

City of Kelowna

Regular Council Meeting

AGENDA



Monday, March 1, 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

4 - 16

PM Meeting - February 22, 2021

3. Public in Attendance

3.1. Tourism Kelowna - Year in Review

17 - 43

4. Development Application Reports & Related Bylaws

4.1. Thomson Flats Area Structure Plan

44 - 169

To consider a staff recommendation to NOT endorse the draft Thomson Flats Area Structure Plan (ASP) for a new proposed suburban hillside development area of approximately 1,200 residential units south and east of the existing Upper Mission and Kettle Valley neighbourhoods.

4.2. Chute Lake Rd 4870 - A20-0003 - Stephen Cipes

170 - 207

To support an application to the Agricultural Land Commission for a "Non-Farm Use" under Section 20(2) of the Agricultural Land Commission Act.

4.3. Bedford Rd 4255 - Z20-0089 (BL12171) - Patrick Wiercioch

208 - 224

To consider an application to rezone the subject property from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone to facilitate the development of a carriage house, and to waive the Public Hearing.

4.4.	Bedford Rd 4255 - BL12171 (Z20-0089) - Patrick Wiercioch	225 - 225
	To give Bylaw No. 12171 first reading in order to rezone the subject property from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone, and to waive the Public Hearing.	
4.5.	Gordon Dr 4355 - Z20-0077 (BL12179) - 1253097 B.C. Ltd., Inc.No.BC1253097	226 - 245
	To consider an application to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate a 2-lot subdivision, and to waive the Public Hearing.	
4.6.	Gordon Dr 4355 - BL12179 (Z20-0077) - 1253097 B.C. Ltd., Inc.No.BC1253097	246 - 246
	To give Bylaw No. 12179 first reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone, and to waive the Public Hearing.	
4.7.	Rescinding of Development Bylaw Readings	247 - 249
	To rescind all bylaw readings given to obsolete Rezoning and Text Amendment Bylaws and direct Staff to close the files.	
4.8.	Development Bylaws to have First Reading Rescinded	250 - 262
	To rescind first reading of Bylaw No. 10975, Bylaw No. 11307 and Bylaw No. 11347.	
4.9.	Development Bylaws to have All Readings Rescinded	263 - 270
	To rescind first, second and third readings of Bylaw No. 10436, Bylaw No. 10443, Bylaw No. 10445, Bylaw No. 11342, Bylaw No. 11431, Bylaw No. 11453, and Bylaw No. 11588.	
5.	Non-Development Reports & Related Bylaws	
5.1.	Green Infrastructure Options	271 - 293
	To inform Council on options available to increase green infrastructure (GI) in Kelowna's public road rights of way (ROWS).	
5.2.	Central Okanagan Music Strategy	294 - 356
	To provide Council with an update on the Central Okanagan Music Strategy project.	
5.3.	Rescinding of Readings for Outdated Non-Development Bylaws	357 - 359
	To rescind readings given to outdated Non-Development Bylaws and direct Staff to close the files.	

5.4. Non-Development Bylaws to have all Readings Rescinded 360 - 393

To rescind first, second and third readings of Bylaw No. 10064, Bylaw No. 10071, Bylaw No. 10200 and Bylaw No. 10573.

6. Bylaws for Adoption (Non-Development Related)

6.1. BL12166 - Amendment No. 14 to Building Bylaw No. 7245 394 - 396

To adopt Bylaw No. 12166.

7. Mayor and Councillor Items

8. Termination



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, February 22, 2021
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, Corporate and Protective Services, Stu Leatherdale*; Community Safety Director, Darren Caul*; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Urban Planning Manager, Jocelyn Black*; Community Planning & Development Manager, Dean Strachan*; Planner, Barbara Crawford*; Policy & Planning Department Manager, Danielle Noble-Brandt* Planner Specialist, Ross Soward*; Community Energy Specialist, Chris Ray*; Infrastructure Operations Department Manager, Ian Wilson*; Divisional Director, Infrastructure, Alan Newcombe*; Mobility Specialist, Matt Worona*; Property Management Manager, JoAnne Adamson*
Staff participating remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guest	RCMP Superintendent, Kara Triance*

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:34 p.m.

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

Moved By Councillor Hodge/Seconded By Councillor Donn

R0194/21/02/22 THAT the Minutes of the Regular Meetings of February 8, 2021 be confirmed as circulated.

Carried

3. Reports

3.1 RCMP Council Update 2020

Kara Triance, Superintendent Kelowna RCMP Detachment:

- Displayed a PowerPoint Presentation outlining an update on 2020 public safety and crime trends and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor DeHart

R0195/21/02/22 THAT Council receive the RCMP Quarterly Update report from the Superintendent, Kelowna RCMP Detachment, dated February 22, 2021.

Carried

4. Development Application Reports & Related Bylaws

4.1 Hwy 97 N 2789-2791 - Z20-0098 (BL12168) - Carlyle Holdings Ltd., Inc. No. 273657

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0196/21/02/22 THAT Rezoning Application No. Z20-0098 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 60 District Lot 143 Osoyoos Division Yale District Plan 426 Except Plans M327, 10792, A12969, H8110, H18014 and EPP58859, located at 2789-2791 Highway 97 North, Kelowna, BC from the C10 – Service Commercial zone to the C10rcs – Service Commercial (Retail Cannabis Sales) zone, be considered by Council;

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

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

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 February 22, 2021;

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

Carried**4.2 Hwy 97 N 2789-2791 - BL12168 (Z20-0098) - Carlyle Holdings Ltd., Inc. No. 273657**Moved By Councillor Wooldridge/Seconded By Councillor SinghR0197/21/02/22 THAT Bylaw No. 12168 be read a first time.Carried**4.3 Cadder Ave 377 - Z20-0105 (BL12169) - Kevin O'Brien and Wendy Holt-O'Brien**

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R0198/21/02/22 THAT Rezoning Application No. Z20-0105 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Parcel Y Plan B6043 District Lot 14 ODYD Plan 3305 Except Plan 6976, located at 377 Cadder Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

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

Carried**4.4 Cadder Ave 377 - BL12169 (Z20-0105) - Kevin O'Brien and Wendy Holt-O'Brien**Moved By Councillor Wooldridge/Seconded By Councillor SinghR0199/21/02/22 THAT Bylaw No. 12169 be read a first time.Carried**4.5 Yates Rd 350 - Z21-0001 (BL12170) - Loyal William Wooldridge and Ian Alexander Roth**

Councillor Wooldridge declared a conflict of interest for items 4.5 and 4.6 as he is a co-owner of the subject property and departed the meeting at 2:43 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Singh

R0200/21/02/22 THAT Rezoning Application No. Z21-0001 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7 Section 5 Township 23 ODYD Plan 13480, located at 350 Yates Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464 (2), waive the Public Hearing for the Rezoning Bylaw.

Carried

4.6 Yates Rd 350 - BL12170 (Z21-0001) - Loyal William Wooldridge and Ian Alexander Roth

Moved By Councillor Given/Seconded By Councillor Singh

R0201/21/02/22 THAT Bylaw No. 12170 be read a first time.

Carried

Councillor Wooldridge returned to the meeting at 2:46 p.m.

4.7 Glenmore Dr 1064, 1074, 1084 - OCP20-0014 (BL12175) Z20-0067 (BL12176) - P275 Enterprises Ltd. Inc. No. BC1241904

Staff:

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

Moved By Councillor Given/Seconded By Councillor Donn

R0202/21/02/22 THAT Official Community Plan Map Amendment Application No. OCP20-0014 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of:

1. Lot 1, Section 29, Township 26, Osoyoos Division Yale District, Plan 17490, located at 1064 Glenmore Drive, Kelowna, BC; and,
2. Lot 2, Section 29, Township 26, Osoyoos Division Yale District, Plan 17490, located at 1074 Glenmore Drive, Kelowna, BC; and,
3. Lot 3, Section 29, Township 26, Osoyoos Division Yale District, Plan 17490, located at 1084 Glenmore Drive, Kelowna, BC,

from the MRL - Multiple Unit Residential (Low Density) designation to the MRM – Multiple Unit Residential (Medium Density) designation, be considered by Council;

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

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the Purpose of Section 475 of the Local Government Act, as outlined in the Report from the Development Planning Department dated February 22, 2021;

AND THAT Rezoning Application No. Z20-0067 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

1. Lot 1, Section 29, Township 26, Osoyoos Division Yale District, Plan 17490, located at 1064 Glenmore Drive, Kelowna, BC; and,
2. Lot 2, Section 29, Township 26, Osoyoos Division Yale District, Plan 17490, located at 1074 Glenmore Drive, Kelowna, BC; and,
3. Lot 3, Section 29, Township 26, Osoyoos Division Yale District, Plan 17490, located at 1084 Glenmore Drive, Kelowna, BC,

from the RU1 – Large Lot Housing zone to the RM5r - Medium Density Multiple Housing (Residential Rental Tenure Only) zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated February 22, 2021;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the consolidation of Lots 1, 2 and 3, Section 29, Township 26, Osoyoos Division Yale District, Plan 17490;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to land dedication be registered on subject property titles to achieve a 4.0m boulevard treatment along the Glenmore Dr. frontage;

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

4.8 Glenmore Dr 1064, 1074, 1084 - BL12175 (OCP20-0014) - P275 Enterprises Ltd. Inc. No. BC1241904

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0203/21/02/22 THAT Bylaw No. 12175 be read a first time;

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

Carried

4.9 Glenmore Dr 1064, 1074, 1084 - BL12176 (Z20-0067) - P275 Enterprises Ltd. Inc. No. BC1241904

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0204/21/02/22 THAT Bylaw No. 12176 be read a first time.

Carried

4.10 Sexsmith Rd 2996 - Z19-0072 (BL12177) - Larry L. Cota and Carla C. Cota

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Sieben

R0205/21/02/22 THAT Rezoning Application No. Z19-0072 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 32, Section 3, Township 23, ODYD Plan 18861, located at 2996 Sexsmith Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low-Impact Transitional Industrial zone, be considered by Council;

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 February 22, 2021;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the property owner registering a 219 Restrictive Covenant limiting forward facing vehicular exit from the subject property.

Carried

4.11 Sexsmith Rd 2996 - BL12177 (Z19-0072) - Larry L. Cota and Carla C. Cota

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0206/21/02/22 THAT Bylaw No. 12177 be read a first time.

Carried

4.12 Sexsmith Rd 3030 - Z18-0116 (BL12178) - Jason G. Witt

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0207/21/02/22 THAT Rezoning Application No. Z18-0116 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 31, Section 3, Township 23, ODYD Plan 18861, located at 3030 Sexsmith Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low-Impact Transitional Industrial zone, be considered by Council;

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 February 22, 2021;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the property owner register a 219 Restrictive Covenant limiting forward facing vehicular exit from the subject property;

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

Carried

4.13 Sexsmith Rd 3030 - BL12178 (Z18-0116) - Jason G. Witt

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0208/21/02/22 THAT Bylaw No. 12178 be read a first time.

Carried

4.14 Supplemental Report - Fleming Rd 395 - Z20-0099 (BL12155) - Terry Orlan and Karen Shalom Peters

Staff:

- Confirmed that no correspondence was received.

Moved By Councillor Dehart/Seconded By Councillor Sieben

R0209/21/02/22 THAT Council receives, for information, the report from the Office of the City Clerk dated February 22, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12155;

AND THAT Rezoning Bylaw No. 12155 be forwarded for further reading consideration.

Carried

4.15 Fleming Rd 395 - BL12155 (Z20-0099) - Terry Orlan and Karen Shalom Peters

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0210/21/02/22 THAT Bylaw No. 12155 be read a second and third time.

Carried

4.16 Supplemental Report - Moubray Rd 387 - Z20-0092 (BL12156) - Ravdeep S Tiwana and Kulwinder K. Khatra

Staff:

- Confirmed that three pieces of correspondence in opposition was received.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0211/21/02/22 THAT Council receives, for information, the report from the Office of the City Clerk dated February 22, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12156;

AND THAT Rezoning Bylaw No. 12156 be forwarded for further reading consideration.

Carried

4.17 Moubray Rd 387 - BL12156 (Z20-0092) - Ravdeep S. Tiwana and Kulwinder K. Khatra

Moved By Councillor Given/Seconded By Councillor Singh

THAT Bylaw No. 12156 be read a second and third time.

The above bylaw was not given further reading consideration and Council considered the following resolution instead.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R0212/21/02/22 THAT Council send the application for 387 Moubray Road BL12156 (Z20-0092) to Public Hearing.

Carried

Mayor Basran, Councillors Donn, Given and Wooldridge - Opposed

4.18 Supplemental Report - Joe Riche Rd 1788 - Z20-0087 (BL12157) - Balraj Singh and Gurinderjeet Kaur Sidhu

Staff:

- Confirmed that no correspondence was received.

Moved By Councillor Donn/Seconded By Councillor Sieben

R0213/21/02/22 THAT Council receives, for information, the report from the Office of the City Clerk dated February 22, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12157;

AND THAT Rezoning Bylaw No. 12157 be forwarded for further reading consideration.

Carried

4.19 Joe Riche Rd 1788 - BL12157 (Z20-0087) - Balraj Singh and Gurinderjeet Kaur Sidhu

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0214/21/02/22 THAT Bylaw No. 12157 be read a second and third time.

Carried

4.20 Fraser Rd 605 and Leathead Rd 460, OCP20-0013 Z20-0066 - Supplemental Report to Council

Staff:

- Provided comment on the application efforts with respect to public consultation prior to the public hearing.
- Displayed a PowerPoint Presentation outlining the notification area of the subject property and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Hodge

R0215/21/02/22 THAT Council rescind 2nd and 3rd readings given Bylaw 12129 and Bylaw 12130;

AND THAT Council send the application for 605 Fraser Rd and 460 Leathead Rd to public hearing;

AND THAT prior to the public hearing being scheduled, the applicant re-engage the neighbourhood in accordance with Council Policy 367.

Carried

4.21 Mugford Rd 550 Extension Request Z19-0122

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R0216/21/02/22 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Amending Bylaw No. 11975, for Lot E Section 26 Township 26 ODYD Plan 35641 located at 550 Mugford Road, Kelowna, BC, be extended from February 4, 2021 to February 4, 2022;

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

Carried

5. Bylaws for Adoption (Development Related)

5.1 Hwy 97 N 2890 - BL12069 (LUCT20-0003) - Hofa Transport Group Ltd., Inc. No. BC1096204

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0217/21/02/22 THAT Bylaw No. 12069 be adopted.

Carried

5.2 Hwy 97 N 2890 - BL12070 (Z20-0062) - Hofa Transport Group Ltd., Inc. No. BC1096204

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0218/21/02/22 THAT Bylaw No. 12070 be adopted.

Carried

5.3 Adams Rd 251 - BL12071 (LUCT20-004) - Heartwood Investments Ltd Inc No 352195

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0219/21/02/22 THAT Bylaw No. 12071 be adopted.

Carried

5.4 Adams Rd 251 - BL12072 (Z20-0063) - Heartwood Investments Ltd., Inc. No. 352195

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0220/21/02/22 THAT Bylaw No. 12072 be adopted.

Carried

5.5 Sutherland Ave 1511 - BL12073 (LUCT20-0005) - Sapphire Construction Ltd., Inc. No. 84820

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0221/21/02/22 THAT Bylaw No. 12073 be adopted.

Carried

5.6 Sutherland Ave 1511 - BL12074 (Z20-0064) - Sapphire Construction Ltd., Inc. No. 84820

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0222/21/02/22 THAT Bylaw No. 12074 be adopted.

Carried

5.7 Sutherland Ave 1521 - BL12075 (LUCT20-0006) - Price's Alarm Systems Ltd., Inc. No. BC0929068

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0223/21/02/22 THAT Bylaw No. 12075 be adopted.

Carried

5.8 Sutherland Ave 1521 - BL12076 (Z20-0065) - Price's Alarm Systems Ltd., Inc. No. BC0929068

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0224/21/02/22 THAT Bylaw No. 12076 be adopted.

Carried

5.9 Park Ave 409 - BL12085 (Z20-0042) - Brenda Rusnak

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0225/21/02/22 THAT Bylaw No. 12085 be amended at third reading to revise the legal description.

Carried

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0226/21/02/22 THAT Bylaw No. 12085 as amended be adopted.

Carried

5.10 Springfield Rd 1585, BL12145 (TA20-0025) - Springfield Plaza Inc., Inc. No. BCo479374

Councillor Sieben declared a conflict of interest as they provide insurance services to the applicant and left the meeting at 3:43 p.m.

Moved By Councillor DeHart/Seconded By Councillor Donn

R0227/21/02/22 THAT Bylaw No. 12145 be adopted.

Carried

Councillor Sieben returned to the meeting at 3:43 p.m.

6. Non-Development Reports & Related Bylaws

6.1 Final 2020 Building and Development Statistics

Staff:

- Displayed a PowerPoint Presentation outlining the Building and Development Statistics from 2020 and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Donn

R0228/21/02/22 THAT Council receive for information the report from the Divisional Director of Planning and Development Services dated February 22, 2021 with information relating to Planning and Development Statistics.

Carried

6.2 Rental Housing Grant Recommendation for 2021

Councillor Stack declared a conflict of interest as the organization they work for is subject to receive a grant and disconnected from the meeting at 4:03 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the rental housing grant for 2021.

Moved By Councillor Given/Seconded By Councillor Hodge

R0229/21/02/22 THAT Council receives, for information, the report from the Planner Specialist, dated February 22, 2021 regarding a rental housing grant recommendation for 2021;

AND THAT Council approves the 2021 Rental Housing Grants as identified in the report from the Planner Specialist, dated February 22, 2021, in accordance with Council Policy No. 335.

Carried

Councillor Stack reconnected to the meeting at 4:07 p.m.

6.3 Energy Step Code Implementation Strategy for Part 3 Buildings (BL12166)

Staff:

- Displayed a PowerPoint Presentation outlining the proposed Implementation Strategy and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Donn

R0230/21/02/22 THAT Council receives, for information, the Report from the Policy & Planning Department dated February 22, 2021 with respect to the Energy Step Code Implementation Strategy for Part 3 Buildings;

AND THAT Council endorse the requirement that, effective January 1, 2022, Part 3 building permit applications will need to demonstrate compliance with the Energy Step Code requirements as outlined in the Report from the Policy & Planning Department dated February 22, 2021;

AND FURTHER THAT Bylaw No. 12166, being Building Bylaw Amendment No. 14 of the Building Bylaw No. 7245 be forwarded for reading consideration.

Carried

6.5 Green Fleet Update and Strategy

Mayor Basran left the meeting and Deputy Mayor Sieben took the chair at 4:31 p.m.

Mayor Basran returned to the meeting at 4:34 p.m.

Staff:

- Displayed a PowerPoint Presentation providing an update on Green House Gas emission reduction initiatives and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R0231/21/02/22 THAT Council receive for information the February 22, 2021 update of the Infrastructure Operations Manager regarding green fleet initiatives;

AND THAT Council approve a pledge to West Coast Electric Fleets to "convert 10% of the City of Kelowna's light duty vehicle fleet to Zero Emissions Vehicles by 2023" as required by the CleanBC "Go Electric Fleets" Program;

AND THAT Council directs staff to apply for funding towards a Corporate Green Fleet Strategy and for the installation of infrastructure through the Go Electric Fleets Program;

AND THAT Council supports staff to execute all documents necessary to complete the grant, if successful;

AND THAT the 2021 Financial Plan be amended to include these projects upon grant approval, with the City's share of funding to come from the Fleet Services green initiatives operating budget and the Energy Management reserve.

Carried

6.6 Adding Exclusivity for E-bikeshare to the Bikeshare Permit Program

Staff:

- Provided details on the E-bikeshare Permit Program.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0232/21/02/22 THAT Council receives for information the report from Integrated Transportation dated February 22, 2021, regarding adding exclusivity for e-bikeshare to the Bikeshare Permit Program;

AND THAT Council approves the amendment to the Bikeshare (Micromobility) Permit Program to issue an exclusive permit for e-bikeshare service in Kelowna.

Carried

6.7 License of Occupation for UBC Art Banner Program

Staff:

- Displayed a PowerPoint Presentation outlining the proposed banner program agreement and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Hodge

R0233/21/02/22 THAT Council approves the City entering into a six (6) month License of Occupation Agreement, with the University of British Columbia, with three (3) options to renew for one (1) year each, in the form attached to the Report of the Real Estate department, dated February 22, 2021;

AND THAT the Manager of Property Management be authorized to execute the License of Occupation Agreement, approved options to renew, and all documents necessary to complete this transaction.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 BL12096 - Amendment No. 1 to the Intercommunity Mobile Business Licence Bylaw No. 9900

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0234/21/02/22 THAT Bylaw 12096 be adopted.

Carried

8. Mayor and Councillor Items

8.1 Draft Resolution, Councillor Wooldridge, re: Provincial COVID-19 Supplement Funding

Councillor Wooldridge:

- Provided an explanation for bringing the item forward and spoke to background information to the draft resolution.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0235/21/02/22 THAT Council supports the current temporary COVID-19 supplemental increase to individuals receiving Provincial income or disability assistance be made permanent;

AND THAT Council authorizes the Mayor to write a letter supporting an increase to current social assistance amounts to the Ministers of Finance, Social Development & Poverty Reduction, Housing, and Children & Family Development.

Carried

Mayor Basran, Councillors Given and Sieben - Opposed

Councillor Donn:

- Inquired as to when the Thompson Flats Area Structure Plan may come before Council.

City Manager:

- A staff report should be coming to Council next week possibly.

Councillor Hodge:

- Will be attending a Downtown Kelowna Association Zoom meeting and then a Regional District meeting.

Councillor Stack:

- Provided comments on the upcoming Thompson Flats Area Structure Plan report and indicated the need for adequate time to digest the proposal.

Councillor Sieben:

- Provided comments on the upcoming Thompson Flats Area Structure Plan report.

Councillor Wooldridge:

- Spoke to the 40th Anniversary of the Kasugai Sister City partnership; a meaningful commemoration is forthcoming.

Mayor Basran:

- Reminder that tomorrow night there is a Public Hearing at 6:00 p.m.

9. Termination

This meeting was declared terminated at 5:16 p.m.

Mayor Basran

sf/acm

City Clerk

Tourism Kelowna Strategic Plan 2017-2021

Mandate:

To support and market the tourism destination of Kelowna and the Kelowna Metropolitan Area in a sustainable manner that strengthens the local economy and enriches the quality of life; and to seek funding opportunities and manage funding for the support and marketing of tourism in Kelowna and the Kelowna Metropolitan Area.

Strategic Pillars	Outcomes	Key Initiatives
Increase high value visitation	Kelowna and area is recognized as a four-season outdoor destination of choice in North America.	<ul style="list-style-type: none"> • Increase visitation growth from October to March through collaborative winter strategy programs. • Leverage the Economic Sector Strategy and the Major Events Strategy to increase meetings and events business in soft season months. • Develop a corridor strategy to market collaboratively and efficiently with other tourism destinations within CMA service area.
Grow in-destination spending	Tourism is recognized as a major driver of local spending and economic development in the Kelowna area.	<ul style="list-style-type: none"> • Secure new data to track/ target visitor patterns, visitor type and visitor spending. • Raise the profile of local tourism businesses among visitors and locals. • Implement a dispersion strategy offering new visitor experiences. • Formalize community relations framework for year-round visitor centre activation.
Support sustainable growth of the destination	A sustainable visitor economy that enhances the livability of our region, striking the right balance between living, working and visiting the Kelowna area.	<ul style="list-style-type: none"> • Work with local government, industry and community to co-create a Tourism Destination Master Plan in support of Kelowna's 2040 vision. • Implement year-round communications plan promoting the value of tourism to local residents. • Educate visitors and residents on Responsible Tourism principles and practices including safe and healthy travel.
Ensure organizational value, excellence and viability	Tourism Kelowna is recognized as a center of organizational excellence with demonstrated expertise in growing the Central Okanagan visitor economy.	<ul style="list-style-type: none"> • Support the renewal of the City of Kelowna's 2022-2026 MRDT agreement. • Formally confirm details of the DMO's partnership role with the city. • Diversify DMO's revenue base to decrease dependency on public funds. • Review membership model to increase stakeholder value and inclusivity.



Tourism Kelowna Annual Report 2020
Lisanne Ballantyne President & CEO

Who We Are

- Not-for-profit, stand alone Society incorporated in 2008 under B.C.'s *Society Act*
- A mid-size Destination Marketing Organization (DMO)
- City of Kelowna's designated service provider for destination marketing & visitor servicing
- Board of Directors: 13 elected + 6 appointed
- 10 FT staff + 8 PT (serving as needed in the Visitor Centre)
- Represent more than 400 local tourism businesses, our "stakeholders"

Mandate

Support and market the tourism destination of Kelowna and the Kelowna Metropolitan Area in a sustainable manner that **strengthens the local economy** and enriches the **quality of life**; and

seek funding opportunities and **manage funding** for the support and marketing of tourism in Kelowna and the Kelowna Metropolitan area.

CMA Service Area:

Lake Country District to Peachland

Who We Serve

Members: 420+ voting stakeholders who have directly invested advertising dollars in TK promotion programs.

Visitors: inspiring and attracting 1.8 million travelers annually, promoting local spending and return visits.

Local Residents: creating citizen ambassadors who embrace the value of tourism for sustainable growth.

Industry: hospitality and tourism businesses and organizations who indirectly rely on our destination marketing efforts.

Strategic Plan 2017-2021 *

Vision

Kelowna and area is recognized as the four-season outdoor destination of choice in North America.

Strategic Priorities

- Increase high-value visitation
- Grow in-destination spending
- Support sustainable growth of the destination
- Ensure organizational value, excellence and viability

** Detailed copy in your presentation packages*



Programs & Services

1. Destination Marketing

- Targeted digital advertising campaigns in target markets
- “Owned” digital channels, earned travel media coverage
- Social media and influencer campaigns
- Travel Trade (group and tour operators)

2. Visitor Experience

- Influence local spending by connecting visitors to tourism experiences
- Kelowna Visitor Centre, Airport Info Kiosk and mobile event services
- Online and phone inquiries, customized itinerary planning

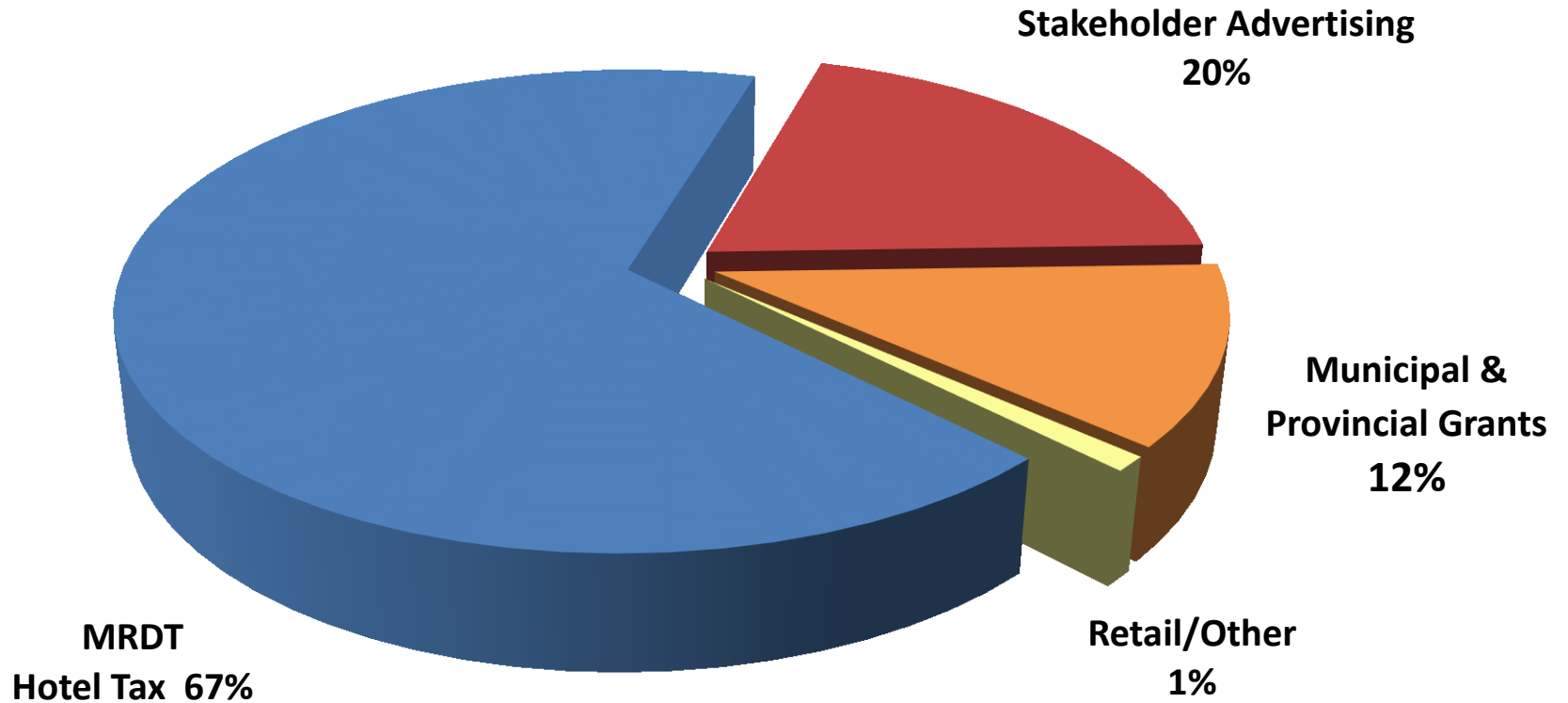
3. Meetings, Conferences & Major Events

Directs M&C sales with hotel partners and collaborative bids with the City of Kelowna to secure multi-day events, city-wide or region-wide events.

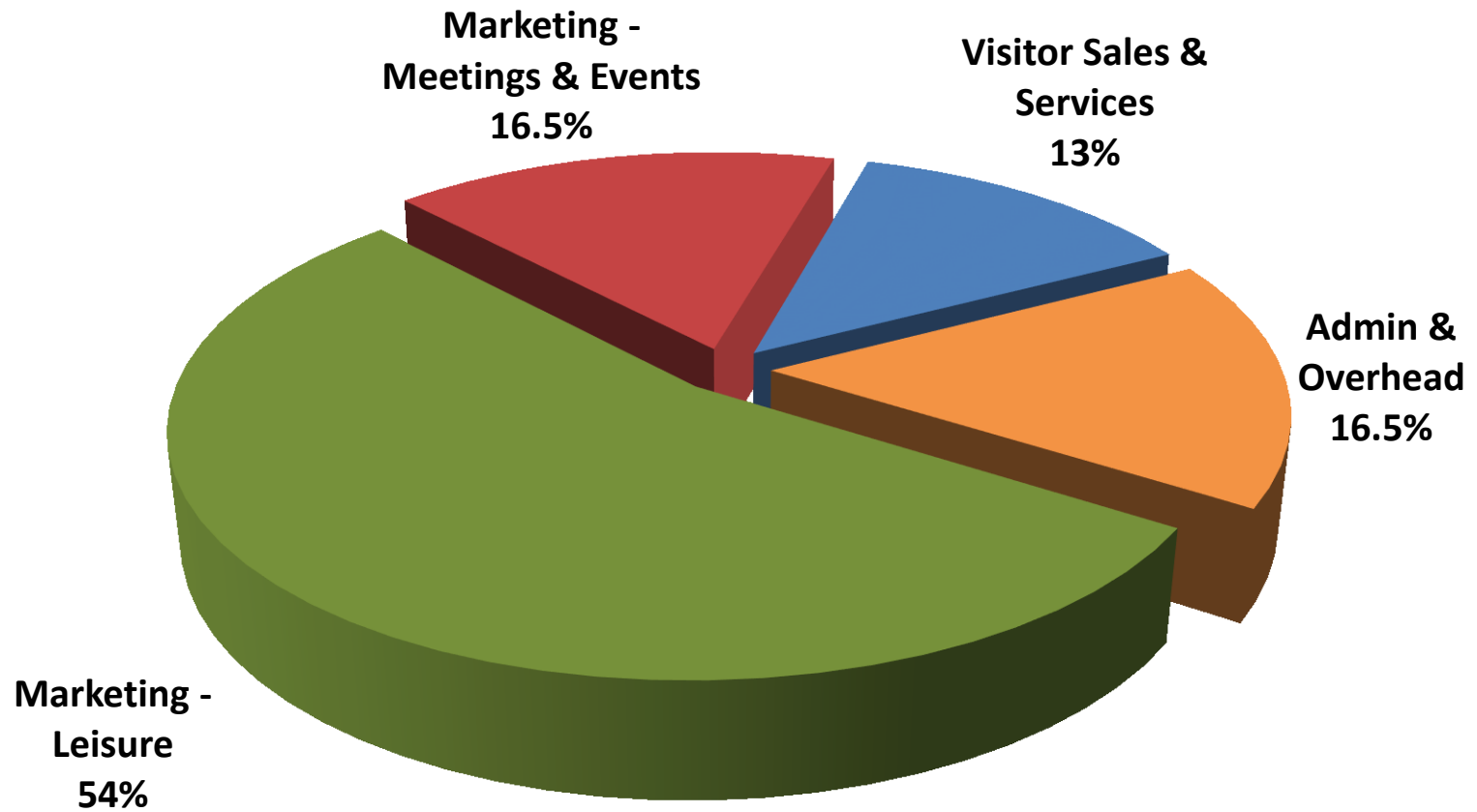
Kelowna Visitor Centre

- A community hub serving **320,000 visitors and residents** year-round (compared to 16,000 in its previous location).
- Generating **6% of our total revenue** in its first full year of operations.
- Kelowna residents report **97% awareness** of the KVC with 23% of the local population actively using, interacting or referring people there.
- Stakeholder satisfaction with visitor services increased 17 points in 2019, growing **to 76% in 2019** from 69% previous year.

Funding Sources



Annual Budget



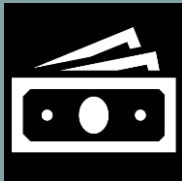


Weathering the Storm 2020

The Value of Tourism

Our New Benchmark - What's At Stake

\$2.1 Billion Total Economic Output



\$443 Million
visitor **spending**



12,970
total **jobs**

\$204 Million
tax **revenues**

\$1 Billion
total GDP



Source: InterVistas Economic Impact of Tourism in Kelowna & the Greater Kelowna Area 2018/2019

Benchmark Year 2019

Visitation	2019
January	105,540
February	102,100
March	133,330
April	130,290
May	152,540
June	180,560
July	219,370
August	245,490
September	163,510
October	127,960
November	95,480
December	120,460
Total 2019:	1.8 million

Q1 19%

Q2 26%

Q3 35%

Q4 20%

91% Canadians

COVID Tourism Impact 2020



Hotel Occupancy

40.8%

-24.4 pp

Average Daily Rate

\$153.7

-6.2%

Revenue Per Available Room

\$62.7

-41.3%

Total
Overnight
Visitors

1.9M

+5.1%

Big White occupancy
down 60% on
Christmas, Family Day

3,836

Total guest rooms
available

YLW
Passengers
737K

-64%

Source: STR Limited

YLW Website

Telus Insights

2020 total room revenue not available yet (\$128 million in 2019)



Pandemic Impact – the DMO

Original 2020 budget:

\$4.7 million, including \$2.96 million in MRDT, was cut to \$3.94 million:

- Staff layoffs, remaining payroll supported by CEWS program
 - Stakeholder programs and services cut
 - Visitor Centre closure and now reduced operating hours; limited service at YLW Information Kiosk
 - Marketing budget cut and when health orders restricted travel, any marketing funds redeployed to local tourism marketing.
 - Cash flow management challenges when summer MRDT funds delayed and did not arrive until Q4
 - Permanent closure of the Abbott Street offices, sales and marketing staff now work from home
-
- **2021 budget** reduced by 40% of normal budget level, MRDT funding and timing still at risk based on hotel occupancy levels.

Budget Impact

2021 Budget	2020 Budget Pre-COVID	Variance to 2020
\$ 2.7 million	\$ 4.7 million	- \$2 million

2021 MRDT Funds Budget Estimate	2020 MRDT Funds Estimated Pre-COVID	Estimated MRDT Variance to 2020 Pre-COVID Budget
\$ 1.54 million	\$ 2.96 million	- \$1.42 million

Current Regional Status

- On average, only 20% of tourism businesses report that they are operating “as usual”
- Approx. 23% of operators were closed at any given point in the past year due to COVID
- On average, approx. 57% of businesses report operating at reduced capacity in the past year
- About 30% of survey respondents reported losing 50% or more of their revenue compare to same month previous year

Source: Thompson Okanagan Tourism Association

Local Stakeholder Status

- Approx. 65% of businesses surveyed report a drop in revenue of over 20% from last year during the winter period.
- Approx. 76% are forecasting a drop in revenue for the spring season (highest response was 28% forecasting a 20-40% drop)
- Approx. 85% have accessed some level of government support program
- Approx. 73% have not applied for the BC Small and Medium Sized Recovery Grant



Industry Outlook

Visitor Economy Forecasts

- Based on current health models and vaccination status

- **Leisure travel** recovery could begin in 2021 for strong, short-haul domestic travel markets like the Okanagan
- **International travel** visitors post 2022 based on cruise ships and air travel restrictions
- City-wide **meetings and conferences** could begin to return in 2022
- **Major events** dependent on large audiences could return in 2023
- **Kelowna International Airport** air services modelling shows 2024 as a conservative estimate for recovery



Working Together to Build Resiliency

City of Kelowna & Tourism Kelowna

1. MRDT Renewal Application 2022-2026

2. Financial Agreements

- MRDT administration and expenditure
- Annual operating and marketing funding

3. Destination Development

- Destination Master Plan

Destination Management

- An Integrated Approach

- Tourism Kelowna has traditionally worked on the “demand” side of tourism: short-term marketing, and visitor services.
- City of Kelowna manages the “supply” side: infrastructure, public services, etc.
- The co-creation of a **Tourism Master Plan** will provide long-term direction on how we create a connected, collaborative, smart and responsible community for residents and visitors.

“If you build a place people want to visit, you build a place where people want to live.

If you build a place where people want to live, you’ll build a place where people want to work.

If you build a place where people want to work, you’ll build a place where business needs to be.

And if you build a place where business has to be, you’ll build a place where people have to visit.”

- Maura Gast, Past Chair of Destinations International



Tourism Kelowna Briefing Note

Municipal and Regional District Tax (MRDT) Agreement Renewal

What is MRDT

The Municipal and Regional District Tax program (MRDT) is a **provincial program** jointly administered by the BC Ministry of Finance, BC Ministry of Tourism, Arts & Culture and Destination BC, the crown corporation providing tourism services for the province.

The MRDT is an **accommodation tax** collected under the provincial sales tax legislation to fund tourism marketing, programs and projects. Agreements between the province and communities are for 5-year terms.

How Are Funds Used

In Kelowna, MRDT tax level is 3% of gross room sales, this revenue makes up approximately 60% of Tourism Kelowna's total annual budget.

MRDT revenue remitted by Kelowna hotels is allocated to Tourism Kelowna for destination marketing; MRDT revenue remitted by Kelowna Short Term Rentals (STRs) is allocated to help address the city's affordable housing issues.

The province holds back a small percentage of the remitted tax for administration costs in addition to .2% to fund the provincial Tourism Events Program, a funding source to help communities attract new, major events to the province.

MRDT funds are intended to augment current funding and cannot be used to replace existing sources of funding in a community such as annual grants.

Roles

City of Kelowna – as the “designated recipient” of the MRDT funds, **the city is the applicant**, the agreement holder with the province and is ultimately responsible for all compliance and reporting requirements. Kelowna's current MRDT agreement with the province is for 2017-2021.

Tourism Kelowna (TK) – as the “eligible entity”, **Tourism Kelowna is the service provider**, administering the MRDT funds on behalf of the City of Kelowna to deliver tourism marketing, programs and projects. TK also provides the city with the annual strategic plan, tactical plan, performance report and financial reports required under the MRDT agreement.

Renewal Schedule

The current 5-year agreement “repeal date” is July 1, 2022. The renewal application package must be received by Destination BC (6 months prior to repeal date).

Our target date to deliver the renewal application package to Destination BC is **December 15, 2021**

City of Kelowna staff worked together with Tourism Kelowna to develop a comprehensive project workplan, roles and timeline document to coordinate the work needed one in 2021 to prepare the renewal package including

- New MRDT five-year strategic plan 2022-2026
- One-year tactical plan and budget for 2022, including affordable housing plan
- Develop a report of all taxable accommodators in area
- Stakeholder consultation on new strategic plan
- Collect signed letters of support from minimum 51% of accommodation providers
- Proof of broad consultation and support with city, region and industry and partners; education and advocacy opportunity e.g., support letters, presentations
- Presentations to City Council: three readings and bylaw adoption

####

REPORT TO COUNCIL



Date: March 1, 2021

To: Council

From: City Manager

Department: Policy & Planning

Application: ASP13-0001

Owners: Melcor Lakeside Inc.
o844053 BC Ltd.
Schwerdtfeger, Horst & Ulrike

Address: (S OF) Redstem St.
(S OF) Hewetson Ave.
(S OF) Kuipers Cr.
5300 South Ridge Dr.
5265 Upper Mission Dr.

Applicants: Melcor Lakeside Inc.
o844053 BC Ltd.

Subject: Thomson Flats Area Structure Plan

Existing OCP Designation: Future Urban Reserve (FUR)

Existing Zone: A1 – Agriculture 1

1.0 Recommendation

THAT Council receive for information the report from Policy & Planning Department dated March 1, 2021 regarding the draft Thomson Flats Area Structure Plan;

AND THAT Council not endorse the draft Thomson Flats Area Structure Plan;

AND THAT Council direct staff to exclude the subject properties from the Permanent Growth Boundary in the draft 2040 Official Community Plan;

AND FURTHER THAT the file be closed.

2.0 Purpose

To consider a staff recommendation to NOT endorse the draft Thomson Flats Area Structure Plan (ASP) for a new proposed suburban hillside development area of approximately 1,200 residential units south and east of the existing Upper Mission and Kettle Valley neighbourhoods..

3.0 Planning Summary

Thomson Flats was identified as one of several potential neighbourhoods in the 1994 Southwest Mission Sector Plan. As development in the sector has proceeded, each neighbourhood has undertaken a more detailed Area Structure Plan (ASP) for Council to consider their viability as conditions evolve. The Thomson Flats ASP has been prepared by the applicant to determine the development potential, impacts and supporting infrastructure required to develop the plan area.

Managing growth is a vital task with major implications for current residents and future generations. Growth can exacerbate the challenges facing our community, such as affordability, climate change, congestion, and the infrastructure deficit. It can also help address these challenges if focused in the right places. To this end, successive Councils endorsed a shift in policy direction towards a more urban future. The 2030 Official Community Plan, Imagine Kelowna, the Healthy City Strategy, Healthy Housing Strategy, and the Community Climate Action Plan are just a few of the documents that have laid out the rationale for shifting away from the expansion of suburban neighbourhoods.

Meanwhile, development in the Southwest Mission has continued based on a development concept originally developed nearly 30 years ago. During this time, transportation challenges have grown to the point where residents in this area experience some of the worst congestion in the city. Southwest Mission residents have limited options to get around besides driving, and drive further each day than any other neighbourhood in Kelowna. This area is too hilly and far from destinations – and particularly employment – to walk or bike; and the low densities and circuitous streets make transit service uncompetitive even when heavily subsidized. Thomson Flats would add an additional 10-14,000 vehicle trips per day in excess of future growth already approved for the area, contributing to congestion in the immediate area and across the southern half of the city.

Addressing congestion with the addition of Thomson Flats will require significant infrastructure investment, and while the applicant may contribute the majority of the upfront infrastructure within the neighbourhood, including the extension of South Perimeter Road from Gordon to Chute Lake, the long-term costs of maintenance and renewal will fall entirely to the City. Hillside neighbourhoods trigger higher infrastructure costs per household than neighbourhoods in the core. The property taxes they generate can only cover about half of the long-term cost to maintain and replace this infrastructure. This means they will require ongoing financial support from the wider community once constructed, adding to the infrastructure deficit and putting upward pressure on taxation.

While approving Thomson Flats will may add new housing supply over the long term, it will likely have little positive effect on housing affordability. The homes built in the Southwest Mission are beyond the reach of most Kelowna residents. Council has already designated (through the Official Community Plan and Zoning) roughly 6,000 detached homes in suburban areas across the city, meaning there will be ample supply for years to come. This is based on an estimated absorption of 300-400 single family homes per year.

The applicant has followed a thorough and professional process in preparing the Thomson Flats ASP. The proposal includes many benefits, such as the protections of natural spaces and trails, extension of South Perimeter Road from Gordon Drive to Chute Lake Road, and restoration of Rembler Creek.

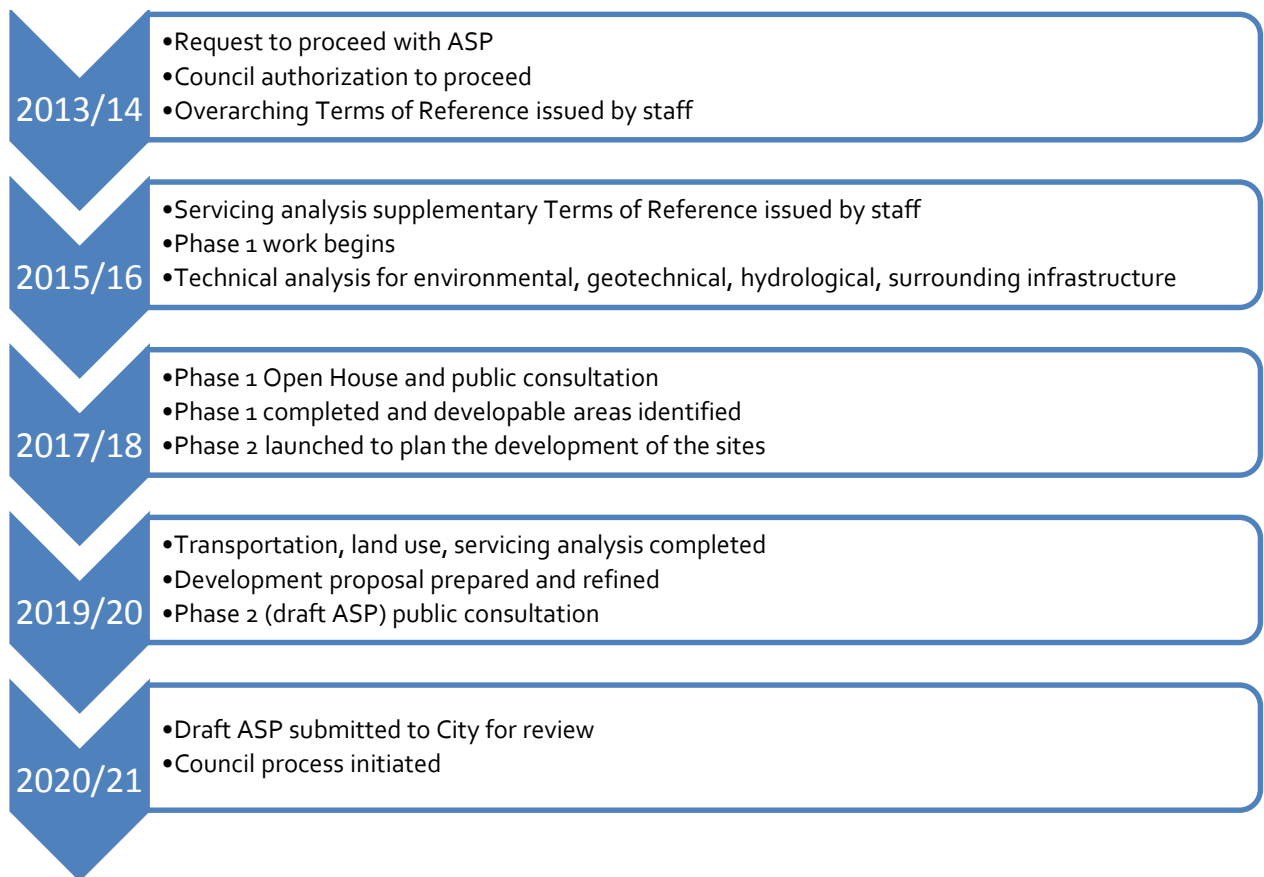
Despite the applicant's best efforts, staff have concluded through technical analysis and policy review that the proposal's costs and impacts outweigh its benefits and are recommending to not support this application. The opportunity cost of this proposal is simply too high. Adding an additional 1,200 detached homes at the fringes of the city will further entrench systemic land-use problems and make it harder to chart a sustainable course moving forward.

4.0 Proposal

4.1 Background

An ASP is a process through which a large or particularly complex piece of undeveloped land (often with multiple land owners) is reviewed to establish whether it can and should be developed in a manner consistent with City objectives. An ASP does not confer any development rights, but helps to establish a clear and common understanding of how lands may be developed and gives the City the opportunity to carefully consider the implications of the development ahead of any land use permission requests. ASPs include considerable policy and technical review. The proposals are evaluated against established City policies and objectives, and receive rigorous technical review. Technical review typically considers transportation impacts, utility and infrastructure impacts, environmental impacts, and hydrological and geotechnical impacts.

Figure 1: Thomson Flats ASP Milestones



The lands subject of the Thomson Flats ASP were originally identified as part of the Southwest Okanagan Mission Sector Plan exercise that was completed in 1994. The sector plan completed very high-level planning for the area, but required that each neighbourhood to complete detailed Area Structure Plans prior to seeking development approval. Kettle Valley (Neighbourhood 1) was first, followed by Southridge (Neighbourhood 2) and, most recently, The Ponds (Neighbourhood 3).

As part of the SWMSP exercise, the Thomson Flats lands were identified outside the 20 year horizon of the plan and received limited discussion and attention. A road connection was identified as was an estimated development yield, all to be ground-truthed through an ASP.

Of the 3,925 units originally anticipated in the 20-year projection of the SWMSP, 2,900 units have been issued Building Permits¹. An additional approximately 1,100 units (650 single detached, 450 multi-unit) remain planned, but not developed in the sector (The Ponds and Kettle Valley). These planned units represent approximately 10-15 years of suburban development supply² in this sector alone.

The 2030 OCP gave the subject lands a designation of Future Urban Reserve. This designation includes "land that has some development potential but is not projected for development within the Official Community Plan 20-year time horizon". Therefore, the 2030 OCP and its supporting infrastructure policies did not anticipate or plan for development of the Thomson Flats area.

In 2013, the applicant requested authorization to prepare an ASP for these lands. Council and staff supported this request with the understanding that the ASP provides the opportunity to explore the area's development potential and to understand clearly its corresponding impacts.

In 2015, Council chose to advance construction of the South Perimeter Road (SPR), from Stewart to Gordon, as a tool to help address ongoing traffic congestion concerns in the area. The SPR project represents a very significant investment and the final large-scale infrastructure project that can affect significant benefit for area residents. The SPR project does not require the development of the Thomson Flats ASP lands to be viable – rather, it is intended to serve existing traffic congestion concerns.

4.2 Project Description

The Thomson Flats ASP proposes to develop approximately 1,200 housing units, spread among 17 development pockets. These pockets of developable land are what remains after setting aside steep slopes, environmentally sensitive lands, or hydrologically or geotechnically unstable lands. The pockets of development are tied together via a network of local roads and trails.

The ASP proposes an arterial road running east-west through the centre of the site, connecting Chute Lake Road to the west with South Perimeter Road and Gordon Drive to the east. This road connection is intended to provide access to SPR for residents of Thomson Flats and Kettle Valley. An additional local road connection would be provided between the new development and the South Ridge neighbourhood via South Ridge Drive.

The Rembler Creek Corridor also runs east-west through the centre of the site. The creek, which today is severely compromised, would be restored in line with the recommendations of a professional biologist. The corridor will also provide storm drainage and linear trail benefits.

The area contains several land uses, including low-density single and multiple unit housing, parks and natural areas, and a school site. Of the roughly 1,200 units of residential development identified in the draft ASP, 85-90% is expected to be single detached housing, with the remaining being comprised of low-density multiple unit residential housing, such as townhomes or duplexes.

A site for a school has been identified and deemed necessary by School District 23. The site has been generally identified in the eastern portion of the lands, providing convenient access to South Perimeter Road and Gordon Drive.

Each pocket of development is planned also to contain trail connections to other development pockets, to the proposed neighbourhood parks, the Rembler Creek Linear Park, and to established trails in the Myra-Bellevue Provincial Park to the south.

¹ Total of all building permits for residential units issued since 1995. Does not include secondary suites.

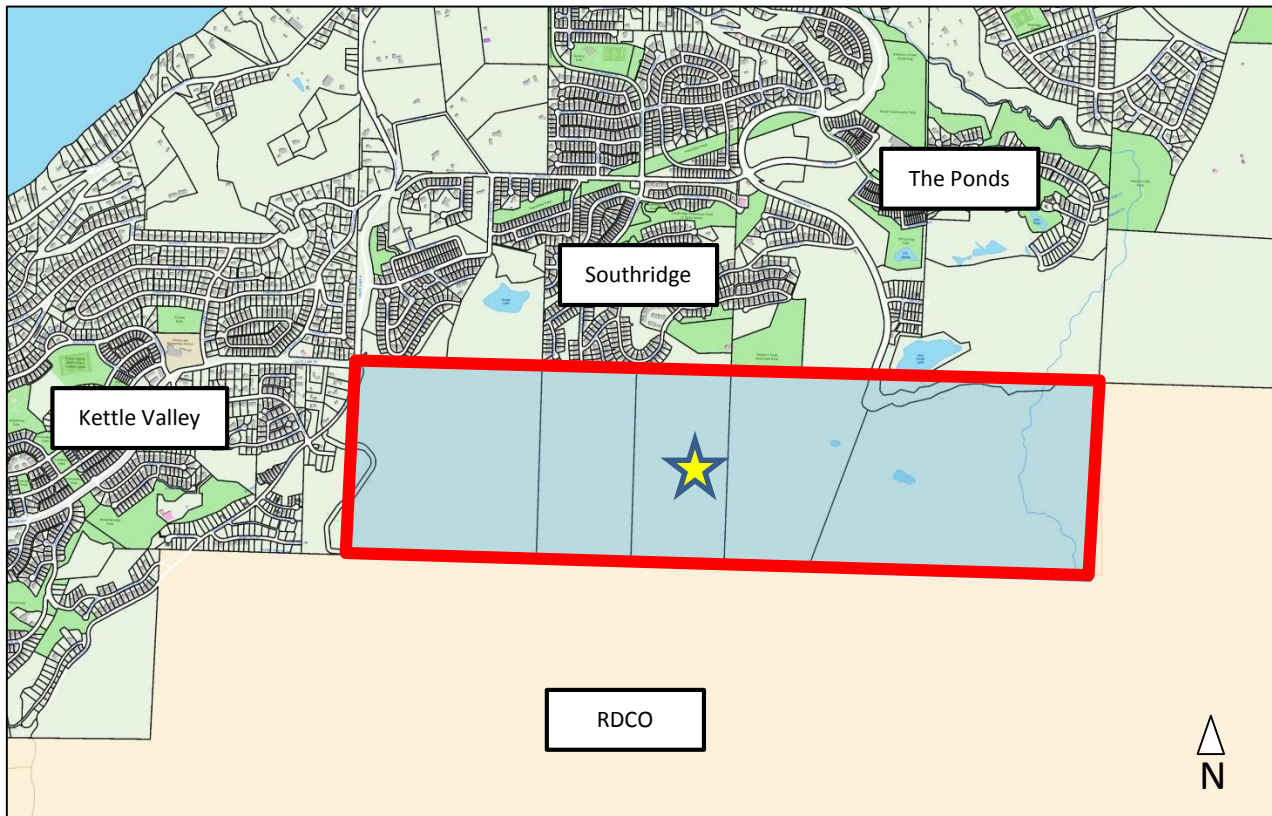
² Based on the average annual number of units issued Building Permits within the Southwest Mission Sector between 2009-2019.

There are three neighbourhood parks proposed in the Thomson Flats ASP, totalling approximately 1.8ha. The three parks are spread across the development, with one located to the west, one centrally, and one to the east. Their detailed locations would be confirmed in later development stages, and the proposal meets the City's Parkland Acquisition Guidelines.

4.3 Site Context

The Thomson Flats ASP lands consist of 5 legal parcels totaling 255.53 ha, located at the very southern boundary of the City, between Chute Lake Road to the west, and Bellevue Creek to the east.

Subject Property Map: Thomson Flats ASP Area



The lands are zoned A1 – Agriculture 1 today, but are not actively farmed and are not in the Agricultural Land Reserve (ALR). There is a history of some agriculture on the site, but the land has been left unused in recent decades. As such, the adjoining neighbourhoods have utilized the lands as natural recreational areas and walking and cycling trails are found throughout. Motorized vehicles also use the property, which has resulted in substantial damage to the Rembler Creek corridor.

The subject lands are surrounded in the north and west by suburban residential development approved long ago, including Kettle Valley and South Ridge. To the south is rural land within Regional District of Central Okanagan (RDCO) jurisdiction.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1H, RM2H, RU5, RH3, P3	Low density hillside residential and park
East	n/a	Myra-Bellevue Provincial Park
South (RDCO)	Rural 1 - RU1	Rural Resource
West	RR2, RR3, RH2	Low density rural and hillside residential

In the 2030 Official Community Plan, the lands received the Future Urban Reserve (FUR) designation.

2030 OCP – Chapter 4: Future Land Use

Future Urban Reserve: Land that has some development potential but is not projected for development within the Official Community Plan 20-year time horizon. There is potential for the reconsideration of the status of these lands as part of a future review and updating of the Official Community Plan. These boundaries are schematic in nature, and include lands that may remain within the ALR. Lands within this designation will not be supported for any further parcelization.

The lands are within the Permanent Growth Boundary (PGB) in acknowledgement that there may be some development potential for the lands at some point beyond the 20-year OCP horizon.

4.4 Discussion

Policy Context

For well over a decade now, successive iterations of policy direction have been moving the community's growth gradually towards a model focused on creating compact, complete and resilient neighbourhoods. Early movement in this direction began in strategic planning from the late 1990's, and has culminated in the community's Imagine Kelowna vision.

Taken together, the direction for Kelowna's future growth is unambiguous. While suburban hillside development is recognized as having a place in this context, its expansion and continuation stands at odds with broad and clear policy direction ranging from housing and transportation to land use and climate change.

The current policy context is established on a broad foundation of policy work summarized below:

2030 Official Community Plan (Bylaw No. 10500)

The 2030 OCP is the City's current growth management plan, guiding growth and development in Kelowna until the OCP update is completed. It establishes a vision for compact, complete communities that encourage transit, bicycles and pedestrians and that are serviced by efficient infrastructure. While accepting a role for modest suburban growth, the 2030 OCP clearly prioritizes urban development and redevelopment. This focus is further supported by the OCP's climate action goals that would see significant Greenhouse Gas reductions. Considering this direction, the first three goals of the OCP are to:

1. Contain Urban Growth
2. Meet the housing needs of all residents
3. Provide a balanced transportation network

Our Kelowna as we Take Action: Kelowna's Community Climate Action Plan

The Community Climate Action Plan establishes a path forward to reduce the Greenhouse Gas (GHG) emissions in Kelowna through action in 5 priority areas. Of these, two are directly related to land use and transportation:

1. The Way We Get Around - providing options to reduce vehicle trips and accelerate transition to low carbon transportation options.
2. Planning Our Community - managing energy and emissions by focusing growth in urban areas so residents and workers are located closer to transit and services.

Healthy Housing Strategy

The City's housing strategy, endorsed in 2018, sets out a five year plan to take on 19 important actions that will work together to improve Kelowna's housing system over the long-term. The 19 actions are set within four key directions. Of these four, two are relevant to the land use decision at hand:

1. Improve housing affordability and reduce barriers for affordable housing – actions under this direction seek to increase the supply of affordable housing being delivered in Kelowna and to enable households to reduce their transportation and energy costs.
2. Build the right supply – this direction acknowledges that new single detached housing is growing out of reach for most Kelowna households, and focuses on diversifying the community's housing options, particularly where transportation and energy costs can also be reduced.

Imagine Kelowna

The Imagine Kelowna process included the City's most extensive community engagement process undertaken to date. The vision developed represents the careful and considered input of thousands of local residents and leaders from every sector across the community. Of its four pillars and 14 goals, the following are the most directly related to the Thomson Flats ASP application:

1. Grow Vibrant Urban Centres and Limit Sprawl - denser neighbourhoods make our City healthier, more sustainable and easier to get around. They make more financial sense, too.
2. Embrace Diverse Transportation Options to Shift Away from Our Car-Centric Culture - making it easy for people to choose non-driving options protects the beauty of Kelowna and makes getting around more enjoyable.
3. Build Healthy Neighbourhoods That Support A Variety of Households, Income Levels and Life Stages – everyone in our community should be able to find stable and appropriate housing.
4. Take Action and Be Resilient in the Face of Climate Change – we will seize the opportunity to face climate change head-on for a hopeful and sustainable future.

Transportation & Land Use

The Transportation – Land Use Connection

While the focus of the challenges facing the SWM neighbourhoods tends to be on transportation, these challenges are symptoms of a more foundational land use problem. Unlike many other forms of development, suburban development is inseparable from the car.

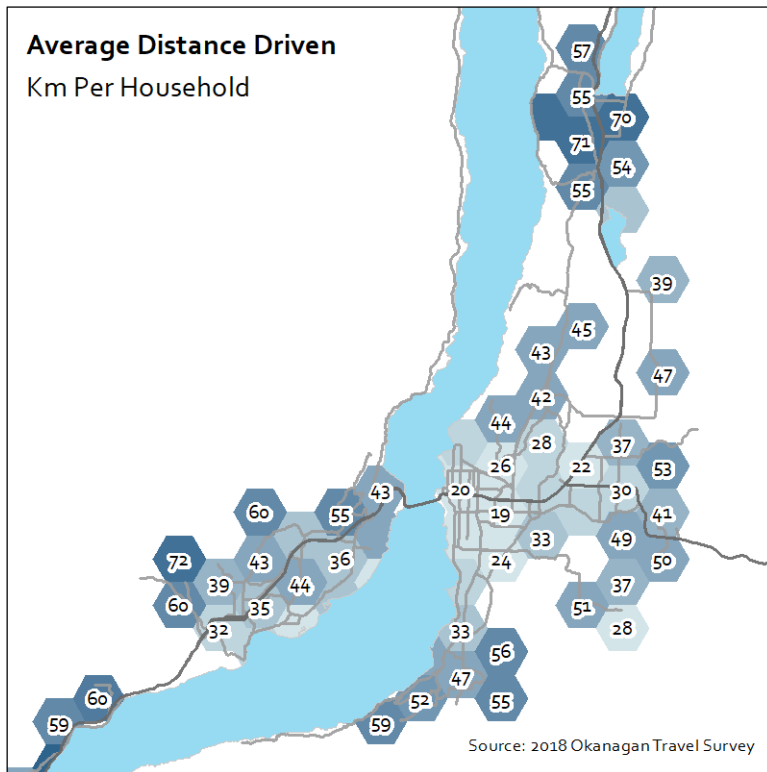
Suburban development patterns are also extremely difficult environments in which to change transportation behaviour. They are homogeneous and very low density, so transit, walking and bicycling are not viable options for most trips. Hillside environments make these already unlikely options even less palatable (See Table 1). While the central portions of cities are able to make the shift towards more sustainable transportation options as traffic congestion grows, the suburbs struggle to be flexible.

Table 1 - Thomson Flats Active Transportation Scoring Pre and Post-Development (WalkScore, 2020)

	Walkscore	Bikescore	Transitscore
Pre-development	0 – car-dependent	7 – somewhat bikeable	16 – minimal transit
Post-development*	0 – car-dependent	14 – somewhat bikeable	20 – minimal transit
Description	Almost all errands require a car	Minimal bike infrastructure	Possible to use transit

* The adjacent Southridge neighbourhood was used as a proxy to establish a likely range of performance at buildout.

This transportation and land use problem means that the average suburban household in Kelowna drives 2 to 6 times more than the average urban household³. Due to its location at the far southern edge of the City, daily driving distances for households in the ASP are anticipated to be at the high end of this range.



³ R.A. Malatest, 2018 Okanagan Travel Survey, February, 2020.

In addition, new suburban development typically yields housing that is among the most expensive in the community. Average prices for new housing in these hillside neighbourhoods exceeds \$1M⁴.

Village centres in suburban areas have been introduced as a measure to create more "complete communities". These centres typically offer a modest range of personal services and retail sales along with a small collection of multi-unit housing. In some cases, they are also serviced by transit. Often, however, the true impact of these centres is considerably less than advertised. At the most basic level, this is because they haven't meaningfully altered the DNA of a suburban neighbourhood. The make-up of the broader neighbourhood remains overwhelmingly auto-dependent, low-density, single dwelling housing. That low density environment is the reason that the village centres are unable to support a significant amount of commercial or office. There simply isn't the market in close proximity.

Even when successful, these village centres provide modest benefits. They do allow some vehicle trips to be shorter – say, to go to a coffee shop, or a corner store – but, they are unable to provide the range of services to alter the trips that have the greatest impacts on the transportation network, such as commuting to and from work, activities, errands and other key destinations. Even with village centres, suburban residents must travel outside of their neighbourhoods for the vast majority of their trips.

Transportation Infrastructure Options

As discussed above, separating transportation and land use in the suburbs is difficult. It is tempting to use infrastructure to address the transportation problems resulting from suburban development. But, without addressing the underlying land use condition, these infrastructure solutions can often provide limited benefits with high costs. Nonetheless, a series of reports to Council have examined the range of infrastructure options available and the impacts of changes that have already been made to address the transportation challenges facing the Southwest Mission (SWM) sector⁵. Signal timing changes, the installation of roundabouts, the construction of a new school to shift travel demand, and adjusted transit servicing have all influenced, but have not addressed, traffic congestion in the SWM.

The last option being pursued actively is the construction of the South Perimeter Way (SPR). After analysis, the function of SPR as a 'relief valve' has become clear. It may be a frequently convenient route for residents of The Ponds and for the remaining SWM residents, it will be a convenient route when both Lakeshore and Gordon are heavily congested. In that way, SPR is unlikely to dramatically reduce congestion, but may help prevent congestion from getting worse until it, too, becomes congested. Once the SPR connection is made, there are few remaining options to limit congestion from land use decisions in the SWM sector.

The draft Thomson Flats ASP proposes to connect SPR to Chute Lake Road. This connection would improve the attractiveness of the SPR route for Kettle Valley residents. However, the primary beneficiaries of this connection would be residents of the Thomson Flats development. Without Thomson Flats development, staff do not see enough value in the SPR to Chute Lake Road connection proposed to warrant the considerable expenditure needed to build and maintain it over the long run. Accordingly, the connection between Chute Lake Road and SPR is not being considered for funding in the draft TMP scenario currently in process.

The TMP has been developed to support the 2040 OCP Growth Scenario, which did not include Thomson Flats. There are several transportation capital projects adjacent to the Casorso Bridge that are not included, or funded, in the draft TMP that would be required if the Thomson Flats ASP is approved. These projects

⁴ CMHC, New Housing Construction Activity, Absorbed Single Detached Unit Prices, October, 2020.

⁵ Southwest Mission Sector Transportation Update, May 2017.

⁶ Lakeshore Corridor – Transportation Update, August 2020.

are identified in the current 2030 Infrastructure Plan with an estimated cost of \$12M; however, based on recent experience, staff estimate that these costs could be much higher. Should the Thomson Flats ASP be approved staff would need to revisit the TMP and allocate significant additional funding. The opportunity cost of these funds should also be considered, as the additional funding would likely yield greater citywide benefit and alignment with City goals if spent on other currently unfunded projects.

Beyond their high cost and impact to the draft TMP, there remain concerns about the ultimate viability of these projects, which would require Agricultural Land Reserve (ALR) lands, and impact First Nations Reserve lands. Moreover, since improvements on SPR, Stewart, Casorso and Benvoulin work as a system, if any one project cannot be delivered, or is delayed, it would impact the entire corridor.

Other Infrastructure Systems

In addition to transportation infrastructure, there are several other infrastructure systems that will be effected by the proposed ASP, including sanitary, water and storm drainage. Staff have concerns regarding the long-term sustainability and maintenance challenges associated with water and sanitary infrastructure on the south side of the draft ASP identified as "Future Low Density Urban Reserve". The remainder of the ASP area did not trigger significant concerns from a utility infrastructure perspective.

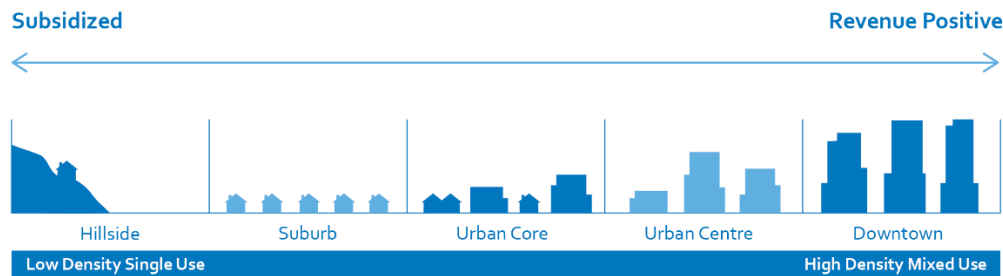
Infrastructure Costs

In August of 2020, Council received a staff report regarding the ModelCity Infrastructure (MCI) analysis tool that explores the long-term infrastructure costs and revenues associated with different land use patterns in Kelowna. The tool is intended to bring focus to the important connection between land use decisions and long-term asset management.

To do this, the MCI tool compares the long-term revenue associated with a neighbourhood against the long-term costs associated with operating, maintaining and replacing that neighbourhood's share of the infrastructure it relies on.

The results (see Figure 1) showed that suburban hillside development provides substantially less long-term revenue than is needed to support its infrastructure demands. Conversely, denser, mixed-use urban development performs better in the long-run.

Figure 1: Development Revenue Scale



7

The MCI tool was used to model the performance of the proposed Thomson Flats development specifically. The results show that Thomson Flats at buildout would perform as expected from other hillside suburban neighbourhoods, covering roughly 50-55% of its total infrastructure cost burden. The MCI estimate is that

⁷ City of Kelowna, Model City Infrastructure, 2020.

this 40-45% revenue shortfall equates to an average annualized deficit of approximately \$1.4M that will be required from other sources.

The MCI tool is only one of a range of analytical tools and approaches that should be applied in the review of major development applications. The results from the MCI tool should not alone be used to evaluate the merits of a development proposal.

Nevertheless, its results indicate that the proposed development will hinder the City's objective of addressing the infrastructure deficit, and would, in fact, contribute to making it worse. Essentially, with each new suburban hillside development, the City is increasing the size of the infrastructure deficit while eroding financial capacity to address it moving forward.

5.0 Summary

Over successive years, the City has been making concrete and concerted efforts to shift its land use and transportation patterns away from hillside suburban development embodied by the Thomson Flats ASP proposal. The reasons for this shift are many and range from the cost of supporting expensive infrastructure and the transportation challenges associated with car-dependant neighbourhoods, to housing affordability, and climate impacts from transportation-related greenhouse gas emissions. Approval of the Thomson Flats ASP would commit the City to further supporting this form of development for the next 20 years or more and would set the community back in its efforts to meet the City's Imagine Kelowna vision.

Should a development proposal be brought forward for consideration in the longer-term, careful examination would be warranted for issues, including but not limited to the following:

- Long-term changes to transportation behaviour;
- Transportation network performance;
- Life-cycle infrastructure costs;
- Housing diversity and affordability; and,
- Environmental considerations, including climate change impacts.

6.0 External Referral Comments

6.1 RDCO

The Regional District's South Slopes OCP (2012), Section 10 – Community Facilities, Parks, Recreation and Heritage objectives and policies supports securing future linear parks and greenway connectivity with municipal, Provincial and Regional District parks. Parks and greenways identified in the South Slopes OCP for future connectivity in the vicinity of the Thomson Flats ASP include Lebanon Creek Greenway, Bellevue Creek Greenway, Myra-Bellevue Provincial Park, Okanagan Mountain Provincial Park, Johns Family Nature Conservancy Regional Park (formerly known as Cedar Mountain Regional Park). Refer to South Slopes OCP Map3: Future Parks Connectivity.

RDCO staff reiterates that the Regional District is very concerned that endorsement of the OCP amendment/ASP authorization by the City of Kelowna will lead to further pressure for development to occur in the South Slopes area (both within the City and outside City boundaries).

6.2 SD23

Based on current projections, the elementary, middle and secondary schools are over their building capacity. The Mission area has a student yield of .3 to .45 students per residential unit. As of 2019 numbers, the yield was 0.43 students per residential unit. The Thomson Flats plan shows the school site to be developed in the later stages of the ASP and it looks like 695 units (phase A-K) will be constructed prior to the school site being available. If this is the case, the number of units will generate 210 – 300 new students in the area and there will be no student space available. The School District is highlighting the potential need for a school site sooner based on the phased identified residential units. It is unclear when the school site may be available and if the site is available later in the land development process, there will be a lack of space in the current schools for students from this development.

6.3 Interior Health

See attached letter dated August 27, 2020.

7.0 **Application Chronology**

See Figure 1 in Section 4.1.

8.0 **Alternate Recommendation**

THAT Council receive for information the report from the Policy & Planning Department dated March 1, 2021 regarding the draft Thomson Flats Area Structure Plan;

AND THAT Council direct staff to work with the applicant to complete the final stage of the Transportation Analysis;

AND FINALLY THAT Council direct staff to consider and integrate the impacts of the ASP within the draft Transportation Master Plan, the draft 2040 Official Community Plan, and the draft 20-Year Servicing Plan.

Report prepared by: James Moore, Long Range Policy & Planning Manager

Reviewed by: Danielle Noble-Brandt, Policy & Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: DRAFT Thomson Flats Area Structure Plan

Attachment B: Interior Health Authority, RE: Thomson Flats Area Structure Plan, dated August 27, 2020.



ASP13-0001

(S OF) Redstem St., (S OF) Hewetson Ave., (S OF) Kuipers Cr., 5300 South Ridge Dr., 5265 Upper Mission Dr.

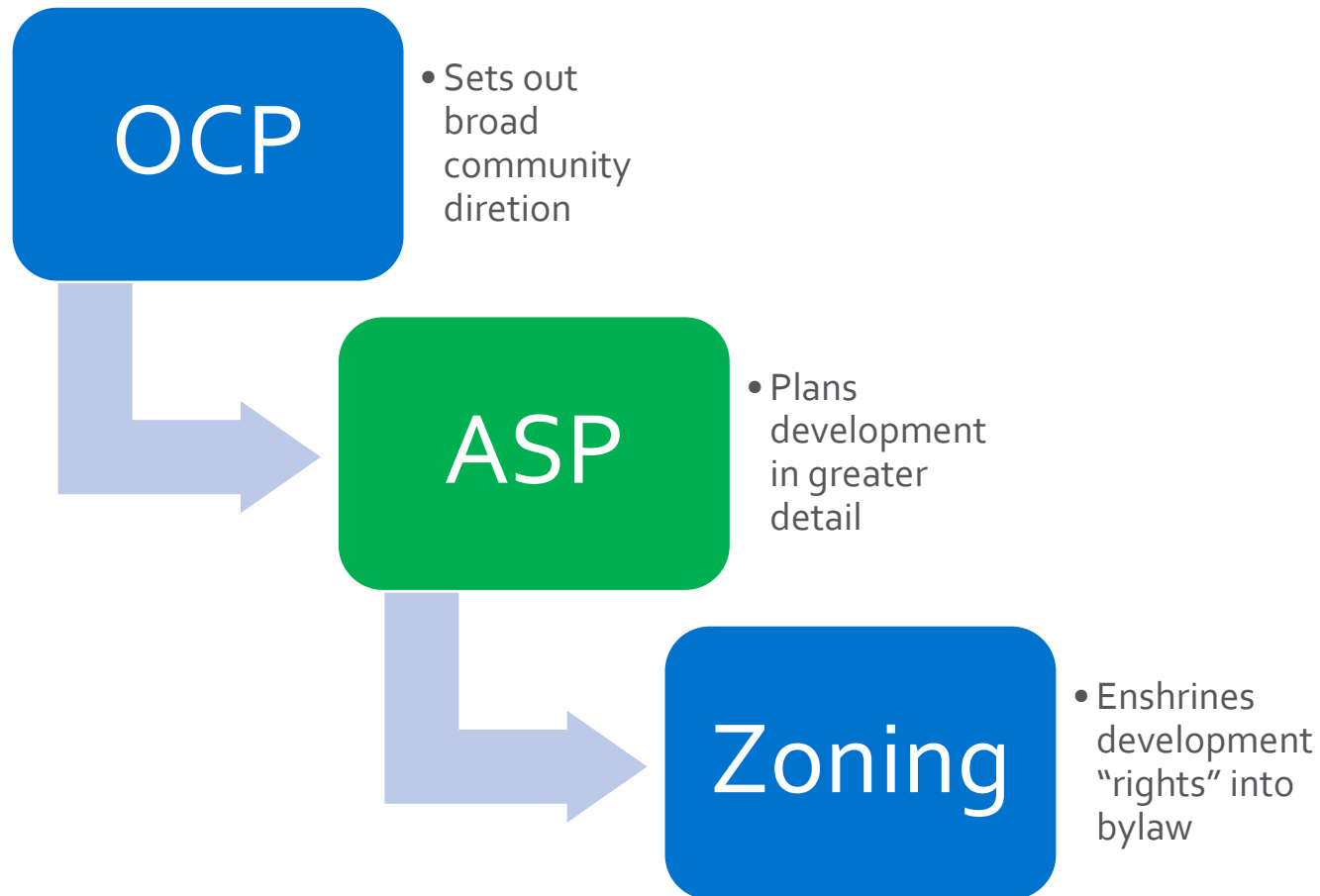
Thomson Flats Area Structure Plan



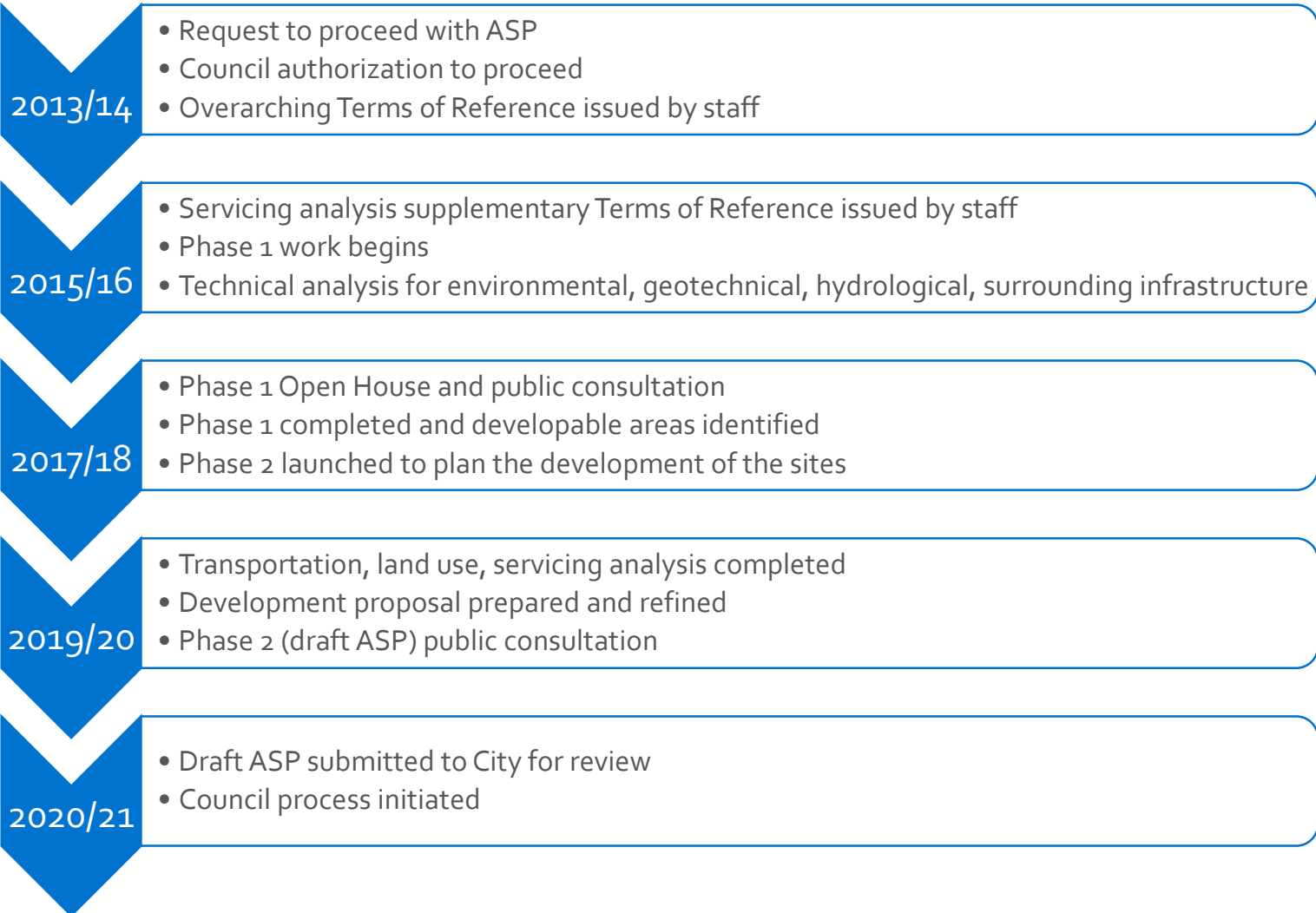
Proposal

- ▶ Consider the draft Thomson Flats ASP
- ▶ Long-term development potential of up to 1,200 units of low-density hillside development

Role of an ASP



Development Process



Public Engagement

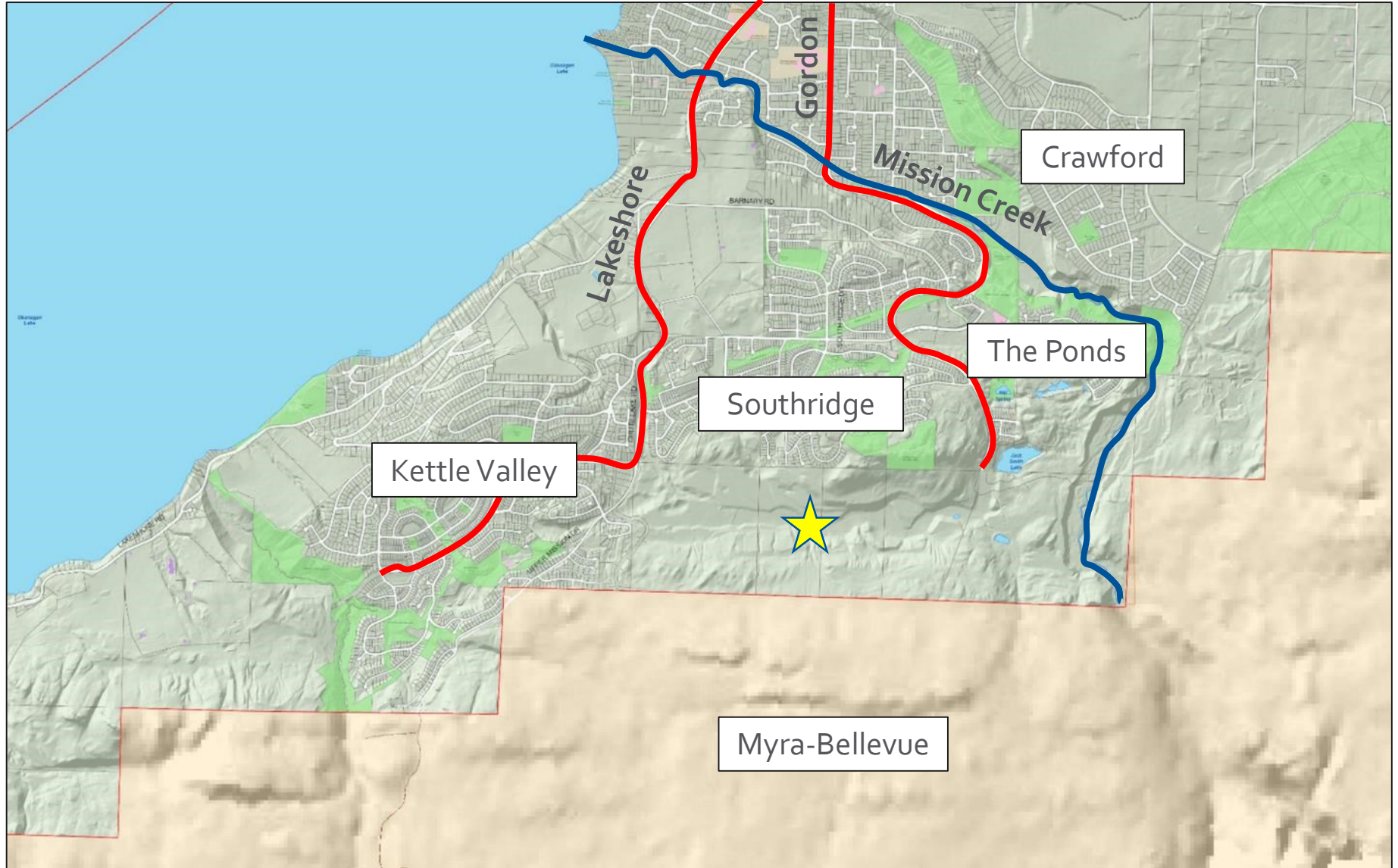
- ▶ Phased public engagement led by the applicant
 - ▶ Phase 1 Open House
 - ▶ Phase 2 Open House
 - ▶ Transportation-specific engagement (online)
 - ▶ Website
 - ▶ Online survey
 - ▶ Paper survey

Public Engagement

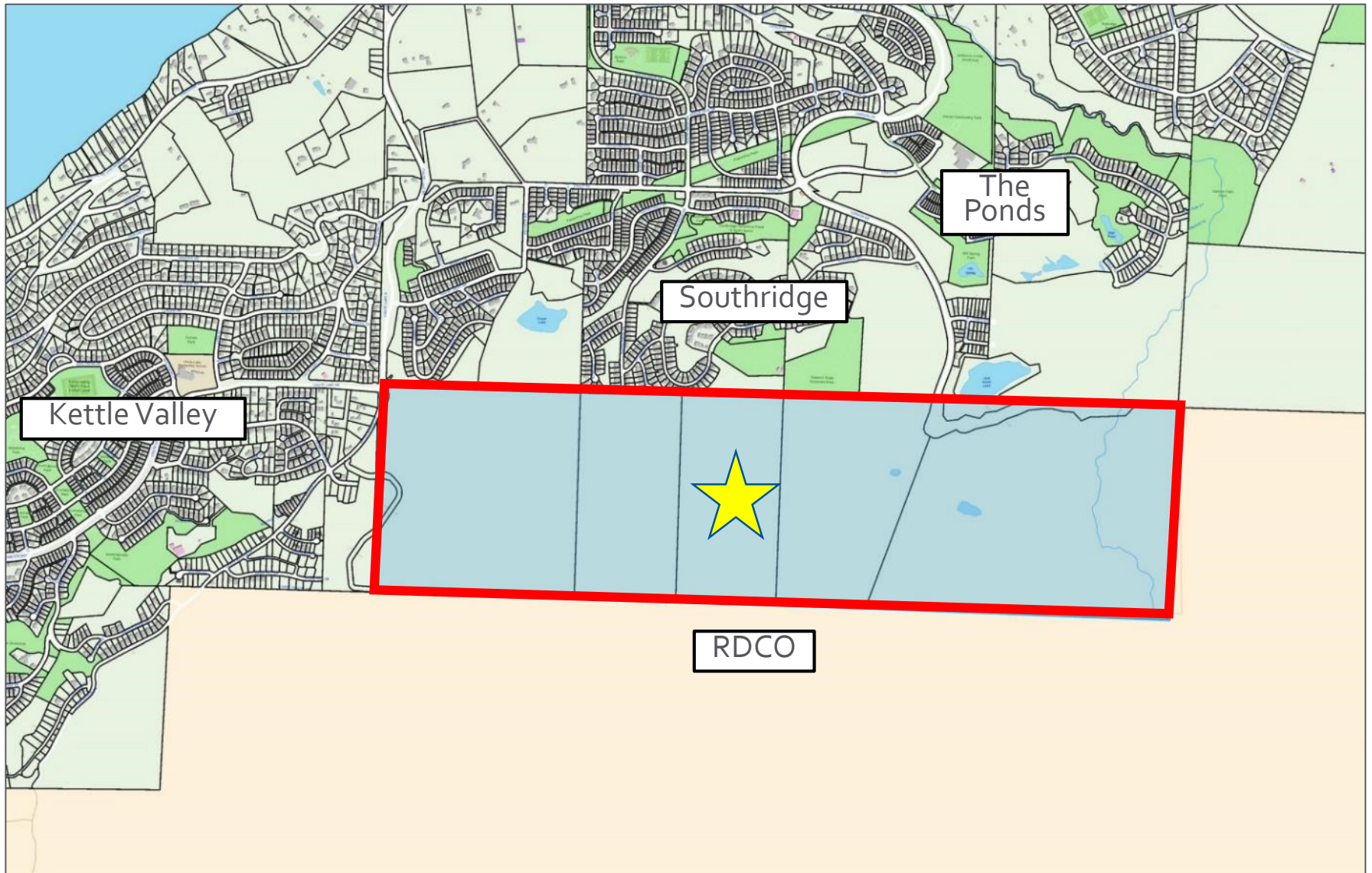
- ▶ Public Engagement Themes:
 - ▶ Environmental protection
 - ▶ Trails and parks
 - ▶ Transportation connection

