

City of Kelowna
Regular Council Meeting
AGENDA



Monday, July 25, 2022
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.

This Meeting is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

6 - 23

PM Meeting - July 11, 2022

3. Development Application Reports & Related Bylaws

3.1. Coronation Ave 555 to 659 - Z22-0032 - Coronation Holdings Ltd., Inc.No. BC1299864

24 - 97

To review a Staff recommendation to NOT rezone the subject properties that would facilitate a mixed-use development.

3.2. Rimrock Rd 180 - Z22-0021 (BL12417) - Mohammad Yousuf Nasin and Sayeda Hashimi Nasin

98 - 118

To rezone the subject property from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone.

3.3. Supplemental Report - Feedham Ave 1649 - Z22-0031 (BL12413) - Sander Dokter and Brooke Dokter

119 - 120

To receive a summary of notice of first reading for Rezoning Bylaw No. 12413 and to give the bylaw further reading consideration.

3.4. Feedham Ave 1649 - BL12413 (Z22-0031) - Sander Dokter and Brooke Dokter

121 - 121

To give Bylaw No. 12413 first, second and third reading in order to rezone the subject property from the A1 – Agriculture 1 zone to the RU1c – Large Lot Housing with Carriage House zone.

- 3.5. Pandosy St 2340 - Z19-0135 (BL12056) - Rescind Rezoning Bylaw** 122 - 123
- To rescind all three readings given to Rezoning Bylaw No. 12056 and direct staff to close the file.
- 3.6. Pandosy St 2340 - BL12056 (Z19-0135) - 1128710 B.C. Ltd. Inc. No BC1128710** 124 - 124
- To rescind first, second and third readings of Bylaw No. 12056.
- 3.7. Snowsell St N 156 - Z21-0012 (BL12141) - Rescind Rezoning Bylaw** 125 - 126
- To rescind all three readings given to Rezoning Bylaw No. 12141 and direct Staff to close the file.
- 3.8. Snowsell St N 156 - BL12141 (Z21-0012) - Subhash Chander Bajaj and Kamlesh Rani Bajaj** 127 - 127
- To rescind first, second and third readings given to Bylaw No. 12141.
- 4. Bylaws for Adoption (Development Related)**
- 4.1. Gerstmar Rd 440 - BL12274 (Z21-0063) - Benjamin Cherney** 128 - 128
- To adopt Bylaw No. 12274 in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
- 4.2. Barnaby Rd 763 - BL12301 (Z21-0021) - Christopher John Thomson and Nicole Dawn Wilson** 129 - 129
- To adopt Bylaw No. 12301 in order to rezone the subject property from the RR2 – Rural Residential 2 zone to the RU6 – Two Dwelling Housing zone.
- 4.3. Gordon Dr 4563, 4573 - BL12381 (Z22-0017) - Forever Destiny Homes Ltd., Inc.No. BC0903896** 130 - 130
- To adopt Bylaw No. 12381 in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
- 4.4. Brighton Rd 445 - BL12391 (Z22-0023) - Heather J. Painchaud** 131 - 131
- To adopt Bylaw No. 12391 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.
- 4.5. Del Monte Ct 661 - BL12392 (Z22-0012) - Linda M.Servedio and Sigismondo Servedio** 132 - 132
- To adopt Bylaw No. 12392 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.

- 4.6. Franklyn Rd 920 - BL12394 (Z22-0001) - o899148 B.C. Ltd., Inc.No.BCo899148** 133 - 133
- To adopt Bylaw No. 12394 in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6– Two Dwelling Housing zone.
- 4.7. Arab Rd/Appaloosa Rd Area Rezoning Applications**
- To adopt eleven rezoning applications within the Arab Rd/Appaloosa Rd area.
- The following bylaws will be adopted together unless Council wants to separate one of the bylaws.
- 4.7.1. Appaloosa Rd 3008 - BL12396 (Z20-0026) - DL Capital Inc., Inc. No. BCo820774** 134 - 134
- To adopt Bylaw No. 12396 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.
- 4.7.2. Appaloosa Rd 3029 - BL12397 (Z19-0050) - Viking Refrigeration Ltd. Inc. No. BCo495457** 135 - 135
- To adopt Bylaw No. 12397 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.
- 4.7.3. Appaloosa Rd 3036 - BL12398 (Z21-0070) - Bhupinder S. Mroke & Balwant K. Mroke** 136 - 136
- To adopt Bylaw No. 12398 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.
- 4.7.4. Appaloosa Rd 3089 - BL12399 (Z19-0052) - 1571937 Alberta Ltd. & Garrett Radchenko** 137 - 137
- To adopt Bylaw No. 12399 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.
- 4.7.5. Appaloosa Rd 3139 - BL12400 (Z19-0049) - Irene A. Pitura and Edward J. Pitura and Gregory Pitura** 138 - 138
- To adopt Bylaw No. 12400 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.
- 4.7.6. Appaloosa Rd 3039 - BL12401 (Z19-0051) - Suresh K. Khurana and Babita Khurana** 139 - 139
- To adopt Bylaw No. 12401 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.

4.7.7.	Appaloosa Rd 3128 - BL12402 (Z19-0053) - 1056175 BC Ltd., Inc. No. BC1056175	140 - 140
	To adopt Bylaw No. 12402 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.	
4.7.8.	Appaloosa Rd 3156 - BL12403 (Z19-0054) - Sara D. Aitken and Angus B. Aitken	141 - 141
	To adopt Bylaw No. 12403 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.	
4.7.9.	Arab Rd 185 - BL12404 (Z20-0025) - 1046958 BC Ltd., Inc. No. BC1046958	142 - 142
	To adopt Bylaw No. 12404 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.	
4.7.10.	Appaloosa Rd 3196 - BL12405 (Z20-0072) - Watermark Developments Ltd., Inc. No. 1191800	143 - 143
	To adopt Bylaw No. 12405 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.	
4.7.11.	Appaloosa Rd 3169 - BL12406 (Z21-0071) - 1301318 BC Ltd., Inc. No. BC1301318	144 - 144
	To adopt Bylaw No. 12406 in order to rezone the subject property from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone.	
4.8.	Muir Rd 140 - BL12411 (Z22-0016) - Simarjeet Kaur Sandhu	145 - 145
	To adopt Bylaw No. 12411 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.	
5.	Non-Development Reports & Related Bylaws	
5.1.	Planning and Development Statistics - Q1 and Q2 2022	146 - 158
	This report updates Council on building and development statistics for the first and second quarter of year 2022.	
5.2.	2040 OCP - Industrial Future Land Use for 480 Penno Road	159 - 168
	To provide Council with the rationale for designating the property located at 480 Penno Road as Industrial as part of the 2040 Official Community Plan Process.	

5.3.	Council Update - Municipal Boating Facilities	169 - 181
	To update Council on the progress of the Commercial Boat Launch License program (as implemented earlier this year) and to provide a summary of Staff engagement efforts and initial findings related to a long-term strategy and management plan regarding the optimal operations of the City's boating facilities.	
5.4.	Transit Exchange Enhancement Studies	182 - 202
	To update Council on the status of transit exchange infrastructure studies and to seek a motion to further develop projects and apply for senior government funding.	
6.	Bylaws for Adoption (Non-Development Related)	
6.1.	BL12385 - Road Closure Bylaw - Adjacent to 550-552 Valley Rd N	203 - 204
	Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.	
	To adopt Bylaw No. 12385.	
6.2.	BL12378 - Idling Control Bylaw	205 - 208
	To adopt Bylaw No. 12378.	
6.3.	BL12407 - Amendment No. 34 to Bylaw Notice Enforcement Bylaw No. 10475	209 - 210
	To adopt Bylaw No. 12407.	
6.4.	BL12414 - Amendment No. 3 to Fire and Life Safety Bylaw No. 10760	211 - 215
	To adopt Bylaw No. 12414.	
7.	Mayor and Councillor Items	
8.	Termination	



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, July 11, 2022
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Mohini Singh, Luke Stack and Loyal Wooldridge
Members participating Remotely	Councillors Charlie Hodge and Brad Sieben*
Members Absent	Councillor Gail Given
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Community Planning & Development Manager, Dean Strachan*; Planner, Graham Allison*; Planner, Trisa Atwood*; Planner, Sara Skabowski*; Planner, Mark Tanner*; Planner, Tyler Caswell*; Planner Specialist, Wesley Miles*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Infill Housing Planning Manager, James Moore*; Long Range Policy Planning Manager, Robert Miles*; Sustainability Coordinator, Tracy Guidi*; Environmental Technician, Nancy Mora Castro*; Transportation Planner, Cameron Noonan*
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guest	Jasmine Patrick*, Senior Communications Specialist, Urban Systems Ltd.

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:52 p.m.

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

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

2. Confirmation of Minutes

Moved By Councillor Singh/Seconded By Councillor DeHart

R0482/22/07/11 THAT the Minutes of the Regular Meetings of June 27, 2022 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Hart Rd 3845 - FH22-0005 A21-0010 - Khela Orchards Ltd., Inc. No. 1194108

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Hodge

R0483/22/07/11 THAT Council ask the Applicant Representative to respond to questions from Council.

Carried

Councillor Sieben disconnected from the meeting at 2:15 p.m.

Carl Whitler, Professional Agrologist, Applicant Agent

- Made comment that in general terms a morning bus would transport workers to another site or to this site and would return in the afternoon.
- This site is a north face setting and has heavy soils; the site is preferred for this type of activity.
- Responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Singh

R0484/22/07/11 THAT Agricultural Land Reserve Appeal No. A21-0010 for Lot 3 Sections 3 And 4 Township 26 ODYD Plan KAP90274 located at 3845 Hart Road Rd, Kelowna, BC for a Non-Adhering Residential Use Permit pursuant to Section 25 of the Agricultural Land Commission Act, be supported by Council;

AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration;

AND THAT Council authorizes the issuance of Temporary Farm Working Housing Permit No. FH22-0005 for Lot 3 Sections 3 And 4 Township 26 ODYD Plan KAP90274 located at 3845 Hart Rd, Kelowna, BC subject to the following:

1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application A21-0010;
2. The dimensions and siting of the building to be constructed on the land in accordance with Schedule A;
3. Registration of a Section 219 Restrictive Covenant on the Title that states:
 - a. The dwellings will be used for temporary farm workers only;
 - b. The owner will remove the dwellings if the farm operation changes such that if they are no longer required;
 - c. The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
 - d. The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers: and,
 - e. The temporary farm worker housing building footprint is a maximum of 0.3ha.

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

Carried
Councillors DeHart and Stack - Opposed

3.2 Doyle Ave 550 - TA22-0013 (BL12415) Z21-0110 (BL12416) - Multiple Owners

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Singh

R0485/22/07/11 THAT Zoning Bylaw Text Amendment Application No. TA22-0013 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Development Planning Department dated July 11, 2022, be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Rezoning Application No. Z21-0110 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of PARCEL A (KK73272) DL 139 ODYD PLAN KAP45917 located at 550 Doyle Ave, Kelowna, BC from the C7 – Central Business Commercial zone to CD28 – University of British Columbia Downtown Campus zone as shown on Map “A” attached to the Report from the Development Planning Department dated July 11, 2022, be considered by Council;

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

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

Carried

3.3 Doyle Ave 550 - BL12415 (TA22-0013) - Multiple Owners

Moved By Councillor Donn/Seconded By Councillor Stack

R0486/22/07/11 THAT Bylaw No. 12415 be read a first time.

Carried

3.4 Doyle Ave 550 - BL12416 (Z21-0110) - Multiple Owners

Moved By Councillor Donn/Seconded By Councillor Stack

R0487/22/07/11 THAT Bylaw No. 12416 be read a first time.

Carried

3.5 Feedham Ave 1649 - Z22-0031 (BL12413) - Sander and Brooke Dokter

Staff:

- Introduced new Planner Sara Skabowski.
- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Singh

Ro488/22/07/11 THAT Rezoning Application No. Z22-0031 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 149 Section 13 Township 26 ODYD Plan 24361, located at 1649 Feedham Ave, Kelowna, BC from the A1 - Agriculture 1 zone to the RU1c Large Lot Housing with Carriage House zone, be considered by Council;

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

Carried

3.6 Supplemental Report - Merlin Ct 217 - Z22-0026 (BL12347) -Cindy Louise Good

Moved By Councillor DeHart/Seconded By Councillor Donn

Ro489/22/07/11 THAT Council receives, for information, the report from the Office of the City Clerk dated July 11, 2022 with respect to Zoning Bylaw No. 12347;
AND THAT Rezoning Bylaw No.12347 be forwarded for further reading consideration.

Carried

3.7 Merlin Ct 217 - BL12347 (Z22-0026) - Cindy Louise Good

Moved By Councillor Donn/Seconded By Councillor Stack

Ro490/22/07/11 THAT Bylaw No. 12347 be read a first, second and third time and be adopted.

Carried

3.8 Supplemental Report - Brighton Rd 445 - Z22-0023 (BL12391) -Heather J. Painchaud

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

Ro491/22/07/11 THAT Council receives, for information, the report from the Office of the City Clerk dated July 11, 2022 with respect to Zoning Bylaw No. 12391;

AND THAT Rezoning Bylaw No.12391 be forwarded for further reading consideration.

Carried

3.9 Brighton Rd 445 - BL12391 (Z22-0023) - Heather J. Painchaud

Moved By Councillor Donn/Seconded By Councillor Stack

Ro492/22/07/11 THAT Bylaw No. 12391 be read a first, second and third time.

Carried

3.10 Supplemental Report -Del Monte Ct 661 - Z22-0012 (BL12392) - Linda M. Servedio and Sigismondo Servedio

Moved By Councillor Hodge/Seconded By Councillor Singh

Ro493/22/07/11 THAT Council receives, for information, the report from the Office of the City Clerk dated July 11, 2022 with respect to Zoning Bylaw No. 12392;

AND THAT Rezoning Bylaw No.12392 be forwarded for further reading consideration.

Carried

3.11 Del Monte Ct 661 - BL12392 (Z22-0012) - Linda M. Servedio and Sigismondo Servedio

Moved By Councillor Donn/Seconded By Councillor Stack

Ro494/22/07/11 THAT Bylaw No. 12392 be read a first, second and third time.

Carried

3.12 Supplemental Report -Franklyn Rd 920 - Z22-0001 (BL12394) - o899148 B.C. Ltd., Inc. No. BCo899148

Moved By Councillor Donn/Seconded By Councillor Stack

Ro495/22/07/11 THAT Council receives, for information, the report from the Office of the City Clerk dated July 11, 2022 with respect to Zoning Bylaw No. 12394;

AND THAT Rezoning Bylaw No.12394 be forwarded for further reading consideration.

Carried

3.13 Franklyn Rd 920 - BL12394 (Z22-0001) - o899148 B.C. Ltd., Inc.No.BCo899148

Moved By Councillor Donn/Seconded By Councillor Stack

Ro496/22/07/11 THAT Bylaw No. 12394 be read a first, second and third time.

Carried

3.14 Supplemental Report - Greene Rd 658 - Z21-0107 (BL12395) -Ricki Chan

Moved By Councillor Wooldridge/Seconded By Councillor Donn

Ro497/22/07/11 THAT Council receives, for information, the report from the Office of the City Clerk dated July 11, 2022 with respect to Zoning Bylaw No. 12395;

AND THAT Rezoning Bylaw No.12395 be forwarded for further reading consideration.

Carried

3.15 Greene Rd 658 - BL12395 (Z21-0107) - Ricki Chan

Moved By Councillor Donn/Seconded By Councillor Stack

Ro498/22/07/11 THAT Bylaw No. 12395 be read a first, second and third time.

Carried

3.16 Supplemental Report - Arab Rd and Appaloosa Rd Area

Moved By Councillor Singh/Seconded By Councillor DeHart

R0499/22/07/11 THAT Council receives, for information, the report from the Office of the City Clerk dated July 11, 2022 with respect to the eleven rezoning applications within the Arab Road/Appaloosa Road area;

AND THAT Rezoning Bylaws No. 12396, 12397, 12398, 12399, 12400, 12401, 12402, 12403, 12404, 12405 and 12406 be forwarded for further reading consideration.

Carried

3.17 Arab/Rd/Appaloosa Rd Area Rezoning Applications

3.17.1 Appaloosa Rd 3008 - BL12396 (Z20-0026) - DL Capital Inc., Inc. No. BC0820774

Moved By Councillor Donn/Seconded By Councillor DeHart

R0500/22/07/11 THAT Bylaw No. 12396 be read a first, second and third time.

Carried

3.17.2 Appaloosa Rd 3029 - BL12397 (Z19-0050) - Viking Refrigeration Ltd. Inc. No. BC0495457

Moved By Councillor Donn/Seconded By Councillor DeHart

R0501/22/07/11 THAT Bylaw No. 12397 be read a first, second and third time.

Carried

3.17.3 Appaloosa Rd 3036 - BL12398 (Z21-0070) - Bhupinder S. Mroke & Balwant K. Mroke

Moved By Councillor Donn/Seconded By Councillor DeHart

R0502/22/07/11 THAT Bylaw No. 12398 be read a first, second and third time.

Carried

3.17.4 Appaloosa Rd 3089 - BL12399 (Z19-0052) - 1571937 Alberta Ltd. & Garrett Radchenko

Moved By Councillor Donn/Seconded By Councillor DeHart

R0503/22/07/11 THAT Bylaw No. 12399 be read a first, second and third time.

Carried

3.17.5 Appaloosa Rd 3139 - BL12400 (Z19-0049) - Irene A. Pitura and Edward J. Pitura and Gregory Pitura

Moved By Councillor Donn/Seconded By Councillor DeHart

R0504/22/07/11 THAT Bylaw No. 12400 be read a first, second and third time.

Carried

3.17.6 Appaloosa Rd 3039 - BL12401 (Z19-0051) - Suresh K. Khurana and Babita Khurana

Moved By Councillor Donn/Seconded By Councillor DeHart

R0505/22/07/11 THAT Bylaw No. 12401 be read a first, second and third time.

Carried

3.17.7 Appaloosa Rd 3128 - BL12402 (Z19-0053) - 1056175 BC Ltd., Inc. No. BC1056175

Moved By Councillor Donn/Seconded By Councillor DeHart

R0506/22/07/11 THAT Bylaw No. 12402 be read a first, second and third time.

Carried

3.17.8 Appaloosa Rd 3156 - BL12403 (Z19-0054) - Sara D. Aitken and Angus B. Aitken

Moved By Councillor Donn/Seconded By Councillor DeHart

R0507/22/07/11 THAT Bylaw No. 12403 be read a first, second and third time.

Carried

3.17.9 Arab Rd 185 - BL12404 (Z20-0025) - 1046958 BC Ltd., Inc. No. BC1046958

Moved By Councillor Donn/Seconded By Councillor DeHart

R0508/22/07/11 THAT Bylaw No. 12404 be read a first, second and third time.

Carried

3.17.10 Appaloosa Rd 3196 - BL12405 (Z20-0072) - Watermark Developments Ltd., Inc. No. 1191800

Moved By Councillor Donn/Seconded By Councillor DeHart

R0509/22/07/11 THAT Bylaw No. 12405 be read a first, second and third time.

Carried

3.17.11 Appaloosa Rd 3169 - BL12406 (Z21-0071) - 1301318 BC Ltd., Inc. No. BC1301318

Moved By Councillor Donn/Seconded By Councillor DeHart

R0510/22/07/11 THAT Bylaw No. 12406 be read a first, second and third time.

Carried

3.18 Supplemental Report - Clifton Rd N 259 - Z22-0027 (BL12410) - Brian L. Burnham

Staff:

- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0511/22/07/11 THAT Council receives, for information, the report from the Office of the City Clerk dated July 11, 2022 with respect to Zoning Bylaw No. 12410;

AND THAT Rezoning Bylaw No.12410 be forwarded for further reading consideration.

Carried
Councillor Hodge - Opposed

3.19 Clifton Rd North 259 - BL12410 (Z22-0027) - Brian . Burnham

Moved By Councillor Donn/Seconded By Councillor DeHart

R0512/22/07/11 THAT Bylaw No. 12410 be read a first, second and third time and adopted.

Carried
Councillor Hodge - Opposed

3.20 Supplemental Report -Muir Rd 140 - Z22-0016 (BL12411) - Simarjeet Kaur Sandhu

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0513/22/07/11 THAT Council receives, for information, the report from the Office of the City Clerk dated July 11, 2022 with respect to Zoning Bylaw No. 12411;

AND THAT Rezoning Bylaw No.12411 be forwarded for further reading consideration.

Carried

3.21 Muir Rd 140 - BL12411 (Z22-0016) - Simarjeet Kaur Sandhu

Moved By Councillor Donn/Seconded By Councillor DeHart

R0514/22/07/11 THAT Bylaw No. 12411 be read a first, second and third time.

Carried

3.22 Supplemental Report -Viewcrest Crt 394 - Z22-0030 (BL12412) - Sundeep Jassi, Hans Jassi and ManishaJassi

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0515/22/07/11 THAT Council receives, for information, the report from the Office of the City Clerk dated July 11, 2022 with respect to Zoning Bylaw No. 12412;

AND THAT Rezoning Bylaw No.12412 be forwarded for further reading consideration.

Carried

3.23 Viewcrest Ct 394 - BL12412 (Z22-0030) - Sundeep Jassi, Hans Jassi and Manisha Jassi

Moved By Councillor Donn/Seconded By Councillor DeHart

R0516/22/07/11 THAT Bylaw No. 12412 be read a first, second and third time and be adopted.

Carried

3.24 Ambrosi Rd 1820 - BL12322 (Z21-0093) - True North Endeavours Inc., Inc. No. BC0792133

Moved By Councillor Donn/Seconded By Councillor DeHart

R0517/22/07/11 THAT Bylaw No. 12322 be amended at 3rd reading by deleting the Legal Description and the Civic Address that read:

"Lot 3 Block 1 District Lot 129 ODYD Plan 5109"

And replacing it with:

"Lot 1 Block 1 District Lt 129 ODYD Plan EPP120772".

Carried

Moved By Councillor Donn/Seconded By Councillor DeHart

R0518/22/07/11 THAT Bylaw No. 12322, as amended, be adopted.

Carried

3.25 Ambrosi Rd 1820 - DP21-0213 - True North Endeavours Inc., Inc. No. BC0792133

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0519/22/07/11 THAT Rezoning Bylaw No. 12322 be amended at third reading to revise the legal description of the subject property from Lot 3, Block 1, District Lot 129, ODYD, Plan 5109 to Lot 1, District Lot 129, ODYD, Plan EPP120772;

AND THAT final adoption of Rezoning Bylaw No. 12322 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0213 for Lot 1, District Lot 129, ODYD, Plan EPP120772, located at 1820 Ambrosi Road, Kelowna, BC subject to the following:

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

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

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

Carried

3.26 Pier Mac Way 2050 - DP22-0072 - Beedie (Pier Mac Way) Holdings Ltd., Inc. No. BC1344910

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0520/22/07/11 THAT Council authorizes the issuance of Development Permit No. DP22-0072 for Lot 1 District Lot 32 and Section 14 Township 23 ODYD Plan EPP55881 Except Plans EPP56391, EPP64961 and EPP80708, located at 2050 Pier Mac Way, 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 THAT issuance of the Development Permit be considered subsequent to approval of the Ministry of Transportation and Infrastructure;

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

Carried

4. Non-Development Reports & Related Bylaws

4.1 Bylaw Amendments related to new Zoning Bylaw No. 12375 - City of Kelowna

Councillor Sieben rejoined the meeting at 3:17 p.m.

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0521/22/07/11 THAT Council, receives, for information, the Report from the Development Planning Department dated July 11, 2022 regarding bylaw amendments associated with a new Zoning Bylaw:

- A. AND THAT Bylaw No. 12353 being Amendment No. 15 to the City of Kelowna Building Bylaw No. 7245 be forwarded for reading consideration;
- B. AND THAT Bylaw No. 12354 being Amendment No. 7 to the City of Kelowna Animal and Poultry Regulation and Animal Pound Bylaw No. 5421-82 be forwarded for reading consideration;
- C. AND THAT Bylaw No. 12355 being Amendment No. 20 to the City of Kelowna Business Licence and Regulation Bylaw No. 7878 be forwarded for reading consideration;
- D. AND THAT Bylaw No. 12356 being Amendment No. 22 to the City of Kelowna Subdivision, Development & Servicing Bylaw No. 7900 be forwarded for reading consideration;

- E. AND THAT Bylaw No. 12358 being Amendment No. 4 to the City of Kelowna Building Numbering Bylaw No. 7071 be forwarded for reading consideration;
- F. AND THAT Bylaw No. 12359 being Amendment No. 10 to the City of Kelowna Revitalization Tax Exemption Bylaw No. 9561 be forwarded for reading consideration;
- G. AND THAT Bylaw No. 12360 being Amendment No. 2 to the City of Kelowna Good Neighbour Bylaw No. 11500 be forwarded for reading consideration;
- H. AND THAT Bylaw No. 12361 being Amendment No. 3 to the City of Kelowna Soil Removal and Deposit Regulation Bylaw No. 9612 be forwarded for reading consideration;
- I. AND THAT Bylaw No. 12363 being Amendment No. 1 to the City of Kelowna Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720 be forwarded for reading consideration;
- J. AND THAT Bylaw No. 12364 being Amendment No. 42 to the City of Kelowna Traffic Bylaw No. 8120 be forwarded for reading consideration;
- K. AND THAT Bylaw No. 12365 being Amendment No. 3 to the City of Kelowna Payment in Lieu of Parking Bylaw No. 8125 be forwarded for reading consideration;
- L. AND THAT Bylaw No. 12368 being Amendment No. 13 to the City of Kelowna Development Application Fees Bylaw No. 10560 be forwarded for reading consideration;
- M. AND THAT Bylaw No. 12369 being Amendment No. 32 to the City of Kelowna Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for reading consideration.

Carried

4.2 Kelowna Zoning Bylaw No. 12375 - various bylaw updates

4.2.1 BL12353 - Amendment No. 15 to Building Bylaw No. 7245

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0522/22/07/11 THAT Bylaw No. 12353 be read a first, second and third time.

Carried

4.2.2 BL12354 - Amendment No. 7 to Animal and Poultry Regulation Bylaw No. 5421

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0523/22/07/11 THAT Bylaw No. 12354 be read a first, second and third time.

Carried

4.2.3 BL12355 - Amendment No. 19 to Business Licence Bylaw No. 7878

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0524/22/07/11 THAT Bylaw No. 12355 be read a first, second and third time.

Carried

4.2.4 BL12356 - Amendment No. 22 to Subdivision, Development & Servicing Bylaw No. 7900

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0525/22/07/11 THAT Bylaw No. 12356 be read a first, second and third time.

Carried

4.2.5 BL12358 - Amendment No. 4 to Building Numbering Bylaw No. 7071

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0526/22/07/11 THAT Bylaw No. 12358 be read a first, second and third time.

Carried

4.2.6 BL12359 - Amendment No. 10 to Revitalization Tax Exemption Bylaw No. 9561

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0527/22/07/11 THAT Bylaw No. 12359 be read a first, second and third time.

Carried

4.2.7 BL12360 - Amendment No. 2 to Good Neighbour Bylaw No. 11500

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0528/22/07/11 THAT Bylaw No. 12360 be read a first, second and third time.

Carried

4.2.8 BL12361 - Amendment No. 3 to Soil Removal and Deposit Regulation Bylaw No. 9612

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0529/22/07/11 THAT Bylaw No. 12361 be read a first, second and third time.

Carried

4.2.9 BL12363 - Amendment No. 1 to Short Term Rental and Accommodation Business Licence and Regulation Bylaw No. 11720

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0530/22/07/11 THAT Bylaw No. 12363 be read a first, second and third time.

Carried

4.2.10 BL12364 - Amendment No. 42 to Traffic Bylaw No. 8120

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0531/22/07/11 THAT Bylaw No. 12364 be read a first, second and third time.

Carried

4.2.11 BL12365 - Amendment No. 3 to Payment in Lieu Bylaw No. 8125

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0532/22/07/11 THAT Bylaw No. 12365 be read a first, second and third time.

Carried

4.2.12 BL12368 - Amendment No. 13 to Development Application Fees Bylaw No. 10560

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0533/22/07/11 THAT Bylaw No. 12368 be read a first, second and third time.

Carried

4.2.13 BL12369 - Amendment No. 32 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0534/22/07/11 THAT Bylaw No. 12369 be read a first, second and third time.

Carried

4.3 Amendments to City of Kelowna Sign Bylaw No. 11530

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed Sign Bylaw amendments

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

R0535/22/07/11 THAT Council, receives, for information, the Report from the Development Planning Department dated May 16, 2022 recommending that Council amend the City of Kelowna Sign Bylaw No. 11530;

AND THAT Bylaw No. 12357 being Amendment No. 2 to the City of Kelowna Sign Bylaw No. 11530 be forwarded for reading consideration.

Carried

4.4 BL12357 - Amendment No. 2 to Sign Bylaw No. 11530

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

R0536/22/07/11 THAT Bylaw No. 12357 be read a first, second and third time.

Carried

4.5 Fire and Life Safety Bylaw No. 10760 - amendment

Staff:

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

Moved By Councillor Singh/Seconded By Councillor DeHart

R0537/22/07/11 THAT Council receives, for information, the report from the Property Standards Compliance Team dated July 11, 2022, with respect to amending the Fire and Life Safety Bylaw for changes to the Vacant Premises and Damage Buildings requirements;

AND FURTHER THAT Bylaw No. 12414 being Amendment No. 3 to the Fire and Life Safety Bylaw No. 10760 be advanced for reading consideration.

Carried**4.6 BL12414 - Amendment No. 3 to Fire and Life Safety Bylaw No. 10760**Moved By Councillor Wooldridge/Seconded By Councillor SinghR0538/22/07/11 THAT Bylaw No. 12414 be read a first, second and third time.Carried**4.7 ARP21-0001 Plan Area Amendment**

Staff:

- Provided an update and identified the proposed amendments to the Area Redevelopment Plan.

Moved By Councillor Wooldridge/Seconded By Councillor StackR0539/22/07/11 THAT Council amend Area Redevelopment Plan ARP21-0001 to include the properties of 399 Bay Avenue and 858 Ellis Street, legally described as Lots B & C, DL9, ODYD, Plan KAP27467.Carried**4.8 2040 OCP - Downtown Building Heights Mapping for Ellis Street**

Staff:

- Displayed a PowerPoint Presentation providing an update of the Downtown Building Heights Mapping for Ellis Street and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor StackR0540/22/07/11 THAT Council direct staff to bring forward proposed amendments to Downtown building height policy and mapping in the Kelowna 2040 – Official Community Plan Bylaw No. 12300.Carried**4.9 Local Government Climate Action Program Update**

Staff:

- Displayed a PowerPoint presentation providing an update on the Local Government Climate Action Program.

Moved By Councillor Hodge/Seconded By Councillor DonnR0541/22/07/11 THAT Council receives, for information, the report from Policy & Planning dated July 11, 2022, with respect to the Local Government Climate Action Program Update.

AND THAT the 2022 Financial Plan be amended to increase both the revenue and the associated contribution to the Local Government Climate Action Program Reserve budget by \$419,082 as a result of the Local Government Climate Action Program grant.

AND FURTHER THAT Council approve annual funding, for no more than three years, from the Climate Action General Reserve to meet the 20 per cent (\$83,816) matching contribution requirement of the program.

Carried

4.10 Idling Control Bylaw and Communication Strategy

Staff:

- Displayed a PowerPoint Presentation summarizing the Idling Control Bylaw, introduced guest Jasmine Patrick, Senior Communications Specialist, Urban Systems Ltd., and responded to questions from Council.

Jasmine Patrick, Senior Communications Specialist, Urban Systems Ltd.

- Made comments on the Communication Strategy and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0542/22/07/11 THAT Council receives for information, the report from Integrated Transportation dated July 11, 2022, recommending that Council adopt the Idling Control Bylaw for the City of Kelowna and be informed on the six-month communication strategy.

AND THAT Bylaw No. 12378, being the Idling Control Bylaw for the City of Kelowna be forwarded for reading consideration.

AND FURTHER THAT Bylaw No. 1207 being amendment No. 34 to Bylaw Notice Enforcement Bylaw 10475 be forwarded for reading consideration.

Carried

4.11 BL12378 - Idling Control Bylaw

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0543/22/07/11 THAT Bylaw No. 12378 be read a first, second and third time.

Carried

4.12 BL12407 - Amendment No. 34 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0544/22/07/11 THAT Bylaw No. 12407 be read a first, second and third time.

Carried

4.13 2022 UBCM Strategic Priorities Fund Grant Application

Staff:

- Provided an outline of the KLO Bridge Replacement Project.

Moved By Councillor Hodge/Seconded By Councillor Stack

R0545/22/07/11 THAT Council receives for information, the report from Integrated Transportation dated July 11, 2022, with respect to the 2022 UBCM Strategic Priorities Fund Grant Application;

AND THAT Council authorizes staff to apply to the Strategic Priorities Fund for the KLO Bridge Replacement Project, as outlined in this report;

AND FURTHER THAT Council support staff to manage all tasks necessary to complete the grant, if successful.

Carried

4.14 Kelowna International Airport - 2022 Financial Plan Amendment - Provincial Contribution

Staff:

- Provided the proposed amendments to the Kelowna International Airport 2022 Financial Plan.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0546/22/07/11 THAT Council receives for information the report from Kelowna International Airport dated July 11, 2022, with respect to the amendment of Kelowna International Airport's 2022 Financial Plan;

AND THAT, the 2022 Financial Plan be amended to include all costs and proceeds associated with the Provincial Contribution as outlined in the report from Kelowna International Airport dated July 11, 2022;

AND FURTHER THAT the Airport Director be authorized to execute all documents necessary to enter into agreements for the Provincial Contribution as outlined in the report from Kelowna International Airport dated July 11, 2022.

Carried

4.15 Regency Aero Lease Inc. - Lease and Consents to Sublease

Staff:

- Displayed a PowerPoint Presentation outlining the leases with Regency Aero Lease Inc.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

R0547/22/07/11 THAT Council approves the lease with Regency Aero Lease Inc. attached as Appendix A to the report of the Kelowna International Airport and Real Estate departments dated July 11, 2022;

AND THAT the 2022 Financial Plan be amended to include the annual revenue associated with the lease;

AND THAT Council approves the Consent to Sub-sublease from Regency Aero Lease Inc. to Kelowna Flightcraft Ltd. attached as Appendix B to the report of the Airport and Real Estate departments dated July 11, 2022;

AND THAT Council approves the Consent to Sub-sub-sublease from Kelowna Flightcraft Ltd. to Okanagan Mountain Helicopters Ltd. and Okanagan Mountain Helicopters FTU Ltd. attached as Appendix C to the report of the Airport and Real Estate departments dated July 11, 2022;

AND FURTHER THAT Mayor and City Clerk be authorized to execute all documents necessary to complete a long-term lease and a consent to sub-sublease and a consent to sub-sub-sublease and any corresponding future amendments related to the transactions as outlined in the report from the Kelowna International Airport and Real Estate departments dated July 11, 2022.

Carried

4.16 Road Closure - Adjacent to 550-552 Valley Rd N

Moved By Councillor Donn/Seconded By Councillor Hodge

R0548/22/07/11 THAT Council receives, for information, the report from the Real Estate department dated July 11, 2022, recommending that Council adopt the proposed closure of a portion of road southwest of Lot 1 Plan KAP25285;

AND THAT Bylaw No. 12385, being a proposed road closure of a portion of road southwest of Lot 1 Plan KAP25285, be given reading consideration.

Carried

4.17 BL12385 - Road Closure Bylaw - Adjacent to 550-552 Valley Rd N

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0549/22/07/11 THAT Bylaw No. 12385 be read a first, second and third time.

Carried

5. Bylaws for Adoption (Non-Development Related)

5.1 BL12409 Amendment No. 7 to Active Living & Culture Fees and Charges Bylaw No. 9609

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0550/22/07/11 THAT Bylaw No. 12409 be adopted.

Carried

6. Mayor and Councillor Items

Mayor Basran:

- Advised that a Council meeting is scheduled on September 12, 2022 during the UBCM Convention.
- Inquired whether Council wished to cancel the scheduled Council meeting.

Moved By Councillor Stack/Seconded By Councillor DeHart

R0551/22/07/11 THAT Council cancel the scheduled Monday September 12, 2022 Council Meetings.

Carried

Councillor Wooldridge:

- Spoke to their attendance at the 75th Anniversary of Kelowna's International Airport where the Canadian Forces Snowbirds performed in celebration.
- Made comment on the Wings and Wheels event at the new KF Aerospace.
- Acknowledged the Diner en Blanc event that was hosted at the Rutland Centennial Park.

Councillor Singh:

- Spoke to the 1 year anniversary of the tragic crane collapse and the memorial to take place.

Councillor Donn:

- Acknowledged Parks Alive festivities are beginning.

Councillor DeHart:

- Made comment on the Snowbirds performance at the Kelowna Airport's 75th Anniversary.

Councillor Hodge:

- Made Comment on the Meet Me on Bernard kick off and acknowledged the great live music performances.

Mayor Basran:

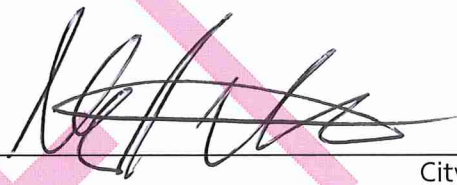
- Encouraged citizens to check the Meet Me on Bernard website and itinerary of the many events taking place.
- Thanked the Provincial Government for their contribution to the Airport.
- Reminder of the Public Hearing tomorrow evening.

7. Termination

This meeting was declared terminated at 4:26 p.m.

Mayor Basran

/acm



City Clerk

DRAFT

REPORT TO COUNCIL



Date: July 25, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z22-0032 **Owner:** CORONATION HOLDINGS LTD., INC. NO. BC1299864

Address: 555 to 659 Coronation Ave **Applicant:** Brian Quiring - MQN Architects

Subject: Early Consideration of Rezoning Application

Existing OCP Designation: UC – Urban Centre

Existing Zones: RU2 – Medium Lot Housing
RU2c – Medium Lot Housing with Carriage House

Proposed Zone: C7 – Central Business Commercial

1.0 Recommendation

THAT Rezoning Application No. Z22-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of the properties identified in Schedule A from the RU2 – Medium Lot Housing zone and the RU2c – Medium Lot Housing with Carriage House zone to the C7 – Central Business Commercial zone NOT be considered by Council.

2.0 Purpose

To review a Staff recommendation to NOT rezone the subject properties that would facilitate a mixed-use development.

3.0 Development Planning

Development Planning Staff are not supportive of the application to redevelop the 16 properties on the south side of Coronation Avenue to facilitate a mixed-use tower/podium development. The concerns are related to both the proposed tall building heights and high density that are proposed at this location. The 2040 Official Community Plan (OCP) provides building height policy for the subject properties in the 12-storey category as indicated on Map 4.1 Downtown Building Heights. The proposal, as submitted, significantly deviates from this plan.

In recognition of the high level of civic responsibility and obligation that tall buildings carry, the OCP height policy direction in the Downtown was to concentrate the greatest amount of height and density along designated corridors. This includes east/west along Leon Ave and Lawrence Ave and on Bernard Avenue from Ellis Street to Richter Street, and north/south for the properties between Ellis Street and St Paul Street resulting in a more focused area for tall towers. These policies are based on the premise that tall buildings are desirable in the right places, but do not belong everywhere.

The project proposes three towers with heights of 33, 27 and 20 storeys with parking provided through a large multi-level above-ground podium at a project density of 6.0 FAR. Based on the above, this proposal should have a reduced height and density as it is adjacent to St. Paul Street and extends along Coronation Avenue. In this context, the proposal does not integrate well to the predominantly lower density residential area to the east and south of the project site. It takes up too much vertical space for something that could be achieved with much less height. Further, the height and density triggers the need for a substantial parking podium which will impact the public realm and the experience at the street level. The draft new Zoning Bylaw No. 12375 regulates this property to a more reasonable density of 3.3 FAR. Tall buildings are not the only answer to achieving density especially if the project undermines the character, liability, social fabric, and policy framework of the City.

An Alternate Recommendation (Section 7.0) has been provided for Council's consideration. Should Council support this Alternate Recommendation, Staff would need to determine the best way for this development application to proceed. Staff would evaluate if this should be handled as a special development right through a site-specific text amendment to the UC₁ – Downtown Urban Centre zone, to allow for greater height and density, or through the development of a Comprehensive Development (CD) Zone.

4.0 Proposal

4.1 Background

The Early Consideration process was incorporated into the Development Application and Heritage Procedures Bylaw No. 12310 in May, 2021. The intent of this process was to receive direction from Council to modify the application process for complex projects when a proposal pushes the boundaries of what City policy and Planning Staff are able to support.

Planning Staff worked with the applicant during several pre-application discussions, as well as providing formal feedback following file circulation. The applicant chose to move forward with early consideration of the original proposal.

4.2 Project Description

Detailed Development Permit drawings must be submitted. Currently, the preliminary proposal is for three towers, which are 33 storeys, 27 storeys and 20 storeys in height. The tallest tower is proposed at St Paul Street and the height decreases from the west to the east end of the site. It includes approximately 708 units, with a proposed FAR of 6.0. Parking would be contained above-ground within a podium. The proposal includes commercial uses, a hotel, market condo, and rental units. The applicant's rationale and proposal details have been included as Attachment B.

4.3 Application Considerations

Should Council support the Alternate Recommendation, staff would allocate time to process the file and bring forth the necessary bylaws for Council's consideration. The following items will be reviewed through the application process:

Zoning Analysis

The height provisions under the draft Zoning Bylaw No. 12375 would permit development with a base height of 12 storeys. Bonuses would allow an additional 3 storeys to a maximum of 15 storeys with a public amenity streetscape payment. A height variance would be required to achieve the 33 storeys proposed. Refer to Map 4.1, included as Attachment A for reference.

The maximum FAR will be 3.3 with an additional 0.5 FAR possible through density bonusing program. The proposed density for this project is 6.0, which far exceeds the maximum allowed (3.8 with bonusing). To provide some context of what this means, the Brooklyn/Bertram Block development has an FAR of 6.0 with building heights of 36, 26 and 18 storeys. The former RCMP site (350 Doyle Ave) is proposing a height of 25 storeys with an FAR of 4.4.

The significant height and density will need either a site-specific text amendment to the Zoning Bylaw or the development of a new Comprehensive Development Zone.

Massing and Visual Impact

A Development Permit application would be submitted by the applicant at a later date. This would be evaluated by Staff against Form and Character Design Guidelines in the 2040 Official Community Plan. Specifically, as this proposal is in excess of what the OCP or Zoning Bylaw foresees in both height and density, a shadow impact study would be required although it is difficult to foresee how any mitigation to the public realm or neighboring projects could be achieved.

