

**City of Kelowna
Regular Council Meeting
AGENDA**



Monday, July 26, 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, a maximum of 67 members of the public is permitted to attend Council meetings in-person. Members of the public must remain seated unless invited to address Council.

As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

6 - 17

July 12, 2021

3. Development Application Reports & Related Bylaws

3.1. Bertram St 1464, 1468, 1476 OCP21-0002, Z21-0003 - 1090396 BC Ltd., INC. No. BC1090396

18 - 43

The Mayor to invite the Applicant, or Applicant's Representative, to speak.

To consider a Staff recommendation to NOT amend the Official Community Plan and to NOT rezone the subject properties that would facilitate a mixed-use development.

3.2. McKinley Rd 1890 1988 Glenmore Rd N 3850 3912 - OCP21-0004 (BL12251) TA21-0002 (BL12252) Z21-0005 (BL12253) - Kinnikinnik

44 - 74

To amend the Official Community Plan by amending the CD18 – McKinley Beach Comprehensive Resort Development zone, and rezone portions of the subject properties to extend the development boundary of the McKinley Beach CD18 zone and to dedicate other portions for park and open space use.

- 3.3. McKinley Rd 1890 1988 Glenmore Rd N 3850 3912 - BL12251 (OCP21-0004) - Kinnikinnik** 75 - 77
- Requires a majority of all members of Council (5).**
- To give Bylaw No. 12251 first reading to amend the Official Community Plan designation for the subject property from the REP - Resource Protection Area, REC - Private Recreation and PSU - Public Services/Utilities designations to the MXT – Mixed Use Tourism and PARK - Major Park/ Open Space (public) designations.
- 3.4. McKinley Rd 1890 1988 Glenmore Rd N 3850 3912 - BL12252 (TA21-0002) - Kinnikinnik** 78 - 82
- To give Bylaw No. 12252 first reading to consider a Text Amendment application to the CD18 - McKinley Beach Comprehensive Resort Development Zone.
- 3.5. McKinley Rd 1890 1988 Glenmore Rd N 3850 3912 - BL12253 (Z21-0005) - Kinnikinnik** 83 - 85
- To give Bylaw No.12253 first reading in order to rezone portions of the subject properties from the A1 – Agriculture 1 and P3 – Parks and Open Space zones to the CD18 – McKinley Beach Comprehensive Resort Development and P3 – Parks and Open Space zones.
- 3.6. Trumpeter Rd 494 - Z20-0103 (BL12254) - 1033095 B.C. LTD., INC.NO. BC1033095** 86 - 102
- To rezone the subject property from the RR2c – Rural Residential 2 with Carriage House zone to the RU1h- Large Lot Housing (Hillside Area) zone to facilitate a 2-lot subdivision, and to waive the public hearing.
- 3.7. Trumpeter Rd 494 - BL12254 (Z20-0103) - 1033095 B.C. LTD., INC.NO. BC1033095** 103 - 103
- To give Bylaw No. 12254 first reading in order to rezone the subject property from the RR2c - Rural Residential 2 with Carriage House zone to the RU1h - Large Lot Housing (Hillside Area) zone.
- 3.8. Braeloch Rd 384 - Z21-0053 (BL12255) - Michael Christopher Smith and Brigitte Diane Smith** 104 - 119
- To rezone the subject property from RR2 – Rural Residential 2 zone to RU1 – Large Lot Housing zone to facilitate the construction of a new single-family dwelling, and to waive the Public Hearing.
- 3.9. Braeloch Rd 384 - BL12255 (Z21-0053) - Michael Christopher Smith and Brigitte Diane Smith** 120 - 120
- To give Bylaw No. 12255 first reading in order to rezone the subject property from RR2 – Rural Residential 2 zone to RU1 – Large Lot Housing zone.

- 3.10. Barkley Rd 453 - Z20-0093 (BL12256) - Paul Shiells Robertson and Stacey Lillian Elizabeth Robertson** 121 - 137
- To rezone the subject property from the RU₁ – Large Lot Housing zone to the RU_{1c} – Large Lot Housing with Carriage House zone to facilitate the development of a carriage house, and to waive the Public Hearing.
- 3.11. Barkley Rd 453 - BL12256 (Z20-0093) - Paul Shiells Robertson and Stacey Lillian Elizabeth Robertson** 138 - 138
- To give Bylaw No. 12256 first reading in order to rezone the subject property from the RU₁ – Large Lot Housing zone to the RU_{1c} – Large Lot Housing with Carriage House zone.
- 3.12. Supplemental Report - Sexsmith Rd 3130 - Z21-0058 (BL12238) - 463679 BC Ltd., Inc. No. BC0978460** 139 - 141
- To receive a summary of correspondence for Rezoning Bylaw No. 12238 and to give the bylaw further reading consideration.
- 3.13. Sexsmith Rd 3130 - BL12238 (Z21-0058) - 463679 B.C. Ltd., Inc.No. BC0978460** 142 - 142
- To give Bylaw No. 12238 second and third reading and adopt in order to rezone the property from the A₁ – Agriculture 1 zone to the I₆ – Low- Impact Transitional Industrial zone.
- 3.14. Supplemental Report - Hollywood Rd S 1065 - Z21-0048 (BL12239) - Jordan Daniel Kaleta and Chelsea Aleksandra McCutchan** 143 - 144
- To receive a summary of correspondence for Rezoning Bylaw No. 12239 and to give the bylaw further reading consideration.
- 3.15. Hollywood Rd S 1065 - BL12239 (Z21-0048) - Jordan Daniel Kaleta and Chelsea Aleksandra McCutchan** 145 - 145
- To give Bylaw No. 12239 second and third reading and adopt in order to rezone the subject property from the RU₁ – Large Lot Housing zone to the RU_{1c} – Large Lot Housing with Carriage House zone.
- 3.16. Lawson Ave 1021 - Z20-0041 (BL12065) - Bylaw Extension Request** 146 - 147
- To extend the deadline for adoption of Rezoning Bylaw No. 12065 to August 25, 2022.
- 3.17. Radant Rd 575 - Z18-0063 (BL11698) - Rescindment of Bylaw Readings** 148 - 149
- To rescind all three readings given to Rezoning Bylaw No. 11698 and direct staff to close the file.
- 3.18. Radant Rd 575 - BL11698 (Z18-0063) - Rescindment of Bylaw Readings** 150 - 150
- To rescind first, second and third readings of Bylaw No. 11698.

3.19.	Hilltown Dr 3425 - DP20-0099 - Kinnikinnik Developments Inc., Inc.No. BCo622664	151 - 183
	To consider a Form and Character Development Permit for the proposed two-storey amenity building and surrounding area.	
3.20.	Hwy 33 E 1759, DP21-0109 - Ki-Low-Na Friendship Society, Inc.No. S-10638	184 - 228
	To consider a Form and Character Development Permit for a proposed childcare centre.	
4.	Bylaws for Adoption (Development Related)	
4.1.	Highland Dr N 1653 - BL12236 (Z21-0017) - Shannon Elizabeth Day	229 - 229
	To adopt Bylaw No. 12236 in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.	
5.	Non-Development Reports & Related Bylaws	
5.1.	Gibson Road 424 - Consideration of Remedial Action	230 - 287
	To impose a Remedial Action Requirement (RAR) in relation to structures located at 424 Gibson Road pursuant to Sections 72, 73 and 74 of the Community Charter.	
5.2.	Infill Design Challenge 2.0	288 - 303
	To consider launching the Infill Challenge Design Competition 2.0 project.	
5.3.	MRDT Renewal and Tourism Partnership Update	304 - 333
	To approve a five-year Agreement with Tourism Kelowna and to update Council regarding progress toward renewal of the three percent Municipal and Regional District Tax.	
5.4.	2021 BC Active Transportation Infrastructure Grant Application	334 - 335
	To approve the Casorso 4 ATC (Ethel to KLO) project to be submitted to the BC Ministry of Transportation and Infrastructure's 2021/22 Active Transportation Infrastructure Grant Program.	
5.5.	Transit Improvement Program - Proposed 2022-2025 budgets	336 - 360
	To consider approval for and execution of a Memorandum of Understanding for the Transit Improvement Program 3-year expansion initiatives for the period 2022-2025.	
5.6.	Financial Reserves Policy	361 - 372
	To adopt a new Council Policy pertaining to Financial Reserves.	
6.	Bylaws for Adoption (Non-Development Related)	

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| 6.1. | BL12245 - Amendment No. 14 to the Water Regulation Bylaw No. 10480 | 373 - 373 |
| | To adopt Bylaw No. 12245. | |
| 6.2. | BL12223 - Amendment No. 4 to the Parks and Public Spaces Bylaw No. 10680 | 374 - 374 |
| | To adopt Bylaw No. 12223. | |
| 6.3. | BL12243 - Amendment No. 28 to Bylaw Notice Enforcement Bylaw No. 10475 | 375 - 377 |
| | To adopt Bylaw No. 12243. | |

7. Mayor and Councillor Items

8. Termination



City of Kelowna
Regular Council Meeting
Minutes

Date: Monday, July 12, 2021
 Time: 1:30 pm
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Members Participating Remotely Councillors Charlie Hodge and Brad Sieben

Staff Present Acting City Manager, Derek Edstrom; City Clerk, Stephen Fleming; Divisional Director, Planning and Development Services, Ryan Smith*; Community Planning & Development Manager, Dean Strachan*; Real Estate Department Manager, Johannes Saufferer*; Property Officer Specialist, Ben Walker*; Utility Services Manager, Kevin Van Vliet*; Property Management Manager, JoAnne Adamson*; Parks & Buildings Planning Manager, Robert Parlane*; Planner Specialist, David James*; OCP Planning Manager, Robert Miles*

Staff Participating Remotely Clint McKenzie

Guests Present Erin Welk*, Urban Systems; Stephanie Ball*, Central Okanagan Journey Home Society

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:39 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, a maximum of 67 members of the public is permitted to attend Council meetings in-person. Members of the public must remain seated unless invited to address Council. As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

The Mayor provided comments on today's construction site accident and offered best wishes to those injured and their families.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

Ro670/21/07/12 THAT the Minutes of the Regular Meetings of June 28, 2021 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Boyd Rd 2840 - LUCT20-0010 Z20-0084 - Dennis Victor Miller and Kimberley Marie Miller

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro671/21/07/12 THAT Land Use Contract Termination No. LUCT20-0010 to terminate LUC76-1112 from Lot 2 District Lot 130 ODYD Plan KAP89521, located at 2840 Boyd Road, Kelowna, BC be considered by Council;

AND THAT Rezoning Application No. Z20-0084 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 District Lot 130 ODYD Plan KAP89521, located at 2840 Boyd Road, Kelowna, BC from the A1 – Agriculture 1 to the RU1 – Large Lot Housing zone be considered by Council;

AND THAT Council waive the development sign requirement under Public Notification & Consultation for Development Applications No. 367 for Rezoning Bylaw No. 12221.

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

Carried

3.2 Boyd Rd 2840 - BL12219 (LUCT20-0010) - Dennis Victor Miller and Kimberley Marie Miller

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro672/21/07/12 THAT Bylaw No. 12219 be read a first time.

Carried

3.3 Boyd Rd 2840 - BL12221 (Z20-0084) - Dennis Victor Miller and Kimberley Marie Miller

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro673/21/07/12 THAT Bylaw No. 12221 be read a first time.

Carried

3.4 Mayfair Crt 734 - Z20-0095 (BL12241) - Adam Wladyslaw Zurek

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

Ro674/21/07/12 THAT Rezoning Application No. Z20-0095 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 18 District Lot 143 ODYD, Plan 43720, located at 734 Mayfair Court, 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 THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

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

Carried

3.5 Mayfair Crt 734 - BL12241 (Z20-0095) - Adam Wladyslaw Zurek

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro675/21/07/12 THAT Bylaw No. 12241 be read a first time.

Carried

3.6 Gordon Dr 4653 - Z21-0008 (BL12242) - Mehdi Tehrani and Mandana Ghanyei

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Hodge

Ro676/21/07/12 THAT Rezoning Application No. Z21-0008 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 357 Osoyoos Division Yale District Plan EPP110189, located at 4653 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 July 12, 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.

Carried

3.7 Gordon Dr 4653 - BL12242 (Z21-0008) - Mehdi Tehrani and Mandana Ghanyei

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro677/21/07/12 THAT Bylaw No. 12242 be read a first time.

Carried

3.8 Patterson Ave 575 - Z21-0004 (BL12244) - Dream Chaser Management and Development Ltd., Inc. No. C1120607

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Singh

Ro678/21/07/12 THAT Rezoning Application No. Z21-0004 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 13 District Lot 14 ODYD Plan 3249, located at 575 Patterson Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple 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 July 12, 2021;

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

3.9 Patterson Ave 575 - BL12244 (Z21-0004) - Dream Chaser Management and Development Ltd., Inc. No. C1120607

Moved By Councillor Donn/Seconded By Councillor Given

Ro679/21/07/12 THAT Bylaw No. 12244 be read a first time.

Carried

3.10 Trumpeter Rd 508 - Z21-0031 (BL12246) - 508 Trumpeter Road Developments Ltd., Inc. No. BC1258630

Staff:

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

Moved By Councillor Singh/Seconded By Councillor DeHart

Ro680/21/07/12 THAT Rezoning Application No. Z21-0031 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, Section 24, Township 28, Similkameen Division Yale District, Plan KAP90635, located at 508 Trumpeter Road, Kelowna, BC from the RR3C – Rural Residential 3 with Carriage House zone to the RU1 – Large Lot 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.

Carried

3.11 Trumpeter Rd 508 - BL12246 (Z21-0031) - 508 Trumpeter Road Developments Ltd., Inc. No. BC1258630

Moved By Councillor Donn/Seconded By Councillor Given

Ro681/21/07/12 THAT Bylaw No. 12246 be read a first time.

Carried

3.12 Bernard Ave 520-526 - TA21-0008 (BL12247) Z21-0024 (BL12248) - GBD Holdings Inc., Inc. No. BC0941235 - Supplemental Report

-Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

Ro682/21/07/12 THAT Council receives, for information, the Supplemental Report from the Office of the City Clerk dated July 12, 2021 regarding a Zoning Bylaw Text Amendment Bylaw and Rezoning Bylaw that requires reading consideration;

AND THAT the Zoning Bylaw Text Amendment Application TA21-0008 and Rezoning Application Z21-0024, located at 520-526 Bernard Avenue, Kelowna BC, be forwarded for reading consideration.

Carried

3.13 Bernard Ave 520-526 - BL12247 (TA21-0008) - GBD Holdings Inc., Inc. No. BC0941235 - Supplemental Report

Moved By Councillor Donn/Seconded By Councillor Given

Ro683/21/07/12 THAT Bylaw No. 12247 be read a first time.

Carried

Councillor Sieben - Opposed

3.14 Bernard Ave 520-526 - BL12248 (Z21-0024) - GBD Holdings Inc., Inc. No. BC0941235 - Supplemental Report

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro684/21/07/12 THAT Bylaw No. 12248 be read a first time.

Carried

Councillor Sieben - Opposed

3.15 Bernard Ave 266 - TA21-0012 (BL12249) Z21-0039 (BL12250) - Macarther Ventures Inc., Inc.No.BCo684166 - Supplemental Report

- Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

Ro685/21/07/12 THAT Council receives, for information, the Supplemental Report from the Office of the City Clerk dated July 12, 2021 regarding a Zoning Bylaw Text Amendment Bylaw and Rezoning Bylaw that requires reading consideration;

AND THAT the Zoning Bylaw Text Amendment Application TA21-0012 and Rezoning Application Z21-0039, located at 266 Bernard Avenue, Kelowna BC, be forwarded for reading consideration.

Carried
Councillor Sieben - Opposed

3.16 Bernard Ave 266 - BL12249 (TA21-0012) - Macarther Ventures Inc., Inc.No.BCo684166

Moved By Councillor DeHart/Seconded By Councillor Stack

Ro686/21/07/12 THAT Bylaw No. 12249 be read a first time.

Carried
Councillor Sieben - Opposed

3.17 Bernard Ave 266 - BL12250 (Z21-0039) - Macarther Ventures Inc., Inc.No.BCo684166

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro687/21/07/12 THAT Bylaw No. 12250 be read a first time.

Carried
Councillor Sieben - Opposed

3.18 Supplemental Report - Crosby Rd 1818 - Z21-0029 (BL12226) - 1244855 BC Ltd

Staff:

- Spoke to correspondence received.

Moved By Councillor Given/Seconded By Councillor Donn

Ro688/21/07/12 THAT Council receives, for information, the report from the Office of the City Clerk dated July 12, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12226;

AND THAT Rezoning Bylaw No. 12226 be forwarded for further reading consideration.

Carried

3.19 Crosby Rd 1818 - BL12226 (Z21-0029) - 1244855 BC Ltd

Moved By Councillor DeHart/Seconded By Councillor Stack

Ro689/21/07/12 THAT Bylaw No. 12226 be read a second and third time and be adopted.

Carried

3.20 Supplemental Report - Bryden Rd 155 - Z21-0020 (BL12231) - Kelowna Christian Centre Society Inc

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

Ro690/21/07/12 THAT Council receives, for information, the report from the Office of the City Clerk dated July 12, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12231;

AND THAT Rezoning Bylaw No. 12231 be forwarded for further reading consideration.

Carried

3.21 Bryden Rd 155 - BL12231 (Z21-0020) - Kelowna Christian Center Society, Inc.No. S0017232

Moved By Councillor Donn/Seconded By Councillor Given

Ro691/21/07/12 THAT Bylaw No. 12231 be read a second and third time.

Carried

3.22 Supplemental Report - Highland Dr N 1653 - Z21-0017 (BL12236) - Shannon Elizabeth Day

Moved By Councillor Stack/Seconded By Councillor Donn

Ro692/21/07/12 THAT Council receives, for information, the report from the Office of the City Clerk dated July 12, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12236;

AND THAT Rezoning Bylaw No. 12236 be forwarded for further reading consideration.

Carried

3.23 Highland Dr N 1653 - BL12236 (Z21-0017) - Shannon Elizabeth Day

Moved By Councillor DeHart/Seconded By Councillor Stack

Ro693/21/07/12 THAT Bylaw No. 12236 be read a second and third time.

Carried

3.24 Rutland Road N 2100 - OCP18-0005 (BL12053) Z18-0019 (BL12054) TA18-0011 (BL12055) - Bylaw Extension Request

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro694/21/07/12 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Bylaw No. 12053 for OCP18-0005, Bylaw No. 12054 for Z18-0019 and Bylaw No. 12055 for TA18-0011, for Lot 1 Section 35 Township 26 ODYD Plan EPP105620 located at 2100 Rutland Road North, be extended from July 14, 2021 to July 14, 2022;

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

Carried

3.25 Gallagher Rd 2980 - Z20-0021 (BL12042) - Bylaw Extension Request

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro695/21/07/12 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 12042, for Z20-0021 for Lot 1, Section 12 and 13, Township 26 and Sections 7 and 18 Township 27, ODYD, Plan KAP71697, Except Plans KAP84278, KAP86315, KAP86363, KAP88598, EPP36504, EPP69212, EPP74058, and EPP84892 located at 2980 Gallagher Road, Kelowna, BC, be extended from June 23, 2021 to June 23, 2022;

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

Carried

3.26 McCarthy Rd 9640 - Z18-0122 (BL11790) - Rescind Rezoning Bylaw

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro696/21/07/12 THAT Council receives for information the report from the Development Planning department, dated July 12, 2021, with respect to Rezoning Application No. Z18-0122 at Lot 1 Sections 10 and 11 Township 20 Osoyoos Division Yale District Plan EPP91012 located at 9640 McCarthy Road, Kelowna, BC;

AND THAT Bylaw No. 11790 be forwarded for rescindment consideration and the file be closed.

Carried

3.27 McCarthy Rd 9670, BL11790 (Z18-0122) - The Flowr Group (Okanagan) Inc., Inc. No. BC0974062

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro697/21/07/12 THAT Bylaw No. 11790 be rescinded and the file closed.

Carried

4. Bylaws for Adoption (Development Related)

4.1 Burne Ave 360 - BL12139 (Z20-0106) - 1221900 BC LTD., Inc.No. BC1221900

Moved By Councillor Stack/Seconded By Councillor DeHart

R0698/21/07/12 THAT Bylaw No. 12139 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Complex Needs Advocacy Paper

Staff:

- Displayed a PowerPoint Presentation summarizing the Complex Needs Advocacy document and responded to questions from Council.

Guests Erin Welk and Stephanie Bell displayed a PowerPoint presentation and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0699/21/07/12 THAT Council receives, for information, the report from the Real Estate department dated July 12, 2021, with respect to the Complex Needs Advocacy Paper;

AND THAT Council endorse the Complex Needs Advocacy Paper as attached to the report from the Real Estate department dated July 12, 2021;

AND FURTHER THAT Council authorize the Mayor to collaborate with the Mayors of the City of Vernon, City of West Kelowna and District of Lake Country and the Chief of the Okanagan Indian Band to present the Advocacy Paper to senior levels of government, seeking the development of a new model of complex care housing with supports, a system redesign and the funding and resources necessary to address the housing and support needs of individuals with complex needs.

Carried

5.2 Water Regulation Bylaw Update - Recreational Use

Staff:

- Provided reasons for the proposed amendment and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Sieben

THAT Council receives for information, the report from the Water Operations Manager dated July 12th, 2021, pertaining to the Water Regulation Bylaw update;

AND THAT Bylaw No. 12245 being Amendment #14 to Water Regulation Bylaw No. 10480 be forwarded to Council for reading consideration.

Carried

5.3 BL12245 - Amendment No. 14 to the Water Regulation Bylaw No. 10480

Moved By Councillor DeHart/Seconded By Councillor Stack

R0700/21/07/12 THAT Bylaw No. 12245 be read a first, second and third time.

Carried

5.4 Parks and Public Spaces Bylaw Amendment

Staff:

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

Moved By Councillor Donn/Seconded By Councillor DeHart

R0701/21/07/12 THAT Council receive, for information, the Public Space Bylaw Amendment report from the Real Estate and Bylaw Services department dated July 12, 2021;

AND THAT Council gives reading consideration to Bylaw No.12223 being amendment No.4 to the Public Space Bylaw No.10680;

AND FURTHER THAT Council gives reading consideration to Bylaw No.12243 being amendment No.28 to Bylaw Enforcement Bylaw No. 10475.

Carried

5.5 BL12223 - Amendment No. 4 to the Parks and Public Spaces Bylaw No. 10680

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0702/21/07/12 THAT Bylaw No. 12223 be read a first, second and third time.

Carried

5.6 BL12243 - Amendment No. 28 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Stack/Seconded By Councillor DeHart

R0703/21/07/12 THAT Bylaw No. 12243 be read a first, second and third time.

Carried

5.7 North End Neighbourhood Planning

Councillor Stack declared a conflict of interest as his employer will be bringing forward a development application within the subject area and left the meeting at 3:21 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the North End Neighbourhood Planning process and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R0704/21/07/12 THAT Council receive, for information, the report from the Policy & Planning Department regarding the North End Plan, dated July 12, 2021;

AND THAT Council directs staff to launch the North End Neighbourhood Plan process, as outlined in the report from the Policy & Planning Department, dated July 12, 2021;

AND FURTHER THAT the 2021 Financial Plan be amended to include \$135,000 for staffing for the North End Neighbourhood Plan project, to be recovered from the applicant for the Mill Site Area Redevelopment Plan.

Carried

Councillor Stack returned to the meeting at 3:53 p.m.

5.8 Commitment to Community Impact Report

Staff:

- Displayed a PowerPoint Presentation summarizing the 2019-2020 Commitment to Community Impact Report and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Given

R0705/21/07/12 THAT Council receives, for information, the report from the Active Living and Culture Division dated July 12, 2021, with respect to the *2019-2020 Commitment to Community Impact Report*.

Carried

5.9 Draft 2040 OCP future parks update

Staff:

- Displayed a PowerPoint Presentation regarding identification of parks on the draft 2040 OCP future land use map and responded to questions from Council.

Councillor Sieben disconnected from the meeting at 4:42 p.m.

Moved By Councillor Stack/Seconded By Councillor Donn

R0706/21/07/12 THAT, Council receives for information the Report from Parks & Buildings Planning, dated July 12, 2021, providing an update on future parkland for the draft 2040 Official Community Plan (OCP), their challenges and opportunities;

AND THAT, Council directs Staff to update the OCP based on the recommendations for parkland modifications outlined in the report;

AND FURTHER THAT, Council endorses the OCP's future parkland use designation inclusive of the remaining and modified parkland.

Carried

Opposed - Councillor Hodge

Moved By Councillor Donn/Seconded By Councillor Stack

THAT all eight Watt Road properties previously identified be included in the draft 2040 OCP as Parks future land use.

Carried

Opposed - Councillor Hodge

6. Bylaws for Adoption (Non-Development Related)

6.1 BL12220 - Amendment No 12 to Development Application Fees Bylaw No 10560

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

R0707/21/07/12 THAT Bylaw No. 12220 be adopted.

Carried

7. Mayor and Councillor Items

Councillor Singh – expressed sympathy for those families and first responders impacted by today's construction accident.

Councillor Wooldridge – expressed sympathy for those families and first responders impacted by today's events and fires.

Councillor Hodge attended the appointment of the new 16 member Board of the Downtown Kelowna Association (DKA).

Mayor Basran and Councillor Wooldridge will attend the Lady of the Lake function tonight.

8. Termination

This meeting was declared terminated at 5:45 p.m.

Mayor Basran

sf/cm



City Clerk

DRAFT

REPORT TO COUNCIL



Date: July 26, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0003 & OCP21-0002 **Owner:** 1090396 BC LTD. INC. No. BC1090396

Address: 1464, 1468 & 1476 Bertram Street **Applicant:** New Town Architecture & Engineering Inc.

Subject: Early Consideration of OCP Amendment and Rezoning Applications

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

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

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: C7 – Central Business Commercial

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP21-0002 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lots 1, 2 & 3 District Lot 139 ODYD Plan 2277, located at 1464, 1468 & 1476 Bertram Street, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential/Commercial) designation, NOT be considered by Council.

AND THAT Rezoning Application No. Z21-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 1, 2 & 3 District Lot 139 ODYD Plan 2277, located at 1464, 1468 & 1476 Bertram Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the C7 - Central Business Commercial zone NOT be considered by Council.

2.0 Purpose

To consider a Staff recommendation to NOT amend the Official Community Plan and to NOT rezone the subject properties that would facilitate a mixed-use development.

3.0 Development Planning

Staff are not supportive of the proposed Official Community Plan (OCP) amendment and rezoning applications for the properties located at 1464, 1468 and 1476 Bertram Street.

The OCP amendment from MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential/Commercial) designation would allow the project to be developed within the C7 – Central Business Commercial zone. Both the current OCP and the C7 zoning regulations includes a Downtown Building Heights Map (Refer to Attachment 'A'). Both maps indicate a maximum of 12 storeys and 37.0 m at the subject location. The height maps indicate the focus of the maximum allowable height (26 storeys and 76.5 m allowed) along two corridors: east/west along Leon Ave and Lawrence Ave and on Bernard Avenue from Ellis Street to Richter Street, and north/south for the properties between Ellis Street and St Paul Street.

The intent behind this is to concentrate the greatest amount of height and density along the designated corridors (Indicated on the maps by dark blue). The adjacent parcels (indicated on the map as light blue) are intended to provide a height transition down to either the lake on the west or the single family residential to the east. This lends itself to having a more focused area for towers and creates an interesting downtown skyline. Based on the above, this proposal should have a reduced height and density as it is adjacent to Bernard Avenue. In this context, the proposal does not aide in providing a buffer to the predominantly low-density residential area east of Richter Street and the low-profile multi-family to the north along Bertram Street.

With greater height, comes greater density. The C7 zone allows for a Floor Area Ratio (FAR) up to a maximum of 9.0. FAR values should align with the heights map, in that greater FAR would be allowed along the focused height corridors. The height and FAR should reduce significantly for the adjacent properties in order to provide the downward transition of both height and massing to better integrate into the existing low scale surrounding neighbourhood.

The project proposes 35-storeys and an FAR of 6.57. This is a significantly greater amount of both height and FAR than would be anticipated at this location. For context, the Brooklyn and Bertram Block developments proposed an FAR of 6.0 with approved building heights of 36, 18 and 26 storeys. The BC Housing proposal currently under review proposes a tower height of 20 storeys with an FAR of 3.34.

4.0 Proposal

4.1 Background

On May 10, 2021 Staff brought forward a report to Council with a proposal to amend the City's Development Application Procedures Bylaw No. 10540. The intent was to receive direction from Council to modify the application process for complex projects when a proposal pushes the boundaries of what City policy and staff are able to support. Council supported staff's proposal to bring forward this application for early consideration.

Following Council's consideration of the pilot project Early Consideration Report, staff have had a number of discussions with the applicant team in regard to amending the proposal. With these amendments the proposal is still deemed to be beyond the scope of what Staff can support. Some of the key changes are as follows:

- 1) Building height has been amended from 46 storeys & 141 m to 35 storeys & 109 m
- 2) FAR has been reduced from 8.88 to 6.57

Generally, for projects of this scale, there would be a considerable amount of pre-application discussion with the Planning Department. Through the pre-application process, Staff will provide feedback and direction to the applicant and owner with respect to what is supportable based on current policy and guidelines. In this instance, Staff were unaware of the proposal until the submission was received.

4.2 Project Description

The development proposes to construct a 35-storey tower, which consists of a 5-storey parkade podium with a 30-storey residential tower above. The project proposes 281 units with a mix of rental units and market housing. The Bertram Street frontage includes 5 townhouses to screen the parkade structure situated behind. The 6th floor incorporates a daycare space and a common amenity room for the building along with outdoor patio areas for each use.

The project proposal includes a height variance from 12 storeys and 37 m allowed to 35 storeys and 109 m proposed. Currently, this is noted as the only variance required. An in-depth review of the application and parking provisions will need to occur.

4.3 Application Considerations

Should Council support the alternative Staff recommendation, the following items will be reviewed through the application process.

Massing & Visual Impact- The application is proposing significantly more height at this location than either the OCP or the Zoning Bylaw foresees. The building height is proposed at 35 storeys and 109 m in height, when both the OCP and Zoning Bylaw would allow for a maximum height of 12 storeys or 35.0 m at this location.

With the Bertram and Bernard Block projects currently under construction, further construction in the last quadrant will increase the impact of shadowing on adjacent parcels. Along with this, the proposal will be similar in height to the Bernard Block project which was approved at 36 storeys. The intent would be for height to be decreased significantly at this location to provide the transition to the existing adjacent multi-family developments along Bertram Street.

MOTI Requirements - All applications which propose over 100 residential units and are within 800 m of a Ministry of Transportation and Infrastructure (MOTI) roadway are required to be circulated to MOTI for comment. Due to the scale of the project, MOTI will generally require a Traffic Impact Analysis. This requires co-ordinated meetings between staff from both MOTI and City of Kelowna (Planning and Development Engineering) along the applicants Transportation Consultants to outline and agree upon the Terms of Reference (TOR) scope for the proposal. Depending on the outcome of these meeting, this may add anywhere from 6 to 18 months to the standard Rezoning Application processing timelines.

Road Dedication and Improvements – The proposal triggers road dedications along both the north/south land and the east/west lane. All existing curb letdowns along the Bertram Street project frontage will need to be removed and replaced with curb, gutter and sidewalk. The forthcoming Transportation Master Plan (TMP) updates may have additional requirements to be addressed through this proposal.

Utilities – The subject properties do not currently have any services. The applicants civil and mechanical consultants will need to determine the requirements for domestic water and fire protection, sanitary sewer servicing needs along with a storm water management plan for the proposal.

As the project is within the City Centre Urban Centre, all Fortis service connections will need to be installed underground and must be coordinated with telephone and cable transmission companies.

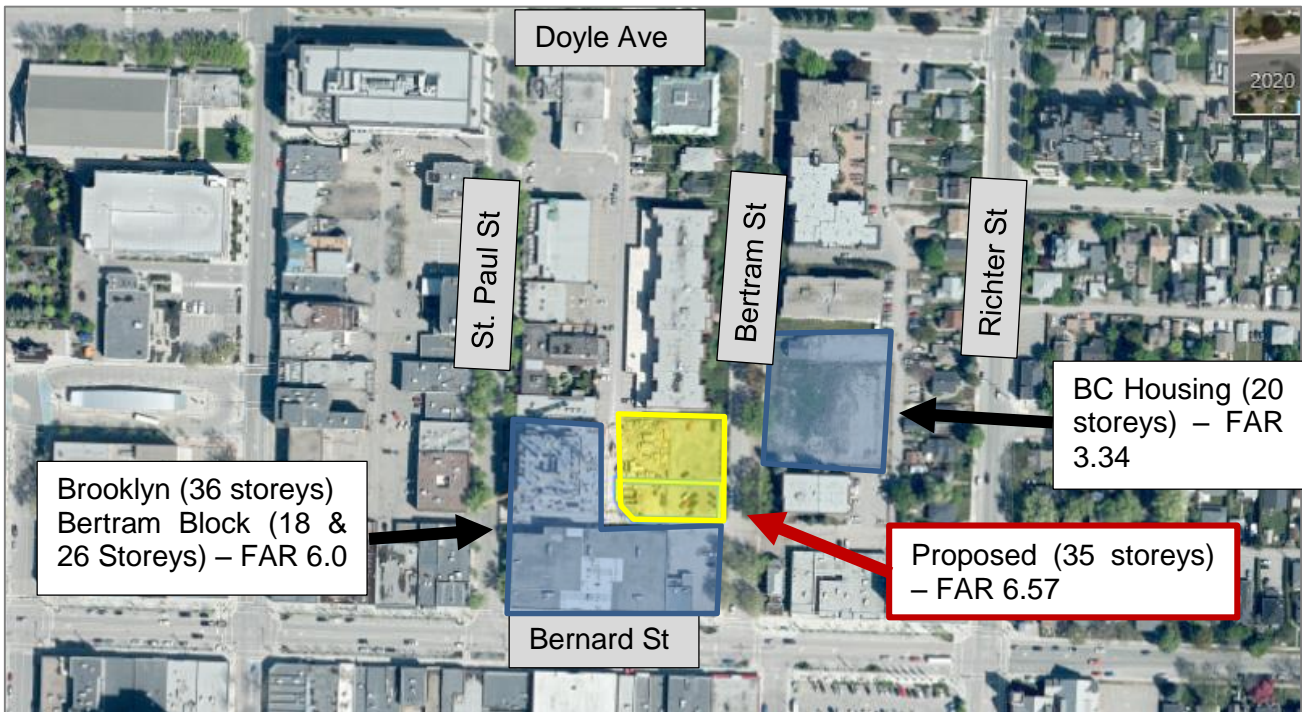
Site Context

The subject properties are located in the Downtown Urban Centre on Bertram Street, a ½ block north of Bernard Avenue. The three parcels have a combined area of 3,163 m² and are within the permanent growth boundary and are connected to city services. The project proposes and FAR of 6.57.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Multi-Family Residential
East	RM5 – Medium Density Multiple Housing	Multi-Family Residential, Vacant
South	C7 – Central Business Commercial	Commercial
West	C7 – Central Business Commercial	Commercial

Subject Property Map: 1464, 1468 & 1476 Bertram Street



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.1 Ensure new development is consistent with OCP goals

Policy .1 Vision and Goals. Staff will evaluate all development applications in the context of the community's vision and goals as expressed in Chapter 1.

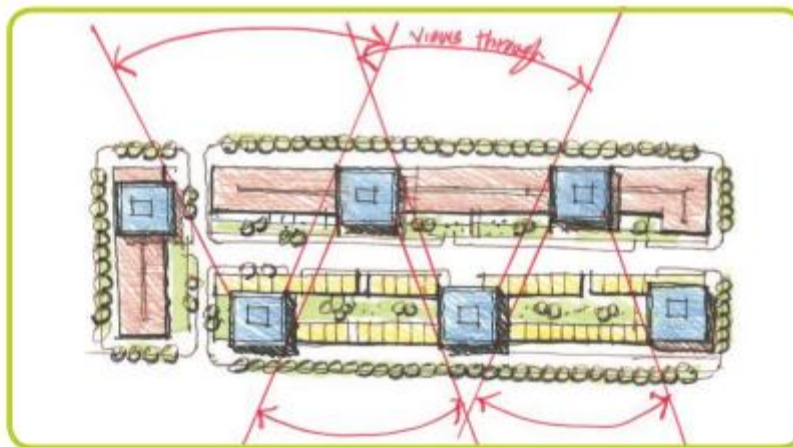
Objective 5.5 Ensure appropriate and context sensitive built form.

Policy .1 Building Height. In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding urban fabric
- Shadowing of the public realm
- View impacts
- Overlook and privacy impacts on neighbouring buildings
- Impacts on the overall skyline
- Distance between adjacent buildings above 22 m in height
- Building form and massing to mitigate negative impacts of buildings over 22 m in height

For all properties where height variances are required, a minimum separation distance of 36.5 m (120 ft.) will be sought between the adjacent towers where there are floor plates larger than 697 m² (7,500 sq ft) and a minimum separation distance of 30.5 m (100 ft.) will be sought between towers where floor plates are less than 697 m² (7,500 sq ft). In addition, where a height variance is required, adequate view corridors shall be provided between towers. For blocks a minimum of 100 m in width, any portion of a building above 44 m should be sited to afford existing surrounding tower development on the same block a 40 degree panoramic view, measured from the closest building face parallel to the lot line fronting a street. (See Diagram 5.1)

Diagram 5.1



6.0 Application Chronology

Date of Application Accepted: January 14, 2021

Date of Council Workshop Discussion: May 10, 2021

7.0 Alternate Recommendation

THAT Council directs Staff to process the Official Community Plan Map Amendment Application No. OCP21-0002 to amend Map 4.1 and Rezoning Application No. Z21-0003 in accordance with the standard application processes as outlined in the Development Application Procedures Bylaw No.10540.

Report prepared by: Lydia Korolchuk, Planner Specialist

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

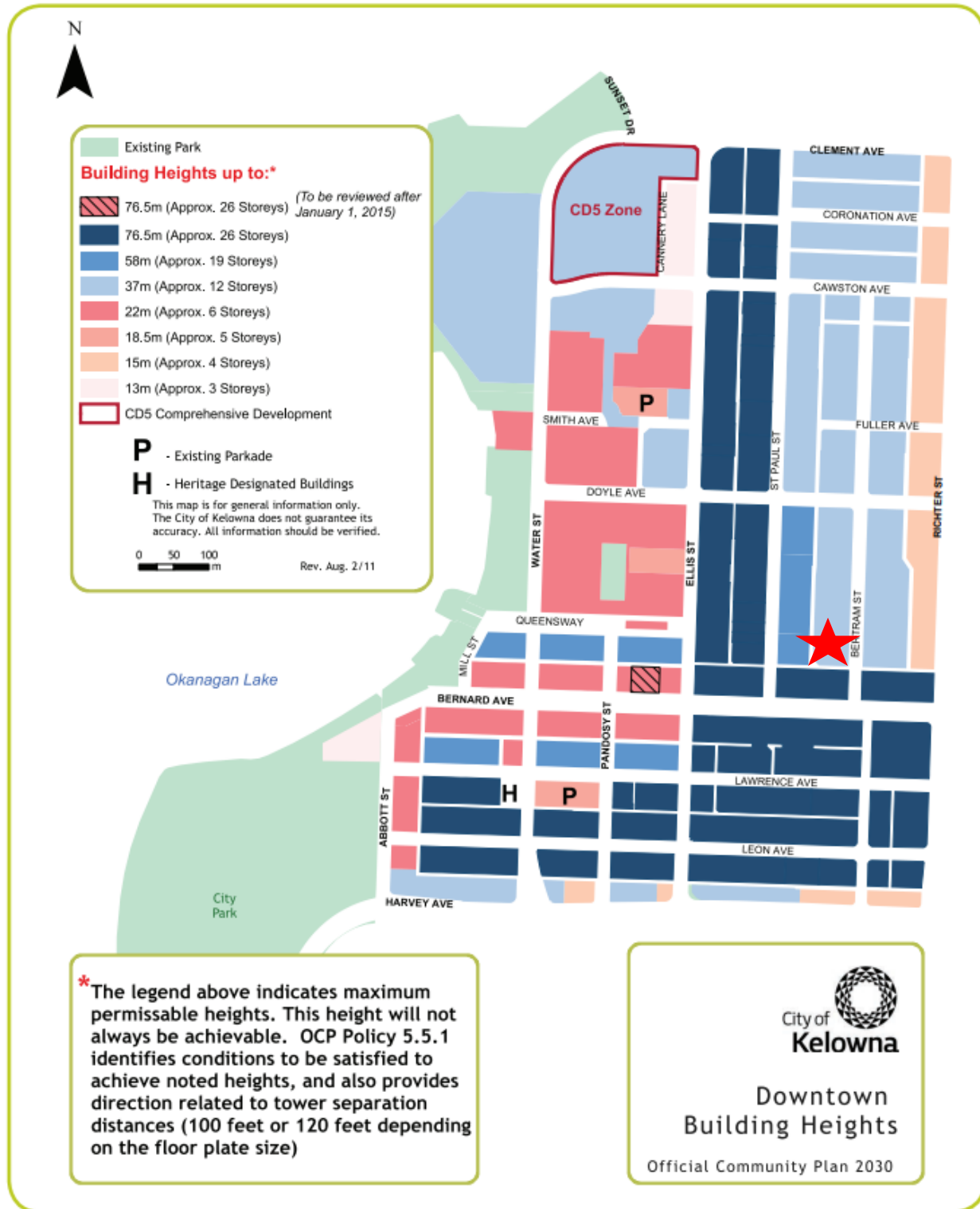
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: OCP & Zoning Bylaw C 7 – Downtown Building Heights Maps

Attachment B: Project Rationale

Official Community Plan 2030 – Downtown Building Heights Map



NOTE: Subject properties indicated by red star. 1464, 1468 & 1476 Bertram Street.

ATTACHMENT A

This forms part of application # OCP21-0002 Z21-0003

City of Kelowna
 DEVELOPMENT PLANNING

Planner Initials **LK**

C7 Map A – Downtown Building Heights Map



NOTE: Subject properties indicated by red star. 1464, 1468 & 1476 Bertram Street.

ATTACHMENT A

This forms part of application
 # OCP21-0002 Z21-0003

Planner Initials **LK**

City of Kelowna
DEVELOPMENT PLANNING

This forms part of application
OCP21-0002 Z21-0003



City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials LK



1464 1468 1476 Bertram Avenue

Planning Update – Development Permit Submission
New Town & Meridian Group
June 18, 2021

Changes to Basic Planning & Housing Metrics through Consultation

*Responsive to Planning Department's Suggested Improvements
Reflects Ideas from a Cross-section of City Leaders & Stakeholders*

	<i>Original</i>		<i>Revised</i>
• Building Floors	46 levels	↓	35 levels
• FAR – Maximum is 9.0	8.88	↓	6.57
• Average Residence Size	818 sf	↓	632 sf
• Requested Height Variance	370%	↓	283%
• Price Point Reduction – “Attainability”	Reduced by 20%		
• Revised Bertram Avenue streetscape from retail to 5 townhomes			

Key Project Metrics

- **30 levels of Residential**
 - Studio homes **276 homes**
 - Average of 9.2 homes per level
 - 1 Bedroom homes **85 or 30.8%**
 - 3-Bedroom homes **37 or 13.4%**
 - 2-Bedroom Co-Living/Shared **20 or 7.2%**
 - 2 Bedroom homes **68 or 24.7%**
 - 2 Bedroom homes **66 or 23.9%**
- **Below 15% Market Rent Homes** **28 or 10% of homes**
 - Housing Agreement
- **Universal Accessibility Homes** **Up to 28 or 10% of homes**
 - Design for easy conversion to UA homes – initial option by home buyers to have UA units
- **Parking provided on 6 levels** **274 parking stalls**
 - Parking for 473 bikes & service area
 - 2 car-share stalls & vehicles
 - Cash in lieu for 20.9 stalls
- **Maximum floor plate** **750 m²**
- **Siting of building conforms to all set-backs & separation requirements**
- **Walkability Score** **90+**

Features & Amenities

Higher density “attainable” housing project in the downtown core provides more convenient access to services & amenities for a broader cross-section of the Kelowna population

Housing mix appeals to a broader socio-economic spectrum

Support from special housing groups and social agencies

Project program and amenities compliments “Happy City” concept – inclusive, wellness, sustainability, and serving the needs of special groups

Less dependent on vehicles – walkability and accessibility

Congruent with the principles expressed in the City’s OCP and downtown/core area objectives and policies

Street Level – 5 Two Bedroom & Den Town Homes

Podium rooftop patio, amenity space, and daycare

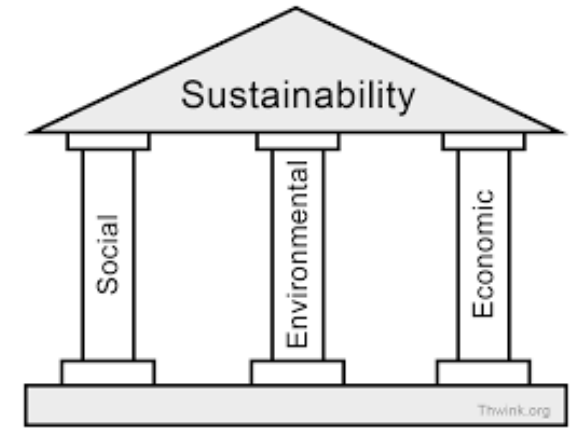
Shared amenity space of 15,000 sf


Rooftop amenity space



Asks

- *The OCP reflects heights that are considerably below past Council variance approvals for residential towers. Zoning is used to regulate height.*
- The proposed development provides significant public benefit in delivering a significant amount of attainable housing in the downtown area and supports the 3 pillars of sustainability.
- *The zoning for the area is to be C9 within forecast height limits. The updated application sustains and expands the attainable housing within the existing unit forecast by reducing the average unit size within a 35 storey structure.*
- *At the July 26th City Council meeting, we ask for Council's support for the Proposed Development.*
- Significant changes and improvements have been made to the proposed development addressing opportunities to best serve the needs of the community and various concerns and solutions based on consultation with Community Planning and other stakeholders.
- The proposed development will deliver much needed attainable housing and fulfill key planning objectives in Kelowna's Downtown.





1464 1468 1476 Bertram Avenue

Planning Update – Development Permit Submission

New Town & Meridian Group

June 18, 2021



21-0003 & OCP 21-0002

1464, 1468 & 1476

Bertram Street

Rezoning and OCP Amendment Applications



Proposal

- ▶ To consider a staff recommendation to NOT amend the Official Community Plan and to NOT rezone the subject properties that would facilitate a mixed-use development.

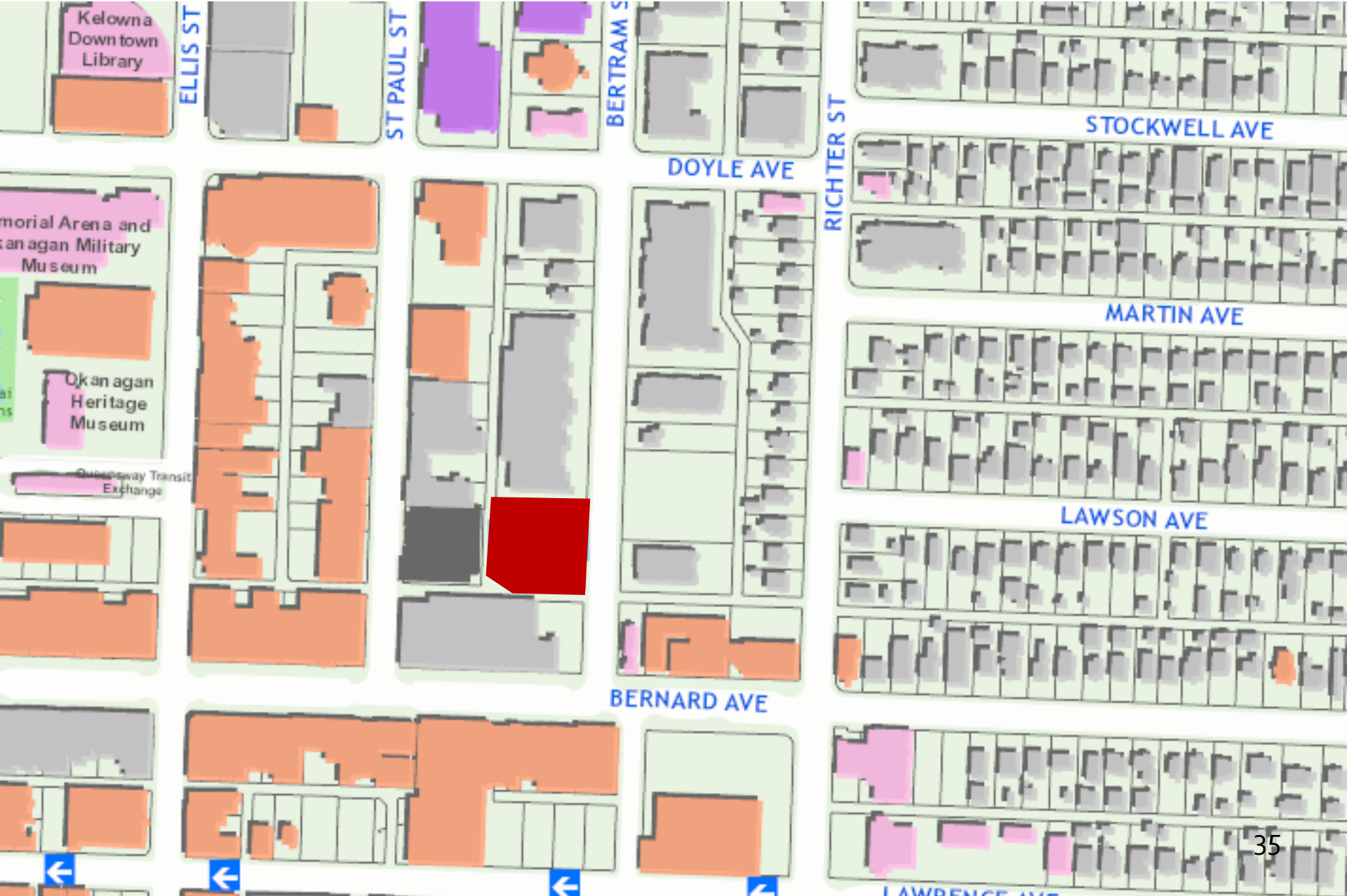
Proposal

- ▶ The applicant is seeking:
 - ▶ An OCP Amendment from MRM – Multiple Unit Residential (Medium Density) to MXR – Mixed Use (Residential/Commercial); and
 - ▶ To rezone the subject properties from the RU6- Two Dwelling Housing zone to the C7 – Central Business Commercial zone.

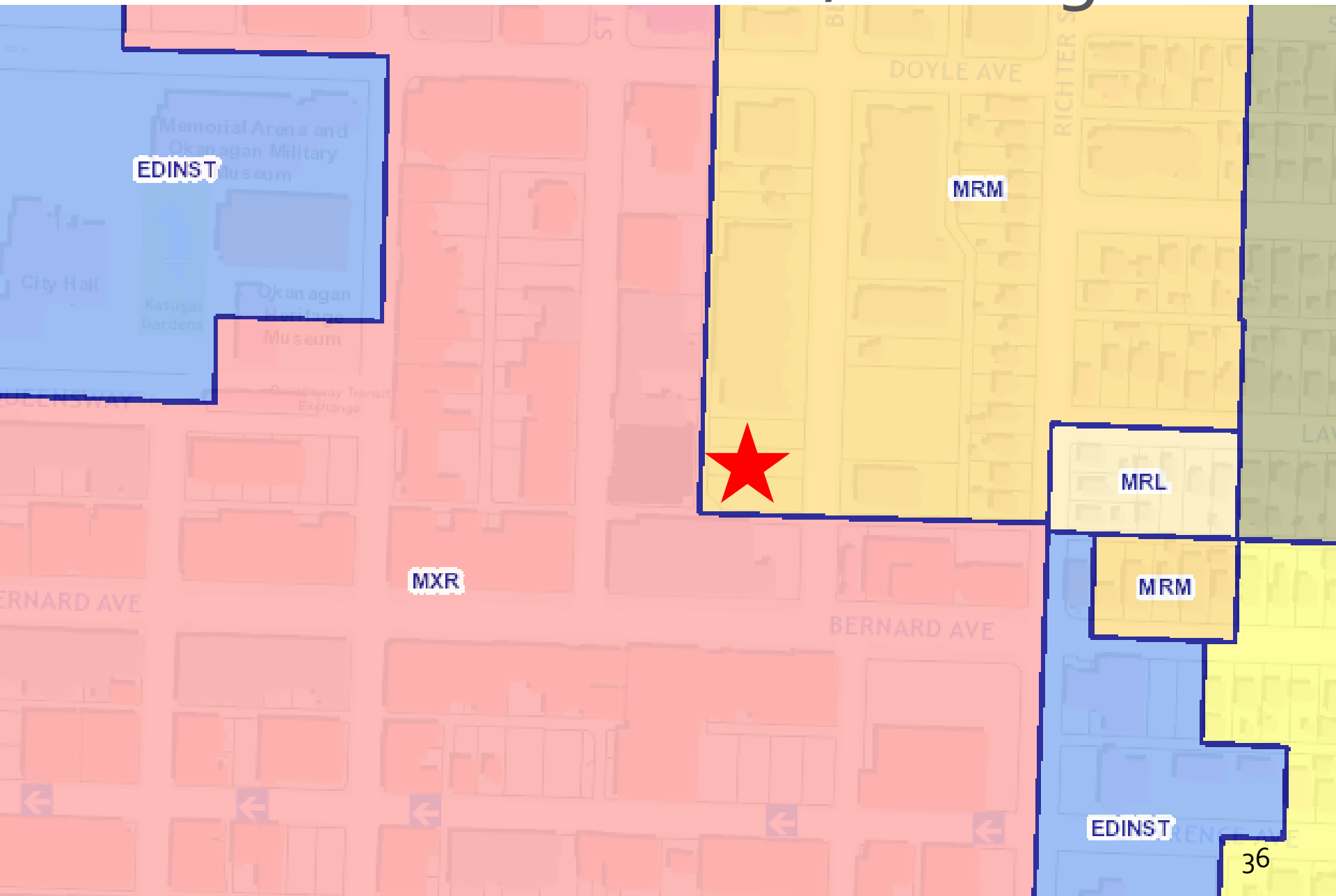
MRM → MXR

RU6 → C7

Context Map



OCP Future Land Use / Zoning



Subject Property Map



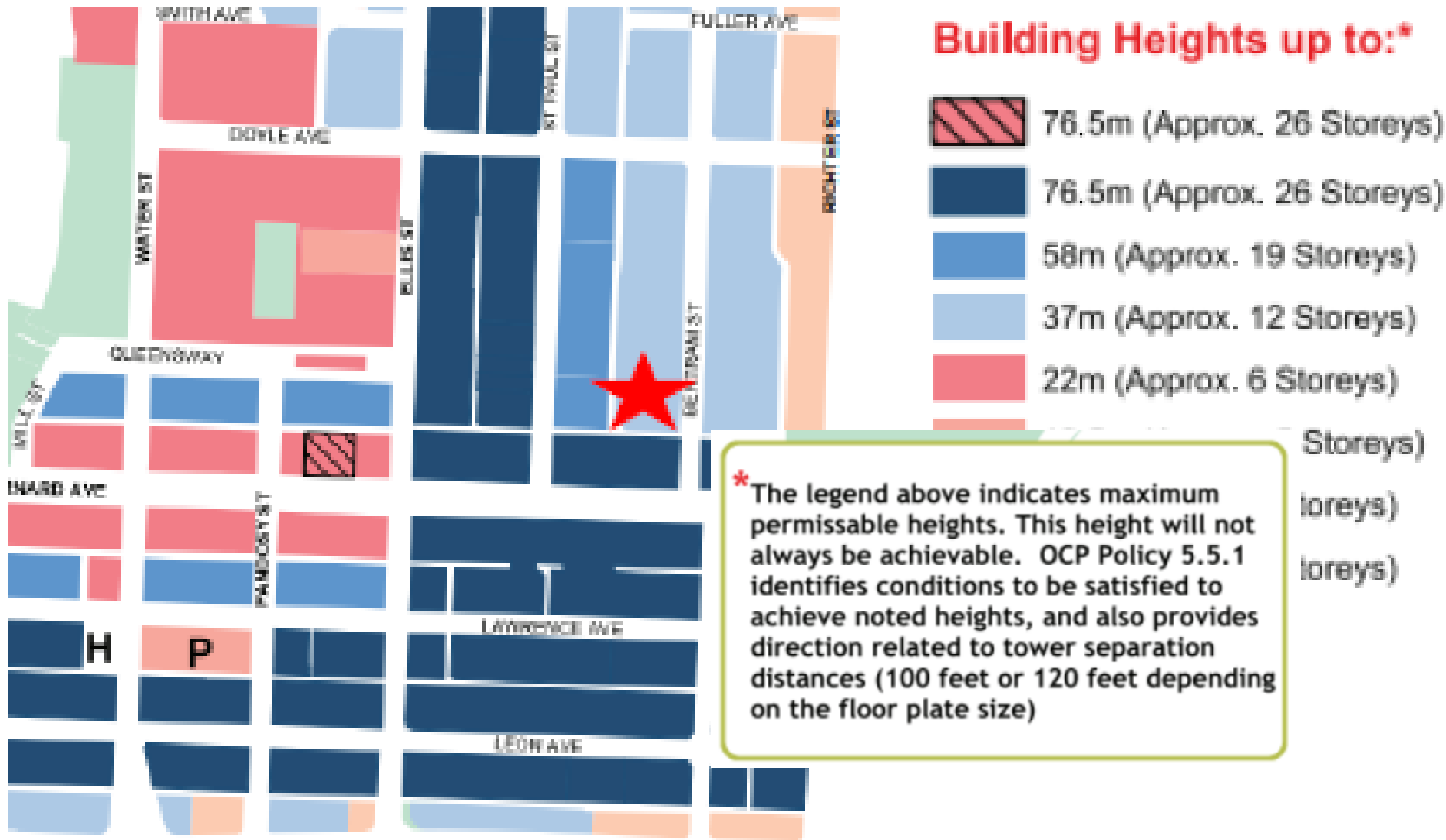
St Paul Street

Bertram Street

Richter Street

Bernard Avenue

OCP Downtown Heights Map



Zoning Bylaw Downtown Heights Map



Technical Details

- ▶ 6.57 FAR (reduced from 8.88)
- ▶ 35 storeys & 109 m (reduced from 46 storeys and 141 m)
- ▶ 5 storey parking podium
- ▶ 281 residential units
- ▶ 5 ground-oriented townhouses along Bertram Rd
- ▶ Parking provisions under review

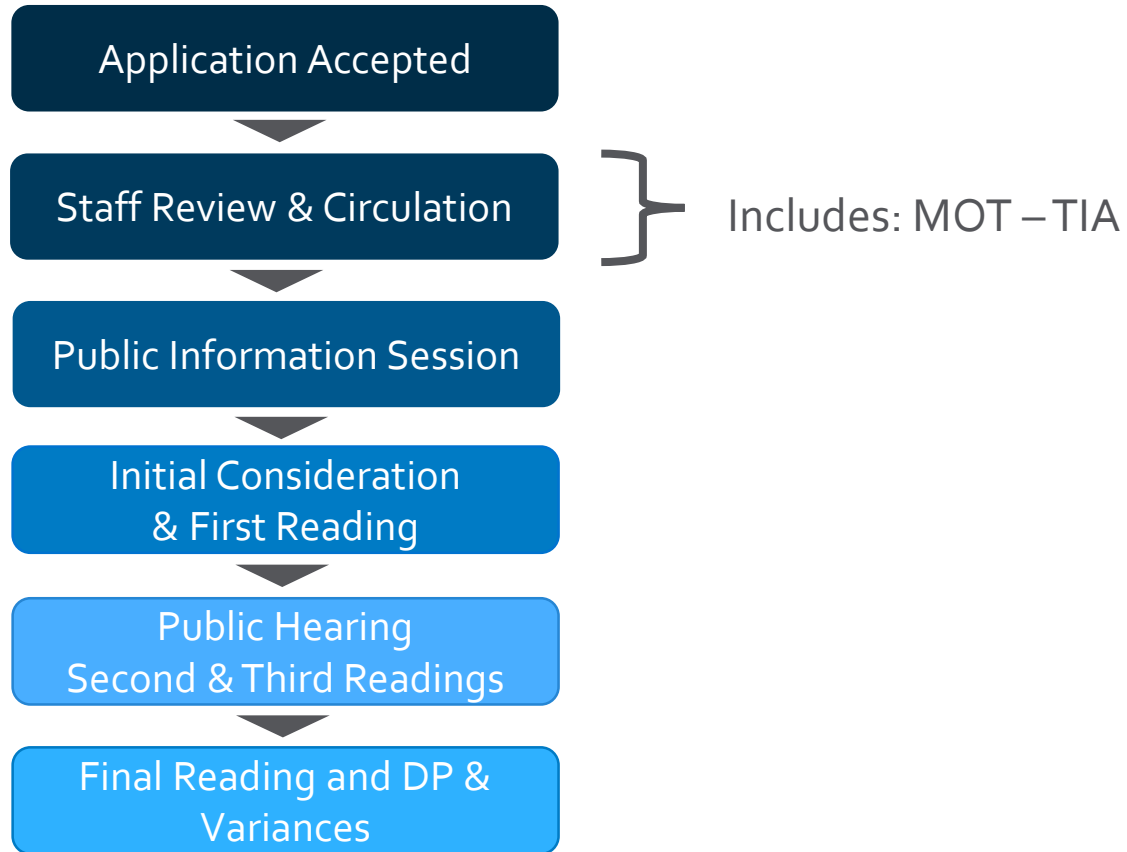
Staff Recommendation

- ▶ Staff recommend non-support of the proposed OCP Amendment and rezoning applications.



Conclusion of Staff Remarks

Development Process



REPORT TO COUNCIL



Date: July 26, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: OCP21-0004, Z21-0005, TA21-0002 **Owner:** Kinnikinnik Developments Inc., Inc. No. BCo622664

Address: 1890 and 1988 McKinley Road; and 3850 and 3912 Glenmore Road North **Applicant:** WSP Canada

Subject: Rezoning and Text Amendment Applications

Existing OCP Designation: REP - Resource Protection Area, REC – Private Recreation, PSU – Public Services/Utilities

Proposed OCP Designation: MXT - Mixed Use Tourism and PARK - Major Park/Open Space (public)

Existing Zone: A1 – Agriculture 1 and P3 – Parks and Open Space

Proposed Zone: CD18 – McKinley Beach Comprehensive Resort Development and P3 – Parks and Open Space

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP21-0004 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designations of portions of Lot 5 Sections 21 and 28 Township 23 ODYD Plan EPP8753 and Lot 6 Sections 21 and 28 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP92220 located at 1890 and 1988 McKinley Road, Kelowna BC and Lot 4 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP76020 and Lot 3 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Part in Plan EPP76020 located at 3850 and 3912 Glenmore Road North, Kelowna, BC from the REP - Resource Protection Area, REC - Private Recreation and PSU - Public Services/Utilities designations to the MXT – Mixed Use Tourism and PARK - Major Park/ Open Space (public) designations as shown on Map “A” attached to the Report from the Development Planning Department dated July 26, 2021, be considered by Council;

AND THAT Zoning Bylaw Text Amendment Application No. TA21-0002 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Attachment “C” attached to the Report from the Development Planning Department dated July 26, 2021, be considered by Council;

AND THAT Rezoning Application No. Z21-0005 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 5 Sections 21 and 28 Township 23 ODYD Plan EPP8753 and Lot 6 Sections 21 and 28 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP92220 located at 1890 and 1988 McKinley Road, Kelowna BC and Lot 4 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP76020 and Lot 3 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Part in Plan EPP76020 located at 3850 and 3912 Glenmore Road North, Kelowna, BC from the A1 – Agriculture 1 and P3 – Parks and Open Space zones to the CD18 – McKinley Beach Comprehensive Resort Development and P3 – Parks and Open Space zones as shown on Map “B” attached to the Report from the Development Planning Department dated July 26, 2021, be considered by Council;

AND THAT the OCP Amendment, Zoning Bylaw Text Amendment, and Rezoning Applications be forwarded to a Public Hearing for Further Consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the Servicing Agreement dated June 29, 2009, currently in place being amended in accordance with the requirements outlined in the Report from the Development Planning Department dated July 26, 2021 and signed by the property owners;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the owners transferring to the City parkland areas totaling approximately 246 acres (99.6 hectares).

2.0 Purpose

To amend the Official Community Plan Future Land Use areas, amend the CD18 – McKinley Beach Comprehensive Resort Development zone, and rezone portions of the subject properties to extend the development boundary of the McKinley Beach CD18 zone and add land for park and open space use.

3.0 Development Planning

The master developer has submitted an application to extend the development boundaries of the McKinley CD18 zone to add lands for further residential development. The application includes text amendments to the CD18 zone, amendments to the OCP Future Land Use map and associated rezoning of the lands. Planning Staff are recommending support to Council for the proposal as the request to extend the development boundary for development will not result in any additional residential densities from the existing CD18 zone capacity limit of 1300 units. Rather, the additional lands will allow more space for the residential development which will help in achieving greater environmental, hillside and park protection as well as integrating the residential development to be less dominate.

The proposal includes a significant amount of public park dedication. The proposed dedication would include approximately 246 acres (99.6 Hectares), with an approximate value of \$11,000,000 (value based on appraisal completed for the Real Estate Department in 2019). The first dedicated area would secure the eastern portion of the hilltop adding to the existing McKinley Mountain Park completing the full circumference of the mountain top (see Attachment G). Second, lands that were originally identified for a future golf course in the CD18 zone would become public park creating an extension from Stephens Coyote Ridge Regional Park through to McKinley Mountain Park (see Attachment G).

The proposed parkland dedication includes a significant portion of ALR land, that as City owned parkland would remain in its current state as natural lands and protected into the future should the lands be required by the community for development into active farmland.

The proposed parkland dedications offer opportunity for public passive recreation and offer protection of a variety of sensitive contiguous ecosystems. Other areas of sensitive ecosystems within the residential development areas will be identified and protected through covenants or dedication to the City as a condition of future subdivisions of the subject lands, these additional areas are estimated at approximately 45 ha (112 acres). With the connection to Stephens Coyote Ridge Regional Park there would be the opportunity for connecting recreation opportunities significantly expanding the options for future use.

The ridges and hills above Okanagan lake in the City include areas of highly sensitive ecosystems that are both terrestrial (rock outcrops and shallow to bedrock) as well as riparian (upland wetlands). The proposed parkland area includes significant components of both of these highly sensitive ecosystem. Under the Environmental policies of the OCP the City strives to protect and preserve the sensitive and ecologically important area whenever the opportunity is presented.

Kelowna Parks Comparison

Park Name	Park Size (ha)	Ownership
Knox Mountain Park	549.6	City
Scenic Canyon Regional Park	245.4	Regional
Black Mountain Regional Park	130.0	Regional
Dilworth Mountain Park	128.1	City
McKinley Mountain Park	123.4 *	City
Myra Bellevue Provincial Park	114.3	Provincial
Stephens Coyote Ridge Regional Park	111.8	Regional

*including proposed additional park

The residential development will also trigger a number of infrastructure and roadway requirements which will offer public benefits to the overall area. The existing Servicing Agreement would be revised to include the following (see Attachment E):

- a. The reallocation of \$1.5M in Glenmore Road works to new works on Glenmore Road not identified as needed at the time the original Servicing Agreement. Glenmore Road was identified for expansion to four lanes previously, however, is now identified through the Transportation Master Plan to remain a 2 lane road;
- b. The construction of an emergency access road from Wild Rose Road to Finch Road. This emergency access has been identified by the Kelowna Fire Department as a critical component from a public safety standpoint (see Attachment F);
- c. The construction of a connection road from McKinley Road through to the northern boundary of the subject lands facilitating the future connector road through to Lake Country; and
- d. The current servicing agreement identifies major requirements triggered at time of application for development beyond 60% of the allocated density, however the current development pattern, if continued, would not likely see this threshold reached. The total allocation of units for the McKinley Beach development area is 1300 units, to date 485 units have been permitted/constructed (approximately 37%), leaving 815 units to be allocated in future development.

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

4.0 Proposal

4.1 Background

The subject lands were included within the original development proposals and were included within the original Servicing agreement from 2009, however, the lands were not included in the Rezoning Bylaw creating the CD 18 zone. The density allocation for the development was set at 1300 units and 271,500 sqm gross floor area. The applications if approved would allow for the density allocation to be applied to a larger area (including the subject the subject properties) in addition to the existing lands within the CD18 zone.

4.2 Project Description

The proposed OCP Amendment would redesignate the properties to allow for rezoning and future development on a portion of the lands and protection of a very large area of parkland, which the City has sought to acquire for many years.

The proposed Zoning Bylaw Text Amendment would amend the CD18 zone to add a new area, Area V - Uplands Residential Area, the uses and regulations for this additional area are in line with other residential areas within the zone.

The proposed Rezoning application would amend the zoning for the subject properties to the P3-Parks and Open Space zone for the lands proposed to be dedicated to the City, the remainder to the new Area V of the CD18 zone This would allow for future subdivision applications on these lands.

4.3 Site Context

The subject properties are within the McKinley City Sector. The subject properties are adjacent to the east of the existing lands within the McKinley Beach development area. Portions of the subject properties front onto Glenmore Road and onto McKinley Road. To the east and north of the subject lands are properties.

5.0 Current Policies

5.1 Kelowna Official Community Plan 2030

a. Chapter 1: Goals for a Sustainable Future

Protect and Enhance Natural Areas, Protect and enhance natural areas by creating an open space network that protects sensitive ecosystems, including watersheds, and links important habitat areas.

b. Chapter 6; Environment:

Objective 6.1, The City of Kelowna Will Protect and enhance Kelowna's biodiversity

Objective 6.3, The City of Kelowna Will Maintain and enhance Kelowna's natural resources

c. Chapter 7, Infrastructure;

Parks Policies, Objective 7.12, Provide active and passive parks for a diversity of people and a variety of uses.

Policy 2: Natural Areas and Open Space. Provide a City-wide network of natural area parks which meet the following criteria:

- Contains representative Okanagan ecosystems;
- Contains areas of outstanding natural beauty (including areas with high visual vulnerability, such as rocky outcrops, ridge lines, hilltops, silt slopes, canyons, and water edges);
- The land area is contiguous and forms part of a larger open space network;
- Contains conservation areas; and.
- Protects viewshed corridors.

5.2 Hillside Development Guidelines

Development applications within hillside areas should work to achieve the vision for hillside development by focusing on the following principles:

- Damage to the environment and natural features should be avoided
- Suitable density and diversity of housing type mitigate impacts
- All users are accommodated on neighbourhood streets
- Views are preserved for residents and visitors
- Building sites are safe

6.o Application Chronology

Date of Application Received: January 14, 2021

Date Public Consultation Completed: June 21, 2021

Report prepared by: Dean Strachan, Manager, Community Planning and Development

Reviewed by: Terry Barton, Department Manager, Development Planning

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

Attachments:

Map A: Proposed OCP Amendment

Map B: Proposed Rezoning

Attachment C: Proposed Zoning Bylaw Text Amendment

Attachment D: Applicant Summary Letter

Attachment E: Development Engineering Servicing Report

Attachment F: Memo from Travis Whiting, Fire Chief

Attachment G: Proposed Park Dedication

N



OKANAGAN LAKE

GLENMORE RD N

HILLTOWN DR

HILLTOWN DR

EPP8753

HILLTOWN DR

EPP8753

EPP8753





MCKINLEY RD
EPP8753

MCKINLEY RESERVOIR

EPP8753

EPP8753

MAP "A" OCP AMENDMENT OCP21-0005

-  Resource Protection Area (REP) to Major Park/Open Space (PARK)
-  Private Recreation (REC) to Major Park/Open Space (PARK)
-  Resource Protection Area (REP) to Mixed Use Tourism (MXT)
-  Public Services/Utilities (PSU) to Major Park/Open Space (PARK)

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

0 50 100 200
Metres

Rev. Tuesday, July 20, 2021



N



OKANAGAN LAKE

GLENMORE RD N

HILLTOWN DR

HILLTOWN DR


HILLTOWN DR

MCKINLEY RD


MCKINLEY RESERVOIR

MAP "B" ZONING AMENDMENT Z21-0005

 A1 to P3

 P3 to CD18-V

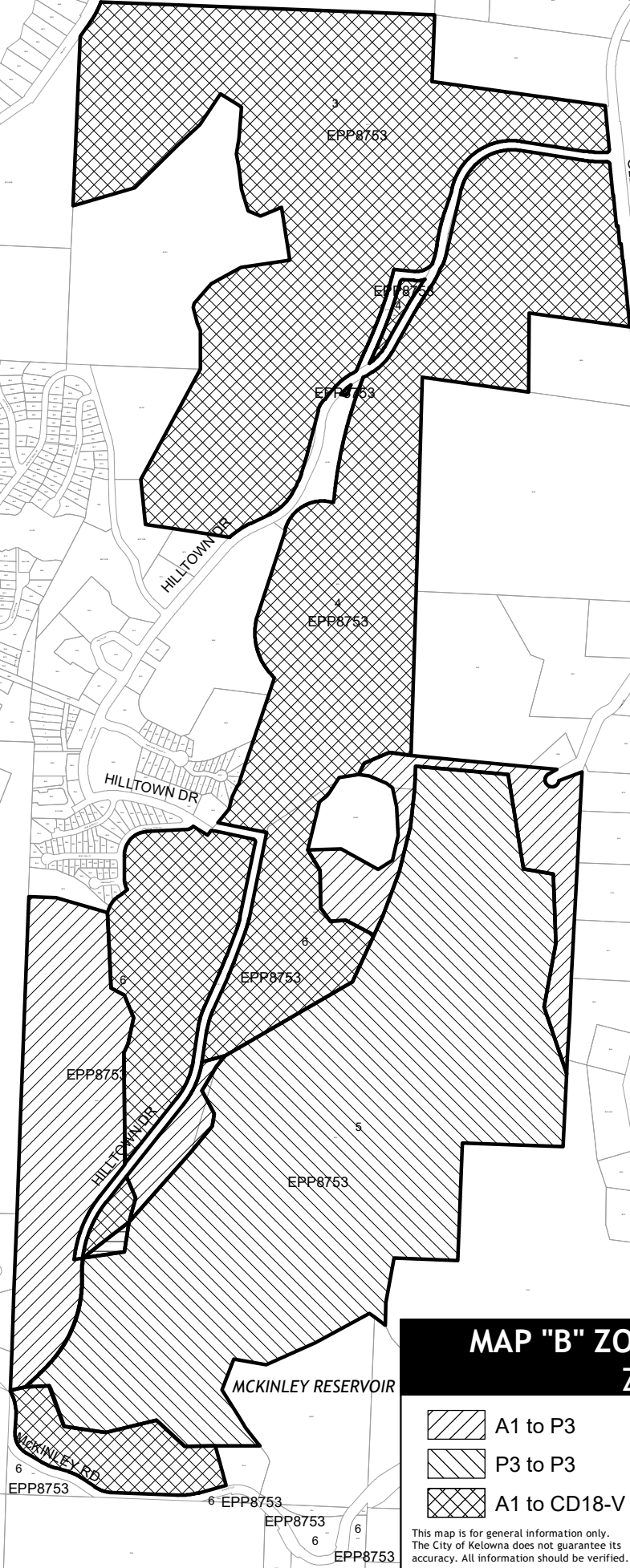
 P3 to P3

 A1 to CD18-V

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

0 50 100 200
Metres

Rev. Wednesday, July 21, 2021



Proposed Amendments to CD18 – McKinley Beach Comprehensive Resort Development Zone

The following lists the proposed text amendments to the CD-18 zone. Where possible, the existing naming convention for the CD-18 zone has been used. New uses, both Principal and Secondary, that are not currently found in the CD-18 bylaw have been highlighted for convenient reference. The amendments are listed in the order they occur in the existing bylaw.

Amend Section 1.2 – amend the second sentence to read as follows;

“Pursuant to the Area Structure Plan and subsequent amendments to the Official Community Plan, this zone has been organised into (5) five distinctive areas as illustrated by Map A.”

Add New Section 1.2(e):

1.2(e) AREA V Uplands Residential Area

Principal Uses:

The principal uses for the area designated as Area V on Map 1 are:

- (a) agriculture, urban
- (b) community garden
- (c) public park
- (d) row housing
- (e) single detached housing
- (f) semi-detached housing
- (g) two detached housing
- (h) three dwelling housing
- (i) four dwelling housing
- (j) multiple dwelling housing

Secondary Uses:

- (a) child care centre, minor
- (b) bed and breakfast
- (c) group homes, minor
- (d) home based business, minor
- (e) home based business, major

- (f) secondary suite in single dwelling housing
- (g) short term rental accommodation subject to Section 9.17 of the Zoning Bylaw
- (h) utility service, minor impact

Amend Section 1.3(k) – add the following bullet for Area V:

- Area V – Uplands Residential Area is the lessor of 2 ½ storeys or 11.5 m. For housing forms that include stilt foundations, the first 7 m of stilt height is excluded from the calculation of height.

Amend Section 4.1 – delete section 4.1 and re-number accordingly

Note: We will want to try and address a comprehensive approach to ALR setbacks/buffering as part of the Area V zoning amendment. We suggest a 6 m setback from all Park/ALR boundaries with specific buffer treatment to be addressed at the time of specific development applications.

Amend Map 1 – to include Area V

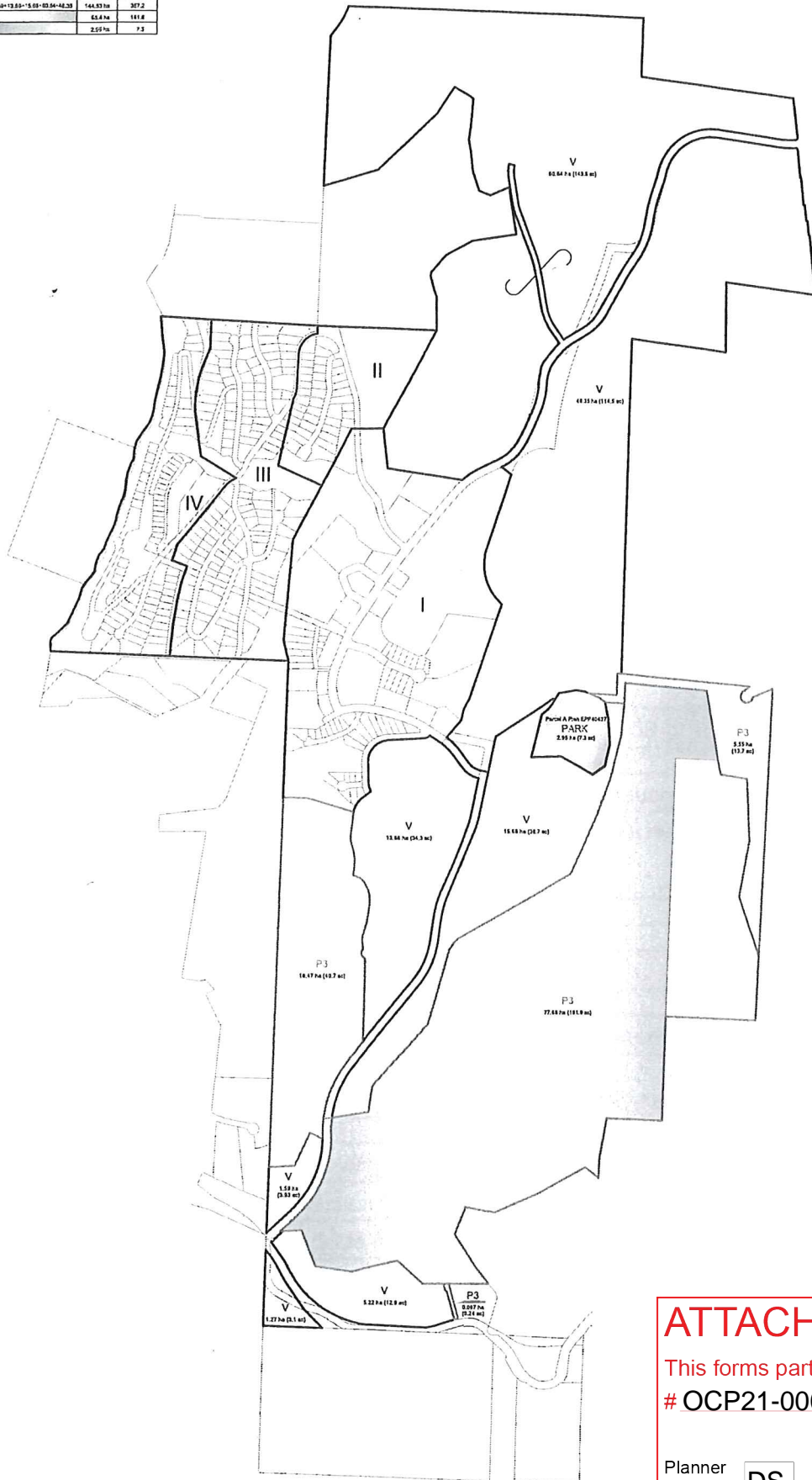
ATTACHMENT	C
This forms part of application	
# OCP21-0005 TA21-0002 Z	
Planner Initials	DS
 City of Kelowna DEVELOPMENT PLANNING	

McKINLEY BEACH PARK CONCEPT PLAN

0 100 200 300 400 500
 The intended plot size of this plan is 560mm in width by 864mm in height (D-size) when plotted at a scale of 1:5000 METRIC.

BOOK OF REFERENCE

DESIGNATION	LEGAL DESCRIPTION	Radius	Area
P3	16.17-20.87-27.35-5.51	55.13 ha	218.1
V	1.77-5.22-11.58-13.85-15.69-20.94-42.38	144.83 ha	387.2
AUR Area		63.8 ha	161.6
P3/PC		2.59 ha	7.5



DA Goddard Surveys
 103-1558 St. Paul Street, Kelowna BC
 Fax: 411592-Area January 13, 2021

ATTACHMENT C

This forms part of application
 # OCP21-0005 TA21-0002 Z

City of Kelowna
 DEVELOPMENT PLANNING

Planner Initials **DS**



This forms part of application

OCP21-0005 TA21-0002 Z



City of Kelowna DEVELOPMENT PLANNING

Planner Initials DS

January 14, 2021
Dean Strachan
City of Kelowna
1435 Water Street
Kelowna, B.C. V1Y 1J4

Subject: Official Community Plan Amendment and Rezoning for McKinley Beach

Dear Sir:

Please find attached application forms and information packages for an Official Community Plan Amendment and a Rezoning/Zoning Amendment for the McKinley Beach project. The general intent of the OCP Amendment is to change the OCP Future Land Use Designations from Resource Protection Area (REP) and Mixed Use Tourism (MXT) to Major Park and Open Space (PARK) and MXT. The Rezoning application proposes to rezone the balance of the McKinley Beach land holdings to a combination of P3 - Parks and Open Space and the CD18 - McKinley Beach Comprehensive Resort Development zone. The Zone Amending application seeks to amend the CD18 zone to add development regulations for a new Area V - Uplands Residential Community, which will apply to the land being rezoned to the CD18 zone.

General Rationale

This application package has been the result of several years of consideration regarding the long-term future for the entire land holdings at McKinley Beach and with this proposal includes all lands originally contemplated in the approved Area Sector Plan. Lands beyond the current zoned boundaries are shown as either Resource Protection Area or Private Recreation in the 2030 OCP. The McKinley Beach team is seeking a way to solidify the future land uses for the balance of the development lands with this application, while at the same time acknowledging the policy direction suburban lands are being subjected to. The subject proposal strikes a balance between a number of competing objectives for both the City and the development, based on the following key principles:

- 1. No new development units or density are being proposed. The proposed Area V of approximately 357 acres will accommodate the utilisation of the existing density prescribed in the current zoning in Section 13(a) through (d) of the CD 18 Zone. As a consequence, the developer will have to redeploy the development opportunities within Areas I-IV.
2. In balance with the new lands to be zoned CD 18 for residential use, approximately 246 acres of lands will be zoned to the P3 zone for Parks and Open Space. This zoned land is proposed to be dedicated to the City in parallel to the new CD 18 zone adoption.
3. In addition to the 246 acres of land to be dedicated to the City for Park, an additional 112 acres of land within the CD 18 Area V will be protected for park and open space as development occurs. The 112 acres is an approximation and will be determined as

Landmark 6, Suite 700
1631 Dickson Avenue
Kelowna, BC
Canada V1Y 0B5

T: +1 250 980-5500
F: +1 250-980-5511
wsp.com

WSP



development approvals occur. This means that approximately 359 acres of the subject property will become protected as Park and Open Space, while only 245 net acres is designated for future development. The proposal therefore supports more park and open space than future development lands.

4. The proposed park dedications represent a significant public benefit. The 246 acres to be dedicated with the rezoning application is contiguous other than one future road crossing. It also strategically will link up to McKinley Mountain Park to the west and Stephens Coyote Ridge Regional Park to the south. The park and open space that will be developed within the CD 18 zone is also linked through direct open space connections or through pedestrian linkages. The net result is a vast park and open space network that municipalities rarely get to acquire in one attempt. This represents a once in a generation opportunity to acquire a several hundred-acre park and open space for the citizens of Kelowna and the Okanagan at large. Its been demonstrated through the COVID pandemic just how important these green spaces are as the Kelowna community builds out.
5. While the development to date at McKinley Beach has resort qualities including a marina, vineyard and winery, the resort feeling is also transitioning toward a neighbourhood as development proceeds. This has been more an organic transformation. The residential development proposed for Area V is a scale that seems more appropriate for the McKinley Beach community. The establishment of zoning and land uses for the balance of the land will also assure the current residents that they know what the plan is for the future.
6. The proposed zoning, for both the development lands and the park and open space lands will establish a fixed plan for the remainder of the site with a net positive community impact. With the proposal creating more park and open space than development land, and by only utilizing the existing density already in place, the benefits to the community outweigh the impacts. Taking this step now also creates a defensible boundary for land use policy planning into the future.
7. Accompanying the rezoning application will be an adjustment of the existing servicing agreement. It should be noted that the original servicing agreement was entered into on June 29th, 2009. This rezoning application now creates the opportunity to update the Servicing agreement and address one of the long outstanding issues of emergency access to the north. An emergency access route is planned to connect McKinley Beach to Finch Road which will also serve as a route for underground infrastructure should the Finch Road properties ever require municipal services. The emergency access would not be open to public vehicular traffic but would be available for pedestrians and cyclists. This adds a significant second route from Kelowna into Lake Country for bicyclists, importantly off of the busy Glenmore Road. There is a second access to the north planned to connect the future McCoubery Plateau development lands. The revised servicing agreement respects and improves upon the services for both the McKinley Beach community and the adjacent areas which utilize the road, pedestrian, and bicycle networks. It should be noted that the expansion of the CD18 zone area is also well aligned with the original servicing agreement, given that the original servicing agreement required the sizing of offsite infrastructure be installed to accommodate the complete land area. Thus, a considerable investment has always been made "in the ground" to comply with this ASP and Servicing Agreement requirement. The significant majority of the major infrastructure required to accomplish Area V is already in place, including the arterial roads, water reservoir infrastructure and City sewer connectivity. A revised Servicing Agreement has been drafted and will be included in the application as soon as it is finalised.

WSP

ATTACHMENT D

This forms part of application
 # OCP21-0005 TA21-0002 Z



City of
Kelowna
 DEVELOPMENT PLANNING

Planner Initials **DS**

The proposed park dedications to the City of Kelowna are significant. This new proposed 246 acre park would represent the second largest municipal park in the City and it would be larger than a few of the Regional Parks within the City. The land is significantly in its natural state. Some wildfire mitigation works have occurred in the past and the lands have been used for cattle grazing. There is only one road that will cross between the Mountaintop Park area and the balance of the park. There are extensive portions of the park that are flat, as well as diverse usable hillside terrain. The main body of the park will border the McKinley Reservoir and there are two other small ponds in northeast portion of the park. While no firm plans have been set for the parkland, it is the expectation that the park will largely stay in its natural state with hiking trails added. There are several viewpoint opportunities within the park. Discussion with the City has indicated that the first \$1,000,000 in Park Development DCC's generated from the development within McKinley beach CD zone will be earmarked for improvements on the parkland being transferred to the City as a result of this application.

Additionally, as development proceeds through CD18 - Area V, there will be another approximately 112 acres of open space protected or dedicated to the City. These additional spaces will link either directly or through pedestrian networks to the larger park opportunities. The CD 18 zone also requires a publicly accessible trail system to be provided which will compliment these additional park and open spaces. The expectation is that once the major park space has been transferred to the City, the planning and initial improvements would become a priority under the new DCC program for park development.

Focused Approach to New Development Lands

In preparing the Area V mapping for future development, all the existing information was layered with specific analysis to arrive at mapping designations that showed the most suitable lands for development. This process has involved Mr. Dean Strachan and Mr. Ryan Smith to ensure appropriate direction. The iterative process combined the following analytical maps:

- Landform Analysis (elevation)
- Slope Analysis
- Aspect Analysis
- Environmentally Sensitive Areas
- Site Constraint Mapping

Once these layers were examined, the outcome was a map showing potential development yields. This was then rationalised with the park dedications and an Environmental Network Plan. Finally, the proposed development plan was examined for infrastructure efficiency and cohesiveness. Some development areas were dropped off the potential yield plan and the result is approximately 245 acres for residential development with approximately 359 acres for park and open space protection. Outside of the major park transfer to the City of Kelowna, the remaining open spaces will be specifically identified and evaluated at the time of development consideration of specific projects within Area V. The open space lands would either be dedicated to the City of Kelowna for public use or protected under private ownership. These decisions will be based on environmental best practices, the impact to development and the general public benefit.

Draft Public Engagement Strategy

Public consultation is a challenging task during the COVID 19 pandemic. Traditionally, open houses were the primary way a development proposal would be offered to the local community for review and input. While the formal public engagement strategy has not been determined, it is anticipated that we will be able to engage with smaller groups and individuals through virtual meetings and email correspondence. The main target groups will be the McKinley Landing Residents Association and the current residents of McKinley Beach. The developers have a long

WSP

This forms part of application

OCP21-0005 TA21-0002 Z



City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials

DS

track record of annual or semi-annual presentations to the McKinley Landing Residents Association – either at their AGM or through the executive. It is likely that they can assist with getting the information out to their membership.

The developers will also be able to contact many of the current McKinley Beach residents through their own contact list. There will be public notification as well so that members of the general public can contact our development group with comments or questions. All of the above will be documented and presented as a summary report to City staff in preparation for Council consideration of the applications.

Summary

The above rationale focuses on the three main elements of this application:

- With no additional density added, the rezoning of additional lands has no incremental impact on the growth within this sector of the City and continues to make good use of existing and planned infrastructure.
- In exchange for the additional zoned lands, the City is receiving parkland that should rank as a legacy scale of opportunity.
- The resulting zoning will provide certainty for the community, the residents of McKinley Beach and for the City in terms of complete buildout, park assets and defensible limits of land development.

We look forward to advancing this unique opportunity to Municipal Council for their consideration.

Yours sincerely,

Andrew Bruce
Practise Lead, Private
Development

AB/

cc: McKinley NA LP (McKinley Beach Master Developer)



CITY OF KELOWNA

MEMORANDUM

Date: June 10, 2021
File No.: Z21-0005
To: Planning and Development Officer (DC)
From: Development Engineering Manager (RO)
Subject: 3912, 3850 Glenmore Rd N A1 to CD18

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property To receive the approval for the works outlined in the document below in a new Service Agreement, to replace Service Agreement Z03-0009 Kinnikinnik Developments Inc.

General

Kinnikinnik Developments Inc. entered into a service agreement with the City of Kelowna dated June 29, 2009 (Z03-0009). These works were placed into a phase agreement with Completion dates tied to development stages. A Majority of this works has been completed under the 60% of total development for this area. The last major requirement left on this Service Agreement is 4 laning Glenmore road from Union road to McKinley Road entrance. Will be required at the 60% development mark, Unfortunately we do not see them hitting this mark.

Kinnikinnik Developments Inc. resubmitted their TIA in 2012 and approved by Development Engineering and Intergraded Transportation managers at the time. Which placed a percentage tie to the McKinley Development Burden to this 4 laning requirement at approx. 15%. At Just under a \$10,000,000.00 construction estimate to Build the Glenmore 4 lanes, the contribution will be \$1,500,000.00.

With the additional requirements to open up new laned outside the existing growth boundary we have added the following requirements and dates to them. As well as the original Requirement for Glenmore road work tied to original Servicing Agreement of \$1,500,000.00.

McKinley road Works is from Shayler Road to Glenmore Road, Improving grades and sight lines and corners. Widening and improving the road to City of Kelowna Rural standards with Bike lanes. If approved these works would Start in of Spring 2022.

Finch road connection Will provide a much-needed connection form Finch road to Wild Rose Rd. this will be a 6.0m Paved emergency access road Standard, which can also be used as a active transportation connection.

Ridge Road This will be a second out from the Village town center South down to McKinley Road. This will be built to Rural cross section.

Development Engineering will work with with Intergraded Transportation and Planning departments on best options for the \$1,500,00.00 cash in lieu contribution to works on Glenmore road.

Ryan O'Sullivan

Ryan O'Sullivan
Development Engineering Manager

ATTACHMENT **E**

This forms part of application
OCP21-0005 TA21-0002 Z

Planner Initials DS

City of 
Kelowna
DEVELOPMENT PLANNING

Memo



Date: June 21st, 2021
To: Dean Strachan, Community Planning & Development Manager
From: Travis Whiting, Fire Chief
Subject: McKinley/Finch Connection


In reviewing the proposed connection of Finch Road into McKinley, it is clear the route is a critical component from a public safety standpoint. There are two significant ways the new access will benefit:

1. Access to Finch from Station 5 (Glenmore)
 - a. Kelowna Fire accesses Finch Road by entering Lake Country and responding from the north entrance to Finch. This new route will provide a secondary access that may provide a timelier response to Finch Road
 - b. In the event of an incident on the road, access may be limited by the nature of the current one way in/one way out configuration. A second access point allows crews to respond to an incident from two locations, a potentially critical piece during interface or structure fires.
2. Egress for residents on Finch and/or in McKinley
 - a. For residents on Finch, the route would allow emergency egress during incidents which often block access to the main road. In events such as interface fires, residents may need the secondary access route to be able to efficiently evacuate the area.
 - b. As noted above, the route also provides an alternative route for residents in McKinley during an emergency.

Improvements to access/egress, especially in urban wildfire interface areas are critical components to emergency planning and public safety. I appreciate the work being done to consider moving the project forward in a timely manner.

Respectfully,

Travis Whiting
Fire Chief, City of Kelowna

ATTACHMENT		F
This forms part of application		
# OCP21-0005 TA21-0002 Z		
Planner Initials	DS	 City of Kelowna DEVELOPMENT PLANNING

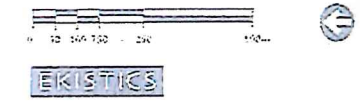
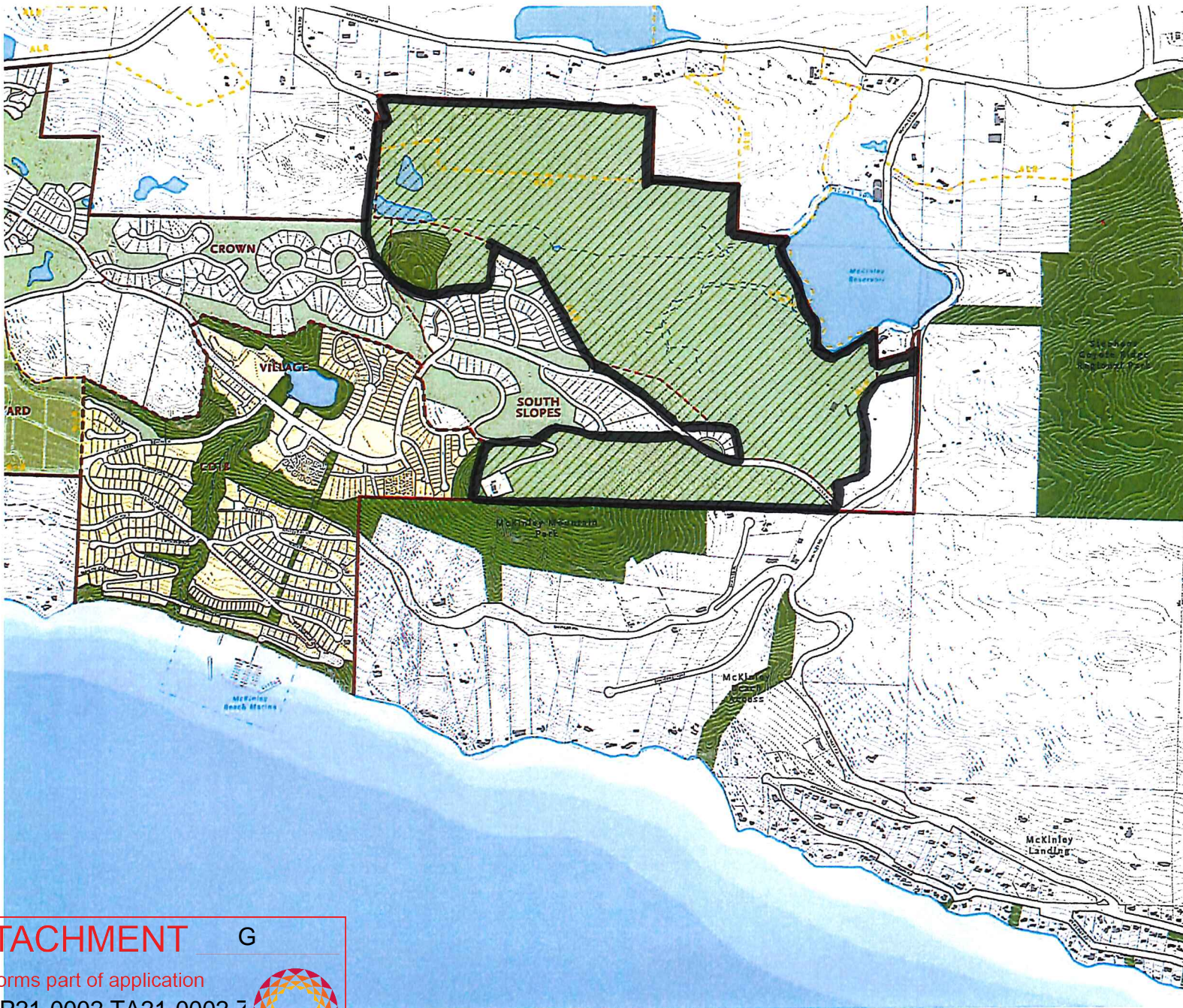
URBAN RESERVE LANDS PROPOSED PARK + DEVELOPMENT CONCEPT

LEGEND OCTOBER 2018

- McKinley Beach Plan Boundary
352.83 ha | 872.00 ac
- McKinley Beach CD18 Boundary
57.16 ha | 140.55 ac
- Urban Reserve Boundary
271.72 ha | 671.43 ac
- Parcel Boundary
- 5m Contour
- Streams and Wetlands
- Water Line | Servicing
- Ephemeral Streams
- Existing Structures

URBAN RESERVE LAND ANALYSIS

	Existing Park Lands	2.99 ha 7.39 ac
	Proposed City Park Acquisition	107.89 ha 264.40 ac
	Future Park & Open Space	18.53 ha 45.21 ac
	Vineyard	16.62 ha 41.07 ac
	Future Development Lands	57.02 ha 141.51 ac
	Existing + Future Road ROW	19.56 ha 48.33 ac
100%		271.72 ha 671.43 ac



ATTACHMENT G

This forms part of application
OCP21-0002 TA21-0002 Z

Planner Initials **DS**

City of
Kelowna
DEVELOPMENT PLANNING



OCP21-0004, TA21-0002, Z21-0005 McKinley

OCP Amendment, Zoning Bylaw Text Amendment and
Rezoning Applications



Proposal

- ▶ To amend the OCP Land Use designation from Resource Protection and Major Park and Open Space to Mixed Use Tourism and Major Park and Open Space.
- ▶ To amend the Zoning Bylaw to add Area V – Uplands Residential to the CD18 zone.
- ▶ To rezone the subject properties to the new CD18 Area V.

Development Process



Jan 14, 2021

Development Application Submitted

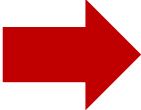


Staff Review & Circulation



Jun 21, 2021

Public Notification Received



July 26, 2021

Initial Consideration



Public Hearing
Second & Third Readings

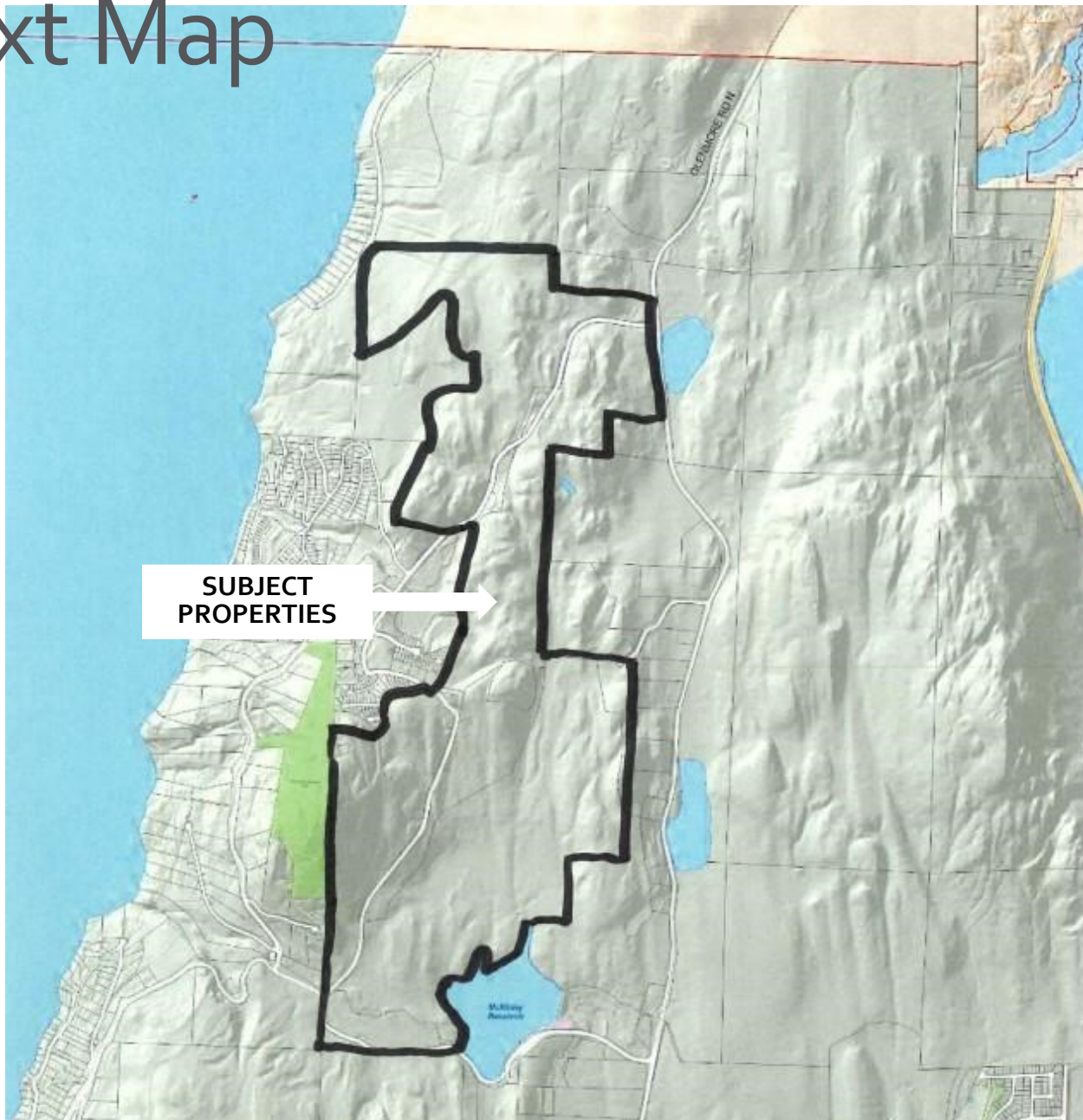


Final Reading



Council Approvals

Context Map



**SUBJECT
PROPERTIES**

City of Kelowna

OCP

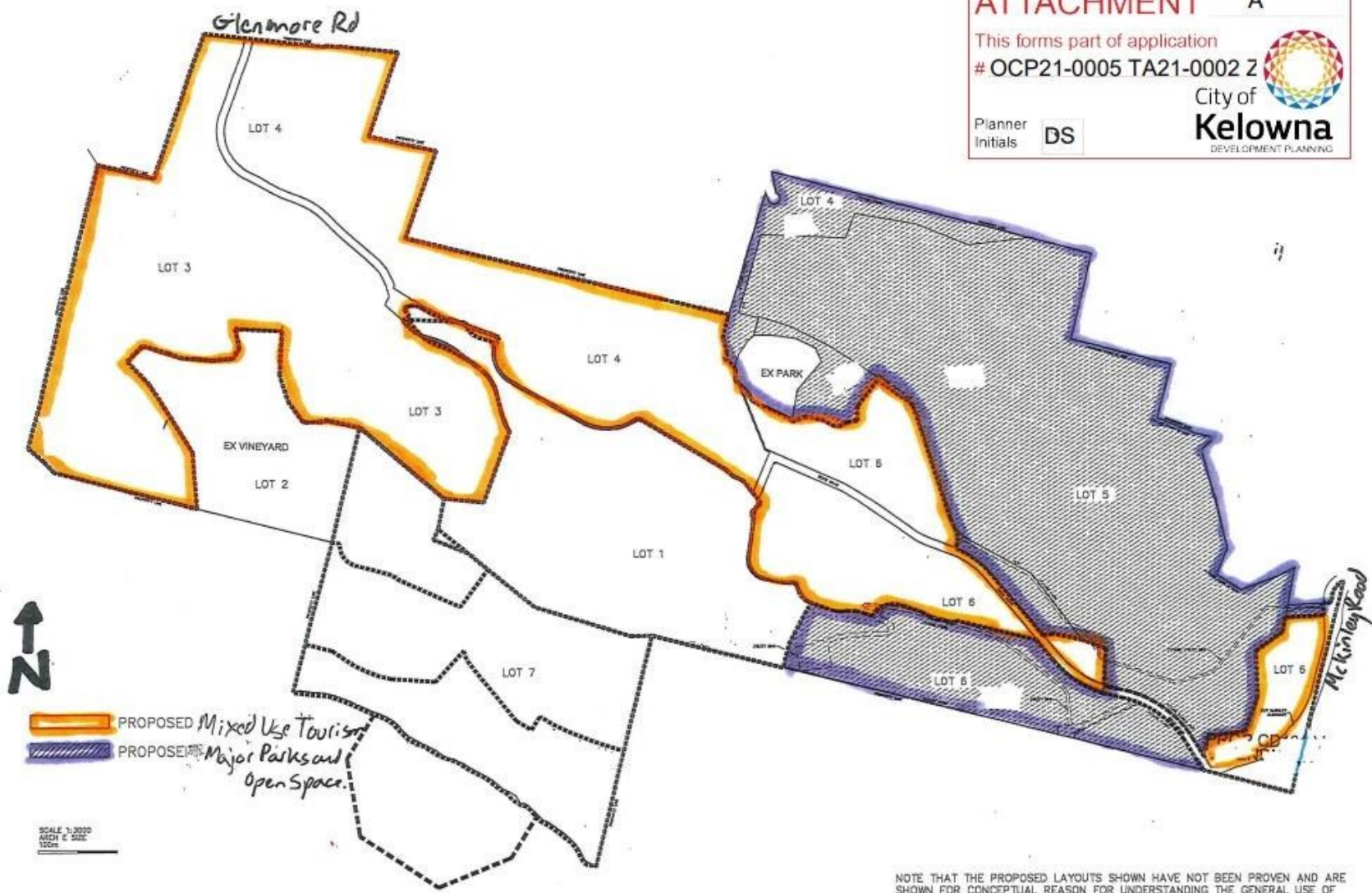
ATTACHMENT A

This forms part of application
 # OCP21-0005 TA21-0002 Z



City of
Kelowna
 DEVELOPMENT PLANNING

Planner Initials **DS**



Okanagan Lake.
 City of Kelowna

NOTE THAT THE PROPOSED LAYOUTS SHOWN HAVE NOT BEEN PROVEN AND ARE SHOWN FOR CONCEPTUAL REASON FOR UNDERSTANDING THE GENERAL USE OF ZONE 5. THE ROAD ALIGNMENTS AND LAYOUTS SHOWN ARE NOT TO BE RELIED UPON.

Zoning

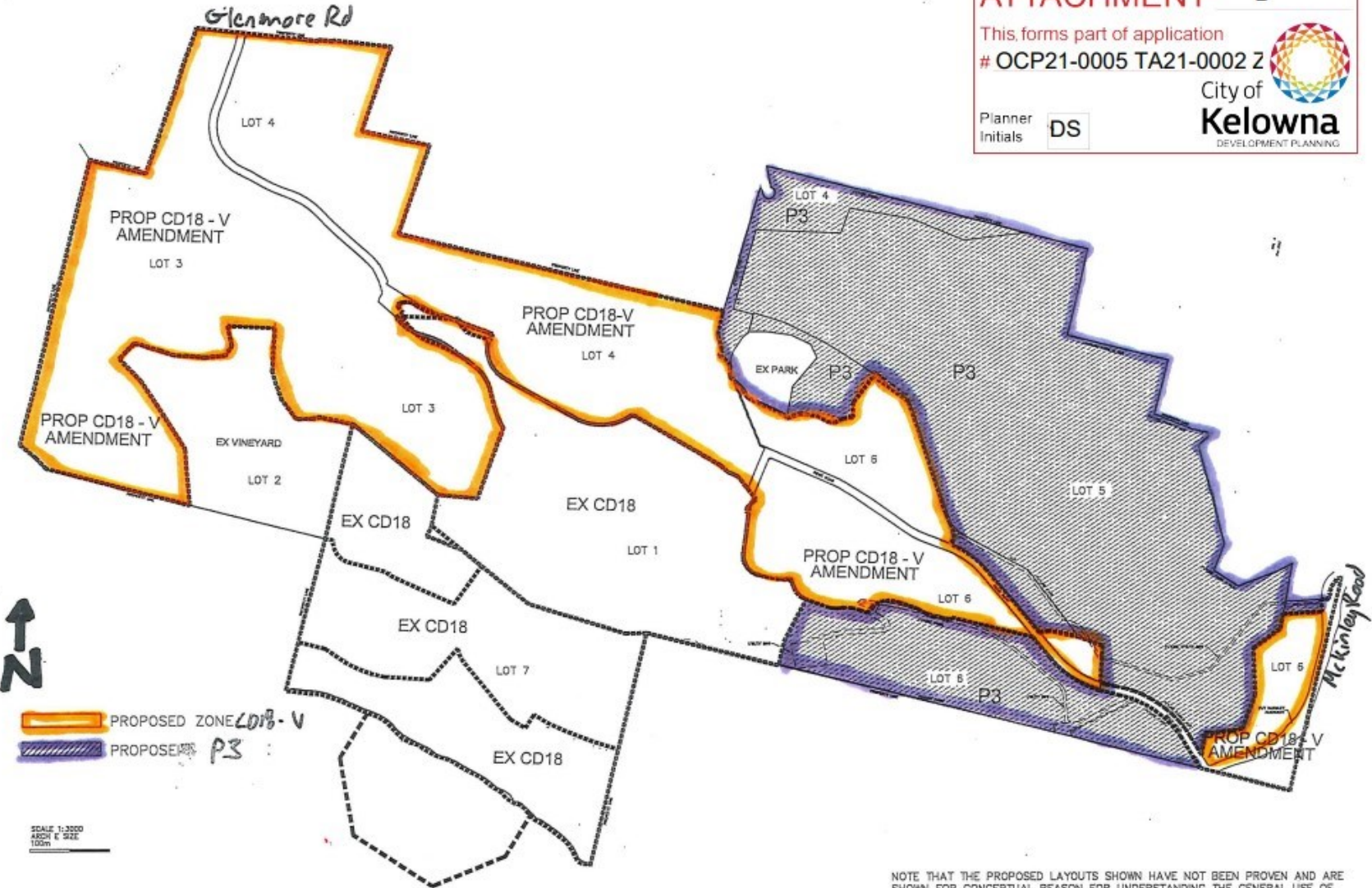
ATTACHMENT B

This forms part of application
 # OCP21-0005 TA21-0002 Z



City of
Kelowna
 DEVELOPMENT PLANNING

Planner Initials **DS**



Okanagan Lake.

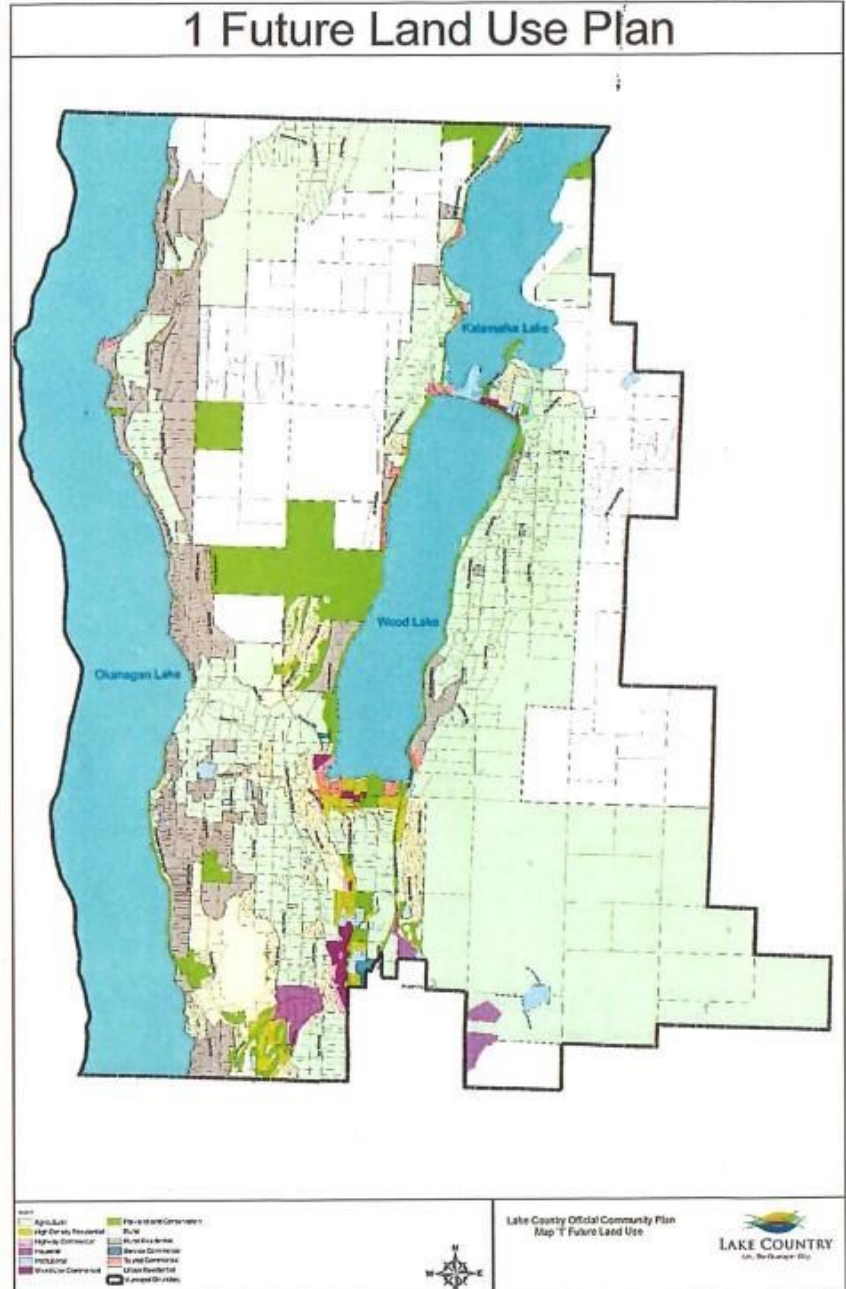
City of Kelowna

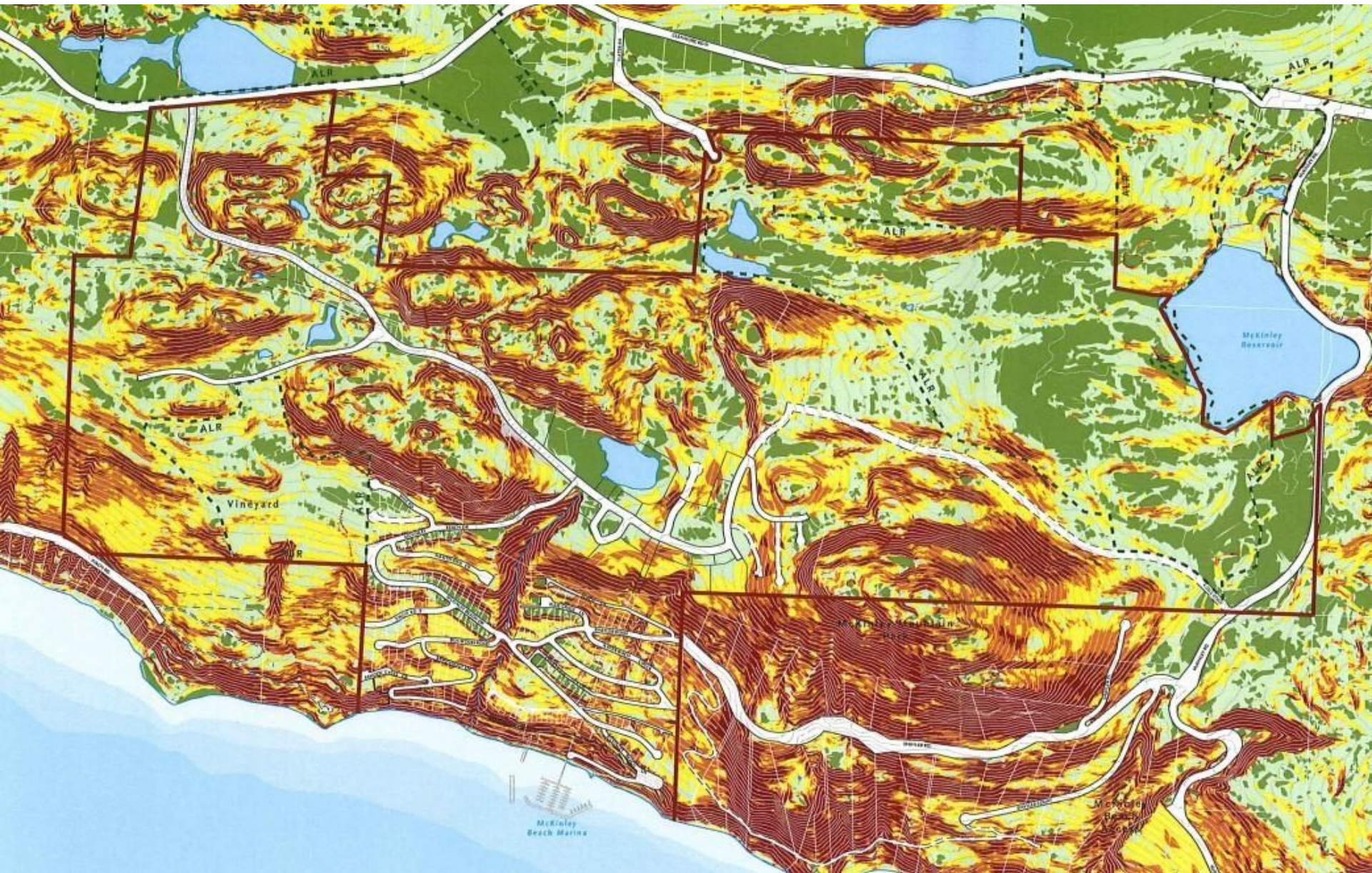
NOTE THAT THE PROPOSED LAYOUTS SHOWN HAVE NOT BEEN PROVEN AND ARE SHOWN FOR CONCEPTUAL REASON FOR UNDERSTANDING THE GENERAL USE OF ZONE 5. THE ROAD ALIGNMENTS AND LAYOUTS SHOWN ARE NOT TO BE RELIED UPON.

Proposed Parkland

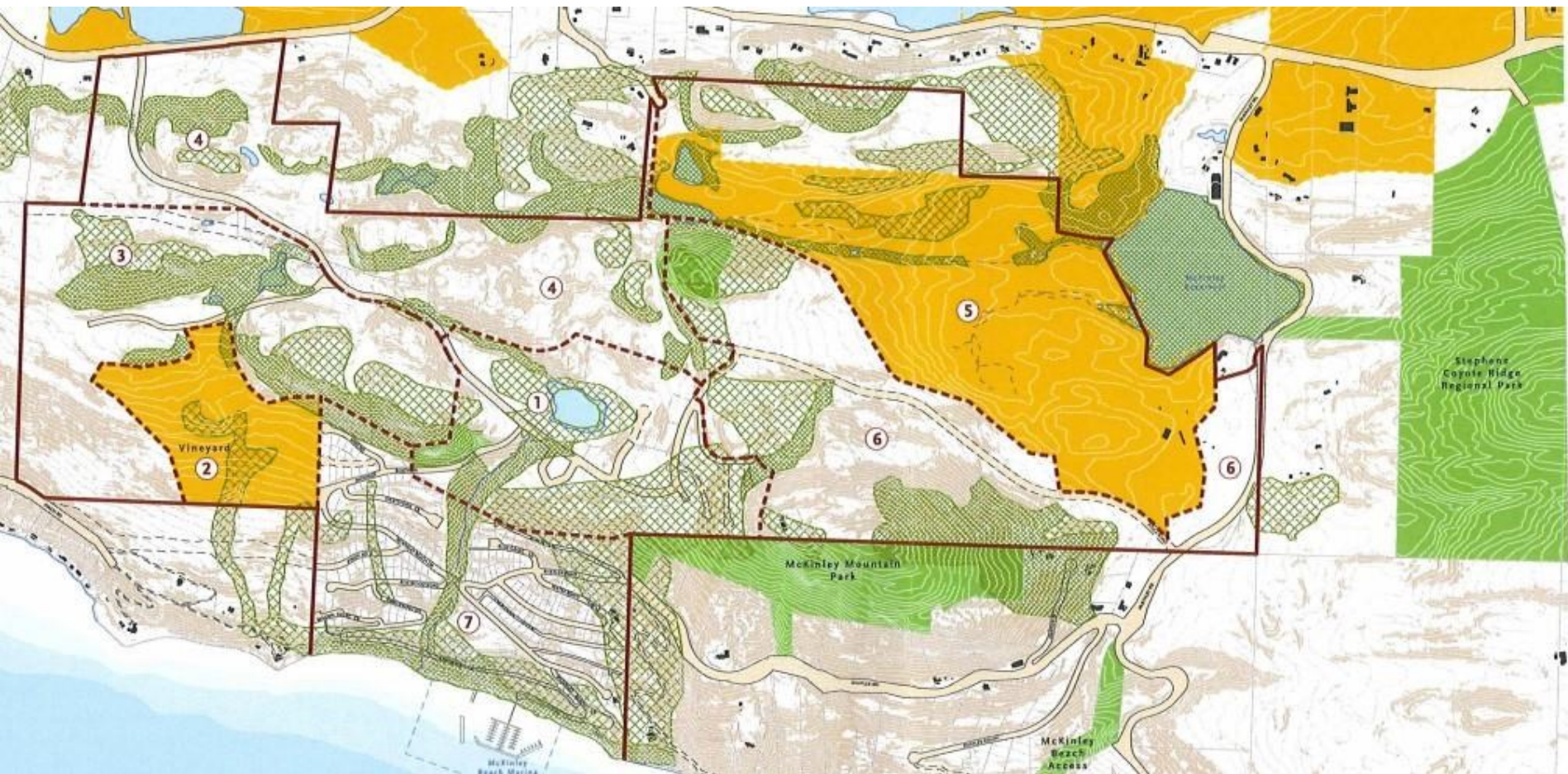


Lake Country OCP 2018









Staff Recommendation

- ▶ Development Planning Staff recommends **support** of the proposed OCP Amendment, Zoning Bylaw Text Amendment and Rezoning.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12251

Official Community Plan Amendment No. OCP21-0004 1890, 1988 McKinley Road and 3850, 3912 Glenmore Road North

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation for portions of:
 - a) Lot 5 Sections 21 and 28 Township 23 ODYD Plan EPP8753, located on McKinley Road, Kelowna, BC; and
 - b) Lot 6 Sections 21 and 28 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP92220, located on McKinley Road, Kelowna, BC; and
 - c) Lot 4 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP76020, located on Glenmore Road North, Kelowna, BC; and
 - d) Lot 3 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Part In Plan EPP76020, located on Glenmore Road North, Kelowna, BC.

from the REP – Resource Protection Area, REC – Private Recreation, and PSU – Public Services/Utilities designations to the PARK – Major Park/Open Space (public) and MXT – Mixed Use Tourism designations as shown on Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

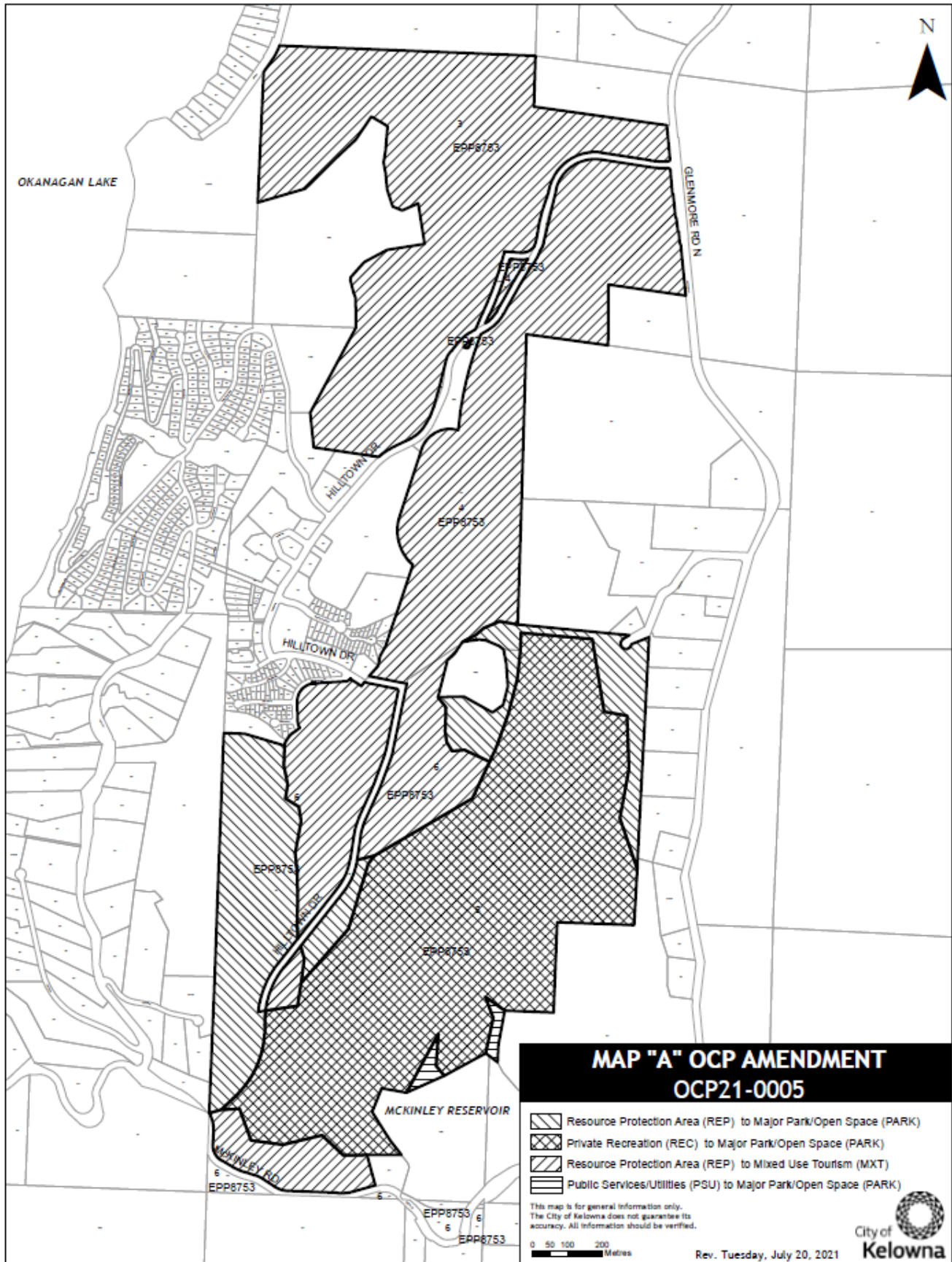
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this





Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



**MAP "A" OCP AMENDMENT
OCP21-0005**

-  Resource Protection Area (REP) to Major Park/Open Space (PARK)
-  Private Recreation (REC) to Major Park/Open Space (PARK)
-  Resource Protection Area (REP) to Mixed Use Tourism (MXT)
-  Public Services/Utilities (PSU) to Major Park/Open Space (PARK)

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

0 50 100 200
Metres

Rev. Tuesday, July 20, 2021



CITY OF KELOWNA

BYLAW NO. 12252

TA21-0002

CD18 – McKinley Beach Comprehensive Resort Development

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 18 – Schedule 'B' – Comprehensive Development Zones, CD18 – McKinley Beach Comprehensive Resort Development, 1.2 PRINCIPAL AND SECONDARY USES** be amended by:

a) deleting the following:

"The principal and secondary uses in this zone vary in accordance with the key resort elements identified in the Vintage Landing Area Structure Plan adopted as part of the Kelowna Official Community Plan. Pursuant to the Area Structure Plan this zone has been organized into (4) four distinctive areas as illustrated on Map A. Each area will have its own allowable principal and secondary uses as follows:"

And replacing it with:

"The principal and secondary uses in this zone vary in accordance with the key resort elements identified in the Vintage Landing Area Structure Plan adopted as part of the Kelowna Official Community Plan. Pursuant to the Area Structure Plan and subsequent amendments to the **Official Community Plan**, this zone has been organized into (5) five distinctive areas as illustrated by Map A. Each area will have its own allowable principal and secondary uses as follows:"

2. AND THAT **Section 18 – Schedule 'B' – Comprehensive Development Zones, CD18 – McKinley Beach Comprehensive Resort Development, 1.2 PRINCIPAL AND SECONDARY USES** be amended by adding in its appropriate location:

1.2(e) AREA V Uplands Residential Area

Principal Uses:

The **principal uses** for the area designated as **Area V** on Map 1 are:

- (a) agriculture, urban
- (b) community garden
- (c) public park
- (d) row housing
- (e) single detached housing
- (f) semi-detached housing
- (g) two detached housing
- (h) three dwelling housing
- (i) four dwelling housing
- (j) multiple dwelling housing

Secondary Uses:

The **secondary uses** for the area designated as **Area V** on Map 1 are:

- (a) **child care centre, minor**
- (b) **bed and breakfast**
- (c) **group homes, minor**
- (d) **home based business, minor**
- (e) **home based business, major**
- (f) **secondary suites in single detached housing**
- (g) **short-term rental accommodation**, subject to section 9.17 of this Bylaw
- (h) **utility service, minor impact** "

3. AND THAT **Section 18 – Schedule 'B' – Comprehensive Development Zones, CD18 – McKinley Beach Comprehensive Resort Development, 1.3 DEVELOPMENT REGULATIONS, 1.3(k) 1. Building Height:** be amended by adding in its appropriate location:

"

- Area V – Uplands Residential Area is the lessor of 2 ½ storeys or 11.5 m. For housing forms that include stilt foundations, the first 7 m of stilt height is excluded from the calculation of height."
4. AND THAT **Section 18 – Schedule 'B' – Comprehensive Development Zones, CD18 – McKinley Beach Comprehensive Resort Development, 1.3 DEVELOPMENT REGULATIONS, 4. Setbacks:** be amended by:

a) deleting the following:

"

1. The minimum setback from the CD Zone boundary for all uses shall be 10m (33 ft.) with the exception of the CD Zone boundary that fronts Okanagan Lake riparian management area or any park areas where the setback will be 1.5m.
2. The minimum **front yard** is 0.0m.
3. The minimum **side yard** is 0.0m.
4. The minimum **rear yard** is 0.0m."

And replacing it with:

- "1. The minimum **front yard** is 0.0m.
2. The minimum **side yard** is 0.0m.
3. The minimum **rear yard** is 0.0m."

5. AND THAT **Section 18 – Schedule 'B' – Comprehensive Development Zones, CD18 – McKinley Beach Comprehensive Resort Development** be amended by deleting the "CD18 – McKinley Beach Comprehensive Resort Development Map A" as attached to and forming part of this bylaw as Map A and replacing it with a new "CD18 – McKinley Beach Comprehensive Resort Development Map A" as attached to and forming part of this bylaw as Map B.
6. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

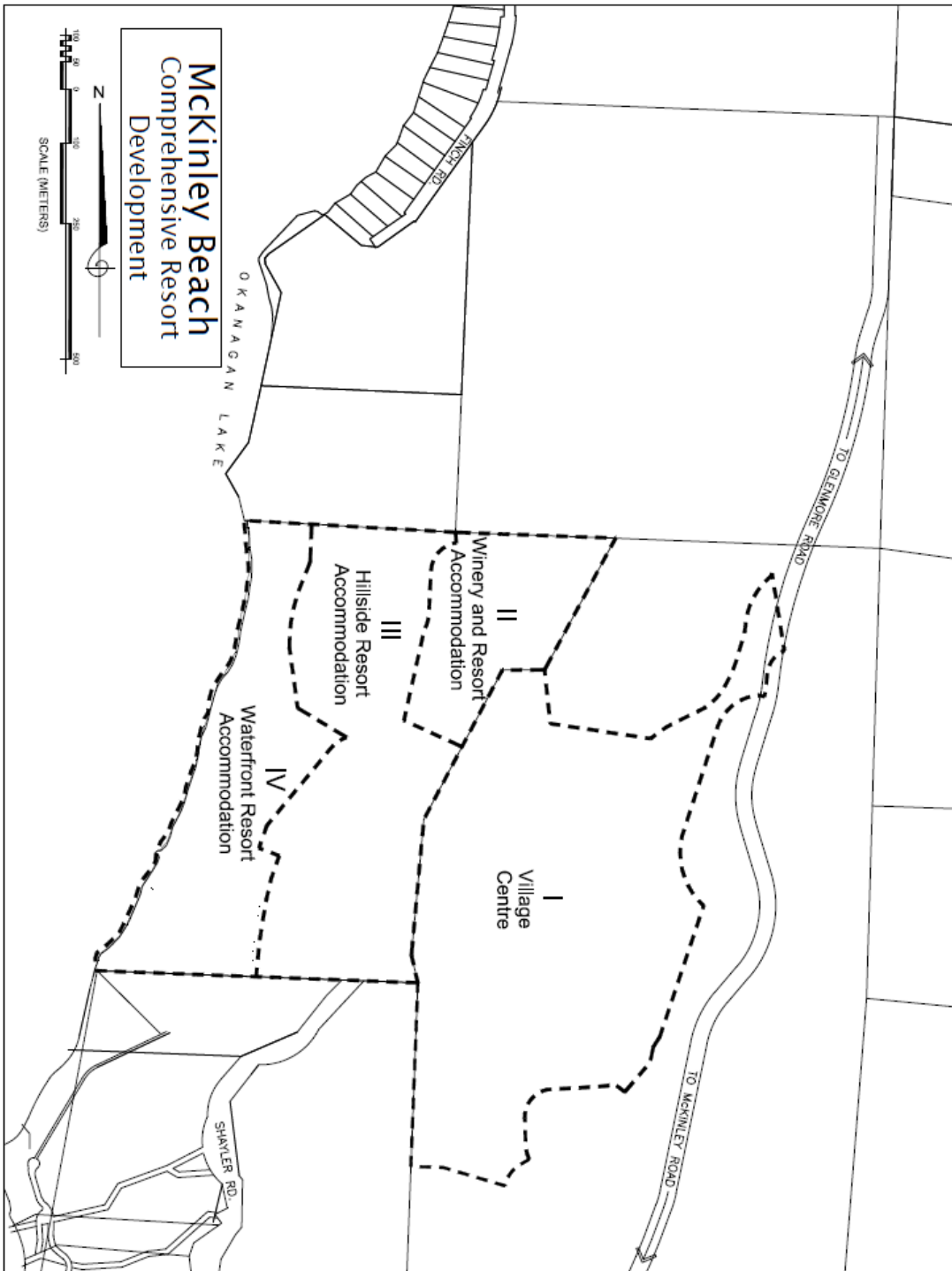
Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

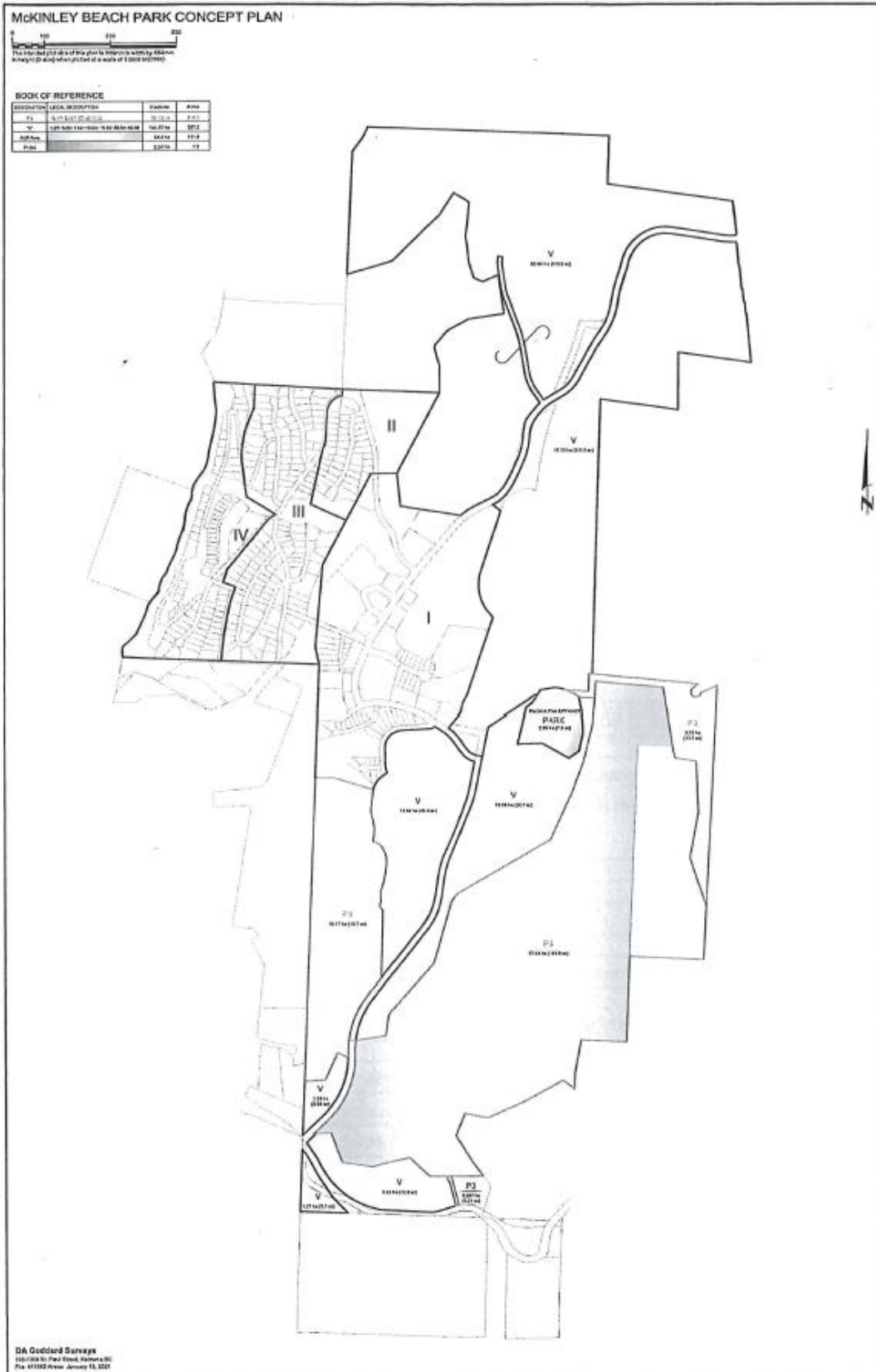
Mayor

City Clerk

CD18 -McKinley Beach Comprehensive Resort Development
Map A



MAP B



CITY OF KELOWNA

BYLAW NO. 12253

Z21-0005

1890, 1988 McKinley Road and 3850, 3912 Glenmore Road North

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification for portions of:
 - a) Lot 5 Sections 21 and 28 Township 23 ODYD Plan EPP8753, located on McKinley Road, Kelowna, BC; and
 - b) Lot 6 Sections 21 and 28 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP92220, located on McKinley Road, Kelowna, BC; and
 - c) Lot 4 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Plans EPP40437 and EPP76020, located on Glenmore Road North, Kelowna, BC; and
 - d) Lot 3 Sections 28 and 33 Township 23 ODYD Plan EPP8753 Except Part in Plan EPP76020, located on Glenmore Road North, Kelowna, BC.from the A1 – Agriculture 1 and P3 – Parks and Open Space zones to the CD18 – McKinley Beach Comprehensive Resort Development and P3 – Parks and Open Space zones as shown on Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

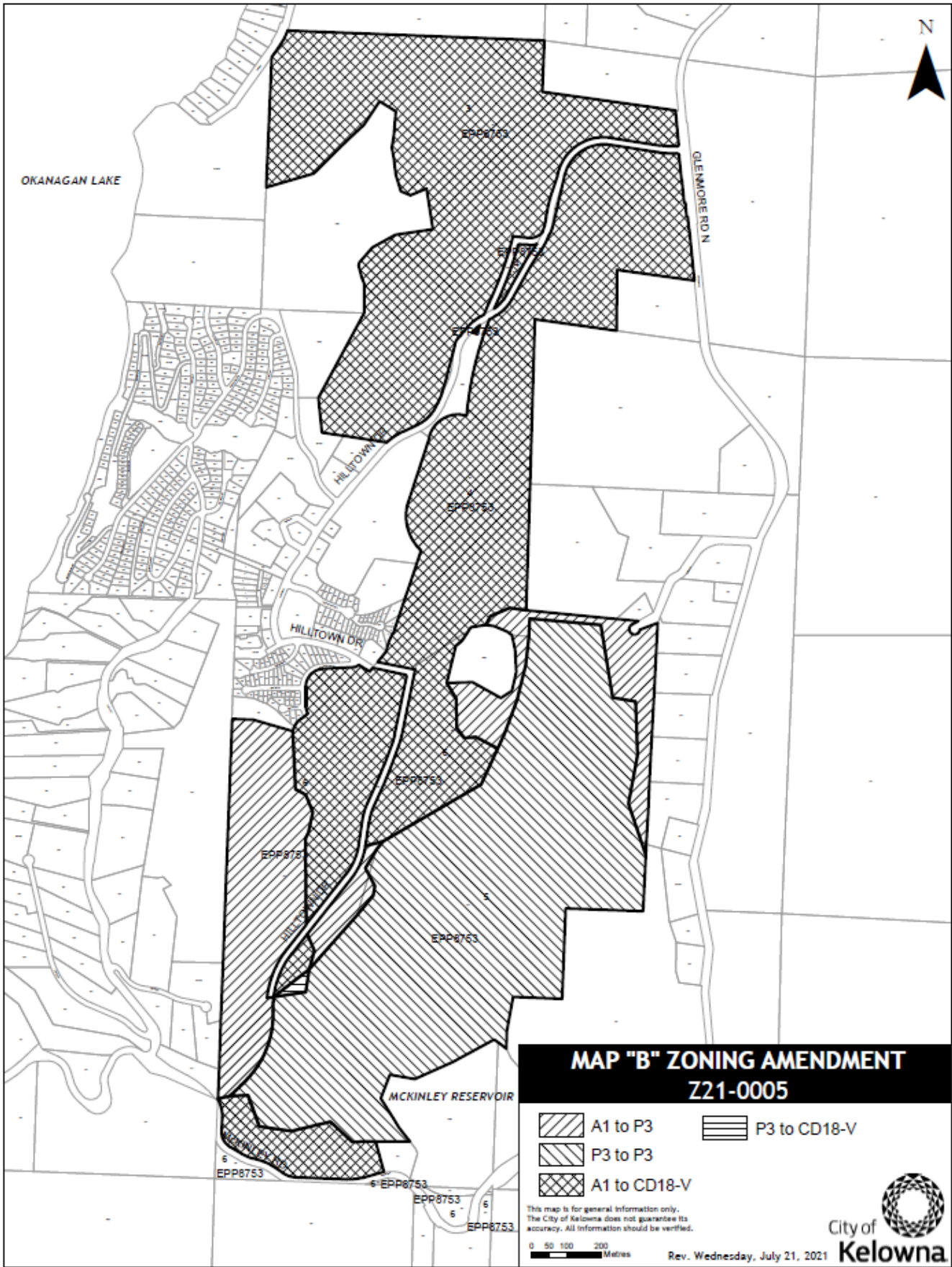
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



**MAP "B" ZONING AMENDMENT
Z21-0005**

- A1 to P3
- P3 to P3
- A1 to CD18-V
- P3 to CD18-V

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

0 50 100 200
Metres

Rev. Wednesday, July 21, 2021

REPORT TO COUNCIL



Date: July 26, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: Z20-0103

Owner: 1033095 B.C. LTD.

Address: 494 Trumpeter Road

Applicant: Blue Vision Design Inc

Subject: Rezoning Application

Existing OCP Designation: S2RESH – Single / Two Unit Residential - Hillside

Existing Zone: RR2c – Rural Residential 2 with Carriage House

Proposed Zone: RU1h – Large Lot Housing (Hillside Area)

1.0 Recommendation

That Rezoning Application No. Z20-0103 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 Section 24 Township 28 SDYD Plan KAP90635, located at 494 Trumpeter Road, Kelowna, BC from the RR2c – Rural Residential 2 with Carriage House zone to the RU1h – Large Lot Housing (Hillside Area) 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 issuance of a Preliminary Layout Review Letter by the Approving Officer.

2.0 Purpose

To rezone the subject property from the RR2c – Rural Residential 2 with Carriage House zone to the RU1h- Large Lot Housing (Hillside Area) zone to facilitate a 2-lot subdivision, and to waive the public hearing.

3.0 Development Planning

Staff support the proposal to rezone the subject property to RU1h – Large Lot Housing (Hillside Area) to facilitate a 2-lot subdivision. The subject property has a Future Land Use Designation of S2RESH – Single/Two Unit Residential – Hillside and is within the City’s Permanent Growth Boundary. In addition, Section 13.1 of the Zoning Bylaw defines the purpose of RU1H zoning as “to provide a zone for single

detached housing, and compatible secondary uses, on larger serviced urban lots”. 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. Chapter 4 of the Official Community Plan states that the Future Land Use designation of S2RESH “applies to suburban hillside areas where slopes are over 20%. Subdivisions on hillsides over 20% slope will be required to rezone to a hillside zone.” As this property is located within the Permanent Growth Boundary, is serviced, and has the Future Land Use of S2ResH, staff anticipate the proposed zone will fit the form and topography of the neighbourhood.

4.0 Proposal

4.1 Project Description

The proposed rezoning is to change the current RR2c – Rural Residential 2 with Carriage House zoning to the RU1h- Large Lot Housing (Hillside Area) zoning to facilitate a 2-lot subdivision. The subject property is currently vacant, see “Attachment A” for the proposed building footprints for both lots. Due to the topography of the property and a “no build” covenant area, single family dwellings are proposed to be located at the south side of the property with shared access off Trumpeter Road located on the south-west corner of proposed Lot A.