- ▶ Overall, 66% of survey respondents do not support the ASP, 34% support

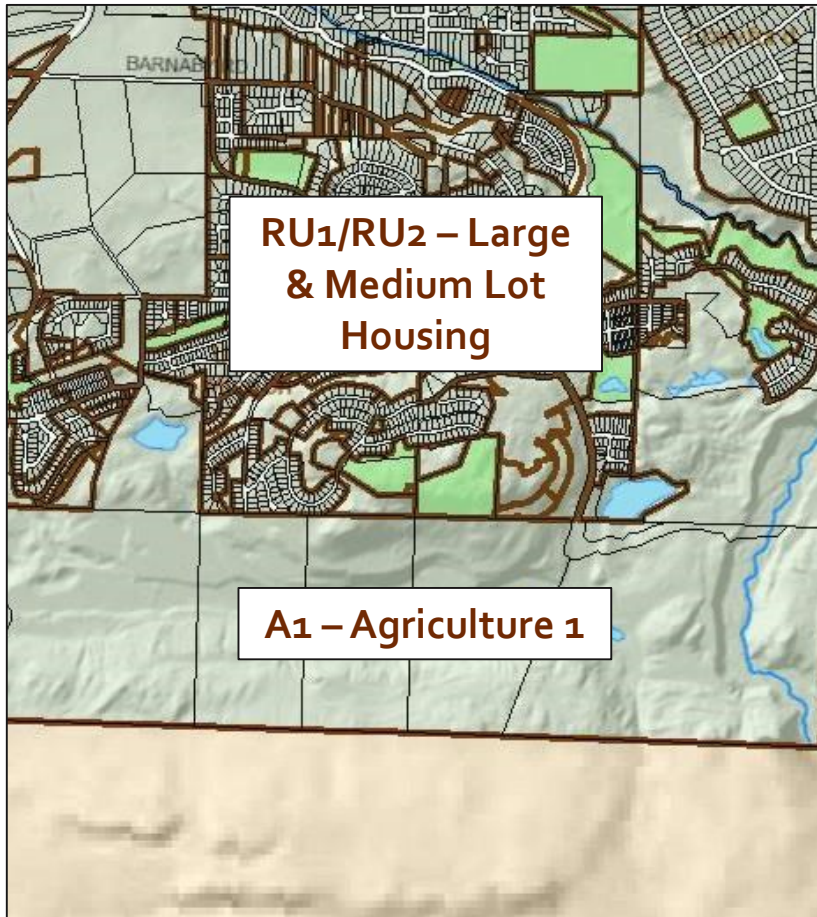
Context Map



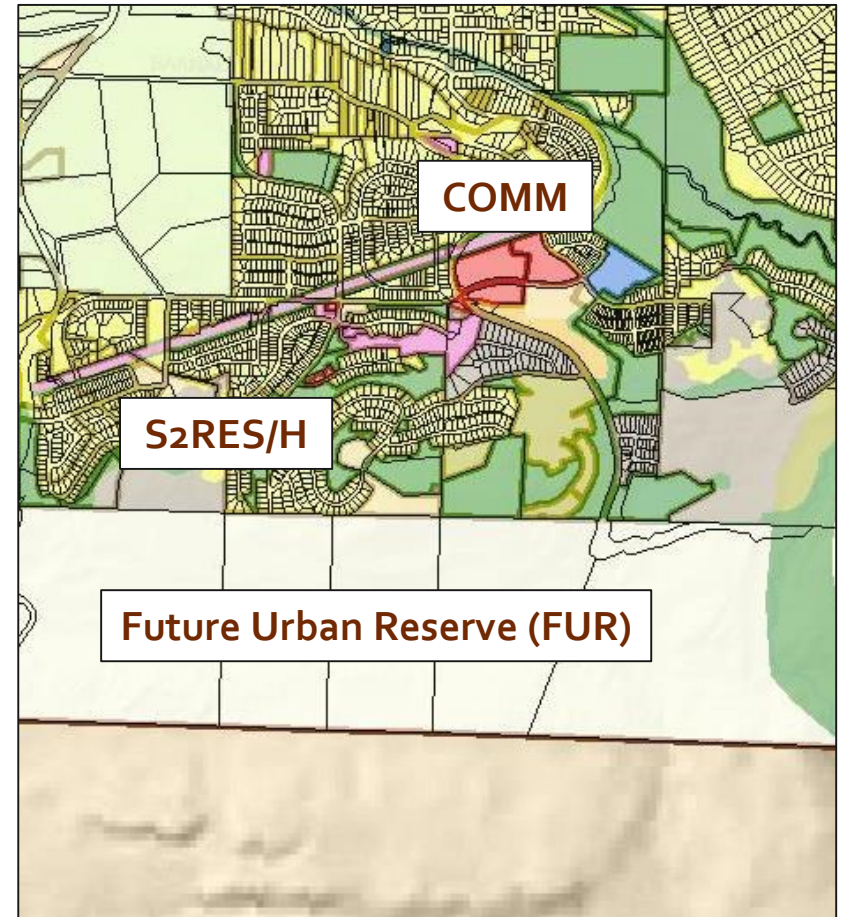
Subject Property Map



OCP Future Land Use / Zoning



Zoning



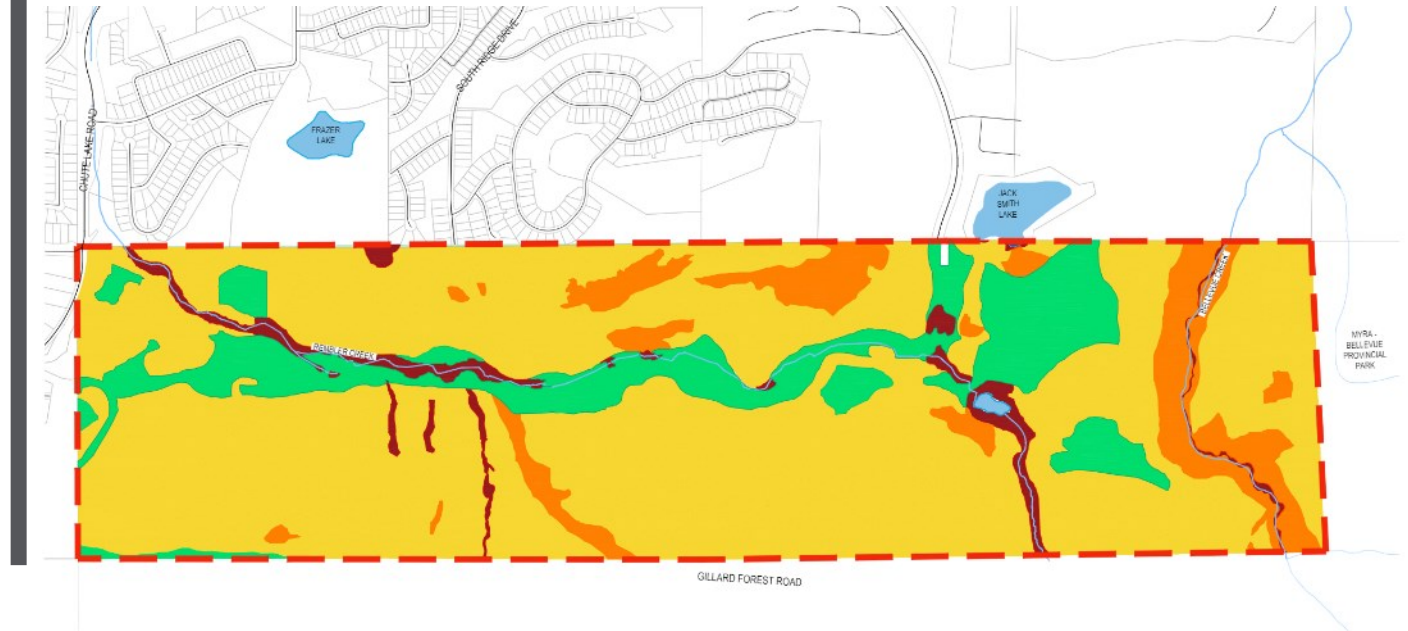
OCP Future Land Use

Project/technical details

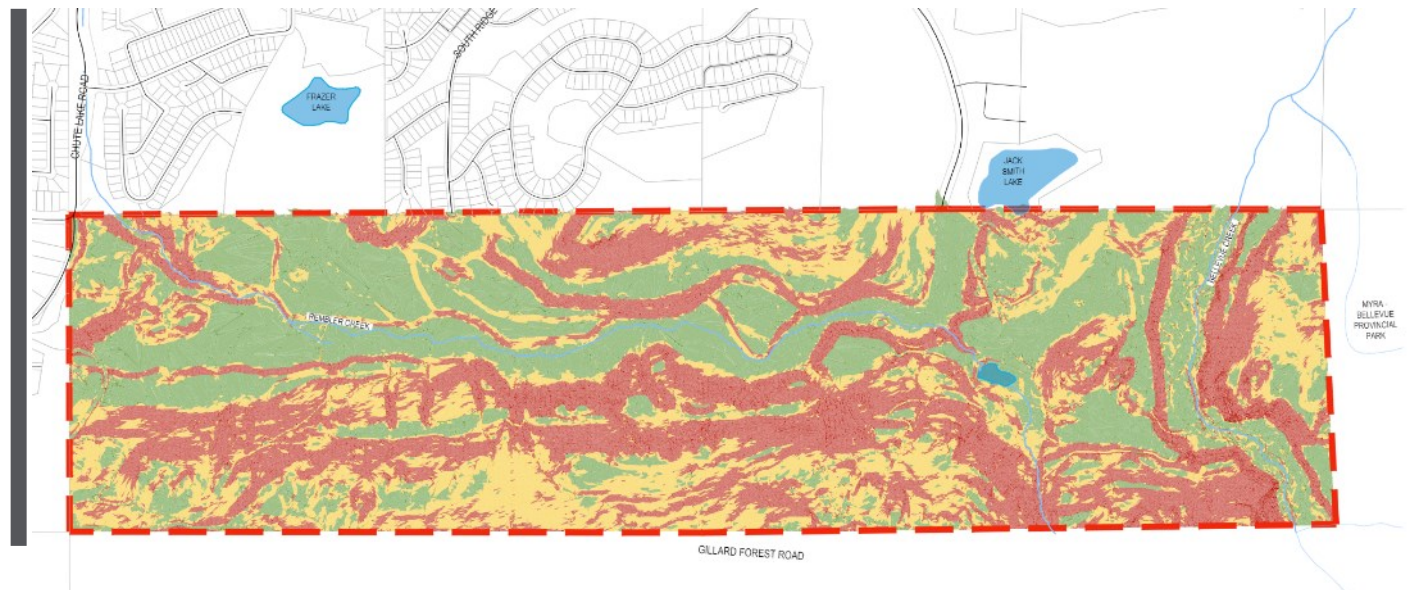
- ▶ Long-term phased development
- ▶ Approximately 1,200 units
- ▶ Mostly single detached housing

Site Plan

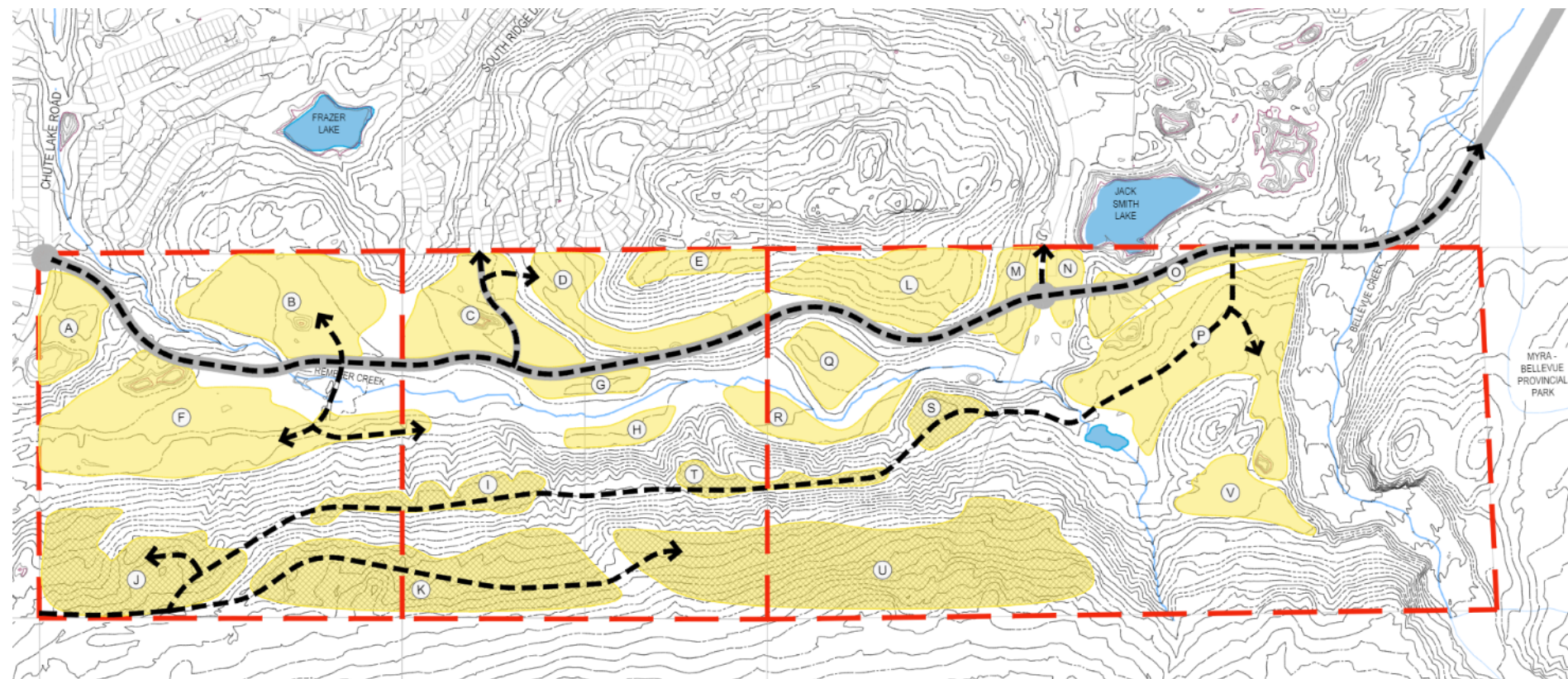
Environmental Analysis



Geotechnical Analysis

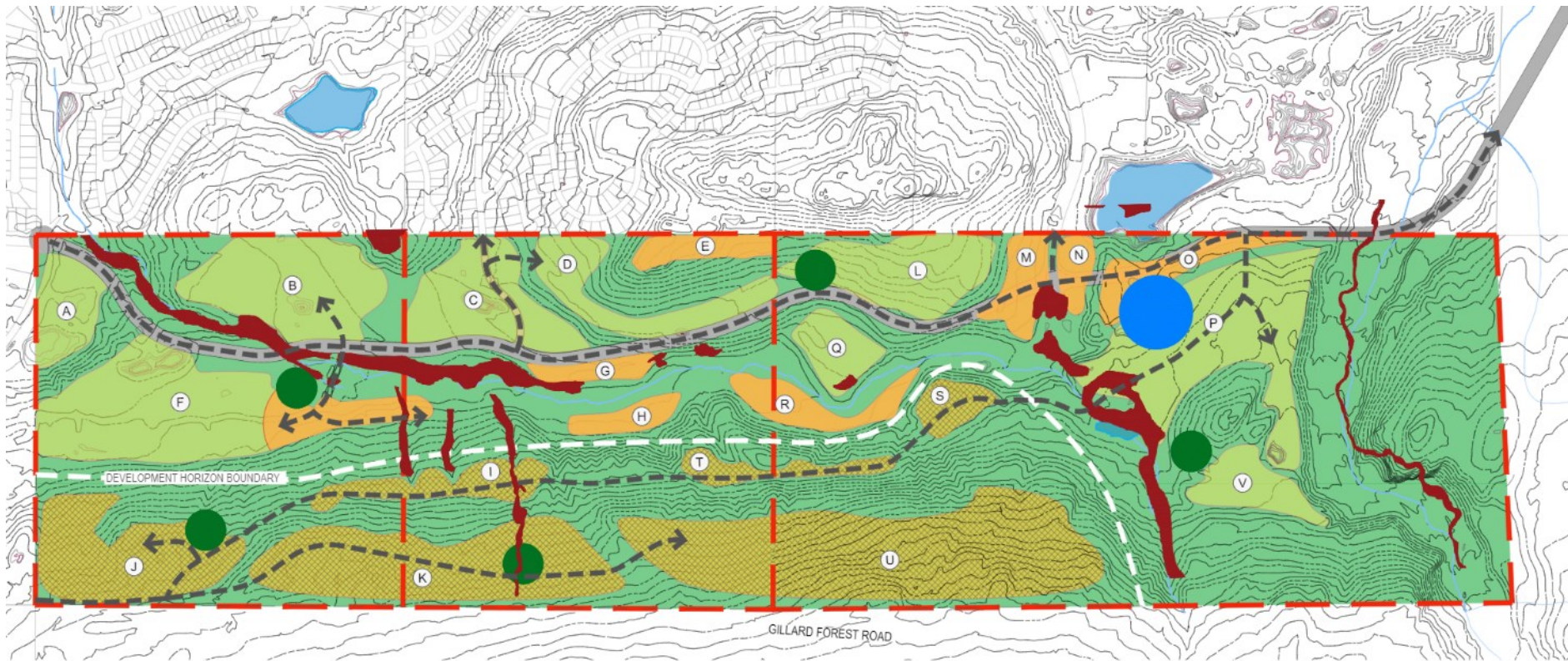


Site Plan



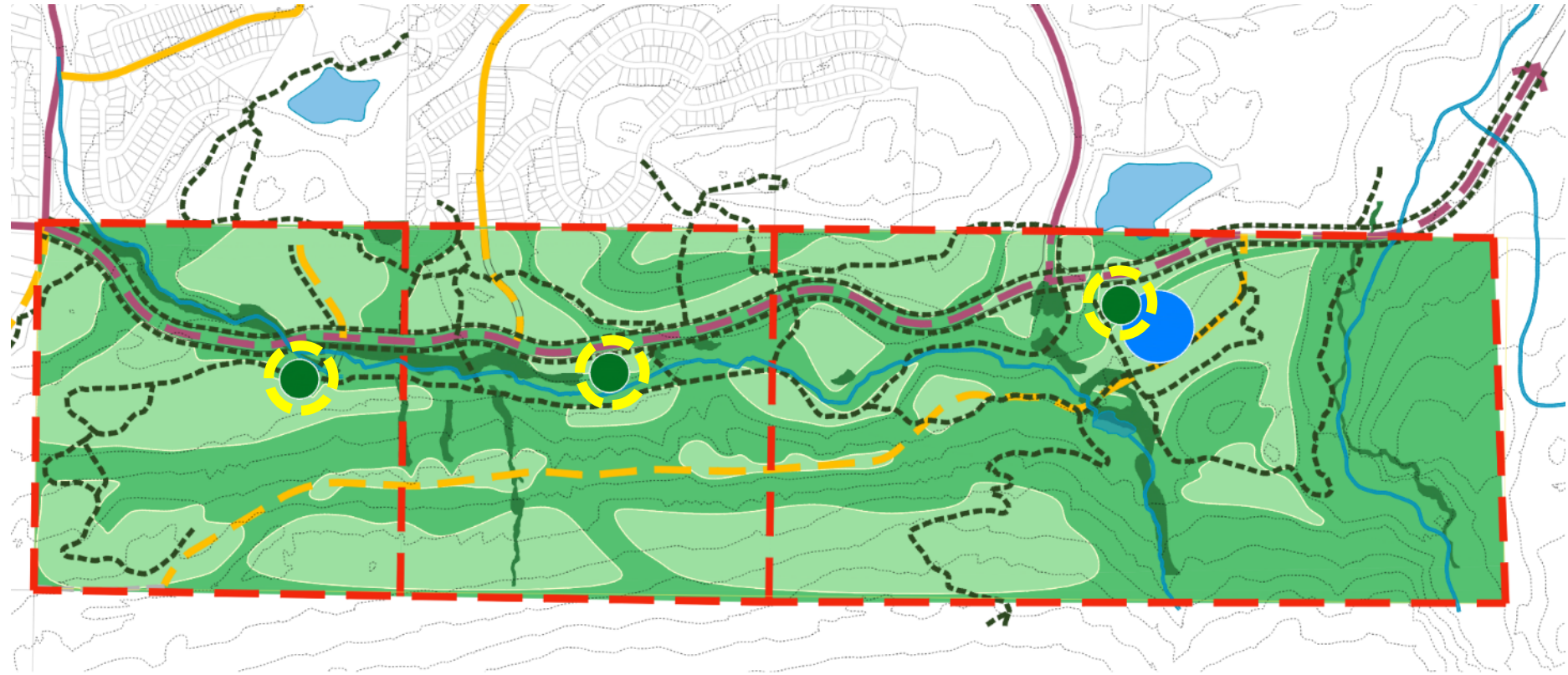
- ▶ Development pockets
- ▶ Connected by local roads
- ▶ Arterial road bisects site

Site Plan



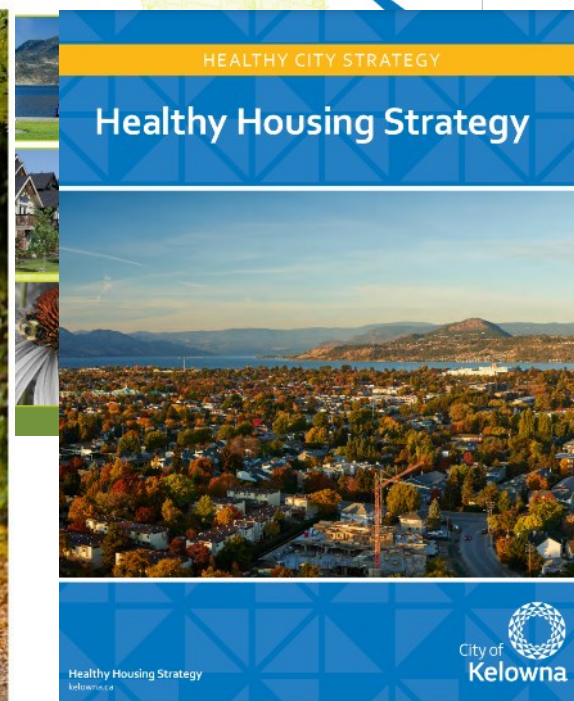
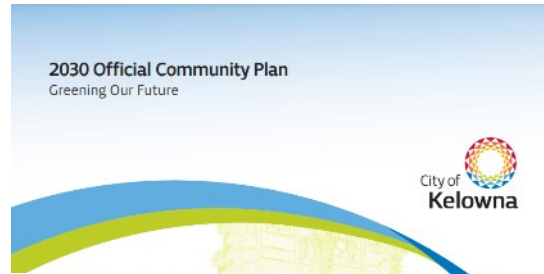
- ▶ Mostly single detached housing
- ▶ Pockets of low-density multi-dwelling housing
- ▶ School site
- ▶ Future development area

Site Plan



- ▶ 3 neighbourhood parks
- ▶ Restored Rembler Creek
- ▶ Trail network

Policy Context

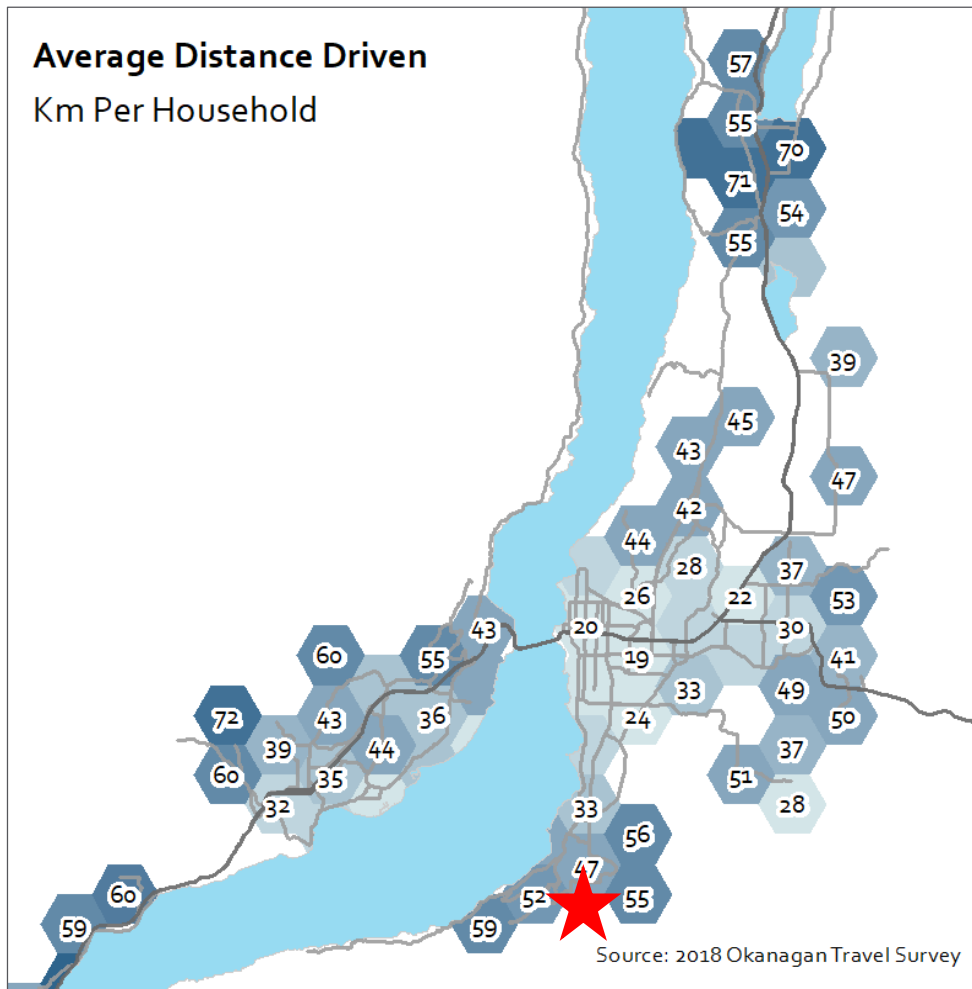


- Move towards more compact, sustainable, urban development

Policy Context

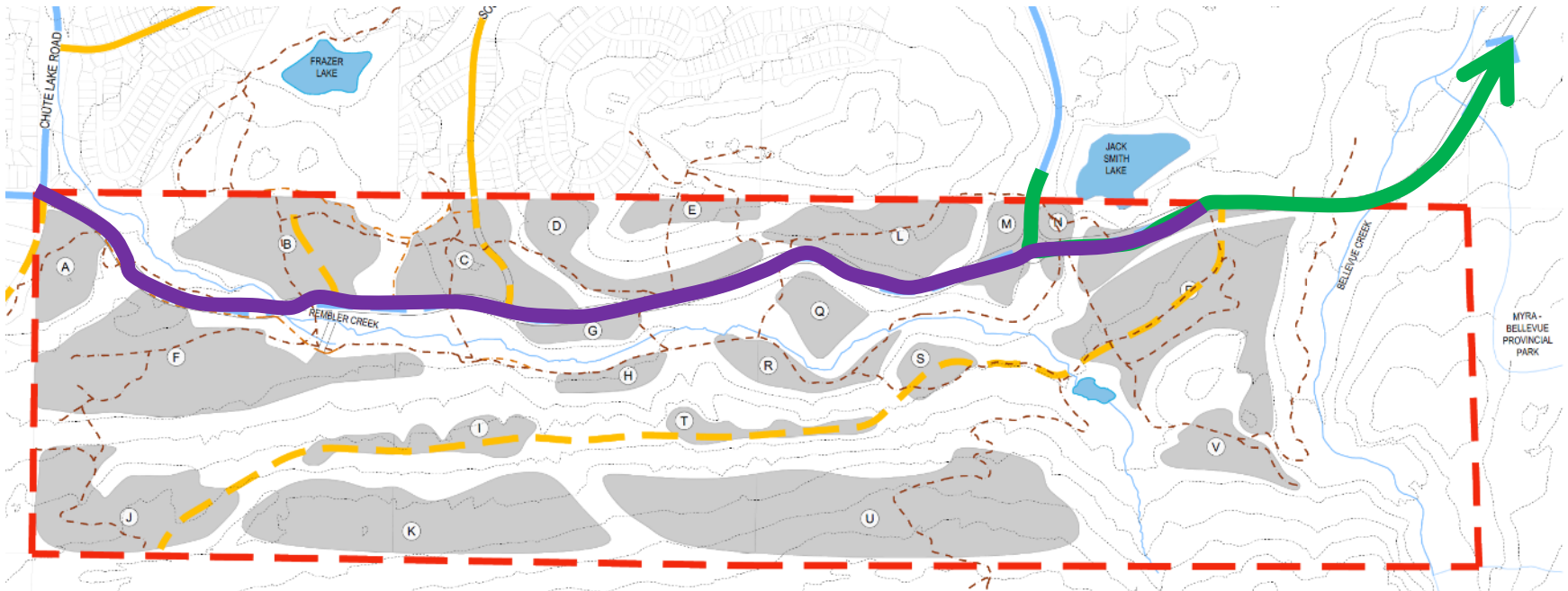
- ▶ Healthy Housing Strategy
 - ▶ Build the Right Supply
 - ▶ housing forms that meet the needs of local residents and which they can afford to rent or to own.
 - ▶ encouraging housing in the urban core, near employment and sustainable transportation options, to reduce household transportation costs.
 - ▶ Avg. price of new detached homes \$1M+
 - ▶ Not affordable for most local families

Transportation & Land Use



- ▶ Location faces major congestion challenges
- ▶ Car-captive – few other options
- ▶ Results in 2-6x more driving

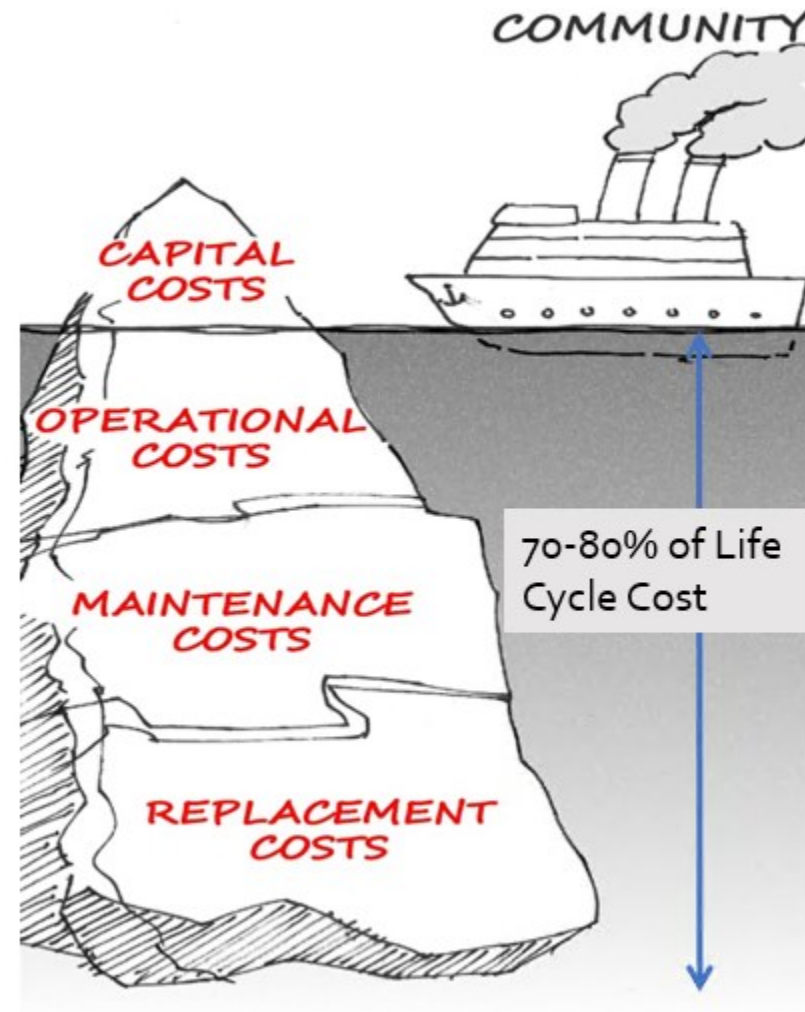
Transportation Infrastructure



- ▶ Arterial connection
- ▶ Draft TMP impacts
- ▶ Broader network impacts

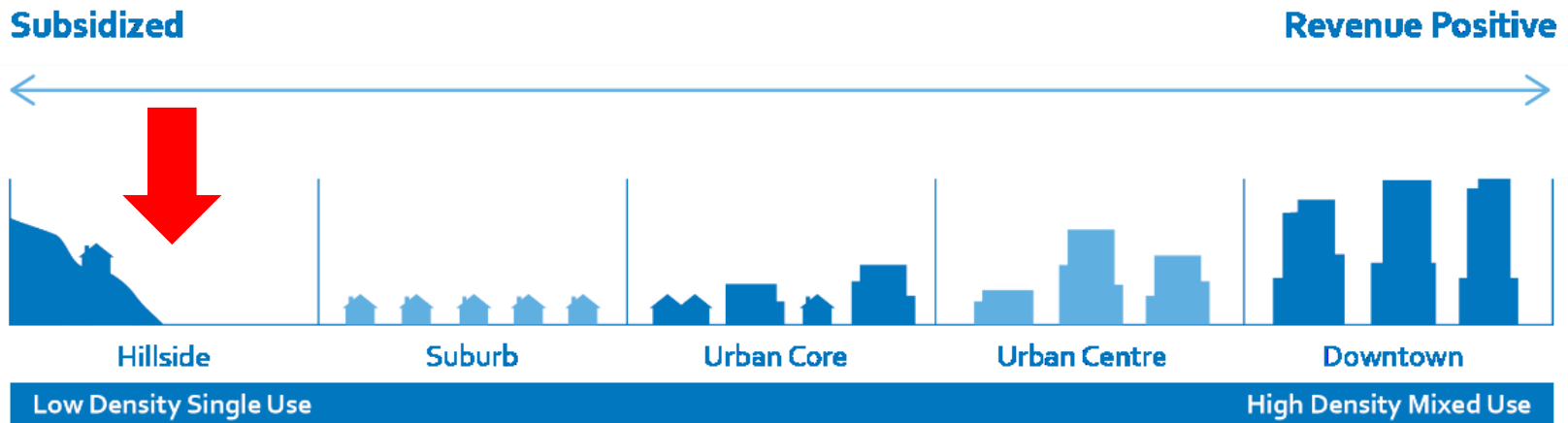
Infrastructure Costs

- ▶ Linking asset management and land use
- ▶ Shifting to long-term thinking



Infrastructure Costs

- ▶ Linking asset management and land use
- ▶ Shifting to long-term thinking
- ▶ ModelCity Infrastructure (MCI) analysis



Staff Recommendation

$$\text{Policy Analysis} + \text{Transportation Analysis} + \text{Financial Analysis} = \text{Non-Support}$$

- ▶ Staff recommend that Council NOT support the draft Thomson Flats ASP
 - ▶ At odds with broad array of City policy
 - ▶ Will make the transportation system more fragile and vulnerable
 - ▶ Contribute to worsening the infrastructure deficit
 - ▶ Opportunity cost



Conclusion of Staff Remarks



Thomson Flats ASP Report

July 2020 | WSP Project #16M-02075

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1 PART I - ADMINISTRATION

1.0 INTRODUCTION

The Thomson Flats Area Structure Plan (ASP) sets out a general land use and servicing framework to facilitate and guide land development within the ASP area. The development proposals within this site have been designed to be innovative and complement the sites surrounding natural assets and neighbouring land development. Further, land development within the area is to support and build upon the City of Kelowna's existing policy documents while creating a distinctive neighbourhood. The Thomson Flats ASP emphasizes its dedication to enhance and strengthen Kelowna's existing neighbourhoods, notably the South Okanagan Mission neighbourhood.

The development of this ASP is the result of extensive communication with the City of Kelowna and the community at-large since it was authorized by the City in 2014. The ASP policies strive to enhance the parent neighbourhood by building upon its multiple strengths and features while looking to the future with the development of an amenity-rich neighbourhood that is home to a diverse population.

The Thomson Flats site is a 631.43-acre (255.53 ha) property located near Kelowna's southeast municipal boundary, south of Jack Smith Lake. Thomson Flats is within Kelowna's permanent growth boundary, and the land is designated as Future Urban Reserve. The site is a collection of parcels owned by Melcor Lakeside Inc., Canadian Horizons Land Investment Corporation, and the Schwerdtfeger Family.

This Area Structure Plan (ASP) document has been divided into three separate parts, each of which provides specific content that supplements the document as a whole:

Part I: Administration – provides brief statements and descriptions about the Thomson Flats ASP, the ASP purpose, authority, preparation process, interpretation, timeframe, and ASP amendment process, with reference to City policy documents that inform the ASP, such as the 2030 Official Community Plan.

Part II: Background and Context – provides sufficient background history of the area and its conditions, past and existing development, connectivity of lands within the ASP area and as it relates to the surrounding areas, land ownership details, and site context, including, but not limited to environmental and geotechnical conditions, and infrastructure information.

Part III: Land Use, Transportation, and Servicing – provides information related to the future of the area and how development will progress, including: the area's vision, goals and objectives, land use, transportation, and servicing policy, parkland and open space facilities, population and unit projections, and implementation measures.

1.1. AREA STRUCTURE PLAN PURPOSE

The purpose of the Thomson Flats ASP is to provide a guiding policy document that assists land developers and the City of Kelowna in ensuring that the growth and development of the site progresses in a logical and integrated manner. The ASP will further ensure that development is set within the context of an adjacent neighborhood, as well as the broader community.

The limits of the Thomson Flats ASP boundary are illustrated within **Figure 1.1: Plan Area**, and fully described in Part II.

1.2. *PLAN AUTHORITY*

The Thomson Flats ASP is authorized by the City of Kelowna as a formal policy document, which was guided by the policies within the City's Growth Management Strategy, and the Official Community Plan (OCP).

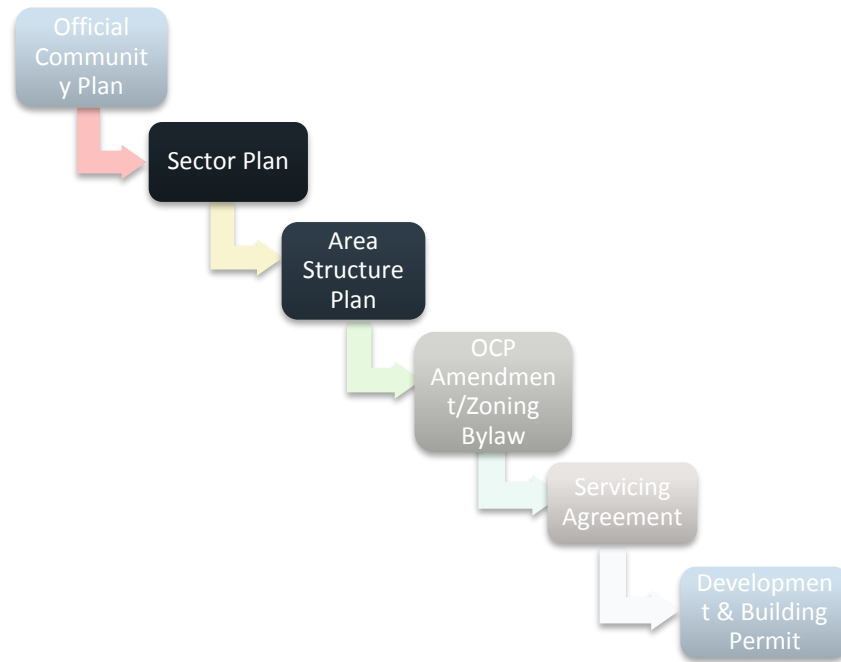
The City of Kelowna Growth Management Strategy and 2030 OCP provides a foundation for the development of policies established within the ASP. Using the direction provided by formal City policy documents as a foundational guide, the Thomson Flats ASP provides development principles and policy for land use, road and transportation, municipal servicing and utilities, parks and open space, and environment and ecology.

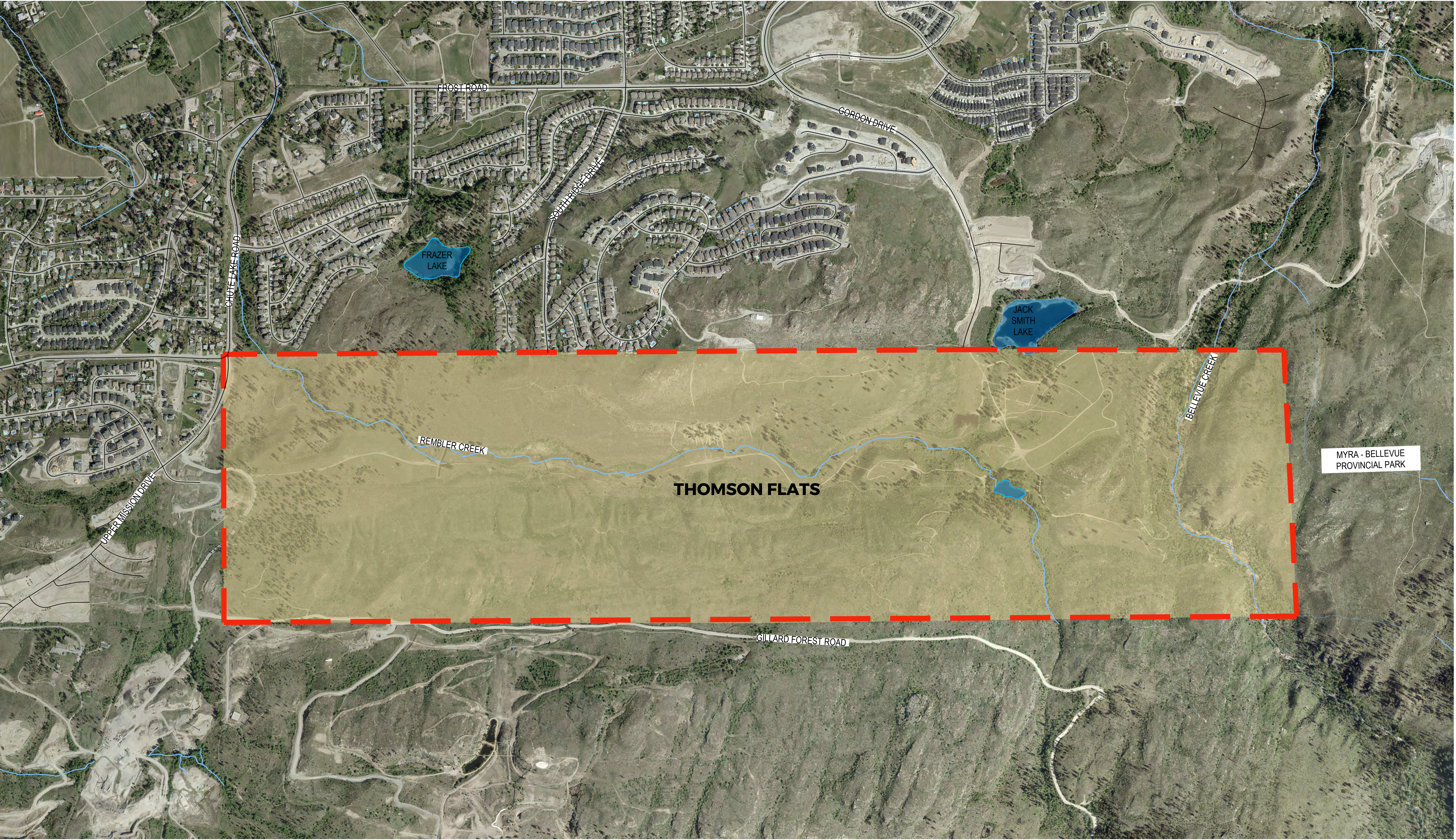
The policies within this ASP conform to, and seek to fulfill the objectives as outlined within the Kelowna 2030 OCP, which include;

- Develop sustainably,
- Focus development to designated growth areas,
- Ensure adherence to form and character, natural environment, hazardous condition, and conservation guidelines,
- Ensure appropriate and context-sensitive built form,
- Promote social wellbeing and quality of life by providing facilities that serve all community members,
- Achieve high quality urban design,
- Ensure opportunities are available for greater use of active transportation and transit to:
 - Improve community health,
 - Reduce greenhouse gas emissions, and
 - Increase resilience in the face of higher energy prices,
 - Provide parks for a diversity of people and a variety of uses,
 - Ensure environmentally sustainable development, and
 - Ensure efficient use of land.

1.3. *PLAN PREPARATION PROCESS*

The City of Kelowna has established a hierarchy of Community Plans. **Figure 1.11: Plan Process** illustrates how the ASP relates to other City Planning documents.





THOMSON FLATS

AREA STRUCTURE PLAN

LEGEND

PLAN AREA

EXISTING WATER BODY

0100m200m400m

N

FIGURE 1.1 | PLAN AREA

The Thomson Flats ASP provides an intermediate link between the OCP and specific development applications. More specifically, an ASP provides policy and a generalized development concepts for future development within specific areas of the city. An ASP must adhere to the spirit and intent of the OCP and include the primary development elements as it relates to the site.

1.3.1. COMMUNITY CONSULTATION

The Thomson Flats ASP was developed in consultation with a range of stakeholders, including various City of Kelowna departments and interested citizens from the Upper Mission and surrounding neighbourhoods. Two open houses were held during the ASP development process to seek input and comments from local area residents and the general public about the various elements of the ASP (i.e., land use, parks and open space, transportation, etc.) prior to final submission of the ASP to the City of Kelowna. The objectives of the open houses were to:

- Provide site background material to area residents and landowners,
- Seek input and comments from local area residents and landowners regarding the proposed ASP, prior to final submission,
- Collect completed comment forms from residents and landowners, and
- Answer any question residents and landowners may have regarding the proposed ASP.

Summary overviews of the open houses are included below, and **Section 2.12** summarizes the information gained through the community consultation process. Complete consultation information, the presented display materials, all the public feedback, raw data and analysis is included in **Appendix a – Public consultation summaries**

OPEN HOUSE #1

The first open house took place on June 28, 2017 at the Okanagan Mission Community Hall, from 4pm – 7pm. The format of the open house was an informal drop-in style with twenty 34" x 40" large-format visual information panels. The panels provided an overview of the project, background study results, and an estimated ASP timeline. Project staff and facilitators were present at the open house to provide information and field questions by attendees. Select City of Kelowna staff and members of Council also attended the open house. Attendance was estimated at one hundred individuals based on a formal sign in sheet, however about 15% of attendees chose not to sign in.

The open house panels included feedback boards that asked attendees for their community values, hopes and fears, and comments regarding site design and development considerations. Many residents expressed concerns about conserving greenspace and ecological habitats, as well as traffic volumes. Good connectivity with trails and paths, as well as safety for walkability were also significant concerns.

OPEN HOUSE #2

Melcor Developments Ltd. and Canadian Horizons hosted the second Thomson Flats Area Structure Plan Community Open House on Wednesday February 19, 2020. The event was held at the Manteo Resort located at 3762 Lakeshore Road from 4pm-7pm. Open house attendance was between 60 and 100 individuals, which is based upon a formal sign-in record. It should be recognized, however, that some participants chose not to forego formal sign-in as it was 100% voluntary.

The format of the open house was an informal 'drop-in' with the assistance of seventeen 34" x 40" large-format visual display panels. The display panels provided an overview of the project, background study results, and estimated timeline. The open house was represented by a total of eight individuals – five from WSP, one from Canadian Horizons, one from Melcor Developments Ltd., and one from Beckingham Environmental. Representatives spoke with open house participants and answered inquiries, with the purpose of providing clear project goals and objectives.

OPEN HOUSE #3 ONLINE COVID 19 PUBLIC ENGAGEMENT

Melcor Developments Ltd. and Canadian Horizons hosted the third Thomson Flats Area Structure Plan Community Open House online from May 25th, 2020 – June 19th, 2020. Given the events surrounding COVID-19 it was not possible to host an in-person event.

The format for the Online Open House consisted of providing online display panels, a Traffic Impact Assessment summary and a Frequently Asked Questions (FAQ) document to assist participants with common questions about the Area Structure Plan. Attendees were asked to complete an online survey to provide feedback on the overall ASP. The material was hosted on www.thomsonflats.ca and a project facilitator was assigned to answer emails and questions of attendees throughout the online engagement process.

1.4. INTERPRETATION

All mapping and figures within the Thomson Flats ASP, including boundaries, lot locations, and locations of any symbols or areas shown on a map or figure in the ASP, are approximate and conceptual only, and are not absolute and therefore should be interpreted as such.

Where a statement accompanies a policy or policies, it is provided for information purposes only to enhance the understanding of the policy. Should there be any inconsistency between general statements and the policies themselves, the policy shall take precedence. The purpose of the Plan is not to replace other City policy documents or bylaws, but to enhance and aid decision makers.

Where a policy requires submission of studies, analysis or information, the exact requirements and timing of the studies, analysis or information shall be determined at the rezoning, subdivision, or Development Application stages.

1.5. TIMEFRAME

The Thomson Flats ASP is future-oriented and depicts a proposed land use and transportation pattern for the area. No specific timeframe is applied to the Plan as the timing of development will be influenced by a number of contributing factors such as, but not limited to market changes and the supply and demand of housing. It is, however, anticipated that under the existing development conditions, full build out of the Thomson Flats Area could take between 15-35 years from the start of construction.

1.6. PLAN REVIEW AND REVISION

The text and illustrative figures within the Thomson Flats ASP are not intended to be static. Instead, their purpose is to help guide the future development of the area. While the Thomson Flats ASP describes and illustrates the best representation of how the development will process, designs are conceptual, and some modification and revision may occur as development progresses over time.

2 PART II - LOCAL CONTEXT AND BACKGROUND

The intent of Part II is to provide historical background and context to the Thomson Flats site. This section also provides information about surrounding neighbourhoods, site features, current infrastructure servicing conditions, and community open houses undertaken as part of the overall ASP process. This section forms the foundation for the established development concept and resulting guiding principles and land use policies within Part III.

2.0 AREA DESCRIPTION

2.1. LOCATION

The Thomson Flats ASP area is adjacent to Kelowna's Upper Mission neighbourhood. The ASP lands are generally bounded by the South Ridge area to the north, Jack Smith Lake and Bellevue Creek drainage area to the east, Lakeshore Drive/Upper Mission Drive to the west, and Gillard Forest Service Road/City of Kelowna municipal boundary to the south. The site's northern boundary consists of established urban residential, whereas the south is a rural resource area within the boundaries of the Central Okanagan Regional District. The ASP area encompasses a total of five parcels comprising an area of 255.53 ha (631.43 acres) within Kelowna's permanent growth boundary and is currently designated as Future Urban Reserve.

2.2. BACKGROUND

The Thomson Flats area has been identified as having potential for residential development as early as 1985 in Kelowna's OCP. In addition to the previous OCP, the existing Transportation Plan shows a future grid road connection between Chute Lake Road, Crawford and Stuart Roads.

In anticipation of the Mission Village Concept Plan (now Kettle Valley), the City of Kelowna completed the Southwest Mission Sector Plan. Following that, the OCP was amended to include Neighbourhoods 1, 2, and 3. The future densities for these areas was projected at approximately 6700 units, based on a gross density of 10 units/ha for lands with slopes under 20% and 7 units/ha for lands with 20-30% slopes. Neighbourhood 1 of this sector plan is fully built out.

In 1995 City Council authorized the preparation of an ASP for Neighbourhood 2 which was subsequently adopted into the Official Community Plan in 1999. This plan included 3 nodes, 2a, 2b and 2c, providing a total potential unit count of 1230 units. At present, Neighbourhood 2 is close to meeting its projected 20-year build-out. January 2004 saw Council authorization for the preparation of an Area Structure Plan for Neighborhood 3 with the subsequent adoption of the plan into the Official Community Plan in 2007.

On March 3, 2014, the City of Kelowna authorized the preparation of the Thompson Flats ASP for a maximum of 1,400 housing units over two phases, and work on preliminary studies began. The ASP submission proposed the development of up to 800 dwelling units in Areas 1 and 2 (Melcor and Canadian Horizons parcels – see Section 2.3 below) and approximately 600 additional units in Area 3 (Schwerdtfegger parcels) at a later time. These units were

proposed to consist mainly of single dwelling housing, with the potential for some compact cluster housing, and other uses including parks, open space, and possibly educational or commercial amenities.

The ASP for Thompson Flats presents an opportunity to build on the vision of the Southwest Mission Sector Plan and realize the target population density in the neighbourhood necessary to support desired commercial and community amenities that are currently not supported. The phased development of the Thomson Flats area will provide critical transportation connections for the entire Mission neighbourhood and assist in helping the neighbourhood achieve the population density required to attract commercial and other community amenities. Development will be phased in a northwest-to-southeast manner with a sequenced focus on delivering critical infrastructure and transportation connections.

2.3. LAND OWNERSHIP

Collectively, Melcor Lakeside Inc. (a subsidiary of Melcor Development Ltd.), Canadian Horizons Land Investment Corp, and the Schwerdtfegger Family own the lands comprising the Thomson Flats ASP area.

Table 2.1: Land Ownership, provides the legal and civic address for each of the five parcels corresponding to each of the three landowners and ASP planning areas. Error! Reference source not found. visually identifies the lands held by each of the landowners and the corresponding planning areas.

Table 2.1: Land Ownership

LANDOWNER	LEGAL ADDRESS	CIVIC ADDRESS	AREA (HA)	ASP AREA
Melcor Lakeside Inc.	SE¼, Sec. 24, Twp 28	5265 Upper Mission Dr.	62.90	1
0844053 BC Ltd.	W½ of SW¼, Sec. 19, Twp 29	5300 South Ridge Dr.	32.37	2
0844053 BC Ltd.	E½ of SE¼, Sec. 19, Twp 29	(S of) Kuipers Cres.	32.37	2
Horst Immanuel Schwerdtfegger Ulrike Hannelor Schwerdtfegger	Lot 1, Plan 28237	(S of) Hewetson Ave.	40.47	3
Horst Immanuel Schwerdtfegger Ulrike Hannelor Schwerdtfegger	Lot 2, Plan 28237	(S of) Redstem St.	87.41	3

2.3.1. MELCOR DEVELOPMENT LTD.

Melcor Development Ltd. (Melcor) is a family real estate business that spans four generations. They are a diversified real estate development and asset management company that transforms real estate from raw land through to high-quality finished product in both residential and commercial built form.

As a fully integrated real estate development and asset management company, Melcor has helped to shape much of Alberta's high-growth areas and also has developments spanning western Canada, Colorado and Arizona, including locally Kelowna's Blue Sky at Black Mountain and North Clifton Estates.

Melcor is a participating ASP landowner.

2.3.2. CANADIAN HORIZONS LAND INVESTMENT CORP.

Canadian Horizons Land Investment Corp. (Canadian Horizons) was formed in 2006 following several very successful land development partnerships and joint ventures amongst its founding members.

Based in Vancouver, CHLIC's multi-disciplinary team of professionals form an innovative approach to real estate development. CHLIC's extensive experience allows for residential, commercial, mixed-use, and industrial development ranging in size and complexity. A commitment to excellence allows CHLIC to continually deliver the highest quality developments with a specialization in medium to large scale master planned communities. CHLIC has major holdings throughout the Lower Mainland, Okanagan Valley, and southern Vancouver Island.

Canadian Horizons Land Investment Corp. is a participating ASP landowner.

2.3.3. SCHWERDTFEGGER FAMILY

The Schwerdtfeggers are US-based residents who have land holdings throughout North America. The Schwerdtfeggers are a non-participating ASP landowner, but have granted consent to the ASP process

2.4. SURROUNDING LAND USE

The Thomson Flats ASP area is located between the City of Kelowna and Regional District of Central Okanagan (RDCO) municipal boundaries. Surrounding land use (**see Figure 2.2: Existing Land Use**) is described as follows:

NORTH

Immediately north of the site is the South Ridge urban residential neighbourhood. While predominantly suburban-style development, the overall residential neighbourhood includes light commercial land uses (i.e. grocery stores, personal service establishments, restaurants, etc.), formal park space, passive open space areas, and institutional uses, such as schools and churches.

EAST

The east boundary of the ASP is Myra-Bellevue Provincial Park and Day Use Area. This day-use area is used by picnickers and hikers but is more notably known as a mountain bike haven. It has a myriad of single and double-track trails that are used by thousands of hikers and mountain bikers each year.

SOUTH

Sharing a border with the south of the area is the RDCO's Gillard Forest Service Road. As the name suggest, it is a forest service road that extends south into the regional district. Despite this, Kelowna Mountain is also accessed off Gillard Forest Service Road. Kelowna Mountain can be seen from many points within the ASP area.

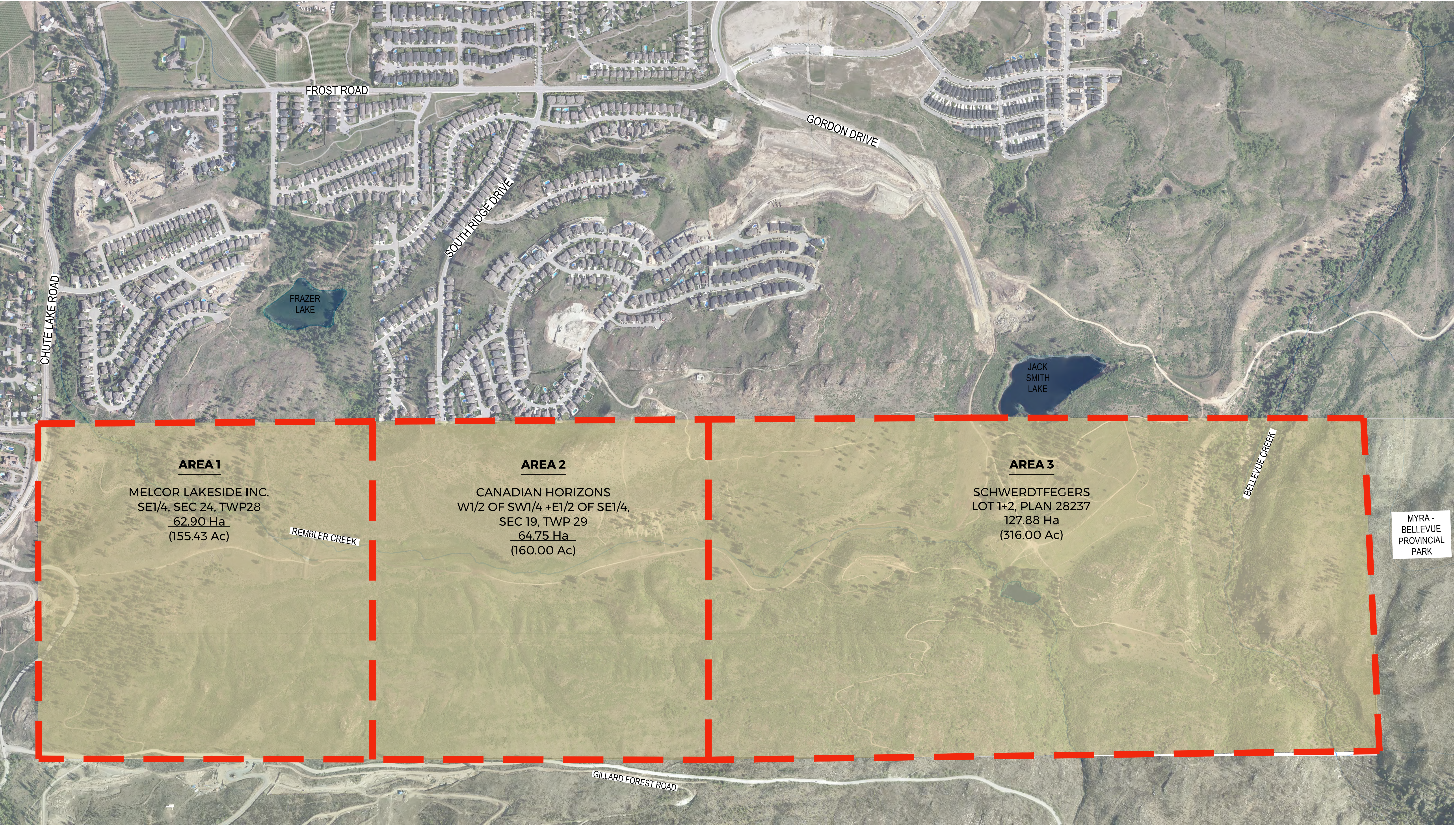
WEST

The western-most boundary of the ASP area is bordered by Chute Lake Road / Upper Mission Drive. This area is an extension of the Village of Kettle Valley and is home to hundreds of urban residential homes.

2.5. SITE DESCRIPTION

The Thomson Flats site itself has various slopes, forming a valley bottom across the property. The area was devastated by the 2003 Okanagan Mountain Park fire which changed the site's environmental characteristics significantly. Many areas of the site have yet to recover from the fire, which has led to increased use by non-authorized users, both motorized and on foot.

The surrounding existing neighbourhoods all rely on municipal water, sanitary sewer, and storm servicing systems. Access to the Thomson Flats site is obtained from Upper Mission Drive at the west boundary, and South Ridge Drive at the north boundary. Future connections from Gordon Drive and South Perimeter Road will be provided in the future with development of this ASP.

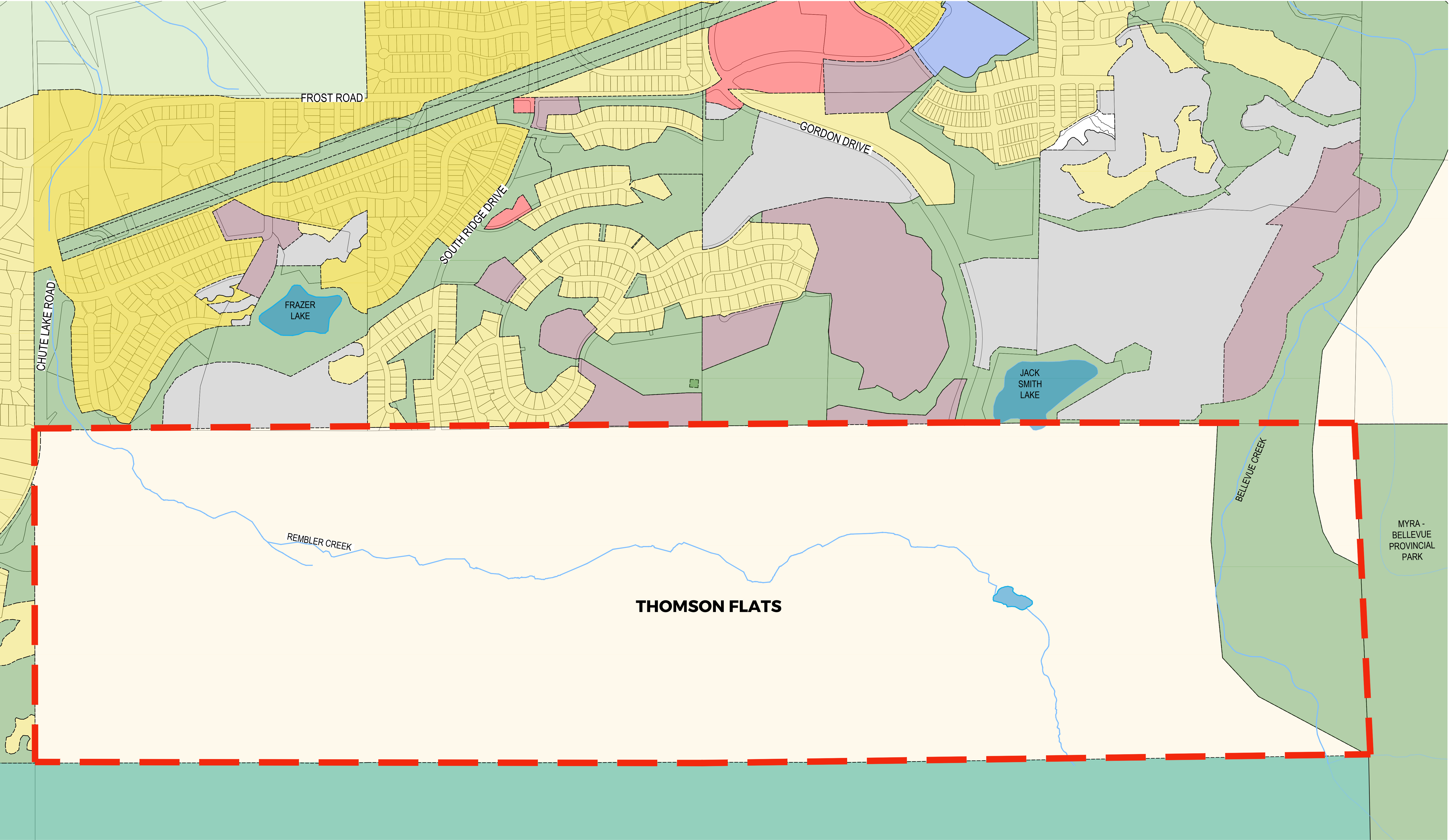


THOMSON FLATS

AREA STRUCTURE PLAN

LEGEND
— — — — — PLAN AREA

FIGURE 2.1 | LAND OWNERSHIP



THOMSON FLATS

AREA STRUCTURE PLAN

LEGEND
PLAN AREA

- | | | |
|-----------------------------|-------------------------|----------------------------|
| RURAL (RDCO) | EDUCATION/INSTITUTIONAL | INSTITUTIONAL AND ASSEMBLY |
| MAJOR PARK AND OPEN SPACE | FUTURE URBAN RESERVE | RESOURCE PROTECTION AREA |
| SINGLE/TWO UNIT RESIDENTIAL | AGRICULTURAL | |
| MULTIPLE UNIT RESIDENTIAL | COMMERCIAL | |



FIGURE 2.2 | EXISTING LAND USE

2.6. GEOTECHNICAL CONSIDERATIONS

WSP conducted a reconnaissance of Thomson Flats to identify geotechnical conditions and hazards, as well as hydrogeological features that may indicate potential hydrogeologically sensitive areas (HSAs). The site reconnaissance was conducted in May 2016 and a second site reconnaissance was conducted by geotechnical personnel and project team members in June 2016. The full report can be found in **Appendix B – Geotechnical Report**

The reconnaissance focused on three key aspects: geotechnical hazards, geotechnical conditions, and HSAs. Specifically, the review was intended to identify evidence or indications of potential:

- Geotechnical surface conditions,
- Geotechnical hazards, and
- Hydrogeologically significant areas.

Pertinent features observed during the reconnaissance were documented with photographs, and the GPS coordinates of such features were identified with handheld equipment. HSAs and typical slope angles and distances were measured with handheld equipment to confirm the available mapping and survey information. The subsurface soil and groundwater conditions at the site were assessed by excavating a series of test pits using a tracked excavator equipped with a toothed digging bucket. A total of 49 test pits (TPs) were advanced to depths ranging from 1.9 to 5.0 m below existing surface grades. The locations of the TPs and the ground surface elevation at the TPs was determined in the field using handheld GPS equipment.

2.6.1. GEOTECHNICAL HAZARDS AND ACCEPTABILITY OF DEVELOPMENT

Development of the site is not anticipated to have a negative impact or reduce the overall stability of the site or surrounding areas, provided the recommendations in this report are followed. It is the geotechnical engineer's opinion that there will not be significant new or increased risks of landslide, debris flows, snow avalanche or other geotechnical hazards as a result of development of the site, and that rock fall hazards from permanent rock cuts (if required for site grading purposes) can be avoided by use of appropriate cut inclinations, suitable offsets of buildings from the top and toe of rock cuts, or other mitigative measures.

It is the geotechnical engineer's opinion that the site is considered safe for the use intended (development of on-site roads, utilities, and homes) provided the recommendations provided in the geotechnical report are followed. We define "safe" based on the levels of safety adopted by the City of Kelowna, including a 10 percent probability of failure occurring in a 50 year period (i.e. 1 in 475 year event) for damaging events and a 2 percent probability of failure occurring in a 50 year period (1 in 2,475) when considering seismic events.

The Thomson Flats ASP area is not anticipated to have a negative impact or reduce the overall stability of the site or surrounding areas, provided the adherence to the recommendations of the Geotechnical Engineering and Hydrogeological Assessment.

2.6.2. SUBSURFACE CONDITIONS

The site is lightly vegetated with wild grasses, trees, and brush. Bedrock is exposed on the south and north portions of the site at various locations. Granular soils are evident on the ground surface throughout the site. Soils are typically loose to a depth of 1 m below grade. Generally, the following was observed throughout the site at various locations following the test pit excavation:

- Boulders ranging from approximately 300 mm to 2.7 m in size were evident,
- Silty sands,

- Compact/stiff silty sand to sandy silt,
- Granular soils, and
- Bedrock.

2.7. TERRESTRIAL & HYDROGEOLOGICAL CONDITIONS

The Thomson Flats ASP area is generally comprised of two valleys; the first of which is a deeply incised gully of Bellevue Creek bisecting the eastern area in a south to north direction. The east portion of the ASP area presents variable topography with steep slopes toward Bellevue Creek. The second valley can be defined by Rembler Creek flowing east to west in a broader valley across most of the ASP area, resulting in sloping topography to the north and south.

The north portion of the site has benched slopes with localized slopes as steep as 2H:1V. The south portion of the ASP area has ground surface slopes moderately steeply upward towards Gillard Forest Service Road. Slopes in this area vary from approximately 2H:1V to 4H:1V, with various localized steeper areas. Through the mid-portion of the ASP area a drainage course runs in a general east to west direction.

An initial desktop assessment followed by site reconnaissance was undertaken as part of the hydrogeological assessment. The historical documents regarding hydrogeology in the area included published geographical, topographical, and soil mapping, detailed well records and aquifer mapping, two groundwater protection plans completed by Golder Associates, and a regional groundwater flow model completed by Simon Fraser University.

The hydrogeology report prepared by Western Water includes an outline of previous investigations completed for the Thomson Flats area, a detailed site description, an overview of their field program, and a hydrogeologic impact assessment. The full report can be found in **Appendix G – Hydrogeology Report**.

The hydrogeological assessment resulted in the identification of two main hydrogeologically sensitive areas:

1. The southern hillside portion of the site south of Rembler Creek; and
2. The Rembler Creek Valley bottom between the flood control berm and Jack Smith Lake

During the site reconnaissance in May 2016, four slotted PVC standpipe piezometers were installed to depths ranging from 1.5 to 4.2m for monitoring the depth of ground water. In June 2016, groundwater depth ranged from at the surface to a depth of 3.39m.

Based on their assessment Western Water provides the following recommendations with respect to hydrogeology:

- Investigate who is responsible for maintaining culverts and drainage along the Gillard FSR. Advocate to have the damaged and poorly maintained culverts along the FSR addressed. Runoff from the hillside south of Thomson Flats is beyond the control of the developer, but ensuring that drainage infrastructure routing water onto Thomson Flats is well maintained and predictable will help with development.
- It can be expected that springs, shallow groundwater and surface runoff in the several gullies/ravines present on the southern hillside will occur each year in the spring. These gullies should be left in place as much as possible during the development to allow natural drainage patterns to continue. These features could also potentially be used to route storm water originating from hillside development to lower elevations for

management. Any road crossings of these features must consider seasonally resented water and drainage.

- Thick sand and gravel deposits in Rembler Creek valley bottom make the valley bottom area an attractive location in for larger scale storm detention and infiltration facilities. Such a facility may best be located in the central part of the site south of Kuiper Creek. Other locations are also feasible, but the closer these facilities are to Frazer Lake, the quicker groundwater will report to Frazer Lake and potentially result in increased interception of groundwater in storm water infrastructure in the Southridge development and which could be detrimental. We understand that the City of Kelowna is looking into decommissioning the dam on Fraser Lake. This would likely result in a lowering of the groundwater table in the area, reduced issues with groundwater interception by storm water infrastructure in the Southridge development and generally be positive in terms of in-ground storm water management options in the area.

We recommend working with the ecological consultant on the project when planning and siting larger scale storm detention facilities adjacent to Rembler Creek, as there may be opportunities for habitat development/enhancement.

- Much of the area north of the Rembler Creek valley bottom appears suitable for in-ground storm infiltration. Drywells and perforated piping appear feasible in this area. Dispersed storm infiltration as opposed to centralized infiltration would be preferred in this area.
- Background information reviewing for this assessment indicates that Jack Smith Lake serves as a source of recharge to springs and sloughs in the Ponds development. There is potential for storm water infiltration south of the lake, and as long as it is not excessive, should not result in significant impact to downslope development. If centralized storm water infiltration is planned for this area or storm water will be directly discharged to the lake, volume calculations should be made to determine how much the level of the lake may increase as a result. This can be compared to cross-sections developed in the 2006 Golder Associates report to better determine the potential for down gradient impacts.

In addition, the current use of Jack Smith Lake for water storage should be confirmed. Based on online information, all water licences on Jack Smith Lake have apparently been abandoned or cancelled. The main implication of this is that if the lake were to be filled periodically, it could result in an elevated groundwater table in proximity to the lake and reduce the potential for storm water infiltration near the lake.

- We expect that storm runoff from extreme precipitation events will likely have to be routed to Rembler creek which is the natural drainage outlet for the area. Hydrometric data from two hydrometric stations installed on Rembler creek will likely prove useful in this regard, along with information contained in the South Mission Drainage Plan (RSB Engineering 2011).

There are no hydrogeologically sensitive areas within the Thomson Flats ASP area, however seepage may occur from the man-made pond located on Kelowna Mountain. The west area of the site and the man-made pond are roughly aligned with each other along a regional jointing pattern, and the migration of water along the jointing could be contributing to this area.

2.8. LANDSCAPE + VISUALLY SIGNIFICANT FEATURES

The ASP area encompasses a diverse range of topography ranging from flat gentle grasslands, to prominent rocky outcrops and steep slopes. The site is subject to a spectrum of slope gradients from 0% to 30%+ (see **Figure 2.3**). As such, the site topography includes

natural features such as steep hillside, outcrops, kettles, and localized benches. The numerous benches within the site offer sweeping view corridors enabling excellent development potential. The various naturally occurring features of the Thomson Flats ASP area will be celebrated and incorporated into the overall planning and design. Although the site encompasses various landscape features boasting stunning views, the ASP area is very unique in that it will not contribute as a visual impact to existing and adjacent neighbourhoods.

A brief description of existing landscape, significant site features, and visually significant features follows and is visually illustrated on **Figure 2.4**.

LOCALIZED BENCHES

Several localized benches are present within the Thomson Flats ASP area. Many of the benches have been targeted as the most feasible areas for land development, including associated roads and infrastructure, residential homes, parks, and open space.

MATURE TREES AND GRASSLANDS

As identified within the Environmental Assessment, the area consists of large grassland areas and sparsely treed areas. Trees offer an array of benefits to neighbourhoods and existing ecosystems. Similarly, grasslands also provide ecosystems and climate change mitigation benefits. Of particular note, some grassland species have been identified as environmentally significant, within the Environmental Assessment. Recognizing that grasslands contribute to the economic and environmental character of the area, those areas within the ASP boundary will be preserved where possible.

KETTLES

The valley bottoms at several points throughout the ASP area are punctuated by depression features known as 'kettles'. Kettles are remnant glacial ice left during retreat as sediments built up only to leave depressions on the landscape once melted. These features are found to be common in this area.

OUTCROPS

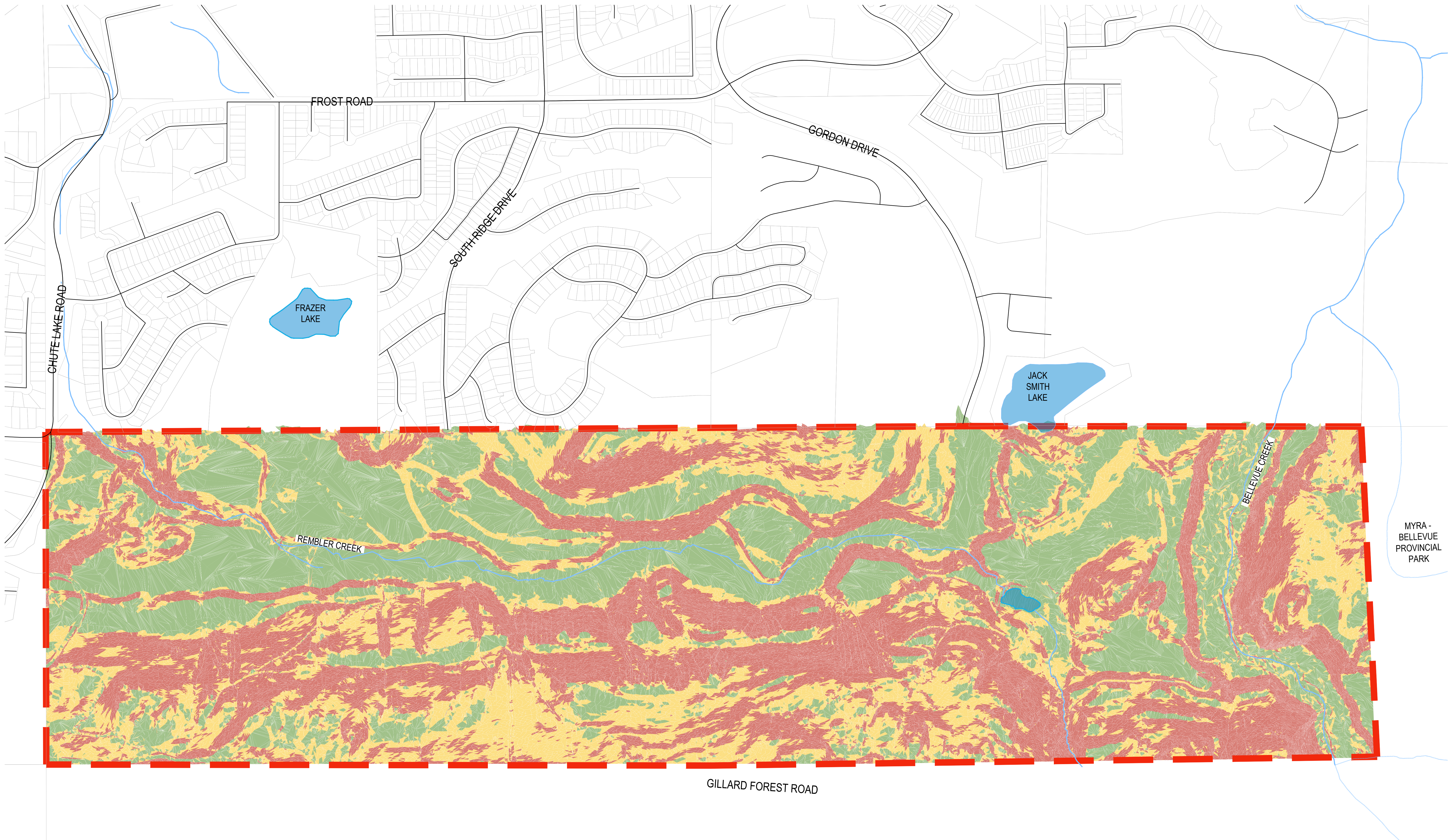
While not immediately evident, rock outcroppings are present within the Thomson Flats ASP area. Rock outcrops are considered to be specialized habitats where vegetation cover can be sparse and usually interspersed within bedrock or blocks of rock. Many species use the steep slopes, cracks, pockets of soil vegetation as shelter. Given the importance of the rock outcrops, these areas will likely be preserved and in some cases, protected as passive open space and natural areas.

WATER FEATURES

A water feature, or watercourse, can be defined as a channel that a flowing body of water follows. Although the scope and role of water features is diverse and specific to its location and eco-scape, the function is based on several contributing factors. However, two broad perspectives can be distinguished: 1) aquatic interaction; and 2) landscape-ecological interaction. There are five water features within the Thomson Flats ASP area.

VIEW ANALYSIS

The Thomson Flats ASP area is composed of varying degrees of hillside areas ranging from gentle to steep. These ranges create an array of viewpoints, vistas, and corridors throughout the entire site. These areas will be ideal sites for future development and open space. While residential development upon localized benches presents opportunities for sweeping views from the property, the site is unique in that its visual impact on adjacent neighbourhoods will be negligible due to its “bowl shape” configuration.



THOMSON FLATS

AREA STRUCTURE PLAN

LEGEND

— PLAN AREA

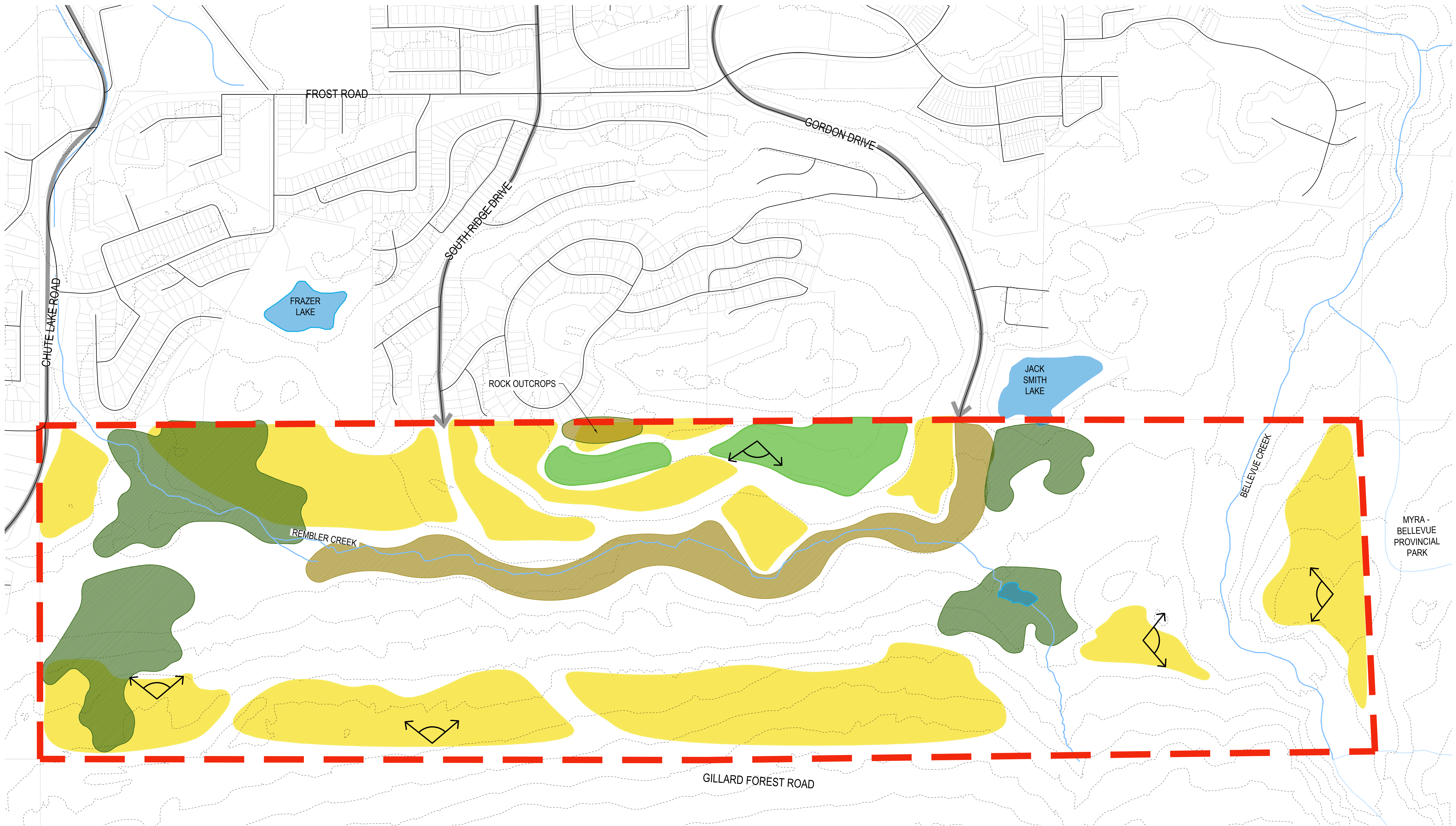
0% - 15% SLOPE
15% - 30% SLOPE

<30% SLOPE

0 75m 150m 300m



FIGURE 2.3 | SLOPE ANALYSIS



THOMSON FLATS

AREA STRUCTURE PLAN

LEGEND

- PLAN AREA
- GRASSLAND

- VALLEY BOTTOM
- MATURE TREE STANDS

- LOCALIZED BENCH
- VIEW CORRIDOR



FIGURE 2.4 | EXISTING SITE FEATURES

2.9. ENVIRONMENTAL ASSESSMENT

Beckingham Environmental Ltd. was retained in Spring 2016 to complete an environmental inventory and provide direction toward potential suitable development areas located within the Thomson Flats ASP. The purpose of the Environmental Assessment is to provide a complete environmental inventory, impact assessment and strategies with other disciplines to guide proposed development in a responsive environmental manner.

The foundational framework for the environmental guidelines of the Environmental Assessment are embodied in the current City of Kelowna OCP and outlined within the Terms-of-Reference provided by City of Kelowna. Additional supporting legislative frameworks are also based on senior government requirements such as the Species at Risk Act (SARA), Fisheries Act, and Migratory Bird Act (Federal) and the Wildlife Act and Water Sustainability Act (Provincial).

The environmental reporting was prepared in consultation with the developer and communications with City of Kelowna and Province of British Columbia Ministry of Forests, Lands and Natural Resource Operations. Ecosystem mapping was undertaken in 2000 as part of the South Slopes Terrestrial Ecosystem Mapping (TEM) by the Regional District of Central Okanagan. This same mapping was later updated in 2007 as part of the City of Kelowna TEM project to describe baseline ecological conditions, which also included Sensitive Ecosystem Inventory (SEI) categories and Conservation Strategies. This mapping was completed at a 1:20,000 scale. A primary difference between the 2000 and 2007 mapping is that the 2007 mapping was based entirely in the 1999 terrain base, and no changes to the delineated polygons were noted. Both map products were designated as Okanagan hot-dry Interior Douglas-fir variant (IDFxh1) and ecosystems were mapped - classed accordingly to this classification. The ecosystem changed in 2007 to include a larger number of ecological units not readily accounted for in 1999 and provided a broader description of the landscape. The structural stages used in 1999 changed significantly due to the 2003 fire for much of the forested landscape that was accounted for in 2007.

The Thomson Flats ASP area parcels have been modified over the years by various degrees of farming, logging and more recently by fire and the encroachment of urban settings directly adjacent to its boundaries. The private properties comprising the Thomson Flats ASP area are used extensively by many residents for motorized and non-motorized recreational purposes (as observed through various field visits) and have contributed to significant habitat impacts and losses.

In 2009, the Okanagan Collaborative Conservation Program undertook Conservation Analysis for the Central Okanagan, including the City of Kelowna. This analysis took into account the smaller scale TEM and SEI inventories completed to develop the groundwork for habitat prioritization and protection. Using a step-wise process, the analysis results produced Sensitive Ecosystem Rankings and Conservation zones reflecting “Core Conservation Areas”; “Buffers”; and “Wildlife Corridors”. Bellevue Creek was identified as a primary core conservation area, while the upper and lower segments of Rembler Creek were identified as “other”, signifying several ecological values within. This was equally similar for both Jack Smith Lake and Frazer Lake areas. The majority of the Thomson Flats ASP area was ranked as “not applicable” in the larger regional context in this analysis. This broad view conservation analysis provides a template for the several objectives outlined for Phase Two when the Thomson Flats base information is overlaid and should form the backbone of natural areas within the Thomson Flats ASP area with Myra-Bellevue Provincial Park directly to the east.

From 2003 until present, several notable changes occurred in the Thomson Flats ASP area. The lack of trees due to forest fires led to habitat changes across the entire ASP area and surrounding areas. In addition, the construction of the 2003 Debris Fire Berm formed a wetland behind on Rembler Creek. Finally, urban development approached the borders of the

ASP area from the west and north. This use by residents has degraded the recovery via natural process post-fire and natural features throughout the ASP area, including Rembler Creek.

Rembler Creek has been significantly impacted and continues to be impacted by residents. An objective of the Thomson Flats ASP is to restore Rembler Creek as part of the neighbourhood planning process. Doing so will provide a basic level of protection to the creek that is currently missing. Basic principles to be applied include a return stream to a channel and to create riparian habitat with connectivity from the Bellevue Creek corridor towards Okanagan Lake.



2.9.1. WILDLIFE

A wildlife survey and analysis was undertaken as a segment of the Environmental Assessment. Mark Piorecky, R.P.Bio, of Valhalla Environmental Consulting Ltd, was subcontracted to complete the wildlife surveys and analysis in conjunction with John Grods R.P.Bio.

The Thomson Flats Wildlife Assessment was conducted in 2016 and included the following scope:

- Key habitat feature inventory;
- Bat survey;
- Nocturnal owl survey;

- Pond breeding amphibian and painted turtle inventory; and
- Breeding bird survey.

Many habitat features important to wildlife occur at spatial scales that are often too small to map as distinct polygons. Typical Key Habitat Features include: sticknests, cavity trees, stand veteran trees, snags, mineral licks, small rock outcrops, cliffs, caves and/or hibernacula.

The Key Habitat Features were recorded on all site visits. This includes the location of an active red-tailed hawk sticknest and the general location of an active Coopers hawk sticknest. Cavity trees were reasonably abundant in all remaining forest stands and present as standing snags in many of the burnt over areas. The cavity and snag findings are reflected in the Wildlife ESA values. Due to the fine scale habitat mapping conducted, rock outcrops and cliffs were mapped as independent habitat polygons. No mineral licks, caves or hibernacula were identified.

During the identified site visits and surveys, a total of eight federally or provincially listed wildlife species were observed within the Thomson Flats ASP area. Barn swallows were observed on several occasions foraging over the Rembler Creek ephemeral wetlands. The common nighthawk was heard incidentally in an early morning site visit. All listed bats were recorded in either the Jack Smith lake area and adjacent offsite cliffs (to the west), Bellevue Creek area and cliffs, or associated disturbed grasslands between the two.

A western yellow-bellied racer was observed at two locations adjacent to the largest Rembler Creek ephemeral wetland. This species is generally associated with open grassland, shrubby thickets and associated wetlands. No suitable hibernacula sites were observed within the study area.

