

City of Kelowna

Regular Council Meeting

AGENDA



Monday, January 11, 2021
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public is currently not permitted to attend Council meetings in-person. As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

6 - 18

PM Meeting - December 7, 2020
Budget Deliberations - December 10, 2020

3. Development Application Reports & Related Bylaws

3.1. Gallagher Rd 2980 - Z20-0021 (BL12042) - Follow Up Report for Information

19 - 29

To provide Council with further information on the timing and standard of upgrades to Loseth Road and Gallagher Road in regards to proposed rezoning and multi-family development at 2980 Gallagher Road.

3.2. Lakeshore Rd 5064 - LUCT18-0013 (BL11939) Z18-0092 (BL11963) - Mark Fipke

30 - 42

To consider an application to proceed with the early termination of LUC77-1012 and rezone the subject property.

3.3. Lakeshore Rd 5064 - BL11939 (LUCT18-0013) - Mark Fipke

43 - 43

To give Bylaw No. 11939 first reading in order to terminate LUC77-1012.

3.4. Lakeshore Rd 5064 - BL11963 (Z18-0092) - Mark Fipke

44 - 44

To give Bylaw No. 11963 first reading in order to rezone the subject property from the A1 - Agriculture 1 zone to the RR2 - Rural Residential 2 zone.

- | | | |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 3.5. | Hwy 97 N 2890 - LUCT20-0003 (BL12069) Z20-0062 (BL12070) - Hofa Transport Group Ltd. Inc.No. BC1096204 | 45 - 58 |
| | To consider an application to proceed with the early termination of Land Use Contract LUC76-1 and rezone the subject property. | |
| 3.6. | Hwy 97 N 2890 - BL12069 (LUCT20-0003) - Hofa Transport Group Ltd. Inc.No. BC1096204 | 59 - 59 |
| | To give Bylaw No. 12069 first reading in order to terminate LUC76-1. | |
| 3.7. | Hwy 97 N 2890 - BL12070 (Z20-0062) - Hofa Transport Group Ltd. Inc.No. BC1096204 | 60 - 60 |
| | To give Bylaw No. 12070 first reading in order to rezone the subject property from the A1 - Agriculture 1 zone to the I2 - General Industrial zone. | |
| 3.8. | Adams Rd 251 - LUCT20-0004 (BL12071) Z20-0063 (BL12072) - Heartwood Investments Ltd. Inc.No. 352195 | 61 - 74 |
| | To consider an application to proceed with the early termination of Land Use Contract LUC77-1047 and rezone the subject property. | |
| 3.9. | Adams Rd 251 - BL12071 (LUCT20-004) - Heartwood Investments Ltd Inc No 352195 | 75 - 75 |
| | To give Bylaw No. 12071 first reading in order to terminate LUC77-1047. | |
| 3.10. | Adams Rd 251 - BL12072 (Z20-0063) - Heartwood Investments Ltd Inc No 352195 | 76 - 76 |
| | To give Bylaw No. 12072 first reading in order to rezone the subject property from the A1 – Agriculture 1 zone to the I2 – General Industrial zone. | |
| 3.11. | Sutherland Ave 1511 - LUCT20-0005 (BL12073) Z20-0064 (BL12074) - Sapphire Construction Ltd., Inc. No. 84820 | 77 - 90 |
| | To consider an application to proceed with the early termination of Land Use Contract LUC77-1061 and rezone the subject property. | |
| 3.12. | Sutherland Ave 1511 - BL12073 (LUCT20-0005) - Sapphire Construction Ltd., Inc. No. 84820 | 91 - 91 |
| | To give Bylaw No. 12073 first reading in order to terminate LUC77-1061. | |
| 3.13. | Sutherland Ave 1511 - BL12074 (Z20-0064) - Sapphire Construction Ltd., Inc. No. 84820 | 92 - 92 |
| | To give Bylaw No. 12074 first reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the C3 – Community Commercial zone. | |

- 3.14. Sutherland Ave 1521 - LUCT20-0006 (BL12075) Z20-0065 (BL12076) - Price's Alarm Systems Ltd. Inc.No. BCog29068** 93 - 106
- To consider an application to proceed with the early termination of Land Use Contract LUC78-1004 and rezone the subject property.
- 3.15. Sutherland Ave 1521 - BL12075 (LUCT20-0006) - Price's Alarm Systems Ltd. Inc. No. BCog29068** 107 - 107
- To give Bylaw No. 12075 first reading in order to terminate LUC78-1004.
- 3.16. Sutherland Ave 1521 - BL12076 (Z20-0065) - Price's Alarm Systems Ltd. Inc. No. BCog29068** 108 - 108
- To give Bylaw No. 12076 first reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the C3 – Community Commercial zone.
- 3.17. Lakeshore Rd 3969 - LUCT20-0007 (BL12094) Z20-0068 (BL12095) - Steven Carl Wilson and Piblet Enterprises Ltd** 109 - 122
- To consider an application to proceed with the early termination of Land Use Contract LUC77-1005 and rezone the subject property.
- 3.18. Lakeshore Rd 3969 - BL12094 (LUCT20-0007) Z20-0068 - Steven Carl Wilson and Piblet Enterprises Ltd** 123 - 123
- To give Bylaw No. 12094 first reading in order to terminate LUC77-1005.
- 3.19. Lakeshore Rd 3969 - BL12095 (Z20-0068) - Steven Carl Wilson and Piblet Enterprises Ltd** 124 - 124
- To give Bylaw No. 12095 first reading in order to rezone the subject property from the C1 – Local Commercial zone to the C2 – Neighbourhood Commercial zone.
- 4. Bylaws for Adoption (Development Related)**
- 4.1. BL12115 (TA20-0020) - City of Kelowna** 125 - 127
- To adopt Bylaw No. 12115 in order to amend the C4 - Urban Centre Commercial zone.
- 5. Non-Development Reports & Related Bylaws**
- 5.1. Lawson Ave 1094 - Repeal Housing Agreement - 1094 Lawson Avenue Ltd., Inc. No. BC1176688** 128 - 129
- To repeal the Housing Agreement Authorization Bylaw No. 9713 for the subject property.
- 5.2. Lawson Ave 1094 - BL12131 - Repeal Housing Agreement Bylaw No. 9713** 130 - 130
- To give Bylaw No. 12131 first, second, and third readings.

5.3.	Underhill St 1960 - Rental Housing Agreement (BL12118)	131 - 132
	To authorize a housing agreement for a purpose-built rental housing project that is pursuing rental housing incentives.	
5.4.	Underhill St 1960 - Housing Agreement Authorization BL12118 - 1940 Underhill Developments Corp., Inc. No. BC1159386	133 - 140
	To give Bylaw No. 12118 first, second and third reading in order to authorize a Housing Agreement on the subject property.	
5.5.	Revitalization Tax Exemption Agreement - January 2021	141 - 157
	To approve a 10-year Revitalization Tax Exemption Agreement for a purpose-built rental housing project in accordance with the Revitalization Tax Exemption Program.	
5.6.	Action Plan 2021	158 - 216
	To inform Council of the more significant actions being undertaken throughout 2021 to deliver on Council priorities 2019 – 2022.	
5.7.	Draft 2040 Official Community Plan and Engagement Launch	217 - 248
	To provide Council with a summary of the 2040 Official Community Plan process and content, and to initiate the Phase 4 public and stakeholder engagement process.	
5.8.	Kelowna Memorial Park Cemetery Bylaw No. 11664	249 - 263
	To update the Kelowna Memorial Park Cemetery Bylaw to adjust fees based on a new cashier computer system, cost increases, and language updates.	
5.9.	BL12124 - Amendment No. 1 to the Kelowna Memorial Cemetery Bylaw No. 11664	264 - 274
	To give Bylaw No. 12124 first, second and third reading.	
5.10.	Kelowna Community Theatre Fee Adjustment for Reopening Under Restrictions	275 - 289
	To provide Council with an overview of the Kelowna Community Theatre temporary fee structure to support recovery efforts as a result of to the COVID-19 pandemic.	
5.11.	BL12119 - Amendment No. 6 to Active Living and Culture Fees and Charges Bylaw No. 9609	290 - 294
	To give Bylaw No. 12119 first, second and third reading.	
5.12.	GEID Boundary Inclusion for (W OF) Hwy 97 N (1207431 BC LTD)	295 - 298
	To approve a request for boundary modification by the Glenmore-Ellison Improvement District.	

- 5.13. ICIP-CVRIS - Adaptation, Resilience and Disaster Mitigation Program Grant Application - Brandt's Creek Crossing at Ellis** 299 - 301

To approve a grant application for the Brandt's Creek crossing at Ellis Street project.

- 5.14. COVID-19 Pandemic Committee Meetings and Public Hearings** 302 - 310

To amend meetings and duties of advisory committees and waive the public hearings for certain rezoning applications during provincial restrictions on gatherings and events.

6. Bylaws for Adoption (Non-Development Related)

- 6.1. BL12098 - Road Closure and Removal of Highway Dedication Bylaw** 311 - 312

To adopt Bylaw No. 12098.

7. Mayor and Councillor Items

8. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, December 7, 2020
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Members participating remotely Councillors Charlie Hodge and Luke Stack

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Urban Planning Manager, Jocelyn Black*; Community Planning & Development Manager, Dean Strachan*; Divisional Director, Financial Services, Genelle Davidson*; Financial Planning Manager, Kevin Hughes*; Infrastructure Engineering Manager, Joel Shaw*; Financial Analyst, Chris Gregson*; Divisional Director, Partnership & Investments, Derek Edstrom*; Parks & Buildings Planning Manager, Robert Parlane*; Community Safety Director, Darren Caul*; Bylaw Services Supervisor, Ken Hunter*

Staff participating remotely Legislative Coordinator (Confidential), Arlene McClelland
 (*Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:37 p.m.

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

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2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0779/20/12/07 THAT the Minutes of the Regular Meetings of November 23, 2020 be confirmed as circulated.

Carried

3. Committee Reports

3.1 Civic Awards Nomination Period

Staff:

- Introduced the 46th Annual Civic & Community Awards presentation and the Chair of the 2018-2022 Civic Awards Committee.

Ellen Boelcke, Chair, Civic Awards Committee, participating remotely

- Displayed a PowerPoint Presentation identifying each category of nominations and responded to question from Council.

Moved By Councillor Donn/Seconded By Councillor Singh

R0780/20/12/07 THAT Council receives, for information, the report from Active Living & Culture, dated December 7th, 2020, that announces the opening of the nomination period for the 46th Annual Civic & Community Awards, including an outline of award categories for the program.

Carried

4. Development Application Reports & Related Bylaws

4.1 **Belaire Ave 1365 and Chandler St 1840-1850, OCP20-0011 (BL12126) Z20-0045 (BL12127) - Multiple Owners**

Staff:

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

Moved By Councillor Given/Seconded By Councillor Donn

R0781/20/12/07 THAT Official Community Plan Map Amendment Application No. OCP20-0011 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Strata Lot 1 and Strata Lot 2 District Lot 137 Osoyoos Division Yale District Strata Plan K25 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1, located at 1840-1850 Chandler Street, Kelowna, BC and Lot 21 District Lot 137 Osoyoos Division Yale District Plan 10011, located at 1365 Belaire Avenue, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MRH – Multiple Unit Residential (High Density) designation, as shown on Map "A" attached to the Report from the Development Planning Department dated December 7, 2020, be considered by Council;

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

AND THAT Rezoning Application No. Z20-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 1 and Strata Lot 2 District Lot 137 Osoyoos Division Yale District Strata Plan K25 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1, located at 1840-1850 Chandler Street, Kelowna, BC and Lot 21 District Lot 137 Osoyoos Division Yale District Plan 10011, located at 1365 Belaire Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM6 – High Rise Apartment Housing zone, as shown on Map "B" attached to the Report from the Development Planning Department dated December 7, 2020, 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 Development Planning Department dated December 7, 2020;

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

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

4.2 Belaire Ave 1365 and Chandler St 1840-1850, BL12126 (OCP20-0011) - Multiple Owners

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0782/20/12/07 THAT Bylaw No. 12126 be read a first time;

AND THAT the Bylaw has been considered in conjunction with the City's Financial Plan and Wastewater Management Plan.

Carried

4.3 Belaire Ave 1365 and Chandler St 1840-1850, BL12127 (Z20-0045) - Multiple Owners

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0783/20/12/07 THAT Bylaw No. 12127 be read a first time.

Carried

4.4 Trumpeter Rd 444 - Z20-0055 (BL12128) - Corinne Jacqueline Marks

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Donn

R0784/20/12/07 THAT Rezoning Application No. Z20-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3 Section 24 Township 28 SDYD, Plan KAP61920 located at 444 Trumpeter Road, Kelowna, BC from the RR3 – Rural Residential 3 zone to the RR3c – Rural Residential 3 with Carriage House zone be considered by Council;

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

Carried

4.5 Trumpeter Rd 444 - BL12128 (Z20-0055) - Corinne Jacqueline Marks

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0785/20/12/07 THAT Bylaw No. 12128 be read a first time.

Carried

4.6 Lakeshore Rd 3787 - 3795 - DP20-0037 - Westcorp on the Lake Inc. Inc. No. A75763

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Sieben

R0786/20/12/07 THAT Council authorizes the issuance of Development Permit No. DP20-0037 for Lot 1, District Lot 134, ODYD, Plan EPP41204 located at 3787 – 3795 Lakeshore Road, 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 for the permit to be issued;

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

Carried

4.7 Laurel Rd 401-407 - DP20-0093 - Gilles Fernand Ladoucer and Anita Jeanette Blaser

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R0787/20/12/07 THAT Council authorizes the issuance of Development Permit No. DP20-0093 for Lot 2 Section 26 Township 26 Osoyoos Division Yale District Plan 21067, located at 401-407 Laurel Road 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.

Carried

5. Bylaws for Adoption (Development Related)

5.1 Snowsell St N 470 - BL12035 (Z20-0009) - Grant Douglas Vestner

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0788/20/12/07 THAT Bylaw No. 12035 be adopted.

Carried

5.2 Mills Rd 320 - BL12114 (Z19-0130) - 1186276 BC Ltd., Inc. No. BC1186276

Moved By Councillor DeHart/Seconded By Councillor Donn

R0789/20/12/07 THAT Bylaw No. 12114 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Preliminary 2021 Financial Plan

Staff:

- Displayed a PowerPoint Presentation providing an overview of the Preliminary 2021 Financial Plan and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Stack

R0790/20/12/07 THAT Council receives, for information, the presentation from Financial Planning and the Infrastructure Engineering Department dated December 7, 2020 with respect to the Preliminary 2021 Financial Plan.

Carried

6.2 10-Year Capital Plan (2020 - 2029)

Staff:

- Displayed a PowerPoint Presentation summarizing the 10 Year Capital Plan and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Hodge

R0791/20/12/07 THAT Council receives for information, the report from the Infrastructure Department dated December 7, 2020, with respect to the 10-Year Capital Plan;

AND THAT Council adopts the 10-Year Capital Plan (2020 to 2029).

Carried

Councillor Donn - Opposed

6.3 Southern Interior Bylaw Adjudication Report to Council 2020

Staff:

- Provided an update on the Bylaw Adjudication System and Adjudication Registry Agreement.

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0792/20/12/07 THAT Council receives, for information, the Report of the Bylaw Services Manager dated December 7, 2020 with respect to the Bylaw Adjudication System Update;

AND THAT Council approves the renewal of the Southern Interior Bylaw Notice Dispute Registry Agreement;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the renewal of the Southern Interior Bylaw Notice Dispute Registry Agreement.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 BL12098 - Road Closure and Removal of Highway Dedication Bylaw

Item to be re-advertised due to the recent Public Health Officer Order and deferred to the January 11, 2021 afternoon meeting.

7.2 BL12113 - Amendment No. 11 to the Solid Waste Management Regulation Bylaw No. 10106

Moved By Councillor DeHart/Seconded By Councillor Donn

R0793/20/12/07 THAT Bylaw No. 12113 be adopted.

Carried

City Clerk:

- Due to the Public Health Officer Order the scheduled December 8, 2020 Public Hearing and Tuesday Regular Meeting need to be rescheduled.

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0794/20/12/07 THAT Council reschedule the Public Hearing and Tuesday Regular Meeting scheduled for Tuesday December 8, 2020 to Tuesday January 12, 2021;

AND THAT Council direct Public Hearings and Tuesday Regular Meetings to be held by means of electronic or other communication facilities, allowing the public and applicants to participate remotely.

Carried

8. Mayor and Councillor Items

Councillor Hodge:

- Expressed condolences to the McGauley family for the loss of Dan McGauley.

Councillor Stack:

- Inquired about the process of delegating authority for the approval of development applications during COVID-19 restrictions.

Mayor Basran:

- Confirmed that staff will bring forward a report to Council at the first meeting in January, 2021.

Councillor Sieben:

- Encouraged citizens to buy local and support local businesses and restaurants in their gift giving.

Councillor DeHart:

- Spoke to a Chamber of Commerce video campaign encouraging citizens to support local businesses.

Councillor Wooldridge:

- Encouraged citizens to support local business and their employees.

- Will be attending the virtual Community Hot Seat Fundraiser for The Bridge Youth Recovery House with Mayor Basran.

Councillor Singh:

- Spoke to the International farming protests in Germany and India and offered support.
- Spoke to the need for courage in the upcoming weeks and months due to Covid-19.

Councillor Given:

- Tourism Kelowna website is a good resource with great ideas on how to enjoy the holiday season safely and support local businesses.

Mayor Basran:

- Reminded citizens to be kind and respectful to one another during this time.

9. Termination

This meeting was declared terminated at 4:21 p.m.

Mayor Basran

/acm

City Clerk



City of Kelowna Regular Council Meeting Minutes

Date: Thursday, December 10, 2020
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Brad Sieben, Mohini Singh, Loyal Wooldridge

Members Participating Remotely Councillors Charlie Hodge and Luke Stack

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Financial Services, Genelle Davidson*; Financial Planning Manager, Kevin Hughes; Budget Supervisor, Melanie Antunes; Divisional Directors*, Directors*, Department Managers*, Managers* and Supervisors* of the Civic Operations Division, Infrastructure Division, Corporate & Protective Services Division, Corporate Strategic Services Division, Active Living & Culture Division, Partnership & Investments Division, Planning & Development Services Division and Kelowna International Airport

(*Denotes partial attendance)

1. Call to Order

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

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2. Budget Discussion Schedule

2.1 Opening Comments

The Mayor and City Manager each made opening comments.

2.2 2021 Financial Plan - Preliminary Volume

Note: - Page numbers referenced in the resolutions are from the 2021 Financial Plan Preliminary - Volume 1 book. The term "star" in the resolutions may be read as "to defer".

3. Capital Program

3.1 Airport - Operating and Capital Requests

There were no amendments to the Airport Operating and Capital Program budgets as presented.

3.2 Fire - Operating and Capital Requests

There were no amendments to the Kelowna Fire Department Operating and Capital Program budgets as presented.

3.3 Information Services Capital & Corporate Strategic Services Operating

There were no amendments to the Information Services Capital and Corporate Strategic Services Operating Program budgets as presented.

3.4 Real Estate & Parking

Moved By Councillor Hodge/Seconded By Councillor Stack

B001/20/12/10 THAT Council star Cook Road Boat Launch – Asphalt Renewal item on page 371 for further discussion later in the meeting.

Defeated

Mayor Basran; Councillors DeHart; Donn; Given; Sieben, Singh, Stack and Wooldridge - Opposed

3.5 Building

Moved By Councillor Sieben/Seconded By Councillor Stack

B002/20/12/10 THAT Council star City Hall – Renovations, Phase IV & V item on page 377 for further discussion later in the meeting.

Carried

Mayor Basran; Councillors Donn and Given - Opposed

3.6 Parks

There were no amendments to the Parks Capital Program budget as presented.

3.7 Vehicle & Mobile Equipment

There were no amendments to the Vehicle & Mobile Equipment Capital Program budget as presented.

3.8 Transportation

Staff recommended an amendment be made to the 2021 Financial Plan Preliminary – Volume 1 as presented.

Moved By Councillor Sieben/Seconded By Councillor Donn

B003/20/12/10 THAT Council amend the Operating Impact on-going Cost for Active Transportation Corridor/Bicycle Network Expansion item on page 416 from \$20,000 to \$3,800.

Carried

The meeting recessed at 10:43 a.m.

The meeting reconvened at 10:58 a.m.

3.9 Water

There were no amendments to the Water Capital Program budget as presented.

3.10 Wastewater

There were no amendments to the Wastewater Capital Program budget as presented.

3.11 Solid Waste

There were no amendments to the Solid Waste Capital Program budget as presented.

3.12 Storm Drainage

There were no amendments to the Storm Drainage Capital Program budget as presented.

4. Operating Program

4.1 City Administration

There were no amendments to the City Administration Operating Program budget as presented.

4.2 City Clerk

There were no amendments to the City Clerk Operating Program budget as presented.

4.3 Planning & Development Services

Moved By Councillor Wooldridge/Seconded By Councillor Stack

Boo4/20/12/10 THAT Council star Champion of the Environment Term Position item on page 145 for further discussion later in the meeting.

Carried
Mayor Basran; Councillors Donn and Given - Opposed

4.4 Partnerships & Investments

Moved By Councillor Singh/Seconded By Councillor Stack

Boo5/20/12/10 THAT Council star Building Master Plan item on page 158 for further discussion later in the meeting.

Carried
Mayor Basran; Councillors Donn and Given - Opposed

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

Boo6/20/12/10 THAT Council directs staff to delay the hiring of the currently posted Partnerships Office Director position and delay hiring the Intergovernmental Relations Manager Position item on page 161 until Council holds a workshop on the Partnerships Office.

Carried

5. Lunch Break – see below

The meeting recessed for lunch at 12:37 p.m.

The meeting reconvened at 1:28 p.m.

6. Operating Program (continued)

6.1 Infrastructure

Staff recommended an amendment be made to the 2021 Financial Plan Preliminary - Volume 1 as presented.

Moved By Councillor Donn/Seconded By Councillor Sieben

Boo7/20/12/10 THAT Council amend the funding source for the Transit Base Operating Costs item on page 175 of \$2,844,400 from "Reserve" to "Fed/Prov" to reflect funding received through the Government of Canada and Province of BC Safe Restart Plan.

Carried

Moved By Councillor Wooldridge/Seconded By Councillor Stack

Boo8/20/12/10 THAT Council star Bike Lane Snow Clearing Study item on page 183 for further discussion later in the meeting.

Carried

Mayor Basran - Opposed

6.2 Civic Operations

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

Boo9/20/12/10 THAT Council star Sport Court Cleaning item on page 210 for further discussion later in the meeting.

Carried

Mayor Basran; Councillors Given, Singh and Sieben - Opposed

6.3 Water Utility

There were no amendments to the Water Utility Operating Program budget as presented.

6.4 Wastewater Utility

There were no amendments to the Wastewater Utility Operating Program budget as presented.

6.5 Active Living & Culture

Moved By Councillor Wooldridge/Seconded By Councillor Singh

Bo10/20/12/10 THAT Council star Journey Home Funding item on page 254 for further discussion later in the meeting.

Carried

Councillor Stack - Opposed

6.6 Corporate & Protective Services - HR & Risk Management

There were no amendments to the Corporate & Protective Services – HR & Risk Management Operating Program budget as presented.

6.7 Corporate & Protective Services - Community Safety

There were no amendments to the Corporate & Protective Services – Community Safety Operating Program budget as presented.

6.8 Financial Services

There were no amendments to the Financial Services Operating Program budget as presented.

6.9 Debt & Other

There were no amendments to the Debt & Other Operating Program budget as presented.

6.10 General Revenues

There were no amendments to the General Revenues Operating Program budget as presented.

7. Break

The meeting recessed at 3:14 p.m.

The meeting reconvened at 3:28 p.m.

8. Wrap-Up & Discussion

Council made no changes to the starred Sports Court Cleaning item on page 210 and it remains a P2 item.

Council made no change to the Bike Lane Snow Clearing Study item on page 183 and it remains a P2 item.

Moved By Councillor Donn/Seconded By Councillor Sieben

B011/20/12/10 THAT Council amend the funding source for the Building Master Plan item on page 158 of \$125,000 for 2021 and 2022 from "Taxation" to "Reserve" to reflect the source of the funding is the Municipal Works Reserve.

Carried

Moved By Councillor Given/Seconded By Councillor Donn

B012/20/12/10 THAT Council direct staff to invite representatives from the Central Okanagan Journey Home Society to present to Council prior to Final Budget;

AND THAT the Journey Home Funding item on page 254 remain a P2 item.

Carried

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

B013/20/12/10 THAT Council amend the funding source for the Champion of the Environment Term Position item on page 145 of \$197,000 for 2021 and 2022 from "Taxation" to "Reserve" to reflect the source of the funding is the Environmental Contingency Reserve.

Carried

Councillors Hodge and Stack - Opposed

Moved By Councillor Sieben/Seconded By Councillor Donn

B014/20/12/10 THAT Council direct staff to report back on costs to repair the Edith Gay Park baseball diamond netting prior to Final Budget.

Carried

Moved By Councillor Given/Seconded By Councillor Hodge

B015/20/12/10 THAT the 2021 Financial Plan, Preliminary – Volume 1, as amended by Council, and resulting in a 4.04% tax increase, be approved subject to Final Budget considerations.

Carried

The meeting was declared terminated at 5:00 p.m.

Mayor Basran

/sf/acm



City Clerk

DRAFT

REPORT TO COUNCIL



Date: January 11, 2021

To: Council

From: City Manager

Department: Development Planning

Application:	Z20-0021	Owner:	Gordon Kirschner , Heidi-Sabine Kirschner , Donald Kirschner, Amy Kirschner, Allen Kirschner & Angelica Kirschner
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Address:	2980 Gallagher Road	Applicant:	Kirschner Mountain Joint Venture
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Subject: Timing and Standard of Upgrades for Loseth Road and Gallagher Road

1.0 Recommendation

THAT Council receives, for information, the report from the Development Planning Department dated January 11, 2021 with respect to upgrades for Loseth Road and Gallagher Road.

2.0 Purpose

To provide Council with further information on the timing and standard of upgrades to Loseth Road and Gallagher Road in regards to proposed rezoning and multi-family development at 2980 Gallagher Road.

3.0 Development Planning

At the June 23, 2020 Public Hearing for application Z20-0021, discussion surrounding the extension of Loseth Road connection to Gallagher Road and safety concerns of residents were raised. As staff were not able to provide further details on timing and standard of the road extensions or potential upgrades at the time, Council requested further clarification be provided prior to the associated Development Permit and Development Variance Permit being brought forward for Council consideration.

Due to requirements around Public Hearings, staff note that no new information can be introduced or discussed by staff or Council as part of this report. The following information is provided directly in response to Council's request for further information on timing and standards of Loseth Road and Gallagher Road as discussed at the Public Hearing:

1. Loseth Road will be constructed to an urban standard for the entire length of the development frontage proposed in this development.

2. The remainder of Loseth Road to Gallagher Road will be improved to an emergency access standard and gated (closed) for emergency access only until future phases of development complete the remaining sections.
3. The existing conditions, and safety concerns on the portions of Gallagher Road have been raised and evaluated by staff and will be considered as part of the City's operational improvements.

As Loseth Road will not connect to Gallagher Road at this time, safety improvements to Gallagher Road are not being required as part of this development proposal. They will however be considered through the City's standard operational improvements.

4.0 Application Chronology

Date of Application Received:	March 5, 2019
Date Public Consultation Completed:	May 11, 2020
Date of Public Hearing:	June 23, 2020
Informational Report:	January 11, 2021

Report prepared by:	Wesley Miles, Planner Specialist
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Approved for Inclusion:	Terry Barton, Development Planning Department Manager



Z20-0021

2980 Gallagher Road

Report for Information



Proposal

- ▶ To provide Council with further information on the timing and standard of upgrades to Loseth Road and Gallagher Road in regards to proposed rezoning and multi-family development at 2980 Gallagher Road.

Development Process

March 5, 2019

Development Application Submitted



Staff Review & Circulation



May 11, 2019

Public Notification Received



May 25, 2020

Initial Consideration



June 23, 2020

Public Hearing
Second & Third Readings



Jan 11, 2021

Report for Information



Final Reading
Development Permit/DVP

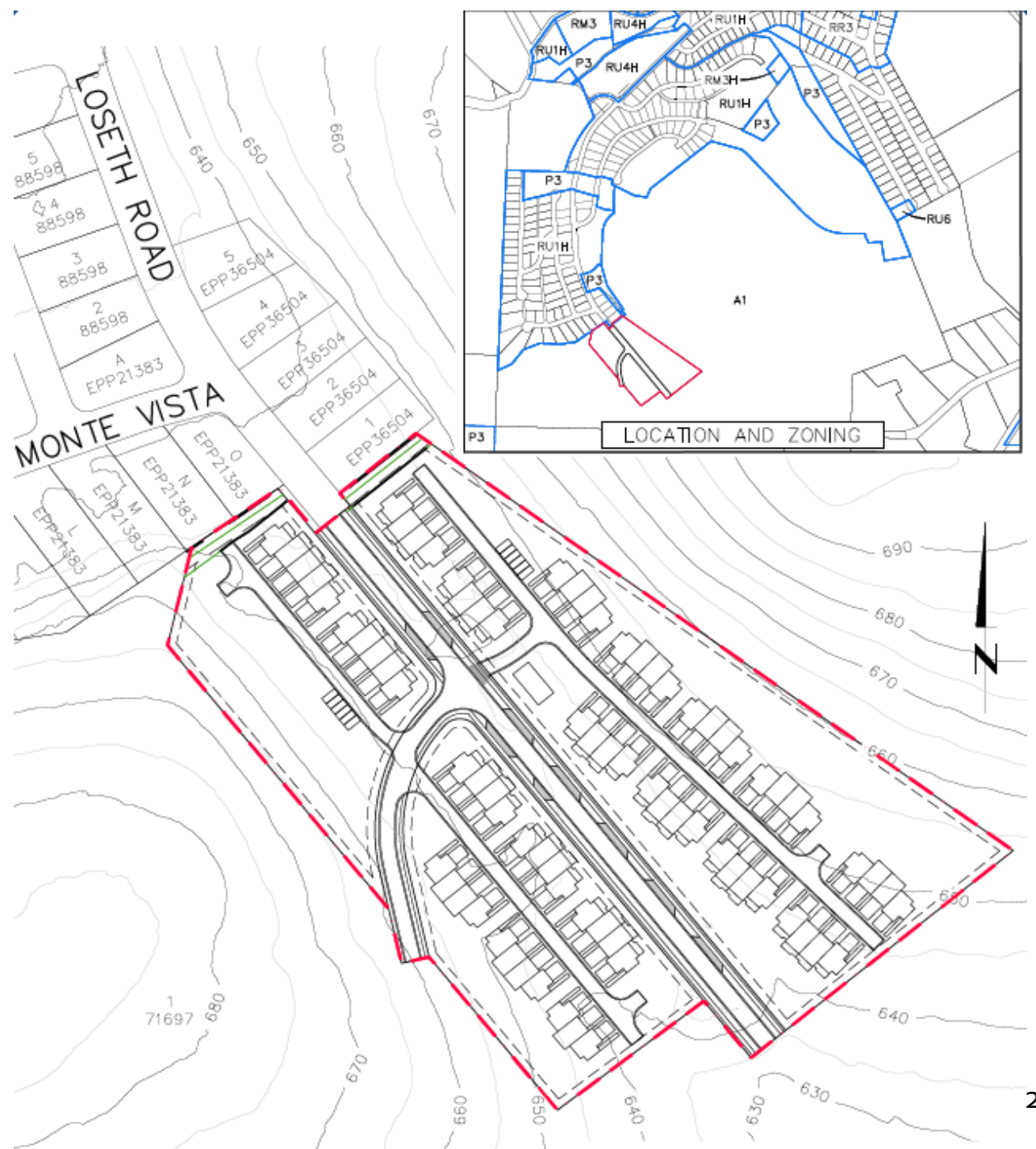
Council
Approvals



Context Map



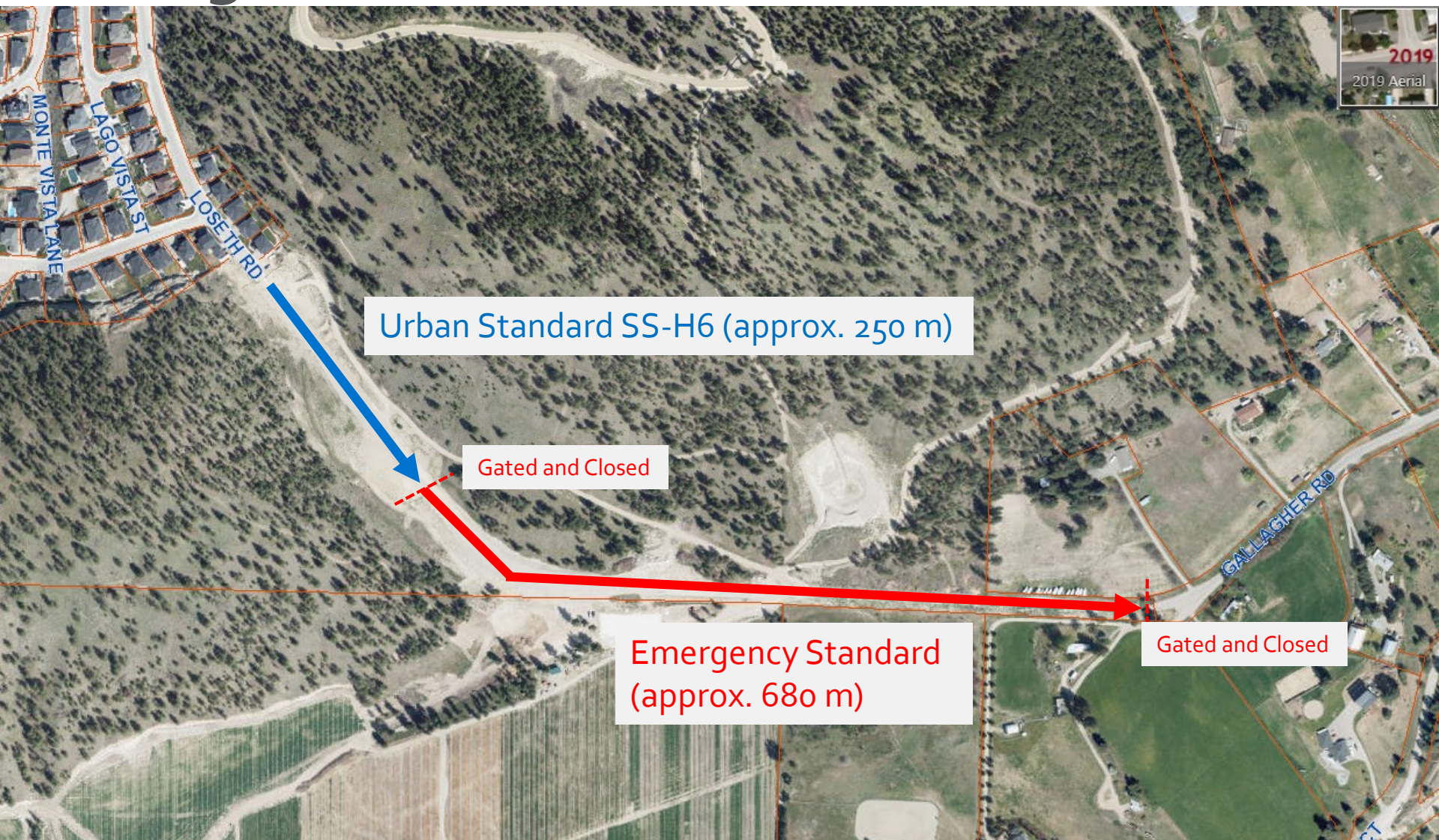
Site Plan



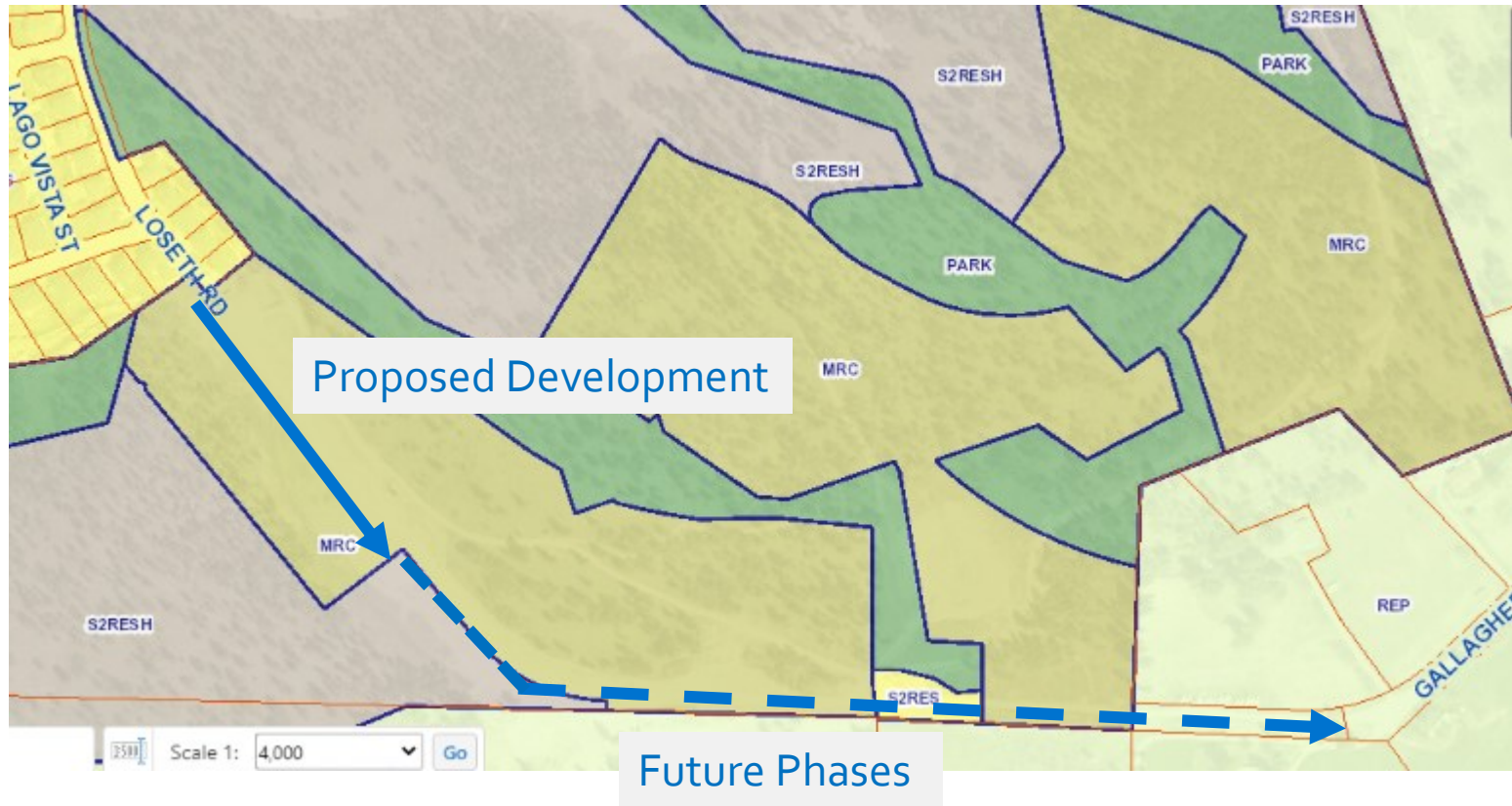
Standards and Timing

- ▶ Loseth Road will be constructed to an urban standard for the entire length of the development frontage proposed in this development.
- ▶ The remainder of Loseth Road to Gallagher will be improved to an emergency access standard and gated (closed) for emergency access only until future phases of development complete the remaining sections.
- ▶ The existing conditions, and safety concerns on the portions of Gallagher Road have been raised and evaluated by staff and will be considered as part of the City's operational improvements.

Road Improvements (Standards and Timing)



Future Phases





Conclusion of Staff Remarks

REPORT TO COUNCIL



Date: January 11, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: LUCT18-0013/Z18-0092 **Owner:** Mark Fipke

Address: 5064 Lakeshore Road **Applicant:** The City of Kelowna

Subject: Land Use Contract Termination and Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: A1 – Agriculture 1

Proposed Zone: RR2 – Rural Residential 2

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT18-0013 to terminate LUC77-1012 from Lot A Section 23 Township 28 SDYD Plan 30063, located at 5064 Lakeshore Road, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z18-0092 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 23 Township 28 SDYD Plan 30063, located at 5064 Lakeshore Road, Kelowna, B.C. from the A1 – Agriculture 1 to the RR2 – Rural Residential 2 zone be considered by Council;

AND THAT Council waive the development sign requirement under Public Notification & Consultation for Development Applications No. 367 for Rezoning Bylaw No. 11939;

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider an application to proceed with the early termination of Land Use Contract 77-1012 and rezone the subject property.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC 77-1012) be terminated and for the subject property to be rezoned. The underlying zone is A1 – Agriculture 1 and is not appropriate for the current land use. The current use is a single-family home, which is permitted in the Land Use Contract. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. The RR2 – Rural Residential 2 zone is the most appropriate zone to match the use and it matches the surrounding neighbourhood. Therefore, Staff are proposing to adopt the RR2 – Rural Residential 2 zone to the subject property. This zone is in accordance with the Official Community Plan.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Staff are recommending Council Notification Policy #367 development signage requirements be waived for this Rezoning application. A development sign, in this case, is not recommended as the proposed zoning does not afford notable additional uses.

4.3 Site Context

The subject property has a total area of 5,018m² and is located on Lakeshore Road. The property is designated S2RES – Single/Two Unit Residential in the Official Community Plan and the surrounding area is rural residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	W1 – Recreational Water Use	Okanagan Lake
East	RR2 – Rural Residential 2	Single-Family Dwelling
South	RR3 – Rural Residential 3	Single-Family Dwelling
West	RR2 – Rural Residential 2	Single-Family Dwelling

Subject Property Map: 5064 Lakeshore Road



5.0 Current Development Policies

Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

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

6.0 Application Chronology

Date of Application Received: August 20th, 2018
Date Public Consultation Completed: November 19th, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager



LUCT18-0012/z18-0092

5064 Lakeshore Road

Land Use Contract Termination and Rezoning Application



Proposal

- ▶ To terminate the Land Use Contract (LUC77-1012) and to rezone the property from A1 – Agriculture 1 to RR2 – Rural Residential 2

Development Process

Aug 20, 2018

LUC Termination Initiated by Staff



Nov 19, 2020

Public Notification Completed



Jan 11, 2021

Initial Consideration



Public Hearing (LUC)
Second & Third Readings

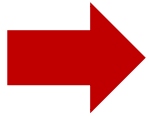


Final Reading



LUC Eliminated (1 year later)

Council
Approvals



Context Map



[illegible]

Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.

Project Details

- ▶ Staff initiated the termination of LUC77-1012.
- ▶ Staff are proposing to adopt the RR2 – Rural Residential 2 zone, which allows for the existing use.
- ▶ If successful, all properties will get full use of current RR2 zone, one year after termination date.

Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to the property owner in the LUC area.
 - ▶ Sent on November 19th, 2020
- ▶ One-year grace period from Council consideration before full uses of RR2 – Rural Residential 2 zone (as per Zoning Bylaw no. 8000).

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed land use contract termination:
 - ▶ The proposed zone RR2 is appropriate for the area.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 11939

LUCT18-0013

Early Termination of Land Use Contract LUC77-1012

5064 Lakeshore Road

WHEREAS a land use contract (the "Land Use Contract LUC77-1012") is registered at the Kamloops Land Title Office under the charge number N43260 against lands in the City of Kelowna particularly known and described as Lot A, Section 23, Township 28, SDYD, Plan 30063 (the "Lands"), located at Lakeshore Road, 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 LUCT18-0013 Bylaw No. 11939";
2. Land Use Contract Bylaw No. 4602-78 establishing Land Use Contract LUC77-1012 and all amendments thereto, are hereby repealed and the Land Use Contract is 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.

Considered at a Public Hearing this

Read a second and third time by Municipal Council on the

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11963
Z18-0092 –5064 Lakeshore 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 A Section 23 Township 28 SDYD Plan 30063 located on Lakeshore Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RR2 – Rural Residential 2 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: January 11, 2020

To: Council

From: City Manager

Department: Development Planning Department

Application: Z20-0062 / LUCT20-0003 **Owner:** Hofa Transport Group Ltd.,
Inc.No. BC1096204

Address: 2890 Hwy 97 N **Applicant:** The City of Kelowna

Subject: Land Use Contract Termination and Rezoning Application

Existing OCP Designation: IND – Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I2 – General Industrial

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0003 to terminate LUC76-1 from Lot A Section 34 Township 26 ODYD Plan 30847, located at 2890 Hwy 97 N, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 34 Township 26 ODYD Plan 30847, located at 2890 Hwy 97 N, Kelowna, B.C. from the A1 – Agriculture 1 zone to the I2 – General Industrial zone be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's boulevard;

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

2.0 Purpose

To consider an application to rezone the subject property and proceed with the early termination of Land Use Contract LUC76-1.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC76-1) be terminated and for the subject property to be rezoned. The underlying zone is A1 – Agriculture 1 and is not appropriate for the current land use. The current use is minor recreational vehicle sales and contractor services. These uses are currently permitted in the Land Use Contract, under the former Zoning Bylaw 4500's C7 – Service Commercial zone. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. The I2 – General Industrial zone is the most appropriate to match the use, as it allows for both existing uses, it matches the surrounding area and it meets the Future Land Use Designation of IND – Industrial. Therefore, Staff are proposing to adopt the I2 – General Industrial zone to the subject property.

The existing Land Use Contract (LUC) affects one property at 2890 Hwy 97 N, and currently restricts the uses to Bylaw 4500's C7 – Service Commercial zone. The Land Use Contract uses and regulations largely fit within the I2 – General Industrial zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property.

4.3 Site Context

The subject property has a total area of 2,711m² and is located on 2890 Hwy 97 N. The property has been designated IND – Industrial in the Official Community Plan and the surrounding area is a mix of SC – Service Commercial, IND – Industrial and COMM – Commercial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C9 – Tourist Commercial	Amusement arcade and establishment
East	A1 – Agriculture 1 (Under LUC77-1004) / TC – Transit Corridor	General industrial uses
South	C10 – Service Commercial	Vacant
West	C10 – Service Commercial	Automotive and minor recreation vehicle sales/rentals

Subject Property Map: 2890 Hwy 97 N



5.0 Current Development Policies

5.1 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

5.2 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Industrial (IND): Light and heavy industrial uses as well as Industrial/Business activities and airport related industrial uses. Industrial/business refers to uses that provide services and support to industrial and business customers. This designation may also include CD Comprehensive Development zoning that provides for industrial uses.

6.o Application Chronology

Date of Application Received: August 12th, 2020

Date Public Consultation Completed: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager



LUCT20-0003 / Z20-0062

2890 Hwy 97 N

Land Use Contract Termination and Rezoning Application



Proposal

- ▶ To terminate the Land Use Contract (LUC76-1) and to rezone the subject properties from A1 – Agriculture 1 zone to I2 – General Industrial zone.

Development Process

Aug 12, 2020

LUC Termination Initiated by Staff



Oct 1, 2020

Public Notification Completed



Jan 11, 2021

Initial Consideration



Public Hearing
Second & Third Readings

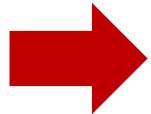


Final Reading



LUC Eliminated (1 year later)

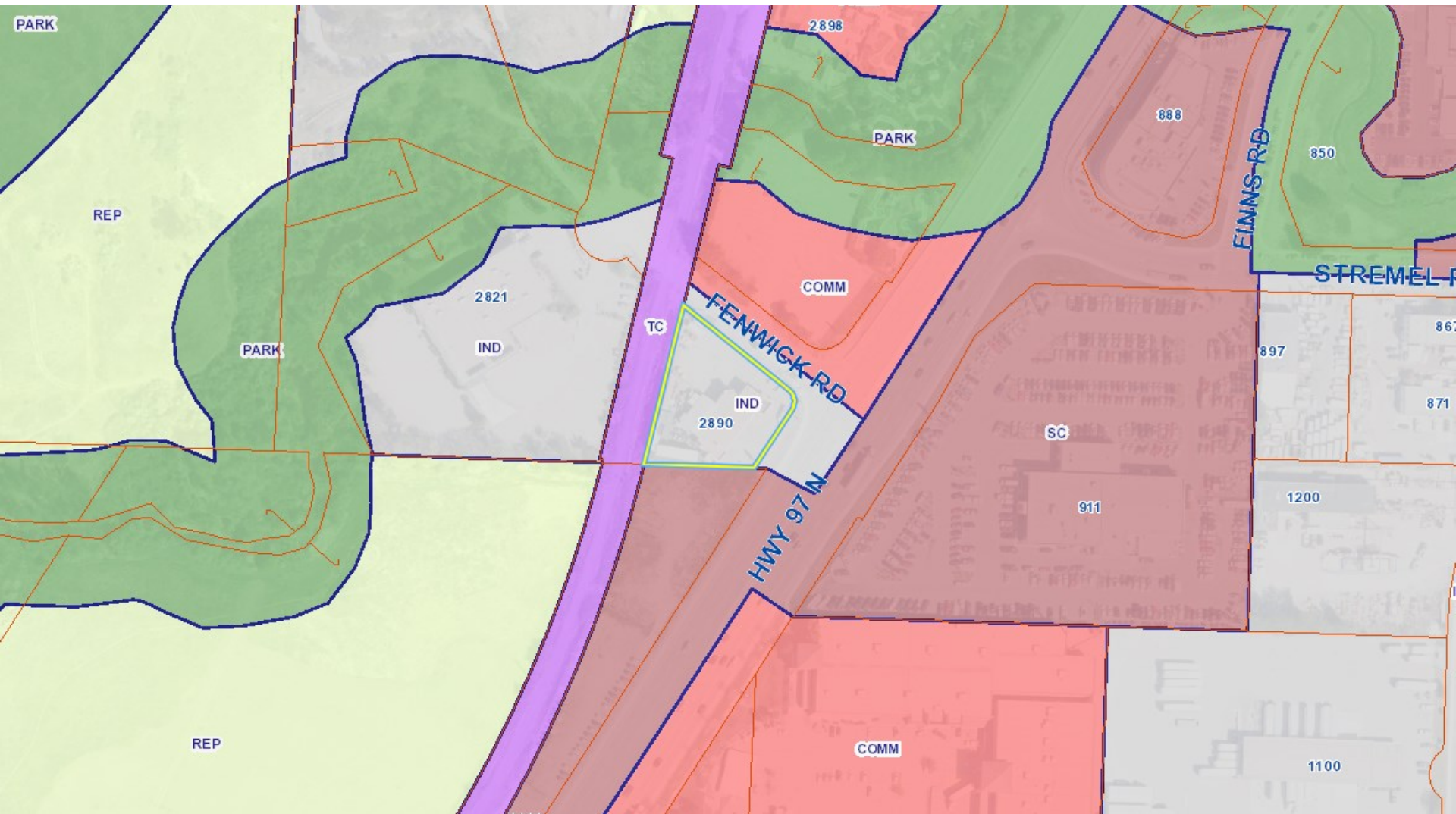
Council
Approvals



Context Map



OCP Future Land Use



Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- ▶ If an applicant initiates a discharge – Staff initiate a termination

Project Details

- ▶ Staff initiated termination of LUC76-1 for the subject property.
- ▶ The LUC allows them to operate a recreational vehicle sales business and all uses within C7 – Service Commercial in Zoning Bylaw no. 4500.
- ▶ Staff are proposing to adopt I2 – General Industrial, which allows for all existing uses and meets the Future Land Use.

Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
 - ▶ Sent on Oct 1st, 2020
- ▶ One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
 - ▶ I2 zone is appropriate to support existing use.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12069

LUCT20-0003

Early Termination of Land Use Contract – LUC76-1 2890 Highway 97 North

WHEREAS a land use contract (the "Land Use Contract LUC76-1") is registered at the Kamloops Land Title Office under the charge number M11971 against land in the City of Kelowna particularly known and described as Lot A Section 34 Township 26 ODYD Plan 30847 (the "Land"), located on Highway 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 Bylaw No. 12069";
2. Land Use Contract Bylaw No. 4131 establishing Land Use Contract LUC76-1 and all amendments thereto, are hereby repealed and the Land Use Contract is 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

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12070
Z20-0062
2890 Highway 97 North

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 Section 34 Township 26 ODYD Plan 30847 located at Highway 97 North, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

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: January 11th, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0063 / LUCT20-0004

Owner: Heartwood Investments Ltd.,
Inc.No. 352195

Address: 251 Adams Rd

Applicant: The City of Kelowna

Subject: Rezoning Application and Land Use Contract Termination

Existing OCP Designation: IND – Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I2 – General Industrial

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0004 to terminate LUC77-1047 from Lot A Section 2 Township 23 ODYD Plan 33555 Except Plan EPP52727, located at 251 Adams Road, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0063 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 2 Township 23 ODYD Plan 33555 Except Plan EPP52727, located at 251 Adams Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the I2 – General Industrial zone be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's boulevard;

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

2.0 Purpose

To consider an application to proceed with the early termination of Land Use Contract LUC77-1047 and rezone the subject property.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC77-1047) be terminated and for the subject property to be rezoned. The underlying zone is A1 – Agriculture 1 and is not appropriate for the current land use. The current use is custom indoor manufacturing. These uses are currently permitted in the Land Use Contract, under the former Zoning Bylaw 4500's I1 – Light Industrial and Warehouse. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. The I2 – General Industrial zone is the most appropriate to match the use, as it allows for the existing uses, it matches the surrounding area and it meets the Future Land Use Designation of IND – Industrial. Therefore, Staff are proposing to adopt the I2 – General Industrial zone to the subject property.

The existing Land Use Contract (LUC) affects one property at 251 Adams Road and currently restricts the uses to Bylaw 4500's I1 – Light Industrial and Warehouse. The Land Use Contract uses, and regulations largely fit within the I2 – General Industrial zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest the Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City Kelowna's boulevard, rather than on the subject property.

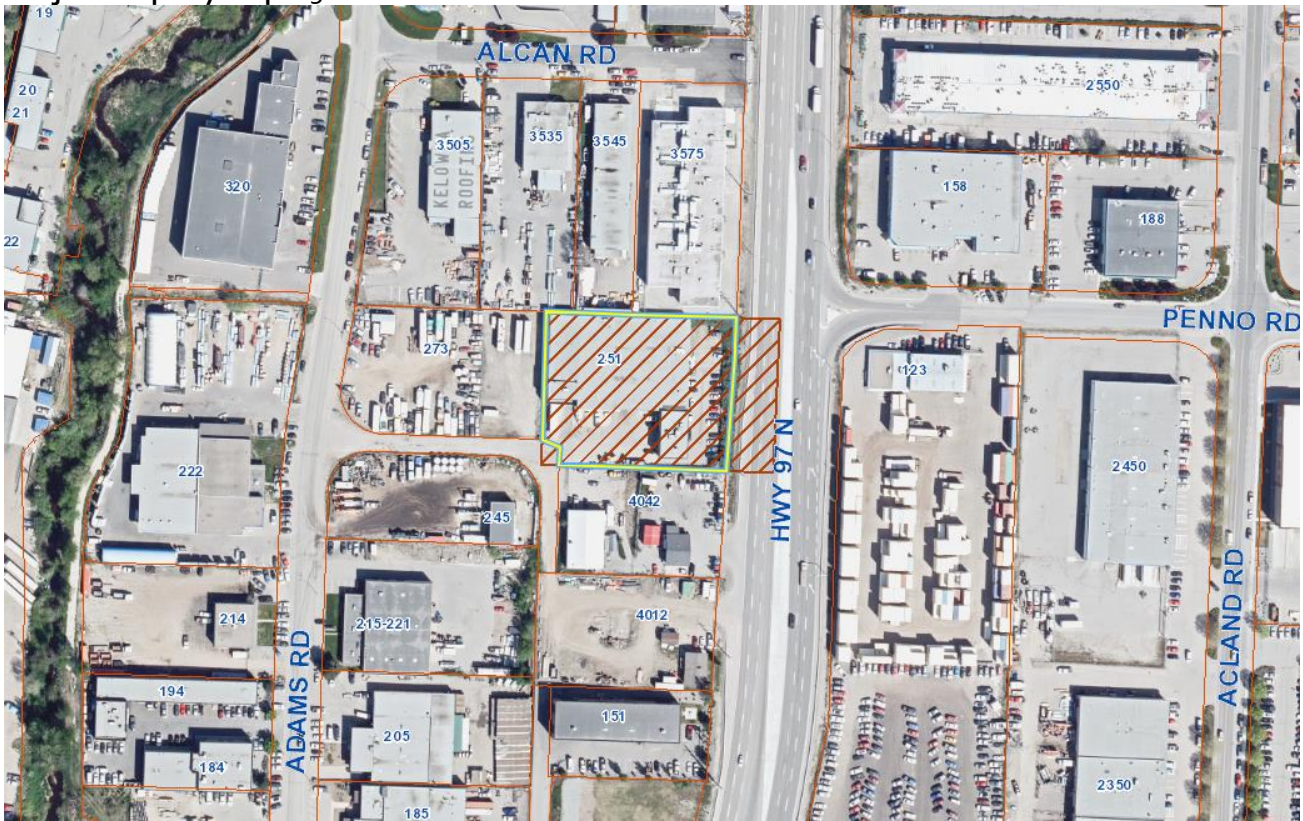
4.3 Site Context

The subject property has a total area of 5,115m² and is located on 251 Adams Road. The property has been designated IND – Industrial in the Official Community Plan and the surrounding area is IND – Industrial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial	General Industrial Uses
East	I2 – General Industrial	General Industrial Uses
South	I2 – General Industrial	General Industrial Uses
West	I2 – General Industrial	General Industrial Uses

Subject Property Map: 251 Adams Road



5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

5.2 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Industrial (IND): Light and heavy industrial uses as well as Industrial/Business activities and airport related industrial uses. Industrial/business refers to uses that provide services and support to industrial and business customers. This designation may also include CD Comprehensive Development zoning that provides for industrial uses.

6.o **Application Chronology**

Date of Application Received: August 5th, 2020
Date Public Consultation Completed: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager



LUCT20-0004/ Z20-0063

251 Adams Road

Land Use Contract Termination and Rezoning Application



Proposal

- ▶ To terminate the Land Use Contract (LUC77-1047) and to rezone the subject properties from A1 – Agriculture 1 zone to I2 – General Industrial zone.

Development Process

Aug 5, 2020

LUC Termination Initiated by Staff



Oct 1, 2020

Public Notification Completed



Jan 11, 2021

Initial Consideration



Public Hearing
Second & Third Readings

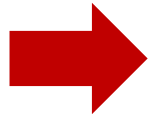


Final Reading

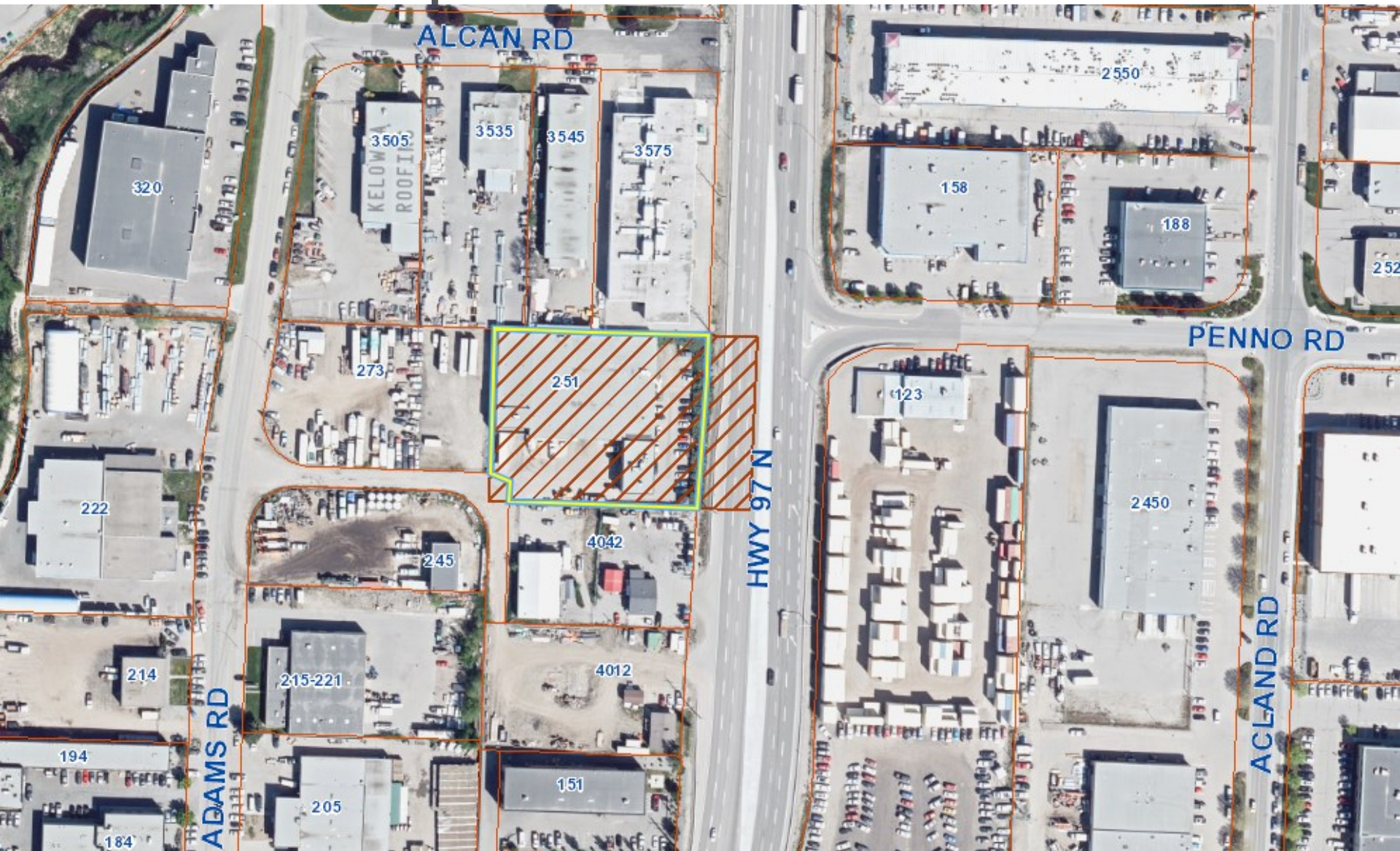


LUC Eliminated (1 year later)

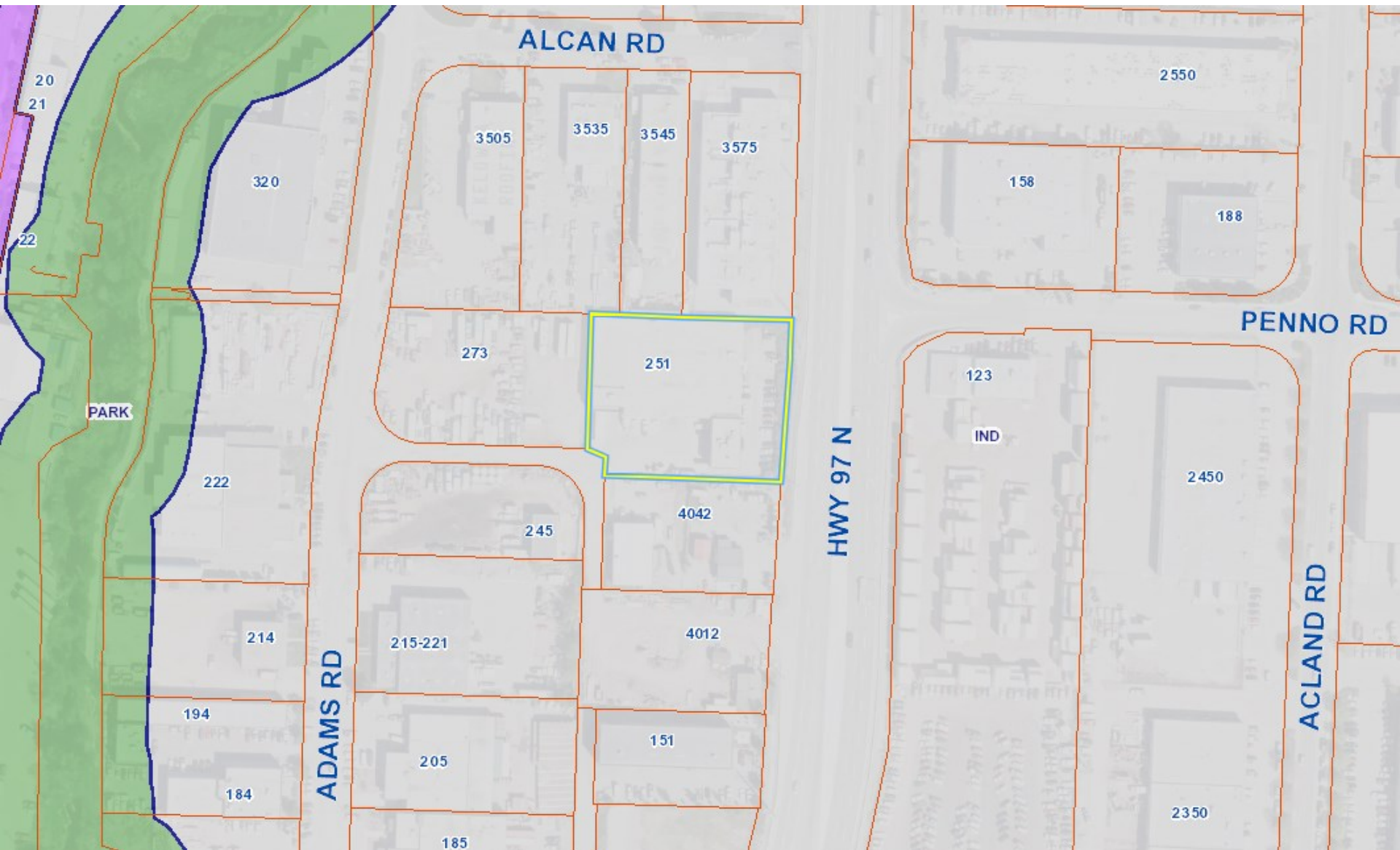
Council
Approvals



Context Map



OCP Future Land Use



Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- ▶ If an applicant initiates a discharge – Staff initiate a termination

Project Details

- ▶ Staff initiated termination of LUC77-1047 for the subject property.
- ▶ The LUC allows them to operate custom indoor manufacturing business and all uses within I1 – Light Industrial / Manufacturing in Zoning Bylaw no. 4500.
- ▶ Staff are proposing to adopt I2 – General Industrial, which allows for all existing uses and meets the Future Land Use.

Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
 - ▶ Sent on Oct 1st, 2020
- ▶ One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
 - ▶ I2 zone is appropriate to support existing use.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12071

LUCT20-0004

Early Termination of Land Use Contract – LUC77-1047 251 Adams Road

WHEREAS a land use contract (the "Land Use Contract LUC77-1047") is registered at the Kamloops Land Title Office under the charge number N30953 against land in the City of Kelowna particularly known and described as Lot A Section 2 Township 23 ODYD Plan 33555 Except Plan EPP52727 (the "Land"), located on Adams Road, 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 Bylaw No. 12071";
2. Land Use Contract Bylaw No. 4524-78 establishing Land Use Contract LUC77-1047 and all amendments thereto, are hereby repealed and the Land Use Contract is 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

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12072

Z20-0063

251 Adams 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 A Section 2 Township 23 ODYD Plan 33555 Except Plan EPP52727 located at Adams Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

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: January 11, 2020

To: Council

From: City Manager

Department: Development Planning Department

Application: Z20-0064 / LUCT20-0005 **Owner:** Sapphire Construction Ltd.,
Inc.No. 84820

Address: 1511 Sutherland Ave **Applicant:** The City of Kelowna

Subject: Land Use Contract Termination and Rezoning Application

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

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: C3 – Community Commercial

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0005 to terminate LUC77-1061 from Lot A District Lot 141 ODYD Plan 31346, located at 1511 Sutherland Ave, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0064 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 141 ODYD Plan 31346, located at 1511 Sutherland Ave, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the C3 – Community Commercial zone be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's Boulevard;

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

2.0 Purpose

To consider an application to rezone the subject property and proceed with the early termination of Land Use Contract LUC77-1061.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC77-1061) be terminated and for the subject property to be rezoned. The underlying zone is RU1 – Large Lot Housing and is not appropriate for the current land use. The current uses are retail stores, personal service establishments, health services, financial services and a thrift store. These uses are currently permitted in the Land Use Contract, under the former Zoning Bylaw 4500's C3 – Community Commercial zone. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. Although the C3 – Community Commercial zone doesn't match the Future Land Use of MXR – Mixed Use (Residential / Commercial), this is the most appropriate zone, as it allows for most of the existing uses and it matches the surrounding area. Any uses that don't fit in the C3 zone can remain and will be considered legal non-conforming. Therefore, Staff are proposing to adopt the C3 – Community Commercial zone to the subject property.

The existing Land Use Contract (LUC) affects one property at 1511 Sutherland Ave, and currently restricts the uses to Bylaw 4500's C3 – Community Commercial zone. The Land Use Contract uses, and regulations largely fit within the C3 – Community Commercial zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property.

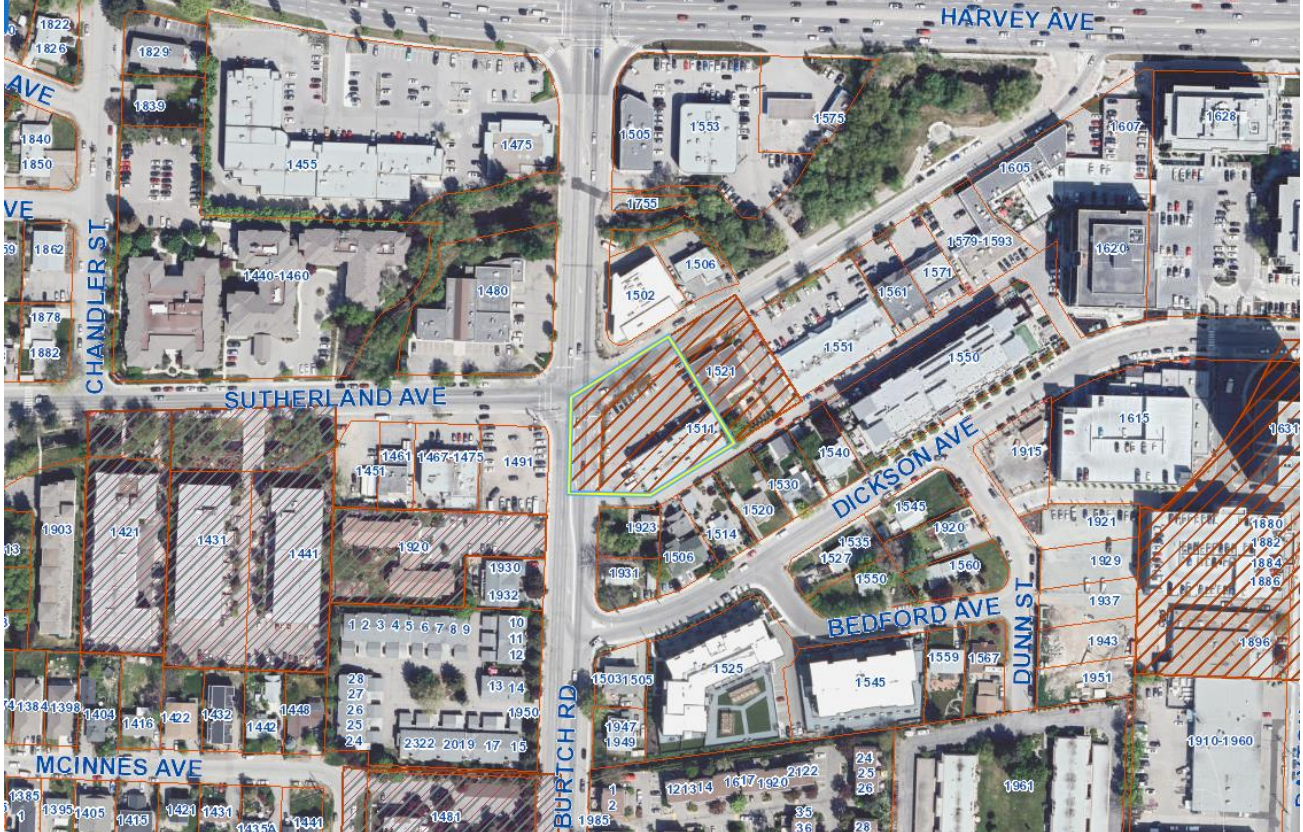
4.3 Site Context

The subject property has a total area of 2,487m² and is located on 1511 Sutherland Ave. The property has been designated MXR – Mixed Use (Residential / Commercial) in the Official Community Plan and the surrounding area is a mix of MXR – Mixed Use (Residential / Commercial), MRM – Multiple Unit Residential (Medium Density) and PARK – Major Park / Open Space (public).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 – Community Commercial	Retail stores
East	C3 – Community Commercial (Under LUC78-1004)	Childcare centre, major
South	RU1 – Large Lot Housing	Single-family home(s)
West	C3 – Community Commercial	Vacant (former gas bar)

Subject Property Map: 1511 Sutherland Ave



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

5.2 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

6.0 Application Chronology

Date of Application Received: August 5th, 2020
 Date Public Consultation Completed: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager



LUCT20-0005 / Z20-0064

1511 Sutherland Ave

Land Use Contract Termination and Rezoning Application



Proposal

- ▶ To terminate the Land Use Contract (LUC77-1061) and to rezone the subject properties from RU1 – Large Lot Housing zone to C3 – Community Commercial Zone.

Development Process

Aug 5, 2020

LUC Termination Initiated by Staff



Oct 1, 2020

Public Notification Completed



Jan 11, 2021

Initial Consideration



Public Hearing
Second & Third Readings

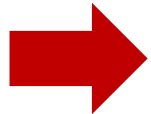


Final Reading



LUC Eliminated (1 year later)

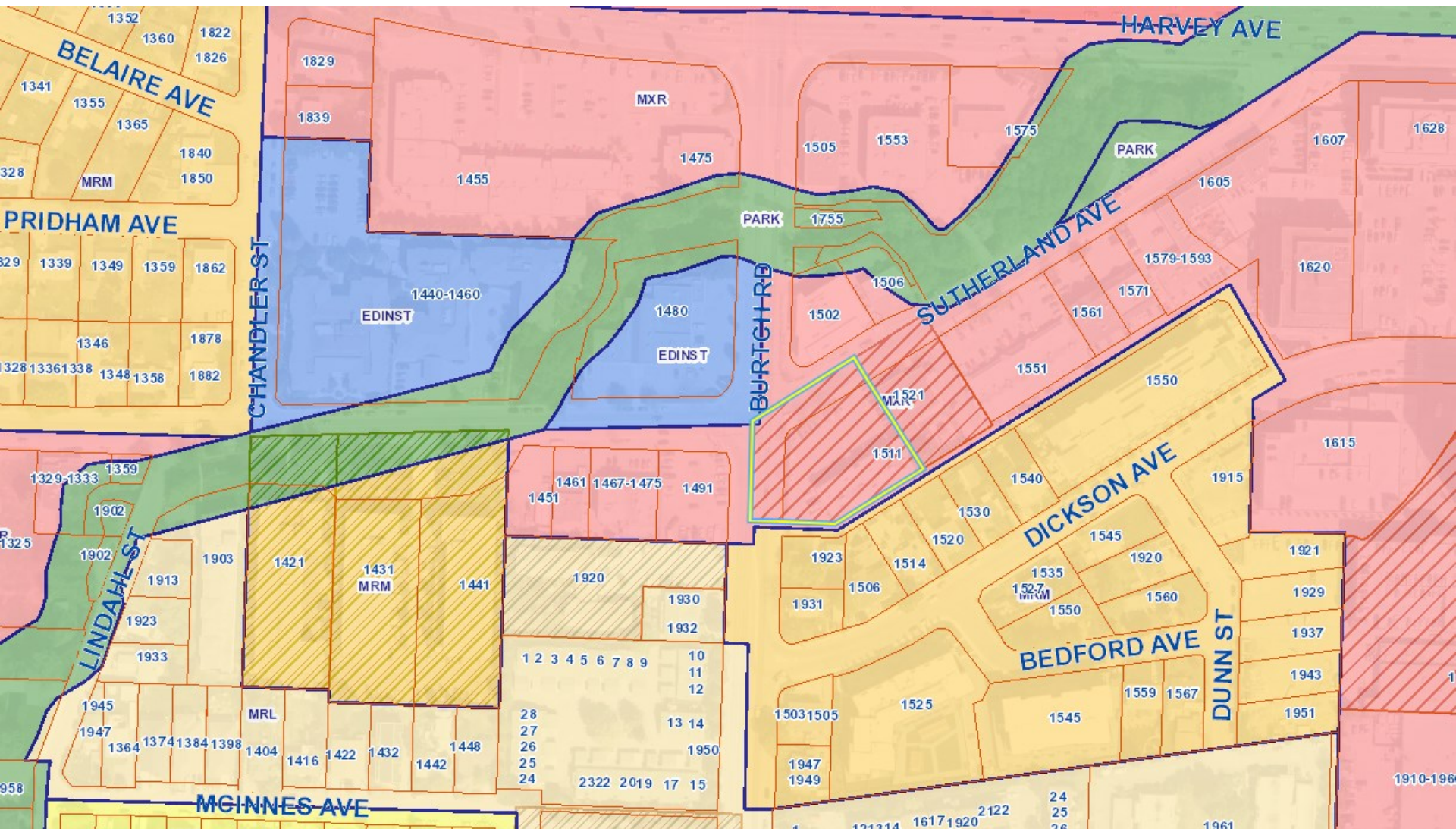
Council
Approvals



Context Map



OCP Future Land Use



Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- ▶ If an applicant initiates a discharge – Staff initiate a termination

Project Details

- ▶ Staff initiated termination of LUC77-1061 for the subject property.
- ▶ The LUC allows them to operate several businesses and all the uses within C3 – Community Commercial in Zoning Bylaw no. 4500.
- ▶ Staff are proposing to adopt C3 – Community Commercial, which allows for most of the existing uses.

Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
 - ▶ Sent on Oct 1st, 2020
- ▶ One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
 - ▶ C3 zone is appropriate to support existing use and matches the surrounding area.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12073

LUCT20-0005

Early Termination of Land Use Contract – LUC77-1061 1511 Sutherland Avenue

WHEREAS a land use contract (the "Land Use Contract LUC77-1061") is registered at the Kamloops Land Title Office under the charge number N48044 against land in the City of Kelowna particularly known and described as Lot A District Lot 141 ODYD Plan 31346, located on Sutherland Avenue, 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 Bylaw No. 12073";
2. Land Use Contract Bylaw No. 4599-78 establishing Land Use Contract LUC77-1061 and all amendments thereto, are hereby repealed and the Land Use Contract is 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

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12074
Z20-0064
1511 Sutherland Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 141 ODYD Plan 31346 located at Sutherland Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the C3 – Community 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

Public Hearing waived by the Municipal Council 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: January 11, 2020

To: Council

From: City Manager

Department: Development Planning Department

Application: LUCT20-0006/ Z20-0065 **Owner:** Price's Alarm System Ltd.
Inc.No. BCO929068

Address: 1521 Sutherland Ave **Applicant:** The City of Kelowna

Subject: Land Use Contract Termination and Rezoning Application

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

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: C3 – Community Commercial

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0006 to terminate LUC78-1004 from Lot A District Lot 141 ODYD Plan 29253, located at 1521 Sutherland Ave, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 141 ODYD Plan 29253, located at 1521 Sutherland Ave, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the C3 – Community Commercial zone be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's boulevard;

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

2.0 Purpose

To consider an application to rezone the subject property and proceed with the early termination of Land Use Contract LUC78-1004.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC78-1004) be terminated and for the subject property to be rezoned. The underlying zone is RU1 – Large Lot Housing and is not appropriate for the current land use. The current use is child care centre, major. This use is currently permitted in the Land Use Contract, under the former Zoning Bylaw 4500's C3 – Community Commercial zone. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. Although the C3 – Community Commercial zone doesn't match the Future Land Use of MXR – Mixed Used (Residential / Commercial), this is the most appropriate zone, as it allows for the existing use and it matches the surrounding area. Therefore, Staff are proposing to adopt the C3 – Community Commercial zone to the subject property.

The existing Land Use Contract (LUC) affects one property at 1521 Sutherland Ave, and currently restricts the uses to Bylaw 4500's C3 – Community Commercial zone. The Land Use Contract uses and regulations largely fit within the C3 – Community Commercial zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property

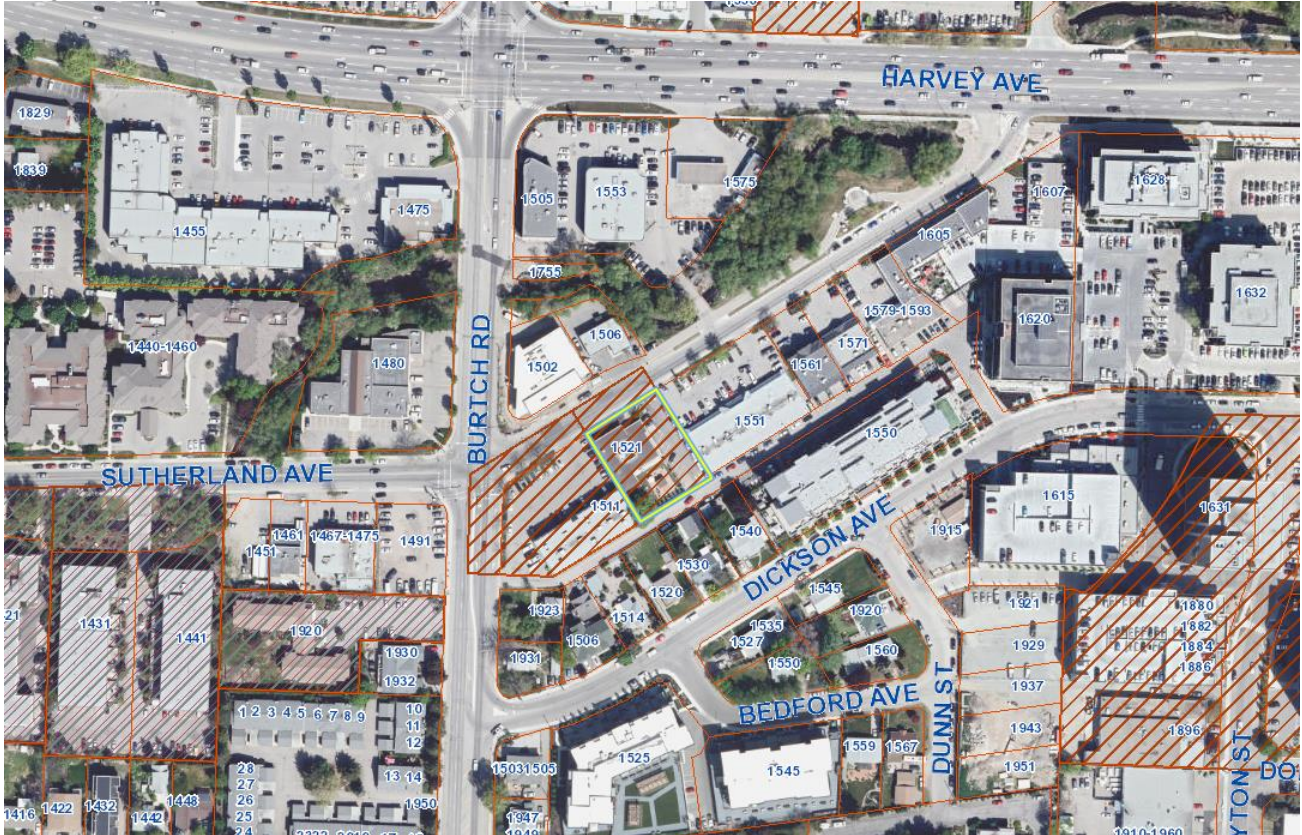
4.3 Site Context

The subject property has a total area of 1,659m² and is located on 1521 Sutherland Ave. The property has been designated MXR – Mixed Use (Residential / Commercial) in the Official Community Plan and the surrounding area is a mix of MXR – Mixed Use (Residential / Commercial) and MRM – Multiple Unit Residential (Medium Density).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 – Community Commercial	Car wash and retail stores
East	C3 – Community Commercial	Animal clinic, retail stores and food primary establishment
South	RU1 – Large Lot Housing	Single-family home(s)
West	RU1 – Large Lot Housing	Retail stores, personal service establishments and health services

Subject Property Map: 1521 Sutherland Ave



5.0 Current Development Policies

5.1 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

6.0 Application Chronology

Date of Application Received: August 5th, 2020
 Date Public Consultation Completed: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager



LUCT20-0006 / Z20-0065

1521 Sutherland Ave

Land Use Contract Termination and Rezoning Application



Proposal

- ▶ To terminate the Land Use Contract (LUC78-1004) and to rezone the subject properties from RU1 – Large Lot Housing zone to C3 – Community Commercial Zone.