Road Dedication and Improvements

Frontage improvements would be required on Coronation Ave, St. Paul Street, as well as laneway improvements and dedication. All vehicular access would only be permitted from the laneway.

Traffic Impact Assessment

The proposal requires a City-led Traffic Impact Assessment (TIA). Outcomes of this TIA may result in traffic-related improvements or requirements. This would be required to include considerations for public transit as well as pedestrian and cyclist network connectivity.

Utilities

The subject properties all currently have individual services. The applicants civil and mechanical consultants would need to determine the requirements for domestic water and fire protection, and a storm water management plan for the proposal. A sanitary downstream analysis from the development to the Raymer Road Treatment Plant would also be required.

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

A detailed memorandum outlining all Development Engineering requirements would be brought forward at the time an application is considered by Council.

Parks and Buildings Planning

With an estimated 708 units proposed, sufficient private amenity space would be required onsite. Specifically, on the podium level, to alleviate projected user demands on local neighbourhood parks and open spaces that are currently overused in the neighbourhood. These amenities should include playground elements, social gathering/ picnic areas, and passive recreational open space for children, families, seniors and visitors to enjoy. The details of on-site landscaping would be evaluated as part of a Development Permit application.

Neighbourhood Notification and Public Information Session

The applicant would be required to complete neighbourhood notification and host a public information session to satisfy requirements established in Council Policy No. 367. Generally, public input should be considered for incorporation in the final Development Permit submission.

4.4 Site Context

The 16 subject properties are located on the south side of Coronation Ave, between St. Paul St and Richter St. The development site is within the Downtown Urban Centre and is somewhat walkable (Walk Scores between 67 and 72).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing	Single Dwelling Housing
East	RU2 – Medium Lot Housing	Single Dwelling Housing
South	RM4 – Transitional Low Density Housing RU2 – Medium Lot Housing RU2c – Medium Lot Housing with Carriage House C7 – Central Business Commercial	Multiple Dwelling Housing Single Dwelling Housing Single Dwelling Housing with Carriage House
West	C3 – Community Commercial I2 - General Industrial	Temporary Shelter Services Participant Recreation Services, Indoor General Industrial

Subject Property Map: 555 Coronation Ave to 659 Coronation Ave



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 4.1 Strengthen the Urban Centres as Kelowna’s primary hubs of activity	
Policy 4.1.2 Urban Centre Hierarchy	<p>Focus the greatest intensity of uses and scale of development Downtown in recognition of its role as the largest Urban Centre. Scale development in other Urban Centres in accordance with Figure 4.1 and based on their anticipated context, supporting infrastructure and amenities.</p> <p><i>The subject properties are located within the Downtown Urban Centre, where the OCP envisions the greatest intensity of uses and scale of development on key corridors. This proposal is on a street that should be providing a transition down in height to the adjacent residential neighbourhood.</i></p>
Objective 4.4 Reinforce Downtown as the Urban Centre with the greatest diversity and intensity of uses in the City	
Policy 4.4.2 Downtown Skyline	<p>Support development Downtown that is generally consistent with Map 4.1 to accomplish the following:</p> <ul style="list-style-type: none"> • Tapering of heights from taller buildings in the centre of Downtown to lower buildings towards Okanagan Lake and adjacent Core Area Neighbourhoods; • Preservation of the existing form and character of historic Bernard Avenue and other heritage sites; • Consistency with the objectives of the Civic Precinct Plan; and • The development of taller buildings that incorporate distinct architectural features in strategic locations near Okanagan Lake. <p><i>This proposal includes three towers with heights that are not consistent with Map 4.1.</i></p>
Objective 4.4 Reinforce Downtown as the Urban Centre with the greatest diversity and intensity of uses in the City	
Policy 4.4.3. Taller Downtown Buildings	<p>With due consideration of the objectives of Policy 4.4.2, consider support for development that is higher than the heights outlined in Map 4.1 where the proposal contains significant benefit to Kelowna citizens, including some or a combination of the following:</p> <ul style="list-style-type: none"> • An affordable, supportive and/or rental housing component that further advances Urban Centre housing objectives; • A significant public amenity that supports the fostering of more inclusive and socially connected Urban Centres, such as parks, public spaces, schools, post-secondary institutions or childcare facilities; • Offsite considerations, including enhanced streetscapes, provision of Active Transportation Corridors, tree canopy protection and enhancement, or green infrastructure within the road right of way; • Smaller tower floorplates to mitigate the impact on views and shadowing; and/or • Outstanding and extraordinary architectural design. <p><i>This proposal includes some rental units, and the full unit composition would be finalized as part of a detailed development permit application.</i></p>

Objective 4.9 Transition sensitively to adjacent neighbourhoods and public spaces	
Policy 4.9.2 Transitioning to Core Area Neighbourhoods	Use height and scale to ensure that buildings avoid height cliffs and shadowing, transitioning gradually to adjacent Core Area Neighbourhoods. <i>This development proposal does step down from west to east, as towers transition from 33 storeys to 20 storeys in height, however adjacent properties to the east (at Coronation Ave and Richter St) are identified on Map 4.1 Downtown Building Heights, as being a maximum of 6 storeys in height.</i>
Objective 4.9 Transition sensitively to adjacent neighbourhoods and public spaces	
Policy 4.9.3 Shadowing Impacts	Use height and scale to minimize the shadowing impacts of mid-rise and high-rise buildings on adjacent parks, public spaces and high streets. <i>A detailed shadow study of the development proposal would need to be completed, to help understand shadowing impacts of this proposal on adjacent parks and public spaces.</i>
Objective 4.17 Create Urban Streets that are attractive to live, work and shop on	
Policy 4.17.2 High Streets	Animate the pedestrian realm by creating high streets and retail streets that are attractive destinations, as outlined in Maps 4.2, 4.4, 4.6, 4.8 and 4.10., attracting people and activity throughout the year. <i>For this development proposal, Map 4.2 Downtown Street Character identifies that portion of St. Paul Street as a Mixed Street and Coronation Ave as a Residential Street. The OCP defines Mixed Street to be "a street located in an Urban Centre where both commercial or residential uses would be supported at grade with primarily residential uses being supported above grade." For this proposal, there is currently a restaurant and hotel proposed above grade in the 33 storey tower. Staff feel that a hotel is an intensive use, and is not appropriate at this location, resulting in commercial uses bleeding into residential areas.</i>

6.0 Application Chronology

Date of Application Accepted: May 4, 2022

7.0 Alternate Recommendation

THAT Council directs Staff to process the development application in accordance with the standard application processes as outlined in the Development Application and Heritage Procedures Bylaw No.12310.

Report prepared by: Kimberly Brunet, Planner II
Reviewed by: Lydia Korolchuk, Urban Planning Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A – List of Properties

Attachment A: OCP Map 4.1 – Downtown Building Heights

Attachment B: Project Rationale



Schedule A: Z22-0032

No.	Legal Description	Address	Parcel Identifier Number	Current Zone
1	LOT 34 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1303	555 Coronation Ave	011-653-574	RU2 – Medium Lot Housing
2	LOT 35 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1303	559 Coronation Ave	011-653-582	RU2 – Medium Lot Housing
3	LOT 36 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1303	563-565 Coronation Ave	011-653-591	RU2c – Medium Lot Housing with Carriage House
4	LOT 37 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1303	571 Coronation Ave	010-358-293	RU2 – Medium Lot Housing
5	LOT 30 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1037	575 Coronation Ave	002-559-820	RU2 – Medium Lot Housing
6	LOT 31 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1037	579 Coronation Ave	011-855-126	RU2 – Medium Lot Housing
7	LOT 32 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1037	583 Coronation Ave	011-478-454	RU2 – Medium Lot Housing
8	LOT 33 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1037	587 Coronation Ave	011-855-134	RU2 – Medium Lot Housing
9	LOT 1 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 8475	593 Coronation Ave	002-673-380	RU2 – Medium Lot Housing
10	LOT 2 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 8475	611 Coronation Ave	001-574-469	RU2 – Medium Lot Housing
11	LOT 37 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1037	619 Coronation Ave	011-855-142	RU2 – Medium Lot Housing
12	LOT 38 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1037	627 Coronation Ave	011-855-151	RU2 – Medium Lot Housing
13	LOT 39 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1037	635 Coronation Ave	011-855-169	RU2 – Medium Lot Housing
14	LOT 40 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1037	643 Coronation Ave	009-259-856	RU2 – Medium Lot Housing
15	LOT 41 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1037	651 Coronation Ave	008-666-784	RU2 – Medium Lot Housing
16	LOT 42 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 1037	659 Coronation Ave	011-855-177	RU2 – Medium Lot Housing

- 26 storeys
- 20 storeys
- 12 storeys
- 6 storeys
- 3 storeys
- Park
- Transit Supportive Corridor

This map illustrates policy guidance outlined in Chapter 4: Urban Centres. More detailed guidance for building heights can be found under Objective 4.4.

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

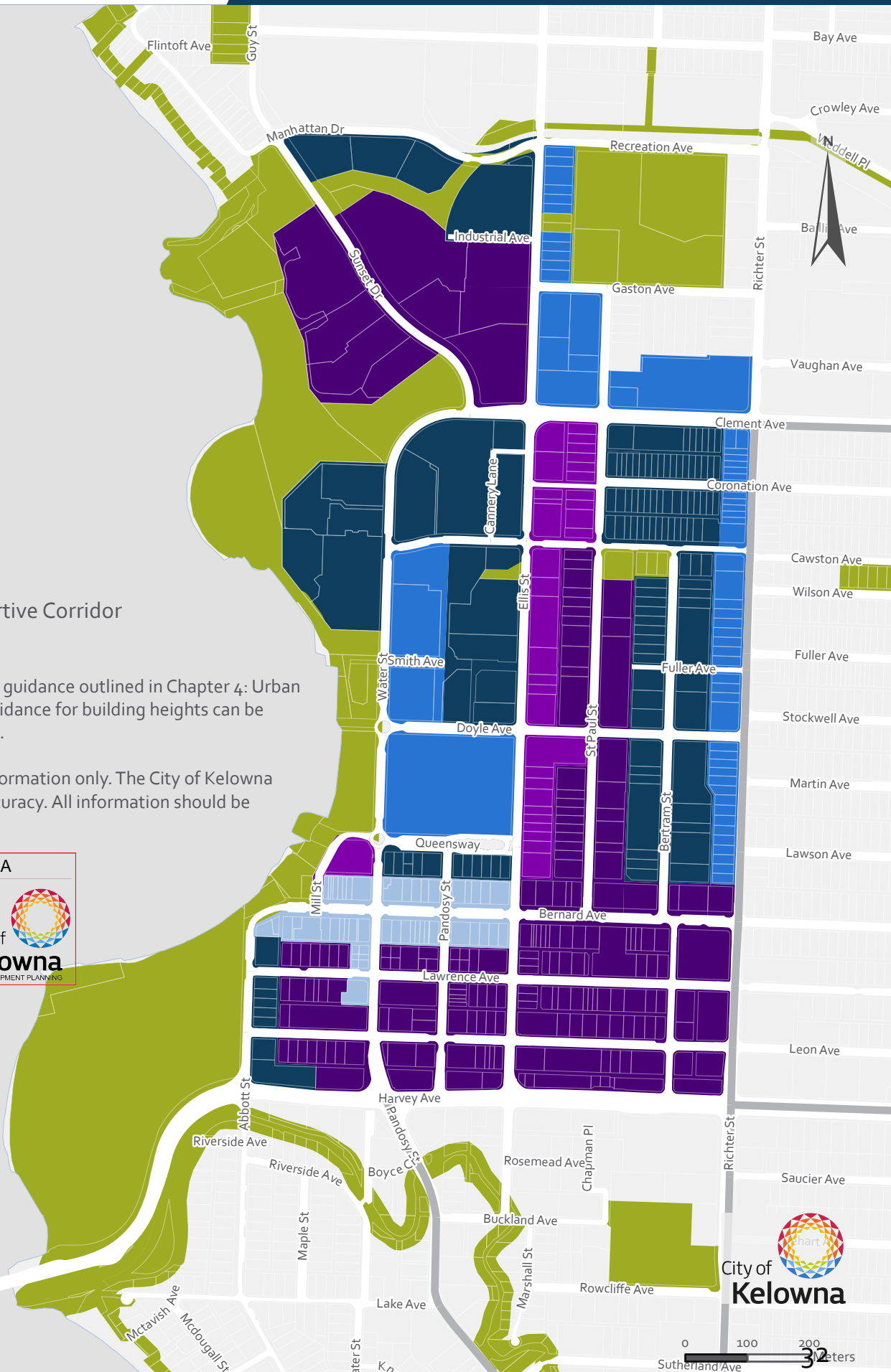
ATTACHMENT A

This forms part of application # Z22-0032

Planner Initials **KB**



City of **Kelowna**
DEVELOPMENT PLANNING



CORONATION AVENUE REDEVELOPMENT

Early Consideration Application for Rezoning and Development Variance Permit



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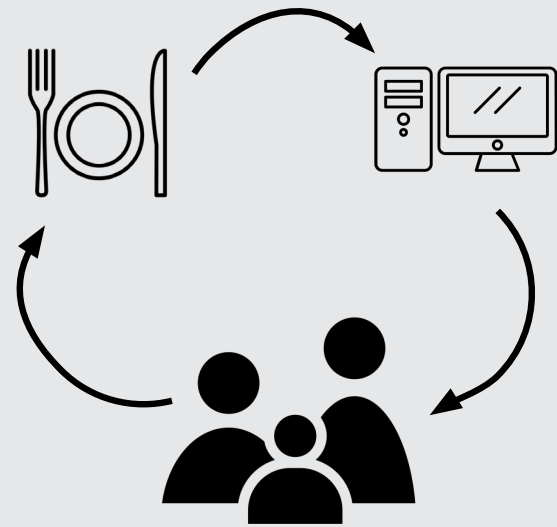
SECTION 01

INTRODUCTION

Coronation Avenue Redevelopment | Rezoning

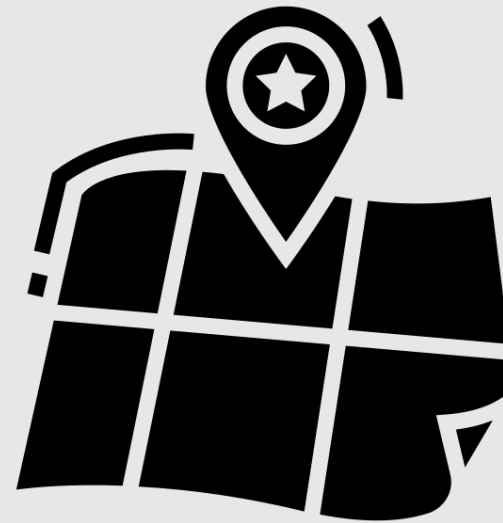
1.1 BIG IDEAS

Coronation Avenue Redevelopment



Community

A mixed use development that seeks to enhance existing and future communities through an adaptable and productive building programme.



Placemaking

A large parcel site that will enhance the surrounding neighbourhoods and provide a destination home-base in Kelowna's downtown.



Scale

A significant introduction of secured market rental housing, ownership housing, hotel accommodations and commercial job-generating uses and amenities.

1.2 EXECUTIVE SUMMARY

We are in full support for the process that the City has undertaken to engage its citizens and invested stakeholders over the past number of years, to gather feedback on the very important job of drafting an Official Community Plan that will serve the City for the next two decades. The growth and change that Kelowna has undergone over the past while has been remarkable. No longer solely dependent on tourism and agriculture, Kelowna’s economy is diverse and robust, infrastructure investments are significant, and the City is proving to be a regional hub, supported by the airport, world class educational institutions, medical facilities and new and diverse housing.

Safari Capital has invested in the future of Kelowna, by securing ownership control of most of the 600 block of the south side of Coronation Avenue. Over the past 8 months they have pulled together an exceptional team with the local knowledge and professional expertise necessary to carry a proposed redevelopment of this nature.

This assembled site is well-positioned at the north end of the Downtown area to build on the mix of commercial, institutional, and residential uses planned for St. Paul Street. While the OCP designates this block for potential redevelopment, the associated contemplated height guidance poses a limitation on achieving the full potential of what could be a very significant contribution to the downtown core. A variance to this height guidance would make way for this project to address the many goals identified in the 2040 OCP document.



Aerial visualization of Proposed Coronation Avenue Redevelopment

With 45,000 new residents projected to call Kelowna home by 2040, the Downtown area is expected to accommodate upwards of 18% of the resulting residential demand, or approximately 8,100 net units over the next 19 years. Breaking that down further, that is roughly 426 units per year, every year until 2040.

Very few large full-block sites remain available for redevelopment in the Downtown area. Tower sites are often constrained, and their ability to step and terrace the built form to transition heights into surrounding context is therefore limited. With this site, we envision a collection of buildings that transition density down from the gateway corner at St. Paul Street down to the east. The proposed program for the property includes retail, office, hotel, strata condominium, and a significant proportion of secured, purpose-built market rental designed to cater to singles and students through to couples, families and possibly down-sizing locals.

The following principles underpin all aspects of the design of the Coronation Avenue Redevelopment project;

- 1. Neighbourhood enhancement through a variety of housing types.
- 2. Skyline enhancement through varying building heights, orientation and architectural vocabulary
- 3. Public realm enhancement through materials and residential massing at a pedestrian scale
- 4. Contextual sensitivity and urban edge to blend into the future urban landscape of downtown Kelowna



Aerial visualization of Proposed Coronation Avenue Redevelopment

1.2 EXECUTIVE SUMMARY

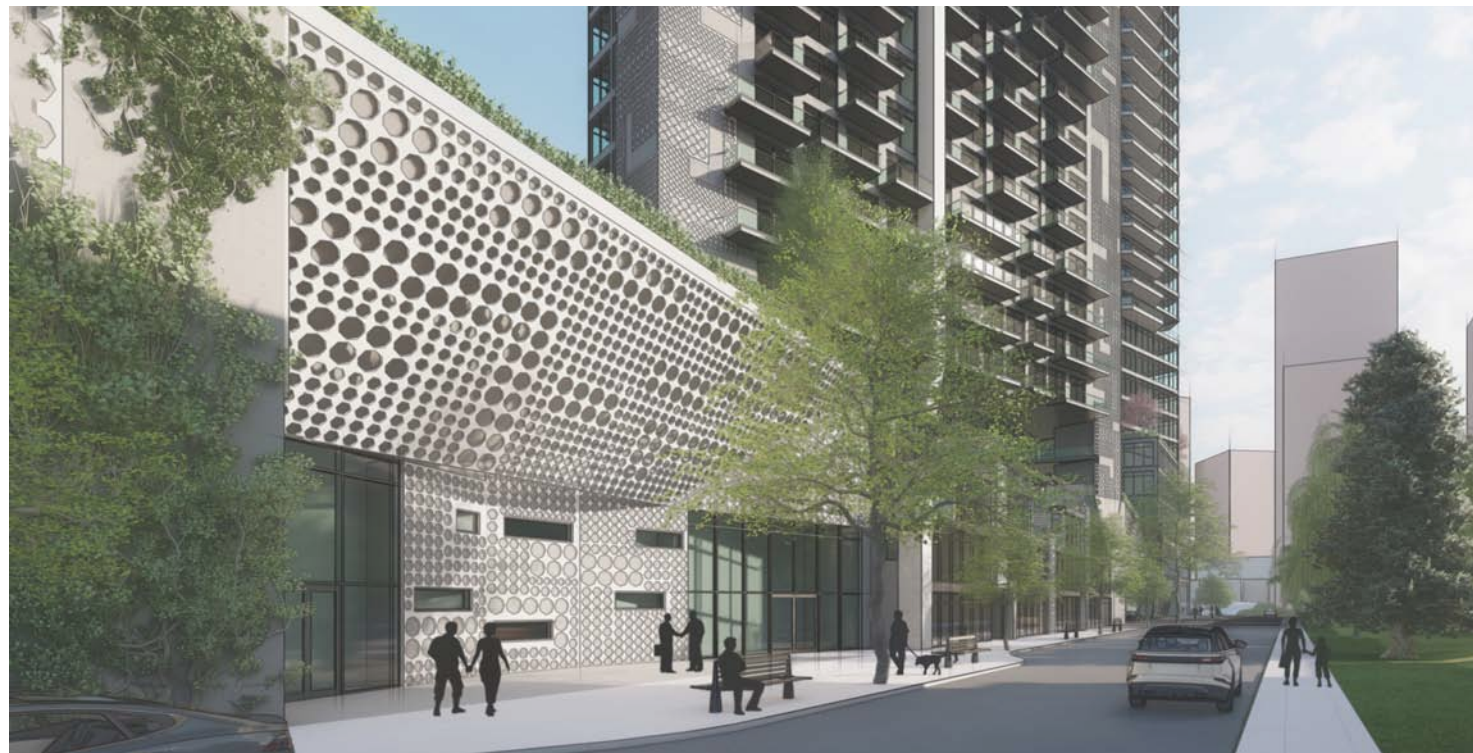
The OCP further identifies Coronation Avenue as a ‘Residential Street’ which suggests that the urban design of the base of the building and podium levels needs to be of a high quality and a sensitive scale to address future development plans for the north side of Coronation Avenue.

From a land use perspective, the site has a future land use designation of UC – Urban Centres, which is entirely appropriate given its location being firmly rooted in the highest density urban centre of the Downtown area.

“This future (Urban Centres) designation is characterized by the highest densities of mixed-use, commercial, institutional and residential uses in the city, as well as other uses that support a vibrant and growing urban neighbourhood. Commercial uses are located at grade with commercial and/or residential uses...” 2040 OCP, Pg. 30

Given the upcoming redevelopment of the 1300 block of St. Paul Street by UBC/Mission Group, of towers ranging in height from 18 storeys to 37 storeys in height, and the proposed heights and densities contemplated on the former Tolko Mills lands, the 600 block of Coronation Avenue will be a critical site to balance the scale and form at the north end of Downtown.

We therefore strongly recommend that a development variance permit be considered to increase the allowable building height and designate this block of Coronation Avenue between St. Paul Street and Richter Street as “13 Storeys or Higher”. With this designation we can begin a collaborative dialogue with the City about the potential of the site to deliver on the many priorities identified within the OCP.



Visualization of Proposed Coronation Avenue Redevelopment Along Coronation Avenue



Visualization of Proposed Coronation Avenue Redevelopment at the Intersection of St Paul Street

1.3 OCP POLICY

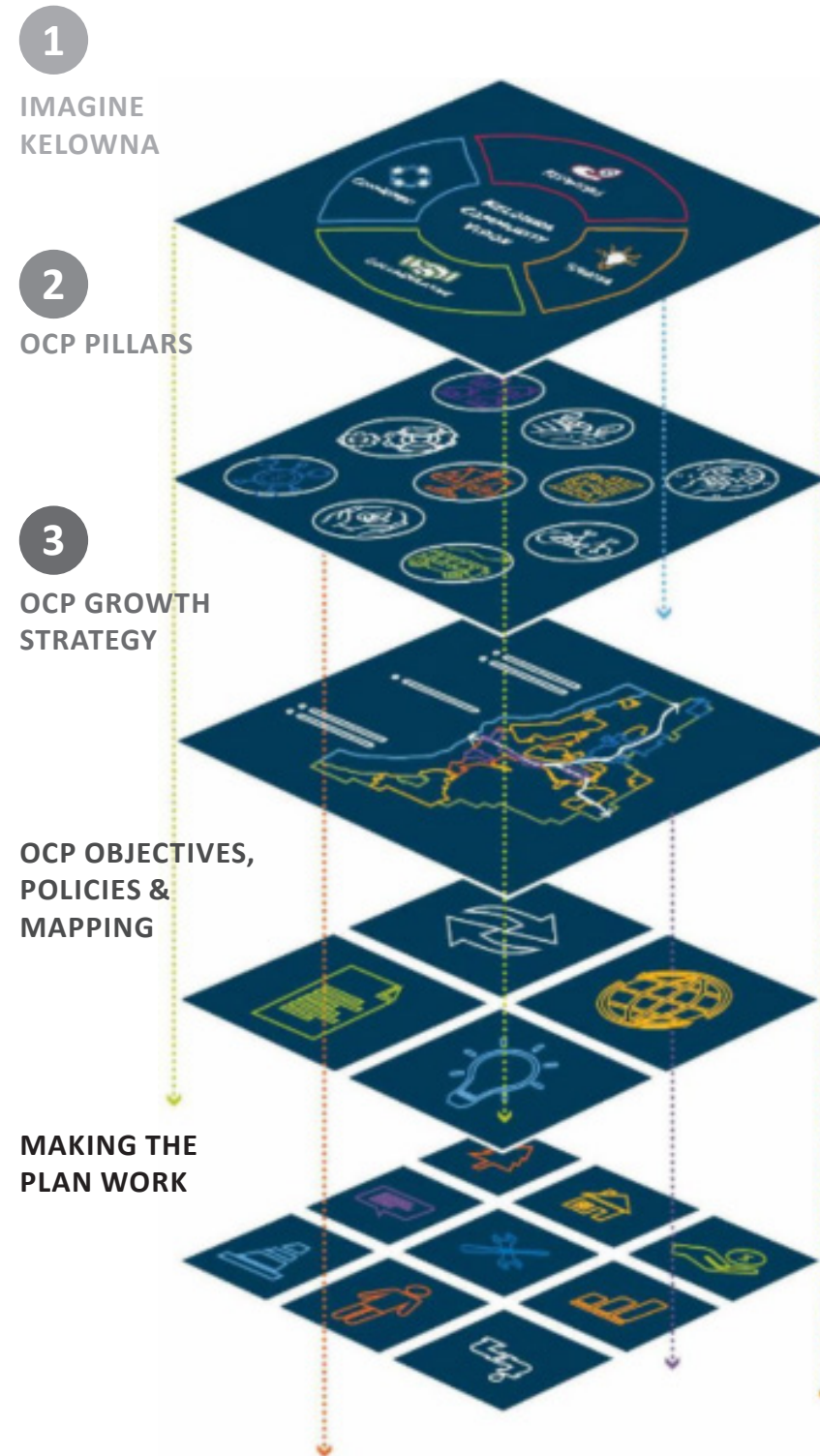
UC-1 Policies

OCP 2040 – Making the Plan Work

The proposed development along Coronation Avenue has the unique potential to transform a large parcel in the Downtown Urban Centre into a high density, mixed-use residential community. The 2040 OCP pillars inform every aspect of the design, and act as a framework to achieve Kelowna’s vision for growth now and into the future.

“The Official Community Plan is a living document that provides direction on how Kelowna will evolve to 2040. While policies and decisions should be consistent with the Pillars, Growth Strategy, objectives, and the policies of the Plan, the Official Community Plan should be recognized as a flexible and adaptable document. Amendments to the plan from time to time are expected during its 20 year life to ensure that it adapts to a changing context.”

Chapter 16 – p. 153



Official Community Plan Policy Framework
 Source: City of Kelowna 2040 OCP



1.3 OCP POLICY

The future redevelopment of this significant city block may begin to address the OCP key “Pillars” in the following ways:

PILLAR	DESIGN RESPONSE
1 Focus Investment in Urban Centres	Site located in Downtown area, situated to capitalize on infrastructure investment and in turn will contribute to the area’s amenities and long-term viability.
2 Target Growth Along Transit Corridors	Coronation is considered a “Residential Street”, well connected with transit and in close proximity to the bus terminus, walkable and bikeable, ideally positioned to encourage mode-shift from vehicles as a primary mode of transport.
3 Promote More Housing Diversity	Development on this site would include market condo, market rental and student rental housing options. Lease-to-own models are also a very viable consideration.
4 Incorporate Equity Into City Building	Mixed-use site of this scope can contribute to the goal of equity and inclusivity, and restore and retain the historical fabric of the area through investment and sensitive engagement.
5 Protect Agriculture	Developing in the Urban Centre with range of housing and employment choices prevents impacts to natural areas, thereby protecting the agricultural assets surround the City Centre.

PILLAR	DESIGN RESPONSE
6 Stop Planning New Suburban Neighbourhoods	Developing in the Urban Centre intensifies use and amenity in walkable neighbourhoods, resulting in less sprawl.
7 Strengthen Kelowna as the Region’s Economic Hub	The provision of job space - including hotel, office and retail - as part of any future development for this site would be integral to the strength of the proposal. Educational institutions, emerging economy jobs, as well as industrial and agricultural jobs are all fundamentally underpinned by access to appropriate and affordable housing choices to ensure the economy stays strong, competitive and serves the local population.
8 Prioritize Sustainable Transportation and Shared Mobility	Walkability and renewed public realm will be key features to any future proposal including a heavy emphasis on bike and electrification infrastructure, and the promotion of one-way and two-way car share (and bike/scooter share).
9 Take Action on Climate	Ambitious targets modelling the BC Step Code and other regionally accepted building performance targets will be set for this project.
10 Protect and Restore Our Environment	A high-performance building, located in a walkable, transit connected area, with rich and diverse amenities, jobs and housing will have a direct positive impact on the existing natural environment.

1.4 DEVELOPMENT STATISTICS



↑ Parcel Assembly | 500-600 Block, Coronation Avenue

ASSEMBLED LOT AREA	73,416 sf
FLOOR AREA, NET (APPROX)	447,782 sf
PROPOSED FAR	6.0
PROPOSED PARKING	667 Stalls

ADDRESS	500 Block Coronation Avenue, Kelowna
PROPOSED ZONING	C7 High Density, Mixed Use Short- and Long-Term Rental Accommodation, Residential, Commercial

PROJECT STATISTICS

TOWER 1	HOTEL & CONDO	UNITS / AREA
Levels 1 - 5	Commercial + Restaurant	21,475 sf (1,995 sm)
Levels 5 - 7	Commercial + Amenity	21,680 sf (2,015 sm)
Levels 8 - 13	Hotel Guestroom (16 units x 5 levels)	80
Levels 14 - 30	Market Condo (11 units x 16 levels)	176
Levels 31 - 33	Market Condo Penthouse (2 units x 3 levels)	6
		262 units

TOWER 2	MARKET RENTALS	UNITS / AREA
Levels 5 - 7	Podium, Amenity	26,000 sf (2415 sm)
Levels 8 - 25	Market Rental (12 units x 18 levels)	216
Level 26	Market Rental (6 units)	6
		222 units

TOWER 3	STUDENT RENTAL APARTMENTS	UNITS / AREA
Level 5	Podium Rooftop Amenity	6,545 sf (610 sm)
Levels 5 - 19	Market Rental (15 units x 14 levels)	210
Level 20	Market Rental (6 units)	6
		216 units

TOWNHOMES	UNITS / AREA
Townhomes	8
TOTAL	8 units

UNIT SUMMARY		AREA SUMMARY	
Hotel	80	Commercial	6,040 sf
Condo	182	Restaurant	7,705 sf
Rental	438	Hotel Amenity	29,410 sf
Townhomes	8	Tower 2 Amenity	26,000 sf
TOTAL	708 units	Tower 3 Amenity	6,545 sf
		TOTAL	75,700 SF

SECTION 02

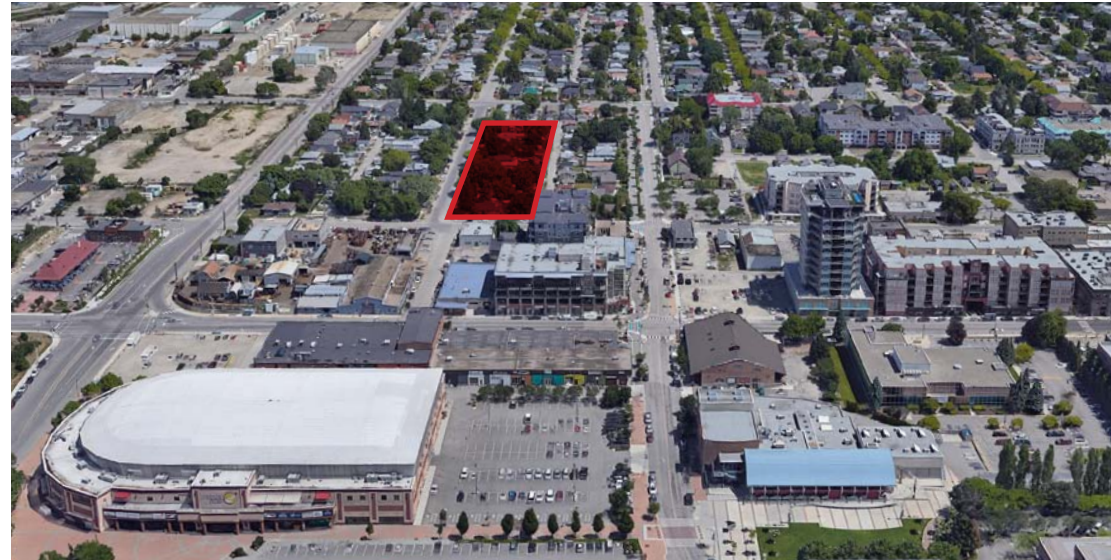
SITE CONTEXT

Coronation Avenue Redevelopment | Rezoning

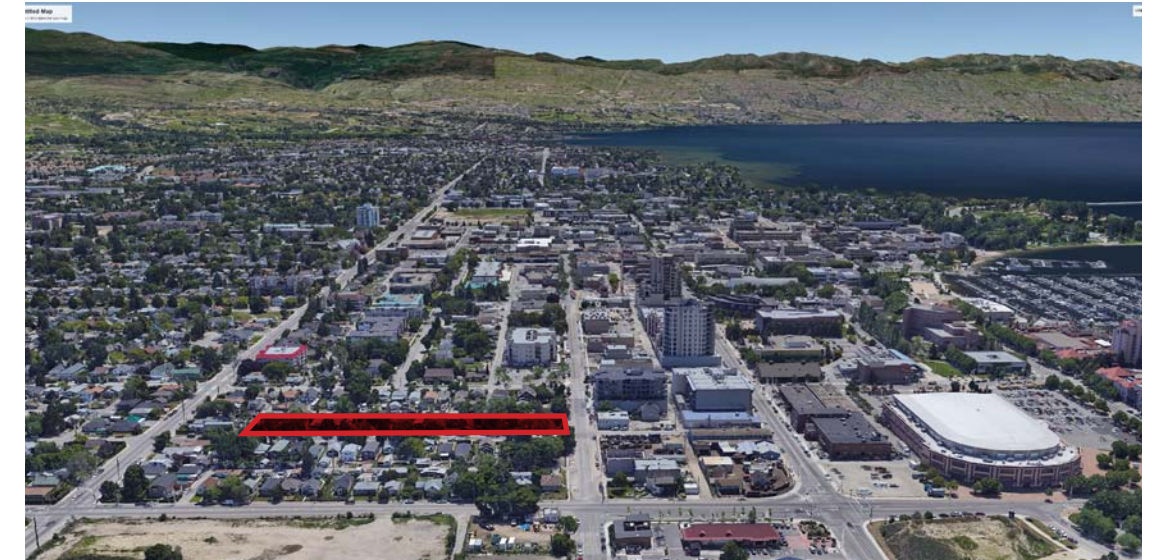
2.1 SITE DESCRIPTION

Regional Context

The Coronation Avenue redevelopment site is a 16 parcel land assembly, surrounded to the south and east by lane access. The site predominantly fronts Coronation Avenue, and is anchored at the corner of St Paul Street, on the edge of Kelowna’s downtown Cultural District.



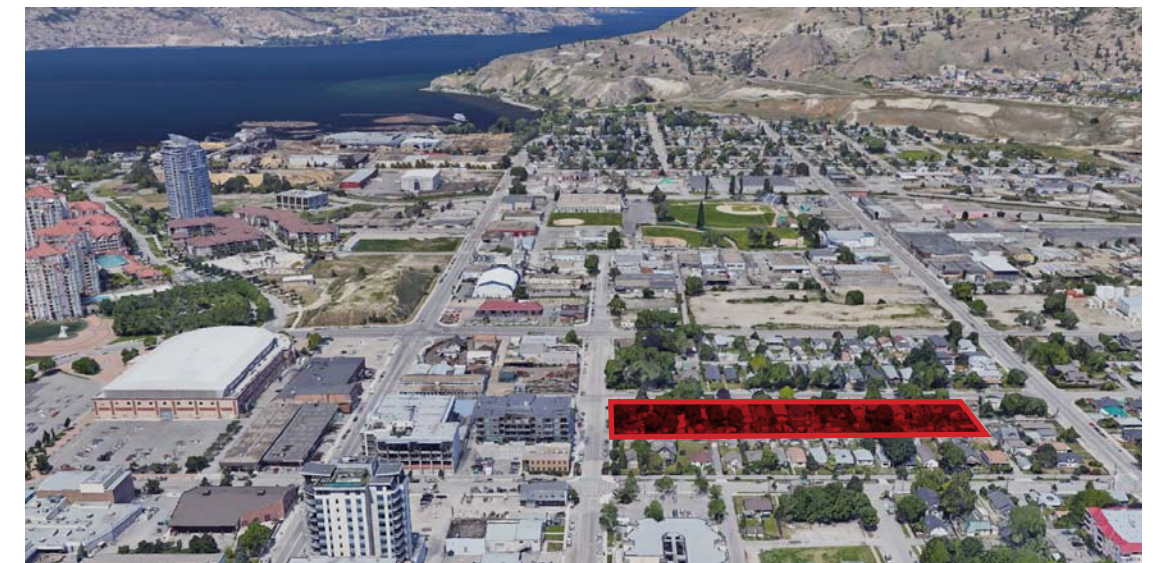
A. View of Coronation Ave site from the west



B. View of Coronation Ave site from the north



C. View of Coronation Ave site from the east



D. View of Coronation Ave site from the south



2.2 STREETSAPES

Site Context



A. Streetscape along St Paul Street

ST PAUL STREET



B. Streetscape along Coronation Avenue

CORONATION AVE



2.3 SITE CONNECTIVITY

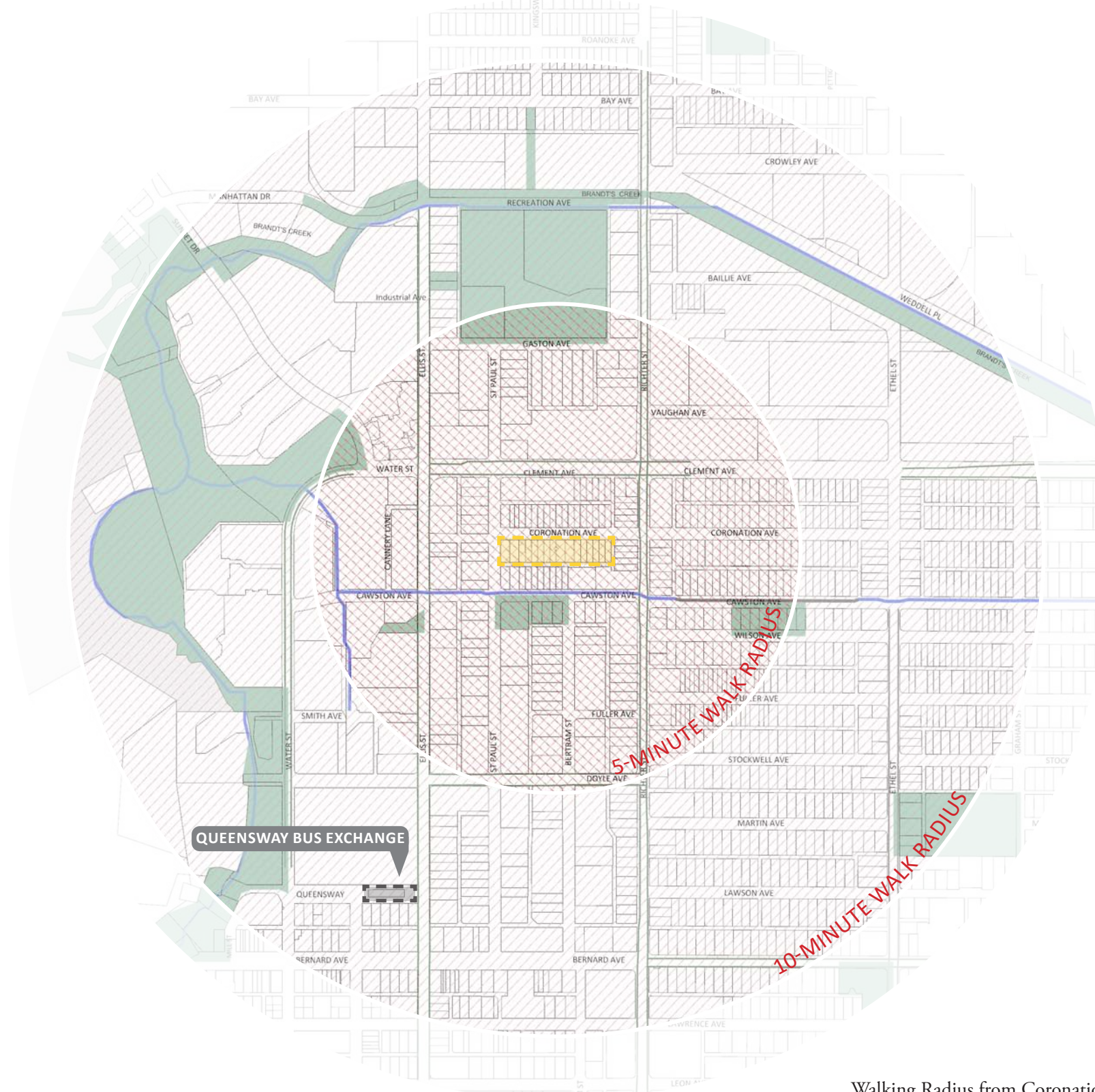
Downtown Context

The Coronation Avenue redevelopment site is in a prime location to encourage modal shifts in transportation. Given its classification as a residential street, the site is highly walkable and bikeable, and well connected through transit as it is less than a 10 minute walk to the central bus terminus at Queensway Bus Exchange.

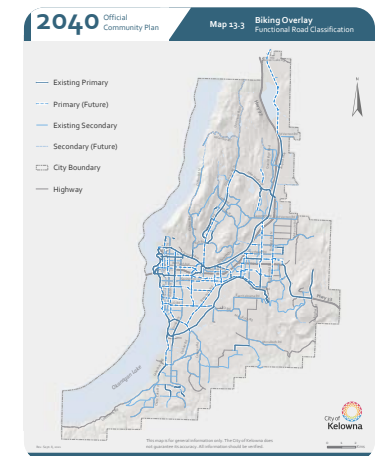
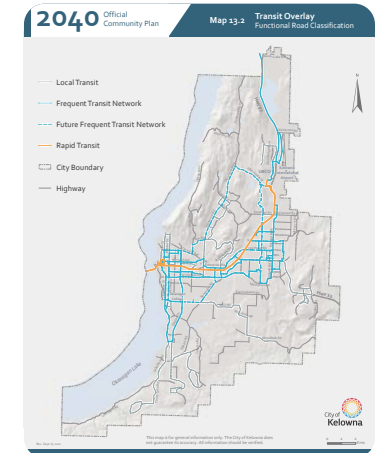
Walkability and a renewed public realm are key features of the Coronation Avenue Redevelopment proposal. We aim to provide supportive infrastructure to encourage a shift from vehicles as a primary mode of transport. This will be achieved in part through an emphasis on bike and electrification infrastructure, the promotion of one-way and two-way car share (including bike/scooter share), and an activation of the frontage and public realm along Coronation Avenue and St Paul Street.



View from Coronation Ave Redevelopment Looking Towards Downtown Kelowna







Walking Radius from Coronation Site (5- and 10-minutes).



Reference Map 13.2
Transit Overlay

Reference Map 13.3
Biking Overlay

LEGEND

-  Coronation Site
-  Bike Lane
-  Shared Use Pathway, Paved
-  Park & Open Space

2.4 DOWNTOWN HEIGHT MAP 2040

Neighbourhood Context

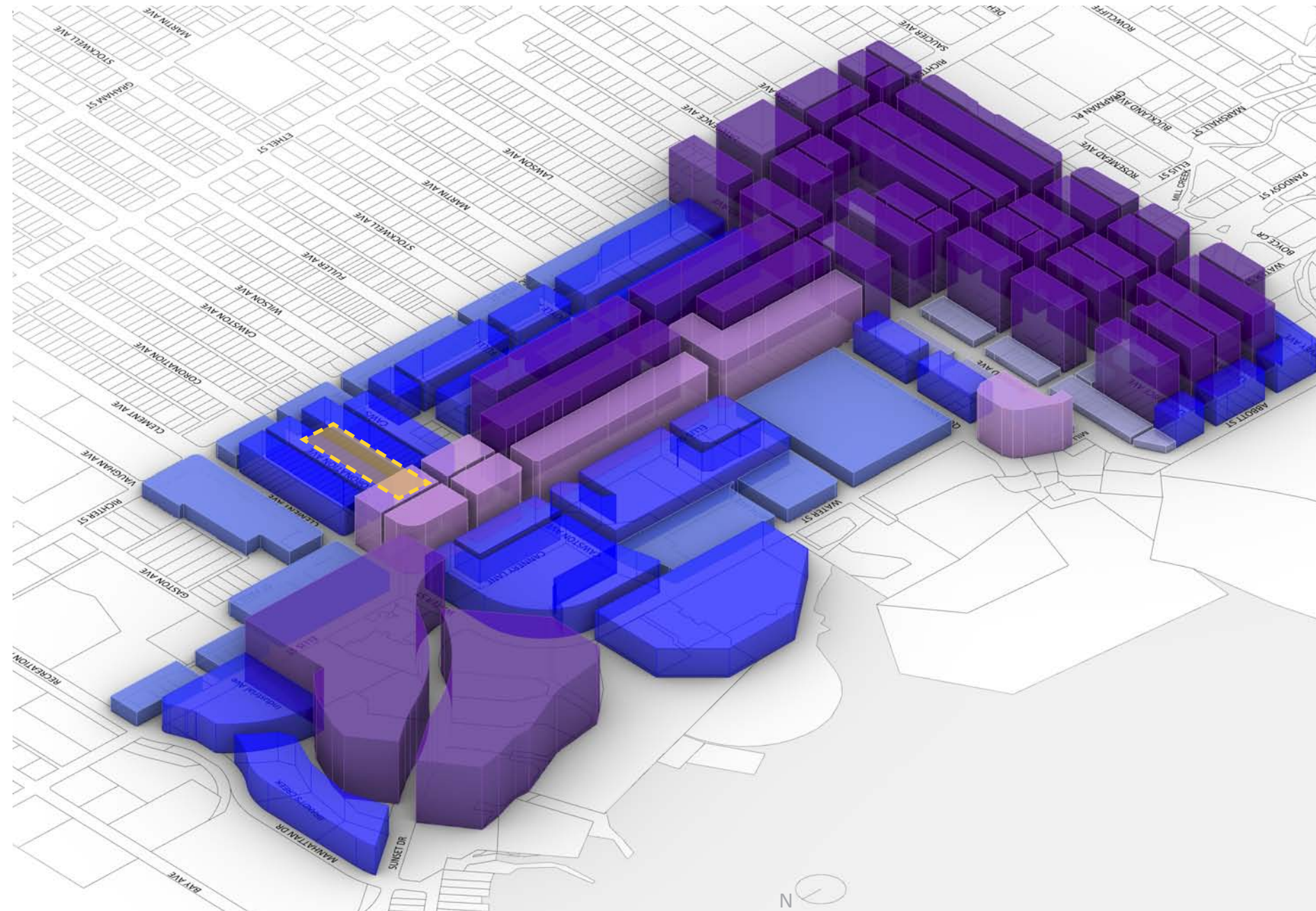
The site is located in a transitional zone of planned building heights. The current height for the Coronation site parcel is planned for 12 storeys, however directly adjacent to, there is a variety of parcels planned for 20 and 26+ storeys. The neighbourhood will see a landscape of rich and diverse development emerge based on the intense variety of proposed heights around the intersection of Coronation Avenue and St Paul Street.

“The purpose of this zone is to designate and preserve land for the orderly development of the financial, retail and entertainment, governmental, cultural and civic core of the downtown while also encouraging high density mixed-use buildings.”

OCP Chapter Reference



Visualization of Coronation Avenue Redevelopment Looking to the South



Kelowna OCP Height Map 3D Visualization | Future Land Use UC-1 Downtown Urban Centre



Reference Map 4.1
 Downtown Building Heights



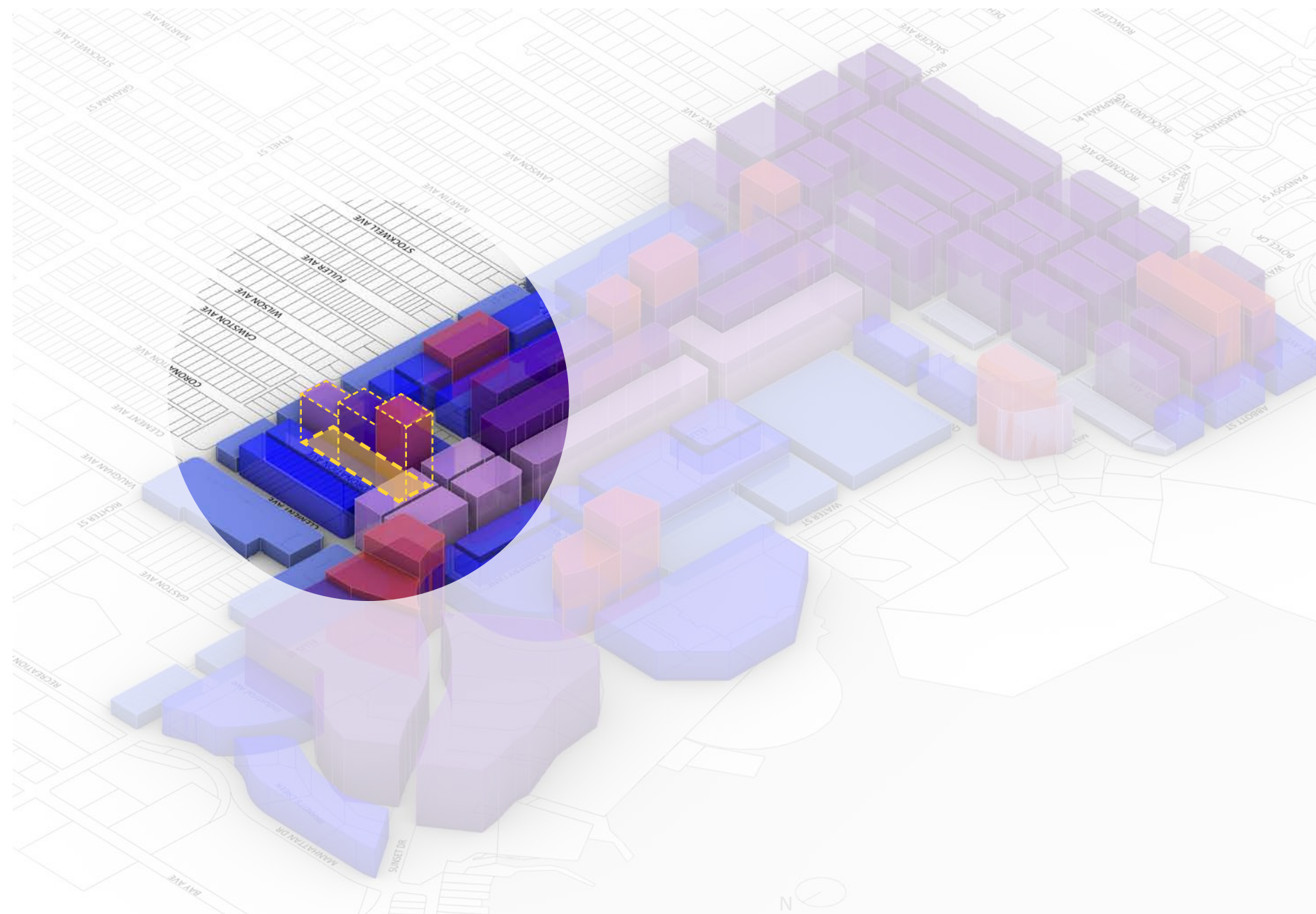
2.5 PROPOSED INTEGRATION TO HEIGHT MAP

Neighbourhood Context

The Coronation Site Redevelopment plugs into the existing fabric of the downtown core by further emphasizing the transitional height zone existing at the intersection of Coronation Ave and St Paul Street. At the corner, a 33-storey tower is proposed to align with other tall buildings along St Paul Street to anchor the north end of the retail promenade. Along Coronation Avenue, the cascading towers are designed to knit together the low density residential neighbourhood to the west, with the high density neighbourhood of downtown to the east and south.



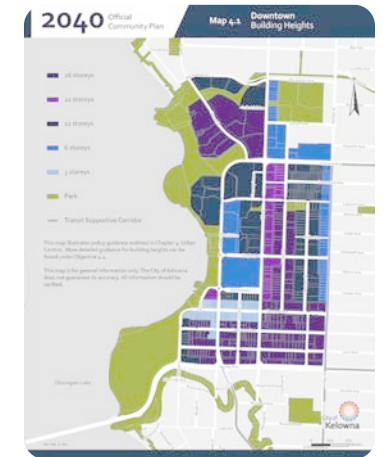
Visualization of Coronation Avenue Redevelopment Looking Towards Okanagan Lake



Kelowna OCP Height Map 3D Visualization | Tall Buildings in Future Land Use Zone UC-1 Downtown Urban Centre

RELEVANT POLICIES

- 4.4.2. DOWNTOWN SKYLINE
- 4.4.3. TALLER DOWNTOWN BUILDINGS



Reference Map 4.1
 Downtown Building Heights

LEGEND

- Coronation Site
- Existing or Proposed Developments Exceeding OCP 2040 Height Map
- 3 Storeys
- 6 Storeys
- 12 Storeys
- 20 Storeys
- 26+ Storeys










2.6 2040 NEIGHBOURHOOD CHARACTER

Street Classifications

The site is located along neighbourhood streets that are both residential and mixed in character. The Coronation Avenue Redevelopment project proposes a mixed use approach, which includes a range of housing and employment choices. This not only promotes densification in the urban areas, and in turn, promotes the protection of natural habitats and agricultural land resources surrounding the City Centre.

The proposed redevelopment site intends to offer a variety of residential units, including market condo, market rental and student rental housing options. This is with the intention to enhance the existing mixed neighbourhood character and improve housing accessibility and affordability in the downtown core.

LEGEND

-  Coronation Site
-  Existing or Proposed Developments Exceeding OCP 2040 Height Map
-  High Street
-  Retail Street
-  Mixed Street
-  Civic Street
-  Residential Street
-  Mixed Residential
-  Transit Supportive



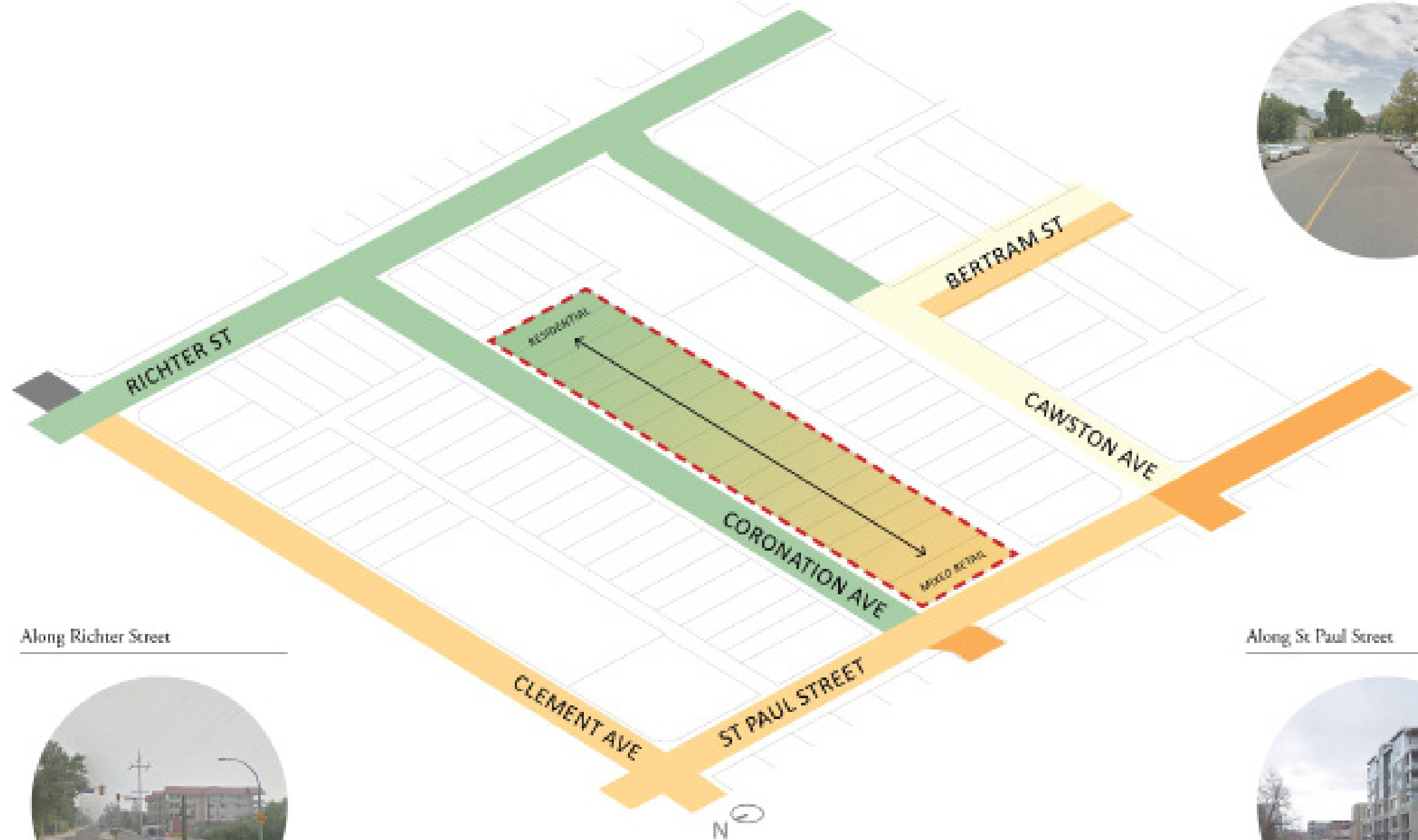
Proposed 2040 OCP Street Character for Downtown Kelowna

2.7 FUTURE NEIGHBOURHOOD CHARACTER

Street Classifications

This mixed-use site is situated to perfectly key together a number of neighbourhood street characters as they converge at the intersection of Coronation Avenue and St. Paul Street. Coronation Avenue transitions from a residential to a retail street at the corner of St Paul Street, which itself is proposed as a mixed-use street. This location presents a wonderful opportunity to be recharacterized as a mixed street and further enhance the diversity of the downtown.

Our intention is to unify these characteristics through a proposed gradient of use across the site. Proposed neighbourhood characters will be reflected in the unique and exciting mixed-use development in a way that is respectful of established properties and future development potential in the surrounding area.



Along Bertram Street



Along Richter Street



Along St Paul Street



Neighbourhood Character Immediately Surrounding Coronation Development Site

LEGEND

- Coronation Site
- Mixed Street
- Residential Street
- Mixed Residential
- Retail Street
- Transit Supportive

2.8 FUTURE LAND USE

UC - Urban Centre








The future neighbourhood of the Coronation Avenue Redevelopment site will be characterized as an urban centre. In order to ensure the longterm success of both the project and the broader neighbourhood, the large site has been collaboratively planned to offer a wide variety of potential jobs. Educational institutions, emerging economy jobs, and industrial and agricultural jobs are all underpinned by access to appropriate and affordable housing choices.

Fundamental to the Coronation Ave Redevelopment proposal is the promotion of a strong and competitive economy to benefit communities near and far.

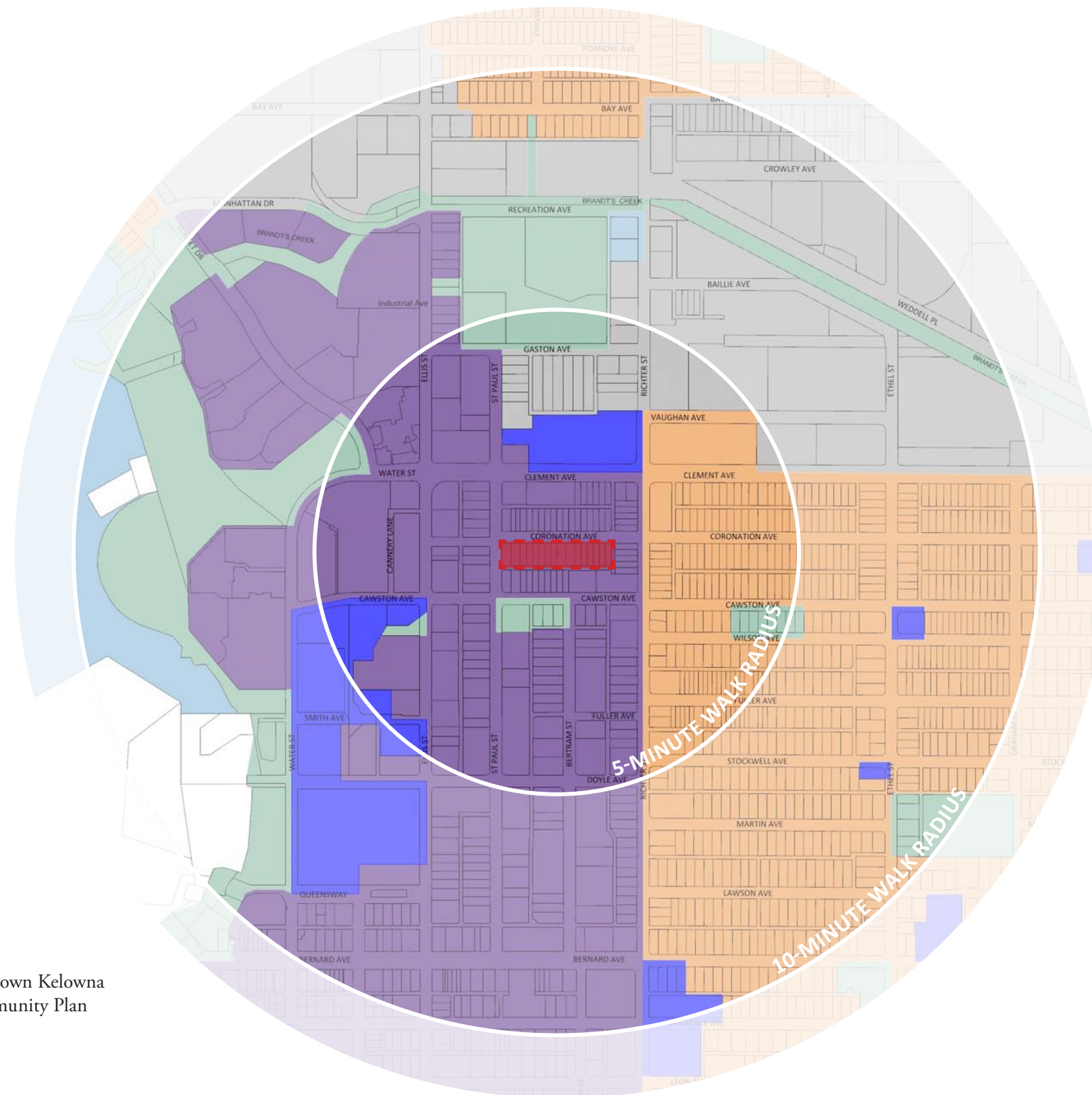
RELEVANT POLICIES

- 4.1.4. OFFICE DEVELOPMENT
- 4.1.5. PARTNERSHIPS WITH POST-SECONDARY INSTITUTIONS
- 4.1.6. HIGH DENSITY RESIDENTIAL DEVELOPMENT
- 4.2.6. CHILD CARE SPACES

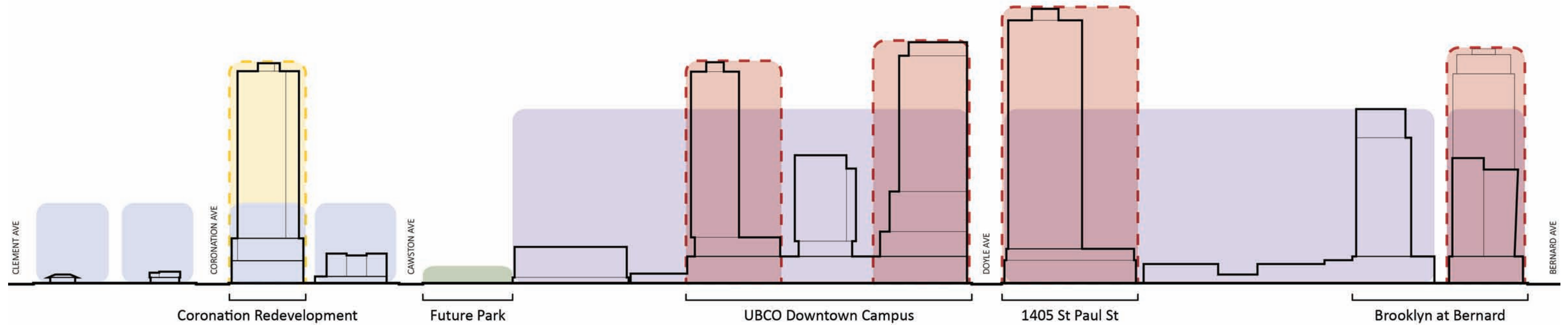
LEGEND

-  Coronation Site
-  UC - Urban Centre
-  EDINST - Education/Institutional
-  C-NHD - Core Area - Neighbourhood
-  PARK - Park and Open Space
-  IND - Industrial
-  PSU - Public Service Utilities

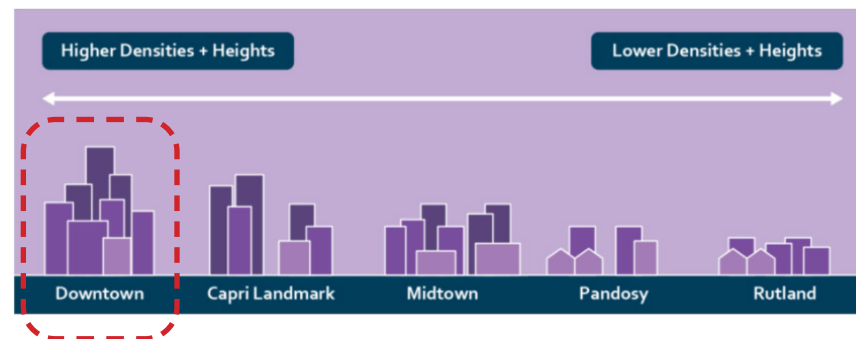
Future Land Use for Downtown Kelowna
 Source: 2040 Official Community Plan



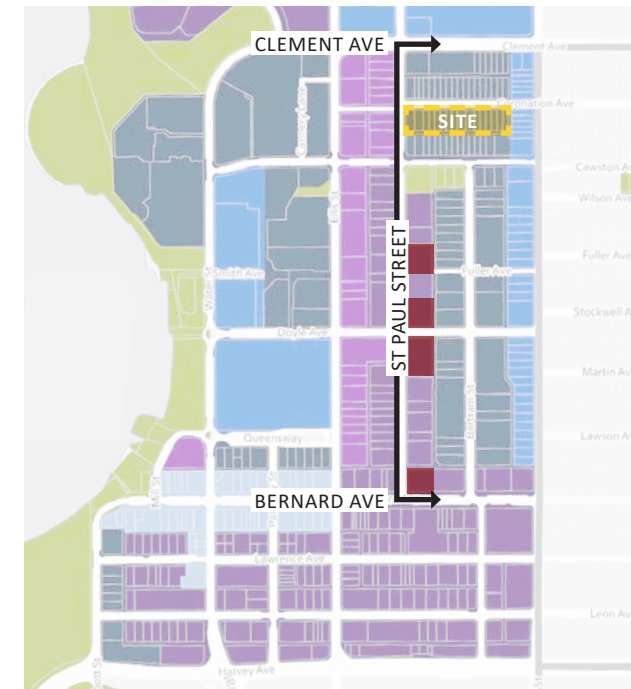
2.9 STREET SECTION - ST PAUL STREET



The downtown skyline would be enhanced with a distinct architectural tower that showcases the Okanagan's potential for outstanding and extraordinary architectural design. The tallest of three proposed structures aligns with some of the tallest building heights proposed within the downtown Urban Centre and along St Paul Street.



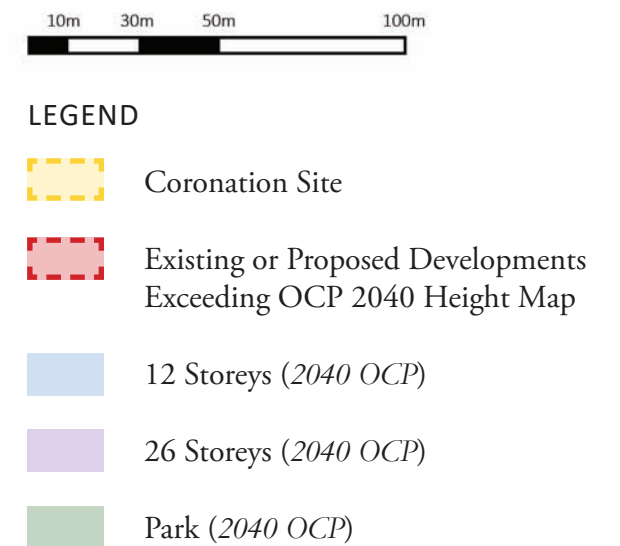
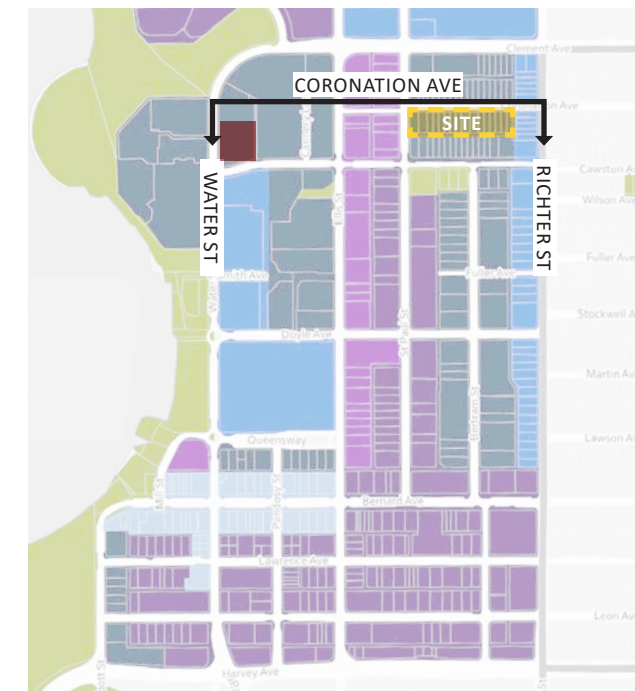
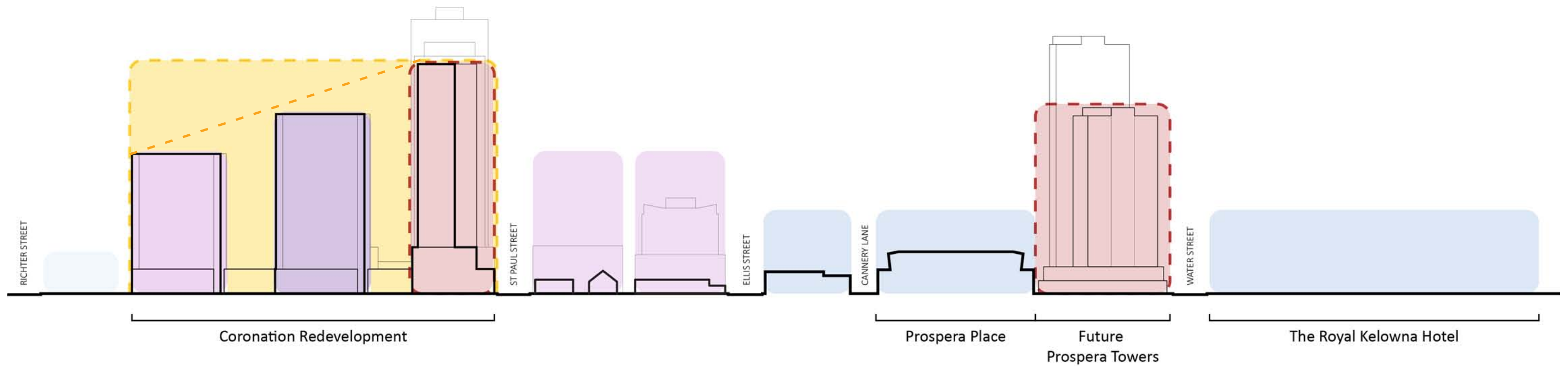
Kelowna Urban Centre Hierarchy



LEGEND

- Coronation Site
- Existing or Proposed Developments Exceeding OCP 2040 Height Map
- 12 Storeys (2040 OCP)
- 26 Storeys (2040 OCP)
- Park (2040 OCP)

2.10 STREET SECTION - CORONATION AVE



2.11 INSPIRATIONAL IMAGERY

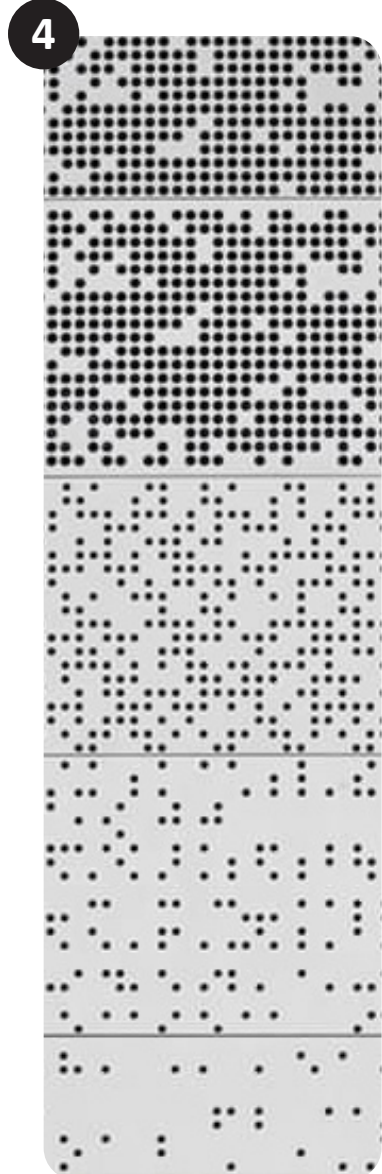
1 shared rooftop amenity



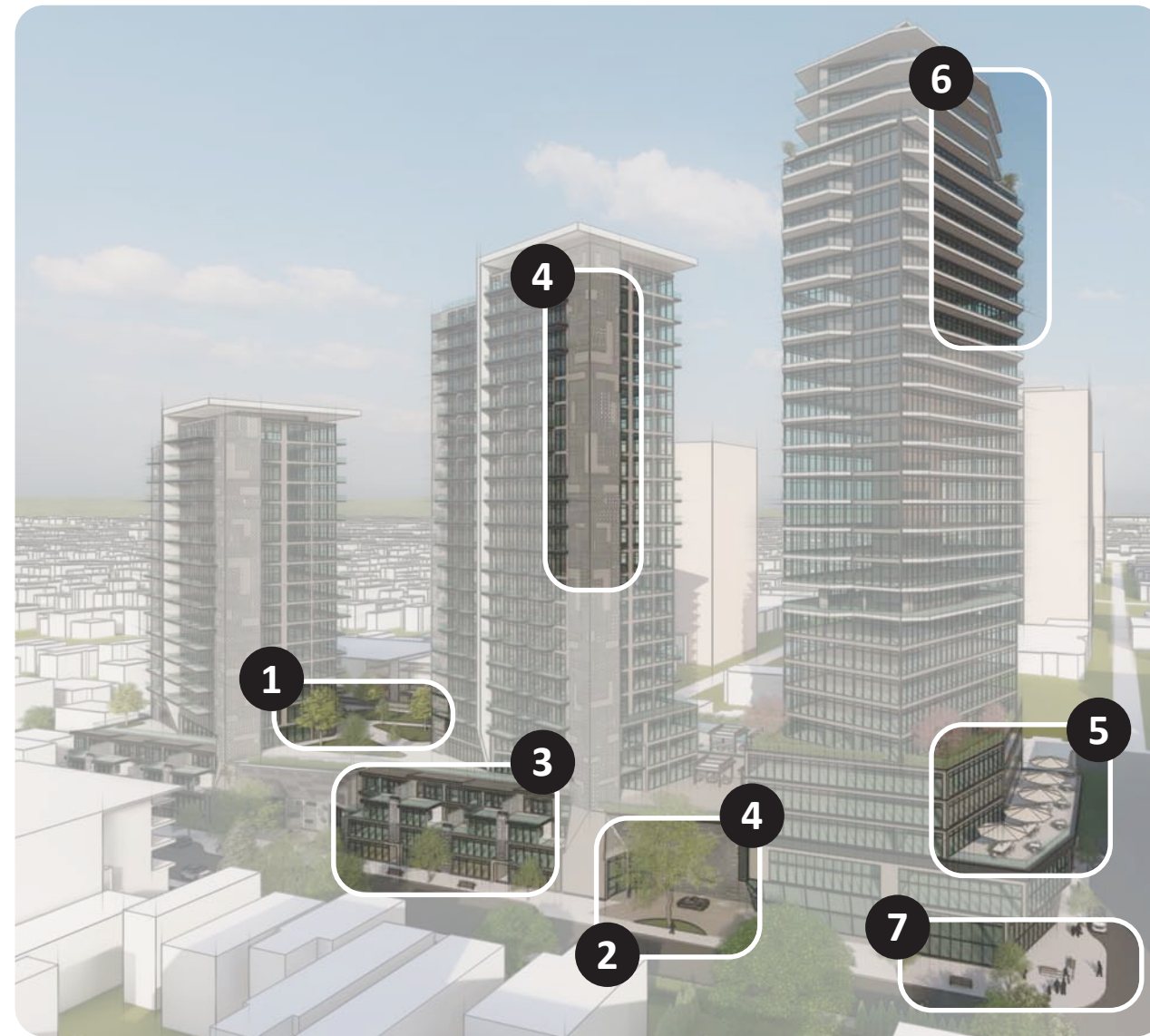
2 active public realm



residential townhouses



artful screening



5 rooftop terrace



6 balcony expression



naturalized landscape

SECTION 03

FORM AND MASSING

Coronation Avenue Redevelopment | Rezoning

3.1 PROPOSED DEVELOPMENT VARIANCE

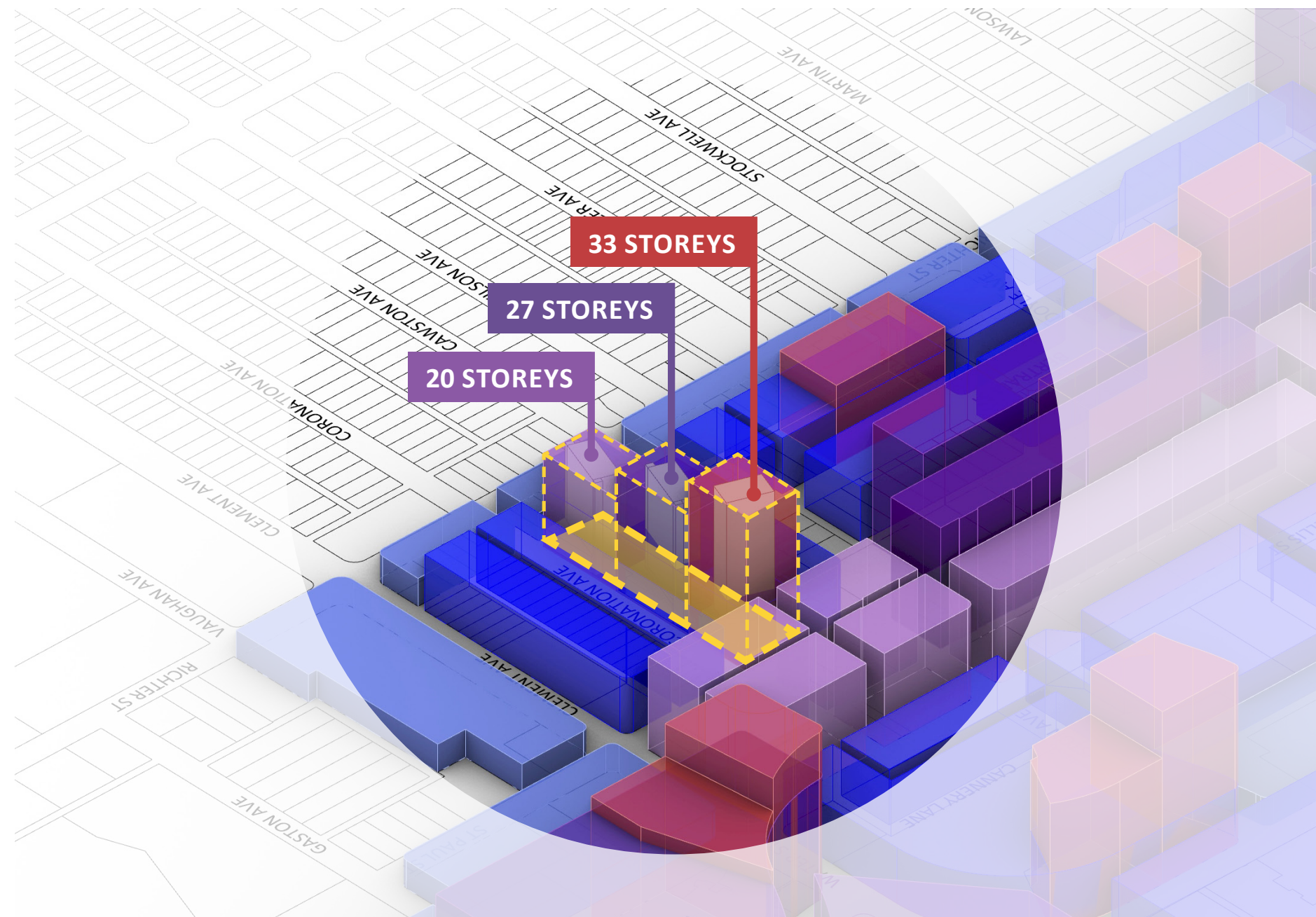
Future Downtown Kelowna

The Coronation Avenue Redevelopment site proposes three towers along Coronation Ave. The first, at 33 storeys located at the corner of Coronation Ave and St Paul Street, aligns with many of the tallest buildings in the downtown Urban Centre and along St Paul St.

As the development transitions into the multifamily neighborhood along Coronation Ave, the following two towers incrementally step down and tie into the existing urban fabric, blending together some of the tallest and lowest structures in the downtown. The result is a diverse architectural expression and dynamic community development (Policy 4.4.2).



Visualization of Coronation Avenue Redevelopment Among Other Tall Buildings in the Downtown



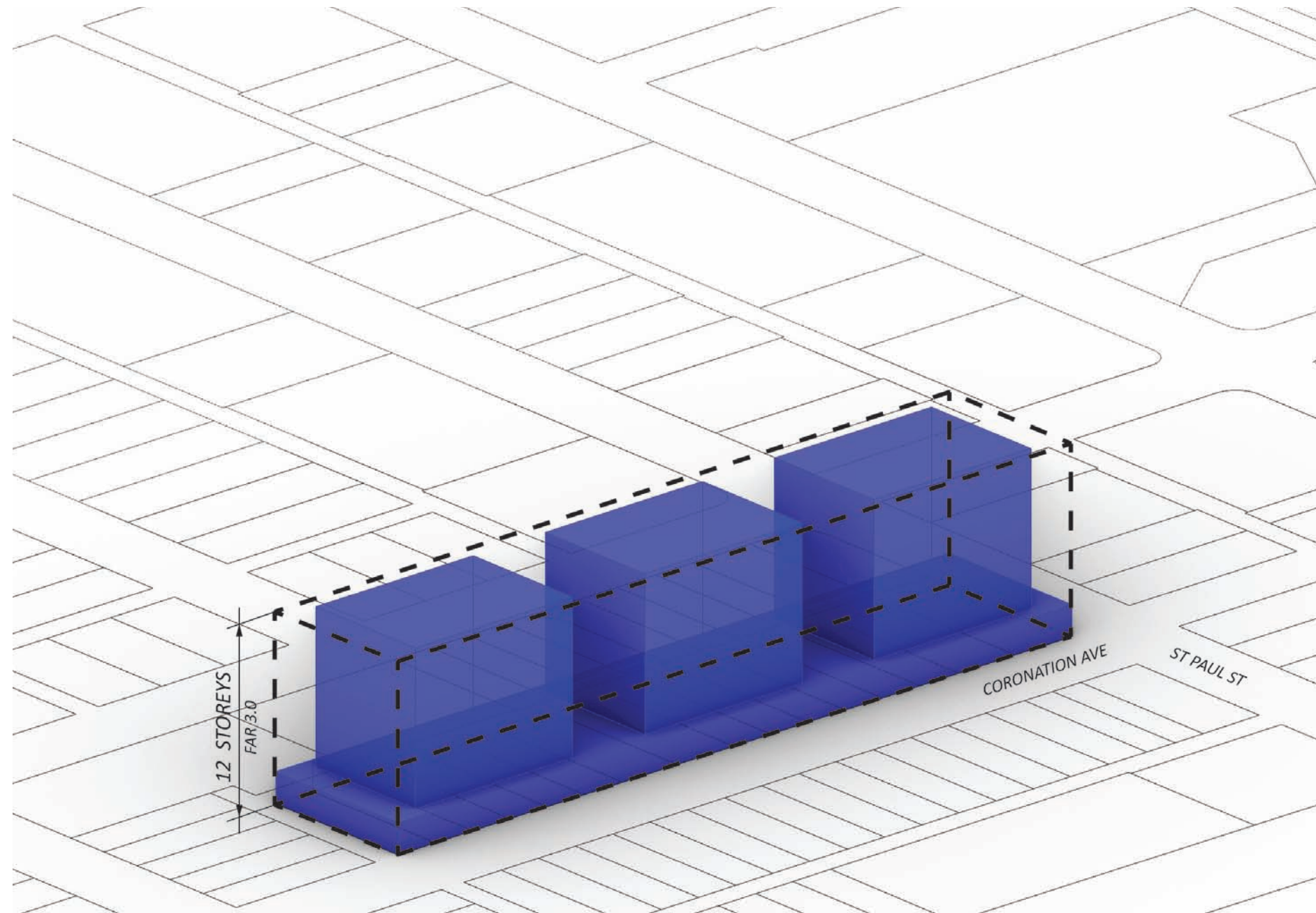
Kelowna OCP Height Map 3D Visualization | Coronation Development Variance To Building Height Zones

3.2 SITE CONSTRAINTS

Development Variance

The site is currently zoned RU7. This proposal seeks to rezone this parcel to a C7 zone. The C7 zone has a maximum height of 12 stories and a maximum allowable FAR of 9.0. The design investigated numerous options and determined that the maximum achievable FAR is closer to 3.0. In order to marry the surrounding neighbourhood densities (FAR) with the high rise design guidelines set out by the City of Kelowna, the maximum allowable height should increase in order to best serve the site and surrounding community.

Increasing the allowable height, and thereby achieving higher density, will fully capitalize on the unique opportunity that this city block assembly presents, having a meaningful impact on the community for the long term.



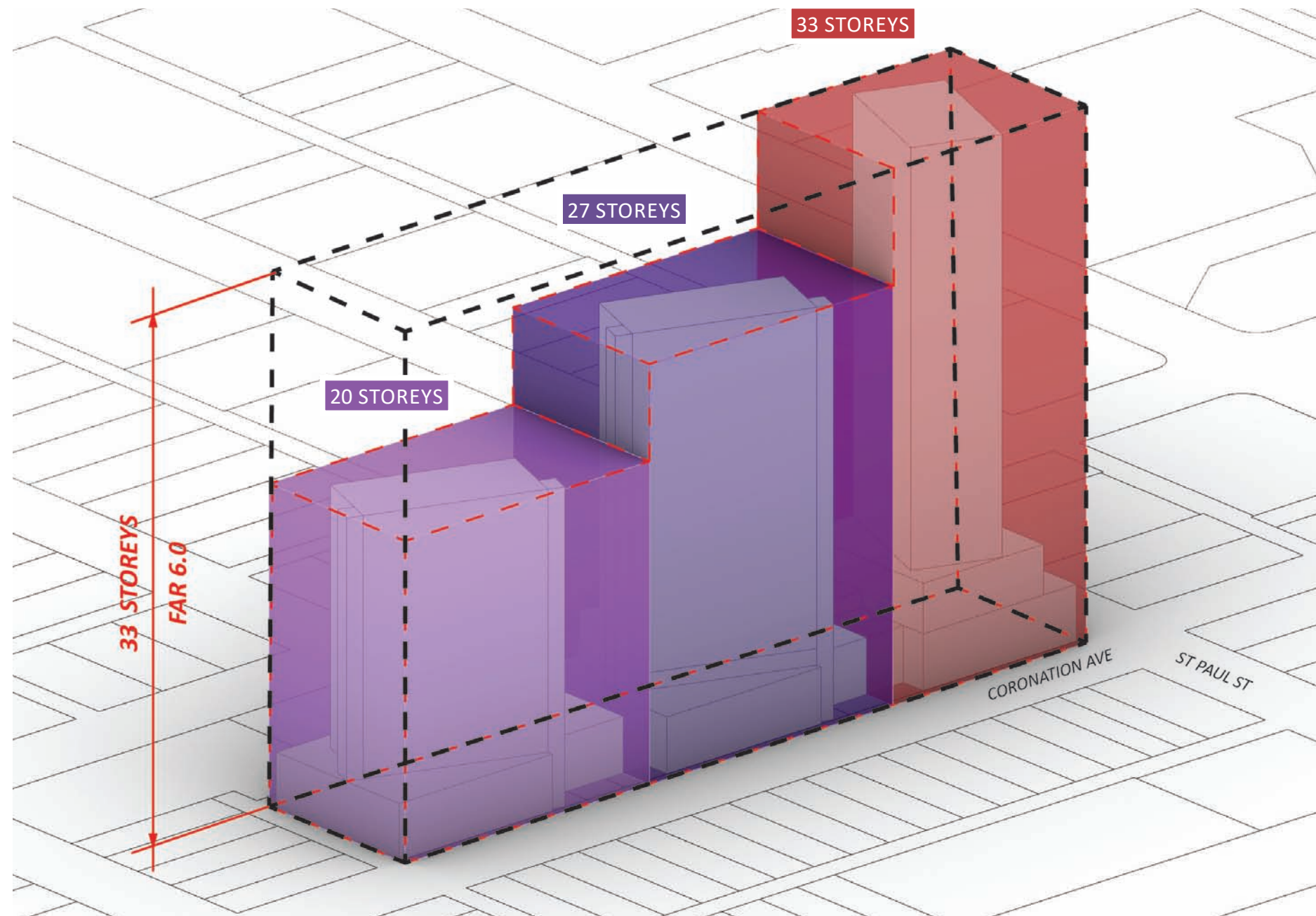
Allowable Massing Based on C7 Zone Height and Achievable Density

3.3 PROPOSED SITE CONSTRAINTS

Proposed Massing

The proposed massing was designed with the following goals in mind;

- Knit together the mosaic of zoning heights at the edge of the downtown through a stepped approach in the tower design
- Activate the residential street through defined building entries, podium articulation and building orientation
- Deliberately site and mass towers to minimize bulk, shading, and maintain view cones from surrounding properties



Development Elevation Along Coronation Avenue

Proposed Building Heights of Coronation Avenue Redevelopment

3.4 DEVELOPMENT MASSING

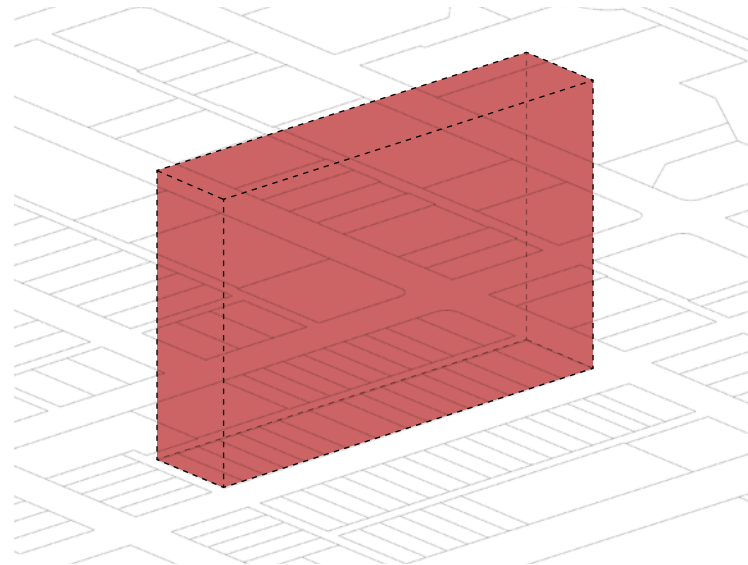
Building Articulation

The Coronation Avenue Redevelopment site adheres to the following guiding principles to ensure that the development achieves design success;

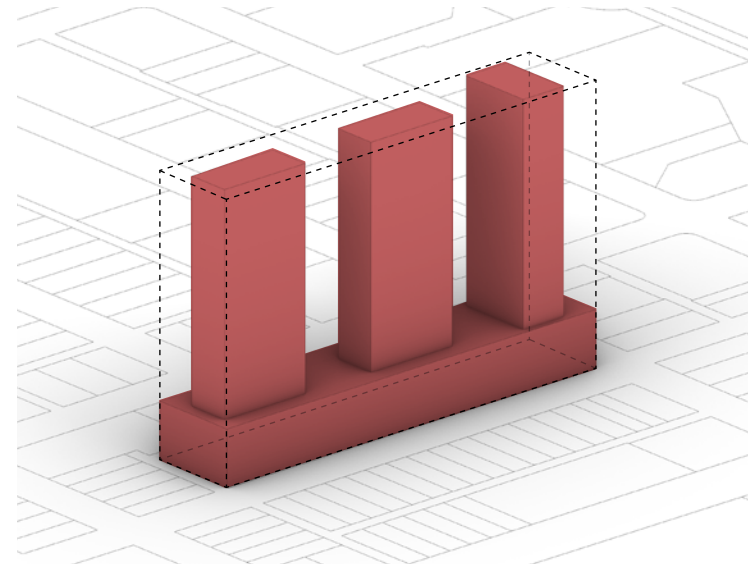
- Neighbourhood enhancement through a variety of housing types
- Skyline enhancement through a variety of building heights, orientation and architectural vocabulary
- Public realm enhancement through materials, residential massing at pedestrian scale, and a sensitive urban edge to the downtown
- Contextual sensitivity to the proposed urban landscape, both present and future

RELEVANT POLICIES

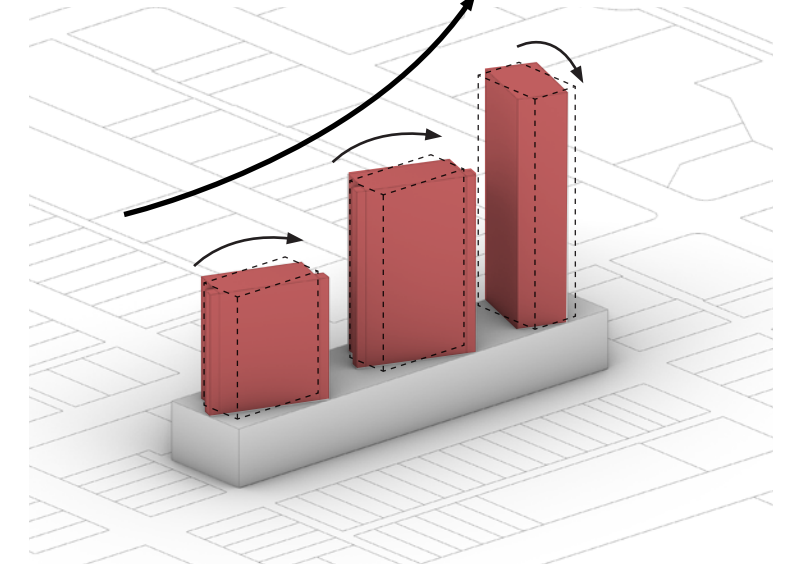
4.4.3 TALLER DOWNTOWN BUILDINGS



01 Building Envelope



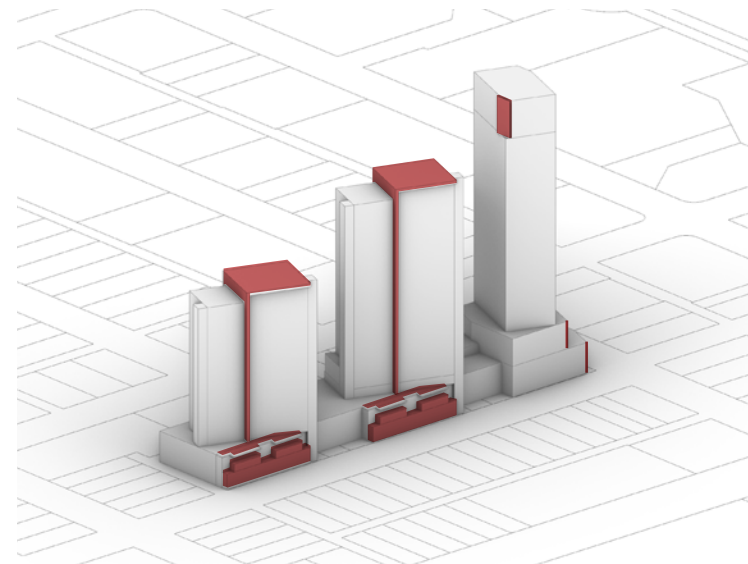
02 Podium and Towers



03 Shape and Orient Towers



04 Podium Shaping



05 Development Articulation



Visualization of Coronation Avenue Development

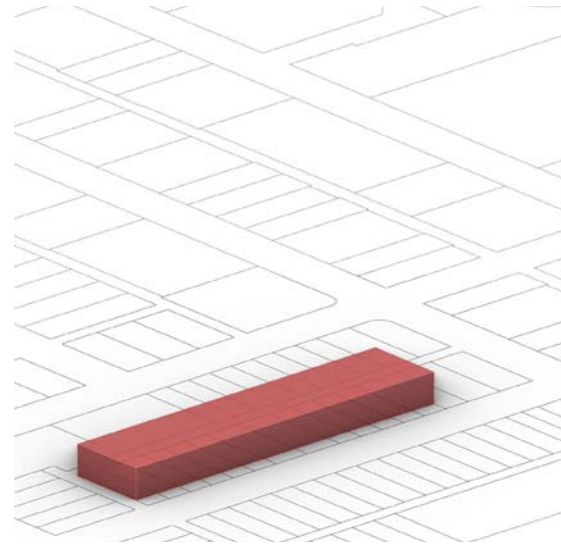
3.5 FUNCTIONAL PROGRAMME

Synergistic Uses

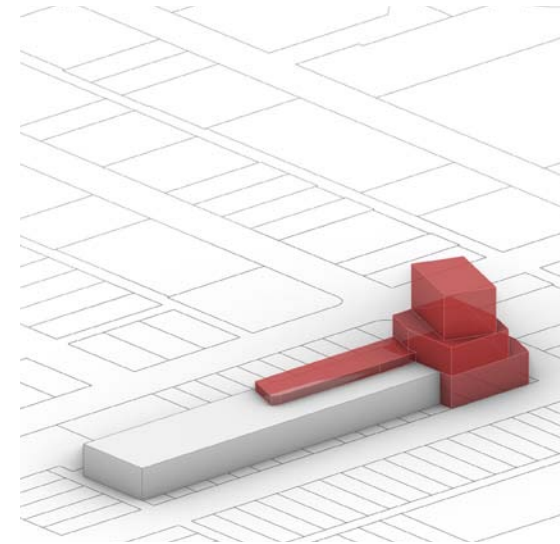
The site is proposed with a mixed use development that provides significant benefit to Kelowna and its citizens;

- A substantial number of market rental units to advance Urban Centre housing objectives
- Full block redevelopment with streetscape amenities, raised greenspace park, and potential for commercial space that can facilitate community and public benefit through post secondary cooperative training spaces, childcare, and education.
- Active transportation corridor along Coronation Ave and St Paul St. Proposed with a heavy emphasis on bike and electrification infrastructure, and the promotion of one-way and two-way car share (and bike/scooter share).

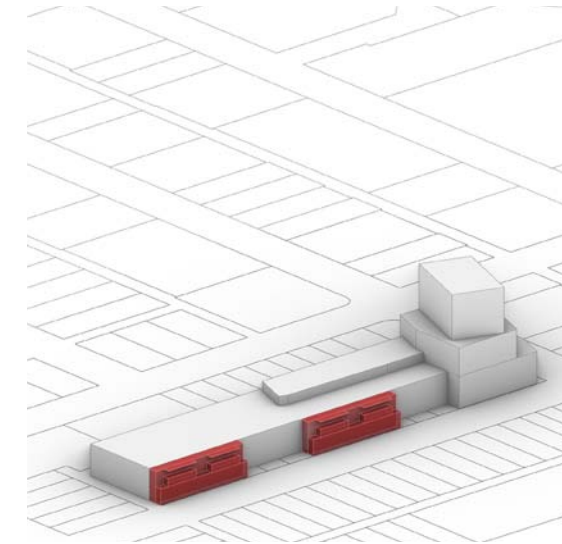
This site also has the unique ability to adapt its program and convert current parking areas into future commercial or residential supply as the city grows and needs evolve into the future.



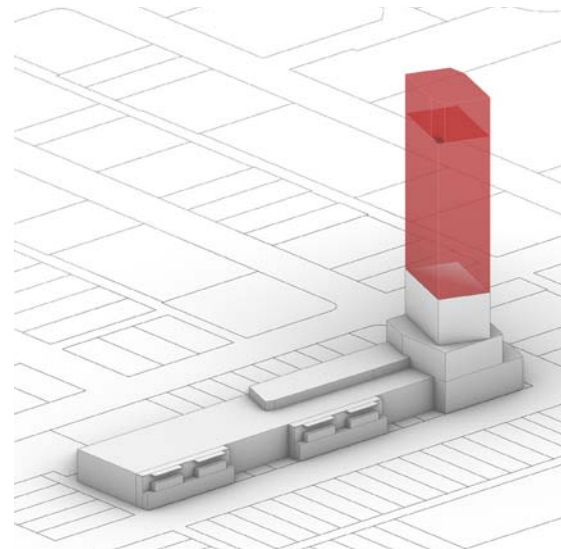
01 Parking Structure



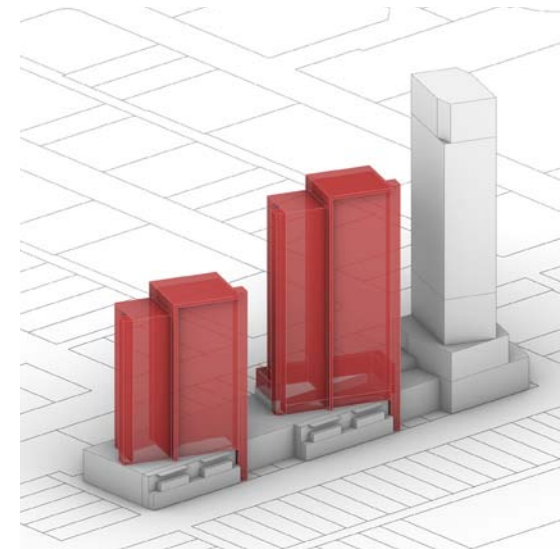
02 Hotel



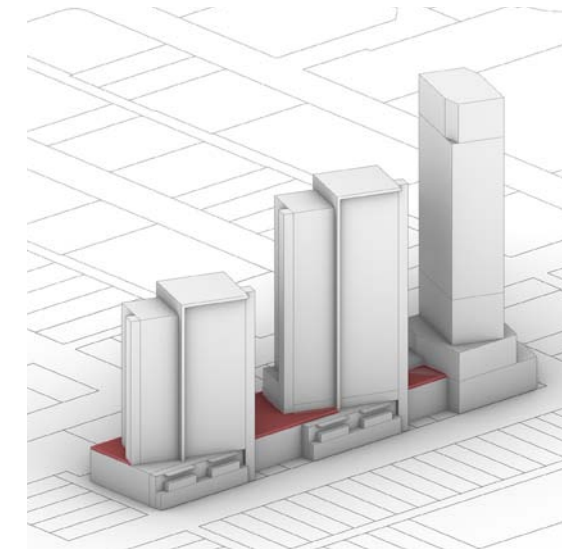
03 Townhomes



04 Market Condo



05 Market Rental



06 Amenity Deck

RELEVANT POLICIES

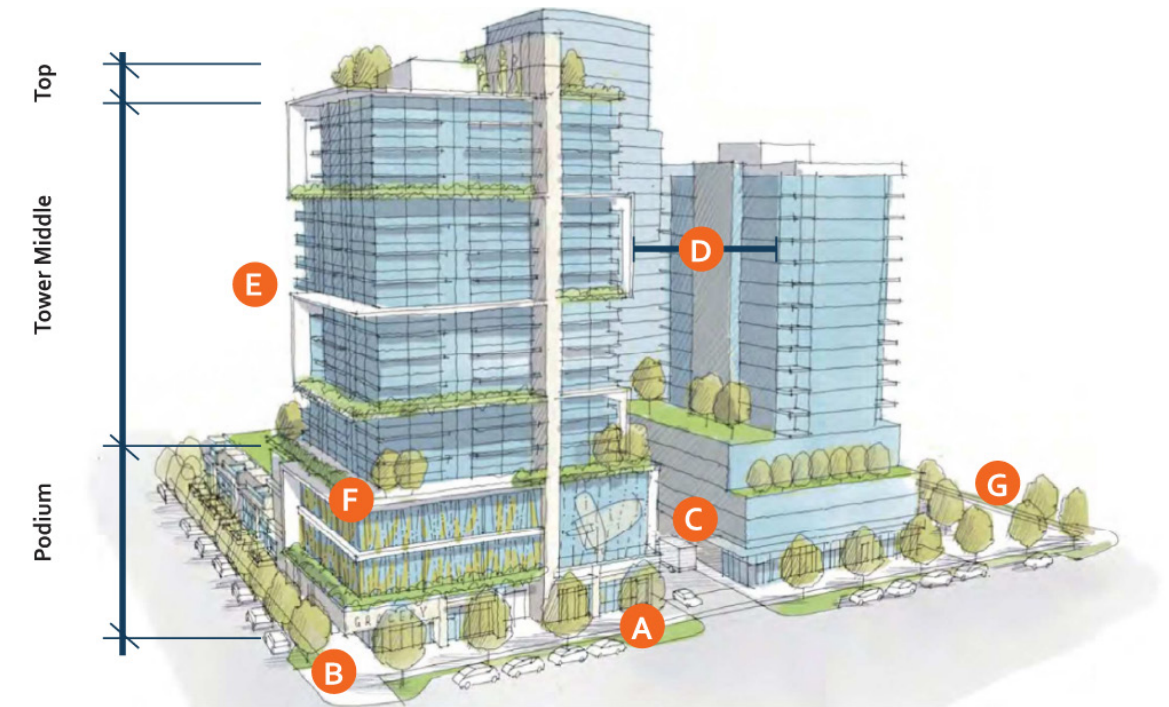
- 4.1.1. LIVE/WORK BALANCE
- 4.12.1. DIVERSE HOUSING FORMS
- 4.12.2. FAMILY-FRIENDLY HOUSING
- 4.12.3. DIVERSE HOUSING TENURES
- 4.12.4. CITY LAND ACQUISITION
- 4.12.5. SOCIAL CONNECTIONS THROUGH DESIGN
- 4.12.6. ACCESSIBLE DESIGN

3.6 DESIGN POLICIES

OCP High Rise Design Guidelines

The Coronation Avenue Redevelopment project follows closely the *DP Guidelines of High Rise Residential and Mixed Use Developments* set out by the City of Kelowna. The design aims to activate the street in a number of ways like programming and architectural scale and design language.

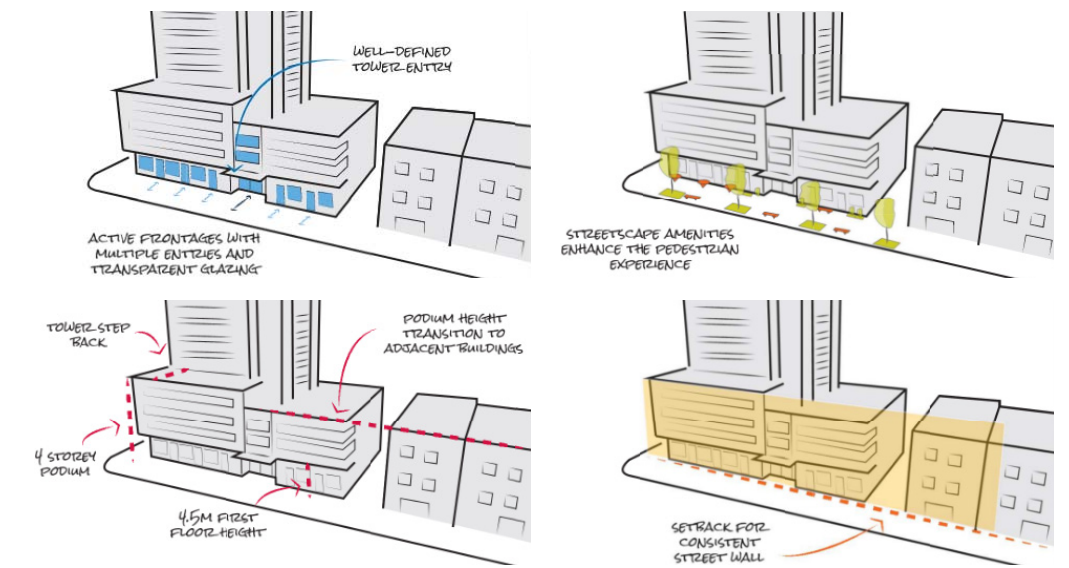
- A** Provide a minimum first floor height of 4-5m, and limit podium height to 4 storeys (5.1.2)
- B** Design buildings to activate the street with transparent frontages and commercial, retail and residential units accessible from the street (5.1.1)
- C** Provide access to parking and loading areas via laneways or secondary streets. Locate structured parking away from street frontages and use store fronts or screening to mitigate visual impacts of upper-storey parking (5.1.4)
- D** Site podiums to frame and activate the street. Site and design towers with appropriate separation (25m) and with slender and simple forms to limit privacy impacts and maximize sunlight access to streets and open spaces (5.1.3)
- E** Design buildings to balance a cohesive architectural look with a distinctly articulated podium, tower, and top (5.1.6)
- F** Break up podium mass by providing simple vertical and horizontal articulation of facades; eg. stepping back or projecting forward a portion of the facade, using color and texture (5.1.6)
- G** Provide opportunities for mid-block connections, corner plazas, and other open spaces to increase pedestrian connectivity throughout the city (5.1.5)



Kelowna DP Guidelines of High Rise Residential and Mixed Use Developments

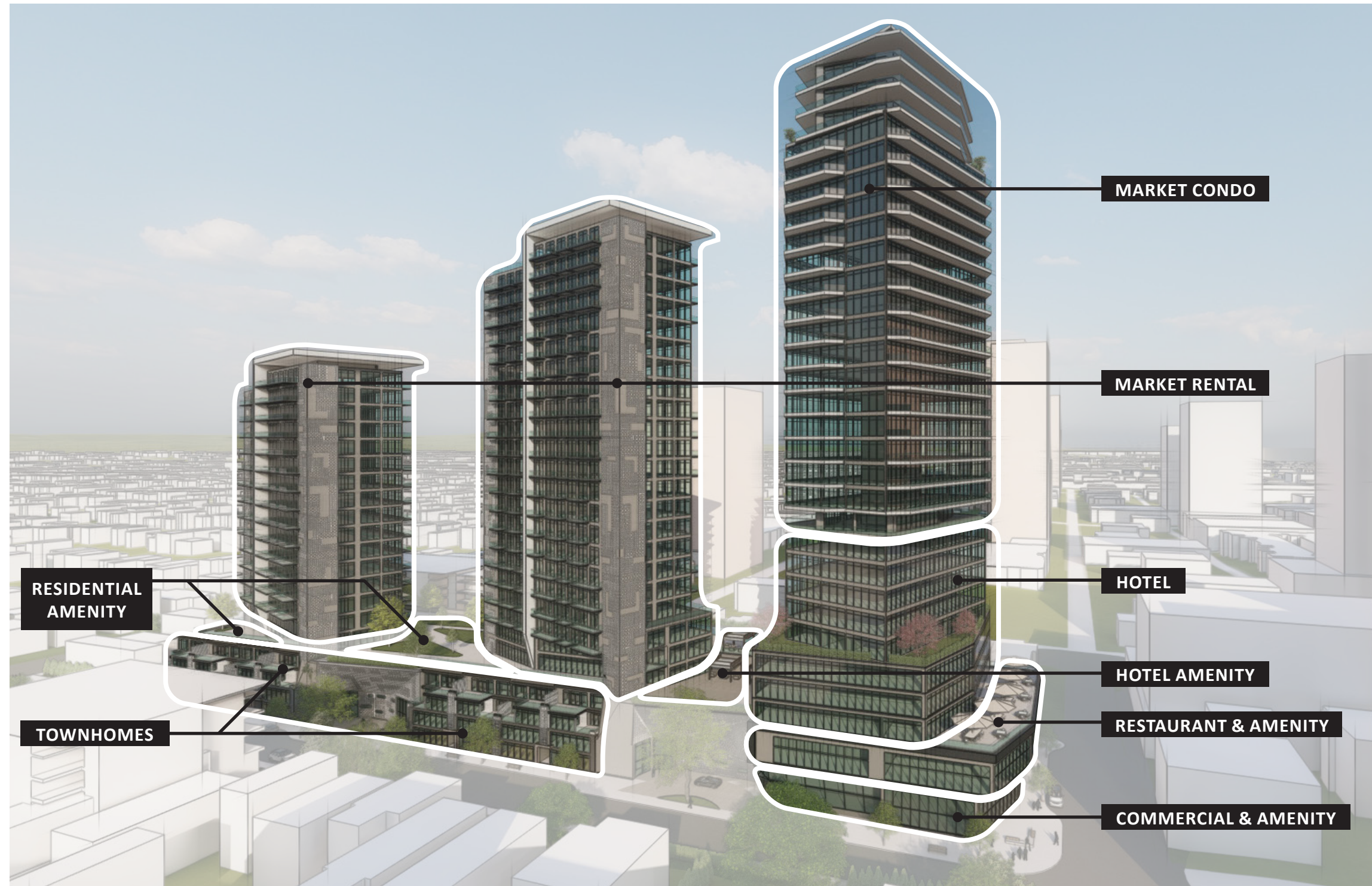


Visualization of Coronation Avenue Redevelopment



Strategies for Achieving an Active Streetscape and Strong Relationship to the Street

3.7 FUNCTIONAL PROGRAMME



3.8 DEVELOPMENT RENDERS

Aerial View



Birds eye view of three proposed towers for Coronation Avenue Redevelopment.

3.8 DEVELOPMENT RENDERS

Aerial View of Downtown



View of Coronation Avenue Redevelopment looking south east towards downtown Kelowna.

3.8 DEVELOPMENT RENDERS

Aerial View of Downtown



Western view of Coronation Avenue Redevelopment looking towards Okanagan Lake.

3.8 DEVELOPMENT RENDERS

Aerial View of Downtown



View of Coronation Avenue Redevelopment looking north towards Knox Mountain.

3.8 DEVELOPMENT RENDERS

Aerial View of Downtown



Southern view of Coronation Avenue Redevelopment.

3.8 DEVELOPMENT RENDERS

Podium Roof Deck



Hotel amenity at podium roof deck.



Highly vegetated shared residential amenity deck.

3.9 PUBLIC REALM RENDERS

Street Views



View of proposed restaurant, commercial, hotel and market condos from the intersection of St Paul Street and Cawston Avenue.



Retail and corner plaza at the intersection of Coronation Avenue and St Paul Street.

3.9 PUBLIC REALM RENDERS

Street Views



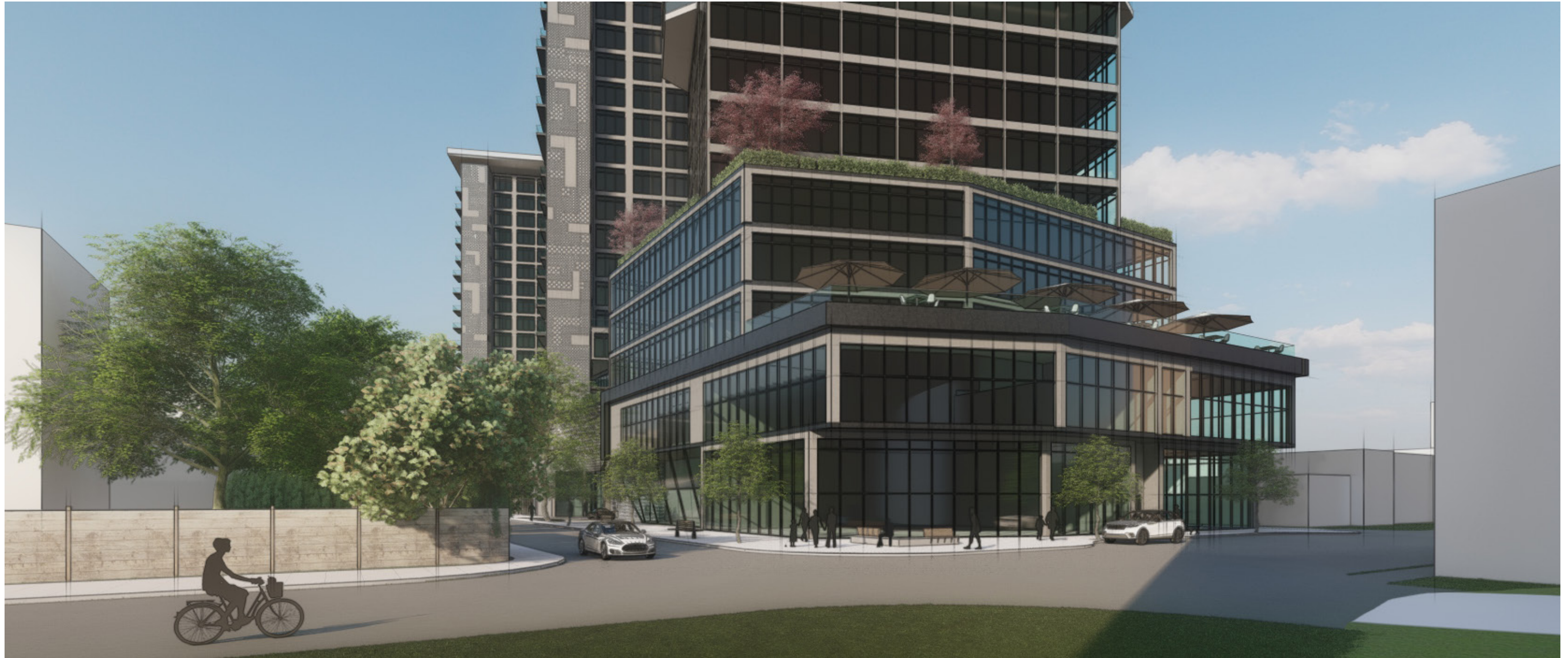
Proposed look and feel along Coronation Avenue.



View of proposed rental tower and market townhouses from the intersection of Coronation Avenue and Richter Street.

3.9 PUBLIC REALM RENDERS

Vibrant Commercial and Restaurant Space



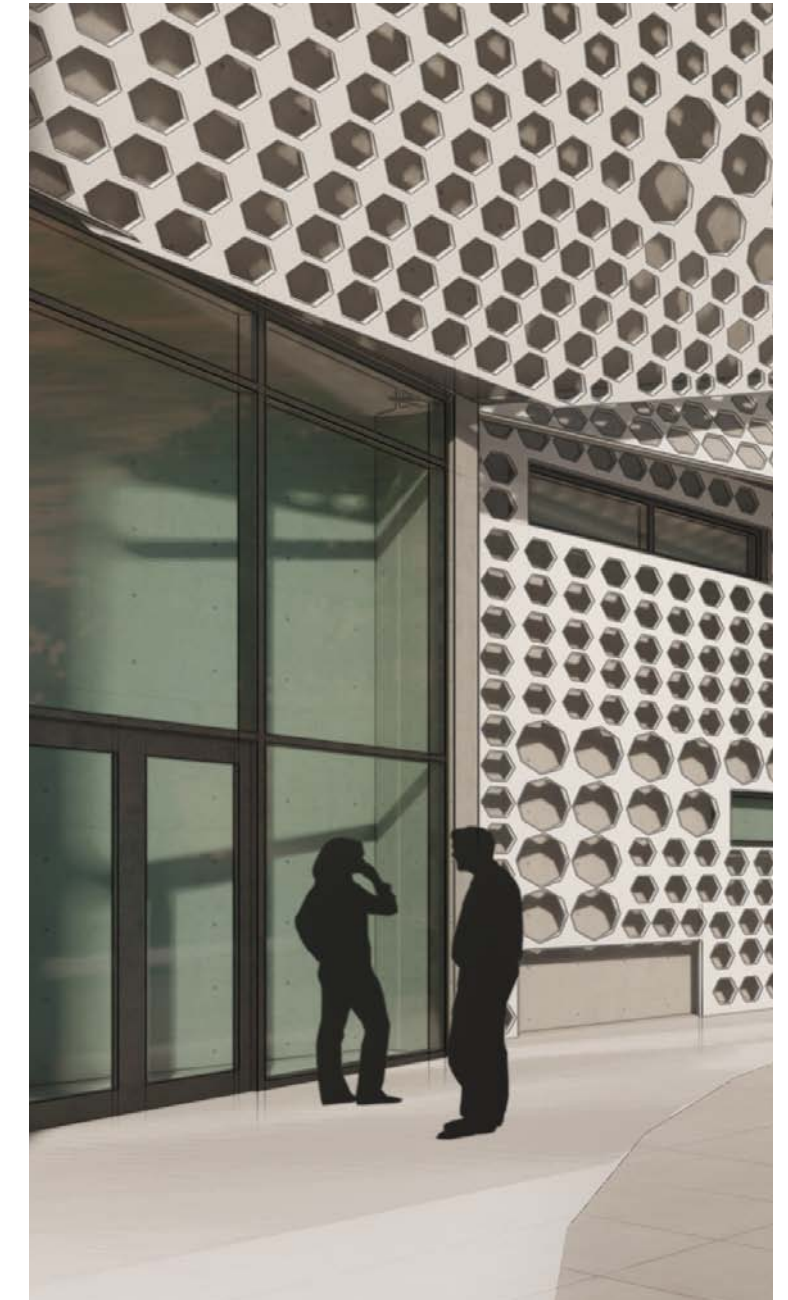
Commercial retail space and restaurant patio at the corner of St Paul Street and Coronation Avenue.

3.9 PUBLIC REALM RENDERS

Artful Screening along Coronation Avenue



Perforated architectural screen concealing above-grade parking structure.



Artful screening highlights tower entrances.

3.9 PUBLIC REALM RENDERS

Hero Image



View of Coronation Avenue Redevelopment from the south.

APPENDIX I

SUPPLEMENTARY DRAWINGS

Coronation Avenue Redevelopment | Rezoning

SUPPLEMENTARY DRAWINGS

Concept Stats & Zoning

21607 CORONATION DEVELOPMENT PROPOSAL

ADDRESS
500 BLOCK CORONATION AVENUE, KELOWNA

ZONING
PROPOSED - C7
HIGH DENSITY MIXED USE
SHORT & LONG TERM RENTAL ACCOMMODATION, RESIDENTIAL, COMMERCIAL

DEVELOPMENT STATS AS PROPOSED

ASSEMBLED LOT AREA = 73,416 SF
 FLOOR AREA, NET (APROX) ~ 447,782 SF
 FAR = 6.0
 APROX PARKING = 667 STALLS

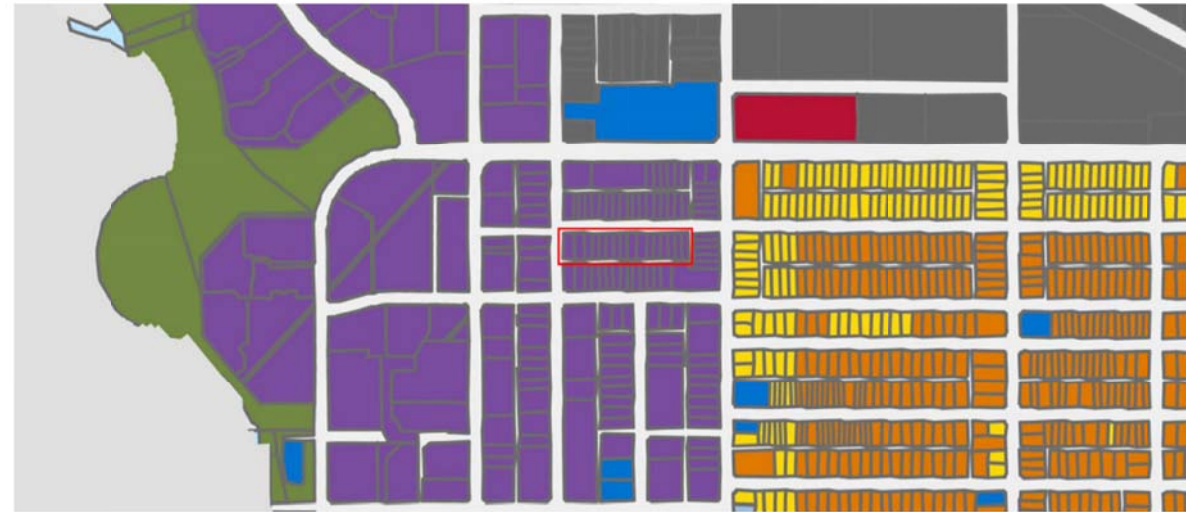
TOWER 1: HOTEL & CONDO
 LEVELS 1-5: COMMERCIAL, AMENITY
 LEVELS 5-7: RESTAURANT, AMENITY
 HOTEL LEVELS: 8-13 = 16 ROOMS/5 LEVELS = 80
 CONDO LEVELS: 14-30 = 11 CONDOS/16 LEVELS
 + CONDO PH LEVELS 31-33 = 2 CONDOS = 262

TOWER 2: MARKET RENTALS
 LEVELS 5-7 PODIUM: AMENITY
 LEVELS: 8-25 = 12 UNITS/18 LEVELS = 216
 LEVEL 26 + 6 UNITS = 222

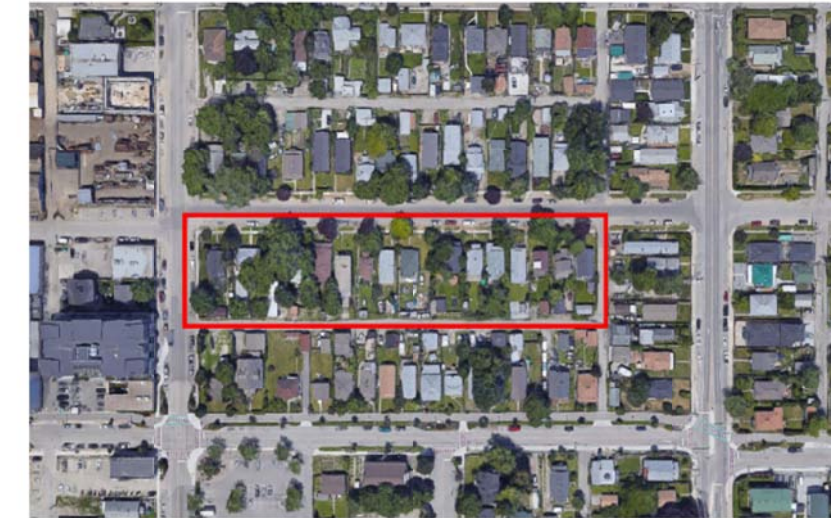
TOWER 3: STUDENT RENTALS
 LEVEL 5 @ PARKADE ROOF TOP: AMENITY
 LEVELS 6-19 = 15 UNITS/14 LEVELS = 210
 + 6 UNITS @ LEVEL 20 = 216

TOWNHOMES: 3 LEVEL WALKUP
 FRONTING CORONATION AVE = 8

438 RENTALS | 182 CONDOS | 8 TOWNHOMES | 80 HOTEL ROOMS
 TOTAL = 708 UNITS



FUTURE LANE USE ZONING MAP
UC1 - DOWNTOWN URBAN CENTRE



PARCEL ASSEMBLY - 500-600 BLOCK CORONATION AVE.



SITE LEGEND

[Red Box]	TOWN HOUSE
[Purple Box]	HOTEL - COMMERCIAL/RETAIL
[Yellow Box]	CONDO

COLOUR LEGEND

[Blue Hatched Box]	CORRIDOR
[Orange Box]	STAIR SHAFT
[Purple Box]	ELEVATOR SHAFT
[Light Green Box]	SERVICE ELEVATOR
[Pink Box]	JANITOR/SERVICES
[Dark Blue Box]	LOBBY
[Light Blue Box]	PARKADE EXIT STAIRS

CITY OF KELOWNA DRAFT ZONE DEFINITION

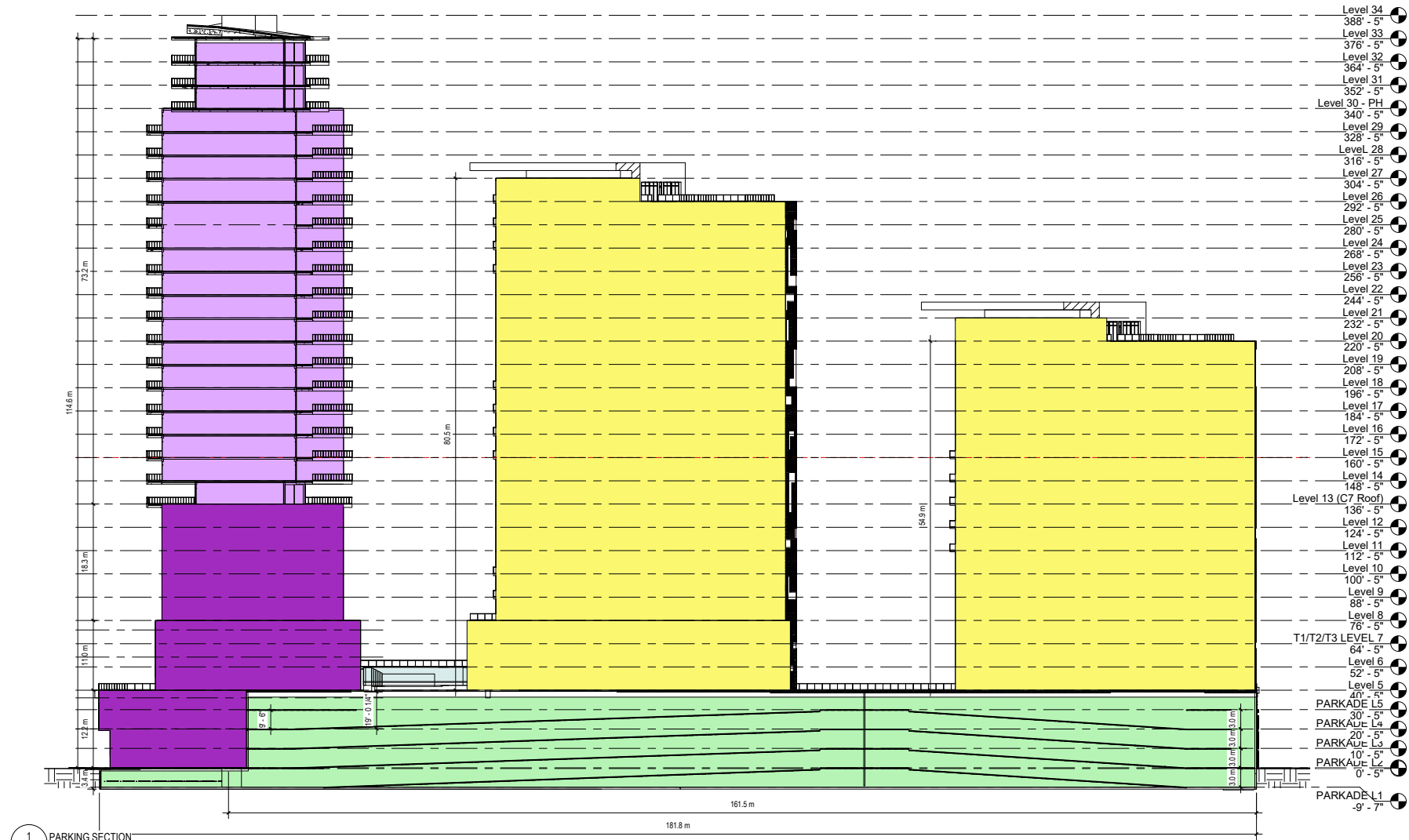
FLOOR AREA, NET means the sum of the horizontal areas of each storey of the building measured from the exterior faces of the exterior walls providing that in the case of a wall containing windows, the glazing line of the windows may be used. The net floor area measurement is exclusive of areas used exclusively for storage (storage area must be a common facility accessible by more than one owner), service to the building, attics, attached garages, carports, breezeways, porches, balconies, exit stairways, common/public corridors, parkades, terraces, common amenity spaces, and building mechanical systems are also excluded. In the case of congregate housing, communal dining and kitchen facilities are excluded.

FLOOR AREA RATIO means the numerical value of the net floor area on all levels of all buildings and structures on a lot, divided by the area of the lot.

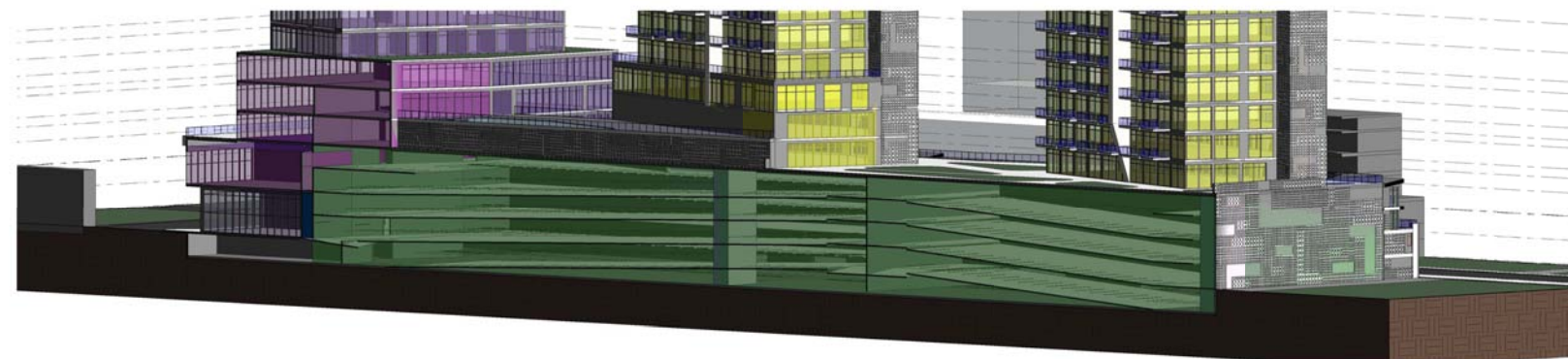
ARCHITECTURAL DRAWINGS

ATTACHMENT B
 This forms part of application # Z22-0032
 City of Kelowna DEVELOPMENT PLANNING
 Planner Initials KB

Section Elevation



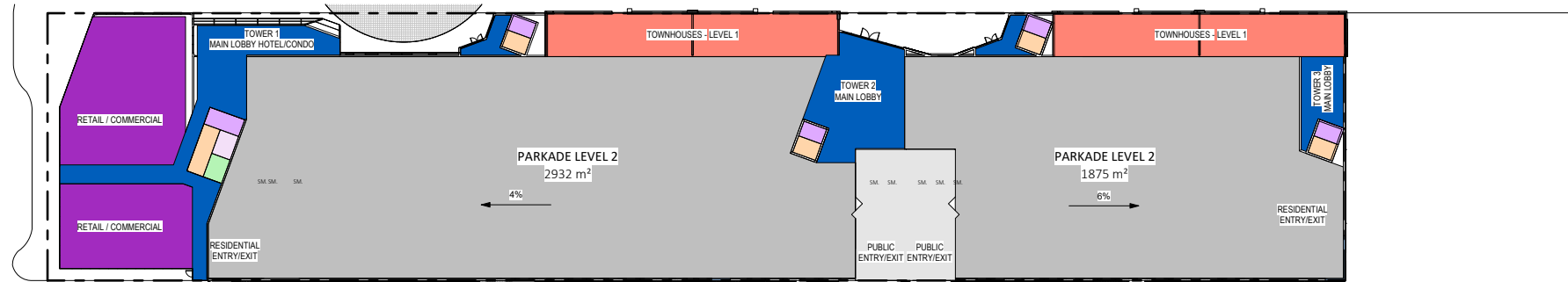
1 PARKING SECTION
 D106 SCALE: 1/32" = 1'-0"



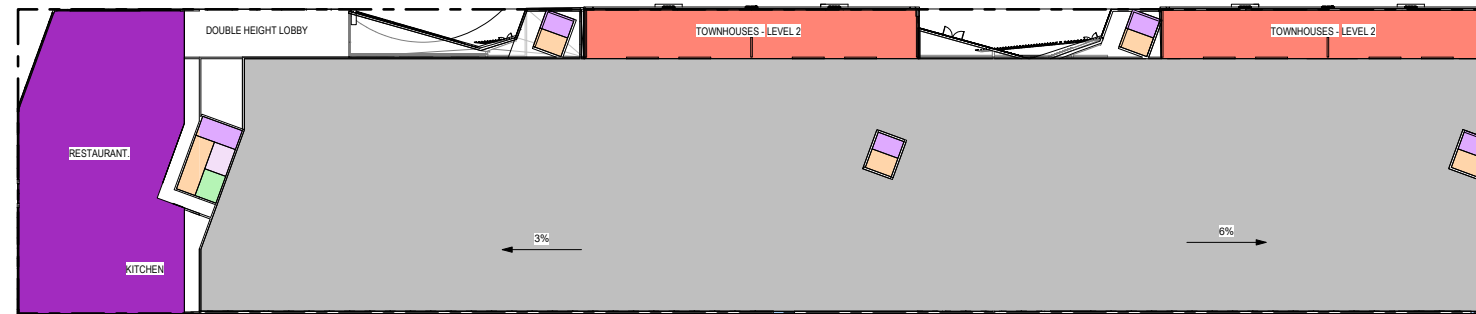
2 V3-PARKING SECTION ISO
 SCALE:

ARCHITECTURAL DRAWINGS

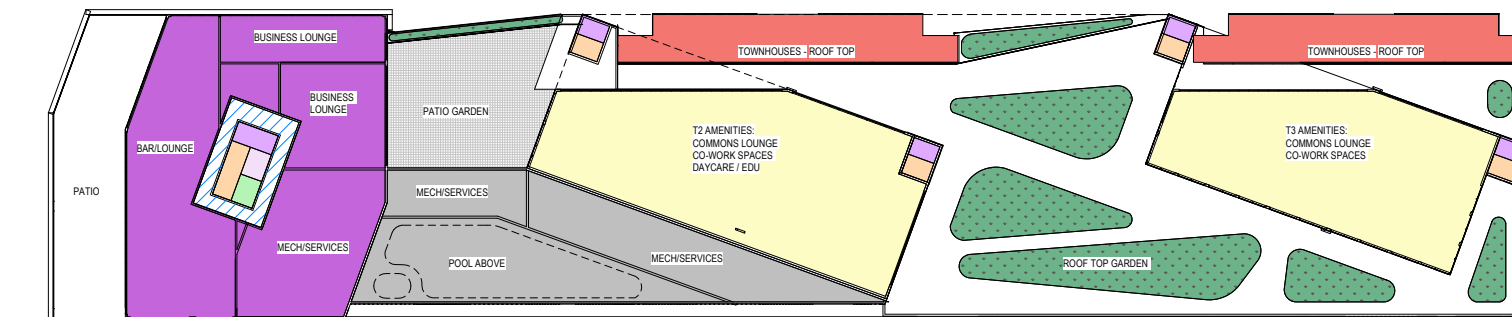
Tower 1 Commercial 1-2



2 T1/COMM. 1
 0201 SCALE: 1/32" = 1'-0"



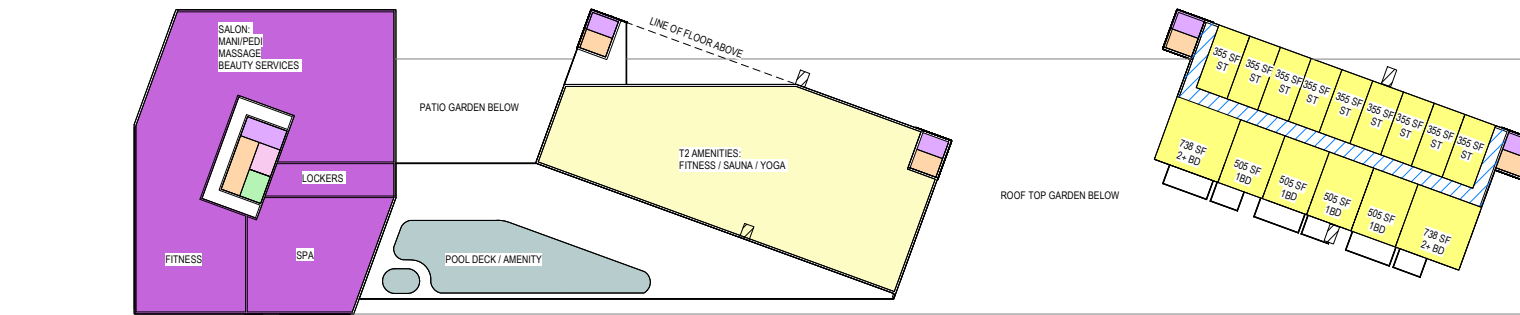
3 T1/COMM. 2
 0201 SCALE: 1/32" = 1'-0"



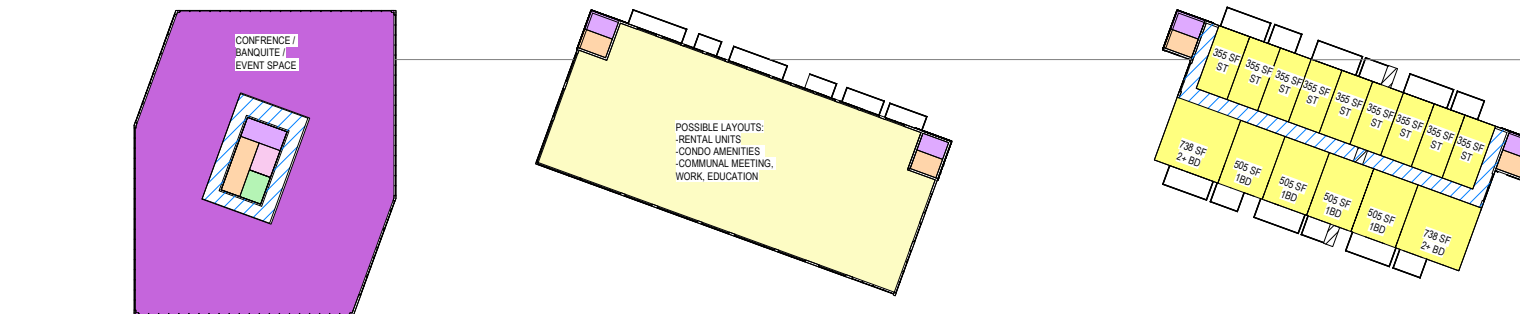
1 T1/COMM. 3 - T2/T3 LEVEL 5
 0201 SCALE: 1/32" = 1'-0"

ARCHITECTURAL DRAWINGS

Podium - T1 / T2 / T3



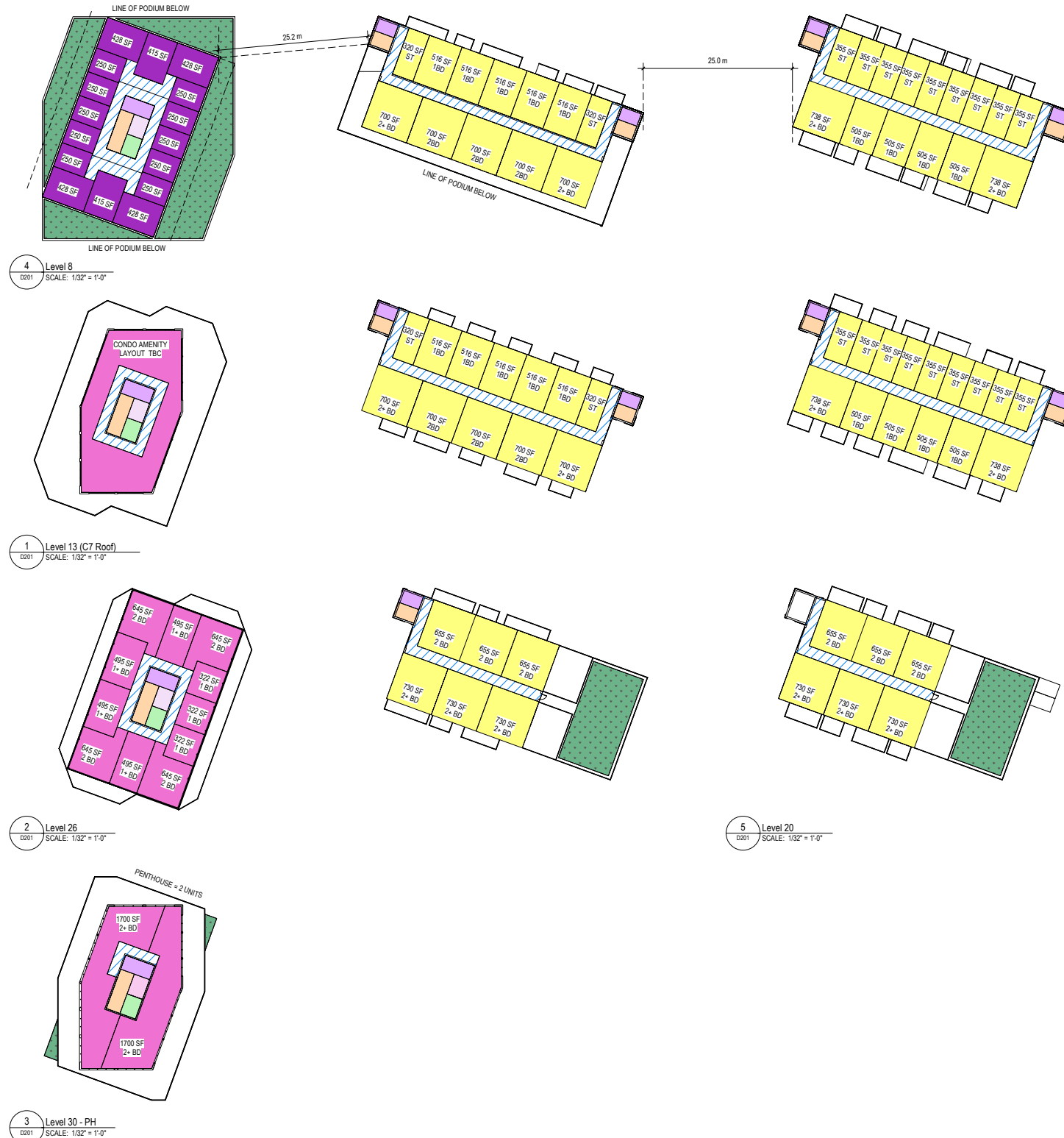
3 T1/T2 AMENITY POOL DECK / T3 LEVEL 6
 DB1 SCALE: 1/32" = 1'-0"



4 T1/T2/T3 LEVEL 7
 DB1 SCALE: 1/32" = 1'-0"

ARCHITECTURAL DRAWINGS

Levels 8-33 Penthouse



TOWER 1
 HOTEL RMS LEVELS 8-12
 = 6845.8 SF / 636 SM
 CORRIDOR/ELE./STAIR
 = 1775 SF / 165 SM
 = 74% EFFICIENCY

= 16 HOTEL ROOMS
= 80 TOTAL

TOWER 1
 CONDOS LEVELS 13
 = 4445.5 SF / 413 SM
 CORRIDOR/ELE./STAIR
 = 1248 SF / 116 SM
 = 72% EFFICIENCY

= CONDO AMENITIES

TOWER 1
 CONDOS LEVELS 14-30
 = 6845.8 SF / 636 SM
 CORRIDOR/ELE./STAIR
 = 1248 SF / 116 SM
 = 81% EFFICIENCY

4 - 1+ DEN
3 - 1 BEDROOM
4 - 2 BEDROOM
= 11 CONDO UNITS
= 176 TOTAL

TOWER 1
 PENTHOUSE LEVELS 31-33
 = 4220 SF / 392 SM
 CORRIDOR/ELE./STAIR
 = 796 SF / 74 SM
 = 81% EFFICIENCY

2 - 2+ DEN
= 2 PH UNITS
= 6 TOTAL

TOWER 2 | MARKET RENTAL
 RENTAL UNITS LEVELS 8-25
 = 8008 SF / 744 SM
 CORRIDOR
 = 1184 SF / 110 SM
 = 85% EFFICIENCY

2 - 1 BEDROOM STUDIO
4 - 1 BEDROOM
5 - 2 BEDROOM
= 11 RENTAL UNITS
= 216 TOTAL

TOWER 2 | MARKET RENTAL
 RENTAL UNITS LEVEL 26
 = 4768 SF / 443 SM
 CORRIDOR
 = 635 SF / 59 SM
 = 86.7% EFFICIENCY

3 - 2+ DEN
3 - 2 BEDROOM
= 6 RENTAL UNITS

TOWER 3 | STUDENT RENTAL
 RENTAL UNITS LEVELS 5-19
 = 8008 SF / 744 SM
 CORRIDOR
 = 1184 SF / 110 SM
 = 85% EFFICIENCY

9 - STUDIO
4 - 1 BEDROOM
2 - 2+ BEDROOM
= 15 RENTAL UNITS
= 210 TOTAL

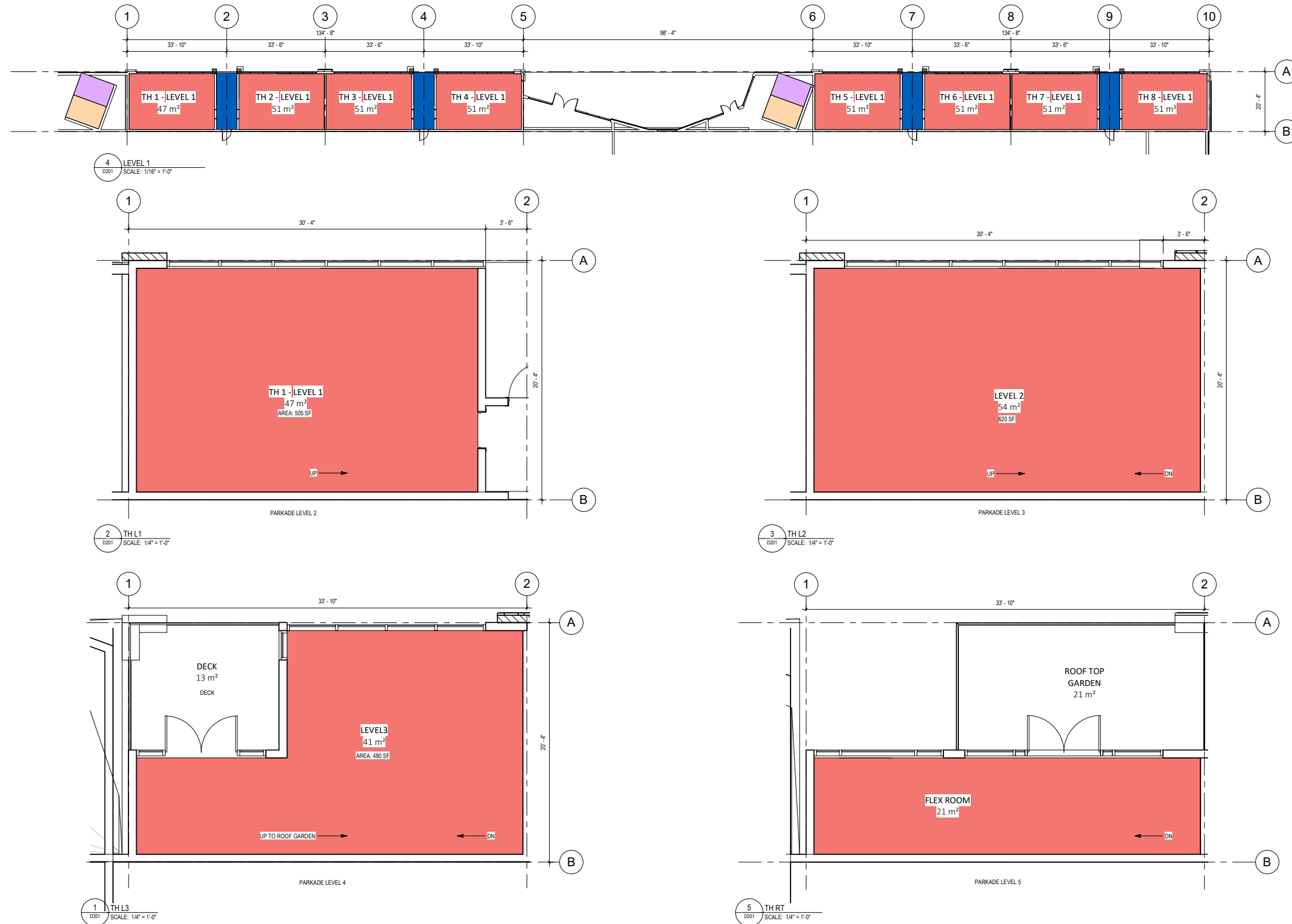
TOWER 3 | MARKET RENTAL
 RENTAL UNITS LEVEL 20
 = 4768 SF / 443 SM
 CORRIDOR
 = 635 SF / 59 SM
 = 86.7% EFFICIENCY

3 - 2+ DEN
3 - 2 BEDROOM
= 6 RENTAL UNITS

ARCHITECTURAL DRAWINGS

ATTACHMENT B
 This forms part of application
 # Z22-0032
 Planner Initials **KB**
 City of Kelowna
 DEVELOPMENT PLANNING

Townhouse Layouts





City of
Kelowna

Z22-0032
555 to 659 Coronation Ave
Early Consideration

Proposal

- ▶ To consider a Staff recommendation to **NOT** rezone the subject properties that would facilitate a mixed-use development.

Development Process

May 4, 2022

Development Application Accepted

Staff Review & Circulation

July 25, 2022

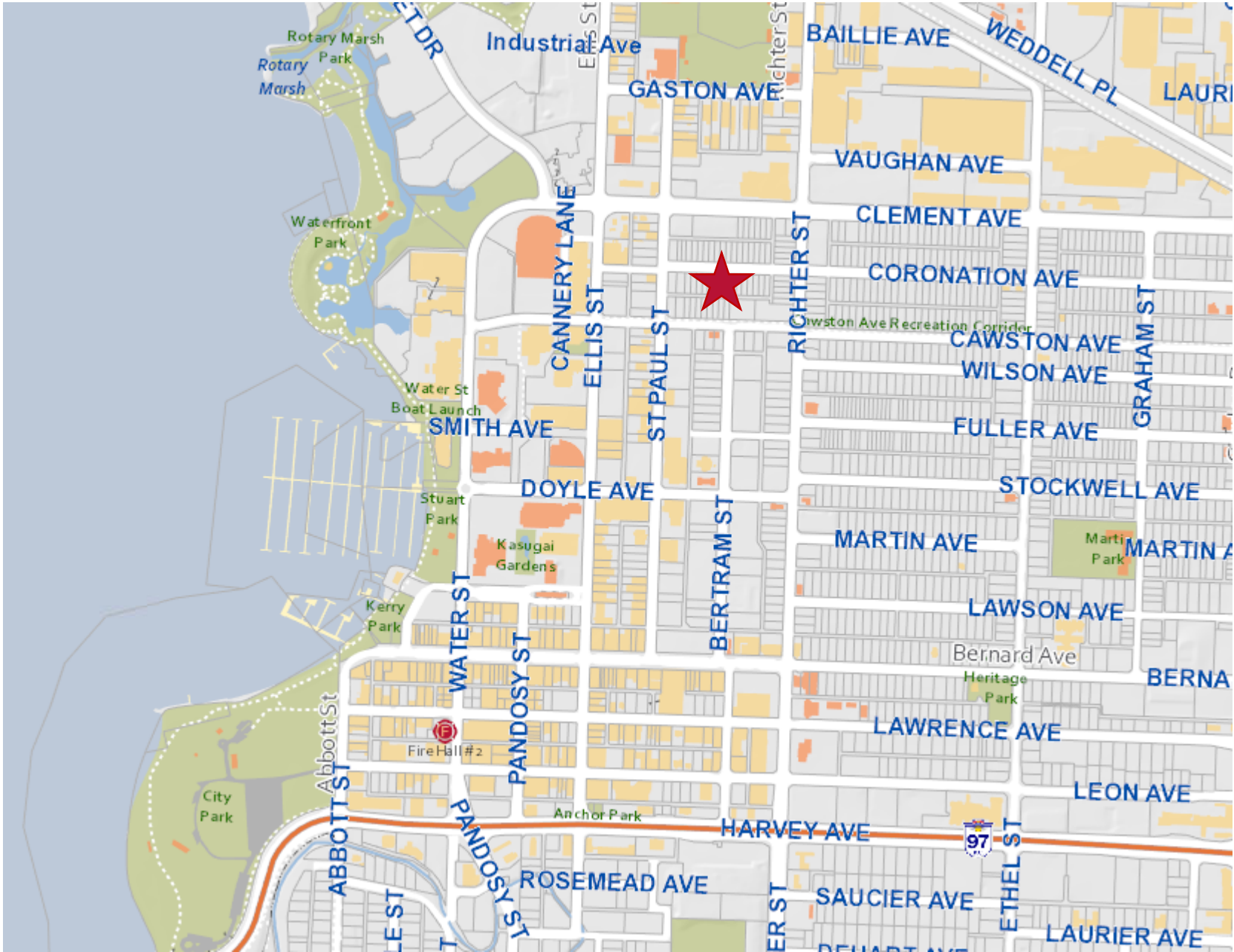
Early Consideration

File Closed

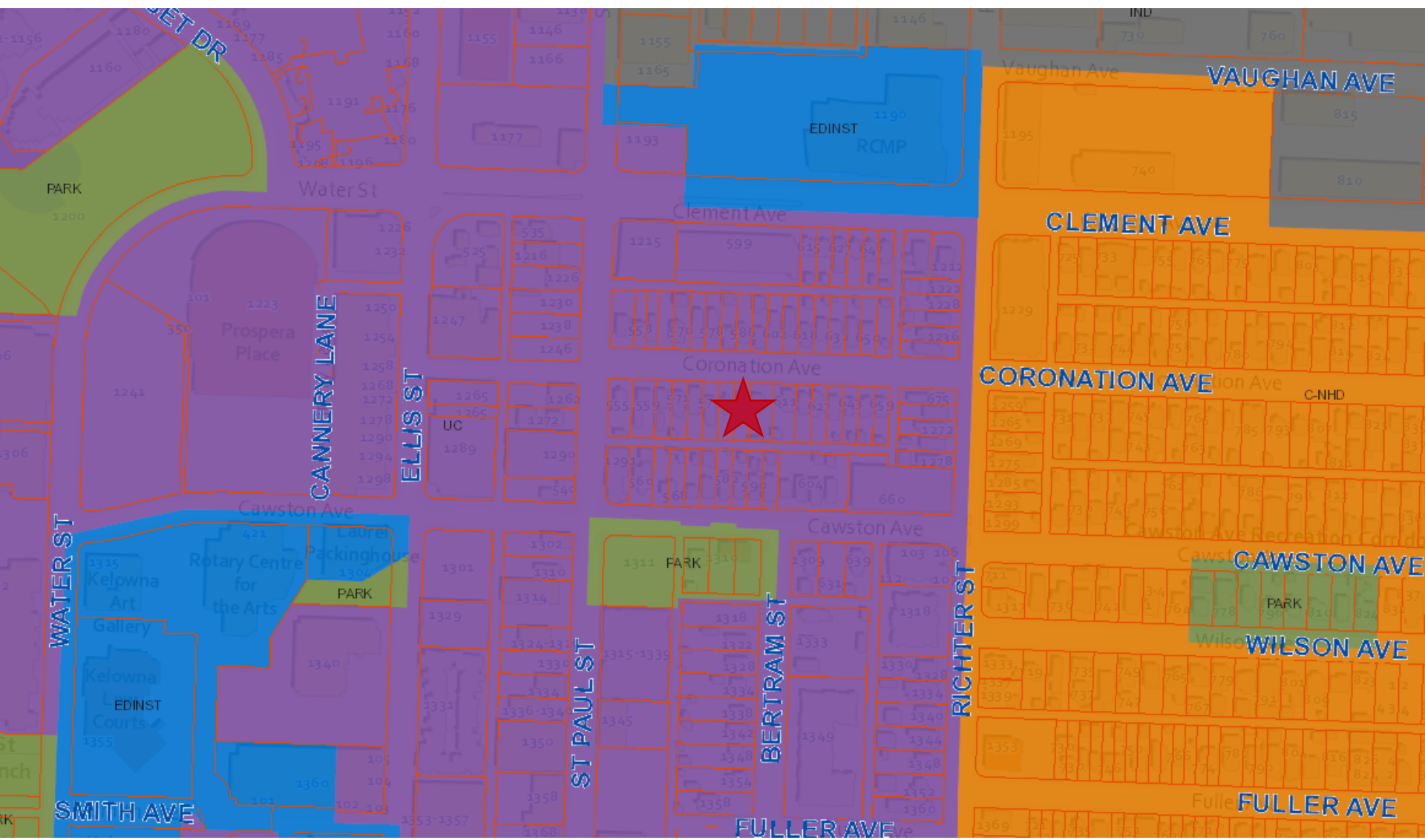
OR

Application processed in accordance
the Development Application and
Heritage Procedures Bylaw No.12310.

Context Map



Future Land Use Map

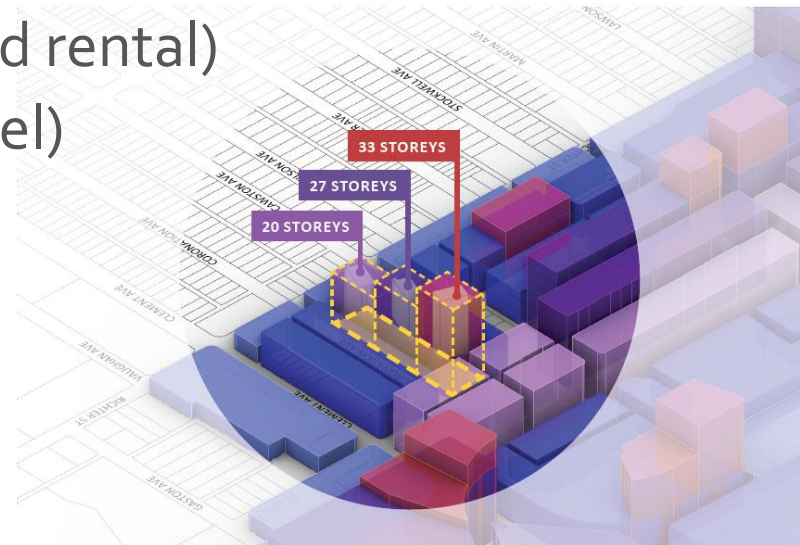


Subject Properties Map



Technical Details

- ▶ Development Permit drawings not yet finalized
- ▶ Preliminary proposal:
 - ▶ Mixed-Use development
 - ▶ Three high-rise towers
 - ▶ 33 storeys, 27 storeys, 20 storeys
 - ▶ Approx. 708 units (both condo and rental)
 - ▶ Commercial uses (including a hotel)
 - ▶ Proposed FAR of 6.0



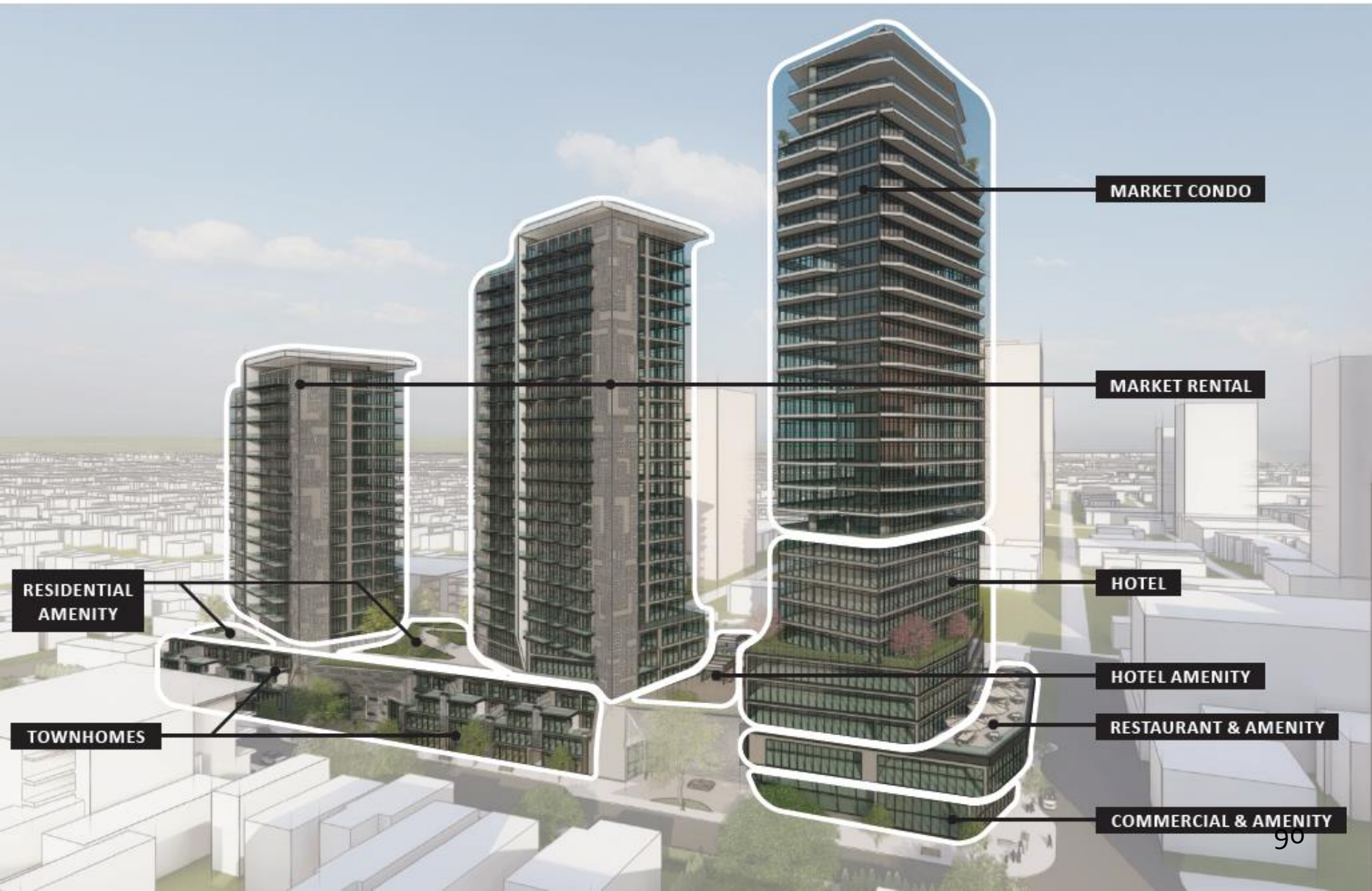
Site Plan



Renderings (Looking South)



Renderings (Looking South)



MARKET CONDO

MARKET RENTAL

HOTEL

HOTEL AMENITY

RESTAURANT & AMENITY

COMMERCIAL & AMENITY

**RESIDENTIAL
AMENITY**

TOWNHOMES

Draft Zoning Bylaw No. 12375

- ▶ Properties will be rezoned to UC₁ – Downtown Urban Centre zone upon adoption of Bylaw No. 12375
- ▶ Should Council support the alternate recommendation, options for processing this application could include:
 - ▶ Creation of a unique Comprehensive Development zone
 - ▶ A site-specific text amendment to permit additional height and density on the properties

Draft Zoning Bylaw No. 12375

▶ Height

▶ Permitted:

- ▶ 12 storeys permitted
- ▶ 15 storeys could be granted through height bonusing provisions

▶ Proposed

- ▶ 33 storeys, 27 storeys, 20 storeys

▶ Density

▶ Permitted

- ▶ 3.3 FAR permitted
- ▶ Additional 0.5 FAR could be permitted through density bonusing provisions (maximum 3.8 FAR total)

▶ Proposed

- ▶ 6.0 FAR

- 26 storeys
- 20 storeys
- 12 storeys
- 6 storeys
- 3 storeys
- Park
- Transit Supportive Corridor

This map illustrates policy guidance outlined in Chapter 4: Urban Centres. More detailed guidance for building heights can be found under Objective 4.4.

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



Application Considerations

- ▶ Massing and Visual Impact
 - ▶ Building Heights
 - ▶ Shadow Study
- ▶ Development Engineering Requirements
 - ▶ Traffic Impact Assessment
 - ▶ Road dedication and improvements
- ▶ Utilities
- ▶ Council Policy No. 367

Development Policy

- ▶ Official Community Plan
 - ▶ Map 4.1 Downtown Building Heights
 - ▶ Policy 4.4.3 Taller Downtown Buildings
 - ▶ Objective 4.9 – Transition sensitively to adjacent neighbourhoods and public spaces
 - ▶ Adjacent to properties a maximum of 6 storeys in height
 - ▶ Policy 4.17.2 High Streets
 - ▶ Above grade commercial and hotel uses are intensive and bleed into residential areas.

Staff Recommendation

- ▶ Staff recommend **non-support** for the application
 - ▶ Concerns regarding height and density



Conclusion of Staff Remarks

REPORT TO COUNCIL



Date: July 25, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z22-0021 **Owner:** Mohammad Yousuf Nasin & Sayeda Hashimi Nasin

Address: 180 Rimrock Rd **Applicant:** Urban Options Planning Corp.

Subject: Rezoning Application

Existing OCP Designation: R-AGR (Rural – Agricultural and Resource)

Existing Zone: RR1 – Rural Residential 1

Proposed Zone: RR1c – Rural Residential 1 with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z22-0021 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 16 Township 28 SDYD Plan 34351, located at 180 Rimrock Rd, Kelowna, BC from the RR1 – Rural Residential 1 zone to the RR1c – Rural Residential 1 with Carriage House zone be considered by Council;

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.

3.0 Development Planning

Staff support the application to rezone the subject property to the RR1c – Rural Residential 1 with Carriage House zone. The Future Land Use Designation of the property is R-AGR – Rural – Agricultural and Resource. The Official Community Plan permits the use of carriage homes in the R-AGR for properties not located within the Agricultural Land Reserve.

Carriage homes in the rural context may be considered in certain circumstances. First consideration is the size of the subject property as the bylaw requires that properties be connected to sanitary sewer unless the lot is

at least 1.0 ha and meets the requirement of the City and Medical Health Officer for septic disposal capacity. The size of the subject property is 1.036 ha and the applicant has provided a report from a Medical Health Officer on a septic plan that has satisfied development engineering requirements.

Further consideration for carriage homes in rural context can be related to overall site context, topography, and neighbourhood impacts. The subject property is abutting or in close proximity to three properties with the carriage house subzone. The land use has demonstrated appropriate in the neighbourhood context. Additionally, the surrounding area is predominantly zoned residential so negative impacts to active farming or similar uses are not a concern.

A significant portion of the subject property does have steep topography. The applicant has provided geotechnical reports demonstrating appropriate building envelopes and procedures on how to construct the carriage home in an effective manner. As part of the building permit process the applicant will be required to submit a hazardous condition development permit.

4.0 Proposal

4.1 Project Description

The application is to rezone to the RR1c zone to construct a carriage home along the front property line 37m from the principal residence. Given the long frontage of Rimrock road the applicant will still be limited to a single access onto the property. The parking for the carriage home will be located in front of the principal residence and the occupier of the carriage home will use a 1.2m lit pathway in order to comply with bylaw requirements.

4.2 Site Context

The subject property is located at the intersection of Lakeshore Road and Rimrock Road in the Southwest corner of the City. The surrounding area is primarily zoned RR1 – Rural Residential 1 and RR1c – Rural Residential 1 with Carriage House. The surrounding Future Land Use Designation is R-AGR – Rural – Agriculture and Resource.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agricultural 1	Single Family Dwelling
East	RR1 – Rural Residential 1	Single Family Dwelling
South	RR1 – Rural Residential 1	Single Family Dwelling
West	RR1c – Rural Residential 1 with Carriage House	Single Family Dwelling with Carriage House

Subject Property Map: 180 Rimrock Rd



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 8.4 Stop Urban Sprawl into Rural Areas		
Policy Housing in Agricultural Areas	8.4.3	Housing in Agricultural Areas. Discourage additional residential development (both expansions and new developments) in areas surrounded by ALR and non-ALR agricultural lands. Secondary suites may be permitted in a permitted primary dwelling. Carriage houses may be considered on Rural Residential lands where the property is 1.0 hectares or greater and where proposal is consistent with the Farm Protection Guidelines outlined in Chapter 22: Farm Protection Development Permit Area.
		<i>The subject property meets the criteria for supporting carriage home in a rural context.</i>

6.0 Application Chronology

Date of Application Accepted: March 15, 2022
 Date Public Consultation Completed: April 7, 2022

Report prepared by: Jason Issler, Planner I
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Site Plan

Attachment B: Letter of Rationale



March 7, 2022

City of Kelowna
Urban Planning Department
1435 Water Street,
Kelowna, BC V1Y 1J4

ATTACHMENT		B
This forms part of application # Z22-0021		
Planner Initials	JJ	 City of Kelowna DEVELOPMENT PLANNING

Application to Rezone the Property with an Additional Variance from RR1 – Rural Residential 1 to RR1c – Rural Residential 1 with Carriage House at 180 Rimrock Rd.

Dear Planning Staff,

The purpose of this application is to rezone the subject property from RR1 to RR1c to allow for the construction of a carriage house. Context photos are provided to show the current configuration of the property. Due to the topography of the land, a Variance application is requested to reduce the front yard setback. The lot size is exceptionally large at 1.04ha (10,368m²), therefore it is within regulation to rezone the property to allow for a carriage house on septic. The property is outside of the ALR. As outlined by Environmental Planning Staff, a Natural Environment Development Permit is not required as part of this application. However, a Geotechnical Report is attached to prove the feasibility of the carriage house project from a slope stability perspective.

Official Community Plan Objectives

Under the 2040 Official Community Plan, the Future Land Use designation for the property is Rural – Agricultural and Resource. When outside of the ALR, a carriage house is a permitted use. In addition, the following pillars are met:

1. Stop planning new suburban neighbourhoods.

Creating sensitive infill within existing suburban neighbourhoods reduces the desire for new suburban neighbourhoods to be planned. In turn, those who wish to live in a suburban neighbourhood can do so without constructing a new home in a new neighbourhood.

2. Promote more housing diversity.

Although suburban neighbourhoods do not allow for dense housing diversity when compared to the core area, the addition of carriage houses and secondary suites are a great way to utilize existing properties and services to create diverse housing options in areas of lower density.

3. Protect our environment.

Constructing a carriage house in the proposed location (upper bench of the property) will prevent construction in areas of sensitive stability and riparian management.

Rezoning & Development Variance Permit

The proposed carriage house is 100m² in size and conforms to all regulations under the RR1c and Specific Use sections of Zoning Bylaw 8000. The building footprint has been placed outside of SRW Plan 17912A. A parking stall for the carriage house will be located in the existing driveway for the single-family dwelling. A 1.2m wide lit pathway will connect the carriage house to the parking stall, reducing the need for another access to the property.

The Development Variance Permit application seeks to reduce the front yard setback from 6.0m to 4.5m. The requested Variance will allow for the carriage house to remain on the upper bench and prevent any construction on the slope portion of the property. Since 4.5m is the common setback for buildings in residential neighbourhoods, we believe 4.5m is a reasonable setback Variance to respect the road right-of-way.

Geotechnical Report

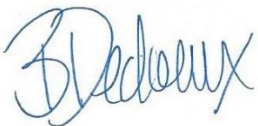
The location of the proposed carriage house is flagged as Hazardous Condition and Vulnerable Groundwater Aquifer. Therefore, it was advised by City Staff that a geotechnical analysis be undertaken on the property before application. The Geotechnical Report outlines that “the proposed development is feasible from a geotechnical perspective, provided that the recommendations outlined in Section 6.0 are incorporated into the overall design.” As previously mentioned, City Staff also advised that a Natural Environment Development Permit is not necessary as part of the carriage house project.

Conclusion

In the immediate neighbourhood, two of the neighbouring properties are zoned “c” for Carriage House and one of the neighbouring properties has a carriage house application in stream. Although the subject property is located outside of the Permanent Growth Boundary, we believe the application is beneficial for multiple reasons. The proposed carriage house will better utilize a large property and provide housing for relatives of the landowners or a tenant who may enjoy the nature of the area. Okanagan Mountain Park and Bertram Creek Park are located less than 500m from the subject property. In addition, the property is located within a “Wildland Fire Hazard DP Area.” In a rural neighbourhood, it is important for residents to beware of hazards such as wildfire. The proposed carriage house will allow for an increased number of residents to protect the neighbourhood and promote safety through hazard observance.

In conclusion, approval of this Rezoning and Variance application will allow for the landowners to enhance their beautiful property in a desirable area of Kelowna, adding positive infill to the area.

Regards,



Birte Decloux RPP MCIP
Urban Options Planning Corp.



CITY OF KELOWNA

BYLAW NO. 12417

Z22-0021

180 Rimrock Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 Section 16 Township 28 SDYD Plan 34351 located at Rimrock Road, Kelowna, BC from 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, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Z22-0021

180 Rimrock Rd

Rezoning Application

Proposal

- ▶ To consider a Staff recommendation to rezone the subject property from the RR₁ – Rural Residential 1 zone to the RR_{1c} – Rural Residential 1 with Carriage House.

Development Process



Mar 15, 2022

Rezone Application Submitted



Staff Review & Circulation



Apr 7, 2022

Public Notification Received



July 25, 2022

Initial Consideration



First, Second, Third, Fourth Readings



Building Permit



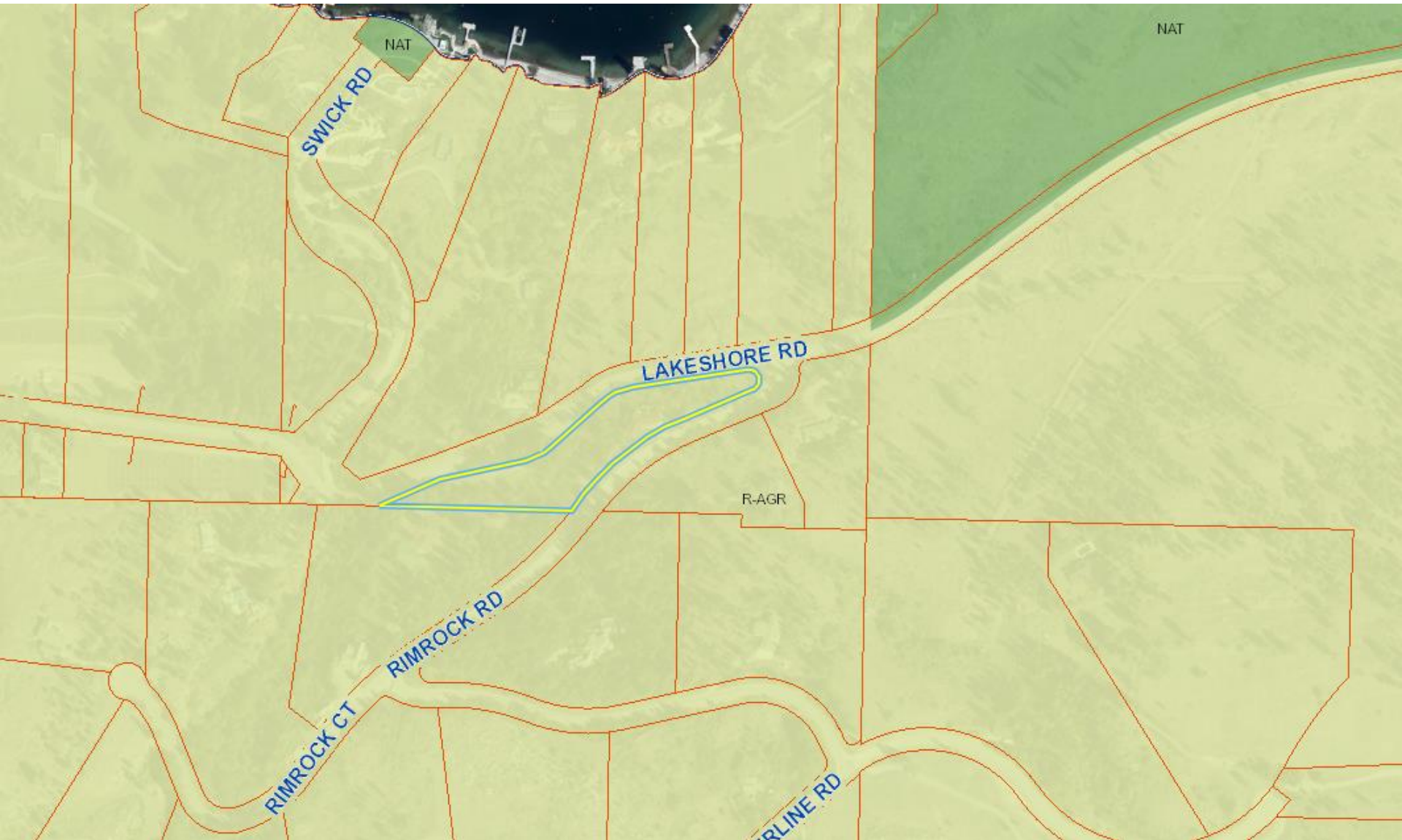
Council Approvals



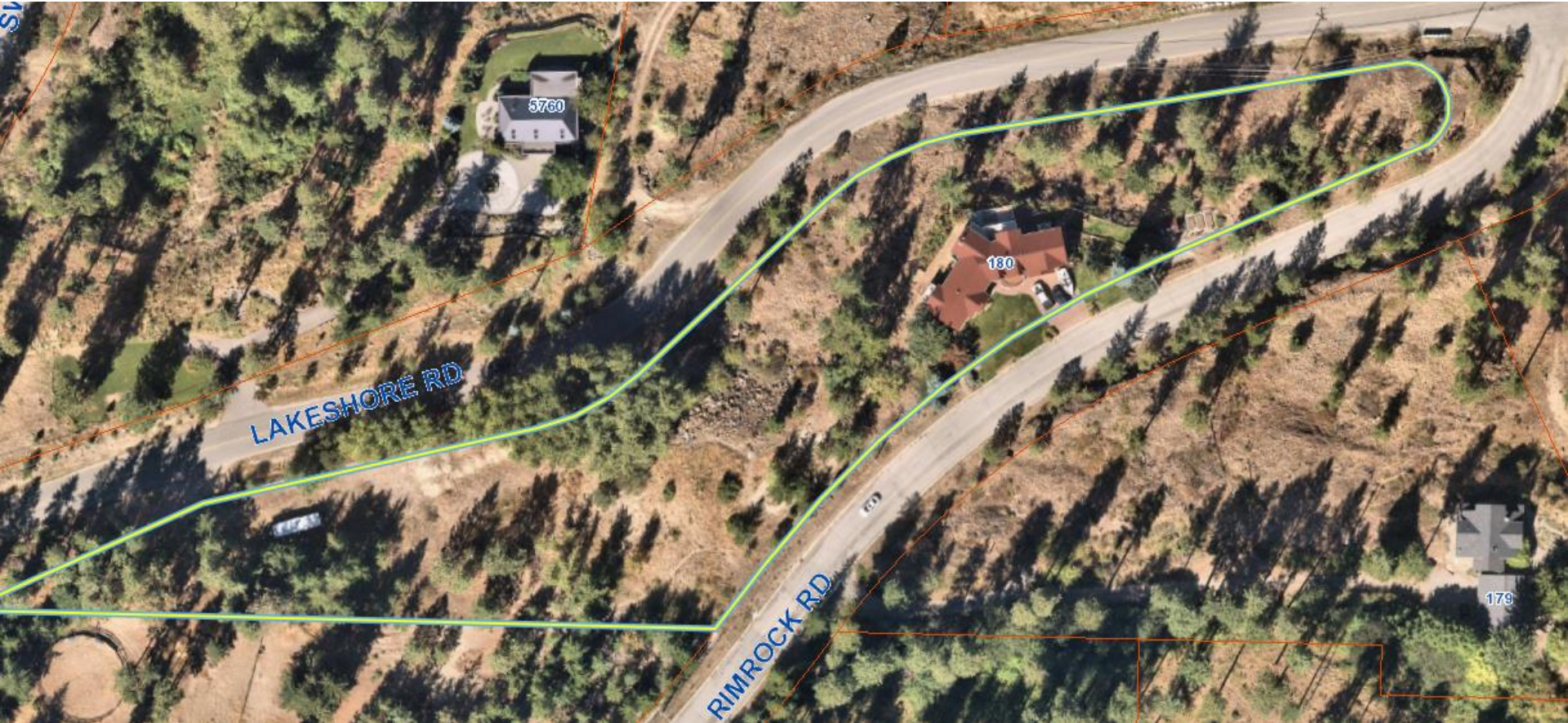
Context Map



OCP Future Land Use / Zoning



Subject Property Map



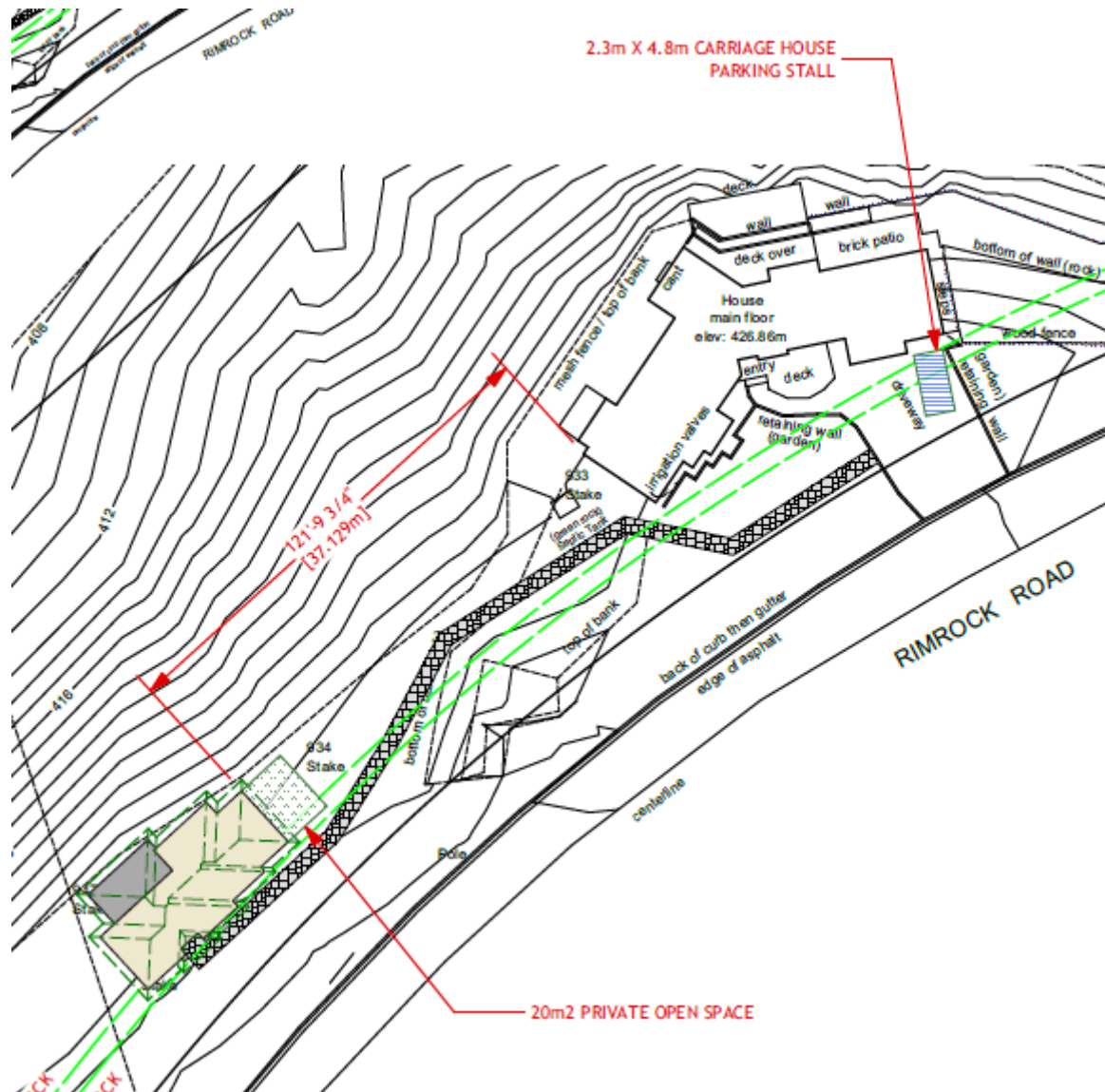
Site Context



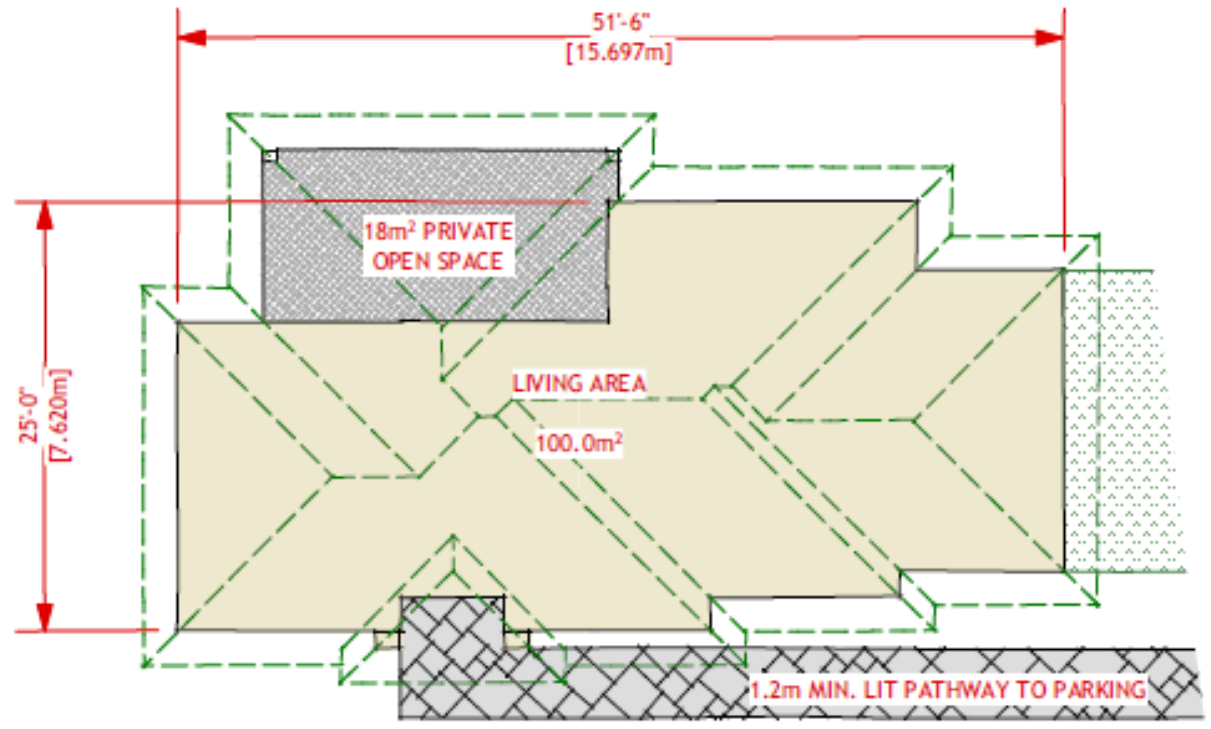
Project/technical details

- ▶ Lot size exceeds 1.0ha requirement
- ▶ Sufficient Septic Field reviewed by Medical Health Officer
- ▶ Geo-Technical Engineer determined suitable building envelope
- ▶ Consistent with neighbourhood

Site Plan



Proposed Carriage House Footprint



PROPOSED CARRIAGE HOUSE FOOTPRINT Scale: 1:150

Development Policy

- ▶ Carriage Houses may be considered on Rural Residential Lands with property is 1.0Ha or greater.
- ▶ Located outside ALR

Staff Recommendation

- ▶ Staff are recommending **Support** for the proposed rezoning from the RR1 – Rural Residential 1 to the RR1c – Rural Residential 1 with Carriage House



Conclusion of Staff Remarks

Report to Council



Date: July 25, 2022
To: Council
From: City Manager
Department: Office of the City Clerk
Application: Z22-0031 **Owner:** Sander and Brooke Dokter
Address: 1649 Feedham Ave **Applicant:** Sander and Brooke Dokter
Subject: Rezoning Bylaw No. 12413 for Z22-0031 Supplemental Report to Council
Existing OCP Designation: S-RES – Suburban – Residential
Existing Zone: A1 – Agriculture 1
Proposed Zone: RU1c – Large Lot Housing with Carriage House

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated July 25, 2022 with respect to Zoning Bylaw No. 12413;

AND THAT Rezoning Bylaw No.12413 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaw No. 12413 and to give the bylaw further reading consideration.

Background:

Zoning bylaws that are consistent with the OCP do not require a public hearing. Public notice is given before first reading with signage on the subject property, newspaper advertisements, and mailouts in accordance with the Local Government Act and Development Application & Heritage Procedures Bylaw No. 12310.

Discussion:

Rezoning Application Z22-0031 for 1649 Feedham Avenue was brought forward to Council for initial consideration on [July 11, 2022](#). Notice of first reading was completed as outlined above.

Rezoning Application Z22-0031 received zero pieces of written 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 notice of first reading, staff are recommending that Council give Rezoning Bylaw No. 12413, located at 1649 Feedham Avenue, 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, Council may choose to:

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

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: N Beauchamp, Legislative Technician

Approved for inclusion: S Fleming, City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12413

Z22-0031

1649 Feedham 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 149 Section 13 Township 26 ODYD Plan 24361, located on Feedham Ave, Kelowna, BC from the A1 - Agriculture 1 zone to the RU1c - Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, 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: July 25, 2022
To: Council
From: City Manager
Department: Development Planning
Application: Z19-0135 **Owner:** 1128710 B.C. Ltd., Inc.No.
BC1128710
Address: 2340 Pandosy Street **Applicant:** Lime Architecture Ltd.
Subject: Z19-0135, Pandosy St 2340 Rescindment of Bylaw No. 12056
Existing OCP Designation: HLTH – Health District
Existing Zone: RU1 – Large Lot Housing
Proposed Zone: HD3 – Health Services Transitional

Recommendation:

THAT Council receives, for information, the Report from the Development Planning Department dated July 25, 2022 with respect to Rezoning Application No. Z19-0135 for the property located at 2340 Pandosy Street.

AND THAT Bylaw No. 12056 be forwarded for rescindment consideration and the file be closed.

Purpose:

To rescind all three readings given to Rezoning Bylaw No. 12056 and direct Staff to close the file.

Background:

Rezoning Bylaw No. 12056 received second and third readings at the Regular meeting of Council held on July 13, 2020. An extension request was supported on September 13, 2021 by Council, and Staff were

directed to not accept any further extension requests. The deadline for adoption of Rezoning Bylaw No. 12056 was July 13, 2022.

Final adoption of the zone amendment bylaw is subject to the applicant meeting requirements for the Development Engineering Department, as well as Council consideration of a Development Permit and Development Variance Permit. Since the last extension request was supported, there has been no significant process towards meeting these requirements. Staff are recommending that current Rezoning Bylaw No. 12056 be rescinded, and the files closed.

Subject Property Map: 2340 Pandosy St



Submitted by: Kimberly Brunet, Planner II
Approved for inclusion: Dean Strachan, Community Planning & Development Manager

CITY OF KELOWNA
BYLAW NO. 12056
Z19-0135 – 2340 Pandosy Street

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 District Lot 14 ODYD Plan 12868, located on Pandosy Street, Kelowna, BC from the RU1 – Large Lot Housing zone to the HD3 – Health Services Transitional 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 15th day of June, 2020.

Public Hearing Waived by the Municipal Council this 15th day of June, 2020.

Read a second and third time by the Municipal Council this 13th day of July, 2020.

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

Mayor

City Clerk

Report to Council



Date: July 25th, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0012 **Owner:** Subhash C. Bajaj & Kamlesh R. Bajaj

Address: 156 Snowsell Street North **Applicant:** Suresh Kumar Khurana

Subject: Z21-0012 Snowsell St N 156 Rescindment of Bylaw Reading No. 12141

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RR3 – Rural Residential 3

Proposed Zone: RU2 – Medium Lot Housing

Recommendation:

THAT Council receives, for information, the Report from the Development Planning Department dated July 25th, 2022, with respect to Rezoning Application No. Z21-0012 for the property located at 156 Snowsell Street North;

AND THAT Bylaw No. 12141 be forwarded for rescindment consideration and the file be closed.

Purpose:

To rescind all three readings given to Rezoning Bylaw No. 12141 and direct Staff to close the file.

Background:

Rezoning Bylaw No. 12141 received second and third readings at Regular PM Meeting on June 14th, 2021. The Public Hearing was waived by Council as part of Local Government Act s. 464 (2). Final adoption of the zone amendment bylaw is subject to the applicant meeting the requirements of a Development Engineering Memorandum (Schedule "A").

No measures have been made by the applicant to meet the above requirements. Given the above, Staff are recommending that Council rescind first, second and third readings and direct Staff to close the file.

Subject Property Map:



Submitted by: Tyler Caswell, Planner

Approved for inclusion: Dean Strachan, Community Planning & Development Manager

CITY OF KELOWNA
BYLAW NO. 12141
Z21-0012
156 Snowsell Street North

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 9 Section 4 Township 23, ODYD, Plan 10855 located at Snowsell Street North, Kelowna, BC from the RR3 – Rural Residential 3 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 17th day of May, 2021.

Public Hearing waived by the Municipal Council this 17th day of May, 2021.

Read a second and third time by the Municipal Council this 14th day of June, 2021.

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

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12274

Z21-0063

440 Gerstmar Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Section 22 Township 26 ODYD Plan 29966 located on Gerstmar 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 13th day of September, 2021.

Public Hearing waived by the Municipal Council this 13th day of September, 2021.

Read a second and third time by the Municipal Council this 4th day of October, 2021.

Approved under the Transportation Act this 5th day of October, 2021.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12301

Z21-0021

763 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 C District Lot 357 SDYD Plan 24757 located on Barnaby Road, Kelowna, BC from the RR2 – Rural Residential 2 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 8th day of November, 2021.

Public Hearing waived by the Municipal Council this 8th day of November, 2021.

Read a second and third time by the Municipal Council this 6th day of December, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12381
Z22-0017
4563 and 4573 Gordon Drive

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 357, SDYD, Plan 18353 and Lot B District Lot 357, SDYD, Plan 18353 located on Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 30th day of May, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12391

Z22-0023

445 Brighton 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 83 Section 24 Township 26, ODYD, Plan 24631 located on Brighton Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Approved under the Transportation Act this 18th day of July, 2022.

Lesley Goon

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12392

Z22-0012

661 Del Monte 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 7 District Lot 358, ODYD, Plan 27079 located on Del Monte Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12394

Z22-0001

920 Franklyn 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 23 District Lot 143, ODYD, Plan 21429 located on Franklyn 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, second and third time by the Municipal Council this 11th day of July, 2022.

Approved under the Transportation Act this 18th day of July, 2022.

Lesley Goon

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12396
Z20-0026
3008 Appaloosa 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 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12397
Z19-0050
3029 Appaloosa 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 41 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12398
Z21-0070
3036 Appaloosa 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 8 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12399
Z19-0052
3089 Appaloosa 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 43 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12400
Z19-0049
3139 Appaloosa 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 45 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12401
Z19-0051
3039 Appaloosa 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 42 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12402
Z19-0053
3128 Appaloosa 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 11 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12403
Z19-0054
3156 Appaloosa 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 12 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12404

Z20-0025

185 Arab 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 40 Section 3 Township 23 ODYD Plan 18861 located on Arab Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12405
Z20-0072
3196 Appaloosa 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 14 Sections 2 and 3 Township 23 ODYD Plan 18861 Except Plan EPP64644, located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Approved under the Transportation Act this 14th day of July, 2022.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12406
Z21-0071
3169 Appaloosa 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 46 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Approved under the Transportation Act this 19th day of July, 2022.

Lesley Goon

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12411

Z22-0016

140 Muir 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 19 Section 26 Township 26, ODYD, Plan 15377 located on Muir 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, second and third time by the Municipal Council this 11th day of July, 2022.

Approved under the Transportation Act this 18th day of July, 2022.

Lesley Goon

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: July 25, 2022
To: Council
From: City Manager
Subject: 2022 Planning and Development Statistics – Q1 and Q2
Department: Planning and Development Services

Recommendation:

THAT Council receives, for information, the report from the Planning and Development Services department dated July 25, 2022, with information relating to Planning and Development Statistics;

Purpose:

This report updates Council on building and development statistics for the first and second quarter of year 2022.

Background:

In order to keep Council current with local development and construction trends, the Divisional Director of Planning and Development Services will bring quarterly reports forward for Council’s information. As the structure of this report continues to develop, the goal is to improve the connection between Council’s consideration of development applications on a weekly basis and the larger picture of development and housing goals in the Official Community Plan (“OCP”).

Discussion:

Planning and Building Application Intake Statistics – First half of 2022

The first half of 2022, while strong from a development and permitting standpoint, has begun to show the impacts in response to changing macro-economic trends:

- a) Applications for development continue to be strong – above the 10-year average although not at record pace per 2021.
- b) Permitting for all types of housing continued throughout the City but with a strong focus on the City’s Urban Core.

- c) Many development and building permit applications at various stages of the approvals process – potential to deliver approvals for thousands of additional housing units over the next several years.
- d) A decrease in the overall gross construction value (to date) compared to 2021. Directly related to larger economic trends.

Development Planning application volume remains extremely high despite several initiatives to create efficiencies, reduce file volume and streamline processes. The pace of application processing has been slightly reduced in late 2021 and 2022 due to transition, uncertainty and learning related to both the 2040 OCP adoption and the upcoming adoption of the City's new Zoning Bylaw. A transition back to normal, quick paced approval timelines will be forthcoming later in the year and into 2023.

The gross building permit value for 2021 exceeded \$1 Billion for the first time. For the first 6 months of 2022 the City's gross Building Permit value is \$688 million versus \$814 million for the same period in 2021. This translates into 19% reduction. There was a smaller change in the number of permits applied for when comparing the same 6-month period in 2021 and 2022 (12% permit reduction).

Staff continue to explore new and innovative ways to encourage new housing delivery into the market. Noting that, the City's development process annually permits roughly 2300 units (5-year average). To date in 2022, 1478 units have been issued Building Permits. Roughly 1100 of those permits are in the City's core area, which closely aligns with the OCP2040 growth strategy. The City is also engaged with our partners at the Province of BC in discussions related to further process streamlining opportunities, staff delegations of authority and housing approval targets.

Looking Ahead

A combination of higher interest rates, interest rate uncertainty, labour shortages, material cost increases and material availability will all be impacting the City's housing market and development approvals process in the months/years ahead – suggesting the importance of securing housing opportunities that are currently planned.

It is expected that both planning application, building permit volumes and construction values will continue to recede from record levels through 2022 and 2023. Demand for new forms of rental housing as well as strong development interest in the City's core area and specifically its urban centres is expected to increase as rising interest rates make home ownership more expensive. Noting this, some market condo projects that require heavy up-front investment may be placed on-hold until developers/builders can better predict the costs of construction and buyers have more certainty around interest rate increases.

Staff will continue to work on projects that facilitate the delivery of housing in an efficient manner. This includes delivering on some of the early goals of the OCP, namely the creation and implementation of an infill housing strategy (with fast-track processes) along with possible pilot projects of other tools including the delegation of minor variances to staff.

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: R. Smith, Divisional Director of Planning and Development Services

Approved for inclusion:



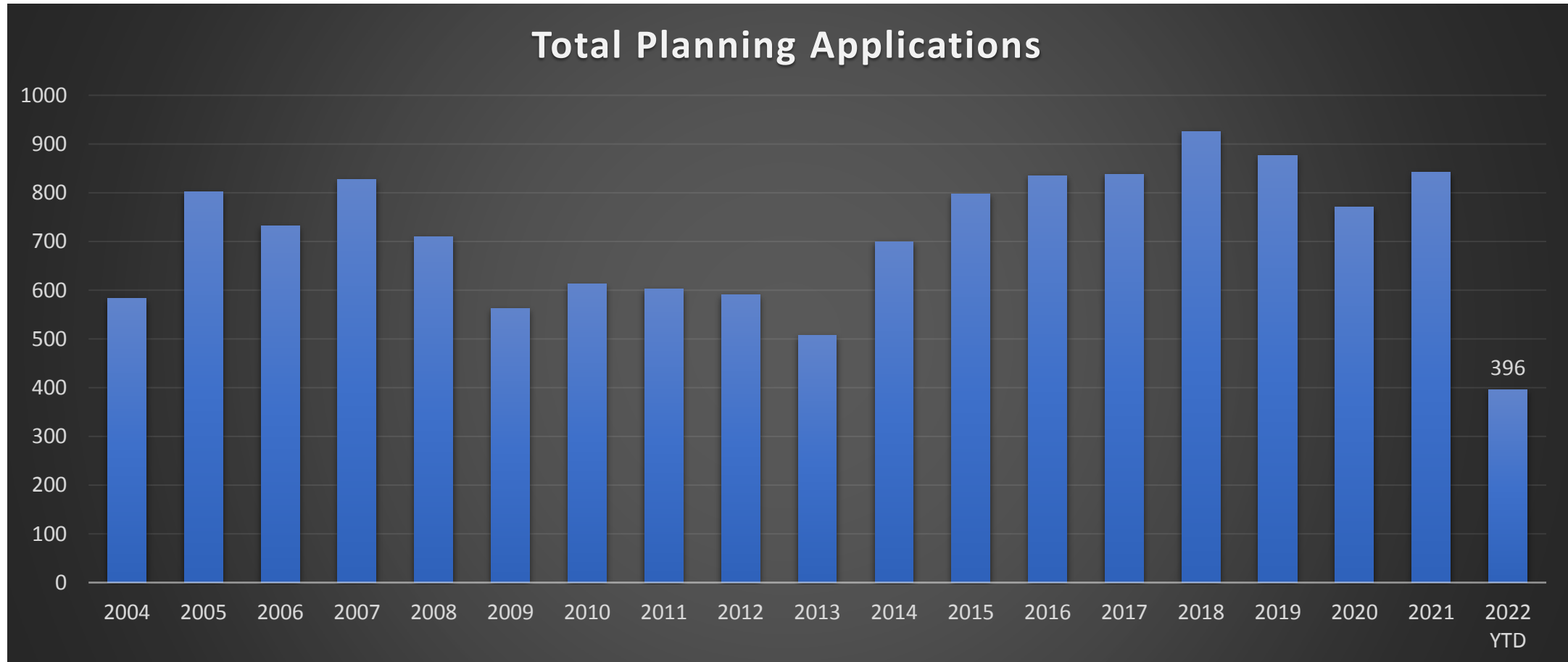
D.Gilchrist, City Manager

2022 Development Statistics

2022 – Development Summary Report
Quarters 1 and 2

July 25, 2022

Planning Application Volume



Total Building Permits Value (\$)

1st half 2022: \$688 million

1st half 2021: \$814 million

=19% change

Total Building Permits Issued

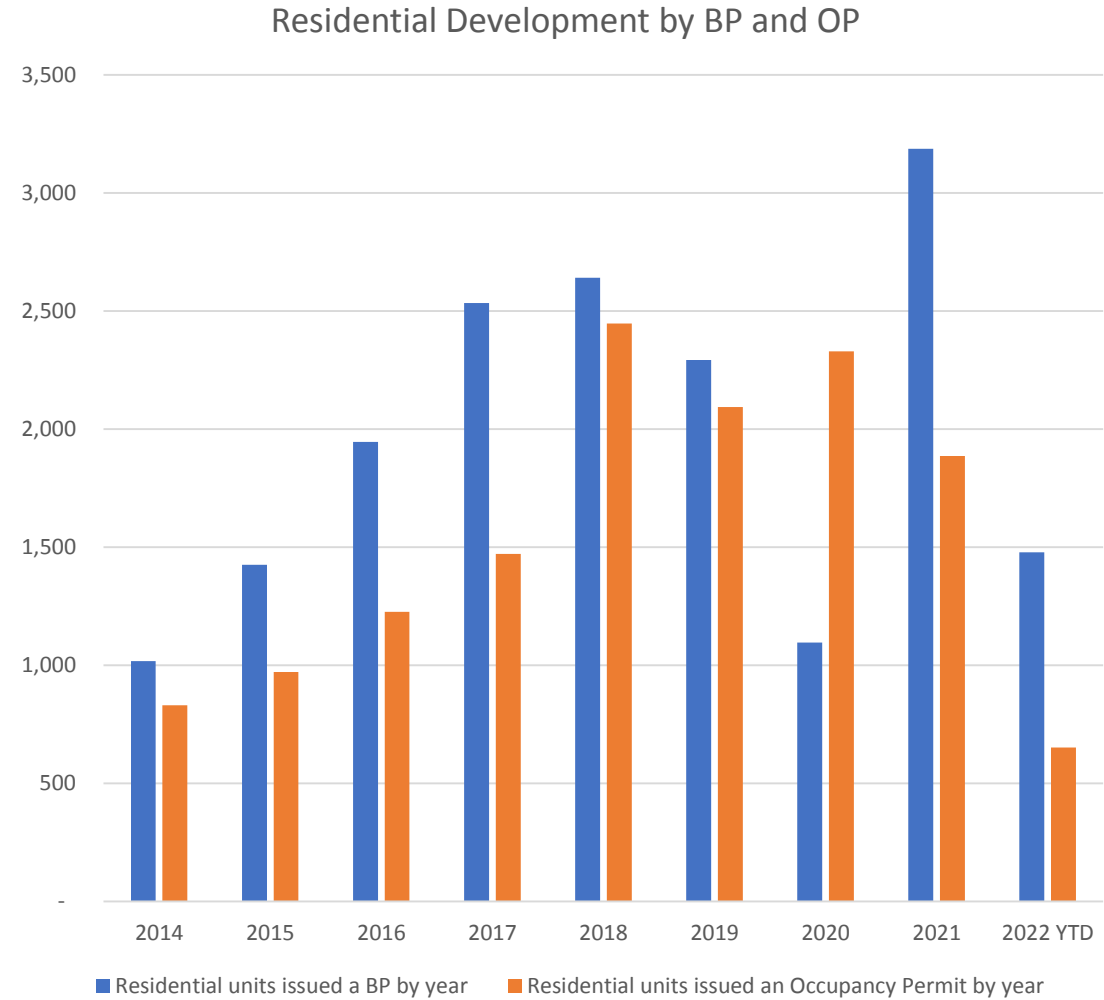
1st half 2022: 4494

1st half 2021: 5121

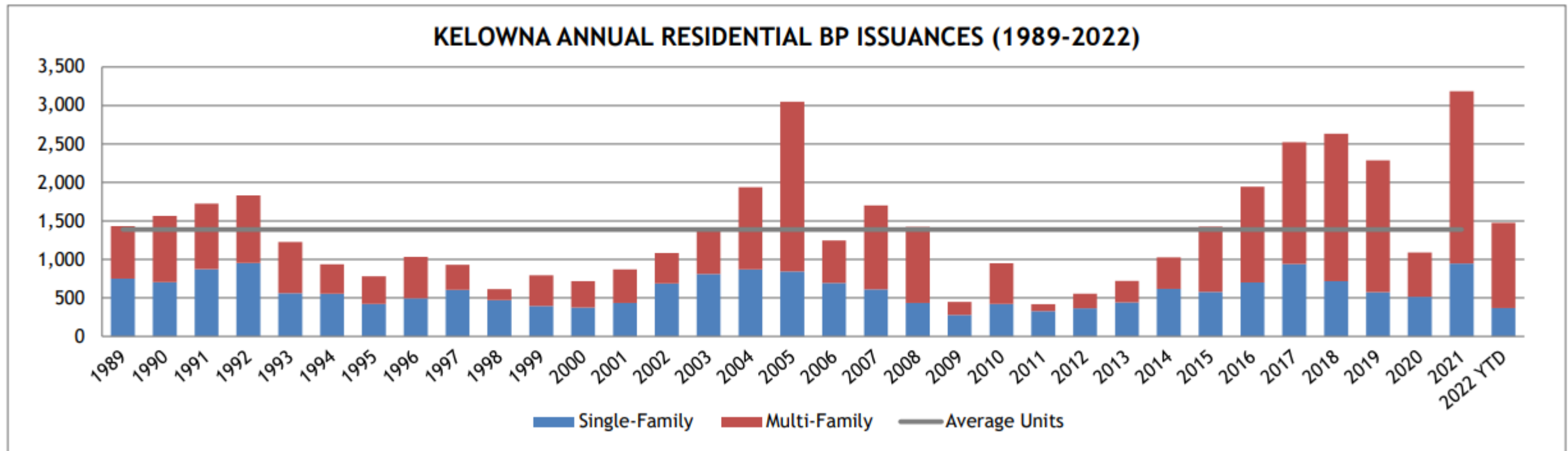
Approx. 12% change

Building Permits vs. Occupancy Permits

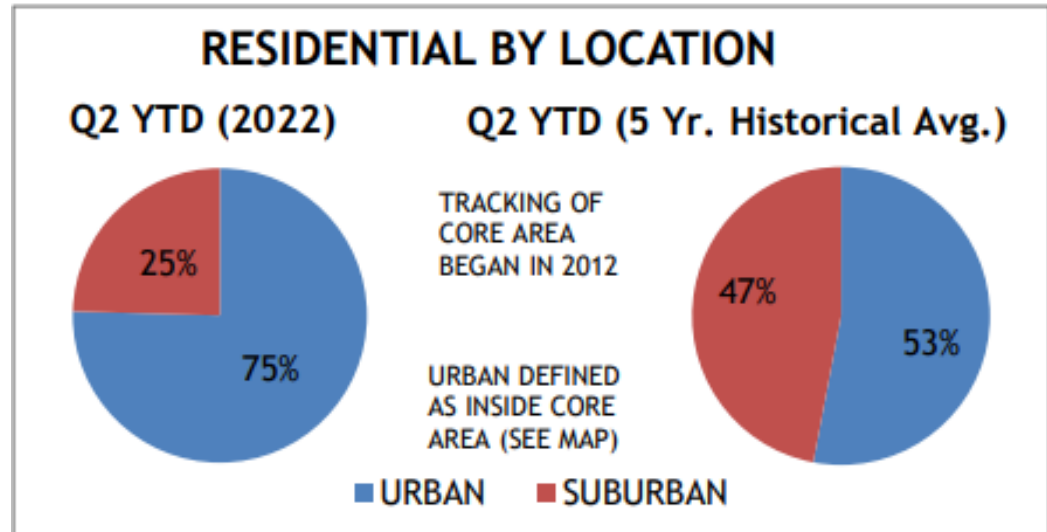
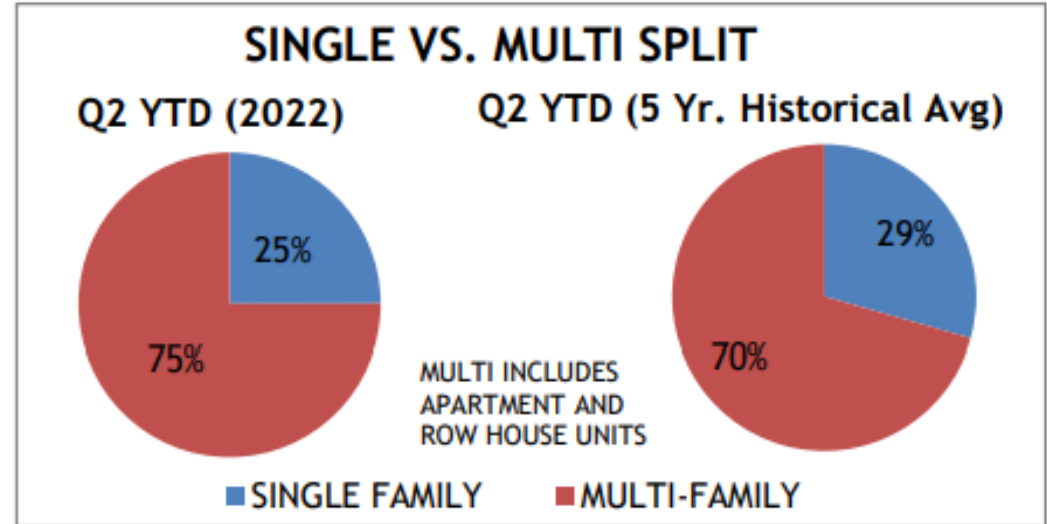
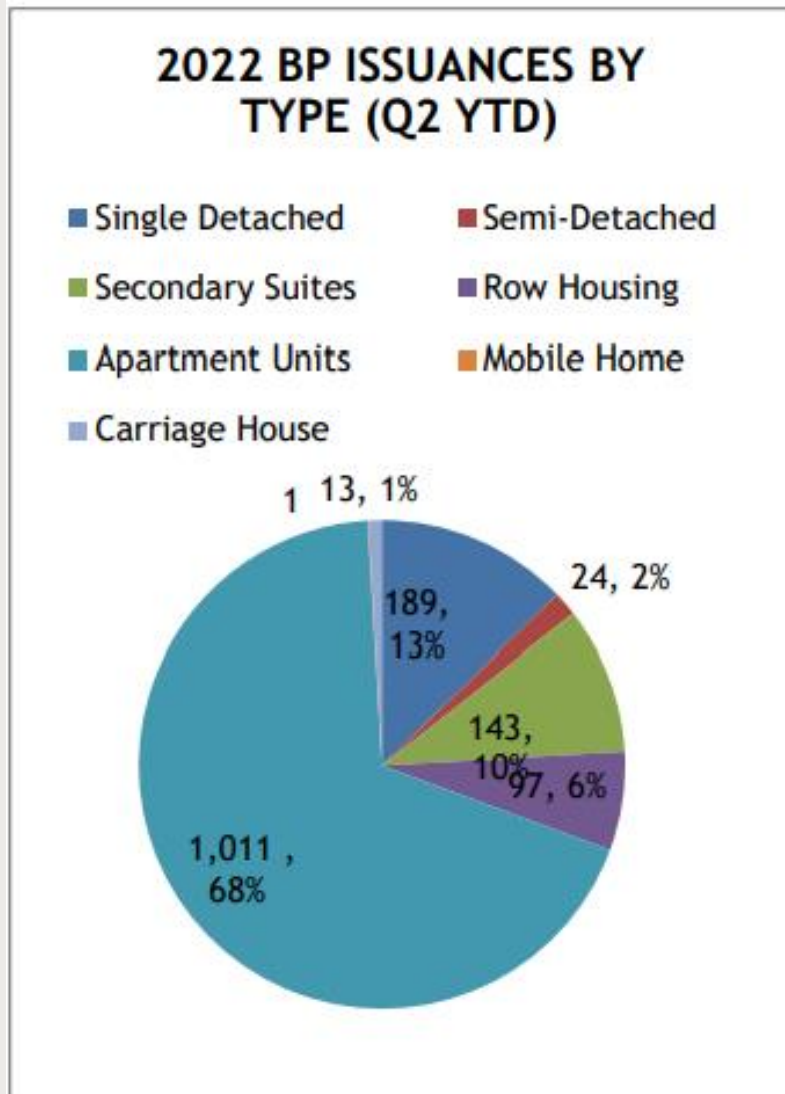
- Expect to see high occupancy numbers come in 2024 and 2024 based on the completion of BP's issues in 2021



Historical Residential Growth



Housing Type and Location



Looking Ahead – Into 2023

- ▶ Strong interest in rental construction
 - ▶ Rising interest rates price some of out market housing purchases
 - ▶ Low vacancy rates
 - ▶ City and provincial incentives
- ▶ Urban Centres and core area of the City will drive growth
- ▶ Unlocking more ‘missing middle’ through Infill 2.0 and fast-track processes

Looking Ahead – 2022/2023

- ▶ Implementing the OCP and Zoning Bylaw
- ▶ Development pressures in the downtown Urban Centre may ease
- ▶ Working with BC Government to continue to reduce barriers to housing supply and permit the ‘right’ supply
- ▶ Core Area rental housing – Increasing pressure



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: July 25, 2022
To: Council
From: City Manager
Subject: 2040 OCP: Industrial Future Land Use for 480 Penno Road
Department: Policy and Planning

Recommendation:

THAT Council receives for information, the report from the Policy & Planning Department dated July 25, 2022 regarding the Future Land Use for 480 Penno Road.

Purpose:

To provide Council with the rationale for designating the property located at 480 Penno Road as Industrial as part of the 2040 Official Community Plan Process.

Background:

During a Regular Meeting, concern was raised by Council pertaining to the subject property’s 2040 Official Community Plan designated Future Land Use. Council endorsed the following resolution:

Previous Council Resolution

Resolution	Date
THAT Council direct staff to bring forward the rationale for the OCP 2040 Map 3.1 Future Land Use designation for 480 Penno Rd	June 27, 2022

Discussion:

Background

The OCP Pillar “Strengthen Kelowna as the region’s economic hub” seeks to nurture a culture of entrepreneurship and supports employment growth in, but not limited to, industrial lands. Supporting innovation and fostering inclusive prosperity are important parts of *Imagine Kelowna*.

Over the next twenty years, the 2040 OCP projects a significant increase in industrial development, such as storage, distributing and warehousing space. The 2040 OCP was informed by an industrial/commercial study, which was undertaken by a consultant in 2018. The study forecasted that approximately 323,700 square metres of new industrial space will be needed for the City to meet this demand, which anticipates that about 236 acres of land will be required to achieve the need. The 2018 analysis identified 556 acres of land in the 2030 OCP which were designated as Industrial or Service Commercial with improvements

valued less than \$10,000 (under developed); however, market indicators suggested that the industrial land shortage is much more pressing, due to factors such as speculative pressure from other uses. Since this study was completed, demand for industrial land has remained high with prices rising. Areas like the Airport Business Park will potentially see full build out in the next two to three years and smaller sites along Highway 97 are being explored for industrial uses.

Identifying new lands for industrial development is challenging, given Kelowna's topography, coupled with the amount of land in the ALR. On March 16, 2020, staff advised Council during the development of the 2040 OCP of one major opportunity for new industrial development at Kelowna Springs Golf Course. During the 2040 OCP development process, public feedback regarding ideas for changes in land uses was collected through a Future Land Use Idea Generator. At that time, the property owner approached the City to explore opportunities for either a commercial or industrial land use designation change. The 106.5 acre (43 ha) property is bordered by industrial lands to the west and south, with lands in the ALR to the north and east. The property, located in The Gateway, is now signaled by the 2040 OCP for Industrial (IND) due to its adjacency to other industrial lands, servicing proximity and capacity, non-ALR status, plus the need for new industrial land. This Future Land Use Designation allows for the subject property to support the regional economy by facilitating the need for new industrial land.

The property is zoned P3 Parks and Open Space and continues to operate as a golf course. The zoning has not changed with the adoption of the 2040 OCP and the business can continue to operate. Moving forward, any rezoning applications for the property will need to be consistent with the 2040 OCP policies, including the IND designation. Should a rezoning application be processed, the property's developable area, servicing and drainage management would be addressed at that time.

If this property was not designated to support industrial uses in the future, the city may lack the availability of appropriate and adequately serviced industrial lands needed to support sustainable, resilient economic development and employment in the region over the next twenty years.

Subject Property Map: 480 Penno Road



Future Land Use Designation: Industrial (IND)

Growth Strategy Role: Industrial lands are an important component to Kelowna's economic development and diversification. However, in a growing city, uses on these lands are often outcompeted for commercial and residential uses, eroding this local employment base – resulting in locating in surrounding communities. As outlined in the Growth Strategy, industrial lands should be protected, but new and creative ways for these lands to maintain the economic viability are key to retaining them as a critical piece of Kelowna's future as it grows.

Supporting Uses and Typologies: Industrial lands consist of a range of manufacturing, production, repair, processing, storage and distribution activities. Office space is discouraged but may be supported where ancillary to the primary industrial activities. Industrial uses that are characterized by higher employment densities should be located near or adjacent to Urban Centres or within the Core Area. Industrial uses with larger footprints and massing would be directed to the Gateway. Complementary uses, such as retail associated with the production on site and restaurants, would be supported in these areas, but would be secondary to the production activities that characterize these areas.

Conclusion:

Identifying the location of current and proposed industrial land uses is consistent with the *Local Government Act* requirements for OCP content to direct critical decisions for accommodating industrial needs out to 2040. The designation of the subject property as IND signals the necessary economic investments to serve the City. The current use of the property as a golf course will remain for as long as the property owner desires, and only when a rezoning application comes forward for Council consideration will this trigger alternate uses that deviate from the P₃ allowable uses.

Internal Circulation:

Divisional Director, Planning and Development Services
Department Manager, Development Planning

Existing Policy:

Imagine Kelowna
2040 Official Community Plan

Financial/Budgetary Considerations:

Tax Revenue: In 2021, the tax revenue of industrial lands located in the vicinity of the subject property was \$39,279 per hectare (or \$1.69 mill/yr for the subject property if rezoned). The 2021 tax revenue for the subject property operating as a golf course was \$409.05 per hectare (or \$17k/yr).

Development Cost Charges: DCC revenue is legislated to be used on a specific suite of projects that support growth and cannot be used for any other purpose without amending the DCC Bylaw which requires Ministry approval. There are a number of unknown variables that could significantly affect the actual DCC funds collected at time of property development. Notwithstanding, the following is a rough, conceptual scenario: It is assumed that if the 106 acre subject property successfully rezones to I₂, it would build out to the allowable 60% site coverage. Furthermore, it is assumed that at least 30% of the site would be taken up by roads and environmental areas, plus most of the buildings would be large 1

storey industrial warehouses. In this conceptual scenario, the total useable area of the site would be approx. 74 acres (299,467 sqm). As such, the potential DCC revenue could be approximately \$17 million.

Attachments:

Attachment 1: 480 Penno Road Location and Future Land Use

Submitted by: R. Miles, Long Range Policy Planning Manager

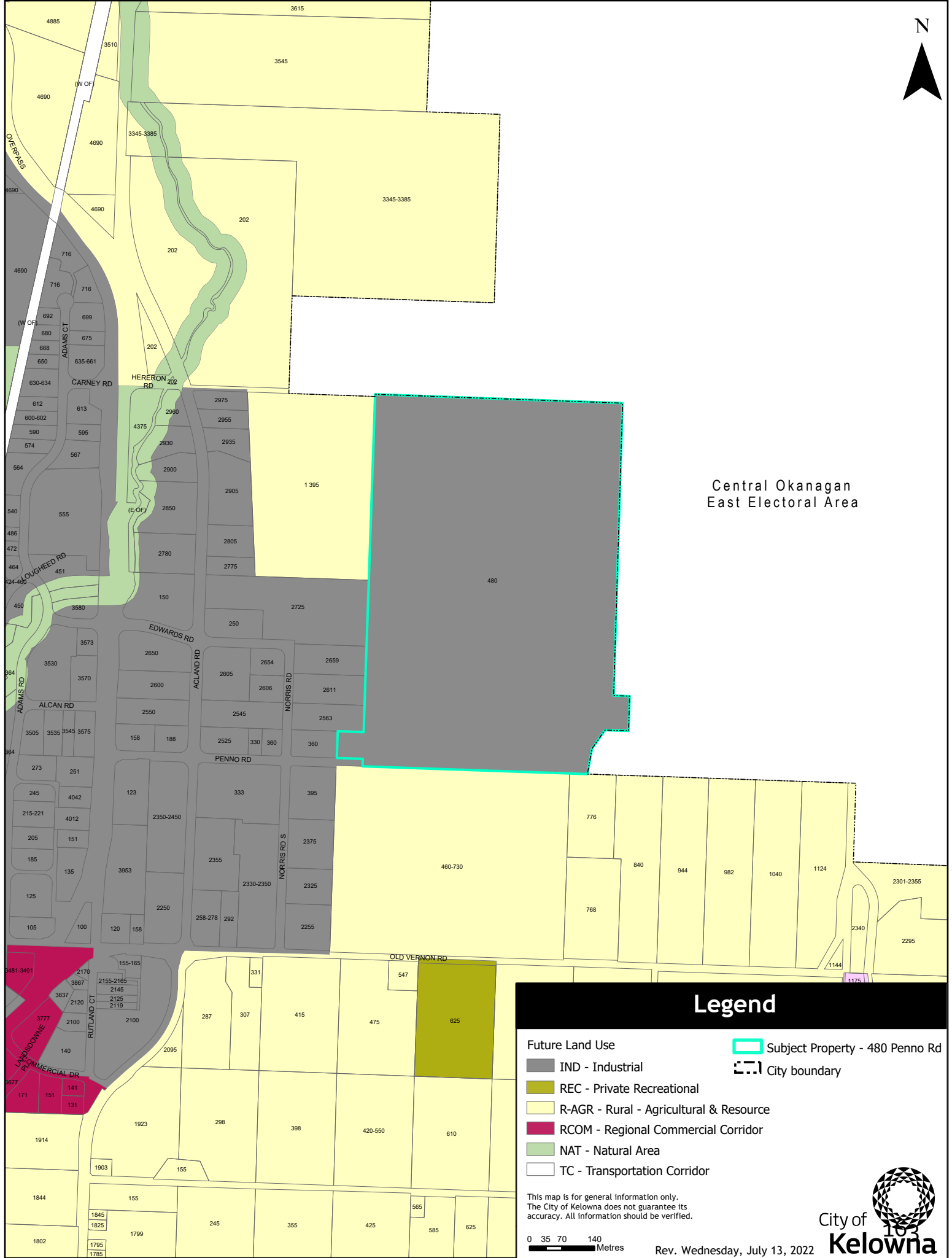
Approved for inclusion:



D. Noble-Brandt, Dept. Manager of Policy and Planning



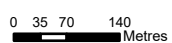
Central Okanagan
East Electoral Area



Legend

- Future Land Use**
- IND - Industrial
 - REC - Private Recreational
 - R-AGR - Rural - Agricultural & Resource
 - RCOM - Regional Commercial Corridor
 - NAT - Natural Area
 - TC - Transportation Corridor
- Subject Property - 480 Penno Rd
 - City boundary

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



Rev. Wednesday, July 13, 2022





City of
Kelowna

2040

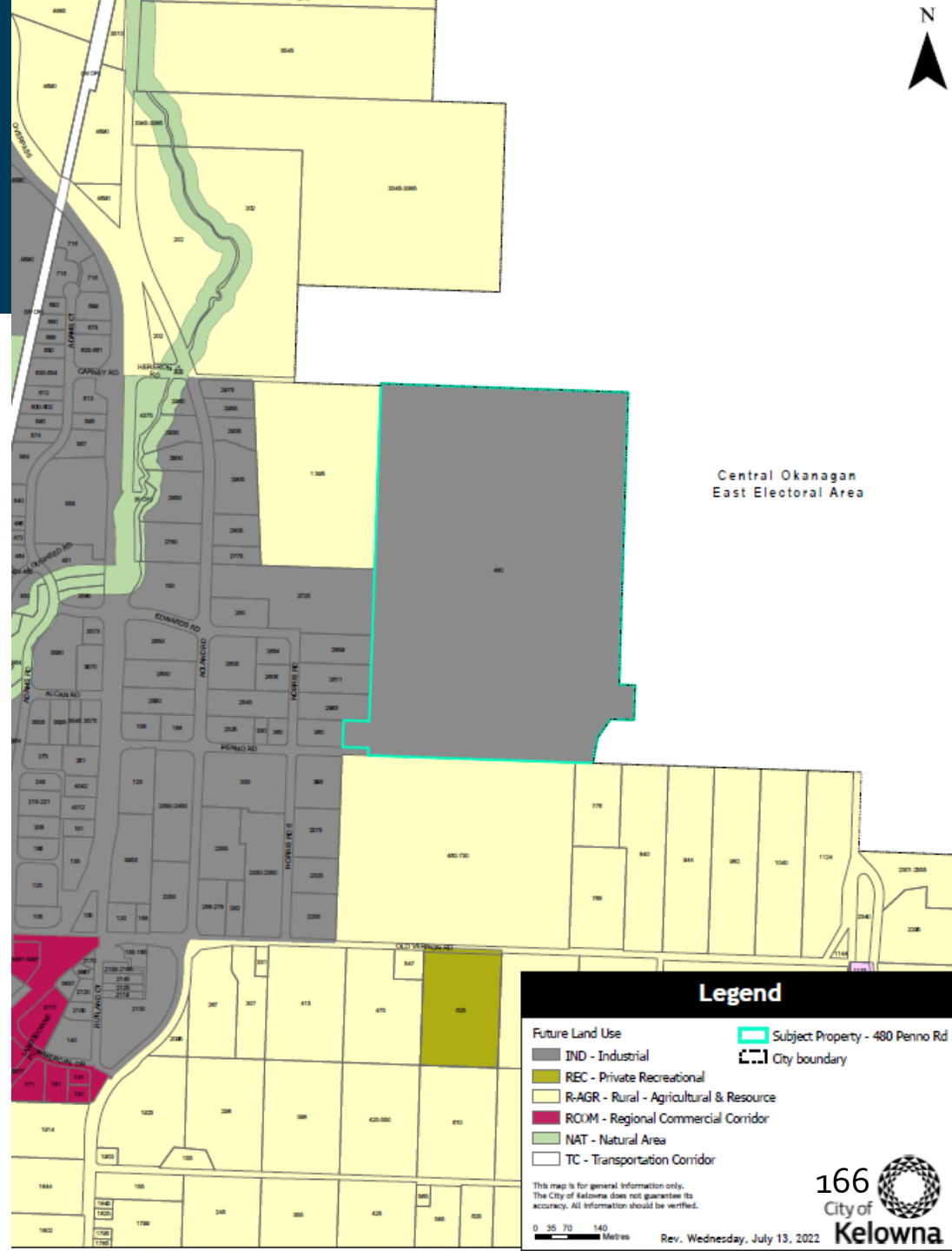
Official
Community Plan

Future Land Use for 480 Penno Road

Subject Property Map



Future Land Use



Staff Recommendation

THAT Council receives for information, the report from the Policy & Planning Department dated July 25, 2022 regarding the Future Land Use for 480 Penno Road.



City of
Kelowna



2040 Official Community Plan

Report to Council



Date: July 25, 2022
To: Council
From: City Manager
Subject: Council Update – Municipal Boating Facilities
Department: Real Estate

Recommendation:

THAT Council received, for information, the report from the Real Estate department dated July 25, 2022, regarding the status of the City’s Municipal Boating Facilities Commercial License Program and an update on Staff’s public engagement efforts and initial findings regarding a more comprehensive review and assessment of the City’s boating facilities;

AND THAT Council supports, in principle, the draft guiding principles and objectives that have been created to inform the development of a boat launch management strategy;

FURTHER THAT Council directs Staff to return to Council for endorsement of finalized guiding principles and objectives, as well as a series of associated recommendations, regarding the optimal management strategy for the long-term operations of the City’s boating facilities.

Purpose:

To update Council on the progress of the Commercial Boat Launch License program (as implemented earlier this year) and to provide a summary of Staff engagement efforts and initial findings related to a long-term strategy and management plan regarding the optimal operations of the City’s boating facilities.

Background:

Previous Council Resolution

On February 28, 2022, Staff presented a report to Council regarding the management and operations of the municipal boat launch facilities. The Council resolutions associated with this report are provided below.

Resolution	Date
<p>THAT Council receives, for information, the report on Municipal Boating Facilities Commercial License from the Property Management department dated February 28, 2022;</p> <p>AND THAT Council gives reading consideration to Bylaw No. 12308 being amendment No. 5 to the Parks and Public Spaces Bylaw No. 10680;</p> <p>AND THAT Council gives reading consideration to Bylaw No 12312 being amendment No 31 to the Bylaw Notice Enforcement Bylaw No. 10475;</p> <p>AND FURTHER THAT the 2022 Financial Plan be amended to include the anticipated program fees net of enforcement costs, with the net revenues being contributed to the Municipal Boating Facilities Reserve.</p>	<p>February 28, 2022</p>

Summary of 2022 Program Implementation

Further to the above, Staff implemented a license fee for commercial boat launch users in the Spring of this year. A brief summary of the results follows:

- Staff identified and proactively engaged with 40 commercial entities that have historically used the City’s boat launch facilities;
- 12 companies indicated that they have made other arrangements and that they will no longer be using municipal launches (as a result of the new program);
- 10 companies have completed all licensing requirements;
- 10 companies have applications ‘in-stream’ awaiting finalization; and,
- The balance has not responded and has been asked to confirm that they will no longer be using the launches for business purposes.

The net impact of the above suggests a significant (30%+) reduction in the commercial use of the City’s boat launch, which has been anecdotally supported by on-site observations.

The total annual revenue associated with the commercial boat launch usage program is estimated at approximately \$140,000. This compares with an original program revenue estimate of \$100,000.

2022 Commercial Boat Launch User Revenues	
Received to date	\$105,066
Committed revenue (via payment plan)	\$18,384
Anticipated revenue (from remaining applications in-stream)	\$16,000
Total Program Revenue	\$139,450

In order to ensure compliance with the commercial boat launch program, Parking Enforcement staff and Bylaw Officers are conducting random, intermittent, proactive site visits, as well as responding to requests for service. Staff are also exploring the use of the various camera systems in place at both boat launch locations to support bylaw enforcement. To date, four bylaw tickets have been issued. Compliance has been achieved in all cases so far and no one has had to be towed.

Discussion:

The implementation of a commercial boat launch user fee represents an interim step in establishing a more holistic, comprehensive and financially sustainable framework for the City’s boat launch facilities. Accordingly, the City has engaged Urban Systems to assist with establishing guiding principles and drafting recommendations that will enable the City to create a sustainable, long-term model for providing this important amenity in our community.

Public Engagement Summary

Urban Systems has completed substantial public engagement efforts to assist with drafting their initial recommendations. A high-level summary of these is below. Refer to the appendix for the complete Report.

Engagement Summary			
Type	Participants	Time	Key Observations
In-person survey	90	August 2021	Approximately 70% of launch users are from Kelowna Average launch time is 10 minutes
Online community survey	441	April 2022	The overall level of satisfaction with: <ul style="list-style-type: none"> Cook Road boat launch is 42% Water Street boat launch is 34% 65% of respondents felt that the City’s launches do not meet the current boat demand Respondents indicated approximately 70% of boat launch costs should be recovered from non-taxation sources
Industry workshop	14	March 2022	Indicated that boat launch use is at an all-time high Overall, strong support for a user-pay concept
Intergovernmental workshop	6	April 2022	Desire for a coordinated, region-wide approach Consideration of overall lake capacity and environmental impact
TOTAL	551		

Draft Guiding Principles & Objectives

Using the engagement feedback and the general community vision established through *Imagine Kelowna*, a draft set of guiding principles (high-level value statements) and objectives (specific

implementation statements) relating to the sustainable, long-term operations of the City's boat launch facilities has been compiled. These are summarized below.

Draft Guiding Principles & Objectives	
Guiding Principles	Objectives
Fairness	Focus on the user experience
Sustainability (Environmental & Financial)	User-pay cost recovery
Collaboration	Balanced lake access
Service Excellence	Explore partnerships

Next Steps

Staff will continue to engage with stakeholders to develop recommendations associated with the draft guiding principles and objectives, with the intention of returning to Council for consideration and endorsement of the same in fall 2022 / spring 2023 in the anticipation of implementing any changes for the 2023 boating season.

Financial/Budgetary Considerations:

As indicated above, Staff expects total 2022 program revenue of approximately \$140,000. Total enforcement and implementation costs are anticipated to be in the range of \$20,000, leaving a net contribution of approximately \$120,000 to the Municipal Boating Facilities Reserve.

Based on the revenue generated in 2022, Staff anticipates a 2023 budget request (from reserve) of approximately \$75,000 to make urgent repairs associated with the docks at the Water Street launch (it should be noted that boat launch operating and maintenance costs in 2022 included \$125,000 for dredging at the Cook Road boat launch and \$88,000 repairing the underwater scouring holes at the Water Street boat launch).

Existing Policy:

Council's 2019-2022 priorities identified measures supporting the recommendations in this report, specifically:

- Non-taxation revenue is increasing;
- Infrastructure deficit is reduced; and,
- Key sites are proactivity planned.

Conclusion:

The City's commercial boat launch program (as implemented for the 2022 boating season) has proven highly successful, alleviating commercial demand for limited launching capacity at the Cook Road and Water Street boat launches while at the same time raising \$140,000 in non-taxation revenue - the majority of which will be re-invested to improve the City's boat launch infrastructure in 2023 and beyond.

Council Report

July 25, 2022

Page 5 of 5

Staff has compiled a list of guiding principles and objectives relating to the sustainable, long-term operations of the City's boat launch facilities, and will continue to explore specific additional recommendations based on these principles and objectives for implementation in the 2023 boating season.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

External Agency/Public Comments:

Submitted by: R. Forbes, Interim Property Manager, Property Management

Approved for inclusion: J. Säufferer, Real Estate Department Manager

Attachments: Schedule B – Power Point



Municipal Boating Facilities Commercial License Program (Council Update)

July 25, 2022

Project Implementation

Council Approval

Awareness

- Letter to existing business
- Coordination with Business Licensing

Licensing

- Register tow vehicle and boats/personal watercraft
- Insurance
- User rules & regulations
- Fee per boat

Oversight

- Bylaw
- Summer Student

Commercial Users

Staff identified **40 commercial entities** that have historically used the City's boat launch facilities

10 companies have completed all licensing requirements generating \$105,066 with another \$18,384 in committed revenue

8 companies have applications 'in-stream' awaiting finalization, which we anticipate will generate an additional \$16,000

Total anticipated program revenue of \$140,000 for this year

12 companies indicated that they have made other arrangements and that they will no longer be using municipal launches (as a result of the new program)

Public Engagement

The City has contracted with Urban Systems to assist with public engagement. This has resulted in:

- In-person survey
- Online community survey
- Industry workshop
- Intergovernmental workshop

Draft Guiding Principles & Objectives

Guiding Principles (high level value statements)

- Fairness
- Sustainability
- Collaboration
- Service Excellent

Objectives (implementation statements)

- Focus on User Experience
- User-pay Cost Recovery
- Balanced Lake Access
- Explore Partnerships

Next Steps

Re-engage with Urban Systems to:

- Finalize the guiding principles and objectives
- Develop recommendations aligned with guiding principles & objectives
- Develop an optimization plan for the management of the City's existing boating facilities

Return to Council with:

- Recommendations for ongoing use of the City's boating facilities
- Any changes to the Municipal Boating Facilities License program

Key Successes

#1: Reduced Commercial User Demand

- 12 companies have made alternate launching arrangements
- Anecdotal evidence suggests less congestion at boat launches

#2: Generated \$140k in Non-taxation Revenue

- Reflects principle of fairness – revenue generating users paying
- Off-sets taxation funding to maintain, repair and expand boat launches
 - Significant infrastructure improvements proposed for 2023

Questions?

For more information, visit kelowna.ca.



Report to Council



Date: July 25, 2022
To: Council
From: City Manager
Subject: Transit Exchange Enhancement Studies
Department: Integrated Transportation

Recommendation:

THAT Council receives for information, the report from Integrated Transportation dated July 25, 2022, with regards to the Transit exchange enhancement studies;

AND THAT Council provide approval in principle for proposed enhancements to various transit facilities and direct staff to initiate next steps toward advancing select projects to application for Investing in Canada Infrastructure Program funding.

Purpose:

To update Council on the status of transit exchange infrastructure studies and to seek a motion to further develop projects and apply for senior government funding.

Background:

In 2018, the Provincial and Federal Governments announced funding toward infrastructure projects. Under the Investing in Canada Infrastructure Program (ICIP), the Canadian government will invest \$3.917 billion in B.C. infrastructure including public transit infrastructure such as exchanges and maintenance facilities. British Columbia cost-shares infrastructure investments between the governments of Canada and British Columbia, local municipalities, and other partners such as post-secondary institutions. The ICIP program includes multiple years of funding for eligible transit projects which are approved on an application basis. Applications to the program are now due March 31, 2023, with final construction of approved projects no later than 2027¹. Costs sharing under ICIP are split at 20% local government, 40% Province of B.C. and 40% Canada. Capital costs included in projects that are cost shared but ineligible for ICIP funding is shared between the City and BC Transit based on the parties' current share of Conventional Transit Services (53.31% City share / 46.69% BC Transit share).

BC Transit is working with local governments across B.C. to develop plans to take advantage of ICIP funding while it is available to improve the affordability of transit projects for local municipalities.

¹ ICIP applications were initially accepted up to March 2025 with project completion by fall 2027.

Projects under study include:

- New transit operations facility
- Midtown (Orchard Park) exchange renewal.
- Mission Rec, Rutland, and Okanagan College exchange enhancements.
- Kelowna Airport (YLW) transit hub reconfiguration and expansion.

Each facility plays an important role in the transit system and in supporting the objectives within the City’s policy plans such as the Transit Future Plan, Transit Future Action Plan, Transportation Master Plan (TMP) and Official Community Plan. The TMP calls for a doubling of transit ridership by 2040 to approximately 12 million annual rides². Achieving this ridership relies on ensuring the city’s transit exchanges and stations function effectively and efficiently, have capacity to serve growing ridership.

Study Scope and Objectives

Midtown (Orchard Park Mall), Mission Rec, Rutland exchanges and YLW transit hub:

IBI Group was retained in 2020 to lead options development and evaluation for Midtown and Mission exchanges, design of a new YLW transit hub and to explore enhancement and expansion options for Rutland Exchange³. The project was introduced to the public via the getinvolved.kelowna.ca with an accompanying survey seeking the public’s thoughts and ideas about potential improvements.

Site	Scope	Objectives
Midtown (Orchard Park) Exchange & Mobility Hub	Problem definition, options development, screening, engagement, analysis & evaluation, cost estimation, preferred option identification.	Support future service levels, improve operations & amenities, incorporate future Cooper Road bikeway, address land impacts.
Mission Rec Exchange & Mobility Hub		Address operational challenges of current layout, reduce costs from on-site bus circulation, support future service levels and park enhancement plans.
Rutland Exchange & Mobility Hub		Extend Shepherd Road public plaza, enhance modal integration, add capacity for future service, operator washroom.
YLW Transit Hub	Design & cost estimation based on YLW Landside Redevelopment Plan concept	Enhance access/egress for buses at Hwy 97/Airport Way (via on-site turn-around) ⁴ , Rail Trail/transit facility integration, capacity for future service.

² A doubling from 2019 pre-pandemic annual ridership levels.

³ A Local Area Transit Plan is being developed for Rutland in 2022/23 per direction from the Transit Future Action Plan. The plan will incorporate TMP transit initiatives specific to Rutland & identify specific service-level enhancements and future route alignments.

⁴ Today, transit is unable to efficiently circulate in and out of YLW which limits options for enhancing transit service as is proposed in several city planning reports: YLW Master Plan, YLW Landside Redevelopment Plan, Transit Future Plan.

Okanagan College Exchange:

In September 2021, Watt Consulting was retained to lead options development and evaluation for enhancements to Okanagan College Exchange. Changes are required to address operational challenges associated with buses sharing the congested campus entrance with automobiles and to prepare the facility for future service expansion.

Site	Scope	Objectives
Okanagan College Exchange & Mobility Hub	Options development, screening, operational analysis & evaluation, cost estimation, preferred option identification.	Eliminate bus docking in campus entrance, add service capacity, improve transit operations, incorporate existing transit infrastructure, KLO/Casorso bikeway link.

Status by Site

Individual studies for each site are in varying stages of progress as summarized in the table below:

Site	Completed tasks	Ongoing tasks and next steps
Midtown (Orchard Park Mall) Exchange	<ul style="list-style-type: none"> ✓ Engagement ✓ Options development & cost estimation 	<ul style="list-style-type: none"> ○ Refine designs/cost estimates. ○ Preferred option identification. ○ Tenure negotiation. ○ Council motion to advance Mission to ICIP application.
Mission Rec Exchange	<ul style="list-style-type: none"> ✓ Screening & evaluation 	
Rutland Exchange	<ul style="list-style-type: none"> ✓ Engagement ✓ Interim & ultimate options developed ✓ Cost estimation 	<ul style="list-style-type: none"> ○ Council motion to advance both projects. ○ Design/cost estimate refinement. ○ business case development, ICIP application.
Okanagan College Exchange	<ul style="list-style-type: none"> ✓ Engagement ✓ Options development & cost estimation ✓ Screening & Evaluation 	
YLW Transit Hub*	<ul style="list-style-type: none"> ✓ Engagement ✓ Options development* 	<ul style="list-style-type: none"> ○ Reinstate study in coordination with YLW. ○ Options refinement & cost estimation. ○ Preferred option identification.

*Alternate placement and layout options to that proposed within the 2019 YLW Landside Redevelopment Plan were explored to examine trade-offs and to inform evolving YLW site plans. Planning of the future transit facility is expected to be restarted in coordination with an update to the YLW Landside Redevelopment Plan.

Next Steps

City of Kelowna approval in principle, of preferred facility concepts and associated preliminary cost estimates, is required to advance ICIP applications. With this in place, Project Terms Sheets⁵ may be developed and business cases initiated to prepare select projects for application to the ICIP.

At present, Rutland and Okanagan College Exchanges projects are furthest advanced and will be put forward to the ICIP. Steps will be taken over the coming months to further develop the Mission Rec project at which time it will be determined if Mission Rec is advanced sufficiently within the available schedule, to also be submitted to the ICIP. Midtown and YLW projects require more significant development and as such, will be put forward to a future senior government infrastructure funding program that is anticipated to replace the ICIP.

Staff request Council's approval in principle to advance further project development, develop business cases and submit application to ICIP for Rutland, Okanagan College and Mission Rec projects. Applications are due by March 31, 2023, with project delivery no later than 2032. The Midtown (Orchard Park Mall) and YLW projects would be considered for application to a future funding program that is anticipated to replace the ICIP.

Internal Circulation:

Financial Planning
Infrastructure Engineering
Senior Airport Development
Park & Building Services
Sport & Event Services
Community Engagement

Financial/Budgetary Considerations:

Project design development costs are estimated at approximately \$50,000 to \$75,000. The City and BC Transit will share in these costs at the traditional cost split of 53.31% Kelowna/43.69% BC Transit⁶. Designs and cost estimates will be refined for projects anticipated to advance to ICIP application. Further options refinement, cost estimation, evaluation and stakeholder engagement will be undertaken for remaining projects.

Preliminary construction cost estimates have been developed for each project and are summarized below. Estimates are based on preferred or highest-ranking options identified through the study process and includes contingencies of 40% of construction/design/site investigation costs as well as additional contingency for projected annual inflation. The estimated city share of capital construction costs is based upon ICIP cost splits of 40% federal, 40% provincial and 20% local and assumes all project costs to be eligible⁷.

⁵ A Project Term Sheet sets out the principles of agreement between the City and BC Transit to the scope of work, approach to project management, funding, and project delivery.

⁶ The City's share of costs for further development of ICIP candidate projects will not be incurred until substantial completion of approved projects or until it's determined that a given project application has been unsuccessful.

⁷ Some ineligible costs may be cost-shared with BC Transit at tradition splits and others may be the full responsibility of the local government (e.g., non-transit enhancements considered for delivery in conjunction with the project).

Facility	Preliminary cost Estimate	Estimated City share (20%)	Target construction period (subject to change)
Rutland Exchange	\$3,000,000	\$600,000	2024/25
Okanagan College Exchange	\$1,240,000	\$248,000	2023/24
Midtown Exchange	\$10,395,000*	\$2,040,000	2025-2030
Mission Rec Exchange	\$4,060,000*	\$812,000	
YLW Transit Hub	TBD	TBD	
		\$3,700,000**	

*Estimate based on the current highest ranked options. Excludes land tenure costs at Midtown. Tenure approach (e.g., lease, acquisition) will be determined through continued collaboration with area property owners.

**The city's share of project costs will be funded through a mix of transit reserve, Community Works funding and taxation. Total does not reflect the share of costs for YLW.

Of the estimated \$600,000 local share of costs for Rutland Exchange enhancements, \$280,000 was approved within the city's 2022 transportation capital budget and was estimated based on an earlier pre-study cost estimate. Staff will submit a budget request as part of the 2023 Capital Budget for additional funding required to support the Okanagan College exchange project and the balance of budget required for Rutland Exchange in 2024. As remaining projects are further refined; financial and budget implications will be considered in future transit capital budgets and/or subsequent transit Annual Operating Agreements (AOA). The City of Kelowna has options to fund its share of project costs via a one-time contribution or via lease fees within the transit AOA. In each option, the City would only begin incurring costs once facilities are substantially completed.

Considerations not applicable to this report:

- Legal/Statutory Authority
- Legal/Statutory Procedural Requirements
- Existing Policy
- Personnel Implications
- Communications Comments
- Alternate Recommendation

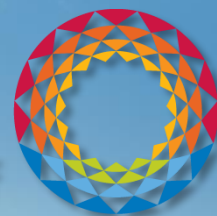
Prepared by: M. Kittmer, Transit Service Coordinator

Submitted by: J. Dombowsky, Transit and Programs Manager

Approved for inclusion: M. Logan, Infrastructure General Manager

Attachment: Transit Exchange Enhancement Studies Presentation

- cc: Divisional Director, Corporate Strategic Services
 Divisional Director, Infrastructure
 Divisional Director, Planning & Development Services
 Divisional Director, Partnerships & Investments
 C. Mossey, Senior Manager, Government Relations, BC Transit
 M. Lockley, Planning Manager, BC Transit



City of
Kelowna

Transit Exchange Enhancement Studies

July 25, 2022

Purpose

To update Council on the status of transit exchange infrastructure studies and to seek Council's support to further develop projects and apply for senior government funding.

Studies Objectives

- ▶ Prepare various transit facilities for future service levels envisioned in the TMP.
- ▶ Address ongoing operational challenges and deficiencies at select facilities.
- ▶ Enhance multi modal integration at major transit facilities.
- ▶ Prepare select projects for application to the Investing In Canada Infrastructure Program (ICIP) – by the March 2023 deadline.