A more detailed discussion and overview of the wildlife discussion, including observed listed species, can be found within the Thomson Flats Area Structure Plan Environmental Assessment, located within **Appendix C1 – Environmental Assessment – Phase 1**

2.9.2. WATER COURSES AND FEATURES

The City of Kelowna Natural Environment Guidelines (2013) requires protection of fish habitat that includes the riparian areas adjacent to aquatic features. The Riparian Management Areas (RMAs) are measured perpendicular from the defined top-of-bank, or in poorly defined situations the natural boundary. However, the City of Kelowna OCP defines setbacks for all aquatic systems in the City of Kelowna. Two creeks exist in the Thomson Flats ASP area, including Bellevue Creek and Rembler Creek.

The City of Kelowna guidelines for RMAs support provincial and federal regulations in protection of fish and fish habitat. The City of Kelowna's OCP guidelines for RMA setbacks are well-defined and summarized within **Table 2.2: Water Course + Feature Setbacks**.

Table 2.2: Water Course + Feature Setbacks

WATER COURSE + FEATURE SETBACKS	MINIMUM SETBACK (M)
Bellevue Creek	15
Rembler Creek	15
Jack Smith Lake	30
Ephemeral streams, drainages and springs	15
Wetlands	15

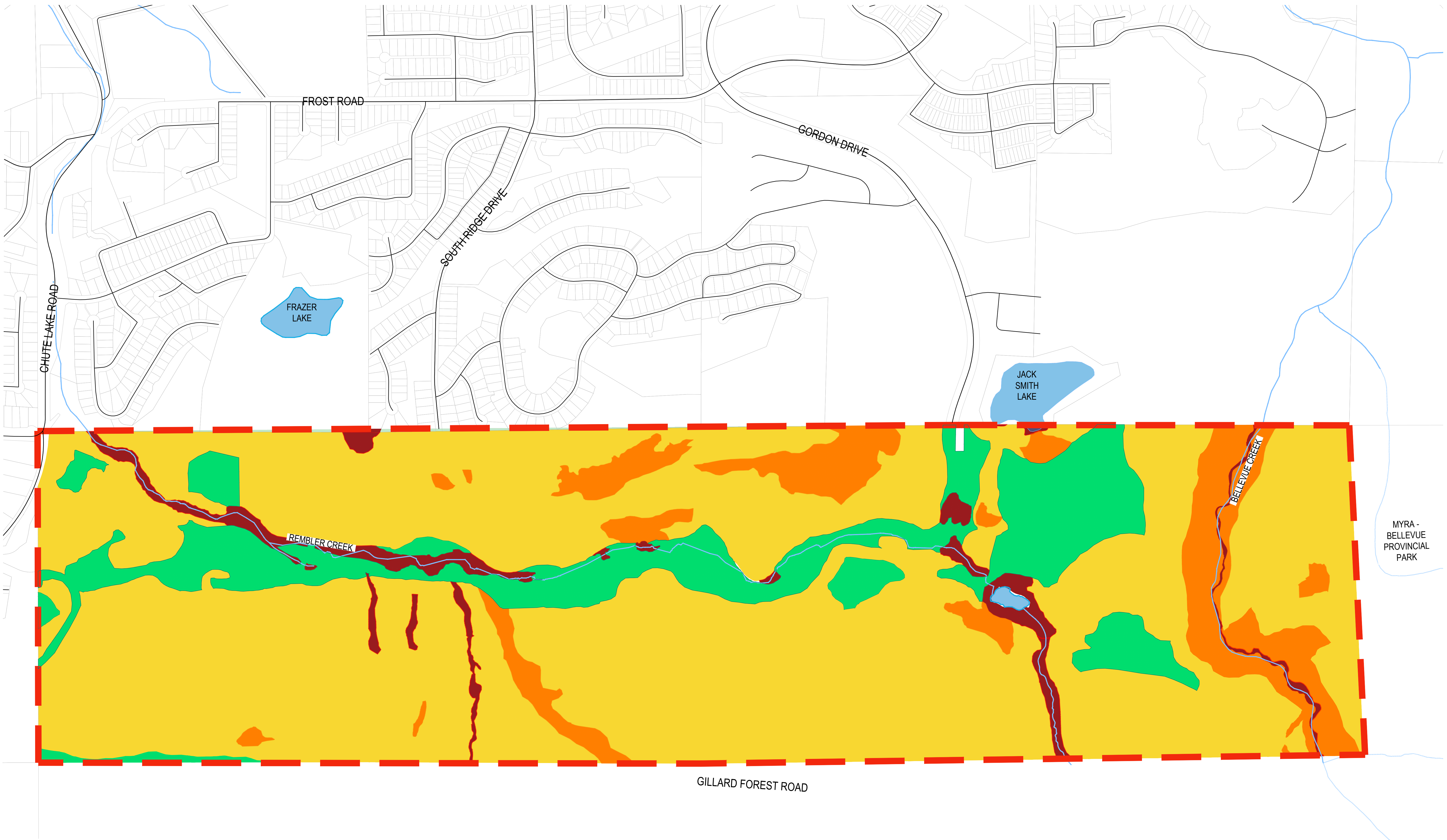
2.9.3. ENVIRONMENTALLY SIGNIFICANT AREAS

Beckingham Environmental employed the system that was adopted, in part, by RDCO as well as other systems, which differ slightly from the outline listed in the Terms of Reference in that our rankings amalgamates the “VERY-HIGH” and “HIGH” classes into one “HIGH” ranking. It is the opinion of Beckingham Environmental that both rankings are important and critical to maintain in ecological function and integrity and should be considered as one.

The system employed follows the ESA system used locally in the McKinley Landing ASP (2004) and North Clifton ASP (2013). Under this system, ESA-4 ranks as “NIL” habitat, as a nil or little to no value ranking has been left out of most other ESA systems employed. Per

Figure 2.5: Environmentally Sensitive Areas, the following is the basis ranking for Thomson Flats ESA's:

- ESA-1: High (and Very High)
- ESA-2: Moderate
- ESA-3: Low
- ESA-4: Little or No Value (i.e. Urban Area or Chute Lake FSR)



THOMSON FLATS

AREA STRUCTURE PLAN

LEGEND

PLAN AREA

ESA - 1

ESA - 2

ESA - 3

ESA - 4



FIGURE 2.5 | ENVIRONMENTALLY SIGNIFICANT AREAS

2.10. HISTORICAL | CULTURAL | ARCHAEOLOGICAL

The Thomson Flats ASP area is an undeveloped greenfield area. With the exception of an old farm house and orchard in the early 1900s, no previous development has occurred on the lands as it was always used for agricultural purposes. To date, there are no known historical, cultural, or archaeological sites within the ASP boundary. However, this does not preclude potential for new information with construction and development of the site, and future developers must understand the possibility for new discoveries as development progresses.

Upon commencement of physical earthworks and land development, future developers must work with contractors to protect any new finds of archaeological remains that are found during site excavation, servicing, and development.

2.11. INFRASTRUCTURE

The following sections provide a brief summary of the existing conditions for water, sanitary sewer, and storm water servicing. The existing water, sanitary sewer, and storm water services in the areas surrounding Thomson Flats (i.e., The Ponds and Kettle Valley) are relatively new and were designed with the expectation that the Thomson Flats area will ultimately be developed. Because of this, prior to completing the servicing analysis for the Thomson Flats area, it was expected that the surrounding and downstream infrastructure would either have available capacity for this development or, where necessary, have been designed with expansion in mind.

Our studies for site servicing have returned good results and clearly demonstrate, as expected, that infrastructure servicing methods are feasible with connections to the existing City systems; see the Thomson Flats Servicing Brief, completed by WSP, included in **Appendix F- Servicing Brief** for more information. Proposed servicing strategies are discussed in Section 4.9.

2.11.1. EXISTING POTABLE WATER SUPPLY

North of Thomson Flats, the current water model and pipe sizes are illustrated in Figure 1.0 of the WSP Servicing Brief Report (see **Appendix F- Servicing Brief**). The existing system is separated into eight pressure zones and is supplied from Okanagan Lake through the Cedar Creek Water Supply System. The model of the existing system includes the following major components:

- Cedar Creek Pump Station
- KVR Pump Station
- Stellar Pump Station
- South Ridge Pump Station
- Stellar Reservoir
- KVR Reservoir
- Gillard Reservoir
- Frost Reservoir
- South Crest Reservoir

The existing 2015 pipe network with its current 2015 peak hour demand (PHD) can be seen in Figure 2.2 (in Appendix F). These conditions cause a few nodes to fail the minimum pressure criterion by a small margin at dead ends and on the intake side of two pump stations. The current pipe velocities satisfy the maximum pipe velocity criterion.

When the existing network runs using the projected 2030 Peak Hour Demand (PHD), a few additional nodes around the Northeast side fall below the minimum pressure criterion as seen in Figure 2.3. Along South Ridge Drive, one pipe's velocity rises above the maximum design criterion.

The fire flow model of the existing system at Maximum Day Demand (MDD) illustrated in Figure 2.4 (of the WSP Servicing Brief Report) shows that the current system delivers adequate residual pressure to most of the hydrants in the system except at a few dead-end nodes. Figure 2.5 (of the WSP Servicing Brief Report) shows the current system with the projected 2030 (maximum day demand) MDD fire flow demands. No additional nodes fall below the minimum residual pressure and available flow decreases slightly across the system as expected.

These findings indicate that the existing potable water system is conceptually able to provide service to the Thomson Flats area, with existing issues being easily accommodatable by providing pipe upgrades (seen in Figure 1.4. of the WSP Servicing Brief Report); these improvements should be implemented by the City independently of any future development of the Thomson Flats area.

2.11.2. EXISTING SANITARY SEWER COLLECTION

The model of the existing system consists of a large gravity main along Lakeshore Rd, and a secondary main along Gordon Drive that ultimately collects at the Gyro Lift Station, which directs flows to the Kelowna Wastewater Treatment Facility.

The current 2015 network with 2015 demands is seen in Figure 2.1 (of the WSP Servicing Brief Report) while Figure 2.2 (of the WSP Servicing Brief Report) shows similar results for the existing network with projected 2030 demands.

The remainder of the existing sanitary system maintains acceptable d/D values under both the 2015 and 2030 demand scenarios, with the exception of the segment of the Lakeshore Trunk Main between the Bluebird and Gyro Lift Stations. It has been previously identified that these pipe capacity/backwater issues are due to lift station and wet well capacity issues at the Gyro Lift Station, which is planned for upgrades in the near future.

2.11.3. STORM DRAINAGE

In 2011 the City of Kelowna prepared a comprehensive assessment of the South Mission Basin drainage catchments, which included analysis of the Rembler Creek and Bellevue Creek catchments and provides recommendations for drainage infrastructure downstream of Thomson Flats. For Rembler Creek, the recommendations are limited to obtaining right-of-ways where the creek crosses private property. These right-of-ways will formalize the City's ability to access the creek to perform maintenance.

The majority of Thomson Flats drains west down the valley to Rembler Creek. The far eastern portion of Thomson Flats drains to Bellevue Creek. A number of studies were conducted to better understand the hydrological and hydrogeological characteristics of these areas and to identify sensitive areas. Western Water Associates Ltd. prepared a Hydrogeological Investigation and Assessment report in support of this ASP, which can be found in **Appendix G – Hydrogeology Report**; this report identifies two hydrogeologically sensitive areas and presents a number of recommendations that will be followed in the preparation future stormwater management plans (discussed further in Section 4.9.2.4).

2.11.4. TRANSPORTATION + INTERNAL ROAD NETWORK

Traffic in the Upper Mission travels mostly to and from the business and commercial centres located north of the Upper Mission in downtown Kelowna and other destinations within and

beyond the city that are accessed via the provincial highway system that travels east-west just south of the downtown.

Currently, there are two principle north-south links in the area: (i) Lakeshore Road / Chute Lake Road; and (ii) Gordon Drive. As mentioned above, most traffic typically travels to and from the north and is heavily dependent on these two north-south roads. Both streets are two-lane arterial roads that also accommodate transit buses, cyclists and pedestrians. Lakeshore Road / Chute Lake Road carries approximately 1,250 vehicles per hour (vph) in the morning peak and 1,600 vph in the afternoon peak. Gordon Drive carries approximately 1,500 vph in the morning peak and 1,200 vph in the afternoon peak. The two existing principal east-west links, Frost Road and Barnaby Road, carry traffic across the Upper Mission and funnel traffic to and from the north through Lakeshore Road / Chute Lake Road and Gordon Drive. Frost Road carries approximately 530 vph in the morning peak and 350 vph in the afternoon peak. Barnaby Road carry approximately 120 vph in the morning peak and 240 vph in the afternoon peak.

Traffic congestion on the existing road network has been a concern as traffic typically travels either north (morning) or south (afternoon) during the peak periods as commuters travel to and from work. This is exacerbated by the limited number of alternate routes. However, in response to traffic congestion concerns on the existing network, the City of Kelowna completed a quantitative travel time analysis along Lakeshore and Gordon in early 2017. It was observed that between 7:30am and 8:30am travel times from the Upper Mission to Old Meadows Rd increased from five minutes to approximately 13 and 8 minutes on Lakeshore and Gordon, respectively. While this observed delay only persisted for 45 minutes, both roads operate below capacity over 23 hours per day. The analysis, followed by a formal City of Kelowna Council Report, further concluded that the “...majority of delay between the Southwest Mission and the City Centre occurs at the Lower Mission schools.” (**Appendix E – Transit Accommodation Plan**) (City of Kelowna, May1 2017 *Southwest Mission Sector Transportation Plan Report*)

Despite the foregoing, and in an effort to alleviate traffic conditions, the 2011 Official Community Plan (OCP) and the 20-Year Servicing Plan & Financial Strategy identified future plans to realign and upgrade Stewart Road West to become the third north-south link and to construct South Perimeter Road as a future east-west connection between Gordon Drive and Stewart Road West. Stewart Road West currently carries approximately 380 vph in the morning peak and 130 in the afternoon peak. The expanded network would help distribute traffic in the Upper Mission neighbourhood and relieve the traffic congestion on Lakeshore Road / Chute Lake Road and Gordon Drive. The proposed South Perimeter Road will be a two-lane arterial road incorporating on-street bike lanes. The plans for the South Perimeter Road include a multi-use trail along the north side of the arterial from Stewart Road West and connect to Bellevue Creek Linear Trail at the falls.

Within Thomson Flats, South Perimeter Road would run across the flats connecting between Chute Lake Road and the future intersection at Gordon Drive. South Ridge Drive would be extended southward to connect to South Perimeter Road in the flats.

2.11.5. EXISTING UTILITY RIGHT OF WAYS + UTILITY CORRIDORS

Utilities, including electric, telephone, cable, and natural gas exist and are supplied to the Thomson Flats boundary. Existing electric, telephone, and cable service are supplied to the surrounding area via overhead lines and / or subgrade.

Extension of the power, communication and natural gas utilities will be relatively simple and at this stage will be limited to verifying that each utility will be able to accommodate the Thomson Flats development through sub-grade approaches.

2.12. COMMUNITY CONSULTATION ANALYSIS AND CONSIDERATIONS

2.12.1 OPEN HOUSE #1 - PARTICIPANT FEEDBACK

Offering quality opportunities to open house participants to provide comments and feedback about the project was an important component of the event. In anticipation for a large crowd expressing various opinions and desires, the probability of receiving feedback was not only anticipated, it was encouraged. For this reason, the open house was intentionally programmed to solicit feedback from participants in multiple forms.

ENGAGEMENT PANELS

The purpose of the engagement panel activities was to solicit comment and feedback from open house participants at a personal level. In doing so, three different statements / questions were posed, followed by a request for an action:

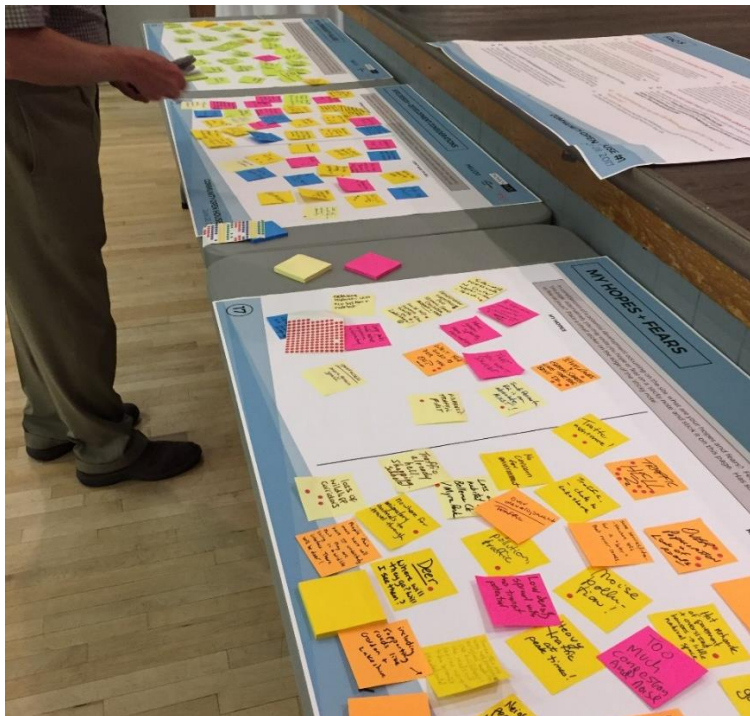
There are compelling personal values (what is important to you) that attracted you to live in the area, choose to visit it, or decided to operate a business within the area. Please share your personal values with us to help us enhance our understanding of why this area is so special.

Share with us what types or styles of site design and development considerations you would like to see incorporated into a new residential development.

In consideration of a potential development occurring on the site, what are your hopes and fears?

Engagement panel participation rates were very high, resulting in an array of comments and feedback from open house participants.

Engagement panels in their raw, but completed form, can be found within **Appendix F** of the summary for Open House #1.



VERBAL DISCUSSIONS

The Thomson Flats ASP open house was represented by eight project representatives. Each representative had fruitful conversations with various individuals that were appreciative of the discussion. Conversely, other participants chose to only peruse display panels and not engage in discussion or ask follow-up questions with open house representatives. Where discussion occurred, many inquired about potential increased traffic volumes, road access / connections, development style / density, and future open space areas and designs.

EXIT QUESTIONNAIRE

Each participant at the open house was provided an opportunity to complete a brief questionnaire (Appendix G of the Open House #1 summary). The questionnaire included a total five questions (two multiple-choice and three open-ended) and generally strived to achieve the participant's understanding of the open house material and its effectiveness. A summary of the multiple-choice questions is provided below.

Q1: WHICH ONE OF THE FOLLOWING BEST DESCRIBES YOUR ATTENDANCE TONIGHT?

I live and / or own land within the area of the subject site and have an interest in any potential land development	48
I'm part of a local group that has an interest in any potential land development on the subject site	2
Other	6
Total	56

Q2: WAS THE INFORMATION PROVIDED AT THIS OPEN HOUSE HELPFUL IN UNDERSTANDING THE DEVELOPER'S OBJECTIVES / INTENTIONS? WHY?

Yes	34
No	18
Total	52

It is noteworthy to highlight that nearly 35% of individuals indicated that the information provided at the open house was not helpful. However, the rationale for the "no" response was primarily attributed to the lack of full-build development details (i.e. *"No exact planning for greenspaces/parks"*, *"No plans of what structures will be. Only overhead views of what already exists"*, *"No real info on actual development"*).

In addition to the two multiple choice questions, three open-ended questions were asked of participants.

- Based on the information presented at the open house, do you have any concerns? If so, please list them?

- What should our project team know before we begin drafting a development design for Thomson Flats?
- What parts of the Open House did you enjoy most? What parts of the Open House could be improved?

Responses to the foregoing questions were predominantly isolated to concerns pertaining to increased traffic volumes, loss of (perceived) public open space / parkland, and the need for additional roads / access. Conversely, many individuals commented on their interest in the development coming to fruition, the assistance it may offer in terms of balancing housing affordability within the city, and the ability for the new development to add future road connections to the existing network. The raw comments have been combined into a table and has been included in **Appendix G** of the *Open House #1 summary*.

2.12.2 OPEN HOUSE #2 - PARTICIPANT FEEDBACK

A total of two comment and feedback mediums were available to participants: 1) Verbal Discussions; and 2) Exit Questionnaire.

The Thomson Flats ASP open house was represented by eight project representatives. Each of the eight open house representatives were visually identified with name badges and consistently approached participants throughout the evening, with the purpose of offering information, engaging in discussions, and responding to questions.

VERBAL DISCUSSIONS

Each representative had conversations with various individuals that were appreciative of the discussion. Conversely, other participants chose to only peruse display panels and not engage in discussion or ask follow-up questions with open house representatives. Where discussion occurred, many inquired about potential increased traffic volumes, road access / connections, development style / density, and future open space areas and designs. Where possible, open house representatives attempted to answer all questions. However, where an answer could not be provided, the project team made a offer to follow-up with that individual.

EXIT QUESTIONNAIRE

Each participant at the open house was provided an opportunity to complete a brief questionnaire (**Appendix E** of the *summary for Open House #2*). The questionnaire included a total five questions (two multiple-choice and three open-ended). A summary of the multiple-choice questions is provided below. The goal of the survey was to gauge participants understanding of the Open House Panels and to solicit feedback on the document.

Q1: WHICH ONE OF THE FOLLOWING BEST DESCRIBES YOUR ATTENDANCE TONIGHT?

I live and / or own land within the area of the subject site and have an interest in any potential land development	26
I'm part of a local group that has an interest in any potential land development on the subject site	3
Other	6
Total	35

Q2: WAS THE INFORMATION PROVIDED AT THIS OPEN HOUSE HELPFUL IN UNDERSTANDING THE DEVELOPER'S OBJECTIVES / INTENTIONS? WHY?

Yes	31
No	2
Total	33

It is noteworthy to highlight that nearly 94% of individuals indicated that the information provided at the open house was helpful.

In addition to the two multiple choice questions, two open-ended questions were asked of participants.

Based on the information presented at the open house, do you have any concerns or feel there was any information that wasn't addressed? If so, please list them.

What Transportation issues should we be prepared to address in preparation for the next Open House Event

Responses to the foregoing questions were predominantly isolated to concerns pertaining to increased traffic volumes, loss of (perceived) public open space / parkland, and the need for additional roads / access. For question 2, items such as traffic volume, traffic calming, construction timing, public transit, road design and travel times were all mentioned. Conversely, many individuals commented on their interest in the development coming to fruition, the assistance it may offer in terms of balancing housing affordability within the city, and the ability for the new development to add future road connections to the existing network. The raw comments have been combined into a table and has been included in **Appendix E** of the Open House #2 summary.

2.12.2 ONLINE OPEN HOUSE #3 - PARTICIPANT FEEDBACK

Melcor Developments Ltd. and Canadian Horizons hosted the third Thomson Flats Area Structure Plan Community Open House online from May 25th, 2020 – June 19th, 2020. Given the events surrounding COVID-19 it was not possible to host an in-person event.

The format for the Online Open House consisted of providing online display panels, a Traffic Impact Assessment summary and a Frequently Asked Questions (FAQ) document to assist participants with common questions about the Area Structure Plan. Attendees were asked to complete an online survey to provide feedback on the overall ASP. The material was hosted on www.thomsonflats.ca and a project facilitator was assigned to answer emails and questions of attendees throughout the online engagement process.

Following are the statistics regarding the online engagement:

- More than 3,300 mail outs to the adjacent neighbourhoods were issued
- 253 survey responses were provided, this is 7.7% of the mail outs.
- Of the 253 responses, 163 provided comments through the open-ended Questions 12 and 13 in the survey

In hindsight, following the completion of the online public engagement there were advantages and disadvantages for this approach. Some of the advantages turned out to be:

- There was likely a higher response level than if an in-person open house was conducted
- The survey provides a documented response

Some of the disadvantages turned out to be:

- The online format also provided challenges in answering direct questions of participants who viewed the materials. While a project facilitator hotline was setup answer questions of the materials, participants rarely reached out with direct questions. This is the opposite of an in person open house event where comments and questions are addressed on the spot, live, and in real time.
- It is possible people responded to the survey without reviewing the display panels, Traffic Impact Assessment summary and Frequently Asked Question information.
- Some of the survey respondents, about 30, did not provide complete contact information

ISSUE RANKING

The analysis involved ranking the responses as provided in Question 3 which asked participants to rank critical issues associated with development of the Thomson Flats ASP. GIS was used to produce a series of heat maps applicable to each category of the question. The goal here was to understand where each category was viewed as most critical within the context of the ASP boundary and surrounding neighbourhoods. These maps are attached as **(Appendix P** of the online open house summary).

The question asked in the survey was:

1. ON A SCALE OF 1 TO 8, WHERE 1 MEANS MOST CRITICAL AND 8 MEANS LEAST CRITICAL PLEASE RANK THESE ISSUES ASSOCIATED WITH THE OVERALL DEVELOPMENT OF THOMSON FLATS:
 - Completing the long-term plan for the Upper Mission area

- Providing a range of family oriented single detached, duplex, and/or townhome housing
- Providing alternate travel routes
- Providing parks and trails
- The development of the possible commercial centre at Frost Road and Gordon Drive
- Travel times from the Upper Mission to destinations within the city
- Protecting the environment
- Economic activity associated with development

Analysis of the responses yields the following trends:

- Residents in direct proximity (the immediate surrounding neighbourhood) place a higher importance than residents further away of these key issues:
- Providing parks and trails
- Environmental protection
- Providing alternate travel routes
- Travel times to destinations (though this had a broader reach in the surrounding areas)
- Completing the long-term plan for the Upper Mission area
- Residents further out from Thomson Flats placed a higher importance on these key issues:
- Providing a range of housing options
- The possibility of a commercial development at Frost and Gordon Drive
- Economic activity associated with development

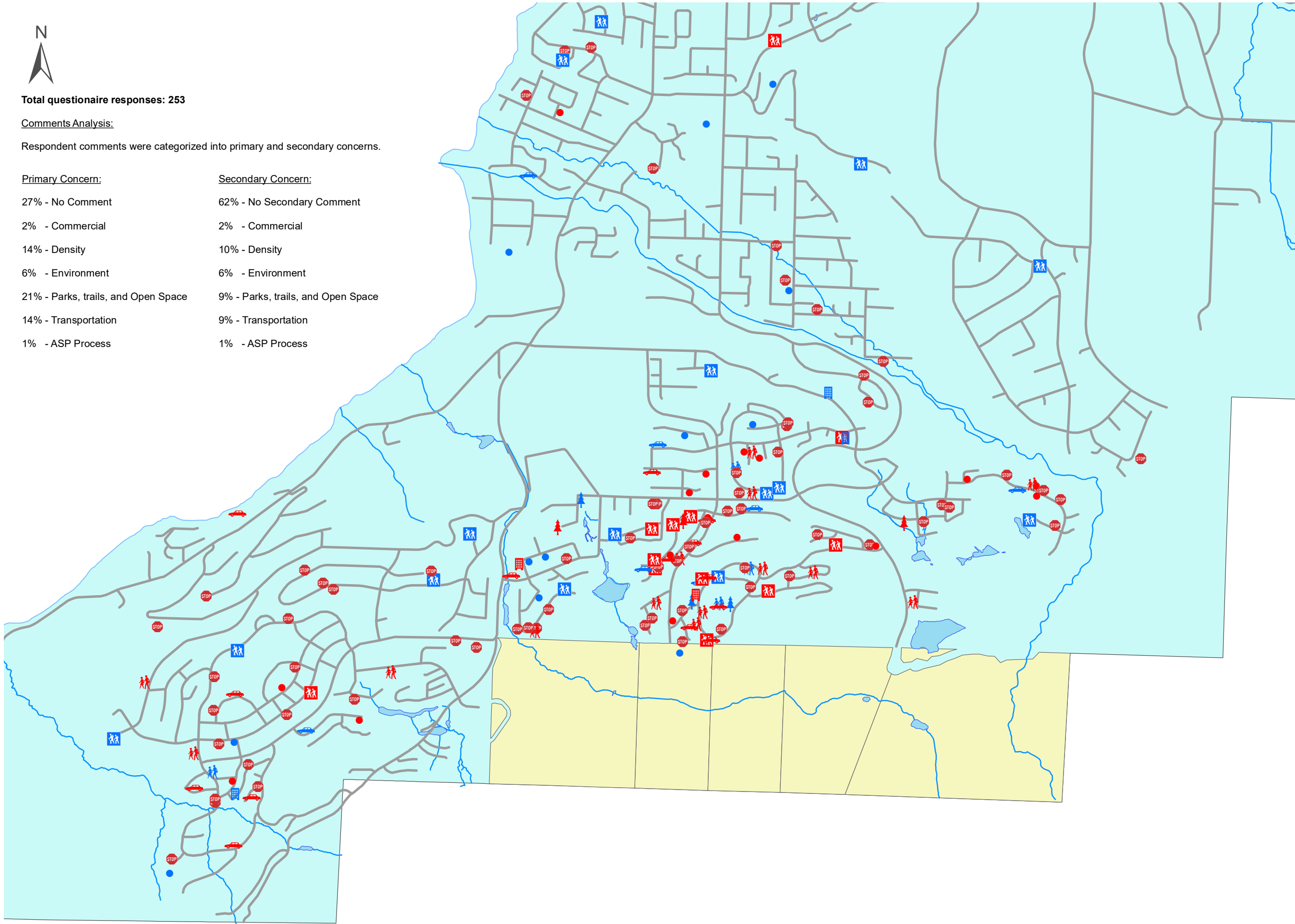
OPEN ENDED QUESTION OR COMMENT ANALYSIS

To analyze Questions 12 & 13 (the open-ended questions from the survey), we felt it prudent to divide the responses into several categories. Figure 2.6 provides a summary of the created categories using GIS.

The mapping exercise was completed combining the comment categories with the ASP support/no support responses. The categories are shown below:



P:\2016\16M-02075-01 Thomson Flats ASP\3_Tech2_Design5_Reports\2020-06-08 Open House Data Analysis\OpenHouseData_Comments.mxd, 2020-07-06, 10:39:17 AM, Bahu



Total questionnaire responses: 253

Comments Analysis:

Respondent comments were categorized into primary and secondary concerns.

Primary Concern:

27% - No Comment

2% - Commercial

14% - Density

6% - Environment

21% - Parks, trails, and Open Space

14% - Transportation

1% - ASP Process

Secondary Concern:

62% - No Secondary Comment

2% - Commercial

10% - Density

6% - Environment

9% - Parks, trails, and Open Space

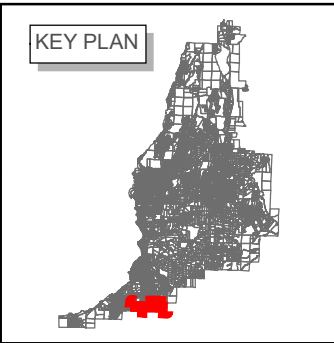
9% - Transportation

1% - ASP Process

Legend

Support - Category

- No Development under any circumstances
- No - No Comment Provided
- No - Commercial Concerns
- No - Density Concerns
- No - Environmental Concerns
- No - Access to Parks, Trails, and Open Space Concerns
- No - Transportation Concerns
- Yes - No Comment Provided
- Yes - Commercial Concerns
- Yes - Density Concerns
- Yes - Environmental Concerns
- Yes - Access to Parks, Trails, and Open Space Concerns
- Yes - Transportation Concerns
- ASP Location



0 200 400 800
Meters
1:20,000

wsp Suite 700, Landmark 6
1631 Dickson Avenue
Kelowna, BC V1Y 0B5
wsp.com

<insert client logo here>

Thomson Flats
Area Structure Plan

OPEN HOUSE 3
COMMENT ANALYSIS

project no. 16M-02075-01	figure B
date: 2020-07-06	

ASP SUPPORT ANALYSIS

General support for the Area Structure Plan (Question 11 of the survey) was cross referenced with comments provided in open-ended questions 12 & 13 to produce categories of support or no support for the Area Structure Plan. Figure 2.7 provides a summary using GIS.

The following categories were created.

- Do you support council adoption of the Thomson Flats Area Structure Plan?
- ☐ No development under any circumstances
 - ☐ No, without comment
 - ☐ No, but with conditions
 - ☐ Yes, but with conditions
 - ☐ Yes, without comment

A summary of the support/no support analysis is as follows:

Of the 253 responses, 85 (or 34.0%) indicated support and 163 (or 66%) indicated no support, for the Area Structure Plan

Of the responses in support with comments, there is this breakdown:

- Just over half of this component did not provide comments
- Just under half of this component provided suggestions for improvements to the Area Structure Plan
- Of the responses not in support with comments, there this breakdown:
 - Just over half would not support the Area Structure Plan under any circumstances
 - Just over 1/8 of this component did not provide comments
 - About 1/3 of this component provided comments to explain their reasons for not supporting the Area Structure Plan.
- Of the 3300 mailouts, the 85 in support represent 2.6% of this total, and the 163 not in support represent 4.9% of this total

A key take away is the “No development under any circumstances category” response to questions 12 or 13 e.g. no development at all, don’t develop, or sell it as parkland. By ruling out those respondents who would not support the Thomson Flats ASP in any regard, general support for the ASP or support for the ASP with conditions / technical comments becomes more apparent and can serve as a basis to weigh overall support for the Area Structure Plan.



Total questionnaire responses: 253

Support Analysis:

Of the 66% of respondents who indicated they would not support the adoption of the Area Structure Plan:

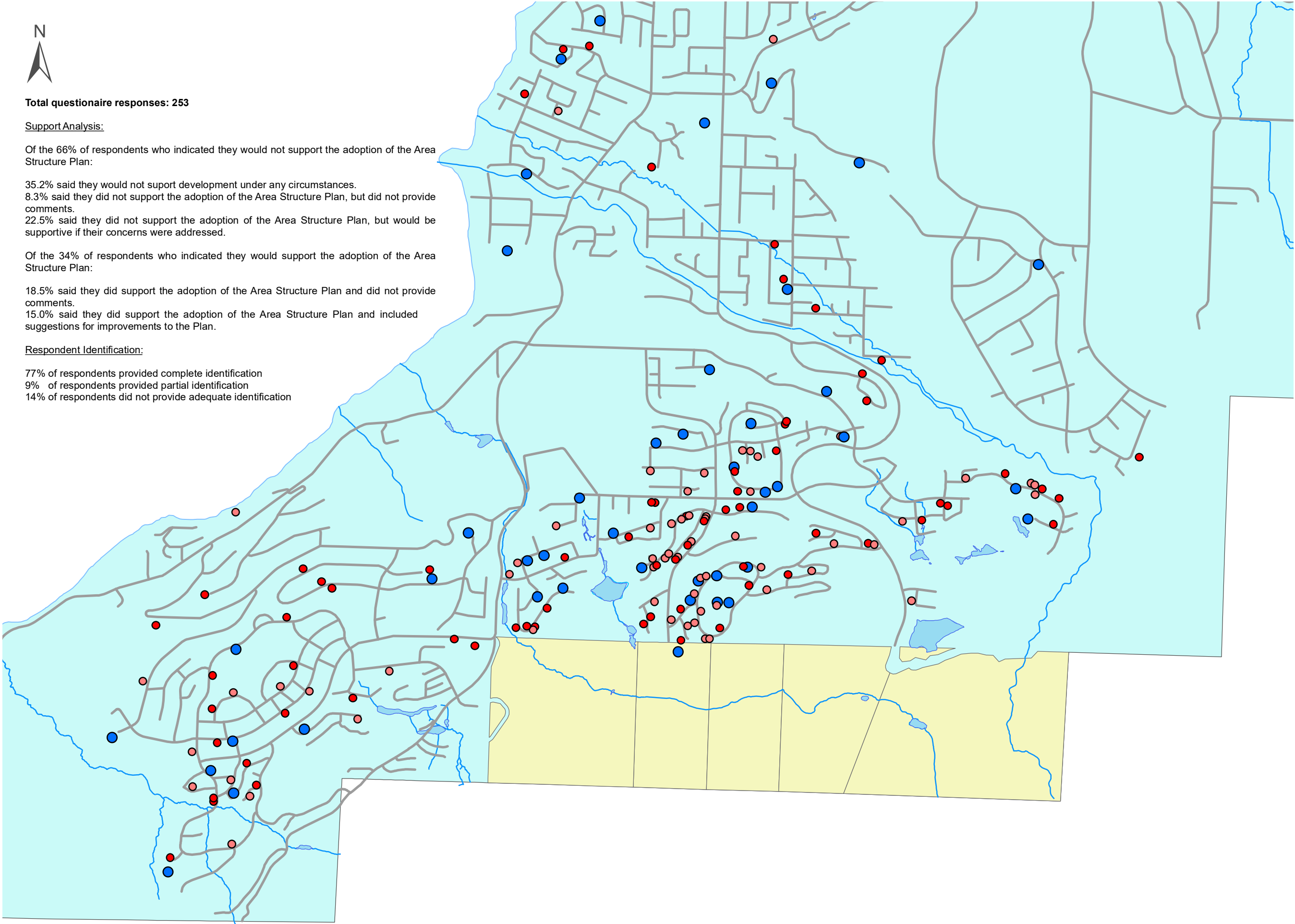
35.2% said they would not support development under any circumstances.
8.3% said they did not support the adoption of the Area Structure Plan, but did not provide comments.
22.5% said they did not support the adoption of the Area Structure Plan, but would be supportive if their concerns were addressed.

Of the 34% of respondents who indicated they would support the adoption of the Area Structure Plan:

18.5% said they did support the adoption of the Area Structure Plan and did not provide comments.
15.0% said they did support the adoption of the Area Structure Plan and included suggestions for improvements to the Plan.

Respondent Identification:

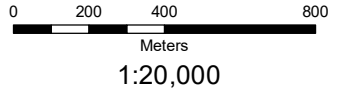
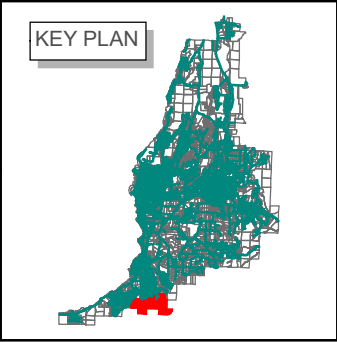
77% of respondents provided complete identification
9% of respondents provided partial identification
14% of respondents did not provide adequate identification



Legend

Do you support council adoption of the Thomson Flats Area Structure Plan?

- No development under any circumstances
- No, without comment
- No, but with conditions
- Yes, but with conditions
- Yes, without comment
- ASP Location



<insert client logo here>

Thomson Flats
Area Structure Plan

OPEN HOUSE 3
SUPPORT ANALYSIS

project no. 16M-02075-01	figure A
date: 2020-07-06	

SUMMARY

The community consultation process has confirmed these key issues for the Area Structure Plan

- Parks and trails
- Environmental protection
- Providing alternative travel routes
- Transportation/traffic impact
- Completing the long-term plan for the Upper Mission area

One issue identified through the comments provided in response to the open-ended Questions 12 and 13 were concerns regarding density or the extent of development. This issue will be mitigated by the current and future development horizon approach presented in Section 4 of the Area Structure Plan. Essentially, this approach will result in OCP Amendment approval for 55% of the development in the Area Structure Plan at this time.

When critically looking at the response regarding support of the Area Structure Plan (Question 11), if you remove the respondents who would not support the ASP in any regard, general support is slightly lower than general opposition of the Area Structure Plan.

2.13. DEVELOPMENT POTENTIAL

2.13.1. MUNICIPAL PLANNING POLICY

The proposed ASP area has long been identified in the City of Kelowna Official Community Plan (past and present) as having future development potential subject to the completion of an ASP that demonstrates that there are viable development opportunities concurrent with the appropriate level of infrastructure services. This, compounded with Council's March 2014 resolution to grant the Developer authorization to proceed with the preparation of an ASP, should satisfy the City's criteria from a policy level.

2.13.2. LAND USE POTENTIAL

While development potential of Thomson Flats is satisfactorily addressed at the policy level, it is critical the site can withstand physical development and associated density referred to within the November 2013 request to undertake an area structure plan.

In support of this, an environmental assessment, geotechnical study, infrastructure analysis, transportation, and neighbourhood planning review was undertaken. The site presents various development challenges such as hillside topography, environmental sensitivities, and geotechnical constraints. However, the challenges and constraints are deemed minor and can be mitigated through industry-accepted approaches. In some cases, such as where environmental sensitivities are presented, there are opportunities to improve and enhance existing site conditions through site development. From an off-site perspective, there are few existing infrastructure servicing improvements that will be required. Conversely, transportation impacts will require various improvements, which will be identified within the Transportation Impact Assessment (TIA) in the coming months.

In consideration of the foregoing, the Thomson Flats project team has confidently concluded that urban development within Thomson Flats is highly feasible. The site offers significant land development opportunities, where development will be predominantly focussed on lands sustaining minimal development challenges. A range of single-family residential development, supplemented by supporting infrastructure, attractive active transportation, parks, and opens space areas are all possible to seamlessly coexist. Where possible, key site features and environmentally sensitive areas within the ASP area will be protected.

3. PART III

3.0 LAND USE, MOBILITY, AND SERVICING

Part 3 discusses the generalized land use concept, type, style, location and proposed density of land use, mobility and servicing elements and establishes policies that facilitate land development implementation.

From inception, the objective is to create a high quality and comprehensively designed neighbourhood that is, first and foremost, complimentary to the natural environment. In an effort to fully understand the area, multiple site walkabouts were completed with the project planning team, property owners, and interdisciplinary professionals. Identification of the site's opportunities and constraints quickly resulted in an organic and fluid planning approach centred on the premise of achieving a practical balance of developed land use while respecting the site's ecology.

3.1. SW MISSION COMMUNITY CONTEXT

The Thomson Flats ASP is a guiding document that will effectively inform the development of the Thomson Flats area. However, the design and development of the Thomson Flats neighbourhood acquired inspiration through the City of Kelowna's SW Mission Sector Plan (2007). Within the SW Mission Sector Plan, the Thomson Flats area (see Figure 3.1: SW Mission Sector Plan, 2007 below) is identified within 'Neighbourhood 2 and 3'.

The SW Mission community has experienced considerable development over the last 25 years. This is likely attributed to proximity to various city features and amenities, including Kelowna's downtown core, Okanagan Lake, schools, and other recreational amenities. Robust growth combined with rising land prices continue to provide incentives for businesses and individuals to locate within this desirable community.

The area is expected to continue to experience strong growth rates as people continue to seek home options within this community. Development of the Thomson Flats neighbourhood would introduce additional forms of housing stock to the market and potentially ease demand. This is especially critical as Kelowna's housing market continues to change and evolve. Further, additional housing produced within the Thomson Flats neighbourhood would significantly boost support and success of the Ponds commercial development, which is estimated at 300,000 sq.ft.

The Thomson Flats site is also an active recreational area for the Southwest Mission Community, both for motorized and non-motorized outdoor activities. As discussed in Sections 2.5 to 2.10 above, this has compromised some of the unique site features and environmental habitat of the area. The planned development of Thomson Flats provides opportunities to restore and protect valuable habitat and environmentally sensitive areas while accommodating recreational opportunities for residents in the area. As detailed in the sections below, the creation of parks, trails, and pathways is an important priority in cooperation with the preservation and enhancement of naturalized areas and open space, as well as the restoration of Rembler Creek.

Development of the Thompson Flats ASP also provides the City and residents the resources and the opportunity for critical transportation infrastructure in the form of the south Perimeter Road link. This connection will provide residents with a third arterial link out of the Southwest Mission through to the City centre and would be funded and constructed through the Thomson

Flats lands as a part of the development. This link, in addition to the proposed density in support of additional neighbourhood amenities anticipated to reduce trips out of the area, is expected to provide relief to Gordon Drive and Chute Lake Road / Lakeshore Road for an overall improvement to the Southwest Mission Neighbourhood transportation network.

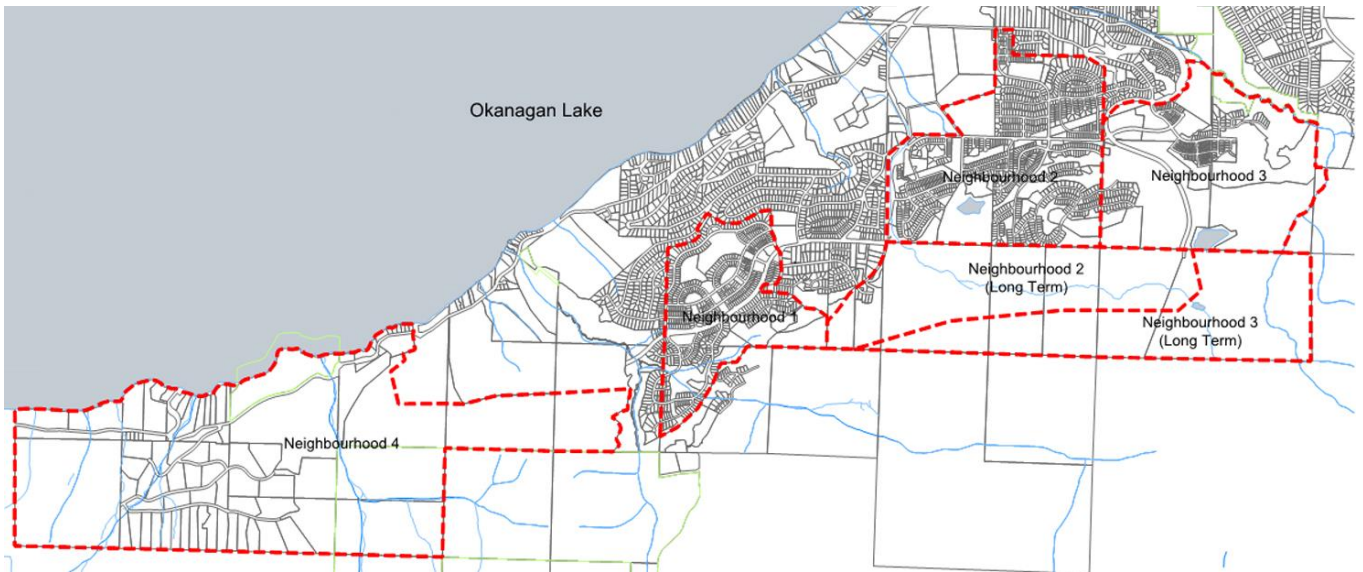


Figure 3.1: SW Mission Sector Plan, 2007

3.2. VISION

Inspired by its natural landscape, recreational features, and existing surrounding neighbourhoods, the vision for the Thomson Flats Area Structure Plan is predicated on the natural progression of SW Mission neighbourhood. The hillside residential neighbourhood will grow through the application of principles, goals, objectives, and effective policy statements outlined below.

Thomson Flats will provide for a phased, single-family development neighbourhood supplemented by small multiple family housing pockets for a range of appropriate housing densities. The neighbourhood will be structured around a network of trails, pathways, parks, and rehabilitated natural landscape. The ASP establishes a guide for growth of land use, environmental, servicing, transportation, and economic considerations that reflects its historical context and the existing state of surrounding neighbourhoods. The development of the planned additional residential units will complete the original vision of the Southwest Mission Sector Plan and improve the viability of the commercial and institutional land uses in Neighbourhood 3.

3.3. GUIDING PRINCIPLES

Thomson Flats will be an attractive neighbourhood that integrates and respects existing built form within SW Mission. Both residents and neighbourhood visitors will have the opportunity to travel through the pedestrian-oriented neighbourhood network and experience the unique recreation options and outdoor spaces. Residents will reside in single-family and multi-family (i.e. townhousing) dwellings and be in close proximity to neighbourhood and community destinations. There is a strong commitment to minimize impacts on the environment, yet

provide ample places for outdoor activity and connections to the collective SW Mission community. Thomson Flats is fostered on the following guiding principles:

- Built Form + Character: promote high quality neighbourhood design, and character, and high quality urban design.
- Active Neighbourhood Living: promote Thomson Flats as a neighbourhood that encourages active and physical living through its ability to offer an array of four-season formal and informal active transportation pursuits, formal parks, and open space areas.
- Connectivity + Mobility: provide a well-connected neighbourhood that is easy to navigate by foot, bike or car allowing for alternative access options and routes through the extension of streets, sidewalks and pathways in a pedestrian friendly environment; The South Perimeter road network is a focal point of this connectivity.
- Social Connectedness: promote a quality neighbourhood design that encourages social activation within the public realm (parks, streetscape, trails, etc.) and built environment.
- Fiscal Responsibility: embrace design and neighbourhood maintenance program that is cost effective to build, service, and maintain, while also ensuring that quality of life and livability is not sacrificed.
- Environmental Stewardship & Restoration: promote environmentally responsible development practices such as protection and preservation of environmentally sensitive areas, sensitive land development approaches, mitigation of light pollution, water efficient landscaping, water use reduction measures within buildings, and energy efficient buildings.
- Complete Community: the addition of the Thomson Flats neighbourhood will enhance and strengthen the SW Mission community, enabling residents to live a full lifestyle supported through existing and future community amenities, including schools, recreational pursuits, and commercial retail and personal services.

3.4. GUIDING ARCHITECTURE + DESIGN

Architectural housing controls and guidelines remain an evolving process for Thomson Flats. However, such controls will be established in advance of detailed subdivision and development stages. Despite this, all architectural controls and guidelines for Thomson Flats are intended to reflect the diverse SW Mission community context. Guidelines will provide for a compatible variety of massing, colours and housing styles that will assist in achieving the overall vision for Thomson Flats. Accordingly, it is anticipated that a mixed 'vernacular' of west coast contemporary and the SW Mission's classic 'craftsman' architectural designs will be applied to achieve aesthetic building styles, forms, and massing.

4.0 LAND USE DEVELOPMENT CONCEPT

Thomson Flats will be an active neighbourhood touting its parks, open space, recreation, and restored natural landscapes network as focal features. An interconnected formal and informal trail and pathway network will seamlessly transition residential development areas with established neighbourhood areas, the existing and future school site, and the off-site commercial node located within the adjacent Ponds neighbourhood. The viability of proposed and existing neighbouring institutional and commercial amenities will be enhanced with the development of additional residential units.

The development concept is divided into current development horizon and future development horizon areas. The goal is to immediately proceed to the Official Community Plan amendment step for the current development horizon area. In the future, as key issues for the future development horizon area resolve themselves (for example, completion of the South Perimeter Road and its affect on traffic patterns, secondary access to the area through development to the west, buffer requirements for the transition at the City/Regional District boundary, the Forest Service Road relocation or closure) the next stages of the development process could proceed.

Architectural style, detailing of streetscapes, design of streetscape elements and landscaping are some of the components which will be used to establish a unique identity within the land use concept. See **Figure 4.1A: Proposed Development Nodes**, **Current Development Horizon** and **Figure 4.1B Future Development Horizon** for developable areas.

The generalized land use concept (see **Figure 4.2: Generalized Land Use**) incorporates the primary goals and objectives identified within this section, while responding to the sensitive characteristics of the neighbourhood area. Low and medium density residential areas on the north and west of the site will be prioritized for development first (the current development horizon), with areas at the south end being held as future urban reserve (the future development horizon).

Hillside landscapes, and natural sensitive attributes are largely preserved (see **Figure 4.3: Slope Analysis with Development Nodes**).

The current development horizon is limited to an estimated 668 residential units resulting in a project population of about 1,577 residents. At its full build out, Thomson Flats is anticipated to produce an estimated 1200 residential units supporting an estimated population of approximately 2854 residents. The Generalized Land Use concept identifies the types and approximate locations of the anticipated land uses that form the neighbourhood. The land use concept divides the site into broad land use categories, namely residential, schools, parks and open space. These land uses are discussed further in the following sections.

4.1. RESIDENTIAL

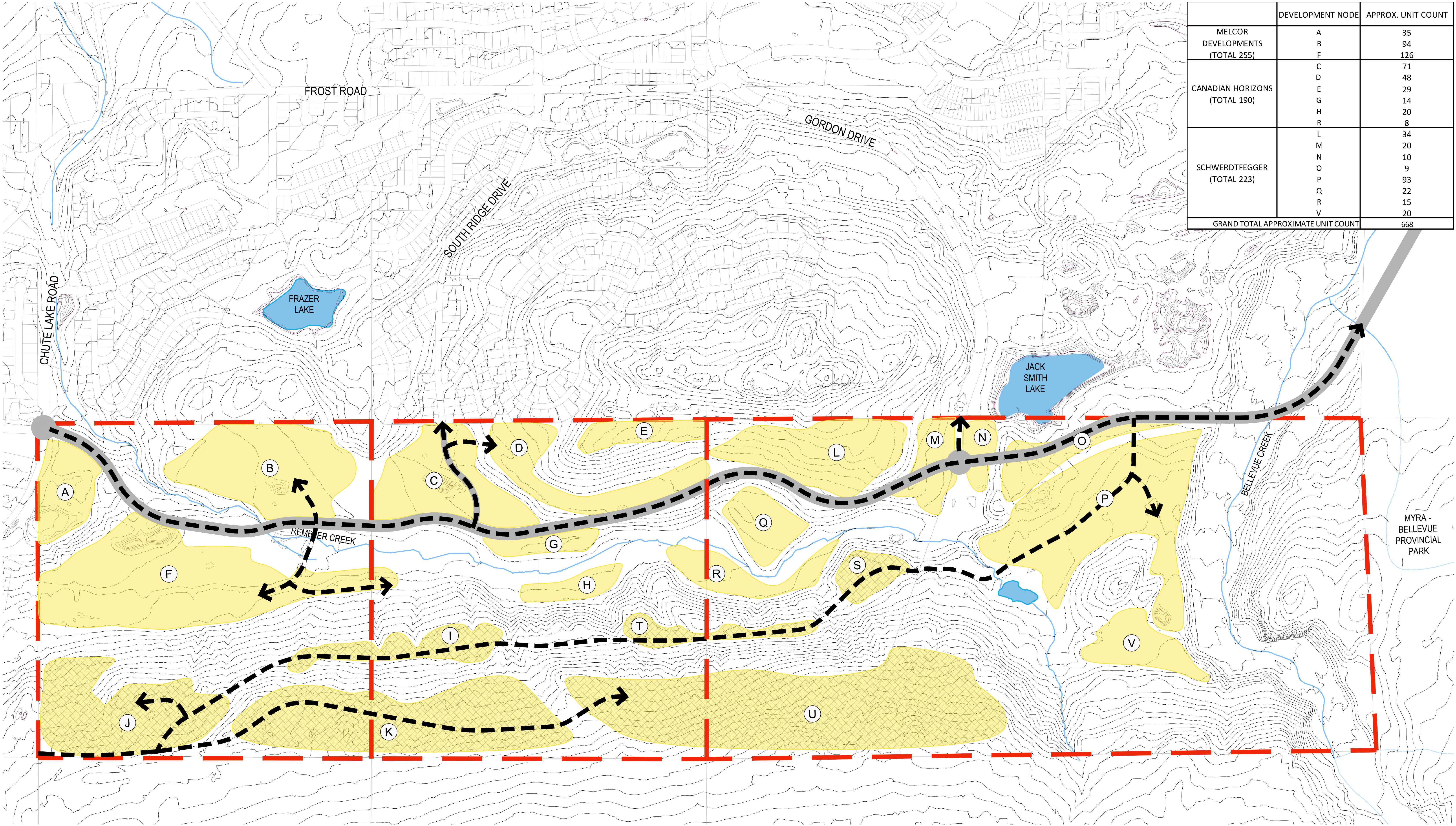
Thomson Flats will provide primarily single-family housing with the opportunity to accommodate a diversity of single-family housing choices including large lot, medium lot, and small lot options. Further opportunities exist for the area to be supplemented with the potential of up to 10-15% of the development area as multi-family housing (as the market may dictate). Thomson Flats' single family and multiple family housing typologies are offered in the following forms:

- Single / Two unit residential;
- Single / Two unit residential – Hillside; and
- Multiple unit residential (low density).

The various types of housing products within the different development pockets are anticipated to evolve through development horizons and phasing (See Section 4.17 for additional development phasing details). Each housing pocket will be situated on either hillside benches of land that best lend itself to the site's natural topography or within the Thomson Flats valley bottom. Access to each development pocket

will be achieved through the broader transportation network. To the fullest extent possible, all housing forms, building heights, scale, and general massing will be designed to seamlessly transition with hillside landscapes and vegetation.

Given the site's topography, residential housing nodes present development challenges typical of hillside development. However, diligent planning and consultation with City staff were factored into the planning and design process to ensure that residential development nodes have practical mobility and transportation network access. Additionally, development will adopt a site sensitive approach and endeavor to minimize physical and visual hillside impact, further enhancing the neighbourhoods' visual appeal and aesthetics while reducing physical and environmental impact.



	DEVELOPMENT NODE	APPROX. UNIT COUNT
MELCOR DEVELOPMENTS (TOTAL 255)	A	35
	B	94
	F	126
CANADIAN HORIZONS (TOTAL 190)	C	71
	D	48
	E	29
	G	14
	H	20
	R	8
SCHWERDTFEGGER (TOTAL 223)	L	34
	M	20
	N	10
	O	9
	P	93
	Q	22
	R	15
	V	20
GRAND TOTAL APPROXIMATE UNIT COUNT		668



THOMSON FLATS

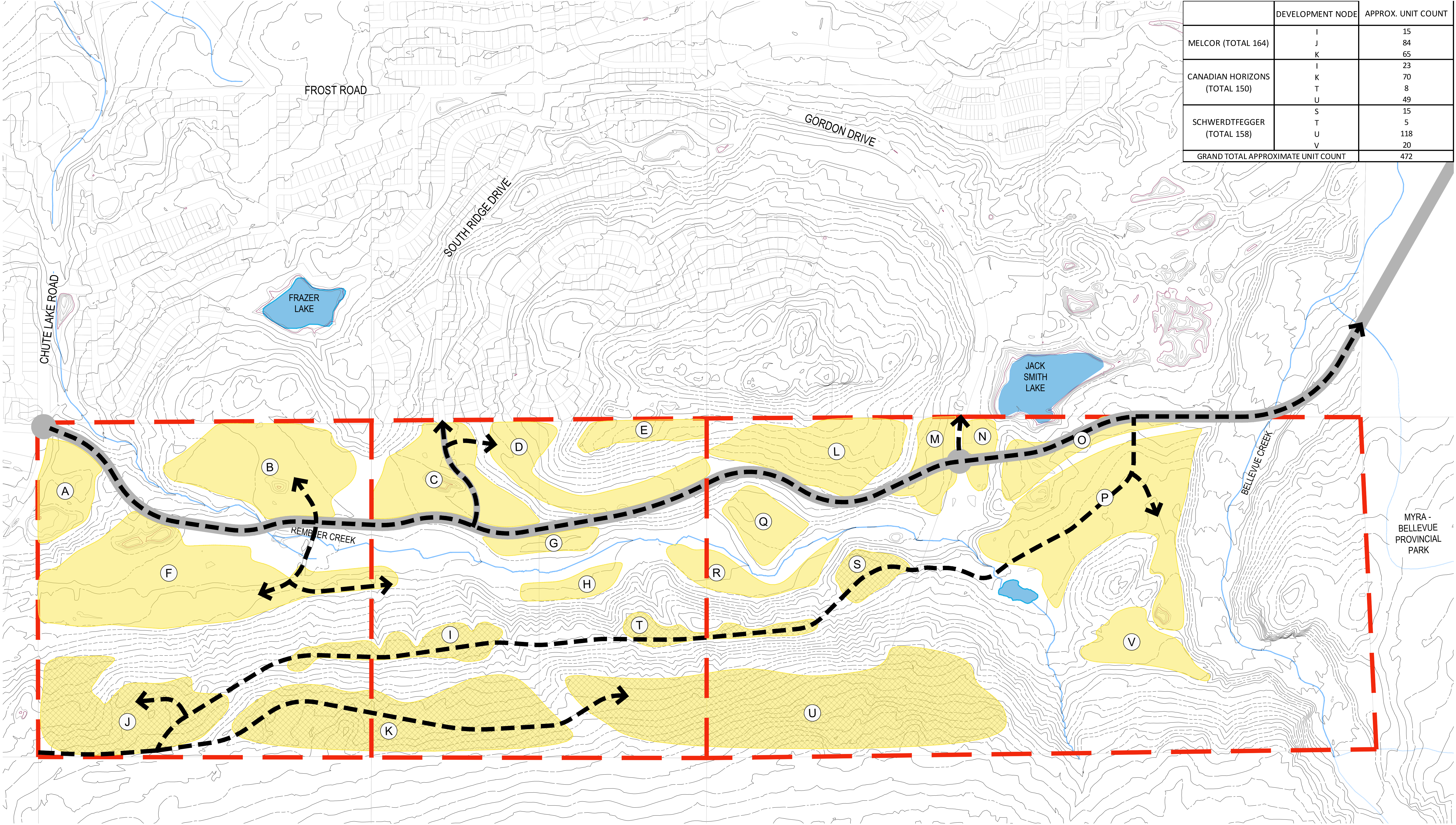
AREA STRUCTURE PLAN

- LEGEND**
- PLAN AREA
 - PROPOSED ROAD

- CURRENT DEVELOPMENT NODE
- FUTURE DEVELOPMENT NODE
- DEVELOPMENT NODE AREA



FIGURE 4.1A | CURRENT DEVELOPMENT HORIZON



	DEVELOPMENT NODE	APPROX. UNIT COUNT
MELCOR (TOTAL 164)	I	15
	J	84
	K	65
CANADIAN HORIZONS (TOTAL 150)	I	23
	K	70
	T	8
SCHWERDTFEGGER (TOTAL 158)	U	49
	S	15
	T	5
	U	118
	V	20
	GRAND TOTAL APPROXIMATE UNIT COUNT	472



THOMSON FLATS
AREA STRUCTURE PLAN

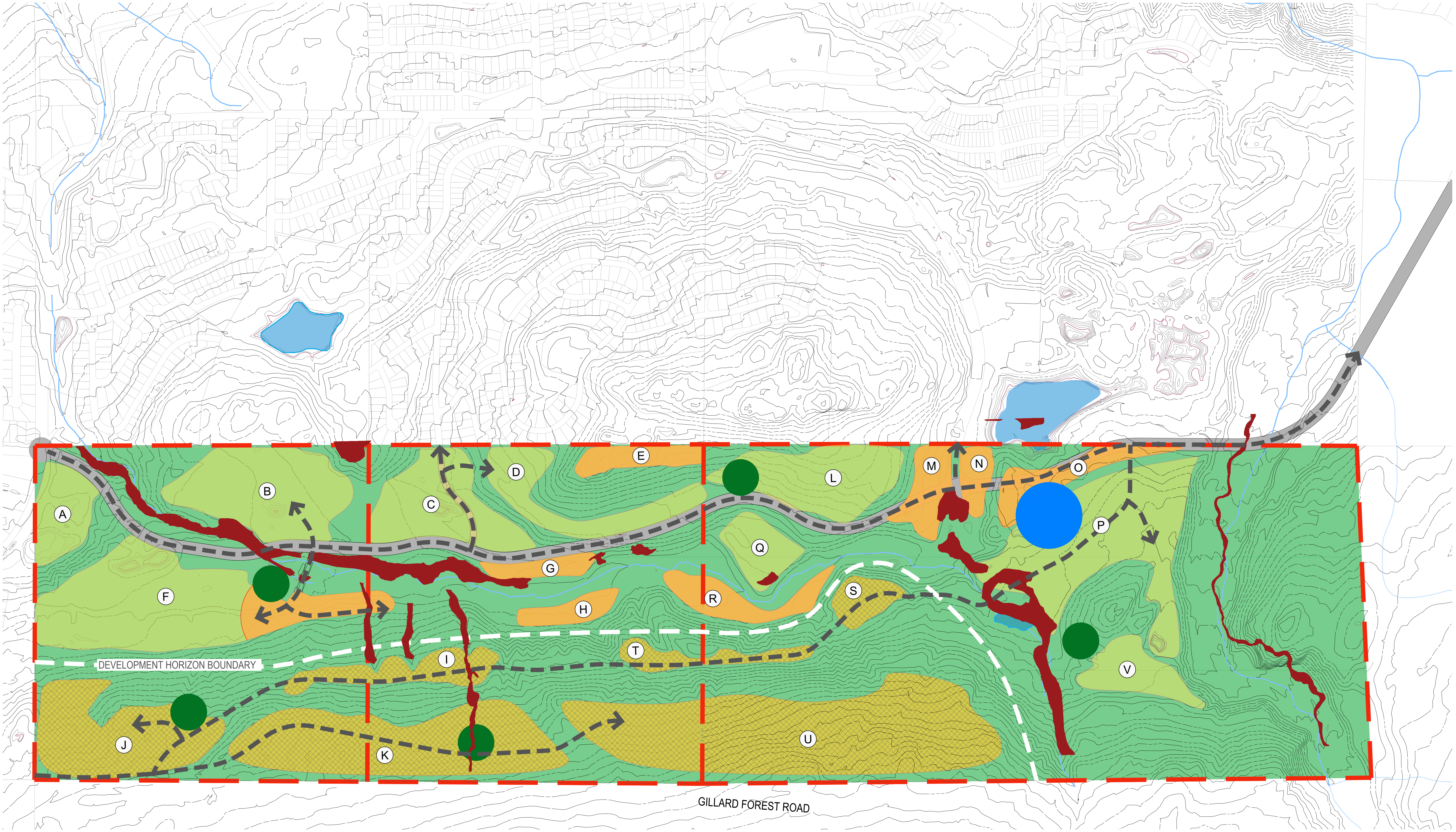
- LEGEND**
- PLAN AREA
 - PROPOSED ROAD

- CURRENT DEVELOPMENT NODE
- FUTURE DEVELOPMENT NODE
- DEVELOPMENT NODE AREA



FIGURE 4.1B | FUTURE DEVELOPMENT HORIZON

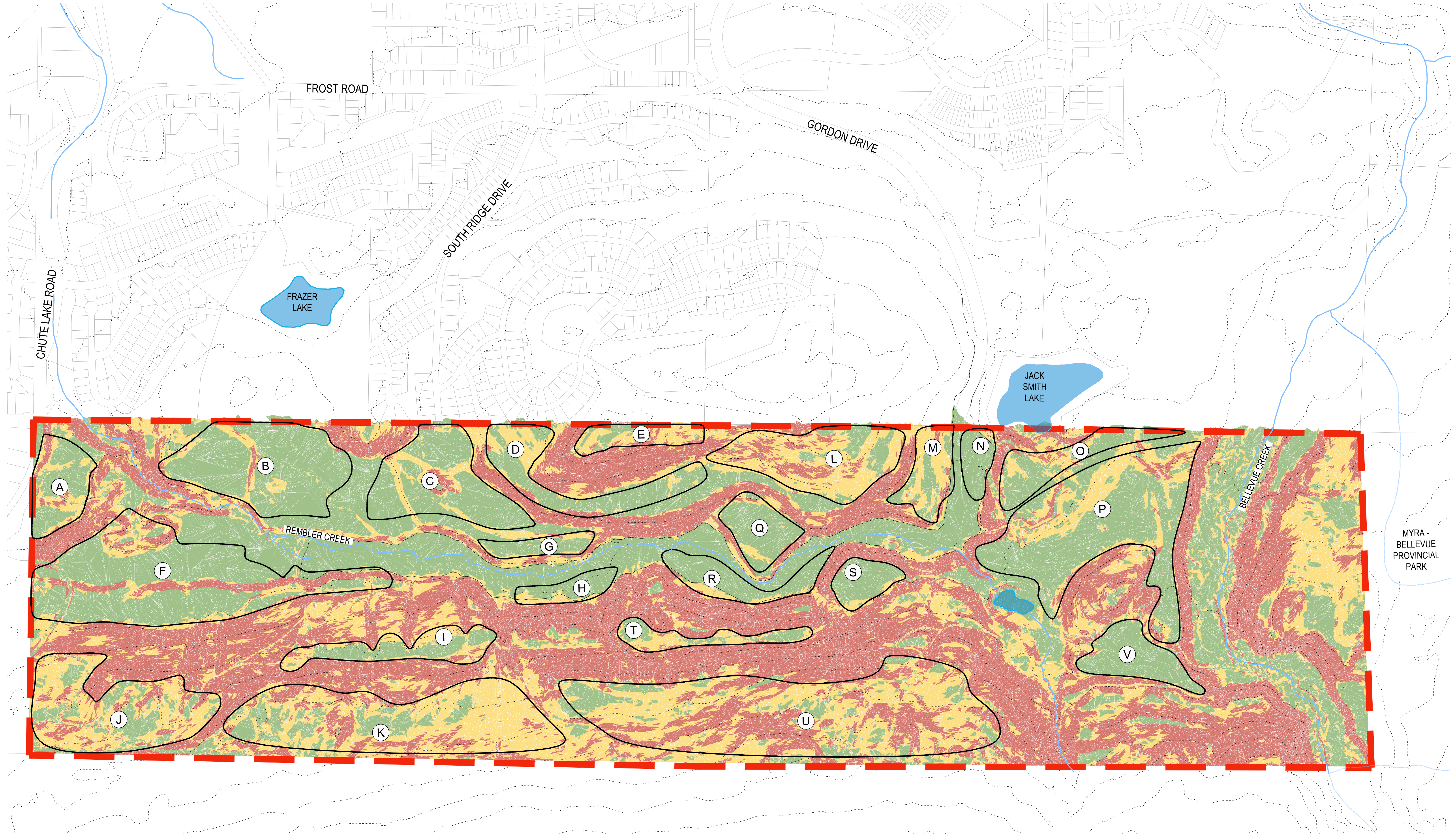
E:\THOMSON FLATS\01 TECH\FIGURES\04-02075-01 FIGURE 4.2 - GENERALIZED LAND USE - 02202020 444 PM



THOMSON FLATS

AREA STRUCTURE PLAN

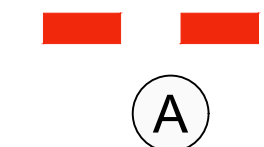
FIGURE 4.2 | GENERALIZED LAND USE



THOMSON FLATS

AREA STRUCTURE PLAN

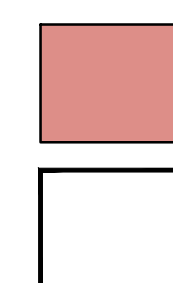
LEGEND



PLAN AREA
DEVELOPMENT NODE AREA



0% - 15% SLOPE
15% - 30% SLOPE



<30% SLOPE
DEVELOPMENT NODE

0 75m 150m 300m



FIGURE 4.3 | SLOPE ANALYSIS WITH DEVELOPMENT NODES

4.2. PROJECTED DENSITY

Based on the land uses as illustrated within the concept plan, it is anticipated that the full build-out of the Thomson Flats neighbourhood could accommodate approximately 1200 units consisting of single family and multi-family residential homes. Development yield is a direct result of the planning process that identified non-development areas, such as parks, open space, hazardous areas (30%+ slopes), and environmentally sensitive areas.

Based on the proposed land use types and applying Statistics Canada's average household sizes to the corresponding housing types the Thomson Flats' estimated neighbourhood population is 2854. However, this estimated projection excludes any potential for secondary suites and carriage homes.

Table 4.1A: Density Projections Current Development Horizon

DEVELOPMENT AREA	ESTIMATED UNITS	AVERAGE / HOUSEHOLD	TOTAL POP. / AREA	POP. DENSITY PPL / HA)
A	35	2.4	84	31
B	94	2.4	226	31
C	71	2.4	170	30
D	48	2.4	115	30
E	29	1.8	52	32
F	126	2.4	302	24
G	14	1.8	25	22
H	20	2.4	48	39
L	34	2.4	82	15
M	20	2.4	48	22
N	10	2.4	24	22
O	9	2.4	22	9
P	93	2.4	223	19
Q	22	2.4	53	25
R	23	2.4	55	23
V	20	2.4	48	19
Total	668	-	1577	-

Table 4.2B: Density Projections Future Development Horizon

Development Area	Estimated Units	Average / Household	Total Pop. / Area	Pop. Density Ppl / ha)
I	38	2.4	91	24
J	84	2.4	202	22
K	136	2.4	324	39
S	15	2.4	36	26
T	13	2.4	31	19
U	167	2.4	401	21
Total	472	-	1277	-

Table 4.3: Land Use Statistics

Land Use	Residential Units	Area (ac)	Area (ha)	Percent
Single / Two Unit	1157	286.2	115.8	45%
Multiple Unit Low Density	43	6.7	2.7	1%
Dedicated Park	-	4.4	1.8	1%
Open Space	-	290.2	117.4	46%
Road Network	-	43.9	17.8	7%
Total	1200	631.4	255.5	100%

4.3. FUTURE SCHOOL SITE

School District 23 advises they project 650 new students by 2030, with an additional 600 new students by 2040. Consequently, they expect a new school will be required in the Thomson Flats area to accommodate another middle, or small secondary school. The District advises their preference is to set aside a 3.25 to 4.0-hectare area for a school site. They also suggest the school site be adjacent to park land to maximize the potential for sport fields.

With this in mind, a school site is provided on Figure 4.2, Generalized Land Use.

4.4. MOBILITY + TRANSPORTATION

The Thomson Flats mobility and transportation road network was designed to provide easy connectivity throughout the neighbourhood. Further, the road network was specifically designed to integrate with adjacent neighbourhoods, such as South Ridge, Kettle Valley, and the Ponds. Road connectivity with established neighbourhoods will occur as follows:

- Kettle Valley – Chute Lake / South Perimeter Way / Upper Mission Drive
- South Ridge – South Ridge Drive
- The Ponds – Gordon Drive

Pedestrian accessibility is a high priority and encouraged through the extensive use of sidewalks and connecting trails and pathways offered throughout the neighbourhood. **Figure 4.4A: Mobility and Transportation** shows the roads and trails.

4.4.1. MOBILITY CLASSIFICATIONS

The Thomson Flats mobility and transportation network will conform to the City of Kelowna's required road right-of-way widths for hillside collector roads, local roads, and public lanes, as identified by current policy and bylaws. Further, and in keeping with the City's goals and objectives in achieving great streets, design and construction of streets will be undertaken in close communication with the City to achieve best-practices.

The following is a description of the various mobility classifications that will be included within the neighbourhood.

ARTERIAL ROAD

Arterial roads are high-capacity urban roads, designed to deliver traffic from collector roads to freeways and between urban centers. Arterial roads prioritize free-flowing traffic and typically do not have driveway accesses or other impediments to free-flowing traffic such as frequent intersections, and traffic calming.

COLLECTOR ROAD

Collector roads perform the dual function of land access and traffic movement between arterial and local roads. However, this more localized type of road plays a social role, as well as a functional role in the neighbourhood. Specifically, collector roads offer the potential to include public shared-use pathways, providing for pedestrian and cycling connections through the Thomson Flats neighbourhood *and* surrounding neighbourhoods. Street design of collector roads must balance all of the objectives carefully.

LOCAL ROAD

Local roads serve a multitude of functions that are important in the day-to-day lives of residents, including passive recreation pursuits, and social interaction. Physical play by children occurs as a natural extension of the local neighbourhood park system, thus local roads must recognize the importance of the non-vehicle and vehicle landscape interface and corresponding design sensitivities.

PUBLIC LANE

Public lanes are utilized in areas of gentle terrain to support more compact housing forms, provide vehicular access along specific streets and to create a more pedestrian-friendly public realm. Lanes contribute greatly to the community fabric, and often they are used by the residents of a community as a venue for social interaction and play. It is anticipated that public lanes will be predominantly applied to multi-family residential development areas.

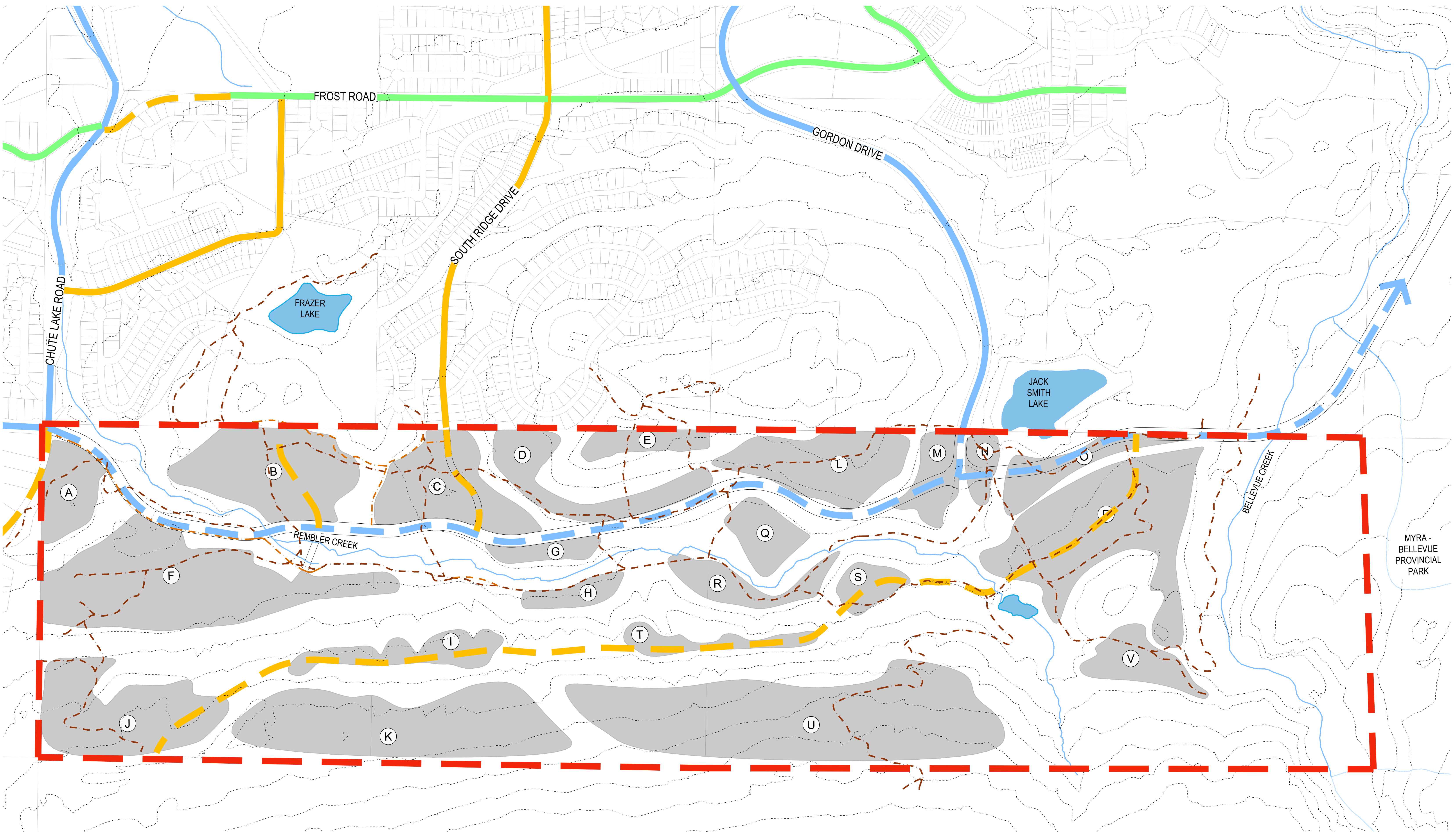
MULTI-USE TRAILS

Multi-use trails are non-motorized hard or soft-surfaced trails for the purpose of walking, jogging, hiking, cycling and wheelchair use (where possible) within open space areas that provide residents with access to viewpoints and nature areas. Integrating multi-use trails within the neighbourhood is restricted to those areas with less aggressive slopes and terrain. Although limited to the northeast and northwest fringe areas of the neighbourhood, they will provide access to adjacent neighbourhoods and include potential viewing areas.

NATURE TRAILS

Nature trails within Thomson Flats are located within dedicated natural and open space park areas. Although areas with more aggressive slopes and terrain, they help form an important component of the pedestrian network. Nearly five kilometres of trails fore use by residents for walking, mountain biking, and hiking surround the Thomson Flats Neighbourhood. However, depending on the level of environmental sensitivity that the trails may hold, specific passive activities (i.e. mountain biking) could be limited.

E:\THOMSON FLATS\GIS\FIGURES\144-02075-01_FIGURE 4.A - TRANSPORTATION - STANDARD\144-02075-01_FIGURE 4.A - TRANSPORTATION.DWG 02/10/2020 12:51 PM



THOMSON FLATS

AREA STRUCTURE PLAN

- LEGEND**
- | | | | | | |
|--|--------------------|--|--------------------------|--|----------------|
| | EXISTING ARTERIAL | | EXISTING MINOR COLLECTOR | | EXISTING TRAIL |
| | FUTURE ARTERIAL | | FUTURE MINOR COLLECTOR | | FUTURE TRAIL |
| | EXISTING COLLECTOR | | | | PLAN AREA |



FIGURE 4.4A | MOBILITY AND TRANSPORTATION

4.5. TRAFFIC IMPACT ASSESSMENT

A comprehensive Traffic Impact Assessment has been completed for full build out (ie for the ultimate development which includes both the current and future development horizons) for Thomson Flats. This section is a summary of the assessment and **Appendix D** contains the full report.

The Traffic Impact Assessment study area is bounded by Stewart Road West to the east, Quilchena Drive to the west, Benvoulin Road to the north and the RDCO's Gillard Forest Service Road to the south. This figure illustrates the site location in the context of the transportation network and the study intersections.

Background traffic for the study is traffic growth related to population growth (0.5% per annum) plus full build out of the Kettle Valley, South Ridge and the Ponds areas. This build out assumes an additional 1000 single family and 300 multi-family residences.

Total traffic for the study adds potential development in Thomson Flats to the background traffic. This adds another 1110 single family residences.

While the City of Kelowna has been thoroughly involved in the completion of the traffic impact assessment, the results presented in the assessment and summary do not necessarily represent the final conclusions of the City of Kelowna. The City's conclusions and requirements associated with Thomson Flats will be finalized upon the completion of the next stage of the Traffic Impact Assessment and during subsequent stages of development, which include:

- The Official Community Plan amendment
- Rezoning
- Subdivision

The next stage of the Traffic Impact Assessment will include these components:

- Resolution and agreement on the approach for the remaining analysis for the key items that are relevant to the outcome
- Analysis for interim horizons, which include projections for traffic generated for the current development horizon development, projected traffic in 2024 and projected traffic in 2030
- An implementation, or staging, strategy for the improvements needed for the combination of projected background traffic and total (ie Thomson Flats) traffic
- Agreement regarding the proportion of financial responsibility for the City and developers for the improvements needed.

ROAD NETWORK IMPROVEMENTS

City of Kelowna 2019-2028 10 Year Capital Plan projects are partially funded by Development Cost Charges (DCC Roads). The timing indicated is based on this 2019 Capital Plan. Thomson Flats development will extend the South Perimeter Road from Chute Lake Road to Gordon Road and provide a direct, alternative access for the Upper Mission and Kettle Valley Neighbourhood area. Thomson Flats development will provide alternatives and flexibility for Upper Mission residents to reach destinations at Casorso Road and beyond.

Figure 4.4B – Road Network Improvements, on the following page, summarize the road network improvements.

The recommendations for the background and total traffic horizons assume the road improvements in the City of Kelowna's current Capital Plan are implemented. The following summarizes all the suggested road improvements (Capital Plan, background traffic and total traffic).

2040 BACKGROUND HORIZON (BUILDOUT OF KETTLE VALLEY, SOUTH RIDGE AND THE PONDS)

- The following additional network improvements were identified as required in the background horizon to improve intersection operations:
 - Chute Lake Road & Quilchena Drive: Convert to 4-way stop;
 - **Chute Lake Road & Barnaby Road:** Construct a southbound right-turn lane;
 - Gordon Drive & McClure Road: Install Traffic Signals;
 - **Casorso Road & Benvoulin Road:** Construct northbound to eastbound right-turn slip lane; and,
- The Gordon Drive and Hazell Road intersection and the Gordon Drive and Okanagan Mission School Exit intersection should be monitored, and traffic signals implemented if required.
- The City should review the applicability of implementing traffic calming measures on South Crest Drive to reduce neighbourhood short cutting.

2040 TOTAL HORIZON (BACKGROUND BUILDOUT PLUS THOMSON FLATS BUILDOUT)

- The following network improvements were identified as required in the total horizon to improve intersection operations:
 - Chute Lake Road & Upper Mission Drive: Construct a single-lane roundabout
 - Gordon Drive & Frost Road: Install Traffic Signals
 - Gordon Drive & South Perimeter Road: Construct a single-lane roundabout
 - **Bedford Road & Saucier Road:** Convert to single-lane roundabout
 - **Bedford Road / Casorso Road / DeHart Road:** Realign as a stop-controlled T-intersection
 - **Casorso Road & Swamp Road:** Further capacity improvements will be required.
 - **Casorso Road & Benvoulin Road:** Further capacity improvements, over and above those required above for 2040 Background, will be required.

LEVEL OF SERVICE – INTERSECTION CAPACITY

The Level of Service (LOS) for an intersection provides an indication of the quality of traffic operations. Intersection LOS denoted by letter grades 'A' through 'D' indicates a satisfactory level of operations, with 'A' being free flow and level 'D' representing conditions approaching congestion. Levels designated 'E' and 'F' represent increasingly congested traffic conditions. The LOS criteria for signalized and unsignalized (stop-controlled) intersections is presented in the table below.

LEVEL-OF-SERVICE CRITERIA

LEVEL-OF-SERVICE	SIGNALIZED INTERSECTION (SEC	UNSIGNALIZED INTERSECTION (S
A	≤ 10	≤ 10
B	>10 – 20	>10 – 15
C	> 20 – 35	> 15 – 25
D	> 35 – 55	> 25 – 35
E	> 55 – 80	> 35 – 50
F	> 80	> 50

As a target or design parameter, the following was provided by the City of Kelowna for the study area:

- Unsignalized Intersection
 - Individual movement LOS is not to exceed LOS D, unless movement is very low compared to the other movements;
 - Individual movement v/c ratios not to exceed 0.90;
 - 95th percentile queue lengths do not exceed the available storage length;
- Signalized Intersection
 - Overall intersection LOS is not to exceed LOS D;
 - Individual movement LOS is not to exceed LOS E;
 - Individual movement v/c ratios not to exceed 0.90; and,
 - 95th Percentile queue lengths do not exceed the available storage length.

The target or design parameter determine if an improvement needs to be considered at that location.

LEVEL OF SERVICE – INTERSECTION CAPACITY

The following tables summarize the overall level-of-service at the study intersections for the morning and afternoon peak hours, respectively, for the 2016 traffic conditions, the 2040 final background traffic conditions and the 2040 final total traffic conditions (assuming the road system improvements are complete and increase in congestion/delay on Lakeshore and Gordon result in trip redistribution to other corridors as assumed by this analysis).

OVERALL INTERSECTION OPERATIONS COMPARISON – (MORNING PEAK HOUR)

INTERSECTION			
	2016	2040 BACKGROUND (2040-B3)	2040 TOTAL (2040-T3)
Chute Lake Road & Quilchena Drive	●	●	●
Chute Lake Road & Upper Mission Drive	●	●	●
Chute Lake Road & South Crest Drive	●	●	●
Chute Lake Road & Chute Lake Crescent / Frost Road	●	●	●
Chute Lake Road & Lakeshore Road & Barnaby Road	●	●	●
Lakeshore Road & Collett Road	●	●	●
Lakeshore Road & Eldorado Road	●	●	●
Lakeshore Road & Sarsons Road/DeHart Road	●	●	●
Gordon Drive & DeHart Road	●	●	●
Frost Road & South Ridge Road	●	●	●
Gordon Drive & Frost Road	●	●	●
Gordon Drive & McClure Road	●	●	●
Stewart Road W & Saucier Road	●	●	●
Bedford Road/Casorso Road & DeHart Road	●	●	●
Bedford Road & Saucier Road	●	●	●
Casorso Road & Swamp Road	●	●	●
Casorso Road & Benvoulin Road	●	●	●
Gordon Drive & South Perimeter Road	●	●	●



No movements exceed the design parameters



One movement exceeds the design parameters



Two or more movements exceed the design parameters

OVERALL INTERSECTION OPERATIONS COMPARISON – (AFTERNOON PEAK HOUR)

<i>Intersection</i>	<i>2016</i>	<i>2040 Background (2040-B3)</i>	<i>2040 Total (2040-T3)</i>
Chute Lake Road & Quilchena Drive	●	●	●
Chute Lake Road & Upper Mission Drive	●	●	●
Chute Lake Road & South Crest Drive	●	●	●
Chute Lake Road & Chute Lake Crescent / Frost Road	●	●	●
Chute Lake Road & Lakeshore Road & Barnaby Road	●	●	●
Lakeshore Road & Collett Road	●	●	●
Lakeshore Road & Eldorado Road	●	●	●
Lakeshore Road & Sarsons Road/DeHart Road	●	●	●
Gordon Drive & DeHart Road	●	●	●
Frost Road & South Ridge Road	●	●	●
Gordon Drive & Frost Road	●	●	●
Gordon Drive & McClure Road	●	●	●
Stewart Road W & Saucier Road	●	●	●
Bedford Road/Casorso Road & DeHart Road	●	●	●
Bedford Road & Saucier Road	●	●	●
Casorso Road & Swamp Road	●	●	●
Casorso Road & Benvoulin Road	●	●	●
Gordon Drive & South Perimeter Road	●	●	●

● No movements exceed the design parameters
 ● One movement exceeds the design parameters
 ● Two or more movements exceed the design parameters

CRITICAL MOVEMENTS AT INTERSECTIONS

The following tables summarize the critical movements at the study intersections for the morning and afternoon peak hours, respectively, for the 2016 traffic conditions, the 2040 final background traffic conditions and the 2040 final total traffic conditions (assuming the road system improvements are complete and increase in congestion/delay on Lakeshore and Gordon result in trip redistribution to other corridors as assumed by this analysis).