Development Process

Aug 5, 2020

LUC Termination Initiated by Staff



Oct 1, 2020

Public Notification Completed



Jan 11, 2021

Initial Consideration



Public Hearing
Second & Third Readings

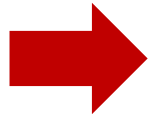


Final Reading

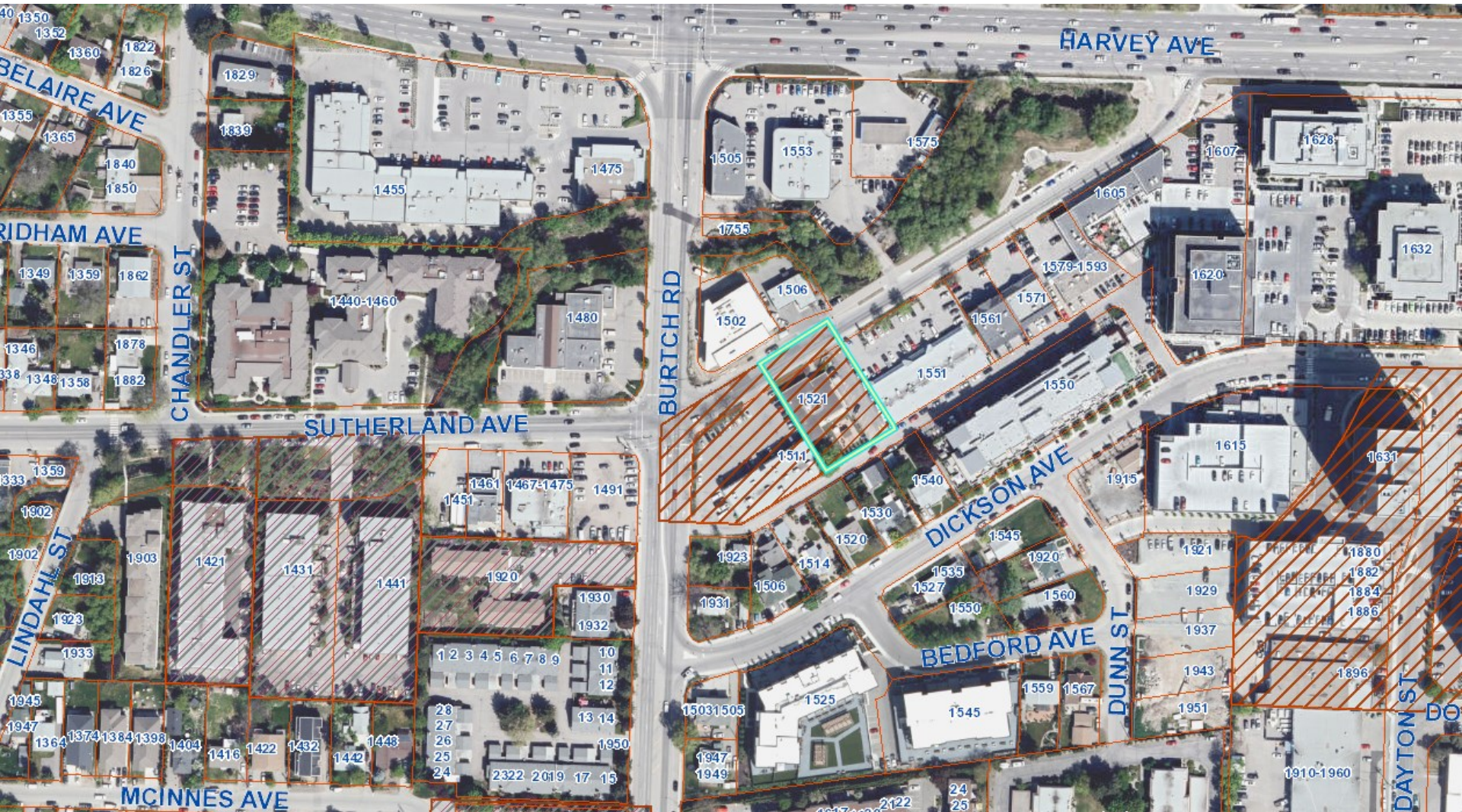


LUC Eliminated (1 year later)

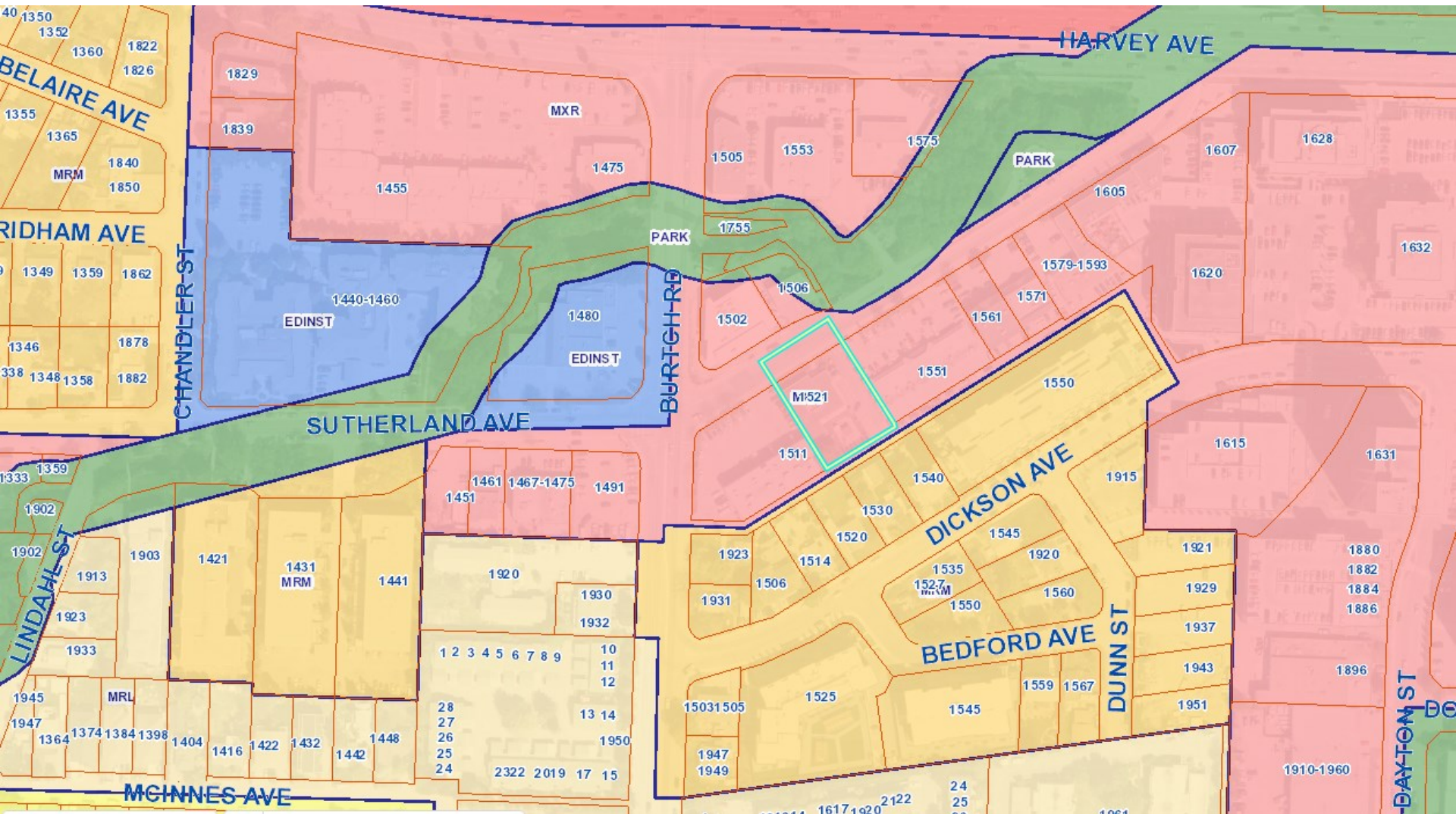
Council
Approvals



Context Map



OCP Future Land Use



Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- ▶ If an applicant initiates a discharge – Staff initiate a termination

Project Details

- ▶ Staff initiated termination of LUC78-1004 for the subject property.
- ▶ The LUC allows them to operate a major childcare centre and all uses within C₃ – Community Commercial in Zoning Bylaw no. 4500.
- ▶ Staff are proposing to adopt C₃ – Community Commercial, which allows for all existing uses and meets the Future Land Use.

Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
 - ▶ Sent on Oct 1st, 2020
- ▶ One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed rezoning and land use contract termination:
 - ▶ C3 zone is appropriate to support existing use and matches the surrounding area.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12075

LUCT20-0006

Early Termination of Land Use Contract – LUC78-1004 1521 Sutherland Avenue

WHEREAS a land use contract (the "Land Use Contract LUC78-1004") is registered at the Kamloops Land Title Office under the charge number N39777 against land in the City of Kelowna particularly known and described as Lot A District Lot 141 ODYD Plan 29253, located on Sutherland Avenue, 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 Bylaw No. 12075";
2. Land Use Contract Bylaw No. 4583-78 establishing Land Use Contract LUC78-1004 and all amendments thereto, are hereby repealed and the Land Use Contract is 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

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12076
Z20-0065
1521 Sutherland Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 141 ODYD Plan 29253 located at Sutherland Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the C3 – Community 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

Public Hearing waived by the Municipal Council 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: January 11, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: LUCT20-0007/Z20-0068

Owner: Steven Carl Wilson & Piblet Enterprises Ltd. Inc.No. 575424

Address: 3969 Lakeshore Road

Applicant: The City of Kelowna

Subject: Land Use Contract Termination and Rezoning Application

Existing OCP Designation: COMM – Commercial

Existing Zone: C1 – Local Commercial

Proposed Zone: C2 – Neighbourhood Commercial

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0007 to terminate LUC77-1005 from Lot A Section 6 Township 26 ODYD Plan 28767, located at 3969 Lakeshore Road, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0068 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 6 Township 26 ODYD Plan 28767, located at 3969 Lakeshore Road, Kelowna, B.C. from the C1 – Local Commercial zone to the C2 – Neighbourhood Commercial zone be considered by Council;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's Boulevard;

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider an application to rezone the subject property and proceed with the early termination of Land Use Contract LUC77-1005.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC 77-1005) be terminated and for the subject property to be rezoned. The underlying zone is C1 – Local Commercial and is not appropriate for the current land use. The current use is a veterinarian clinic, which is permitted in the Land Use Contract, in addition to all the uses within C1 – Local Commercial zone in former Zoning Bylaw No. 4500. The Zoning Bylaw has since been updated and obtains different uses, requirements and zonings. The C2 – Neighbourhood Commercial zone is the most appropriate zone to match the use, as it allows for minor veterinarian clinics and it matches the surrounding neighbourhood. Therefore, Staff are proposing to adopt C2 – Neighbourhood Commercial zone to the subject property. This zone is in accordance with the Official Community Plan.

The existing Land Use Contract (LUC) affects 1 property at 3969 Lakeshore Road, and currently restricts the use to a veterinarian clinic or the uses in the previous C1 – Local Commercial Zone. The Land Use Contract uses, and regulations fit within the C2 – Neighbourhood Commercial zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest the Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property.

4.3 Site Context

The subject property has a total area of 1,862m² and is located on Lakeshore Road. The property is designated COMM - Commercial in the Official Community Plan and the surrounding area is a mix between commercial and residential.

Specifically, adjacent land uses are as follows:

6.o Application Chronology

Date of Application Initiation: August 12th, 2020

Date Public Consultation Completed: October 1st, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager



LUCT20-0007 / Z20-0068

3969 Lakeshore Road

Rezoning Application and Land Use Contract Termination



Proposal

- ▶ To terminate the Land Use Contract (LUC77-1005) and to rezone the subject properties from C1 – Local Commercial and C2 – Neighbourhood Commercial

Development Process

Aug 12, 2020

LUC Termination Initiated by Staff



Oct 1, 2020

Public Notification Completed



Jan 11, 2021

Initial Consideration



Public Hearing
Second & Third Readings

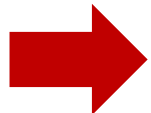


Final Reading



LUC Eliminated (1 year later)

Council
Approvals



Context Map



[illegible]

Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- ▶ If an applicant initiates a discharge – Staff initiate a termination

Project Details

- ▶ Staff initiated termination of LUC77-1005 for the subject property.
- ▶ The LUC allows them to operate a veterinarian clinic and all uses within C1 – Local Commercial in Zoning Bylaw no. 4500.
- ▶ Staff are proposing to adopt C2 – Neighbourhood Commercial, which allows for minor veterinarian clinics.

Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
 - ▶ Sent on Oct 1st, 2020
- ▶ One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed rezoning and land use contract discharge:
 - ▶ C2 zone is appropriate to support existing use.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12094

LUCT20-0007

Early Termination of Land Use Contract – LUC77-1005 3969 Lakeshore Road

WHEREAS a land use contract (the “Land Use Contract LUC77-1005”) is registered at the Kamloops Land Title Office under the charge number N34580 against land in the City of Kelowna particularly known and described as Lot A Section 6 Township 26 ODYD Plan 28767 (the “Land”), located on Lakeshore Road, 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 LUC77-1005 Bylaw”;
2. Land Use Contract Bylaw No. 4355-77 establishing Land Use Contract LUC77-1005 and all amendments thereto, are hereby repealed and the Land Use Contract is 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

Considered at a Public Hearing this

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12095
Z20-0068
3969 Lakeshore 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 A Section 6 Township 26 ODYD Plan 28767 located on Lakeshore Road, Kelowna, B.C., from the C1 – Local Commercial zone to the C2 – Neighbourhood 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

CITY OF KELOWNA

BYLAW NO. 12115

TA20-0020

Amendment to C4 – Urban Centre Commercial Section 14.4 and Addition of Map 14.4

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, Section 14.4 – C4 – Urban Centre Commercial, 14.4.5(a)2 Development Regulations** be amended by:

Deleting the following:

"v. Five and six storey buildings can add a 0.2 Floor Area Bonus."

And replacing it with:

"v. Five and six storey buildings can add a 0.2 Floor Area Bonus and if the property is located within the Rutland Urban Centre and has the Residential Rental Tenure Only subzone a further 0.2 Floor Area Bonus can be applied."

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

Deleting the following:

"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."

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. For properties located within the Rutland Urban Centre, Map 14.4 Commercial/Residential Frontage Regulations applies."

3. AND THAT **Section 14 – Commercial Zones, Section 14.4 – C4 – Urban Centre Commercial, 14.4.6 Other Regulations** be amended by adding the diagram "Map 14.4 Commercial / Residential Frontage Regulations" at the end of **Section 14.4.6 Other Regulations** as attached to and forming part of this bylaw.
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 2nd day of November, 2020.

Considered at a Public Hearing on the 17th day of November, 2020.

Read a second and third time by the Municipal Council this 17th day of November, 2020.

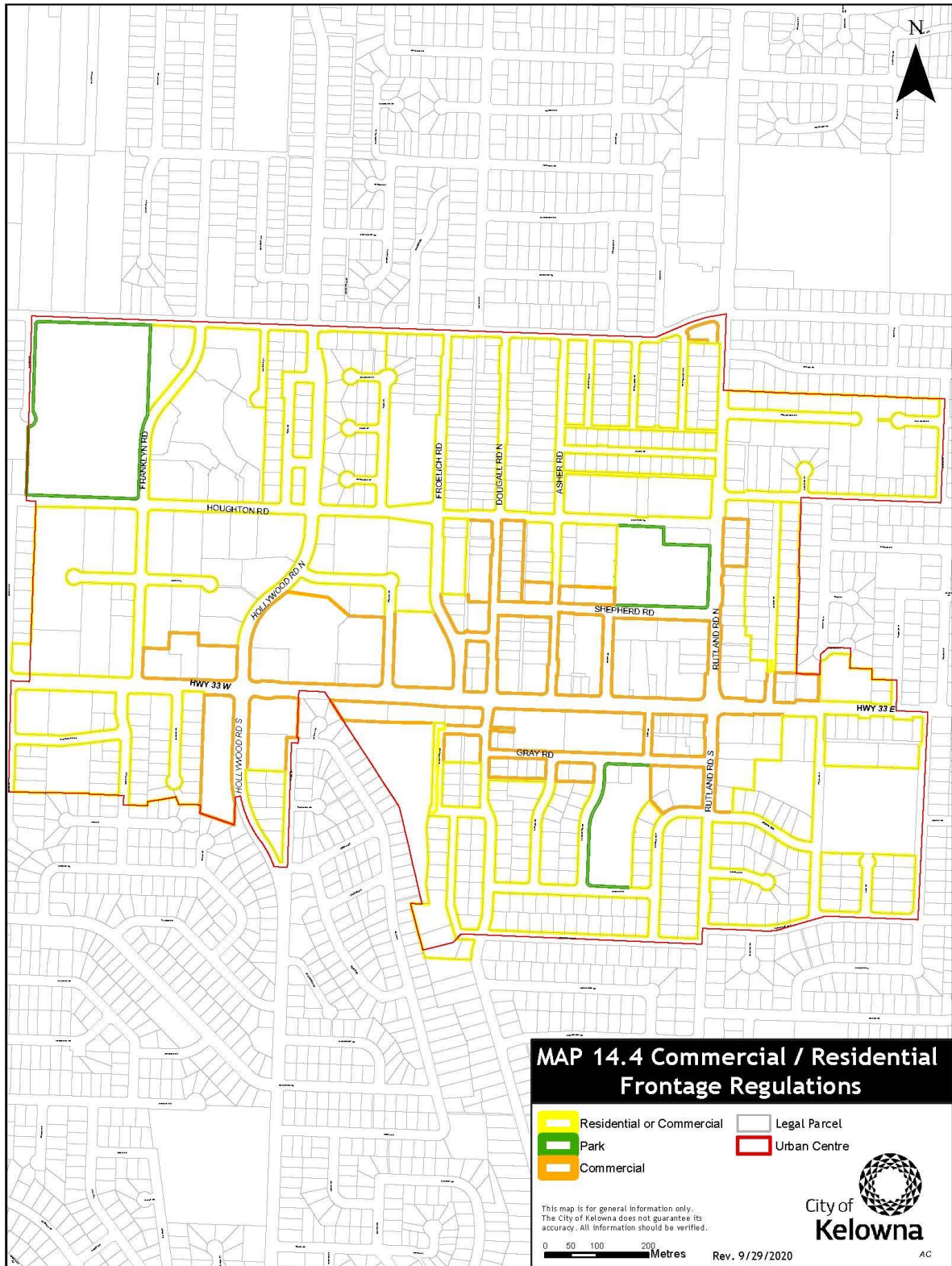
Approved under the Transportation Act this 18th day of November, 2020.

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: January 11, 2021
To: Council
From: City Manager
Subject: Repeal Housing Agreement for 1094 Lawson Avenue
Department: Development Planning

Recommendation:

THAT Council receives, for information, the report from the Development Planning Department dated January 11, 2021, with respect to the Housing Agreement for 1094 Lawson Avenue;

AND THAT Council consider a Bylaw that would authorize the City of Kelowna to repeal Housing Agreement Authorization Bylaw No. 9713 being Housing Agreement Authorization Bylaw – 0701849 BC Ltd. – (Herman Planning Group Inc.) 1094 Lawson Avenue, and all amendments there to, for Lot A District Lot 138 ODYD Plan EPP95336, located at 1094 Lawson Avenue, Kelowna, BC;

AND FURTHER THAT Bylaw No. 12131 being Repeal Housing Agreement Authorization Bylaw No. 9713 be forwarded for reading consideration.

Purpose:

To repeal the Housing Agreement Authorization Bylaw No. 9713 for the subject property.

Background:

In 2007 a Housing Agreement was signed between the City of Kelowna and the former owner of 1094 Lawson Ave. The Housing Agreement was signed in conjunction with rezoning the lot to RM4 – Transitional Low Density Housing and stipulates that a maximum of 13 units will be allowed on the lot, and that 2 of these units must be Affordable Ownership Dwelling Units, as defined by the City. The Housing Agreement was registered on Title as a Covenant (LB121610). A Development Permit for the proposed development was eventually issued (DP06-0092); however, the former owner of the property did not proceed with the proposal and the development permit lapsed.

Discussion:

The ownership of the lot has now changed hands, and the current owner has applied to proceed with a development separate from that permitted under the Housing Agreement. The lot has also been consolidated with the lot to the north for the purpose of facilitating this development. A Development Permit and Development Variance Permit is scheduled to be considered by Council on January 19, 2020. It is now requested that the Housing Agreement be repealed.

Considerations not applicable to this report:

Legal/Statutory Authority

Legal/Statutory Procedural Requirements

Existing Policy

Financial/Budgetary Considerations

External Agency/Public Comments

Submitted by: A.D. Thibeault, Planner II

Approved for inclusion: T. Barton, Development Planning Department Manager

cc:

R Smith, Divisional Director Planning and Development Services

CITY OF KELOWNA

BYLAW NO. 12131

A Bylaw to Repeal Housing Agreement Authorization Bylaw No. 9713 at 1094 Lawson Avenue

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

1. THAT City of Kelowna Housing Agreement Authorization Bylaw 0701849 BC Ltd. – (Herman Planning Group Inc.) 1094 Lawson Avenue Bylaw No. 9713, and all amendments there to, be repealed.
2. This bylaw may be cited for all purposes as "Bylaw No. 12131, being Repeal Bylaw to Housing Agreement Authorization Bylaw for 1094 Lawson Avenue Bylaw No. 9713."
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: January 11, 2021
To: Council
From: City Manager
Subject: Rental Housing Agreement Bylaw
Department: Policy and Planning

Recommendation:

THAT Council, receives, for information, the Report from the Policy and Planning Department dated January 11, 2020 with respect to a rental housing agreement bylaw;

AND THAT Bylaw No. 12118 authorizing a Housing Agreement between the City of Kelowna and 1940 Underhill Developments Corp., INC.NO. BC1159386 which requires the owners to designate 295 dwelling units in a purpose-built rental housing for Lot A, District Lots 4646 and 127 ODYD Plan EPP104418 at 1960 Underhill Street, Kelowna, BC, be forwarded for reading consideration.

Purpose:

To authorize a housing agreement for a purpose-built rental housing project that is pursuing rental housing incentives.

Background:

In order to be eligible to receive a rental housing revitalization tax exemption, a proponent must enter into a housing agreement with the City of Kelowna. The housing agreement becomes a bylaw on title and secures the purpose-built rental housing units for a minimum of ten years. This requirement ensures all projects that receive the City's financial incentives are required to deliver and maintain their housing as purpose-built rental for a minimum of ten years.

Discussion:

The housing agreement for council consideration would become bylaw upon approval from Council, ensuring that each of the three residential buildings receiving the rental housing tax exemption operate as purpose-built rental housing for a minimum of ten years. After ten years, if a landowner intends to lift the agreement, Council approval is required.

Conclusion:

The housing agreement for this project aligns with the City's goal of promoting and protecting the supply of long-term rental housing.

Internal Circulation:

Policy and Planning
Development Planning
Legislative Services

Legal/Statutory Authority:

Local Government Act, Section 483

Existing Policy:

Existing Policy: 2030 Official Community Plan Objective 10.3 Support the creation of affordable and safe rental, non-market and /or special needs housing Policies 10.3.1, 10.3.2, 10.3.3 & 10.3.4

Submitted by: Submitted by: R. Soward, Policy & Planning

Approved for inclusion:



J.Moore, Long Range Policy Planning Manager

cc:

Legislative Services

CITY OF KELOWNA

BYLAW NO. 12118

Housing Agreement Authorization Bylaw – 1940 Underhill Developments Corp., Inc. No. BC1159386 1960 Underhill Street

Whereas pursuant to Section 483 of the *Local Government Act*, a local government may, by bylaw, enter into a housing agreement.

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

1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with 1940 Underhill Developments Corp., Inc. No. BC1159386 for the lands known as Lot A District Lots 4646 and 127 ODYD Plan EPP104418 located on Underhill Street, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference November 9, 2020 affects:

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:

LOT A DISTRICT LOTS 4646 AND 127 OSOYOOS DIVISION YALE DISTRICT PLAN
EPP104418

("Land")

And is

BETWEEN: 1940 UNDERHILL DEVELOPMENTS CORP. (Inc.No. BC1159386), a company duly incorporated under the laws of the Province of British Columbia and having its registered and records office at Suite 500 – North Tower, 5811 Cooney Road, Richmond, B.C. V6X 3M1

("Owner")

AND:

CITY OF KELOWNA, a local government incorporated pursuant to the *Community Charter* and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

("City")

GIVEN THAT:

- A. The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;
- B. The City may, pursuant to section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the *Local Government Act*; and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

This Agreement is evidence that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and Owner agree, as a housing agreement between the Owner and the City under s. 483 of the *Local Government Act*, as follows:

ARTICLE 1 INTERPRETATION

1.1 Definitions -

"Caregiver" means an individual who provides assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for himself or herself;

"City" means the City of Kelowna;

"Dwelling Unit" means accommodation providing sleeping rooms, washrooms, and no more than one kitchen, intended for domestic use, and used or intended to be used permanently or semi-permanently for a Household. This use does not include a room in a hotel or a motel.

"Household" means

- (a) a person;
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities;
- (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities.

In addition, a household may also include up to one Caregiver or nanny;

"Land" means the land described herein;

"LTO" means the Kamloops Land Title Office or its successor;

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 10500, or its successor bylaw;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the Lands are subdivided;

"Purpose-Built Rental Housing" means a Dwelling Unit that is intended to be used for rental housing; and

"Tenancy Agreement" means a tenancy agreement as defined in, and subject to, the *Residential Tenancy Act*.

1.2 Interpretation - In this Agreement:

- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;

- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (l) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 8000, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

1.3 Purpose of Agreement - The Owner and the City agree that:

- (a) this Agreement is intended to serve the public interest by providing for occupancy of a certain number of Dwelling Units, of the kinds provided for in this Agreement, that are in demand in the City of Kelowna but that are not readily available;
- (b) damages are not an adequate remedy to the City in respect of any breach of this Agreement by the Owner, such that the Owner agrees the City should be entitled to an order for specific performance, injunction or other specific relief respecting any breach of this Agreement by the Owner.

**ARTICLE 2
HOUSING AGREEMENT AND LAND USE RESTRICTIONS**

2.1 Land Use Restrictions - The Owner and the City hereby covenant and agree as follows:

- (a) The Land will be used only in accordance with this Agreement;
- (b) The Owner will design, construct and maintain one or more buildings providing 295 Dwelling Units as Purpose-Built Rental Housing
- (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

**ARTICLE 3
HOUSING AGREEMENT AND TRANSFER RESTRICTIONS**

3.1 Purchaser Qualifications - The City and the Owner agree as follows:

- (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
- (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

**ARTICLE 4
GENERAL**

4.1 Notice of Housing Agreement - For clarity, the Owner acknowledges and agrees that:

- (a) this Agreement constitutes a housing agreement entered into under s. 483 of the *Local Government Act*;
- (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;

- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.

4.2 No Effect On Laws or Powers - This Agreement does not

- (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
- (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
- (c) affect or limit any enactment relating to the use or subdivision of land, or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.

4.3 Management – The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.

4.4 Notice - Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.

4.5 Agreement Runs With the Land - Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the *Strata Property Act*.

4.6 Limitation on Owner's Obligations - The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.

4.7 Release – The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the

commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.

- 4.8 Joint Venture** – Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- 4.9 Waiver** - An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- 4.10 Further Acts** - The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- 4.11 Severance** - If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 4.12 Equitable Remedies** – The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 4.13 No Other Agreements** - This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- 4.14 Amendment** - This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- 4.15 Enurement** - This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- 416 Deed and Contract** - By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties hereunto have executed this Agreement on the date and year first above written.

SIGNED, SEALED & DELIVERED in)
the presence of:)

Signature of Witness)

Print Name)

Address)

Occupation)

1940 UNDERHILL DEVELOPMENTS
CORP., by its authorized signatories:



Warren Andrew Rennison
Director

Print Name:

Print Name:

SIGNED, SEALED & DELIVERED in)
the presence of:)

Signature of Witness)

Print Name)

Address)

Occupation)

CITY OF KELOWNA, by its authorized
signatories:

Mayor

City Clerk

Report to Council



Date: January 11, 2021
To: Council
From: City Manager
Subject: Revitalization Tax Exemption Agreement
Department: Policy & Planning

Recommendation:

THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with 1940 Underhill Developments Corp., Inc. No. BC1159386 for Lot A, District Lots 4646 and 127 ODYD Plan EPP104418 located at 1960 Underhill Street, Kelowna, BC in the form attached to the Report from the Planner Specialist, Policy and Planning department dated January 11, 2021;

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

Purpose:

To approve a 10-year Revitalization Tax Exemption Agreement for a purpose-built rental housing project in accordance with the Revitalization Tax Exemption Program.

Background:

Over the last two years Kelowna has seen many rental housing units added to the rental housing supply, easing the rental housing vacancy rate. However, there continues to be strong demand for rental housing with a growing proportion of Kelowna's population living in rental housing. Based on the most recent Census, 73% of new households in Kelowna identified as renters, highlighting the importance of adding long-term rental units to keep pace with population growth and shifting housing preferences.

To encourage the development of purpose-built rental housing, the City of Kelowna provides several financial incentives. One of the incentives is the 10-year Revitalization Tax Exemption (RTE) for purpose-built rental housing where proponents meet three key requirements:

1. The subject property has a Housing Agreement (for a minimum of 10 years)
2. Development complies with the OCP Future Land Use Designation

3. The subject property is located within the Core Area or one of the designated Village Centres (i.e., Glenmore Valley or University South)

Discussion:

The 1960 Underhill Street project meets the criteria for a rental housing tax exemption. The application conforms with the OCP Future Land Use designation and is well served by transit and amenities in the Core Area. The project has entered into a rental housing agreement (subject to council approval) and its location in the Midtown Urban Centre aligns with the City's long-term growth management strategy. The proposed revitalization tax exemption will be valid for ten years based on occupancy of the units. A draft copy of the RTE Agreement for the project is attached for additional details.

Conclusion:

Although there is continued demand for long-term purpose-built rental housing the RTE program does come at a financial cost to the City of Kelowna. Based on a preliminary estimate the annual tax revenue impact for this project and the 295 purpose-built rental units is approximately \$177,000 which translates to an annual tax impact of \$600 per unit. For this project, staff expect that the bulk of the financial impact will be from 2025-2034 based on the anticipated occupancy dates for this three building rental housing development.

Property	Project Details	Estimated 10-year Revenue Impact
1960 Underhill Street	295 rental units (three separate buildings)	\$1,770,000

Internal Circulation:

Revenue Department
Development Planning

Legal/Statutory Authority:

Revitalization Tax Exemption Program Bylaw No. 9561, 2006
Community Charter, Division, Section 226

Legal/Statutory Procedural Requirements:

The Revitalization Tax Exemption Bylaw No. 9561 supports municipal tax incentives for purpose-built rental housing when the project meets the following criteria:

1. The subject property has a Housing Agreement (for a minimum of 10 years)
2. Development complies with the OCP Future Land Use Designation
3. The subject property is located within the Core Area or one of the designated Village Centres (i.e., Glenmore Valley or University South)

Existing Policy:

Official Community Plan Bylaw No. 10500
Revitalization Tax Exemption Program Bylaw No. 9561 Policy 5.1.3

Submitted by: R. Soward, Planner Specialist, Policy and Planning

Approved for inclusion:



J. Moore. Manager Long Range Policy Planning

Attachments:

Draft Agreement RTE20-005 – 1960 Underhill Street

Revitalization Tax Exemption Agreement

THIS AGREEMENT dated for reference the 9th day of November, 2020 is

BETWEEN:

1940 UNDERHILL DEVELOPMENTS CORP.

200-1785 4th Avenue West
Vancouver, B.C.
V6J 1M2

(the "Owner")

AND:

CITY OF KELOWNA

1435 Water Street,
Kelowna, B.C.
V1Y 1J4

(the "City")

GIVEN THAT:

- A. The Owner is the registered owner in fee simple of lands in the City of Kelowna at 1960 Underhill Street, Kelowna, B.C. legally described as PID: 031-186-319 Lot A District Lots 4646 And 127 Osoyoos Division Yale District Plan Epp104418 (the "Parcel");
- B. Council has established a revitalization tax exemption program and has included within the City of Kelowna Revitalization Tax Exemption Program Bylaw No. 9561 the designation of areas which include the Parcel as a revitalization area; and
- C. The Owner proposes to construct new improvements on the Parcel as described in Appendix "A" attached to and forming part of this agreement (the "Project") and has applied to the City to take part in the revitalization tax exemption program in respect of the Project and the City has agreed to accept the Project under the program;

THIS AGREEMENT is evidence that in consideration of the promises exchanged below, the Owner and the City covenant and agree each with the other as follows:

- 1. **The Project** – the Owner will use its best efforts to ensure that the Project is constructed, maintained, operated and used in a fashion that will be consistent with and will foster the objectives of the revitalization tax exemption program, as outlined in the City of Kelowna Revitalization Tax Exemption Program Bylaw No. 9561. Without limiting the generality of the foregoing, the Owner covenants to use its best efforts to ensure that the Project will consist of:
 - a. Three (3) Buildings consisting of 295 Rental Units broken down as follows:
 - i. Building 1: 117 Units
 - ii. Building 2: 107 Units
 - iii. Building 3: 70 Units
 - b. 295 Parking underground parking spaces;

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- c. 226,981 sq.ft / 21,087 Sq. Metres in gross floor area
 - i. Building 1: 90,799 sq.ft / 8,435 sq. metres
 - ii. Building 2: 80,292 sq.ft / 7,459 sq. metres
 - iii. Building 3: 55,890 sq.ft / 5,192 sq. metres

d. Unit Mix

	Studio	1 BR	1 BR+ Den	2 BR	3 BR	Total
Building 1	2	68	5	37	5	117
Building 2	24	52	15	15	1	107
Building 3	5	30	11	24	0	70

2. **Operation and Maintenance of the Project** – throughout the term of this agreement, the Owner shall operate, repair and maintain the Project and will keep the Project in a state of good repair as a prudent owner would do.
3. **Revitalization Amount** – In this agreement, “Revitalization Amount” means the municipal portion of property tax calculated in relation to the increase in the assessed value of improvements on the Parcel resulting from the construction of the Project as described in section 1;
4. **Revitalization Tax Exemption** – subject to fulfilment of the conditions set out in this agreement and in “City of Kelowna Revitalization Tax Exemption Program Bylaw No. 9561”, the City shall issue a revitalization tax exemption certificate (the “Tax Exemption Certificate”) to the British Columbia Assessment Authority entitling the Owner to a property tax exemption in respect of the property taxes due (not including local service taxes) in relation to the Revitalization Amount on the Parcel (the “Tax Exemption”) for the calendar year(s) set out in the Tax Exemption Certificate .
5. **Conditions** – the following conditions shall be fulfilled before the City will issue a Tax Exemption Certificate to the Owner in respect of the Project:
 - a. The Owner must complete or cause to be completed construction of the Project in a good and workmanlike fashion and in strict compliance with the building permit and the plans and specifications attached hereto as Appendix “A”;
 - b. The completed Project must substantially satisfy the performance criteria set out in Appendix “B” hereto, as determined by the City’s Development Planning Manager or designate, in their sole discretion, acting reasonably; and
 - c. The Owner must submit a copy of the Occupancy Permit and Title Certificate to the City of Kelowna’s Revenue Branch within 48 months from the date the Agreement is executed by Council.
6. **Calculation of Revitalization Tax Exemption** – the amount of the Tax Exemption shall be equal to:
 - a) For Purpose-Built Rental Housing Projects within the Core Area, Glenmore Valley Village Centre and University South Village Centre as defined by the OCP, 100% of the Revitalization Amount on the parcel, for projects that are subject to a Housing Agreement (for a minimum of 10 years) and where the proposed project is in compliance with the OCP Future Land Use designation at the time of Revitalization Tax Exemption application.
7. **Term of Tax Exemption** – provided the requirements of this agreement, and of the City of Kelowna Revitalization Tax Exemption Program Bylaw No. 9561, are met the Tax Exemption shall be for 10 years

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after the BC Assessment Authority validates the Tax Exemption Certificate issued by the City of Kelowna's Revenue Branch.,

8. **Compliance with Laws** – the Owner shall construct the Project and, at all times during the term of the Tax Exemption or any renewal term, use and occupy the Parcel and the Project in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or municipal laws or statutes or bylaws, including all the rules regulations policies guidelines criteria or the like made under or pursuant to any such laws.
9. **Effect of Stratification** – if the Owner stratifies the Parcel under the Strata Property Act, then the Tax Exemption shall be prorated among the strata lots in accordance with the unit entitlement of each strata lot for:
 - a. the current and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office before May 1; or
 - b. for the next calendar year and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office after May 1;

so long as, if the Project is the subject of an operating agreement between the Owner and the Provincial Rental Housing Corporation, the Owner is in compliance with the operating agreement. The Owner agrees to provide written confirmation to the City regarding the Owner's compliance with the said operating agreement, satisfactory to the City, upon the City's reasonable inquiry.

10. **Termination of the agreement** - the revitalization tax exemption agreement will be valid for 48 months from the date the agreement is executed by Council. If the conditions for issuance of a Tax Exemption Certificate have not been met during this term, the owner may request a renewal term to this agreement or the agreement will be terminated.
11. **Cancellation** – the City may in its sole discretion cancel the Tax Exemption Certificate at any time:
 - a. on the written request of the Owner; or
 - b. effective immediately upon delivery of a notice of cancellation to the Owner if at any time any of the conditions in the Tax Exemption Certificate are not met.
 - c. If the Owner is subject to an operating agreement with the Provincial Rental Housing Corporation and is not in compliance with the operating agreement.

If such cancellation occurs, the Owner of the Parcel for which the Tax Exemption Certificate was issued will remit to the City an amount equal to the value of any Tax Exemption received after the cancellation of the Tax Exemption Certificate.

12. **No Refund** – for greater certainty, under no circumstances will the Owner be entitled under the City's revitalization tax exemption program to any cash credit, any carry forward tax exemption credit or any refund for any property taxes paid.
13. **Notices** – any notice or other writing required or permitted to be given hereunder or for the purposes hereof to any party shall be sufficiently given if delivered by hand or posted on the Parcel, or if sent by prepaid registered mail (Express Post) or if transmitted by facsimile to such party:
 - a. in the case of a notice to the City, at:

{ 106320-02560473. }

THE CITY OF KELOWNA
1435 Water Street,
Kelowna, B.C.
V1Y 1J4

Attention: City of Kelowna Revenue Department
Email: revenue@kelowna.ca

- b. in the case of a notice to the Owner, at:

1940 Underhill Developments Corp.
c/o Primex Investments
200-1785 4th Avenue West
Vancouver, B.C.
V6J 1M2

Attention: Andrew Rennison, Director
Phone: 604.736.1866
Email: andrew@primexinvestments.com

Or at such other address as the party to whom such notice or other writing is to be given shall have last notified the party giving the same.

14. **No Assignment** – the Owner shall not assign its interest in this agreement except to a subsequent owner in fee simple of the Parcel.
15. **Severance** – if any portion of this agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this agreement.
16. **Interpretation** – wherever the singular or masculine is used in this agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.
17. **Further Assurances** – the parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this agreement.
18. **Waiver** – waiver by the City of a default by the Owner shall be in writing and shall not be deemed to be a waiver of any subsequent or other default.
19. **Powers Preserved** – this agreement does not:
 - a. Affect or limit the discretion, rights or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Parcel;
 - b. Affect or limit any enactment relating to the use or subdivision of the Parcel; or
 - c. Relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Parcel and without limitation shall not confer directly or indirectly any exemption or right of set-off from development cost charges, connection charges, application fees, user fees or other rates, levies or charges payable under any bylaw of the City.

20. **Reference** – every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, assigns, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows.
21. **Enurement** – this agreement shall ensure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.
22. Any construction of a new improvement or alteration of an existing improvement as of this bylaw undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration
23. The maximum Revitalization Tax Exemption authorized under this Bylaw must not exceed the Revitalization Amount on the Property between:
 - a. the calendar year before the construction or alteration began, as outlined under Section 1 of this agreement; and
 - a. the calendar year in which the construction or alteration, as outlined under Section 1 of this agreement, is completed.
24. The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as a result of the Revitalization Tax Exemption.


IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

Executed by the CITY OF KELOWNA by
Its authorized signatories:

Mayor

City Clerk

Executed by 1940 UNDERHILL DEVELOPMENTS CORP.
by its Authorized signatories:



Name: **Warren Andrew Rennison**
Director

Name:



Rendering of project looking east from Dillworth Drive



Rendering of project looking west from Underhill Street

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference November 9, 2020 affects:

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:

LOT A DISTRICT LOTS 4646 AND 127 OSOYOOS DIVISION YALE DISTRICT PLAN
EPP104418

("Land")

And is

BETWEEN: **1940 UNDERHILL DEVELOPMENTS CORP.** (Inc.No. BC1159386), a company duly incorporated under the laws of the Province of British Columbia and having its registered and records office at Suite 500 – North Tower, 5811 Cooney Road, Richmond, B.C. V6X 3M1

("Owner")

AND:

CITY OF KELOWNA, a local government incorporated pursuant to the *Community Charter* and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

("City")

GIVEN THAT:

- A. The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;
- B. The City may, pursuant to section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the *Local Government Act*; and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

This Agreement is evidence that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and Owner agree, as a housing agreement between the Owner and the City under s. 483 of the *Local Government Act*, as follows:

ARTICLE 1 INTERPRETATION

1.1 Definitions -

"Caregiver" means an individual who provides assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for himself or herself;

"City" means the City of Kelowna;

"Dwelling Unit" means accommodation providing sleeping rooms, washrooms, and no more than one kitchen, intended for domestic use, and used or intended to be used permanently or semi-permanently for a Household. This use does not include a room in a hotel or a motel.

"Household" means

- (a) a person;
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities;
- (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities.

In addition, a household may also include up to one Caregiver or nanny;

"Land" means the land described herein;

"LTO" means the Kamloops Land Title Office or its successor;

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 10500, or its successor bylaw;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the Lands are subdivided;

"Purpose-Built Rental Housing" means a Dwelling Unit that is intended to be used for rental housing; and

"Tenancy Agreement" means a tenancy agreement as defined in, and subject to, the *Residential Tenancy Act*.

1.2 Interpretation - In this Agreement:

- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;

- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (l) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 8000, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

1.3 Purpose of Agreement - The Owner and the City agree that:

- (a) this Agreement is intended to serve the public interest by providing for occupancy of a certain number of Dwelling Units, of the kinds provided for in this Agreement, that are in demand in the City of Kelowna but that are not readily available;
- (b) damages are not an adequate remedy to the City in respect of any breach of this Agreement by the Owner, such that the Owner agrees the City should be entitled to an order for specific performance, injunction or other specific relief respecting any breach of this Agreement by the Owner.

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

2.1 Land Use Restrictions - The Owner and the City hereby covenant and agree as follows:

- (a) The Land will be used only in accordance with this Agreement;
- (b) The Owner will design, construct and maintain one or more buildings providing 295 Dwelling Units as Purpose-Built Rental Housing
- (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

3.1 Purchaser Qualifications - The City and the Owner agree as follows:

- (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
- (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

4.1 Notice of Housing Agreement - For clarity, the Owner acknowledges and agrees that:

- (a) this Agreement constitutes a housing agreement entered into under s. 483 of the *Local Government Act*;
- (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;

- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.

4.2 No Effect On Laws or Powers - This Agreement does not

- (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
- (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
- (c) affect or limit any enactment relating to the use or subdivision of land, or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.

4.3 Management – The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.

4.4 Notice - Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.

4.5 Agreement Runs With the Land - Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the *Strata Property Act*.

4.6 Limitation on Owner's Obligations - The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.

4.7 Release – The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the

commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.