Scope of studies

Consultant – IBI Group:

- ▶ **Midtown & Mission exchanges** - engagement, options development & evaluation, cost estimation.
- ▶ **Rutland Exchange** - engagement, options development, preferred option identification, cost estimation.
- ▶ **YLW transit hub** –engagement, concept refinement, cost estimation.

Consultant – Watt Consulting Group:

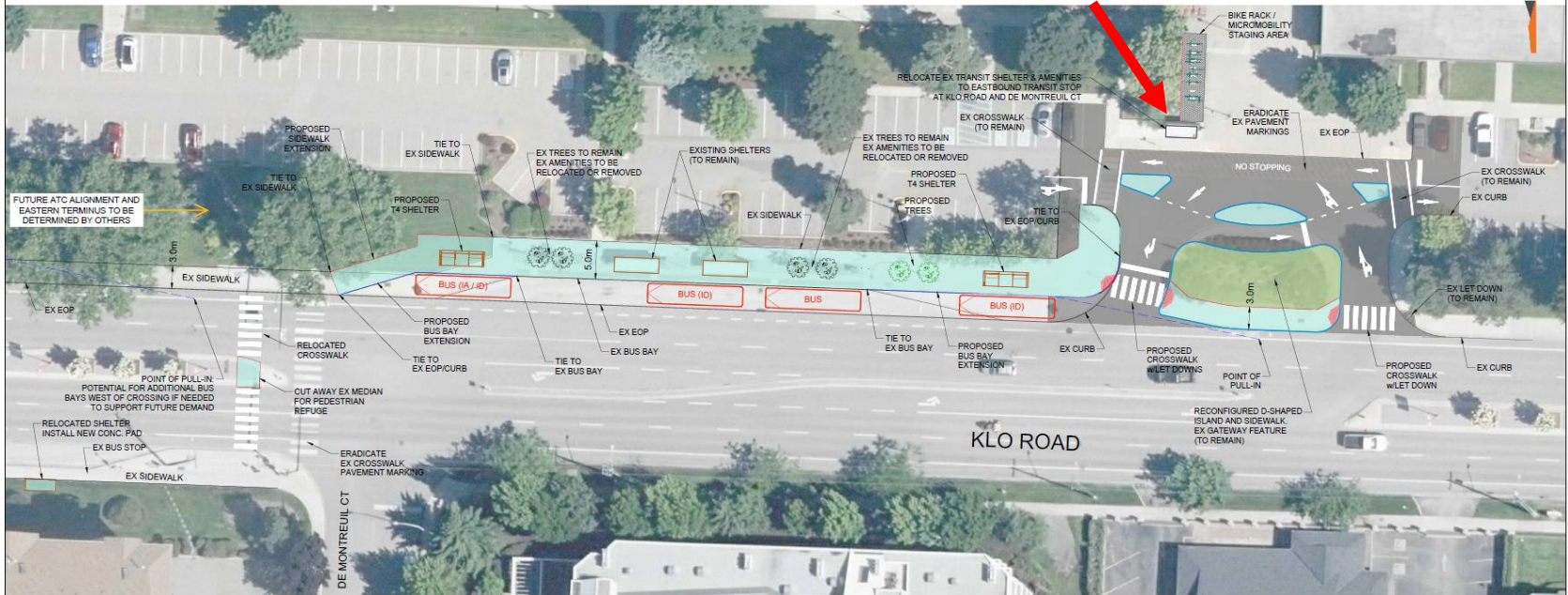
- ▶ **Okanagan College** – engagement, options development & evaluation, preferred option identification, cost estimation.

Rutland Exchange



Okanagan College

Current Bay A to be eliminated

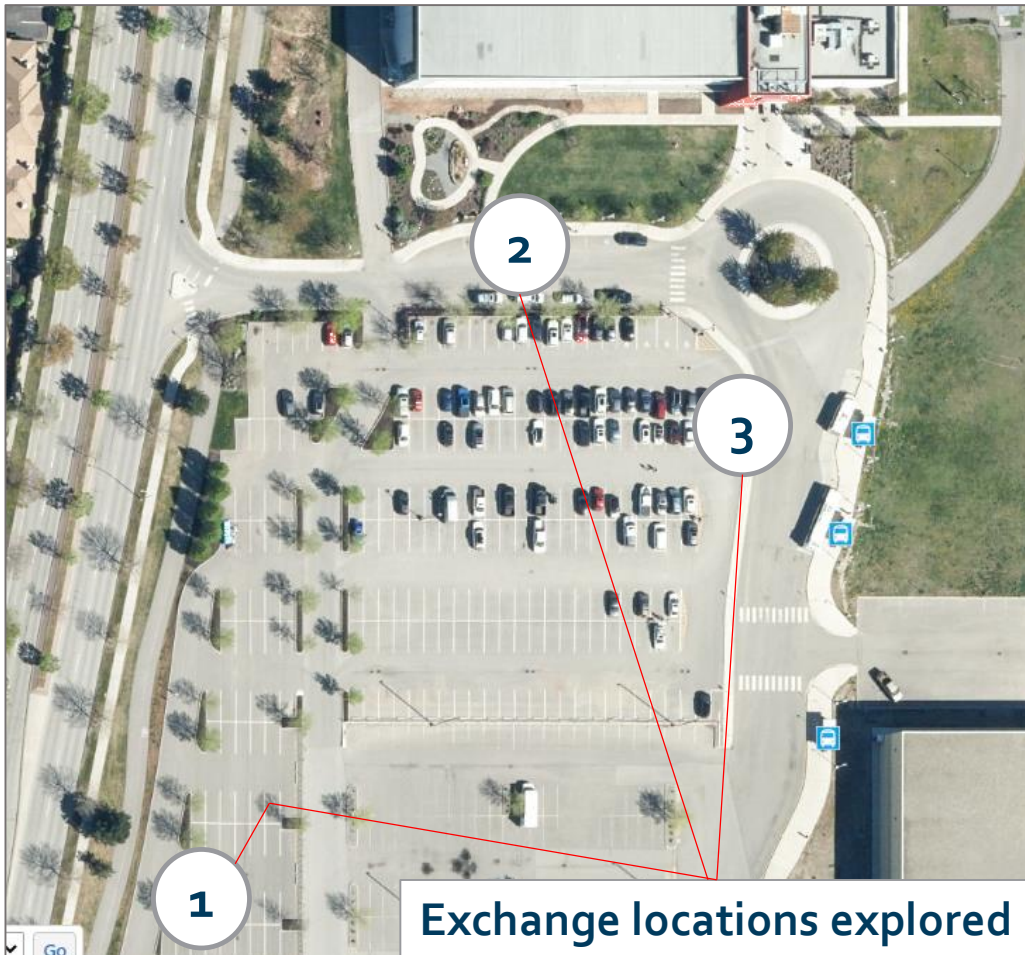


SEAL:	REVISIONS		0 6.25m 12.5m 25m		TITLE: OKANAGAN COLLEGE TRANSIT EXCHANGE CONCEPT OPTION A	
	0	FOR DISCUSSION	2021-09-27	1:500		DESIGNED: BAS
	1	REDESIGN ISLAND	2021-11-05			DRAWN: BAS
	2	ADD EXCHANGE DETAILS	2021-11-22			CHECKED: NC
	3	ADD ATC CONNECTION	2021-11-30			APRVD:
	4	RMV ATC PATHWAY, REVISE TEXT	2022-03-25			DESIGN SPEED: 50 km/h
	5	ADD NOTE FOR FUTURE BUS BAYS				PROJECT NO: 3115.B01
6				DRAWING NO: 3115_OPT A		
7				DATE: MAR 25, 2022		
				REVISION: 4		



#8, 2483 - Main Street
West Kelowna, BC V4T 2E8
T, 778.313.1014
www.wattconsultinggroup.com

Mission Rec Exchange

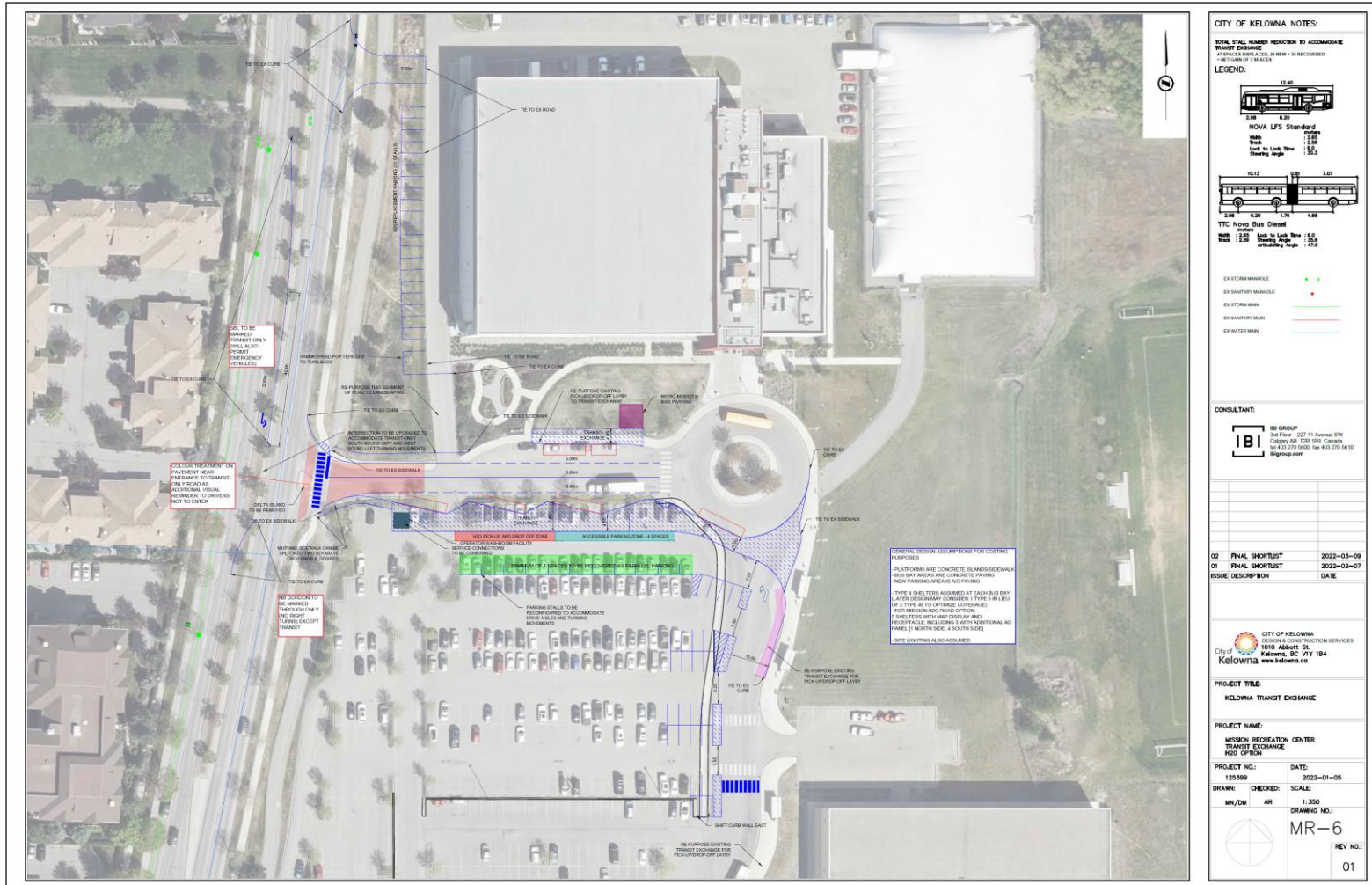


Roundabout competing uses



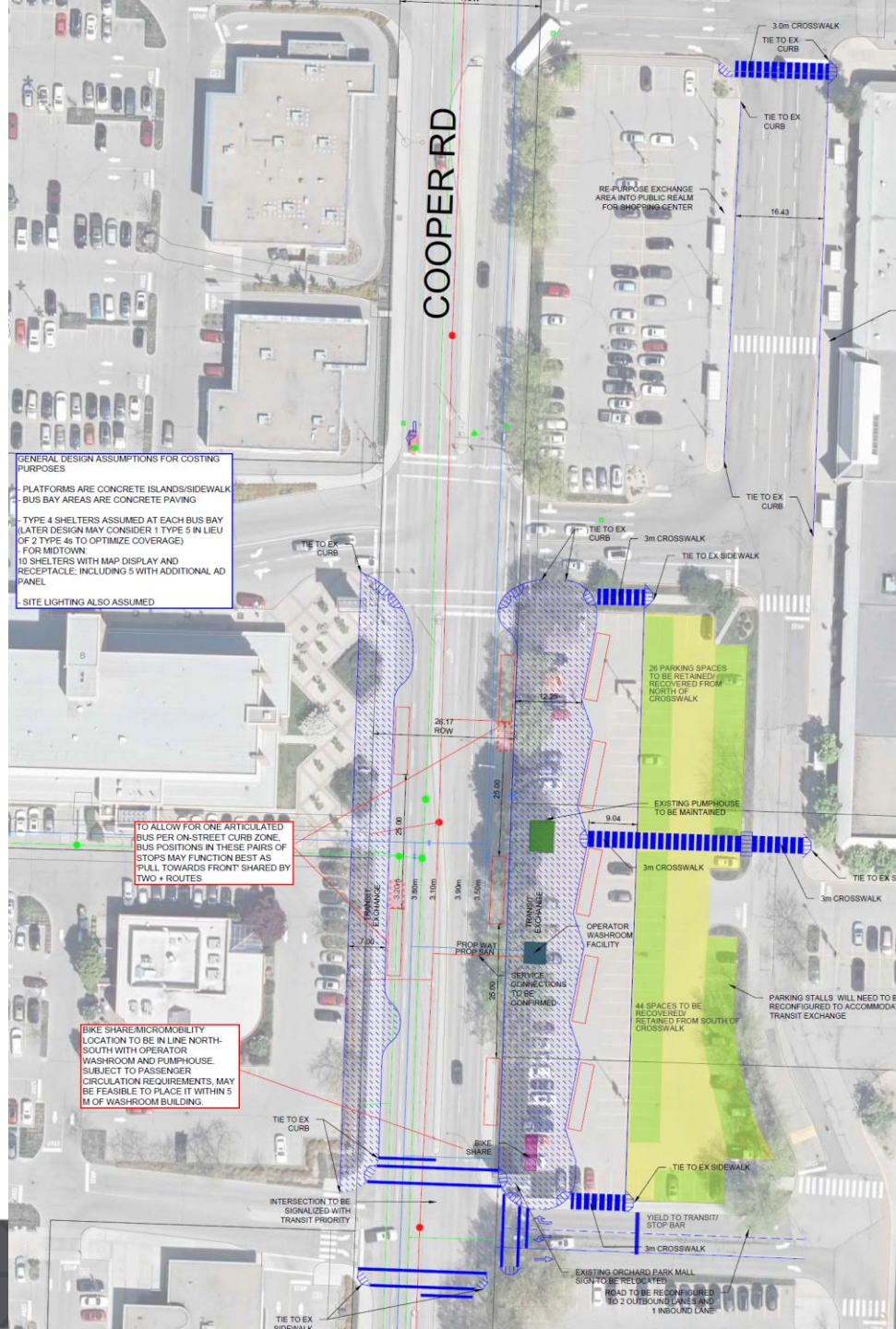


Mission Exchange Concept



Midtown (Orchard Park)





GENERAL DESIGN ASSUMPTIONS FOR COSTING PURPOSES

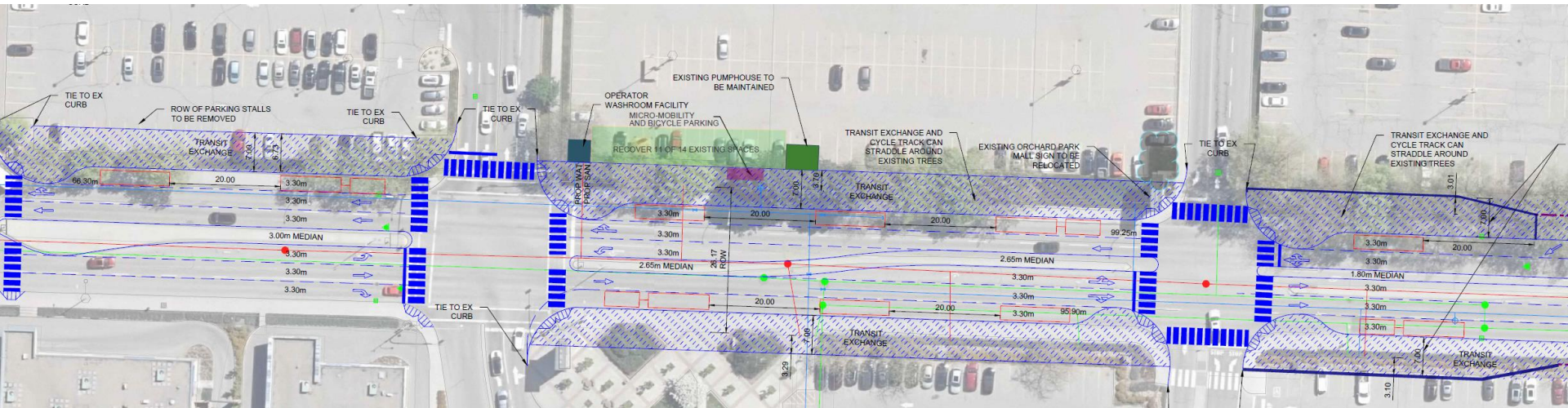
- PLATFORMS ARE CONCRETE ISLANDS/SIDEWALK
- BUS BAY AREAS ARE CONCRETE PAVING
- TYPE 4 SHELTERS ASSUMED AT EACH BUS BAY (LATER DESIGN MAY CONSIDER 1 TYPE 5 IN LIEU OF 2 TYPE 4s TO OPTIMIZE COVERAGE)
- FOR MIDTOWN: 10 SHELTERS WITH MAP DISPLAY AND RECEPTACLE, INCLUDING 5 WITH ADDITIONAL AD PANEL
- SITE LIGHTING ALSO ASSUMED

TO ALLOW FOR ONE ARTICULATED BUS PER ON-STREET CURB ZONE, BUS POSITIONS IN THESE PAIRS OF STOPS MAY FUNCTION BEST AS PULL TOWARDS FRONT SHARED BY TWO + ROUTES

BIKE SHARE/MICROMOBILITY LOCATION TO BE IN LINE NORTH-SOUTH WITH OPERATOR WASHROOM AND PUMPHOUSE. SUBJECT TO PASSENGER CIRCULATION REQUIREMENTS, MAY BE FEASIBLE TO PLACE IT WITHIN 5 M OF WASHROOM BUILDING

Midtown (Orchard Park)

Midtown (Orchard Park)



YLW Transit Hub



Financial Implications

Facility	Preliminary cost Estimate	Estimated City share (20%)	Target construction period (subject to change)
Rutland Exchange	\$3,000,000	\$600,000	2024/25
Okanagan College Exchange	\$1,240,000	\$248,000	2023/24
Midtown Exchange	\$10,395,000*	\$2,040,000	2025-2030
Mission Rec Exchange	\$4,060,000*	\$812,000	
YLW Transit Hub	TBD	TBD	
		\$3,700,000**	

*Includes 40% contingency + allocations for projected annual inflation impacts.

Next Steps

1. Kelowna City Council approval in principle.
2. Concept, cost refinement/continued stakeholder collaboration.
3. business case development.
4. ICIP application (deadline: March 2023)

Recommendation

THAT Council provide approval in principle for proposed enhancements to various facilities and direct staff to initiate next steps toward advancing select projects to application for Investing in Canada Infrastructure Program funding.



CITY OF KELOWNA

BYLAW NO. 12385

Road Closure and Removal of Highway Dedication Bylaw
(Portion of Road Adjacent to 550-552 Valley Road)

A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of Road 550-552 Valley Road.

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

1. That portion of highway attached as Schedule "A" comprising 2290 m² shown in bold black as Road to be Closed on the Reference Plan prepared by Alexander C. Dzielski, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Bylaw No. 12385 - Page 2
Schedule "A"

PLAN EPP121278

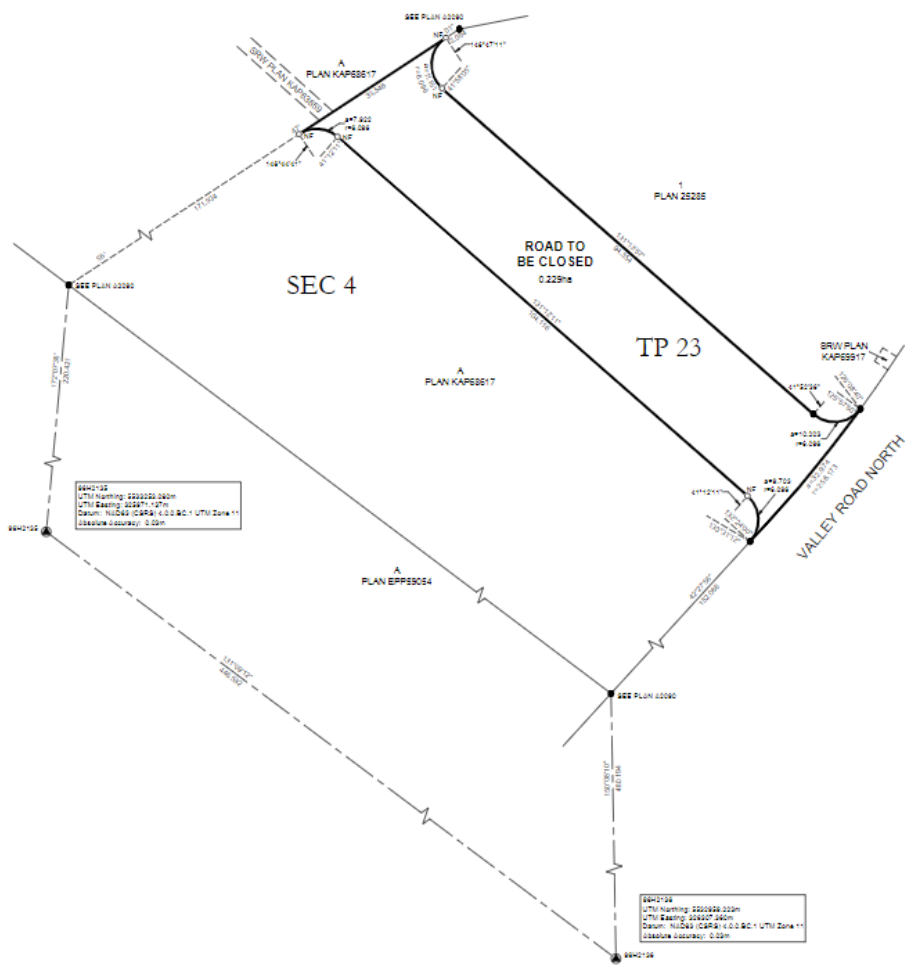
REFERENCE PLAN TO
ACCOMPANY BYLAW NO. 12385
CITY OF KELOWNA TO CLOSE
ROAD DEDICATED ON PLAN 25285
SECTION 4 TOWNSHIP 23
OSOYOOS DIVISION YALE
DISTRICT

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND
SECTION 40 OF THE COMMUNITY CHARTER.
BCGS 82E 093

SCALE 1:500
0 10 20 30 40 50 METERS
The intended plot size of this plan is 860mm in width by 432mm in height (C size) when plotted at a scale of 1:500.

LEGEND
● Found Standard Iron Post
○ Placed Standard Iron Post
⊙ Found Control Monument

Integrated Survey Area No. 4, City of Kelowna NAD83 (CBRS) 4.0.0.BC.1
Grid bearings are derived from GNSS observations and are referred to the central meridian of UTM Zone 11 (117° West Longitude).
The UTM coordinates and estimated absolute accuracy achieved are derived from dual frequency GNSS observations to CANMET Active Control Station BC_Kelowna.
The coordinates and absolute accuracies shown on this plan are a result of an independent and accurate GNSS survey and do not represent official published coordinates.
This plan shows horizontal ground-level distances, unless otherwise specified. To compute grid distances, multiply ground-level distance by the average combined factor of 0.99905. The average combined factor has been determined based on an ellipsoidal elevation of 425 metres.
This plan lies within the Regional District of Central Okanagan.
This plan lies within the Agricultural Land Reserve.
The field survey represented by this plan was completed on the 26th day of May, 2022.
Alexander C. Dzieski, BCLB 1039



8442126
UTM Northing: 5503053.040m
UTM Easting: 552671.147m
Datum: NAD83 (CBRS) 4.0.0.BC.1 UTM Zone 11
Elevation accuracy: 0.03m

8442124
UTM Northing: 5503058.220m
UTM Easting: 552697.240m
Datum: NAD83 (CBRS) 4.0.0.BC.1 UTM Zone 11
Elevation accuracy: 0.03m

VECTOR
GEOMETRICS LAND SURVEYING LTD.
111-410 Columbia Ave.
Kelowna, B.C. V1Y 1C3
Ph: (250) 866-0170
www.vectorgeomatics.com
FILE No: 2021-02390 Date: 2022-04-02 Drafted by: VMS
DRAWING No: 2021-023-001-01-01-001

City of Kelowna

Idling Control Bylaw No. 12378

A Bylaw to regulate the idling of motor vehicles within the City of Kelowna

WHEREAS the City of Kelowna may, by bylaw, regulate, prohibit and impose requirements with respect to the protection and enhancement of the well-being of its community in relation to the emission of smoke, fumes and other effluvia that is liable to foul or contaminate the atmosphere;

AND WHEREAS the City of Kelowna may, by bylaw, regulate, control, and prohibit stopping, standing, or parking of motor vehicles;

AND WHEREAS the City of Kelowna recognizes that motor vehicles emit smoke and fumes which are the source of particulate matter, nitrogen oxide, carbon monoxides, sulphur dioxide, volatile organic compounds and other pollutants that are liable to foul or contaminate the atmosphere and affect the comfort, convenience and health of its citizens;

AND WHEREAS the City of Kelowna is committed to reducing greenhouse gases emitted from community activities and its operations;

AND WHEREAS it is desirable to pass a bylaw to regulate the idling of motor vehicles in the City of Kelowna;

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

1. INTRODUCTION

1.1 This Bylaw may be cited for all purposes as the "Idling Control Bylaw No. 12378".

2. APPLICABILITY

2.1 This Bylaw applies within the area incorporated as the City of Kelowna to all drivers or operators of motor vehicles on **highways, real property, commercial property**, or property owned or in the control of the **City**.

3. SEVERABILITY

3.1 If any provision, section, subsection, clauses, sub-clause, or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

3.2 The headings contained in this Bylaw are for convenience only and are not to be construed as defining or in a way limiting the scope or intent of the provisions of this Bylaw.

4. DEFINITIONS

4.1 In this Bylaw:

Bylaw enforcement officer means a bylaw enforcement officer appointed by Council of the City of Kelowna pursuant to section 36(1) of the Police Act, RSBC 1996, c. 367.

City means the City of Kelowna.

Commercial property means any land owned by individuals or corporations or building(s) on the property for an enterprise or activity involving the exchange of goods or services, including but not limited to office buildings,

industrial property, medical centres, hotels, malls, retail stores, farmland, multifamily housing buildings, warehouses, garages, parking lots, restaurants, **drive-throughs** or car washes.

Commercial vehicle means a motor vehicle, used in the course of business for the transportation of persons or freight that is:

- a) a truck or truck tractor with a licensed gross vehicle weight exceeding 5,000 kilograms and includes an attached trailer,
- b) a bus,
- c) a motor vehicle the operator of which is required to hold a license or temporary operating permit under the *Passenger Transportation Act*, or
- d) a business vehicle, as defined in section 237 of the Motor Vehicle Act, that has a gross vehicular weight in excess of 5,000 kilograms.

Drive-through means any commercial development providing a product or service where a queuing lane exists onsite where customers typically remain within the vehicle.

Full zero-emission vehicle or **full ZEV** means a motor vehicle that, under the provincial Greenhouse Gas Reduction Act, is deemed to have no emissions of prescribed greenhouse gases, or other prescribed substances under prescribed operating conditions.

Highway includes a common and public highway, street, avenue, lane, parkway, driveway, square, place, bridge, viaduct, or trestle, any part of which is intended for or used by the public for the passage of motor vehicles and includes but is not limited to the area between the lateral property lines thereof.

Idle or **idling** means the operation of a **motor vehicle** that is not in motion.

Mild hybrid vehicle means a **motor vehicle** with an internal combustion engine equipped with an electric motor/generator primarily to assist the gas engine, including but not limited to stop-start systems that automatically turn off the gasoline engine whenever the car is stopped, coasting or braking.

Mobile work vehicle means a motor vehicle serving as a facility for taking measurements, making observations, conducting maintenance, construction, conducting agricultural operations, or performing a job function operated by or on behalf of a federal, provincial, or local government or public utility.

Motor vehicle means any vehicle that is capable of being driven or drawn on roads or off roads by any means other than muscular power exclusively, including but not limited to automobiles, commercial vehicles, tractor-trailer units, farm tractors, recreational vehicles, motorcycles, lawn mowers, snowmobiles, all-terrain vehicles, transit vehicles, or road-building machines.

It does not include airplanes, boats, **full zero-emission vehicles**, **partial zero-emission vehicles** only while the electric motor or generator assists the gas engine, or any vehicle designed to run exclusively on rail.

Motor vehicle owner includes any person who owns, leases, operates, or controls a motor vehicle or fleet of motor vehicles or a person in possession of a motor vehicle under a contract by which he or she may become its owner on full compliance with the contract.

Motor vehicle with power take-off means a motor vehicle containing equipment that must be operated inside of or in association with the vehicle.

Partial zero-emission vehicle or **partial ZEV** means a motor vehicle that, under the provincial Greenhouse Gas Reduction Act is deemed to have emissions of:

- a) prescribed greenhouse gases, or

- b) other prescribed substances

under prescribed operating conditions that are greater than those of a full ZEV but less than the prescribed level, including but not limited to a Plug-in Hybrid Electric Vehicles (PHEVs), Hybrid Electric Vehicles (HEVs) or **Mild Hybrid vehicles**.

Real property means land, owned by individuals or corporations other than the government with or without improvements so affixed to the land as to make them in fact and law a part of it, including but not limited to driveways, garages, parking lots, lots or backyards.

Transit vehicle means a motor vehicle that is designed to carry many passengers by road from one place to another, including but not limited to tour bus, school bus, buses or vans that are equipped to facilitate persons with disabilities and buses part of the British Columbia Regional Transit System, which includes, among others, low-floor buses, double-decker buses, articulated buses and midibuses.

5. GENERAL REGULATION

5.1 An operator or **motor vehicle owner** must not cause or permit a **motor vehicle** to idle for more than one minute (60 seconds).

6. EXCEPTIONS

6.1 The one-minute (60 seconds) limit does not apply to the following situations, except where **idling** is substantially for the convenience of the operator or passengers of the motor vehicle:

- (a) police, fire, or ambulance **motor vehicle**, while engaged in operational activities, including training activities;
- (b) armoured **motor vehicle**, used to transport money or valuables, in which a person remains to guard the contents, during the loading or unloading of such money or valuables;
- (c) **motor vehicle with power take-off** and **mobile work vehicles** while they are in the course of being used for their basic function;
- (d) **motor vehicle** while engaged in a mechanical test or maintenance procedure;
- (e) **motor vehicle** during a race or parade with a valid permit issued pursuant to Outdoor Events Bylaw No. 8358;
- (f) **motor vehicle** forced to remain motionless because of **highway** traffic, an emergency, or mechanical difficulties over which the driver has no control;
- (g) **motor vehicle** that must remain **idling** to power a heating or refrigeration system or any ancillary equipment for the preservation of perishable cargo, but not when **idling** disturbs the quiet, peace, rest, enjoyment, or convenience of a neighborhood or of persons in the vicinity; and
- (h) **transit vehicles** while its passengers are in the course of embarking or disembarking.

7. LIMITATION ON LIABILITY

7.1 This Bylaw shall not create a duty of the City of Kelowna, its officers, employees, or person acting on its behalf pursuant to this Bylaw concerning enforcement or failure to enforce any matter contained in this Bylaw.

7.2 No act error, omission, or other neglect of the City of Kelowna in relation to any matter contained in the Bylaw shall give raise to a cause or action or liability to any person.

8. OFFENCE AND PENALTY

8.1 Every person who violates any provisions of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act which constitutes an

offence against the bylaw is guilty of an offence against this bylaw and liable to the penalties hereby imposed. Each day that the violation continues to exist, shall constitute a separate offence.

8.2 Every person who commits an offence against this bylaw is liable on conviction, to a fine of up to \$10,000, or liable to a term of incarceration for a period of not more than 90 days, or both. Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, bylaw or legislation.

9. ENFORCEMENT

9.1 The provisions of this Bylaw may be enforced by any **bylaw enforcement officer**.

9.2 Any **bylaw enforcement officer** may enter at all reasonable times on any **real property, commercial property** or property owned or in the control of the **City** that is subject to this Bylaw to ascertain whether the requirements of this Bylaw are being met and the regulations in this Bylaw are being observed. No person shall interfere with, hinder or obstruct a **bylaw enforcement officer** from doing so.

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

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12407

Amendment No.34 to the Bylaw Notice Enforcement Bylaw No. 10475

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Bylaw Notice Enforcement Bylaw be amended as follows:

1. THAT **Schedule A, Idling Control Bylaw Bylaw No. 12378** be amended by adding the following in the appropriate location:

“

Bylaw No.	Section	Description	A1 Penalty – First Offence	A2 Second and subsequent offences	A3 Early Payment Second and subsequent offences	A4 Late Payment – second and subsequent offences	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance is Shown as “Yes”)
Idling Control Bylaw 12378	5.1	Operator or motor vehicle owner causing or permitting a motor vehicle to idle for more than one-minute (60 seconds)	\$ 0	\$150.00	\$100.00	\$175.00	No

Idling Control Bylaw 12378	6.1 (a) through (h)	Operator or motor vehicle owner causing or permitting a motor vehicle to idle substantially for the convenience of the operator or passengers of the motor vehicle	\$ 0	\$150.00	\$100.00	\$175.00	No
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“

This bylaw may be cited for all purposes as "Bylaw No. 12407, being Amendment No. 34 to the Bylaw Notice Enforcement Bylaw No. 10475."

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12414

Amendment No. 3 to Fire and Life Safety Bylaw No. 10760

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Fire and Life Safety Bylaw No. 10760 be amended as follows:

1. **THAT PART EIGHT: REGULATION OF FIRE HAZARDS, 8.7 Vacant Premises, 8.7.1 and 8.7.2** be deleted in their entirety as follows:

"8.7.1 For the purpose of this Section, vacant premises includes a lot, building or other structure in respect of which a water or electricity service has been intentionally discontinued, other than for temporary maintenance, repair or upgrading, so that the condition of the premises is not suitable for human habitation or other occupancy that is normally permitted.

8.7.2 The owner of vacant premises must promptly act to ensure that, at all times:

- a) the premises are free from litter and debris or accumulations of combustible or flammable materials except where storage of combustible or flammable materials is in strict accordance with the British Columbia Fire Code and this Bylaw; and
- b) all openings in the premises are securely closed and fastened in a manner acceptable to the Fire Chief or designate so as to prevent fires and the entry of unauthorized persons.
- c) Sprinkler and fire alarm systems remain operational as per requirements of the British Columbia Fire Code "

And replace them with:

"8.7.1 For the purpose of this section, a vacant premise(s) shall be:

- a) A lot, building or other structure in respect of which a water or an electricity service has been intentionally discontinued, other than for temporary maintenance, repair or upgrading, so that the condition of the premises is not suitable for human habitation or other occupancy that is normally permitted, or
- b) A lot, building or other structure whereas the premise is being inhabited by squatters or by persons not owning the property, have gained entry to the premise (unit) in order to seek temporary shelter, or
- c) a lot, building or other structure where the owner or person in care and control of the property has deemed unoccupied.

8.7.2 The owner of vacant premises must promptly act to ensure that, at all times:

- a) the lot, building or other structure is free from litter and debris or accumulations of combustible or flammable materials except where storage of combustible or flammable materials is in strict accordance with the British Columbia Fire Code and this Bylaw; and
- b) All openings in the building or structure must be securely closed and fastened in conformance with the requirements listed in Schedule D of this Bylaw, and
- c) The Sprinkler and fire alarm systems remain operational as per requirements of the British Columbia Fire Code;"

2. AND THAT **PART EIGHT: REGULATION OF FIRE HAZARDS, 8.7 Vacant Premises, 8.7.3** be amended by:
 - a) deleting the wording that reads "in a manner set out in the notice" and replace it with "in conformance with Schedule D of this bylaw.";
3. AND THAT **PART EIGHT: REGULATION OF FIRE HAZARDS, 8.7 Vacant Premises, 8.7.4,** be amended by
 - a) deleting "or agents, who may board up or otherwise secure doors, windows and other points of entry into the premises in order to prevent fires and unauthorized entry, at the cost and expense of the owner" and replace it with "agents or contractors, in conformance with Schedule D of this Bylaw. All costs and expenses shall be incurred by the owner.";
4. AND THAT **PART EIGHT: REGULATION OF FIRE HAZARDS, 8.8 Damaged Buildings, 8.8.1,** be amended by deleting:
 - a) "or that all openings and points of entry into the building or property are kept securely closed and fastened in a manner acceptable to the Fire Chief or designate so as to prevent the entry of unauthorized persons. If the owner fails to provide the necessary security within 2 hours of being notified by the Fire Department or following an incident, The Fire Chief or designate may cause the work to be carried out at the cost and expense of the owner."

And replace it with

"until such time as the building can be secured in conformance with Schedule D of this bylaw.

 - a) If the owner fails to provide the necessary security within 2 hours of being notified by the Fire Department, The Fire Chief or designate may hire the necessary security or have the building secured in conformance with Schedule D of the bylaw. The work shall be carried out at the cost and expense of the owner.
 - b) If the Fire Department is unable to contact the owner within 2 hours following the incident, The Fire Department is permitted to hire the necessary security on behalf of the owner or have the building secured in conformance with Schedule D of this bylaw. The work shall be carried out at the cost and expense of the owner.
5. AND FURTHER THAT **Schedule D – Securing of Vacant Properties** be added in its appropriate location as attached to and forming part of this bylaw.
6. This bylaw may be cited for all purposes as "Bylaw No. 12414 being Amendment No. 3 to Fire and Life Safety Bylaw No. 10760";
7. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11th day of July, 2022.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule D
Securing of Vacant Properties

1.0 Preface

This schedule (Schedule D) shall be the reference document for ensuring a minimum standard for securing vacant properties as defined in Section 8.7.1 of Bylaw 10761.

2.0

All buildings identified as being vacant must be secured to prohibit unauthorized entry as per Section 8.7.2(b). All openings which would permit entry by persons or animals must be sealed to prevent entry. In the event doors, windows or vents installed at the original time of construction are compromised and would permit entry, these openings must be sealed/locked to prevent entry. The securing of the vacant buildings must meet the requirements listed in Section 3.1 of this schedule. Should the owner, or authorized agent not secure the building as per the listed requirements, then the building will be secured in conformance with Section 3.2.

2.1

If the building had been secured in conformance with Section 3.1 but was broken into after the securing had occurred, then the requirements listed in Section 3.2 of this schedule shall apply.

2.2

If the building had been secured in conformance with Section 3.2 but was broken into after the securing had occurred, then the requirements listed in Section 3.3 of this schedule shall apply.

2.3

If the building had been secured in conformance with Section 3.3 but was broken into after the securing had occurred, then the requirements listed in Section 3.4 of this schedule shall apply.

2.4

If the building had been secured in conformance with Section 3.4 but was broken into after the securing had occurred, then the requirements listed in Section 3.5 of this schedule shall apply.

3.0

This section lists the progressive steps of securing a vacant property as outlined in Section 2.

3.1

The following lists the means in which a vacant property premise must be secured by the property owner. The owner shall be responsible for securing the building within 24 hours of being notified as per Subsection 8.7.3 of this Bylaw. In the event the property owner cannot be contacted or does not secure the building as directed, the Fire Chief or designate shall have a contractor secure the property and the cost of the work carried out will be the responsibility of the property owner.

- a. All unsecured opening must be sealed using 17 mm (5/8") plywood.
- b. All plywood must be screwed into the frame of the opening being sealed.
- c. All screws must be pan head screws a must be a minimum of 70 mm (2 ¾") long

- d. All screws must have the threads dipped in PL400 or equivalent or other acceptable construction adhesive prior to being secured into the frame.
- e. The plywood must have screws placed not greater than 203 mm (8") apart
- f. All screws must be a minimum of 38 mm (1 ½") from the edge of the plywood
- g. All screw heads (i.e., Robertson Head or Phillips Head) must be filled with construction adhesive as to ensure prohibited entry.
- h. A "no trespassing" sign not smaller than 216 x 280 mm (8 ½" x 11") shall be posted each side of the vacant building.

3.2

The vacant property will be secured by a contractor designated by the Fire Chief or designate. The following lists the means in which a vacant property must be secured by the contractor. All costs and expenses associated with securing the property are the responsibility of the property owner.

- a. All unsecured opening must be sealed using 17 mm (5/8") plywood.
- b. All plywood must be screwed into the frame of the opening being sealed.
- c. All screws must be pan head screws and must be a minimum of 70 mm (2 ¾") long
- d. All screws must have the threads dipped in PL400 or equivalent or other acceptable construction adhesive prior to being secured into the frame.
- e. The plywood must have screws placed not greater than 203 mm (8") apart
- f. All screws must be a minimum of 38 mm (1 ½") from the edge of the plywood
- g. All screw heads (i.e., Robertson Head or Phillips Head) must be filled with construction adhesive as prohibit entry.
- h. A "no trespassing" sign not smaller than 216 mm x 280 mm (8 ½ x 11") shall be posted on each side of the vacant building.

3.3

A vacant property must be secured in conformance with Section 3.2. In addition to the listed requirements, a contracted security company must visit the site twice per evening. The first visit must be between 8:00 PM and 10:00 PM to ensure the property is secure. The second visit must be conducted between 3:00 AM and 5:00 AM. Any breach of the property must be reported to the City of Kelowna Bylaw Office or Kelowna RCMP immediately. All costs and expenses related to obtaining a security company are the responsibility of the property owner.

3.4

A vacant property must be secured in conformance with Section 3.2. In addition to the listed requirements, the vacant house and any associated outbuildings on that property must be surround by construction fencing not less than 1.8 meters tall. The construction fencing must be bolted together, and the use of construction pins between fence panels will not be accepted. All costs and expenses associated with the fencing rental and the installation costs of said fencing are the responsibility of the property owner.

3.5

A vacant property must be secured in conformance with Section 3.4. In addition to the listed requirements, a contracted security company must remain on site continuously. All costs and expenses associated with obtaining a security company are the responsibility of the property owner.