OVERALL CRITICAL MOVEMENTS COMPARISON – (MORNING PEAK HOUR)

Intersection	2016	2040 Background (2040-B3)	2040 Total (2040-T3)
Chute Lake Road & Quilchena Drive	●	●	●
Chute Lake Road & Upper Mission Drive	●	●	●
Chute Lake Road & South Crest Drive	●	●	●
Chute Lake Road & Chute Lake Crescent / Fro	●	●	●
Chute Lake Road & Lakeshore Road & Barnab	●	●	●
Lakeshore Road & Collett Road	●	●	●
Lakeshore Road & Eldorado Road	●	●	●
Lakeshore Road & Sarsons Road/DeHart Road	●	●	●
Gordon Drive & DeHart Road	●	●	●
Frost Road & South Ridge Road	●	●	●
Gordon Drive & Frost Road	●	●	●
Gordon Drive & McClure Road	●	●	●
Stewart Road W & Saucier Road	●	●	●
Bedford Road/Casorso Road & DeHart Road	●	●	●
Bedford Road & Saucier Road	●	●	●
Casorso Road & Swamp Road	●	●	●
Casorso Road & Benvoulin Road	●	●	●
Gordon Drive & South Perimeter Road	●	●	●



No movements exceed the design parameters



One movement exceeds the design parameters



Two or more movements exceed the design parameters

OVERALL CRITICAL MOVEMENTS COMPARISON – (AFTERNOON PEAK HOUR)

Intersection	2016	2040 Background	2040 Total
		(2040-B3)	(2040-T3)
Chute Lake Road & Quilchena Drive	●	●	●
Chute Lake Road & Upper Mission Drive	●	●	●
Chute Lake Road & South Crest Drive	●	●	●
Chute Lake Road & Chute Lake Crescent / Frost Road	●	●	●
Chute Lake Road & Lakeshore Road & Barnaby Road	●	●	●
Lakeshore Road & Collett Road	●	●	●
Lakeshore Road & Eldorado Road	●	●	●
Lakeshore Road & Sarsons Road/DeHart Road	●	●	●
Gordon Drive & DeHart Road	●	●	●
Frost Road & South Ridge Road	●	●	●
Gordon Drive & Frost Road	●	●	●
Gordon Drive & McClure Road	●	●	●
Stewart Road W & Saucier Road	●	●	●
Bedford Road/Casorso Road & DeHart Road	●	●	●
Bedford Road & Saucier Road	●	●	●
Casorso Road & Swamp Road	●	●	●
Casorso Road & Benvoulin Road	●	●	●
Gordon Drive & South Perimeter Road	●	●	●

● No movements exceed the design parameters
 ● One movement exceeds the design parameters
 ● Two or more movements exceed the design parameters

TRAVEL TIME

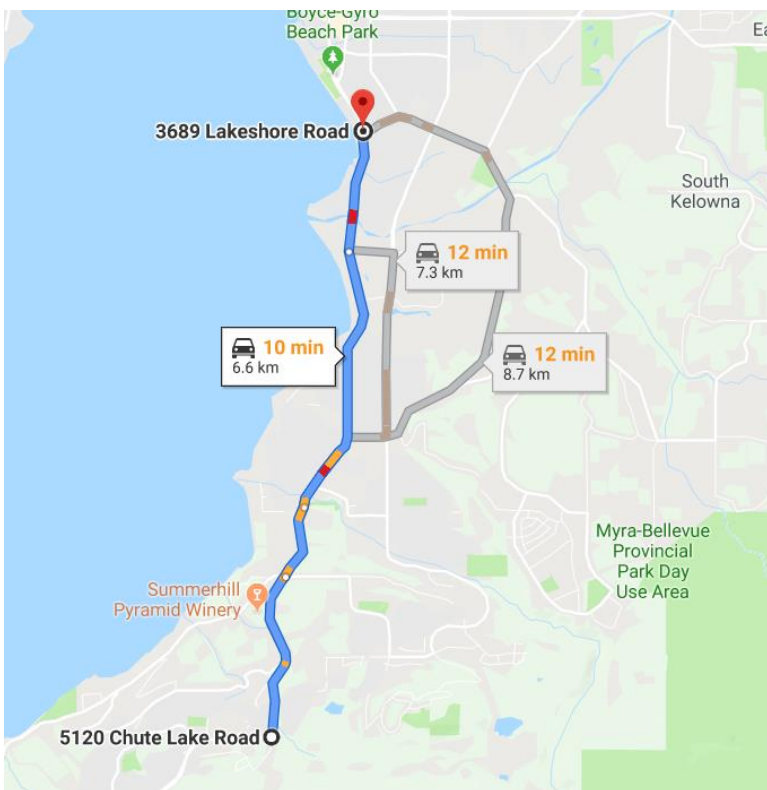
Traffic delays and congestion are already experienced on Lakeshore Road and Gordon Drive under today's conditions. Currently, Lakeshore Road, at Eldorado Road, is over capacity in the northbound direction during the morning peak hour. As development proceeds (from Kettle Valley, South Ridge, The Ponds, and Thomson Flats), this delay will worsen over time and the afternoon peak hour will also become over capacity resulting in delays in the southbound direction. In other words, as the background development in the area proceeds, travel times for all existing residents will be longer in the future.

Due to this, residents will look for alternative routes to save time during their morning and afternoon commutes. With the development of Thomson Flats, South Perimeter Road will connect Chute Lake Road to Gordon Drive and this connection will offer alternative travel routes for residents. These alternative travel routes may offer time savings for residents depending on their origin and destination.

Six corridors were selected for travel time assessment:

- Lakeshore Road Point A to Lakeshore Road Point B (6.5 km): Upper Mission Drive to Barrera Road, utilizing Lakeshore Road only;
- Lakeshore Road Point A to Gordon Drive Point B (7.0 km): Upper Mission Drive to Barrera Road, utilizing Lakeshore Road, Dehart Road and Gordon Drive;
- Lakeshore Road Point A to Benvoulin Road Point B (7.6 km): Upper Mission Drive to 500 m north of the Benvoulin Road Roundabout, utilizing Lakeshore Road, Dehart Road, Swamp Road, Casorso Road, and Benvoulin Road;
- Gordon Drive Point A to Gordon Drive Point B (7.9 km): South Perimeter Road to Barrera Road, utilizing Gordon Drive only; and,
- Gordon Drive Point A to Benvoulin Road Point B (8.5 km): Future South Perimeter Road to 500 m north of the Benvoulin Road Roundabout, utilizing Gordon Drive, Swamp Road, Casorso Road, and Benvoulin Road.
- Stewart Road West Point A to Benvoulin Road B (5.9 km): Southern terminal of Stewart Road West to 500 m north of Benvoulin Road roundabout, utilizing Stewart Road West, Saucier Road, Bedford Road, Casorso Road, and Benvoulin Road. Once South Perimeter Road connects between Gordon Drive and Stewart Road West, an additional 2.4 km distance is added to this route.

The travel time analysis like a Google Directions Map below, which shows three route options and the travel times for each route traveling between an origin and the destination.



Sample Google Direction Map

2040 TRAFFIC CONDITIONS

The traffic operations analysis for the 2040 horizon indicated that traffic delays and congestion are anticipated to occur on Lakeshore Road and Gordon Drive in the future. This will result in additional travel time and congestion and trips shifting to other corridors. With the final connection of South Perimeter Road, between Chute Lake Road and Gordon Drive, alternative north-south travel routes, such as Stewart Road West, are available to achieve similar or slightly longer travel times for residents on Lakeshore Road and Gordon Drive for background and total projections.

To develop the final background (i.e. development without Thomson Flats) and final total (i.e. development with Thomson Flats) traffic projections, an iterative process was undertaken that considered motorists existing travel patterns, travel times between origins and destinations for the six key routes, and the reassignment of traffic if an alternative travel route offered a shorter travel time. In both the background and total traffic scenarios, it was found that traffic will shift from their existing routes and look for a route that offers a shorter travel time.

The following table summarizes the anticipated travel times along the key routes in the Mission Area for 2016 traffic conditions, the 2040 final background traffic conditions and the 2040 final total traffic conditions. **As expected, travel times for all existing residents will be longer in the future.**

TRAVEL TIME COMPARISON

ROUTE	AM PEAK HOUR			PM PEAK HOUR		
	2016	BACKGROUND (2040-B3)	TOTAL (2040-T3)	2016	BACKGROUND (2040-B3)	TOTAL (2040-T3)
Lakeshore A – Lakeshore B	13	15	15	9	15	15
Lakeshore A – Gordon B	13	16	16	14	16	17
Lakeshore A – Benvoulin B	13	14	14	14	14	15
Gordon A – Gordon B	12	15	15	11	14	15
Gordon A – Benvoulin B	11	11	12	10	11	12
Stewart Road West – Benvoulin B ¹	--	10	10	--	11	11

¹ No travel time available for 2016 as South Perimeter Road is not constructed between Gordon Drive and Stewart Road West.

Despite adding an additional 1,100 vehicle trips in the PM peak hour to the network, the Thomson Flats development does not have a significant negative affect on the travel times in the Mission Area in the 2040 horizon when compared to the 2040 background travel. The projected travel times are either the same, or one minute longer. The connection of South Perimeter Road between Chute Lake Road and Gordon Drive provides a more equitable balance of traffic across the transportation network.

TRANSPORTATION SYSTEM UPGRADES AND ECONOMIC IMPACT

Upon Council support for the Area Structure Plan, the next stage of the Traffic Impact Assessment will be completed, which will include these components:

- Resolution and agreement on the approach for the remaining analysis for the key items that are relevant to the outcome
- Analysis for interim horizons, which include projections for traffic generated for the current development horizon development, projected traffic in 2024 and projected traffic in 2030
- An implementation, or staging, strategy for the improvements needed for the combination of projected background traffic and total (ie Thomson Flats) traffic
- Agreement regarding the proportion of financial responsibility for the City and developers for the improvements needed at each stage.

As part of the ASP, any problems anticipated in the orderly staging of development or off-site development impacts generated by the proposed development (e.g. additional funding requirements or costs to City, downstream servicing impacts, traffic) are to be identified. This will be completed in detail following the interim horizon analysis discussed above.

To start this process, we have reviewed the information available and provided by the City for the current capital plan and current development cost charge calculations. From this review, we expect:

- Thomson Flats development will be responsible for:
 - Completion of the South Perimeter Road from Chute Lake Road to Gordon Drive
 - Incremental cost of construction increases associated with the improvements required at the key intersections along the Stewart Road/Casorso Road/Benvoulin Road corridor. One example of an incremental cost is the provision of traffic lights at intersections where background development indicated that traffic lights are not required.
 - Improvements at the Maclure/Gordon and Frost/Chute Lake Road interesections
- Thomson Flats will contribute development cost charges and as a consequence more fully fund the Common and South Mission Roads DCC projects which include the improvements associated with the remainder of the South Perimeter Road, Stewart Road, Saucier Road, Casorso Road and Benvoulin Road.

4.6. TRANSIT ACCOMMODATION PLAN

Transit service expansions are ultimately based on Central Okanagan Transit Service Guidelines.

For the Thomson Flats Neighbourhood to be serviced by transit in the future, WSP reviewed rerouting Routes 15, 16 or Route 17. The result is Route 17 is the best candidate as it would require the least amount of re-routing and can easily be extended into the study area to serve the community.

Further details are provided in the Traffic Impact Assessment in **Appendix D**.

4.7. PARKS | OPEN SPACE | RECREATION

Thomson Flats is designed to provide both active and passive recreation opportunities, that enhance pedestrian connectivity as well as to serve a visual and social function. A comprehensive system of neighbourhood parks and pathways will provide connectivity within the immediate and surrounding neighbourhoods. The Thomson Flats open space areas will become a logical extension of the existing and open space network within the area.

Neighbourhood parks will be located in a manner that enhance social interaction as well as make a visual statement. All formal parks and integrated pathway and trail networks achieve a balanced distribution of open space within the broader neighbourhood. Rembler Creek will also be restored from its dilapidated state and integrated into the design as a linear park and trail and will be a noteworthy neighbourhood feature.

Figure 4.5A: Parks and Open Space illustrates the overall location of public parks, open space, trails and active and passive recreation areas.

4.7.1. NEIGHBOURHOOD PARKS

Quality parks and open space areas define neighbourhoods, offer recreational opportunities, and in many cases provide measurable health benefits. Parks should provide important neighbourhood gathering areas and strengthen the well-being of a connected neighbourhood. The design and interface between residential use and parks and open space areas strongly determines the character and livability of neighbourhoods. It is an important criterion in the development of this ASP that parks and open space areas balance with developed areas and provide the elements necessary to meet the anticipated recreational demands of the neighbourhood residents.

The Thomson Flats ASP area will contain at least 3 neighbourhood parks as illustrated in **Figure 4.5A: Parks and Open Space** and will dedicated to the City of Kelowna by a combination of Development Cost Charge (DCC) credits and acquisition. Each neighbourhood park area will be at least 0.6 hectares in size and will have these characteristics:

- They will be adjacent to a road
- They will be rectangular or square in shape
- They will be on land that has slope less than 15%
- They will avoid ESA-1 and ESA-2 areas

The identified park sites are conceptual only and will be “fine tuned” at subsequent stages of development. As discussed in Section 4.3, it is expected that one of the neighbourhood parks will be adjacent to the new school site. At this stage, we expect the implementation of the parks will be:

- For the current development horizon:
 - For the western park in Area 1, once a threshold of 300 units is achieved
 - For the central park in Area 2, land dedication, grading and seeding with the construction of the South Perimeter Road and relocation of Rembler Creek. Further development of park infrastructure will be determined by the City.
 - For the eastern park in Area 3, upon development of the adjacent school site, or once a threshold of 900 units is achieved, whichever comes first.
- For the future development horizon, park dedication may be required, but this will be determined when development of this area proceeds.

4.7.2. LINEAR PARKS AND TRAILS

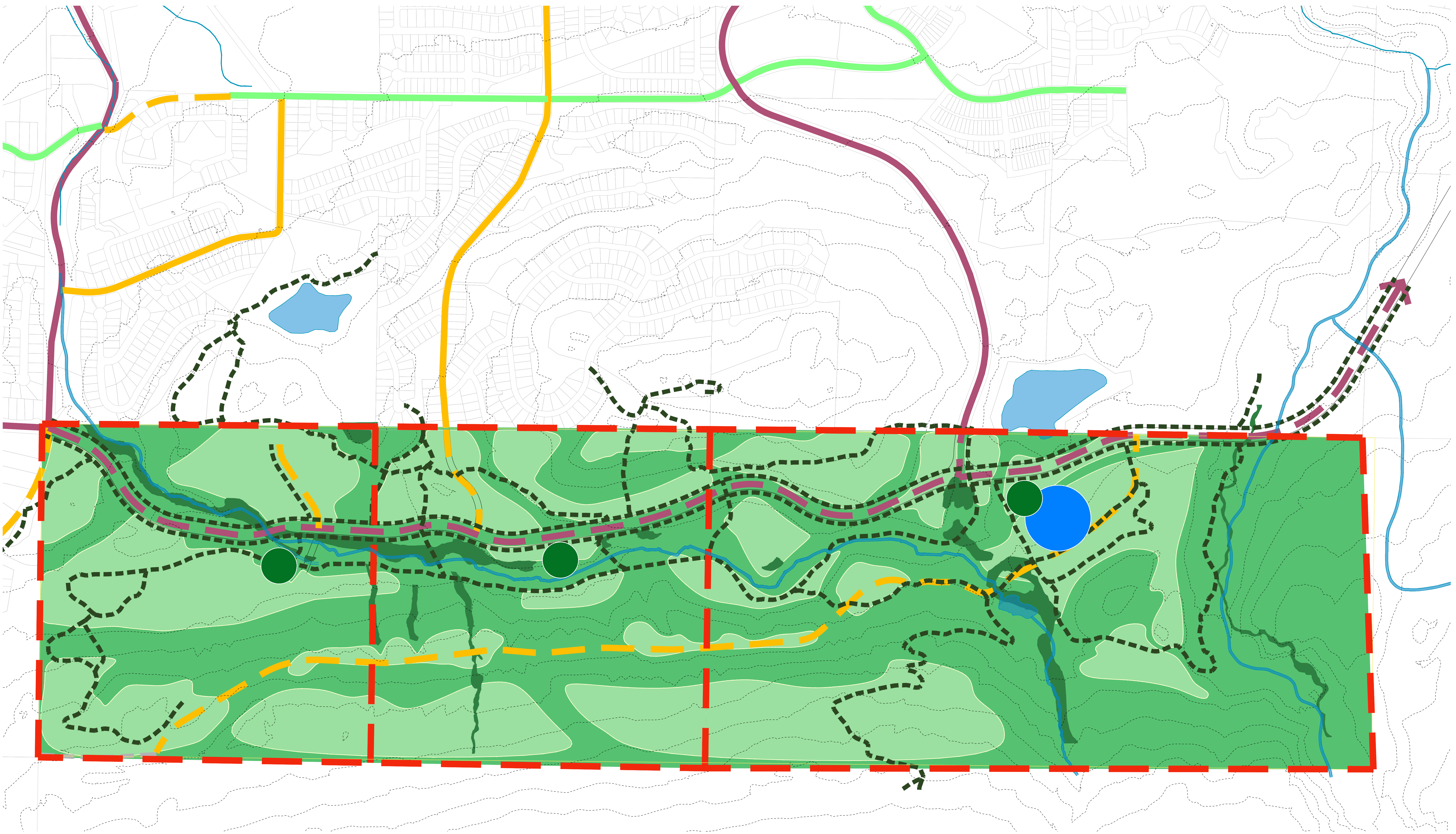
As indicated on **Figure 4.5A**, there will be considerable development of approximately 20 km of trails along Rembler Creek and through the natural + passive recreation areas. **Figure 4.5B** provides a conceptual cross-section of Rembler Creek.

The conceptual western and central neighbourhood park locations can be integrated with the Rembler Creek trail network to provide a significant trail head opportunity.

4.7.3. NATURAL + PASSIVE RECREATION AREAS

Protection and enhancement of natural areas was identified as a strong concern during the development of this ASP. It is important to protect the fragile balance between the realms of development and naturalized areas. The concept for the neighbourhood open space areas places high value on the integration of natural areas, trails, parks, and passive recreation areas. The current development plan has set aside approximately 117 ha or 46% of the site area for naturalized area, which excludes formalized park and trail areas.

E:\THOMSON FLATS\FIGURE 4.5A | TRANSPORTATION - STANDARD\DMA 00079-01_FIGURE 4.5A.B - TRANSPORTATION.DWG - 7/7/2020 3:38 PM



THOMSON FLATS

AREA STRUCTURE PLAN

LEGEND

EXISTING ARTERIAL

FUTURE ARTERIAL

EXISTING COLLECTOR

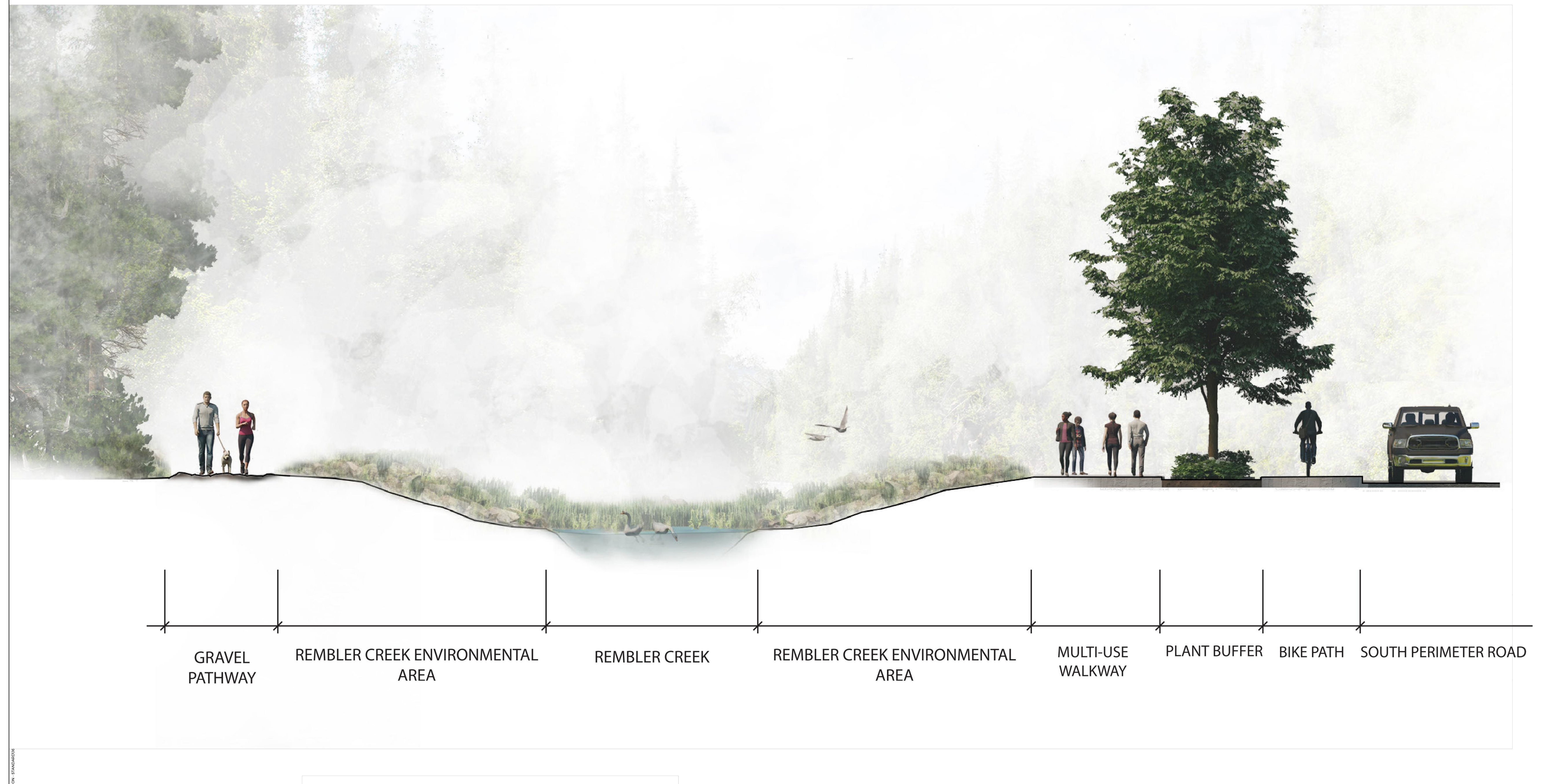
EXISTING MINOR COLLECTOR

FUTURE MINOR COLLECTOR

TRAIL SYSTEM

PLAN AREA

FIGURE 4.5A | PARKS AND OPEN SPACE



THOMSON FLATS
 AREA STRUCTURE PLAN



FIGURE 4.5B | REMBLER CREEK SECTION

4.8. ENVIRONMENT + ECOLOGY

The goal in Phase Two of the Thomson Flats ASP Environmental Assessment, completed in the Spring of 2019, was to review the impact of the proposed ASP concept-layout in order to negate any further impact and loss of habitat; restore and reverse site conditions induced by historical use; and to create, enhance and protect habitat conditions. A comparison summary of the ASP concept layout to the Phase One ecosystem inventory is included in the Phase 2 Report, found in **Appendix C2 - Environmental Assessment – Phase 2**. The Phase 2 assessment of the ASP concept layout acknowledges the protection of 55% of existing green space across an array of ecosystems and habitat types, where biodiversity can be maintained, and provides a number of recommendations to help guide future development within the ASP based on the concept layout.

4.8.1. FRAMEWORK

One of the primary focuses of this ASP is to guide development that is consistent with the City of Kelowna, Provincial, and Federal environmental policies and regulations. It is also to help ensure that future development will protect the interfaces between future communities and natural and sensitive ecosystems that species rely on. Along with the City of Kelowna's core value of "No Net Loss", several fundamental conservation aspects were reviewed:

- Avoid Hydrological changes
- Avoid habitat destruction, fragmentation, and islandization and/or reduced biodiversity by:
 - Providing Linkages
 - Connect smaller habitats via linkages
 - Retain refuges
- Reduce wildlife conflicts

4.8.2. ASP CONCEPT REVIEW

Although there is no single determining factor of how much environmental interface area should be left intact, environmentally relevant natural green spaces, parks, and corridors were reviewed. The results of this analysis are summarized in Table One of the Phase 2 Report, found in **Appendix C2 - Environmental Assessment – Phase 2**. This review considered Terrestrial and Aquatic habitat impacts and Wildlife impacts. Of particular note is the accommodations made for the Great Basin Spadefoot Toad.

GREAT BASIN SPADEFOOT TOAD

A significant part of the environmental assessment was focused on wildlife species found within the ASP, of which the Great Basin Spadefoot Toad was found to breed in the wetlands along Rembler Creek; they were also detected in the Fraser Lake basin, to the north in the Ponds Development areas, and further north across Bellevue Creek. Key accommodations in this ASP are to maintain population and breeding connections from the north Fraser Lake and Ponds areas, as well as general terrestrial habitat throughout the ASP. Maintaining suitable migration corridors and habitat connectivity among road crossings and development nodes was a specific consideration of this ASP and will be adapted through detail design.

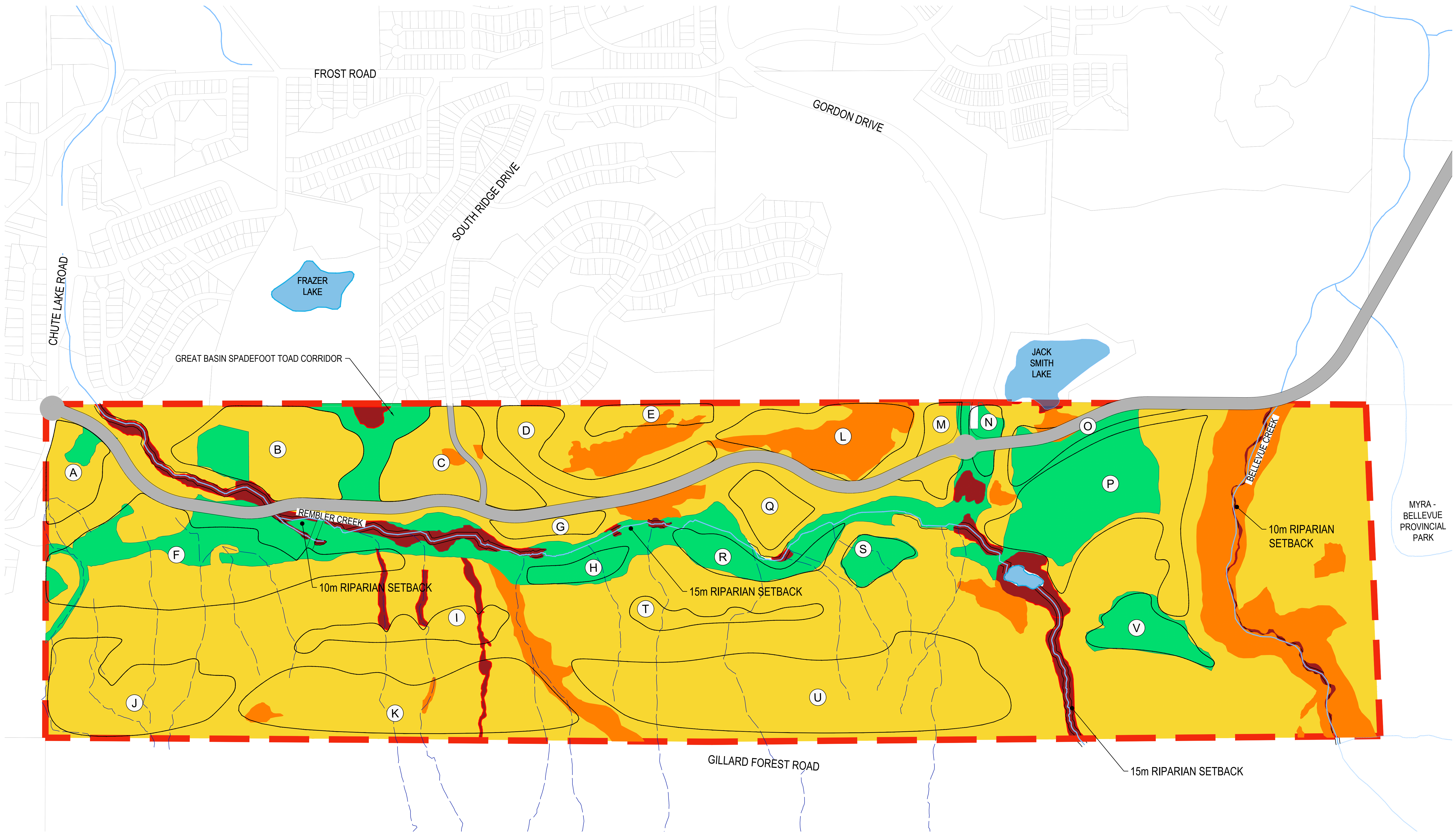
4.8.3. ENVIRONMENT AND ECOLOGY RECOMMENDATIONS

As the neighbourhood develops the following environmental recommendations will be implemented;

- Designate no disturb areas prior to construction with flagging or temporary fencing;
- Minimize cut and fill slopes where possible utilize natural topography in the development design;
- Ensure construction activities are conducted during appropriate times of the year to avoid potential impacts to nesting and breeding wildlife;

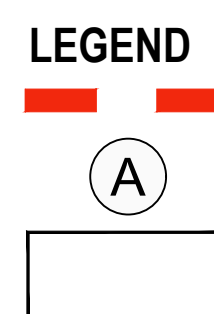
- Hydro-seed disturbed sites shortly after construction, during appropriate times of the year to limit the potential of erosion and introduction of invasive weeds;
- Trails and recreational areas should be designed and constructed to avoid Environmentally Sensitive Areas (ESAs) and sensitive features where possible;
- Habitat corridors should be incorporated into the development to provide access between ESAs and avoid fragmentation and alienation of habitat and species. These features also provide higher aesthetic values within the development;
- Retain Habitat Trees where possible as part of the overall development design;
- Road crossings occurring on natural drainage or seepage sites will integrate measures to ensure the hydrogeological patterns are not altered to avoid impacts on riparian and wetland communities downslope;
- Aquatic Mitigation
 - At the DP level, complete assessment of condition and functioning of wetlands so that neither are impaired significantly by proposed development.
 - Restoration of Rembler Creek will require Provincial Authorization and City of Kelowna Approvals requiring further detail design and planning to occur.
 - Construction activities will require to be coordinated for Great Basin Spadefoot breeding – rearing timing as not to impact species and the lifecycles.

Refer to **Appendix C2 - Environmental Assessment – Phase 2** and



THOMSON FLATS

AREA STRUCTURE PLAN



PLAN AREA
DEVELOPMENT NODE AREA
DEVELOPMENT NODE

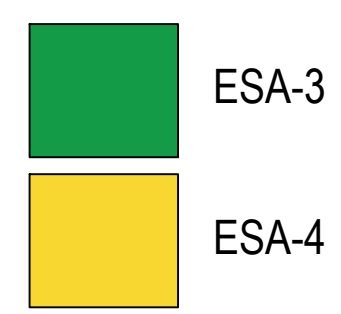


FIGURE 4.6 | ENVIRONMENTALLY SIGNIFICANT AREAS WITH DEVELOPMENT NODES

0 75m 150m 300m

4.9. INFRASTRUCTURE + SITE SERVICING

The ASP area is not currently serviced with any existing municipal infrastructure. As such, new infrastructure will be required to connect and service the area by extending infrastructure lines, connections, and road networks. WSP has reviewed and evaluated the preliminary servicing needs to provide Thomson Flats with potable water distribution and sanitary sewer collection and found that the existing systems can service the site with minor improvements and upgrades. Preliminary stormwater management strategies and transportation servicing options have also been developed.

4.9.1. WATER SUPPLY

Water demands for the Thomson Flats development were calculated based on the projected neighbourhood populations and the estimates from the City of Kelowna Design Standards Schedule 4 of Bylaw 7900 (2012) as follows:

- Average Daily Flow (ADD): 900 L/capita/day
- Maximum Daily Flow (MDD): 1800 L/capita/day
- Peak Hour Flow (PHD): 4000 L/capita/day

The calculated demands for the ultimate development (current and future horizons) are summarized below in

Table 4.4A: Water Demands Summary – Ultimate Development.

Table 4.4A: Water Demands Summary – Ultimate Development

	AVERAGE DAILY [L/S]	PEAK DAILY [L/S]	PEAK HOUR [L/S]
Area 1	11.87	23.74	52.76
Area 2	10.76	21.53	47.83
Area 3	17.79	35.58	79.07
SUM	40.43	80.85	179.67

These ultimate demands were then applied to the more conservative 2030 scenario for evaluation.

The calculated demands for the current development horizon are summarized below in

Table 4.4A: Water Demands Summary- Current Development Horizon.

Table 4.4B Water Demands Summary – Current Development Horizon

	AVERAGE DAILY [L/S]	PEAK DAILY [L/S]	PEAK HOUR [L/S]
Area 1	7.44	14.88	33.07
Area 2	5.54	11.08	24.63
Area 3	6.50	13.00	28.89
SUM	19.48	38.96	86.09

4.9.1.1. PROPOSED DISTRIBUTION NETWORK

The Thomson Flats system is planned to include a piped distribution network that follows the proposed road layout. The proposed network was modelled, and results indicated that the majority (18.8km) of the proposed servicing network should be 200 mm in diameter with a small number of segments (0.9km) requiring 250mm diameter. All pipes were modelled with a Hazen-Williams coefficient of 100 to reflect a future “aged-condition” DI pipe. Due to the large variations in elevations across the development, three pressure zones are anticipated to be required to service Thomson Flats: 613m, 665m/666m, and 725m.

Figure 4.7: Preliminary Water Service Plan illustrates the system features.

613 METRE ZONE

The 613m zone is required for the current development horizon, which is limited to property owned by Melcor and Canadian Horizons.

The 613m zone will be an extension of the existing 613m zone which is fed from Frost Reservoir via an existing PRV on Kuipers Crescent as well as three new PRVs. These new PRVs will be located near the 575 m contour line, two predominantly supplying water from the Frost Reservoir, and one supplying water predominantly from Gillard Reservoir.

The 613m zone will also be connected to the 552m zone via a normally closed valve. While this could be used to backfeed the 552m zone in an emergency, this would be causing a “pump-up, PRV-down” situation and therefore is not recommended for common practice.

Initial servicing will likely be via a connection at the current termination of South Ridge Drive with the additional PRV connections added as development progresses.

665 METRE / 666 METRE ZONE

The 665m zone is required for the current development horizon, which includes a portion owned by Canadian Horizons and a portion owned by Schwerzfergers.

The 665m/666m zone will be gravity supplied directly by the Frost and Gillard reservoirs. The connection of these two reservoirs will also allow for an increase in operational flexibility as there is the potential to take one of the reservoirs temporarily out of service and maintain a level of service to customers in the zone by utilizing the other reservoir.

Initial servicing will likely be from the west side via a connection to the Gillard Reservoir at Gillard Forest Service Road. As development progresses a key piece of infrastructure will be the construction of the new main from the Frost Reservoir and 250mm main from Hewetson Ave to Area 3 in order to connect the zone to the Frost Reservoir.

725 METRE ZONE

The 725m zone is required for the future development horizon, which includes all of the properties.

The 725m zone will service the highest areas of the Thomson Flats development which run along the south edge of the property. This will require a new booster station and should be complimented with a reservoir in the heights south of Area 3 in order to provide storage for PHD and MDD+FF service. The location of this reservoir has not yet been determined but should be at a sufficient elevation to provide a TWL of 725m.

A summary of all additional water infrastructure for Thomson Flats is described within **Table 4.5: Thomson Flats Summary Network**.

Table 4.5: Thomson Flats Summary Network

NEW COMPONENT	QUANTITY	COMMENTS
Pump Station	1	- At southwest Thomson Flats to provide sufficient pressure for the high elevation area along the south in the future development horizon area.
Reservoir	1	- Location on the property to achieve a top water level at 725 m - For the future development horizon area.
PRV	3	- Located near the 575 m contour to reduce the HGL as water travels from the 666 m pressure zone into the 613 m pressure zone - Required for the current development areas.
Pipes	~18.8 km	- 200 mm I.D. Pipes
	~0.9 km	- 250 mm I.D. Pipes

4.9.1.2. DISTRIBUTION SYSTEM DESIGN CONSIDERATIONS

Watermains will be included in all roadways and lanes in accordance with the City's bylaws. Looping of the watermains for maintaining water quality will require careful, flexible design and coordination with other infrastructure, road alignments, walkway inter-connections between neighbourhoods and trail systems. In particular, for the future development horizon area there is potential for a dead end at the east end of Node U, unless a loop can be provided in the road/lane system. .

Development of the current development horizon will require extension of a watermain down the slope from near the Gillard Reservoir to the Node F area. It is inevitable that a temporary access road, and coordination with the trail system, will be required for this portion of the water supply.

4.9.1.3. REQUIRED UPGRADES TO EXISTING SYSTEM

No upgrades are required to the existing network in order to service Thomson Flats; however, the City could consider upgrading portions of South Ridge Drive from 200ø to 250ø and portions of Frost Road and Steele Road from 250ø to 300ø, however this is an existing issue and not related to Thomson Flats.

CEDAR CREEK WATER SUPPLY SYSTEM

The Cedar Creek Water Supply System consists of an intake in Okanagan Lake, a supply line from the intake to the Cedar Creek Pump Station, a transmission main along Stellar Drive, a booster pump station on Stellar Drive and a transmission main to the Adams Reservoir. At the Adams Reservoir there is a treatment facility (for UV disinfection, filtration, and chlorination) and storage reservoir. The completed Stage 1 of this system's improvements achieved a design capacity of 275L/s. Stage 2 of this supply system's improvements will achieve a capacity of 825L/s.

The peak daily demand for 2030 provided in the model is 303L/s. The projected peak daily demand for Thomson Flats Neighbourhood is 81L/s, resulting in a total projected peak daily demand of 384L/s. This is well within the Stage 2 capacity for the Cedar Creek Water Supply System of 825L/s.

PUMP STATIONS

For the current development horizon, the readily expandable capacity at KVR (or Randhawa) and South Ridge pump stations will have available capacity. The first stage of expansion at the South Ridge Pump Station, or the expansion of the KVR (Randhawa) pump station may be necessary toward the end of the current development horizon for Area 1 and Area 2.

For the ultimate development horizon, the existing pump stations in Southridge and KVR have available capacity for Thomson Flats with one pump out of service. For the ultimate Thomson Flats development maximum day demand of 80.6 L/s, the readily expandable capacity at KVR (or Randhawa) and South Ridge pump stations will have available capacity.

The Stellar and Cedar Creek pump stations have available capacity for their total design flow, with a capacity of 400 L/s exceeding the project demand of 384 L/s. It is noted that the Kelowna Integrated Water Project is to increase the capacity of the Stellar Pump Station to 480 L/s.

RESERVOIRS

The combination of the Frost and Gillard reservoirs provide a total available storage of 4,500 m³ that is readily expandable to 6,600 m³ and will have available capacity for the initial phases of the Thomson Flats development. The existing reservoirs have adequate capacity for the current development horizon. For development of the future horizon areas expansion of one, or both, of these reservoirs will be required at some point.

The KVR (Adams) and Southcrest reservoirs at the 551m HGL have a total expandable storage of 6,700 m³.

Combined with proposed improvements associated with the Kelowna Integrated Water project, there may be sufficient storage at KVR (Adams) for the ultimate build-out of the Thomson Flats development, but this will need to be verified as area improvements and development progresses.

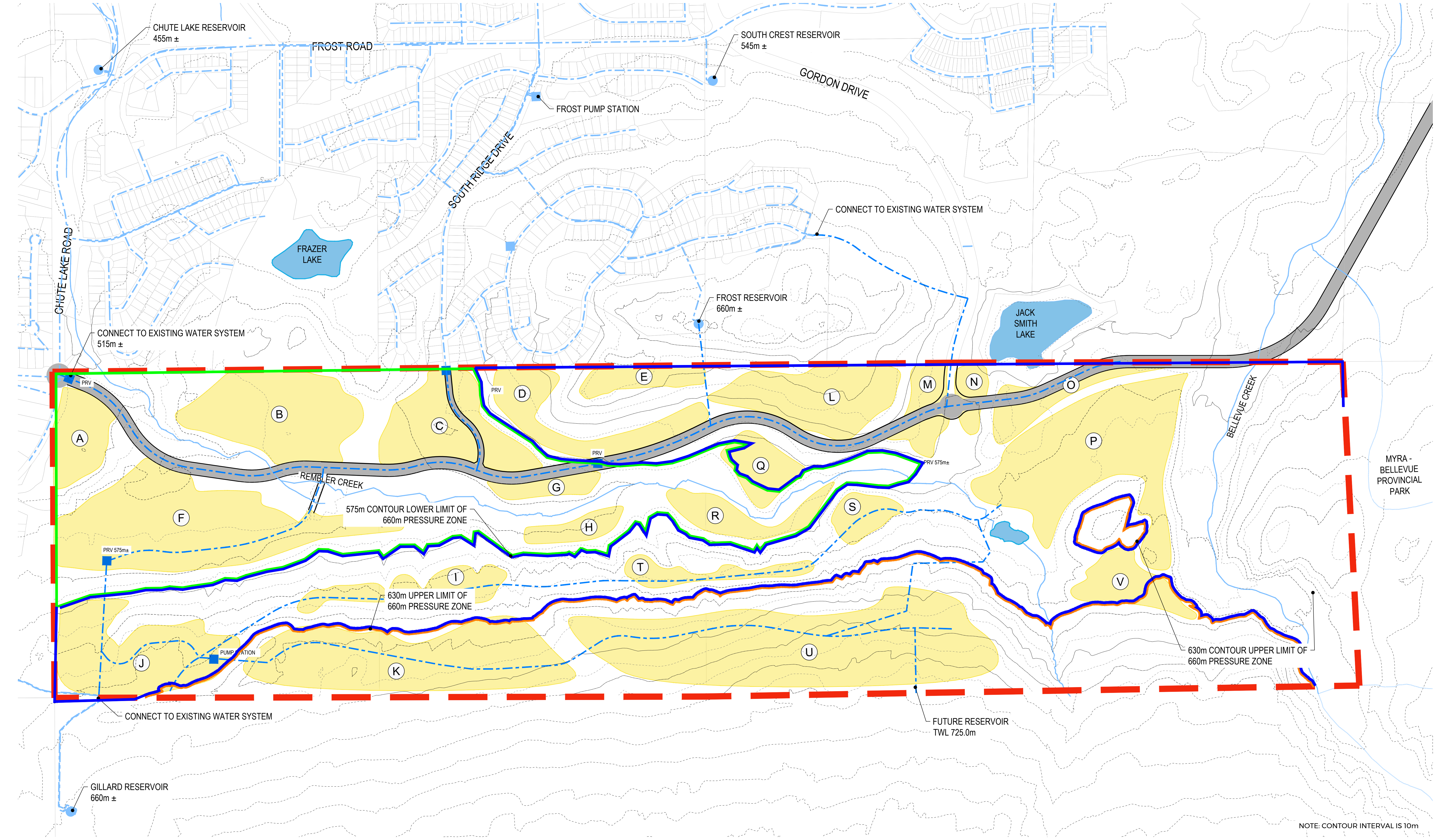
20 YEAR SERVICING PLAN AND FINANCING STRATEGY

In the 20-year servicing plan and financial strategy the Stage 2 Cedar Creek Transmission System Improvements are identified as projects. Consequently, the City is collecting development cost charges for these improvements and the introduction of the Thomson Flats demands does not create an unexpected burden on the City's water supply system.

The City's 20 Year Servicing Plan also includes a water main improvement within the Upper Mission. Specifically, the water main improvement proposes to connect to the Adams and South Crest reservoir. If, and when this occurs, the overall improvement may enhance the Thomson Flats water supply system.

Based on the results of the study, the City of Kelowna water system does not require unexpected upgrades when the Thomson Flats water demands are introduced in the future.

E:\THOMSON FLATS\GIS\TECH\FIGURES\FIG 4.7-1 DELIMINARY WATER SERVICING PLAN.dwg 02/26/2020 2:22 PM



THOMSON FLATS

AREA STRUCTURE PLAN

- | LEGEND | |
|--------|-----------------------------|
| | EXISTING WATER LINE |
| | PROPOSED WATER LINE |
| | EXISTING PRV |
| | PROPOSED PRV |
| | EXISTING RESERVOIR |
| | PRESSURE ZONE BOUNDARY |
| | PLAN AREA |
| | 575m PRESSURE ZONE BOUNDARY |
| | 660m PRESSURE ZONE BOUNDARY |
| | 725m PRESSURE ZONE BOUNDARY |



FIGURE 4.7-1 DELIMINARY WATER SERVICING PLAN

4.9.2. SANITARY SYSTEM

4.9.2.1. THOMSON FLATS SANITARY DEMANDS

Sanitary demands for the Thomson Flats development were calculated based on the neighbourhood population projections found in Section 1.1 and the estimates from the City of Kelowna Design Standards Schedule 4 of Bylaw 7900 (2012) as shown below:

- Domestic Flow Rate = 300 litres/capita/day
- A reduction factor of 0.75 was used to calculate the Harmon Peaking Factor
- It was assumed that all additional pipes from Thomson Flats are above the water table, and therefore infiltration & intake rates (I&I) would be 5000 L/ha/day.

The calculated demands for the ultimate development (both current and future horizons) are summarized in **Table 4.6: Sanitary Demands Summary – Ultimate Development**.

Table 4.6: Sanitary Demands Summary- Ultimate Development

	AVERAGE DAILY [L/S]	PEAK DAILY FLC	I&I	PWWF [L/S]
Area 1	3.96	11.17	3.70	14.87
Area 2	3.59	10.20	3.77	13.97
Area 3	5.93	16.18	5.71	21.89
Area 4	0.00	0.00	0.00	0.00
Area 5	0.00	0.00	0.00	0.00
SUM	13.48	37.55	13.18	50.73

These demands were then applied to the more conservative 2030 scenario for evaluation.

4.9.2.2. PROPOSED NETWORK

The Thomson Flats system includes a pipe network that follows the proposed road layout. Pipe alignments have been placed in road right-of-way for practical reasons such as cost and obtaining easements. New pipes within the development area were modelled as 200mm diameter PVC.

The proposed Thomson Flats network was modelled with connections to the existing system include tie-ins at:

- Lakeshore Road Servicing Area 1, portions of Area 2 and 3 via a twinned section with the existing sanitary main along Chute Lake Rd.
- South Ridge Drive servicing portions of Area 2
- Gordon Drive servicing portions of Area 3

For phasing purposes, the elimination of the Gordon Drive connection was also modelled to provide more conservative demands on the Chute Lake Road section. This will be a less expensive option, however will limit the development of Area 3 until after the development of Area 1 & 2.

Figure 4.8 shows the key features of the sanitary system.

A summary of all additional water infrastructure is seen in Table 4.7: Thomson Flats Sanitary Network Summary.

Table 4.7: Thomson Flats Sanitary Network Summary

NEW COMPONENT	QUANTITY	COMMENTS
Pipes	18.8 km	200 mm I.D. Pipes

4.9.2.3. COLLECTION SYSTEM DESIGN CONSIDERATIONS

Sanitary sewers will be included in all roadways and lanes in accordance with the City's bylaws. In some areas, the sanitary collection system will require careful, flexible design and coordination with other infrastructure, road alignments, walkway inter-connections between neighbourhoods and trail systems to achieve suitable access for maintenance and perhaps to avoid shallow grades.

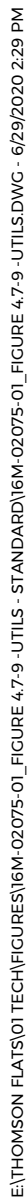
Within the current development horizon, Nodes H, Q, R and S a lift station may be needed due to grade considerations for crossing Rembler Creek. Alternative solutions to address this could be the installation of a heated gravity sewer on a pedestrian bridge over Rembler Creek as part of the Rembler Creek trail system or strata developments for these nodes.

4.9.2.4. REQUIRED UPGRADES TO EXISTING SYSTEMS

The required off-site upgrades for Thomson Flats are the new sanitary sewer down Chute Lake Road, which is required for the development of the first area at the west end of the current development zone. Otherwise, with the City completing the Gyro force main project in 2020, the only other potential off-site sanitary sewer improvement at the Gyro Lift Station.

2020 SERVICING PLAN

In the 20-year servicing plan and financing strategy, the Gyro Lift Station and Gyro Forcemain are identified as projects, consequently the City is collecting development cost charges for these improvements. This means that the Thomson Flats demands do not create an unexpected burden on the City's sanitary sewer system.



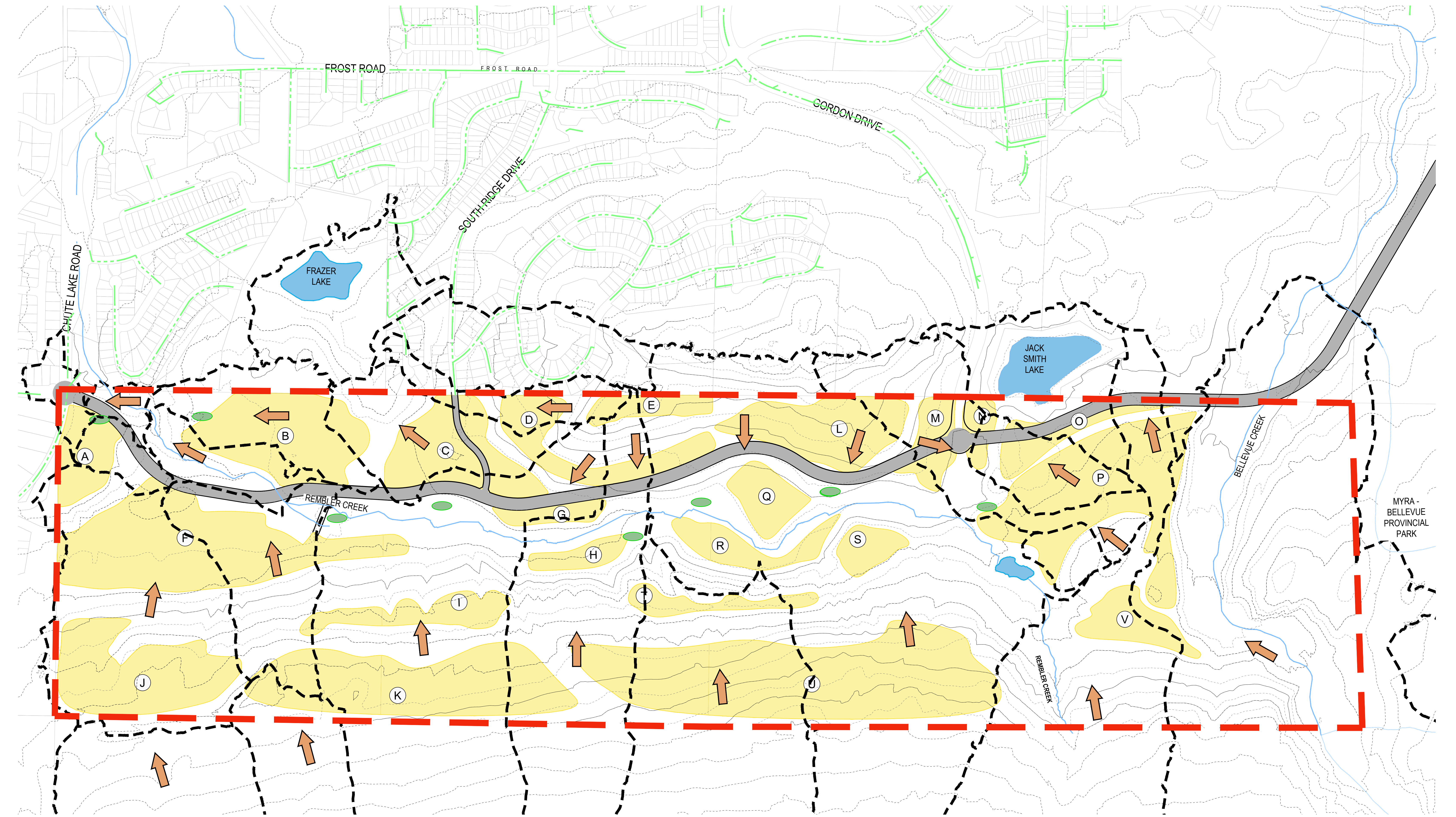
4.9.3. STORMWATER MANAGEMENT

Assessment of the Rembler Creek catchment, as presented in the Thomson Flats Hydrogeological Assessment (see **Appendix G – Hydrogeology Report**) concluded that Rembler Creek is well suited to receive runoff flows from the Thomson Flats area, if adequate retention is in place to restrict flows to the pre-development conditions. It will be relatively straightforward to collect the storm water, direct it to a new drainage course (or storm sewer) and provide the detention/retention required to limit run-off to pre-development levels.

Careful coordination of road alignments, the new drainage system, detention systems, linear trails and park areas will result in amenities that create value for the Thomson Flats development and the future residents. In undertaking a comprehensive drainage plan for the area, standard City practices will be applied to ensure that pre-existing drainage flows do not exceed post drainage flow volumes.

With post-development flows being restricted to the pre-development rates, in accordance with a comprehensive stormwater management plan that follows best practices and the City of Kelowna development standards, no negative impact to downstream infrastructure is expected.

Figure 4.9: Preliminary Storm Servicing Plan shows the expected catchment areas, storm pond locations and outlets to Rembler Creek for the Thomson Flats drainage system. **Figure 4.10: Predevelopment Storm Water Catchments** shows the catchments for the entire watershed



E:\THOMSON FLATS\GIS\FIGURES\FIG 4.9 PRELIMINARY STORM SERVICING PLAN.DWG 02/09/2020 1:50 PM



THOMSON FLATS

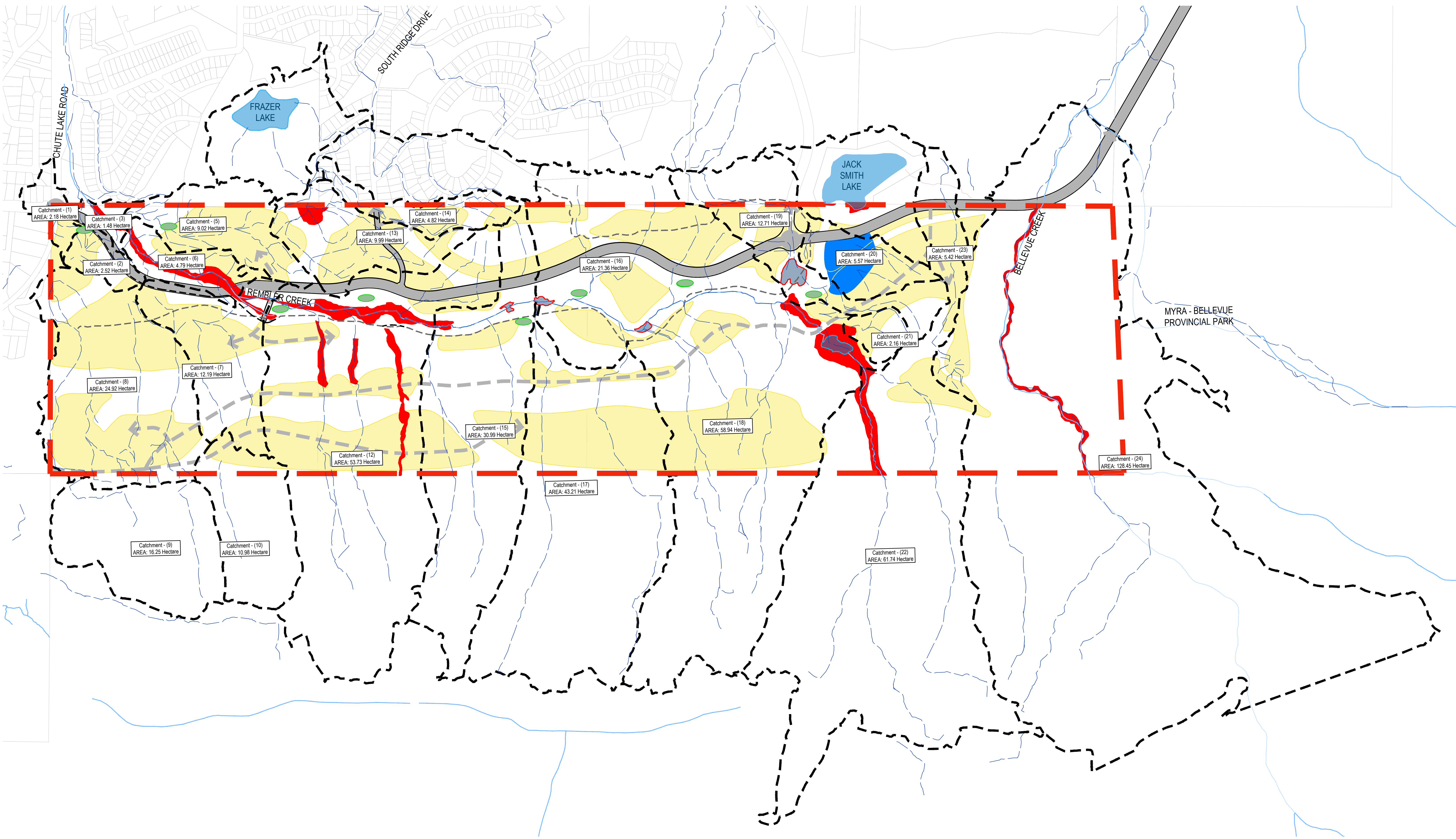
AREA STRUCTURE PLAN

- LEGEND**
- BASIN BOUNDARY
 - PLAN AREA
 - STORM POND
 - FLOW DIRECTION



FIGURE 4.9 | PRELIMINARY STORM SERVICING PLAN

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THOMSON FLATS

AREA STRUCTURE PLAN

- LEGEND**
- PLAN AREA
 - OVERLAND FLOW
 - ESA 1
 - BASIN BOUNDARY
 - DETENTION POND
 - DEVELOPMENT AREA



FIGURE 4.10 | STORM WATER CATCHMENTS

4.9.4. SHALLOW UTILITIES

Shallow Utility servicing for electricity, communications, and gas will be provided by each respective utility, being designed and constructed in accordance with the most current applicable standards and in coordination with other utility servicing.

4.10. DEVELOPMENT POLICY

Five principal land use policy areas have been identified within the Thomson Flats ASP. Requirements for land use, rezoning and subdivision plans will vary according to the location, context, and policy goals of each land use policy area. The following sections identify and provide policy statements to guide and inform future development of the area:

- General Land Use, Single + Medium Density Housing
- Mobility + Transportation
- Parks, Trails, + Open Space
- Environment + Ecology
- Neighbourhood Infrastructure + Servicing

4.11. RESIDENTIAL LAND USE

Thomson Flats is an active neighbourhood touting its parks, open space, recreation, and restored sensitive environmental network as a focal feature. An interconnected formal and informal trail and pathway network will seamlessly transition residential development areas with established neighbourhood areas, the existing and future school site, and the commercial node located within the neighbouring Ponds neighbourhood.

4.11.1. SINGLE-FAMILY HOUSING

- Single-family residential development shall address the Thomson Flats Area Structure Plan vision and generalized land use concept, which strongly encourages open and seamless connections throughout the neighbourhood with the intent to avoid neighbourhood divergence (i.e. gated communities).
- Development of residential nodes that provide for a variety of single / two-family housing forms and various lot sizes providing attainable housing choices that support of a range of income levels and age groups is encouraged.
- Single-family residential housing within Thomson Flats will be implemented in both the current and future development horizons.
- Modified or alternative land development approaches that complement the terrain and features and minimize unnecessary cuts / fills, hillside scarring, disturbance of wildlife and water courses, and visual impacts without compromising public safety are strongly encouraged.
- The retention of natural vegetation where feasible as well as the use of native and drought resistant vegetation for new development shall be strongly encouraged.
- The use of best practices in green building for all new construction is encouraged.
- Implementation of a comprehensive neighbourhood design control document (i.e. street furniture, trash receptacles, signage, street lamps, human-scaled lighting, landscaping, etc.) to provide consistent key unifying neighbourhood elements in accordance with City of Kelowna standards is encouraged.

4.11.2. MULTI-FAMILY HOUSING

- Multi-family residential development shall address the Thomson Flats Area Structure Plan vision and generalized land use concept, which strongly encourages open and seamless connections throughout the neighbourhood with the intent to avoid neighbourhood divergence (i.e. gated communities).
- Development of low-density multi-family housing typologies in the form of town homes and row housing providing attainable housing choices that support a range of income levels and age groups is encouraged.
- Multi-family residential housing within Thomson Flats shall not exceed 15% of the total estimated housing yield.
- Multiple-family housing developments shall obtain a Development Permit to address form and character.
- Multiple-family housing developments shall be ground / street-oriented, where resident parking access via lanes, is encouraged.
- Encourage the provision of additional community amenities (such as pedestrian trails between buildings) as part of new development for public and semi-private open space and facilities at the time of rezoning / subdivision.
- Modified or alternative land development approaches that complement the terrain and features and minimize unnecessary cuts / fills, hillside scarring, disturbance of wildlife and water courses, and visual impacts without compromising public safety are strongly encouraged.
- The retention of natural vegetation where feasible as well as the use of native and drought resistant vegetation for new development shall be strongly encouraged.
- The use of best practices in green building for all new construction is encouraged.
- Implementation of a comprehensive neighbourhood design control document (i.e. street furniture, trash receptacles, signage, street lamps, human-scaled lighting, landscaping, etc.) to provide consistent key unifying neighbourhood elements in accordance with City of Kelowna standards is encouraged.

4.12. MOBILITY + TRANSPORTATION

- Road design shall address multi-modal use where priority is given to pedestrians and cyclists.
- Minimize the number of direct access driveway connections along South Perimeter Road to effectively maximize vehicular safety and provide a continuous, uninterrupted shared-use pathway for non-vehicular traffic.
- Support a pedestrian-friendly mobility and transportation network through the development of street standards intended to reduce traffic speeds and establish safe pedestrian and cycling pathways.
- Transit-related improvements, such as right-of-way width for future bus pullouts and designated transit stop shelters for designated transit stops shall be provided in collaboration with BC Transit.
- Where necessary, the Developer shall design and construct a wildlife corridor, based the recommendations of the Environmental Report (attached hereto as Appendix C).
- Explore opportunities to reduce parking requirements for residential developments that promote car sharing co-operatives (i.e. Modo) or other forms of alternative transportation.
- Improvements to the existing road network as described in the Transportation Impact Assessment (attached hereto as Appendix D) shall be implemented according to a schedule and corresponding arrangement that is mutually agreed upon by the Developer and the City of Kelowna.

- Any necessary transit-related improvements per the Transit Accommodation Plan (attached hereto as **Appendix E – Transit Accommodation Plan**) shall be implemented according to a schedule and corresponding arrangement that is mutually agreed upon by the Developer and the City of Kelowna.

4.13. PARKS | OPEN SPACE | RECREATION

- Parks and open spaces shall be reasonably accessible for all forms of active transportation from each development area and incorporate a design that accommodates age-friendly needs and demands.
- Parks and open spaces will be designed to accommodate a wide variety of active and passive recreation opportunities.
- Parks, open space, and trail and pathway connections to facilitate access to new and existing features, including adjacent neighbourhood trails and the City of Kelowna's formal trail network will be encouraged, where possible
- Trails shall be designed to promote public safety, with appropriate buffers from major roadways while minimizing impact on sensitive areas.
- Pathways and pedestrian connectivity through the Thomson Flats ASP area should promote active transportation and accessibility, with different classes of trails designed to accommodate different abilities of residents in accordance with the City of Kelowna's Linear Parks Master Plan.
- Parkland will be designed to meet the needs of such users and patrons within the Thomson Flats neighbourhood.

4.14. ENVIRONMENT + ECOLOGY

- Limit aggressive human use and activity within environmentally sensitive areas through the use of fencing and other measures as recommended by an environmental professional.
- Development areas will be "clustered" in areas that are not deemed environmentally significant wherever possible.
- Habitat areas shall be protected and enhanced as per the recommendations of the environmental consultant and their report.
- The Developer shall identify and preserve significant natural features.
- Where possible, the developer shall utilize innovative low-impact stormwater management solutions, such as bio-swales and permeable surfaces.
- Endorsement of environmentally responsible development practices such as light pollution mitigation, reduction of water use (buildings and landscaping), and energy efficiency measures is encouraged through comprehensive neighbourhood design control document.
- Disturbed ESA areas shall be remediated per recommendations within the Environmental Report (attached hereto as Appendix C1 – Environmental Assessment – Phase 1 and Appendix C2 - Environmental Assessment – Phase 2).

4.15. NEIGHBOURHOOD SERVICING + INFRASTRUCTURE

SITE SERVICING

- The water distribution system shall be designed to adequately and efficiently service the development areas as per the proposed phasing plan.

- The wastewater collection system shall be designed to adequately and efficiently serve the development area.
- Where possible, collector roadways should incorporate low impact stormwater management principles.
- Land drainage and stormwater management facilities shall be designed to reduce the impact on the regional infrastructure system and shall be developed generally in conjunction with the mobility and transportation network that serves as a connection to off-site areas.
- A stormwater management plan shall be provided to ensure on-site drainage is maintained at pre-development flow rates and to mitigate environmental impacts from stormwater runoff, erosion, and sedimentation using a sustainable and low impact approach.
- Land and storm drainage systems should be designed to reflect a natural, rather than manufactured, appearance.
- Industry best-practices and environmentally responsible design approaches, such as low impact development, should be integrated in all servicing designs.
- Sharp cuts and fills and long linear slopes of uniform grade should be avoided, where possible.

SHALLOW SERVICES

- Utility rights-of-way shall be provided to accommodate utilities as determined necessary. Where possible, utilities will be located within the same right-of-way area.
- Utility rights-of-way and public utility lots shall be provided as required to accommodate the development or the extension of municipal utilities necessary for development.
- A developer may be required to provide, or enter into an agreement to provide when required, the utility rights-of-way necessary to accommodate the extension of municipal utilities through or adjacent to a site in advance of development in order to allow for the servicing of a site.

4.16. DEVELOPMENT PERMIT AREAS

Pursuant to the Local Government Act Section 879 and 920, the City of Kelowna has included a number of Development Permit areas within the 2030 Kelowna Official Community Plan. The purpose of Development Permit Areas (DPA) is to provide protection to environmentally sensitive areas and hazard lands, wildfire interface protection, hillside development areas, and built form and character.

Thomson Flats development areas, or parts thereof, will be subject to the following 2030 Kelowna Official Community Plan DPA's:

- Natural Environment
- Hazardous Conditions
- Wildfire

The objectives and provisions for the guidelines are to be administered as a supplemental process to the 2030 Kelowna Official Community Plan. Further, development within Thomson Flats will be carried out in accordance with each of the applicable DPA guidelines, and guidelines set within the Thomson Flats ASP, while recognizing that the DPA guidelines take priority.

4.17. IMPLEMENTATION + PHASING

The Thomson Flats ASP must be reviewed and formally accepted by City of Kelowna staff and Council prior to advancing through formal development processes. Upon acceptance of the document, the implementation of the ASP process will be initiated through a series of development processes, including,

but not limited to OCP amendment, rezoning, subdivision, and development permits. The proposed implementation, phasing, and development of Thomson Flats will specifically be achieved through a two-step process using: 1) the policy parameters set within the City's current OCP; and 2) policy parameters set within the City's future updated OCP. It is understood that the advancement of any development stage / phase is subject to the City's formal development approval process and adherence to current bylaws.

Upon Council support for the Area Structure Plan, the next stage of the Traffic Impact Assessment will be completed, which will include these components:

- Resolution and agreement on the approach for the remaining analysis for the key items that are relevant to the outcome
- Analysis for interim horizons, which include projections for traffic generated for the current development horizon development, projected traffic in 2024 and projected traffic in 2030
- An implementation, or staging, strategy for the improvements needed for the combination of projected background traffic and total (ie Thomson Flats) traffic
- Agreement regarding the proportion of financial responsibility for the City and developers for the improvements needed.

Following agreement regarding the Traffic Impact Assessment, the OCP amendment for the current development horizon areas will be conducted. The future development horizon areas will be designated as Future Urban Reserve.

In the future, as key issues for the future development horizon/future urban reserve area resolve themselves (for example, completion of the South Perimeter Road and its affect on traffic patterns, secondary access to the area through development to the west, buffer requirements for the transition at the City/Regional District boundary, the Forest Service Road relocation or closure) the next stages of the development process could proceed. When this occurs, another Official Community Plan amendment, supported by a comprehensive Neighbourhood Plan, will be required.

The current and future development phasing plan is illustrated below in **Figure 4.11 Development Phasing**.

5.0 CONCLUSION

Thomson Flats is an undeveloped tract of land located within in Kelowna's Upper Mission neighbourhood at the east terminus of Chute Lake Road, south of Fraser Lake, traversing east to the City of Kelowna southeast municipal boundary, and south of Jack Smith Lake. The lands include five parcels, three landowners, and encompass a total of 255.53 hectares (631.43 acres).

Development of the site has been considered from as early as 1985 and has always been recognized by the City of Kelowna as a growth area. Accordingly, Thomson Flats is a location within the City's permanent growth boundary, where the Official Community Plan identifies the lands a future land use designation of 'Future Urban Reserve'. The Official Community Plan currently does not identify appropriate land use designations for Thomson Flats, nor does it provide a detailed planning framework for how the area should be developed. As such, the City of Kelowna requires that the lands be adequately planned through the City's established two-phase ASP process. In conjunction with the two-phase process, a comprehensive public consultation program has been undertaken and influenced this first plan.

This report encompasses the review, analysis, and results of background reconnaissance and technical studies, including an environmental assessment, geotechnical assessment, transportation and infrastructure servicing review, and a neighbourhood planning analysis. The results of the technical reports and analysis identified various site characteristics, features, potential development challenges, and site sensitivities. Technical study results have assisted in establishing a neighbourhood planning approach and identified the feasibility for site development. While the site presents development challenges, they are relatively minor in nature and can be mitigated through standard development applications. As such, urban development within Thomson Flats is highly feasible and presents various opportunities.

The development planning will be governed by the policy statements included in this ASP and by best practices. A range of single-family residential development, supplemented by supporting infrastructure, attractive active transportation, parks, and opens space areas are all possible to seamlessly coexist, while enhancing environmentally sensitive areas of the site.

Ultimately, a maximum of 1,200 residential units are proposed, but development will be implemented in stages. The first stage, the current development horizon is limited to an estimated 668 residential units resulting in a project population of about 1,577 residents. At its full build out, Thomson Flats is anticipated to produce an estimated 1200 residential units supporting an estimated population of approximately 2854 residents.

Upon Council support for the Area Structure Plan, the next stage of the Traffic Impact Assessment will be completed, Following agreement regarding the Traffic Impact Assessment, the OCP amendment for the current development horizon area will be conducted. The future development horizon areas will be designated as Future Urban Reserve.

In the future, as key issues for the future development horizon/future urban reserve area resolve themselves (for example, completion of the South Perimeter Road and its affect on traffic patterns, secondary access to the area through development to the west, buffer requirements for the transition at the City/Regional District boundary, the Forest Service Road relocation or closure) the next stages of the development process could proceed. When this occurs, another Official Community Plan amendment, supported by a comprehensive Neighbourhood Plan, will be required.



Interior Health
Every person matters

August 27, 2020

James Moore,
Urban Planning & Development Policy Manager
City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
jmoore@kelowna.ca

Dear James Moore:

RE: Thomson Flats Area Structure Plan

Thank you for the opportunity to review and provide comments to the Thomson Flats Area Structure Plan (ASP) with a population health perspective. Compact, complete and connected with more diverse housing options are tenets of creating a healthier, more equitable and more sustainable community. The Thomson Flats ASP does not contribute well to Kelowna achieving a more complete and compact community because it primarily proposes lower density, non-mixed use residential, green-field development away from urban centres. Interior Health strongly recommends the City support developments which significantly contribute to a healthier built environment for Kelowna citizens.

A healthy built environment (HBE) is planned and built in a way which health evidence demonstrates has a positive impact on the physical, mental and social health of the population. The [HBE Linkages Toolkit](#) is an evidence based resource developed by the BC Centre for Disease Control which links planning principles to positive health outcomes (link to full report below). A HBE allows residents to easily connect with each other and with a variety of day-to-day services such as schools, workplaces, recreational facilities and grocery stores. Roads and pathways are perceived to be safe, accessible, aesthetically appealing and well connected. There are diverse housing forms and tenure types and natural elements are protected. Including these principles in community planning has shown at a population level to increase family resources, physical and social activity and consumption of healthy foods, which decreases stress, body mass index and unintentional injury, and increases social cohesion and mental health. Health equity, which are differences in health status due to social, political, and economic factors, is also improved. In addition, these principles support a more financially and environmentally sustainable municipality by increasing economies of scale and decreasing the environmental footprint.

The Thomson Flats ASP does include some healthy planning principles. For example, proposing to contribute to a more efficient and safe transportation network, providing parks, trails, and access to nature, and assessing the landscape to ensure there is minimal exposure to environmental hazards. However, when this proposed development is considered in terms of how it would contribute to the overall HBE of the City the location becomes a large detriment. A more financially and environmentally sustainable approach which would better support the health of Kelowna's population would be to first focus on more mixed-use development toward urban centres and on land that has been previously

developed before disturbing a natural asset on the fringe of the community. In doing so, the road, transit, power, communication, and waste, storm, and drinking water infrastructure would remain closer to core areas; thereby lowering the ratio of operation and maintenance costs to size of population contributing to these costs. There would be less reliance and travel distance by single occupancy vehicles; thereby lowering the community's green house gas emissions which directly and indirectly impact health. Lastly, focusing development and resources toward core areas of the City will create more complete better connected neighbourhoods that provide the resources citizens need for overall well-being, as described in the HBE paragraph above.

Therefore, it is strongly recommended that Council not endorse the Thomson Flats ASP at this time. Instead, it is recommended development be directed toward urban centres and previously developed land until density has increased sufficiently. The fundamental HBE principles are compact, complete and connected. This proposed development would not contribute to a compact community because of its peripheral location. It includes plans to improve road connectivity; however it cannot overcome daily travel distance. Its location also hinders the ability to contribute to a more complete community. Having said this, the plan would be strengthened by including a higher proportion of diverse housing forms and tenure types and including or contributing to mixed-use/commercial development.

Lastly, as the City is aware there is a responsibility to ensure all new drinking water connections are provided with safe and reliable water that meets the provincial Drinking Water Treatment Objectives. This includes both the initial infrastructure as well as the long-term operations and maintenance.

If there are any questions or more resources are needed please contact Anita Ely at 250-253-3679 or anita.ely@interiorhealth.ca.

Sincerely,



Anita Ely, BSc, BTech, CPHI(C)
Specialist Environmental Health Officer
Healthy Communities Program
Population Health



Katrina Lehenbauer, MPH
Healthy Communities Facilitator
Healthy Communities Program
Population Health

AE/kl

Resource:

BC Centre for Disease Control. Healthy Built Environment Linkages Toolkit: making the links between design, planning and health, Version 2.0. Vancouver, B.C. Provincial Health Services Authority, 2018. <http://www.bccdc.ca/health-professionals/professional-resources/healthy-built-environment-linkages-toolkit>

REPORT TO COUNCIL



Date: March 1, 2021

To: Council

From: City Manager

Department: Development Planning

Application: A20-0003

Owner: Stephen Cipes

Address: 4870 Chute Lake Road

Applicant: CTQ Consultants Ltd., Ed Grifone

Subject: Application to the ALC for "Non-Farm Use"

Existing OCP Designation: REP – Resource Protection

Existing Zone: A1 – Agriculture

1.0 Recommendation

THAT Agricultural Land Reserve Application No. A20-0003 for Lot 1, Sections 24 and 25, Township 28, Plan KAP78562 located at 4870 Chute Lake Road, Kelowna, BC for a "Non-Farm Use" under Section 20(2) of the Agricultural Land Commission Act, be supported by Council;

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

2.0 Purpose

To consider a staff recommendation to support an application to the Agricultural Land Commission for a "Non-Farm Use" under Section 20(2) of the Agricultural Land Commission Act.

3.0 Development Planning

Development Planning Staff recommend support for the proposed Non-Farm Use application and that it be forwarded onto the Agricultural Land Commission for consideration. The overall proposal, focused on a new educational culinary facility, is unique with few comparables within the province or nationally. Due to its general scope and scale, the proposed facility can generally be considered an urban use which does not meet a number of agricultural objectives outlined in the City's Official Community Plan (OCP) and Agricultural Plan. However, upon a detailed assessment of the proposal, staff surmise that the proposal has potential to generate alternative agricultural value to the City and the region in providing for a rare opportunity for value-added agricultural amenities. The proposal could advance agricultural objectives such as the promotion of local farming through research and education, including local foods and agricultural products. The proposed educational culinary facility has the potential to play an important role in shaping a

community's identity and pride making agriculture more accessible and ultimately highly valued by the public. The facility can add to the 'sense of place' of the region and the community's feelings of what makes the area attractive to visit and live in.

Should this application be supported by the City and approved by the ALC, a text amendment application would be required to come forth to Council for consideration of the specific uses and details of the proposal.

3.1 Background

The subject property has been owned and operated as Summerhill Pyramid Winery since 1995 when the original winery building was constructed. The site currently has the main building, tasting room, offices, restaurant, outdoor events area and the pyramid wine cellar. It is accessed from Chute Lake Road and has a variety of surface parking to service the winery and agricultural operation. The current owner also owns a number of directly adjacent parcels which make up the farm unit and have a mix of agricultural and residential uses. Approximately 48.6 acres are utilized for active vineyard production.

3.2 Site Context

The subject property is located in the City's South Okanagan Mission Sector. The Future Land Use is REP – Resource Protection is zoned A1 – Agriculture and it is within the Agricultural Land Reserve. It is located outside of the Permanent Growth Boundary (PGB) however has available City services (sanitary and water) and is a small agricultural block surrounded by the PGB. The property is approximately 62.3 acres in size with its primary access being Chute Lake Road. It has a variety of agricultural and agri-tourism uses including a winery, restaurant & ballroom, agricultural storage and existing parking.

3.3 Project Description

The proposed development is for a culinary education facility at the existing Summerhill Pyramid Winery location. The "Culinary College for Humanity" at Summerhill consists of several stated uses including culinary facility, educational stays, wine tasting, food producing gardens, and parking. These uses would be accommodated in a structure designed specifically for the unique nature of the proposal.

Proposed Structure & Non-Farm Use

The siting of the proposed structure is located in the north west corner of the property next to the Summerhill Pyramid Winery. It would utilize the same access and be primarily within already disturbed land that is not currently being used for crop production.

The proposed structure is to be constructed on top of the existing wine production and warehousing building. The existing buildings footprint is approximately 20,000 ft² with a proposed 15,000 ft² addition to support the remaining floors. The at grade and parkade level would consist of wine production and large parkade. The culinary school facilities including large kitchen and classrooms are located on the main floor along with the administrative offices and wine tasting rooms. In addition, a large atrium and First Nations cultural space in the centre of the building would be located on the 4th floor and provide for conference centre seating capacity. A total of 150 rooms ranging from 250-450ft² in size for accommodation of students and faculty are located in various configurations on floors 2, 3, 5 and 6. The rooms would be restricted to registered students and faculty only and used for accommodation based on the program curriculum. In addition, gardens aimed at producing biodiverse food are incorporated to every level of the proposed structure to a total of approximately 37,000 ft² of proposed food producing area.

Soil Capability

The soils on the property are 4A (CLI) as per latest BC Agricultural Capability Map (Updated July 2018). The property is currently being utilized for grape production and would potentially support a number of agricultural crops.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2 – Rural Residential 2	Residential
East	A1 – Agriculture 1 & RR1 – Rural Residential 1	Agriculture/Residential
South	RR2 – Rural Residential 2	Residential
West	A1 - Agriculture	Agriculture/Residential

3.4 Development Planning

Policy Considerations

The proposed development is reviewed primarily against the OCP's Agricultural Policies and recommendations of the City's Agricultural Plan (2017), and secondly against overall city-wide policies and objectives. The overall scope and scale of the proposal is considered unique with few local comparables in the province or nationally. In analysis of the policy framework the project is not considered to meet a number of objectives in preserving agricultural lands, however, is considered to meet some overall policies and objectives which are considered in more detail later in the report.

The primary use of the property is being retained as agriculture through the 48 acres of vineyard and winery which a permitted farm use or directly associated with agriculture. Vineyards and wineries are a permitted farm uses that can be restricted but not prohibited by local government under the ALC Act and Regulations. The proposed culinary facility is considered an urban scale project and therefore would not meet policy objectives given its scope and scale. Policy aimed at urban scale uses directs this form of development away from agricultural lands to better suited properties within the Permanent Growth Boundary. Even though the existing vineyard and winery would be maintained the proposal could shift the primary use of the property to the facility itself.

In review of all Non-Farm Use applications the most directly applicable OCP policy is 5.33.6 which lists several criteria to help evaluate the proposal. A general analysis using the criteria is listed below:

Is it consistent with the Zoning and OCP? The zoning and land use of the subject property does not currently support the use or type of structure proposed in this application. A rezoning text amendment would be required subsequently to approval of the Non-Farm Use application if Council and the ALC chose to do so.

Does it provide significant benefits to local agriculture? Regarding use of land directly for food production, either through livestock or crops, the proposal is not considered to provide direct benefit to local agriculture or food security. However, it could be considered to help promote local agriculture through research and education purposes including local foods and agricultural products.

Can it be accommodated using existing municipal infrastructure? Connection to City services would be required for a proposal of this scale. Water and Sewer mains are available on Chute Lake Road however further confirmation of capacity and upgrades would be required to be proven out by the applicant's consultants.

Does it minimize impacts on productive agricultural lands? The proposed structure is to be constructed primarily on the footprint of the existing winery storage building and its surrounding area not currently used for agricultural production. Some expansion of the building footprint is proposed however no additional vineyard is to be removed at this time. In this regard the proposal does minimize the impact on productive agricultural lands. Indirect impacts such as increased speculative pressures and interface conflicts could result from development of this type of facility.

Will it preclude future use of the lands for agriculture? Given the nature of the proposal it would likely preclude a number of potential agricultural uses for the property. Traditional types of agriculture would likely not be viable or desirable adjacent to the proposal. Given the sites current use as a vineyard, the proposal would not likely preclude any use of the existing agricultural operation.

Will it harm adjacent farm operations? The proposed building is in the north portion of the subject property. The properties directly adjacent to the north are residential and the east and west sides of the property is buffered by Chute Lake Road and Lakeshore Road. To the east and across Chute Lake Road there is a large apple orchard currently in production. Potential impacts to the adjacent agricultural operation could result from increased traffic and result in further agricultural interface conflicts.

Approval Process

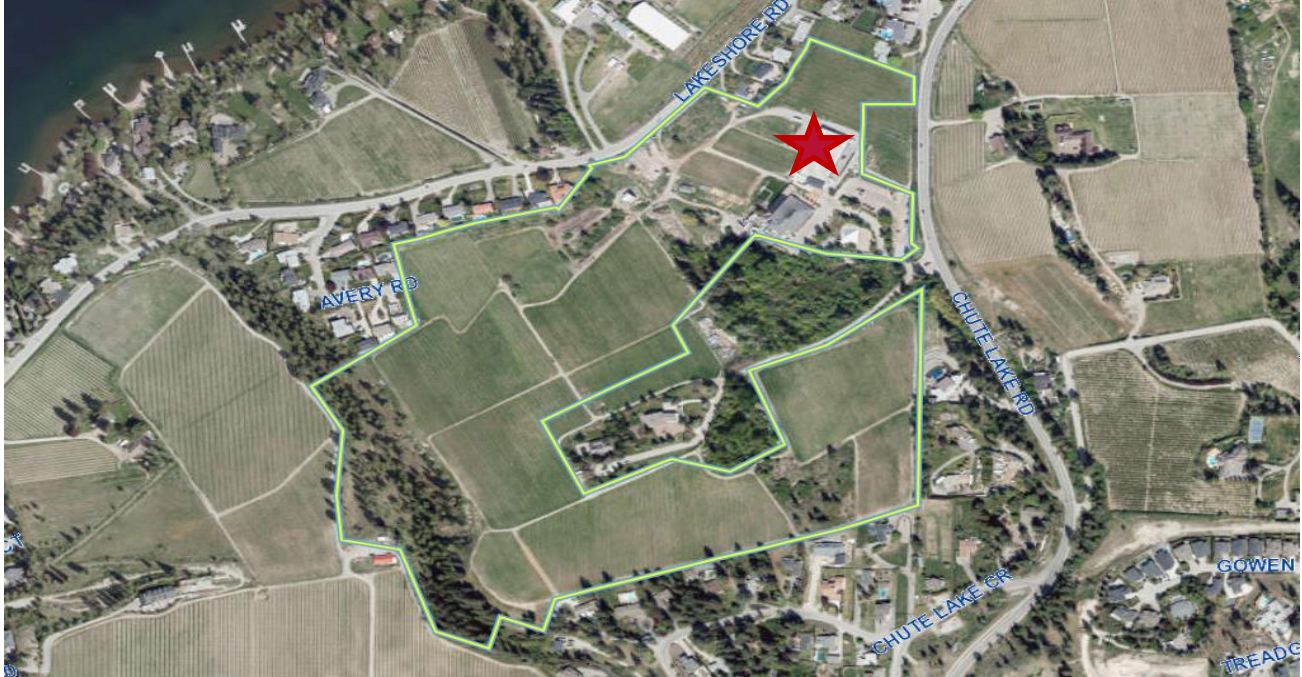
The application being considered at this time is a Non-Farm Use ALC application. The application would be forwarded onto the Agricultural Land Commission for approval if Council choses to do so. If approved by Council and the ALC the application would be required to apply to the City for a Text Amendment to the A1 Zone (or a Comprehensive Development Zone) to allow for the proposed uses, use restrictions, building height, and any restrictions imposed by the ALC. This application would be reviewed by the Agricultural Advisory Committee, require public consultation and formal public hearings related to the Text Amendment.

Due to the proposals unique nature and scope, consideration of the Non-Farm Use application prior to the Text Amendments provides Council with an opportunity to review the proposal under a broader policy and at a conceptual level. In addition, if the ALC choses to approve the use, it may impose a range of restrictions which would need to be accommodated within the Text Amendment. Staff and Council would consider those items at the next stage of process while still having an opportunity for further community input.

Development Cost Charges and Taxation

Development cost charges for a structure and use as proposed would be considered Commercial and charged at a square foot rate as per Development Cost Charge Bylaw No.10515. Taxation for similar facilities would be assessed and taxed as commercial use.

Subject Property Map: 4870 Chute Lake Road



4.0 Current Development Policies

4.1 Kelowna Official Community Plan (OCP)

Objective 5.33 Protect and enhance local agriculture.

Objective 5.33 Protect and Enhance Local Agriculture

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

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

Policy .5 Agri-tourism, Wineries, Cideries, Retail Sales. Support agri-tourism uses that can be proven to be in aid of and directly associated with established farm operations. Permit wineries, cideries and farm retail sales (inside and outside the ALR) only where consistent with existing ALC policies and regulations.

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

- 1.0 are consistent with the Zoning Bylaw and OCP;
- 2.0 provide significant benefits to local agriculture;
- 3.0 can be accommodate using existing municipal infrastructure;
- 4.0 minimize impacts on productive agricultural lands;

5.0 will not preclude future use of the lands for agriculture;

6.0 will no harm adjacent farm operations.

5.0 Technical Comments

5.1 Development Engineering Department

5.1.1 See attached memorandum dated March 22, 2020.

5.2 Ministry of Agriculture

5.2.1 See attached letter dated March 3, 2020.

5.3 Regional District of Central Okanagan

RDCO has reviewed the referral and provides the following comments on this proposal with a recommendation of non-support for this application:

It is noted that the proposed culinary facility, educational stays, wine tasting, food producing gardens and parking includes space not associated with agriculture (non-farm use) and as such does not achieve the goal or policies of the Regional Growth Strategy Bylaw No. 1336's (e.g. 'Our Food' Issue Area, such as Policy No. 3.2.5.7 "Protect the supply of agricultural land and promote agricultural viability.")

The Central Okanagan has strong agricultural roots and this sector has been important in defining the region and its growth pattern. With changes in population, pressures of development, increased climate impacts, water pressures, and more focus on local food production for sustainability, these changes have raised more awareness on food systems.

RDCO supports the preservation of the agricultural land base and the retention of large continuous blocks of agricultural land and discourages fragmentation.

6.0 Application Chronology

Date of Application Received: February 20, 2020

Date of Amended Application: December 2, 2020

Agricultural Advisory Committee August 13, 2020

The above noted application was reviewed by the Agricultural Advisory Committee at the meeting held on August 13, 2020 and the following recommendations were passed:

THAT the Agricultural Advisory Committee recommends that Council support Agricultural Land Reserve Application No. A20-0003 for the property located at 4870 Chute Lake Road to allow for a "Non-Farm Use" under Section 20(2) of the Agricultural Land Commission Act.

Anecdotal comments were that the Agricultural Advisory Committee (AAC) have concerns with the size of the facility (consider a smaller size facility), impact to the neighbouring agricultural properties, the accommodations being used for tourism versus teaching, how much primary food production would be emphasized, that wineries were being given more ability to have non-agricultural uses than other and that

this facility would set a precedent. Further, the AAC requested that Council continue to make compliance and enforcement for non-compliance uses a priority.

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

Attachments:

Attachment A: Development Engineering Memorandum

Attachment B: Ministry of Agriculture Letter

Attachment C: Rationale and Concept Designs

CITY OF KELOWNA MEMORANDUM

ATTACHMENT

A

This forms part of application

A20-0003

Planner
Initials

WN



Date: March 22 2020
File No.: A20-0003
To: Land Use Planning Manager (WM)
From: Development Engineering Manager (JK)
Subject: 4870 Chute Lake Road, Lakeshore Rd Summerhill Winery Lot 1 Plan 78562

Development Engineering has the following comments at this point in time with regard to this application for Non-Farm Use –Culinary facility, educational stays, wine tasting, food producing gardens and parking.

Potential requirements are provided for information only and are subject to the policies in effect at the time when a formal building permit application is made by the owners.

