

# City of Kelowna

## Regular Council Meeting

### AGENDA



Monday, November 15, 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, seating is limited in Council Chambers. 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

4 - 9

PM Meeting - November 8, 2021

#### 3. Development Application Reports & Related Bylaws

##### 3.1. Barnaby Rd 664 - Z21-0065 (BL12302) - Leith Campbell Pedersen and Theresa Pedersen

10 - 30

To rezone the subject property from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone, and to waive the Public Hearing.

##### 3.2. Barnaby Rd 664 - BL12302 (Z21-0065) - Leith Campbell Pedersen and Theresa Pedersen

31 - 31

To give Bylaw No. 12302 first reading in order to rezone the subject property from the RR1 - Rural Residential 1 zone to the RR1c - Rural Residential 1 with Carriage House zone.

##### 3.3. Eldorado Rd 442 - Z21-0084 (BL12303) - Paul Neufeld, Meghan Neufeld and Pillar West Developments Inc., Inc.No. BC1066488

32 - 52

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a 2-lot subdivision, and to waive the Public Hearing.

<b>3.4.</b>	<b>Eldorado Rd 442 - BL12303 (Z21-0084) - Paul Neufeld, Meghan Neufeld and Pillar West Developments Inc., Inc.No. BC1066488</b>	<b>53 - 53</b>
	To give Bylaw No. 12303 first reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.	
<b>3.5.</b>	<b>Fisher Rd 1925 - Z21-0054 (BL12304) - ERAC DEVELOPMENTS INC, INC NO BC1293206</b>	<b>54 - 67</b>
	To rezone the subject property to facilitate a two-dwelling housing development, and to waive the Public Hearing.	
<b>3.6.</b>	<b>Fisher Rd 1925 - BL12304 (Z21-0054) - ERAC DEVELOPMENTS INC, INC NO BC1293206</b>	<b>68 - 68</b>
	To give Bylaw No. 12304 first reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.	
<b>3.7.</b>	<b>KLO Rd 860 - 1000 - TA21-0015 (BL12306) - Okanagan College</b>	<b>69 - 87</b>
	To amend the Zoning Bylaw with a Site-Specific Text Amendment to increase the maximum permitted height in the P2 – Education and Minor Institutional zone for the subject property.	
<b>3.8.</b>	<b>KLO Rd 860 - 1000 - BL12306 (TA21-0015) - Okanagan College</b>	<b>88 - 88</b>
	To give Bylaw No. 12306 first reading in order to increase the maximum permitted height in the P2 - Education and Minor Institutional zone for the subject property.	
<b>3.9.</b>	<b>Devonshire Ave 1264, 1274, 1284 and Belaire Ave 1281, 1289-1291, 1299 - Z21-0080 (BL12307) - Multiple Owners</b>	<b>89 - 112</b>
	To rezone the subject properties from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone to facilitate the development of multiple dwelling housing.	
<b>3.10.</b>	<b>Devonshire Ave 1264, 1274, 1284 and Belaire Ave 1281, 1289-1291, 1299 - BL12307 (Z21-0080) - Multiple Owners</b>	<b>113 - 114</b>
	To give Bylaw No. 12307 first reading in order to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM5 - Medium Density Housing zone.	
<b>3.11.</b>	<b>Supplemental Report - Kaslo Crt 2117 - Z21-0076 (BL12292) - Kyle Remie Van de Sype and Kathryn Lynn Van de Sype</b>	<b>115 - 116</b>
	To receive a summary of correspondence for Rezoning Bylaw No. 12292 and to give the bylaw further reading consideration.	



- 3.12. Kaslo Crt 2117 - BL12292 (Z21-0076) - Kyle Remie Van de Syde and Kathryn Lynn Van de Syde** 117 - 117

To give Bylaw No. 12292 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.

**4. Non-Development Reports & Related Bylaws**

- 4.1. Development Application & Heritage Procedures Bylaw** 118 - 131

To consider a new Development Application Procedures Bylaw to allow for procedural updates, formatting changes and the integration of the Heritage Procedures Bylaw No. 11185.

- 4.2. BL12310 - Development Application & Heritage Procedures Bylaw No. 12310** 132 - 187

To give Bylaw No. 12310 first, second and third reading.

- 4.3. North End Planning Process Update - Phase 1 and 2** 188 - 232

To update Council on the progress of the North End Plan process, and to provide an outline of the next steps in the process.

- 4.4. GEID Boundary Inclusion for 1985 McKinley Rd** 233 - 243

To approve a water service area boundary modification requested by the Glenmore-Ellison Improvement District.

- 4.5. Knox Mountain Park Road** 244 - 276

For Council to consider a strategy to provide limited vehicular access to Knox Mountain Drive on a two-year trial basis.

**5. Bylaws for Adoption (Non-Development Related)**

- 5.1. BL12280 - Amendment No. 2 to Kelowna Memorial Park Cemetery Bylaw No. 11664** 277 - 287

To adopt Bylaw No. 12280.

**6. Mayor and Councillor Items**

**7. Termination**



## City of Kelowna Regular Council Meeting Minutes

Date:	Monday, November 8, 2021
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Brad Sieben, Mohini Singh and Luke Stack
Members participating remotely	Councillor Charlie Hodge
Members Absent	Councillor Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Financial Services, Genelle Davidson*; Financial Planning Manager, Kevin Hughes*; Divisional Director, Planning & Development Services, Ryan Smith*; Planner, Tyler Caswell*; Community Planning & Development Manager, Dean Strachan*; Community Safety Director, Darren Caul*; Crime Prevention Manager, Colleen Cornock*; Cemetery Manager, Tracey Hillis*; Parks Services Manager, Blair Stewart*; Cultural Services Manager, Christine McWillis*
Staff participating remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guests participating remotely	Peter Urbanc*, CEO and Shelley Hahn, Chief Services Officer, Municipal Finance Authority Audrey Monette*, Director of Projects & Research, Canadian Municipal Network on Crime Prevention

(\* Denotes partial attendance)

### 1. Call to Order

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

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

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, seating is limited in Council Chambers. 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

Moved By Councillor Given/Seconded By Councillor Hodge

**R1009/21/11/08** THAT the Minutes of the Regular Meetings of November 1, 2021 be confirmed as circulated.

**Carried**

## 3. Public In Attendance

### 3.1 Municipal Finance Authority Diversified Multi-Asset Class Fund

Staff:

- Introduced guest, Peter Urbanc, Chief Executive Officer of Municipal Finance Authority and displayed a PowerPoint Presentation from Council Chambers.

There was a disruption with Mr. Urbanc's remote connection and he began speaking at 1:40 p.m.

Peter Urbanc, CEO Municipal Finance Authority of BC

- Spoke to the PowerPoint slides summarizing the Municipal Finance Authority (MFA) Diversified Multi-Asset Class Fund.
- Spoke to the Municipal Finance Authority's mission and commented that this is a new option in BC that has been available for many years in other provinces.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

**R1010/21/11/08** THAT Council receive, as information, the Municipal Finance Authority Diversified Multi-Asset Class Fund presentation, dated November 8, 2021.

**Carried**

## 4. Development Application Reports & Related Bylaws

### 4.1 Barnaby Rd 763 - Z21-0021 (BL12301) - Christopher John Thomson and Nicole Dawn Wilson

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Donn

**R1011/21/11/08** THAT Rezoning Application No. Z21-0021 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C District Lot 357 SDYD Plan 24757, located at 763 Barnaby Road, Kelowna, BC from the RR2 – Rural Residential 2 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 Application be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report for the Development Planning Department dated November 8<sup>th</sup>, 2021;

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

**Carried**

**4.2 Barnaby Rd 763 - BL12301 (Z21-0021) - Christopher John Thomson and Nicole Dawn Wilson**

Moved By Councillor Donn/Seconded By Councillor Singh

R1012/21/11/08 THAT Bylaw No. 12301 be given first reading.

Carried

**4.3 (W OF) Hwy 97 N - BL12151 (OCP19-0006) - 1207431 B.C. Ltd., Inc. No. BC1207431**

Moved By Councillor Singh/Seconded By Councillor Donn

R1013/21/11/08 THAT Bylaw No. 12151 be adopted.

Carried

**4.4 (W OF) Hwy 97 N - BL12152 (Z19-0108) - 1207431 B.C. Ltd., Inc. No. BC1207431**

Moved By Councillor Donn/Seconded By Councillor Singh

R1014/21/11/08 THAT Bylaw No. 12152 be adopted.

Carried

**4.5 (W OF) Hwy 97 N - DP19-0156 - 1207431 B.C. Ltd., Inc. No. BC1207431**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Singh

R1015/21/11/08 THAT final adoption of Official Community Plan Bylaw No.12151 and Rezoning Bylaw No.12152 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP19-0156 for Lot 1 Section 2 Township 23 ODYD Plan EPP76079 located at (W OF) Highway 97 North, Kelowna, BC subject to the following:

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

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

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

Carried

**5. Non-Development Reports & Related Bylaws**



### 5.1 Community Safety Plan Update

Staff:

- Displayed a PowerPoint Presentation providing an overview of the work achieved to date in relation to the Community Safety Plan and responded to questions from Council.

Consultant Audrey Monette, Director of Projects & Research, Canadian Municipal Network on Crime Prevention participating remotely and available for questions.

Moved By Councillor Donn/Seconded By Councillor DeHart

**R1016/21/11/08** THAT Council receive for information the report from the Community Safety Department, dated November 8, 2021 on the update of the development of the Community Safety Plan.

**Carried**

### 5.2 Investment of Kelowna Funds Policy Update

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed amendments to the Investment of Kelowna Funds Council Policy 316.

Moved By Councillor Given/Seconded By Councillor Stack

**R1017/21/11/08** THAT Council receives, for information, the report from Financial Services dated November 8, 2021 regarding the Investment of Kelowna Funds Policy.

AND THAT Council adopts the revisions to Council Policy No. 316, the Investment of Kelowna Funds Policy as outlined in the report from the Corporate Financial Planning Manager dated November 8, 2021.

**Carried**

### 5.3 Kelowna Memorial Park Cemetery - Bylaw Amendment

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Donn

**R1018/21/11/08** THAT Council receives for information from the Cemetery Manager, dated November 8, 2021 recommending changes to the Kelowna Memorial Park Cemetery Bylaw No. 11664;

AND THAT Council gives reading consideration to Bylaw No. 12280 being amendment No. 3 to Kelowna Memorial Park Cemetery Bylaw No. 11664.

**Carried**

### 5.4 BL12280 - Amendment No. 3 to Kelowna Memorial Park Cemetery Bylaw No. 11664

Moved By Councillor Sieben/Seconded By Councillor DeHart

**R1019/21/11/08** THAT Bylaw No. 12280 be read a first, second and third time.

**Carried**

## 5.5 Creative Hub Feasibility Study Update

Staff:

- Displayed a PowerPoint Presentation providing an update on the progress of the Creative Hub Feasibility Study and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Singh

**R1020/21/11/08** THAT Council receives, for information, the report from the Cultural Services Department dated November 8, 2021 regarding the Creative Hub Feasibility Study;

AND THAT Council authorizes staff to proceed to Phase 2 of the feasibility work as outlined in the report from the Cultural Services Department dated November 8, 2021.

**Carried**

## 6. Bylaws for Adoption (Non-Development Related)

### 6.1 BL12281 - Amendment No. 15 to Water Regulation Bylaw No. 10480

Moved By Councillor Stack/Seconded By Councillor Sieben

**R1021/21/11/08** THAT Bylaw No. 12281 be adopted.

**Carried**

Councillor Singh - Opposed

## 7. Mayor and Councillor Items

Councillor Hodge:

- Encouraged residents to support Remembrance Day services to honour our veterans.
- Commented on the recent Downtown Kelowna Association (DKA) meeting and passed along their appreciation for the free Saturday parking downtown.

Councillor DeHart:

- Made comment that the Legion will provide a short outdoor Ceremony on Remembrance Day.
- Made comment that the Dragoons will have a closed Ceremony on Remembrance Day.

Councillor Singh:

- Recognized that today is Indigenous Veteran's Day and as Deputy Mayor will be laying a wreath at the Rutland Cenotaph.

Councillor Sieben:

- Made comment on the Community Safety Plan and issues occurring on our streets.

Councillor Donn:

- Hopeful for additional information from Interior Health Authority regarding venue capacity as the window for event season is now and having clarity sooner would be better.

Councillor Given:

- Encouraged citizens to visit the Crosses in City Park as a way of recognizing veterans.

Mayor Basran:

- Thanked Councillor Hodge for the motion this morning regarding social issues on our streets; Interior Health will be sent an invitation to speak with Council regarding mental health issues.
- City of Kelowna flags are at half-mast to mark Indigenous Veterans Day; flags will be raised after Indigenous Veterans Day. Flags will then be lowered again for Remembrance Day on Nov. 11.
- This year for health safety reasons due to COVID-19, the Remembrance Day parades held annually in downtown Kelowna and Rutland will not take place.

8. Termination

This meeting was declared terminated at 3:38 p.m.

\_\_\_\_\_  
Mayor Basran

/acm

  
\_\_\_\_\_  
City Clerk

DRAFT

# REPORT TO COUNCIL



**Date:** November 15, 2021

**To:** Council

**From:** City Manager

**Department:** Development Department

**Application:** Z21-0065

**Owner:** Theresa & Leith Pedersen

**Address:** 664 Barnaby Road

**Applicant:** Chris Thomson (Thomson Dwellings Inc.)

**Subject:** Rezoning Application

**Existing OCP Designation:** S2RES – Single/Two Unit Residential

**Existing Zone:** RR1 – Rural Residential 1

**Proposed Zone:** RR1c – Rural Residential 1 with Carriage House

---

## 1.0 Recommendation

THAT Rezoning Application No. Z21-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 357 ODYD Plan 18635, located at 664 Barnaby Road, Kelowna, BC, from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464 (2), waive the Public Hearing 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 the Report from the Development Planning Department dated November 15<sup>th</sup>, 2021.

## 2.0 Purpose

To rezone the subject property from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone, and to waive the Public Hearing.

## 3.0 Development Planning

Staff support the proposed rezoning application to the Rural Residential 1 with Carriage House zone to facilitate the construction of a new carriage house on the subject property. The subject property is within



the Permanent Growth Boundary (PGB), is serviced (i.e., sewer) and the plans align with the Official Community Plan (OCP) Future Land Use Designation of S2RES – Single/Two Unit Residential. Rezoning the subject property to add the 'c' designation would meet policy objectives including fostering a mix of housing forms and concentrating growth within the PGB.

#### 4.0 Proposal

##### 4.1 Project Description

The proposed rezoning from the RR1 zone to the RR1c zone to allow the construction of a new carriage house at the front of the property. The carriage house would use the existing driveway onto Barnaby Road, and the application has indicated that all three required stalls can be met on-site. The proposal indicates that the carriage house will meet all Zoning Bylaw Regulations without any variances.

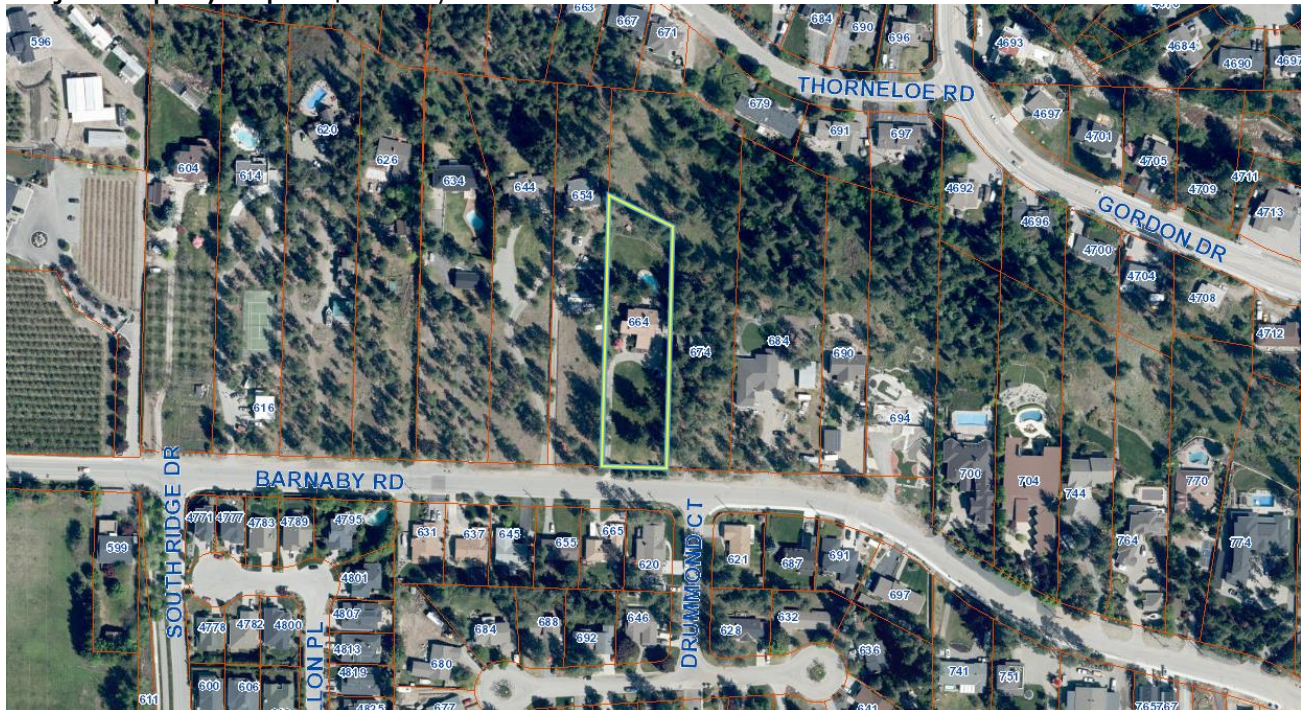
##### 4.2 Site Context

The subject property is in the Southwest Mission OCP Sector and its surrounding area is primarily zoned RR1 – Rural Residential 1, RR3 - Rural Residential 3 and RU1 – Large Lot Housing and the surrounding area has the Future Land Use Designation of S2RES – Single-Two Unit Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR1 – Rural Residential 1	Single-Family Dwelling
East	RR1 – Rural Residential 1	Single-Family Dwelling
South	RU1 – Large Lot Housing	Single-Family Dwelling(s)
West	RR1 – Rural Residential 1	Single-Family Dwelling

**Subject Property Map: 664 Barnaby 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.12 Carriage Houses & Accessory Apartments.* Support carriage houses and accessory apartments through appropriate zoning regulations.

##### ***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 outside the PGB for more intensive use only to the 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 Technical Comments**

### **6.1 Development Engineering Department**

6.1.1 Development Engineering Memorandum dated November 15<sup>th</sup>, 2021.

## **7.0 Application Chronology**

Date of Application Received: June 11<sup>th</sup>, 2021

Date Public Consultation Completed: October 27<sup>th</sup>, 2021

**Report prepared by:** Tyler Caswell, Planner

**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 Drawing Package



# Z21-0065

# 664 Barnaby Road

Rezoning Application



# Proposal

- ▶ To rezone the subject property from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone, and to waive the Public Hearing.

# Development Process

Jun 11<sup>th</sup>, 2021

Development Application Submitted



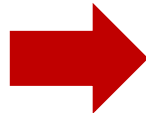
Staff Review & Circulation



Oct 27<sup>th</sup>, 2021

Public Notification Received



 Nov 15<sup>th</sup>, 2021

Initial Consideration



Public Hearing (Waived)  
Second & Third Readings



Final Reading



Building Permit

Council  
Approvals

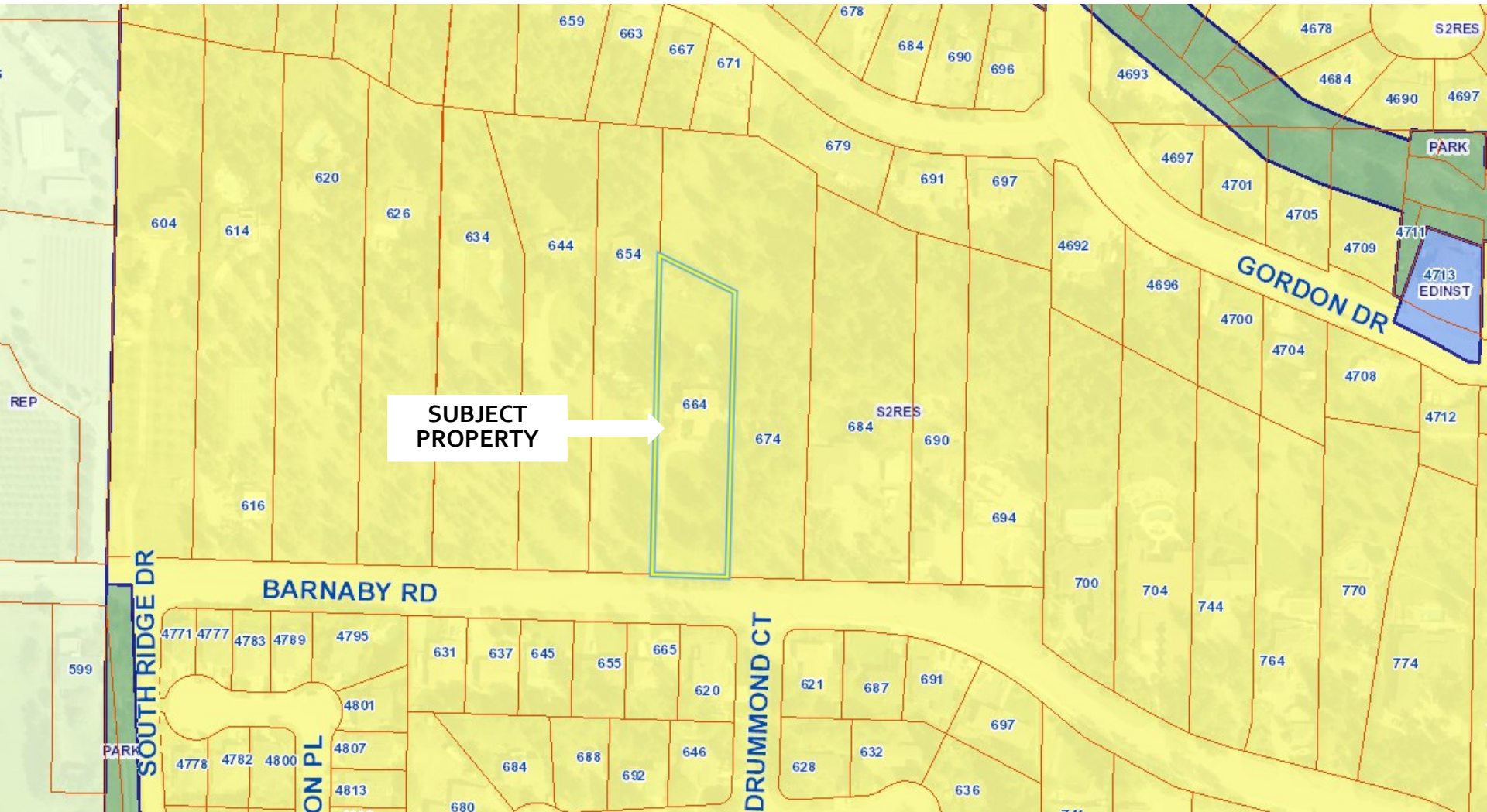


# Context Map





# OCP Future Land Use / Zoning





# Subject Property Map

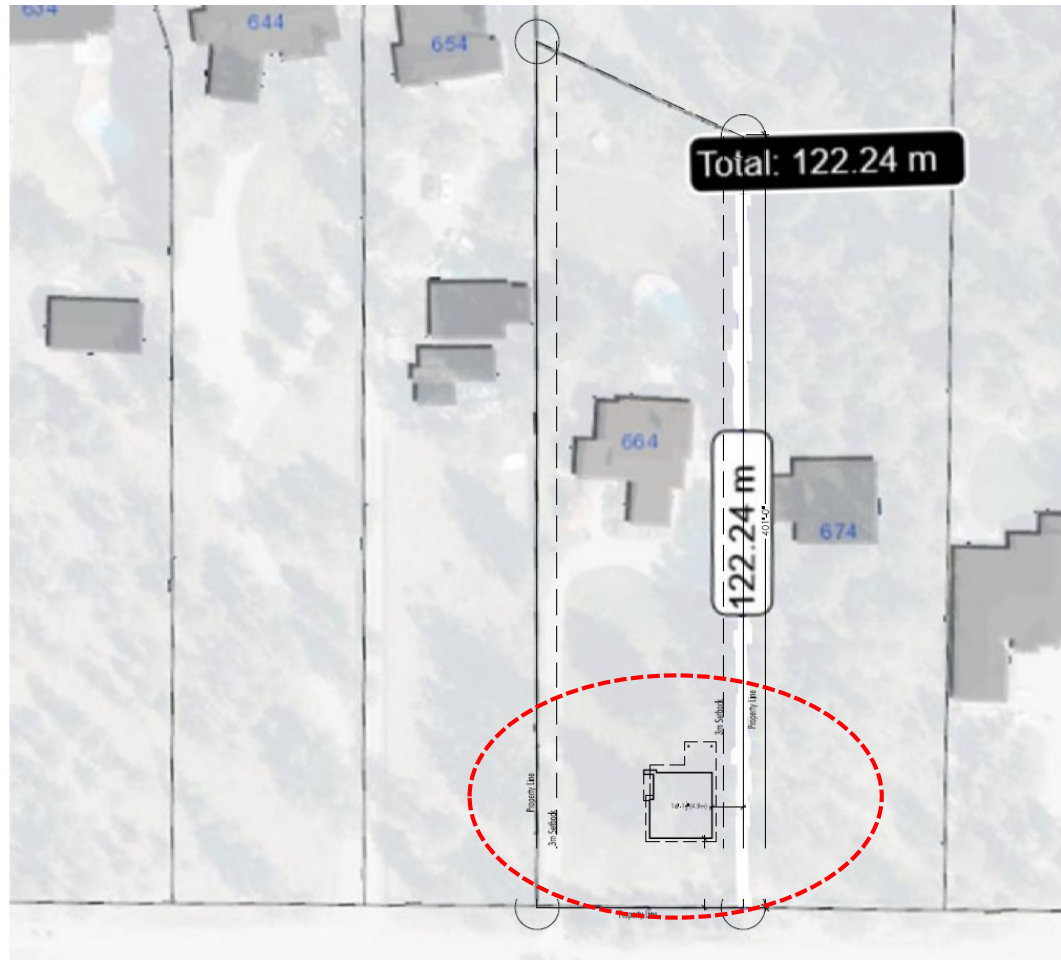




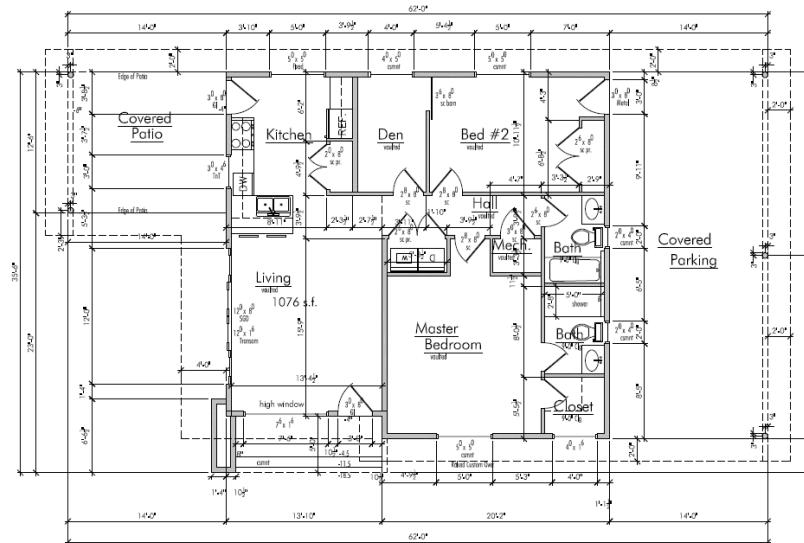
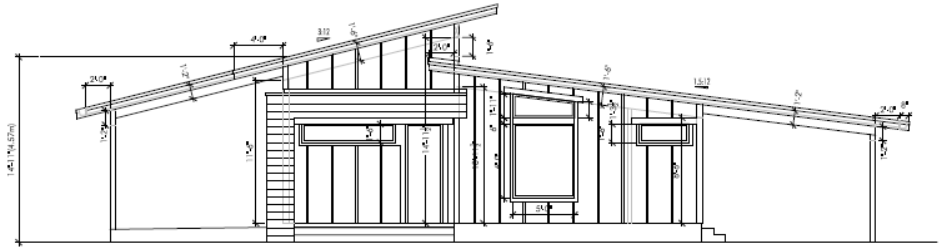
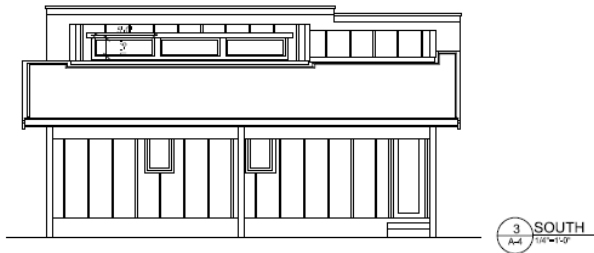
# Project details

- ▶ The proposed carriage house will be 2-bedroom and one-storey.
- ▶ The carriage house will be accessed from the existing driveway and will meet the parking minimums.
- ▶ The proposed carriage house will meet all Zoning Bylaw Regulations.

# Site Plan



# Conceptual Drawings



# Staff Recommendation

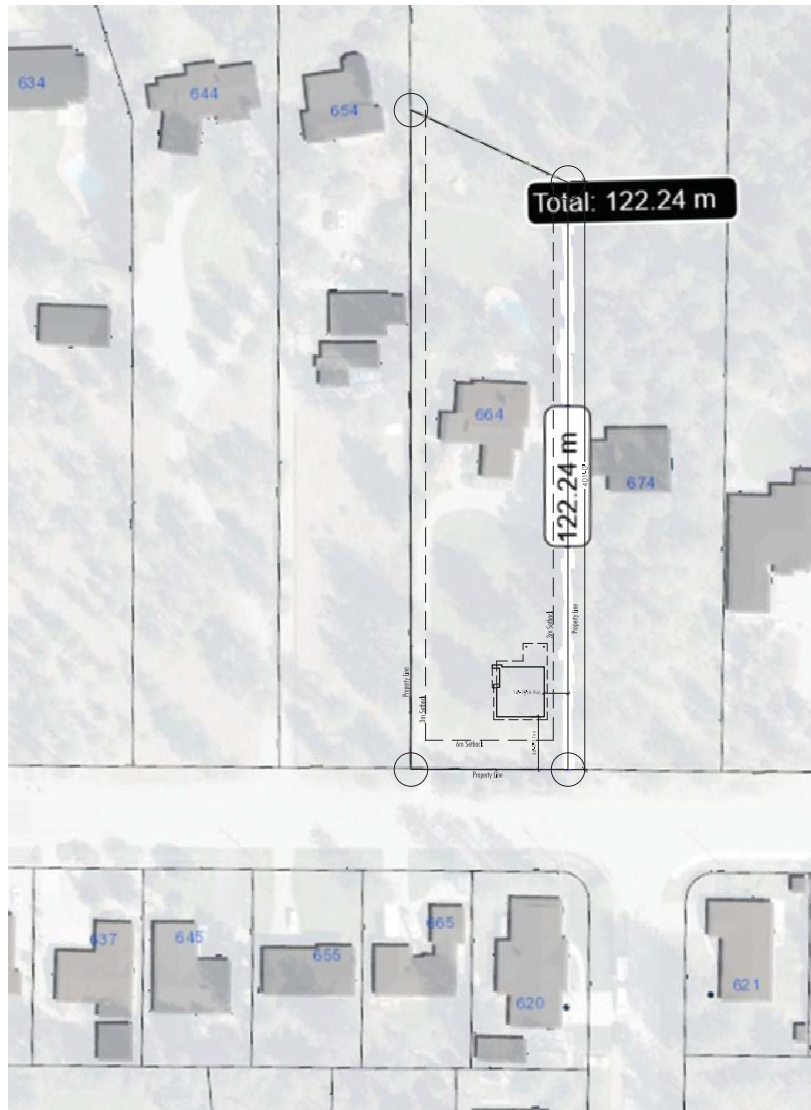
- ▶ Development Planning Staff recommend **support** of the proposed Rezoning:
  - ▶ Subject property is within the Permanent Growth Boundary.
  - ▶ Aligns with the Official Community Plan and Future Land Use of S2RES.



## *Conclusion of Staff Remarks*



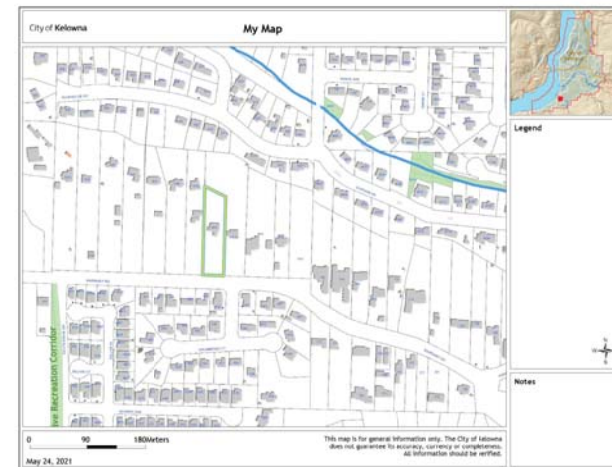


KH  
DESIGNS INC.CUSTOM  
DESIGN488 Shela Crescent  
Kelowna BC  
V1W 4L8  
250-575-0590

## Drawing List

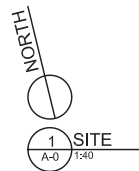
- A-0 Site Plan
- A-1 Foundation Plan
- A-2 Main Plan
- A-3 Roof Plan
- A-4 Elevations
- A-5 Elevations
- A-6 Section/ General Notes

## Vicinity Map:



## Project Notes:

PROJECT DATA	
<b>PROJECT DESCRIPTION</b> New 2 Bedroom Carriage Home 1076 s.f.	<b>REQUIRED PARKING</b> 2 Off-street spaces
<b>PROJECT LOCATION</b> 664 Barnaby Road Kelowna BC	<b>GOVERNING CODES</b> B.C. Building Code Classification: Group C Single Family Occupancy
<b>LEGAL DESCRIPTION</b> KAP 18635	<b>BUILDING USES</b> Part 9 Code Review Single Family Residence
<b>ZONING</b> RR1	<b>DENSITY</b> SEPARATE PERMITS
<b>SETBACKS:</b> 6m Front, 3m Side, 7.5m Rear	<b>TYPE OF CONSTRUCTION</b> Type V Non-rated
	<b>LOT COVERAGE</b> Less than 10% Total Lot Coverage Total
	<b>HEIGHT/STORIES</b> 14'11" (4.37m)
	<b>SOIL</b> Compacted
	<b>SEISMIC DESIGN PARAMETERS</b> IMA
	<b>CODES</b> B.C. Building Code Classification: Group C Single Family Occupancy Part 9 Code Review Most Current BC Building Code Energy Code Review Provided by Others

664  
Barnaby Road  
Kelowna BC

DRAWN BY: KJH

PROJECT: 14-21

FILE:

ISSUE DATE

Drawing Issued 10/29/21

SCALE:

Site  
Plan

A-0

# ATTACHMENT A

This forms part of application

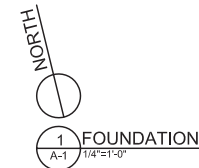
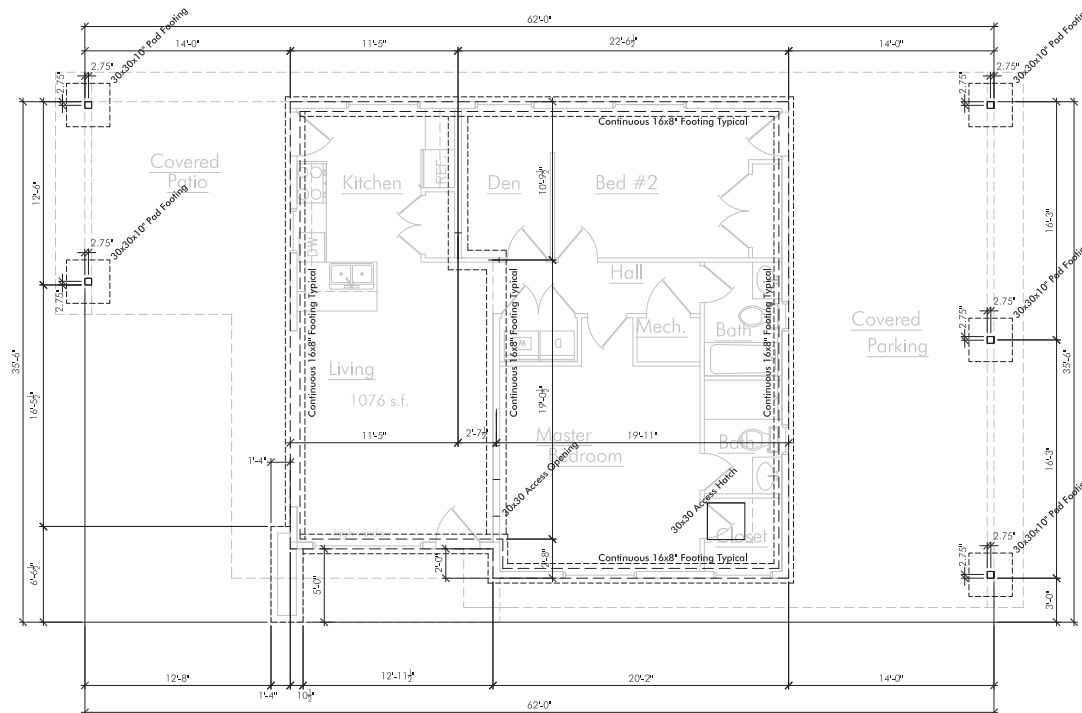
# Z21-0065

Planner  
Initials TC



KH  
DESIGNS  
CUSTOM  
DESIGN

488 Shela Crescent  
Kelowna BC  
V1W 4L8  
250-575-0590



664  
Barnaby Road  
Kelowna BC

DRAWN BY: KJH  
PROJECT: 14-21  
FILE:  
ISSUE DATE  
Drawing Issued 5/24/21  
SCALE:

Foundation  
Plan

A-1



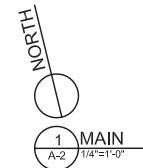
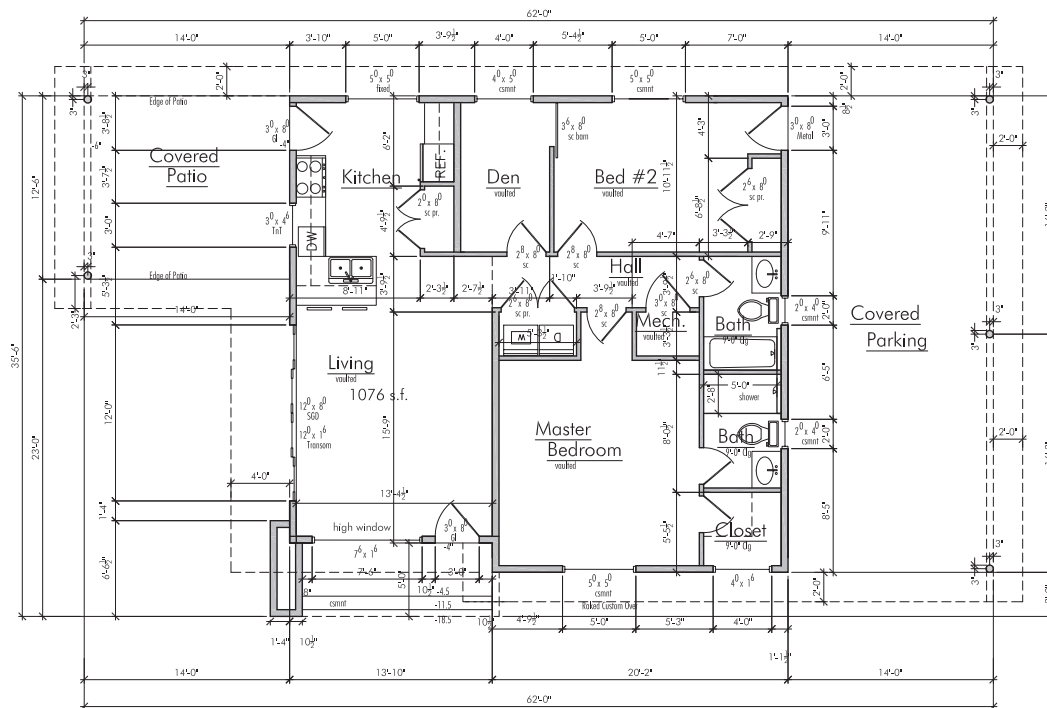
# ATTACHMENT A

This forms part of application  
# Z21-0065

Planner  
Initials TC



488 Shella Crescent  
Kelowna BC  
V1W 4L8  
250-575-0590



664  
Barnaby Road  
Kelowna BC

DRAWN BY: KJH  
PROJECT: 14-21  
FILE:  
ISSUE DATE  
Drawing Issued 5/24/21  
SCALE:

Main  
Plan

A-2

# ATTACHMENT A

This forms part of application

# Z21-0065

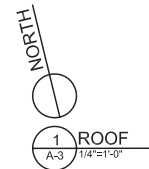
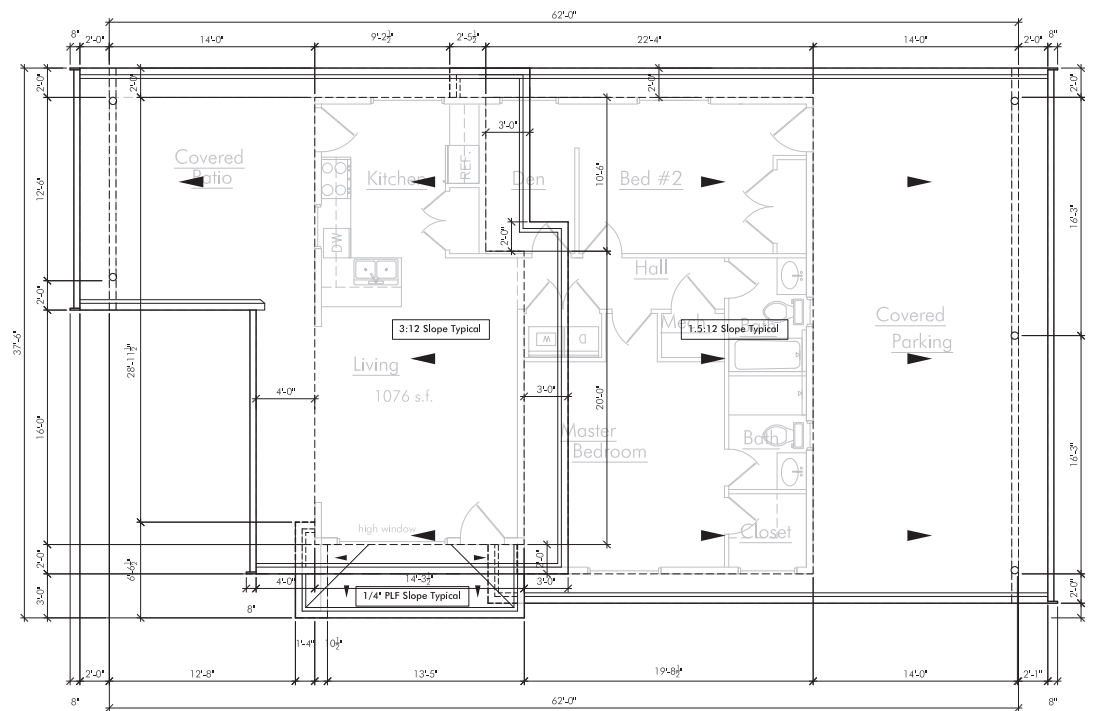
Planner  
Initials TC

City of  
**Kelowna**  
DEVELOPMENT PLANNING



**KH**  
DESIGNS  
CUSTOM  
DESIGN

488 Shallo Crescent  
Kelowna BC  
V1W 4L8  
250-575-0590

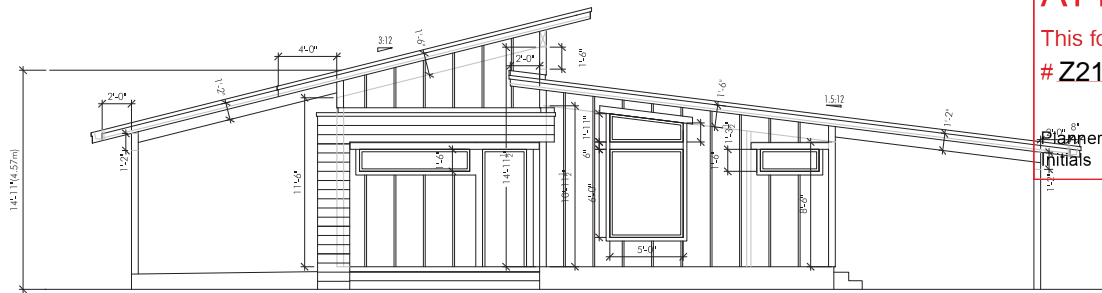


**664**  
Barnaby Road  
Kelowna BC

DRAWN BY: KJH  
PROJECT: 14-21  
FILE:  
ISSUE DATE  
Drawing Issued 5/24/21  
SCALE:

Roof  
Plan

**A-3**



# ATTACHMENT A

This forms part of application

# Z21-0065

Planner  
Initials

TC

City of  
**Kelowna**  
DEVELOPMENT PLANNING



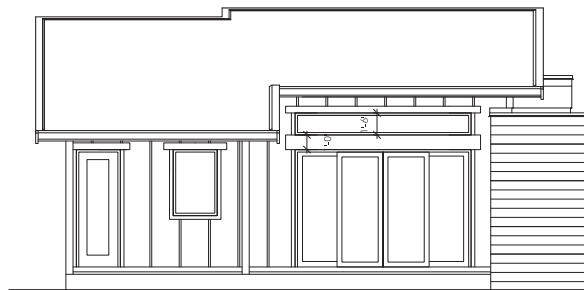
*KH*

KH  
DESIGNS INC.

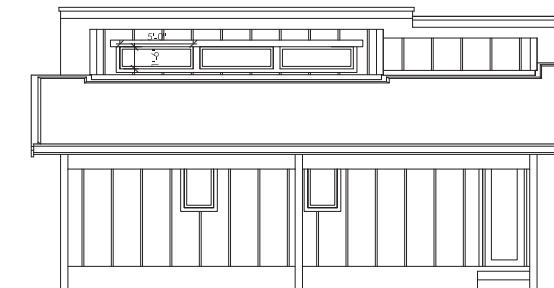
CUSTOM  
DESIGN

488 Shallo Crescent  
Kelowna BC  
V1Y 4L8  
250-575-0590

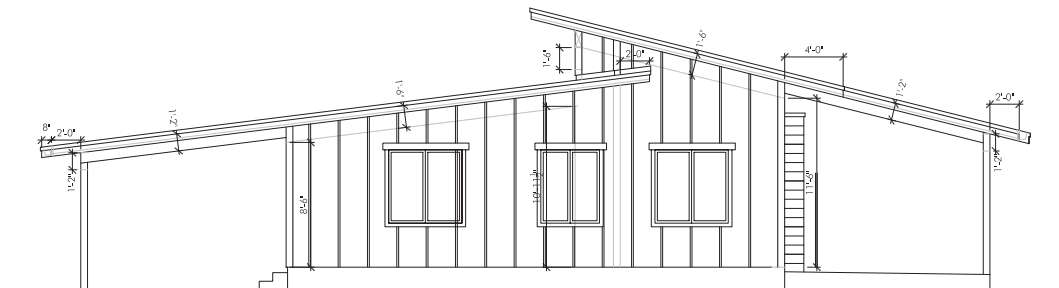
1 WEST  
A-4 1/4"=1'-0"



2 NORTH  
A-4 1/4"=1'-0"



3 SOUTH  
A-4 1/4"=1'-0"



4 EAST  
A-4 1/4"=1'-0"

**664**  
Barnaby Road  
Kelowna BC

DRAWN BY: KJH

PROJECT: 14-21

FILE:

ISSUE DATE

Drawing Issued 5/24/21

SCALE:

Elevations

**A-4**



# **CITY OF KELOWNA**

## **BYLAW NO. 12302**

**Z21-0065**

**664 Barnaby 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 District Lot 357, ODYD, Plan 18635 located on Barnaby Road, Kelowna, BC from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Public Hearing waived by the Municipal Council this

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

# REPORT TO COUNCIL



**Date:** November 15<sup>th</sup>, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z21-0084

**Owner:** Paul Benjamin Neufeld,  
Meghan Mary Neufeld and  
Pillar West Developments Inc.,  
Inc.no. BC1066488

**Address:** 442 Eldorado Rd

**Applicant:** Urban Options Planning Corp.

**Subject:** Rezoning Application

**Existing OCP Designation:** S2RES – Single/Two Unit Residential

**Existing Zone:** RU1 – Large Lot Housing

**Proposed Zone:** RU2 – Medium Lot Housing

---

## 1.0 Recommendation

THAT Rezoning Application No. Z21-0084 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 167 ODYD Plan 10989, located at 442 Eldorado Road, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RU2 – Medium 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;

AND 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 November 15<sup>th</sup>, 2021;

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

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

## 2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing to RU2 – Medium Lot Housing 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 from RU1 – Large Lot Housing to RU2 – Medium Lot Housing to facilitate a 2-lot subdivision. The subject property has a Future Land Use Designation of S2RES – Single/Two Unit Residential and is within the City's Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan's (OCP) objectives and the RU2 – Medium Lot Housing zone is congruous with the surrounding neighbourhood.

## 4.0 Proposal

### 4.1 Project Description

The proposed rezoning application from RU1 – Large Lot Housing to RU2 – Medium Lot Housing is to facilitate a 2-lot subdivision. To finalize the subdivision, a Development Variance Permit is required for Lot B from 15.0m required to 14.566m proposed. The existing dwelling will be removed, and the proposed new dwellings are anticipated to meet all the requirements of the zone, so no additional variances to the structures are proposed.

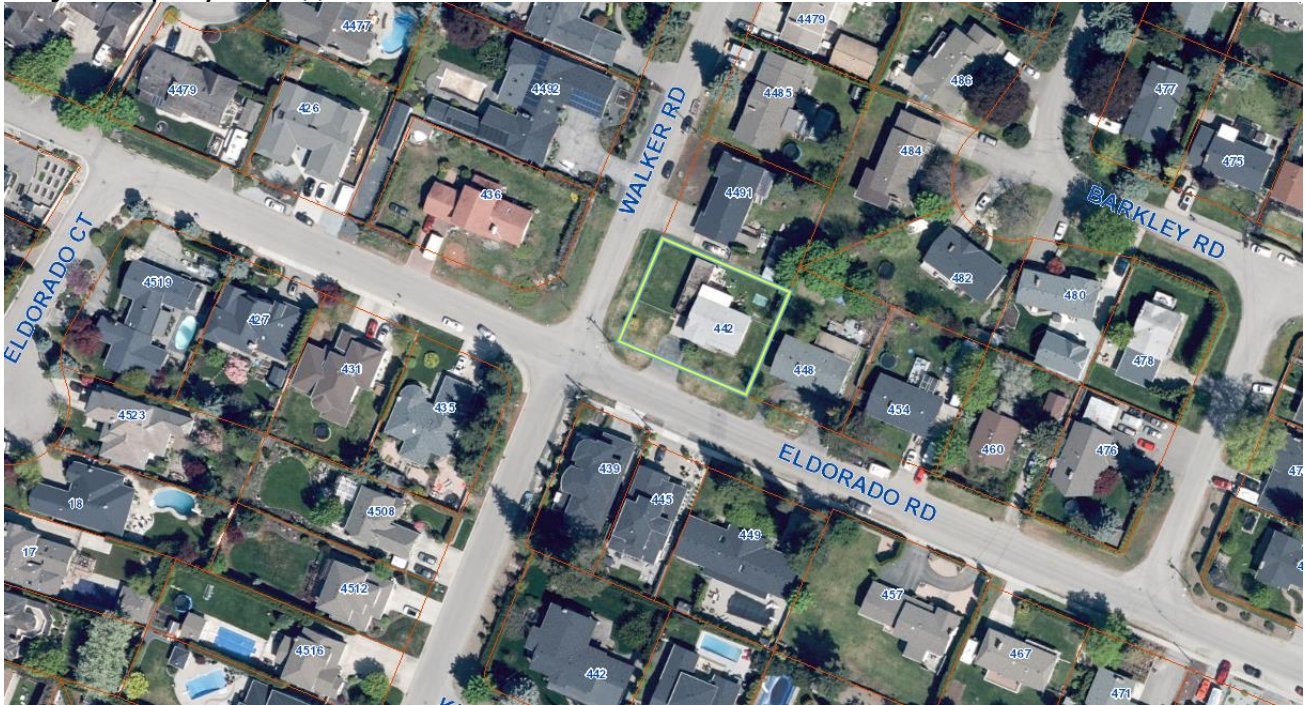
### 4.2 Site Context

The subject property is located in the North Mission – Crawford OCP Sector and is within the Permanent Growth Boundary (PGB). The surrounding area is largely zoned RU1 – Large Lot Housing and RU2 – Medium Lot Housing. The surrounding area almost entirely has the Future Land Use Designation of S2RES – Single/Two Unit Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single-Family Dwelling
East	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: 442 Eldorado Rd**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

**Chapter 1: Introduction**

***Goals for a Sustainable Future:***

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

**Chapter 5: Development Process**

***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 outside the PGB for more intensive use only to the 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 Technical Comments**

**6.1 Development Engineering Department**

6.1.1 Attached Development Engineering Memorandum dated September 8<sup>th</sup>, 2021



## 7.0 Application Chronology

Date of Application Accepted: August 25<sup>th</sup>, 2021  
Date Public Consultation Completed: September 14<sup>th</sup>, 2021

**Report prepared by:** Tyler Caswell, Planner  
**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: Proposed Subdivision  
Attachment B: Applicant's Rationale

---

# CITY OF KELOWNA

## MEMORANDUM

<b>SCHEDULE</b>		<b>A</b>
This forms part of application		
# Z21-0084		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

**Date:** September 8, 2021

**File No.:** Z21-0084

**To:** Urban Planning (TC)

**From:** Development Engineering Manager (RO)

**Subject:** 442 Eldorado Rd.

RU1 to RU2

The Development Engineering Department has the following comments and requirements associated to rezone the subject property from RU1 Large Lot Housing to RU2 – Medium Lot Housing to facilitate a two-lot subdivision.

The Development Engineering Technologist for this project is Aaron Sangster.

### 1. General

- a. The following requirements are valid for one (1) years from the reference date of this memo, or until the PLR and/or application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.

### 2. Domestic Water and Fire Protection


- a. The subject property is currently serviced with 19mm water service. One metered water service will be required for the development. The disconnection of the existing smaller diameter water services and the tie-in of a larger service is the developer's responsibility. Only one service will be permitted for each lot.

### 3. Sanitary Sewer

- a. Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for each legal lot. The applicant, at their cost, will arrange for the removal and disconnection of the existing services and installation of one new larger service, if necessary. New service connection required to be completed with an inspection chamber (c/w Brooks Box) as per SS-S7.

### 4. Storm Drainage

- a. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.

<b>SCHEDULE</b>		<b>A</b>
This forms part of application		
# Z21-0084		
Planner Initials	TC	 <b>City of Kelowna</b> DEVELOPMENT PLANNING

- b. On site storm drainage systems for the site will be reviewed and approved by Engineering in accordance with bylaw 7900, when a site servicing design is submitted.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

## 5. Road Improvements

- a. Eldorado Rd. must be upgraded to an urban standard along the full frontage of this proposed development, including roll-over curb and gutter, sidewalk, irrigated landscaped boulevard, streetlights, drainage system including catch basins, watermain upgrade, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a SS-R7.
- b. Walker Rd. must be upgraded to an urban standard along the full frontage of this proposed development, including roll-over curb and gutter, sidewalk, irrigated landscaped boulevard, streetlights, drainage system including catch basins, watermain upgrade, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a SS-R7.

## 6. Electric Power and Telecommunication Services


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

## 7. Development Permit and Site Related Issues

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b. If any road dedication affects lands encumbered by a Utility right-of-way (such as Fortis, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.
- c. Dedication of a 6.0m corner rounding will be required.

## 8. Design and Construction

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b. Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).

<b>SCHEDULE</b>		<b>A</b>
This forms part of application		
# Z21-0084		
Planner Initials	TC	 City of <b>Kelowna</b> DEVELOPMENT PLANNING

- d. A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e. Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

## 9. Servicing Agreements for Works and Services


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

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

## 10. Geotechnical Study

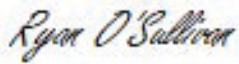
- a. Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:
  - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
  - ii. Site suitability for development.
  - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
  - iv. Any special requirements for construction of roads, utilities and building structures.
  - v. Recommendations for items that should be included in a Restrictive Covenant.
  - vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
  - vii. Any items required in other sections of this document.

Additional geotechnical survey may be necessary for building foundations, etc

<b>SCHEDULE</b>		<b>A</b>
This forms part of application # Z21-0084		
Planner Initials	TC	 City of <b>Kelowna</b> DEVELOPMENT PLANNING

**12. Charges and Fees**

- (a) Development Cost Charges (DCC's) are payable
- (b) Fees per the "Development Application Fees Bylaw" include:
  - (i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
  - (ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
  - (iii) A hydrant levy charge of **\$250.00** (\$250.00 per new lot.)
  - (iv) Survey Monument Fee: **\$50.00** (\$50 per newly created lot – GST exempt).



---

Ryan O'Sullivan  
Development Engineering Manager

AS

# PLAN OF PROPOSED SUBDIVISION OF LOT 6 DISTRICT LOT 167 ODYD PLAN 10989

PID: 009-510-974

CIVIC ADDRESS: 442 ELDORADO ROAD, KELOWNA

BCGS 82E.083

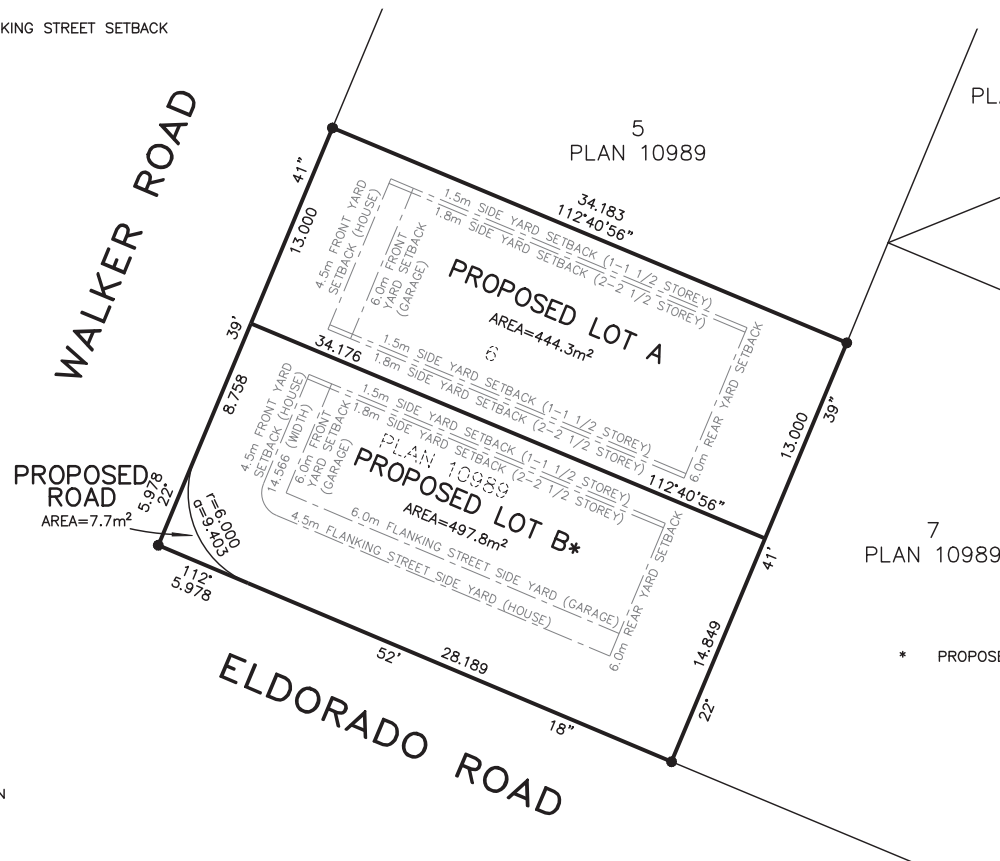
10 5 0 10 20 30 METRES

THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY 280mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:300

DATE: AUGUST 4, 2021

REVISED OCTOBER 27, 2021 - 4.5m FLANKING STREET SETBACK

LOT INFORMATION			
	CURRENT LOT 6	PROPOSED LOT A	PROPOSED LOT B
ZONING	RU1	RU2	RU2
AREA	949.8m <sup>2</sup>	444.3m <sup>2</sup>	497.8m <sup>2</sup>
WIDTH	27.736m	13.00m	14.566m



## ATTACHMENT A

This forms part of application

# Z21-0084

Planner  
Initials TC



\* PROPOSED LOT B REQUIRES VARIANCE FOR LOT WIDTH FROM 15m TO 14.566m

THIS LOT IS SUBJECT TO FOLLOWING  
NON-FINANCIAL CHARGES:  
-RESTRICTIVE COVENANT (B7683)

THIS PLAN SHOWS REGISTERED CHARGES ON  
TITLE THAT ARE DEFINED BY SURVEY PLAN  
OR DESCRIPTION. UNREGISTERED INTERESTS  
HAVE NOT BEEN INCLUDED OR CONSIDERED.

SETBACKS SHOWN ARE ACCORDING TO CITY OF  
KELOWNA ZONING BYLAW PROPOSED ZONE RU2

THIS PLAN IS NOT TO BE USED FOR  
RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

Ferguson Land Surveying & Geomatics Ltd.  
B.C. AND CANADA LAND SURVEYORS  
404-1630 PANDOSY STREET, KELOWNA, B.C.  
TELEPHONE (250) 763-3115 FAX (250) 763-0321

JOB No 22378-PROP SUB-REV1

S:\Shared (Aug 10, 2006)\Job\_Files\223XX\22378\22378-CAD\22378-PROP SUB.DWG  
DRFTD BY: AI FB/PG: SEE FILE



<b>ATTACHMENT</b>		<b>B</b>
This forms part of application		
# DVP21-0084		
Planner Initials	TC	 City of <b>Kelowna</b> DEVELOPMENT PLANNING

REVISED October 27, 2021

City of Kelowna  
**Urban Planning Department**  
1435 Water Street  
Kelowna, BC

Rezoning, DVP, and PLR Application at 442 Eldorado Road

Dear Planning Staff,

The purpose of this application is to rezone the subject property from RU1 – Large Lot Housing to RU2 – Medium Lot Housing and secure a Variance Permit. This process will facilitate a two-lot Subdivision which is being applied for concurrently. The intent is to create two medium sized lots which will blend seamlessly into the existing community. The existing dwelling located on this property will be removed as part of the development process. The immediate area of the subject property is designated in the OCP as Single/Two Unit Residential (S2RES), a designation that supports the RU2 – Medium Lot Housing zone.

**Rezoning**

The immediate neighbourhood includes a range of housing densities, ranging from “RU1 – Large Lot Housing” up to “RU6 – Two Dwelling Housing.” The neighbourhood consists of several older dwellings located on large lots. However, there have been several subdivisions since the mid-2000’s that have created smaller lots in the neighbourhood. The area is well served with several schools, parks, and the Okanagan Mission Community Hall. In addition, the subject property is located within 0.5km from Sarsons’ Beach Park and the Eldorado Road Beach Access. Shopping is an easy walk away to the local commercial hub.

**Development Variance Permit**

One Development Variance is being requested as part of this application:

- To reduce the required lot width from 15.0m on a corner lot to 14.566m for Proposed Lot B.

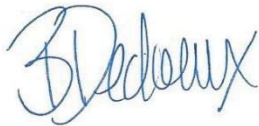
We believe the proposed Variance to reduce the lot width is reasonable because the proposed width at the front yard setback is only 0.434m less than the bylaw requirement of 15.0m. The lot width at the rear yard is 14.849m, which is only 0.151m less than 15.0m. In addition, the resulting properties exceed the minimum parcel size of 400m<sup>2</sup> under the RU2 – Medium Lot Housing zone.

## Subdivision

The proposed subdivision conforms to the OCP Future Land Use designation of S2Res – Single / Two Unit Residential. In the immediate neighbourhood, there are 8 properties zoned RU2, many of which have been recently subdivided. The proposed subdivision will allow for upgrades to a property which has seen limited redevelopment since its original construction in 1967. With regards to road dedication, 7.7m<sup>2</sup> will be dedicated at the corner of Walker and Eldorado to allow for the road to be upgraded to an urban standard.

For any questions, please contact Birte at 250.575.6707 or email [birte@urbanoptions.ca](mailto:birte@urbanoptions.ca).

Regards,



Birte Decloux, RPP MCIP  
Urban Options Planning Corp.