- 4.8 Joint Venture** – Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- 4.9 Waiver** - An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- 4.10 Further Acts** - The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- 4.11 Severance** - If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 4.12 Equitable Remedies** – The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 4.13 No Other Agreements** - This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- 4.14 Amendment** - This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- 4.15 Enurement** - This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- 4.16 Deed and Contract** - By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties hereunto have executed this Agreement on the date and year first above written.

SIGNED, SEALED & DELIVERED in)
the presence of:)

Signature of Witness)

Print Name)

Address)

Occupation)

1940 UNDERHILL DEVELOPMENTS
CORP., by its authorized signatories:



Warren Andrew Rennison
Director

Print Name:

Print Name:

SIGNED, SEALED & DELIVERED in)
the presence of:)

Signature of Witness)

Print Name)

Address)

Occupation)

CITY OF KELOWNA, by its authorized
signatories:

Mayor

City Clerk

Report to Council



Date: January 11, 2021

To: Council

From: City Manager

Subject: Action Plan 2021

Department: Corporate Strategy & Performance

Report Prepared by: Angie Thiessen

Recommendation:

THAT Council receive for information, *Action Plan 2021* as attached to the report from the Corporate Strategy & Performance Department dated January 11, 2021.

Purpose:

To inform Council of the more significant actions being undertaken throughout 2021 to deliver on Council priorities 2019 – 2022.

Background:

In April 2019, Council approved the *2019-2022 Council priorities* and directed staff to bring an annual action plan forward in January of each year. The first action plan was brought to Council on January 13, 2020.

The annual *Action Plan* is part of the “take action” step of the City’s strategic planning cycle [set priorities; communicate and align; take action; measure, report and improve]. The plan, which is developed collaboratively by the City’s 10 divisions, lists the actions continuing from the previous year’s Action Plan along with new actions staff will take to deliver on our strategic direction and achieve results.

The Action Plan serves to hold ourselves accountable to Council priorities and respond to the community’s vision identified in *Imagine Kelowna*. It ensures transparency to Council and the public. A subset of projects in the Action Plan report monthly to the City’s Senior Leadership to proactively identify and resolve issues to support completion and the realization of benefits.

Action Plan 2021:

Action Plan 2021 builds off the previous year. Of the 98 projects from 2020, approximately 30 per cent were completed and 15 per cent were deferred and removed from the plan, in part due to shifting priorities in a rapidly changing COVID environment. The remaining 55 per cent continue into 2021. Additional new actions for 2021 put Action Plan 2021 at a total of just over 120 initiatives that staff will undertake in the coming year to advance Council and Corporate priorities.

While the pandemic caused disruptions, the work included in Action Plan 2021 begins to move us forward, maintaining our essential services and supporting our economic recovery. In 2021, projects that support Council's priorities of community safety and social issues, vibrant neighborhoods, and transportation receive some emphasis, while the plan also ensures a balance of effort to each of the six Council priorities.

Corporately, the plan identifies some of the larger operational improvement actions, including innovative service delivery initiatives, which will enable staff to continue to deliver exceptional value to residents as we come out of the pandemic.

While the action plan provides a clear path forward, it is not an exhaustive list of the essential operational work we do as a City annually. Much of this work is undertaken in other operational and business plans within each division.

Next Steps:

In the spring of each year, staff bring forward a report on our progress towards *Council priorities 2019 - 2022*. The first progress report was introduced to Council in April 2020, and this year's report is planned for March 2021.

Existing Policy:

Action Plan 2021 advances both the *Imagine Kelowna* community vision and *Council Priorities 2019 – 2022*.

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by: A. Thiessen

Approved for inclusion:



Carla Weaden, Divisional Director, Corporate Strategic Services

Attachments:

Action Plan 2021 overview presentation
Action Plan 2021 document

cc: Senior Leadership Team



Action Plan 2021

Delivering on
Council priorities 2019-2022
Imagine Kelowna: vision into action



Message from the City Manager

The importance of strategic planning is never more apparent than during a crisis. In 2020, circumstances beyond our control forced us to rearrange our lives and business practices to fit a shifting landscape of emerging priorities. We've adapted and we've remained focused, keeping our commitment to advancing important work and responding to our residents' needs in the face of a global pandemic. Our robust strategic plans have allowed us to remain agile and respond swiftly, making decisions that address immediate concerns while positioning us well for the future.

Council sets the strategic direction for the City throughout its four-year term and published these priorities in spring 2019 in *Council Priorities 2019-2022*. Last year we introduced the first ever Action Plan that highlighted close to 100 projects from across all divisions that we undertook to advance Council and corporate priorities and improve operations in 2020. This year, we report out on the Action Plan from 2020 and share the new projects and initiatives for 2021.

Action Plan 2021 builds off the previous year. Of the 98 projects from 2020, approximately 30 per cent were completed and 15 per cent were deferred and removed from the plan, in part due to shifting priorities in a rapidly changing COVID environment. The remaining 55 per cent continue into 2021 or beyond. Action Plan 2021 includes a cumulative total of 122 significant projects that will help us advance Council and corporate priorities this year and enhance our operations.

Annual action plans and reporting on Council and corporate priorities demonstrates our commitment to increasing transparency, good governance and delivering the results for our city. As noted last year, while the action plan provides clear direction and a path forward for our team, it is not an exhaustive list of the essential operational work we do as a City annually.

In addition to the projects in the action plan, City staff continue to work diligently to provide the services and programs that our residents require and develop plans and foundational work that will help position Kelowna as a city of the future.



Doug Gilchrist
City Manager



"Our vision for an inclusive, prosperous and sustainable future calls upon us to be ambitious to address the challenges ahead."

Imagine Kelowna, published 2018



Table of contents

- ▶ 4 Purpose of the Action Plan 2021
- ▶ 5 Summary of completed and deferred projects and initiatives from AP2020
- ▶ 7 Where we will make a difference
- ▶ 8 Results summary: Council | corporate
- ▶ 17 Expanded look at projects and initiatives
- ▶ 45 Appendix A – How do all the City’s plans work together?
- ▶ 46 Appendix B – Strategy cycle

Purpose of the Action Plan 2021

The City of Kelowna's *Action Plan 2021* identifies the organization's most notable strategic and operational work to deliver in 2021 in response to Council priorities 2019 – 2022. It includes the work from the previous year's Action Plan that is continuing, may not have started, or was added during the year. The activities in the Action Plan are the larger pieces of work that align with the specific attributes listed below. The Plan is reviewed by the City's Senior Leadership Team to ensure Council priorities and regulatory obligations are delivered, core business responsibilities are met, and our operations are continuously improved.

Not all work undertaken in the year is included in the plan. Smaller projects and initiatives, along with the many things being done to keep our base business running smoothly, are captured in other systems for management and reporting purposes. Additionally, it is important to point out that the work done by the City's funded partners (e.g. RCMP; Economic Development Commission; Regional District of Central Okanagan) are not included in the Action Plan but are very much a part of achieving the desired community results.

The Action Plan is an important part of the City's overall integrated strategy and corporate performance management process, which outlines how the organization sets priorities, aligns the organization, executes the work, measures outcomes, and evaluates opportunities for improvement.

Attributes used to evaluate inclusion into the Action Plan:

- Alignment to Council | corporate results
- Size and complexity
- Cross departmental involvement and impact
- Risk
- Benefit from regular Senior Leadership Team oversight
- Community or other stakeholder impact and interest



2020 update: summary of completed and deferred projects and initiatives from the 2020 action plan

This section identifies the projects and initiatives from the previous year that are now complete or were deferred. Projects from the previous year that did not get underway, are still underway, or were added during the year, are included in this year's Action Plan.

Community safety	
Create a community property/housing standards enforcement team	Implementation of integrated security network at the Airport
Expand CCTV camera and related security infrastructure	Tiered policing model: explore opportunities
Social & inclusive	
Housing with supports community inclusion team	Social Policy Framework (<i>deferred</i>)
Transportation & mobility	
Curb Space Management Strategy (<i>deferred</i>)	Regional Transportation Plan
Hillside biking transit pilot program (<i>deferred</i>)	Regional Bicycling & Trails Master Plan
Okanagan Gateway Transportation Study	Regional Disruptive Mobility Strategy
Pedestrian and Bicycle Master Plan update (<i>deferred</i>)	Transportation Safety Strategy (<i>deferred</i>)
Vibrant neighbourhoods	
2040 OCP Update: Phase 3 Draft Plan Development and Public Engagement	Community Access for All, parks and buildings improvement program
Biosolids Management Phase 1 - Digestion Conceptual Design (<i>added during 2020</i>)	Development of multi-sport fieldhouse at Rutland Recreation Park
Economic resiliency	
Flight to 2020: Airport development program	Soaring Beyond 2.5 M Passengers: Air Terminal Building, Phase North (<i>deferred</i>)
Partnership with Tourism Kelowna	

Environmental protection	
<i>(projects here are continuing into 2021)</i>	
Financial management	
Active Living & Culture fees & charges review (deferred)	Quantify actual costs related to building maintenance including service repair
Corporate photography management and access (digital asset management)	
Clear direction	
Action Plan 2020	Information management program <i>(deferred)</i>
Council priorities mid-term update	Imagine Kelowna partnerships and communication <i>(deferred)</i>
Divisional strategic and business plans	Reporting on Council Priorities 2019-2022
Electronic documents & records management system (EDRMS) Phase 1: discovery and plan; Phase 2: small scale pilot	Water meter reading and servicing repatriation
People	
Collaborative workshops: discovery (Phase 1) and testing (Phase 2) (Transportation)	Corporate succession planning: action plan from People Meeting
Corporate and department engagement plans: track and monitor implementation	Organizational vision & values
Collaborative workshops: discovery (Phase 1) and testing (Phase 2) (Environmental protection) <i>(deferred)</i>	User-centered design resources

Maintain and improve base business (operations)

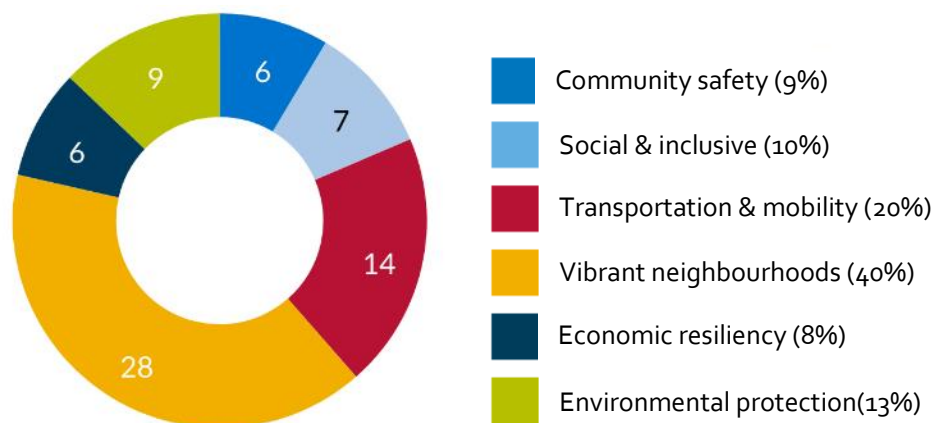
Maintain	Growth	New
Projects and initiatives		
Corporate Emergency Response and Business Resumption Plan	Passenger bridge upgrades (<i>deferred</i>)	
KLO Rd Mission Creek bridge replacement (<i>deferred</i>)	Safety management software development: City Works	
Lakeshore Rd (Dehart – Vintage Terrace) Active Transportation Corridor; Road (<i>deferred</i>)	Update building condition assessment inventory (<i>deferred</i>)	
McCulloch Area improvements (KLO/Hall/Spiers) (<i>deferred</i>)		



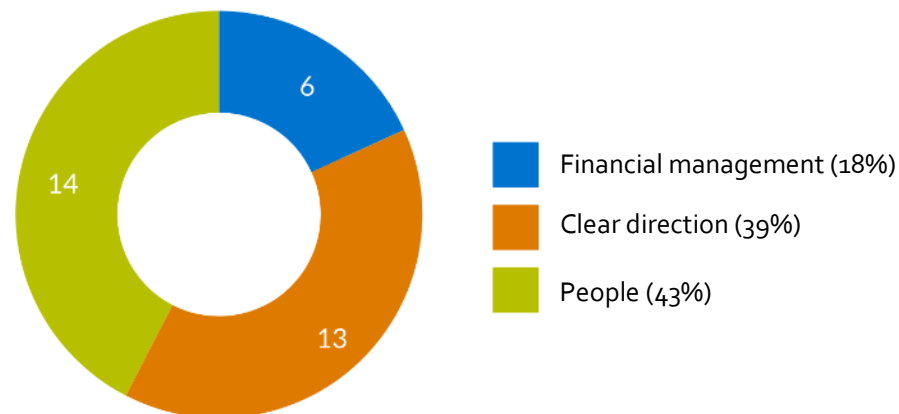
Where we will make a difference in 2021

The diagram below provides a visual of how the projects and initiatives in the action plan align to Council and corporate priorities relative to each other. At a glance, you can see the effort in terms of the number of projects that are being worked on, or will be worked on, throughout 2021, for each focus area.

Council priorities



Corporate results



+ Maintain and improve base business (operations): 17

Summary of projects and initiatives

Action Plan 2021

Projects and initiatives listed here represent work that is currently underway (multi-year, or not completed in the previous year) or planned to start during the year.

Many projects and initiatives will advance more than one priority area and/or result. A primary alignment was chosen to avoid replication.

Alignment with strategic results

Council priorities 2019-2022

Community safety		
The property, petty crime and drug rates are decreasing	Residents feel safe in their communities	The City and its partners are using data and analysis to understand problems and deliver targeted responses
Projects and Initiatives		
CCTV camera database registry, pilot program	Begin implementation of Community Safety Plan	
Data analytics: expand community safety data model	Safety positions approved in 2020 (25 total: 11 RCMP and 14 support staff)	
Complete the development of a Community Safety Plan	Support community court approval and implementation	

Social & inclusive		
The number of people experiencing homelessness is decreasing	Policy guides where the City invests resources	Inclusivity and diversity in the community are increasing
Projects and initiatives		
Affordable Housing Land Acquisition Strategy	Central Okanagan Journey Home Society Memorandum of Understanding Implementation	
Built for Zero-Data Collection & Analysis System (<i>added during 2020</i>)	Central Okanagan Poverty Reduction Strategy (<i>added during 2020</i>)	
Business case development: Housing for those with complex needs	Upstream Youth Services Plan	
Business case development: Provision of shelter services		

Transportation & mobility		
Strategic transportation investments are connecting higher density urban centres identified in the Official Community Plan	More trips are being made by transit, carpooling, cycling and walking	Travel times within our current transportation network are being optimized
Emerging technologies are making it easier to get around	More opportunities to learn about transportation are provided to the community	People of all ages and abilities can get around the city easily
Projects and initiatives		
Abbott Protected Bike Route (Rose - West), Active Transportation Corridor (ATC)	Neighbourhood Bikeway Program	
Casorso (Raymer - KLO), ATC	Okanagan Rail Trail - Connection to Waterfront Park Pathway	
Central Green Pedestrian Overpass	Parking strategy: Capri-Landmark Area Plan development	

Houghton 1 (Nickel - Okanagan Rail Trail), Active Transportation Corridor	Regional Goods Movement Study
Ethel 3C (Rose - Raymer), Active Transportation Corridor	Transit Operations and Maintenance Centre <i>(added during 2020)</i>
Employer Commute Trip Reduction - Pilot Program	Transportation annual performance monitoring program
Incorporating LiDAR into planning and mapping	Transportation Master Plan plus engagement



Vibrant neighbourhoods

The number of current and complete urban centre development plans is increasing	Site design and architecture are high-quality and sensitive to context	The housing mix provides affordable and attainable options
Community amenities are accessible for residents and are multi-purpose	Parks and public spaces are being animated	Key sites in the city are being planned proactively

Projects and initiatives

350 Doyle Ave. Strategic Disposition (via long-term lease)	Knox Mountain Park - Improvements
2040 Official Community Plan completion	Mission Recreational Park artificial turf replacement
Art Walk/Civic Plaza: Civic precinct/downtown planning	Mission Recreation - softball Diamonds
Artist in Residence pilot program	Neighbourhood Association review
Ballou Park	Pandosy Waterfront Park : Phase 1
Bernard Avenue 'Green Street' Program	Parkinson Recreation Centre - Alternative Approval Process to borrow funds
Buildings Master Plan	Parkinson Recreation Centre: conceptual facility design
Capital Opportunities and Partnership – field lighting	Parks Master Plan
Capri-Landmark Urban Centre Plan implementation	Performing Arts Centre feasibility & partnerships
City Park - Improvements, Waterfront Promenade Phase 3	Public Art Masterplan
City Park Promenade design and construction: Phase 2	Rutland Centennial Park: Phase 4
Community Signature Event	Secondary Suites BC Building Code Updates
Data Analytics - Model City Geodesign (3D) Phase1	Strategic redevelopment of key sites, Harvey: Abbott to Richter (Southern Gateway)
Healthy Housing Implementation	Temporary sports bubble policy
Investigation of Future Role in Father Pandosy Mission Site (<i>added during 2020</i>)	Zoning Bylaw review and modernization

Economic resiliency

The infrastructure deficit is being reduced	City policies are enabling investment	Top talent is living in Kelowna	The economic impact of key sectors is increasing
Projects and initiatives			
5G network development initiative: Phase 1		Soaring Beyond 2.5 M Passengers: Air Terminal Building, Phase 1	
Data Analytics - Model City Infrastructure – cost and impacts on deficit		Start-up and entrepreneur's partnership program (tech community)	
Development of East Lands (Airport)		Unsolicited Proposal Program	

Environmental protection

Neighbourhoods and city infrastructure are resilient and adaptable to climate change	Community and corporate greenhouse gas emissions are decreasing	Our predictive modelling and forecasting is improving	The City's response to extreme weather events minimizes disruption to delivering regular operations
Projects and initiatives			
Accelerated Climate Action Initiatives – Implementation		Implementation of Energy Step Code Strategy for residential buildings (Part 9)	
Community Energy Retrofit Strategy		Kelowna Area Based Water Management Plan	
Community Electric Vehicle Strategy		Knox Mountain geotechnical engineering	
Energy Step Code Implementation Strategy for large/complex buildings (Part 3)		Mill Creek flood protection project	
Energy Step Code Implementation Strategy for Part 3 Buildings - Implementation			

Corporate results

Financial management		
Lower value activities are being improved or stopped	Non-tax revenues are increasing	The cost to deliver services is quantified
Projects and initiatives		
Chat bot scale up (<i>added during 2020</i>)	Grants Management System Implementation	
Exploration of alternative models for Recreation and Culture user fees	Review, validate and update current budgeting best practice tools for corporation	
Facility reserve fund review (Active Living & Culture)		

Clear direction		
There is a common understanding of where the organization is going in the future	Progress on Council and corporate results is measured, monitored and reported	Divisional/departmental plans show how we are advancing Council and corporate results and outline key operational initiatives
Divisions and departments have meaningful performance measures that are reviewed regularly	Innovation is encouraged and supported throughout the organization	Services, processes and business activities are being transformed
Projects and initiatives		
Financial Planning & Analytics system	Online application system upgrade	
Corporate performance management & reporting - business unit level (<i>added during 2020</i>)	Replace legacy Community Planning & Development business systems	
Corporate Asset Management System	Service request system replacement	
Development application procedures bylaw update	SharePoint Online migration & records management (EDRMS Ph. 3)	

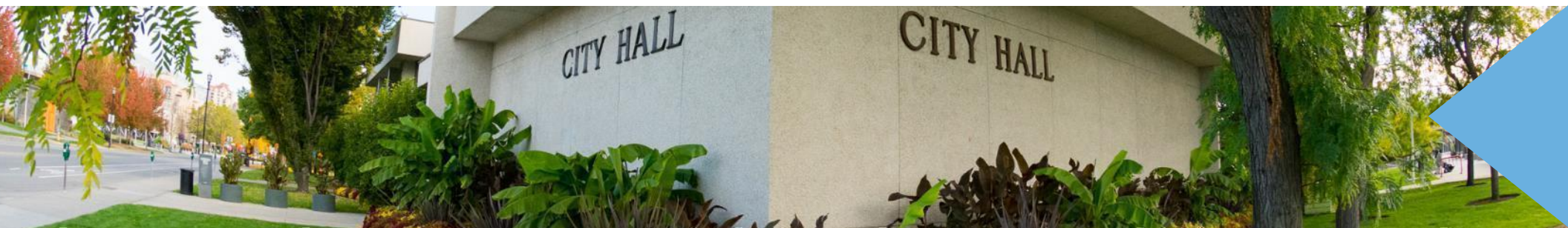
Geographic Information System (GIS) Strategy <i>(added during 2020)</i>	Strategy management software: Discovery & pilot
Investigate implementation of an internal box office and review of Front of House Services <i>(added during 2020)</i>	Web platform update to Drupal 8: Phase 2 implementation
Migrate websites to the cloud <i>(added during 2020)</i>	

People

The ability to attract, select and retain the right people is improving	Collaboration within the organization, and with external stakeholders is improving problem solving	Staff engagement has increased	Organizational values have shifted to prepare us for the future
Projects and initiatives			
City of Kelowna corporate certification program	Major Systems Projects - Data Warehouse - analytics; online services		
Collaboration with UBC Okanagan <i>(added during 2020)</i>	Staff capacity building in user research methods		
Collaborative workshop: solution testing (Phase 2 - Community safety)	Strategy Management Software Solution - Corporate implementation		
Digital literacy program	Systems leaders table		
Diversity & Inclusion Strategic Plan Project	Update the Engage Program <i>(added during 2020)</i>		
Improved customer facing chat functionality	Web - Common Identity Portal - Phase 2 build		
Learning Management Software Implementation Project <i>(added during 2020)</i>	WR Bennett bridge green space re-purpose feasibility		

Maintain and improve base business (operations)

Maintain	Growth	New
Projects and initiatives		
Accessible Parking Permit Program Review & Update (<i>added during 2020</i>)	Integrated risk management	
City Hall - Renovations, Phase IV	Intranet redevelopment	
City Hall renovations: Phase V	Lakeshore 1 bridge at Bellevue Creek	
Data Analytics - Model City Infrastructure - launch (<i>added during 2020</i>)	Preliminary plan design program: new projects	
Data Analytics - Model City Upgrade 2021	Transition of South East Kelowna Irrigation District integration with City Water Utility	
Data Strategy – Data Management; Data Architecture Phase 1 & 2	Unit 4 approval workflow: Phase 3	
Email and mobile marketing platform: Phase 2	Update 20 Year Servicing Plan and Development Cost Charges Bylaw in conjunction with Official Community Plan (OCP)	
Event Strategy	Water meter replacement program	
Heritage Conservation Area Review		



Expanded look at projects and initiatives

Action Plan 2021

Council priorities 2019-2022

Community safety	
Project initiative detail (<i>alphabetical order</i>)	Duration
<p><i>CCTV camera database registry, pilot program</i></p> <p>Security camera video footage can be key to identifying suspects, missing persons, potential witnesses or linking together other information. The registry will record the location of cameras owned by businesses in Kelowna. This video camera registry initiative is a partnership between the City of Kelowna, Kelowna RCMP, businesses, and the community.</p> <p><u>Lead department</u>: Community Safety <u>Support department(s)</u>: Information Services</p>	2020-2021
<p><i>Data analytics: expand community safety data model</i></p> <p>Identify data sources to create analytics visualizations to be used for investigation, understanding, and informed decision making.</p> <p><u>Lead department</u>: Intelligent Cities <u>Support department(s)</u>: Infrastructure Integrated Transportation</p>	2020-2022
<p><i>Develop a Community Safety Plan</i></p> <p>This is a comprehensive, overarching community informed plan that will drive the organization of community and safety-related agencies and resources.</p> <p><u>Lead department</u>: Community Safety <u>Support department(s)</u>:</p>	2020-2021
<p><i>Implement Community Safety Plan (CSP)</i></p> <p>A CSP forms the basis of an overall strategy for a multi-pronged, systems-based approach in Kelowna. A CSP will provide a framework to engage and align stakeholders, systems and partners; identify and validate issues and priorities; ; develop ways of measuring, monitoring and reporting progress.</p> <p><u>Lead department</u>: Community Safety <u>Support department(s)</u>:</p>	2021-2022

<p><i>Safety positions approved in 2020 (25 total: 11 RCMP and 14 support staff)</i></p> <p>In response to the Crime Reduction Strategy, the social issues facing our community, and the recent Kelowna RCMP and Police Services Resource Review, 25 new safety positions were approved in 2020. Recruitment began in 2020 with 5 support staff being hired. The remaining support staff hires and RCMP has been intentionally delayed due to the corporate impacts of the pandemic.</p> <p><u>Lead department:</u> Community Safety <u>Support department(s):</u> Human Resources</p>	<p>2020-2021</p>
<p><i>Support community court approval and implementation</i></p> <p>This work involves efforts to support the community steering committee in their proposal to the BC Government to resource a community court. If approval is granted, efforts will be directed towards implementation.</p> <p><u>Lead department:</u> Community Safety <u>Support department(s):</u></p>	<p>2019-2021</p>



Social & inclusive

Project initiative detail <i>(alphabetical order)</i>	Duration
<p><i>Affordable Housing Land Acquisition Strategy</i></p> <p>Council has endorsed the Healthy Housing Strategy, which included specific direction to consider the development of an affordable Housing Land Acquisition Strategy. The aim of the strategy is to acquire land to facilitate ongoing partnerships that will result in long-term affordable housing in Kelowna.</p> <p><u>Lead department</u>: Policy & Planning <u>Support department(s)</u>: Multiple departments</p>	2019-2021
<p><i>Built for Zero - Data Collection & Analysis System (added in 2020)</i></p> <p>The proposed Data Integration Requirements Exercise will be conducted in partnership with the Central Okanagan Journey Home Society (COJHS) to identify the barriers, opportunities, governance, data sharing and privacy assessment, skills map, gaps, data requirements and stage gates for this multi-phased project. The outcome is one comprehensive real-time person-specific list of all people currently experiencing homelessness in the community.</p> <p><u>Lead department</u>: Social Development <u>Support department(s)</u>: Corporate Strategic Services</p>	2020-2021
<p><i>Business case development: Housing for those with complex needs</i></p> <p>The current inventory of shelter units is not equipped to house individuals with complex and unique needs (e.g. mental health, alcohol and drug dependency.) This project will be to work in conjunction with BC Housing, Interior Health, and other service providers to complete a formal review of how to best meet the complex housing needs of our community.</p> <p><u>Lead department</u>: Real Estate Services <u>Support department(s)</u>: Active Living & Culture</p>	2020-2021
<p><i>Business case development: Provision of shelter services</i></p> <p>The City is in on-going discussions with a variety of organizations and community groups to optimize the delivery of shelter services in a coordinated and strategic manner. Scope will include support of different models for shelter sites and a review of how existing shelter resources could be allocated in a manner that best meets the needs of our community.</p> <p><u>Lead department</u>: Real Estate Services <u>Support department(s)</u>: Active Living & Culture Planning & Development</p>	2020-2021

<p><i>Central Okanagan Journey Home Society Memorandum Of Understanding (MOU) Implementation</i></p> <p>The MOU sets out a general understanding and a mutually agreed upon framework between the City and COJHS with respect to the implementation of the Journey Home Strategy. The MOU is designed to support COJHS as they build their capacity and continue to grow and evolve and increase their sustainability as an independent organization. A number of focus areas have been identified, and through this partnership will be implemented.</p> <p><u>Lead department</u>: Social Development <u>Support department(s)</u>:</p>	2020-2023
<p><i>Central Okanagan Poverty Reduction Strategy (added during 2020)</i></p> <p>The vision of this project is the creation of a regional wellness and poverty reduction strategy and accompanying implementation plan for the communities and residents of the Central Okanagan. A strategy will provide a coordinated, shared community framework around poverty reduction initiatives, projects and work in the Central Okanagan.</p> <p><u>Lead department</u>: Social Development <u>Support department(s)</u>:</p>	2020-2021
<p><i>Upstream Youth Services Plan</i></p> <p>It has been recognized that engaging youth in positive activities and opportunities contributes to their wellbeing and resiliency. Though coordinated efforts of key stakeholders such as schools, youth, social, sport and cultural service providers, strengths, gaps and opportunities will be identified. A collaborative, youth informed program will be developed which supports youth in building resiliency and connectedness so they are able to realize their full potential.</p> <p><u>Lead department</u>: Community & Neighbourhood Services <u>Support department(s)</u>:</p>	2021-2022

Transportation & mobility	
Project initiative detail <i>(alphabetical order)</i>	Duration
<p><i>Abbott Protected Bike Route (Rose – West) Active Transportation Corridor (ATC)</i></p> <p>The Abbott ATC is one of the City's busiest cycling routes and use has increased by over 50% from 2020's peak season. Separated space for people walking and biking would be created by re-allocating existing road space and elements using interim infrastructure.</p> <p><u>Lead department</u>: Integrated Transportation <u>Support department(s)</u>:</p>	2021-2021

<p><i>Casorso (Raymer – KLO) ATC</i></p> <p>Extend the Ethel St ATC from Raymer Rd to KLO via an existing laneway. This all ages and abilities facility will improve access to Okanagan Collage and future extensions along Casorso. It will connect to the existing Barrera ATC, linking to Lakeshore and Gordon.</p> <p><u>Lead department:</u> Integrated Transportation <u>Support department(s):</u></p>	2021-2021
<p><i>Central Green Pedestrian Overpass</i></p> <p>This project will create a grade-separated connection over Hwy 97 for people walking and biking between the Central Green site, Rowcliffe Park and Downtown</p> <p><u>Lead department:</u> Integrated Transportation <u>Support department(s):</u></p>	2021-2022
<p><i>Houghton 1 (Nickel - Okanagan Rail Trail) ATC</i></p> <p>Following a 2019 routing study, the proposed separated bike lanes will travel north from Houghton Rd along Nickel/Lester Rd, west on Leathead Rd, crossing Hwy 97 and connect to the Okanagan Rail Trail 200 meters west of Hwy 97. The completion of this segment will improve access between previously constructed portions of Houghton ATC/Rutland Urban Centre to the OK Rail Trail.</p> <p><u>Lead department:</u> Infrastructure <u>Support department(s):</u></p>	2020-2021
<p><i>Ethel 3C (Rose – Raymer), ATC</i></p> <p>The Ethel Street ATC is a priority "all ages and abilities bicycling project" within the Pedestrian Bicycle Master Plan. This extension will connect to bike lanes on Raymer, to Kelowna Secondary School and support future phases that will extend the ATC further south, connecting to Okanagan College, KLO and Casorso.</p> <p><u>Lead department:</u> Infrastructure <u>Support department(s):</u></p>	2020-2021
<p><i>Employer Commute Trip Reduction – Pilot program</i></p> <p>Employer commute trip reduction programs are a cost-effective and key component of congestion management and greenhouse gas reduction programs. Typical programs provide employers with resources and incentives to help reduce single-occupancy vehicle trips to their work sites.</p> <p><u>Lead department:</u> Integrated Transportation <u>Support department(s):</u> Communications</p>	2021-2023
<p><i>Incorporating LiDAR into planning and mapping</i></p> <p>The project is a continuation of the project currently undertaken with UBC and Rogers to better understand the built transportation environment. By further leveraging LiDAR sensor technology that measures distances, we hope to better understand how different modes of transportation work within our City, track data that we have previously never had and leverage it for data driven decision making.</p>	2021-2021

<u>Lead department:</u> Intelligent Cities	<u>Support department(s):</u> Integrated Transportation	
<p><i>Neighbourhood Bikeway program</i></p> <p>Neighbourhood Bikeways are an "all ages and abilities" lower-cost alternative to fully protected bike lanes on busier streets. Initiatives will be done to advance network planning for the Neighborhood Bikeway Program included in Scenario 2 of the Transportation Master Plan. The program aims to take action in the face of climate change, embrace diverse transportation options and build healthy neighbourhoods for all.</p> <p><u>Lead department:</u> Integrated Transportation <u>Support department(s):</u></p>		2021-2021
<p><i>Okanagan Rail Trail – Connection to Waterfront Park pathway</i></p> <p>Construction of 450m of the trail linking the end of the Rail Trail with the Waterfront Walkway via Manhattan and Sunset drives. The project will pilot the use of interim infrastructure to separate users from traffic</p> <p><u>Lead department:</u> Integrated Transportation <u>Support department(s):</u></p>		2021-2021
<p><i>Parking Strategy: Capri-Landmark Area Plan development</i></p> <p>The 2013 Citywide Parking Strategy identified the area of Capri-Landmark as a business district that requires a detailed Parking Management Area Plan to deal with current and emerging/future issues. This project will allow an area parking plan to be created for the area around the Landmark Development (Dayton, Dixon, Kirchner Rd).</p> <p><u>Lead department:</u> Parking Services <u>Support department(s):</u> Communications</p>		2020-2021
<p><i>Regional Goods Movement Study</i></p> <p>As Kelowna and the surrounding region grows, goods movement and the delivery of goods will be critical for supporting businesses and the economy. This study will identify policies and solutions needed to ensure the sustainable movement of goods as our City and region grow.</p> <p><u>Lead department:</u> Integrated Transportation <u>Support department(s):</u> Policy & Planning; Communications</p>		2021-2022
<p><i>Transit Operations and Maintenance Centre (added during 2020)</i></p> <p>A new Transit Operations and Maintenance facility is being planned to replace the existing facility which is over capacity. The new facility will serve the community for a minimum of 25 years and include administration and operational facilities for the maintenance and storage for a minimum of 225 buses (from the current 110). City and staff are working in partnership with BC Transit to deliver the project in a series of phases.</p> <p><u>Lead department:</u> Regional Programs <u>Support department(s):</u> Infrastructure Delivery</p>		2020-2025

<p><i>Transportation annual performance monitoring program</i></p> <p>Develop an annual performance monitoring program to help answer the question: How is the City doing at implementing the Transportation Master Plan (TMP) and achieving the vision and goals for transportation? Specific performance metrics and data sources will be identified that can be reported on an annual basis, in both report format and via updates to the TMP website.</p> <p><u>Lead department</u>: Regional Planning <u>Support department(s)</u>: Community Communications</p>	2020-2021
<p><i>Transportation Master Plan plus engagement program</i></p> <p>The Kelowna Transportation Master Plan is a long-range plan that will help to evaluate and identify strategic, prioritized investments (projects, programs, and policies) that will be needed over the next 20 years to achieve the community's vision and goals for transportation in the City of Kelowna. The plan will incorporate the vision of Imagine Kelowna, and coordinate closely with the OCP update and Regional Transportation Plan.</p> <p><u>Lead department</u>: Integrated Transportation <u>Support department(s)</u>: Multiple departments</p>	2017-2021

Vibrant neighbourhoods	
Project initiative detail (alphabetical order)	Duration
<p><i>350 Doyle Ave Strategic Disposition (via Long-Term Lease)</i></p> <p>Strategic long-term leasehold disposition of a 0.87-acre portion of 350 Doyle Avenue. This leasehold disposition is consistent with the vision established in the Civic Precinct Plan and aims to animate and increase the vibrancy of the area while at the same time delivering a number of community amenities in the form of an extension to the Artwalk, a public plaza, and a community space.</p> <p><u>Lead department</u>: Strategic Land Development <u>Support department(s)</u>: Parks & Buildings Planning Cultural Services</p>	2019-2021
<p><i>2040 Official Community Plan Completion</i></p> <p>The City of Kelowna is reviewing its Official Community Plan. The OCP will be an action-oriented document and will outline strategies, policies and practical tools for achieving the goals of the OCP. A key part of the OCP planning process will be to develop a more integrated and systematic approach to neighbourhood planning. An Implementation Strategy will accompany the new OCP and will commence immediately following the 2040 OCP endorsement.</p> <p><u>Lead department</u>: Policy & Planning <u>Support department(s)</u>: Multiple departments</p>	2017-2021

<p><i>Art Walk/Civic Plaza: Civic precinct/downtown planning</i></p> <p>To develop the schematic design for the Art Walk and Civic Plaza in partnership with the future developer.</p> <p><u>Lead department:</u> Parks & Buildings Planning <u>Support department(s):</u> Real Estate Communications</p>	2018-2021
<p><i>Artist in Residence pilot program</i></p> <p>Engage the work of a series of professional artists to support a 3-year pilot Artist in Residence program with the goal of addressing social justice issues in our community through art. Art and artists play an integral role in empowering social justice movements by creatively illuminating social issues, engaging new audiences in activism, and catalyzing new public discourse about advocacy missions from multiple perspectives.</p> <p><u>Lead department:</u> Cultural Services <u>Support department(s):</u> Community & Neighbourhoods Communications</p>	2020-2022
<p><i>Ballou Park</i></p> <p>Design and construction of the completion to Ballou Park and connection to Knox Mountain Park. Ballou Park is in Glenmore, and identified as a priority neighbourhood park as the surrounding area has witnessed significant residential development over the past decade and is in need of amenities and green space.</p> <p><u>Lead department:</u> Parks & Buildings Planning <u>Support department(s):</u></p>	2021-2022
<p><i>Bernard Avenue 'Green Street' Program</i></p> <p>Operationalize the annual closure of the 200/300 blocks of Bernard Avenue during the summer months and explore the feasibility of designing and programming an urban park setting on the 400/500 blocks to animate and create vibrancy on downtown's main street.</p> <p><u>Lead Department:</u> Event Services <u>Support Department(s):</u> Parks Planning, Outdoor Event Committee</p>	2021-2021
<p><i>Buildings Master Plan</i></p> <p>Development of a comprehensive Master Plan for our City owned buildings. The Master Plan will create a vision and model to assess both infrastructure renewal and new construction to match growth, assess provision and distribution of built services and amenities across the City, and prioritize needs between the different building types.</p> <p><u>Lead department:</u> Parks & Buildings Planning <u>Support department(s):</u> Multiple departments</p>	2021-2021

<p><i>Capital Opportunities and Partnership – field lighting</i></p> <p>This is a partnership with the soccer community for a field lighting project at Rutland Recreation Park. Men’s Soccer currently hold funds in reserve and are eligible to apply for a capital gaming grant for a matching amount. The City would be responsible to provide utility supply to the site and minimal operating and maintenance support.</p> <p><u>Lead department</u>: Parks & Buildings Planning <u>Support department(s)</u>: Active Living & Culture</p>	2021-2022
<p><i>Capri-Landmark Urban Centre Plan implementation</i></p> <p>Policy and Planning will work with a range of departments to harmonize various policies and bylaw from the Capri-Landmark Plan. This would require a mix of both policy and bylaw work as well as project management work to support and coordinate the work required of other departments (e.g. amendments to OCP, Zoning bylaw updates, etc.)</p> <p><u>Lead department</u>: Long Range Planning <u>Support department(s)</u>: Multiple departments</p>	2020-2021
<p><i>City Park – Improvements, Waterfront Promenade Phase 3</i></p> <p>Design and permitting for the replacement of the final section of promenade through City Park from the sails to the Point, and the section of boardwalk adjacent, in preparation for subsequent construction.</p> <p><u>Lead department</u>: Parks & Buildings Planning <u>Support department(s)</u>:</p>	2021-2021
<p><i>City Park Promenade design and construction: Phase 2</i></p> <p>Replacement of the waterfront walkway in City Park from the Hot Sands Washroom to the Point. The existing walkway is in poor condition due to settlement and damage from tree roots. The improvement will include increased width where possible to accommodate the high volumes of traffic, lights for night time use, park furniture and feature universal accessibility standards.</p> <p><u>Lead department</u>: Infrastructure Delivery <u>Support department(s)</u>: Communications</p>	2020-2021
<p><i>Community Signature Event</i></p> <p>Create and develop a homegrown signature event that considers Kelowna’s tradition, diversity and spirit; provides residents and visitors an opportunity to celebrate and enhance social connection; and delivers an economic stimulus for local businesses.</p> <p><u>Lead Department</u>: Event Services <u>Support Department(s)</u>: Communications, Outdoor Event Committee</p>	2021-2021

<p><i>Data Analytics – Model City Geodesign (3D) Phase 1</i></p> <p>Investigate geodesign options as a new module of Model City. Look at options for simulated 3D using current in-house technology as well as 3rd party virtual reality and augmented reality options.</p> <p><u>Lead department</u>: Data Services & Analytics; Policy & Planning <u>Support department(s)</u>:</p>	2021-2021
<p><i>Healthy Housing Implementation</i></p> <p>Implementation of the actions endorsed in the Healthy Housing Strategy. This will require project managing the implementation across departments and with any external stakeholders that have agreed to implement actions.</p> <p><u>Lead department</u>: Policy & Planning <u>Support department(s)</u>: Multiple departments</p>	2021-2021
<p><i>Investigation of Future Role in Father Pandosy Mission site (added during 2020)</i></p> <p>The Father Pandosy Mission is arguably the most iconic historic site in the Central Okanagan region. For more than 50 years it has stood as a point of reference for the broader pioneer experience so prevalent across Western Canada. This project is intended to explore solutions for the ownership, maintenance and operations of the Father Pandosy site.</p> <p><u>Lead department</u>: Cultural Services <u>Support department(s)</u>: Multiple departments</p>	2020-2021
<p><i>Knox Mountain Park - Improvements</i></p> <p>The Knox Mountain Management Plan proposed a number of specific capital improvements to the Park, phased in over the next decade. Due to erosion and a rock fall on the Paul's Tomb trail, emergency and maintenance vehicles cannot access the end of the trail. The priority for this year is to replace an existing retaining wall to allow access for these vehicles. Work will also continue on the next stage of the maintenance plan.</p> <p><u>Lead department</u>: Parks & Buildings Planning <u>Support department(s)</u>:</p>	2021-2022
<p><i>Mission Recreational Park artificial turf replacement</i></p> <p>The existing artificial turf field is failing. This work will replace the artificial turf in order to maximize the return on investment for lighting and other infrastructure, while reducing the demand and overuse of other grass fields.</p> <p><u>Lead department</u>: Infrastructure Delivery <u>Support department(s)</u>: Active Living & Culture</p>	2021-2022

<p><i>Mission Recreation – softball diamonds</i></p> <p>Current demand for ball diamonds within the City is high. This project will twin the ball diamonds at Mission Recreation Park to form the second quad, in accordance with the site masterplan.</p> <p><u>Lead department</u>: Parks & Buildings Planning <u>Support department(s)</u>: Active Living & Culture</p>	2021-2022
<p><i>Neighborhood Association review</i></p> <p>A better understanding of the roles, responsibilities and expectations of Neighbourhood Associations is desired. This work aims to create a framework in which Neighbourhood Associations can contribute to the City's vision for connected vibrant neighbourhoods. Active Living and Culture Division will work with Planning & Development to establish benchmarks, liaison roles, communication strategies and capacity building.</p> <p><u>Lead department</u>: Community & Neighbourhood Services <u>Support department(s)</u>: Multiple departments</p>	2021-2021
<p><i>Pandosy Waterfront Park: Phase 1</i></p> <p>Public consultation, design and first phase of construction for Pandosy Waterfront Park. The first phase of the masterplan includes demolition of the existing residential properties, a central plaza, activity lawn, beach front, restored shoreline, and outdoor classroom. Construction of the first phase is anticipated to be completed in 2021.</p> <p><u>Lead department</u>: Infrastructure Delivery <u>Support department(s)</u>: Communications</p>	2020-2021
<p><i>Parkinson Recreation Centre – Alternative Approval Process to borrow funds</i></p> <p>This work is to seek approval through a Council approved Alternative Approval Process to borrow funds for the design and construction of a replacement Recreation Centre and associated sports field, and reconfiguration of parking and site access improvements at Parkinson Recreation Park.</p> <p><u>Lead department</u>: Parks & Buildings Planning <u>Support department(s)</u>: Multiple departments</p>	2021-2021
<p><i>Parkinson Recreation Centre: conceptual facility design</i></p> <p>Staff are working on the conceptual facility design for the replacement of the Parkinson Recreation Centre. Proposed options will be brought to Council when developed. Design and construction will happen subsequent to the completion of this project.</p> <p><u>Lead department</u>: Parks & Buildings Planning <u>Support department(s)</u>: Multiple departments</p>	2020-2021

<p><i>Parks Master Plan</i></p> <p>To develop a comprehensive master plan for our active parks. The master plan will establish priorities between the four park types: city-wide, recreation, community and neighbourhood, as well as the needs of different stakeholder groups, and create a plan for future park development and renewal moving forward.</p> <p><u>Lead department</u>: Parks & Buildings Planning <u>Support department(s)</u>: Multiple departments</p>	2021-2021
<p><i>Performing Arts Centre feasibility and partnerships</i></p> <p>With the approval of the Civic Precinct Plan and the pending redevelopment of 350 Doyle Avenue, the future of the Kelowna Community Theatre has become a topic of conversation and concern in the community. Work in 2021 is exclusively internal, culminating in information which will guide both the decision-making and the timing of next steps.</p> <p><u>Lead department</u>: Business & Entrepreneurial Dev. <u>Support department(s)</u>: Multiple departments</p>	2021-2021
<p><i>Public Art Masterplan</i></p> <p>Develop a Masterplan to identify goals, locations, and funding for the public art program, and define parameters for partnerships.</p> <p><u>Lead department</u>: Parks & Buildings Planning <u>Support department(s)</u>: Multiple departments</p>	2021-2021
<p><i>Rutland Centennial Park: Phase 4</i></p> <p>This fourth and final phase of park development will be used to construct a park washroom building, an event stage, a basketball court, walking paths and landscaping of the remaining undeveloped areas of the park.</p> <p><u>Lead department</u>: Infrastructure Delivery <u>Support department(s)</u>: Communications</p>	2020-2021
<p><i>Secondary Suites BC Building Code Updates</i></p> <p>To review and provide technical expertise regarding the Provincial code changes in comparison to the City's Healthy Housing Strategy and OCP Growth Strategy. To provide clear direction to development and building industry regarding secondary suites.</p> <p><u>Lead department</u>: Long Range Planning <u>Support department(s)</u>: Multiple departments</p>	2021-2021
<p><i>Strategic redevelopment of key sites: Harvey: Abbott to Richter (Southern Gateway)</i></p> <p>Holistic review and analysis of key sites in the Harvey Avenue corridor between Abbott and Richter Streets, with a particular emphasis on the potential re-use/re-development of civic sites in a manner that enhances the aesthetic, cultural and economic 'entrance' to the City.</p> <p><u>Lead department</u>: Strategic Land Development <u>Support department(s)</u>: Multiple departments</p>	2020-2021

<p><i>Temporary sports bubble policy</i></p> <p>The additional year-round sports amenities provide huge benefit to the community; however, sports bubbles are a massive energy sink in the Okanagan climate in direct contradiction to our sustainability targets. This work will be to undertake a study to develop a compromise solution and set City policy for future bubbles.</p> <p><u>Lead department</u>: Parks & Buildings Planning <u>Support department(s)</u>:</p>	<p>2021-2021</p>
<p><i>Zoning Bylaw review and modernization</i></p> <p>Zoning Bylaw review to reflect growth objectives in OCP 2040 and shifting development patterns.</p> <p><u>Lead department</u>: Development Planning <u>Support department(s)</u>:</p>	<p>2021-2022</p>



Economic resiliency

Project initiative detail <i>(alphabetical order)</i>	Duration
<p>5G network development initiative: Phase 1</p> <p>5G networks will potentially transform government, industry and communications by making dramatic network improvements in both speed and latency. Improved connectivity will lead to a new Internet of Things ecosystem with more connected devices than ever before. An internal working group will develop guidelines on the City's role.</p> <p><u>Lead department:</u> Intelligent Cities <u>Support department(s):</u> Multiple departments</p>	2020-2021
<p>Data analytics – Model City infrastructure (MCI) - costs and impacts on deficit</p> <p>Investigate the MCI model further to gain an increased understanding of how various development types and location in the city impact infrastructure costs across the city. Investigate how housing mix and commercial/industrial properties add to, or help reduce, the current infrastructure deficit.</p> <p><u>Lead department:</u> Data Services & Analytics <u>Support department(s):</u></p>	2021-2021
<p>Development of East Lands (Airport)</p> <p>The development of the East Lands at the Airport will provide the supporting airside infrastructure necessary for the future growth of the Airport. This development was paused during 2020 due to COVID, but planned to continue in 2021.</p> <p><u>Lead department:</u> Airport <u>Support department(s):</u> Real Estate</p>	2018-2022
<p>Soaring Beyond 2.5 Million Passengers: Air Terminal Building Expansion, Phase 1</p> <p>Phase 1 of the Air Terminal Building (ATB) expansion will provide increased operational capacity in the departures lounge, reduction in wait times at pre-board screening, reduction in walking distances and an increase in food and beverage selection. As passenger numbers decreased significantly due to COVID-19, ATB expansion is continuing through Value engineering, design and phasing to cost development however construction will be scheduled based on passenger number recovery.</p> <p><u>Lead department:</u> Airport <u>Support department(s):</u></p>	2020-2023
<p>Start-up and entrepreneur's partnership program (tech community)</p> <p>The City of Kelowna encourages a culture of innovation by creating partnerships with the business community to share ideas, collaboratively solve problems and improve operations. For 12 weeks, startups and entrepreneurs partner with the City to test out a product or service that helps local government become more efficient and encourage a culture of innovation.</p> <p><u>Lead department:</u> Business & Entrepreneurial Development <u>Support department(s):</u></p>	2019-2021

Unsolicited Proposal Program

The City of Kelowna is often approached with great ideas. A policy will be developed that outlines the approach used to manage new and innovative ideas being presented to the City . It is intended to give confidence to innovators, entrepreneurs, investors and the community that proposals will be considered in a consistent, transparent and lawful manner to deliver the highest standards of public value.