1. General

- a) A development of this magnitude, when developed on agricultural lands, has a major impact on all existing municipal infrastructure as well as the electrical, telecommunication systems and road network

2. Domestic water and fire protection.

- a) The property is located within the City of Kelowna South Mission Water ESA 14 service area.
- b) 129 EDU's are currently available for the Adams Reservoir
- c) At present, servicing is provided from an on-site well.
- d) The water system must be capable of supplying domestic and fire flow demands of the proposed project in accordance with the Subdivision, Development & Servicing Bylaw.
- e) Fire protection requirements of this proposed commercial development, including hydrant and service needs shall be determined by the developer's engineering consulting
- f) Major upgrades to the existing 150mm diameter AC water infrastructure system will likely be required to achieve the required fire flows.

3. Sanitary Sewer.

- a) This subject parcel is within the City sewer connection Area No. 28 (Okaview) .
- b) Sanitary sewage is presently handled with a on-site sewage disposal system.
- c) The developer's consulting engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted.
- d) A flow analysis check is required by the developer's civil engineering consultant to determine if there are any downstream impacts to the sewer system triggered by this development.

James Kay, P.Eng.
Development Engineering Manager
JF



ATTACHMENT B	
This forms part of application # A20-0003	
Planner Initials	WM
City of Kelowna COMMUNITY PLANNING	

March 3, 2020

File: A20-0003

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

Re: ALC Non-Farm Use Application A20-0003 4870 Chute Lake Road

To the City of Kelowna,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the ALC Non-Farm Use application at 4870 Chute Lake Road. I have reviewed the documents you have provided. From an agricultural perspective I can provide the following comments for your consideration:

- Ministry of Agriculture staff have concerns regarding this application. The size and scope of the proposed development and its associated conference centre, sleeping units, atrium/gallery, onsen pond/spas, parking and administrative area appear disproportionate to the primary agricultural activity taking place on this ALR parcel. While Ministry staff recognize the proposal's educational component and appreciation for agriculture, the beneficial improvement for agricultural production, when the proposed non-agricultural uses could be developed outside of the ALR, is uncertain.
- If this development as proposed were to proceed, the potential for conflict between existing agricultural and non-agricultural land uses and users could also increase and become problematic as the existing agricultural practices may not be compatible with the planned commercial accommodation/event enterprise. In particular, the large number of accommodation units could greatly impact the primary activity on the farm and become in itself the parcel's primary activity.
- The experience of Ministry staff is that developing additional infrastructure of this type on wineries could dramatically change the nature of the business away from the intent of any agri-tourism or educational activity as permitted by the *Agricultural Land Commission Act* and its regulations. Ministry staff note there may also be tax differences in locating this type of business on the ALR compared to a similar business in another zone.

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

Sincerely,

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

Email copy: ALC Planner, ALC.Okanagan@gov.bc.ca



CULINARY COLLEGE for HUMANITY

WHERE GREAT FOOD BEGINS



Kelowna, BC

A Sustainable Model for the Next Dimension of Agriculture

Submission of a Non-Farm Use Application Pursuant to:

Section 20 (2), ALC Act, BC

PROVINCIAL AGRICULTURAL LAND COMMISSION

January, 2020

For: 4870 Chute Lake Road, Kelowna, BC

CTQ Consultants
Agent

Summerhill Pyramid Winery

Stephen Cipes (Proprietor)

1334 St. Paul Street
Kelowna BC, V1Y 2E1

250 - 979 - 1221179

Executive Summary

“IN MY LIFETIME, THE POPULATION OF THE PLANET HAS GROWN FROM 2.5 BILLION TO 7.7 BILLION. HOW DO WE FEED OURSELVES? OUR FOOD SYSTEM IS ONE OF THE MAIN CAUSES OF CLIMATE CHANGE AND ENVIRONMENTAL DEGRADATION. LET’S STOP TALKING ABOUT IT; LET’S OPEN A WORLD FORUM ON SUSTAINABLE FOOD PRODUCTION IN THIS PRISTINE CULINARY PARADISE!”

-STEPHEN CIPES, APPLICANT

Kelowna is THE ideal location for the Culinary College for Humanity, as it is the breadbasket of BC’s interior, with local produce, meats, fruits, wine, and dairy, and with fresh fish from inland lakes and farms and from the nearby coast. As a model to the world of organic and local, the entire world will be inspired. We envision an international gathering place in this ideal setting, to develop sustainable food culture for the future of humanity. A headquarters for world food production education with a holistic immersive concept to entice food production entrepreneurs, activists, and executives from around the world to enroll.

Change does not start with governments. Change comes from individual leadership. The Culinary College for Humanity is a place for leaders from around the world to gather and to learn the technology of regenerative agriculture which will restore nutrient levels. The setting and concepts are designed for participants to develop and share knowledge, and to network with each other.

The Culinary College for Humanity will be programmed with a series of retreats and workshops focusing on bringing together culinary and agricultural change-makers and learners from around the world. Both professional and consumer designed courses will be offered to support sustainable, localized food systems, including in subjects as varied as nose-to-tail preparation of animals, urban farming, food preservation, vegetable forward meal preparation, eliminating food waste, and regenerative and organic agricultural systems.

At Summerhill Vineyard the farm is the classroom, with Permaculture style, no-till vegetable gardens, diverse perennial food forests, nature-preserves for wild harvesting native edibles, beehives, chickens, insectary gardens, large scale composting, and famous for highest quality Demeter certified biodynamic vineyards.

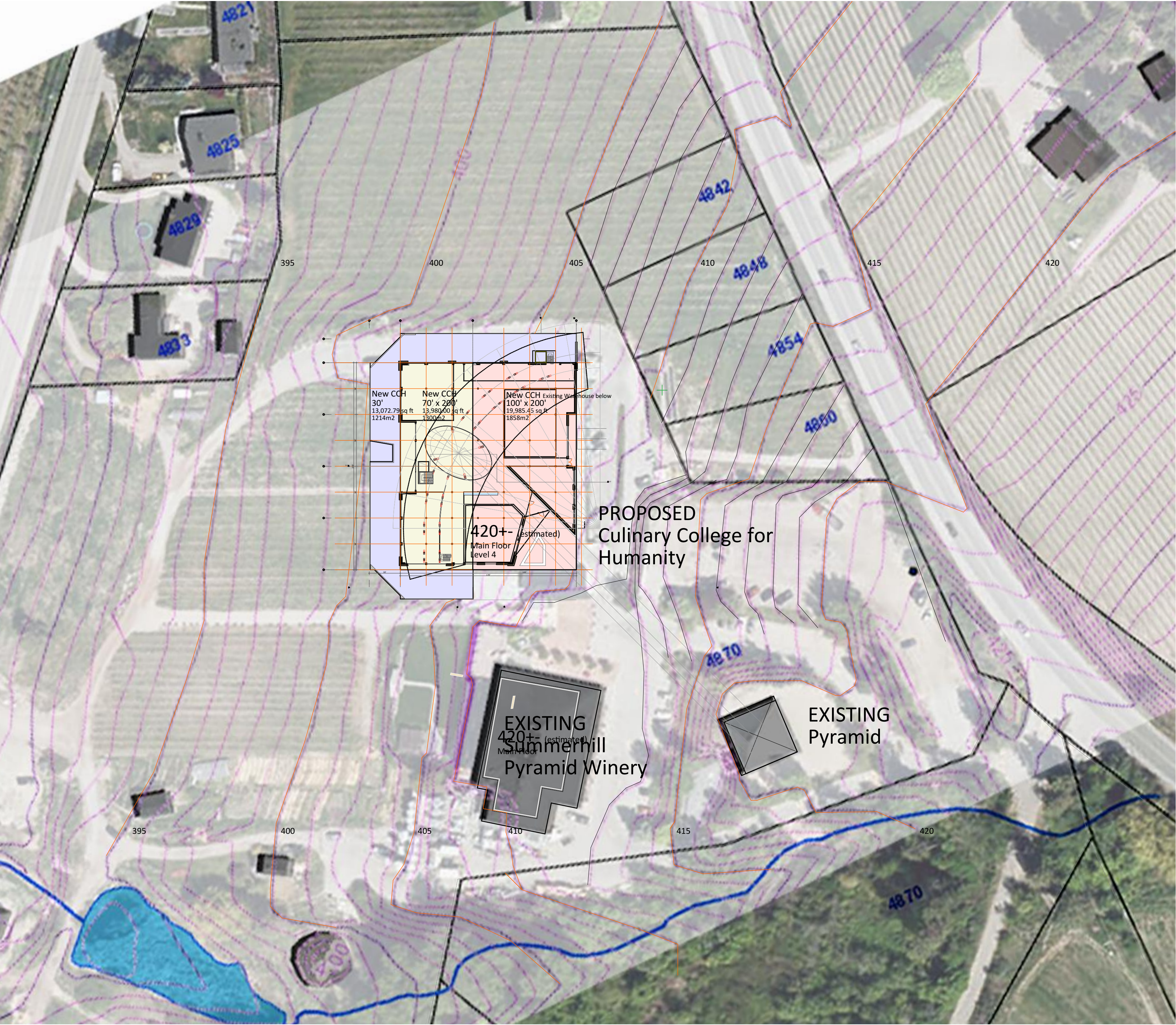
Designed with the guidance of the Sparking Hill Swarovski Management Team, this beacon of light to the world, the Culinary College for Humanity will not displace a single square foot of arable land and will be built atop Summerhill’s already existing concrete wine cellar and its production area. The new building will feature architecturally integrated food production to increase the arable acreage of Summerhill Vineyard and demonstrate the potential of urban agriculture. A teaching kitchen, four storey mini conference centre, and educational stays are important concept ingredients of the vision.

The concept for the Culinary College for Humanity is based on the premise of our Mission Statement: **To impact major change to the planet by building a model of growing and eating organic food and wine with a focus to include all climates, and inviting food production executives and farmers to attend world food production conferences in the four story First Nations lecture theatre.**

We have drawn from other examples of culinary facilities and schools around the world as a foundation for programing, but the Culinary College for Humanity has a specific focus which is to build a program based on a fully regionalized, zero waste, organic food system. This opens the opportunity for this local growing region to flourish, with the utilization of the many unproductive ALR acres, as well as opening a model to inspire 21st century sustainable food systems for all of humanity. We have the ideal pristine model of how food production can be in harmony with nature. This model is vital for the food industry to adopt. Some of, but not all, the highlights follow:

- ❖ Fostering responsible stewardship of our lands and oceans, encouraging ethical animal husbandry, and supporting pollinators (responsible for roughly 88% of flowering plants), the Culinary College for Humanity (CCH) strives for the ultimate health and well-being of our planet and humanity. CCH strives to be a driver for change by providing an education of sustainable agriculture, and organic growing practices.
- ❖ Large scale industrial farming as well as globalized transportation of food commodities is responsible for significant environmental degradation and greenhouse gas emissions. CCH will demonstrate a model of a regionalized food system with regenerative agricultural practices that aid in soil carbon sequestration and fertility and reduce long distance transportation.
- ❖ Offering a curriculum that combines culinary techniques for food preparation relying on 100% regionalized ingredients that are grown in harmony with the environment, CCH is the ultimate culinary school that connects the dots between the field and the plate for a sustainable future. The curriculum includes seasonal menu planning, food preservation, zero waste food preparation, and butchering and using the whole animal, alongside courses around sustainable food production, including in Permaculture design principles and techniques, animal integration and regenerative agriculture, urban agriculture, and encouragement of pollinators.
- ❖ Great food and great taste extend beyond the walls of a classroom. They extend to the sea, farm, market, vineyard, and beyond. The chefs of the 21st Century need to know more than culinary techniques and management. They need to have knowledge of where raw ingredients come from, what it means to be organic and sustainable, and gain an understanding of true farm to table cuisine. The importance of animal husbandry and responsible stewardship of our lands and oceans must be conveyed to the next generation to secure sustainable agriculture practices that will in turn continue to nurture our nation for decades to come.
- ❖ The CCH will be an innovative school and think tank located on an urban mixed use farm featuring a biodynamic vineyard, annual vegetable gardens, perennial food producing “food forest”, large scale biodynamic composting, apiary, pollinator sanctuaries, and small scale animal husbandry, with a four-season architecturally integrated food producing garden.

- ❖ A variety of programs, from short courses to semester long professional courses, will take place on the farm rather than in a traditional college/university setting. Students will learn about the life of a farmer with hands-on participation in harvesting and planting. The extraordinary experience will be a catalyst for humanity to realize the importance of good nutrition and sustainable agriculture on the planet.
- ❖ The dramatic First Nations inspired four story atrium lecture theatre is the ideal setting for presentations of innovative changes in food production technology and food systems. Based in an inspiring comfortable year-round setting where leaders from all over the world come together in Kelowna, the Culinary Capitol of Canada.
- ❖ The programs offer participants a forward-thinking approach to the best practices in agriculture and culinary techniques, providing an opportunity to develop lifelong understanding of food and agriculture. The latest innovations and research from the world's top culinary, sustainability, and agricultural leaders in this spectacular college paves the way to catapult the new trends and new commercial models that are already replacing today's unsustainable systems.



Site Plan - Partial



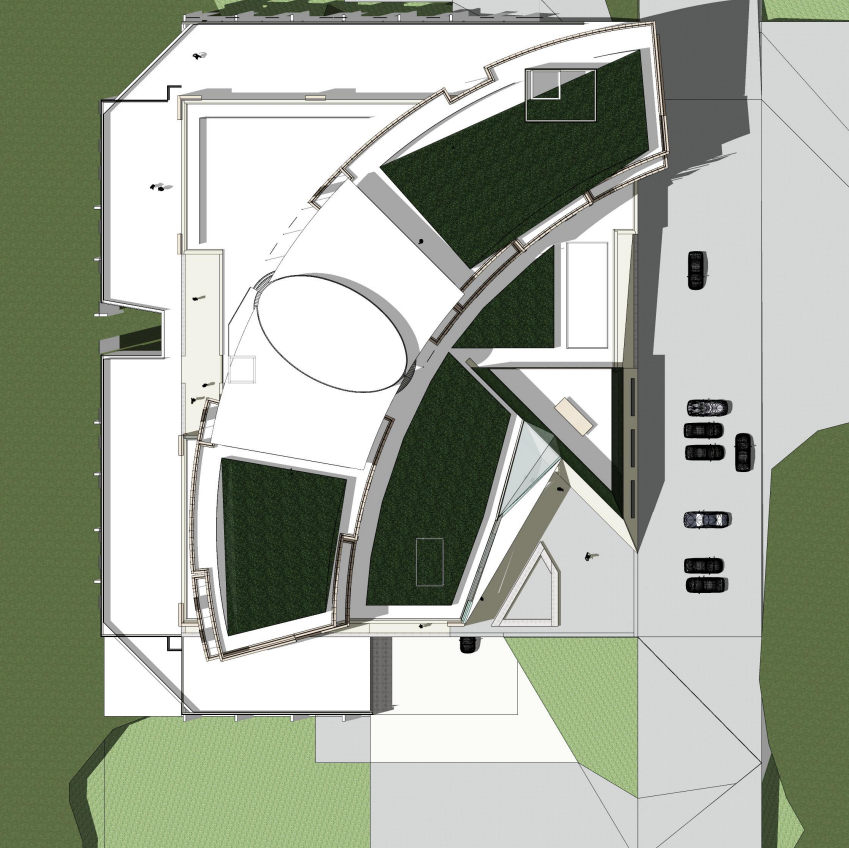
Culinary College for Humanity
2021 01 18

PROJECT DATA SUMMARY



Existing	Area	
Site	0000 m2	000,000 sf
Level 1 Warehouse	1858 m2	20,000 sf
Level 3 Parkade (uncovered)	1858 m2	20,000 sf
Proposed (Includes Existing)	Building Floor Area	
Height	8 Storeys	32 m 105 ft (4 Storeys @ East Elev / 7 Storeys @ West Elev)
Basement	1200 m2	14,000 sf
Level 1 Warehouse / Stays	4320 m2	46,500 sf
Level 2 Stays	1161 m2	12,500 sf
Level 3 Stays / Covered Parkade	4320 m2	46,500 sf
Level 4 CCH / Atrium	2576 m2	27,732 sf
Level 5 Stays / Learning / Greenhouse	1417 m2	15,253 sf
Level 6 Stays / Learning	1287 m2	13,854 sf
Level 7 Private Tasting	424 m2	4,540 sf
TOTAL Building Floor Area	16805 m2	180,893 sf
Proposed	Program Area	
Stays	150 units	@250 sf - 450 sf each
Food Production Greenery Planting	2023 m2	21,776 sf
Food Production Greenery Planting	1431 m2	15,400 sf
TOTAL Food Production Area	3454 m2	37,176 sf
NEW Site Coverage / Building Footprint	3530 m2	38,000 sf
TOTAL Incremental Agricultural Growing Area	1781 m2	19,176 sf

3D Model



Key Plan



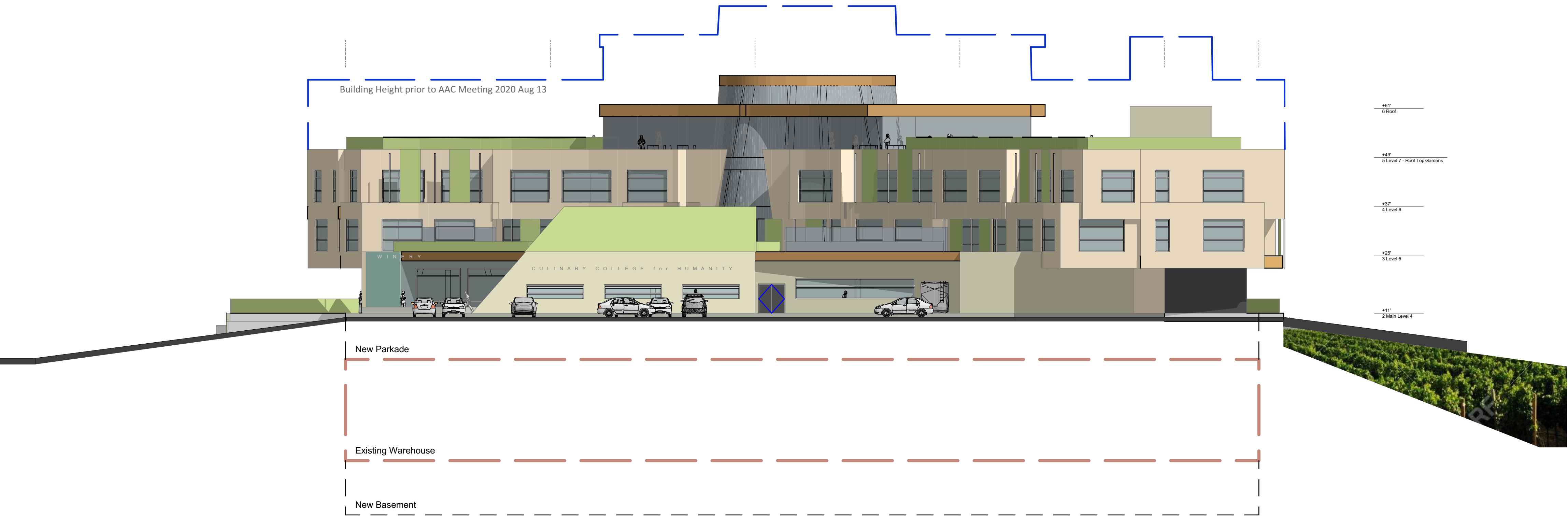


Sample Images Rooftop Food Production & Private Tasting

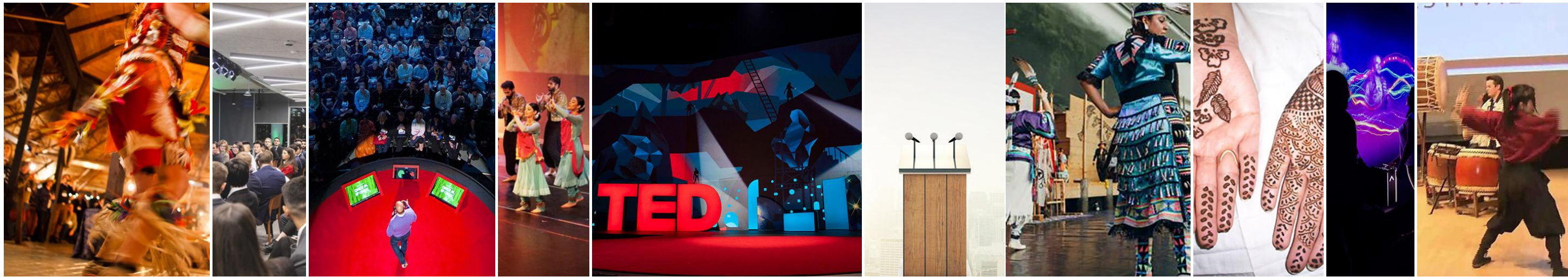




Sample Images Teaching Kitchens & Private Tasting



Sample Images Food Production



Sample Images Cultural Events Hosting



Sample Images Greenhouse



Sample Images CCH Stays





Sample Images CCH Stays



Sample Images Teaching Kitchens & Private Tasting

Rammed Earth Wall Exterior



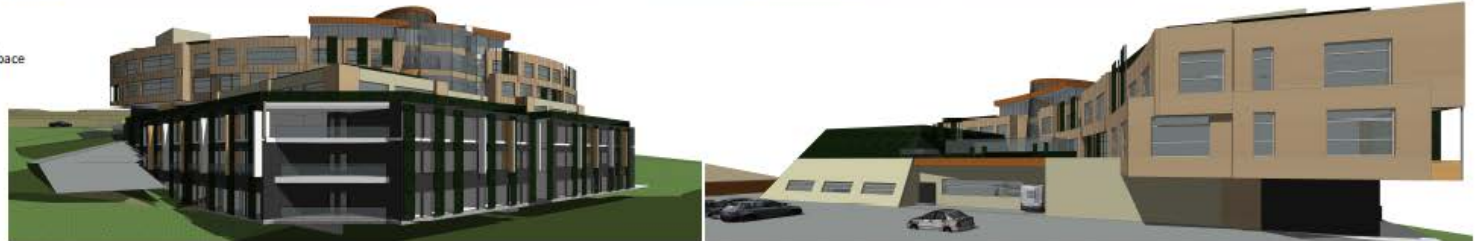
Wood Panel Exterior



SAMPLE PHOTO CLT - Cross Laminated Timber Construction



- A Tasting Room
- B Elliptical Shaped Atrium - First Nations Cultural Space
- C Rammed Earth Concrete Exterior Walls Level 1
- D Food Producing Gardens on Roof Decks
- E CLT Timber Construction
- F Onsen Pond + Spas
- G Tasting & Learning Centre
- H Culinary Kitchens
- I Path to Summerhill Winery and Pyramid
- J Outdoor Decks Seating
- K Existing Storage
- L Existing Equipment Storage
- M New Parkade



Project Architect

Project
Project Address

Culinary College for Humanity

4870 Chute Lake Road Kelowna BC

Drawing By SNH



Drawing Title 3D Model

Date 2021 01 18

File Name Bnt CCH 2021 01 18.pln

Drawing No. A0.1



A20-0003

4870 Chute Lake Road

Application to the ALC for a Non-Farm Use

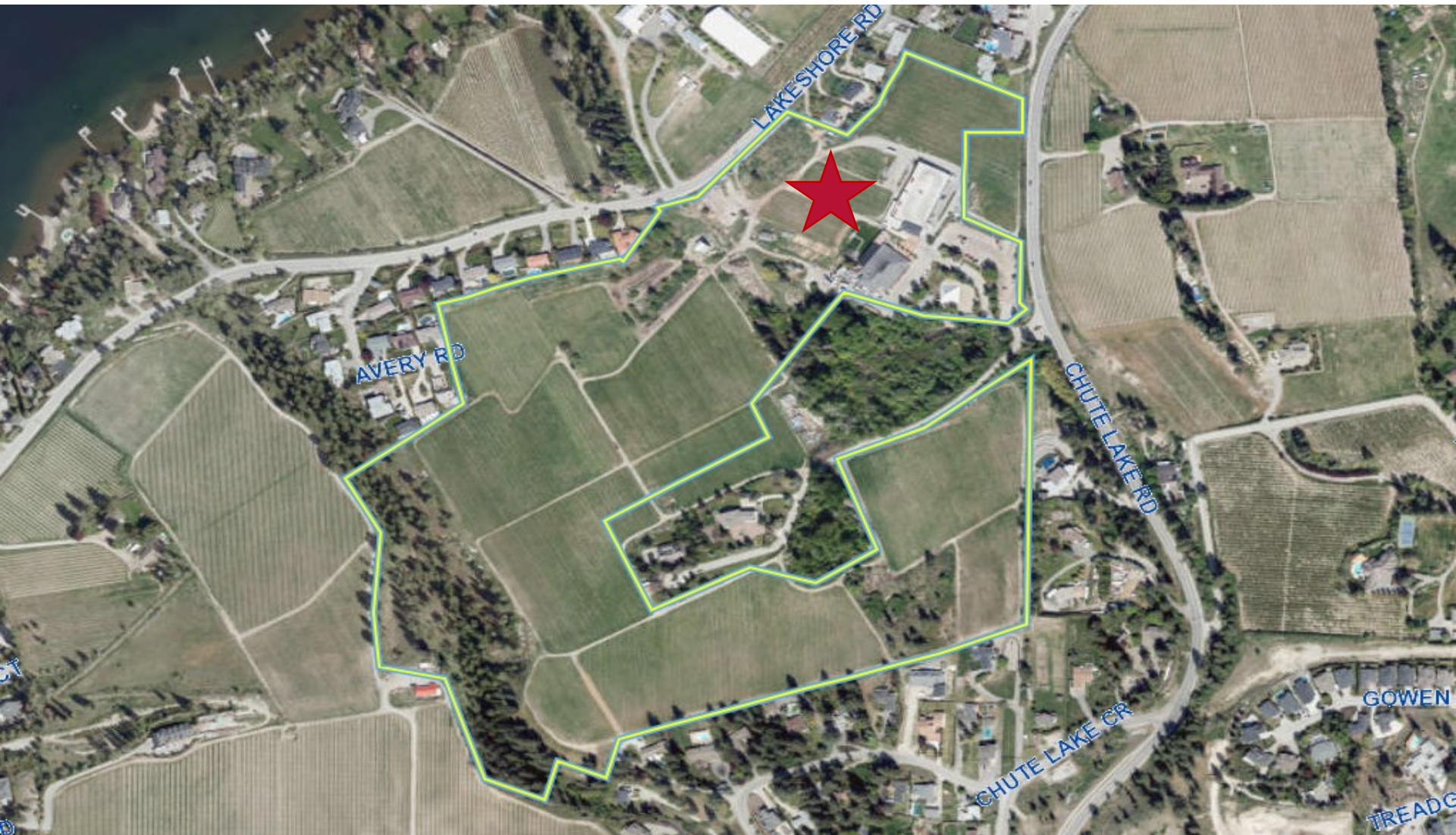
Proposal

- ▶ An application to the ALC for a Non-Farm Use at 4870 Chute Lake Road for a culinary facility, educational stays, wine tasting, food producing gardens, and parking.

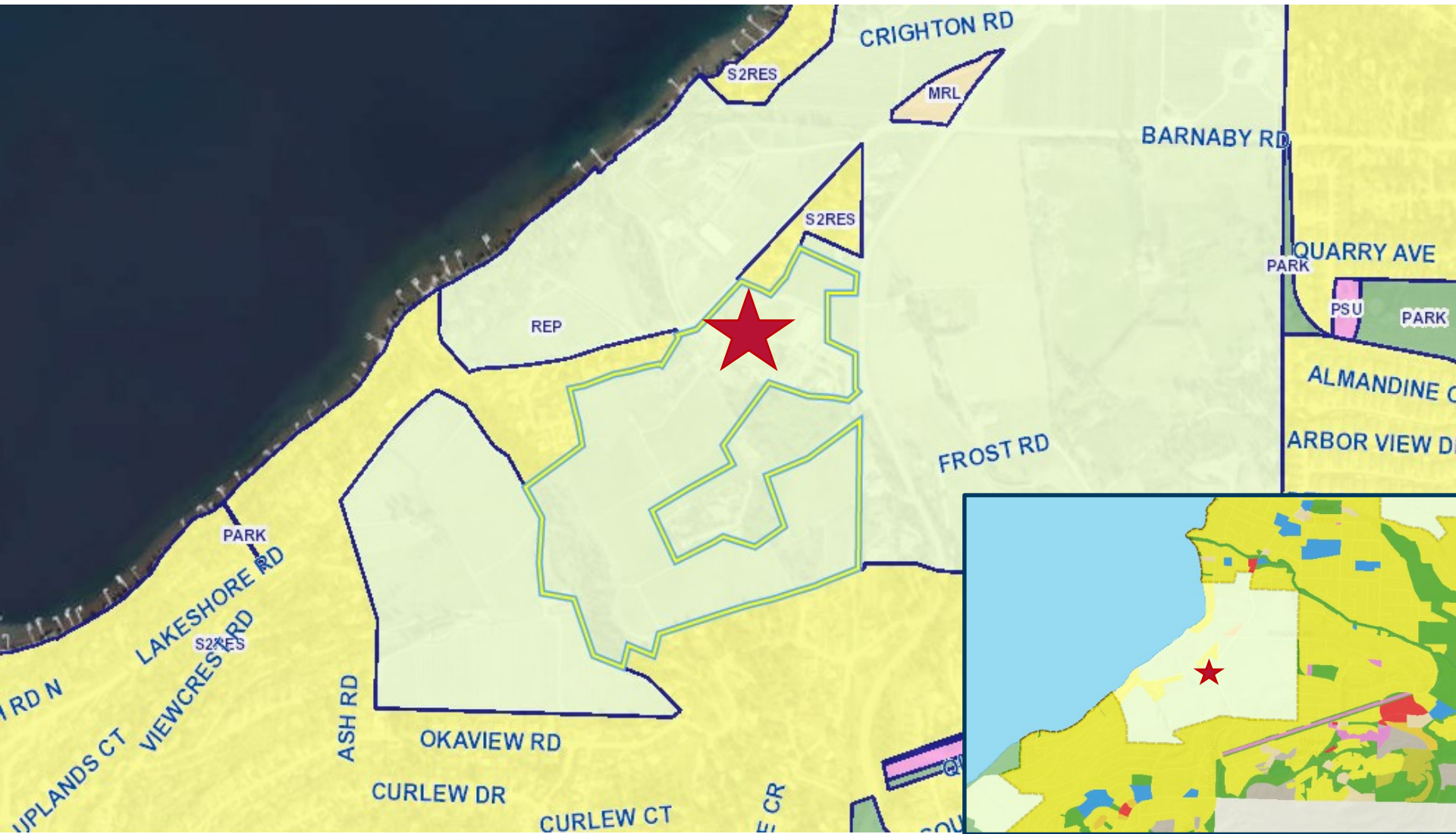
Development Process



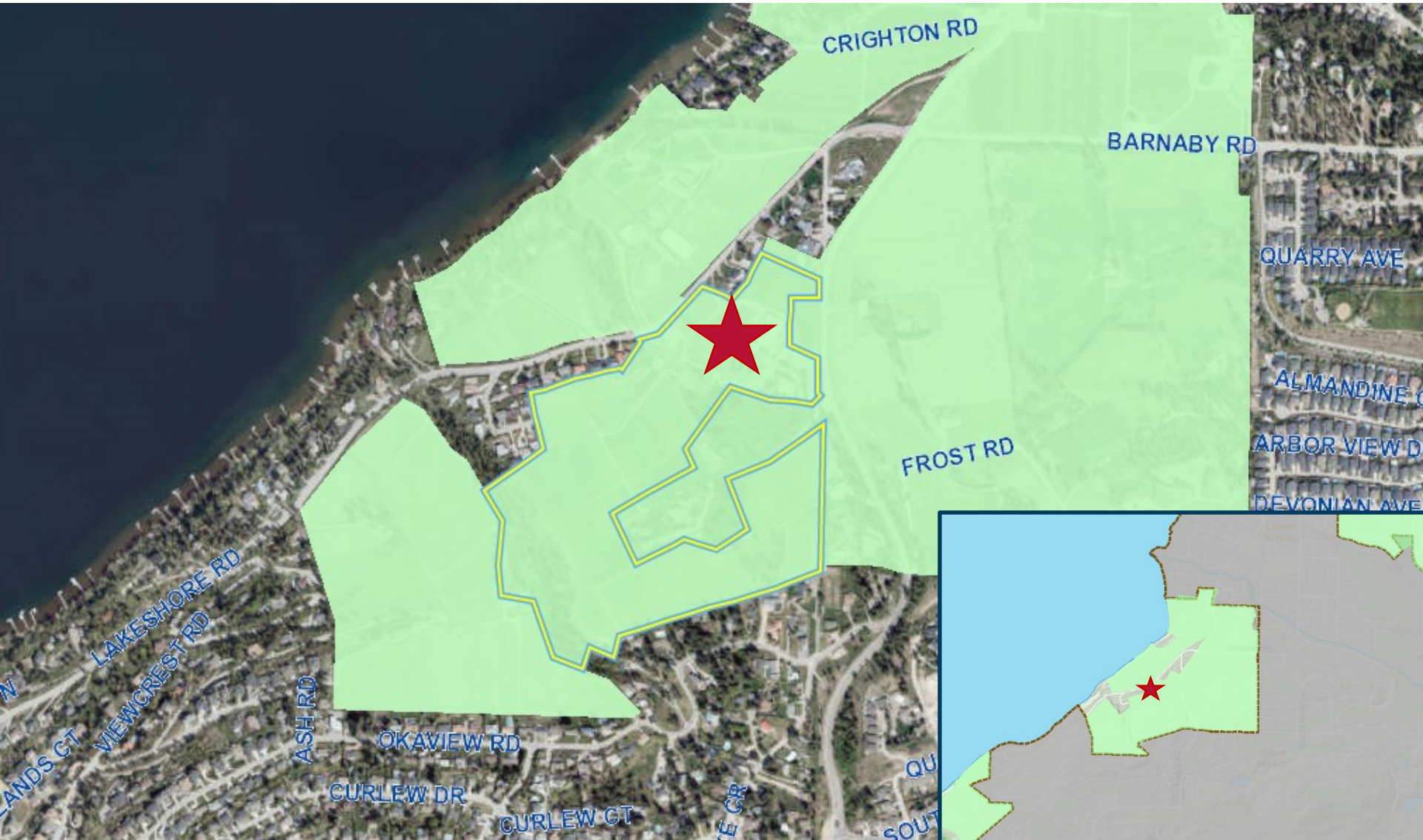
Context Map



OCP Future Land Use / Zoning



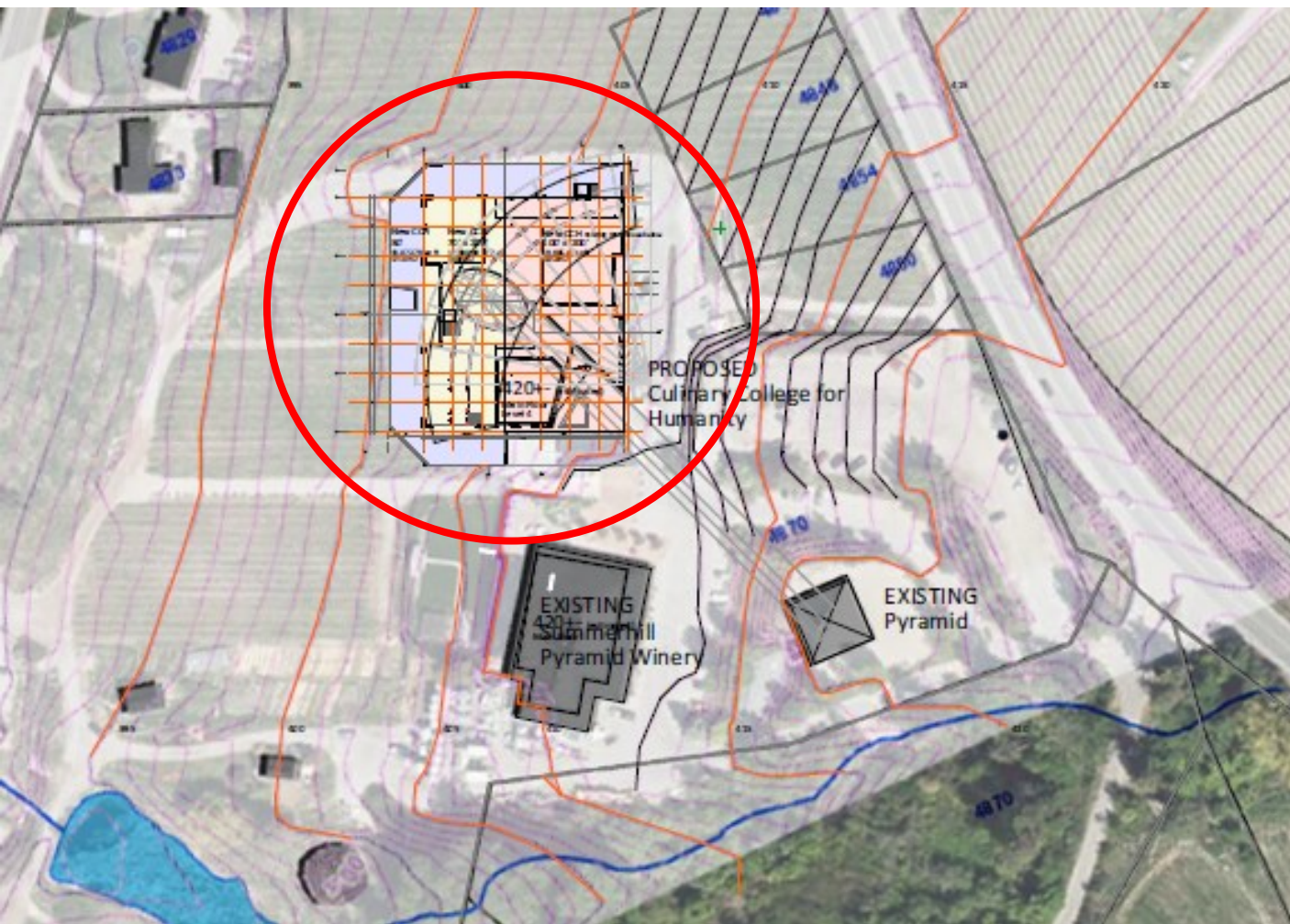
Agricultural Land Reserve



Existing Land Use



Proposed Structure & Non-Farm Use



Item	Quantity	Unit	Value	Notes
Site Preparation (Grading)	100.00	sq. ft.	\$100.00	Site Preparation
Site Preparation (Grading)	100.00	sq. ft.	\$100.00	Site Preparation
Site Preparation (Grading)	100.00	sq. ft.	\$100.00	Site Preparation
Site Preparation (Grading)	100.00	sq. ft.	\$100.00	Site Preparation
Site Preparation (Grading)	100.00	sq. ft.	\$100.00	Site Preparation
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Site Preparation (Grading)	100.00	sq. ft.	\$100.00	Site Preparation
Site Preparation (Grading)	100.00	sq. ft.	\$100.00	Site Preparation
Site Preparation (Grading)	100.00	sq. ft.	\$100.00	Site Preparation
Site Preparation (Grading)	100.00	sq. ft.	\$100.00	Site Preparation



Proposed Structure & Conceptual Renderings

Remmed Earth Wall Detail



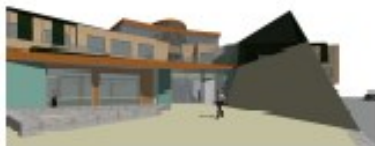
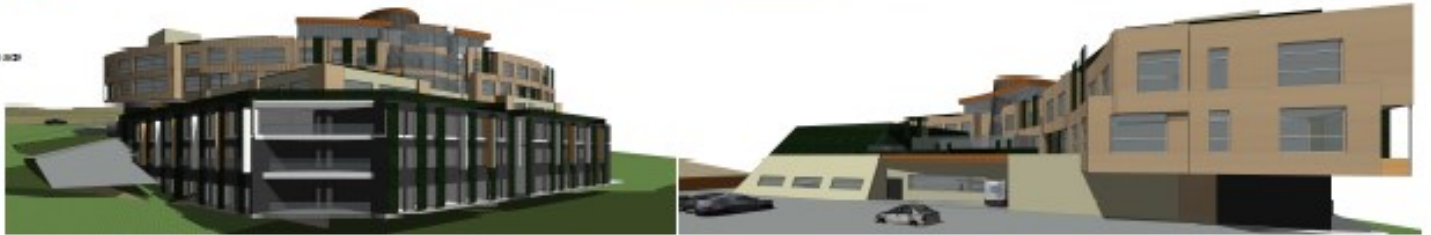
Wood Panel Detail



SAMPLE PHOTO CLT - Cross Laminated Timber Construction



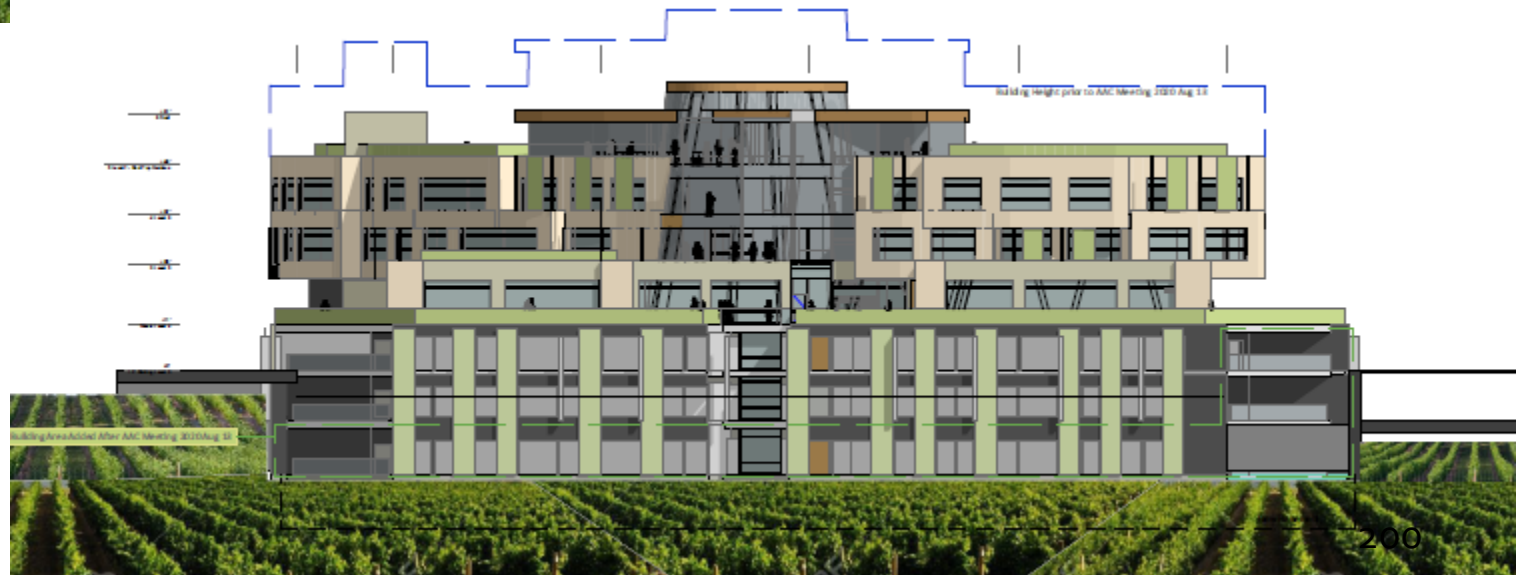
- A. Tasting Room
- B. Elliptical Shaped Atrium - First Nations Cultural Space
- C. Rammed Earth Concrete Exterior Walls Level 1
- D. Food Producing Garden on Roof Deck
- E. CLT Timber Construction
- F. Onsen Pond + Spas
- G. Tasting & Learning Centre
- H. Culinary Kitchens
- I. Path to Summerhill Winery and Pyramid
- J. Outdoor Decks Seating
- K. Existing Storage
- L. Existing Equipment Storage
- M. New Parkade



Proposed Structure & Non-Farm Use Conceptual Elevations:



Proposed Structure & Non-Farm Use Conceptual Elevations:



Project Detail Summary

- ▶ Property is approx. 62 ha in size with approx. 48 acres of active vineyard production
- ▶ Proposed 35,000 ft² (footprint) structure on top of the existing 20,000 ft² wine production and warehouse building
- ▶ 6 stories on top of existing warehouse building with a total of 8 stories from the west elevation.
- ▶ Large kitchen, classroom facilities and administrative offices focused on education
- ▶ Large atrium and First Nations cultural space
- ▶ 150 educational stay rooms and parkade

Policy

- ▶ **OCP Objective/Policies 5.33.1,.3,.5**
- ▶ **OCP Policy 5.33.6 Non-Farm Uses.** Restrict non-farm uses that do not directly benefit agriculture. Support non-farm use applications on agricultural lands only where approved by the ALC and where the proposed uses:
 - ▶ are consistent with the Zoning Bylaw and OCP;
 - ▶ provide significant benefits to local agriculture;
 - ▶ can be accommodate using existing municipal infrastructure;
 - ▶ minimize impacts on productive agricultural lands;
 - ▶ will not preclude future use of the lands for agriculture;
 - ▶ will no harm adjacent farm operations.

AAC Recommendation

- ▶ The AAC (Aug 13, 2020) Meeting recommended to Council that it support the proposed Non-Farm Use.
- ▶ Discussion:
 - ▶ size of the facility;
 - ▶ impact to the neighbouring agricultural properties;
 - ▶ accommodations being used for tourism versus teaching;
 - ▶ how much primary food production would be emphasized;
 - ▶ wineries were being given favour and setting precedent; and
 - ▶ compliance and enforcement.

Other Considerations

- ▶ Development Cost Charges for the structure would be applied at a Commercial Rate by square footage as per DCC Bylaw
- ▶ Taxation would be applied to the building as Commercial.

Process Review

- ▶ Application will be forwarded to ALC should Council support it;
- ▶ Text Amendment to the A1 zone (or CD Zone) for Council consideration if ALC supports the application.
 - ▶ Including proposed uses, use restrictions building height, any restrictions imposed by the ALC; and
 - ▶ AAC review and recommendation.

Staff Recommendation

- ▶ Staff are recommending support for the proposed Non-Farm Use:
 - ▶ The overall proposal is focused on a new educational culinary facility;
 - ▶ The proposal has potential to generate alternative agricultural value to the City and the region in providing for a rare opportunity for value-added agricultural amenities;
 - ▶ Aims advance agricultural objectives such as the promotion of local farming through research and education, including local foods and agricultural products;
 - ▶ Integrate well into the existing vineyard and winery operation and create a 'sense of place' within the region and add value to the agricultural community.



Conclusion of Staff Remarks

REPORT TO COUNCIL



Date: March 01, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: Z20-0089

Owner: Patrick Wiercioch

Address: 4255 Bedford Road

Applicant: Patrick Wiercioch

Subject: Rezoning Application

Existing OCP Designation: REP – Resource Protection Area

Existing Zone: RR1 – Rural Residential 1

Proposed Zone: RR1c – Rural Residential 1 with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z20-0089 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 Section 32 Township 29 ODYD Plan KAP76256 located at 4255 Bedford Road, Kelowna, BC from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

AND FURTHER 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 March 01, 2021;

2.0 Purpose

To consider an application to rezone the subject property from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone to facilitate the development of a carriage house, and to waive the Public Hearing.

3.0 Development Planning

Development Planning staff support the proposed rezoning from RR1 – Rural Residential 1 to RR1c – Rural Residential 1 with Carriage House on the subject property as the application is consistent with the Official Community Plan (OCP) Future Land Use designation of REP – Resource Protection Area.

The property is located outside the Permanent Growth Boundary (PGB) area of the City but is not located within or adjacent to the Agricultural Land Reserve (ALR) and is over 1.0 hectare (ha) in total site area. As per the carriage house regulations in the City of Kelowna Zoning Bylaw No. 8000, carriage houses are required to be connected to sanitary sewer unless the lot is at least 1.0 ha in area and meets the requirements of the City and Medical Health Officer for septic disposal capacity. The subject property does not have access to community sanitary sewer but is approximately 1.05 ha in size and therefore meets the regulations.

The applicant has submitted conceptual drawings indicating a carriage house can be constructed to meet all Zoning Bylaw requirements without variances.

4.0 Proposal

4.1 Project Description

The property currently has no dwellings and has one access road running from the north-west corner of the property off Bedford Road. The existing access travels to the south-east corner of the property where the proposed main dwelling and carriage house would be built. The proposed plans show the property easily accommodating a principle dwelling, a carriage house, and a large vineyard.

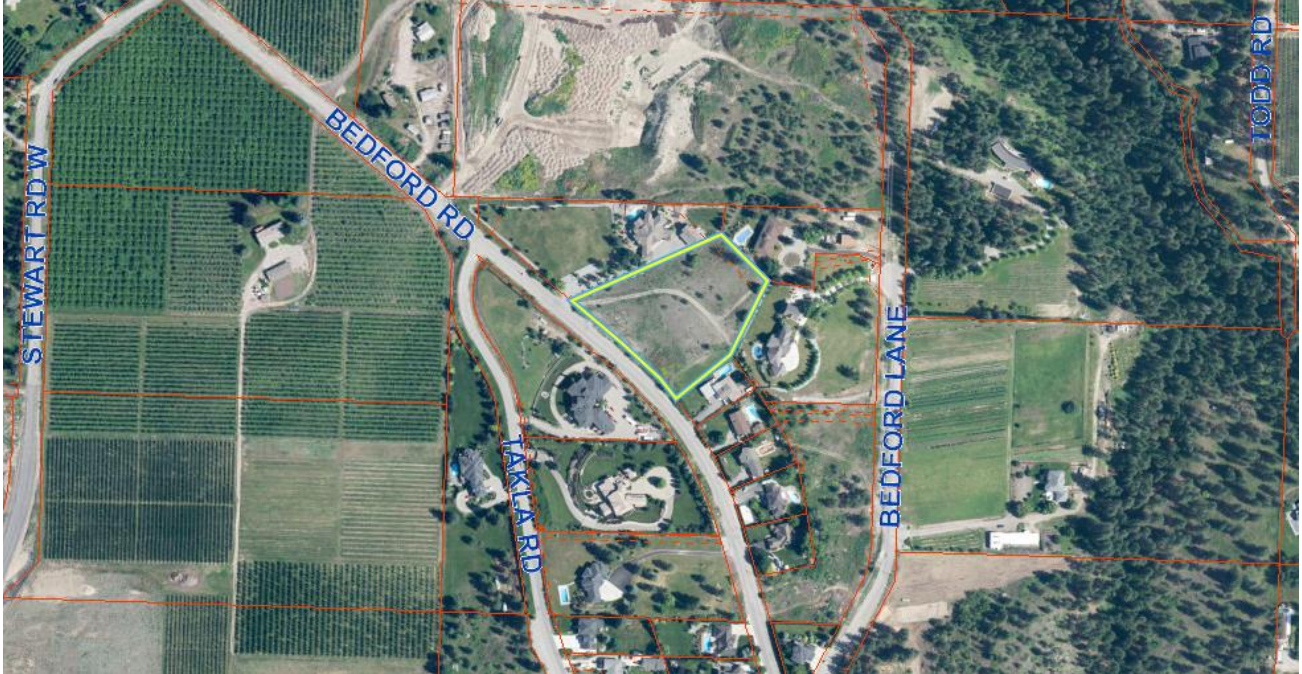
4.2 Site Context

The subject property is located in the Southeast Kelowna OCP sector on Bedford Road between Takla Road and Bedford Lane. It is not located within the Permanent Growth Boundary and is not located within the Agricultural Land Reserve. The surrounding area is primarily rural properties with single family homes. The property to the north and one of the properties to the south are zoned RR1c and have existing carriage houses. The Future Land Use for this property and the surrounding area is REP – Resource Protection Area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR1c – Rural Residential 1 with Carriage House	Single-Family Dwelling with Carriage House
East	A1 – Agriculture 1	Single-Family Dwelling
South	RR1c – Rural Residential 1 with Carriage House A1 – Agriculture 1	Single-Family Dwelling with Carriage House Single-Family Dwelling
West	RR1c – Rural Residential 1	Single-Family Dwelling

Subject Property Map: 4255 Bedford Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.22 Focus development to designated growth areas

Policy .12 Carriage Houses & Accessory Apartments. Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Technical Comments

6.1 Development Engineering Department

See Schedule "A": Development Engineering Memorandum

7.0 Application Chronology

Date of Application Received: October 09, 2020

Date Public Consultation Completed: October 16, 2020

Report prepared by: Bronwyn Wydeman, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memorandum

Attachment A: Conceptual Site Plan

**CITY OF KELOWNA
MEMORANDUM**

Date: November 2, 2020
File No.: Z20-0089
To: Land Use Planning Manager (BW)
From: Development Engineering Manager (JK)
Subject: Bedford Road 4255 Lot 2 Plan 76256 RR1 to RR1C

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

1. Domestic water and fire protection.

- a) The subject property is within the service area of the former South East Kelowna Irrigation District (SEKID). The utilisation of existing services, as well as fire protection will be reviewed by Building & Permitting.

2. Sanitary Sewer.

- a) This subject parcel is currently not within the City service area. Sanitary sewage is presently handled by an on-site sewage disposal system.
- b) Existing and proposed on-site servicing will be reviewed by the Interior Health Authority and Building & Permitting.

3. General and Access

- a) Adjust the driveway approach angle so that the driveway is perpendicular to Bedford Road.
- b) The berm will need to be modified to ensure that when egressing the property sightlines in both directions are not obstructed

James Kay, P.Eng.
Development Engineering Manager
JF



SITE DETAILS		ZONING REQUIREMENTS		PROPOSED PROJECT	
ZONING	RR1 Rural Residential 1 SINGLE DWELLING-PROVIDING	RR1c Rural Residential 1 with Cottage Rule SINGLE DWELLING + COTTAGE HOUSE			
SITE DIMENSIONS	METRES	FEET	METRES	FEET	
LOT AREA	100.0	107,639.1	10,500.1	113,022.2	
LOT DEPTH	30.0	98 '5"	11.1	430 '2"	
LOT WIDTH	40.0	131 '3"	11.3	370 '1"	
SITE COVERAGE	%	SQ. METRES	%	SQ. METRES	
PRIMARY RESIDENCE	-	-	-	-	360.0
CARRIAGE HOUSE	-	-	-	-	450.0
ALL BUILDINGS	10.0%	1,000.0	6.2%	600.0	
BUILDING HEIGHT	METRES	FEET	METRES	FEET	
PRINCIPAL BUILDING	8.5	27 '8"	8.5	27 '8"	
BUILDING SETBACKS	METRES	FEET	METRES	FEET	
FRONT (SOUTH)	6.0	19 '8"	6.0	19'4-10"	
SIZE	3.0	9 '10"	3.0	49'8"	
REAR	10.0	32 '10"	10.0	95'0"	

GENERAL NOTES

1. BASED ON TOPOGRAPHIC SITE PLAN OF LOT A, PLAN KAP16954 PREPARED BY FURGESON LAND SURVEYING LTD., DATED MAY, 17, 2005
2. BUILDING FOOTPRINTS ARE ONLY SUGGESTIVE FOR PURPOSES OF A RE-ZONING APPLICATION
3. LANDSCAPING TO BE DESIGNED AND INSTALLED BY OTHERS

SERVICES SPECIFICATIONS

ELECTRICAL SERVICE =	AMPERAGE TO BE CONFIRMED
(BUILDER TO CONFIRM)	
SECURITY ROUGH-IN =	YES
ELECTRICITY	MUNICIPAL
WATER	MUNICIPAL
SEWER	(CONFIRM)
GAS	MUNICIPAL
COMMUNICATIONS	MUNICIPAL

PROPOSED 2-STOREY CARRIAGE HOUSE
90 SQ. M (968 SQ. FT.) FOOTPRINT
GARAGE & SERVICE SPACE ON MAIN LEVEL & SUITE ABOVE

1.5M (4'-11") CARRIAGE
HOUSE SIDE YARD SETBACK

NIDO.

NIDO Design Inc.
203-251 Lawrence Avenue
Kelowna, BC, V1Y 6L2
250.448.4307
hello@nido.design

GENERAL CONDITIONS
Check and verify all critical details and dimensions prior to the start of construction and contact this office if any clarification is required. Written dimensions will always take precedence over scaled dimensions. This drawing must be used in conjunction with all drawings & specs issued for this project. Contractor is responsible to notify designer about conflicting design instructions.

COPYRIGHT RESERVED
This drawing is an instrument of service and the property of NDO Design Inc. The use of this drawing shall be restricted to the original site/project for which it was expressly limited to be used. The name of this company must appear on any reproduction of this drawing.



DATE	ISSUED FOR
2020-10-28	REZONING APPLICATION

PROJECT TITLE	2018
---------------	------

Weircioch Residence

4255 Bedford Road
Kelowna, BC

SHEET TITLE

Site Plan

SCALE 1:300

DRAWING NUMBER

A1.1



Z20-0089

4255 Bedford Road

Rezoning Application



Proposal

- ▶ To rezone the subject property from RR1 – Rural Residential 1 to RR1 – Rural Residential 1 with Carriage House to facilitate the development of a carriage house.

Development Process

Oct 09, 2020

Development Application Submitted

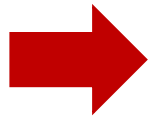


Staff Review & Circulation



Oct 16, 2020

Public Notification Received



Mar 01, 2021

Initial Consideration



Public Hearing
Second & Third Readings



Final Reading



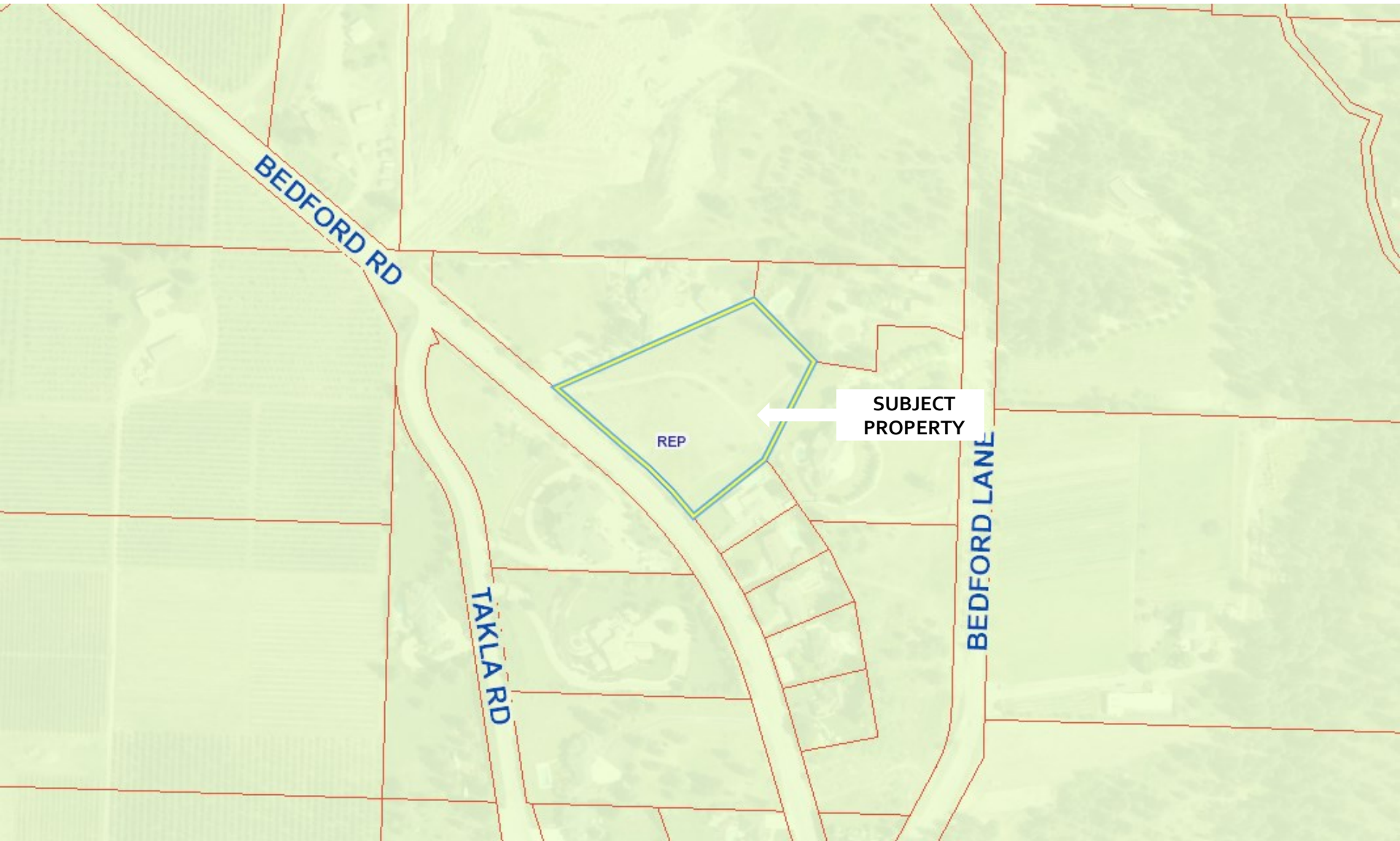
Building Permit

Council
Approvals

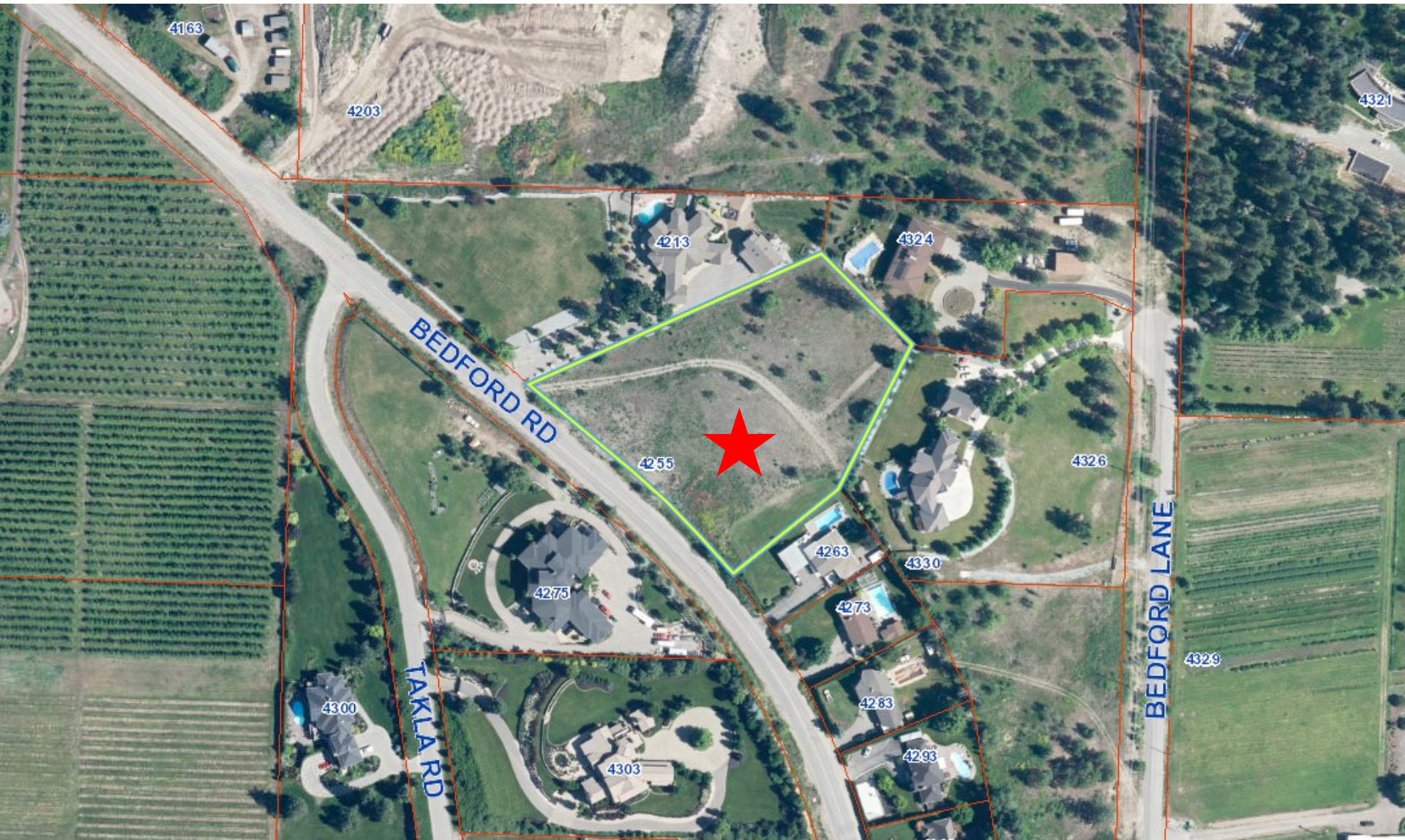
Context Map



OCP Future Land Use / Zoning



Subject Property Map



Project/technical details

- ▶ Proposed rezoning will facilitate the construction of a carriage house
- ▶ The carriage house will be constructed concurrently with main dwelling.
- ▶ Lot meets all requirements to accommodate a carriage house.

[illegible]

GENERAL NOTES 1. MATERIALS FOR CONFORMING WITH PLAN OF LOT 4. PLANS REVISIONS BEING FOLLOWED BY PURVISOR AND SUBMITTER LTD. DATED MAY 11 2009. 2. EXISTING FOOTPRINTS ARE ONLY SUGGESTING FOR PURPOSES OF A PRELIMINARY APPLICATION. 3. UNDERSTANDING TO BE DEMOLISHED AND INSTALLED BY OTHERS	
SERVICES SPECIFICATIONS IS ELECTRICAL SERVICE - AMPERAGE TO BE CONFINED? (USE DEDICATED TO CONFINED) SECURITY RIGOROUS - YES ELECTRICAL - MINOR WATER - MINOR ROOF - CONFINED GAS - MINOR COMMUNICATIONS - MINOR	

Development Policy

- ▶ Meets the intent of Official Community Plan (OCP)
 - ▶ Consistent with Future Land Use designation
 - ▶ Property not located within or adjacent to the ALR
 - ▶ Property is over 1 ha in total area
 - ▶ Large enough to meet septic disposal capacity
- ▶ Consistent with Zoning Bylaw – no variances

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to facilitate development of a carriage house
 - ▶ Meets the intent of the Official Community Plan
- ▶ Recommend the Bylaw be forwarded to Public Hearing



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12171

Z20-0089

4255 Bedford Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 Section 32 Township 29 ODYD Plan KAP76256 located at Bedford Road, Kelowna, BC from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Public Hearing waived by the Municipal Council this

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: March 1, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0077

Owner: 1253097 B.C. Ltd., Inc.No.
BC1253097

Address: 4355 Gordon Drive

Applicant: Kasey Luft

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z20-0077 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 358 Osoyoos Division Yale District Plan 16743 located at 4355 Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

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 March 1, 2021;

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

2.0 Purpose

To consider an application to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate a 2-lot subdivision, and to waive the Public Hearing.

3.0 Development Planning

Development Planning Staff support the proposal to rezone the subject property to RU6 – Two Dwelling Housing to facilitate a 2-lot subdivision. The subject property has a Future Land Use Designation of S2RES – Single/Two Unit Residential and is within the City’s Permanent Growth Boundary. In addition, the OCP urban infill policies support the densification of urban residential neighbourhoods where infrastructure already exists, and through sensitive development including the use of smaller lots. The subject property meets the minimum lot width and area for two dwelling housing and there are multiple properties in the vicinity that are zoned RU6. Staff anticipate that the proposed zone and lots will fit within the character of the neighbourhood.

4.0 Proposal

4.1 Project Description

The proposed rezoning from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing zone is to facilitate a 2-lot subdivision. The existing single family dwelling is proposed to remain, and will be able to meet all required setbacks of the new zone. Both lots meet the minimum dimensions of the RU6 zone, and no variances are required. Access for Lot A will remain at the current location, and access to Lot B will be located on the north-west corner of the property to allow for maximum space between vehicle access and the crosswalk located in front of the property.

4.2 Site Context

The subject property is in the North Mission - Crawford OCP sector and is within the Permanent Growth Boundary. The property is mid-block on the east side of Gordon Drive, between Young Road and Hazell Road and across from Dorothea Walker Elementary School. The surrounding area is characterized by single family dwellings and two dwelling housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single-Family Dwelling
East	RU6 – Two Dwelling Housing	Duplex
South	RU1 – Large Lot Housing	Single-Family Dwelling
West	P2 – Education and Minor Institutional	Public Education Services

Subject Property Map: 4355 Gordon Drive



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the neighbourhood with respect to building design, height and siting

6.0 Technical Comments

6.1 Development Engineering Department

6.1.1 See Schedule "A": Development Engineering Memorandum

7.0 Application Chronology

Date of Application Received: August 24, 2020
Date Public Consultation Completed: December 23, 2020

Report prepared by: Bronwyn Wydeman, Planner I
Reviewed by: Dean Strachan, Community Planning & Development Manager
Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Proposed Site Plan

CITY OF KELOWNA

MEMORANDUM

Date: September 24, 2020

File No.: Z20-0077

To: Urban Planning (BW)

From: Development Engineering Manager (JK)

Subject: 4355 Gordon Dr. RU1 to RU6

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

1) SITE-RELATED ISSUES

- a) The following requirements are valid for one (1) years from the reference date of this memo, or until the PLR and/or application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- b) Existing driveway on must be reduced to 6.0m wide to meet current bylaw 7900 requirement.
- c) Dedicate 2.50m width along the full frontage of Gordon Dr. to match the property line to the north.
- d) The proposed lot B driveway letdown is required to be on the north property line and away from the crosswalk.

2) ROAD IMPROVEMENTS

- a) Gordon Dr. frontage upgrades shall include driveway/sidewalk works/relocation, irrigated landscaped boulevard. Otherwise, the existing frontage for this development has already been upgraded, and no further upgrades are required at this time.

3) DOMESTIC WATER AND FIRE PROTECTION

- a) The subject property is currently serviced with a 19mm water service. One metered water service will be required for the development. The disconnection of the existing small diameter water services and the tie-in of a larger service is the developer's responsibility, if required. You can engage an engineer and contractor to manage the work on your behalf at the developer's expense.

4) SANITARY SEWER SYSTEM

- a) The subject property is currently serviced with a 100mm water service. The disconnection of the existing small diameter sanitary services and the tie-in of a larger service is the developer's responsibility, if required. You can engage an engineer and contractor to manage the work on your behalf at the developer's expense.

5) STORM DRAINAGE

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. Only one service will be permitted for this development. The applicant, at his cost, will arrange the installation of one overflow service if required.

6) EROSION SERVICING CONTROL PLAN

- a) Provide a detailed ESC Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b) The developer must engage a consulting civil engineer to provide an ESC plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900.
- c) Civil consultant is responsible for all inspection and maintenance.
- d) A Security Deposit for ESC Works equal to 3.0% of the Consulting Engineer's opinion of probable costs of civil earthworks and infrastructure will be added to the Servicing Agreement.

5) GEOTECHNICAL REPORT

Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval

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

- e) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- f) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- g) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- h) Recommendations for items that should be included in a Restrictive Covenant.
- i) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- j) Any items required in other sections of this document
- k) Recommendations for erosion and sedimentation controls for water and wind.
- l) Recommendations for roof drains and perimeter drains.
- m) Recommendations for construction of detention or infiltration ponds if applicable.

7) **DESIGN AND CONSTRUCTION**

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

8) **SERVICING AGREEMENT FOR WORKS AND SERVICES**

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

\$5,000,000 and the City is to be named on the insurance policy as an additional insured.

9) **POWER AND TELECOMMUNICATION SERVICES**

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

10) **OTHER ENGINEERING COMMENTS**

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

11) **CHARGES AND FEES**

- a) Development Cost Charges (DCC's) are payable
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - ii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).
 - iii) Street/Traffic Sign Fees: at cost if required (to be determined after design)
 - iv) Survey Monument Fee: \$50.00 per newly created lot for a total of **\$50** (GST exempt)
 - v) A hydrant levy charge of \$250.00 per lot (Total of **\$250**)

James Kay, P. Eng.
Development Engineering Manager

AS

ATTACHMENT

A

This forms part of application

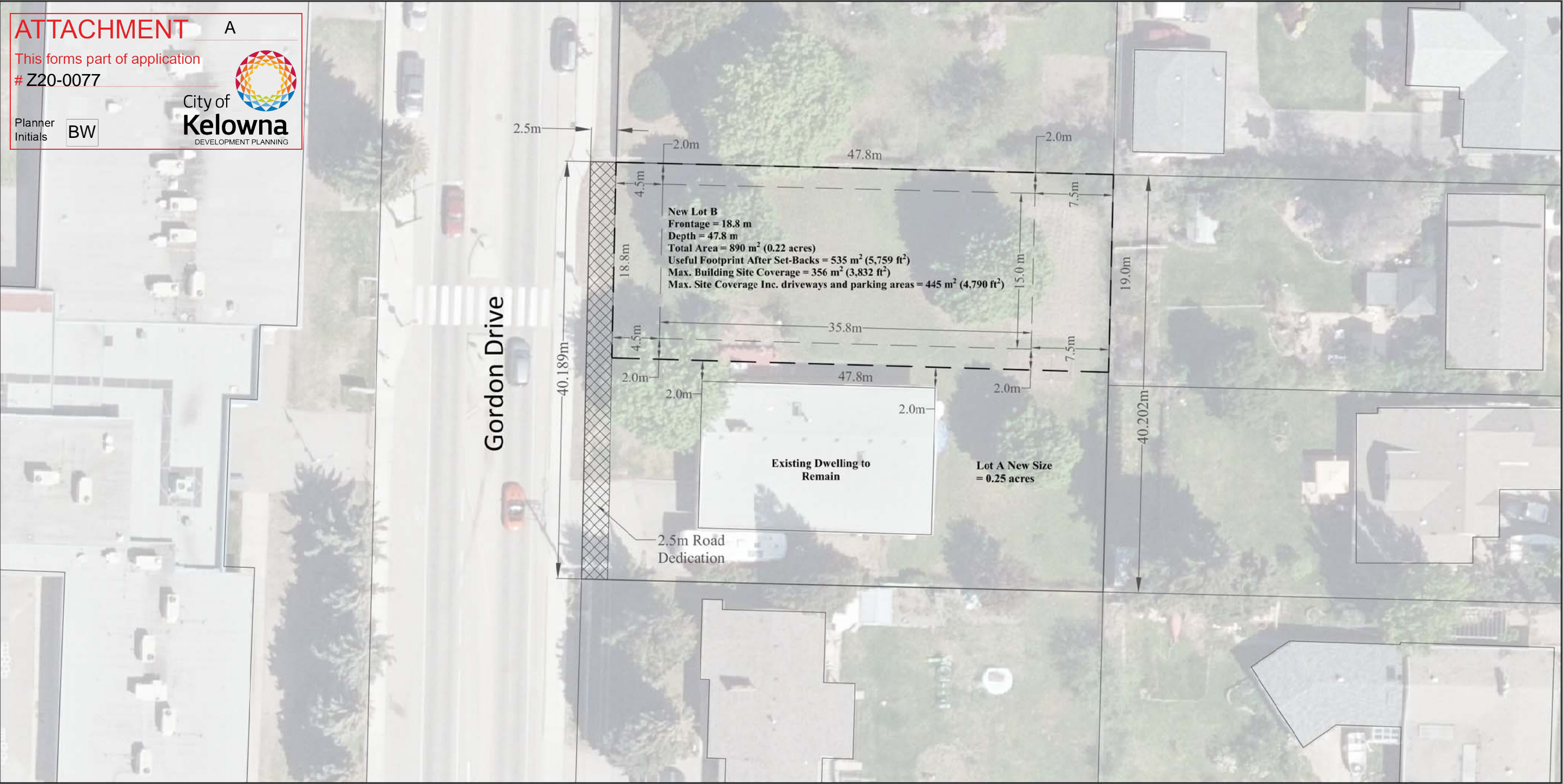
Z20-0077

Planner Initials

BW

City of Kelowna

DEVELOPMENT PLANNING



4355 GORDON DRIVE
SITE PLAN

Scale 1:400 Metric

REVISIONS

NO.	BY	DATE	DESCRIPTION
1	RP	08/21/2020	Initial Submission

Contact: ROBINSON_PUCHE
Phone: 604-454-7099
Email: ROPUCHE84@GMAIL.COM





Z20-0077 4355 Gordon Drive

Rezoning Application



Proposal

- ▶ To rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate a 2-lot subdivision.

Development Process

Sept 02, 2020

Development Application Submitted



Staff Review & Circulation



Public Notification Received



Mar 1, 2021

Initial Consideration



Public Hearing
Second & Third Readings



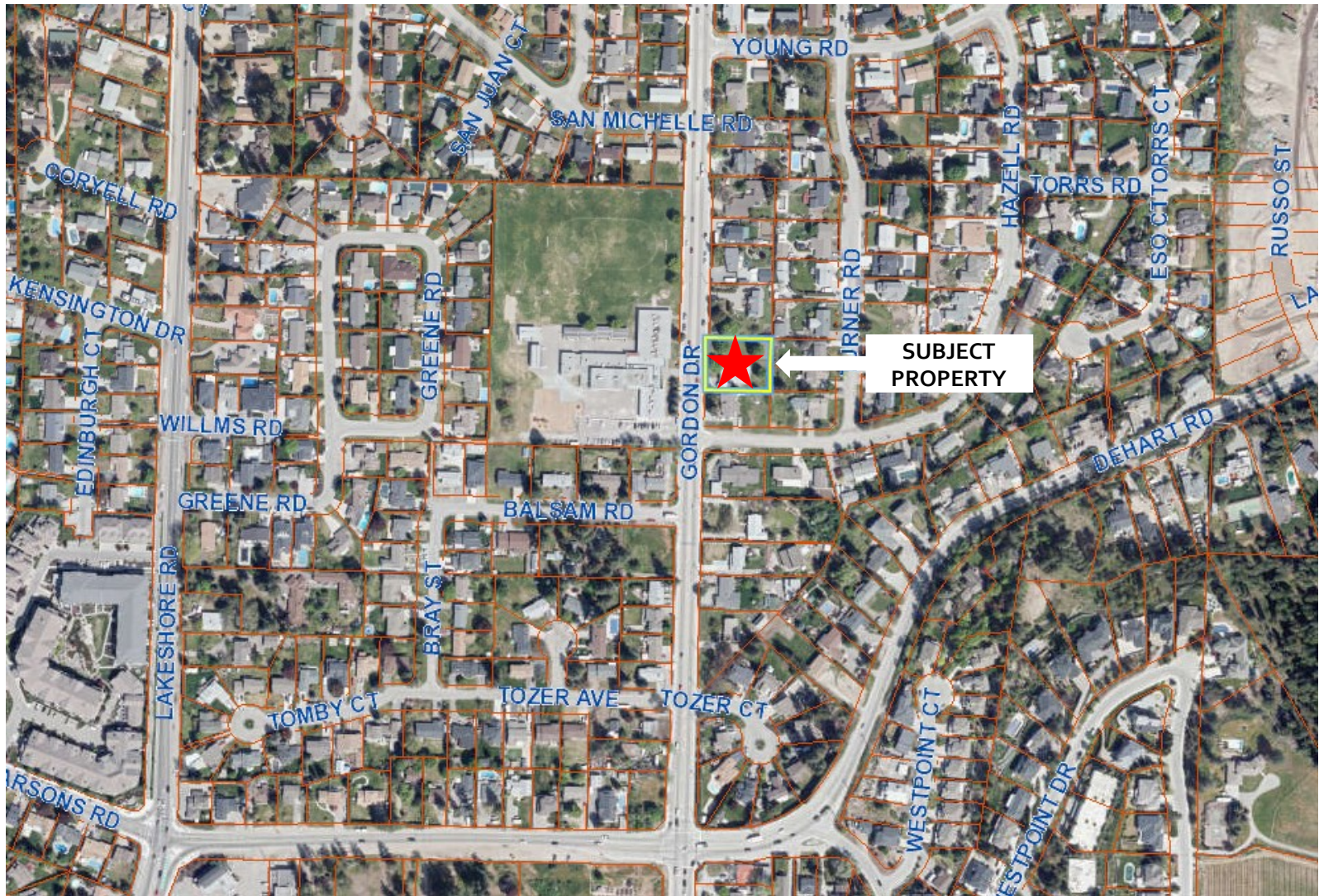
Final Reading



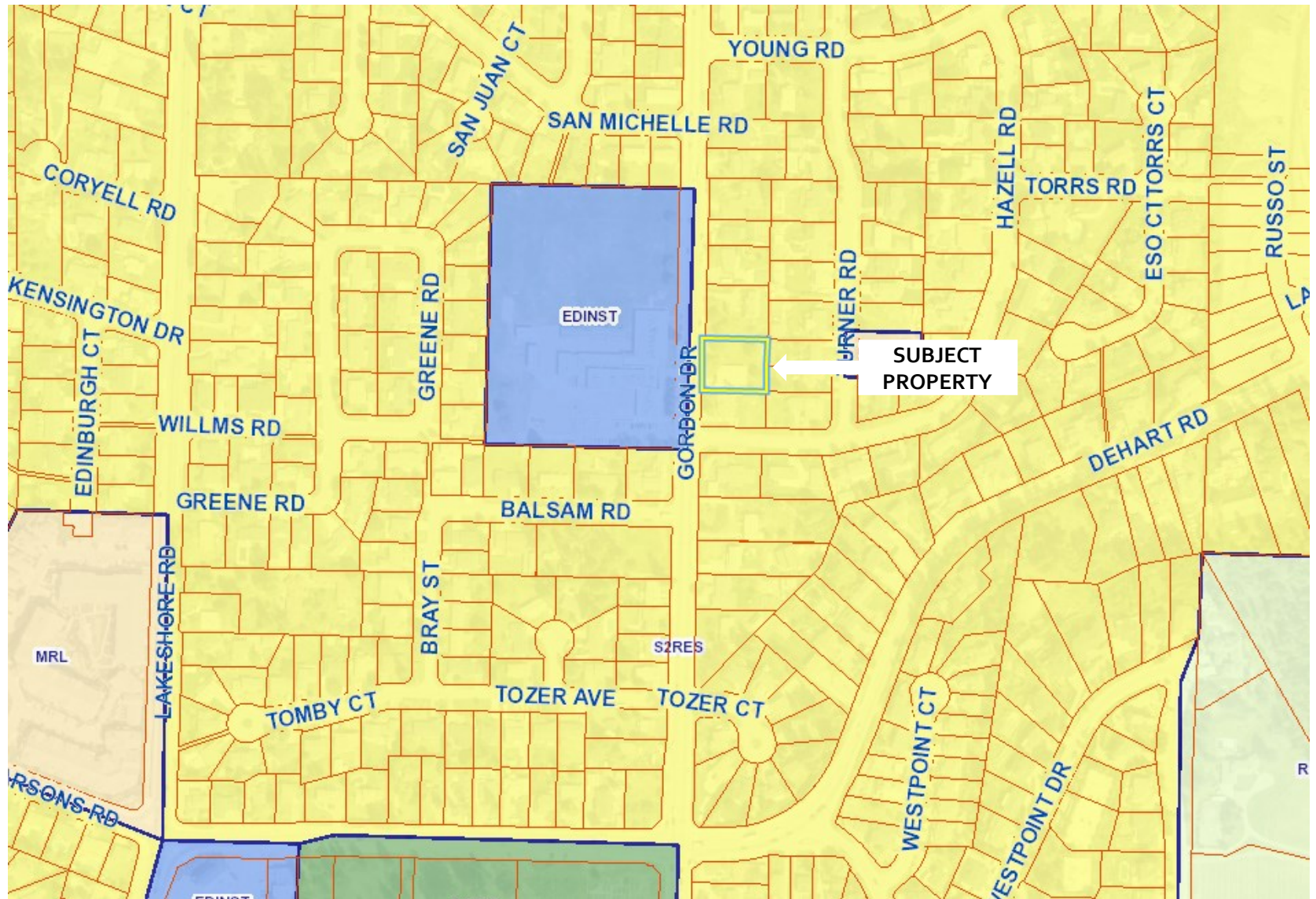
Building Permit

Council
Approvals

Context Map



OCP Future Land Use / Zoning



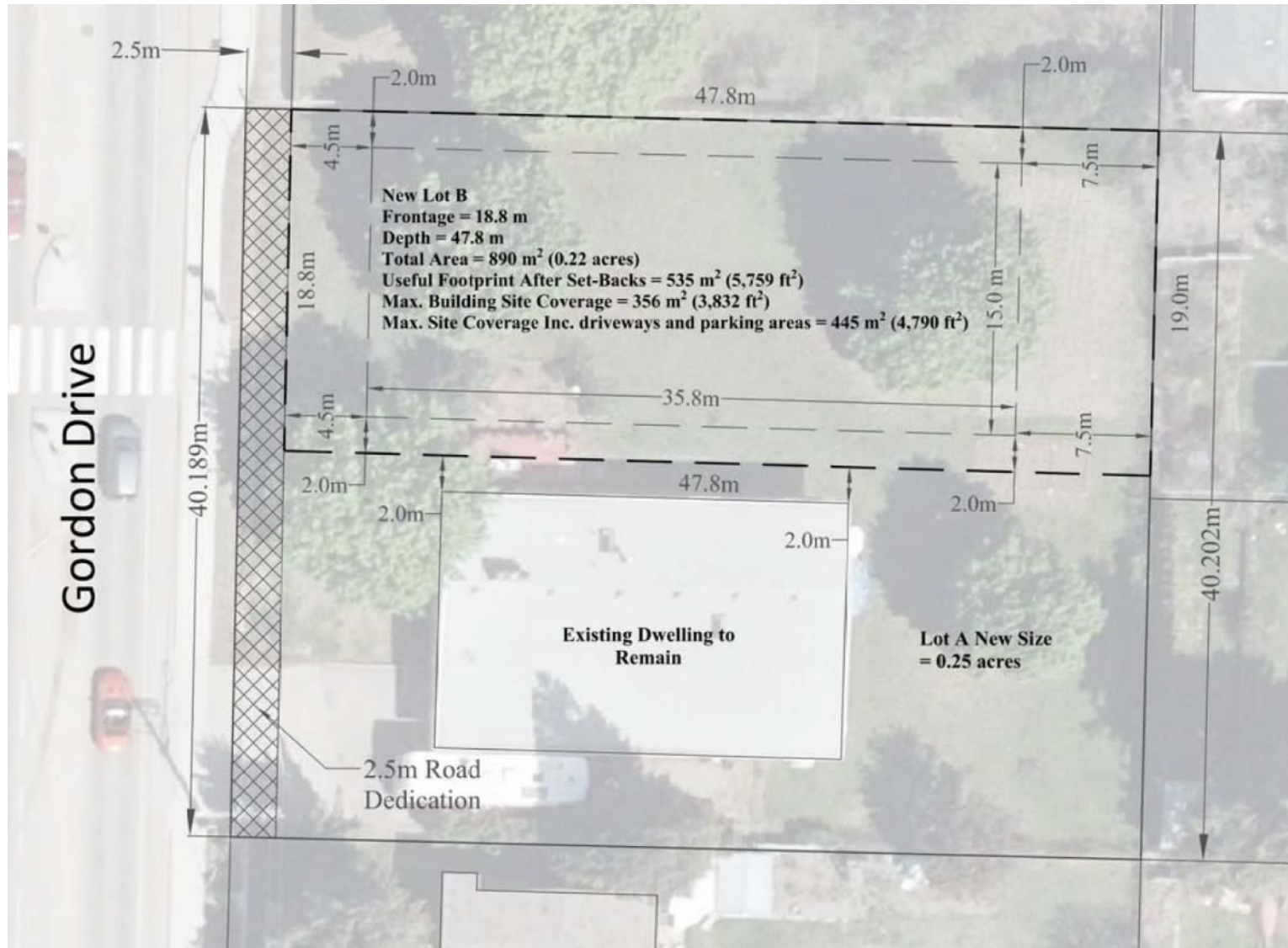
Subject Property Map



Project/technical details

- ▶ Proposed rezoning will facilitate a 2-lot subdivision.
- ▶ The existing dwelling will remain and meet all setbacks.
- ▶ Both lots meet the depth, width and size of the RU6 zone.

Site Plan



Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Within Permanent Growth Boundary
 - ▶ Sensitive Infill
- ▶ Consistent with Zoning Bylaw – no variances

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to facilitate a 2-lot subdivision
- ▶ Meets the intent of the Official Community Plan
 - ▶ Urban Infill Policies
 - ▶ Appropriate location for adding residential density
- ▶ Recommend the Bylaw be forwarded to Public Hearing



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12179

Z20-0077

4355 Gordon Drive

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 6 District Lot 258 Osoyoos Division Yale District Plan 16742 located at Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Public Hearing waived by the Municipal Council this

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: March 1, 2021
To: Council
From: City Manager
Subject: Rescindment of Bylaw Readings
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the Report from the Office of the City Clerk with respect to rescinding bylaw readings of obsolete rezoning and text amendment applications;

AND THAT the development bylaws as outlined in Schedule "A" attached to the Report from the Office of the City Clerk dated March 1, 2021 be considered by Council for rescindment;

AND FURTHER THAT all bylaw readings listed in Schedule "A" be forwarded for rescindment consideration and the files be closed.

Purpose:

To rescind all bylaw readings given to obsolete Rezoning and Text Amendment Bylaws and direct Staff to close the files.

Background:

In October 2020, the Office of the City Clerk conducted a review of all Development Bylaws sitting at first or third reading. Ten bylaws were found to have received readings between October 18, 2010 and April 17, 2018 but have never been adopted. More specifically:

- a) Four bylaws received first, second and third readings and were replaced by new applications and given new bylaw numbers. These bylaws are now deemed obsolete.
- b) Three bylaws received readings and were not adopted or replaced. They have lapsed under section 2.12.1 of Development Application Procedures Bylaw No. 10540 and are now deemed obsolete.
- c) Three text amendment bylaws were initiated by staff and received first reading. One amendment was not advanced any further and is no longer required. The other two were replaced by updated amendments with new bylaw numbers given. These text amendments are now deemed obsolete.

Conclusion:

Staff recommend Council rescind all readings given to the Development Bylaws listed in Schedule "A" and the files be closed.