<b>ATTACHMENT</b>		<b>B</b>
This forms part of application		
# <b>DVP21-0084</b>		
Planner Initials	<b>TC</b>	 <b>City of Kelowna</b> DEVELOPMENT PLANNING





# Z21-0084 442 Eldorado Rd

Rezoning Application



# Proposal

- ▶ To rezone the subject property from RU1 – Large Lot Housing to RU2 – Medium Lot Housing, to facilitate a 2-lot subdivision, and to waive the Public Hearing.

# Development Process

Aug 25<sup>th</sup>, 2021

Development Application Submitted



Staff Review & Circulation



Sept 14<sup>th</sup>, 2021

Public Notification Received



Nov 15<sup>th</sup>, 2021

Initial Consideration



Public Hearing (Waived)  
Second & Third Readings



Final Reading  
DP & Variances

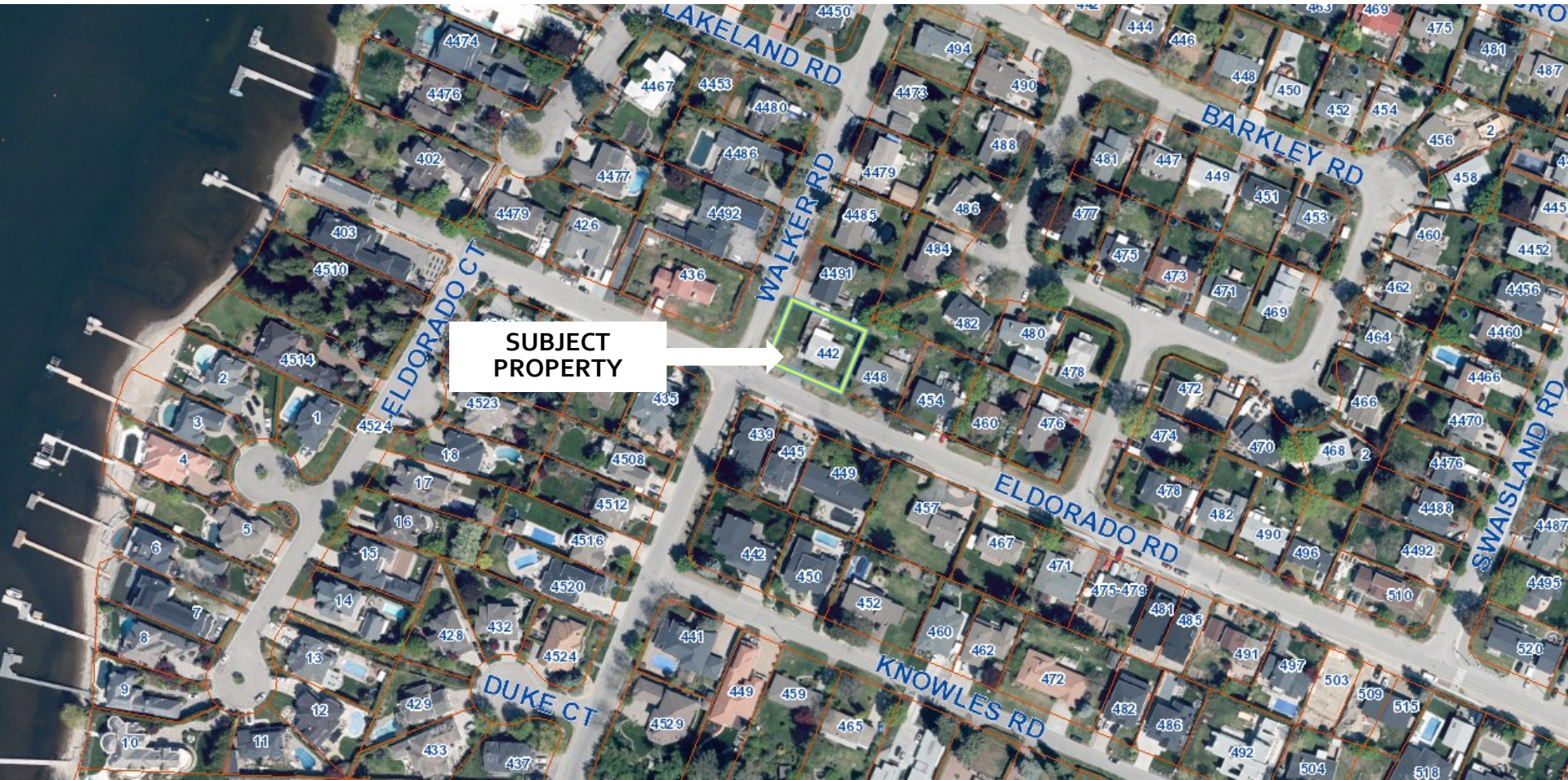


Building Permit

Council  
Approvals

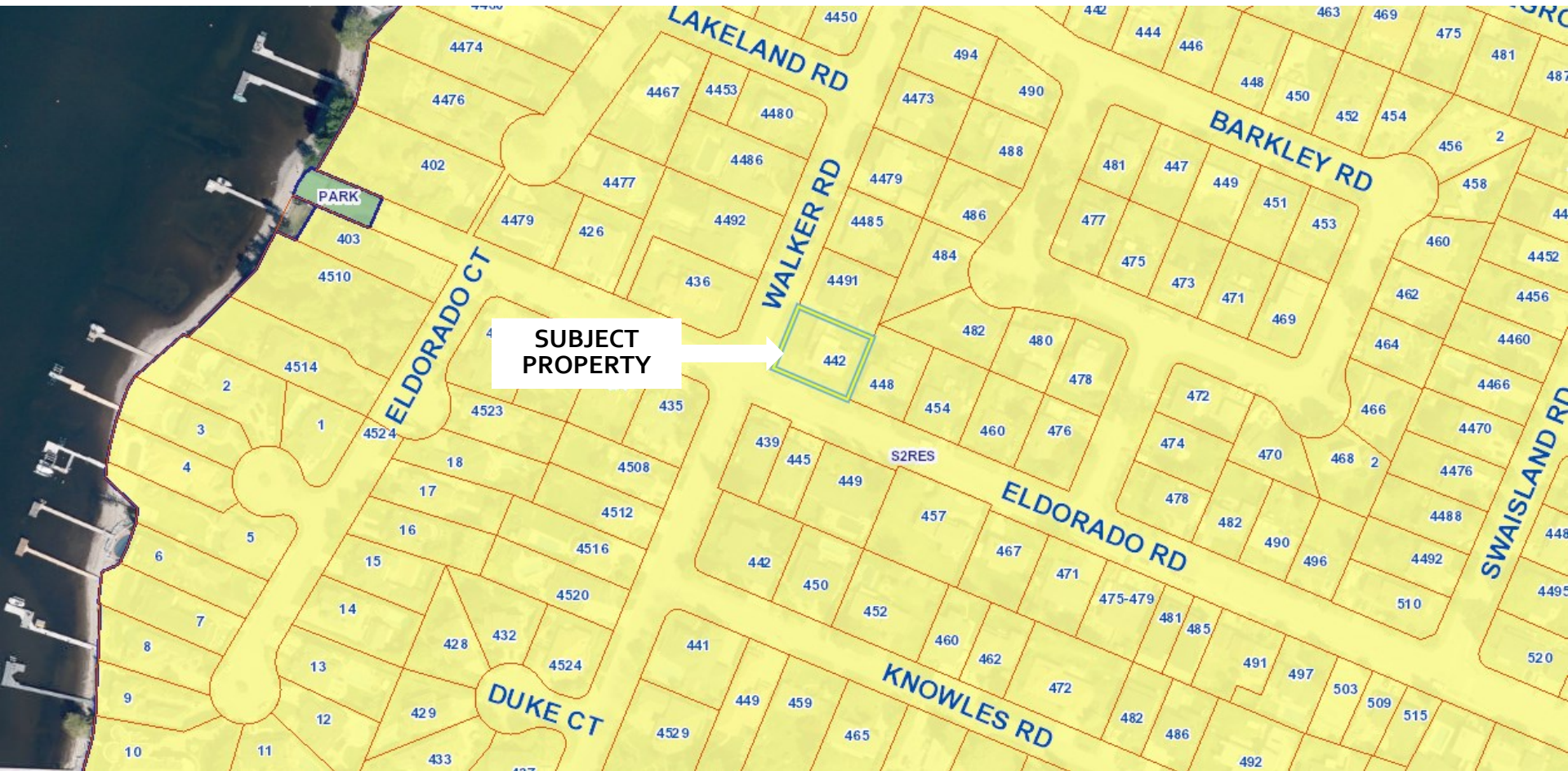


# Context Map





# OCP Future Land Use





# Subject Property Map

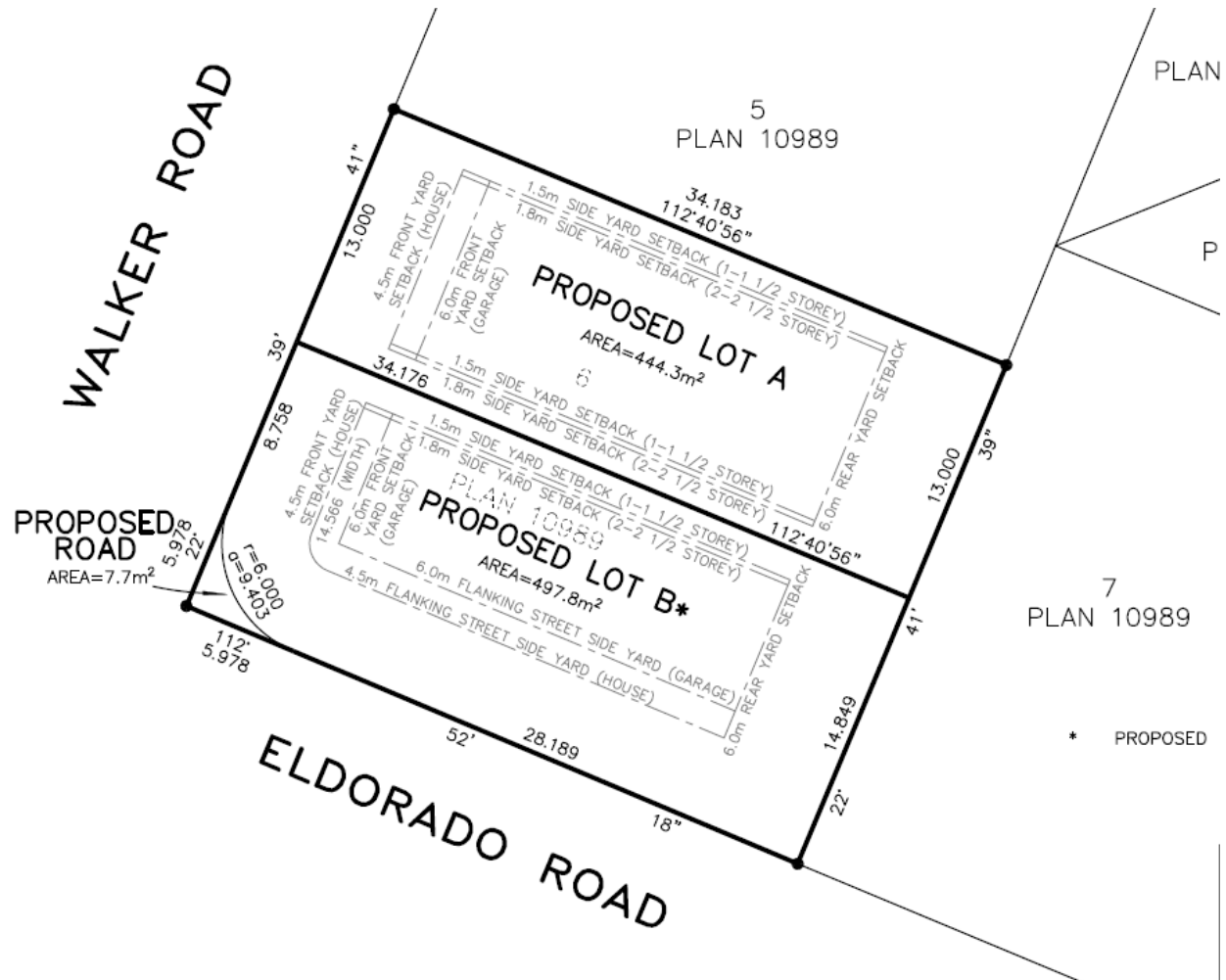


# Project details

- ▶ The proposal to rezone to RU2, is to facilitate a 2-lot subdivision.
- ▶ A Development Variance Permit Application is required to vary Lot B from 15.0m required to 14.566m proposed.
- ▶ If successful, the existing home will be removed.
- ▶ The proposed homes are expected to meet the development regulations of the RU2 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. 12303**

**Z21-0084**

**442 Eldorado 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 6 District Lot 167, ODYD, Plan 10989 located on Eldorado Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium 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:** November 15, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z21-0054

**Owner:** ERAC DEVELOPMENTS INC.,  
INC.No. BC1293206

**Address:** 1925 Fisher Rd

**Applicant:** Gurjit Cheema

**Subject:** Rezoning Application

**Existing OCP Designation:** S2RES – Single / Two Unit Residential

**Existing Zone:** RU1 – Large Lot Housing

**Proposed Zone:** RU6 – Two Dwelling Housing

---

## 1.0 Recommendation

THAT Rezoning Application No. Z21-0054 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 130 Osoyoos Division Yale District Plan EPP104385, located at 1925 Fisher Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone, be considered by Council;

AND FURTHER 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 to facilitate a two-dwelling housing development, and to waive the Public Hearing.

## 3.0 Development Planning

Staff recommend support for the rezoning application. The subject property is outside of the Permanent Growth Boundary (PGB) in the 2030 Official Community Plan (OCP). However, several factors favor the proposed RU6 – Two Dwelling Housing zone in this instance. First, the currently vacant lot is part of a neighbourhood that has been built out with single family and semi-detached homes. Second, the lot already



has service connections for both water and sanitary sewer. Third, the lot is not adjacent to the Agricultural Land Reserve (ALR). The property has a Future Land Use designation of Single / Two Unit Residential (S2RES) which supports the RU6 – Two Dwelling Housing zone.

#### 4.0 Proposal

##### 4.1 Background

The subject property was previously rezoned from A1 – Agriculture 1 to RU1 – Large Lot Housing in March of 2020, to facilitate a two-lot subdivision.

##### 4.2 Project Description

This application proposes a rezoning from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate the development of two-dwelling housing on the subject property. The lot meets minimum area requirements for two dwelling housing, and is connected to City services, including water and sanitary.

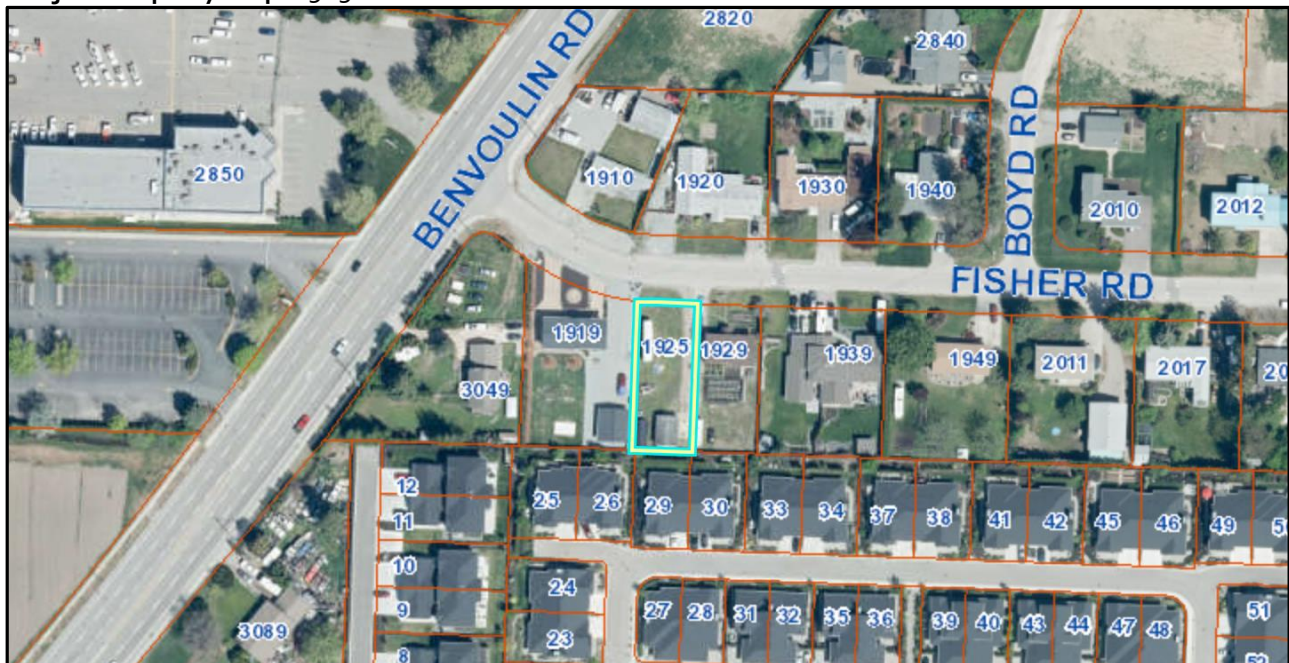
##### 4.3 Site Context

The subject property is located to the east of Benvoulin Road, and north of K.L.O. Road in the City's South Pandosy – KLO OCP Sector. The Walk Score is 9 indicating that it is car dependent, and almost all errands require a car. It is in proximity to a small pocket of commercial businesses, as well as to the Kelowna Christian School.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Single Dwelling Housing
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RU5 – Bareland Strata Housing	Single Dwelling Housing
West	A1 – Agriculture 1	Single Dwelling Housing

**Subject Property Map: 1925 Fisher 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 .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 outside the PGB for more intensive use only to the 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.

*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 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

## 6.0 Technical Comments

### 6.1 Development Engineering Department

Application does not compromise municipal infrastructure. All requirements are addressed under City of Kelowna subdivision application No. S20-0025.

## 7.0 Application Chronology

Date of Application Accepted: May 7, 2021

Date Public Consultation Completed: October 7, 2021

<b>Report prepared by:</b>	Kimberly Brunet, Planner II
<b>Reviewed by:</b>	Dean Strachan, Community Planning & Development Manager
<b>Reviewed by:</b>	Terry Barton, Development Planning Department Manager
<b>Approved for Inclusion:</b>	Ryan Smith, Divisional Director, Planning & Development Services

### **Attachments:**

Attachment A: Applicant's Rationale

Attachment B: Draft Site Plan

DESIGN RATIONALE:

1925 FISHER RD

Dear community planners,

As part of our development / rezoning application I am writing to you to share our rationale for this project.

LAND UTILIZATION:

At CM Designs, we seek efficiency in every aspect of design. From well designed floor plans to efficiently utilization of land. This project is a prime example where we can better utilize land by providing two dwelling housing in place of the vacant RU1 zoned lot.

REZONING PROPOSAL:

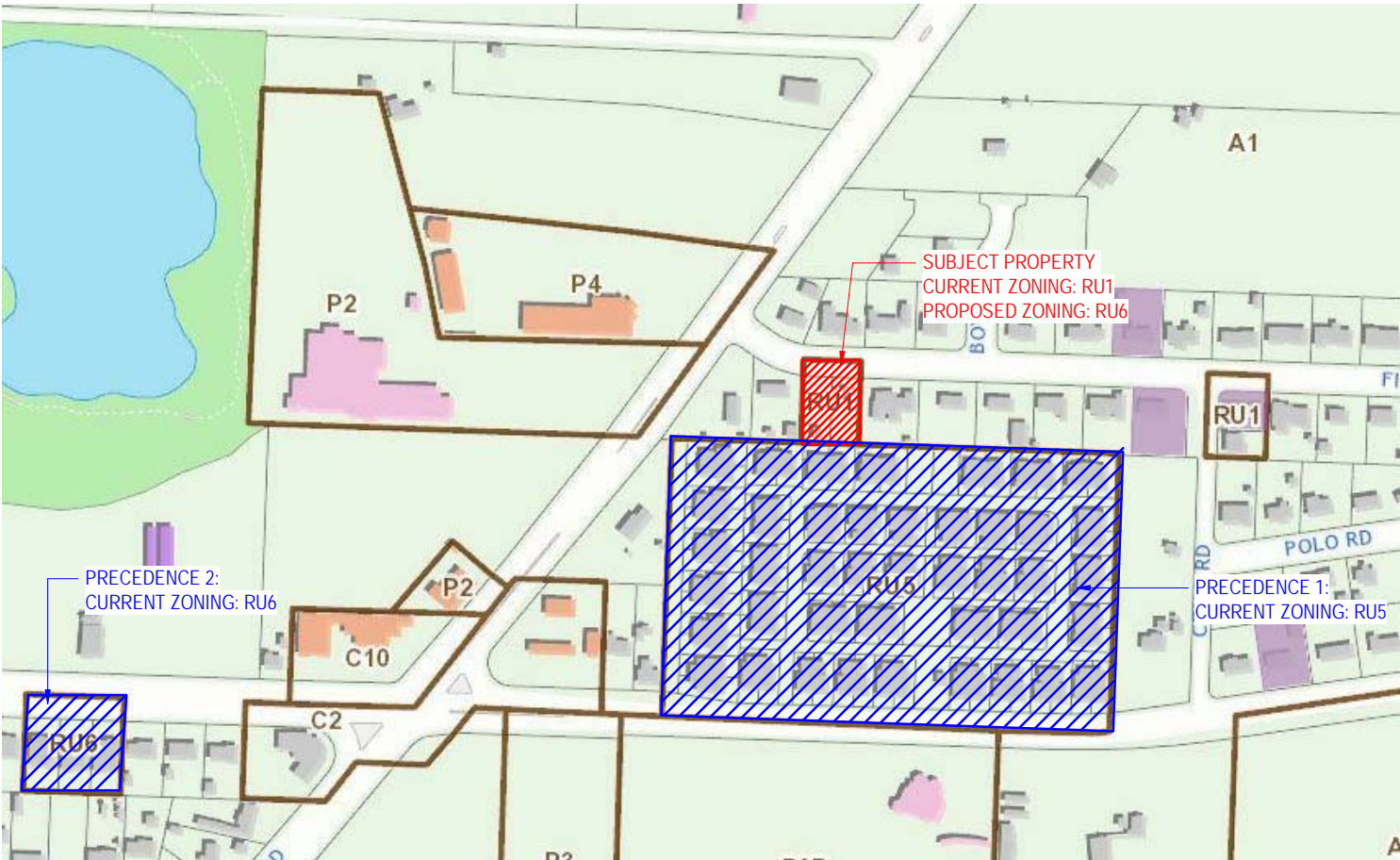
The current lot, as it sits, is 18.0m in width x 44.0m in depth. Because of the 18.0m in width, the RU6 zoning would allow for construction of two dwelling housing or duplex housing. The proposal is to rezone the land from RU1 to RU6 and build a duplex with front facing garages and side entrances.

The proposal is supported by the Official Community Plan (OCP) which was a future land use designation of S2Res - single / two unit residential. As such, the proposed zone is consistent with the OCP's objective of incrementally increasing residential densities in existing neighbourhoods. There are multiple properties in the vicinity that are zoned RU6 and RU5 that serve as precedence (refer to map below). As such, our proposed design will fit within the neighbourhood allowing for a large backyard to each unit, ample parking, and keeping well under the required parcel coverage area.

PRECEDENCE:

1960 K.L.O. rd: Behind the subject property, there is a large gated community, zoned RU5 that contains duplex housing similar to the proposed design on Fisher rd.

1751 K.L.O. rd: Down K.L.O rd a block further west there is a development that was rezoned to RU6 and contains two side by side duplex's.



curt\_mitch@outlook.com  
250-300-6888

No.	Date	Revision
01	2021-05-06	ISSUED FOR REZONING & DEVELOPMENT PERMIT

Drawing Title

DESIGN RATIONALE

Project Title

1925 FISHER RD

1925 FISHER RD, KELOWNA, BC V1W2H1  
LOT B, DISTRICT LOT 130, PLAN EPP104385

Drawing Number

X1.00

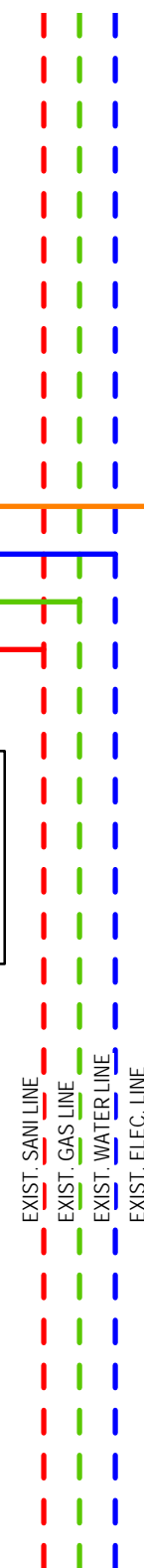
Job No.

18 - 1816

Scale

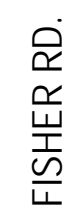
Copyright reserved. This plan and design is and at all times remains the exclusive property of CM Designs. and may not be used without the Architects' consent.





1  
A20

1. ALL EXISTING GRADES AND SURVEY INFORMATION BASED ON SURVEY FILE BY BENNETT LAND SURVEYING DATED JULY 30, 2020.
2. ALL SERVICING IS APPROX. CIVIL TO CONFIRM UPON BUILDING PERMIT APPROVAL.



2  
A2 01



ZONING SUMMARY		1925 FISHER RD	
ADDRESS	1925 FISHER RD, KELOWNA, BC V1W2H1		
LEGAL DESCRIPTION	LOT B, DISTRICT LOT 130, PLAN EPP104385		
DEVELOPMENT PERMIT AREA	N/A		
EXISTING ZONING	RU1		
PROPOSED ZONING	R16 (REZONING REQUIRED)		
EXISTING LEGAL USE	VACANT LAND		
PROPOSED LEGAL USE	DUPLEX HOUSING		

ZONING REQUIREMENTS		MAIN BUILDING	
	ZONING STANDARD	PROPOSED	
FRONT SETBACK	4.5m HOUSE / 6.0m GARAGE	6.0m GARAGE	
SIDE SETBACK	2.0m (1 storey) / 2.3m (2 storey)	2.0m (1 storey) / 2.3m (2 storey)	
REAR SETBACK	7.5m	7.5m	
PARCEL SIZE	700 SM (TWO DWELLING HOUSING)	793.1 SM (8,537 SF)	
PARCEL WIDTH	18.0m (TWO DWELLING HOUSING)	18.107m	
BUILDING HEIGHT	9.5m or 2.5 storeys	7.59m (24' - 6 3/4")	
LEVEL 1 PARCEL COVERAGE AREA	317.24 SM (40%)	292.5 SM (3,149 SF)	
TOTAL PARCEL COVERAGE %	40%	36.9%	
TOTAL PARKING COVERAGE %	10%	6.6%	
PRIVATE OPEN SPACE/ DWELLING	30 SM / DWELLING	142 SM / DWELLING	

Name	Area	Area (SM)
PARCEL SIZE	8,537 SF	793.1 m <sup>2</sup>
	8 537 SF	793.1 m <sup>2</sup>

PARKING AREA		
Name	Area	Area (SM)
PARKING	567 SF	52.7 m²
	567 SF	52.7 m²

PRIVATE OPEN AREA		
Name	Area	Area (SM)
SIDE 2 - PRIVATE OPEN AREA	1,539 SF	142.9 m²
SIDE 1 - PRIVATE OPEN AREA	1,550 SF	144.0 m²
	3,089 SF	286.9 m²

TOTAL BUILDING AREA		
Name	Area	Area (Sf/m)
SIDE 1 - BASEMENT	1,078 SF	100.2 m <sup>2</sup>
SIDE 1 - GARAGE	501 SF	46.8 m <sup>2</sup>
SIDE 1 - LEVEL 1	1,070 SF	99.4 m <sup>2</sup>
SIDE 1 - LEVEL 2	1,058 SF	98.3 m <sup>2</sup>
SIDE 1 - ROOF ACCESS	149 SF	13.8 m <sup>2</sup>
SIDE 2 - BASEMENT	1,080 SF	100.3 m <sup>2</sup>
SIDE 2 - GARAGE	502 SF	46.7 m <sup>2</sup>
SIDE 2 - LEVEL 1	1,071 SF	99.6 m <sup>2</sup>
SIDE 2 - LEVEL 2	1,063 SF	98.8 m <sup>2</sup>
SIDE 2 - ROOF ACCESS	151 SF	14.0 m <sup>2</sup>
	7,728 SF	717.9 m <sup>2</sup>



PROJECT NORTH

A2.01

Job No.	18 - 1816
Scale	As indicated





# Z21-0054 1925 Fisher Rd

Rezoning Application





# Proposal

- ▶ To rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate the development of a two dwelling housing.

# Development Process

May 7, 2021

Development Application Submitted

Staff Review & Circulation

Oct 7, 2021

Public Notification Received

Nov 15, 2021

Initial Consideration

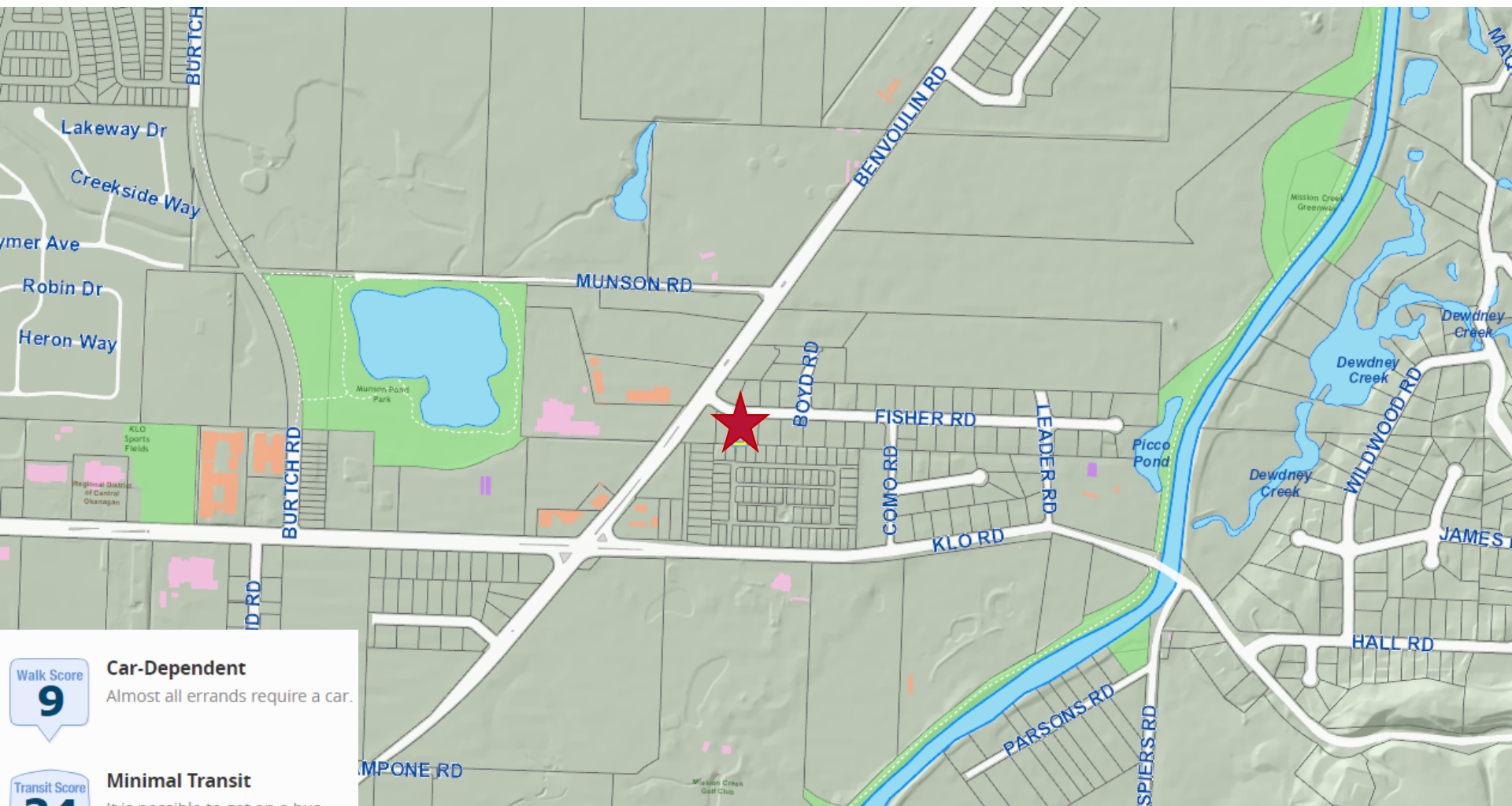
Waive Public Hearing

Final Reading

Building Permit

Council Approvals

# Context Map



**Walk Score**  
**9**  
**Car-Dependent**  
Almost all errands require a car.

**Transit Score**  
**24**  
**Minimal Transit**  
It is possible to get on a bus.

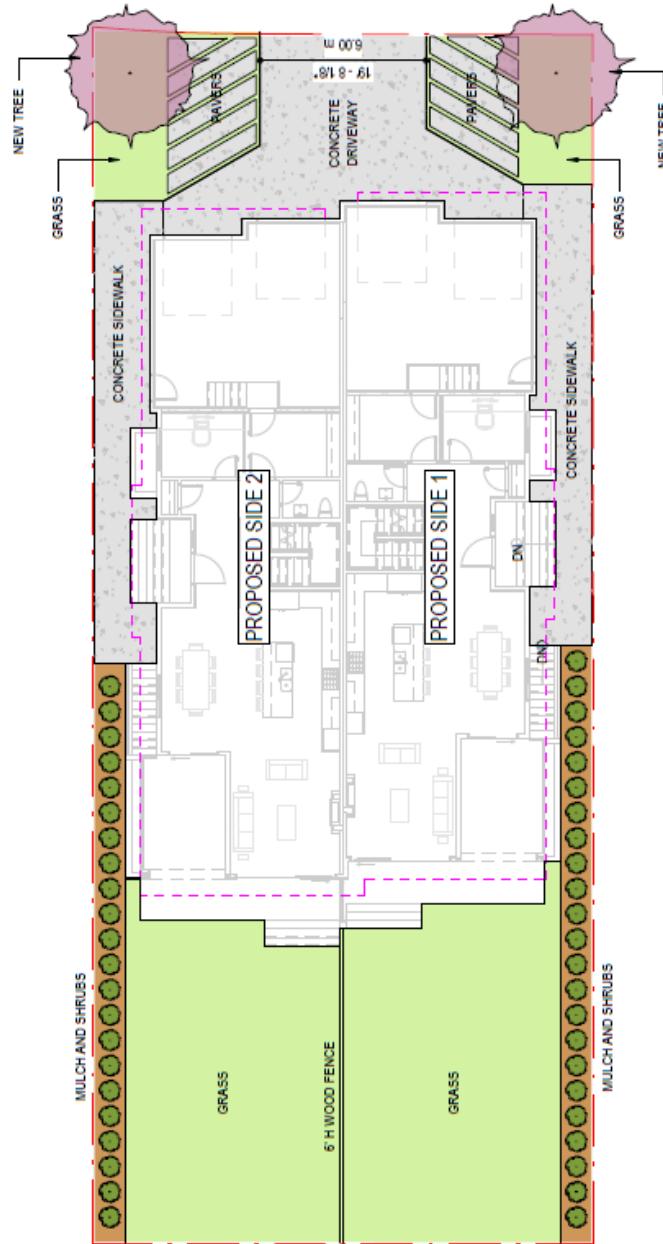
**Bike Score**  
**79**  
**Very Bikeable**  
Biking is convenient for most trips.

# Subject Property Map





# Conceptual Site Plan



# Development Policy

- ▶ Consistent with Future Land Use **S2RES**
- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
  - ▶ Compact Urban Form
- ▶ Lot is part of a neighbourhood that is fully built out with single and semi-detached homes
- ▶ Lot has water and sanitary connections
- ▶ Not adjacent to ALR



# Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning
  - ▶ Meets the intent of the Official Community Plan
    - ▶ Urban Infill Policies
    - ▶ Appropriate location for adding residential density
- ▶ Recommend the Public Hearing be waived



## *Conclusion of Staff Remarks*

# **CITY OF KELOWNA**

## **BYLAW NO. 12304**

**Z21-0054**

**1925 Fisher 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 B District Lot 130, ODYD, Plan EPP104385 located on Fisher 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

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:** November 15, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning Department

**Application:** TA21-0015      **Owner:** Okanagan College

**Address:** 860 – 1000 KLO Road      **Applicant:** Faction Projects Inc. – Alec Warrender

**Subject:** Text Amendment Application

**Existing OCP Designation:** EDINST – Educational / Major Institutional

**Existing Zone:** P2 – Education and Minor Institutional

---

## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA21-0015 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Schedule "A" attached to the Report from the Development Planning Department dated November 15, 2021, for Lot 1, District Lot 135, ODYD, Plan EPP90191 located at 860 – 1000 KLO Road, Kelowna, BC be considered by Council;

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

## 2.0 Purpose

To amend the Zoning Bylaw with a Site-Specific Text Amendment to increase the maximum permitted height in the P2 – Education and Minor Institutional zone for the subject property.

## 3.0 Development Planning

Staff supports the Text Amendment application to increase the maximum permitted height on the subject property to six storeys or 22 m as the proposal is consistent with the policies of the Official Community Plan (OCP). The proposal is generally consistent with the building height policy for the South Pandosy Urban Centre which anticipates building heights between four and eight storeys. Six storey building heights are typical of post-secondary institutional uses and would allow Okanagan College to take advantage of previous BC Building Code changes that allow wood frame buildings up to six storeys. Development of six storey buildings on the subject property for either student housing or future academic buildings would constitute

compact urban form as the subject property is on a four-lane arterial road in the South Pandosy Urban Centre and contains a major transit exchange.

#### 4.0 Proposal

##### 4.1 Background

There is an existing 144-bed student residence on the Okanagan College campus. In March 2021, the Provincial Government announced a student housing initiative that would add 216 student beds on the Kelowna campus.

##### 4.2 Project Description

The proposed text amendment to the P2 – Education and Minor Institutional zone would increase the maximum permitted height on the entire subject property from 13.5 m or 3 storeys, to 22 m or 6 storeys. The increase in height would allow the applicant to construct a new six storey student residence which would be located directly to the east of the existing student residence. The form and character of the proposed student residence would be considered by Council under a future Development Permit application. The proposed text amendment would also allow future development of six-storey buildings across the entire campus.

##### 4.3 Site Context

The subject property is the main campus of Okanagan College and is within the South Pandosy Urban Centre. It is located in the South Pandosy – KLO OCP Sector on KLO Road between Casorso Road and Gordon Drive. The subject property contains a major transit exchange and will be connected to the Ethel Street Active Transportation Corridor. Kelowna Secondary School and the Wastewater Treatment Facility are immediately to the north of the subject property. There are adjacent residential neighbourhoods to the east and west which are primarily designated SIH - Sensitive Infill Housing (Low Density) to the west and S2RES – Single / Two Unit Residential to the east. Across KLO Road, to the south, is primarily designated MRM – Multiple Unit Residential (Medium Density).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2 – Education and Minor Institutional P4 - Utilities	Kelowna Secondary School Wastewater Treatment Facility
East	RU6 – Two Dwelling Housing RM1 – Four Dwelling Housing	Single/Two Family Housing Fourplex Housing
South	RM5 – Medium Density Multiple Housing C4 – Urban Centre Commercial P2 – Education and Minor Institutional	Apartment Housing KLO Middle School
West	RU7 – Infill Housing RM3 – Low Density Multiple Housing	Single/Two Family Housing Fourplex Housing

**Subject Property Map: 860 – 1000 KLO 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 .1 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 m 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 5.5 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, impact on the overall skyline, distance between adjacent buildings above 22 m in height, impacts on adjacent or nearby heritage structures, building form and massing to mitigate negative impacts of buildings over 22 m in height.

**South Pandosy:** Generally 4 storeys. Six storeys within C4 or C9 zoned areas. Potential for 8 storeys where an architecturally distinct and significant building is placed at a corner, gateway or view terminus location that is of significance to the community or where a building is of cultural significance to the community.



## **6.o Application Chronology**

Date of Application Accepted: August 25, 2021  
Date Public Consultation Completed: October 19, 2021

**Report prepared by:** Mark Tanner, Planner II

**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:**

Schedule A: Text Amendment

Attachment A: Applicant Submission



# TA21-0015

## 860 – 1000 KLO Road

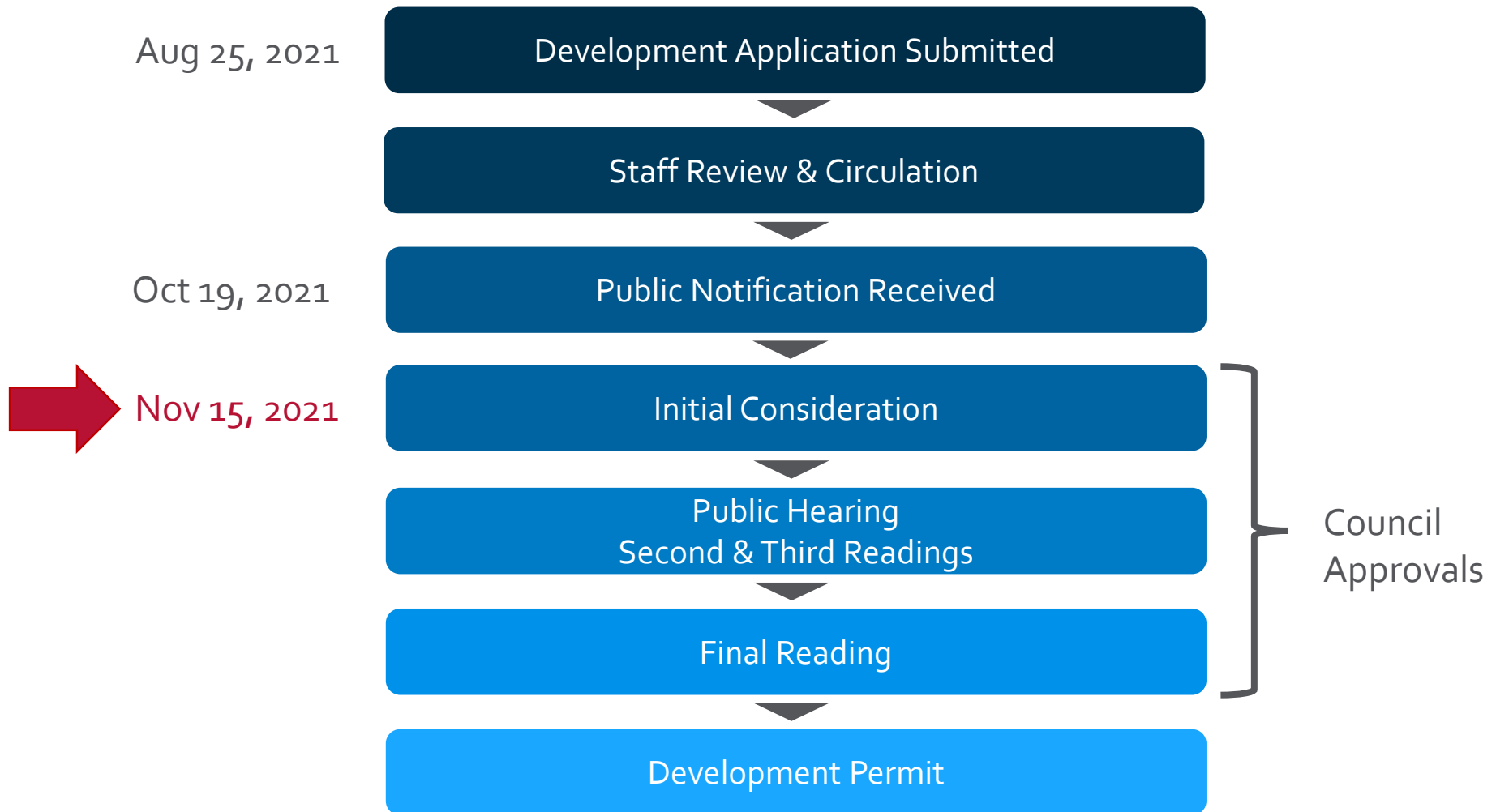
Text Amendment Application



# Proposal

- ▶ To amend the Zoning Bylaw by increasing the maximum permitted height in the P2 – Education and Minor Institutional zone at 860 – 1000 KLO Road.

# Development Process





# Context Map

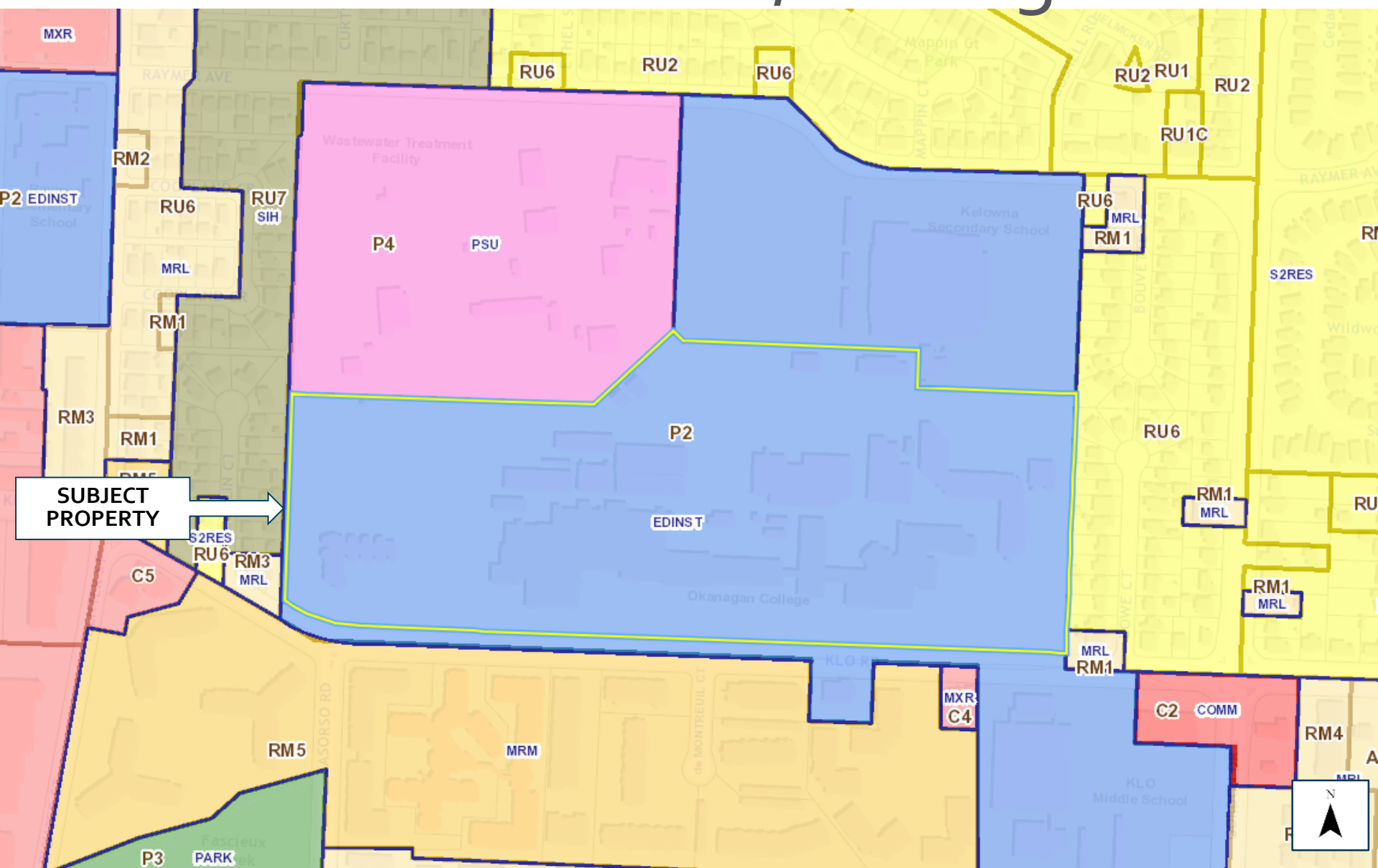


SUBJECT  
PROPERTY





# OCP Future Land Use / Zoning



# Project details

- ▶ The proposed Text Amendment would increase the maximum permitted height on the subject property from 13.5 m or 4 storeys to 22 m or 6 storeys
- ▶ Would allow development of a 216-bed student housing project on the subject property
- ▶ Future development of the College campus could be 6 storeys in height.

# Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
  - ▶ South Pandosy Urban Centre building heights
  - ▶ Compact urban form
- ▶ Consistent with Future Land Use **EDINST**

# Staff Recommendation

- ▶ Development Planning Staff recommend **support** of the proposed Rezoning
  - ▶ Subject property is within the Permanent Growth Boundary.
  - ▶ Meets the intent of the Official Community Plan
    - ▶ Future Land Use Designation of Educational / Institutional
    - ▶ South Padosy Urban Centre Building Heights
    - ▶ Compact urban form
- ▶ Recommend the bylaw be forwarded to Public Hearing for further consideration.



## *Conclusion of Staff Remarks*



## Schedule A – Proposed Text Amendments to Zoning Bylaw No. 8000 TA21-0015

No.	Section	Current Wording	Proposed Wording	Reason for Change								
1.	Section 16 – Public and Institutional Zones, 16.2 P2 - Education and Minor Institutional	N/A	<div><b>16.2.7 Site Specific Uses and Regulations</b> Uses and regulations apply on a site-specific basis as follows:</div> <table><tr><th></th><th>Legal Description</th><th>Civic Address</th><th>Regulation</th></tr><tr><td>1</td><td>Lot 1 District Lot 135 ODYD Plan EPP90191</td><td>860 – 1000 KLO Road</td><td>Notwithstanding section 16.2.5(c), the maximum height is 22 m or 6 storeys.</td></tr></table>		Legal Description	Civic Address	Regulation	1	Lot 1 District Lot 135 ODYD Plan EPP90191	860 – 1000 KLO Road	Notwithstanding section 16.2.5(c), the maximum height is 22 m or 6 storeys.	To increase the maximum permitted height on the subject property.
	Legal Description	Civic Address	Regulation									
1	Lot 1 District Lot 135 ODYD Plan EPP90191	860 – 1000 KLO Road	Notwithstanding section 16.2.5(c), the maximum height is 22 m or 6 storeys.									

SCHEDULE A

This forms part of application  
# TA21-0015

Planner  
Initials

MT



**City of  
Kelowna**  
DEVELOPMENT PLANNING

<b>ATTACHMENT</b>		A
This forms part of application		
# TA21-0015		
Planner Initials	MT	 City of Kelowna DEVELOPMENT PLANNING

**FACTION**

August 18, 2021

Mr. Andrew Ferguson, Planner II  
City of Kelowna, 1435 Water Street  
Kelowna, BC V1Y 1J4

**RE: Letter of Rationale - Text Amendment for 860 & 1000 KLO Road, Kelowna, BC**

Dear Andrew:

Further to our previous discussions, we hereby submit our Letter of Rationale in support of this site-specific Text Amendment application for Okanagan College's (OC) student housing project.

On March 5th, 2021, the Provincial Government announced an important student housing initiative that will see 376 more beds added to the OC housing stock, 216 of those beds will be on the Kelowna campus located at 860 & 1000 KLO Road, currently in process of consolidation. These student housing projects bolster the existing 144-bed residence on the Kelowna campus. This announcement is the culmination of three years of project and proposal development and drew the support of many external organizations and individuals. It is the largest single capital commitment from the province that OC has enjoyed since 2005. The goal of the project is to help address housing issues in the region, support OC's goal of reducing its carbon footprint, increase access to post-secondary education and among other things economic development in the local community. Construction is expected to start in 2022.

OC's Kelowna Campus is currently zoned P2 - Education and Minor Institutional which permits building heights of 13.5m / 3 storeys. A site-specific Text Amendment is being proposed to accommodate a 6-storey height profile on campus (22 meters). The Kelowna campus is entirely located within the South Pandosy Urban Centre and although still in draft format the proposed 2040 Official Community Plan's Pandosy Building Height Map (Map 4.4) calls for a 6-storey height profile on the Kelowna Campus. There has been a gradual shift towards 6-storey wood frame buildings in strategic areas throughout the community and we believe that OC's Kelowna Campus is well positioned to continue this trend. The proposed Text Amendment will allow OC to create more on campus housing options for students in a format that preserves valuable campus lands for future post-secondary growth. The creation of additional on campus beds, located within an Urban Centre, will also continue to build upon and facilitate the growth in cycling and pedestrian modes of transportation that the area has experienced. We believe the proposed Text Amendment is consistent with staff and Council expectations and will complement the positive improvements that have been made on campus and within the South Pandosy Urban Centre.

Please contact me should have any questions or require any further information.

Best Regards,



Alec Warrender, MCIP, RPP, RI  
Manager, Planning + Development

**DEVELOPMENT MANAGEMENT**

**ARCHITECTURE + PLANNING**

**CONSTRUCTION MANAGEMENT**

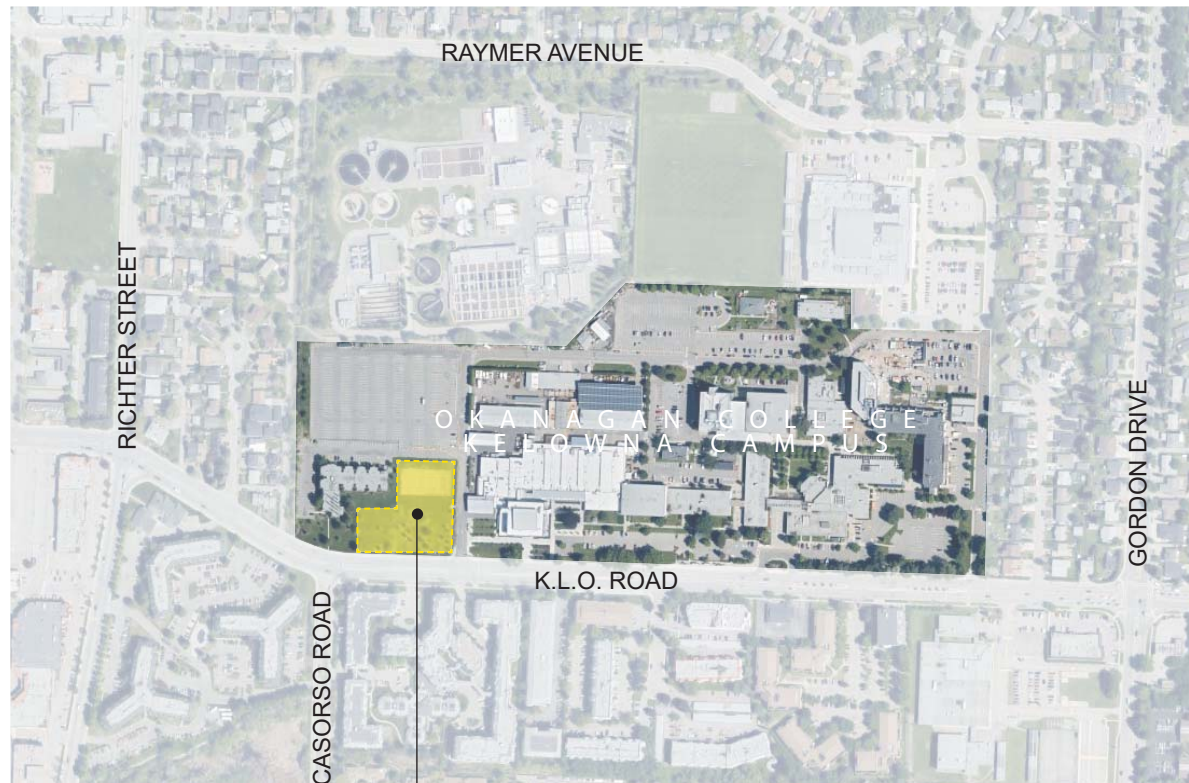
AAA AIBC Certificate of Practice - Faction Architecture Inc.

T 250-980-4510 F 250-764-2116 201-3935 Lakeshore Rd, Kelowna BC V1W 1V3

T 403-523-7943 1919 10<sup>th</sup> Avenue SW, Calgary AB T3C 0K3

[www.factionprojects.com](http://www.factionprojects.com)

## KELOWNA CAMPUS STUDENT HOUSING



PROPOSED SITE  
BOUNDARY

# Project Summary and Milestones



SKAHA  
RESIDENCE

PROPOSED SITE  
BOUNDARY

## PROJECT SUMMARY

- 216 Beds + Amenity & Support Spaces
- 6 Storeys
- Surface Parking
- Mass Timber Construction
- BC Energy Step Code Level 4
- Design-Build (DB) Project Delivery

## PROJECT MILESTONES

- DB RFQ: Summer 2021
- DB RFP: Fall - Winter 2021 / 2022
- DB Design Completion: Winter 2021 / 2022
- Construction: Spring 2022 to Winter 2023 / 2024
- Occupancy Winter 2024

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# TA21-0015		
Planner Initials	MT	 City of <b>Kelowna</b> DEVELOPMENT PLANNING

## Community Engagement & Indigenization Principles

### COMMUNITY ENGAGEMENT

- 2019 AEST Student Housing Survey
- Municipal Staff Consultation
- Public Notification & Consultation Policy 367
- Indigenous Student Survey
- Indigenous Community Engagement
- Regular OC Student Body and Executive Updates

### INDIGENIZATION PRINCIPLES

- Seek to interweave Indigenous knowledge, culture, art and awareness.
- Create an inclusive and welcoming living and learning environment.
- Support all students in completing their educational journeys.



# ATTACHMENT

A

This forms part of application

# TA21-0015

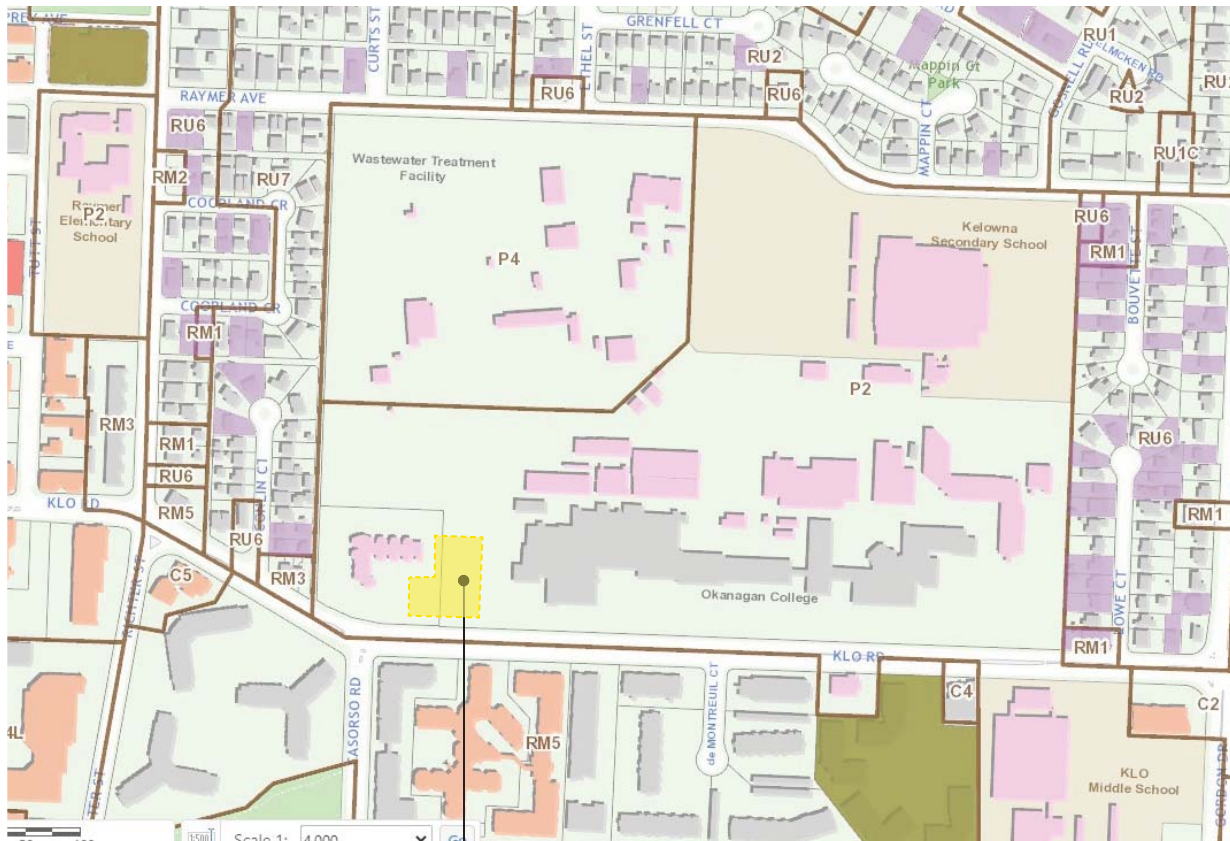
Planner  
Initials MT

City of  
**Kelowna**  
DEVELOPMENT PLANNING



**FACTION**  
PROJECTS

## Zoning Summary and Approvals Process



PROPOSED SITE  
BOUNDARY

### ZONING SUMMARY

- **Zone:** P2 - Education & Minor Institutional
- **Purpose:** To provide a zone for private and public educational, residential and recreations uses.
- **Primary Use:** Public Education Services
- **Secondary Use:** Supportive Housing
- **Maximum Height:** 13.5m or 3 Storeys

### APPROVAL PROCESS

- **Text Ammendment** for increased height to 22m or 6 storeys
- **Parking Rationale**
- **OCP Form and Character**
- Voluntary **Development Permit**

# CITY OF KELOWNA

## BYLAW NO. 12306

TA21-0015

860-1000 KLO 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, **Section 16 – Public and Institutional Zones, 16.2 P2 - Education and Minor Institutional** be amended by adding in its appropriate location the following:

**"16.2.7 Site-Specific Uses and Regulations**

Uses and regulations apply on a site-specific basis as follows:

	<b><i>Legal Description</i></b>	<b><i>Civic Address</i></b>	<b><i>Regulation</i></b>
1	Lot 1 District Lot 135 ODYD Plan EPP90191	860 - 1000 KLO Road	Notwithstanding section 16.2.5(c), the maximum height is 22 m or 6 storeys.

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

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

# REPORT TO COUNCIL



**Date:** November 15, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z21-0080

**Owner:** Multiple Owners

**Address:** 1264, 1274 & 1284 Devonshire Ave.  
1281, 1289-1291 & 1299 Belaire Ave.

**Applicant:** Lime Architecture Inc.

**Subject:** Rezoning Application

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

**Existing Zone:** RU6 – Two Dwelling Housing

**Proposed Zone:** RM5 – Medium Density Multiple Housing

---

## 1.0 Recommendation

THAT Rezoning Application No. Z21-0080 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 13, 14, 19 & 20 Block 2 District Lot 137 ODYD Plan 9625 and Lots 15 & 27 District Lot 137 ODYD Plan 10011, located at 1264, 1274 & 1284 Devonshire Avenue and 1281, 1289-1291 & 1299 Belaire Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated November 15, 2021;

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

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

## 2.0 Purpose

To rezone the subject properties from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone to facilitate the development of multiple dwelling housing.

### **3.0 Development Planning**

Staff are supportive of the proposed rezoning application to facilitate the development of a multiple dwelling housing project of the six subject properties. The development includes 1264, 1274 & 1284 Devonshire Avenue and 1281, 1289-1291 and 1299 Belaire Avenue. The Official Community Plan future land use designation of the properties is MRM – Multiple Unit Residential (Medium Density). Rezoning the properties to the RM5 – Medium Density Multiple Housing zone aligns with the OCP direction for the area.

The development site is located within the Capri Landmark Urban Centre. The properties are mid-block and front onto two streets (Devonshire and Belaire Avenues), with Mary Anne Collinson Memorial Park across the street on Devonshire Ave. The properties have an average Walk Score of 66 – Somewhat Walkable (Some errands can be accomplished on foot) and a Bike Score of 93 – Biker's Paradise as the site provides easy access to the Sutherland Ave bike lanes. The development is in proximity to many nearby amenities including parks, restaurants, and shopping opportunities in the surrounding area.

To fulfill Council Policy No. 367 for Zoning Major applications, the applicant hosted an on-line (Microsoft Teams) Public Open House along with circulating project information to all properties within 50 m of the subject development site. The open house took place via Microsoft Teams on October 26, 2021 from 5:30 pm to 7:30 pm. The applicant submitted a summary report of the consultation efforts completed for the proposed rezoning of the six parcels.

### **4.0 Proposal**

#### **4.1 Background**

In March of 2019, Council endorsed the Capri Landmark Urban Centre Plan. The 20-year plan calls for new parks, sidewalks, realignment of road networks and an overall vision of creating an urban centre with higher-density housing and a better transportation network.

Currently, the Zoning Bylaw does not fully align with the Urban Centre Plan. The Plan envisions a significantly higher density development for the site. As this will be one of the first sites to be redeveloped within the area, the lesser dense proposal is supported. Both the Official Community Plan and Zoning Bylaw are currently undergoing updates. This will allow for an alignment of the development regulations and design guidelines to facilitate the implementation of the Capri Landmark Urban Centre Plan.

#### **4.2 Project Description**

The applicant is proposing to construct a 6-storey 206-unit condo building on the subject properties. The development will provide 'smart suites' which are intended to allow first-time home buyers to enter the ownership market. The project provides space-efficient living environments along with a number of shared amenity areas and communal spaces to address live/work/play needs within the development site.

