affected neighbourhoods (Quail Ridge, Tower Ranch, and Kettle Valley) ~ \$5,000.

3.2 Background

COUNCIL RESOLUTION FROM THE TUESDAY, OCTOBER 20 REGULAR MEETING:

THAT staff report back to Council with a report on the implications of adding secondary suites to residential Comprehensive Development zones.

In September 2012, Council adopted a bylaw that “would permit secondary suites within single family dwellings throughout the City of Kelowna and to change the secondary suite zoning classifications.” However, the bylaw revisions left out the non-standard and Comprehensive Development zones which also permitted single family housing. These zones are:

- RU4 - Low Density Cluster Housing
- RU5 - Bareland Strata Housing
- RH1 / RH1(s) - Hillside Large Lot Residential (with secondary suite)
- RH2 - Hillside Two Dwelling Housing
- RH3 - Hillside Cluster Housing
- CD2 - Kettle Valley Comprehensive Residential Development
- CD6 - Comprehensive Residential Gold Resort

The City has a limited ability to influence the diversity of housing stock to address the needs of the community. However, the City can improve policy and zoning to support and to promote the provision of secondary suites across the City. Safe and legal secondary suites can provide many benefits to home owners including a revenue source to supplement income, assist a family member in need, and increase the value of the property.

By allowing the proposed changes the City can:

- help provide affordable housing in our community with minimal impact to neighbourhoods as no new infrastructure is required and the secondary suites are contained within existing single-family homes;
- continue to provide checks and balances for homeowners wanting to add a secondary suite to a single-family home. A building permit will still be required;
- clarify regulations for ease of implementation for Staff and the community; and
- apply consistent treatment of all single family properties across the City regardless of the specific zone.

3.3 CMHC’s Rental Market Report - Kelowna CMA

According to the results from Canada Mortgage and Housing Corporation’s (CMHC) 2015 Fall Rental Market Survey, rental vacancies in the Kelowna Census Metropolitan Area (CMA) reached their lowest point in 2014 with the Fall Rental Market Survey which showed an apartment vacancy rate of 1.0 per cent compared to 1.8 per cent in 2013 and 1.5 per cent in 2015.

Several local economic factors were supportive of rental demand across the Kelowna CMA in 2014, resulting in lower vacancy rates. Employment levels grew modestly over the first ten months of the year. Kelowna's younger age cohort, those aged 15 - 24 years, has had a modest but steady stream of part-time employment growth and more recently an increase in full-time jobs. Youth employment is a key driver of rental housing demand. Rising enrollment at the University of British Columbia Okanagan and positive migration into the Kelowna area also contributed to a growing number of renter households. A key supply side factor contributing to the lower vacancy rates and increasing rents in Kelowna was the addition of very few new rental units over the past two years. Faced with a limited selection of available purpose-built rental accommodations, a growing number of renters found suitable rental accommodations within the stock of available secondary rental units.

Accessory (Secondary) suites continue to be an attractive alternative housing arrangement for renters. There were an estimated 2,103 households living in accessory suites as of October 2014, up from 1,351 during the same period the year previous, and this number is expected to continue to grow¹. For example, the City of Kelowna approved building permits for 207 accessory suites in 2013 and an additional 220 building permits between January and October 2014.

3.4 Current Secondary Suite Process

A property owner requires a Building Permit and a Business Licence for the suite, which will take a total of approximately 2 - 4 weeks, depending on each individual site and the complexity of the retrofits.

Through the submission of concurrent Building Permit and Business Licence applications, it is determined if the secondary suite within a single family dwelling meets the requirements of Zoning Bylaw 8000 and BC Building code to obtain a Business Licence.

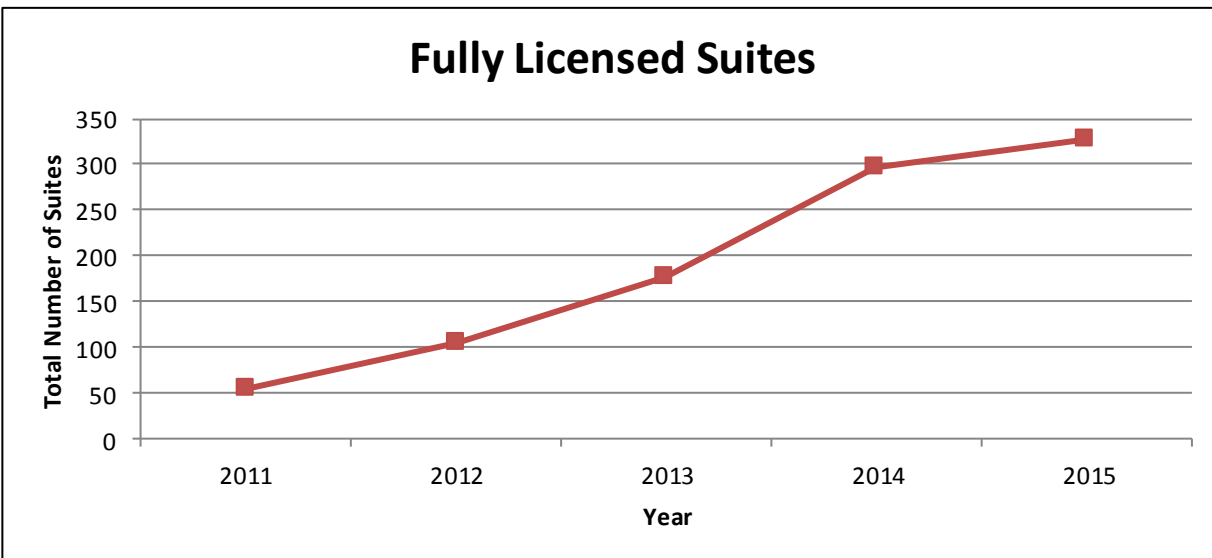
More specifically, the Building Permit application ensures that the suite within the single family dwelling complies with the requirements of the Zoning Bylaw such as parking, pathway, private open space and lighting, in addition to meeting the BC Building Code requirements. Once an Occupancy Permit has been issued, a Business Licence is then processed and issued.

Currently, if a suite does not have a Business Licence and a complaint is received, Bylaw Services initiates an investigation. A suite is not considered legal unless it has an active Business Licence. Business Licenses are required to be renewed annually.

3.5 Status of Secondary Suite Legalization

Prior to 2012 each property needed a rezoning (to the 's' designation) if a secondary suite was to be permitted. In 2011, Council reviewed 41 's' rezoning applications for suites within a single family dwelling and only 2 were not supported by Council. Since allowing secondary suites in most residential areas, the City of Kelowna has steadily seen an increase in the number of legal suites licensed each year.

¹ Housing Market Outlook Kelowna CMA, CMHC, Fall 2015



The number of enforcement files related to secondary suites has steadily increased as well (see table below). This data illustrates citizens that have gone through the entire enforcement process to compliance, meaning they have either decommissioned their suite or have legalized it.

Date From	Date To	2011	2012	2013	2014	2015
Jan 01	Dec 31	136	139	157	250	277

Further, based on the business licenses data and the British Columbia Assessment Authority (BCAA) data, there are 631 properties in Kelowna that have a business license for a suite and are also assessed as having a suite. However, there are 1,771 properties that are assessed as having a suite but do not have a current business license. There are 482 properties that have a current business license for a suite but are not assessed as having a suite.

3.6 Proposed Secondary Suite Changes

Business Licenses

The secondary suite and carriage house regulations within the Zoning Bylaw require 'operators' of a secondary suite or a carriage house to hold a valid business license. However, this has been interpreted that a secondary suite or a carriage house must have a business license to be legal whether the owner is renting the dwelling unit or not. There is no other use category in the Zoning Bylaw that requires a 'type of use' to hold a business license to be legal. The original purpose of this requirement may have been to more easily track secondary suites and carriage houses but the main purpose of business license bylaw is to:

- a. require an owner or operator of a business within the City of Kelowna to hold a valid and subsisting license (including imposing of fees for licenses) for the carrying on of such business; and
- b. it is also the purpose of the business license bylaw to regulate the carrying on of business within the City of Kelowna, to the extent not inconsistent with the intent of the bylaw, for the purpose of protecting the public or preventing or minimizing nuisances and misleading business practices, and establishing different regulations for different classes of business.

The applicability of the regulations in the Business License Bylaw is limited to businesses earning income. Therefore, if secondary suites and carriage houses are not earning income, Staff are recommending those properties not be required to have a business license.

However, Staff are recommending one step further which would eliminate the need for a business license. This would require an amendment to the business license bylaw. The business license bylaw does not require property owners who are renting single detached dwellings, duplexes, triplexes, fourplexes, or townhouses to obtain a business license. Therefore, Staff are recommending that secondary suites conform with similar housing typologies.

The original purpose for requiring business licenses with secondary suites was to track legal secondary suites and provide statistics on the legalization process. Community Planning have coordinated with the Information Technology Staff to replace and to transfer the business license data into a 'legal suite' system in order to provide the ability for Bylaw Enforcement to continue to track legal secondary suites and provide statistics. This system will work similar to the business license system. The only difference will be that One Window staff will enter all building permits for new secondary suite into the new 'legal suites' database instead of the "secondary suite - business license" database.

3.6.1 Zoning

Staff are recommending that Council consider permitting secondary suites in the RU4 and RU5 zones which are strata zones. Strata corporations can self-regulate and can voluntarily restrict secondary suites if they desire. Further, if a single family strata lot can provide the private open space and the additional parking stall, then providing this option to property owners to increase the availability of the rental housing stock meets the goals and vision outlined in Kelowna's Official Community Plan. This same logic applies to the hillside zones (RH2 and RH3).

The remaining zones that currently do not permit secondary suites are CD2 (Kettle Valley) and CD6 (Quail Ridge, Tower Ranch, Gallaghers Canyon). The CD2 has a complicated set of sub-areas with zoning rules that are not based upon standardized residential and commercial zones in Kelowna. It is staff's suggestion that the CD2 zone remain intact while adding secondary suites as an allowable secondary use. The CD2 zone also states the total maximum density shall not exceed 1028 units which is in accordance with the Southwest Okanagan Mission Neighbourhood One Area Structure Plan that was adopted as part of the Kelowna Official Community Plan. Therefore, it is further recommended that a clause be added in the CD2 zone stating secondary suites shall not be counted as a dwelling unit for the purposes of calculating the maximum total density in the area. Development Engineering Staff have confirmed adding suites only has a negligible impact on City sewer and water capacity and should not be a servicing issue.

The CD6 - Comprehensive Residential Golf Resort zone was intended to provide for the development of a residential golf resort which includes one or more land use designations as an integrated development unit based on an Area Structure Plan. The density within each area (Quail Ridge, Tower Ranch, and Gallaghers Canyon) is based on an averaging of all lands within the development. However, there are many problems associated with this zone. The first and largest anomaly is the principal use is "participant recreation services, outdoor" meaning each lot must have a golf course on it prior to any other use.

Further, the CD6 zoning interpretation has been compromised by a system of covenants registered on each title stating each sub-area within the CD-6 zone follow the future land use map. This system of covenants effectively represents various other standardized zones (RU1, RU4, RU5, RM3, etc.) and their associated development regulations. Within the development regulations of the CD-6 zone it states:

“lands are to be developed for residential use in accordance with one or more of the RU1/RU1h, RU2/RU2h, RU4/RU4h, RU5, RU6/RU6h, RM2, RM3, RM4, or RM5 zones. Commercial and hotel uses allowed in the CD6 zone shall be developed in accordance with the C2 or C9 zoning districts, and open space or public utility uses shall be developed in accordance with the P2, Ps, or P4 zoning districts.”

This means within the CD-6 area, any of those zones can exist as long as it is consistent with the plan identified in the Area Structure Plan. This had led to many interpretation conflicts. Further, the City’s legal counsel advised the zone needs to be eliminated or amended significantly in order to comply with the Local Government Act.

Staff’s recommendation is to eliminate the CD-6 zone and rezone each sub-area to be consistent with the Area Structure Plan for each Golf Course and the future land use map. Once this occurs the traditional zoning will allow for secondary suites in each area.

3.6.2 Zoning (Servicing - Secondary Suite and Carriage House Prohibition)

Due to hydrogeotechnical challenges with on-site disposal systems and the private wastewater treatment facility, Staff are recommending that secondary suites and carriage houses not be permitted in the Gallaghers Canyon area (See full diagram in attachments). The Gallaghers Canyon privately operated treatment facility is near capacity and even a negligible increase in capacity should not be permitted until sewer is extended to this area or capacity improvements to the system are installed. The City has no plans for sewer extension or upgrades in this area.

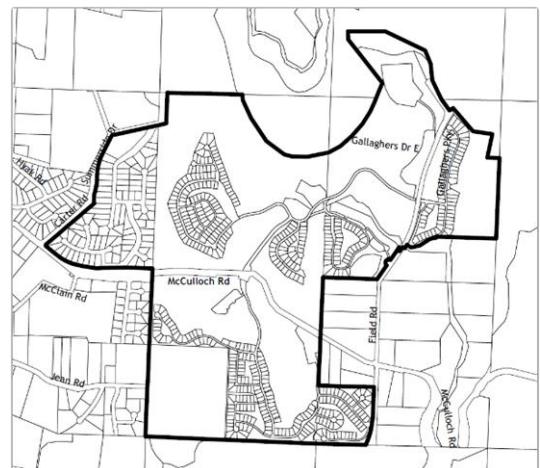


Figure 9.5

The Eastwood subdivision immediately west of Gallaghers Canyon is also included in the proposed suite prohibition as a Hydrogeological Assessment was performed by Golder Associates in March of 2010 and concluded there are septic problems in this area related to soil conditions.

3.6.3 Zoning (Parking)

Secondary suite Parking was amended in a recent zoning bylaw amendment. However, these rules have proved to be difficult to implement and Staff are recommending that the rules be simplified and clarified. Currently the suite parking reads:

One additional parking for a secondary suite is required which shall be:

- i. be designated as being solely for the **use of the secondary suite**
- ii. not be located within a private garage which is attached to and provides direct access to the principal **dwelling**;
- iii. not be provided in a tandem configuration;
- iv. be located within the required **front yard** setback area if the **parking space** does not block access to a required **parking space** utilized by the principal **dwelling** unit.

Providing a parking stall that has to be in the front yard setback but not block access to a required parking stall for the principal dwelling has proven ineffective. Staff are recommending this section be replaced with the following:

Secondary suite parking:

- i. shall be designated as being solely for the **use of the secondary suite**;
- ii. shall be accessed from a lane in circumstances where a rear or a side lane abuts the property;
- iii. shall be surfaced with permanent surface of asphalt, concrete or similar pavement.
- iv. shall be accessed from any *driveway* existing at the time the *secondary suite use* commences in circumstances where no rear or side lane abuts the property;
- v. can be located in the driveway and in tandem with the single detached dwelling parking as long as two additional off-street parking stalls provided for the principal dwelling.

4.0 Existing Policy:

4.1 Kelowna Official Community Plan (OCP)

Goals for a Sustainable Future²

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

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

Include Distinctive and Attractive Neighbourhoods. Develop distinctive and attractive neighbourhoods and urban centres with safe, accessible public spaces that enhance investment.

Future Land Use Designation

Single / Two Unit Residential³ Single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached buildings used for two dwelling units,

² OCP Chapter 1

³ Official Community Plan (OCP) - Chapter 4- Future land Uses

modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Non-residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

Other Supporting Policies

Policy 5.2.3 Complete Suburbs.⁴ Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

Policy 5.3.2 Compact Urban Form.⁵ 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 Centre's (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Policy 10.3 Policy 1 Housing Availability.⁶ Support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing (transitional, age in place, emergency or shelter).

Objective 5.34 Policy 1 Secondary Suites.⁷ Encourage secondary suites on agricultural land to be located within a permitted principal dwelling.

4.2 Council priorities 2014-2018

Planning Excellence. Council wants to ensure a strong foundation is in place so the short- and long-term needs of the community are met. This will require a focus on long-term planning that is innovative, while based on best practices.

5.0 Technical Comments

For technical comments regarding suite implementation see TA12-0005/Z12-0035. See attachments for Development Engineering comments.