Internal Circulation:

Development Planning

Considerations applicable to this report:***Existing Policy:***

Development Applications Procedures Bylaw No. 10540 - Section 2.12.1

Considerations not applicable to this report:***Legal/Statutory Authority:******Legal/Statutory Procedural Requirements:******Financial/Budgetary Considerations:******External Agency/Public Comments:******Communications Comments:***

Submitted by: Suzanne Woods, Legislative Technician

Approved for inclusion:



L. Bentley, Deputy City Clerk

Attachments:

Schedule "A" – Proposed Development Bylaw Reading Rescindments

cc: Development Planning

Schedule A – Rescind Bylaw Readings

No.	Bylaw	Application	Legal Description/ Text Amendment Title	Address	Recommendation	Reason for Change
1.	10436	Z09-0035	Lot 28 Section 3 Township 23 ODYD Plan 18861	3130 Sexsmith Road	Rescind 1 st , 2 nd , and 3 rd readings and close file.	Replaced by BL11832 in 2019
2.	10443	Z10-0092	Lot 27 Section 3 Township 23 ODYD Plan 18861	3150 Sexsmith Road	Rescind 1 st , 2 nd , and 3 rd readings and close file.	Replaced by BL11316 in 2016
3.	10445	Z10-0093	Lot 26 Section 3 Township 23 ODYD Plan 18861	3170 Sexsmith Road	Rescind 1 st , 2 nd , and 3 rd readings and close file.	Replaced by BL11316 in 2016
4.	10975	TA14-0003	A1m – Agriculture 1 with Medical Marihuana production	N/A	Rescind 1 st reading and close file.	Did not proceed with text amendment.
5.	11307	TA16-0018	Replacing the C7 – Central Business Commercial	N/A	Rescind 1 st reading and close file.	Replaced by BL11363 in 2017
6.	11342	Z16-0043	Lot 3 District Lot 135 ODYD Plan 18974	1050 Kelly Road	Rescind 1 st , 2 nd , and 3 rd readings and close file.	Replaced by BL11797 in 2019
7.	11347	TA16-0014	Parking Amendments for CD5 – Multi – Purposed Facility zone	N/A	Rescind 1 st reading and close file.	Replaced by BL11383
8.	11431	Z16-0086	Lot A Section 24 Township 26 ODYD Plan 19310 Except Plan KAP88059	540 Jaginder Lane	Rescind 1 st , 2 nd , and 3 rd readings and close file.	Requirements for final adoption not met and rezoning application has lapsed
9.	11453	Z17-0035	Lots 22, 23 and 24 District Lot 136 ODYD Plan 11811	2240, 2250 & 2260 Ethel Street	Rescind 1 st , 2 nd , and 3 rd readings and close file.	Report created but never went to council to rescind readings.
10.	11588	Z18-0006	Lot 5 District Lot 138 ODYD Plan 3999 and	1018 & 1024 Laurier Avenue	Rescind 1 st , 2 nd , and 3 rd readings and close file.	Project not going ahead.

CITY OF KELOWNA

BYLAW NO. 11307

TA16-0018 – Amendments to the C7 – Central Business Commercial Zone

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 deleting **Section 14 – Commercial Zones, C7 – Central Business Commercial Zone** in its entirety and replace it with a new **Section 14 – Commercial Zones, C7 – Central Business Commercial Zone** as attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 14th day of November, 2016.

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)

First reading rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

14.7 C7 – Central Business Commercial

C7rls – Central Business Commercial (Retail Liquor Sales)

C7lp – Central Business Commercial (Liquor Primary)

C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)

14.7.1 Purpose

The purpose of this zone is to designate and to preserve land for the orderly development of the financial, retail and entertainment core of Downtown, while also supporting high density, mixed-use buildings in Downtown. The Civic Precinct regulations aim to support mixed-use development in the civic and cultural core of Kelowna to increase vibrancy and support cultural goals Downtown.

14.7.2 Principal Uses

The **principal uses** in this **zone** are:

- (a) amusement arcade, major
- (b) apartment housing
- (c) apartment hotels
- (d) boarding or lodging houses
- (e) breweries and distilleries, minor
- (f) broadcasting studios
- (g) business support services
- (h) child care centre, major
- (j) commercial schools
- (k) community garden
- (l) community recreational services
- (m) congregate housing
- (n) custom indoor manufacturing/artist's studio
- (o) emergency and protective services
- (p) financial services
- (q) food primary establishment
- (r) funeral services
- (s) fleet services
- (t) gaming facilities
- (u) government services
- (v) health services
- (w) hotels
- (x) household repair services
- (y) liquor primary establishment, major (C7lp and C7lp/rls only)
- (z) liquor primary establishment, minor
- (aa) multiple dwelling housing
- (bb) non-accessory parking
- (cc) offices
- (dd) participant recreation services, indoor
- (ee) personal service establishments
- (ff) private clubs
- (gg) private education services
- (hh) public education services
- (ii) public libraries and cultural exhibits
- (jj) public parks
- (kk) recycled materials drop-off centres
- (ll) retail liquor sales establishment (C7rls and C7lp/rls only)

- (mm) retail stores, convenience
- (nn) retail stores, general
- (oo) spectator entertainment establishments
- (pp) spectator sports establishments
- (qq) supportive housing
- (rr) temporary parking lot
- (ss) temporary shelter services
- (tt) thrift stores
- (uu) used goods stores
- (vv) utility services, minor impact

14.7.3 Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **agriculture, urban**
- (b) **amusement arcade, minor**
- (c) **child care centre, minor**
- (d) **home based businesses, minor**

14.7.4 Subdivision Regulations

- (a) The minimum **lot width** is 6.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 200 m².

14.7.5 Development Regulations

- (a) The maximum allowable **height** shall be in accordance with the C7 – Map A Downtown Height Plan.
- (b) Where a property is not shown in the C7 Map A Downtown Height Plan, the maximum height shall be 22.0 m.
- (c) The maximum Floor Area Ratio is 9.0.
- (d) The minimum front yard is 0.0 m.
- (e) The minimum side yard is 0.0 m.
- (f) The minimum rear yard is 0.0 m.
- (g) There shall be a triangular setback 4.5 m in length abutting along the property lines that meet at each corner of an intersection, as shown in Figure A.

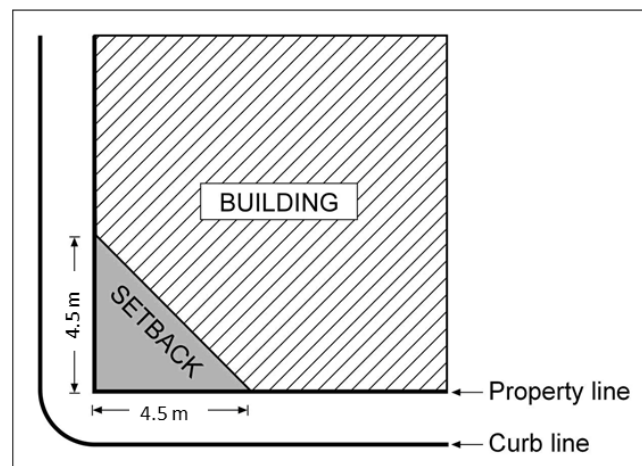


Figure A

- (h) For any mid-rise building above 12.0m in height and below 44.0 m in height:
- Any portion of a building above 12.0 m in height must be a minimum of 3.0 m. from any property line abutting a street, as shown on C7 - Diagram A attached to this bylaw.
 - Any portion of a building above 12.0 m in height must be a minimum of 4.0 m from any **property line** abutting another **property** as illustrated on C7 - Diagram A attached to this bylaw.
 - A building floor plate cannot exceed 956.0 m², as illustrated on C7 - Diagram A attached to this bylaw.
 - A continuous building frontage shall not exceed 50.0 m in length.
- (i) For any tower building above 44.0 m in height:
- Any portion of a building above 44.0 m in height must be a minimum of 10.0 m. from any property line abutting a street, as shown on C7 - Diagram A attached to this bylaw.
 - Any portion of a building above 44.0 m in height must be a minimum of 15.0 m from any **property line** abutting another **property**.
 - The above setbacks and/or separation distances will be measured from the nearest exterior building face, exclusive of unenclosed balconies.
 - A building floor plate cannot exceed 676.0 m², as illustrated on C7 - Diagram A attached to this bylaw.
 - Any portion of a building cannot exceed a continuous exterior horizontal dimension of 26.0m.
 - A minimum separation distance of 30.0 m shall be provided between adjacent buildings where buildings are above 44.0m on the same block.

Setback Table

Height	Front and Flanking Yard Setback	Side Yard Setbacks	Floorplate
0.0 to 12.0 m	0.0 m	0.0 m	No restriction
(Mid-rise) 12.0 m to 44.0 m	3.0 m	4.0 m	956.0 m ²
(Tower) 44.0 m and above	10.0 m	15.0 m	676.0 m ²

CIVIC PRECINCT

Where with area shown in C7 – Map B Civic Precinct and Retail Streets.

14.7.6 Development Regulations

- The maximum allowable **height** shall be in accordance with the maximum allowable height within the Civic Precinct, in accordance with the C7 – Map A Downtown Height Plan.
- The maximum Floor Area Ratio is 9.0.
- The minimum front yard is 0.0 m.
- The minimum side yard is 0.0 m.
- The minimum rear yard is 0.0 m.
- Any portion of a building above 9.0 m in height must be a minimum of 3.0 m. from any property line abutting a street, as shown on C7 - Diagram B attached to this bylaw.
- Any portion of a building above 9.0 m in height must be a minimum of 4.0 m from any property line abutting another property as illustrated on C7 - Diagram B attached to this bylaw.

- (h) Any portion of a tower building above 22.0 m in height must be a minimum of 10.0 m. from any property line abutting a street,
- (i) Any portion of a tower building above 22.0 m in height must be a minimum of 15.0 m from any **property line** abutting another **property**.
- (j) A minimum separation distance of 25.0 m shall be provided where adjacent buildings are above 22.0m on the same block.
- (k) Any tower floor plate situated above 9.0 m in height but below 22.0 m in height cannot exceed 1,221.0 m², as illustrated on C7 - Diagram B attached to this bylaw.
- (l) Any tower floor plate situated above 22.0 m in height cannot exceed 676.0 m², as illustrated on C7 - Diagram B attached to this bylaw.
- (m) Any portion of a building above 9.0 m in height cannot exceed a continuous exterior horizontal dimension of 40.0 m.
- (n) Any portion of a building above 22.0 m in height cannot exceed a continuous exterior horizontal dimension of 26.0 m.
- (o) A continuous building frontage shall not exceed 50.0 m in length, and must be designed with appropriate architectural breaks such as a recessed courtyard, entry setback, breezeway, patio, or similar relief, where the length of the building exceeds 30.0 m.

Setback Table

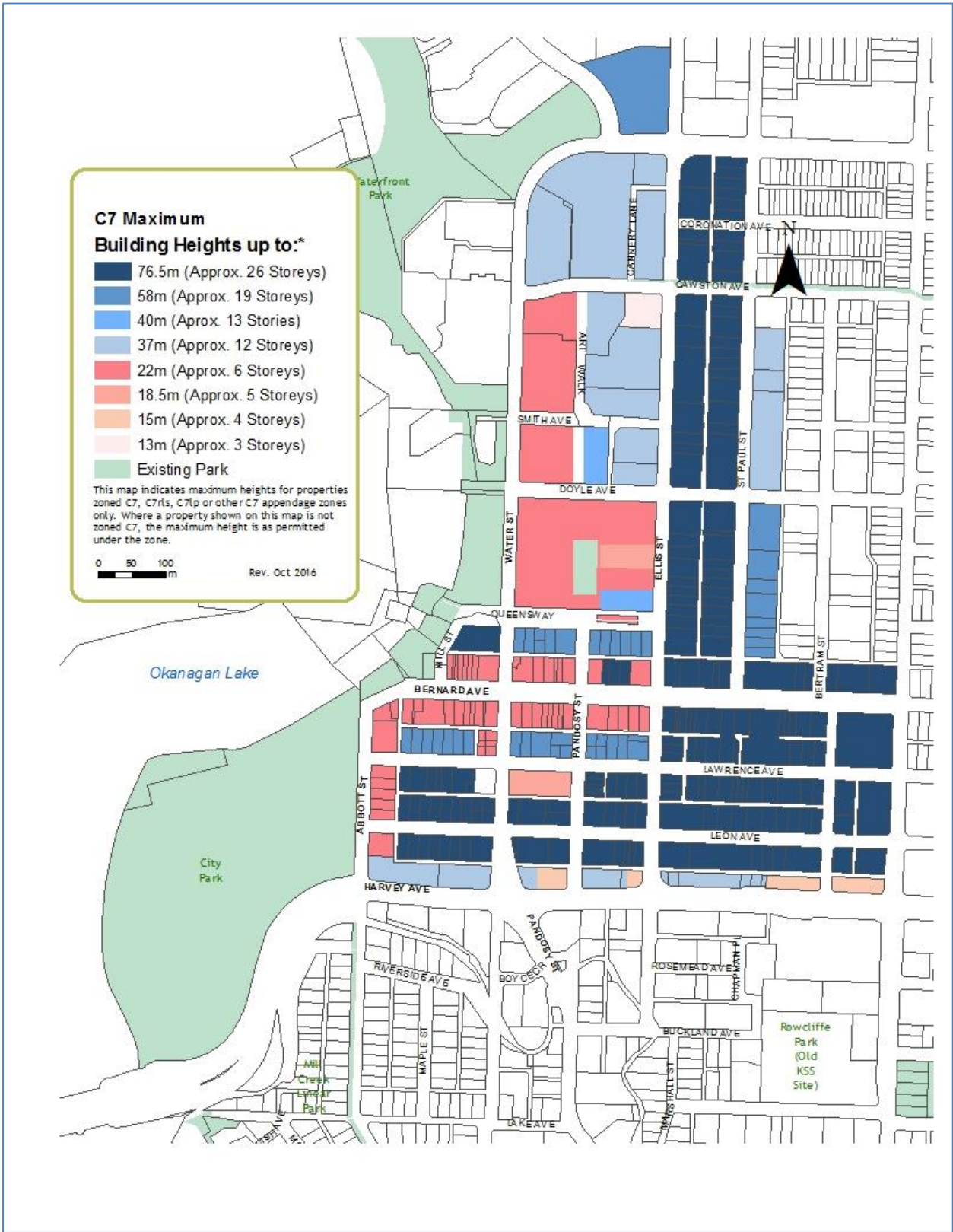
Height	Front and Flanking Yard Setback	Side Yard Setbacks	Floorplate
0.0 to 9.0 m	0.0 m	0.0 m	No restriction
9.0 m to 22.0 m	3.0 m	4.0 m	1221.0 m ²
22.0 m and above	10.0 m	15.0 m	676.0 m ²

14.7.7 Other Regulations

- (a) A minimum area of 6.0 m² of **private open space** shall be provided per **bachelor dwelling**, 10.0 m² of **private open space** shall be provided per 1-bedroom **dwelling**, and 15.0 m² of **private open space** shall be provided per **dwelling** with more than 1 **bedroom**.
- (b) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, accessory **development**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (c) Drive-in food services are not a permitted form of development in this zone.
- (d) Development on streets identified as Retail Streets on C7 – Map B Civic Precinct and Retail Streets Floorplate and Section must provide a functional commercial, civic or cultural 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 an active commercial, cultural or civic space.
- (e) Development on streets NOT identified as Retail Streets on C7 – Map B Civic Precinct and Retail Streets must provide a functional commercial, civic or cultural space, or ground oriented residential use, 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 an active commercial or residential space

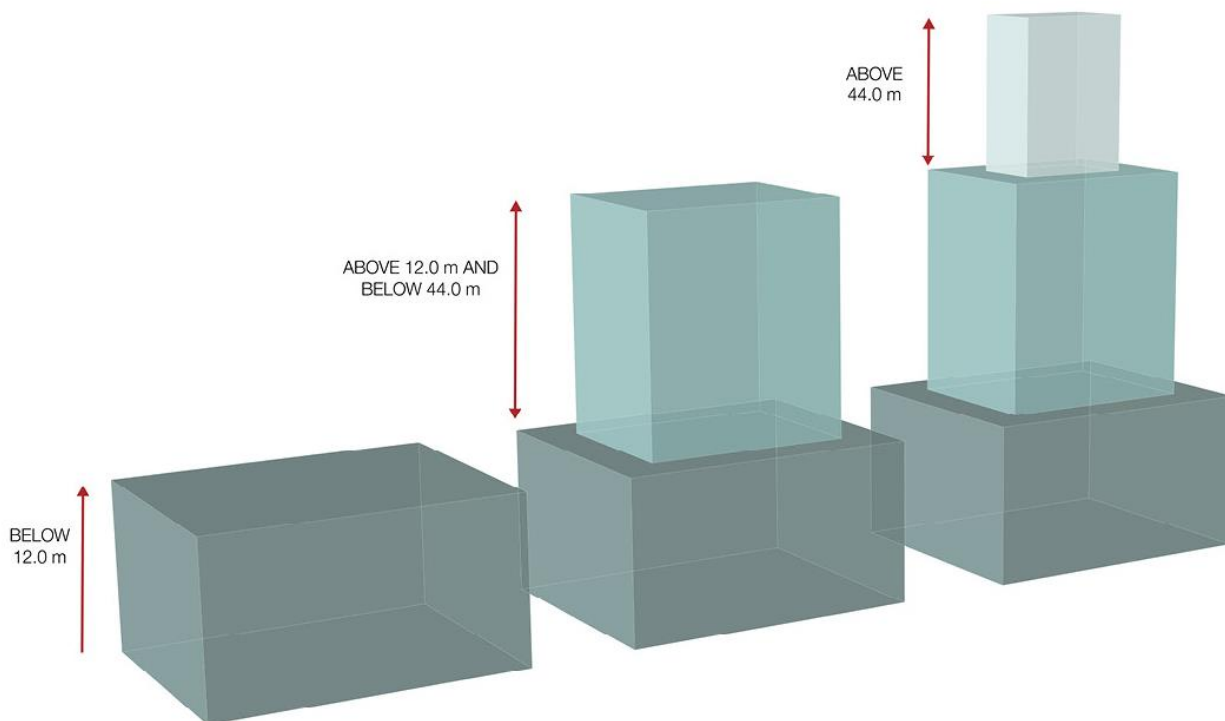
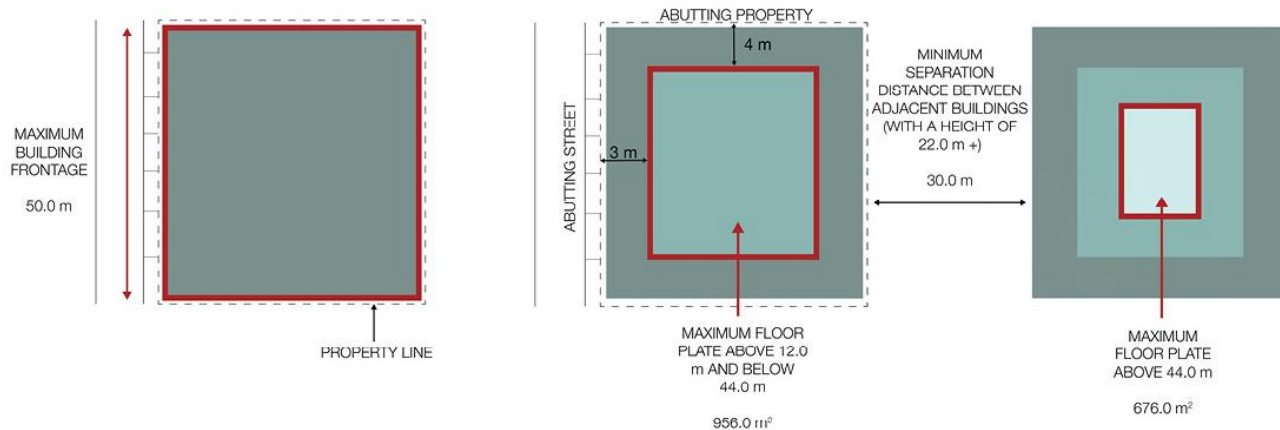
C7 – Map - A Downtown Height Plan

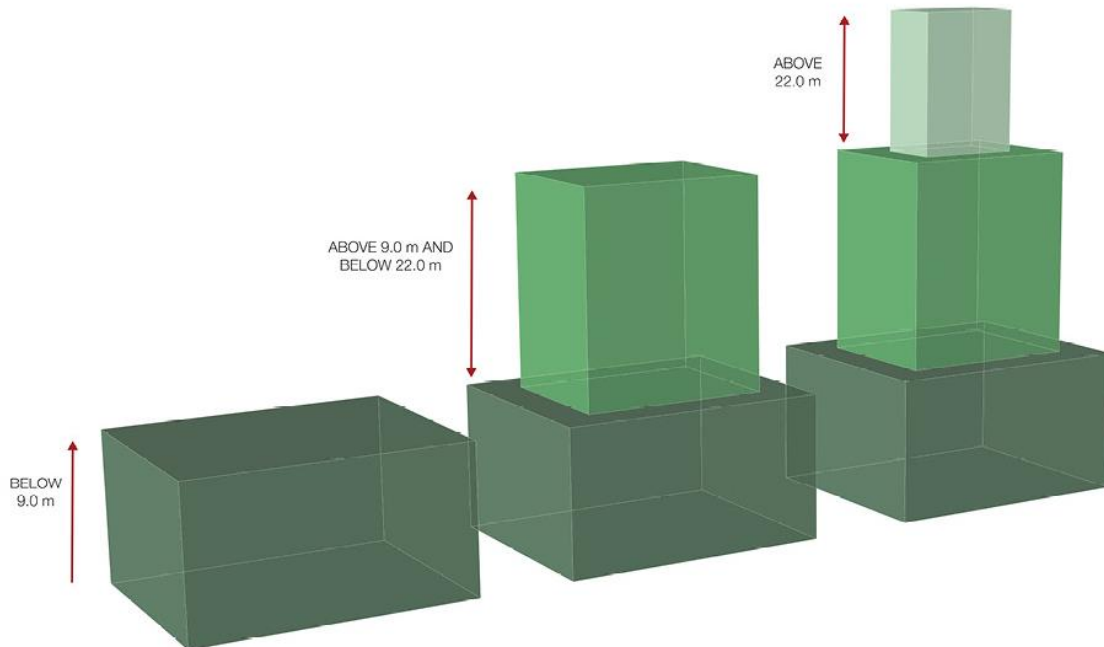


C7 – Map B - Civic Precinct and Retail Streets



C7 – Diagram A





CITY OF KELOWNA
BYLAW NO. 11347
**TA16-0014 – Parking Amendments for the CD5 – Multi-Purposed
Facility zone**

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, **Section 8 – Parking and Loading, Table 8.1 – Parking Schedule, Residential and Residential Related, Apartment Housing/Row Housing/Stacked Row Housing**; under Stacked Row Housing Column, deleting the following:

"1.0 space per dwelling unit in the C4 and C7 Commercial zones;"

And replacing it with:

"1.0 space per dwelling unit in the C4, CD5 and C7 Commercial zones"
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 23rd day of January, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

First reading rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 10975
TA14-0003 - Adding A1m - Agriculture 1 with Medical
Marihuana Production Facility Designation to the
A1 - Agriculture 1 Zone

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 1 - General Administration, 1.3 Zoning Map, 1.3.1** be amended by deleting the following in Section 11 - Agricultural Zone:

A1/A1 c	Agriculture 1/Agriculture 1 with Carriage House/ Agriculture 1 with Agri-tourist Accommodations
---------	---

And replacing it with:

A1/A1c/A1m A1t	Agriculture 1/Agriculture 1 with Carriage House/Agriculture 1 with Medical Marihuana Production Facility/A1t – Agriculture 1 with Agri-tourist Accommodation
-------------------	--

2. AND THAT **Section 2 - Interpretation, 2.3 General Definition, 2.3.3 GREENHOUSES AND PLANT NURSERIES** be amended to add the words “, or **Medical Marihuana Production Facility**” to the end of the definition.
3. AND THAT the title in **Section 11-Agricultural Zones** be deleted that reads:

“A1 - Agriculture 1/A1c - Agriculture 1 with Carriage House/ Agriculture 1 with Agri-tourist Accommodations”

And replaced with:

“A1 - Agriculture 1/A1c - Agriculture 1 with Carriage House/A1m - Agriculture 1 with Medical Marihuana Production Facility/A1t – Agriculture 1 with Agri-tourist Accommodation”

4. AND THAT **Section 11-Agricultural Zones, 11.1.2 Principal Uses** be amended by adding in its appropriate location a new principal use “**medical marihuana production facility (A1m only)**” and subsequent subparagraphs be renumbered.
5. AND THAT **Section 11-Agricultural Zones, 11.1.6 Development Regulations**, subparagraph (a) be amended by adding to the end of the paragraph the following:

“, and it is 10% for **Medical Marihuana Production Facilities** (inclusive of parking areas and residential development).”

6. AND THAT Section 11 - Agricultural Zones be amended by adding a new Section 11.1.9 Other Regulations Medical Marihuana Production Facility as follows:

“11.1.9 Other Regulations - Medical Marihuana Production Facility

a) Location

A **Medical Marihuana Production Facility** shall be located so as to minimize the impacts on arable land.

b) Siting

The maximum front yard setback for a **Medical Marihuana Production Facility** shall be 60m which will be measured from the property line to the rear wall of the building.

c) Access, Parking, Buffering and Landscaping

Access driveways and parking areas for a **Medical Marihuana Production Facility** shall be water permeable (ie. Not asphalt or concrete) and Level 5 Landscape Buffer (including fencing) is required at an affected property line to mitigate the impact of the **Medical Marihuana Production Facility** on abutting properties.”

7. 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 16th day of June, 2014.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

First reading rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 10436

Z09-0035 - Matthew James Ewonus - 3130 Sexsmith 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 28 Section 3 Township 23 ODYD Plan 18861 located on Sexsmith Road, Kelowna, B.C., from the A1 - Agriculture 1 zone to the I6 - Low-Impact Transitional 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 18th day of October, 2010.

Amended at first reading by the Municipal Council this 1st day of November, 2010.

Considered at a Public Hearing on the 16th day of November, 2010.

Read a second and third time by the Municipal Council this 16th day of November, 2010.

Approved under the Transportation Act this 23rd day of November, 2010.

Lynda Lochhead
(Approving Officer-Ministry of Transportation)

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 10443
Z10-0092 - Kimberly and John Berg - 3150 Sexsmith 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 27, Section 3, Township 23, ODYD, Plan 18861 located on Sexsmith Road, Kelowna, B.C., from the the A1 - Agriculture 1 zone to the I6 - Low-Impact Transitional 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 1st day of November, 2010.

Considered at a Public Hearing on the 16th day of November, 2010.

Read a second and third time by the Municipal Council this 16th day of November, 2010.

Approved under the Transportation Act this 23rd day of November, 2010.

Lynda Lochhead
(Approving Officer-Ministry of Transportation)

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 10445
Z10-0093 - Shanny and Marlin Toews and
Jon and Kimberly Berg - 3170 Sexsmith 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 26, Section 3, Township 23, ODYD, Plan 18861 located on Sexsmith Road, Kelowna, B.C., from the the A1 - Agriculture 1 zone to the I6 - Low-Impact Transitional 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 1st day of November, 2010.

Considered at a Public Hearing on the 16th day of November, 2010.

Read a second and third time by the Municipal Council this 16th day of November, 2010.

Approved under the Transportation Act this 23rd day of November, 2010.

Lynda Lochhead
(Approving Officer-Ministry of Transportation)

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11342
Z16-0043 – 1050 Kelly 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 3, District Lot 135, ODYD, Plan 18974 located on Kelly Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 23rd day of January, 2017.

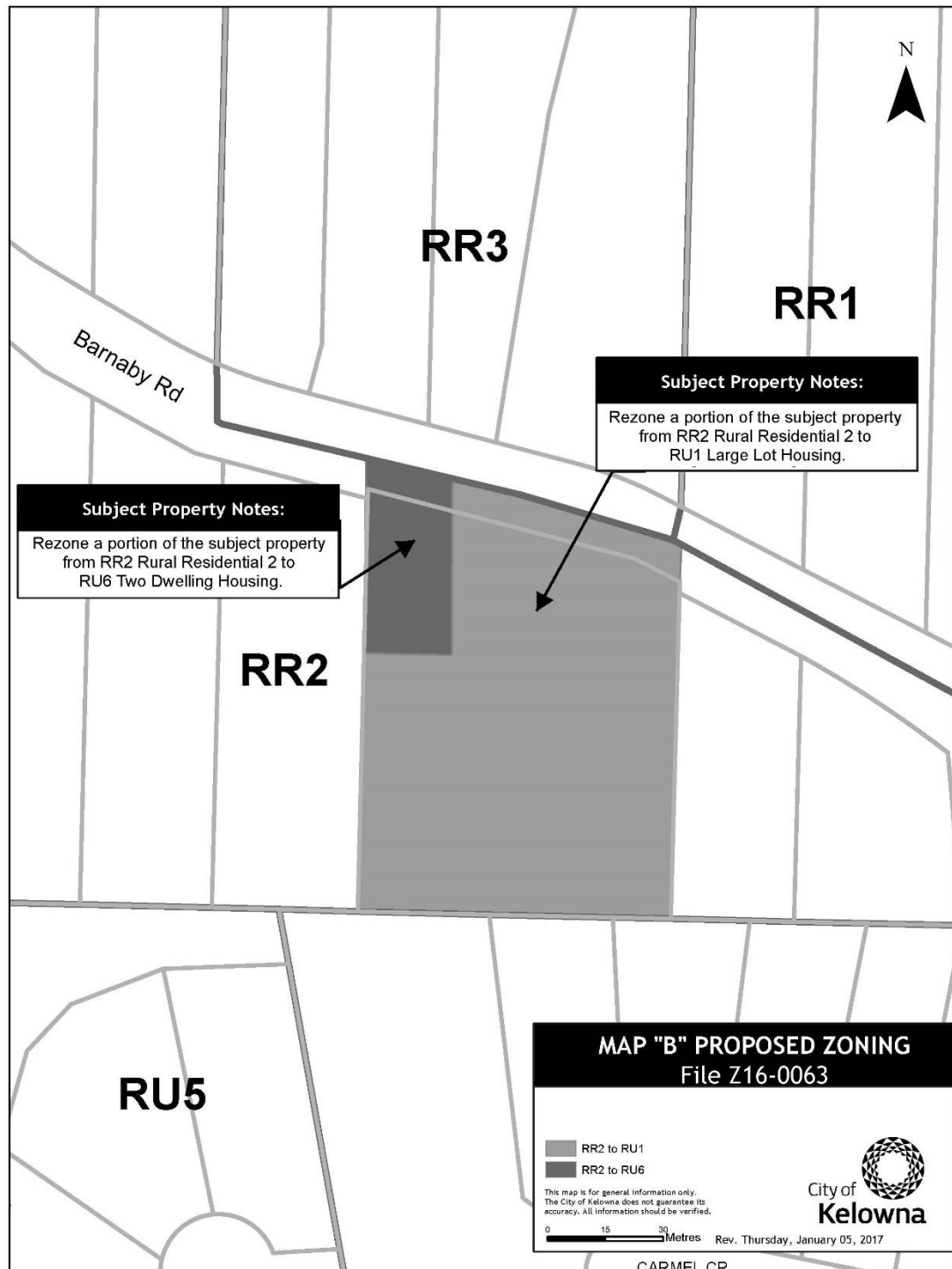
Considered at a Public Hearing on the 21st day of February, 2017.

Read a second and third time by the Municipal Council this 21st day of February, 2017.

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11431
Z16-0086 – 540 Jaginder Lane

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 24 Township 26 ODYD Plan 19310 Except Plan KAP88059 located on Jaginder Lane, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RR3c – Rural Residential 3 with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 26th day of June, 2017.

Considered at a Public Hearing on the 11th day of July 2017.

Read a second and third time by the Municipal Council this 11th day of July 2017.

Approved under the Transportation Act this 19th day of July, 2017.

Audrie Henry
(Approving Officer – Ministry of Transportation)

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11453
Z17-0035 – 2240, 2250 & 2260 Ethel Street

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lots 22, 23 and 24 District Lot 136 ODYD Plan 11811 located on Ethel Street, Kelowna, B.C., from the RU6 – Two Dwelling Housing zone to the HD2 – Hospital and Health Support Services 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 14th day of August, 2017.

Considered at a Public Hearing on the 12th day of September, 2017.

Read a second and third time by the Municipal Council this 12th day of September, 2017.

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11588
Z18-0006 1018 & 1024 Laurier 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 5, District Lot 138, ODYD, Plan 3999 located on Laurier Avenue, Kelowna, BC from RM4 – Transitional Low Density zone to RM3 – Low Density Multiple Housing;
2. AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of the East 50 Feet of Lot 5, District Lot 138, ODYD, Plan 578 located at Laurier Avenue, Kelowna, BC from RU6 – Two Dwelling Housing zone to RM3 – Low Density Multiple Housing;
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 time by the Municipal Council this 26th day of March, 2018.

Considered at a Public Hearing on the 17th day of April, 2018.

Read a second and third time by the Municipal Council this 17th day of April, 2018.

Approved under the Transportation Act this 27th day of April, 2018.

Audrie Henry
(Approving Officer-Ministry of Transportation)

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: March 1, 2021
To: Council
From: City Manager
Subject: Green Infrastructure Opportunities
Department: Policy & Planning

Recommendation:

THAT Council, receives, for information, the report from the Policy and Planning department, dated March 1, 2021, outlining opportunities for green infrastructure in Kelowna;

AND THAT Council directs staff to pursue the recommended approach outlined in the report from the Policy and Planning department, dated March 1, 2021, to implement green infrastructure in the City's right of way.

Purpose:

To inform Council on options available to increase green infrastructure (GI) in Kelowna's public road rights of way (ROWS).

Background:

A changing climate has major consequences for local governments who are on the front lines of storms, flooding and wildfires; responsible for infrastructure; provide first responder services; and educate and prepare residents.¹ The findings of the recent "*Climate Projections for the Okanagan Region*" models the changes that the Okanagan climate could experience over the coming decades² which will influence Kelowna's future infrastructural needs. Significant changes are projected with hotter and drier summers, warmer winters, increased precipitation in all seasons except summer, and a shifting of the seasons.

The use of green infrastructure (GI), defined as "*enhanced ecological and engineered assets designed to mimic and maintain connectivity with natural systems*", is one option the City can employ that will help deliver on Council's priority to *prepare for and be resilient to the potential changes in climate*. Policy in

¹ Don Lidstone, QC and Ian Moore, September 25, 2019. "Declaring a Climate Emergency – Legal Issues" for Planning Institute of BC Climate Emergency Webinar.

² Regional District North Okanagan, Regional District of Central Okanagan, Okanagan-Similkameen, Pinna Sustainability. (2020). *Climate Projections for the Okanagan Region*. Retrieved from: https://www.regionaldistrict.com/media/279459/OK_Climate_Projections_Report_Final.pdf

the 2040 Draft Official Community Plan provides direction for the use of green infrastructure to help reduce the vulnerabilities of natural and human systems to new climate realities and capitalize on new opportunities. Like most climate initiatives, it is not a silver bullet solution, but is an effective means to address climate change resiliency and adaptability, while reducing greenhouse gas (GHG) emissions.

As Kelowna's climate continues to change, GI can help address the anticipated increased storm events, heat waves and flooding. GI options range from onsite assets like green roofs and cisterns, to offsite (City-owned) assets like bioretention and permeable pavements. These integrated GI techniques aim to deviate from natural processes as little as possible, delivering multiple benefits while building resiliency to the pressures of climate change as illustrated (see Figure 1). Ultimately, GI is one tool that helps return developed areas to a pre-developed ecological state.



Figure 1: Benefits of green infrastructure

With a grant from the Pacific Institute for Climate Solutions (PICS), a Climate Adaptation Intern was hired for a four-month period. This intern investigated high level options for the City to pursue green infrastructure, then refined the research to look specifically at options for utilizing green infrastructure in public road rights of ways (ROWs) as illustrated in Figure 2.

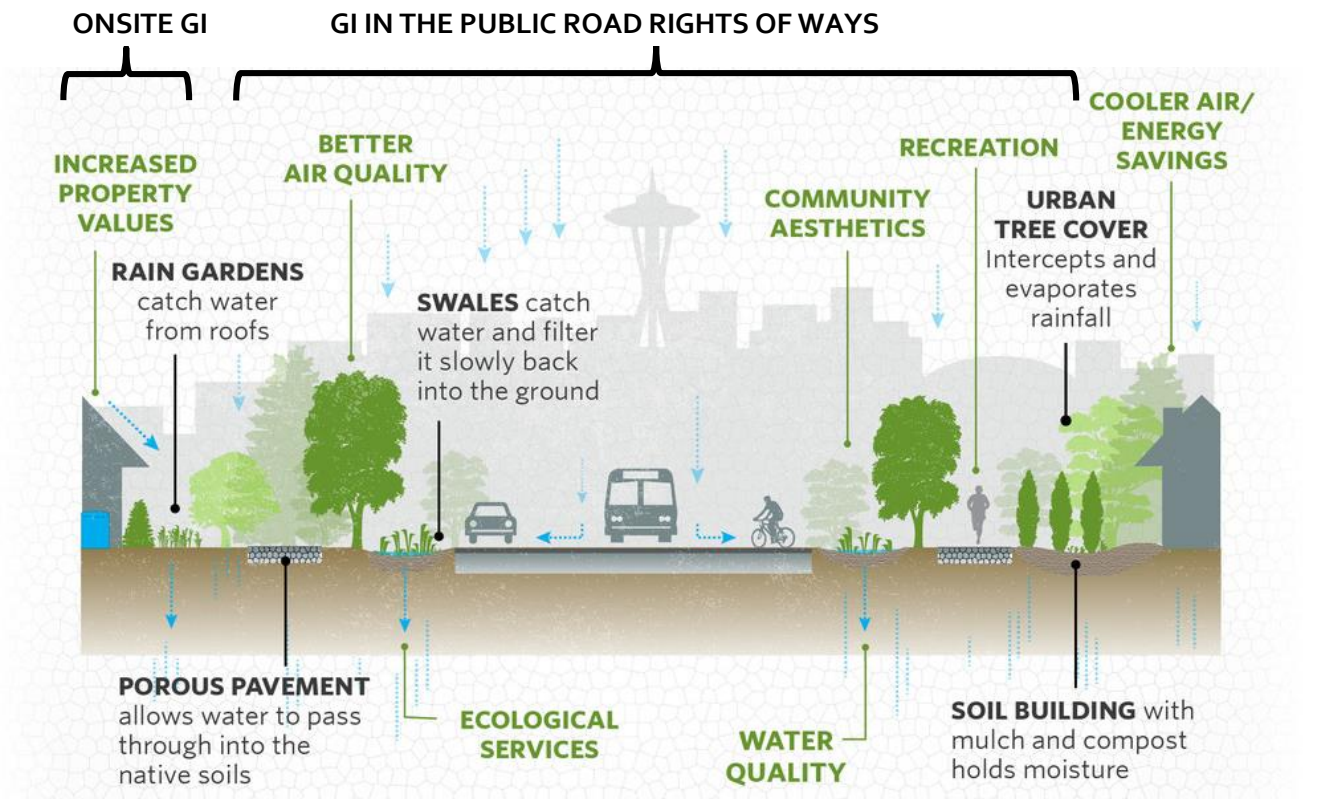


Figure 2: Green infrastructure in the ROW.

Source: <https://www.washingtonnature.org/cities/stormwater/green-infrastructure-infographic>

Discussion:

The City maintains approximately 525 km of paved ROW. For context, the City would have to address approximately 31,500 liters of stormwater runoff for a typical 3mm storm event over this network, plus any onsite stormwater that runs into the ROW. Despite being able to address stormwater events such as these, while providing numerous other benefits, GI is often perceived as an expensive “add-on”. As no framework currently exists to identify GI opportunities, it places these considerations as an afterthought in the ROW decision-making, design, and implementation processes.

Figure 3 illustrates the types of GI assets that can be implemented in the ROW, according to their classification as either enhanced or engineered. GI in the ROW is the most cost-effective option at the time of initial development. It can, however, be implemented during reconstruction, repaving, urbanization, or adjacent onsite development projects. GI is not suitable in all locations, and site specific conditions, such as those listed below, should be met to avoid risks or challenges:

- *No pre-existing or failing stormwater infrastructure exists.* It is cost ineffective to remove functioning infrastructure;
- *Relatively flat site.* Steep hillsides pose stormwater velocity and hillside erosion risk;

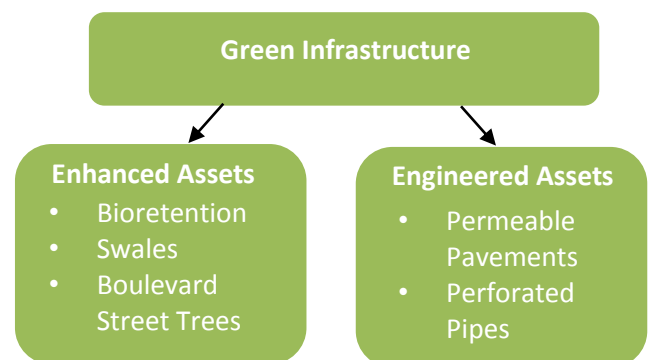


Figure 3: GI Assets that can be implemented in the ROW
Source: Municipal Natural Assets Initiative. (2017). *Defining and Scoping Municipal Natural Assets.*

- *Soils with appropriate permeability and saturation.* Drainage is critical to successful GI implementation; or
- *Not in close proximity to riparian areas:* A higher water table adjacent to riparian areas may impact GI effectiveness.

The City already employs several forms of GI. Gravel soak-aways (the unpaved road areas between pavement and property line) were common design practice in the past and remain an effective method of disposing runoff from minor storms to ground while still allowing for parking and winter snow removal. Soak-aways are maintained by City operations, and their effectiveness is based on how much fines are mixed with coarse gravels from normal road sweeping and snow clearing operations. Further examples of other GI assets the City has piloted include bioretention³ at Lakeshore and Cook, Silva cells⁴ on Lawrence avenue, and permeable pavers⁵ at Parkinson Recreation Centre and City Park. These examples continue to function as designed, but there has yet to be a neighborhood scale implementation of GI in the ROW that acts as a larger scale substitute for conventional infrastructure. A lack of monitoring of GI assets has made it difficult to evaluate their performance and benefits.

Economics of Green Infrastructure

A 2011 report analyzing nearly 500 GI projects across the US and Canada found that in 75 per cent of the cases GI either reduced or did not influence the cost of a project.⁶ Savings can be realized in all three phases of a project: construction, maintenance, and refurbishment/demolition.

1. **Construction.** Savings are realized by a reduced need for conventional infrastructure. For example, the City of Seattle has reported savings of 10-20% for GI ROW development compared to conventional ROW development, citing reduced needs for curbs, gutters, catch basins, and asphalt.⁷ While the City of Kelowna does not construct many ROWs, communicating these savings could act as an effective incentive to increase the uptake of GI amongst developers.
2. **Maintenance.** Maintenance costs present an obstacle to GI implementation as it is often more expensive to maintain than conventional infrastructure. While true, this ignores the reality that GI assets like bioretention facilities, permeable pavement and grassed swales can act as an effective substitute to large-scale GI assets like stormwater detention ponds, and over the long term, their maintenance costs can be less expensive. Some municipalities have found that residents become stewards of GI, seeing its worth to their property value, well-being, and

³ Bioretention refers to three types: bioretention curb bump-outs, boulevard bioretention, and roundabout bioretention. They all use natural infiltration, evapotranspiration, and infiltration properties of soil and vegetation to collect and treat stormwater runoff.

⁴ The Silva Cell is a modular suspended pavement system that uses soil volumes to support large tree growth and provide powerful on-site stormwater management through absorption, evapotranspiration, and interception.

⁵ Permeable pavement refers to three types of surfaces: porous asphalt, pervious concrete, permeable interlocking pavers. All types use porous spacing to reduce the amount of impermeable surface on paved areas.

⁶ American Society of Landscape Architects. (2011, September 26). [ASLA Releases More than 475 Green Infrastructure Case Studies](https://dirt.asla.org/2011/09/26/asla-releases-more-than-475-green-infrastructure-case-studies/). Retrieved from: <https://dirt.asla.org/2011/09/26/asla-releases-more-than-475-stormwater-management-case-studies/>

⁷ United States Environmental Protection Agency. (2010). *Green infrastructure case studies: municipal policies for managing stormwater with green infrastructure*. (EPA-841-F-10-004). Retrieved from: <https://nepis.epa.gov/Exe/ZyPDF.cgi/P100FTEM.PDF?Dockkey=P100FTEM.PDF>

community,⁸ however, in one Kelowna example, it was found that as homeownership changes, new residents do not always want the responsibility.

3. **Rehabilitation and demolition.** Research shows that although conventional infrastructure refurbishment is required less frequently than GI, its substantially higher costs associated with roadway excavation will drive prices up.⁹ Further, GI can offer a more cost-effective means to balance various City objectives, while concurrently enjoying numerous ancillary benefits.

To understand the potential implementation and cost savings in a local context, staff performed a case study on the impacts on the servicing requirements of a proposed rezoning of 70 lots in the City's Health District to a RU7 classification. In response to the increase in impervious surface and associated stormwater runoff, Utility Planning completed a high-level neighbourhood analysis of proposed GI solutions that could infiltrate the additional stormwater runoff including bioretention curb bump-outs, grass swales, and bioswales. Staff further conducted a parallel life cycle analysis to help guide decisions around the costs and benefits of two alternatives. Figure 4 demonstrates the key findings, summarizing the benefits and cost savings that GI development could have compared to a hypothetical conventional development.

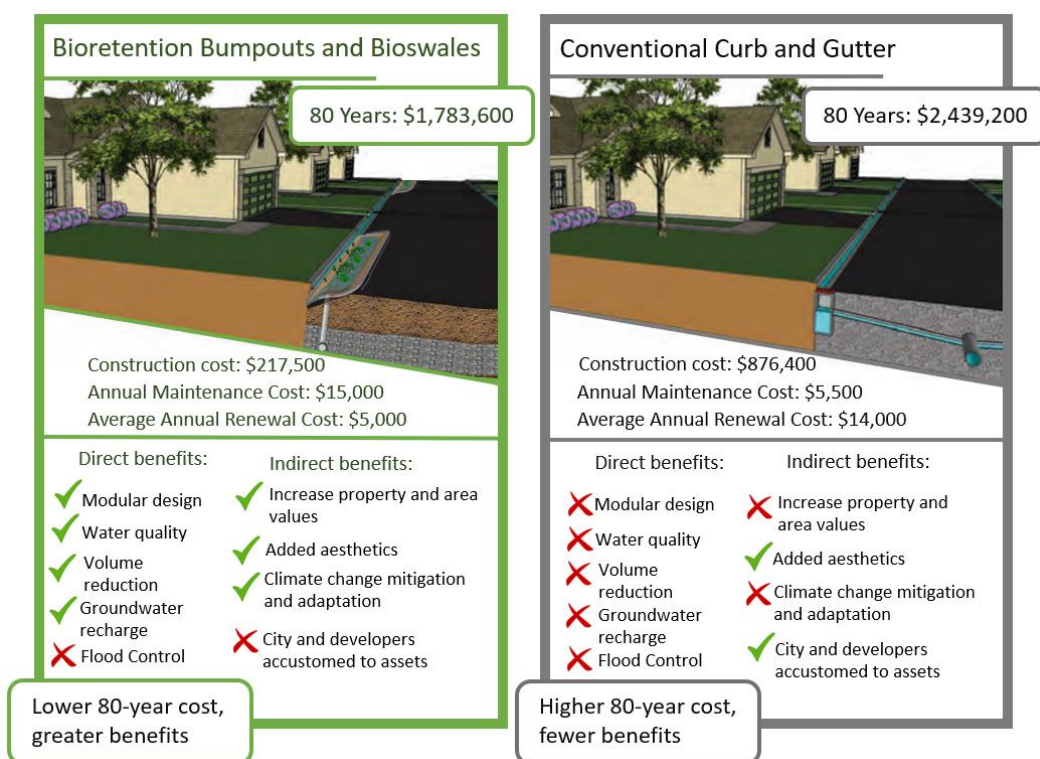


Figure 4: Breakdown of key costs and benefits of GI and conventional infrastructure scenarios for the case study of a proposed rezoning of 70 lots to RU7 in Kelowna's Health District.

⁸ Credit Valley Conservation. (2020). *Grey to Green Road Retrofits: Optimizing Your Infrastructure Assets Through Low Impact Development*. Retrieved from: <https://cvc.ca/wp-content/uploads/2015/01/Grey-to-Green-ROW-Road-Right-Of-Way.pdf>

⁹ Credit Valley Conservation. (2020). *Grey to Green Road Retrofits: Optimizing Your Infrastructure Assets Through Low Impact Development*. Retrieved from: <https://cvc.ca/wp-content/uploads/2015/01/Grey-to-Green-ROW-Road-Right-Of-Way.pdf>

GI Approach Options

There are several approaches a local government can employ to expand green infrastructure within the community: regulations, education and awareness or incentives. Staff are looking at an approach with two phases. The first phase looks at options for expanding off-site GI within the City ROW as outlined in Table 1. As on-site GI options were not reviewed during this project, Phase 2 seeks to research options to encourage and expand on-site GI as outlined in Table 2.

Phase 1: Expanding GI in the ROW

Program	Description
Updating Regulations – can reduce costs and create policy change within established processes	
Bylaw 7900: Subdivision and Servicing <i>*Multiple areas of the bylaw are in the process of being updated*</i>	<ul style="list-style-type: none"> Investigate options to integrate: <ul style="list-style-type: none"> Rainwater management requirements for development (e.g. require a % of on-site infiltration) GI stormwater policy and design manuals/cross sections
Bylaw 10515: Kelowna Development Cost Charges Bylaw <i>*to be updated as part of the 2040 OCP and Servicing Plan*</i>	<ul style="list-style-type: none"> Investigate incorporating a stormwater DCC that could be utilized for GI initiatives where appropriate.
Education / Awareness – can increase public and stakeholder's knowledge and awareness of GI	
Communications strategy highlighting flagship projects	<ul style="list-style-type: none"> Investigate potential GI projects that can be implemented at high visibility sites to demonstrate the City's commitment to climate initiatives. Evaluate the costs and performance of the project. Pair projects with educational signage and materials to demonstrate benefits and potential cost savings. <p>Note: Projects could incur high capital and operating costs and should only be pursued with the appropriate site selection and budget allocation</p>

Phase 2: Expanding Onsite GI

As on-site GI was out of scope for this project, it is recommended that the following actions be explored at a future date to expand on-site GI.

Program	Description
Updating Regulations – can reduce costs and create policy change within established processes	
Bylaw 8000: Zoning On-site	<ul style="list-style-type: none"> Investigate opportunities to update landscaping standards to incorporate green infrastructure concepts (e.g. design landscaping to encourage storm water infiltration, expand tree canopy to reduce heat island effect, etc.)
Incentives – can be an effective means to achieve greater GI implementation in areas outside the City's regulatory scope.	
Incentives	<ul style="list-style-type: none"> Investigate incentive programs, as used in several other communities such as Gibsons, Burnaby and Thunder Bay, to encourage the use of GI by developers and property owners. Options include: <ul style="list-style-type: none"> tax exemptions density bonuses rebates

Next Steps:

The work completed by the Climate Adaptation Intern has sparked interest and discussion amongst multiple City departments. An ad-hoc internal stakeholder group has been assembled to continue the conversation and examine opportunities for the advancement of green infrastructure.

The Subdivision, Development and Servicing Bylaw (Bylaw 7900), Zoning Bylaw (Bylaw 8000) and Kelowna Development Cost Charges Bylaw (Bylaw 10515) are all either in the process of being updated or will be updated over the course of 2021. This provides an opportunity to integrate green infrastructure policy and design within these updates. Consultation with stakeholders and the public will be part of the update process, prior to Council's consideration of the bylaw amendments.

When the City implements new GI projects, communication materials can be developed to educate the public and stakeholders on the costing, potential savings compared to conventional infrastructure and the direct and indirect benefits the GI provides.

Conclusion:

Green infrastructure presents another "*tool in the toolbox*" to address climate change, as it can not only mitigate the risks and costs associated with severe weather, but it can sequester carbon reducing GHG emissions. To date, GI developments have often been considered as "add-ons" to conventional infrastructure rather than incorporating it at the time of development, resulting in missed opportunities. However, placing GI alternatives on par with conventional infrastructure allows for cost-effective opportunities to be considered and acted upon. With increased urbanization and densification, as signaled in the draft 2040 OCP, the myriad of environmental, social, and economic benefits GI delivers will be of increasing importance to support more livable communities.

Internal Circulation:

Development Engineering
Infrastructure Engineering
Infrastructure Operations
Public Works
Integrated Transportation
Utility Planning

Considerations applicable to this report:

Existing Policy:

OCP Policy 6.2.1 GHG Reduction Targets and Actions. The City of Kelowna will, in partnership with senior governments; local residents and businesses; NGOs; external agencies; and utility providers, work towards reducing absolute community greenhouse gas emissions by:

- 4% below 2007 levels by 2023
- 25% below 2007 levels by 2033
- 80% below 2007 levels by 2050

OCP Policy 7.1.1 Life Cycle Analysis. Complete a life cycle analysis of infrastructure to assess the capital and operating costs of alternative investment options for a given project. Assessment of need, supply and demand strategies should be considered simultaneously.

OCP Policy 7.2.1 Integrated Design Process. Ensure all infrastructure projects are considered for an integrated design process to ensure achievement of multiple objectives.

OCP Policy 7.13.1 Run-off Volumes. Manage runoff volumes generated by urban development to minimize changes in water flow and impacts to watershed health.

OCP Policy 7.13.2 Re-use of Stormwater. Encourage the use of stormwater as a resource not to be wasted but captured and re-used for irrigation and recharging aquifers, where capture and re-use would not negatively impact downslope properties.

OCP Policy 7.13.3. Urban Run-off Impacts. Require the mitigation of urban runoff impacts through the effective use of stormwater detention and treatment facilities prior to discharging to receiving waters.

GI supports three of the draft 2040 OCP's ten pillars:



Protect & Restore
Our Environment



Take Action on Climate



Focus Investment
in Urban Centres

Financial/Budgetary Considerations:

The City received a \$12,000 grant from the Pacific Institute for Climate Solutions to support the intern working on this project. Existing budgets supplemented the remainder of the salary costs.

Budgetary implications will be brought forward for Council's consideration as each phase is implemented. It is important to evaluate GI on a life cycle basis and fund accordingly. Capital costs for construction and renewal are often lower than conventional infrastructure, however maintenance costs, which are funded from separate budgets, are often higher.

Submitted by:

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Dept. Manager, Policy and Planning

J. Kay
Development Engineering Manager

Approved for inclusion:



D. Noble-Brandt, Dept. Manager, Policy & Planning

cc:

R. MacLean, Utility Planning Manager

J. Shaw, Infrastructure Engineering Manager

I. Wilson, Infrastructure Operations Department Manager

D. Strachan, Community Planning & Development Manager

Green Infrastructure: Opportunities and Options for the City



Feb 22, 2021

What is Green Infrastructure?

- ▶ enhanced ecological and engineered assets designed to mimic and maintain connectivity with natural systems
- ▶ aims to deviate from natural processes as little as possible.



Why Move Toward Green Infrastructure?

- ▶ Imagine Kelowna
 - ▶ Be resilient in the face of climate change
 - ▶ Create great public spaces
 - ▶ Build healthy neighbourhoods for all
 - ▶ Grow vibrant urban centres
- ▶ Council Priorities
 - ▶ Resiliency and adaptability to climate change
 - ▶ GHG emissions are decreasing
 - ▶ Infrastructure deficit is reduced
 - ▶ Site design is high quality...
- ▶ 2030 OCP
 - ▶ Obj.7.1 Apply sustainable decision-making approaches
 - ▶ Obj. 7.2 Design infrastructure to deliver maximum benefit
 - ▶ Obj. 7.23 Manage stormwater and run-off to reduce risk of flooding and erosion



More precipitation



Extreme Weather

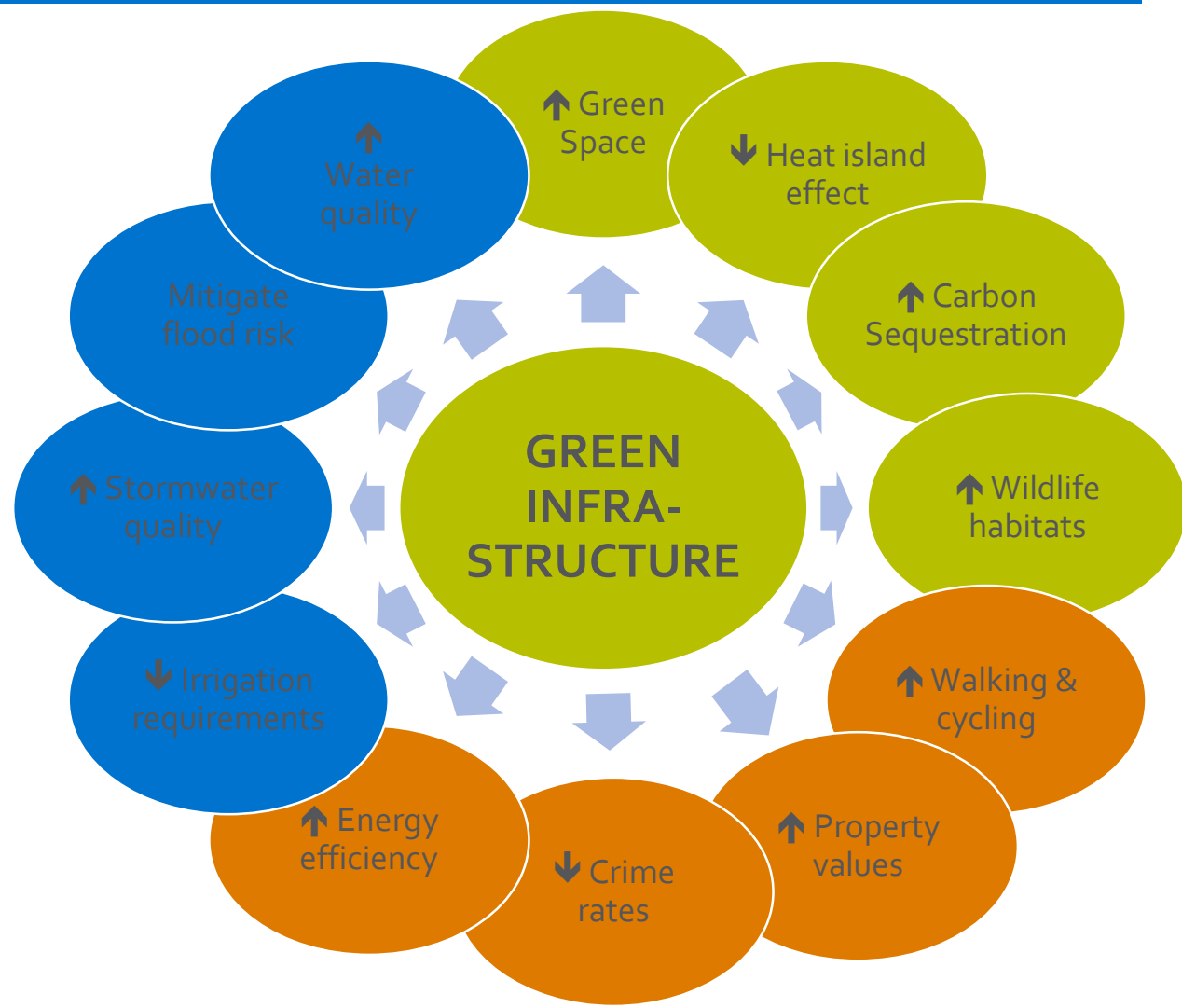


Drier summers



Warmer temperatures

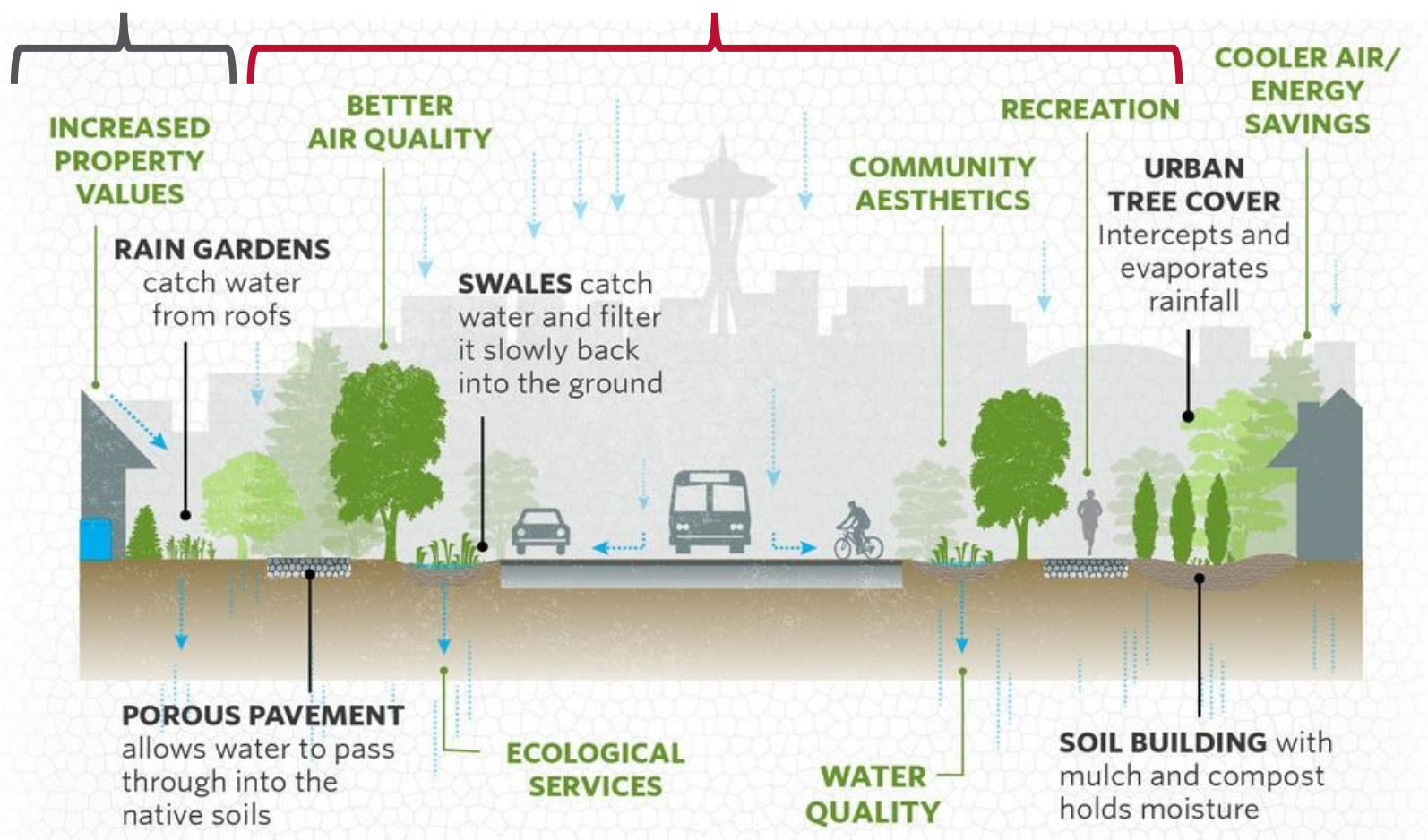
Green Infrastructure Benefits



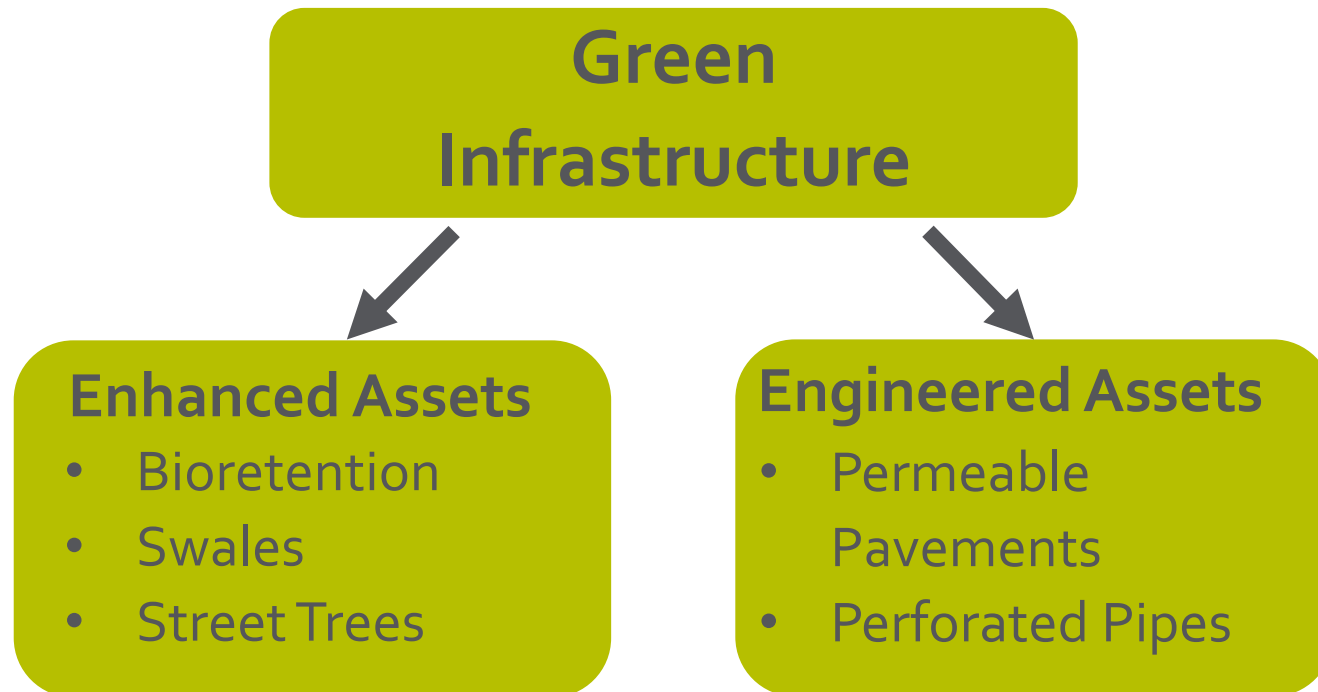
Study Focus: GI in Public ROWs

ONSITE GI

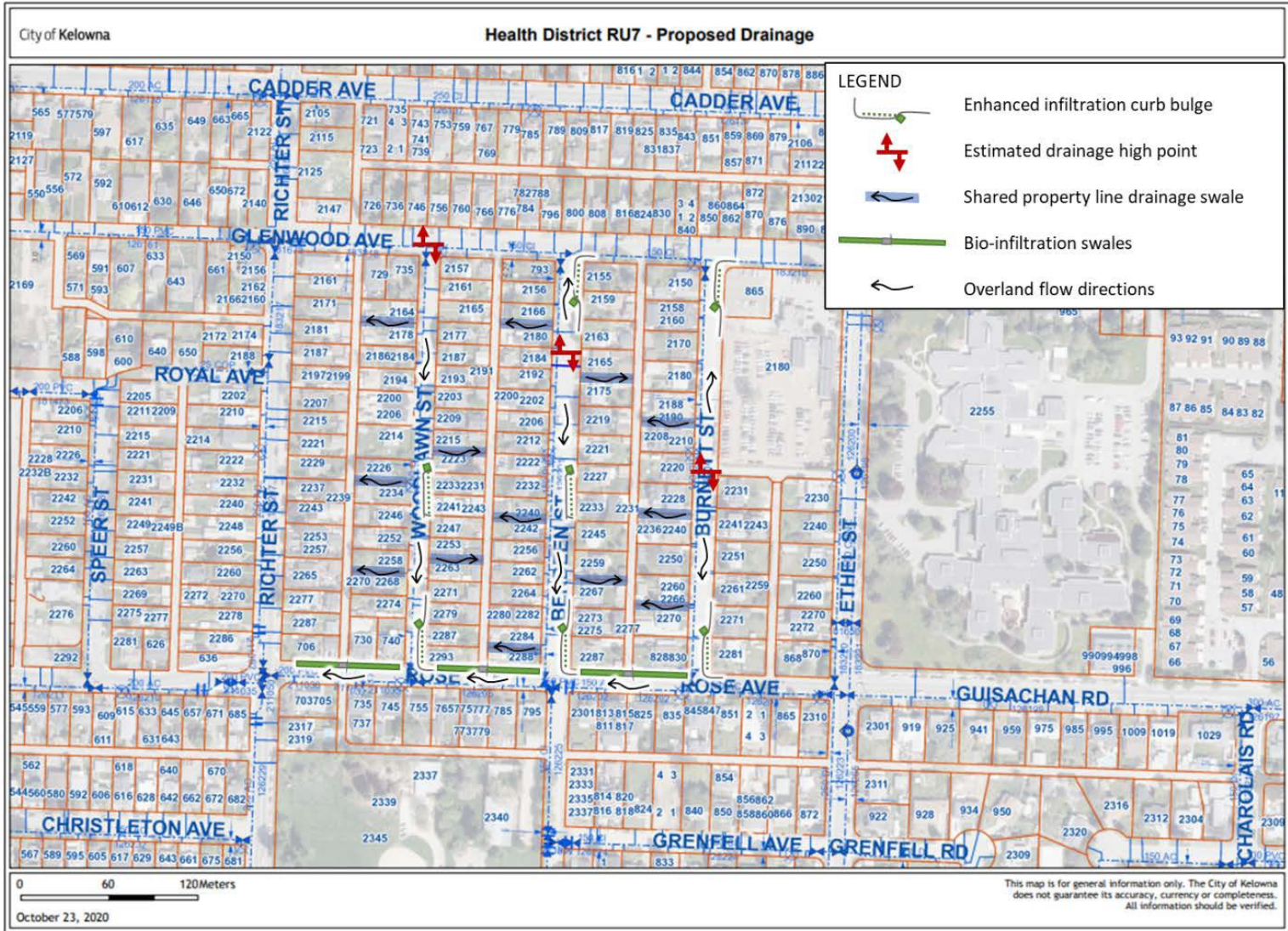
GI IN PUBLIC ROWs



Infrastructure Options



Case study: GI Potential



Bioretention



Swales



Bioretention Bumpouts and Bioswales



80 Years: \$1,783,600

Construction cost: \$217,500

Annual Maintenance Cost: \$15,000

Average Annual Renewal Cost: \$5,000

Direct benefits:

- ✓ Modular design
- ✓ Water quality
- ✓ Volume reduction
- ✓ Groundwater recharge
- ✓ Flood Control

Indirect benefits:

- ✓ Increase property and area values
- ✓ Added aesthetics
- ✓ Climate change mitigation and adaptation
- ✗ City and developers accustomed to assets

Lower 80-year cost,
greater benefits

Conventional Curb and Gutter



80 Years: \$2,439,200

Construction cost: \$876,400

Annual Maintenance Cost: \$5,500

Average Annual Renewal Cost: \$14,000

Direct benefits:

- ✗ Modular design
- ✗ Water quality
- ✗ Volume reduction
- ✗ Groundwater recharge
- ✓ Flood Control

Indirect benefits:

- ✓ Increase property and area values
- ✓ Added aesthetics
- ✗ Climate change mitigation and adaptation
- ✓ City and developers accustomed to assets

Higher 80-year cost,
fewer benefits

Approach Options: Phase 1



Regulations

Bylaw 7900: Subdivision,
Development &
Servicing Bylaw

Bylaw 10515: Kelowna's DCC
Bylaw



Education / Awareness

Flagship projects

Cost and performance analysis

Signage and materials

Approach Options: Phase 2



Regulations

Bylaw 8000: Zoning Bylaw



Incentives

Examples:

Tax exemptions

Density bonuses

Rebates

Special thanks to



PICS

PACIFIC INSTITUTE
FOR CLIMATE SOLUTIONS



Questions?



Report to Council



Date: March 1, 2021
To: Council
From: City Manager
Subject: Central Okanagan Music Strategy
Department: Active Living and Culture

Recommendation:

THAT Council receives, for information, the report from the Cultural Services Department dated March 1, 2021, with respect to the Central Okanagan Music Strategy project.

Purpose:

To provide Council with an update on the Central Okanagan Music Strategy project.

Background:

In response to the 2020-2025 Cultural Plan, a group of dedicated, like-minded community members have come together in a consultant-led process to develop the Central Okanagan Music Strategy (COMS). The COMS is intended to advance several areas of the 2020-2025 Cultural Plan, however it has the most relevance to *Strategy 6.1 to expand live music venues and local live music opportunities*, and *Strategy 10.4 to facilitate networking between cultural stakeholders across the Okanagan region*.

The purpose of the Music Strategy is to advance the sustainability of the music industry in the Central Okanagan through:

- connecting people with similar interests, towards collective action;
- developing community support toward music;
- increasing support to live music;
- creating an understanding of the current music landscape; and
- setting priorities for the future development of music in the Central Okanagan.

Central Okanagan Music Strategy

Development Process

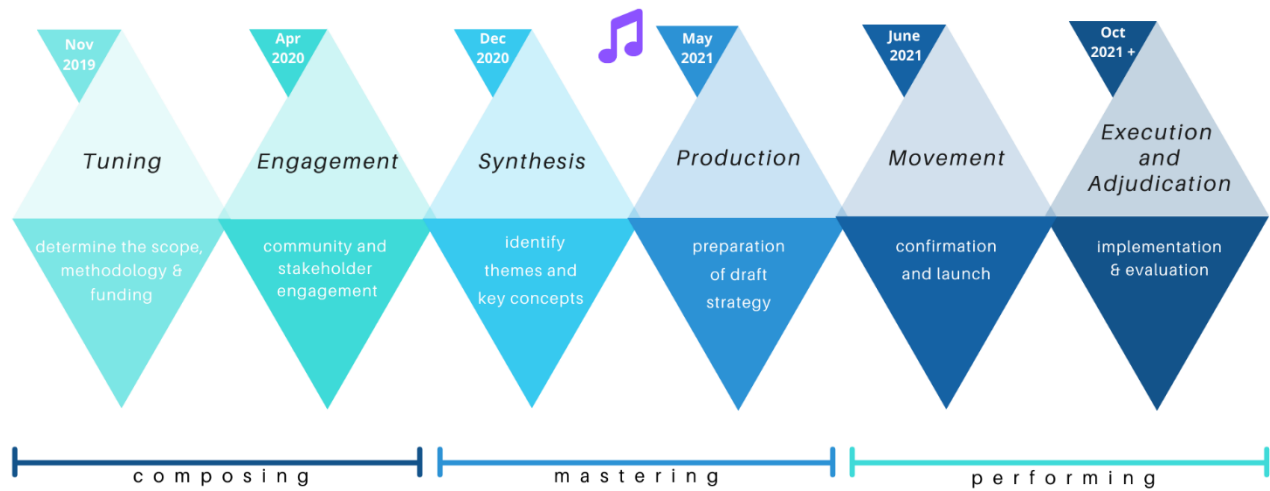


Figure 1: Central Okanagan Music Strategy Development Process

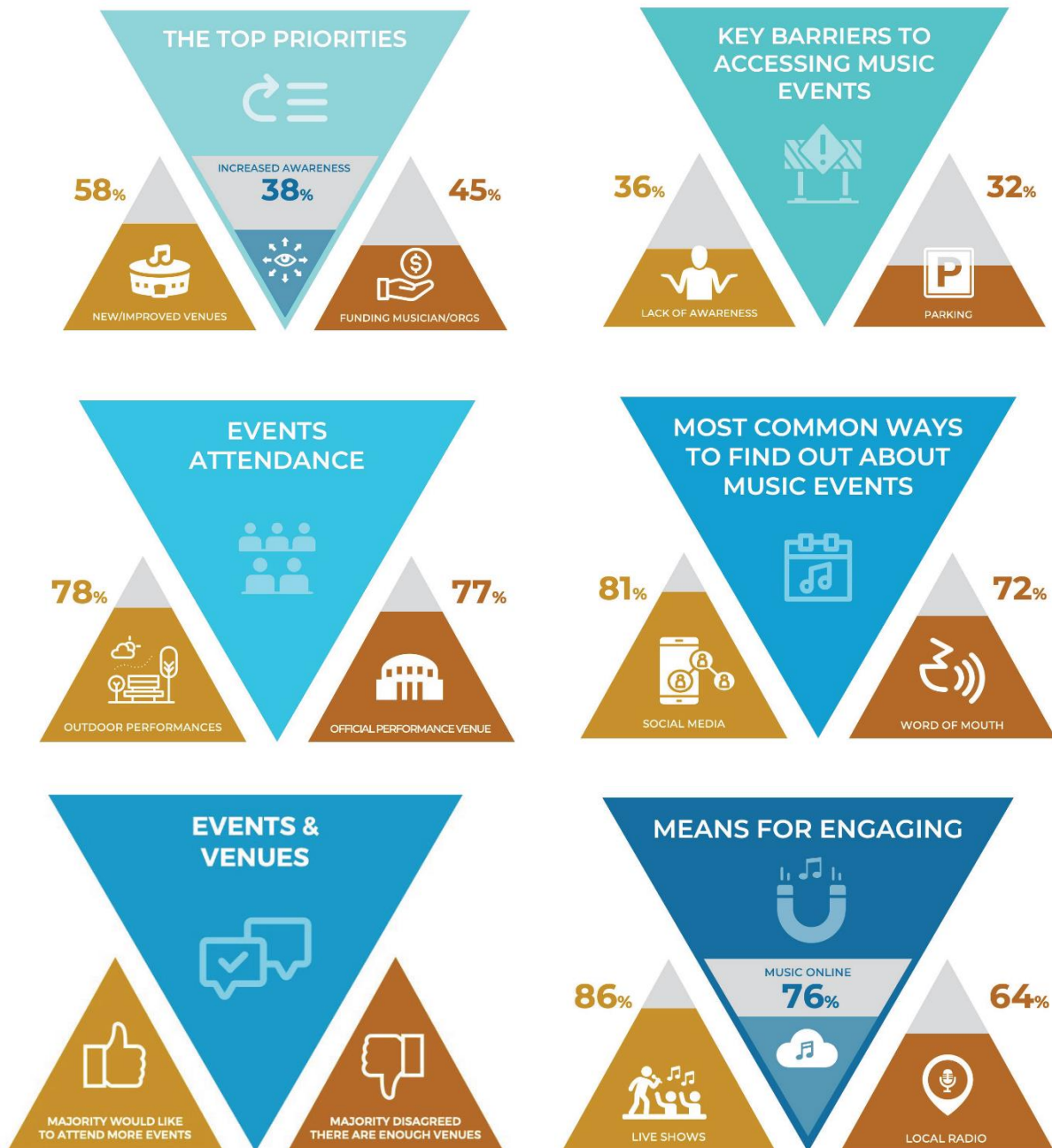
The COMS project is being led by Creative Okanagan (local nonprofit organization that creates accessible performing arts opportunities that connect audiences with artists in the Okanagan region), with the support of the Leadership Ensemble and an external Advisory Group committee. The City's role in supporting this project has been through participation in the Leadership Ensemble, as well as through financial and administrative support.

Additional funding for this project has been received from FACTOR (the Foundation Assisting Canadian Talent on Recordings) and Creative BC. Along with the financial support that this project has received, there has been an immense amount of community support and volunteerism from the Central Okanagan region to support the projects activities.

Discussion:

A major milestone for the COMS is the completion of the Music Industry Sector Profile and Public Engagement Summary (Attachment 1), which provides an overview of the Central Okanagan's music industry and analysis of the data obtained from public engagement efforts. This report establishes an understanding of the Central Okanagan music ecosystem, some key considerations from the conducted public engagement and the next steps for the project. Public engagement was conducted for the Okanagan region and included an online survey, yielding over 1,100 responses, 41 personal interviews with key industry stakeholders and 9 focus groups with key sub-industries of the local music industry.

This report sets the foundation for the future development of strategies that will make up the final Central Okanagan Music Strategy. The full report contains a detailed analysis; however, some highlights are outlined below and shown in the Central Okanagan Music Strategy Infographic (Attachment 2):



Some key considerations identified by the public consultation process will support unpacking the various strengths, weaknesses, opportunities and threats relating to the Central Okanagan's music industry. The considerations fall into 10 categories:

1. The Central Okanagan is ripe for growth within the music industry, in part because of the **attractive lifestyle** of the region.
2. A unique opportunity lies in **engaging youth in music** from a young age and retaining engaged and educated citizens locally.
3. There are too **few purpose-built venues** or **spaces for rehearsal and collaboration** in the Central Okanagan.

4. **Audiences have an appetite for more live shows** but want inexpensive and convenient entertainment options.
5. **Lack of awareness** is a key barrier experienced by stakeholders in accessing music events in the Central Okanagan.
6. **Innovation and collaborative partnerships** across organizations are also key to strengthening the music economy.
7. The **importance of community** is a cornerstone to the Central Okanagan, kept strong by well-connected groups of creatives and longstanding, established organizations.
8. There is a need for **more accessible, streamlined, and flexible funding** designed to facilitate partnerships and support artists.
9. The music industry in the Central Okanagan is **largely seasonal**, with many events running from May-October but occurring sparsely in the winter months, due to the lack of indoor venues.
10. Music industry stakeholders recognize that **more diversity, equity and inclusion in the music industry** is a key priority moving forward.

From these key considerations, four preliminary directions have been identified. These directions will serve as a starting point for upcoming conversations, future engagement and strategy development. Each of the directions are outlined below:

1. **Space for Music:** The need for spaces was illustrated throughout the findings including a purpose-built venue, as well as spaces that are affordable and accessible for a wide range of activities (e.g., education, jamming, etc.)
2. **Audience Development & Retention:** Support for the Central Okanagan's vibrant ecosystem of musicians and industry professionals was noted as a key foundation for sustainable growth in the industry.
3. **Diverse Artistic & Industry Growth:** In view of the COVID-19 pandemic recovery, ensuring audiences value music and feel safe enjoying it will be an important foundation to growing the industry.
4. **Partnership & Collaborations:** It was noted throughout engagement that there was a strong foundation of talented and passionate music industry stakeholders and artists in the Central Okanagan with a growing appetite to collaborate.

While these preliminary directions were evident through public engagement efforts, there is still a need for further exploration. These preliminary directions will be discussed at the upcoming Music Summit events and through additional public engagement efforts for confirmation that they accurately describe the intended future direction of the Central Okanagan music industry.

Conclusion:

The Music Industry Profile and Public Engagement Summary sets the stage for an evidence-based and context-driven Music Strategy for the region to be completed by December 2021. Next steps for the project include a community Music Summit event, final confirmation engagement and the Strategy launch and implementation. When launched, the Central Okanagan Music Strategy will set the course for the entire region, from music industry professionals to music lovers, to support the growth and sustainability of the music industry moving forward.

Cultural Services will continue to support the project through to implementation through participation in the Leadership Ensemble and administrative support as needed.

Internal Circulation:

Divisional Director, Active Living and Culture
Communications Advisor, Communications Department

Considerations applicable to this report:

N/A

Considerations not applicable to this report:

Financial/Budgetary Considerations
Existing Policy
External Agency/Public Comments
Communications Comments
Legal/Statutory Authority
Legal/Statutory Procedural Requirements

Submitted by: Christine McWillis, Cultural Services Manager

Approved for inclusion: Jim Gabriel, Divisional Director, Active Living and Culture

cc:

Attachments:

Attachment 1: Central Okanagan Music Strategy – Music Industry Sector Profile and Public Engagement Summary

Attachment 2: Central Okanagan Music Strategy Infographic

Central Okanagan Music Strategy

Industry Profile and Public Engagement Summary for the Central Okanagan

December 2020

Developed for

The Central Okanagan Music Strategy

Developed by

Nordicity

Acknowledgements

The **Central Okanagan Music Strategy (COMS)** will be the guiding document to advance the music industry in the Central Okanagan, including Westbank First Nation and Sylix territory, Lake Country, Kelowna, West Kelowna, and Peachland. This industry profile is an important step for the completion of the COMS.



We respectfully acknowledge the Central Okanagan is on the traditional, unceded, ancestral territories of the Syilx/Okanagan people.

We would like to acknowledge and thank each of our funders for their generous support towards the completion of the Central Okanagan Music Strategy.

Funding for this project was provided by:



This project has been made possible in part by the Government of Canada.
Ce projet a été rendu possible en partie grâce au gouvernement du Canada.



Funding for this project was provided by Amplify BC. Any opinions, findings, conclusions, or recommendations expressed in this material are those of the author and do not necessarily reflect the views of Creative BC or the Province of BC. The Province of BC and its agencies are in no way bound by the recommendations contained in this document.



We would also like to thank Creative Okanagan for the facilitation of this project.



Executive Summary

A strong community is a culturally vibrant one. Music, along with the people and businesses that bring it to life, is a vital part of developing that culture. A crucial element and important contributor to what makes the Central Okanagan a great place to live or visit is its music ecosystem and the people within it. Residents of the Central Okanagan move fluidly around the region on a regular basis, meaning a regional strategy is the most effective way to support the industry. The Central Okanagan Music Strategy (COMS) is led by a group of community members whose goal is to advance the sustainability of the music industry in the Central Okanagan. With the generous support of Creative Okanagan, the City of Kelowna, FACTOR, and Creative BC, the COMS process commenced with extensive community and industry engagement to inform the industry profile contained herein. Initiated in the Fall of 2019, the COMS is scheduled for completion in December of 2021.



1121 survey responses
41 interviews
9 focus groups

Community engagement was conducted using an online survey, focus groups and interviews. An industry profile of stakeholders was developed to ensure reasonable coverage of the industry's variety and breadth. The consultation additionally enabled the exploration of themes identified in

the Kelowna 2020-2025 Cultural Plan and to gain a better understanding of the current music landscape in the Central Okanagan.

After introducing the project, the report provides an overview of the context of a rapidly evolving global music industry, the rise of municipal music planning, and the importance of music as a key part of COVID-19 urban recovery. Section 3 summarizes the Central Okanagan's music ecosystem, including the following key findings:

- The most common means for community engagement with the music industry is attending live shows (86%) and listening to music online (76%). In addition, 64% noted listening to a local radio station a few times a week or more.
- The community *strongly agreed* that they would like to attend more events in the Central Okanagan and *disagreed* that there is an adequate number of venues in the region.
- Social media (81%) and word of mouth (72%) were the most common ways to find out about music events that were most often attended as outdoor performances (78%) or at official performance venues (77%). Lack of awareness (36%) and parking (32%) were identified as key barriers to accessing music events in the region.
- Speaking to priorities, new/improved venues were noted as the top priority (58%) followed by funding for local musicians and organizations (45%).



Significant majority 'strongly agreed' they'd like to attend more music events



460 stakeholders identified in the Central Okanagan music industry

As described in Section 3.1, the industry profile identified a robust ecosystem of 460 stakeholders engaged in the industry, 60% of which were musicians. The largest cohort of industry professionals (Section 3.2.1) have been working in the industry for more than 20 years (32%) while generating

less than 20% of their annual income from music activities (63%). 32% of professionals indicated their 2020 revenue would decrease by more than half compared to 2019. Relatedly, it was noted that the most significant challenges due to the COVID-19 pandemic were a lack of consumers/audiences (78%) or opportunities to benefit from tourism (76%) due to gathering and travel restrictions.

Speaking to organizations in the industry (Section 3.1.2), most operate as music promoters (37%) or venues (26%) and have been in the industry for over 20 years (39%). Organizations rely largely on contract and volunteer workers with those under the age of 35 and identifying as female making up the largest cohorts of workers. 39% of organizations indicated earning less than \$50,000 in annual revenue in 2019, while 36% expected that figure to decrease by 50% or more in 2020. Cost of operations (92%), a lack of consumers/audiences/members (89%) and lack of adequate spaces (88%) were cited as the most significant challenges due to the COVID-19 pandemic.

Section 4 highlights key considerations from engagement, or departure points, for unpacking the various strengths, weaknesses, opportunities, and threats for the music industry in the Central Okanagan including the following findings:

- The Central Okanagan is ripe for growth within the music industry, in part because of the **attractive lifestyle** in the region.
- A unique opportunity lies in **engaging youth in music** from a young age and retaining engaged and educated citizens locally.
- There are too **few purpose-built venues** or **spaces for rehearsal and collaboration** in the Central Okanagan.
- **Audiences have an appetite for more live shows** but want inexpensive and convenient entertainment options.
- **Lack of awareness** is a key barrier experienced by stakeholders in accessing music events in the Central Okanagan.
- **Innovative and collaborative partnerships** across organizations are also key to strengthening the music ecosystem.
- The **importance of community** is a cornerstone to the Central Okanagan, kept strong by well-connected groups of creatives and longstanding, established organizations.
- There is a need for **more accessible, streamlined, and flexible funding** designed to facilitate partnerships and support artists.
- The music industry in the Central Okanagan is **largely seasonal**, with many events running from May-October but occurring sparsely in the winter months, due to lack of indoor venues.
- Music industry stakeholders recognize that **more diversity, equity, and inclusion in the music industry** is a key priority moving forward.

“Having a strong music culture is important to the health and wellbeing of our community. ”

“Music of all kinds impact a community, so a broad-based approach will enliven and inform the entire valley.”

Survey Respondents

This music industry profile provides an overview of the music industry as it relates to the Central Okanagan, based on the data obtained during the public engagement phase. The findings from this report will pave the way for developing strategies in 2021 that are evidence-based and rooted in learnings from extensive stakeholder and community engagement.

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1. Introduction

The industry profile contained herein provides an overview of Central Okanagan's music industry and analysis of the data obtained from research and engagement. It will set the stage for an evidence-based and context-driven Music Strategy for the region to be completed by December 2021.

Completed in 2019, the City of Kelowna's 2020-2025 Cultural Plan sets a course for Kelowna's creative sector to provide accessible, diverse and inclusive experiences. In addition, the plan is innovative, forward-looking and encourages effective use of resources and the value of partnerships and cooperation. It identified 5 key themes: Spaces, Vitality, Capacity, Connections and Strategic Investments. Given that music is a key component of the creative sector, a group of community members came together to explore these themes as they relate to music and formed the Central Okanagan Music Strategy (COMS) [Leadership Ensemble and Advisory Group](#).