#### 4.3 Site Context

The subject properties are located within the Capri Landmark Urban Centre, north of Sutherland Avenue between Gordon Drive and Burtch Road. This area is known as Five Bridges within the Capri Landmark Urban Centre Plan.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single and Duplex Dwellings
East	RU6 – Two Dwelling Housing	Single and Duplex Dwellings
South	RU6 – Two Dwelling Housing P3 – Parks and Open Space	Single and Duplex Dwellings Public Park
West	RU6 – Two Dwelling Housing	Single and Duplex Dwellings

#### **Subject Property Map: 1264 – 1484 Devonshire Ave & 1281 – 1299 Belaire Ave**



### 5.0 **Current Development Policies**

#### 5.1 Kelowna Official Community Plan (OCP)

##### Chapter 1: Introduction

##### 1. *Goals for a Sustainable Future:*

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

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

##### Chapter 5: Development Process

##### *Objective 5.2 Develop Sustainability.*



*Complete Communities.* Support the development of complete communities with a minimum intensity of approximately 35 - 40 people and/or jobs per hectare to support basic transit service – a bus every 30 minutes.

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

## 6.0 Technical Comments

### 6.1 Development Engineering Department

Refer to Schedule 'A' dated September 7, 2021.

## 7.0 Application Chronology

Date of Application Accepted: August 17, 2021  
Date Public Information Session: October 26, 2021

**Report prepared by:** Lydia Korolchuk, Planner Specialist

**Reviewed by:** Jocelyn Black, Urban Planning Manager

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

### **Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package

Attachment B: Applicant's rationale letter

---

## CITY OF KELOWNA MEMORANDUM

### SCHEDULE

A

This forms part of application

# Z21-0080



City of

**Kelowna**  
DEVELOPMENT PLANNING

Planner  
Initials

LK

**Date:** September 7, 2021

**File No.:** Z21-0080

**To:** Community Planning (LK)

**From:** Development Engineering Manager (RO)

**Subject:** 1264, 1274, 1284 Devonshire Ave. & 1281, 1289-1291, 1299 Belaire Ave.  
RU6 to RM5

---

The Development Engineering Department has the following comments and requirements associated with this application to rezone the subject properties from RU6 – Two Dwelling Housing to RM5 – Medium Density Multiple Housing. The Development Engineering Technician for this project is Aaron Sangster.

**1. General**

- a) These are Development Engineering comments/requirements and area subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.
- b) The following requirements are valid for one (1) years from the reference date of this memo, or until the PLR and/or application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.

**2. Domestic Water and Fire Protection**

- a) The subject property(s) are currently serviced with 19mm water service(s). One metered water service will be required for the development. The disconnection of the existing smaller diameter water services and the tie-in of a larger service is the developer's responsibility. Only one service will be permitted for this development.

**3. Sanitary Sewer**

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

**4. Storm Drainage**

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or

recommendations for onsite drainage containment and disposal systems. Only one service will be permitted for this development. The applicant, at his cost, will arrange the installation of one overflow service if required.

**5. Electric Power and Telecommunication Services**

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as the subject properties are within the "City Center Urban Center".
- b) Streetlights must be installed on all roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

**6. Road Improvements**

- a) Belaire Ave. must be upgraded to a local standard along the full frontage of this proposed development, separated sidewalk 1.8m, curb (barrier) and gutter, drainage system, including catch basin, manholes, landscaped irrigated boulevard, pavement removal and replacement, and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a modified SS-R3 (Capri Landmark Plan).
- b) Devonshire Ave. must be upgraded to a local standard along the full frontage of this proposed development, separated sidewalk 1.8m, curb (barrier) and gutter, drainage system, including catch basin, manholes, landscaped irrigated boulevard, pavement removal and replacement, and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a modified SS-R5 (Capri Landmark Plan).

**7. Road Dedication and Subdivision Requirements**

- a) Grant Statutory Rights of Way if required for utility services.
- b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- c) Each street frontage will will require concrete bulb-outs for trees and streetlighting.

**8. Erosion Servicing Control Plan**

- a) Provide a detailed ESC Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b) The developer must engage a consulting civil engineer to provide an ESC plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900.
- c) Civil consultant is responsible for all inspection and maintenance.

- d) A Security Deposit for ESC Works equal to 3.0% of the Consulting Engineer's opinion of probable costs of civil earthworks and infrastructure will be added to the Servicing Agreement.

**9. Design and Construction**

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

**10. Servicing Agreements for Works and Services**

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

**11. Geotechnical Report**

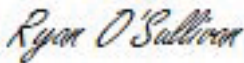
Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result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

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.

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

**10. Charges and Fees**

- a) Development Cost Charges (DCC's) are payable.
- b) Fees per the "Development Application Fees Bylaw" include:
  - i) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
  - ii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).
  - iii) Street/Traffic Sign Fees: at cost if required (to be determined after design).



---

Ryan O'Sullivan  
Development Engineering Manager

AS







**LIME**  
ARCHITECTURE INC.

## Transmittal

**To:** Planning Department  
**CC:** Ryan Tamblyn

<b>ATTACHMENT</b>		<b>B</b>
This forms part of application		
# Z21-0080		
Planner Initials	LK	 City of <b>Kelowna</b> DEVELOPMENT PLANNING

Page 1 of 3

City of Kelowna  
rtamblyn@millennialdev.ca

August 16, 2021

**Re: Rationale for the Proposed Development of 1281-1299 Belaire Avenue & 1264-1284 Devonshire Avenue, Kelowna BC (The Site)**

Dear City of Kelowna Planning Department,

Further to submitted information as it pertains to the Rezoning/DVP application associated with the proposed Development at The Site (referred to as Five Crossings) in Kelowna, we offer the following Rationale for the project:

Located in the heart of the Capri Landmark urban centre, the vision for the project was to design a residential building that aligned with the data obtained by the Developer through an extensive housing study. In response to the study and the achievable finished floor area available per the proposed RM5 zone, the proposed building consists of 206 residential units of which 165 are referred to as 312 square foot smart suites with the remaining 41 units being a mix of 1 and 2 bedroom residences. The overall concept of the building was in response to several influences that were considered during the design process. One of the most important concepts was to divide a more public accessible portion of the building at the ground level from the more private residences located in storeys 2 through 6. This division helped to create a transparent design at the street level that creates an inviting overall form and allows for direct connection between those inside the building and the street. Choosing to locate amenity spaces at the entry level allowed for the transparent architecture and emphasizes the importance of shared facilities to compliment the smart suite lifestyle. More specifically, the Five Crossings project offers generous amenity spaces that include shared offices, gymnasium, lounge and bike repair shop, all intended to compliment the more compact suites.

In order to keep the overall massing and height of the building complimentary to existing and proposed new projects in the immediate area, the residences above the entry level were laid out in a U shape. The U shape approach results in an internal courtyard that further increases the sense of privacy for the residences that are oriented toward the centre of the U, as well as resulting in a generous green space for residences above the entry level. This raised courtyard at the centre of the building design was important for both the well being of the residents and the introduction of additional green space. The additional green space was especially important for this project as the lower height design concept resulted in an increased footprint that exceeds the allowable site coverage under RM5. Accordingly, the courtyard green space and other outdoor amenity spaces at the roof level more than exceed the additional site coverage taken by the building footprint. One additional aspect of the U shape design results in additional height in order to achieve the FAR allowed under RM5. These variances (height and site coverage) were reviewed and discussed in detail with the City of Kelowna Planning department in pre-application meetings for the project. It was agreed that the site coverage and additional height were appropriate for the immediate area

**Matt Johnston**, Architect AIBC, LEED AP

[www.LIMEarchitecture.com](http://www.LIMEarchitecture.com)

t: 250-448-7801 #205-1626 Richter Street, Kelowna BC, V1Y 2M3



and that the increase in setbacks and generous second level green space were excellent responses to offset the type of variances being requested.

Another unique feature of the project is that it fronts onto two separate avenues (namely: Belaire to the north and Devonshire to the south). In response to this feature, the building was developed with a two front doors concept. Not only front doors to pedestrians (who can access the entire building from either avenue via the U shape and double elevators proposed) but also to vehicles. The access off Belaire provide access to all visitor parking as well as a portion of the assigned parking for the residents. The Devonshire access includes a ramp down to the lower parkade for most of the assigned spaces. Splitting the access will help ensure a sharing of vehicle traffic to both sides of the project without congesting one avenue over the other. To compliment the two-vehicle access concept, double height lobbies are proposed at both entries with direct access to different amenities and a division of mailboxes to encourage equal sharing of the entrances by the residents of the building.

The form and character of the project design was inspired by the Developers vision and preferences, blended with influences from a similar sized development proposal located a few properties to the east at the corners of Belaire and Pridham Avenues and Chandler Street. Overall, the project design includes modern accents that blend horizontal and vertical elements in playful and creative ways. Material selections will blend faux wood exterior with metal panels and stucco surfaces to create contrast and interest in the overall form. Accent lighting will be strategic and help highlight specific portions of the building to further strengthen the connection between building and neighbourhood.



### Evening Study of Five Crossings

Further to the more modern overall form and character, the orientation of the U shape is directed toward the south taking advantage of the natural light to brighten the internal living spaces as well as align the building orientation and Devonshire front door toward the existing park immediately to



the south. Overall, the building massing includes side yard setbacks that exceed the minimums allowed, thereby being sensitive to existing homes and future adjacent developments in the area. Front and rear (considered both front doors) also exceed minimum setback requirements thereby allowing for generous pedestrian and loading areas in front of the building while relieving the street itself from the overall mass. Even with the generous front door setbacks, as a collaborative team, we are excited at how the building will engage pedestrians at a human scale.

Nearby amenities include shopping, personal services, and restaurants, thus allowing most errands from the location to be accomplished by foot or bicycle. In order to further reduce the reliance on personal vehicles and reduce the overall number of vehicles anticipated for the project, two car-share spaces have been included in the parkade. With the surrounding area quickly evolving and densifying, this proposed development is in full alignment with the changing community and will be perfectly situated to accommodate the shifting needs of Kelowna residents. Given the proximity to Capri Mall, we feel the proposed development aligns with the City's vision and our own when it comes to a healthy community that is less reliant on automotive means of transportation.

In summary, the rationale for this project is as follows:

- i. Provide a thoughtful, sustainable infill building design on a property located in the heart of an existing urban centre of Kelowna.
- ii. Provide much needed residential units and unit types to an area of Kelowna experiencing an increased demand for compact living.
- iii. The proposed development meets the City of Kelowna Parking Bylaw requirements.
- iv. The proposed variances (site coverage and building height) have been addressed in conjunction with the City of Kelowna Planning Department to ensure they align with the City's vision for the area, and to the benefit of the project's success.
- v. Two car-share spaces have been provided to help reduce the reliance on vehicles in an environmentally responsible way.

This proposed development recognizes the City of Kelowna's strategic approach to overall residential growth including better use of precious developable land in accordance with the City's OCP/Future Land Use, Healthy City Strategy, and planning initiatives and aligns with the City's long-term vision. Accordingly, our team looks forward to your supportive comments in response to this Rezoning/Development Variance Permit application.

Please do not hesitate to contact our office if you have any questions or require additional information in these matters.

Sincerely:

Matt Johnston Architect AIBC, LEED AP  
**LIME Architecture Inc.**





Z21-0080

1264, 1274, 1284

Devonshire Avenue

1281, 1289-1291, 1299

Belaire Avenue

Rezoning Application



# Proposal

- ▶ To consider an application to rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone to facilitate the development of multiple dwelling housing.

# Development Process



# Context Map



Walk Score

66

## Somewhat Walkable

Some errands can be accomplished on foot.

Transit Score

45

## Some Transit

A few nearby public transportation options.

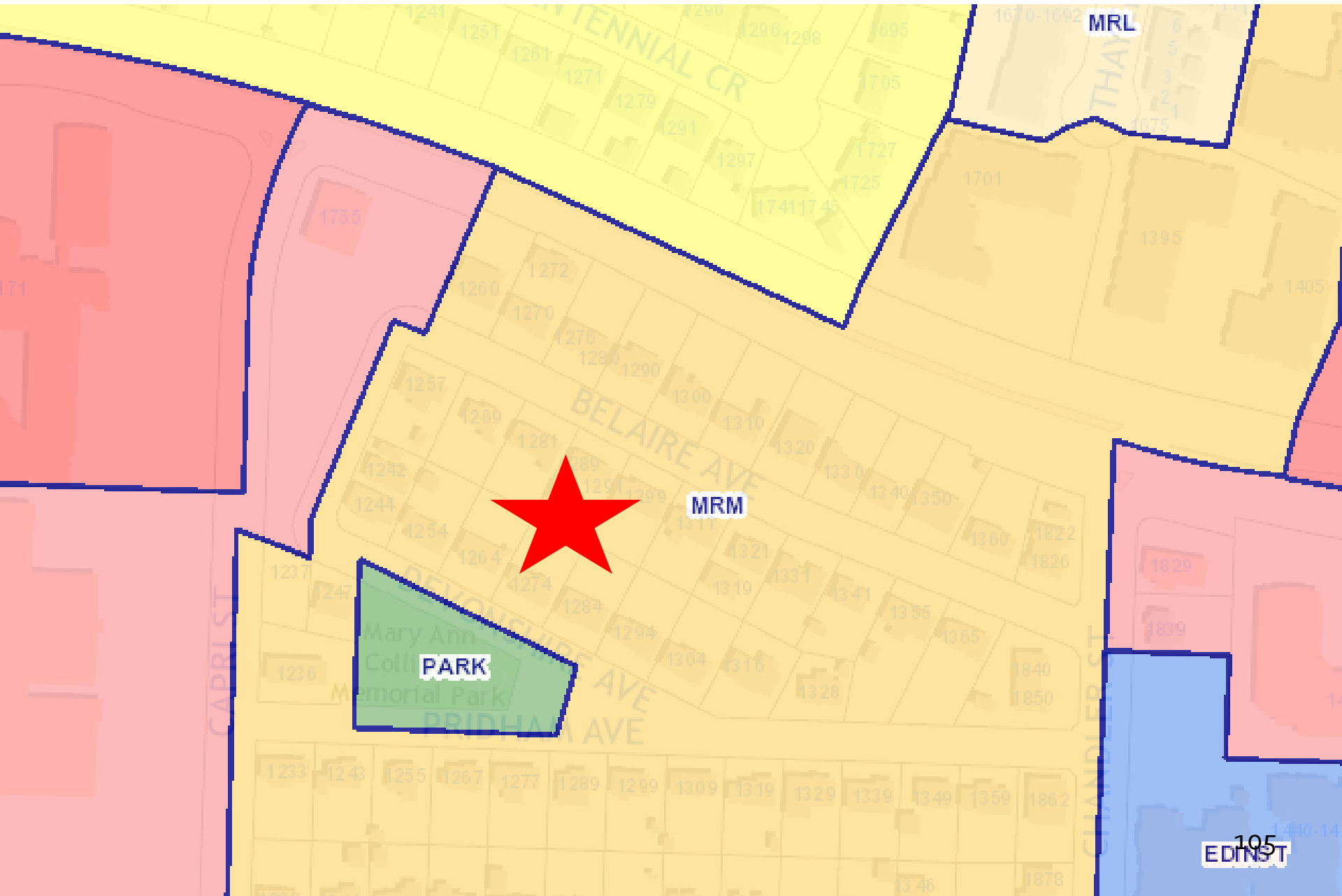
Bike Score

93

## Biker's Paradise

Daily errands can be accomplished on a bike.

# OCP Future Land Use / Zoning





# Subject Property Map



Harvey Ave

Belaire Ave

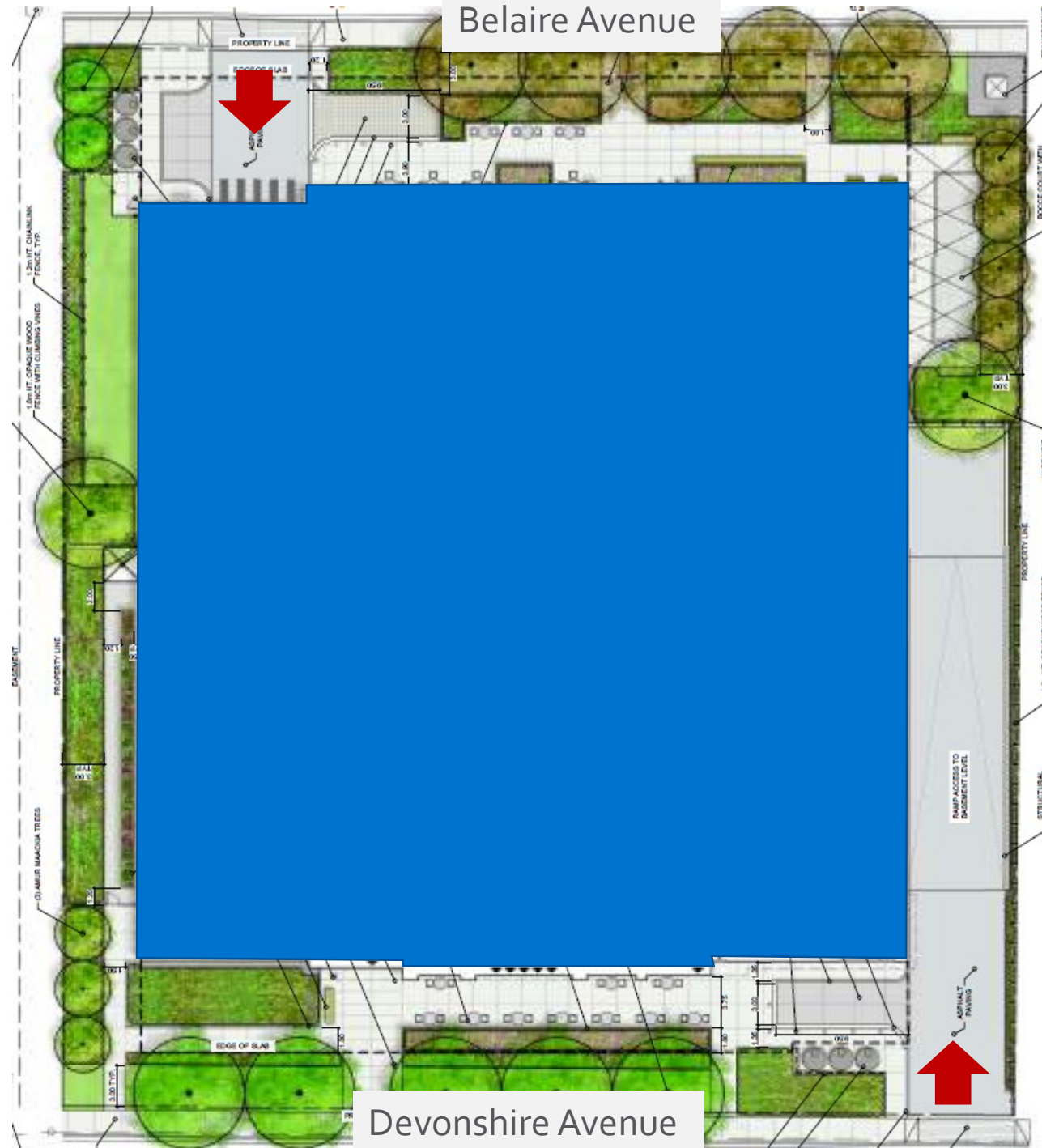
Devonshire Ave

Mary Ann Colinson



# Site Plan

North



# Proposed Rendering



View from Belaire Avenue



# Proposed Rendering



View from Devonshire Avenue

# Development policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
  - ▶ 5.2.4 – Complete Communities
  - ▶ 5.3.2 – Compact Urban Form
  - ▶ 5.3.11 – Housing Mix
- ▶ Consistent with the Future Land Use → MRM – Multiple Unit Residential (Medium Density)

# Staff Recommendation

- ▶ **Support** of the proposed Rezoning:
  - ▶ Meets many objectives in the OCP
- ▶ Recommend the bylaw be forwarded to Public Hearing for further consideration.





## *Conclusion of Staff Remarks*

# **CITY OF KELOWNA**

## **BYLAW NO. 12307**

**Z21-0080**

**1264, 1274, 1284 Devonshire Avenue  
1281, 1289-1291, 1299 Belaire Avenue**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of:
  - a) Lot 13 Block 2 District Lot 137, ODYD, Plan 9625 located at 1281 Belaire Avenue, Kelowna, BC;
  - b) Lot 14 Block 2 District Lot 137, ODYD, Plan 9625 located at 1289 – 1291 Belaire Avenue, Kelowna, BC;
  - c) Lot 19 Block 2 District Lot 137, ODYD, Plan 9625 located at 1264 Devonshire Avenue, Kelowna, BC;
  - d) Lot 20 Block 2 District Lot 137, ODYD, Plan 9625 located at 1274 Devonshire Avenue, Kelowna, BC;
  - e) Lot 15 District Lot 137, ODYD, Plan 10011 located at 1284 Devonshire Avenue, Kelowna, BC
  - f) Lot 27 District Lot 137, ODYD, Plan 10011 located at 1299 Belaire Avenue, Kelowna, BCfrom the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple 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

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

---

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

# Report to Council



**Date:** November 15, 2021  
**To:** Council  
**From:** City Manager  
**Subject:** Rezoning Bylaw No. 12292 for Z21-0076 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 November 15, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12292;

AND THAT Rezoning Bylaw No. 12292 be forwarded for further reading consideration.

## **Purpose:**

To receive a summary of correspondence for Rezoning Bylaw No. 12292 and to give the bylaw further reading consideration.

## **Background:**

On October 4, 2021, Council amended Council Policy No. 307 – Waiver of Public Hearings to reflect Council's direction for staff to recommend that public hearings be waived 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.

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.

## **Discussion:**

Rezoning Application Z21-0076 for 2117 Kaslo Court was brought forward to Council for initial consideration on [October 25, 2021](#). At this meeting, Council passed a resolution to waive the Public Hearing and correspondence was accepted between October 27, 2021 and November 9, 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. 12292, located at 2117 Kaslo Court, 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.

***Existing Policy:***

[Policy 307 – Waiver of Public Hearings](#)

**Considerations not applicable to this report:**

***Financial/Budgetary Considerations:***

***External Agency/Public Comments:***

***Communications Comments:***

Submitted by: R. Van Huizen, Legislative Technician

**Approved for inclusion:** S. Fleming, City Clerk

cc:

Development Planning



# **CITY OF KELOWNA**

## **BYLAW NO. 12292**

**Z21-0076**

**2117 Kaslo Court**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 26 Section 19 Township 26 ODYD Plan 25943 located on Kaslo Court, 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 25<sup>th</sup> day of October, 2021.

Public Hearing waived by the Municipal Council this 25<sup>th</sup> day of October, 2021.

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

---

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

# Report to Council



**Date:** November 15, 2021  
**To:** Council  
**From:** City Manager  
**Subject:** Proposed Development Application Procedures Bylaw  
**Department:** Development Planning

---

## **Recommendation:**

THAT Council, receives, for information, the Report from the Development Planning Department dated November 15, 2021 recommending that Council adopt the Development Application Procedures Bylaw;

AND THAT Bylaw No. 12310, being the Development Application and Heritage Procedures Bylaw be forwarded for reading consideration.

## **Purpose:**

To consider a new Development Application Procedures Bylaw to allow for procedural updates, formatting changes and the integration of the Heritage Procedures Bylaw No. 11185.

## **Background:**

The Development Application Procedures Bylaw sets out the terms and conditions for the processing of development applications. It sets minimum criteria for development proposal drawing packages, provides requirements for notification to adjacent property owners, public advertisements and requirements for the posting of development notice signs. The current Bylaw was adopted in 2011.

The Heritage Procedures Bylaw sets out procedures for the processing of development applications in respect of bylaws, agreements and permits under Part 15 Heritage Conservation of the Local Government Act. It identifies procedure for development applications, revitalization, heritage designation and covenants.

Both Bylaws are integral to the processing of development applications and are regularly referred to by Staff and applicants for guidance on procedural process. Staff are proposing a new bylaw to replace the two existing bylaws and allow for:

- An updated structure to allow for ease of use, clarity and increase consistency;

- Modernization of the bylaw to meet current needs (i.e. the implementation of procedures for complex applications);
- The integration of the Heritage Procedures Bylaw into the Development Application Procedures Bylaw to allow for one document that covers all application types; and
- Allows for future updates following the adoption of the new 2040 OCP and the new Zoning Bylaw in 2022.

Council has previously considered some aspects of the proposed bylaw including the incorporation of 'Early Consideration' procedures as describe further in the report.

#### *Previous Council Resolution*

Resolution	Date
<p><u>R0489/21/05/10</u> THAT Council receives, for information, the report from Development Planning Department dated May 10, 2021, with respect to amending the Development Application Procedures Bylaw No. 10540 for applications which require Bylaws (Rezoning and OCP Amendment).</p> <p>THAT Council direct staff to bring forth changes to the Development Application Procedures Bylaw No. 10540 as outlined in the report from the Development Planning Department dated May 10, 2021.</p> <p>THAT Council direct staff to bring forth the proposed OCP amendment and Rezoning bylaws for the properties located at 1464, 1468 and 1476 Bertram Avenue for early consideration.</p>	May 10, 2021

#### **Discussion:**

Staff are proposing initial updates as "Phase 1". The objective of Phase 1 is to initiate the updates mentioned to meet current needs for usability, as the bylaw has not received a comprehensive review or update in many years. "Phase 2" will involve returning to Council for consideration of the following more major procedural changes:

1. Landscape procedures. Specifically, requirements for differing levels of plans such as Official Community Plan Amendments and Rezoning applications, versus staff-issued permits or Council-issued permits.
2. Master Development Plan Policy. Staff are currently exploring the opportunity to implement procedures for larger, multi-phased developments. This is intended to provide greater detail for multi-phased sites by establishing land use, density targets, infrastructure (road/pathway network) and utilities.
3. Delegated authority to the Divisional Director of Planning and Development Services for multi-family development permits that meet the criteria of low-density (i.e. form and character development permits for townhouse or low-rise apartment buildings under a density threshold).

Engagement with appropriate stakeholders for the proposed changes in Phase 2 will be initiated within the upcoming months. Recommendations for Phase 2 would be presented to Council after the stakeholder engagement process.

#### Phase 1

Generally, the content of the bylaw is the same, with formatting changes and edits to increase clarity for all users of the bylaw. Any content that is obsolete has been removed. The following is an overview of notable proposed changes or new content:

Procedure/Section	Rationale
Schedule '15' - Early Consideration Applications	To allow for Council input earlier in an application process for complex applications that meet the general criteria outlines in Schedule '15'- 2.0 (b) Processing Procedures
Schedule '1' - Improve drawing packages for Council issued Development Permit/ Development Variance Permit applications	To provide Council with higher quality submissions and project renderings as outlined in Schedule '1' (j)
Schedules '12', '13' and '14' - All definitions and Heritage related procedures has been added into the bylaw.	To create one document for users and remove excess sources of information for application procedures.
Schedule '7' - Agricultural Land Commission requirements	Ensure that applicants are made aware to apply directly to the ALC and remove option for land owners to apply for exclusion applications.

#### **Conclusion:**

Staff are proposing "Phase 1" of ongoing updates to the Development Application Procedures Bylaw. These updates are largely intended to meet current user needs, increase clarity and combine the Heritage Procedures Bylaw to allow for a single document to guide development application procedures.

#### ***Legal/Statutory Authority:***

Part 14, Division 2, Section 460 of the Local Government Act.

#### **Internal Circulation:**

Office of the City Clerk  
Building and Permitting Department

Submitted by: W. Miles, Planner Specialist

**Reviewed By:** Jocelyn Black – Urban Planning Manager

**Approved for Inclusion:** Terry Barton – Development Planning Department Manager

cc:

Office of the City Clerk  
Building and Permitting Department





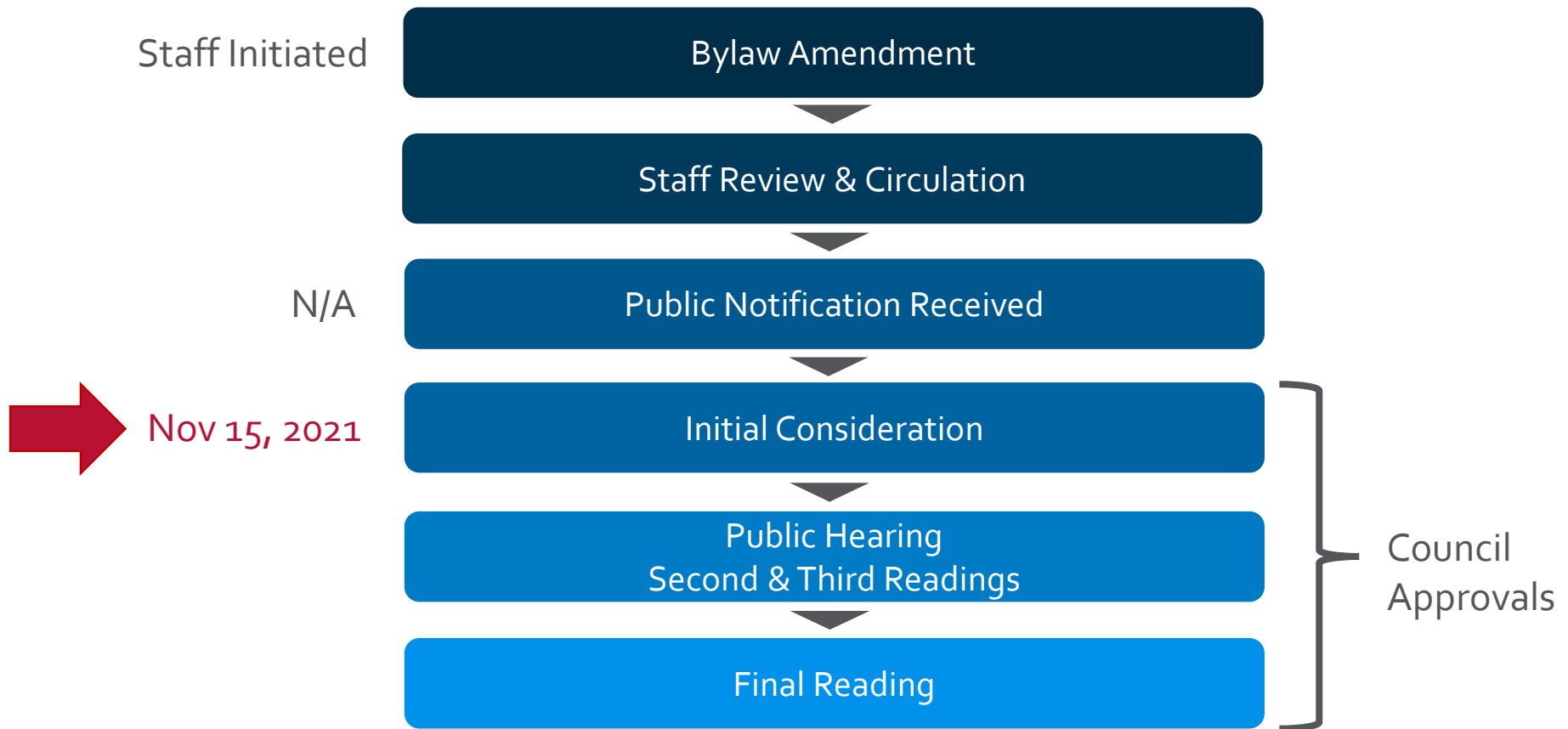
# Development Application Procedures Bylaw



# Proposal

- ▶ To consider a new Development Application Procedures Bylaw to allow for procedural updates, formatting changes and the integration of the Heritage Procedures Bylaw No. 11185.

# Development Process



# Background

- ▶ **Current DAP Bylaw Adopted in 2011**
  - ▶ Sets out the procedures for the processing of development applications.
  - ▶ Provides the requirements for notification to adjacent property owners, advertisements and the posting of development notice signs for the subject property.
- ▶ **Heritage Bylaw Adopted in 2016**
  - ▶ The Heritage Procedures Bylaw sets out procedures for the processing of development applications in respect of bylaws, agreements and permits under Part 15 Heritage Conservation of the Local Government Act.
  - ▶ It identifies procedure for development applications, revitalization, heritage designation and covenants.

# General Updates

- ▶ Update structure to allow for ease of use, clarity and increase consistency;
- ▶ Modernization of the bylaw to meet current needs (i.e. the implementation of procedures for complex applications); and
- ▶ Integration of the Heritage Procedures Bylaw into the Development Application Procedures Bylaw to allow for one document that covers all application types.



# Phased Approach

- ▶ Staff are proposing two parts to fully updating the proposed bylaw.
- ▶ Mainly due to large number of processes involved and increased stakeholder consultation needed for proposed phase 2 changes.

# Phase 1

## Proposed Now

Procedure/Section	Rationale
<b>Early Consideration Applications</b> (Schedule '15' )	To allow for Council input earlier in an application process for complex applications that meet the general criteria outlines in Schedule '15'- 2.0 (b) Processing Procedures
<b>Improve drawing packages</b> - for Council issued Development Permit/ Development Variance Permit applications (Schedule '1' )	To provide Council with higher quality submissions and project renderings as outlined in Schedule '1' (j)
<b>Heritage</b> - All definitions and Heritage related procedures has been added into the bylaw. (Schedules '12', '13' and '14' )	To create one document for users and remove excess sources of information for application procedures.
<b>Agricultural Land Commission requirements</b> – Act and Regulation Changes (Schedule '7' )	Ensure that applicants are made aware to apply directly to the ALC and remove option for land owners to apply for exclusion applications.

# Phase 2

Proposed Later



1. **Landscape procedures.** Specifically, requirements for differing levels of plans such as Official Community Plan Amendments and Rezoning applications, versus staff-issued permits or Council-issued permits.
2. **Master Development Plan Policy.** Staff are currently exploring the opportunity to implement procedures for larger, multi-phased developments. This is intended to provide greater detail for multi-phased sites by establishing land use, density targets, infrastructure (road/pathway network) and utilities.
3. **Delegated authority.** Development and Planning Services Director for multi-family development permits that meet the criteria of low-density (i.e. form and character development permits for townhouse or low-rise apartment buildings under a density threshold).

# Staff Recommendation

- ▶ Staff are recommending the proposed bylaw be supported
  - ▶ Provides criteria and procedure for complex files
  - ▶ Simplifies and modernizes two bylaws into one
  - ▶ Provides for higher quality drawing packages
  - ▶ Bring bylaw in line with recent ALC Act and Regulation changes



## *Conclusion of Staff Remarks*



# CITY OF KELOWNA

## BYLAW NO. 12310

### **Development Application and Heritage Procedures Bylaw**

---

A bylaw to establish procedures for the processing of land development applications, including amendments to the Official Community Plan, to the Zoning Bylaw, or to a Land Use Contract; Permits under Part 14 of the Local Government Act or Temporary Farm Worker Housing Permits; Phased Development Agreements; heritage applications under Part 15 of the Local Government Act; and Agricultural Land Commission applications.

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

WHEREAS under the *Community Charter* and Parts 14 and 15 of the *Local Government Act*, the City of Kelowna may, by bylaw, delegate Council's powers and establish procedures for applications to: amend the Official Community Plan or the Zoning Bylaw, discharge a Land Use Contract, issue a land use permit, establish or amend a Phased Development Agreement, establish or amend a Heritage Designation Bylaw or Heritage Revitalization Agreement, issue a Heritage Alteration Permit, amend the Heritage Register, issue a Temporary Farm Worker Housing Permit, or the Agricultural Land Commission;

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

## **1.0 INTRODUCTION**

### **1.1 Title**

- 1.1.1 This Bylaw may be cited as “Development Application and Heritage Procedures Bylaw No. 12310”

### **1.2 Interpretation**

- 1.2.1 Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a referenced to an enactment of the **Council** of the **City** of Kelowna, as amended, revised, consolidated or replaced from time to time.
- 1.2.2 If any section, subsection, sentence, clause or phrase of this bylaw is held to be invalid by a court of competent jurisdiction, that section, subsection, sentence, clause or phrase, as the case may be, will be severed and the validity of the remaining portions of the bylaw will not be affected.
- 1.2.3 The schedules attached to this bylaw form part of this bylaw.
- 1.2.4 The headings given to the sections and paragraphs in this bylaw are for convenience of reference only. They do not form part of this bylaw and will not be used in the interpretation of this bylaw.

### **1.3 Scope**

- 1.3.1 This bylaw applies to an application:
- a) To amend the **Official Community Plan**;
  - b) To amend the **Zoning Bylaw**;
  - c) For issuance of a:
    - i) **Development Permit**;
    - ii) **Development Variance Permit**; or
    - iii) **Temporary Use Permit**;
  - d) To discharge a **Land Use Contract**;
  - e) To the **Agricultural Land Commission (ALC)** for one or more of the following:
    - i) To include land into the **Agricultural Land Reserve (ALR)**;
    - ii) To subdivide land within the **ALR**;
    - iii) To conduct a non-adhering residential use in the **ALR**; or
    - iv) To conduct a non-farm use in the **ALR**.
  - f) For a **Phased Development Agreement**;
  - g) For issuance of a **Temporary Farm Worker Housing Permit**;
  - h) To enter into or amend a **Heritage Revitalization Agreement**;
  - i) For protection under a **Heritage Designation Bylaw**;
  - j) A **Heritage Conservation Covenant** under Section 219 of the *Land Title Act*; or

- k) For issuance of a **Heritage Alteration Permit**; or
- l) For property to be added to or removed from the **Heritage Register**.

#### 1.4 Definitions

1.4.1 In this Bylaw, unless the context otherwise requires:

**'Agricultural Advisory Committee'** means a committee established by **Council** to advise **Council** on agricultural matters in accordance with the Committee's Terms of Reference;

**'Agricultural Land Commission'** or **'ALC'** means the **Agricultural Land Commission** established by the *Agricultural Land Commission Act*;

**'Agricultural Land Reserve'** or **'ALR'** means the **Agricultural Land Reserve** designated by the *Agricultural Land Commission Act*;

**'Building Permit'** means a permit to perform work regulated by the **City** of Kelowna Building Bylaw No. 7245 as amended or replaced from time to time;

**'Bylaw Enforcement Officer'** means the employees appointed by **Council** as such;

**'Certified Irrigation Designer'** means an Irrigation Designer certified by the Irrigation Industry Association of British Columbia (IIABC) in good standing with that association and operating in accordance with its Code of Ethics;

**'City'** means the City of Kelowna;

**'City Clerk'** means the employee appointed by **Council** as such;

**'City Manager'** means the employee appointed by **Council** as such;

**'Conceptual Landscape Plan'** means a to-scale drawing identifying all landscape items being proposed within a development. The plan must clearly indicate where trees, shrubs, decorative paving, amenities, etc. are proposed. All Zoning Bylaw requirements related to landscaping are to be identified on the plan including buffers and fencing. Conceptual Landscape Plans are to reflect proposed grading including retaining walls and sloped areas;

**'Coordinating Hillside Development Professional'** means a registered professional planner, **landscape architect**, or engineer engaged to administer the application process and to ensure that the requirements established by the **City** in accordance with the Hillside Guidelines – including **lot** grading, drainage, and retaining are addressed;

**'Council'** means the Municipal Council of the **City** of Kelowna;

**'Department Manager, Development Planning'** means the person appointed as such and includes their selected designate(s);

**'Development Application Fees Bylaw'** means the **Development Application Fees Bylaw** No. 10560, as amended or replaced from time to time;

**'Development Permit'** means a permit authorized under Section 490 of the *Local Government Act*;

**'Development Planning'** means the **City** of Kelowna's Development Planning Department;

**'Development Variance Permit'** means a permit authorized under Section 498 of the *Local Government Act*;

**'Direct Development Permit'** means a **Development Permit** that may be issued by the **Department Manager, Development Planning** without **Council** consideration;

**'Divisional Director, Planning & Development Services'** means the person appointed as such and includes their selected designate(s);

**'Early Consideration'** means an application processed in accordance with Schedule '15' of this bylaw;

**'Heritage Advisory Committee'** means a committee established by **Council** to advise **Council** on heritage matters in accordance with the Committee's Terms of Reference;

**'Heritage Alteration Permit'** means a permit authorized under Section 617 of the *Local Government Act*;

**'Heritage Conservation Area'** means an area designated under Section 614 of the *Local Government Act* in the **City of Kelowna Official Community Plan**;

**'Heritage Conservation Covenant'** means a registered agreement between the **City** and the **owner** of heritage property pursuant to Section 219 of the *Land Title Act*;

**'Heritage Designation Bylaw'** means a bylaw adopted by the **City** pursuant to Section 611 of the *Local Government Act*;

**'Heritage Register'** means the community **Heritage Register** of the **City** as established under Section 598 of the *Local Government Act*;

**'Heritage Revitalization Agreement'** means an agreement between the **City** and the **owner** of heritage property pursuant to Section 610 of the *Local Government Act*;

**'Landscape Architect'** means a registered **Landscape Architect** in good standing with the British Columbia Society of **Landscape Architects** and acting in accordance with all applicable Acts and bylaws and policies of that Society;

**'Land Use Contract'** means a site specific, contractual arrangement between local governments and landowners. All land use contracts will be terminated as of June 30, 2024;

current **Land Use Contract** which is being discharged as per Section 546 of the *Local Government Act*;

**'Lot'** means a parcel of land, including crown land, which is legally described either by registered plan or description;

**'Major Direct Development Permit'** means a Natural Environment or Hazardous Conditions **Direct Development Permit** for development that:

- a) Does not meet the criteria for a **Minor Direct Development Permit**; and
- b) Is consistent with the environmental guidelines and policies of the **OCP**.

**'Minor Direct Development Permit'** means either a Natural Environment or Hazardous Conditions **Direct Development Permit** for development that meets the following criteria:

- a) Is consistent with the applicable guidelines and policies of the **OCP**; and
- b) 50m<sup>2</sup> or less of the development is situated within the designated **Development Permit** area.

**'Official Community Plan'** or **'OCP'** means Kelowna 2030 **Official Community Plan Bylaw** No. 10500, as amended or replaced from time to time;

**'Owner'** means, the registered owner of an estate in fee simple or his agent authorized in writing, and includes the tenant for life under a registered life estate, the registered holder of the last registered agreement for sale, and the hold or occupier of land held in the manner described in the *Local Government Act*;

**'Phased Development Agreement'** means an agreement authorized by Section 516 of the *Local Government Act*;

**'Policy & Planning Department Manager'** means the person appointed to the position and includes their designate;

**'Protected Heritage Property'** means a property subject to the agreement of a registered **Heritage Revitalization Agreement**, a **Heritage Conservation Covenant** or a **Heritage Designation Bylaw**;

**'Public Hearing'** means a **Public Hearing of Council** pursuant to Part 14, Division 3 of the *Local Government Act*;

**'Qualified Environmental Professional'** or **'QEP'** means an applied scientist or technologist acting alone or together with another **QEP**, if:

- a) The individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association (includes, but not limited to, Biologists, Foresters, Agrologists, Engineers, Geologists, Technicians and Technologists);
- b) The individual's area of expertise is recognized by the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal; and
- c) The individual is acting within their area of expertise.

**'Qualified Heritage Professional'** means a person who is experienced in the preparation of heritage assessments and is a member of the **BC Association of Heritage Professionals**;

**'Qualified Professional'** means a professional engineer, geoscientist, architect, biologist, planner or other professional licensed to practice in British Columbia with experience relevant to the applicable matter, as determined by the **Department Manager, Development Planning**;

**'Site'** means an area of land consisting of a **lot** or two or more abutting **lots**;

**'Temporary Farm Worker Housing Permit Major'** means a permit authorized by Section 488 (1)(c) of the *Local Government Act* for the protection of farming and for the accommodation of an employee(s) paid to work on a farm for no greater than ten months per calendar year.

**'Temporary Farm Worker Housing Permit Minor Direct'** means a permit authorized by Section 488 (1)(c) of the *Local Government Act* for the protection of farming, issued by the **Department Manager, Development Planning** that applies to development that meets the following criteria:

- a) Is for eight or fewer sleeping units in one or more temporary farm worker agricultural dwellings for the accommodation of an employee(s) paid to work on a farm for no greater than 10 months per calendar year; and
- b) Is consistent with the applicable guidelines and policies of the **OCP** and regulations of the **Zoning Bylaw**.

**'Temporary Use Permit'** means a permit authorized by Section 493 of the *Local Government Act*;

**'Zoning Bylaw'** means **City of Kelowna Zoning Bylaw No. 8000**, as amended or replaced from time to time.

## **2.0 GENERAL PROVISIONS**

### **2.1 Making Applications**

#### **2.1.1 General Requirements for All Applications**

In addition to application requirements found elsewhere in this bylaw, the following is required for all applications made under this bylaw:

- a) An application made pursuant to this bylaw will be made to the **Department Manager, Development Planning** in writing by the **owner(s)** of the land that is subject to the application, or by a person authorized by the **owner(s)**.



- b) If there is a change in ownership of a parcel of land that is the subject of an application pursuant to this bylaw, the **City** will require an updated State of Title and written authorization from the new **owner** prior to proceeding with the application.
- c) An application made pursuant to this bylaw will be submitted to the **City** on the prescribed application form approved by the **Department Manager, Development Planning** and will include an application fee, payable to the **City**, in accordance with the **Development Application Fees Bylaw**.

#### 2.1.2 Application Requirements and Processing

- a) An application for amendment of an **Official Community Plan Bylaw** or **Zoning Bylaw** will be made and processed substantially as outlined in Schedule '2' of this bylaw.
- b) An application for a **Development Permit** will be made and processed substantially as outlined in Schedule '3' of this bylaw.
- c) An application for a **Development Variance Permit** will be made and processed substantially as outlined in Schedule '4' of this bylaw.
- d) An application for a **Temporary Use Permit** will be made and processed substantially as outlined in Schedule '5' of this bylaw.
- e) An application to discharge a **Land Use Contract** will be made and processed substantially as outlined in Schedule '6' of this bylaw.
- f) An application for land within the **Agricultural Land Reserve** will be made and processed substantially as outlined in Schedule '7' of this bylaw.
- g) An application for a **Phased Development Agreement** will be made and processed substantially in accordance with Schedule '8' of this bylaw.
- h) An application for a **Temporary Farm Worker Housing Permit** will be made and processed substantially in accordance with Schedule '9' of this bylaw.
- i) An application for a **Heritage Revitalization Agreement** will be made and processed substantially in accordance with Schedule '10' of this bylaw.
- j) An application for a **Heritage Designation Bylaw** will be made and processed substantially in accordance with Schedule '11' of this bylaw.
- k) An application for a **Heritage Conservation Covenant** will be made and processed substantially in accordance with Schedule '12' of this bylaw.
- l) An application for a **Heritage Alteration Permit** will be made and processed substantially in accordance with Schedule '13' of this bylaw.
- m) An application to add a building to or remove a building from the **Kelowna Heritage Register** will be made and processed substantially in accordance with Schedule '14' of this bylaw.
- n) An application for **Early Consideration** will be made and processed substantially in accordance with Schedule '15' of this bylaw.

## 2.2 Council Decisions

### 2.2.1 Bylaw Amendments

- a) Upon receipt of a report from the **City Manager** respecting an application under Schedule '2', **Council** may:
  - i. Proceed with the bylaw pursuant to the amendment application;
  - ii. Forward the amending bylaw or bylaws to a **Public Hearing** or waive the requirement for a **Public Hearing** as provided for in section 464 of the *Local Government Act*;
  - iii. Reject or refuse the application; or
  - iv. Defer or otherwise deal with the application.
- b) **Council** may consider final adoption of an amendment bylaw:
  - i. After three readings have been given;
  - ii. Where a **Development Permit** is required by the **Official Community Plan**, upon receipt of a report from the **City Manager** stating that the **Development Permit** has been prepared and is ready for **Council** consideration; and
  - iii. Where approval from the Ministry of Transportation and Infrastructure or another authority or body is required by statute or regulation, following receipt of written approval from the authority.
- c) Despite sub-Section 2.2.1(b), **Council** may consider final adoption of an amendment bylaw after three readings are given and where the bylaw is otherwise dealt with by **Council**.
- d) Notwithstanding Schedule '2' of this bylaw, **Council** may, by resolution, agree to postpone considering individual amendments to an **OCP Bylaw** or **Zoning Bylaw** until any major review that the bylaw is undergoing at the time of the request is complete.

### 2.2.2 Development Permits, Development Variance Permits, Temporary Use Permits, Temporary Farm Worker Housing Permits and Heritage Alteration Permits

Except for permits which may be issued by the **Department Manager**, **Development Planning** pursuant to Section 2.3 of this bylaw, **Council** may, upon receipt of a report from the **City Manager** respecting an application under Schedules '3', '4', '5', '9' and '13':

- a) Issue, amend, or refuse the permit;
- b) Impose requirements, and set conditions or standards;
- c) Impose conditions for the sequence and timing of construction;
- d) Require security; or
- e) Defer or otherwise deal with the permit application.

### 2.2.3 Early Consideration Applications

- a) Upon receipt of a report from the **City Manager** respecting an application under Schedule '15', **Council** may:
  - i. Proceed with the application in accordance with Schedule '1', '2', or '3' of this bylaw;

- ii. Reject or refuse the application; or
- iii. Defer or otherwise deal with the application.

#### 2.2.4 **Agricultural Land Commission Applications**

In respect of applications subject to Sections 25(3) and 29(4) of the *Agricultural Land Commission Act*, **Council** may, upon receipt of a report from the **City Manager** respecting an application under Schedule '7':

- a) Authorize the application to proceed to the **ALC**; or
- b) Not authorize the application to proceed to the **ALC**.

#### 2.2.5 **Phased Development Agreements**

Upon receipt of a report from the **City Manager** respecting an application under Schedule '8' of this bylaw, **Council** may:

- a) Authorize the preparation of a **Phased Development Agreement** subject to conditions;
- b) Proceed with the bylaw pursuant to the **Phased Development Agreement** application;
- c) Forward the bylaw to a **Public Hearing**; or
- d) Deny the application.

#### 2.2.6 **Heritage Revitalization Agreements and Heritage Designation Bylaws**

- a) Upon receipt of a report from the **City Manager** respecting an application under Schedules '10' and '11', **Council** may:
  - i. Proceed with the bylaw pursuant to the application;
  - ii. Forward the bylaw or bylaws to a **Public Hearing**;
  - iii. Reject or refuse the application; or
  - iv. Defer or otherwise deal with the application.
- b) **Council** may consider final adoption of the bylaw:
  - i. After three readings have been given;
  - ii. Where a **Heritage Alteration Permit** is required by the **Official Community Plan**, upon receipt of a report from the **City Manager** stating that the **Heritage Alteration Permit** has been prepared and is ready for **Council** consideration; and
  - iii. Where approval from the Ministry of Transportation and Infrastructure or another authority or body is required by statute or regulation, following receipt of written approval from the authority.
- c) Despite sub-Section 2.2.5(b), **Council** may consider final adoption of a bylaw after three readings are given and where the bylaw is otherwise dealt with by **Council**.

#### 2.2.7 **Heritage Conservation Covenants** and applications to include property in or delete property from the Kelowna **Heritage Register**

- a) Upon receipt of a report from the **City Manager** respecting an application under Schedules '12' and '14', **Council** may, by resolution:
  - i. Approve, amend, or refuse the application;

- ii. Impose requirements, and set conditions or standards;
- iii. Impose conditions for the sequence and timing of construction;
- iv. Require security; or
- v. Defer or otherwise deal with the permit application.

### 2.3 Delegation of Authority

Pursuant to Section 154(1)(b) of the *Community Charter*, **Council** delegates to the **Department Manager, Development Planning** the duties and powers of **Council** as follows:

#### 2.3.1 Form and Content of Application Forms

The **Department Manager, Development Planning** may designate the form and content of application forms and may assign different forms for different categories of applications based on the nature of the application.

#### 2.3.2 Development Approval Information

The powers of **Council** under Section 484 of the *Local Government Act* to require development approval information in respect of an application made under this bylaw. Development approval information required under this section will be provided by the applicant at the applicant's expense.

#### 2.3.3 Performance Security

The powers of **Council** under Sections 502, 610(2)(c), and 318(2)(c) of the *Local Government Act* and Section 19 of the *Community Charter* to require security as a condition of the issuance of a **Development Permit, Development Variance Permit, Temporary Use Permit, Heritage Alteration Permit, Heritage Revitalization Agreement**, or a **Temporary Farm Worker Housing Permit** in accordance with Section 2.9 of this bylaw.

#### 2.3.4 Issuance or Refusal of **Temporary Farm Worker Housing Permits**

The powers of **Council** under Section 15(1) of the *Community Charter* to issue, amend and set conditions for permits for the placement of dwellings for the accommodation of Temporary Farm Workers, in accordance with the *Agricultural Land Commission Act* and regulations.

#### 2.3.5 **Development Permits**

- a) The powers of **Council** under Section 489 of the *Local Government Act* to issue, refuse and amend **Development Permits** in respect of **Development Permit** areas established by an **Official Community Plan**, subject to restrictions identified in Schedule '3' of this bylaw. This includes the powers of **Council** to require that the applicant provide security for the purposes of Section 502 of the *Local Government Act*, to establish the conditions of the permit, and to determine whether such requirements and conditions have been met.
- b) Amendments to **Development Permits** that are limited to minor design modifications that do not alter the overall form and character of development, and that do not reduce minimum setbacks, or increase height or density.

#### 2.3.6 **Heritage Alteration Permits**

- a) Pursuant to Sections 590 and 617 of the *Local Government Act*, the **Department Manager, Development Planning** is hereby authorized to exercise the powers and perform the duties of **Council** in respect of the issuance of **Heritage Alteration Permits** subject to restrictions identified in Schedule '13' of this bylaw. These powers and duties shall include, but not be limited to, authorizing and approving the permit, rejecting the permit, establishing the

requirements and conditions of the permit, and determining whether such requirements and conditions have been met.

- b) Amendments to **Heritage Alteration Permits** that are limited to minor design modifications that do not alter the overall form and character of development, and that do not reduce minimum setbacks, or increase height or density.

## **2.4 Development Approval Information**

2.4.1 Where an **OCB** bylaw specifies circumstances or designates areas of “development approval information”, the **Department Manager, Development Planning** may require in writing that the applicant provide development approval information in a report that is certified by a **Qualified Professional** that:

- a) Complies with and fully addresses terms of reference which are provided by the **Department Manager, Development Planning** in accordance with Section 2.4.2;
- b) Identifies and defines the context, interaction, scope and significance of the anticipated impacts of the activity or development on the community, as well as the data and methodological accuracy, assumptions, uncertainties, acceptability thresholds, and how anticipated impacts may cumulatively contribute to existing risks, stressors, and threats;
- c) Provides recommendations for requirements **Council** or the **Department Manager, Development Planning** may impose to mitigate or ameliorate the anticipated impacts; and
- d) Provides recommendations and details costs for modifications to the environment, or construction of works, to mitigate or ameliorate the anticipated impacts.

2.4.2 The terms of reference may require the applicant to provide information and/or a systematic detailed assessment of the proposed activity or development and:

- a) Compliance with the **Official Community Plan** and any other relevant **City** bylaw, plan or policy in preparation or adopted by **Council**;
- b) Compatibility with adjacent and community development in terms of land use, function, form, character, aesthetic and scale;
- c) Socio-economic impacts that may affect the day to day quality of life of people and communities, including, but not limited to, demographics, housing, local services, socio-cultural issues, and direct and indirect economic impacts;
- d) Land use impacts including, but not limited to, noise, vibration, glare and electrical interference;
- e) Landscaping and visual impacts including, but not limited to, the nature and magnitude of impacts on view corridors, shadows, visual envelope, prominent features, experiential characteristics, and landscape character;
- f) Transportation Demand Management strategies related to the proposal regarding, but not limited to, transportation, public transit, parking, safety, pedestrian, cyclist and vehicular traffic flow or operation, trip generation, **site** access and egress, network connectivity and accessibility;
- g) Retail impacts of a proposed commercial development, including, but not limited to, effects of additional competition, traffic impacts, effects on tenancy, and impacts to neighbourhood and sector stability;



- h) Air quality impacts including, but not limited to, pollution, dust, fumes, smoke and odours;
- i) Ground and surface water quality impacts, including, but not limited to, impacts on temperature, oxygen levels, acidity, nutrients, silts, pathogens and pollution;
- j) Agricultural impacts, including, but not limited to a soil assessment;
- k) Geotechnical conditions including, but not limited to, soil composition, profile, classification, agricultural suitability and capability, geologic processes and terrain stability;
- l) Hydrological and/or hydrogeological conditions including, but not limited to, infiltration, interception, groundwater and overland flow, accretion and erosion;
- m) Terrestrial and aquatic ecological conditions including, but not limited to, biodiversity, flora, fauna, habitat size, complexity, fragmentation or isolation, change to suitability or capability, restoration, creation and enhancement;
- n) Hazardous conditions including, but not limited to, mud flow, debris torrents, erosion, land slip, rock falls, subsidence, avalanche, wildfire, flood, and inundation, including appropriate construction elevations and setbacks;
- o) Historical, cultural and archaeological buildings, **sites** or assets;
- p) The timing and phasing of the activity or development;
- q) Compatibility with adjacent **City** owned land, rights of way, covenants and easements;
- r) Local infrastructure and **site** servicing including, but not limited to, drainage, water, sewer or other utilities;
- s) Community facilities and services including, but not limited to, schools, parks, recreation, emergency protective and health services;
- t) Any other topic in relation to which the **Department Manager, Development Planning** considers the proposed activity or development impacts the jurisdiction of the **City**.

- 2.4.3 Where applicable, an assessment required under this section must make recommendations on measures to mitigate and compensate for any impacts identified.

## **2.5 Council Reconsideration**

- 2.5.1 Within ten business days of being notified in writing of the decision of the **Department Manager, Development Planning** to issue, to amend, or to refuse a permit, or to require Development Approval Information, the applicant may, and at no charge, request **Council** to reconsider the decision.
- 2.5.2 For a request under Section 2.5.1, the applicant must give notice in writing to the **City Clerk** setting out the grounds on which the **owner** considers the decision to be inappropriate, including the specific decision, and what decision **Council** should use as a substitute.
- 2.5.3 The **City Clerk** will notify the **Department Manager, Development Planning** of each request for reconsideration and the **Department Manager, Development Planning** will, prior to the date of the meeting at which the reconsideration will occur, provide a written report to **Council** setting out, at the level of detail the **Department Manager, Development Planning** considers appropriate, the rationale for their decision.
- 2.5.4 The **City Clerk** will place each request for reconsideration on the agenda of a meeting of **Council** to be held as soon as reasonably possible.
- 2.5.5 The **City Clerk** will notify the applicant of the date of the meeting at which reconsideration will occur.
- 2.5.6 **Council** will either confirm the decision of the **Department Manager, Development Planning**, or substitute its own decision, including any permit conditions.

## **2.6 Plans Completed by a Registered Architect**

- 2.6.1 Where a development proposal indicates a building that meets the criteria of the Architectural Institute of British Columbia, all building plans, elevations and floor plans must be completed by a registered architect in good standing and licensed to practice in BC.

## **2.7 Heritage Property Applications**

- 2.7.1 Pursuant to Sections 615 and 617 of the *Local Government Act*, a **Heritage Alteration Permit** must be issued prior to undertaking alterations or other actions on property within a **Heritage Conservation Area** or on **Protected Heritage Property**. Where a **Heritage Alteration Permit** and a **Building Permit** are both required, the **Heritage Alteration Permit** must be issued prior to or in conjunction with the issuance of the **Building Permit** when a **Building Permit** is necessary.
- 2.7.2 Withholding of Approvals
- a) Pursuant to Sections 604 and 605 of the *Local Government Act*, approvals may be withheld for **Protected Heritage Property** as follows:
- i. The **Divisional Director, Planning & Development Services** may withhold the issuance of any **Building Permit** where the **Department Manager, Development Planning** is of the opinion that the **Building Permit** would authorize an alteration to **Protected Heritage Property**; and
  - ii. The **Divisional Director, Planning & Development Services** may withhold the issuance of any **Building Permit** for the demolition of **Protected Heritage Property**

until a **Heritage Alteration Permit** and any other necessary approvals have been issued with respect to the proposed alterations.

- b) Pursuant to Sections 604 and 605 of the *Local Government Act*, approvals may be withheld for a building that is included on the **Heritage Register** as follows:
  - i. The **Divisional Director, Planning & Development Services** may withhold the issuance of any **Building Permit** where the **Department Manager, Development Planning** is of the opinion that the **Building Permit** would authorize an alteration to property that is included in the **Heritage Register**; and
  - ii. The **Divisional Director, Planning & Development Services** may withhold the issuance of any **Building Permit** for the demolition of a building included in the **Heritage Register** until a **Building Permit** and any other necessary approvals have been issued with respect to the proposed alterations.
- c) The **Divisional Director, Planning & Development Services** may not withhold the issuance of a **Building Permit** for the demolition or alteration of **Protected Heritage Property** or a building included in the **Heritage Register** where the demolition or alteration is reasonably required to mitigate a hazard to public safety.
- d) The **Divisional Director, Planning & Development Services** shall notify the applicant for a **Building Permit** withheld under this section that the matter of the issuance of the **Building Permit** will be considered by **Council** at a regular meeting. The date, time and location of the meeting shall be stated in the notice. The notice shall be sent by registered mail, unless the meeting date is within five days of the date on which the notice would be mailed, in which case the notice shall be given by personal service and not mailed. The applicant for the **Building Permit** being withheld shall be entitled to address **Council** when the matter is considered by **Council**.

## 2.8 Hillside Development

For all applications involving greater than three **lots** within the Intensive Residential – Hillside **Development Permit** Area, as designated in the **OCP**, proof of contract is required between the **owner(s)** and a **Coordinating Hillside Development Professional**.

## 2.9 Performance Security

### 2.9.1 Form of Security

Security required by permits will be in the form of a certified cheque, or an irrevocable letter of credit, effective for a period to be determined by the **Department Manager, Development Planning**. Such irrevocable letter of credit will be clean and unconditional, automatically renewing and redeemable at a local bank, and may be subject to additional conditions to be specified by the **Department Manager, Development Planning**.

### 2.9.2 Amount of Security

The amount of security will be calculated using:

- a) An estimate provided at an applicant's expense by a professional qualified to undertake or supervise the works for which the securities are required, which may be obtained by the applicant and submitted with the application. The estimate must provide a cost breakdown of all materials as well as labour, monitoring and maintenance required; or
- b) Methods prescribed by the **Department Manager, Development Planning**.

### 2.9.3 Conditions of Security

Where security is a condition of a permit:

- a) When a security for landscaping is a condition of a permit, the amount of the security will be 125%, or a minimum of \$7,000, of the cost of the works including inspections, monitoring and maintenance of all items included in the landscape plan and is to be paid in full prior to permit issuance.
- b) In the case of an unsafe condition that might result from a contravention of a permit condition, the amount of security will reflect the nature of the permit condition, the nature of the unsafe condition, and the cost to the **City** of entering on the land, undertaking work to correct the unsafe condition, including the cost of repairing any damage to land, and improvements that may have been caused by the unsafe condition or that may have occurred in connection with the repair work.
- c) In the case of damage to the natural environment that might result from a contravention of a permit condition, the amount will reflect the nature of the permit condition, the nature of the damage, and the cost to the **City** of entering on the land, correcting the damage to the environment, and restoring or enhancing the natural environment to compensate for the damage that was caused by the contravention of the permit condition.
- d) Where security is required as per Sections 2.9.3(b) and (c) of this bylaw, the **City** will return to the applicant 100% of the security deposit upon receipt of a Letter of Assurance from a **Qualified Professional** certifying that the unsafe condition or damage to the natural environment has been corrected.
- e) Where security is required as a condition of a Permit, except for Natural Environment Development Permits, the following will also apply:
  - i. The landscape works (including irrigation) will be considered substantially complete upon receipt of letters or Landscape Schedules of Assurance (L3) from a Landscape Architect and a Certified Irrigation Designer which certify that the landscape and irrigation works have been completed in accordance with the approved Development Permit, or as determined by the Department Manager, Community Planning.
  - ii. ii) Upon substantial completion, the City will return to the applicant ninety percent (90%) of the security deposit. The City will withhold the remaining ten percent (10%) for up to two (2) growing seasons.
  - iii. iii) At least of one (1) year after substantial completion of the landscape works, the City may return the remainder of the security deposit on the condition that a Letter of Assurance has been submitted by a Landscape Architect certifying that the landscaping remains in substantial compliance with the approved Development Permit.
- f) Where security is required as a condition of a Natural Environment **Development Permit**, the following will also apply:
  - iv. The landscape works will be considered substantially complete upon receipt of a letter from a **Qualified Professional** certifying that the landscape works have been

completed in accordance with the approved **Development Permit**, or as determined by the **Department Manager, Development Planning**.

- v. Upon substantial completion, the **City** will return 90% of the security deposit to the applicant. The **City** will withhold the remaining 10% or \$6,000, whichever is more, for up to five growing seasons.
- vi. At least one year after substantial completion of the landscape works, the **City** may return the remainder of the security deposit on the condition that a Letter of Assurance has been submitted by a **Qualified Professional** certifying that the landscaping remains in substantial compliance with the approved **Development Permit**.
- g) If the landscape works are not completed in substantial compliance with the approved **Development Permit** by the date of expiry of the permit the **City** may cash the security deposit for the purposes of providing the funds to the current owner(s) of the subject property after completion of the landscape works to the specifications of the approved **Development Permit**. If an unsafe condition or damage to the natural environment has resulted as a consequence of the violation of the permit, the **City** may cash the security deposit for the purposes of completing the landscape works or undertaking works to the correct the unsafe condition or to correct the damage to the natural environment.