Lead department: Business & Entrepreneurial Development Support department(s): Purchasing | Intelligent Cities

2019-2021



Environmental protection

Project initiative detail <i>(alphabetical order)</i>	Duration
<p><i>Accelerated Climate Action Initiatives – Implementation</i></p> <p>As directed by Council, staff will pursue the implementation of additional climate action measures across the corporation.</p> <p><u>Lead department</u>: Policy & Planning <u>Support department(s)</u>: Multiple departments</p>	2021-2022
<p><i>Community Energy Retrofit Strategy</i></p> <p>To meet Kelowna's own greenhouse gas (GHG) emissions reduction targets, energy retrofits for existing buildings will be a vital component. The Community Energy Retrofit Strategy is expected to be complete in 2021. The next phase of the project will be implementation of policies and programs identified in the strategy.</p> <p><u>Lead department</u>: Policy & Planning <u>Support department(s)</u>: Multiple departments</p>	2019-2021
<p><i>Community Electric Vehicle Strategy</i></p> <p>Initiated in 2020, the City is developing a Community Electric Vehicle Strategy (CEVS) that includes policies and programs to address charging infrastructure at home, work, in public parking spaces, at destination sites, and along highway corridors for longer distance trips. Once endorsed by Council, policies and programs outlined in the strategy will be implemented.</p> <p><u>Lead department</u>: Policy & Planning <u>Support department(s)</u>: Multiple departments</p>	2020-2021
<p><i>Energy Step Code Implementation Strategy for large/complex buildings (Part 3)</i></p> <p>The BC Energy Step Code is a provincial standard designed to help local government and industry incrementally move towards all new construction to be "net-zero energy ready" by 2032. Because a large number of new developments in Kelowna include Part 3 buildings, the City needs to develop an Implementation Strategy to address these larger buildings.</p> <p><u>Lead department</u>: Policy & Planning <u>Support department(s)</u>: Development Services</p>	2019-2022
<p><i>Energy Step Code Implementation Strategy for Part 3 buildings - implementation</i></p> <p>The Part 3 Strategy is expected to be completed by early 2021, at which point, the strategy will need to be implemented (assuming Council endorsement).</p> <p><u>Lead department</u>: Policy & Planning <u>Support department(s)</u>: Development Services</p>	2021-2022

<p><i>Implementation of Energy Step Code Strategy for residential buildings (Part 9)</i></p> <p>With Council's endorsement of Kelowna's Energy Step Code Implementation Strategy for Part 9 Residential Buildings, the City is now turning its focus to program delivery. Community awareness, training, technical and administrative changes and tracking processes, will support strategy implementation.</p> <p><u>Lead department:</u> Policy & Planning <u>Support department(s):</u> Development Services</p>	2019-2022
<p><i>Kelowna Area Based Water Management Plan</i></p> <p>This is a multi-year strategic planning initiative being done in partnership/consultation with the Regional District of Central Okanagan, the Okanagan Basin Water Board and various provincial ministries. Key areas of focus include the Kelowna Integrated Water Supply Plan, storm water management, waste water effluent, source water protection, environmental flow needs and natural asset.</p> <p><u>Lead department:</u> Infrastructure <u>Support department(s):</u> Utility Services Communications Financial Services</p>	2019-2021
<p><i>Knox Mountain geotechnical engineering</i></p> <p>In 2020, Council reviewed a 3-year plan to rehabilitate a recurring landslide issue below Royal View Avenue. This work will continue the soil/structural stabilization and include removal of poor-quality materials, import of structural fill and additional groundwater drainage collection and conveyance.</p> <p><u>Lead department:</u> Infrastructure Engineering <u>Support department(s):</u></p>	2020-2022
<p><i>Mill Creek flood protection project</i></p> <p>To adapt to anticipated climate changes, planning, design and construction of storm retention and diversion facilities on Mill Creek will be done to mitigate downtown and Kelowna International Airport flooding. This phase of work will include modeling, environmental assessment, First Nations engagement, development of cost estimates and construction of multiple projects.</p> <p><u>Lead department:</u> Utility Planning <u>Support department(s):</u> Multiple departments</p>	2020-2028



Corporate results

Financial management	
Project initiative detail <i>(alphabetical order)</i>	Duration
<p><i>Chat bot scale up (added during 2020)</i></p> <p>City use cases to scale up chat bots beyond the pilot done at the Kelowna International Airport will be explored in order to improve customer service and increase staff efficiencies.</p> <p><u>Lead department:</u> Intelligent Cities <u>Support department(s):</u> Airport</p>	2021-2021
<p><i>Exploration of alternative models for Recreation and Culture user fees</i></p> <p>Residents of the City of Kelowna contribute directly to the operations of Kelowna based recreation & culture programs & services through payment of their property taxes. This review will look at and compare user fee models which if adopted, would be reflected in the Active Living & Culture Fees and Charges Bylaw.</p> <p><u>Lead department:</u> Administration & Business Services (ALC) <u>Support department(s):</u> Multiple departments</p>	2021-2021
<p><i>Facility reserve fund review (Active Living & Culture)</i></p> <p>There are a number of facility-based reserve accounts that are supported through base budget operations, facility revenue and liquor primary license operations. This project is to review the program to ensure it reflects current needs and best opportunities are realized. The review will look at funding mechanisms, policy, types and uses of funds.</p> <p><u>Lead department:</u> Administration & Business Services (ALC) <u>Support department(s):</u> Financial Services</p>	2021-2021
<p><i>Grants Management System implementation (added during 2020)</i></p> <p>The goal of the new Grants Management System (GMS) implementation is to provide city-wide support and oversight throughout the lifecycle of a grant. It connects and coordinates roles and processes for the City when planning, securing and managing grants, and ensures quality and timely communications and grant deliverables that meet contractual requirements.</p> <p><u>Lead department:</u> Business & Entrepreneurial Dev. <u>Support department(s):</u> Multiple departments</p>	2020-2021

<p><i>Review, validate and update current budgeting best practice tools for corporation</i></p> <p>This project will review, validate and update current best practice budgeting tools such as internal allocations, zero based budgeting, full time equivalents calculations , salary and fringe budgeting and capital budgeting for staff.</p> <p><u>Lead department:</u> Financial Planning <u>Support department(s):</u></p>	2020-2021
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Clear direction	
Project initiative detail <i>(alphabetical order)</i>	Duration
<p><i>Financial Planning & Analytics system</i></p> <p>The current budget software is an in-house application, greater than 10 years old, that no longer meets the needs of the organization. This project will be done in phases to determine corporate needs and requirements, understand available products and to purchase and implement the chosen solution.</p> <p><u>Lead department:</u> Financial Planning <u>Support department(s):</u> Information Services Communications</p>	2021-tbd
<p><i>Corporate performance management & reporting - business unit level (added during 2020)</i></p> <p>The project is to develop a supporting framework & system for corporate performance management at the divisional / departmental level in order to better assess and improve the performance of the City's services. .</p> <p><u>Lead department:</u> Corporate Strategy & Performance <u>Support department(s):</u></p>	2020-2021
<p><i>Corporate Asset Management System</i></p> <p>A multi-year, multi-phased implementation of a corporate asset management system to provide comprehensive management of the City's portfolio of assets, including roads, buildings and equipment.</p> <p><u>Lead department:</u> Infrastructure <u>Support department(s):</u> Information Services Civic Operations</p>	2015-2021
<p><i>Development application procedures bylaw update</i></p> <p>Complete full review and update of the Development Application Procedures Bylaw. Include potential amendments related to the new OCP, changes in processes and other regulations. Improve efficiency and effectiveness of the development application process, reflecting changes in development types.</p> <p><u>Lead department:</u> Development Planning <u>Support department(s):</u></p>	2020-2021

<p><i>Geographic Information System (GIS) Strategy (added during 2020)</i></p> <p>This project is to build a 3-year corporate GIS strategy. The focus of the strategy is to further understand business processes and how GIS can improve the delivery of services and information. This strategy will provide clear direction with GIS and develop a platform to create solutions to solve business problems.</p> <p><u>Lead department:</u> Data Services & Analytics <u>Support department(s):</u></p>	2020-2021
<p><i>Investigate implementation of an internal box office and review of Front of House Services (added during 2020)</i></p> <p>The Kelowna Community Theatre (KCT) current does not operate its own box office. This project would entail reviewing best practices and box office models, as well as the current Front of House contracts, to see what might be possible for the KCT.</p> <p><u>Lead department:</u> Community Theatre <u>Support department(s):</u> Multiple departments</p>	2020-2021
<p><i>Migrate websites to the cloud (added during 2020)</i></p> <p>Move website hosting from on-premise to a cloud provider (Google, Microsoft, Amazon). This will result in a managed environment for our websites that can handle unexpected increases in traffic, such as during elections, emergencies and critical events</p> <p><u>Lead department:</u> Information Services <u>Support department(s):</u></p>	2020-2021
<p><i>Online application system upgrade</i></p> <p>An online event application system was implemented in 2018 that has streamlined the outdoor event application system. This project will upgrade the system to allow for additional online application types (ie. film, tournament and grants) and related reporting features.</p> <p><u>Lead department:</u> Event Development <u>Support department(s):</u> Information Services Communications</p>	2020-2021
<p><i>Replace legacy Community Planning & Development business systems</i></p> <p>This project will replace legacy planning and licensing business systems used in the Community Planning & Development division and will improve customer service and streamline process. These systems have been in place for over 20 years and are used to manage land development, construction activity, business licensing, and other permitting functions.</p> <p><u>Lead department:</u> Planning & Development <u>Support department(s):</u> Multiple departments</p>	2019-2021

<p><i>Service request system replacement</i></p> <p>The current service request system has been in place since 2002. It has gone through a number of modifications and enhancements and an increased web and mobile presence. The internal software platform for this system is one identified for retirement in the IS Digital Strategy. The replacement of the Service Request system will be addressed in a number of phases. 20,000 requests per year are received.</p> <p><u>Lead department:</u> Information Services <u>Support department(s):</u> Intelligent Cities Communications</p>	2019-2021
<p><i>SharePoint Online migration & records management (EDRMS Phase 3)</i></p> <p>Continuing from Phases 1 and 2 of the project, in this phase the team will design the information architecture and records management functionality to migrate content to SharePoint Online. Training and Support Programs will be created to ensure staff experience a smooth transition to SharePoint Online and resources are available to help them after the migration.</p> <p><u>Lead department:</u> Office of the City Clerk <u>Support department(s):</u> All City departments</p>	2020-2021
<p><i>Strategy management software: Discovery & pilot</i></p> <p>We are a large and diverse organization with hundreds of operational and strategic plans and strategies. We have performance metrics and data being collected and stored in different systems by different teams around the organization. A technical solution (tool) will help us manage and understand the connection of plans to each other, to our vision, and to the priorities of council and city administration. It will also improve our ability to assess and report our progress.</p> <p><u>Lead department:</u> Corporate Strategy & Performance <u>Support department(s):</u> Information Services</p>	2019-2021
<p><i>Web platform update to Drupal 8: Phase 2 implementation</i></p> <p>With backend preparations completed in 2019, phase 2 will begin in 2020 to upgrade all City websites to Drupal 8.</p> <p><u>Lead department:</u> Application Systems <u>Support department(s):</u></p>	2019-2021



People

Project initiative detail <i>(alphabetical order)</i>	Duration
<p><i>City of Kelowna corporate certification program</i></p> <p>This project will review and make a recommendation providing a Corporate University Certificate program to City Staff. Specific training and education that is currently offered, in addition to potential new learning options will be outlined in the recommendation. Alignment to recruitment qualifications, job descriptions, career and succession planning programs will also be reviewed and incorporated into the overall recommendation.</p> <p><u>Lead department:</u> HR Programs & Systems <u>Support department(s):</u></p>	2021-2021
<p><i>Collaboration with UBC Okanagan (added during 2020)</i></p> <p>Research connections between UBC Okanagan and the City of Kelowna have been active for some time. A more robust collaborative approach with UBC Okanagan will assist both agencies in understanding each other's priorities and needs, identifying areas of opportunity, and establishing clarity and focus for the ways in which they can generate achievement by working together.</p> <p><u>Lead department:</u> Business & Entrepreneurial Dev. <u>Support department(s):</u> Multiple departments</p>	2020-2021
<p><i>Collaborative workshop: solutions testing (Phase 2- Community safety)</i></p> <p>The completion of the collaborative workshop earlier in 2019 resulted in a challenge statement for community safety. Staff will look to take low cost and effort prototypes and continue to iterate and test to develop a solution that can be implemented.</p> <p><u>Lead department:</u> Intelligent Cities <u>Support department(s):</u> Multiple departments</p>	2020-2021
<p><i>Digital literacy program</i></p> <p>Implementation of an ongoing digital literacy/equity program for both staff and the public. As we move more services online and ramp up the use of emerging technologies, we have a role to play in helping increase our audiences' capacity to use and understand technology.</p> <p><u>Lead department:</u> Intelligent Cities <u>Support department(s):</u> Communications</p>	2021-2021

<p><i>Diversity & Inclusion Strategic Plan</i></p> <p>This project supports the City of Kelowna's goal to be an employer that is committed to providing a workplace in which all employees feel valued and are respected. People with different backgrounds bring diverse skills and abilities to the organization making it stronger and more able to respond to an environment that is constantly transforming. Inclusion, equity, and diversity are core principles for this strategic plan.</p> <p><u>Lead department:</u> HR Programs & System <u>Support department(s):</u></p>	<p>2021-2021</p>
<p><i>Improved customer facing chat functionality</i></p> <p>Ways to scale up chat beyond permitting & licensing, recreation and Airport use cases will be explored in order to improve customer service and provide more online options. Improve customer service</p> <p><u>Lead department:</u> Intelligent Cities <u>Support department(s):</u></p>	<p>2021-2021</p>
<p><i>Learning management system software implementation (added during 2020)</i></p> <p>As the City becomes more complex, there is an increased need to provide a wider variety of skills and procedural based training to a larger variety of City positions in a just in time format. A Learning management software systems (LMS) allows for training to be developed and delivered in an online format to meet specific corporate training needs</p> <p><u>Lead department:</u> HR Programs & Systems <u>Support department(s):</u> Multiple departments</p>	<p>2020-2021</p>
<p><i>Major systems – data warehouse – analytics; online services</i></p> <p>New major systems will include a data warehouse with analytics and onboarding of new Online Services (e.g. Chat bot). There is an overwhelming demand for data analytics solutions, which enable staff to make data-driven decisions.</p> <p><u>Lead department:</u> Information Services <u>Support department(s):</u></p>	<p>2021-2021</p>
<p><i>Staff capacity building in user research methods</i></p> <p>As we move more services online, user research can help us make sure that we are creating pleasing, user-friendly, intuitive user experiences. This will reduce confusion and the need for staff support or user training. We propose creating an awareness and training program to increase buy-in and capacity at the City for user research.</p> <p><u>Lead department:</u> Intelligent Cities <u>Support department(s):</u></p>	<p>2021-2021</p>

<p><i>Strategy Management Software solution – Corporate implementation</i></p> <p>Following the completion of phase 1 (Strategy management software solution discovery and pilot) a corporate implementation project will begin if the recommendation and approvals support moving forward. This software will enable the organization to manage the execution of plans and strategy and understand strategy performance.</p> <p><u>Lead department:</u> Corporate Strategy & Performance <u>Support department(s):</u> Multiple departments</p>	2021-2022
<p><i>Systems leaders table (paused)</i></p> <p>A Community Well-Being Systems Leaders Table is in development. The purpose of this table is to bring decision-makers at the systems level together to examine the potential to create a local systems leadership mechanism that advances innovative solutions, policy and systems change to address the social well-being needs of the citizens of Kelowna</p> <p><u>Lead department:</u> Active Living & Culture <u>Support department(s):</u> Policy & Planning Community Safety</p>	2019-2021
<p><i>Update the Engage Program (added during 2020)</i></p> <p>The Engage Program was developed and implemented at the City in 2013. In 2021, the program will be reviewed and refreshed to ensure we continue to effectively connect with our residents, both online and in the community. Leading practices and technology continue to evolve rapidly. The program update will ensure engagement undertaken by the City continues to be meet the needs of the corporation and our residents.</p> <p><u>Lead department:</u> Community Communications <u>Support department(s):</u></p>	2020-2021
<p><i>Web – Common Identity Portal – Phase 2 build</i></p> <p>Create a customer portal connected to the city website that will allow citizens to log in to see their property account information. Using their BC Services card, citizens will be able to log into a custom citizen experience that will allow them to connect with their city services.</p> <p><u>Lead department:</u> Business Service Applications <u>Support department(s):</u></p>	2021-2021
<p><i>WR Bennett bridge green space re-purpose feasibility</i></p> <p>A feasibility study and consultation with the Province on the re-purposing of the very large area under the bridge for community amenity. The 2040 OCP is identifying a major shortage of space for future parks and public spaces, and a funding shortfall to acquire them. The bridge has approx. 0.75 Ha of space and nearly a Km of potential waterfront.</p> <p><u>Lead department:</u> Parks & Buildings Planning <u>Support department(s):</u></p>	2021-2021

Maintain and improve base business (operations)

Project initiative detail <i>(alphabetical order)</i>	Duration
<p><i>Accessible parking permit program review & update (added during 2020)</i></p> <p>Currently the City issues Accessible Parking Permits via the Revenue Branch. This program has long been the subject of abuse and fraudulent usage. City literature and policies often conflict with related sections in the Traffic Bylaw, creating confusion for staff and the public.</p> <p><u>Lead department:</u> Parking Services <u>Support department(s):</u> Multiple departments</p>	2020-2021
<p><i>City Hall renovations: Phase IV</i></p> <p>This phase is for renovations in the garden level, as part of the ongoing renovations to improve the effective use of City Hall. The existing basement is not effectively laid out with less than thirty workstations. The renovations will more than double the number of workstations available to meet staffing demands, reduce reliance on lease space, and create a more modern working environment.</p> <p><u>Lead department:</u> Parks & Buildings Planning <u>Support department(s):</u> Multiple departments</p>	2021-2021
<p><i>City Hall renovations: Phase V</i></p> <p>Phase V renovations for the partial renovation of Level 1. The renovations will create a suite of meeting rooms with improved accessibility for the public, as well as additional workstations and offices. The additional meeting rooms will create flexibility elsewhere in City Hall for training rooms, breakout spaces and temporary dedicated project rooms.</p> <p><u>Lead department:</u> Parks & Buildings Planning <u>Support department(s):</u> Multiple departments</p>	2020-2021
<p><i>Data analytics – Model City Infrastructure (MCI) – launch (added during 2020)</i></p> <p>MCI was developed as a proof of concept. It's now time to take the concept and operationalize it and move it to a production environment. Allows for a real-time assessment of the cost of infrastructure across the city and creates a base to compare future development projects against</p> <p><u>Lead department:</u> Data Services & Analytics Policy & Planning <u>Support department(s):</u></p>	2020-2021

Project initiative detail <i>(alphabetical order)</i>	Duration
<p><i>Data analytics – Model City Upgrade 2021</i></p> <p>Team to update list of enhancements for 2021. Greater acceptance and use of the Model Platform to help make evidence-based decisions.</p> <p><u>Lead department</u>: Data Services & Analytics Policy & Planning <u>Support department(s)</u>:</p>	2020-2021
<p><i>Data Strategy – Data Management; Data Architecture Phase 1 & 2</i></p> <p>To ensure the City's data holdings, both internal and public, are available, usable, have integrity and are secure, a formal data governance strategy needs to be developed. Included will be establishing standards and processes for acquiring and handling data, as well as accountability for the process.</p> <p><u>Lead department</u>: Data Services & Analytics <u>Support department(s)</u>: Multiple departments</p>	2020-2021
<p><i>Email and mobile marketing platform: Phase 2</i></p> <p>This two-phase project is to examine our current state of email marketing (GovDelivery), research its effectiveness and the needs of our customers, and create a transition plan to a new platform. Phase 1 focused on discovery and research and implementation planning. This phase will focus on transition, training and implementation.</p> <p><u>Lead department</u>: Corporate Communications <u>Support department(s)</u>: Information Services</p>	2020-2021
<p><i>Event Strategy</i></p> <p>Develop an event strategy that considers: event development, event support, event management and event spaces, each of which has specific goals, objectives, and action plans to effectively provide future direction and priorities.</p> <p><u>Lead department</u>: Event Development <u>Support department(s)</u>: Community Communications</p>	2020-2021
<p><i>Heritage Conservation Area review</i></p> <p>Conduct a thorough review of the Heritage Conservation Area and recommend any updates or changes, including to the Heritage Conservation Area Guidelines. Includes review of development activity; goals & objectives; best practices; standard and community engagement.</p> <p><u>Lead department</u>: Policy & Planning <u>Support department(s)</u>: Multiple departments</p>	2021-2022
<p><i>Integrated risk management</i></p> <p>Update the enterprise risk management framework and develop a corporate risk register. This project will include building department risk registers and area specific enterprise wide risk management frameworks.</p> <p><u>Lead department</u>: Risk Management <u>Support department(s)</u>:</p>	2019-2021

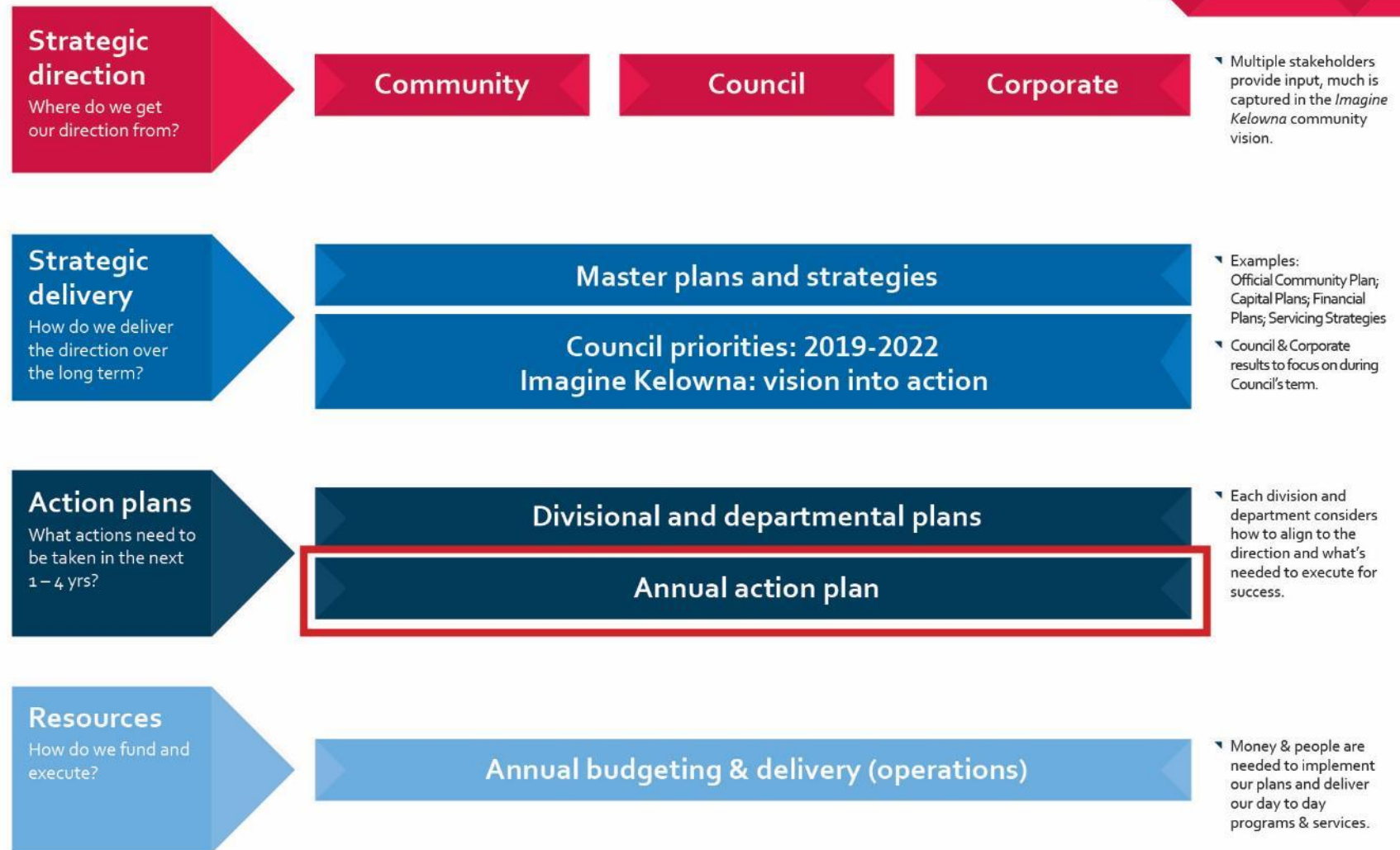
Project initiative detail <i>(alphabetical order)</i>	Duration
<p><i>Intranet redevelopment</i></p> <p>To redevelop the City's intranet, making it more social and accessible. The project would also aim to bring intranet governance in alignment with the City's external web platforms.</p> <p><u>Lead department</u>: Corporate Communications <u>Support department(s)</u>: Information Services</p>	2020-2021
<p><i>Lakeshore 1 bridge at Bellevue Creek</i></p> <p>The Lakeshore Rd bridge crossing of Bellevue Creek forms the primary access to the Kettle Valley neighbourhood of the Upper Mission. The bridge has reached the end of its service life and requires replacement. Replacement/widening of the bridge's deck and extension of the existing abutments/foundations is included in this work.</p> <p><u>Lead department</u>: Infrastructure Delivery <u>Support department(s)</u>:</p>	2021-2021
<p><i>Preliminary plan design program: new projects</i></p> <p>To address Kelowna's current and future mobility needs, the Transportation Master Plan (TMP) will recommend transportation concepts which will result in new projects being considered. The development of preliminary plans will allow for more detailed planning necessary for project implementation and coordination with development projects.</p> <p><u>Lead department</u>: Transportation & Mobility <u>Support department(s)</u>: Integrated Transportation Communications</p>	2020-2021
<p><i>Transition of South East Kelowna Irrigation District (SEKID) integration with City Water Utility</i></p> <p>The integration of SEKID into the City of Kelowna utility is a step towards the vision of a city-wide water distribution system as set out in the 2017 Kelowna Integrated Water Supply Plan. Integration of all water supplied and systems within Kelowna will lead to consistent clean water standards and equity to all residents and businesses in Kelowna.</p> <p><u>Lead department</u>: Infrastructure <u>Support department(s)</u>: Multiple departments</p>	2017-2021
<p><i>Unit 4 approval workflow: Phase 3</i></p> <p>Configuring workflow functionality and then implementing a fully functional and efficient approval workflow for purchasing processes. This workflow will include system generated notifications and system recorded approvals or denials by those with authority. The approval workflow will encompass the full procure to pay cycle from requisitions to final payment.</p> <p><u>Lead department</u>: Purchasing <u>Support department(s)</u>: Multiple departments</p>	2019-2021

Project initiative detail <i>(alphabetical order)</i>	Duration
<p><i>Update 20 Year Servicing Plan and Development Cost Charges (DCC) bylaw in conjunction with Official Community Plan (OCP)</i></p> <p>The purpose of this project is to update the 20 Year Servicing Plan and the Development Cost Charge bylaw concurrent with the OCP update that is planned for 2018 – 2020. An update to the 20 Year Servicing Plan is required to plan the necessary infrastructure to support growth that is predicted in the OCP. Updating the DCC bylaw will ensure new development pays for the infrastructure to support growth.</p> <p><u>Lead department:</u> Infrastructure Engineering <u>Support department(s):</u> Multiple departments</p>	2018-2021
<p><i>Water meter replacement program</i></p> <p>Replacement of water meters in the City of Kelowna water utility. New meters will be read through an automated system and allow individual residences to monitor their water use. This is a multi-year project, expected to continue for five to seven years.</p> <p><u>Lead department:</u> Utility Services <u>Support department(s):</u> Multiple departments</p>	2020-2027



Appendix A

How do all the City's plans work together?



Appendix B

Strategy cycle



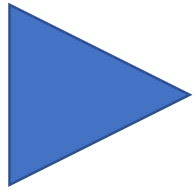


Action Plan 2021

Delivering on
Council priorities 2019-2022
Imagine Kelowna: vision into action

January 11, 2021

CITY OF KELOWNA



Agenda

- ▶ The path to get here
- ▶ Delivering on our strategic direction
- ▶ 2021 focus areas & project examples
- ▶ What's next?



Council priorities 2019- 2022 | Imagine Kelowna: vision into action

Progress on results | 2019

Council priorities 2019 - 2022, Imagine Kelowna: vision into action is about turning our community's Imagine Kelowna vision into reality. It identifies the strategic shifts, improvements and changes that are important to Council, the corporation and our community. Check our Progress on results summary or click through each section below to learn about how we are doing.

Council results: *what's important to residents*

Council results identify the areas where our residents want to see a difference. These are the services, programs, and infrastructure that help create a great place to live.

Community safety

Social & inclusive

Transportation & mobility

Vibrant neighbourhoods

Economic resiliency

Environmental protection

Corporate results: *what the organization must do to deliver results for residents*

Corporate results identify the areas where the City's administrative leadership will focus the organization to ensure we are a high performance organization that delivers good value for money to our residents.

Financial management

Clear direction

People



City of Kelowna

Council priorities 2019 - 2022

Imagine Kelowna: vision into action

City of Kelowna

Council priorities 2019-2022

Imagine Kelowna: vision into action

Our six focus areas balance the need to address our community's immediate challenges and prepare us for the future. A progress report will be delivered each year, starting in spring 2020.

To see the specific all results Council wants to achieve in these six focus areas, read the full strategic direction document Council priorities 2019-2022 online at kelowna.ca/councilpriorities.

Community safety <p>Goal: Crime is reduced & residents feel safe</p> <ul style="list-style-type: none"> Data and analytics are used to understand crime, address challenges and target solutions Investments in safety resources <p>What we'll do</p> <ul style="list-style-type: none"> Community Safety & Well-being Strategy and implementation Expand Police and Crisis Team (PACT) program 	Social & inclusive <p>Goal: Fewer people will experience homelessness & inclusion and diversity are increasing</p> <ul style="list-style-type: none"> Policy is guiding where the City invests resources Support the implementation of the Journey Home Strategy <p>What we'll do</p> <ul style="list-style-type: none"> New supportive housing units Community for All implementation Territorial acknowledgments
Transportation & mobility <p>Goal: Fewer trips are made by car & solutions are innovative</p> <ul style="list-style-type: none"> Emerging ride sharing technologies make it easier to get around Travel times are optimized using data analytics <p>What we'll do</p> <ul style="list-style-type: none"> Transportation Master Plan Bike & Sustainable Active Transportation Corridors Central Green pedestrian bridge Downtown Parking Management Plan More community conversations 	Vibrant neighbourhoods <p>Goal: Affordable housing and higher density neighbourhoods</p> <ul style="list-style-type: none"> High-quality architecture and site design Accessible community amenities Activated parks and public spaces <p>What we'll do</p> <ul style="list-style-type: none"> Official Community Plan Healthy Housing Strategy implementation Affordable housing incentives Cultural Plan Advance Parkson Recreation Centre Glennora Recreation Park
Economic resiliency <p>Goal: The infrastructure deficit is reduced & Kelowna is investment friendly</p> <ul style="list-style-type: none"> The impact of key sectors is increased <p>What we'll do</p> <ul style="list-style-type: none"> Intelligent Center Strategy Asset Management System Software system replacement for land development 	Environmental protection <p>Goal: Adaptable in the face of climate change</p> <ul style="list-style-type: none"> Greenhouse gas emissions are decreasing Ensuring business continuity during extreme weather events <p>What we'll do</p> <ul style="list-style-type: none"> Area Based Water Management Plan Community Climate Action Plan implementation

kelowna.ca/councilpriorities

City of Kelowna

2021 FINANCIAL PLAN

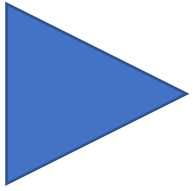
Kelowna, British Columbia
Preliminary - Volume 1

City of Kelowna

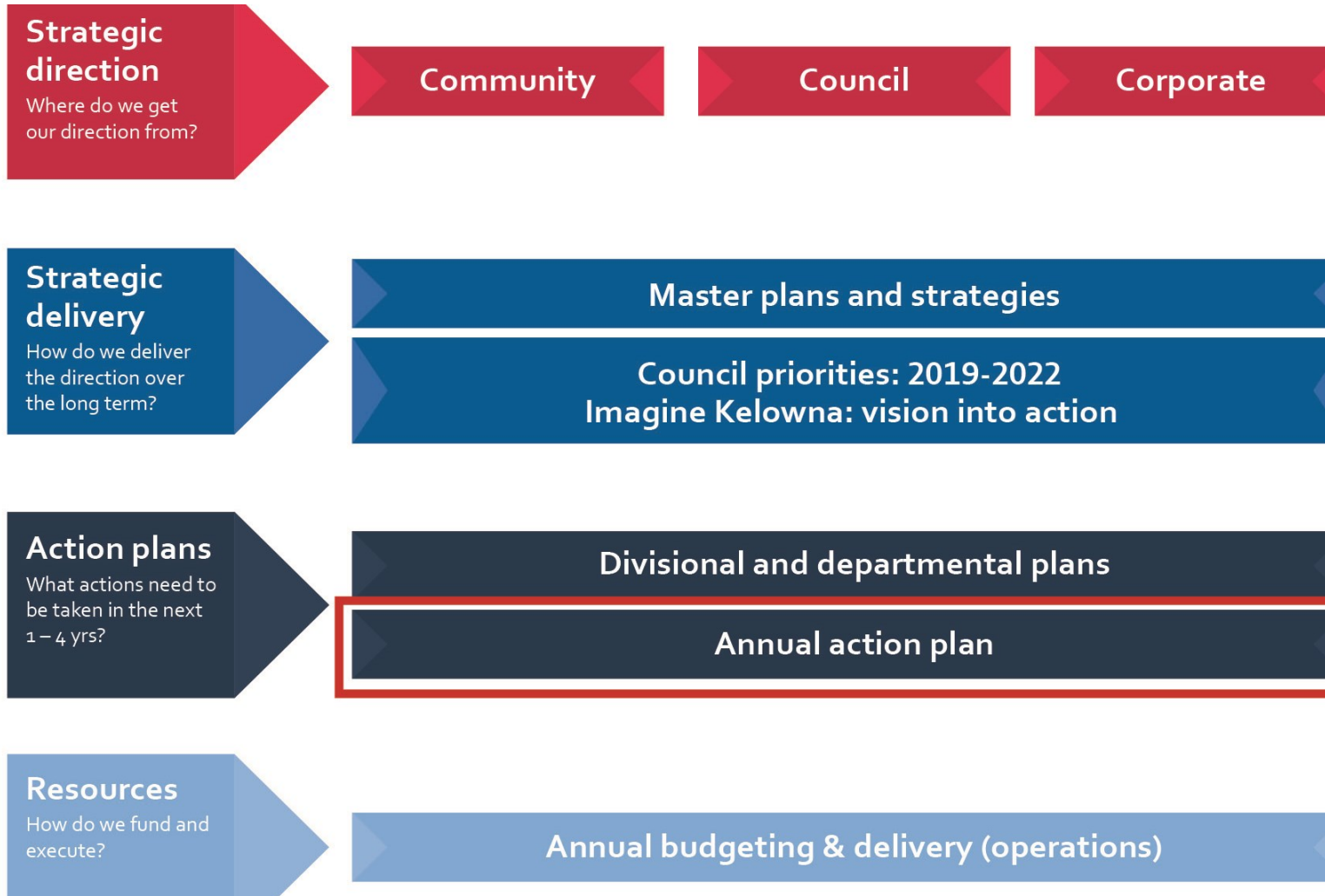
City of Kelowna

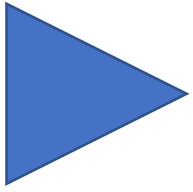
Action Plan 2021

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Imagine Kelowna: vision into action



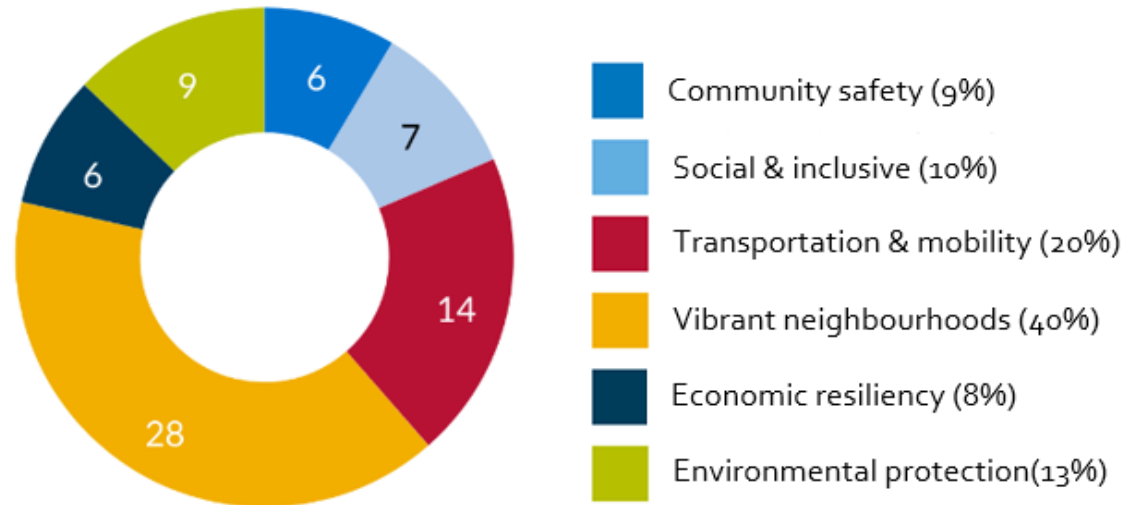
How we deliver on our strategic direction



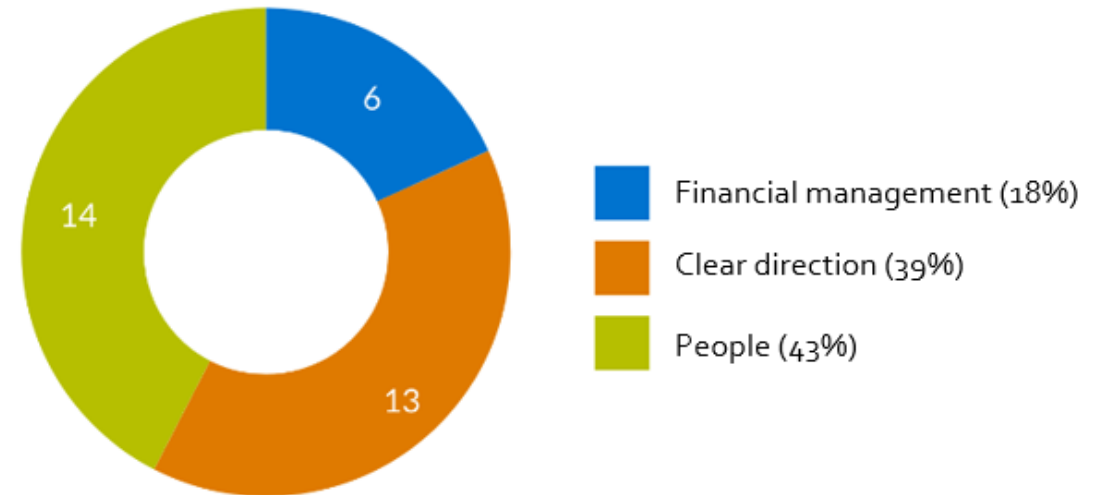


2021 focus areas

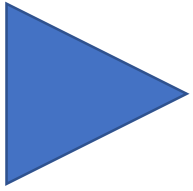
Council priorities



Corporate results



Maintain and improve base business (operations) 17



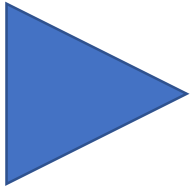
Project examples – Council priorities

Safety / Social & inclusive

- New safety positions
- Implement community safety plan
- Central Okanagan Poverty reduction strategy
- Business cases – Housing for those with complex needs; Provision of shelter services
- Affordable Housing Land Acquisition Strategy

Transportation

- Active transportation corridors:
 - Abbott protected bike route
 - Casorso Rd
 - Houghton Rd
- Okanagan Rail Trail connection to Waterfront Park
- Central Green pedestrian overpass
- Transit Operations & Maintenance Centre



Project examples – Council priorities

Economic / Environment

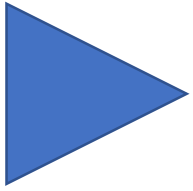
- Model City, explore impacts on infrastructure deficit
- Start-up & entrepreneur's partnership program
- Electric vehicle strategy completion
- Energy retrofit strategy completion
- Acceleration of climate action initiatives



Vibrant neighbourhoods

- 2040 Official Community Plan completion
- Parks Master Plan
- City Park promenade improvements
- Bernard avenue "Green Street" program
- Mission Recreation Park – turf replacement; softball diamonds
- Pandosy Waterfront park



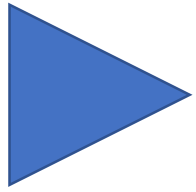


Project examples – Corporate priorities

Financial / Clear
direction / People

- Exploration of alternative models for recreation & culture fees
- Review, evaluate and update budgeting best practice tools
- Financial planning and analytics system
- Improved customer facing chat functionality
- Geographic Information System (GIS) Strategy
- Service request system replacement
- Diversity & Inclusion Strategic Plan
- Update the Engage program





What's next?



Measure, report and improve

March 2021

[Council Priorities 2019-2022
annual progress reporting](#)





Questions?
For more information, visit
kelowna.ca/actionplan

Report to Council



Date: January 11, 2021

To: Council

From: City Manager

Subject: Draft 2040 Official Community Plan and Engagement Launch

Department: Policy and Planning

Recommendation:

THAT Council receives, for information, the report from the Policy and Planning Department dated January 11, 2021 with respect to the draft 2040 Official Community Plan and engagement launch;

AND THAT Council direct staff to initiate the Phase 4 public and stakeholder engagement process, as outlined in the report from the Policy and Planning Department dated January 11, 2021.

Purpose:

To provide Council with a summary of the 2040 Official Community Plan process and content, and to initiate the Phase 4 public and stakeholder engagement process.

Background:

Forty years ago, Kelowna was a city less than half its current size with a population of approximately 59,000. Today, Kelowna is home to 138,500 residents and is looking ahead to add approximately 45,000 new people over the next 20 years. This growth will bring opportunities and challenges as Kelowna strives to remain prosperous, attractive and resilient over the years to come. However, this growth will take place during a time when our social, economic, and environmental landscapes are shifting. These shifts include climate change, changing demographics, growth in e-commerce and the evolving retail landscape, and even the still-unknown long-term impacts of COVID-19. These shifts will impact how we design, build, live and play in our city.

In developing the Imagine Kelowna vision, the community expressed aspirations for their city where natural assets are preserved, economic opportunities are fostered, our agricultural roots are protected, and where we celebrate people by fostering an inclusive and diverse community. Planning for this type of future requires strategic direction. As such, the draft 2040 Official Community Plan (OCP) (Attachment 1) honours Kelowna's history, embeds our community's aspirations, and commits to shaping a new future together to balance its ambitions for responsible stewardship and ongoing transformation.

The 2040 OCP process was initiated in 2018 and is being developed in conjunction with several other planning initiatives, including the Transportation Master Plan (TMP) and the 20 Year Servicing Plan. A

major milestone in this project has been reached with the development of a first draft of the 2040 OCP. This report serves to provide Council with a summary of the draft plan and the upcoming final phase of public and stakeholder engagement.

Discussion:

The 2040 OCP provides strategic direction for a path forward and is the roadmap to building our City in the decades to come. This plan is built upon the aspirations and ideas of our community through extensive public engagement, technical studies, modelling data and professional review. It frames the choices we need to make to achieve a healthier, more urban and resilient city that supports a prosperous region.

The Growth Strategy and Plan Directions

The draft 2040 OCP is designed to provide an integrated framework that relates to, and builds upon, the principles and goals of Imagine Kelowna's community vision. To achieve this vision, the 2040 OCP is structured around objectives and policies that identify what we need to do to achieve a particular city-building outcome. These will be implemented through actions resourced over the first 10 years of the Plan. Generally, the draft OCP focuses on the following key directions:

- Reinforce a series of Urban Centers connected by transit corridors to focus population, business and employment growth, and provide the necessary urban structure to direct future investment;
- Provide more opportunities for context sensitive residential infill in neighbourhoods that are close to employment, services, and transportation options;
- Accommodate all future development within the city's current Permanent Growth Boundary without further outward expansion, preserving agricultural lands and natural areas;
- Signal and prioritize more parks and public spaces in the Urban Centres and Core Area to enhance urban livability;
- Preserve and expand the ecological network of open spaces and corridors, while positioning the community to reduce its greenhouse gas emissions;
- Evolve the transit and mobility systems to connect and appropriately reflect the needs of a city of ~ 180,000 people on the move; and
- Manage ongoing change in support of greater community equity, opportunity and connectedness.

The draft 2040 OCP signals a future for Kelowna where residents feel they belong and have opportunities to thrive. Environmental preservation, climate resilience, economic diversity and urban vibrancy will be objectives that drive collective decision-making. To make these values a reality, regular monitoring and evaluation, in addition to a detailed implementation plan is required. These will be initiatives that will commence at the adoption of the 2040 OCP.

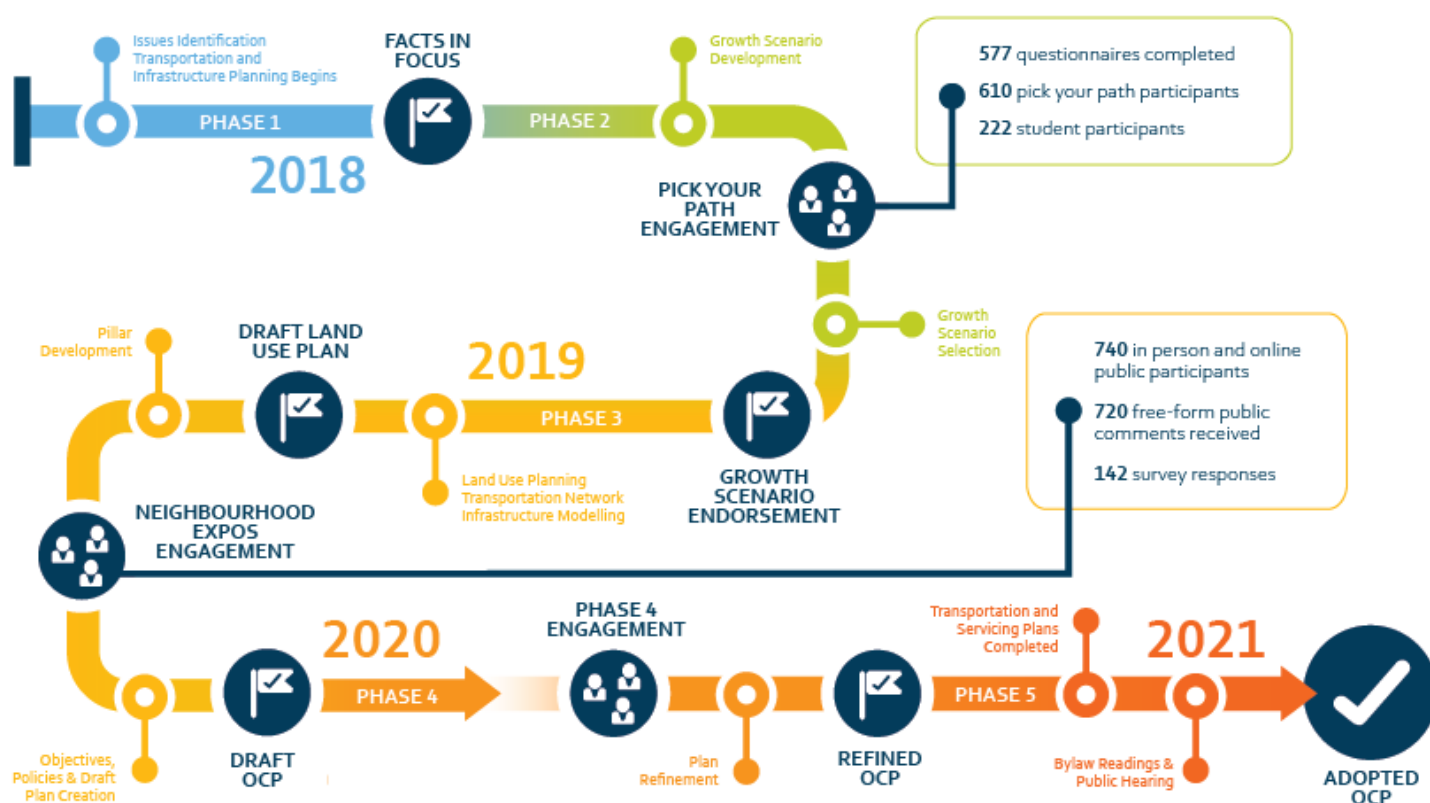
Process to Date

The 2040 Official Community Plan process is a five-phase process that was initiated in 2018. Phase 1 involved identifying the major issues that the new OCP would address, as well as initiation of the Transportation Master Plan and the 20-year Servicing Plan process, culminating the Facts in Focus Series.

Phase 2 focused on developing a series of growth scenarios that illustrated different possible ways the city could grow and outlining outcomes of each one in topics such as transportation, greenhouse gas emissions and neighbourhood livability. The 'Pick Your Path' Engagement process asked residents to make a series of choices as to how they would like to see Kelowna grow, ultimately landing on the growth scenario that best represented the choices they made. Phase 2 ended with Council's selection of a growth scenario, and Phase 3 began with the development of a draft 2040 OCP. As part of Phase 3, a series of neighbourhood expos was held to get input from residents on the proposed land use directions in Fall 2019.

The delivery of a draft OCP document represents the end of Phase 3, the largest and most involved phase of the planning process, and the start of Phase 4, which focuses on public and stakeholder engagement and further refinement of the draft plan (see Figure 1).

Figure 1: 2040 Official Community Plan Process



Draft 2040 Official Community Plan Structure

As noted above, the development of the 2040 OCP has resulted in both a new approach and structure to respond to the evolving complexities of growth management. This modernized approach aims to accomplish the following:

- To bundle policy direction that is specific and focused for each of the five Growth Strategy Districts (see Attachment 4), where unique context and conditions are considered. This allows users to easily navigate pertinent policies in one area when deliberating on project proposals.

- To guide the user from the high-level overarching growth strategy through to the more detailed objectives and policies and finally into the fine-grained development permit guidelines. This assists users to understand not just what the directions are in the plan, but what they are trying to accomplish.
- To update and revise the Future Land Use designations to correspond with each Growth District. This approach allows more flexibility, is less prescriptive, and recognizes that the vision outlined in the OCP can best be achieved by signaling the character of different types of neighbourhoods rather than speaking to specific land uses.

The 2040 OCP is founded on 10 Pillars (Figure 2) that include some bold and transformative shifts for the community.

Figure 2: 10 OCP Pillars



In keeping with the modernized approach outlined above, the draft 2040 OCP is organized as outlined below:

- **The Big Picture:** Introduces the Plan, focusing on the Growth Strategy, the OCP Pillars and how the OCP activates the Imagine Kelowna vision. The Pillars serve as the building blocks of the Plan direction.
- **Planning Context:** Provides the community's history, population, housing, commercial and industrial projections and major trends influencing the anticipated growth of Kelowna.
- **Future Land Use:** Outlines the definitions for each of the Future Land Use designations and the accompanying Future Land Use map. The Future Land Use Map forms part of the system to manage growth and align land use policy and growth priorities to other system enhancements such as infrastructure, transportation and other city systems. These land uses are summarized in Attachments 2 and 3.

- ***District Based Directions:*** Provides district-specific objectives and policies that address land use, housing, the public realm, transportation and culture in each of the five Growth Strategy districts.
- ***City-Wide Directions:*** Spanning numerous topic areas, this content applies across all of the Growth Districts to accomplish community and Council goals of creating a healthy city by building complete communities, promoting equity and inclusion, enhancing climate resilience, and fostering regional prosperity.
- ***Making the Plan Work:*** A customized implementation strategy that articulates how the goals, objectives and performance measures will be monitored, evaluated and adjusted over time.
- ***Development Permit Guidelines:*** The DP Guidelines span multiple topics and provide the translation of objectives into development expectations that will guide the physical design of Kelowna's urban form, density, physical image and identity.
- ***Definitions:*** Provides an inventory of all the glossary and defined terms.

Online First Approach

The vision from Imagine Kelowna provides the foundation for projects such as the Official Community Plan and the Transportation Master Plan. As such, major guiding plans such as the OCP and TMP need to be accessible public documents for residents to understand the strategic direction of growth in our city. More than ever, traffic is being driven online to find information and in the last Communications Survey, a vast majority of respondents indicated that their preferred source of accessing information is online.

Staff have been working on embedding the OCP into the City's existing website, offering greater ease of use and making the document more accessible, as outlined below:

- ***Ease of Use:*** The OCP website will be designed to make it easier for users to find the information they are looking for in the plan. Some features contribute to this ease of use include, but are not limited to:
 - ***District-Based Structure:*** The district-based approach to the draft 2040 makes it easier for users to narrow the objectives and policies they are seeking to the district in which a project is being considered. The online structure will allow for users to bring up only the directions at are relevant to Urban Centres or Suburban Neighbourhoods, for example.
 - ***Searchability:*** The online 2040 OCP will contain a sub-search feature, which will only search within the OCP document itself, rather than the full City of Kelowna website. This will allow for a user to search for a particular topic or a term to find specific objectives, policies and guidelines without having to review the entire plan.
 - ***Links to Maps and Supplementary Plans:*** The online OCP will embed the OCP's various policy maps (such as the Future Land Use Map) right into the webpage. This format is also more interactive, being able to link directly to referenced and supplementary plans (such as the Capri Landmark Urban Centre Plan).
 - ***Links to Definitions:*** As planning terminology is not always universally understood, the online OCP embeds technical definitions right into the web document using tooltips and links to a definitions chapter.

- **Accessibility:** The 2040 OCP website is being designed with both Web Content Accessibility Guidelines (WCAG) and full device functionality in mind. This means that whether the user seeks to access the OCP from their desktop, tablet, or mobile device, their experience will essentially not change. In addition, the website and its graphics are being intentionally designed in such a way that they are readable across all devices and are also accessible for those that may be colour blind or visually impaired.

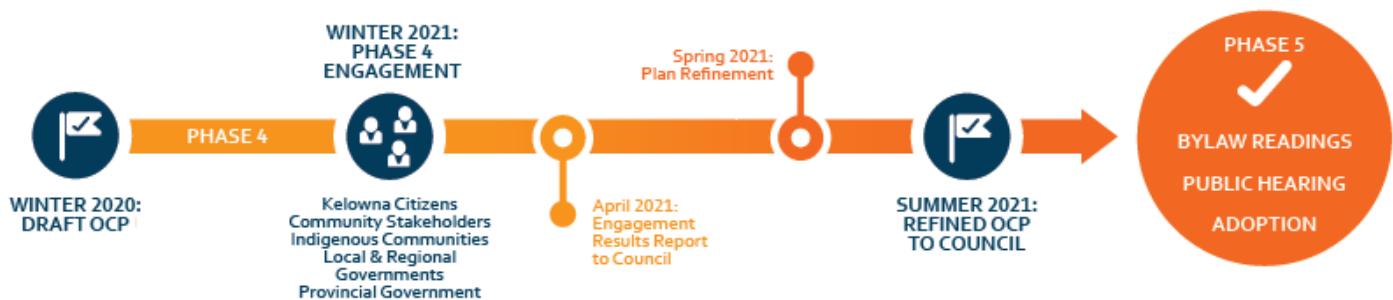
One of the additional benefits of hosting major plans such as the OCP online is that it will give staff a data-driven look at how these major plans are being accessed and used. This will be useful information to see which areas of the plans are more frequently or less frequently viewed, how people are navigating the document, and most importantly, allows the City to adapt and improve how this information is shared moving forward.

What's Next: Phase 4

Phase 4 of this multi-year process signals the last major public engagement phase of the 2040 OCP update. This includes preliminary referral comments from legislative agencies, provincial ministries and neighbouring jurisdictions for their feedback. Following this stakeholder and public engagement phase, Staff will prepare a Council report that summarizes feedback with proposed content refinements.

Following this, a final 2040 OCP will be presented to Council for initial consideration, which will then commence the formal bylaw process and establish a Public Hearing date for the community to provide final comments on the Plan direction as part of Phase 5. It is intended for this project to be finalized by fall 2021.

Figure 3: Phase 4 of the 2040 OCP Process



Public and Engagement Process

The Imagine Kelowna community vision was the result of many people and perspectives coming together. That vision, along with broad community engagement that followed during 2040 OCP phases 2 and 3, helped form the draft OCP. Phase 4 engagement will offer variety of opportunities for community review and understanding, stakeholder and public engagement, and public agency discussion.

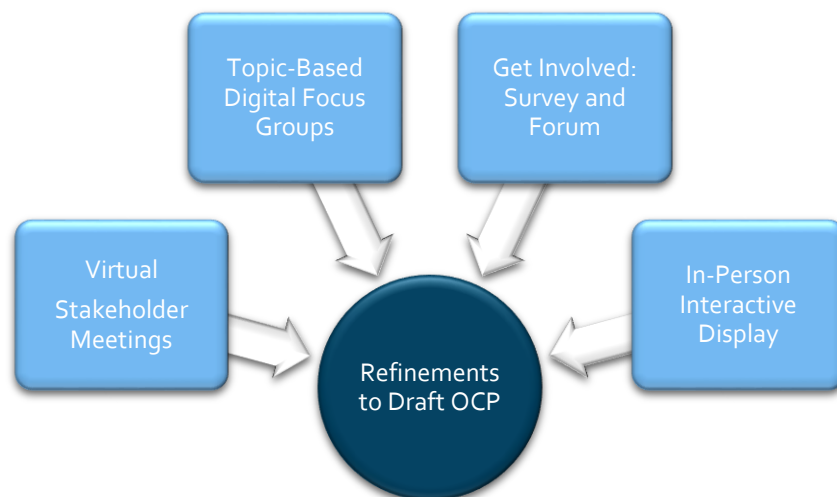
However, it is important to note that this phase is not seeking feedback on policy items that have already been informed, validated and affirmed through earlier rounds of public input, such as the Growth Scenario, for example. Instead, Phase 4 is a focused review of select policy areas that can benefit from further discussion with the public. These major policy areas are as follows:

- Urban Centre development and residential infill;
- Stopping sprawl and protecting agriculture; and
- Climate change and the environment.

Given the challenges of the COVID-19 pandemic, engagement in Phase 4 will aim to be inclusive as possible while prioritizing the health and safety of our community amid this ever-evolving public health crisis. The engagement process will focus on the following approaches (see Figure 4):

- **Digital focus groups:** Starting in January 2021, staff will host a series of topic-based digital focus groups for members of the public to attend. These focus groups will aim to provide the participants with topic-specific online dialogue on OCP policy directions. Each of these focus groups will centre on a major policy area, as outlined above.
- **Stakeholder meetings:** Meetings will be held with key community stakeholders to review the draft plan and get detailed feedback on its content. Key stakeholders include groups that represent local business, education, community and health and wellness interests. Staff will also work with relevant provincial government bodies, such as the Agricultural Land Commission and the Ministry of Transportation and Infrastructure, as well as neighbouring local governments and the Regional District of Central Okanagan to gain feedback. To continue the discussions with indigenous communities, staff will meet with Westbank First Nation, Okanagan Indian Band, the Okanagan Nation Alliance and other organizations that represent indigenous groups in the city. These stakeholder meetings will run to March 2021.
- **Online Surveys and Forums.** The City's *Get Involved* platform allows for the development of a variety of engagement tools. In January 2021, an online survey will be launched alongside forums for more detailed discussions, taking full advantage of the platform's features. The survey will consist largely of multiple-choice questions targeted at the major policy areas.
- **In-Person Interactive Display.** In February 2021, an in-person interactive display will be launched. This display will include information about the draft 2040 OCP and will provide participants ways to contribute to the feedback without requiring participants to go online. This display will be designed in a way that does not require it to be staffed, reducing the risks associated with COVID-19. Staff are exploring City-managed facilities to host this display.

Figure 4: Phase 4 Public and Stakeholder Engagement Process



This process is expected to be complete in March 2021. Following this, staff will provide Council with a report that outlines the feedback received and will outline any major shifts in the draft plan being considered as a result.

Conclusion:

The world around us is becoming increasingly urban and deliberately planning for this evolving context is an important part of our future. As our social, economic, and environmental landscapes shift, the theme of climate and community resiliency has been carefully woven into policy. Acting now to prepare for these impacts, such as moving away from sprawling suburban neighborhoods and concentrating investment into our urban centres will facilitate proactive preparedness, while enabling effective and context sensitive responses to emerging needs.

As such, the draft 2040 OCP focuses future growth in a socially, economically and environmentally responsible way. It aims to balance competing demands, prioritize public investments, foster business and employment growth and position Kelowna to be resilient in the face of change over the next 20 years. Incorporating input from Kelowna citizens, community stakeholders on the way we achieve this framework will further ensure that this new Official Community Plan will be able to guide our path to 2040.

Internal Circulation:

Divisional Director, Planning & Development Services
Divisional Director, Partnerships & Investment
Department Manager, Real Estate
Department Manager, Development Planning
Divisional Director, Financial Services
Divisional Director, Infrastructure
Divisional Director, Corporate Strategic Services
Divisional Director, Active Living and Culture
Department Manager, Integrated Transportation
Strategic Transportation Planning Manager
Infrastructure Engineering Manager
Parks and Buildings Manager
Communications Manager

Legal/Statutory Authority:

Local Government Act, Section 471
Legal/Statutory Procedural Requirements:
Local Government Act, Sections 472-478

Existing Policy:

Imagine Kelowna
2030 Official Community Plan
20 Year Servicing Plan
Council Policy No. 372: Engage Policy

Submitted by: R. Miles, OCP Project Planner

Approved for inclusion:



Danielle Noble Brandt, Policy & Planning Department Manager

Attachments:

1. Draft 2040 Official Community Plan [Draft OCP](#)
2. Abbreviated Summary of the Future Land Use designations [Future Land Use Summary](#)
3. Draft 2040 Future Land Use Map [Future Land Use Map](#)
4. 2040 OCP Growth Strategy

- Urban Centres**
 - Activity hubs for employment, shopping and recreation
 - Highest density housing types
 - Focused investments for infrastructure and amenities

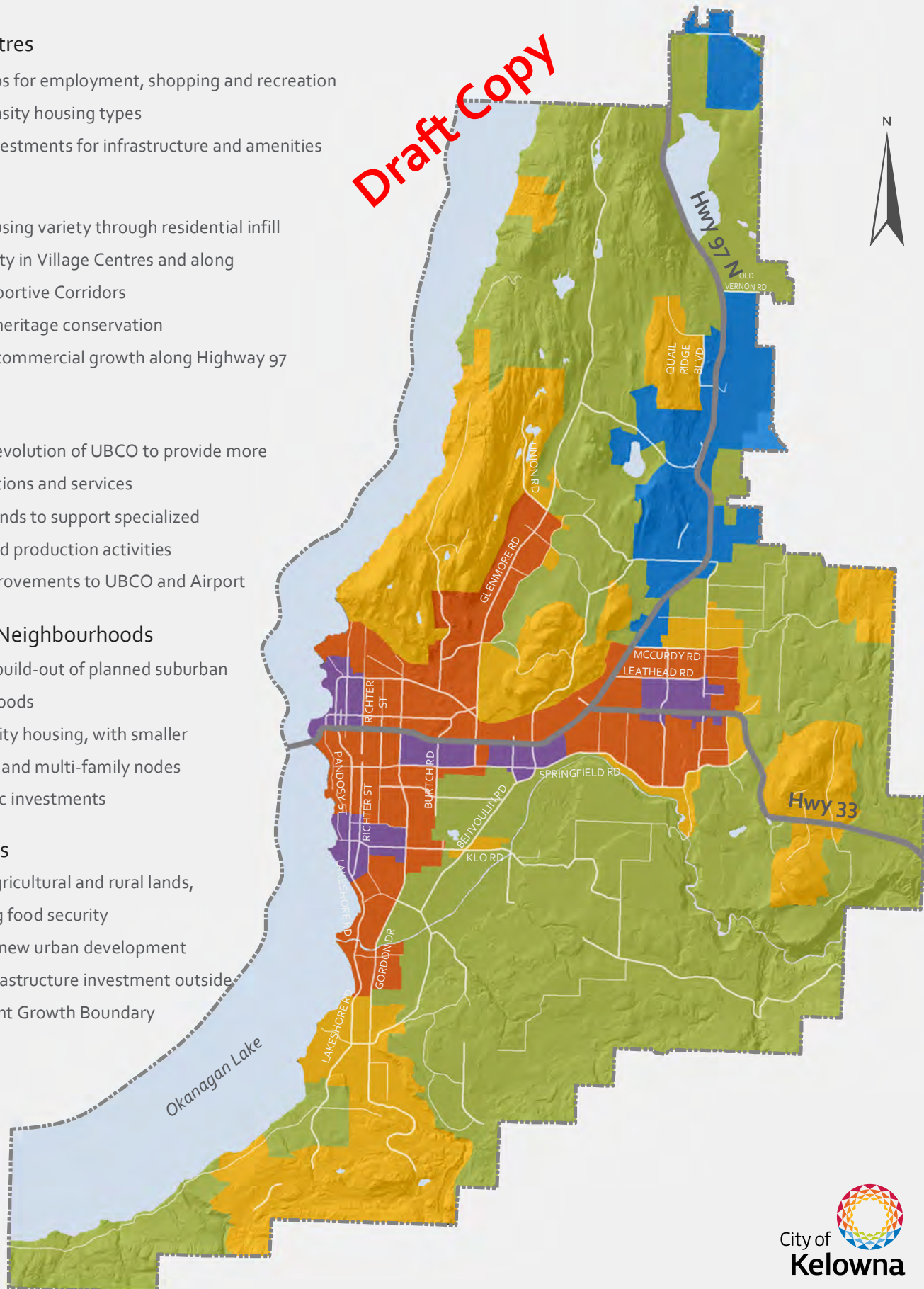
- Core Area**
 - Greater housing variety through residential infill
 - Focus activity in Village Centres and along Transit Supportive Corridors
 - Continued heritage conservation
 - Continued commercial growth along Highway 97

- Gateway**
 - Continued evolution of UBCO to provide more housing options and services
 - Industrial lands to support specialized research and production activities
 - Transit improvements to UBCO and Airport

- Suburban Neighbourhoods**
 - Continued build-out of planned suburban neighbourhoods
 - Lower density housing, with smaller commercial and multi-family nodes
 - Limited civic investments

- Rural Lands**
 - Primarily agricultural and rural lands, maintaining food security
 - Little to no new urban development
 - Limited infrastructure investment outside of Permanent Growth Boundary

- Highway**

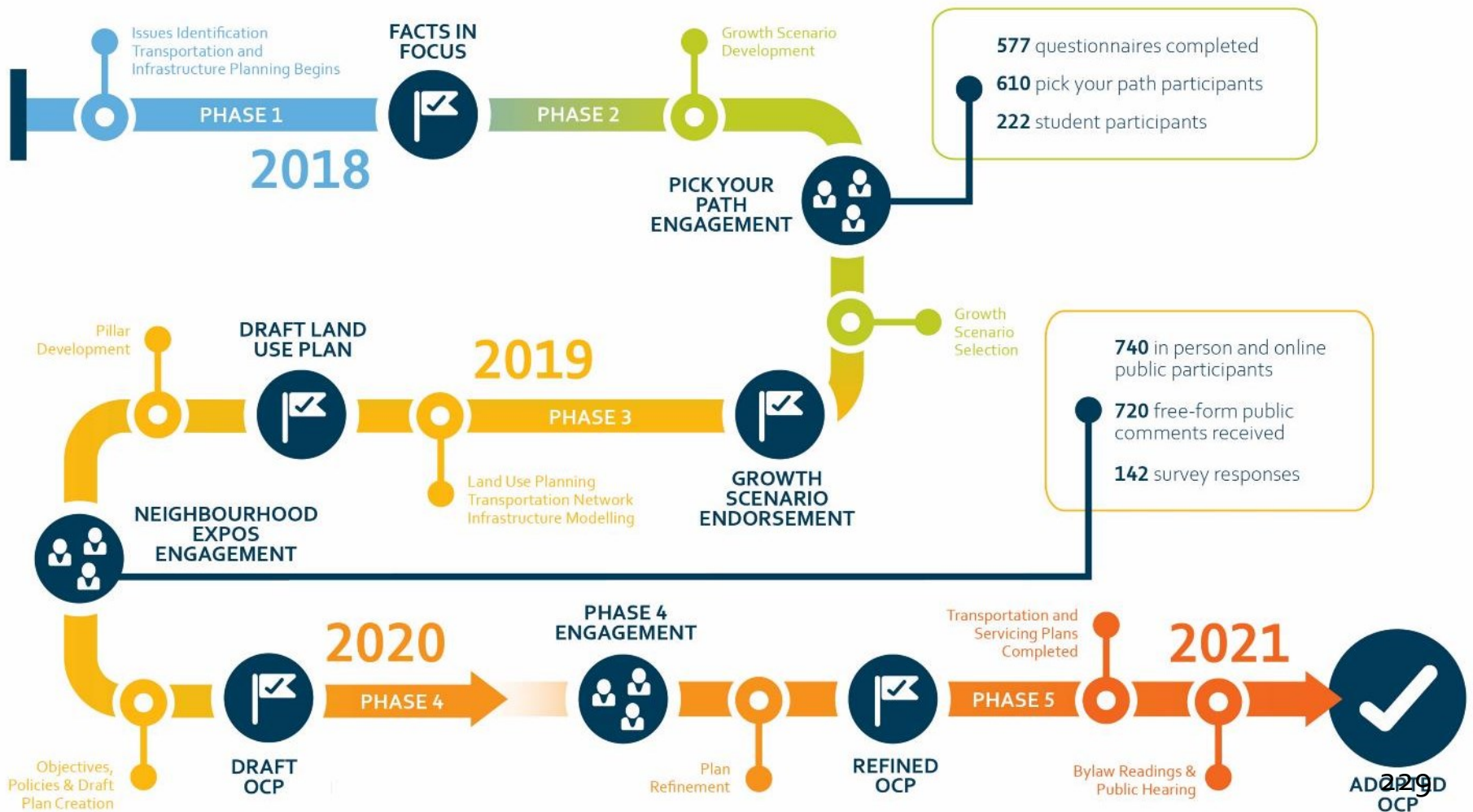




2040 Official Community Plan



Process & Engagement Overview



Policy Layers

IMAGINE KELOWNA

What is our community's vision?

OCP Pillars

How can the OCP meet that vision?

OCP Growth Strategy

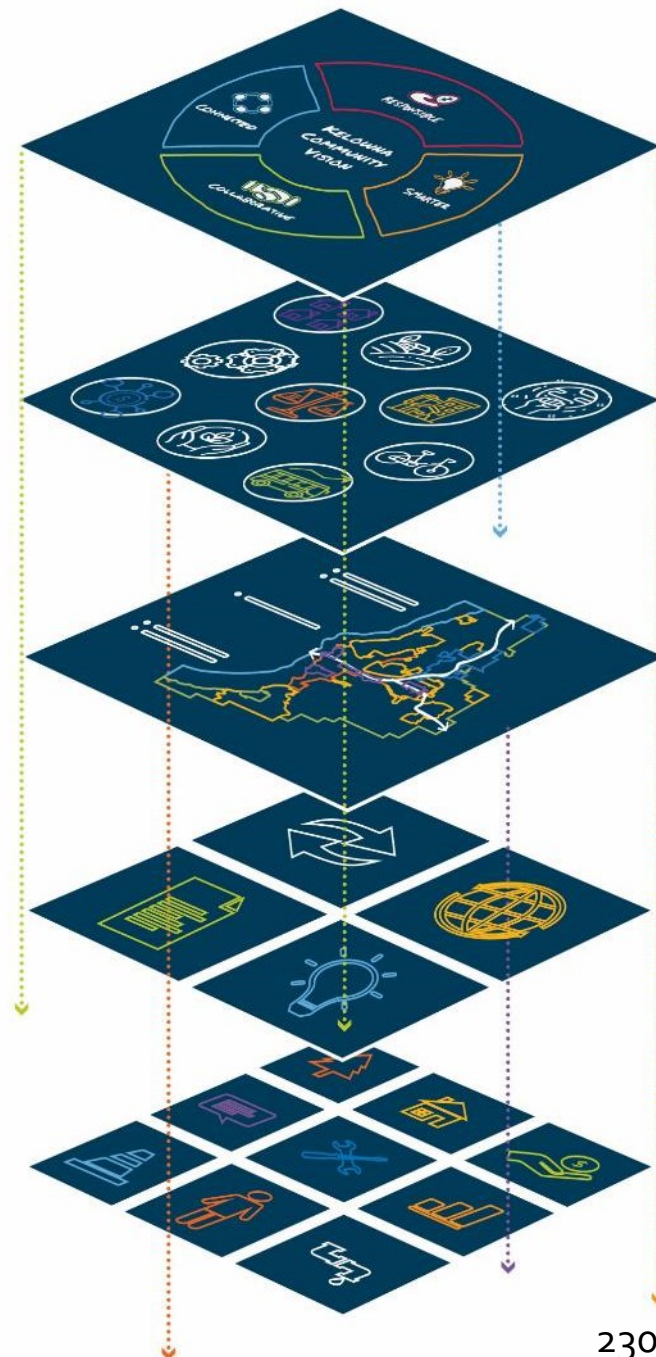
What would the City look like under this vision?

OCP Objectives, Policies & Mapping

How are we going to make it happen?

MAKING THE PLAN WORK

What needs to come next?
Urban Centre Plans,
Neighbourhood Plans,
Corridor Studies



10 OCP Pillars



Focus Investment
in Urban Centres



Stop Planning New
Suburban Neighbourhoods



Target Growth Along
Transit Corridors



Promote More Housing
Diversity



Incorporate Equity Into
City Building



Strengthen Kelowna as
the Region's Economic Hub



Protect Agriculture



Prioritize Sustainable Transportation
& Shared Mobility



Protect & Restore
Our Environment



Take Action on Climate

Focus Investment in Urban Centres





Target growth along transit corridors

Incorporate equity into city building



An aerial photograph of a suburban neighborhood. The houses are mostly single-story with dark grey roofs and light-colored siding. They are arranged in a grid-like pattern with streets and driveways. There are many trees, some with autumn-colored leaves in shades of yellow, orange, and red. The overall scene is a typical suburban residential area.

Stop planning new suburban neighbourhoods



Promote more housing diversity



Strengthen Kelowna as the region's economic hub



Prioritize sustainable transportation & shared mobility



Take action on climate

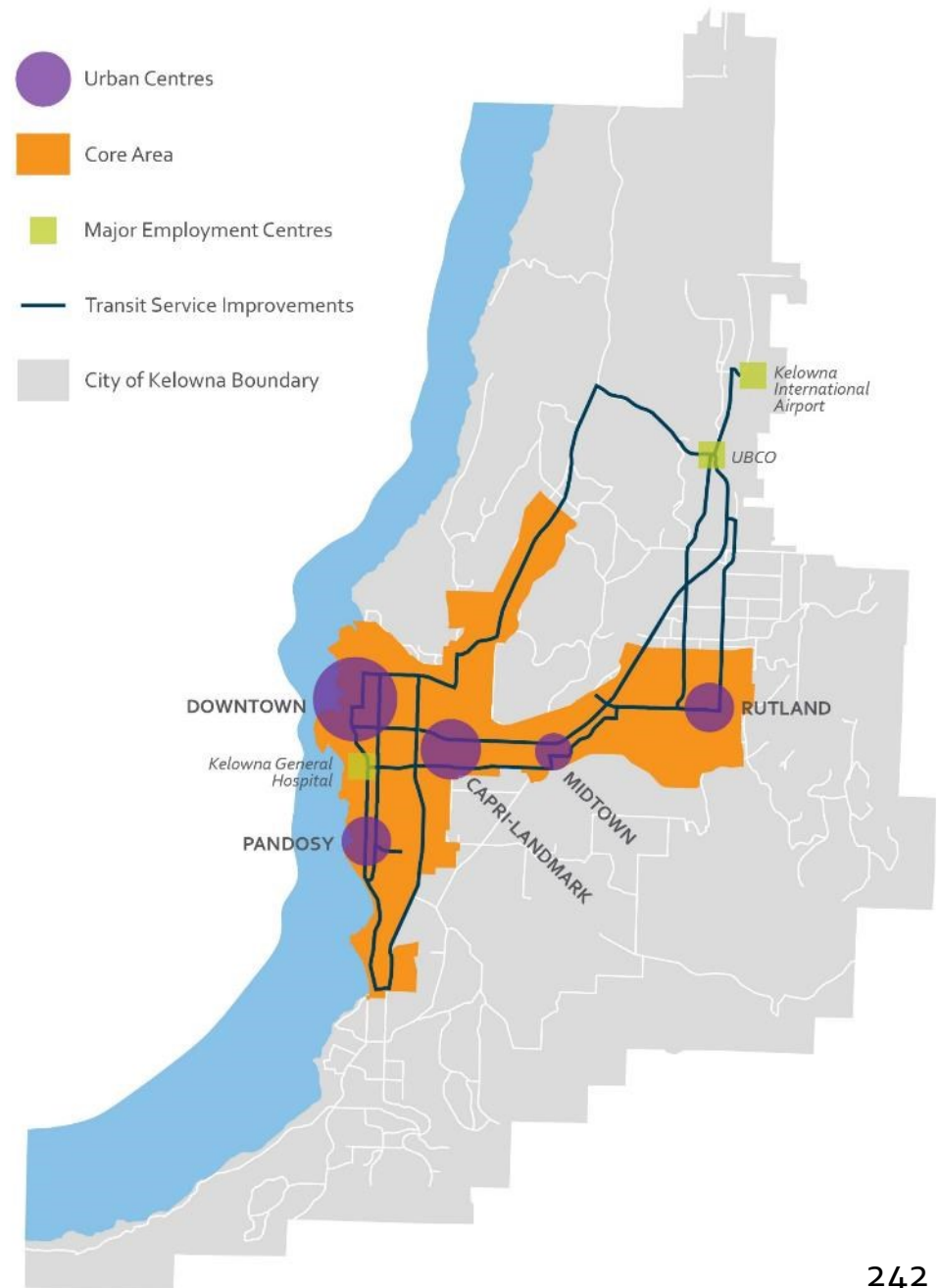
Protect agriculture



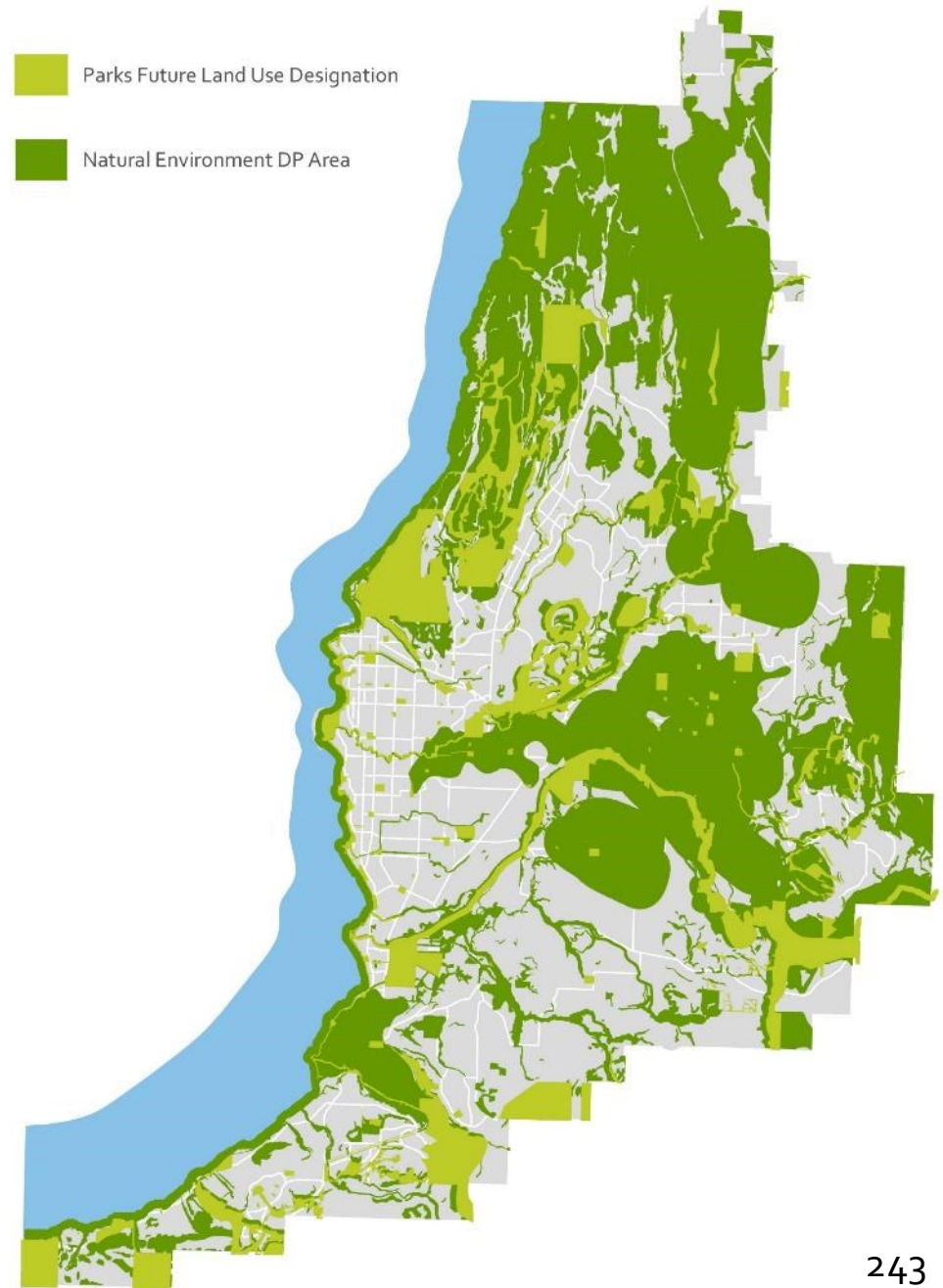


Protect and restore our environment

Urban Centres, Core Area & Transit Conceptual Map

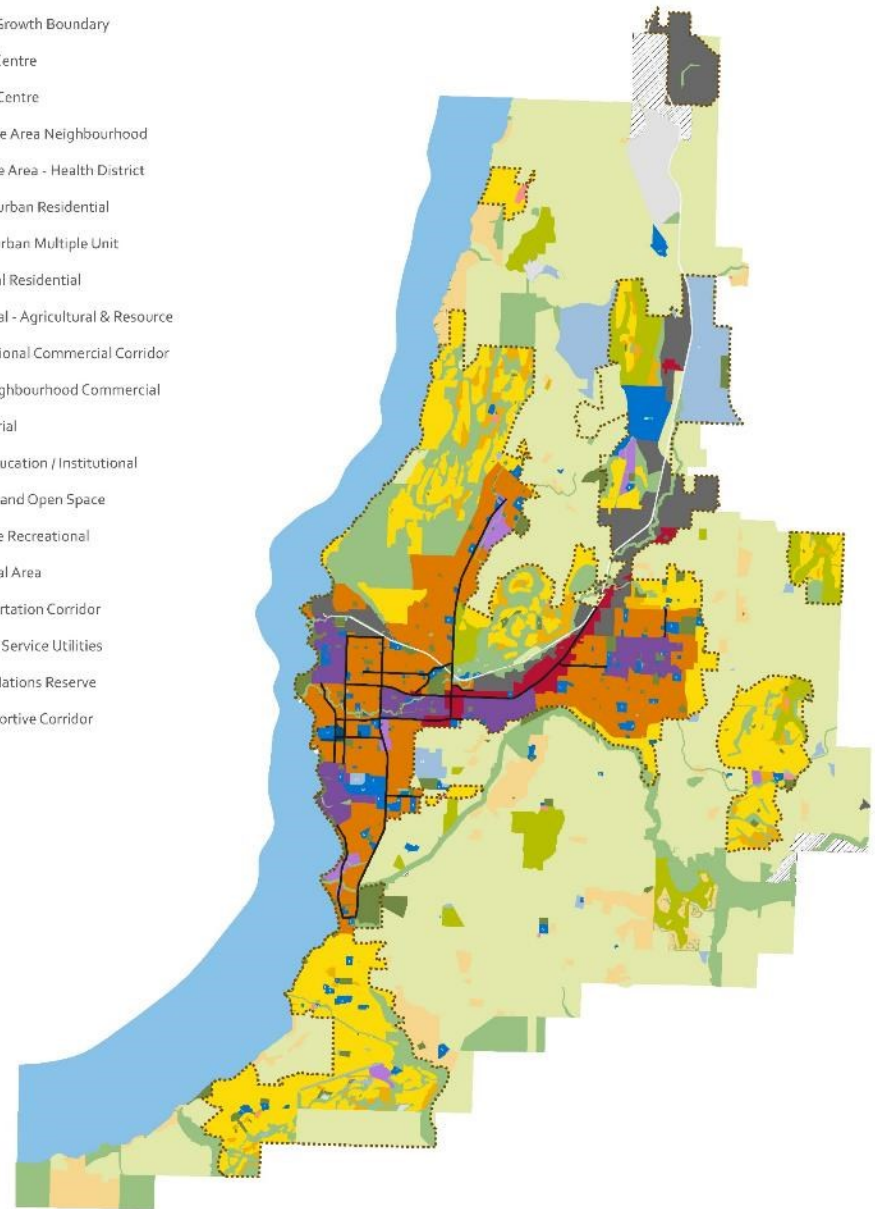


Parks & Natural Areas Conceptual Map



Draft Future Land Use Map

-  Permanent Growth Boundary
-  UC - Urban Centre
-  VC - Village Centre
-  C-NHD - Core Area Neighbourhood
-  C-HTH - Core Area - Health District
-  S-RES - Suburban Residential
-  S-MU - Suburban Multiple Unit
-  R-RES - Rural Residential
-  R-AGR - Rural - Agricultural & Resource
-  RCOM - Regional Commercial Corridor
-  NCOM - Neighbourhood Commercial
-  IND - Industrial
-  EDINST - Education / Institutional
-  PARK - Park and Open Space
-  REC - Private Recreational
-  NAT - Natural Area
-  TC - Transportation Corridor
-  PSU - Public Service Utilities
-  FNR - First Nations Reserve
-  Transit Supportive Corridor





Phases 4 & 5

Proposed Engagement Approach



Online First Approach



Did we get it right?



Report to Council



Date: January 11, 2021
To: Council
From: City Manager
Subject: Kelowna Memorial Park Cemetery Bylaw Update
Department: Parks

Recommendation:

THAT Council receives the report from the Cemetery Manager, dated January 11, 2021 recommending changes to the Kelowna Memorial Park Cemetery Bylaw 11664;

AND THAT Council gives reading consideration to Bylaw No. 12124 being amendment No. 8 to Kelowna Memorial Park Cemetery Bylaw No. 11664.

Purpose:

To update the Kelowna Memorial Park Cemetery Bylaw to adjust fees based on a new cashier computer system, cost increases, and language updates.

Background:

The cemetery utilizes a proprietary reservation and permit system that is integrated with the cashier system and the budgeting and financial reporting systems. When the cemetery upgraded the cashier system, it was determined that this system rounded figures differently than the previous system. A number of prices that were previously approved by council for 2021 have been affected. Most of these figures show a difference of one dollar (\$1.00).

Amending the prices in the cemetery's fee schedule will prove to be more efficient than trying to force the three software systems to re-produce the price in the current bylaw. Staff notes that all future pricing will account for the software changes and any fee moving forward will be based on the calculations of the new software.

Additionally, an increase in the fee for bronze date plate changes for memorial plaques is required due to price increase from manufacturer.

Language surrounding niche plots in sections that are no longer available have been updated to be consistent with the current niche plots for sale in the event that any of these older, previously sold niche plots were to be surrendered to the city and become available to re-issue.

A bylaw change table has been submitted in conjunction with this report in order to detail the recommended changes.

Internal Circulation:

Legislative Services
Communication
Finance

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by:

David Gatzke, Cemetery Manager

Approved for inclusion:

A square box containing a handwritten signature in blue ink, which appears to be "Joe Creron".

Joe Creron, Deputy City Manager

Schedule A – Proposed Text Amendments for Cemetery Bylaw 11664

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Part 1 – General, 1.3 Definitions	"Plot" means a space used or intended to be used for the interment of human remains or cremated remains under a right of interment and includes a grave, crypt, niche , or plot.	"Plot" means a space used or intended to be used for the interment of human remains or cremated remains under a right of interment and includes a grave, crypt, niche , family vessel, or plot.	Expand definition to include new cremated remains product
2.	Part 3 – Right of Interment, 3.4 Order of Priority	3.1 Oder of Priority The right of a person to control the disposition of the human remains or cremated remains vests in and devolves on that person in the order of priority as outlined in the <i>Cremation, Interment And Funeral Services Act</i>	3.2 Order of Priority The right of a person to control the disposition of the human remains or cremated remains vests in and devolves on that person in the order of priority as outlined in the <i>Cremation, Interment And Funeral Services Act</i>	Spelling
3.	Part 3 – Right of Interment, 3.5 Right of Interment	3.3 Right of Interment Not Transferable. The holder of a Right of Interment shall not transfer their right of use and occupancy to another person except that at the discretion of the Cemetery Manager . A transfer of the Right of Interment for any unused	3.4 Right of Interment Not Transferable. The holder of a Right of Interment shall not transfer their right of use and occupancy to another person except that at the discretion of the Cemetery Manager . A transfer of the Right of Interment for any unused	Clarifying conditions specific to a burial plot in bylaw. This prevents a transfer of a burial plot to someone who only wishes to be cremated and use the

		<p>plot may be made to an immediate family member provided the fee for the transfer has been paid as outlined in Schedule "A". In an area of the Cemetery that has been reserved by the City under section 3.1 of this bylaw for burial of members of the society, church, or other organization the application for transfer must be accompanied by a certificate stating that the individual is entitled to interment in the reserved section.</p>	<p>plot may be made to an immediate family member provided the fee for the transfer has been paid as outlined in Schedule "A". A transfer on a burial plot will be approved to an immediate family member if the applicant ensures the first interment will be of human remains. In an area of the Cemetery that has been reserved by the City under section 3.1 of this bylaw for burial of members of the society, church, or other organization the application for transfer must be accompanied by a certificate stating that the individual is entitled to interment in the reserved section.</p>	<p>full-size plot for a cremated remains burial. Burial plots are 4x8 feet, whereas, cremated remains plots are 3x3 feet.</p>
4.	<p>Part 5, Permission to Inter, Exhume or Disinter, 5.1 Interment Permit (a)</p>	<p>a person having authority pursuant to Section 5 of the Cremation, Interment and Funeral Services Act of B.C. to authorize the disposition of the deceased person's human remains or cremated remains has completed, duly signed and witnessed at the Cemetery Office an interment authorization and / or any other documents required to facilitate the interment in a</p>	<p>a person having authority pursuant to Section 5 of the <i>Cremation, Interment and Funeral Services Act of B.C.</i> to authorize the disposition of the deceased person's human remains or cremated remains has completed, duly signed and witnessed at the Cemetery Office an interment authorization and / or any other documents required to facilitate the interment in a</p>	<p>Formatting – to italicize the Act itself</p>

		form approved by the City of Kelowna.	form approved by the City of Kelowna.	
5.	Part 5, Permission to Inter, Exhume or Disinter, 5.3 Application for Permit	<u>Application for Permit.</u> All applications for an interment permit must be made at least 2 working days in advance to the Cemetery between the hours of 8:00 a.m. and 4:00 p.m. on all days of the week except Saturday and Sunday, Statutory Holiday, and in cases of emergency, as described in Sections 5.5, 5.6 and 5.7 of this bylaw. The Interment Permit's Terms and Conditions must be signed and payment of all applicable fees must be in place at least 2 working days prior to the interment date.	<u>Application for Permit.</u> All applications for an interment permit must be made at least 2 working days in advance to the Cemetery between the hours of 8:00 a.m. and 4:00 p.m. on all days of the week except Saturday and Sunday, Statutory Holiday, and in cases of emergency, as described in Sections 5.5, 5.6 and 5.7 of this bylaw. The Interment Permit's Authorization must be signed and payment of all applicable fees must be in place at least 2 working days prior to the interment date.	Correction
6.	Part 10 – Adornment, Memorials, 10.6 Permit Required	<u>Permit Required.</u> Every person who desires to have installed or modified a memorial marker or tablet, on any plot or grave within the Cemetery , shall purchase the applicable marker permit dependant on the type of marker, the work needed to prepare the marker, the location of the installment of the marker at the current fees. A Marker Permit will not be issued before an interment permit is issued for a plot.	<u>Permit Required.</u> Every person who desires to have installed or modified a memorial marker or tablet, on any plot or grave within the Cemetery , shall purchase the applicable marker permit dependant on the type of marker, the work needed to prepare the marker, the location of the installment of the marker at the current fees. A Marker Permit will not be issued before an interment permit is issued for a plot. Specifications for markers	Clarifies location of marker specifications

			are contained within the Marker Policy.	
7.	KMPC's Fee Schedule "A" Casket Plots	<p>*Grave liner required</p> <p>UPRIGHT MAKER SECTIONS G1, G7, G4*, G8*</p> <p>FLAT MARKER SECTIONS C*, D*, E*, G7, G8*</p> <p>DRY LANDSCAPE SECTIONS A*, B*</p> <p>SMALL PLOTS (Child's Plot) Section A*, C*, D*(3'x5')*</p>	Grave liner required in all sections except G1 and G7	Simplifications/Clarity Originally listed as the 8 sections where liners are required. Simpler to make statement and note the two exceptions.
8.	KMPC's Fee Schedule "A" CASKET PLOTS	Upright Marker Section Total \$5742	Upright Marker Section Total \$5741	New system rounding error difference - noticed after adopting new point-of-sale (POS) system – we integrate a minimum of three different computer systems in regards to our permitting, POS, and finance/budgeting software. The new system rounded differently and as a result, some fees were either rounded up or down \$1.

9.	KMPC's Fee Schedule "A" CASKET PLOTS	SMALL PLOTS Total \$505	SMALL PLOTS Total \$504	New system rounding error difference
10.	KMPC's Fee Schedule "A" ESTATE PLOTS	PRIVATE ESTATE Total \$80,007	PRIVATE ESTATE Total \$80,008	New system rounding error difference
11.	KMPC's Fee Schedule "A" ESTATE PLOTS	SEMI PRIVATE ESTATE Total \$59,010	SEMI PRIVATE ESTATE Total \$59,011	New system rounding error difference
12.	KMPC's Fee Schedule "A" IN-GROUND CREMATED REMAINS PLOT	COMPANION PLOTS (Space for 2 Urns) Section C & D	COMPANION PLOTS (Space for 2 Urns)	Removed all specifics for Section "C" and "D", as all cremation plots are sold-out in this area and all new cremation plots are priced the same - with the exception of the premium cremation plots in section G3, which retains its own specific fee
13.	KMPC's Fee Schedule "A" IN-GROUND CREMATED REMAINS PLOT	COMPANION PLOTS (Space for 2 Urns) Total \$827	COMPANION PLOTS (Space for 2 Urns) Total \$826	New system rounding error difference
14.	KMPC's Fee Schedule "A" IN-GROUND CREMATED REMAINS PLOT	FAMILY PLOTS Section G3 - Promontory Green Interment Garden Plot* Total \$1984	FAMILY PLOTS Section G3 - Promontory Green Interment Garden Plot* Total \$1983	New system rounding error difference

15.	KMPC's Fee Schedule "A" MAUSOLEA	LEGACY GARDENS Level 1 Total \$21,791	LEGACY GARDENS Level 1 Total \$21,792	New system rounding error difference
16.	KMPC's Fee Schedule "A" MAUSOLEA	LEGACY GARDENS Level 2 Total \$22,468	LEGACY GARDENS Level 2 Total \$22,469	New system rounding error difference
17.	KMPC's Fee Schedule "A" MAUSOLEA	PROMONTORY GREEN INTERMENT GARDEN - Single Crypt – Includes Standard Crypt Plate Level 1 Total \$21,791	PROMONTORY GREEN INTERMENT GARDEN - Single Crypt – Includes Standard Crypt Plate Level 1 Total \$21,792	New system rounding error difference
18.	KMPC's Fee Schedule "A" MAUSOLEA	PROMONTORY GREEN INTERMENT GARDEN - Single Crypt – Includes Standard Crypt Plate Level 2 Total \$22,468	PROMONTORY GREEN INTERMENT GARDEN - Single Crypt – Includes Standard Crypt Plate Level 2 Total \$22,469	New system rounding error difference
19.	KMPC's Fee Schedule "A" NICHES	LEGACY GARDENS Phase One Level 2 Total \$4,575	LEGACY GARDENS Phase One Level 2 Total \$4,574	New system rounding error difference
20.	KMPC's Fee Schedule "A" NICHES	BENNETT MEMORIAL Curved Wall Level 2 Total \$4,575	BENNETT MEMORIAL Curved Wall Level 2 Total \$4,574	New system rounding error difference
21.	KMPC's Fee Schedule "A"	BENNETT MEMORIAL	BENNETT MEMORIAL Round Unit	Correct error – additional fees are

	NICHES	Round Unit Includes Open/Close Fee		not included in plot price. These niches were no longer for sale, and error had no impact on operations or revenue, but adjusting in case surrender of a unit occurs and is back in inventory for sale
22.	KMPC's Fee Schedule "A" NICHES	BENNETT MEMORIAL Round Unit Level 1 Total \$4,139	BENNETT MEMORIAL Round Unit Level 1 Total \$4,138	New system rounding error difference
23.	KMPC's Fee Schedule "A" NICHES	BENNETT MEMORIAL Round Unit Level 2 Total \$4,575	BENNETT MEMORIAL Round Unit Level 2 Total \$4,574	New system rounding error difference
24.	KMPC's Fee Schedule "A" NICHES	PROMONTORY GREEN INTERMENT GARDEN Section G2 Includes Standard Niche Plate, Second Year Date Plate, and Open/Close fee	PROMONTORY GREEN INTERMENT GARDEN Section G2	Correct error – additional fees are not included in plot price. These niches were no longer for sale, and error had no impact on operations or revenue, but adjusting in case surrender of a unit occurs and is back in inventory for sale
25.	KMPC's Fee Schedule "A"	PROMONTORY GREEN INTERMENT GARDEN	PROMONTORY GREEN INTERMENT GARDEN	New system rounding error difference

	NICHES	Level 2 Total \$4,575	Level 1 Total \$4,574	
26.	KMPC's Fee Schedule "A" SCATTERING	PROMONTORY GREEN INTERMENT GARDEN SCATTERING GARDEN OSSUARY or SCATTERING TRAIL Scattering with Name Plate Total \$751	PROMONTORY GREEN INTERMENT GARDEN SCATTERING GARDEN OSSUARY or SCATTERING TRAIL Scattering with Name Plate Total \$752	New system rounding error difference
27.	KMPC's Fee Schedule "A" SCATTERING	PROMONTORY GREEN INTERMENT GARDEN SCATTERING GARDEN OSSUARY or SCATTERING TRAIL Promontory Green Memorial Wall Space – Name Plate Only Total \$751	PROMONTORY GREEN INTERMENT GARDEN SCATTERING GARDEN OSSUARY or SCATTERING TRAIL Promontory Green Memorial Wall Space – Name Plate Only Total \$752	New system rounding error difference
28.	KMPC's Fee Schedule "A" ADMINISTRATIVE FEES	Transferring a Plot/Surrendering a Plot/Add Name to Reservation Total \$83	Transferring a Plot/Surrendering a Plot/Add Name to Reservation Total \$84	New system rounding error difference
29.	KMPC's Fee Schedule "A" MEMORIALS	Marker Permit - Installation of Markers by the City Cemetery Maintenance Fund \$163	Marker Permit - Installation of Markers by the City Cemetery Maintenance Fund \$171	New system rounding error difference
30.	KMPC's Fee Schedule "A" MEMORIALS	Installation \$244	Installation \$256	New system rounding error difference
31.	KMPC's Fee Schedule "A" MEMORIALS	Total \$407	Total \$427	New system rounding error difference

32.	KMPC's Fee Schedule "A" MEMORIALS	Marker Modification Permit - Resetting/Removal/Reinstallation of Marker, curbing and ledger \$83	Marker Modification Permit - Resetting/Removal/Reinstallation of Marker, curbing and ledger \$84	New system rounding error difference
33.	KMPC's Fee Schedule "A" MEMORIALS	Supply Second Year Date Plate for Niche/Mausolea \$205	Supply Second Year Date Plate for Niche/Mausolea \$261	Market adjustment – price of bronze product increased beyond previous fee



Tree of Memories – December 1, 2020 – January 10, 2021

Kelowna Memorial Park Cemetery

Error adjustment

- ▶ 2017 Council approved prices from 2018-2021
- ▶ Integrating 3 software systems – some errors discovered
- ▶ 22 price adjustments from rounding error due to adopting new financial software
- ▶ 87% adjusted by \$1.00



Pioneer Section – First burial 1893

Market Adjustment

▶ Second Year Bronze Date Plate

- ▶ Cost from supplier increased - formally approved prices do not cover cost – adjust to meet cost of product
- ▶ Price adjusted from \$205 to \$261



Bronze Date Plate



Questions?

For more information, visit kelownacemetery.ca

CITY OF KELOWNA

BYLAW NO. 12124

Amendment No. 1 to Cemetery Bylaw No. 11664

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Amendment No. 1 to Cemetery Bylaw No. 12124 be amended as follows:

1. THAT PART 1 - GENERAL, 1.3 Definitions, 1.3.1 be amended by:
 - a) Adding “family vessel” to the definition for “Plot” in its appropriate location.
2. AND THAT PART 3 - RIGHT OF INTERMENT, 3.4 Oder of Priority be amended by deleting the word “Oder” and replace it with “Order”.

3. AND THAT PART 3 - RIGHT OF INTERMENT, 3.5 Right of Interment be deleted that reads:

“3.5 **Right of Interment** Not Transferable. The holder of a **Right of Interment** shall not transfer their right of use and occupancy to another person except that at the discretion of the **Cemetery Manager**. A transfer of the **Right of Interment** for any unused **plot** may be made to an **immediate family** member provided the fee for the transfer has been paid as outlined in Schedule “A”. In an area of the **Cemetery** that has been reserved by the **City** under section 3.1 of this bylaw for burial of members of the society, church, or other organization the application for transfer must be accompanied by a certificate stating that the individual is entitled to interment in the reserved section.”

And replacing it with:

“3.5 **Right of Interment** Not Transferable. The holder of a **Right of Interment** shall not transfer their right of use and occupancy to another person except that at the discretion of the **Cemetery Manager**. A transfer of the **Right of Interment** for any unused **plot** may be made to an **immediate family** member provided the fee for the transfer has been paid as outlined in Schedule “A”. A transfer on a **burial plot** will be approved to an immediate family member if the applicant ensures the first interment will be of human remains. In an area of the **Cemetery** that has been reserved by the **City** under section 3.1 of this bylaw for burial of members of the society, church, or other organization the application for transfer must be accompanied by a certificate stating that the individual is entitled to interment in the reserved section.”

4. AND THAT PART 5 - PERMISSION TO INTER, EXHUME or DISINTER, 5.1 Interment Permit (a), be amended by italicizing the following:

“Cremation, Interment and Funeral Services Act of B.C.”

5. AND THAT PART 5 - PERMISSION TO INTER, EXHUME or DISINTER, 5.3 Application for Permit, be amended by deleting the words that read: “The Interment Permit’s Terms and Conditions”

And replacing it with:

“The Interment Permit’s Authorization”.

6. AND THAT **PART 10 - ADORNMENT**, 10.6 Permit Required, be amended by adding the following to the end of the section:

"Specifications for markers are contained within the Marker Policy."
7. AND FURTHER THAT **KELOWNA MEMORIAL PARK CEMETERY'S FEE SCHEDULE "A"** be deleted in its entirety and replaced with the attached Schedule "A".
8. This bylaw may be cited for all purposes as "Bylaw No. 12124 being Amendment No. 1 to Cemetery Bylaw No. 11664."
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

Kelowna Memorial Park Cemetery's Fee Schedule "A"

PRODUCTS/SERVICES	2018	2019	2020	2021
Non-Residents add 25% to all fees				
GST not included in fee schedule				

CASKET PLOTS

Grave liner required in all sections except G1 and G7

UPRIGHT MARKER SECTIONS

G1, G7, G4, G8

Right of Interment	\$2,480	\$2,604	\$2,734	\$2,871
Cemetery Replacement Fund	\$1,240	\$1,302	\$1,367	\$1,435
Cemetery Maintenance Fund	\$1,240	\$1,302	\$1,367	\$1,435
Total	\$4,960	\$5,208	\$5,468	\$5,741

FLAT MARKER SECTIONS

C, D, E, G4, G7, G8

Right of Interment	\$1,787	\$1,876	\$1,970	\$2,069
Cemetery Replacement Fund	\$894	\$939	\$986	\$1,035
Cemetery Maintenance Fund	\$894	\$939	\$986	\$1,035
Total	\$3,575	\$3,754	\$3,941	\$4,139

DRY LANDSCAPE SECTIONS

A,B

Right of Interment	\$1,787	\$1,876	\$1,970	\$2,069
Cemetery Replacement Fund	\$894	\$939	\$986	\$1,035
Cemetery Maintenance Fund	\$894	\$939	\$986	\$1,035
Total	\$3,575	\$3,754	\$3,941	\$4,139

SMALL PLOTS (Child's Plot)

Section A,C, D (3'x5')

Right of Interment	\$218	\$229	\$240	\$252
Cemetery Replacement Fund	\$109	\$114	\$120	\$126
Cemetery Maintenance Fund	\$109	\$114	\$120	\$126
Total	\$436	\$458	\$481	\$504

ESTATE PLOTS

All Estate Plots Include: 2 Double Depth Lawn Crypts (space for 4 caskets), 8 Companion Cremation Plots (Space for 16 Urns), Marker Foundations. Section G7

PRIVATE ESTATE

Also Includes: Granite Bench, Arched Gate Feature - c/w Bronze Name Plate, Garden Beds

Right of Interment	\$34,555	\$36,283	\$38,097	\$40,002
Cemetery Replacement Fund	\$17,279	\$18,143	\$19,050	\$20,003
Cemetery Maintenance Fund	\$17,279	\$18,143	\$19,050	\$20,003
Total	\$69,113	\$72,569	\$76,197	\$80,008

SEMI PRIVATE ESTATE

Also includes: Shared Granite Bench, Flower Beds

Right of Interment	\$25,489	\$26,763	\$28,102	\$29,507
Cemetery Replacement Fund	\$12,743	\$13,380	\$14,049	\$14,752
Cemetery Maintenance Fund	\$12,743	\$13,380	\$14,049	\$14,752
Total	\$50,975	\$53,524	\$56,200	\$59,011

IN-GROUND CREMATED REMAINS PLOT

Grave liner required

COMPANION PLOTS (Space for 2 Urns)

Right of Interment	\$358	\$376	\$395	\$414
Cemetery Replacement Fund	\$178	\$187	\$196	\$206
Cemetery Maintenance Fund	\$178	\$187	\$196	\$206
Total	\$714	\$750	\$787	\$826

Section G3 - Promontory Green Interment Garden Plot *

Right of Interment	\$464	\$487	\$512	\$537
Cemetery Replacement Fund	\$233	\$245	\$257	\$270
Cemetery Maintenance Fund	\$233	\$245	\$257	\$270
Total	\$930	\$977	\$1,025	\$1,077

FAMILY PLOTS (Space for 6 Urns)

Section G5 & G6*

Right of Interment	\$714	\$750	\$787	\$827
Cemetery Replacement Fund	\$358	\$376	\$395	\$414
Cemetery Maintenance Fund	\$358	\$376	\$395	\$414
Total	\$1,430	\$1,502	\$1,577	\$1,655

Section G3 - Promontory Green Interment Garden Plot*

Right of Interment	\$858	\$901	\$946	\$993
Cemetery Replacement Fund	\$428	\$449	\$472	\$495
Cemetery Maintenance Fund	\$428	\$449	\$472	\$495
Total	\$1,714	\$1,800	\$1,890	\$1,983

MAUSOLEA

LEGACY GARDENS – Section D

Single Crypt- Includes Standard Crypt Plate

Level 1

Right of Interment	\$9,413	\$9,884	\$10,378	\$10,897
Cemetery Replacement Fund	\$7,529	\$7,905	\$8,301	\$8,716
Cemetery Maintenance Fund	\$1,882	\$1,976	\$2,075	\$2,179
Total	\$18,824	\$19,765	\$20,753	\$21,792

Level 2

Right of Interment	\$9,705	\$10,190	\$10,700	\$11,235
Cemetery Replacement Fund	\$7,764	\$8,152	\$8,560	\$8,988
Cemetery Maintenance Fund	\$1,940	\$2,037	\$2,139	\$2,246
Total	\$19,409	\$20,379	\$21,398	\$22,469

Level 3

Right of Interment	\$9,813	\$10,304	\$10,819	\$11,360
Cemetery Replacement Fund	\$7,851	\$8,244	\$8,656	\$9,089
Cemetery Maintenance Fund	\$1,962	\$2,060	\$2,163	\$2,271
Total	\$19,626	\$20,607	\$21,638	\$22,720

PROMONTORY GREEN INTERMENT GARDEN - Section G2

Single Crypt – Includes Standard Crypt Plate

Level 1

Right of Interment	\$9,413	\$9,884	\$10,378	\$10,897
Cemetery Replacement Fund	\$7,529	\$7,905	\$8,301	\$8,716
Cemetery Maintenance Fund	\$1,882	\$1,976	\$2,075	\$2,179
Total	\$18,824	\$19,765	\$20,753	\$21,792

Level 2

Right of Interment	\$9,705	\$10,190	\$10,700	\$11,235
Cemetery Replacement Fund	\$7,764	\$8,152	\$8,560	\$8,988
Cemetery Maintenance Fund	\$1,940	\$2,037	\$2,139	\$2,246
Total	\$19,409	\$20,379	\$21,398	\$22,469

Level 3

Right of Interment	\$9,813	\$10,304	\$10,819	\$11,360
Cemetery Replacement Fund	\$7,851	\$8,244	\$8,656	\$9,089
Cemetery Maintenance Fund	\$1,962	\$2,060	\$2,163	\$2,271
Total	\$19,626	\$20,607	\$21,638	\$22,720

Couch Crypt – Includes Standard Crypt Plate

Level 1, 2, and 3

Right of Interment	\$12,149	\$12,756	\$13,394	\$14,064
Cemetery Replacement Fund	\$9,719	\$10,205	\$10,715	\$11,251
Cemetery Maintenance Fund	\$2,430	\$2,552	\$2,679	\$2,813
Total	\$24,298	\$25,513	\$26,789	\$28,128

NICHES

LEGACY GARDENS – Section D

Phase One

Level 1

Right of Interment	\$1,788	\$1,877	\$1,971	\$2,070
Cemetery Replacement Fund	\$1,431	\$1,503	\$1,578	\$1,657
Cemetery Maintenance Fund	\$358	\$376	\$395	\$414
Total	\$3,577	\$3,756	\$3,944	\$4,141

Level 2

Right of Interment	\$1,976	\$2,075	\$2,179	\$2,287
Cemetery Replacement Fund	\$1,581	\$1,660	\$1,743	\$1,830
Cemetery Maintenance Fund	\$395	\$415	\$435	\$457
Total	\$3,952	\$4,150	\$4,357	\$4,574

Level 3/4/5

Right of Interment	\$2,094	\$2,199	\$2,309	\$2,424
Cemetery Replacement Fund	\$1,675	\$1,759	\$1,847	\$1,939
Cemetery Maintenance Fund	\$418	\$439	\$461	\$484
Total	\$4,187	\$4,396	\$4,616	\$4,847

Family Niches

Level 3/4/5

Right of Interment	\$4,396	\$4,616	\$4,847	\$5,089
Cemetery Replacement Fund	\$3,517	\$3,693	\$3,877	\$4,071
Cemetery Maintenance Fund	\$879	\$923	\$969	\$1,018
Total	\$8,792	\$9,232	\$9,693	\$10,178

Family Urns – Includes One Family name engraved on urn

Right of Interment	\$6,863	\$7,206	\$7,566	\$7,945
Cemetery Replacement Fund	\$5,491	\$5,766	\$6,054	\$6,357
Cemetery Maintenance Fund	\$1,372	\$1,441	\$1,513	\$1,588
Total	\$13,726	\$14,412	\$15,133	\$15,890

BENNETT MEMORIAL

Concord

Right of Interment	\$1,788	\$1,877	\$1,971	\$2,070
Cemetery Replacement Fund	\$1,431	\$1,503	\$1,578	\$1,657
Cemetery Maintenance Fund	\$358	\$376	\$395	\$414

Total	\$3,577	\$3,756	\$3,944	\$4,141
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Curved Wall

Level 1

Right of Interment	\$1,788	\$1,877	\$1,971	\$2,070
Cemetery Replacement Fund	\$1,431	\$1,503	\$1,578	\$1,657
Cemetery Maintenance Fund	\$358	\$376	\$395	\$414
Total	\$3,577	\$3,756	\$3,944	\$4,141

Level 2

Right of Interment	\$1,976	\$2,075	\$2,179	\$2,287
Cemetery Replacement Fund	\$1,581	\$1,660	\$1,743	\$1,830
Cemetery Maintenance Fund	\$395	\$415	\$435	\$457
Total	\$3,952	\$4,150	\$4,357	\$4,574

Level 3

Right of Interment	\$2,094	\$2,199	\$2,309	\$2,424
Cemetery Replacement Fund	\$1,675	\$1,759	\$1,847	\$1,939
Cemetery Maintenance Fund	\$418	\$439	\$461	\$484
Total	\$4,187	\$4,396	\$4,616	\$4,847

Round Unit

Level 1

Right of Interment	\$1,787	\$1,876	\$1,970	\$2,069
Cemetery Replacement Fund	\$1,430	\$1,502	\$1,577	\$1,655
Cemetery Maintenance Fund	\$358	\$376	\$395	\$414
Total	\$3,575	\$3,754	\$3,941	\$4,138

Level 2

Right of Interment	\$1,976	\$2,075	\$2,179	\$2,287
Cemetery Replacement Fund	\$1,581	\$1,660	\$1,743	\$1,830
Cemetery Maintenance Fund	\$395	\$415	\$435	\$457
Total	\$3,952	\$4,150	\$4,357	\$4,574

Level 3, 4, 5, 6

Right of Interment	\$2,094	\$2,199	\$2,309	\$2,424
Cemetery Replacement Fund	\$1,675	\$1,759	\$1,847	\$1,939
Cemetery Maintenance Fund	\$418	\$439	\$461	\$484
Total	\$4,187	\$4,396	\$4,616	\$4,847

PROMONTORY GREEN INTERMENT GARDEN

Section G2

LEVEL 1

Right of Interment	\$1,788	\$1,877	\$1,971	\$2,070
Cemetery Replacement Fund	\$1,431	\$1,503	\$1,578	\$1,657
Cemetery Maintenance Fund	\$358	\$376	\$395	\$414

Total	\$3,577	\$3,756	\$3,944	\$4,141
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Level 2

Right of Interment	\$1,976	\$2,075	\$2,179	\$2,287
Cemetery Replacement Fund	\$1,581	\$1,660	\$1,743	\$1,830
Cemetery Maintenance Fund	\$395	\$415	\$435	\$457
Total	\$3,952	\$4,150	\$4,357	\$4,574

Level 3, 4

Right of Interment	\$2,094	\$2,199	\$2,309	\$2,424
Cemetery Replacement Fund	\$1,675	\$1,759	\$1,847	\$1,939
Cemetery Maintenance Fund	\$418	\$439	\$461	\$484
Total	\$4,187	\$4,396	\$4,616	\$4,847

SCATTERING

PROMONTORY GREEN INTERMENT GARDEN SCATTERING GARDEN OSSUARY or SCATTERING TRAIL

Scattering Only

Right of Interment	\$87	\$91	\$96	\$101
Cemetery Replacement Fund	\$45	\$47	\$50	\$52
Cemetery Maintenance Fund	\$45	\$47	\$50	\$52
Total	\$177	\$186	\$195	\$205

Scattering with Name Plate

Right of Interment	\$323	\$339	\$356	\$374
Cemetery Replacement Fund	\$163	\$171	\$180	\$189
Cemetery Maintenance Fund	\$163	\$171	\$180	\$189
Total	\$649	\$681	\$716	\$752

Promontory Green Memorial Wall Space – Name

Plate Only

Right of Interment	\$323	\$339	\$356	\$374
Cemetery Replacement Fund	\$163	\$171	\$180	\$189
Cemetery Maintenance Fund	\$163	\$171	\$180	\$189
Total	\$649	\$681	\$716	\$752

INTERMENT PERMIT

Open/Close Fees

Casket - Burial	\$945	\$992	\$1,042	\$1,094
Casket - Mausoleum	\$982	\$1,031	\$1,083	\$1,137
Cremated Remains – In-ground	\$413	\$434	\$455	\$478
Cremated Remains - Niche	\$413	\$434	\$455	\$478
Children Under 12 Years of Age – interred in a designated Infant Plot (INFANT PLOTS - Section A,C, D (Note: plot size is 3'x5'))	\$0			

Concurrent Interment - Per				
Casket	\$471	\$495	\$519	\$545
Cremated Remains – in-ground	\$205	\$215	\$226	\$237
Cremated Remains - niche	\$158	\$166	\$174	\$183
Additional Fees				
Interments After 3PM	\$531	\$558	\$585	\$615
Weekend/Holiday Services	\$945	\$992	\$1,042	\$1,094
Deepening Large Plot	\$1,431	\$1,503	\$1,578	\$1,657
Deepening Cremation Plot	\$358	\$376	\$395	\$414
Additional Use Fee (3RD/+ INTERMENT for in-ground plots)	\$358	\$376	\$395	\$414
DISINTERMENT PERMIT				
Casket	\$1,431	\$1,503	\$1,578	\$1,657
Cremated Remains	\$435	\$457	\$480	\$504

ADMINISTRATIVE FEES

Transferring a Plot/Surrendering a Plot/Add Name to Reservation	\$72	\$76	\$79	\$84
Record retrieval	\$83	\$87	\$92	\$96
Record re-issue	\$27	\$28	\$30	\$31
Open/close niche for corrective measures requested by funeral home or family - (remains stay on site/not a disinterment)	\$127	\$133	\$140	\$147
Wreath refinishing handling fee (includes removal/packaging for shipping and reinstall)	\$79	\$83	\$87	\$91
Special order/replacement processing fee	\$28	\$29	\$30	\$32
Bronze marker ordering/handling fee/installation	\$133	\$140	\$147	\$154

LINERS

Standard Size	\$572	\$601	\$631	\$662
Child's Liner	\$215	\$226	\$237	\$249
Cremation Liners (in ground)	\$178	\$187	\$196	\$206
Handling and Placing Liners (vaults) Supplied by Funeral Homes	\$358	\$376	\$395	\$414

MEMORIALS

Marker Permit - Installation of Markers by the City Cemetery Maintenance Fund	\$141	\$148	\$155	\$171
Installation	\$211	\$222	\$233	\$256
Total	\$352	\$370	\$388	\$427

Marker Permit – Installation of Markers, curbing, and legers by others in Sections A, B and Upright Marker Sections of Section G	\$215	\$226	\$237	\$249
Marker Modification Permit - Resetting/Removal/Reinstallation of Marker, curbing and ledger	\$72	\$76	\$79	\$84
Disposal of Marker	\$97	\$102	\$107	\$112
Engraving of Shutter (niche – each occurrence)	\$272	\$286	\$300	\$315
Supply Second Year Date Plate for Niche/Mausolea	\$177	\$186	\$195	\$261
Replacement Shutter – Single Niche - Legacy Gardens	\$78	\$82	\$86	\$90
Replacement Shutter – Double Niche – Legacy Gardens	\$154	\$162	\$170	\$178
Family Urn Plaques Per - Legacy Gardens	\$309	\$324	\$341	\$358

VASES

Bud Vase - Niches	\$233	\$245	\$257	\$270
Bud Vase - Mausolea	\$347	\$364	\$383	\$402
In-Ground Galvanized Flower Vase	\$74	\$78	\$82	\$86
In-Ground Galvanized Flower Vase – Installation fee if vase is supplied by funeral home	\$29	\$30	\$32	\$34

ADDITIONAL SERVICES

Canopy Service (Second Tent)	\$122	\$128	\$135	\$141
To Supply Pall Bearer Per (Two Employees)	\$105	\$110	\$116	\$122

DEDICATION PROGRAM

Memorial Tree (with plaque at cemetery only -) – includes scattering of ashes at KMPC Scattering Garden or Trail	\$1,299	\$1,364	\$1,432	\$1,504
Memorial Bench (with plaque)	\$2,952	\$3,100	\$3,255	\$3,417
Memorial Bench (existing bench, adding a plaque)	\$2,142	\$2,249	\$2,362	\$2,480
Adding Second Plaque to Existing Memorial Bench or Tree	\$718	\$754	\$792	\$831
Memorial Table (with plaque)	\$2,952	\$3,100	\$3,255	\$3,417

Report to Council



Date: January 11, 2021
To: Council
From: City Manager
Subject: KCT Fee Adjustment for Reopening Under Restrictions
Department: Active Living & Culture – Cultural Services

Recommendation:

THAT Council receives the report from the Cultural Services Department, dated January 11, 2021, regarding the proposed temporary fee structure for reopening Kelowna Community Theatre (KCT) under restrictions;

AND THAT Council approves the temporary fee structure for use at KCT as an amendment to the Active Living & Culture Fees and Charges Bylaw No. 9609.

Purpose:

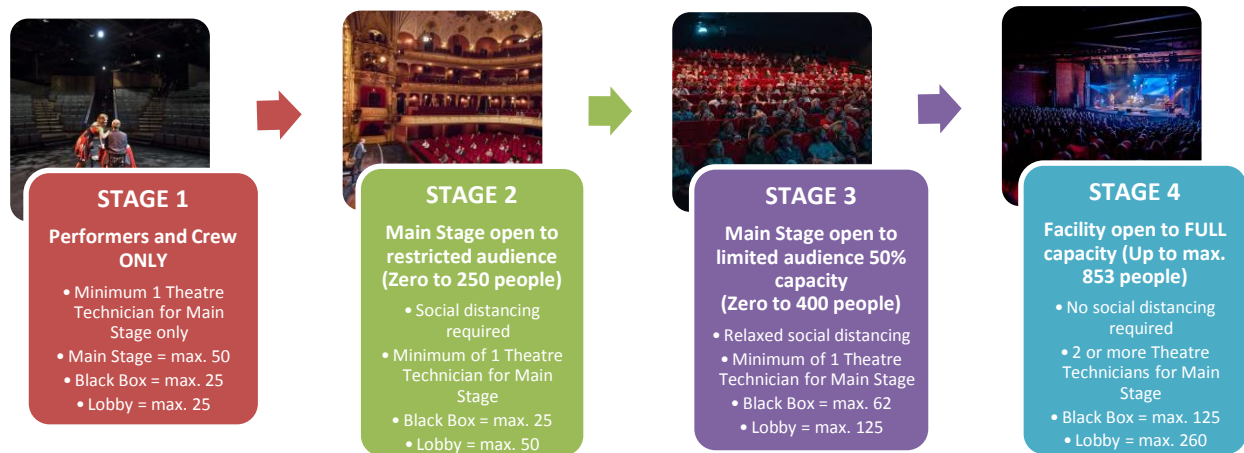
To provide Council with an overview of the Kelowna Community Theatre temporary fee structure to support recovery efforts as a result of to the COVID-19 pandemic.

Background:

The City of Kelowna recognizes that the COVID-19 pandemic has impacted all aspects of community life in a profound way. Our top priority is the health, safety and well-being of the public and our staff. Staff continue to follow the direction of the Provincial Health Officer (PHO) as re-opening plans for sport, recreation and cultural facilities and programs are managed to curb the spread of COVID-19 in our community.

[BC's Restart Plan](#) has guided the reopening of our community facilities during COVID-19. This Restart Plan, along with many subsector plans, were designed for adaptability – to be able to move forward as restrictions loosen, and also step back if restrictions tighten. Within this context, the re-introduction of live performances at KCT is being carefully considered. While the recent spike in COVID-19 cases through fall 2020 further demonstrate the management of restrictions, the development of a reopening framework and associated fee structure allows for 2021 advanced planning by local cultural organizations.

In order to gradually introduce live performance and safe rental activity into the facility, the Kelowna Community Theatre will reopen in stages.



In consideration of the unique challenges facing the creative sector and what's predicted to be a slow and gradual return of the performing arts, additional measures are being considered to support the sector including a temporary change to the fee structure for Main Stage rental rates. This proposed fee adjustment would enable smaller scale activities to be offered to the community while restrictions on sizes of gatherings are in place.

This strategy is designed to be flexible to adapt to future recommendations and/or directives set forth by the PHO and/or the City of Kelowna.

Discussion:

The factors considered in the development of a temporary Main Stage rental fee structure through each stage of reopening include:

- supporting the creative sector including local artists and non-profit organizations to remain relevant and continue operations as they rebuild and recover;
- consideration for the audience capacity at KCT due to crowd limitations in the latest PHO's restrictions and the total number of tickets available for sale;
- enticing producers and presenters to offer performances for the public to re-engage safely in the performing arts;
- allowing a transition time while the public begins to rebuild personal confidence and comfort levels to attend live performances;
- ensuring a shared risk and reward model.

A rebuilding of audiences at different stages of re-opening will bring support to the performing arts, revenue from ticket and concession sales and increased rental bookings at KCT.

Temporary Fee Structure for Performances at Kelowna Community Theatre:

The temporary fee structure is being proposed for Main Stage performance rentals only and uses a sliding scale formula that is based on the number of seats available for sale to determine the Basic Fee.

The calculation of performance rental charges is as follows:

- Current Performance Rental Charges = Basic Fee or 10% of Gross Ticket Sales (to a maximum of 2.5 times the Basic Fee), whichever is the greater amount.
- Under the temporary fee structure, Basic Fee = rehearsal rate + a per seat “pre-determined rate” for each seat available for sale, as per current maximum gathering size in alignment with PHO directive, for each rental category.
- The per seat “pre-determined rate” is calculated by dividing the existing Basic Fee for each category of renter (i.e. Non-profit, Commercial) by the full 853-seat capacity of the theatre during normal operations. For example, the existing non-profit Basic Fee is \$800, therefore, the non-profit per seat “pre-determined rate” would be $\$800/853 \text{ seats} = \0.94 per seat .

Example:

The Basic Fee for the calculation of Performance Rental Charges for a Non-Profit, under the current PHO directive of audiences not larger than 50 people, would be calculated as follows:

$$\begin{aligned}\text{Basic Fee} &= \text{rehearsal rate} + \text{a per seat "pre-determined rate" for each seat available for sale} \\ &= \$362.50 + (\$0.94 \times 50 \text{ seats available for sale}) \\ &= \$362.50 + \$47.00 \\ &= \$409.50\end{aligned}$$

Total Performance Rental Charges for a Non-Profit = \$409.50 or 10% of gross ticket sales (to a maximum of 2.5X the Basic Fee), whichever is the greater amount.

Under the temporary fee structure, the Basic Fee calculation will be dependent on the number of seats available for sale in alignment with the current PHO directive for gatherings of this type. The temporary fee structure would remain in place until KCT is able to open to 50 percent capacity or higher (approximately 425 seats) which is when the temporary fees comes close to the current Basic Fee.

All rental fees for the Black Box and Theatre Lobby spaces will remain at current rates, though capacity may be limited due to physical distancing protocols. All extra fees associated with rental bookings, including the \$1.75 Capital Improvement Fee, will remain at the current rates.

Therefore, under the temporary fee structure, the rates for renting the Main Stage of the Kelowna Community Theatre will be as follows:

Standard Rehearsal Basic Fee:

Non-Profit - \$362.50

Local Commercial - \$507.50

Commercial - \$725.00

Temporary Performance Basic Fee:

Non-Profit - Basic Fee = \$362.50 + \$0.94 per seat available for sale

Local Commercial - Basic Fee = \$507.50 + \$1.31 per seat available for sale

Other Commercial - Basic Fee = \$725.00 + \$1.88 per seat available for sale

Performance Rental Charges:

Basic Fee or 10% of Gross Ticket Sales (to a maximum of 2.5 times the Basic Fee) whichever is the greater amount.

In addition, a Live-stream Fee of \$75.00 will be added to any rental booking that charges for access to a live-stream link during a performance.

Conclusion:

The creative sector has been severely impacted by the COVID-19 pandemic, and in particular the live performance industry. Offering a temporary fee adjustment will open opportunities for artists and non-profits organizations to progressively and safely return to activity at KCT, while working together to rebuild audiences. A sliding scale temporary adjustment to the Basic Fee will help encourage live performance bookings to return to the KCT stage and is an important piece to the rebuilding of an industry that has been hard hit by the pandemic.

Internal Circulation:

Divisional Director, Financial Services Corporate Finance Manager
Administration & Business Services Manager
Communications Advisor

Financial/Budgetary Considerations:

Restrictions imposed on gatherings and social distancing are anticipated to impact KCT operations well into 2021. Based on best understanding of the return to operations anticipated by sector professionals across the country, KCT is expected to gradually reopen through 2021 and likely not reach full house operations until fall 2021. While the return of audiences in large numbers is still uncertain, an Operating Request was approved as part of the 2021 Provisional Budget to modify KCT's overall budget to the most likely scenario of revenues and expenses for 2021.

Considerations not applicable to this report:

Legal/Statutory Authority Legal/Statutory
Procedural Requirements External
Agency/Public Comments Communications

Submitted by:

C.McWillis, Cultural Services Manager

Approved for inclusion:

JG

Jim Gabriel, Divisional Director, Active Living & Culture

Schedule A – Proposed Text Amendments

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Schedule H Kelowna Community Theatre - Fees & Charges	Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter unless otherwise stated.	Rates are effective January 1, 2021 and increase annually on January 1 every year thereafter unless otherwise stated.	Dates changed to reflect calendar year.
2.			Main Stage – Performance	Administrative addition of heading to identify the Main Stage – Performance rental fee category.
3.	Main Stage – Performance		The final rental charge will be either the basic fee as stated above, OR 10% of gross ticket sales (capped at 2.5 x the Basic Fee), whichever is the greater amount.	Addition of wording to the Rental Rates that are contained in the current rental contract identifying the calculation of final rental charges for facility use.
4.			Main Stage – Temporary Performance Rental • The temporary performance rental rates are a result of gathering restrictions in place due to COVID 19. Once restrictions on gatherings are lifted or allow for 50% or more of seats to be sold at	Introduction of new Main Stage – Temporary Performance Rental category and fees.

			<p>KCT these fees will no longer apply.</p> <ul style="list-style-type: none"> • The temporary performance rental rates be reviewed in September 2021, if restrictions on audience members continue. • A theatre technician is included with the first 8 hours of the rental. <p>Temporary Rental Rates (8 hours continuous use)</p> <p>Basic Fee:</p> <p>Non-Profit \$362.50 + \$0.94 per seat available for sale</p> <p>Local Commercial \$507.50 + \$1.31 per seat available for sale</p> <p>Commerical \$725.00 + \$1.88 per seat available for sale</p> <p>The final rental charge will be either the basic fee as stated above, OR 10% of gross ticket sales</p>	
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			<p>(capped at 2.5 x the Basic Fee), whichever is the greater amount.</p> <p>Dark Day Rate during multiple day rentals (maximum 2 days for each full week performance run) \$240.00 per day</p> <p>Multiple performances in one day 1.5 times the basic fee</p> <p>Capital Improvement Fee (all rentals) – not subject to an annual increase \$1.75 per ticket issued</p> <p>Additional rental hours 5% of the basic fee charges per hour</p>	
5.			Extra Fees	Administrative addition of Extra Fees heading to identify rental fee category.
6.			Live-stream fee if charging for access to a live-stream link during a performance \$75.00	Introduction of new Live-stream fee .



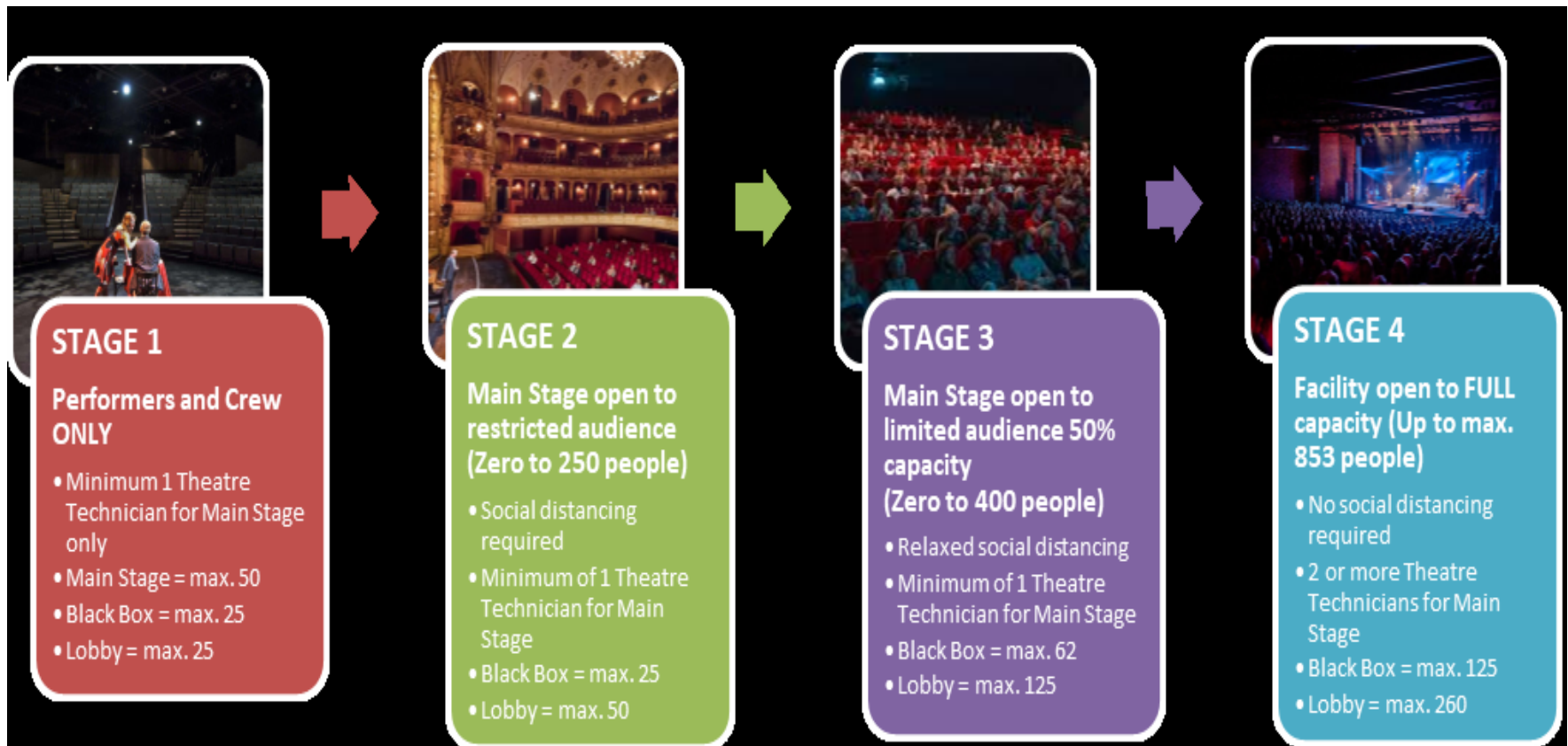
Kelowna Community Theatre

KCT Fee Adjustment for Reopening Under Restrictions

Impact of COVID-19

- ▶ The COVID-19 pandemic has impacted all aspects of community life in a profound way
- ▶ Within the context of BC's Restart Plan, the re-introduction of live performances at KCT is being carefully considered.

Stages of Reopening



Temporary Fee Structure

- ▶ Will apply to Main Stage Performance Rentals only
- ▶ All other fees will remain in place
- ▶ Uses a sliding scale formula that includes the current rehearsal rate and a “pre-determined” per seat rate.
- ▶ Will align rental rates with permitted audience sizes as directed by the PHO

Main Stage Performance Rates

- ▶ **Current Fee Structure:**
 - = **Basic Fee** or 10% of Gross Ticket Sales (to a maximum of 2.5 times the Basic Fee) whichever is the greater amount.
- ▶ **Temporary Fee Structure:**
 - = **Rehearsal Fee + Pre-determined per seat rate** or 10% of Gross Ticket Sales (to a maximum of 2.5 times the Basic Fee) whichever is the greater amount.

Calculation of Fees

- ▶ Example for performance with permitted gathering size of 50 people (Non-profit)
 - ▶ Pre-determined per seat rate = $\$800 / 853 \text{ seats} = \0.94 per seat
 - ▶ Modified Temporary Fee = $\$362.50 \text{ rehearsal rate} + (\$0.94 \times 50 \text{ seats available for sale})$
 $= \$362.50 + \47.00
 $= \$409.50 \text{ or } 10\% \text{ of gross ticket sales (up to a maximum of 2.5 times the Basic Fee)}$





Feedback?

CITY OF KELOWNA

BYLAW NO. 12119

Amendment No. 6 to Active Living & Culture Fees and Charges Bylaw No. 9609

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Active Living & Culture Fees and Charges Bylaw No. 9609 be amended as follows:

1. THAT SCHEDULE H – Kelowna Community Theatre – Fees & Charges be deleted in it's entirety that reads:

SCHEDULE H

Kelowna Community Theatre – Fees & Charges

1375 Water Street, Kelowna, B.C.

- All rates subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter unless otherwise stated.

Rental Rates (8 hours continuous use)	Rate
Commercial Rate	\$1,600.00
Category A: Local Non-profit Producers & SD23	\$800.00
Category B: Local Non-profit Presenters	\$1,120.00
Dark Day Rate during multiple day rentals (maximum 2 days for each full week performance run)	\$240.00
Multiple performances in one day	1.5 times the listed rate
Capital Improvement Fee (all rentals) – not subject to an annual increase	\$1.75 per attendee
Additional rental hours	5% of the listed rate charged per hour

MAIN STAGE – REHEARSAL

- Rehearsal day rates are only available in preparation for a performance. A maximum of one rehearsal day per performance is permitted.
- Rehearsal day rates are not available on Fridays, Saturdays or Sundays.
- A theatre technician is included with the first 4 hours of the rental.

Rental Rates (4 hours)	Rate
Commercial Rate	\$725.00
Category A: School District No. 23 & Local Non-profit Producers	\$362.50
Category B: Local Non-profit Presenters	\$507.50
Additional rental hours	5% of the listed rate

BLACK BOX – PERFORMANCE

- Rates include lighting and sound equipment dedicated to the Black Box, tables, fridge and bar and do not include additional equipment or theatre technician.
- Technical support is required for events that involve making changes to the lighting system or use of the Black Box sound system. If warranted, due to safety or complex technical needs, additional theatre technical staff may be added to the booking at the renter's expense.

Rental Rates	Rate
Commercial Rate	\$540.00
Category A: School District No. 23 & Local Non-profit Producers	\$270.00
Category B: Local Non-profit Presenters	\$378.00

BLACK BOX - REHEARSAL

- Rates apply to the Black Box room only and do not include additional equipment or technician.
- Room is not to be used as a performance venue.

Rental Rates	Rate
Commercial - Daily Rate	\$240.00
Commercial - Hourly Rate	\$75.00
Category A: Local Schools (includes School District No. 23) & Local Non-profit Producers – Daily Rate	\$120.00
Category A: Local Schools (includes School District No. 23) & Local Non-profit Producers – Hourly Rate	\$37.50
Category B: Local Non-profit Presenters – Daily Rate	\$168.00
Category B: Local Non-profit Presenters – Hourly Rate	\$52.50

Extra Fees	Rate
Theatre Technicians hourly rate - first 8 hours (min call – 2 hrs)	\$52.50
Theatre Technicians overtime multiplier - after working 8 hrs	8 – 10 hrs = 1.5x and >10 hour = 2x
Same Day Settlements	\$115.00
9' Grand Piano (excludes tuning fee)	\$115.00
Marley Dance floor (includes dance floor tape & use for entire run)	\$140.00
Extra Fees not subject to an annual increase:	
Percent (%) of gross proceeds from all client merchandise sales	15%

SOCAN & ReSound fees	As per copyright legislation
Non-refundable deposit if using approved ticketseller	25% of the gross estimated rental fee
Non-refundable deposit if not using approved ticketseller	\$2,000.00
Bar/restocking fees	\$100.00 per category
Front of House services after first 5 hours	\$100.00/hour or portion thereof
Janitorial Services for additional cleaning if required	\$300.00 or actual costs, whichever is greater

And replace it with:

SCHEDULE H

Kelowna Community Theatre – Fees & Charges

1375 Water Street, Kelowna, B.C.

- All rates subject to taxes unless otherwise stated.
- Rates are effective January 1, 2021 and increase annually on January 1 every year thereafter unless otherwise stated.

MAIN STAGE – PERFORMANCE

- A theatre technician is included with the first 8 hours of the rental.

Rental Rates (8 hours continuous use)	Basic Fee
Commercial Rate	\$1,600.00
Category A: Local Non-profit Producers & SD23	\$800.00
Category B: Local Non-profit Presenters	\$1,120.00
The final rental charge will be either the basic fee as stated above, OR 10% of gross ticket sales (capped at 2.5 x the Basic Fee), whichever is the greater amount.	
Dark Day Rate during multiple day rentals (maximum 2 days for each full week performance run)	\$240.00 per day
Multiple performances in one day	1.5 times the basic fee
Capital Improvement Fee (all rentals) – not subject to an annual increase	\$1.75 per ticket issued
Additional rental hours	5% of the basic fee charged per hour

MAIN STAGE – TEMPORARY PERFORMANCE RENTAL

- The temporary performance rental rates are a result of gathering restrictions in place due to COVID 19. Once restrictions on gatherings are lifted or allow for 50% or more of seats to be sold at KCT these fees will no longer apply.
- The temporary performance rental rates be reviewed in September 2021, if restrictions on audience members continue.
- A theatre technician is included with the first 8 hours of the rental.

Temporary Rental Rates (8 hours continuous use)	Basic Fee
Non-Profit	\$362.50 + \$0.94 per seat available for sale
Local Commercial	\$507.50 + \$1.31 per seat available for sale

Commercial	\$725.00 + \$1.88 per seat available for sale
The final rental charge will be either the basic fee as stated above, OR 10% of gross ticket sales (capped at 2.5 x the Basic Fee), whichever is the greater amount.	
Dark Day Rate during multiple day rentals (maximum 2 days for each full week performance run)	\$240.00 per day
Multiple performances in one day	1.5 times the basic fee
Capital Improvement Fee (all rentals) – not subject to an annual increase	\$1.75 per ticket issued
Additional rental hours	5% of the basic fee charged per hour

MAIN STAGE – REHEARSAL

- Rehearsal days are only available in preparation for a performance. A maximum of one rehearsal day per performance is permitted.
- Rehearsal days are not available on Fridays, Saturdays or Sundays.
- A theatre technician is included with the first 4 hours of the rental.

Rental Rates (4 hours)	Basic Fee
Commercial Rate	\$725.00
Category A: School District No. 23 & Local Non-profit Producers	\$362.50
Category B: Local Non-profit Presenters	\$507.50
Additional rental hours	5% of the basic fee charged per hour

BLACK BOX – PERFORMANCE

- Rates include lighting and sound equipment dedicated to the Black Box, tables, fridge and bar and do not include additional equipment or theatre technician.
- Technical support is required for events that involve making changes to the lighting system or use of the Black Box sound system. If warranted, due to safety or complex technical needs, additional theatre technical staff may be added to the booking at the renter's expense.

Rental Rates	Basic Fee
Commercial Rate	\$540.00
Category A: School District No. 23 & Local Non-profit Producers	\$270.00
Category B: Local Non-profit Presenters	\$378.00

BLACK BOX - REHEARSAL

- Rates apply to the Black Box room only and do not include additional equipment or technician.
- Room is not to be used as a performance venue.

Rental Rates	Basic Fee
Commercial - Daily Rate	\$240.00
Commercial - Hourly Rate	\$75.00
Category A: Local Schools (includes School District No. 23) & Local Non-profit Producers – Daily Rate	\$120.00
Category A: Local Schools (includes School District No. 23) & Local Non-profit Producers – Hourly Rate	\$37.50
Category B: Local Non-profit Presenters – Daily Rate	\$168.00
Category B: Local Non-profit Presenters – Hourly Rate	\$52.50

EXTRA FEES

Extra Fees	Fee
Theatre Technicians hourly rate - first 8 hours (min call – 2 hrs)	\$52.50
Theatre Technicians overtime multiplier - after working 8 hrs	8 – 10 hrs = 1.5x and >10 hour = 2x
Same Day Settlements	\$115.00
9' Grand Piano (excludes tuning fee)	\$115.00
Marley Dance floor (includes dance floor tape & use for entire run)	\$140.00
Extra Fees not subject to an annual increase:	Fee
Percent (%) of gross proceeds from all client merchandise sales	15%
SOCAN & ReSound fees	As per copyright legislation
Non-refundable deposit if using approved ticket seller	25% of the gross estimated rental fee
Non-refundable deposit if not using approved ticket seller	\$2,000.00
Bar/restocking fees	\$100.00 per category
Front of House services after first 5 hours	\$100.00/hour or portion thereof
Janitorial Services for additional cleaning if required	\$300.00 or actual costs, whichever is greater
Live-stream Fee	\$75.00

2. This bylaw may be cited for all purposes as "Bylaw No. 12119 being Amendment No. 6 to Active Living & Culture Fees and Charges Bylaw No. 9609";
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: January 11, 2021
To: Council
From: City Manager
Subject: GEID Boundary Inclusion for (W OF) Hwy 97 N (1207431 BC LTD)
Department: Infrastructure Engineering

Recommendation:

THAT Council receives for information, the report from the Infrastructure Engineering Department dated January 11th, 2021 with regard to the Glenmore-Ellison Improvement District (GEID) Boundary Inclusion for (W OF) Hwy 97 N (1207431 BC LTD);

AND THAT Council approve the request by the GEID to amend its water service area boundary to include (W OF) Hwy 97 N as outlined in this report from Infrastructure Engineering dated January 11th, 2021.

Purpose:

To approve a request for boundary modification by the Glenmore-Ellison Improvement District.

Background:

The GEID has received a petition for the inclusion of lands within their boundary from CTQ Consultants Ltd. on behalf of the subject lot's owner (1207431 BC Ltd.), as follows:

- Lot 1, Section 2, Township 23, ODYD. Plan EPP76079; Covenant Plan EPP80201 ((W OF) Hwy 97 N)

The lands in question fall within the GEID's overall water service supply area and are classified as "FUTURE GEID" in the City's Water Supply Area database. A copy of the request is attached to this report.

The petition for boundary adjustment is related to the following in-stream development applications on the subject lot: DP19,0156; DVP19-0157; OCP19-0006; Z19-0108.

Council approval is required for all district boundary amendments to meet the requirements of the Ministry of Municipal Affairs & Housing, which oversees the GEID.

Internal Circulation:

Communications Manager
Development Services Manager
Infrastructure Delivery Manager
Infrastructure Engineering Manager
Utility Services Manager

Legal/Statutory Authority

Local Government Act - Section 675

Considerations not applicable to this report:

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

Submitted by:

Rod MacLean, P. Eng., Utility Planning Manager

Approved for inclusion:

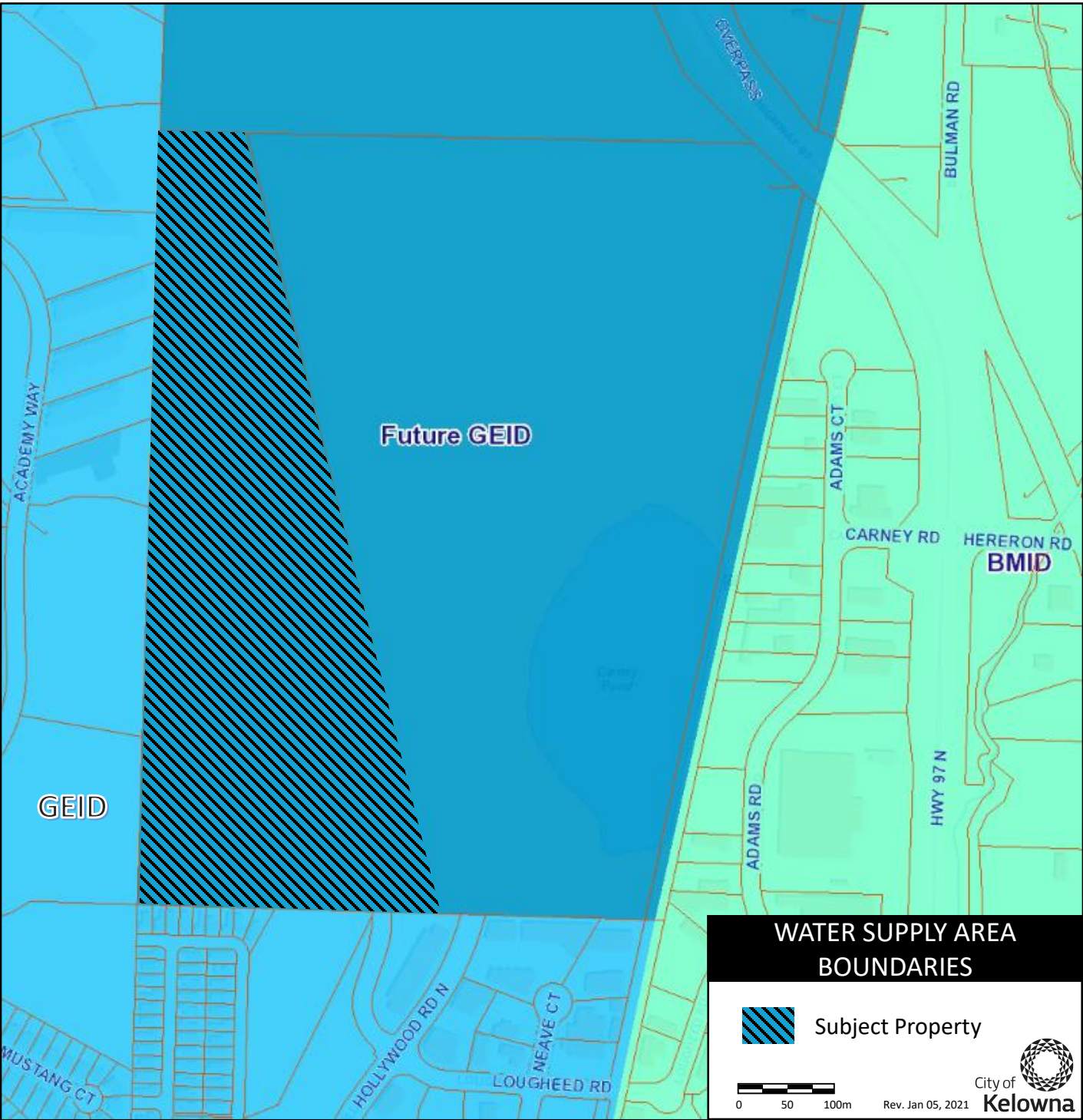


A. Newcombe, Divisional Director, Infrastructure

Attachment 1 - GEID Boundary Adjustment Information Package

cc: Deputy City Manager
Divisional Director, Corporate Strategic Services
Divisional Director, Infrastructure
Divisional Director, Partnership & Investments
Divisional Director, Planning & Development Services

SUBJECT LOT FOR GEID WATER SUPPLY BOUNDARY ADJUSTMENT



October 28, 2020

GEID File: 19-027
COK File: Z19-0108
OCP19-0006
DVP19-0157

City of Kelowna
Utility Planning
1435 Water Street
Kelowna, BC V1Y1J4

Attention: Rod MacLean, Manager of Utility Planning

RE: Boundary Inclusion – Water Service for W of Hwy 97 N
Located at W of Hwy 97 N
Lot 1, Section 2, Township 23, ODYD. Plan EPP76079
PID: 030-385-041

Dear Sir,

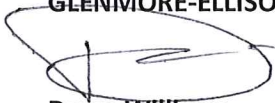
Glenmore-Ellison Improvement District has received a Petition to Extend an Improvement District Boundary to include the above-mentioned property within the District's servicing boundaries. A copy of the supporting documents submitted by CTQ Consulting Ltd. is enclosed for your reference.

Your review and comments concerning this application would be appreciated. If there are no concerns, a letter of support for this boundary amendment is requested in order for the application to be processed by Ministry of Municipal Affairs and Housing to receive approval through Order in Council.

Thank you for your attention to this matter. If you have any further questions, please do not hesitate to contact me.

Sincerely,

GLENMORE-ELLISON IMPROVEMENT DISTRICT



Dawn Williams
Administrator

DW/mh

Encl. CTQ supporting document

cc: Ed Grifone
Paul Deutsch

Report to Council



Date: January 11, 2021
To: Council
From: City Manager
Subject: ICIP-CVRIS - Adaptation, Resilience & Disaster Mitigation Program
Grant Application - Brandt's Creek Crossing at Ellis
Department: Infrastructure Engineering

Recommendation:

THAT Council receives for information, the report from the Infrastructure Engineering Department dated January 11, 2021, with respect to the Investing in Canada Infrastructure Program (ICIP) – COVID 19 Resilience Infrastructure Stream (CVRIS) - Adaptation, Resilience & Disaster Mitigation (ARDM) Program – Brandt's Creek Crossing at Ellis;

AND THAT Council authorizes staff to apply for an ICIP-CVRIS-ARDM grant as outlined in this report;

AND THAT Council authorizes the Mayor and City Clerk to execute the ICIP-CVRIS-ARDM grant, if the application is successful;

AND FURTHER THAT the 2021 Financial Plan be amended to include the grant for Brandt's Creek Crossing at Ellis project, if the application is successful.

Purpose:

To consider staff's recommendation to apply for an Investing in Canada Infrastructure Program – COVID 19 Resilience Infrastructure Stream - Adaptation, Resilience & Disaster Mitigation Program Grant.

Background:

Brandt's Creek flows under Ellis Street through a culvert crossing some 700 meters east of Okanagan Lake. The culvert is undersized and prone to flood damage when Brandt's Creek floods. The 1 in 100-year storm hydrology has increased substantially over the last number of years, where we are seeing climate change increase flood flow peaks and increase sediment/debris movement and deposition from the upper watershed that includes most of the Glenmore communities and areas north. The Ellis Street creek crossing is also part of a restrictive section of creek that prevents fish passage during normal flow conditions due to its lack of light, imperfect flow conditions and lack of suitable riparian protection. The new culvert crossing will be broader, higher and better protected to allow for more capacity, resist blockage from debris, and improve conditions for fish passage and new spawning opportunities

upstream. The grant application includes an upgrade component within the project footprint to re-construct impacted utilities passing under the culvert. This aligns well with the ultimate replacement of the old transmission mainline along Ellis slated for upgrade to a higher capacity mainline from Poplar Point to the downtown core. This work is consistent with growth and renewal needs identified in the upcoming 20 Year Servicing Plan.

This application is supported by an advanced preliminary design of a flood diversion alternative being considered for the Mill Creek Flood Protection Project and is in final planning stages for construction. The Ellis Street Crossing Project currently has no other grant money applied to it.

A key outcome of the CVRIS grant program is to demonstrate a boost to the local economy to offset employment concerns and lost revenue from the COVID19 crisis. In addition, the project must be constructed in the 2021 calendar year. This will require an efficient open bid and delivery process including a comprehensive construction and stakeholder communication plan.

As part of the application, the City has included recent relevant work into the application:

- Culvert Condition Inspections and Structural Assessments (2018 and 2019) by Associated Engineering.
- Brandt's Creek Crossing at Ellis Street Culvert Replacement - Design Criteria providing a preliminary design and costing information for the culvert replacement and utility upgrades.

All work will be done with a high sensitivity to fisheries impacts with appropriate mitigation conducted at all times. This will be done by qualified professionals hired as part of the project.

As part of the application process, a Council resolution is required indicating support for the current proposed activities and willingness to provide overall grant management.

Internal Circulation:

Divisional Director, Infrastructure
Financial Planning Manager
Grants & Special Projects Manager
Infrastructure Engineering Manager

Financial/Budgetary Considerations:

The City is requesting up to a \$2,000,000 grant from the ICIP-CVRIS-Adaptation, Resilience & Disaster Mitigation Program stream, which the City can apply for in addition to a second ICIP-CVRIS grant application for COVID-19 recovery. This funding stream can contribute a maximum of 100% of the cost of eligible activities. If the application is successful, the City would immediately complete the final design of the structure and prepare to tender the project and immediately look for environmental approvals.

Considerations not applicable to this report:

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

Personnel Implications:

Submitted by:

Rod MacLean, P.Eng. Utilities Planning Manager

Approved for inclusion:

A square box containing a handwritten signature in black ink, which appears to be 'A. Newcombe'.

A. Newcombe, Infrastructure Divisional Director

cc: Divisional Director, Corporate Strategic Services
Divisional Director, Financial Services
Divisional Director, Infrastructure
Financial Planning Manager
Grants & Special Projects Manager
Infrastructure Engineering Manager

Report to Council



Date: January 11, 2021

To: Council

From: City Manager

Subject: COVID-19 Pandemic Advisory Committee Meetings and Public Hearings

Department: Office of the City Clerk

Recommendation:

THAT Council receive, for information, the report from the Office of the City Clerk dated January 11, 2021, with respect to advisory committee meetings and public hearings during the COVID-19 pandemic;

AND THAT Council suspend the duties and meetings of the Agricultural Advisory Committee and Heritage Advisory Committee and direct staff to proceed with processing applications without consideration by the relevant committee;

AND THAT Council direct the Airport Advisory Committee and Civic and Community Awards Steering Committee to conduct open meetings without the public present in accordance with the requirements of the Order of the Provincial Health Officer regarding gatherings and events;

AND THAT the Airport Advisory Committee and Civic and Community Awards Steering Committee ensure openness, transparency, accessibility, and accountability by communicating to the public changes in how meetings are held and posting draft agendas and minutes online;

AND THAT Council direct staff to recommend that Council waive the public hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff, and are not expected to generate significant public input based on correspondence received at the time of the report to Council;

AND FURTHER THAT the above-noted resolutions be in effect until the Order of the Provincial Health Officer regarding gatherings and events is rescinded or replaced to allow for in-person attendance at committee meetings and public hearings.

Purpose:

To amend meetings and duties of advisory committees and waive the public hearings for certain rezoning applications during provincial restrictions on gatherings and events.

Background:

The current Order of the Provincial Health Officer regarding gatherings and events prohibits the public from attending Council meetings or public hearings in-person. The Order also prevents advisory committees of Council from meeting in-person. Relevant sections of the Order are currently set to expire on January 8, 2021 and further direction is anticipated from the Province in early January. The January 12, 2021 and January 19, 2021 public hearings and Tuesday regular meetings will be held electronically in accordance with the Order and Council's direction.

Previous Council direction on development-related items since March is outlined in the table below.

Item	Date Initiated	Date Removed
Waive requirement for face-to-face interactions between applicants and the public	March 23, 2020	Still in effect
Suspend duties and meetings of Council advisory committees	March 23, 2020	June 15, 2020
Waive public hearings under certain conditions	March 23, 2020	July 27, 2020
Delegate authority for liquor licence applications	March 23, 2020 Amended May 25, 2020	October 5, 2020
Delegate authority for DP, TFWH and bylaw extension approvals	March 30, 2020	October 5, 2020
Schedule public hearing items with specific start times and as early as 4 pm	April 20, 2020 Amended June 1, 2020	Still in effect
Hold public hearings electronically	December 7, 2020	Still in effect

Discussion:

Advisory Committees of Council

On June 15, 2020, Council passed a resolution directing advisory committees of Council to meet in accordance with public health orders and guidelines until orders restricting gatherings are lifted. Committees have been meeting in modified ways since that time, including hybrid (electronic and in-person) meetings and maintaining physical distance. Under the current Order, neither committee members nor the public can attend committee meetings in-person.

The Agricultural Advisory Committee (AAC) and Heritage Advisory Committee (HAC) meet monthly and meeting procedures require applicant participation and provide for public attendance. Resources are not available to support fully electronic committee meetings with applicant and public participation. Staff therefore recommend the AAC and HAC be suspended until in-person meetings can be held. Staff would continue to review applications based on bylaws, policies, and guidelines with additional review from qualified professionals (e.g., agrologists, heritage consultants) when needed.

The next Civic and Community Awards Steering Committee is scheduled for February 2021 and the next Airport Advisory Committee meeting will be held in spring 2021. Unlike the AAC and HAC, these meetings can be held electronically as all or portions of these meetings are closed to the public, the public does not participate in those meetings that are open, and openness and transparency are achieved by communicating how meetings are held and posting draft agendas and minutes to the City's website.

Public Hearings

The Local Government Act provides Council with the option to waive public hearings for rezoning applications that meet certain conditions. If implemented this would reduce the number of items being considered at electronic public hearings, which are more complex to hold than in-person hearings. From March to July, the criteria to waive public hearings for rezoning applications were: consistency with the Official Community Plan, recommendation of support from staff, and not expected to generate significant public input based on correspondence received at the time of the report to Council.

When a public hearing is waived, the public still has the opportunity to submit written correspondence to Council. Public notification includes a newspaper ad, direct mailout to properties within 50 m, and a sign on the subject property, and staff provide Council with a supplemental report summarizing correspondence received. From March to July, correspondence was submitted on 25% of applications with a waived public hearing. In considering the public input and staff reports, Council may choose to give the bylaw further readings, forward the application to a public hearing, or defeat the bylaw.

Conclusion:

Given how the current provincial orders impact how meetings and public hearings can be held, staff are seeking Council's direction for advisory committees of Council and public hearings. The recommended changes comply with applicable provincial orders while giving the public continued opportunities to provide input on development applications and allowing City business to continue. The changes would be in effect until in-person attendance is permitted at committee meetings and public hearings.

Internal Circulation:

Planning & Development Services

Considerations applicable to this report:

Legal/Statutory Authority:

Order of the Provincial Health Officer on Gatherings and Events and Ministerial Order No. M192

Existing Policy:

Council Policy No. 307 Waiver of Public Hearing

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by:

L. Bentley, Deputy City Clerk

Approved for inclusion: S. Fleming, City Clerk

cc:

R. Smith, Divisional Director, Planning & Development Services



Committee Meetings and Public Hearings

January 11, 2021

Previous Council Direction

Item	Date Initiated	Date Removed
Waive requirement for face-to-face interactions between applicants and the public	March 23, 2020	Still in effect
Suspend duties and meetings of Council advisory committees	March 23, 2020	June 15, 2020
Waive public hearings under certain conditions	March 23, 2020	July 27, 2020
Delegate authority for liquor licence applications	March 23, 2020 Amended May 25, 2020	October 5, 2020
Delegate authority for DP, TFWH and bylaw extension approvals	March 30, 2020	October 5, 2020
Schedule public hearing items with specific start times and as early as 4 pm	April 20, 2020 Amended June 1, 2020	Still in effect
Hold public hearings electronically	December 7, 2020	Still in effect

Committee Meetings

Consideration	Agricultural & Heritage Advisory Committees	Civic and Community Awards Steering Committee	Airport Advisory Committee
Upcoming meetings	<ul style="list-style-type: none"> January 2021 (meet monthly) 	<ul style="list-style-type: none"> February 2021 	<ul style="list-style-type: none"> Spring 2021
Meeting procedures	<ul style="list-style-type: none"> Applicant participation Public attendance 	<ul style="list-style-type: none"> Portions may be closed No public participation 	<ul style="list-style-type: none"> Portions may be closed No public participation
Recommendation	<ul style="list-style-type: none"> Suspend until in-person meetings can be held Staff will process applications 	<ul style="list-style-type: none"> Hold electronically 	<ul style="list-style-type: none"> Hold electronically

Public Hearings

- ▶ Option to waive public hearings for certain rezoning applications
- ▶ Public is notified and can submit written correspondence to Council
- ▶ Recommended criteria to waive public hearing:
 - ▶ Consistent with OCP
 - ▶ Staff recommendation of support
 - ▶ Not expected to generate significant public input

Recommendations

- ▶ Suspend duties and meetings of Agricultural and Heritage Advisory Committees and direct staff to proceed with processing applications
- ▶ Direct Airport Advisory and Civic and Community Awards Steering Committees to meet electronically
- ▶ Direct staff to recommend waiving public hearing for rezoning applications
 - ▶ Consistent with OCP
 - ▶ Staff recommendation of support
 - ▶ Not expected to generate significant public input
- ▶ In effect until in-person attendance is allowed



Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 12098

Road Closure and Removal of Highway Dedication Bylaw **(Portion of 2105 – 2255 Glenmore Road N)**

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 Glenmore Road N

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 3.32 ha shown in bold black as Road to be Closed on the Reference Plan EPP104542 prepared by Wayne Brown, 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 16th day of November, 2020.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

[illegible]