The Central Okanagan area includes Westbank First Nation and Sylix territory, Lake Country, Kelowna, West Kelowna, and Peachland. Given the fluid nature of Central Okanagan residents, who move around the region on a regular basis, a strategy for the region seemed natural. In addition, these municipalities are embarking on their own municipal planning, providing an opportunity to integrate regional music planning. With an estimated current population of 195,000, the area is known for its stunning scenery, four distinct seasons including a mild winter climate and is a hub for music.

The COMS is being led by Creative Okanagan with generous support from the City of Kelowna, Creative BC and FACTOR. The purpose of the Music Strategy is to advance the sustainability of the music industry in the Central Okanagan through:

- Connecting people with similar interests, towards collective action;
- Developing community support toward music;
- Increasing support to live music;
- Creating an understanding of the current music landscape; and,
- Setting priorities for the future development of music in the Central Okanagan.

To ensure the success of the COMS, it is critical to hear from and represent a wide range of voices within the industry to inform strategic planning. This includes groups that both directly and indirectly impact the music industry in Central Okanagan - the private sector and artists alike - to create a connected and engaged music community. The timing is right for a variety of stakeholders to come together to define, design, and implement a vision for Central Okanagan as a music industry hub. The findings contained herein aim to inform the design of a strategy and provide a strong foundation on which to build a strategy for the future of music.

1.1 Approach

With the above background in mind, Nordicity was engaged to lead the research contained herein. To do so, the research included the following phases:

- A research design phase, that included secondary research to inform the study and a kickoff session with the COMS Advisory Group to establish objectives for the research;
- Extensive stakeholder engagement, including more than 40 interviews, 9 focus groups and 1,121 responses to the online survey (described further in Appendix A); and,
- Analysis of all research streams to uncover key themes from the primary research, described Sections 3 and 4.

Strategic planning initiatives to be done 2021, including a Music Summit and other opportunities for validation as well as forward-looking planning and implementation.

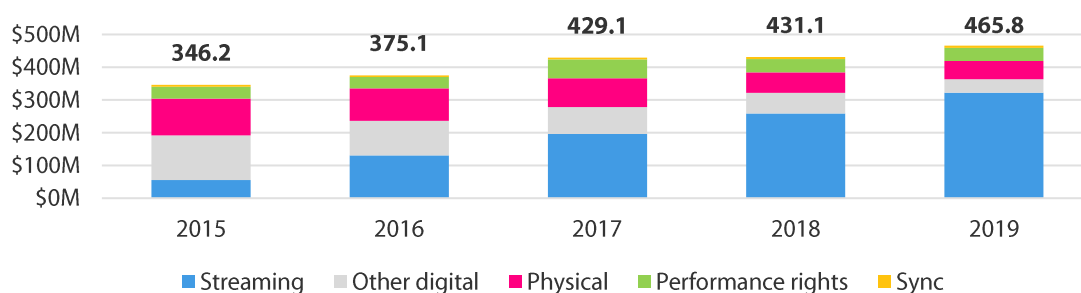
2. The Context

The sections below provide a summary of key contextual factors influencing the music industry, based on secondary research and assessment of key trends. It highlights key global and national shifts in the music industry as well as the rise of music as a key pillar for municipal planning. In the context of the COMS, the findings below are especially important when considering ways to support local artists or developing audiences to support the local music industry. Importantly, while the impact of COVID-19 cannot be ignored, many of these trends existed before COVID-19 and will continue to exist after.

2.1 An Evolving Music Industry

Recorded music revenue has been growing since reaching a record low in 2014, driven largely by **streaming revenue, which accounted for 56% of the total revenue in 2019** (compared to only 13% in 2014).¹ As shown below in Figure 1, a similar trend is occurring in Canada with **streaming revenue making up 69% of the 2019 Canadian total**.

Figure 1. Recorded Music Trade Value, Canada (US \$M)



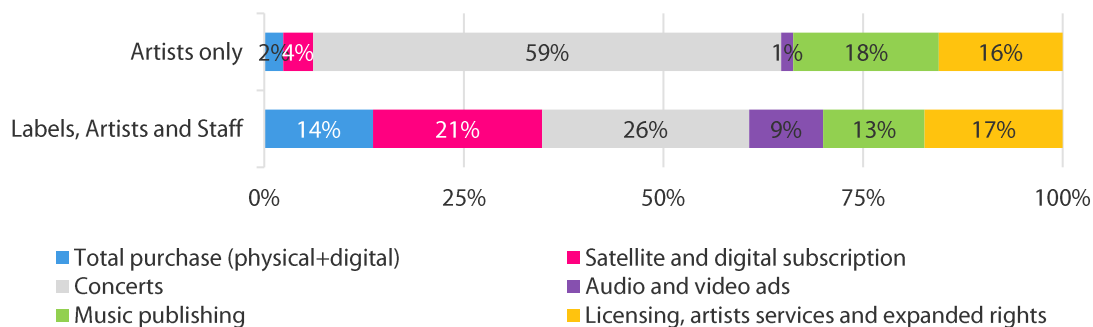
Source: IFPI, *Global Music Report 2019*

Live music has become a critically important segment within the total global music industry revenue over the past 20 years, growing from 33% of revenue in 2000 to 43% in 2016.² With respect to artists, music accounted for **59% of their revenues**, as visualized in Figure 2.

¹ IFPI (2020), *Global Music Report 2019*

² <https://musicindustryblog.wordpress.com/2017/06/15/do-not-assume-we-have-arrived-at-our-destination/>

Figure 2. Breakdown of revenue sources for labels, artists, and support staff in the US, 2017



Source: Citi GPS (2018), *Putting the band back together: remastering the world of music*

While streaming revenue has helped to make-up for decreasing sales in other recorded music streams, these revenues have been largely captured by larger music labels.³ The fact that streaming accounts for such a low portion of artists' and labels' revenue hints at the complexity of the digital music industry. For example, there are an increasing number of intermediaries and low-cost access to music through platforms such as YouTube and Spotify. In addition, there is a global discoverability challenge and increasing power of major record labels and streaming services. This dynamic reinforces the **"gatekeeper culture"** for musicians through which curators can have **more influence over revenues than loyal audiences** by programming an artist on popular playlists.⁴

The Value Gap / Transfer of Value

The value gap describes the growing mismatch between the value that some digital platforms, in particular online user upload services, such as YouTube, extract from music and the revenue returned to the music community – those who are creating and investing in music. For music to thrive in a digital world, those that are creating and investing in music must be able to negotiate fairly.

IPFI, Fixing the Value Gap, Global Music Report 2018

Taken together, there is only a **narrow opportunity to generate revenue through streaming** for smaller/local artists, further illustrating the importance and reliance on live music. Given the performance restrictions during 2020, many **artists have lost their most important revenue stream**. Moreover, the findings presented in Sections 3 and 4 show that the vast majority of **musicians in Central Okanagan only generate a small portion of their income through music activities** and thus rely on other income streams as well as private or public financial support.

Another important factor is the global conversation about **lack of equity, diversity, and inclusion** in the music community in the past years. While the industry celebrates the growing awareness around Indigenous, Black, and People of Colour (IBPoC) and female artists, most in the industry also

³ Aa 2017 study by the Finnish Music Publishers Association concluded that the top 0.4% of artists on Spotify garner 10% of the revenue redistributed by the platform.

⁴ A 2019 survey of 300 US industry professionals conducted by The Creative Independent indicated that 35% of industry professionals and 27% of musicians feel that one of their greatest challenges in pursuing a rewarding career in the music industry was the persistent "nepotism and unfair gatekeeper culture. Source: The Creative Independent (2019) [Music Industry Investigation Report](#)

acknowledge that there is still a long way to go, specifically when it comes to the representation of women in the charts. According to recent research, **only one in five top 100 songs are female artists.**⁵ In addition, challenges related to **Indigenous artists across the country are exacerbated by the intrinsic barriers** inherent to indigeneity that negatively impacting their ability to thrive due to lack of support.⁶

While the above provides only a high-level view of key trends that impact the music industry, it is important to note they relate directly to the evolving reality of those operating in Central Okanagan's music industry. For example, many stakeholders noted the **need for funding support** as they continue to be 'squeezed' by the value gap and the growing importance of live music revenue. Addressing industry-wide challenges as well as local ones, such as **lack of purpose-built and accessible space** are important themes for the growth of the music industry in the region. In addition, the gatekeeper culture and **rising diversity gap** are important trends to recognize as the Central Okanagan continues to grow, attracting **new and diverse residents to the region.**

2.2 The Rise of Municipal Music Planning

Today, there is growing recognition among municipal governments and stakeholders that music has the potential to deliver significant economic, employment, cultural and social benefits.⁷ While often championed by local government these approaches now often **encompass more than one city** as is the case with recent approaches in Alberta⁸ and coordinated work being done by Greater Toronto and Hamilton. The importance of partnerships and regional collaboration was also widely noted by stakeholders, described further in Section 4.6.

Culture has a major impact on community unity, wellness, and individual's mental health. More specifically, music plays a part in every community, to varying degrees, but is most valued for creating shared experiences and showcasing what cities have to offer. A strong music economy drives value for cities through **economic growth and development**, a strengthened tourism sector, job creation across industries and a city brand building that fosters and **facilitates artistic growth.** A resilient and vibrant music community can also attract other investment, along with **young, diverse, talented professionals seeking a certain quality of life,**⁹ regardless of what sector they work in. While historically championed by larger metropolitan cities, music is increasingly seen as a means for smaller cities to help develop a vibrant and attractive city (e.g., Hamilton, Huntsville, AL).¹⁰

There are some essential elements that make up a robust music economy. Members of the community are all potential audience members, driving the industry - **without an audience, there is no music industry.** Artists and **musicians are the cornerstone**, including singers, songwriters and producers that generate the creativity. **Ample access to spaces and places** combined with the

⁵ Dr. Stacy L. Smith, Dr. Katherine Pieper, Hannah Clark, Ariana Case & Marc Choueiti (2020). *Inclusion in the Recording Studio? Gender and Race/Ethnicity of Artists, Songwriters & Producers across 800 Popular Songs from 2012-2019*

⁶ <https://www.aptnnews.ca/wp-content/uploads/2019/11/Music-Impact-Study.pdf>

⁷ <http://musiccanada.com/wp-content/uploads/2015/06/The-Mastering-of-a-Music-City.pdf>

⁸ <https://www.westanthem.com/wp-content/uploads/2020/10/West-Anthem-Music-Ecosystem-Study-Executive-Summary-October-2020.pdf>

⁹ <https://www.toronto.ca/legdocs/mmis/2016/ed/bgrd/backgroundfile-90615.pdf>

¹⁰ <https://communitybuilders.org/insights/when-small-towns-take-the-main-stage-5-tips-on-turning-your-city-into-a-vibrant-music-hub/>

presence of musicians and a receptive and engaged audience leads to a **thriving music scene and a vibrant community**. Music-related businesses are a key foundation to a strong music industry, acting as the infrastructure around the artists to develop a self-sustaining music centre to write, produce, record, promote and perform in.

Robust music economies exist when supported by multiple levels of government, which provide the right environment for music to thrive. Efforts for developing music industries are wide ranging including the development of music programs in public elementary and middle schools and greater access to extracurricular music programs in partnership with afterschool care programs. At a government-level, they can include **music-friendly and musician-friendly** policies, as well as a **music office or officer** to maintain and enact those policies. A music advisory board that acts as a voice for industry stakeholders, as well as engaging with **the broader music community**, enables more **buy-in support**. Ensuring adequate **access to spaces and places**, from outdoor festival grounds to jam spaces for artists and all-ages events for audiences, helps ensure audience development. Leaning into the potential for music tourism, enables stakeholders from different sectors to work closely with artists and promoters.

There is immense opportunity to make the **Central Okanagan a vibrant music hub**, given the local community's desire for greater variety in music and all of the factors that make the Central Okanagan attractive to newcomers (e.g., cost of living compared to larger cities, quality of life, proximity to natural beauty and seasonal sports/activities). A blossoming music scene in Central Okanagan and a distinct identity separate from that of larger cities such as Vancouver and Calgary make the region an attractive place for musicians and audiences alike.

2.2.1 Music and COVID-19 Urban Recovery

While the whole music industry is being disrupted, live music has been significantly impacted due to COVID-related closures and restrictions. In addition, when people are unable to gather in person, the business is unable to earn revenue in the ways it might have done before. Given the reliance on live music revenues, the impact of these closures has had ripple effects throughout the wider music industry. At the same time, COVID-19 has also revealed the precariousness of work across the creative industries.¹¹

While the negative impacts are immense, many have also pointed to the opportunity that music has to be at the core of urban recovery following the pandemic. For example, the Canadian Urban Institute (CUI) prepared a Pandemic Recovery Toolkit to “help residents, community groups, BIAs, and [cities] revive main streets and core spaces.” It notes that **music is crucial to the vitality of a city’s core public spaces** – and the CUI reflects this reality as it includes Live Music as a core near-term element of its toolkit. By “bringing the main street to life” music may encourage people to return to restaurants and coffee shops.¹² The **CUI also notes the importance of including local musicians from an array of cultures, both to foster inclusion and to broaden the appeal of the musical offerings**.

Jurisdictions are also taking notice of COVID-19’s impact on the music industry and are implementing ways to support the recovery of the industry. For example, as part of the City of Vancouver’s Cultural

¹¹

<https://www.tandfonline.com/eprint/HRX2MZCD3MIVBYMF7T4A/full?target=10.1080%2F09548963.2020.1770577&>

¹² <https://bringbackmainstreet.ca/>

Recovery, they have renewed the Vancouver Music Fund with a \$300,000 investment.¹³ The City of Toronto has focused its efforts on understanding the impact of music venues and providing support for the recovery of live music. In London, the Music Venue Trust is leveraging donations to support grassroots venues. More examples of COVID-19 music industry recovery efforts can be found in Appendix B.

With the above benefits, elements, and strategies for developing the music industry and its potential role in COVID-19 recovery in mind, it is evident that this will also be an opportunity **for the Central Okanagan to advance sustainability of the music industry**. More specifically, with the COMS launching at the end of 2021, the plan is well positioned to support the recovery of the music industry, ensuring a sustainable and thriving regional music scene in the ‘new normal.’

3. Central Okanagan’s Music Ecosystem

The key input for the industry profile was an ‘opt-in’ online survey that received more than **1,100 responses** between July 16 and Sept 26, 2020.¹⁴ Along with a sizable cohort of engaged local residents, responses included more than **40 organizations** and **330 music professionals**.

Speaking to geography, over **90% of respondents lived within the Central Okanagan**, with respondents from outside the region mostly from Vancouver or other cities in the Okanagan. While the survey was not intended to be a statistically representative sample of each community, it received responses from each of the four communities in Central Okanagan. The response rates in West Kelowna and Kelowna were largely proportional to their size of regional population, while Peachland’s representation was notably higher, and Lake Country lower. In addition to survey responses, leaders from each of the municipalities were engaged directly through interviews and focus group discussions (Appendix A).

Table 1: Response rate by Census Municipality

Municipality	Survey Responses	% of total responses	Population ¹⁵	% of total population	Response/ population ratio
Kelowna	703	77%	133,579	72%	1.06
Lake Country	38	4%	12,922	7%	0.59
Peachland	39	4%	5,428	3%	1.45
West Kelowna	133	15%	32,655	18%	0.82
TOTAL	913	100%	184,584	100%	

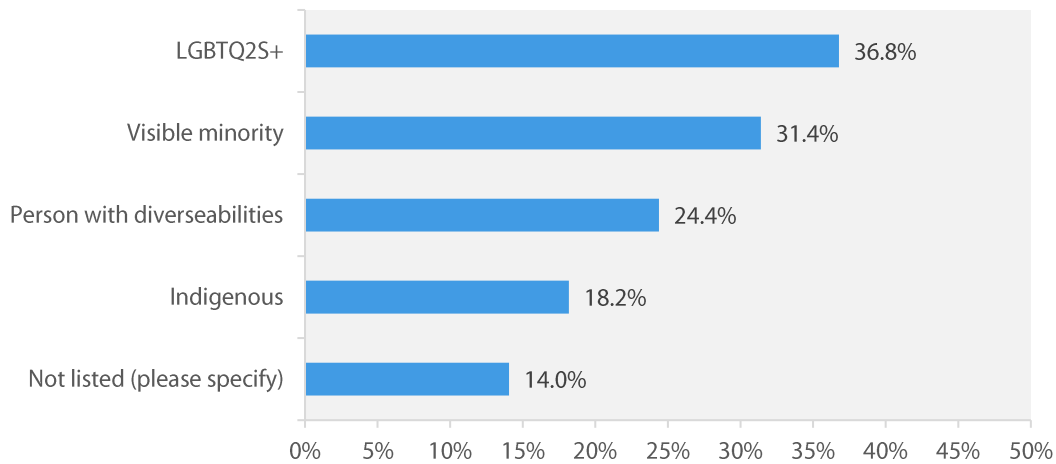
In terms of demographics, respondents were **58% female**, while **30% identified as a diverse stakeholder group**. Of those who self-identified with a listed group, the highest number of respondents identified as LGBTQS+ (37%) and visible minority (32%).

¹³ <https://vancouver.ca/news-calendar/cultural-recovery-grants-provide-a-boost-to-arts-and-culture-communities.aspx>

¹⁴ All data presented in Section 3 is drawn directly from the online survey, unless otherwise noted.

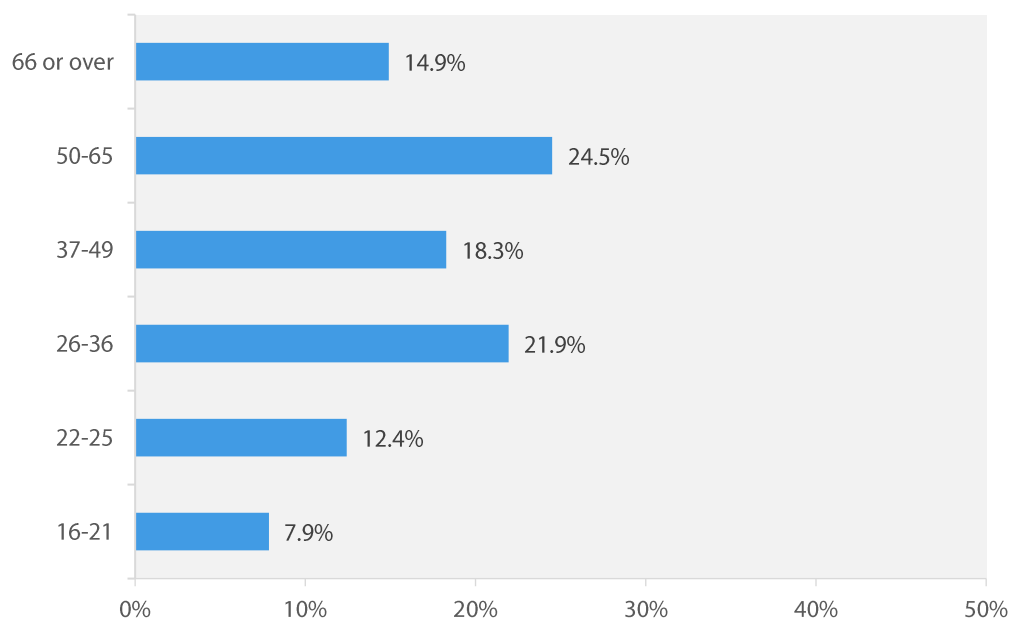
¹⁵ Based on 2016 Statistics Canada data.

Figure 3: Do you self-identify with any of the groups listed below? (n=242)



As seen below, a wide range of age groups responded to the survey, with nearly a quarter of respondents between 50 and 65 as well as significant representation from a cohort of young adults between 16-36 (42%).

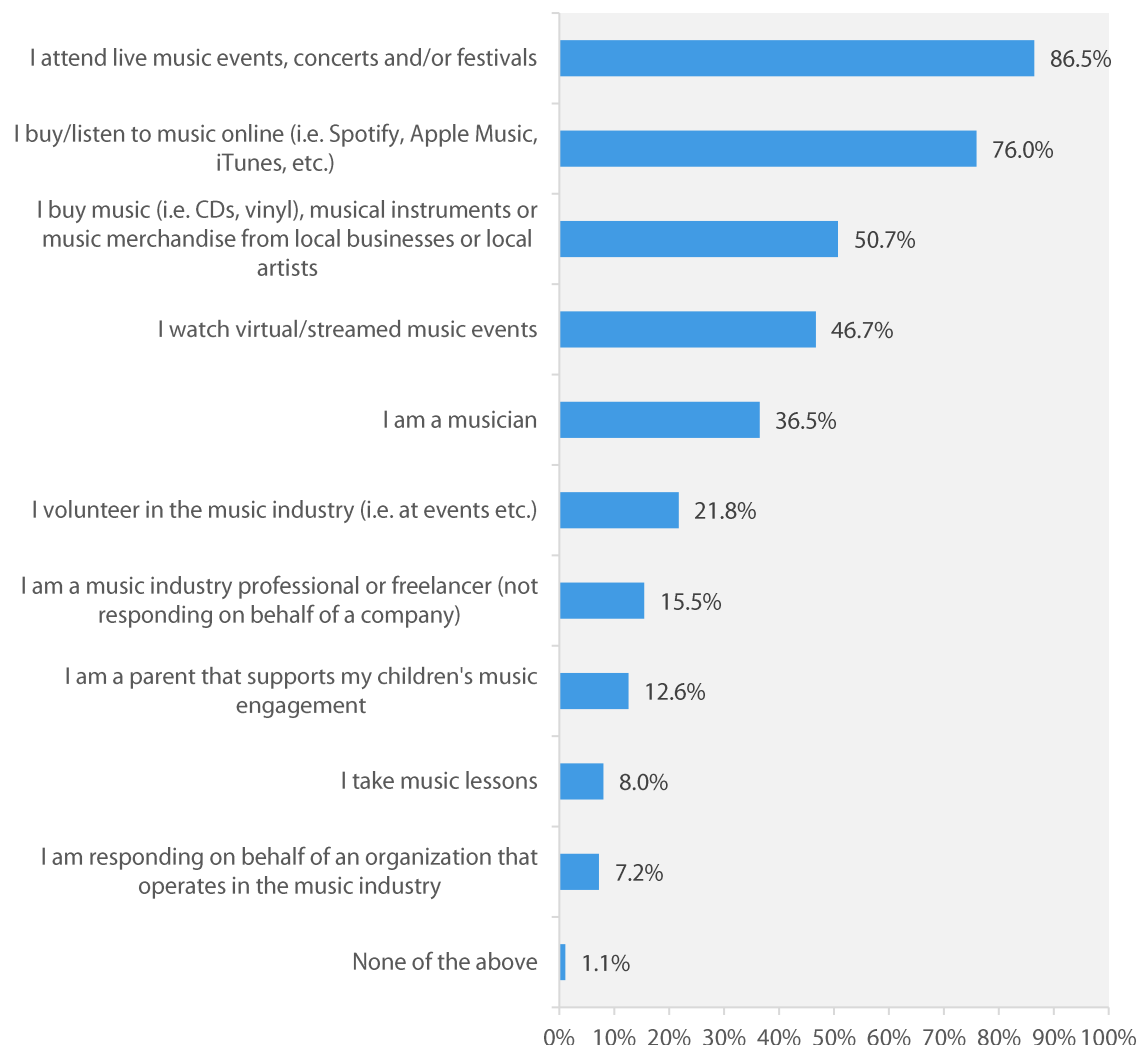
Figure 4: Age of Respondents (n=1094)



3.1 Community Music Engagement

The survey received uptake from interested community members in the Central Okanagan who reported their current engagement with the industry as well key barriers and potential priorities for the COMS. As visualized below, stakeholders reported engaging the music scene through **attending live events (86%)** and **listening to to/buying music online (76%)**. Importantly, there is also a significant number of respondents (51%) who indicated they buy music from local businesses or artists

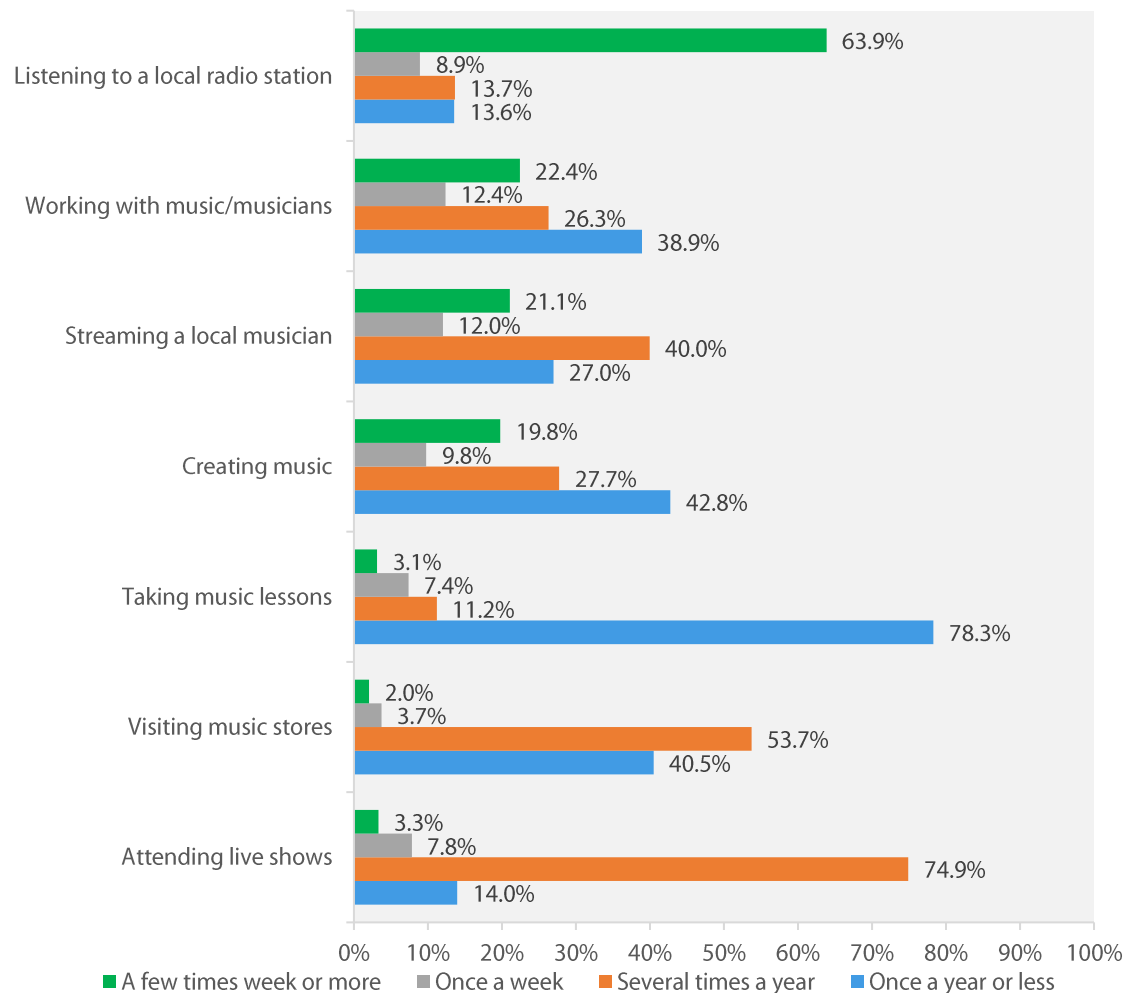
Figure 5: How do you engage in the Central Okanagan's Music Scene? (n=1094)



When asked about frequency of involvement with activities in the music scene, 64% reported listening to a *local* radio station a few times a week or more. In addition, 65% of respondents attend several live shows annually (4-12 times/year).

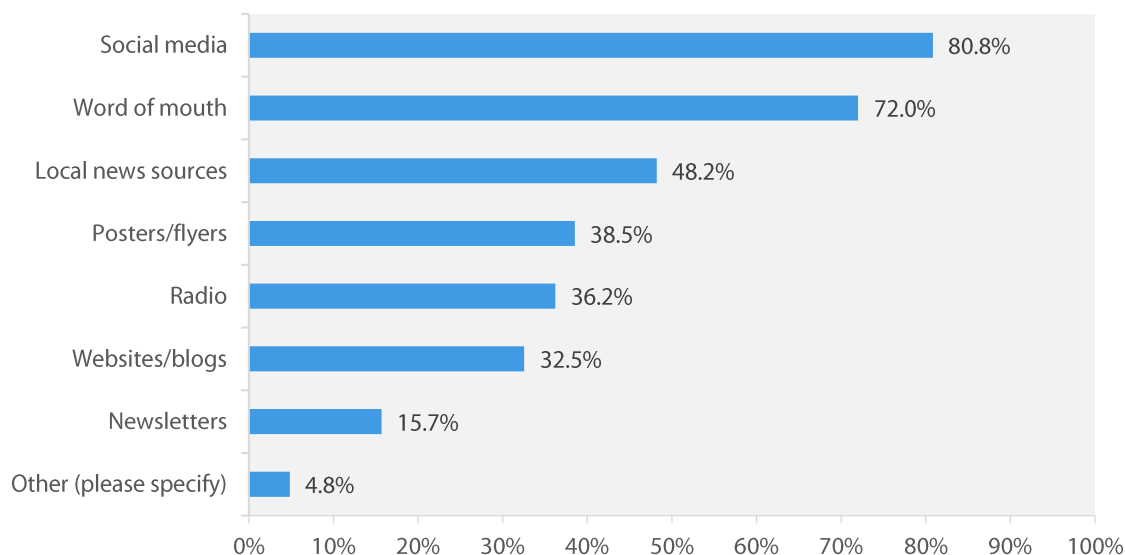
Results from Figures 5 and 6 both illustrate the **diversity of engagement with music, a keen desire for live music events, concerts and festivals, and a loyalty to locally run businesses** such as radio stations. These themes are echoed in qualitative findings in Section 4.

Figure 6: On average, how often in the last year have you been actively involved with activities in the Central Okanagan's music scene? (n=953)



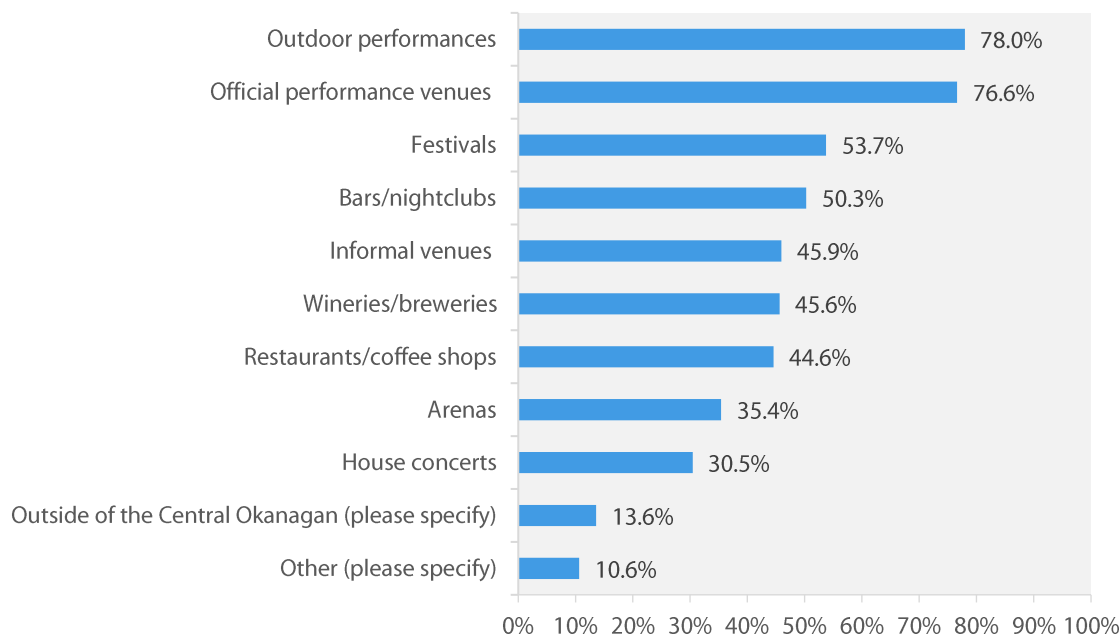
While awareness is discussed further in Section 4.5, respondents indicated that social media (81%) and word of mouth (72%) were the most common ways to find out about music events. This highlights the **changing trends in reaching audiences**, partly due to demographic shifts and shifting consumer preferences given technological advancements.

Figure 7: How do you typically find out about music events in the Central Okanagan? (n=950)



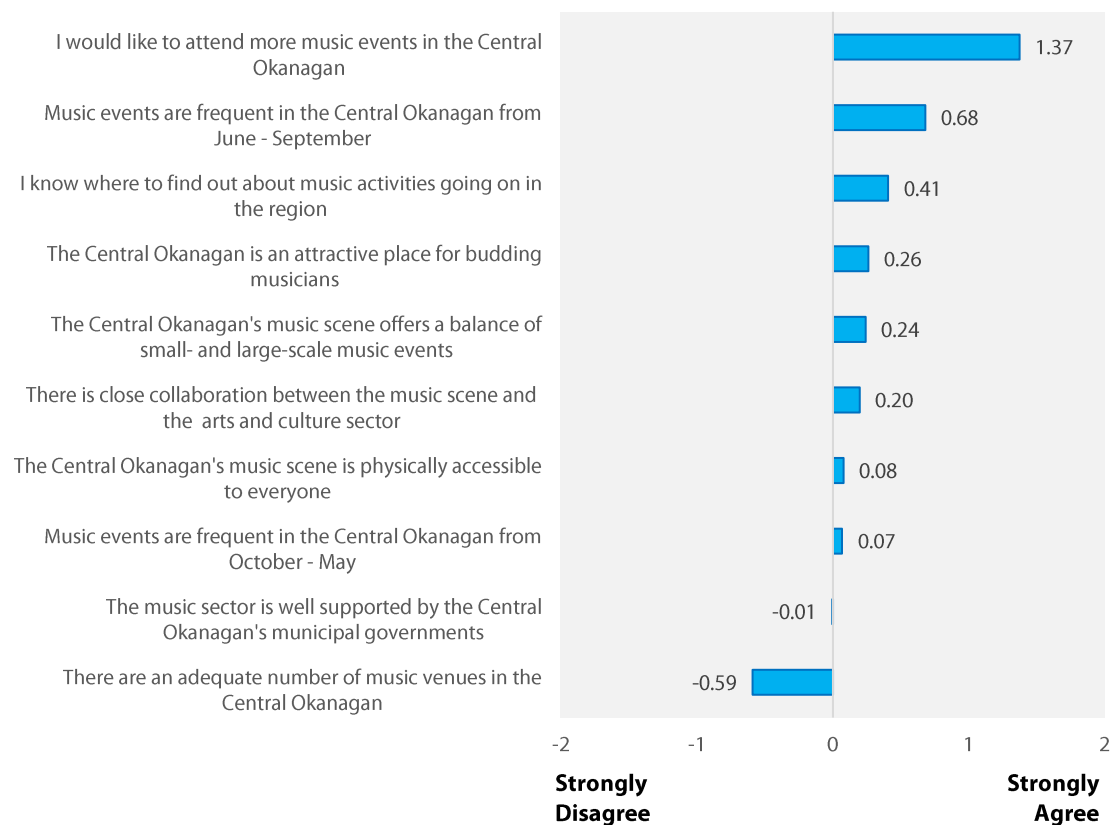
As visualized below, **outdoor performances (78%)** and **performance venues (77%)** were the most common while many people also attend music in festivals, bars/nightclubs, wineries/breweries and restaurants/coffee shops. 'Others' including the farmers market, the Kelowna Yacht Club and other informal, surprise, often unadvertised music performances.

Figure 8: Where do you typically attend music events/activities in the Central Okanagan? (n=949)



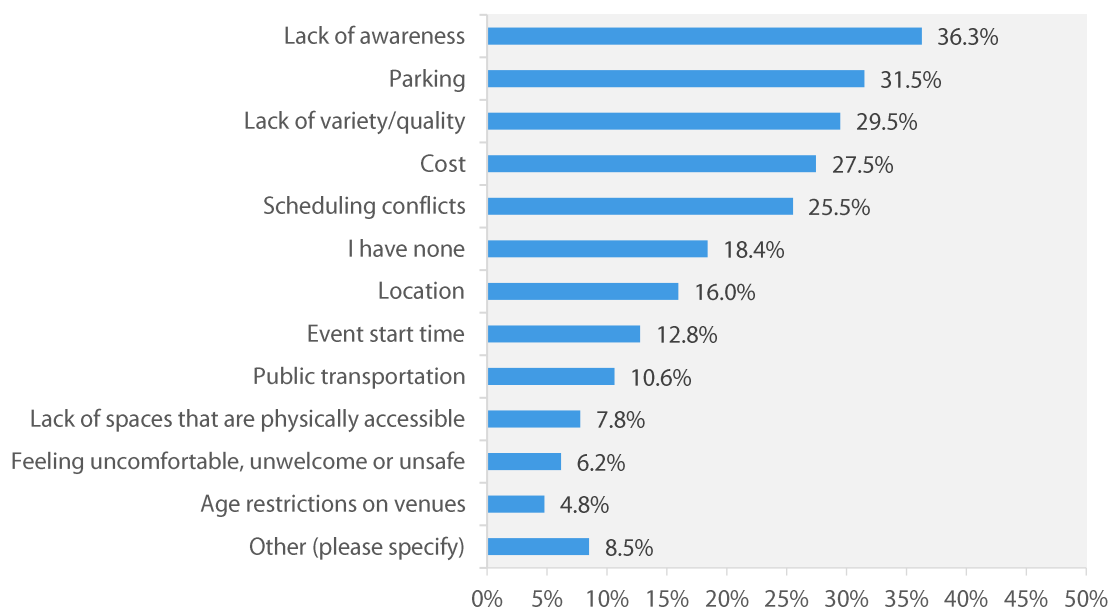
As seen below, there is an **appetite to attend more events** in the Central Okanagan, which echoes the sentiment highlighted in Section 4.9 that there are too few events year-round, with a gap market from October to May. Relatedly, a majority **disagreed that there were an adequate number of venues in the region.**

Figure 9: Please rank your level of agreement with the following statements: (n=950)



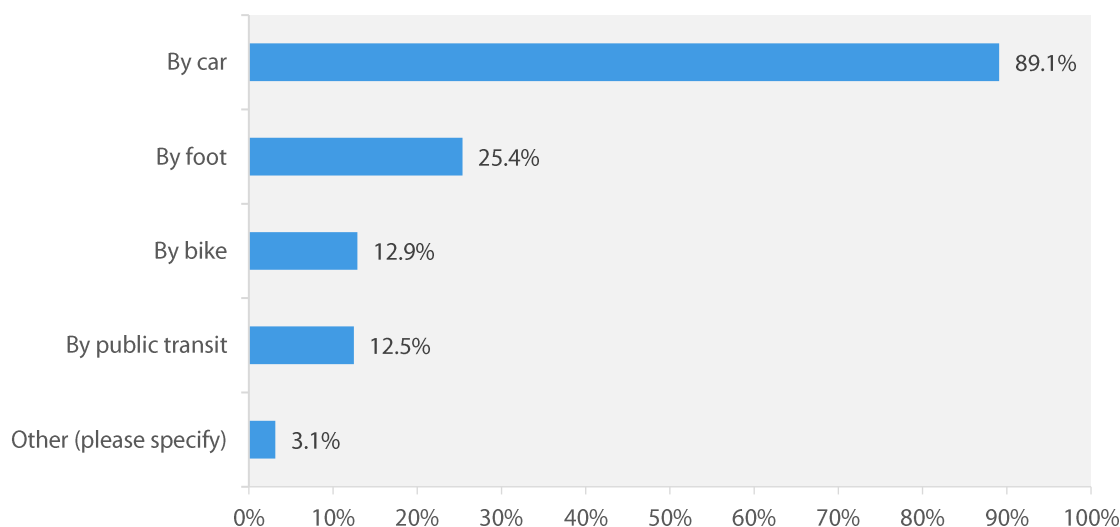
To explore potential barriers to attending events, the survey also queried key challenges for accessing events. As visualized below, the most common challenge is **awareness (36%) and parking (31%)** while a lack of variety and quality (29%) was also noted as a significant barrier.

Figure 10: What challenges or barriers have you experienced in accessing music events in the Central Okanagan? (n=940)



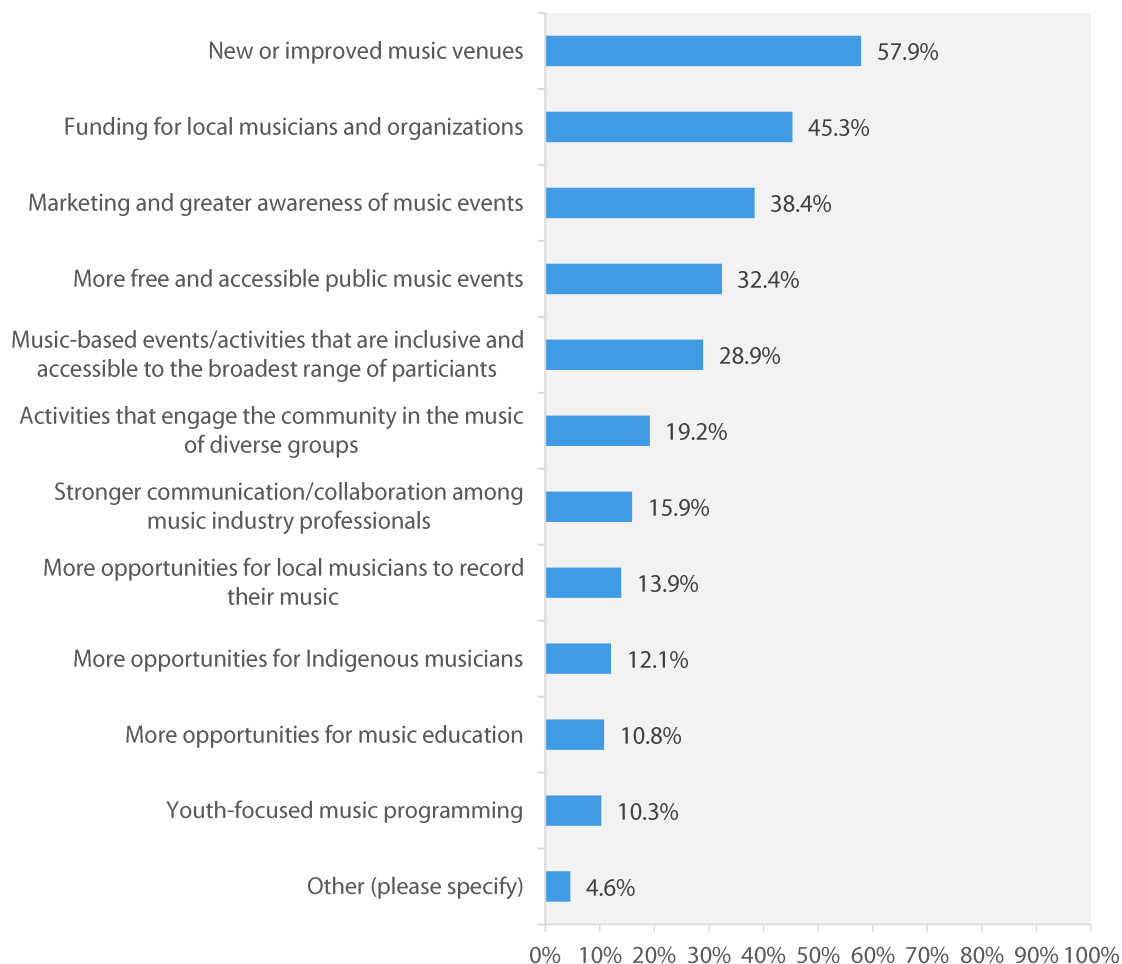
Relating to the finding that parking can prove a significant challenge, a significant majority (**89%**) **indicated accessing music entertainment by car**. More on challenges arising from a reliance on personal vehicles is outlined throughout Section 4.

Figure 11: By which means of transportation do you typically access musical entertainment, if outside of your home? (n=954)



With the above challenges in mind, community members and industry stakeholders also identified what they believed should be prioritized, which included new or improved **venues** (see Section 4.3), **funding for local musicians** (see Section 4.8) and greater **awareness** (see Section 4.5).

Figure 12: What do you think should be prioritized when developing the music scene/sector in the Central Okanagan? (n=954)

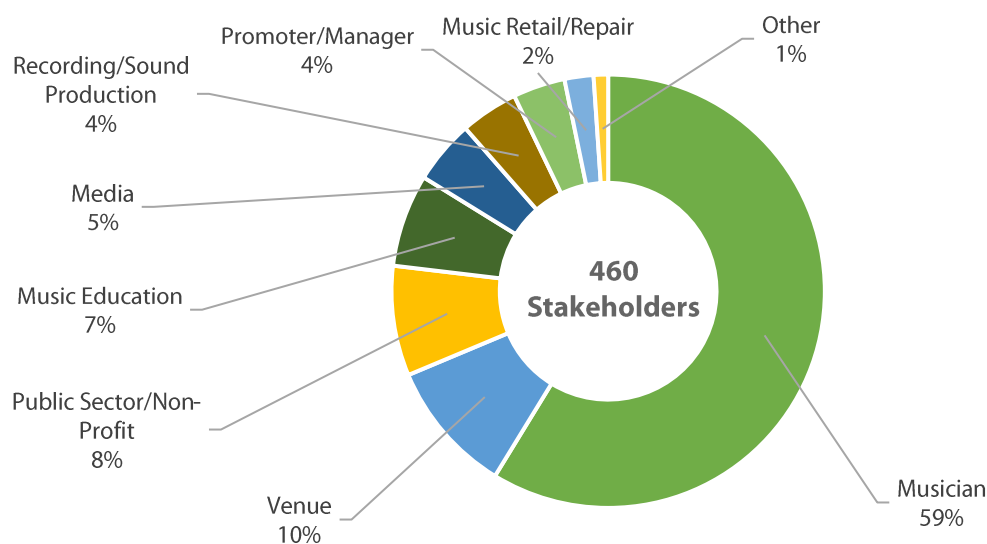


3.2 Industry Profile

In addition to an engaged community, the Central Okanagan is home to a robust group of musicians and industry professionals. By combining the work completed by the COMS Leadership Ensemble and the Advisory Group with those who self-identified as musicians and organizations in the online survey, **460 stakeholders** engaged in Central Okanagan's music industry were identified. As illustrated below, nearly 60% identified as musicians in their primary role while a sizable number of venues and public sector/non-profit stakeholders were identified.

This industry composition was largely echoed in stakeholder interviews where many noted an industry with a **strong foundation of talented and passionate artists, various high-quality music education programs, and a robust non-profit support ecosystem**. However, it was also noted that there is **not always enough professional support** to sustain the industry, especially relating to a lack of experience promoters and sound/light technicians.

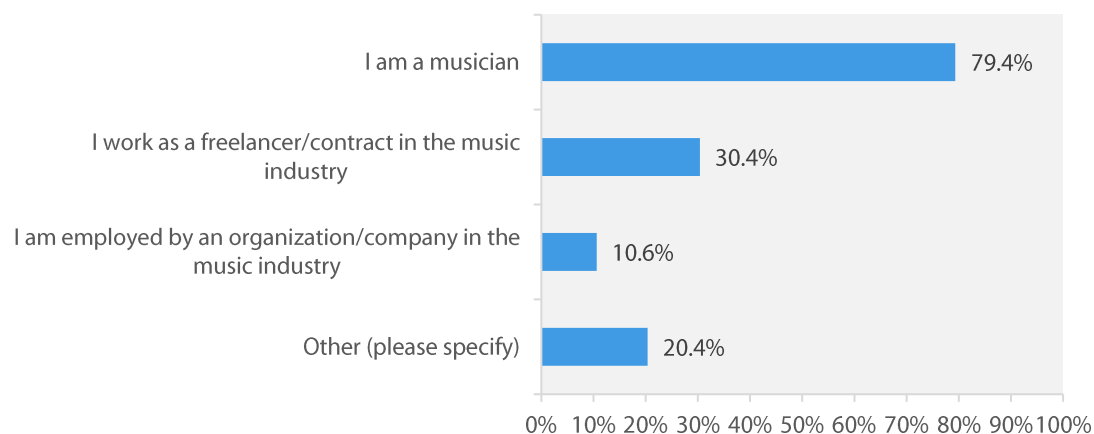
Figure 13: Central Okanagan Industry Composition (n=460)



3.2.1 Musicians and Industry Professionals

The significant majority (nearly four in five) of music industry professionals in the survey **indicated musician as their main role**. There was also a large cohort of freelancers working in the industry while the most common 'other' profession was amateur artist.

Figure 14: As an individual, what is your main role in the Central Okanagan's music industry? (n=339)



Speaking to training, the significant **majority** reported they had **some form of training** (87%, Figure 15), most commonly through private lessons (59%, Figure 16 on the following page).

Figure 15: Have you taken any music education or training? (n=324)

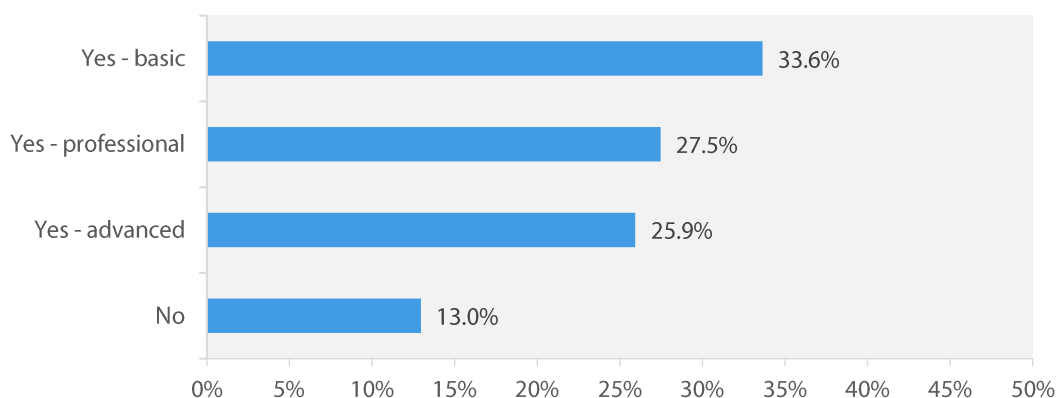
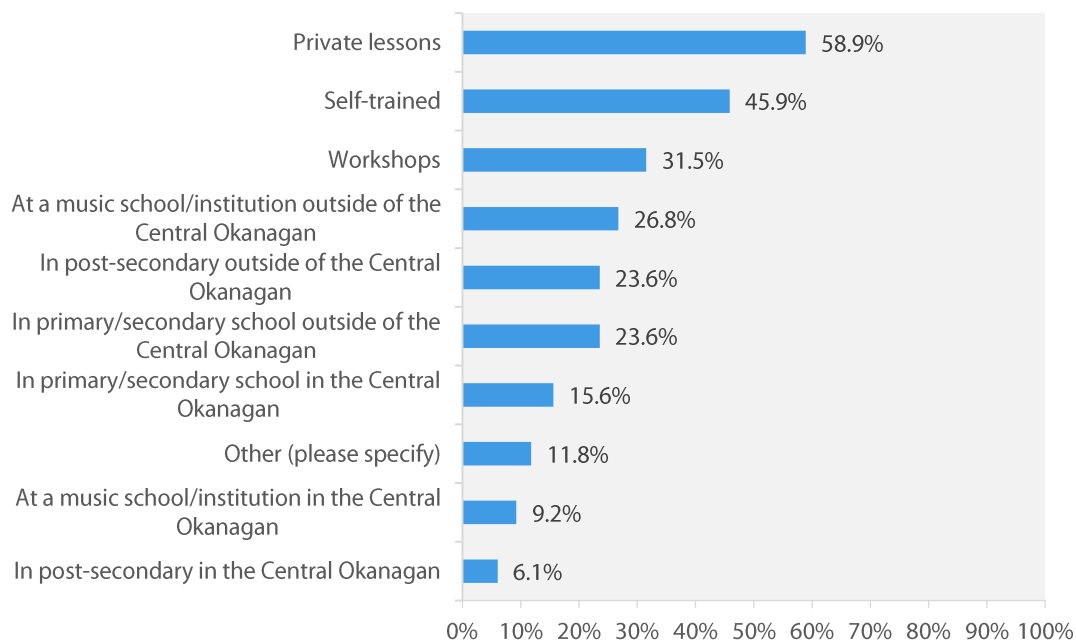
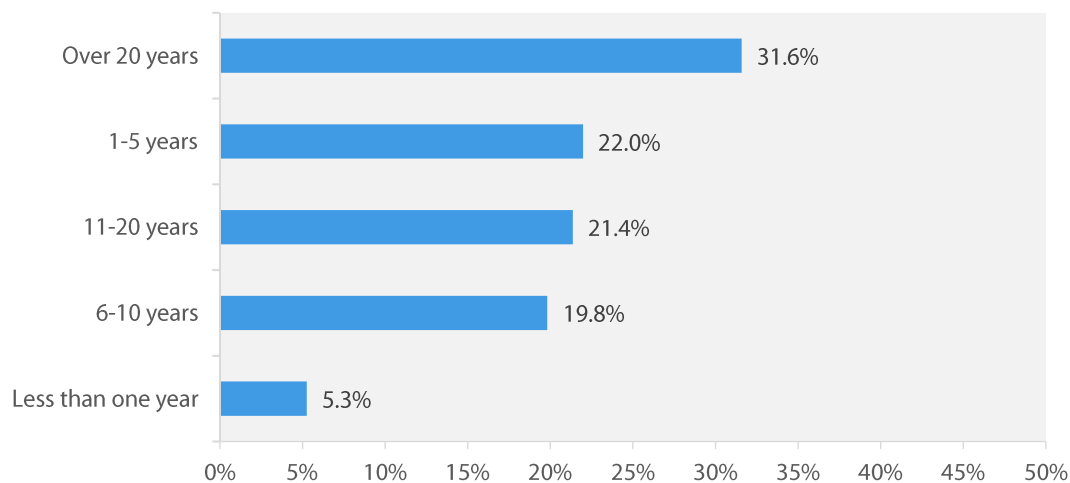


Figure 16: Where did you receive your education/training? (n=314)



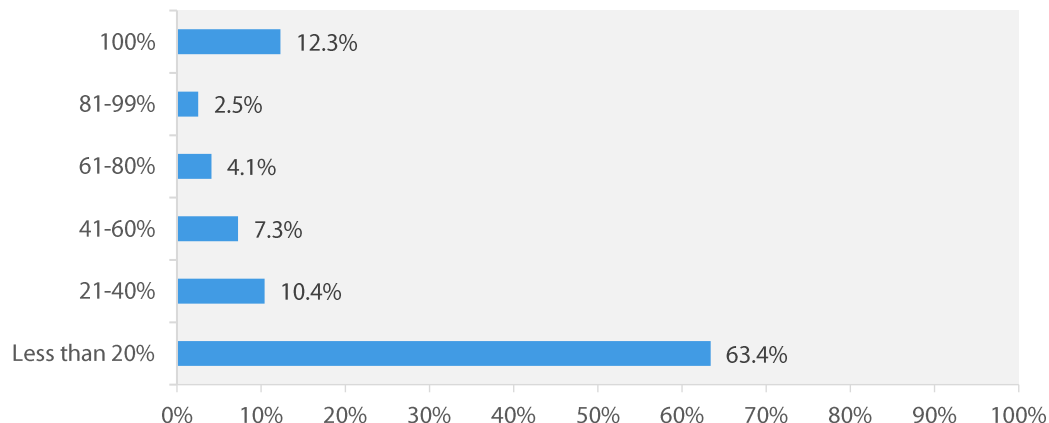
The largest cohort of musicians and industry professionals indicated having been in the **industry for more than 20 years**. At the same time, more than **one in five are new to the industry**, working less than five years in the industry.

Figure 17: How many years have you been working in the music industry? (n=323)



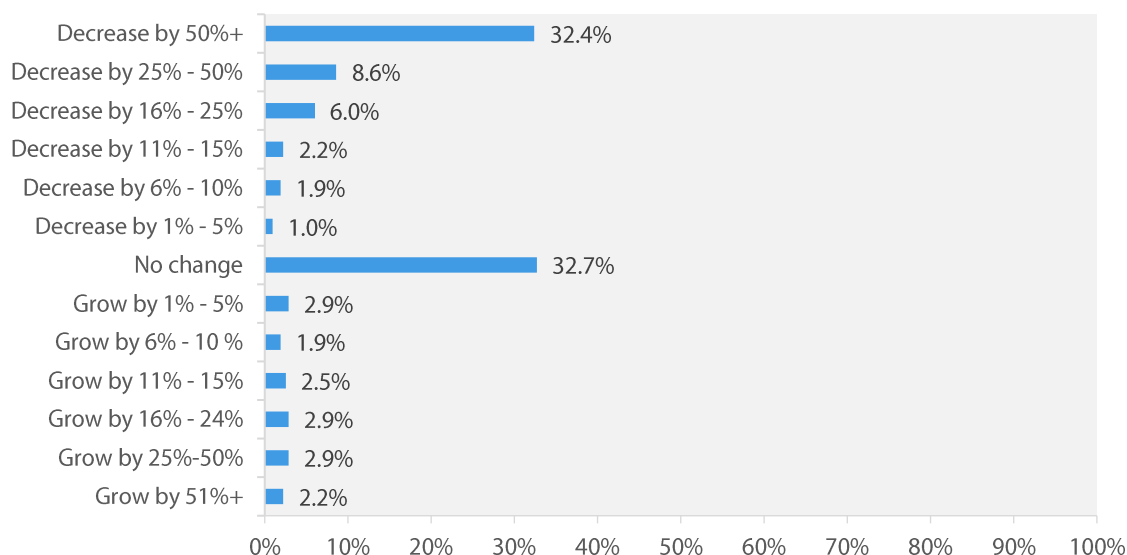
As visualized in Figure 18, most professionals indicated earning **less than one fifth of their annual revenue through music industry activities**, illustrating the part-time and often precarious nature of music industry income generation.¹⁶

Figure 18: What portion of your 2019 annual income came from your work in the music industry?



A significant majority of music industry professionals **projected either no change or a sharp decrease in revenues by at least 50% due to the effects of the COVID-19 pandemic**. This likely indicates that many (likely small, part-time freelancers) have been able to continue with their music activities with little impact, while those who have been impacted (musicians relying on live shows) have been significantly impacted.

Figure 19: How do you expect your income generated from work in the music industry to change in 2020? (n=315)



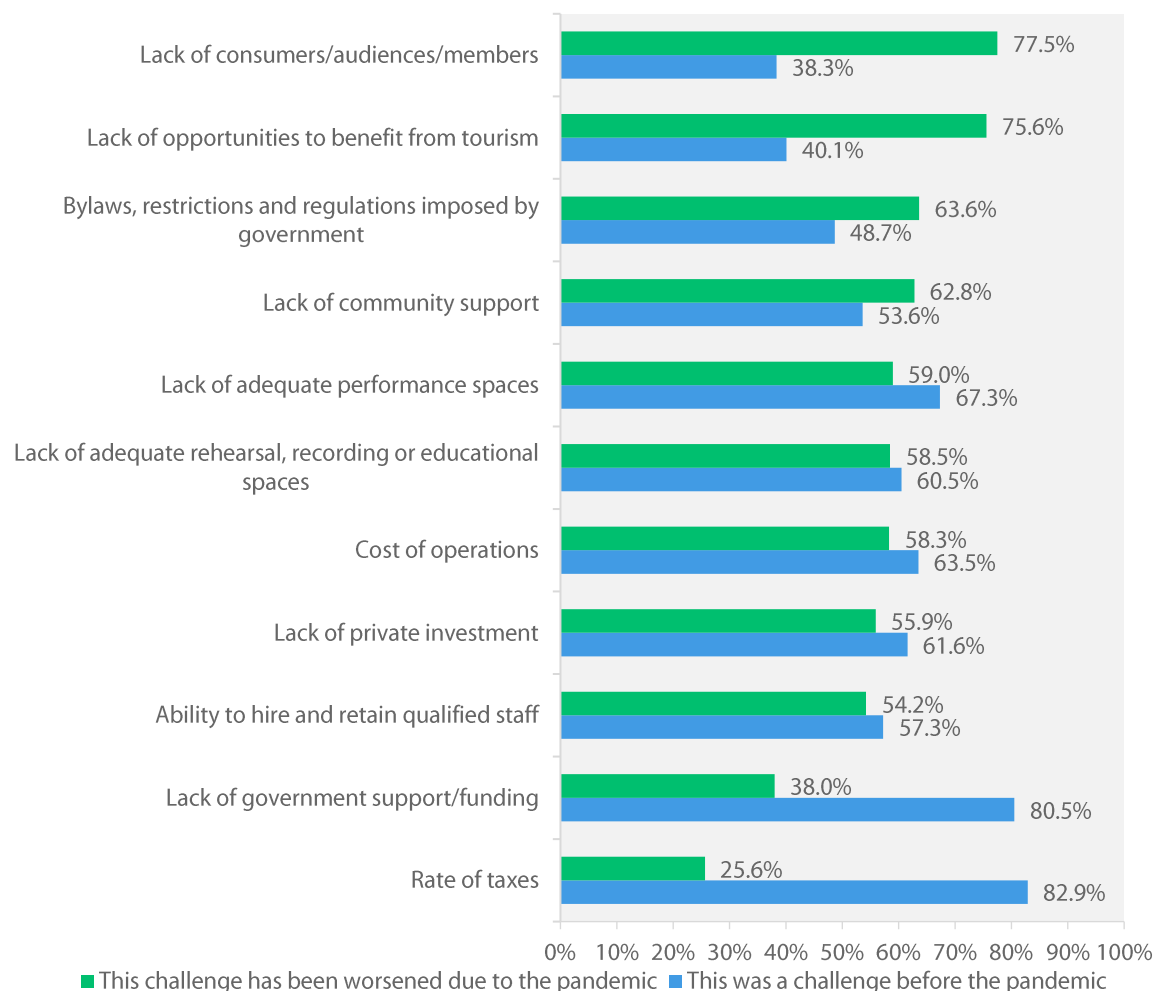
¹⁶

<https://www.tandfonline.com/eprint/HRX2MZCD3MIVBYMF7T4A/full?target=10.1080%2F09548963.2020.1770577&>

Regarding challenges that have worsened since the onset of the COVID-19 pandemic, the **lack of consumers/audiences was the most significant challenge (78%)**. In addition, more than three quarters indicated the **lack of opportunities to benefit from tourism** as a significant challenge due to the pandemic.

Figure 20 also indicates that the **rate of taxes and lack of government support were challenges before the pandemic**. Section 4.8 provides more detail on the specific challenges related to funding for musicians and music organizations.

Figure 20: What specific challenges, if any, do you currently face in your music profession in the Central Okanagan, before and during the COVID-19 pandemic? (n=295)



Insightful quotes from musicians and industry professionals in response to 'how could the music industry be improved in Central Okanagan' are listed below:

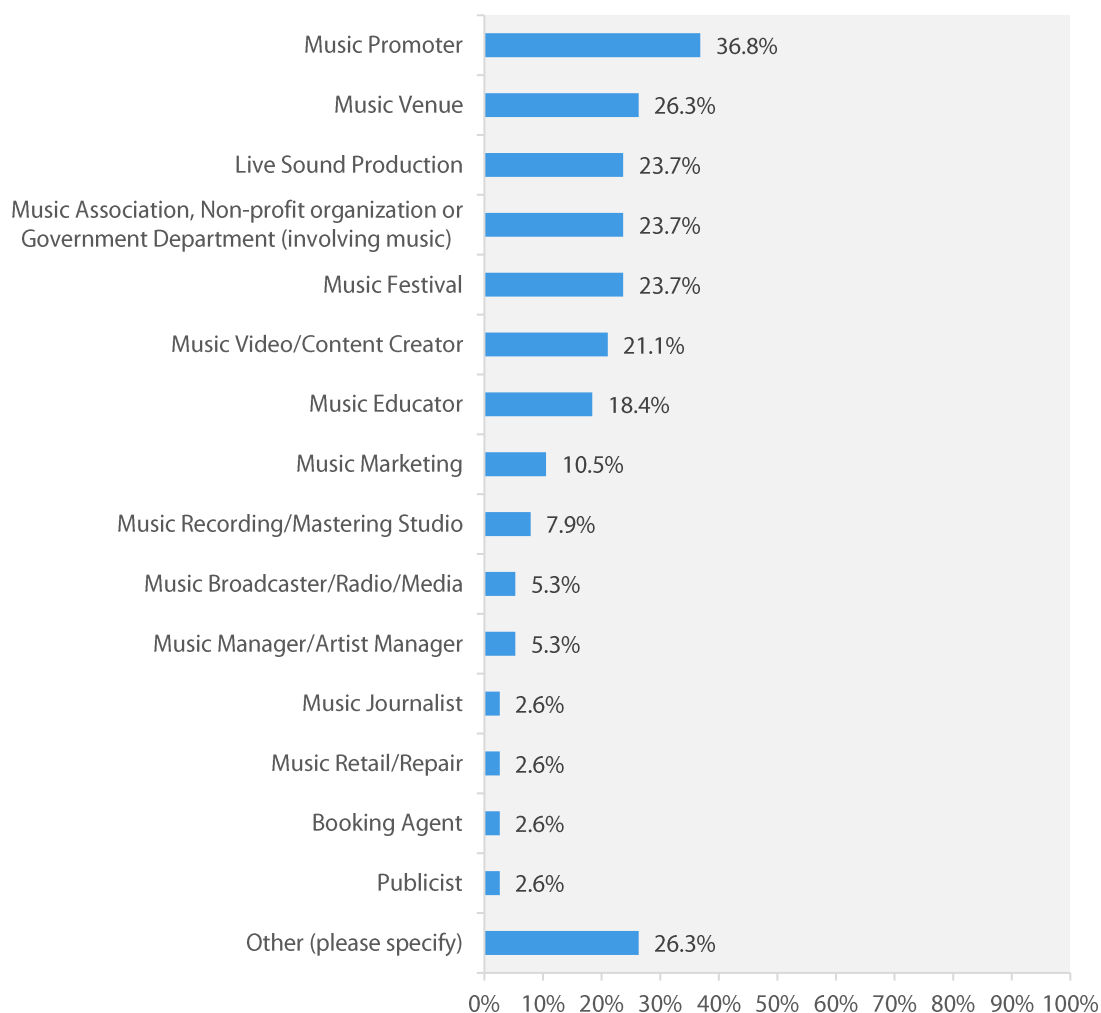
- "More marketing funds to advertise shows and grow the music scene and awareness."
- "Need to create more quality venues for out-of-town artists to play with local artists. With more out of town artists, locals would be more interested in coming to shows"
- "We could use a medium sized facility 400-800 capacity. We have small and large venues, nothing in between."

- “I believe the Central Okanagan is packed with talented musicians and they don't have enough opportunities or exposure. I think public media pages could feature musicians weekly to help them gain exposure and expand their fan base.”

3.2.2 Organizations

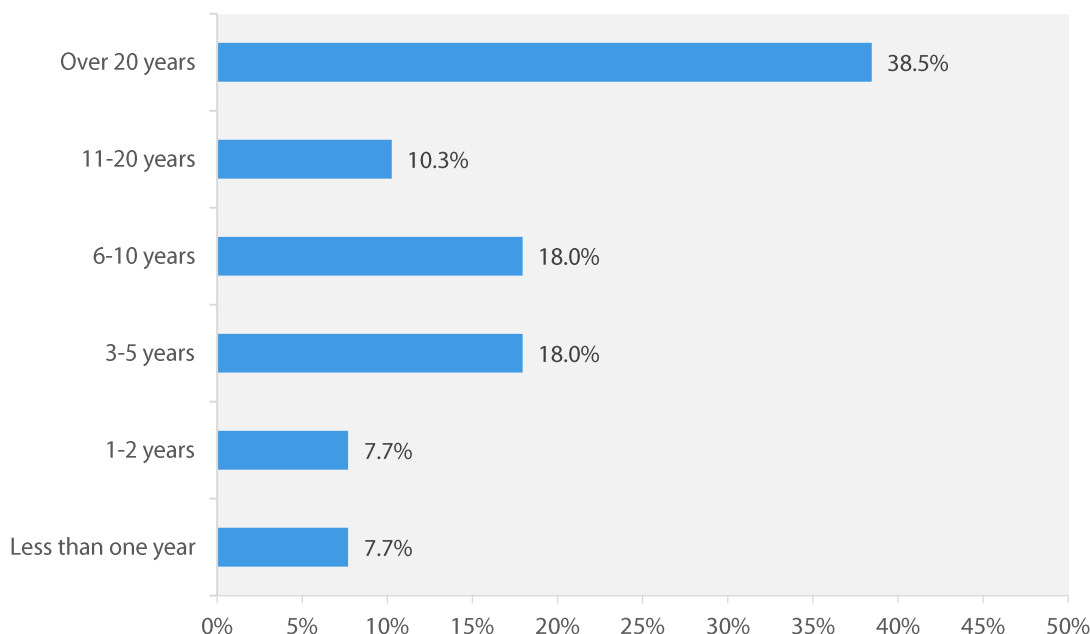
As illustrated below, the survey garnered 38 responses on behalf of organizations most commonly as **promoters or venues**. Those who selected ‘other’ identified as other varieties of performing arts roles relating to music, as well as freelance photography and those offering specific programming like music classes for seniors.

Figure 21: Please select the role(s) of your organization (n=38)



Similar to industry professionals, the largest cohort of organizations indicated being in the **industry for over 20 years**. This reflects stakeholder sentiments that there exists a strong foundation of long-time music stakeholders in the Central Okanagan, or as one stakeholder noted, “**there are a lot of ‘old-guard’** musicians and organizations here.” While an established community is a definite strength, there exists a disconnect between historically siloed or insular groups, whereby a gap remains between genres and demographics. Further insight into the local music community and organizations can be found in Section 4.6 and 4.7.

Figure 22: How many years has your organization been established in the Central Okanagan? (n=39)



As tabulated below, the industry is made up of smaller organizations that rely **largely on contract and volunteer workers**, which is also reflected in the broader provincial live music industry.¹⁷

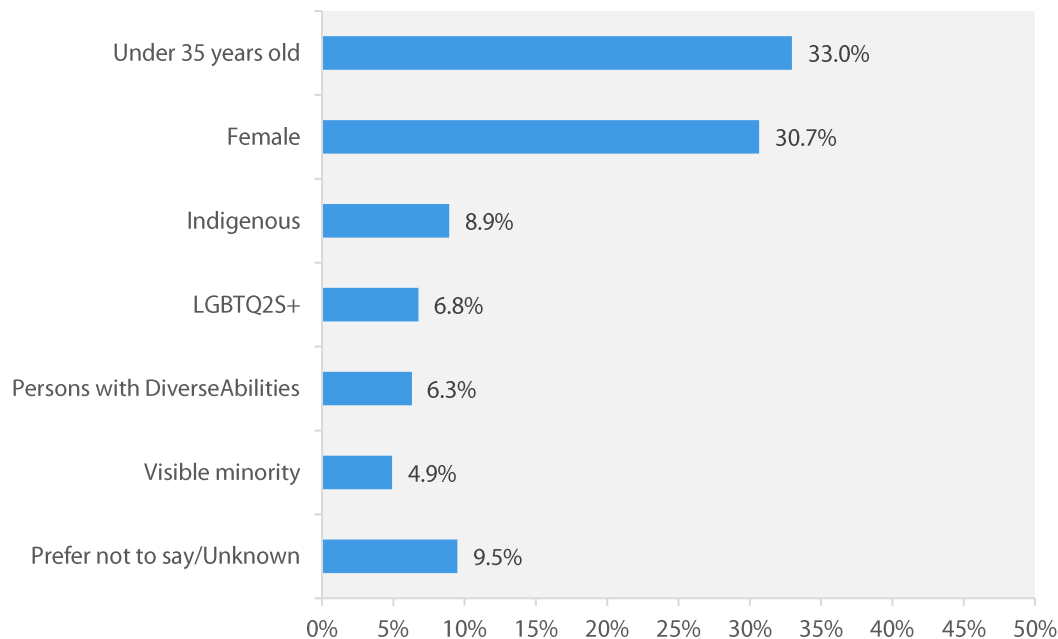
Figure 23: How many people (on average) did you organization employ during your last fiscal year in each of the following employment categories? (n=38)

Type of employee	Average # of employees
Full-time, regular salaried employees	2.2
Part-time, regular salaried employees	5.1
Temporary/contract employees (average monthly count)	9.3
Volunteers	9.7

¹⁷ <https://canadianlivemusic.ca/wp-content/uploads/2018/05/Here-the-Beat-The-Economic-Impact-of-Live-Music-in-BC.pdf>

As illustrated in Figure 24 below, the industry employs a **large proportion of women and people under the age of 35**. In addition, according to 2016 Census data for Kelowna,¹⁸ 6% of the population identify as 'Aboriginal', making the nearly 9% employment rate of those who identify as **Indigenous higher than the estimated average** population for the Central Okanagan. However, based on the same data, the visible minority representation of workers (5%) is lower than estimates based the same data (8%). While this is based on a small sample size of organizations, it indicates there may be further room for growth relating to hiring visible minority workers in the industry.

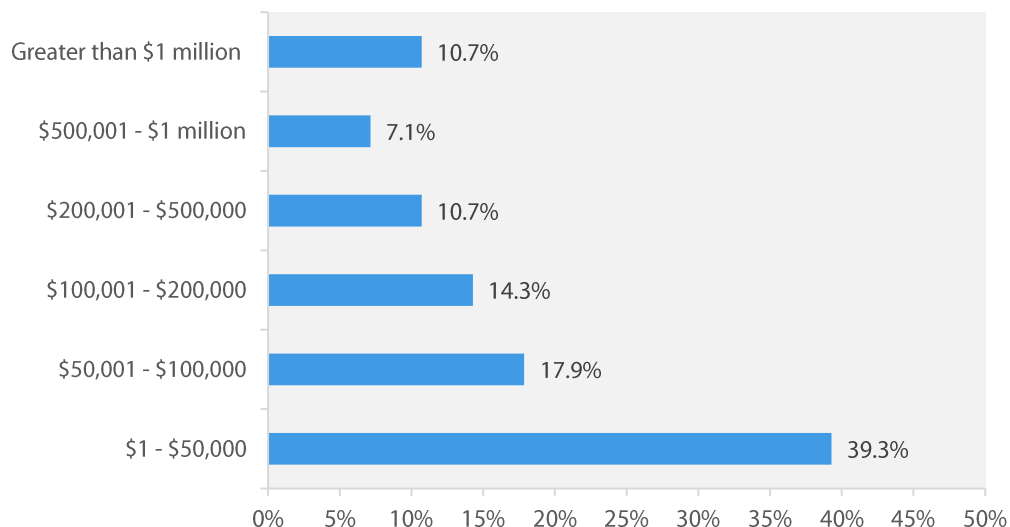
Figure 24: Please indicate the percentage of your workforce that identify in the following categories. (n=31)



¹⁸ <https://www12.statcan.gc.ca/census-recensement/2016/dp-prof/details/page.cfm?Lang=E&Geo1=POPC&Code1=0403&Geo2=PR&Code2=48&Data=Count&SearchText=Kelowna&SearchType=Begins&SearchPR=01&B1=All&TABID=1>

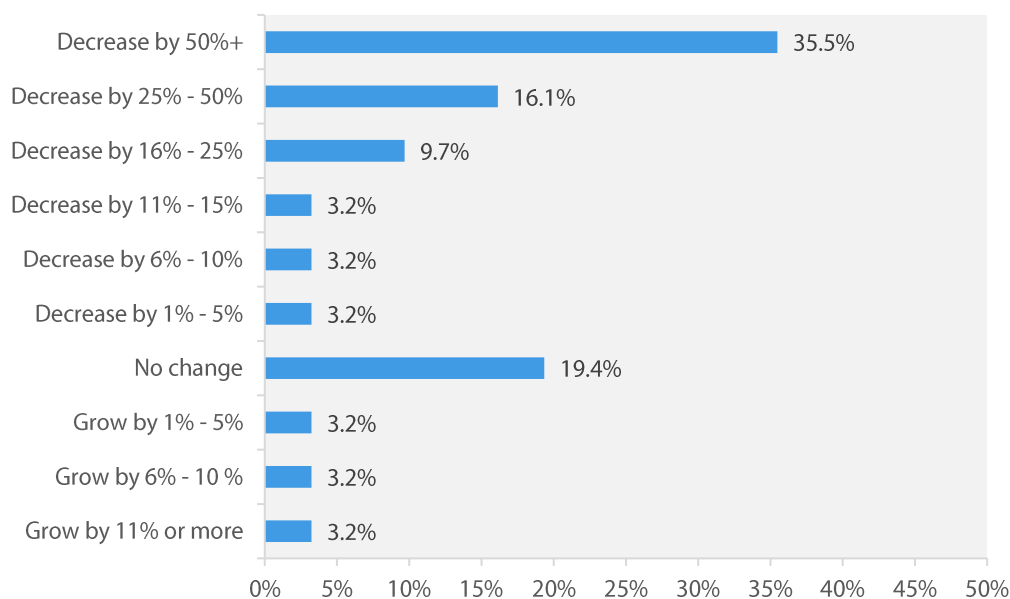
As visualized below, the **largest cohort** of organizations reported revenues **less than \$50,000**. On **average**, organizations reported revenues of **~\$240,000**.

Figure 25: In 2019, what was your total or gross revenue or sales? (n=29)



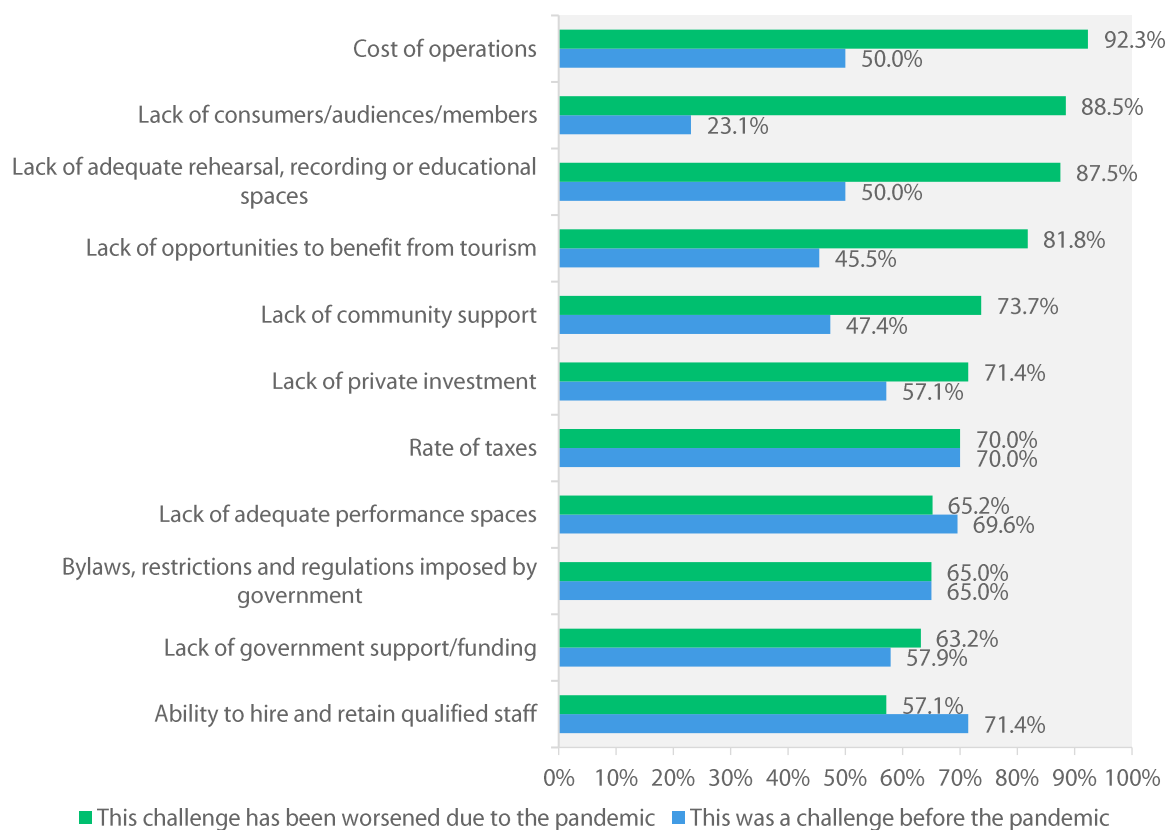
The largest cohort of organizations projected their **revenues will decrease by more than 50% (36%)** while nearly one in five projecting no change.

Figure 26: Compared to 2019, how do you expect your 2020 gross revenue or sales to change? (n=21)



As shown in Figure 27, the notable decrease in revenue is likely attributable to rising costs of operations (e.g., health and safety measures leading to shutdown of venues) and a lack of audiences during the pandemic.

Figure 27: What specific challenges, if any, has your organization faced in the Central Okanagan's music industry, before and during the COVID-19 pandemic? (n=33)



Some key quotes from organizations in response to 'how could the music industry be improved in Central Okanagan' are listed below:

- "Access to funding and reasonably priced venues. We were absolutely shocked by the rental rates here compared to Calgary when we first moved back to BC."
- "More venues, more funding for artists (grants are quite often way too difficult for most artists to acquire)."
- "Save the current live music venues. Help with rent and expenses so they can survive and rebound. These companies have the knowledge and support to thrive under normal conditions."
- "Help with some of the costs of promoting local artists to help them get to the next level. Scout the best talent and aide them with touring provincially, across Canada / North America."
- "More and continued collaboration. Recognition of and response to the generational shift and natural attrition of local and regional industry professionals and supporters that is happening (i.e., try to prevent loss of "institutional knowledge" from live music venue staff, musicians, music industry suppliers)."

4. Key Considerations from Engagement

In addition to the survey and comprehensive secondary research, the public consultation process included focus groups and interviews, which provided numerous insights. The following sections offer key considerations, or departure points, for unpacking the various **strengths, weaknesses, opportunities, and threats related to the music industry in the Central Okanagan**. These insights were gathered as part of a wide-ranging and comprehensive research phase, through an online survey, focus groups, and interviews with sector stakeholders. Key results from the survey are also highlighted in graphs and figures, which draw out key learnings regarding barriers, challenges, and priorities of residents and musicians as the community considers the direction for a Central Okanagan Music Strategy.

Recent research in the region, such as Kelowna's 2019 Creative Sector Economic Impact Assessment, highlight the inherent economic and social value of music within various streams of creative industries, from performing arts education to events and festivals. The Impact Assessment notes the significant expansion of the creative sector in the last decade, with the music and performances as the largest cultural revenues. These reports, among others explore the future of the Central Okanagan (e.g., Imagine Kelowna 2040 Report) and provide the basis for the following departure points. The following table provides a high-level SWOT analysis of the Central Okanagan's music industry, based on existing research and the numerous engagement activities with industry stakeholders:

Table 2: SWOT Table

Strengths	Weaknesses
<ul style="list-style-type: none"> High number of talented and global quality musicians Natural beauty that attracts new residents and provides great outdoor venues Supportive community that are passionate and trying to make positive change Strong tourism sector, including wineries that often support live music Strong youth scene (jazz, classical, rap/hip hop) incl educators, mentors, opportunities 	<ul style="list-style-type: none"> Lack of awareness about events and opportunities Shortage of suitable and scalable venues for performing, jamming, rehearsing, or collaborating and mid-size acts Accommodation costs for touring acts Disconnect between City, funding organizations and artists (missing simple, more flexible funding) Collaboration can be challenging as genres and demographics have been insular (siloed), often to leading to a lack of crossover even between local radio stations Lack of opportunities to network or get mentors needed Challenging municipal policies and bylaws relating to noise/sound public space usage
Opportunities	Threats
<ul style="list-style-type: none"> Strengthened tourism collaboration/marketing Chance to grow audiences as residents express a desire for more live music events year-round Community building through utilizing grassroots organizations and businesses that want to invest in the community Leverage existing youth education, mentorship, and opportunities 	<ul style="list-style-type: none"> Short and long-term impact of COVID-19 pandemic Music is being devalued globally – it is seen as cheap and abundant Competition for high quality, affordable, convenient entertainment. Increasing cost of living in Kelowna (i.e., Housing) Not enough support for specific groups (Indigenous artists, LGBTQ2+ artists) Lack of experienced promoters or other talent required for live shows

4.1 Attractive Hub for Musicians

A key theme throughout research was that the Central Okanagan is ripe for growth within the music industry, in part because of the **unique lifestyle that musicians can lead in the region**. It was widely agreed that the geography, community size, climate, and music community of the Central Okanagan is a key attraction for young and emerging artists that wish to develop their skills and build their audiences. In addition, stakeholders noted that because it is a smaller city, it is often **easier for artists to be noticed** and to succeed. With that, the Central Okanagan region is developing its range of musical and creative offerings – a key opportunity for other industries and communities to leverage in tandem.

When **compared to larger cities** such as Vancouver or Toronto, Kelowna is **considered more affordable**, allowing musicians more opportunity to dedicate themselves to music.¹⁹ However, the **increasing cost of living is a challenge**, as noted in the Kelowna 2020-2025 Cultural Plan, “the unaffordability of spaces for living, working and creating is a challenge for many artists.”

Looking forward, many noted that it will be essential to ensure that **emerging artists who chose the region for affordability reasons are able to stay**, with adequate funding opportunities, locally sourced grants, and accessibility to new audiences as Kelowna and surrounding communities grow.

“[I] can be a pro musician, and the community supports that choice/her livelihood – don’t have to seek additional jobs here – ability to live and afford life here!”

Advisory Group Member

4.2 Youth in Music

“Music needs to be recognized and valued as much as hockey and soccer. Playing an instrument grows the brain, at any age, more than pretty much any other activity.”

Survey Respondent

Developing local talent and burgeoning artists starts with music education. In the Central Okanagan, many music education programs have historically been disconnected from the ‘business-side’ of the music industry, meaning that those graduating with degrees in music do not necessarily have the industry skills required to succeed. As a result, many stakeholders identified a **need for professional development** workshops to bridge this gap (e.g., through webinars, wellness and leadership groups, and retreats).

There is also an **untapped opportunity to engage youth** in music from a young age, especially relating to engaging youth who may not be involved in sport. The theme of venues (Section 4.3) is also impacting youth engagement as it is challenging to find adequate and purpose-built spaces for young emerging artists to play when they are training or after graduation. Similar to the theme of developing audiences, some stakeholders expressed worry that the strong cohort of **musicians and creatives in Kelowna may not return** to the Central Okanagan once they leave. That is, many talented youths take further studies in music at universities, often in Toronto or Victoria, and do not return afterwards. Many music events are not open to all ages, ultimately excluding youth from participating and benefitting from the local music scene. As noted in survey responses, being a minor is a challenge as **youth cannot attend venues where the artists they would like to see are performing**. Making these events cheaper to better engage youth, as well as other groups, was also noted a key means to make events accessible to larger audiences.

“The Okanagan lacks good all ages venues that aren’t too big or expensive to book for local artists.”

Survey Respondent

¹⁹ Kelowna Creative Sector Economic Impact Assessment (2019).

More **collaboration between groups** was noted as a **potential catalyst for successfully engaging youth**. For example, mixing other disciplines such as school choirs and jazz bands between different secondary and music schools.

4.3 Venues

As illustrated in Figure 11, stakeholders note **too few purpose-built venues in the Central Okanagan**, though there are a number of options for outdoor performances, such as wineries and parks. Most commonly identified throughout discussions was a specific need for a midsized venue to support touring acts with **capacity for an audience of 300 to 500**, or a 'smaller version of the Commodore.' At the same time, though less frequent, some also mentioned a gap in a larger (800+) venue. The music industry is not alone in identifying a need for facilities, given one of Kelowna's Cultural Plan goals is to commit to developing new facilities, including increasing available production space for local artists.

"Lack of any affordable 100-500 person venues, largely limiting any growth of local music scenes, or the capacity to book and host outside artists and encourage their visitation to our city/community."

Survey Respondent

The recent loss of important venues which were important for **smaller acts and performances**, has hurt local artists. Artists also noted a **gap in places to collaborate or rehearse**. While this has an obvious impact on artistic creation it also has an important impact on industry growth, as there is not a hub for organic collisions or a place to connect for mentoring and partnership opportunities.

"Kelowna's music scene is very exciting and has many fantastic artists! It would be amazing for these artists to have more music-oriented venues, that would add so much to the music scene in the area."

Survey Respondent

As demonstrated in Figure 14, over 57% of respondents to the sector-wide survey indicated that new or improved venues are the top priority in developing the music industry in the Central Okanagan. According to survey respondents, existing venues do not provide optimal acoustics, or have limited seating, discouraging attendance and pushing audiences to Vernon or Penticton with more events and superior venues. This need for new or **improved spaces is echoed by both audiences and artists**, amplifying both the desire for more music events (as noted in Figure 11) and more suitable venues to accommodate a

growing music ecosystem. Accessibility to such venues is a contributing factor, with many noting the cost of parking and lack of public transit to music venues (as illustrated in Figure 13). There is also a desire to support venues in addressing these challenges, including incentives and the removal of red tape.

4.4 Audience Development

Our survey data shows that people want to go to more live shows, but the potential audiences now have a plethora of cheap and convenient entertainment options. To retain and develop a new audience will require a better, more diverse and engaging way for them to experience music. With the advent of streaming, the public now has access to abundant, low cost, convenient, high quality music. The audiences increasingly **expect to pay little to no money** to attend live and local music events. This lack of desire to show financial support for local artists may be due to the fact that though audiences enjoy music events, they may not understand its true social and monetary value in their lives, and the richness that the industry brings to their community.

"The biggest challenge is support from the public. We need to encourage people to come out and support live music. If the audience isn't there, there is no incentive to venue operators."

Survey Respondent

"I'd love to see more diversity in the types of music that are played at live events."