4.2 Site Context

The subject property is in the Southwest Mission OCP sector and is within the Permanent Growth Boundary. The property is on the corner of Upper Mission Drive and Trumpeter Road and the surrounding area is characterized by hillside urban and rural residential properties, park land, and agricultural land.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2c- Rural Residential 2 with Carriage House	Single Family Dwelling
East	RR2c- Rural Residential 2 with Carriage House	Single Family Dwelling
South	RR3 – Rural Residential 3	Single Family Dwelling
West	RU1h – Large Lot Housing (Hillside)	Single Family Dwelling
	RR3c - Rural Residential 3 with Carriage House	Single Family Dwelling

Subject Property Map: 494 Trumpeter Road



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

Objective 5.3 Focus development to designated growth areas

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

6.0 Application Chronology

Date of Application Received: November 13, 2020

Date Public Consultation Completed: December 09, 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

Attachment A: Proposed Site Plan



Z20-0103

494 Trumpeter Road

Rezoning Application



Proposal

- ▶ To rezone the subject property from the RR2c – Rural Residential 2 with Carriage House zone to the RU1H- Large Lot Housing (Hillside Area) zone to facilitate a 2-lot subdivision

Development Process



Nov 13, 2020

Development Application Submitted



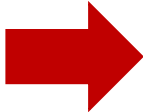
Staff Review & Circulation



Public Notification Received



July 26, 2021



Initial Consideration



Second & Third Readings



Final Reading

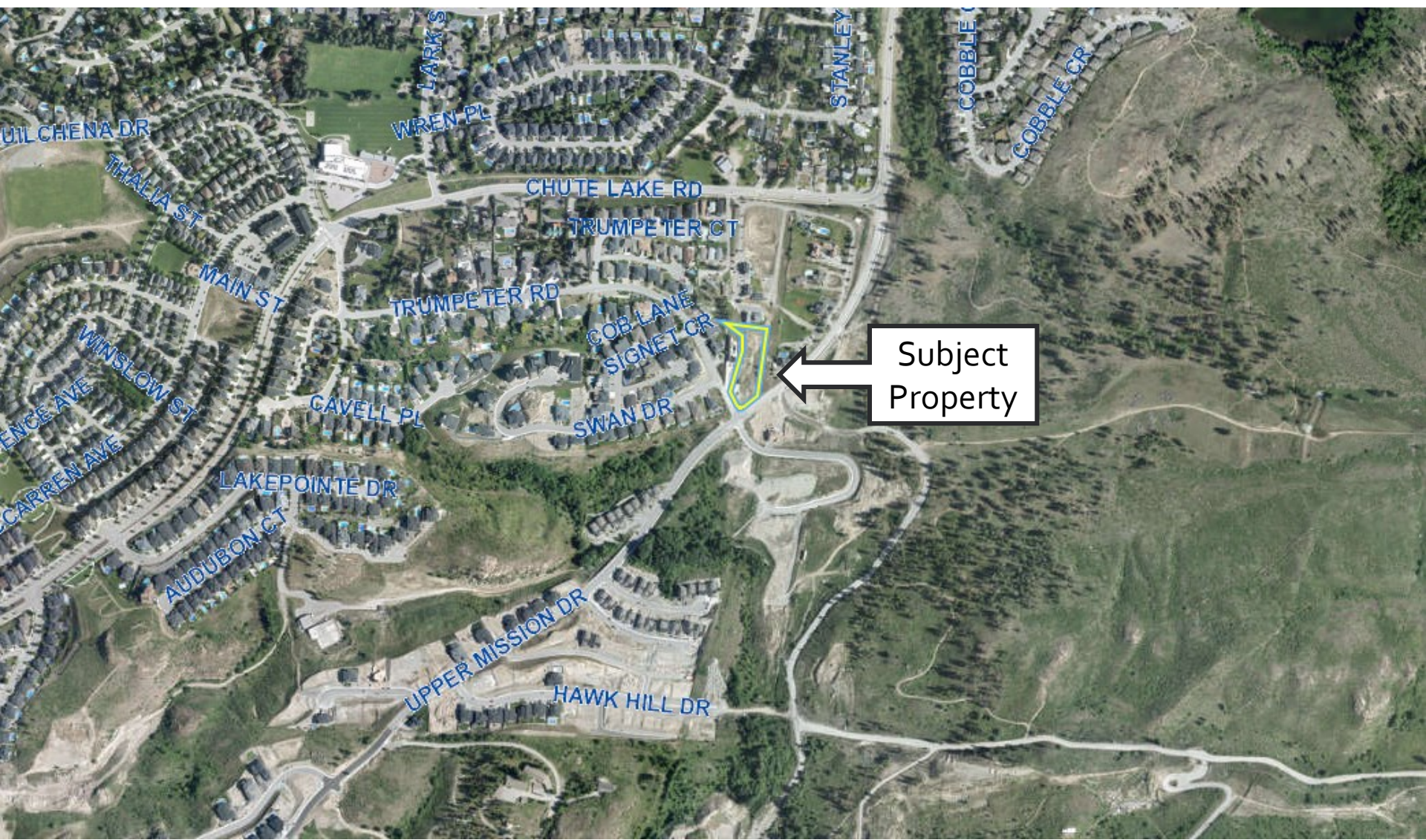


Building Permit

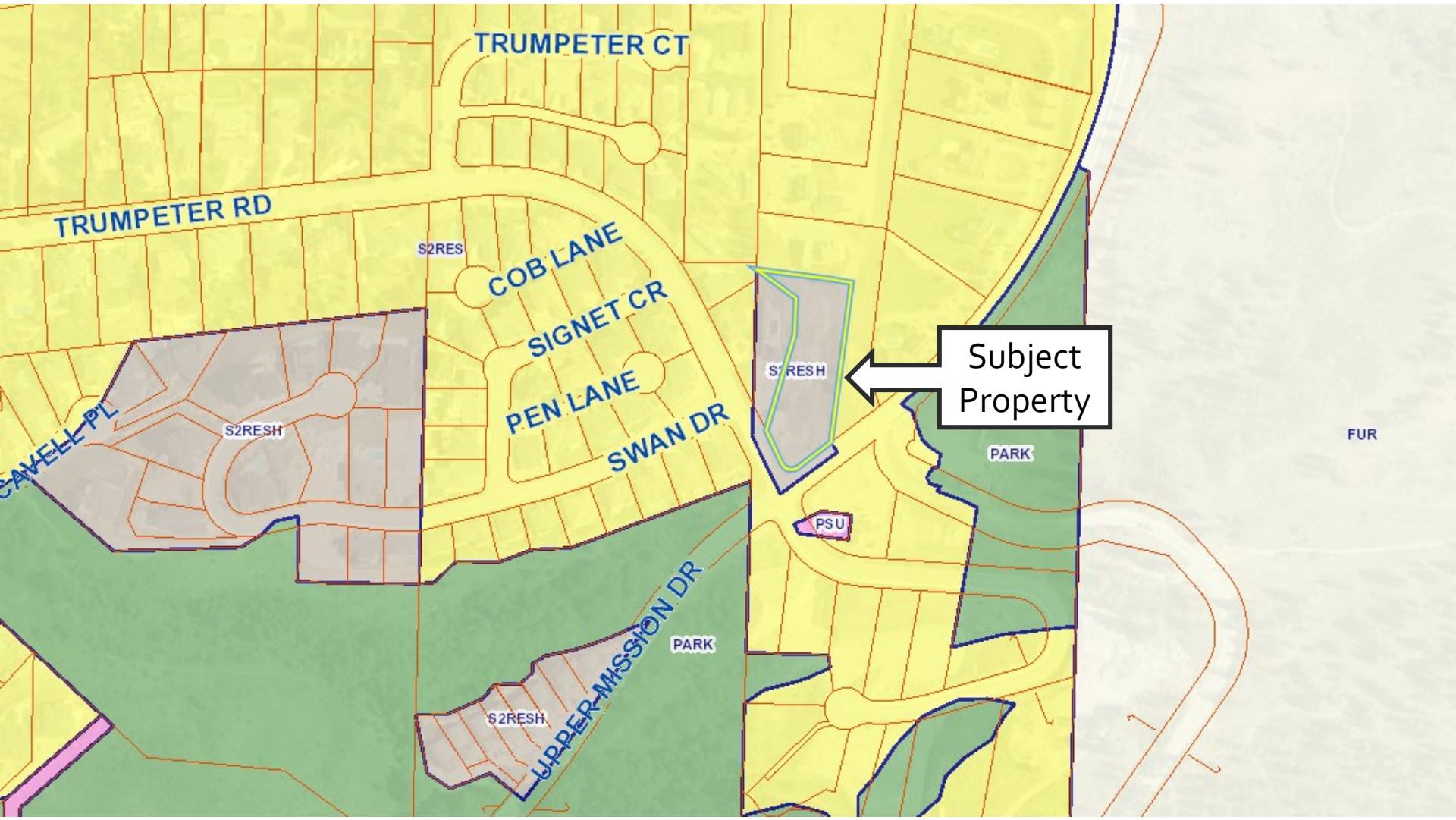


Council Approvals

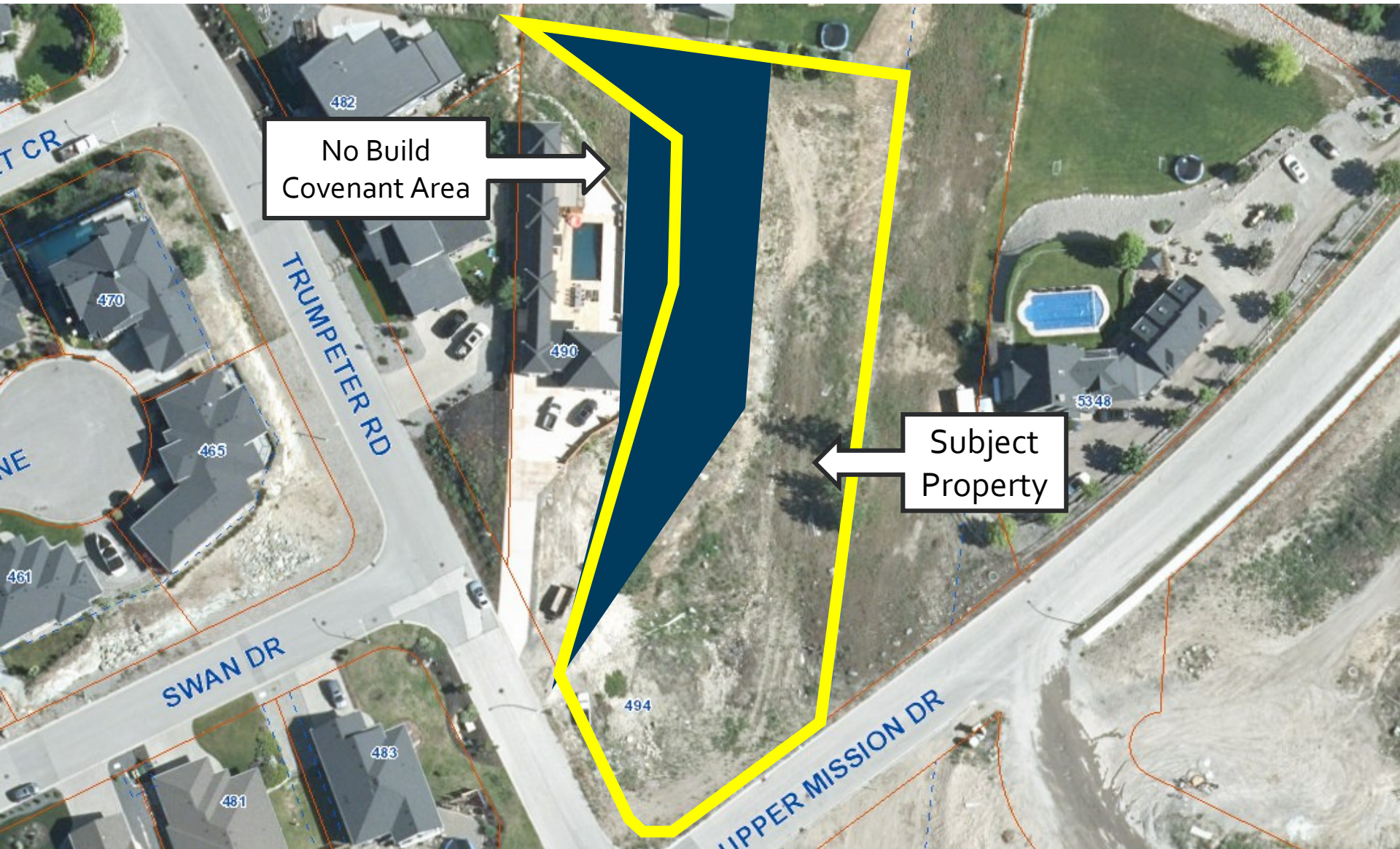
Context Map



OCP Future Land Use



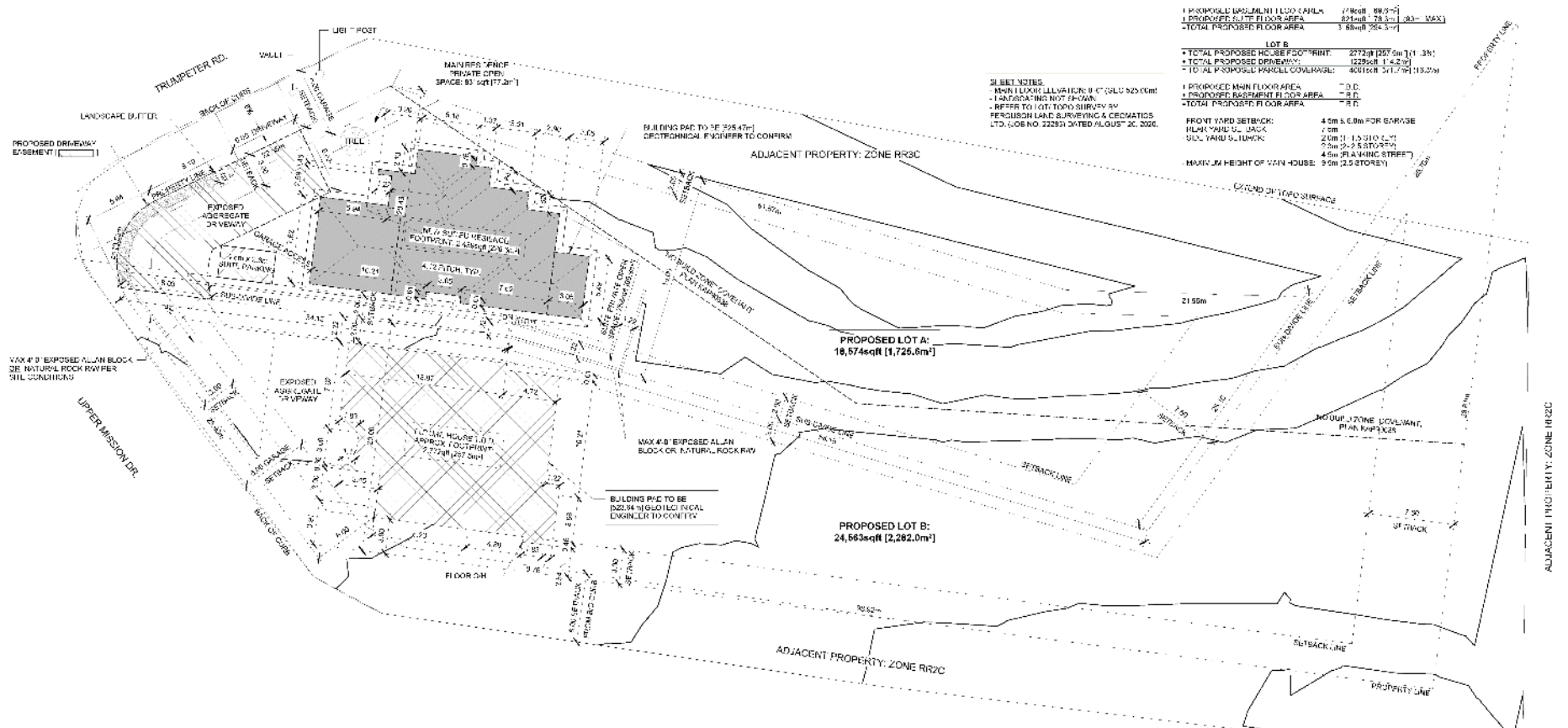
Subject Property Map



Project/technical details

- ▶ Proposed rezoning will facilitate a 2-lot subdivision
- ▶ Shared access for both properties off Trumpeter Road
- ▶ Both lots meet the depth, width and size requirements for RU1H zoning

Site Plan



PROPOSED BASEMENT FLOOR AREA	778sqft (72.3m ²)
PROPOSED GROUND FLOOR AREA	893sqft (82.9m ²)
TOTAL PROPOSED FLOOR AREA	1,671sqft (155.2m ²)

LOT B	
TOTAL PROPOSED HOUSE FOOTPRINT	2772sqft (257.6m ²) (1:1:38)
TOTAL PROPOSED DRIVEWAY	1228sqft (114.2m ²)
TOTAL PROPOSED PARKING COVERAGE	4001sqft (371.7m ²) (1:1:27)

PROPOSED MAIN FLOOR AREA	0 F.T.
PROPOSED BASEMENT FLOOR AREA	0 F.T.
TOTAL PROPOSED FLOOR AREA	0 F.T.

FRONT YARD SETBACK:	4.5m (5.0m FOR GARAGE)
REAR YARD SETBACK:	2.0m (1:1.2) (1:1)
SIDE YARD SETBACK:	2.5m (2:1.5) (1:1)
4.0m (2:1) (1:1) (1:1)	4.0m (2:1) (1:1) (1:1)
MAXIMUM HEIGHT OF MAIN HOUSE:	9.0m (2.5 STOREY)

SUBSET NOTES:
 - MAIN FLOOR ALL WALLS: 9" C" (24) S25 COM
 - PARTITIONING: 1/2" S40 S25 COM
 - REFER TO LOT TOPO SURVEY BY
 FERGUSON LAND SURVEYING & GEOMATICS
 LTD. (JOB NO. 22283) DATED AUGUST 20, 2020.

BUILDING P/C TO BE
 (22.5m x 10.0m) (22.5m x 10.0m)
 EXHIBIT TO CONNECT

MAX 4'0" EXPOSED ALAN BLOCK
 OR NATURAL ROCK WALL PER
 SOIL CONDITIONS

BUILDING P/C TO BE (22.5m x 10.0m)
 GEOTECHNICAL ENGINEER TO CONFIRM

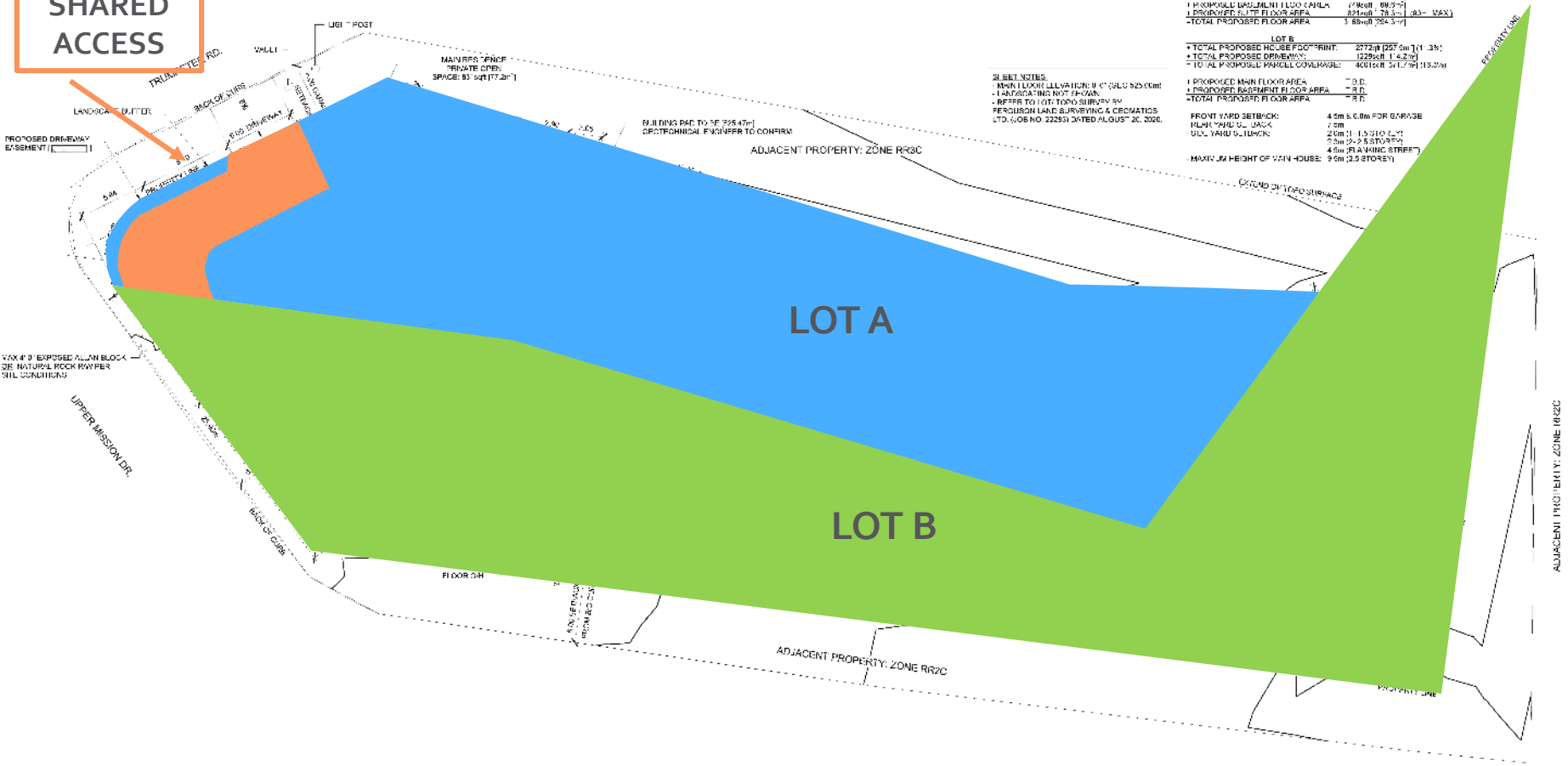
ADJACENT PROPERTY: ZONE RR3C

ADJACENT PROPERTY: ZONE RR3C

ADJACENT PROPERTY: ZONE RR3C

Site Plan

SHARED ACCESS



1 PROPOSED BASEMENT FLOOR AREA	778sqft (72.3m ²)
1 PROPOSED MAIN FLOOR AREA	891sqft (82.5m ²)
1 TOTAL PROPOSED FLOOR AREA	1669sqft (154.8m ²)

LOT B	
1 TOTAL PROPOSED HOUSE FOOTPRINT	2772sqft (257.0m ²) (1:1.38)
1 TOTAL PROPOSED DRIVEWAY	1228sqft (114.2m ²)
1 TOTAL PROPOSED PARALLEL COVERAGE	4001sqft (371.2m ²) (1:3.27)

1 PROPOSED MAIN FLOOR AREA	0 D.C.
1 PROPOSED BASEMENT FLOOR AREA	0 D.C.
1 TOTAL PROPOSED FLOOR AREA	0 D.C.

FRONT YARD SETBACK:	4.5m (14.8ft) FOR GARAGE
REAR YARD SETBACK:	2.0m (6.6ft)
SIDE YARD SETBACK:	2.0m (6.6ft)
4.0m (13.1ft) (MINIMUM)	
MAXIMUM HEIGHT OF MAIN HOUSE:	9.0m (29.5ft) (3 STOREYS)

SUBSET NOTES:
 - MAIN FLOOR LAYOUT: 9' 0" (2.74m) x 5.0m (16.4ft)
 - 1-BATHROOM (NO. 107-108)
 - REFER TO LOT TOPO SURVEY BY
 FERGUSON LAND SURVEYING & GEOMATICS
 LTD., JOB NO. 22283 DATED AUGUST 20, 2020.

Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Within Permanent Growth Boundary
 - ▶ Sensitive Infill
- ▶ Consistent with Zoning Bylaw – fits with purpose of RU₁H zoning

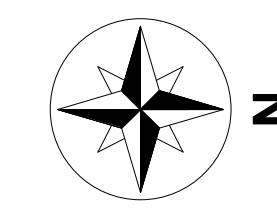
Staff Recommendation

- ▶ 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



Conclusion of Staff Remarks

Blue Vision Design Inc.
 1486 Wilmot Ave
 Kelowna, BC V1P 1N3
 250.864.6666
 blue.vision@hotmail.com



RE-ZONING & SUB-DIVIDE 494 TRUMPETER RD.

ZONE: RR2-C TO RU1H

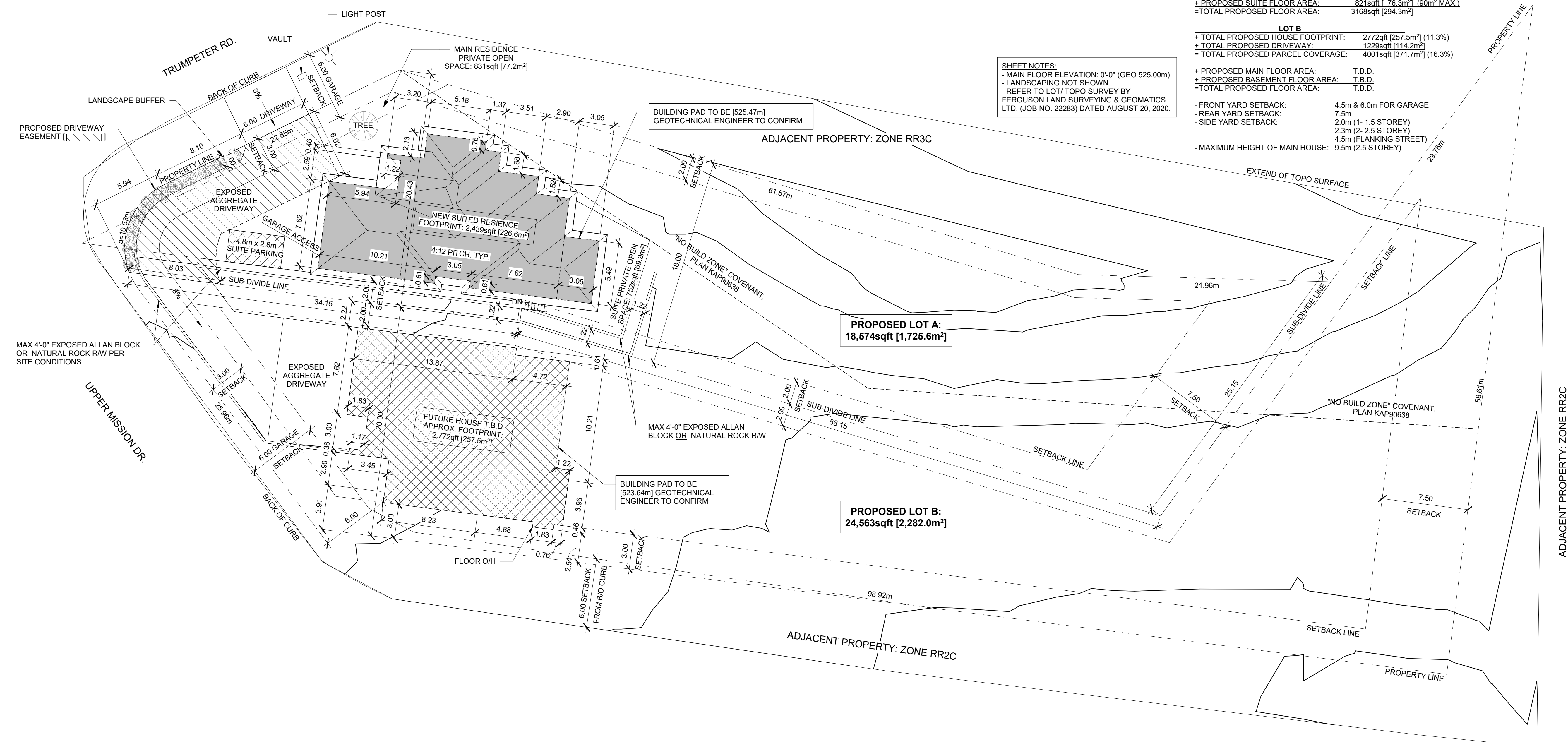
BUILDING NOTES
GENERAL ZONING AND SITE INFORMATION
 - CIVIC ADDRESS: 494 TRUMPETER RD
 - LEGAL: PLAN 90635, LOT 2
 - AUTHORITY: CITY OF KELOWNA
 - CURRENT ZONE: RR2C
 - TOTAL CURRENT LOT AREA: 43,137sqft (4,008m²)
 - SUB-DIVIDE PROPOSED ZONES: RU1H
 - TOTAL PROPOSED LOT A AREA: 18,574sqft (1,725.6m²)
 - TOTAL PROPOSED LOT B AREA: 24,563sqft (2,282m²)
 - MAXIMUM PARCEL COVERAGE: 40%

LOT A
 + TOTAL PROPOSED HOUSE FOOTPRINT: 2439sqft [226.6m²] (13.1%)
 + TOTAL PROPOSED DRIVEWAY: 1196sqft [111.1m²)
 = TOTAL PROPOSED PARCEL COVERAGE: 3635sqft [337.7m²] (19.6%)
 + PROPOSED MAIN FLOOR AREA: 1598sqft [148.5m²)
 + PROPOSED BASEMENT FLOOR AREA: 749sqft [69.6m²)
 + PROPOSED SUITE FLOOR AREA: 821sqft [76.3m²] (90m² MAX.)
 = TOTAL PROPOSED FLOOR AREA: 3168sqft [294.3m²)

LOT B
 + TOTAL PROPOSED HOUSE FOOTPRINT: 2772qft [257.5m²] (11.3%)
 + TOTAL PROPOSED DRIVEWAY: 1229sqft [114.2m²)
 = TOTAL PROPOSED PARCEL COVERAGE: 4001sqft [371.7m²] (16.3%)
 + PROPOSED MAIN FLOOR AREA: T.B.D.
 + PROPOSED BASEMENT FLOOR AREA: T.B.D.
 = TOTAL PROPOSED FLOOR AREA: T.B.D.

- FRONT YARD SETBACK: 4.5m & 6.0m FOR GARAGE
 - REAR YARD SETBACK: 7.5m
 - SIDE YARD SETBACK: 2.0m (1- 1.5 STOREY)
 2.3m (2- 2.5 STOREY)
 4.5m (FLANKING STREET)
 - MAXIMUM HEIGHT OF MAIN HOUSE: 9.5m (2.5 STOREY)

SHEET NOTES:
 - MAIN FLOOR ELEVATION: 0'-0" (GEO 525.00m)
 - LANDSCAPING NOT SHOWN.
 - REFER TO LOT/ TOPO SURVEY BY FERGUSON LAND SURVEYING & GEOMATICS LTD. (JOB NO. 22283) DATED AUGUST 20, 2020.



1033095 BC Ltd
 Doyin Shopey
 250-919-1570
 1412 17st-S
 Cranbrook, BC V1C 4S3
 doyinshopey@yahoo.com

New Residence

494 Trumpeter rd.
 Kelowna, BC

SITE PLAN

SCALE:
 AS NOTED

DRAWN BY: BV
 CHECKED BY: BV

DATE: 22.06.21
 PROJECT: 2020-040

A1.0

CITY OF KELOWNA

BYLAW NO. 12254

Z20-0103

494 Trumpeter 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 24 Township 28 SDYD Plan KAP90635 located at Trumpeter Road, Kelowna, BC from the RR2c – Rural Residential 2 with Carriage House zone to the RU1h – Large Lot Housing (Hillside Area) 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: July 26th, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0053

Owner: Michael Christopher Smith &
Brigitte Diane Smith

Address: 384 Braeloch Road

Applicant: Urban Options Planning Corp.

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RR2 – Rural Residential 2

Proposed Zone: RU1 – Large Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z21-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 23 Township 28 SDYD Plan 18996, located at 384 Braeloch Road, Kelowna, BC from the RR2 – Rural Residential 2 to the RU1 – Large Lot Housing zone be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Application 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 July 26th, 2021.

2.0 Purpose

To rezone the subject property from RR2 – Rural Residential 2 zone to RU1 – Large Lot Housing zone to facilitate the construction of a new single-family dwelling, and to waive the Public Hearing.

3.0 Development Planning

Staff support the proposed rezoning from RR2 to RU1, as the subject property is within the Permanent Growth Boundary (PGB) and the plans align with the Official Community Plan (OCP) Future Land Use Designation of S2RES – Single/Two Unit Residential. The proposal to rezone to RU1 will require the owners

to extend and connect to sanitary and water services. These services will be extended from further down Braeloch, which will make it easier for other properties to connect at a later date. The proposed new dwelling will be required to meet all development regulations of the proposed zone and will bring the dwelling into conformance.

4.0 Proposal

4.1 Project Description

The proposed rezoning from the RR2 to RU1 will facilitate the development of a new single-family dwelling on the property. As part of the RU1 zone, the applicant will be required to connect to City sanitary and water services. The RU1 zone allows the owner to have different Development Regulations including site coverage and setbacks. The existing house is legal non-conforming, however, with the development of a new dwelling, the property will be brought into conformance with the proposed RU1 zone.

4.2 Site Context

The subject property is in the Southwest Mission OCP Sector and is located on the Okanagan Lake. The surrounding area is primarily zoned RU6 – Two Dwelling Housing, RU1 – Large Lot Housing and RR2 – Rural Residential 2. The surrounding area primarily has a Future Land Use Designation of S2RES – Single/Two Unit Residential and PARK – Major Park/Open Space (public).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	W1 – Recreational Water Use	Okanagan Lake
East	RR2 – Rural Residential 2	Braeloch Road Beach Access
South	RU1 – Large Lot Housing	Single-Family Dwelling
West	RU6 – Two Dwelling Housing	Semi-Detached Housing

Subject Property Map: 384 Braeloch Road



5.0 Technical Comments

5.1 Development Engineering Department

5.1.1 Development Engineering Memorandum attached dated July 26th, 2021.

6.0 Application Chronology

Date of Application Received: May 10th, 2021

Date Public Consultation Completed: May 18th, 2021

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Conceptual Site Plan

**CITY OF KELOWNA
MEMORANDUM**

Date: July 5, 2021
File No.: Z21-0053
To: Land Use Planning Manager (TC)
From: Development Engineering Manager (RO)
Subject: 384 Braeloch Rd Plan KAP18996 Lot 1

The Development Engineering Branch has the following requirements regarding this application to rezone the subject property from RR2 - Rural Residential to RU1 - Large Lot Housing. The Development Engineering Technologist for this project is John Filipenko. AScT.

1. Domestic water and fire protection.

- a. This proposed development site is currently serviced by a private water system (Braeloch water user's group). The property borders the City water service area. The developer has the option of making satisfactory arrangements with the City for a municipal water service connection. The service connection costs shall be the responsibility of the developer.

2. Sanitary Sewer.

- a. This proposed development site is currently not within the City service area. Sanitary sewage is presently handled by an on-site sewage treatment and disposal system.
- b. The municipal sewer collection system borders the subject property. The applicant's Civil Consulting engineer will determine the requirements of the proposed development and establish the service needs. The extension of the sewer system to provide a service connection shall be at the developer's cost.

3. 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 Development Engineer Manager. 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 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.
- f. Provide a detailed Lot Grading and Erosion and Sediment Control. Plan

4. Servicing Agreement and Fees

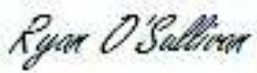
- a. A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant’s Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The 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.


5. Bonding, Fee and Levy Summary

- a. Servicing Agreement Bonding To be Determined
- b. Engineering and Inspection Fee: 3.5% of construction value (plus GST)

6. Parks Comments

- a. In accordance to the OCP Amendment and Municipal Environmental Guidelines the former retaining wall and dock access are now in non-conformance. Required improvements by the developer include the following:
 - i. The stairs from the upper lawn onto the beach shall be inserted into the retaining wall.
 - ii. Lower the existing dock to allow public accessibility across the Provincial foreshore in front of the property.
- b. Ensure that drainage and pool seasonal maintenance is sustained within the property and not drained directly into Okanagan Lake.
- c. The portion of chain-link fence that extends onto the beach beyond the applicant’s north property line will be removed by Parks Operations to better facilitate public access.


 Ryan O’Sullivan.
 Development Engineering Manager
 JF

SCHEDULE		A
This forms part of application		
# Z21-0053		
Planner Initials	TC	 City of Kelowna <small>DEVELOPMENT PLANNING</small>

ATTACHMENT A

This forms part of application
Z21-0053

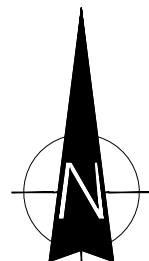
Planner Initials **TC**



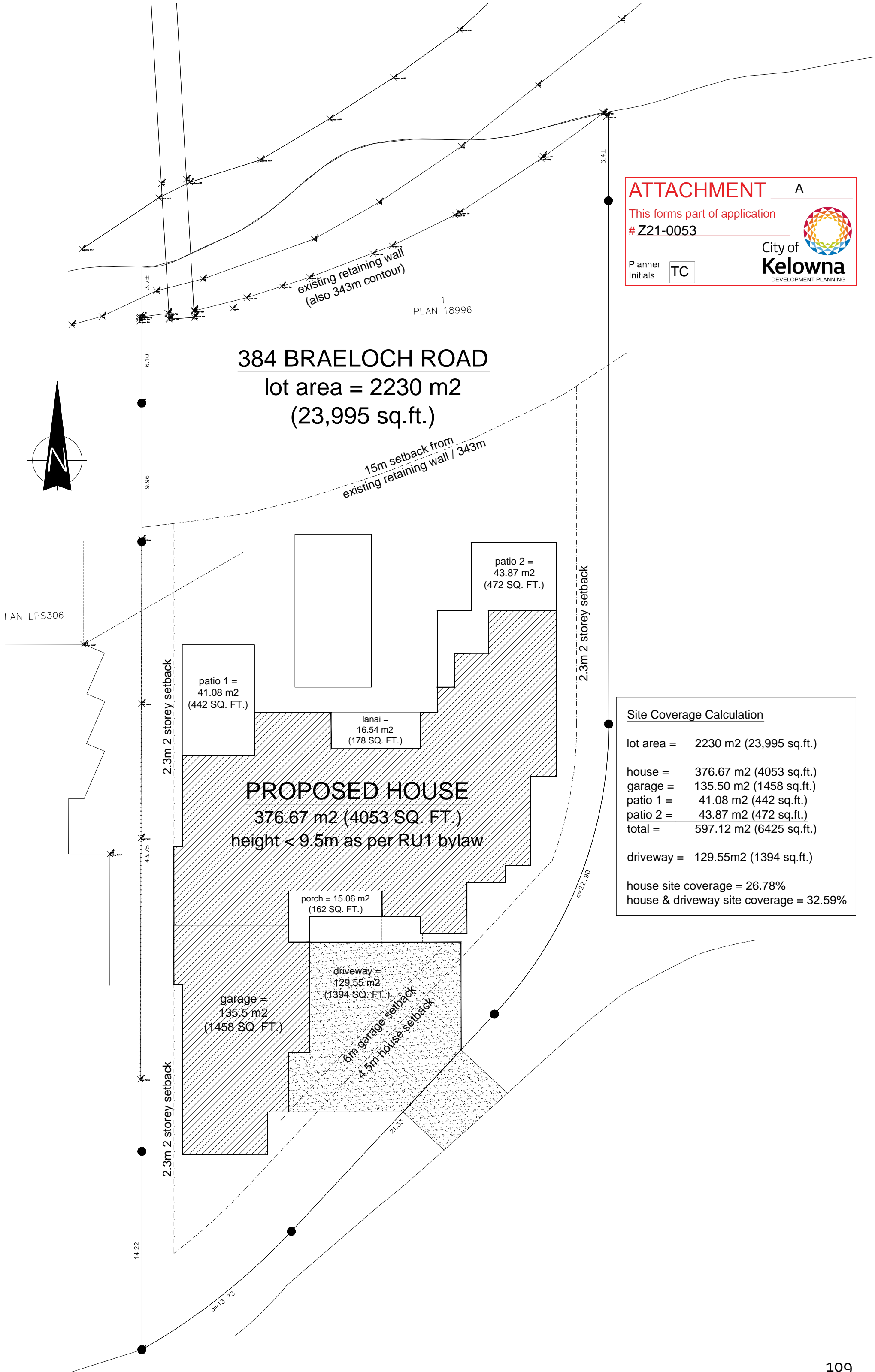
City of
Kelowna
DEVELOPMENT PLANNING

PLAN 18996

384 BRAELOCH ROAD
lot area = 2230 m²
(23,995 sq.ft.)



LAN EPS306



PROPOSED HOUSE
376.67 m² (4053 SQ. FT.)
height < 9.5m as per RU1 bylaw

Site Coverage Calculation

lot area =	2230 m ² (23,995 sq.ft.)
house =	376.67 m ² (4053 sq.ft.)
garage =	135.50 m ² (1458 sq.ft.)
patio 1 =	41.08 m ² (442 sq.ft.)
patio 2 =	43.87 m ² (472 sq.ft.)
total =	597.12 m ² (6425 sq.ft.)
driveway =	129.55m ² (1394 sq.ft.)
house site coverage =	26.78%
house & driveway site coverage =	32.59%



Z21-0053 384 Braeloch Road

Rezoning Application



Proposal

- ▶ To rezone the subject property from RR2 – Rural Residential 2 to RU1 – Large Lot Housing.

Development Process

May 10th, 2021

Development Application Submitted



Staff Review & Circulation



May 18th, 2021

Public Notification Received



July 26th, 2021

Initial Consideration



Public Hearing
Second & Third Readings



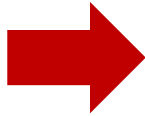
Final Reading
DP & Variances



Building Permit



Council
Approvals



Context Map



OCP Future Land Use / Zoning



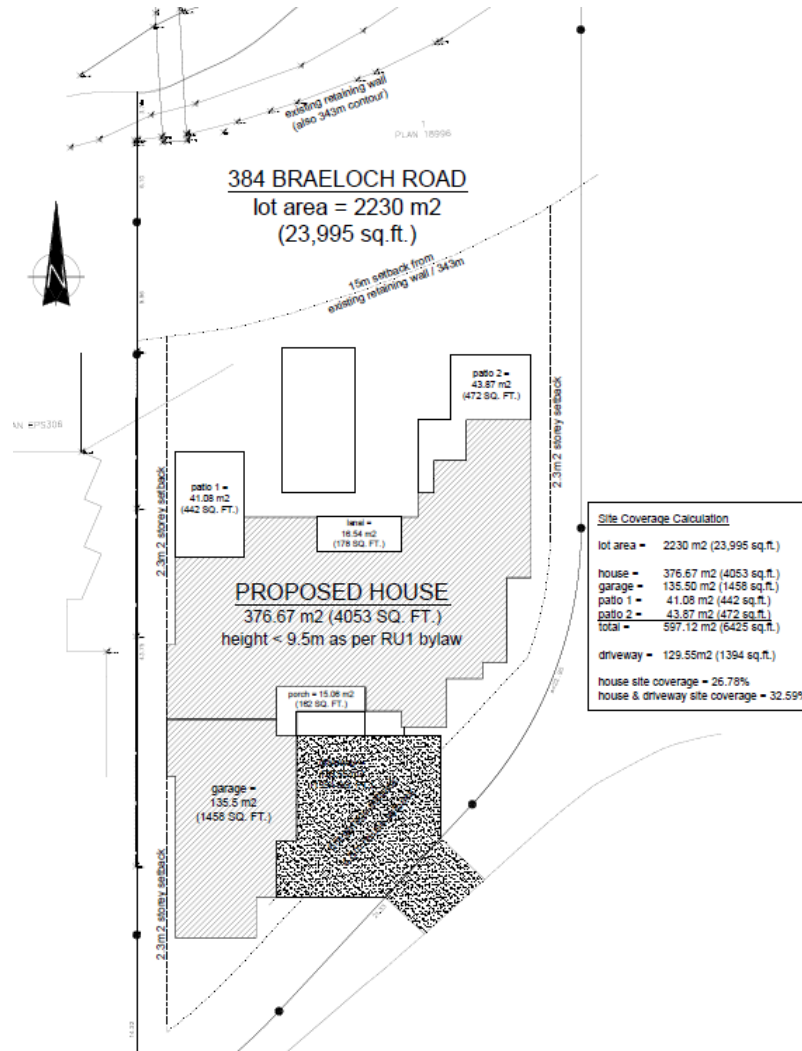
Subject Property Map



Project details

- ▶ The proposed Rezoning from RR2 to RU1 will facilitate the construction of new single-family dwelling.
- ▶ The owner will be required to connect to City water and sanitary services.
- ▶ The proposed zone will give slightly different Development Regulations including site coverage and setbacks.
- ▶ The new home will be required to meet all Development Regulations of proposed RU1 zone.

Site Plan



Staff Recommendation

- ▶ Development Planning Staff recommend **support** of the proposed Rezoning:
 - ▶ Subject property is within the Permanent Growth Boundary.
 - ▶ Meets the intent of the OCP including Sensitive Infill and the Future Land Use Designation of S2RES – Single/Two Unit Residential.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12255

Z21-0053

384 Braeloch 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 1 Section 23 Township 28 SDYD Plan 18996 located at Braeloch Road, Kelowna, BC from the RR2 – Rural Residential 2 zone to the RU1 – Large Lot 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: July 26, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: Z20-0093 **Owner:** Paul Shiells Robertson & Stacey Lillian Elizabeth Robertson

Address: 453 Barkley Road **Applicant:** Paul Shiells Robertson

Subject: Rezoning

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z20-0093 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 28 District Lot 167 ODYD Plan 13550, located at 453 Barkley 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.

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a carriage house, and to waive the Public Hearing.

3.0 Development Planning

Staff support the proposed rezoning from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House on the subject property as the application is consistent with the Official Community Plan (OCP) Future Land Use designation of S2Res – Single /Two Unit Residential.

The property is located within the Permanent Growth Boundary (PGB) and is serviced. Rezoning the subject property to allow the development of a carriage house would meet policy objectives including fostering a mix of housing forms and concentrating growth within the Permanent Growth Boundary.

4.0 Proposal

4.1 Project Description

The proposed rezoning from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House is to allow the construction of a carriage house on the subject property. The property currently has one single family dwelling and a vehicle access on the north side of the property off Barkley Road. The proposed carriage house would be constructed on the south side of the property with a new vehicle access to be created on the south-east corner off Barkley Road to the east.

4.2 Site Context

The subject property is located in the North Mission – Crawford OCP Sector on the corner of Barkley Road that wraps around the property. The surrounding area is primarily zoned RU1 – Large Lot Housing with some properties rezoned to RU1c – Large Lot Housing with Carriage House, RU2 – Medium Lot Housing, and RU6 – Two Dwelling Housing. The Future Land Use designation for the surrounding area is S2Res – Single / Two Unit Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Family Dwelling
	RU1c – Large Lot Housing with Carriage House	Single Family Dwelling with carriage house
East	RU1 – Large Lot Housing	Single Family Dwelling
	RU1 – Large Lot Housing	Single Family Dwelling
South	RU1 – Large Lot Housing	Single Family Dwelling
West	RU1 – Large Lot Housing	Single Family Dwelling

Subject Property Map: 453 Barkley Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

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

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 character of the neighbourhood with respect to building design, height and siting.

Policy .12 Carriage Houses & Accessory Apartments. Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Application Chronology

Date of Application Received: October 21, 2020

Date Public Consultation Completed: November 2, 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

Attachment A: Conceptual Drawing Package

- LARGE LOT HOUSING WITH A CARRIAGE HOUSE (SINGLE STOREY) (PROPOSED)
- NEW 'C' HOUSE AREA 75.8 m² 66.6% OF EXIST. HOUSE AT 113.63 m² (MAX 75%).
- THREE CAR STALLS PROVIDED ON SITE - SEE SITE PLAN BELOW
- HARD-SURFACED LIGHTED PATHWAY 1.1m. WIDE & GATE (MIN 4" WIDE) & ADDRESS PROVIDED
- MIN. 6.0 m² PRIVATE OPEN SPACE PROVIDED - SEE SITE PLAN BELOW.
- SITE REGS.: MAX HT. 4.8m. PROVIDED HT. 3.86m (12'-2" TO E ROOF) & MIN. FRONT YARD 9.0m. - PROVIDED 24.1m.
- " INT. SIDEYARD 1.5m - " 7.31m.
- " EXT. " 4.5m - " 5.18m.
- " REAR YARD 1.5m - " 3.65m.
- " DIST. TO HOUSE 3.0m. - " 6.70m. (SEPARATION)
- MAX. NET FLOOR AREA (ONE-STOREY) 100m² - " 75.8 m²
- " LOT COV. ACCESSORY 20% (160m²) - PROVIDED 9.5% (75.8 m²)
- ⊕ ROOF HT. AT PEAK OF EXIST. HOUSE 4.72m. - PROVIDED 'C' HSE. ROOF PEAK 4.57m.

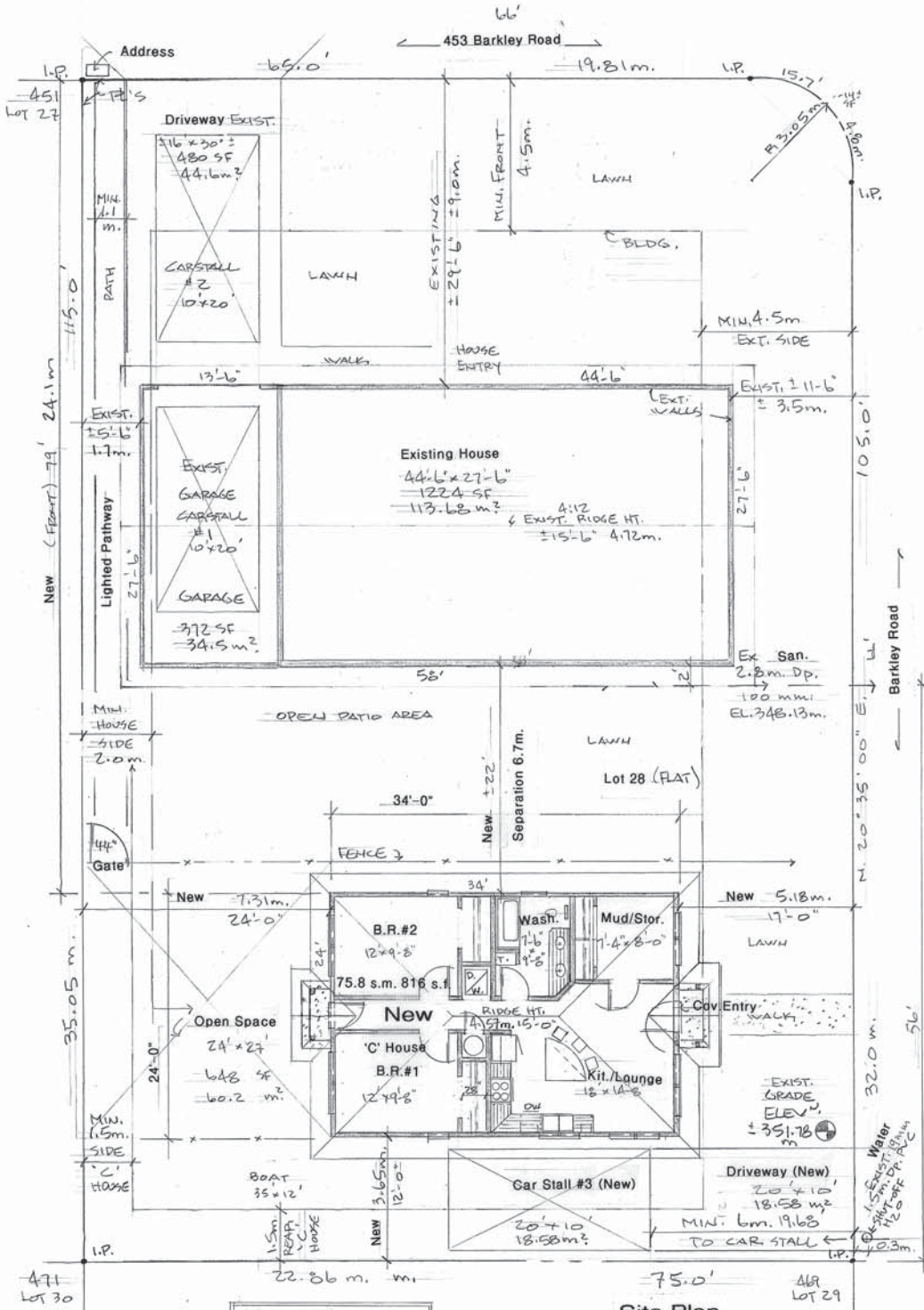
This forms part of application # Z20-0093

Planner Initials: BW

City of Kelowna DEVELOPMENT PLANNING

PETER CRATAWAY, B.Sc., B.Arch.
368 Candler Ave. Studio, Kelowna, B.C. V1Y 5N1
Telephone (250) 763-1334

-Conforming-



NOTES:

ROBERTSON 'C' House (Proposed)

453 Barkley Road, Kelowna, B.C. V1Y 1E4

SCALE: AS SHOWN DWG. PJC

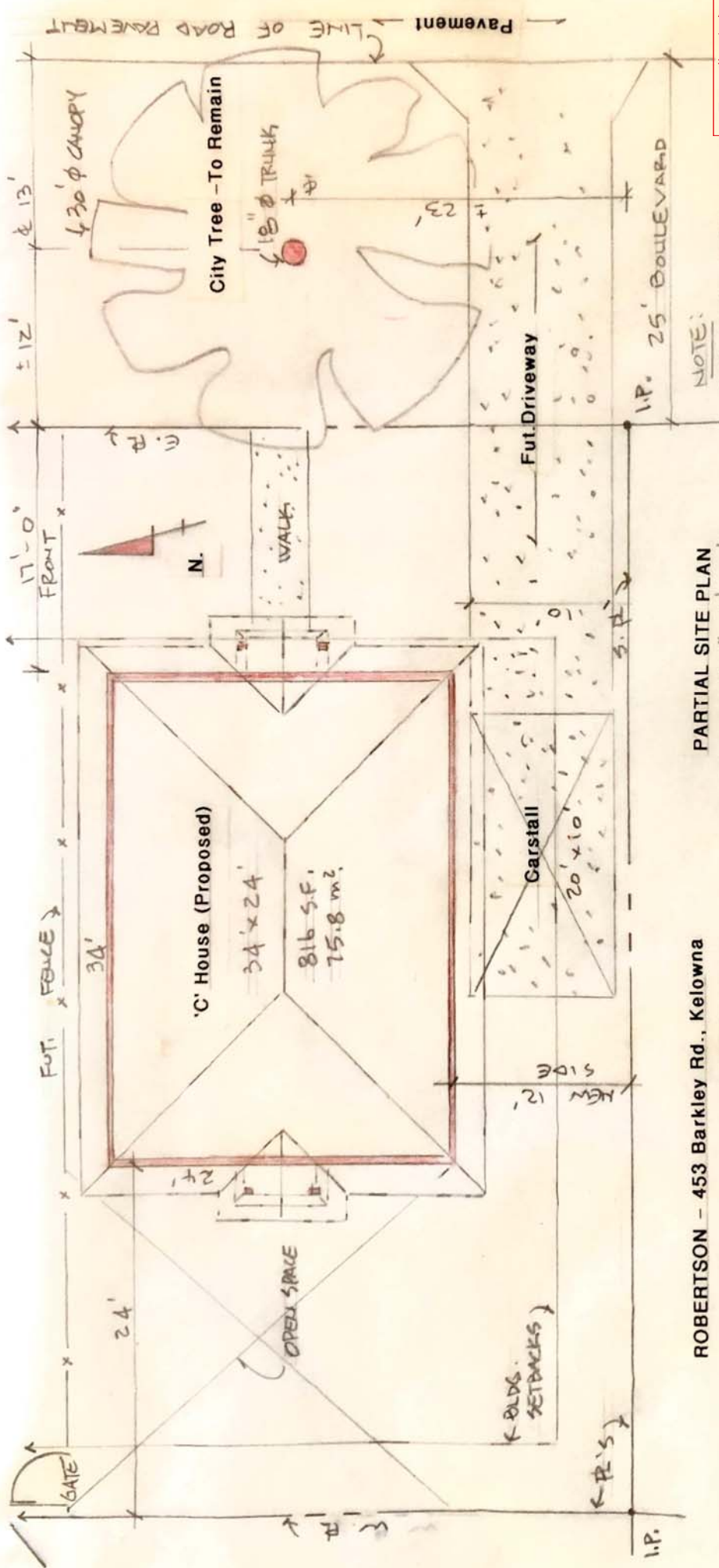
DATE: OCT. 19, 2020. PROJ. NO. 2020-10-10

LEGAL: Lot 28, D.L. 167,
Plan 13550, O.D.Y.D.

Site Plan
SCALE: 1/8" = 1'-0"
LOT AREA ± 8612 SF
800 m²

DWG. NO.

I. OF I.



PARTIAL SITE PLAN

SC. 1/8" = 1'-0"

DATE: MAR. 30 '21.

DWG. PETER CHASTALOVAY

ROBERTSON - 453 Barkley Rd., Kelowna

File No.: Z20-0093.

DWG. NO. 1. OF 1.

NOTE:

SEE ALSO FULL SITE PLAN DATED OCT. 19, 2020.



Z20-0093

453 Barkley Road

Rezoning Application



Proposal

- ▶ To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the construction of a carriage house.

Development Process

Oct 21, 2020

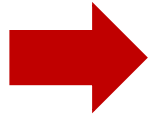
Development Application Submitted



Staff Review & Circulation



Public Notification Received



July 26, 2021

Initial Consideration



Second & Third Readings



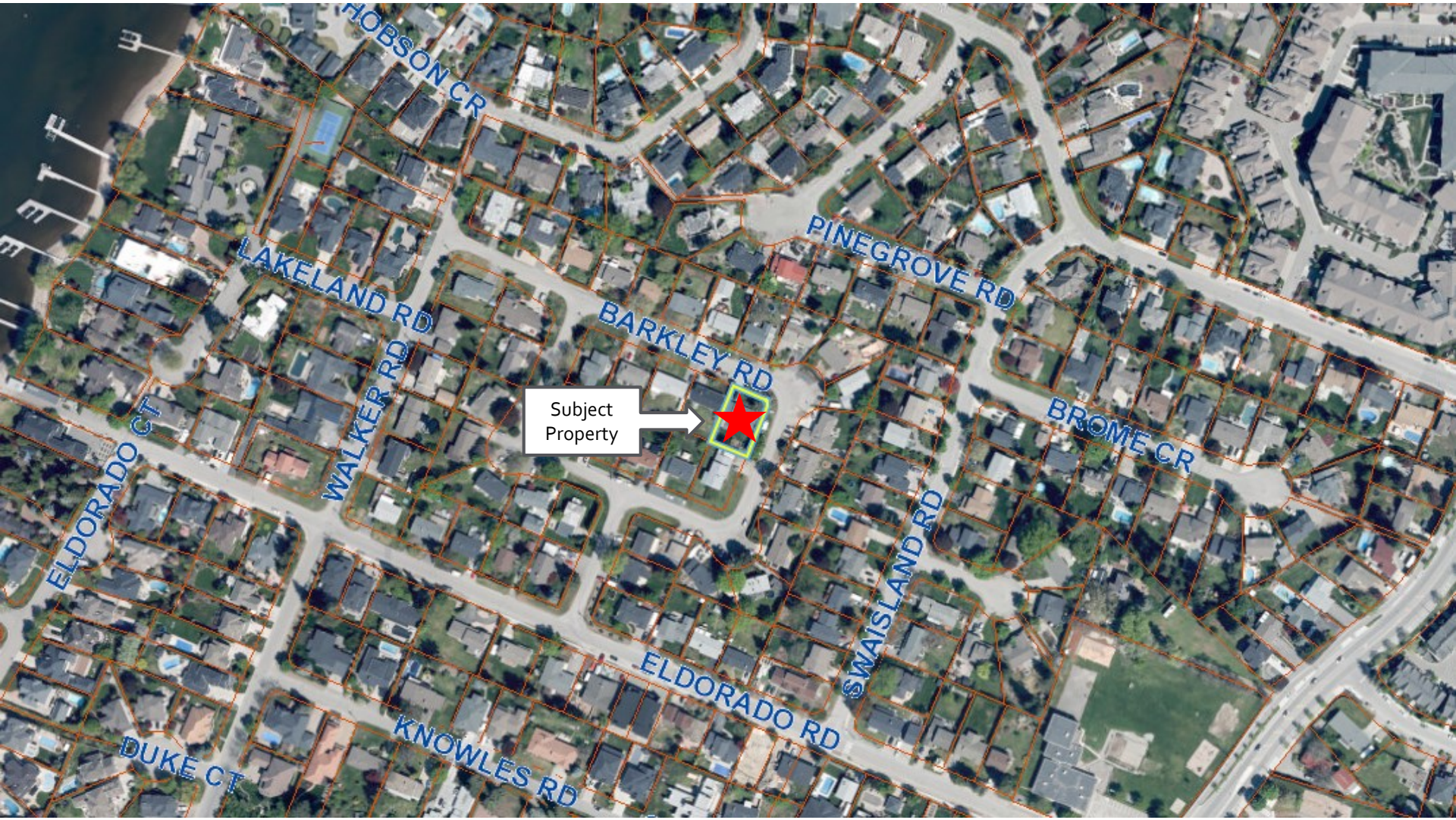
Final Reading



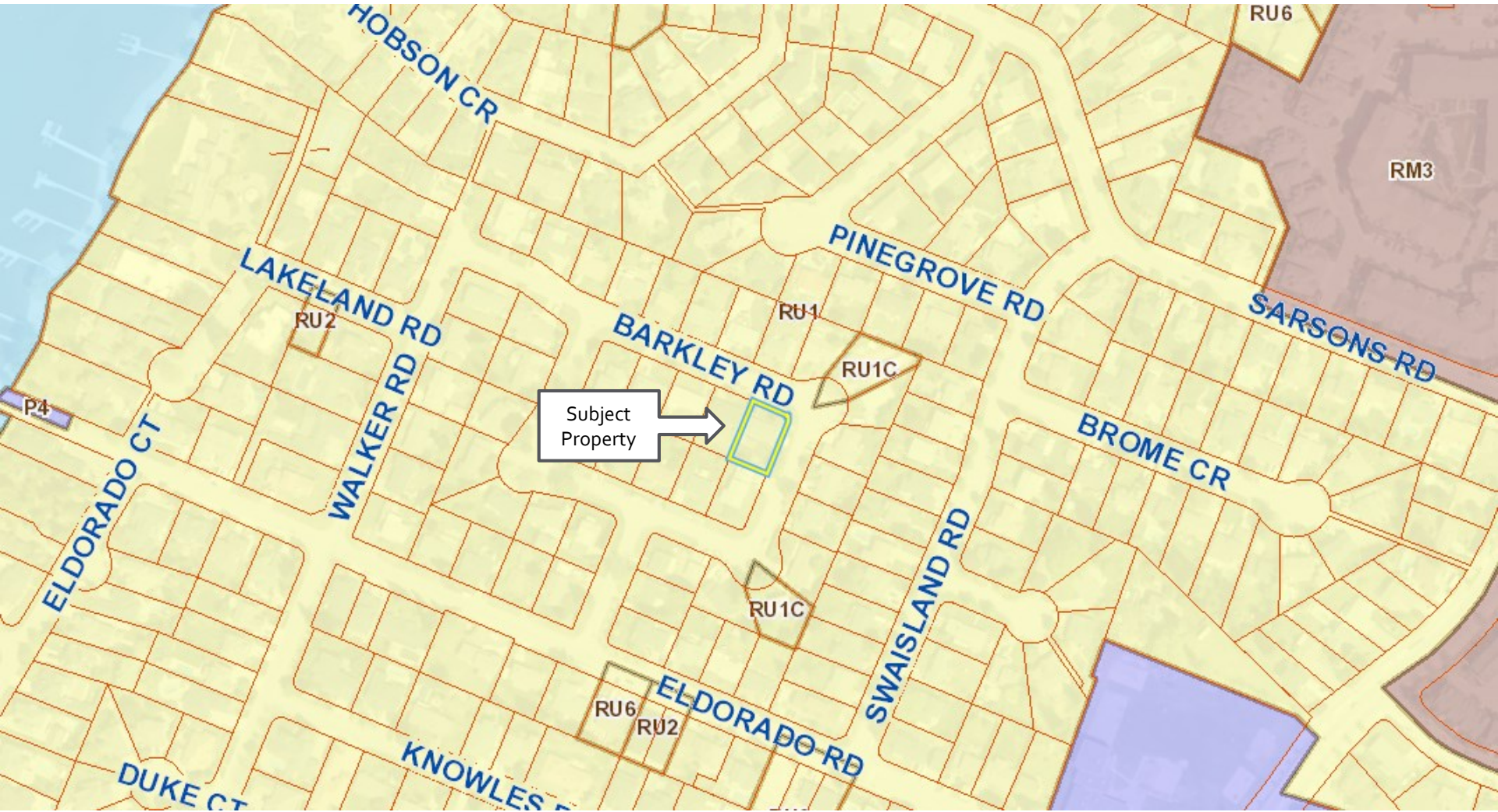
Building Permit

Council
Approvals

Context Map



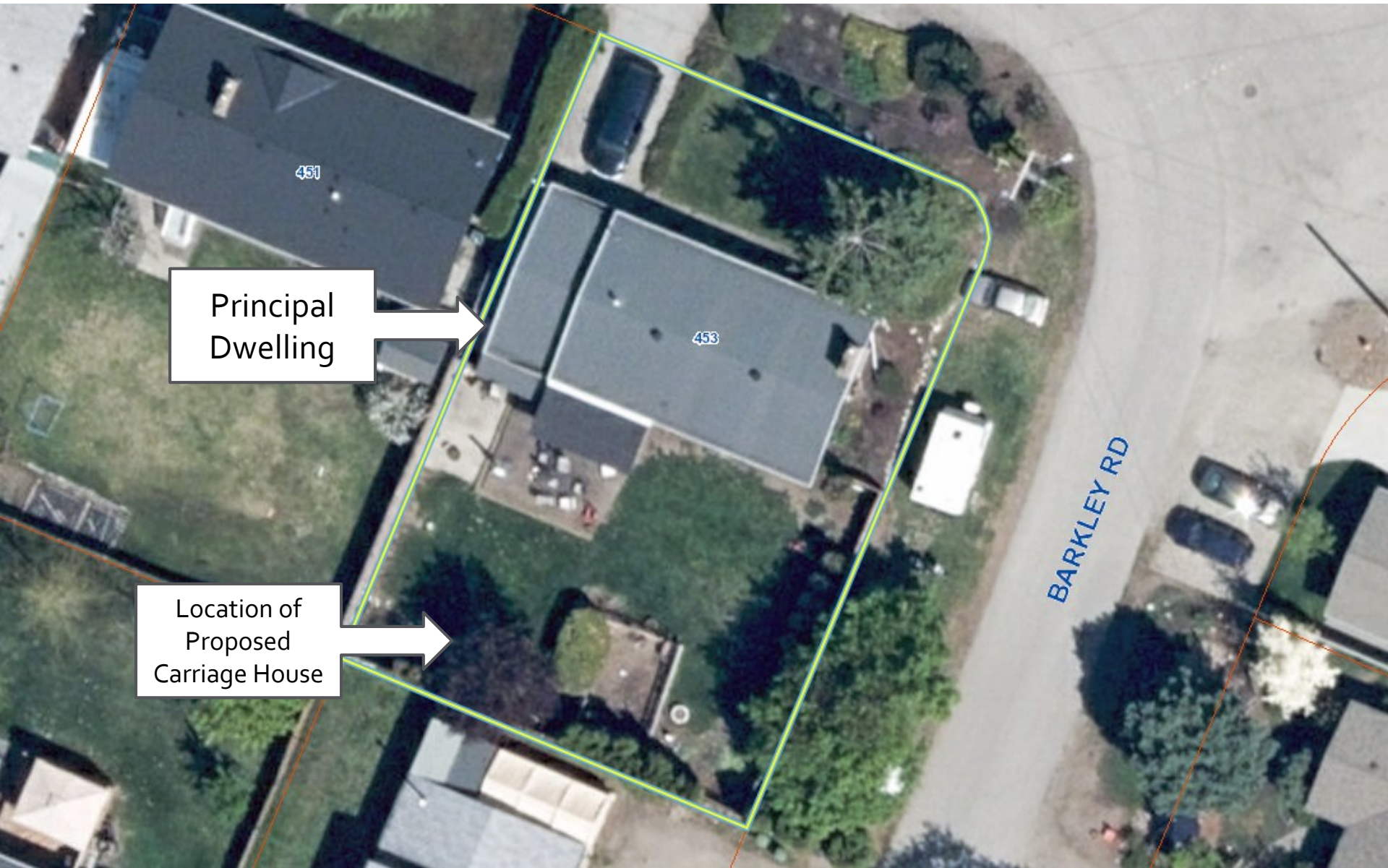
Zoning



Subject Property Map



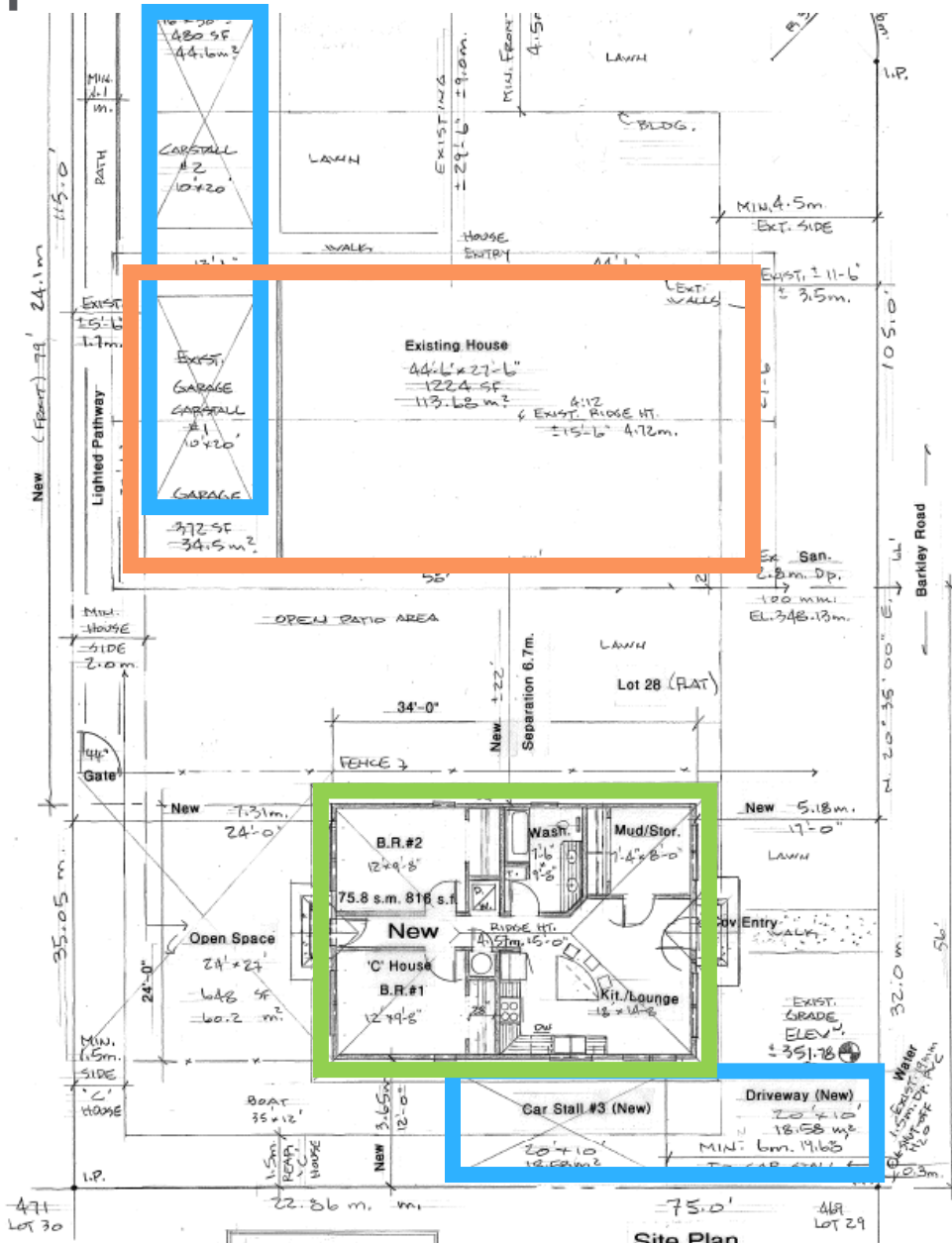
Subject Property Map



Project Details

- ▶ Proposed rezoning will facilitate the construction of a carriage house.
- ▶ Lot meets all requirements to accommodate a carriage house.
- ▶ Second vehicle entrance on south-east corner of property will be created to accommodate increased parking requirements.

Site Plan



<p>ROBERTSON 'C' House (Proposed) 453 Barkley Road, Kelowna, B.C. V1Y 1E4</p>	
<p>SCALE: AS SHOWN DWG'S: PJC</p>	<p>DATE: OCT. 19, 2020 PROJ. NO.: 2020-10-10</p>
<p>NOTES:</p>	

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to facilitate development of a carriage house
 - ▶ Subject property is within the Permanent Growth Boundary
 - ▶ Consistent with zoning bylaw – no variances
 - ▶ Meets the intent of the Official Community Plan and Future Land Use of S2Res



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12256

Z20-0093

453 Barkley 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 District Lot 167 ODYD Plan 13550 located on Barkley Road, Kelowna, BC 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

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: July 26, 2021
To: Council
From: City Manager
Subject: Rezoning Bylaw No. 12238 for Z21-0058 Summary of Correspondence
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated July 26, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12238;
 AND THAT Rezoning Bylaw No. 12238 be forwarded for further reading consideration.

Purpose:

To receive a summary of correspondence for Rezoning Bylaw No. 12238 and to give the bylaw further reading consideration.

Background:

On January 11, 2021, Council passed a resolution directing staff to recommend that Council waive the Public Hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff and are not expected to generate significant public input based on correspondence received. This resolution is in effect until the Order of the Provincial Health Officer regarding gatherings and events is rescinded or replaced to allow for in-person attendance at public hearings or until Council provides further direction on waiving public hearings.

The public has the opportunity to submit written correspondence for applications where the Public Hearing has been waived. Notification is done through signage on the subject property, newspaper advertisements, and mailouts in accordance with the *Local Government Act* and Development Application Procedures Bylaw No. 10540.

Previous Council Resolution

Resolution	Date
AND THAT Council direct staff to recommend that Council waive the public	January 11, 2021

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

Rezoning Application Z21-0058 for 3130 Sexsmith Road was brought forward to Council for initial consideration on [June 28, 2021](#). At this meeting, Council passed a resolution to waive the Public Hearing and correspondence was accepted between June 30, 2021 and July 12, 2021.

The Office of the City Clerk received one piece of correspondence and these have been circulated to Council. They are summarized as follows:

- one letter of concern/opposition

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following the public notification period, staff are recommending that Council give Rezoning Bylaw No. 12238, located at 3130 Sexsmith Road, further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the *Local Government Act* and upon considering correspondence submitted, Council may choose to:

- give a bylaw further reading consideration,
- advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: R. Van Huizen, Legislative Technician

Approved for inclusion: L. Bentley, Deputy City Clerk

cc:

Development Planning

Lillian Klaamas

From: TERRY WILES <btwiles@telus.net>
Sent: Monday, July 12, 2021 9:50 AM
To: City Clerk
Subject: 3130 Sexsmith Road (Bylaw #12238 (Z21-OO58))

CAUTION: External email - Check before you click!

To the Council members of City of Kelowna.

It appears that the general public voice is not being heard, particularly in the Sexsmith /Arab Road/ Appaloosa Road area. Two years ago the bylaw was changed on Appaloosa Road/ Arab Ct; to accommodate agricultural to Light industrial. Since then the Appaloosa Road which was constructed for light Ag traffic, is now being bombarded with heavy duty tractor trailers, and the noise has become unbearable for the inhabitants that have homes on Appaloosa and Arab road. I see a request for a Bylaw change has once again been brought up, to change from Agriculture to Low impact industrial transitional zone in my area (Arab Rd /Sexsmith /Appaloosa).

I am fully aware that light industrial is a money grab for the city but has any thought been given to the local resident's way of life? The last thing that is needed in our area is more Heavy equipment - disruption of traffic flow and the dangers that are apparent when this scenario happens!

This is also a **Residential** area where children are, and play in this vicinity, school buses pick up children and bring them back.

Why is the City of Kelowna even endorsing this request!

Does anyone on Council have the backbone to say enough is enough?

To finalize this contentious issue, the City council needs to rethink about the rubber stamping that goes on, and perhaps think of the general public!

Let's remember why people came to Kelowna and perhaps give some thought to the downside and less of the financial gains when approving the bylaw changes.

Respectfully yours
Terry / Barbara Wiles
225 Arab Road
Kelowna-V1V 2G8

MEETING: WAIVED PH	ITEM: 3.15
BYLAW: 12238	PLANNING <input checked="" type="checkbox"/>

CITY OF KELOWNA

BYLAW NO. 12238

Z21-0058

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 Except Plan EPP85268 located on Sexsmith Road, Kelowna, BC 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 28th day of June, 2021.

Public Hearing waived by the Municipal Council this 28th day of June, 2021.

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: July 26, 2021
To: Council
From: City Manager
Subject: Rezoning Bylaw No. 12239 for Z21-0048 Summary of Correspondence
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated July 26, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12239;
 AND THAT Rezoning Bylaw No. 12239 be forwarded for further reading consideration.

Purpose:

To receive a summary of correspondence for Rezoning Bylaw No. 12239 and to give the bylaw further reading consideration.

Background:

On January 11, 2021, Council passed a resolution directing staff to recommend that Council waive the Public Hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff and are not expected to generate significant public input based on correspondence received. This resolution is in effect until the Order of the Provincial Health Officer regarding gatherings and events is rescinded or replaced to allow for in-person attendance at public hearings or until Council provides further direction on waiving public hearings.

The public has the opportunity to submit written correspondence for applications where the Public Hearing has been waived. Notification is done through signage on the subject property, newspaper advertisements, and mailouts in accordance with the *Local Government Act* and Development Application Procedures Bylaw No. 10540.

Previous Council Resolution

Resolution	Date
AND THAT Council direct staff to recommend that Council waive the public	January 11, 2021

<p>hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff, and are not expected to generate significant public input based on correspondence received at the time of the report to Council;</p>	
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Discussion:

Rezoning Application Z21-0048 for 1065 Hollywood Road South was brought forward to Council for initial consideration on [June 28, 2021](#). At this meeting, Council passed a resolution to waive the Public Hearing and correspondence was accepted between June 30, 2021 and July 12, 2021.

The Office of the City Clerk received zero pieces of correspondence.

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following the public notification period, staff are recommending that Council give Rezoning Bylaw No. 12239, located at 1065 Hollywood Road South, further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the *Local Government Act* and upon considering correspondence submitted, Council may choose to:

- give a bylaw further reading consideration,
- advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: R. Van Huizen, Legislative Technician

Approved for inclusion: L. Bentley, Deputy City Clerk

cc:
Development Planning

CITY OF KELOWNA
BYLAW NO. 12239
Z21-0048
1065 Hollywood Road South

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 Section 23 Township 26 ODYD Plan 25272 located on Hollywood Road South, Kelowna, BC from the RU₁ – Large Lot Housing zone to the RU_{1c} – 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 28th day of June, 2021.

Public Hearing waived by the Municipal Council this 28th day of June, 2021.

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: July 26, 2021
To: Council
From: City Manager
Subject: Z20-0041 1021 Lawson Ave Bylaw Extension Request
Department: Development Planning

Recommendation:

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 12065, for Lot 2 District Lot 138 ODYD Plan 5065, located at 1021 Lawson Avenue, Kelowna, BC, be extended from August 25, 2021 to August 25, 2022;

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

Purpose:

To extend the deadline for adoption of Rezoning Bylaw No. 12065 to August 25, 2022.

Background:

Rezoning Bylaw No. 12065 received second and third readings at a Regular meeting of Council held on Tuesday, August 25, 2020. Final adoption of the zone amendment bylaw is subject to the applicant meeting the requirements of the Schedule "A": Development Engineering Memorandum. The applicant had made progress on the rezoning application but has not yet met all of the engineering requirements due to the economic downturn with the covid pandemic. The applicant advises they are now fully operational again.

Staff are recommending that Council supports extending the deadline for adoption for the Rezoning Bylaw No. 12065 by one year to August 25, 2022.

Subject Property Map:

1021 Lawson Avenue



Report Prepared by: Heather Benmore, Development Planning Department

Approved for inclusion:



Dean Strachan, Development Planning Department Manager

Cc AT

Report to Council



Date: July 26, 2021
To: Council
From: City Manager
Subject: Z18-0063 Radant Rd 575 Rescindment of Bylaw Reading No. 11698
Department: Development Planning

Recommendation:

THAT Council receives, for information, the Report from the Development Planning Department dated July 26, 2021 with respect to Rezoning Application No. Z18-0063 for the property located at Lot A Section 1 Township 25 ODYD Plan 11054, located at 575 Radant Road, Kelowna BC;
AND THAT Bylaw No. 11698 be forwarded for rescindment consideration and the file be closed.

Purpose:

To rescind all three readings given to Rezoning Bylaw No. 11698 and direct staff to close the file.

Background:

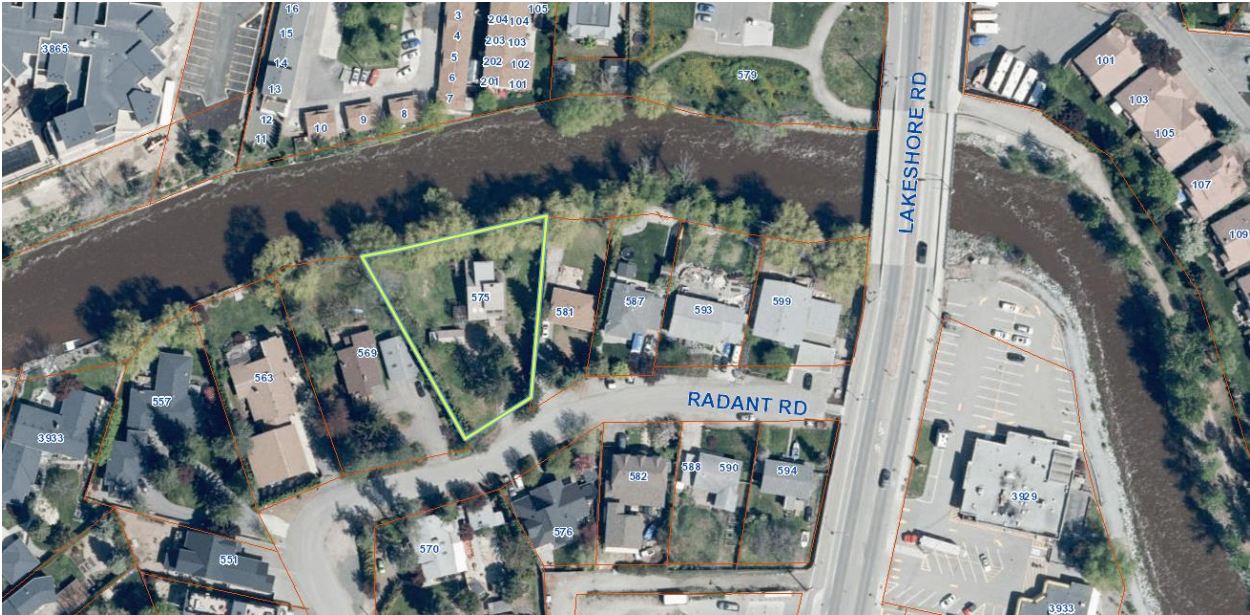
Rezoning Bylaw No. 11698 received second and third readings at a Regular meeting of Council held on December 4, 2018. Final adoption of the zone amendment bylaw is subject to the applicant meeting the requirements of a covenant required prior to final reading by Council.

On March 16, 2020, Council granted an initial extension for this application to December 4, 2020, as current COVID market conditions were making the completion of the covenant requirements difficult.

A further extension was then granted from December 4, 2020 to May 4, 2021 with no further extensions, however, the applicant was still unable to complete the necessary steps prior to expiration of this extension.

Given the above, staff are recommending that Council rescind first, second and third readings and direct staff to close the file.

Subject Property Map: 575 Radant Road



Submitted by: Heather Benmore, Development Planning Clerk

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

cc: tc

CITY OF KELOWNA
BYLAW NO. 11698
Z18-0063 – 575 Radant Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Section 1 Township 25 ODYD Plan 11054, located on Radant Road, 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 19th day of November, 2018.

Considered at a Public Hearing on the 4th day of December, 2018.

Read a second and third time by the Municipal Council this 4th day of December, 2018.

First, second and third readings rescinded by the Municipal Council this

Mayor

City Clerk

REPORT TO COUNCIL



Date: July 26th, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DP20-0099

Owner: Kinnikinnik Development Inc.,
Inc.No. BCo622664

Address: 3425 Hilltown Drive

Applicant: McKinley NA Limited
Partnership

Subject: Development Permit Application

Existing OCP Designation: MXT – Mixed Use Tourism

Existing Zone: CD18 – McKinley Beach Comprehensive Resort Development

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP20-0099 for Lot 1 Section 28 Township 23 ODYD Plan EPP76020 located at 3425 Hilltown Drive, Kelowna, BC subject to the following:

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

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

2.0 Purpose

To consider a Form and Character Development Permit for the proposed two-storey amenity building and surrounding area.

3.0 Development Planning

Staff are recommending support for the proposed Development Permit as the building will be an important amenity space for the McKinley Beach community. The building was identified in the early stages of the McKinley Beach plan, and the building will act as a focal point of the Village Centre. The Village Centre will have commercial, mixed-use, and multi-family buildings and this space will offer the residents many amenities including sports fields, playgrounds, community gardens and a pool and sauna.

The form and character of the building is strong, and it is consistent with the majority of the Official Community Plan’s (OCP) Urban Design Guidelines. The applicant worked with Staff to revise the drawings to meet the intent of the OCP, as well as meet all regulations within the Zoning Bylaw. Overall, Staff believe the building will fit into the McKinley Beach Community and will benefit the majority of the residents.

4.0 Proposal

4.1 Project Description

The Development Permit Application is for a new 2-storey mixed-use office and amenity building for the McKinley Beach community, which will be located off Hilltown Drive. The building is roughly 910m² (9800ft²) in size and it will be wood-framed. Roughly 185m² (2000ft²) will be allocated for office, 371.6m² (4000ft²) for a fitness and aerobic studio and 223m² (2400ft²) will be used for basement storage. The building is a phased development, with the first phase having a hot tub and sauna, and the second phase including indoor/outdoor lap pool. The proposed also includes outdoor amenities: soccer field, pickleball court, volleyball court and community garden.

The building has been staggered in height to allow for a relationship between the hillside and sports field. The building materials are primarily glass and cement, which includes wood-look siding and colour panels. Large overhangs and vegetative screening help with sustainability objectives and add passive cooling.

4.2 Site Context

The subject property is in the McKinley OCP Sector and the surrounding area is primarily zoned CD18 – McKinley Beach Comprehensive Resort Development and A1 – Agriculture 1. The surrounding area also has a Future Land Use Designation of MXT – Mixed Use Tourism and REP – Resource Protection.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Vacant
East	A1 – Agriculture 1	Vacant
South	CD18 – McKinley Beach Comprehensive Resort Development	Future Single-Family Subdivision
West	CD18 – McKinley Beach Comprehensive Resort Development	Future Development

Subject Property Map: 3425 Hilltown Drive



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	CD18 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	10,000m ²	75,596m ²
Min. Lot Width	13.0m	368.1m
Min. Lot Depth	30.0m	261.4m
Development Regulations		
Max. Site Coverage (buildings)	n/a	0.67%
Max. Site Coverage (buildings, parking, driveways)	n/a	5.9%
Max. Height	38.25m / 8 ½ storeys	8.03m / 2 storeys
Min. Front Yard	0.0m	34.8m
Min. Side Yard (south)	0.0m	219m
Min. Side Yard (north)	0.0m	140m
Min. Rear Yard	0.0m	54.8m
Other Regulations		
Min. Parking Requirements	46	46
Min. Bicycle Parking	2	11

5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Chapter 14: Urban Design DP Guidelines

Objectives:

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character.

6.o Application Chronology

Date of Application Received: March 25th, 2020

Date of Revised Drawings Received: May 28th, 2021

Date Public Consultation Completed: N/A

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Draft Development Permit DP20-0099

Schedule A: Site Plan / Floor Plan

Schedule B: Elevations and Materials

Schedule C: Landscape Plan

Development Permit DP20-0099

ATTACHMENT A

This forms part of application
DP20-0099

Planner
Initials **TC**

City of
Kelowna
DEVELOPMENT PLANNING



This permit relates to land in the City of Kelowna municipally known as 3425 Hilltown Drive

and legally known as Lot 1 Section 28 Township 23 ODYD Plan EPP76020

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

CD18 – McKinley Beach Comprehensive Resort Development

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

Date of Council's Decision: July 26th, 2021
Decision By: Council
Development Permit Area: CD18: Form & Character Development Permits
Existing Zone: CD18 – McKinley Beach Comprehensive Resort Development
Future Land Use Designation: MXT – Mixed Use Tourism

This is NOT a Building Permit.

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

NOTICE

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

Owner: Kinnikinnik Development Inc., Inc.No. BCo622664

Applicant: McKinley NA Limited Partnership

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

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

3. PERFORMANCE SECURITY

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

- a) An Irrevocable Letter of Credit **OR** certified cheque in the amount of **\$388,184.07**

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

5. INDEMNIFICATION

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

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

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

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

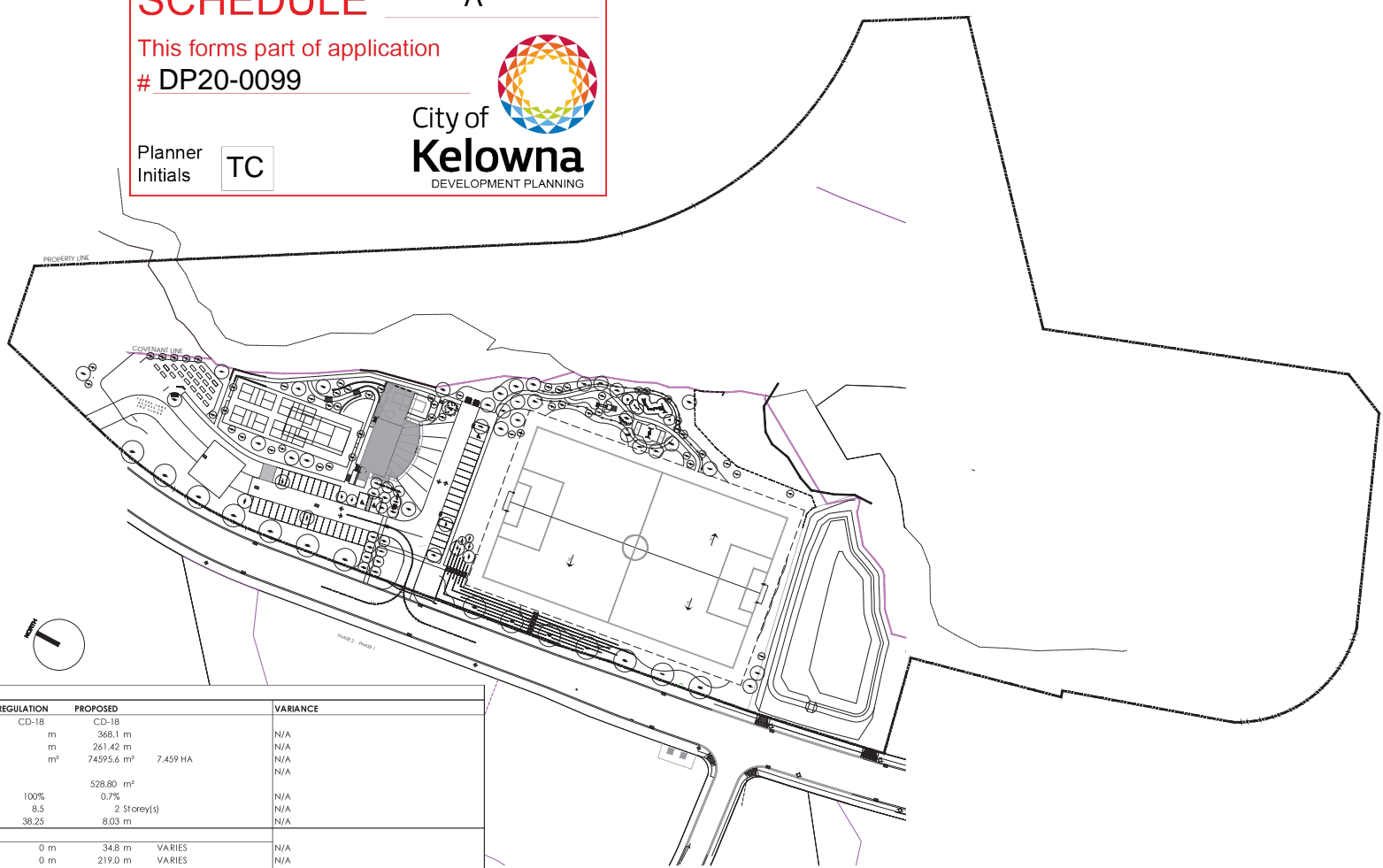
ATTACHMENT _____		A
This forms part of application		
# DP20-0099		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

SCHEDULE A

This forms part of application
DP20-0099

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING



ZONING SUMMARY			
	REGULATION	PROPOSED	VARIANCE
ZONING	CD-18		
LOT WIDTH (FRONTAGE-HILLTOWN DRIVE)	m	368.1 m	N/A
LOT DEPTH	m	261.42 m	N/A
SITE AREA	m ²	74595.6 m ²	7.459 HA
MAXIMUM FAR: (NIC, COVERED PARKING)		528.80 m ²	N/A
BUILDING COVERAGE		0.7%	N/A
MAXIMUM SITE COVERAGE	100%	0.7%	N/A
MAXIMUM BUILDING HEIGHT	8.5	2 Storey(s)	N/A
	38.25	8.03 m	N/A
SETBACKS			
FRONT YARD (WEST)	0 m	34.8 m	VARIES
SIDE YARD (SOUTH)	0 m	219.0 m	VARIES
SIDE YARD (NORTH)	0 m	140.0 m	VARIES
REAR YARD (EAST)	0 m	54.8 m	VARIES
PARKING			
CAR STALLS	(2.5/100 sq.m) (1/employee + 1/3 users) refer to site plan for calc. (25/100 sq.m) 3/Court	5 PH1 18 PH1 11 PH1 12 PH2	OFFICE PARTICIPANT RECREATION SERVICES, SWIMMING POOL RACQUET COURTS
*size ratio	ACCESSIBLE STALLS (VAN) MEDIUM (MAX) REGULAR/FULL (MIN)	46 2(1) 50 % 50 %	46 2(1) - % 100.0 %
BICYCLE STALLS	CLASS 1 (1/10 EMPLOYEES) CLASS 2 (0.6/100 sq.m)	1 1	INDOOR OUTDOOR
LOADING	1 per 2800 sm GFA	1	1

BUILDING SUMMARY			
BUILDING AREA	528.8 m ²	5692 ft ²	
LEVEL 1 - AMENITY AREA	528.8 m ²	5692 ft ²	
LEVEL 1 - OUTDOOR POOL/DECK	57.4 m ²	618 ft ²	Omitted from GFA
LEVEL 1 - SERVICE	40.0 m ²	430 ft ²	
LEVEL 2 - OFFICE	194.7 m ²	2100 ft ²	
LEVEL 2 - ROOF TERRACE	57.4 m ²	618 ft ²	Omitted from GFA
LEVEL 2 - SERVICE	5.1 m ²	55 ft ²	
GROSS FLOOR AREA (GFA)	788.6 m²	8489 ft²	
NET FLOOR AREA (NFA)	780.94 m²	8406 ft²	

SITE LEGEND

- PROPOSED AMENITY BUILDING
- PROPOSED FIRE DEPARTMENT TURN-AROUND
- PROPOSED PARKING LOT
- PROPOSED SOCCER FIELD
- PROPOSED SPORTS COURTS, PLAYGROUND AND COMMUNITY GARDEN - SEE LANDSCAPE DRAWINGS
- EXISTING RESERVOIR/SWM POND (PER CIVIL)
- REFUSE & RECYCLING STORAGE ENCLOSURE (EARTH BINS, REFER TO ADJACENT IMAGE)
- FUTURE 5000 SF WASHROOM AND STORAGE BUILDING
- EXISTING (PROPOSED) DENOTES EXISTING & PROPOSED GRADES
- ← DENOTES VEHICLE TRAFFIC DIRECTION
- 2% SLOPE DENOTES PROPOSED/FINISHED GRADE SLOPE



Scale

These drawings are instruments of service and the professional liability of the architect and contractor shall not be affected by the use of these drawings.

The drawings must not be scaled. The general contractor shall verify all dimensions, elevations and levels prior to commencement of work. The project engineer shall be responsible for the accuracy of the drawings.

Consultants

1	21.03.04	REVISED REVIEW & COORDINATION
2	20.11.24	REVISED PER HIGH WATER AMENITY
3	21.01.09	REVISED PER HIGH WATER AMENITY
4	20.11.23	REVISED PER HIGH WATER AMENITY
5	20.01.07	ISSUED FOR DEVELOPMENT PERMIT

DATE RECORD OF REVISIONS

PROJECT

MCKINLEY BEACH
AMENITY BUILDING
KELOWNA, BC

Sheet No:

SITE PLAN

Job Number 18.669

Date 2021.03.09

Scale 1/162" = 1'

Revision Number 3

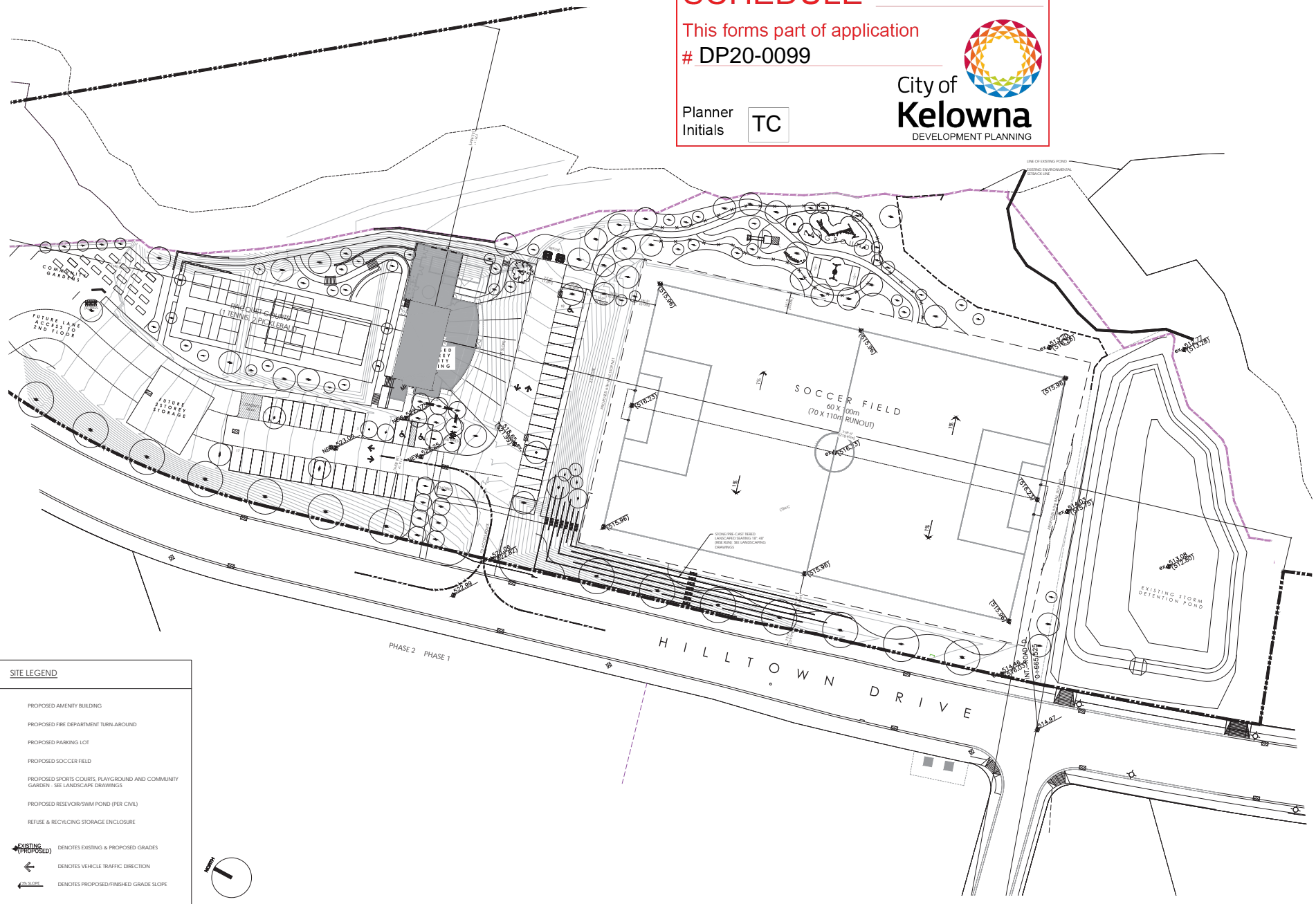
Drawing Number

A1.0

SCHEDULE A

This forms part of application
DP20-0099

Planner Initials **TC**



SITE LEGEND

- PROPOSED AMENITY BUILDING
- PROPOSED FIRE DEPARTMENT TURN AROUND
- PROPOSED PARKING LOT
- PROPOSED SOCCER FIELD
- PROPOSED SPORTS COURTS, PLAYGROUND AND COMMUNITY GARDEN - SEE LANDSCAPE DRAWINGS
- PROPOSED RESERVOIR/SWM POND (PER CIVIL)
- REFUSE & RECYCLING STORAGE ENCLOSURE
- EXISTING (PROPOSED) DENOTES EXISTING & PROPOSED GRADES
- ← DENOTES VEHICLE TRAFFIC DIRECTION
- ←/SLOPE DENOTES PROPOSED/FINISHED GRADE SLOPE

These drawings are a representation of an application for development and are not to be used for construction without the approval of the City of Kelowna. The drawings shall not be altered. The applicant shall be responsible for the accuracy of the information provided and shall be liable for any errors or omissions. The drawings shall be used for the purpose of the application only and shall not be used for any other purpose.

NO.	DATE	REVISION / DESCRIPTION
1	20.11.24	REVISED FOR HIGH WATER AMENDMENT
2	20.11.24	REVISED FOR HIGH WATER AMENDMENT
3	21.03.24	REVISED FOR HIGH WATER AMENDMENT
4	21.03.24	REVISED FOR HIGH WATER AMENDMENT
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49	21.03.24	REVISED FOR HIGH WATER AMENDMENT
50	21.03.24	REVISED FOR HIGH WATER AMENDMENT

MCKINLEY BEACH AMENITY BUILDING
KELOWNA, BC

SITE PLAN

Site Number: 18.669
Date: 2021.03.09
Scale: 1/16" = 1'
Revision Number: 3
Drawing Number: **A1.1**

NO.	DATE	REVISIONS
2	27.02.24	REVISED REVIEW & COORDINATION
1	20.11.24	REVISED PER HIGH WATER ARIENADITE
NO.	DATE	RECORD OF REVISIONS
3	27.03.24	RE-USED FOR DEVELOPMENT PERMIT
2	20.11.23	REVISED PER HIGH WATER ARIENADITE
1	20.09.23	ISSUED FOR DEVELOPMENT PERMIT
NO.	DATE	RECORD OF REVISIONS

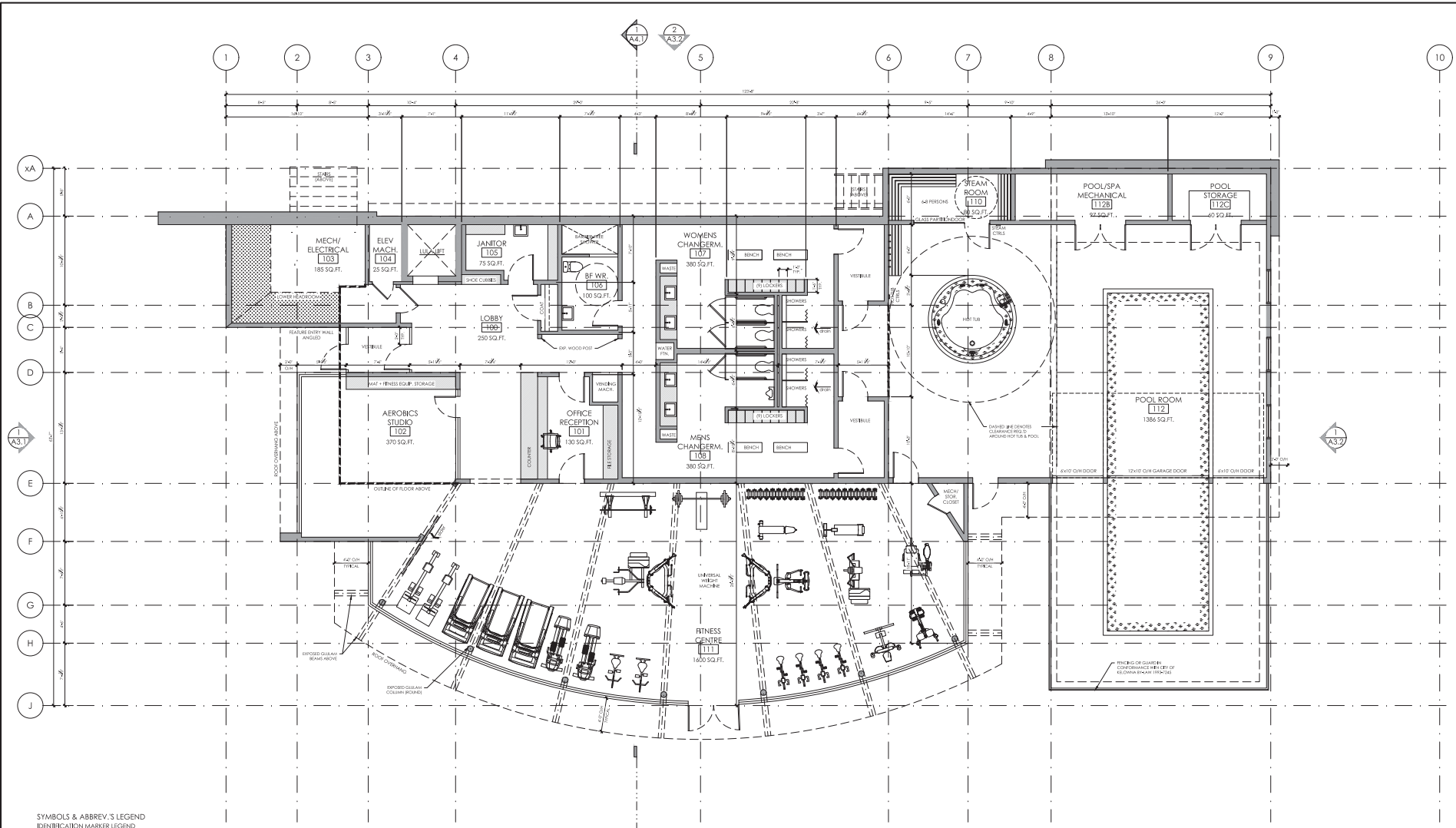
NO.	DATE	REVISIONS
3	27.03.24	RE-USED FOR DEVELOPMENT PERMIT
2	20.11.23	REVISED PER HIGH WATER ARIENADITE
1	20.09.23	ISSUED FOR DEVELOPMENT PERMIT
NO.	DATE	RECORD OF REVISIONS

MCKINLEY BEACH
AMENITY BUILDING
KELOWNA, BC

Sheet Title
FLOOR PLAN
LEVEL 1
(GROUND LEVEL)

Job Number: 18.669
Date: 2021.03.09
Scale: 3/16" = 1'
Revision Number: 3
Drawing Number

A2.1



SYMBOLS & ABBREVIATIONS LEGEND

- ELEVATION REFERENCE
- DETAIL REFERENCE
- WALL SECTION REFERENCE
- BUILDING SECTION REFERENCE
- DATUM
- GRID LINE
- BELOW GRADE WARNING (E, COORD. W/ MECH. DWG'S)
- DOOR TYPE (COORD. W/ DOOR SCHEDULE)
- NEW DOOR
- TYP. LINE ACCESS DOOR
- WINDOW (COORD. W/ WINDOW SCHEDULE)

- ROOM NO.
- WALL TYPE (COORD. W/ WALL TYPE SCHEDULE)
- S.D. CARBON MONOXIDE SMOKE DETECTOR
- HD FLOOR DRAIN/C/W/SLOPE ARROW (COORD. W/ MECH. DWG'S)
- HD FLOOR DRAIN/C/W/SLOPE ARROW (COORD. W/ MECH. DWG'S)
- FINISHED FLOOR ELEVATION (METERS) (COORD. W/ BUILDING SECTIONS)

- HATCH IDENTIFICATION MARKER LEGEND**
- NEW VEGETATION/LANDSCAPING (COORD. W/ LANDSCAPE ARCHITECT)
 - FULL HEIGHT WALL
 - MELLWORK
 - HATCH AREA DENOTES CEILING HEIGHT UNDER 4'
 - OPEN TO ABOVE

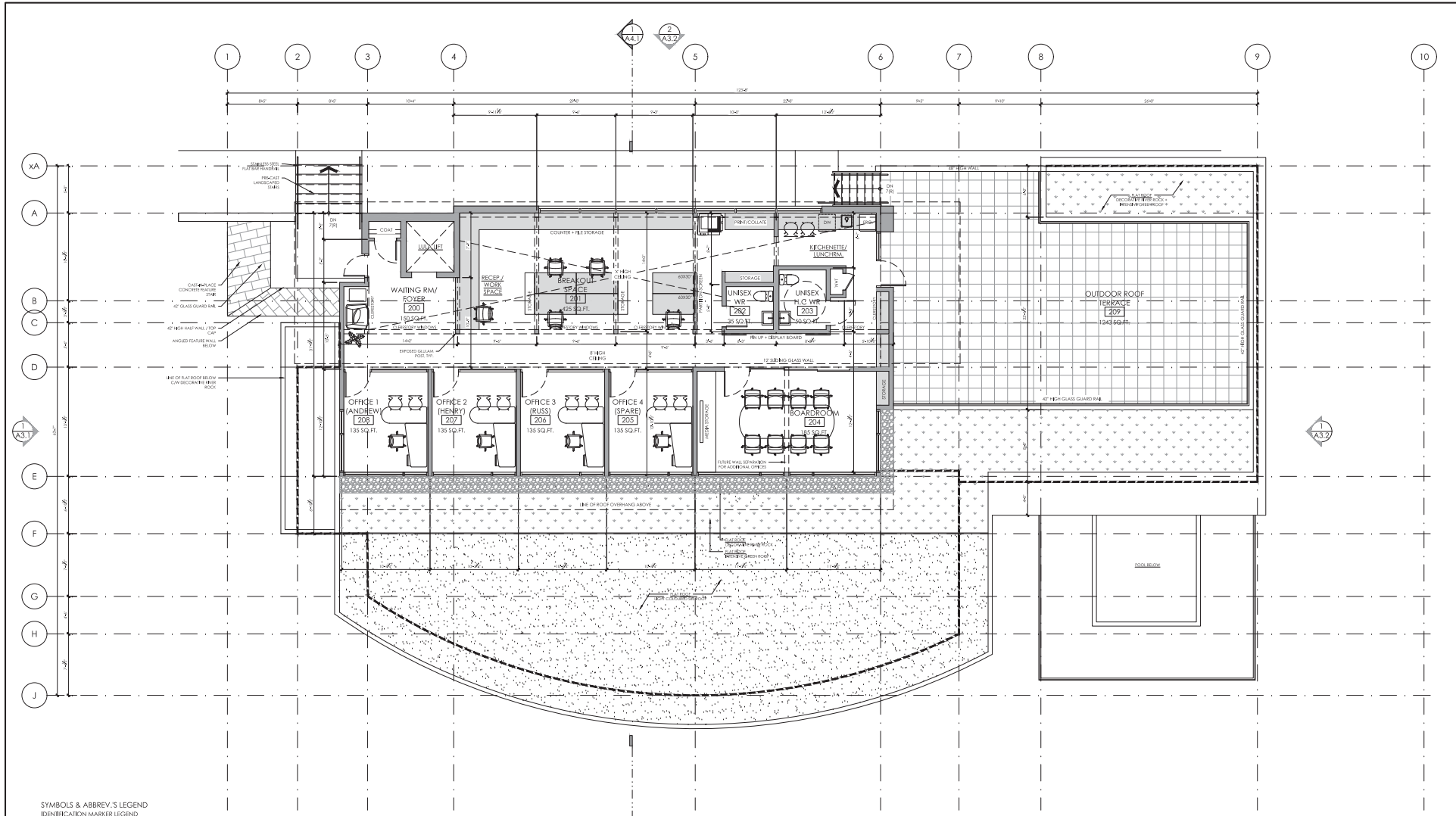
SCHEDULE A

This forms part of application # DP20-0099

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING

NO.	DATE	RECORD OF REVISIONS
2	27.09.24	REVISED REVIEW & COORDINATION
1	20.11.24	REVISED PER HIGH WATER AMENDMENT
3	27.09.24	RE-USED FOR DEVELOPMENT PERMIT
2	20.11.23	REVISED PER HIGH WATER AMENDMENT
1	20.01.23	ISSUED FOR DEVELOPMENT PERMIT
3	27.09.24	RE-USED FOR DEVELOPMENT PERMIT
2	20.11.23	REVISED PER HIGH WATER AMENDMENT
1	20.01.23	ISSUED FOR DEVELOPMENT PERMIT



SYMBOLS & ABBREVS LEGEND IDENTIFICATION MARKER LEGEND

- ELEVATION REFERENCE
- DETAIL REFERENCE
- WALL SECTION REFERENCE
- BUILDING SECTION REFERENCE
- DATUM
- GRID LINE
- BELOW GRADE WARNING (E, COORD. W/ MECH. DWG.'S) (COORD. W/ SITE SERVICES, DWG.'S)
- DOOR TYPE (COORD. W/ DOOR SCH.'S)
- NEW DOOR
- TYP. LINE ACCESS DOOR
- WINDOW (COORD. W/ WINDOW SCH.'S)
- RM. NAME
- ROOM NO.
- WALL TYPE (COORD. W/ WALL TYPE SCH.)
- S.D. CARBON MONOXIDE/SMOKE DETECTOR
- HD FLOOR DRAIN (COORD. W/ MECH. DWG.'S)
- HD IN-HIGH FLOOR ELEVATION (METERS) (COORD. W/ BUILD. SECTIONS)

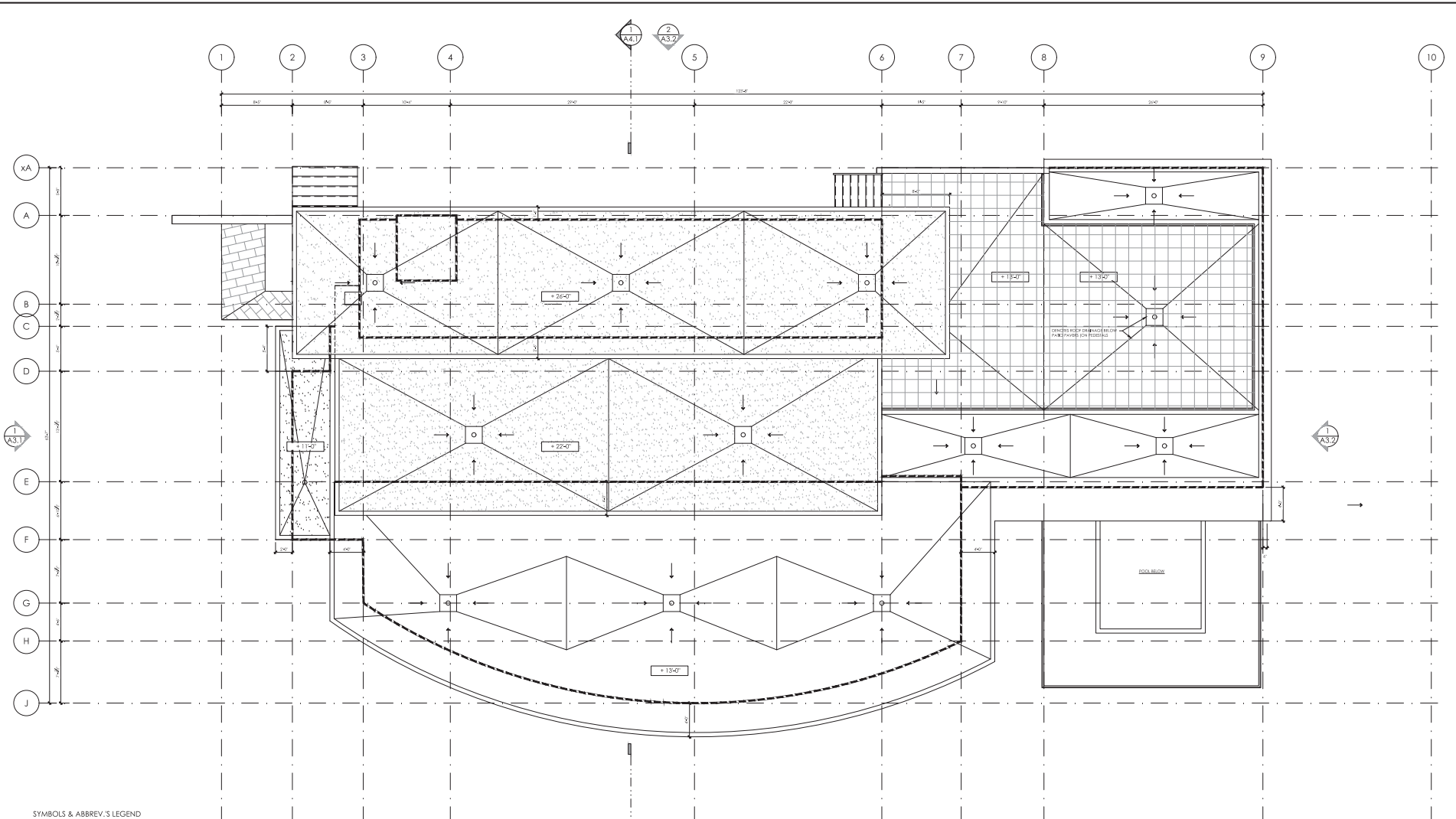
- HATCH IDENTIFICATION MARKER LEGEND**
- NEW VEGETATION/LANDSCAPING (COORD. W/ LANDSCAPE ARCHITECT)
 - FULL HEIGHT WALL
 - MILLWORK
 - HATCH AREA DENOTES CEILING HEIGHT UNDER 4'0"
 - OPEN TO ABOVE

SCHEDULE A

This forms part of application
DP20-0099

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING



SYMBOLS & ABBREVIATIONS LEGEND

- ELEVATION REFERENCE
- DETAIL REFERENCE
- WALL SECTION REFERENCE
- BUILDING SECTION REFERENCE
- DATUM
- A/F LEVEL (ABOVE FINISHED FLOOR)
- GRID LINE
- BELOW GRADE WARNING (E, COORD. W/ MECH. DWG'S)
- DOOR TYPE (COORD. W/ DOOR SCH'S)
- NEW DOOR
- TYP. LINE ACCESS DOOR
- WINDOW (COORD. W/ WINDOW SCH'S)

- ROOM NAME
- ROOM NO.
- WALL TYPE (COORD. W/ WALL TYPE SCH.)
- S.D. CARBON MONOXIDE/SMOKE DETECTOR
- F.D. FLOOR DRAIN (COORD. W/ MECH. DWG'S)
- F.F.E. FINISHED FLOOR ELEVATION (METERS) (COORD. W/ BUILD. SECTIONS)

- HATCH IDENTIFICATION MARKER LEGEND**
- FLAT ROOF AS PER OWNERS SPEC.
 - AREA OF BACK OVERHANG
 - DOOR (COORD. W/ DOOR OWNERS SPEC.)

SCHEDULE A

This forms part of application
DP20-0099

Planner
Initials TC

**City of
Kelowna**
DEVELOPMENT PLANNING

SCHEDULE B

This forms part of application
DP20-0099



City of
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DEVELOPMENT PLANNING

Planner
Initials **TC**

EXTERIOR MATERIALS	
○	EXPOSED CONCRETE
○	WOOD CLADDING
○	GLASS
○	STAINLESS STEEL
○	ALUMINUM
○	BRICK
○	ROOFING
○	LANDSCAPE
○	PAVING
○	WALLS
○	CEILING
○	FLOORING
○	MECHANICAL
○	ELECTRICAL
○	PLUMBING
○	FINISHES
○	DETAILS
○	ASSEMBLY
○	CONSTRUCTION
○	INSTALLATION
○	OPERATION
○	MAINTENANCE
○	REPAIRS
○	REPLACEMENTS
○	ALTERATIONS
○	ADDITIONS
○	DELETIONS
○	MOVEMENTS
○	REVISIONS
○	OTHER

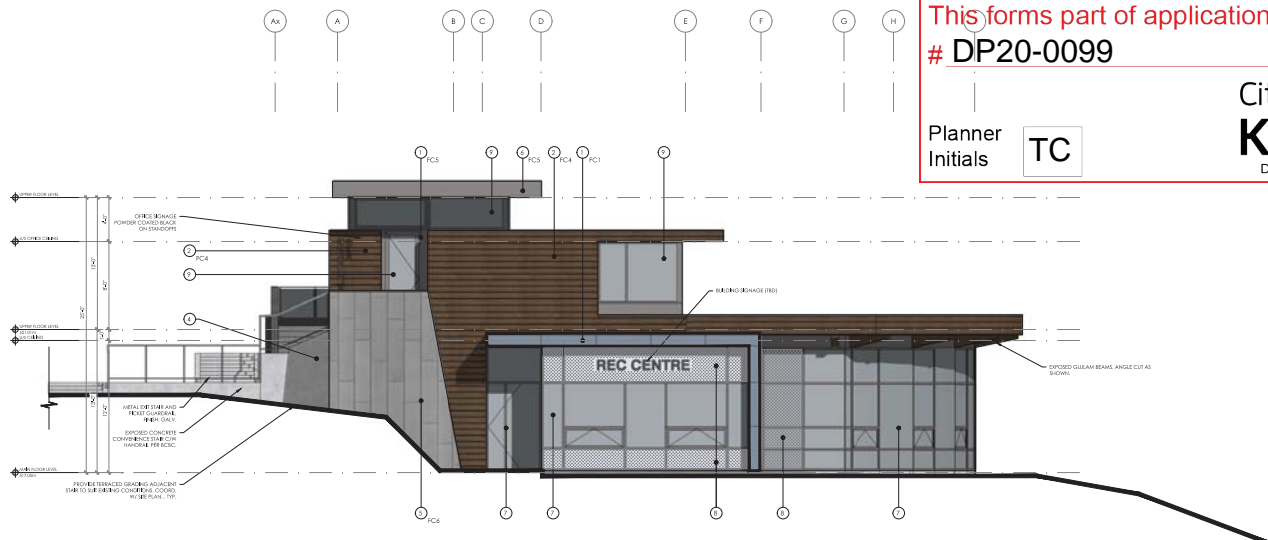
EXTERIOR FINISH SCHEME	
FC1	WOOD CLADDING (HORIZONTAL)
FC2	WOOD CLADDING (VERTICAL)
FC3	WOOD CLADDING (DIAGONAL)
FC4	WOOD CLADDING (RANDOM)
FC5	WOOD CLADDING (MIXED)
FC6	WOOD CLADDING (OTHER)
FC7	WOOD CLADDING (CUSTOM)
FC8	WOOD CLADDING (EXTRA)
FC9	WOOD CLADDING (FINAL)
FC10	WOOD CLADDING (START)
FC11	WOOD CLADDING (STOP)
FC12	WOOD CLADDING (GO)
FC13	WOOD CLADDING (NO)
FC14	WOOD CLADDING (YES)
FC15	WOOD CLADDING (MAYBE)
FC16	WOOD CLADDING (NEVER)
FC17	WOOD CLADDING (SOMETIMES)
FC18	WOOD CLADDING (ALWAYS)
FC19	WOOD CLADDING (NEVER AGAIN)
FC20	WOOD CLADDING (FOR GOOD)
FC21	WOOD CLADDING (FOR EVIL)
FC22	WOOD CLADDING (FOR GOD)
FC23	WOOD CLADDING (FOR THE DEVIL)
FC24	WOOD CLADDING (FOR THE KING)
FC25	WOOD CLADDING (FOR THE QUEEN)
FC26	WOOD CLADDING (FOR THE PEOPLE)
FC27	WOOD CLADDING (FOR THE PLANET)
FC28	WOOD CLADDING (FOR THE ANIMALS)
FC29	WOOD CLADDING (FOR THE PLANTS)
FC30	WOOD CLADDING (FOR THE OCEAN)
FC31	WOOD CLADDING (FOR THE MOUNTAINS)
FC32	WOOD CLADDING (FOR THE RIVERS)
FC33	WOOD CLADDING (FOR THE LAKES)
FC34	WOOD CLADDING (FOR THE SKY)
FC35	WOOD CLADDING (FOR THE EARTH)
FC36	WOOD CLADDING (FOR THE SUN)
FC37	WOOD CLADDING (FOR THE MOON)
FC38	WOOD CLADDING (FOR THE STARS)
FC39	WOOD CLADDING (FOR THE PLANETS)
FC40	WOOD CLADDING (FOR THE UNIVERSE)



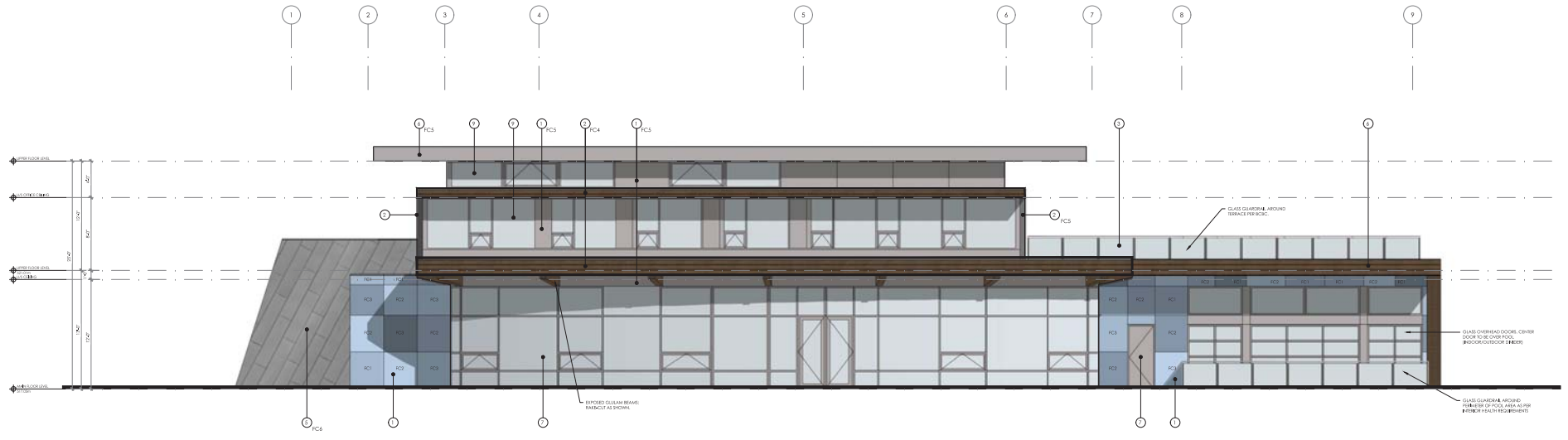
1333 Elm Street
Kelowna, BC V1Y 1S9
p 226-420-2550

KAMOOOPS
KELOWNA

These drawings are a representation of services...
The drawings shall not be used...
The drawings shall not be used...
The drawings shall not be used...
The drawings shall not be used...



BUILDING ELEVATION - NORTH



BUILDING ELEVATION - WEST

NO.	DATE	REVISIONS
2	21.02.24	REVISED FOR HIGH WATER AVENUE
1	20.11.24	REVISED FOR HIGH WATER AVENUE
3	21.03.09	REVISED FOR DEVELOPMENT PERMIT
2	20.11.23	REVISED FOR HIGH WATER AVENUE
1	20.01.21	REVISED FOR DEVELOPMENT PERMIT

MCKINLEY BEACH
AMENITY BUILDING
KELOWNA, BC

BUILDING ELEVATIONS

Sheet Number 18.669
Date 2021.03.09
Scale 3/16" = 1'
Revision Number 3
Drawing Number


A3.1

J H G F E D C B A

SCHEDULE B

This forms part of application
DP20-0099


Planner Initials **TC**



City of
Kelowna
DEVELOPMENT PLANNING

EXTERIOR MATERIALS	
O ₁	GLASS GLAZING AND SERVICE PERISCOPES
O ₂	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₃	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₄	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₅	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₆	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₇	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₈	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₉	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₁₀	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₁₁	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₁₂	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₁₃	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₁₄	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₁₅	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₁₆	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₁₇	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
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O ₂₈	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₂₉	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
O ₃₀	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK

EXTERIOR FINISH SCHEME	
FC1	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC2	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC3	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC4	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC5	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC6	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC7	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC8	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC9	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC10	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC11	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC12	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC13	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC14	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC15	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC16	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC17	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC18	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC19	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC20	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC21	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC22	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC23	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC24	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC25	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC26	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC27	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC28	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC29	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK
FC30	WOOD GRAIN FINISH (KAMOOOPS KELOWNA) - EXTERIOR WALLS AND ROOF OVER POOL DECK



BlueGreen
ARCHITECTURE INC

#100 - 1303 28th Street
Kelowna, BC V1Y 1J9
p 226.420.3550

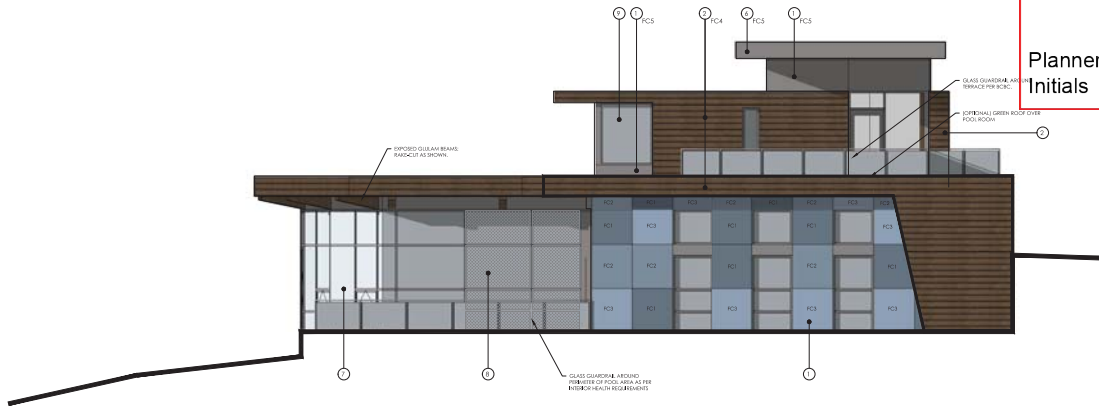
www.bluegreenarchitecture.com

KAMOOOPS
KELOWNA

Project: **MCKINLEY BEACH AMENITY BUILDING KELOWNA, BC**

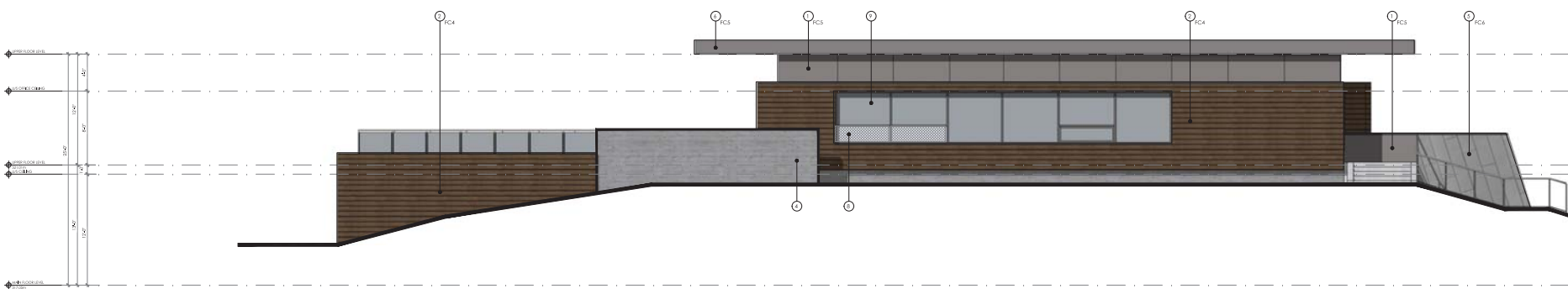
Sheet Title: **BUILDING ELEVATIONS**

Rev Number: 18.669
Date: 2021.03.09
Scale: 3/16" = 1'
Revision Number: 3
Drawing Number: **A3.2**



BUILDING ELEVATION - SOUTH

10 9 8 7 6 5 4 3 2 1



BUILDING ELEVATION - EAST

SCHEDULE B

This forms part of application
DP20-0099

Planner
Initials **TC**



PERSPECTIVE RENDERING ARTIST IMPRESSION - N.T.S.

BUILDING PERSPECTIVE



BUILDING PERSPECTIVE



#100 - 1353 236 Street,
Kelowna, BC V1Y 1Z9
p 250.420.3550

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KAMLOOPS
KELOWNA

Sheet

These drawings are a representation of services and are not intended to be used for construction without the architect's prior written permission.
This drawing must not be copied, the general contractor shall verify all dimensions, locations and materials prior to commencement of work. Any errors or omissions are to be reported immediately to the architect.

Consultants

2 21.02.24 REVISED REVIEW & COORDINATION

1 20.11.24 REVISED PER HIGH WATER AMENDMENT

NO DATE RECORD OF REVISIONS

3 21.03.24 RE-SUBMITTED FOR DEVELOPMENT PERMIT

2 20.11.23 REVISED PER HIGH WATER AMENDMENT

1 20.01.21 RE-SUBMITTED FOR DEVELOPMENT PERMIT

NO DATE RECORD OF REVISIONS

Project

MCKINLEY BEACH
AMENITY BUILDING
KELOWNA, BC

Sheet Title

BUILDING PERSPECTIVES

Sheet Number 18.669

Date 2021.03.09

Scale 3/16" = 1'

Revision Number 3

Drawing Number

A3.3

NO.	DATE	RECORD OF REVISIONS
2	21.02.24	REVISED REVIEW & COORDINATION
1	20.11.24	REVISED PER HIGH WATER AMENDMENT
3	21.03.09	RE-ISSUED FOR DEVELOPMENT PERMIT
2	20.11.23	REVISED PER HIGH WATER AMENDMENT
1	20.01.21	ISSUED FOR DEVELOPMENT PERMIT
NO.	DATE	RECORD OF REVISIONS

Project:
MCKINLEY BEACH
AMENITY BUILDING
KELOWNA, BC

Sheet Title:
BUILDING SECTIONS

Job Number: 18.669

Date: 2021.03.09

Scale: 3/16" = 1'

Revision Number: 3

Drawing Number:

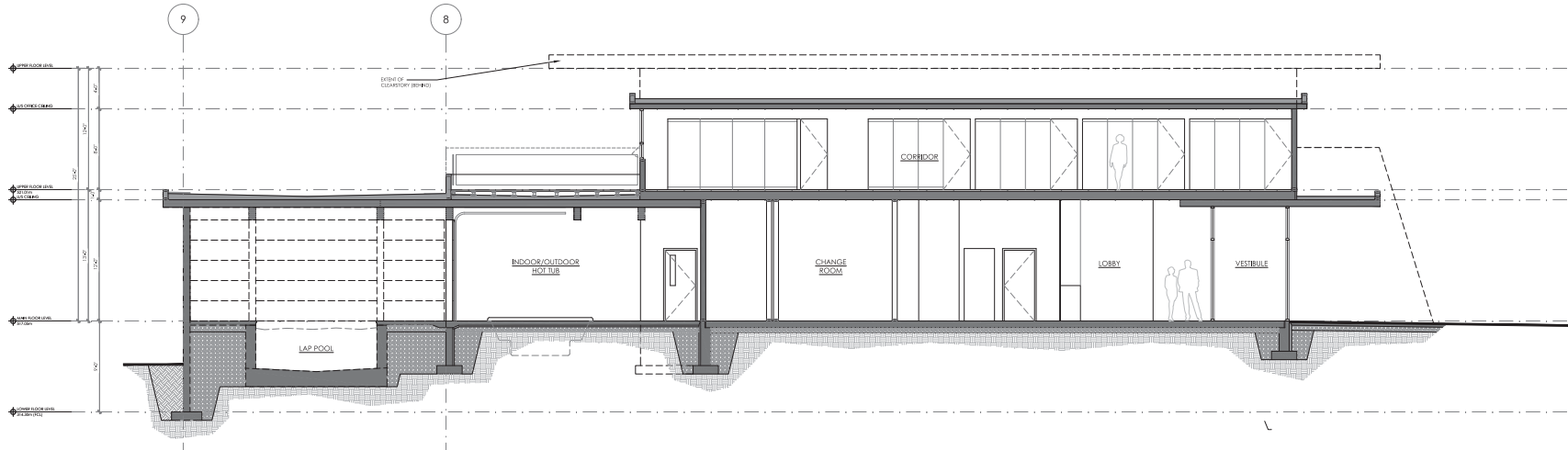
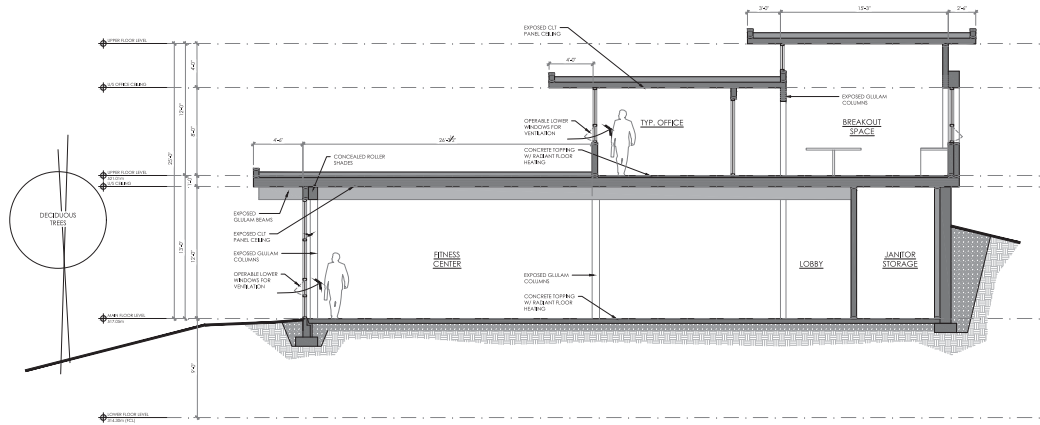
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SCHEDULE B

This forms part of application
DP20-0099

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING



1 - FIBRE CEMENT PANEL C/W EXP. PAINTED FASTENERS; COLOUR PER LEGEND



HARDIE REVEAL PANEL (SMOOTH) W/ PAINTED EXP. FASTENERS
COLOUR PER MATERIAL LEGEND

2 - NON-COMBUSTIBLE WOOD GRAIN SIDING + SOFFIT



MAC ARCHITECTURAL METALS - WOOD COLLECTION
COLOUR: SCANDINAVIAN PIN

3 - VERTICAL CORRUGATED METAL SIDING



CASCADIA METALS - STANDARD COLOURS
COLOUR: GALVANIZED

4 - BOARDFORM CONCRETE



5 - METAL SIDING - DIAGONAL




MAC ARCHITECTURAL METAL COLOUR: BRUSHED ZINC

SCHEDULE B

This forms part of application
DP20-0099

Planner
Initials

TC



**City of
Kelowna**
DEVELOPMENT PLANNING

BLUEGREEN
ARCHITECTURE INC

100 - 1353 ELLIS STREET, KELOWNA



McKINLEY
— BEACH —

EXTERIOR MATERIALS

MATERIAL SELECTION	
1	WELD COLOUR SELECTION
FC1	
1	FIBRE CEMENT PANEL C/W EXP. PAINTED FASTENERS MATERIAL: HARDIE REVEAL PANEL OR EQUAL C/W PREP. ALUM REVEALS COLOUR PER COLOUR SCHEME
2	NON-COMBUSTIBLE FIBRE CEMENT SIDING MATERIAL: HARDIE LAP SIDING OR EQUAL COLOUR PER COLOUR SCHEME
3	CORRUGATED METAL SIDING (REFER TO ELEV. FOR ORIENTATION) MATERIAL: CASCADIA METAL COLOUR PER COLOUR SCHEME
4	EPICOR BOARDFORM CONCRETE (REFER TO ELEV. FOR BOARD ORIENTATION)
5	NON-FINISHED METAL SIDING MATERIAL: MAC METAL ARCHITECTURAL METAL BLOCK DIVISIVE PROFILE FINISHED OR FINISHING COLOUR PER COLOUR SCHEME
6	NON-COMBUSTIBLE FIBRE CEMENT PANEL BOARD MATERIAL: HARDIE PANEL BOARD (SEE ELEV. FOR TYPE, HORIZONTAL GRAIN) COLOUR PER COLOUR SCHEME
7	SOFFIT/SOFT OF CORNER WALL FINISHING SIDING (REFER TO ELEV. FOR ORIENTATION) MATERIAL: ALUMINUM C/W 1/2" CLEAR GRAIN (DOUBLE) COLOUR: CLEAR ANODIZED ALUMINUM
8	SPANDREL PANELS (IDENTIFIED BY HATCH) MATERIAL: COLOUR PER COLOUR SCHEME
9	WALL WINDOW & DOOR (REFER TO ELEV. FOR ORIENTATION) MATERIAL: METAL CLAD W/ 1/2" CLEAR GRAIN (DOUBLE) COLOUR: CLEAR ANODIZED ALUMINUM EXT. BLACK FINISH INT.

EXTERIOR FINISH SCHEME

FC1	DARK BLUE + BLUE BEANS BY HARDE DREAM COLLECTION
FC2	MED BLUE + POOLSIDE BLUE BY HARDE DREAM COLLECTION
FC3	LIGHT BLUE + SUNNY BLUE BY HARDE DREAM COLLECTION
FC4	WOOD LOOK + SUMMER WHEAT BY RUISE WHEAT
FC5	MED GREY + ASH GREY BY HARDE DREAM COLLECTION
FC6	BRUSHED ZINC BY MAC METAL
FC7	GALVANNEED (CORRUGATED METAL)

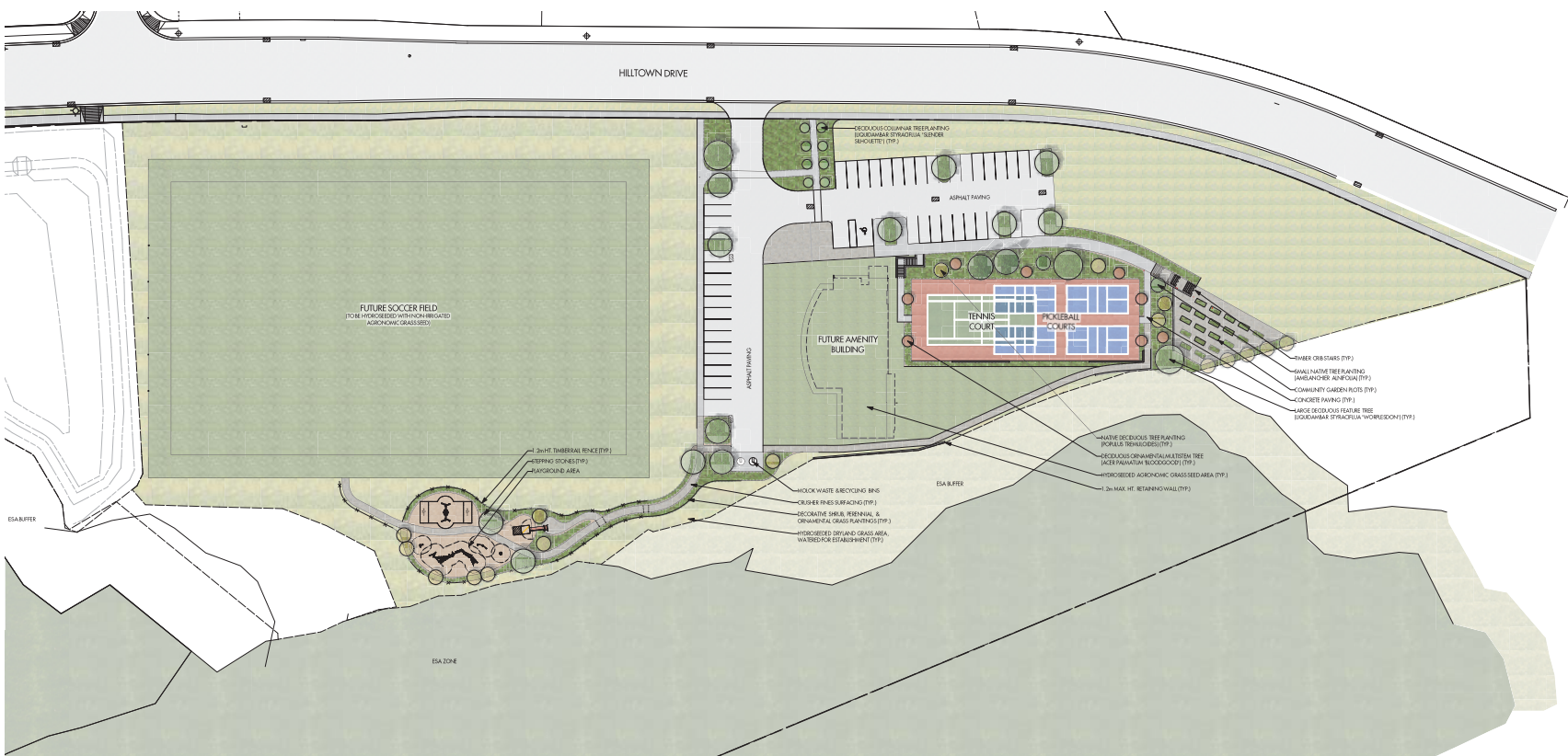
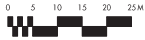
ISSUED FOR DEVELOPMENT PERMIT

DATE: 2020.01.21

PROJECT #: 18.669

SCALE: N.T.S.

PAGE 2 OF 2



MCKINLEY AMENITY BUILDING - PHASE 1
Kelowna, BC

DATE: 11/05/20

DRAWING TITLE: CONCEPTUAL LANDSCAPE PLAN

PROJECT NO: 110520

NO.	DATE	DESCRIPTION
1	11/05/20	CONCEPTUAL LANDSCAPE PLAN

NO.	DATE	DESCRIPTION
1	11/05/20	CONCEPTUAL LANDSCAPE PLAN

SCALE



DATE: 11/05/20

L1/2

ISSUED FOR REVIEW ONLY
This drawing is prepared in accordance with the provisions of the British Columbia Land Use Act and the Land Use Regulation Act. It is not to be used for any other purpose.

SCHEDULE C

This forms part of application
DP20-0099



City of
Kelowna
DEVELOPMENT PLANNING

Planner Initials

TC

NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE CANADIAN NURSERY LANDSCAPE ASSOCIATION STANDARDS.

2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TYPED UNDERGRASS IRRIGATION SYSTEM.

3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm BLACK WOOD MULCH OR DECORATIVE ROCK MULCH, AS SHOWN IN PLANS. DO NOT PLACE WOOD MULCH UNDER TREE AND SHRUB BEDS IN WOOD MULCH AREAS.

4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.

HYDROSEEDING DRYLAND SEED AREAS	BY WEIGHT	BY SPECIES
DRYLAND SEED MIXTURE	40%	22%
BLUE BUNCHWHEAT GRASS	15%	19%
ROUGH FESCUE	25%	20%
TRIFOLIUM	15%	19%
PERENNIAL RYEGRASS	10%	7%
SANDBERG BLUEGRASS	5%	12%
JUNE GRASS	4%	18%
CANADIAN BLUEGRASS	1%	1%

HYDROSEEDING APPLICATION RATE	125KG/HECTARE
NATIVE SEED - DRYLAND SEED MIXTURE	18-18-18-2, 50% SULPHUR COATED UREA
FERTILIZER	300KG/HECTARE
MULCH - CANFOR ECOFIBRE PLUS TAC	2,000KG/HECTARE
TACKLER	QUAR
	3% OF MIX

THE PRECEDING HYDROSEEDING MIXTURE IS TO BE APPLIED TO THE DRYLAND SEED AREA AS SHOWN ON THE DRAWING. SEED MIX TO BE CERTIFIED #1 GRADE BY AGRICULTURE CANADA. REFER MANUFACTURER'S SPECIFICATIONS FOR PRODUCT DELIVERY, STORAGE & PROTECTION.

HYDROSEEDING NON-IRRIGATED ACRONOMIC GRASS AREAS	BY WEIGHT
NON-IRRIGATED ACRONOMIC GRASS MIXTURE	40%
GREENFEST FESCUE	45%
SHEEP'S FESCUE	45%
PERENNIAL RYEGRASS	15%

HYDROSEEDING APPLICATION RATE (NON-IRRIGATED) GRASS AREAS	40%
NON-IRRIGATED MIX	220KG/HECTARE
ANNUAL RYEGRASS	200KG/HECTARE
FERTILIZER	B-18-18-5-30% SULPHUR COATED UREA
MULCH	CANFOR ECOFIBRE PLUS TAC
	1,000KG/HECTARE

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
ACER JAPONICUM 'BLOODGOOD'	BLOODGOOD JAPANESE MAPLE	8	6m CAL./MULTISTEM
AMELANCHIER ALNIFOLIA	REDWING	2	6m CAL.
LIQUIDAMBAR STYRACIFLUA 'SILVER SHILOUETTE'	SILVER SHILOUETTE SWERTGUM	8	6m CAL.
LIQUIDAMBAR STYRACIFLUA 'WORLESDON'	WORLESDON SWERTGUM	15	6m CAL.
FRAXINUS OXYPHYLLA	RED BARK ASHEN	2	2.0m HT.
POPULUS TREMULOIDES	TREMULING ASHEN	17	6m CAL.
SHRUBS			
BERBERIS THURBERGII 'CENTURY'	ROYAL BURBUNDY BARBERRY	17	#02 CONF./1.5M O.C. SPACING
BERBERIS THURBERGII 'MONRY'	SUNSHINE BARBERRY	17	#02 CONF./1.5M O.C. SPACING
BULBUS 'GREEN GEM'	GREEN GEM BOWWOOD	40	#02 CONF./1.0M O.C. SPACING
CORNUS SPANGLEREA 'WINTER BEAUTY'	WINTER BEAUTY DOGWOOD	6	#02 CONF./2.5M O.C. SPACING
CORNUS SERICEA 'KELSEY'	KELSEY DOGWOOD	12	#02 CONF./1.8M O.C. SPACING
ELONOMUS ALATUS 'COMACTA'	DWARF BURNING BUSH	17	#02 CONF./1.5M O.C. SPACING
ELONOMUS FORTUNEI 'EMERALD GAIETY'	EMERALD GAIETY WINTERCREPER	12	#02 CONF./1.5M O.C. SPACING
HYDRANGEA MACROPHYLLA 'BAINBR'	DIANE'S SUMMER HYDRANGEA	12	#02 CONF./2.0M O.C. SPACING
HYDRANGEA PANDICULATA 'JANI'	LITTLE LIME HYDRANGEA	17	#02 CONF./1.5M O.C. SPACING
JUNIPERUS SABINA 'CASCADY CARPET'	CASCADY CARPET JUNIPER	12	#02 CONF./2.0M O.C. SPACING
JUNIPERUS VIRGINIANA 'IDYLLWILD'	IDYLLWILD JUNIPER	6	#15 CONF./2.5M O.C. SPACING
PHAEDELPHUS 'L'EVISER 'BUZZARD'	BUZZARD MOCKORANGE	12	#02 CONF./1.8M O.C. SPACING
PRUNUSUS 'INDORFAR'	WEST PRUNCE	12	#02 CONF./1.8M O.C. SPACING
SALIX PURPUREA 'NANA'	DWARF ARCTIC WILLOW	10	#02 CONF./2.0M O.C. SPACING
SPIREA BURBANKIANA 'ANTHONY WATERER'	ANTHONY WATERER SPIREA	17	#02 CONF./1.5M O.C. SPACING
SYRINCA MEYERI 'PALLIN'	DWARF KOREAN LILAC	12	#02 CONF./1.8M O.C. SPACING
TAXUS AMERICANA 'WICKST'	WICKST YEW	27	#02 CONF./1.2M O.C. SPACING
TERRIACIALS, GRASSES & GROUNDCOVERS			
ACHILLEA MILEFOLIUM 'SUMMER PASTELS'	SUMMER PASTELS YARROW	19	#01 CONF./1.2M O.C. SPACING
ANTENNARIA SCANDIACA 'SEVER MOUND'	SEVER MOUND ANTIMONY	19	#01 CONF./1.2M O.C. SPACING
ARCTICUM ALPES (VALARI)	POINICONIA	12	#01 CONF./1.5M O.C. SPACING
ASTER FRIBARTI 'WONCH'	FRIBARTI'S ASTER	12	#01 CONF./1.5M O.C. SPACING
CALAMAGROSTE ACUTICOMA 'KARI FOERSTER'	KARI FOERSTER REED GRASS	19	#01 CONF./1.2M O.C. SPACING
ECHINACEA 'CHEYENNE SPIRIT'	CHEYENNE SPIRIT CONEFLOWER	28	#01 CONF./1.2M O.C. SPACING
HEBERICAUS 'BIBBY STELLA'	BIBBY STELLA DAILY	19	#01 CONF./1.2M O.C. SPACING
HEBERICAUS 'STELLA D'ORO'	STELLA D'ORO DAILY	19	#01 CONF./1.2M O.C. SPACING
HISTIA 'NORTHERN ENDORFIC'	NORTHERN ENDORFIC HELIOPSIA	9	#01 CONF./1.8M O.C. SPACING
HEMIPHYSALIS 'FIRE DANCE'	FIRE DANCE RED HOT POKER	28	#01 CONF./1.0M O.C. SPACING
LUPINUS 'ROSE'S MIX'	ROSE'S MIX LUPINE	28	#01 CONF./1.0M O.C. SPACING
MANTILLA 'STREPTHEPIS'	STREPTHEPIS	19	#01 CONF./1.2M O.C. SPACING
PANICUM VIRGATUM 'ROSTRANBUSCH'	RED SWITCH GRASS	12	#01 CONF./1.5M O.C. SPACING
PERNISELUM ALCOPECUROIDES	FOXTAIL GRASS	12	#01 CONF./1.5M O.C. SPACING
PEROVSKIA ATRIPLEXIFOLIA	RUSSIAN SAGE	12	#01 CONF./1.5M O.C. SPACING
SEDUM 'AURIBRANCO'	AURIBRANCO SEDUM	28	#01 CONF./1.0M O.C. SPACING



PROJECT TITLE
MCKINLEY AMENITY BUILDING - PHASE 1
Kelowna, BC

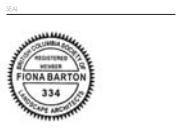
DRAWING TITLE
WATER CONSERVATION / IRRIGATION PLAN

DESIGNER / DESIGN

DATE	DESCRIPTION

PROJECT NO. / ISSUE

DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
DATE	SCALE
DATE SET	SCALE



DRAWING NUMBER

L2/2

ISSUED FOR REVIEW ONLY
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SCHEDULE C

This forms part of application
DP20-0099

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING

WATER CONSERVATION CALCULATIONS
LANDSCAPE MAXIMUM WATER BURST (MWB) = 18,130 cu.m. / year
ESTIMATED LANDSCAPE WATER USE (EWU) = 746 cu.m. / year
WATER BALANCE = 17,384 cu.m. / year
*REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS

- IRRIGATION NOTES**
1. IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE WATER USE REGULATION BYLAW NO. 1 (240) AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KELOWNA BYLAW 7900 (PART 6, SCHEDULE 5).
 2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER BYLAW NO. 7900.
 3. THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, AND SHUT OFF VALVE LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE CITY.
 4. AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM ET VALUE OF 7 / MONTH (KELOWNA, JULY), TAKING INTO CONSIDERATION SOIL TYPE, SLOPE, AND MICROCLIMATE.
 5. DRIP LINE AND EMITTERS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOF INTRUSION.
 6. IRRIGATION SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES AND SATURATES.
 7. IRRIGATION PIPES SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m / SEC.
 8. A FLOW SENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

IRRIGATION LEGEND

	ZONE #1- HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 146 sq.m. MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 81 cu.m.
	ZONE #2- HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 219 sq.m. MICROCLIMATE: SOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 122 cu.m.
	ZONE #3- HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 100 sq.m. MICROCLIMATE: NORTHWEST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 56 cu.m.
	ZONE #4- HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 185 sq.m. MICROCLIMATE: NORTHEAST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 102 cu.m.
	ZONE #5- HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 127 sq.m. MICROCLIMATE: NORTHWEST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 71 cu.m.
	ZONE #6- HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 200 sq.m. MICROCLIMATE: NORTHWEST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 112 cu.m.
	ZONE #7- HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 176 sq.m. MICROCLIMATE: SOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 99 cu.m.
	ZONE #8- HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 45 sq.m. MICROCLIMATE: SOUTHEAST EXPOSURE, FULL SUN ESTIMATED ANNUAL WATER USE: 25 cu.m.
	ZONE #9- HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 142 sq.m. MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 77 cu.m.



DP20-0099

3425 Hilltown Drive

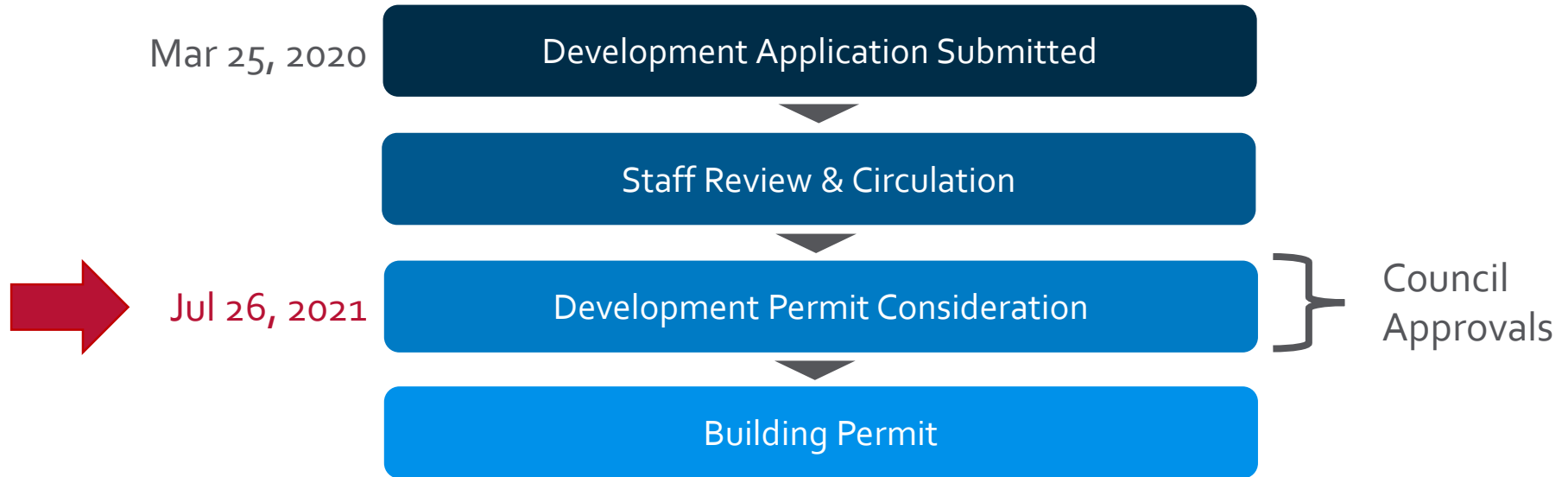
Development Permit Application



Proposal

- ▶ To consider the form and character of a proposed two-storey amenity building in the McKinley Beach Village Centre.

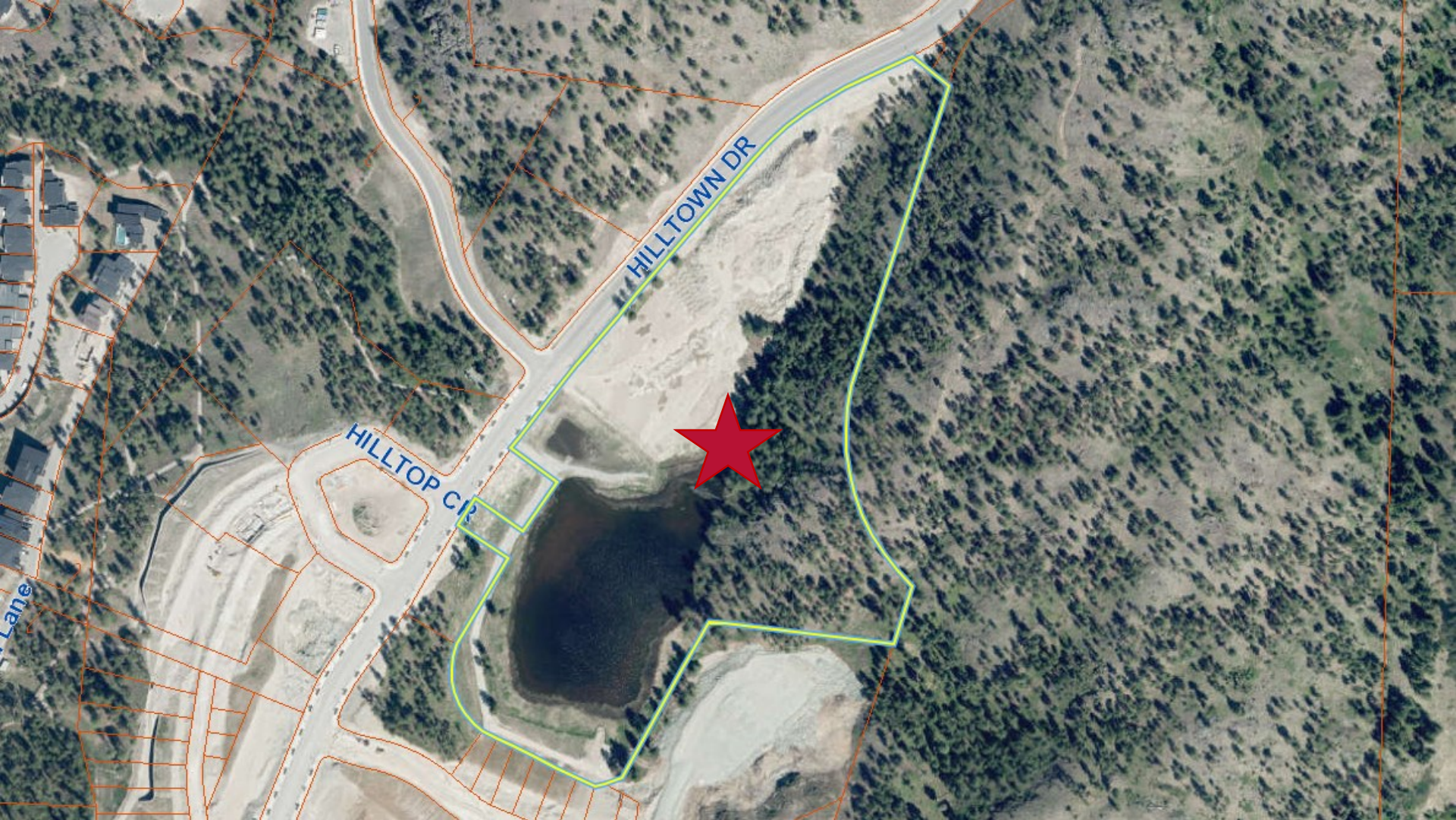
Development Process



Context Map



Subject Property Map



Project Details

- ▶ Proposed 2-storey mixed-use office and amenity building.
- ▶ The building will be wood-framed and 910 m² in size, more specifically:
 - ▶ 371.6m² (4,000ft²) for fitness and aerobics;
 - ▶ 185m² (2,000ft²) for office;
 - ▶ 223m² (2,400ft²) for basement storage;
- ▶ Phased building with the first phase having a hot tub and sauna and the second phase having a lap pool.
- ▶ Other amenities include soccer field, pickleball court, volleyball court, community garden and playground.

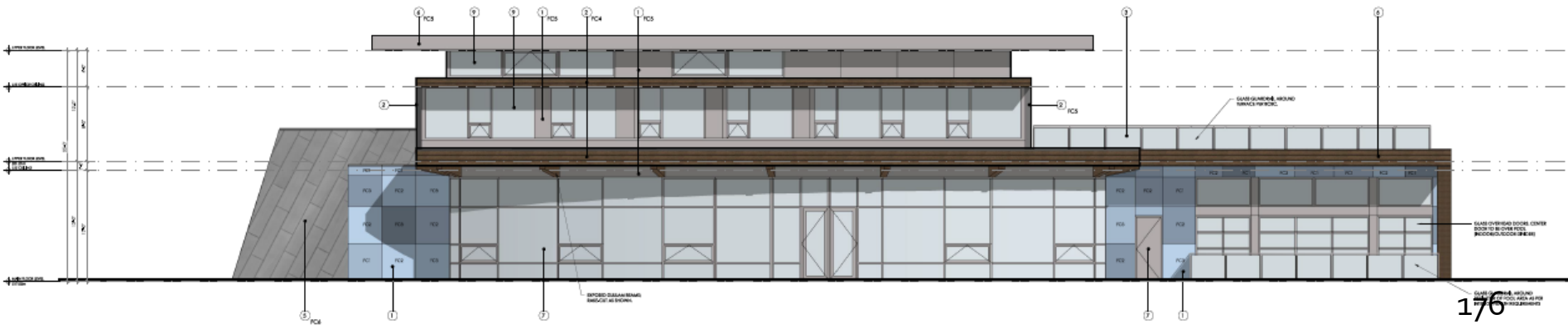
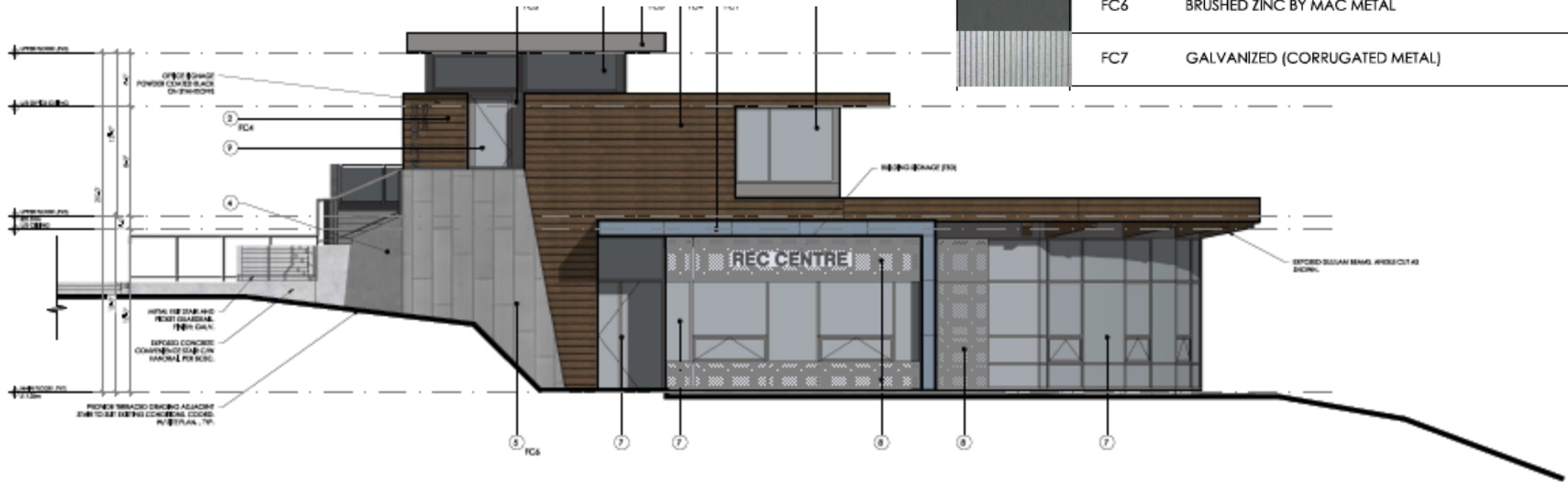
Site Plan



Elevations: North & West

EXTERIOR FINISH SCHEME

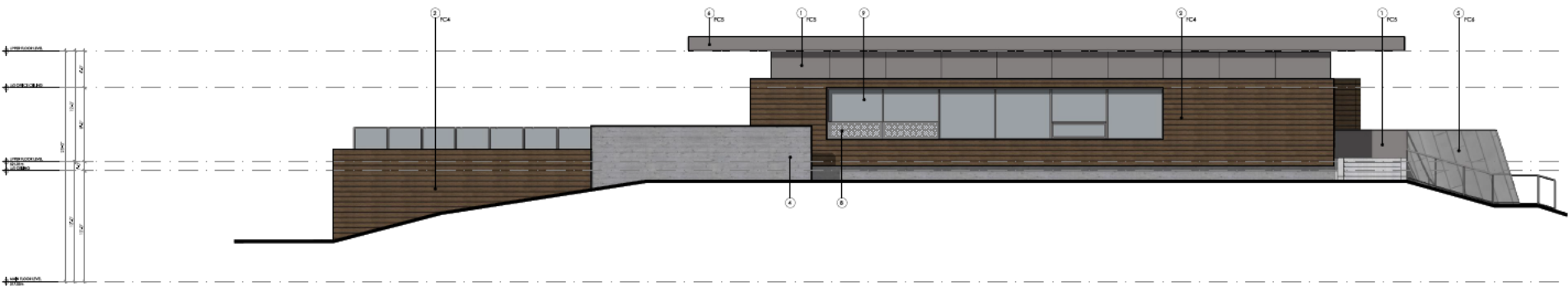
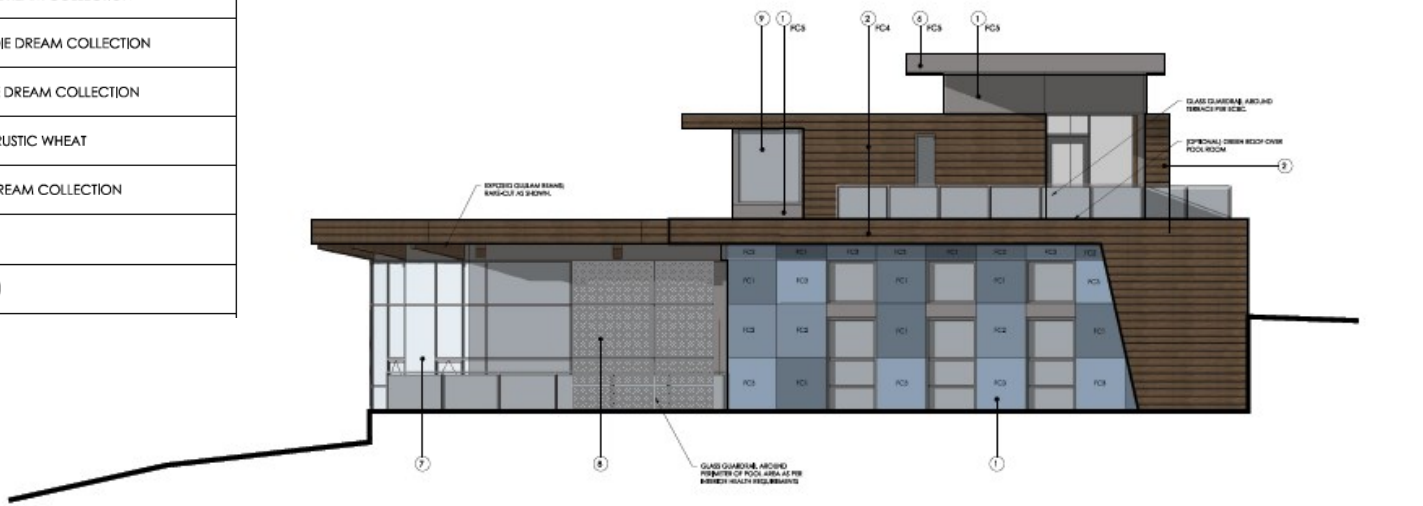
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	FC2	MED BLUE - POOLSIDE BLUE BY HARDIE DREAM COLLECTION
	FC3	LIGHT BLUE - SUNLITE BLUE BY HARDIE DREAM COLLECTION
	FC4	WOOD LOOK - SUMMER WHEAT BY RUSTIC WHEAT
	FC5	MED GREY - ASH GREY BY HARDIE DREAM COLLECTION
	FC6	BRUSHED ZINC BY MAC METAL
	FC7	GALVANIZED (CORRUGATED METAL)



Elevations: South & East

EXTERIOR FINISH SCHEME

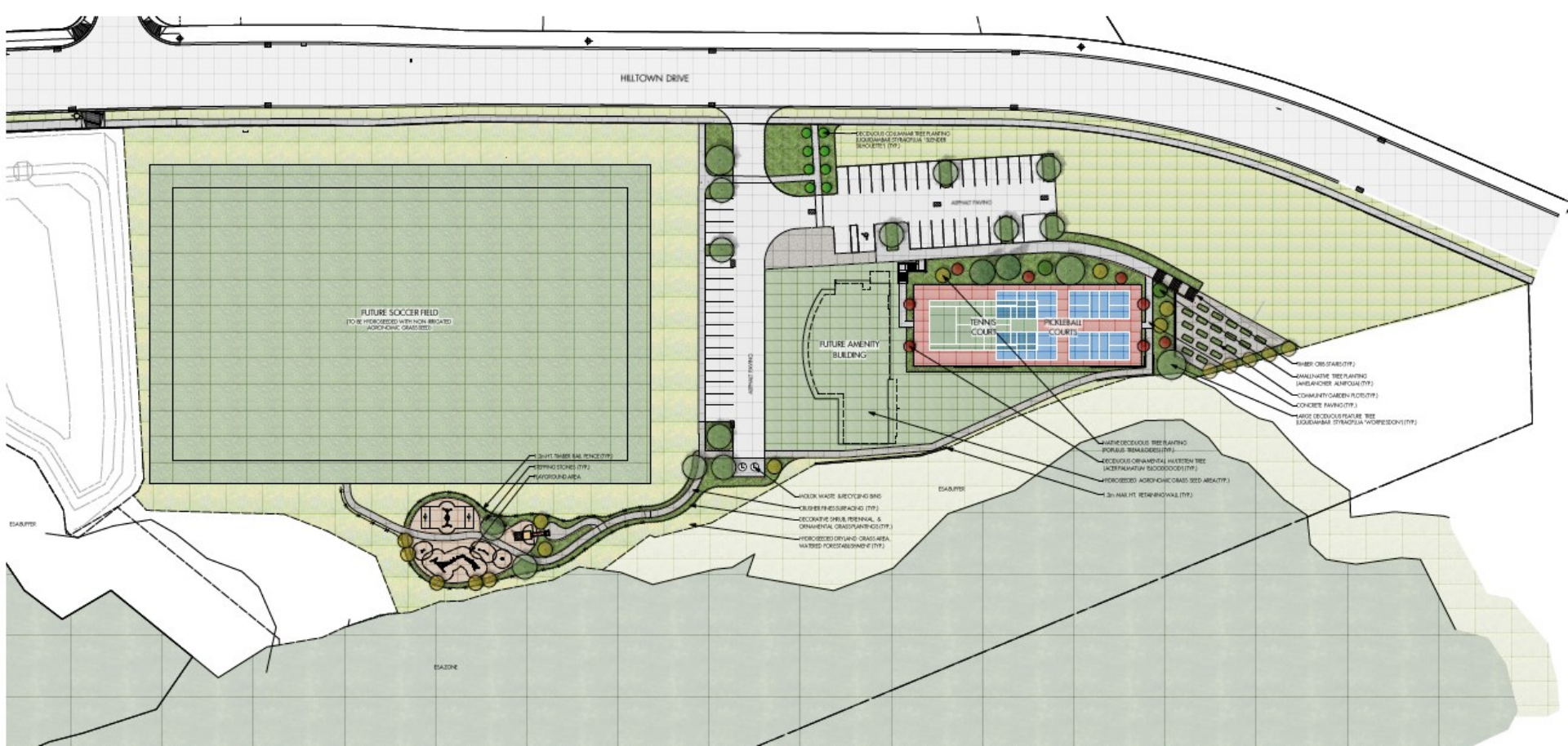
	FC1	DARK BLUE - BLUE JEANS BY HARDIE DREAM COLLECTION
	FC2	MED BLUE - POOLSIDE BLUE BY HARDIE DREAM COLLECTION
	FC3	LIGHT BLUE - SUNLITE BLUE BY HARDIE DREAM COLLECTION
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	FC5	MED GREY - ASH GREY BY HARDIE DREAM COLLECTION
	FC6	BRUSHED ZINC BY MAC METAL
	FC7	GALVANIZED (CORRUGATED METAL)



Rendering



Landscaping



Development Policy

- ▶ Chapter 14: Urban Design DP Guidelines
 - ▶ Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
 - ▶ Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
 - ▶ Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
 - ▶ Incorporate architectural features and detailing of buildings and landscapes that define an area's character.

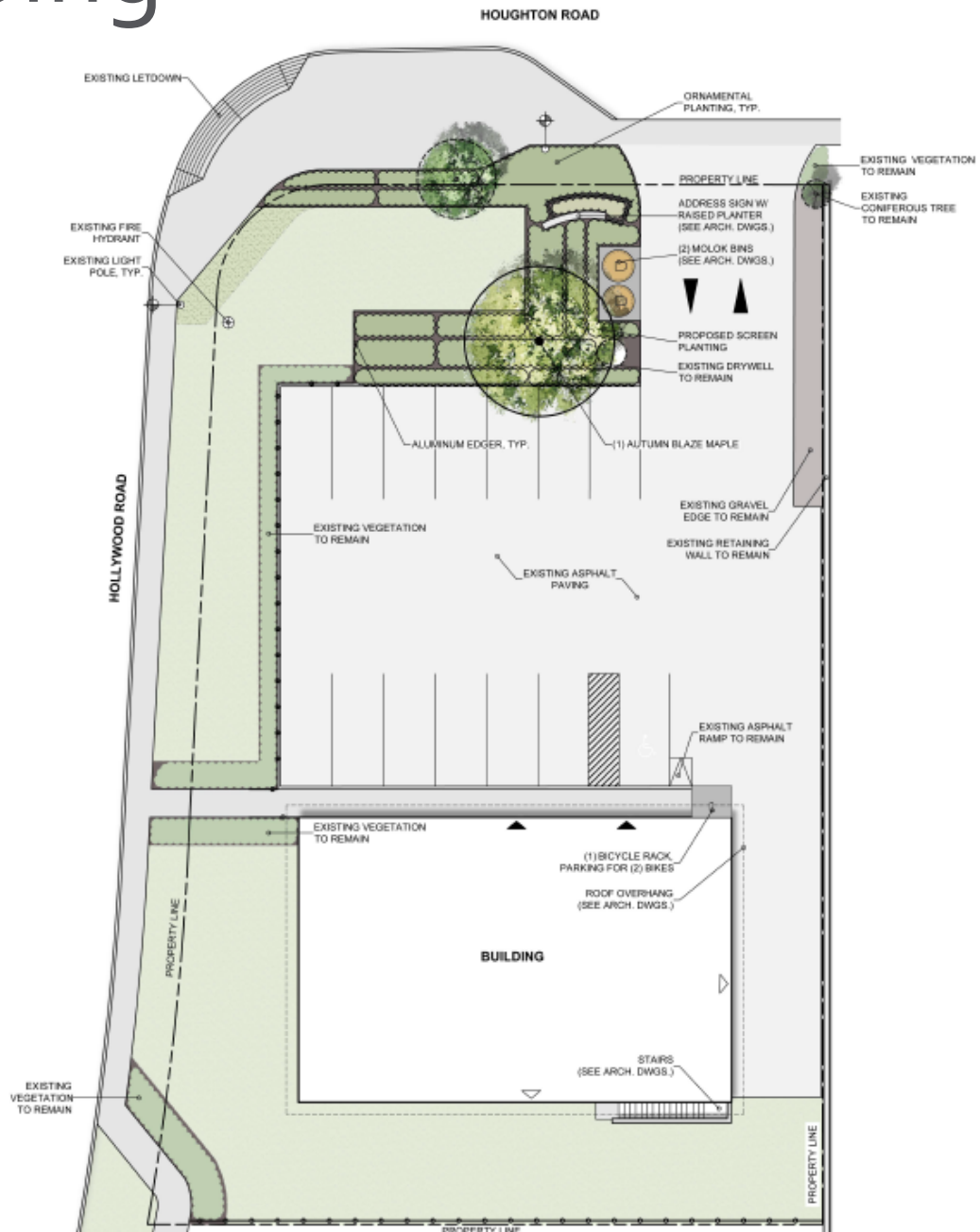
Staff Recommendation

- ▶ Staff recommend **support** of the Development Permit
 - ▶ Consistent with OCP urban design guidelines;
 - ▶ Important amenity space for McKinley Beach.



Conclusion of Staff Remarks

Landscaping



REPORT TO COUNCIL



Date: July 26, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DP21-0109 **Owner:** Ki-Low-Na Friendship Society, Inc.No. S-10638

Address: 1759 Hwy 33 E **Applicant:** Patrick McCusker Architecture Inc.

Subject: Development Permit Application

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density) and PARK – Major Park/Open Space (public)

Existing Zone: RM3 – Low Density Multiple Housing and P3 – Parks and Open Space

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP21-0109 for Lot B Section 18 Township 27 ODYD Plan 29386 located at 1759 Hwy 33 E, Kelowna, BC subject to the following:

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

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

2.0 Purpose

To consider a Form and Character Development Permit for a proposed childcare centre.

3.0 Development Planning

Staff are recommending support for the proposed Development Permit as a new childcare centre will be an important addition to the Margret's Landing Community. The building was identified by the applicant in the early planning stages and the appropriate space and parking were left to facilitate the building. Childcare centres are an important part of every community and the building will benefit many residents in the area.

The form and character of the building is consistent with the majority of the Official Community Plan's (OCP) Urban Design Guidelines. The building uses a range of materials and colours and unifies three distinctive areas of the building through design. The building is proposed to meet all Development Regulations within the Zoning Bylaw. Overall, Staff believe the building will be a welcomed addition into Black Mountain area and the Margret's Landing Community.

4.0 Proposal

4.1 Background

The property was rezoned to RM₃ and P₃ in 2018 (Z17-0065) and also received a Development Permit (DP17-0162) and Development Variance Permit (DVP17-0163) to facilitate the development of 14 townhouses and a three storey 35-unit apartment. These have since been built and the Development Permit Application is to be incorporated into the existing community of Margret's Landing.

4.2 Project Description

The Development Permit is for the form and character of a childcare centre (early learning facility), which will be incorporated into an existing RM₃ multi-family site. The existing lot has 14 townhouses and a three storey 35-unit apartment building. The building location will be on the south end of the property and the facility will be able to accommodate 36 children and 8 staff. The surface parking lot will be expanded to ensure all the residential parking spaces are still met, in addition to the required childcare parking stalls (eight). The garbage and recycling will use the existing on-site facilities. The property has a natural wetland in the back, which was protected as part of the original application. The property also has access to the Gopher Creek linear park.

The childcare centre will be the last piece of the Margret's Landing Community. The building has been configured into three distinctive modules each of its own identity. The learning facility contains classrooms, a two-storey council house for the administration of the building and the community gathering room, which will invoke the historic local indigenous pit house. The building has been designed to allow for accessibility including on-grade entry and accessibility parking by the entrance. The wall cladding will consist of white acrylic stucco, black acrylic stucco, black corrugated metal, wood planks and cementitious board and batten and the roof cladding will be asphalt shingles.

4.3 Site Context

The subject property is in the Belgo-Black Mountain OCP Sector and the area is primarily zoned RM₃ – Low Density Multiple Housing, RR₃ – Rural Residential 3, RU₁ – Large Lot Housing, A₁ – Agriculture 1, P₂ – Education and Minor Institutional and C₁₀ – Service Commercial. The Future Land Use Designations are primarily MRL – Multiple Unit Residential (Low Density), PARK – Parks and Open Space (public), S₂RES – Single-Two Unit Residential, SC – Service Commercial and EDINST – Educational / Major Institutional.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	N/A	Highway 33 East
East	C10 – Service Commercial and P2 – Education and Minor Institutional	Gas Bar and Black Mountain Elementary School
South	RR3 – Rural Residential 3	Gopher Creek and Single-Family Dwelling(s)
West	A1 – Agriculture 1, RU1 – Large Lot Housing, RU6 – Two Dwelling Housing and RM3 – Low Density Multiple Housing	Single-Family Home, Semi-Detached Housing and Multiple-Dwelling Housing

Subject Property Map: 1759 Hwy 33 E



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	900m ²	19,809.7m ²
Min. Lot Width	30.0m	58.9m
Min. Lot Depth	30.0m	159.6m
Childcare Centre Development Regulations		
Max. Floor Area Ratio	0.77	0.25
Max. Site Coverage (buildings)	40%	29.6%
Max. Site Coverage (buildings, parking, driveways)	70%	40.5%
Max. Height	10.0m / 3 storeys	7.9m
Min. Front Yard	4.5m	36m
Min. Side Yard (East)	4.0m	4.0m
Min. Rear Yard	7.5m	178m
Other Regulations		

Min. Childcare Parking Requirements	8	8
Min. Residential Parking	74	75
Min. Bicycle Parking	6	35

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 14: Urban Design DP Guidelines

Objectives:

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area’s character.

Application Chronology

Date of Application Accepted: May 11th, 2021

Date Public Consultation Completed: N/A

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Draft Development Permit DP21-0109

Schedule A: Site Plan

Schedule B: Elevation and Materials

Schedule C: Landscape Plan

Development Permit DP21-0109



This permit relates to land in the City of Kelowna municipally known as 1759 Hwy 33 E

and legally known as Lot B Section 18 Township 27 ODYD Plan 29386

and permits the land to be used for the following development: RM₃ – Low Density Multiple Housing

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

Date of Council's Decision July 26th, 2021
Decision By: COUNCIL
Development Permit Area: Comprehensive DPA
Existing Zone: RM₃ – Low Density Multiple Housing and P₃ – Parks and Open Space
Future Land Use Designation: MRL – Multiple Unit Residential (Low Density) and PARK – Major Park/Open Space (public)

This is NOT a Building Permit.

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

NOTICE

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

Owner: Ki-Low-Na Friendship Society, Inc.No. S-10638

Applicant: Patrick McCusker Architecture Inc.

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date

ATTACHMENT		A
This forms part of application # DP21-0109		
Planner Initials	TC	City of Kelowna DEVELOPMENT PLANNING

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";

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

3. INDEMNIFICATION

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

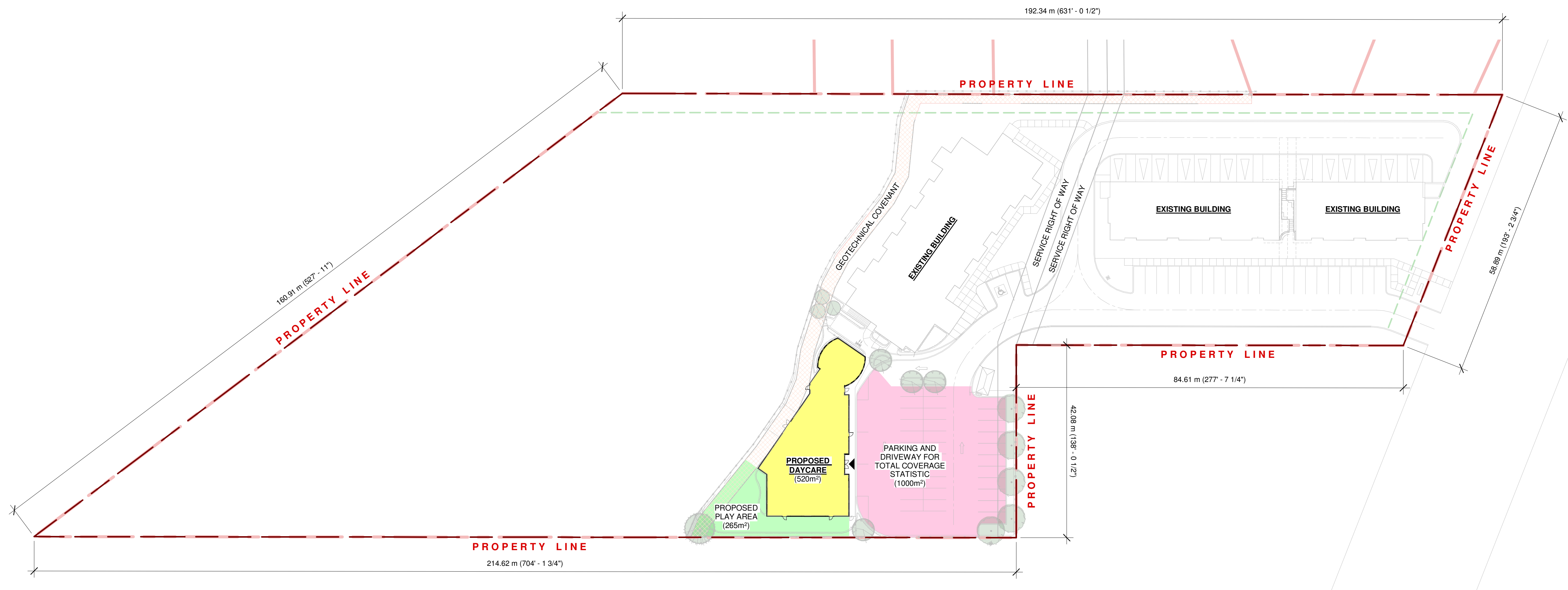
- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

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

ATTACHMENT		A
This forms part of application		
# DP21-0109		
Planner Initials	TC	 City of Kelowna <small>DEVELOPMENT PLANNING</small>

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



No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING
Revisions		



PATRICK MCGUSKER ARCHITECTURE INC.
 AAA MAIBC MRAIC
 3430 BENOULIN ROAD
 KELOWNA B.C. V1W 4M5
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 pat@pmccarch.com
 www.pmccarch.com

project title
KS SKEMXIST DAYCARE
 EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
 KELOWNA, BC

project no. 3397

drawing title
PLAN - OVERALL SITE

designed	PMC	scale	1" = 40'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP1.02

plotted 2021-05-06 9:39:46 AM

SCHEDULE A

This forms part of application
 # DP21-0109

Planner Initials **TC**

City of Kelowna
 DEVELOPMENT PLANNING

SCHEDULE A

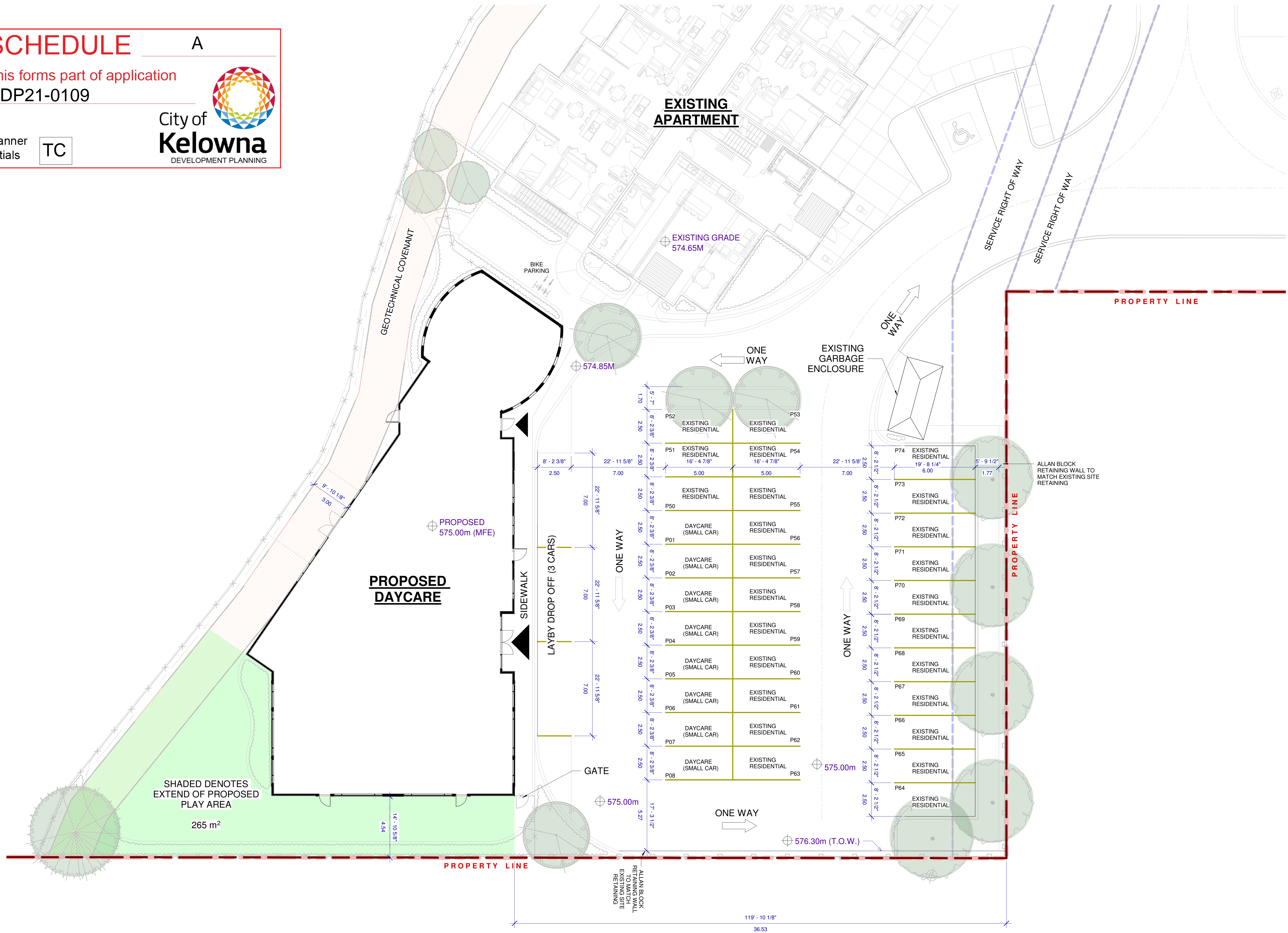
This forms part of application
DP21-0109



City of
Kelowna
DEVELOPMENT PLANNING

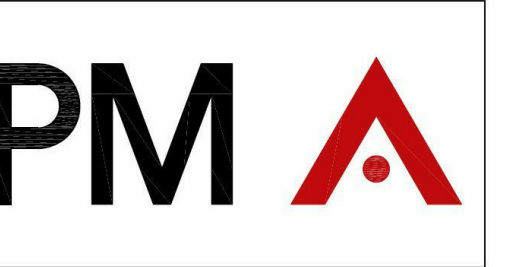
Planner
Initials **TC**

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No.	Date	Description
2	20210507	ISSUED FOR DP
1	20210104	ISSUED FOR PRELIM PRICING

No.	Date	Description
Revisions		



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1749-1759 HIGHWAY 33 EAST
KELOWNA, BC

project no. 3397

drawing title
PLAN - ENLARGED SITE

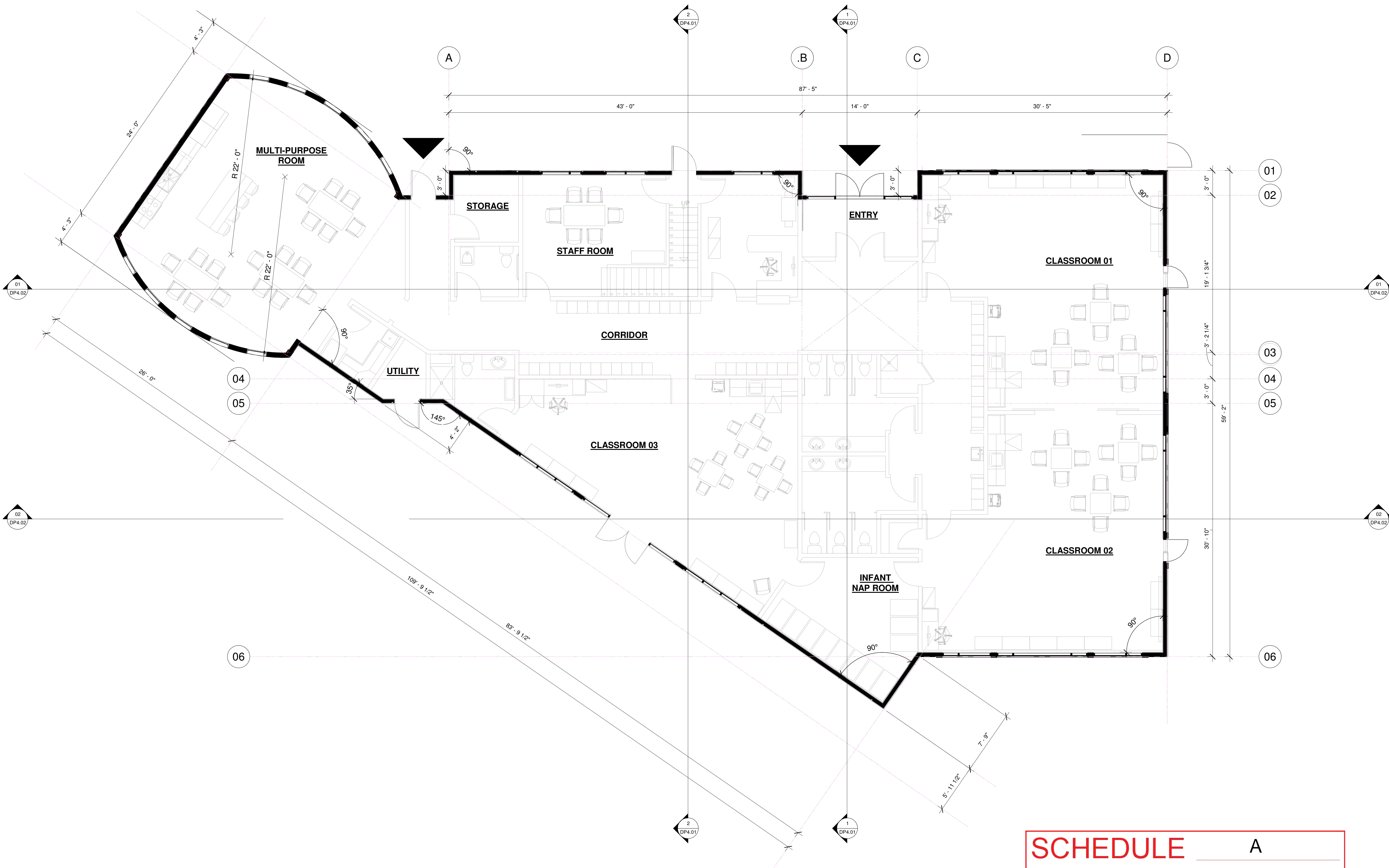
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drawn	JB		
checked	PMC		
drawing no.			

DP1.03

plotted 2021-05-06 9:29:47 AM

NOTE: REFER TO LANDSCAPE FOR ALL PLANTING INFORMATION

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 Seal



01 MAIN LEVEL
 3/16" = 1'-0"
MAIN LEVEL AREA: 520 m²

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING

PM 

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 EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
 KELOWNA, BC
 project no. 3397

drawing title
 PLAN - LEVEL 01

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

DP2.01

plotted 2021-05-06 9:39:48 AM

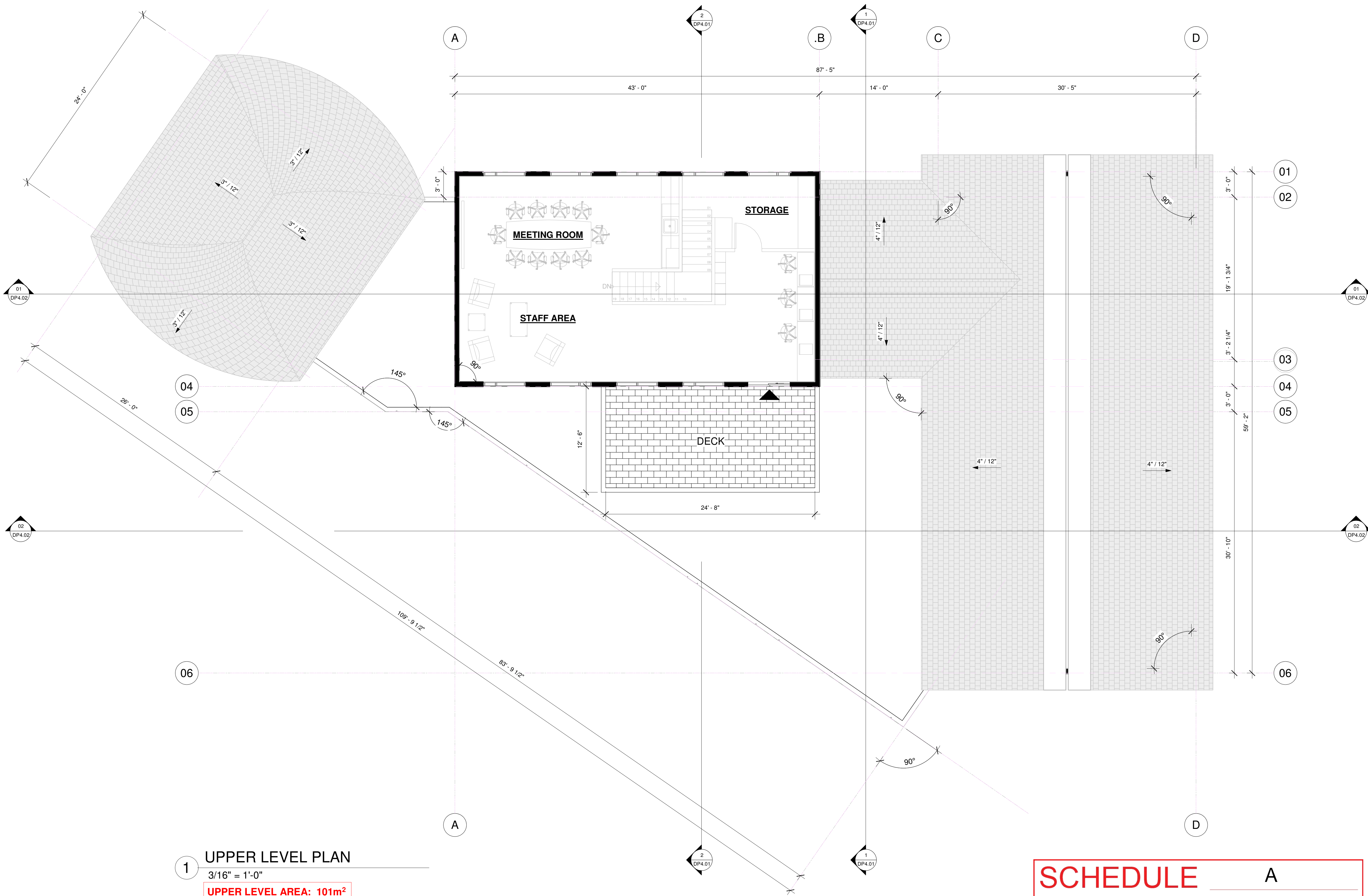
SCHEDULE A

This forms part of application
 # DP21-0109

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City of Kelowna
 DEVELOPMENT PLANNING





1 UPPER LEVEL PLAN
 3/16" = 1'-0"
 UPPER LEVEL AREA: 101m²

SCHEDULE A

This forms part of application
 # DP21-0109

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City of Kelowna
 DEVELOPMENT PLANNING

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PM

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 ARCHITECTURE INC.

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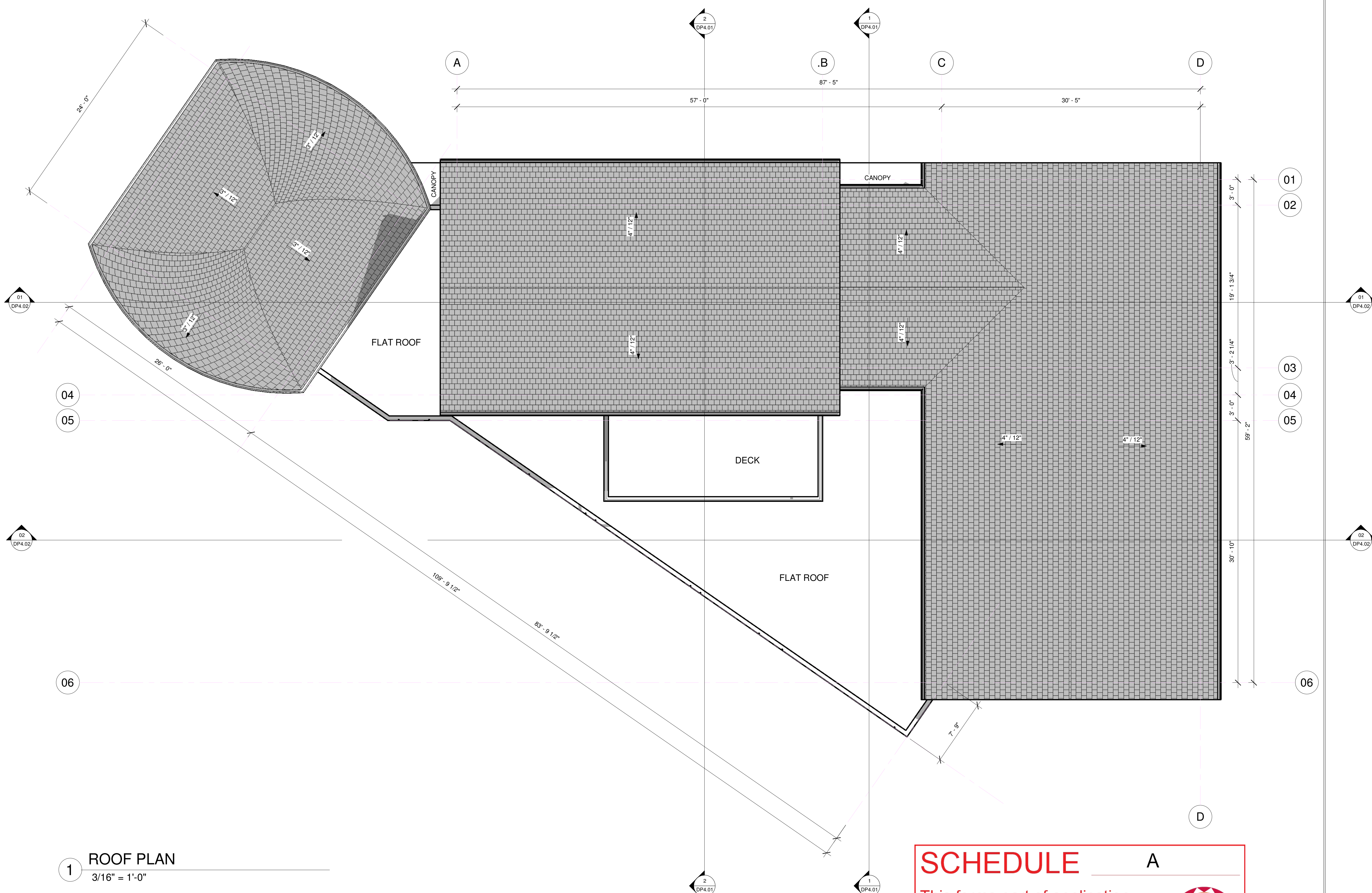
1749-1759 HIGHWAY 33 EAST
 KELOWNA, BC

project no. 3397

drawing title
 PLAN - LEVEL 02

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

DP2.02



1 ROOF PLAN
3/16" = 1'-0"

SCHEDULE A

This forms part of application
DP21-0109

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City of Kelowna
DEVELOPMENT PLANNING

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1749-1759 HIGHWAY 33 EAST
KELOWNA, BC

project no. 3397

drawing title
PLAN - ROOF

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

DP2.03

plotted 2021-05-06 9:39:50 AM

SCHEDULE

B

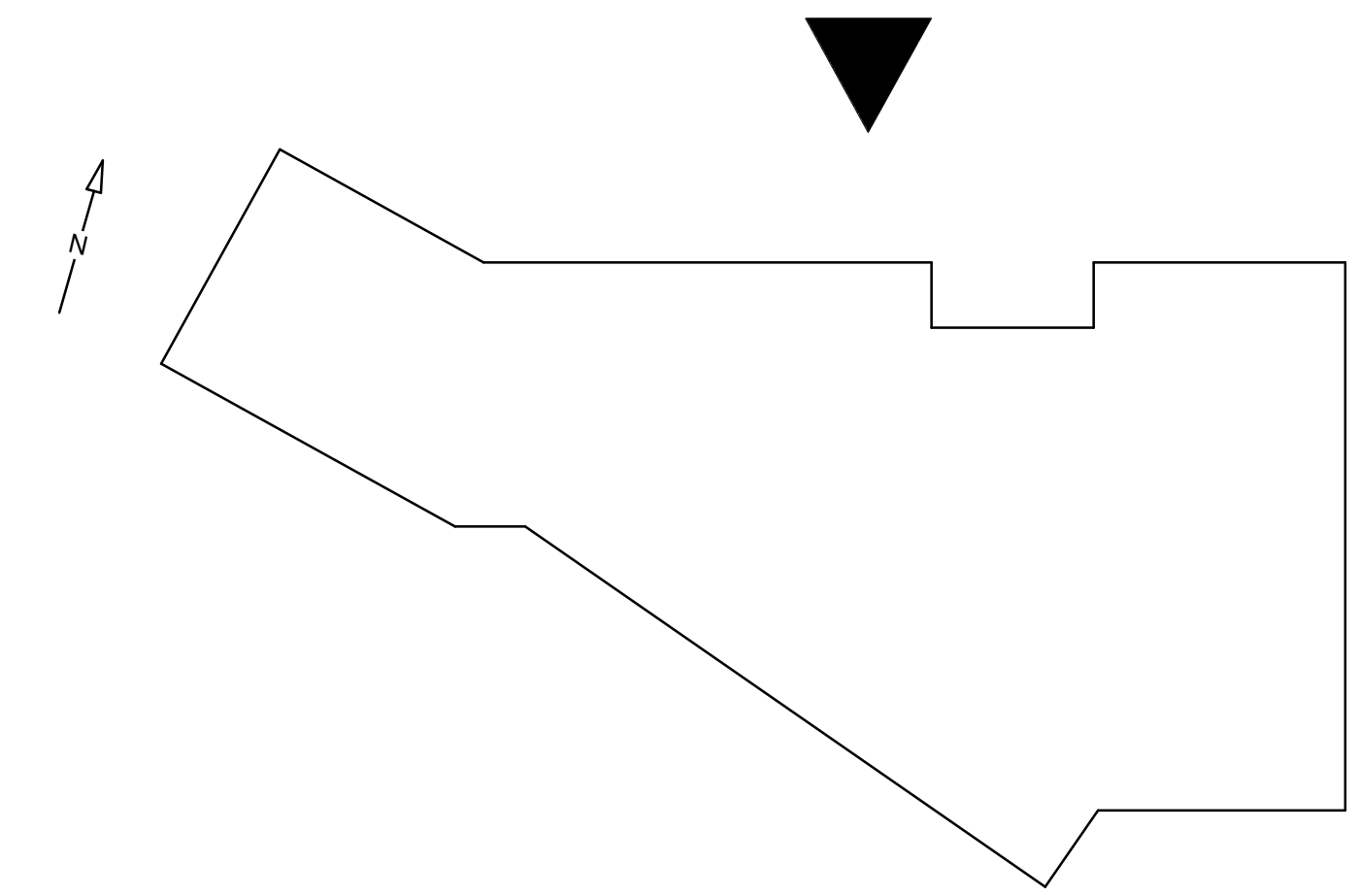
This forms part of application

DP21-0109

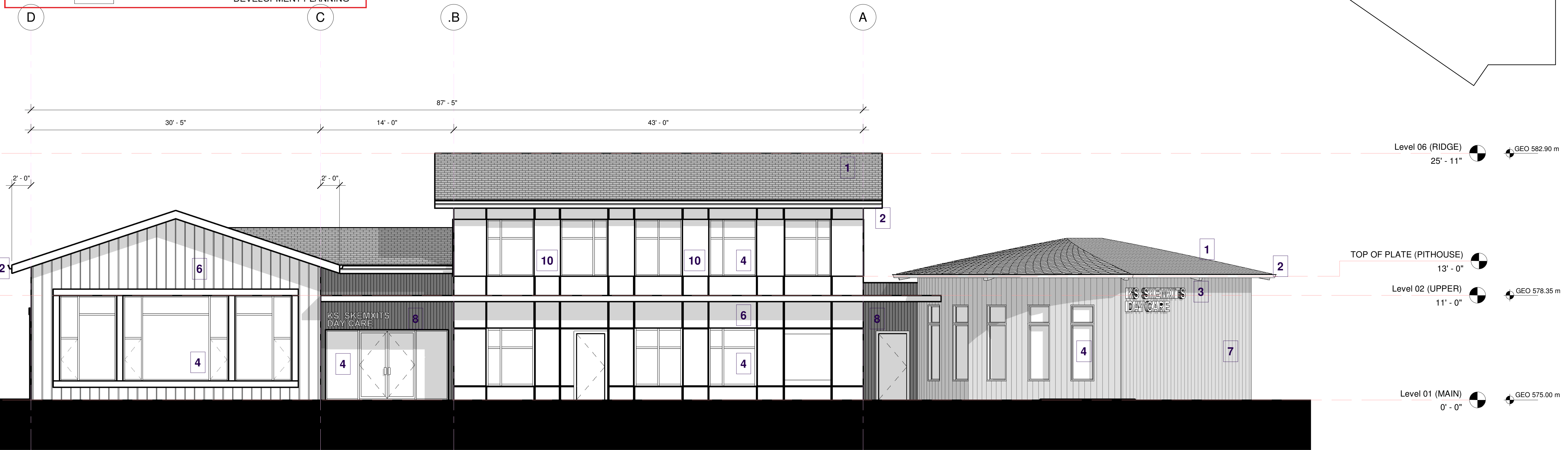


City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials **TC**

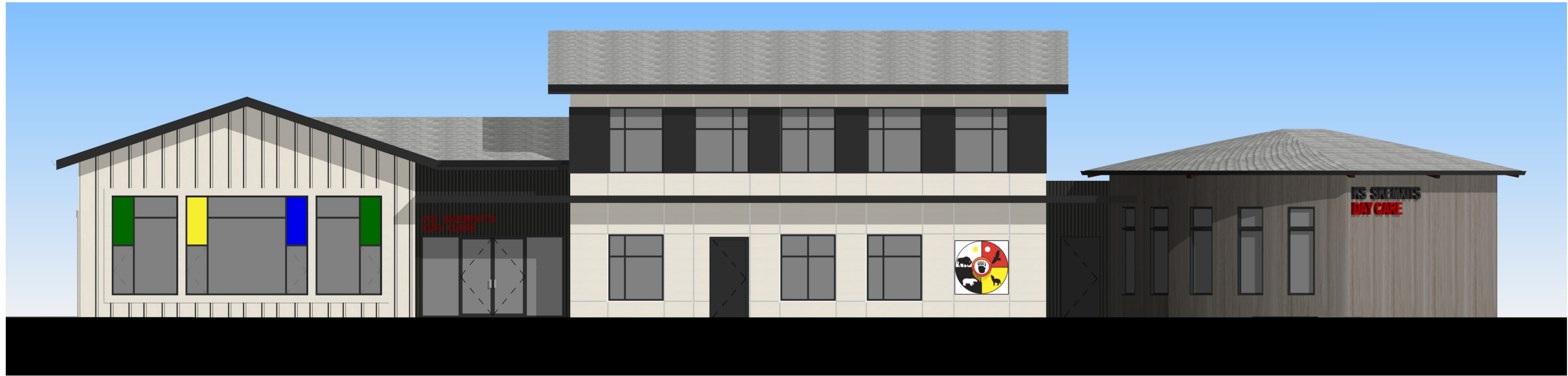


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Seal



02 NORTH ELEVATION
3/16" = 1'-0"
(FRONT ELEVATION FACING PARKING LOT)

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING



01 NORTH ELEVATION (COLOURED)
3/16" = 1'-0"
(FRONT ELEVATION FACING PARKING LOT)

- MATERIAL LEGEND**
- 01- ROOF CLADDING: ASPHALT SHINGLES
 - 02- PREFINISHED (BLACK) METAL FASCIA AND GUTTER
 - 03- PAINTED WOOD EXPOSED RAFTER TAILS
 - 04- PREFINISHED (BLACK) METAL WINDOW FRAMES WITH CLEAR OR TINTED GLAZING (REFER TO COLOURED ELEVATIONS)
 - 05- BLACK METAL GUARDRAIL AND PICKETS
 - 06- WALL CLADDING: CUSTOM COLOURED (MATCH TAUPE STUCCO) CEMENTITIOUS BOARD (12") AND BATTEN (2")
 - 07- WALL CLADDING: VERTICAL WOOD PLANK (8")
 - 08- WALL CLADDING: BLACK CORRUGATED METAL
 - 09- WALL CLADDING: ACRYLIC STUCCO (LIGHT TAUPE) WITH REVEAL LINES
 - 10- WALL CLADDING: ACRYLIC STUCCO (BLACK)



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project title
KS SKEMMIST DAYCARE
EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
KELOWNA, BC

project no. 3397

drawing title
ELEVATION - NORTH

designed	PMc	scale	As indicated
drawn	JB		
checked	PMc		
drawing no.			

DP3.01

plotted 2021-05-06 9:39:54 AM

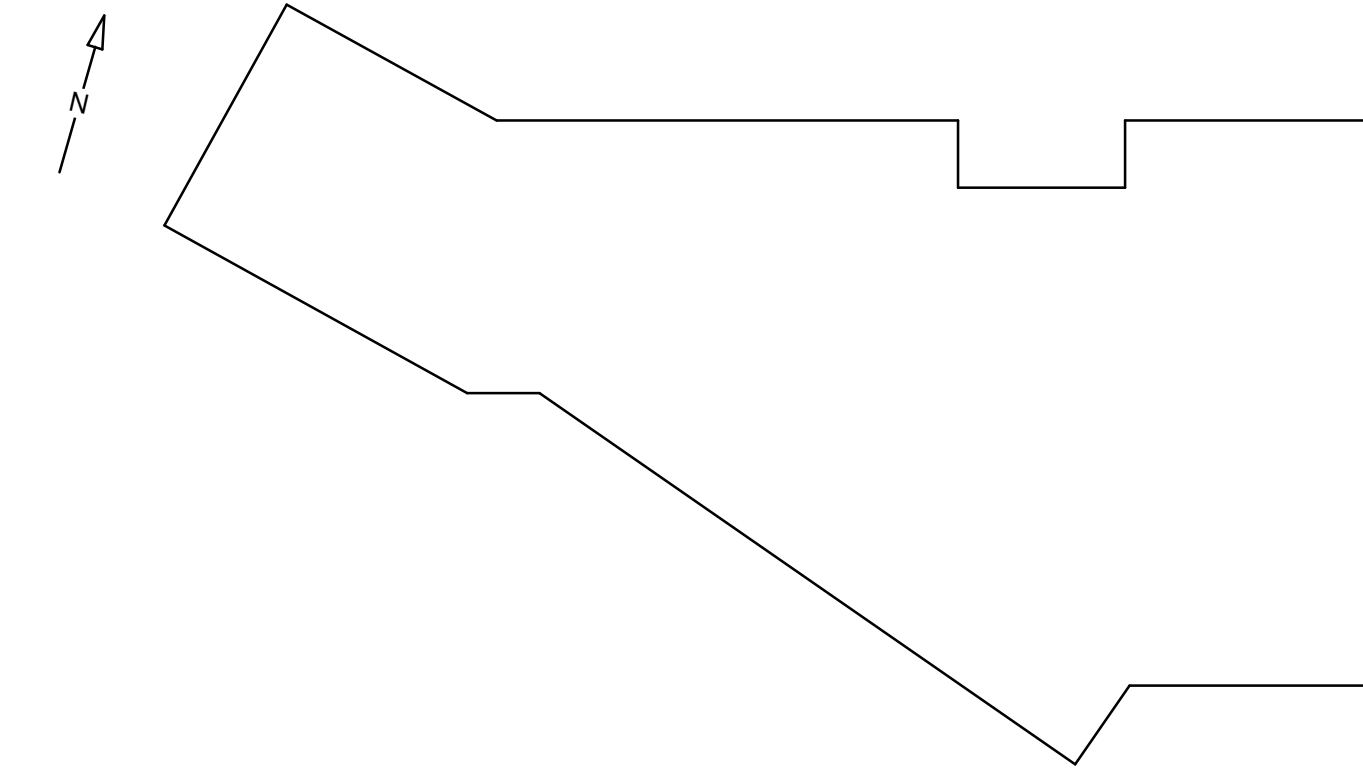
SCHEDULE B

This forms part of application
DP21-0109

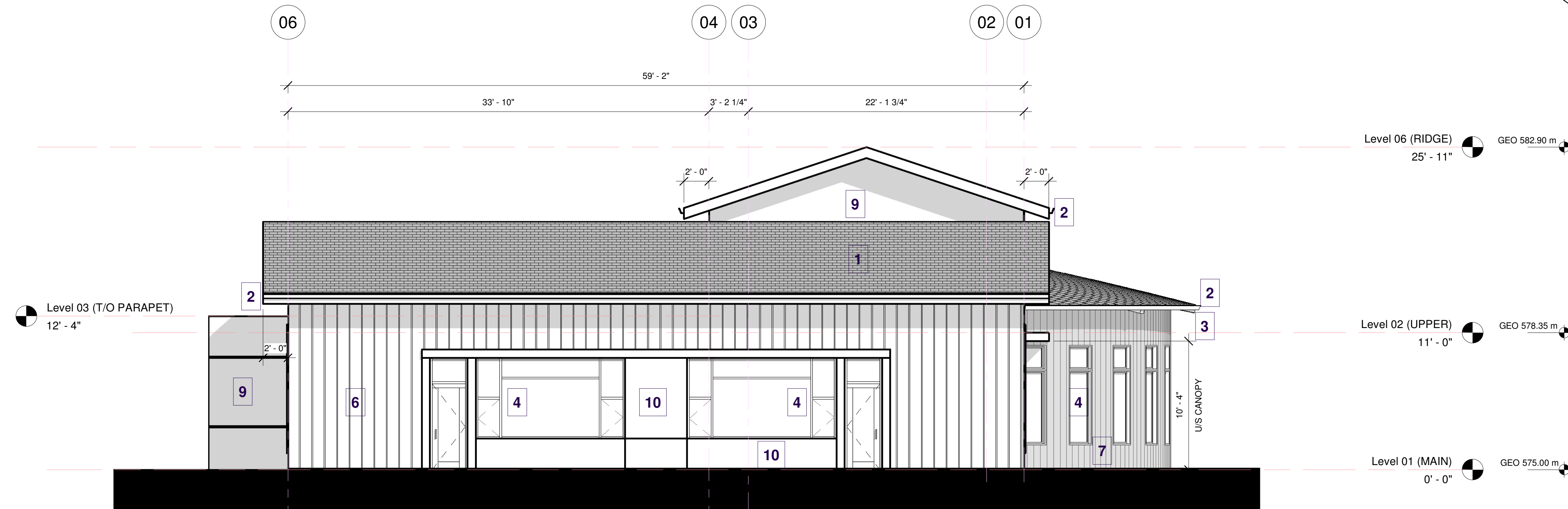
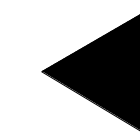


City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials **TC**



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02 EAST ELEVATION
3/16" = 1'-0"
(SIDE ELEVATION FACING ELEMENTARY SCHOOL)



01 EAST ELEVATION (COLOURED)
3/16" = 1'-0"
(SIDE ELEVATION FACING ELEMENTARY SCHOOL)

MATERIAL LEGEND

- 01- ROOF CLADDING: ASPHALT SHINGLES
- 02- PREFINISHED (BLACK) METAL FASCIA AND GUTTER
- 03- PAINTED WOOD EXPOSED RAFTER TAILS
- 04- PREFINISHED (BLACK) METAL WINDOW FRAMES WITH CLEAR OR TINTED GLAZING (REFER TO COLOURED ELEVATIONS)
- 05- BLACK METAL GUARDRAIL AND PICKETS
- 06- WALL CLADDING: CUSTOM COLOURED (MATCH TAUPE STUCCO) CEMENTITIOUS BOARD (12") AND BATTEN (2")
- 07- WALL CLADDING: VERTICAL WOOD PLANK (8")
- 08- WALL CLADDING: BLACK CORRUGATED METAL
- 09- WALL CLADDING: ACRYLIC COLOURED (LIGHT TAUPE) WITH REVEAL LINES
- 10- WALL CLADDING: ACRYLIC STUCCO (BLACK)

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING



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project title
KS SKEMXIST DAYCARE
EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
KELOWNA, BC

project no. 3397

drawing title
ELEVATION - EAST

designed	PMC	scale	As indicated
drawn	JB		
checked	PMC		
drawing no.			

DP3.02

plotted 2021-05-06 9:39:57 AM

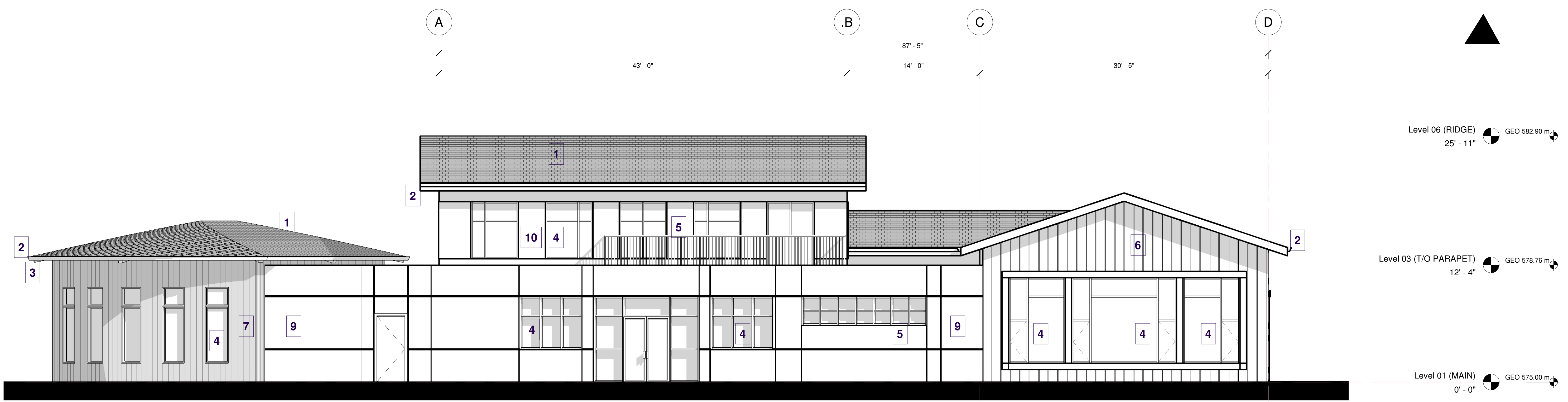
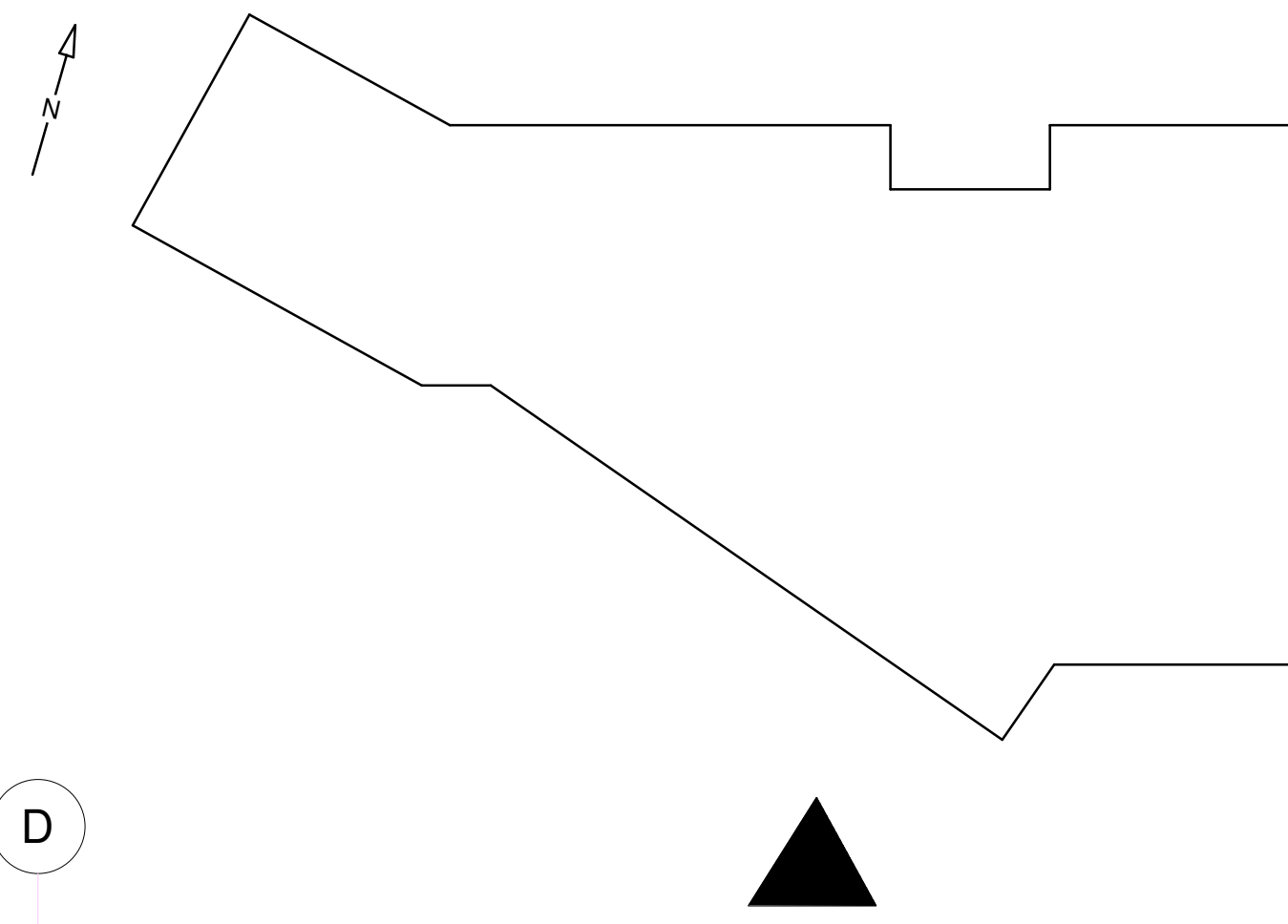
SCHEDULE B

This forms part of application
DP21-0109



Planner Initials **TC**

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Seal



1 SOUTH ELEVATION
3/16" = 1'-0"
(REAR ELEVATION FACING WETLANDS)

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING



2 SOUTH ELEVATION (COLOURED)
3/16" = 1'-0"
(REAR ELEVATION FACING WETLANDS)

MATERIAL LEGEND

01-	ROOF CLADDING: ASPHALT SHINGLES
02-	PREFINISHED (BLACK) METAL FASCIA AND GUTTER
03-	PAINTED WOOD EXPOSED RAFTER TAILS
04-	PREFINISHED (BLACK) METAL WINDOW FRAMES WITH CLEAR OR TINTED GLAZING (REFER TO COLOURED ELEVATIONS)
05-	BLACK METAL GUARDRAIL AND PICKETS
06-	WALL CLADDING: CUSTOM COLOURED (MATCH TAUPE STUCCO) CEMENTITIOUS BOARD (12") AND BATTEN (2")
07-	WALL CLADDING: VERTICAL WOOD PLANK (8")
08-	WALL CLADDING: BLACK CORRUGATED METAL
09-	WALL CLADDING: ACRYLIC STUCCO (LIGHT TAUPE) WITH REVEAL LINES
10-	WALL CLADDING: ACRYLIC STUCCO (BLACK)



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project title
KS SKEMXIST DAYCARE
EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
KELOWNA, BC

project no. 3397

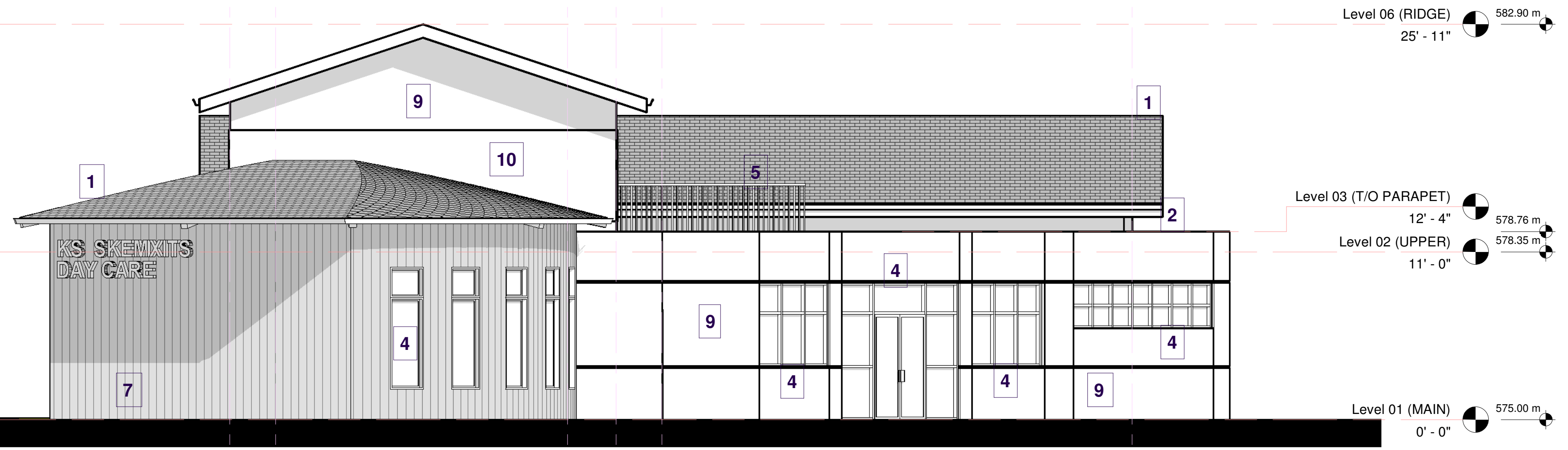
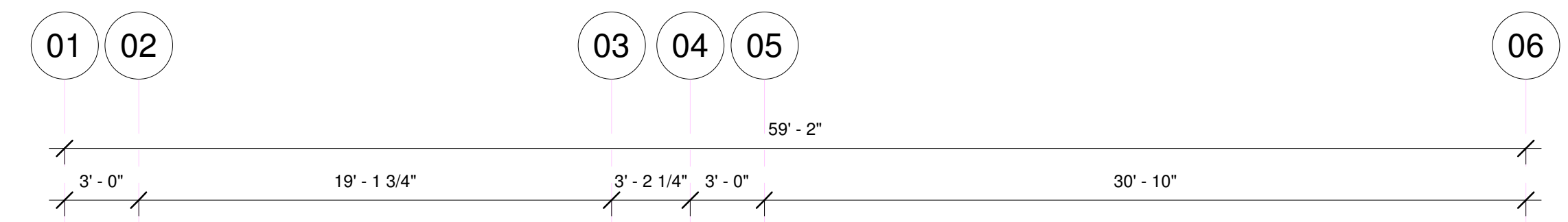
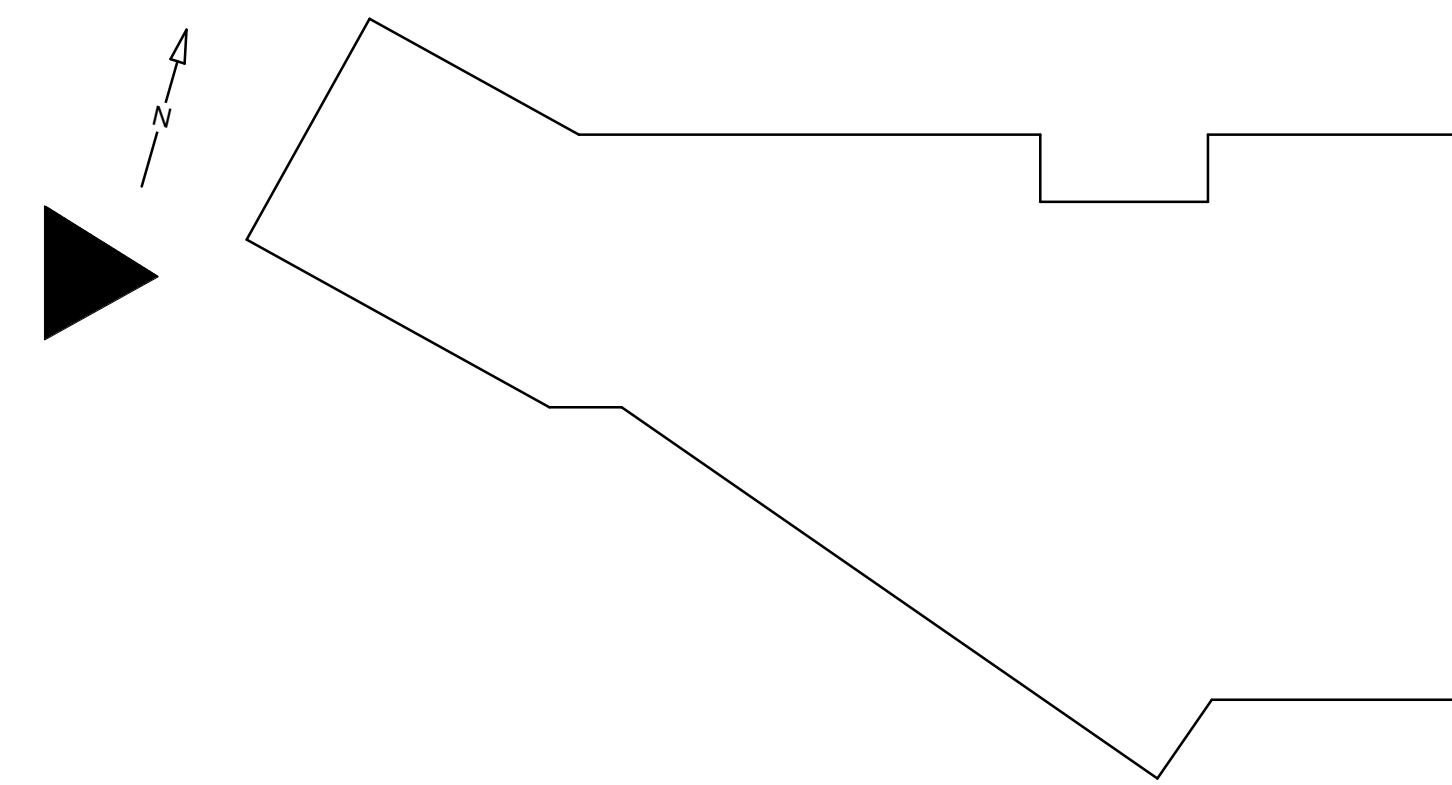
drawing title
ELEVATION - SOUTH

designed	PMC	scale	As indicated
drawn	JB		
checked	PMC		
drawing no.			

DP3.03

plotted 2021-05-06 9:40:01 AM

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 Seal

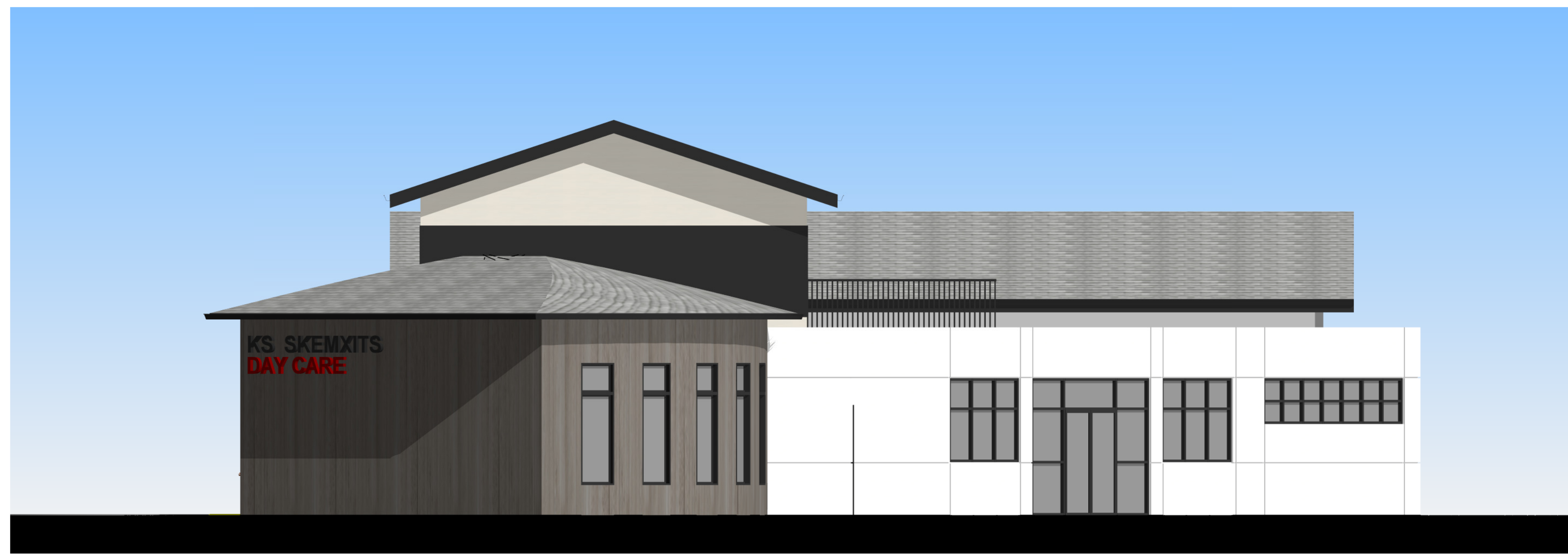


SCHEDULE B

This forms part of application # DP21-0109

Planner Initials **TC**

1 WEST ELEVATION
 3/16" = 1'-0"
 (SIDE ELEVATION FACING EXISTING APARTMENT)



2 WEST ELEVATION (COLOURED)
 3/16" = 1'-0"
 (SIDE ELEVATION FACING EXISTING APARTMENT)

- MATERIAL LEGEND**
- 01- ROOF CLADDING: ASPHALT SHINGLES
 - 02- PREFINISHED (BLACK) METAL FASCIA AND GUTTER
 - 03- PAINTED WOOD EXPOSED RAFTER TAILS
 - 04- PREFINISHED (BLACK) METAL WINDOW FRAMES WITH CLEAR OR TINTED GLAZING (REFER TO COLOURED ELEVATIONS)
 - 05- BLACK METAL GUARDRAIL AND PICKETS
 - 06- WALL CLADDING: CUSTOM COLOURED (MATCH TAUPE STUCCO) CEMENTITIOUS BOARD (12") AND BATTEN (2")
 - 07- WALL CLADDING: VERTICAL WOOD PLANK (8")
 - 08- WALL CLADDING: BLACK CORRUGATED METAL
 - 09- WALL CLADDING: ACRYLIC STUCCO (LIGHT TAUPE) WITH REVEAL LINES
 - 10- WALL CLADDING: ACRYLIC STUCCO (BLACK)

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING



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project title
KS SKEMXIST DAYCARE
 EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
 KELOWNA, BC

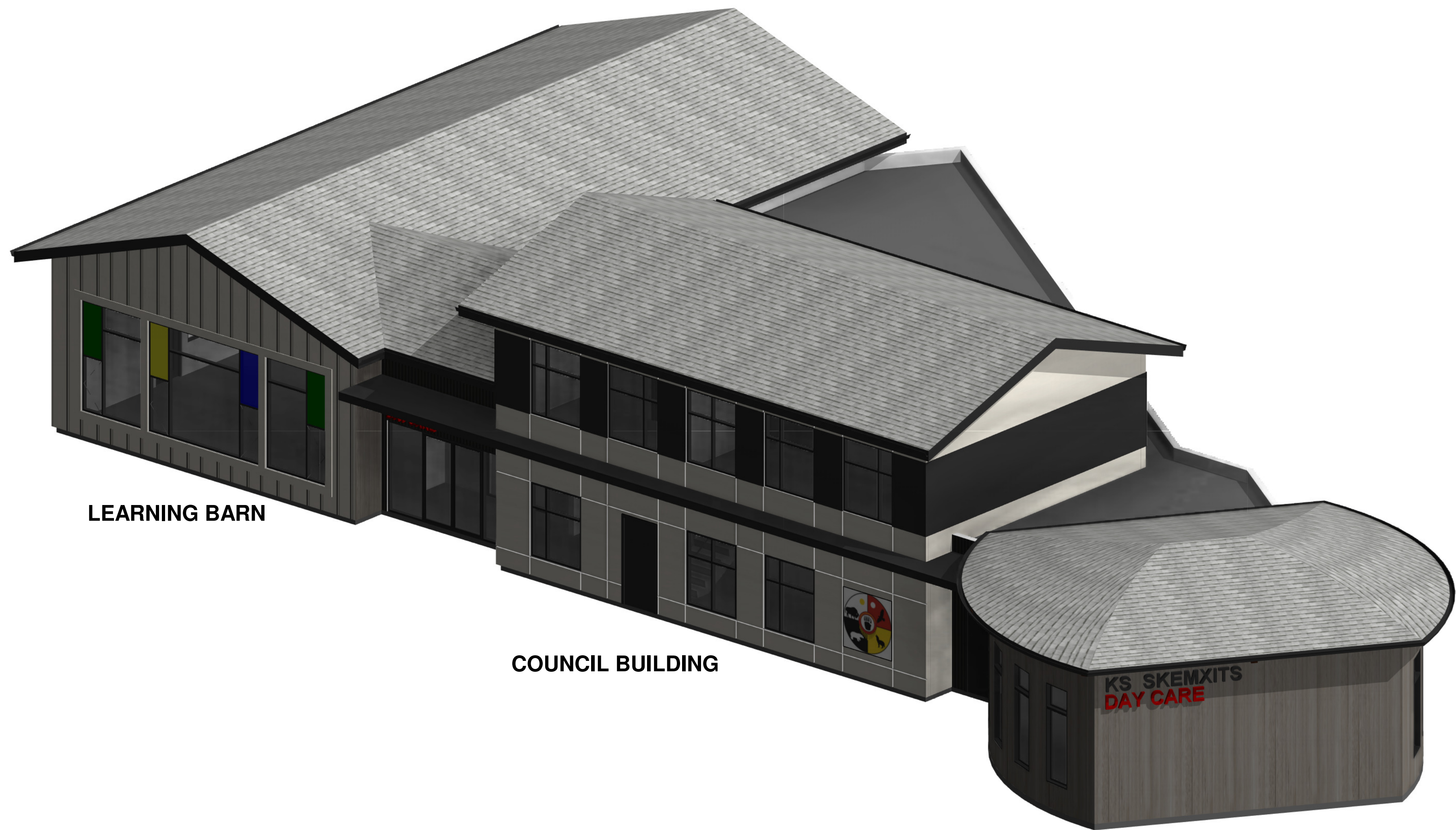
project no. 3397

drawing title
 ELEVATION - WEST

designed	scale
PMC	As indicated
drawn	JB
checked	PMC
drawing no.	

DP3.04

plotted 2021-05-06 9:40:06 AM



LEARNING BARN

COUNCIL BUILDING

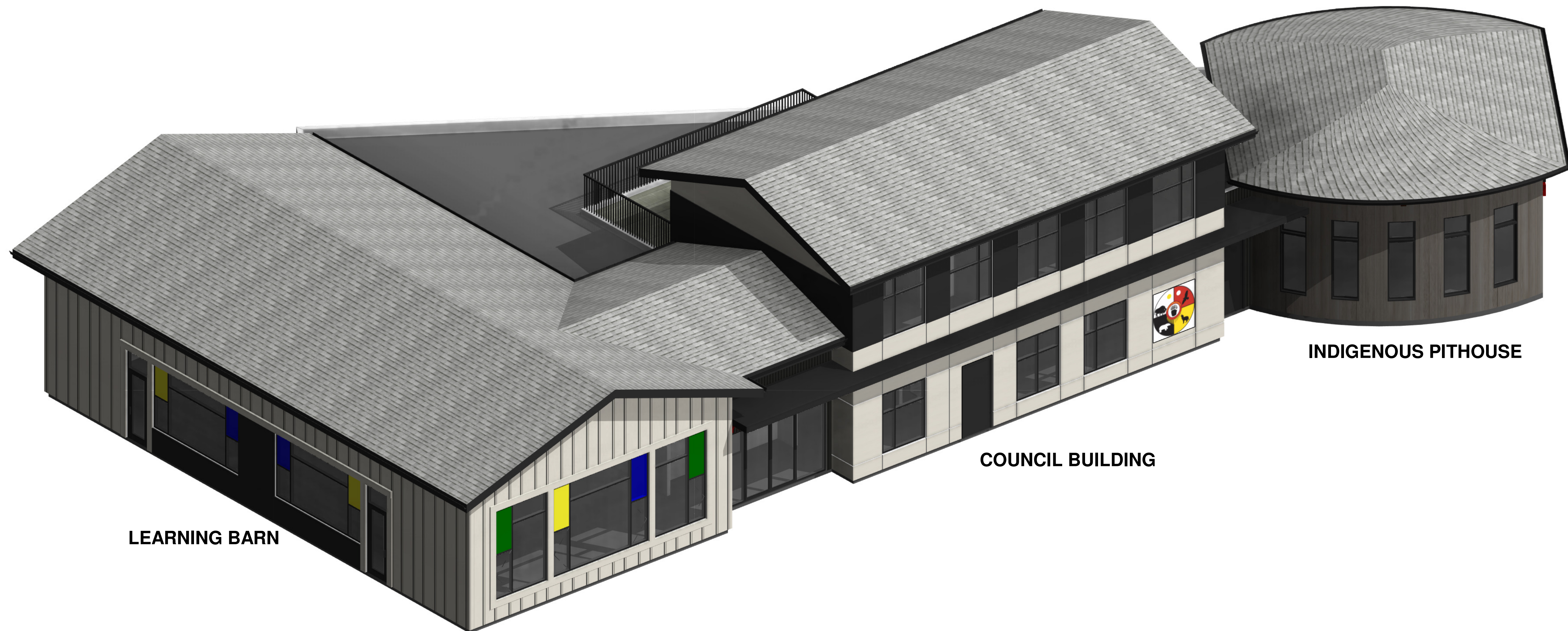
INDIGENOUS PITHOUSE

SCHEDULE

B

This forms part of application
DP21-0109

Planner
Initials TC



LEARNING BARN

COUNCIL BUILDING

INDIGENOUS PITHOUSE

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Seal

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING



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project title
KS SKEMXIST DAYCARE
EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
KELOWNA, BC

project no. 3397

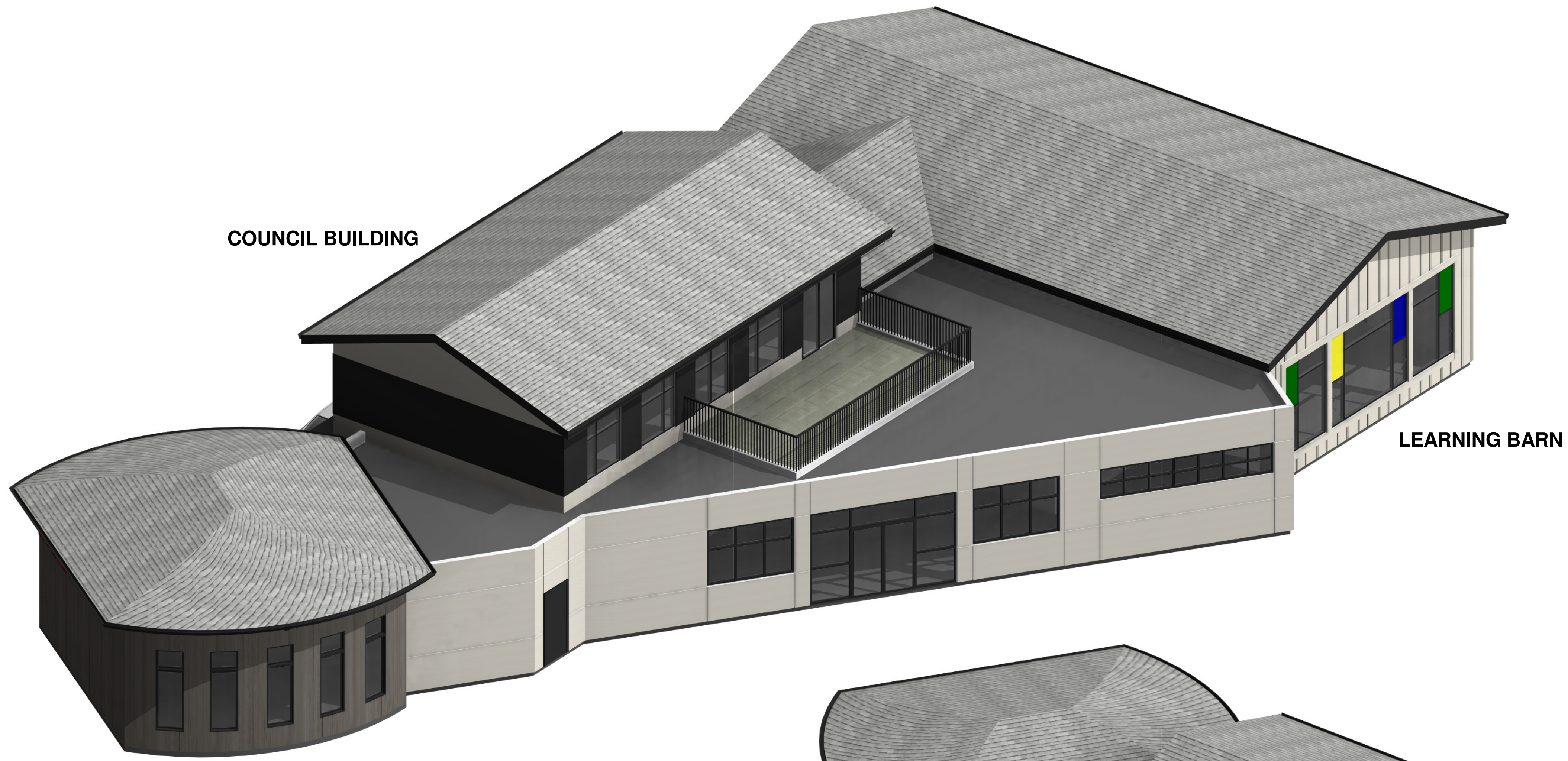
drawing title
OVERALL MODEL VIEW

designed	PMC	scale
drawn	JB	
checked	PMC	
drawing no.		

DP3.21

plotted 2021-05-06 9:40:22 AM

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 Seal



COUNCIL BUILDING

LEARNING BARN

INDIGENOUS PITHOUSE

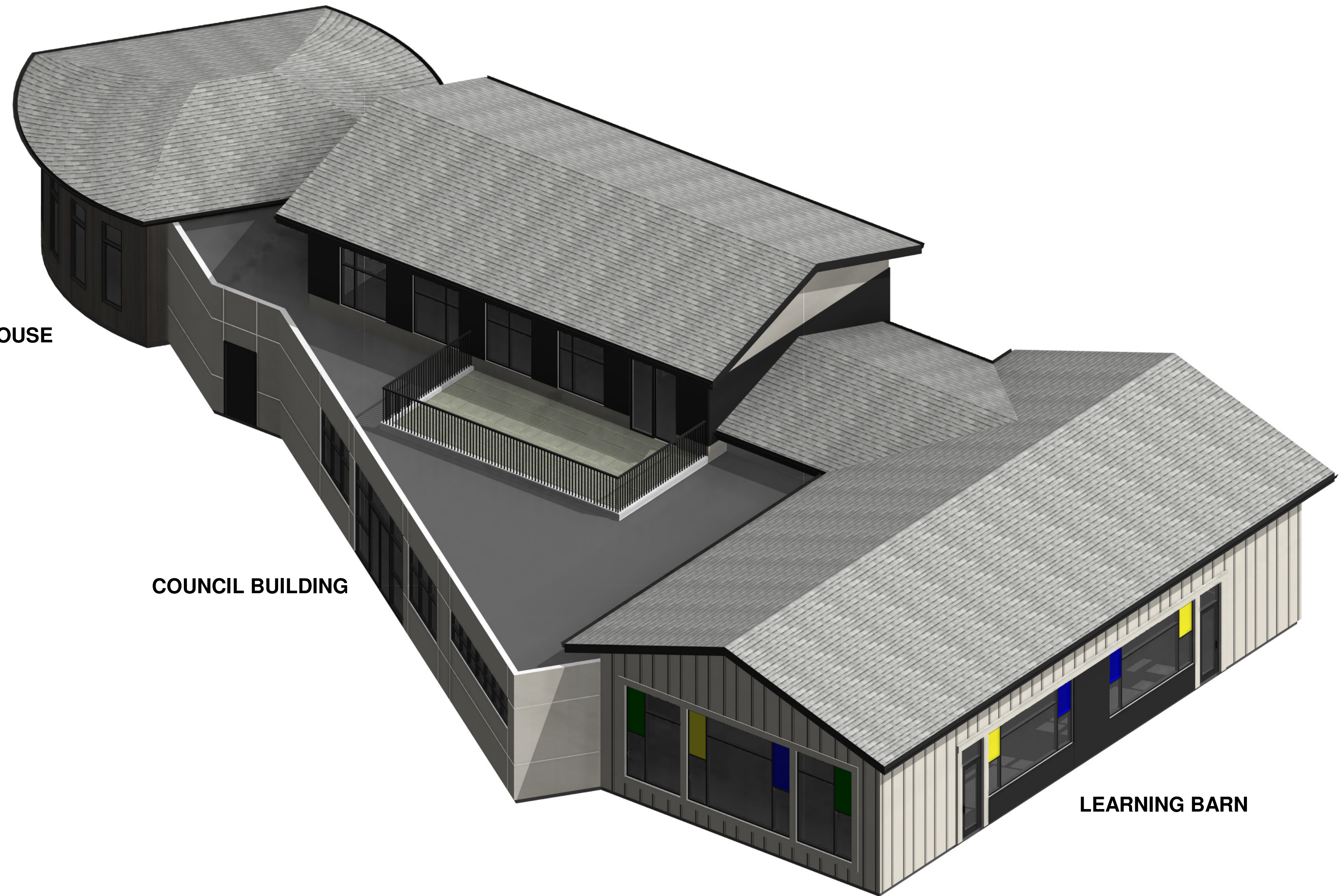
SCHEDULE **B**

This forms part of application
 # DP21-0109

Planner Initials TC



City of
Kelowna
 DEVELOPMENT PLANNING

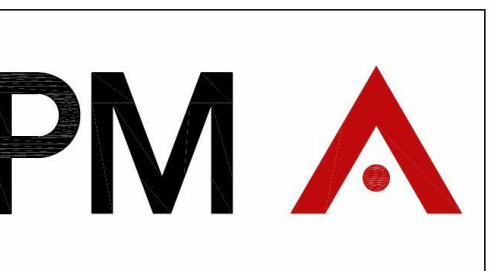


INDIGENOUS PITHOUSE

COUNCIL BUILDING

LEARNING BARN

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING



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project title
KS SKEMXIST DAYCARE
 EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
 KELOWNA, BC

project no. 3397

drawing title
 OVERALL MODEL VIEW

designed	PMC	scale
drawn	JB	
checked	PMC	
drawing no.		

DP3.22

plotted 2021-05-06 9:40:45 AM



(PERSPECTIVE 01 - FACING PARKING LOT)

SCHEDULE B

This forms part of application
DP21-0109

Planner Initials TC

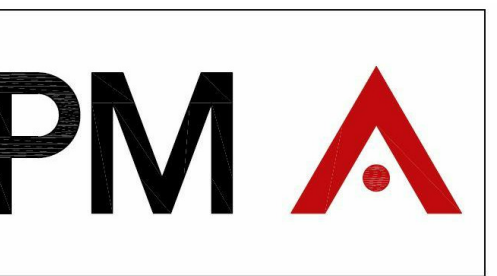

City of Kelowna
 DEVELOPMENT PLANNING

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 Seal



(PERSPECTIVE 02 - FACING WETLANDS)

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING



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project title
KS SKEMXIST DAYCARE
 EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
 KELOWNA, BC

project no. 3397

drawing title
PERSPECTIVE

designed	PMC	scale
drawn	JB	
checked	PMC	

drawing no.

DP3.31

plotted 2021-05-06 9:41:27 AM




SCHEDULE **B**

This forms part of application
DP21-0109

Planner Initials TC

City of Kelowna
DEVELOPMENT PLANNING



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Seal

(PERSPECTIVE 01 - FACING PARKING LOT)



(PERSPECTIVE 02 - FACING WETLANDS)

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING



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project title
KS SKEMXIST DAYCARE
EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
KELOWNA, BC

project no. 3397

drawing title
PERSPECTIVE

designed	PMC	scale	
drawn	JB		
checked	PMC		
drawing no.	DP3.32		

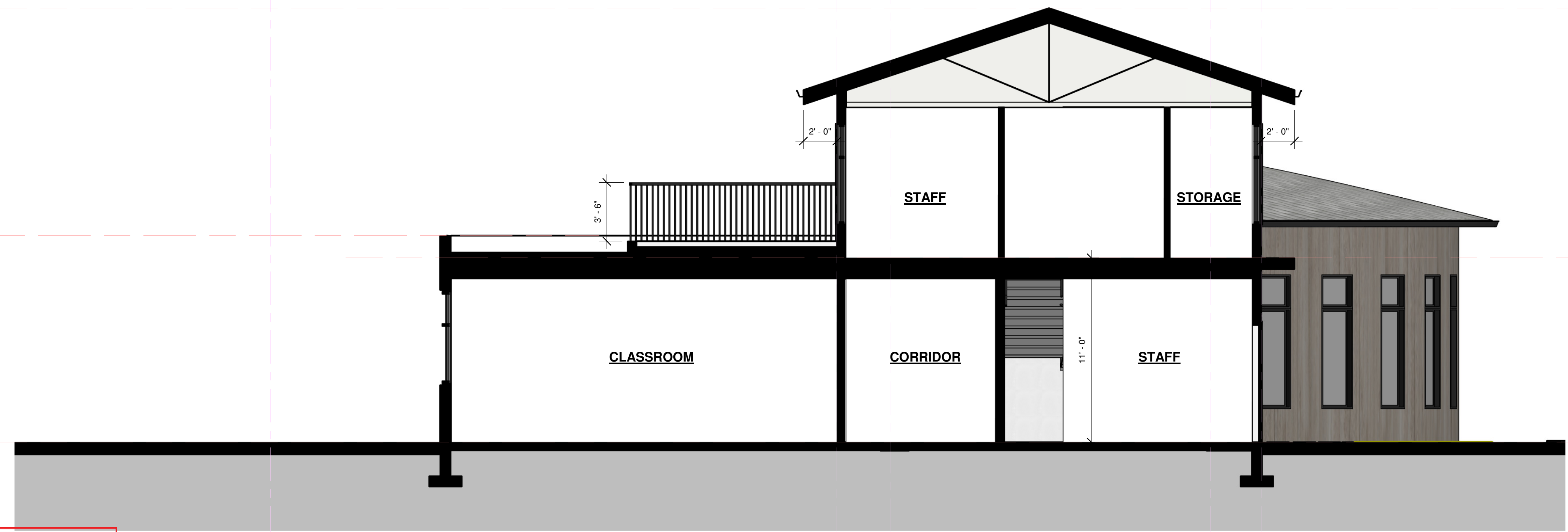
06 04 03 02 01

59' - 2"
33' - 10" 3' - 2 1/4" 19' - 1 3/4" 3' - 0"

Level 06 (RIDGE)
25' - 11"

Level 03 (T/O PARAPET)
12' - 4"

Level 01 (MAIN)
0' - 0"



2 BUILDING SECTION
1/4" = 1'-0"

06 04 03 02 01

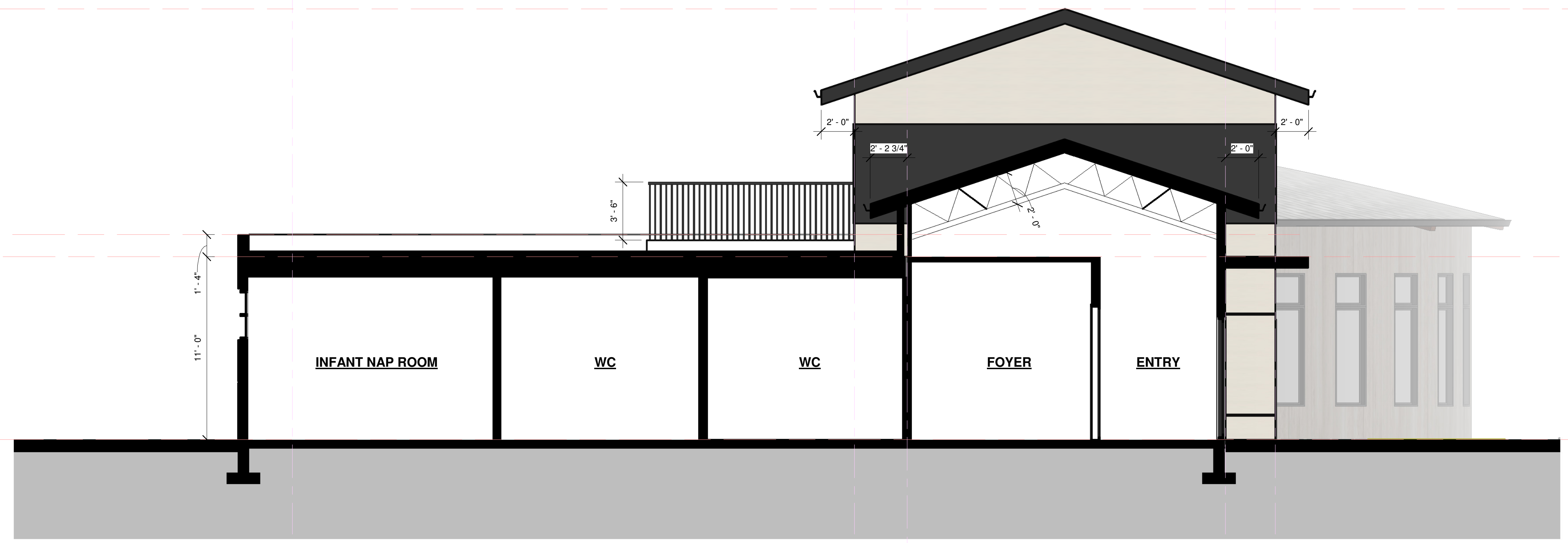
59' - 2"
3' - 2 1/4" 19' - 1 3/4" 3' - 0"

Level 06 (RIDGE)
25' - 11"

Level 03 (T/O PARAPET)
12' - 4"

Level 02 (UPPER)
11' - 0"

Level 01 (MAIN)
0' - 0"



1 BUILDING SECTION
1/4" = 1'-0"

SCHEDULE B

This forms part of application
DP21-0109

Planner Initials **TC**

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Seal

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING



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project title
KS SKEMXIST DAYCARE
EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
KELOWNA, BC

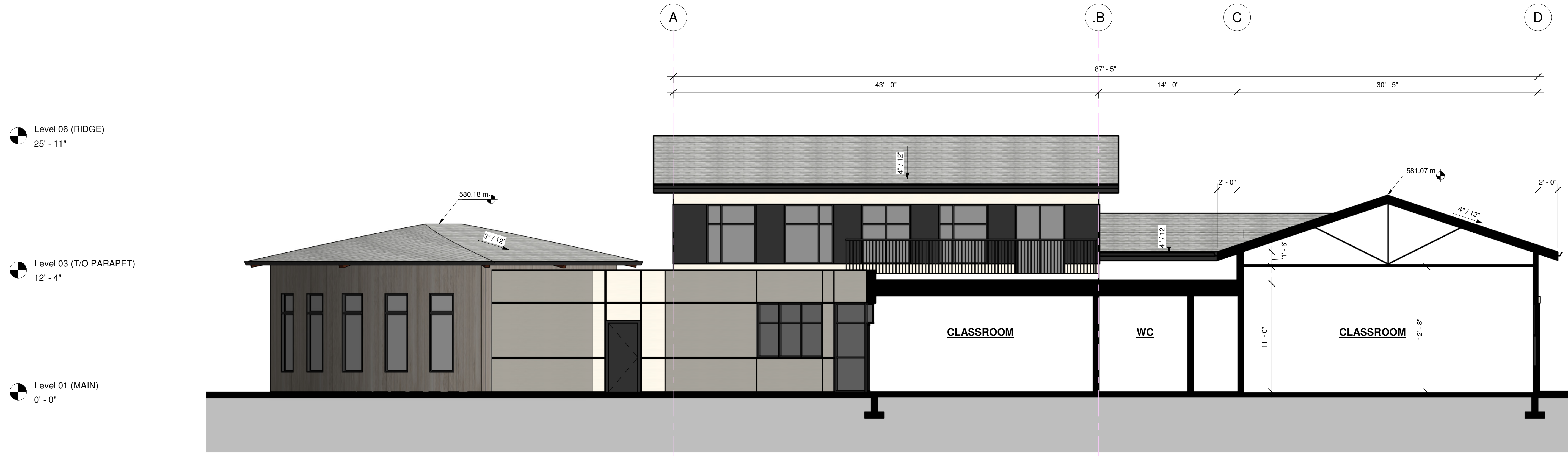
project no. 3397

drawing title
BUILDING SECTION

designed	PMC	scale	1/4" = 1'-0"
drawn	JB		
checked	PMC		

drawing no. **DP4.01**
plotted 2021-05-06 9:41:58 AM

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 Seal

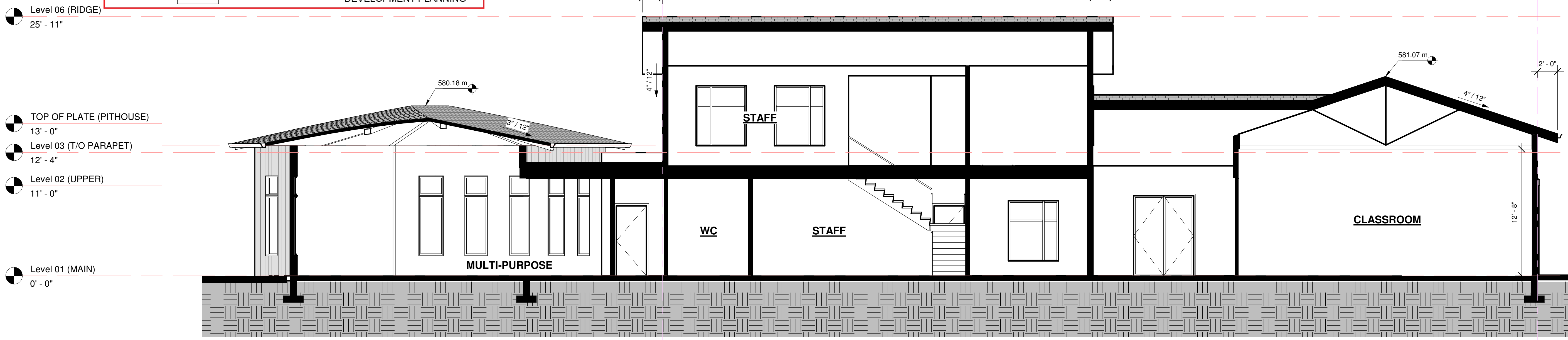


02 BUILDING SECTION
 3/16" = 1'-0"

SCHEDULE B

This forms part of application # DP21-0109

Planner Initials **TC**



01 BUILDING SECTION
 3/16" = 1'-0"

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING



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project title
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 EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
 KELOWNA, BC

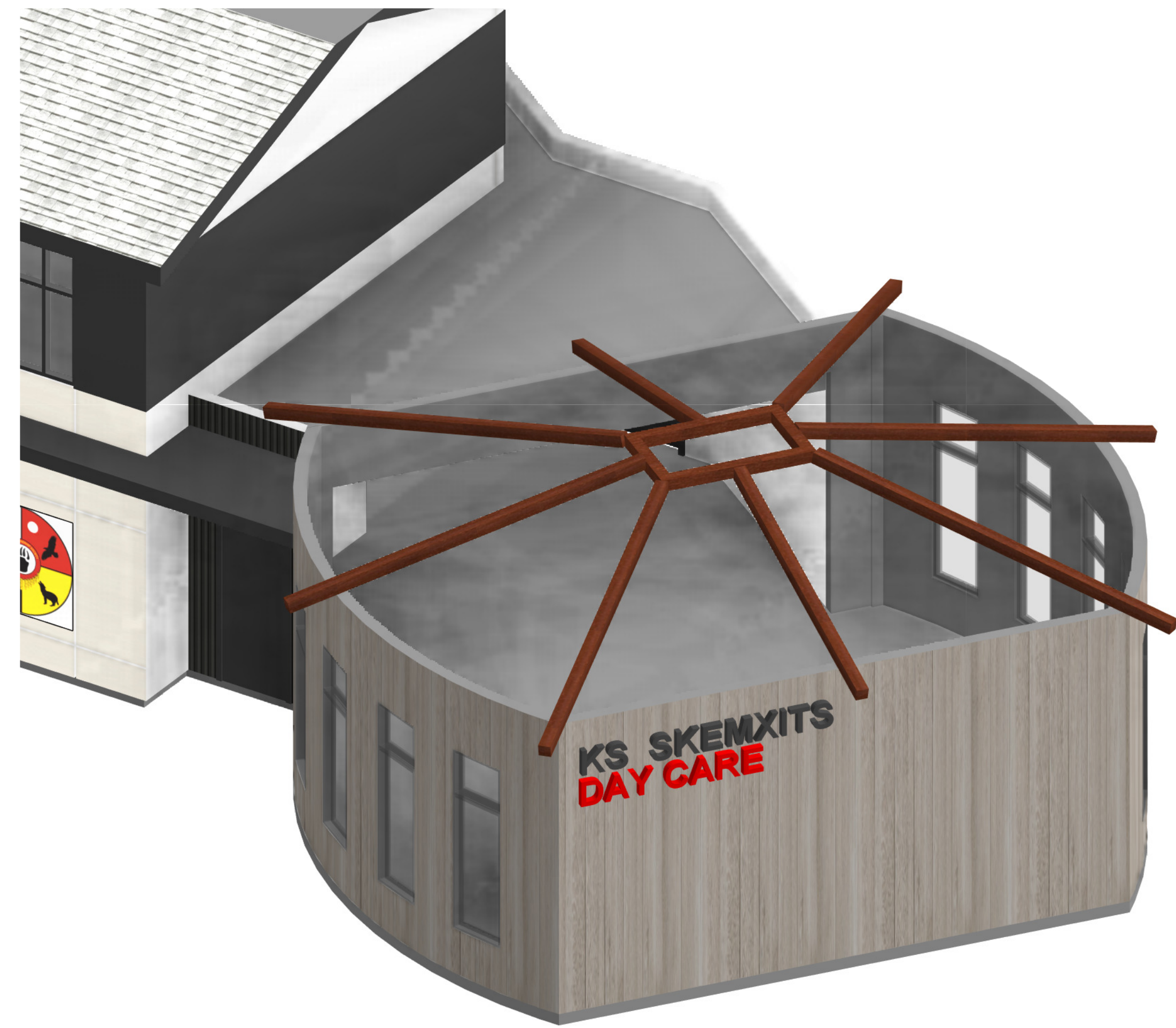
project no. 3397

drawing title
BUILDING SECTION

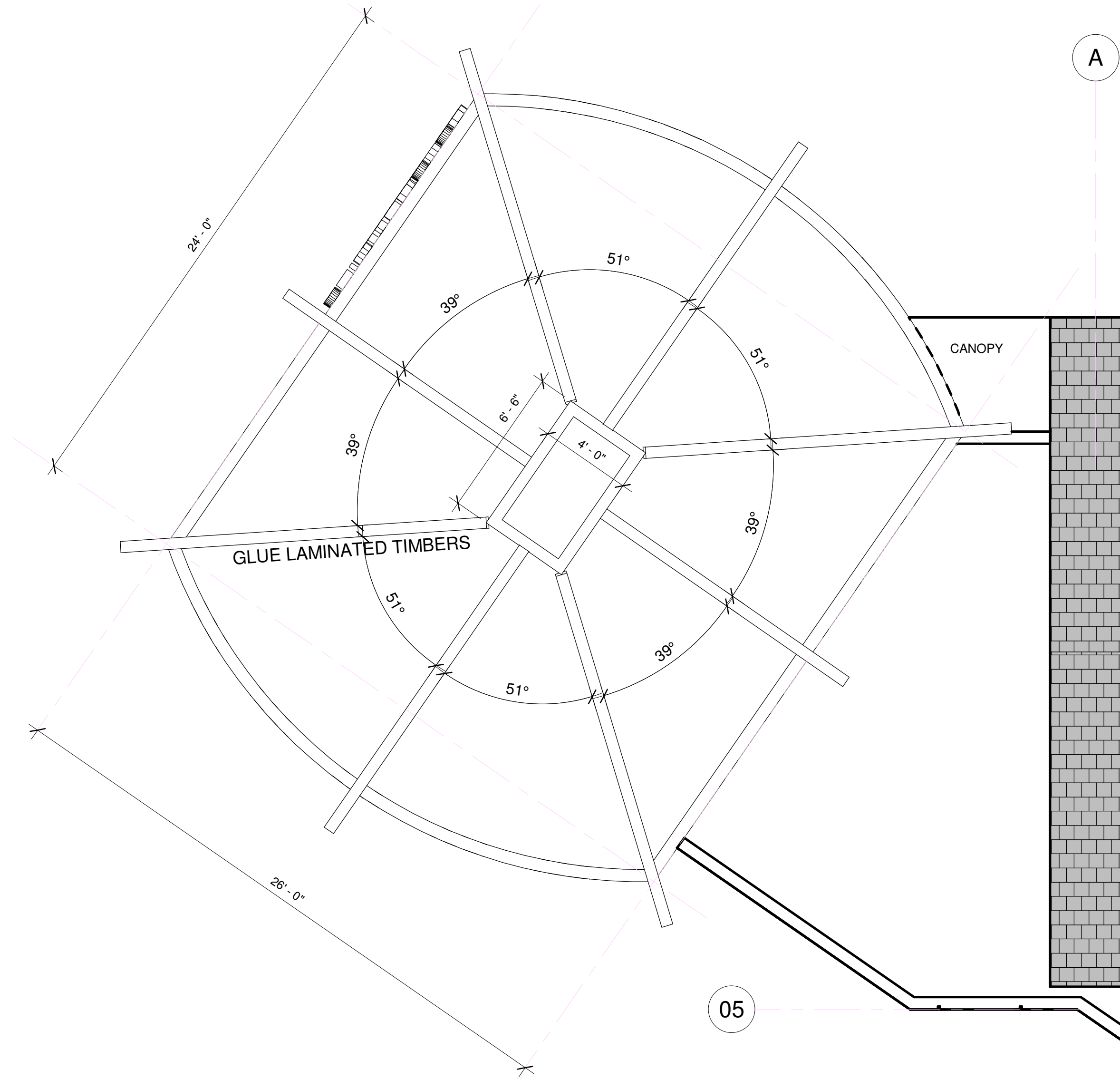
designed	PMC	scale	3/16" = 1'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP4.02

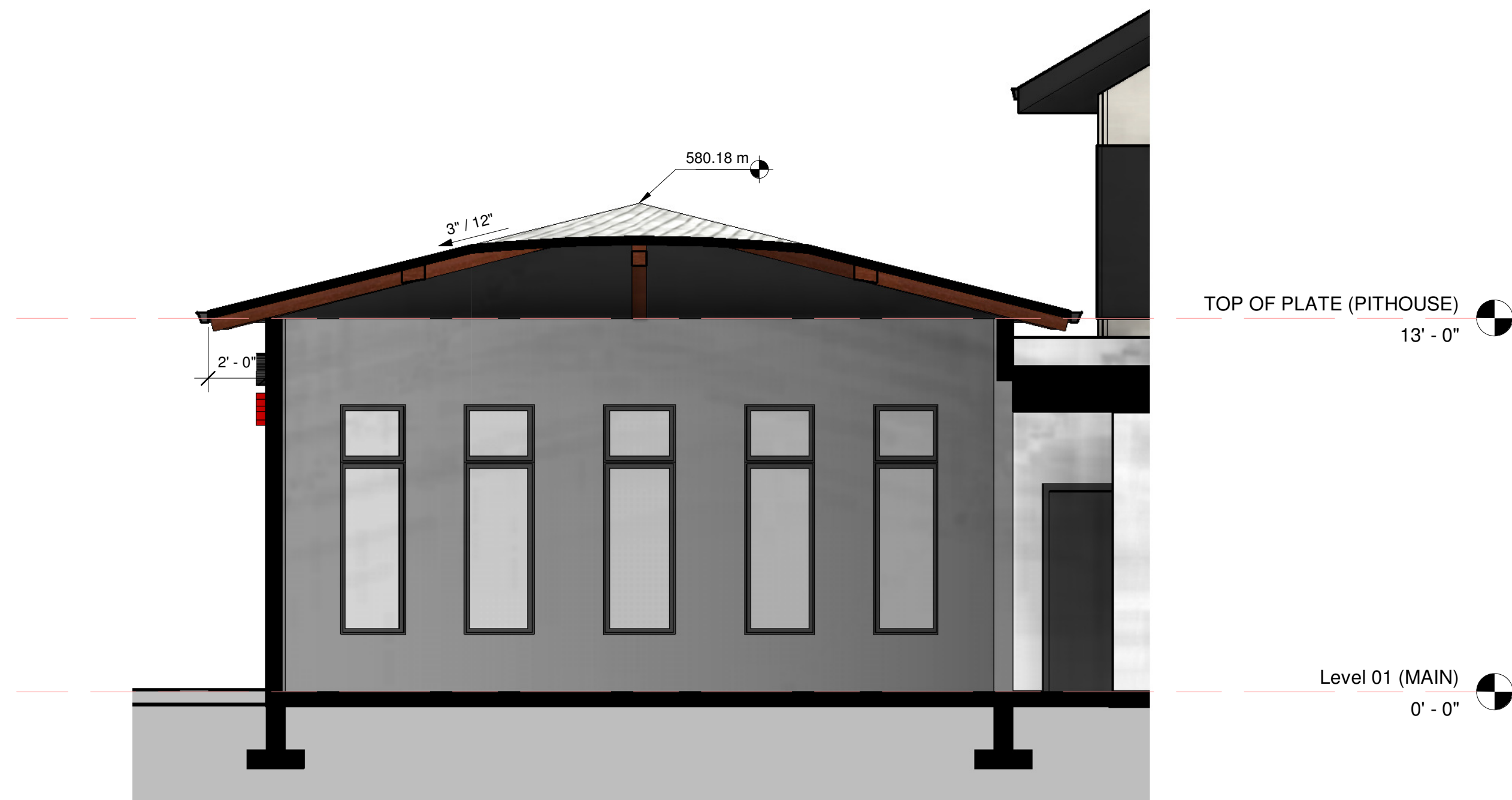
plotted 2021-05-06 9:42:01 AM



2 ISOMETRIC-PITHOUSE



03 PLAN-PITHOUSE
1/4" = 1'-0"



1 SECTION AT PITHOUSE
1/4" = 1'-0"

SCHEDULE B

This forms part of application
DP21-0109

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING

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All drawings shall be read in conjunction with specifications and consultant details.
All work shall be carried out in accordance with Canadian standards, specifications, BC20 (Current Edition) and local authority by-laws and regulations.
Tabulated scales refer to Arch D size drawings sheet.
This drawing must not be scaled.
Contractors shall verify all dimensions prior to commencement of work.
Any omissions or discrepancies shall be reported to the architect.
Seal

No.	Date	Description
2	20210507	ISSUED FOR DP
1	20201104	ISSUED FOR PRELIM PRICING

PM A

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project title
KS SKEMXIST DAYCARE
EDUCATIONAL BUILDING

1749-1759 HIGHWAY 33 EAST
KELOWNA, BC

project no. 3397

drawing title
BUILDING SECTION

designed	PMC	scale	1/4" = 1'-0"
drawn	JB		
checked	PMC		

drawing no.

DP4.03

plotted 2021-05-06 9:42:11 AM



SCHEDULE C

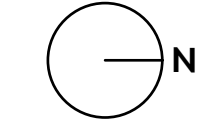
This forms part of application
DP21-0109

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING

OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

303-590 KLO Road
Kelowna, BC V1Y 7S2
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www.outlanddesign.ca



PROJECT TITLE
KS SKEMXIST DAYCARE
1749-1759 Highway 33 East

DRAWING TITLE
CONCEPTUAL LANDSCAPE PLAN

ISSUED FOR / REVISION

1	21.04.05	Review
2	21.05.04	Development Permit
3		
4		
5		

PROJECT NO: 21-017
DESIGN BY: KM
DRAWN BY: NG/SR
CHECKED BY: FB
DATE: MAY 4, 2021
SCALE: 1:150
PAGE SIZE: 24x36"

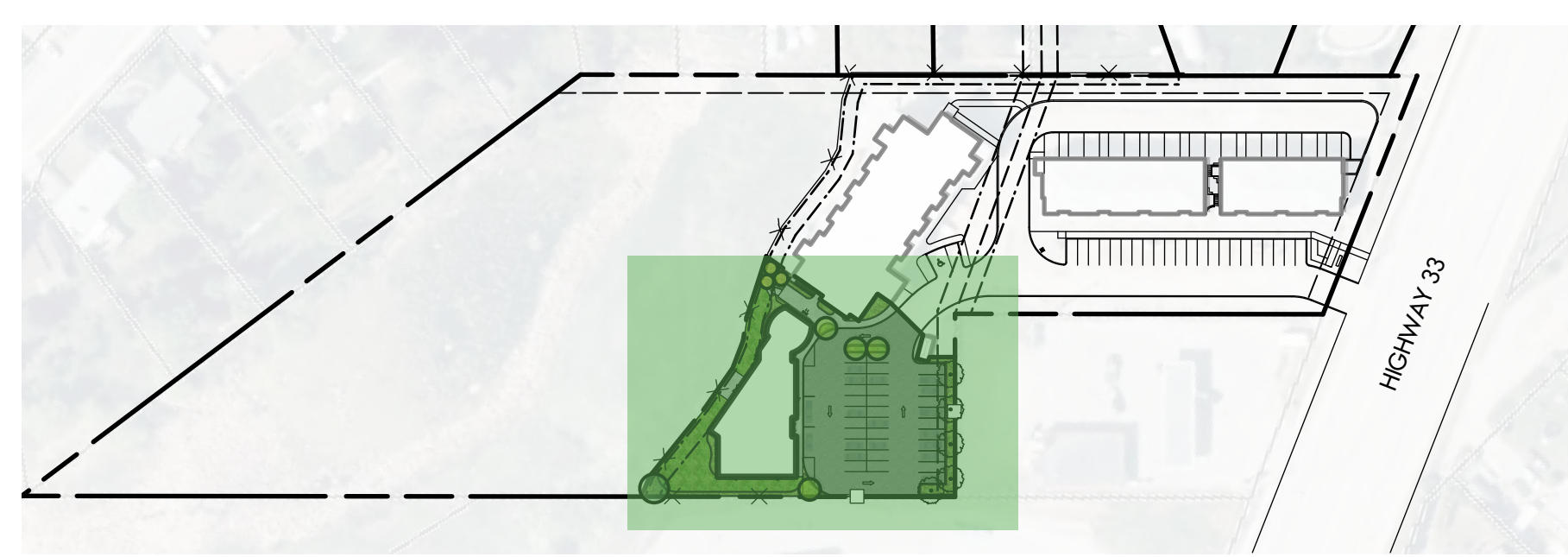
SEAL



DRAWING NUMBER

L1/2

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KEY MAP
1:1500

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE & REMARKS	BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES				PERENNIALS & GRASSES			
ABIES CONCOLOR 'CANDICANS'	CANDICANS WHITE FIR	1	2m HT.	ALCHEMILLA MOELLIS	LADY'S MANTLES	18	#01 CONT. /0.9M O.C. SPACING
CARPINUS CAROLINIANA	AMERICAN HORN-BEAM	4	6cm CAL.	ARCTOSTAPHYLOS UVA-URSI	BEAR BERRY	10	#01 CONT. /1.2M O.C. SPACING
POPULUS TREMULOIDES 'NE-ARB'	PRAIRIE GOLD ASPEN	3	6cm CAL.	ARTEMISIA FRIGIDA	PASTURE SAGE	10	#01 CONT. /1.2M O.C. SPACING
SHRUBS				CALAMAGROSTIS ACUTIFOLIA 'KARL FOERSTER'	FEATHER REED GRASS	14	#01 CONT. /1.0M O.C. SPACING
AMELANCHIER ALNIFOLIA 'HONEYWOOD'	HONEYWOOD SASKATOON	8	#01 CONT. /2.0M O.C. SPACING	HELICTOTRICHON SEMPERVIRENS	BLUE OAT GRASS	14	#01 CONT. /1.0M O.C. SPACING
CORNUS SERICEA	RED OSIER DOGWOOD	4	#01 CONT. /3.0M O.C. SPACING	HOSTA SIEBOLDIANA 'SUM & SUBSTANCE'	SUM & SUBSTANCE HOSTA	6	#01 CONT. /1.5M O.C. SPACING
CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE RED TWIG DOGWOOD	8	#01 CONT. /2.0M O.C. SPACING	PENSTEMON BARBATUS 'PARIRIE DUSK'	PRAIRIE DUSK BEARDTONGUE	26	#01 CONT. /0.75M O.C. SPACING
MAHONIA AQUIFOLIUM	OREGON GRAPE HOLLY	14	#01 CONT. /1.5M O.C. SPACING	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	10	#01 CONT. /1.2M O.C. SPACING
PHILADELPHUS VIRGINIANA	MOCKORANGE	14	#01 CONT. /1.5M O.C. SPACING	XEROPHYLLUM TENAX	GROWING BEAR GRASS	18	#01 CONT. /0.9M O.C. SPACING
VIBURNUM TRILOBUM	CRANBERRYBUSH VIBURNUM	14	#01 CONT. /1.5M O.C. SPACING				



SCHEDULE C

This forms part of application # DP21-0109

Planner Initials **TC**

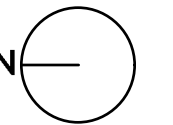
NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED B.C. L.N.A. STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm ROCK OR WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
6. HYDROSEEDING NATURALIZED PLANTING AREAS

	BY WEIGHT	BY SPECIES
DRYLAND SEED MIXTURE		
BLUE BUNCH WHEAT GRASS	41%	23%
ROUGH FESCUE	25%	20%
IDAHO FESCUE	15%	19%
PERENNIAL RYEGRASS	10%	7%
SANDBERG BLUEGRASS	5%	13%
JUNE GRASS	4%	18%
WILDFLOWER SEED MIXTURE		
SILKY LUPINE	30%	
BALSAM ROOT	30%	
BROWN EYED SUSAN	35%	
COMMON YARROW	5%	
HYDROSEEDING APPLICATION RATE (DRYLAND SEED AREA)		
NATIVE SEED	DRYLAND SEED MIXTURE	125KG/HECTAR
	WILDFLOWER SEED MIXTURE	1KG/HECTARE
FERTILIZER	18-18-2, 50% SULPHUR COATED UREA	300KG/HECTARE
MULCH	CANFOR ECOFIBRE PLUS TAC	2,800KG/HECTARE
TACKIFIER	GUAR	3% OF MIX

THE PRECEDING HYDROSEEDING MIXTURE IS TO BE APPLIED TO THE NATURALIZED PLANTING AREA AS SHOWN ON THE DRAWING. SEED MIX TO BE CERTIFIED #1 GRADE BY AGRICULTURE CANADA. REFER MANUFACTURER'S SPECIFICATIONS FOR PRODUCT DELIVERY, STORAGE & PROTECTION.

PLANT LIST				PLANT LIST				PLANT LIST			
BOTANICAL NAME	COMMON NAME	QTY	SIZE & REMARKS	BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS	BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES				PERENNIALS & GRASSES				SHRUBS			
ABIES CONCOLOR 'CANDICANS'	CANDICANS WHITE FIR	6	2m HT.	ACHILLEA FILIPENDULINA 'CLOTH OF GOLD'	CLOTH OF GOLD YARROW	27	#01 CONT. /0.75M O.C. SPACING	AMELANCHIER ALNIFOLIA 'HONEYWOOD'	HONEYWOOD SASKATOON	48	#01 CONT. /2.0M O.C. SPACING
ABIES GRANDIS	GRAND FIR	6	2m HT.	ALCHEMILLA MOLLISS	LADY'S MANTLES	38	#01 CONT. /0.6M O.C. SPACING	CEANOTHUS VELUTINUS	CALIFORNIA LILAC	12	#01 CONT. /1.5M O.C. SPACING
ACER CIRCINATUM 'PACIFIC FIRE'	PACIFIC FIRE MAPLE	8	5cm CAL	ARCTOSTAPHYLOS UVA-URSI	BEAR BERRY	36	#01 CONT. /1.0M O.C. SPACING	CORNUS SERICEA	RED OSIER DOGWOOD	60	#01 CONT. /2.0M O.C. SPACING
ACER GRISEUM	PAPERBARK MAPLE	13	6cm CAL	ARTEMISIA FRIGIDA	PASTURE SAGE	100	#01 CONT. /1.0M O.C. SPACING	CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE RED TWIG DOGWOOD	66	#01 CONT. /2.0M O.C. SPACING
ACER TATARICUM 'JFS-KW2'	RUGGED CHARM MAPLE	3	4cm CAL	BALSAMORHIZA SAGITTATA	OREGON SUNFLOWER	78	#01 CONT. /0.75M O.C. SPACING	EUONYMUS ALATUS 'COMPACTA'	DWARF WINGED BURNING BUSH	21	#01 CONT. /1.2M O.C. SPACING
ALNUS TENUIFOLIA	RIVER ALDER	28	6cm CAL	CALAMAGROSTIS ACUTIFOLIA 'KARL FOERSTER'	FEATHER REED GRASS	116	#01 CONT. /0.75M O.C. SPACING	MAHONIA AQUIFOLIUM	OREGON GRAPE HOLLY	20	#01 CONT. /1.0M O.C. SPACING
BETULA PAPIRIFERA	PAPER BIRCH	10	6cm CAL	CICHORIUM INTYBUS	CHICKORY	18	#01 CONT. /1.2M O.C. SPACING	PHILADELPHUS VIRGINIANA	MOCKORANGE	33	#01 CONT. /1.0M O.C. SPACING
CARPINUS CAROLINIANA	AMERICAN HORNBEAM	9	4cm CAL	HELICTOTRICHON SEMPERVIRENS	BLUE OAT GRASS	37	#01 CONT. /0.75M O.C. SPACING	PINUS MUGO 'MUGHUS'	MUGO PINE	3	#01 CONT. /2.0M O.C. SPACING
PINUS ARISTATA	BRISTLEcone PINE	3	2m HT.	HELLEBORUS X HYBRIDUS	HYBRID LENTEN ROSE	74	#01 CONT. /0.5M O.C. SPACING	PICEA ABIES 'LITTLE GEM'	LITTLE GEM NORWAY SPRUCE	39	#01 CONT. /0.6M O.C. SPACING
PINUS PONDEROSA	PONDEROSA PINE	1	6cm CAL	HOSTA FORTUNEI 'AUREO MARGINATA'	AUREO MARGINATA HOSTA	18	#01 CONT. /0.5M O.C. SPACING	ROSA NUTKANA	BLACK CURRANT	85	#01 CONT. /1.5M O.C. SPACING
POPULUS BALSAMIFERA	BALSAM POPLAR	17	6cm CAL	HOSTA SEBOLDIANA 'SUM & SUBSTANCE'	SUM & SUBSTANCE HOSTA	10	#01 CONT. /1.5M O.C. SPACING	VIBURNUM TRILOBUM	CRANBERRYBUSH VIBURNUM	67	#01 CONT. /0.75M O.C. SPACING
POPULUS TREMULOIDES 'NE-ARB'	PRAIRIE GOLD ASPEN	15	4cm CAL	FENSTEMON BARBATUS 'PARRIE DUSK'	PRAIRIE DUSK BEARDTONGUE	63	#01 CONT. /0.5M O.C. SPACING				
				POLYSTICHUM MUNITUM	WESTERN SWORD FERN	39	#01 CONT. /1.0M O.C. SPACING				
				XEROPHYLLUM TENAX	GROWING BEAR GRASS	147	#01 CONT. /0.75M O.C. SPACING				



PROJECT TITLE
MARGARET'S LANDING

Kelowna, BC

DRAWING TITLE

**CONCEPTUAL
LANDSCAPE PLAN**

ISSUED FOR / REVISION	DATE	REVISION
1	17.05.24	Review
2	18.02.26	Review
3	18.07.26	Review
4	19.05.23	Review
5	21.07.15	Review

PROJECT NO.	17016
DESIGN BY	KM
DRAWN BY	WVC
CHECKED BY	FB
DATE	JULY 15, 2021
SCALE	1:300

SEAL



DRAWING NUMBER

L1/1

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KEY MAP
1:1500

EXISTING BUILDING

BUILDING

SCHEDULE C

This forms part of application # **DP21-0109**

Planner Initials **TC**

OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

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

IRRIGATION NOTES

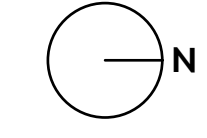
- IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE WATER USE REGULATION BYLAW NO. 10480 AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KELOWNA BYLAW 7900 (PART 6, SCHEDULE 5).
- THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF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

IRRIGATION LEGEND

- ZONE #1:** LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS
TOTAL AREA: 113 sq.m.
MICROCLIMATE: SOUTHWEST EXPOSURE, PARTIALLY SHADED BY BUILDING
ESTIMATED ANNUAL WATER USE: 97 cu.m.
- ZONE #2:** LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS
TOTAL AREA: 111 sq.m.
MICROCLIMATE: SOUTHWEST EXPOSURE, PARTIALLY SHADED BY BUILDING
ESTIMATED ANNUAL WATER USE: 95 cu.m.
- ZONE #3:** LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS
TOTAL AREA: 106 sq.m.
MICROCLIMATE: SOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
ESTIMATED ANNUAL WATER USE: 91 cu.m.
- ZONE #4:** HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR LOW WATER USE PLANTING AREAS
TOTAL AREA: 106 sq.m.
MICROCLIMATE: SOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
ESTIMATED ANNUAL WATER USE: 28 cu.m.
- ZONE #5:** HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR LOW WATER USE PLANTING AREAS
TOTAL AREA: 197 sq.m.
MICROCLIMATE: NORTHEAST EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
ESTIMATED ANNUAL WATER USE: 53 cu.m.

WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WB) = 380 cu.m. / year
ESTIMATED LANDSCAPE WATER USE (WU) = 364 cu.m. / year
WATER BALANCE = 16 cu.m. / year
*REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS



PROJECT TITLE
KS SKEMXIST DAYCARE
1749-1759 Highway 33 East

City of Kelowna, BC

DRAWING TITLE
WATER CONSERVATION/ IRRIGATION PLAN

ISSUED FOR / REVISION

1	21.04.05	Review
2	21.05.04	Development Permit
3		
4		
5		

PROJECT NO: 21-017
DESIGN BY: KM
DRAWN BY: NG
CHECKED BY: FB
DATE: MAY 4, 2021
SCALE: 1:150
PAGE SIZE: 24x36"



DRAWING NUMBER
L2/2

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DP 21-0109

1759 Hwy 33 E

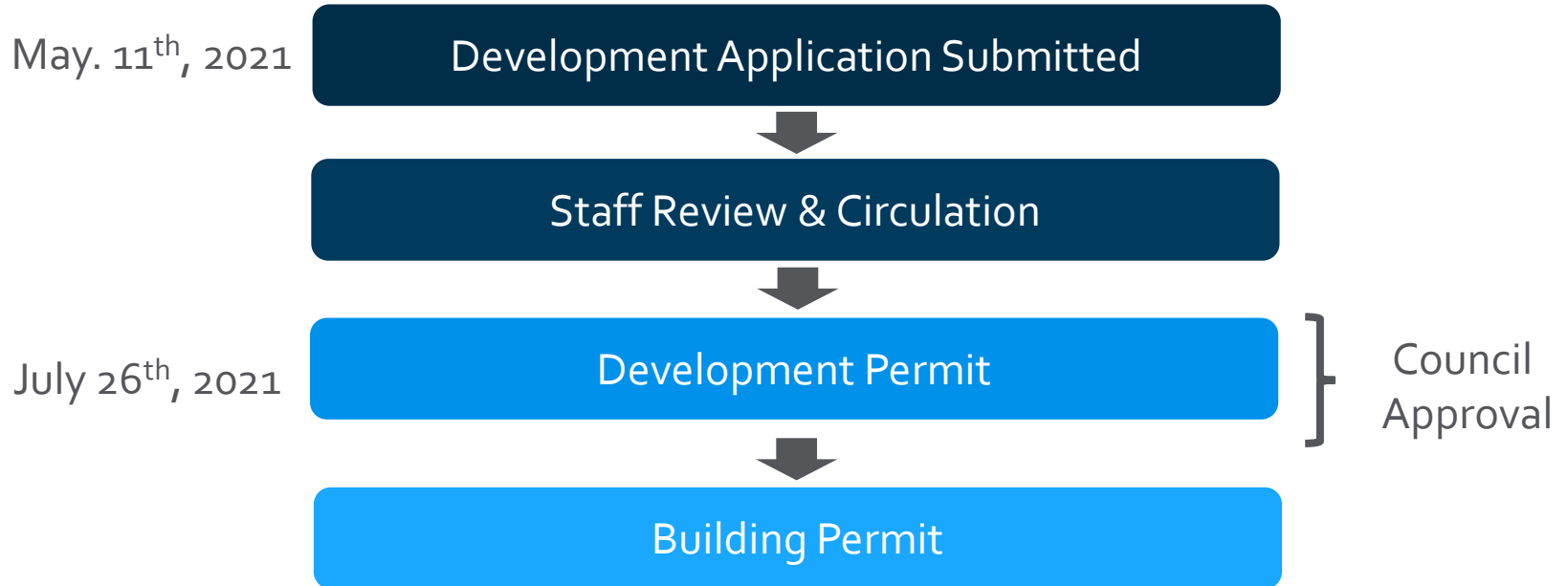
Development Permit Application



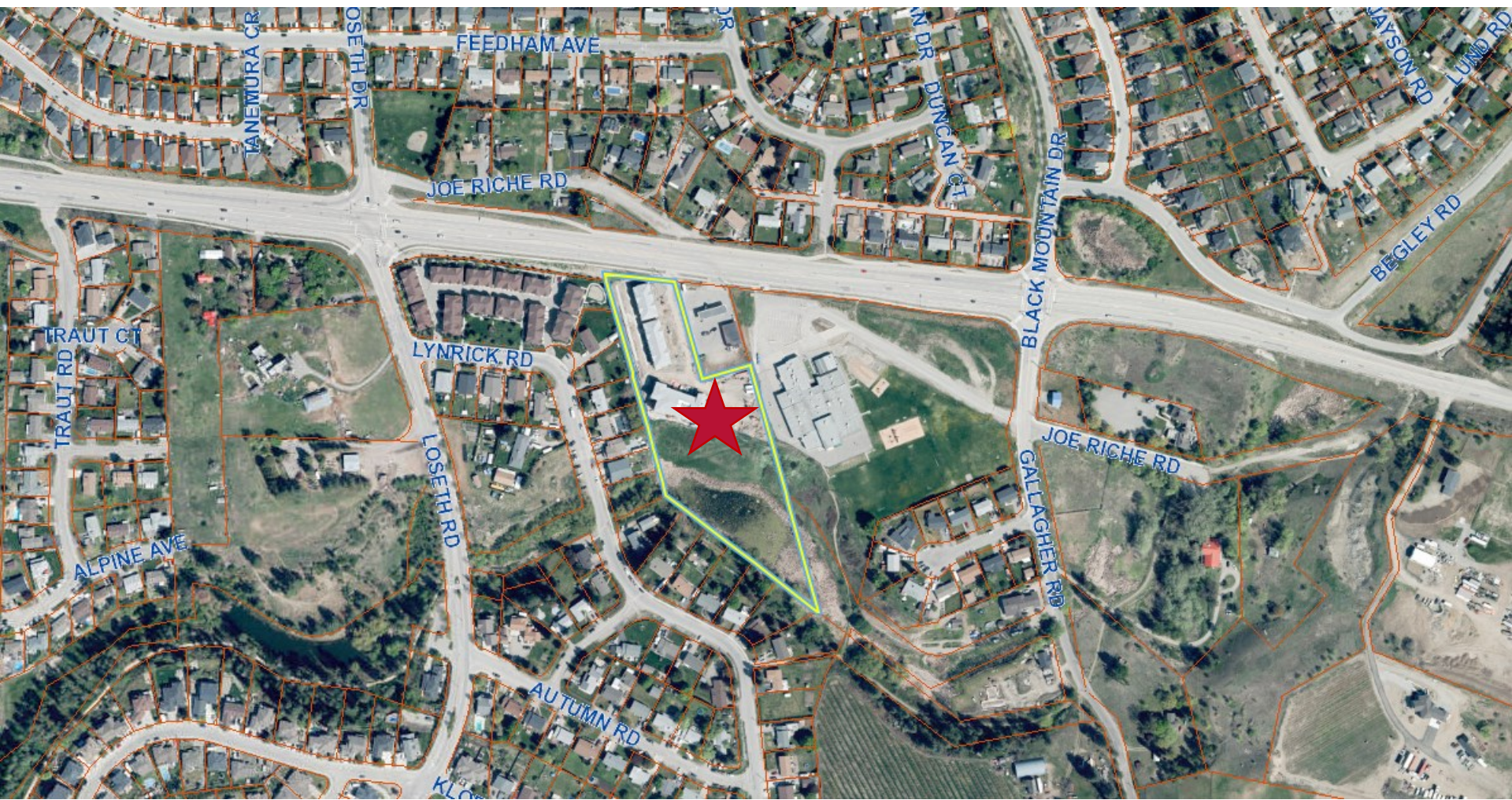
Proposal

- ▶ To consider the form and character of a proposed childcare centre.

Development Process



Context Map



Subject Property Map



Subject Property Photos



03



VIEW TO EXISTING ADJACENT EAST APARTMENT BUILDING



VIEW TO SOUTH WETLANDS



04



VIEW TO WEST PRIMARY SCHOOL

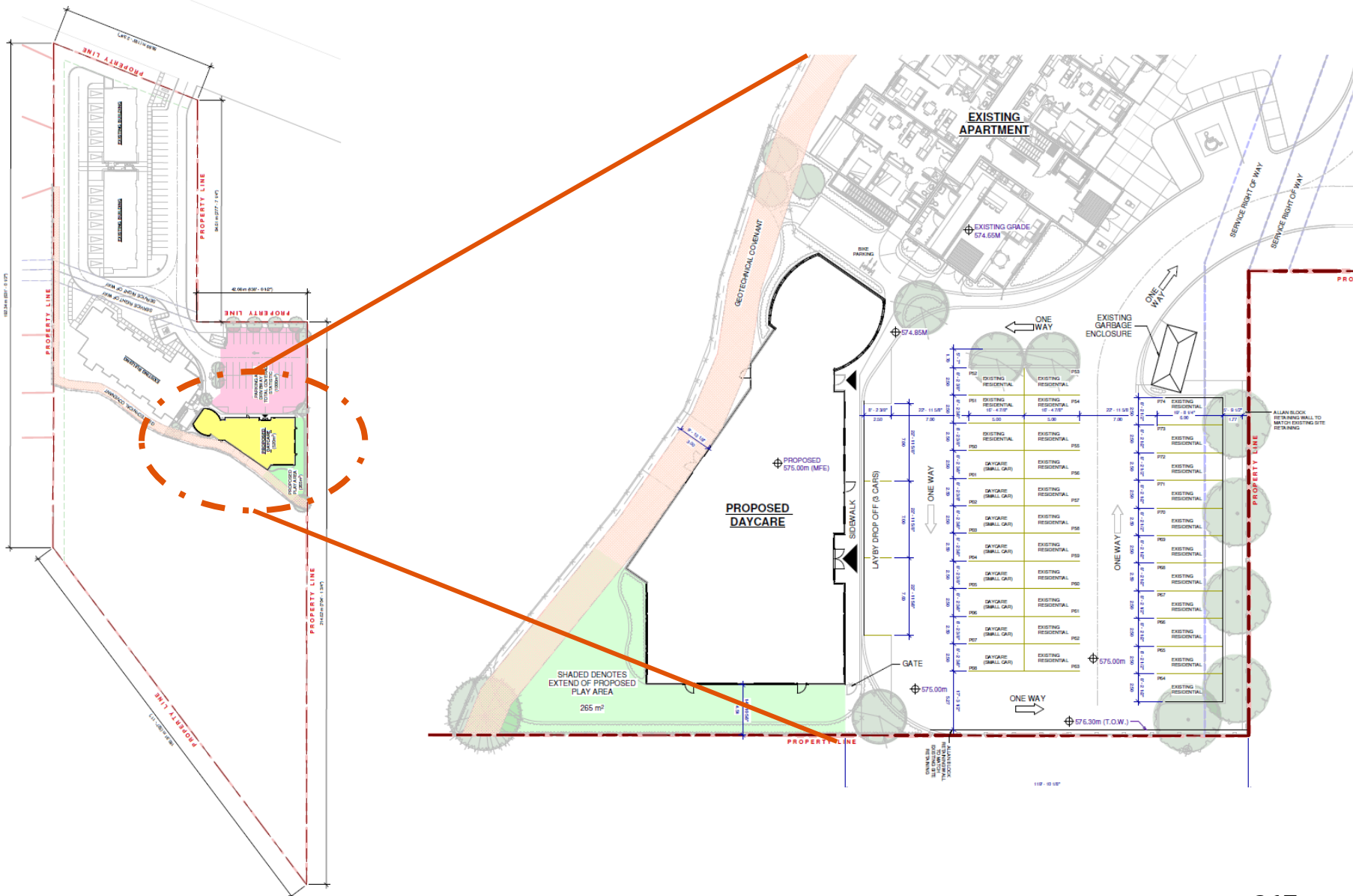


VIEW TO SOUTH WETLANDS

Project Details

- ▶ The proposed childcare centre building will be in the southern portion of the property.
- ▶ It will accommodate 36 children and 8 staff.
- ▶ Surface parking expanded to meet parking requirements.
- ▶ There are three proposed areas:
 - ▶ learning barn with classrooms, two-storey council house for administration and community gathering room.

Site Plan



North Elevations

MATERIAL BOARD



ROOF CLADDING: ASPHALT SHINGLES



WALL CLADDING: ACRYLIC STUCCO (LIGHT TAUPE) WITH REVEAL LINES



WALL CLADDING: ACRYLIC STUCCO (BLACK)



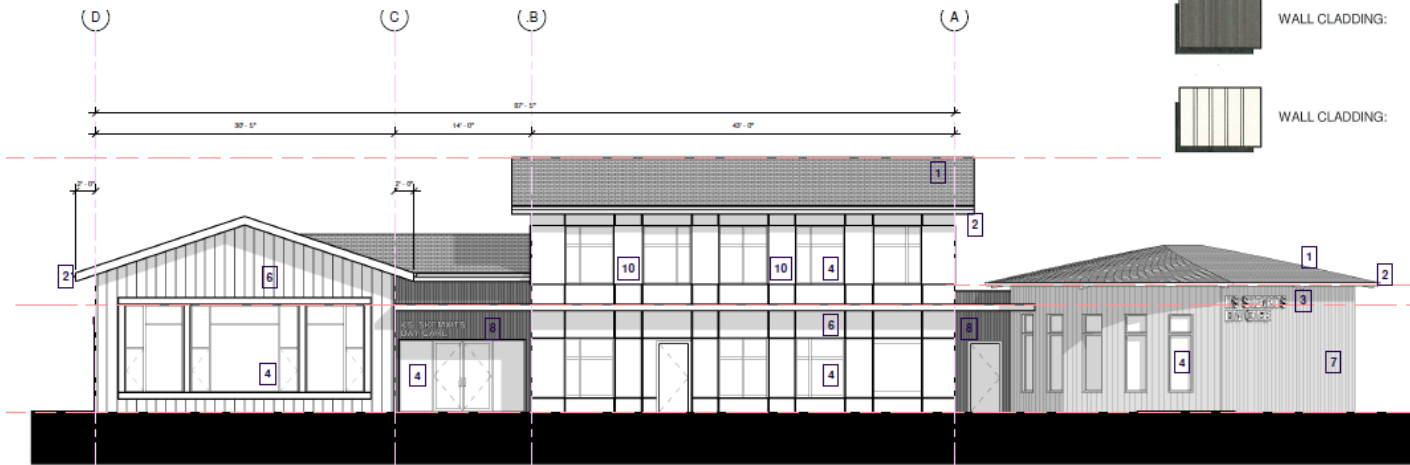
WALL CLADDING: BLACK CORRUGATED METAL



WALL CLADDING: WOOD PLANKS (8") AT 'PITHOUSE'



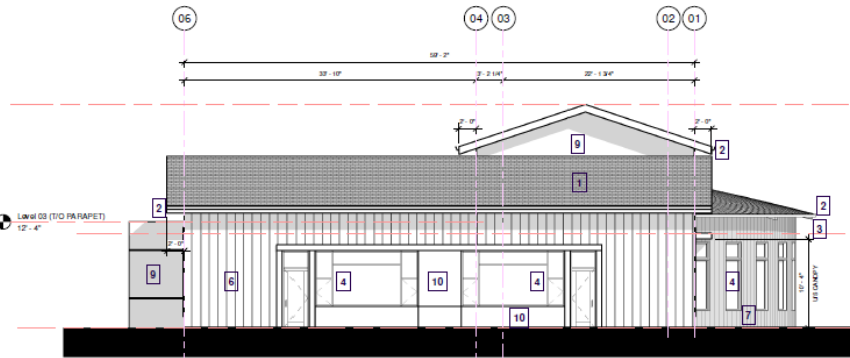
WALL CLADDING: CEMENTITIOUS BOARD (12") AND BATTEN (2") AT CLASS 01 AND 02 (COLOUR TO MATCH TAUPE ACRYLIC STUCCO)



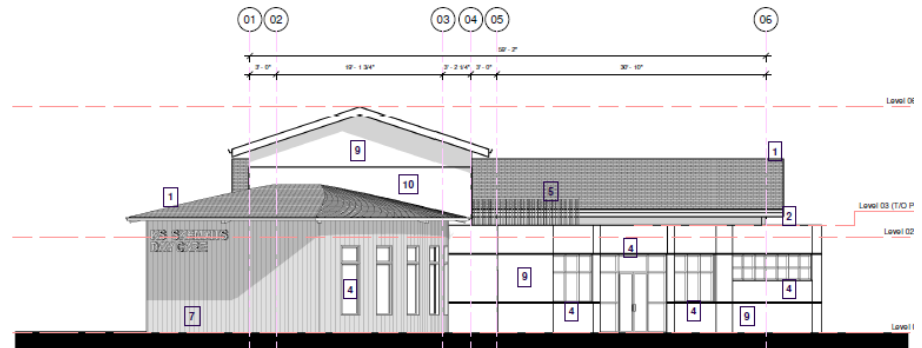
02 NORTH ELEVATION
3/16" = 1'-0"
(FRONT ELEVATION FACING PARKING LOT)



East & West Elevations



02 EAST ELEVATION
 3/16" = 1'-0"
 (SIDE ELEVATION FACING ELEMENTARY SCHOOL)



01 WEST ELEVATION
 3/16" = 1'-0"
 (SIDE ELEVATION FACING EXISTING APARTMENT)

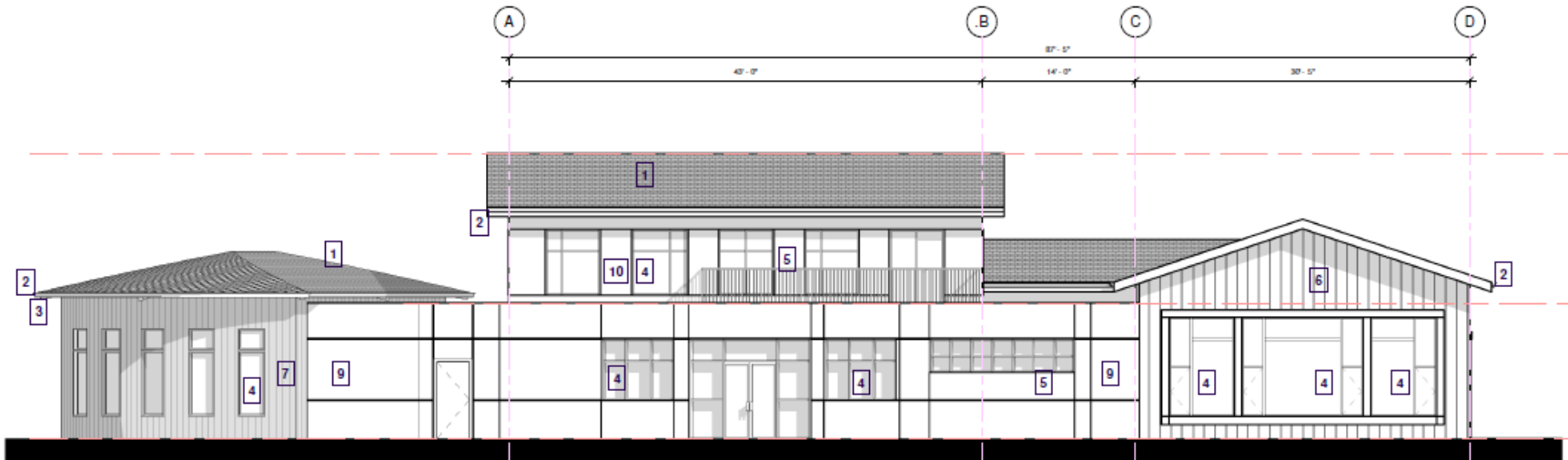


01 EAST ELEVATION (COLOURED)
 3/16" = 1'-0"
 (SIDE ELEVATION FACING ELEMENTARY SCHOOL)



02 WEST ELEVATION (COLOURED)
 3/16" = 1'-0"
 (SIDE ELEVATION FACING EXISTING APARTMENT)

South Elevations

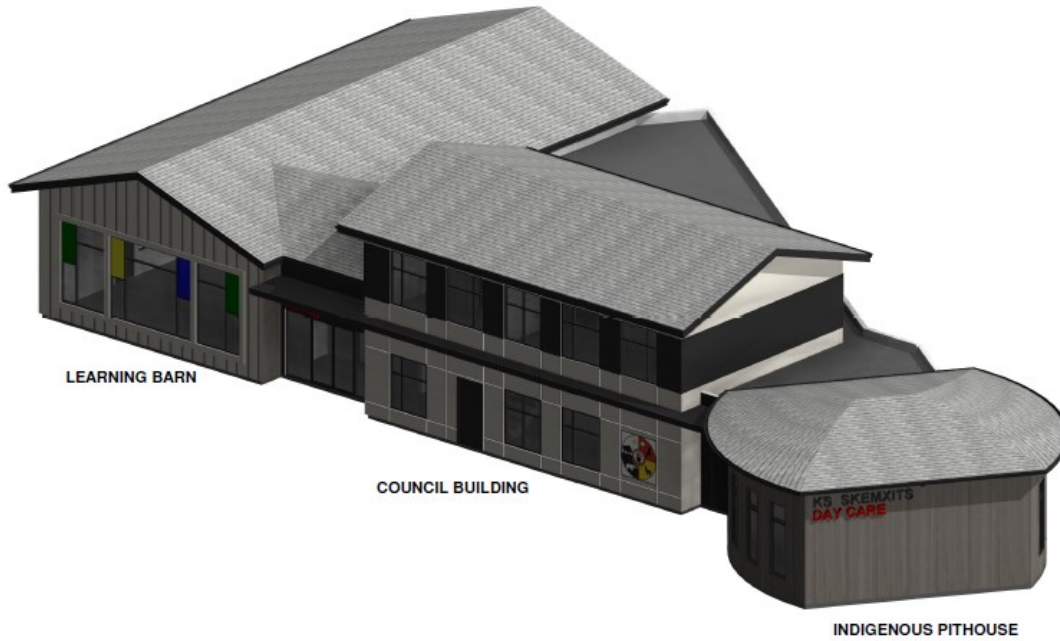


① SOUTH ELEVATION
3/16" = 1'-0"
(REAR ELEVATION FACING WETLANDS)

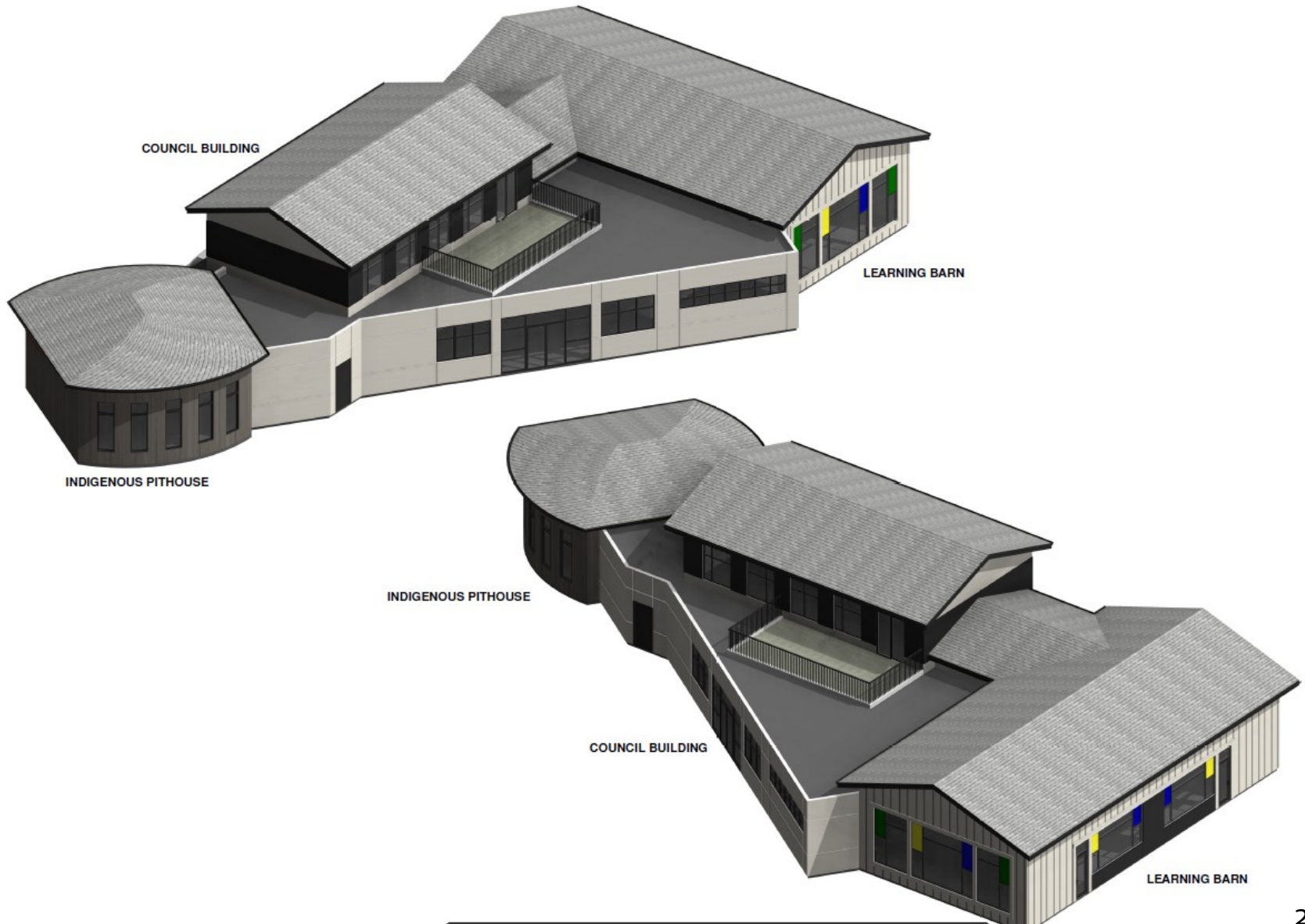


② SOUTH ELEVATION (COLOURED)
3/16" = 1'-0"
(REAR ELEVATION FACING WETLANDS)

Rendering



Rendering



Rendering



(PERSPECTIVE 01 - FACING PARKING LOT)



Rendering



(PERSPECTIVE 01 - FACING PARKING LOT)



Landscape Plan



Development Policy

- ▶ Chapter 14: Urban Design DP Guidelines
 - ▶ Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
 - ▶ Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
 - ▶ Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
 - ▶ Incorporate architectural features and detailing of buildings and landscapes that define an area's character.

Staff Recommendation

- ▶ Staff recommend **support** of the Development Permit and Development Variance Permit
 - ▶ Consistent with OCP urban design guidelines.
 - ▶ Childcare is an important asset for the community.
 - ▶ The building will meet all Development Regulations.



Conclusion of Staff Remarks

CITY OF KELOWNA
BYLAW NO. 12236
Z21-0017
1653 Highland Drive North

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 4 Section 29 Township 26 ODYD Plan 12634 located at Highland Drive North, 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 21st day of June, 2021.

Public Hearing waived by the Municipal Council this 21st day of June, 2021.

Read a second and third time by the Municipal Council this 12th day of July, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: July 26, 2021
To: Council
From: City Manager
Subject: 424 Gibson Road – Remedial Action
Department: Property Standards Compliance Team

Recommendation:

THAT Council receives, for information, the report from the Property Standards Compliance Team dated July 26, 2021 regarding remedial action at 424 Gibson Road;

AND THAT Council considers that the House and the Retaining Walls are in and create an unsafe condition, and that the renovations made to the House and the construction of the Retaining Walls do not comply with the structural requirements of the BC Building Code and were done without permits contrary to the requirements of City of Kelowna Building Bylaw No. 7245, 1993;

AND THAT Council hereby declares that the House and the Retaining Walls are a nuisance, within the meaning of Section 74 of the *Community Charter*;

AND THAT Council hereby declares that the imported earthen material used to create a tiered / raised podium area from the rear yard and east side yard down to native undisturbed soils and the area restored with native plantings. All construction debris is to be removed from site and sent to the landfill or recycling center with the outdoor storage of materials and equipment removed from site to an approved location if kept within City boundaries as this earthen fill and materials stored in the rear and side yards is a nuisance, within the meaning of Section 74 of the *Community Charter*, and so dilapidated and unclean as to be offensive to the community;

AND THAT Council hereby requires the Owner to, upon Council resolution date, perform the following actions to the property as prescribed under Section 77: of the *Community Charter* (the "Remedial Action Requirement"). The scope of the work shall include the following:

- 1) Apply for Demolition Permit for the dwelling within 14 days, and
- 2) Remove all personal contents in and around the dwelling unit within 42 days to an approved location if within City of Kelowna boundary, and

- 3) Remediate the house and temporary structures including construction debris of any hazardous materials with 60 days, and
- 4) Remove all construction debris, house and house foundations, exterior deck(s), swimming pool, asphalt from the tennis court area, retaining wall(s), landscape wall(s), temporary structures, vehicles, equipment and imported material, earthen fills imported into the lot within 120 days, and
- 5) Restoration of the lot, including lot grading and planting of native grass and plants with 180 days.

AND THAT under Section 77 (1) notice of the Remedial Action Requirement be sent to the persons entitled to notice under s. 77 of the *Community Charter*, including a copy of this resolution;

AND THAT the City shall notify the persons entitled to notice under s. 77(1) of the *Community Charter* that they may request that Council reconsider the Remedial Action Requirement pursuant to s. 78 of the *Community Charter*, by providing the City with written notice within 14 days of the date on which notice under s. 77 of the *Community Charter* was sent to them;

AND FURTHER THAT if any or all of the actions required in this Resolution are not completed by the corresponding dates set out above, the City may, through its staff, contractors or agents, undertake any or all of those actions required by the Remedial Action Requirement without further notice to and at the expense of the Owner, and recover the costs of doing so in accordance with sections 17, 80, 258, and 259 of the *Community Charter*.

Purpose:

To impose a Remedial Action Requirement (RAR) in relation to structures located at 424 Gibson Road pursuant to Sections 72, 73 and 74 of the Community Charter.

Background:

The subject property, 424 Gibson Road, is located in the agricultural bench area of Rutland and has been owned by the current owner since 2010. Since 2010 there have been 24 attendances at the Property by City Bylaw, Planning and Building Department staff members in response to complaints about the Property being unsightly, construction-related traffic, solid waste storage, construction noise, and other nuisance contraventions. The Property currently has unpermitted structures, retaining walls, hard surfacing and exterior storage which is beyond what is permitted by relevant City bylaws. Currently identified outstanding bylaw infractions on the Property include the following:

- Zoning Bylaw No. 8000, Sec. 1.7.1 outdoor storage contrary to zone.
- Zoning Bylaw No. 8000, Sec 13.1.6(a) site coverage contrary to zone.
- Zoning Bylaw No. 8000, Sec 8.1.9(a) front yard parking contrary to zone.
- Zoning Bylaw No. 8000, 7.5.9 retaining walls in excess of 1.2 m contrary to zone.
- Building Bylaw No. 7245 (2.1.1) Construction Not to Requirements of Building Code

The Property is improved with a single-family dwelling, a two-storey wood frame residence with a walkout basement level, originally constructed in 1969 (the "House"). Since about the year 2010 the Owner has carried out renovations and modifications to the House, without applying to the City for or receiving permits, as required by Section 2.2.1(a) of the City's Building Bylaw. These renovations and modifications include: retaining wall permits (not completed), front veranda (not completed) building additions and building renovations (not completed), roof repair for the past decade (not completed).

In or about the year 2010, the Owner began constructing three retaining walls on the Property, also without permits as required by the Building Bylaw. After construction, the Property was backfilled to create two terrace levels behind the retaining walls, altering the Property's original configuration of a downhill slope from east to west. Appendix B to this report consists of seven photographs of the Retaining Walls taken by Bylaw staff on June 13, 2017.

Multiple enforcement actions and compliance efforts have been made between 2010 and the present to attempt to have the Owner bring and have the Property remain in compliance. These efforts have involved coordinated inspections by the Building, Planning and Bylaw Departments and include several incomplete Building Permit applications and 3 separate compliance letters, with the most recent issued in 2017. A copy of the 2017 compliance letter is attached as Appendix C to this Report.

The Owner has made some efforts toward compliance on a number of occasions, most recently in 2017. However, such compliance has either been incomplete and or temporary in nature. The owner has hired consultants to help facilitate the life safety issues with no resolve which resulted in permits be expired due to incomplete work by the owner. The consultants were not retained by the owner to completion of any of the issued permits

In August of 2017, due to the ongoing compliance issues and safety concerns, two qualified professional consultants were commissioned by the City to assess the unpermitted modifications to the House and the Retaining Walls.

Paul Heinrichs, M.Eng P.Eng PE of Read Jones Christofferson Ltd., attended the Property on July 24, 2017 and performed a visual review of the structural condition of the House and Retaining Walls. Mr. Heinrichs produced a structural engineering report for the City summarizing his observations and opinions arising from this visit, dated August 4, 2017 (the "RJC Report"). The RJC Report is attached as Appendix D.

The RJC Report concludes that "there are numerous life safety concerns" for the Property's occupants and for adjacent property owners and the general public, arising from the open roof structure being susceptible to large winds that could result in either partial collapse of the building or debris flying onto adjacent properties or the street; the lack of lateral stability for the deck causing it to be susceptible to full or partial collapse; and the cracking and settlements as well as poor construction of the Retaining Walls demonstrating a risk of potential damage to the adjacent properties in the event of wall movement or failure. The RJC Report concludes that the modifications and additions made to the original building structure of the House, as well as the new or modified structural Retaining Walls, do not comply with the structural requirements of the British Columbia Building Code and therefore are unsafe.

A geotechnical engineer from Tetra Tech Canada Inc. also attended at the Property on July 24, 2017 to conduct a visual geotechnical assessment of the Retaining Walls. Tetra Tech produced a technical

memo with their findings, opinions and recommendations as a result of this visit, dated August 15, 2017 (the "Tetra Tech Report"). The Tetra Tech Report is attached as Appendix E and notes that the lower of the two retaining walls appears to be bulging midway along the length of the wall, suggesting that the fill installed above it is exceeding its retaining capacity. The Tetra Tech Report also notes that the lower wall has been constructed in a manner that has resulted in "extreme honeycombing" or voids in the bottom third of the top wall, which suggests a weak bond in the aggregate material which makes up the wall structure in this area and indicates that the wall may fall and collapse. Tetra Tech recommends that "workers not be allowed to within 2.5 m of the wall without further shoring or protection".

The partially constructed and deteriorating nature of the additions and alterations to the House creates an aesthetically displeasing view for nearby property owners and the public, as depicted in the photographs attached as appendices to this Report. With the roof being off the structure and only covered by a polyethylene tarp the interior of the building would be exposed to effect of weather (snow and rain) and access to animals like birds, racoons and squirrels which have an associated health concerns. The Retaining Walls, in addition to having structural stability shortcomings, are constructed in part from discarded materials such as garage doors and are unsightly. As a result of these aesthetic and sanitary concerns, as well as the fact that the House and Retaining Walls are hazardous to persons venturing on to the Property and to neighbors and the public in the event of their collapse or deterioration, staff recommends that Council also declare the House and Retaining Walls to be a nuisance.

Discussion:

Given the lengthy history of the Building Bylaw and Code infractions identified in this Report, and the Owner's failure to address these issues to the City's satisfaction despite having multiple opportunities to do so in the context of the City's progressive enforcement steps, as well as the serious nature of the potential public health and safety risks created by the structural and geotechnical deficiencies extant in the unauthorized works on the Property, staff recommends that Council consider the use of its remedial action powers under the *Community Charter*.

Part 3, Division 12 of the *Community Charter* allows Council to declare the House and Retaining Walls on the Property to be structures which are a nuisance and are in or create an unsafe condition and contravene the City's Building Bylaw and the BC Building Code, and to order that specific actions be taken by the Owner at their own expense to remediate the nuisance and hazardous conditions. If the Owner fails to comply with the remedial action requirement as ordered by Council, the *Community Charter* also permits Council to make an order that the City by its agents, contractors or City staff may enter on to the Property and take steps to carry out the remedial action requirements in default at the Owner's expense and bring the Property into compliance.

Conclusion:

Staff recommend that Council proceed with imposing a remedial action requirement for the Property in the suggested terms, since the above noted progressive enforcement steps have not been effective, there are ongoing life-safety concerns, and there is significant impact to the public and adjacent landowners.

Internal Circulation:

K. Hunter, Bylaw Services Supervisor

T. Kowal, Building Inspection & Licensing Manager

S. Fleming, City Clerk

Legal/Statutory Authority:

Pursuant to s. 73(1)(a) of the *Community Charter*, Council may impose a remedial action requirement in respect of “a building or other structure”. Pursuant to s. 73(2), Council may only impose such a remedial action requirement if Council considers that the building is in or creates an unsafe condition, or contravenes the provincial building regulations or the City’s Building Bylaw.

Section 2.2.1(a) of the City’s Building Bylaw prohibits work from being done on buildings or structures in the City without applying for and receiving a building permit in advance, or contrary to the requirements of the BC Building Code. Given that the Owner has not applied for or received a building permit for the modifications to the House or the construction of the Retaining Walls, and given that the work does not comply with the structural requirements of the BC Building Code, the House and the Retaining Walls are in violation of the Building Bylaw and the Building Code, as well as being in an unsafe condition.

Pursuant to s. 74(1)(a) of the *Community Charter*, Council may also impose a remedial action in respect of a “building or other structure” if Council considers that it is a nuisance or is “so dilapidated or unclean as to be offensive to the community”.

Pursuant to s. 72(2)(b), the remedial action requirement may require the owner of a structure to undertake the following measures with respect to the structure:

- i. Remove or demolish it,
- ii. Fill it in, cover it or alter it,
- iii. Bring it up to the standard specified by bylaw, or
- iv. Otherwise deal with it in accordance with the direction of council or a person authorized by council.

Legal/Statutory Procedural Requirements:

Community Charter Sections 76-80 outline procedural requirements necessary to impose remedial action. This includes owner notification, Council consideration of the declaration and remedy at a public meeting, and time limits for remedial action.

Section 77 of the *Community Charter* establishes that notice of a remedial action requirement must be given by personal service or registered mail to the person subject to the requirement, the owner of the land where the action was to be carried out, any other person who is an occupier of the land, and any registered charge-holder (for example, mortgage holders).

Section 79 empowers the City to give less than 30 days’ notice where Council considers there to be a “significant risk to health or safety.” In this case, staff suggest that 30 days should be an appropriate amount of time for the Owner to remedy the situation.

Under Section 78 of the *Community Charter*, a person affected by a remedial action requirement may seek reconsideration of Council's decision to impose the requirement by submitting a written request within 14 days of the notice of the remedial action requirement being sent to the owner. Council must

then provide an opportunity to the owner or other party having an interest in the property to make representations before Council. After hearing the owner or other party, Council may confirm, amend, or cancel the remedial action requirement

Section 17 of the *Community Charter* permits Council to resolve that if the remedial action requirement has not been satisfied by the property owner within the designated time limit, the City, through its staff, agents or contracts, may complete the work required at the Owner's expense and recover the costs incurred from the Owner as a debt. Section 258 and 259 of the *Community Charter* permit the recovery of this debt by way of adding it to the taxes owing for the Property.

Financial/Budgetary Considerations:

If any work required by a remedial action requirement were ultimately completed by the City after the Owner's default, all of the direct costs associated with carrying out this work on the Property could be charged to the Owner and added to the Property's taxes if unpaid by the end of the calendar year in which they were imposed.

Considerations not applicable to this report:

Existing Policy

External Agency/Public Comments

Communications Comments

Submitted by:

Ryan Smith, Divisional Director, Planning & Development Services

Approved for inclusion:



Ryan Smith, Divisional Director

Appendices:

Appendix A : 16 photographs of the House on the Property taken by Bylaw staff on June 13, 2017

Appendix B : 7 photographs of the Retaining Walls on the Property taken by Bylaw staff on June 13, 2017

Appendix C: Compliance letter to Property Owner, April 19, 2017

Appendix D: RJC Report, August 4, 2017

Appendix E: Tetra Tech Report, August 15, 2017

cc:

K. Hunter, Bylaw Services Supervisor

T. Kowal, Building Inspection & Licensing Manager

S. Fleming, City Clerk



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Date April 19, 2017

Hand Delivered by Bylaw Services



██████████
424 Gibson Rd
Kelowna, BC
V1P 1C3

Re: 424 Gibson Rd Kelowna BC

On July 28, 2010 we wrote to you requesting that the construction occurring on the site (424 Gibson Rd) be done under permit(s). Since that time we have attempted to work with you and your consultants to mitigate the work done to date thru the permitting process. Your efforts to date to comply to the minimum requirements of by the City of Kelowna Zoning Bylaw, Building Bylaw and Nuisance Bylaw have fallen short of compliance. As you are aware all of your building permits have now been expired due to inactivity as required by the Building Bylaw. At this date we require you to remove all the non compliant work including but not limited to unpermitted structures, unpermitted retaining wall(s), unpermitted hard surfacing (site coverage), and exterior storage from this site as per the requirements of the City Bylaws.

The work identified above includes but is not limited to the following to meet compliance with the Zoning Bylaw No. 8000:

- 1) Removal of the Outdoor storage contrary to use in RU1 zone (site is considered RU1 Zoning Bylaw 1.7.1).
- 2) Removal of the site Coverage exceeding 50% for buildings and parking (contrary to Zoning Bylaw section 13.1.6(a))
- 3) Removal of the excess front yard parking. Parking is not permitted in a required front yard setback unless in front of a garage or carport - contrary to Zoning Bylaw Section 8.1.9(a)
- 4) Removal of the retaining walls in excess of 1.2m in height – contrary to Zoning Bylaw Section 7.5.9

The work required includes but is not limited to the following to meet compliance with the Building Bylaw, 1993, No. 7245

- 1) The Building exterior is to be repaired / completed to minimum Building Code standards (contrary to Building Bylaw section 4.9.7)
- 2) Removal of the site manufactured green house (contrary to Building Bylaw section(s) 3.5.1 & 4.1.1)

Please be advised that if you have not complied with the request or signed a compliance agreement with the City by May 31, 2017, we may contact your mortgage provider (if applicable) to define the non-compliance to the property, and we may also be seeking one or more of the following actions:

1. Registering of a Section 57 under the Community Charter onto your legal land title, and/or
2. Registering of a Section 72 under the Community Charter, and /or
3. Prosecution under the Offence Act; and/or
4. An application to the Supreme Court of British Columbia for a mandatory injunction

With respect to the Section 57, we would define that there are building deficiencies to any future owners at time of land transfer. This also may affect the ability to mortgage the property at a bank or other financial institution.

With respect to the Section 72 of the Community Charter, which fererences both Section 73 & 74 of the Community Charter, we would seek to have City Council declare this property a nuisance and/or hazard. This would be done so future owners at time of land transfer would be made aware of the site issues, if not fully resolved by you. This would also empower the City



Building & Permitting Branch
1435 Water Street
Kelowna, BC V1Y 1J4
TEL 250 469-8960
FAX 250 862-3314
kelowna.ca

to hire consultants, contractors or City staff to bring the property into compliance. The cost associated with this work done by the City or its representatives would be added to the property taxes for this property.

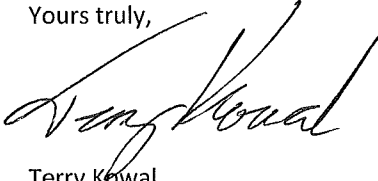
With respect to any prosecution, we would be seeking a conviction under the Offence Act plus significant fines.

With respect to an application to the Supreme Court, we would be seeking an order requiring you to comply with Kelowna Bylaws. Should you fail to obey any such order, once obtained, we would then bring contempt proceedings against you seeking a fine(s) and a correction order to pay our legal costs and direction from the courts to obtain compliance.

Your compliance within the allotted time frame will enable you to avoid these proceedings and associated costs. Please book an inspection with the City of Kelowna Building Department and Bylaw Services to verify compliance before the May 31 date. Please contact the city via the internet at Kelowna.ca or by phone at 250-469-8977 to book your inspection.

I suggest you contact your insurance provider to ask how this will affect your insurance coverage if compliance is not achieved. If you have any questions or concerns regarding this matter, please call 250-469-8579.

Yours truly,



Terry Kowal
Supervisor of Building, Plumbing and Gas Inspectors

- cc: Greg Wise – Bylaw Services Manager
Doug Patan – Building & Permitting Manager
Ryan Smith – Community Planning Department Manager
Lance Kayfish – Risk Manager
Stephen Flemming – City Clerk and Acting Divisional Director of Corporate and Protective Services



ACCREDITED

Building & Permitting Branch
1435 Water Street
Kelowna, BC V1Y 1J4
TEL 250 469-8639
FAX 250 862-3314
kelowna.ca

August 04, 2017

City of Kelowna
Building Department
1435 Water Street
Kelowna BC V1Y 1J4

RE: 424 Gibson Road, Kelowna BC
Structural Building Condition Assessment

RJC No. KEL.118817.0001

Further to your request, Read Jones Christoffersen Ltd. (RJC Engineers) attended the above address on July 24, 2017 to perform a visual review the structural condition of the existing and as-constructed house, exterior decks and cast-in-place concrete retaining walls. The following summarizes our observations and opinion arising from those observations.

BACKGROUND

The subject building is a two-storey wood frame residence with a walkout basement level. Based on correspondence with the City, it is our understanding that the home owner has undertaken extensive renovations to the existing building structure, as well as performed new construction, over a time period of multiple years.

The scope of our review is to provide a high level overview of the work that has been performed and to provide an opinion, where possible, as to the structural integrity of the existing and new construction.

OBSERVATIONS

At the time of our review additions and renovations to the original building structure were in progress and are evident on each side of the building. None of the works in progress are complete, with large areas of the walls and roof structure open to the weather.

The structure of the main house appears to be in various states of construction and deconstruction. Observed conditions include:

- Incomplete enclosure of roof truss ends and side walls.
- Incomplete or partially sheathed walls.
- Moisture staining on OSB and plywood wall elements.
- Cantilevered framing with unknown back-spans, overlain with sheathing.



The wood deck at the main floor elevation on the west side of the house was observed to be in various states of construction and/or deconstruction. Observed conditions include:

- Nail laminated deck with random wood pattern. Nailing cannot be confirmed.
- Nail laminated decking is exposed to weather and exhibits weather related staining and possible deterioration of members.
- Vertical support of the nail-laminated deck appears temporary in nature.
- Glu-laminated beams are exposed to weather and exhibit weathering related staining and possible deterioration at the ends of the members.
- Temporary bracing, temporary supports and temporary guards are in various states of use and were observed to be incomplete or to have incomplete load path.
- No observed permanent lateral load path.

Numerous retaining walls have been constructed by the current property owner. Observations relating to the retaining walls include:

- Retaining walls constructed above existing retaining walls extending their height.
- Significant cracks indicating flexural and settlement failures

Large voids in the cast-in-place concrete walls.

STRUCTURAL OPINIONS

Based on visual observations it is our opinion that there are numerous life safety concerns, both to the occupants of the subject property as well as for the adjacent property owners and general public. Of foremost concern, the open roof structure leaves it susceptible to large winds that could result in either partial collapse of the building or debris flying onto adjacent properties or the street.

While the partially constructed and/or deconstructed deck on the west side of the building has randomly spaced temporary shoring posts installed, no structure was observed that would provide lateral stability to the deck construction. In addition to there not being guardrails on the deck, the deck itself is susceptible to full or partial collapse, representing a life safety risk to the occupants of the property.

The structural retaining walls are less of an immediate life-safety concern, the cracking and settlements observed in addition to poor construction represents a risk of potential damage to the adjacent properties in the event of wall movement or failure. We are not able to observe the wall footings or reinforcing steel if any; it is not known how overall stability of these walls is achieved. .

In conclusion, it is our opinion that the modifications and additions made to the original building structure, as well as the new or modified structural retaining walls on the property, are in non-compliance with the structural requirements of the British Columbia building code. On this basis the structures would be deemed as unsafe.



LIMITS OF COMMISSION

Services performed and outlined in this report were based upon visual observations of the site. Our opinion cannot be extended to portions of the site that were not reviewed or situations reasonably beyond the control of RJC. This report has been prepared in accordance with generally accepted engineering practices.

CLOSURE

We trust this report meets your current requirements. Please contact our office with any questions regarding this matter.

Yours truly,

READ JONES CHRISTOFFERSEN LTD.

A handwritten signature in blue ink, appearing to be 'PH', written over a horizontal line.

Paul Heinrichs, M.Eng. P.Eng, PE
Senior Project Engineer



AUG 4 17

PWH/ceb

August 15, 2017

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

ISSUED FOR REVIEW
FILE: ENG.KGEO03079-27
Email: tkowal@kelowna.ca

Attention: Mr. Terry Kowal

Subject: 424 Gibson Road, Kelowna, BC - Retaining Wall Geotechnical Assessment

This 'Issued for Review' document is provided solely for the purpose of client review and presents our interim findings and recommendations to date. Our usable findings and recommendations are provided only through an 'Issued for Use' document, which will be issued subsequent to this review. Final design should not be undertaken based on the interim recommendations made herein. Once our report is issued for use, the 'Issued for Review' document should be either returned to Tetra Tech Canada Inc. (Tetra Tech) or destroyed.

1.0 INTRODUCTION

The City of Kelowna (the City) has retained Tetra Tech Canada Inc. (Tetra Tech) to carry out a geotechnical assessment of two retaining walls constructed on the west area of the property located at 424 Gibson Road in Kelowna, BC. Tetra Tech understands that these walls do not comply with the requirements of the City. Therefore, the intent of the City is to present this assessment to City council to aid in the assessment of the amount of action that the City should engage with the owner to achieve compliance. Figure 1 shows the location of the project and the section of wall assessed.

This report presents findings and observations from a site visit and provides an opinion and recommendations regarding the two retaining walls.

2.0 SCOPE OF WORK

The scope of work provided to the City via email on June 27, 2017, and approved by the City by email on July 18, 2017, includes:

- Attend the property on Gibson Road and conduct a visual geotechnical assessment of the retaining walls that were constructed.
- Prepare a technical memo with our findings, opinions, and recommendations.

3.0 SITE OBSERVATIONS

Tetra Tech visited the property with Mr. Terry Kowal, the City representative, and Mr. Paul Heinrichs, structural engineer from RJC Engineers Ltd., on July 24, 2017. The lot has an approximate area of 0.35 acres and its legal address is Township 26 Plan KAP17167 Section 25 Lot 4. We understand that the owner of the property has implemented some updates to the property and lot area through the years without proper applications to the City. We also understand that the original lot landscape sloped downhill from east to west and that the west area has

been altered by building retaining walls and backfilling to raise the ground elevation. Construction of these retaining walls has creating two terrace levels (see attached photos).

The first terrace is supported by the most westerly wall running along the west property line. This wall is approximately 0.80 m high and supports an approximately 2.0 m high backslope inclined at about 70° (Photos 9, 10, and 11). Following the backslope there is a flat terrace that is approximately 10 m wide (Photo 12) that ends on the base of the upper wall (Photo 1).

The upper wall is approximately 2.6 m high (Photos 1 and 2). It has been built on a concrete footing founded on fill material. A weeping tile (Big “O”) of unknown length has been placed on the front part of the footing (Photo 5). The footing and wall have been constructed using rounded to subrounded gravel to boulder-sized rocks bound with mortar (Photos 6 and 7). The wall is inclined approximately 78° and is buttressed at the south end by a return wall approximately 5 m long that ends on the access for the lower terrace (Photo 4). A flat terrace approximately 15 m wide sits on top of this second wall (Photo 8).

4.0 DISCUSSION AND RECOMMENDATIONS

Based on field observations and experience in design/construction of retaining wall systems our comments include:

- Retaining walls are structures that support backfill and allow for a change of grade. Retaining wall structures can be gravity-type structures, semi-gravity type structures, and counterfort-type structures. It is difficult to establish the type of structure constructed at 424 Gibson without a design scheme, record drawings, or knowing the existing soil conditions. It is recommended that a subsurface investigation be carried out to define the soil conditions of the backfill material and establish shear resistance parameters to determine the stability of the walls.
- Considering the observed elements used for the construction of the retaining walls we may classify both walls as semi-gravity retaining walls.
- The lower wall (approximately 0.80 m high) seems to be bulging about midway along the length of the wall. The surcharge caused by approximately 2.0 m fill material inclined about 70° may, therefore, be exceeding the capacity of the retention system.
- Likely the Factor of Safety against overturning and sliding on the lower wall is close to 1.0. Therefore, it is recommended that the fill slope be reduced to a 1.5(H):1(V) slope (33.7°). If the fill slope is not reduced a setback distance of 3.0 m should be established from the edge of the slope to any load applied on the flat area above the wall.
- The upper wall is a semi-gravity cast-in-place wall that is made with oversized aggregate (gravel to boulder sizes). It seems that this wall was built by framing, dumping the aggregate materials and filling it up with wet concrete. Due to the construction method extreme honeycombing is observed mainly on the bottom third of the wall. The segregation has caused significant voids that have little or no filling material (concrete) so the bond between the coarse aggregate appears to be very weak.
- Due to the likely weak bond between aggregate on the bottom of the wall, there is a risk that the all may fail and collapse. Therefore it is recommended that workers not be allowed to within 2.5 m of the wall without further shoring or protection.
- Due to the unknown construction methods and foundation conditions of the upper wall, it is recommended that a setback distance from the edge of the wall of twice the height of the wall (~ 5.0m) should be established for load applied on the flat area above the wall.

5.0 LIMITATIONS OF REPORT

This report and its contents are intended for the sole use of the City of Kelowna and their agents. Tetra Tech Canada Inc. (operating as Tetra Tech) does not accept any responsibility for the accuracy of any of the data, the analysis, or the recommendations contained or referenced in the report when the report is used or relied upon by any Party other than the City of Kelowna, or for any Project other than the proposed development at the subject site. Any such unauthorized use of this report is at the sole risk of the user. Use of this report is subject to the terms and conditions stated in Tetra Tech Canada Inc.'s Services Agreement. Tetra Tech's General Conditions are provided in Appendix A of this report.

6.0 CLOSURE

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

Respectfully submitted,
 Tetra Tech Canada Inc.

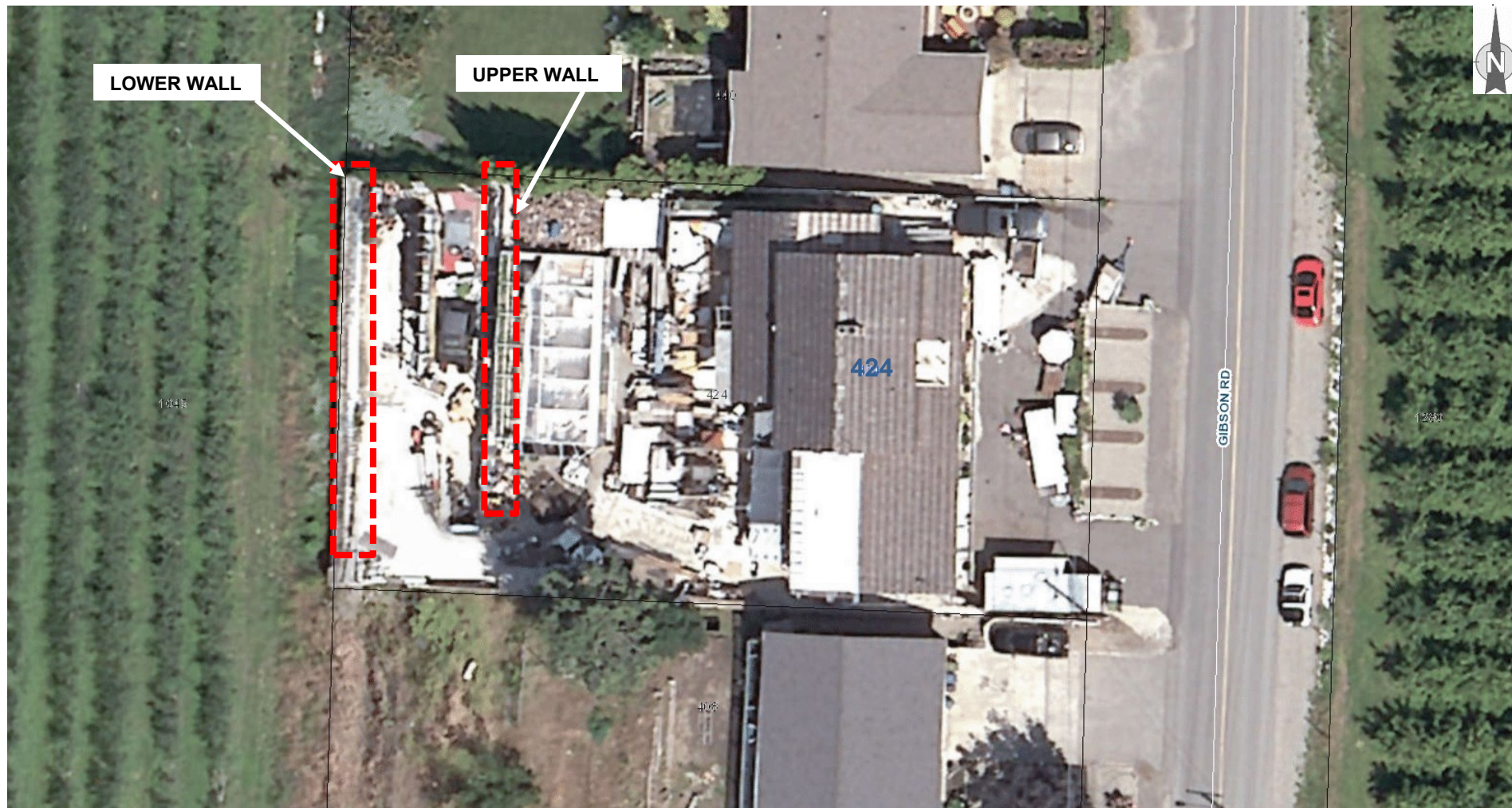
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Reviewed by:
 Shane Greene, M.Sc.
 Geotechnical Engineer
 Engineering Practice
 Direct Line: 250.862.3026 x230
 german.martinez@tetrattech.com

/mj

FIGURES

Figure 1 Site Location Plan



LEGEND

NOTES

STATUS
ISSUED FOR USE

CLIENT



**RETAINING WALL ASSESSMENT
424 GIBSON ROAD, KELOWNA, BC**

Site Location Plan

PROJECT NO. ENG.KGEO03079-27	DWN GM	CKD GM	APVD GM	REV 0
OFFICE EBA-KEL	DATE August 11, 2017			

Figure 1
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PHOTOGRAPHS

- Photo 1 Upper wall view to north.
- Photo 2 Upper wall center area. Gravel to boulder size rocks bound with mortar.
- Photo 3 Upper wall north end. Coble to boulder size rocks bound with mortar.
- Photo 4 Upper wall south end approximately 2.6 m high. Coble to boulder size rocks bound with mortar.
- Photo 5 Upper wall south end. Weeping tile below footing wall.
- Photo 6 Upper wall cobble to boulder size rocks bounded with mortar. Significant voids shown.
- Photo 7 Upper wall gravel to boulder size rocks bounded with mortar.
- Photo 8 Flat slope above upper wall.
- Photo 9 Lower wall and steep (~70°) 2.0 m high backslope.
- Photo 10 Lower wall. Approximately 0.80 m high wall. Looking to the north.
- Photo 11 Lower wall looking south from top of backslope.
- Photo 12 Surcharge flat area above steep backslope of lower wall.



Photo 1: Upper wall view to north.



Photo 2: Upper wall center area. Gravel to boulder size rocks bound with mortar.



Photo 3: Upper wall north end. Cobble to boulder size rocks bound with mortar.



Photo 4: Upper wall south end approximately 2.6 m high. Cobble to boulder size rocks bound with mortar.



Photo 5: Upper wall south end. Weeping tile below footing wall.



Photo 6: Upper wall cobble to boulder size rocks bounded with mortar. Significant voids shown.



Photo 7: Upper wall gravel to boulder size rocks bounded with mortar.



Photo 8: Flat slope above upper wall.



Photo 9: Lower wall and steep (~70°) 2.0 m high backslope.



Photo 10: Lower wall. Approximately 0.80 m high wall. Looking to the north.



Photo 11: Lower wall looking south from top of backslope.



Photo 12: Surcharge flat area above steep backslope of lower wall.

APPENDIX A

TETRA TECH'S GENERAL CONDITIONS

GENERAL CONDITIONS

GEOTECHNICAL REPORT

This report incorporates and is subject to these "General Conditions".

1.1 USE OF REPORT AND OWNERSHIP

This geotechnical report pertains to a specific site, a specific development and a specific scope of work. It is not applicable to any other sites nor should it be relied upon for types of development other than that to which it refers. Any variation from the site or development would necessitate a supplementary geotechnical assessment.

This report and the recommendations contained in it are intended for the sole use of TETRA TECH's Client. TETRA TECH does not accept any responsibility for the accuracy of any of the data, the analyses or the recommendations contained or referenced in the report when the report is used or relied upon by any party other than TETRA TECH's Client unless otherwise authorized in writing by TETRA TECH. Any unauthorized use of the report is at the sole risk of the user.

This report is subject to copyright and shall not be reproduced either wholly or in part without the prior, written permission of TETRA TECH. Additional copies of the report, if required, may be obtained upon request.

1.2 ALTERNATE REPORT FORMAT

Where TETRA TECH submits both electronic file and hard copy versions of reports, drawings and other project-related documents and deliverables (collectively termed TETRA TECH's instruments of professional service); only the signed and/or sealed versions shall be considered final and legally binding. The original signed and/or sealed version archived by TETRA TECH shall be deemed to be the original for the Project.

Both electronic file and hard copy versions of TETRA TECH's instruments of professional service shall not, under any circumstances, no matter who owns or uses them, be altered by any party except TETRA TECH. TETRA TECH's instruments of professional service will be used only and exactly as submitted by TETRA TECH.

Electronic files submitted by TETRA TECH have been prepared and submitted using specific software and hardware systems. TETRA TECH makes no representation about the compatibility of these files with the Client's current or future software and hardware systems.

1.3 ENVIRONMENTAL AND REGULATORY ISSUES

Unless stipulated in the report, TETRA TECH has not been retained to investigate, address or consider and has not investigated, addressed or considered any environmental or regulatory issues associated with development on the subject site.

1.4 NATURE AND EXACTNESS OF SOIL AND ROCK DESCRIPTIONS

Classification and identification of soils and rocks are based upon commonly accepted systems and methods employed in professional geotechnical practice. This report contains descriptions of the systems and methods used. Where deviations from the system or method prevail, they are specifically mentioned.

Classification and identification of geological units are judgmental in nature as to both type and condition. TETRA TECH does not warrant conditions represented herein as exact, but infers accuracy only to the extent that is common in practice.

Where subsurface conditions encountered during development are different from those described in this report, qualified geotechnical personnel should revisit the site and review recommendations in light of the actual conditions encountered.

1.5 LOGS OF TESTHOLES

The testhole logs are a compilation of conditions and classification of soils and rocks as obtained from field observations and laboratory testing of selected samples. Soil and rock zones have been interpreted. Change from one geological zone to the other, indicated on the logs as a distinct line, can be, in fact, transitional. The extent of transition is interpretive. Any circumstance which requires precise definition of soil or rock zone transition elevations may require further investigation and review.

1.6 STRATIGRAPHIC AND GEOLOGICAL INFORMATION

The stratigraphic and geological information indicated on drawings contained in this report are inferred from logs of test holes and/or soil/rock exposures. Stratigraphy is known only at the locations of the test hole or exposure. Actual geology and stratigraphy between test holes and/or exposures may vary from that shown on these drawings. Natural variations in geological conditions are inherent and are a function of the historic environment. TETRA TECH does not represent the conditions illustrated as exact but recognizes that variations will exist. Where knowledge of more precise locations of geological units is necessary, additional investigation and review may be necessary.

1.7 PROTECTION OF EXPOSED GROUND

Excavation and construction operations expose geological materials to climatic elements (freeze/thaw, wet/dry) and/or mechanical disturbance which can cause severe deterioration. Unless otherwise specifically indicated in this report, the walls and floors of excavations must be protected from the elements, particularly moisture, desiccation, frost action and construction traffic.

1.8 SUPPORT OF ADJACENT GROUND AND STRUCTURES

Unless otherwise specifically advised, support of ground and structures adjacent to the anticipated construction and preservation of adjacent ground and structures from the adverse impact of construction activity is required.

1.9 INFLUENCE OF CONSTRUCTION ACTIVITY

There is a direct correlation between construction activity and structural performance of adjacent buildings and other installations. The influence of all anticipated construction activities should be considered by the contractor, owner, architect and prime engineer in consultation with a geotechnical engineer when the final design and construction techniques are known.

1.10 OBSERVATIONS DURING CONSTRUCTION

Because of the nature of geological deposits, the judgmental nature of geotechnical engineering, as well as the potential of adverse circumstances arising from construction activity, observations during site preparation, excavation and construction should be carried out by a geotechnical engineer. These observations may then serve as the basis for confirmation and/or alteration of geotechnical recommendations or design guidelines presented herein.

1.11 DRAINAGE SYSTEMS

Where temporary or permanent drainage systems are installed within or around a structure, the systems which will be installed must protect the structure from loss of ground due to internal erosion and must be designed so as to assure continued performance of the drains. Specific design detail of such systems should be developed or reviewed by the geotechnical engineer. Unless otherwise specified, it is a condition of this report that effective temporary and permanent drainage systems are required and that they must be considered in relation to project purpose and function.

1.12 BEARING CAPACITY

Design bearing capacities, loads and allowable stresses quoted in this report relate to a specific soil or rock type and condition. Construction activity and environmental circumstances can materially change the condition of soil or rock. The elevation at which a soil or rock type occurs is variable. It is a requirement of this report that structural elements be founded in and/or upon geological materials of the type and in the condition assumed. Sufficient observations should be made by qualified geotechnical personnel during construction to assure that the soil and/or rock conditions assumed in this report in fact exist at the site.

1.13 SAMPLES

TETRA TECH will retain all soil and rock samples for 30 days after this report is issued. Further storage or transfer of samples can be made at the Client's expense upon written request, otherwise samples will be discarded.

1.14 INFORMATION PROVIDED TO TETRA TECH BY OTHERS

During the performance of the work and the preparation of the report, TETRA TECH may rely on information provided by persons other than the Client. While TETRA TECH endeavours to verify the accuracy of such information when instructed to do so by the Client, TETRA TECH accepts no responsibility for the accuracy or the reliability of such information which may affect the report.



Property Standards Compliance Team 424 Gibson Road

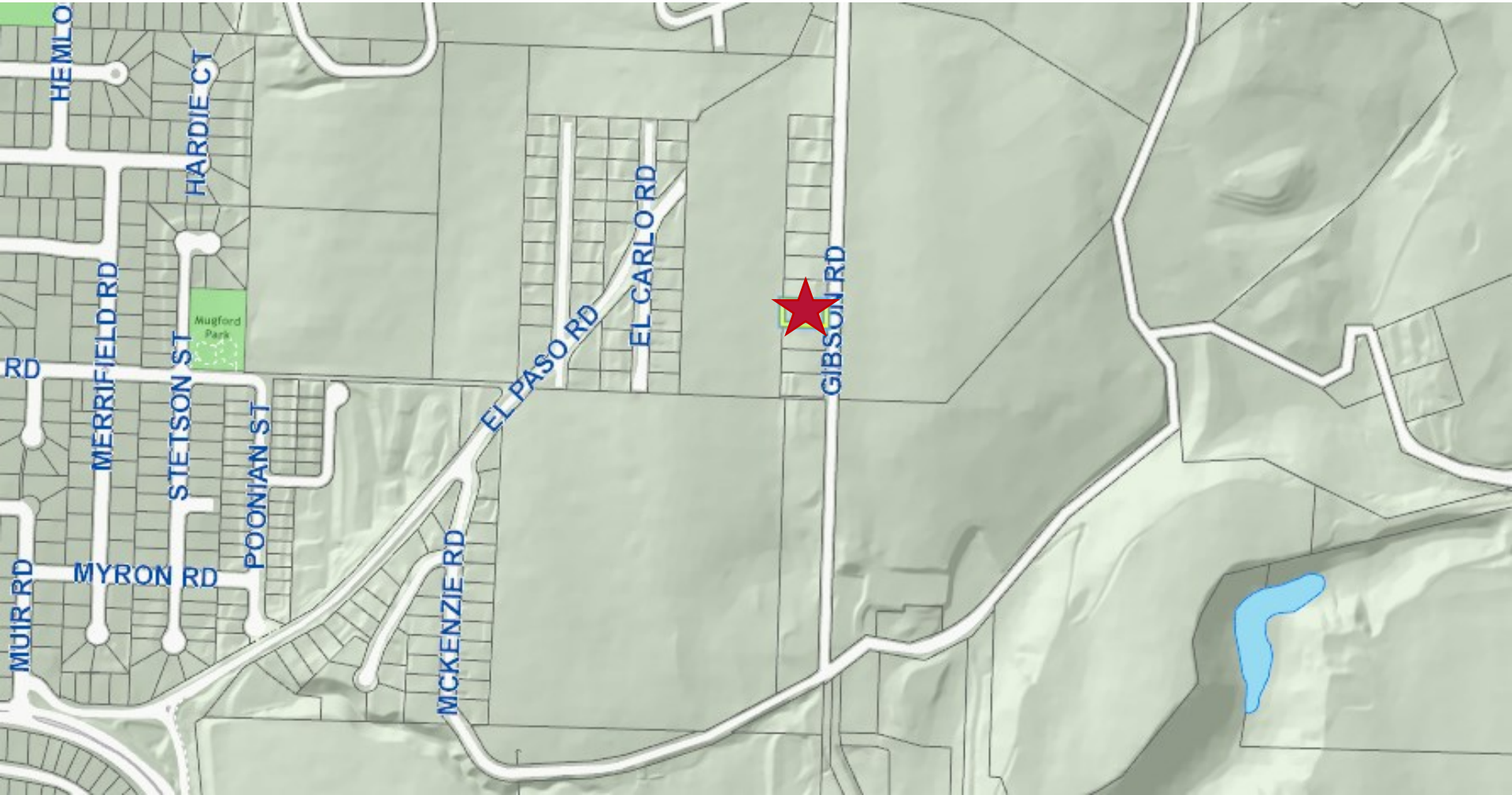
Remedial Action



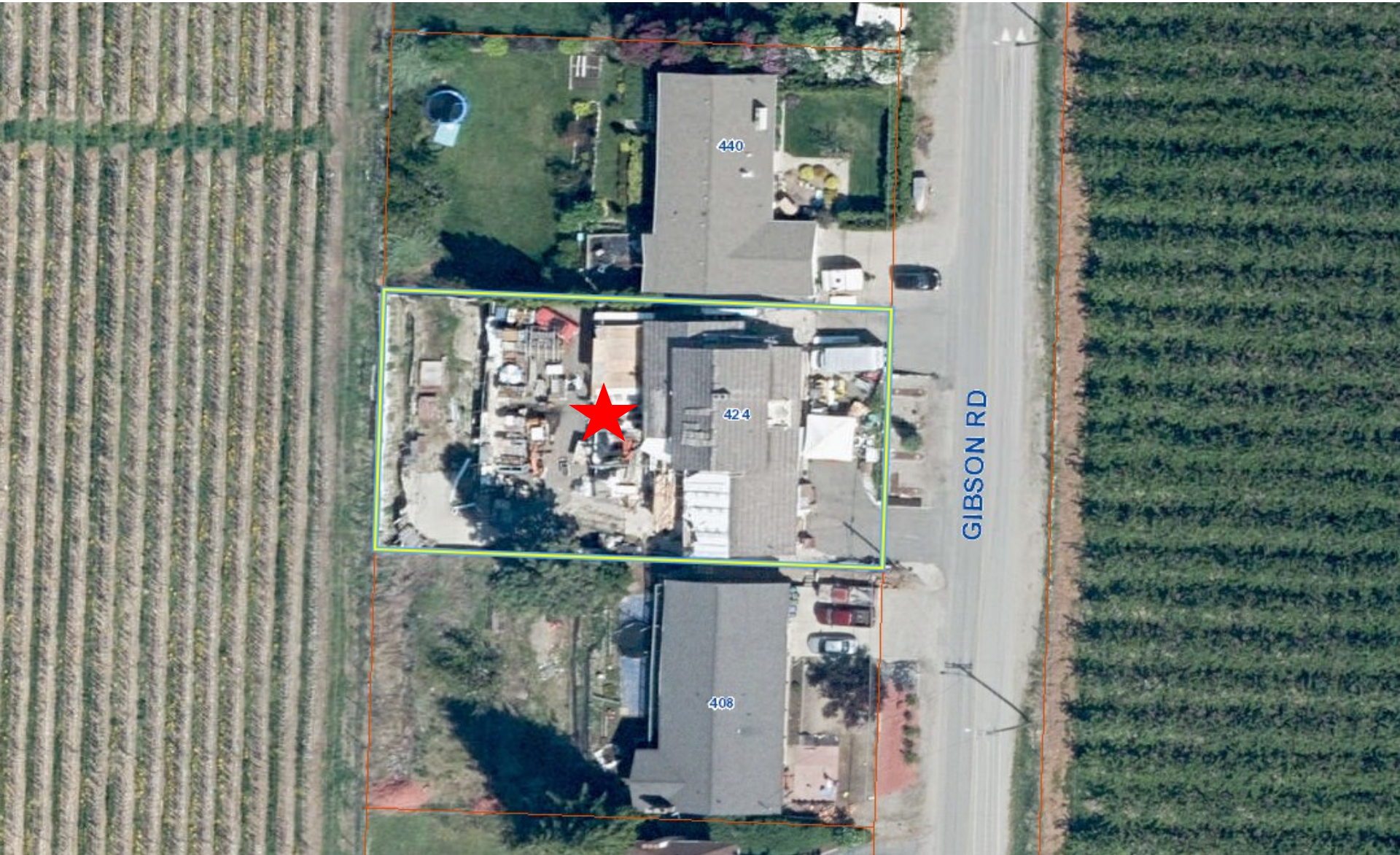
Proposal

- ▶ To consider imposing a Remedial Action Requirement (RAR) in relation to structures located at 424 Gibson Road pursuant to Sections 72, 73 and 74 of the Community Charter

Context Map



Subject Property



Background

- ▶ Property has been owned since 2010
- ▶ Multiple unpermitted structures including retaining walls
- ▶ 24 attendances to the property
 - ▶ Bylaw, Planning and Building Departments
 - ▶ Unsightly, construction-related traffic, solid waste storage, construction noise, and other nuisance contraventions
- ▶ Multiple enforcement actions and compliance efforts over a seven year period

Background

- ▶ Single Family Dwelling
 - ▶ Two-storey, originally constructed in 1969
 - ▶ Numerous incomplete renovations and modifications
 - ▶ Open roof structure, no structural support for decking
- ▶ Retaining Walls
 - ▶ Three retaining walls non permitted and not engineered

Site Photos



Technical Studies

▶ Structural Engineering

- ▶ Read Jones Christofferson Ltd., dated August 4, 2017
- ▶ Stated numerous life safety concerns for the properties occupants, adjacent property owners and general public

▶ Geotechnical Engineering

- ▶ Tetra Tech Canada Inc, dated August 15, 2017
- ▶ Bulging in retaining walls, extreme honeycombing, and weak bonds in aggregate material
- ▶ Recommended workers not be within 2.5m of the wall without further shoring or protection

Recommendation

- ▶ Staff recommend that Council proceed with imposing a remedial action requirement for the Property in the suggested terms
 - ▶ since the above noted progressive enforcement steps have not been effective;
 - ▶ there are ongoing life-safety concerns; and
 - ▶ there is significant impact to the public and adjacent landowners.

Report to Council



Date: July 26, 2021
To: Council
From: City Manager
Subject: Infill Challenge Design Competition 2.0
Department: Policy & Planning

Recommendation:

THAT Council receives for information the report from the Policy & Planning Department dated July 26, 2021;
AND THAT Council direct staff to proceed with the Infill Challenge Design Competition 2.0 as proposed in the report from the Policy & Planning Department dated July 26, 2021;
AND FURTHER THAT the Financial Plan be amended to include this \$56,000 project with funding of \$20,000 from a CMHC grant, \$16,000 or contributions from community partners, and \$20,000 from the Policy and Planning 2021 operating budget.

Purpose:

To consider launching the Infill Challenge Design Competition 2.0 project.

Background:

Infill housing is defined as the addition of new housing, ranging from carriage houses to tri-plexes and four-plexes, into existing neighbourhoods. In Kelowna, infill housing has a central role to play in providing critically needed ground-oriented homes that are attainable for a broad range of residents. Currently approximately 80% of Kelowna’s residential land is zoned for single dwelling homes (SDH)¹, but only about 20% of Kelowna’s residents can afford to purchase a median priced SDH². Infill housing helps to provide diverse housing forms and increase housing choice beyond SDHs and apartment housing. Additionally, infill housing is an important part of the City's strategy to combat the impacts of urban sprawl. Focusing growth in areas with existing infrastructure such as roads, schools, parks, and transit helps build resilient neighbourhoods with access to daily services.

The City of Kelowna has historically shown strong leadership on infill housing, including allowing secondary suites and carriage houses in some areas of the City since the 1990s. In 2016, City staff initiated an innovative Infill Challenge Design Competition. From this, two winning designs were selected which formed the basis of a new sensitive infill zone (RU7). Over 800 parcels in central

¹ Based on Kelowna land zoned for SDHs divided by total amount of land zoned for all residential uses.
² Based on assumptions used in the [Regional Housing Needs Assessment’s](#) Homeownership Affordability Analysis.

neighbourhoods were pre-zoned to RU7 and since early 2017 approximately 300 RU7 units have received building permits.

There were several key takeaways from the original Infill Design Challenge and RU7 zone implementation³. The initiative was successful in generating new, more attainable forms of ground-oriented rental and ownership housing in central areas of Kelowna. However, staff acknowledge that while RU7 units were overall more attainable than SDHs, the units produced were generally not considered “affordable” housing. Additionally, there have been challenges in providing infrastructure such as trees, boulevards, and sidewalks in infill neighbourhoods, which affects livability. Finally, there was also feedback that infill housing would benefit from a higher level of design excellence.

Discussion:

Infill Challenge Design Competition 2.0

Infill housing remains critical and is supported by Council’s priority of providing an appropriate mix of context sensitive housing that is affordable and attainable. Infill housing is also supported in current OCP policy and the Healthy Housing Strategy. Additionally, the draft 2040 OCP growth strategy projects that about 25 per cent of future growth will be in the form of infill housing.

Staff are seeking to host a second Infill Challenge Design Competition (IDC 2.0) to show continued leadership on infill housing. The goal of IDC 2.0 is to generate new housing ideas for existing mature lots in established neighbourhoods. Staff estimate that there are 2,500-3,000 existing lots that have considerable potential for redevelopment over the next ten or more years. Examples of these lots, typically developed in the 1960s and 1970s, can be found in neighbourhoods including Rutland, Lower Mission, and Glenmore. A fundamental difference between these lots and the neighbourhoods that were the subject of the initial Design Challenge is the lack of rear laneways, meaning new design ideas are needed. The overarching objectives of IDC 2.0 are to:

- Introduce new forms of infill housing not presently permitted in Kelowna
- Expand the supply and diversity of housing in new parts of Kelowna
- Demonstrate how infill housing can be well designed while meeting various community objectives, including affordability, diversity, resiliency, inclusivity, and livability
- Provide area residents with examples of how infill housing could improve their neighbourhoods
- Reinforce positive relationships between the City, the development and home building industry, and area residents

IDC 2.0 will build upon best practices and lessons learned from the original Design Challenge through these expanded objectives which will be reflected in the judging criteria. Participants in the competition will be asked to provide a rationale for how their proposal can provide diverse forms of affordable housing, contribute an inclusive community with a high standard of livability, increase resiliency in the face of climate change, and achieve design excellence.

Post-competition, IDC 2.0 outcomes are intended to inform updates to the City’s infill policy and zoning. Specifically, staff will review options for implementing the winning designs into new areas of Kelowna, and explore tools such as pre-approved plans, zoning updates, and pre-zoning. Determining options for implementation will involve additional staff review to determine feasibility as well as touchpoints with Council as per the timeline below. Implementation is intended to take place after the adoption of the 2040 OCP, which will further guide decision making on future infill housing. The

³ See Policy & Planning Department report to Council dated September 28, 2020 for full details.

outcomes of the competition could also inform infill housing approaches in other regions as many mid-sized cities are looking for creative ways to encourage a supply of ground-oriented housing.

Process & Timeline

Project Planning – Summer 2021

- Establish internal project team
- Present to Council
- Launch IDC 2.0

Open Competition – Summer 2021

- Promote IDC 2.0 to potential participants
- Finalize jury
- Receive submissions

Selection of Winners – Fall 2021

- Jury to finalize winners; winning submissions to be brought to Council
- Showcase winners

Explore Implementation Options – Fall / Winter 2021

- Staff to examine opportunities to implement new infill design ideas
- Engage with industry partners and community at large
- Staff to bring forward a package of recommendations to Council for consideration, including any necessary changes to policies, bylaws, and processes

Conclusion:

Exploring ideas for new forms of infill housing will contribute to increasing diverse and attainable housing options and help the City achieve 2040 OCP infill housing targets. IDC 2.0 will incorporate lessons learned from the first Design Challenge and encourage participants to meet new and higher standards on several key objectives. IDC 2.0 is not a complete Infill Housing Strategy but will rather act as a catalyst to demonstrate that infill housing can make positive contributions to existing neighbourhoods across Kelowna.

Internal Circulation:

Communications
Development Engineering
Development Planning
Development Services
Parks & Building Planning
Policy & Planning
Purchasing
Utility Planning

Existing Policy:

2030 Official Community Plan Bylaw No. 10500

Goals for a Sustainable Future

1. Contain Urban Growth. Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.
2. Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Objective 5.3 Focus development to designated growth areas

Policy 5.3.2 Compact urban form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 – 100 people and/or jobs per ha located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Objective 5.22 Ensure context sensitive housing development

Policy 5.22.6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

Objective 5.23 Address the needs of families with children through the provision of appropriate family-oriented housing

Healthy Housing Strategy

Action 3.3 – Build the Right Supply. Support a greater variety of infill housing forms.

Financial/Budgetary Considerations:

The budget for IDC 2.0 is \$56,000. The Policy & Planning Department will fund \$20,000. The remaining \$36,000 has been provided by a grant from CMHC and sponsorships from community partners including the Urban Development Institute, David Alton, and Jesse East.

Communications Comments:

A communications plan has been created in alignment with the project scope. IDC 2.0 will be promoted through a dedicated webpage and the City's electronic and social media forms of communications.

Submitted by:

A. Janousek, Planner II

Approved for inclusion:



J. Moore, Long Range Policy & Planning Manager

cc:

R. Smith, Divisional Director, Planning & Development Services

M. Bayat, Development Services Director

D. Noble-Brandt, Policy & Planning Department Manager



Infill Challenge Design Competition 2.0

July 2021

Purpose

- ▶ Provide Council with information regarding the Infill Challenge Design Competition 2.0 (IDC 2.0)
- ▶ Recommend that Council direct staff to proceed with IDC 2.0

Background – why infill?

- ▶ Provide housing that is attainable for a broader range of residents
 - ▶ 80% of residential land is zoned for single dwelling homes (SDH)
 - ▶ 20% of residents can afford a median priced SDH
- ▶ Combat impacts of urban sprawl



Background – Policy Context



IDC 2.0 – Broad Objectives

1. Introduce new forms of infill housing
2. Expand housing supply and diversity in new areas
3. Show how infill housing can be well designed and meet community objectives
4. Show how infill housing can improve neighbourhoods
5. Reinforce positive relationships

IDC 2.0 – Subject Area

- ▶ Lots in Core Area
 - ▶ 2,500-3,000 established lots with potential to redevelop over the next 10+ years
- ▶ No rear laneway access



Infill in Kelowna

- ▶ Secondary suites and carriage houses since the 90s
- ▶ 2016 Infill Challenge Design Competition
 - ▶ Two winning designs were selected – formed the basis of the RU7 sensitive infill zone
 - ▶ Over 800 parcels were pre-zoned to RU7
 - ▶ ~300 RU7 units have received building permits

Building on Lessons Learned from IDC 1.0



- ▶ Success:
 - ▶ Generated more *attainable* ground-oriented housing
- ▶ Challenges:
 - ▶ Units are not *affordable*
 - ▶ Lack of infrastructure
 - ▶ Inconsistent design quality

IDC 2.0 – Submission Goals

Submissions must demonstrate housing that is:

- ▶ Affordable / Attainable
- ▶ Diverse
- ▶ Resilient
- ▶ Inclusive
- ▶ Livable



IDC 2.0 – Timeline

Project Planning – Summer 2021



Open Competition – Summer 2021



Select Winners – Fall 2021



Explore Implementation Options - Fall / Winter 2021

Implementation options to be reviewed by staff and approved by Council post-competition

Conclusion

- ▶ Exploring ideas for new forms of infill housing will contribute to increasing diverse and attainable housing options
- ▶ IDC 2.0 will incorporate lessons learned from the first Design Challenge and include new objectives and higher standards



Report to Council



Date: July 26, 2021
To: Council
From: City Manager
Subject: MRDT Renewal and Tourism Partnership Update
Department: Partnership Office

Recommendation:

THAT Council receives, for information, the report from the Partnership Office, dated July 26, 2021, with respect to renewal of the Municipal and Regional District Tax and a five-year Agreement with Tourism Kelowna for the provision of tourism services;

AND THAT Council approves the City entering into a five-year Agreement with Tourism Kelowna for the provision of tourism services, with the option to renew for an additional five-year term, in the form attached as Appendix A to the Report from the Partnership Office, dated July 26, 2021;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Agreement with Tourism Kelowna on behalf of the City of Kelowna.

Purpose:

To approve a five-year Agreement with Tourism Kelowna and to update Council regarding progress toward renewal of the three percent Municipal and Regional District Tax.

Background:

Pursuant to provincial requirements, an application to renew the three percent Municipal and Regional District Tax (MRDT) on sales of accommodation will be submitted by the City of Kelowna ("City") by January 1, 2022. As part of the renewal application, a draft Five-Year Strategic Business Plan ("Plan") has been prepared and work is underway to confirm the accommodation sector's support for the Plan and MRDT renewal. The minimum required level of support is at least 51 percent of the accommodation providers representing at least 51 percent of the total number of units of accommodation offered by those providers.¹

¹ [British Columbia Municipal and Regional District Tax Program Requirements](#), Summer 2018, page 8.

In conjunction with MRDT renewal, the City and Tourism Kelowna have revisited existing agreements and collaboratively developed a new five-year agreement which sets out tourism services to be provided by Tourism Kelowna, MRDT administration and reporting, payment of an annual grant from the City and objectives, roles and principles associated with a more holistic and integrated approach to managing tourism and the effects of tourism in the community.

Previous Council Resolutions

Resolution	Date
THAT Council directs staff to prepare Service Agreements with Tourism Kelowna to be brought back to Council for approval.	August 8, 2016
[THAT] Council authorizes the City to enter into the [Municipal & Regional District Tax] Reporting Service Agreement with Tourism Kelowna Society in the form attached to the Report from the Financial Projects Manager dated December 5, 2016	December 5, 2016
THAT Council receives for information the report from the Partnership Office dated March 22, 2021 regarding the partnership with Tourism Kelowna and the process toward renewal of the Municipal and Regional District Tax.	March 22, 2021

Discussion:

a) New five-year Agreement

The development of an agreement which clarifies the working and funding relationship between the City and Tourism Kelowna has been a long-standing objective. Renewal of the MRDT afforded an opportunity to reflect on objectives, roles and planning alignment; the pandemic experience revealed a recalibrated inter-dependency between tourism demand, the local economy, resident sentiment and quality of life. Thoughtful and collaborative preparation of a new agreement in these circumstances was timely and necessary.

The Agreement between the City and Tourism Kelowna attached as Appendix A was approved by the Tourism Kelowna Board of Directors on July 9, 2021.

Highlights of the Agreement:

- a five-year term aligned with the provincial Order in Council authorizing the MRDT, with an option for one renewal term of five years;
- in Schedule A, a description of tourism services to be provided by Tourism Kelowna;
- in Schedule B, objectives, roles and guiding principles for future collaboration between the City and Tourism Kelowna toward a Tourism Master Plan and Destination Management model which improves planning alignment and creates a roadmap for the right kind of tourism growth which can deliver positive results for all stakeholders, including the community;
- encompasses the provisions of a previous Municipal and Regional District Tax Reporting Service Agreement approved by Council on December 5, 2016 (as amended) relating to roles and responsibilities for provincial MRDT reporting requirements;
- documents the annual operating grant provided by the City to Tourism Kelowna, with a clear process for requesting additional support; and

- outlines various accountabilities for acknowledgement of City support and annual reporting.

b) Update regarding MRDT renewal

General MRDT revenues are approximately 60% of Tourism Kelowna's annual budget. Renewal of MRDT is essential to continued success in promotion of Kelowna and area as a destination.

The application for renewal will be submitted to the Province no later than December 17, 2021 to meet the requirement for submission of a renewal application at least 6 months before the expiry of the current Order In Council on July 1, 2022. If approved, the renewed three percent MRDT would come into effect on July 1, 2022 through a new Order in Council.

Tourism Kelowna's role is to complete components of the renewal application package including demonstrated support from tourism industry stakeholders, preparation of a five-year Strategic Business Plan for expenditure of MRDT, and a one-year tactical plan for 2022.

As designated recipient of MRDT, the City's role is to review, finalize and approve the renewal application package and secure support from the Regional District of Central Okanagan and City Council, including approval of a new taxation bylaw.

The draft five-year Strategic Business Plan is attached as Appendix B. In addition to previous industry presentations and engagement sessions in May and June 2021, information about the renewal process, the five-year Plan and confirming support is available through the [Tourism Kelowna website](#). As of July 13, 2021, indications of support are:

14 properties – 44% of the 51% requirement (32 properties = 51% of 64 total properties)
2,211 rooms – 88% of the 51% requirement (2,505 rooms = 51% of 4,912 total rooms)

Tourism Kelowna will continue with follow up, one-on-one outreach and sector group meetings with industry stakeholders throughout July and August 2021. A two-phase local resident survey was also completed by Tourism Kelowna in June 2021; compiled results are pending.

Staff will return with a follow up report in October 2021 with the finalized application for MRDT renewal and a proposed taxation bylaw.

Conclusion:

A new five-year agreement between the City of Kelowna and Tourism Kelowna provides additional clarity in an important and active working relationship and sets the stage for the right kind of tourism growth through more aligned planning and improved destination management.

The process toward renewal of MRDT is well underway and within anticipated timelines.

Internal Circulation:

Partnerships & Investments
Corporate Finance
Office of the City Clerk
Policy & Planning
Communications
Active Living & Culture

Considerations applicable to this report:

Legal/Statutory Authority:

[Section 123 of the Provincial Sales Tax Act](#) imposes a tax of up to three percent on the purchase price of accommodation in a specified geographic area of the province ('designated accommodation area') on behalf of a designated recipient. This tax is in addition to the provincial sales tax of eight percent of the purchase price of accommodation.

The [Designated Accommodation Area Tax Regulation](#) sets out the authorized purposes for funds collected under the MRDT program as follows: tourism marketing, programs and projects, initiatives respecting affordable housing, and any other prescribed purposes as set out in the regulation.

Legal/Statutory Procedural Requirements:

The [Municipal and Regional District Tax Program Requirements](#) are the basis for the application/renewal process, reporting, and compliance activities described in this report and the Agreement.

Financial/Budgetary Considerations:

The MRDT rate in Kelowna and area started at two percent in 2009 and increased to three percent in 2017.

General MRDT revenues reached \$3,126,416 in 2019, which was a banner year. In 2020, these revenues dropped by approximately 30 percent to \$2,036,004.

100 percent of general MRDT revenues received by the City from the Province are paid to Tourism Kelowna to support tourism marketing, programs, and projects.

In late 2018, through the introduction of MRDT program changes, the three percent tax was applied to sales of online accommodations with an option for municipalities to use all or part of these revenues ('OAP revenues') to address affordable housing needs. OAP revenues received in 2019 were \$470,694 and in 2020 were \$379,394.

100% of OAP revenues are retained by the City of Kelowna and allocated to the OAP Reserve Fund. The Fund is used to address local affordable housing needs in accordance with City policies, Council direction and annual plans submitted to the Province. In the last year, OAP revenues have enabled land acquisition for purpose-built affordable rental housing.

Figure 1 summarizes general MRDT and OAP revenues received by the City of Kelowna in 2021 to date.

Payment Month	Received	General MRDT	OAP
December 2020	2021-03-03	60,103.82	43,422.83
January 2021	2021-03-24	65,395.91	
February 2021	2021-05-03	77,010.81	973.58
March 2021	2021-06-02	106,659.81	164,976.49
April 2021	2021-06-22	96,010.82	
TOTAL YEAR TO		\$405,181.17	\$209,372.90

Figure 1

In addition to general MRDT revenues, the City of Kelowna provides an annual operating grant of \$344,430 to Tourism Kelowna. MRDT program guidelines provide that '[f]unds from the MRDT program should augment current funding and cannot be used to replace existing sources of tourism funding in a community.'

Considerations not applicable to this report:

Existing Policy
External Agency/Public Comments
Communications Comments

Submitted by: S. Kochan, Partnership Manager

Approved for inclusion: B. Evans, Partnership Office Director

Attachments: 1. Appendix A: Agreement
2. Appendix B: Draft Five-Year Strategic Business Plan

cc: S. Little, Corporate Finance Manager
J. Moore, Long Range Policy Planning Manager
D. Nicholas, Sport and Event Services Manager

THIS AGREEMENT made the day of July 2021.

BETWEEN:

CITY OF KELOWNA

1435 Water Street
Kelowna, BC V1Y 1J4

('the City')

OF THE FIRST PART

AND

TOURISM KELOWNA SOCIETY

238 Queensway Avenue
Kelowna, BC V1Y 6S4

('TK')

OF THE SECOND PART

WHEREAS:

- A. The *Community Charter* provides that the corporate powers of a municipality include the power to enter into agreements with third parties for the provision of services;
- B. The City recognizes that tourism is an important contributor to the local economy;
- C. The City and Tourism Kelowna share a common goal to improve the economic and civic welfare of the community through destination development and tourism marketing ('tourism services');
- D. Kelowna is a designated accommodation area for collection of funds pursuant to the Municipal and Regional District Tax Program ('MRDT');
- E. The City of Kelowna is the designated recipient of MRDT, and through transfer of MRDT funds to Tourism Kelowna, has delegated administration and expenditure of MRDT for tourism marketing, programs and projects to Tourism Kelowna as a tourism services provider;
- F. The City of Kelowna provides an annual grant to Tourism Kelowna to support the delivery of tourism services; and
- G. The parties, through this agreement, seek to:
 - amend the Municipal & Regional District Tax Reporting Service Agreement dated November 23, 2016 (approved by Kelowna City Council on December 5, 2016 R948/16/12/05); and
 - clarify their respective roles, responsibilities and expectations relating to their working relationship and the City's financial support for tourism services, and to set out principles and values for collaborative destination master planning;

NOW THEREFORE this Agreement is evidence that in consideration of MRDT funds and the annual grant funds transferred to Tourism Kelowna by the City, and the mutual promises and agreements set out herein (the sufficiency of which are hereby acknowledged), the parties agree as follows:

1. TERM

- a) The intention of the parties is to align the term of this agreement and any renewals thereof with the standard five (5) year MRDT term of the Province of British Columbia Order in Council pursuant to the *Designated Accommodation Area Tax Regulation*.

The current Order in Council (BC Reg. 41/2017) will be repealed July 1, 2022 and, subject to Provincial approval, a renewed Order in Council is anticipated to come into effect July 1, 2022 with a repeal date of July 1, 2027.

This agreement will therefore take effect upon execution by both parties, and the term will end on July 1, 2027 or such other repeal date as confirmed in the renewed Order in Council, unless terminated sooner in accordance with this agreement.

- b) This agreement may be renewed for one (1) additional term of five (5) years upon the following conditions:
- i) TK provides written notice to the City, at least eighteen (18) months prior to the expiry of the Term of its intention to exercise its option to renew this Agreement for an additional term of five (5) years. This timeline takes into account the requirement that an application to renew MRDT must be submitted at least six (6) months prior to the repeal date;
 - ii) At the time of providing its written notice to the City, TK is not in default or in breach of any provision of this Agreement; and
 - iii) TK has duly and regularly observed and performed its obligations and responsibilities contained in this Agreement;

The City will provide a written response to TK's notification within 60 days of receipt. The City's response may include discussion points regarding the relationship between the parties, administration of MRDT or amendments to this agreement. The City and TK will work collaboratively to review and resolve any changes to this agreement, including a discussion regarding the usage of OAP funds as defined in Section 4(a), in writing prior to submission of the MRDT renewal application for the 2027-2032 period, should the renewal option be exercised.

- c) Unless the parties otherwise agree in writing, the provisions of this Agreement, with the exception of Section 1(b), will remain in effect during the renewal term.