#### **2.10 Notice of Decision**

Written notice of a **Council** decision will be mailed or otherwise delivered by the **City Clerk** to an applicant at the address provided on the application form.

#### **2.11 Incomplete Applications**

If **Development Planning** staff determine that an application is incomplete, the applicant will be requested to provide the required information. If an applicant does not provide the required information within three months of the request, the application and fee will be returned.

#### **2.12 Permit Renewals, Extensions and Lapse**

##### **2.12.1 Permit Renewals and Extensions**

- a) Applications to renew or to extend a **Temporary Use Permit** under this bylaw must be made prior to the lapse of the permit.
- b) Applications to renew or to extend a **Temporary Use Permit** issued in accordance with this bylaw will be made and processed substantially in accordance with Schedule '5' of this bylaw.

##### **2.12.2 Permit Issuance and Lapse**

- a) A **Development Permit, Development Variance Permit, Temporary Farm Worker Housing Permit, or Heritage Alteration Permit** is considered to have been issued upon the date of authorization by **Council**, or, where applicable, by the **Department Manager, Development Planning**.
- b) Pursuant to Section 504 of the *Local Government Act*, in order for construction to be considered substantially started, the following minimum criteria will apply:
  - i. A valid **Building Permit** is issued;
  - ii. The **site** is completely fenced for construction purposes;



- iii. Excavation of the **site** (partially or entirely); and
  - iv. Greater than 50% of the approved **Development Permit** project's footing and foundation is poured; or
  - v. For an approved phased development, 100% of the footing and foundation of the first phase is poured.
  - vi. Except for **Phased Development Agreements** approved pursuant to Schedule '8' of this bylaw, upon receiving final occupancy for a phase of an approved phased development, subsequent phases must meet the criteria of Section 2.11.2(b) within twelve months or the permit will be deemed to have lapsed and will have no force or effect.
- c) A **Development Permit** or **Development Variance Permit** is considered to have lapsed in accordance with Section 504 of the *Local Government Act*, or as specified by the permit.
- d) A **Heritage Alteration Permit** is considered to have lapsed if construction has not substantially commenced within two years of the date of issuance, or as otherwise specified by the Permit.

## **2.13 Lapse of In-Stream Application**

- 2.13.1 In the event that an application made pursuant to this bylaw is one year old or older and has been inactive for a period of six months or greater:
- a) The application will be deemed to be abandoned and the applicant will be notified in writing that the file will be closed;
  - b) Any bylaw that has not received final adoption will be of no force and effect; and
  - c) In the case of **OCP, Zoning, Heritage Revitalization Agreement and Heritage Designation Bylaw** applications, the **City Clerk** will add to a **Council** meeting agenda a motion to rescind all readings of the bylaw associated with that application.
- 2.13.2 Upon written request by the applicant prior to the lapse of the application, **Council** may extend the deadline for a period of up to twelve months by passing a resolution to that effect.
- 2.13.3 If applicable, a refund will be paid to the applicant in accordance with the **Development Application Fees Bylaw** for proposals that have lapsed.
- 2.13.4 In order for an application that has lapsed under Sections 2.13.1 to proceed, a new application, including fee, will be required.

## **2.14 Reapplication**

Subject to Section 460 and Section 590 of the *Local Government Act*, where an application made pursuant to this Bylaw has been refused by **Council**, reapplication will not be accepted for a six-month period immediately following the date of refusal.

## **2.15 Enforcement**

### **2.15.1 Inspection**

The **Department Manager, Development Planning, Divisional Director, Planning & Development Services, Bylaw Enforcement Officers** and any other authorized representative of the **City** under their direction is authorized to enter any premises at all reasonable times to determine if the regulations and provisions of this bylaw are being, or have been met.

### **2.15.2 Offence**

- a) Every person who violates a provision of this bylaw commits an offence and is liable on summary conviction to a penalty not exceeding \$50,000.00 and the costs of prosecution.
- b) Each day a violation of the provisions of this bylaw exists or is permitted to exist will constitute a separate offence.
- c) No person or **owner** will alter a building or land in a **Development Permit** Area as designated in the **OCP** unless they hold a valid **Development Permit** issued in accordance with this bylaw.
- d) No person or **owner** will interfere with or obstruct the entry of a **Bylaw Enforcement Officer** or any authorized **City** representative onto any land or into any building to which entry is made or attempted pursuant to the provisions of this bylaw.

### 3.0 APPLICATION FEES

#### 3.1 Application Fee Requirement

- 3.1.1 At the time of application, the applicant will pay to the **City** any application fees required as per the **Development Application Fees Bylaw**.
- 3.1.2 Where a Public Information Meeting is required by **Council**, the applicant will pay all costs associated with the Public Information Meeting.
- 3.1.3 The fees prescribed in **Development Application Fees Bylaw** apply to each parcel of land for which the application is made, as follows:
  - a) If an application involves two or more contiguous parcels of land, they will be treated as one application;
  - b) If an application involves two or more parcels of land that are not contiguous, they will be treated as separate applications and the fee prescribed in the **Development Application Fees Bylaw** applies to each parcel of land for which the application is made.

### 4.0 PUBLIC NOTIFICATION AND CONSULTATION

#### 4.1 Public Notification and Consultation Requirement

All applications made pursuant to this bylaw will undertake the forms of public notification required by Section 4. Consultation requirements as identified in Council Policy No. 367 must also be undertaken prior to **Council** initial consideration of an application.

#### 4.2 Public Notification

##### 4.2.1 Giving Notice

- a) In accordance with the *Local Government Act*, the **City** will mail or otherwise deliver individual notices to all **owners** and tenants of the subject property for which an application is being made and all **owners** and tenants of properties that are within a 50 m radius or a minimum of four properties, whichever is greater, to which the application pertains, advising of:
  - i. A scheduled **Public Hearing** for an **OCP** amendment, **Zoning Bylaw** amendment, **Phased Development Agreement**, **Land Use Contract Discharge**, **Heritage Designation** bylaw or **Heritage Revitalization Agreement**;
  - ii. A scheduled Council meeting for considering a Heritage Designation bylaw;
  - iii. A scheduled **Council** meeting for considering a **Heritage Alteration Permit** with variances;
  - iv. A scheduled **Council** meeting for considering a **Development Variance Permit**; or
  - v. A scheduled **Council** meeting for considering a **Temporary Use Permit**.
- b) The notification outlined in sub-Section 4.2.1(a) is not required if 10 or more parcels owned by 10 or more persons are subject of the application.
- c) Individual notices will be mailed or otherwise delivered not less than ten days prior to **Council** consideration of a **Heritage Alteration Permit**, **Development Variance Permit**, or **Temporary Use Permit** and not less than ten days prior to a **Public Hearing** for an **OCP**

amendment, **Zoning Bylaw** amendment, **Land Use Contract** discharge, **Heritage Designation Bylaw**, or **Heritage Revitalization Agreement**.

#### 4.2.2 Development Notice Signage

An applicant under this bylaw must, at their cost, post Development Notice Signage on the parcel of land which is the subject of the application, in accordance with the following.

a) Exemptions:

The following types of applications do not require Development Notice Signage:

- i. **Development Permit**
- ii. **Temporary Farm Worker Housing Permit**
- iii. **Heritage Conservation Covenant**
- iv. **Kelowna Heritage Register**
- v. **Heritage Alteration Permit** with no variance(s)
- vi. **OCP and Zoning Bylaw** amendment applications involving ten or more parcels owned by ten or more people

b) Timing:

For applications that require a statutory **Public Hearing**, Development Notice Signs will be posted a minimum of ten days prior to the **Public Hearing** for the application. For all other applications, Development Notice Signs will be posted a minimum of ten days prior to the **Council** meeting at which the application is scheduled for consideration.

Development Notice Signs must remain in place until the conclusion of the **Public Hearing**, until **Council** has considered the application as applicable, within 7 days of Council's further consideration of the application when the **Public Hearing** has been waived, or until the development application has been abandoned. Development Notice Signs must be removed within seven days of the conclusion of a **Public Hearing**.

c) Sign Location and Installation:

Development Notice Signs will be posted so that they are clearly visible from the street, up to three metres inside the property line. Development Notice Signs will be posted in a manner that does not interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes or driveways and must be installed in a safe, sturdy manner capable of withstanding wind and weather.

d) Number:

One sign is required per 100 metres of road frontage. No more than three signs are required for any one **site**.

e) Sign Content:

Development Notice Signs will include the following information, as applicable:

- i. The **City's** application file number;
- ii. A brief project description;
- iii. The date of the relevant **Public Hearing** or **Council** meeting at which the application is to be considered, or the final date for receipt of public input if the **Public Hearing** has been waived; and

- iv. Any additional information required by the **Department Manager, Development Planning**.
- f) Sign Purchase:

Development Notice Signs will be purchased from a signage provider at the applicant's expense. The **City's** signage template must be used, and the signage content must be approved by **City** staff.
- g) Photographic Evidence Required:

The applicant must provide the **Department Manager, Development Planning** with photographic evidence confirming that all Development Notice Signs required by this Bylaw have been installed on the subject property by the date required before the application will be considered at a **Public Hearing** or a regular **Council** meeting.
- h) Failure to Post:

Failure to post the required Development Notice Signs in accordance with this bylaw will result in the postponement of consideration of the application by **Council**. All costs incurred by the **City** for public notification as a result of such postponement will be the responsibility of the applicant.

#### **4.3 Agency Referral Process**

- 4.3.1 For applications subject to this bylaw, the **Development Planning Department** will develop a referral list of agencies, organizations or levels of government to which the application must be sent for review.
- 4.3.2 Each agency, organization or level of government will be given a minimum of fifteen working days from receipt of the referral to provide any comments. If after a minimum of fifteen working days the agency, organization or level of government has not notified the **City** in writing about their concerns, they are considered to have no concerns.

#### **5.0 REPEALED**

The **City** of Kelowna "Development Application Procedures Bylaw No. 10540" and all amendments thereto, are repealed.

The **City** of Kelowna "Heritage Procedures Bylaw No. 11185" and all amendments thereto, are repealed.

#### **6.0 EFFECTIVE DATE**

This bylaw comes into force and takes effect on the date of adoption.

#### **7.0 IRREGULARITY**

The failure of **Council** or a committee to observe the provisions of this bylaw does not affect the validity of resolutions passed or bylaws enacted by **Council**.

## Schedule '1' – Application Requirements

The information listed below will be required for applications under this bylaw in accordance with Schedules '2' to '14' of this bylaw:

- a) Application Form
- b) State of Title - including complete copies of any easements, rights-of-way, Section 219 covenants and other non-financial charges registered on Title. Must be printed within 30 days of making the application.
- c) Owner's Authorization Form – required if the applicant is not the registered owner(s) of the land subject to the application.
- d) Site Profile - in accordance with the Environmental Management Act.
- e) Zoning Analysis Table - illustrating how the proposal meets or deviates from Zoning Bylaw requirements.
- f) Project Rationale - explaining the project's conformity with relevant City policies including OCP policies and, where applicable, Development Permit Guidelines.
- g) Photographs - of the site and surrounding context (e.g. neighbouring properties, on-site structures, important features, etc.) in colour and at a legible size.
- h) Site Plan - 1:200 scale recommended, all units in metric, with north arrow, including:
  - Civic address and legal description
  - Property line and setbacks, accurately dimensioned
  - Easements, rights-of-way, and covenant areas
  - Outline of existing and proposed building(s), accurately dimensioned
  - Parking layout and allocation, including:
    - Stall dimensions
    - Drive aisle dimensions
    - Parking setbacks to property lines
    - Description of stall uses (ex. visitor stall, loading stall, and resident stall, etc.)
  - Site lighting
  - Location and dimensions of private open space
  - Site grading, including retaining walls and retention slopes
  - Existing geodetic elevations and proposed geodetic elevations

For Commercial, Industrial, and Multi-family applications, also include:

- Location, number, and dimensions of bicycle parking spaces
  - Location, number, and dimensions of accessible parking spaces
  - Provisions for universal access
  - Location of any existing and/or proposed freestanding signage
  - Location of recycling and garbage enclosure
- i) Floor Plans - for each floor including basement, 1:200 scale recommended, all units in metric, with north arrow, including:
    - Layout and dimensions of all exterior and interior walls
    - Location of doors and windows
    - Use of each room (e.g. bedroom, bathroom, etc.)
    - Dimensions, including area, of each room



j) Elevation Drawings - 1:200 scale recommended, all units in metric, including:

- Exterior of subject building(s) - all elevations with direction labeled
- Dimensioned height from grade on all elevations
- Materials and proposed colour details (e.g. roof, trim, façade)

For Commercial, Industrial, and Multi-family applications, also include:

- Coloured elevation drawings
- Drawings of street elevation with relationship to buildings on adjacent properties
- Size and location of any proposed signage
- Coloured rendering(s) including complete building elevations and landscaping
  - For smaller-scale developments, a minimum of one coloured rendering is required; for larger-scale developments, photo realistic coloured renderings from multiple perspectives that show the details of finished materials are required
  - Additional renderings may be required at the discretion of the Department Manager, Development Planning

k) Materials Board - that can be duplicated (no physical samples) including:

- Roofing material and colour
- Exterior materials and colours
- Window, door, and trim materials and colours
- Any additional materials and colours (e.g. balconies, railings, etc.)

l) Landscape Plan

Conceptual Landscape Plan: for applications under Schedules '2' and '10' of this bylaw – to-scale plan including:

Landscape Plan - (1:200 scale recommended) in metric units with north arrow, detailing:

- Outline of existing and proposed building(s) with existing trees or treed areas
- Parking layout and surface treatment
- Soft landscaping (trees, hedges, planting beds, vines, lawn, etc.), including vegetation within public road right-of-way
- A preliminary plant list of trees, shrubs, perennials and ground covers including quantities, botanical and common names, planting sizes, on centre spacing
- Hard landscaping (precise pavers, brick, concrete, etc.) including materials within public road right-of-way • Landscape structures (fences, trellis, arbours, retaining walls, lighting, etc.)
- Location and size of amenity areas, play areas, and private open space, if applicable
- Where a Landscape Plan is required as a condition of a Natural Environment Development Permit, the Plan will be stamped and sealed by a Qualified Professional.

For Commercial, Industrial, Multi-family & Institutional applications, the following requirements must also be provided:

- A Landscape Plan signed and sealed by a Landscape Architect, and a Water Conservation Report prepared by a Landscape Architect in accordance with Water Regulation Bylaw No. 10480 (as amended or replaced from time to time), including:
  - Landscape Schedules of Assurance (BCSLA);
  - A landscape water budget;
  - A hydrozone plan;
  - An Irrigation Plan, certified by a Certified Irrigation Designer; and
  - A cost estimate, including all landscape and irrigation works.

Landscape costs must indicate topsoil, mulches, trees, plant material, structures, fencing, play equipment, Site furniture, etc.

- Location and treatment of garbage enclosure (including materials and dimensions)
  - Notation of any proposed boulevard trees
  - Notation of special treatments or retaining elements pertaining to grading
- m) Environmental Assessment Report - prepared, signed and sealed by a Registered Professional Biologist licensed to practice in BC, which assesses potential impacts of the proposed development and provides avoidance, mitigation and/or compensation methods as applicable. The assessment will include but is not limited to a biophysical inventory that stratifies and maps environmentally sensitive areas, a habitat balance sheet, a cumulative effects assessment, and a gap analysis.
- n) Habitat Restoration Plan - prepared, signed and sealed by a Qualified Professional, which identifies and recommends restoration areas and details measures necessary to restore the subject property(s) to a level acceptable to the City. The plan will include but is not limited to:
- A landscape plan that includes descriptions of all polygon treatments proposed, representative descriptions and images for each treatment type and a recommended inspection and maintenance schedule;
  - A cost estimate that includes the anticipated costs of implementing the landscape plan and provisions for inspections, maintenance and environmental effectiveness monitoring; and
  - An “as-built” report may be requested upon completion of the habitat restoration work as a condition of the Development Permit that describes and justifies any departures from the proposed restoration prescriptions, provides images and descriptions for each treatment type as completed, recommends additional mid- to long-term measures to enhance the success of the project, and includes a summary of final project costs.
- o) Environmental Monitoring Plan - prepared, signed and sealed by a Qualified Professional that assures project construction activities comply with environmental provisions defined in authorizations and permits, applicable legislation, City environmental management guidelines and policies and industry best management practices. An Environmental Monitoring Plan will assure that appropriate levels of protection are in place to prevent or minimize environmental impacts, will prepare timely, accurate and unbiased reporting, and will include a cost estimate for all monitoring and associated works.
- p) Information about the historical significance and architectural merit of a property. A statement of significance and / or heritage review, prepared by a Qualified Heritage Professional, may be required in accordance with terms of reference outlined by the Development Planning Department, at the discretion of Department Manager, Development Planning.

#### **Schedule '2' – Applications to Amend an Official Community Plan Bylaw or a Zoning Bylaw**

This Schedule describes the process applicants must follow to amend an OCP or Zoning Bylaw, including the application requirements and processing procedure. Following the steps outlined below does not grant a right to development approval.

## 1.0 APPLICATION REQUIREMENTS

- 1.1. The following information is required for applications to amend an OCP or Zoning Bylaw. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	f) Project Rationale
b) State of Title	h) Site Plan
c) Owner's Authorization Form (if applicable)	i) Floor Plan (if available)
d) Site Profile (if applicable)	j) Elevation Drawings (if available)
e) Zoning Analysis Table	l) Conceptual Landscape Plan

- 1.2. Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately evaluate an amendment application.

## 2.0 PROCESSING PROCEDURE

An amendment application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- g) Development Planning will prepare a staff report for consideration by Council. The applicant is encouraged to attend the Council meeting(s) at which the application will be considered.
- h) If Council decides to proceed with the application, an amending bylaw will be given first reading and conditions will be established, where appropriate. Council may alternatively decide to refer, table or deny the application.
- i) Should the amending bylaw receive first reading, a Public Hearing will be held to allow the public to comment on the application. Notice of a Public Hearing will be given pursuant to the Local Government Act. Should Council choose to waive the Public Hearing for an application to amend the Zoning Bylaw, notice of a waived Public Hearing will be given pursuant to the Local Government Act.

- j) Following the Public Hearing or waiving of the Public Hearing, Council will consider the amendment bylaw and may proceed with second and third readings, refer, table or deny the application. Upon third reading, an amendment bylaw may need to be sent to relevant provincial ministry(s) for approval before proceeding to adoption.
- k) When the applicant has adequately addressed all the conditions associated with the application, Council will consider the adoption of the bylaw(s), subject to Section 2.2.1(b) of this bylaw.
- l) Following reading consideration, the Office of the City Clerk will notify the applicant in writing of Council's decision.

## **Schedule '3' – Development Permit Applications**

This Schedule describes the process applicants must follow for Development Permit applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

### **1.0 FORM AND CHARACTER & FARM PROTECTION DEVELOPMENT PERMITS**

#### **1.1. Form and Character & Farm Protection Direct Development Permits**

##### **1.1.1. Restriction on Delegation**

Direct Development Permits are approved by the Department Manager, Development Planning. As a restriction on Section 2.3.5(a), the Department Manager, Development Planning may only issue Development Permits that meet the following criteria:

- a) Form and Character Development Permits not containing any residential uses, where:
  - i. The application does not require Ministry of Transportation and Infrastructure approval;
  - ii. The proposed development does not impact adjacent or abutting residential developments; and
  - iii. The proposed development is generally consistent with applicable Development Permit guidelines in the OCP.
- b) Form and Character Development Permits for Intensive Residential Development, applicable to properties in the Sensitive Infill Housing Development Permit Area, where:
  - i. The proposed development is generally consistent with the applicable Development Permit guidelines in the OCP.
- c) Farm Protection Development Permits, where:
  - i. The proposed development is generally consistent with the applicable Development Permit guidelines in the OCP.

Applications not eligible for issuance or amendment by the Department Manager, Development Planning must be considered by Council and are subject to the requirements listed in Schedule '3', Section 1.2 – Form and Character & Farm Protection Council Development Permits, below.

##### **1.1.2. Application Requirements**

- a) The following information is required for Form and Character and Farm Protection Direct Development Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Direct Form and Character Development Permit
a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)
e) Zoning Analysis Table
f) Project Rationale
g) Photographs
h) Site Plan
i) Floor Plan
j) Elevation Drawings
k) Materials Board
l) Direct Landscape Plan

Direct Farm Protection Development Permit
a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)
e) Zoning Analysis Table
f) Project Rationale
g) Photographs
h) Site Plan
j) Elevation Drawings
l) Direct Landscape Plan

- b) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately evaluate, issue, and/or deny a Development Permit application.

#### 1.1.3. Processing Procedure

An Form and Character or Farm Protection Direct Development Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies. Where applicable, a staff design review will consider the merits of the proposal.
- e) Relevant referral agency comments will be considered by the Department Manager, Development Planning.
- f) Development Planning will notify the applicant in writing of the decision of the Department Manager, Development Planning.
- g) If authorized for issuance by the Department Manager, Development Planning, staff will prepare the required Development Permit and related schedules for signature and obtain the required security pursuant to Section 2.9 of this bylaw.
- h) Upon sign-off of the Development Permit by the Department Manager, Development Planning and receipt of the required security, the Development Permit will be issued and then registered against the title of the property(s) at the Land Title Office.



## 1.2. Form and Character & Farm Protection Council Development Permits

### 1.2.1. Application Requirements

- a) The following information is required for Form and Character and Farm Protection Council Development Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Council Form and Character Development Permit	Council Farm Protection Development Permit
a) Application Form	a) Application Form
b) State of Title	b) State of Title
c) Owner's Authorization Form (if applicable)	c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)	d) Site Profile (if applicable)
e) Zoning Analysis Table	e) Zoning Analysis Table
f) Project Rationale	f) Project Rationale
g) Photographs	g) Photographs
h) Site Plan	h) Site Plan
i) Floor Plan	j) Elevation Drawings
j) Elevation Drawings	l) Council Landscape Plan
k) Materials Board	
l) Council Landscape Plan	

- b) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Permit application.

### 1.2.2. Processing Procedure

An Form and Character and Farm Protection Council Development Permit application submitted in accordance with this bylaw will be processed as follows:

- Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies. Where applicable, a staff design review will consider the merits of the proposal.
- Development Planning will prepare a staff report and refer the application to any relevant Council Committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- Upon receipt of the recommendation of the Council committee and comments from other referral agencies, Development Planning will prepare a staff report and draft Development

Permit for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application is being considered.

- g) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- h) If authorized for issuance by Council, Development Planning staff will prepare the required Development Permit and related schedules for signature and obtain the required security, pursuant to Section 2.9 of this bylaw.
- i) Upon sign-off of the Development Permit by the Department Manager, Development Planning and receipt of the required security, the Development Permit will be issued and then registered on the State of Title of the subject property(s).

## 2.0 NATURAL ENVIRONMENT AND HAZARDOUS CONDITIONS DEVELOPMENT PERMITS

### 2.1. Restriction on Delegation

As a restriction on Section 2.3.5(a), the Department Manager, Development Planning may only issue or amend Natural Environment and Hazardous Conditions Development Permits that meet the following criteria:

- a) The permit is consistent with OCP Development Permit Guidelines; and
- b) No variances to the Zoning Bylaw are required.

Applications not eligible for issuance or amendment by the Department Manager, Development Planning must be considered by Council and are subject to the requirements listed in Schedule '3', Section 2.4 – Environment and Hazardous Conditions Council Development Permit, below.

### 2.2. Minor Direct Development Permit

#### 2.2.1. Application Requirements

- a) The following information is required for Minor Direct Natural Environment and Hazardous Conditions Development Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Minor Direct Natural Environment Development Permit	Minor Direct Hazardous Conditions Development Permit
a) Application Form	a) Application Form
b) State of Title	b) State of Title
c) Owner's Authorization Form (if applicable)	c) Owner's Authorization Form (if applicable)
d) Site Profile	d) Site Profile (if applicable)
f) Project Rationale	f) Project Rationale
g) Photographs	g) Photographs
h) Site Plan	h) Site Plan
o) Environmental Monitoring Plan	

- b) For a Natural Environment Development Permit, proof of contract between the owner(s) and a Qualified Professional to prepare an Environmental Monitoring Plan and any associated work.
- c) For a Natural Environment Development Permit, a Letter of Authorization to Halt Work, signed by the owner(s) authorizing the contracted Qualified Professional to halt or modify

any construction activity necessary to ensure compliance with the requirements of the Development Permit and best management practices.

- d) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately evaluate, issue, and/or deny a Development Permit application.

#### 2.2.2. Processing Procedures

A Minor Direct Natural Environment or Hazardous Conditions Development Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all applicable City departments.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) Relevant technical comments will be considered by the Department Manager, Development Planning.
- f) Development Planning will notify the applicant in writing of the decision of the Department Manager, Development Planning.
- g) If authorized for issuance by the Department Manager, Development Planning, staff will prepare the required Development Permit and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this bylaw.
- h) Upon sign-off of the Development Permit by the Divisional Director, Planning & Development Services and receipt of the required security, the Development Permit will be issued and then registered on the State of Title of the subject property(s).

#### 2.3. Major Direct Development Permit

##### 2.3.1. Application Requirements

- a) The following information is required for Major Direct Natural Environment and Hazardous Conditions Development Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Major Direct Natural Environment Development Permit	Major Direct Hazardous Conditions Development Permit
a) Application Form	a) Application Form
b) State of Title	b) State of Title
c) Owner's Authorization Form (if applicable)	c) Owner's Authorization Form (if applicable)
d) Site Profile	d) Site Profile (if applicable)
f) Project Rationale	f) Project Rationale
g) Photographs	g) Photographs
h) Site Plan	h) Site Plan
m) Environmental Assessment Report	
n) Habitat Restoration Plan	
o) Environmental Monitoring Plan	

- b) For a Natural Environment Development Permit, proof of contract between the owner(s) and a Qualified Professional to prepare an Environmental Monitoring Plan and any associated work.
- c) For a Natural Environment Development Permit, a Letter of Authorization to Halt Work, signed by the owner(s) authorizing the contracted Qualified Professional to halt or modify any construction activity necessary to ensure compliance with the requirements of the Development Permit and best management practices.
- d) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately evaluate, issue, and/or deny a Development Permit application.

### 2.3.2. Processing Procedures

A Major Direct Natural Environment or Hazardous Conditions Development Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies. An internal staff development review will consider the merits of the proposal.
- e) Relevant technical comments will be considered by the Department Manager, Development Planning.
- f) Development Planning will notify the applicant in writing of the decision of the Department Manager, Development Planning.

- g) If authorized for issuance by the Department Manager, Development Planning, staff will prepare the required Development Permit and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this Bylaw.
- h) Upon sign-off of the Development Permit by the Divisional Director, Planning & Development Services and receipt of the required security, the Development Permit will be issued and then registered on the State of Title of the subject property(s).

#### 2.4. Natural Environment and Hazardous Conditions Council Development Permit

##### 2.4.1. Application Requirements

- a) The following information is required for Natural Environment and Hazardous Conditions Council Development Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

Council Natural Environment Development Permit	Council Hazardous Conditions Development Permit
a) Application Form	a) Application Form
b) State of Title	b) State of Title
c) Owner's Authorization Form (if applicable)	c) Owner's Authorization Form (if applicable)
d) Site Profile	d) Site Profile (if applicable)
f) Project Rationale	f) Project Rationale
g) Photographs	g) Photographs
h) Site Plan	h) Site Plan
m) Environmental Assessment Report	
n) Habitat Restoration Plan	

- b) For a Natural Environment Development Permit, proof of contract between the owner(s) and a Qualified Professional to prepare an Environmental Monitoring Plan and any associated work.
- c) For a Natural Environment Development Permit, a Letter of Authorization to Halt Work, signed by the owner(s) authorizing the contracted Qualified Professional to halt or modify any construction activity necessary to ensure compliance with the requirements of the Development Permit and best management practices.
- d) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Permit application.

##### 2.4.2. Processing Procedures

A Natural Environment or Hazardous Conditions Council Development Permit application submitted in accordance with this Bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.

- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies. An internal staff development review will consider the merits of the proposal.
- e) Development Planning will prepare a staff report and refer the application to any relevant Council Committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- f) Upon receipt of the recommendation of the Council committee and comments from other referral agencies, Development Planning staff will prepare a staff report and draft Development Permit for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application is being considered.
- g) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- h) If authorized for issuance by Council, Development Planning staff will prepare the required Development Permit and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this bylaw.
- i) Upon sign-off of the Development Permit by the Department Manager, Development Planning and receipt of the required security, the Development Permit will be issued and then registered on the State of Title of the subject property(s).



## Schedule '4' – Development Variance Permit Applications

This Schedule describes the process applicants must follow for Development Variance Permit applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

### 1.0 APPLICATION REQUIREMENTS

- 1.1. The following information is required for Development Variance Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	g) Photographs
b) State of Title	h) Site Plan
c) Owner's Authorization Form (if applicable)	i) Floor Plan
d) Site Profile (if applicable)	j) Elevation Drawings
e) Zoning Analysis Table	l) Council Landscape Plan (if applicable)
m) Project Rationale	

- 1.2. Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Variance Permit application.

### 2.0 PROCESSING PROCEDURE

A Development Variance Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- g) Upon receipt of the comments of other referral agencies, Development Planning staff will prepare a staff report and draft Development Variance Permit for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application is being considered.
- h) The Office of the City Clerk will notify the applicant in writing of the decision of Council.

- i) If authorized for issuance by the Council, Development Planning staff will prepare the required Development Variance Permit and related schedules for signature, and obtain any required security, pursuant to Section 2.9 of this bylaw.
- n) Upon sign-off of the Development Variance Permit by the Department Manager, Development Planning and receipt of required security, the Development Variance Permit will be issued and then registered on the State of Title of the subject property(s).

## Schedule '5' – Temporary Use Permit Applications

This Schedule describes the process applicants must follow for Temporary Use Permit applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

### 1.0 APPLICATION REQUIREMENTS

- 1.1. The following information is required for Temporary Use Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

f) Application Form	k) Photographs
g) State of Title	l) Site Plan
h) Owner's Authorization Form (if applicable)	m) Floor Plan
i) Site Profile (if applicable)	n) Elevation Drawings
j) Zoning Analysis Table	o) Council Landscape Plan (if applicable)
p) Project Rationale	

- 1.2. Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Temporary Use Permit application.

### 2.0 PROCESSING PROCEDURE

A Temporary Use Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- d) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- e) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- f) Development Planning staff will prepare a staff report for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application will be considered.
- g) Council will consider the staff report and may grant the requested permit, or may refer, table, direct back to the appropriate Council committee(s) or deny the application.
- h) The Office of the City Clerk will notify the applicant in writing of the decision of Council.

- j) If authorized for issuance by the Council, Development Planning staff will prepare the required Temporary Use Permit and related schedules for signature, and obtain any required security, pursuant to Section 2.9 of this bylaw.
- k) Upon sign-off of the Temporary Use Permit by the Department Manager, Development Planning and receipt of required security, the Temporary Use Permit will be issued and then registered on the State of Title of the subject property(s).

## **Schedule '6' – Land Use Contract Discharge Applications**

This Schedule describes the process applicants must follow for Land Use Contract Discharge applications. Following the steps outlined below does not grant a right to development approval. The Provincial government enacted legislation stipulating that all land use contracts in British Columbia will be automatically terminated on June 30, 2024; therefore, this Schedule will no longer be of force and effect as of June 30, 2024.

### **1.0 DISCHARGING A LAND USE CONTRACT**

#### **1.1. Making Application and Processing Procedures**

- 1.1.1. Land Use Contract Discharge applications will be made and processed substantially in accordance with Schedule '2' of this bylaw.

#### **1.2. Notification and Consultation**

- 1.2.1. Land Use Contract Discharge applications will be subject to the notification and consultation requirements established for the "Zoning Minor" category in Council Policy No. 367.

#### **1.3. Council Decisions**

- 1.3.1. Applications under this section will be subject to Council consideration in accordance with Section 2.2 of this bylaw.

## **Schedule '7' – Agricultural Land Commission Act Applications**

This Schedule describes the process applicants must follow for Agricultural Land Commission Act applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

### **1.0 APPLICATION REQUIREMENTS**

Agricultural Land Commission (ALC) applications are made directly to the ALC through the ALC's online application portal. Applications are then forwarded to the City. Review the Agricultural Land Commission's (ALC) "Applicant Information Package" (available at [www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)) prior to submitting an application. This package contains details on ALC application requirements as well as the ALC process for issuing approvals.

### **2.0 PROCESSING PROCEDURE**

An application under the Agricultural Land Commission Act submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an ALC application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies and relevant provincial regulations, including, but not limited to, the Agricultural Land Reserve General Regulation and Agricultural Land Reserve Use Regulation.
- e) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- f) Development Planning staff will prepare a staff report for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application will be considered.
- g) If the proposal triggers Sections 25(3) or 29(4) of the Agricultural Land Commission Act, Council must provide a recommendation regarding the file, and as such will consider the staff report pursuant to Section 2.2 of this bylaw.
- h) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- i) If authorized, Development Planning will forward the complete application to the ALC with the staff report and Council resolution.
- j) If Sections 25(3) of the Agricultural Land Commission Act is not triggered by the proposal, Council may make a recommendation for ALC consideration. Development Planning will forward the complete application to the ALC with the staff report and Council recommendation.



## **Schedule '8' – Phased Development Agreement Applications**

This Schedule describes the process applicants must follow for Phased Development Agreement applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

### **1.0 APPLICATION REQUIREMENTS**

Prior to the preparation of any Phased Development Agreement documents, an applicant subject to this Schedule must first submit a request for Council's authorization to proceed with a Phased Development Agreement. The request must include, but will not be limited to, the following:

- a) A State of Title, printed within ninety days of making the application, for all properties subject to the application;
- b) Owner's Authorization Form (if applicable);
- c) A Letter of Request outlining the subject property(s), including legal descriptions;
- d) A map illustrating the subject property(s); and
- e) A Terms of Reference for the Phased Development Agreement addressing the items required under the applicable provisions of the Local Government Act.

### **2.0 PROCESSING PROCEDURES**

A Phased Development Agreement application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will review the proposal and work with the applicant as necessary to prepare a report for Council's authorization to proceed with the preparation of a Phased Development Agreement.
- d) Council will consider the staff report and may consider whether to authorize, authorize with conditions, or deny the preparation of a Phased Development Agreement in accordance with Section 2.2.4 of this bylaw.
- e) If authorized, Development Planning will work with the applicant to prepare a draft Phased Development Agreement, which may require additional supporting information in accordance with goals and objectives established in the OCP.
- f) Development Planning will refer the draft Phased Development Agreement to all relevant City departments, as well as applicable government and external agencies, and the City solicitor.
- g) Development Planning will prepare a staff report, accompanied by the draft Phased Development Agreement bylaw, for Council consideration. The applicant is encouraged to attend the Council meeting at which the application will be considered.

- h) If Council decides to proceed with the application, the Phased Development Agreement bylaw will be given first reading, and conditions will be established, where appropriate. Council may alternatively decide to defer, table or deny the application.
- i) Should the bylaw receive first reading, it will be advertised in accordance with the Local Government Act and a Public Hearing will be held to allow the public to comment on the application. Notice of a Public Hearing will be given pursuant to the Local Government Act.
- j) Following the Public Hearing, Council will consider the bylaw and may proceed with second and third readings, defer, table or deny the application.
- k) Once the applicant has adequately addressed any conditions identified, Council will consider the adoption of the bylaw.
- l) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- m) If approved, notice of the Phased Development Agreement will be registered on the State of Title of the subject property(s).

## Schedule '9' – Temporary Farm Worker Housing Permit Applications

This Schedule describes the process applicants must follow for Temporary Farm Worker Housing applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

All Temporary Farm Work Housing must be approved by the Agricultural Land Commission. See Schedule '7' – of this bylaw for application requirements.

### 1.0 TEMPORARY FARM WORKER HOUSING PERMIT MINOR DIRECT

#### 1.1. Restriction on Delegation

1.1.1. As a restriction on Section 2.3.4, the Department Manager, Development Planning may only issue or amend Temporary Farm Worker Housing Permits that meet the following criteria:

- a) The application is consistent with OCP Development Permit guidelines;
- b) The application is proposed to authorize eight (8) or fewer sleeping units; and
- c) No variances to the Zoning Bylaw are required.

Applications not eligible for issuance or amendment by the Department Manager, Development Planning must be considered by Council and are subject to the requirements listed in Schedule '9', Section 2.0 – Temporary Farm Worker Housing Permit Major (Council), below.

#### 1.2. Application Requirements

1.2.1. The following information is required for Temporary Farm Worker Housing Permit Minor Direct applications. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	g) Photographs
b) State of Title	h) Site Plan
c) Owner's Authorization Form (if applicable)	i) Floor Plan
d) Site Profile (if applicable)	j) Elevation Drawings
f) Project Rationale	l) Direct Landscape Plan

1.2.2. Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately evaluate, issue, and/or deny a Temporary Farm Worker Housing Permit Minor Direct application.

#### 1.3. Processing Procedures

A Temporary Farm Worker Housing Permit Minor Direct application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all applicable City departments.

- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) Relevant referral agency comments will be considered by the Department Manager, Development Planning.
- f) Development Planning will notify the applicant in writing of the decision of the Department Manager, Development Planning.
- g) If authorized for issuance by the Department Manager, Development Planning, staff will prepare the required permit and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this bylaw.
- h) Upon sign-off of the Permit by the Department Manager, Development Planning and receipt of the required security, the permit will be issued and then registered on the State of Title of the subject property(s).

## 2.0 TEMPORARY FARM WORKER HOUSING PERMIT MAJOR (COUNCIL)

### 2.1. Application Requirements

- 2.1.1. The following information is required for Temporary Farm Worker Housing Permit Major applications. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	g) Photographs
b) State of Title	h) Site Plan
c) Owner's Authorization Form (if applicable)	i) Floor Plan
d) Site Profile (if applicable)	j) Elevation Drawings
h) Project Rationale	l) Council Landscape Plan

- 2.1.2. Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately evaluate, issue, and/or deny a Temporary Farm Worker Housing Permit Major application.

### 2.2. Processing Procedures

A Temporary Farm Worker Housing Permit Major application submitted in accordance with this Bylaw will be processed as follows:

- a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) The applicant will undertake the form(s) of public notification and consultation required in accordance with Section 4 of this bylaw.

- f) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee(s) will provide a recommendation to Development Planning staff.
- g) Upon receipt of the recommendation of the Council committee(s) and the comments of other referral agencies, Development Planning staff will prepare a staff report and draft permit for review by Council. The applicant is encouraged to attend the Council meeting at which the application will be considered.
- h) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- i) If authorized for issuance by Council, Development Planning staff will prepare the required permit and related schedules for signature, and obtain the required security, pursuant to Section 2.9 of this bylaw.
- j) Upon sign-off of the permit by the Department Manager, Development Planning and receipt of required security, the permit will be issued.

## Schedule '10' – Heritage Revitalization Agreement Applications

This Schedule describes the process applicants must follow for Heritage Revitalization Agreement applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

### 1.0 APPLICATION REQUIREMENTS

- 1.1. The following information is required for Heritage Revitalization Agreement applications and applications to amend a Heritage Revitalization Agreement. See Schedule '1' of this bylaw for descriptions of application requirements.

a) Application Form	h) Site Plan
b) State of Title	i) Floor Plan
c) Owner's Authorization Form (if applicable)	j) Elevation Drawings
d) Site Profile (if applicable)	k) Materials Board
e) Zoning Analysis Table	l) Conceptual, Direct, or Council Landscape Plan (if applicable)
f) Project Rationale including proposed uses, density, and a description of proposed alterations, rehabilitation, and /or restoration of the heritage asset	p) Information about historical significance of the property
g) Photographs including photographs of each elevation of the property	

- 1.2. Other information that will assist in the evaluation of the application may be requested by the Department Manager, Development Planning to adequately make a recommendation to Council regarding a Heritage Revitalization Agreement application.

### 2.0 PROCESSING PROCEDURES

A Heritage Revitalization Agreement application submitted in accordance with this bylaw will be processed as follows:

- Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- The applicant will complete public notification and consultation as required by Section 4 of this bylaw.



- f) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee(s) will provide a recommendation to Development Planning staff.
- g) Upon receipt of the recommendation of the Council committee(s) and the comments of other referral agencies, Development Planning staff will prepare a staff report for review by Council. The applicant is encouraged to attend the Council meeting at which the application will be considered.
- h) If Council decides to proceed with the application, the bylaw will be given first reading and conditions will be established, where appropriate. Council may alternatively decide to refer, table or deny the application.
- i) Should the bylaw receive first reading, a Public Hearing, if required, will be held to allow the public to comment on the application. Notice of a Public Hearing will be given pursuant to the Local Government Act.
- j) Following the Public Hearing, Council will consider the bylaw and may proceed with second and third readings, refer, table or deny the application. Upon third reading, the bylaw may need to be sent to relevant provincial ministry(s) for approval before proceeding to adoption.
- k) When the applicant has adequately addressed all the conditions associated with the application, Council will consider the adoption of the bylaw(s), subject to Section 2.2.5(b).
- l) Following reading consideration, the Office of the City Clerk will notify the applicant in writing of Council's decision.
- m) Within 30 days of adoption the City Clerk will file notice in the Land Title Office in accordance with Local Government Act section 594 and give written notice to the Heritage Minister in accordance with Local Government Act section 595.

## Schedule '11' – Heritage Designation Bylaw Applications

This Schedule describes the process applicants must follow for Heritage Designation Bylaw applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

### 1.0 APPLICATION REQUIREMENTS

- 1.1. The following information is required for Heritage Designation Bylaw applications. See Schedule '1' of this bylaw for descriptions of application requirements.

a) Application Form	h) Site Plan
b) State of Title	i) Floor Plan
c) Owner's Authorization Form (if applicable)	j) Elevation Drawings
d) Site Profile (if applicable)	k) Materials Board
e) Zoning Analysis Table	l) Council Landscape Plan (if applicable)
f) Project Rationale including a description of the property's current uses, details of building features to be protected, details of landscape features to be protected	p) Information about historical significance of the property
g) Photographs including photographs of each elevation of the property	

- 1.2. Other information that will assist in the evaluation of the application may be requested by the Department Manager, Development Planning to adequately make a recommendation to Council regarding a Heritage Designation Bylaw application.

### 2.0 PROCESSING PROCEDURES

A Heritage Designation Bylaw application submitted in accordance with this bylaw will be processed as follows:

- Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee

meeting(s) at which the application is being considered. The Council committee(s) will provide a recommendation to Development Planning staff.

- g) Upon receipt of the recommendation of the Council committee(s) and the comments of other referral agencies, Development Planning staff will prepare a staff report for review by Council. The applicant is encouraged to attend the Council meeting at which the application will be considered.
- h) If Council decides to proceed with the application, the bylaw will be given first reading and conditions will be established, where appropriate. Council may alternatively decide to refer, table or deny the application.
- i) Should the bylaw receive first reading, a Public Hearing, if required, will be held to allow the public to comment on the application. Notice of a Public Hearing will be given pursuant to the Local Government Act.
- j) Following the Public Hearing, Council will consider the bylaw and may proceed with second and third readings, refer, table or deny the application. Upon third reading, the bylaw may need to be sent to relevant provincial ministry(s) for approval before proceeding to adoption.
- k) When the applicant has adequately addressed all the conditions associated with the application, Council will consider the adoption of the bylaw(s), subject to Section 2.2.5(b).
- l) Following reading consideration, the Office of the City Clerk will notify the applicant in writing of Council's decision.
- m) Within 30 days of adoption the City Clerk will file notice in the Land Title Office in accordance with Local Government Act section 594 and give written notice to the Heritage Minister in accordance with Local Government Act section 595.

## Schedule '12' – Heritage Conservation Covenant Applications

This Schedule describes the process applicants must follow for Heritage Conservation Covenant applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

### 1.0 APPLICATION REQUIREMENTS

- 1.1. The following information is required for Heritage Conservation Covenant applications. See Schedule '1' of this bylaw for descriptions of application requirements.

a) Application Form	h) Site Plan
b) State of Title	i) Floor Plan
c) Owner's Authorization Form (if applicable)	j) Elevation Drawings
d) Site Profile (if applicable)	k) Materials Board
e) Zoning Analysis Table	l) Council Landscape Plan
f) Project Rationale including a description of the property's current uses, details of building features to be protected, details of landscape features to be protected	p) Information about historical significance of the property
g) Photographs including photographs of each elevation of the property	

- 1.2. Other information that will assist in the evaluation of the application may be requested by the Department Manager, Development Planning to adequately make a recommendation to Council regarding a Heritage Conservation Covenant application.

### 2.0 PROCESSING PROCEDURES

A Heritage Conservation Covenant application submitted in accordance with this bylaw will be processed as follows:

- Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee(s) will provide a recommendation to Development Planning staff.
- Upon receipt of the comments of other referral agencies, Development Planning staff will prepare a staff report for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application will be considered.

- f) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- g) If approved by Council, Development Planning staff will work with the applicant to prepare the required Heritage Conservation Covenant.
- h) The Heritage Conservation Covenant will be registered on the State of Title of the subject property(s).

## Schedule '13' – Heritage Alteration Permit Applications

This Schedule describes the process applicants must follow for Heritage Alteration Permit applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

If a Heritage Alteration Permit application requires a variance to the provisions of the Zoning Bylaw, the variance request is to be included in the Heritage Alteration Permit application; a separate Development Variance Permit application is not required.

### 1.0 HERITAGE ALTERATION PERMITS (DIRECT)

#### 1.1. Restriction on Delegation

As a restriction on Section 2.3.6(a), the Department Manager, Development Planning may only issue Heritage Alteration Permits that meet the following criteria:

- a) Protected Heritage Property:
  - i. The application is for non-structural alterations to a heritage building located on Protected Heritage Property, including the replacement of windows, doors, roofing materials or minor repairs/alterations of this nature; or
  - ii. The application is for changes to the exterior finish of a heritage building located on Protected Heritage Property, such as repainting, the addition of period lighting on the structure and replacement of decorative details; or
  - iii. The application is for site alteration requests for Protected Heritage Property such as the addition or removal of site vegetation, or the relocation of required parking; and
  - iv. The application does not require a variance to the provisions of the Zoning Bylaw.
- b) Heritage Conservation Areas:
  - i. The application is for development on a property that is zoned for single or two dwelling housing within a Heritage Conservation Area; and
  - ii. The application does not require a variance to the provisions of the Zoning Bylaw.

Applications not eligible for issuance or amendment by the Department Manager, Development Planning must be considered by Council.

#### 1.2. Application Requirements

- a) The following information is required for direct Heritage Alteration Permit applications and applications to amend a direct Heritage Alteration Permit. See Schedule '1' of this bylaw for descriptions of application requirements.

a) Application Form	h) Site Plan
b) State of Title	i) Floor Plan
c) Owner's Authorization Form (if applicable)	j) Elevation Drawings
d) Site Profile (if applicable)	k) Materials Board
e) Zoning Analysis Table	l) Landscape Plan for Direct Permits
f) Project Rationale including proposed uses, density, and a description of proposed alterations, rehabilitation, and /or restoration of the heritage asset	p) Information about historical significance of the property

g) Photographs including photographs of each elevation of the property	
--	--

- b) Other information that will assist in the evaluation of the application may be requested by the Department Manager, Development Planning to adequately make a recommendation regarding a Heritage Alteration Permit application.

### 1.3. Processing Procedure

A direct Heritage Alteration Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies. Where applicable, a staff design review will consider the merits of the proposal.
- e) Development Planning will prepare a staff report and refer the application to any relevant Council Committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- f) Upon receipt of the recommendation of the Council committee and comments from other referral agencies, Development Planning will prepare a draft Heritage Alteration Permit for consideration by the Department Manager, Development Planning.
- g) Development Planning will notify the applicant in writing of the decision of the Department Manager, Development Planning.
- h) If authorized for issuance by the Department Manager, Development Planning, staff will prepare the required Heritage Alteration Permit and related schedules for signature and obtain the required security pursuant to Section 2.9 of this bylaw.
- i) Upon sign-off of the Heritage Alteration Permit by the Department Manager, Development Planning and receipt of the required security, the Heritage Alteration Permit will be issued.

## 2.0 HERITAGE ALTERATION PERMITS (COUNCIL)

### 2.1. Application Requirements

- a) The following information is required for Council Heritage Alteration Permit applications and applications to amend a Council Heritage Alteration Permit. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	h) Site Plan
b) State of Title	i) Floor Plan



c) Owner's Authorization Form (if applicable)	j) Elevation Drawings
d) Site Profile (if applicable)	k) Materials Board
e) Zoning Analysis Table	l) Landscape Plan for Council Permits
f) Project Rationale including proposed uses, density, and a description of proposed alterations, rehabilitation, and /or restoration of the heritage asset	p) Information about historical significance of the property
g) Photographs including photographs of each elevation of the property	

- b) Other information that will assist in the evaluation of the application may be requested by the Department Manager, Development Planning to adequately make a recommendation to Council regarding a Heritage Alteration Permit application.

## 2.2. Processing Procedure

A Council Heritage Alteration Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies. Where applicable, a staff design review will consider the merits of the proposal.
- e) If the Heritage Alteration Permit requires one or more variances, the applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) Development Planning will prepare a staff report and refer the application to any relevant Council Committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- g) Upon receipt of the recommendation of the Council committee and comments from other referral agencies, Development Planning will prepare a staff report and draft Heritage Alteration Permit for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application is being considered.
- h) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- i) If authorized for issuance by Council, Development Planning staff will prepare the required Heritage Alteration Permit and related schedules for signature and obtain the required security, pursuant to Section 2.9 of this bylaw.
- j) Upon sign-off of the Heritage Alteration Permit by the Department Manager, Development Planning and receipt of the required security, the Heritage Alteration Permit will be issued.

## **Schedule '14' – Kelowna Heritage Register Applications**

### **1.0 Processing Procedure**

- 1.1.** The registered owner of real property within the City of Kelowna, or an agent authorized in writing, may submit a written request to add a building(s) to or remove a building(s) from the Kelowna Heritage Register pursuant to Section 598 of the Local Government Act.
- 1.2.** Written requests will be reviewed by the Policy & Planning Department on an annual basis, unless special circumstances require otherwise at the discretion of the Policy & Planning Department Manager.
- 1.3.** The Policy & Planning Department will compile background information on the subject building(s) and the request and information will be forwarded to the Heritage Advisory Committee for review.
- 1.4.** The Heritage Advisory Committee will evaluate the historical, architectural and contextual qualities of the subject building(s) and prepare a recommendation regarding the request.
- 1.5.** The recommendation of the Heritage Advisory Committee will be forwarded to Council for consideration.
- 1.6.** Upon receipt of the recommendation of the Council, the Policy & Planning Department will prepare a staff report for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application is being considered.
- 1.7.** Within 30 days of Council's decision, the Office of the City Clerk will notify the applicant in writing of Council's decision and will give written notice to the Heritage Minister in accordance with Local Government Act section 595.

## Schedule '15' – Early Consideration Applications

This Schedule describes the process applicants must follow for Early Consideration applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

Early Consideration of an application is limited to those projects with a scope and that does not meet current policy and objectives of pertinent bylaws. This is not intended to be a means for applications to circumvent standard application processes as outlined in this bylaw.

### 1.0 APPLICATION REQUIREMENTS

1.1. Submission of a complete application in accordance with Schedules '1', '2' and '3' of this bylaw.

### 2.0 PROCESSING PROCEDURES

An Early Consideration application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, Development Planning may bring forward a report to Council at the discretion of the Department Manager, Development Planning.
- b) Development Planning will evaluate the proposal for compliance with relevant City bylaws, policies and one or more of the following general criteria:
  - i. The creation of 250 or more new dwelling units;
  - ii. Involves a major change to the Future Land Use class (including, but not limited to, Residential to Commercial, Commercial to Industrial, Resource Protection to Residential) of the applicable parcels(s) or portions thereof;
  - iii. Involves a change of two (2) increments within a Future Land Use class (including, but not limited to, Single / Two Unit Residential to Multiple Unit Residential (Medium Density)).
  - iv. Involves a major change in land use intensity (including, but not limited to, local to urban centre commercial, or business to heavy industrial).
  - v. The creation of a Comprehensive Development zone; or
  - vi. The project is not considered to meet relevant City bylaws or policies.
- c) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- d) Development Planning will prepare a staff report for consideration by Council. The applicant is encouraged to attend the Council meeting(s) at which the application will be considered.
- e) If Council decides to proceed with the application, the application will proceed as outlined in Schedule '2' or '3' of this bylaw. Council may alternatively decide to refer, table or deny the application.

Read a first time 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:** November 15, 2021  
**To:** Council  
**From:** City Manager  
**Subject:** North End Planning Process Update – Phases 1 & 2  
**Department:** Policy & Planning Department

---

**Recommendation:**

THAT Council receive, for information, the staff update on the North End Plan process, dated November 15, 2021;

AND THAT Council approve an adjustment to the 2021 Financial Plan for \$8,800, from the Capri-Landmark Urban Centre Plan budget to the North End Area Plan budget;

AND THAT Council directs staff to apply for grant funding for the North End Plan through the Federation of Canadian Municipalities (FCM) Green Municipal Fund Sustainable Neighbourhood Action Plan fund;

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

AND THAT the City of Kelowna commits to develop the North End Plan and to include a sustainability vision, goals and targets in the plan;

AND FURTHER THAT, if the grant application is successful, the 2022 Financial Plan be amended to include the receipt of funds.

**Purpose:**

To update Council on the progress of the North End Plan process, and to provide an outline of the next steps in the process.

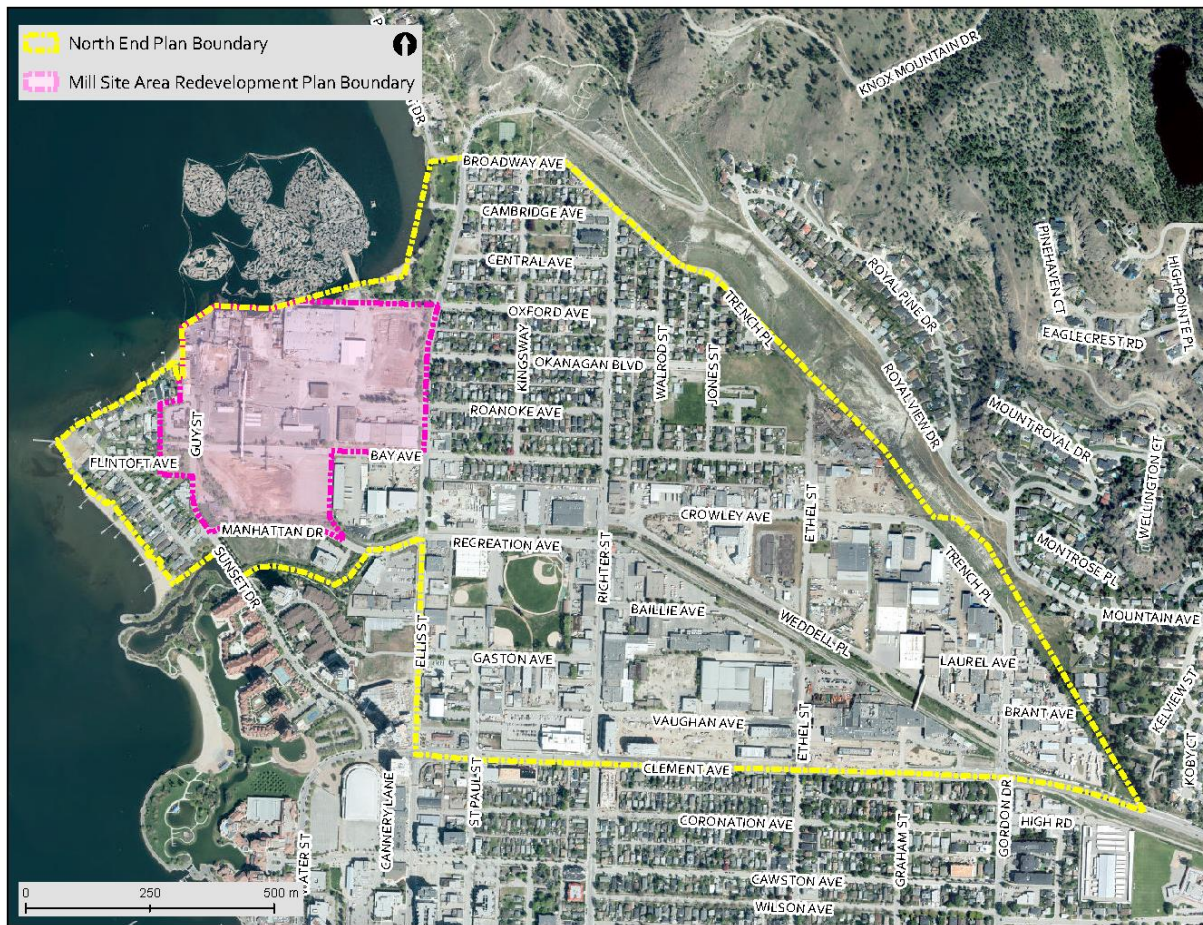
**Background:**

On July 12, 2021 Council directed Staff to launch the planning process for the North End Plan.

The North End Plan (NEP) is intended to guide and manage the evolution of the North End Neighbourhood (Figure 1) over the next 20 years or more. The Plan will identify the land use mix, housing approach, transportation network improvements, utilities, parks and public spaces, and

community amenities needed to ensure the neighbourhood evolves in a deliberate way that benefits both North End residents and the city as a whole.

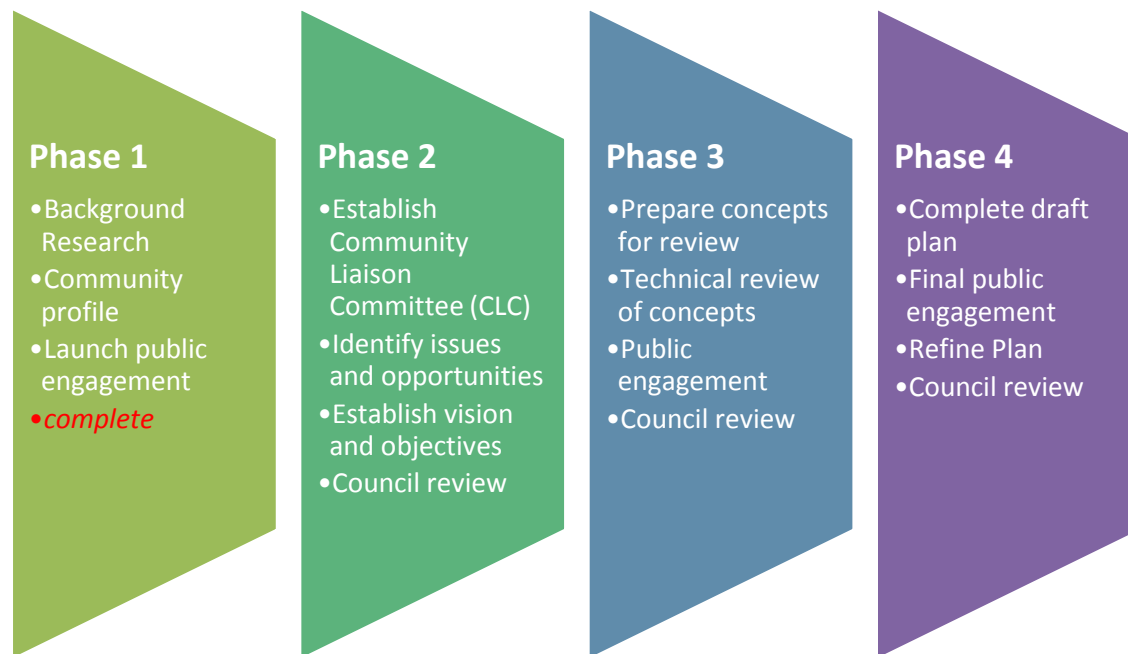
Figure 1. Plan Area Map



*\*Note: Mill Site included in the North End Plan Area is also to be addressed under a more detailed plan called the Mill Site Area Redevelopment Plan.*

The planning process is scheduled to unfold over approximately a year and a half and is divided into four phases, as summarized in Figure 2. Phase 1 of the North End Plan process has now been completed. This report includes an overview of the results of Phase 1 of the process, along with further detail about Phase 2.

Figure 2: North End Plan Process Outline



## Discussion:

### NEP Phase 1

In Phase 1 of the North End Plan process, Staff collected the background and context information needed to inform the process moving forward. This included an in-depth investigation of the neighbourhood, as well as additional preliminary considerations deemed important. Specifically, the following factors and considerations were investigated:

- The history of the area and how it has come to take the form it has today
- The demographics of the neighbourhood
- Existing land use—including residential; commercial and industrial; parks; and heritage profile
- Transportation infrastructure and preliminary traffic study
- Utilities infrastructure
- Review of existing City plans and policies as these relate to the North End
- Case studies and best practices review
- Preliminary considerations in establishing community amenities

The research and findings of Phase 1 have been summarized in a Background Report, included as Attachment A. Highlights from this Report are listed below:

#### *People, Neighbourhoods, Parks, and Recreation*

- North End residents tend to be younger, live in smaller households and are more likely to rent than Kelowna as a whole.
- Over 95% of the North End's two residential neighbourhoods is composed of single and two-dwelling housing – a far higher proportion than the city as a whole.



- Recreation Avenue Park and nearby sports facilities are a destination for the whole city, but the North End remains deficient in other forms of park space that serve the immediate and surrounding neighbourhoods.

#### *Industrial Land and Employment*

- The North End continues to be a major employment destination, with 165 businesses employing about 3,300 people. In addition, nearly 80 home-based businesses operate in the North End.

#### *Transportation*

- North End residents walk and bike more to get to work than the city as a whole, but less than residents of Downtown and other nearby neighbourhoods.
- The North End is separated from the rest of the city by Clement Avenue, making overall connectivity and transit network planning challenging.
- An estimate of the future transportation network carrying capacity has indicated that the network could support additional development in the North End.

#### *Utilities*

- Given the age and materials of existing water and sewer infrastructure, upgrades will be needed to accommodate both existing development and anticipated growth. The 20 Year Servicing Plan has identified many of these projects, but growth beyond 2040 will require further evaluation.

#### *Community Needs*

- Community Needs – the facilities, services and amenities that meet a range of social cultural and recreational needs – are vital to the livability of neighbourhoods.
- A clear process to identify and deliver on community needs will have to be established as part of the plan development. This process should be fair, transparent, responsive, flexible and feasible.

While the Background Study identifies these and other key themes, it is important to note that it does not aim to provide detailed recommendations on how the North End Plan will respond. That process will form the future phases of the North End Plan's development.

Over the course of Phase 1 of the process, Staff have also initiated public engagement. A 'Get Involved' webpage has been established where residents are able to mark a map of the neighbourhood with location-specific comments indicating what they enjoy about the area today, as well as what they hope to see in the future.

Staff are currently establishing a Community Liaison Committee (CLC) and are reviewing Expression of Interest submissions received via Get Involved. The purpose of the CLC is to facilitate sustained information sharing and dialogue between the project team and groups within the community. The committee will be comprised of representatives from the broader community, the local residential neighbourhoods, and local businesses and will provide regular touch points of dialogue with the planning team throughout the NEP process. This will help ensure a balance between sustained neighbourhood engagement and consideration of stakeholders' interests.

**Next Steps: NEP Phase 2**

Next steps include establishing the vision and objectives for the plan area. The vision will provide the high-level perspective on how the neighborhood will look, feel and function in the future and will include everything from land use, housing, transportation links, parks and public spaces, recreational and cultural facilities, heritage conservation and urban design. The objectives are intended to reflect the strategies and general approaches required to ensure the stated vision is achieved.

The vision and objectives for the plan area will be informed by the Background Study and input from residents, stakeholders and the CLC. Public engagement will use a range of tactics, including in-person opportunities as public health conditions permit.

**Grant Opportunity**

As the process moves forward, Staff has identified the potential benefits of a grant from the Federation of Canadian Municipalities (FCM) under their program that supports the development of sustainable neighbourhood plans. The grant opportunity and its focus on sustainability is well aligned with the City's objectives and the general approach of the North End Plan. A resolution from Council is required by FCM to advance the grant application process.

**Conclusion**

With the first phase of the North End Plan complete and the context established, attention can now shift to future visioning for neighbourhood as part of Phase 2. This sets the stage for discussions on issues, opportunities and objectives in the North End.

**Internal Circulation:**

Planning & Development Services  
Community Planning  
Communications  
Social Development  
Development Engineering  
Integrated Transportation  
Infrastructure Operations  
Parks & Building Planning  
Active Living & Culture  
Utility Planning  
Financial Planning  
Real Estate Services

**Considerations applicable to this report:*****Existing Policy:***

Many existing policy documents, such as Imagine Kelowna, the Official Community Plan, the Transportation Master Plan and other key documents will provide guidance for the North End Plan process. Using their guidance, key areas for consideration will include:

- Housing diversity, supply and affordability;
- Industrial land protection and employment intensification;
- Downtown and Civic Precinct context;
- Parks and public space expansion and improvements;
- Cultural and community facilities;

- Inclusivity, equity and community health;
- Heritage protection;
- Improvements to community connections;
- Transportation diversity, choice and safety;
- Environmental protection and climate resiliency; and
- Incorporation of 10 Year Capital Plan improvements.

***Financial/Budgetary Considerations:***

A total of \$8,800.00 remains unused from the Capri-Landmark Urban Centre Plan process. Staff are recommending that these funds be transferred to support the North End Plan process.

Should Council support staff's recommendation, Staff will proceed to make a formal application to FCM for funding under the Green Municipal Fund Sustainable Neighbourhood Action Plan program. FCM will fund a maximum of \$175,000.00; however, the precise funding eligible for the North End Plan is still being determined.

Submitted by:

A.D. Thibeault, MCIP, RPP, Planner Specialist, Policy & Planning Department

**Approved for inclusion:**



D. Noble-Brandt, Policy & Planning Department Manager

cc:

R. Smith, Divisional Director, Planning & Development Services

D. Edstrom, Divisional Director, Partnership & Investments

J. Vos, Acting Divisional Director, Infrastructure

# NORTH END PLAN BACKGROUND STUDY

POLICY & PLANNING DEPARTMENT  
NOVEMBER 2021

## Table of Contents

**Background.....4**

Introduction.....5

History.....10

Development Timeline 1900-1925.....12

Development Timeline 1926-1950.....14

Development Timeline 1951-Present.....16

**Existing Conditions & Analysis.....18**

Demographics.....19

Land Use.....24

Transportation.....40

Utilities.....44

**Moving Forward.....48**

Existing City of Kelowna Plans & Policies Review.....50

Case Study and Precedent Review.....52

Approaching Community Needs.....54

Conclusion.....57

*We acknowledge that our community is located on the traditional, ancestral, unceded territory of the syilx/Okanagan people.*



# 01

## BACKGROUND



## Introduction

### BACKGROUND

EXISTING CONDITIONS

MOVING FORWARD

### Executive Summary

Kelowna’s North End is a truly unique neighbourhood in a rapidly growing and evolving city. It’s home to a large proportion of industrial lands, two residential neighbourhoods with historical roots, a collection of major recreational activities and an organically emerging and exciting brewery district. While adjacent to Kelowna’s Downtown and other neighbourhoods, it seems at times separate, with major roads and topography making it feel distinct from the rest of the city. As much of Kelowna transitions into a more urban community, the North End is experiencing a unique form of change, and that change is expected to accelerate into the future.

The closure of the rail line – once a key factor in the success of North End industries – and its conversion to the

Okanagan Rail Trail changes the employment landscape of the neighbourhood. The closure of the Tolko mill site, a large parcel in the North End positioned on Kelowna’s waterfront, raises questions about the neighbourhood’s industrial future. Growing demand for housing, amenities and commercial services in Kelowna, especially in the city’s Core Area, is expected to put pressure on redevelopment in the North End. The Brewery District continues to grow, making the North End a more popular regional destination. These and many other factors have necessitated the creation of a North End Plan that will guide the future of the neighbourhood.

This background study for the North End Plan is being undertaken to inform this larger process to manage growth and change in this rapidly evolving neighbourhood. Given the uniqueness and complexity of the North End, it is crucial to have in-depth knowledge of the neighbourhood’s



characteristics, its history, and existing policy guidance before developing a vision that guides development and investment moving forward.

With this in mind, the North End Background Study provides an understanding of:

- The history of the area and how it contributed to the current state;
- Land use, transportation network, utilities, parks and public spaces, heritage assets and amenities that exist today and how they are functioning;
- Improvements already planned for the area and how they will address anticipated growth, as well as any short-comings and problems identified; and
- The City’s existing policies and plans for the area and their guidance for moving forward.

Some of the major themes identified in this study are outlined below:

*The People*

- North End residents tend to be younger, less likely to belong to a visible minority and earn less than the Kelowna average.
- North End residents tend to live in smaller households and are more likely to rent.

*Industrial Land and Employment*

- The North End continues to be a major employment destination, with 165 businesses employing about 3,300 people. In addition, nearly 80 home-based business operate in the North End.
- These North End businesses include, but are not limited to, manufacturing, storage and warehousing, contracting, automobile sales, rentals and repair services.
- A new North End Brewery District has emerged, focused on Richter Street, Clement Avenue and Vaughan Avenue.

*Residential Neighbourhoods, Parks, and Recreation*

- Over 95% of the North End’s two residential neighbourhoods is composed of single and two dwelling

housing – a far higher proportion than the city as a whole.

- Improvement ratios suggest a high likelihood that many residential properties will be explored for redevelopment by the private sector in the next 20 years.
- Recreation Avenue Park and nearby sports facilities are a destination for the city as whole, but the North End remains deficient in other forms of park space that serve the immediate and surrounding neighbourhoods.
- A Historical Context Statement has identified a number of heritage resources in the North End and included a number of recommended actions for consideration as part of the planning process.

*Transportation*

- North End residents walk, and bike more to get to work than the city as a whole, but less than residents of Downtown and other nearby neighbourhoods.
- North End residents take transit less frequently than the city as a whole.
- The North End is isolated from the rest of the city by Clement Avenue, making overall connectivity and transit network planning challenging.
- Existing and planned Active Transportation infrastructure is expected to improve access to Downtown and neighbourhoods to the south and east of the North End.
- An estimate of the future transportation network carrying capacity has indicated that the network could support additional development in the North End.

*Utilities*

- Given the age and materials of existing water and sewer infrastructure, upgrades will be needed to accommodate both existing development and anticipated growth. The 20 Year Servicing Plan has identified many of these projects, but growth beyond 2040 will require further evaluation.
- Stormwater management will need to account for and integrate with an updated Downtown Drainage Plan.

*Policy Context*

- Many existing policy documents, such as the Official Community Plan, the Transportation Master Plan and other key documents will provide guidance for the North End Plan process. Using their guidance, key areas for consideration will include:
  - Housing diversity, supply and affordability;
  - Industrial land protection and employment intensification;
  - Downtown and Civic Precinct context;
  - Parks and public space expansion and improvements;
  - Cultural and community facilities;
  - Inclusivity, equity and community health;
  - Heritage protection;
  - Application of an Indigenous lens in the planning process;
  - Improvements to community connections;
  - Transportation diversity, choice and safety;
  - Environmental protection and climate resiliency; and
  - Incorporation of 10 Year Capital Plan improvements.
- A clear process to identify and deliver on community needs will need to be established as part of the planning process. This process should be fair, transparent, responsive, flexible and feasible.

While this Background Study identifies these and other key themes, it is important to note that it does not aim to provide detailed recommendations on how the North End Plan will respond. That process will form the future phases of the North End Plan’s development.





Figure 1.1 North End Context Map

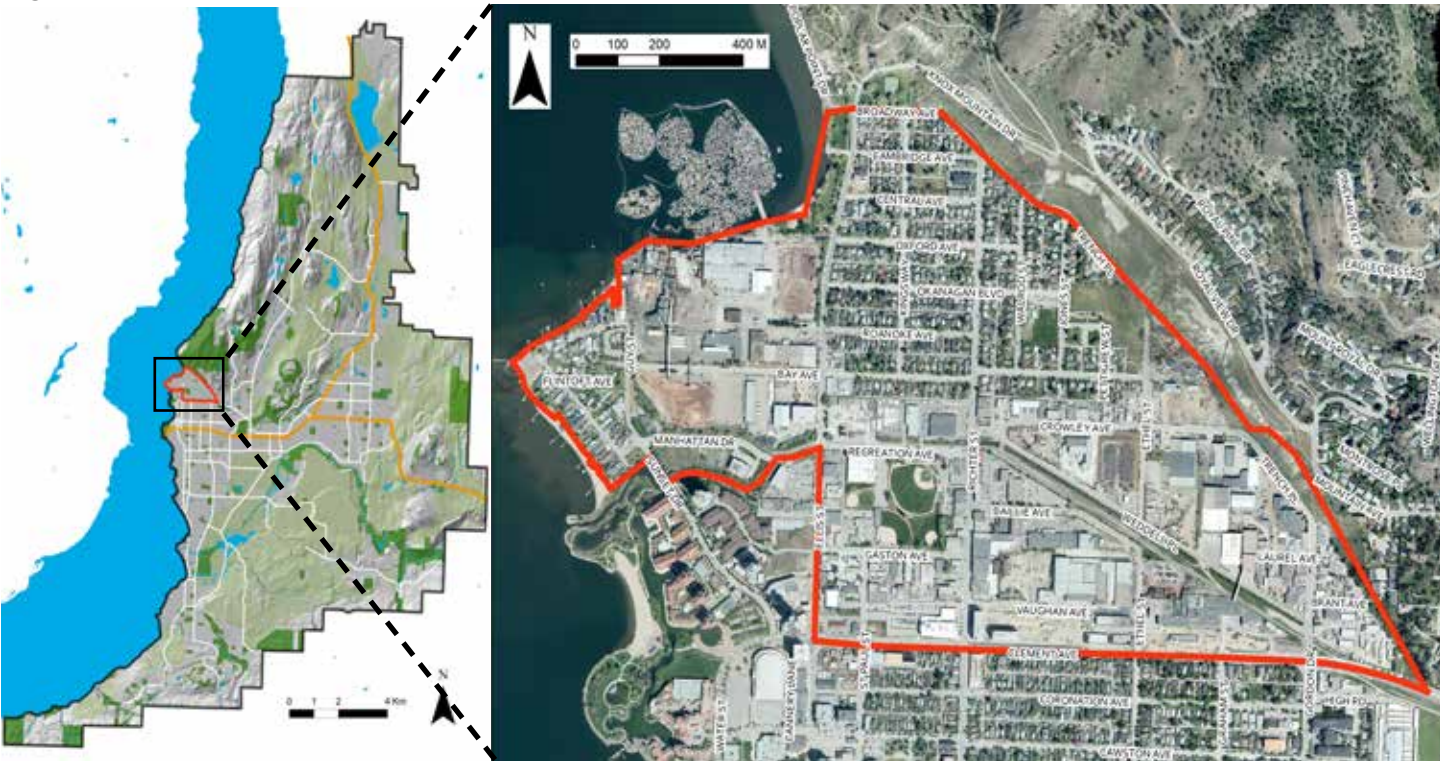
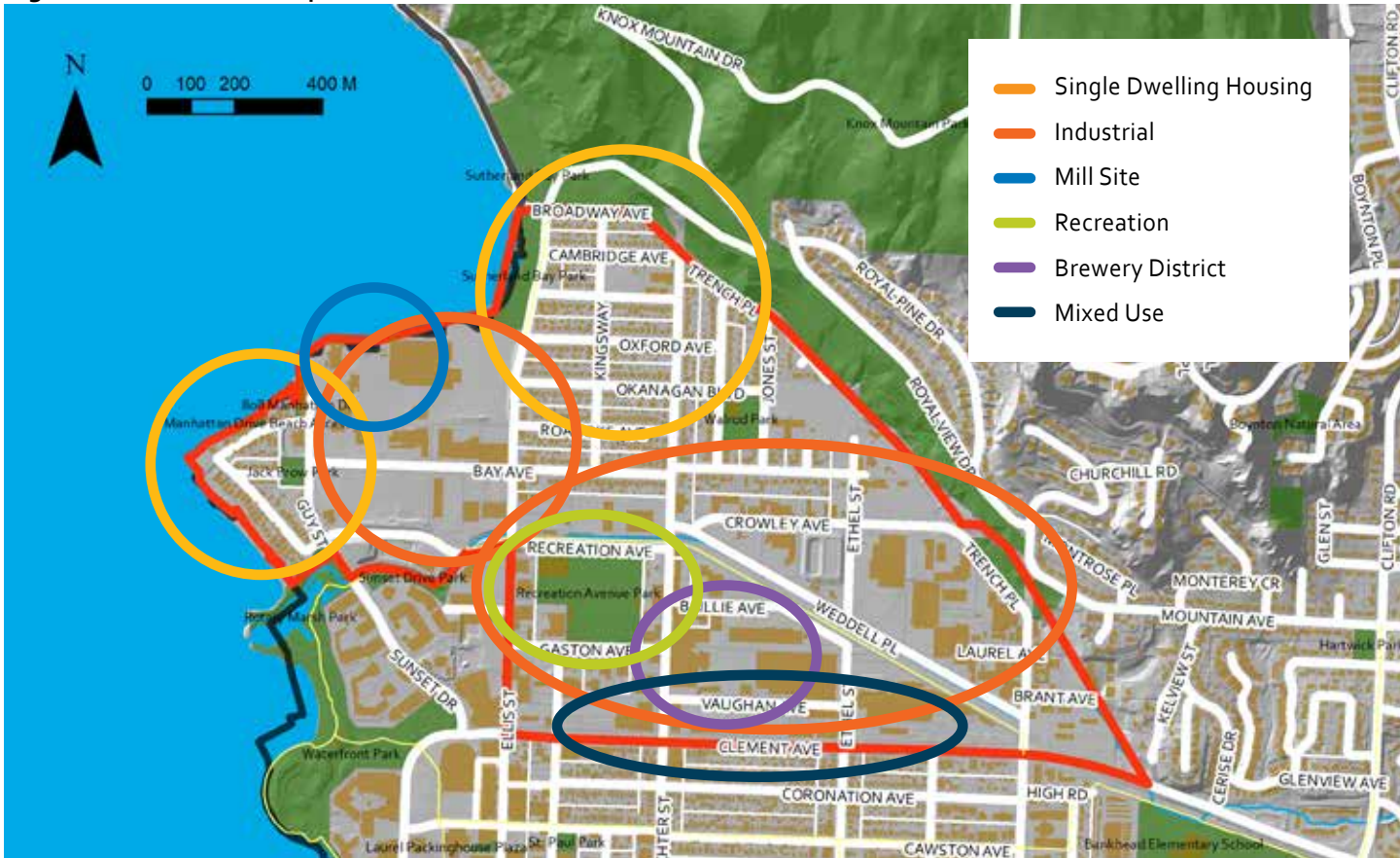


Figure 1.2 North End Map



## The North End

The North End is a unique and dynamic neighbourhood located just north of Kelowna's Downtown Urban Centre. Bounded by Clement Avenue to the south, Knox Mountain to the north and east, and Okanagan Lake to the west (Figure 1.1), the North End contains a wide range and mix of uses organized into distinct areas (as illustrated in Figure 1.2), including:

- Pockets of primarily single and two dwelling neighbourhoods against Knox Mountain and along the lake (illustrated in yellow);
- A long-established industrial area that is home to some of the Okanagan's most recognizable brands, including Sun-Rype and BC Tree Fruits (illustrated in orange);
- A decommissioned lumber mill site owned by Tolko (illustrated in blue);
- A cluster of City and privately owned recreational facilities, including baseball diamonds, a curling club and a badminton club, centred around Recreation Avenue Park (illustrated in green);
- An emerging brewery district centred on Richter Street and Vaughn Avenue (illustrated in purple); and
- New mixed residential and commercial uses residential along Clement Avenue (illustrated in navy).

Residents from all over Kelowna and beyond are drawn to the neighbourhood for a variety of reasons. The area boasts a strong employment base, the new and evolving Brewery District, and established recreational facilities, all of which bring people to the area daily. In addition, the city-wide lakefront park and boat launch at Sutherland Bay, and the very popular Knox Mountain Park to the north of the neighbourhood, are major attractions.

## The North End Is Changing

The North End has experienced significant change in recent years, and started to evolve from its historical industrial and residential character due to some recent significant changes including:

- Replacement of the railway with the Okanagan Rail Trail, one of the region's busiest Active Transportation Corridors;

- The closure of the Tolko mill site;
- Development of some of the City's highest density development Downtown, adjacent to the North End boundary;
- Transformation of Clement Avenue over the past five years, which now offers hundreds of new apartment units in a mix of tenures;
- The appearance of higher density residential development in certain locations in the interior of the North End—most notably the Pleasantvale development at the corner of Richter Street and Central Avenue; and
- Competition for industrial space by commercial and food and beverage uses, shaping former industrial sites into the emerging Brewery District.

In addition to these changes experienced in recent years, even more change is on the horizon for the North End in the future. Industrial land demand is expected to continue to shift to parts of the community with more convenient highway access, while high demand for housing in Kelowna's Core Area, of which the North End is a part, will put greater redevelopment pressure on these areas. The Tolko mill site is likely to be a major focus of this development pressure due to its closure, but this demand is expected to impact the entirety of the North End.

## Managing the Change: The North End Plan

Given the significant change that has already occurred and is expected to continue, a neighbourhood plan for the North End is needed to help manage this rapid change. Without a proactive neighbourhood plan in place, planning and development will continue without a clear vision, leaving the City and the community to struggle to harness the benefits of this growth and ensure that residents feel adequately engaged in shaping their neighbourhood. The result would be a neighbourhood full of uncertainty: uncertainty for existing and prospective residents and businesses alike.

A neighbourhood planning process provides the opportunity to identify the preferred land use mix and development scenario for the North End. It also identifies the transportation network improvements, utilities, parks and public spaces, and community amenities needed to ensure the neighbourhood evolves in a deliberate and orderly way—allowing the North End neighbourhood to flourish well into the future.



# History

## syilx/Okanagan History

Kelowna is located on the traditional, ancestral, and unceded territory of the syilx/Okanagan peoples, who have lived here since time immemorial. While the 2040 Official Community Plan includes a revised Community History section that speaks to the syilx history on these lands, it will be critically important to engage with indigenous governments, including Westbank First Nation and Okanagan Indian Band, on the history of the North End lands in particular.

The Historical Context Statement, included as Appendix 1 of this document, indicates that a full understanding of the historical context of the North End lands will require detailed engagement with syilx/Okanagan people. As such, this will form part of the planning process as part of future phases.

## Settler History

While more engagement will be needed to understand the syilx/Okanagan history in the North End, an extensive settler history is provided in the Historical Context Statement. Excerpts from that document, edited, are included below to give a general understanding of the settler history of the North End. For a more extensive understanding of the history of the North End, see the Historical Context Statement in Appendix 1.

*The settler history of the North End neighbourhood began with early mixed uses such as farming and ranching, recreation and industry such as Kelowna Brickworks (now the site of Knox Mountain Metal works), along with early pockets of residential development. One such pocket, the Manhattan Point neighbourhood, today consists of about 70 properties, about half of which are on the waterfront. The earliest homes on the point were summer cottages for the more well-off Kelowna families.*

*The North End, with its expansive undeveloped flat marshes, was the location of early sports games and recreation events including polo, rugby, horse races, rodeos and ice skating. A formal civic recreation area was created in 1909 on today's Recreation Avenue Park known as the Exhibition Grounds.*

*The grounds included the Kelowna Exhibition Hall (opened in 1913, destroyed by fire in 1957) and a horse racetrack, followed by the badminton hall, a baseball diamond, and ultimately a curling rink.*

*Industrial development was sparked by the arrival of the Canadian Northern Railway (CNR) line from Kamloops in 1925. The introduction of the CNR shifted Kelowna's industrial district north and east, away from the waterfront where lake transportation had sited it until that time, to a new centre in the North End, around the yards and spurs of the rail line.*

*By 1930, twenty-two packing houses, four commercial canneries, and numerous other industrial facilities were clustered along the line, creating a North End industrial area. An expansion of the industrial lands occurred in 1948 as a loop of the rail line was introduced in the area on a northwest angle along Brandt's Creek, then coming down west of Ellis, which sparked new investment and a new cohort of industrial buildings and businesses mostly concentrated along Weddell Place.*

*A sawmill, veneer plant, and box plant were constructed at the entrance to Manhattan Point in the early 1930's by S.M. Simpson Ltd. to respond to the increasing demand for fruit shipping crates, but it produced a diversity of lumber products. The sawmill was expanded and changed ownership over the years, and was the Kelowna division of Tolko Industries Ltd. The mill permanently closed in 2020.*

*Many of the neighbourhood street names, including Broadway, Cambridge, Central, Kingsway, Okanagan, Oxford and Roanoke, were chosen by the Grand Trunk Land Company Ltd., an early BC real estate company which acquired and sold large parcels of land in the early 1910s, including in Kelowna.*

*A working-class subdivision, consisting predominantly of modest-sized houses built immediately after the Second World War and the two decades following, dominate the north edges of the neighbourhood. The majority of houses are 'Wartime Houses,' built by Wartime Housing Ltd. in response to veterans' housing needs following the Second World*

*War, part of a national project to address potential housing shortages and unemployment following the demobilization of soldiers and to help promote post-war economic stability.*

*A local school, Gordon Elementary, was built on Walrod Street in the late 1950s to serve the large, new community of families in the Wartime Houses. The City purchased the school building from School District #23 in May 2005 for future park purposes. The Justice Institute of British Columbia has occupied the property since 2006. Today, Bankhead Elementary School is the school in closest proximity to the North End.*

*As a consequence of highway development in the region, the CNR ceased passenger service on its Kelowna-Kamloops line in 1967 but a commercial/ industrial rail service and yards were in use until 1997. The surviving 1926 station building at the corner of Ellis Street and Clement Avenue continued to function as its freight and express depot.*

*Brandt's Creek runs through the northern industrial area, which was a low marshland prior to development. During the depression, a camp of men who arrived riding the train in search for work grew along Brandt's Creek and near the lake. Due to changes in railway operations in Kelowna, the lands west of Ellis Street between Water Street and Manhattan Drive were no longer needed as a rail yard after 1997. These lands were redeveloped by the Canada Lands Company. The redevelopment included removal of contaminated soils from the site, and restoration of Brandt's Creek, which was formerly confined to culverts and ditches across the site.*



# Development Timeline 1900-1925



Kelowna Public Archives #3590

*Killkare Kottage circa 1920.* The summer cottage known as Killkare Kottage was built for Frank DeHart's family in 1910.



Kelowna Public Archives #10083

*Manhattan Pt. circa 1910.* Early summer cottages can be seen on the Point. The area to the east of Manhattan Pt. would later be developed as the S.M. Simpson sawmill site. The site can be seen here in its natural state, pre-development.



Laurel Packing House

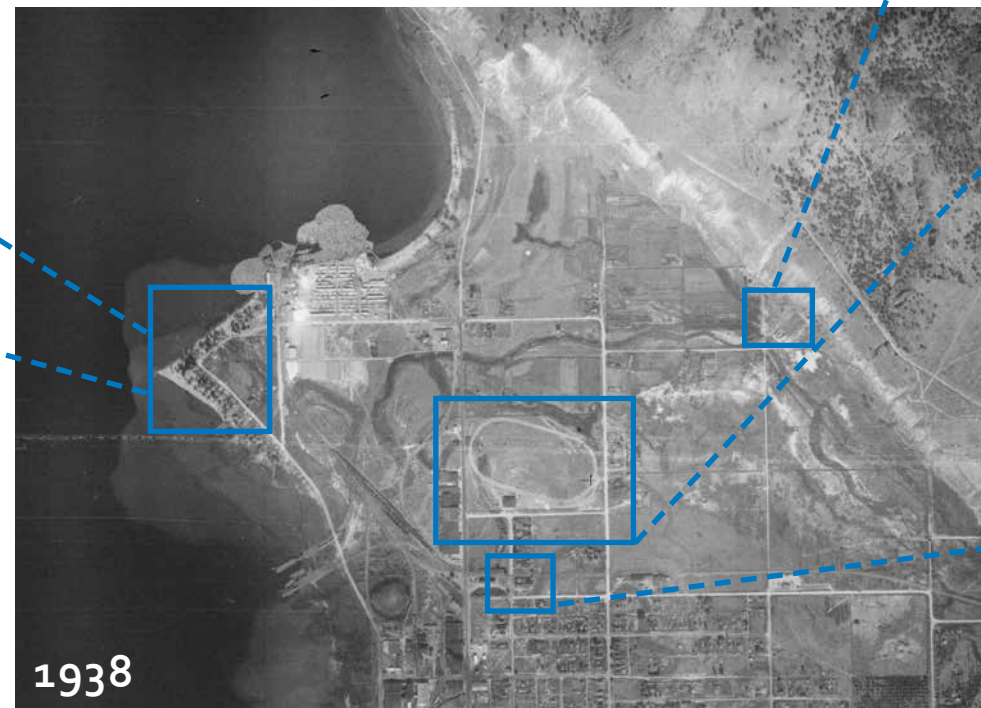


Kelowna Central School

*Kelowna Brick Works ca 1928.* Some of Kelowna's most prominent historic buildings were built with bricks from the Kelowna Brick Works. Examples include the United Church at the corner of Bernard Ave. and Richter St. (1909); the school house at the corner of Richer St. and DeHart Ave. (1913); the BNA Tobacco Company Factory on Ellis St. (1912); and the Laurel Packing House (1917).



Kelowna Public Archives #6448



1938



Kelowna Public Archives #3877

*Horse race track ca. 1912.*



Kelowna Public Archives #5924

*Rugby team ca. 1910*



Kelowna Public Archives #1461

*Polo match ca. 1910*



Kelowna Public Archives #4390

*Exhibition Hall ca. 1920.* Exhibition Hall was built in 1913 to house the Fall Fair. At other times of the year the hall was used as a gymnasium for basketball games and roller skating.



Kelowna Public Archives #3580

*Canadian Northern Railway Rail Station ca. 1929.* Exhibition Hall can be seen in the background.

## 1900-1910

- 1 Summer cottages for Kelowna's wealthier families are being developed along the waterfront at Manhattan Point.

## 1905

- 2 Kelowna Brick Works is established at the foot of Knox Mountain

## Early 1910's

- 3 A horse racing track and exhibition hall are established on the site of the present day Recreation Avenue Park. Lands surrounding the horse race track are also used as sports fields for polo and rugby, among other sports.

## 1925

- 4 The Canadian Northern Railway (CNR) line from Kamloops is completed. The rail line is the first to directly serve Kelowna. Previously, rail cars from Okanagan Landing were loaded onto ships and brought to Kelowna via Okanagan Lake and off-loaded at a wharf near the present day downtown boat launch.



# Development Timeline 1926-1950



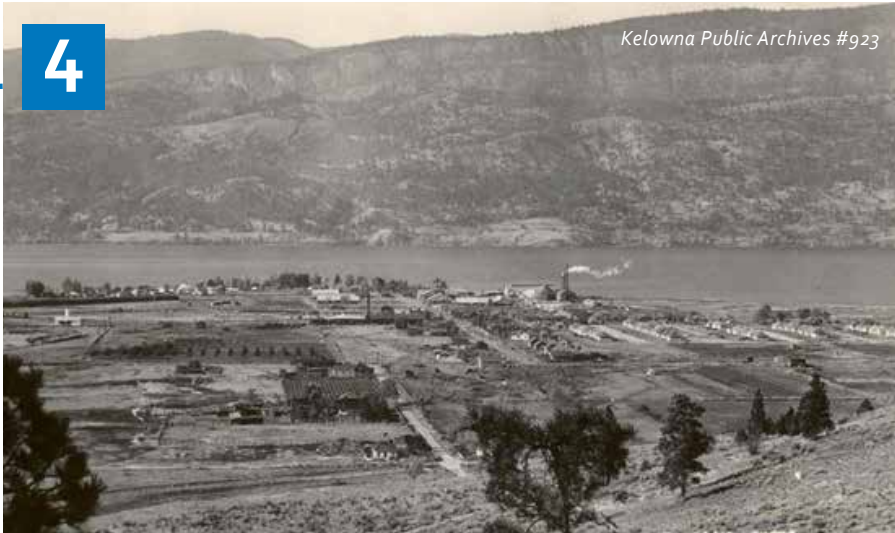
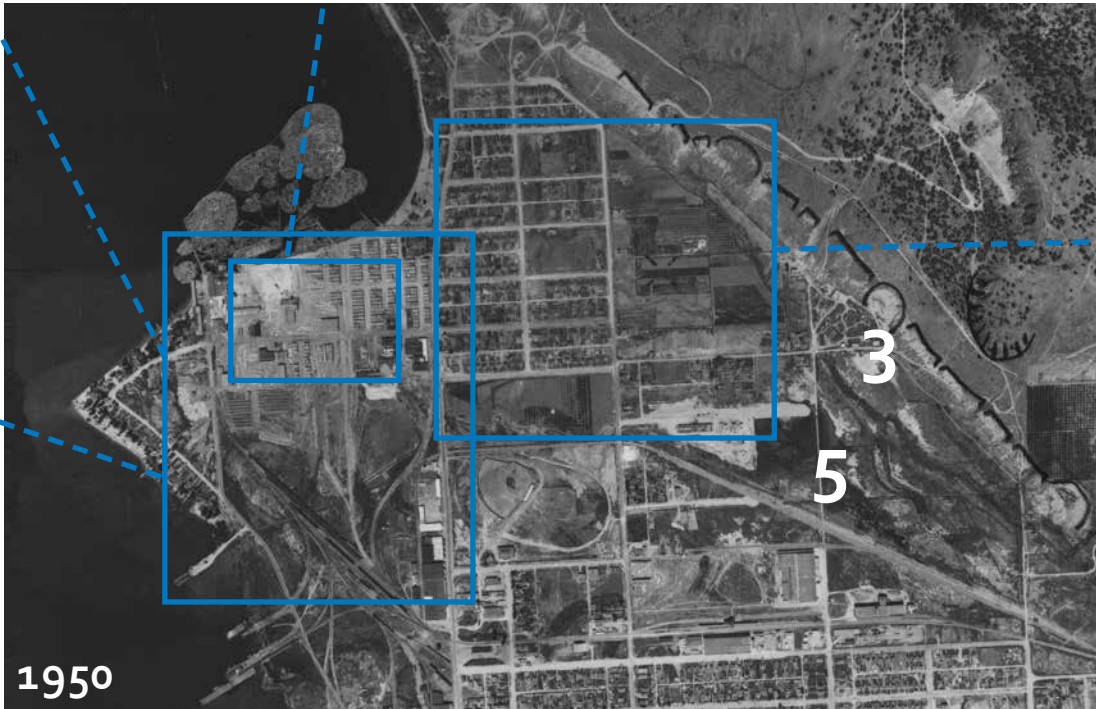
Downtown and the North End ca. 1940's. Older industrial buildings that had been served by the downtown wharf are still present (foreground), but are increasingly moving to the North End for better access to the rail line.



S.M. Simpson Sawmill ca. 1940's. One of the industrial businesses to take advantage of the new rail line is the S.M. Simpson sawmill. S.M Simpson had previously run his operation out of a site on Abbott St. south of Bernard Ave.



The North End ca. 1940's. New industrial buildings can be seen emerging around the Rail Station and rail yards to the west (top right of photo).



Kelowna's North End date unknown. Newly built wartime housing can be seen at the far right of the image. In the background is the S.M. Simpson sawmill. In the foreground farms remain.

1

**1926-1948**

The new CNR rail line draws numerous industries to the north end and away from the area surrounding the downtown wharf.

2

**1932**

S.M. Simpson sawmill is constructed.

3

**Late 1930's**

Kelowna Brick Works closes. By 1950 Knox Mountain Metals is located on the former site. Knox Mountain Metals can be seen in the orthophoto from 1950.

4

**1945-1950**

Wartime housing begins developing at the far north end, east of the Mill Site.

5

**1948**

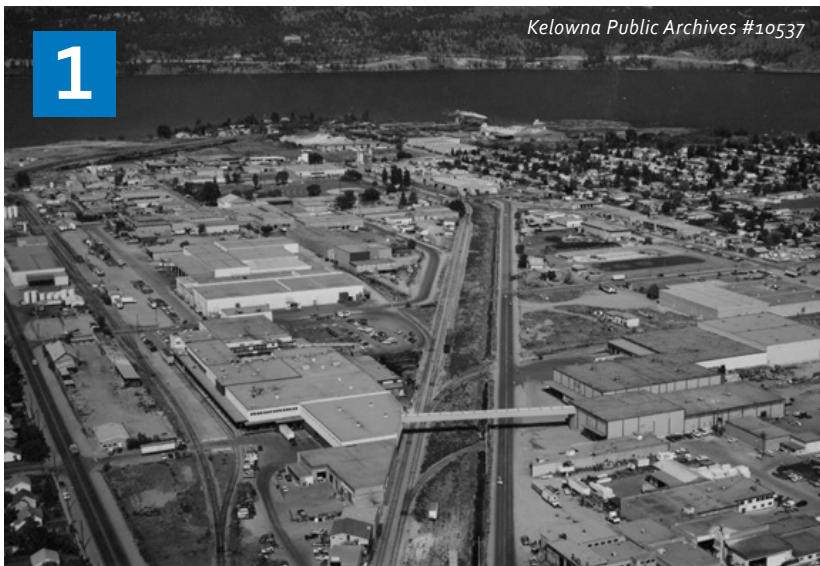
A loop of the rail line is introduced along Wedell Pl. Brandt's Creek is channelized and located next to the rail line as part of the project.



# Development Timeline 1951-Present



Brandt's Creek 2021. A section of Brandt's Creek, naturalized in 1997.



*The North End date unknown.* The original rail line can be seen to the left of the image. The new rail line along Wedell Pl. can be seen running through the middle of the photo. The two rail lines are connected by a loop to the west (near the top of the image). Note the additional industrial businesses that have been constructed near the new rail line along Wedell Pl. The residential area against Knox Mountain that began with wartime housing has by this time developed out to meet the industrial area growing from the south (shown at the right of the image).



Downtown and North End 2021. New high-density construction in the Water Street / Sunset Drive area.



Okanagan Rail Trail 2021



Mill Site 2021. The mill, having changed ownership numerous times over the years, and most recently operated by Tolko, was permanently closed in 2020.

## 1948-1975

1

The new looped rail line draws more industrial businesses along Wedell Pl. expanding the original industrial area. Meanwhile, the residential area against Knox Mountain continues to develop out to the west and south.

## 1997

2

The rail yards between Manhattan Dr. and Water St. are shut, leaving the land open for redevelopment. To prepare the land for redevelopment, contaminated soils are treated, wetlands are managed, and a portion of Brandt's Creek is naturalized.

## 1997-Present

3

The former rail yards are redeveloped with high-density residential, tourism and mixed uses.

## 2013

4

The rail line is shut permanently and is eventually sold to local municipalities to build the Okanagan Rail Trail.

## 2020

5

The Mill Site is permanently shut, leaving the site open for redevelopment.



## EXISTING CONDITIONS & ANALYSIS

BACKGROUND

EXISTING CONDITIONS

MOVING FORWARD



This section provides an exploration and overview analysis of the people and built environment of the North End. Sub-sections cover demographics, land use—including residential land use, commercial and industrial land use, parks and heritage—the transportation network, and municipal utilities, including water, sewer and stormwater management. The overview analysis includes a preliminary investigation of gaps in public amenities, heritage protection and infrastructure in the North End—both today and moving forward. The overview analysis is meant to inform future stages of the North End planning process.

## Demographics<sup>1</sup>

### Population, Age and Family Status

The North End is home to an estimated 1,565 residents, representing 1.1 per cent of Kelowna's total population. North End residents are distributed across 839 residences, giving an average household size of 1.87 people, 25.2 per cent less than the Kelowna average of 2.41.

The smaller household size is likely due in part by the fact that North End residents are more likely to live without a partner or children than Kelowna residents generally. 36.4 per cent of North End residents live without a partner or children compared to 29.2 per cent citywide. In addition to more people living alone, those people in the North End who do live in a family situation (residents with a partner and/or children) are more likely to have a smaller family. A greater proportion

of North End families have only one child when compared with Kelowna as a whole. Furthermore, a smaller proportion have two or more children than the rest of the city. Single-parent families are also over-represented in the North End (21.3 per cent vs. 15 per cent citywide).

This is consistent with the younger population overall in the North End, as the neighbourhood has a larger proportion of residents aged 25 to 29 through to 55 to 59; however, it is under-represented in every age cohort over 60. Among youth-age cohorts, North End residents are over-represented in the 0-4 cohort, and under-represented in all other cohorts up to 20-24.

<sup>1</sup> All data in the Demographics section provided by Environics Analytics © 2021.

Figure 2.1 Per Cent of Population by Age Group

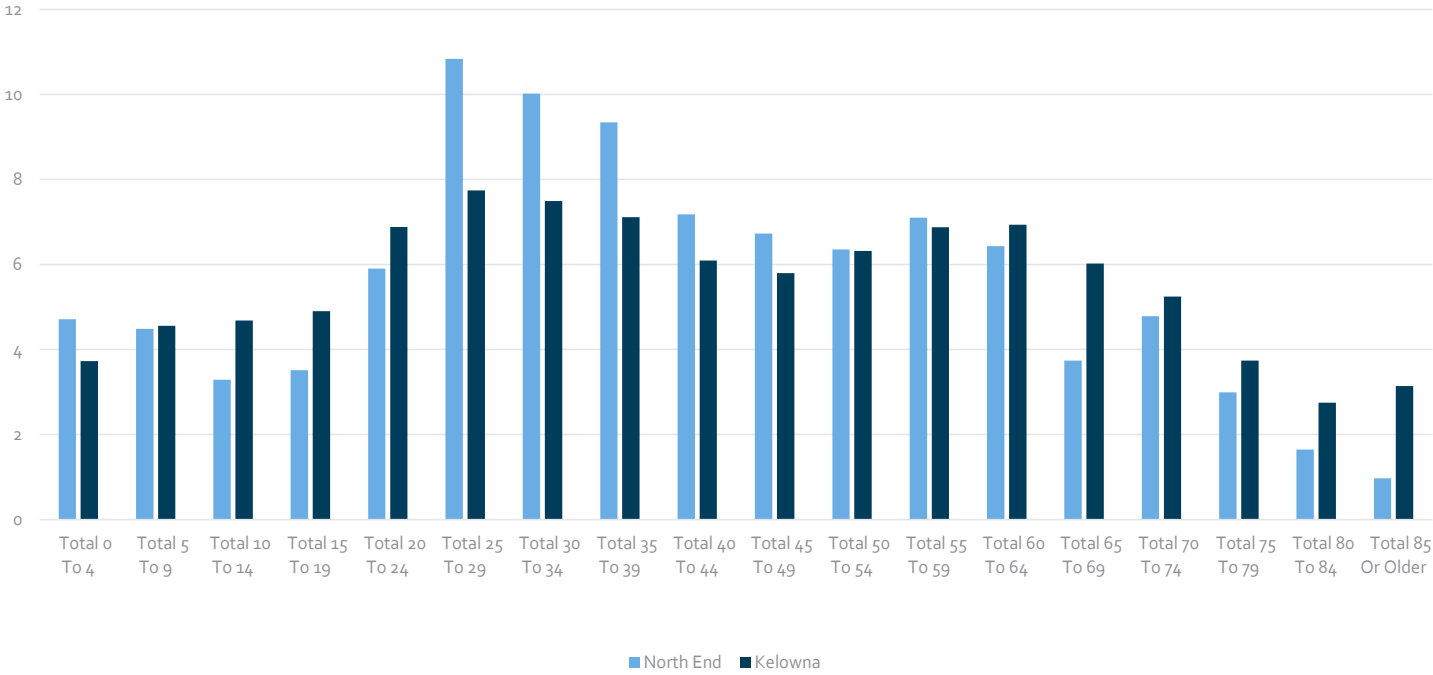
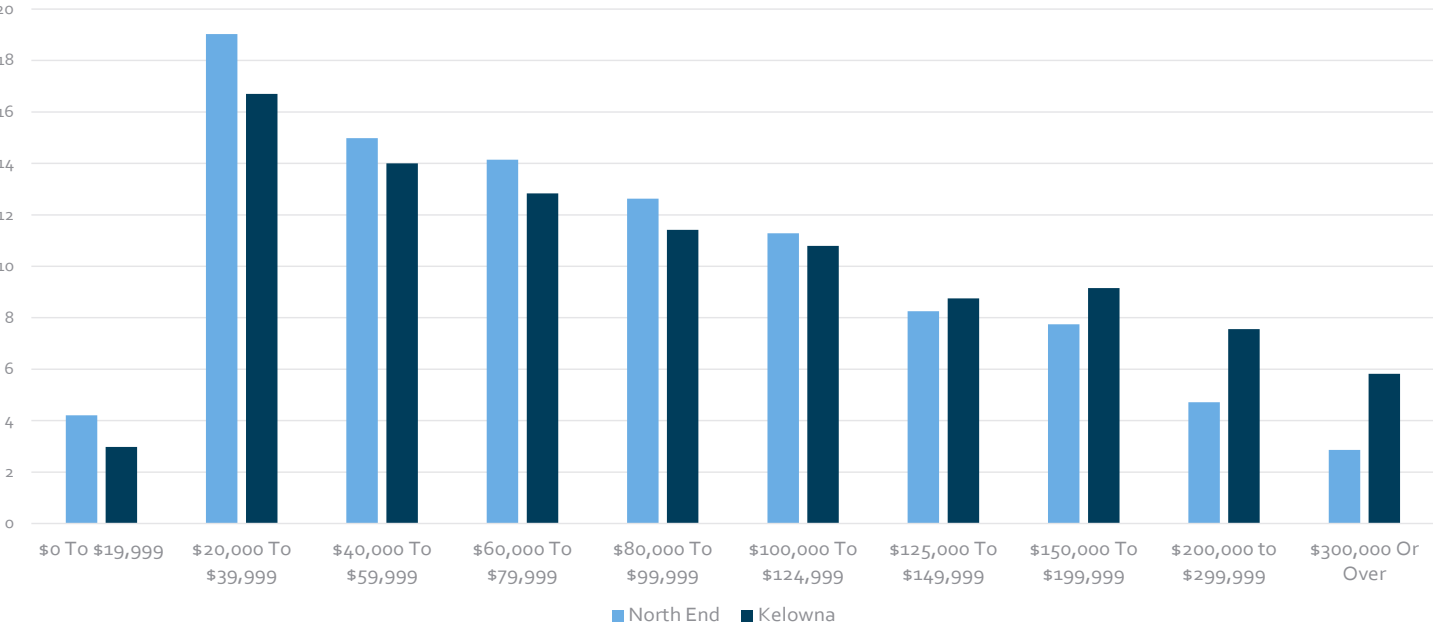


Figure 2.2 Per Cent of Households by Income Range (Current Year \$)



Employment, Income & Education

In addition to North End residents being younger than the general population, North End households also earn less, despite having a greater percentage of the adult population in the work force - 78 per cent compared to an average of 67 per cent citywide. On average, the household income is 19 per cent less for North End households compared with Kelowna households (the average household income in Kelowna is \$114,331 whereas the average for North End households is \$94,786).

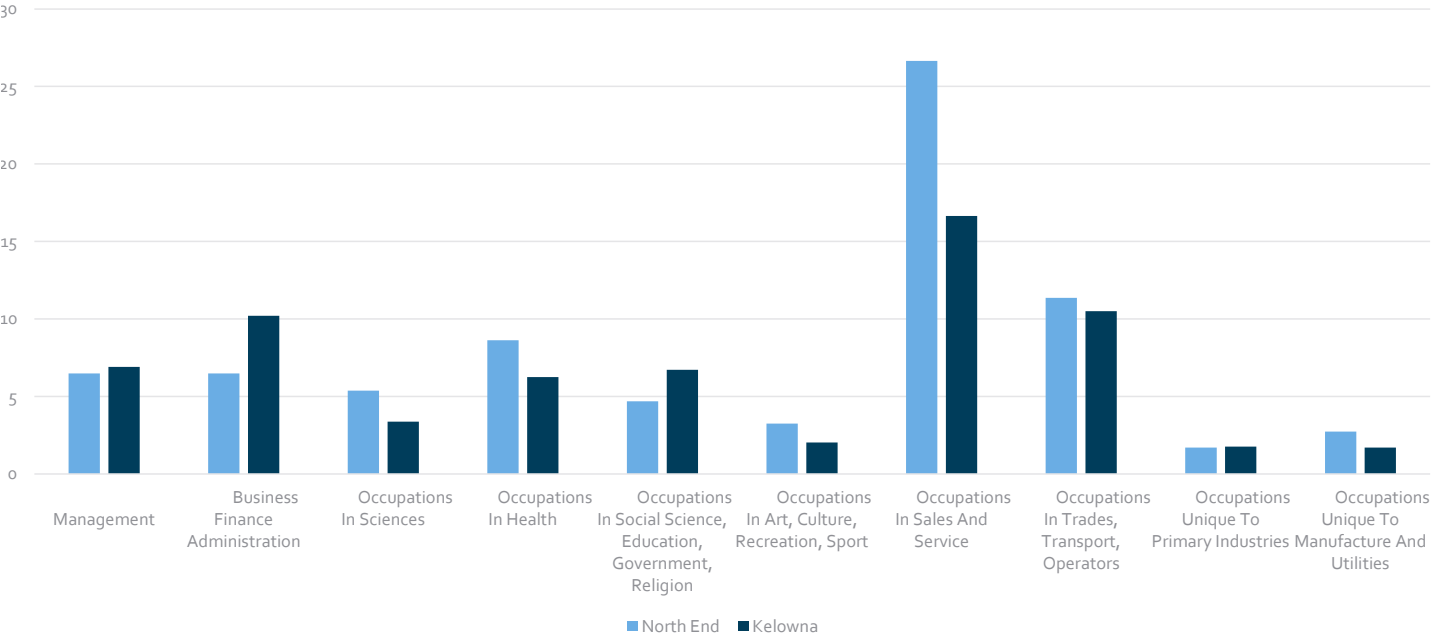
With smaller, younger and less wealthy households, it is understandable that a smaller proportion of households in the North End own their residence (36 per cent) when compared with the general population (67.1 per cent).

When it comes to occupation, North End residents are over-represented in each of the following: science; health; art, culture, recreation and sport; sales and service; trades,

transport and operators; and manufacturing and utilities. Meanwhile, North End residents are under-represented in management; business administration; social science, education, government and religion; and primary industries. The most prominent statistic here is in the sales and service category. While this is the occupation category which is most prevalent among both North End residents and Kelowna residents on the whole, 26.6 per cent of North End residents are occupied in this category compared to 16.6 per cent for Kelowna.

21.5 per cent of North End residents have a university-level education, which is marginally less than the city as a whole (26.5 per cent). However, North End residents are over-represented in post-secondary accreditations earned outside of the university setting (35 per cent vs. 27.1 per cent in the rest of Kelowna).

Figure 2.3 Per Cent of Labour Force by Occupation





Diversity, Immigration & Language

The North End has marginally fewer residents of visible minority (8.5 per cent) than Kelowna as a whole (10.5 per cent). However, the North End has a greater proportion of individuals that identify as aboriginal with 7.0 per cent compared to 5.8 per cent for Kelowna.

9.5 per cent of North End residents are foreign-born compared with 15.7 per cent in Kelowna broadly.

For interprovincial migration, 39.2 per cent of North End residents and 36.7 per cent of Kelowna residents were born in Canada but outside of the province.

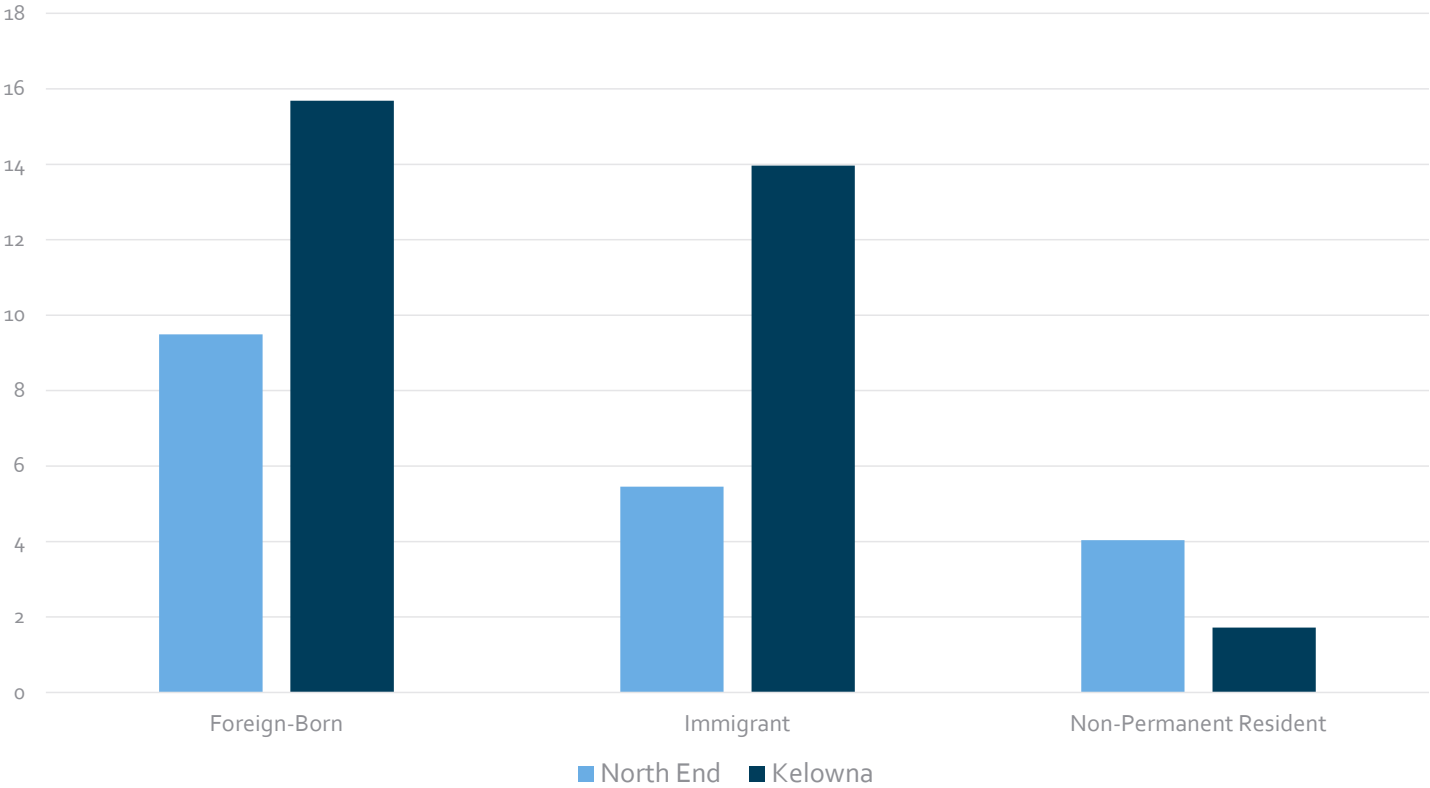
88.5% of North End residents speak English as their first language, similar to 84.8% in Kelowna. Also, 8.6% of North End residents speak a non-official language as a first language compared with 12.5% in Kelowna.

Summary

On the whole, North End residents are younger than the general population and their households are smaller and less wealthy. While North End residents are less likely to be university-educated than the general population, they nonetheless have a high degree of education outside the university setting. North End residents are also far more likely to rent than to own their residence as compared with the general population. Finally, there is somewhat less of an immigrant population and ethnic diversity in the North End as compared with Kelowna as a whole.

“ North End residents are younger than the general population and their households are smaller

Figure 2.4 Per Cent of Population Foreign-Born

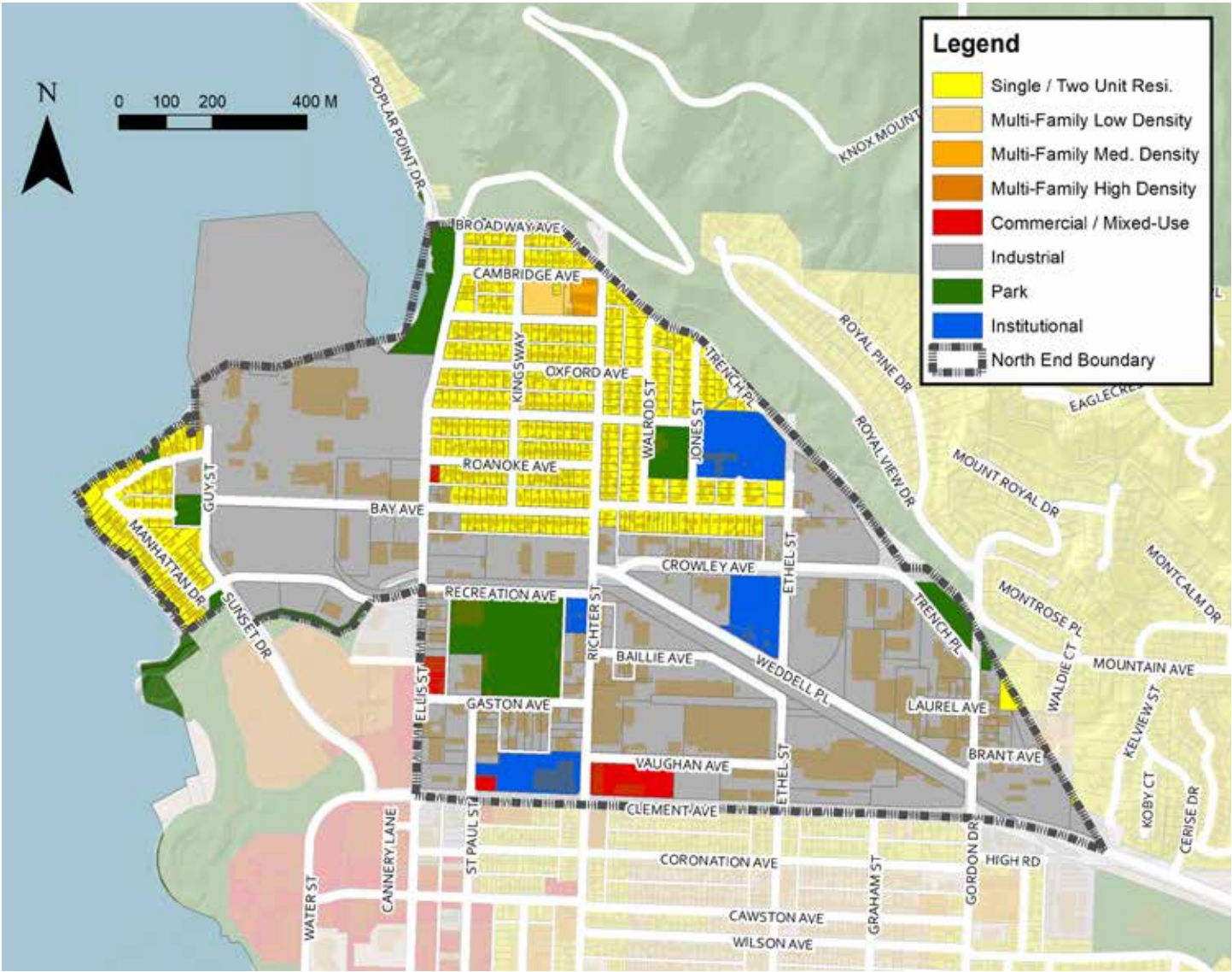




# Land Use



Figure 2.5. North End Generalized Zoning





The land base of the North End is dominated by industrial (61.6 per cent) and single / two / unit residential (22.9 per cent) development, as illustrated in Figure 2.6.

When comparing the land base of the North End with that of the city as a whole (Figure 2.7 including agriculture, Figure 2.8 excluding agriculture and rural residential uses), several observations can be made:

- The North End contains an industrial land base (61.6 per cent). In the North End, industrial development plays a much larger role than in the rest of the city;
- The city overall has a much larger percentage of parks (31.8 per cent) than does the North End (7.7 per cent). This does not include consideration of the easy access that North End residents have to Knox Mountain Park.

“ In the North End, industrial development plays a much larger role than in the rest of the City.

Figure 2.6 North End Land Use

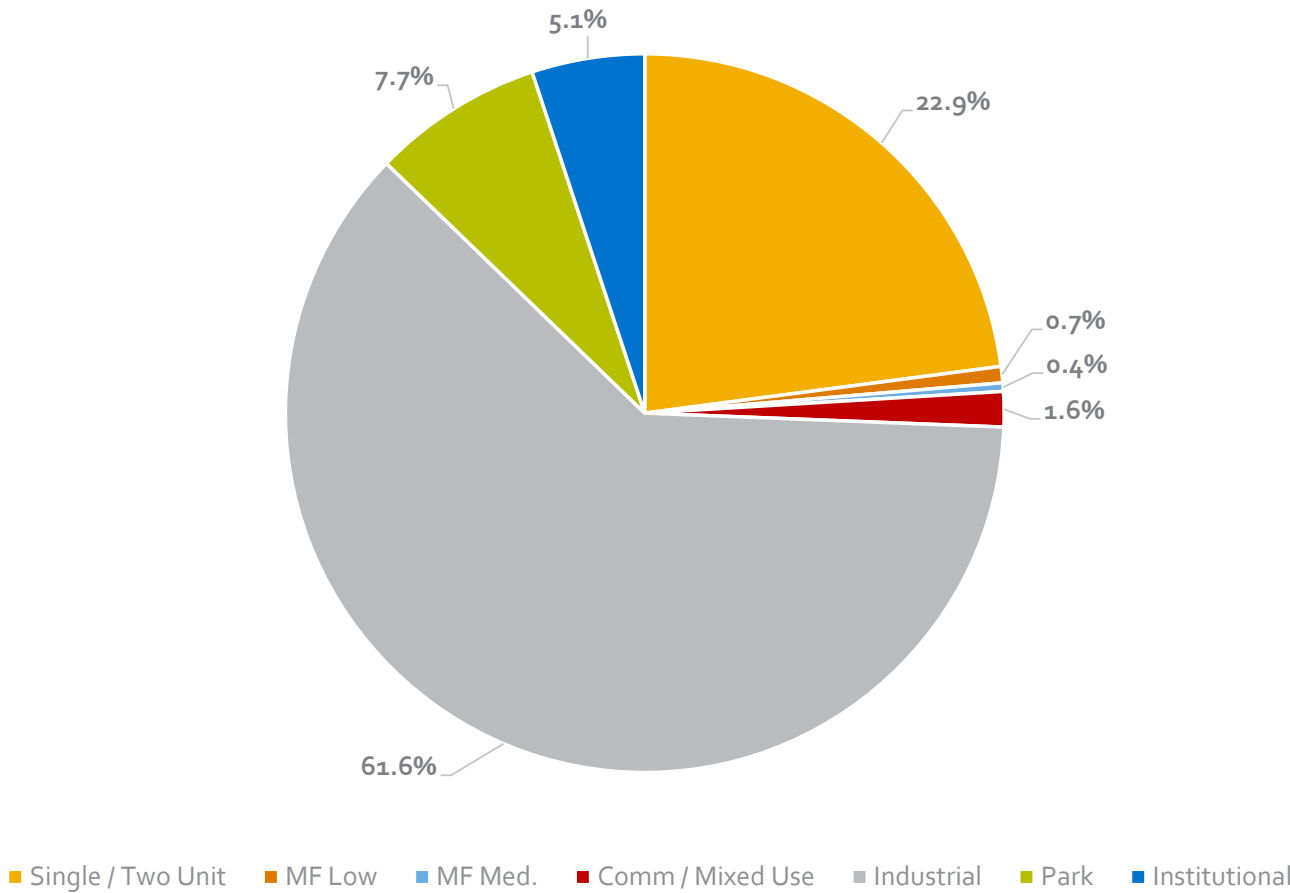


Figure 2.7 Kelowna Land Use

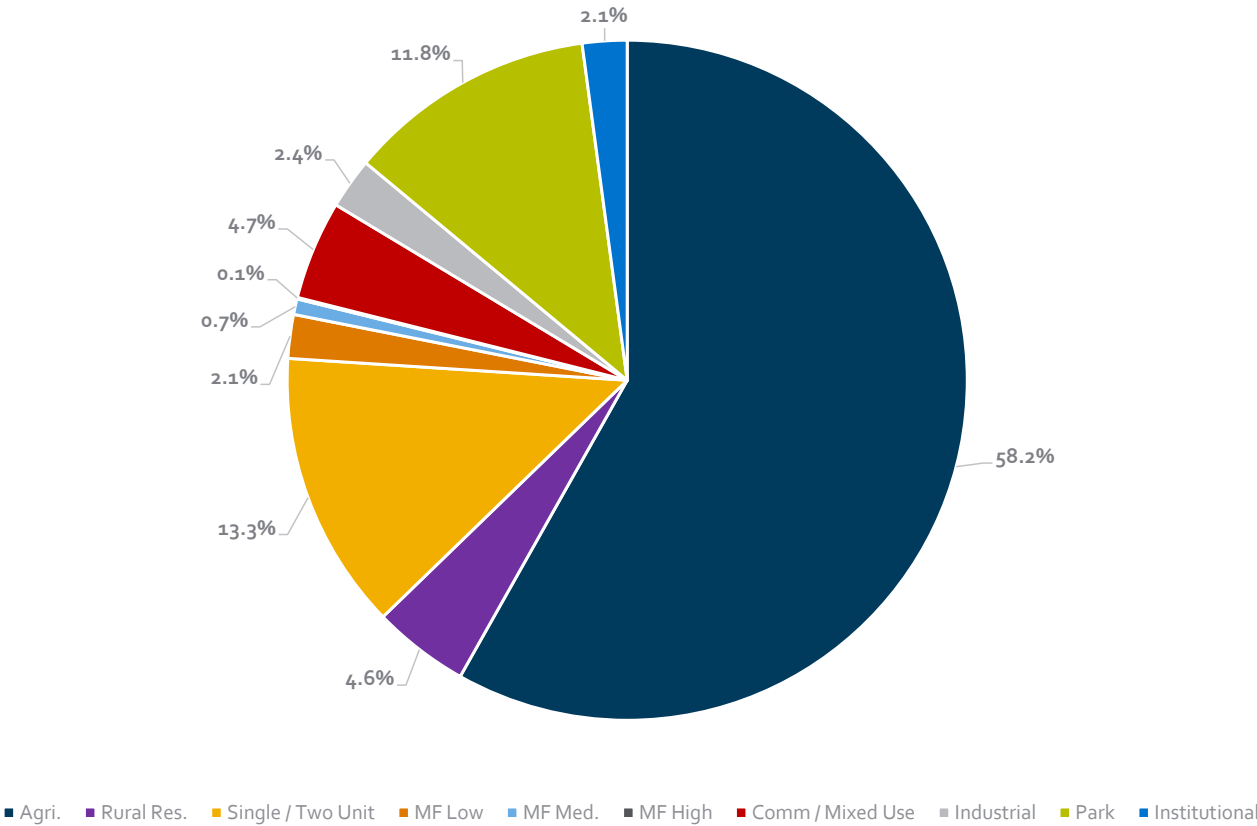
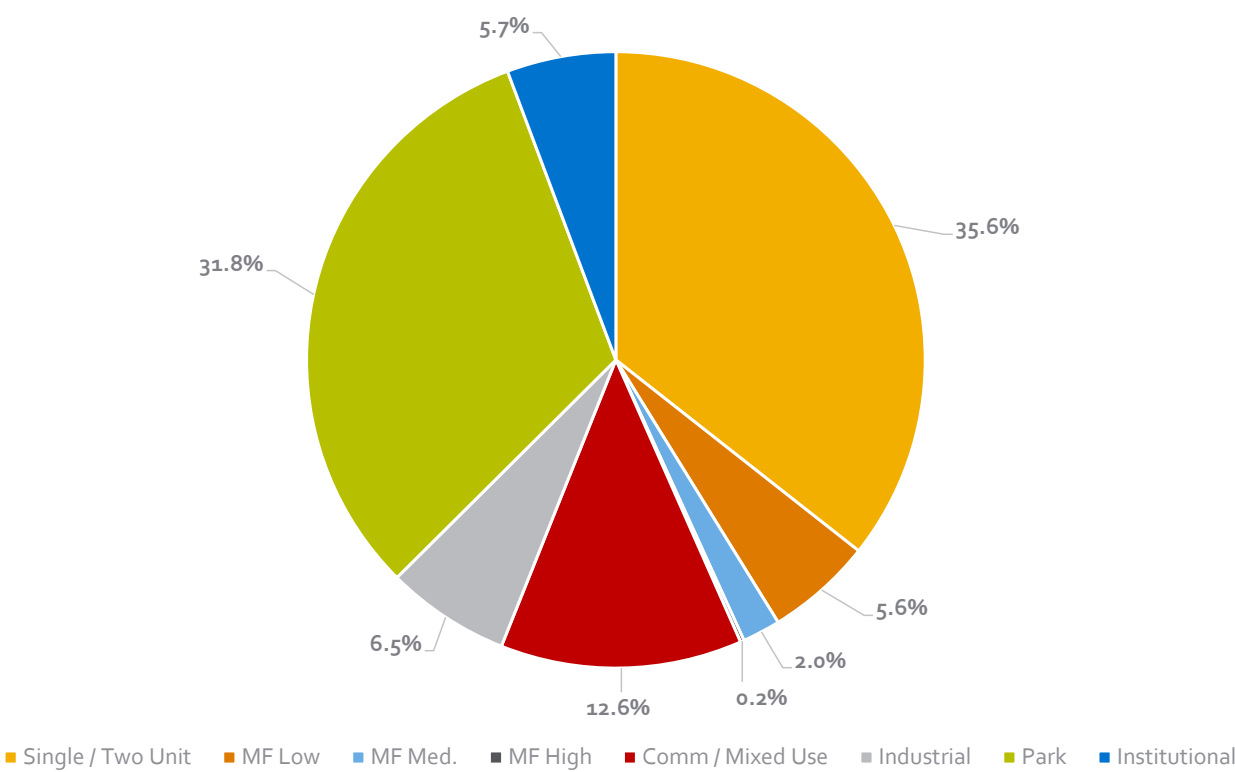


Figure 2.8 Kelowna Urbanized Land Use



Residential Land Use

Residential land use in the North End is dominated by single / two-unit development (95.4 per cent), with the remainder of the residential land use in the form of multi-family low density (3.1 per cent) and multi-family medium density (1.6 per cent) development. Compared to the city as a whole, the North End contains a far higher proportion of single / two-unit development and a much smaller proportion of multi-family development, as shown in Figure 2.9.

Residential Unit Count by Housing Typology

The North End contains a total of 839 residential units and 406 single / two-unit residential lots, including 10 vacant lots. These 406 lots are zoned RU6 – Two Dwelling Housing, meaning all are eligible to develop a second unit on the lot in some form,

such as a secondary suite, a carriage house, a semi-detached unit, or a second single-family home. To date, 151 (38.1 per cent) of these lots have developed a second unit, for a total of 302 units, representing 36 per cent of all residential units in the North End. That leaves 246 units in the North End provided through single-family homes on a single lot—29.3 per cent of the total units in the neighbourhood.

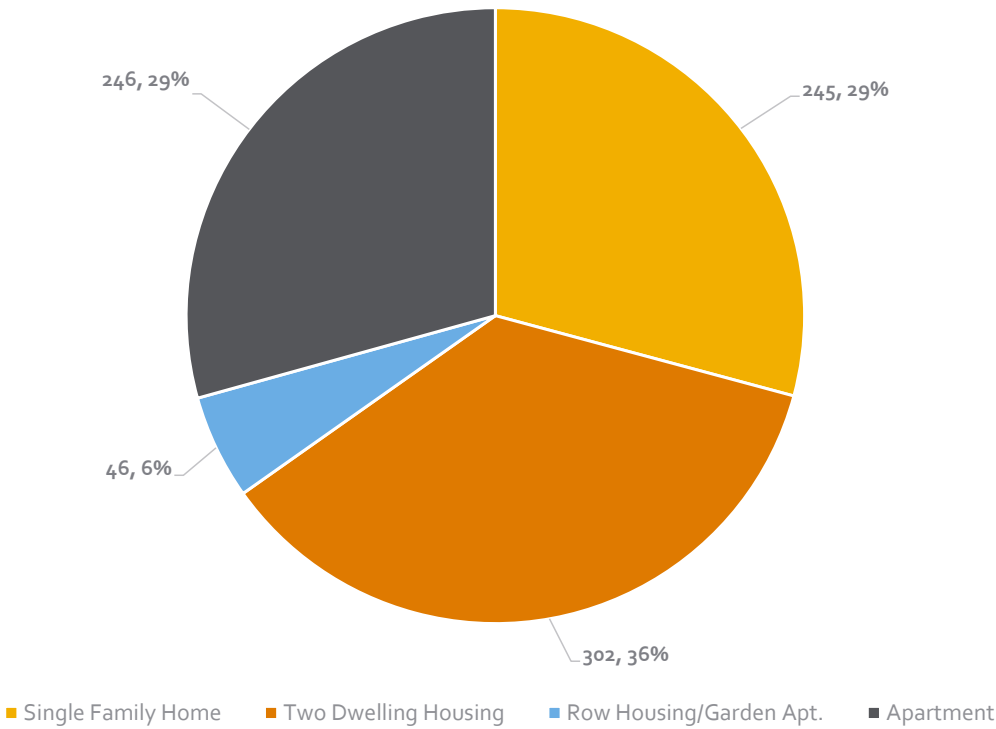
46 units are provided through multi-dwelling low density housing in the form of row housing and garden apartments with 3 storeys or less (6 per cent of the total); and 246 units are provided through multi-family medium density housing in the form of mid-rise apartments at 4-6 storeys (29 per cent of total)<sup>1</sup>.

<sup>1</sup> This includes the 158 residential units in the new mixed-use development at the intersection of Richter St. and Clement Ave. (dubbed 'The Lodges'), as well as the 38 units in the new, supportive housing development Ellis Place.

Figure 2.9

Land Use	North End (%)	City-wide (%)
Single / Two Unit	95.4	82.1
Multi-Family Low Density	3.1	12.9
Multi-Family Medium Density	1.6	4.6
Multi-Family High Density	0	0.5 <sup>1</sup>

Figure 2.10 North End Dwelling Units by Housing Type



<sup>1</sup> The multi-family medium and high density categories do not include the medium and high density residential featured in mixed-use developments, as these are developed under mixed-use zoning. There is one such case of mixed-use development in the North End: the new, 2-building, 6-storey PC Urban development at the corner of Clement Ave. and Richter St. (dubbed 'The Lodges'). Though this development is not captured under the land base for multi-family medium density, the units are captured in the Residential Unit Count by Housing Typology.

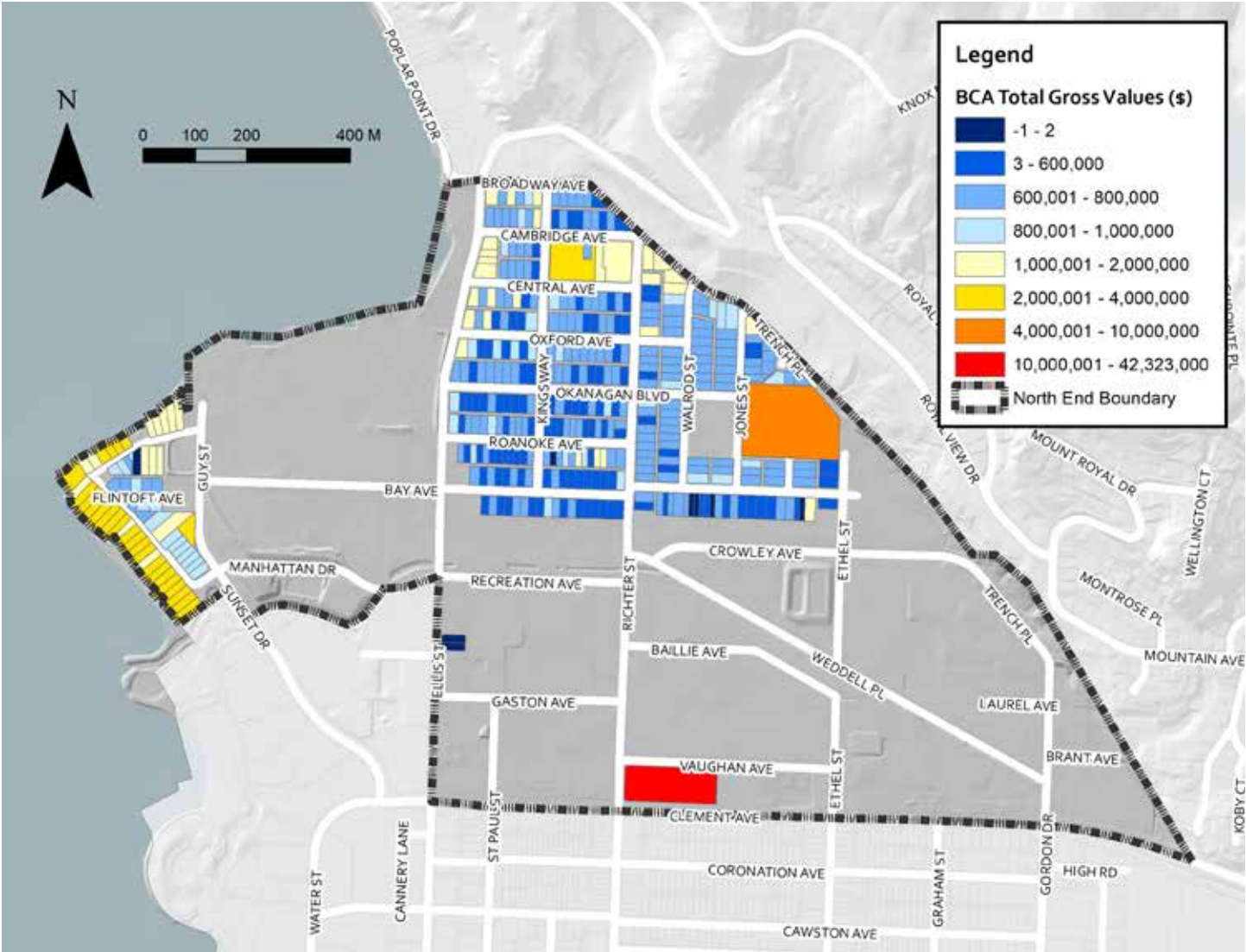
Subsidized Housing & Journey Home

A significant proportion of multi-dwelling units in the North End are made up of partially or fully-subsidized housing. Okanagan Manor on Jones Street, and Pleasantvale Phase I on Richter Street provide partially subsidized housing (for seniors in the case of the former, and seniors and lower-income families in the case of the latter). These two developments together make up 30.1 per cent of the multi-family units in the North End<sup>2</sup>.

<sup>2</sup> At time of publication a rezoning and development permit application has been submitted for the vacant lot to the west of Pleasantvale Phase I to be developed as Pleasantvale Phase II. If approved, Phase II will be similar to Pleasantvale Phase I, partially-subsidized residences intended for seniors and lower-income families.

The newly completed Ellis Place on Ellis Street is a fully-subsidized housing project, and accounts for 13 per cent of all the multi-family units in the North End. The temporary shelter on Richter Street remains open to serve people experiencing homelessness, hosting approximately 40 to 50 people per evening. In addition, there is a designated outdoor camping area along the Okanagan Rail Trail that hosts an estimated 15 to 30 people per night. Many people experiencing homelessness are still sheltering outside this area.

Figure 2.11 North End Residential Property Value





Residential Property Value, Municipal Tax Contribution and Improvement Ratio

The 2020 assessed property value of residential real estate in the North End was \$398,727, 890<sup>3</sup>. As outlined in Figure 2.11, there is a wide range of single / two-dwelling residential property values at different locations in the North End. Predictably, lakefront lots are generally most expensive, followed by lots adjacent to Knox Mountain Park and Sutherland Park (the latter of which also have lake views).

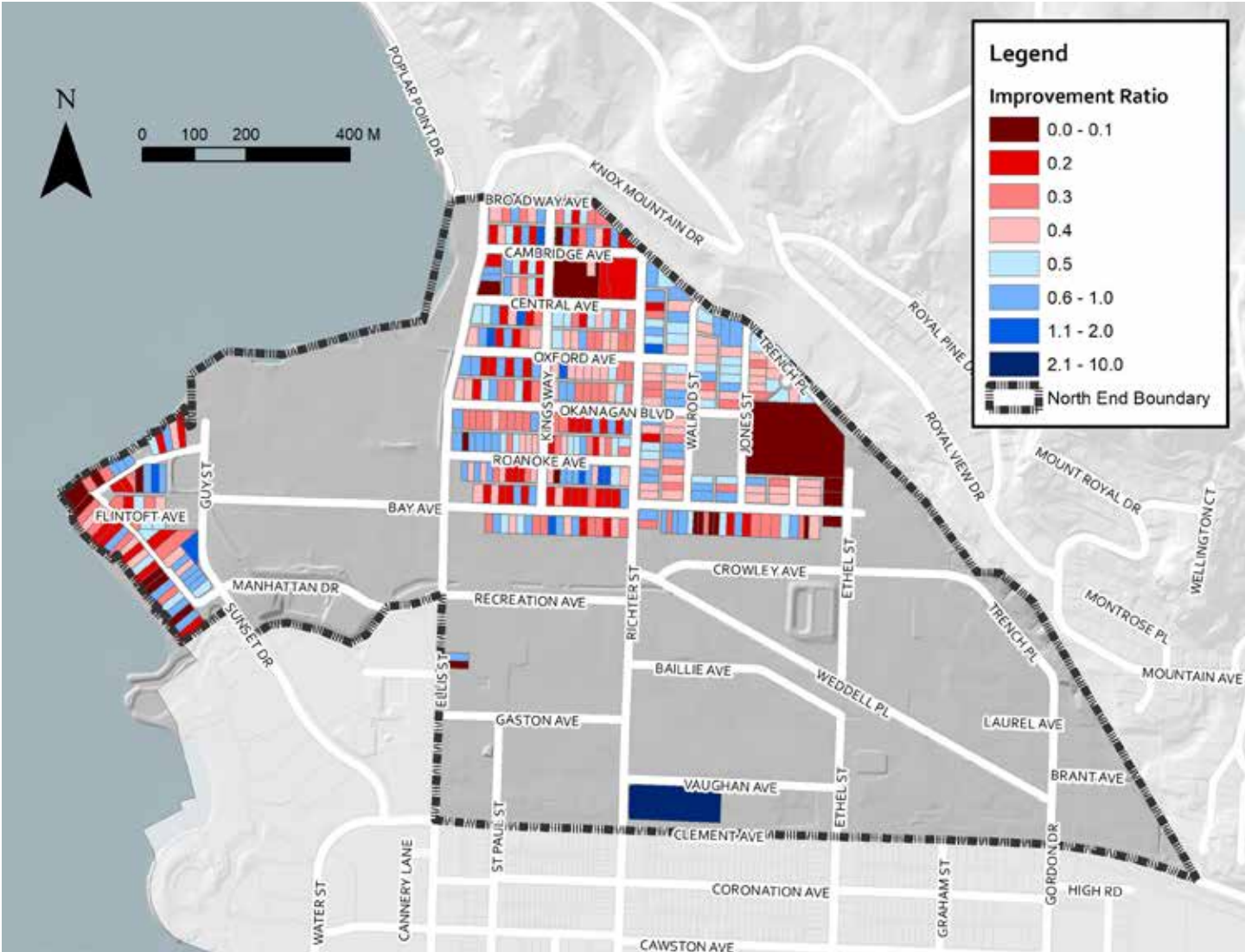
In 2020, the city collected \$1,004,713 in tax revenue from North End residential properties<sup>4</sup>.

3 Based on BC Assessment 2020 property assessments  
4 The Lodges at the corner of Clement and Richter was not yet occupied in 2020, so this figure does not include any tax revenue from that development.

Improvement ratios in the North End suggest that many properties may be considered for redevelopment in the future. The improvement ratio of a lot represents the value of improvements, such as buildings, divided by the value of the land. The improvement ratio<sup>5</sup> is an indicator of redevelopment likelihood: as the ratio falls, the likelihood of redevelopment tends to increase. In Kelowna, the likelihood of a residential property redeveloping increases markedly with an improvement ratio below 0.3. This being the case, it is notable that the average and median improvement ratio of residential properties in the North End is 0.41 and 0.34 respectively. Figure 2.12 displays how improvement ratio is distributed across individual residential properties in the North End.

5 The improvement ratio is sometimes referred to as the 'teardown index'

Figure 2.12 North End Residential Improvement Ratio

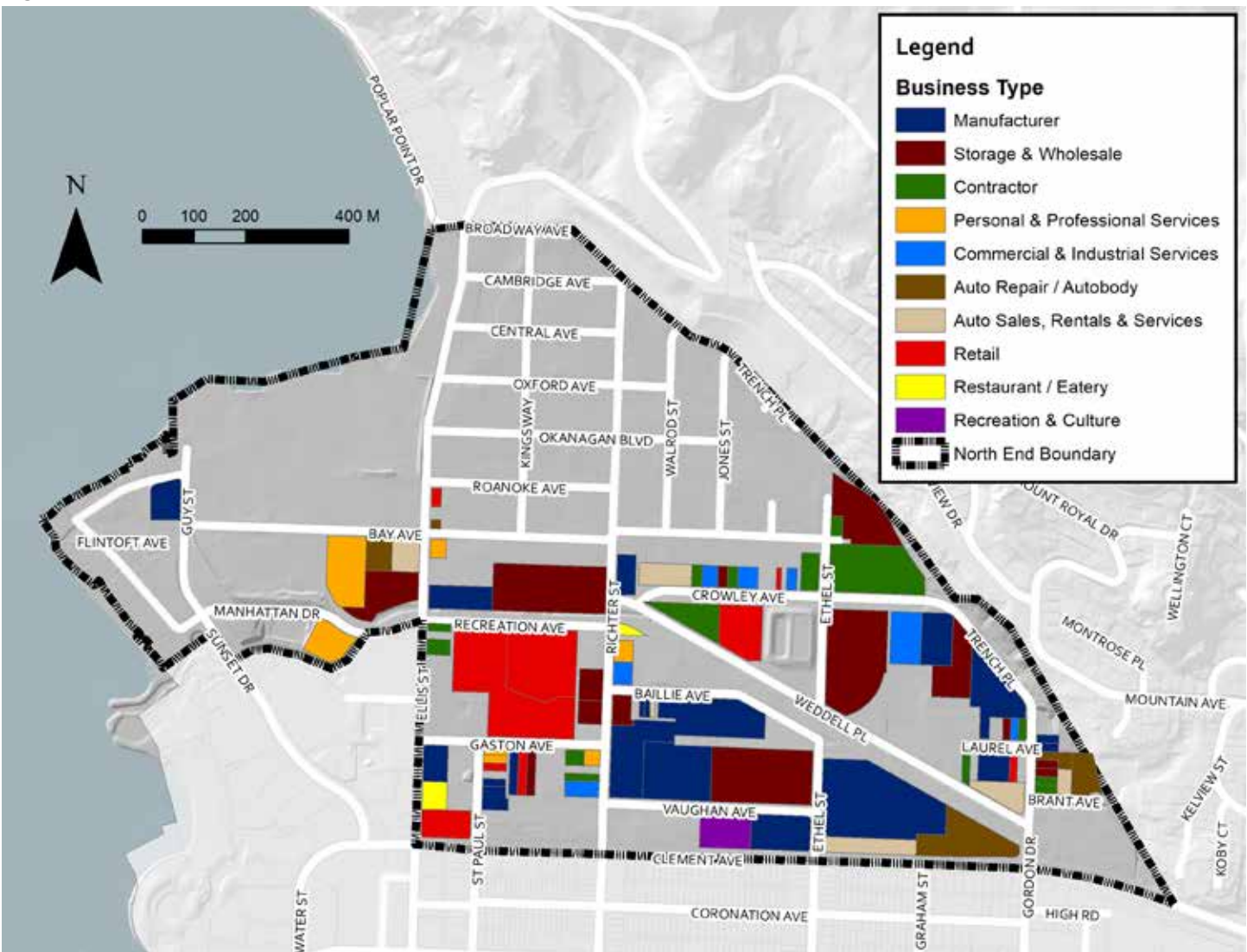


Commercial & Industrial Land Use

61.6 per cent of the land base in the North End is zoned for industrial use. This constitutes 15.5 per cent of all the industrial zoned land in the city--in an area that represents just 0.7 per cent of the city's total area. Industrial zoned land in the North End is predominantly zoned I<sub>4</sub>, Central Industrial, a zone designed specifically for the North End with its unique location at the fringe of the Downtown Urban Centre. There are also a small number of properties zoned I<sub>1</sub>, Business Industrial; I<sub>2</sub>, General Industrial; and I<sub>3</sub>, Heavy Industrial. In addition, there are a small number of properties zoned for commercial and/or mixed use (C<sub>1</sub>, Local Commercial; C<sub>4</sub>, Urban Centre Commercial; and C<sub>7</sub>, Central Business Commercial) along Clement Ave. and Ellis St.



Figure 2.13 North End Business Type Map, 2021



\*Note the map is somewhat simplified as only one business type is shown per lot even though many lots contain more than one business, and / or more than one business type. Also note that many of the business types shown in the map are an amalgamation of numerous sub-categories.



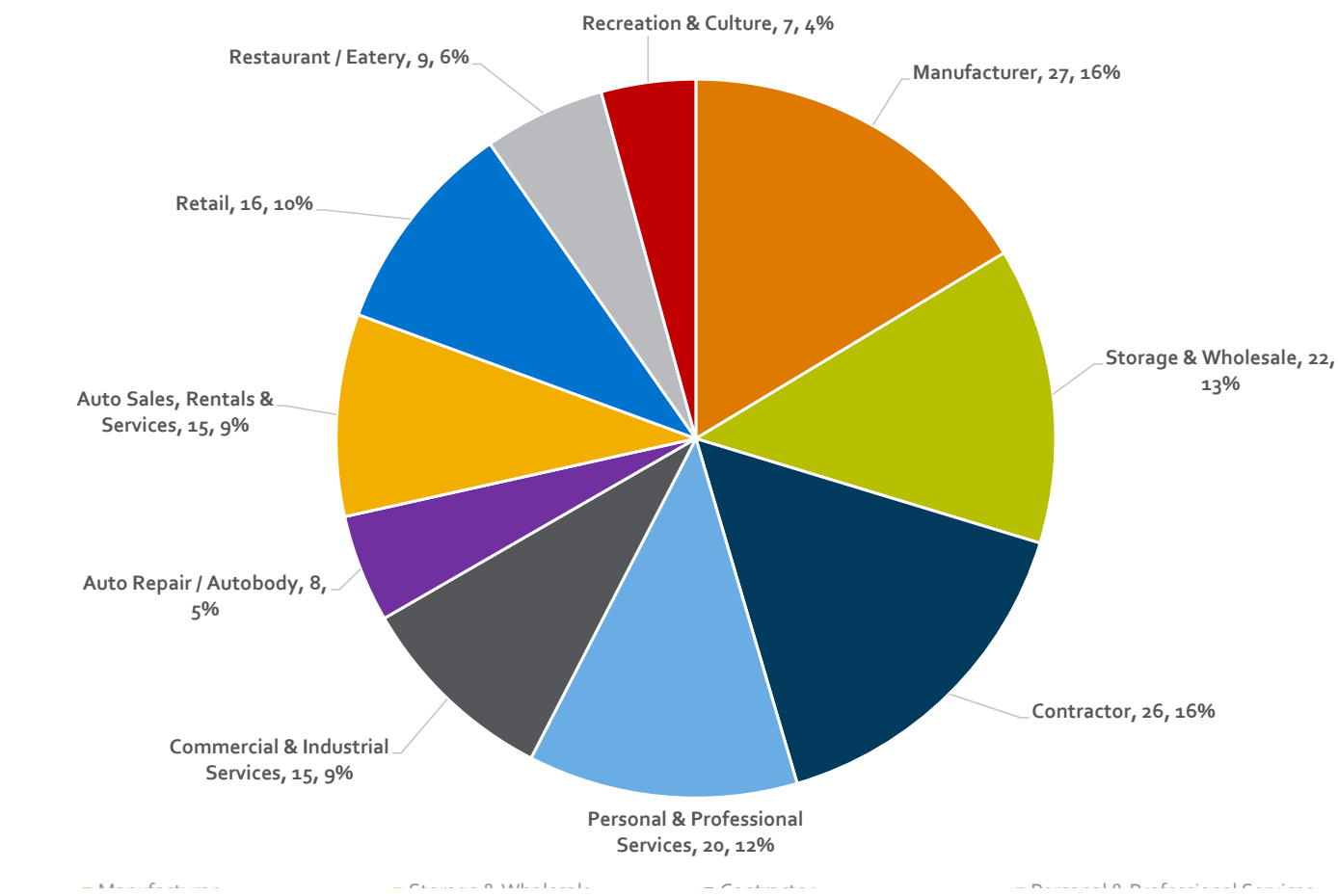
North End Business

According to the City’s Business License data base, 165 businesses were operating in the North End as of September 2021. This is in addition to 79 home-based business, for a total of 244 businesses, or 2.2 per cent of all Kelowna businesses. When excluding home-based businesses, the North End employs an estimated 3,300 people, 4.3 per cent of the estimated total for the city<sup>1</sup>.

A wide range of businesses operate in the North End, ranging from manufacturing to recreation & culture, as shown in figure 2.13.

<sup>1</sup> Based on estimates from the Household Travel Survey and data from Canadian Business Points.

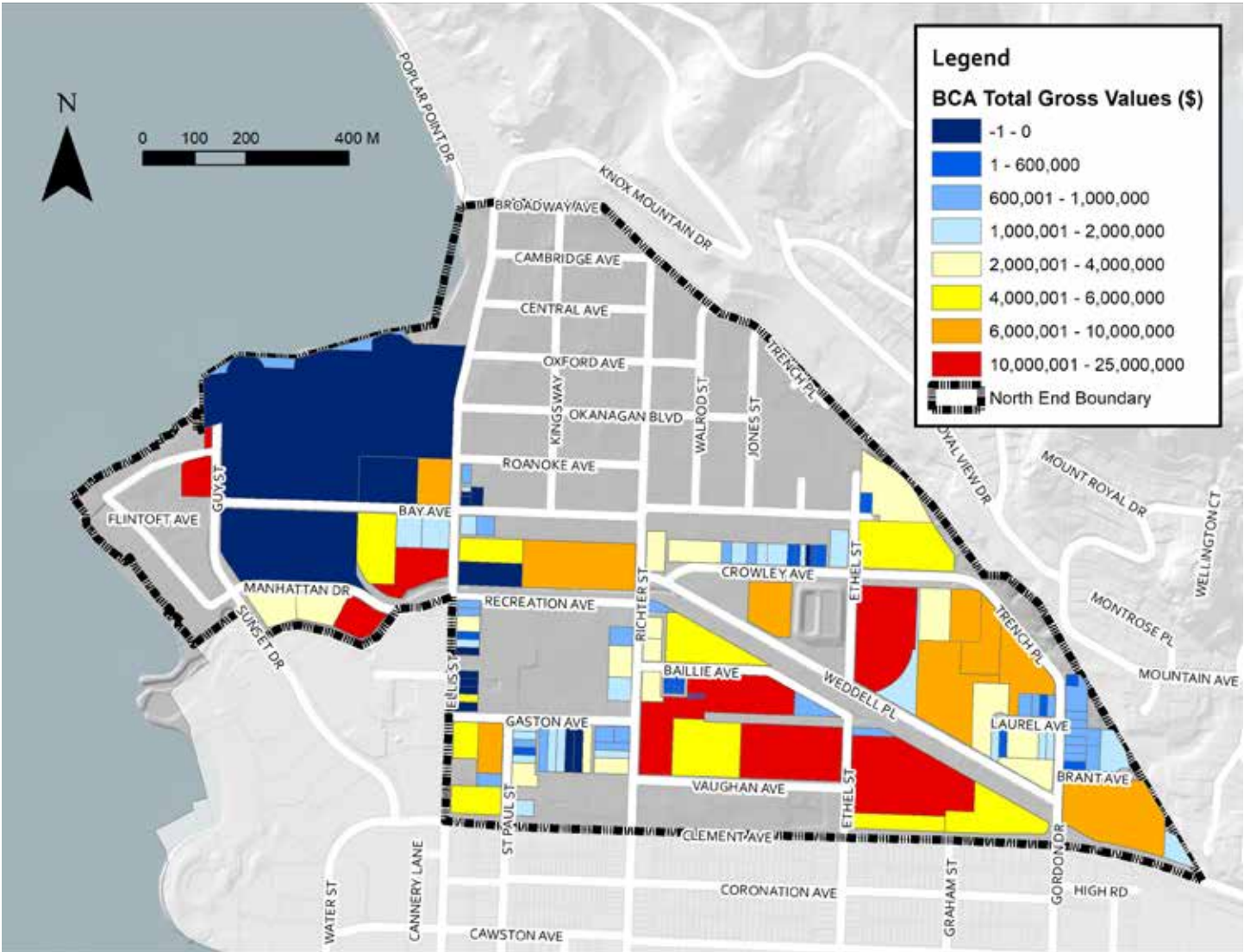
Figure 2.14 North End Business Type Breakdown



North End Brewery District

One of the more prominent trends in the North End is the emergence of a craft brewery district, categorized under Manufacturer business type in Figures 2.13 and 2.14. These businesses have tended to gravitate to locations along major traffic corridors, including Clement Avenue and Richter Street. At last count, nine breweries are now located in the North End. Other alcohol production facilities in the North End include a wine production facility and a cidery. This emerging brewery district has evolved organically in the absence of neighbourhood plan, and has quickly become a major destination for residents of and visitors to Kelowna.

Figure 2.15 North End Commercial and Industrial Property Value (Land & Improvements), 2021



Note: Several properties are identified as having net zero property value. For properties where a single business includes multiple parcels, the property values are aggregated and applied to one single parcel.

Property Value & Municipal Tax Contribution

The 2020 assessed property value of commercial and industrial real estate in the North End was \$595,897,096<sup>2</sup>. This is split into \$303 million in land value and \$293 million in building value. North End commercial and industrial properties contributed \$3,692,917 in municipal taxes in 2020<sup>3</sup>.

A more detailed review of commercial and industrial development in the North End is underway and its conclusions will be incorporated into the next phase of the North End Plan process.

<sup>2</sup> Based on BC Assessment 2020 property assessments  
<sup>3</sup> Based on 2020 City of Kelowna tax reports

“ A wide range of businesses operate in the North End, ranging from manufacturing to recreation and culture

Parks

Existing Parks & Analysis

The North End hosts a variety of parks. The area benefits from legacy parks including Recreation Avenue Park and Sutherland Bay Park. To the north of the study area is Knox Mountain Park, and the Okanagan Rail Trail Runs through the area. Existing parks are listed in Figure 2.17.

The North End is currently well-served with Recreation Parks, but is deficient in Neighbourhood Parks, as reflected in Figures 2.19 and 2.20. Recreation Avenue Park, as well as the Curling and Badminton Clubs, are highly specialized in

their use, servicing residents from all over the city. Unlike Neighbourhood Parks, which serve the local neighbourhood, these facilities are not available to residents on a day-to-day basis to offer the peace and tranquility that parks provide.

Expanding the scope to the Central City Sector more broadly (of which the North End is a part), this area of the city is also deficient in parks—and particularly in Neighbourhood Parks. The current parkland is only 37% of the acquisition standard of the 2030 OCP, where the target acquisition rate is 1.0 hectare for each 1000 residents (Figure 2.20). This gap is expected to widen with the increased density expected in the Central City Sector over the next 20 years.

Figure 2.16 North End Parks Map



Figure 2.17 North End Parks by Type

Name of Park	Park Type	Area	Status
Recreation Avenue	Recreation	3.825 ha	Developed
Jack Brow	Neighbourhood	0.26 ha	Developed
Manhattan Beach # 1	City-wide	0.04 ha	Developed
Manhattan Beach # 2	City-wide	0.05 ha	Developed
Sutherland Bay	City-wide	1.5 ha	Developed
Walrod Park	Neighbourhood	0.98 ha	Undeveloped

Figure 2.18 North End Recreation Facilities

Name of Facility	Facility Type	Area	Status
Curling Club	Curling	0.69 ha	Developed
Badminton Club	Badminton	0.14 ha	Developed

Figure 2.19 North End Existing Parks by Type

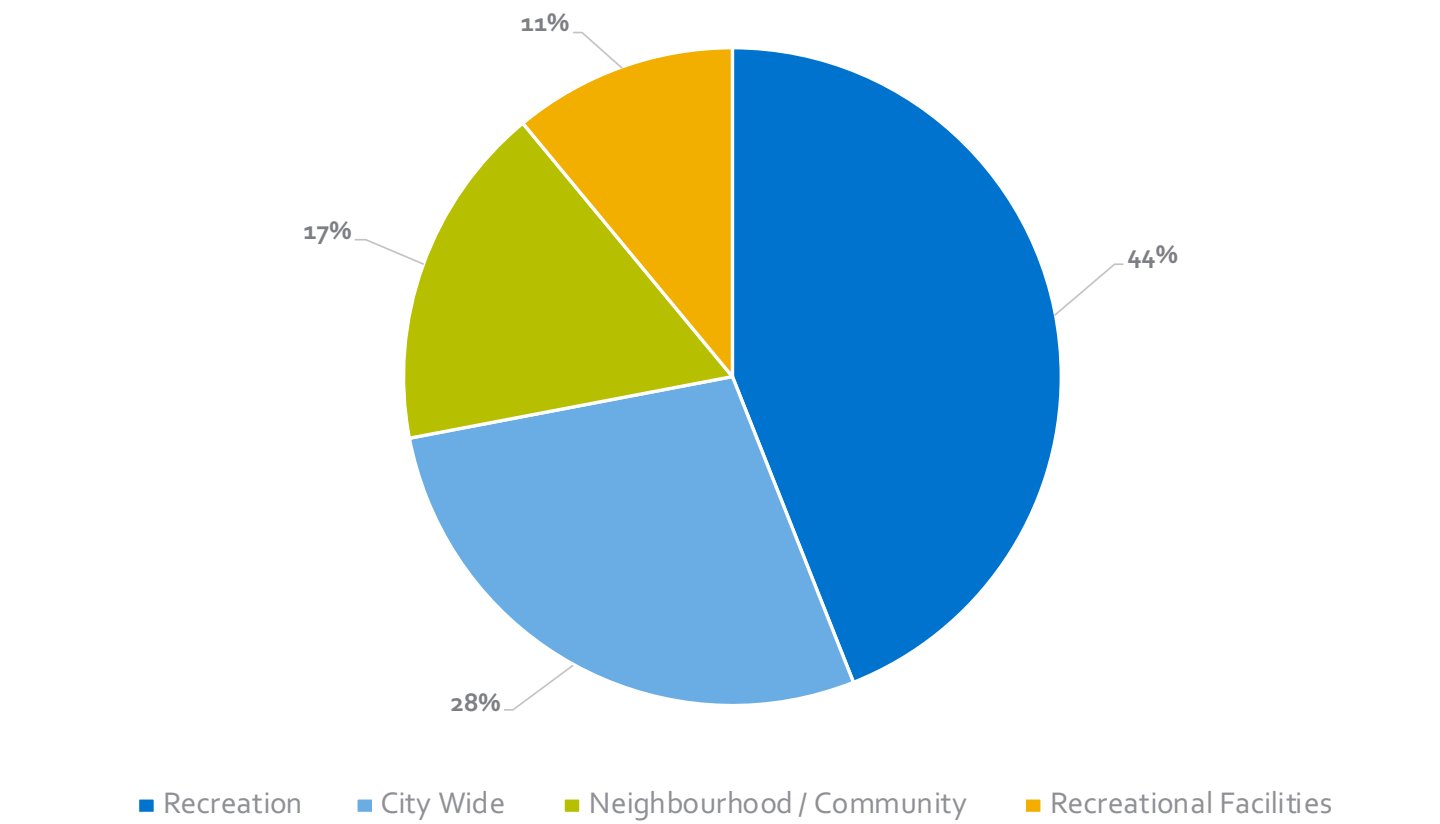


Figure 2.20 Central City Gap in Neighbourhood Parks

Sector Name	Current Population	Parkland	2030 Target Rate	Deficiency	Rate of Target
Central City	22,366	8.38 ha	22.37 ha	13.99 ha	37%

North End Parks to 2040

The 2040 OCP signals additional parks in the plan area, as noted in the figure 2.21.

The park type distribution for the North End addressed through the 2040 OCP is more balanced than what we see today, but Recreation parks will remain over-represented. This also carries implications for the overall deficiency of Neighbourhood Parks in the Central City Sector more broadly—where the city is deficient by more than 33% of the target area for this park class when adding the projected growth to 2040. As these areas see more infill and redevelopment envisioned by the 2040 OCP, this gap will become more pronounced. In fact, the park deficit accelerates even with the DCC Acquisition Plan. As shown in Figure 2.22, the parkland deficit in the Neighbourhood Park type for the Central City Sector is 13.55 hectares from target.

Neighbourhood Parks must occur in close proximity to where residents live if they are to contribute to a high quality of life, especially in the Urban Centres and Core Area, where

predominately multi-unit housing units with smaller private open spaces are anticipated. As the Central City Sector is expected to grow by over 20,000 residents in the next 20 years, the provision of these park types is critical.

“Neighbourhood Parks must occur in close proximity to where residents live if they are to contribute to a high quality of life

Figure 2.21 North End Park Additions – 2040 OCP

Name of Park	Park Type	Area	Status
Recreation Avenue - Addition	Recreation	0.75 ha	Yet to acquire
Jack Brow - Addition	Neighbourhood	0.42 ha	Yet to acquire
Manhattan Point - Addition	City-wide	0.07 ha	Acquired
Manhattan Beach Access # 1	City-wide	0.05 ha	Yet to acquire
Manhattan Beach Access # 2	City-wide	0.16 ha	Yet to acquire
Manhattan Beach Access # 3	City-wide	0.11 ha	Yet to acquire
Manhattan Beach Access # 4	City-wide	0.11 ha	Yet to acquire
Kingsway Linear Park	Linear	0.17 ha	Yet to acquire

Figure 2.22 Central City Neighbourhood Parks to 2040 (with Acquisition Standards)

Sector Name	Population Growth	Population Total	Existing Parkland	Growth 1 ha / 1000	2040 DCC Acquisition Plan	Parkland Target 2040	Parkland Deficit
Central City	20,412	42,778	8.38 ha	20.41 ha	5.17 ha	13.55 ha	32%

Linear Parks

Linear parks are important to neighbourhoods, as they provide an opportunity for the recreational activities of walking, biking and enjoying nature, while linking parks together in a way that facilitates active transportation. Additionally, they provide important ecological functions such as stormwater management, ecosystem preservation, air pollution filtration, and they also mitigate the heat island effect of urban areas. The most prominent linear park in the North End is the Okanagan Rail Trail, which runs east-west through the neighbourhood along Brandt’s Creek. The Rail Trail provides a critical active transportation corridor as well as a recreation amenity for the neighbourhood, the city and the region.

Policy 10.2.2. of the 2040 OCP speaks to the objective of ‘Parks on Streets’. The approach seeks to provide additional amenity park space in underutilized public road right of way. Kingsway, running north-south though the northern part of the plan area, has been identified as having potential for this transition for increased tree canopy, boulevards, and potential greater use for recreation. Additionally, the corridor along the

Okanagan Lake foreshore has been identified as a Linear Park Priority<sup>1</sup>.

Linear Park opportunities include:

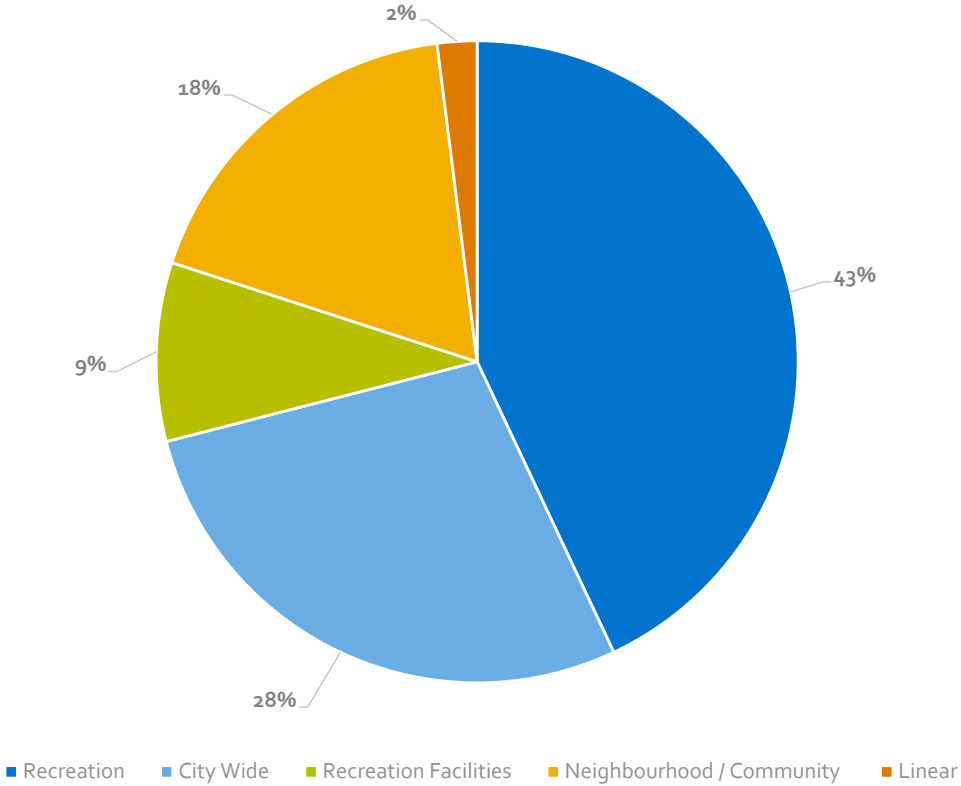
- 1. Okanagan Lake Foreshore Linear Corridor
- 2. Kingsway ‘Park on Street’
- 3. Connections to the Okanagan Rail Trail
- 4. Connections to Knox Mountain Park

**North End Parks – Gaps and Priorities**

Following the objectives of the 2040 OCP, and the park deficiencies in the Central City Sector, the following are priorities for provision through the North End Plan:

- 1. City-wide Parks - Waterfront Parks and Linear Park Access
- 2. Neighbourhood / Community Parks
- 3. Connecting Parks, including linear parks, parks on streets and connections to existing linear parks

Figure 2.23 North End Parks to 2040 by Park Type



<sup>1</sup> City of Kelowna, 2021. Draft 2040 OCP – Chapter 10 Parks. Policy 10.4.2 Linear Park Priorities.










Heritage

As part of the North End Plan Background Study, an Historical Context Statement was commissioned and completed by a Certified Heritage Professional and is provided in Appendix 1. An historical context statement is “a document used in planning for a community’s heritage resources. It identifies the broad patterns of historic development in the community and identifies historic property types, such as buildings, sites, structures, objects, landscapes, districts, and intangible features which represent these patterns of development. An

historic context statement provides direction for evaluating and protecting significant heritage resources. As a planning document, it is meant to be a dynamic work, evolving as a community changes over time” (North End Neighbourhood HCS, p.4).  
  
Provided below are a few examples of North End heritage resources identified in the Historical Context Statement, as well as a summary of its recommendations.

Figure 2.24 North End Neighbourhood Heritage Resources Identified

Heritage Resource	Year	Significance	Image
Canadian National Railway (CNR) Train Station  520 Clement Ave.	1926	Primary and last surviving feature of the CNR in Kelowna.	
Wartime Housing Type #1 - Kennedy House  567 Okanagan Boulevard	1946	One of three Wartime Housing Ltd. standardized affordable housing patterns for returning veterans.	
Kelowna Brick Works (now Knox Mtn. Metals)  930 Bay Avenue	1905	Surviving part of a collection of masonry structures that were the main supplier for Kelowna’s downtown brick buildings.	

Heritage Resource	Year	Significance	Image
Sun-Rype  1165 Ethel Street	1946	Originally owned by Okanagan Fruit Juices Ltd., was bought in 1948 by Sun-Rype to make profitable use of sub-grade cull apples.	
Newton’s Grocery (now Knox Mt. Market)  857 Ellis Street	1936	The historic neighbourhood grocery store shows there were enough farm and summer residences in the area to justify a local shop.	
Dal Col Farm Houses  603 and 621 Roanoke Ave	around World War 1	Likely earliest residential property in the neighbourhood. Associated with early Italian immigrants that settled along Bay and Roanoke Ave. in the 1920s and 1930s.	
Calona Wines  1125 Richter Street	1951	Originally located on the waterfront, moved to North End in 1951. Founded by Ghezzi, Cappozi and Bennett, it was Kelowna’s first commercial winery.	

Recommended Actions from North End Neighbourhood Historical Context Statement

The North End Neighbourhood Historical Context Statement provides nine recommendations to help conserve the North End’s history (provided in Appendix 1). Recommendations include updating the Kelowna Community Heritage Register to add new properties and remove properties that have had significant changes. As the North End contains perhaps the largest and most intact surviving collection of Wartime Housing Ltd. Homes in BC, the Context Statement provides several recommendations to preserve these affordable

homes that were built for returning veterans. Additional work is also suggested that will help to ensure that change and development in the neighbourhood respects established heritage assets and values. Further, to raise awareness of the area’s history, the Context Statement recommends expanded interpretative signage. These recommendations will be considered during the development of the North End Plan and through its implementation.

# Transportation

## Transportation Connections to and from the North End

The North End is characterized by a number of unique transportation opportunities and challenges compared with other Kelowna neighbourhoods.

Access to the neighbourhood is largely limited to its south boundary at Clement Avenue as there are no thru vehicle connections to the north, east or west. Just four major streets (Sunset Drive, Ellis Street, Richter Street, and Gordon Avenue) cross the Clement Avenue corridor linking the North End to the rest of the City, carrying vehicles, trucks, transit and active transportation trips in and out of the neighbourhood.

Existing active transportation links include the Okanagan Rail Trail from the east and bike lanes on Ellis and Richter streets to the south. Access into Downtown for those uncomfortable riding in traffic can also be made via the less direct Waterfront Walkway. A future link to the Ethel Street Active Transportation Corridor (ATC) is also planned. While there are active transportation connections to the north, they cross challenging topography within and adjacent to Knox Mountain.

Transit access to the North End is challenging. The neighbourhood's isolated street network means transit cannot easily route through the neighbourhood on its way to other destinations. As such, service is provided via Route

2, a local 30-60 minute frequency service, that circulates in a one-way loop from the Queensway Exchange. Access to other transit routes requires a transfer at the Queensway Exchange or a significant walk to Clement or Cawston avenues to access Route 18 – Glenmore, Route 6 – UBCO via Glenmore and Route 5 – Gordon Dr. The extra time needed to make these connections erodes the attractiveness of transit to and from the North End.

## North End Travel Choices & Mode Split

Transportation choices are directly related to the proximity of employment and services to homes. In the North End, these choices are influenced by employment within the neighbourhood (0.5-1.5km) and nearby employment in Downtown (1.5-2.0km) – both at distances comfortable for walking, and biking. With limited employment to the north, west and east, access to jobs further afield generally involves travel by car or transit.

The North End's proximity to Downtown also provides access to the services offered there, most within comfortable biking, and, in some cases, walking distances. Continued adoption of small electric vehicles such as e-bikes and e-scooters are expected to make access to these services easier for more North End residents. Data from the ongoing shared scooter pilot indicates similar, but slightly lower levels of use, relative to other Downtown adjacent neighbourhoods. With continued

growth Downtown, and the potential for additional services, these patterns are likely to strengthen.

This context contributes to a greater uptake in active modes of transportation like walking and cycling, but lower uptake of transit. In the latest census, 21% of North End residents reported walking or biking to work—significantly higher than Kelowna's average of 10%. Notably however, this is still lower than other nearby neighbourhoods, such as Downtown, for example. Transit use is lower, at 2% compared to 4% for the city overall, and much lower than neighbourhoods to the south of Downtown at 14%.

In addition to making fewer trips by car than Kelowna residents generally, when North End households do drive, they tend to drive shorter distances. This is reflected in lower vehicle kilometers travelled (VKT) per day per household, relative to city-wide averages. Lower VKT reduces both congestion during peak travel periods and transportation impacts over the rest of the day, including GHG emissions and collisions.

As a result of the North End's location and connections to adjacent or nearby employment and services, residents of the North End have a smaller impact per capita on the transportation network relative to city averages, but not quite as low as other neighbourhoods within and adjacent to Downtown.

Figure 2.25 North End Transportation Map

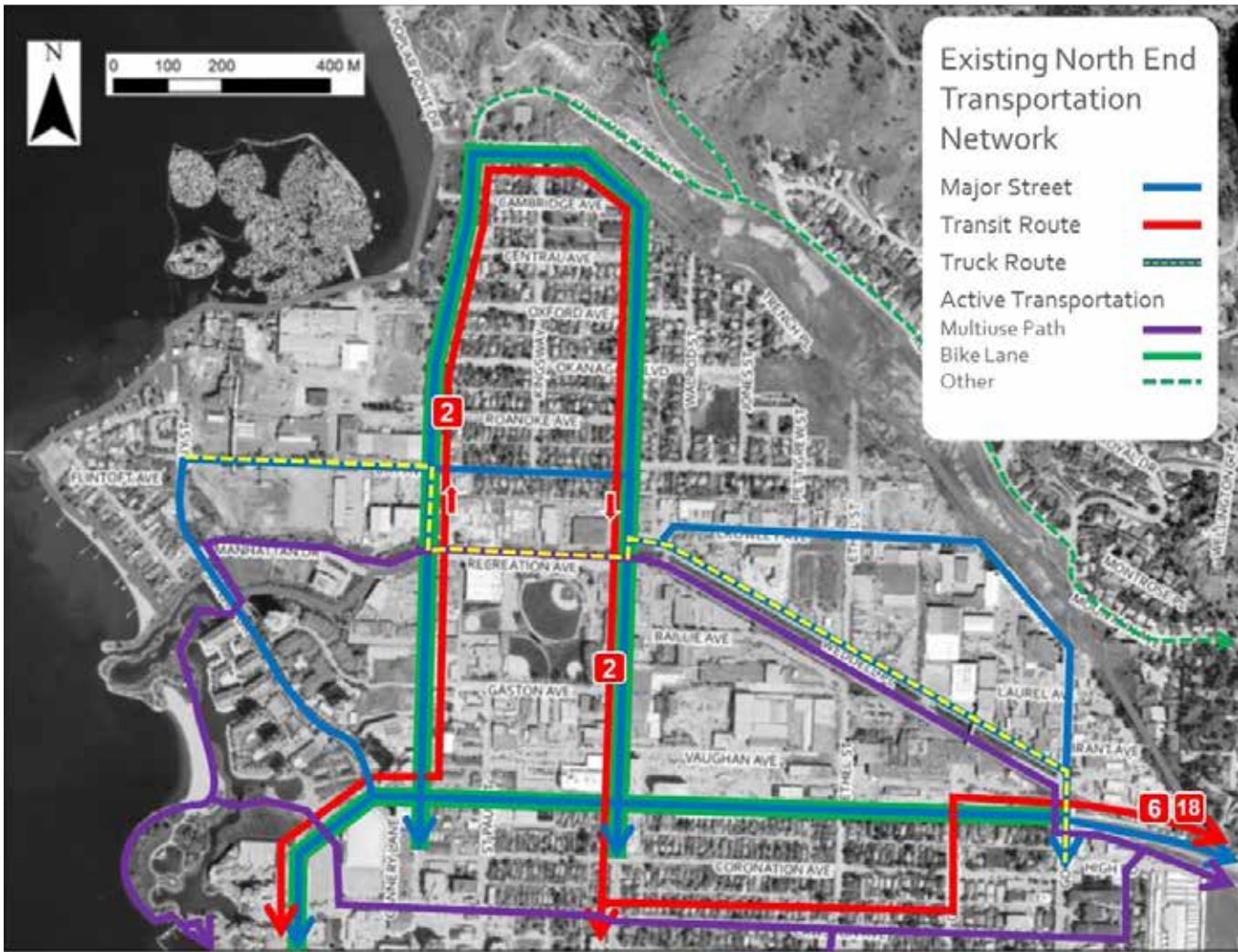


Figure 2.26 Travel Modes to Work (2016) for Downtown and Surrounding Neighbourhoods

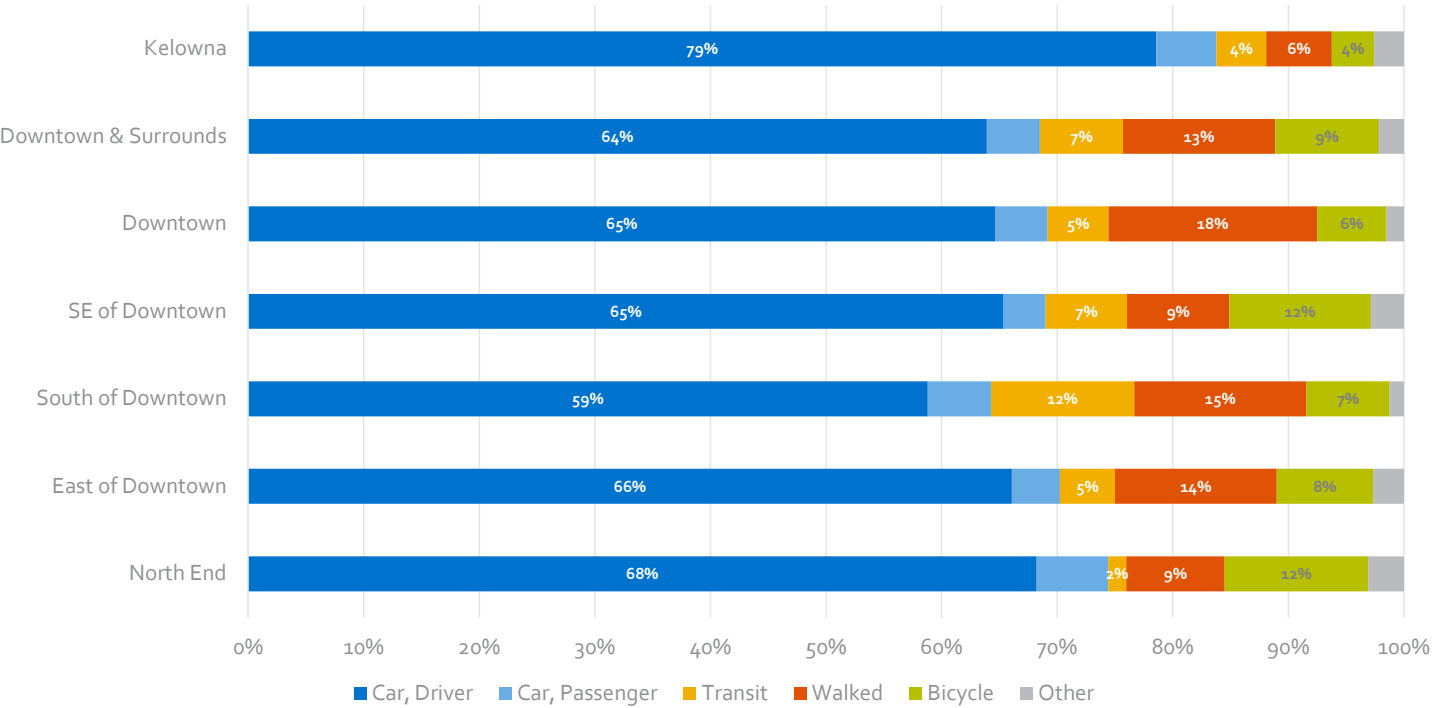
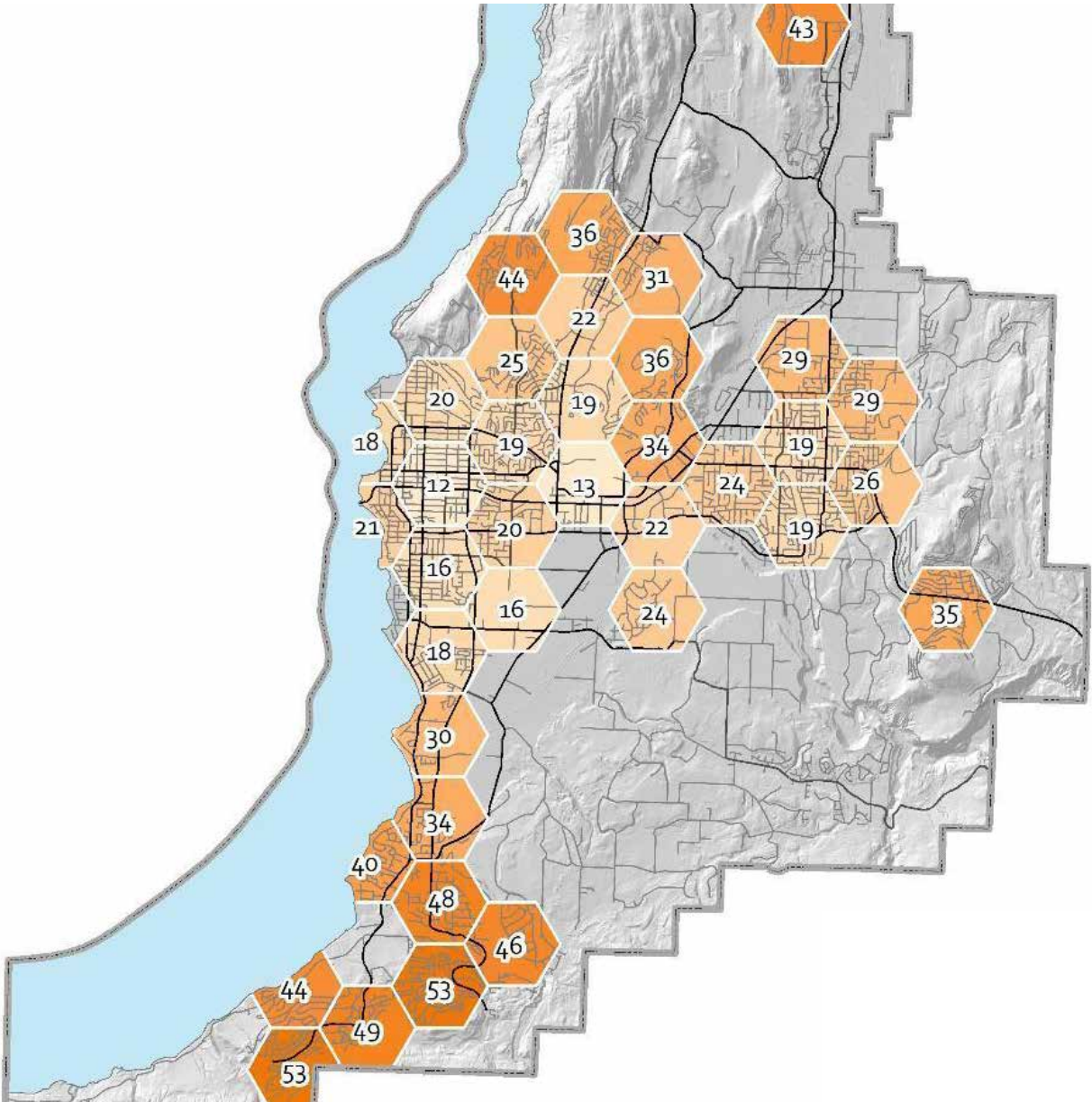




Figure 2.27 Average Daily Vehicle Travel per Household (km / household)



**North End Neighbourhood Transportation Network**

Existing major north-south streets within the North End include Sunset Drive, Ellis Street, Richter Street and Gordon Dive while Bay Avenue, Crowley Avenue, Broadway Avenue, and Weddell Place provide east-west connectivity. These designations are influenced by historical land uses, including the mill site, and some are designated truck routes. Clement Avenue is also an important part of the neighbourhood’s street network—it is a major arterial and has been widened to five lanes over the last several years.

North-south travel by active transportation is facilitated by bike lanes on Richter and Ellis Streets. The recently completed Okanagan Rail Trail provides access to the east and south via the Waterfront Walkway. Sidewalks are generally available on most streets, often only on one side, and are older with minimum widths. Most streets are not, or only partially urbanized. Where recent changes in land use have significantly increased pedestrian activity (such as the increasing number of breweries along Richter Street), interim infrastructure has been implemented to address emerging issues. Transit service is provided via Route 2, with 30-60min service to the Queensway Exchange.

**North End Transportation Network Carrying Capacity Study**

To support the North End Neighbourhood Plan process, an estimate of future transportation network capacity and potential development scale was undertaken. Projecting future travel demand requires detailed information on the location, type and scale of development, as well as an understanding of changes in travel behaviors and future infrastructure. Given that the nature of the development is to be determined through this North End Plan process, a variety of land use mixes and a series of basic assumptions were used to estimate a range of future development scales that would be likely supportable by the transportation network. This provides a realistic starting point for the neighbourhood planning process. A more comprehensive transportation assessment will form part of the planning process to confirm these results using the more detailed type, location and scale of development identified in future phases. These results, combined with feedback, policy and information gathered through the planning process will inform the transportation components of the North End Neighbourhood Plan.

The following sections describe the approach undertaken to develop this estimate. The transportation network capacity study considered both current travel behavior and anticipated travel trends into the future. Projections considered comparable communities, trends within Kelowna and the characteristics of the North End Neighbourhood.

The study recognized that the capacity of intersections along Clement Avenue will constrain future vehicle access to and from the North End and that much of Clement’s capacity will be consumed by future growth in Downtown and the extension of Clement Avenue eastward to Highway 33. Expansion of most intersections along Clement Avenue is limited, with intensification and redevelopment along the corridor.

Assumptions were also made about future improvements to the transportation network, including limited-scale improvements to intersections along Clement Avenue, larger scale improvements at the intersection of Clement and Gordon, and strengthening of Weddell / Recreation / Manhattan corridor as an east-west connection. Understanding that many adjacent destinations are beyond a comfortable walk, expanded active transportation links were assumed to support bicycling, including e-bikes and

scooters, linking to the Waterfront Walkway, Ethel Active Transportation Corridor, and proposed Bertram Active Transportation Corridor. Better transit connections to Downtown, KGH, Pandosy and Glenmore/UBCO were also assumed. Taken together, these represent substantial investments in the North End’s transportation network that will need to be accommodated.

Based on these assumptions, the study concluded that the future transportation network could likely support additional development in the North End. The inclusion of some employment in the land use mix was identified as a benefit, as jobs and services reduced trips to outside the neighbourhood. However, there are limits on using land use mix to reduce impacts on the transportation network, and at a certain point, additional employment will increase impacts on the network.

It is important to note that, while this analysis may inform the land use planning process, it should be considered in the context of results of the remainder of the planning process and input from stakeholders.









Figure 2.31 North End Existing Sanitary Sewer System by Age

Install Year	Length (m)	Age (Years)	% of Total
1949	4,391	72	35%
1950-1960	2,946	60+	23%
1961-1970	1,236	50+	10%
1971-1980	1,706	40+	14%
1981-1990	69	30+	1%
1991-2000	928	20+	7%
2001-2010	1,055	10+	8%
2011-2020	295	Less than 10 Years	2%
Total	12,625		100%

Due to the natural flat topography of the North End and its proximity to Okanagan Lake, the local sewer collection system suffers from shallow grades and poor cleansing velocities which causes debris buildup, requiring more frequent flushing.

Like the water infrastructure in the area, much of the sanitary sewer system is aging and made up of materials no longer in use. To give an indication of this, 58 per cent of the infrastructure in the system is 60 years old or older. The age of the sanitary sewer infrastructure in the North End is represented below. The overall age of the system has been identified as a substantial reason for concern.

To address the advanced age and materials of the sanitary sewer infrastructure in the North End, a series of improvements have been identified and are included in the 20-Year Servicing Plan. Two of the major improvements include the renewal of the Guy Street Lift Station, and the renewal of the collection infrastructure along Manhattan Drive to the west of the lift station—both works planned to occur over the winter of 2021 and 2022.

The planned improvements in the 20-year servicing plan cover existing development in the North End as well as that anticipated out to 2040. As with water infrastructure, additional growth in the North End beyond that anticipated by the 2040 OCP will need to be evaluated to identify further improvements and upgrades needed to accommodate the growth. This effort will occur as the North End Plan

progresses.

Stormwater Management System

The underground storm sewer system in the North End is sporadic, and the management of both the quantity and quality of stormwater run-off relies heavily on infiltration—mainly captured by the existing gravel soak-away systems alongside the local roadways, and the occasional drywell.

Brandt’s Creek serves as the main over-land drainage route for the North End. However, the area north of Okanagan Blvd. drains into a secondary direct outfall along Central Avenue.

In addition to infiltration and over-land capture, the North End is served by close to 9km of storm sewer infrastructure. Unlike the water and sanitary sewer systems in the North End, the underground storm sewer infrastructure is relatively young. The oldest installation year is 1965 and only 18 per cent of the system is 50 years old or older. Figure 2.33 provides a breakdown of the storm sewer collection system by installation year.

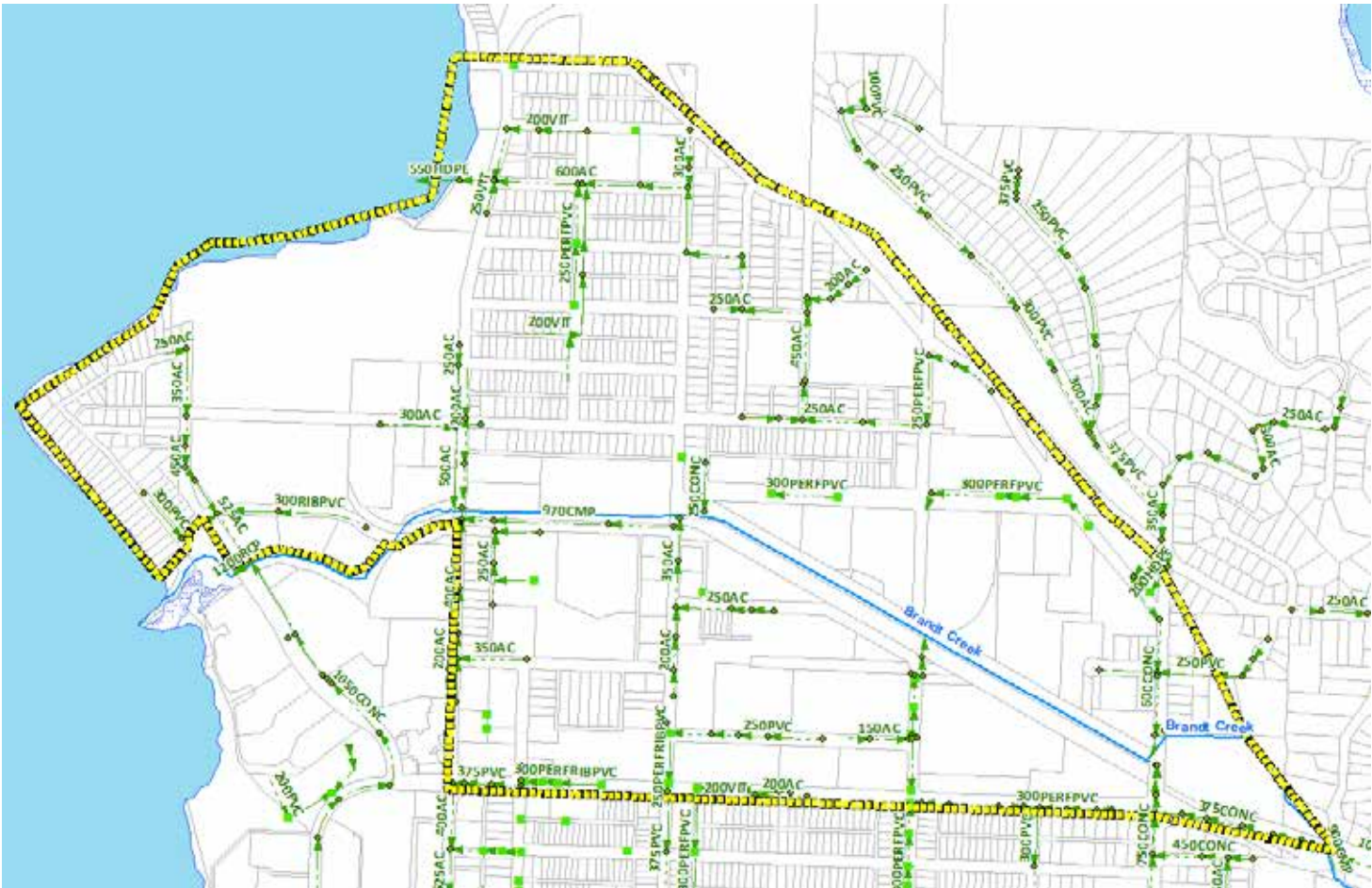
The vast majority of the North End is covered by the Downtown Drainage Plan—a long-term plan meant to address the management of stormwater in the downtown area.

The original plan is now 20 years old, and Utility Planning Staff are currently working with consultants to update the plan. The new plan is intended to address stormwater management holistically, in a way that effectively and efficiently captures stormwater while being respectful of the environment and ecology. The plan is to incorporate new best management practices, including the use of green infrastructure.

One project to be included in the new Downtown Drainage Plan is the Mill-to-Brandt’s Creek secondary flood diversion—and Staff have already engaged consults to provide a detailed design of this project. The project will not only address flood mitigation measures required to protect Downtown but will also aim at enhancing the overall condition of Brandt’s Creek.

The North End Plan will need to account for and integrate with the Downtown Drainage Plan, including the Mill-to-Brandt’s Creek secondary flood diversion.

Figure 2.32 North End Existing Stormwater Management System





# 03

## MOVING FORWARD

BACKGROUND

EXISTING CONDITIONS

MOVING FORWARD



Beyond understanding the people and place of the North End, it is recognized that numerous other factors and considerations should play a role in informing the North End Plan as it proceeds. To begin with, the plan must be consistent with and take direction from existing City plans and policies. Second, the plan should be informed by and incorporate the learnings of case studies from other communities that have addressed similar neighbourhoods and situations. Finally, the

plan should have a well-thought-out strategy for achieving the neighbourhood and city-wide needs to properly serve local residents and the city more broadly. This section approaches these factors and considerations in a preliminary and broad manner. More work will need to be done on these topics as the North End Plan proceeds.



# Existing City of Kelowna Plans & Policies Review

A review of relevant City documents was undertaken to inventory existing policies that impact the North End. These existing plans and strategies provide a preliminary policy framework for the detailed planning process of the North End Plan.

The Official Community Plan<sup>1</sup> provides high-level guidance and is supported by a suite of other City of Kelowna plans and strategies developed over the past two decades. These documents incorporate numerous goals, guiding principles and specific policies, and identify physical, social, and policy gaps for future consideration. Some plans, specifically the 10-Year Capital Plan: 2020-2029, provide for specific planned infrastructure improvements and strategic projects in the neighbourhood.

Most of the policy documents reviewed do not address the area of the North End neighbourhood specifically, but provide guidance and key directions for development across the city. A summary of the key directions to consider in the North End Plan's development include (a complete list of policies can be found in Appendix 2):

- Ensure the provision of a diverse supply of housing of different typologies and affordability;
- Improve community connections across and between age groups within the neighbourhood through supportive programming;
- Identify new park locations and improvements to existing parks, including rehabilitation and public access along the Okanagan Lake foreshore;
- Incorporate 10 Year Capital Plan improvements to existing streets and parks;
- Identify opportunities for new cultural facilities and for the integration of cultural facilities into other public/ community spaces;

<sup>1</sup> The draft 2040 Official Community Plan provided guidance rather than the 2030 OCP, as at the time of writing it was nearing adoption.

“Existing plans and strategies provide a preliminary policy framework for the detailed planning process of the North End Plan

- Guide multi-modal transportation planning and infrastructure improvements to achieve the objectives of the draft 2040 Transportation Master Plan<sup>2</sup>, while ensuring mobility and safe streets for all through individual developments and capital projects;
- Incorporate climate resiliency (both mitigation and adaptation) into new policy and development plans specific to the North End;
- Incorporate the planning priorities of the Civic Precinct and the Downtown Urban Centre, particularly where they meet and overlap with the North End Neighbourhood Boundary along Ellis Street and Clement Avenue;
- Ensure ongoing planning for industrial lands to protect and buffer their uses, to promote employment intensification, and to support specialized employment; and
- Provide for inclusivity, equity, and health through public realm improvements, civic facility design, and ongoing

<sup>2</sup> At the time of writing, the Draft 2040 Transportation Master Plan was nearing completion.

community engagement.

The following City of Kelowna policies, plans, strategies, and documents were reviewed:

*North End Neighbourhood Area Structure Plan (1994)*  
*Downtown North Area Structure Plan (1999)*  
*Shore Zone Plan (1997/2005)*  
*Parks Linear Plan (2009)*  
*Parkland Acquisition Guidelines (2011)*  
*OCP 2030 (2011)*  
*Downtown Plan (2012)*  
*Civic Precinct Plan (2016)*  
*Urban Centres Roadmap (2016)*  
*Regional Floodplain Management Plan (2016)*

*2030 Infrastructure Plan (2016)*  
*Housing Needs Assessment (2017)*  
*Community Climate Action Plan (2018)*  
*Healthy Housing Strategy (2018)*  
*Community for All Plan (2018)*  
*Imagine Kelowna (2018)*  
*Commercial Demand Study (2018)*  
*Regional Housing Needs Assessment (2019)*  
*Council priorities (2019 – 2022)*  
*2020 – 2025 Cultural Plan*  
*10 Year Capital Plan: 2020-2029*  
*DRAFT Transportation Master Plan*  
*DRAFT OCP 2040*  
*DRAFT Cultural Facilities Master Plan*  
*Council Policies*





# Case Study and Precedent Review

A scan of comparable sites throughout BC and Alberta was undertaken to identify unique practices, lessons learned, and opportunities to follow in the footsteps of successful projects with similarities to the North End plan area—including the mill site. A group of City Staff visited several of the case study

sites to gather additional information. Key takeaways from the best practice review are noted below, with a more detailed summary of each case provided in Appendix 3. Case study sites include:

Name	City	Area	Type
The Shipyards	North Vancouver	12.5 acres	Mixed use residential/commercial/public realm brownfield waterfront redevelopment
Olympic Village	Vancouver	23 acres	Mixed use brownfield waterfront redevelopment; sustainable neighbourhood design
River District	Vancouver	128 acres	Mixed use residential/commercial brownfield redevelopment, 'complete community'
Dockside Green	Victoria	15 acres	Mixed used brownfield redevelopment; sustainable neighbourhood design
False Creek Flats	Vancouver	450 acres	Existing industrial lands
Garrison Woods	Calgary	175 acres	Residential 'new urbanist' greenfield redevelopment with commercial component.
Granville Island	Vancouver	38 acres	Industrial brownfield repurposing

“A scan of comparable sites throughout BC and Alberta was undertaken to identify unique practices, lessons learned, and opportunities to follow in the footsteps of successful projects

Precedent review insights applicable to the North End and/or Mill Site include:

- Carefully consider urban design elements of brownfield redevelopment sites to create a pleasing and functional urban realm. This includes attention to street width to building height ratio, public access to and view of waterfront amenity, and pedestrian connectivity;
- Clearly identify public benefits and community needs during the planning phase and incorporate these requirements during development. The provision of such benefits need to accommodate the site development schedule alongside project finances;
- Identify affordability criteria and requirements early in the planning process. Specific regulations (such as housing agreements) are necessary to ensure affordability thresholds are met in perpetuity and not overcome by market demand/appreciation;
- Allow flexibility in the allotment of density across development sites to aid in flexibility for future unknown development events;
- Require waterfront public realm improvements continuity beyond the site development to ensure success;
- Achieve urban realm and street design continuity through area specific guidelines/requirements ;
- Consider retention of heritage early in the planning process. Heritage buildings provide unique opportunities for adaptive re-use, neighbourhood character, and novel destination sites;
- Pay attention to livability and project phasing for brownfield redevelopment sites;.
- Consider industrial area integration; including appropriate residential uses;.
- Consult stakeholders for industrial land planning;
- Investigate project economics for large scale mixed-use developments; and
- Utilize economic analysis of the industrial sectors relative to land use regulation to assist in land use planning for industrial lands.



# Approaching Community Needs

## Introduction

Great neighborhoods and communities are not simply collections of housing units, employment and commercial spaces. They offer a wide array of services and facilities that help meet the full spectrum of residents’ needs, all with the aim of delivering a high quality of life. These ‘community needs’—everything from parks, public spaces, recreation facilities, heritage conservation, public art, affordable housing, community spaces, and more—work together to create desirable, livable communities in which residents can thrive over their lifetimes.

As the North End Plan explores how growth might best be accommodated, those essential community needs must receive careful consideration and a clear plan. They will play an integral role of the North End for the benefit of residents today and for years to come.

## Defining ‘Community Needs’

For the purposes of this planning process, *community needs* are understood to be the facilities and amenities that contribute to the living experience of residents<sup>1</sup>. *Community needs* are the building blocks that help make a neighbourhood or community truly livable – the aesthetic features (i.e.: public art), parks, public spaces, and facilities to meet a range of social, cultural, recreational and enhanced infrastructure needs of the community.

## Types of Community Needs

Community needs include a broad range of services and facilities and must be customized to meet the unique circumstances of the community in which they are being considered. Nevertheless, a selection of common community needs has been listed below and grouped into broad categories. This is by no means an exhaustive list, but it provides a snapshot of common community needs.

<sup>1</sup> Allen, Natalie. 2015. Understanding the Importance of Urban Amenities: A Case Study from Auckland. Buildings, 2015, volume 5, p. 86. Accessed on September 3, 2021.

- **Parks and recreation:** publicly accessible walkways, trails, paths, parks on streets, shared streets, neighbourhood parks, community parks, recreation facilities
- **Arts and culture:** public art, studio/maker’s spaces, gallery and performance spaces, storage/practice/preparation spaces, Indigenous cultural facilities, heritage preservation
- **Infrastructure:** enhanced pedestrian (e.g.: widened sidewalks, more street trees), transit (e.g.: higher-quality bus shelters), or cycling facilities
- **Social and housing:** childcare space, non-market housing, affordable housing, housing co-ops, community gardens and community centres,

## Public vs. Private

A community’s needs can be met through both public and private means. Attractive outdoor spaces and public art, and even some recreational facilities, can all be provided through private development. Often, these spaces are linked to minimum requirements in a local government’s zoning bylaw. These spaces, whether provided within an individual unit, or shared within a larger project, play an important role. They help meet the needs of residents for private and semi-private space.

The primary source for meeting community needs is public. Whether parks, trails, community centres, libraries, public art or cultural facilities, these needs are most often satisfied on public land that is fully publicly accessible. These are the spaces where residents from around the neighbourhood and community can come together and share public life.

Other important community needs may straddle both public and private lands. Affordable housing, for instance, is a need that can be met through public development on public land, or through innovative partnerships that involve both private and public sectors. Energy efficiency and climate resiliency are other examples of these community needs that may be addressed in both private and public means.

## Neighbourhood Needs or City-Wide Needs?

Specific needs will vary depending on the community: its size, culture, and preferences. Particular needs identified through a planning process could be generated from a neighbourhood, or more broadly from the City at large, or from somewhere in between. This helps us understand from where the need is generated and the scale of the response. The need for a neighbourhood park or small daycare space, for instance, is likely coming directly from the neighbourhood and immediate surrounding area. Contrast that with the broader need for a community centre or major recreation facility that would serve a much larger catchment than the neighborhood. These considerations help us account for scale and the broader community’s input and resources—whether through local government or other means—that may need to play a greater role.

## Public Space: Quality vs. Quantity

As communities densify, living spaces tend to get smaller and have fewer private spaces—both indoor and outdoor— and when they are at a premium, the demand for access to public spaces increases. As development is considered in the North End, this trend can be expected. An example is older single-family developments (with extra rooms and backyards for their residents) being replaced with 1 and 2 bedroom apartment buildings (which typically have limited extra space). In this case, the demand for public spaces may increase.

It is vital to not overlook the quality of the public and private community needs being planned and delivered. High-quality, engaging community spaces can ensure not only the longevity of the services and facilities provided, but can also ensure they meet the needs of the greatest number of residents.

## Identifying and Delivering Community Needs

The identification and delivery of community needs is a critical component of the North End Plan process. It is important to establish a process early in the plan’s development to not only identify what community needs are required to successfully deliver on the vision, but also to establish an approach to deliver them.

There is a wide variety of approaches that can be used to guide the identification and delivery of community needs for

the North End. As such, it is important to first identify the core principles that would frame the approach(es) selected. In keeping with the Imagine Kelowna goals, which include building a fair and equitable community, fostering resident driven solutions, and providing opportunities for all, the process for identifying and delivering community needs for the North End Area Plan will be based on the following core principles:

- **Fairness.** Community needs should be provided in a way that strikes a balance between developer and City contributions, recognizing some types of community needs will likely provide a benefit to new development in the North End while others will provide a broader, city-wide benefit.
- **Transparency.** The process to identify community needs should be undertaken in a manner that is transparent to the public.
- **Responsiveness.** The identification of community needs should respond to and reflect input provided by community members and stakeholders.
- **Flexibility.** Recognizing that neighbourhood planning is an iterative process, the plan should respond to new input and changing conditions with a lens of flexibility for community needs.
- **Feasibility.** Community needs should only be identified where the ability to deliver them is realistic and feasible.

## Identifying Community Needs

While core principles are important, guidance is still needed to identify what the community needs are for the North End. These community needs will be informed by three sources:

- **Existing Plans and Strategies.** The North End Plan process is to be informed by other endorsed plans, including the 2040 Official Community Plan, the Transportation Master Plan and other plans and strategies. As these plans were developed with significant public engagement, using them as a starting point reflects the core principles of responsiveness and feasibility.
- **North End Area Community Engagement Process.** The North End Plan includes a robust community engagement process that will assist in identifying the needs of North End residents as well as the Kelowna



community at large. In keeping with principles of transparency and responsiveness, input from this process will be used in conjunction with the guidance offered by existing plans and the results of the technical analysis. The process will also seek ways to incorporate equity into city building, in keeping with the pillars of the Official Community Plan.

- **North End Area Plan Technical Analysis.** The technical analysis that will form part of the plan’s development will also play a large role in determining the community needs within the plan area. In keeping with the principle of feasibility and fairness, this analysis will see to align community needs with those that would arise from proposed land uses and densities within the plan area, as well as those in surrounding neighbourhoods and the city at large.

### Delivering Community Needs

Identifying the community needs for the North End neighbourhood is a critical step in developing the vision for the neighbourhood. To bring that vision into reality however, the plan will require the exploration of tools available to local governments to deliver those important components.

While it is too early in the planning process to identify which tools would be most effective, the following options are available and may be considered to deliver on these important community needs:

- **Expansion of the Development Cost Charge Program** to include new projects identified in the neighbourhood;
- **Density Bonusing**, where additional densities are supported for projects that contribute to community needs that align with the plan’s vision;
- **Local Area Service Program**, where, with the consent of a majority of property owners, community needs are funded through a charge levied on each property;
- **Inclusionary Zoning**, where some community needs are identified and/or required as uses for a specific zoning district;
- **Community Amenity Contribution Program**, where community amenities are identified and negotiated during the development process; and
- **Neighbourhood Plan Negotiation**, where community needs are negotiated as part of the development of the vision for the neighbourhood.

Selection of appropriate tools must be guided by the core principles, particularly those of fairness, flexibility and feasibility.

There are many ways to identify ways community needs would be required as a neighbourhood develops. For some projects, it involves the identification of a series of specific amenities or facilities early in the process to guide more detailed planning work and negotiation. In other projects, there may be a dollar amount that is associated with the number of units and/or floor space that contribute to the provision of these facilities.

Regardless of which approaches are taken, these discussions require a common understanding of what is considered a fair balance between the contributions from a developer or landowner and the City. In terms of developer responsibility, this is often tied to the land lift that comes with increased density and scale or new, more desirable uses. City responsibility often lies where the benefits of these community needs are enjoyed by the city at large. This process will also require application of the core principle of flexibility for all partners to land a successful approach.

Community needs are not delivered all at once. Rather, they are typically phased in throughout the neighbourhood as it develops. This will be incorporated in the North End Plan to ensure the City, the community and stakeholders all share the same expectations as to when they would be provided.

# Conclusion

This Background Study is meant to provide the basic understandings needed to inform the North End planning process from the outset. In it, we have explored the history of the North End, the demographics of the neighbourhood, and the land use as it currently exists. In addition, we have explored the housing stock, parks, heritage assets, and infrastructure—including transportation and utilities—that exist in the North End today. As part of this exploration, we have given a brief and preliminary overview of the issues and gaps identified with respect to various City-owned assets, infrastructure and facilities in the neighbourhood. Over and above our exploration of the North End neighbourhood, we have identified additional factors and considerations that should be taken into account during the planning process. These factors include a consideration of existing plans and policies; the teachings of previous plans addressing similar neighbourhoods and contexts. The Background Study also recommends an approach to secure the kinds of neighbourhood and city-wide needs to ensure the plan is a success and a truly great neighbourhood is achieved.

The next stage of the North End planning process will take the learnings from the Background Study—in addition to the feedback and input of residents and stakeholders—to develop the vision and objectives for the neighbourhood. The vision and objectives will then provide the starting point for what to include in the Plan.

“ This Background Study is meant to provide the basic understanding needed to inform the North End planning process from the very outset







# North End Plan Update Phase 1 & 2

November, 2021

# Purpose

- ▶ To update Council on the progress of the North End Plan process
- ▶ To provide an outline of the next steps in the process





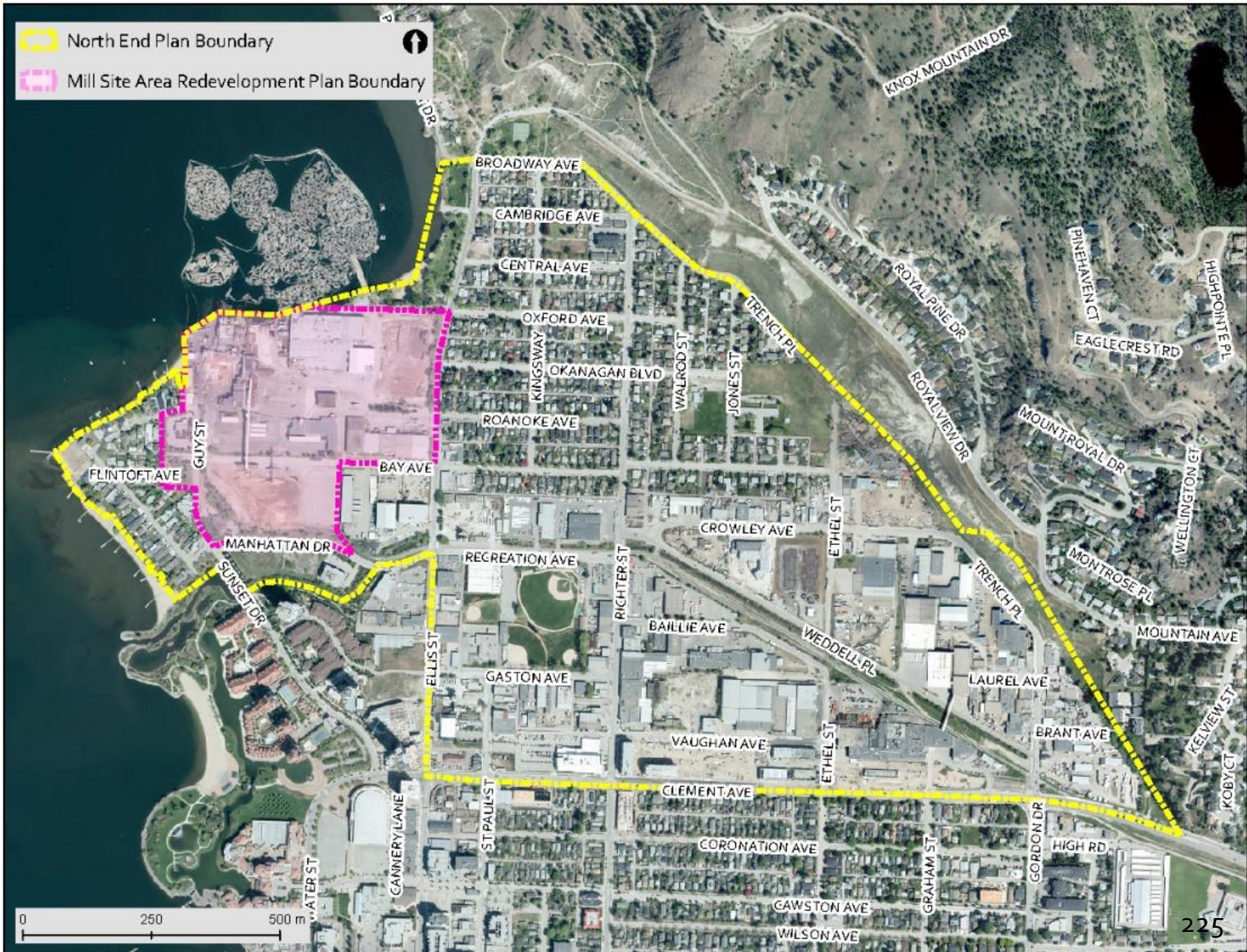
# Background

- ▶ On July 12, 2021 Council directed Staff to launch the planning process for the North End Plan (NEP)
- ▶ NEP intended to guide and manage the evolution of the North End over the next 20 years+
  - ▶ Land use mix and housing
  - ▶ Heritage
  - ▶ Transportation network
  - ▶ Utility servicing
  - ▶ Parks, public spaces and community needs





-  North End Plan Boundary
-  Mill Site Area Redevelopment Plan Boundary



# Process

## Phase 1

- Background Research
- Community profile
- Launch public engagement
- *complete*

## Phase 2

- Establish Community Liaison Committee (CLC)
- Identify issues and opportunities
- establish vision and objectives
- Council Review

## Phase 3

- Prepare concepts for review
- Technical review of concepts
- Public Engagement
- Council Review

## Phase 4

- Complete draft plan
- Final public engagement
- Refine Plan
- Council Review

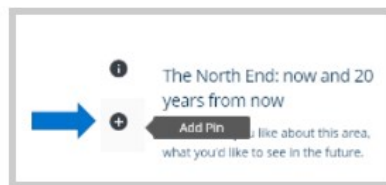


# NEP Phase 1 – Background & Context

- ▶ Collected background and context information needed to inform the process moving forward
  - ▶ History of the area
  - ▶ Demographics of the neighbourhood
  - ▶ Existing land use—including residential; commercial and industrial; parks; and heritage profile
  - ▶ Transportation infrastructure and preliminary traffic study
  - ▶ Utility infrastructure
  - ▶ Review of City plans and policies
  - ▶ Case studies and best practices review
  - ▶ Establishing community needs

# NEP Phase 1 – Background & Context

- ▶ Public engagement initiated
  - ▶ Get Involved webpage



- Use the green pin to show us what you love about the North End as it is today



- Use the blue pins to tell us what could make this area better in the future



- ▶ Letter to residents, property owners and stakeholders

# Next Steps: NEP Phase 2 – Issues & Vision



- ▶ Establish Vision & Objectives for Plan Area
  - ▶ Vision: high-level perspective on how the neighborhood will look, feel and function in the future
  - ▶ Objectives: strategies and general approaches needed to ensure the stated vision is achieved
  - ▶ Vision and objectives to be informed by Background Study with input from residents, stakeholders and CLC



# Grant Opportunity

- ▶ Opportunity to apply for grant from FCM
  - ▶ Green Municipal Fund Sustainable Neighbourhood Action Plan
  - ▶ Grant opportunity well-aligned with City's objectives and general approach of NEP
  - ▶ Resolution from Council required by FCM to advance the grant application process

# Conclusion

- ▶ NEP Phase 1 – Background & Context complete
- ▶ Next steps: Phase 2 – Issues & Vision
- ▶ Grant opportunity from FCM





## *Questions?*

For more information, visit [kelowna.ca](http://kelowna.ca).

# Report to Council



**Date:** November 15, 2021  
**To:** Council  
**From:** City Manager  
**Subject:** GEID Boundary Inclusion for 1985 McKinley Rd  
**Department:** Utility Services

---

## **Recommendation:**

THAT Council receives for information the report from the Utility Planning Manager dated November 15<sup>th</sup>, 2021, with regards to the Glenmore-Ellison Improvement District (GEID) Boundary Inclusion for 1985 McKinley Rd;

AND THAT Council approve the request by the GEID to amend its water service area boundary to include 1985 McKinley Rd as outlined in the report from Utility Services dated November 15<sup>th</sup>, 2021.

## **Purpose:**

To approve a water service area boundary modification requested by the Glenmore-Ellison Improvement District.

## **Background:**

The Glenmore-Ellison Improvement District (GEID) has submitted a petition to extend their improvement district boundary to include the legal parcel at 1985 McKinley Rd (Legal - SW ¼ SEC 21 TP 23). The subject property and its current water supply boundaries are shown in APPENDIX A.

The subject parcel lies within the "FUTURE GEID" service area in our Water Supply Area database. The formal request and associated documents from GEID are attached in APPENDIX B.

The parcel currently has three single family homes and is classified by BC Assessment Authority as Farm status. It will continue to use non-potable water from McKinley Reservoir for their farming services.

## **Conclusion:**

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

**Internal Circulation:**

Utility Services Manager  
Water Operations Manager  
Financial Planning Manager  
City Clerk

**Considerations not applicable to this report:**

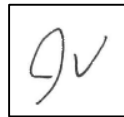
Legal/Statutory Authority:  
Legal/Statutory Procedural Requirements:  
Existing Policy:  
Financial/Budgetary Considerations:  
External Agency/Public Comments:  
Communications Comments:

Submitted by:



Rod MacLean, P.Eng., Utility Planning Manager

**Approved for inclusion:**



J. Vos, (Acting) Divisional Director, Infrastructure

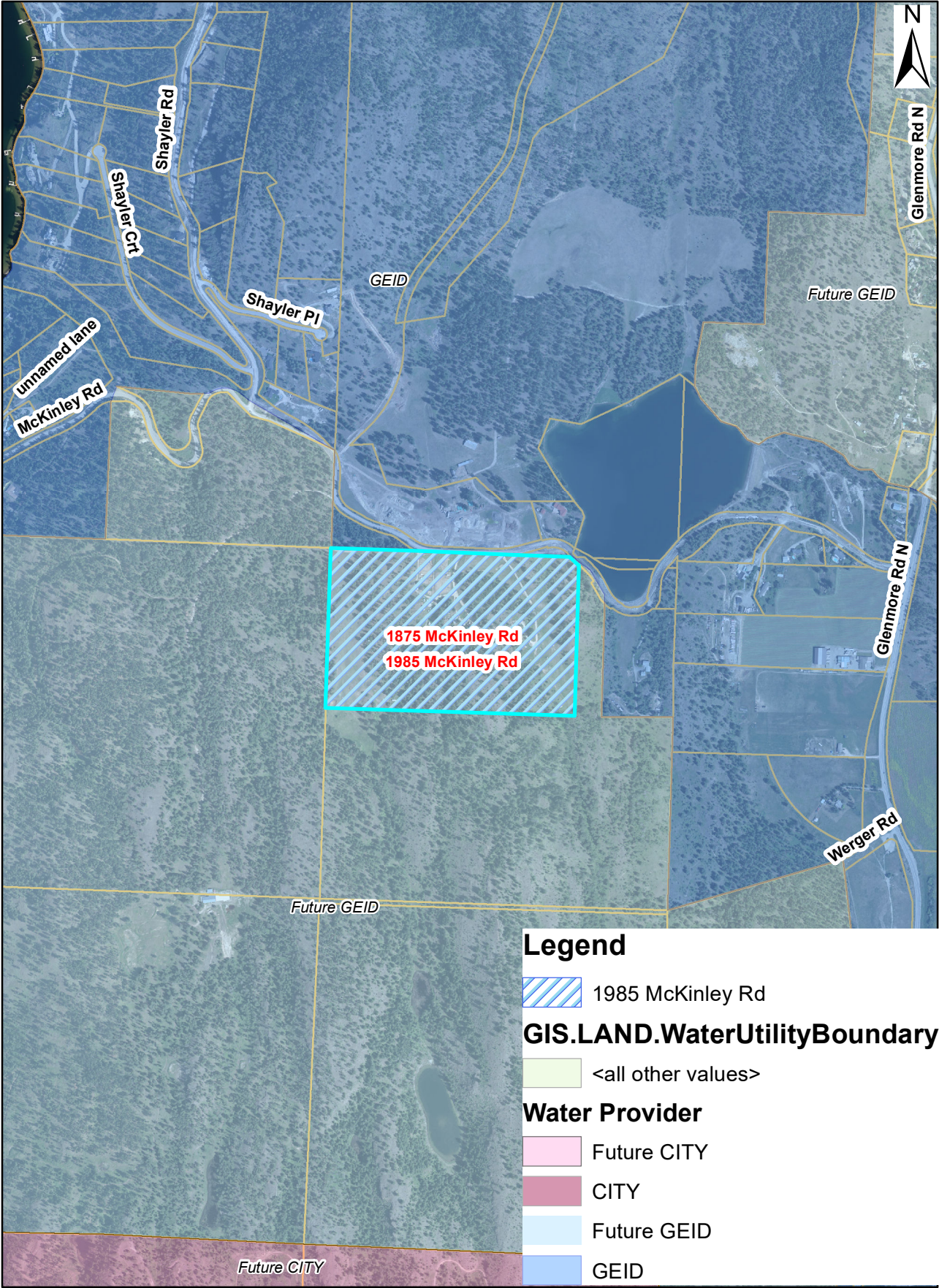
Attachment 1 – Appendix A, current water supply boundaries

Attachment 2 – Appendix B, GEID formal request and associated documents

cc: City Manager  
Divisional Director, Corporate Strategic Services  
Divisional Director, Partnerships and Investments  
Divisional Director, Planning and Development Services



APPENDIX A - MAP



## APPENDIX B

### SUPPORTING DOCUMENTS





September 18, 2018

Glenmore-Ellison Improvement District  
445 Glenmore Road  
Kelowna, BC  
V1V 1Z6

Attention: Mike Rojem

Dear Mike,

Enclosed, please find a cheque in the amount of \$150 and a Development Application Form to apply for water connection on our 1985 McKinley property. The property is owned by Lakeside Communities Inc. and Melcor Developments Ltd. is the managing partner.

Our goal with this application is to determine the feasibility of connecting water to the property. There are currently three homes on the property and all of them are serviced by our own water supply.

We are hoping to have three connections on the property and only one "crossing service" if that is possible however, we are open to two or three crossing services if necessary. The one crossing service would potentially be direct to home "1" on the attached drawing. We would then engineer connections between the three homes so there is the capability of a water shutoff for each home. Requirements for each home would be a domestic metered service.

The lands are classified by BC Assessment Authority as Farm Status lands and we currently use water from the lake above for our farming services.

Mike, we look to GEID to provide information to help us determine whether it is feasible for us to proceed with "Boundary Inclusion Procedures" and the engineering and planning costs involved.

We look forward to hearing from you.

Sincerely,

Tobi McNeil  
Development Manager, Kelowna Region  
Phone: 250-717-8390

[www.melcor.ca](http://www.melcor.ca)  
Melcor Developments Ltd.  
*Integrity in Real Estate Since 1923*









Property highlighted in blue

## Property Information

Property Address: 1985 McKinley Rd  
KID: 405718 Plan #: T23 S21 Lot#: SW Block:  
1\4

### Extra Legal Information:

SECTION 21 TOWNSHIP 23 PART SW 1/4, EXCEPT PLAN B3561 18752 19023 17265  
36418 KAP52156, MANUFACTURE D HOME REG. # 82656.

## BC Assessment Information

Roll Number:	3626201	Jurisdiction:	217
Net Land Value:	\$32,036	PID:	003-254-321
Net Impr. Value:	\$433,600	Lot Size:	51.137
Net Total Value:	\$465,636	Lot Size Unit:	Acres
Actual Use:	150 Beef		

## Land Use Related Information

Zoning Code:	A1	Inside ALR:	No
Future Land Use:	REP	Water Provider:	Future GEID
Land Use Contract:	No		

This information is derived from a variety of sources with varying levels of accuracy. The City of Kelowna does NOT warrant the accuracy, completeness, correctness or currency of this information and no representations are being made by providing this data. Any reliance on this information will be solely at YOUR OWN RISK and not that of the City



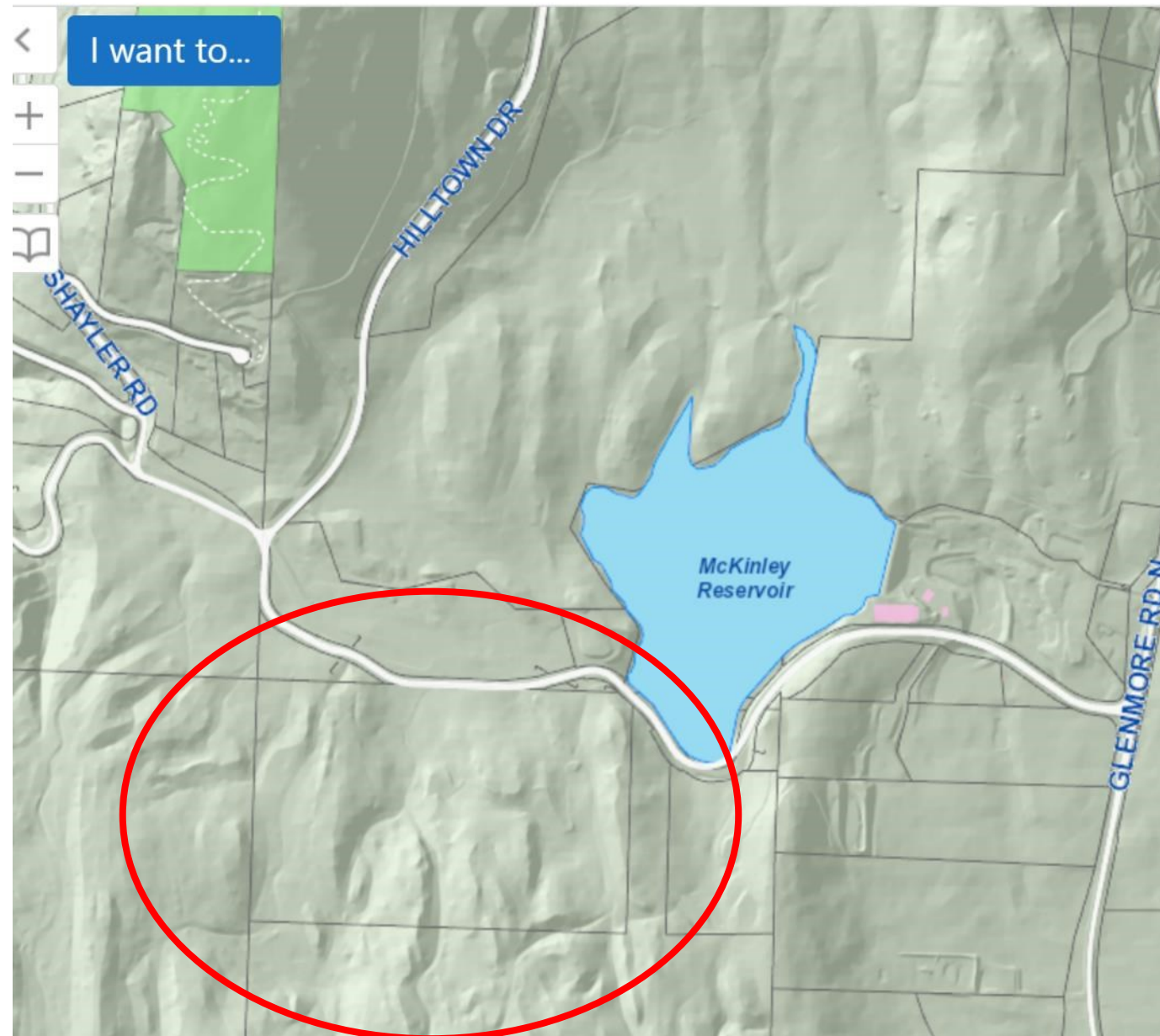


# GEID Boundary Inclusion

## 1985 McKinley Rd

Presentation to Council: November 15, 2021

Utility Services - Infrastructure



City of Kelowna



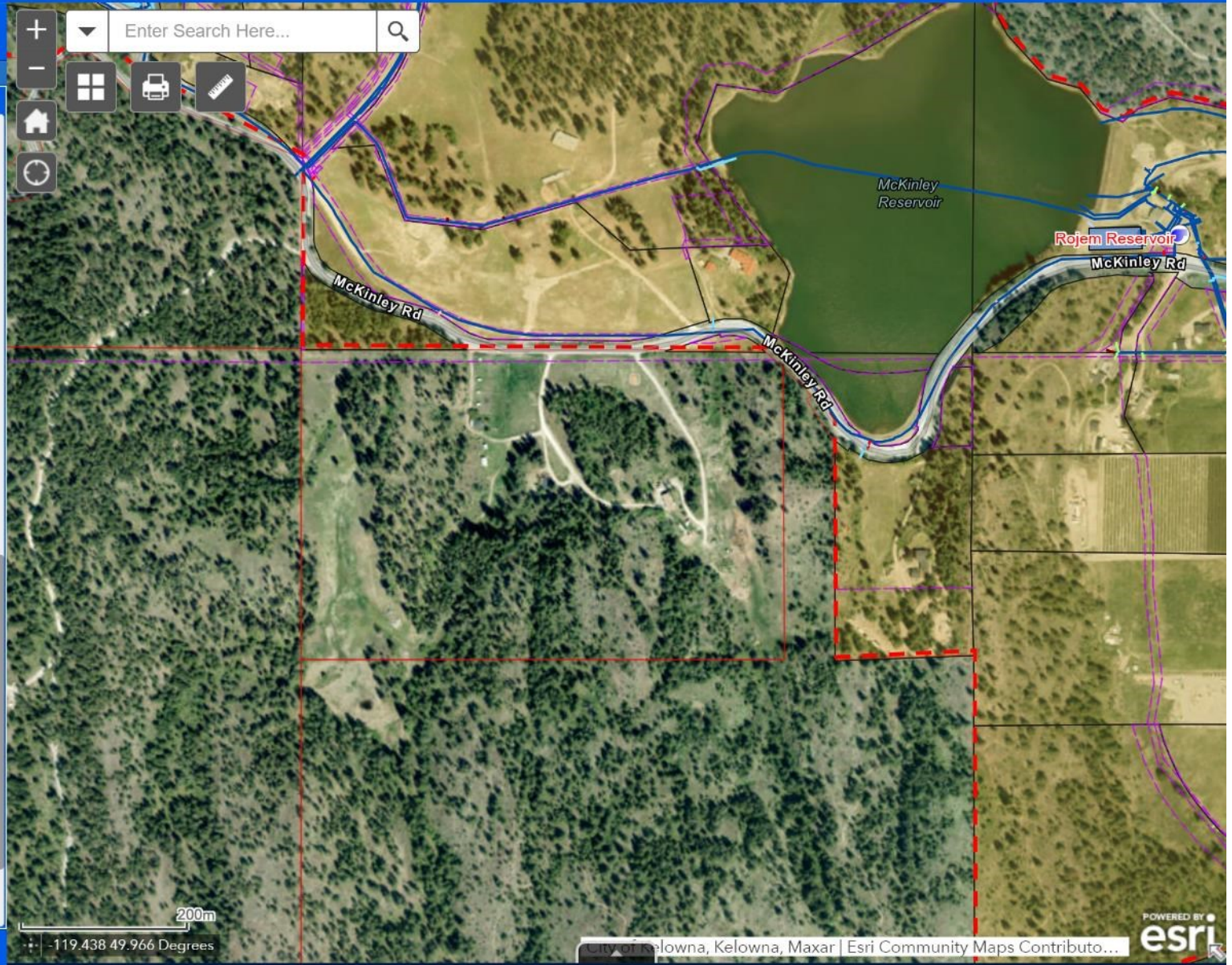


Enter Search Here...



Layer List

- ☒ Reservoirs ...
- ☒ Reservoir Buildings ...
- ☒ Chambers ...
- ☒ Pump Stations ...
- ☒ Pump Station Buildings ...
- ☒ Casings ...
- ☒ Boulevard Irrigation ...
- ☒ Connections ...
- ☒ Water Mains ...
- ☐ BMID\_System ...
- ☒ GEID Boundary ...
- ☒ Easement ...
- ☒ GEID Cadastre ...
- ☒ Kelowna Cadastre ...
- ☒ RDCO Cadastre ...
- ☐ Highways ...



200m  
-119.438 49.966 Degrees

City of Kelowna, Kelowna, Maxar | Esri Community Maps Contributo...



All rights reserved



*Questions?*

For more information, visit [kelowna.ca](http://kelowna.ca).



# Report to Council



**Date:** November 15, 2021

**To:** Council

**From:** City Manager

**Subject:** Knox Mountain Drive Engagement Survey and Multi-modal Access Strategy

**Department:** Parks and Buildings Planning

---

## **Recommendation:**

THAT Council receives, for information, the report from the Parks and Buildings Planning Department dated November 15, 2021, with respect to the Knox Mountain Drive Engagement Survey and Multi-modal Access Strategy;

AND THAT Council directs staff to provide time restricted vehicular access to the First Lookout on Knox Mountain Drive as described in this report through a two-year trial basis;

AND FURTHER THAT Council directs staff to report back to Council at the conclusion of the two-year trial period.

## **Purpose:**

For Council to consider a strategy to provide limited vehicular access to Knox Mountain Drive on a two-year trial basis.

## **Background:**

Knox Mountain Park, and Knox Mountain Drive specifically, has seen an explosion of use over the last several years. Vehicles (pre-pandemic), pedestrians, mountain and road cyclists, all share the paved surface. Knox Mountain Drive was originally built as a mountain access road and is not to a standard expected elsewhere in the City to accommodate a multi-modal road cross section.

In the spring of 2021, staff initiated public engagement to determine how and when people use Knox Mountain Park. The results of the survey were considerable, with over 8,100 survey responses and over 4,000 comments.

This report outlines the challenges of the road, current use patterns and operations protocol, public engagement results, and a strategy for access management on a trial basis. The proposed Knox Mountain Drive Multi-modal Access Strategy will inform the Knox Mountain Management Plan Update, which is currently underway. The Knox Mountain Park Management Plan Update will include

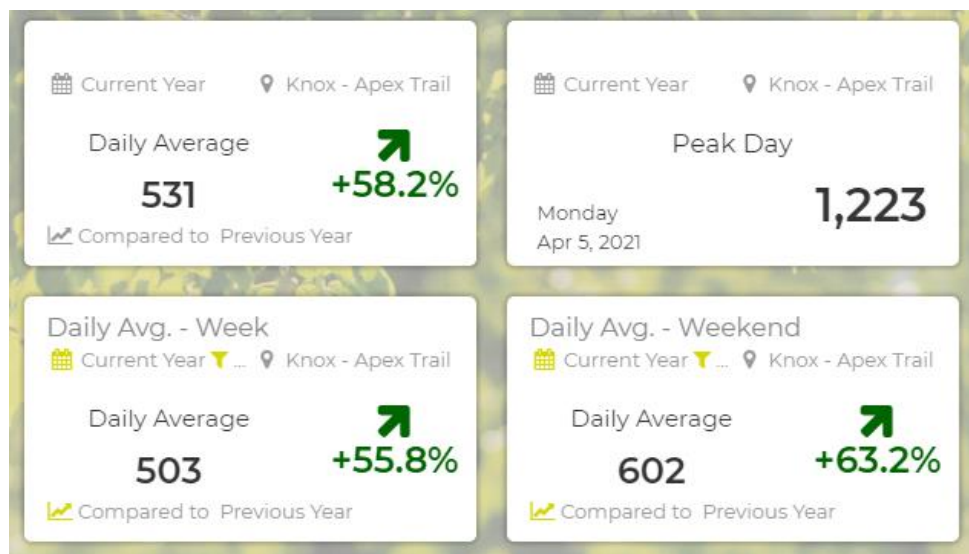
a review of the park's ecological status and amenities, and a work plan to guide the park through the next decade.

### ***Knox Mountain Drive – Use and Operation***

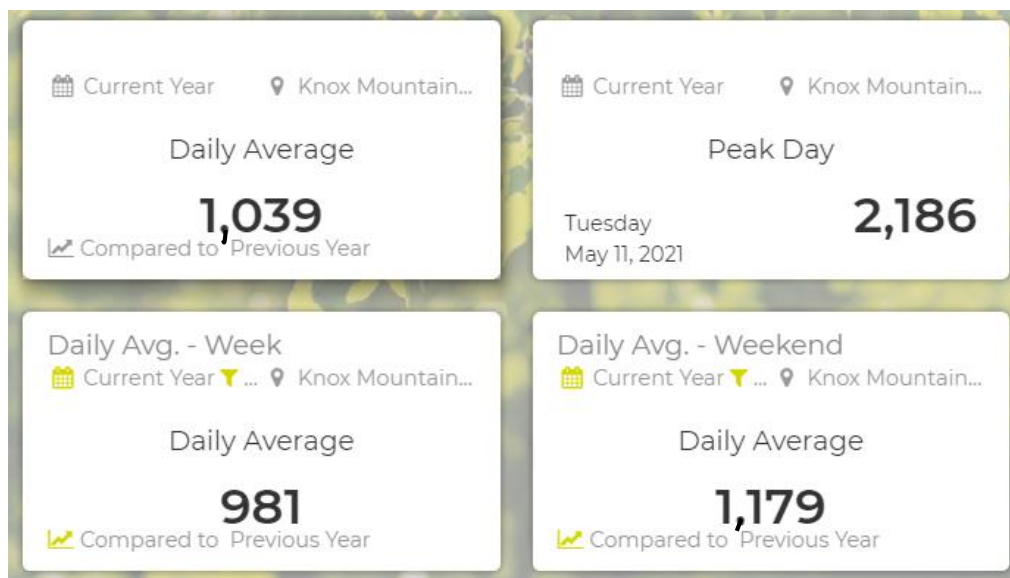
Knox Mountain is one of Kelowna's most popular parks, with many park visitors using a variety of trails, as well as the road on any given day. Hiking, driving to look at the views, mountain and road cycling, playing frisbee, strolling the dog park, and viewing wildlife, are just a few of the activities to enjoy in the park. Knox Mountain Drive is one of the access routes used by multiple users, including vehicles.

Knox Mountain Drive is a mountain road, unique in Kelowna. The road surface is less than 5.5m wide through much of its length and the grades can reach over 20 per cent. It winds through steep slopes and sensitive ecosystems, making upgrading the roadway to a city standard both physically and economically unfeasible and ecologically undesirable. Operationally, the road is closed during the winter through the frost and snow season, from approximately November to March. It is also closed frequently in July and August when the fire hazard rating is extreme. As such, in non-pandemic years, it is typically closed between 5-7 months per year. In March 2020, at the onset of the COVID-19 pandemic, the road was closed to create a one-way route up to the Apex Trail and down the road, to facilitate and encourage better physical distancing.

With the increased use, amplified by the pandemic, the constraints of the Knox Mountain Drive have come into focus. Table 1 illustrates an over 50 per cent increase in the use on the Apex Trail from 2020 to 2021. Table 2 shows pedestrian and cycle use of the road from May to October 2021. An average of 1,179 people have walked or cycled on Knox Mountain Drive daily during this period.

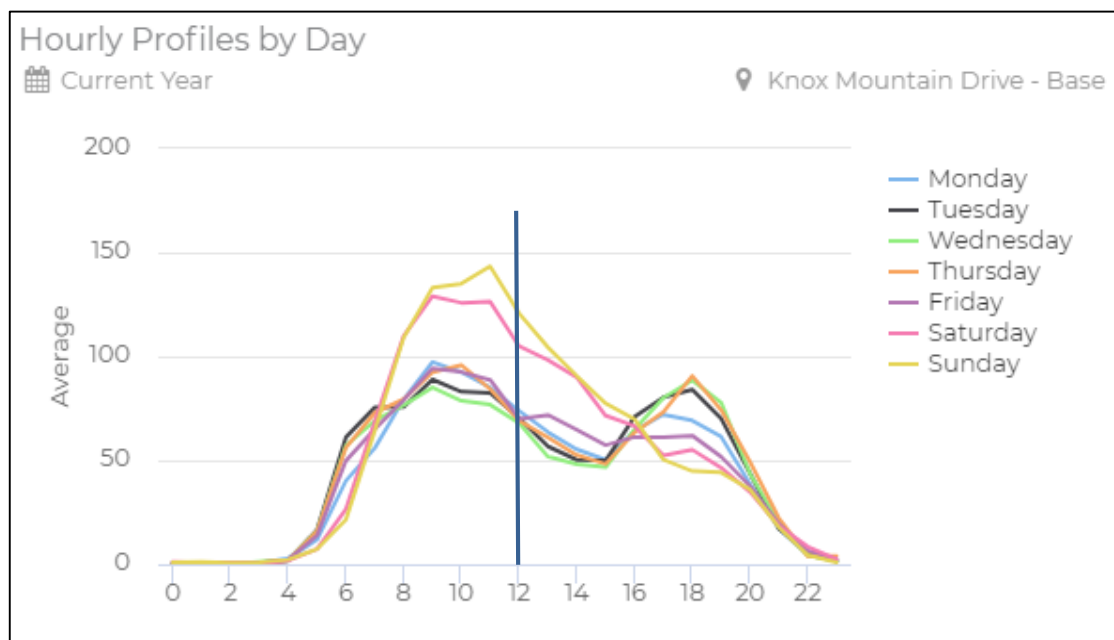


**Table 1 – Pedestrian Counts – Apex Trail 2020 to 2021**



**Table 2 – Pedestrian and Cyclists Counts – Knox Mountain Drive at Base 2021**

Pedestrian and bicycle traffic is busiest in the morning, with peak use occurring between 8 to 11am. There is a drop in the afternoon, more pronounced on weekdays, and another slight increase from 4 to 8pm evenings, shown in Table 3.



**Table 3 Pedestrian and Cyclist Counts – Average by Hour and Day of Week**


### ***Knox Mountain Drive – Survey Results***

Due to the increased use of the road by all modes, including new trends developed during the pandemic, an online survey to better understand how people use and access the park was conducted in the spring of 2021. The survey response was significant, with over 8,100 responses and over 4,000 comments. The bulk of respondents were between the ages of 25 and 64, but all age groups were well

represented. Results from surveys such as this are a collection of opinions and perceptions from interested or potentially affected residents and are not a statistically significant random sample of all Kelowna residents. Due to its opt-in and open methods, results are qualitative in nature. Refer to Appendix A for the complete Engagement Summary.

Survey respondents indicated that the most popular activity was hiking, followed by driving to look at the view. These activities were followed in popularity by wildlife viewing, mountain biking, visiting the dog park, running, road cycling, long boarding, and bus tours.

Regarding access, the survey outlined five options for Knox Mountain Drive. The overall highest rated option was to keep vehicular access to the First Lookout. The second highest rated option was to keep vehicular access to the Upper Lookout, followed by a shuttle service, then vehicles only for permitted events. The lowest rated option overall was to close Knox Mountain Drive to vehicles at all times.

OPTIONS	AVG. RANK
Knox Mountain Drive is open to vehicles up to the lower look out	2.69 
Knox Mountain Drive is open to vehicles up to the upper look out	2.93
Knox Mountain Drive is closed to vehicles but a shuttle service is available	3.03
Knox Mountain Drive is open to vehicles only for permitted events	3.06
Knox Mountain Drive is closed to vehicles at all times	3.29

**Table 4 – Ranked Preferred Option - Knox Mountain Road (1 most preferred  to 5 (the least))**

#### ***Knox Mountain Drive, Multi-modal Access Strategy – Two-year Trial***

Due to operational concerns regarding the increased use of the road and safety considerations, the Knox Mountain Drive, Multi-modal Access Strategy was proposed. The objectives for the Knox Mountain Drive Strategy are safety, accessibility and operational considerations. It is physically, economically and ecologically unfeasible to create a standard multi-modal roadway at Knox. It is a park drive and requires management and use restrictions to reflect its context and constraints. The strategy takes into consideration the survey results as well as operational considerations, current use data, technical road standards and transportation safety principles. Staff propose a balanced approach with a focus on a 'Share the Road' philosophy. The sharing will be both temporal and spatial, targeting the most accessible location for vehicles with a temporal element to allow time for non-vehicular uses as well.

A two-year trial is proposed. Public vehicles will be allowed access just to the First Lookout, and only limited days of the week, and limited hours on those days. This will provide consistency for other park users to be familiar with and when to anticipate public vehicles on the road. The road will continue to



be closed fully to vehicles during the winter months and periods of extreme fire danger. Staff will monitor vehicle counts, as well as pedestrian/cyclist counts at select locations in the park.

#### *First Lookout*

The vehicular access to the First Lookout was chosen for a number of reasons:

1. The views over the City are immediately accessible from the First Lookout parking lot, without needing to walk to a viewpoint, as opposed to the Upper Lookout, which is not fully accessible from the parking lot.
2. There is existing parking at the First Lookout.
3. There are options for alternate hiking routes to the First Lookout.
4. This option was most favoured in the public engagement survey.

#### *Vehicular Access – Hours of Use*

For the two-year duration, vehicular access to the First Lookout of Knox Mountain will be split temporally, with vehicular access from Wednesday to Saturday, from 12 p.m. noon to 8 p.m. This will split the weekend, the week and the day, to provide some flexibility to plan visits for both those by car or those who prefer vehicle free. Staff will monitor the use and may revise the schedules during the trial in response to demand or conditions.

#### *Events*

It is possible to rent the Pavilion for events, most of which are weddings and typically on Saturday afternoons. To access the Pavilion, a staff pilot car will lead the group up the mountain to the Upper Lookout and Pavilion. Events will remain subject to the current outdoor events application process and review.

#### *Signage*

There will be improved signage established to communicate the hours of use, including reminders to 'Share the Road'. Temporary signage will be used during events.

#### *Trail Improvements*

Trail improvements will be investigated, to encourage hikers to use routes alternate to the road surface to the First Lookout, in order to reduce opportunities for conflict while vehicles are on the road. Additionally, opportunities to improve short loop routes, to enjoy from the First Lookout, will be investigated. This will be done as part of the Knox Mountain Park Management Plan Update.

#### **Conclusion:**

Next steps include updating the Getinvolved webpage, communicating with stakeholders by email, and continued work on the Knox Mountain Management Plan Update.

#### **Internal Circulation:**

Infrastructure Operations Department  
Transportation Engineering  
Financial Services  
Active Living & Culture  
Infrastructure Delivery  
Community Communications

Partnerships Office  
Policy and Planning

**Considerations applicable to this report:**

***Existing Policy:***

- *Knox Mountain Management Plan* (currently being updated)
- *Community for All Action Plan*
  - Focus on accessibility and safety in parks and public facilities

***Financial/Budgetary Considerations:***

A budget request for \$150,000 for signage, trail Improvements to First Lookout, and traffic calming devices will be included in the 2022 Preliminary Budget volume for Council consideration.

***Communications Comments:***

Engagement Survey Summary included as Attachment 1.

**Considerations not applicable to this report:**

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

External Agency/Public Comments:

**Submitted by:** M. Steppuhn, Parks Planner

**Approved for inclusion:** D. Edstrom, Divisional Director, Partnerships & Investments

Attachment 1 – Engagement Survey Summary

Attachment 2 - Knox Mountain Drive Engagement Survey and Multi-Modal Access Strategy presentation

cc: Manager, Parks Operations

## KNOX MOUNTAIN PARK MANAGEMENT PLAN – PUBLIC ENGAGEMENT REPORT

### Project overview

Knox Mountain Park is the City's largest natural park at 367 hectares. A popular destination for residents and visitors to Kelowna, the park sees more than 40,000 visitors per year. During a typical year, the roadway (Knox Mountain Drive) closes during both the winter and the summer when the fire hazard is extreme. The last Knox Mountain Park Management Plan was endorsed by City Council in November 2011, and development of an updated plan is currently underway. As part of that plan, the City is considering options for the future access of Knox Mountain Drive.

This report provides a summary of the engagement process, what we heard from survey respondents, who we heard from, and next steps.

### Engagement overview

The City conducted an online survey in May 2021 to gather resident, user and stakeholder feedback that will contribute to providing a clear path forward for the operation of Knox Mountain Drive.

Feedback was collected through the *Get Involved* engagement portal, which included the survey. Onsite signage along Knox Mountain Drive directed users to the survey. Stakeholders were notified directly by email of the survey opportunity. Promotion included social media ads, organic posts and media releases that were sent as ebulletin to subscribers and posted on [kelowna.ca](http://kelowna.ca). Local Gift Cards were made available to win as incentive for completing the survey.



**8,117**  
survey responses



**over 5 weeks**



**39**  
stakeholders  
engaged



**1,665**  
People notified  
via email



**4,035**  
comments  
submitted

Through:



**12**  
Social media posts



**3**  
Prize draw  
incentives



**3**  
Social media ads



**1**  
News release  
generating  
5 media stories

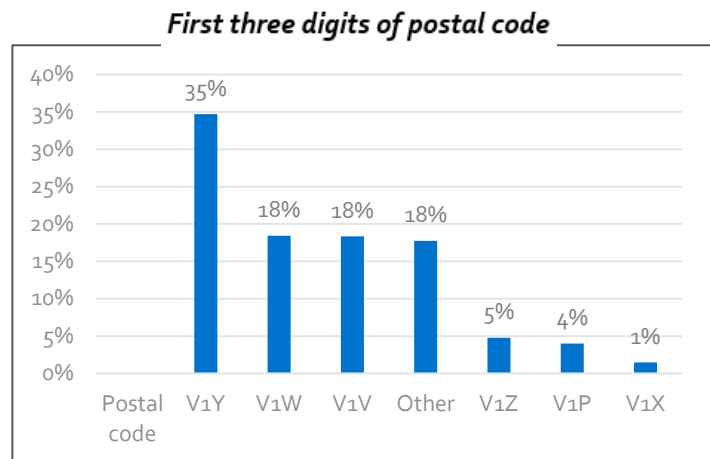


**11,600**  
webpage visitors

## Respondent demographics

Three quarters of the respondents indicated they were from Kelowna with 35 per cent indicating they lived in Central Kelowna, the adjacent neighbourhood to Knox Mountain. Respondents represented a diverse range of age groups with the majority between 25-44 (40%) and 45-64 (35%). Lower participation was shown from those 65+ (18%) and very few younger than 25 (6.8%) participated.

Results from surveys such as this are a collection of opinions and perceptions from interested or potentially affected residents and are not a statistically significant random sample of all Kelowna residents. Due to its opt-in and open methods, results are qualitative in nature.



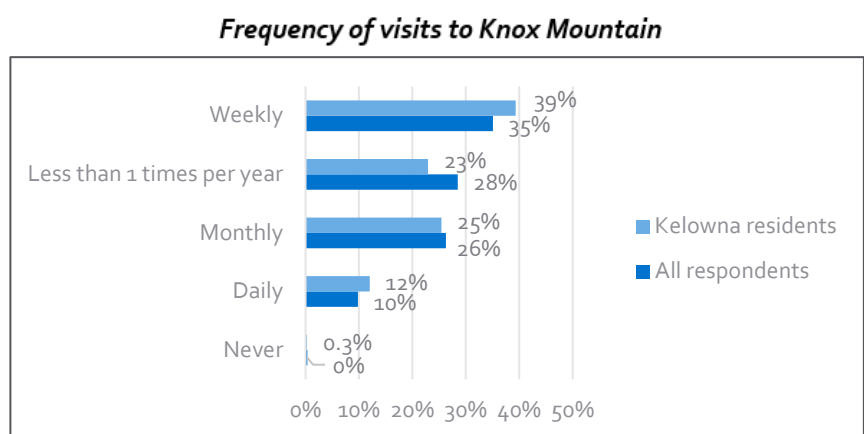
## Stakeholders

In addition to reaching out to the public, 20 groups were sent direct emails notifying them of the project and survey opportunity, 39 stakeholders representing 16 groups were consulted by email and two one-on-one meetings with staff were held by request, in addition to direct correspondence with concerned residents. Stakeholders included:

Friends of Knox Mountain Park	Hearing Loops Advocacy
Central Okanagan Naturalists Club	Wheelchair Access Advocacy
Kelowna Disc Golf Association	CRIS Adaptive Adventures
Mountain Bikers of the Central Okanagan	Thompson Okanagan Tourism Association
Pathways Ability Society	School District 23
People In Motion	Okanagan Boys & Girls Club
Central Okanagan Disabilities Coalition	Elevation Outdoors
Vision Advocates	KLO Neighbourhood Association
Seniors Outreach Society	Okanagan Mission Residents Association
Dementia Advocates	Kettle Valley Residents Association

## What we heard

Most respondents (87-95%) visit the park in the spring, summer and fall; however, more than one third of respondents visit year-round. Respondents indicated they primarily visit the park weekly (35%), less than 10 times per year (29%), or monthly (26%), with a smaller percentage (10%) visiting the park daily.

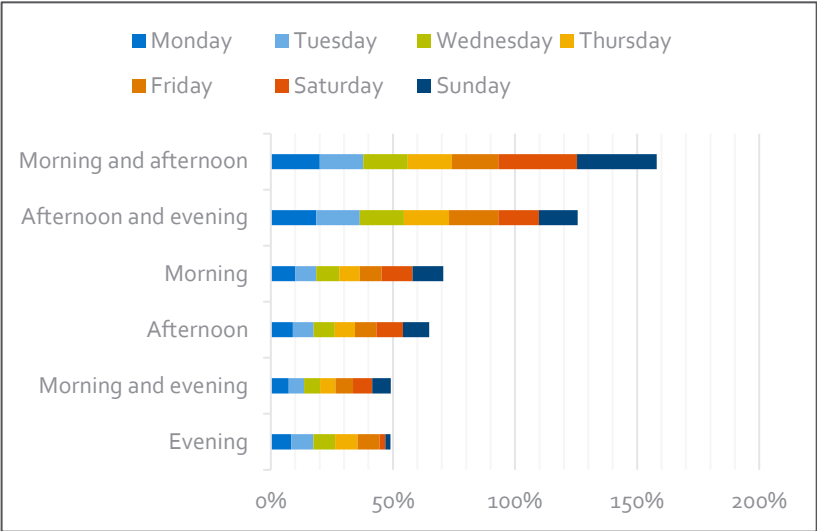




The most popular time to visit includes morning/afternoon as well as evening/afternoon, with more respondents selecting morning/afternoon on weekends.

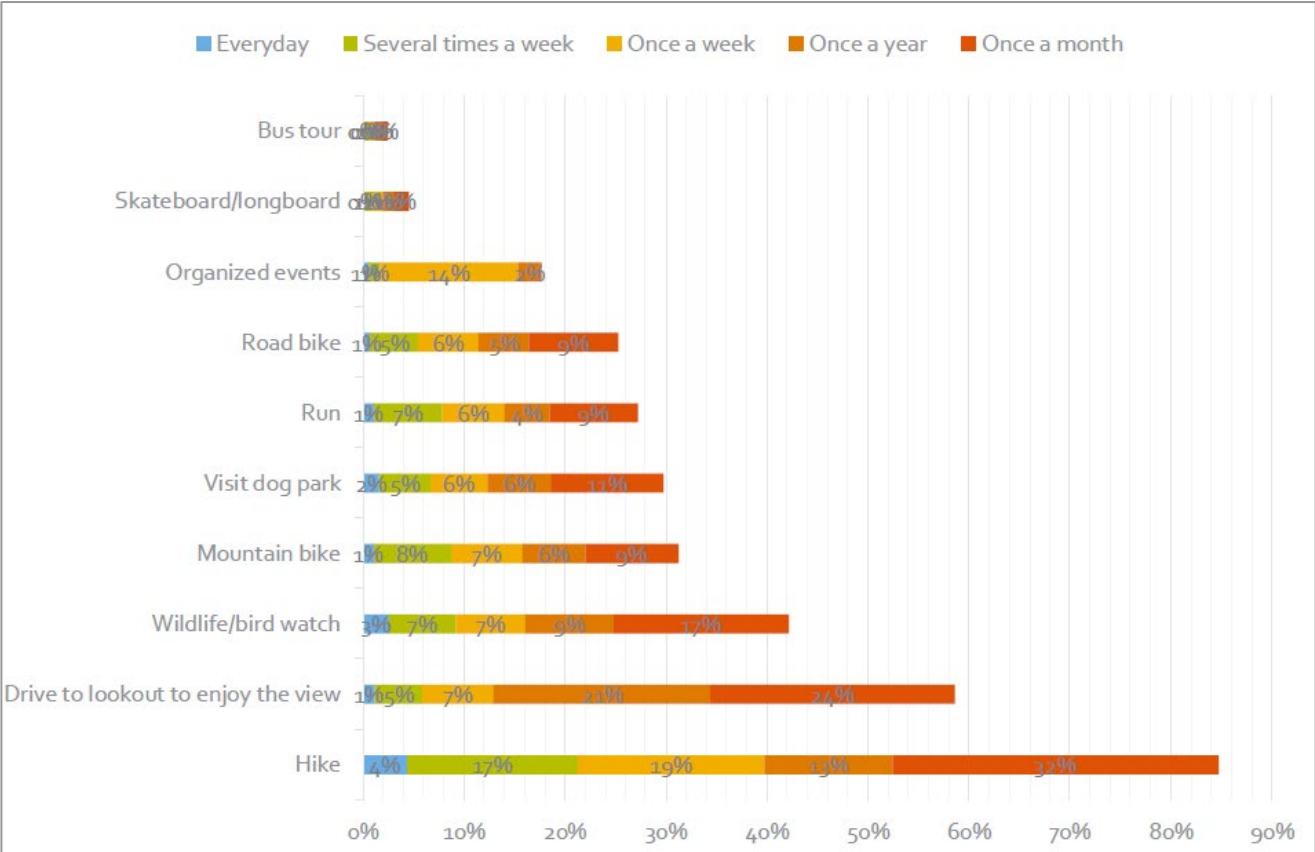
*"I would love it to be open to first lookout, not all ages are capable or walking up to the lookout and the beautiful views should be open to everyone." – Survey respondent*

Popular visiting times



The survey revealed that the top three activities include hiking (86%), driving to the lookout to enjoy the view (59%), and wildlife/bird watching (43%). Note that each respondent could choose any number of activities that applied.

Frequency of activities



Respondents were asked to rank potential options for the future of Knox Mountain Drive. Options included keeping the road open to vehicles to the lower lookout or upper lookout, keeping it closed to vehicles but with shuttle service, keeping it open only for permitted events, or keeping it closed to vehicles at all time.

The average rankings for each option fall within 0.6 points from the most preferred option to the least preferred option, suggesting a fairly even divide in opinion among respondents.

The overall highest rated option was to keep vehicular access to the Lower Lookout. The second highest rated option was to keep vehicular access to the Upper Lookout, followed by a shuttle service, then vehicles only for permitted events. The lowest rated option overall was closing Knox Mountain Drive to vehicles at all times.

OPTIONS	AVG. RANK
Knox Mountain Drive is open to vehicles up to the lower look out	2.69 ★
Knox Mountain Drive is open to vehicles up to the upper look out	2.93
Knox Mountain Drive is closed to vehicles but a shuttle service is available	3.03
Knox Mountain Drive is open to vehicles only for permitted events	3.06
Knox Mountain Drive is closed to vehicles at all times	3.29

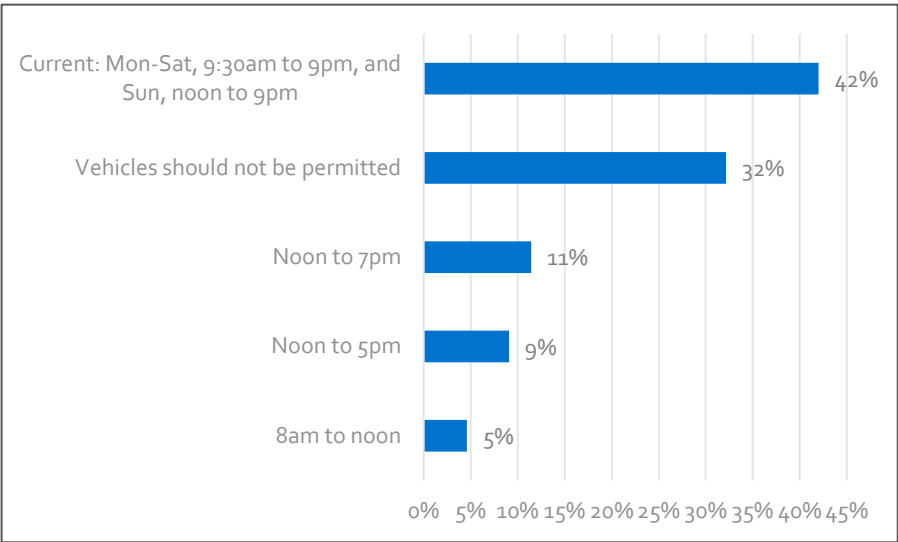
★ (1 = most preferred 5 = least preferred)

*"Please do not close it to vehicle traffic. It is the only way those with mobility issues also get to enjoy the view."*  
- Survey respondent

When asked about vehicle access and preferred hours, approximately one third of all respondents said that vehicle access should not be permitted.

Approximately 42 per cent wanted the hours of use for vehicles to remain as it was before the pandemic. The remaining, approximately 25 per cent, preferred more limited hours.

**Favourable hours for vehicles on Knox Mountain Drive**



*"It has been much safer and much more accessible during the last year to use Knox Mountain while the road has been closed. I participate in all sorts of activities on Knox Mountain and they always include using the roadway. It seems that everybody using it currently is enjoying the vehicle-free zone as it increases safety, open space, and contributes to a more natural environment. Keep Knox Mountain vehicle free!"* – Survey respondent

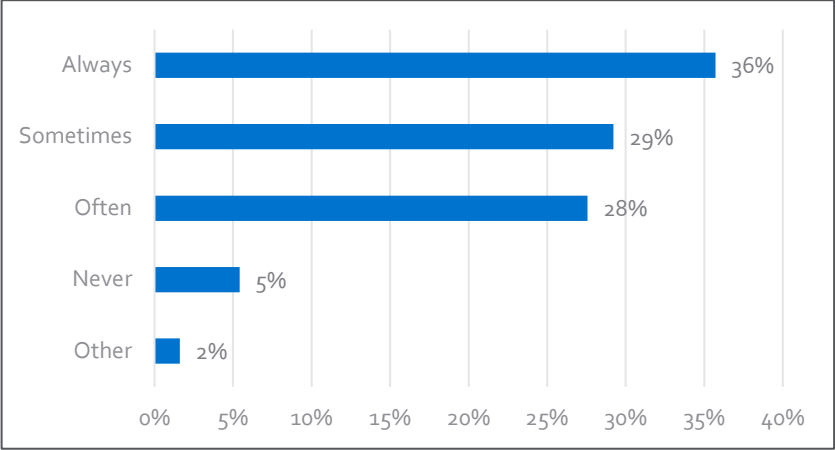
When filtered by demographic, it was interesting to note that the results did not differ dramatically from the aggregate response. However, there were subtle shifts on responses when filtered by age group. Regarding the choice of being closed to vehicles, the percentage varied from a low of 19% (from seniors) to a high of 36% (from the 45-65 age group). For the choice of keeping it open to vehicles with the pre-pandemic hours, the results ranged from a low of 37% (from the 45-65 age group) to a high of 55% (from seniors). Therefore, there were subtle, but not dramatic differences in responses, when filtering by age range. In the middle age ranges (from 25-65 years), the split between closing the road to vehicles and keeping the current hours was almost the same, with each approximately 37% for each choice. Notably, the results from the seniors and the youth were most similar, with 19-23% preferring closing the road to vehicles, and approximately half (55% and 48%, respectively) preferring the current hours of use.

	All Respondents	Over 65	45 - 64	25 - 44	Under 25
Vehicle Access – preferred hours					
Current: Mon – Sat, 9:30am to 9pm & Sun, noon to 9pm	42%	55%	38%	39%	49%
Vehicles should not be permitted	32%	20%	37%	36%	24%
Noon - 7pm	11%	14%	11%	11%	13%
Noon - 5pm	9%	9%	10%	9%	9%
8am - noon	5%	3%	4%	6%	6%
Ranked Options (1/ lightest colour = most preferred, 5/ darker colour = least preferred)					
Open to vehicles up to the lower lookout	2.69	2.43	2.76	2.76	2.62
Open to vehicles up to the upper look out	2.93	2.24	3.04	3.19	2.86
Closed to vehicles but a shuttle service is available	3.03	2.99	2.96	3.08	3.08
Open to vehicles only for permitted events	3.06	3.37	3.06	2.92	2.97
Closed to vehicles at all times	3.29	3.97	3.17	3.05	3.47

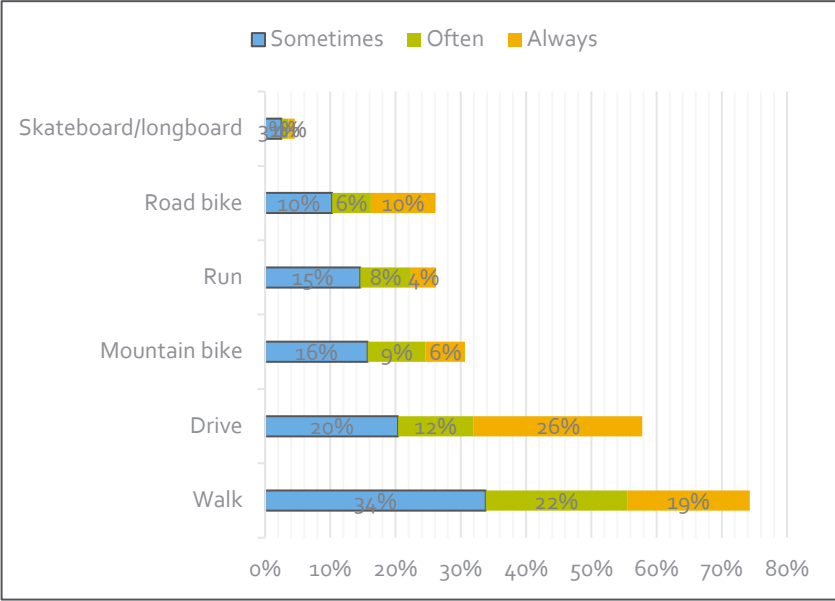
*"I love exploring the many pathways. Since the mountain has been closed to cars there are more deer and eagles." – Survey respondent*

Almost all respondents indicated preference for use of the paved surface, with 36 per cent “always” using the paved surface. Walking is the most common use (74%) of the paved surface, followed by driving (58%) and road/mountain biking (57%).

***Paved surface usage***



***Paved surface activities***



*"As a cyclist, Knox mountain road can feel unsafe in the summer months when there is high traffic. Many times people are sight seeing rather than paying attention to the roads". – Survey respondent*



## Key themes

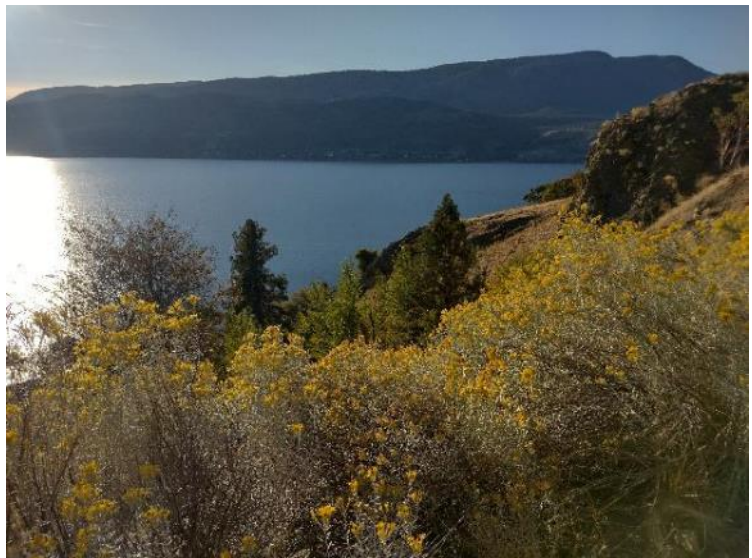
Key themes based on more than 4,000 open-ended comments included:

- Most of the comments advocating for keeping the road open were also comments raising concerns about continuing to accommodate people with mobility issues that the City should avoid creating barriers for people who already face challenges in accessing recreation and amenities as freely as the rest of the population.
- Many comments expressed that Knox Mountain is a shared community asset and the city should ensure it is as freely accessible to the public (visitors and residents alike) as possible.
- Some users enjoy the flexibility to use the road or the trails for their purposes, but it is recognized by numerous commenters that while some modes have that choice right now, car drivers never do.
- Those comments that advocated safety of users, generally also advocated for no vehicles or restricted vehicular access. This perspective was heard more commonly from resident groups and neighbourhood associations, residents close to Knox Mountain, and people concerned about safety for themselves or their families when visiting Knox by foot or bicycle.
- Some respondents felt that it was better for wildlife and the environment to reduce vehicle traffic on Knox Mountain.
- Many of the comments spoke to a balanced approach, where sharing the road through different hours of the day, or a portion of the mountain, could serve to reduce conflicts while allowing accessible options for those with mobility issues.
- Many additional comments spoke to individual use of the park and events and did not speak specifically to use of Knox Mountain Drive. These will be retained and considered in updating the Knox Mountain Park Management Plan.

## Online conversations

During the public engagement period, online conversations – primarily on social media – about closing Knox Mountain Drive to vehicle traffic elicited approximately 2,300 interactions. The online conversations were mainly in response to media coverage, rather than occurring on the City's official channels.

The discourse demonstrated significantly more support for keeping the road open, primarily to ensure accessibility for people with mobility issues. Comments in favour of keeping the drive open were 10 times more prevalent than comments in favour of closing the road to vehicles (1,343 interactions compared to 140, respectively). Those advocating to close the road cited fear of traffic and garbage as their main reasons. Some commenters suggested a compromise (110 interactions), such as alternating days/hours that the road will be open and closed or offering a shuttle service.



## Next steps

Knox Mountain Park has undergone a great deal of change in the last ten years. While much of the existing park management plan is relevant to carry forward into the future, the new management plan will provide updated analysis on the ecological needs of the park, as well as provide guidance to decision-making on capital improvements and how we maintain the park through the decade. The City's goal is to preserve the park's environmental health so that it can continue to be enjoyed for years to come.

Staff and Council will consider public feedback and technical data when determining a preferred approach for access to Knox Mountain Drive. Staff will present the survey results for Council direction.

Public and stakeholder feedback will also inform the updated Knox Mountain Park Management Plan, which is anticipated to be completed in 2022.



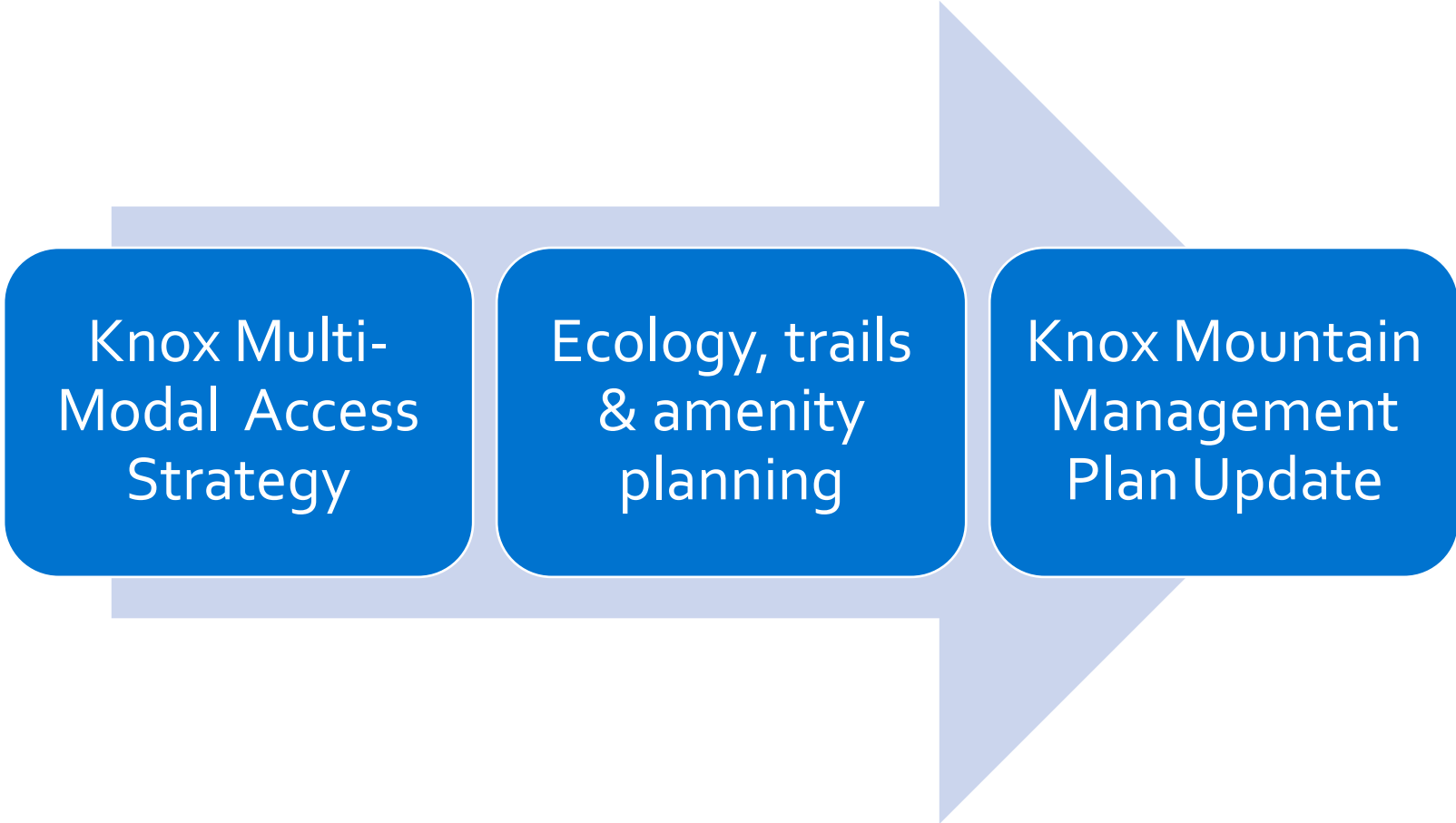


A landscape photograph showing a grassy hillside. In the foreground, there is a field of tall, green grass with some small white flowers. A road, partially obscured by the grass, runs diagonally across the middle ground. The road has several concrete pillars or posts along its edge. In the background, a large, rounded hill rises, covered in a mix of green grass and brownish, rocky patches. Several tall, dark green evergreen trees are scattered across the hillside, particularly on the left side. The sky above is a pale blue with soft, white clouds.

# Knox Mountain Park Road Survey Results and Multi-modal Strategy

November 15, 2021

# Knox Mountain Management Plan Update – 2011 to 2021



Knox Multi-  
Modal Access  
Strategy

Ecology, trails  
& amenity  
planning

Knox Mountain  
Management  
Plan Update



# Background

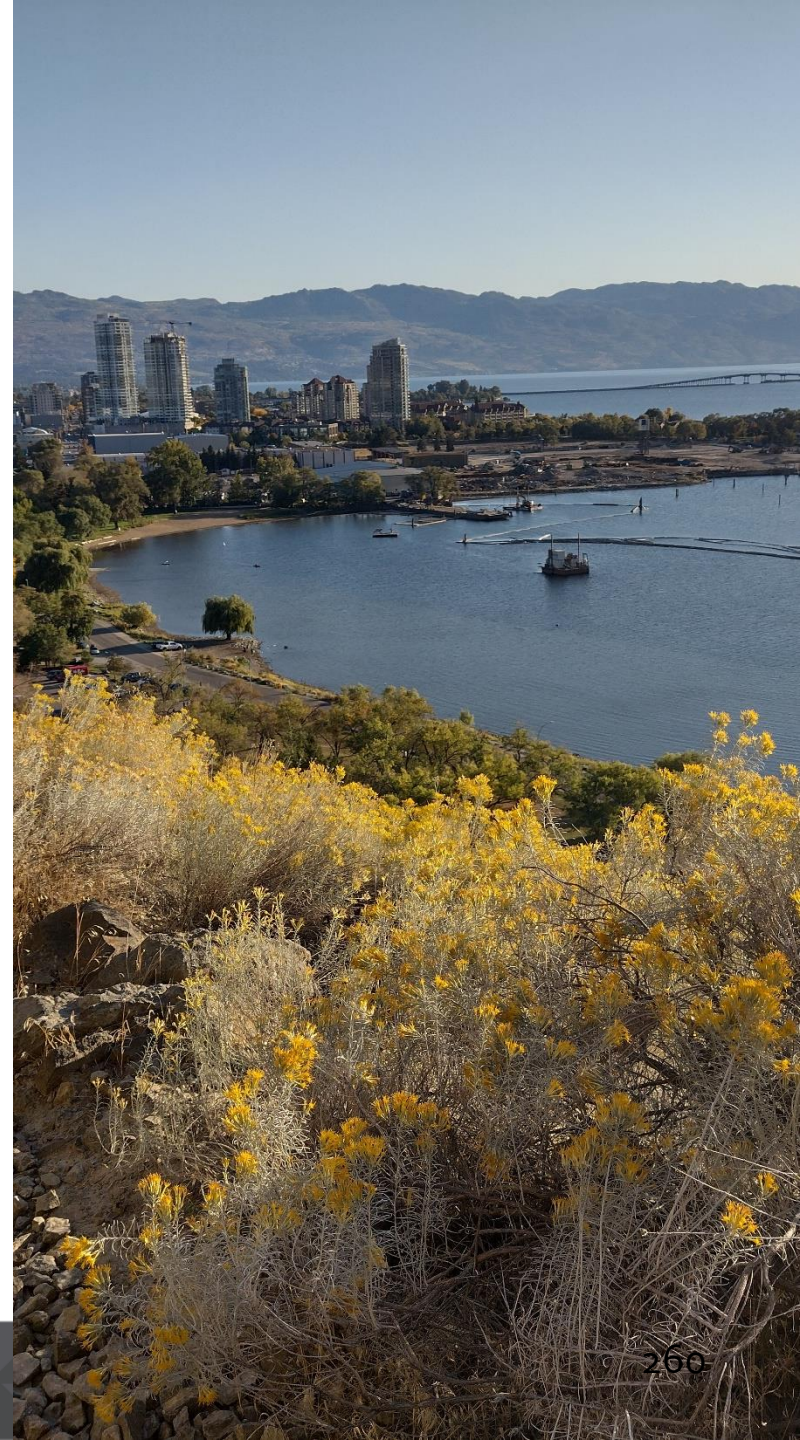
- Increased use of park

## Users

- Hike / walk / run trails / dog walking
- Enjoy the view – access by car
- Road, mountain & electric biking
- Skateboarding
- Events (Weddings +)

## Safety

- Multi-modal use
- Trail crossings
- Increased volume



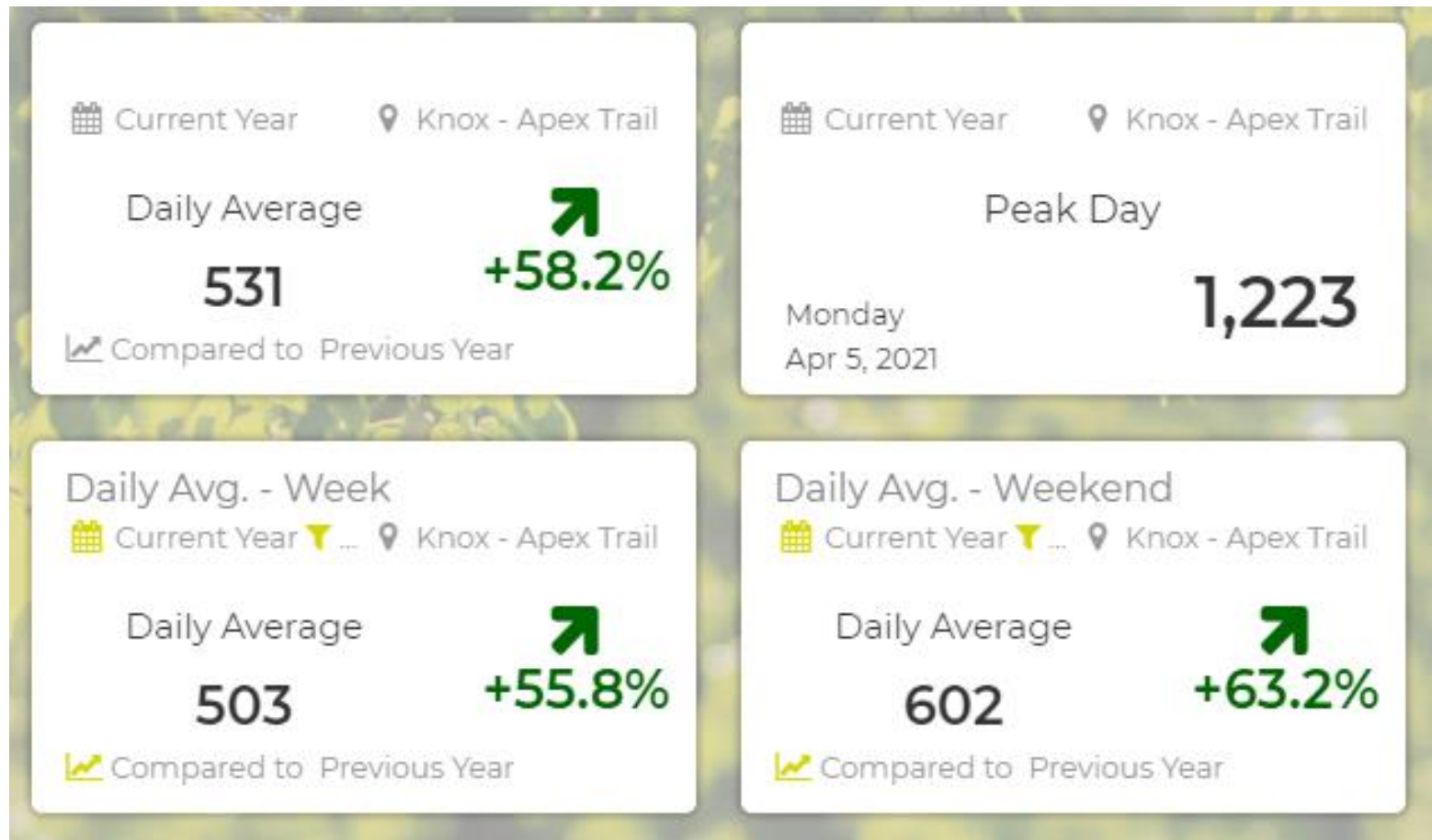


# Knox Mountain Drive - Background

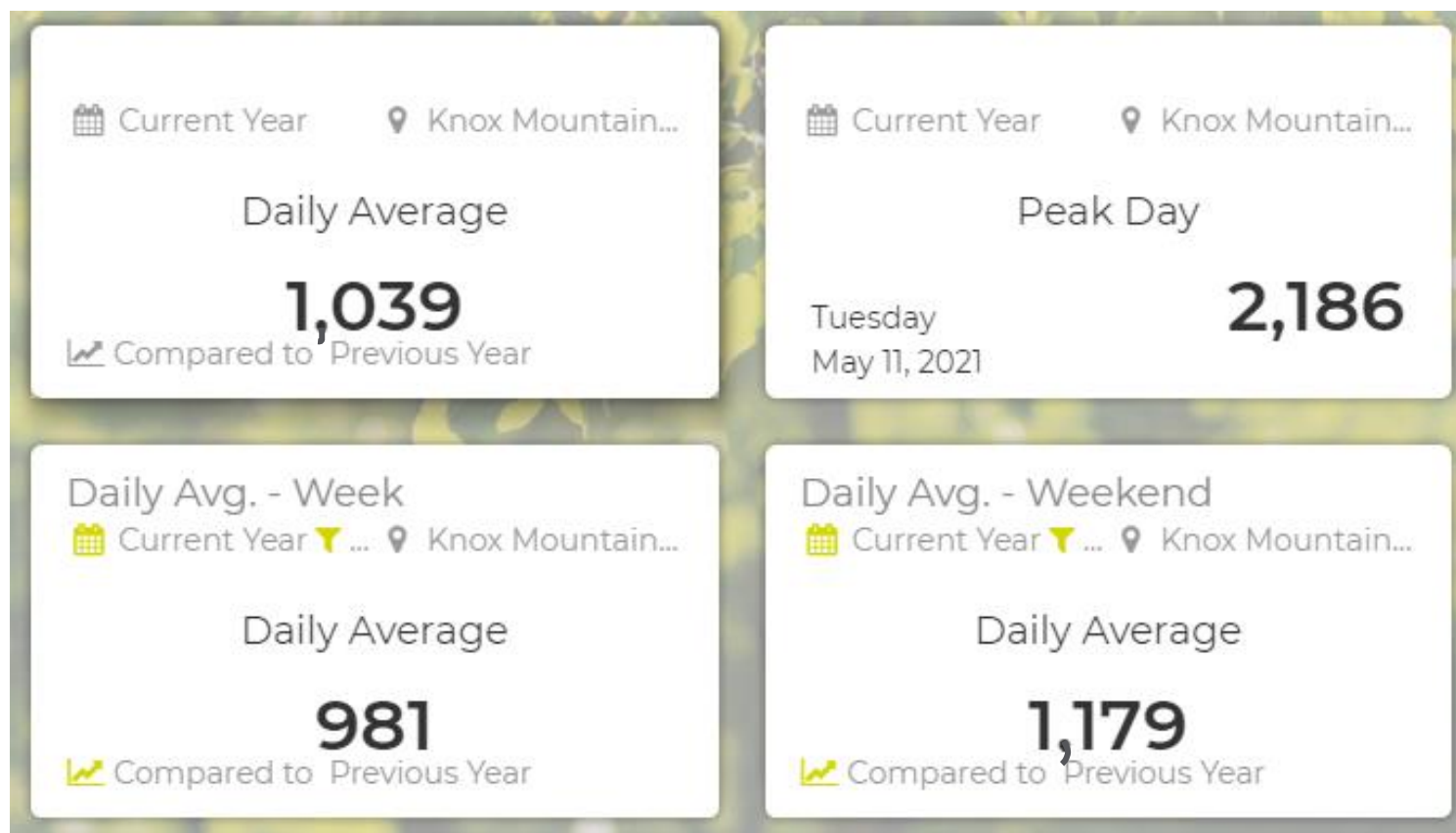


# Pedestrian Counts – Apex Trail

- Up 50%+ Year over Year



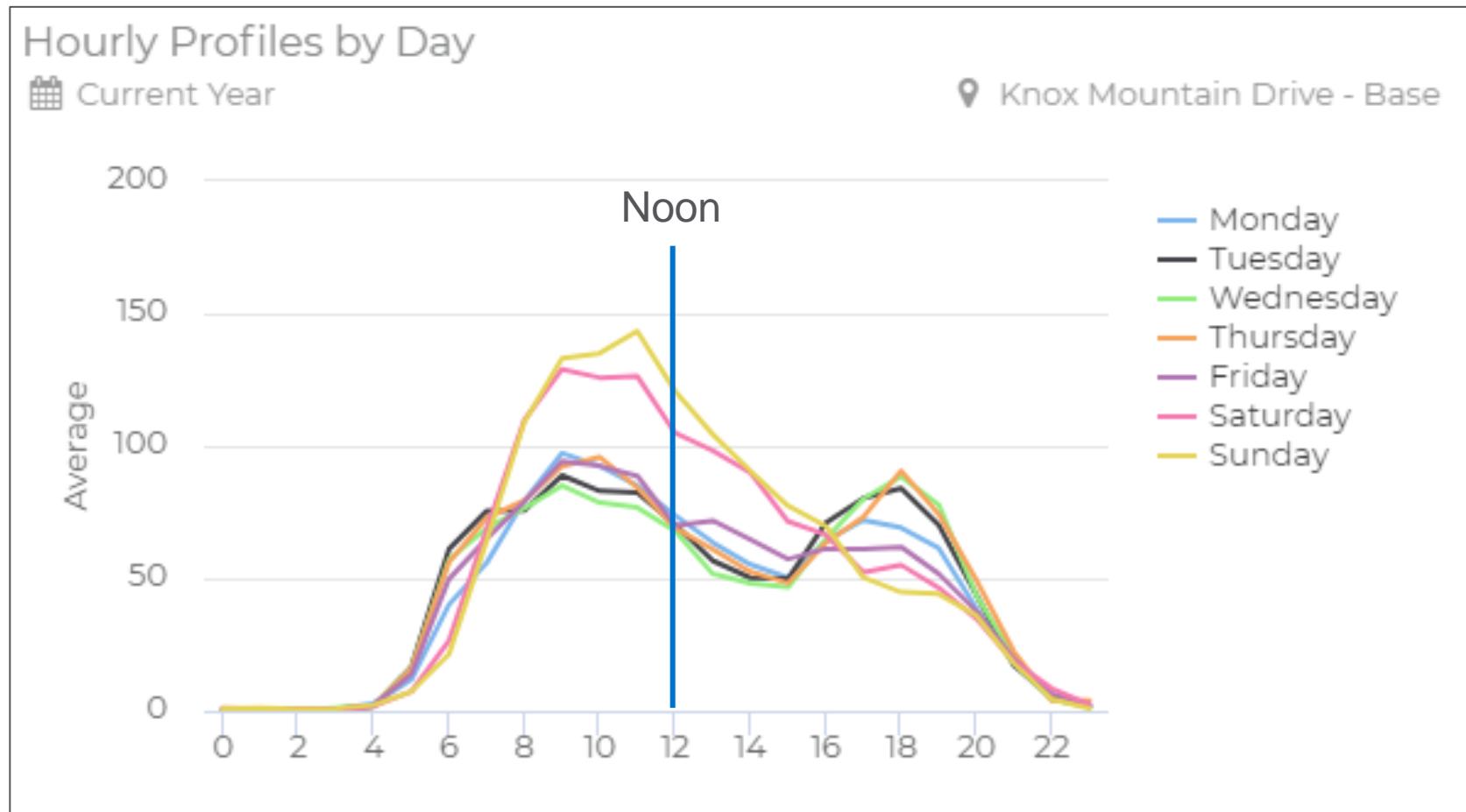
# Pedestrian Counts – Knox Mountain Drive at Base





# Pedestrian / Cyclist Counts - Base

## Knox Mountain Drive past gate



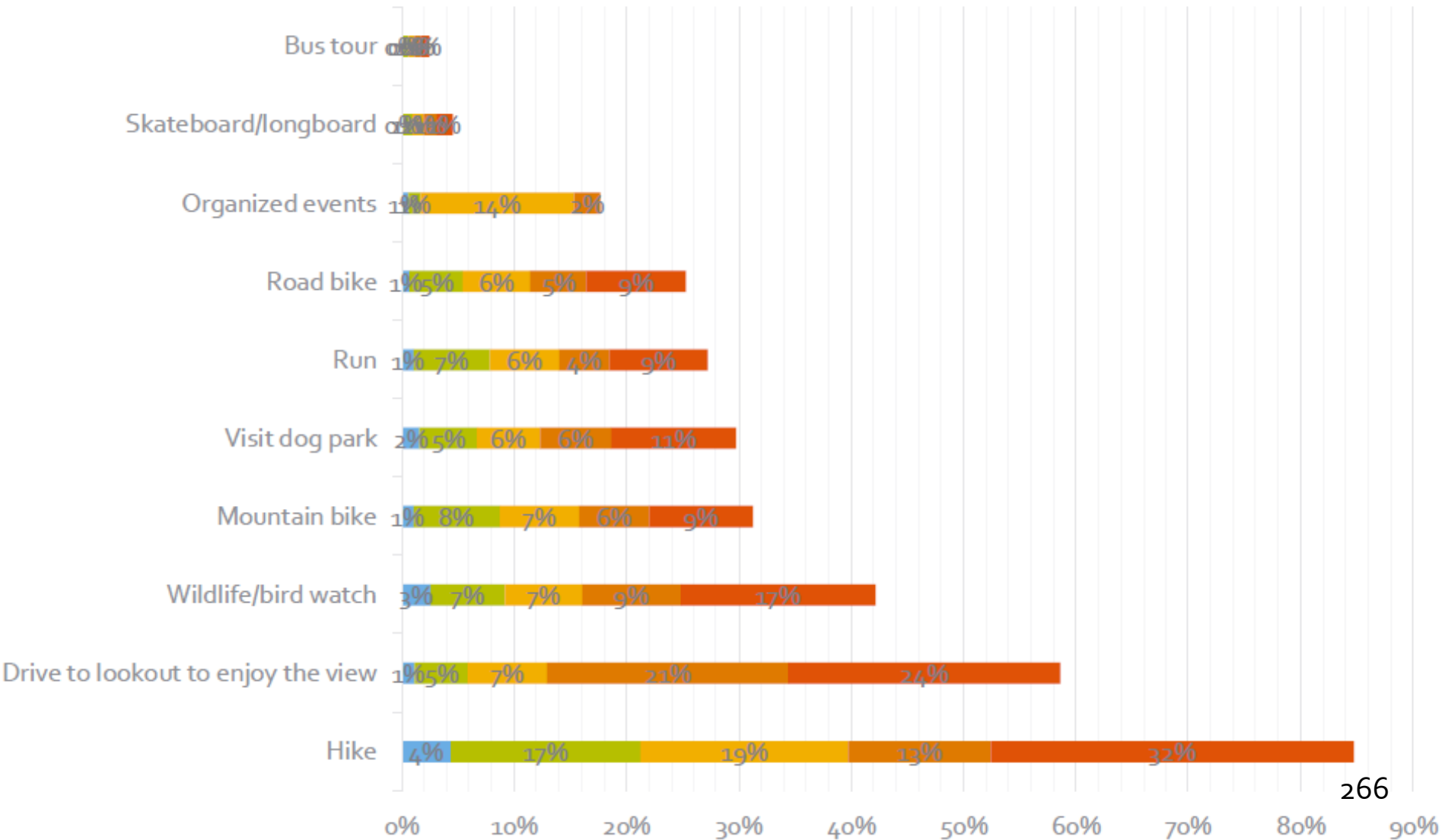
# Survey

- Spring 2021
- Over 8100 responses
- Over 4000 comments
- 16 stakeholder groups
- 2 in person meetings
- Direct correspondence
- Not statistically valid – ‘Opt in’
- Data cleaned



# How often do you do the following activities at Knox Mountain Park?

■ Everyday
 ■ Several times a week
 ■ Once a week
 ■ Once a year
 ■ Once a month



# All Respondents

## OPTIONS

## AVG. RANK

Knox Mountain Drive is open to vehicles up to the lower look out

2.69



Knox Mountain Drive is open to vehicles up to the upper look out

2.93

Knox Mountain Drive is closed to vehicles but a shuttle service is available

3.03

Knox Mountain Drive is open to vehicles only for permitted events

3.06

Knox Mountain Drive is closed to vehicles at all times

3.29

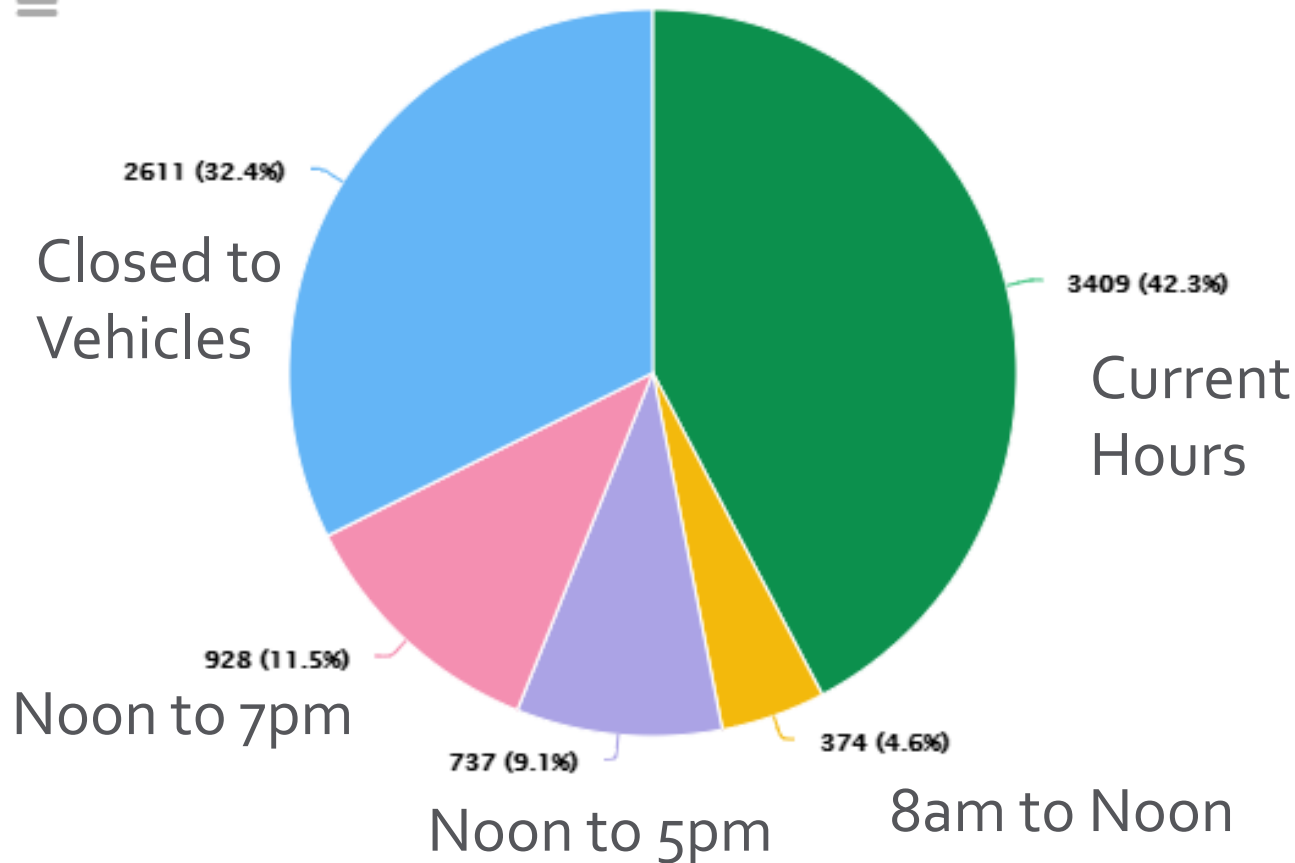


Most preferred



# All Respondents

Q10 If vehicles were permitted on Knox Mountain Drive, what hours would you prefer?



# 2021 Online Conversations

2300 Interactions

- In favour of keeping road open to vehicles 10:1 (1343 : 140)
- Compromise - reduced hours (110)

# Strategy Objectives

- Safety
- Accessibility
- Operation

## 'Share the Road'

- Park Drive Standard
- Sharing spatially and temporally



# Strategy – 2 Year Trial

- Vehicle access to First Lookout only
- Wednesday to Saturday
- Hours from noon to 8PM
- Events – pilot car (staff led)
- Signage improvements to alert all users
- Improvements to trails near First Lookout





# First Lookout

- Viewpoint with views over city – accessible path
- Parking available
- Alternate trails for biking & hiking to First Lookout
- Most favoured – public survey



First Lookout – Accessible Trail



Upper Lookout – Not accessible

# Strategy – Monitor Results

- Monitor
  - Pedestrian counters
  - Vehicle counts



# Next Steps

- Getinvolved page - Update
- Stakeholder communication – Email Notification
- Continued work on Knox Mountain Management Plan Update

# Resolution

- Receive, the report from the Parks and Buildings Planning Department dated November 15, 2021;
- Provide time restricted vehicular access to the First Lookout on Knox Mountain Drive through a two-year trial basis;
- Directs staff to report back at the conclusion of the two-year trial period.





*Questions?*

For more information, visit [kelowna.ca](http://kelowna.ca).

# CITY OF KELOWNA

## BYLAW NO. 12280

### Amendment No. 2 to Cemetery Bylaw No. 11664

---

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Amendment No. 3 to Cemetery Bylaw No. 11664 be amended as follows:

1. **THAT PART 6 - INTERMENT IN THE CEMETERY, 6.18 Cremated Remains Container Legacy Gardens: for single niche** be amended by deleting:  
  
“shall not 29cm high x 29cm wide x 29cm deep and for a **family niche** a single container or combination of two (2) to four (4) containers shall not exceed 29 cm high x 58cm wide x 29cm deep.”;  
  
And replacing it with:  
  
“shall not exceed 26.5 cm high x 29cm wide x 29cm deep and for a **family niche** a single container or combination of two (2) to four (4) containers shall not exceed 26.5 cm high x 58cm wide x 29 cm deep.”;
2. **AND THAT KELOWNA MEMORIAL PARK CEMETERY’S FEE SCHEDULE “A”** be deleted in its entirety and replaced with a new **KELOWNA MEMORIAL PARK CEMETERY’S FEE SCHEDULE “A”** as attached to and forming part of this bylaw;
3. This bylaw may be cited for all purposes as “Bylaw No. 12280 being Amendment No. 2 to Cemetery Bylaw No. 11664.”
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of January 1, 2022.

Read a first, second and third time by the Municipal Council this 8<sup>th</sup> day of November, 2021

Adopted as amended by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

# KELOWNA MEMORIAL PARK CEMETERY'S FEE SCHEDULE "A"

## PRODUCTS/SERVICES

2021 2022 2023 2024

Non-Residents add 25% to all fees.

GST applicable to all fees, GST not included in fee schedule.

## RIGHT OF INTERMENT CASKET PLOTS

Grave liner required in all sections except G1 and G7

### UPRIGHT MARKER SECTIONS

G1, G7, G4, G8

Right of Interment	\$2,871	\$3,014	\$3,165	\$3,324
Cemetery Replacement Fund	\$1,435	\$1,507	\$1,582	\$1,661
Cemetery Maintenance Fund	\$1,435	\$1,507	\$1,582	\$1,661
<b>Total</b>	<b>\$5,741</b>	<b>\$6,028</b>	<b>\$6,329</b>	<b>\$6,646</b>

### FLAT MARKER SECTIONS

C, D, E, G4, G7, G8

Right of Interment	\$2,069	\$2,174	\$2,281	\$2,395
Cemetery Replacement Fund	\$1,035	\$1,086	\$1,141	\$1,198
Cemetery Maintenance Fund	\$1,035	\$1,086	\$1,141	\$1,198
<b>Total</b>	<b>\$4,139</b>	<b>\$4,346</b>	<b>\$4,563</b>	<b>\$4,791</b>

### DRY LANDSCAPE SECTIONS

A,B

Right of Interment	\$2,069	\$2,174	\$2,281	\$2,395
Cemetery Replacement Fund	\$1,035	\$1,086	\$1,141	\$1,198
Cemetery Maintenance Fund	\$1,035	\$1,086	\$1,141	\$1,198
<b>Total</b>	<b>\$4,139</b>	<b>\$4,346</b>	<b>\$4,563</b>	<b>\$4,791</b>

### SMALL PLOTS (Child's Plot)

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

Right of Interment	\$252	\$265	\$278	\$291
Cemetery Replacement Fund	\$126	\$132	\$139	\$146
Cemetery Maintenance Fund	\$126	\$132	\$139	\$146
<b>Total</b>	<b>\$504</b>	<b>\$529</b>	<b>\$556</b>	<b>\$583</b>

## ESTATE PLOTS

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

Section G7

### PRIVATE ESTATE

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

Right of Interment	\$40,002	\$42,004	\$44,105	\$46,309
Cemetery Replacement Fund	\$20,003	\$21,002	\$22,052	\$23,155
Cemetery Maintenance Fund	\$20,003	\$21,002	\$22,052	\$23,155
<b>Total</b>	<b>\$80,008</b>	<b>\$84,008</b>	<b>\$88,209</b>	<b>\$92,619</b>

25% of fee allocated to the Cemetery Maintenance Fund

## SEMI PRIVATE ESTATE

Also includes: Shared Granite Bench, Flower Beds

Right of Interment	\$29,507	\$30,982	\$32,530	\$34,157
Cemetery Replacement Fund	\$14,752	\$15,490	\$16,265	\$17,078
Cemetery Maintenance Fund	\$14,752	\$15,490	\$16,265	\$17,078
<b>Total</b>	<b>\$59,011</b>	<b>\$61,962</b>	<b>\$65,060</b>	<b>\$68,313</b>

25% of fee allocated to the Cemetery Maintenance Fund

## IN-GROUND CREMATED REMAINS PLOT

Grave liner required

### COMPANION PLOTS (Space for 2 Urns)

Right of Interment	\$414	\$433	\$455	\$478
Cemetery Replacement Fund	\$206	\$217	\$228	\$239
Cemetery Maintenance Fund	\$206	\$217	\$228	\$239
<b>Total</b>	<b>\$826</b>	<b>\$867</b>	<b>\$911</b>	<b>\$956</b>

25% of fee allocated to the Cemetery Maintenance Fund

### Section G3 - Promontory Green Interment Garden Plot \*

Right of Interment	\$537	\$565	\$593	\$623
Cemetery Replacement Fund	\$270	\$283	\$297	\$312
Cemetery Maintenance Fund	\$270	\$283	\$297	\$312
<b>Total</b>	<b>\$1,077</b>	<b>\$1,131</b>	<b>\$1,187</b>	<b>\$1,247</b>

25% of fee allocated to the Cemetery Maintenance Fund

## FAMILY PLOTS (Space for 6 Urns)

Section G5 & G6\*

Right of Interment	\$827	\$870	\$913	\$958
Cemetery Replacement Fund	\$414	\$434	\$456	\$479
Cemetery Maintenance Fund	\$414	\$434	\$456	\$479
<b>Total</b>	<b>\$1,655</b>	<b>\$1,738</b>	<b>\$1,825</b>	<b>\$1,916</b>

25% of fee allocated to the Cemetery Maintenance Fund



**Section G3 - Promontory Green Interment Garden Plot\***

Right of Interment	\$993	\$1,040	\$1,092	\$1,148
Cemetery Replacement Fund	\$495	\$521	\$547	\$574
Cemetery Maintenance Fund	\$495	\$521	\$547	\$574
<b>Total</b>	<b>\$1,983</b>	<b>\$2,082</b>	<b>\$2,186</b>	<b>\$2,296</b>

25% of fee allocated to the Cemetery Maintenance Fund

**MAUSOLEA****LEGACY GARDENS – Section D**

**Single Crypt-** Includes Standard Crypt Plate

**Level 1**

Right of Interment	\$10,897	\$11,441	\$12,013	\$12,613
Cemetery Replacement Fund	\$8,716	\$9,153	\$9,610	\$10,091
Cemetery Maintenance Fund	\$2,179	\$2,288	\$2,403	\$2,523
<b>Total</b>	<b>\$21,792</b>	<b>\$22,882</b>	<b>\$24,026</b>	<b>\$25,227</b>

10% of fee allocated to the Cemetery Maintenance Fund

**Level 2**

Right of Interment	\$11,235	\$11,796	\$12,386	\$13,006
Cemetery Replacement Fund	\$8,988	\$9,437	\$9,909	\$10,404
Cemetery Maintenance Fund	\$2,246	\$2,359	\$2,477	\$2,601
<b>Total</b>	<b>\$22,469</b>	<b>\$23,592</b>	<b>\$24,772</b>	<b>\$26,011</b>

10% of fee allocated to the Cemetery Maintenance Fund

**Level 3**

Right of Interment	\$11,360	\$11,928	\$12,524	\$13,151
Cemetery Replacement Fund	\$9,089	\$9,542	\$10,020	\$10,520
Cemetery Maintenance Fund	\$2,271	\$2,386	\$2,505	\$2,630
<b>Total</b>	<b>\$22,720</b>	<b>\$23,856</b>	<b>\$25,049</b>	<b>\$26,301</b>

10% of fee allocated to the Cemetery Maintenance Fund

**PROMONTORY GREEN INTERMENT GARDEN -  
Section G2**

**Single Crypt –** Includes Standard Crypt Plate

**Level 1**

Right of Interment	\$10,897	\$11,441	\$12,013	\$12,613
Cemetery Replacement Fund	\$8,716	\$9,153	\$9,610	\$10,091
Cemetery Maintenance Fund	\$2,179	\$2,288	\$2,403	\$2,523
<b>Total</b>	<b>\$21,792</b>	<b>\$22,882</b>	<b>\$24,026</b>	<b>\$25,227</b>

10% of fee allocated to the Cemetery Maintenance Fund

**Level 2**

Right of Interment	\$11,235	\$11,796	\$12,386	\$13,006
Cemetery Replacement Fund	\$8,988	\$9,437	\$9,909	\$10,404
Cemetery Maintenance Fund	\$2,246	\$2,359	\$2,477	\$2,601
<b>Total</b>	<b>\$22,469</b>	<b>\$23,592</b>	<b>\$24,772</b>	<b>\$26,011</b>

10% of fee allocated to the Cemetery Maintenance Fund

**Level 3**

Right of Interment	\$11,360	\$11,928	\$12,524	\$13,151
Cemetery Replacement Fund	\$9,089	\$9,542	\$10,020	\$10,520
Cemetery Maintenance Fund	\$2,271	\$2,386	\$2,505	\$2,630

**Total**

\$22,720    \$23,856    \$25,049    \$26,301

10% of fee allocated to the Cemetery Maintenance Fund

**Couch Crypt – Includes Standard Crypt Plate****Level 1, 2, and 3**

Right of Interment	\$14,064	\$14,767	\$15,506	\$16,281
Cemetery Replacement Fund	\$11,251	\$11,814	\$12,404	\$13,025
Cemetery Maintenance Fund	\$2,813	\$2,953	\$3,101	\$3,256

**Total**

\$28,128    \$29,534    \$31,011    \$32,562

10% of fee allocated to the Cemetery Maintenance Fund

**NICHES****LEGACY GARDENS – Section D****Phase One****Level 1**

Right of Interment	\$2,070	\$2,174	\$2,283	\$2,398
Cemetery Replacement Fund	\$1,657	\$1,739	\$1,825	\$1,917
Cemetery Maintenance Fund	\$414	\$435	\$457	\$479

**Total**

\$4,141    \$4,348    \$4,565    \$4,794

10% of fee allocated to the Cemetery Maintenance Fund

**Level 2**

Right of Interment	\$2,287	\$2,402	\$2,522	\$2,648
Cemetery Replacement Fund	\$1,830	\$1,921	\$2,017	\$2,118
Cemetery Maintenance Fund	\$457	\$480	\$504	\$529

**Total**

\$4,574    \$4,803    \$5,043    \$5,295

10% of fee allocated to the Cemetery Maintenance Fund

**Level 3/4/5**

Right of Interment	\$2,424	\$2,545	\$2,672	\$2,806
--------------------	---------	---------	---------	---------

Cemetery Replacement Fund	\$1,939	\$2,035	\$2,138	\$2,244
Cemetery Maintenance Fund	\$484	\$509	\$534	\$561
<b>Total</b>	<b>\$4,847</b>	<b>\$5,089</b>	<b>\$5,344</b>	<b>\$5,611</b>
10% of fee allocated to the Cemetery Maintenance Fund				

### Family Niches

#### Level 3/4/5

Right of Interment	\$5,089	\$5,343	\$5,611	\$5,891
Cemetery Replacement Fund	\$4,071	\$4,275	\$4,488	\$4,713
Cemetery Maintenance Fund	\$1,018	\$1,069	\$1,122	\$1,178
<b>Total</b>	<b>\$10,178</b>	<b>\$10,687</b>	<b>\$11,221</b>	<b>\$11,782</b>

10% of fee allocated to the Cemetery Maintenance Fund

#### Family Urns – Includes One Family name engraved on urn

Right of Interment	\$7,945	\$8,343	\$8,760	\$9,198
Cemetery Replacement Fund	\$6,357	\$6,674	\$7,007	\$7,358
Cemetery Maintenance Fund	\$1,588	\$1,668	\$1,752	\$1,839
<b>Total</b>	<b>\$15,890</b>	<b>\$16,685</b>	<b>\$17,519</b>	<b>\$18,395</b>

10% of fee allocated to the Cemetery Maintenance Fund

## BENNETT MEMORIAL

### Concord

Right of Interment	\$2,070	\$2,174	\$2,283	\$2,398
Cemetery Replacement Fund	\$1,657	\$1,739	\$1,825	\$1,917
Cemetery Maintenance Fund	\$414	\$435	\$457	\$479
<b>Total</b>	<b>\$4,141</b>	<b>\$4,348</b>	<b>\$4,565</b>	<b>\$4,794</b>

10% of fee allocated to the Cemetery Maintenance Fund

### Curved Wall

#### Level 1

Right of Interment	\$2,070	\$2,174	\$2,283	\$2,398
Cemetery Replacement Fund	\$1,657	\$1,739	\$1,825	\$1,917
Cemetery Maintenance Fund	\$414	\$435	\$457	\$479
<b>Total</b>	<b>\$4,141</b>	<b>\$4,348</b>	<b>\$4,565</b>	<b>\$4,794</b>

10% of fee allocated to the Cemetery Maintenance Fund

#### Level 2

Right of Interment	\$2,287	\$2,402	\$2,522	\$2,648
Cemetery Replacement Fund	\$1,830	\$1,921	\$2,017	\$2,118
Cemetery Maintenance Fund	\$457	\$480	\$504	\$529
<b>Total</b>	<b>\$4,574</b>	<b>\$4,803</b>	<b>\$5,043</b>	<b>\$5,295</b>

10% of fee allocated to the Cemetery Maintenance Fund

#### Level 3

Right of Interment	\$2,424	\$2,545	\$2,672	\$2,806
Cemetery Replacement Fund	\$1,939	\$2,035	\$2,138	\$2,244
Cemetery Maintenance Fund	\$484	\$509	\$534	\$561

<b>Total</b>	\$4,847	\$5,089	\$5,344	\$5,611
10% of fee allocated to the Cemetery Maintenance Fund				

#### Round Unit

##### Level 1

Right of Interment	\$2,069	\$2,173	\$2,281	\$2,395
Cemetery Replacement Fund	\$1,655	\$1,738	\$1,825	\$1,916
Cemetery Maintenance Fund	\$414	\$434	\$456	\$479
<b>Total</b>	\$4,138	\$4,345	\$4,562	\$4,790
10% of fee allocated to the Cemetery Maintenance Fund				

##### Level 2

Right of Interment	\$2,287	\$2,402	\$2,522	\$2,648
Cemetery Replacement Fund	\$1,830	\$1,921	\$2,017	\$2,118
Cemetery Maintenance Fund	\$457	\$480	\$504	\$529
<b>Total</b>	\$4,574	\$4,803	\$5,043	\$5,295
10% of fee allocated to the Cemetery Maintenance Fund				

##### Level 3, 4, 5, 6

Right of Interment	\$2,424	\$2,545	\$2,672	\$2,806
Cemetery Replacement Fund	\$1,939	\$2,035	\$2,138	\$2,244
Cemetery Maintenance Fund	\$484	\$509	\$534	\$561
<b>Total</b>	\$4,847	\$5,089	\$5,344	\$5,611
10% of fee allocated to the Cemetery Maintenance Fund				

## PROMONTORY GREEN INTERMENT GARDEN

### Section G2

##### LEVEL 1

Right of Interment	\$2,070	\$2,174	\$2,283	\$2,398
Cemetery Replacement Fund	\$1,657	\$1,739	\$1,825	\$1,917
Cemetery Maintenance Fund	\$414	\$435	\$457	\$479
<b>Total</b>	\$4,141	\$4,348	\$4,565	\$4,794
10% of fee allocated to the Cemetery Maintenance Fund				

##### Level 2

Right of Interment	\$2,287	\$2,402	\$2,522	\$2,648
Cemetery Replacement Fund	\$1,830	\$1,921	\$2,017	\$2,118
Cemetery Maintenance Fund	\$457	\$480	\$504	\$529
<b>Total</b>	\$4,574	\$4,803	\$5,043	\$5,295
10% of fee allocated to the Cemetery Maintenance Fund				

##### Level 3, 4

Right of Interment	\$2,424	\$2,545	\$2,672	\$2,806
Cemetery Replacement Fund	\$1,939	\$2,035	\$2,138	\$2,244
Cemetery Maintenance Fund	\$484	\$509	\$534	\$561
<b>Total</b>	\$4,847	\$5,089	\$5,344	\$5,611
10% of fee allocated to the Cemetery Maintenance Fund				



## SCATTERING

### PROMONTORY GREEN INTERMENT GARDEN SCATTERING GARDEN OSSUARY or SCATTERING TRAIL

#### Scattering Only

Right of Interment	\$101	\$107	\$112	\$119
Cemetery Replacement Fund	\$52	\$54	\$57	\$59
Cemetery Maintenance Fund	\$52	\$54	\$57	\$59
<b>Total</b>	<b>\$205</b>	<b>\$215</b>	<b>\$226</b>	<b>\$237</b>
25% of fee allocated to the Cemetery Maintenance Fund				

#### Scattering with Name Plate

Right of Interment	\$374	\$396	\$415	\$435
Cemetery Replacement Fund	\$189	\$197	\$207	\$218
Cemetery Maintenance Fund	\$189	\$197	\$207	\$218
<b>Total</b>	<b>\$752</b>	<b>\$790</b>	<b>\$829</b>	<b>\$871</b>
25% of fee allocated to the Cemetery Maintenance Fund				

#### Promontory Green Memorial Wall Space – Name Plate Only

Right of Interment	\$374	\$396	\$415	\$435
Cemetery Replacement Fund	\$189	\$197	\$207	\$218
Cemetery Maintenance Fund	\$189	\$197	\$207	\$218
<b>Total</b>	<b>\$752</b>	<b>\$790</b>	<b>\$829</b>	<b>\$871</b>
25% of fee allocated to the Cemetery Maintenance Fund				

## INTERMENT PERMIT

#### Open/Close Fees

Casket - Burial	\$1,094	\$1,149	\$1,206	\$1,266
Casket - Mausoleum	\$1,137	\$1,194	\$1,254	\$1,316
Cremated Remains – In-ground	\$478	\$502	\$527	\$553
Cremated Remains - Niche	\$478	\$502	\$527	\$553
Children Under 12 Years of Age – interred in a designated Infant Plot (INFANT PLOTS - Section A,C, D (Note: plot size is 3'x5'))				

#### Concurrent Interment - Per

Casket	\$545	\$572	\$601	\$631
Cremated Remains – in-ground	\$237	\$249	\$261	\$274
Cremated Remains - niche	\$183	\$192	\$202	\$212

#### Additional Fees

Interments 3:00 pm or later	\$615	\$646	\$678	\$712
Weekend/Holiday Services	\$1,094	\$1,149	\$1,206	\$1,266
Deepening Large Plot	\$1,657	\$1,740	\$1,827	\$1,918
Deepening Cremation Plot	\$414	\$435	\$456	\$479
Additional Use Fee (3RD/+ INTERMENT for in-ground plots)	\$414	\$435	\$456	\$479

## DISINTERMENT PERMIT

Casket	\$1,657	\$1,740	\$1,827	\$1,918
Cremated Remains	\$504	\$529	\$556	\$583

## ADMINISTRATIVE FEES

Transferring a Plot/Surrendering a Plot/Add Name to Reservation	\$84	\$88	\$93	\$97
Record retrieval	\$96	\$101	\$106	\$111
Record re-issue	\$31	\$33	\$34	\$36
Open/close niche for corrective measures requested by funeral home or family - (remains stay on site/not a disinterment)	\$147	\$154	\$162	\$170
Wreath refinishing handling fee (includes removal/packaging for shipping and reinstall)	\$91	\$96	\$100	\$105
Special order/replacement processing fee	\$32	\$34	\$35	\$37
Bronze marker ordering/handling fee/installation	\$154	\$162	\$170	\$178

## LINERS

Standard Size	\$662	\$695	\$730	\$766
Child's Liner	\$249	\$261	\$275	\$288
Cremation Liners (in ground)	\$206	\$216	\$227	\$238
Handling and Placing Liners (vaults) Supplied by Funeral Homes	\$414	\$435	\$456	\$479

## MEMORIALS

<b>Marker Permit - Installation of Markers by the City</b>				
Cemetery Maintenance Fund	\$171	\$179	\$188	\$198
Installation	\$256	\$269	\$283	\$296
<b>Total</b>	<b>\$427</b>	<b>\$448</b>	<b>\$471</b>	<b>\$494</b>
Marker Permit – Installation of Markers, curbing, and legers by others in Sections A, B and Upright Marker Sections of Section G	\$249	\$261	\$275	\$288
Marker Modification Permit - Resetting/Removal/Reinstallation of Marker, curbing and ledger	\$84	\$88	\$93	\$97
Disposal of Marker	\$112	\$118	\$123	\$130
Engraving of Shutter (niche – each occurrence)	\$315	\$331	\$347	\$365
Supply Second Year Date Plate for Niche/Mausolea	\$261	\$274	\$288	\$302
Replacement Shutter – Single Niche - Legacy Gardens	\$90	\$95	\$99	\$104
Replacement Shutter – Double Niche – Legacy Gardens	\$178	\$187	\$196	\$206
Family Urn Plaques Per - Legacy Gardens	\$358	\$376	\$395	\$414

## VASES

Bud Vase - Niches	\$270	\$284	\$298	\$313
Bud Vase - Mausolea	\$402	\$422	\$443	\$465
In-Ground Galvanized Flower Vase	\$86	\$90	\$95	\$100
In-Ground Galvanized Flower Vase – Installation fee if vase is supplied by funeral home	\$34	\$36	\$37	\$39

## ADDITIONAL SERVICES

Canopy Service (Second Tent)	\$141	\$148	\$155	\$163
To Supply Pall Bearer Per (Two Employees)	\$122	\$128	\$135	\$141

## DEDICATION PROGRAM

Memorial Tree (with plaque at cemetery only -) – includes scattering of ashes at KMPC Scattering Garden or Trail	\$1,504	\$1,579	\$1,658	\$1,741
Memorial Bench (with plaque)	\$3,417	\$3,588	\$3,767	\$3,956
Memorial Bench (existing bench, adding a plaque)	\$2,480	\$2,604	\$2,734	\$2,871
Adding Second Plaque to Existing Memorial Bench or Tree	\$831	\$873	\$916	\$962
Memorial Table (with plaque)	\$3,417	\$3,588	\$3,767	\$3,956