Report prepared by:

Adam Cseke, Planner

Reviewed by:



Terry Barton, Urban Planning Manager

⁴ OCP Objective 5.2- Develop sustainability

⁵ OCP Objective 5.3 -Focus development to designated growth areas.

⁶ OCP Objective 10.1- Support the creation of affordable and safe rental, non- market and /or special needs housing.

⁷ Official Community Plan Objective 5.34 -Preserve productive agricultural land

Approved for Inclusion:



Ryan Smith, Community Planning Manager

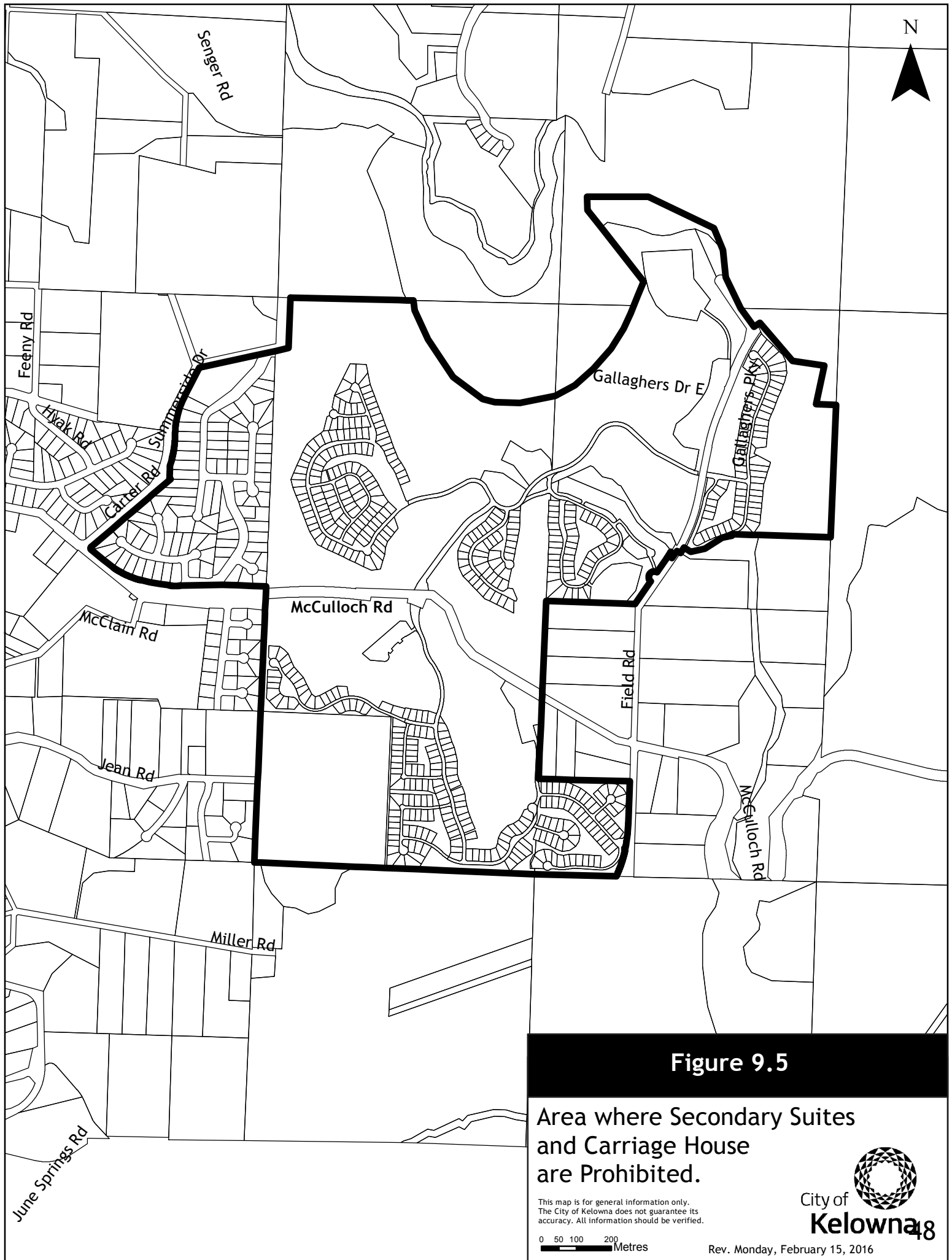


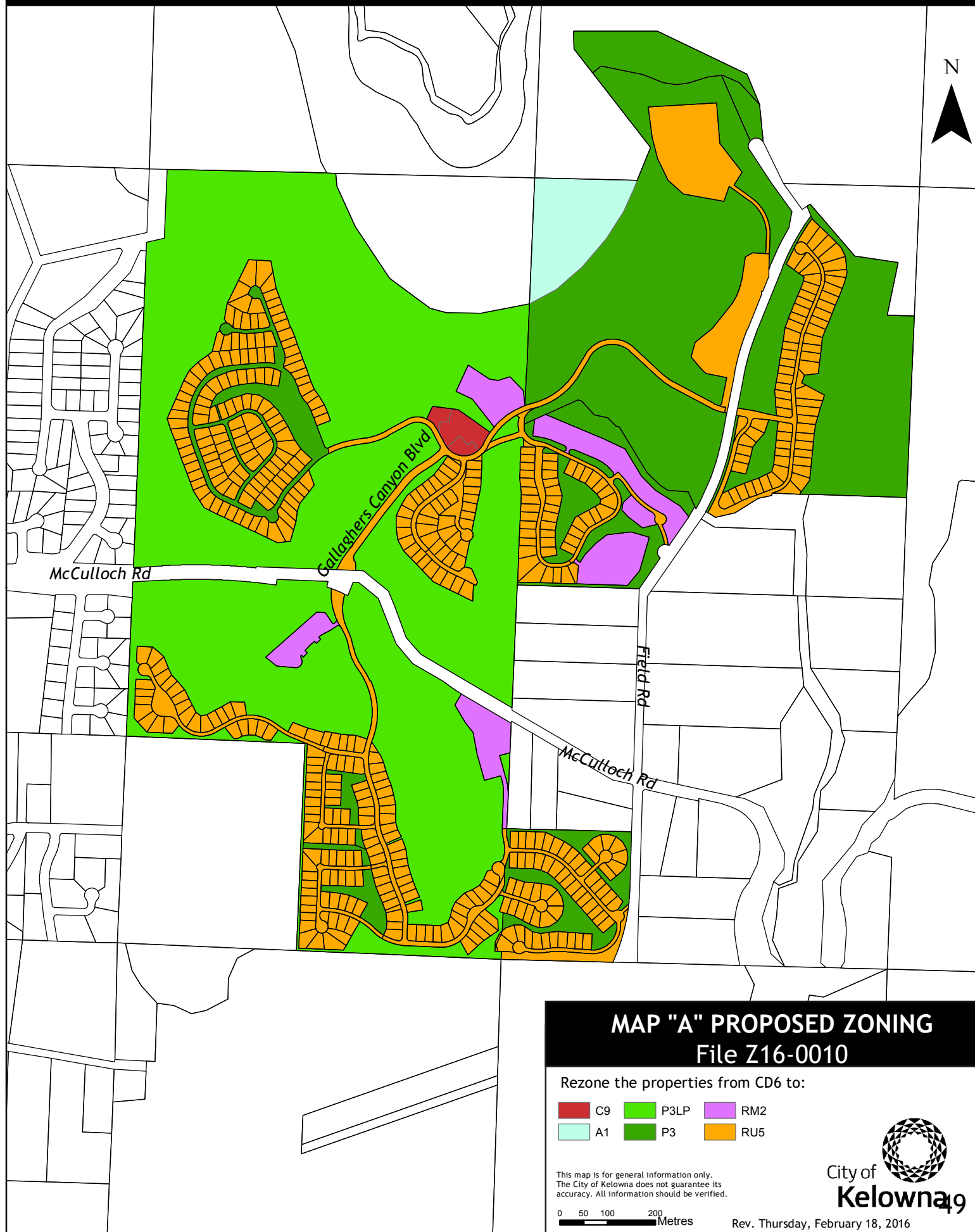
Figure 9.5

Area where Secondary Suites and Carriage House are Prohibited.

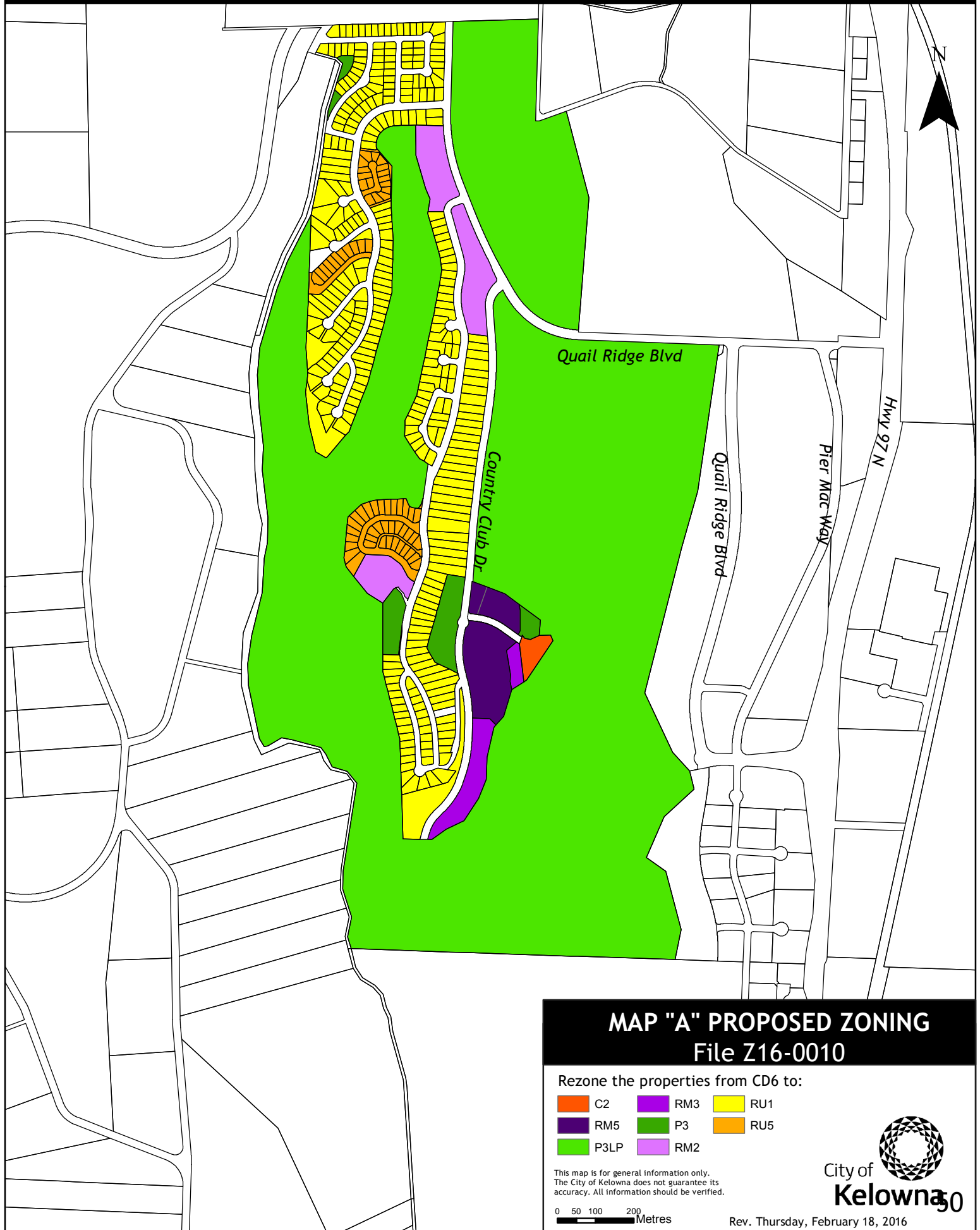
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



Appendix A - Rezoning CD6 (Gallaghers Canyon)



Appendix A - Rezoning CD6 (Quail Ridge)



Appendix A - Rezoning CD6 (Tower Ranch)