2. PROVISION OF TOURISM SERVICES

- a) During the term of this agreement, TK will provide the Tourism Services described in Schedule A.
- b) The City designates TK as its destination marketing service provider and confirms TK's role as provider of Visitor Services for the purposes of TK's Visitor Centre Operating Agreement with Destination BC.

3. TOURISM MASTER PLAN AND DESTINATION MANAGEMENT

In recognition of the shared responsibility for managing the inclusive and responsible growth of the visitor economy, the City and TK have articulated objectives, principles and roles which will guide ongoing collaboration in Destination Management and for the development of a Tourism Master Plan, as set out in Schedule B. These objectives, principles and roles, while non-binding, reflect an intention to manage the impacts of tourism in the community while maximizing the opportunities. Future work on the Tourism Master Plan will build on the foundational

engagement work already completed by Tourism Kelowna in 2019 and in 2021 by Destination BC.

4. MRDT Funds

a) Definitions

In this section:

- 'MRDT funds' are defined as general MRDT revenues received by the City from the Province of British Columbia and specifically do not include MRDT revenues from Online Accommodation Platforms (OAP);
- 'MRDT program' is the Municipal and Regional District Tax program jointly administered by the British Columbia Ministry of Finance, the Ministry of Tourism, Arts and Culture, and Destination British Columbia ('Destination BC').
- 'OAP funds' are defined as MRDT revenues from Online Accommodation Platforms which are received by the City from the Province of British Columbia and retained and used by the City for affordable housing initiatives;
- 'year' means a calendar year from January to December unless otherwise specified.

b) MRDT Funds Administration and Reporting

TK shall:

- i) Administer the MRDT funds on behalf of the City of Kelowna in accordance with [MRDT program plans, principles and requirements](#) as set out by the Province of British Columbia;
- ii) Within the timelines specified by the MRDT program, prepare and review with the City the following documentation to support applications for MRDT renewal or rate changes:
 - Five-Year Strategic Business Plan including Project Plans for each major activity and MRDT budget for Year One
 - Accommodation Directory
 - Evidence of consultation with tourism industry stakeholders
 - Signatures from Accommodation Sector in Support of MRDT
- iii) Prepare the following annual reporting information as required and in the form prescribed by the MRDT program:
 - On or before November 1 of each year, provide to the City's Finance Department a One-Year Tactical Plan for the upcoming year, based on the Five-Year Strategic Business Plan, to enable review and signature of the form by the City's Director of Finance and the City's submission of the form to Destination BC by November 30 of each year.
 - On or before April 1 of each year, provide the following documents to the City's Finance Department to allow review and signature of the form by the City's Director of Finance and City's submission of the form to Destination BC by May 31 of each year:
 - An Annual Performance Report based on the previous calendar year; and
 - A Financial Report based on the previous calendar year, reviewed by TK's external auditors and accompanied by a report on the review from the external auditors.

c) OAP Funds Administration and Reporting

- i) TK acknowledges that the City of Kelowna has elected to receive and retain OAP funds for use in affordable housing initiatives to meet local needs, as permitted by the MRDT Program.
- ii) The City of Kelowna will prepare and submit to Destination BC all required documentation for expenditure of OAP funds for affordable housing including:
 - o By November 30 of each year, an Affordable Housing MRDT Plan; and
 - o By May 31 of each year, an Annual Affordable Housing MRDT Report.

d) Transfer of MRDT funds from the City to TK

- i) Subject to this section, the City will transfer to TK all MRDT funds received by the City from the Province of British Columbia. OAP funds are not included in the transfer.
- ii) Should the information supplied by TK be deemed insufficient to satisfy the MRDT reporting requirements set out in this section, the City reserves the right to request that TK provide their financial records to the City in order to obtain the necessary information and the cost of accessing and providing the information and subsequent reporting will be borne by TK.
- iii) If reporting provided by TK is non-compliant with MRDT program requirements the City may terminate the transfer of MRDT funding to TK until such time as the non-compliance is corrected.

5. ANNUAL OPERATING GRANT

- a) The City of Kelowna will pay to TK during the term of this agreement an annual operating grant of \$344,430. This annual amount will be payable in monthly instalments. The City and TK acknowledge and agree that the grant is provided to support the Society's programs and services which are delivered for a public purpose and the public good as set out in Schedule A.

b) Additional Funds

TK will not seek or request additional operating grant funds from the City, except in accordance with Section 5(c), or in the case of unanticipated exceptional need or emergency the reason for which is to be fully stated. TK is not precluded from applying for other City grants through established programs, provided that it meets program eligibility requirements.

c) Funding Increases Through Annual Budget Process

Through submission of a business case, TK may seek from the City supplemental operating grant funds, in addition to the amount set out in Section 5(a), for the purpose of delivering the Schedule A Tourism Services. The City will consider the business case in support of the supplemental funding request as part of its annual financial planning process for the following year. The City has no obligation to approve the request for supplemental funds and approval of the request is at the discretion of City Council.

6. GOVERNANCE & LIAISON

a) City Appointees to the TK Board of Directors

- i) Pursuant to its *Societies Act* bylaws, TK will appoint two (2) representatives of the City of Kelowna to its Board of Directors as follows:
 - o one member of City Council, as a non-voting member of the Board
 - o the Airport Director of the Kelowna International Airport, as a voting member of the Board
- ii) The City will designate a member of Council, and an alternate member of Council to serve as a non-voting representative on the TK Board.
- iii) TK will not alter the *Societies Act* bylaw provisions requiring appointment of two (2) City representatives to the TK Board of Directors without the City's prior written consent.
- iv) The City's representatives on the TK Board fulfill a liaison role to enhance alignment between City priorities and objectives, and planning and delivery of TK services. Additional liaison, collaboration, communications, and planning and delivery of specific projects or initiatives, occurs between TK staff and City staff from various departments including:
 - o Communications
 - o Active Living & Culture / Sport & Event Services
 - o Active Transportation
 - o Partnership Office
 - o Property Management
 - o Finance

b) Societies Act Requirements

TK represents and warrants that it:

- i) is now and will continue to be a non-profit society and a non-commercial undertaking and that it does not and will not distribute profit to its members;
- ii) will abide by its Constitution, Bylaws and other *Societies Act* (British Columbia) requirements and will hold annual meetings and file annual reports and other documents to be filed with the Registrar of Companies;
- iii) has the power and capacity to enter into and carry out its obligations under this Agreement; and
- iv) has completed all necessary resolutions and other preconditions to the validity of this Agreement.

7. ACKNOWLEDGEMENT OF CITY SUPPORT

TK will acknowledge the facility and/or operating support of the City of Kelowna as set out in Schedule C.

8. ANNUAL REPORTING TO THE CITY

- a) By March 31 of each year of the term, TK will provide to the City an annual report, in the City's prescribed format, which includes (but is not limited to) the following information relating to the prior calendar year.
- Professionally prepared audited annual financial statements, approved by the TK Board of Directors, for the most recent fiscal year end, which includes the Independent Auditors' Report;
 - Current year revenue and expenditure budget, as approved by the TK Board of Directors, with actuals or forecast to March 31;
 - Program/services information, in a form acceptable to City staff which includes:
 - List of Kelowna locations and programs and services
 - Statistical summary of people served by TK in the prior year which may take the form of registration, attendance, visitation, participation, membership or a combination thereof;
 - Highlights of particular achievements and successes in the prior year with a focus on the impact of TK's services in the community/region;
 - Identification of active partnerships or collaborations, and the beneficial outcomes of same;
 - Governance and planning information which includes:
 - A list of Directors
 - An organizational chart indicating key management and staff roles and staffing levels
 - Objectives for the current year
 - A realistic self-assessment, including identification of areas where improvements can be made in the areas of service provision, organization governance and financial oversight, along with strategies and processes to achieve improvements. This may be in the form of a strategic plan, program/service evaluation, or consultant's report and may include information about trends, external threats or other factors which influence TK's planning and outcomes.

9. INSURANCE

In addition to building, workers' compensation, and commercial general liability insurance requirements in Article 7 of the Visitor Centre Ground Lease dated for reference January 24, 2017 between the City as Landlord and TK as Tenant, TK shall, at its expense, throughout the Term obtain and maintain Directors & Officers liability insurance and on request from the City, will provide the City with a Certificate of Insurance for this coverage.

10. DISPUTE RESOLUTION

- a) If a dispute arises out of, or in connection with this agreement, the City and TK will make reasonable efforts to resolve the dispute through discussions.
- b) If the dispute cannot be resolved through discussions, then the following provisions will apply:

- i) Either the City or TK may provide written notice to the other party containing a request to negotiate. This notice will be given promptly to prevent further damages resulting from delay and will specify the issue(s) in dispute.
- ii) Negotiations will occur between representatives of the City and TK.
- iii) All information exchanged during these negotiations will be regarded as 'without prejudice' communications for the purpose of settlement negotiations and will be treated as confidential by the parties and their representatives, unless otherwise required by law. However, evidence that is independently admissible or discoverable will not be rendered inadmissible or non-discoverable by virtue of its use during the negotiations.
- iv) If the parties do not resolve some of all of the issues in dispute within 30 days after notice has been given, or within another period as agreed upon between the parties, then the parties agree to attempt to resolve the dispute through mediation.

11. INDEMNITY

a) TK Indemnity

TK agrees to save harmless, release and indemnify the City against and from all fines, suits, claims, liabilities, damages, costs, expenses, demands and actions of any kind or nature whatsoever for which the City may become liable, suffer or incur by reason of or related to or arising from:

- i) any breach, violation, default or non-performance by TK of any provision of this Agreement;
- ii) any wrongful act, omission or negligence of TK or its directors, officers, employees, agents, contractors, subcontractors or others for whom it is responsible; and
- iii) any death, bodily injury, property damage, property loss, economic loss or other loss or harm suffered by any person, including the City, on or in relation to the services provided by TK.

In this section, references to the City include its elected officials, officers, employees, agents and contractors. This indemnity applies to issues or incidents arising during the term of this Agreement and survives the expiry or earlier termination of this Agreement.

b) City Indemnity

The City agrees to save harmless, release and indemnify TK against and from all fines, suits, claims, liabilities, damages, costs, expenses, demands and actions of any kind or nature whatsoever for which TK may become liable, suffer or incur by reason of or related to or arising from:

- i) any breach, violation, default or non-performance by the City of any provision of this Agreement; and
- ii) any wrongful act, omission or negligence of the City or its officers, employees, agents, contractors, subcontractors or others for whom it is responsible.

In this section, references to TK include its directors, officers, employees, agents and contractors. The indemnity applies to issues or incidents arising during the term of this Agreement and survives the expiry or earlier termination of this Agreement.

12. TERMINATION FOR CAUSE

- a) The City may terminate this Agreement by giving written notice of termination to TK, effective upon delivery of the notice, if:
- TK becomes bankrupt or insolvent;
 - a receiving order is made against TK;
 - an assignment is made for the benefits of TK's creditors;
 - an order is made or resolution passed for the winding up or dissolution of TK; or
 - TK takes the benefit of any enactment relating to bankrupt or insolvent debtors.
- b) Without limiting any other right or remedy available to the City, if the City terminates this Agreement pursuant to Section 12(a), the City may arrange, upon such terms and conditions and in such manner as the City considers appropriate, for performance of any part of the Tourism Services remaining to be completed, and TK is liable to the City for any expenses reasonably and necessarily incurred by the City in engaging another party to deliver the Tourism Services.
- c) The City may set off against, and withhold from amounts due to TK such amounts as the City determines, acting reasonably, are necessary to compensate and reimburse the City for the expenses incurred in engaging another party to deliver the Tourism Services.

13. DISCRETIONARY TERMINATION OF TOURISM SERVICES

- a) Either the City or TK may, in its sole discretion, terminate or suspend all or any part of the Tourism Services in Schedule A upon six (6) months' written notice to the other party.
- b) In the event of termination or suspension of all or any part of the Tourism Services, the City will discontinue monthly operating grant payments to TK until:
- the City and TK agree, through discussion or negotiation pursuant to Section 10, which Tourism Services will still be delivered by TK, and what the City will pay to TK for those services; or
 - the City retains another provider for Tourism Services, in which event Section 12(c) will apply.
- c) Except as provided in this Agreement, neither the City nor TK is entitled to, and each party irrevocably waives and releases, damages or compensation for costs incurred, loss of profit, or loss of opportunity directly or indirectly arising out of termination or suspension of all, or any part, of the Tourism Services in Schedule A.

14. GENERAL

a) Joint Venture

Nothing in this Agreement makes the City and TK joint venturers or partners and TK has no authority to represent or bind the City in any way.

b) Time is of the Essence

Time is of the essence of this Agreement.

c) Visitor Centre Ground Lease is Paramount

Nothing in this agreement supersedes any provisions in the Visitor Centre Ground Lease dated for reference January 24, 2017 between the City as Landlord and TK as Tenant.

d) Number and Gender

Unless otherwise specified, words importing the singular include the plural and vice versa and words importing gender include all genders.

e) Use of the Word "Including"

The word "including" when following any general term or statement will not be construed as limiting the general term or statement to the specific matter immediately following the word "including" or to similar matters, and the general term or statement will be construed as referring to all matters that reasonably could fall within the broadest possible scope of the general term or statement.

f) Amendments

The parties acknowledge that during the term of this agreement, revisions or amendments may be necessary to reflect any changes arising from new tax regulation legislation introduced by the Province of British Columbia. In this event, the City will notify TK of proposed changes, and prepare any associated documentation for review and approval by TK, such approval not to be unreasonably withheld.

g) Notices

Except in the case of emergency, when notice may be given by telephone with later confirmation in writing, any notice, request, approval, demand or other communication which is required or permitted in this Agreement shall be in writing and delivered by hand or sent by email transmission addressed as follows:

To the City: Partnership Manager, c/o 1435 Water Street, Kelowna, BC V1Y 1J4

With a copy to: skochan@kelowna.ca

To Tourism Kelowna: CEO, c/o 238 Queensway Avenue, Kelowna BC V1Y 6S4

With a copy to: lisanne@tourismkelowna.com

Any notice delivered by hand is deemed to have been given on the day of delivery.

Any notice sent by email transmission is deemed to have been given on the first day after transmission.

Each party will promptly notify the other party of any change in notification address.

h) City's Powers Unimpaired

Nothing in this Agreement affects the City's rights, powers, duties or obligations in the exercise of its functions pursuant to the *Local Government Act*, the *Community Charter* and under all other applicable public and private statutes, bylaws, orders and regulations.

i) Severability

If any portion of this Agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Agreement.

j) No Assignment or Delegation

TK shall not have the right to assign, sub-license, mortgage, pledge or otherwise transfer this Agreement or TK's rights and obligations herein, without the prior written consent of the City. The City is under no obligation to consent and may in its sole discretion withhold consent.

k) Governing Law

This Agreement and each of the documents contemplated by or delivered under or in connection with this Agreement are governed exclusively by, and are to be enforced, construed and interpreted exclusively in accordance with the laws applicable and in force in British Columbia.

IN WITNESS WHEREOF the City and TK have executed this Agreement on the date first above written.

CITY OF KELOWNA


by its authorized signatories

Mayor

City Clerk

TOURISM KELOWNA SOCIETY

by its authorized signatories



Authorized Signatory
Joseph J. Clohessy, CHA

Authorized Signatory

SCHEDULE A – TOURISM SERVICES TO BE PROVIDED BY TOURISM KELOWNA (TK)

1. Visitor Experience:

- a) Year-round operation of the Visitor Centre ('Visitor Centre') located at 238 Queensway Avenue in Kelowna, in a manner consistent with such standards and good practices as are established by the tourism industry, and consistent with the terms and conditions of the Ground Lease dated for reference January 24, 2017 between the City as Landlord and TK as tenant. TK is responsible for all costs associated with operation and maintenance of this facility.
- b) Year-round operation of the Visitor Information Kiosk at Kelowna International Airport ('Airport Kiosk').
 - TK is responsible for all administration and operational requirements including reporting, recruitment / training / coordination and recognition of staff and volunteers, office supplies, insurance and telecommunication costs.
 - Arrangements for the physical location of the kiosk within the Airport, and associated signage and equipment are at the discretion of Airport management and may be the subject of a separate agreement.
- c) Provision of visitor information at temporary or satellite locations (i.e. Orchard Park Mall, Bernard Avenue) at the discretion of TK;
- d) TK will ensure that all staff and volunteers engaged in fulfilling visitor requests for information at any location have appropriate product knowledge and have received training which is consistent with current provincial standards. The costs of training and product knowledge development will be paid by TK.
- e) Operate as a community hub; providing value for travelers, residents and local businesses.

2. Destination Marketing, Programs and Projects which are:

- a) Aligned with City values and priorities reflected in [Imagine Kelowna](#), [Kelowna 2040: Our Kelowna As We Grow \(Official Community Plan\)](#), and the strategic objectives, roles and principles contained in Schedule B of this agreement;
- b) Consistent with [MRDT program plans, principles and requirements](#) as set out by the Province of British Columbia;
- c) Monitored, measured, and evaluated against defined performance measures.

Destination marketing, programs and projects may include, without limitation:

- **Marketing:** advertising, websites, social media, consumer shows and events, collateral production and distribution, travel media relations, travel trade, consumer-focused asset development (photography, video, written content)
- **Destination Development:** dispersion, research, consultation, engagement, sustainability, diversity, and inclusion.

3. Meetings, Conferences, Sports & Events:

- a) In alignment with the City of Kelowna Event Strategy, the [Major Events Program](#), the [Event Hosting Program](#) and the [Kelowna Community Sport Plan](#), Tourism Kelowna works collaboratively to identify and secure new sports and major events that will generate new economic impact for the area.

**SCHEDULE A – TOURISM SERVICES TO BE PROVIDED BY TOURISM KELOWNA (TK)
(CONT'D)**

- b) Acknowledging that existing events are also of interest to visitors and residents, Tourism Kelowna promotes these events via owned channels, works with City staff to connect event organizers with necessary resources and enhance event experiences, and may create associated activations locally.
- c) Similarly, Tourism Kelowna works collaboratively with local stakeholders to attract, bid on and secure meetings, conferences and other group business events from key markets across North America.

SCHEDULE B – TOURISM MASTER PLAN & DESTINATION MANAGEMENT

B1: OBJECTIVE: DESTINATION MANAGEMENT

Tourism Kelowna and the City of Kelowna recognize that unmanaged tourism growth presents significant risks. They will collaborate to develop proactive strategies which reflect a transition from a traditional tourism promotion model to a long-term, holistic destination management model.

FROM	TO	WHY
Destination marketing	Destination management and marketing	Creating a roadmap for the right kind of tourism growth based on year-round dispersion and quality-over-quantity
Generic destination identity	Kelowna’s ‘Place DNA’	Collaboratively identifying Kelowna’s authentic brand distinguisher, reflecting resident and visitor perspectives on what makes Kelowna unique
Extractive visitation	Regenerative visitation	Sustaining the community’s social license to develop and promote tourism, generate benefits beyond economics to include social, culture and environmental wins.
Planning silos	Co-creation of a Tourism Master Plan	Bringing municipal and tourism planning into alignment with improved understanding of results that matter to all stakeholders including the community
Tourists	Temporary locals	Promoting high-quality experiences for ‘temporary locals’ who respect local culture and act as good neighbours

**SCHEDULE B – TOURISM MASTER PLAN & DESTINATION MANAGEMENT
(CONT'D)**

B2: ROLES

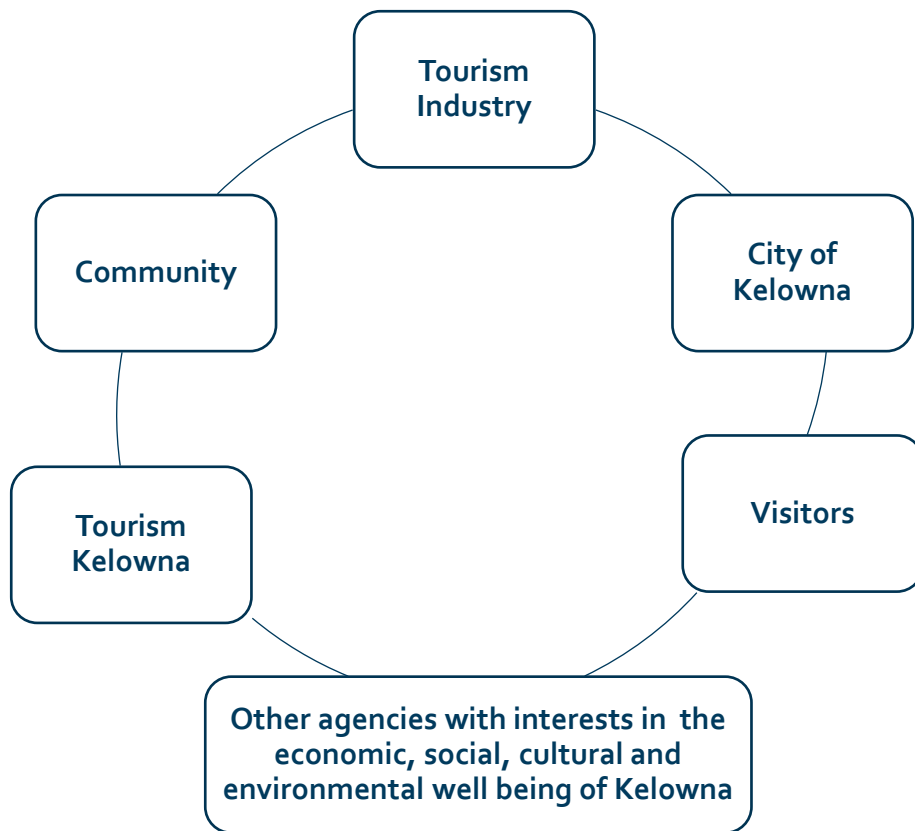
As a destination marketing organization, Tourism Kelowna’s traditional role is focused on creating demand. As local government, the City of Kelowna’s role is focused on funding, creating and maintaining assets which support visitor and citizen experiences. There is already much collaboration and crossover taking place between the two entities. A transition to a destination management model will increase mutual understanding of roles, objectives, associated impacts, and the inter-dependency between tourism demand, resident sentiment and quality of life.



**SCHEDULE B – TOURISM MASTER PLAN & DESTINATION MANAGEMENT
(CONT'D)**

B3: PRINCIPLES: COLLABORATION, ENGAGEMENT AND ACCOUNTABILITY

Tourism Kelowna and the City of Kelowna recognize that their respective roles function within a broader ecosystem which requires multiple levels of collaboration, engagement and accountability to create and sustain success. They will strive for an inclusive, holistic approach in development of smart destination management plans and strategies.



SCHEDULE C – ACKNOWLEDGEMENT OF CITY SUPPORT

TK will acknowledge the facility and/or operating support of the City of Kelowna as follows:

1. Visitor Centre land contribution:

The City's land contribution for the Visitor Centre will be acknowledged in the form of an external plaque or signage as determined and produced by the City. All costs associated with production and placement of external recognition signage is to be incurred by the City.

2. Operating grant contribution:

Financial contributions from the City funding TK operational needs should be recognized at a consistent level with all other major funding contributors on TK's primary website as well as principal collateral such as annual reports, presentations, bulletins and printed visitor guides.

Example: Tourism Kelowna gratefully acknowledges the financial assistance of the City of Kelowna.

3. Project, program and event contributions:

Financial or in-kind contributions from the City for specific programs or projects, including events for which the City and TK have collaborated in a bidding process, should be recognized at a consistent level with all other project or program funding contributors. This includes City recognition on any materials that are exclusively or primarily produced because of the funding or support that the City provides.

Example: This program/project/event is made possible with support from the City of Kelowna.

**Tourism Kelowna
MRDT Five Year Strategic Plan 2022-2026**

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.

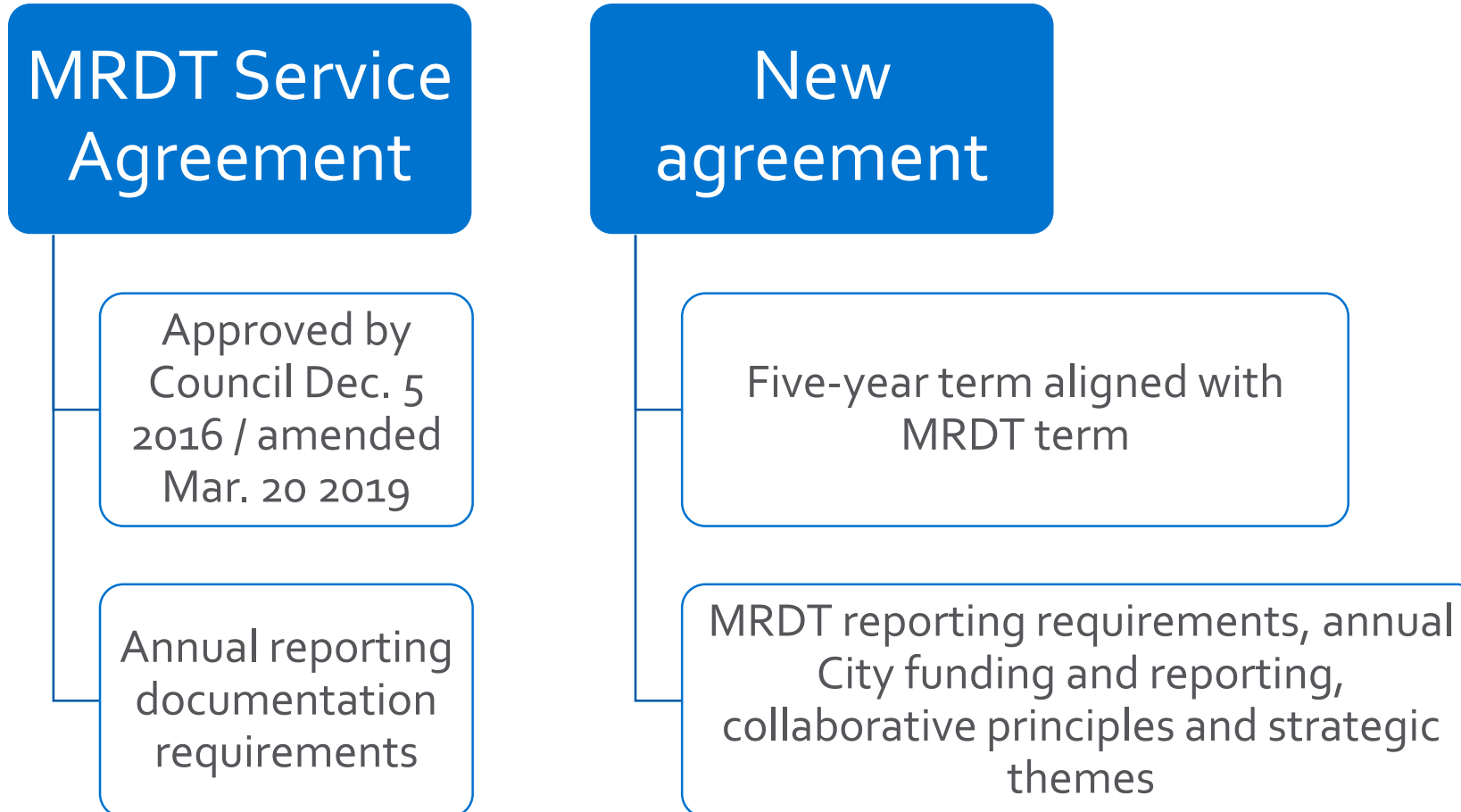
Strategic Pillars	Desired Outcomes	Key Initiatives
Increase high value visitation	Kelowna and area is the four-season outdoor destination of choice in North America.	<ul style="list-style-type: none"> • Increase visitation growth from September to May. • Secure and/or develop meetings, conferences, and major events business in soft season months. • Act as a tourism regional hub to leverage investments to increase our marketing reach and influence.
Grow in-destination spending	Visitor spending is increased, benefitting a wide variety of tourism businesses throughout the year.	<ul style="list-style-type: none"> • Implement a strategy for seasonal and geographic dispersion. • Expand the Visitor Centre’s role as a community shared value influencing greater spending from locals and visitors. • Support new product development aligned to the community’s unique sense of place and experiences.
Manage sustainable growth of the destination	A resilient visitor economy aligned with community values and stakeholder needs.	<ul style="list-style-type: none"> • Work with local government, Indigenous communities, industry, and community to co-create and implement a Tourism Destination Master Plan aligned with Kelowna’s 2040 vision. • Educate visitors and residents on Responsible Tourism principles and practices including safe and healthy travel. • Support local industry development by collaborating with our provincial, regional, and municipal partners to access resources for tourism stakeholders at the community level.



MRDT Renewal & Tourism Partnership

July 26, 2021

Agreements



Five-year agreement

Tourism services

Tourism Master Plan and Destination Management

MRDT reporting

Annual operating grant

Annual reporting



Destination Master Plan

'Although not everything depends on tourism, tourism depends on almost everything.'

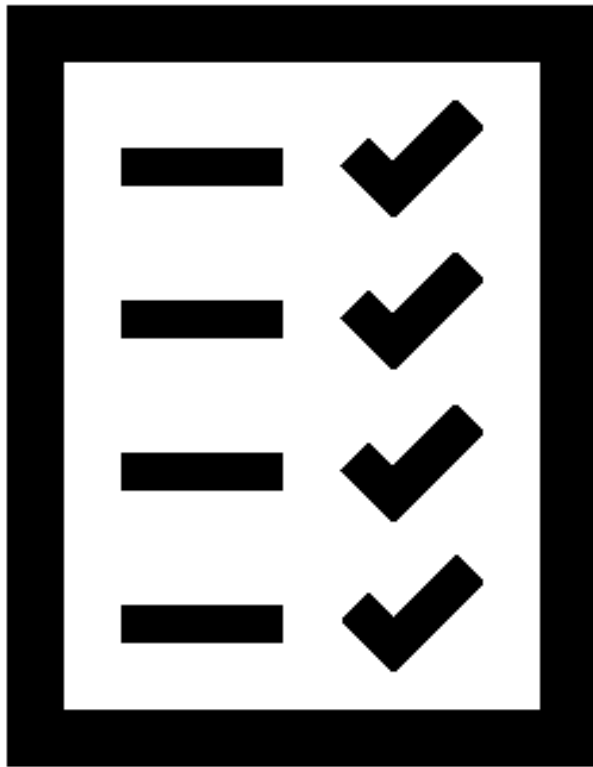
Tourism Master Plan / Destination Management

Transition to
destination
management
model

Multiple
touchpoints for
holistic planning

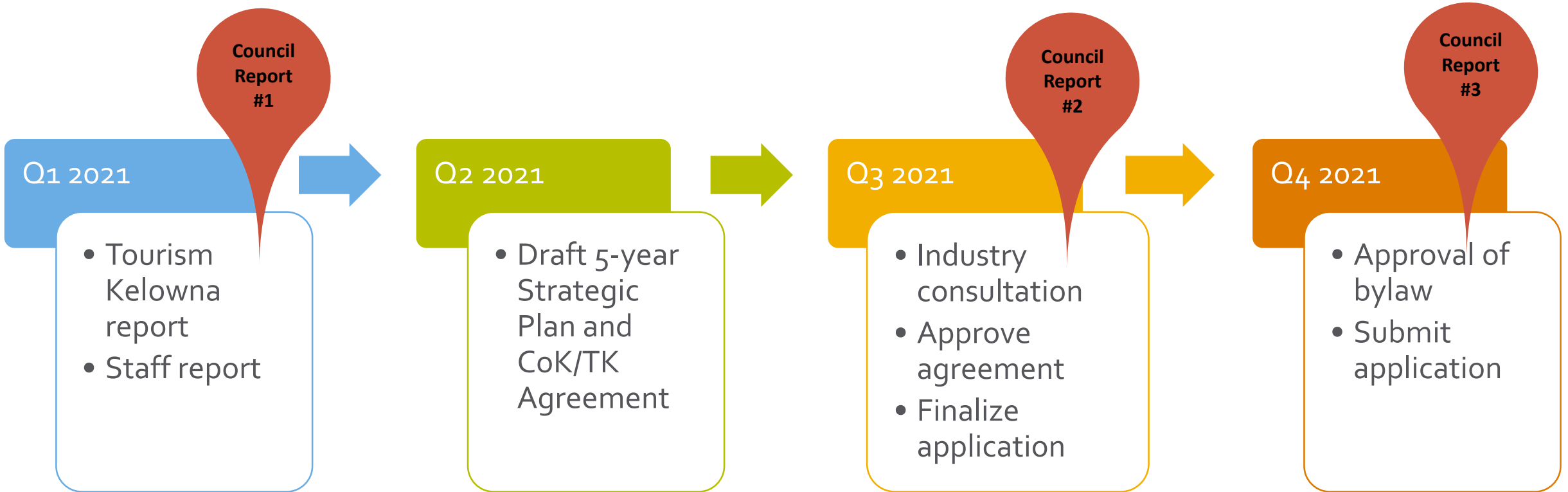
Interdependency
between supply
and demand roles
and community

MRDT Renewal



- ▶ Application to Province every 5 years
- ▶ Includes 5-year Strategic Plan, 1-year Tactical Plan and budget, approval of City bylaw, letter of support from RDCO
- ▶ **Consultation and evidence of support from the accommodation sector**

Timeline





Questions?

For more information, visit kelowna.ca.

Report to Council



Date: July 12, 2021
To: Council
From: City Manager
Subject: 2021 BC Active Transportation Infrastructure Grant Application
Department: Integrated Transportation

Recommendation:

THAT Council receives, for information, the report from Integrated Transportation dated July 12, 2020 with respect to the 2021 BC Active Transportation Infrastructure Grant Application;

AND THAT Council directs staff to apply for grant funding for the Casorso 4 ATC (Ethel to KLO) through the Active Transportation Infrastructure Grant;

AND THAT the City of Kelowna confirms that the above-mentioned project is construction ready;

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

AND THAT, if the grant application is successful, the 2021 Financial Plan be amended to include the receipt of funds;

AND FURTHER THAT the City of Kelowna will be responsible for its share of the eligible costs, ineligible costs, and potential overruns related to the project.

Purpose:

To approve the Casorso 4 ATC (Ethel to KLO) project to be submitted to the BC Ministry of Transportation and Infrastructure's 2021/22 Active Transportation Infrastructure Grant Program.

Background:

The B.C. Active Transportation Infrastructure Grant Program provides cost-sharing opportunities for network planning grants and infrastructure grants. Funding from these grant programs support the development of active transportation infrastructure for all ages and abilities.

The Integrated Transportation department, in partnership with Infrastructure Delivery, have historically applied to the BC Active Transportation Infrastructure Grant program (formerly BikeBC) on a yearly

basis. The grant covers 50 per cent of eligible costs associated with active transportation infrastructure, to a maximum of \$500,000.

Discussion:

After reviewing the grant criteria, staff recommend that the Casorso 4 ATC (Ethel to KLO) be submitted for consideration in this year's intake. The Casorso ATC will continue the recently completed Ethel ATC as one of the primary north-south bike routes in the city. It will provide also direct access to Okanagan College.

Conclusion:

The deadline for applications to the B.C. Active Transportation Infrastructure Grant Program is July 30th, 2021. If the application is successful, the City will likely be able to accelerate design and construction of active transportation infrastructure in the 10-Year Capital Plan.

Internal Circulation:

Communications Advisor
Financial Planning Manager
Infrastructure Administration Manager
Infrastructure Delivery Dept Manager
Grants & Special Projects Manager

Financial/Budgetary Considerations:

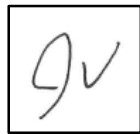
- If the application is successful, the 2021 Financial Plan will be amended to update the funding source for the project.

Considerations not applicable to this report:

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

Submitted by: M. Worona, New Mobility Specialist

Approved for inclusion:



J. Vos, Divisional Director, Infrastructure

- cc: Divisional Director, Financial Services
Divisional Director, Corporate Strategic Services
Divisional Director, Infrastructure
Divisional Director, Partnership & Investments

Report to Council



Date: July 26, 2021
To: Council
From: City Manager
Subject: Transit Improvement Program 3-year expansion initiatives
Department: Integrated Transportation

Recommendation:

THAT Council receives for information, the report from the Integrated Transportation dated July 26, 2021, with respect to the Transit Improvement Program 3-year expansion initiatives and free transit for youth under 12 initiative;

AND THAT Council approves entering into a Memorandum of Understanding with BC Transit setting out the City's intention to proceed with the service expansions detailed in year-1 (2022/23);

AND THAT the Mayor and City Clerk be authorized to execute the Memorandum of Understanding.

Purpose:

To receive Council approval for and execution of a Memorandum of Understanding for the Transit Improvement Program 3-year expansion initiatives for the period 2022-2025.

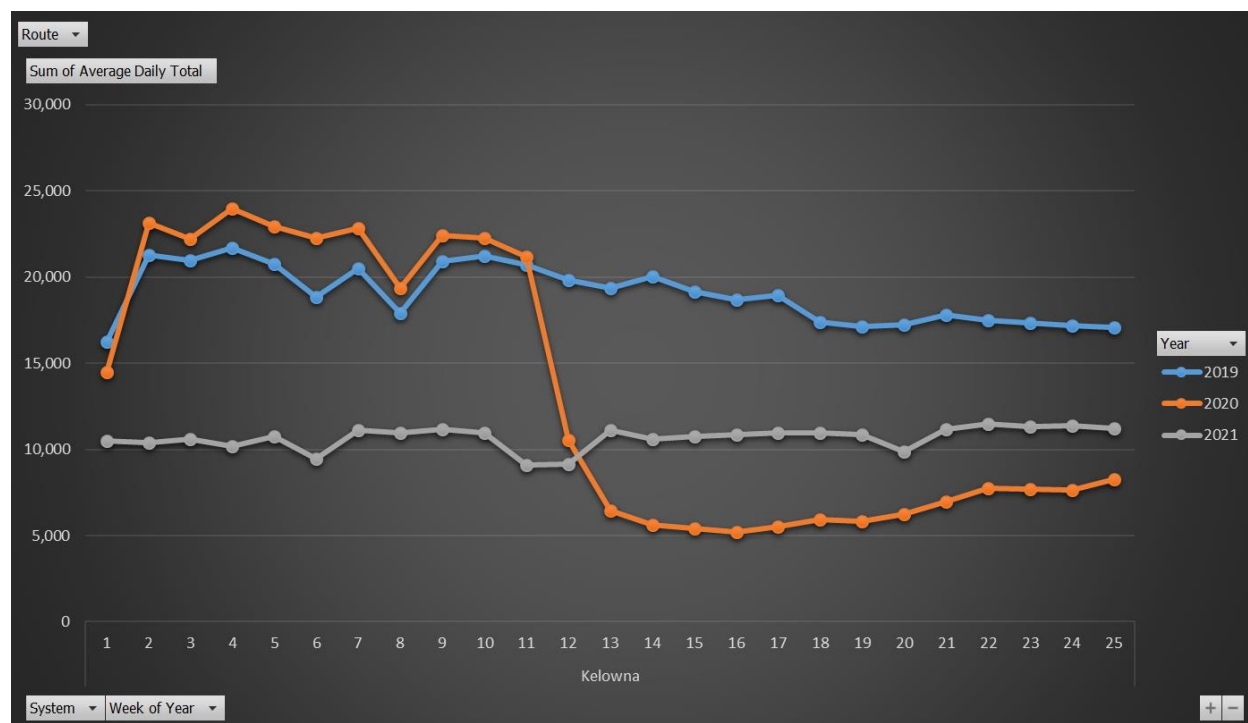
Background:

Each year, a Memorandum of Understanding (MOU) related to proposed transit expansion initiatives is signed by the Local Government, setting out the City's intention to proceed. The previous 3-year Transit Improvement Program (TIP) did not include any expansions due to COVID-19 pandemic conditions and the resulting significant uncertainties surrounding revenue loss stemming from ridership declines. Kelowna's share of Federal and Provincial Safe Restart Funding has allowed the City and BC Transit to work in partnership to maintain target essential service levels throughout the pandemic despite increasing costs and declines in revenues. Over the course of 2021 ridership has been steadily recovering and is exceeding earlier projections. This stronger than expected recovery combined with local post-secondary institutions pivoting back to on campus learning this fall warrants preparation for a return to 2019 ridership levels and eventually, growth. New targeted investments are proposed within the TIP with a focus in year one on off-peak service expansion. This annual report to Council takes the form of an update of proposed transit expansion initiatives and associated budgets and request to proceed with the MOU. It also includes details of a province-wide initiative to provide free access to transit for youth under the age of 12 years.

Discussion:

Ridership on the Kelowna Regional Transit system has been recovering throughout 2021 as the community opens up and gets moving again. As of early in June ridership on the Conventional transit system had reached 65% of 2019 levels from the same time frame recovering from a low in the spring of 2020 of only 30% of 2019 levels. System performance is exceeding projections shared in January of this year in which BC Transit was projecting ridership and revenue to recover to 55% of 2019 levels, reaching 65% by late 2022 to early 2023. Paratransit (HandyDART) ridership remains suppressed having declined nearly 70% between 2019/20 and 2020/21. The pace of Paratransit recovery is expected to increase as more of the population is fully vaccinated.

Average Daily Conventional Transit Ridership by Week – 2019, 2020, 2021



Passenger load restrictions on board buses were relaxed effective July 1, 2021¹ well ahead of the return to on-campus learning at The University of British Columbia Okanagan (UBCO) and Okanagan College (OC).² September 2021 service levels will slightly exceed those provided in the fall of 2019 at approximately 4,300 service hours per week³ which is expected to be sufficient to meet renewed demand from post-secondary students and the broader community through this fall and winter.

¹ 90% of full load accommodated as passengers are required to remain behind a red line near the front of buses.

² OC is projecting enrollment levels to reach 80% of fall 2019 levels in September of 2021 with up to 85% of classes being offered in-person.

³ 208,278 annual service hours per the 2021/22 Annual Operating Agreement and requirements under the Safe Restart funding agreement.

As part of the ongoing annual budgeting process with BC Transit, Staff have received and summarized the proposed three-year expansion initiatives and associated budgets for the period April 1, 2022 to March 31, 2025. The draft budgets reflect a return to investment in new service hours over the next three years in response to the steady recovery of ridership. Initiatives include an initial investment in new targeted off-peak (mid-day, evenings and weekends) services on select routes which are consistently experiencing high productivity in these periods as well as the introduction of Saturday service on the popular route 4 Pandosy Express. These investments can be achieved without the need for additional buses. Following this, and only when capacity constraints at the transit operating centre are addressed, more significant investments in peak service on the busiest routes is proposed. As ridership approaches pre-pandemic levels, peak-period constraints experienced regularly on select routes prior to the pandemic will return. Investments proposed for the final year of the program focus on continuing to address peak-period capacity and reliability needs while also expanding services on select higher-performing community bus routes. These initiatives also rely on completion of modifications to the current transit operations centre and/or completion of construction of the new facility as they would trigger the need for additional buses. Performance monitoring over the coming months will inform any refinements to the budgets and expansion priorities in year's 2 and 3 which will be reflected in the following year's program. Paratransit investments, which are derived from the 2018 Paratransit Services Review, will remain on hold through year 1 of the program. Expansions aimed at improving equity between the Paratransit and Conventional transit systems are re-introduced in years 2 and 3 of the program. They include the introduction of basis Sunday service and expansion of weekday span of service via use of Taxi Supplement⁴.

The Safe Restart Funding received in late 2020, with joint contributions from the provincial and federal governments, has provided relief and will support the continued provision of transit service up to March 2022 as reflected in the 2021-22 Annual Operating Agreement. The balance of the Local Transit Fund may be applied to reduce the City's share of expenses in future years⁵. This balance, or a portion thereof, may be applied at the City's sole discretion and will be detailed in upcoming City budgets. As such, no assumptions have been made towards the allocation of the remaining balance for the 2022/23 fiscal year or beyond. The City will have the opportunity to determine the amount to apply to the 2022/23 Annual Operating Agreement budget.

Effective September 1, 2021 all youth aged 12 and under will not be required to pay fare to ride transit. This province-wide initiative spearheaded by the Provincial Government is intended to support families and create a culture of transit ridership while supporting GHG emissions reduction goals. The initiative is intended to be revenue neutral. The Province has committed funding to off-set foregone revenues which for the Kelowna Regional System amounts to \$93,954.70 for the period September 1, 2021 to March 31, 2022⁶.

⁴ Taxi Supplement utilizes taxi services in the community to fulfill requests for travel by Paratransit 'Handy Pass' holders.

⁵ LTF may be applied to off-set unexpected budgetary increases in the current AOA, support service expansions, off-set revenue declines or lease fees.

⁶ BC Transit developed an 'indexed mode share model' to determine revenue compensation for each local government that considers base-line ridership among youth as well as the population of children aged 5-12.

PROPOSED CUSTOM EXPANSION INITIATIVES						
AOA Period	In Service	Annual Hours	Vehicle Requirement	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2022/23	NA					
		Description	No planned expansion			
2023/24	September	0	0	\$25,580	\$186,500	\$36,543
		Description	Introduce basic weekend handyDART service on Sunday, by means of Taxi Supplement.			
2024/25	September	0	0	\$69,980	\$535,000	\$108,229
		Description	Expand handyDART service hour span of weekday service to reflect Conventional hours of operation by means of Taxi Supplement.			

PROPOSED CONVENTIONAL EXPANSION INITIATIVES						
AOA Period	In Service	Annual Hours	Vehicle Requirement	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2022/23	September	5,000	0	\$93,210	\$645,107	\$250,697
		Description	Weekend frequency improvement on 8 University & 10 North Rutland. Weekend span improvement on 1 Lakeshore. Introductory Saturday service on 4 Pandosy Express. Additional resources allocated for on-time performance improvements as needed.			
2023/24	September	10,850	5	\$256,146	\$1,488,907	\$638,436
		Description	Initiatives from the Transit Future Action Plan, including investing in frequent and rapid route with a focus on improving service to the Rutland area, investment to maintain service reliability, and expansion to bring Route 11 into the Rutland area.			
2024/25	September	5,950	0	\$162,480	\$764,156	\$244,891
		Description	Initiatives from the Transit Future Action Plan: investing in frequent and rapid routes, investment to maintain service reliability, investment in higher performing local routes, and the Upper/Lower Mission Service Restructure.			
NOTE: Work is underway via a Facility Master Plan to address vehicle capacity constraints at the current Kelowna facility; however, this work is on-going therefore year 2 and 3 options will be subject to further review and approval by BC Transit to ensure that additional vehicles can be accommodated						

Conclusion:

Reliable, safe and equitable transit service will play a critical role in the continued recovery from the impacts of the COVID-19 pandemic. Targeted investment in service will ensure that transit is able to support the recovery and ultimately return to the strong ridership growth experienced in the years prior to the pandemic. Providing free access to transit for youth under age 12 will support a culture of transit ridership thereby supporting ridership growth and the City’s sustainability objectives.

Internal Circulation:

Strategic Transportation Planning Manager
Financial Services, Revenue Supervisor
Financial Services, Financial Analyst
Financial Services, Budget Supervisor

Financial/Budgetary Considerations:

Net new cost for Conventional and Custom transit to be considered for the 2022 budget is estimated at \$83,565. Estimated net new cost for Conventional and Custom Transit to be considered for the 2023 budget is \$392,124. Estimated net new cost for Conventional and Custom Transit to be considered for the 2024 budget is \$567,692.

External Agency/Public Comments:

BC Transit has reviewed and approved the report and attachments.


Considerations not applicable to this report:

Legal/Statutory Authority
Legal/Statutory Procedural Requirements
Existing Policy
Personnel Implications
Communications Comments
Alternate Recommendation

Submitted by:

Mike Kittmer

M. Kittmer, Transit Service Coordinator

Approved for inclusion:  J. Vos, Divisional Director, Infrastructure

- Attachment 1 - TIPS 2022-23 to 2024-25 Kelowna
- Attachment 2 - BCT Fare Free Transit Allocation - Kelowna-City of Kelowna
- Attachment 3 - Transit Improvement Program Presentation

cc: Divisional Director, Financial Services
Divisional Director, Infrastructure
Divisional Director, Planning & Development Services

C. Mossey, Senior Manager Government Relations, BC Transit
M. Boyd, Director of Corporate and Strategic Planning, BC Transit
M. Lockley, Planning Manager, BC Transit



July 7, 2021

Attn: Jerry Dombowsky
Transit & Programs Manager
City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Re: 3 Year Transit Expansion Initiatives – 2022/23 to 2024/25

Dear Jerry,

Each year, BC Transit confirms service expansion plans for the coming year with local government partners, and also confirms service expansion priorities for the subsequent two years. This process ensures that 3-year expansion initiatives are consistent with the expectations of local governments, and allows BC Transit to proceed with securing the funding and resources to implement service expansions.

BC Transit is actively working towards the goal of achieving a 100% zero emission fleet by 2040. Our CNG transition is nearing the tail end of its investment activity, and planning for the next phase of battery electric bus deployments is well underway. 2022 will see the first 10 heavy duty battery electric buses deployed in Victoria, with plans to begin purchasing only electric buses in all fleet classification by 2028. Electrification transition planning is also underway to identify the opportunities and constraints associated with a rollout across the province. A change of this magnitude to our provincial fleet will have a significant impact on our business, and in particular our 3 year expansion planning process.

One of the key challenges that we will face through this process in the coming years will be a higher probability that demand for expansion vehicles will exceed the availability in select fleet categories. More advanced lead times will be required for procurement and delivery of buses, and bus orders will need to be strategically timed to align with our deployment plans. While every effort will be made to align bus orders with demand, some expansion initiatives may be impacted by the limited availability of certain vehicle types. Despite these challenges, we will continue to work with our local government partners to identify and develop expansion priorities, and to align our expansion initiatives with our overall fleet procurement plans.

With increasing demand for transit expansion across the Province, BC Transit is often faced with municipal requests for expansion that exceed the availability of either matching Provincial funds or available buses. As a result, our Expansion Evaluation Process will be initiated to determine which projects are prioritized and will proceed. An overview of our Expansion Evaluation Process has been attached to this letter for your reference. It outlines the process that BC Transit will follow to prioritize expansion requests, address value for investment, and ensure alignment with funding availability. It considers a variety of factors through a performance based multiple account evaluation, using a

mixture of qualitative and quantitative criteria. The evaluation would occur following the deadline for receipt of approved expansion MOUs from local governments, and the outcome shared in early Fall.

We ask that a signed copy of this letter be returned to BC Transit by August 31, 2021. If you are unable to meet this deadline, please contact me at your earliest convenience to discuss further. Following confirmation of the provincial budget in February, we will confirm with you that supporting provincial funding has been secured and initiate a transit service implementation plan. I look forward to working with you on the continued improvement of your transit service and encourage you to contact me if you have any questions regarding these proposed initiatives.

Yours truly,

A handwritten signature in black ink, appearing to read "Chelsea Mossey". The signature is written in a cursive, flowing style.

Chelsea Mossey
Senior Manager, Government Relations
BC Transit

Three-Year Transit Expansion Plan

Proposed Transit Service Expansion Initiatives

The following outlines the expansion initiatives identified for your transit system along with a high level annual costing based on the hourly rates of your system. Please ensure that these initiatives are consistent with the expectations of your local government. Upon confirmation of your local government's intent to commit to the expansion and budget, we will proceed with the request to secure funding from the Province on your behalf.

PROPOSED CONVENTIONAL EXPANSION INITIATIVES						
AOA Period	In Service	Annual Hours	Vehicle Requirements	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2022/23	September	5,000	0	\$93,210	\$645,107	\$250,697
		Description	Weekend frequency improvement on 8 University and 10 North Rutland. Weekend span improvement on 1 Lakeshore. Introductory service on 4 Pandosy Express on Saturdays. Additional resources allocated for on-time performance improvements as needed.			
2023/24	September	10,850	5	\$256,146	\$1,488,907	\$638,436
		Description	Initiatives from the Transit Future Action Plan, including investing in frequent and rapid route with a focus on improving service to the Rutland area, investment to maintain service reliability, and expansion to bring Route 11 into the Rutland area.			
NOTE: Work is underway via a Facility Master Plan to address vehicle capacity constraints at the current Kelowna facility; however, this work is on-going and this option will be subject to further review and approval by BC Transit to ensure that additional vehicles can be accommodated						
2024/25	September	5,950	0	\$162,480	\$764,156	\$244,891
		Description	Initiatives from the Transit Future Action Plan, including investing in frequent and rapid routes, investment to maintain service reliability, investment in higher performing local routes, and the Upper/Lower Mission Service Restructure.			
NOTE: Work is underway via a Facility Master Plan to address vehicle capacity constraints at the current Kelowna facility; however, this work is on-going and this option will be subject to further review and approval by BC Transit to ensure that additional vehicles can be accommodated						

PROPOSED CUSTOM EXPANSION INITIATIVES

AOA Period	In Service	Annual Hours	Vehicle Requirements	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2022/23						
		Description	No planned expansion			
2023/24	September	0	0	\$25,580	\$186,500	\$36,543
		Description	Introduce basic weekend handyDART service on Sunday, by means of Taxi Supplement.			
2024/25	September	0	0	\$69,980	\$535,000	\$108,229
		Description	Expand the handyDART service hour span of weekday service to reflect Conventional hours of operation by means of Taxi Supplement.			

Approval

On behalf of the City of Kelowna, I/we are confirming to BC Transit to proceed with the request for funding to the Province on our behalf for the 2022/23 fiscal year. Furthermore, I/we confirm that the expansion priorities identified for 2023/24 and 2024/25 align with our expectations, and that we will review and confirm these initiatives on an annual basis as per the advice provided and with the knowledge that a more detailed budget will follow as service details are confirmed.

Signature: _____

Date: _____

Name: _____

Position: _____

Signature: _____

Date: _____

Name: _____

Position: _____

On behalf of BC Transit



Signature:

Name: Chelsea Mossey

Date: July 7, 2021

Position: Senior Manager, Government Relations



July 2, 2021

BY EMAIL: jdombowsky@kelowna.ca

Jerry Dombowsky
Transit and Programs Manager
City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Dear Jerry,

Re: Free Transit for Children 12 and Under Program Details – Kelowna/Central Okanagan Conventional & Community Transit

As a follow up to the letter sent to you on June 16, 2021, BC Transit would like to outline the next steps in finalizing the Free Transit for Children 12 and Under program.

The Province, BC Transit and our Local Government Partners all share an interest in building a culture of transit ridership and reducing greenhouse gas emissions. Providing free transit to children age 12 and under is expected to advance progress towards these objectives.

As outlined in the contribution agreement with the Province, BC Transit will work with Local Government Partners to ensure that fares for children age 12 and under are set to zero in all 86 BC Transit systems across British Columbia by September 1, 2021.

The Province has committed to provide funding to BC Transit for the benefit of Local Government Partners for foregone fare revenue in conjunction with fares being lowered to zero for children age 12 and under. This letter outlines the provincial contribution(s) to your transit system(s) and your adjusted tariff schedule as a result of this program and confirms the applicable amendment to your 2021/22 Annual Operating Agreement with BC Transit.

BC Transit has developed a model to determine the fare revenue compensation for each Local Government Partner for the implementation of the Free Transit for Children 12 and Under program. To achieve this, BC Transit created an “indexed mode share” percentage for each community. The “indexed mode share” was created through the methodology below:

- BC Transit identified the Capital Regional District 2017 Household Travel Survey as an applicable base line data source to provide ridership levels of the targeted age group of the program. The survey indicated that 5.3% of transit rides are made by children age 5-12.
- As a percentage of the total population, children age 5-12 make up 6.89% in the Capital Regional District. Source: BC Stats 2019.
- From the above two points, children’s transit use in the Capital Regional District is under-represented by a factor of 0.7685. This factor was then used to estimate the number of transit rides made by children age 5-12 in all other communities with BC Transit service by multiplying the factor by the children’s share of population in each community. This is the “indexed mode share.”

The “indexed mode share” was then applied to the total annual fare revenue from cash, tickets, and day-passes in 2019 from each Public Passenger Transportation System, which resulted in an estimated impact to fare revenue for each Local Government Partner. An additional indexed allocation was made to compensate for possible fare evasion as a result of a fare product not being implemented until Phase 2 of this program.

For your applicable transit system(s), the revenue allocation for the period September 1, 2021, to March 31, 2022, is presented below:

	Revenue Impact (September 1, 2021 – March 31, 2022)	Monthly Amount
Kelowna/Central Okanagan Conventional & Community	\$93,954.70	\$13,422.10

Effective September 2021, the monthly amount will be credited on your monthly BC Transit municipal invoice and will reduce your total amount owing.

In addition, BC Transit has adjusted the **Schedule “A”: Tariff and Fares** section of your 2021/22 Annual Operating Agreement to formally reduce the fares of children 12 and under to zero. A copy of this revised Schedule “A” is included with this letter for your review and approval.

By signing below, your local government is agreeing to an amendment of your 2021/22 Annual Operating Agreement including fare structures, by September 1, 2021. This amendment includes:

- a) adjusting the Schedule “A” tariff schedule to ensure fares for children age 12 and under are set to zero;
- b) agreeing to receive the aforementioned provincial contribution towards estimated foregone fare revenue compensation

IN WITNESS WHEREOF, the parties have hereunto set their hand this ____ day of _____, 2021.



x _____
 Jerry Dombowsky
 Transit and Programs Manager
 City of Kelowna

x _____
 Chelsea Mossey
 Senior Manager, Government Relations
 BC Transit

This signed letter must be returned to BC Transit before September 1, 2021, in order for BC Transit to be able to facilitate your payments under this program. If you have any additional questions regarding the Free Transit for Children 12 and Under program, please feel free to contact me directly.

Regards,



Chelsea Mossey
Senior Manager, Government Relations

MH:kr
Attached: Schedule "A": Tariffs and Fares Schedule from 2021/22 Annual Operating Agreement



Transit Improvement Program – 2022/23- 2024/25

July, 2021



Purpose

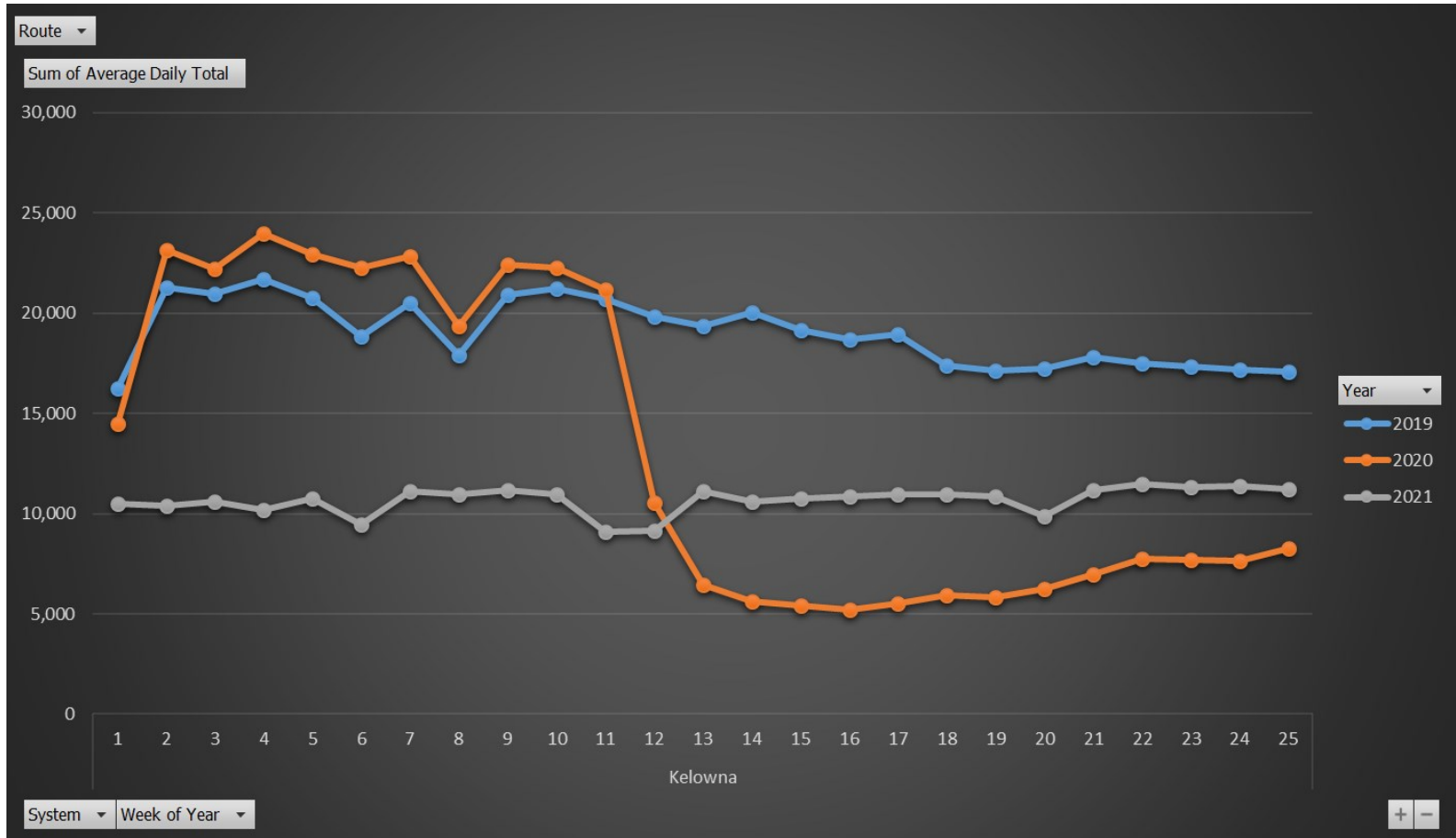
To inform Council of the Transit Improvement Program (TIP) and seek approval in principle for 3-year transit expansion initiatives detailed within the Memorandum of Understanding (MOU) from BC Transit.

And to inform Council of the Province's Free Transit for Children 12 and Under program.

Transit Improvement Program

- ▶ Details transit expansion priorities over a three-year horizon for both the Conventional and Paratransit systems.
- ▶ 3-year MOU is signed annually by the Local Government setting out the City's intention to proceed with expansions detailed in the TIP.
- ▶ Enables BC Transit to move forward with bus purchases if required and include local expansion hours in Provincial funding requests.

Pandemic Recovery



Prioritizing Investments

- ▶ Transit Future Action Plan - details investment priorities, guides decision making.
- ▶ Paratransit services review – details priorities with objective of improving productivity & reducing variability in service availability as compared to Conventional transit.
- ▶ Performance Analysis – Route/trip level performance analysis, run-time analysis.
- ▶ Public input – service requests, inquiries.

2022/23 Expansion Initiatives

PROPOSED CONVENTIONAL EXPANSION INITIATIVES

AOA Period	In Service	Annual Hours	Vehicle Requirements	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2022/23	January	5,000	0	\$93,210	\$645,107	\$250,697
		Description	Weekend frequency improvement on 8 University and 10 North Rutland. Weekend span improvement on 1 Lakeshore. Introductory service on 4 Pandosy Express on Saturdays. Additional resources allocated for on-time performance improvements as needed.			

PROPOSED CUSTOM EXPANSION INITIATIVES

AOA Period	In Service	Annual Hours	Vehicle Requirements	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2022/23		Description	No planned expansion			

2023/24 Expansion Initiatives

PROPOSED CONVENTIONAL EXPANSION INITIATIVES						
AOA Period	In Service	Annual Hours	Vehicle Requirements	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2023/24	September	10,850	5	\$256,146	\$1,488,907	\$638,436
		Description	Initiatives from the Transit Future Action Plan, including investing in frequent and rapid routes with a focus on improving service to the Rutland area, investment to maintain service reliability, and expansion to bring Route 11 into the Rutland area.			
NOTE: Work is underway via a Facility Master Plan to address vehicle capacity constraints at the current Kelowna facility; however, this work is on-going and this option will be subject to further review and approval by BC Transit to ensure that additional vehicles can be accommodated						

PROPOSED CUSTOM EXPANSION INITIATIVES						
AOA Period	In Service	Annual Hours	Vehicle Requirements	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2023/24	September	0	0	\$25,580	\$186,500	\$36,543
		Description	Introduce basic weekend handyDART service on Sunday, by means of Taxi Supplement.			

2024/25 Expansion Initiatives

PROPOSED CONVENTIONAL EXPANSION INITIATIVES						
AOA Period	In Service	Annual Hours	Vehicle Requirements	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2024/25	September	5,950	0	\$162,480	\$764,156	\$244,891
		Description	Initiatives from the Transit Future Action Plan, including investing in frequent and rapid routes, investment to maintain service reliability, investment in higher performing local routes, and the Upper/Lower Mission Service Restructure.			
NOTE: Work is underway via a Facility Master Plan to address vehicle capacity constraints at the current Kelowna facility; however, this work is on-going and this option will be subject to further review and approval by BC Transit to ensure that additional vehicles can be accommodated						

PROPOSED CUSTOM EXPANSION INITIATIVES						
AOA Period	In Service	Annual Hours	Vehicle Requirements	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2024/25	September	0	0	\$69,980	\$535,000	\$108,229
		Description	Expand the handyDART service hour span of weekday service to reflect Conventional hours of operation by means of Taxi Supplement.			

Free Transit for Children 12 and Under Program

- ▶ Initiative of the Province of British Columbia
- ▶ Support for families, create a culture of transit ridership, contribute to GHG reduction targets.
- ▶ Intended to be cost-neutral for Local Government Partners via contribution agreement between Province and BC Transit.
- ▶ Effective September 1, 2021

Recommendation

THAT Council authorizes the Mayor and City Clerk to execute the 3-year Memorandum of Understanding on behalf of the City of Kelowna for transit service over the 2020-2023 service years.



Questions?

Report to Council



Date: July 26, 2021
To: Council
From: City Manager
Subject: Financial Reserves Policy
Department: Financial Services

Recommendation:

THAT Council receives, for information, the report from Financial Services dated July 26, 2021 regarding Financial Reserves Policy;

AND THAT Council adopts Council Policy No. 384, being Financial Reserves Policy as outlined in the report from the Corporate Financial Planning Manager dated July 26, 2021.

Purpose:

To adopt a new Council Policy pertaining to Financial Reserves.

Background:

A financial reserves policy serves to outline the structure for municipal reserve transactions and to ensure financial reserves are maintained in accordance with the Community Charter and the Local Government Act. The Financial Officer and Council are ultimately responsible for municipal reserve oversight and are to ensure the reserve funds are used for the purpose in which the fund was established and legislated.

Reserves form an integral component of the City's annual budget through the strategic financial plan and balance equity between current and future taxpayers. Adoption of this policy will provide reserve guidelines and responsibilities, align financial reserves with the strategies set out in the Council adopted Financial Principles and Strategies and ensure Council and the Financial Officer are responsive to the legislated requirements of reserve funds.

The Financial Services Division administers the City of Kelowna's reserve portfolio. Financial reserve oversight is the responsibility of the Financial Officer with support from the Financial Planning department.

Financial Reserve Policy outcomes are as follows:

- Outline Council and Financial Officer responsibility
- Achieve long-term financial stability
- Balance the costs of maintaining sufficient reserve levels to current and future taxpayers
- Acquire, replace, and renew major capital assets
- Ensure stable, predictable tax and utility levies
- Minimize the financial impact of unusual and unexpected events including but not limited to law enforcement, weather events, insurance claims, tax assessment appeals, environmental hazards and other significant unexpected or emergent issues
- Fund asset retirement obligations

Conclusion:

The Financial Reserve Policy provides guidance for the responsibility of reserve oversight. The policy also guides on the use of reserves to support the goal of providing adequate infrastructure, services, and resources to meet community requirements, and to aid in the financial sustainability of the City. The policy sets out guidelines for the use of reserves along with ongoing administration requirements including applications on the establishment of new reserves, reserve transactions, optimum balances, and reserve closures, to ensure the City of Kelowna is in accordance with the legislated responsibility of municipal reserve funds.

Internal Circulation:

Active Living and Culture
Airport
City Clerk
City Manager
Civic Operations
Corporate and Protective Services
Corporate Strategic Services
Infrastructure
Partnerships and Investments
Planning and Development Services

Considerations applicable to this report:

Community Charter, Chapter 26
Principles and Strategies for Financial Strength and Stability

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: K Hughes, Corporate Financial Planning Manager

Approved for inclusion:



Genelle Davidson, Divisional Director Financial Services



City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
250 469-8500
kelowna.ca

Council Policy

Financial Reserves

ESTABLISHED: July 2021

Contact Department: Financial Services

Guiding Principle

To provide guidance for the responsibility of reserve oversight and the use of reserves to support the goal of providing adequate infrastructure, services, and resources to meet community requirements, and to aid in the financial sustainability of the City.

Purpose

To address reserve establishment, transactions, optimum balances, transfers, and closure of reserve balances.

Application

Establishment of New Reserves

Reserves are established, maintained, and used for specified purposes as mandated by statute, City bylaw or this policy. The City's management of statutory reserves conform to the statutory and legal requirements of the *Community Charter* and the *Local Government Act*. Financial Reserve oversight is the responsibility of the Financial Officer with support from the Financial Planning department.

Statutory Reserve funds are approved by Council bylaw. The recommendation to Council shall state the intended purpose of the Reserve fund and be supported by a financial plan identifying the funding source(s) and expenditure purposes.

Statutory Reserves being established within an existing Statutory Reserve fund, and Non-Statutory Reserves may be established upon the approval of the Financial Officer. The recommendation to the Financial Officer shall state the intended purpose of the Reserve and identify funding source(s) and expenditure purposes and restrictions.

All Reserve related transactions shall be made in accordance with the stated purpose of the reserve and with all applicable legislation, regulations, and bylaws and in accordance with this policy.

Contributions to Reserves

Contributions shall be specific to each Reserve, as approved by Council through the City's annual budget bylaw or upon approval by the Manager of Financial Planning.

Appropriations from Reserves

Statutory Reserves are committed for a specific purpose and any change in the use of funds must be approved by Council bylaw. Appropriations from reserves to fund expenditures must have prior approval either through the annual budget process, by Council resolution, or an amendment to the budget (Council Policy 262). Appropriations will not be used for ongoing operational budget requirements, except for phasing in significant tax impacts or one-time initiatives which are less than three years.

Appropriations from a reserve must not exceed the reserve balance without prior approval from the Financial Officer and only when it can be forecasted that future reserve contributions will restore the reserve to an adequate balance within a reasonable time period. This condition also applies to internal borrowing from a reserve fund.

Interest Earned on Reserve Fund Balances

Statutory reserve funds will earn interest each year. Interest earned will be determined using the City's average rate of return on investments. Per section 189 (1) of the *Community Charter*, any interest earned in a statutory reserve fund must be used only for the purpose for which the fund was established.

Non-statutory reserves will earn interest each year at a rate determined by the Manager of Financial Planning, unless otherwise determined by Council resolution or dictated by legislation.

Internal Borrowing from Reserves

Internal borrowing from reserves will be permissible only as allowed for by legislation (*Community Charter 189*). A clearly defined and attainable payback plan, including payment of foregone interest, must be in place before the internal borrowing is undertaken. The payback plan must ensure the borrowed funds will be available when needed by the lending fund. Internal borrowing must be reflected in the annual Financial Plan and must align with the City of Kelowna's Financial Principles and Strategies.

Optimum Balances

An optimum balance shall be established for each Reserve by the Financial Officer or delegate. The optimum balance will serve to guide decisions as to either increase or reduce contributions to and appropriations from the Reserve. Optimum Reserve balances will be reviewed by Financial Planning on an annual basis to consider future and changing requirements.

Reserve Closure and Transfers

Reserves will be closed when it is determined that funding is no longer required to fulfill the purpose of the Reserve. Reserve closures will be approved by City Council when required by legislation. Appropriation of funds remaining in a Reserve that is closed will be determined by the Financial Officer or as required by legislation.

Where a Statutory Reserve balance exceeds its optimum balance or is no longer required, it may be transferred to another Reserve through a Council bylaw. Where a non-statutory Reserve exceeds its optimum balance or is no longer required, it may be transferred to another Reserve with the approval of the Financial Officer.

Procedures and Responsibilities

Council will approve:

- i. The policy and any updates and amendments to the policy;

Financial Officer will be responsible for:

- ii. Reviewing the principles and policy statements and recommending any updates and amendments to the policy;
- iii. Administration of the reserves including accounting procedures for transactions and guidance to departments for compliance with the policy;
- iv. Conducting an annual review of the reserve balances and reporting the results through the Audit Committee to Council.

Policy Statements

Reserves form an integral component of the City's budget and strategic financial plan and ensure equity between current and future taxpayers. The City maintains reserves to achieve the following policy objectives:

- To acquire, replace, and renew major capital assets
- To ensure stable, predictable tax and utility levies
- To minimize the financial impact of unusual and unexpected events including but not limited to law enforcement, weather events, insurance claims, tax assessment appeals, environmental hazards and other significant unexpected or emergent issues
- To achieve long-term financial stability
- To balance the costs of maintaining sufficient Reserve levels to current and future taxpayers
- To fund asset retirement obligations

Definitions**Appropriations**

Expenditures from reserves which will fund projects of like purposes to the intended use of the reserve.

Contributions

Funding to reserves from various sources: approved budget, carryover of current year funds not expended, annual surplus contributions or from external sources (government grants, donations or revenues received)

Internal Borrowing

Internal or interfund borrowing provides the flexibility to internally finance capital projects by temporarily lending funds from one Reserve to another.

Non-statutory Reserves

Funds earmarked for specified purposes. These can be related to either operating or capital expenses.

Optimum Balance

A target for each reserve balance based on current financial plans for the intended use.

Reserves

All City reserves including statutory Reserves and non-statutory Reserves.

Statutory Reserve

A sub-category within a Statutory Reserve Fund.

Statutory Reserve Funds

Funds earmarked for a specified purpose by Council pursuant to section 188(2) of the Community Charter. Reserve Funds are established through Council bylaw and use must align with the established purpose.



Financial Reserves

July 26, 2021



Financial Reserves - Defined

- ▶ Financial planning tool to save for future requirements of the City
- ▶ Governed by the Community Charter
- ▶ Established through Council bylaw
- ▶ Maintained and utilized for specified purposes
- ▶ Reserve Transactions



Financial Reserve Responsibility

- ▶ Community Charter
 - ▶ City Council
 - ▶ Financial Officer



Financial Stability



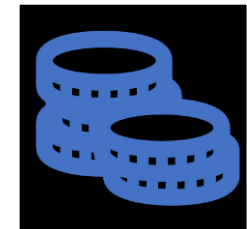
Maintain equity between
current and future
taxpayers



Minimize impacts of
unusual or unexpected
events



Ensure stable,
predictable tax levies



Fund assets as identified
in the 10-Year Capital
Plan

Council Policy No. 384 Financial Reserves

- ▶ Framework for the application of financial reserves
- ▶ Outline legislated requirements of Council and the Financial Officer
- ▶ Requirement for financial reserves administration





Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. BL12245

Amendment No. 14 to Water Regulation Bylaw No. 10480

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Water Regulation Bylaw No. 10480 be amended as follows:

1. THAT **PART 1 – INTRODUCTION, Section 1.2 Interpretation** be amended by:

(a) deleting the definition for "Agricultural" as follows:

"Agricultural" means land assigned an Allotment and is classified as Farm, as of December 31 of the preceding year, under the Assessment Act, R.S.B.C. 1996, c. 20 as amended or replaced from time to time";

and replace it with:

"Agricultural" means land assigned an Allotment and is classified as Farm, as of December 31 of the preceding year, under the Assessment Act, R.S.B.C. 1996, c. 20 as amended or replaced from time to time, or a golf course located within the boundaries of the former South East Kelowna Irrigation District boundary, as they were upon dissolution;

2. This bylaw may be cited for all purposes as "Bylaw No. 12245, being amendment No. 14 to Water Regulation Bylaw No. 10480."

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 12th day of July, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12223

Amendment No. 4 to Parks and Public Spaces Bylaw No. 10680

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Parks and Public Spaces Bylaw No.10680 be amended as follows:

1. THAT **PART 3 – PROHIBITIONS, 3.28** be amended by deleting the following:

“Except as otherwise posted and in accordance with any posted conditions, no **Person** shall dock, tie up, beach, or anchor a **Watercraft** in any way to a wharf, dock, beach, sign, tree or any or other facility or thing located within or forming part of a **Park**”;

And replace it with

“Except as otherwise posted, or authorized by the City of Kelowna, and in accordance with any posted conditions, no **Person** shall:

- (a) dock, tie up, beach, or anchor a **Watercraft** in any way to a wharf, dock, beach, sign, tree or any or other facility or thing located within or forming part of a **Park**;
- (b) park or leave a vehicle and/or trailer unattended in a boat launch;
- (c) provide watercraft operation instruction, sell tickets or conduct business in a boat launch; and
- (d) refuel a boat, aircraft or other watercraft other than in a designated refueling area”;

2. This bylaw may be cited for all purposes as "Bylaw No. 12223, being Amendment No. 4 to Parks and Public Spaces Bylaw No.10680."
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 12th day of July, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12243

Amendment No. 28 to Bylaw Notice Enforcement Bylaw No. 10475

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Bylaw Notice Enforcement Bylaw No. 10475 be amended as follows:

1. THAT **Schedule "A", Parks and Public Spaces Bylaw No. 10680** be amended by deleting the following:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as "Yes")
10680	3.28	Dock or anchor contrary to posted sign	\$100.00	\$90.00	\$110.00	Yes

and replace it with :

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as "Yes")
10680	3.28 (a)	Dock, tie up, beach or anchor a Watercraft in any way to a wharf, dock, beach, sign, tree or any other facility or thing located within or forming part of a Park	\$500.00	\$450.00	\$500.00	Yes
10680	3.28 (b)	Park or leave a vehicle and/or trailer unattended in a boat launch	\$500.00	\$450.00	\$500.00	Yes
10680	3.28 (c)	Provide watercraft operation instruction, sell tickets or conduct business in a boat launch	\$500.00	\$450.00	\$500.00	Yes
10680	3.28 (d)	Refuel a boat, aircraft or other watercraft other than in a designated refueling area	\$500.00	\$450.00	\$500.00	Yes

2. This bylaw may be cited for all purposes as "Bylaw No. 12208 being Amendment No. 28 to Bylaw Notice Enforcement Bylaw No. 10475."
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 12th day of July, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