Survey Respondent

The ever-quickenning advancement of the **digital age** has meant the people now **want to and expect to engage differently**. This offers both a challenge to artists and the opportunity to add creative elements in their works. For example, through artists and audiences to connect through jam sessions. Engagement in the music industry is not simply a passive listening experience through platforms such as Spotify – the desire to engage in new ways is stronger now than ever before. There is

also a desire for more variety and diversity in music – a theme highlighted throughout stakeholder engagement.

Challenges related to developing audiences exist in tandem with opportunity. The acceleration of passive engagement online due to the onset of COVID-19 and ongoing restrictions on in-person gatherings make some stakeholders concerned **that previously committed audiences may not return** to in-person events after becoming accustomed to engaging online. While it is also possible that demand will be high after restrictions are lifted, most noted that the music industry will need to provide the incentive for the audience to come back once restrictions are lifted.

4.5 Awareness

Lack of awareness, as demonstrated in Figure 12, is a key challenge or barrier experienced by stakeholders in accessing music events in the Central Okanagan. There are varying possible reasons for this lack of awareness, the first being that people **do not necessarily know where to look for music events**. In other words, many feel there is a lack of a centralized platform (online or physical) where people can go to for information on upcoming music events, venues, and festivals. While some called for a need to create a one-stop-shop, it is also notable that **existing or past efforts are often unknown to audiences and industry stakeholders**. As such, it is unlikely that 'creating' a new platform is necessary, it may be the case that **improved awareness of existing ones is more critical**.

"[It is] hard to find events at times. I would like to be able to go to one spot to find out about local musical events rather than having to check by location or venue."

Survey Respondent

"Wineries are such a cool venue, but I usually don't hear about events there until it's too late."

Survey Respondent

Another contributing factor to lack of awareness is that certain **popular news sources, such as radio stations, continue to operate in silos**, whereby each station has a specific target audience and knowledge sharing amongst stations is perceived as limited. As such, there is less ability to reach new audiences using this medium. Respondents to the survey also noted that though they would like to attend events, they often hear about them too close to the date or

after the fact. This sentiment indicates that news sources and platforms sharing such information may not be adequately reaching audiences early enough.

This theme of awareness is closely linked to that of **accessibility**, whereby some groups, such as seniors, people with disabilities, or people with families, have limited access to events and are not sure of where to look for events that suit their needs. For example, events are often too late in the evening for families and seniors to attend, particularly during winter months. Parking, as well as lack of ability to rely on public transportation for those without a car, were noted as key barriers for respondents, as demonstrated in Figure 13.

4.6 Partnerships and Collaboration

Innovative and collaborative partnerships across organizations are also key to strengthening the music ecosystem. Helping organizations and businesses to work with the municipalities on reducing red tape (rules and regulations) related to performances, rehearsals, applications, promotion, noise, and parking, could lead to a more vibrant local music industry. For these partnerships to thrive, more coordination and clear communication are needed at all levels of the industry, from grassroots organizations to larger performing venue management. Clear communication would also allow for more streamlined information on how to put on a show, or how to partner with other artists on municipality-led projects, for example.

"It can't be up to one stakeholder group, can't be just promoters, or just be the City leading this strategy forward. The industry, including the artists, need to work together to generate creative ideas."

Interviewee

"It's often more up to the artist to do the promoting and ticket sales, which has its pros and cons. Whenever cafe shows, house shows, or "informal" shows happen, they can be really meaningful, but very rarely because of any work that the venue itself has done. Having a solid, 80-160 capacity venue dedicated to cultivating local, provincial, and international artists is what we need."

Survey Respondent

There is an important opportunity for collaboration between the music and the tourism sector in the Central Okanagan. Kelowna has over the years developed its identity through its promotion of high-quality food and wine. Adding music to the mix seems only natural in elevating local sectors and highlighting everything the Central Okanagan has to offer. With that, stakeholders noted that tourism has a different measure of success than music such as the number of hotel rooms booked or the number of visitors at **local wineries**, whereas the music industry might demonstrate tangible value by number of tickets sold or attendance at events. However, both industries face specific challenges in measuring and demonstrating the true value gained from those activities.

The value of music, despite being hard to quantify, is just as essential to the experience of locals and visitors alike. This value would need to be reflected through the **fair compensation of local artists who collaborate with local partners**. Examples of such successful collaborations regionally, like the City of Victoria's August Symphony Splash, were noted by stakeholders, as well as Summerland's cross-promotion of annual music events with the City around certain seasonal holidays. Strengthened partnerships, both between sectors and between organizations, are of key importance to those within the music ecosystem in the Central Okanagan.

4.7 Community

"I think it's hard to get involved when you don't really see access points. More opportunities are needed to create a community in the Central Okanagan."

Survey Respondent

The importance of **community is a cornerstone to the Central Okanagan**. It is kept strong by well-connected groups of creatives and longstanding, established organizations made up of artists both within and outside of the music industry. As one stakeholder noted, there is **"passion in the music community"** - people who love what they are doing and are eager to participate, knowledgeable, capable. From recording studios, types of musicians, educational opportunities, lots of people working in various facets of the sector." Despite a tight-knit community, there is still a gap in meeting **the desire for networking and getting to know more people**, particularly in other creative disciplines that intersect with music as part of their performance

presentations.

The community at large generally supports music and the cultural sector, recognizing its value to their lives and the quality of life in the region. Businesses and industry also share reciprocal support with the music industry, wishing for it to succeed as much as their own industries or sectors. **The COVID-19 pandemic has further highlighted the importance of community**, particularly as it relates to supporting local businesses, organizations, and artists in times of uncertainty. The ‘support local’ movement across many communities will continue to be valuable in enabling economic recovery. There is now a strong desire for shared experiences, which has potential to translate into strong engagement as the region works towards economic recovery. Building on this, alongside goals stipulated within the Kelowna’s 2020-2025 Cultural Plan (e.g., Goal 10: Convene and Connect) will help to facilitate continued dialogue and explore opportunities for broader involvement of all in the music industry.

“Regular meeting of scene members and professionals in the industry that isn’t just everyone and their dog trying to land gigs. I would love to sit down with other music industry people and talk about constructive ideas that aren’t going to be overshadowed by dozens of people trying to get work.”

Survey Respondent

4.8 Funding

“Better municipal government support with funding and better government and private support for new venues”

Survey Respondent

Noted throughout the engagement was a lack of access to funding, lack of awareness about existing funding, and limited knowledge of where to find such resources. A goal within Kelowna’s 2020-2025 Cultural Plan – is to *develop funding that strengthens and fosters a more inclusive community* (Goal 1). **More accessible, streamlined, and flexible funding** designed to facilitate business partnerships between musicians and for-profit businesses was noted as a key means to further strengthen such cross-sectoral ties. There were also requests for **support in grant writing**, and access to organizations that have capacity to assist. In this same vein, **musicians, venues, and promoters could benefit from closer ties with the business community** who could provide support and guidance on how to reach new

audiences and develop branding. Not-for-profit stakeholders noted challenges monitoring funding changes or new opportunities and expressed the value in a possible ‘curator’ of music funding opportunities. Given the challenges of funding and promotions noted by local artists, closer ties between community organizations, businesses, and music organizations could result in a stronger community at large, so long as they are simultaneously supported financially.

4.9 Seasonality of the Local Music Industry

As illustrated in Figure 11, the music industry in the Central Okanagan is largely seasonal, with events primarily running from May-October but occurring less frequently during the winter months. Closely linked to the importance of community, the seasonal nature of the local sector means that musicians face a low season, and audiences lack the vibrancy they desire from November-April. **More variety in events are needed**, with a mix of indoor and outdoor venues that are accessible to all those wishing to attend. Making music year-round instead of just seasonal is seen as a key contributor to growth and sustainability of the local music industry. This could include allowing artists and audiences to engage in more intimate settings, including with youth and families in all ages-concerts and festivals.

“[I’d like to see] more year-round support for musical events. Most accessible events are just summer/park type events.”

Survey Respondent

4.10 Indigenous Artists and Equity Seeking Groups

Recent racial justice movements and calls for equity globally across various levels of society, including in the creative sector, have brought to the forefront the inequalities that continue to prevail. Music industry stakeholders in the **Central Okanagan recognize that more diversity and elevation of historically underrepresented groups is a priority moving forward.**

At the centre of this work is the specific need to support **Indigenous artists** in the Central Okanagan through building capacity and opportunities for Indigenous artists to be promoted. During focus groups, it was noted that Indigenous artists in the region face intrinsic barriers inherent to indigeneity that negatively impact their abilities to thrive, such as lateral violence and lack of access to supports.

“Inclusion will be key to encourage allyship and understanding between Indigenous and non-Indigenous artists.”

Focus Group Participant

As part of the engagement process, Indigenous musicians also shared that while the Indigenous music community is deeply connected and supportive of one another, there is still a disconnect between funding organizations and the artists. There is also little understanding by the ‘mainstream’ that Indigenous artists bring contemporary music to the table and not just traditional forms, further exacerbating stereotypes and the ‘boxing out’ of artists.

This exclusion is also felt by members of the IBPoC and LGBTQ2+ community, with some members expressing feeling unsafe at live music events. This means that there is work to do to ensure the **safety and well-being of the IBPoC or LGBTQ2+ communities**. This work presents an opportunity ensure individuals are elevated not only within the local music industry through financial support and dedicated grants, but that they are included in all aspects of society where they still feel unsafe and excluded.

Overcoming some of these challenges also provides key opportunities to leverage the strengths of groups that have been underrepresented and excluded. Indigenous musicians noted that working together is the only way to survive and thrive, particularly with organizations such as the BC Music Festivals Collective. It was noted that stepping beyond barriers to elevate musicians with different abilities, backgrounds, and genres needs to be done through more collective promotion efforts and increased platform development, online and in-person. It was widely agreed that **inclusion will be key to encouraging allyship and understanding between artist groups**, as well as with other sectors (e.g., more partnerships and collaboration).

5. Conclusion and Next Steps

The report above provides an important overview of the Central Okanagan music industry. It also establishes an important benchmark for future growth in the industry, to be used for evidence-based decision making and strategic planning for the region's music industry.

“It has to start now, now is the time for planning. That is to put programs, education, and venues in place. The music industry will rebound in a big way and we need to be prepared for it. ”

Survey Respondent

The key findings and concepts described in the report above will be used as a departure point for strategic planning in 2021. More specifically, the report completion marks the 'halfway point' of the [COMS development process](#) with three phases remaining:

- **Production** (Spring 2021) will include a collaborative **music summit** and the development of a **draft strategy**.
- **Movement** (Summer 2021) will focus on the confirmation and **validation** of the strategy in preparation for finalization and launching the plan.
- **Execution and Adjudication** (Fall 2021) will centre on **implementation** planning and establishing monitoring and **evaluation metrics** to assess success of the plan.

Upon completion of the strategy, it will have included extensive public engagement, music industry mapping through stakeholder identification, the development of a strong industry network through the Music Summit, and the creation of a strategy for Central Okanagan that will guide the future of music in the region and beyond.

Appendix A. Stakeholder Engagement Summary

In addition to the online survey described in Section 3 above, engagement also included virtual engagement directly with key stakeholders in the community through Key Informant Interviews (KIIs) and small Focus Group Discussions (FGDs).

A.1 Key Informant Interviews

The list below provides names of the more than 40 stakeholders engaged in 1:1 interviews.

Name	Organization/Role in Central Okanagan Music Industry
Adam Semeniuk	Redbird Brewing
Anna Jacyzyen	Musician (Jazz)
Antony Knight	Music student/composer/opera performer
Ben Klick	Musician (Country)
Bernie Wilson	Fernando's
Cam Wier	Musician (Metal)
Caroline Ivey	Kelowna Community Theatre, Manager
Chris Babcock	City of Kelowna, Event Development Supervisor
Christine McWillis	City of Kelowna, Cultural Services Manager
Christine Moore	Okanagan Symphony Orchestra (OSO)
Colleen Fitzpatrick	Rotary Center for the Arts, Executive Director
Conroy Ross	Musician (Rock) and Music Educator
Craig Thomson	Musician (Jazz) and Music Educator
Dan Tait	Promoter/Venue/Musician
Dustyn Baulkham	LGBTQ2+S/Pride Society and Rebellious Unicorns/unicorns.live
Graham Vink	Dance/Theatre
Jacob Pasterfield	Musician
Jen Goulet	Footwerks
Jenny Money	Okanagan Indigenous Music & Arts Society
Joe Berarducci	Music Educator
Kenny Wayne	Musician (Blues)
Lee Simon	Revelry Venue
Leila Neverland	Musician
Lisanne Ballantyne	Tourism Kelowna, Executive Director
Melissa McClusky	Tourism Kelowna, Marketing
Micheal Elliot	Musician (Alt), Video Producer and Farmers Market
Mike Guzzi	Educator and Studio 9, CEO
Mitch Carefoot	Thick as Thieves Entertainment (Promoter)
Neville Bowman	Musician (Jazz)
Noel Wentworth	Wentworth Music (Retail and Education)
Olivia Walsh	Okanagan Symphony Orchestra (OSO)
Paco Merinero	Marmalade Cat Cafe
Peter Angel	Stingray Radio, Okanagan, Station Manager
Quinn McGraw	Musician (Metal)
Renata Mills	Festivals Kelowna

Name	Organization/Role in Central Okanagan Music Industry
Richard Smith	District of Peachland
Rick Halisheff	Musician (Blues)
Robin Jarman	Music Educator
Rosemary Thomson	Opera Kelowna and Okanagan Symphony Orchestra (OSO)
Ryan Donn	District of Lake Country/Creekside Theater
Sam & Jake Cook	Musician
Sandra Babbel	Opera Singer and Educator
Savannah Bradshaw	Stingray Radio, Okanagan, Promotion Director
Sheila French	Kelowna Senior Secondary Music Director
Stephen Buck	Musician (Jazz) and Music Educator

A.2 Focus Group Discussions

In addition, **9 thematic focus groups** were hosted, listed below:

- Advisory Group Members
- Community Groups (including arts councils)
- DIY/Home Concerts
- Dance/Theatre
- Indigenous Musicians and music professionals
- Local Musicians
- Nonprofits Presenters and Producers
- Theatre
- Venue owners/promoters

Appendix B. Examples of COVID-19 Music Recovery Support

Other jurisdictions are taking many different approaches to support live music – from dedicated music industry funding, to human resource support, and tourism investment. Examples from around the world are outlined below:

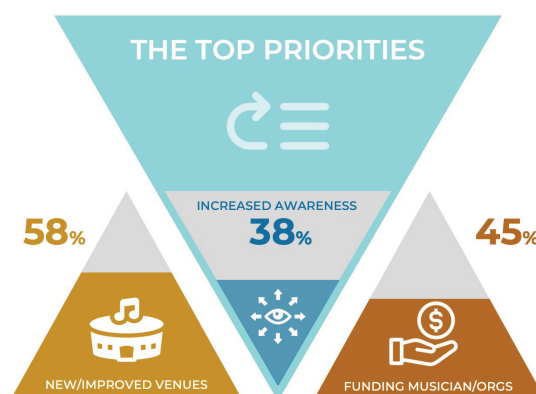
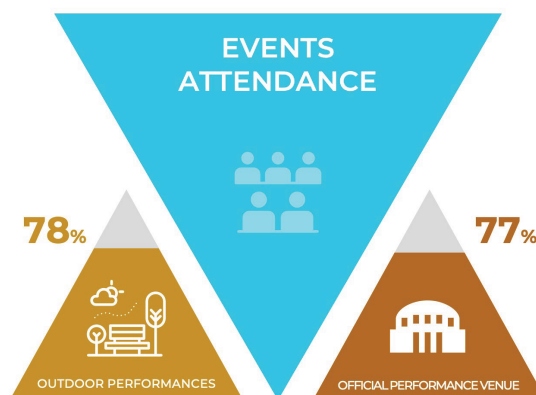
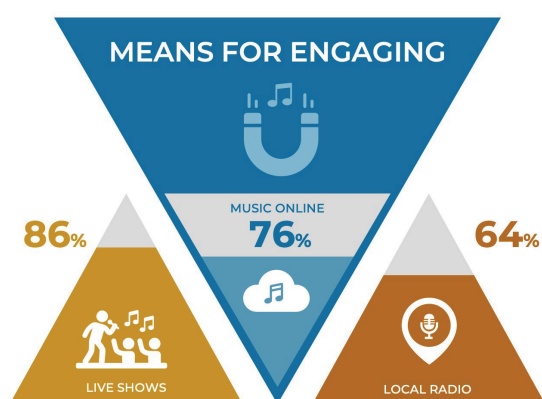
Jurisdiction	Actions	How this supports Music Industry	Type of support
Toronto, ON	Research on the impact on live music venues and recommendations for helping them survive.	Providing evidence for support from all levels of government and coordinated approach to recovery.	TBD
Seattle, WA	Dedicated funding for venues - \$2 million is designated to assist science and arts-education organizations, as well as live music venues.	The music venues portion will be administered by the county Office of Performance, Strategy and Budget. The funding for music venues requires that venues bring back staff.	Funding – venue specific
Liverpool, UK	Re-allocating money from a strategic investment fund to form a Music Industry Support Fund	Grants to music-related businesses (The first £5,000 of all agreed awards will be treated as a grant. Any investment over £5,000 will be subject to a 0% interest repayment based on a number of commercial factors over the coming 24 months.)	Funding – music related businesses
London, UK	Dedicated £2.3 million emergency culture funding	Music Venue Trust receives a £450,000 donation towards its #saveourvenues campaign in aid of at-risk grassroots venues	Funding – venue specific
Huntsville, AL	Established the “Creative Professionals Emergency Response Program”	Hosting emergency, one-week virtual programs for artists, musicians, and creatives affected by the COVID-19 outbreak. Daily webinars and one-on-one consultation offered to help artists, musicians, and creatives identify understand and help secure resources and funding	Human resources

In addition to the urban examples above, national level support for the music industry is also increasingly popular. For example, Australia has committed \$345 million to restart live music while France and Italy have both committed more €200m each to support recovery of the industry.

CENTRAL OKANAGAN MUSIC STRATEGY

INDUSTRY PROFILE AND PUBLIC ENGAGEMENT SUMMARY

The Central Okanagan Music Strategy (COMS) is led by a group of community members, with the generous support of Creative Okanagan, the City of Kelowna, FACTOR, and Creative BC, whose goal is to advance the sustainability of the music industry in the Central Okanagan. Initiated in the Fall of 2019, the COMS is scheduled for completion in December of 2021. This document highlights key findings from research and engagement conducted by Nordicity between June through October 2020.





CENTRAL OKANAGAN MUSIC STRATEGY

CITY OF KELOWNA PRESENTATION

2021

BACKGROUND

- Response to the 2020-2025 Cultural Plan
- Preliminary work began late 2019
- Led by Creative Okanagan
- Group of like-minded community members dedicated to advance the music industry
 - Leadership Ensemble
 - Advisory Group
 - Community volunteers





LINK TO 2020-2025 CULTURAL PLAN

Strategy 6.1 to expand live music venues and local live music opportunities

Strategy 10.4 to facilitate networking between cultural stakeholders across the Okanagan region

2020-2025

Cultural Plan

Kelowna, British Columbia



PURPOSE

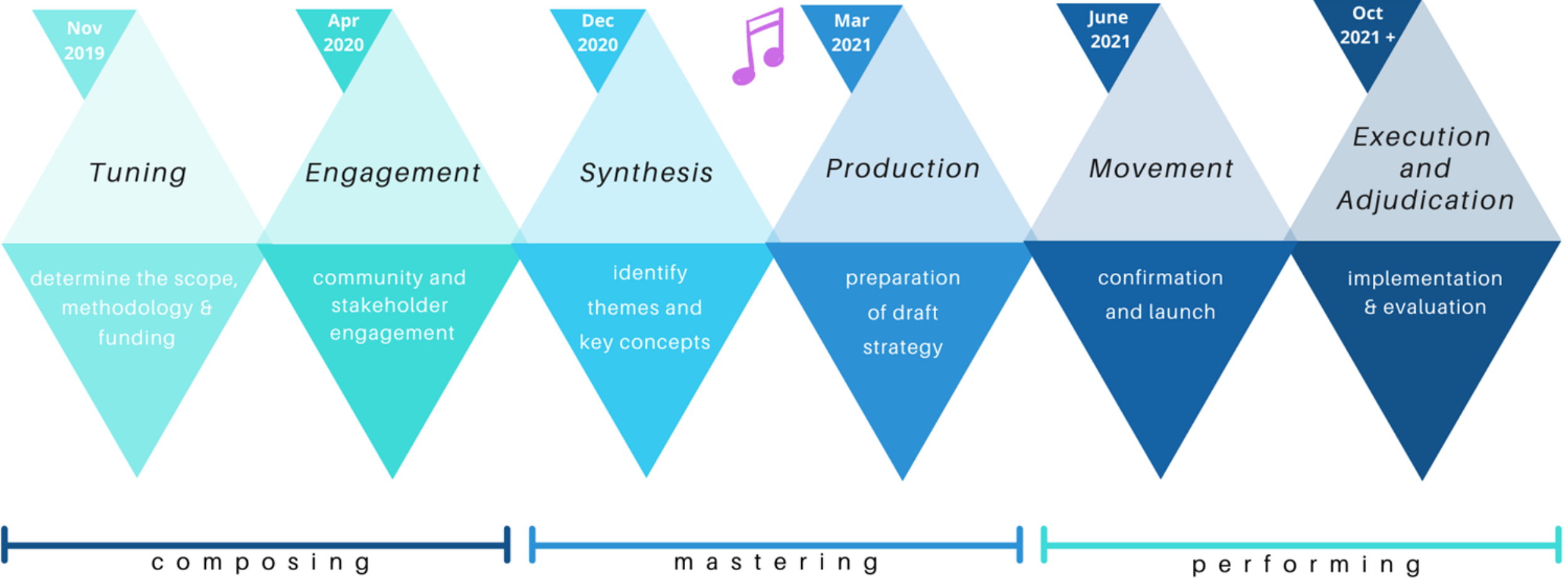


TO ADVANCE THE SUSTAINABILITY OF THE MUSIC INDUSTRY IN THE CENTRAL OKANAGAN BY:

- Connecting people with similar interests, towards collective action;
- Developing community support toward music;
- Increasing support to live music;
- Creating an understanding of the current music landscape; and
- Setting priorities for the future development of music in the Central Okanagan.

Central Okanagan Music Strategy

Development Process



FUNDING

THANK YOU TO OUR PROJECT SUPPORTERS!

FACTOR

THE FOUNDATION ASSISTING CANADIAN TALENT ON RECORDINGS
WITH SUPPORT FROM CANADA'S PRIVATE RADIO BROADCASTERS

creativeBC



BRITISH
COLUMBIA



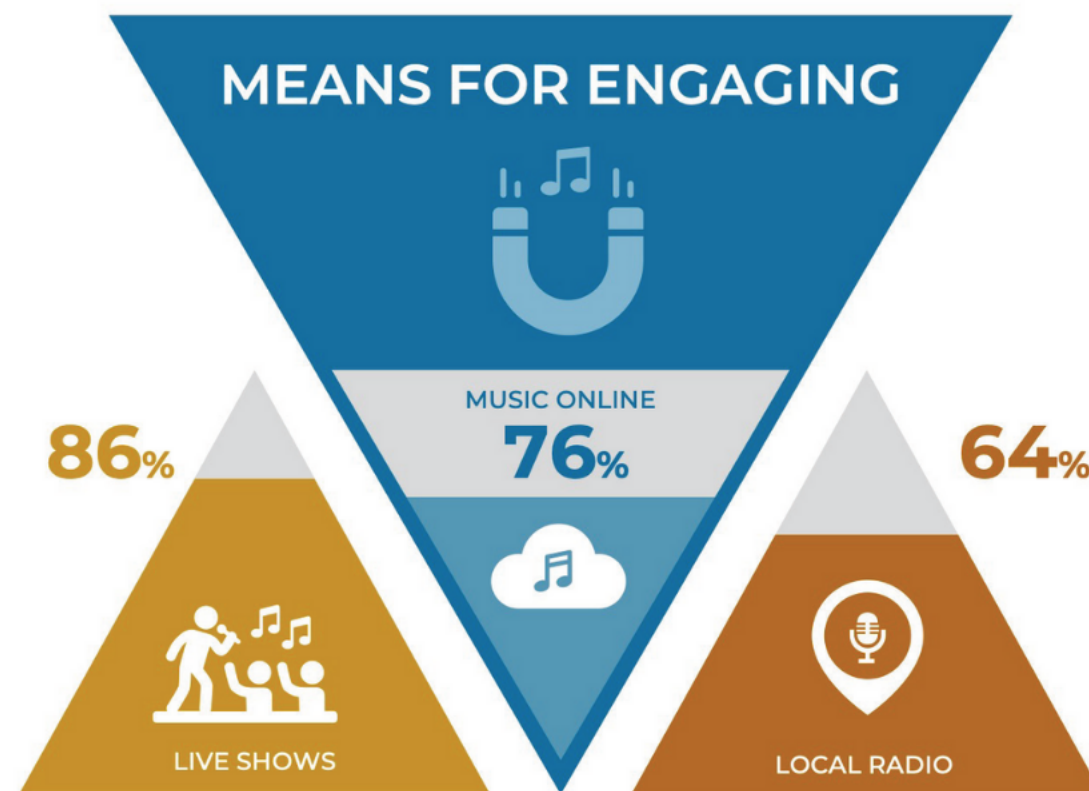
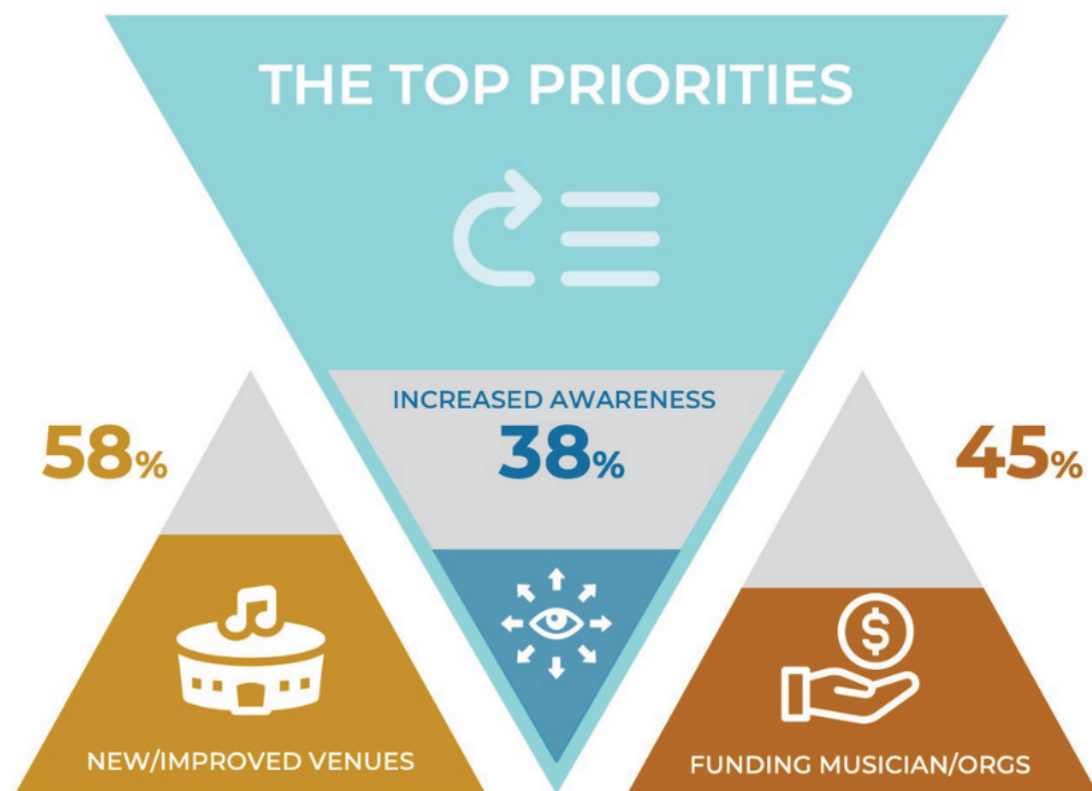
INDUSTRY PROFILE AND PUBLIC ENGAGEMENT SUMMARY



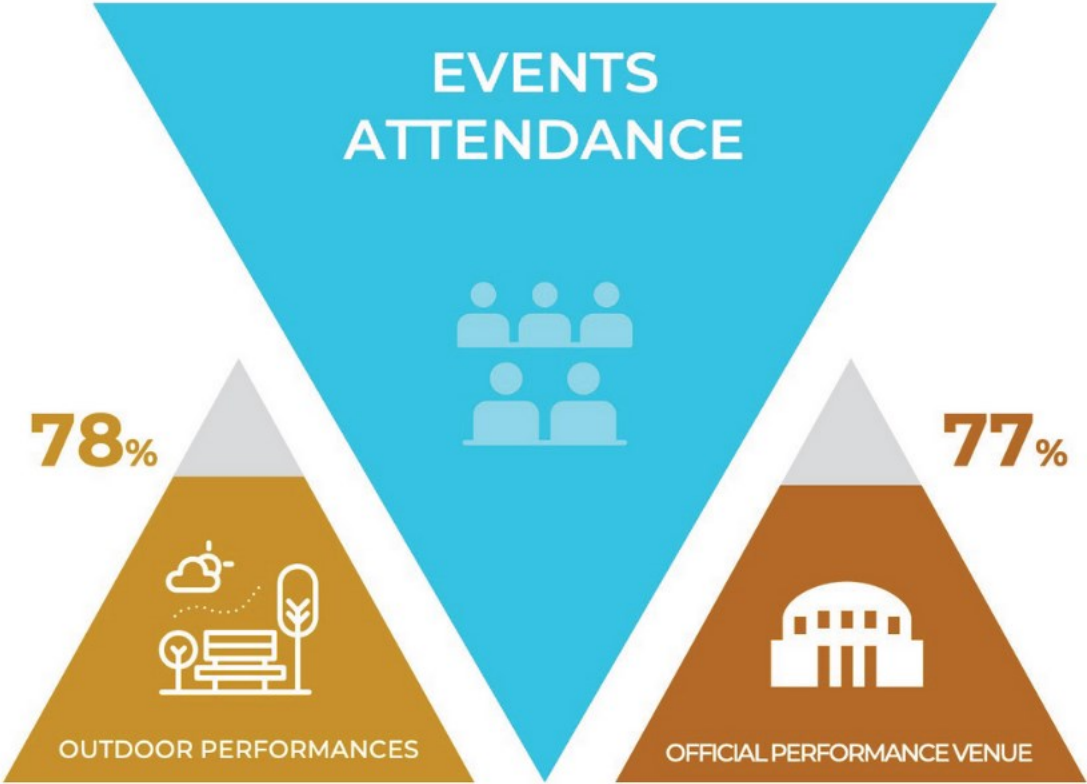
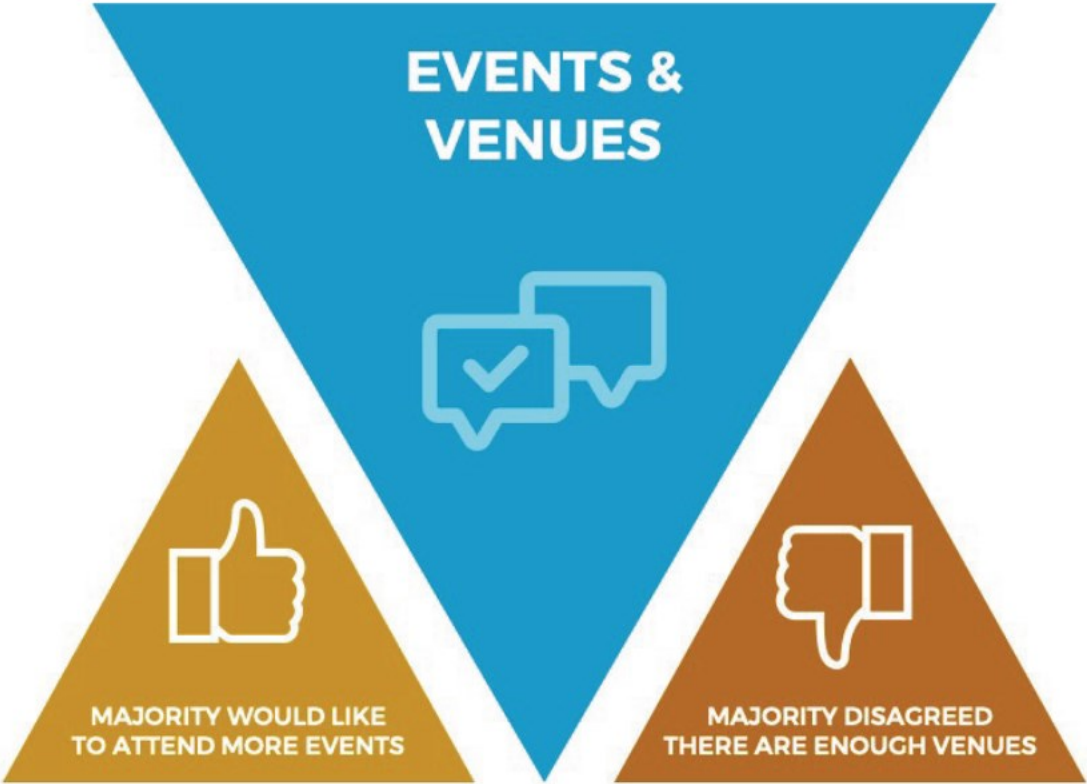
THE PROCESS

- Developed from public engagement conducted over the summer and fall of 2020
- Online survey
- Focus groups
- Personal interviews

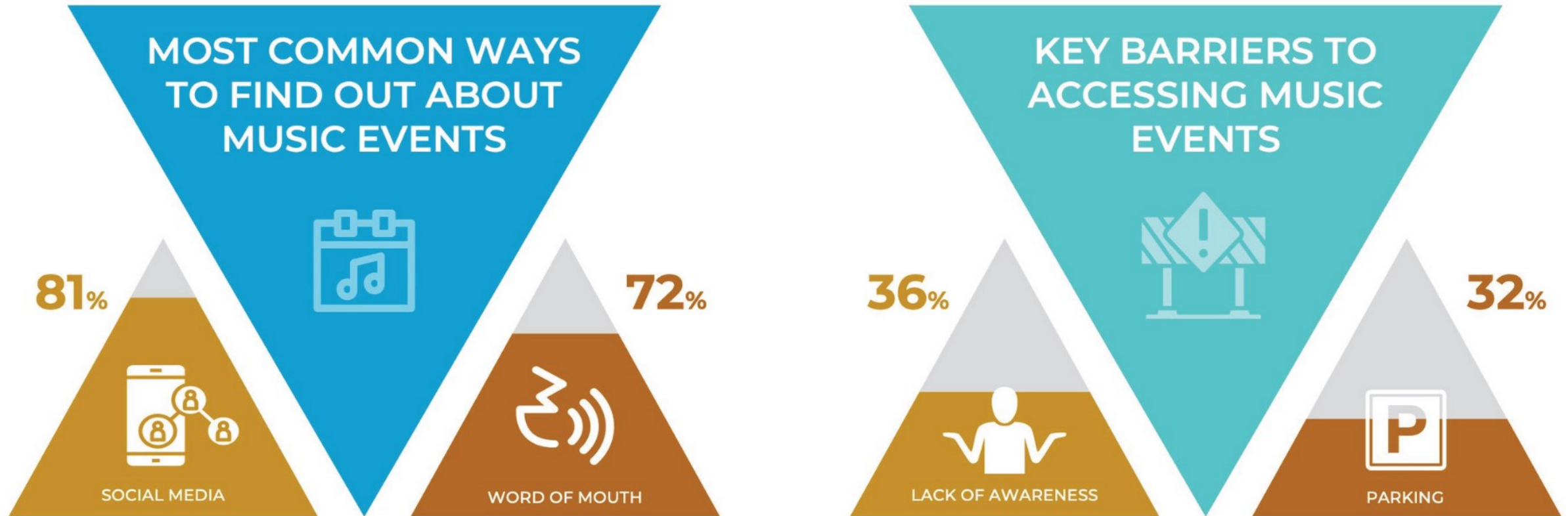
INDUSTRY PROFILE AND PUBLIC ENGAGEMENT SUMMARY



INDUSTRY PROFILE AND PUBLIC ENGAGEMENT SUMMARY



INDUSTRY PROFILE AND PUBLIC ENGAGEMENT SUMMARY



PRELIMINARY DIRECTIONS



Space for Music



**Audience
Development &
Retention**



**Diverse Artistic
& Industry
Growth**



**Partnership &
Collaboration**

Space for Music

Need spaces that are: purpose-built, affordable, accessible for a wide range of activities.



This could include:

- **Support existing venues** (e.g. funding, marketing support)
- Use **existing indoor and outdoor spaces** for multiple purposes (e.g. small shows, jam sessions or collaborative spaces)
- Engage with investors and government to develop **new spaces** (e.g. 300-500 person standing venue)
- **Attract touring artists** to help drive demand and support for live music venues.

Diverse Artistic & Industry Growth

Sustainable industry growth requires a vibrant ecosystem of musicians & industry professionals.



This could include:

- Ensuring industry development is **accessible, equitable and diverse**.
- Building industry capacity to **thrive in a shifting music industry** (e.g. digital transformation).
- Building artists capacity to increase their **discoverability** and **business skills**.
- **Encouraging youth engagement** through a variety of music education opportunities.

Audience Development & Retention

Ensure audiences are aware of and value music and feel safe enjoying it .



This could include:

- Improving **community awareness** of music offerings
- Ensuring events are **safe and accessible**.
- Working with a wide range of media to **support a diverse range of local musicians** and venues.
- Enabling collaboration to develop **diverse and interesting ways to engage with music** to attract diverse new (and returning) audiences.
- Developing **music education** programming for growing the industry.
- Sharing the value/importance of music and opportunities to engage with it from a **young age**.

Partnerships and Collaboration

Talented and passionate stakeholders with a growing appetite to collaborate.



This could include:

- A '**music industry task force**' to bring together artists, businesses, and public sector stakeholders.
- **Formalized music related partnerships** (e.g. Wineries, music scoring in a growing tech sector).
- **Partnerships & alignment outside the Central Okanagan** (e.g. 'twinning' with another community or aligning with provincial or national music initiatives).



Central Okanagan Music Summit

PURPOSE:

- Share information and consult community
- Validate and explore themes & strategies
- Motivate and inspire the community
- Provide networking opportunities
- Build awareness

WHEN

- April/May
- Virtual events
- Invitations will be sent



NEXT STEPS

CENTRAL OKANAGAN MUSIC SUMMIT

STRATEGY DEVELOPMENT

PUBLIC ENGAGEMENT

STRATEGY LAUNCH & IMPLEMENTATION



THANK
YOU

Report to Council



Date: March 1, 2021
To: Council
From: City Manager
Subject: Rescindment of Readings for Outdated Non-Development Bylaws
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the Report from the Office of the City Clerk dated March 1, 2021 with respect to rescinding bylaw readings;

AND THAT the Non-Development bylaws as outlined in Schedule "A" attached to the Report from the Office of the City Clerk dated March 1, 2021 be considered by Council for rescindment;

AND FURTHER THAT all bylaws with readings listed in Schedule "A" be forwarded for rescindment consideration and the files be closed.

Purpose:

To rescind readings given to outdated Non-Development Bylaws and direct Staff to close the files.

Background:

In October 2020, the Office of the City Clerk conducted a review of all Non-Development Bylaws that were sitting at third reading. Four bylaws received their first three readings between September 15, 2008 and August 22, 2011 but were not adopted. These files are outdated and are no longer required due to the lapse of time from reading consideration and present date.

Conclusion:

Staff recommend Council rescind all readings given to the Development Bylaws listed in Schedule "A" and the files be closed.

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: Suzanne Woods, Legislative Technician

Approved for inclusion:



L. Bentley, Deputy City Clerk

Attachments:

Schedule "A" – Proposed Non-Development Bylaw Reading Rescindments

Schedule A – Rescind Bylaw Readings

No.	Bylaw	Legal Description	Recommendation	Reason
1.	BL10064	Safe Premises Bylaw	Rescind 1 st , 2 nd and 3 rd readings and close file.	Bylaw is outdated.
2.	BL10071	Amendment No. 12 to Traffic Bylaw No. 8120	Rescind 1 st , 2 nd and 3 rd readings and close file.	Bylaw amendment is outdated.
3.	BL10200	Housing Agreement Authorization Bylaw – 245 Briarwood Road	Rescind 1 st , 2 nd and 3 rd readings and close file.	Applicant never went forward with project.
4.	BL10573	Amendment No. 9 to City of Kelowna Noise and Disturbances Control Bylaw No. 6647-90	Rescind 1 st , 2 nd and 3 rd readings and close file.	BL6647-90 was repealed amendment not required.

CITY OF KELOWNA

BYLAW NO. 10064

Safe Premises Bylaw

A Bylaw to regulate, prohibit or impose requirements respecting health and safety on property.

WHEREAS the Council of the City of Kelowna wishes to enact a bylaw to regulate, prohibit and impose requirements respecting health and safety matters on property;

AND WHEREAS the alteration of plumbing, heating, air conditioning, electrical wiring and equipment, gas piping and fittings, appliances and accessories and the growth of mould and use of toxic chemicals, results in risks to the health and safety of occupiers and neighbours of property;

AND WHEREAS properties used for the cultivation of marijuana plants and the production of amphetamines are particularly susceptible to the above risks to health and safety;

AND WHEREAS inspection and bylaw enforcement with respect to properties used for the cultivation of marijuana plants and the production of amphetamines present unique risks and costs to the City and its staff;

NOW THEREFORE, the Council of the City of Kelowna enacts as follows:

Part 1 Citation

1.1 This Bylaw may be cited as “Safe Premises Bylaw No. 10064”.

Part 2 Severability

2.1 If a court finds a portion of this Bylaw invalid, that portion will be severed and the remainder of the Bylaw will remain in effect.

Part 3 Definitions

3.1 In this Bylaw,

“**amphetamines**” include dextroamphetamines and methamphetamines;

“**building**” as defined in City of Kelowna Zoning Bylaw No. 8000, as amended and in the case of a building with multiple legal parcels, means any portion of a building held as a separate legal parcel, but may also include additional legal parcels in the same building that may reasonably be expected to be affected by a **hazardous condition** in another part of the building;

“Building Bylaw” means the City of Kelowna Building Bylaw, 1993, No. 7245;

“Building Code” means the British Columbia Building Code, 2006;

“Building Inspector” means the chief building official for the **City**, and every building inspector, gas inspector and plumbing inspector appointed by the **City** to inspect **buildings** or structures, including plumbing or gas components;

“City” means the Corporation of the City of Kelowna;

“dangerous goods” means those products or substances regulated by the *Transportation of Dangerous Goods Act* and its Regulations;

“Fire Chief” means the person who is appointed to be head of the **City’s** fire and rescue services and every person designated by Council by name of office or otherwise to act in the place of the Fire Chief;

“grow operation” means the cultivation of marijuana plants or production of **amphetamines** on a parcel;

“hazardous condition” means a contravention of any regulation in Part 4 of this Bylaw;

“hazardous conditions requirement list” means a list of **hazardous conditions** present on a parcel, and any work required to address or remove those **hazardous conditions**, prepared or compiled by the **Building Inspector** following an inspection or **special safety inspection**, and which may be in the form of Schedule “B”;

“hazardous substance” means a substance listed in Schedule “E”;

“inspector” means:

- (a) the **Fire Chief**, and every person appointed by Council or the **Fire Chief**, as applicable, to be an officer or employee of the **City’s** fire and rescue service,
- (b) the **Building Inspector**,
- (c) a peace officer,
- (d) the Director of Works and Utilities,
- (e) a bylaw enforcement officer,
- (f) the deputy of a person, officer or employee referred in paragraphs (a) to (e),

- (g) other persons designated by Council by name of office or otherwise to act in the place of the persons, officers or employees referred to in paragraphs (a) to (f);

“**mould**” includes any mould or fungi, including any genus listed in Schedule “F”;

“**Mould Remediation Guidelines**” means s. 9.0 of the Canadian Construction Association’s Standard Construction Document CCA 82-2004: *Mould Guidelines for the Canadian Construction Industry*;

“**owner**” includes, in addition to the definition in the *Community Charter*, the lessee, licensee, tenant, caretaker, user or occupier of a **building** or a part of a **building**, or the agent of the owner;

“**qualified environmental professional**” means a person qualified with a degree in a field related to health, biology, or environmental science, and registered as a professional in that field, and experienced and qualified in removing contaminants from **buildings**,

“**registered owner**” means a person who is registered in the Land Title Office as the title holder of a parcel;

“**residential premises**” means a **building** on a parcel that is used or may be used as a residence, including any **buildings** that may be accessory to a residential use, including a garage or garden shed;

“**special safety inspection**” means an inspection coordinated by the **Building Inspector** for the purpose of determining the presence of any **hazardous conditions**, and may be conducted or coordinated with the RCMP and other authorities;

“**unauthorized alteration**” means any change made to the structural, mechanical, or natural gas system of a **building** that requires a permit, but for which no permit has been issued pursuant to the **Building Bylaw**, and which results in an increased risk to health or safety on a parcel;

“**utility**” means a lawful provider of an electrical, water or natural gas service from a distribution system to consumers.

- 3.2 All references to an enactment in this Bylaw refer to that enactment as it is in force from time to time.

Part 4 Hazardous Conditions

- 4.1 No **owner** may occupy or permit the occupancy of a **building** where a meter installed for the purpose of ascertaining consumption of electricity, water or natural gas from an electrical, water or natural gas distribution system has been disconnected or bypassed, except where such disconnection has been specifically permitted or required by the **City**, a **utility**, or a government authority.

- 4.2 No **owner** may occupy or permit the occupancy of a **building** where exhaust vents for hot water tanks or furnaces exhaust into or within a **building**.
- 4.3 No **owner** may occupy or permit the occupancy of a **residential premises** or a mixed use commercial **building** where a **hazardous substance** is present inside a **building** in an amount that exceeds the limits set out for that **hazardous substance** in Schedule “E” of this Bylaw.
- 4.4 No **owner** may occupy or permit the occupancy of a **building** where:
- (a) an exit or access to an exit required under the **Building Code** is blocked or obstructed;
 - (b) fire stopping provided or required under the **Building Code** has been removed; or
 - (c) the number of electrical circuits or connections to an electrical service exceeds the amount permitted under the *Electrical Code* or another enactment.
- 4.5 No **owner** may occupy or permit the occupancy of a **residential premises** or a mixed use commercial **building** where there is a visible accumulation of **mould** on the interior of any window, wall, or other structural component of the **building**, or where air samples indicate a concentration of airborne **mould** levels in excess of 150 colony forming units per cubic metre of air (CFU/cubic metre).
- 4.6 No **owner** may occupy or permit the occupancy of a **building** where there is an **unauthorized alteration**.

Part 5 Health & Safety Requirements

- 5.1 If an **unauthorized alteration** exists on a **building** with a **grow operation**, no **owner** may use or occupy or permit the occupancy of the **building** until:
- (a) the **owner** has paid the Special Inspection Fee in Schedule “A”;
 - (b) a **special safety inspection** of the **building** coordinated by the **Building Inspector** has been carried out;
 - (c) the **Building Inspector** has issued a **hazardous conditions requirement list**;
 - (d) the **owner** has obtained all **building** permits, approvals or authorizations required to carry out any work identified in the **hazardous conditions requirement list**;
 - (e) the **owner** has carried out or caused to be carried out all the work stated in the **hazardous conditions requirement list**;

- (f) the **Building Inspector** has inspected the **building** and determined that the work required in the **hazardous conditions requirement list** has been completed in accordance with all requirements of this Bylaw, the **Building Bylaw**, the **Building Code**, the *Fire Code* and all other applicable enactments and that no **hazardous condition** remains in the **building**; and
 - (g) the **Building Inspector** has removed any notices under Part 6 and issued a new occupancy permit for the **building** pursuant to the **Building Bylaw**.
- 5.2 Where a **Building Inspector** has reasonable grounds to believe that a **hazardous condition** exists on a parcel which affects the structural integrity of a building on the parcel, the **Building Inspector** may include in the **hazardous conditions requirement list** a requirement that the **owner** must obtain a report from a qualified professional engineer certifying that the **building** is safe for occupancy and complies with the **Building Code**;
- 5.4 Where a **Building Inspector** has reasonable grounds to believe that a **hazardous condition** involving a **hazardous substance or mould** is found in a **building**, the **Building Inspector** may include in the **hazardous conditions requirement list** any or all of the following requirements:
 - (a) the **owner** must remove and dispose of all carpets and curtains in a **building**;
 - (b) if a **building** is heated by forced air heating, the **owner** must have the furnace, all air ducts, main distribution ducts, venting, and filtering cleaned by a **qualified environmental professional** or by a duct cleaning company;
 - (c) the **owner** must have all walls, floors and ceilings in the **building** replaced or cleaned and disinfected by a **qualified environmental professional**;
 - (d) the **owner** must have the **mould** removed in compliance with this Bylaw, and in accordance with the *Mould Remediation Guidelines*;
 - (e) the **owner** must provide a certificate report in the form prescribed in Schedule “C”, from a **qualified environmental professional** certifying that the **building** has been remediated in accordance with the *Mould Remediation Guidelines*, and that the levels of **moulds** and **hazardous substances** are at safe levels for occupancy and meet the requirements of this Bylaw.

Part 6 Powers of Building Inspector, Fire Chief and Inspectors

- 6.1 Subject to s. 16 of the *Community Charter*, an **inspector** may enter on real property to:

- (a) inspect and determine whether there is compliance with regulations under this Bylaw;
- (b) carry out a **special safety inspection**; or
- (c) take action authorized under Part 8 of this Bylaw.

6.2 If the **Building Inspector** or **Fire Chief** has reasonable grounds to believe that all or part of a **building** contains an **unauthorized alteration**, the **Building Inspector** may post a notice in the form of Schedule “D” in a conspicuous place at the entrances of the parcel or a **building** on the parcel and deliver to the **owner** of the parcel a notice that the **building** is unsafe and that no person may enter or occupy the **building**.

6.3 A person must not:

- (a) interfere with or obstruct the **Building Inspector** or the **Fire Chief** from posting a notice under this Part;
- (b) remove, alter, cover or mutilate a notice posted under this Part; or
- (c) occupy a **building** or premises until the **Building Inspector** has removed the notice posted under this Part, except with the prior written , engineer, or architect provides certification or other documentation to the permission of the **Building Inspector**.

6.4 Neither the removal of a notice posted under this Bylaw, nor the issuance of a **building** permit under this Bylaw, nor the acceptance or review of plans, drawings or specifications or supporting documents, or any inspections made by or on behalf of the **City**, will in any way relieve the **owner** from full and sole responsibility to perform work required or contemplated under this Bylaw or the **Building Code** and all other applicable enactments, nor do they constitute in any way a representation, warranty, assurance or statement that the **Building Code**, this Bylaw, or any other applicable codes, standards or enactments have been complied with.

6.5 It is the full and sole responsibility of the **owner** to carry out any work required pursuant to this Bylaw in compliance with this Bylaw and all other applicable codes, standards and enactments, including the **Building Code**.

6.6 When a **qualified environmental professional** ~~City~~ under this Bylaw that the work required by or contemplated by this Bylaw substantially conforms to the requirements of this Bylaw, the health and safety requirements of the **Building Code**, BC Electrical Code, or any other health and safety requirements established by applicable enactments, the **City** may rely solely on the documentation as evidence of conformity with these requirements and not on its receipt of plans, monitoring of the work, acknowledgement of completion, or removal of a notice.

Part 7 Duty of Registered Owner

- 7.1 Every **registered owner** of a parcel that contains a **residential premises** that is subject to a tenancy agreement and who is aware of or has attended the **residential premises** at a time when there is a contravention of this Bylaw must:
- (a) within 24 hours of the discovery of the contravention, deliver written notice to the **Building Inspector** of the particulars of the contravention; and
 - (b) take such action as may be necessary to bring the premises into compliance with this Bylaw.
- 7.2 Where an **owner** inspects and reports a contravention under section 7.1 of this Bylaw that the **City** or its **inspectors** were unaware of, the Special Inspection Fee arising in respect of the contravention may be waived in respect of that **building**.

Part 8 Discontinuance of Service

- 8.1 A person must not use water from the **City's** water distribution system in a **grow operation**.
- 8.2 The **City** may discontinue providing water service to a parcel if the water is being used for or in relation to a **grow operation** on the parcel subject to the requirements that the **City** shall:
- (a) give the **owner** 7 days written notice of an opportunity to make written representations to Council with respect to the proposed discontinuance of the water service; and
 - (b) if the **owner** makes representations to Council, the Council shall consider those representations, and give the **owner** an additional 7 days written notice of the date of any discontinuance of the water service if it decides to proceed with the discontinuance of the service.
- 8.3 Despite s. 8.2, where the Building Inspector reasonably considers that there is a risk of backflow or contamination to the **City's** water distribution system from a parcel used as a **grow operation**, and there is no apparent mechanism to prevent backflow into the **City's** water distribution system from the parcel, then:
- (a) the **Building Inspector** may discontinue the provision of water to the parcel within 2 hours of posting a notice on the front door of any **building** on the parcel advising that the **City** is shutting off the water supply to the parcel until such time as a mechanism to prevent backflow is installed, inspected and approved by the **City**; and

- (b) The **Building Inspector** must reconnect a water supply to a parcel that was disconnected under this section, upon being satisfied that there is a mechanism in place to prevent the backflow of water from the parcel into the **City's** water distribution system; and
- (c) The **owner** may seek a reconsideration of the **Building Inspector's** decision at the next regular meeting of Council.

Part 9 Offence and Penalty

- 9.1 Every person who contravenes any provisions of this Bylaw commits an offence punishable upon summary conviction and is liable to a fine not less than \$5,000 and not exceeding \$10,000.
- 9.2 If an offence is a continuing offence, each day that the offence is continued constitutes a separate and distinct offence.

Part 10 Schedules

Schedule "A" - Fees

Schedule "B" - Hazardous Conditions List

Schedule "C" - Certification Form

Schedule "D" - Notice

Schedule "E" - Hazardous Substances

Schedule "F" - Classes of Mould

Part 11 Repeal

City of Kelowna Nuisance Controlled Substance Bylaw No. 9510 and all amendments thereto, are hereby repealed.

Read a first, second and third time by the Municipal Council this 2nd day of November, 2009.

Deposited with the Minister of Health this

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE “A”

Fees

1. Special Inspection Fee: \$2,500.

SCHEDULE “B”

Hazardous Conditions Requirements List

Re: _____[Property Address] (the “Property”)

Pursuant to the City of Kelowna’s “Safe Premises Bylaw No. 10064” a **special safety inspection** has been carried out on the above Property, and the Property has been posted with a Notice that it may not be occupied due to **hazardous conditions** and **unauthorized alterations** on the Property.

No person is permitted to occupy the Property until this Notice has been removed. If you wish to reoccupy the Property, you are required to perform the following works, and provide the following certifications, as indicated:

- ☐ Provide evidence from the following utility providers that the Property has been properly connected to the following utilities:
 - ☐ Gas
 - ☐ Water
 - ☐ Electricity
- ☐ Vent all furnace/hot water tank/gas appliances in accordance with the **Building Code**
- ☐ Provide/Restore all egress points as required under the **Building Code**
- ☐ Provide/Restore all fire stopping materials as required under the **Building Code**
- ☐ Bring all electrical panels and circuits up to standards in **Building Code**
- ☐ Provide a report from a qualified professional engineer certifying that the **building** is safe for occupancy and complies with the **Building Code**
- ☐ Remove and dispose of all carpets and curtains
- ☐ Have the furnace, all air ducts, main distribution ducts, venting, and filtering cleaned by a **qualified environmental professional** or by a duct cleaning company
- ☐ Have all walls, floors and ceilings in the **building** replaced or cleaned and disinfected by a **qualified environmental professional**
- ☐ Have **mould** removed in compliance with the Bylaw, and in accordance with the *Mould Remediation Guidelines*
- ☐ Provide a certificate report in the form prescribed in Schedule C of the Bylaw, from a **qualified environmental professional**, certifying that the property has been remediated in accordance with the *Mould Remediation Guidelines* and meets the standards of this Bylaw for the removal of substantially all moulds and/or hazardous substances

You are required to obtain **building** permits from the **City** prior to performing any of the above works that may require a permit under the **City's Building Bylaw**.

Until the above requirements above have been completed, and the **Building Inspector** has re-inspected the Property and removed the Notice, the Bylaw prohibits occupancy of the Property by any person.

We enclose a copy of the Bylaw for your reference. If you have any questions concerning the regulations in the Bylaw, please call the **City's** Building Inspection Department at (250) 469-8960.

SCHEDULE “C”**Certification Form**

TO:	The City of Kelowna	
FROM:	[insert name of qualified environmental professional]	
RE:	residential premises located at [insert address]	
This is to certify that in accordance with "Safe Premises Bylaw No. 10064", the professional identified in this certification:		
	(1)	Is a qualified environmental professional under the Safe Premises Bylaw, with the following degrees, qualifications, and professional affiliations: [insert degrees, qualifications, certifications and professional affiliations] _____; and
	(2)	Has completed an inspection of the residential premises on _____[Date]; and
	(3)	The residential premises have been remediated in accordance with the <i>Mould Remediation Guidelines</i> and all hazardous substances, moulds or fungi, are now within safe levels for occupancy, and are in accordance with the "Safe Premises Bylaw No. 10064".
The undersigned professional may be contacted at: [insert business telephone number].		
CERTIFIED AS OF _____[insert date]		
[Insert signature of qualified environmental professional]		

SCHEDULE “D”

Notice

TAKE NOTICE THAT these premises have been found to contain unauthorized alterations and are in a hazardous condition.

Pursuant to City of Kelowna’s “Safe Premises Bylaw No. 10064”, no person may occupy these premises until cleaning and/or repairs have been completed in accordance with that Bylaw and the Building Inspector has confirmed that a satisfactory occupancy inspection has been completed.

It is an offence to remove or deface this notice.

Any inquiries should be directed to the Building Inspector at (250) 469-8960.

Building Inspector
City of Kelowna

SCHEDULE “E”**Hazardous Substances**

Hazardous Substance	Maximum Stored in Container designed for storage of that substance	Maximum ppm in air
Acetic Acid	0.5 Litres	10 ppm
Acetone	1.0 Litres	250 ppm
Ammonia Solution (>50% ammonia)	0.0 Litres	25 ppm
Ammonia Solution (35%-50%)	0.125 Litres	25 ppm
Ammonia Solution (10%-35%)	5.0 Litres	25 ppm
Ammonia, Anhydrous	0.0 Litres	25 ppm
Carbon Monoxide	0.0 Litres	25 ppm
Chloroform	5.0 Litres	2 ppm
Ethanol	1.0 Litres	1000 ppm
Ethyl Ether	0.0 Litres	400 ppm
Hexane	1.0 Litres	20 ppm
Hydrochloric Acid	1.0 Litres	2 ppm
Iodine Azid (Dry)	0.0 Litres/Kilograms	0 ppm
Iodine Monochloride	1.0 Kilograms	0.1 ppm
Iodine Pentafluoride	0.0 Kilograms	0.1 ppm
Isopropyl Alcohol	1.0 Litres	220 ppm
Methanol	1.0 Litres	200 ppm
Methylamine, Anhydrous	0.125 Litres	5 ppm
Methylamine, Aqueous Solution	1.0 Litres	5 ppm
Methylamine Dinitramine	0.0 Litres	0 ppm
Methylamine Perchlorate (dry)	0.0 Litres/Kilograms	0 ppm
Methyl Ethyl Ketone	1.0 Litres	50 ppm
Nitroethane	5.0 Litres	100 ppm
Phosphine	0.0 Litres	0.3 ppm
Propane	1.0 Litres	1000 ppm
Thionyl Chloride	0.0 Litres	1 ppm
Toluene	1.0 Litres	20 ppm
Xylene	1.0 Litres	100 ppm

SCHEDULE “F”

Classes of Mould and Fungi

<i>Absidia</i> sp.	<i>Geotrichum</i> sp.
<i>Acremonium</i> sr. (<i>Cephalosporium</i> sp.)	<i>Gliocladium</i> sr
<i>Acrodonium salmoneum</i>	<i>Helminthosporium</i> sp.
<i>Alternaria</i> sp.	<i>Humicola</i> sp.
<i>Ascomycete</i>	<i>Hyaline Mycelia</i>
<i>Aspergillus</i> sp.	<i>Myxomycetes</i>
<i>Aspergillus candidus</i>	<i>Nigrospora</i> sr
<i>Aspergillus flavipes</i>	<i>Paecilomyces</i> sp.
<i>Aspergillus flavus</i>	<i>Papulospora</i> sr.
<i>Aspergillus fumigatus</i>	<i>Penicillium</i> sp.
<i>Aspergillus glaucus</i>	<i>Phoma</i> sr.
<i>Aspergillus niger</i>	<i>Rhizomucor</i> sr
<i>Aspergillus ochraceus</i>	<i>Rhizopus</i> sp.
<i>Aspergillus oryzae</i>	<i>Rhodotorula</i> sp.
<i>Aspergillus penicilloides</i>	<i>Saccaromyces</i> sp.
<i>Aspergillus restrictus</i>	<i>Scopulariopsis</i> sp.
<i>Aspergillus sydowi</i>	<i>Serpula lacrymans</i>
<i>Aspergillus versicolor</i>	<i>Sporobolomyces</i> sr.
<i>Aureobasidium pullulans</i>	<i>Sporothrix</i> sp.
<i>Basidiomycetes</i>	<i>Sporotrichum</i> sr.
<i>Bipolaris</i> sr.	<i>Stachybotrys</i> sr.
<i>Bipolaris australiensis</i>	<i>Stemphylium</i> sp.
<i>Bipolaris hawaiiensis</i>	<i>Synccephalastrum</i> sp.
<i>Bipolaris spicifera</i>	<i>Trichoderma</i> sp.
<i>Blastomyces</i> sp.	<i>Trichothecium</i> sp.
<i>Botrytis</i> sp.	<i>Tritirachium</i> sr.
<i>Chaetomium</i> sp.	<i>Ulocladium</i> sr
<i>Chaetomium atrobrunneum</i>	
<i>Chaetomium globosum</i>	
<i>Chaetomium strumarium</i>	
<i>Chrysosporium</i> spp.	
<i>Cladophialophora</i> spp.	
<i>Indoor Cladosporium</i> sp.	
<i>Cladosporium cladosporioides</i>	
<i>Cladosporium herbarum</i>	
<i>Cladosporium macrocarpum</i>	
<i>Cladosporium sphaerospermum</i>	
<i>Conidobolus</i> sp.	
<i>Cunninghamella</i> sp.	
<i>Curvularia</i> sp.	
<i>Emericella nidulans</i>	
<i>Emericella quadrilineata</i>	
<i>Emericella rugulosa</i>	
<i>Epidermophyton</i> sp.	
<i>Fusarium solani</i>	
<i>Fusarium</i> sp.	

CITY OF KELOWNA

BYLAW NO. 10071

Amendment No. 12 to Traffic Bylaw No. 8120

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

1. THAT City of Kelowna Traffic Bylaw No. 8120 be amended as follows:
 - (a) by deleting subsection 1.2.2 Provincial Arterial Highways of **Section 1.2 Applicability** of PART 1 – INTRODUCTION and replacing it with the following:

“1.2.2 Provincial Arterial Highways. Except as indicated in Schedule ‘M’, this Bylaw does not apply to arterial highways classified as such by order of the Lieutenant Governor in Council pursuant to the *Highway Act*.”
 - (b) by adding a new Schedule ‘M’ as attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as "Bylaw No. 10071, being Amendment No.12 to Traffic Bylaw No. 8120."
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 15th day of September, 2008.

Amended at third reading by the Municipal Council this 23rd day of August, 2010.

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE “M”

The selected sections of the Traffic Bylaw for enforcement on arterial highways have been identified as the following:

PART	SECTION	SUBSECTION(S)	COMMENTS
2 – General Regulations	2.3	ALL	Noise
	2.4	ALL	Removal of Vehicles and Chattels
	2.5	ALL	Snow and Rubbish Removal
3 – Vehicle Regulations	3.2.1	(a), (d), (g), (h)	Prohibitions – Oversized vehicles
4 – Parking Regulations	4.1	ALL	General Parking Prohibitions
	4.2	ALL	Handicapped Parking
5 – Highway Use Regulations	5.1	.1, .5, .7, .8, .14	Highway Use Prohibitions
8 – Pedestrian Regulations	8.1	ALL	Sidewalks
	8.2	ALL	Roadways
9 – Cycle Regulations	9.1	.1, .2, .3, .4, .5, .6	Highways and Sidewalks
10 – General	10.1	ALL	Penalties

CITY OF KELOWNA BYLAW NO. 10200

Housing Agreement Authorization Bylaw 0720229 BC Ltd (Troika Developments Inc.) – 245 Briarwood Road

Whereas pursuant to Section 905 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 0720229 BC Ltd for the lands known as:

Lot B, Section 26, Township 26, ODYD, Plan 20270.

located on Briarwood Road, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 25th day of May, 2009.

Amended at third reading by the Municipal Council of the City of Kelowna this

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

BL10200 – Schedule "A"

LAND TITLE ACT

FORM C

(Section 219.81)

Province of British Columbia

GENERAL INSTRUMENT – PART 1 (This area for Land Title Office use)

Page 1 of 13 pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)


signature of applicant, applicant's solicitor or agent

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)
[006-803-482]

(LEGAL DESCRIPTION)
Lot 3 Section 26 Osoyoos Division Yale District Plan
22581

3. NATURE OF INTEREST:*

DESCRIPTION	DOCUMENT REFERENCE	PERSON ENTITLED TO INTEREST
Section 219 Covenant	Entire Document	Transferee

4. TERMS: Part 2 of this Instrument consists of (select one only)

- (a) Filed Standard Charge Terms
(b) Express Charge Terms
(c) Release

☒

D.F. No.
Annexed as Part 2
There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

[0720229 B.C LTD]
[Valley First Credit Union/ Bancorp Balanced Mortgage Fund Ltd.] AS TO PRIORITY

6. TRANSFEE(S): (Including occupation(s), postal address(es) and postal code(s))*

CITY OF KELOWNA, a Municipal Corporation having its offices at
1435 Water Street, Kelowna, BC V1Y 1J4

7. ADDITIONAL OR MODIFIED TERMS:*

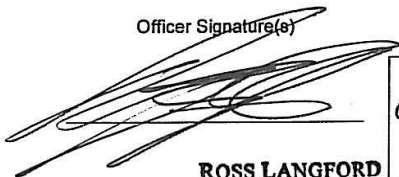
N/A

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Execution Date

Party(ies) Signature(s)



Y	M	D
09	05	19


[DEVELOPER/OWNER]

ROSS LANGFORD
Barrister & Solicitor

OFFICER CERTIFICATION:

Your signature certifies a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, C.116, to take affidavits for use in British Columbia and that you are following the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

C:\Documents And Settings\Barrister & Solicitor\Temporary Internet Files\OLK34\Affordable Housing Agreement.Doc Apr 24, 2009 9:59 AM\MSOFFICE

** If space insufficient, continue executions on additional page(s) in Form D.

**LAND TITLE ACT
FORM E**

SCHEDULE

Page 2 of 13 pages

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR
ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM OR GENERAL DOCUMENT FORM

Officer Signature(s)	Execution Date	Party(ies) Signature(s)						
	<table border="1"><tr><td>Y</td><td>M</td><td>D</td></tr><tr><td></td><td></td><td></td></tr></table>	Y	M	D				CITY OF KELOWNA by its authorized signatories:
Y	M	D						
_____		_____ Mayor						
AS TO BOTH SIGNATURES		_____ City Clerk						

Officer Signature(s)	Execution Date	Party(ies) Signature(s)						
	<table border="1"><tr><td>Y</td><td>M</td><td>D</td></tr><tr><td></td><td></td><td></td></tr></table>	Y	M	D				[INSERT BANK ETC.] AS TO PRIORITY
Y	M	D						
_____		_____						
AS TO BOTH SIGNATURES		_____						

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1979, C.116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

PART 2 - TERMS OF INSTRUMENT

SECTION 219 COVENANT AND HOUSING AGREEMENT

THIS AGREEMENT dated for reference May 19, 2009 is

BETWEEN:

[0720229 B.C. Ltd]
[#620-1620 Dickson Ave. Kelowna B.C]

AND:

CITY OF KELOWNA,
A Municipal Corporation having 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 some affordable rental housing units, in accordance with the City's definitions, on certain lands more particularly described in this Agreement;
- B. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the City in respect of the use of land or construction on land;
- C. The City may, pursuant to section 905(1) 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;
- D. The Owner and the City wish to enter into this Agreement to provide for affordable rental and/or special needs housing on the terms and conditions set out in this Agreement, and agree that this agreement is both a section 219 covenant under the *Land Title Act* and a housing agreement under s. 905 of the *Local Government Act*; and
- E. 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 covenants granted by the Owner to the City under section 219 of the *Land Title Act*, and as a housing agreement between the Owner and the City under s. 905(1) of the *Local Government Act*, as follows:

ARTICLE 1 INTERPRETATION

1.1 Definitions -

"Affordable Rental" is the affordable rental rate published periodically by the City, being a calculation of average rents for Kelowna, using data from the annual Canada Mortgage and Housing Corporation ("CMHC") Rental Market Report as set out in Schedule "B";

"Affordable Rental Unit" means a Unit that is available for rent at an Affordable Rental rate;

"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.

"Gross Annual Income" means the sum of all taxable incomes, being the amount identified as taxable income on the most recent income tax return (line 260 of the income tax T1 General Form), of all individuals 15 years and older that reside in the Household.

"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 in Item 2 of the Form C to which this Agreement is attached;

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

"Maximum Allowable Income" means, in respect of an Affordable Rental Dwelling Unit, the threshold income level calculated according to the formula set out in Schedule "B";

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 7600, 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;

"Special Needs Individual" means an individual with physical or mental disabilities or illness has special needs respecting the design and construction of the Special Needs Dwelling Unit occupied by that individual, including any individual who is confined to a wheelchair;

"Special Needs Dwelling Unit" means a dwelling designed to accommodate the needs of a Special Needs Individual, which unit may or may not also be an Affordable Rental Unit;

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

"Tenant" means a Household occupying an Affordable Rental Dwelling Unit pursuant to a Tenancy Agreement, and that has a Gross Annual Income equal to or lesser than the Maximum Allowable Income.

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 must 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) performance of this Agreement by the Owner is a condition, as contemplated by s. 904 of the *Local Government Act*, of the Owner becoming entitled to certain density bonuses respecting development of the Land, which density bonuses the Owner acknowledges are a benefit to the Owner; and
- (c) 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**

2.0 The Owner and the City hereby covenant and agree as follows:

- (a) The Land must be used only in accordance with this Agreement;
- (b) The Owner will design, construct and maintain a maximum of 67 residential units at a density of 1.366 (floor area ratio) at 245 Briarwood Road Kelowna B.C, Lot B, Plan 20270, Section 26 Township 26, Osoyoos Division Yale District
- (c) The number of Affordable Rental Dwelling Units provided by the Owner shall be 8, being 50 percent of the total number of residential units located at 215 Briarwood Road Lot 3 Section 26 Osoyoos Division Yale District Plan 22581. The units shall be allocated as four (4) two-bedroom units and four (4) one-bedroom units.
- (d) The number of Special Needs Dwelling Units constructed by the owner on the Land shall be 0, being 0% of the total number of residential units on the Land; and
- (e) The Owner acknowledges that the registration of this Affordable Housing Agreement will allow the City to grant an OCP amendment from RM3 to RM5 and a density bonus of .1 FAR on the property located at 245 Briarwood Road Kelowna B.C, Lot B, Plan 20270, Section 26 Township 26, Osoyoos Division Yale District
- (f) The property located on Lot 3 Section 26 Osoyoos Division Yale District Plan 22581 houses two separate rental buildings with addresses 215 and 195 Briarwood Road. If the developer subdivides this parcel the City agrees to release the Housing Covenant from the parent parcel and place it on the remainder lands

of which the building of 215 Briarwood road would be located.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

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

- (a) the Owner must not sell or transfer, or agree to sell or transfer, any interest in any building containing an Affordable Rental Dwelling Unit other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the identified affordable rental dwelling unit(s) are available in accordance with this agreement.

ARTICLE 4 AFFORDABLE RENTAL UNITS

4.0 Use and Occupancy For Affordable Rental Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner must rent or lease the Affordable Rental Dwelling Unit(s) on the Land only to a Tenant whose Household has a Gross Annual Income equal to or lesser than the Maximum Allowable Income, on a month-to-month basis or by a lease agreement not to exceed three years, including any rights of renewal;
- (b) the rent payable for a Affordable Rental Unit must be calculated as set out in Schedule "B" to this agreement;
- (c) the Owner agrees that since the determination of Affordable Rental includes consideration, fees or charges for use of limited common property, utilities and other utility services, no further consideration, charges, or fees may be levied or collected by or on behalf of the Owner as part of the rent for a Affordable Rental Unit under this section for use of limited common property, sanitary sewer, storm sewer, or water utilities for or in respect of the Dwelling Unit or any fees or charges for gas or electrical utilities provided to the Dwelling Unit;
- (d) the Owner must specify in every Tenancy Agreement the existence of this Agreement and the occupancy restrictions applicable to the Dwelling Unit, and attach a copy of this Agreement to every Tenancy Agreement;
- (e) the Owner will deliver a copy of the Tenancy Agreement to the City upon demand; and
- (f) the Owner will terminate any Tenancy Agreement where the Tenant users or occupies, or allows the use or occupation of the Dwelling Unit in breach of this Agreement, such termination to be in accordance with the terms of the Tenancy Agreement and the *Residential Tenancy Act* (British Columbia).

4.1 Prospective Tenants - The Owner will be solely responsible for screening prospective Tenants to determine whether or not they qualify for Affordable Rental and whether or not their households have Gross Annual Incomes equal to or lesser than the Maximum Allowable Income, in accordance with this Agreement,. For greater certainty, the Owner agrees that the City is not responsible for, and makes no representation to the Owner regarding, the suitability of any prospective Tenant.

4.2 Damages and Rent Charge - The Owner agrees with the City as follows:

- (a) **Rental Restriction** - the Gross Annual Income of all individuals who occupy the Affordable Rental Unit must not exceed the amount set out in Schedule "B" to this Agreement;
- (b) **Damages for Breach** - for each day an Affordable Rental Dwelling Unit is occupied in breach of this Agreement, the Owner must pay the City \$100.00 for each day on which the breach has occurred, as liquidated damages and not as a penalty, due and payable at the offices of the City on the last day of the calendar month in which the breach occurred, but the City agrees that this section applies only if the City has given 60 days' written notice to the Owner of occupancy of the Affordable Rental Dwelling Unit in breach of this Agreement and the Owner has not cured that breach before expiry of that 60 days;
- (c) **Statutory Declaration** - When making an application for a business license or a renewal of a business license pursuant to the City's Business License Bylaw No. 7878, or its successor, the Owner must deliver to the City a statutory declaration, substantially in the form attached as Schedule A, sworn by the Owner, or a knowledgeable director, officer or employee of any corporate Owner, under oath before a commissioner for taking affidavits in British Columbia, containing all of the information required to complete the statutory declaration. Additionally, the City may request the Owner deliver to the City such a statutory declaration no more than four times in any year. The Owner must submit such a statutory declaration a minimum of once a year; and
- (d) **Tenant Income Tax Information** - By June 1st of each year an Affordable Rental Dwelling Unit is occupied, the Owner will send the [officer position] of the City the most recent income tax return information for the Household that occupies that unit. Should a Tenant object to giving his or her Household's income tax return information to the Owner, the Tenant may send it directly to the [officer position] of the City.

ARTICLE 5 SPECIAL NEEDS UNITS

- 5.1 **Minimum Number of Special Needs Occupants** - The Owner agrees with the City that a Special Needs Unit must be occupied by a Household with at least one Special Needs Individual.
- 5.2 **Damages for Breach** - For each day a Special Needs Unit is occupied in breach of this Agreement, the Owner must pay the City \$100.00 for each day on which the breach has occurred, as liquidated damages and not as a penalty, due and payable at the offices of the City on the last day of the calendar month in which the breach occurred, but the City agrees that this section applies only if the City has given 60 days' written notice to the Owner of occupancy of the Special Needs Unit in breach of this Agreement and the Owner has not cured that breach before expiry of that 60 days.
- 5.3 **Statutory Declaration** - Within five days after receiving notice from the City, the Owner must deliver to the City a statutory declaration, substantially in the form attached as Schedule A, sworn by the Owner, or a knowledgeable director, officer or employee of any corporate Owner, under oath before a commissioner for taking Affidavits in British Columbia, containing all of the information required to complete the statutory declaration. The City may request such a statutory declaration no more than four times in any year.

ARTICLE 6 GENERAL

- 6.1 **Notice of Housing Agreement** - For clarity, the Owner acknowledges and agrees that:
 - (a) this Agreement constitutes both a covenant under s. 219 of the *Land Title Act* and a housing agreement

entered into under s. 905 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; and
- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land.

6.2 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.

6.3 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.

6.4 Notice - Any notice which may be or is required to be given under this Agreement must 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 must promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.

6.5 Covenant 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 accordance with section 219 of the *Land Title Act* 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*.

6.6 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.

6.7 – 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.

6.8 - 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.

6.9 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.

6.10 Further Acts - The Owner shall do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

6.11 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.

6.12 – 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.

6.13 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.

6.14 Amendment - This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.

6.15 Priority - The Owner agrees to do everything necessary at the Owner's expense to ensure that this Agreement, and each subsequent section 219 covenant contemplated by section 2 are registered against title to the Land with priority over all financial charges, liens and encumbrances registered or pending at the time of application for registration of these agreements.

6.16 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.

6.17 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.

As evidence of their Agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this agreement is attached and which forms part of this agreement.

GRANT OF PRIORITY

GIVEN THAT:

- A. The Owner (as defined in Item 5 of Part 1 of the *Land Title Act* Form C to which this Agreement is attached) ("Housing Agreement") is the registered owner of the land legally described in Item 2 of Part 1 of the *Land Title Act* Form C to which this Agreement is attached ("Land");
- B. The Owner granted _____ ("Prior Chargeholder") a mortgage which is registered against the title to the Land in the _____ Land Title Office ("LTO") under number _____ ("Prior Charge");
- C. By the Housing Agreement, the Owner granted to the City of Kelowna ("Subsequent Chargeholder") a S. 219 covenant, as described in the Housing Agreement, and a rent charge (collectively, "Subsequent Charge"); and
- D. The *Land Title Act* permits the Prior Chargeholder to grant priority over a charge to a subsequent chargeholder,

This Priority Agreement is evidence that, in consideration of \$1.00 paid by the Subsequent Chargeholder to the Prior Chargeholder (the receipt and sufficiency of which are hereby acknowledged), the Prior Chargeholder grants to the Subsequent Chargeholder priority over the Prior Charge and the Prior Chargeholder covenants and agrees to subordinate and postpone all its right, title and interest in and to the Land with the intent and with the effect that the interests of the Subsequent Chargeholder in and under the Subsequent Charge are the same as if the Subsequent Charge had been executed, delivered and registered against the title to the Land before registration of the Prior Charge.

As evidence of their Agreement to be bound by the above terms of this Priority Agreement, the party described in this Priority Agreement as the Prior Chargeholder has executed and delivered the *Land Title Act* Form C to which this Priority Agreement is attached and which forms part of this Priority Agreement.

SCHEDULE A
[AFFORDABLE RENTAL UNITS]

CANADA)	IN THE MATTER OF A HOUSING
)	AGREEMENT WITH THE CITY OF
PROVINCE OF BRITISH COLUMBIA)	KELOWNA ("Housing Agreement") for the
)	land legally described as [INSERT LEGAL]
)	
)	
)	
)	

I, _____, of _____, do solemnly declare:

1. This declaration is made with respect to the Dwelling Unit ("Unit") legally or otherwise described as follows:

[INSERT LEGAL DESCRIPTION AND CIVIC ADDRESS].

2. That I am the Owner of the Unit and make this declaration to the best of my personal knowledge.

[or]

That I am the _____ [director, officer, employee] of the Owner of the Unit and [make this declaration to the best of my personal knowledge] [or: have been informed by _____ and believe the statements in this declaration to be true].

3. This declaration is made pursuant to the Housing Agreement in respect of the Unit.
4. The average affordable rent for Kelowna from the most recent annual Canada Mortgage and Housing Corporation (CMHC) Rental Market Report for an apartment of the Unit's size is \$_____ per month, including the cost of heat, water, and electricity;
5. The rent charged each month for the Unit is as follows:
 - (a) the monthly rent on the date 365 days before the date of this statutory declaration was \$____ per month;
 - (b) the monthly rent on the date of this statutory declaration is: \$____; and
 - (c) the proposed or actual monthly rent that will be payable on the date that is 90 days after the date of this statutory declaration is \$_____.
6. For the period from _____, _____ to _____, _____ the Unit was occupied by the following persons, whose names and addresses appear below, and in accordance with the Housing Agreement:

[INSERT NAMES AND AGES OF ALL OCCUPANTS WITH ADDRESS OF UNIT].

)
)
)
)
)
)
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)

SCHEDULE B
[AFFORDABLE RENTAL CALCULATIONS]

The "Affordable Rental" rate is based on the premise that households that spend 30% of their income on basic shelter costs to afford rents equivalent to the average rents published annually by Canada Mortgage and Housing Corporation (CMHC) for Kelowna are facing a housing shortage. This is the direction behind the City of Kelowna Official Community Plan, Bylaw 7600 (policy 8.1.16). This Housing Agreement is a method of creating affordable housing for such households.

The City of Kelowna will publish the Average Monthly Rents for different sizes of Affordable Rental Dwelling Units periodically, which will be the average rents for Kelowna from the annual CMHC Rental Market Report.

The Owner may not permit a Household whose Gross Annual Income is greater than the Maximum Annual Income, as calculated according to the formula below, to occupy an Affordable Rental Dwelling Unit. Gross Annual Income is aggregated taxable income (line 260 of income tax T1 General Form) of all residents 15 years and older residing in the Dwelling Unit. The Maximum Allowable Income is calculated based on the Dwelling Unit size by number of bedrooms that the Household rents. Rent, for affordability purposes, must include heat, electricity and water.

The formula to calculate the Maximum Annual Income permitted for a Household to occupy an Affordable Rental Dwelling Unit is as follows:

$$\text{Maximum Annual Income} = \text{Average Monthly Rent (CMHC)} \times 40$$

This is an abbreviated version of:

$$(\text{Maximum Annual Income} \times 30\%) = (\text{Average Monthly Rent} \times 12 \text{ months})$$

SAMPLE:

Average Monthly Rents of All Private Apartments in the City of Kelowna, 2003
 (Canada Mortgage and Housing Corporation Market Rental Survey- City of Kelowna)

	Bachelor	One Bedroom	Two Bedroom	Three Bedroom +
Average Monthly Rent	\$483	\$575	\$697	\$741

The Maximum Annual Income Calculations for 2003:

1 Bedroom Unit

$$\text{Maximum Annual Income} = \$575 \times 40 = \$23,000$$

2 Bedroom Unit

$$\text{Maximum annual income} = \$697 \times 40 = \$27,880$$

3 Bedroom Unit

$$\text{Maximum annual income} = \$741 \times 40 = \$29,640$$

END OF DOCUMENT

CITY OF KELOWNA

BYLAW NO. 10573

Amendment No. 9 to Kelowna Noise and Disturbances Control Bylaw No. 6647-90

The Council of the City of Kelowna, in open meeting assembled, enacts the following:

1. THAT Kelowna Noise and Disturbances Control Bylaw No. 6647-90, Section 2. DEFINITIONS, Sub-Section 2.2 be amended by adding the following new definitions is their appropriate location:

“dB(A)” means the sound pressure measured in decibels using the “A” weighted scale of a sound level meter.

“Motor Vehicle” has the same meaning as in the Motor Vehicle Act, Chapter 318 [RSBC 1996], as amended from time to time.

“Motor Cycle” has the same meaning as in the Motor Vehicle Act, Chapter 318 [RSBC 1996], as amended from time to time.

“Sound level meter” means a device used to measure sound pressure which meets the National Standards Institute S1.4-1983 (R2006), or the International Electro-Technical Council Standard No. 123, or the British Standard No. 3539 Part 1, or the U.S.A. Standard S1.4-1961.

2. AND THAT Kelowna Noise and Disturbances Control Bylaw No. 6647-90, Section 3. GENERAL REGULATIONS, be amended by adding the following new Sub-Sections:

“3.12 A person shall not operate a motor cycle that is capable of:

- (a) Emitting any sound exceeding 92 dB(A), as measured at 50 centimetres from the exhaust outlet, while the engine is at idle; or
- (b) Emitting any sound exceeding 96 dB(A), as measured at 50 centimetres from the exhaust outlet, while the engine is at any speed greater than idle.

3.13 A person shall not cause or permit sound from a motor vehicle to exceed 90 dB(A), as measured at 50 centimetres or more from the motor vehicle.”

3. AND THAT Kelowna Noise and Disturbances Control Bylaw No. 6647-90, Section 4. MOTOR BOATS, sub-section 4.6 be deleted that reads:

“4.6 No person shall operate a motor boat so as to cause noise which disturbs the peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.”

And replace with a new sub-section 4.6:

“4.6 No person shall operate a motor boat that is capable omitting any sound exceeding 85 dB(A), as measured at 50 centimetres or more from the exhaust outlet, while the engine is at any speed greater than idle.”

4. This bylaw shall come into full force and effect and be binding on all persons as and from the date of adoption.
5. This bylaw shall be cited for all purposes as 'Bylaw No. 10573, being Amendment No.9 to Kelowna Noise and Disturbances Control Bylaw No. 6647-90'.

Read a first, second and third time by the Municipal Council this 22nd day of August, 2011.

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12166

Amendment No. 14 to Building Bylaw No. 7245

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Building Bylaw No. 7245 be amended as follows:

1. THAT the Table of Contents be amended as follows:
 - a) Deleting 14.1 Regulations and replacing it with the following:
"14.1 Energy Step Code Requirements";
 - b) Renumbering **PART 14 – VIOLATIONS** as follows:
"Part 15- VIOLATIONS"
15.1 Violations
15.2 Penalty"
 - c) Renumbering **Part 15 – MISCELLANEOUS** as follows:
" PART 16 - MISCELLANEOUS"
16.1 Severability
16.2 Enactments
16.3 Repeal
16.4 Schedules
16.5 Citation
16.6 Effective Date";
2. THAT **PART 1 – INTERPRETATION, Definitions** be amended by adding the following definitions in their appropriate place:

"Energy Step Code" means the Province of British Columbia's performance-based standard for energy efficiency in new construction requiring energy modelling and on-site testing to demonstrate minimum performance against metrics for building envelope, equipment and systems, and airtightness requirements, and including Step 1, Step 2, Step 3, Step 4, and Step 5, as defined in the **Building Code**, all as amended or re-enacted from time to time;

"Water Storage Tanks" means a type of structure or vessel including piping that is installed or constructed above, below or partially sunk into land or water for the purpose of storage of water in excess of 200 liters.;
3. AND THAT **PART 4 – BUILDING PERMITS, 4.1 Requirements, 4.1.1** be amended by adding the following:

"(r) installation or construction of **water storage tanks**";
4. AND THAT **PART 4 – BUILDING PERMITS, 4.6 Extension of Application, 4.6.1 (b)** be amended by adding the following:

"Fees are set out in Schedule "A";

5. AND THAT **PART 4 – BUILDING PERMITS, 4.14 Requirements for Registered Professional, 4.14.4** be added as follows:

"4.14.4. Notwithstanding any other provision of the **building code** or this bylaw, the **building official** may determine that a peer review of a proposed design and/or field inspection conducted by a **registered professional** is warranted. The owner of the property is responsible to supply independent **registered professional** from a different firm or company to verify and validate the application compliance;"

6. AND THAT **PART 10 – DEMOLITION, 10.2 Delayed Demolition, 10.2.1** be amended by deleting "\$20,000" and replacing it with "\$50,000;

7. AND FURTHER THAT **PART 14 – ENERGY STEP CODE, 14.1 Regulations,** be deleted in its entirety and replaced with the following:

"PART 14 – ENERGY STEP CODE

14.1 Energy Step Code Requirements

Part 9 and Part 3 buildings and structures must be designed and constructed in compliance with the applicable step of the Energy Step Code, as set out in the schedules below:

Buildings classified as <u>Part 9</u> of the Building Code		
Building Type	Building permit application filed on or after December 1, 2019	Building permit application filed on or after June 1, 2021
Part 9 residential buildings	Step 1	Step 3

Buildings classified as <u>Part 3</u> of the Building Code	
Building Type	Building permit application filed on or after January 1, 2022
Group C – single-detached residential occupancy	Step 4
Group C – multi-unit residential occupancy of combustible construction (including hotels and motels)	Step 3
Group C – multi-unit residential occupancy of non-combustible construction	Step 2
Group D – Business and personal service occupancy OR Group E – mercantile occupancy	Step 2

- 14.1.2** Development applications that include Part 3 buildings that were accepted for processing prior to June 1, 2021 are exempt from the requirements of Part 14 of this

Bylaw but must meet the minimum energy efficiency requirements as outlined in the **Building Code** at the time of building permit.

14.1.3 For Part 9 and Part 3 buildings, the **Owner** or **Agent** must, to the satisfaction of the **Building Official**, provide all documentation required by the City's **Energy Step Code** administrative requirements or as required by the **Building Official**, prepared by an Energy Advisor or a **Registered Professional**.

14.1.4 For Part 9 buildings, the documentation required for compliance with **Energy Step Code** must provide evidence to the **Building Official** that the Energy Advisor is registered and in good standing with Natural Resources Canada.

8. This bylaw may be cited for all purposes as "Bylaw No. 12166, being Amendment No. 14 to Building Licence Bylaw No.7245."
9. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 22nd day of February, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk