City of Kelowna Regular Council Meeting AGENDA



Monday, August 14, 2023 1:30 pm Council Chamber City Hall, 1435 Water Street

			Pages
1.	Call to	Order	
		d like to acknowledge that we are gathered today on the traditional, ancestral, unceded ry 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 - 17
	PM Meeting - July 24, 2023		
3.	Development Application Reports & Related Bylaws		
	3.1	Walburn Rd 2015 - A23-0003 - Kamaljit Boparai and Mukhtiar Boparai	18 - 42
		To support an application to the Agricultural Land Commission for a Non-Adhering Residential Use to allow temporary farm worker housing for 4 seasonal farm workers on the subject property.	
	3.2	Mayfair Rd 870-872 - Z23-0032 (BL12569) - Brian Banman and Megan Banman	43 - 56
		To rezone the subject property from the RU4 $-$ Duplex Housing zone to the MF1 $-$ Infill Housing zone to facilitate five townhouses.	
	3.3	Horak Rd 4519 - Z23-0030 (BL12570) - 2457853 Alberta Ltd	57 - 70
		To rezone the subject property from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone to facilitate a two lot subdivision.	
	3-4	Gordon Dr 1459 1467, Lawson Ave 1104-1130, Aspen Ct 1488 - Z23-0022 (BL12571) - HPG Development Ltd., Inc.No. BC0897381	71 - 95
		To rezone the subject properties from the RU_4 – Duplex Housing zone to the MF_3r – Apartment Housing with Rental Only zone to facilitate the development of rental apartment housing.	

96 - 114 Cara Glen Way 1691 - Z23-0033 (BL12573) TA23-0008 (BL12574) - Rutherford 3.5 Crestview Developments Ltd., Inc.No. Aoo85980 To rezone a portion of the subject property from the RR1 - Large Lot Rural Residential zone to the MF2 – Townhouse Housing zone and to amend the Zoning Bylaw with a Site-Specific Text Amendment to allow apartment housing up to four storeys in height on the subject property. 115 - 116 3.6 Cara Glen Way 1691 - BL12573 (Z23-0033) - Rutherford Crestview Developments Ltd., Inc.No. A0085980 To give Bylaw No. 12573 first reading in order to rezone a portion of the subject property from the RR1 - Large Lot Rural Residential zone to the MF2 - Townhouse Housing zone. Cara Glen Way 1691 - BL12574 (TA23-0008 - Rutherford Crestview Developments 117 - 117 3.7 Ltd., Inc.No. A0085980 To give Bylaw No. 12574 first reading in order to allow a Site-Specific Text Amendment for the subject property. Rezoning Bylaws Supplemental Report to Council 118 - 119 3.8 To receive a summary of notice of first reading for Rezoning Bylaws No. 12554, 12556, 12558 and 12559 and to give the bylaws further reading consideration. **Rezoning Applications** 3.9 To give first, second and third reading to rezoning applications. The following bylaws will be read together unless Council wants to separate one of the bylaws. Holland Rd 3010 - BL12554 (Z23-0006) - Fryer Holdings Inc. and Lipkovits 120 - 120 3.9.1 Holdings Ltd. To give Bylaw No. 12554 first, second and third reading in order to rezone the subject property from the RU4 – Duplex Housing zone to the MF1 – Infill Housing zone. Lakeshore Rd 4529 - BL12556 (Z23-0027) - Chunshuang Liu 121 - 121 3.9.2 To give Bylaw No. 12556 first, second and third reading in order to rezone

the subject property from the RU1 - Large Lot Housing zone to the RU1cc -

Large Lot Housing with Child Care Centre, Major zone.

	3.9.3	McCurdy Rd 775 - BL12558 (Z23-0004) - 1187118 B.C. Ltd., Inc.No. BC1187118	122 - 122
		To give Bylaw No. 12558 first, second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the MF1 – Infill Housing zone.	
	3-9-4	Lawson Ave 1021 - BL12559 (Z23-0015) - 1288384 B.C. Ltd., Inc.No. BC1288384	123 - 123
		To give Bylaw No. 12559 first, second and third reading in order to rezone from the MF3 – Apartment Housing zone to the MF3r – Apartment Housing with Rental Only zone.	
3.10	Dougall	Rd N 540 - BL 12530 (Z23-0010) - WCPG Lots 17 Ltd., Inc.No. BC1389104	124 - 124
	the UC4	nd and adopt Bylaw No. 12530 in order to rezone the subject property from .— Rutland Urban Centre zone to the UC4r — Rutland Urban Centre Rental ne to facilitate the development of rental apartment housing.	
3.11	Dougall	Rd N 540 - DP23-0028 - WCPG Lots 17 Ltd., Inc.No. BC1389104	125 - 170
	To issue	a Development Permit for the form and character of apartment housing.	
3.12	Pier Mac BC13449	: Way 2050 - DP22-0199 - Beedie (Pier Mac Way) Holdings Ltd., Inc.No. 910	171 - 219
	To issue building:	a Development Permit for the form and character of three new industrial s.	
3.13	Highway	97 N 2727 - DP23-0071 - 389481 B.C. Ltd., Inc.No. BC1340661	220 - 255
		a Development Permit for the form and character of a new automotive sales ice facility.	
3.14	350 Doy	le - Rescindment of Development and Development Variance Permits	256 - 269
	Mayor to	o invite the Applicant, or Applicant's Representative to come forward.	
	To rescir Avenue.	nd the Development Permit and Development Variance Permit for 350 Doyle	
Non-I	Developme	nt Reports & Related Bylaws	
4.1	DKA BIA	. Renewal 2024-2028	270 - 315
		ove the renewal of a specified area for the purpose of annually funding, over a	

5-year period, the Downtown Kelowna Business Improvement Association.

4.

4.2	BL12575 - BIA Renewal Bylaw - Downtown Kelowna Association	316 - 334	
	To give Bylaw No. 12575 first, second and third reading.		
4.3	2023 Planning and Development Statistics - Quarter 1 and Quarter 2	335 - 347	
	To update Council on construction and development statistics for quarters 1 and 2 of 2023.		
4.4	Development Application Fees Bylaw	348 - 367	
	To adopt Development Application Fees Bylaw No. 12552 to improve cost recovery and financial management on Development Applications.		
4.5	BL12552 - Development Application Fees Bylaw	368 - 375	
	To give Bylaw No. 12552 first, second and third reading.		
4.6	Glenmore Landfill Road Closure - Portion of Land adjacent to 2105 Glenmore Road	376 - 385	
	To seek Council approval for the closure of road adjacent to 2105 – 2255 Glenmore Road for consolidation with 1875 & 2105 – 2255 Glenmore Road.		
4.7	BL12550 - Road Closure - Adjacent to 2105 Glenmore Road	386 - 387	
	To give Bylaw No. 12550 first, second and third reading.		
4.8	Revitalization Tax Exemption Program - Bylaw Changes	388 - 389	
	To introduce a new Revitalization Tax Exemption Bylaw No. 12561.		
4.9	BL12561 - Revitalization Tax Exemption Bylaw	390 - 405	
	To give Bylaw No. 12561 first, second and third reading.		
Bylaw	s for Adoption (Non-Development Related)		
5.1	. Housing Agreement Bylaws		
	To adopt seven housing agreement authorization bylaws.		
	The following bylaws will be adopted together unless Council wants to separate one of the bylaws.		
	5.1.1 BL12562 - Dougall Rd N 285 - Housing Agreement Authorization	406 - 413	
	To adopt Bylaw No. 12562.		
	5.1.2 BL12563 - Gordon Dr 1603-1615 - Housing Agreement Authorization	414 - 421	
	To adopt Bylaw No. 12563.		

5.

		5.1.3	BL12564 - Royal Ave 416 - Housing Agreement Authorization	422 - 430
			To adopt Bylaw No. 12564.	
		5.1.4	BL12565 - Lakeshore Rd 3773-3795 - Housing Agreement Authorization	431 - 438
			To adopt Bylaw No. 12565.	
		5.1.5	BL12566 - Bernard Ave 1575 - Housing Agreement Authorization	439 - 446
			To adopt Bylaw No. 12566.	
		5.1.6	BL12567 - Hwy 97 N 2339-2397 - Housing Agreement Authorization	447 - 454
			To adopt Bylaw No. 12567.	
		5.1.7	BL12568 - Richter St 1710 - Housing Agreement Authorization	455 - 462
			To adopt Bylaw No. 12568.	
	5.2	BL12555 · No. 7900	- Amendment No. 24 to the Subdivision, Development and Servicing Bylaw	463 - 594
		To adopt	Bylaw No. 12555.	
6.	Resolut	tions		
	6.1	Draft Ter	ms of Reference - Community Task Force on Performing Arts	595 - 598
7.	Mayor and Councillor Items			
8.	Termin	ation		



City of Kelowna Regular Council Meeting Minutes

Date: Location: Monday, July 24, 2023

Council Chamber

City Hall, 1435 Water Street

Members Present

Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, , Gord Lovegrove,

Mohini Singh, Rick Webber and Loyal Wooldridge

Members Participating

Remotely

Councillor Charlie Hodge

Members Absent

Councillor Luke Stack

Staff Present

City Manager, Doug Gilchrist*; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Community Planning and Development Manager, Dean Strachan*; Urban Planning Manager, Jocelyn Black*; Planner, Mark Tanner*; Infrastructure Engineering Manager, Joel Shaw*; Asset Planning Manager, Joline McFarlane*; Director, Finance and Corporate Services, Shayne Dyrdal*; Transportation Engineering Manager, Gordon Foy*; Senior Transportation Planning Engineer, Chad Williams*; Development Engineering Manager, Nelson Chapman*; Fire Chief, Travis Whiting*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Infill Housing Planning Manager, James Moore*; Planner Specialist, Daniel Sturgeon*, Planner, Aaron Thibeault*, Climate Action and Environmental Manager, Chris Ray*, Sustainability Coordinator, Tracy Guidi*, Energy Manager, Ryan Baines*; Deputy City Clerk, Laura Bentley*; Legal and Administrative Coordinator, Lisa Schell

Staff Participating Remotely

Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

Call to Order

Mayor Dyas called the meeting to order at 1:31 p.m.

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 and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT the Minutes of the Regular Meetings of July 10, 2023 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Fitzgerald Rd 3505 - A23-0006 FH23-0002 - Gurdev Singh Bahniwal and Nirmaljit Kaur Bahniwal

Staff displayed a PowerPoint presentation and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Wooldridge

THAT Agricultural Land Reserve Application No. A23-0006 for Lot 1 Section 10 Township 26 ODYD Plan 30818 Except Plan KAP45260, located at 3505 Fitzgerald Road, 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 Worker Housing Permit No. FH23-0002 for Lot 1 Section 10 Township 26 ODYD Plan 30818 Except Plan KAP45260, located at 3505 Fitzgerald Road, Kelowna, BC subject to the following:

- 1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application A23-0006;
- 2. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- 3. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule B;
- 4. A vegetated buffer is provided for screening adjacent property lines and between the temporary farm worker housing and active farming areas in accordance with Schedule C;
- 5. The applicant is required to post the City a Landscape Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscape buffer, as determined by a professional landscaper;
- 6. 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 0.3 ha.

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

Carried

3.2 Amendments to Secondary Residences in the ALR - TA23-0006 (BL12560)

Staff displayed a PowerPoint presentation and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Cannan

THAT Zoning Bylaw Text Amendment Application No. TA23-0006 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing Section 10 – Agriculture and Rural Residential Zones as identified in Schedule "A" and outlined in the Report from the Development Planning Department dated July 24, 2023 be considered by Council; and

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

Carried

3.3 Amendments to Secondary Residences in the ALR - BL12560 (TA23-0006)

Moved By Councillor Singh/Seconded By Councillor Cannan

THAT Bylaw No. 12560 be read a first time.

Carried

3.4 Holland Rd 3010 - Z23-0006 (BL12554) - Fryer Holdings Inc. and Lipkovits Holdings

Staff displayed a PowerPoint presentation and responded to questions from Council

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Rezoning Application No. Z23-0006 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 14 District Lot 131 ODYD Plan 10710, located at 3010 Holland Road, Kelowna, BC from the RU4 – Duplex Housing zone to the MF1 – Infill Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated July 24, 2023.

<u>Carried</u>

3.5 Lakeshore Rd 4529 - Z23-0027 (BL12556) - Chunshuang Liu

Staff displayed a PowerPoint presentation and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Rezoning Application No. Z23-0027 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of LOT 7 DISTRICT LOT 167 ODYD PLAN 1691 EXCEPT PLAN EPP52188, located at 4529 Lakeshore Rd, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1cc - Large Lot Housing with Child Care Centre, Major zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration on title of a Section 219 – Vehicle Access to Site Covenant.

Carried

3.6 McCurdy Rd 775 - Z23-0004 (BL12558) - 1187118 B.C. Ltd., Inc.No. BC1187118

Staff displayed a PowerPoint presentation outlining the application.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Rezoning Application No. Z23-0004 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 3 District Lot 143 ODYD Plan 22014, located at 775 McCurdy Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF1 – Infill Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated July 24th, 2023;

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

Carried

3.7 Lawson Ave 1021 - Z23-0015 (BL12559) - 1288384 B.C. Ltd., Inc.No. BC1288384.docx

Staff displayed a PowerPoint presentation and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Rezoning Application No. Z23-0015 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot A District Lot 138 ODYD Plan EPP121306, located at 1021 Lawson Ave, Kelowna, BC from the MF3—Apartment Housing zone to the MF3r—Apartment Housing with Rental Only zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated July 24, 2023;

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

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

Carried

3.8 Rezoning Bylaws Supplemental Report to Council

The City Clerk confirmed no correspondence was received for any of the three bylaws under consideration.

- 3.9 Rezoning Applications
 - 3.9.1 Rutland Rd N 155-179 BL12548 (Z23-0013) ASI Central GP Inc., Inc.No. A0117887
 - 3.9.2 Buckhaven Ct 4973 Steele Rd 1450 BL12549 (Z23-0020) Mair Developments Ltd., Inc.No. BC0753083
- 3.10 Rezoning Applications
 - 3.10.1 Abbott St 2337 BL12551 (Z23-0018) Janet Marie Hertz and Kevin John Hertz

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Council receives, for information, the report from the Office of the City Clerk dated July 24, 2023 with respect to three rezoning applications;

AND THAT Rezoning Bylaw Nos. 12548, 12549 and 12551 each be forwarded for further reading consideration.

Carried

3.11 Fraser Rd 605 - BL12437 (Z20-0066) - 1342833 BC Ltd., Inc.No. BC1342833

Moved By Councillor Cannan/Seconded By Councillor Hodge

THAT Bylaw No. 12437 be amended at 3rd reading as follows:

By deleting the Legal Description that reads:

": a) Lot 1 Section 26 Township 26 ODYD Plan 12434 located on Leathead Road, Kelowna, B.C.; and

b) Lot 2 Section 26 Township 26 ODYD Plan 12434 located on Fraser Road, Kelowna, B.C."
And replacing it with:

"Parcel A (Being a Consolidation of Lots 1 & 2, See CB446395) Section 26 Township 26 ODYD Plan 12434, located on Fraser Road, Kelowna, B.C."

And by deleting "460 Leathead Road & 605 Fraser Road" and replacing it with "605 Fraser Road"

AND THAT Bylaw No. 12437, as amended, be adopted.

Carried

3.12 Fraser Rd 605 - DP20-0154 - 1342833 B.C. Ltd., Inc.No. BC1342833

Staff displayed a PowerPoint presentation and responded to questions from Council.

The City Manager joined the meeting at 1:58 p.m.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Rezoning Bylaw No. 12437 be amended at third reading to revise the legal description of the subject property from LOT 1 SECTION 26 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 12434 and LOT 2 SECTION 26 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 12434 to PARCEL A (BEING A CONSOLIDATION OF LOTS 1 & 2, SEE CB446395) SECTION 26 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 12434;

AND THAT final adoption of Rezoning Bylaw No. 12437 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP20-0154 for PARCEL A (BEING A CONSOLIDATION OF LOTS 1 & 2, SEE CB446395) SECTION 26 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 12434, located at 605 Fraser Rd, 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 amount of 125% of the estimated value of the Landscape Plan, 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

3.13 Northern Flicker Ct 1885 - DP22-0192 - WD MB Kelowna Nominee Corp., Inc.No. BC1385473

Staff displayed a PowerPoint presentation and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council authorizes the issuance of Development Permit No. DP22-0192 for Lot 19 Section 28 Township 23 ODYD Plan EPP76020, located at 1885 Northern Flicker Ct, Kelowna, BC subject to the following:

- 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 amount of 125% of the estimated value of the Landscape Plan, 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

4. Non-Development Reports & Related Bylaws

4.1 10-Year Capital Plan (2023 to 2032) final

Staff displayed a PowerPoint presentation summarizing the 10 Year Capital Plan and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receives, for information, the report from Financial Services dated July 24th, 2023, with respect to this year's annual update to the 10-Year Capital Plan.

AND THAT Council adopt the 10-Year Capital Plan.

Carried

Councillor Cannan - Opposed

4.2 2023 Transportation Capital Projects - Budget Amendments

Staff displayed a PowerPoint presentation with rationale for the various transportation budget amendments requested and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receives, for information, the report from the Integrated Transportation Department dated July 24, 2023, with regards to the 2023 Transportation Capital Projects – Budget Amendments;

AND THAT Council approves the addition of Sector I DCC funding to support the following projects:

\$300,000 for Burtch 3 (Glenmore to Sutherland) \$540,000 for Sutherland 1 and 2 ATC (Ethel to Burtch)

\$277,000 for Traffic Signals and Roundabouts;

AND THAT Council approves the addition of Sector B DCC funding to support the following project:

\$325,000 for Frost (Kildeer to Chute Lake);

AND THAT council approves the reallocation of existing funding from the following projects: \$66,535 from Abbot ATC (Cedar to Rose)
\$99,600 from Burtch/Harvey Intersection Improvements;

AND THAT council support staff to manage tasks to amend the 2023 Financial Plan for these changes.

Carried

4.3 Subdivision, Development and Servicing Bylaw 7900 – Transportation Update

Staff displayed a PowerPoint presentation with proposed amendments to the Transportation section of Bylaw No. 7900 and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from the Infrastructure Division, dated July 24th, 2023, with respect to amending the Subdivision, Development and Servicing Bylaw 7900;

AND THAT Bylaw No. 12555, being Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900 be forwarded for reading consideration.

<u>Carried</u>

4.4 BL12555 - Amendment No. 24 to the Subdivision, Development and Servicing Bylaw No. 7900

Moved By Councillor Wooldridge/Seconded By Councillor Cannan

THAT Bylaw No. 12555 receive first, second and third reading.

Carried

4.5 Fire Engine Procurement Proposal

Staff provided reasons for advancing the purchase of a Fire Engine demonstration unit and responded to questions from Council

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Council approve the direct award for the purchase of a new Fire Engine demonstration unit and related equipment to Commercial Emergency Equipment Co.,

AND THAT the 2023 Financial Plan be amended to include the new Fire Engine cost of \$650,000 to the Fire Department capital program with funding from the Fire Equipment Replacement Reserve.

Carried

4.6 Lake Country Mutual Aid Enhancement

Staff provided information on the enhanced responses to calls between the City and the District of Lake Country.

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT Council receive, for information, the report of the Kelowna Fire Department, dated March 13th, 2023 regarding automatic aid with District of Lake Country Fire Department.

Carried

4.7 Revitalization Tax Exemption Program - Proposed Amendments

Staff displayed a PowerPoint presentation summarizing the proposed amendments and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Cannan

THAT Council receives, for information, the report from the Policy and Planning Department dated July 24, 2023 with respect to the bylaw updates to the Revitalization Tax Exemption Program Bylaw 9561;

AND THAT Council direct staff to bring forward a new Revitalization Tax Exemption Program Bylaw for Council consideration.

Carried

4.8 Revitalization Tax Exemption Agreements - Summer 2023

Staff displayed a PowerPoint presentation identifying the revitalization tax exemption agreements and corresponding Housing Agreement Bylaws.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with 285 Dougall Road Development Ltd., Inc. No. BC1348727 for Lot A Section 26 Township 26 ODYD Plan EPP127489, located at 285 Dougall Rd.N., Kelowna, BC in the form attached to the Report from Policy and Planning dated July 24, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with PC Urban (1605 Gordon Drive) Holdings Corp., Inc.No.BC1316531 for Lot 1 District Lot 137 ODYD Plan 8837 Except Plans H16278 and EPP122947, located at 1605 Gordon Drive, Kelowna, BC in the form attached to the Report from Policy and Planning dated July 24, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with Payam & Sanaz Holdings Limited, Inc. No. A102760 for Lot 1 District Lot 14 Osoyoos Division Yale District Plan EPP91145, located at 416 Royal Avenue, Kelowna, BC in the form attached to the Report from Policy and Planning dated July 24, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with Westcorp On The Lake Inc., Inc. No. A75763 for Lot 1 District Lot 134 ODYD EPP41204, located at 3773 – 3795 Lakeshore Road, Kelowna, BC in the form attached to the Report from Policy and Planning dated July 24, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with 1575 Bernard Projects Ltd., Inc.No. BC1354921 for Lot 8 Section 20 Township 26 ODYD Plan 32159, located at 1575 Bernard Avenue, Kelowna, BC in the form attached to the Report from Policy and Planning dated July 24, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with Provincial Rental Housing Corporation, Inc. No. BC0052129 for Lot 1 District Lot 9 ODYD Plan EPP113953, located at 675 Kingsway Avenue, Kelowna, BC in the form attached to the Report from Policy and Planning dated July 24, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with Dilworth Shopping Centre Ltd., Inc.No. 319846 for Lot A District Lots 126 AND 532 ODYD 40108, located at 2339 – 2397 Hwy. 97 N, Kelowna, BC in the form attached to the Report from Policy and Planning dated July 24, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with 1017476 B.C. Ltd., Inc. No. BC1017476 for Lot 1 District Lot 139 ODYD Plan KAP92715 Except Part in Plan EPP113155, located at 1710 Richter Street, Kelowna, BC in the form attached to the Report from Policy and Planning dated July 24, 2023;

AND THAT Bylaw No. 12562 authorizing a Housing Agreement between the City of Kelowna and 285 Dougall Road Development Ltd., Inc. No. BC1348727 which requires the owners to maintain 83 dwelling units as rental housing for 10 years for Lot A Section 26 Township 26 ODYD Plan EPP127489, located at 285 Dougall Rd.N, Kelowna, BC be forwarded for reading consideration.

AND THAT Bylaw No. 12563 authorizing a Housing Agreement between the City of Kelowna and PC Urban (1605 Gordon Drive) Holdings Corp., Inc.No.BC1316531 which requires the owners to maintain 192 dwelling units as rental housing for 10 years for Lot 1 District Lot 137 ODYD Plan 8837 Except Plans H16278 and EPP122947, located at 1605 Gordon Drive, Kelowna, BC be forwarded for reading consideration.

AND THAT Bylaw No. 12564 authorizing a Housing Agreement between the City of Kelowna and Payam & Sanaz Holdings Limited, Inc. No. A102760 which requires the owners to maintain 39 dwelling units as rental housing for 10 years for Lot 1 District Lot 14 Osoyoos Division Yale District Plan EPP91145, located at 416 Royal Avenue, Kelowna, BC be forwarded for reading consideration.

AND THAT Bylaw No. 12564 authorizing a Housing Agreement between the City of Kelowna and Westcorp On The Lake Inc., Inc. No. A75763 which requires the owners to maintain 439 dwelling units as rental housing for 10 years for Lot 1 District Lot 134 ODYD EPP41204, located at 3773 – 3795 Lakeshore Road, Kelowna, BC be forwarded for reading consideration.

AND THAT Bylaw No. 12566 authorizing a Housing Agreement between the City of Kelowna and 1575 Bernard Projects Ltd., Inc.No. BC1354921 which requires the owners to maintain 156 dwelling units as rental housing for 10 years for Lot 8 Section 20 Township 26 ODYD Plan 32159, located at 1575 Bernard Avenue, Kelowna, BC be forwarded for reading consideration.

AND THAT Bylaw No. 12567 authorizing a Housing Agreement between the City of Kelowna and Dilworth Shopping Centre Ltd., Inc.No. 319846 which requires the owners to maintain 490 dwelling units as rental housing for 10 years for Lot 8 Section 20 Township 26 ODYD Plan 32159, located at Lot A District Lots 126 AND 532 ODYD 40108, located at 2339 – 2397 Hwy. 97 N, Kelowna, BC be forwarded for reading consideration.

AND FURTHER THAT Bylaw No. 12568 authorizing a Housing Agreement between the City of Kelowna and 1017476 B.C. Ltd., Inc. No. BC1017476 which requires the owners to maintain 82 dwelling units as rental housing for 10 years for for Lot 1 District Lot 139 ODYD Plan KAP92715

Except Part in Plan EPP113155, located at 1710 Richter Street, Kelowna, BC be forwarded for reading consideration.

Carried

4.9 Housing Agreement Bylaws

- 4.9.1 BL12562 Dougall Rd N 285 Housing Agreement Authorization
- 4.9.2 BL12563 Gordon Dr 1603-1615 Housing Agreement Authorization
- 4.9.3 BL12564 Royal Ave 416 Housing Agreement Authorization
- 4.9.4 BL12565 Lakeshore Rd 3773-3795 Housing Agreement Authorization
- 4.9.5 BL12566 Bernard Ave 1575 Housing Agreement Authorization
- 4.9.6 BL12567 Hwy 97 N 2339-2397 Housing Agreement Authorization
- 4.9.7 BL12568 Richter St 1710 Housing Agreement Authorization

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Bylaws Nos. 12562, 12563, 12564, 12565, 12566, 12567 and 12568 each be read a first, second and third time.

Carried

The meeting recessed at 3:36 p.m.

The meeting reconvened at 3:51 p.m.

4.10 Rental Housing Grant 2023

Staff summarized the proposed grant and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from the Planner Specialist, dated July 24, 2023 regarding recommendations for the Rental Housing Grant for 2023;

AND THAT Council approves the 2023 Rental Housing Grant in the amount of \$272,000 for 675 Kingsway Street as detailed in the report from the Planner Specialist, dated July 24, 2023, and in accordance with Council Policy No. 335.

Carried

4.11 North End Plan - Neighbourhood Concept Plans

Staff displayed a PowerPoint presentation summarizing the neighbourhood concept plans, upcoming public engagement, planning process next steps and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receives, for information, the report from the Policy & Planning Department dated July 24, 2023, with respect to neighbourhood concept plans for the North End Plan.

Carried

4.12 Local Government Climate Action Program Year 2

Staff displayed a PowerPoint presentation summarizing the proposed amendments and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from Climate Action & Environmental Stewardship and Energy Management, dated July 24, 2023, with respect to Local Government Climate Action Program Update.

Carried

4.13 Alternative Approval Process for Recreation and Activity Centres

Staff displayed a PowerPoint presentation summarizing the proposed amendments and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT 4:00 p.m. October 15, 2023 be set as the deadline for receipt of elector responsed to the form attached to the report from the Office of the City Clerk dated July 24, 2023

Defeated

Mayor Dyas, Councillors Dehart, Hodge and Wooldridge - Opposed

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT Council receives, for information, the report from the Office of the City Clerk dated July 24, 2023 regarding the Alternative Approval Process for the borrowing of two hundred and forty one million, three hundred and twenty thousand dollars (\$241,320,000.00) for the redevelopment of the Parkinson Recreation Centre, the construction of the Glenmore Activity Centre, the construction of the Mission Activity Centre, and the redevelopment of the Rutland Sports fields;

AND THAT an alternative approval process opportunity open to all electors within the City of Kelowna be initiated in relation to the borrowing by loan authorization bylaw as outlined in the report from the Financial Services Division presented at the June 19, 2023 Regular Council Meeting;

AND FURTHER THAT 4 pm, Friday, September 15, 2023 be set as the deadline for receipt of elector responses in the form attached to the report from the Office of the City Clerk dated July 24, 2023 in relation to the City of Kelowna proceeding with the adoption of Bylaw No. 12540 being the Recreation and Activity Centres Loan Authorization Bylaw authorizing the borrowing of two hundred and forty one million, three hundred and twenty thousand dollars (\$241,320,000.00) for the recreation and activity centres projects.

Carried

Councillors Cannan and Singh - Opposed

5. Bylaws for Adoption (Non-Development Related)

5.1 BL12547 - Road Closure Bylaw - Adjacent to 4020 Lakeshore Rd

The City Clerk to invite anyone in the public gallery who deems themselves affected by the proposed Road Closure to come forward and address Council. No one came forward.

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Bylaw No. 12547 be adopted.

Carried

6. **Mayor and Councillor Items**

Councillor DeHart:

Spoke to recent events attended including Chamber of Commerce Presidents Dinner, the Kelowna Historical Society Picnic, the Wilden 20 year celebration and the Kasugai luncheon event.

Councillor Singh:

Spoke on Mayors behalf of the Mayor at the Chamber banguet.

Shout out to Jerome Blake as he will run the Bell Cananda Track and Field meet this weekend in the 200M race on their way to qualifying for the Paris Olympics.

Councillor Cannan:

- Met with Minister Barrett and discussed the BC demographic survey.
- Wished Councillor Webber a happy birthday.

Councillor Hodge:

— Attended Kasugai luncheon.

Attended the SILGA AGM in Vernon.

Mayor Dyas:

- Attended Lady of the Lake event with Councillor Wooldridge as a judge.
- Thanked Kelowna MLAs for the Rutland event held.

Termination 7.

This meeting was declared terminated at 5:22 p.m.

Mayor Dyas City Clerk

/cm

REPORT TO COUNCIL NON-ADHERING RESIDENTIAL USE

City of Kelowna

Date: August 14, 2023

To: Council

From: City Manager

Address: 2015 Walburn Road

File No.: A23-0003

1.0 Recommendation

THAT Agricultural Land Reserve Application No. A23-0003 for Lot 2, Section 13, Township 26, ODYD, Plan 4119, Except Plans 20534 and 34516 located at 2015 Walburn Road, Kelowna, BC for a Non-Adhering Residential Use pursuant to Section 25 of the *Agricultural Land Commission Act*, be supported by Council;

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

2.0 Purpose

To support an application to the Agricultural Land Commission for a Non-Adhering Residential Use to allow temporary farm worker housing for 4 seasonal farm workers on the subject property.

3.0 Development Planning

Staff recommend support for the proposed Non-Adhering Residential Use Permit application and that it be forwarded onto the Agricultural Land Commission for consideration. The proposal is to convert an existing accessory building which was once a single family dwelling into Temporary Farm Worker Housing.

The City's Agriculture Plan, the Official Community Plan and Zoning Bylaw support the conversion of existing dwellings into Temporary Farm Worker Housing if agriculture is the principal use and the owner demonstrates the need for farm employees. The property has been owned by the Boparai family since 2015 and was purchased from the Regier family which owned and operated the farm for over 80 years. Brian Regier currently lives in the mobile home on the property with the Boparai family in the newly constructed single family dwelling. The property has 8.4 acres of cherries in production and is aniticapated to need 4 seasonal workers to help with farm operations.

4.0 Site Context & Background

The subject property is located in the Belgo area near Black Mountain. The Future Land Use is R-AGR-R and Agriculture and Resource is zoned A_1-A agriculture and it is within the Agricultural Land Reserve. The proposed housing would be 3 bedrooms and 1,165 ft² in size with an attached workhop and small office space. The property is approximately 13.4 acres (5.5 ha) in size. Specifically, adjacent land uses are as follows:

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

Subject Property Map: 2015 Walburn



5.0 Current Development Policies

5.1 <u>Kelowna Official Community Plan (OCP)</u>

Objective 8.1 Protect and preserve agricultural land and its capability				
Policy 8.1.1	Retain the agricultural land base by supporting the ALR and by			
Protect	protecting agricultural lands from development. Ensure that the primary use			
Agricultural Land	of agricultural land is agriculture, regardless of parcel size.			
	The principle use on the subject property is agriculture.			
Policy 8.1.9 Farm	As a first option, encourage farm help housing to be located within			
Help Housing	 the Permanent Growth Boundary, providing access to amenities for workers. As a second option, accommodation for farm help on agricultural land on the same farm unit, where approved by the ALC, will be considered only when: Agriculture is the principal use on the parcel; and The applicant demonstrates that on-site housing for farm workers is 			
	necessary for the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary.			

Temporary farm working housing, such as bunkhouse accommodation on non-permanent foundations, is the preferred solution where farm worker housing is justified.
The property has 8.4 acres of cherries in production and has provided a Professional Agrologists report demonstrating the need for seasonal workers.

6.0 Application Chronology

Application Accepted: January 27, 2023

Public Information Session: n/a Neighbourhood Notification Summary Received: n/a

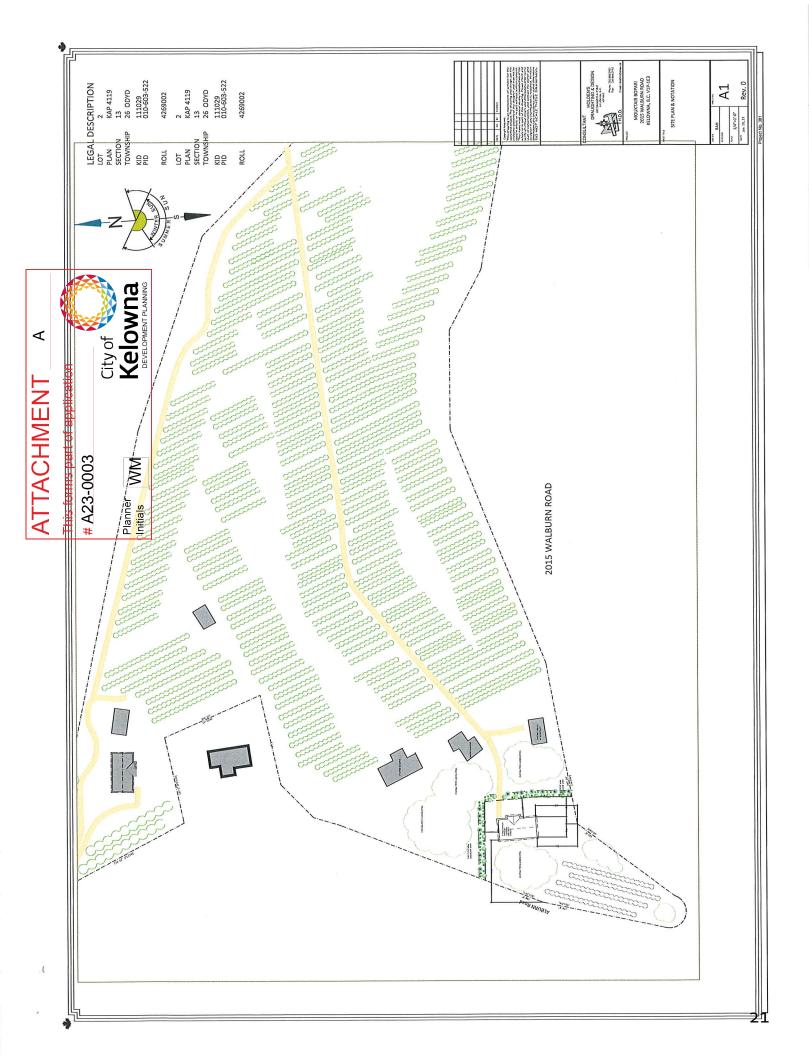
Report prepared by: Wesley Miles, Planner Specialist

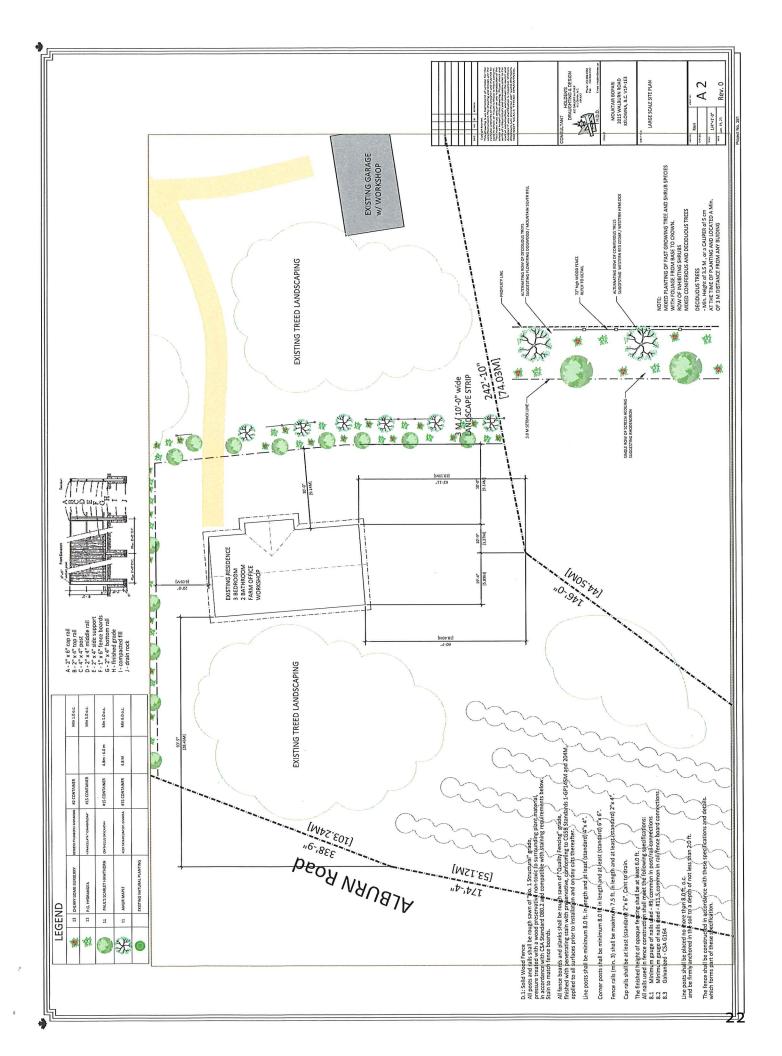
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

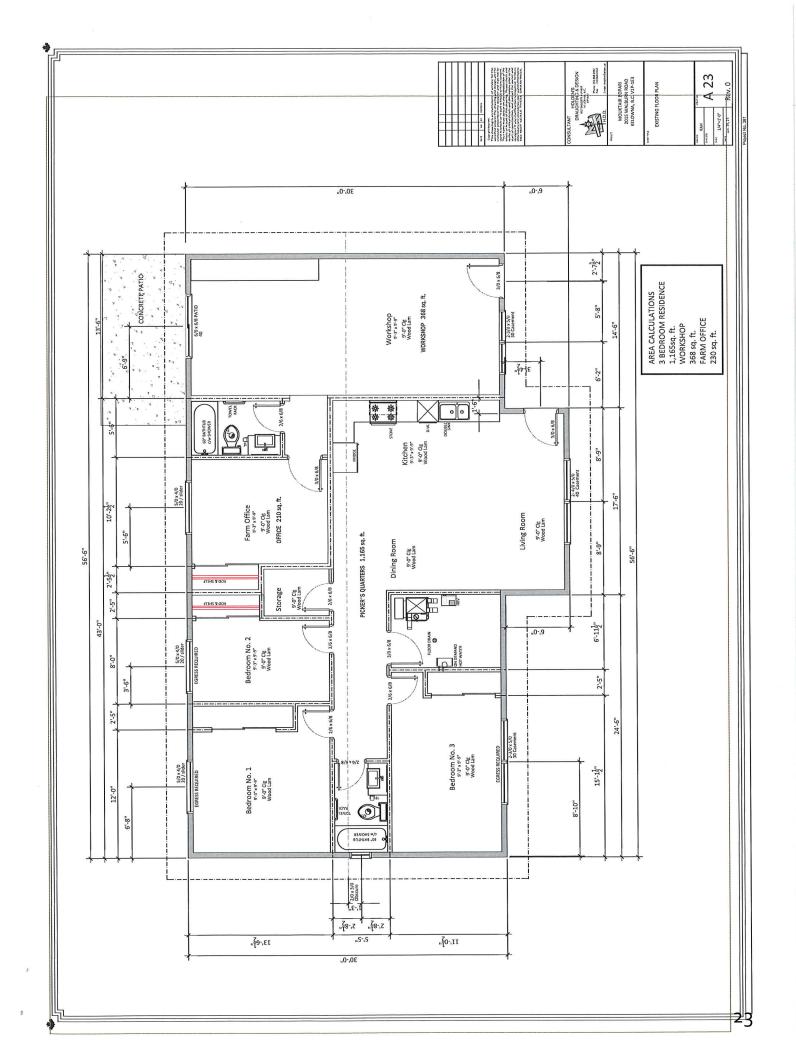
Attachments:

Attachment A – Site Plan

Attachment B – Agrologist Report









ATTACHMENT B				
This forms part of application # A23-0003				
# <u>A</u> 23-0003	City of			
Planner Initials WM	Kelowna DEVELOPMENT PLANNING			

Agrologist's Report Prepared for Mukhtiar and Kamaljit Boparai 2015 Garner Road Farm

This farm plan is prepared to support the Temporary Farm Worker Housing (TFWH) application for the Boparai family who live and farm in Kelowna B.C.. Agrologists reports are often required for City of Kelowna TFWH applications and are used to confirm the need for TFW's in carrying out farming operations.

This report covers the required information regarding the farm history, current operations and an explanation of the need for TFWH for this farm. Added, there is some very brief discussion of the future of this farm and potential mitigation that may take place to give comfort to the City of Kelowna that this housing will only be used for TFWH.

Farm history: to the best of the owner, and previous owners knowledge this farm has been owned and operated by the Regier family for over 80 years. The farm started out as a mixed farm (cattle/orchard/ground crops) and slowly transitioned to an apple orchard until it's sale to the Boparai family in 2015. Rather than apply for a homesite severance at time of sale, Ken Regier moved away from the property and his son Brian lives in the modular home in the northwest corner of the property. This has kept the farm intact and respects the history of the Regier family in the agricultural development of this property.

Current operations: From 2015 forward the Boparai family have removed the existing apple orchard and planted the property with high density, late season, export targeted cherries. As well, the irrigation system has been upgraded and the property fenced.to deter damage by wildlife. The family is fully engaged in pruning through harvest with the kids helping out and Kamaljit running the administration.

The family enjoys a good working relationship with the Khela family and packs their fruit through Northern Cherries in North Glenmore and intend to continue on with this relationship. There is some interest in further farm expansion should properties proximate to the home property become available through sale.

Currently a total of 8.4 of the 13.44 total acres are planted and farmed. Other land uses include a primary residence for the Boparai family, the modular home resided in by Brian Regier, some lands which will require fill placement to farm (ALC approval may be sought in the future to do this work), farm buildings in the southwest corner of the property and the decommissioned house that is the subject of this application: needed for incoming Mexican Seasonal Agriculture Workers (SAWP).



Photo #1: The "home farm" located on Garner road showing the primary residence and modular home as well as planted cherry acreage.



Photo #2: the "home farm" when owned by the Regier family. Note voids in planting as well as areas not in production due to farm buildings.

Need for SAWP workers: with these trees now in full production there is a need to supplement the existing labour force of the owner and his family to prune, manage and harvest this high yielding cherry crop. Using rough industry guesstimates of labour for cherry production there is a need of one worker/acre and with 8.4 acres now in production an additional 3-4 workers are needed as a steady labour supply. These workers could reside in the existing, currently decommissioned house that is the subject of this application. All required ALC approvals and building permits would be necessary, but this keeps the workers in inspected, landscape buffered housing withing proximity to the owners residence without creating loss of agricultural lands or displacing Regier family members who have a legacy on this property of 80 years of farming and raising families.

Recommendation: it is my recommendation to the City of Kelowna that they support the recommissioning of the existing residence for up to 4 TFW's (refer to site plan submitted with ALC application) and apply the usual covenants to this house regarding it's use only for TFW's and that should use of the SAWP program cease it be decommissioned again, or demolished.

I remain committed to assisting the land owner and City of Kelowna staff to find an acceptable resolution to this TFWH application and will work diligently to assist the ultimate decision making process.

Respectfully submitted

Carl Withler P.Ag. (#695)*

^{*}professional qualifications statement upon request.



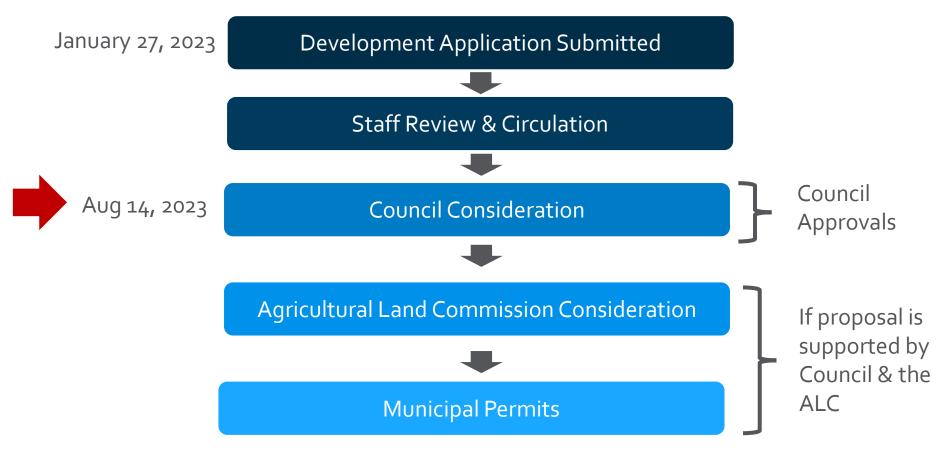
Proposal



To support an application to the Agricultural Land Commission for a Non-Adhering Residential Use to allow temporary farm worker housing for 4 seasonal farm workers on the subject property

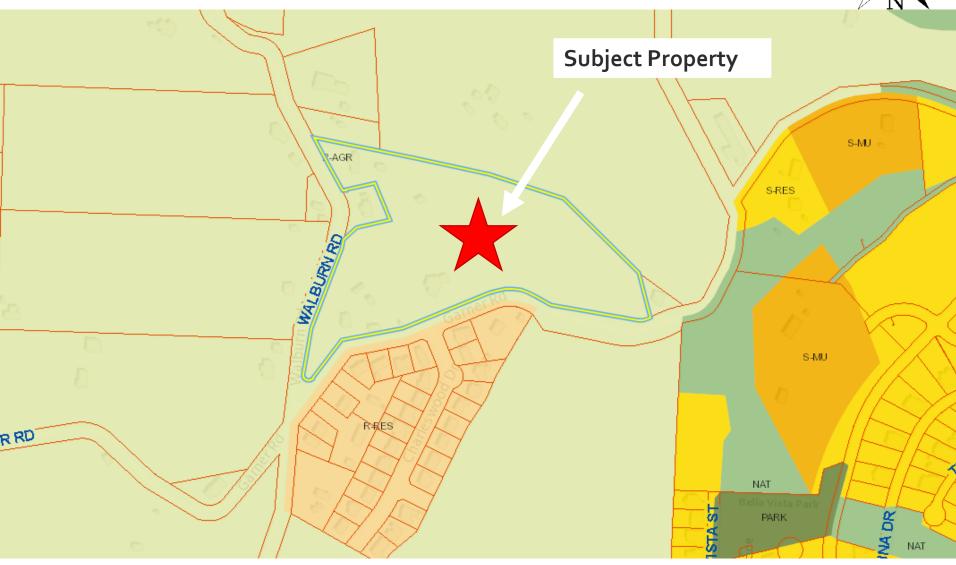
Development Process





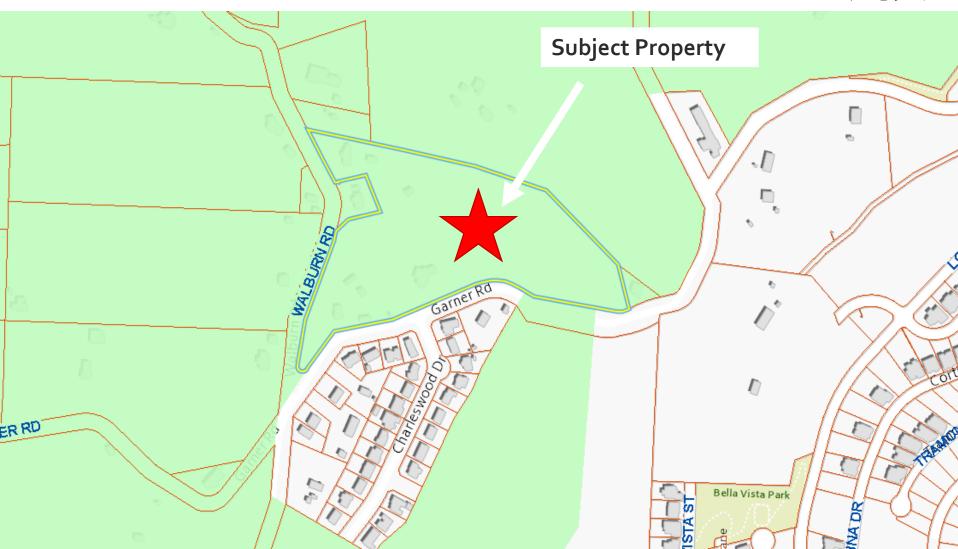
Context Map **Subject Property**

OCP Future Land Use / Zoning



ALR





Project Details

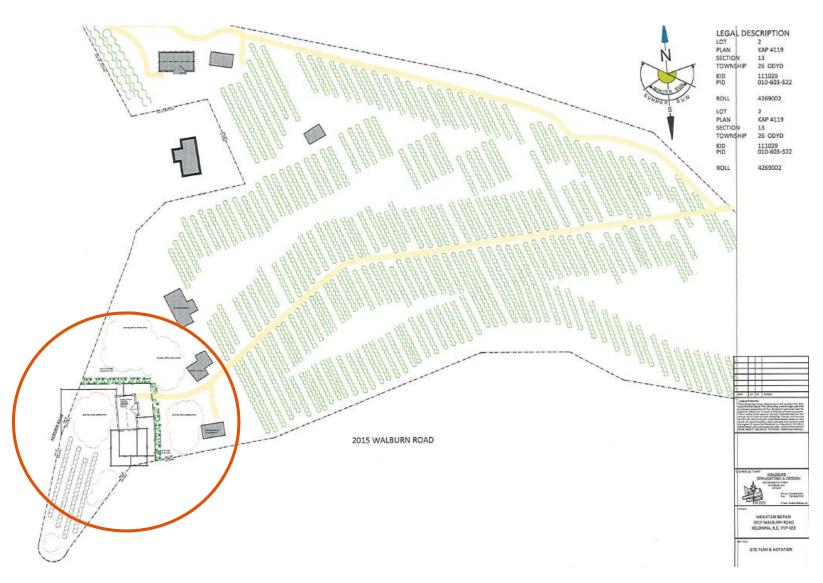


Convert existing accessory building into seasonal worker housing:

- ▶ 4 seasonal farm workers proposed
- ▶8.4 acres of cherry orchard
- Dwelling would be 1,165 ft2 total size
- Proposed site has significant existing tree and shrub buffer

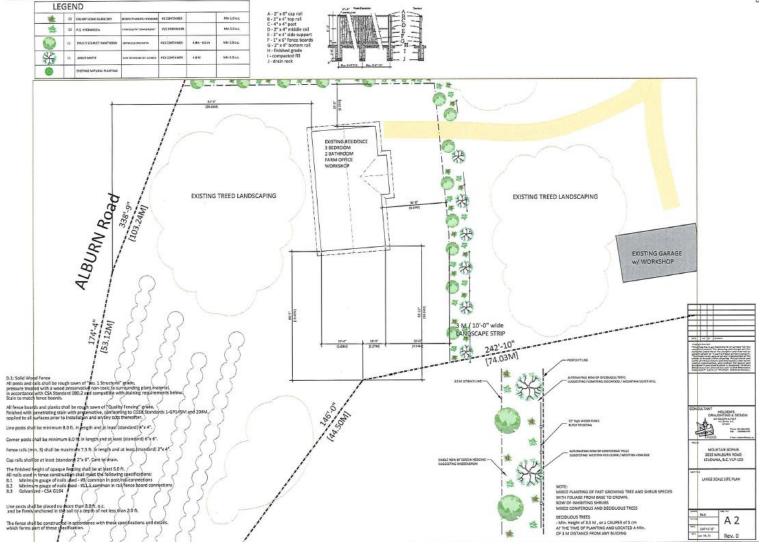
Site Plan





Site Plan



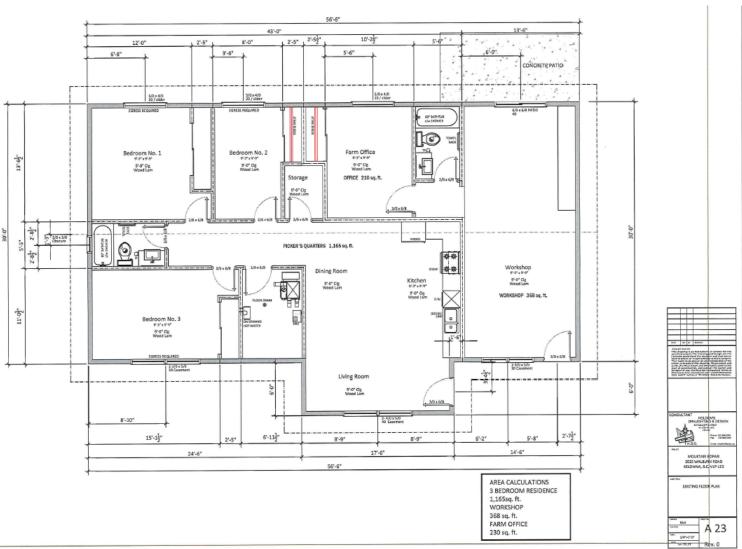


Aerial View



Floor Plans





Development Policy: Zoning Bylaw



Regulation	Meets
Minimum farm unit size: 3.8 ha	V
New TFWH structures must include a communal kitchen	V
Only occupied during growing, harvesting and pruning periods	V
Occupied no more than 10 months of a calendar year	
Maximum TFWH footprint: 0.30 ha for maximum of 60 workers	7
Maximum temporary farm workers per city sector: 60	

Development Policy: OCP Policies & Permit Guideline Selowna

Policy / Guideline	Meets
Agriculture is the principal use on the parcel	V
Scale of farm operation is large enough that permanent help is deemed necessary	V
TFWH on non-permanent foundations where the need for farm worker housing is justified	V
Building footprint within 50 m of the road or located to maximize agricultural potential and limit negative impacts on the farm parcel	
Minimum 3 m wide vegetated buffer for screening to adjacent property lines and between TFWH and active farming	V

Staff Recommendation



- Staff recommend support to forward the proposed Non-Adhering Residential Use application to the ALC.
 - Meets the Zoning regulations and OCP Guidelines for TFWH



Conclusion of Staff Remarks

REPORT TO COUNCIL REZONING

Date: August 14, 2023

To: Council

From: City Manager

Address: 870-872 Mayfair Rd

File No.: Z23-0032

	Existing	Proposed
OCP Future Land Use:	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
Zone:	RU4 – Duplex Housing	MF1 – Infill Housing

1.0 Recommendation

THAT Rezoning Application No. Z23-0032 to amend the City of Kelowna Bylaw No.12375 by changing the zoning classification of LOT 7 DISTRICT LOT 143 ODYD PLAN 24833, located at 870-872 Mayfair Rd, Kelowna, BC from the RU4 – Duplex Housing zone to the MF1 – Infill Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated August 14, 2023;

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

2.0 Purpose

To rezone the subject property from the RU4 – Duplex Housing zone to the MF1 – Infill Housing zone to facilitate five townhouses.

3.0 Development Planning

Staff support the proposed Rezoning from the RU₄ – Duplex Housing zone to the MF₁ – Infill Housing zone to facilitate the development of five townhouses. The subject property has the Future Land Use Designtation of C-NHD Core Area Neighbourhood.

The proposal meets the intent of the C-NHD Core Area Neighbourhood policies, which are intended to accommodate much of the City's growth through sensitive residential infill such as ground-oriented multi-unit housing.

Lot Area	Proposed (m²)
Gross Site Area	990.3 m2
Road Dedication	N/A
Net Site Area	990.3 m2

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	RU4 – Duplex Housing	C-NHD – Core Area Neighbourhood
East	Ru4 – Duplex Housing	C-NHD – Core Area Neighbourhood
South	RU4 – Duplex Housing	C-NHD – Core Area Neighbourhood
West	I2 – General Industrial	IND - Industrial





The subject property is located near the intersection of Mayfair Rd and McCurdy Rd. The surrounding area is primarily a mix of RU1 – Large Lot Housing, RU4 – Duplex Housing, and I2 – General Industrial. The subject property is in close proximity to Pearson Road Elementary School, and transit bus stops along McCurdy Road.

5.0 Current Development Policies

5.1 <u>Kelowna Official Community Plan (OCP)</u>

Objective 5.3 Design	gn residential infill to be sensitive to neighbourhood context.
Policy 5.3.1.	Encourage gentle densification in the form of ground-oriented residential uses
Ground Oriented	such as house-plexes, townhouses and narrow lot housing to approximately 2
Infill	storeys, maintaining residential uses and setbacks that reflect the existing
	development pattern. Consider opportunities for greater height and massing at
	block ends and along Active Transportation Corridors as outlined in Figure 5.3.
	The MF1 zone allows for up to two storeys of ground-oriented housing.
Objective 5.11. Increase the diversity of housing forms and tenure to create an inclusive,	
affordable and complete Core Area.	

Policy 5.11.1.	Ensure a diverse mix of low and medium density housing forms in the Core Area
Diverse Housing	that supports a variety of households, income levels and life stages.
Forms	The proposal adds density within the Core Area near Pearson Road Elementary

6.o Application Chronology

Application Accepted: May 15, 2023
Neighbourhood Notification Summary Received: July 14, 2023

Report prepared by: Alissa Cook, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Development Engineering Memo

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

CITY OF KELOWNA

Planner Initials AC



MEMORANDUM

Date: June 5, 2023

File No.: Z23-0032

To: Urban Planning (AC)

From: Development Engineering Manager (NC)

Subject: 870-872 Mayfair Rd RU4 to MF1

The Development Engineering Department has the following requirements associated with this application to rezone the subject property from RU4 – Duplex Housing to MF1 – Infill Housing to facilitate five townhouses

Works and Services attributable at time of Building Permit are contained in the Development Engineering memo under file DP23-0102.

The Development Engineering Technician for this file is Sarah Kelly (skelly@kelowna.ca).

1. **GENERAL**

a. The following comments and requirements are valid for a period of two (2) years from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to modify some or all items in this memo if zone amendment bylaw is not adopted within this time.

2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject property is located within the Black Mountain Irrigation District (BMID) Water Supply Area. The Developer's Consulting Engineer will determine the servicing and fire protection requirements of this proposed development. The Developer is required to make satisfactory arrangements with BMID for all water servicing and fire protection requirements.
- b. All fire flow calculations are to be provided to the City's Development Engineering Department, with confirmation of adequate fire flow to the subject property of at least 150 L/s from BMID being provided to the City Engineer prior to adoption of the zone amendment bylaw

Nelson Chapman, P.Eng.

Development Engineering Manager

SK

CITY OF KELOWNA

BYLAW NO. 12569 Z23-0032 870-872 Mayfair Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

- THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 7 District Lot 143 ODYD Plan 24833 located on Mayfair Road, Kelowna, BC from the RU4 – Duplex Housing zone to the MF1 – Infill 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 Cou	ncil this
Approved under the Transportation Act this	
(Approving Officer – Ministry of Transportation)	
Adopted by the Municipal Council of the City of Kelowna	a this
	Mayor
	C'I. Cl. I
	City Clerk



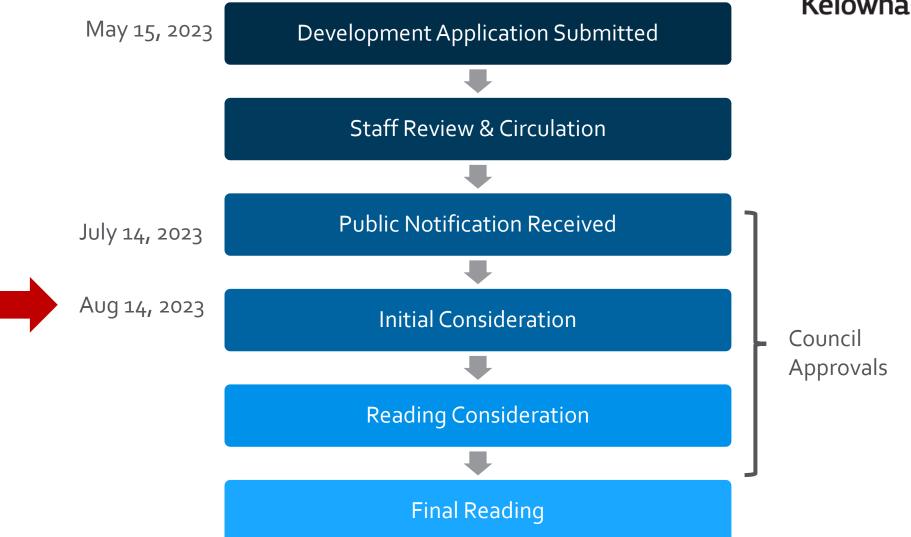


Purpose

➤ To rezone the subject property from the RU₄ — Duplex Housing zone to the MF₁ — Infill Housing zone to facilitate five townhouses.

Development Process

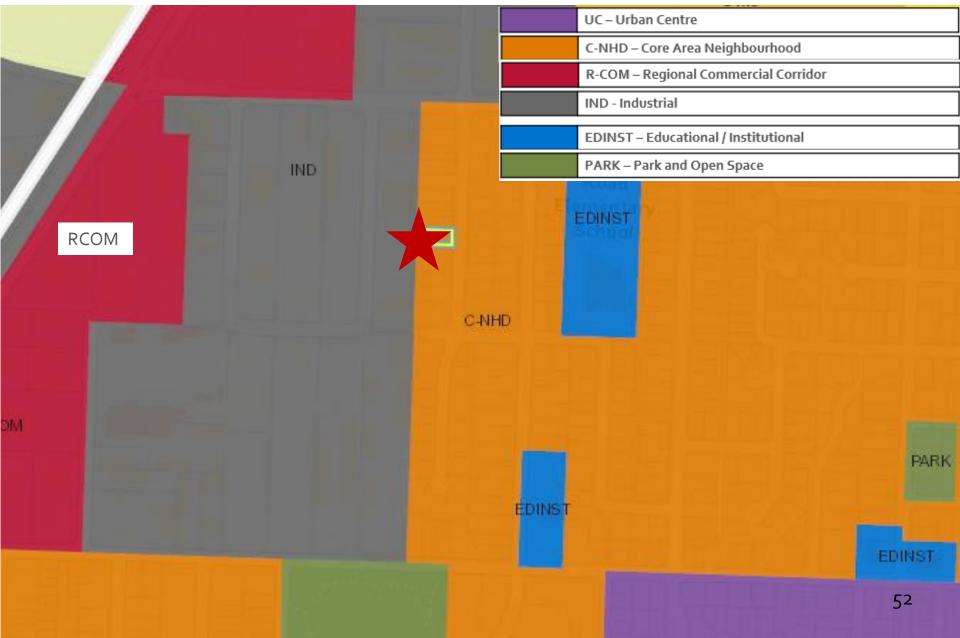




Context Map Walk Score Transit Score Pearson Road Elementary School

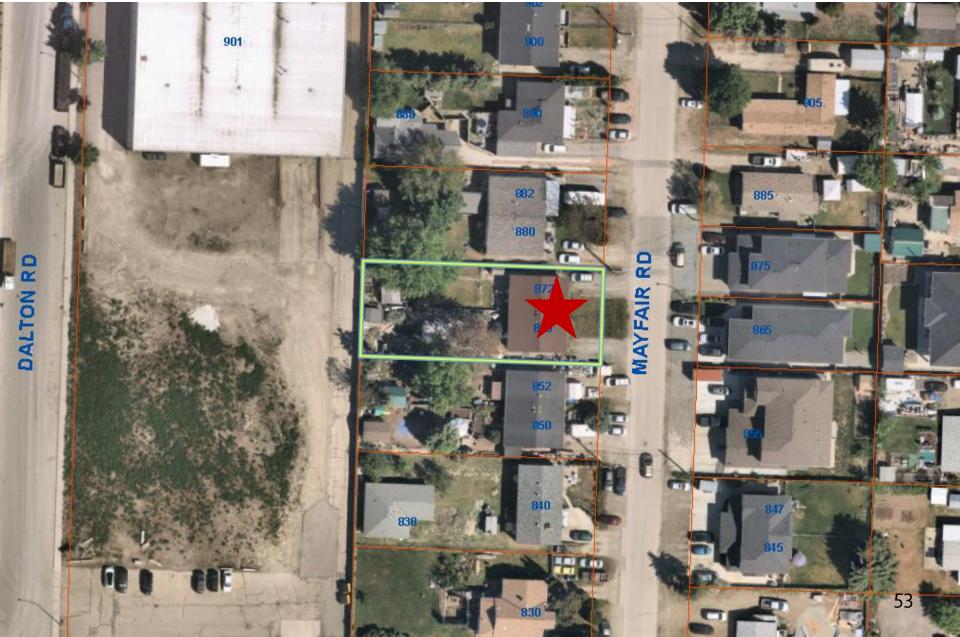
OCP Future Land Use





Subject Property Map







Project Details

- ► C-NHD Core Area Neighbourhood
- ► Ru4 Duplex Housing to MF1 Infill Housing
- Close proximity to Pearson Road Elementary School
- ► Transit stops along McCurdy Rd



OCP Objectives & Policies

- ► Policy 5.3.1: Ground Oriented Infill
 - Encourages gentle densification of residential uses such as house-plexes and townhouses to approximately 2 storeys
- ▶ Policy 5.11.1. Diverse housing forms
 - ► Encourages low and medium density



Staff Recommendation

- ➤ Staff recommend **support** for the proposed rezoning as it is consistent with:
 - OCP Future Land Use C-NHD
 - ▶ OCP Objectives in Chapter 5 Core Area
 - Ground Oriented Infill
 - Diverse Housing Forms

REPORT TO COUNCIL REZONING

Date: August 14, 2023

To: Council

From: City Manager
Address: 4519 Horak Rd
File No.: Z23-0030

	Existing	Proposed
OCP Future Land Use:	S-RES – Suburban Residential	S-RES – Suburban Residential
Zone:	RU1 – Large Lot Housing	RU4 – Duplex Housing

Kelowi

1.0 Recommendation

THAT Rezoning Application No. Z23-0030 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 District Lot 358 ODYD Plan 17432, located at 4519 Horak Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated August 14, 2023;

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

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone to facilitate a two lot subdivision.

3.0 Development Planning

Staff support the proposed rezoning application to the RU4 – Duplex Housing zone to facilitate a two-lot subdivision. The existing house will be demolished to accommodate the two-lot split. The proposal meets the purpose of the 2040 Official Community Plan (OCP) Future Land Use Designation of S-RES – Suburban Residential, which speaks to the accommodation of single and two dwelling growth. The property is connected to City sanitary sewer, and is within the Permanent Growth Boundary (PGB). A tree inventory was completed for the subject property and several high value trees were identified. Tree covenants will be registered on title through the subdivision process.

Lot Area	Proposed (m²)
Gross Site Area	1416 m²
Road Dedication	6.om (corner rounding
	only)
Undevelopable Area	N/A
Net Site Area	N/A

Site Context & Background 4.0

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Detached Housing
East	RU1 – Large Lot Housing	Single Detached Housing
South	RU1 – Large Lot Housing	Single Detached Housing
West	RU1 – Large Lot Housing	Single Detached Housing





The property is in close proximity to Okanagan Mission Secondary School, Bellevue Creek Elementary, and transit stops.

Current Development Policies 5.0

Kelowna Official Community Plan (OCP) 5.1

Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and		
adaptable.	adaptable.	
Policy 7.2.1	Consider a range of low density ground-oriented housing development to	
Ground Oriented	improve housing diversity and affordability and to reduce the overall urban	
Housing	footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented	
	housing where it is in close proximity to small scale commercial services,	
	amenities like schools and parks, existing transit service and/or active	
	transportation facilities.	

The proposed rezoning would provide additional ground-oriented dwellings within the suburban context in close proximity to schools and transit.

6.0 Application Chronology

Application Accepted: April 28, 2023
Neighbourhood Notification Summary Received: July 26, 2023

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: Development Engineering Memo

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

CITY OF KELOWNA

MEMORANDUM

Date: June 7, 2023

File No.: Z23-0030

To: Community Planning Manager (DS)

From: Development Engineering Manager (NC)

Subject: 4519 Horak Rd RU1 to RU4

The Development Engineering Department has the following requirements associated with this application to rezone the subject property from RU1 Large Lot Housing to RU4 Duplex Housing to facilitate a 2-lot subdivision.

The following Works and Services will be required of this development at time of Zoning if the application to rezone the subject property proceeds independently of the Subdivision.

If this application to rezone the subject property proceeds concurrently with the subdivision, the Development Engineering Branch has no requirements associated with the rezoning, as all matters may be deferred to Subdivision. Works and Services attributable at time of Subdivision are contained in the Development Engineering memo under file S23-0026.

The Development Engineering Technician for this file is Chris Pedersen (cpedersen@kelowna.ca).

- a. A road dedication of 6.0 m radius at the corner of Horak Rd and Raymer Rd is required to achieve adequate maneuverability to the site.
- b. The City estimates that less than 60 L/s is available for fire flow from the hydrant adjacent to the property on Raymer Rd. To meet Bylaw 7900 fire hydrant spacing of 100 m and fire flow requirements of 90 L/s for Medium-Density Residential, a new hydrant is required on Horak Rd. Please contact the development technician for this project to arrange for a cost estimate and installation options. The Developer must arrange for the installation of the hydrant prior to adoption of the zone amendment bylaw.

Nelson Chapman, P.Eng.

Development Engineering Manager

CP



CITY OF KELOWNA

BYLAW NO. 12570 Z23-0030 4519 Horak Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 1 District Lot 358 ODYD Plan 17432 located on Horak Road, Kelowna, BC from the RU1 Large Lot Housing zone to the RU4 Duplex 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

Adopted by the Municipal Council of the City of Kelowna this

Mayor
City Clerk





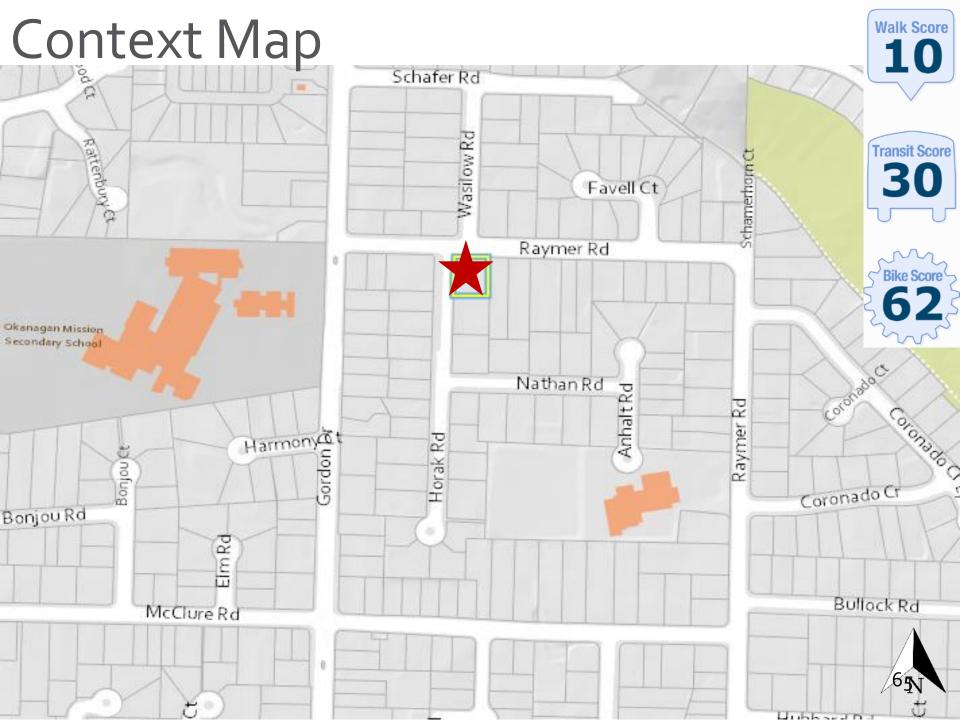
Purpose

► To rezone the subject property from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone to facilitate a two lot subdivision.

Development Process

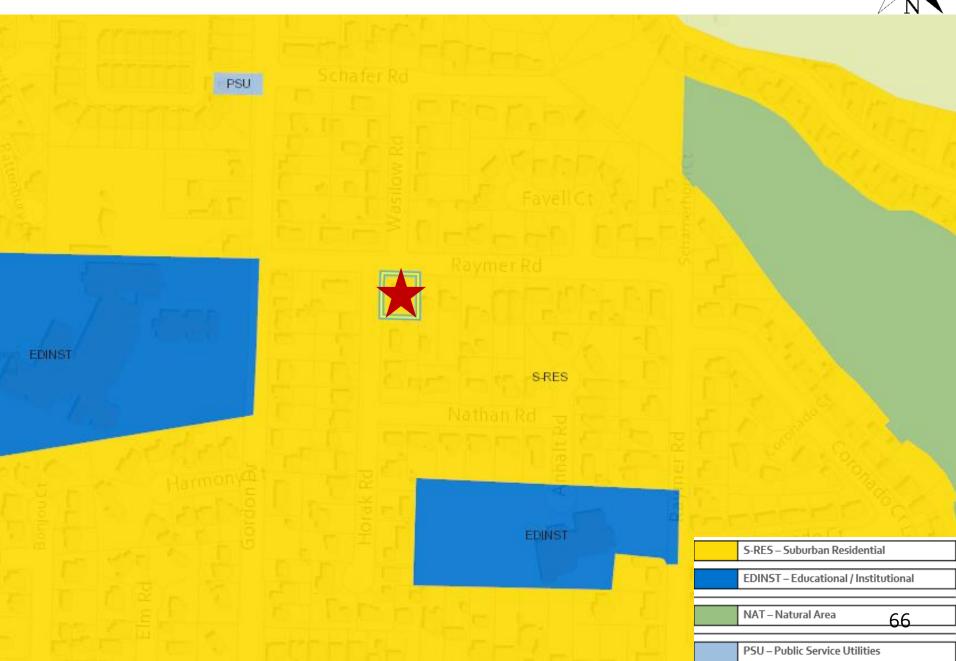






OCP Future Land Use





Subject Property Map







Project Details

- ► S-RES Suburban Residential
- ► RU4 Duplex Housing
 - ➤ Close to Okanagan Mission Secondary School, Bellevue Creek Elementary, and transit stops along Gordon Dr.
- Tree covenant to be registered through subdivision process.



OCP Objectives & Policies

- ▶ Policy 7.2.1: Ground Oriented Housing
 - Consider a range of low-density ground-oriented housing development to improve housing diversity.



Staff Recommendation

- Staff recommend support for the proposed rezoning as it is consistent with:
 - OCP Future Land Use C-NHD
 - ▶ OCP Objectives in Chapter 5 Core Area
 - Ground Oriented Infill

REPORT TO COUNCIL REZONING



Date: August 14, 2023

To: Council

From: City Manager

Address: 1459 & 1467 Gordon Dr, 1104 – 1130 Lawson Ave, 1488 Aspen Ct

File No.: Z23-0022

	Existing	Proposed
OCP Future Land Use:	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
Zone:	RU4 – Duplex Housing	MF3r – Apartment Housing with Rental Only

1.0 Recommendation

THAT Rezoning Application No. Z23-0022 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of:

- 1. Lot 7 District Lot 137 ODYD Plan 14393, located at 1459 Gordon Dr, Kelowna, BC;
- 2. Lot 8 District Lot 137 ODYD Plan 14393, located at 1467 Gordon Dr, Kelowna, BC;
- 3. Lot 9 District Lot 137 ODYD Plan 14393, located at 1104 1110 Lawson Ave, Kelowna, BC;
- 4. Lot 10 District Lot 137 ODYD Plan 14393, located at 1120 1130 Lawson Ave, Kelowna, BC;
- 5. Lot 11 District Lot 137 ODYD Plan 14393, located at 1488 Aspen Ct, Kelowna, BC;

from the RU₄ – Duplex Housing zone to the MF₃r – Apartment Housing with Rental Only zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated August 14, 2023;

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

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

2.0 Purpose

To rezone the subject properties from the RU₄ – Duplex Housing zone to the MF₃r – Apartment Housing with Rental Only zone to facilitate the development of rental apartment housing.

3.0 Development Planning

Staff support the proposed rezoning from the RU₄ – Duplex Housing zone to the MF₃r – Apartment Housing (Rental Only) zone. The proposed rezoning will facilitate the development of a rental apartment building which aligns with the Official Community Plan (OCP) Future Land Use Designation of C-NHD Core Area Neighbourhood. OCP Policy supports apartment housing, up to 6 storeys in height, where properties directly

abut Transit Supportive Corridors. The proposed Rental Only subzone aligns with OCP Policy encouraging Diverse Housing Tenures within the Core Area.

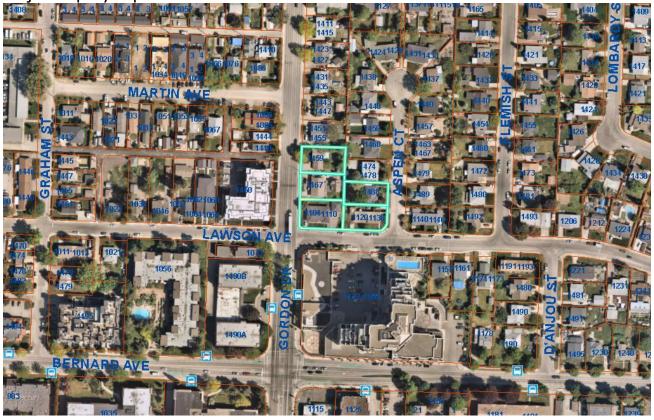
The applicant is required to dedicate 5 m of road along the frontage of Gordon Drive and 1.5 m of road along the frontage of Aspen Court.

Lot Area	Proposed (m²)
Gross Site Area	3977 m²
Road Dedication	343 m²
Undevelopable Area	n/a
Net Site Area	3634 m²

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	RU4 – Duplex Housing	Duplexes & Single Detached Dwellings
East	RU4 – Duplex Housing	Single Detached Dwellings & Duplexes
South CD17 – High Density Mixed Use Commercia	CDs - High Dansity Miyad Has Commercial	Centuria Urban Village (apartment housing
	CD1/ - High Density Mixed Ose Commercial	& commercial)
West	MF ₃ – Apartment Housing	Apartment Housing

Subject Property Map:



The subject properties are located at the intersection of Lawson Ave, Gordon Dr, and Aspen Ct. Gordon Drive is a Transit Supportive Corridor. Transit stops are located within 200 m on Gordon Dr and Bernard Ave. Surrounding properties include a mix of single detached dwellings, duplexes, apartment housing, and commercial units.

5.0 Current Development Policies

5.1 <u>Kelowna Official Community Plan (OCP)</u>

Objective 5.2 Focus	residential density along Transit Supportive Corridors.
Policy 5.2.1 Transit	Encourage development that works toward a long term population density of
Supportive	between 50 – 100 people per hectares within 200 m of each corridor to achieve
Corridor Densities	densities that support improved transit service and local services and amenities.
	Discourage underdevelopment of properties along Transit Supportive Corridors.
	The subject properties are adjacent to a Transit Supportive Corridor (Gordon Drive).
Policy 5.2.2 Low	Encourage low rise apartments and stacked townhouses up to six storeys in
Rise Corridor	height in Core Area Neighbourhoods that front or directly abut Transit
Development	Supportive Corridors. Consider lower heights for such projects where adjacent
	neighbourhoods are not anticipated to experience significant infill and
	redevelopment. Consider buildings above six storeys where the project is
	adjacent to higher capacity transit along Highway 97, a major intersection, or
	near an Urban Centre, with due consideration for the context of the surrounding
	neighbourhood.
	The proposed rezoning to MF3r – Apartment Housing (Rental Only) would facilitate
	the development of apartment housing, up to 6 storeys in height, directly abutting
	a Transit Supportive Corridor.
	ase the diversity of housing forms and tenure to create an inclusive, affordable
and complete Core	
Policy 5.11.2	Encourage a range of rental and ownership tenures that support a variety of
Diverse Housing	households, income levels, and life stages. Promote underrepresented forms of
Tenures	tenure, including but not limited to co-housing, fee-simple row housing, co-ops,
	and rent-to-own.
	The proposed rezoning to the Rental Only subzone will facilitate the development
	of long-term rental housing.

6.0 Application Chronology

Application Accepted: April 18, 2023
Public Information Session May 23, 2023
Neighbourhood Notification Summary Received: May 29, 2023

Report prepared by: Mark Tanner, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Development Engineering Memo Attachment B: Public Information Session Summary

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

CITY OF KELOWNA

MEMORANDUM

Date: June 12, 2023

File No.: Z23-0022

To: Urban Planning (MT)

From: Development Engineering Manager (NC)

Subject: 1120-1130 & 1104-1110 Lawson Ave

1467 &1459 Gordon Dr, and 1488 Aspen Ct



RU4 to MF3r

The Development Engineering Department has the following comments associated with this application to rezone the subject properties from the RU4 - Duplex Housing zone to the MF3r - Apartment Housing (Rental Only) zone.

Works and Services attributable at time of Building Permit are contained in the Development Engineering memo under file DP23-0072.

The Development Engineering Technician for this file is Sarah Kelly (skelly@kelowna.ca).

1. GENERAL

- a. The following comments and requirements are valid for a period of two (2) years from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to modify some or all items in this memo if the zone amendment bylaw is not adopted within this time.
- b. Comments and requirements contained herein assume the subject properties will be consolidated into a single lot.

2. PROPERTY-RELATED REQUIREMENTS

- a. Approx. 5 m road dedication along the frontage of Gordon Dr is required for a 28m ROW.
- b. Approx. 1.5 m road dedication along the frontage of Aspen Ct is required for an 18m ROW.
- c. A road dedication of 6.0 m radius at the corner of Gordon Dr & Lawson Ave and Lawson Ave & Aspen Ct is required.

Nelson Chapman, P.Eng.

Development Engineering Manager

SK



ATTACHMENT B

This forms part of application
Z23-0022

City of

Kelowna

COMMUNITY PLANNING

May 26, 2023

RE: Z23-0022 DP23-0072 - Public Notification Summary and Information Session Summary

To whom it may concern,

Troika Management is pleased to confirm the completion of the Neighbourhood Consultation for our proposed development located at our land assembly consisting of the following properties: 1459 Gordon Dr, 1467 Gordon Drive, 1104-1130 Lawson Avenue, and 1488 Aspen Ct.

Public Notification - Completed May 9th, 2023

We notified all owners/occupants located within a 50m radius of our properties by delivering an informational brochure (attached to this form) per Council Policy 367. Within the 50m radius, there were several apartment buildings that did not permit solicitors. For these homes, we delivered the brochure via Canada Post Mail Services.

For the remaining properties, we canvassed the homes providing the brochure and engaging in conversations with the occupants whenever possible. The majority of homeowners/occupants that were engaged identified as renters and were supportive of the proposal commenting on the necessity for more rental units. There was one resident who was very outspoken against the development community and our project. She specifically spoke as a renter for 9 years speaking to replacing rent-controlled units with potential market rate rentals and the need for more family sized units. We recognize this issue and spoke to the fact that the 9 rental units across the current subject properties consisted of only a single 3-bed unit. Our building will be replacing these 9 units with 130 rental units, including 6, 3-bed townhome units increasing the supply to the area.

Despite this opposition, it is worth noting that the only other main area of concern were street parking related. Our proposal recognizes this and we have worked hard with our team to avoid the need for a parking variance.

During this notification process, we have provided an opportunity for all owners/occupants to provide their feedback via email to both the Development Manager and the appropriate City Planner. We will diarize all communication received and provide it as the application progresses.

Public Information Session – Completed May 23rd, 2023

All residents within a 50m radius of our property were notified of an information session hosted by our team near to the subject property in compliance with Council Policy 367.

The following summary report is available:

- Location of the Public Information Session
 - o 302-554 Leon Avenue Kelowna BC V1Y6J6 at our Troika office
- Time and duration of the event
 - o 3pm to 7pm on May 23rd, 2023
- Attendees
 - o 12 attendees, 10 of which signed our "Sign in Sheet" (attached below)



TROIKA

ATTACHME	ENT B
This forms part of ap	pplication
# Z23-0022	
	City of
Planner Initials MT	Kelowna COMMUNITY PLANNING

- How was the session advertised?
 - o Informational brochures with the session information provided was delivered to all residents within 50m of the subject properties. Additionally, event information was posted on the Large Format Development Notice Signage placed on the subject properties. Lastly, information on the session was posted both online on the Daily Courier's website as well as printed in their newspaper. All notifications were provided in accordance with the timing outlined in Council Policy 367.
- What information was provided at the session?
 - We included visual renderings of the property, site plans, landscape plans, for discussion. As well, we provided takeaway informational brochures available to all attendees. We provided refreshments and comment cards for attendees to fill out (attached below). Several team members were available to discuss any of the relevant plans, studies and technical information regarding the proposal.
- How is the input received being used?
 - We were very pleased with the response to the project, neighbours were pleased with the design of the building including the decision to step down the frontage along Lawson Avenue to 5 stories to ease the transition from the Centuria site to the residential neighbourhood.
 - Some comments that we are taking as feedback included the desire for limiting street parking (we are parking variance free) as well as attempting to maintain old growth trees (we are engaged with an arborist to determine what can be incorporated into the site as well as what opportunities exist to bring in more mature trees as a part of our landscape design).
 - While not all neighbours were present, we were very encouraged by the community response to the proposal. Many indicated that while they don't necessarily want to live next to a construction site for the near future, they were aware something was coming and that this seems to be a fair proposal, particularly given its location adjacent to Gordon Drive. As well, we also heard support in that it brings much needed rental supply to Kelowna.

The session was organized and consistent with Council Policy 367, we were very pleased by the results of our public notification and consultation. We will be interested to hear from City Staff on what additional correspondence they receive directly, however we were encouraged even by those opposed as we feel this project addresses the concerns raised. We at Troika are excited to have an opportunity to bolster the community's rental supply. Thank you for your consideration.

Sincerely,

Troika Management Corp.

Josh Klassen Development Manager 250.212.4110 josh@troikagroup.ca #302-554 Leon Ave. Kelowna, BC V1Y 6J6



TROIKA







PROJECT LOCATION





We at Troika Management Corp are pleased to announce the latest Troika project coming to your neighbourhood! Troika is a progressive, future-focused land and real estate development company based in Kelowna BC. Founded in 2000, Troika has built sustainable communities through the development, construction, and management of: 2,500 residential units, 300,000 square feet of commercial real estate, and 1,200 acres of land. We are involved from start to finish in the creation of living spaces and communities, from the acquisition of under-utilized land, construction, sales and marketing right through to property management.

The proposed project contributes to the fulfilment of Kelowna's Official Community Plan for the Core Area Neighbourhood by taking 5 single family lots and combining them into a progressive, ground orientated rental apartment block that serves the community with a range of unit types from studio apartments to walk-out townhouse units.

The proposed project will consolidate 5 lots located at 1459 Gordon Dr, 1467 Gordon Dr, 1104 & 1110 Lawson Avenue, 1120 & 1130 Lawson Ave, and 1488 Aspen Crt. and bring density to the location by providing 130 homes in the form of a 6 storey, wood frame, rental building.



PROPOSED REZONING & COMMUNITY INTERACTION

The site has been zoned by the City of Kelowna as RU4. We are proposing a rezoning of the site to Multi Family - Rental Designation (MF3r). This proposed rezoning is in alignment with the City of Kelowna 2040 Official Community Plan as the property falls within the Core Area Neighborhood. Policy supports higher density in this area, specifically along Transit Supportive Corridors such as Gordon Drive. The rental subzone is to



accommodate sites that guarantee the development as rental housing, an identified area of great need for the City of Kelowna. Given the project's proximity to downtown as well as the transit supported corridor, Gordon Dr., this site has been identified as a prime candidate for rezoning to this designation.

This project takes advantage of the retail options provided by the adjacent mixeduse developments, and will soften the transition from the existing high-density project south of our development to the surrounding low-density residential.

We are excited to share that through collaboration with the City of Kelowna in the design of this project, that this is a variance-free development proposal being submitted for consideration.

The design of the project balances the need for increased density with the intention of respecting and amplifying the surrounding neighborhood. By incorporating a generous rooftop amenity space on nearly half of the sixth floor, our design helps to limit the overall building height to further ease the transition from high to low density properties. In addition to this, the building also includes programed indoor amenity spaces, multi-use green spaces, and pedestrian focused exterior landscape areas. We are committed to providing functional, and enjoyable amenity areas for our developments.



PUBLIC INFORMATION SESSION





Thank you for considering our latest Troika project! We are excited to bring this project to your neighbourhood and we look forward to providing future updates as we progress! If you would like to share your thoughts or concerns, or put forward additional questions, please do not hesitate to reach out via email to myself, or to the City Planner, Mark Tanner.

In addition to the above feedback option, we will be hosting a <u>Public Information Session on May 23rd, 2023. The Information Session will be hosted at 302-554 Leon Avenue, Kelowna BC V1Y 6J6 and will run from 3-7pm.</u> This is the community's opportunity to speak directly with members of the project team to address any questions or concerns you may have regarding this development proposal.

We welcome and appreciate the neighbourhood's comments. Your input is critical to our goal to create sustainable communities.

Sincerely,

Josh Klassen Development Manager Troika Management Corp

CONNECT WITH US

Josh Klassen Development Manager josh@troikagroup.ca 250.212.4110

Mark Tanner City Planner mtanner@kelowna.ca 250.469.8589



TROIKA



PLEASE SIGN IN



Gordon/Lawson/Aspen

Community Information Session - May 23, 2023

Contact Email:

TROIKA

/	iente viii prov	ide valuable feet	back as we finalize the	design of the Deve	Jopinent.	ATTACHME	ENT_B
I am a: Land	downer	Renter	Other			This forms part of ap # <mark>Z23-0022</mark>	(
Residing at the follo	wing address:					Planner nitials MT	City of Kelow
Comments:		1000		I or F.	1.	1	
NICE	to se	e more	e purpose	built	rento	115.	-

Contact Email:

TROIKA

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Please fill out the comment card below based on the information presented at the May 23, 2023 Public Information Session. Your comments will provide valuable feedback as we finalize the design of the Development. ATTACHMENT This forms part of application # Z23-0022 Wother OWNER Renter Kelowna Landowner I am a: Residing at the following address: Like the look of the plan. Some what Concerned Comments: about Congestron of street parking but I'm sure bylaw I Zaning Will address. Please lobby for a supermarket at Centuria!

TROIKA

В

Please fill out the comment card below based on the information presented at the May 23, 2023 Public Information Session. Your comments will provide valuable feedback as we finalize the design of the Development.

I am a:	Landowner	Renter	Other	ATTACHMENT This forms part of applicat # Z23-0022	
Residing	at the following addres	s:			Cit K
Commen	ts:				
Stre	et parking/pe	destrian c	rossing @ Lawsont Kpen Cou	urt is an	
1594	e recommend	I moving p	arking back at Stop sign &	crosswalk:	
Veh	icles block	traffic / 1	righ pedestrian traffic area	L.	
Contact E	mail:				



Please fill out the comment card below based on the information presented at the May 23, 2023 Public Information Session. Your comments will provide valuable feedback as we finalize the design of the Development.

I am a:	Landowner	Renter	Other			ATTACHM	1ENT_
Residing	at the following addres	161				This forms part of a	application
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Pro	perty (1459	, North edge	e) would	be ideal	tok	exp	
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	3			future	?		

CITY OF KELOWNA

BYLAW NO. 12571 Z23-0022

1459 & 1467 Gordon Drive, 1104 - 1130 Lawson Avenue & 1488 Aspen Court

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of:
 - a. Lot 7 District Lot 137 ODYD Plan 14393 located on Gordon Drive, Kelowna, BC;
 - b. Lot 8 District Lot 137 ODYD Plan 14393 located on Gordon Drive, Kelowna, BC;
 - c. Lot 9 District Lot 137 ODYD Plan 14393 located on Lawson Avenue, Kelowna, BC;
 - d. Lot 10 District Lot 137 ODYD Plan 14393 located on Lawson Avenue, Kelowna, BC;
 - e. Lot 11 District Lot 137 ODYD Plan 14393 located on Aspen Court, Kelowna, BC;

from the RU4 – Duplex Housing zone to the MF3r – Apartment Housing with Rental Only 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





Purpose

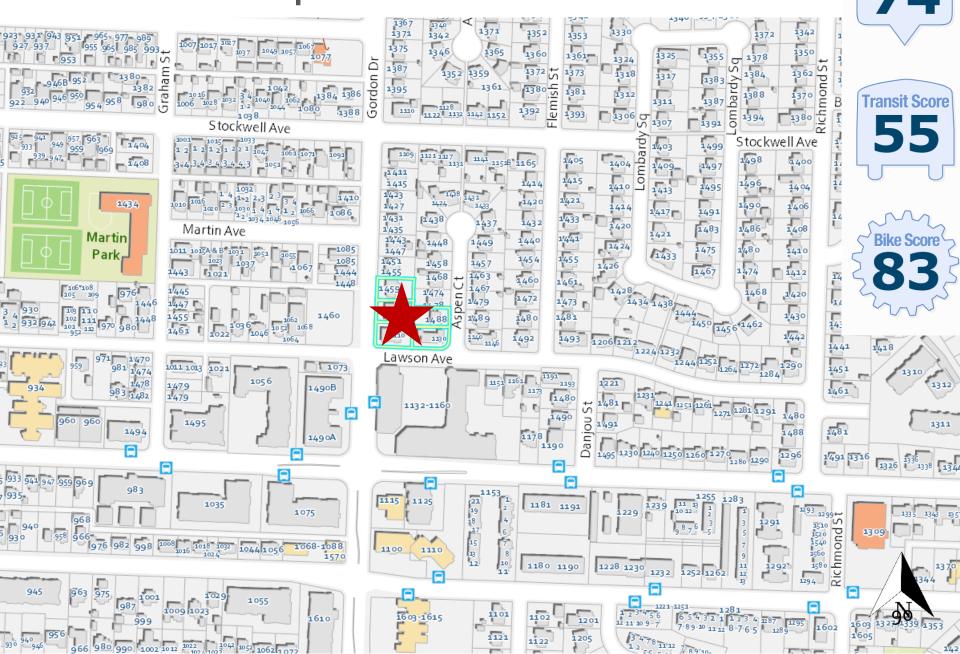
➤ To rezone the subject properties from the RU₄ – Duplex Housing zone to the MF₃r – Apartment Housing (Rental Only) zone to facilitate the development of rental apartment housing.

Development Process





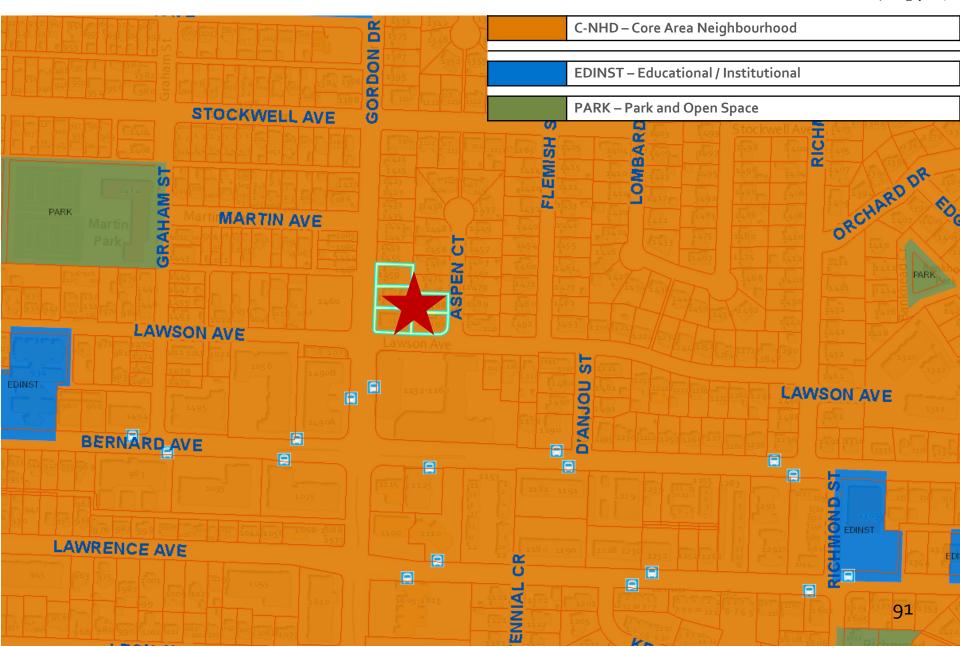
Context Map



Walk Score

OCP Future Land Use





Subject Property Map







Project Details

- ► RU4 Duplex Housing zone to MF3r Apartment Housing (Rental Only)
 - ▶ Facilitate the construction of apartment housing
 - ▶ Long-term rental housing
 - ▶ Vehicle access from Aspen Ct



OCP Objectives & Policies

- ▶ Policy 5.2.1 Transit Supportive Corridor Densities
 - Encourage development that works towards increased density within 200 m of corridors to achieve densities that support improved transit services, local services and amenities
- ▶ Policy 5.2.2 Low Rise Corridor Development
 - Encourage low rise apartments and stacked townhouses up to six storeys in height on sites that directly abut Transit Supportive Corridors
- ► Policy 5.11.2 Diverse Housing Tenures
 - ► Encourage a range of rental and ownership tenures



Staff Recommendation

- Staff recommend **support** for the proposed Rezoning as it is consistent with:
 - OCP Future Land Use: C-NHD Core Area Neighbourhood
 - ▶ OCP Objectives in Chapter 5 Core Area
 - ► Transit Supportive Corridor Densities
 - Low Rise Corridor Development
 - Diverse Housing Tenures

REPORT TO COUNCIL REZONING

Date: August 14, 2023

From: City Manager

 Address:
 1691 Cara Glen Way

 File No.:
 Z23-0033 TA23-0008

Council

	Existing	Proposed
OCP Future Land Use:	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
Zone:	RR1 – Large Lot Rural Residential	MF2 – Townhouse Housing

City of

Kelowna

1.0 Recommendation

To:

THAT Rezoning Application No. Z23-0033 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 20 Section 32 Township 26 ODYD Plan KAP60008 Except Plans KAP77707, KAP87078 and KAP91641, located at 1691 Cara Glen Way, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the MF2 – Townhouse Housing zone as shown on Map "A" attached to the Report from the Development Planning Department dated August 14, 2023, be considered by Council;

AND THAT Zoning Bylaw Text Amendment Application No. TA23-0008 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in the Report from Development Planning Department dated August 14, 2023, for Lot 20 Section 32 Township 26 ODYD Plan KAP60008 Except Plans KAP77707, KAP87078 and KAP91641, located at 1691 Cara Glen Way be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw and Zoning Bylaw Text Amending Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated August 14, 2023;

AND FURTHER THAT final adoption of the Rezoning Bylaw and Zoning Bylaw Text Amending Bylaw be considered subsequent to the portion of the property being rezoned to MF2 – Townhouse Housing zone as shown on on Map "A", attached to the Report from the Development Planning Department dated August 14, 2023, being consolidated with Lot 1 Section 32 Township 26 ODYD Plan KAP91641, located at 530 Caramillo Ct, Kelowna, BC.

2.0 Purpose

To rezone a portion of the subject property from the RR1 – Large Lot Rural Residential zone to the MF2 – Townhouse Housing zone and to amend the Zoning Bylaw with a Site-Specific Text Amendment to allow apartment housing up to four storeys in height on the subject property.

3.0 Development Planning

Staff support the proposed rezoning application for a portion of the subject property from the RR1 – Large Lot Rural Residential zone to the MF2 – Townhouse Housing zone. If approved, the MF2 zoned portion of the property would be consolidated with the adjacent MF2 zoned property to the south to facilitate a multi-

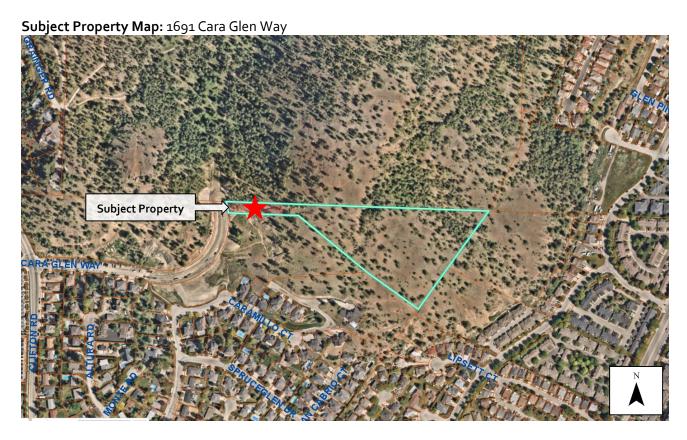
dwelling development. The remainder of the property would be dedicated to the City as parkland and consolidated into Knox Mountain Park East.

Official Community Plan (OCP) policy for the Core Area Neighbourhood supports multi-dwelling development where the property was zoned to allow for such uses when the OCP was adopted. This rezoning would allow for a minor addition to an existing development site to make it more practical to develop. The proposal also complies with OCP policy which encourages the preservation and acquisition of natural areas and protecting hillsides and environmentally sensitive areas.

Lot Area	Proposed (m²)
Gross Site Area	34,722
Road Dedication	N/A
Undevelopable Area	~32,900
Net Site Area	~1822

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	P ₃ – Parks and Open Space	Knox Mountain Park East
Fact	RU4 – Duplex Housing	Townhouse Housing Strata
East	RR1 – Large Lot Rural Residential	Single Detached Housing
South	MF2 – Townhouse Housing	Vacant
300111	RR1 – Large Lot Rural Residential	Single Detached Housing
West	RR1 – Large Lot Rural Residential	Vacant



The subject property is located in Glenmore, east of Clifton Road. Cara Glen Way adjacent to the subject property is currently being constructed to provide access to the site. Knox Mountain Park East is immediately to the north. The surrounding neighbourhood is primarily comprised of single detached dwellings, while there are townhouses and apartments located west of Clifton Road.

4.1 <u>Background</u>

On May 19, 2009, Council adopted an OCP Amendment (OCPo6-0005) and Rezoning Bylaw (Zo6-0024) to rezone the neighbouring property at 530 Caramillo Ct, immediately south of the subject property, to the RM3 – Low Density Multiple Housing zone. A Development Permit and Development Variance Permit were subsequently issued by Council on June 10, 2010 for a five building, 60 unit apartment housing development. The variance allowed the buildings to be up to 6 storeys in height. The Development Permit and Development Variance Permit expired in 2012 as construction of the project did not commence.

When Zoning Bylaw No. 12375 was adopted in September 2022, in order to carry over the uses and density allowed by the existing RM3 zoning, the property at 530 Caramillo Ct was given the MF2 – Townhouse Housing zone with a site-specific condition that permits apartment housing up to four storeys in height.

5.0 Current Development Policies

5.1 <u>Kelowna Official Community Plan (OCP)</u>

Objective 5.3 Design residential infill to be sensitive to neighbourhood context		
Policy 5.3.5 Existing	Consider support for stacked row housing, low rise apartments and mixed use	
Uses and Scales	buildings in Core Area Neighbourhoods where the property was zoned to allow	
	for such uses on the date that the <i>Official Community Plan</i> was adopted.	
	The adjacent property is zoned to allow four storey apartment buildings since	
	2009. The proposed rezoning of a small portion of the subject property is a minor	
	addition to create a practical development site.	

Objective 10.1 Ac	quire new parks to enhance livability throughout the City.
Policy 10.1.15	Preserve a diversity of Natural Areas for habitat and ecosystem conservation with
Natural Areas	limited trails and other low impact activities. The network should contain
	representative Okanagan ecosystems , contain areas of natural beauty and of
	high visual sensitivity, with opportunities for view points, staging areas, and linear
	trails. Aim for contiguous spaces that link to other regionally and provincially
	protected spaces.
	The balance of the subject property, not subject to rezoning will be dedicated to the
	City as parkland and incorporated as part of Knox Mountain Park East.

Objective 14.5 Pro	tect and restore environmentally sensitive areas from development impacts
Policy 14.5.1	Design new development to prioritize protection of environmentally sensitive
Development	areas. Design the development to not disturb natural ecosystems, preserve
Design in	environmentally sensitive features, adapt to natural topography and to avoid
Environmentally	overall environmental impact.
Sensitive Areas	The proposed rezoning is for the flatter portion of the property near the road. Steep
	slopes and the majority of 'high' environmentally sensitive areas are contained on
	the property, which will be dedicated as parkland.

6.0 Application Chronology

Application Accepted: May 16, 2023
Neighbourhood Notification Summary Received: June 15, 2023

Report prepared by: Mark Tanner, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

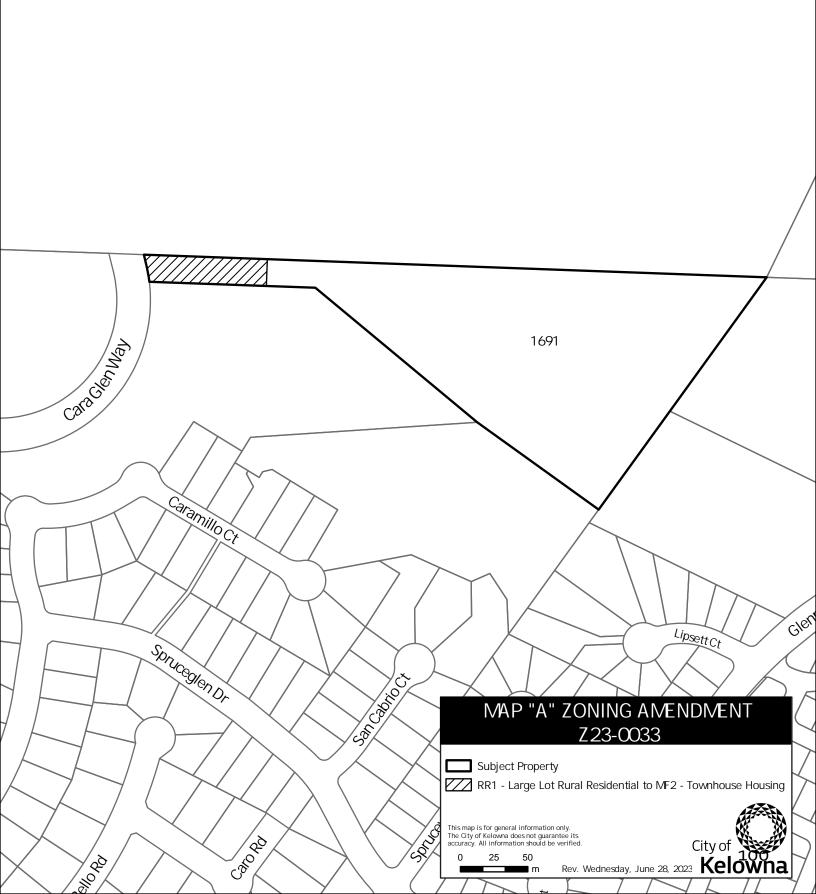
Map A: Zoning Amendment

Schedule A: Proposed Text Amendment

Attachment A: Development Engineering Memo

Attachment B: Proposed Zoning Plan

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.



Schedule A – Proposed Text Amendment

No.	Section	Current Wording	Proposed Wording				To allow apartment housing up to 4 storeys in height as a permitted
1.	Section 13.7 – Multi-Dwelling Zones, 13.7 Site Specific Regulations	N/A	13.7 Site Specific Uses and Regulations Uses and regulations apply on a site-specific basis as follows:				
				Legal Description	Civic Address	Regulation	use.
			6	Lot 20 Section 32 Township 26 ODYD Plan KAP60008 Except Plans KAP77707, KAP87078 and KAP91641	1691 Cara Glen Way	The MF2 – Townhouse Housing portion of this property is permitted to have Apartment housing limited to 4 storeys.	



CITY OF KELOWNA

MEMORANDUM

Date: June 5, 2023

File No.: Z23-0033

To: Urban Planning Manager (JB)

From: Development Engineering Manager (NC)

Subject: 1691 Cara Glen Way

ATTACHMENT A

This forms part of application

Z23-0033 TA23-0008

City of

Planner Initials

MT

Kelowna COMMUNITY PLANNING

RR1 to MF2

The Development Engineering Department has the following comments associated with this Rezoning Application to rezone **a portion** (westernmost 0.44 ac only) of the subject property from the RR1 - Large Lot Rural Residential zone to the MF2 – Townhouse Housing zone with a site-specific regulation to allow apartment housing up to 4 storeys.

The Development Engineering Technician for this file is Cindal McCabe (cmccabe@kelowna.ca).

1. **GENERAL**

- a. The following comments and requirements are valid for a period of two (2) years from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to modify some or all items in this memo if the zone amendment bylaw is not adopted within this time.
- b. The applicant intends to consolidate the MF2 portion of the subject property with the existing MF2 zoned property directly to the south (Lot A Plan KAP91641). Development Engineering understands that the completion of this subdivision consolidation is a condition of final adoption of rezoning application Z23-0033.
- c. All comments made within this memo for Z23-0033 are applicable only to the context of the combined rezoning and lot consolidation. If the lot consolidation does not go forward, this memo is not valid, and Development Engineering must review and produce a new memo.
- d. Works and Services for the development on the future consolidated parcel are outlined in the Development Engineering memo under file S21-0081.

2. <u>DOMESTIC WATER AND FIRE PROTECTION</u>

a. The portion of the subject property being rezoned will be serviced when it is consolidated with the existing MF2 parcel to the south (Lot A Plan KAP91641). No additional services will be permitted. The remaining park dedication area does not require services.

3. SANITARY SEWER SYSTEM

a. The portion of the subject property being rezoned will be serviced when it is consolidated with the existing MF2 parcel to the south (Lot A Plan KAP91641). No additional services will be permitted. The remaining park dedication area does not require services.

4. STORM DRAINAGE

a. The portion of the subject property being rezoned will be serviced when it is consolidated with the existing MF2 parcel to the south (Lot A Plan KAP91641). No additional services will be permitted. The remaining park dedication area does not require services.

5. ROADWAY AND STREETSCAPE

a. No frontage improvements are required of this application as they are being constructed with application S21-0081.

6. POWER AND TELECOMMUNICATION SERVICES

- a. All proposed service connections are to be installed underground. It is the Developer's responsibility to make a servicing application with the respective electric power, telephone, and cable transmission companies to arrange for these services. Utility companies are required to obtain the City's approval before commencing construction.
- b. Provide all necessary Statutory Rights-of-Ways for any utility corridors as may be required.

Nelson Chapman, P.Eng.

Development Engineering Manager

CM



PROPOSED ZONING

ZONES

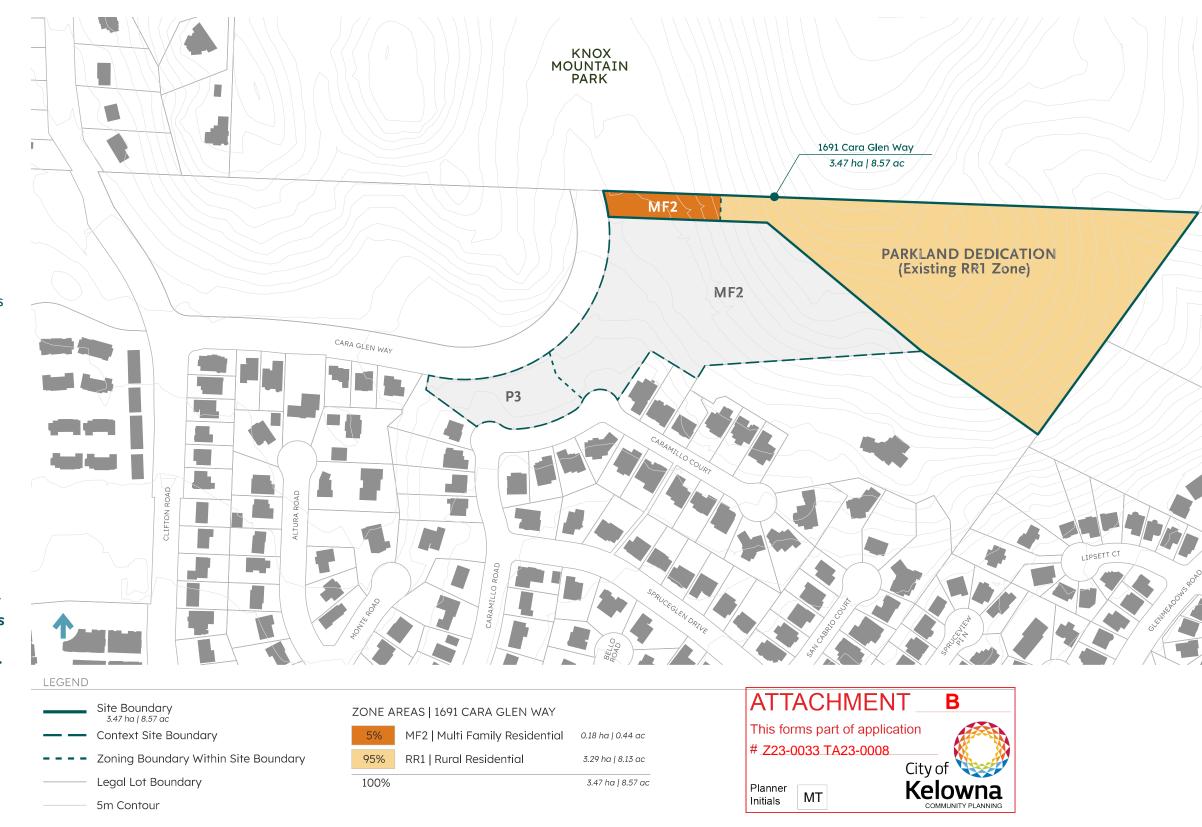
- MF2* Townhouse Housing, and;
- RR1 Rural Residential.

The design proposes the rezoning of a portion (0.44 ac) of 1691 Cara Glen Way to the MF2 - Townhouse Housing zone including the Site Specific Regulations - that allow for a 4-storey apartment building - noted in Section 13.7 that currently has been placed on 530 Caramillo Ct. The intent is to consolidate the rezoned land to the multi-family zoned parcel at 530 Caramillo Ct.

The remainder 10.18 acres of 1691 Cara Glen Way - zoned RR1 and not subject to rezoning - is to be dedicated as parkland to the City of Kelowna as an expansion of Knox Mountain Park.

*The parcel currently zoned as MF2 (530 Caramillo Court) has a site-specific condition from a previously adopted rezoning that allows for apartment buildings up to 4-storeys. The 0.44 acres rezoned MF2 would be consolidated an extension of that same condition.

The property at 530 Caramillo Ct. including the neighbourhood park is not seeking rezoning, but are shown as part of the comprehensive master plan.







Purpose

► To rezone a portion of the subject property from the RR1 – Large Lot Rural Residential zone to the MF2 – Townhouse Housing zone and to amend the Zoning Bylaw with a Site-Specific Text Amendment to allow apartment housing up to four storeys in height on the subject property.

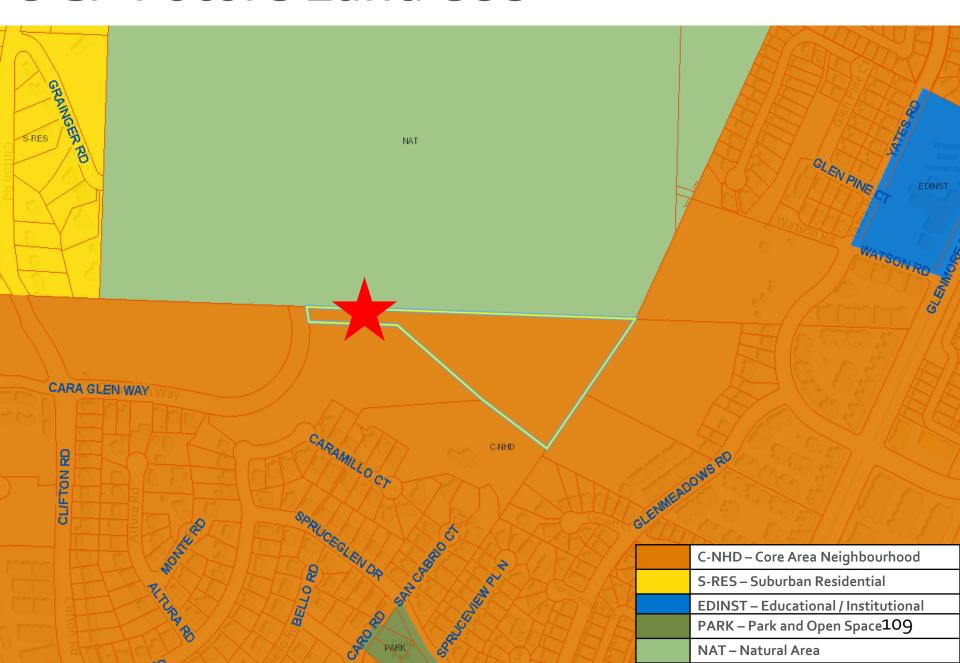
Development Process





Context Map **Walk Score Transit Score** Clifton Rd Knox Mountain Park East **Bike Score** Cara Glen Way

OCP Future Land Use



Subject Property Map

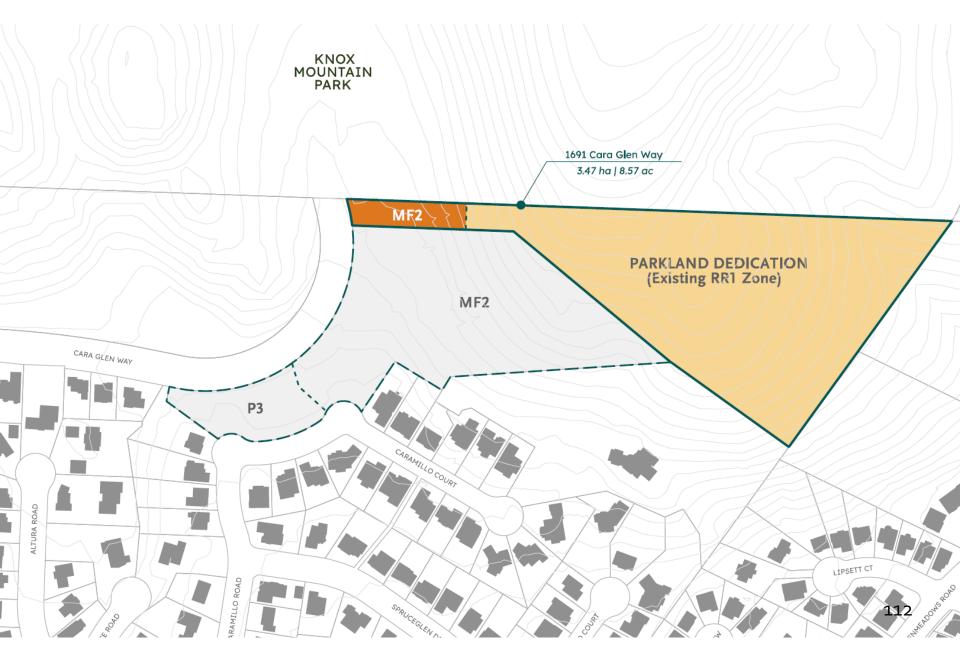




Project Details

- ► MF2 Townhouse Housing**
 - **Site-Specific Text Amendment to allow apartment housing up to four storeys
- Rezoning only a small portion of the panhandle of the lot
- Matches zoning on neighbouring lot to south
 - ▶ To be consolidated
- ▶ Remainder of the lot will be dedicated to the City as parkland

Zoning Amendment





OCP Objectives & Policies

- ► Policy 5.3.5 Existing Uses and Scales
 - Consider support for low rise apartments in Core Area Neighbourhoods where the property was zoned to allow for such uses when Official Community Plan was adopted
- ▶ Policy 10.1.15 Natural Areas
 - Preserve a diversity of natural areas for habitat and ecosystem conservation with limited trails and other low impact activities
- ➤ Policy 14.5.1 Development in Environmentally Sensitive Areas
 - Prioritize protection of environmentally sensitive features



Staff Recommendation

- ➤ Staff recommend **support** for the proposed rezoning as it is consistent with:
 - OCP Future Land Use C-NHD
 - OCP Policies
 - ▶ Policy 5.3.5: Existing Uses and Scales
 - ▶ Policy 10.1.15: Natural Areas
 - Policy 14.5.1: Development in Environmentally Sensitive Areas
 - Development Permit to follow

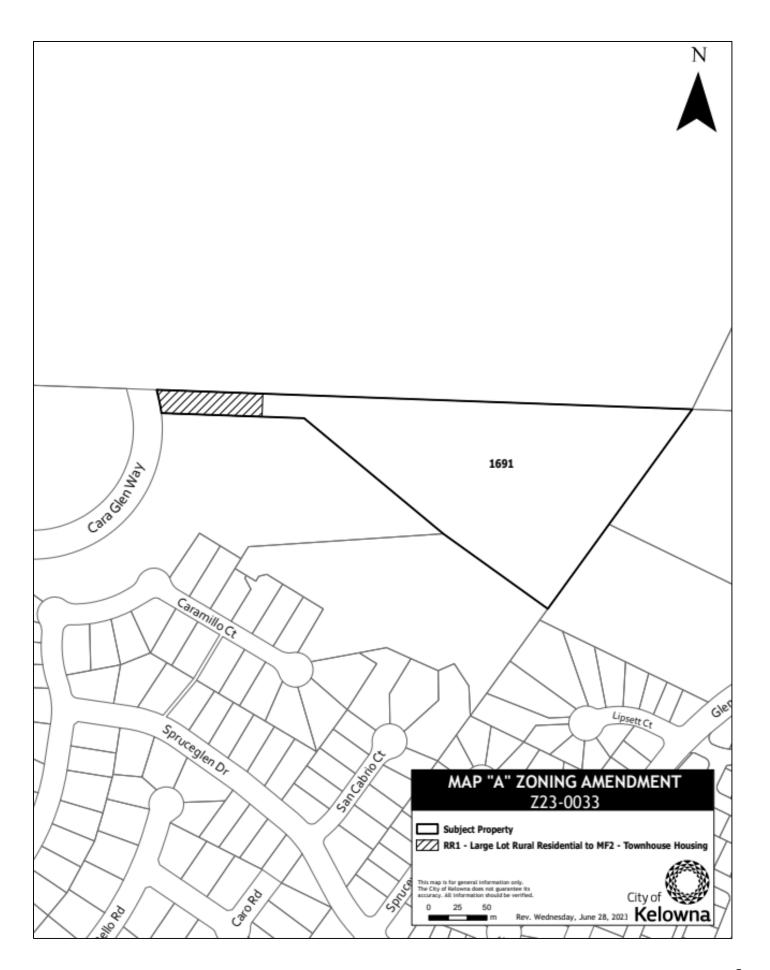
BYLAW NO. 12573 Z23-0033 1691 Cara Glen Way

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot 20 Section 32 Township 26 ODYD Plan KAP60008 Except Plans KAP77707, KAP87078 and KAP91641 located on Cara Glen Way, Kelowna, BC from the RR1 Large Lot Rural Residential zone to the MF2 Townhouse Housing zone as shown on Map "A" attached to and forming part of this bylaw.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

or adoption.	
Read a first time by the Municipal Council this	
Considered at a Public Hearing on the	
Read a second and third time by the Municipal Council the	his
Adopted by the Municipal Council of the City of Kelown	a this
	Mayor
	City Clerk



BYLAW NO. 12574 TA23-0008 1691 Cara Glen Way

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375, **Section 13 – Multi-Dwelling Zones, Section 13.7 – Site Specific Regulations** be amended by adding in its appropriate location the following:

	Legal Description	Civic Address	Regulation
6.	Lot 20 Section 32 Township 26 ODYD Plan KAP60008 Except Plans KAP77707, KAP87078 and KAP91641	1691 Cara Glen Way	The MF2 – Townhouse Housing portion of this property is permitted to have Apartment housing limited to 4 storeys.

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

Read a first time by the Municipal Council this

Considered at a Public Hearing on this

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Report to Council



Date: August 14, 2023

To: Council

From: City Manager

Department: Office of the City Clerk

Subject: Rezoning Bylaws Supplemental Report to Council

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated August 14, 2023 with respect to four rezoning applications;

AND THAT Rezoning Bylaws No. 12554, 12556, 12558 and 12559 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaws No. 12554, 12556, 12558 and 12559 and to give the bylaws 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:

The four Rezoning Applications were brought forward to Council for initial consideration on July 24, 2023. Notice of first reading was completed as outlined above.

Correspondence was received as per the following table:

Address	Application	Bylaw	Recommended Readings	Correspondence Received
3010 Holland Rd	Z23-0006	12554	1 st , 2 nd , 3 rd	0
4529 Lakeshore Rd	Z23-0027	12556	1 st , 2 nd , 3 rd	0
775 McCurdy Rd	Z23-0004	12558	1 st , 2 nd , 3 rd	0
1021 Lawson Ave	Z23-0015	12559	1 st , 2 nd , 3 rd	0

These applications were brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaws.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaws No. 12554, 12556, 12558 and 12559 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

BYLAW NO. 12554 Z23-0006 3010 Holland Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

- THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 14 District Lot 131 ODYD Plan 10710 located on Holland Road Kelowna, BC from the RU4 – Duplex Housing zone to the MF1 – Infill 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 Cour	ncil this
Adopted by the Municipal Council of the City of Kelowna	this
_	
	Mayor
<u>-</u>	City Clerk

BYLAW NO. 12556 Z23-0027 4529 Lakeshore Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 7 District Lot 167 ODYD Plan 1691 Except Plan EPP52188, located on Lakeshore Road, Kelowna, BC from the RU1 Large Lot Housing zone to the RU1cc Large Lot Housing with Child Care Centre, Major 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

Z23-0004 775 McCurdy Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

- THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 3 District Lot 143 ODYD Plan 22014 located on McCurdy Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF1 – Infill 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 Cou	ncil this
Approved under the Transportation Act this	
(Approving Officer – Ministry of Transportation)	
Adopted by the Municipal Council of the City of Kelowna	a this
	Mayor
	City Clerk

BYLAW NO. 12559 Z23-0015 1021 Lawson Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot A District Lot 138 ODYD Plan EPP121306 located on Lawson Avenue, Kelowna, BC from the MF3 Apartment Housing zone to the MF3r Apartment Housing with Rental Only 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	

BYLAW NO. 12530 Z23-0010 540 Dougall Road North

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 1 Section 26 Township 26 ODYD Plan EPP128625, located on Dougall Road North, Kelowna, BC from the UC4 Rutland Urban Centre zone to the UC4r Rutland Urban Centre Rental Only 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 5th day of June, 2023.

Approved under the Transportation Act this 19th day of June, 2023. Audrie Henry

(Approving Officer – Ministry of Transportation)

Amended at third reading and adopted by the Municipal Council of the City of Kelowna this

Mayor
•
<u> </u>
City Clerk

REPORT TO COUNCIL DEVELOPMENT PERMIT

Date: August 14, 2023

To: Council

From: City Manager
Address: 540 Dougall Rd N

File No.: DP23-0028

Zone: UC₄r – Rutland Urban Centre Rental Only



1.0 Recommendation

THAT Rezoning Bylaw No. 12530 be amended at third reading to revise the legal description of the subject properties from Lot A Section 26 Township 26 ODYD Plan 17758, Lot B Section 26 Township 26 ODYD Plan 17758, Lot 19 Section 26 Township 26 ODYD Plan 3476 Except Plan A12943, and Lot A Section 26 Township 26 ODYD Plan KAP80294 to Lot 1 Section 26 Township 26 ODYD Plan EPP128625;

AND THAT final adoption of Rezoning Bylaw No. 12530 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0028 for Lot 1 Section 26 Township 26 ODYD Plan EPP128625, located at 540 Dougall Rd N, 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 amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;
- 5. The applicant be required to make payment into the Public Amenity & Streetscape Capital Reserve Fund as established by Bylaw No. 12386 in accordance with Table 6.8.a in Zoning Bylaw No. 12375;

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.

2.0 Purpose

To issue a Development Permit for the form and character of apartment housing.

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of a 124-unit apartment housing development. The proposal generally conforms to the Official Community Plan (OCP) Form and Character Development Permit Design Guidelines for Low & Mid-Rise Residential Development. Key guidelines that are met include:

- On corner sites, orienting building facades to both fronting streets to create street edge definition and activity and avoiding blank walls at-grade;
- Locating off-street parking, garbage collection, utilities, and parking access away from public view, with primarily underground parking;
- Incorporating a range of architectural features and details into building facades to create visual interest, and breaking up the building with an integrated, consistent range of materials and colours that provide variety;
- Providing ground-oriented units with individual entrances to the fronting street with semi-private entry zones to allow for entryways and patios.

Common amenity spaces include an outdoor patio area at-grade, a fifth floor deck, and a rooftop amenity deck including barbecues, firepits, play areas, and outdoor dining area.

The building is stepped down to five storeys to the south in order to meet the Zoning Bylaw regulations for upper floor setbacks and to provide a more sensitive transition to the adjacent residential lot.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located at the intersection of Leathead Rd and Dougall Rd N at the northern boundary of the Rutland Urban Centre. The properties to the north are designated Core Area Neighbourhood and are used for religious assembly. Properties to the east, west, and south are designated as Urban Centre. There are public transit stops within 100 m of the subject property on Leathead Road.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS			
Gross Lot Area 2970 m ²			
Total Number of Units	124		
Bachelor	11		
1-bed	90		
2-bed	23		

DEVELOPMENT REGULATIONS		
CRITERIA	UC4r ZONE	PROPOSAL
Total Maximum Floor Area Ratio	2.4	2.35
Base FAR	1.6	1.6
Bonus FAR	0.8	0.75
Max. Site Coverage (buildings)	85%	50.4%
Max. Site Coverage (buildings, parking, driveways)	90%	82.2%
Max. Height	6 storeys & 26.0 m	6 storeys & 21.4 m
Base Height	4 storeys & 18.0 m	4 storeys & 18.0 m
Bonus Height	2 storeys & 8.0 m	2 storeys & 3.4 m
Setbacks		
Min. Front Yard (north)	3.0 m	3.0 m
Min. Flanking Side Yard (east)	3.0 m	3.0 m
Min. Side Yard (west)	o.o m	~ 4.76 m
Min. Rear Yard (south)	o.o m	~1.48 m
Upper Floor Setbacks (above 16.0 m in	height)	
Min. Front Yard (north)	3.0 m	3.0 m
Min. Flanking Side Yard (east)	3.0 m	3.0 m
Min. Side Yard (west)	n/a	n/a
Min. Rear Yard (south)	4.0 m	4.0 m
Amenity Space		
Total Required Amenity Space	2007.5 m²	2018.16 m²
Common	496 m²	1315.39 m²
Private		702.77 m²
Landscaping		
Min. Number of Trees	12trees	17 trees
Min. Large Trees	6 trees	6 trees

PARKING REGULATIONS			
CRITERIA	UC ₄ r ZONE REQUIREMENTS	PROPOSAL	
Total Required Vehicle Parking	104 stalls	104 stalls*	
Residential	112.8		
Visitor	17.36		
"r" Subzone Reduction	-26.032		
Ratio of Regular to Small Stalls	Min. 50% Regular	54.6% Regular	
Ratio of Regular to Small Stalls	Max. 50% Small	45.4% Small	
Bicycle Stalls Short-Term	6 stalls	12 stalls	

Bicycle Stalls Long-Term	93 stalls	93 stalls
Bonus Stalls Provided for Parking Reduction	n	n
Bike Wash & Repair	у	У
*A cash-in-lieu payment is being made for 5 parking stalls.		

6.0 Application Chronology

Application Accepted: February 15, 2023
Adoption of Zone Amending Bylaw: August 14, 2023

Report prepared by: Mark Tanner, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Draft Development Permit DP23-0028

Schedule A: Site Plan & Floor Plans Schedule B: Elevations & Sections Schedule C: Landscape Plan

Attachment B: OCP Form and Character Development Permit Guidelines

Attachment C: Renderings

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

Development Permit DP23-0028





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

540 Dougall Rd N

and legally known as

Lot 1 Section 26 Township 26 ODYD Plan EPP128625

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

Apartment Housing

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

<u>Date of Council Approval:</u> August 14, 2023

Development Permit Area: Form & Character

Existing Zone: UC4r – Rutland Urban Centre (Rental Only)

Future Land Use Designation: UC – Urban Centre

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

This is NOT a Building Permit.

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

NOTICE

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

Owner: WCPG Lots 17 Ltd., Inc. No. BC1389104

Applicant: Western Canadian Properties Group Ltd.

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date of Issuance



SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

THAT Council authorizes the issuance of Development Permit No. DP23-0028 for Lot 1 Section 26 Township 26 ODYD Plan EPP128625 located at 540 Dougall Rd N, Kelowna, BC, subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;
- e) The applicant be required to make a payment into the Public Amenity & Streetscape Capital Reserve Fund as established by Bylaw No. 12386 in accordance with Table 6.8.a. in Zoning Bylaw No. 12375;

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

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property owner of the day. Should the Developer carry out the development as per the conditions of this permit, the security shall be returned to the Developer or his or her designate following proof of Substantial Compliance as defined in Bylaw No. 12310. There is filed accordingly:

a) An Irrevocable Letter of Credit OR certified cheque OR a Surety Bond in the amount of \$164,683.75

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

4. PARKING CASH-IN-LIEU BYLAW

Parking Cash-in-Lieu in the amount of \$47,500 required for 5 stalls as part of the proposed development within the Rutland Urban Centre

5. PUBLIC AMENITY & STREETSCAPE CAPITAL RESERVE FUND

Public Amenity & Streetscape Capital Reserve Fund Payment in the amount of \$59,400 required for 2790 m² lot area as part of the proposed development.

6. INDEMNIFICATION

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

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

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

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







SCHEDULE

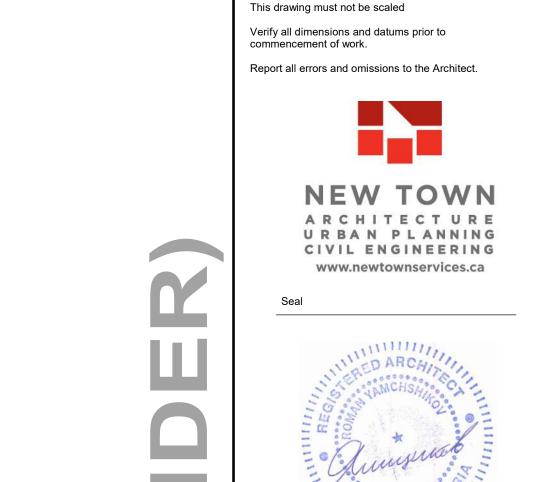
DP23-0028

Planner ___ Initials MT

This forms part of application

SITE CONTEXT
1" = 40'-0"

City of



limited to such use.

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND

LAWS OF THE PROVINCE OF BRITISH COLUMBIA

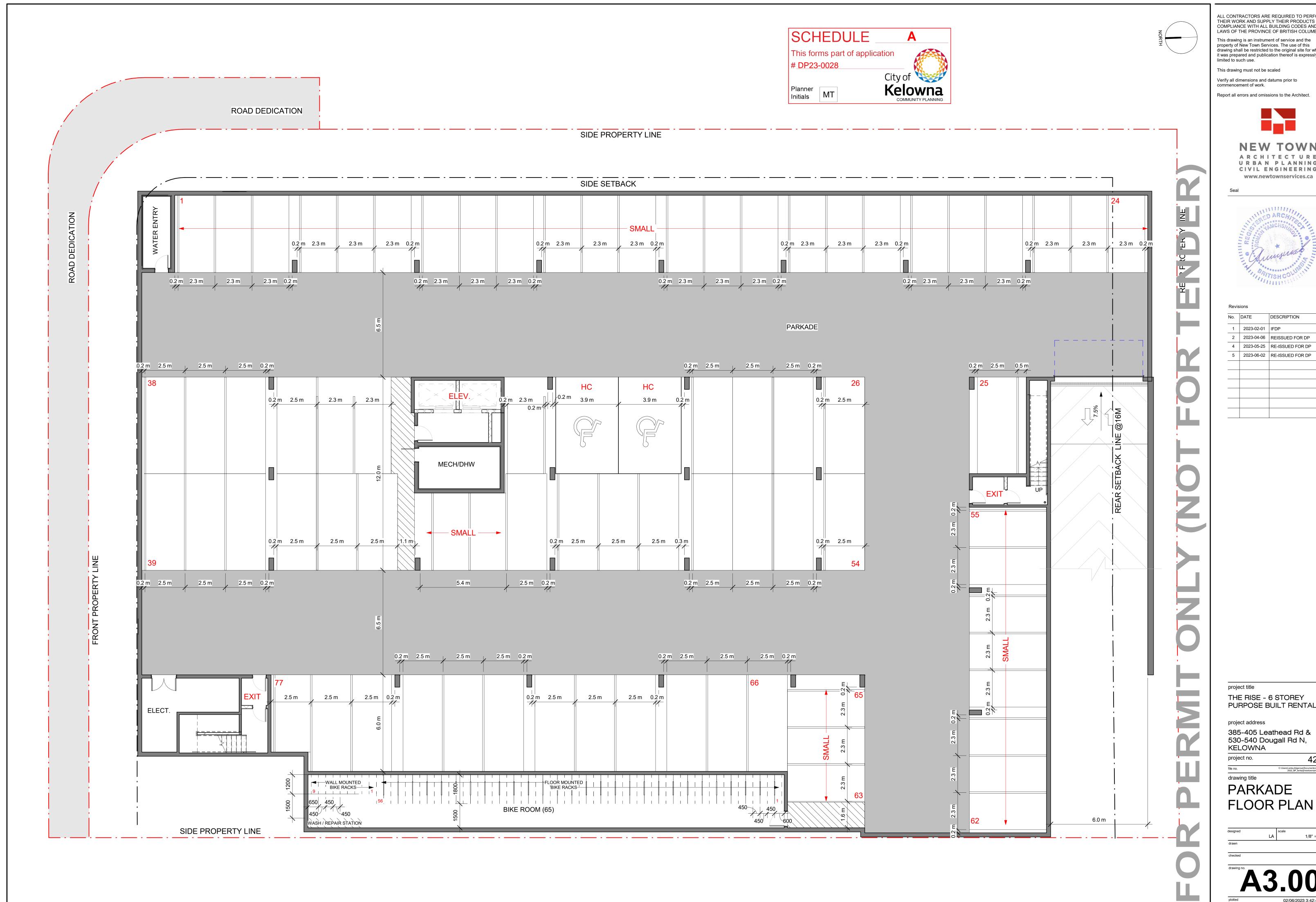
This drawing is an instrument of service and the property of New Town Services. The use of this drawing shall be restricted to the original site for which it was prepared and publication thereof is expressly

THE RISE - 6 STOREY PURPOSE BUILT RENTAL

project address

385-405 Leathead Rd & 530-540 Dougall Rd N, KELOWNA 4215

project no. drawing title SITE PLAN



ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA This drawing is an instrument of service and the property of New Town Services. The use of this drawing shall be restricted to the original site for which it was prepared and publication thereof is expressly

> **NEW TOWN** ARCHITECTURE URBAN PLANNING CIVIL ENGINEERING www.newtownservices.ca

> > DESCRIPTION

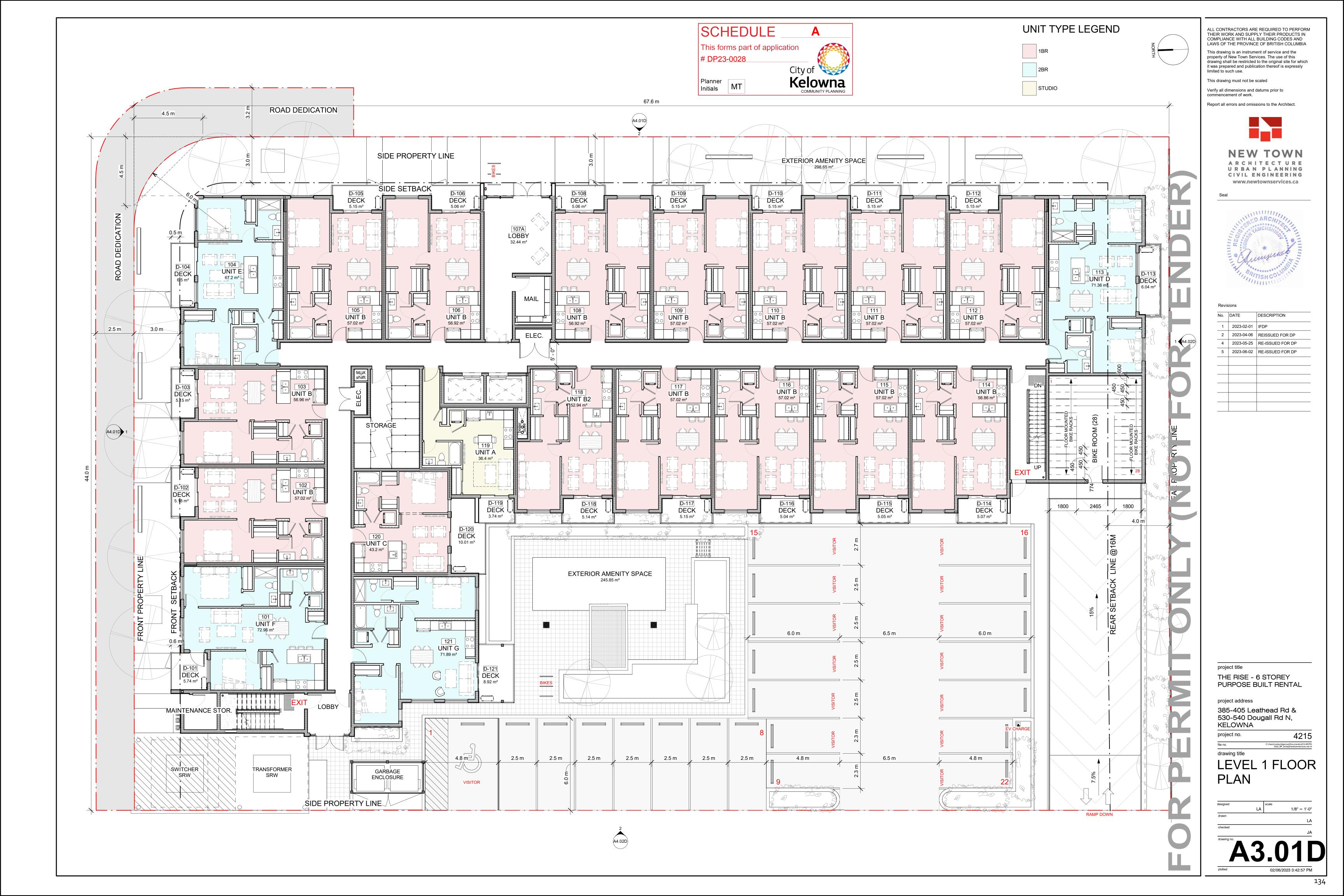
THE RISE - 6 STOREY PURPOSE BUILT RENTAL

project address

385-405 Leathead Rd & 530-540 Dougall Rd N, KELOWNA

4215 PARKADE

FLOOR PLAN

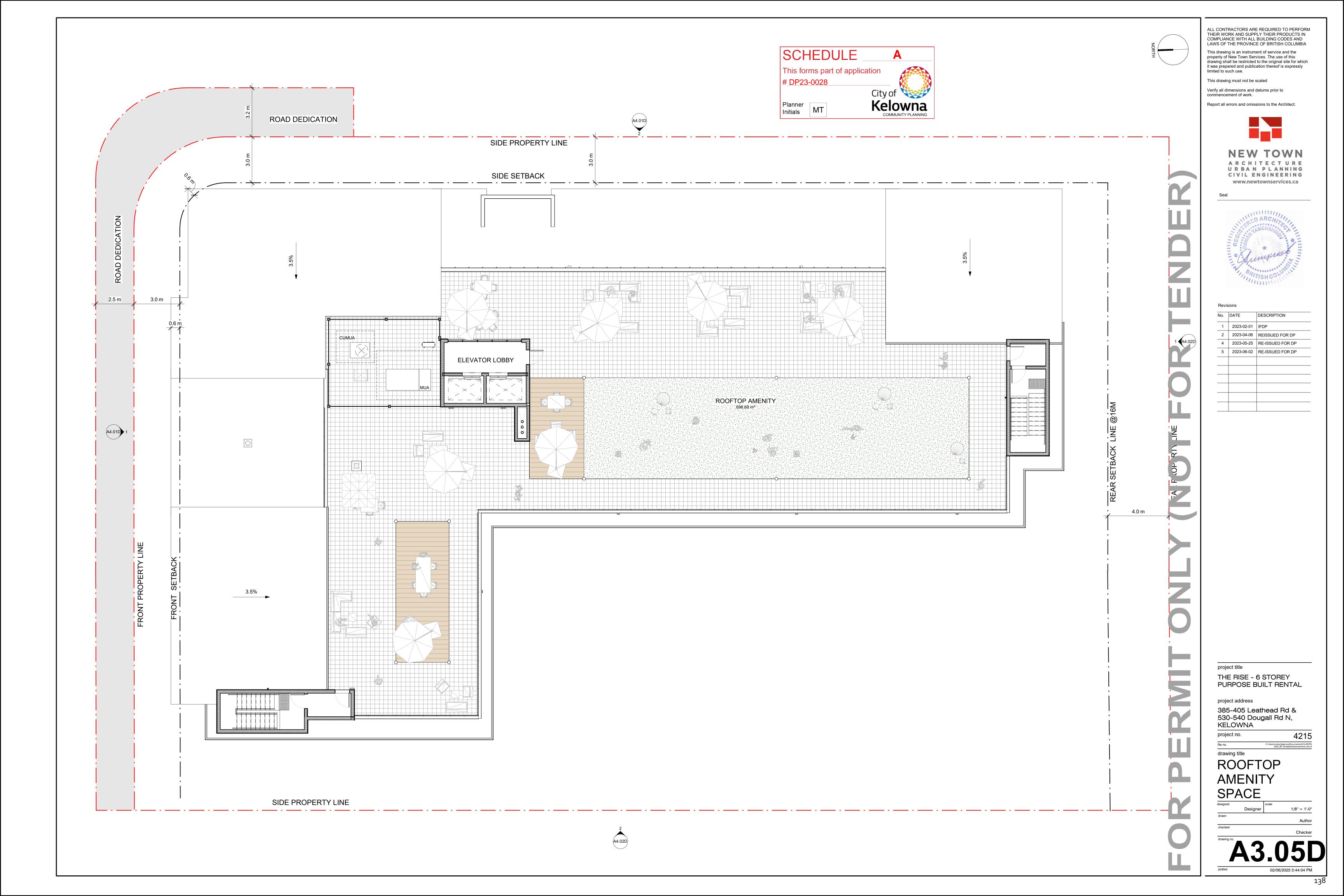




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ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA

This drawing is an instrument of service and the property of New Town Services. The use of this drawing shall be restricted to the original site for which it was prepared and publication thereof is expressly limited to such use.

This drawing must not be scaled

Verify all dimensions and datums prior to commencement of work.

Report all errors and omissions to the Architect.

NEW TOWN ARCHITECTURE URBAN PLANNING CIVIL ENGINEERING www.newtownservices.ca



No. DATE DESCRIPTION 1 2023-02-01 IFDP 2 2023-04-06 REISSUED FOR DP 4 2023-05-25 RE-ISSUED FOR DP 5 | 2023-06-02 | RE-ISSUED FOR DP

THE RISE - 6 STOREY PURPOSE BUILT RENTAL

project address

385-405 Leathead Rd & 530-540 Dougall Rd N, KELOWNA

drawing title BUILDING **ELEVATIONS**

4215



ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA

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NEW TOWN

ARCHITECT URE

URBAN PLANNING

CIVIL ENGINEERING

www.newtownservices.ca



| Revisions | DESCRIPTION | 1 | 2023-02-01 | IFDP | 2 | 2023-04-06 | REISSUED FOR DP | 4 | 2023-05-25 | RE-ISSUED FOR DP | 5 | 2023-06-02 | RE-ISSUED FOR DP |

project title

THE RISE - 6 STOREY PURPOSE BUILT RENTAL

ect address

385-405 Leathead Rd & 530-540 Dougall Rd N, KELOWNA

LOWNA
ect no. 4215

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2022 BP lenka@newtownservices.net.nt

drawing title
BUILDING
ELEVATIONS

designed

Designer | scale |

drawn | As indicate |

As indicate |

Authorized |

Checked | Checked |

Designer | Scale |

As indicate |

Authorized |

Checked | Checked |

Designer | Scale |

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As indicate |

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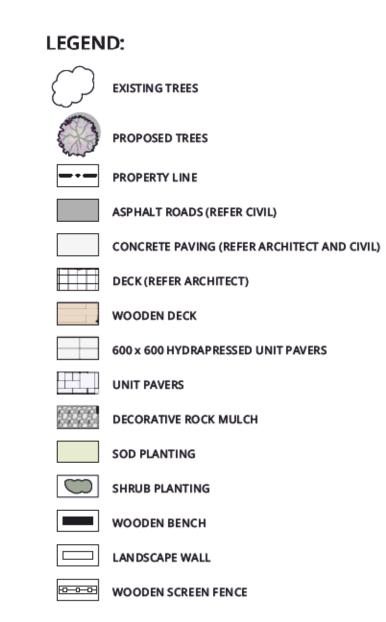
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Checker

A4.02[





QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size	SPACING	
	Trees				(Ht.xWd.)		
6	Acer freemanii 'Jeffersed'	Autumn Blaze	6cm	B&B	15 x 12m	12m o/c	
	ricer freemann yejjersea	Maple	Cal	Dab	13 × 12.11	121110/0	
4	Acer palmatum 'Bloodgood'	'Bloodgood' Japanese Maple	6cm Cal	B&B	4.5 x 4.5m	4.5m o/c	
2	Acer rubrum 'Red Rocket'	Red Rocket Maple	6cm Cal	B&B	10 x 4.5m	6m o/c	
1	Amelanchier x Grandiflora 'Autumn Brilliance'	Autumn Brilliance Service Berry	6cm Cal	B&B	4.5 x 4.5m	4.5m o/c	
1	Cercis canadensis	Eastern Redbud	6cm Cal	B&B	6 x 6m	6m o/c	
3	Syringa reticulata	lvory Silk Tree Lilac	6cm Cal	B&B	7.5 x 4.5m	4.5m o/c	
	Shrubs						
18	Berberis thunbergii 'Sunsation'	Sunsation Barberry	#02	Potted	1.2 x 1.2m	1.2m o/c	
20	Buxus 'Green Gem'	Green Gem Boxwood	#02	Potted	1.2 x 0.9m	0.9m o/c	
10	Cornus alba 'Bailhalo'	Ivory Halo Dogwood	#02	Potted	1.5 x 1.5m	1.5m o/c	
15	Mahonia repens	Oregon Grape	#01	Potted	0.6 x 0.9m	1.5m o/c	
18	Rosa 'Morden Blush'	Morden Blush Rose	#02	Potted	0.9 x 0.9m	0.9m o/c	
17	Sambacus nigra 'Black Lace'	Black Lace Elderberry	#02	Potted	1.8 x 1.8m	1.8m o/c	
21	Spirea japonica 'Gold Mound'	Gold Mound Spirea	#02	Potted	0.9 x 1.2m	1.2m o/c	
12	Syringa meyeri 'Miss Kim'	Miss Kim Lilac	#02	Potted	1.8 x 1.5m	1.5m o/c	
25	Taxus media 'Tauntonii'	Tauntonii Yew	#02	Potted	1.2 x 1.5m	1.5m o/c	
	Ornamental Grasses						
56	Pennisetum alopecuroides 'Little Bunny'	Little Bunny Fountain Grass	#01	Potted	0.6 x 0.6m	0.6m o/c	
	Perennials						
30	Geranium sanguineum	Dwarf Pink Geranium	#01	Potted	0.3 x 0.6m	0.3m o/c	
7	Hydrangea paniculata 'Dharma'	Dharma Pee Gee Hydrangea	#02	Potted	2.4m x 2.4m	2.4m o/c	
39	Lavendula angustifolia 'Munstead'	Munstead Lavender	#01	Potted	0.6 x 0.75 m	0.75m o/c	
23	Nepetea faassenii 'Walker's Low'	Walker's Low Catmint	#01	Potted	0.6 x 0.9m	0.9m o/c	

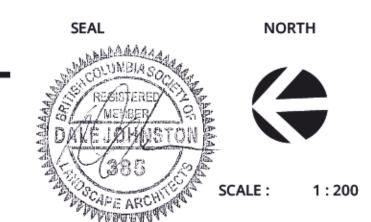
NOTES:

- THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.
- ALL PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO THE MINIMUM STANDARDS SET OUT IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
- ALL PLANTING BEDS SHALL TO RECIEVE 50mm OF COMPOSTED BARK MULCH UNLESS OTHERWISE NOTED.
- ALL LANDSCAPE AREAS ARE TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
- 5. SOIL DEPTH TO BE AS FOLLOWS: LAWN AREAS 150mm MIN
- SHRUB AREAS 300mm MIN
 TREES 1000mm MIN UNLESS OTHERWISE NOTED.

 6. Cok Tree Bylaw requirements:
 47m Leathead RD & 70m DOLIGAL RD N
- 47m LEATHEAD RD. & 70m DOUGALL RD N.
 SETBACK EQUALS 117m: REQUIRES (12) TREES:
 (6) LARGE, (3) MEDIUM & (3) SMALL.
 7. COK BYLAW SOIL REQUIREMENTS FOR BYLAW T
- Cok Bylaw Soil Requirements for Bylaw Trees: LARGE TREES: 30m³. OR 25m³ SHARED MEDIUM TREES: 20m³ OR 18m³ SHARED SMALL TREES: 15m³ OR 12m³ SHARED



385 LEATHEAD RD & DOUGALL RD N - MULTI-FAMILY DEVELOPMENT NEW TOWN SERVICES



2	RE-ISSUED FOR DEVELOPMENT PERMIT	2023-05-24
1	RE-ISSUED FOR DEVELOPMENT PERMIT	2023-04-06
0	ISSUED FOR DEVELOPMENT PERMIT	2023-02-01
NO.	DESCRIPTION	DATE

LANDSCAPE PLAN - LEVEL 1

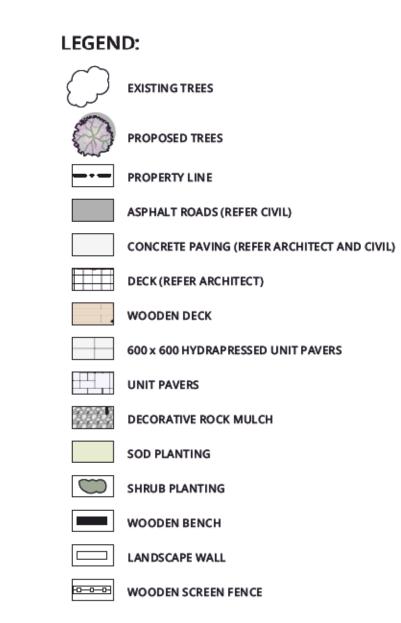
LDP 2.1

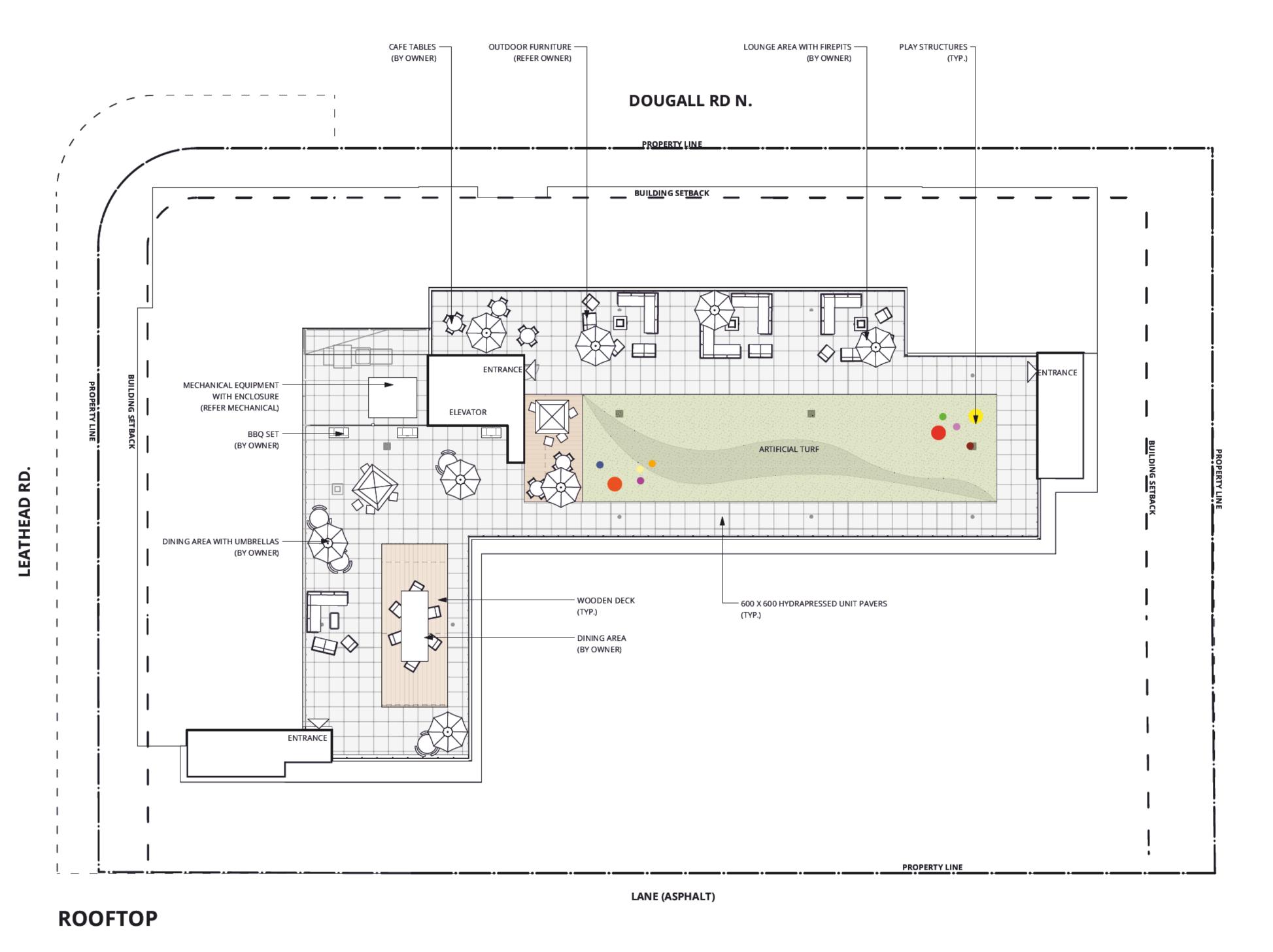
PROJECT NO.: 22130-100 DATE: 2023-01-12

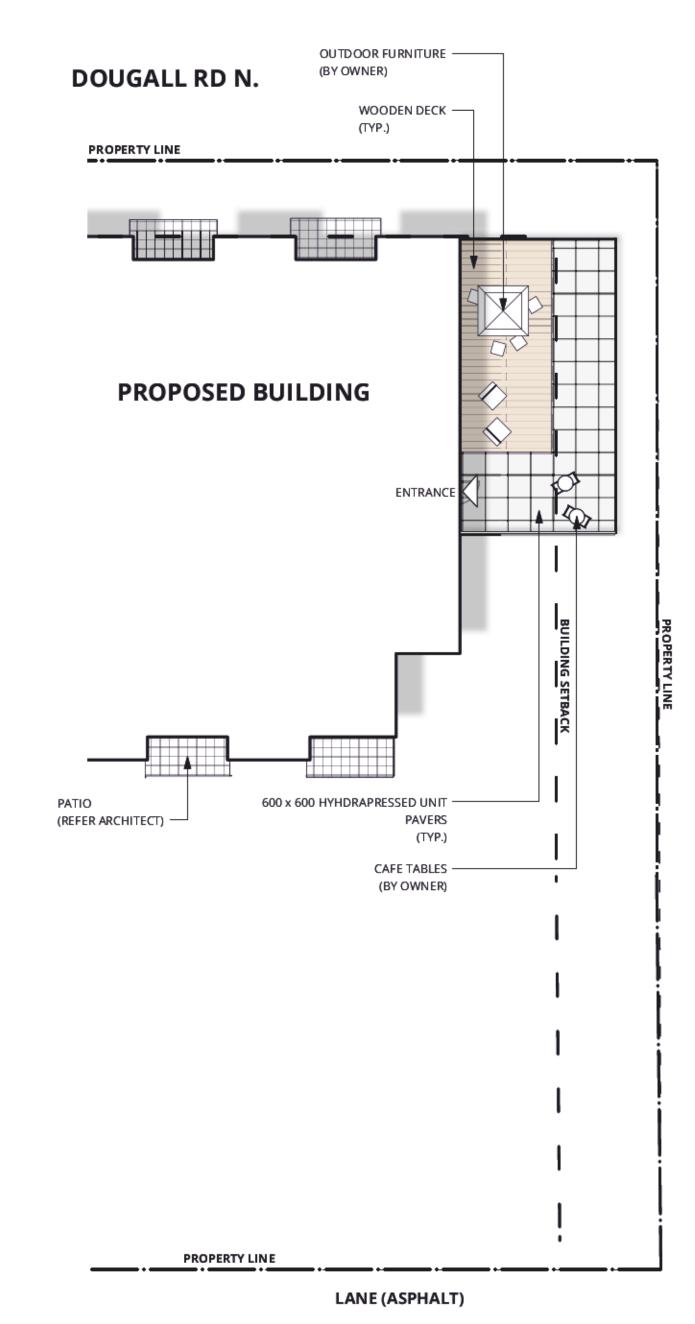












SCHEDULE C

This forms part of application

DP23-0028

City of Kelowna

Initials MT

LEVEL 6

ENGINEERING LANDSCAPE ARCHITECTURE URBAN PLANNING

385 LEATHEAD RD & DOUGALL RD N - MULTI-FAMILY DEVELOPMENT NEW TOWN SERVICES

SEAL NORTH

REGISTERED

METERED

SCALE: 1:200

	ISSUED FOR:	
2	RE-ISSUED FOR DEVELOPMENT PERMIT	2023-05-24
1	RE-ISSUED FOR DEVELOPMENT PERMIT	2023-04-06
0	ISSUED FOR DEVELOPMENT PERMIT	2023-02-01
NO.	DESCRIPTION	DATE

LDP 2.2



FORM & CHARACTER - DEVELOPMENT PERMIT GUIDELINES

Chapter 2 - The Design Foundations: apply to all projects and provide the overarching principles for supporting creativity, innovation and design excellence in Kelowna.

- Facilitate Active Mobility
- Use Placemaking to Strengthen Neighbourhood Identity
- Create Lively and Attractive Streets & Public Spaces
- Design Buildings to the Human Scale
- Strive for Design Excellence

The General Residential and Mixed Use Guidelines: provide the key guidelines that all residential and mixed use projects should strive to achieve to support the Design Foundations.

 The General Guidelines are supplement by typology-specific guidelines (e.g., Townhouses & Infill on page 18-19, High-Rise Residential and Mixed-Use on page 18-42), which provide additional guidance about form and character.

Chapter 2 - Design Foundations Apply To All Projects Page 18-8

Section 2.1 - General Residential and Mixed Use Design Guidelines
Page 18-9

Section 2.2 - Achieving High Performance Page 18-17

Chapter 3
Townhouses & Infill

Page 18-19

Chapter 4 Low & Mid-Rise Residential & Mixed Use

Page 18-34

Chapter 5 High-Rise Residential & Mixed Use

Page 18-42

^{*}Note: Refer to the Design Foundations and the Guidelines associated with the specific building typology.



Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

SECTION 2.0: GENERAL RESIDENTIAL AND MIXED USE							
RA	TE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
(1 i	s least complying & 5 is highly complying)					•	
	General residential & mixed use guidelines						
	1 Relationship to the Street	N/A	1	2	3	4	5
a.	Orient primary building facades and entries to the fronting street						√
	or open space to create street edge definition and activity.						
b.	On corner sites, orient building facades and entries to both						√
	fronting streets.						
C.	Minimize the distance between the building and the sidewalk to						√
	create street definition and a sense of enclosure.						
d.	Locate and design windows, balconies, and street-level uses to						√
	create active frontages and 'eyes on the street', with additional						
	glazing and articulation on primary building facades.						
e.	Ensure main building entries are clearly visible with direct sight						√
	lines from the fronting street.						
f.	Avoid blank, windowless walls along streets or other public open						√
	spaces.						
g.	Avoid the use of roll down panels and/or window bars on retail and	√					
	commercial frontages that face streets or other public open						
	spaces.						
h.	In general, establish a street wall along public street frontages to						√
	create a building height to street width ration of 1:2, with a						
	minimum ration of 11:3 and a maximum ration of 1:1.75.						
•	Wider streets (e.g. transit corridors) can support greater streetwall						
	heights compared to narrower streets (e.g. local streets);						
•	The street wall does not include upper storeys that are setback						
	from the primary frontage; and						
•	A 1:1 building height to street width ration is appropriate for a lane						
	of mid-block connection condition provided the street wall height						
	is no greater than 3 storeys.						
2.1	2 Scale and Massing	N/A	1	2	3	4	5
a.	Provide a transition in building height from taller to shorter					√	
	buildings both within and adjacent to the site with consideration						
	for future land use direction.						
b.	Break up the perceived mass of large buildings by incorporating						✓
	visual breaks in facades.						
C.	Step back the upper storeys of buildings and arrange the massing				√		
	and siting of buildings to:						
•	Minimize the shadowing on adjacent buildings as well as public						
	and open spaces such as sidewalks, plazas, and courtyards; and						
•	Allow for sunlight onto outdoor spaces of the majority of ground						
	floor units during the winter solstice.						

2.1	3 Site Planning	N/A	1	2	3	4	5
a.	opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites						✓
	with buildings that terminate a street end view, and views of natural features.						
b.	Use Crime Prevention through Environmental Design (CPTED) principles to better ensure public safety through the use of appropriate lighting, visible entrances, opportunities for natural surveillance, and clear sight lines for pedestrians.						√
C.	Limit the maximum grades on development sites to 30% (3:1)						√
d. •	Design buildings for 'up-slope' and 'down-slope' conditions relative to the street by using strategies such as: Stepping buildings along the slope, and locating building	√					
•	entrances at each step and away from parking access where possible; Incorporating terracing to create usable open spaces around the						
•	building Using the slope for under-building parking and to screen service and utility areas;						
•	Design buildings to access key views; and Minimizing large retaining walls (retaining walls higher than 1 m should be stepped and landscaped).						
e.	Design internal circulation patterns (street, sidewalks, pathways) to be integrated with and connected to the existing and planed future public street, bicycle, and/or pedestrian network.						√
f.	Incorporate easy-to-maintain traffic calming features, such as on- street parking bays and curb extensions, textured materials, and crosswalks.	✓					
g.	Apply universal accessibility principles to primary building entries, sidewalks, plazas, mid-block connections, lanes, and courtyards through appropriate selection of materials, stairs, and ramps as necessary, and the provision of wayfinding and lighting elements.						√
2.1	4 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	Locate off-street parking and other 'back-of-house' uses (such as loading, garbage collection, utilities, and parking access) away from public view.						✓
b.	Ensure utility areas are clearly identified at the development permit stage and are located to not unnecessarily impact public or common open spaces.						✓
C.	Avoid locating off-street parking between the front façade of a building and the fronting public street.						√
d.	In general, accommodate off-street parking in one of the following ways, in order of preference: Underground (where the high water table allows)						✓
•	Parking in a half-storey (where it is able to be accommodated to not negatively impact the street frontage);						



						_	
•	Garages or at-grade parking integrated into the building (located						
	at the rear of the building); and						
•	Surface parking at the rear, with access from the lane or						
_	secondary street wherever possible.	,					
e.	Design parking areas to maximize rainwater infiltration through the use of permeable materials such as paving blocks, permeable	√					
	concrete, or driveway planting strips.						
f.	In cases where publicly visible parking is unavoidable, screen using	√					
١.	strategies such as:	V					
•	Landscaping;						
	Trellises;						
•	Grillwork with climbing vines; or						
	Other attractive screening with some visual permeability.						
	Provide bicycle parking at accessible locations on site, including:						√
g.	Covered short-term parking in highly visible locations, such as						V
	near primary building entrances; and						
•	Secure long-term parking within the building or vehicular parking						
	area.						
h.	Provide clear lines of site at access points to parking, site						√
'''	servicing, and utility areas to enable casual surveillance and safety.						V
i.	Consolidate driveway and laneway access points to minimize curb						√
	cuts and impacts on the pedestrian realm or common open						•
	spaces.						
j.	Minimize negative impacts of parking ramps and entrances						√
	through treatments such as enclosure, screening, high quality						
	finishes, sensitive lighting and landscaping.						
2.1	5 Streetscapes, Landscapes, and Public Realm Design	N/A	1	2	3	4	5
a.	Site buildings to protect mature trees, significant vegetation, and	√					
	ecological features.						
L							
b.	Locate underground parkades, infrastructure, and other services					√	
	to maximize soil volumes for in-ground plantings.					√	
	to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to					√	✓
C.	to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation.					√	√
	to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces					✓ 	✓ ✓
C.	to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors,					√ -	√ ✓
c.	to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage.					√ 	
C.	to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate					√ 	✓ ✓
c. d.	to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as:					√ -	
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c. d.	to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: Locating outdoor spaces where they will receive ample sunlight throughout the year;					✓	
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c. d. e.	to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: Locating outdoor spaces where they will receive ample sunlight throughout the year; Using materials and colors that minimize heat absorption; Planting both evergreen and deciduous trees to provide a balance of shading in the summer and solar access in the winter; and Using building mass, trees and planting to buffer wind.					√	✓
c. d. e.	to maximize soil volumes for in-ground plantings. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: Locating outdoor spaces where they will receive ample sunlight throughout the year; Using materials and colors that minimize heat absorption; Planting both evergreen and deciduous trees to provide a balance of shading in the summer and solar access in the winter; and					√ ·	

g. Plant native and/or drought tolerant trees and plants suitable for the local climate. h. Select trees for long-term durability, climate and soil suitability, and compatibility with the site's specific urban conditions. i. Design sites and landscapes to maintain the pre-development flows through capture, infiltration, and filtration strategies, such as the use of rain gardens and permeable surfacing. j. Design sites to minimize water use for irrigation by using strategies such as: • Designing planting areas and tree pits to passively capture rainwater and stormwater run-off; and • Using recycled water irrigation systems. k. Create multi-functional landscape elements wherever possible, such as planting areas that also capture and filter stormwater or landscape features that users can interact with. l. Select materials and furnishings that reduce maintenance requirements and use materials and site furnishings that are sustainably sourced, re-purposed or 100% recycled. m. Use exterior lighting to complement the building and landscape design, while:					✓ ✓
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acogny winc.			,		
Minimizing light trespass onto adjacent properties;			,		
Using full cut-off lighting fixtures to minimize light pollution; and			,		
Maintaining lighting levels necessary for safety and visibility.					
n. Employ on-site wayfinding strategies that create attractive and			,		
appropriate signage for pedestrians, cyclists, and motorists using			,		
a 'family' of similar elements.					
J '	3	2	2 3	4	5
a. Express a unified architectural concept that incorporates variation			,		✓
 in façade treatments. Strategies for achieving this include: Articulating facades by stepping back or extending forward a 			,		
portion of the façade to create a series of intervals or breaks;			,		
Repeating window patterns on each step-back and extension			,		
interval;			,		
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·	I		,		
Providing a porch, patio, or deck, covered entry, balcony and/or bay window for each interval; and		1			
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	ornamental features and art work; architectural lighting; grills and				
	railings; substantial trim details and moldings / cornices; and				
	trellises, pergolas, and arbors.				
c.	Design buildings to ensure that adjacent residential properties			/	
	have sufficient visual privacy (e.g. by locating windows to				
	minimize overlook and direct sight lines into adjacent units), as				
	well as protection from light trespass and noise.				
d.	Design buildings such that their form and architectural character				✓
	reflect the buildings internal function and use.				
e.	Incorporate substantial, natural building materials such as				✓
	masonry, stone, and wood into building facades.				
f.	Provide weather protection such as awnings and canopies at				✓
	primary building entries.				
g.	Place weather protection to reflect the building's architecture.				✓
h.	Limit signage in number, location, and size to reduce visual clutter				√
	and make individual signs easier to see.				
i.	Provide visible signage identifying building addresses at all				√
	entrances.				

	SECTION 4.0: LOW & MID-RISE RESIDENTIAL MI	XED U	SE				
	TE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
	is least complying & 5 is highly complying)						
	Low & mid-rise residential & mixed use guidelines				1		1
	1.1 Relationship to the Street	N/A	1	2	3	4	5
i.	Ensure lobbies and main building entries are clearly visible from the fronting street.						√
j.	Avoid blank walls at grade wherever possible by:						✓
•	Locating enclosed parking garages away from street frontages or public open spaces;						
•	Using ground-oriented units or glazing to avoid creating dead frontages; and						
•	When unavoidable, screen blank walls with landscaping or						
	incorporate a patio café or special materials to make them more						
	visually interesting.						
Re	sidential & Mixed Use Buildings						
k.	Set back residential buildings on the ground floor between 3-5 m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio.						\
•	A maximum 1.2 m height (e.g. 5-6 steps) is desired for front entryways.						
•	Exceptions can be made in cases where the water table requires this to be higher. In these cases, provide a larger patio and screen parking with ramps, stairs and landscaping.						

I.	Incorporate individual entrances to ground floor units accessible						✓
	from the fronting street or public open spaces.						
m.	Site and orient buildings so that windows and balconies overlook						✓
	public streets, parks, walkways, and shared amenity spaces while						
	minimizing views into private residences.						
4.1	.2 Scale and Massing	N/A	1	2	3	4	5
a.	Residential building facades should have a maximum length of 60					✓	
	m. A length of 40 m is preferred.						
b.	Residential buildings should have a maximum width of 24 m.						\checkmark
C.	Buildings over 40 m in length should incorporate a significant						\checkmark
	horizontal and vertical break in the façade.						
d.	For commercial facades, incorporate a significant break at	\checkmark					
	intervals of approximately 35 m.						
4.1	.3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	On sloping sites, floor levels should step to follow natural grade	\checkmark					
	and avoid the creation of blank walls.						
b.	Site buildings to be parallel to the street and to have a distinct						\checkmark
	front-to-back orientation to public street and open spaces and to						
	rear yards, parking, and/or interior court yards:						
•	Building sides that interface with streets, mid-block connections						
	and other open spaces and should positively frame and activate						
	streets and open spaces and support pedestrian activity; and						
•	Building sides that are located away from open spaces (building						
	backs) should be designed for private/shared outdoor spaces and						
	vehicle access.	_					
C.	Break up large buildings with mid-block connections which should	\checkmark					
	be publicly-accessible wherever possible.						
d.	Ground floors adjacent to mid-block connections should have	\checkmark					
	entrances and windows facing the mid-block connection.						
4.1	.4 Site Servicing, Access and Parking	N/A	1	2	3	4	5
a.	Vehicular access should be from the lane. Where there is no lane,						\checkmark
	and where the re-introduction of a lane is difficult or not possible,						
	access may be provided from the street, provided:						
•	Access is from a secondary street, where possible, or from the						
	long face of the block;						
•	Impacts on pedestrians and the streetscape is minimised; and						
•	There is no more than one curb cut per property.						
b.	Above grade structure parking should only be provided in	\checkmark					
	instances where the site or high water table does not allow for						
	other parking forms and should be screened from public view with						
	active retail uses, active residential uses, architectural or						
	landscaped screening elements.				1	-	,
C.	Buildings with ground floor residential may integrate half-storey						\checkmark
	underground parking to a maximum of 1.2 m above grade, with						
	the following considerations:						
•	Semi-private spaces should be located above to soften the edge						
	and be at a comfortable distance from street activity; and						



Where conditions such as the high water table do not allow for this condition, up to 2 m is permitted, provided that entryways, stairs, landscaped terraces, and patios are integrated and that blank walls and barriers to accessibility are minimized. 4.1.5 Publicly-Accessible and Private Open Spaces a. Integrate publicly accessible private Spaces (e.g. private courtyards accessible and available to the public) with public open areas to create seamless, contiguous spaces. b. Locate semi-private open spaces to maximize sunlight penetration, minimize noise disruptions, and minimize 'overlook' from adjacent units. Outdoor amenity areas c. Design plazas and urban parks to: Contain Three edges' (e.g. building frontage on three sides) where possible and be sized to accommodate a variety of activites; Be animated with active uses at the ground level, and Be located in sunny, south facing areas. d. Design internal courtyards to: Provide a balance of hardscape and softscape areas to meet the specific needs of surrounding residents and/or users. Provide a balance of hardscape and softscape areas to meet the specific needs of surrounding residents and/or users. Design mid-block connections to include active frontages, seating and landscaping. Rooftop Amenity Spaces f. Design shared rooftop amenity spaces (such as outdoor recreation space and rooftop gardens on the top of a parkade) to be accessible to residents and to ensure a balance of amenity and privacy by: Limiting sight lines from overlooking residential units to outdoor amenity space areas through the use of pergolas or covered areas where privacy is desired, and Controlling sight lines from the outdoor amenity space into adjacent or nearby residential units by using fencing, landscaping, or architectural screening. g. Reduce the heat island affect by including plants or designing a green roof, with the following considerations: Secure trees and tall shrubs to the roof deck, and Ensure soil depths and types are appropriate for proposed plants and e								
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buildings. Strategies for articulating buildings should consider the potential impacts on energy performance and include: • Façade Modulation – stepping back or extending forward a	a.	Articulate building facades into intervals that are a maximum of 15						
potential impacts on energy performance and include: Façade Modulation – stepping back or extending forward a		m wide for mixed-use buildings and 20 m wide for residential						
Façade Modulation – stepping back or extending forward a		buildings. Strategies for articulating buildings should consider the						
		potential impacts on energy performance and include:						
portion of the façade to create a series of intervals in the façade;	•	Façade Modulation – stepping back or extending forward a						
		portion of the façade to create a series of intervals in the façade;						

•	Repeating window pattern intervals that correspond to extensions and step backs (articulation) in the building façade; Providing a porch, patio, deck, or covered entry for each interval; Providing a bay window or balcony for each interval, while balancing the significant potential for heat loss through thermal bridge connections which could impact energy performance; Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval; Changing the materials with the change in building plane; and				
b.	Provide a lighting fixture, trellis, tree or other landscape feature within each interval. Break up the building mass by incorporating elements that define				√
	a building's base, middle and top.			_	•
C.	Use an integrated, consistent range of materials and colors and provide variety, by for example, using accent colors.				✓
d.	Articulate the façade using design elements that are inherent to the buildings as opposed to being decorative. For example, create depth in building facades by recessing window frames or partially recessing balconies to allow shadows to add detail and variety as a byproduct of massing.				✓
e.	Incorporate distinct architectural treatments for corner sites and highly visible buildings such as varying the roofline, articulating the façade, adding pedestrian space, increasing the number and size of windows, and adding awnings or canopies.				✓
f.	Provide weather protection (e.g. awnings, canopies, overhangs, etc.) along all commercial streets and plazas with particular attention to the following locations:	✓			
•	Primary building entrances;, Adjacent to bus zones and street corners where people wait for traffic lights;				
•	Over store fronts and display windows; and Any other areas where significant waiting or browsing by people occurs.				
g.	Architecturally-integrate awnings, canopies, and overhangs to the building and incorporate architectural design features of buildings from which they are supported.				✓
h.	Place and locate awnings and canopies to reflect the building's architecture and fenestration pattern.				✓
i.	Place awnings and canopies to balance weather protection with daylight penetration. Avoid continuous opaque canopies that run the full length of facades.				<
j.	Provide attractive signage on commercial buildings that identifies uses and shops clearly but which is scaled to the pedestrian rather than the motorist. Some exceptions can be made for buildings located on highways and/or major arterials in alignment with the City's Sign Bylaw.	✓			



k.	Avoid the following types of signage:	✓			
•	Internally lit plastic box signs;				
•	Pylon (stand alone) signs; and				
•	Rooftop signs.				
I.	Uniquely branded or colored signs are encouraged to help	✓			
	establish a special character to different neighbourhoods.				



RENDERING #1 - VIEW FROM DOUGALL RD



RENDERING #2 - VIEW FROM INTERSECTION



RENDERING #3 - BIRD'S EYE PERSPECTIVE (ROOFTOP AMENITY SPACE)



RENDERING #4 - BIRD'S EYE PERSPECTIVE (ROOFTOP AMENITY SPACE)



ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA

This drawing is an instrument of service and the property of New Town Services. The use of this drawing shall be restricted to the original site for which it was prepared and publication thereof is expressly limited to such use.

This drawing must not be scaled

Verify all dimensions and datums prior to

Report all errors and omissions to the Architect.



NEW TOWN ARCHITECT URE URBAN PLANNING CIVIL ENGINEERING

www.newtownservices.ca



		D = 0 0 D D = 1 0 1
No.	DATE	DESCRIPTION
1	2023-02-01	IFDP
2	2023-04-06	REISSUED FOR DP
4	2023-05-25	RE-ISSUED FOR DF
5	2023-06-02	RE-ISSUED FOR DF

THE RISE - 6 STOREY PURPOSE BUILT RENTAL

project address

385-405 Leathead Rd & 530-540 Dougall Rd N, KELOWNA 4215

project no. C:\Users\Lenka.Aligerova\Documents\4215-WCP 2022_BP_lenka@newtownservices.net.r

drawing title RENDERINGS



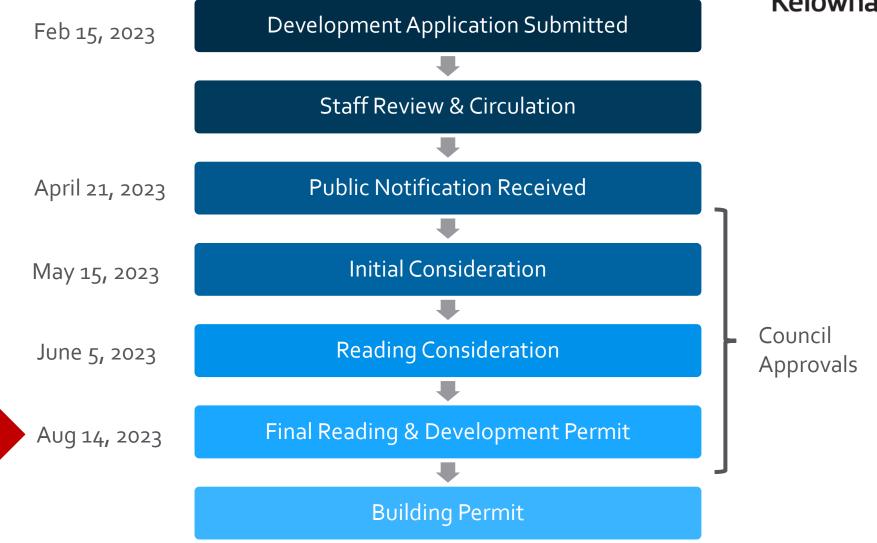


Purpose

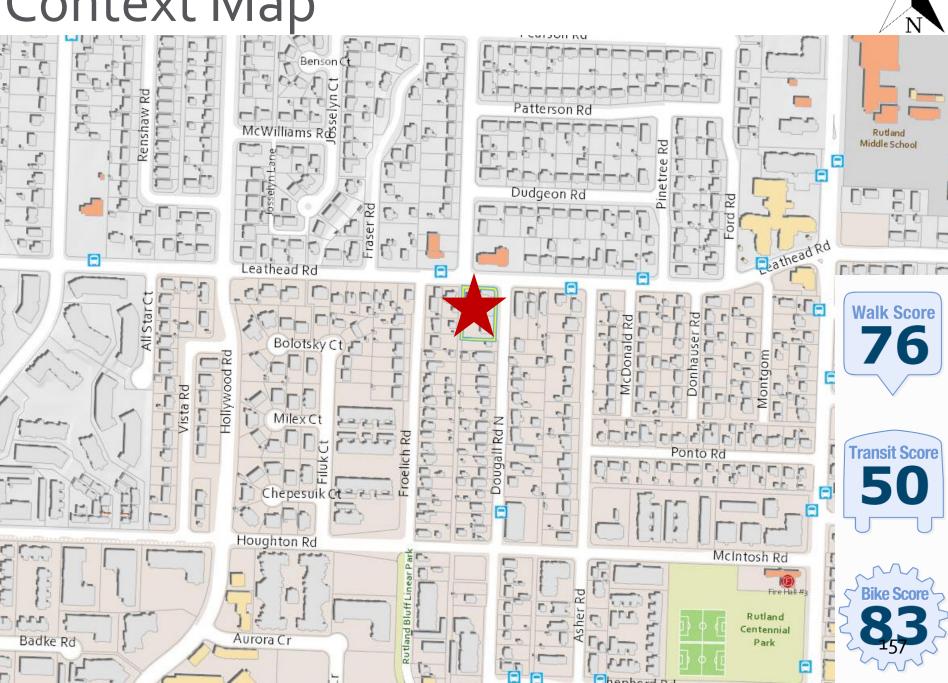
➤ To issue a Development Permit for the form and character of apartment housing.

Development Process





Context Map



Subject Property Map







Technical Details

- ▶ 6-storey apartment building
 - ▶ 124 units
 - ▶ 11 Bachelor
 - ▶ 90 One Bedroom
 - 23 Two Bedroom
 - 99 vehicles parking stalls*
 - ► Cash-in-lieu for 5 stalls
 - ▶ 105 bicycle parking spaces
 - ▶ 93 long-term
 - ▶ 12 short-term
 - ▶ 17 Trees

Site Plan





Elevation – East



Elevation – North



Elevation – West



Elevation – South

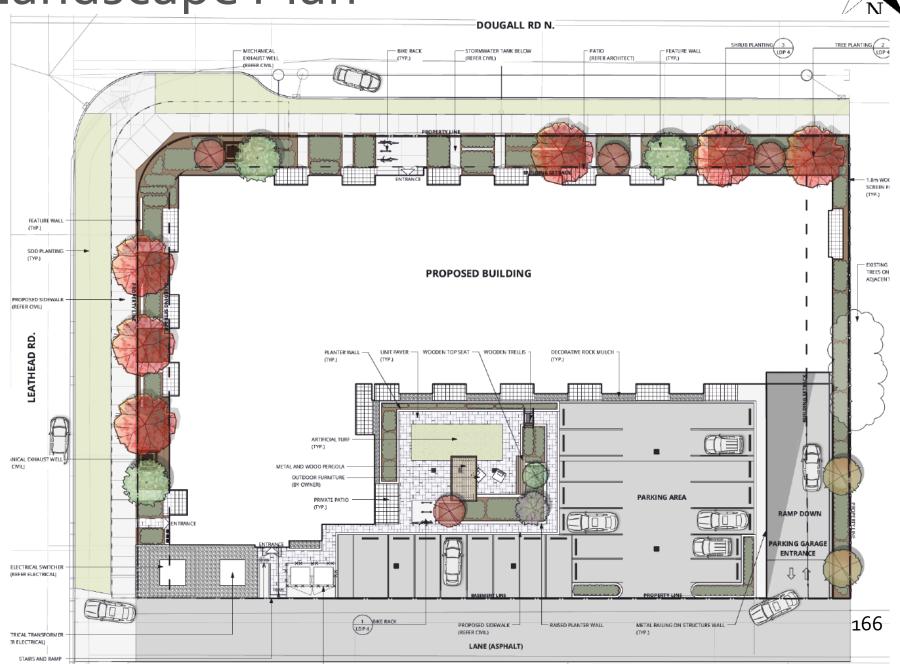


Materials Board



Landscape Plan





Rendering – Northeast



Rendering – Southwest





OCP Design Guidelines

- Orienting building facades to both fronting streets
- ► Avoiding blank walls at grade
- ► A range of architectural features and details
- ▶ Integrated, consistent range of materials
- ► Ground oriented units with individual entrances



Staff Recommendation

- ➤ Staff recommend **support** for the proposed Development Permit as it:
 - ▶ Generally meets the OCP Design Guidelines
 - No variances

REPORT TO COUNCIL DEVELOPMENT PERMIT

Date: August 14th, 2023

To: Council

From: City Manager

Address: 2050 Pier Mac Way

File No.: DP22-0199

Zone: I2 – General Industrial



1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP22-0199 for Lot B District Lot 32 and Section 14 Township 23 ODYD Plan EPP123820, 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 amount of 125% of the estimated value of the Landscape Plan, 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.

2.0 Purpose

To issue a Development Permit for the form and character of three new industrial buildings.

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of three new industrial buildings. The proposal generally complies with the Official Community Plan (OCP) policies for The Gateway by supporting the development of industrial lands and adding employments. The proposal also generally conforms with the OCP Form and Character Guidelines for Industrial and Service Commercial Development. Key guidelines that are met include:

- Screening parking that is visible from the road with tree planting;
- Articulating the façade facing the road through a variation of colour, plantings, and glazing;

• Distinguishing the plan/warehouse component of a building from the office/sales component.

Should Council support this Development Permit, the applicant may proceed with a Building Permit.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located on both Pier Mac Way and Quail Ridge Boulevard and is in the Airport Business Park. The surrounding area is almost entirely general industrial uses with the Future Land Use Designation of IND – Industrial. The subject property was recently subdivided (S22-0019) from the property directly to the South (1870 Pier Mac Way). This neighbouring property is also the location for first phase of the development and received a Development Permit from Council on July 11th, 2022.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS							
Gross Lot Area			34, 569 m²				
Net Industrial Floor Area			18, 028 m²				
	DEVELOPMENT	REGULATIONS					
CRITERIA	la Z	ONE	PRO	POSAL			
Total Maximum Floor Area Ratio	1	5		0.58			
Max. Site Coverage (buildings)	50	%	4	.8.0%			
Max. Site Coverage (buildings, parking, driveways)	90	%		90%			
Max. Height	16.	om	1	1.15M			
Setbacks							
Min. Front Yard (East)	2.0	om		3.2m			
Min. Side Yard (North)	0.0	m		5.6 m			

Min. Side Yard (South) 0.0 m 15.4 m								
Min. Rear Yard (West)	o.o m	5.6 m						
Landscaping								
Min. Number of Trees	21 trees							
PARKING REGULATIONS								
CRITERIA	I2 ZONE REQUIREMENTS	PROPOSAL						
Total Required Vehicle Parking	242 stalls	246 stalls						
Bicycle Stalls Long-Term	9 stalls	43 stalls						

6.0 Application Chronology

Application Accepted: November 25th, 2022

Report prepared by: Tyler Caswell, Planner II

Reviewed by: Dean Strachan, Community Planning & Development Manager Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Development Permit DP22-0199

Schedule A: Site Plan & Floor Plans Schedule B: Elevations & Sections Schedule C: Landscape Plan

Attachment B: OCP Form and Character Development Permit Guidelines

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

Development Permit

DP22-0199



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

2050 Pier Mac Way

and legally known as

Lot B District Lot 32 and Section 14 Township 23 ODYD Plan EPP123820

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

General Industrial

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

<u>Date of Council Approval:</u> August 14th, 2023

Development Permit Area: Form and Character

Existing Zone: I2 – General Industrial

Future Land Use Designation: IND – Industrial

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

This is NOT a Building Permit.

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

NOTICE

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

Owner: Beedie (Pier Mac Way) Holdings Ltd., Inc.No. BC1344910

Applicant: Jacob Edenloff – Beedie

Dean Strachan Community Planning & Development Manager Planning & Development Services Date of Issuance



1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

THAT Council authorizes the issuance of Development Permit No. DP22-0199 for Lot B District Lot 32 and Section 14 Township 23 ODYD Plan EPP123820 located at 2050 Pier Mac Way, Kelowna, BC, subject to the following:

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

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

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property owner of the day. Should the Developer carry out the development as per the conditions of this permit, the security shall be returned to the Developer or his or her designate following proof of Substantial Compliance as defined in Bylaw No. 12310. There is filed accordingly:

a) An Irrevocable Letter of Credit OR certified cheque OR a Surety Bond in the amount of \$263,955.59

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

4. INDEMNIFICATION

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

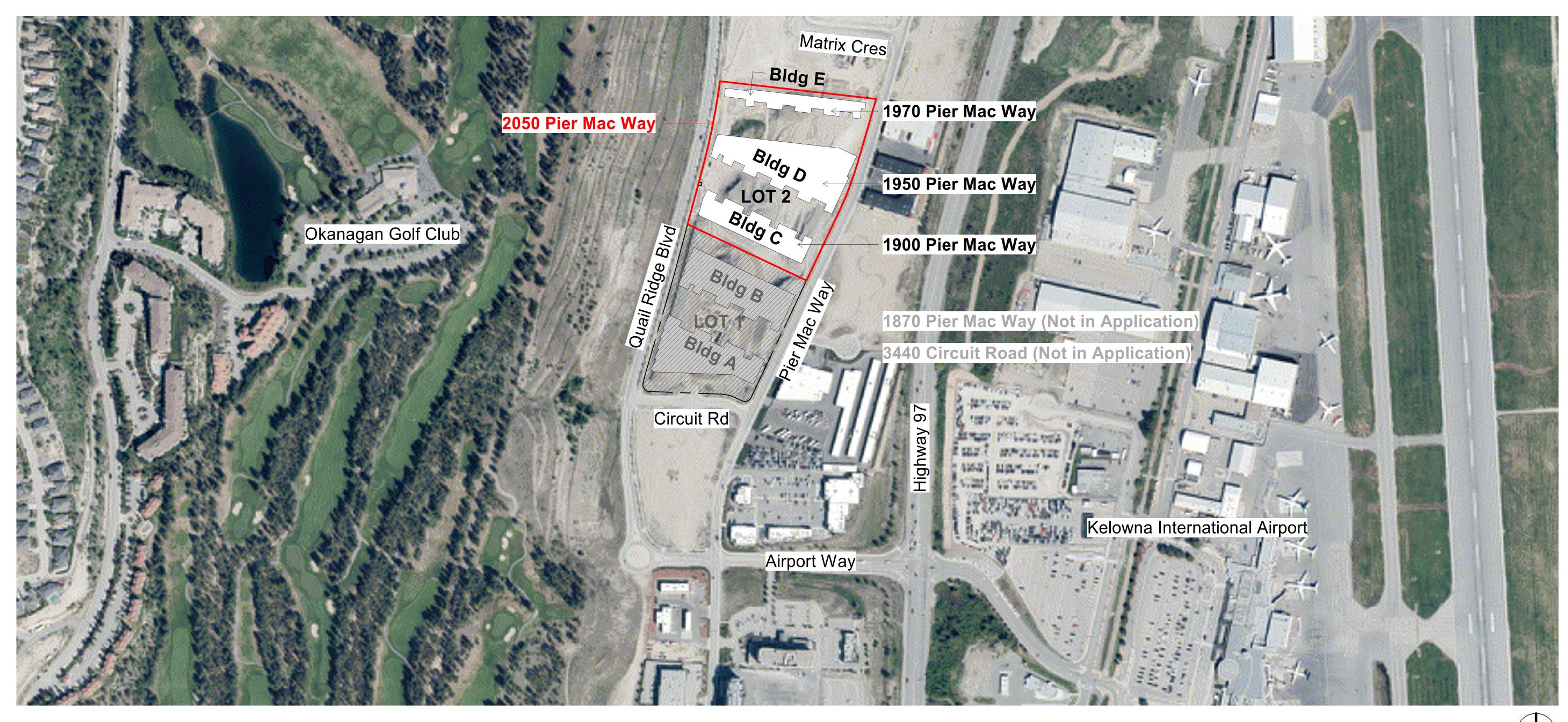
a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

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









Context Plan - Aerial Photo DP



SW Corner - Circut Road



SE Corner - Circut Road

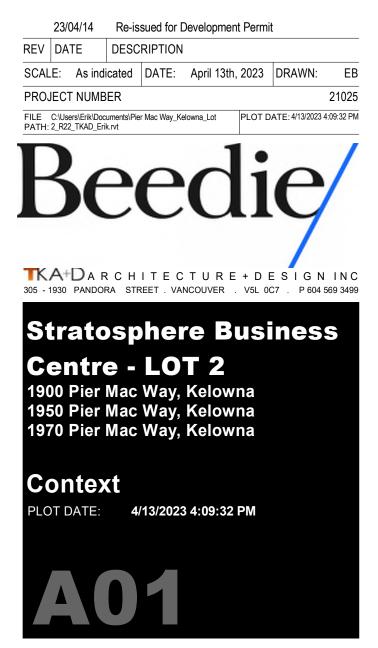


NW Corner - Quail Ridge Blvd



NE Corner - Pier Mac Way







1" = 40'-0"

TKA+D **ZONING SUMMARY AREA SUMMARY**

172 ft²

167 ft²

40,504 ft²

14,950 ft²

55,793 ft²

300 ft²

167 ft²

175 ft²

153 ft²

7,796 ft²

35,457 ft²

194,049 ft²

Area (ft²)

172 ft²

167 ft²

14950 ft²

55793 ft²

Area (ft²)

172 ft²

167 ft²

12,237 ft²

43,588 ft²

9,492 ft²

2,713 ft²

Area (ft²)

300 ft²

167 ft²

79996 ft²

22338 ft²

102799 ft²

Area (ft²)

300 ft²

167 ft²

71,543 ft²

15,571 ft²

87,581 ft²

8,452 ft²

6,767 ft²

15,219 ft²

Area Summary - By Occupancy Bldg D

Area Summary - By Level Bldg D

31,012 ft²

Occupancy

Electrical

Industrial

Industrial

BUILDING D

Occupancy

Electrical

Industrial

Mechanical

Occupancy

Electrical

Industrial

Industrial

BUILDING E

Office

Office

Mechanical

1st Storey Areas

2nd Storey Areas

Office

Office

Mechanical

1st Storey Areas

2nd Storey Areas

40504 ft²

79,996 ft²

22,338 ft²

102,799 ft²

27,331 ft²

3,763 m²

1,389 m²

5,183 m²

7,432 m²

724 m²

3,294 m²

18,028 m²

1389 m²

5183 m²

Area (m²)

2,881 m²

4,049 m²

252 m²

7432 m²

Area (m²)

1,447 m²

8,137 m²

629 m²

1,414 m²

15 m²

PROJECT ADDRESS: 1900, 1950, 1970 PIER MAC WAY, KELOWNA BC

Area (ft²) Area (m²) **LEGAL** LOT 1 DISTRICT LOT 32 AND **SECTION 14 TOWNSHIP 23**

DESCRIPTION:

EPP64961, AND EPP80708 **EASEMENT: AUTHORITY:** City of Kelowna INDUSTRIAL TBD **ENERGY**

OSOYOOS DIVISION

YALE DISTRICT PLAN PP55887

EXCEPT PLANS EPP56391

SITE AREA

372,101 ft² 34,569 m² 8.54 acres 2,539 m² 14 m²

STANDARD:

REQUIRED PROPOSED **DENSITY (FSR):** 1.5 **BLDG COVERAGE:**

IMPERMEABLE MAX 90% LOT AREA: 334,891 ft² 334,261 ft² **BUILDING HEIGHT:** +/- 11.15 16m **SETBACKS:**

EAST (Pier Mac Way) Front Yard Setback NORTH Side Yard Setback

WEST(Quail Ridge Blvd) Rear Yard Setback

SOUTH Side Yard

Setback

Note: Vehicle turning curves are provided for illustraion of planning concept only and should not be interpreted as prooof of design or ansportation feasibility. Indicated vehicle paths may be restricted by the presence of adjacent parked vehicles and/or trailers. Lanes and drive aisles may not permit simultaneous two-way traffic as opposing

turn paths may conflict. Detailed swept path analysis should be

Kelowna

SCHEDULE This forms part of application # DP22-0199 28 m² City of

performed by a qualified transportation engineer

2075 m² 9550 m²

Initials

Planner TC

2023-04-13

23/04/14 Re-issued for Development Permit REV DATE DESCRIPTION

SCALE: 1" = 40'-0" DATE: April 13th, 2023 DRAWN:

21025 PROJECT NUMBER FILE C:\Users\Erik\Documents\Pier Mac Way_Kelowna_Lot PLOT DATE: 4/13/2023 4:13:58 PM PATH: 2_R22_TKAD_Erik.rvt

TKA+DARCHITECTURE+DESIGNINC
305 - 1930 PANDORA STREET . VANCOUVER . V5L 0C7 . P 604 569 3499

Stratosphere Business Centre - LOT 2

1900 Pier Mac Way, Kelowna 1950 Pier Mac Way, Kelowna 1970 Pier Mac Way, Kelowna

Site Plan - Lot 2 PLOT DATE: 4/13/2023 4:13:58 PM

PARKING SUMMARY Area Summary - By Occupancy Lot 2 Parking Required - By Building Lot 2

Parking Required Occupancy Occupancy (SM) **Factor** Spaces Bldg C Bldg C Electrical 3,760 m² 1,076.0 37.6 Industrial Industrial 34.8 Office 1,390 m² 430.0 Mechanical 5,150 m² 72.4 Office Bldg D 7,430 m² 1,076.0 74.3 Industrial Bldg D 2,080 m² 430.0 51.9 Office Electrical 126.3 9,510 m² Industrial Bldg E Mechanical 2,540 m² 1,076.0 25.4 Industrial Office 18.1 720 m² 430.0 Office 3,260 m² 43.5 Bldg E 17,920 m² 242.2 Electrical Parking Provided - By Building Lot 2 Industrial Mechanical Building C Accessible Space: Standard 6.0m x 3.9m Accessible Space: Van 6.0m x 4.8m Parking Space: Parallel 7m x 2.6m Parking Space: Regular 6.0m x 2.5m **BUILDING C** Parking Space: Small 4.8m x 2.3m Area Summary - By Occupancy Bldg C Occupancy Building D Accessible Space: Standard 6.0m x 3.9m Electrical Accessible Space: Van 6.0m x 4.8m Industrial Parking Space: Regular 6.0m x 2.5m Mechanical Parking Space: Small 4.8m x 2.3m 129 **Area Summary - By Level Bldg C**

Building E Accessible Space: Standard 6.0m x 3.9m Accessible Space: Van 6.0m x 4.8m Parking Space: Regular 6.0m x 2.5m Parking Space: Small 4.8m x 2.3m

Loading Provided - By Building Lot 2 Building C

Loading Space: Dock 3.5m x 18.4m Loading Space: Grade 3m x 9m Building D

Loading Space: Dock 3.5m x 18.4m Loading Space: Grade 3m x 9m

Loading Space: Grade 3m x 12m

Building E

Bicycle Parking Required - By Building Lot 2 **Factor** Spaces Occupancy Bldg C 3,760 m² 21520 Industrial 1,390 m² 21520 Office 5,150 m²

Bldg D 7,430 m² 21520 Industrial 2,080 m² 21520 Office 9,510 m² Bldg E 2,540 m² 21520 Industrial Office 720 m² 21520

3,260 m²

17,920 m² **Bicycle Parking Provided**

Bicycle stall: Long Term

KEYNOTES DESCRIPTION BKRK BIKE RACK ELECTRICAL PANEL FIRE ALARM ANNUNCIATOR PANEL FIRE DEPARTMENT CONNECTION FENCE - BLACK CHAINLINK FIRE HYDRANT

GAS METER GUARD RAIL ACCESSIBLE CURB LETDOWN STREET LIGHT MONUMENT SIGN POST BOX

SIGN1 SIGNAGE; MONUMENT

PAD MOUNTED TRANSFORMER PERMEABLE PAVERS **REFUSE & RECYCLING AREA RETAINING WALL**

Area Summary - By Occupancy Bldg E Occupancy

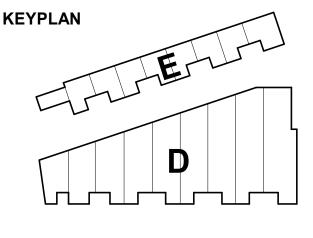
Area (ft²) Bldg E 175 ft² 16 m² Electrical 27331 ft² Industrial 153 ft² Mechanical Office 7796 ft² 724 m² 35457 ft² 3294 m²

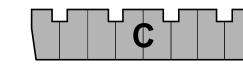
Area Summary - By Level Bldg E

Area (ft²) Area (m²) Occupancy 1st Storey Areas 175 ft² Electrical 1,844 m² 19,849 ft² Industrial 153 ft² Mechanical 14 m² Office 7,796 ft² 724 m² 27,974 ft² 2,599 m² 2nd Storey Areas 7,483 ft² Industrial

7,483 ft²







KEYNOTES

TAG DESCRIPTION BKRK BIKE RACK DOCK LEVELLER ELECTRICAL PANEL FAAP FIRE ALARM ANNUNCIATOR **PANEL**

FDC FIRE DEPARTMENT CONNECTION **GAS METER**

GUARD RAIL - TYPE 1 ROOF LADDER LOADING BAY - DOCK LOADING BAY - GRADE

POST BOX

REFUSE & RECYCLING AREA

NOTES

1. OCCUPANT LOAD LIMITED TO 10 OCCUPANTS PER UNIT WITH **CURRENT NUMBER OF PROVIDED** WATER CLOSETS. PERMANENT SIGNS NOTING MAXIMUM OCCUPANT LOAD OF 10 TO BE PROVIDED IN EACH UNIT AS PER BCBC 3.1.17.1 (2).

2. SECOND STOREY TO COMPLY WITH BCBC 3.8.2.1 (1) g): CONTAINS ONLY FACILITES THAT ARE ALSO CONTAINED ON THE ACCESSIBLE

3. BUILDING CONTAINS NO MEZZANINES



Planner Initials TC



23/04/14 Re-issued for Development Permit

2023-04-13

REV DATE DESCRIPTION SCALE: As indicated DATE: April 13th, 2023 DRAWN: EB PROJECT NUMBER

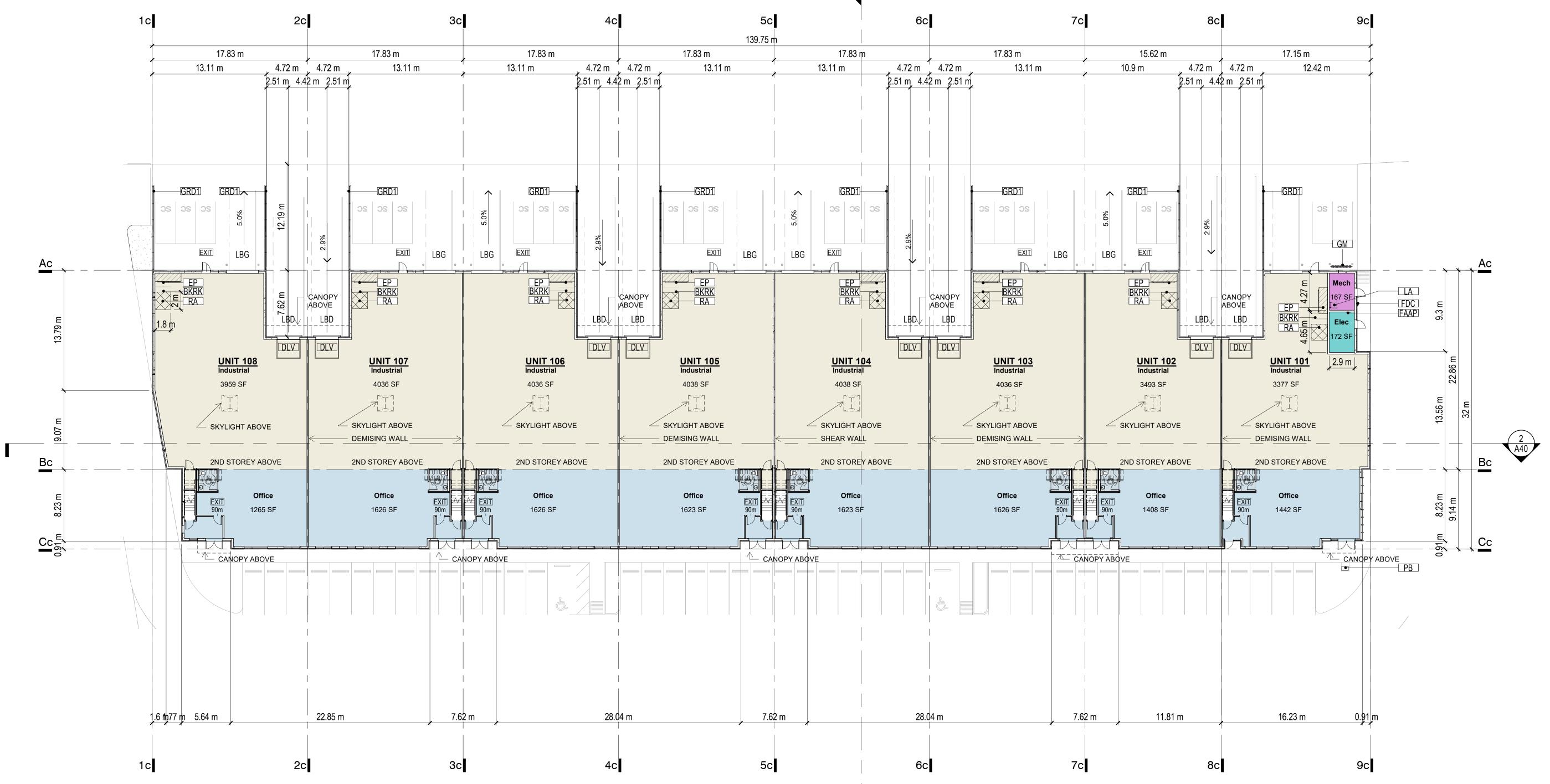
21025 FILE C:\Users\Erik\Documents\Pier Mac Way_Kelowna_Lot PLOT DATE: 4/13/2023 4:14:01 PM PATH: 2_R22_TKAD_Erik.rvt

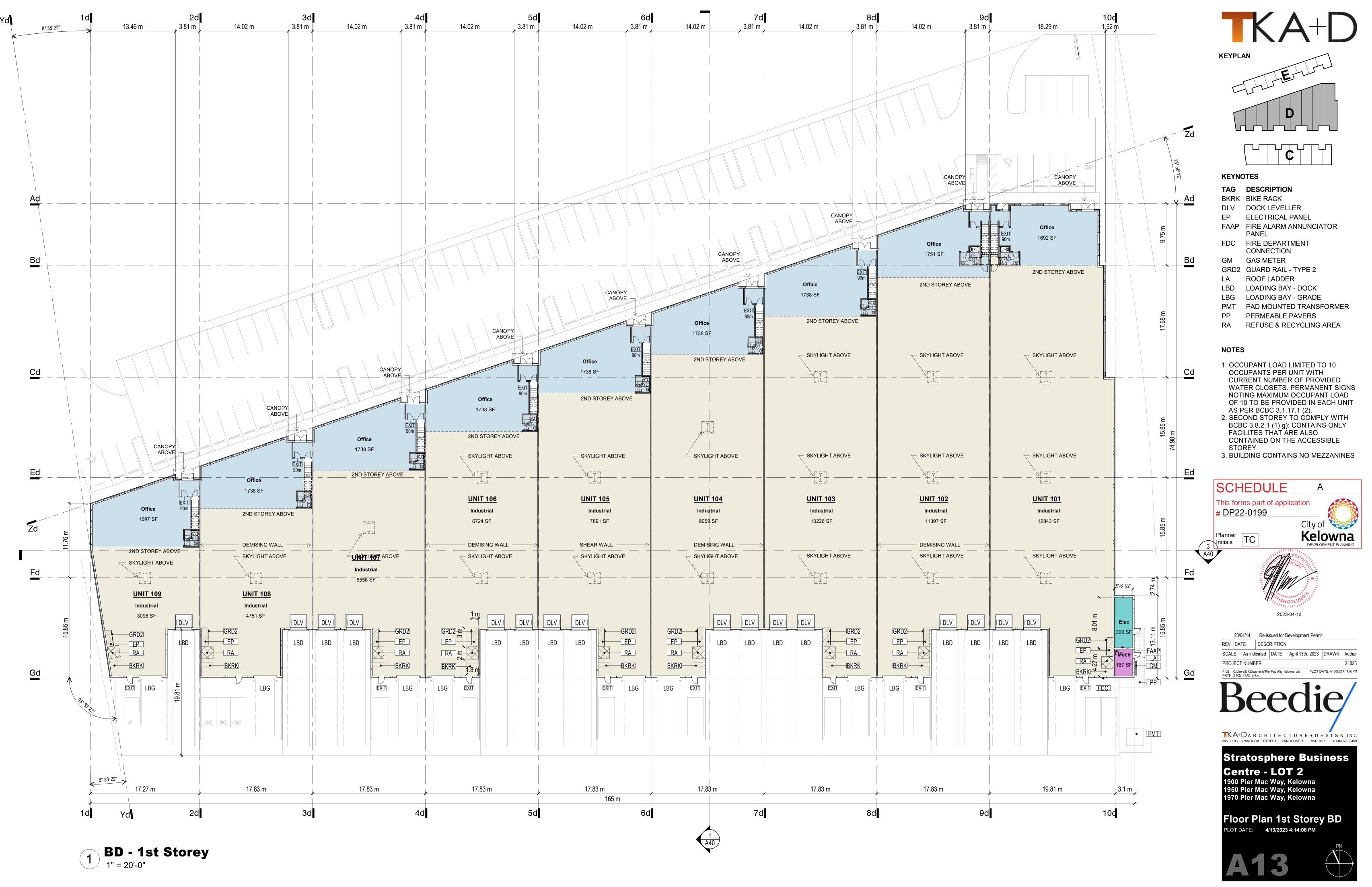


Stratosphere Business Centre - LOT 2

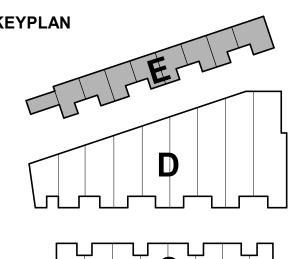
1900 Pier Mac Way, Kelowna 1950 Pier Mac Way, Kelowna 1970 Pier Mac Way, Kelowna

Floor Plan 1st Storey BC PLOT DATE: 4/13/2023 4:14:01 PM









KEYNOTES

TAG DESCRIPTION BKRK BIKE RACK ELECTRICAL PANEL FAAP FIRE ALARM ANNUNCIATOR PANEL

FDC FIRE DEPARTMENT CONNECTION **GAS METER**

GRD2 GUARD RAIL - TYPE 2 **ROOF LADDER** LOADING BAY - GRADE PERMEABLE PAVERS

REFUSE & RECYCLING AREA

NOTES

1. OCCUPANT LOAD LIMITED TO 10 OCCUPANTS PER UNIT WITH **CURRENT NUMBER OF PROVIDED** WATER CLOSETS. PERMANENT SIGNS NOTING MAXIMUM OCCUPANT LOAD OF 10 TO BE PROVIDED IN EACH UNIT AS PER BCBC 3.1.17.1 (2).

2. SECOND STOREY TO COMPLY WITH BCBC 3.8.2.1 (1) g): CONTAINS ONLY FACILITES THAT ARE ALSO CONTAINED ON THE ACCESSIBLE

3. BUILDING CONTAINS NO MEZZANINES





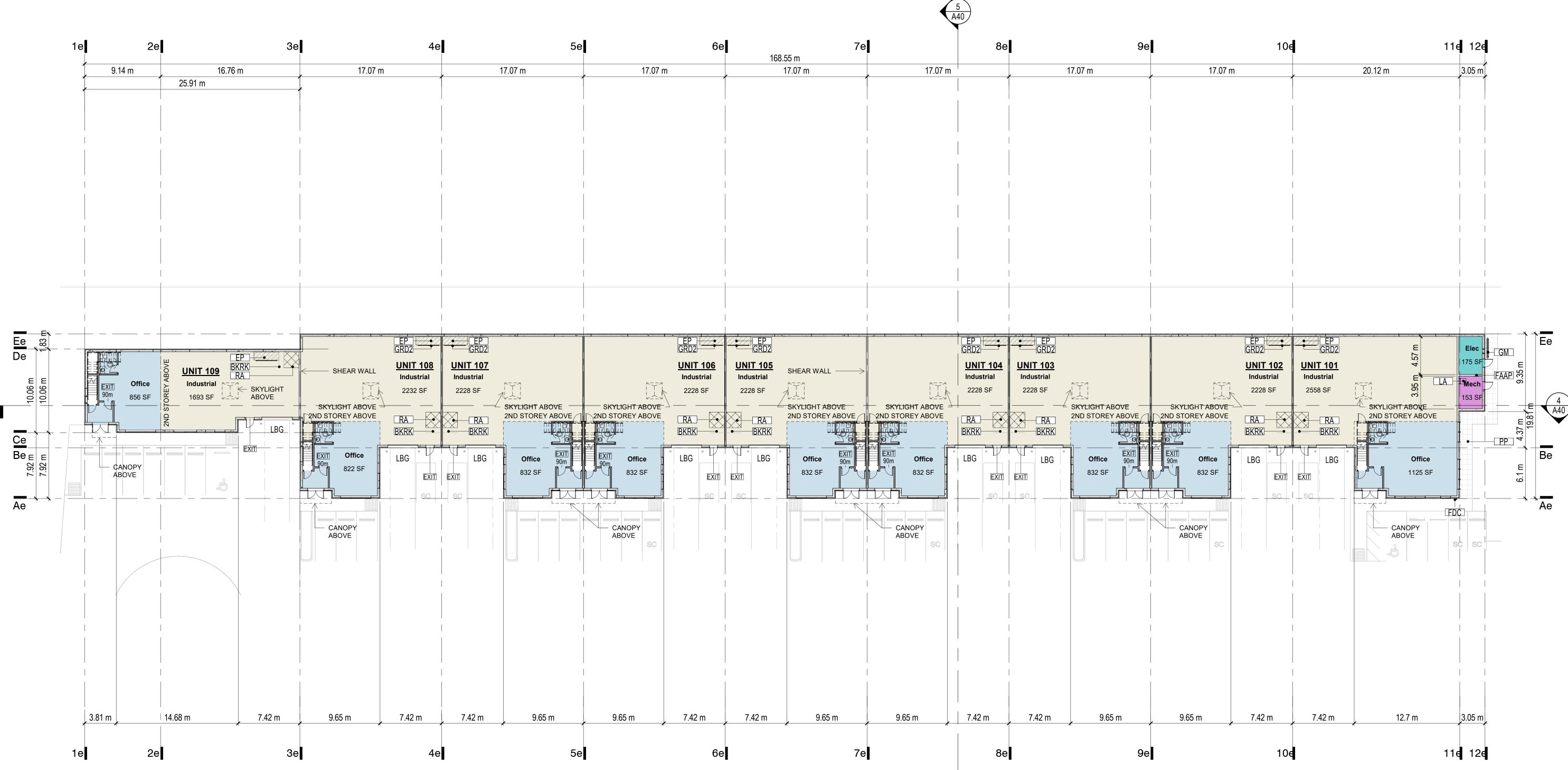


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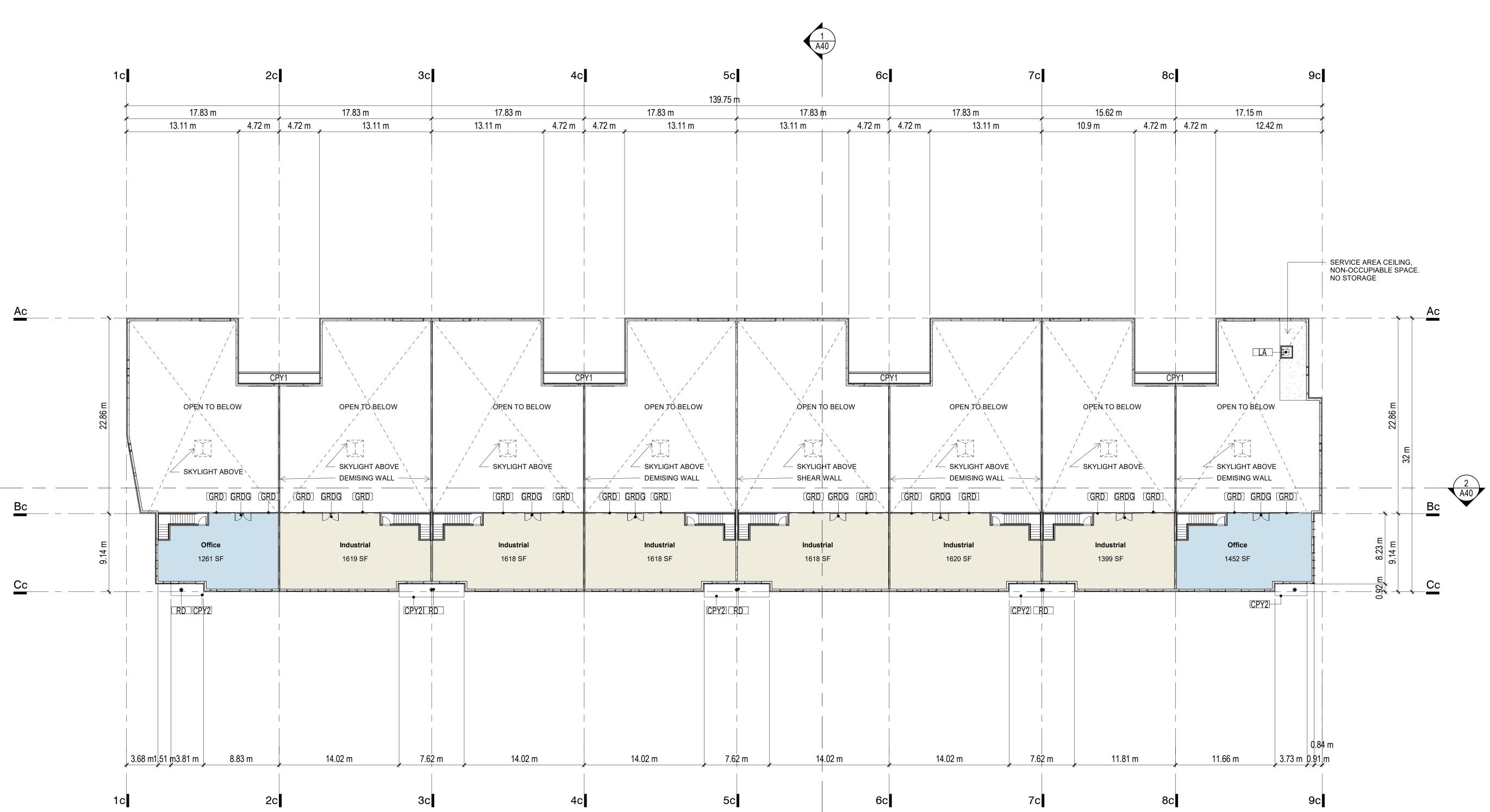
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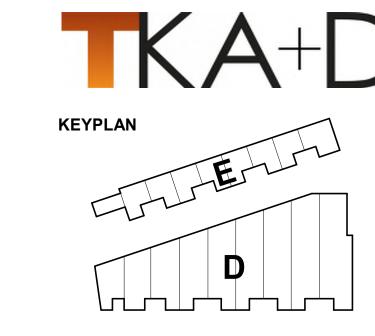




BE - 1st Storey



1 BC - 2nd Storey
1" = 20'-0"



KEYNOTES

TAG DESCRIPTION

CPY1 CANOPY - TYPE 1

CPY2 CANOPY - TYPE 2

GRD GUARD RAIL

GRDG GUARD RAIL GATE

LA ROOF LADDER

RD ROOF DRAIN

NOTES

1. OCCUPANT LOAD LIMITED TO 10
OCCUPANTS PER UNIT WITH
CURRENT NUMBER OF PROVIDED
WATER CLOSETS. PERMANENT SIGNS
NOTING MAXIMUM OCCUPANT LOAD
OF 10 TO BE PROVIDED IN EACH UNIT
AS PER BCBC 3.1.17.1 (2).

2. SECOND STOREY TO COMPLY WITH BCBC 3.8.2.1 (1) g): CONTAINS ONLY FACILITES THAT ARE ALSO CONTAINED ON THE ACCESSIBLE STOREY

3. BUILDING CONTAINS NO MEZZANINES





23/04/14 Re-issued for Development Permit

REV DATE DESCRIPTION

SCALE: As indicated DATE: April 13th, 2023 DRAWN: EB

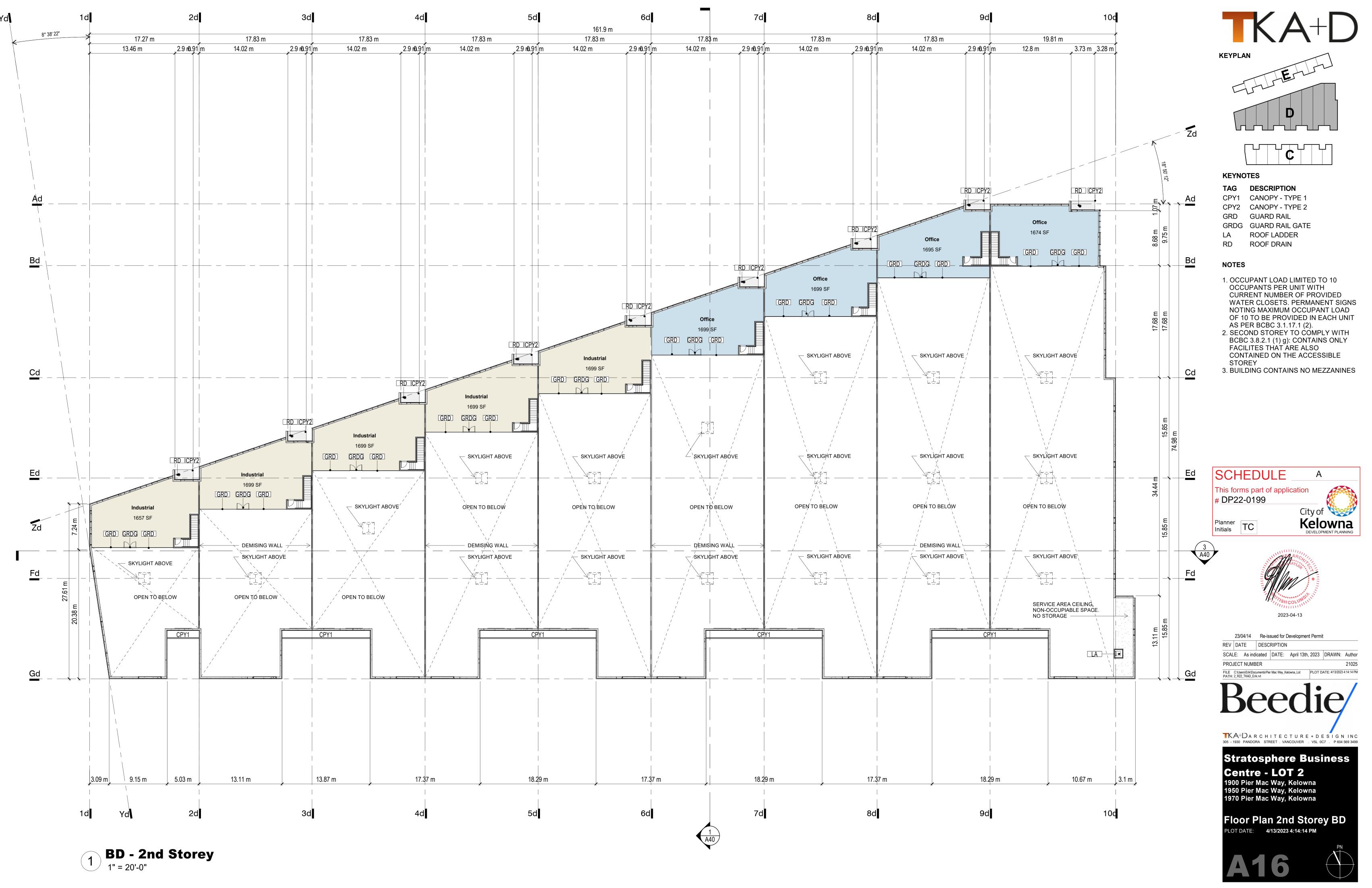
PROJECT NUMBER 21025

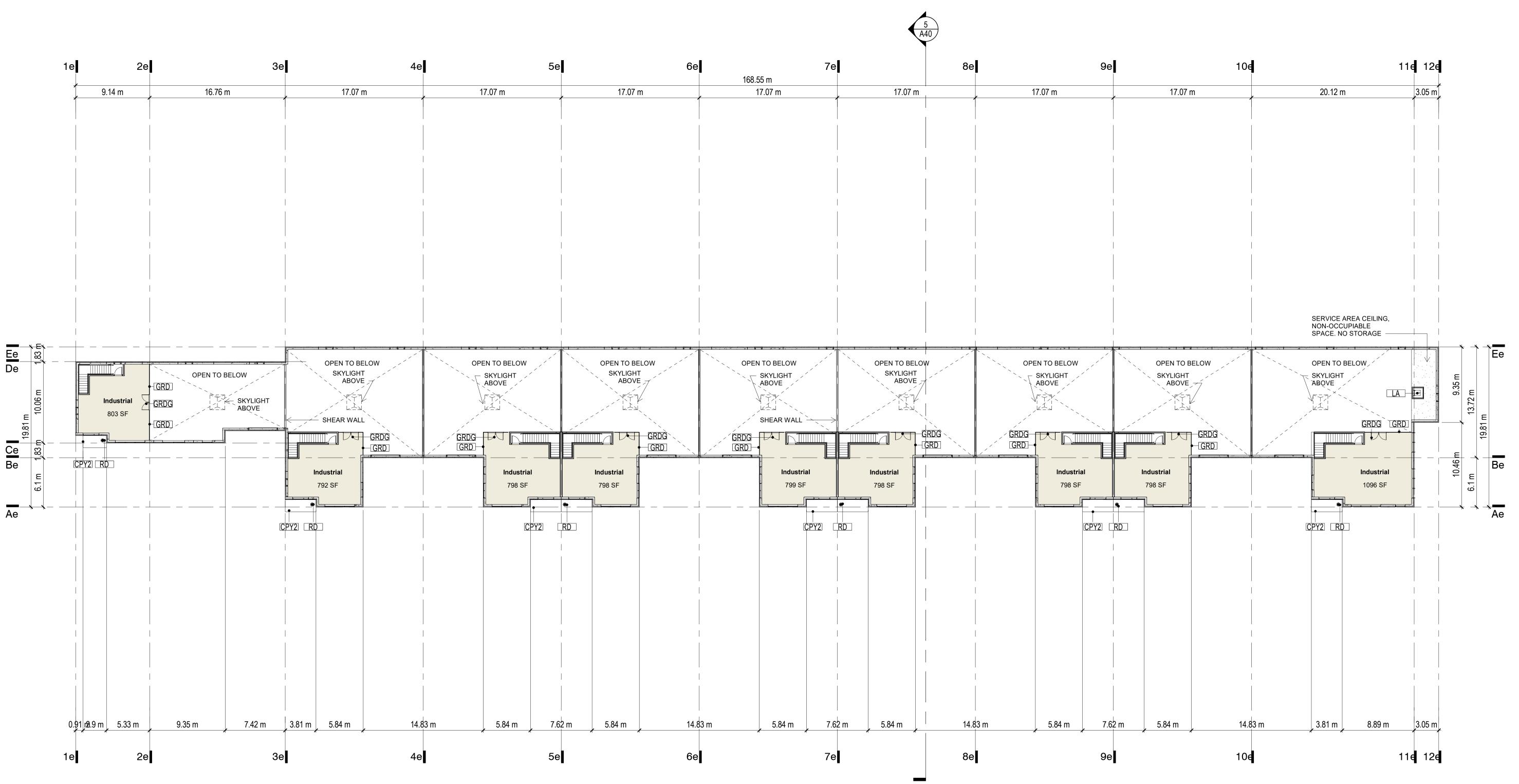
FILE C:\Users\Erik\Documents\Pier Mac Way_Kelowna_Lot PLOT DATE: 4/13/2023 4:14:11 PM
PATH: 2_R22_TKAD_Erik.rvt

Beedie/

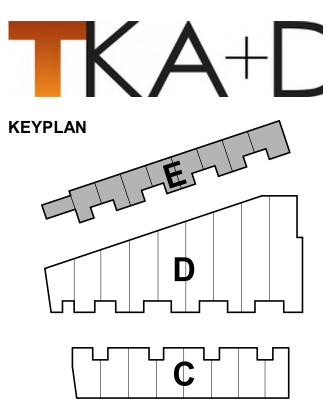
TKA-DARCHITECTURE+DESIGNINC
305-1930 PANDORA STREET. VANCOUVER. V5L 0C7. P 604 569 3499

Stratosphere Business
Centre - LOT 2
1900 Pier Mac Way, Kelowna
1950 Pier Mac Way, Kelowna
1970 Pier Mac Way, Kelowna
Floor Plan 2nd Storey BC
PLOT DATE: 4/13/2023 4:14:11 PM





1 BE - 2nd Storey
1" = 20'-0"



KEYNOTES

TAG DESCRIPTION

CPY2 CANOPY - TYPE 2

GRD GUARD RAIL

GRDG GUARD RAIL GATE

LA ROOF LADDER

RD ROOF DRAIN

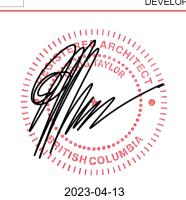
NOTES

1. OCCUPANT LOAD LIMITED TO 10
OCCUPANTS PER UNIT WITH
CURRENT NUMBER OF PROVIDED
WATER CLOSETS. PERMANENT SIGNS
NOTING MAXIMUM OCCUPANT LOAD
OF 10 TO BE PROVIDED IN EACH UNIT
AS PER BCBC 3.1.17.1 (2).

2. SECOND STOREY TO COMPLY WITH BCBC 3.8.2.1 (1) g): CONTAINS ONLY FACILITES THAT ARE ALSO CONTAINED ON THE ACCESSIBLE STOREY

3. BUILDING CONTAINS NO MEZZANINES





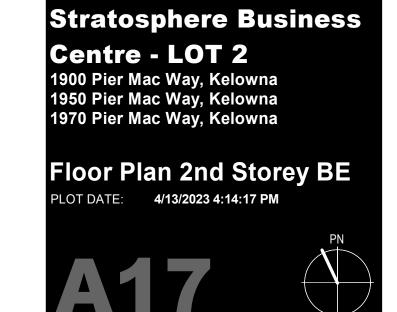
23/04/14 Re-issued for Development Permit

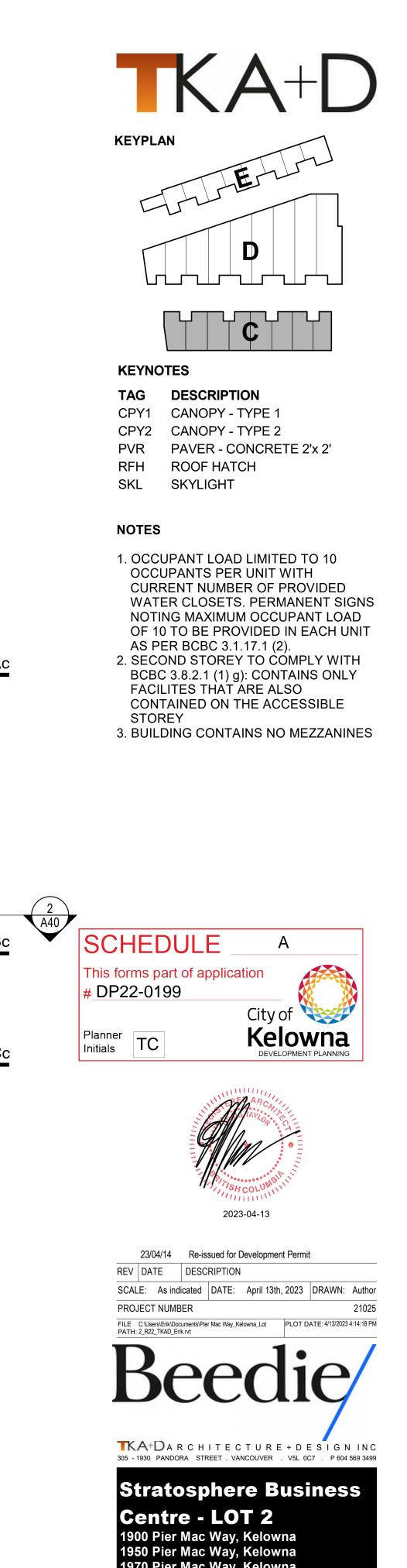
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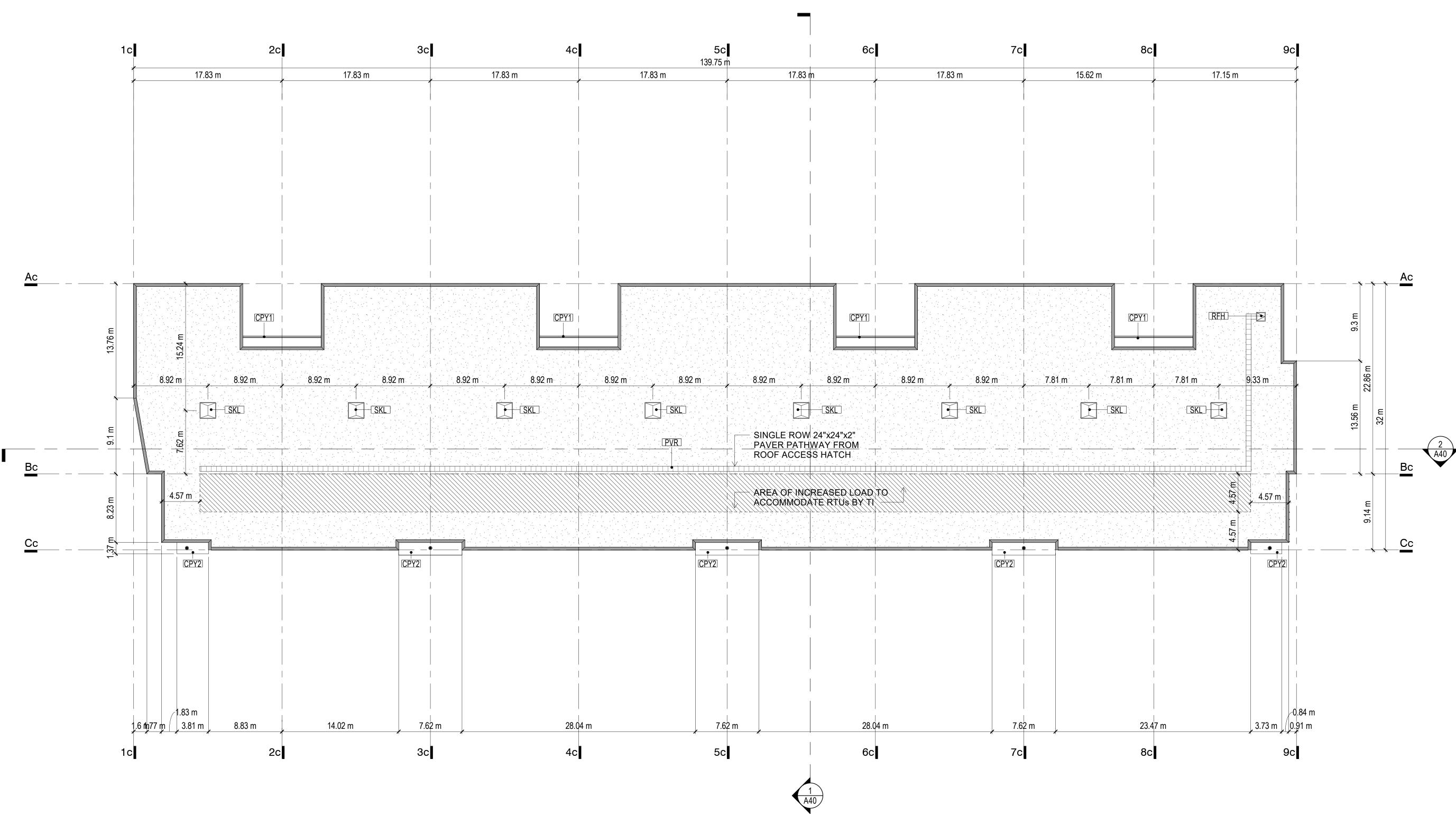
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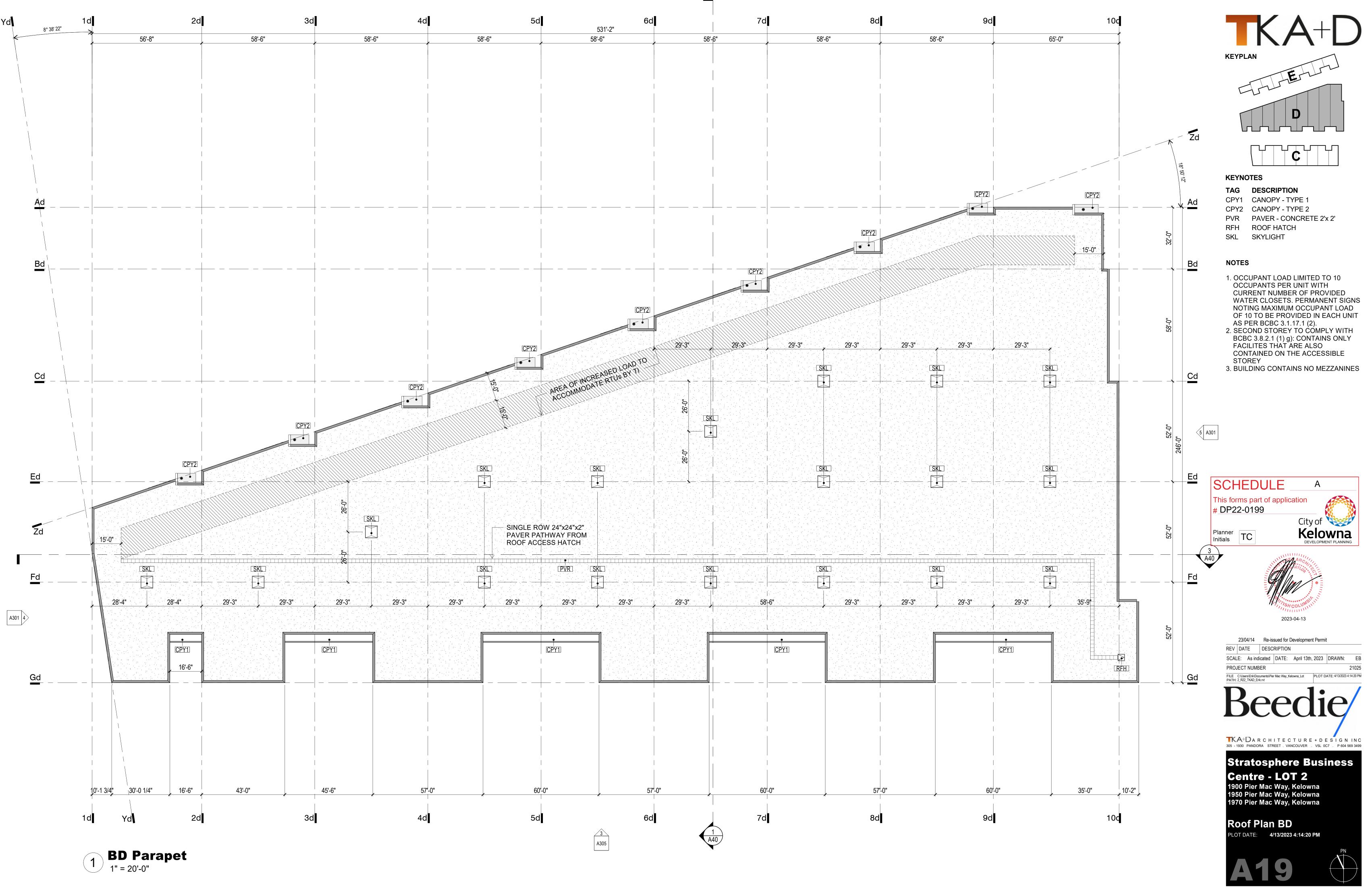
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305 - 1930 PANDORA STREET . VANCOUVER . V5L 0C7 . P 604 569 3499

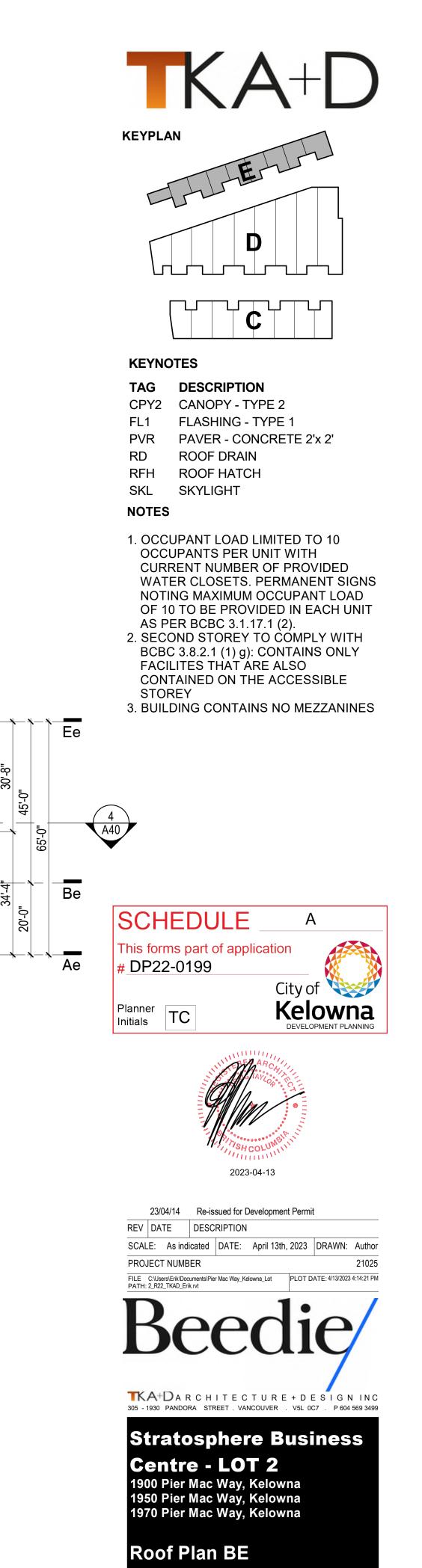


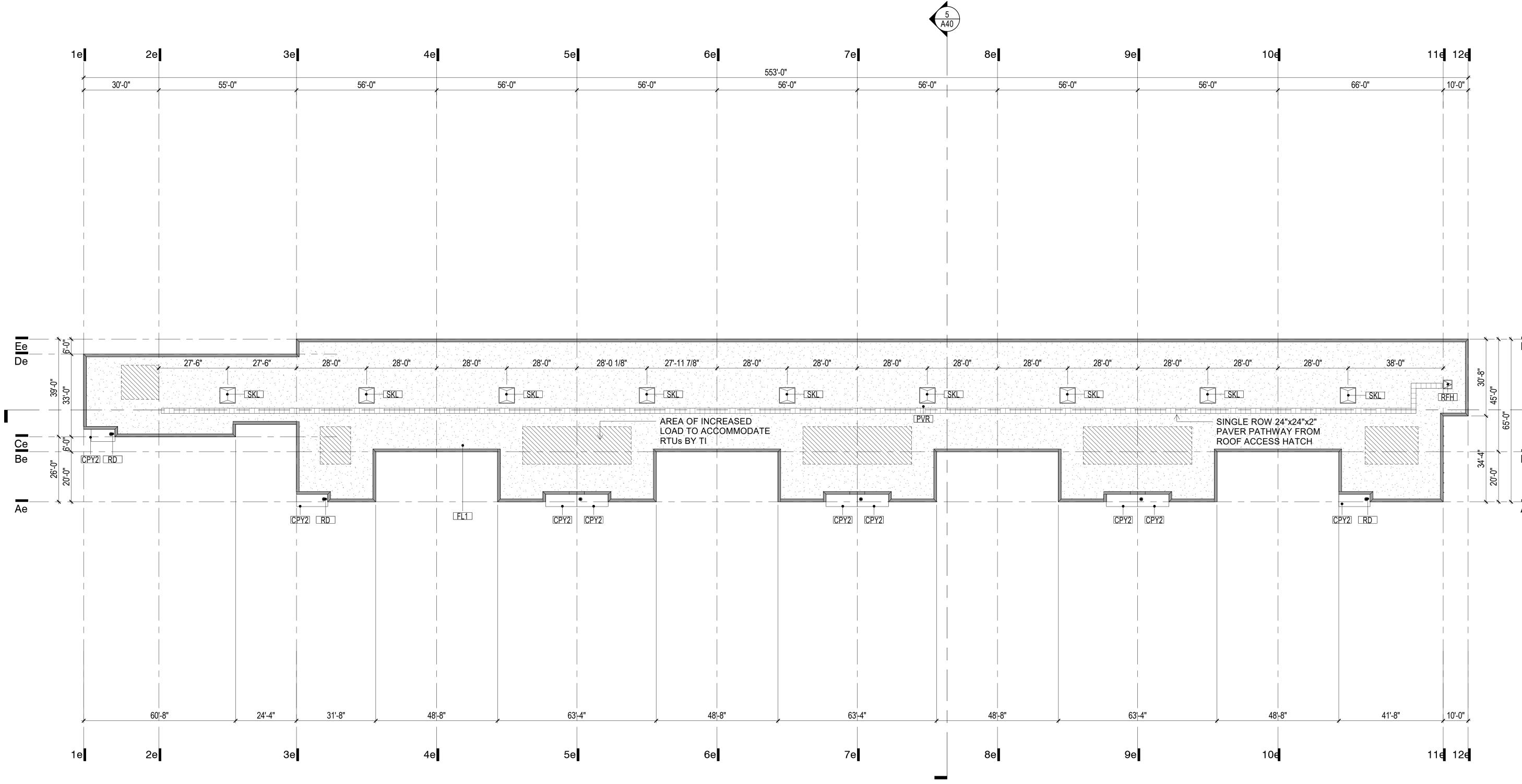




1 BC Parapet 1" = 20'-0"

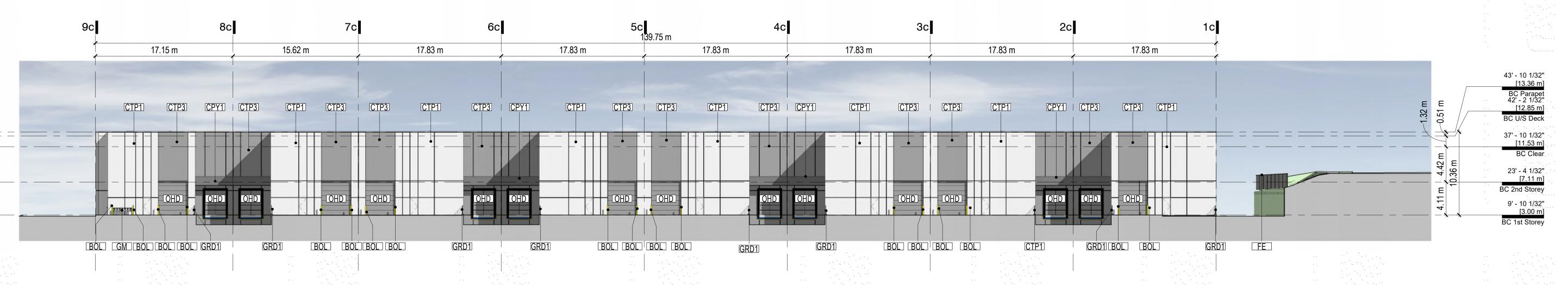




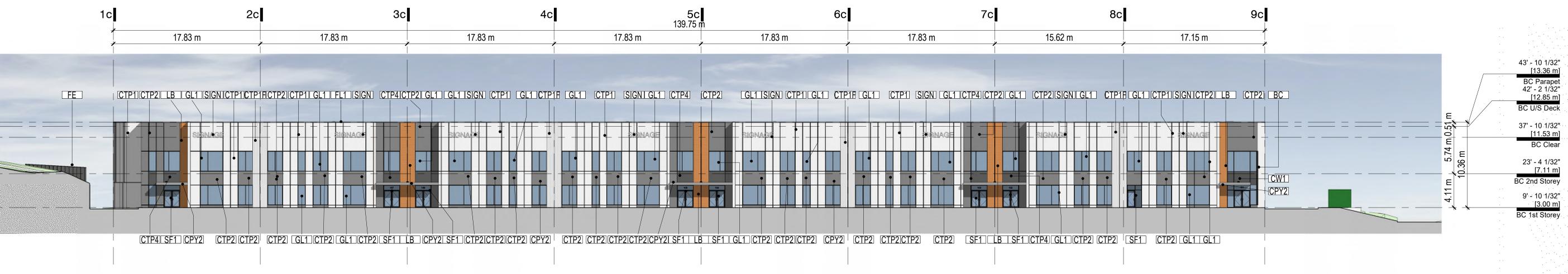


BE Parapet 1" = 20'-0"

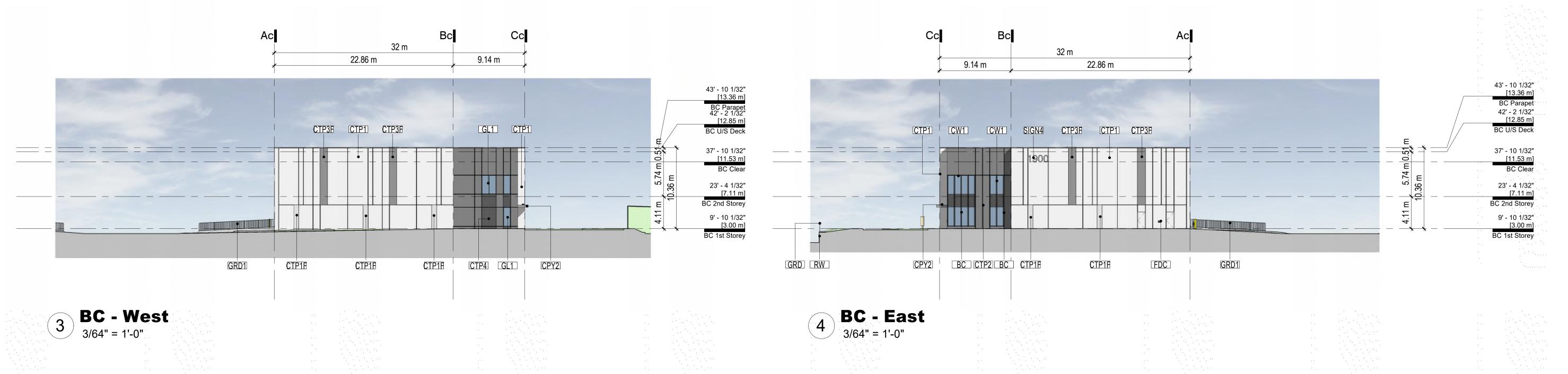
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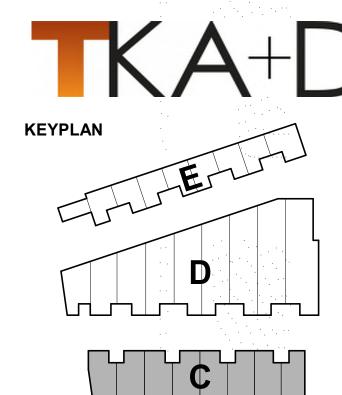


1 BC - North



2 BC - South 3/64" = 1'-0"





KEYNOTES

TAG DESCRIPTION

BC MULLION BEAUTY CAP

BOL BOLLARD

CPY1 CANOPY - TYPE 1

CPY2 CANOPY - TYPE 2

CTP1 CONCRETE TILT-UP; PAINT FINISH P1
CTP1F CONCRETE TILT-UP; W/ FORMLINER;
PAINT FINISH P1

CTP2 CONCRETE TILT-UP; PAINT FINISH P2
CTP3 CONCRETE TILT-UP; PAINT FINISH P3
CTP3F CONCRETE TILT-UP; - PAINTED P3 W/
FORMLINER

CTP4 CONCRETE TILT-UP; - PAINTED P4
CW1 CURTAIN WALL - TYPE 1
FDC FIRE DEPARTMENT CONNECTION
FE FENCE - BLACK CHAINLINK

FL1 FLASHING - TYPE 1
GL1 GLAZING - TYPE 1
GM GAS METER
GRD GUARD RAIL
GRD1 GUARD RAIL - TYPE 1
LB LONG BOARD

OHD OVERHEAD DOOR
RW RETAINING WALL
SF1 SHOP FRONT GLAZING - TYPE 1

SIGN SIGNAGE; BY OWNER
SIGN4 SIGNAGE; BUILDING ADDRESS



Planner Initials TC



23/04/14 Re-issued for Development Permit

REV DATE DESCRIPTION

SCALE: 3/64" = 1'-0" DATE: April 13th, 2023 DRAWN: EB

PROJECT NUMBER 21025

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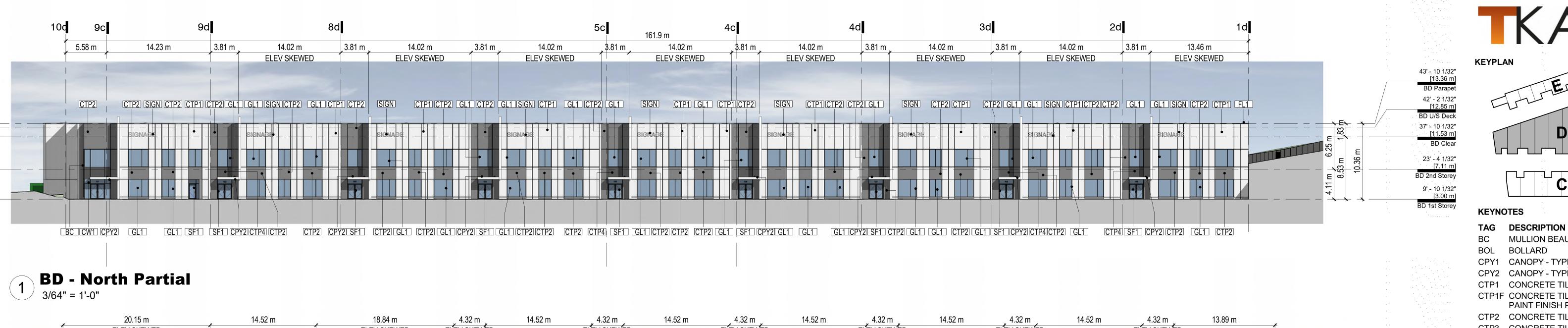
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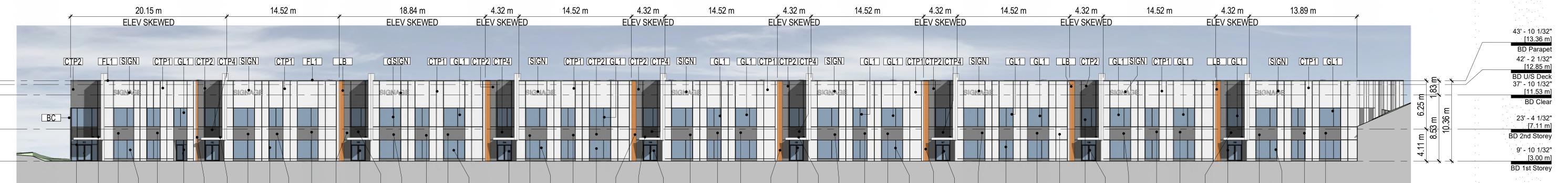


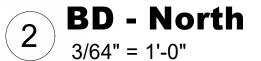
1900 Pier Mac Way, Kelowna 1950 Pier Mac Way, Kelowna 1970 Pier Mac Way, Kelowna

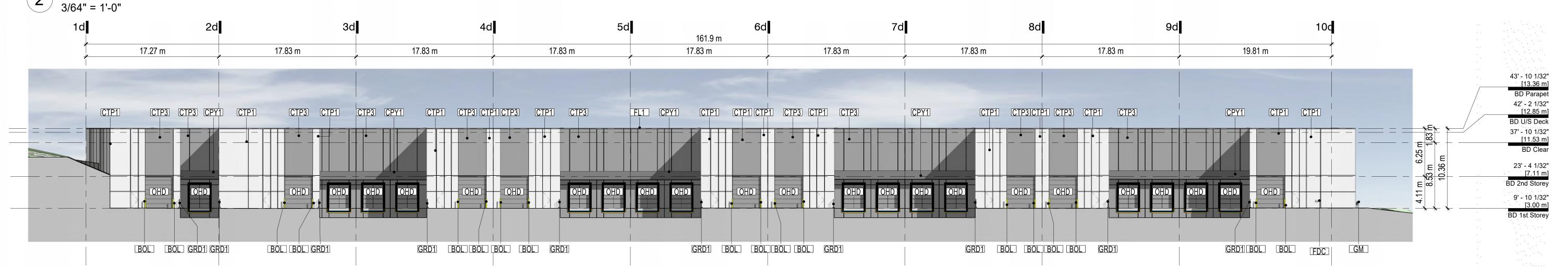
Elevations BC
PLOT DATE: 4/13/2023 4:14:33 PM

A30





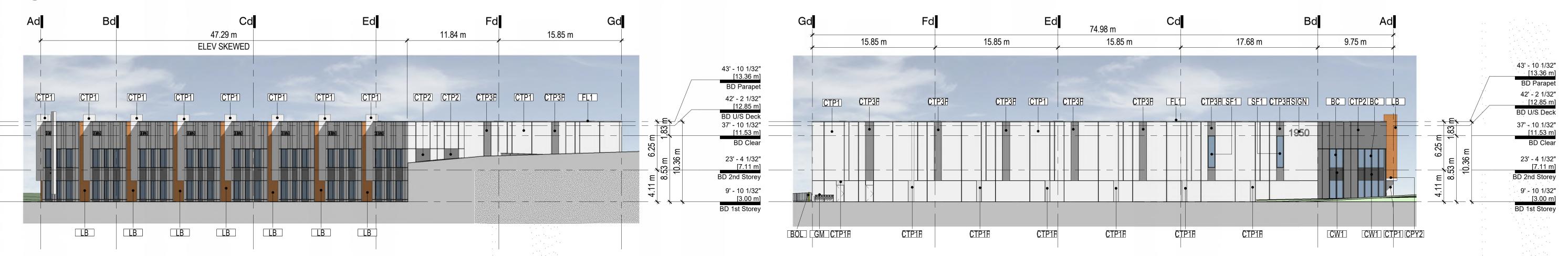




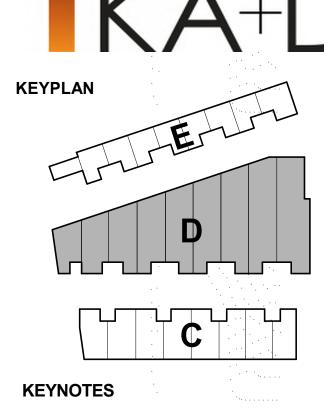
BD - South 3/64" = 1'-0"

BD - West

3/64" = 1'-0"



BD - East 3/64" = 1'-0"



MULLION BEAUTY CAP BOL BOLLARD CPY1 CANOPY - TYPE 1 CPY2 CANOPY - TYPE 2 CTP1 CONCRETE TILT-UP; PAINT FINISH P1 CTP1F CONCRETE TILT-UP; W/ FORMLINER; PAINT FINISH P1 CTP2 CONCRETE TILT-UP; PAINT FINISH P2

CTP3 CONCRETE TILT-UP; PAINT FINISH P3 CTP3F CONCRETE TILT-UP; - PAINTED P3 W/ FORMLINER

CTP4 CONCRETE TILT-UP; - PAINTED P4 CW1 CURTAIN WALL - TYPE 1 FDC FIRE DEPARTMENT CONNECTION FL1 FLASHING - TYPE 1

GLAZING - TYPE 1 **GAS METER** GRD1 GUARD RAIL - TYPE 1

LONG BOARD OVERHEAD DOOR

SHOP FRONT GLAZING - TYPE SIGN SIGNAGE; BY OWNER

SCHEDULE This forms part of application # DP22-0199

Kelowna

2023-04-13

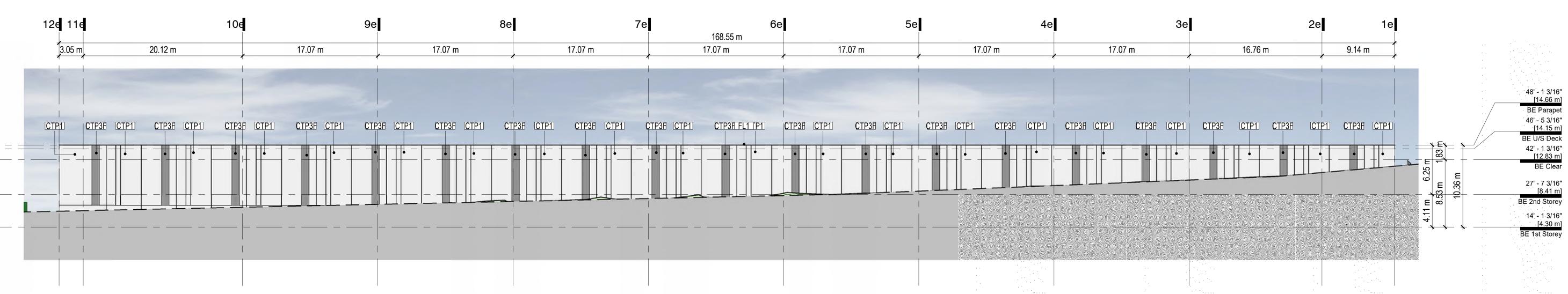
23/04/14 Re-issued for Development Permit REV DATE DESCRIPTION SCALE: 3/64" = 1'-0" | DATE: April 13th, 2023 | DRAWN: EB PROJECT NUMBER

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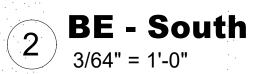
TKA+DARCHITECTURE+DESIGNINC 305 - 1930 PANDORA STREET . VANCOUVER . V5L 0C7 . P 604 569 3499 Stratosphere Business Centre - LOT 2

1900 Pier Mac Way, Kelowna 1950 Pier Mac Way, Kelowna 1970 Pier Mac Way, Kelowna

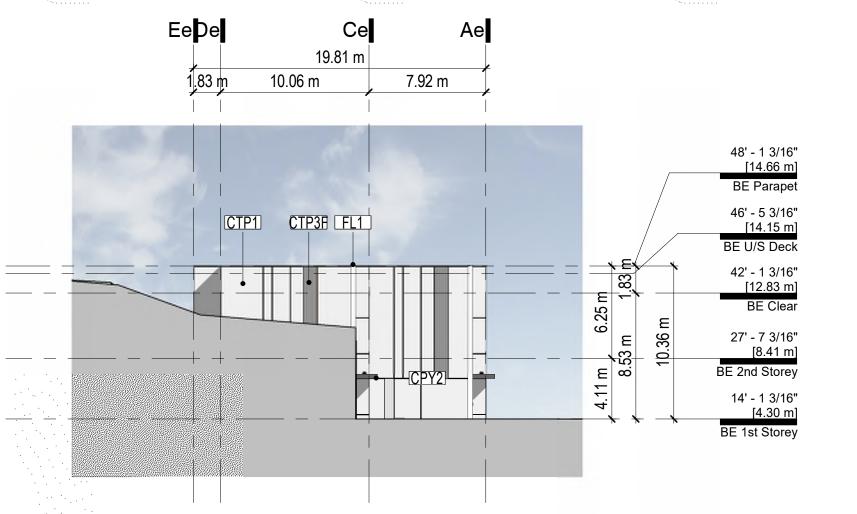
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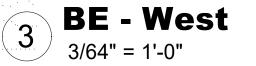


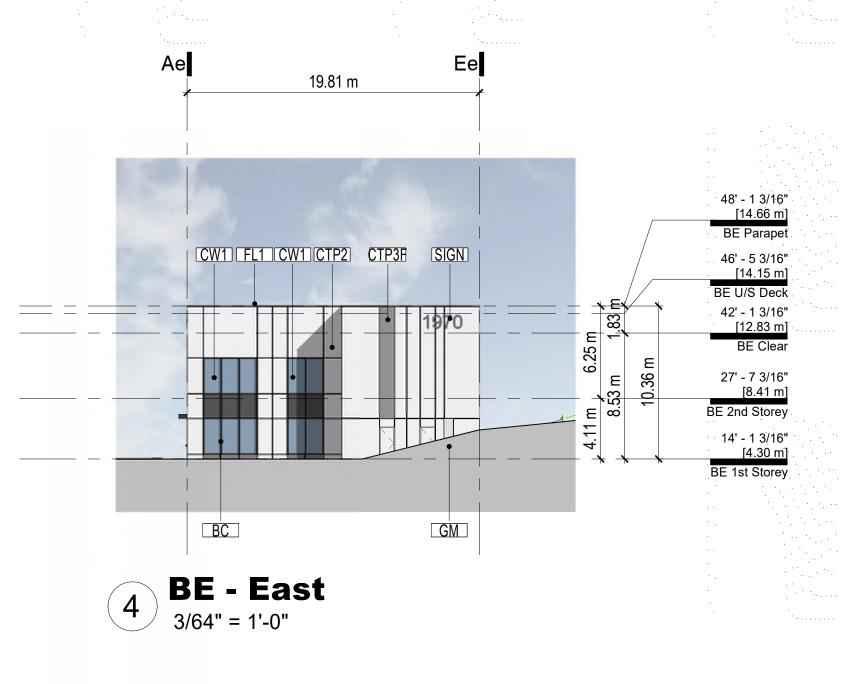


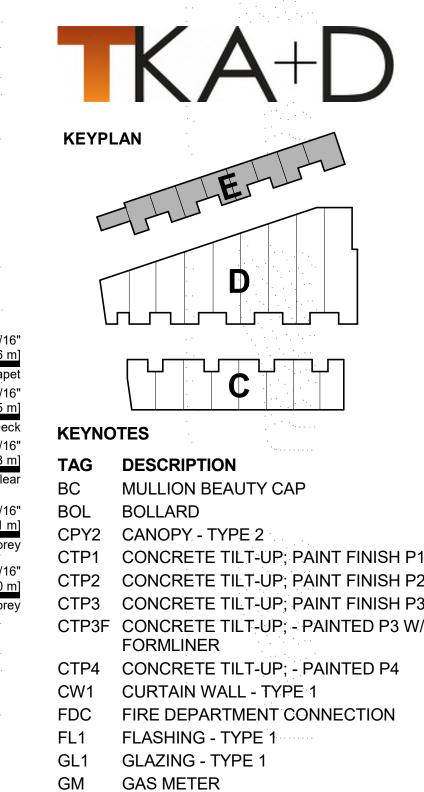


BE - North





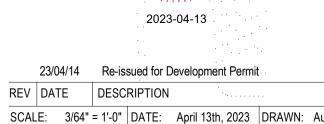




LONG BOARD

OVERHEAD DOOR





SCALE: 3/64" = 1'-0" DATE: April 13th, 2023 DRAWN: Author

PROJECT NUMBER 21025

FILE C:Users\Erik\Documents\Pier Mac Way_Kelowna_Lot PLOT DATE: 4/13/2023 4:15:01 PM PATH: 2_R22_TKAD_Erik.rvt

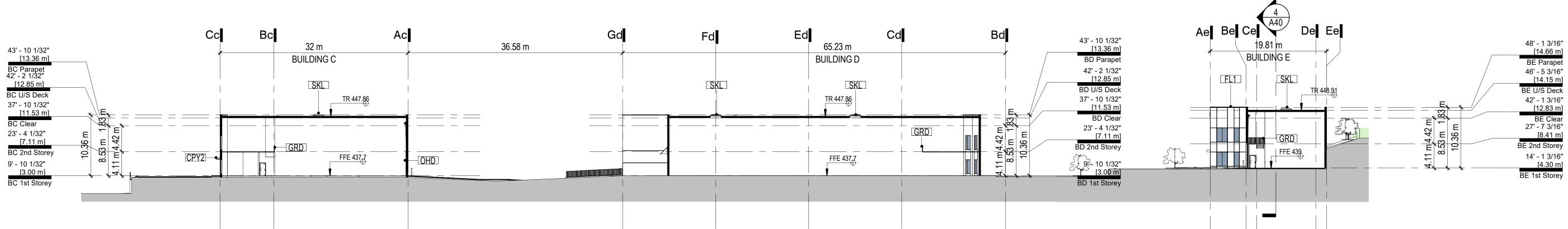




1900 Pier Mac Way, Kelowna 1950 Pier Mac Way, Kelowna 1970 Pier Mac Way, Kelowna

Elevations BE
PLOT DATE: 4/13/2023 4:15:01 PM

A32





KEYNOTES

TAG DESCRIPTION

CPY2 CANOPY - TYPE 2

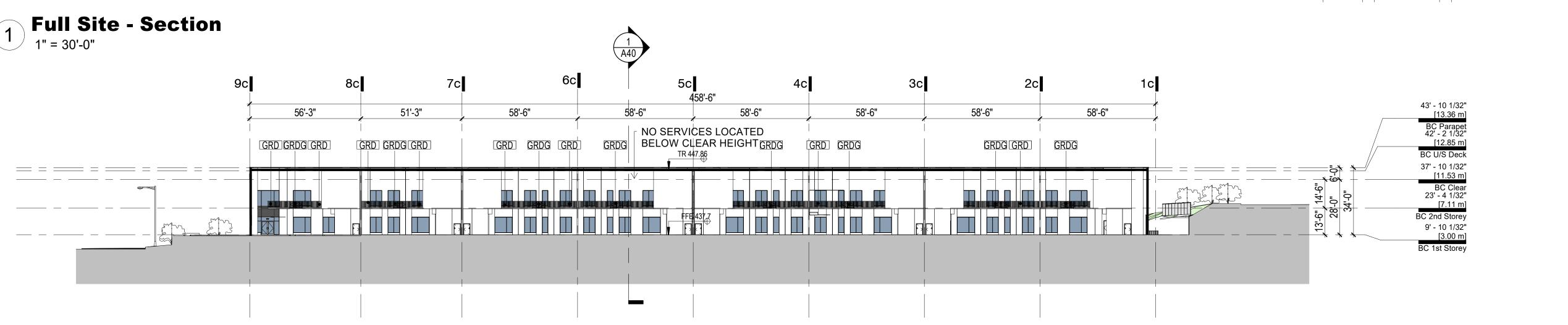
FL1 FLASHING - TYPE 1

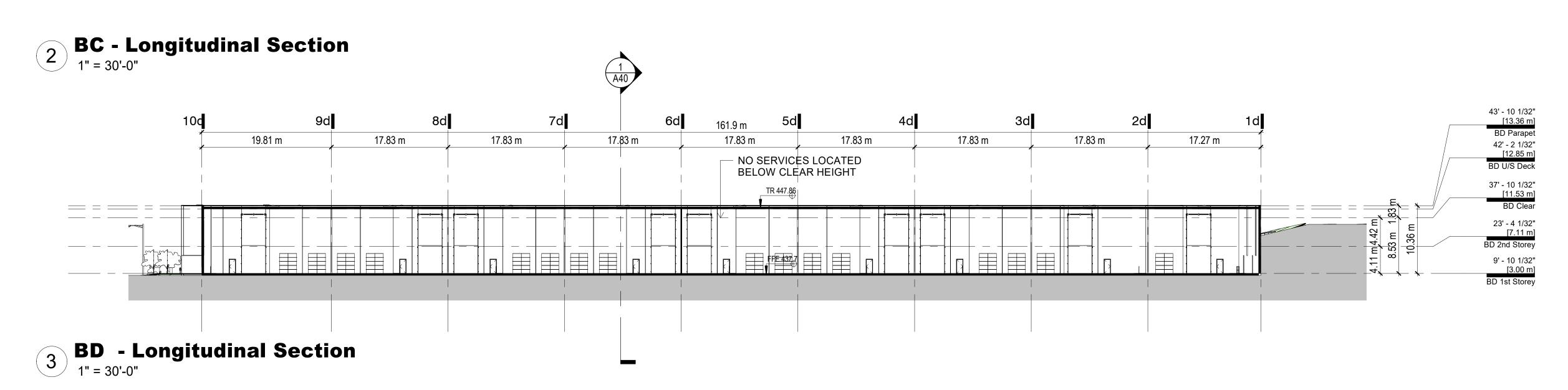
GRD GUARD RAIL

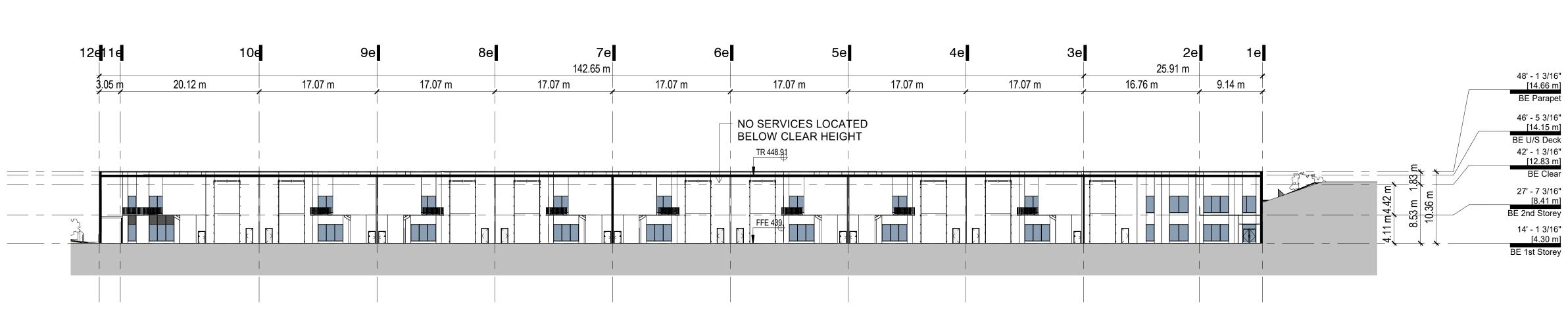
GRDG GUARD RAIL GATE

OHD OVERHEAD DOOR

SKL SKYLIGHT



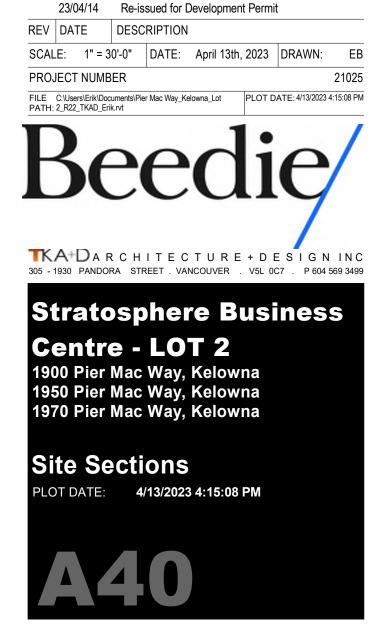




BE - Longitudinal Section
1" = 30'-0"

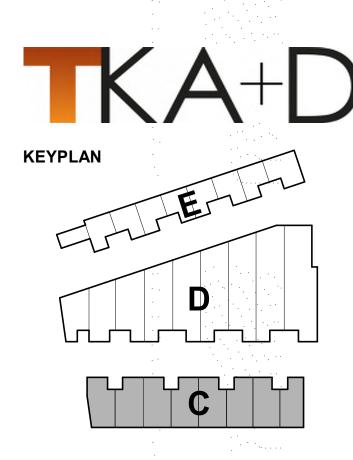












BC - SW Corner



SC SC





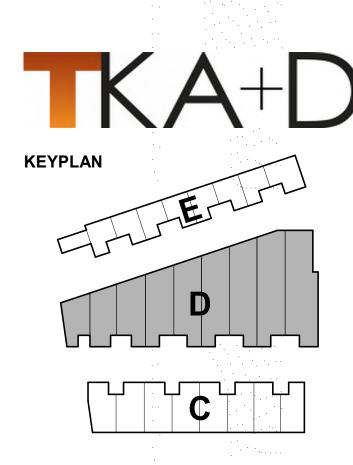








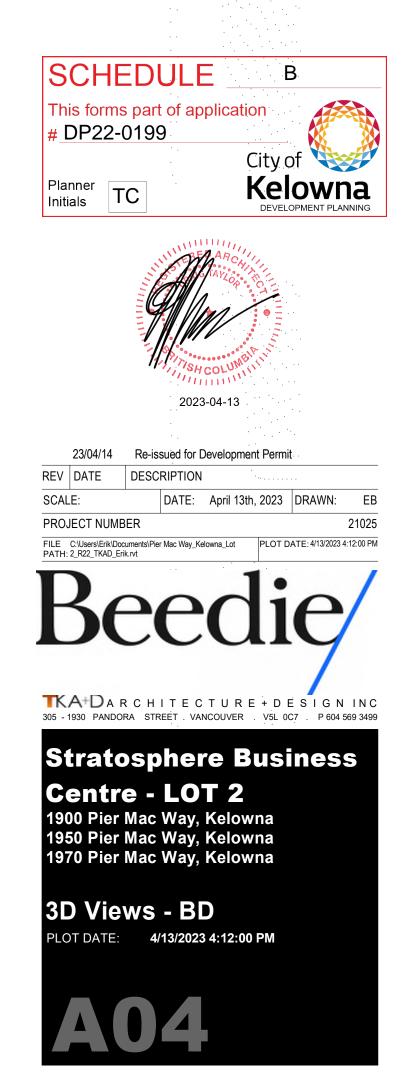
2 BD - NE Corner



1 BD - NW Corner

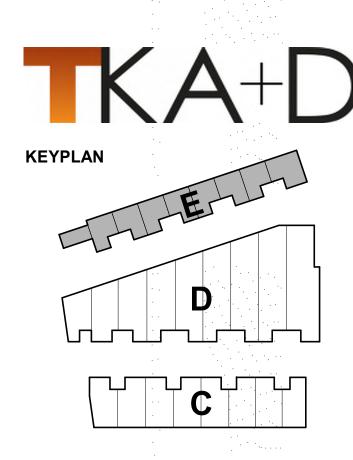












1 BE - NE Corner

















CONCRETE - PAINT WHITE

Primary Facade Colour



METAL CLADDING - LONGBOARD

Soffits, Unit entries

METAL CLADDING - WHITE

Metal White, Flashing

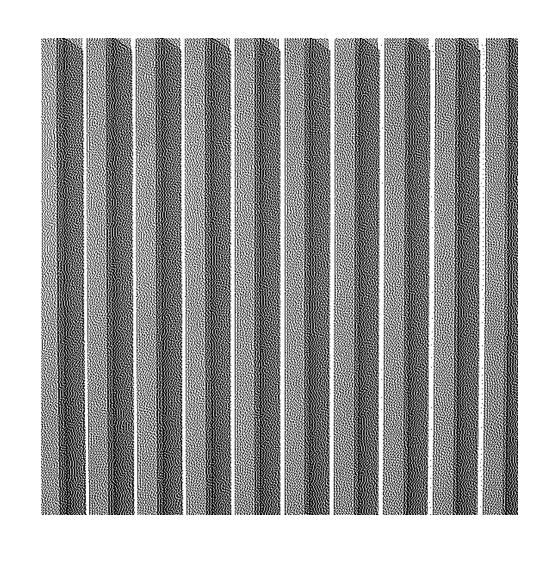


CONCRETE - PAINT GREY

Recessed Entries

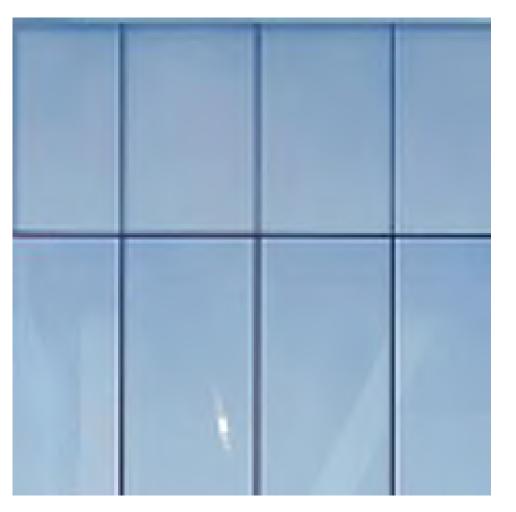


PAINTED METAL - CHARCOAL
Flashings, Canopies, Trim



CONCRETE - FORMLINER

Secondary Facade Texture



GLAZING
Vision Glass and Spandrel Glass



BALLESTED EPDM

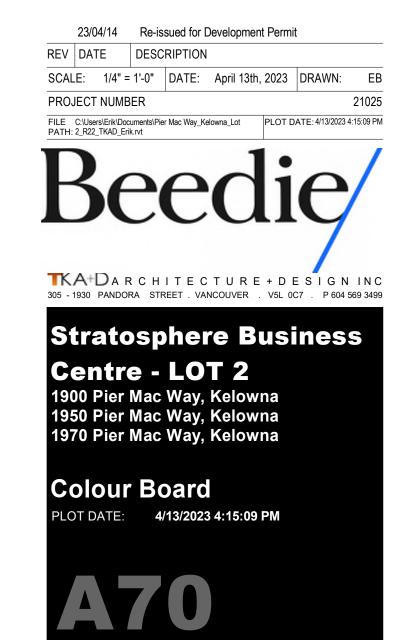
Roof



ARCHITECTURAL WALL
Retaining walls

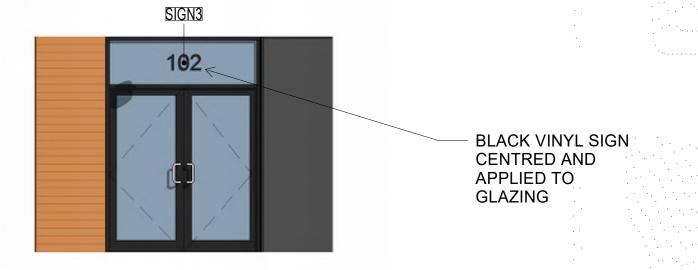






194





KEYNOTES

TAG DESCRIPTION

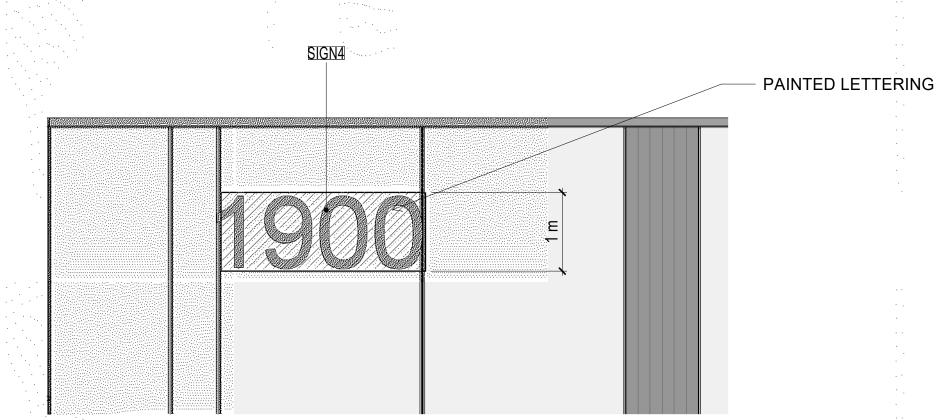
MS MONUMENT SIGN

SIGN SIGNAGE; BY OWNER

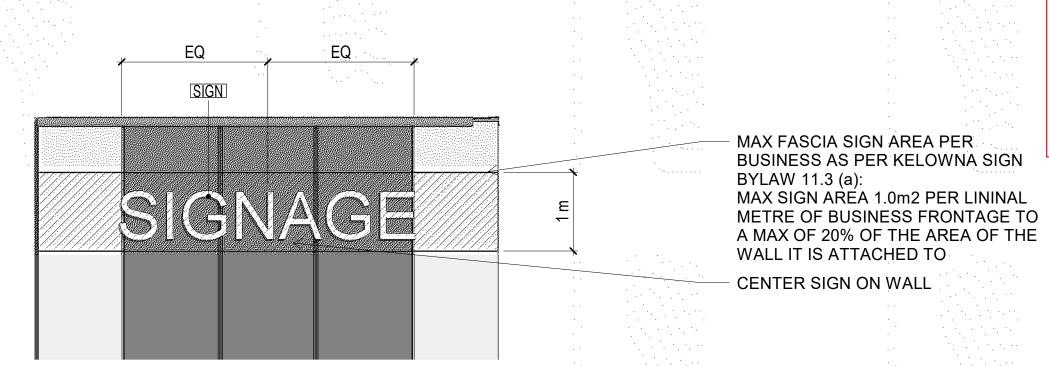
SIGN3 SIGNAGE; UNIT NUMBER

SIGN4 SIGNAGE; BUILDING ADDRES

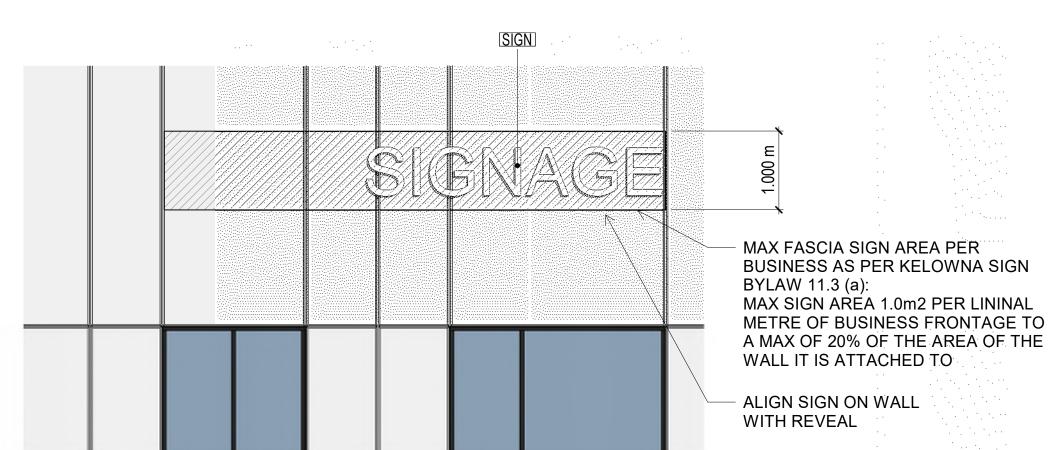
5 Typical Unit Address Signage



Typical Building Address Signage



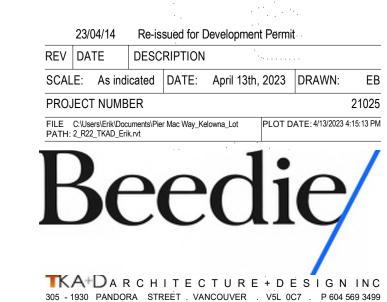
BE Typical Unit Entry Signage



1 BC, BD Typical Unit Tenant Signage

SCHEDULE This forms part of application # DP22-0199 City of Planner Initials TC Kelowna DEVELOPMENT PLANNING







FASCIA SIGN SUMMARY

ALLOWABLE:

 (1.0 m2 per lineal meter of business frontage to a maximum of 20% of the area of the wall it is attached to)

PROPOSED

• 26 Fascia Signs (1 per Unit + 3 Address)

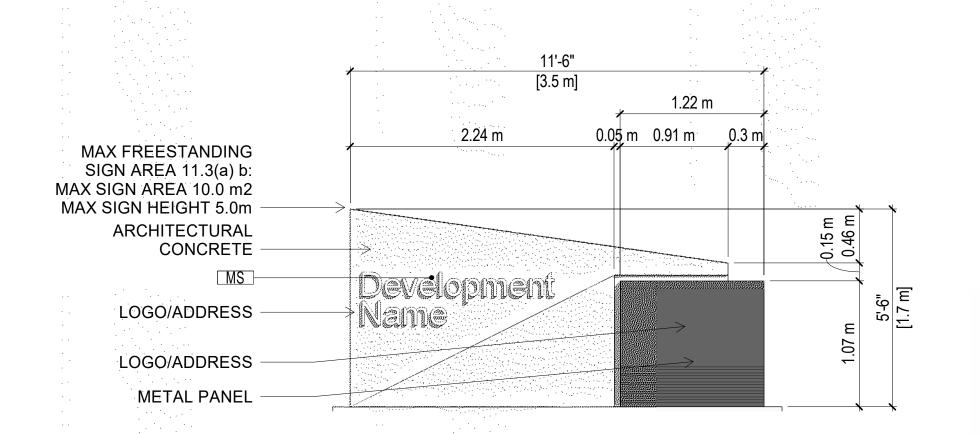
FREE STANDING SIGN SUMMARY

ALLOWABLE:

Maximum sign area of 10.0m²
Maximum sign height of 5.0m

PROPOSED:

• 3 Free Standing Signs (3.5m x 1.7m high)



6 **Monument Sign** 3/8" = 1'-0"









PROJECT TITLE

2050 PIER MAC WAY LOT 2

Kelowna, BC

drawing title

issued for / revision

CONCEPTUAL LANDSCAPE PLAN

3	23.04.13	Development Permit
4		
5		

Project No	22-1215
DESIGN BY	KM
DRAWN BY	MC
CHECKED BY	FB
DATE	APR. 13, 2023
SCALE	1:300
PAGE SIZE	24x36"

SEAL



DRAWING NUMBER

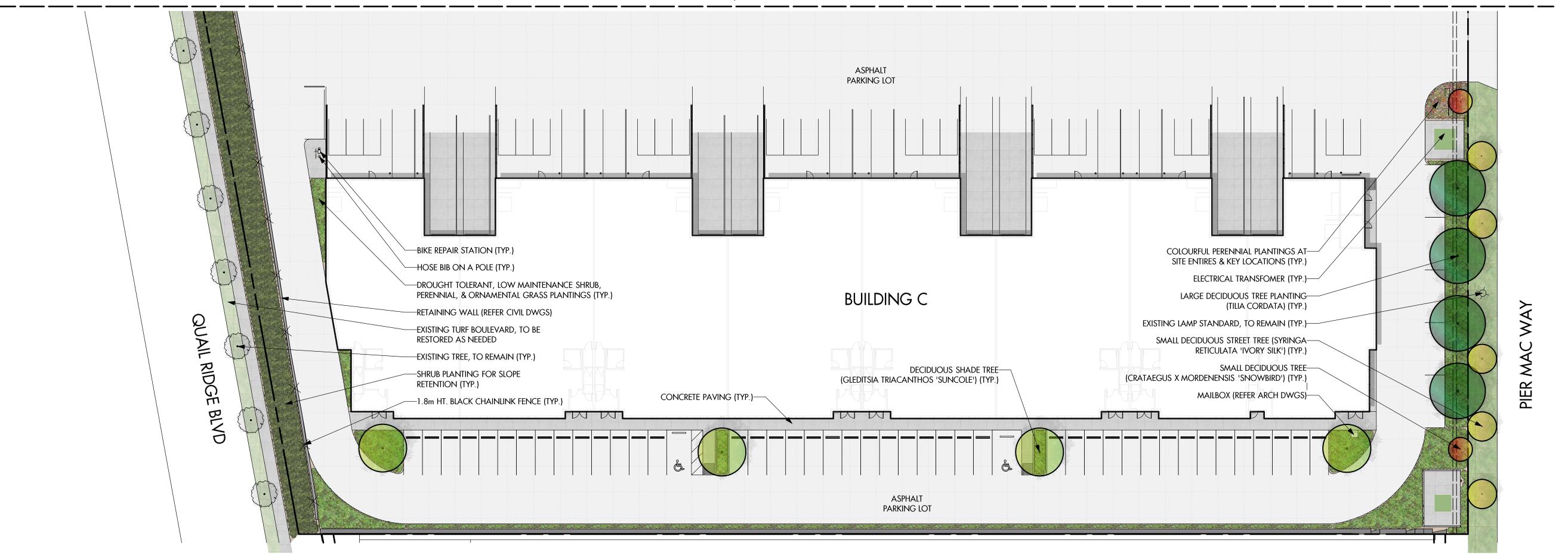
L S-101

ISSUED FOR REVIEW ONLY

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0 5 10 15 20 25 M

MATCHLINE; REFER LS-101 BOTTOM



PRECEDENT IMAGE: HOSE BIB BIKE WASH



PRECEDENT IMAGE: BIKE REPAIR STATION



NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CANDAIAN LANDSCAPE STANDARDS. ALL OFFSITE LANDSCAPE WORKS TO MEET CITY OF KELOWNA BYLAW 12375 STANDARDS.

2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.

3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm NATURAL WOOD MULCH AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.

4. SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT. TREE BEDS TO RECEIVE A MINIMUM 1000mm DEPTH TOPSOIL PLACEMENT.

5. TURF AREA FROM SOD SHALL BE NO.1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 150mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.

6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.

PLANT LIST

160 160

196

TREES

KEY QTY BOTANICAL NAME

IRIS SIBIRICA 'BUTTER AND SUGAR'

RUDBECKIA FULGIDA 'GOLDSTRUM'

PEROVSKIA ATRIPLICIFOLIA

NEPETA X FAASSENII 'WALKER'S LOW'

SCHIZACHYRIUM SCOPARIUM 'STANDING OVATION'

- 1					
	ARU	6	ACER RUBRUM 'NORTHWOOD'	NORTHWOOD MAPLE	4cm CAL.
	CCA	4	CARPINUS CAROLINIANA 'CCSQU'	PALISADE AMERICAN HORNBEAM	4cm CAL.
	CMO	5	CRATAEGUS X MORDENENSIS 'SNOWBIRD'	SNOWBIRD HAWTHORN	3cm CAL.
	GTR	13	GLEDITSIA TRIACANTHOS 'HARVE'	NORTHERN ACCLAIM HONEY LOCUST	5cm CAL.
	SRE	18	SYRINGA RETICULATA	JAPANESE LILAC TREE	4cm CAL.
	TCO	12	TILIA CORDATA	LITTLELEAF LINDEN	5cm CAL.
	SHRUBS	,			
	ВТ	<i>7</i> 5	BERBERIS THUNBERGII 'GENTRY'	ROYAL BURGUNDY	#02 CONT. /1.5M O.C. SPACING
	BU	118	BUXUS 'GREEN VELVET'	BOXWOOD	#02 CONT. /1.2M O.C. SPACING
	FO	266	Forsythia X 'SMfxgp'	SPRINGSHINE FORSYTHIA	#02 CONT. /0.9M O.C. SPACING
	JH	67	JUNIPERUS HORIZONTALIS 'WILTONII'	BLUE RUG JUNIPER	#02 CONT. /1.8M O.C. SPACING
	MA	<i>7</i> 5	MAHONIA AQUIFOLIUM	OREGON GRAPE HOLLY	#02 CONT. /1.5M O.C. SPACING
	PL	27	PHILADELPHUS LEWISII	WILD MOCK ORANGE	#02 CONT. /2.5M O.C. SPACING
	PS	53	PHILADELPHUS 'SNOWBELLE'	SNOWBELLE MOCKORANGE	#02 CONT. /1.8M O.C. SPACING
	RA	149	RHUS AROMATICA 'GRO-LOW'	GRO-LOW SUMAC	#02 CONT. /1.2M O.C. SPACING
	SE	24	Salix exigua	COYOTE WILLOW	#02 CONT. /3.6M O.C. SPACING
	SA	75	SYMPHORICARPOS ALBUS	SNOWBERRY	#02 CONT. /1.5M O.C. SPACING
	PERENN	IIALS, GR	ASSES & GROUNDCOVERS		
	CA	160	Calamagrostis acutiflora 'Karl Foerster'	REED GRASS	#01 CONT. /1.0M O.C. SPACING
	ED	110	EUPATORIUM DUBIUM 'LITTLE JOE'	LITTLE JOE DWARF JOE PYE	#01 CONT. /1.2M O.C. SPACING
	HH	196	HEMEROCALLIS 'FRENCH LINGERIE'	FRENCH LINGERIE DAYLILY	#01 CONT. /0.9M O.C. SPACING
	HS	110	HELICTOTRICHON SEMPERVIRENS	BLUE OAT GRASS	#01 CONT. /1.2M O.C. SPACING

COMMON NAME

BUTTER AND SUGAR IRIS

DWARF RUSSIAN SAGE

WALKER'S LOW CATMINT

GOLDSTURM CONEFLOWER

STANDING OVATION LITTLE BLUESTEM







PROJECT TITLE

2050 PIER MAC WAY LOT 2

Kelowna, BC

DRAWING TITLE

CONCEPTUAL LANDSCAPE PLAN

	ISSL	JED FOR / REVISION	
	1	22.09.29	Review
	2	23.04.10	Review
	3	23.04.13	Development Permit
	4		
	5		
		•	

PROJECT NO	22-1215
DESIGN BY	KM
DRAVVNI BY	MC
CHECKED BY	FB
DATE	APR. 13, 2023
SCALE	1:300
PAGE SIZE	24x36"

SEAL

SIZE/SPACING & REMARKS

#01 CONT. /0.75M O.C. SPACING

#01 CONT. /1.0M O.C. SPACING

#01 CONT. /1.0M O.C. SPACING

#01 CONT. /0.9M O.C. SPACING

#01 CONT. /1.5M O.C. SPACING



drawing number

LS-102

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SCHEDULE This forms part of application # DP22-0199 City of Kelowna

DEVELOPMENT PLANNING



PROJECT TITLE

2050 PIER MAC WAY LOT 2

Kelowna, BC

DRAWING TITLE

WATER CONSERVATION/ **IRRIGATION PLAN**

ISSL	ied for / revision	
1	22.09.29	Review
2	23.04.10	Review
3	23.04.13	Development Permit
4		
5		

PROJECT NO	22-1215
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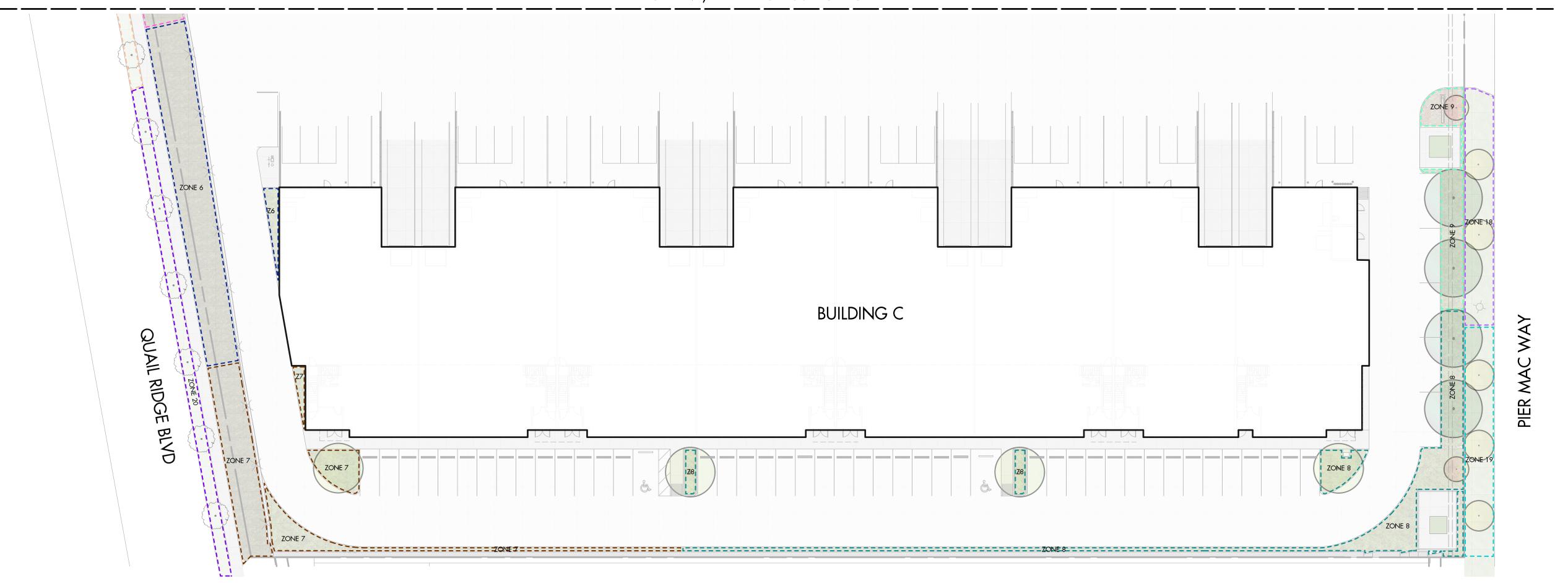


LS-103

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MATCHLINE; REFER LS-103 BOTTOM



WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WB) = 2,884 cu.m. / year
ESTIMATED LANDSCAPE WATER USE (WU) = 1,870 cu.m. / year
WATER BALANCE = 1,014 cu.m. / year
*REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS

IRRIGATION NOTES

1. IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE WATER USE REGULATION BYLAW NO. 10480 AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KELOWNA BYLAW 7900 (PART 6, SCHEDULE 5).

2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER PURVEYOR.

3. THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, AND SHUT OFF VALVE LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE

4. AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM ET VALUE OF 7" / MONTH (KELOWNA JULY ET), TAKING INTO CONSIDERATION SOIL TYPE, SLOPE, AND MICROCLIMATE.

 $5.\ \mathsf{DRIP}\ \mathsf{LINE}\ \mathsf{AND}\ \mathsf{EMITTERS}\ \mathsf{SHALL}\ \mathsf{INCORPORATE}\ \mathsf{TECHNOLOGY}\ \mathsf{TO}\ \mathsf{LIMIT}\ \mathsf{ROOT}\ \mathsf{INTRUSION}.$

6. IRRIGATION SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES AND FEATURES.

7. IRRIGATION PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m /SEC.

8. A FLOW SENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

IRRIGATION LEGEND

ZONE #1: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 208 sq.m.

MICROCLIMATE: NORTHEAST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 69 cu.m.

ZONE #2: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 72 sq.m.

MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 24 cu.m.

WATER USE PLANTING AREAS

TOTAL AREA: 236 sq.m.

MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 79 cu.m.

ZONE #4: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 205 sq.m.

ZONE #3: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE

MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 68 cu.m.

ZONE #5: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE

WATER USE PLANTING AREAS

TOTAL AREA: 213 sq.m.

MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 71 cu.m.

ZONE #6: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS

TOTAL AREA: 231 sq.m.

MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 77 cu.m.

ZONE #7: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE

WATER USE PLANTING AREAS
TOTAL AREA: 206 sq.m.
MICROCLIMATE: SOUTHWEST EXPOSURE, PARTIALLY SHADED BY TREES

ESTIMATED ANNUAL WATER USE: 69 cu.m.

ZONE #8: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE
WATER USE PLANTING AREAS

TOTAL AREA: 243 sq.m.
MICROCLIMATE: NSOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 81 cu.m.

ZONE #9: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS

TOTAL AREA: 214 sq.m.
MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 71 cu.m.

ZONE #10: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 235 sq.m.
MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 78 cu.m.

ZONE #11: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 186 sq.m.

MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 62 cu.m.

ZONE #12: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS
TOTAL AREA: 123 sq.m.
MICROCLIMATE: SOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 105 cu.m.

ZONE #13: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS

TOTAL AREA: 94 sq.m.

MICROCLIMATE: NORTHEAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 81 cu.m.

ZONE #14: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS TOTAL AREA: 98 sq.m.

MICROCLIMATE: NORTHEAST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 84 cu.m.

ZONE #15: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS TOTAL AREA: 95 sq.m.

MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY TREES

ESTIMATED ANNUAL WATER USE: 81 cu.m.

ZONE #16: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS TOTAL AREA: 100 sq.m.
MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 86 cu.m.

ZONE #17: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS TOTAL AREA: 74 sq.m.

TOTAL AREA: 74 sq.m.

MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 63 cu.m.

ZONE #18: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS
TOTAL AREA: 118 sq.m.
MICROCLIMATE: SOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES

MICROCLIMATE: SOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 101 cu.m.

ZONE #19: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS TOTAL AREA: 116 sq.m.
MICROCLIMATE: SOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES

ZONE #20: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS TOTAL AREA: 104 sq.m.

MICROCLIMATE: SOUTHWEST EXPOSURE, PARTIALLY SHADED BY TREES

ZONE #21: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS TOTAL AREA: 107 sq.m.

MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 92 cu.m.

ESTIMATED ANNUAL WATER USE: 89 cu.m.

ZONE #22: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS TOTAL AREA: 110 sq.m.

MICROCLIMATE: NORTHWEST EXPOSURE, PARTIALLY SHADED BY TREES

ESTIMATED ANNUAL WATER USE: 94 cu.m.

ZONE #23: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE

WATER USE PLANTING AREAS

TOTAL AREA: 224 sq.m.

MICROCLIMATE: NORTHWEST EXPOSURE, PARTIALLY SHADED BY TREES

ESTIMATED ANNUAL WATER USE: 75 cu.m.

ZONE #24: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE

WATER USE PLANTING AREAS
TOTAL AREA: 160 sq.m.

MICROCLIMATE: NORTHWEST EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 53 cu.m.



SCHEDULE C This forms part of application # DP22-0199

DP22-0199 (

Planner Initials TC



PROJECT TITLE

2050 PIER MAC WAY LOT 2

Kelowna, BC

DRAWING TITLE

WATER CONSERVATION/ IRRIGATION PLAN

	ISSL	ied for / revision	
	1	22.09.29	Review
	2	23.04.10	Review
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	4		
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PROJECT NO	22-1215
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SEAL



Drawing Number

LS-104

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FORM & CHARACTER – DEVELOPMENT PERMIT GUIDELINES

Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

	SECTION 6.0: RETAIL, COMMERCIAL AND INDUSTRIAL								
RA	ATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5		
	is least complying & 5 is highly complying)								
	ı General Guidelines	1	1	1		1			
6.:	1.1 Relationship to the Street	N/A	1	2	3	4	5		
a.	Orient the long side of each building to be parallel to the public street.				√				
b.	Locate entries to be visible and directly accessible from the public street.					√			
C.	For buildings fronting highways, entries can be located away from the street, as long as there is a direct pedestrian connection to the site.	√							
d.	Avoid blank walls adjacent to the highway, streets, walkways, parks, or other amenity spaces.					√			
6.:	1.2 Site Planning and Landscaping	N/A	1	2	3	4	5		
a.	Locate buildings to ensure good sight lines for vehicular and pedestrian traffic.					-	√		
b.	Provide direct, safe, continuous, and clearly defined pedestrian access from public sidewalks, parking areas, and transit stops to building entrances.						√		
C.	Use large canopy trees to define the public realm (e.g. at the sidewalk and property edge facing the street)						√		
d. •	Distribute trees and landscaping throughout the site in order to: Soften property edges facing the street; Define internal roads, pedestrian routes, and open spaces;						√		
•	Create pleasant pedestrian conditions; Screen parking, loading, service, and utility areas; Manage stormwater on-site; and								
•	Break up large rows of parking by substituting a parking stall with a canopy tree in planter every 8-10 parking stalls;								
e.	Provide on-site bio-retention facilities (e.g. bioswales, rain gardens) to collect, store and filter stormwater from parking areas.						√		
f.	Pedestrian pathways should provide clear sight lines and connect the following:						√		
•	Parking areas to building entrances;								
•	Main building entrances to public sidewalks (where applicable); Main building entrances to transit stopes (where applicable);								
•	Between buildings on adjacent lots.								
g.	Provide separation between vehicular routes (especially truck access/loading) and pedestrian routes on-site to avoid conflict and						√		



	distinguish pedestrian routes from driving surfaces by using varied						
	paving treatments and/or raising walkways to curb level.						
h.	Base new development on an internal circulation pattern that						✓
	allows logical movement throughout the site and that will						
	accommodate, and not preclude, intensification over time.						
6.1	3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	Design site accesses to provide the potential for future shared	✓					
	access with neighbours and to minimize curb cuts.						
b.	Where practical, link access drives and parking lots of adjacent	✓					
	properties in order to allow for circulation of vehicles between						
	sites.						
C.	The preferred location for main parking areas is at the rear and/or					✓	
	side of the building. Avoid locating large parking areas between						
	the building and the street.						
d.	Where parking areas are visible from the street, screen them using						✓
	strategies such as tree planting, berming, low walls, decorative						
	fencing and/or hedging.						
e.	Break parking areas into smaller blocks defined by landscaping in				✓		
	order to minimize the amount of paved areas.						
f.	Locate loading, utilities, mechanical equipment and garbage						√
	collection areas away from public view by:						
•	Integrating these facilities into the footprint of the building; or						
•	Screening using fencing, walls, and/or landscaping						
6.1	4 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
	Avoid facing unarticulated facades to the street and use	N/A	1	2	3	4	5
6. 1	Avoid facing unarticulated facades to the street and use	N/A	1	2	3	4	5
	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to	N/A	1	2	3	4	5
a.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience	N/A	1	2	3	4	5
	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design	N/A	1	2		4	5
a.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or	N/A	1	2		4	5
a.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry.	N/A	1	2		4	5
a.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character	N/A	1	2		4	
a.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial	N/A	1	2		4	
b.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall).	N/A	1	2		4	
a.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and	N/A	1	2		4 ✓	
b.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and	N/A	1	2		4 🗸	
b.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building.	N/A	1	2		4 1	
b.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings	N/A	1	2		4	✓ ✓
b.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and	N/A	1	2		4 ~	✓ ✓
a. b. c.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site.	N/A	1	2		4 1	\[\lambda \]
b.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site. Locate, size and design ground-mounted signs to be oriented to	N/A	1	2		4 1	✓ ✓
a. b. c. d.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site. Locate, size and design ground-mounted signs to be oriented to pedestrians as opposed to vehicles.	N/A	1	2		4	\(
a. b. c.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site. Locate, size and design ground-mounted signs to be oriented to pedestrians as opposed to vehicles. Provide shielded, down lighting to provide security and ambient	N/A	1	2		4	\[\lambda \]
a. b. c. d.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site. Locate, size and design ground-mounted signs to be oriented to pedestrians as opposed to vehicles. Provide shielded, down lighting to provide security and ambient lighting while minimizing light pollution and spill over lighting into	N/A	1	2		4	\[\lambda \]
a. b. c. f. g.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site. Locate, size and design ground-mounted signs to be oriented to pedestrians as opposed to vehicles. Provide shielded, down lighting to provide security and ambient lighting while minimizing light pollution and spill over lighting into adjacent properties.		1	2		4	\[\lambda \]
a.b.c.d.f.	Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site. Locate, size and design ground-mounted signs to be oriented to pedestrians as opposed to vehicles. Provide shielded, down lighting to provide security and ambient lighting while minimizing light pollution and spill over lighting into	N/A	1	2		4	\[\lambda \]



i.	Use an integrated, consistent range of materials and colors and						√
	provide variety by, for example, using accent colors.						
6.4	Industrial and Service Commercial						
6.4	1 Relationship to the Street	N/A	1	2	3	4	5
a.	Site the building's primary façade parallel to the street and close				√		
	to the minimum setback to establish a defined street edge.						
b.	Include glazing, as a major component of street facing facades.					✓	
C.	Maintain and enhance street edge definition by preserving or						✓
	incorporating street trees.						
d.	Locate the office, reception, or sales component of the building						✓
	closer to the street than the plant or warehouse component.						
e.	Do not locate service doors (e.g., an overhead loading door) facing						✓
	the street.						
6.4	2 Site Planning and Landscaping	N/A	1	2	3	4	5
a.	Pedestrian pathways should provide clear sight lines and connect						✓
	the building to outdoor amenity spaces.						
6.4	3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	The preferred location for main parking areas is at the rear and/or					✓	
	side of the building.						
b.	Avoid locating large parking areas between the building and					✓	
	street. A single loaded row of visitor parking and passenger drop-						
	off areas may be located between the building and the street.						
C.	Where parking areas are visible from the street, screen it using						✓
	strategies such as tree planting, berming, low walls, decorative						
	fencing and/or hedging.						
d.	Break parking areas into smaller blocks defined by landscaping in				✓		
	order to minimize the amount of paved areas.						
6.4	4 Building Articulation, Features and Materials	N/A	1	2	3	4	5
a.	Avoid facing unarticulated facades to the street and use					✓	
	projections, recesses, plantings, awnings, color and texture to						
	reduce the visual size of any unglazed walls.						
b.	Use different exterior materials to distinguish between the						✓
	plant/warehouse component of a building from the office/sales						
	component.						







Purpose

➤ To issue a Development Permit for the form and character of three new industrial building.

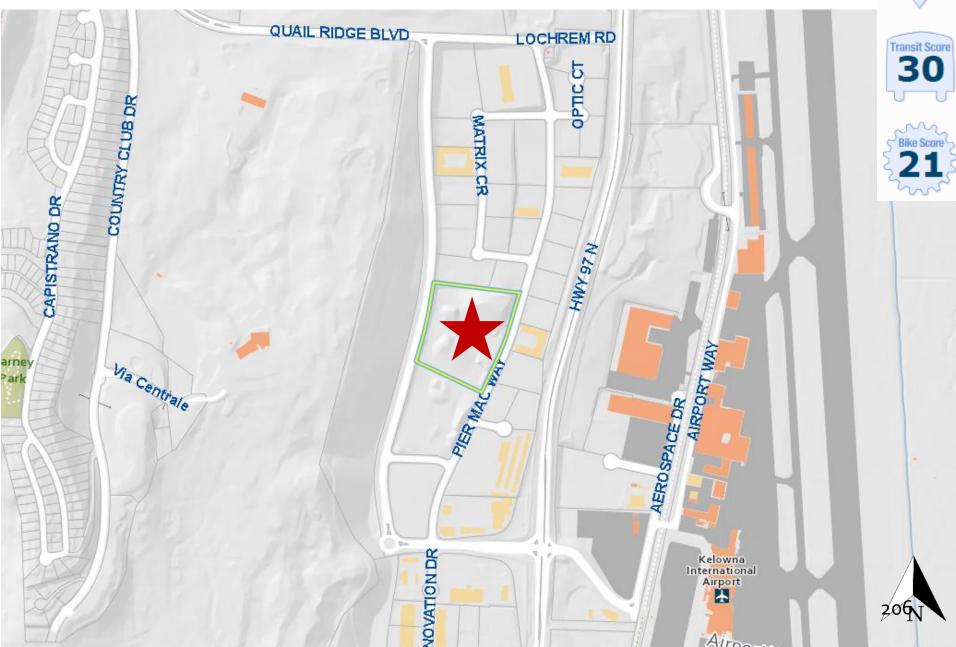
Development Process





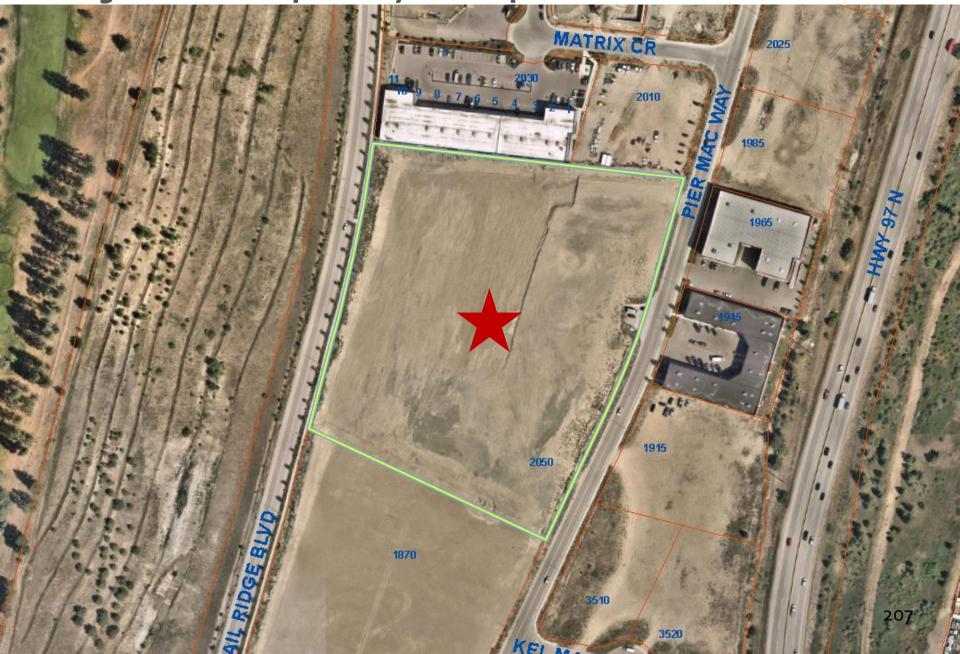
Context Map





Subject Property Map





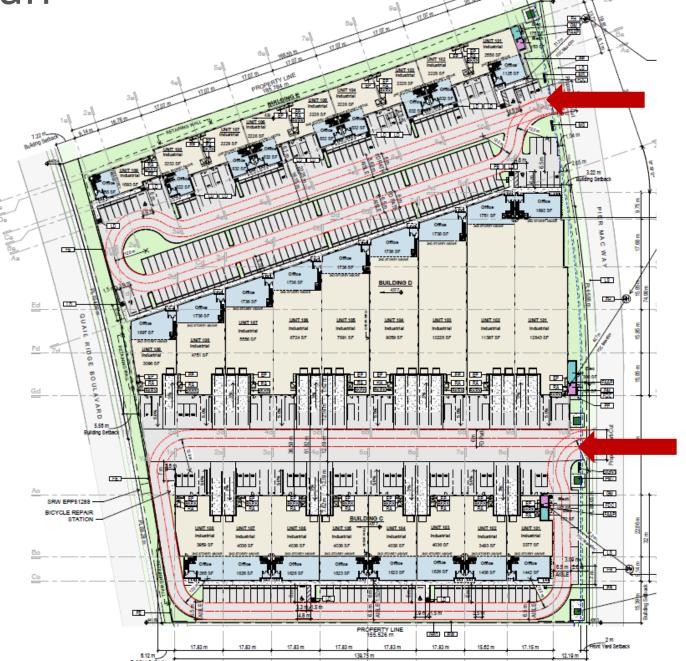


Technical Details

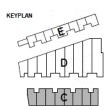
- Development Permit for three new industrial building:
 - ▶ 26 Industrial Units
 - ▶ 246 Parking Stalls
 - ▶ 43 Long-Term Bicycle Stalls
 - ▶ 21 Trees in Landscape Area

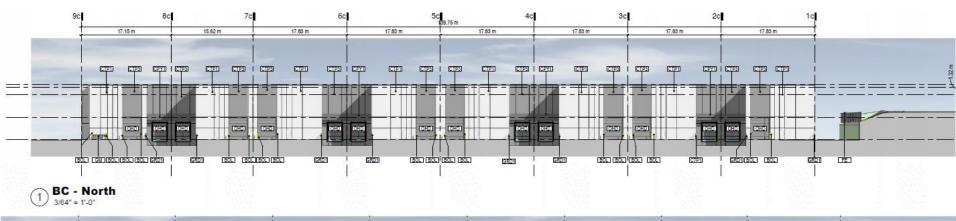
Site Plan

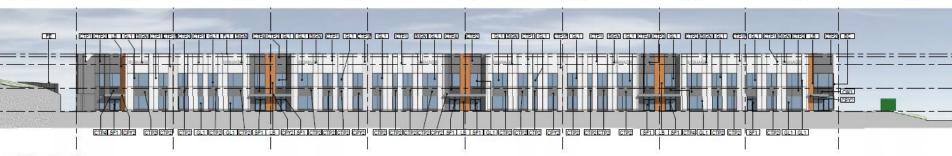




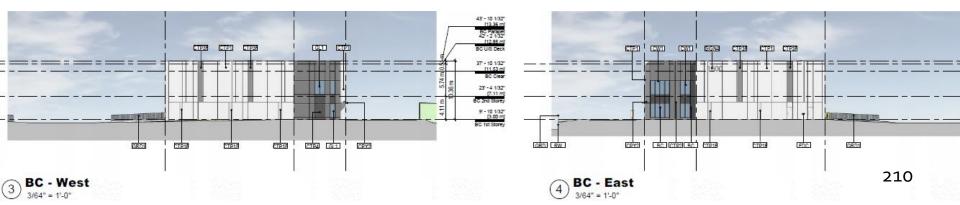
Elevations – Building C



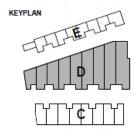


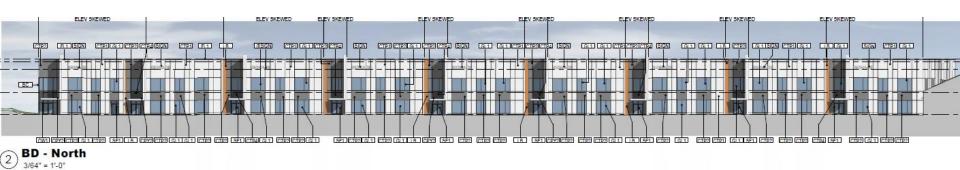


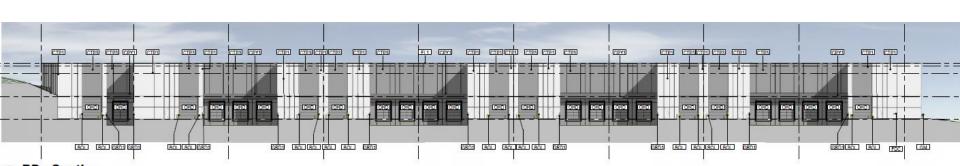
2) BC - South 3/64" = 1'-0"

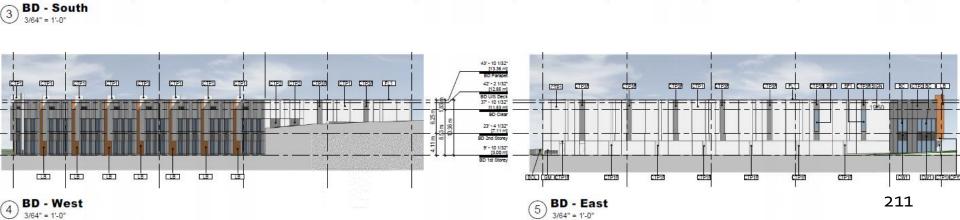


Elevations – Building D

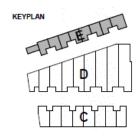


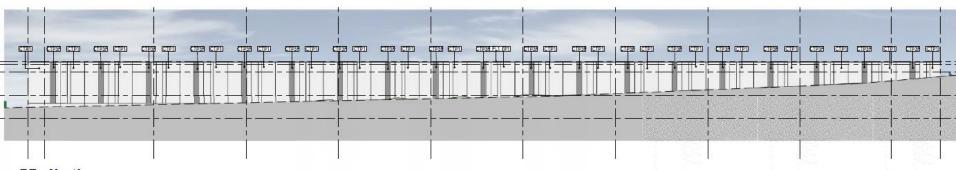




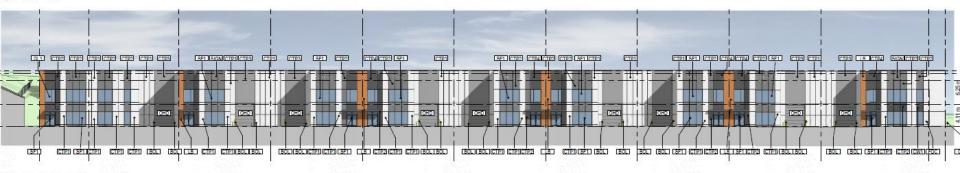


Elevations – Building E

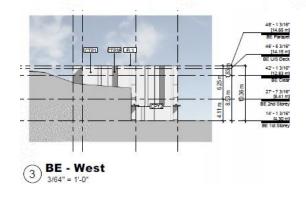






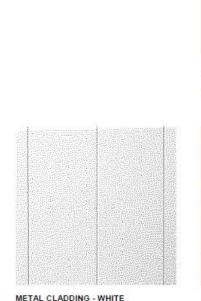


2 BE - South



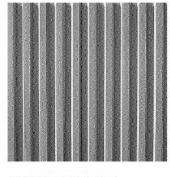


Materials Board



Metal White, Flashing







CONCRETE - PAINT WHITE Primary Facade Colour

CONCRETE - PAINT GREY Recessed Entries

CONCRETE - FORMLINER Secondary Facade Texture





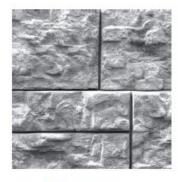
METAL CLADDING - LONGBOARD Soffits, Unit entries



PAINTED METAL - CHARCOAL Flashings, Canopies, Trim



GLAZING Vision Glass and Spandrel Glass

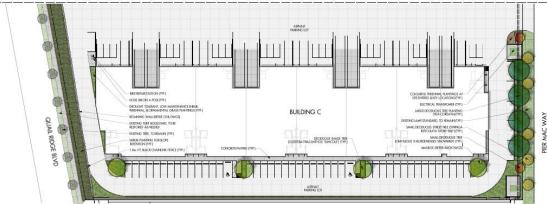


ARCHITECTURAL WALL Retaining walls

213

Landscape Plan BUILDING D LARGE DECIDUOUS TREE PLANTING HETAPHING WALL PREFER CIVIL DWGS DECIDIOUS TIES PLANTING BRUM 'NORTHWOOD'S (TVP. COLOUBIL PEIENNAL— RANTINGS AT SITE ENTIRES & KEYLOCATIONS (TIP.) ELECTRICAL TRANSFOMER (TIP.)— CONCRETE PAVING (TYP.)





Rendering – Building C







2 BC - SE Corner





Rendering – Building D







2 BD - NE Corner





4 BD - SE Corner

Rendering – Building E





2 BE - Typ Entry





(4) BE - SW Corner

3 BE - SE Corner



OCP Design Guidelines

- Screening parking that is visible from the road with planting;
- Articulating the façade facing the road through a variation of colours, plantings and materials;



Staff Recommendation

- Staff recommend support for the proposed development permit as it:
 - ▶ Meets the majority of OCP Design Guidelines
 - Providing industrial development in The Gateway District;

REPORT TO COUNCIL DEVELOPMENT PERMIT

Date: August 14, 2023

To: Council

From: City Manager

Address: 2727 Highway 97 N

File No.: DP23-0071

Zone: C2 – Vehicle Oriented Commercial



1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP23-0071 for Lot B District Lot 124 ODYD Plan 39765, located at 2727 Highway 97 North, Kelowna, BC subject to the following:

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

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

2.0 Purpose

To issue a Development Permit for the form and character of a new automotive sales and service facility.

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of a new automotive sales and service facility. The proposal consists of a 2-storey commercial building with a gross floor area (GFA) of 1,584 m² including floor space for vehicle sales and display, vehicle service and ancillary office. The design of the building utilizes a limited exterior colour and material palette including composite white and grey metal panels, high-quality glazing and white trim combined with a simple, modern, and articulating building form to align with Cadillac's brand identity.

In order to accommodate required site coverage in the C2 – Vehicle Oriented Commercial zone, a significant number of existing vehicle stalls will be converted to landscape islands which will facilitate additional tree plantings to add more shade to the site, reduced heat island effect, compliment the existing and proposed buildings and to enhance site integration overall.

The proposal generally conforms to the Official Community Plan (OCP) Form and Character Development Permit Guidelines for Commercial / Service Commercial Development. Key guidelines that are met include:

6.1.1.a. Orient the long side of each building to be parallel to the public street.

6.1.1.b. Locate entries to be visible and directly accessible from the public street

6.1.2.b. Provide direct, safe, continuous, and clearly defined pedestrian access from public sidewalks, parking areas, and transit stops to building entrances.

6.1.2.d. Distribute trees and landscaping throughout the site in order to:

- Soften property edges facing the street;
- Define internal roads and pedestrian routes;
- Screen parking, loading, service, and utility areas;
- Maximize shade, especially in parking areas; and
- Break up large rows of parking by substituting a parking stall with a canopy tree in planter every 8-10 parking stalls.

6.1.4.c. Design buildings such that their form and architectural character reflect the building's internal function and use.

6.4.1.c. Include glazing as a major component of street facing facades

Should Council support this Development, the applicant may proceed with a Building Permit.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located in close proximity to the Hwy $97 \, \text{N}$ – Leathead Rd intersection and currently shares site access on the Hwy with the adjacent Starbucks and A&W located at $2703-2709 \, \text{Hwy} \, 97 \, \text{N}$. Surrounding zones include largely C2 - Vehicle Oriented Commercial with a mix of I2 – General Industrial west of Highway $97 \, \text{N}$ and RU1 – Large Lot Hosing situated on the south side of Leathead Rd.

4.2 Background

The subject site was originally developed as a vehicle sales and service dealership in the early 1990's to allow for the existing building configuration which has experienced minor site or building changes over the last 30 years. The existing automotive sales and service building currently contains GMC, Buick, and Cadillac with the intention to relocate Cadillac into the new building adjacent to Highway 97 N.

5.0 Zoning Bylaw Regulations Summary

	AREA & UNIT	STATISTICS			
Gross Lot Area			16,192.76 m²		
Net Commercial Floor Area		4,157 m²			
	DEVELOPMENT	REGULATIONS			
CRITERIA	C ₂ Z(ONE	PROPO	SAL	
Total Maximum Floor Area Ratio	0.	9	0.27	7	
Max. Site Coverage (buildings)	65	%	21%	6	
Max. Site Coverage (buildings, parking, driveways)	85	%	85%	6	
Max. Height	3 storeys	& 12.0 m	2 storeys 8	k 11.9 m	
Setbacks					
Min. Front Yard (west)	4.5	m	8.6 r	m	
Min. Side Yard (north)	0.0	m	5.6 r	m	
Min. Side Yard (south)	0.0	m	26.0	m	
Min. Rear Yard (east)	0.0	m	> 100.	o m	
Landscaping					
Min. Number of Trees	7 tre	ees	7 tre	es	
Min. Large Trees	4 tre	ees	4 tre	ees	
	PARKING REG	GULATIONS			
CRITERIA	C ₂ ZONE REQ	UIREMENTS	PROPO	SAL	
Total Required Vehicle Parking	40 st	alls	83 sta	alls	
Accessible Stalls	2 Sta	alls	2 sta	lls	
Van-Accessible Stalls	1 st	all	1 sta	all	
Total Site Vehicle Parking	164 S	talls	240 st	alls	
Ratio of Regular to Small Stalls	Min. 70% Max. 30%		100% R	egular	
Min. Loading Stalls	1 St	all	1 St	all	
Bicycle Stalls Short-Term	2 Sta	alls	2 sta	alls	
Bicycle Stalls Long-Term	3 sta	alls	3 sta	alls	

6.0 Application Chronology

Application Accepted: March 28, 2023

Report prepared by: Andrew Ferguson, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Draft Development Permit DP23-0071

Schedule A: Site Plan & Floor Plans

Schedule B: Elevations, Sections & Rendering

Schedule C: Landscape Plan

Attachment B: OCP Form and Character Development Permit Guidelines

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

Development Permit

DP23-0071



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

2727 Highway 97 N

and legally known as

Lot B District Lot 124 ODYD Plan 39765

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

Commercial - Automotive & Equipment

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

<u>Date of Council Approval:</u> August 14, 2023

Development Permit Area: Form and Character

Existing Zone: C2 – Vehicle Oriented Commercial

Future Land Use Designation: RCOM – Regional Commercial

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

This is NOT a Building Permit.

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

NOTICE

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

Owner: 389481 B.C. Ltd., Inc. No. BC1340661

Applicant: Dialog BC Architectural Engineering Interior Design Planning Inc

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date of Issuance



SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

THAT Council authorizes the issuance of Development Permit No. DP23-0071 for Lot B District Lot 124 ODYD Plan 39765 located at 2727 Highway 97 N, Kelowna, BC, subject to the following:

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

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

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property owner of the day. Should the Developer carry out the development as per the conditions of this permit, the security shall be returned to the Developer or his or her designate following proof of Substantial Compliance as defined in Bylaw No. 12310. There is filed accordingly:

a) An Irrevocable Letter of Credit OR certified cheque OR a Surety Bond in the amount of \$143,617.50

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

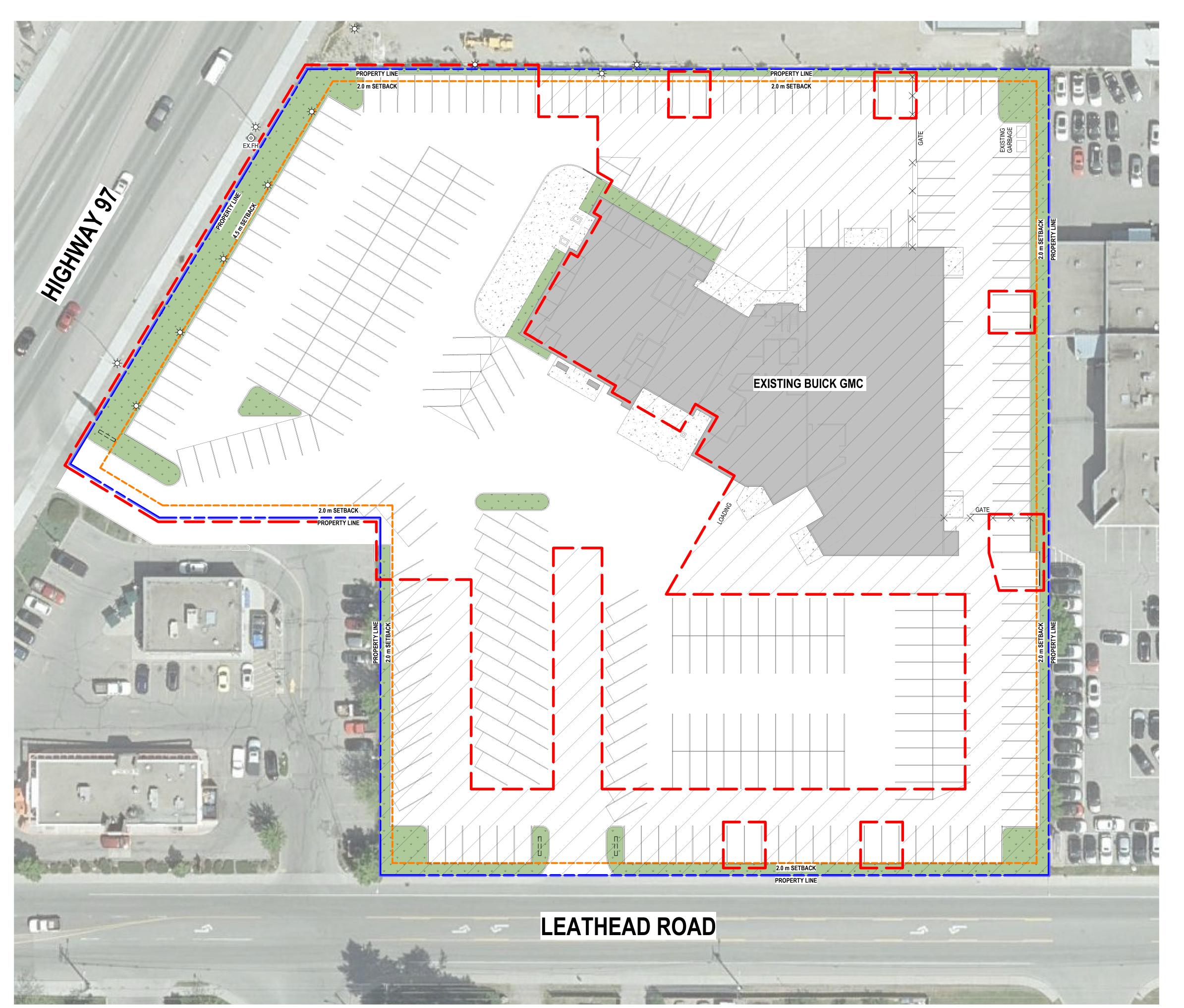
4. INDEMNIFICATION

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

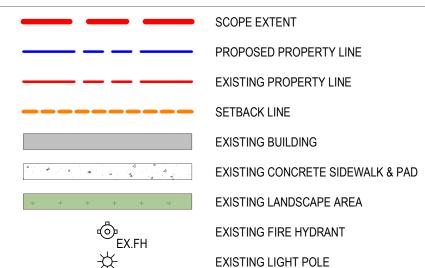
a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

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













ISSUED FOR

1 2022-03-21 DEVELOPMENT PERMIT

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ARCHITECT & PRIME CONSULTANT

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EDMONTON, AB T5J 1B1 Tel: 780-429-1580

INTERIOR DESIGN
DIALOG®
SUITE 400. 611 ALEXANDER STREET
VANCOUVER, BC V6A 1E1 Tel: 604-255-1169

STRUCTURAL ENGINEER
PROTOSTATIX ENGINEERING CONSULTANTS INC.
SUITE 500, 10410 102 AVENUE NW

EDMONTON, AB T5J 0E9 Tel: 780-423-5855

MECHANICAL ENGINEER

D.A. FOX ENGINEERING LTD.
SUITE 309, 10328 81 AVENUE NW
EDMONTON, AB T6E 1X2 Tel: 587-454-3273

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STREAMLINE FIRE PROTECTION LTD.
9642 283 STREET
ACHESON, AB T7X 6J5 Tel: 780-591-4444
ELECTRICAL ENGINEER

SUITE 100, 10237 104 STREET
EDMONTON, AB T5J 1B1

CIVIL ENGINEER
PROTECH CONSULTING LTD
300 – 3275 LAKESHORE ROAD
KELOWNA, BC V1W 3S9

Tel: 250-860-1771

LANDSCAPE ARCHITECT
ECORA ENGINEERING & RESOURCE GROUP LTD.
SUITE 200, 2045 ENTERPRISE WAY
KELOWNA, BC V1Y 9T5 Tel: 250-469-9757
ENERGY CONSULTANT

REVOLVE ENGINEERING INC. 9529 72 AVENUE NW EDMONTON, AB T6E 0Y5 Tel: 780-619-2270

SEA



KELOWNA CADILLAC
Kelowna, BC

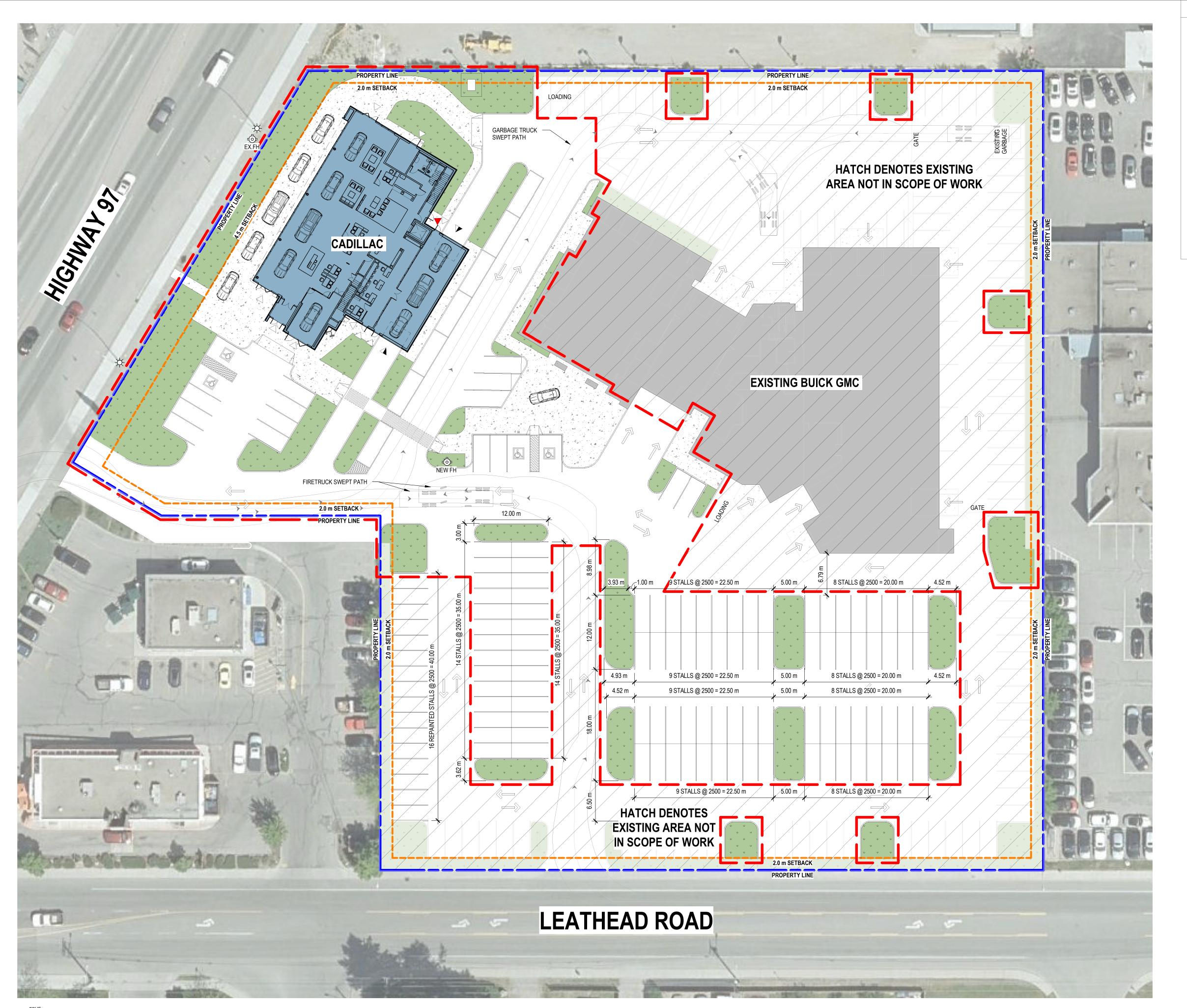
OVERALL EXISTING SITE PLAN

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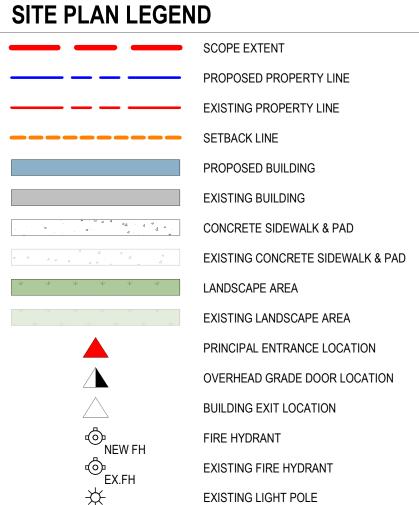
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DP1.02



OVERALL SITE PLAN



SCHEDULE

This forms part of application # DP23-0071

Planner Initials Kelowna

BANNISTER



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1 2022-03-21 DEVELOPMENT PERMIT

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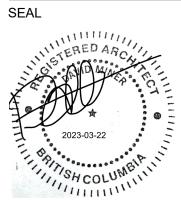
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KELOWNA CADILLAC
Kelowna, BC

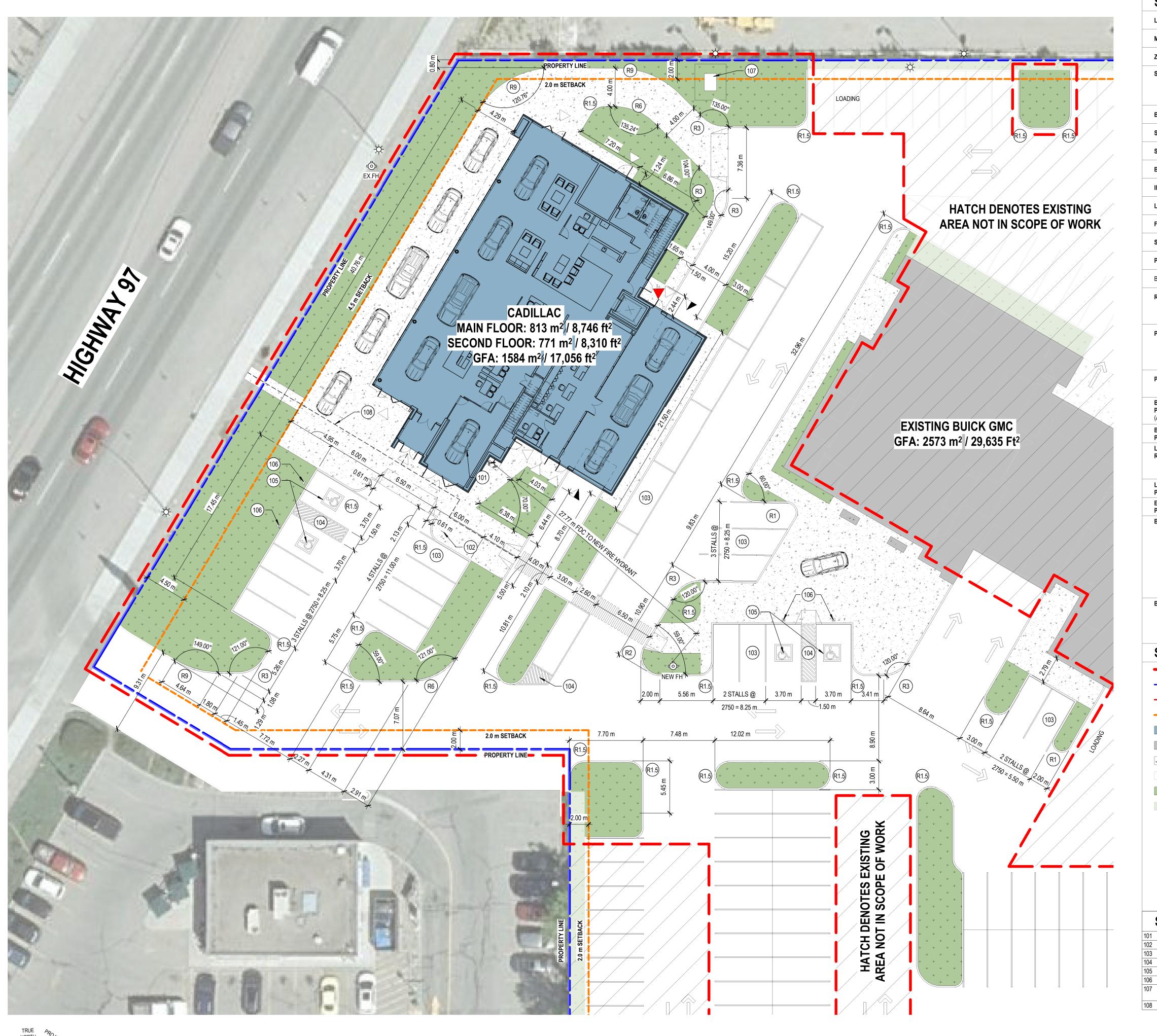
OVERALL SITE PLAN

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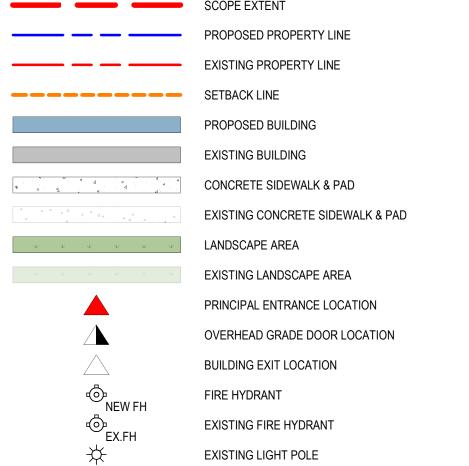
DP1.03

BC100304 - 2006333

CHECKED: IC



LEGAL DESCRIPTION:	LOT B DISTRICT LOT 124 PLAN KA	P39765	BF
MUNICIPAL ADDRESS:	2727 HIGHWAY 97 N		8 11 1
ZONING:	C2 (VEHICLE ORIENTED COMMER	CIAL)	HUI
	·	<u> </u>	-
SETBACKS:	FRONT YARD: FLANKING SIDE YARD: SIDE YARD: REAR YARD:	2 m 2 m 0 m 0 m	
BUILDING HEIGHT:	MAXIMUM BUILDING HEIGHT	3 STOREYS / 12 m	
SITE AREA:	16,192.76 m ² (1.62 ha / 4.00 ac)		
SITE IN SCOPE AREA:	8,029.15 m ² (0.80 ha / 1.98 ac)		
BUILDING FLOOR AREA:		1,573.41 m ²	ISSUED FO
IMPERMEABLE SURFACE AREA:	13,761.32 m ² / 16,192.76 m ²	85.0%	ICCCEDIC
LANDSCAPE AREA:	2,431.44 m ² / 16,192.76 m ²	15.0%	1 2022-0
FAR:	1,584.55 m ² (NEW) + 2,753.18 m ² (E = 4,337.73 m ² (TOTAL) / 16,192.76 r		
SITE COVERAGE:	812.56 m ² (NEW) + 2,218.07 m ² (EX 3,030.63 m ² (TOTAL) / 16,192.76 m ²	STING) = 18.7%	ССПІ
PARKING REQUIRED:			SCHI
BUILDING	CADILLAC (NEW)	BUICK GMC (EXISTING)	This form
REQUIRED PARKING:	1,584.55 m ² x 2.5 STALLS / 100 m ² (ZONING BYLAW TABLE 8.3.2)	2,753.18 m ² x 3.0 STALLS / 100 m ² (ZONING BYLAW TABLE 8.3.2)	# <u>DP23-0</u>
	= 40 STALLS	= 83 STALLS	Planner Initials
PROVIDED PARKING CUSTOMER: SERVICE:	16 STALLS 22 STALLS	13 STALLS 44 STALLS	Initials
INVENTORY: TOTAL:	46 STALLS 84 STALLS	100 STALLS 157 STALLS	
PARKING RATIO:	84 STALLS / 1,584.55 m ²	157 STALLS / 2,753.18 m ²	
	= 5.30 STALLS / 100 m ²	= 5.70 STALLS / 100 m ²	METRIC THIS DRAW
BARRIER FREE PARKING REQUIRED: (AS PER CUSTOMER PARKING)	1 (ZONING BYLAW TABLE 8.2.17)	1 (ZONING BYLAW TABLE 8.2.17)	REPRODUC ALL DIMENS NOTED.
BARRIER FREE PARKING PROVIDED:	2	2	VERIFY DIM DO NOT SCA
LOADING SPACE REQUIRED:	1,584.55 m ² (NEW) / 1,900 m ² (ZONING BYLAW TABLE 8.4)	2,753.18 m ² / 1,900 m ² (ZONING BYLAW TABLE 8.4)	REPORT INC FOR CLARIF
	= 1 STALL	= 1 STALL	DEVIATIONS WRITTEN A
LOADING SPACE PROVIDED:	1	1	CORRECTIO
EV CHARGING PARKING PROVIDED:	2 STALLS (FUTURE)	N/A	DIALOG® SUITE 100, 10
BICYCLE PARKING REQUIRED LONG TERM:	1,584.55 m ² x 0.2 / 100 m ² (ZONING BYLAW TABLE 8.5)	N/A	EDMONTON, INTERIC DIALOG®
	= 3 STALLS		SUITE 400. 61 VANCOUVER
SHORT TERM:	2 STALLS / ENTRANCE		STRUCT PROTOSTATI
TOTAL:	5 STALLS		SUITE 500, 10 EDMONTON,
BICYCLE PARKING PROVIDED			D.A. FOX ENC
LONG TERM: SHORT TERM: TOTAL:	3 STALLS 2 STALLS 5 STALLS	NA	SUITE 309, 10 EDMONTON, SPRINKI
SITE PLAN LEGEN			STREAMLINE 9642 283 STR ACHESON, AI
	SCOPE EXTENT		ELECTR
	PROPOSED PROPERTY LINE		DIALOG® SUITE 100, 10 EDMONTON,
	EXISTING PROPERTY LINE		CIVIL EN
	SETBACK LINE		PROTECH CC 300 – 3275 LA
	PROPOSED BUILDING		KELOWNA, BO



SITE PLAN KEYNOTES

101	FIRE DEPARTMENT CONNECTION
102	SURFACE MOUNTED BICYCLE RACKS
103	TYPICAL PAINTED PARKING STALL LINES, ASTM E1360 WHITE
104	NO PARKING AREA, 45° 100mm ASTM E1360 WHITE PAINTED STRIPS @300mm O.C.
105	BARRIER-FREE DESIGNATION SYMBOL, PAINTED, CENTERED IN STALL
106	BARRIER-FREE PARKING SIGN
107	ELECTRICAL TRANSFORMER. ADJUST GUARDRAIL AS REQUIRED TO MEET FORTIS CLEARANCE REQUIREMENTS.
108	PEDESTRIAN ACCESS ROUTE

SITE PLAN RADII

U	
R1	1000
R1.5	1500
R2	2000
R3	3000
R6	6000
R9	9000





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SCHEDULE

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KELOWNA CADILLAC ### Kelowna, BC

ENLARGED SITE PLAN

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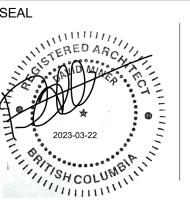
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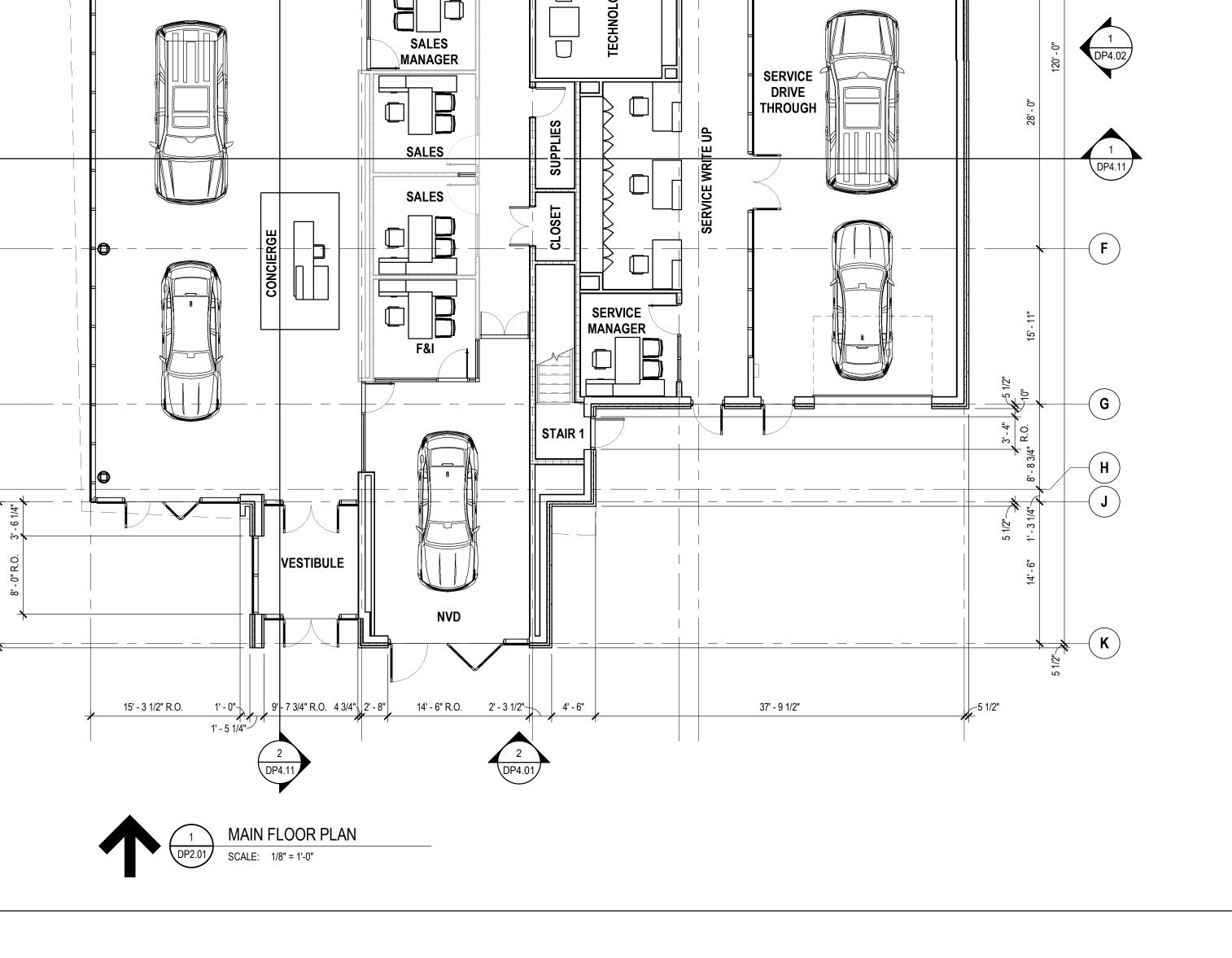


KELOWNA CADILLAC ### Kelowna, BC

MAIN FLOOR PLAN

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DP2.01 BC100304 - 2006333



27' - 9"

24' - 1 1/4" R.O.

SHOWROOM

1.34°~

1 DP4.11

17' - 6"

R.O.

6' - 1" 4' - 4"

SALES

CUSTOMER LOUNGE

15' - 0"

STAIR 2

27' - 3"

5 1/2" 5' - 11 1/2" 3' - 5 1/4" 2' - 0" 12' - 0" 3' - 4 3/4" R.O. R.O.









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Tel: 780-423-5855

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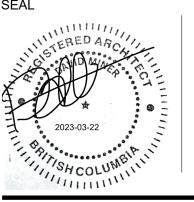
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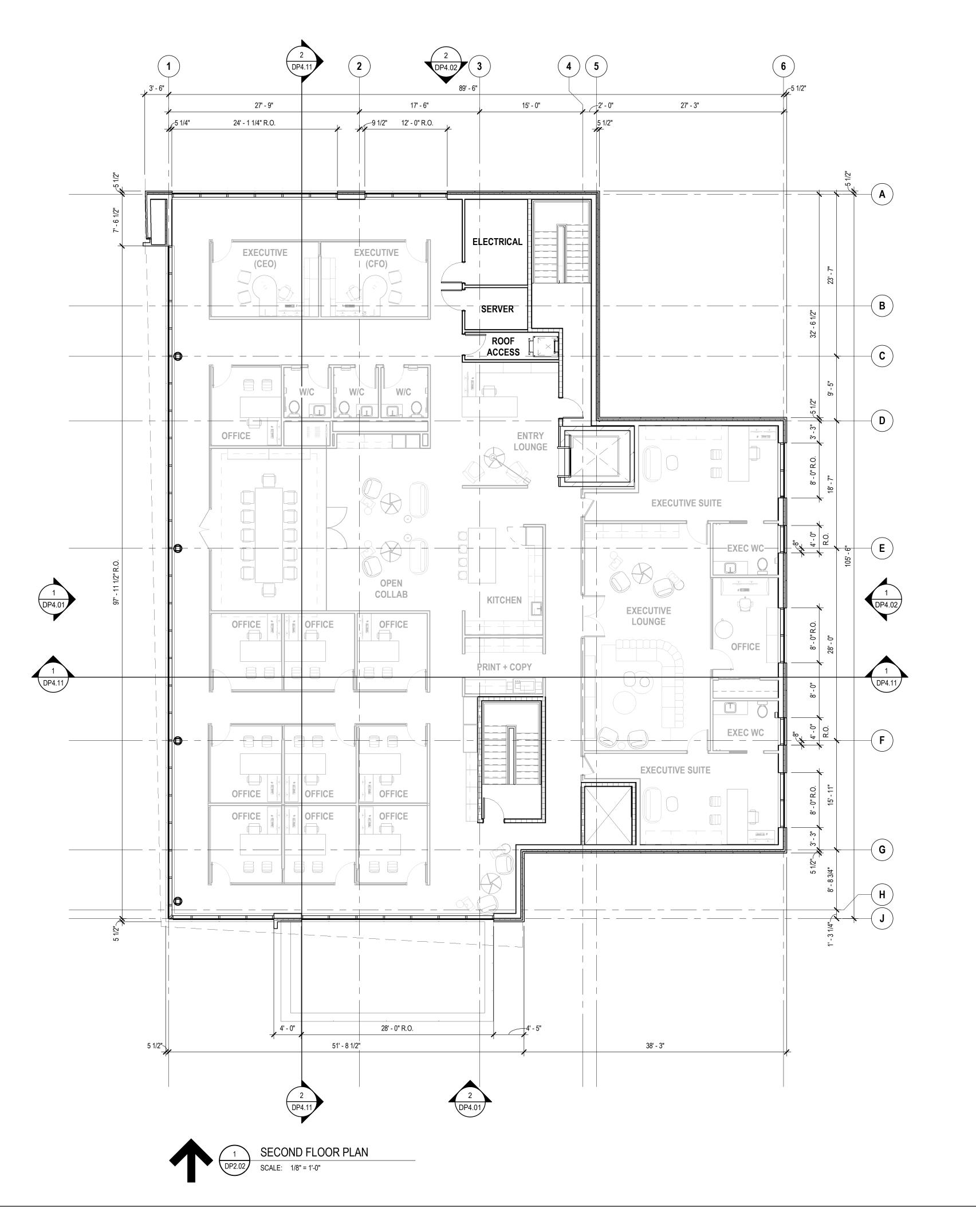
KELOWNA CADILLAC
Kelowna, BC

SECOND FLOOR BASE BUILDING PLAN

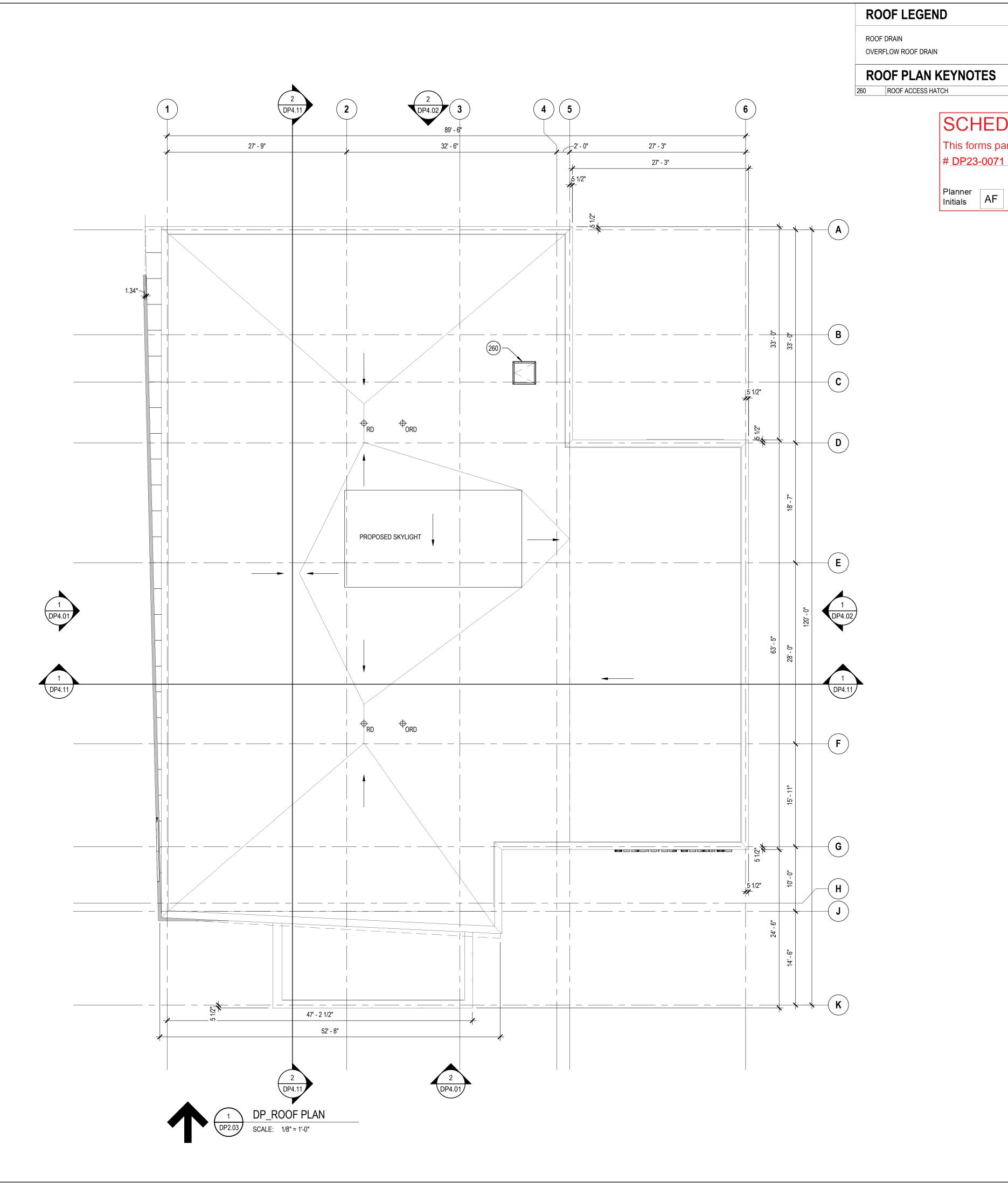
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BC100304 - 2006333



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SCHEDULE

#<u>DP23-0071</u>

Planner

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Kelowna

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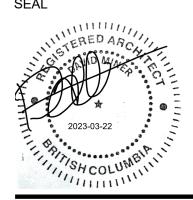
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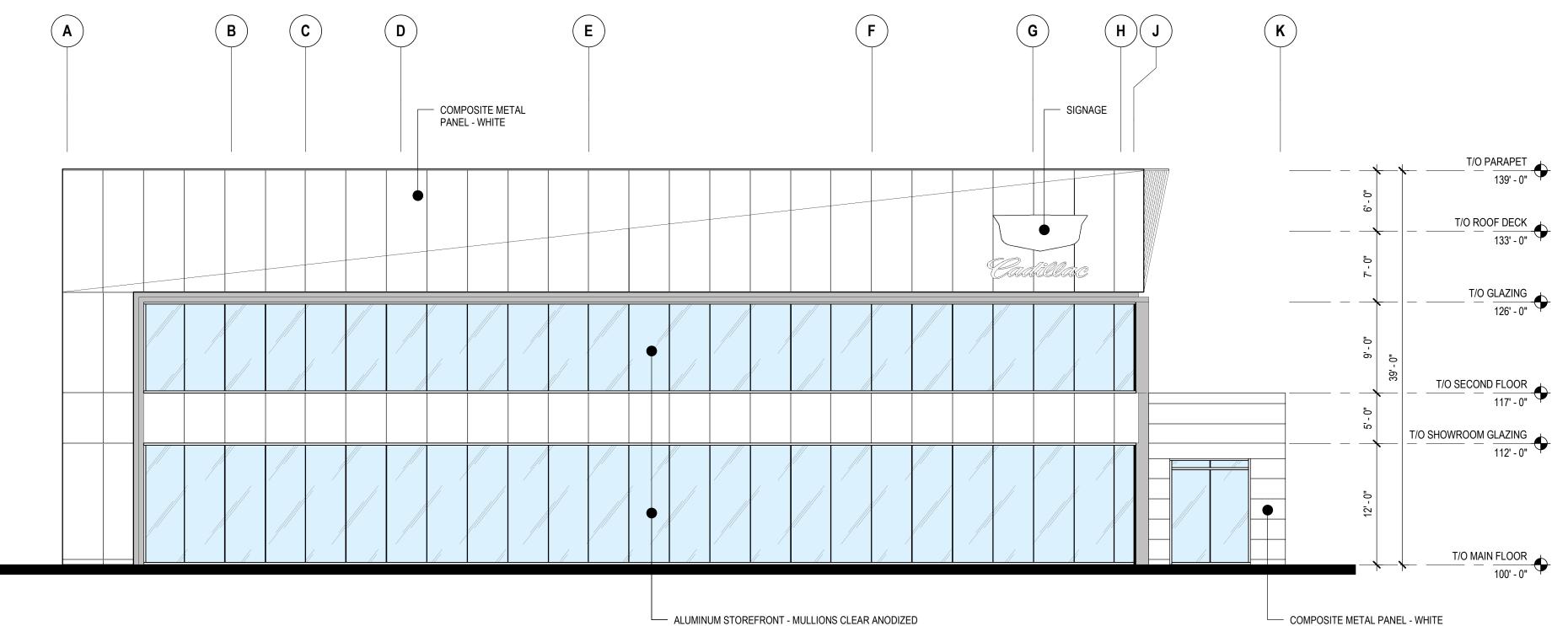
ROOF PLAN

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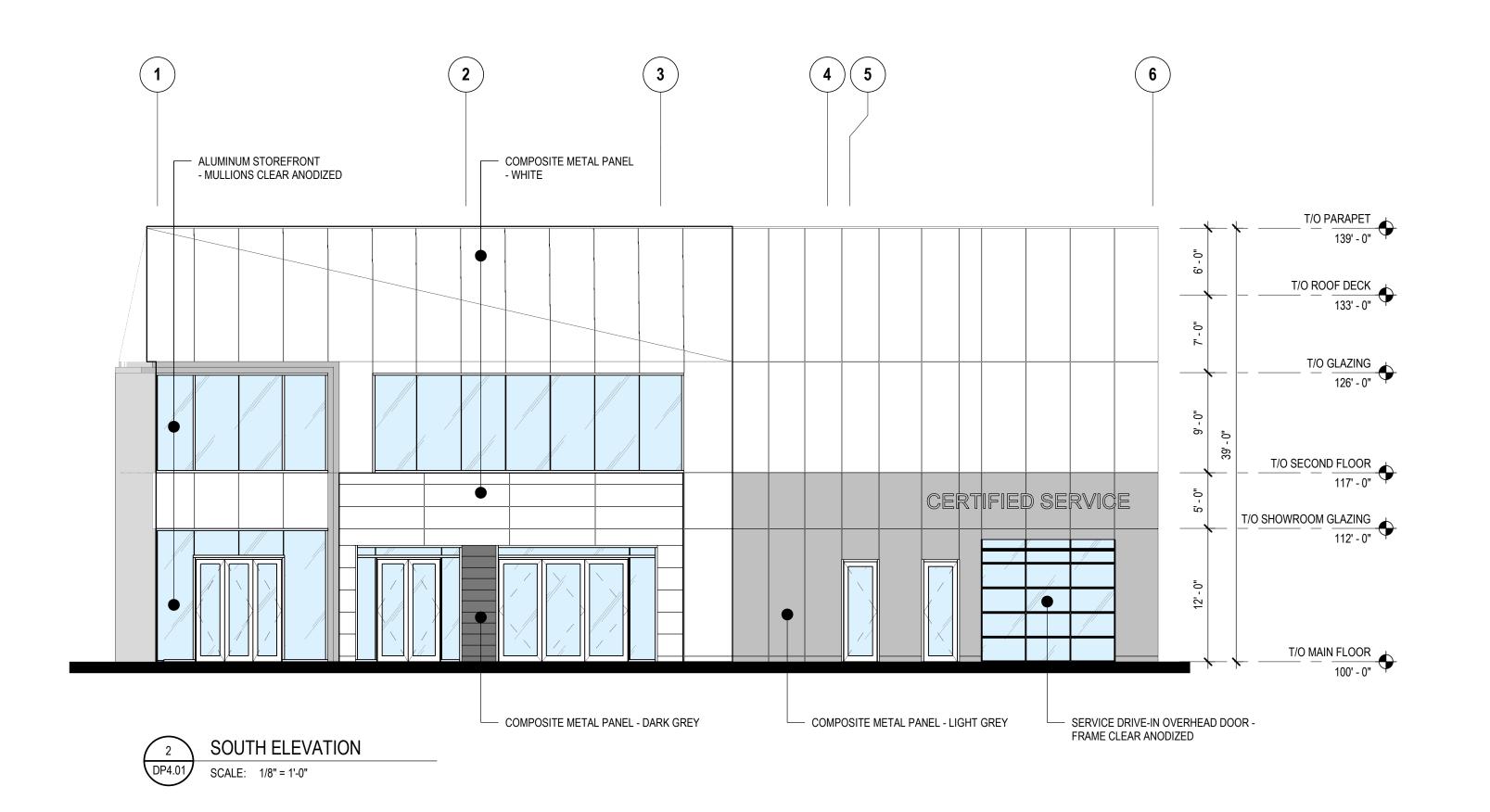
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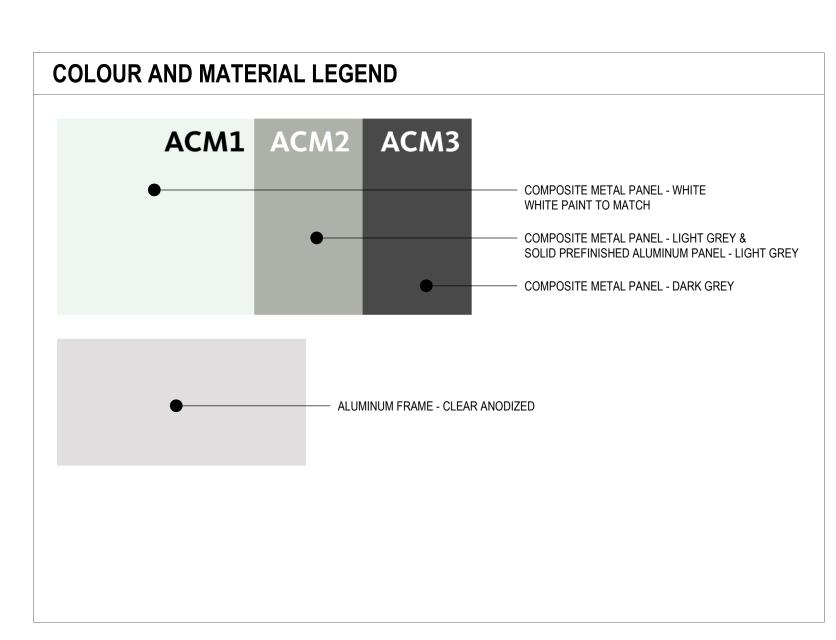






WEST ELEVATION SCALE: 1/8" = 1'-0"





AUTOMOTIVE GROUP





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SEAL



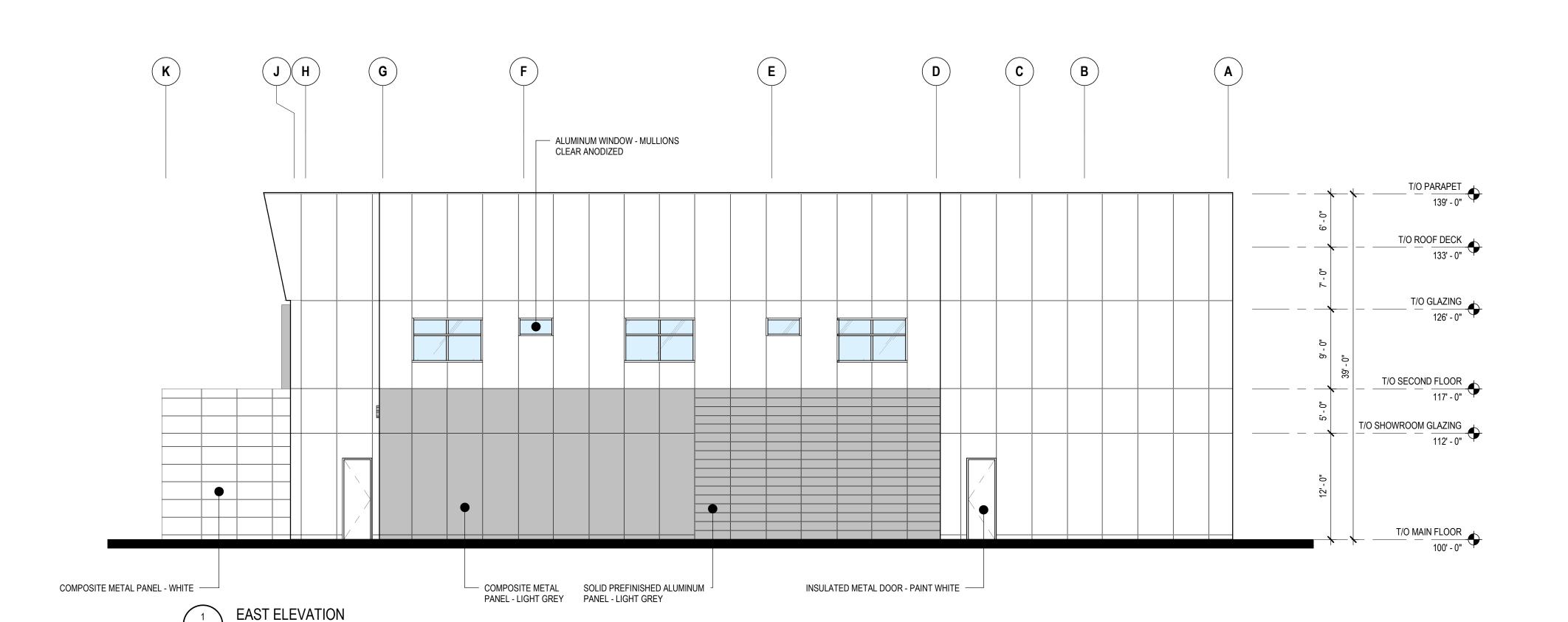
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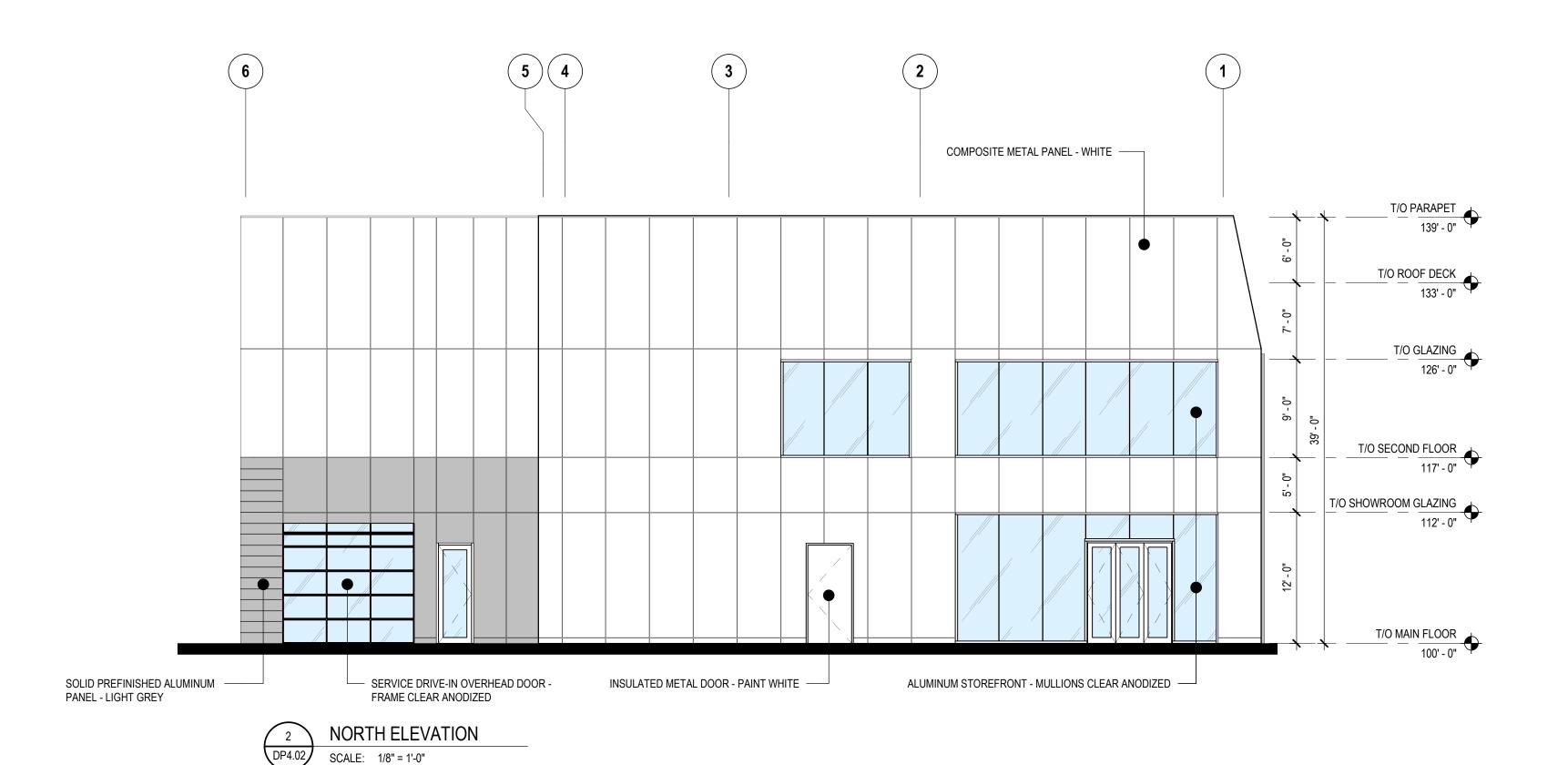
EXTERIOR ELEVATIONS

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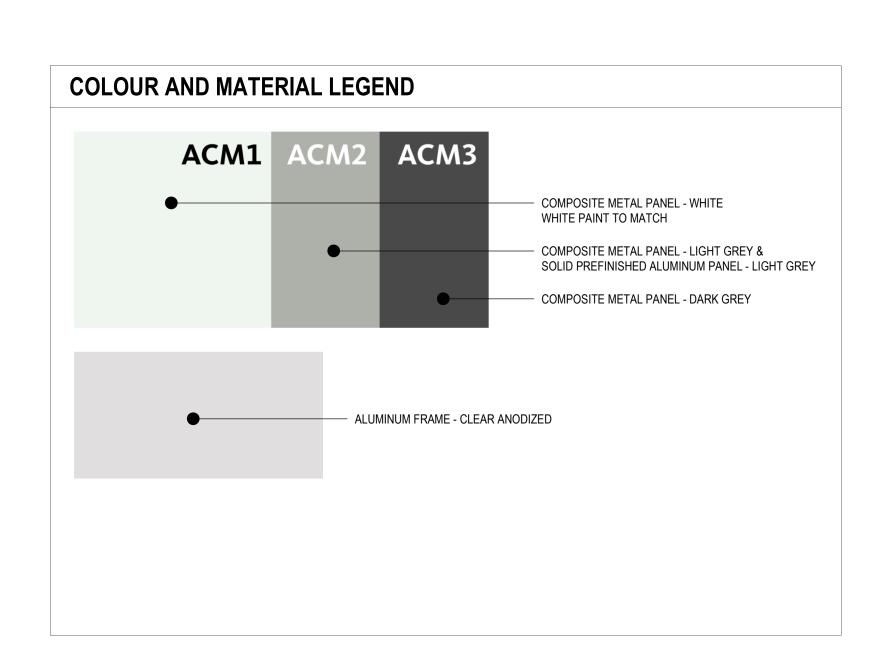






DP4.02

SCALE: 1/8" = 1'-0"









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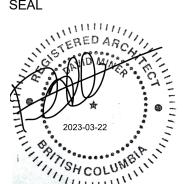
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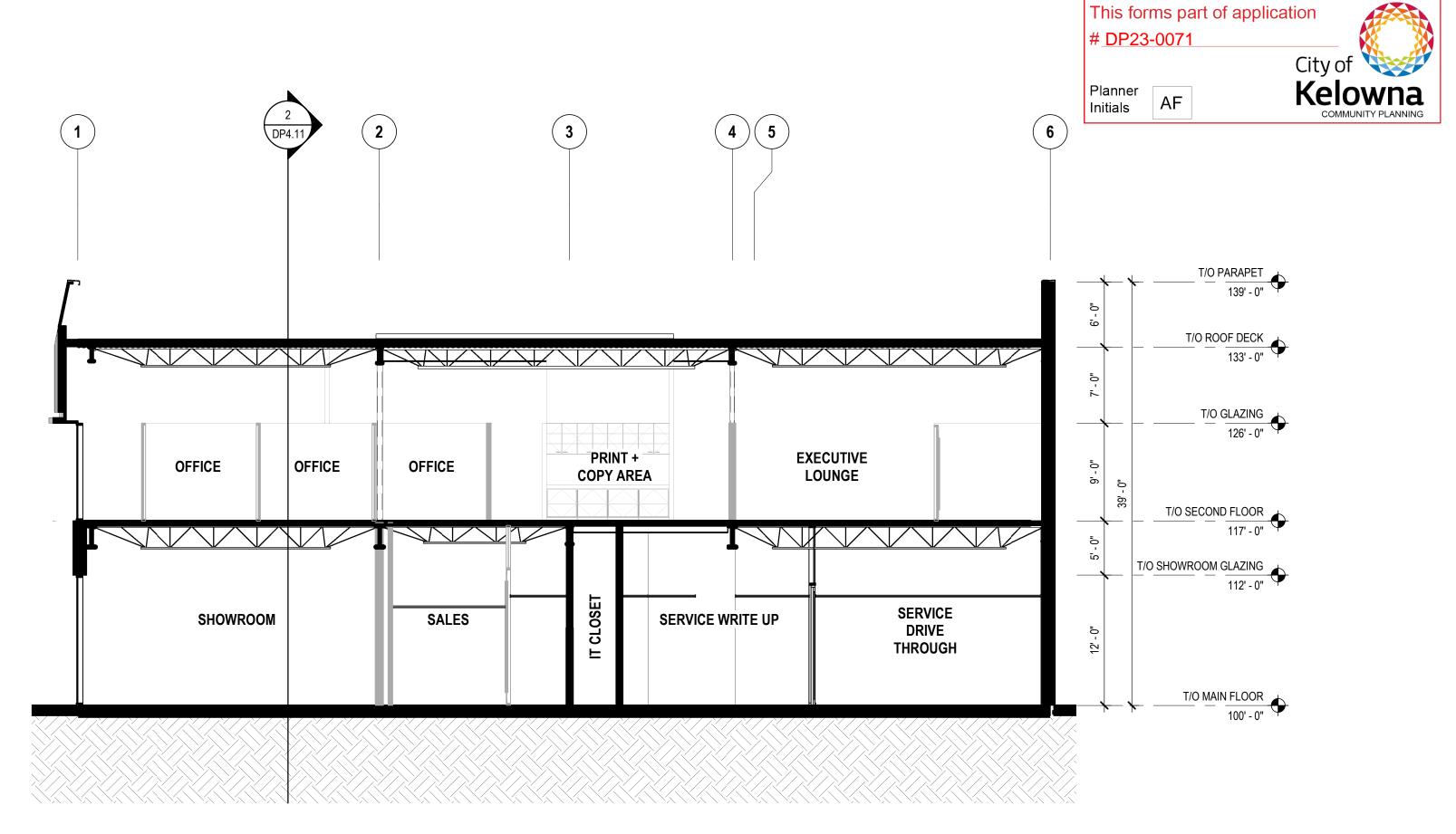


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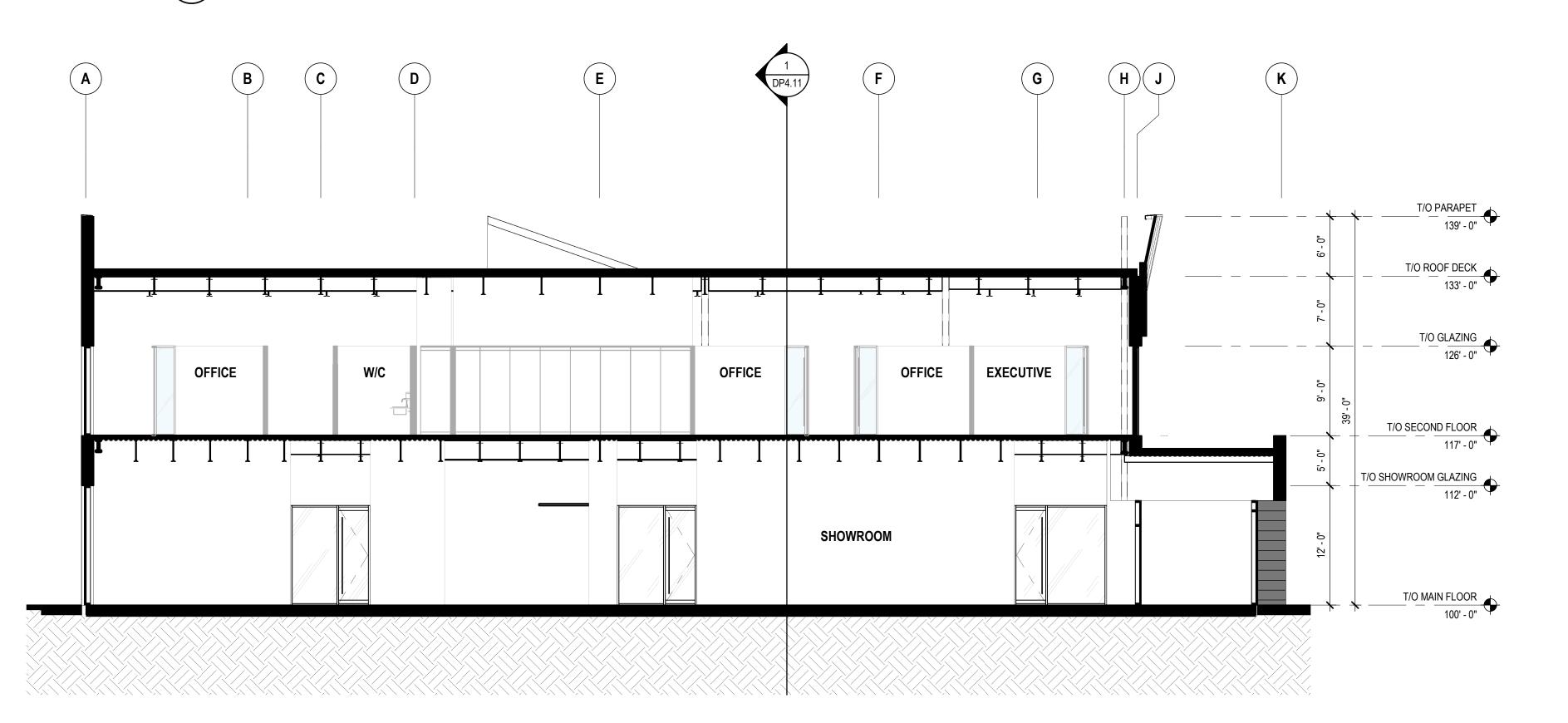
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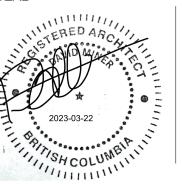
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KELOWNA CADILLAC
Kelowna, BC

BUILDING SECTIONS

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DP4.11

KELOWNA CADILLAC



2727 HIGHWAY 97 N, KELOWNA, BRITISH COLUMBIA 2023-03-21 DEVELOPMENT PERMIT



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DEVELOPMENT PERMIT - DRAWING LIST

RCHITECTURAL	ELECT

DP0.00 COVER SHEET DP1.01 LEGAL SURVEY DP1.02 OVERALL EXISTING SITE PLAN

DP1.03 OVERALL SITE PLAN DP1.04 ENLARGED SITE PLAN

DP2.01 MAIN FLOOR PLAN DP2.02 SECOND FLOOR BASE BUILDING PLAN

DP2.03 ROOF PLAN DP4.01 EXTERIOR ELEVATIONS DP4.02 EXTERIOR ELEVATIONS DP4.11 BUILDING SECTIONS

TRICAL

E7.01 LIGHTING CALCULATION

23009-100 REMOVALS PLAN 23009-101 COMPOSITE UTILITY PLAN 23009-102 SITE GRADING AND STORM WATER PLAN

23009-201 PLAN AND PROFILES 23009-202 PLAN AND PROFILES 23009-203 PLAN AND PROFILES 23009-CO COVER PAGE

CIVIL

23009-P01 COMPOSITE UTILITY PLAN 23009-P01 COMPOSITE UTILITY PLAN 23009-P02 SITE GRADING AND STORM WATER PLAN 23009-P02 SITE GRADING AND STORM WATER PLAN

L1/2 CONCEPTUAL LANDSCAPE PLAN L2/2 WATER CONSERVATION / IRRIGATION PLAN OFFSITE L1/2 OFFSITE LANDSCAPE PLAN

L2/2 OFFSITE IRRIGATION PLAN

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COVER SHEET

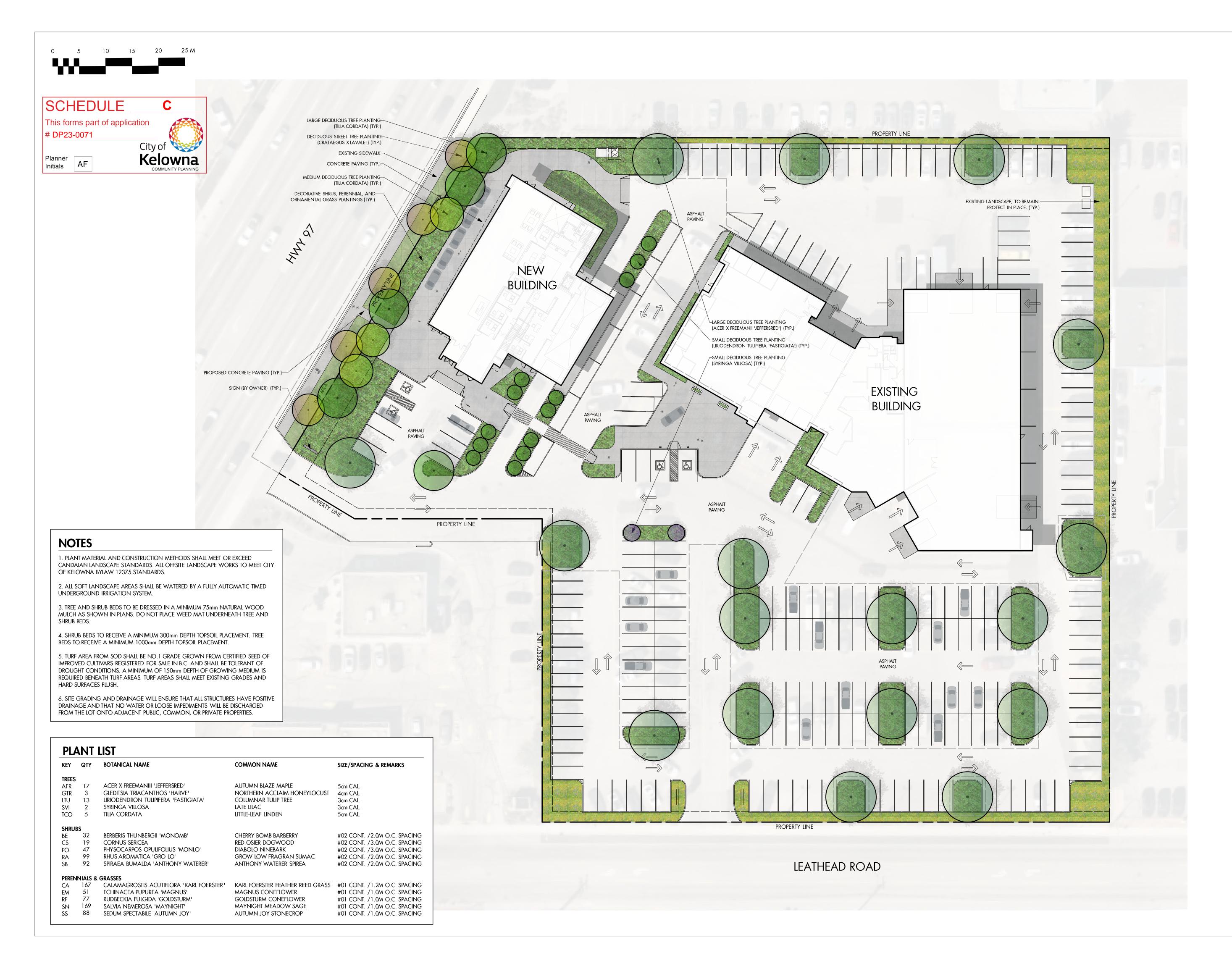
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BC100304 - 2006333

LANDSCAPE

KELOWNA CADILLAC 2727 HIGHWAY 97 N, KELOWNA, BC







PROJECT TITLE

KELOWNA CADILLAC

Kelowna, BC

DRAWING TITLE

CONCEPTUAL LANDSCAPE PLAN

ISSL	jed for / revision	
1	23.02.24	Issued for DP
2	23.03.17	Issued for DP
3	23.03.21	Issued for DP
4	23.06.20	Issued for DP
5		

PROJECT NO	23-0199
DESIGN BY	NM
DRAVVN BY	LA
CHECKED BY	FB
DATE	JUNE 20, 2023
SCALE	1:300
PAGE SIZE	24"x36"

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FORM & CHARACTER - DEVELOPMENT PERMIT GUIDELINES

Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

	SECTION 6.o: RETAIL, COMMERCIAL AND INDI	JSTRIA	\L				
RA	ATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
	is least complying & 5 is highly complying)						
	ı General Guidelines	1	1				1
6.:	1.1 Relationship to the Street	N/A	1	2	3	4	5
a.	Orient the long side of each building to be parallel to the public street.						√
b.	Locate entries to be visible and directly accessible from the public street.						√
C.	For buildings fronting highways, entries can be located away from the street, as long as there is a direct pedestrian connection to the site.						√
d.	Avoid blank walls adjacent to the highway, streets, walkways, parks, or other amenity spaces.						√
6.:	1.2 Site Planning and Landscaping	N/A	1	2	3	4	5
a.	Locate buildings to ensure good sight lines for vehicular and pedestrian traffic.						√
b.	Provide direct, safe, continuous, and clearly defined pedestrian access from public sidewalks, parking areas, and transit stops to building entrances.						√
C.	Use large canopy trees to define the public realm (e.g. at the sidewalk and property edge facing the street)						√
d.	Distribute trees and landscaping throughout the site in order to:						✓
•	Soften property edges facing the street;						
•	Define internal roads, pedestrian routes, and open spaces;						
•	Create pleasant pedestrian conditions;						
•	Screen parking, loading, service, and utility areas;						
•	Manage stormwater on-site; and						
•	Break up large rows of parking by substituting a parking stall with a canopy tree in planter every 8-10 parking stalls;						
e.	Provide on-site bio-retention facilities (e.g. bioswales, rain gardens) to collect, store and filter stormwater from parking		✓				
£	areas.		✓		1		
f.	Use permeable materials such as paving blocks or permeable concrete in parking areas to maximize rainwater infiltration.		•				
~	Pedestrian pathways should provide clear sight lines and connect				1		✓
g.	the following:						
•	Parking areas to building entrances;						
•	Main building entrances to public sidewalks (where applicable);						
•	Main building entrances to transit stopes (where applicable);						
•	Between buildings on adjacent lots.						



h.	Provide separation between vehicular routes (especially truck						✓
	access/loading) and pedestrian routes on-site to avoid conflict and						
	distinguish pedestrian routes from driving surfaces by using varied						
	paving treatments and/or raising walkways to curb level.						
i.	Base new development on an internal circulation pattern that						✓
	allows logical movement throughout the site and that will						
	accommodate, and not preclude, intensification over time.						
6 1	3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	Design site accesses to provide the potential for future shared	14/7	_		3	4	→
a.	access with neighbours and to minimize curb cuts.						,
b.	Where practical, link access drives and parking lots of adjacent						√
D.	·						•
	properties in order to allow for circulation of vehicles between						
	sites.						
C.	The preferred location for main parking areas is at the rear and/or					✓	
	side of the building. Avoid locating large parking areas between						
<u> </u>	the building and the street.						
d.	Where parking areas are visible from the street, screen them using						✓
	strategies such as tree planting, berming, low walls, decorative						
	fencing and/or hedging.						
e.	Break parking areas into smaller blocks defined by landscaping in						✓
	order to minimize the amount of paved areas.						
f.	Locate loading, utilities, mechanical equipment and garbage						✓
	collection areas away from public view by:						
•	Integrating these facilities into the footprint of the building; or						
•	Screening using fencing, walls, and/or landscaping						
g.	Provide areas for temporary snow storage that do not conflict					✓	
	with site circulation, landscaping, and access to utility boxes. For						
	example, by providing access via a lane away from public view.						
6.1	4 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
a.		14//	_	_	3	4	<u>√</u>
u.	projections, recesses, arcades, awnings, color, and texture to						
	improve the pedestrian experience						
	iiiibiove the bedestrian experience						
<u>_</u>							1
b.	Design primary entrances to face the street, exhibit design						√
b.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or						√
	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry.						√
b.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character						✓ ✓
	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial						✓ ✓
C.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall).						
	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and						✓ ✓
C.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and						
C.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building.						✓
C.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and						
c.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building.						✓
c.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings						✓
c.	Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall). Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and						✓



		1					
g.	Provide shielded, down lighting to provide security and ambient						✓
	lighting while minimizing light pollution and spill over lighting into						
	adjacent properties.						
h.	Provide weather protection at building entrances close to transit						✓
	stops, and in areas with pedestrian amenities.						
i.	Incorporate substantial, natural building materials such as		✓				
	masonry, stone, and wood into building facades.						
j.	Use an integrated, consistent range of materials and colors and		✓				
	provide variety by, for example, using accent colors.						
	Industrial and Service Commercial	1				1	
6.4	1 Relationship to the Street	N/A	1	2	3	4	5
a.	Design primary entries to be clearly visible and accessible from the						✓
	street.						
b.	Site the building's primary façade parallel to the street and close						✓
	to the minimum setback to establish a defined street edge.						
C.	Include glazing, as a major component of street facing facades.						✓
d.	Maintain and enhance street edge definition by preserving or						✓
	incorporating street trees.						
e.	Locate the office, reception, or sales component of the building	✓					
	closer to the street than the plant or warehouse component.						
f.	Do not locate service doors (e.g., an overhead loading door) facing						✓
	the street.						
6.4	2 Site Planning and Landscaping	N/A	1	2	3	4	5
a.	Pedestrian pathways should provide clear sight lines and connect						✓
	the building to outdoor amenity spaces.						
b.	Consider providing landscaped green roofs to manage runoff, add		✓				
	visual appeal, improve energy efficiency, reduce heat island effect,						
	and provide amenity value.						
6.4	3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	The preferred location for main parking areas is at the rear and/or					✓	
	side of the building.						
b.	Avoid locating large parking areas between the building and						✓
	street. A single loaded row of visitor parking and passenger drop-						
	off areas may be located between the building and the street.						
C.	Where parking areas are visible from the street, screen it using						✓
	strategies such as tree planting, berming, low walls, decorative						
	fencing and/or hedging.						
d.	Break parking areas into smaller blocks defined by landscaping in						✓
	order to minimize the amount of paved areas.						
e.	Locate outdoor storage areas within rear yards and/or interior side	✓					
	yards and screened from street view.						
6.4	4 Building Articulation, Features and Materials	N/A	1	2	3	4	5
a.	Avoid facing unarticulated facades to the street and use						
	projections, recesses, plantings, awnings, color and texture to						✓
	reduce the visual size of any unglazed walls.	1	1	1	1	1	1



b.	Use different exterior materials to distinguish between the				
	plant/warehouse component of a building from the office/sales	✓			
	component.				



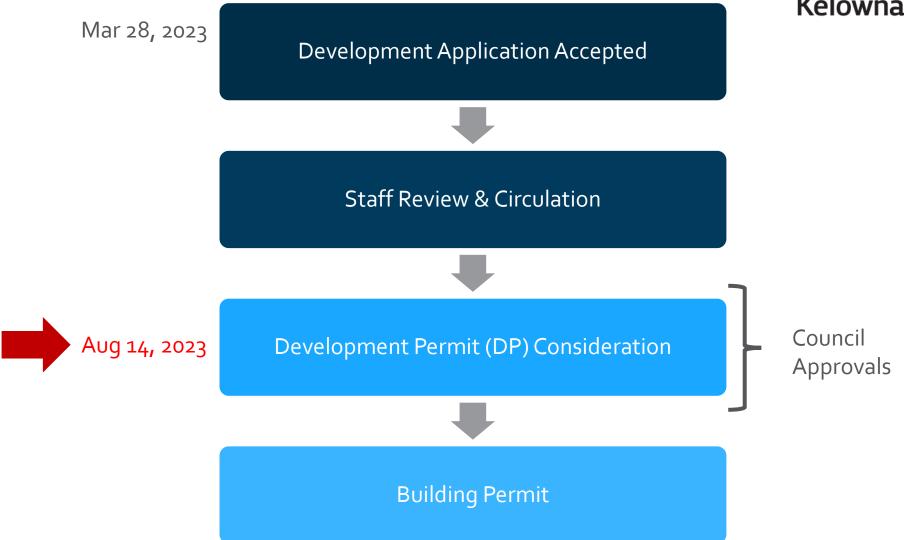


Purpose

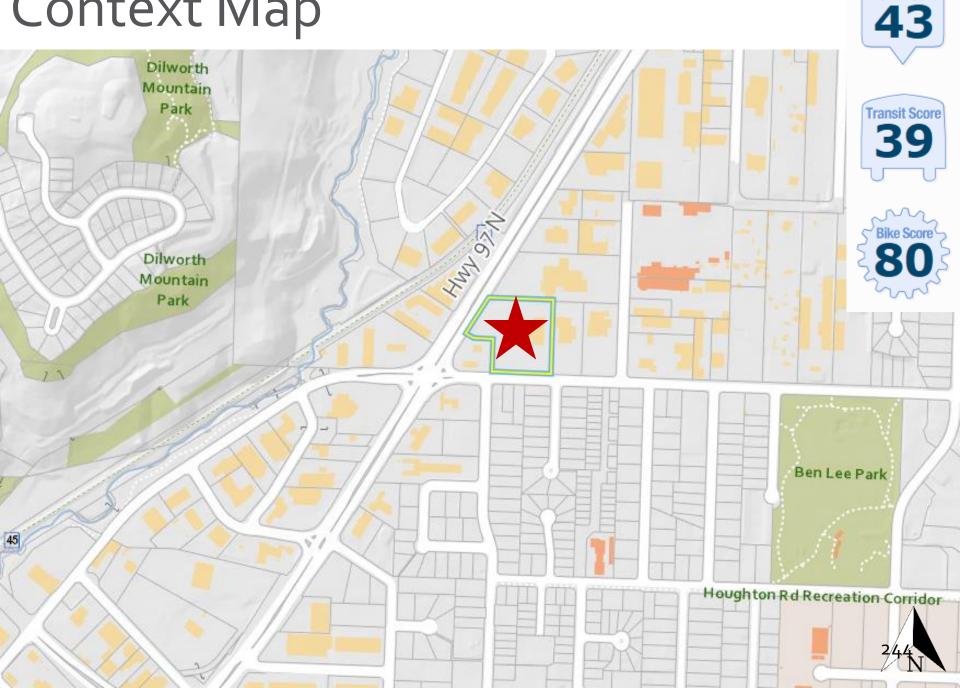
➤ To issue a Development Permit for the form and character of a new automotive sales and service facility.

Development Process





Context Map



Walk Score

Subject Property Map





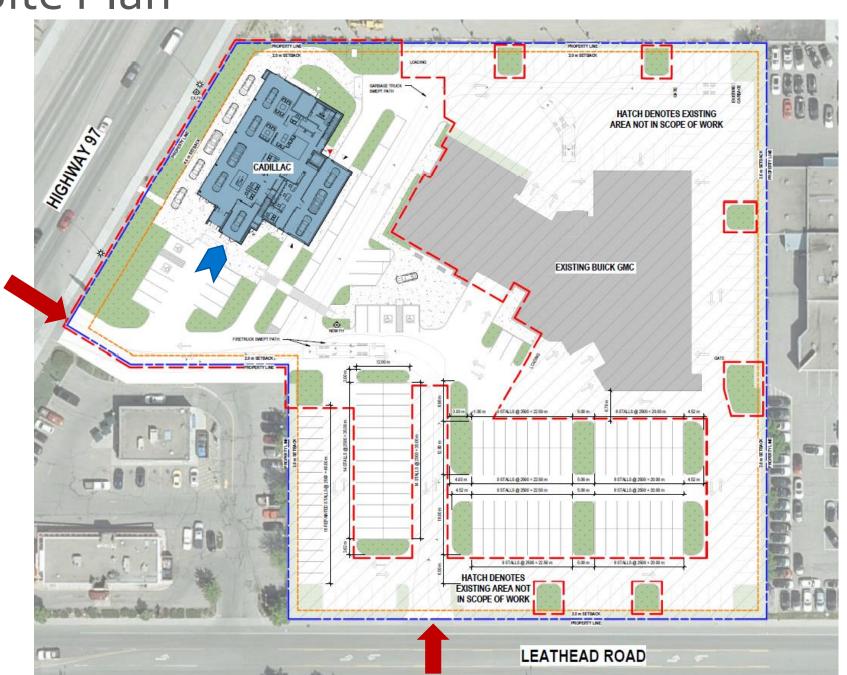


Technical Details

- ► C2 Vehicle Oriented Commercial
 - 2-storey automotive sales & service facility
 - ▶ 1,584 m² floor area
 - Vehicle sales and display
 - Vehicle service
 - Ancillary office (second floor)
 - ▶ 83 stalls
 - ▶ 240 total site stalls
 - ▶ 40 new site trees
 - Including 7 in between building and Hwy 97 N
 - 4 Large, 3 Medium

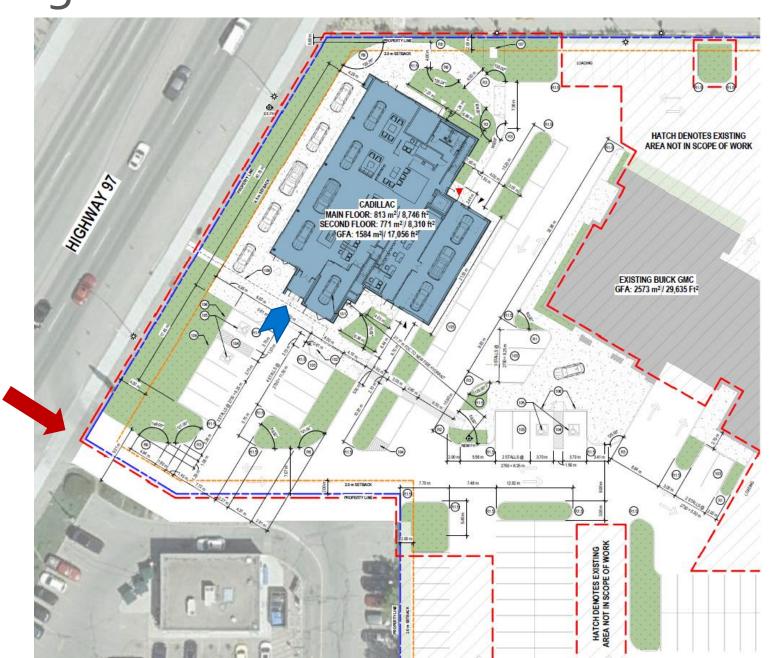
Site Plan



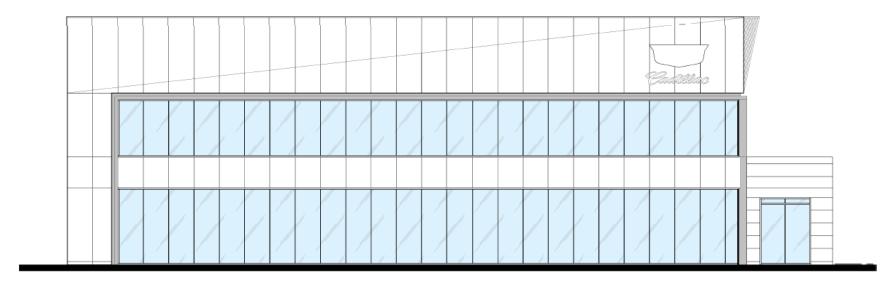


Enlarged Site Plan

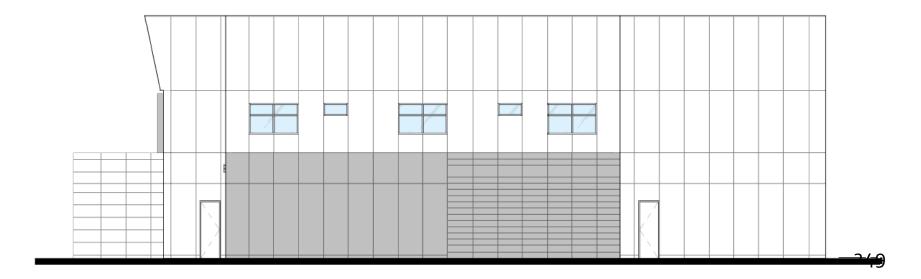




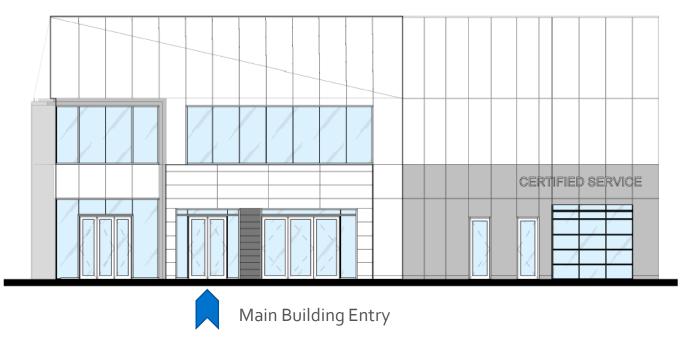
Elevation – West (Hwy 97 N)



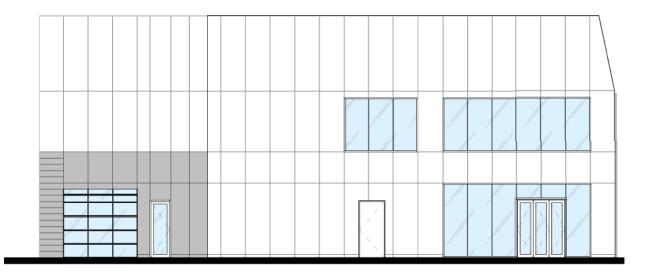
Elevation – East



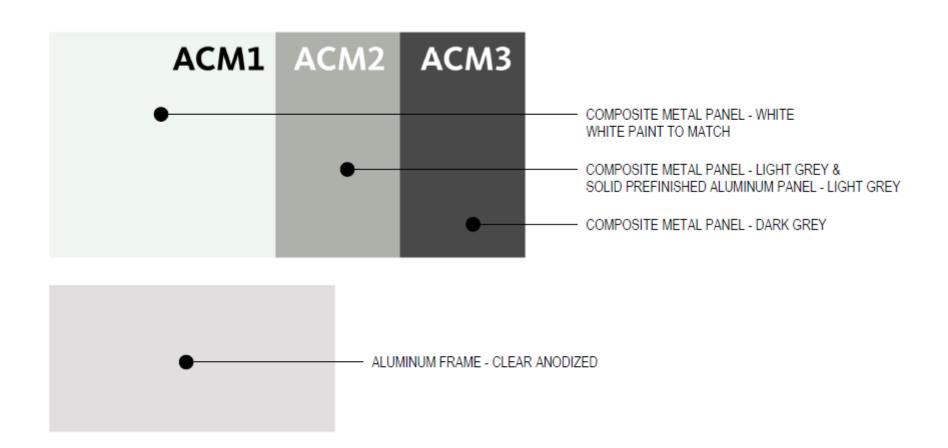
Elevation – South



Elevation – North

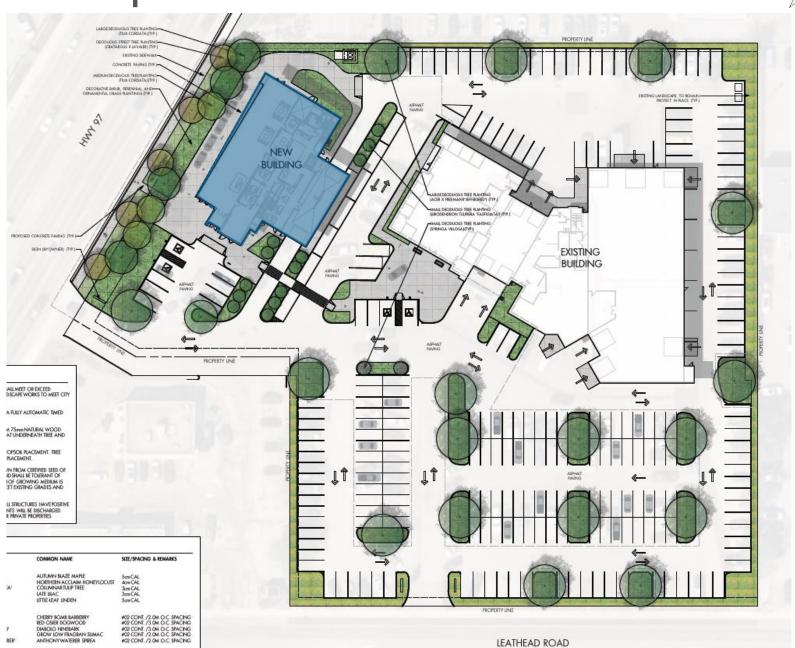


Materials Board



Landscape Plan





Rendering – NE





OCP Design Guidelines

- ▶ Building oriented parallel to Hwy 97 N
 - ▶ Front glazing highlights building's internal function
- ▶ Visible entry, accessible from street / sidewalk
- ► Improved pedestrian site circulation
- ► Generous front, and site landscaping



Staff Recommendation

- ➤ Staff recommend **support** for the proposed development permit as it:
 - ▶ Meets majority of OCP Design Guidelines
 - Appropriate form and character for commercial automotive sales and service building
 - Significant site and landscape revitalization

Report to Council



Date: August 14, 2023

To: Council

From: City Manager

Subject: 350 Doyle Rescindment of Development and Development Variance Permits

Department: Office of the City Clerk

Recommendation:

THAT Council receive, for information, the Report of the City Clerk dated August 14, 2023 regarding Rescindment of the Development and Development Variance Permits for 350 Doyle;

AND THAT Council rescind the authorization for issuance of Development Permit No. DP21-0136 and Development Variance Permit No. DVP21-0137 authorized for issuance by Council July 26, 2022;

AND THAT Appelt Properties be invited to submit a development permit for Lot C District Lot 139 Osoyoos Division Yale District Plan EP95954, located at 350 Doyle Ave, Kelowna, consistent with the legal agreements and Zoning Bylaw No. 12375;

AND THAT Council rescind Council resolution Ro614/22/07/26 that authorized staff to amend any legal agreements associated with the long-term lease of 350 Doyle Avenue;

AND THAT the Lease Agreement deadlines for starting construction at 350 Doyle Ave be amended to January 20, 2025, with substantial completion by January 20, 2029.

Purpose:

To rescind the Development Permit and Development Variance Permit for 350 Doyle Avenue

Background:

Previous Council Resolution

Resolution	Date
THAT, in the event Council approves DP-21-0136 and DVP21-0137, Council	July 26, 2022
authorizes Staff to amend any legal agreements associated with the long-term	
lease of 350 Doyle Avenue as required to issue the permits associated with DP-	
0136 and DP-0137	

THAT Council authorizes the issuance of Development Permit No. DP21-0136 for Lot C District Lot 139 Osoyoos Division Yale District Plan EPP95954, located at 350 Doyle Ave, Kelowna, BC;

July 26, 2022

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0137 for Lot C District Lot 139 Osoyoos Division Yale District Plan EPP95954, located at 350 Doyle Ave, Kelowna, BC;

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

AND FURTHER THAT a Housing Agreement Bylaw be adopted and registered on title prior to issuance of the Development Permit and Development Variance Permit.

Discussion:

The subject property, 350 Doyle Ave., Kelowna is a City-owned lot and the former site of the RCMP Detachment.

In September 2018, Council endorsed the long-term lease and redevelopment process for the former RCMP detachment, a 0.87-acre site located at 350 Doyle Avenue. As the property is located within the Civic Precinct, the Civic Precinct Plan, which identifies municipal objectives to increase vibrancy and establish a foundation of amenities in the downtown core while protecting for the future expansion of cultural facilities, guided the development vision for the site.

Beginning in the fall of 2018, the property was widely marketed through a third party commercial real estate brokerage seeking development consistent with the site-specific guidelines established in the Civic Precinct Plan. The nationally marketed, public sales process generated multiple proposals for the redevelopment of the site, which were evaluated by Staff and Council. The proposal submitted by Rise Properties Limited (now operating as Appelt Properties) was chosen. The ground lease and covenant formalizing Appelt Properties' commitments with respect to the site was finalized in February 2021, at which time care and control of the property was transferred to the proponent.

Council considered a Development Permit and Development Variance Permit for 350 Doyle on July 26, 2022. During the meeting, Council heard from twenty-four (24) members of the public, each of whom addressed Council with their reasons for supporting, or for not supporting, the application before Council.

Council's task in deciding whether to grant variances to a zoning bylaw is to determine whether granting the variances is "in the interest of the community as a whole." In the July 26, 2022 Report to Council staff identified the provision of rental housing as being consistent with increasing housing and tenure diversity in urban centres, an objective in the 2040 OCP. The staff oral presentation to Council also mentioned the proponent had added the affordable rental housing component. The need for rental and affordable housing was a community interest, supported by existing policy, which was the apparent basis for several of the participants expressing their support in the public portion of the meeting.

In October 2022, the City and Council-elect began to receive statements that some of the public intervenors had been paid to speak in favour of the 350 Doyle application. In particular, the Mayor received an email in early January from one individual confirming that at the request of a friend, he and several others had spoken in favour of the project and "was paid \$250 via e-transfer for my comments".

Upon further investigation by staff, Appelt Properties confirmed a company hired by them to engage with the public did provide "nominal expenses" to an unspecified number of persons who spoke in support of the application during the meeting. Further correspondence from the "third party communications vendor" JDH Naturals, confirmed that JDH reimbursed speakers \$250 each to address Council during the meeting. While JDH explained that the payments were "capped" at \$250, the City's understanding is that each of the participating speakers received a uniform amount of \$250. It is difficult to accept the explanation offered by JDH that the payment of that set amount represents reimbursement for "a range of costs, including lost earnings from time spent away from work, for information sessions, the council meeting, travel, parking, and meal expenses." Conceivably, some of the presenters may have lost earnings but it seems highly unlikely that across-the-board, each of the presenters' expenses reached \$250.

JDH Naturals Inc. was incorporated under the Canada Business Corporations Act in 2020. No City of Kelowna Business Licence has been applied for nor issued to this company.

The minutes of the July 26, 2022 meeting indicate that of the 24 persons who made submissions, approximately half referenced the need for affordable housing, student housing or affordable student housing in their comments. One of the persons speaking in favour, who referenced the need for student housing, was the principal of JDH Naturals. Five members of Council made reference to either affordable or student housing as being an issue of concern for them during the course of their remarks.

The ability for members of the public to address Council directly with their support or concerns regarding development applications is an integral part of the Council decision-making process, as established by case law, Provincial legislation, and Council bylaw. While Council would expect that consultants, such as architects, engineers, planners or lawyers, would be compensated by a proponent for their assistance in making a presentation to Council, there is no similar expectation of compensation having been paid to members of the public who make presentations. Council would assume that members of the public have not been compensated for their attendance. The direct payment to individuals to speak in favour (or opposed) to an application undermines public confidence in the public process, to the extent of calling into question the validity of the public hearing or meeting. Council's decision, based as it was on paid statements of support, is subsequently tainted.

To address this tainted process, staff recommend Council rescind the July 26, 2022, motions authorizing issuance of the Development Permit and the Development Variance Permit for 350 Doyle Ave. and the condition that a Housing Agreement be registered on title prior to the permits themselves being issued.

Staff recommend Appelt Properties be invited to submit a development permit for Council's consideration, that is in compliance with the pre-established disposition terms and current Zoning Bylaw No. 12375. The January 2024 construction deadlines in the Lease Agreement would be extended twelve months from the dates identified in the Lease, which commenced February 10, 2021:

a. Current requirement to start construction is January 20, 2024 Amended Date January 20, 2025 b. Current requirement for substantial completion is January 20, 2028 Amended Date January 20, 2029

To ensure procedural fairness, Appelt Properties, or their representatives, has been offered an opportunity to address Council prior to Council making a decision on the staff recommendations contained in this Report.

Conclusion:

The tainted process can be remedied by rescinding the issued Development and Development Variance Permits for 350 Doyle Ave. and inviting Appelt Properties to submit an application for Council's consideration.

Internal Circulation:

Real Estate Department Investments and Partnerships Development Planning

Legal/Statutory Authority

See attachment

Submitted by:

Stephen Fleming City Clerk

Attachments:

- 1. Authority for Rescinding Council Resolution approving issuance of a Development Permit/Development Variance Permit
- 2. PowerPoint presentation

Authority for Rescinding Council Resolution approving issuance of a Development Permit/Development Variance Permit

There are no reported court decisions that have directly addressed the authority of a municipal council to rescind a decision based on concerns that council was misled by information provided to it or due to alleged impropriety on the part of an applicant or their agent.

Despite this apparent lack of court decisions involving municipalities rescinding their decisions, guidance can be taken from a decision of the BC Supreme Court involving the review of a decision of the Environmental Appeal Board (EAB); Residents Assn. v. British Columbia (Director, Environmental Management Act), 2017 BCSC 107 ("Shawnigan"). The Shawnigan case involved an appeal to the EAB of a decision of a Delegate of the Minister of Environment to issue a permit to discharge contaminated soil pursuant to the Environmental Management Act. The Supreme Court overturned the decision of the EAB to dismiss an appeal brought by the Shawnigan Residents Association. The Court ruled that there had been a material non-disclosure with respect to the relationship between a qualified professional ("QP") and the permit applicant, and that this non-disclosure affected the integrity of the EAB process as well as the permit issuance by the Minister's delegate. The Court noted that the scheme of the Environmental Management Act relied on the integrity of the work product from QPs. It would be important therefore in assessing any technical or scientific opinion to know whether the QP who produced the opinion had any reason to be biased:

The existence of a financial benefit to the [QP] from a particular outcome is a clear example of a reasonable apprehension of bias in the person preparing the opinion.

While the Court in *Shawnigan* determined that the subject of the judicial review challenged was the EAB's decision to deny the residents association appeal, the judge was clear if the decision under review had been the Delegate's decision to approve the permit, he "would have had no difficulty in setting it aside."

In setting aside the decision of the EAB and ordering it to reconsider the appeal with evidence before it of the true relationship between the QP and the proponent, the Court ruled that it was not prepared to go so far as to find fraud on the part of either the QP or the proponent. The basis for the Court's intervention was that the material non-disclosure resulted in the EAB having been misled about the true relationship between the QP and proponent:

I am satisfied that the withholding of this information from the [EAB] brought the integrity of the approval process and appeal into question.

I consider it to be in the interests of justice that the [EAB] must reconsider its Decision with the benefit of this fresh evidence [regarding the true relationship between the QP and proponent].

The Court did not consider it necessary to make a finding as to what the impact would have been on the EAB's decision had the true relationship between QP and proponent been disclosed to it. The judge stated that it was not for the Court to say what influence the information would have had; it was sufficient that the withholding of the information affected the integrity of the processes – both the one before the Director and the appeal before the EAB.

On one important point of evidence, the Court in *Shawnigan* decided that the residents association did not have to satisfy what is known as the four-part "*Palmer*" test for the introduction of "fresh evidence" for the after-hearing discovery of the evidence of the true relationship between the QP and proponent. The Court would have admitted the evidence simply on the basis that the "interests of justice" required it.

The following propositions can be extracted from the *Shawnigan* decision:

- (1) If the receipt of payment may affect the presumed independence or impartiality of a person participating in an administrative proceeding, the fact of and details of such payment should be disclosed to the decision-maker.
- (2) It is not necessary to establish that the party responsible for the non-disclosure has engaged in fraud.
- (3) It is not necessary to establish that the undisclosed information would have been decisive in the decision-maker's decision; it is sufficient if the withholding of the non-disclosed information brings the <u>integrity</u> of the process into question.
- (4) In addition to justifying court intervention on a judicial review application, uncovering evidence of a material non-disclosure affecting the integrity of an administrative decision justifies the decision-maker revisiting its decision and rescission.





Background

September 2018

 Council endorsed process for long-term lease & redevelopment

February 2021

 Finalized ground lease & covenant with Appelt Properties

July 2022

- Council authorized issuance of DP/DVP
- Conditional on adoption of Housing Agreement Bylaw



Consideration of DP/DVP

- ▶ July 26, 2022 regular meeting of Council
- ► Council heard from 24 members of the public
- ➤ Council's task to determine if approving variances is in the interest of the community as a whole
- ➤ Staff report & presentation identified rental housing & affordable rental housing as a community interest



Payment to Public Intervenors

- ► In October 2022, City and Council-elect began to receive statements that some individuals were paid to speak in favour of the DP/DVP
- ► Appelt Properties hired JDH Naturals to engage with the public
- ► JDH Naturals confirmed participating speakers were reimbursed to cover expenses
 - Approximately half of speakers referenced need for affordable housing, student housing, or affordable student housing
 - ▶ Uncertain how many speakers received payment from JDH Naturals



Payment to Public Intervenors

- City's understanding that JDH Naturals paid \$250 to each speaker they engaged
- Unclear how that set amount represents reimbursements for a range of costs
 - ► E.g., lost earnings from time away from work for information sessions and the Council meeting, travel, parking, meal expenses
- ▶ Unlikely that each presenter's expenses reached \$250



Public Process

- ► Integral part of Council decision-making for public to address Council directly with support or concern
- Council would expect consultants are compensated for assistance in presenting to Council
- ► Expectation of compensation does not extend to the public
- ▶ Direct payment to individuals undermines public confidence in the public process, tainting Council's decision



Recommendations

- ➤ Council rescind authorization for issuance of DP21-0136 and DVP21-0137 from July 26, 2022;
- ▶ Invite Appelt Properties to submit a development permit for 350 Doyle Ave, consistent with the legal agreements and Zoning Bylaw No. 12375;
- Council rescind the resolution authorizing staff to amend any legal agreements associated with the long-term lease of 350 Doyle Avenue;
- Amend the Lease Agreement deadlines for starting construction at 350 Doyle Ave to January 20, 2025, with substantial completion by January 20, 2029.



Questions?

For more information, visit **kelowna.ca**.

Report to Council



Date: August 14, 2023

To: Council

From: City Manager

Subject: Renewal of Downtown Kelowna Business Improvement Area

Department: Financial Services

Recommendation:

THAT Council approve the renewal of a specified area for the purpose of annually funding, over a 5-year period, the Downtown Kelowna Business Improvement Area pursuant to Sections 215 of the Community Charter, for the properties included within the boundary as outlined on Schedule "A" to the Report of the Revenue Supervisor dated August 14, 2023;

AND THAT Bylaw 12575 being Downtown Kelowna Business Improvement Area Bylaw be advanced for reading consideration;

AND FURTHER THAT 4:00 p.m., Friday, September 29, 2023 be set as the deadline for receipt of petitions against the proposed Downtown Kelowna Business Improvement Area renewal bylaw.

Purpose:

To approve the renewal of a specified area for the purpose of annually funding, over a 5-year period, the Downtown Kelowna Business Improvement Association.

Background:

Section 215 of the Community Charter permits Council, by bylaw, to grant funds to an organization that has as one of its aims, function or purposes, the planning and implementation of a business promotion scheme. Council may raise the necessary funding by levying and imposing a tax on the benefiting properties.

The first Kelowna Downtown Business Improvement Area (BIA) was established for the 5-year period beginning in the 1989 Fiscal Year, with renewals in 1994, 1999, 2004, 2009, 2014 and 2018. The Downtown Kelowna Association area is defined within a 42 square block radius from Harvey Avenue to Clement Avenue and from Okanagan Lake to Richter Street (Schedule "A").

The Downtown Kelowna Association wishes the City to continue to raise the annual grant by levying a tax on the land and improvement for those properties assessed as Class 5 (Light Industrial) and Class 6

(Business) with the exception of Federal, Provincial and Municipal owned properties used for government purposes. Government properties leased out for private commercial use will be subject to the levy.

The Kelowna Downtown Business Improvement Area business promotion scheme, which outlines the history, goals and provides details of the BIA services, is attached as Schedule "B".

The bylaw authorizes Council to grant to the Association, to a maximum dollar value, an amount equal to its annual budget. For the term of the bylaw, the amounts are (Schedule "C"-Proposed Budget attached):

2024	\$1,263,741
2025	\$1, 335 , 860
2026	\$1,390,040
2027	\$1,445,320
2028	\$1,503,075

A report to Council will be prepared for approval of the grant prior to each fiscal year covered in the bylaw. The 5-year term of the bylaw will conclude on December 31, 2028.

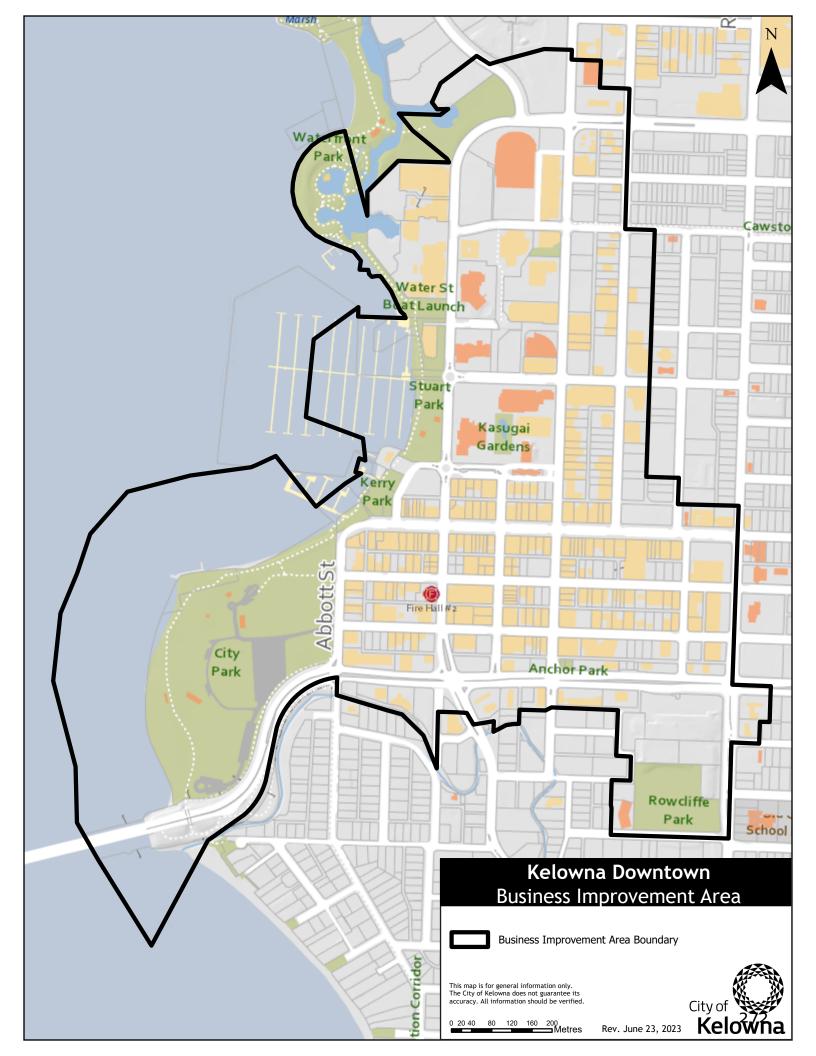
Legal/Statutory Authority:

Council may, by bylaw, grant money to a corporation or other organization that has, as one of its aims, functions or purposes, the planning and implementation of a business promotion scheme, with the establishment of a Business Improvement Area in accordance with Division 5 Sections 215 of the Community Charter.

Legal/Statutory Procedural Requirements:

Council may, by bylaw, impose a parcel tax in accordance with Division 4 to provide all or part of the funding for a service.

Considerations not applicable to this repor	t:
Internal Circulation: Existing Policy:	
Financial/Budgetary Considerations: Personnel Implications:	
External Agency/Public Comments: Communications Comments:	
Alternate Recommendation:	
Submitted by: Patrick Gramiak, CPA, CA Revenue Superviso	or
Approved for inclusion: Joe S	ass, Divisional Director, Financial Servicess



DOWNTOWN KELOWNA

Kelowna Downtown Business Improvement Area Society Business Promotion Scheme 2024 - 2028

History

The Kelowna Downtown Business Improvement Area Society (Downtown Kelowna Association, DKA) is a registered not-for-profit society with a mission to ensure that Downtown Kelowna is a safe and desirable place to conduct business, live, work and play. While initially formed as a volunteer grass roots organization in the mid-1980s, the DKA officially incorporated in November 1989, funded through an improvement levy collected by the municipality from commercial properties in the area.

In recent years, the focus of BIA's has shifted from a marketing and promotion organization to being active members of the social safety network, helping keep downtowns clean and safe. In Kelowna, the DKA's Downtown on Call and Clean Teams have morphed into initiatives that meet this need, filling gaps in support of the RCMP, Bylaw Services and other emergency providers. This focus of effort for Downtown Businesses does not preclude the DKA from continuing marketing and promotion efforts but is another component and large cost centre of being a Business Improvement Association.

The annual levy becomes the DKA's base operating budget upon which the organization leverages additional funding from partners including various levels of governments, contracts for service and corporate sponsors to support programs and initiatives.

As the third community in British Columbia to initiate a Business Improvement Area (BIA), the DKA has grown to become a provincial leader in programs and initiatives.

Vision

Downtown Kelowna is recognized as a vibrant, healthy and thriving business community where people want to work, live and play.

Mandate

The Downtown Kelowna Association (DKA) plays a leadership role in fostering the continued development of the Downtown as a safe and desirable place to conduct business, live, work and play through cooperative efforts of its members and government.

The DKA achieves its mandate through:

- Advocacy on behalf of its members.
- Fostering collaboration among its members and other community stakeholders; and
- Introducing and executing innovative programs and events that promote Downtown Kelowna businesses and activities.

Accountability

The Downtown Kelowna Association is guided by a membership elected Board of Directors. The Board and sub-committees complete ongoing evaluations of programs and initiatives to ensure effectiveness and financial responsibility. Results from an annual Membership Survey on a wide range of issues are used, together with input from the Board of Directors, to develop annual priorities.

Strategies

From January 1, 2024, to December 31, 2028, the DKA will focus on the following five key strategic areas:

- 1. Safe, Clean & Inviting Downtown Maintain a clean, safe, and welcoming Downtown.
- 2. **Membership Engagement** Continue to engage our members through communications and programs.
- Advocacy & Relationships Continue on the work done to date developing and maintaining key relationships with appropriate city departments & government, RCMP, and other pertinent stakeholders.
- 4. **Marketing & Promotion** Support Downtown by executing superior quality promotions and events that are consistently highly rated by members, valued by their consumers, and attract an increased level of interest in Downtown.
- 5. **Expansion** Research the viability of expanding the boundaries of the DKA as new commercial / retail entities are built around the current Downtown boundaries.

Goals

To deliver key results within the identified strategies, the DKA will:

1. Safe, Clean & Inviting Downtown

Actively participate in creating and maintaining a clean, safe, welcoming, and friendly Downtown for businesses, consumers, and visitors through our On Street Services Programs.

Key Performance Indicators:

- Increased investment in Downtown on Call and Clean Team programs to expand staffing levels and increase hours of service.
- On Street Services program staff are to receive ongoing training where available.
- Downtown on Call continued coordination and relationship expansion with the RCMP and City of Kelowna Bylaw Service.
- Strong, collaborative relationships with key City of Kelowna departments, specifically but not limited to:
 - Levy City of Kelowna Financial and Planning departments
 - Clean Team and On Call Funding Corporate and Protective Services, Risk Management

- Clean Team Sweeper Work Infrastructure Departments: Parks, Parking, Roadways and Civic Operations
- Bylaw Corporate and Protective Services
- Development and City Planning Real Estate and Planning
- Events Continued relationship with the Active Living and Culture Department.
- Sustained relationship development with enforcement and regulatory agencies along with service providers (i.e., RCMP, Interior Health Authority, Fire and Paramedics, Kelowna Gospel Mission, Metro, John Howard Society, Kelowna Friendship Centre)
- Collaboratively share measurable data from Downtown On Call and Clean Team with City of Kelowna (Protective and Corporate Services, Bylaw), RCMP and City government/management to assist with On-Street Service department and the development of new event initiatives for Downtown.
- Cooperative working relationships and engagement with Tourism Kelowna, Active Living and Culture Department at City of Kelowna and the Chamber of Commerce
- Sustained relationship development with enforcement and regulatory agencies along with various service providers (i.e., RCMP, Interior Health Authority, BC Housing, Fire Department, BC Ambulance, Kelowna Gospel Mission, Metro, John Howard Society, Inn from the Cold, Living Positively, Kelowna Friendship Centre, etc.)
- Collaboratively share measurable data from Downtown On Call and Clean Team with City of Kelowna Bylaw and RCMP, working towards developing a robust overview of activity
- Cooperative working relationships and engagement with other organizations (i.e., Tourism Kelowna, Chamber of Commerce, etc.)

2. Membership Engagement

To continue increasing DKA membership engagement through electronic contact, Resource availability and onsite visits to business within the boundaries.

Key Performance Indicators:

- Facilitate relationship building and collaboration opportunities amongst members to support business growth.
- Continued monthly releases of Updates and Newsletters
- Create an "on boarding" package for new businesses.
- Continued evaluation of events regarding benefit to Downtown business.
- Downtown on Call continued Business Visits as part of our regular routine.
- Membership participation in Promotions and Events.
- Remain vigilant to changes in tenancy and business/property ownership.
- Members proactively initiate communication with DKA
- Number of businesses that utilize our various services and programs.
- Member survey results

3. Advocacy & Relationships

Advocate for Downtown businesses about Official Community Plans, Transportation Plans, the Community Safety Plan, City Bylaws, zoning and infrastructure developments in support of the overall wellbeing of business community in Downtown Kelowna.

Key Performance Indicators:

- Sustained relationship development with various City of Kelowna departments (i.e., Real Estate and Planning, Protective and Corporate Services, Bylaw, City Councillors, Mayor, City Manager, etc.)
- Collaborative relationships with Chamber of Commerce, Tourism Kelowna, Urban Development Institute, COEDC, Accelerate Okanagan, Okanagan Mainline Real Estate Board where possible.
- Staff and Board to provide input and engage in all City consultation initiatives applicable to the Downtown (i.e., Imagine Kelowna, Journey Home, Transportation and Parking Strategy sessions)
- Executive Director continued participation on the Board of Directors for the Business Improvement Areas of BC.

4. Marketing & Promotion

Evolve promotions and events to best reflect dynamic landscape and demographic of Downtown. Ensure marketing focus generates excitement about Downtown and showcases the unique environment of Downtown with local ownership.

Key Performance Indicators:

- High consumer engagement in events and promotions.
- Maintenance of the Downtown prospectus map on the website.
- Strong consumer and business satisfaction with events and promotions through continued re-evaluation (ie: Block Party, Meet me On Bernard, Winter Street Market & others) to ensure they continue to have a positive effect on Downtown Kelowna.
- Sustained relationship development with Active Living and Culture department.
- Consistent marketing of Downtown using available digital tools including Google Ads through their not for profit grant program.
- Consistent marketing using local media outlets including broadcast and digital.
- Continued attendance at events like ICSC and BIABC Annual Conference to generate investment interest in Downtown and generate new ideas.

5. Expansion

Investigate the possibility of expanding the boundaries of the Association. Calls for service for the Downtown on Call and Clean Teams from the Brewery District are more frequent and are indicating a growing demand for those services.

Decision factors:

- Interest from property and business ownership will decide whether they want to join the Association.
- Determination of budget first will determine the levy charged to owners/businesses.
- Staffing levels need to be determined for On Call and Clean Teams.
- Contact with affected properties to determine interest.
- Involve Tourism Kelowna
- Look at the area that encompasses Commercial properties class 5 & 6 along Clement to Ethel, west side of Richter from Clement to Bailie and Vaughn to Ethel. (Brewery / Commercial district)

Downtown Kelowna Boundary & Membership

The Downtown Kelowna Association area is defined within a 42 square block radius from Harvey Avenue to Clement Avenue and from Okanagan Lake to Richter Street (see map on page 6). There are no proposed changes to the current Bylaw boundary. However, expansion is a current consideration. Calls for service by the Downtown on Call and Clean Teams in what is referred to as "The Brewery District" have increased. The Board of Directors will be striking a committee in 2024 to begin engagement within the area to gauge interest.

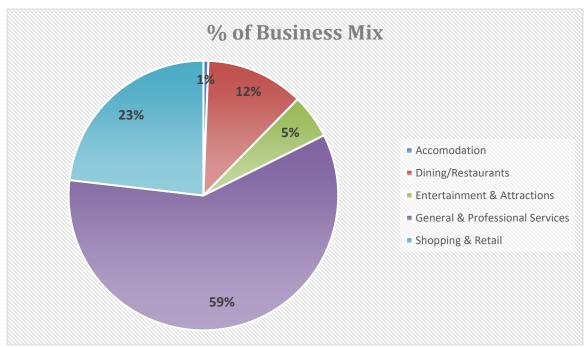
The Downtown Kelowna membership is highly diverse, from professional services to arts and culture to entertainment and attractions. The diversity of Downtown Kelowna adds to the vibrant atmosphere and the resurgence of our area to live, work and play. Analyzing data across other cities that share our size and our level of tourism, we can see that the downtown core is trending in the right direction. In 2022, Downtown Kelowna was ranked as the 2nd fastest growing downtown, growing by 23.6% since 2016. With an increase of 40,000 to 50,000 in population expected by 2040, we expect Downtown Kelowna to continue this fast-paced growth every year.

Below are figures current as of December 31, 2022. Recent technological improvements are being implemented this year, making the data collection of members and businesses more accurate. Our new system will integrate real-time data from Google listings, allowing us to know the businesses' categoric information, exact location, business name, and other pieces of information.

Membership consists of property owners or tenants of Class 5 or 6 properties within the Downtown Kelowna BIA boundary.

Class 5, Light Industry — property used or held for extracting, processing, manufacturing or transporting products, including ancillary storage. Scrap metal yards, wineries and boat-building operations fall within this category. Exceptions include properties used for the production or storage of food and non-alcoholic beverages and retail sales outlets, which fall into Class 6.

Class 6, Business Other — property used for offices, retail, warehousing, hotels and motels all fall within this category. This class includes properties that do not fall into other classes.



Top Ranking Categories:	#	% of Business Mix
Accommodation	7	0.6%
Dining / Restaurants	128	11.71%
Entertainment & Attractions	58	5.30%
General & Professional Services	647	59.1%
Shopping & Retail	253	23.1%
TOTAL	1093	

As of January 2022, there are 1305 members – 212 property owners and 1093 businesses.

Membership Communications

In 2022, the DKA made a concerted effort to improve communications with members. This included more inperson visits to businesses, follow up phone calls, the monthly DKA Business Update, and Meet me On Bernard updates. We also continued to send out 'as needed' special bulletins about on-going challenges that affect our members like homelessness, property crime, and protests. Pandemic restrictions still meant the absence of networking events and limits on face-to-face communication. However, as pandemic measures eased, we were able to resume producing events and promotions which required more member communications. The DKA created a print copy of the first Business Update of 2022 and was distributed by hand by the Downtown on Call (DOC) team and was also sent electronically.

A total of fifty notices, alerts, reminders, and Updates were sent in 2022 with a combined open rate of 46%. The Newsletter continued circulation at or near the beginning of each month, with a combined open rate of 66%. Open rates above 25% are an indication of interest. The open rate of 66% is a phenomenal indication of interest in what the DKA publishes. Also, there was substantial growth in our main subscriber lists; the DKA Business Owners/Employees list grew from 681 to 885 subscribers, and DKA Newsletter list grew from 256 to 960 subscribers.



Downtown Kelowna Association 287 Bernard Avenue, Unit 200 Kelowna, BCV1Y 6N2 downtownkelowna.com

Kelowna Downtown Business Improvement Area

July 2023

Downtown Kelowna On Street Services

As the growth of Downtown Kelowna progresses, the demands placed on the Downtown On Call (security) and Clean Team programs continue to increase. Rare in nature, the On Call team is the "go to" call businesses make for safety assistance. The Clean Team is the other "go to" call when there is a mess in front of a building that requires cleaning, pressure washing and/or garbage removal.

A welcomed increase in funding from the city for the DKA On Street Services initiative was received in 2023. While the additional \$30,000 for Downtown on Call and \$36,000 for Clean Team help the programs be sustained, additional funding from the city will be required over the next 5 years. This is particularly true for growth of the programs as Downtown Kelowna continues to expand with commercial and residential properties being built.

Still, in the next five years the DKA will invest in and enhance the On Street Services programs. Manpower and equipment will be aligned to increase efficiencies. A new facility to house equipment and staff will be found to also increase efficiencies. These programs are most valued by the membership and vital in keeping Downtown clean and safe.

1. Downtown On Call

The Downtown Kelowna membership values the Downtown On Call (DOC) team as one of the top services provided by the Downtown Kelowna Association. The DOC team is trained to deal with front line issues related to personal safety, hospitality and help create a positive social environment in Downtown Kelowna.

Downtown On Call duties include but are not limited to:

- On site assistance
- De-escalation
- Bank deposit escort
- Employee safe walk
- Paraphernalia recovery
- Visitor information

An indication of the demand for the services of Downtown On Call is in the data the DKA keeps. In the 4 years from January 2019 through December 2022, DOC data shows the following:

Used Needles picked up: 12,152
Unused Needles picked up: 4,192
Naloxone kits (used/unused): 2,114
DOC Incidents: 21,687
RCMP Called: 1,995
Business Visits: 40,192

The above statistics show that for approximately every 100 calls the Downtown On Call team attends, RCMP are only called 10% of the time. While this percentage fluctuated between 10% & 12% over the last 4 years, it does indicate how much DOC takes off the plate of the RCMP. This emphasizes the integral roll that Downtown On Call contributes to the safety and sense of same in Downtown Kelowna.

Since 2019, expansion of the DOC team has been a priority as densification and visitation of Downtown has increased. More expansion is required and additional funding directly from the city will expedite that expansion.

In 2022, Brent Lobson took over the management of our On-Street Services department from Ron Beahun who retired. As Director of Operations, Brent has completely revamped the department and instituted new systems that are making the department more efficient. We continually re-assess the scope of the DOC program to continue to best serve our membership.

2. Downtown Clean Team

The demand for the Downtown Clean Team has grown significantly as Downtown Kelowna grows. What was originally a seasonal initiative, Clean Team is now 3 fulltime employees year-round. The Team is responsible for assisting with cleaning 42 blocks within the DKA boundary, which includes such duties as sidewalk sweeping, operating the city supplied MadVac, power washing where required, debris and biohazard removal, and assisted snow removal.

The DKA currently fulfills a contract with the City of Kelowna to clean the three parkades. The aging sweeper has been retired from sidewalk sweeping and now only services the 3 parkades following annual major cleaning by a Power Sweeping company which the DKA contracts. The DKA will endeavour to continue this sweeping contract with the City for the 2024-2028 renewal period.

As Downtown continues to densify, additional team members and equipment will be required. Funding will also be allocated to replace and maintain aging equipment, including the street sweeper, utility vehicles, power washers, as well as general handheld equipment, including but not limited to brooms, shovels, etc.

3. Data Acquisition

The On Street Services teams, both the Downton On Call and Clean teams, have been utilizing mobile software applications that assist in tracking all activities relating to both teams since 2015. This data has been indispensable when it comes to providing a more accurate view of the activities occurring Downtown and help determination of the direction of both On Street Services programs. The DKA will continue to share this valuable data and work collaboratively with the RCMP and Bylaw Services.

Downtown Kelowna Marketing

Downtown Kelowna promotions and events help to encourage visitation to Downtown and ultimately to increase awareness of the membership variety. In Downtown Kelowna, we are more than just a geographical location — we are an active hub of business growth and opportunity. Our commitment to community engagement, data-driven strategies, and tailor-made marketing solutions is transforming our local businesses, fostering relationships, and building a vibrant, dynamic downtown area.

The DKA has a solid foundation with branding and materials for each promotion. Two Small Shop campaigns promote the extensive local retail sector, Meet me On Bernard provides a vehicle free space for residents and visitors alike to experience the summer in Downtown Kelowna and visit retail and restaurants on their expanded

patios. The After 5 networking events provide a place for businesspeople to gather and experience different venues throughout Downtown Kelowna. Block Party (now over 30 years old!) and Winter Street Market (formerly Light Up) are the DKA's two large community events that combined draw some 25,000 – 30,000 people Downtown.

As Downtown densifies and becomes more sophisticated, the DKA promotions and events have grown in some cases and changed in others. Online contesting in December has become a popular promotion for the DKA. Meet me On Bernard is in its infancy having been born in summer 2020. As time has passed that initiative has changed and will continue to evolve and require changing investment. The Taste of Downtown promotion has run its course and was not an option for most restaurants in the post pandemic climate. To maintain the same level of high-quality that members and visitors to Downtown have come to expect, current marketing, promotions and events will require ongoing refreshing in the years to come.

The DKA Marketing effort includes:

1. Personalized Marketing Assistance

Each month, our dedicated marketing manager conducts personalized meetings with local businesses seeking marketing guidance. Through this initiative, we have not only provided insights on SEO, loyalty programs, and social media advertising but also integrated these businesses into our broader marketing ecosystem, enhancing their visibility through our newsletters, social media platforms, and programs.

2. Data-Driven Approach

Our transition towards a data-driven business model is well underway. By leveraging Google data, we are cataloging and tracking downtown businesses by category to obtain an accurate picture of our commercial landscape. This real-time data gathering informs our marketing strategies and helps businesses better understand their standing within the community.

3. Google Ad Grant Utilization

Our monthly \$10,000 Google Ad Grant serves as a vital resource in driving traffic to our website and promoting local businesses. Targeted keyword ads are funnelling potential customers to relevant sections of our website, effectively advertising local businesses free of charge and delivering tangible value.

4. Search Engine Optimization

We have helped numerous downtown businesses extend their digital reach via our Search Engine Optimization (SEO) efforts. We have bridged the gap for businesses without a website or lacking optimal SEO, enabling them to appear in Google search results and directing thousands of potential customers to their offerings via our website. Last year alone, we appeared in 5 million search results, generating 47,000 organic clicks to our website, excluding paid clicks.

5. Events and Ticketing

As downtown Kelowna becomes busier, we are now one of the top-visited sites for local event information. By scraping data for all downtown events, we have made our website an invaluable resource for the community and businesses alike. We have recently integrated a ticketing system, allowing us greater control over event management, data ownership, and fee structures.

6. Video Content and Social Media

Our move towards creating more video content represents our dedication to staying at the forefront of marketing trends. By applying for verification on all our social media accounts, we are expanding our reach and ability to engage with a broader audience. DKA Social Media accounts enjoy "influencer" status which benefits not only Downtown Kelowna but the city as a whole.

The DKA marketing team delivers a robust, multi-faceted strategy to maximize visibility, engagement, and growth for downtown Kelowna businesses. Our strategic use of digital tools, data analytics, and personalized support is making a measurable difference in our community, and we are excited about the future as we continue to evolve and adapt to meet the needs of Downtown Kelowna.

Funding

Levy

The DKA is proposing a onetime increase of 12% for the first year, which will be invested in the On Street Services programs and the move to a new facility necessary for growing equipment assets which will result in budget efficiencies and long-term savings for our membership and the city. The second year of the mandate will see a 7% increase and then 5% annually for the duration of the term ending December 31, 2028. **Over the 5-year term, the levy will increase 30.82% which is comparable to previous renewals by approximately 1%.** Projections done for this renewal show that contributions to reserves will be accomplished throughout the term. Reserve funds are used for future capital projects such as replacement of our key equipment such as the aging sweeper and Kubota vehicles.

Levy Contribution by Downtown Property Owner:

2023 Levy	2024 Levy	2025 Levy	2026 Levy	2027 Levy	2028 Levy
\$1,148,954	\$1,263,741	\$1,335,860	\$1,390,040	\$1,445,320	\$1,503,075

2023 Property Value: \$1,125,806,200 on Class 5 and 6 properties.

2018 Mill Rate: 1.0215 per \$1000 of assessed value on Class 5 and 6 properties.

Other Funding

The Downtown On Call and Clean Team received \$70,000 from the City for the On Call program in 2022, and a combination of \$37,973 for the Clean Team funding and contract work for the city including sidewalk sweeping, cleaning parkades and other. In 2023, funding for DOC and Clean Team was increased by the city to \$100,000 and \$60,000, respectively. We have budgeted for marginal increases in that funding which we will have to discuss with our city partners. These services are integral to a clean and safe Downtown Kelowna and the DKA feels that additional funding support is crucial to the continuation and expansion of the programs.

The DKA also earned approximately \$48,884 in 2022 through a combination of event sponsorships and promotions.

Revenue	2022 Year End
Downtown On Call	\$70,000
Downtown Clean Team	\$37,973
Downtown Concierge	\$14,584
Events	\$47,682
Other	\$1,202
TOTAL	\$171,441

Expenditures

Program Expenditures 2022 Year End:

Business Recruitment	\$8,277	0.56%
Clean Team	\$225,594	15.23%
Communications	\$5,509	0.37%
Downtown Concierge	\$29,917	2.02%
Downtown On Call	\$482,055	32.54%
Events	\$131,149	8.85%
Insurance	\$9,163	0.62%
Marketing and Promotions	\$94,617	6.39%
Office and Administration	\$58,644	3.96%
Professional Development	\$5,774	0.39%
Professional Fees	\$19,499	1.32%
Rent	\$49,071	3.31%
Wages and Benefits	\$327,317	22.10%
Total	\$1,481,405	100.00%

Meet Our Team

EXECUTIVE

Renata Mills President Festivals Kelowna

Jaspal Dhial Treasurer GSL Group (Prospera Place)

Travis Pye Vice President Lakehouse Homestore

Caroline Bye Secretary Kelowna Yacht Club

Yarden Gershony Past President Rush Ihas Hardwick LLP

DKA DIRECTORS

Jenna KoppersonDeville CoffeeTina ThygesenMission GroupWarren TurnerTurner GroupJoAnne AdamsonUBC Property Trust

Crystal Dougan Little Hobo Soup & Sandwich Shop

Thomas Eaves Pushor Mitchell LLP
Nathan Matis Sweat Studios

Jillian Povarchook Olive & Elle Boutique

EX – OFFICIO

Councillor Rick Webber, City of Kelowna

STAFF

Mark Burley, Executive Director
Brent Lobson, Director of Operations
Elizabeth Densmore, Administrative Assistant
Kris Johnson, Communications & Events Manager
Facundo Rodriguez, Marketing Manager
Pawan Sandhu, Data & Web Coordinator

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BIA Bylaw Renewal 2024-2028 Proposed Budget FINAL SUMMARY

	2023	2024	2025	2026	2027	2028	Total Increase
LEVY REVENUE	\$1,148,954	\$1,263,741	\$1,335,860	\$1,390,040	\$1,445,320	\$1,503,075	
	Overall Increase \$	\$114,787	\$72,118	\$54,181	\$55,280	\$57,755	\$354,121.00
	Overall Increase %	10.0%	5.7%	4.1%	4.0%	4.0%	30.82%
		Increase for rent new offices. Rebuild of reserve for capital in future.		Kubota replacement using reserve planned.	Equipment replacement for On-Street Services.		
OTHER REVENUE	\$260,800	\$268,680	\$277,580	\$291,459	\$306,032	\$321,334	Total Increase
	Overall Increase \$	\$7,880	\$8,900	\$13,879	\$14,573	\$15,302	\$60,533.96
	Overall Increase %	3.0%	3.3%	5.0%	5.0%	5.0%	23.21%
MARKETING & EVENTS	\$177,790	\$195,569	\$205,347	\$215,615	\$226,395	\$237,715	Total Increase
	Overall Increase \$	\$17,779	\$9,778	\$10,267	\$10,781	\$11,320	\$59,925.20
	Overall Increase %	9.0%	5.0%	5.0%	5.0%	5.0%	33.71%
		T					
ON-STREET SERVICES	\$740,100		\$815,110			\$943,592	Total Increase
	Overall Increase \$	\$36,195	\$38,815	\$40,755		\$44,933	\$203,491.80
	Overall Increase %	4.9%	5.0%	5.0%	5.0%	5.0%	27.50%
	• • • • •						
BUSINESS RECRUITMENT	\$8,000	¥ - /	\$9,240		·	\$10,697	Total Increase
	Overall Increase \$	\$800	\$440	\$462		\$509	\$2,696.56
	Overall Increase %	10.0%	5.0%	5.0%	5.0%	5.0%	33.71%
ADMIN O OFFICE AT	MADA TA	0407.050	AFOF 500	AFFE 150	4507.044	****	T.4.11
ADMIN & GENERAL	\$464,713	·	\$525,593	\$555,450	· ·	\$620,385	Total Increase
	Overall Increase \$	\$32,637	\$28,242	\$29,857	\$31,564	\$33,370	\$155,671.52
	Overall Increase %	7.0%	5.7%	5.7%	5.7%	5.7%	33.50%



Ben Stewart Kelowna-West

Norm Letnick Kelowna-Lake Country

> Renee Merrifield Kelowna-Mission

July 17, 2023

To Whom it may concern:

RE: Downtown Association Renewal

As MLAs for Kelowna-Lake Country, Kelowna-Mission and Kelowna-West, we are pleased to provide this letter in support of the Downtown Association's Renewal presentation to the city of Kelowna.

The Downtown Kelowna Association really is an essential organization in the city of Kelowna. Downtown Kelowna is a popular destination for both residents and tourists alike, with its proximity to Okanagan Lake and the activities it presents. Through its extensive marketing and promotional efforts, including the annual Block Party each summer and Winter Street Market in December, the addition of Meet me On Bernard for summer, Downtown After 5 networking events to name a few, the DKA represents the interests of business in an extraordinary way.

The DKA's On-Street initiatives have become an essential service for Downtown businesses and property owners. The Downtown on Call and Clean Teams are not only very visible, but essential to the cleanliness and safety in Downtown Kelowna. The "Redshirts" have become the first call for businesses when situations arise including undesirable persons in a retail outlet, persons sleeping in a business doorway, broken storefront glass and more. Without the services provided by the DKA, we believe the current situation would be worse.

As MLAs that collectively represent the whole of Kelowna, we fully support the Downtown Kelowna Association's renewal. Thank you for giving us the opportunity to voice our support and for your consideration of this renewal.

Sincerely,

Ben Stewart, MLA

Kelowna - West

Norm Letnick, MLA

Kelowna - Lake Country

Renee Merrifield, MLA

Kelowna - Mission



July 20, 2023

To Whom It May Concern:

Re: Renewal for Downtown Kelowna Association

It is my pleasure to provide a support letter for the Downtown Kelowna Association.

I have been a business owner, downtown Kelowna real estate owner and taxpayer for many years (1970's).

The Downtown Kelowna Association provides Kelowna with a community presence for both information and support. Their hosting and implementing positive social experiences, Downtown After 5, Meet Me on Bernard, Block Party, as well as other events entices citizens and visitors alike to come downtown and explore our City.

Additionally, the DKA provides a much-needed support network for businesses, residents, and the City as a whole, dealing with the ever-increasing homeless population, vandalism, vagrancy and criminal activities which has become the norm for our downtown business area. Collectively, we feel increasingly uncomfortable with our new norm; the DKA does an admirable job in its efforts to keep our community safer. We have had to call on their assistance many times to remove unwanted remnants, clear our parking stalls, drug paraphernalia, etc.

Without the DKA, we would be at a tremendous, if not insurmountable, loss. Their programs should not only be fully supported but should also be expanded to encompass a larger area of our beautiful city.

Yours truly

Michael A. Culos

MAC/cc

CULOS DEVELOPMENT (1996) INC. THE COURTYARD, 106 - 1449 St. PAUL ST., KELOWNA, BC VIY 265 TEL: 250-763-7806 / FAX: 250-763-7807



TROIKA

July 19, 2023

To Whom it May Concern:

Re: Downtown Kelowna Association's Renewal

As a business owner in downtown Kelowna, I am pleased to provide this letter in support of Downtown Kelowna Association's renewal.

The Downtown Kelowna Association has become an essential organization in the city of Kelowna. Downtown Kelowna is a special and popular destination for both residents and tourists with its proximity to Okanagan Lake and the activities it presents.

The DKA represents the interests of business in an extraordinary way, through its extensive marketing and promotional efforts, including the annual Block Party each summer and Winter Street Market in December, the addition of Meet me On Bernard for summer, and Downtown After 5 networking events. All of these events promote our downtown core as a vibrant place in which to live, work and play!

The DKA's On-Street initiatives really have become an essential service for Downtown businesses and property owners. The Downtown on Call and Clean Teams are not only very visible, but essential to the cleanliness and safety in Downtown Kelowna. Speaking from firsthand experience, "Redshirts" have become the first call for Troika and other businesses, when situations arise including persons sleeping in a business doorway, broken storefront glass and more. Without the valuable services provided by the DKA, I truly believe the current situation would be worse.

Thank you for giving me the opportunity to voice my support for the Downtown Kelowna Association's renewal. I fully support this application as a Kelowna downtown business owner.

Adding Dimension.

Troika Management Corp. 302-554 Leon Ave | Kelowna, BC | V1Y 6J6 Phone: 250.869.4945 | Fax: 1.866.824.9417





To whom it may concern,

I am writing to express our support for the Downtown Kelowna Association in their current and future endevours.

Kelowna's Gospel Mission has operated downtown Kelowna for over 40 years, supporting people experiencing homelessness. We consider the DKA to be key community stakeholders and partners with us in this important work.

The DKA red shirts and clean team make a visable different in the downtown core of our City. Their continuous and obvious presence on the streets help our community feel safe, and the clean team actively makes the city safer through the safe disposal of needles and pipes.

The work of the DKA helps to reduce negative interactions between our housed and unhoused community members. When the public are fed up with homelessness we hear more frequently from our unhoused neighbours about being victims of stranger assaults. People who are living unhoused and shelter in business alcoves are too often woken up by physical assault - sometimes resulting in hospitalization. Alternatively, the DKA red shirts do the necessary work of moving along encampments, waking people up and asking them to leave, with respect and kindness.

Our city is at a tipping point when it comes to homelessness and public perception and stigma. Never was there a more vital time for a service like that the DKA provides our city.

Submitted respectively,

Carmen Rempel Executive Director

Kelowna's Gospel Mission



+1 250 763 3737



info@kelownagospelmission.ca kelownagospelmission.ca



PO Box 22087 Capri Post Office Kelowna, BC V1Y 9N9



July 25, 2023

Downtown Kelowna Association 200 - 287 Bernard Avenue Kelowna, B.C. V1Y 6N2

Re: Downtown Kelowna Association Renewal Support

The Downtown Kelowna Associations provides many valuable services to its members yearround. DKA not only promotes locally, but implements marketing programs with a very broad reach that is hard to emulate.

As a Landlord and Property Manager I can attest that Downtown on Call (DOC) teams are trusted and relied upon my many tenants and their employees. They are responsive and deal professionally with difficult situations in a cost-effective manner. Without question DOC provides an essential service that benefits landlords, tenants, employees, and downtown patrons.

The Clean Team keeps a watchful eye on the area and are very responsive and essential to promoting a safe and clean environment.

I fully support DKA with its renewal application. It would be hard to imagine a situation without the support of DKA in our neighborhood.

Yours truly,

OKANAGAN COMMERCIAL REALTY CORP.

Perry Freeman*, CA, CPA

* Personal Real Estate Corporation

Managing Broker

Okanagan Commercial Realty Corp.

#106 – 546 Leon Avenue Kelowna, B.C. V1Y 6J6 Ph: 250-717-8003 (dl) 250-859-3734 (cell) commercialrealty.ca



Kelowna Rockets Hockey Enterprises Ltd.

#101 - 1223 Water Street Kelowna, BC VIY 9VI Canada Phone (250) 860-7825 • Fax (250) 860-7880 e-mail: info@kelownarockets.com www.kelownarockets.com

July 24, 2023

To Whom It May Concern:

Re: Renewal for Downtown Kelowna Association

It is our pleasure to provide a letter of support for the Downtown Kelowna Association.

The Association is an essential part of the City's plans to keep a vibrant downtown for residents and tourists alike.

Through it's extensive marketing and promotional efforts including the very popular Downtown Block Party, and other programs like the Downtown After 5 networking events, the DKA represents the interests of businesses in a very unique way.

Not only is the DKA valuable, but if possible maybe their programs could be expanded to include more of the downtown.

Sincerely,

Gavin Hamilton

VP Business Development Kelowna Rockets Hockey Club



Western Hockey League Champions 2003, 2005, 2009, 2015
Memorial Cup Champions 2004
PROUD MEMBERS OF THE WESTERN HOCKEY LEAGUE



LEXLAUR PROPERTIES INC.

605 - 540 Lawrence Ave.

Kelowna, B.C., V1Y 6L7

To Whom It May Concern:

9 14

Lexlaur Properties is a long time owner of a number of downtown properties. We have found that the Downtown Kelowna Association is an essential organization in the city of Kelowna.

Downtown Kelowna is a popular destination for both residents and tourists alike with its proximity to Okanagan Lake and the activities it presents. The DKA through the annual Block Party each summer and Winter Street Market in December, the addition of Meet me On Bernard for summer have provided a reason for residents and tourists alike to enjoy downtown. In addition through the Downtown After 5 networking event the DKA provides opportunities that promotes the interests of business in an extraordinary way.

We have found that The DKA's On-Street initiatives have become an essential service for Downtown businesses and property owners. The Downtown on Call and Clean Teams are not only very visible, but essential to the cleanliness and safety in Downtown Kelowna. The Downtown On Call Team have become the first call for businesses when situations arise including undesirable persons in a retail outlet, persons sleeping in a business doorway, broken storefront glass and more. We, and our tenants, use this service extensively. Without the services provided by the DKA, we believe the current situation would be much worse.

The Downtown Kelowna Association is vital to the success of our downtown and Kelowna as a whole.

Yours truly,

Allen Tozer, President Lexlaur Properties Inc. 605 - 540 Lawrence Avenue Kelowna, BC, V1Y 6L7 (O) 250-763-3913 (C) 250-470-9972

[&]quot;Your attitude determines your altitude!"

Kelowna Downtown Business Improvement Area Society

DOWNTOWN KELOWNA

HISTORY

- The Kelowna Downtown Business Improvement Area Society
 (Downtown Kelowna Association, DKA)
 - Incorporated in November 1989.
 - 3rd BC community to initiate a Business Improvement Area.
 - One of the largest BIAs in the province.
 - The focus of the DKA has changed & evolved over time.

MEMBERSHIP

DKA membership includes the owners of nonresidential Class 5 and 6 properties and their commercial tenants.

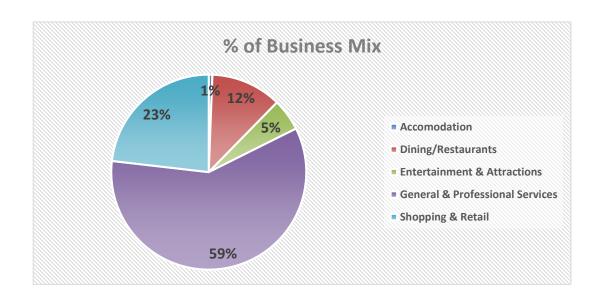
As of January 2022

Property Owners 212

Businesses 1093

Total 1305

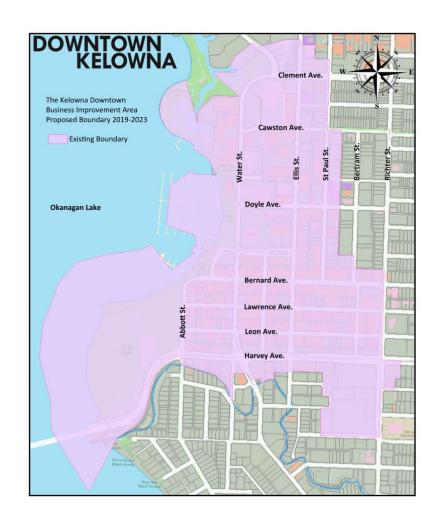
MEMBERSHIP



Top Ranking Categories:	#	% of Business Mix
Accommodation	7	0.6%
Dining / Restaurants	128	11.71%
Entertainment & Attractions	58	5.30%
General & Professional Services	647	59.1%
Shopping & Retail	253	23.1%
TOTAL	1093	

DOWNTOWN KELOWNA BOUNDARY

• 42 square block radius from Harvey Ave. to Clement Ave. and from Abbott St. to Richter St.



STRATEGIC PLAN

- Framework for the next five years based on the needs of the membership.
 Contributes to the social and economic health of Downtown Kelowna.
 - Safe, Clean & Inviting Downtown
 - Membership Engagement
 - Advocacy & Relationships
 - Marketing & Promotion
 - Expansion



ON-STREET SERVICES

Downtown On Call



7 days/week

4 Full-Time Teams

Clean Team

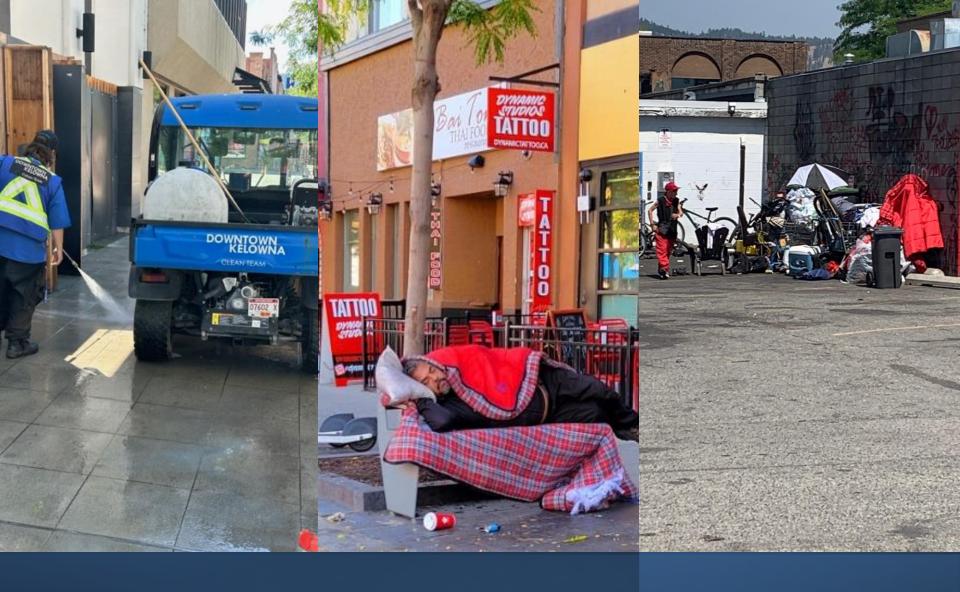


7 days/week

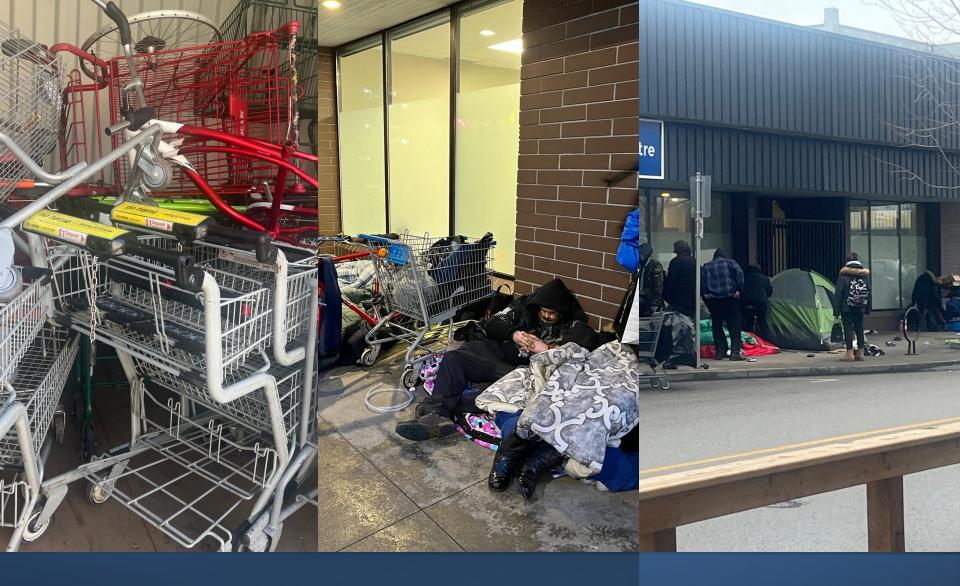
3 Full-Time Staff

Vehicles & Equipment





WHAT WE DO



WHAT WE DO

MARKETING & EVENTS

- DowntownKelowna.com
- Social Media
- Downtown After 5 (returned in 2022)
- Small Shop (Revived in 2022)

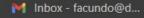






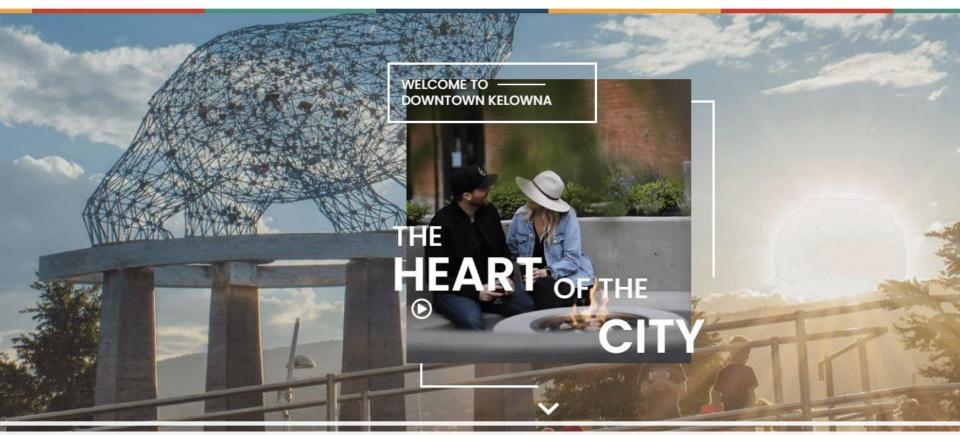






Explore > Events > DOWNTOWN KELOWNA

Membership ~ About Us v



Our Website

It's not just another part of Kelowna, it's the thriving heartbeat, the very pulse of



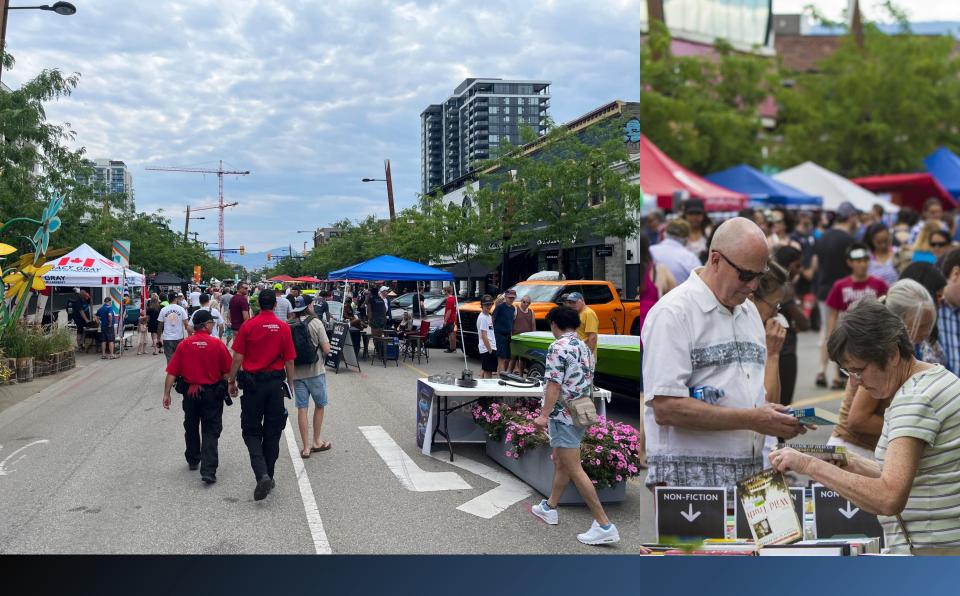
Downtown After 5



Meet Me on Bernard

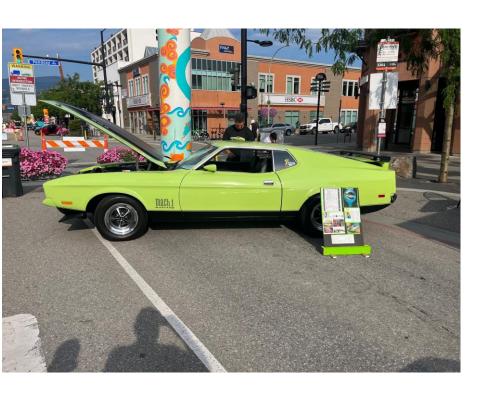






Block Party

Show 'n Shine





Winter Street Market / Light Up









311

2024-2028 LEVY

2023 Levy	2024 Levy	2025 Levy	2026 Levy	2027 Levy	2028 Levy	
\$1,148,954	\$1,263,741	\$1,335,860	\$1,390,040	\$1,445,320	\$1,503,075	Total
Increase \$	\$114,787	\$72,118	\$54,181	\$55,280	\$57,755	\$354,121
Increase %	10%	5.7%	4.1%	4%	4%	30.82%

2018-2019 BOARD OF DIRECTORS

President - Renata Mills, Festivals Kelowna

Vice President – Travis Pye, Lakehouse Homestore

Treasurer – Jaspal Dhial, GSL Group (Prospera Place)

Secretary – Caroline Bye, Secretary

Past President – Yarden Gershony, Rush Ihas Hardwick

Ex-Officio - Councillor Rick Webber

Jenna Kopperson, Deville Coffee

Tina Thygesen, Mission Group

Warren Turner, Turner Group

JoAnne Adamson, UBC Property Trust

Crystal Dougan, Little Hobo Soup & Sandwich

Thomas Eaves, Pushor Mitchell LLP

Nathan Matis, Sweat Studios

Jillian Povarchook, Olive & Elle Boutique

STAFF

Mark Burley

Executive Director

Brent Lobson

Director Of Operations

Elizabeth Densmore

Administrative Assistant

Kris Johnson

Communications & Events Manager

Facundo Rodriguez

Marketing Manager

Pawan Sandhu

Data & Web Coordinator

DOWNTOWN KELOWNA

CITY OF KELOWNA

BYLAW NO. 12575

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA

A bylaw of the City of Kelowna to re-establish a local area service for the purposes of annually funding the Kelowna Downtown Business Improvement Area (2024 - 2028)

WHEREAS the *Community Charter* provides Council with the authority to establish, by bylaw, a business improvement area ("BIA");

AND WHEREAS the Council of the City of Kelowna has been notified that the owners of certain properties in the downtown area of the City have formed a BIA merchant association known as the Downtown Kelowna Association ("DKA");

AND WHEREAS the Council of the City of Kelowna has mailed to the owners of the parcels liable to be specially charged, pursuant to the *Community Charter*, notice of Council's intention to proceed with a bylaw to establish the Kelowna Downtown BIA for the years 2024-2028 in order to provide certain services, through the DKA, under a business promotion scheme;

AND WHEREAS notice of Council's intention to proceed with a bylaw to re-establish the Kelowna Downtown BIA for the years 2024-2028 in order to enable the DKA to provide certain services under a business promotion scheme has been published in a newspaper pursuant to the *Community Charter*;

AND WHEREAS any petition received against the proposed work was not sufficient pursuant to the *Community Charter*, to prevent Council from proceeding;

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

1. Those lands within the area shown outlined in black on the map attached hereto and forming part of this bylaw as Schedule "A" are designated as a Business Improvement Area (BIA) within the meaning of the *Community Charter* and shall be known as Downtown Kelowna Business Improvement Area.

- 2. Council is hereby empowered to grant to the DKA, for the term of this bylaw, money in the amount of the DKA's annual budget, as submitted to and approved by Council, but in any event not exceeding the sum of One Million, Five Hundred and Three Thousand, and Seventy-Five Dollars (\$1,503,075.00) per annum.
- 3. Money granted pursuant to section 2 of this bylaw must be expended only by the DKA.
- 4. Money granted pursuant to section 2 of this bylaw shall be expended only for projects provided for in the annual budget of the DKA, as submitted to and approved by Council, and following the Business Promotion Scheme, attached to and forming part of this bylaw as Schedule "B".
- 5. The DKA shall submit to the Council of the City of Kelowna, annually, on or before March 15, a budget for the calendar year, which outlines revenues and expenditures related to the carrying out of the Business Promotion Scheme outlined in Schedule "B" during that year.
- 6. The DKA shall account for the money granted by Council for the previous calendar year at the same time as the annual budget is submitted pursuant to section 5 hereof.
- 7. An advance payment equal to 25% of the prior year grant amount may be provided to the DKA prior to Council approval of the annual budget for each of the years included in this agreement. Any advance payment shall then be deducted from the total grant amount to be paid to the DKA for that year following Council's review and approval of the annual budget.
- 8. The DKA shall not incur any indebtedness or other obligations beyond the term of this bylaw.
- g. There shall be levied annually against all taxable land and improvements within the designated Business Improvement Area which fall within Class 5 or 6 of the Assessments Class and Percentage Levels Regulation, B.C. Reg. 438/81 excluding Federal, Provincial and Municipal owned properties used for government purposes, and based on assessed values, rates sufficient to raise the sum in accordance with section 2 herein or such lesser amount as granted to the DKA pursuant to the provisions of this bylaw.
- 10. The DKA shall take out and maintain public liability, property damage, and other required insurance naming the City of Kelowna as Additional Insured in the amount of not less than \$5,000,000.00 and shall provide upon request to the City of Kelowna proof of such insurance in the form of the City's standard Certificate of Insurance.

- 11. The DKA shall procure and maintain at its own expense:
 - (a) Comprehensive General Liability Insurance providing for all sums which the DKA shall become legally obligated to pay for as a result of bodily injury, property damage or other damages, providing for an inclusive limit of not less than \$5,000,000.00 for each occurrence or accident;
 - (b) Automobile Liability Insurance covering all motor vehicles owned operated and used directly or indirectly in the operations of the DKA, with a limit of liability of not less than \$5,000,000.00 inclusive; and
 - (c) Such other insurance coverage appropriate for the operations of the DKA as determined by the City.
- All Insurance required to be obtained by the DKA pursuant to this bylaw shall name the City as an Additional Insured, and shall be primary without any right of contribution from any insurance otherwise maintained by the City.
- The DKA shall submit Certificates of Insurance as, and in the form, required by the City, which shall provide that 30 days' written notice shall be given to the Risk Manager of the City, or designate, prior to any material changes or cancellations of any such policy or policies.
- 14. The Business Improvement Area created by this bylaw may be merged with another Business Improvement Area, whether contiguous or not, for the purpose of providing, consolidating or completing necessary works or services for the merged area.
- 15. This bylaw shall be effective from January 1, 2024 through December 31, 2028 inclusive.
- 16. This bylaw may be cited as "Kelowna Downtown Business Improvement Area Bylaw No. 12575."

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor
City Clerk

SCHEDULE A – Map



Schedule B - Business Promotion Scheme

DOWNTOWN KELOWNA

Kelowna Downtown Business Improvement Area Society Business Promotion Scheme 2024 - 2028

History

The Kelowna Downtown Business Improvement Area Society (Downtown Kelowna Association, DKA) is a registered not-for-profit society with a mission to ensure that Downtown Kelowna is a safe and desirable place to conduct business, live, work and play. While initially formed as a volunteer grass roots organization in the mid-1980s, the DKA officially incorporated in November 1989, funded through an improvement levy collected by the municipality from commercial properties in the area.

In recent years, the focus of BIA's has shifted from a marketing and promotion organization to being active members of the social safety network, helping keep downtowns clean and safe. In Kelowna, the DKA's Downtown on Call and Clean Teams have morphed into initiatives that meet this need, filling gaps in support of the RCMP, Bylaw Services and other emergency providers. This focus of effort for Downtown Businesses does not preclude the DKA from continuing marketing and promotion efforts but is another component and large cost centre of being a Business Improvement Association.

The annual levy becomes the DKA's base operating budget upon which the organization leverages additional funding from partners including various levels of governments, contracts for service and corporate sponsors to support programs and initiatives.

As the third community in British Columbia to initiate a Business Improvement Area (BIA), the DKA has grown to become a provincial leader in programs and initiatives.

Vision

Downtown Kelowna is recognized as a vibrant, healthy and thriving business community where people want to work, live and play.

Mandate

The Downtown Kelowna Association (DKA) plays a leadership role in fostering the continued development of the Downtown as a safe and desirable place to conduct business, live, work and play through cooperative efforts of its members and government.

The DKA achieves its mandate through:

- Advocacy on behalf of its members.
- Fostering collaboration among its members and other community stakeholders; and
- Introducing and executing innovative programs and events that promote Downtown Kelowna businesses and activities.

Accountability

The Downtown Kelowna Association is guided by a membership elected Board of Directors. The Board and sub-committees complete ongoing evaluations of programs and initiatives to ensure effectiveness and financial responsibility. Results from an annual Membership Survey on a wide range of issues are used, together with input from the Board of Directors, to develop annual priorities.

Strategies

From January 1, 2024, to December 31, 2028, the DKA will focus on the following five key strategic areas:

- 1. Safe, Clean & Inviting Downtown Maintain a clean, safe, and welcoming Downtown.
- 2. **Membership Engagement** Continue to engage our members through communications and programs.
- Advocacy & Relationships Continue on the work done to date developing and maintaining key relationships with appropriate city departments & government, RCMP, and other pertinent stakeholders.
- 4. **Marketing & Promotion** Support Downtown by executing superior quality promotions and events that are consistently highly rated by members, valued by their consumers, and attract an increased level of interest in Downtown.
- 5. **Expansion** Research the viability of expanding the boundaries of the DKA as new commercial / retail entities are built around the current Downtown boundaries.

Goals

To deliver key results within the identified strategies, the DKA will:

1. Safe, Clean & Inviting Downtown

Actively participate in creating and maintaining a clean, safe, welcoming, and friendly Downtown for businesses, consumers, and visitors through our On Street Services Programs.

Key Performance Indicators:

- Increased investment in Downtown on Call and Clean Team programs to expand staffing levels and increase hours of service.
- On Street Services program staff are to receive ongoing training where available.
- Downtown on Call continued coordination and relationship expansion with the RCMP and City of Kelowna Bylaw Service.
- Strong, collaborative relationships with key City of Kelowna departments, specifically but not limited to:
 - Levy City of Kelowna Financial and Planning departments
 - Clean Team and On Call Funding Corporate and Protective Services, Risk Management

- Clean Team Sweeper Work Infrastructure Departments: Parks, Parking, Roadways and Civic Operations
- Bylaw Corporate and Protective Services
- Development and City Planning Real Estate and Planning
- Events Continued relationship with the Active Living and Culture Department.
- Sustained relationship development with enforcement and regulatory agencies along with service providers (i.e., RCMP, Interior Health Authority, Fire and Paramedics, Kelowna Gospel Mission, Metro, John Howard Society, Kelowna Friendship Centre)
- Collaboratively share measurable data from Downtown On Call and Clean Team with City of Kelowna (Protective and Corporate Services, Bylaw), RCMP and City government/management to assist with On-Street Service department and the development of new event initiatives for Downtown.
- Cooperative working relationships and engagement with Tourism Kelowna, Active Living and Culture Department at City of Kelowna and the Chamber of Commerce
- Sustained relationship development with enforcement and regulatory agencies along with various service providers (i.e., RCMP, Interior Health Authority, BC Housing, Fire Department, BC Ambulance, Kelowna Gospel Mission, Metro, John Howard Society, Inn from the Cold, Living Positively, Kelowna Friendship Centre, etc.)
- Collaboratively share measurable data from Downtown On Call and Clean Team with City of Kelowna Bylaw and RCMP, working towards developing a robust overview of activity
- Cooperative working relationships and engagement with other organizations (i.e., Tourism Kelowna, Chamber of Commerce, etc.)

2. Membership Engagement

To continue increasing DKA membership engagement through electronic contact, Resource availability and onsite visits to business within the boundaries.

Key Performance Indicators:

- Facilitate relationship building and collaboration opportunities amongst members to support business growth.
- Continued monthly releases of Updates and Newsletters
- Create an "on boarding" package for new businesses.
- Continued evaluation of events regarding benefit to Downtown business.
- Downtown on Call continued Business Visits as part of our regular routine.
- Membership participation in Promotions and Events.
- Remain vigilant to changes in tenancy and business/property ownership.
- Members proactively initiate communication with DKA
- Number of businesses that utilize our various services and programs.
- Member survey results

3. Advocacy & Relationships

Advocate for Downtown businesses about Official Community Plans, Transportation Plans, the Community Safety Plan, City Bylaws, zoning and infrastructure developments in support of the overall wellbeing of business community in Downtown Kelowna.

Key Performance Indicators:

- Sustained relationship development with various City of Kelowna departments (i.e., Real Estate and Planning, Protective and Corporate Services, Bylaw, City Councillors, Mayor, City Manager, etc.)
- Collaborative relationships with Chamber of Commerce, Tourism Kelowna, Urban Development Institute, COEDC, Accelerate Okanagan, Okanagan Mainline Real Estate Board where possible.
- Staff and Board to provide input and engage in all City consultation initiatives applicable to the Downtown (i.e., Imagine Kelowna, Journey Home, Transportation and Parking Strategy sessions)
- Executive Director continued participation on the Board of Directors for the Business Improvement Areas of BC.

4. Marketing & Promotion

Evolve promotions and events to best reflect dynamic landscape and demographic of Downtown. Ensure marketing focus generates excitement about Downtown and showcases the unique environment of Downtown with local ownership.

Key Performance Indicators:

- High consumer engagement in events and promotions.
- Maintenance of the Downtown prospectus map on the website.
- Strong consumer and business satisfaction with events and promotions through continued re-evaluation (ie: Block Party, Meet me On Bernard, Winter Street Market & others) to ensure they continue to have a positive effect on Downtown Kelowna.
- Sustained relationship development with Active Living and Culture department.
- Consistent marketing of Downtown using available digital tools including Google Ads through their not for profit grant program.
- Consistent marketing using local media outlets including broadcast and digital.
- Continued attendance at events like ICSC and BIABC Annual Conference to generate investment interest in Downtown and generate new ideas.

5. Expansion

Investigate the possibility of expanding the boundaries of the Association. Calls for service for the Downtown on Call and Clean Teams from the Brewery District are more frequent and are indicating a growing demand for those services.

Decision factors:

- Interest from property and business ownership will decide whether they want to join the Association.
- Determination of budget first will determine the levy charged to owners/businesses.
- Staffing levels need to be determined for On Call and Clean Teams.
- Contact with affected properties to determine interest.
- Involve Tourism Kelowna
- Look at the area that encompasses Commercial properties class 5 & 6 along Clement to Ethel, west side of Richter from Clement to Bailie and Vaughn to Ethel. (Brewery / Commercial district)

Downtown Kelowna Boundary & Membership

The Downtown Kelowna Association area is defined within a 42 square block radius from Harvey Avenue to Clement Avenue and from Okanagan Lake to Richter Street (see map on page 6). There are no proposed changes to the current Bylaw boundary. However, expansion is a current consideration. Calls for service by the Downtown on Call and Clean Teams in what is referred to as "The Brewery District" have increased. The Board of Directors will be striking a committee in 2024 to begin engagement within the area to gauge interest.

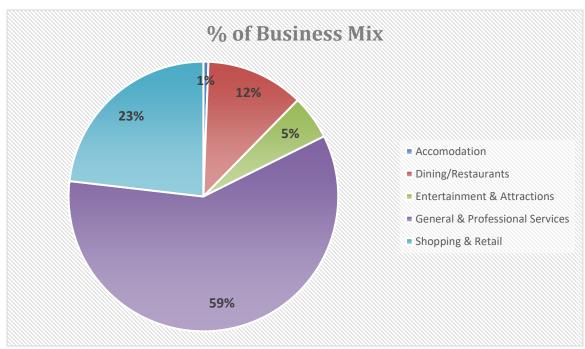
The Downtown Kelowna membership is highly diverse, from professional services to arts and culture to entertainment and attractions. The diversity of Downtown Kelowna adds to the vibrant atmosphere and the resurgence of our area to live, work and play. Analyzing data across other cities that share our size and our level of tourism, we can see that the downtown core is trending in the right direction. In 2022, Downtown Kelowna was ranked as the 2nd fastest growing downtown, growing by 23.6% since 2016. With an increase of 40,000 to 50,000 in population expected by 2040, we expect Downtown Kelowna to continue this fast-paced growth every year.

Below are figures current as of December 31, 2022. Recent technological improvements are being implemented this year, making the data collection of members and businesses more accurate. Our new system will integrate real-time data from Google listings, allowing us to know the businesses' categoric information, exact location, business name, and other pieces of information.

Membership consists of property owners or tenants of Class 5 or 6 properties within the Downtown Kelowna BIA boundary.

Class 5, Light Industry — property used or held for extracting, processing, manufacturing or transporting products, including ancillary storage. Scrap metal yards, wineries and boat-building operations fall within this category. Exceptions include properties used for the production or storage of food and non-alcoholic beverages and retail sales outlets, which fall into Class 6.

Class 6, Business Other — property used for offices, retail, warehousing, hotels and motels all fall within this category. This class includes properties that do not fall into other classes.



Top Ranking Categories:	#	% of Business Mix
Accommodation	7	0.6%
Dining / Restaurants	128	11.71%
Entertainment & Attractions	58	5.30%
General & Professional Services	647	59.1%
Shopping & Retail	253	23.1%
TOTAL	1093	

As of January 2022, there are 1305 members – 212 property owners and 1093 businesses.

Membership Communications

In 2022, the DKA made a concerted effort to improve communications with members. This included more inperson visits to businesses, follow up phone calls, the monthly DKA Business Update, and Meet me On Bernard updates. We also continued to send out 'as needed' special bulletins about on-going challenges that affect our members like homelessness, property crime, and protests. Pandemic restrictions still meant the absence of networking events and limits on face-to-face communication. However, as pandemic measures eased, we were able to resume producing events and promotions which required more member communications. The DKA created a print copy of the first Business Update of 2022 and was distributed by hand by the Downtown on Call (DOC) team and was also sent electronically.

A total of fifty notices, alerts, reminders, and Updates were sent in 2022 with a combined open rate of 46%. The Newsletter continued circulation at or near the beginning of each month, with a combined open rate of 66%. Open rates above 25% are an indication of interest. The open rate of 66% is a phenomenal indication of interest in what the DKA publishes. Also, there was substantial growth in our main subscriber lists; the DKA Business Owners/Employees list grew from 681 to 885 subscribers, and DKA Newsletter list grew from 256 to 960 subscribers.



Downtown Kelowna Association 287 Bernard Avenue, Unit 200 Kelowna, BCV1Y 6N2 downtownkelowna.com

Kelowna Downtown Business Improvement Area

July 2023

Downtown Kelowna On Street Services

As the growth of Downtown Kelowna progresses, the demands placed on the Downtown On Call (security) and Clean Team programs continue to increase. Rare in nature, the On Call team is the "go to" call businesses make for safety assistance. The Clean Team is the other "go to" call when there is a mess in front of a building that requires cleaning, pressure washing and/or garbage removal.

A welcomed increase in funding from the city for the DKA On Street Services initiative was received in 2023. While the additional \$30,000 for Downtown on Call and \$36,000 for Clean Team help the programs be sustained, additional funding from the city will be required over the next 5 years. This is particularly true for growth of the programs as Downtown Kelowna continues to expand with commercial and residential properties being built.

Still, in the next five years the DKA will invest in and enhance the On Street Services programs. Manpower and equipment will be aligned to increase efficiencies. A new facility to house equipment and staff will be found to also increase efficiencies. These programs are most valued by the membership and vital in keeping Downtown clean and safe.

1. Downtown On Call

The Downtown Kelowna membership values the Downtown On Call (DOC) team as one of the top services provided by the Downtown Kelowna Association. The DOC team is trained to deal with front line issues related to personal safety, hospitality and help create a positive social environment in Downtown Kelowna.

Downtown On Call duties include but are not limited to:

- On site assistance
- De-escalation
- Bank deposit escort
- Employee safe walk
- Paraphernalia recovery
- Visitor information

An indication of the demand for the services of Downtown On Call is in the data the DKA keeps. In the 4 years from January 2019 through December 2022, DOC data shows the following:

Used Needles picked up: 12,152
Unused Needles picked up: 4,192
Naloxone kits (used/unused): 2,114
DOC Incidents: 21,687
RCMP Called: 1,995
Business Visits: 40,192

The above statistics show that for approximately every 100 calls the Downtown On Call team attends, RCMP are only called 10% of the time. While this percentage fluctuated between 10% & 12% over the last 4 years, it does indicate how much DOC takes off the plate of the RCMP. This emphasizes the integral roll that Downtown On Call contributes to the safety and sense of same in Downtown Kelowna.

Since 2019, expansion of the DOC team has been a priority as densification and visitation of Downtown has increased. More expansion is required and additional funding directly from the city will expedite that expansion.

In 2022, Brent Lobson took over the management of our On-Street Services department from Ron Beahun who retired. As Director of Operations, Brent has completely revamped the department and instituted new systems that are making the department more efficient. We continually re-assess the scope of the DOC program to continue to best serve our membership.

2. Downtown Clean Team

The demand for the Downtown Clean Team has grown significantly as Downtown Kelowna grows. What was originally a seasonal initiative, Clean Team is now 3 fulltime employees year-round. The Team is responsible for assisting with cleaning 42 blocks within the DKA boundary, which includes such duties as sidewalk sweeping, operating the city supplied MadVac, power washing where required, debris and biohazard removal, and assisted snow removal.

The DKA currently fulfills a contract with the City of Kelowna to clean the three parkades. The aging sweeper has been retired from sidewalk sweeping and now only services the 3 parkades following annual major cleaning by a Power Sweeping company which the DKA contracts. The DKA will endeavour to continue this sweeping contract with the City for the 2024-2028 renewal period.

As Downtown continues to densify, additional team members and equipment will be required. Funding will also be allocated to replace and maintain aging equipment, including the street sweeper, utility vehicles, power washers, as well as general handheld equipment, including but not limited to brooms, shovels, etc.

3. Data Acquisition

The On Street Services teams, both the Downton On Call and Clean teams, have been utilizing mobile software applications that assist in tracking all activities relating to both teams since 2015. This data has been indispensable when it comes to providing a more accurate view of the activities occurring Downtown and help determination of the direction of both On Street Services programs. The DKA will continue to share this valuable data and work collaboratively with the RCMP and Bylaw Services.

Downtown Kelowna Marketing

Downtown Kelowna promotions and events help to encourage visitation to Downtown and ultimately to increase awareness of the membership variety. In Downtown Kelowna, we are more than just a geographical location — we are an active hub of business growth and opportunity. Our commitment to community engagement, data-driven strategies, and tailor-made marketing solutions is transforming our local businesses, fostering relationships, and building a vibrant, dynamic downtown area.

The DKA has a solid foundation with branding and materials for each promotion. Two Small Shop campaigns promote the extensive local retail sector, Meet me On Bernard provides a vehicle free space for residents and visitors alike to experience the summer in Downtown Kelowna and visit retail and restaurants on their expanded

patios. The After 5 networking events provide a place for businesspeople to gather and experience different venues throughout Downtown Kelowna. Block Party (now over 30 years old!) and Winter Street Market (formerly Light Up) are the DKA's two large community events that combined draw some 25,000 – 30,000 people Downtown.

As Downtown densifies and becomes more sophisticated, the DKA promotions and events have grown in some cases and changed in others. Online contesting in December has become a popular promotion for the DKA. Meet me On Bernard is in its infancy having been born in summer 2020. As time has passed that initiative has changed and will continue to evolve and require changing investment. The Taste of Downtown promotion has run its course and was not an option for most restaurants in the post pandemic climate. To maintain the same level of high-quality that members and visitors to Downtown have come to expect, current marketing, promotions and events will require ongoing refreshing in the years to come.

The DKA Marketing effort includes:

1. Personalized Marketing Assistance

Each month, our dedicated marketing manager conducts personalized meetings with local businesses seeking marketing guidance. Through this initiative, we have not only provided insights on SEO, loyalty programs, and social media advertising but also integrated these businesses into our broader marketing ecosystem, enhancing their visibility through our newsletters, social media platforms, and programs.

2. Data-Driven Approach

Our transition towards a data-driven business model is well underway. By leveraging Google data, we are cataloging and tracking downtown businesses by category to obtain an accurate picture of our commercial landscape. This real-time data gathering informs our marketing strategies and helps businesses better understand their standing within the community.

3. Google Ad Grant Utilization

Our monthly \$10,000 Google Ad Grant serves as a vital resource in driving traffic to our website and promoting local businesses. Targeted keyword ads are funnelling potential customers to relevant sections of our website, effectively advertising local businesses free of charge and delivering tangible value.

4. Search Engine Optimization

We have helped numerous downtown businesses extend their digital reach via our Search Engine Optimization (SEO) efforts. We have bridged the gap for businesses without a website or lacking optimal SEO, enabling them to appear in Google search results and directing thousands of potential customers to their offerings via our website. Last year alone, we appeared in 5 million search results, generating 47,000 organic clicks to our website, excluding paid clicks.

5. Events and Ticketing

As downtown Kelowna becomes busier, we are now one of the top-visited sites for local event information. By scraping data for all downtown events, we have made our website an invaluable resource for the community and businesses alike. We have recently integrated a ticketing system, allowing us greater control over event management, data ownership, and fee structures.

6. Video Content and Social Media

Our move towards creating more video content represents our dedication to staying at the forefront of marketing trends. By applying for verification on all our social media accounts, we are expanding our reach and ability to engage with a broader audience. DKA Social Media accounts enjoy "influencer" status which benefits not only Downtown Kelowna but the city as a whole.

The DKA marketing team delivers a robust, multi-faceted strategy to maximize visibility, engagement, and growth for downtown Kelowna businesses. Our strategic use of digital tools, data analytics, and personalized support is making a measurable difference in our community, and we are excited about the future as we continue to evolve and adapt to meet the needs of Downtown Kelowna.

Funding

Levy

The DKA is proposing a onetime increase of 12% for the first year, which will be invested in the On Street Services programs and the move to a new facility necessary for growing equipment assets which will result in budget efficiencies and long-term savings for our membership and the city. The second year of the mandate will see a 7% increase and then 5% annually for the duration of the term ending December 31, 2028. **Over the 5-year term, the levy will increase 30.82% which is comparable to previous renewals by approximately 1%.** Projections done for this renewal show that contributions to reserves will be accomplished throughout the term. Reserve funds are used for future capital projects such as replacement of our key equipment such as the aging sweeper and Kubota vehicles.

Levy Contribution by Downtown Property Owner:

2023 Levy	2024 Levy	2025 Levy	2026 Levy	2027 Levy	2028 Levy				
\$1,148,954	\$1,263,741	\$1,335,860	\$1,390,040	\$1,445,320	\$1,503,075				

2023 Property Value: \$1,125,806,200 on Class 5 and 6 properties.

2018 Mill Rate: 1.0215 per \$1000 of assessed value on Class 5 and 6 properties.

Other Funding

The Downtown On Call and Clean Team received \$70,000 from the City for the On Call program in 2022, and a combination of \$37,973 for the Clean Team funding and contract work for the city including sidewalk sweeping, cleaning parkades and other. In 2023, funding for DOC and Clean Team was increased by the city to \$100,000 and \$60,000, respectively. We have budgeted for marginal increases in that funding which we will have to discuss with our city partners. These services are integral to a clean and safe Downtown Kelowna and the DKA feels that additional funding support is crucial to the continuation and expansion of the programs.

The DKA also earned approximately \$48,884 in 2022 through a combination of event sponsorships and promotions.

Revenue	2022 Year End
Downtown On Call	\$70,000
Downtown Clean Team	\$37,973
Downtown Concierge	\$14,584
Events	\$47,682
Other	\$1,202
TOTAL	\$171,441

Expenditures

Program Expenditures 2022 Year End:

Business Recruitment	\$8,277	0.56%	
Clean Team	\$225,594	15.23%	
Communications	\$5,509	0.37%	
Downtown Concierge	\$29,917	2.02%	
Downtown On Call	\$482,055	32.54%	
Events	\$131,149	8.85%	
Insurance	\$9,163	0.62%	
Marketing and Promotions	\$94,617	6.39%	
Office and Administration	\$58,644	3.96%	
Professional Development	\$5,774	0.39%	
Professional Fees	\$19,499	1.32%	
Rent	\$49,071	3.31%	
Wages and Benefits	\$327,317	22.10%	
Total \$1,481,405		100.00%	

Meet Our Team

EXECUTIVE

Renata Mills President Festivals Kelowna

Jaspal Dhial Treasurer GSL Group (Prospera Place)

Travis Pye Vice President Lakehouse Homestore

Caroline Bye Secretary Kelowna Yacht Club

Yarden Gershony Past President Rush Ihas Hardwick LLP

DKA DIRECTORS

Jenna KoppersonDeville CoffeeTina ThygesenMission GroupWarren TurnerTurner GroupJoAnne AdamsonUBC Property Trust

Crystal Dougan Little Hobo Soup & Sandwich Shop

Thomas Eaves Pushor Mitchell LLP
Nathan Matis Sweat Studios

Jillian Povarchook Olive & Elle Boutique

EX – OFFICIO

Councillor Rick Webber, City of Kelowna

STAFF

Mark Burley, Executive Director
Brent Lobson, Director of Operations
Elizabeth Densmore, Administrative Assistant
Kris Johnson, Communications & Events Manager
Facundo Rodriguez, Marketing Manager
Pawan Sandhu, Data & Web Coordinator

mark@downtownkelowna.com brent@downtownkelowna.com elizabeth@downtownkelowna.com kris@downtownkelowna.com facundo@downtownkelowna.com pawan@downtownkelowna.com

Report to Council

Date: August 14, 2023

To: Council

From: City Manager

Subject: 2023 Planning and Development Statistics – Quarter 1 and Quarter 2

Department: Planning, Climate Sustainability and Development Services

Recommendation:

THAT Council receives, for information, the report from the Planning, Climate Sustainability and Development Services Division dated August 14, 2023, with information relating to Planning and Development Statistics.

Kelow

Purpose:

This report updated Council on construction and development statistics for quarters 1 and 2 of 2023.

Background:

To keep Council current with local development and construction trends, the Divisional Director of Planning & 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

Predictably, building and development application intake continue to slow from record highs as 2023 progresses. Both the type and location of housing projects under construction remain generally consistent with broad OCP goals of placing the bulk of new residential housing density in the City's Core/Urban areas (in a multifamily format).

Permits for housing remain between the 5- and 10-year averages with multi-family rental permitting comprising an overwhelming amount of the housing in the City's permitting process. Given the slowing pace of application volumes likely related to macro-economic conditions, the City can expect to see the growth (in housing) continue slow to a level closer to the 10-year average for the final 6 months of 2023.

On top of regular workload, staff continue to work on projects including:

- Review of RU4 zone regulations (Council directed)
- Infill Options project (MF1 expansion)
- Housing Needs Assessment (HNA)
- Digital transformation (Al Chatbot and Business Systems Replacement)
- Urban Centre Planning Revised methodology/OCP Implementation
- Short Term Rentals Regulation enhancements
- North End Planning Public Engagement
 - o Tolko Site Area Redevelopment Plan.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

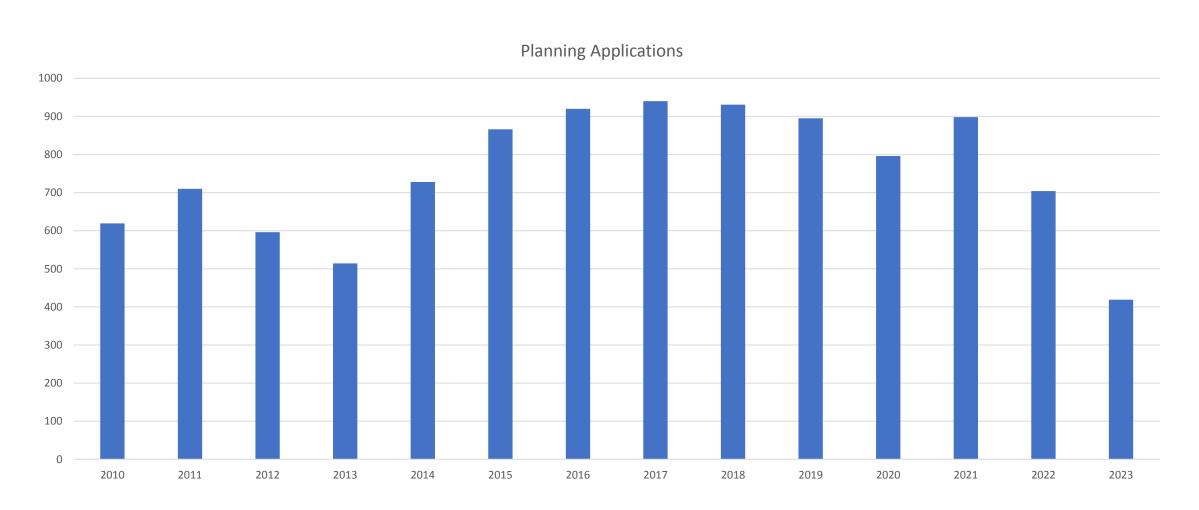
Submitted by: Ryan Smith, Divisional Director, Planning & Development Services

Approved for inclusion: Doug Gilchrist, City Manager

Attachment: 1. PowerPoint



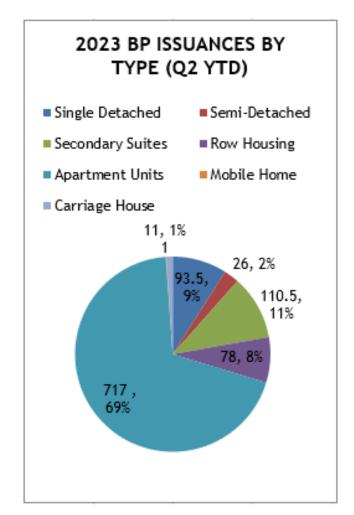
Planning Application Volume





Total Building Permits Value (\$)

- Permit value for 2023 Q1 \$232,346,104.19
- Permit value for 2023 Q2 \$438,460,231.34
- > Permit value for first half of 2023 \$670,806,335





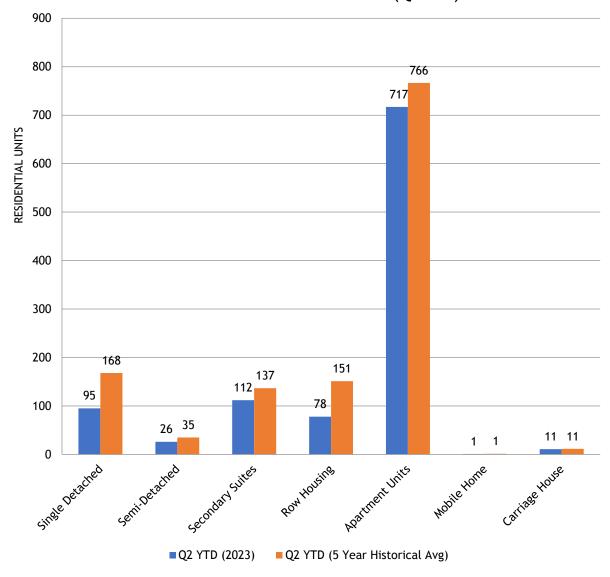
Total Permits Issued

- ▶ Building Permits issued in Q1 451
- Building Permits issued in Q2 –555
- Total BP in first half of 2023 1,006

- ► Plumbing Permits issues in Q1 466
- ► Plumbing Permits issues in Q1 448
- ► Total PP in first half of 2023 914

Historical Comparison

BP ISSUANCES - HISTORICAL COMPARISON (Q2 YTD)

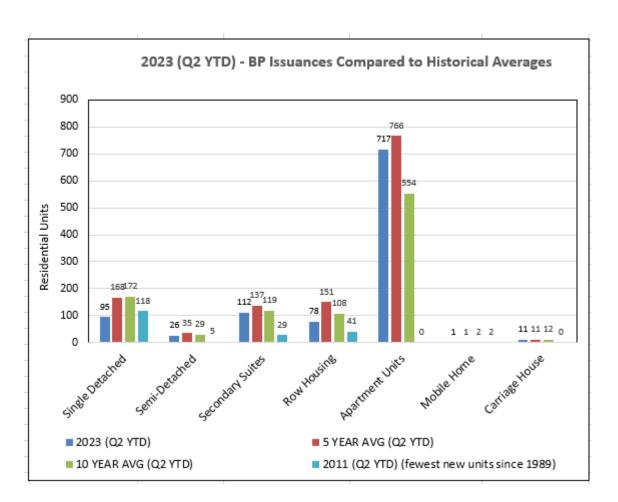




Historical Comparison

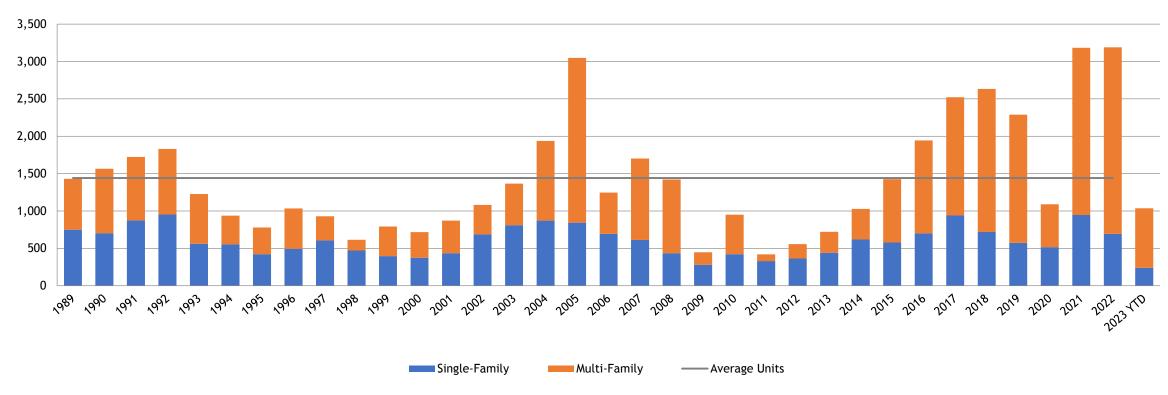
TYPE	2023 (Q2 YTD)	5 YEAR AVG (Q2 YTD)	10 YEAR AVG (Q2 YTD)	2011 (Q2 YTD) (fewest new units since 1989)
Single Detached	95	168	172	118
Semi-Detached	26	35	29	5
Secondary Suites	112	137	119	29
Row Housing	78	151	108	41
Apartment Units	717	766	554	0
Mobile Home	1	1	2	2
Carriage House	11	11	12	0
Total	1,040	1,270	995	195

Numbers are a count of residential units by dwelling type

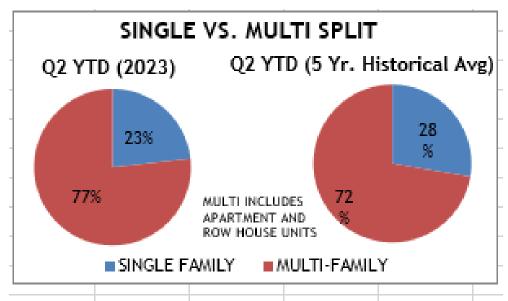


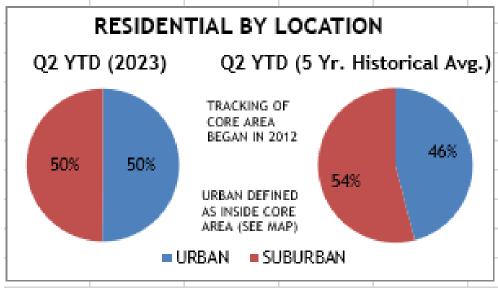
Historical Residential Growth

KELOWNA ANNUAL RESIDENTIAL BP ISSUANCES (1989-2023)



Housing Type and Location







Takeaways...

- ► Housing approvals at Building Permit hovering between 5–10year average
- ► SFD and secondary suite construction lower than 10-year average
- Residential multi-family (particularly rental) remains strong from a permitting perspective
 - Mainly because of the variety of incremental incentives in place



Next

- ▶ Review of RU4 zone
- ► Infill Options
- ► Housing Needs Assessment
- Digital Transformation- Al Chatbot
- ▶ Urban Centre Planning
- ► Short Term Rentals
- ► North End Planning
 - ► Tolko site plan

 Potential changes to provincial legislation related to housing (fall)



Questions?

For more information, visit **kelowna.ca**.

REPORT TO COUNCIL



Date: August 14, 2023

To: Council

From: City Manager

Subject: Development Application Fees Bylaw No. 12552

Department: Development Planning

Recommendation:

THAT Council, receives, for information, the Report from the Development Planning Department dated August 14, 2023, recommending that Council adopt Development Application Fees Bylaw No. 12552;

AND THAT Development Application Fees Bylaw No. 12552 be forwarded for reading consideration.

Purpose:

To adopt Development Application Fees Bylaw No. 12552 to improve cost recovery and financial management on Development Applications.

Introduction:

<u>Active Financial Management</u> is a corporate strategic goal that among other things means actively reviewing fees and cost recovery models for continuous evaluation and improvement. As such, Staff have reviewed the current <u>Development Application Fees Bylaw No. 10560</u> and are proposing a comprehensive new bylaw based on improved cost recovery and alignment with other BC Municipalities.

Background:

The last full comprehensive analysis of the Development Application Fee Bylaw was conducted in 2015 by Deloitte LLP, and prior to that in 2008 by Neilson-Welch. Changes were adopted in 2016 to establish the current format and fees for the years 2017 – 2023. The two studies included recommended actions and guiding principles which were used to establish the proposed new bylaw.

Discussion:

Since 2015, the profile of development in our community has changed dramatically with an increase in complex files, an increase in the scope and size of redevelopment, additional inter-agency referrals related to environment and archaeology, and the introduction of new policies and regulations in both the 2040 Official Community Plan and Zoning Bylaw No. 12375. As such, the amount of staff time on some files types has increased and a comprehensive update to the Fee Bylaw is necessary to ensure cost recovery goals are met.

Guiding Principles:

Staff utilized information from the 2015 comprehensive analysis to capture action items that had not yet been implemented, and refine guiding principles for establishing fees. The guiding principles are as follows:

- Fees should be primarily based on staff time processing applications.
- Staff time varies for different types of applications and the fees should be scaled to reflect this.
- Recovery rates should consider average file volumes for past years, as well as anticipated changes in file volumes due to regulatory changes at the municipal, provincial, and federal level.
- There is a public benefit to the City's review of development applications and therefore a 100% cost recovery is not appropriate. The proposed weighted recovery rate targets between 72%-75% overall.
- A small-scale application should remain at a lower cost recovery rate so as not to make gentle urban densification cost prohibitive.
- A complex application that automatically requires a Public Information Session, a Traffic Impact
 Assessment, or additional inter-agency and inter-departmental referrals should have a higher
 cost recovery.
- Fees should not be substantially more or less than other comparable municipalities.
- An annual increase should remain built into the bylaw to ensure fees keep pace with increased costs and close the fee gap compared to other BC municipalities.

Methodology:

- Reviewed amount of staff time per file type to account for changes in the profile of Development Applications.
- 2. Proposed a blended Staff hourly rate based on Planners and other contributing Staff.
- 3. Adjusted cost recovery to be lower for small-scaled files and greater for complex files.
- 4. Adjusted cost recovery to anticipate changes in the volumes of specific application types due to regulatory changes (i.e., less rezoning applications expected, more development permits expected).
- 5. Created new categories of applications to scale fees.
- 6. Rounded fees to nearest \$5 or \$10 increment.
- 7. Used real development scenarios to compare proposed fees to existing 2023 fees to determine additional burden on the applicant and the end user (Attachment A).
- 8. Used real development scenarios to compare proposed fees to five other BC Municipalities Burnaby, Coquitlam, Richmond, Surrey, and Victoria (Attachment A).

Outcome:

Staff have created several new categories of application types to scale the application fees more accurately to the complexity of the application. Some new categories are:

- Zoning categories separated
- Development Permits for multi-family are scaled to the unit count
- Heritage Alteration Permit under 50 m² of construction
- Water or Sanitary Sewer Network Modelling
- Landscape Re-Inspection Fee for inspections that occur after a failed inspection

In general, fees across most file types will increase except for three small-scale application types that have decreased; Child Care Centre Major subzone, Carriage House subzone, and Farm Residential Footprint Covenant.

One fee that has increased dramatically is the Area Redevelopment Plan and Area Structure Plan application fee. This fee has been based on the amount of staff time and technical expertise review of these types of complex and comprehensive files. Currently, Staff review the site area proposed to be developed and negotiate an application fee above what is noted in the fee bylaw based on anticipated consultant fees. By capturing a larger fee at the outset of this application type, Staff can operate with full transparency and provide certainty to the development community rather than negotiating this fee on a case-by-case basis.

Staff used real project examples to compare current 2023 fees to proposed 2024 fees to confirm they would not result in unfair/unjustifiable increases. Additionally, Staff compared the proposed fees to five other BC Municipalities (Burnaby, Coquitlam, Richmond, Surrey, and Victoria) selected based on their rates of growth, population, and types of projects. In this comparison, Kelowna is consistently in the lower half (Attachment A).

Yearly Increase:

Most municipalities base their yearly increases on the Consumer Price Index for BC (CPI) which is typically between 2% and 2.5% annually. In 2022, the CPI was 6.9%. Staff are proposing a flat yearly increase of 5% to be slightly higher than the typical yearly CPI to help close the gap between our fees and other municipality's fees in manageable amounts. Setting a fixed-rate increase rather than variable yearly provides transparency and certainty to the development community.

The yearly increase shall be communicated to the public and the development community through a City of Kelowna Informational Bulletin that will be available on our website at Proposed Development Application Fees Bylaw | City of Kelowna and posted at City Hall Application Centre each fall.

Conclusion:

Development Planning Staff recommend support for the proposed Development Application Fees Bylaw No. 12552 as it will improve capture cost recovery for staff time per file type and is consistent with the methodology and fees of other BC Municipalities. It aligns with the corporate direction and best practices for Active Financial Management.

Internal Circulation:

Office of the City Clerk Policy & Planning Development Engineering Building & Permitting Finance

External Circulation:

Urban Development Institute of the Okanagan Canadian Home Builders Association Central Okanagan Interior Association of Realtors

Considerations applicable to this report:

Local Government Act, Section 462 Community Charter, Section 194 & 195

Existing Bylaw:

Development Application Fees Bylaw No. 10560

Financial/Budgetary Considerations:

A revenue increase is expected with a weighted cost-recovery rate of approximately 72% - 75% on Development Applications. This increase will be incorporated into the 2024 budget process.

Communications Comments:

The proposed fee changes have been communicated with the public on our website at Proposed
Development Application Fees Bylaw | City of Kelowna. An emailed letter was forwarded to Urban Development Institute of the Okanagan, the Canadian Homebuilders Association Central Okanagan, and the Interior Association of Realtors.

Prepared by: Trisa Atwood, Planner Specialist

Breanna Sartori, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Manager of Development Planning

Approved for inclusion: Ryan Smith, Director of Planning & Development Services

Attachments:

Schedule A: DRAFT Development Application Fee Bylaw No. 12552

Attachment A: Development Project Fee Comparison

ATTACHMENT A
This forms part of application
TA23-0007

									_								#_	LAZ	<u> 23-0007 </u>		
					Non-								Avg								City o
					Residential								increase per				DI	nna"			
		Zone and			Net Floor								unit or per				Ini	anner tials	TAI		Kel¢
Project Type	File Types	Unit Count	ı	Base Fee	Area in m²	Add'l Fees	Tota	al Fee for 2024	2	.023 Fee	Difference		m²	E	Burnaby	Coquitlam	Richmond	iiais	Surrey	V	DEVELO ! /ictoria
	Zoning	RU4	\$	1,660.00			\$	1,660.00	\$	1,610.00				\$	4,026.00	\$ 5,189.00	\$ 3,828.50	\$	3,526.00	\$	2,000.00
RU4 Duplex Rezoning &	Subdivision Bare Land	2	\$	2 , 690.00			\$	2,690.00		· -				\$	5,769.00	J. J			2,500.00		, na
Subdivision				7 3			\$	4,350.00	1 -	3,940.00	\$ 410	.00	\$ 102.50	\$		\$ 10,378.00			6,026.00	\$	2,000.00
	Zoning	MF1	\$	2,485.00			\$	2,485.00	\$	2,070.00				\$	2,676.00	\$ 5,189.00	\$ 2,624.00	\$	5,077.00	\$	6,000.00
MF1 Infill (Fourplex)	Development Permit Direct	4	\$	1,320.00			\$	1,320.00	\$	1,050.00					na	\$ 4,021.00	\$ 2,525.00	\$	5,240.00	\$	6,000.00
							\$	3,805.00	\$	3,120.00	\$ 685	.00	\$ 171.25	\$	2,676.00	\$ 9,210.00	\$ 5,149.00	\$	10,317.00	\$:	12,000.00
	Rezoning	MF2	\$	3,050.00			\$	3,050.00	\$	2,070.00				\$	2,676.00	\$ 5,784.00	\$ 2,524.00	\$	5,389.00	\$	6,000.00
MF ₂ Townhouses	Development Permit	12	\$	3,070.00			\$	3,070.00	\$	1,895.00					na	\$ 5,257.00	\$ 4,320.45	\$	6,032.00	\$	6,000.00
							\$	6,120.00	\$	3,965.00	\$ 2,155	.00	\$ 179.58	\$	2,676.00	\$ 11,041.00	\$ 6,844.45	\$	11,421.00	\$:	12,000.00
	Zoning	MF ₃ r	\$	3,680.00			\$	3,680.00	\$	2,070.00				\$	4,639.76	\$ 10,335.87	\$ 5,303.00	\$	12,409.00	\$	12,279.50
MF ₃ Rental Apartment	Development Permit	192	\$	3,540.00	300	\$ 240.00	\$	3,780.00	\$	1,895.00					na	\$ 42,506.00	\$ 21,412.79	\$	23,852.00	\$	39 , 897.75
							\$	7,460.00	\$	3,965.00	\$ 3,495	.00	\$ 18.20	\$	4,639.76	\$ 52,841.87	\$ 26,715.79	\$	36,261.00	\$	52,177.25
Mixed-Use Tower Urban	Development Permit	261	\$	3,745.00	600	\$ 960.00	\$	4,705.00	\$	1,895.00					na	\$ 8,322.48	\$ 17,939.19	\$	30,546.00	\$	50,165.00
	DVP Council	2	\$	2,350.00	1	\$ 250.00	\$	2,600.00	\$	1,795.00					na	\$ 4,312.00	\$ 1,895.00	\$	1,818.00	\$	1,000.00
Centre							\$	7,305.00	\$	3,690.00	\$ 3,615	.00	\$ 13.85		na	\$ 12,634.48	\$ 19,834.19	\$	32,364.00	\$	51,165.00
	Text Amendment		\$	3,810.00			\$	3,810.00	\$	1,645.00					na	\$ 9,630.00	\$ 1,986.00		na		na
	Rezoning	CD Zone	\$	21,765.00			\$	21,765.00	\$	3,770.00				\$	74,082.00	\$ 17,047.28	\$ 20,719.76	\$	55,155.00	\$	31,592.50
Comprehensive Development	Subdivision	Technical	\$	540.00			\$	540.00	\$	435.00				\$	5,769.00	\$ 9,261.00	\$ 952.00		na		na
Zone	Development Permit	475	\$	3,980.00	600	\$ 960.00			\$	1,895.00					na	\$ 50,606.60	\$ 51,869.00	\$	51,869.00	\$ 1	100,845.25
					8300	\$ 6,640.00	\$	11,580.00													
							\$	37,695.00	\$	7,745.00	\$ 29,950	.00	\$ 63.05	\$	79,851.00	\$ 86,544.88	\$ 75,526.76	\$	107,024.00	\$ 1	32,437.75
Industrial Delegated																					
Development Permit	Development Permit Direct	Industrial	\$	1,320.00	6800	\$ 5,440.00	\$	6,760.00	\$	1,050.00	\$ 5,710	.00	\$ 0.84		na	\$ 11,076.50	\$ 11,362.89	\$	10,666.50	\$	23,125.00
	OCP Major		\$	4,575.00			\$	4,575.00	\$	3,770.00					na	\$ 16,644.00	\$ 3,780.00	\$	5,902.00	\$	2,500.00
Bare-land Subdivision	Zoning	RU2	\$	1,660.00			\$	1,660.00	\$	2,070.00				\$	12,666.00	\$ 9,389.00	\$ 3,152.00	\$	4,990.00	\$	6,000.00
Dare-Iariu Subulvision	N.E.D.P. Delegated		\$	2,915.00			\$	2,915.00	\$	1,790.00					na	\$ 5,257.00	\$ 1,895.00	\$	1,902.00		na
	Subdivision Bare Land	12	\$	2,690.00		\$ 1,850.00	\$	4,540.00	\$	3,480.00		1		\$	11,536.00	\$ 6,908.00	\$ 2,404.00	\$	3,880.00		na
							\$	13,690.00	\$	11,110.00	\$ 2,580	.00	\$ 215.00	\$	24,202.00		\$ 11,231.00	\$	16,674.00	\$	8,500.00
Area Redevelopment Plan or		_																			
Area Restructure Plan	ARP/ASP	98940 m²	\$	141,960.00			\$	141,960.00	\$	10,545.00	\$ 131,415	.00	\$ 1.33	\$ 2	61,693.60	\$ 203,816.40	na	a	na		na





Purpose from Council Report

➤ To adopt Development Application Fees Bylaw No. 12552 to improve cost recovery and financial management on Development Applications.

Development Application Fees Bylaw

- ▶ Sets out application fees for development related activities:
 - ▶ OCP & Rezoning & Variances
 - ▶ Development Permits & Natural Environment Development Permits
 - Heritage
 - Subdivision
 - ▶ Development Engineering Fees
 - Signs
 - More...

Background

Comprehensive
Study by
Neilson-Welch

- •- Action Items
- •- Recommendations

Comprehensive
Study by
Deloitte LLP

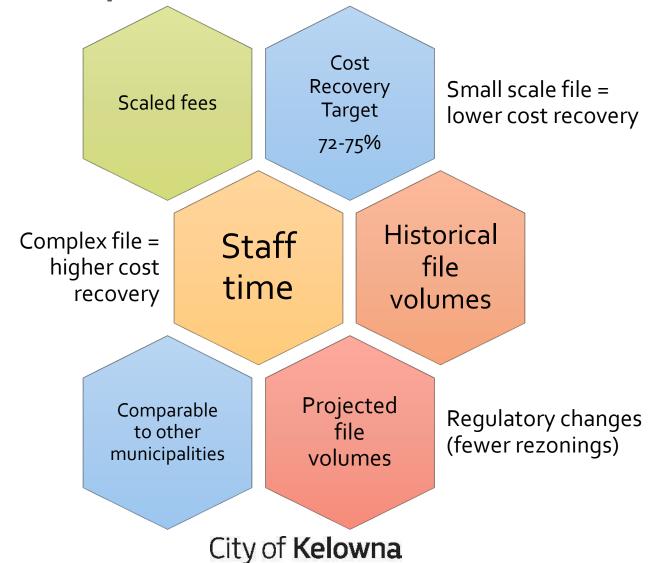
- Guiding Principles
- Established Staff Hours

Development
Application
Fees
Bylaw No.
10560

Comprehensive Review

- ► Active Financial Management
 - ► Continuous evaluation & improvement
- ▶ Profile of development applications has changed since 2015
 - ▶ Increasing complexity, scope, & innovation
 - ▶ New policies & regulations (2040 OCP, Zoning Bylaw No. 12375)
 - ► Additional inter-agency referrals (archaeology, interior health, etc.)
- ► Comprehensive review of Staff hours for processing files

Guiding Principles



Outcome Summary

- ▶ Introduction of new categories to scale fees:
 - Zoning categories separated
 - ▶ Development Permits scaled to unit count
 - ► Heritage Alteration Permits under 50 m²
 - Water and Sewer modelling
 - ► Landscape Re-Inspection
- ► 5% Fixed-rate yearly increase
 - ► Transparency and certainty to development community
 - ► Continue to close the gap between other municipalities

Outcome Summary

- ► Carriage House, Child Care, Farm Residential Footprint decreased
- ► Low recovery rates for small-scale applications
 - ▶ RU4, Delegated Permits, 2-lot Subdivisions
- ► High recovery rates for complex and time-consuming files
 - ▶ Comprehensive Development Zone
 - ▶ Text Amendments
 - ► OCP Amendments

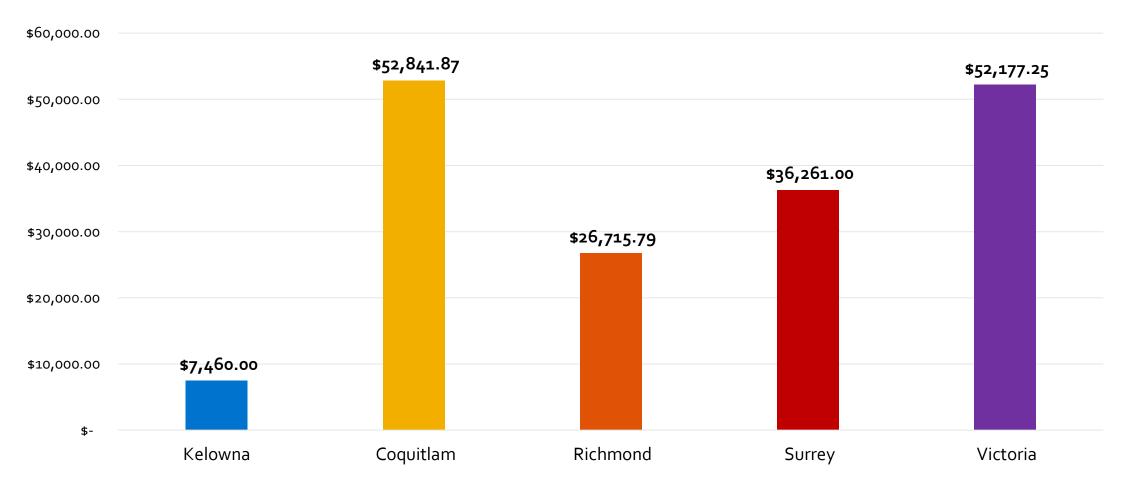
Development Scenarios Comparison to 2023

Project Type	Total Fee 2024	Total Fee 2023	Difference	Average Increase
RU4 Duplex: 4 units (Zoning & Subdivision)	\$4,350	\$3,940	\$410	\$102.50 per unit
MF1 Infill: 4 units (Zoning & Development Permit)	\$3,805	\$3,120	\$685	\$171.25 per unit
MF2 Townhouses: 12 unit (Zoning & Development Permit)	\$6,120	\$2,155	\$2,155	\$179.58 per unit
MF3r Rental Apartment : 192 units (Zone & Development Permit)	\$7,460	\$3,965	\$3 , 495	\$18.20 per unit
Mixed-Use Tower: 261 units (Development Permit & Variances)	\$7,305	\$3,690	\$3,615	\$13.85 per unit
Comprehensive Development Zone (UBC) (Text Amendment, Rezone, Subdivision, DP)	\$37,695	\$7,745	\$29,950	\$63.05 per unit
Bare-Land Subdivision: 12 lots (OCP Major, Zoning, Natural Environment, Subdivision)	\$13,690	\$11,110	\$2,580	\$215.00 per unit
Industrial Delegated DP: 6800 m ²	\$6,760	\$1,050	\$5,710	\$0.84 per m²
Area Redevelopment Plan: 9.8 ha	\$141,960	\$10,545	\$131,425	361 \$1.33 per m²

RU4 Duplex Rezoning & 2 Lot Subdivision



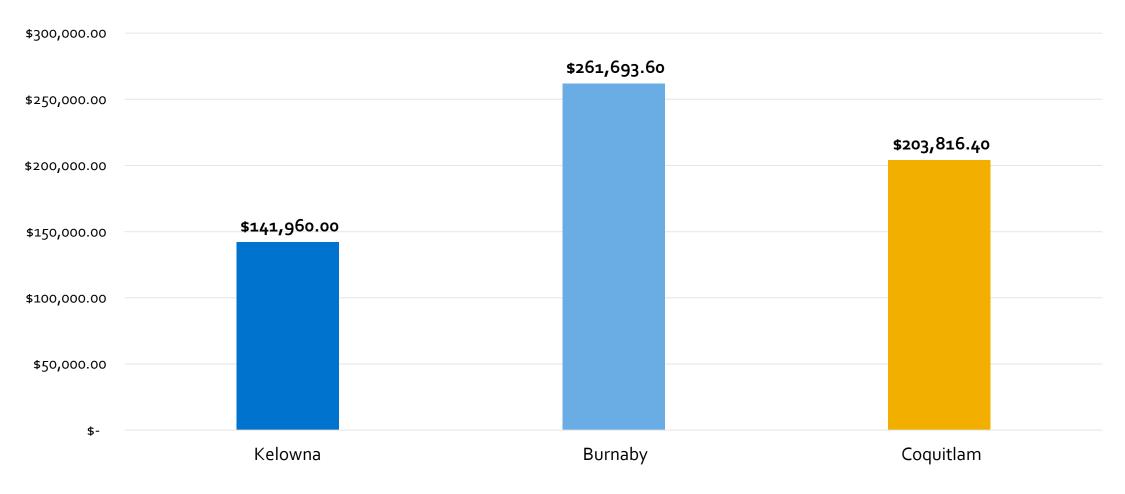
MF3r Apartment Housing Rental Only (192 units)



Bare-land Subdivision (12 lots)



Area Redevelopment/Structure Plan



Conclusion

- ➤ Staff recommend support for the proposed Development Application Fees Bylaw No. 12552:
 - Active Financial Management
 - ► Improve cost recovery
 - Utilized guiding principles
 - Consistent with methodology and fees of other BC Municipalities



For more information, visit https://www.kelowna.ca/homes-building/property-development-process-overview/proposed-development-application-fees-bylaw

CITY OF KELOWNA

Development Application Fees Bylaw No. 12552

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

1. This bylaw may be cited as "Development Application Fees Bylaw No. 12552".

General Administration

2.1 Administration

- 2.1.1 Fees are pursuant to Kelowna 2040 Official Community Plan Bylaw No. 12300, City of Kelowna Zoning Bylaw No. 12375, Subdivision, Development and Servicing Bylaw No. 7900, Sign Bylaw No. 11530, Local Government Act, or Land Title Act.
- 2.1.2 All fees and charges include relevant Provincial and Federal taxes unless otherwise stated.
- 2.1.3 For fee calculations that are based on per 100 m², the m² will be rounded down to the nearest multiple of 100 (example: 375 m² of commercial space will be rounded down to 300 m²).
- 2.1.4 All fees are subject to the base fee plus any additional fees noted in Tables 1, 2, 3, 4, 5, and 6.

2.2 Annual Fee Increases

- The fees and charges as noted in Tables 1, 2, 3, 4, 5, 6 will increase by five percent (5%) on January 1 each year, beginning January 1, 2025.
- 2.2.2 All fees and charges will be rounded to the nearest 5 dollars (\$5).
- The yearly fee increase will be communicated through a City of Kelowna Informational Bulletin posted at www.kelowna.ca, and at City Hall Application Centre on or before November 1 each year.

2.3 Refunds or Increases

- 2.3.1 Development fees for files which are cancelled prior to Council consideration are eligible for a 50% refund.
- 2.3.2 No development fees will be refunded if the application has been submitted to Council.
- 2.3.3 Subdivision and Sign permit fees are non-refundable.
- 2.3.4 Board of Variance Appeal applications withdrawn prior to preparing the appeal for advertising are eligible for a \$500 refund.
- 2.3.5 A project that changes scope prior to being accepted as complete and referred which results in a decrease or increase in fees will be eligible for a refund or be required to pay the difference.
- 2.3.6 A project that changes scope after being accepted as complete and circulated which results in a decrease or increase in fees will not be eligible for a refund nor be required to pay the difference.

2.4 Landscape Re-Inspections

2.4.1 A landscape re-inspection fee will be charged for all landscape inspections that occur after an initial failed inspection. The fee will not be charged on the first inspection.

2.5 Enforcement

- 2.5.1 All applications that are made as a result of a Bylaw investigation are subject to double application fees.
- 3. The fees for Development Applications will be as shown on Schedule "A" attached to and forming part of this bylaw.

4.	The City of Kelowna, "Development Application Fees Bylaw No. 10560" and all amendments thereto, are repealed.
5.	This bylaw comes into force and takes effect on January 1, 2024.
Rea	d a first, second and third time by the Municipal Council this
Ado	pted by the Municipal Council of the City of Kelowna this
	Mayor
	City Clerk

Schedule "A"

Table 1: OCP Amendments, Rezoning, & Development Variance Permits

Application Type	Base Fee 2024	Additional Fees 2024
Pre-Application Meeting Major	\$ 415.00	Fee applies to first meeting only, additional meetings are free.
Pre-Application Meeting Minor	\$ 250.00	Fee applies to first meeting only, additional meetings are free.
Area Structure, Redevelopment, and Neighbourhood Plans	\$ 141,960.00	Additional fees may be required based on complexity and technical analysis as per Council Policy #247.
Master Development Agreement	\$ 10,920.00	-
OCP Amendment		
OCP Major (ex. FLU change)	\$ 4,575.00	\$260 per additional hectare over 1 ha
OCP Minor (ex. Text Amendment)	\$ 2,915.00	-
Zoning Bylaw Amendment		
RU, RR, A	\$ 1,660.00	-
MF1	\$ 2,485.00	-
MF ₂	\$ 3,050.00	-
MF ₃ , CA ₁	\$ 3,680.00	-
C, I	\$ 3,810.00	-
P, W, U	\$ 3,430.00	-
UC, VC	\$ 4,600.00	-
c for Carriage House, cc for Child Care Major	\$ 985.00	-
r for Rental Only	\$ 1,905.00	-
a for Arena, fg for Fueling Station, dt for Drive Through	\$ 4,600.00	-
rcs for Retail Cannabis Sales, gg for Gambling Facility	\$ 3,815.00	-
Comprehensive Development Zone	\$ 21,765.00	-
Text Amendments	\$ 3,810.00	-
Temporary Use Permit & Extension	\$ 3,140.00	-
Development Variance Permit		
Development Variance Permit (Council)	\$ 2,350.00	\$250 each additional variance
Development Variance Permit (Direct Delegated)	\$ 1,410.00	\$100 each additional variance

Table 2: Development Permits & Heritage Permits

Application Type	Base Fee 2024	Additional Fees 2024
Development Permit (Form & Character)		
Development Permit (Direct Delegated)	\$ 1,320.00	-
Multi-Family and Mixed-Use	-	For fee calculations that are based on per 100 m², the m² will be rounded down to the nearest multiple of 100 (ex: 375 m² of commercial space will be rounded down to 300 m²).
5-50 residential units	\$ 3,070.00	\$160 per 100 m ² of Commercial/Institutional Use Net Floor Area
51-100 residential units	\$ 3,305.00	\$160 per 100 m ² of Commercial/Institutional Use Net Floor Area
101-200 residential units	\$ 3,540.00	\$160 per 100 m ² of Commercial/Institutional Use Net Floor Area
201-300 residential units	\$ 3,745.00	\$160 per 100 m2 of Commercial/Institutional Use Net Floor Area
301+ residential units	\$ 3,980.00	\$160 per 100 m2 of Commercial/Institutional Use Net Floor Area
Commercial / Industrial / Institutional	\$ 1,320.00	\$80 per 100 m² of Net Floor Area
Amended Development Permit		
Amended Direct Development Permit (Delegated)	\$ 470.00	For amendments on Direct DPs that do not negatively impact form and character.
Amended Council Development Permit (Delegated)	\$ 940.00	For amendments on Council Issued DPs that do not negatively impact form and character.
Amended Development Permit (Council)	\$ 1,755.00	For amendments on DPs that negatively impact form and character and require Council consideration.
Heritage		
Heritage Alteration Permit (Council)	\$ 2,825.00	-
Heritage Alteration Permit (Direct Delegated)	\$ 1,320.00	\$100 each variance
Under 50 m² of construction (Direct Delegated)	\$ 510.00	-
Heritage Revitalization Agreement	\$ 2,665.00	-
Heritage Designation Bylaw	\$ 310.00	-
Heritage Conservation Covenant	\$ 310.00	-
Heritage Register Removal	\$ 310.00	-
Natural Environment & Hazardous Condition		
Under 50 m² of construction	\$ 510.00	-
Single Lot Delegated Permit	\$ 1,915.00	-
Council Review and/or Multiple Lot	\$ 2,915.00	-

Table 3: General & Subdivision

Application Type	Base Fee 2024	Additional Fees 2024
General		
Public Hearing or Regular Meeting Re-Advertising	\$ 620.00	-
Document Administration Fee Minor (ex. Change of Owner, Discharge Covenant, Register Easement, etc.)	\$ 260.00	-
Legal Document Review	\$ 825.00	\$340 per hour over 3 hours
Site Profile Fees	\$ 260.00	-
Soil Deposit/Removal	\$ 700.00	-
Overheight Retaining Wall	\$ 700.00	-
Board of Variance Application	\$ 1,615.00	-
Revitalization Tax Exemption	\$ 390.00	-
Landscape Re-Inspection Fee	\$ 475.00	-
Subdivision		
Fee Simple (PLR) Bare Land	\$ 2,690.00	\$185 per lot over 2 lots
Technical Subdivision	\$ 540.00	-
Phased Strata Development	\$ 260.00	-
Form P	\$ 540.00	-
PLR Renewal	\$ 390.00	-
Final Approval Fee	\$ 260.00	-
Building Strata Conversion	\$ 3,445.00	-
Road Renaming	\$ 1,345.00	-
Airspace Parcel	\$ 23,400.00	-

Table 4: Agriculture & Liquor Licenses

Application Type	Base Fee 2024	Additional Fees 2024
Temporary Farm Worker Housing		
Temporary Farm Worker Housing (Council)	\$ 1,345.00	-
Temporary Farm Worker Housing (Delegated)	\$ 675.00	-
Farm Protection		
Development Permit (Council)	\$ 1,345.00	-
Development Permit (Direct Delegated)	\$ 675.00	-
Farm Residential Footprint Covenant	\$ 310.00	-
ALC Applications (regulated by Province)		
Non-Adhering Residential Use	\$ 450.00	-
Soil Use to Place Fill and/or Remove Soil	\$ 750.00	-
Non-Farm Use	\$ 750.00	-
Subdivision	\$ 750.00	-
Exclusion	\$ 750.00	-
Liquor Primary (New or Change)		
99 persons or less	\$ 2,375.00	-
100 Persons or more	\$ 2,670.00	-
No Council Consideration (Temporary Change)	\$ 260.00	-

Table 5: Development Engineering Fees

Application Type	Base Fee 2024	Notes
Street/Traffic Sign	Determined by Development Engineering	The Owner is responsible for the purchase and installation costs of all signs required for their development.
Survey Monument Fee	\$ 60.00	-
Survey Monument Replacements	\$ 1,380.00	-
Fire Hydrant Levy	\$ 290.00	For subdivisions serviced by community water distribution systems. In subdivisions where the developer is extending the water mains and installing fire hydrants this levy does not apply. The City will accumulate the funds accrued from the hydrant levy and these funds will be used to install fire hydrants as may be required
Latecomer Agreement	\$ 11,500.00	Per agreement. No charge for agreements of one-day duration
Development Engineering Inspection Fee	3.5% of the total cost of off-site construction	 Full cost of construction for "on-site" (new roads) and "off-site" (existing fronting roads), including clearing, grubbing, blasting, cuts and fills, gravel, compaction, pavement, concrete work, ditches, boulevard work if applicable, etc. All deep utilities such as storm drainage works, sanitary sewer work if applicable and water and fire protection including water utility construction of other water irrigation districts. Costs of civil works only for shallow utilities such as installation costs of ducting for power, telephone and cable TV. The cost of private utility cable work, FortisBC Gas works, service lines, street lighting etc. is not included in the construction cost for administration charge calculations. Consulting Engineering design fees are not included in the administration fee calculation. Administration charge is calculated at 3.5% of the actual construction costs as determined using the above identified items, substantiated by contractor unit prices, or payment invoices, or if levied before construction costs are in, by using the consulting engineer's construction cost estimates. These figures may be adjusted up or down by the City, if in our opinion an adjustment is warranted. This may take the form of a 10% contingency added or deletion of certain items. It is incumbent on the developer to provide actual construction costs if he does not agree with the engineers estimate.
Water or Sanitary Sewer Network Modelling (Simple)	\$ 500.00	Simple modelling for defining boundary conditions at up to two locations.
Water or Sanitary Sewer Network Modelling (Complex)	\$ 1,500.00	Complex modelling request.

Table 6: Sign Permits

Application Type	Base Fee 2024	Notes
Temporary Portable Signs	-	-
o-3o days	\$ 85.00	-
31-60 days	\$ 170.00	-
61-90 days	\$ 255.00	-
Permanent Signs	\$ 75.00	Plus \$10 per m²
Comprehensive Sign Plan	\$ 940.00	See Sign Bylaw No. 11530 Section 2.6. If proposed signs are included on the Development Permit Application, this fee is not required.
Comprehensive Sign Plan with Variances	\$ 2,350.00	See Sign Bylaw No. 11530 Section 2.6. If proposed signs are included on the Development Permit Application, this fee is not required.

Report to Council



Date: August 14, 2023

To: Council

From: City Manager

Subject: Road Closure Adjacent to 2105 – 2255 Glenmore Road

Department: Real Estate

Recommendation:

THAT Council receives, for information, the report from the Real Estate Department dated August 14, 2023, recommending that Council adopt the proposed closures of roads adjacent to 2105 – 2255 Glenmore Road to be consolidated into 1875 & 2105 – 2255 Glenmore Road;

AND FURTHER THAT Bylaw No. 12550, being a proposed road closure of a portion of road adjacent to 2105 – 2255 Glenmore Road, be given reading consideration.

Purpose:

To seek Council approval for the closure of road adjacent to 2105 – 2255 Glenmore Road for consolidation with 1875 & 2105 – 2255 Glenmore Road.

Background:

The proposed road closure (shown as Schedule A) will protect the landfill operations, as there are rules and regulations that prevent certain landfill operations within certain distances of utilities and road right of ways. As long as the legally dedicated roadway exists, third-party utilities could be placed within the right of way area without any process to restrict the placement. Previous road closures at the Glenmore landfill were undertaken in Q4 2020 in order to allow for the expansion of the City landfill footprint to the north.

The road closure area, as well as 1875 & 2105 – 2255 Glenmore Road, will be consolidated into one parcel.

Legal/Statutory Authority:

Sections 26 and 40, Community Charter

Internal Circulation:

Council Report August 14, 2023 Page 2 of 2

Glenmore Landfill

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations: External Agency/Public Comments:

Communications Comments:

Submitted by: B. Walker, Real Estate Services Manager

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

Attachments: Schedule A – Road Closure Plan

Schedule B – Consolidation Plan

Schedule C – PowerPoint

cc: D. Strachan, Community Planning & Development Manager

K. Wahl, Technical Services Supervisor

J. Sirett, Design Technician

S. Hoekstra, Landfill & Compost Operations Manager

PAGE OF PAGES

Your electronic signature is a representation that you are a British Columbia land surveyor and a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250. By electronically signing this document, you are also electronically signing the attached plan under section 168.3 of the act.

1.	BC LAND	SURVEYOR:	(Name.	address.	phone	number)

Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION: Control Number:

Plan Number:

This original plan number assignment was done under Commission #: LTO Document Reference:

3. CERTIFICATION: Form 9 Explanatory Plan Form 9A

The field survey was completed on: (YYYY/Month/DD) The checklist was filed under ECR#:

The plan was completed and checked on: (YYYY/Month/DD)

I am a British Columbia land surveyor and certify that

this plan was completed and checked on: (YYYY/Month/DD)

that the checklist was filed under ECR#:

and that the plan is correct in accordance with Land Title Office records.

I am a British Columbia land surveyor and certify that the buildings included in this strata plan have not been previously

None Strata Form S

occupied as of (YYYY/Month/DD)

None Strata Form U1 Strata Form U1/U2

I am a British Columbia land surveyor and certify that the buildings shown on this strata plan are within the external boundaries of the land that is the subject of the strata plan

Certification Date: (YYYY/Month/DD)

I am a British Columbia land surveyor and certify:

- 1. That the buildings shown on this strata plan are within the external boundaries of the land that is the subject of the strata plan subject to clause 2 of this endorsement
- 2. That certain parts of the buildings are not within the external boundaries but appropriate and necessary easements of other interests are registered as set out in section 244 (1)(f) of the Strata Property Act.

Registered Charge Number(s):

Certification Date: (YYYY/Month/DD)

Arterial Highway I am a British Columbia land surveyor and certify that I am authorized by the Minister of Transportation and Infrastructure under section 44.1 of the Transportation Act to show certain lands identified on this plan dedicated as Arterial Highway.

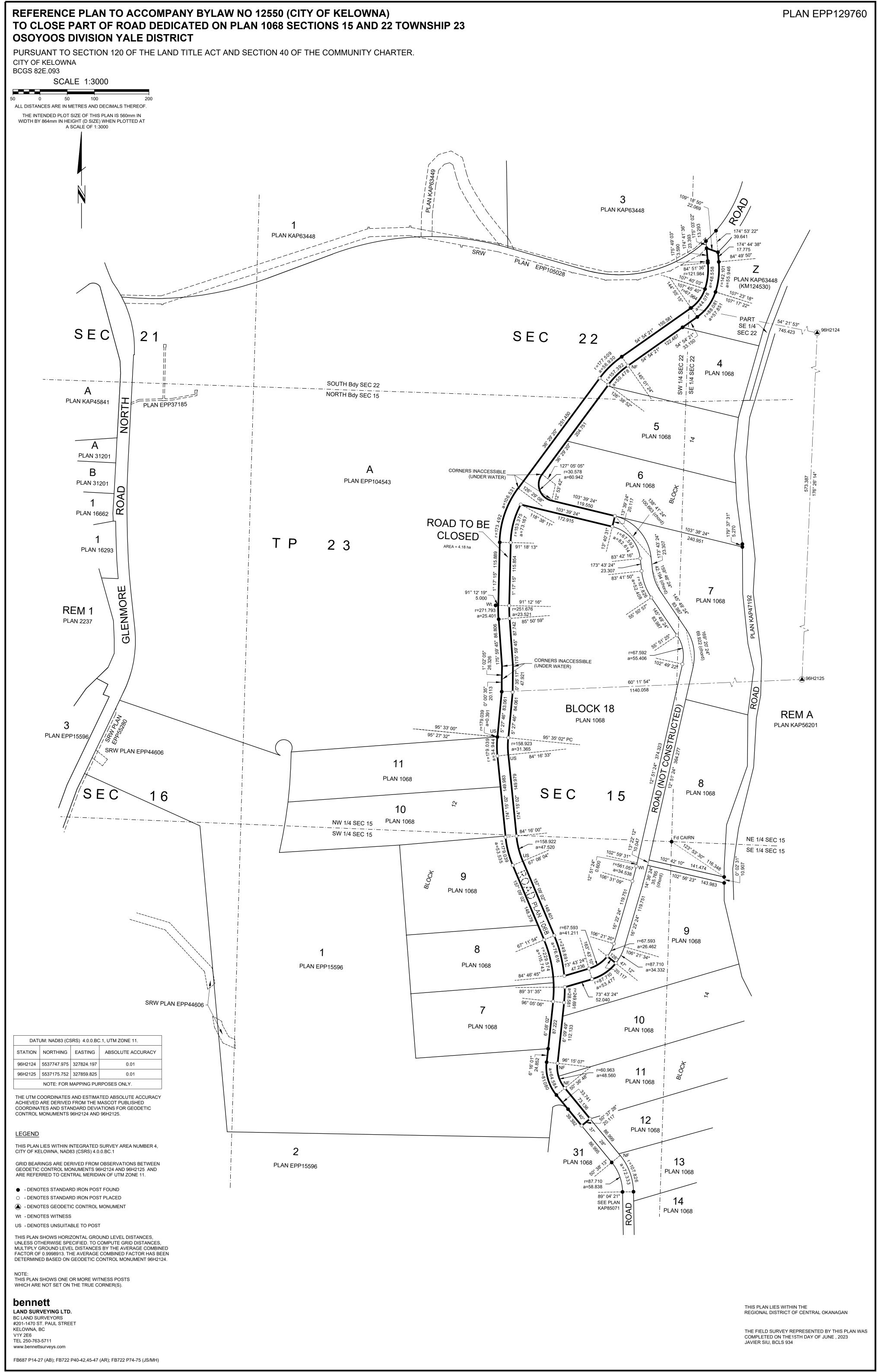
Remainder Parcel (Airspace)

I am a British Columbia Land Surveyor and certify that no portion of the parcels or dedications created on this plan overlap vertically, that is, lie above or below any portion of the Air Space parcels on Air Space Plan

4. ALTERATION: LTO Document Reference:

This is an alteration to a previous version of this plan identified by control number:

DESCRIPTION OF ALTERATION: SEE SCHEDULE



PAGE OF PAGES

Your electronic signature is a representation that you are a British Columbia land surveyor and a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250. By electronically signing this document, you are also electronically signing the attached plan under section 168.3 of the act.

1	BC LAND SURVEYOR:	(Name	address	nhone	number)
1.	DC LAND SURVETUR.	(maille,	address,	phone	number)

Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION: Control Number:

Plan Number:

This original plan number assignment was done under Commission #: LTO Document Reference:

3. CERTIFICATION: Form 9 Explanatory Plan Form 9A

The field survey was completed on: (YYYY/Month/DD) The checklist was filed under ECR#:

The plan was completed and checked on: (YYYY/Month/DD)

I am a British Columbia land surveyor and certify that

this plan was completed and checked on: (YYYY/Month/DD)

that the checklist was filed under ECR#:

and that the plan is correct in accordance with Land Title Office records.

I am a British Columbia land surveyor and certify that the buildings included in this strata plan have not been previously

None Strata Form S

occupied as of (YYYY/Month/DD)

None Strata Form U1 Strata Form U1/U2

I am a British Columbia land surveyor and certify that the buildings shown on this strata plan are within the external boundaries of the land that is the subject of the strata plan

Certification Date: (YYYY/Month/DD)

I am a British Columbia land surveyor and certify:

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- 2. That certain parts of the buildings are not within the external boundaries but appropriate and necessary easements of other interests are registered as set out in section 244 (1)(f) of the Strata Property Act.

Registered Charge Number(s):

Certification Date: (YYYY/Month/DD)

Arterial Highway I am a British Columbia land surveyor and certify that I am authorized by the Minister of Transportation and Infrastructure under section 44.1 of the Transportation Act to show certain lands identified on this plan dedicated as Arterial Highway.

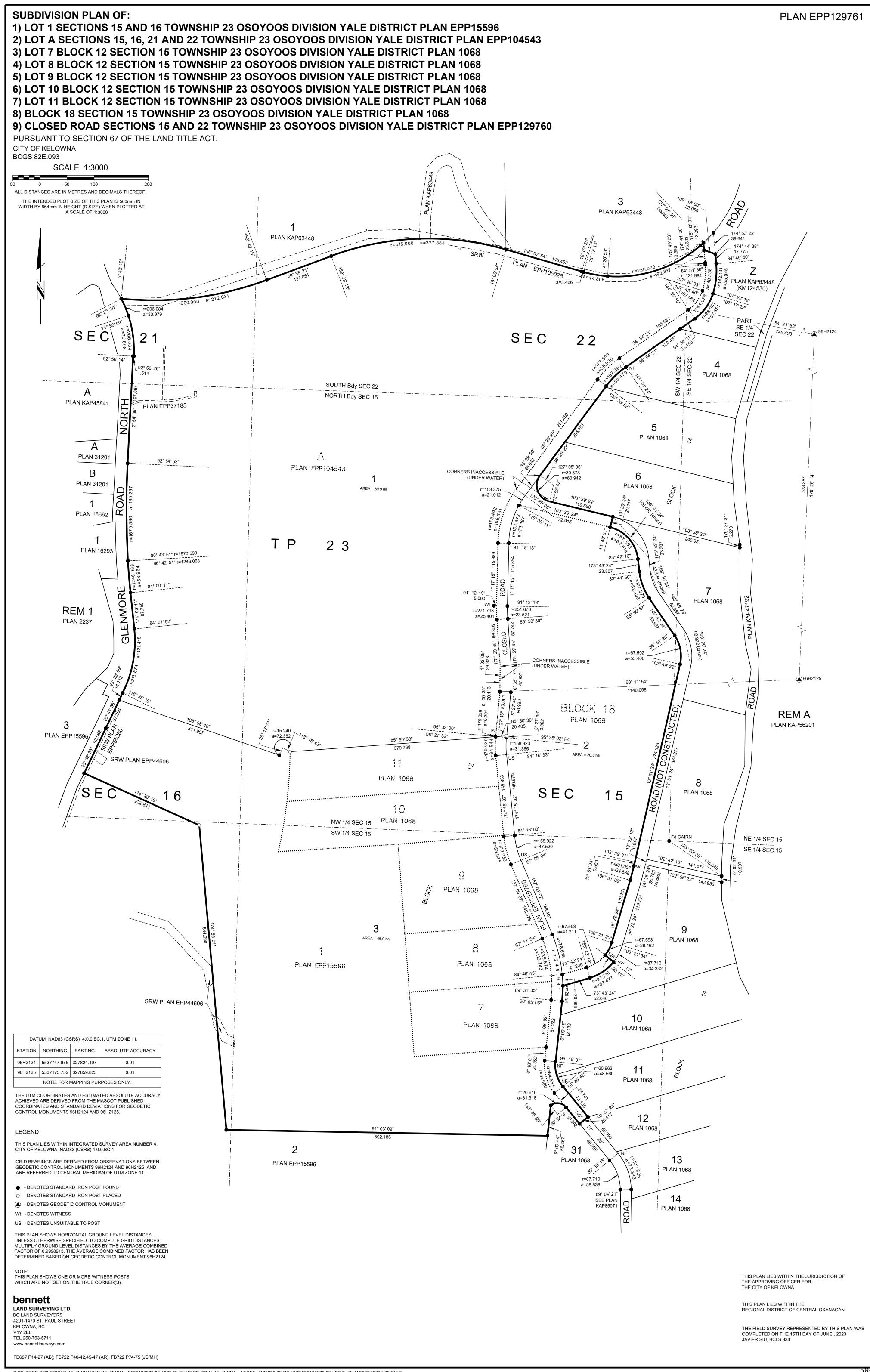
Remainder Parcel (Airspace)

I am a British Columbia Land Surveyor and certify that no portion of the parcels or dedications created on this plan overlap vertically, that is, lie above or below any portion of the Air Space parcels on Air Space Plan

4. ALTERATION: LTO Document Reference:

This is an alteration to a previous version of this plan identified by control number:

DESCRIPTION OF ALTERATION: SEE SCHEDULE







Road Closure Area and Consolidation Survey Plan Consolidation Area Road Closure



CITY OF KELOWNA

BYLAW NO. 12550

Road Closure and Removal of Highway Dedication Bylaw (Portion of Road Adjacent to 2105 Glenmore Rd)

A bylaw pursuant to Section 26 and 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway Adjacent to 2105 Glenmore Rd

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 4.18 ha shown in bold black as Road to be Closed on the Reference Plan prepared by JAVIER SIU, 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.

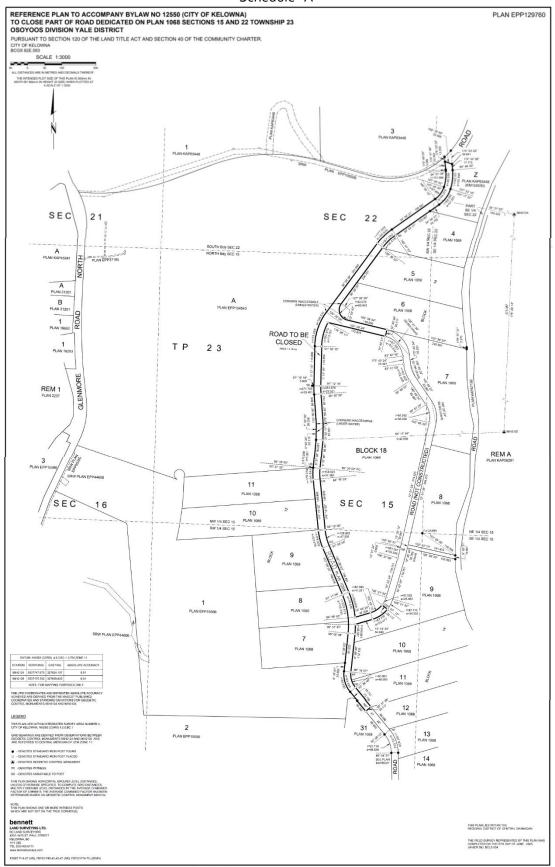
Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor
City Clerk

Bylaw No. 12550 - Page 2

Schedule "A"



Report to Council



Date: August 14, 2023

To: Council

From: City Manager

Subject: Revitalization Tax Exemption Program – Bylaw No. 9561 Repeal and Replacement

Department: Policy and Planning

Recommendation:

THAT Council receives, for information, the report from the Policy and Planning Department dated August 14, 2023 with respect to repeal and replacement of Revitalization Tax Exemption Program Bylaw No. 9561;

AND THAT Council direct staff to bring forward an update report on the implementation of the Revitalization Tax Exemption Program in September, 2024.

Purpose:

To introduce a new Revitalization Tax Exemption Bylaw No. 12561.

Background:

Included with Council's July 24, 2023 agenda was a report with details on the implementation of the Revitalization Tax Exemption (RTE) program alongside description of proposed bylaws changes. This report introduces a replacement Bylaw for the RTE program to address those proposed changes.

Previous Council Resolution

Resolution	Date
THAT Council receives, for information, the report from the Policy and Planning	July 24, 2023
Department dated July 24, 2023 with respect to the bylaw updates to the	
Revitalization Tax Exemption Program Bylaw 9561;	
AND THAT Council direct staff to bring forward a new Revitalization Tax	
Exemption Program Bylaw for Council consideration.	

Discussion:

As discussed in the July 24, 2023 Report to Council, a number of changes to the RTE program are proposed. These are intended to ensure the program continues to incent development per its stated purpose, improve application processing efficiency, and ensure that the financial benefit of exemptions is allocated where it is needed most.

To improve bylaw legibility and achieve the goal of streamlining process, it is proposed that the existing Revitalization Tax Exemption Bylaw No 9561 be repealed and replaced with a new bylaw. This allows for a reformatting of the bylaw for clarity, as well as removal of unnecessary clutter resulting from numerous previous amendments.

No substantive changes to the bylaw other than those described below (and formatting/grammar changes) are included. The proposed changes, reflected in the new bylaw, include:

- Removal of eligibility for market (strata) residential development in all areas of the City;
- Replace the eligible map area for purpose-built rentals to align with the Core Area Map as it is now identified in the 2040 Official Community Plan;
- Replacement of the requirement for a Housing Agreement for Purpose Built Rentals with a restrictive covenant and only in instances where rental-only zoning is not in place;
- Delegation of the approval of tax exemption agreements to the Divisional Director of Planning & Development as means to simplify and streamline the approval process;
- New parameters detailing the extent of delegated authority for approving tax exemption agreements. This would include a per-project annual exemption maximum of 0.175% of the City's annual tax revenue, calculated using the following years' estimated tax revenue (identified in the 5 year Financial Plan).
 - o This would result in a limit of approximately \$335,000 per project in 2024. This number is likely to capture more than 90% of RTE applications. Any application to the RTE program that is higher than this amount would be brought to Council for consideration, meaning that approval of projects with higher financial impact would not be delegated.
- Introduction of a requirement for a monitoring report to be provided to Council every other year, ensuring a review of budget impact, program efficacy and opportunities for adjustments;
- Changes to clarify application timing, process, and to reduce unnecessary requirements. This includes a provision for Council consideration of late applications in extenuating circumstances.

Conclusion:

In line with Council direction, an update report on the Revitalization Tax Exemption program will be brought forward to Council in one year's time (in September, 2024), and again in 2025, with a monitoring report every other year following that.

report every other year follow	ving that.
Submitted by:	
D. Sturgeon, Planner Special	ist
Approved for inclusion:	J. Moore, Infill Housing Planning Manager

CITY OF KELOWNA

Revitalization Tax Exemption Program Bylaw No. 12561

WHEREAS the *Community Charter*, Section 226, allows Council to establish by bylaw a revitalization tax exemption program to provide tax exemptions for land or improvements, or both;

AND WHEREAS Council wishes to establish a revitalization tax exemption program in the City of Kelowna in order to reinforce and promote the prominence of urban centres within Kelowna and foster a community with diverse housing options;

AND WHEREAS Council wishes that the following objectives of the program be known:

- To incentivize new commercial developments within urban centres to sustain and enhance the existing commercial centres, reduce greenhouse gas emissions associated with transportation, promote healthy and pedestrian-oriented lifestyles, increase the attractiveness of these locations to existing and potential residents, and to promote a high standard of urban design within urban centres;
- To incentivize construction of new Purpose-Built Rental Housing within Kelowna's Core Area and identified Village Centres;

AND WHEREAS Council intends for this program to accomplish the objectives by

- Increasing the total amount of commercial floor area and supporting new business growth within identified revitalization tax exemption areas; and
- Adding net new purpose built rental apartment units to achieve an increase in the rental vacancy rate;

AND WHEREAS Council has included within this Bylaw a description of the reasons for and the objectives of the program and a description of how the program is intended to accomplish the objectives, as required by the *Community Charter*;

AND WHEREAS the *Community Charter*, Section 154(1), empowers Council to delegate by bylaw its powers, duties and functions, including those specifically established by an enactment, to the extent provided, to an officer or employee of the municipality;

AND WHEREAS Council wishes to delegate to an officer or employee certain powers, duties and functions;

AND WHEREAS Council wishes to specify which officer or employee may act as a signatory on behalf of the City of Kelowna as it relates to a Revitalization Tax Exemption Agreement;

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

- 1. This bylaw may be cited as "Revitalization Tax Exemption Program Bylaw No. 12561".
- 2. There is hereby established a revitalization tax exemption program pursuant to the provisions of section 226 of the *Community Charter*.
- 3. The terms and conditions upon which a Tax Exemption Certificate may be issued are as set out in this bylaw, in the relevant Agreement between the City and the Owner pursuant to this bylaw, and in the Tax Exemption Certificate in relation to a particular Parcel.

4. Definitions

4.1. In this bylaw:

"Actual Value" will have the same meaning as set out in the Assessment Act.

"Agreement" means a Revitalization Tax Exemption Agreement between the owner of a Parcel and the City, substantially in the format of and with the content of Schedule "B".

"City" means the City of Kelowna.

"Council" means the Council of the City of Kelowna.

"Department Manager, Development Planning" means the person appointed as such and includes their selected designate(s).

"Divisional Director, Financial Services" means the person appointed by Council as such and includes their lawful designate(s).

"Divisional Director, Planning & Development Services" means the person appointed as such and includes their lawful designate(s).

"Improvement" will have the same meaning as set out in the Assessment Act.

"Parcel" means a legal parcel, of which at least 50% of the parcel's land area is within one of the Revitalization Areas, upon which an owner proposes a Project.

"Project" means a revitalization project on a Parcel involving the construction of a new improvement or alteration of an existing improvement, which meets the requirements of this bylaw and is approved by Council or its delegate.

"Property" means the legally described land and improvements to which a Revitalization Tax Exemption is applied for and as legally described in the Agreement.

"Purpose-Built Rental Housing" means a project with five or more Dwelling Units that are intended to be used for rental housing. Purpose-built rental housing meets an identified need for housing in the City and does not include buildings that are stratified, except those stratified buildings that are subject to operating agreements with the Provincial Rental Housing Corporation.

"Revitalization Amount" means the municipal portion of property tax calculated in relation to the increase in the assessed value of improvements on the property resulting from the construction or alterations as outlined in Section 6 of this bylaw.

"Revitalization Area" means one of the areas outlined on Schedule "A".

"Tax Exemption" means a revitalization tax exemption pursuant to this bylaw.

"Tax Exemption Certificate" means a revitalization tax exemption certificate issued by the City pursuant to this bylaw, the relevant Agreement, and the provisions of section 226 of the *Community Charter*, in the form of Schedule "C".

5. Eligibility

- 5.1. For a Project to be eligible for a Tax Exemption:
 - 5.1.1. the Project must involve construction that results in
 - (a) floor space being added to an existing building,
 - (b) a new building, or
 - (c) a renovation of existing floor space;
 - 5.1.2. the construction value of a Project, as determined based on the building permit(s) issued, must be \$300,000.00 or greater;
 - 5.1.3. the land use for the Project must be one of the uses permitted in the applicable zone for the Parcel, as set out in City of Kelowna Zoning Bylaw No. 12375, and must be consistent with the future land use designation for the Parcel, as set out in the Kelowna 2040 Official Community Plan Bylaw No. 12300, and the Project must meet all other applicable City policies and bylaws;

- 5.1.4. the owner of the Parcel must enter into an Agreement with the City; and
- 5.1.5. the Property must be located in a Revitalization Area shown on Schedule "A".
- 5.2. The following is not eligible for a Tax Exemption:
 - 5.2.1. A Parcel already receiving a Tax Exemption;
 - 5.2.2. A Project involving a Parcel with unpaid property taxes in arrears;
 - 5.2.3. A Project involving a proposal to alter a building listed on the City of Kelowna Heritage Register;
 - 5.2.4. A Project that has been issued any type of Occupancy Permit in accordance with City of Kelowna Building Bylaw No. 7245; or
 - 5.2.5. A Parcel for which the Property's assessed value of improvement has been reduced below the amount assessed in the calendar year prior to construction or alteration.

6. Extent, Amounts, and Maximum Term of Tax Exemptions Available

- 6.1. The amount of an annual Tax Exemption will be equal to:
 - 6.1.1. For "Tax Incentive Area 1" as shown in Schedule "A", 100% of the Revitalization Amount on the parcel which can be attributed to a commercial land use.
 - 6.1.2. For "Tax Incentive Area 2" as shown in Schedule "A",
 - (a) 100% of the Revitalization Amount on the parcel which can be attributed to a commercial land use, for a project with a minimum floor area of 3,716 m2 (40,000 sq. ft.); or
 - (b) 50% of Revitalization Amount on the parcel which can be attributed to a commercial land use, for a project with a floor area of less than 3,716 m² (40,000 sq. ft.).
 - 6.1.3. For "Tax Incentive Area 3" as shown in Schedule "A", 100% of the Revitalization Amount on the parcel which can be attributed to a commercial land use.
 - 6.1.4. For Purpose-Built Rental Housing Projects within the Core Area, Glenmore Valley Village Centre and University South Village Centre as shown in Schedule "A", 100% of the Revitalization Amount on the parcel which can be attributed to residential land uses.
- 6.2. The amount of an annual Tax Exemption will not include an exemption from any local service tax in any case.
- 6.3. The maximum term of a Tax Exemption will be 10 years. The Tax Exemption is transferable to subsequent property owners within the term of the agreement.
- 6.4. If, pursuant to the terms and conditions specified in the Agreement or the Tax Exemption Certificate, the certificate is cancelled, the owner of the Parcel for which the Tax Exemption Certificate was issued will remit to the City an amount equal to the value of any exemption received after the date of the cancellation.
- 6.5. The maximum Tax Exemption authorized under this Bylaw must not exceed the Revitalization Amount on the Property between:
 - 6.5.1. The calendar year before the construction or alteration began, as outlined under Section 5 of this bylaw; and
 - 6.5.2. The calendar year in which the construction or alteration, as outlined under Section 5 of this bylaw, is completed.

7. Making Application

- 7.1. For a Parcel to be considered for a Tax Exemption, a complete application must be submitted.
- 7.2. An application to request a Tax Exemption is required to be submitted before the issuance of a Building Permit for a Project in accordance with City of Kelowna Building Bylaw No. 7245.
- 7.3. The information listed below is required for an application made under this bylaw:

- 7.3.1. Application Form acceptable to the Department Manager, Development Planning;
- 7.3.2. Owner's Authorization Form (if required);
- 7.3.3. A title search dated within 30 days of submitting the application;
- 7.3.4. Covering letter with a brief description of the Project, including an estimate of the construction value of the project, details of the floor area of the project by land use type(s), the number of residential units (if applicable), and an estimated date of obtaining an occupancy permit;
- 7.3.5. Signed Agreement (Schedule B) completed with project specific details in executable form;
- 7.3.6. Application fee, payable to the City, in accordance with the Development Application Fees Bylaw No. 10560; and
- 7.3.7. An application for a Parcel that does not have an approved Development Permit must include a concept plan with information on the proposed use of the Parcel, details on the floor area, the number of residential units (if applicable), and conceptual renders of the form and character.
- 7.4. Notwithstanding Section 7.2 of this Bylaw, an application for a Tax Exemption may be submitted after building permit issuance in the event that extenuating circumstances exist. All other provisions of this bylaw, including Section 5.2.4, still apply. Such applications must be accompanied by a letter to the Divisional Director, Planning & Development Services, detailing and substantiating the extenuating circumstances that prevented application submission prior to a building permit. Such applications will be presented to Council for consideration.

8. Other Provisions

- 8.1. A Project which falls under Section 6.1.4 which does not have zoning for rental-only tenure must register a restrictive covenant on the title of the Property.
 - 8.1.1. A restrictive covenant is not required for a Project with an operating agreement of 15 years or greater in length with the Provincial Rental Housing Corporation (BC Housing).
 - 8.1.2. A restrictive covenant will limit residential uses to long-term (30 days or greater) rental only tenure, prohibit stratification, prohibit individual sale, and prohibit short-term rentals.
 - 8.1.3. A restrictive covenant will have effect for the same duration as the Agreement.
 - (a) Except for a Project which includes a single-detached or semi-detached dwelling unit where a restrictive covenant will have effect for 15 years.
- 8.2. For a Tax Exemption to take effect, the owner must provide the Divisional Director, Planning & Development Services or their designate, with the final occupancy permit for the Project. For the Tax Exemption to take effect in the calendar year following construction completion, the notice must be provided by the owner by September 30 in the year the occupancy permit is issued.

9. Delegation

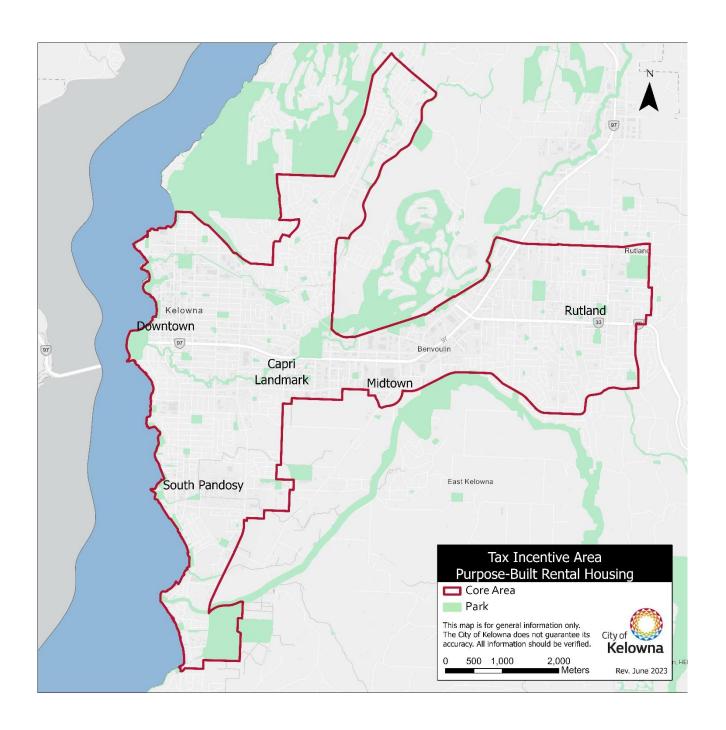
- 9.1. Provided that all necessary prerequisites of the *Community Charter*, the *Local Government Act*, other applicable federal and provincial enactments, City bylaws, and City policies have been met, the Divisional Director, Planning & Development Services is assigned the authority within the parameters established by this bylaw to approve, execute and amend an Agreement as required for a Project that results in a Tax Exemption Amount of up to a maximum tax value of \$0.175% of the following year's Property Value Tax Revenue as identified in Schedule 'A' of the City of Kelowna Five-Year Financial Plan Bylaw, as amended from time to time.
- 9.2. The Divisional Director, Financial Services is designated the municipal officer for the purpose of section 226(13) of the *Community Charter* and the issuance of Tax Exemption Certificates.
- 10. Council will be presented with a biennial report with an update on how the program is achieving its objectives, a summary of the total tax impact of the program, and recommendations for any changes that are necessary to continue to meet the Bylaw's objectives or adapt the program to Council Priorities or other community needs.

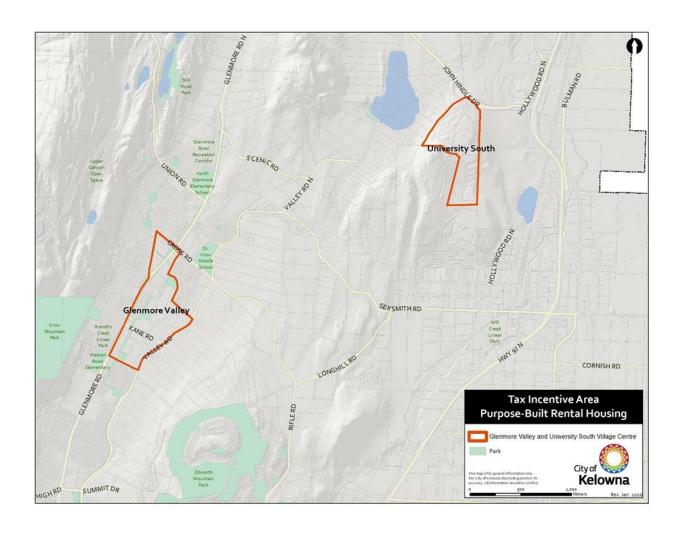
11.	The schedules attached to this bylaw form part of this bylaw.
12.	City of Kelowna Revitalization Tax Exemption Program Bylaw No. 9561, and all amendments thereto, are hereby repealed.
13.	This bylaw comes into force and effect and is binding on all persons as and from the date of adoption.
Rea	d a first, second and third time by the Municipal Council this
Add	ppted by the Municipal Council of the City of Kelowna this
	Mayor

City Clerk









SCHEDULE "B"

Revitalization Tax Exemption Agreement

THIS AGREEME	ENT dated for reference the day of, 2	20	_ IS
BETWEEN:	[Company Name] [Company Address 1] [Company Address 2] [Company Address 3]		
(the "Owner")			
AND:			
	CITY OF KELOWNA 1435 Water Street, Kelowna, B.C. V1Y 1J4		
	(the "City")		

GIVEN THAT:

- A. The Owner is the registered owner in fee simple of lands in the City of Kelowna at [insert civic address] legally described as [insert legal description] (the "Parcel");
- B. Council has established a revitalization tax exemption program and has included within the Revitalization Tax Exemption Program Bylaw No. 12561 the designation of areas which include the Parcel as a revitalization area; and
- C. The Owner proposes to construct new improvements [or alter existing improvements] on the Parcel as described in Appendix "A" attached to and forming part of this agreement (the "Project") and has applied to the City to take part in the revitalization tax exemption program in respect of the Project and the City has agreed to accept the Project under the program;

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

- 1. The Project the Owner will use its best efforts to ensure that the Project is constructed, maintained, operated and used in a fashion that will be consistent with and will foster the objectives of the revitalization tax exemption program, as outlined in the "City of Kelowna Revitalization Tax Exemption Program Bylaw No. 12561" (the "Bylaw"). Without limiting the generality of the foregoing, the Owner covenants to use its best efforts to ensure that the Project will include the following:
 - a. [insert project details (type, size, number of units, etc)]:
- 2. **Operation and Maintenance of the Project** throughout the term of this agreement, the Owner shall operate, repair and maintain the Project and will keep the Project in a state of good repair as a prudent owner would do.

- 3. **Revitalization Amount** In this agreement, "**Revitalization Amount**" means the municipal portion of property tax calculated in relation to the increase in the assessed value of improvements on the Parcel resulting from the construction of the Project as described in section 1;
- 4. **Revitalization Tax Exemption** subject to fulfilment of the conditions set out in this agreement and in the Bylaw, the City shall issue a revitalization tax exemption certificate (the "Tax Exemption Certificate") to the British Columbia Assessment Authority entitling the Owner to a property tax exemption in respect of the property taxes due (not including local service taxes) in relation to the Revitalization Amount on the Parcel (the "Tax Exemption") for the calendar year(s) set out in the Tax Exemption Certificate.
- 5. **Conditions** the following conditions shall be fulfilled before the City will issue a Tax Exemption Certificate to the Owner in respect of the Project:
 - a. The Owner must complete or cause to be completed construction of the Project in a good and workmanlike fashion and in strict compliance with the building permit and the plans and specifications attached hereto as Appendix "A";
 - b. [If necessary] The completed Project must substantially satisfy the performance criteria set out in Appendix "B" hereto; and
 - c. The Owner must submit a copy of the Occupancy Permit and Title Certificate dated within 30 days to the City of Kelowna within 48 months from the date the Agreement is executed.
- 6. **Calculation of Revitalization Tax Exemption** the amount of the Tax Exemption shall be equal to [choose appropriate option from below based on parcel location, insert applicable wording, and delete remaining]:
 - a) For "Tax Incentive Area 1", 100% of the Revitalization Amount on the parcel which can be attributed to a commercial land use.
 - b) For "Tax Incentive Area 2,"
 - (a) 100% of the Revitalization Amount on the parcel, for a project with a minimum floor area of 3,716 m2 (40,000 sq. ft.) or greater which can be attributed to a commercial land use; or
 - (b) 50% of Revitalization Amount on the parcel which can be attributed to a commercial land use, for a project with a floor area of less than 3,716 m² (40,000 sq. ft.).
 - c) For "Tax Incentive Area 3," 100% of the Revitalization Amount on the Parcel which can be attributed to a commercial land use.
 - d) For Purpose-Built Rental Housing Projects within the Core Area, Glenmore Valley Village Centre and University South Village Centre as identified in Schedule A, 100% of the Revitalization Amount on the parcel which can be attributed to residential land uses.
- 7. **Term of Tax Exemption** provided the requirements of this agreement, and of the Bylaw, are met the Tax Exemption shall be for 10 years after the BC Assessment Authority validates the Tax Exemption Certificate issued by the City of Kelowna's Revenue Branch.
- 8. **Compliance with Laws** the Owner shall construct the Project and, at all times during the term of the Tax Exemption, use and occupy the Parcel and the Project in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or municipal laws or statutes or bylaws, including all the rules regulations policies guidelines criteria or the like made under or pursuant to any such laws.

- 9. **Effect of Stratification** if the Owner stratifies the Parcel under the Strata Property Act, then the Tax Exemption shall be prorated among the strata lots in accordance with the unit entitlement of each strata lot for:
 - a. the current and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office before May 1; or
 - b. for the next calendar year and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office after May 1;

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

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

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

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

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

Attention: Divisional Direction, Planning & Development Services

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

[Insert name and address of owner]

Attention: Phone: Email:

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

- **No Assignment** the Owner shall not assign its interest in this agreement except to a subsequent owner in fee simple of the Parcel.
- 15. **Severance** if any portion of this agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this agreement.
- 16. **Interpretation** wherever the singular or masculine is used in this agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.
- 17. **Further Assurances** the parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this agreement.
- 18. **Waiver** waiver by the City of a default by the Owner shall be in writing and shall not be deemed to be a waiver of any subsequent or other default.
- 19. **Powers Preserved** this agreement does not:
 - a. Affect or limit the discretion, rights or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Parcel;
 - b. Affect or limit any enactment relating to the use or subdivision of the Parcel; or
 - c. Relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Parcel and without limitation shall not confer directly or indirectly any exemption or right of set-off from development cost charges, connection charges, application fees, user fees or other rates, levies or charges payable under any bylaw of the City.
- 20. **Reference** every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, assigns, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows.
- **Enurement** this agreement shall ensure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.
- The maximum Revitalization Tax Exemption authorized by this agreement must not exceed the Revitalization Amount on the Property between:
 - a. the calendar year before the construction or alteration began, as outlined under Section 1 of this agreement; and
 - a. the calendar year in which the construction or alteration, as outlined under Section 1 of this agreement, is completed.
- 23. The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as a result of the Revitalization Tax Exemption.

Executed by the CITY OF KELOWNA by Its authorized signatories:		
Name:		Name
Position		Position
Executed by	by its Authorized	d signatories:
Name		Position
Name:		Position
Appendix "A": Plans and Specifications		

Appendix "B": Performance Criteria [Restrictive Covenant if necessary]

SCHEDULE "C" Tax Exemption Certificate

Revita	alization	Tax Ex	emption Agreement No.			
Buildi	ng Perm	it No.				
Date (of Issuan	ce by R	evenue Department			
In accoi Revitali	rdance w zation T	rith the ax Exen tween th	Revitalization Tax Exemption Pronption Agreement dated for refene City of Kelowna (the "City") an the registered owner(s)	rence the day of d	"Bylaw"), and in accordance wit , 20 (the "Agreemer description of proper	it")
A)			certifies that the Parcel is subject to clusive, equal to [choose one from		•	ars
2.	1. "Tax Inc	Buildir constr Certifi	ncentive Area 1", 100% of the Fing Permit No betwork function of the project) and 20 cate is issued); Area 2,"	een 20 (the calendar yea	ar before the commencement	of
		a.	between 20 (the	calendar year before the com	es attributed to Building Permit Inmencement of construction of a ation Tax Exemption Certificate	the
		b.	between 20 (the	calendar year before the com or year in which the Revitaliz	s attributed to Building Permit nmencement of construction of ation Tax Exemption Certificate	the
		C.	No between 20 (the calendar year before the ndar year in which the Revita	d uses attributed to Building Peri commencement of construction alization Tax Exemption Certific	of
	3.	Buildir constr	ncentive Area 3," 100% of the Fing Permit No betwork betwork between the project) and 20 cate is issued);	een 20 (the calendar yea	ar before the commencement	of
	4.	attribu comm	se-Built Rental Housing Project, uted to Building Permit No _ encement of construction of the emption Certificate is issued).	between 20	(the calendar year before t	he

- B) Any construction of a new improvement or alteration of an existing improvement, on the Parcel described above, undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration;
- C) The maximum Revitalization Tax Exemption authorized must not exceed the increase in the assessed value of improvements on the property resulting from the construction or alterations attributed to Building Permit No ______ between 20__ (the calendar year before the commencement of construction of the project) and 20__ (the calendar year in which the Revitalization Tax Exemption Certificate is issued);
- D) The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as a result of the Revitalization Tax Exemption.
- E) The Revitalization Tax Exemption is provided under the following conditions:
 - 1. The Owner does not breach any term, condition or provision of, and performs all obligations set out in, the Agreement and the Bylaw;
 - 2. The Owner has not sold all or any portion of his or her equitable or legal fee simple interest in the Parcel without the transferee taking an assignment of the Agreement, and agreeing to be bound by it;
 - 3. The Owner, or a successor in title to the Owner, has not allowed the property taxes for the Parcel to go into arrears or to become delinquent;
 - 4. The Exempt Use (as defined in the Agreement) of the Project is not discontinued.
- F) If the Owner is subject to an operating agreement with the Provincial Rental Housing Corporation, the owner must comply with the terms of the operating agreement with the Provincial Rental Housing Corporation.
- G) If any of these conditions are not met, the Council of the City of Kelowna may cancel this Revitalization Tax Exemption Certificate. If such cancellation occurs, the Owner of the Parcel, or a successor in title to the Owner as the case may be, shall remit to the City an amount equal to the value of the exemption received after the date of the cancellation of the certificate.

CITY OF KELOWNA

BYLAW NO. 12562

Housing Agreement Authorization Bylaw – 285 Dougall Road Development Ltd., Inc.No. BC1348727

285 Dougall Road North

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

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

- The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with 285 Dougall Road Development Ltd., Inc.No. BC1348727 for the lands known as Lot A Section 26 Township 26 ODYD Plan EPP127489 located on Dougall Road North, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 24th day of July, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor
City Clerk

Schedule "A"

Page 1

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference 18 July 2023 affects:

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:

LOT A SECTION 26 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP127489

("Land")

And is

BETWEEN:

285 DOUGALL ROAD DEVELOPMENT LTD., INC.NO. BC1348727 302 – 554 Leon Avenue Kelowna, BC V1Y 6J6 ("Owner")

AND:

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

("City")

GIVEN THAT:

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

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

ARTICLE 1 INTERPRETATION

1.1 Definitions -

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

"City" means the City of Kelowna;

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

"Household" means

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

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

"Land" means the land described herein;

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

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

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

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

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

1.2 Interpretation - In this Agreement:

- reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the Interpretation Act on the reference date of this Agreement;
- reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- reference to any enactment is a reference to that enactment as consolidated, revised, amended, reenacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 12375, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

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

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

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

- **2.1** Land Use Restrictions The Owner and the City herby covenant and agree as follows:
 - (a) The Land will be used only in accordance with this Agreement;
 - (b) The Owner will design, construct and maintain one or more buildings providing 83 Dwelling Units as Purpose-Built Rental Housing
 - (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

- 3.1 Purchaser Qualifications The City and the Owner agree as follows:
 - (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.
- **3.2** Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit The Owner agrees with the City as follows:
 - (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the Residential Tenancy Act, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
 - (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

- 4.1 Notice of Housing Agreement For clarity, the Owner acknowledges and agrees that:
 - this Agreement constitutes a housing agreement entered into under s. 483 of the Local Government Act;

- the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;
- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land:
- 4.2 No Effect On Laws or Powers This Agreement does not
 - affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
 - impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
 - (c) affect or limit any enactment relating to the use or subdivision of land, or
 - (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.
- 4.3 Management The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the Residential Tenancy Act. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.
- 4.4 Notice Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.
- 4.5 Agreement Runs With the Land Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the Strata Property Act.
- **4.6 Limitation on Owner's Obligations** The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.

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

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

SIGNED, SEALED & DELIVERED in the presence of:	"OWNER"by its authorized signatories:
Munth L Signature of Witness	Barre
Milkhail Wosqiyk	Print Name:
Address)
Occupation	Print Name:
SIGNED, SEALED & DELIVERED in the presence of:) CITY OF KELOWNA) by its authorized signatories:)
Signature of Witness)) Mayor
Print Name)) City Clerk
Address)))
Occupation	

CITY OF KELOWNA

BYLAW NO. 12563

Housing Agreement Authorization Bylaw – PC Urban (1605 Gordon Drive) Holdings Corp., Inc.No. BC1316531

1603-1615 Gordon Drive

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

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

- The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with PC Urban (1605 Gordon Drive) Holdings Corp., Inc.No. BC1316531 for the lands known as Lot 1 District Lot 137 ODYD Plan 8837 Except Plans H16278 and EPP122947 located on Gordon Drive, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 24th day of July, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor
City Clerk

Schedule "A"

Page 1

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS A	AGREEMENT dated for reference affects:
LEGA	L DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:
	Lot 1 District Lot 137 Osoyoos Division Yale District Plan 8837 Except Plans H16278 and EPP122947 ("Land")
	And is
BETW	EEN:
	PC URBAN (1605 GORDON DRIVE) HOLDINGS CORP., a British Columbia corporation having its offices at 880-1090 West Georgia Street, Vancouver, BC V6E 3V7
	("Owner")
AND:	
	CITY OF KELOWNA, a local government incorporated pursuant to the <i>Community Charter</i> and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4
	("City")
GIVEN	N THAT:
A.	The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;

- B. The City may, pursuant to section 483 of the Local Government Act, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the Local Government Act, and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

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

ARTICLE 1 INTERPRETATION

1.1 Definitions -

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

"City" means the City of Kelowna;

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

"Household" means

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

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

"Land" means the land described herein;

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

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

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

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

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

1.2 Interpretation - In this Agreement:

- reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- reference to any enactment is a reference to that enactment as consolidated, revised, amended, reenacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (l) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 12375, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

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

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

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

- 2.1 Land Use Restrictions The Owner and the City hereby covenant and agree as follows:
 - (a) The Land will be used only in accordance with this Agreement;
 - (b) The Owner will design, construct and maintain one or more buildings providing 192 Dwelling Units as Purpose-Built Rental Housing
 - (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

- 3.1 Purchaser Qualifications The City and the Owner agree as follows:
 - (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.
- 3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit The Owner agrees with the City as follows:
 - (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the Residential Tenancy Act, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
 - (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

- 4.1 Notice of Housing Agreement For clarity, the Owner acknowledges and agrees that:
 - (a) this Agreement constitutes a housing agreement entered into under s. 483 of the *Local Government Act*:
 - (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land: and
 - (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land.

- 4.2 No Effect On Laws or Powers This Agreement does not
 - (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
 - (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
 - (c) affect or limit any enactment relating to the use or subdivision of land, or
 - (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.
- 4.3 Management The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the Residential Tenancy Act. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land.
- 4.4 Notice Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.
- 4.5 Agreement Runs With the Land Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the Strata Property Act.
- **4.6 Limitation on Owner's Obligations** The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.
- **4.8 Joint Venture** Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- **4.9 Waiver** An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.

- **4.10** Further Acts The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- **4.11** Severance If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 4.12 Equitable Remedies The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- **4.13** No Other Agreements This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- **4.14** Amendment This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- **4.15** Enurement This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- **Deed and Contract** By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

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

SIGNED, SEALED & DELIVERED in the presence of: Signature of Witness	PC URBAN (1605 GORDON DRIVE) HOLDINGS CORP. by its authorized signatories:
Olgriature of vittless	
Print Name	Print Name:
Address	
Occupation	Print Name:
SIGNED, SEALED & DELIVERED in the presence of:) CITY OF KELOWNA) by its authorized signatories:)
Signature of Witness))Mayor)
Print Name	City Clerk
Address)))
Occupation	

CITY OF KELOWNA

BYLAW NO. 12564

Housing Agreement Authorization Bylaw – Payam & Sanaz Holdings Limited, Inc.No. A102760

416 Royal Avenue

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

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

- 1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with Payam & Sanaz Holdings Limited, Inc.No. A102760 for the lands known as Lot 1 District Lot 14 ODYD Plan EPP91145 located on Royal Avenue, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 24th day of July, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor
City Clerk

Schedule "A"

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREE	MENT dated for reference	affects:
LEGAL DES	CRIPTION OF PROPERTY SUBJE	CT TO THE AGREEMENT:
	416 Royal Avenue, Kelowna, B.C 464-025 Legal Description; LOT DIVISION YALE DISTRICT PLAN	1 DISTRICT LOT 14 OSOYOOS
AND IS BET\	VEEN:	
	PAYAM AND SANAZ HOLDING Drive, Regina SK, S4V 3V6 ("Own	
AND:		
	CITY OF KELOWNA, a local go to the <i>Community Charter</i> and h Street, Kelowna, B.C. V1Y 1J4 ("C	naving its offices at 1435 Wate

GIVEN THAT:

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

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

ARTICLE 1 INTERPRETATION

1.1 Definitions

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

"City" means the City of Kelowna;

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

"Household" means

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

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

"Land" means the land described herein;

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

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

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

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

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

1.2 Interpretation

In this Agreement:

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

1.3 Purpose of Agreement

The Owner and the City agree that:

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

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

2.1 Land Use Restrictions

The Owner and the City herby covenant and agree as follows:

- (a) The Land will be used only in accordance with this Agreement;
- (b) The Owner will design, construct and maintain one or more buildings providing 39 Dwelling Units as Purpose-Built Rental Housing;
- (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

3.1 Purchaser Qualifications

The City and the Owner agree as follows:

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

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit

The Owner agrees with the City as follows:

(a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the Residential Tenancy Act, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and

(b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

4.1 Notice of Housing Agreement

For clarity, the Owner acknowledges and agrees that:

- this Agreement constitutes a housing agreement entered into under s. 483 of the Local Government Act;
- (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;
- once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.

4.2 No Effect On Laws or Powers

This Agreement does not:

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

4.3 Management

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

4.4 Notice

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

4.5 Agreement Runs With the Land

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

4.6 Limitation on Owner's Obligations

The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.

4.7 Release

The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.

4.8 Joint Venture

Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.

4.9 Waiver

An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.

4.10 Further Acts

The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

4.11 Severance

If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this

Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

4.12 Equitable Remedies

The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.

4.13 No Other Agreements

This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.

4.14 Amendment

This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.

4.15 Enurement

This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.

4.16 Deed and Contract

By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

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

SIGNED, SEALED AND DELIVERED in the presence of) Signature of Witness Sanaz Dehghani Print Name	by its authorized signatories: Payam Dehghani Print Name
4404 Wild Rose Drive, Regina SK; S4V 3V6)	- Till Name
Address	
Physician)	
Occupation)	Print Name
SIGNED, SEALED AND DELIVERED) in the presence of))	CITY OF KELOWNA by its authorized signatories:
Signature of Witness	Mayor
Print Name)	
Address)	City Clerk
Occupation)	

CITY OF KELOWNA

BYLAW NO. 12565

Housing Agreement Authorization Bylaw – Westcorp on the Lake Inc., Inc.No. A75763

3773-3795 Lakeshore Road

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

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

- 1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with Westcorp on the Lake Inc., Inc.No. A75763 for the lands known as Lot 1 District Lot 134 ODYD Plan EPP41204 Except Plan EPP112300 located on Lakeshore Road, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 24th day of July, 2023.

Adopted by the Municipal Council of the City of Kelowna this

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	Mayor
	City Clerk

Schedule "A"

Page 1

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference affects:		
LEGAL DES	CRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:	
	LOT 1 DISTRICT LOT 134 OSOYOOS DIVISION YALE DISTRICT PLAN EPP41204 EXCEPT PLAN EPP112300	
	("Land")	
And is		
BETWEEN:	WESTCORP ON THE LAKE INC., INC.NO. A75763 200, 8215 – 112 Street Edmonton, Alberta T6G 2C8	
	("Owner")	
AND:		
	CITY OF KELOWNA, a local government incorporated pursuant to the Community Charter and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4	
	("City")	
GIVEN THAT	n e	
A The C	The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing con	

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

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

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ARTICLE 1 INTERPRETATION

1.1 Definitions -

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

"City" means the City of Kelowna;

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

"Household" means

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

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

"Land" means the land described herein;

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

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

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

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

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

1.2 Interpretation - In this Agreement:

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

- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- reference to any enactment is a reference to that enactment as consolidated, revised, amended, reenacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the Interpretation Act with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (I) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 12375, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

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

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

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

- 2.1 Land Use Restrictions The Owner and the City herby covenant and agree as follows:
 - (a) The Land will be used only in accordance with this Agreement;
 - (b) The Owner will design, construct and maintain one or more buildings providing 439 Dwelling Units as Purpose-Built Rental Housing
 - (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

- 3.1 Purchaser Qualifications The City and the Owner agree as follows:
 - (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.
- 3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit The Owner agrees with the City as follows:
 - (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
 - (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

- 4.1 Notice of Housing Agreement For clarity, the Owner acknowledges and agrees that:
 - (a) this Agreement constitutes a housing agreement entered into under s. 483 of the *Local Government Act*;
 - (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land:

- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.
- 4.2 No Effect On Laws or Powers This Agreement does not
 - affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
 - impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
 - (c) affect or limit any enactment relating to the use or subdivision of land, or
 - (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.
- 4.3 Management The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the Residential Tenancy Act. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.
- 4.4 Notice Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.
- 4.5 Agreement Runs With the Land Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the Strata Property Act.
- 4.6 Limitation on Owner's Obligations The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the

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

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

SIGNED, SEALED & DELIVERED in) the presence of:	"OWNER" by its authorized signatories:
Signature of Witness	
Keri Fields Print Name	Print Name:
200-1460 Pandosy Str. Kelowna) Address	
Executive Assistant Occupation	Print Name:
SIGNED, SEALED & DELIVERED in) the presence of:	CITY OF KELOWNA by its authorized signatories:
Signature of Witness)	Mayor
Print Name	City Clerk
Address)	
Occupation	

CITY OF KELOWNA

BYLAW NO. 12566

Housing Agreement Authorization Bylaw – 1575 Bernard Projects Ltd., Inc.No. BC1354921

1575 Bernard Avenue

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

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

- 1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with 1575 Bernard Projects Ltd., Inc.No. BC1354921 for the lands known as Lot 8 Section 20 Township 26 ODYD Plan 32159 located on Bernard Avenue, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 24th day of July, 2023.

Adopted by the Municipal Council of the City of Kelowna this

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	Mayor
	City Clerk

Schedule "A"

Page 1

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEN	MENT dated for reference affects:
LEGAL DESC	RIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:
	Lot 8 Section 20 Township 26 Osoyoos Division Yale District Plan 32159 ("Land")
And is	
BETWEEN:	
	1575 BERNARD PROJECTS LTD. , a British Columbia corporation having an address at 612 Bernard Avenue, Kelowna, B.C. V1Y 6P3
	("Owner")
AND:	
	CITY OF KELOWNA, a local government incorporated pursuant to the <i>Community Charter</i> and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4
	("City")

GIVEN THAT:

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

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

ARTICLE 1 INTERPRETATION

1.1 Definitions -

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

"City" means the City of Kelowna;

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

"Household" means

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

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

"Land" means the land described herein;

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

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

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

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

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

1.2 Interpretation - In this Agreement:

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

- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment:
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, reenacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (l) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 12375, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

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

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

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

- 2.1 Land Use Restrictions The Owner and the City herby covenant and agree as follows:
 - (a) The Land will be used only in accordance with this Agreement;
 - (b) The Owner will design, construct and maintain one or more buildings providing approximately 156 Dwelling Units as Purpose-Built Rental Housing; and
 - (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, so long as the Land remains zoned MF3r or any other zoning that restricts Dwelling Units to a rental only tenure where building or bareland stratification is prohibited.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

- 3.1 Purchaser Qualifications The City and the Owner agree as follows:
 - (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.
- 3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit The Owner agrees with the City as follows:
 - (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
 - (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

- 4.1 Notice of Housing Agreement For clarity, the Owner acknowledges and agrees that:
 - this Agreement constitutes a housing agreement entered into under s. 483 of the Local Government Act;
 - (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land:
 - (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;

(d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.

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

- affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
- impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
- (c) affect or limit any enactment relating to the use or subdivision of land, or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.
- 4.3 Management The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the Residential Tenancy Act. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.
- 4.4 Notice Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by electronic transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by electronic transmission is to be considered to have been given on the first business day after it is sent. If a party changes its physical address or address for electronic transmission, or both, it will promptly give notice of its new address(es) to the other party as provided in this section.
- 4.5 Agreement Runs With the Land Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the Strata Property Act.
- **4.6 Limitation on Owner's Obligations** The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.

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

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

Signeture of Witness Signature of Witness Print Name Address	by its authorized signatories: Cond Makus Print Name: Corey Makus
Occupation SIGNED, SEALED & DELIVERED in) the presence of:	CITY OF KELOWNA
Signature of Witness	by its authorized signatories: Mayor
Print Name)	City Clerk
Address)	
Occupation	

CITY OF KELOWNA

BYLAW NO. 12567

Housing Agreement Authorization Bylaw – Dilworth Shopping Centre Ltd., Inc.No. 319846

2339-2397 Hwy 97 North

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

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

- 1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with Dilworth Shopping Centre Ltd., Inc.No. 319846 for the lands known as Lot A District Lots 126 and 532 ODYD Plan 40108 located on Hwy 97 North, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 24th day of July, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor
City Clerk

Schedule "A"

Page 1

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREE!	MENT dated for reference affects:	
LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:		
	PID: 011-868-066, Lot A, DLs 126 & 532, ODYD, Plan 40108	
	("Land")	
And is		
BETWEEN:	Dilworth Shopping Centre Ltd.	
	("Owner")	
AND:		
	CITY OF KELOWNA, a local government incorporated pursuant to the <i>Community Charter</i> and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4	
	("City")	

GIVEN THAT:

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

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

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ARTICLE 1 INTERPRETATION

1.1 Definitions -

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

"City" means the City of Kelowna;

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

"Household" means

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

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

"Land" means the land described herein;

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

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

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

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

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

1.2 Interpretation - In this Agreement:

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

- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the Interpretation Act on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment:
- reference to any enactment is a reference to that enactment as consolidated, revised, amended, reenacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (l) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 12375, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

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

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

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

- 2.1 Land Use Restrictions The Owner and the City herby covenant and agree as follows:
 - (a) The Land will be used only in accordance with this Agreement;
 - (b) The Owner will design, construct and maintain one or more buildings providing __490_ Dwelling Units as Purpose-Built Rental Housing
 - (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

- 3.1 Purchaser Qualifications The City and the Owner agree as follows:
 - (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.
- 3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit The Owner agrees with the City as follows:
 - (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
 - (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

- 4.1 Notice of Housing Agreement For clarity, the Owner acknowledges and agrees that:
 - (a) this Agreement constitutes a housing agreement entered into under s. 483 of the Local Government
 - (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;

- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.
- 4.2 No Effect On Laws or Powers This Agreement does not
 - (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
 - impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
 - (c) affect or limit any enactment relating to the use or subdivision of land, or
 - (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.
- 4.3 Management The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the Residential Tenancy Act. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.
- 4.4 Notice Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.
- 4.5 Agreement Runs With the Land Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the Strata Property Act.
- **4.6 Limitation on Owner's Obligations** The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the

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

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

SIGNED, SEALED & DELIVERED in)	"OWNER"
the presence of:	by its authorized signatories:
Signature of Witness)	2
Robyn Cooper) Print Remem Group - Associate Counsel Barrister & Solicitor 1701-1166 Alberni Street Vancouver, B.C. V6B 3Z3) Conc. 583.4885) Address)	Paul Molntyre Print Name:
Occupation	Print Name:
SIGNED, SEALED & DELIVERED in) the presence of:	CITY OF KELOWNA by its authorized signatories:
Signature of Witness)	Mayor
Print Name)	City Clerk
Address)	
Occupation	

CITY OF KELOWNA

BYLAW NO. 12568

Housing Agreement Authorization Bylaw – 1017476 B.C. Ltd., Inc.No. BC1017476

1710 Richter Street

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

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

- The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with 1017476 B.C. Ltd., Inc.No. BC1017476 for the lands known as Lot 1 District Lot 139 ODYD Plan KAP92715 Except Part in Plan EPP113155 located on Richter Street, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 24th day of July, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor
 City Clerk

Schedule "A"

Page 1

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREE	MENT dated for reference affects:
LEGAL DESC	RIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:
	Lot 1 District Lot 139 Osoyoos Division Yale District Plan KAP92715 Except Part in Plan EPP113155 (1710 Richter Street, Kelowna, BC)
	("Land")
And is	
BETWEEN:	
	1017476 BC Ltd. 1700 – 1631 Dickson Avenue Kelowna, BC V1Y 0B5
	("Owner")
AND:	
	CITY OF KELOWNA, a local government incorporated pursuant to the Community Charter and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4
	("City")
GIVEN THAT:	

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

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

ARTICLE 1 INTERPRETATION

1.1 Definitions -

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

"City" means the City of Kelowna;

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

"Household" means

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

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

"Land" means the land described herein;

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

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

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

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

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

Act.

1.2 Interpretation - In this Agreement:

- reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment:
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, reenacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the *Interpretation Act* with respect to the calculation of time apply;
- time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (l) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 12375, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- any act, decision, determination, consideration, consent or exercise of discretion by a party, or other
 person, as provided in this Agreement will be performed, made or exercised acting reasonably.

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

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

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

- 2.1 Land Use Restrictions The Owner and the City herby covenant and agree as follows:
 - (a) The Land will be used only in accordance with this Agreement;
 - (b) The Owner will design, construct and maintain one or more buildings providing 82 Dwelling Units as Purpose-Built Rental Housing
 - (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

- 3.1 Purchaser Qualifications The City and the Owner agree as follows:
 - (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.
- **3.2** Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit The Owner agrees with the City as follows:
 - (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
 - (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

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

- (a) this Agreement constitutes a housing agreement entered into under s. 483 of the Local Government Act:
- (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land:
- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- 4.2 No Effect On Laws or Powers This Agreement does not
 - (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
 - (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement.
 - (c) affect or limit any enactment relating to the use or subdivision of land, or
 - (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.
- 4.3 Management The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the Residential Tenancy Act. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.
- 4.4 Notice Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.
- 4.5 Agreement Runs With the Land Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the Strata Property Act.
- **4.6 Limitation on Owner's Obligations** The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages,

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

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

SIGNED, SEALED & DELIVERED in) the presence of:	"1017476 BC Ltd." by its authorized signatories:
Signature of Witness	
Print Name	Print Name: Caruly Stohy
Address PLACE)	
Account ANT Occupation	Print Name:
SIGNED, SEALED & DELIVERED in) the presence of:	CITY OF KELOWNA by its authorized signatories:
Signature of Witness)	Mayor
Print Name)	City Clerk
Address)	
Occupation	

CITY OF KELOWNA

BYLAW NO. 12555 Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Subdivision, Development and Servicing Bylaw No. 7900 be amended as follows:

- 1. THAT **SCHEDULE 1, WORKS AND SERVICES REQUIREMENTS** be amended by deleting it in its entirety and replacing it with Schedule "A" attached to and forming part of this bylaw;
- 2. AND THAT **SCHEDULE 4, Section 1 WATER DISTRIBUTION, Section 1.15 Hydrants** be amended by:
 - (a) deleting "1.5 m back from curb or 0.5 m back of sidewalk to centre line of hydrant" and replace with

"1.0 m back from curb or 0.5 m back of sidewalk to centre line of hydrant.";

and

(b) deleting "Hydrants shall not be located on sidewalks. Where this is not possible and with approval from the City Engineer, a minimum distance of 1.5 m must be maintained between the front of the pumper port and the back of curb, in accordance with the Transportation Association of Canada Manual for Canadian Roads."

and replace with

"Hydrants shall not be located on sidewalks. Where this is not possible and with approval from the City Engineer, a minimum distance of 1.0 m must be maintained between the centre line of hydrant and the back of curb.";

- AND THAT SCHEDULE 4, Section 4 DESIGN STANDARDS HIGHWAY be amended by deleting it in its entirety and replacing it with Schedule "B"-attached to and forming part of this bylaw;
- 4. AND THAT **SCHEDULE 4, Section 8 Hillside Development Street Standards** be amended by deleting it in its entirety; .
- 5. AND THAT **SCHEDULE 5 CONSTRUCTION STANDARDS, Standard Drawings** be amended by deleting the standard detail drawing for **HYDRANT SS-W4** and replacing it with the standard detail drawing for **HYDRANT SS-W4** attached to and forming part of this bylaw as Schedule "C" SS-W4;
- 6. AND THAT **SCHEDULE** 5 **CONSTRUCTION STANDARDS**, **Standard Drawings** be amended by deleting the standard detail drawing for **DRIVEWAY CROSSING FOR BARRIER CURBS SS-C7** and replacing it with the standard detail drawing for **DRIVEWAY CROSSING FOR BARRIER CURBS**, **SEPARATE SIDEWALK AND LETDOWN SS-C7a** attached to and forming part of this

bylaw as Schedule "D" – SS-C7a; AND THAT SCHEDULE 5 – CONSTRUCTION STANDARDS, Standard Drawings be amended by adding the standard detail drawing for DRIVEWAY CROSSING FOR BARRIER CURBS, COMBINED SIDEWALK AND LETDOWN SS-C7b attached to and forming part of this bylaw as Schedule "D";

- AND THAT SCHEDULE 5 CONSTRUCTION STANDARDS, Standard Drawings be amended 7. by adding the standard detail drawing for SIDEWALK RAMP DETAILS SS-C8 attached to and forming part of this bylaw as Schedule "D";
- AND THAT SCHEDULE 5 CONSTRUCTION STANDARDS, Standard Drawings be amended 8. by adding the standard detail drawing for SIDEWALK RAMP LAYOUTS SS-C9 attached to and forming part of this bylaw as Schedule "D";
- AND THAT SCHEDULE 5 CONSTRUCTION STANDARDS, Standard Drawings be amended 9. by deleting the standard detail drawing for CONCRETE ISLAND RAMP SS-C50;
- AND THAT SCHEDULE 5 CONSTRUCTION STANDARDS, Standard Drawings be added as 10. outlined in Schedule "E" attached to and forming part of this bylaw;
- AND THAT SCHEDULE 5 CONSTRUCTION STANDARDS, Standard Drawings be added as 11. outlined in Schedule "F" attached to and forming part of this bylaw;
- AND THAT SCHEDULE 5 CONSTRUCTION STANDARDS, Standard Drawings be amended 12. by adding in the ROAD WORKS section the standard detail drawings outlined in Schedule "G" attached to and forming part of this bylaw;
 - 13. AND THAT SCHEDULE 5 CONSTRUCTION STANDARDS, Standard Drawings be amended by deleting the standard detail drawing for:
 - 1. SS-R2 Lanes and Emergency and Private Access Roads
 - 2. SS-R₃ Local Class 1
 - SS-R4 Local Class 2

 - SS-R5 Collector Class 1 SS-R6 Collector Class 1 with Bike Lanes
 - 6. SS-R7 Collector Class 2
 - SS-R8 Arterial Class 1 Parkway, 4(6) Lanes
 - 8. SS-R9 Arterial Class 1 Parkway, 2(4) Lanes
 - 9. SS-R10 Arterial Class 1 Rural, 2(4) Lanes
 - 10. SS-R11 Arterial Class 2 Residential, 4 Lanes
 - 11. SS-R12 Arterial Class 2 Residential, One Way 3 lanes
 - 12. SS-R13 Arterial Class 2 Rural, 2 lane
 - 13. SS-R14 Arterial Class 3 Town Centre 4 Lane
 - 14. SS-R₁₅ Arterial Class 3 Town Centre, One Way 3 lanes
 - 15. SS-R16 Arterial Class 3 2 lane
 - 16. SS-R17 Local Residential Cul-de-sac
 - 17. SS-R22 Curbed Driveway Widths
 - 18. SS-R₂₅ Noise Mitigation Criteria
 - 19. SS-R₂6 Hydrants and Poles Near Ditches
 - 20. SS-R27 Street Name and Stop Sign Standard
 - 21. SS-R28 Walkway Gate
 - 22. SS-H1 Arterial Condition –A (Village Parkway)
 - 23. SS-H2 Arterial Condition B (With 0.8 km Walking Distance of Village
 - 24. SS-H₃ Arterial Condition C (Greater than 0.8 km Walking Distance of Village)
 - 25. SS-H4 Village Collector Condition A (Retail/M.F. Fronting)
 - 26. SS-H₅ Village Collector Condition B (No Retail Fronting)
 - 27. SS-H6 Collection Condition A (Development Both Sides)
 - 28. SS-H7 Collector Condition B (Development One Side)
 - 29. SS-H8 Collector Condition C (No Development Either Side)
 - 30. SS-H9 Minor Collector Condition A
 - 31. SS-H10 Minor Collector Condition B
 - 32. SS-H11 Village Local Residential
 - 33. SS-H₁₂ Local Condition A (Development Both Sides)

- 34. SS-H₁₃ Local Condition B (Development One Side)
- 35. SS-H14 Local Condition C (No Development Either Side)
- 36. SS-H₁₅ Public Lane
- 14. AND THAT SCHEDULE 5 CONSTRUCTION STANDARDS be amended by deleting CITY OF KELOWNA STANDARD DRAWINGS INDEX AND CROSS-REFERENCE TO MMCD in its entirety and replacing it with CITY OF KELOWNA STANDARD DRAWINGS INDEX AND CROSS-REFERENCE TO MMCD as outlined in Schedule H attached to and forming part of this bylaw;
- 15. AND FURTHER THAT a development will be processed in accordance with City of Kelowna Subdivision, Development and Servicing Bylaw No. 7900, as the Bylaw read immediately prior to this Bylaw becoming effective, as follows:
 - (a) Where a complete application for rezoning was submitted prior to the effective date of this Bylaw and the rezoning bylaw for the development is adopted within six months of the effective date of this Bylaw;
 - (b) Where a development permit or development variance permit was issued or a complete building permit was submitted for the development prior to the effective date of this Bylaw and a building permit for the development is issued within 12 months of the effective date of this Bylaw; or
 - (c) Where a preliminary layout review letter was issued for the development prior to the effective date of this Bylaw and the subdivision is approved within 12 months of the effective date of this Bylaw.
- 16. This bylaw may be cited for all purposes as "Bylaw No. 12555, being Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900."
- 17. 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 24th of July, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayo
 City Clerk

CITY OF KELOWNA

BYLAW NO. 12555 Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900

Schedule "A"

Schedule 1 Works & Services Requirements

WORKS & SERVICES REQUIREMENTS

Key Sheet

Abbreviation	Requirement
WTR	Community water system. In subdivisions which are to be provided with a community water system, each Parcel within the proposed subdivision, or Parcel being Developed, must be supplied by a water distribution system, including service connections, and with adequate fire flow and protection, which is designed in accordance with the standards prescribed in the Design Standards Water Section.
WELL	Where a community water system is not available a proven water supply located on each parcel is permitted.
SWR	Community sanitary sewer system.
SWRSEP	Sanitary sewer collection and disposal or Sanitary sewage effluent ground disposal in accordance with Part 2, Section 5.2 (o)(viii) of this bylaw.
DITCH	Drainage collection and disposal system by open ditches and culverts.
STM	Closed drainage collection and disposal system (i.e., a system other than open ditches).
SL	Street lighting throughout the subdivision.
SLI	Street lighting at street intersections only.
ОН	Overhead electrical and communication wiring.
UG	Underground electrical and communication wiring.
W	Communication and electrical wiring to conform to the highest standard of existing adjacent facilities

Table 1: Utility Requirements

	Utilities						
	(Refer to Key Sheet above)						
Zone¹	Water	Sewer	Drain	Wiring	Lighting		
A1	WELL	SWRSEP	DITCH	ОН	SLI		
A2	WELL	SWRSEP	DITCH	ОН	SLI		
RR1	WTR	SWRSEP	DITCH	ОН	SLI		
RR2	WTR	SWR	DITCH	ОН	SLI		
RU1	WTR	SWR	STM	UG	SL		
RU2	WTR	SWR	STM	UG	SL		
RU ₃	WTR	SWR	STM	UG	SL		
RU4	WTR	SWR	STM	UG	SL		
RU5	WTR	SWR	STM	UG	SL		
MF1	WTR	SWR	STM	UG	SL		
MF2	WTR	SWR	STM	UG	SL		
MF ₃	WTR	SWR	STM	UG	SL		
MH1	WTR	SWR	STM	UG	SL		
HD1	WTR	SWR	STM	UG	SL		
HD ₂	WTR	SWR	STM	UG	SL		

	(Refer to Key Sheet above)						
Zone¹	Water	Sewer	Drain	Wiring	Lighting		
C1	WTR	SWR	STM	UG	SL		
C2	WTR	SWR	STM	UG	SL		
VC1	WTR	SWR	STM	UG	SL		
UC1-5	WTR	SWR	STM	UG	SL		
CA1	WTR	SWR	STM	UG	SL		
11	WTR	SWR	STM	UG	SL		
l ₂	WTR	SWR	STM	UG	SL		
l3	WTR	SWRSEP	DITCH	ОН	SLI		
14	WELL	SWRSEP	DITCH	ОН	SLI		
P1	WTR	SWR	STM	UG	SL		
P ₂	WTR	SWR	STM	UG	SL		
P3	WELL	SWRSEP	STM	W	SLI		
P4	WELL	SWRSEP	STM	W	SL		
W1	N/A	N/A	N/A	N/A	N/A		
W2	AS REQUIRED BASED ON DEVELOPMENT PROPOSAL						
CD(3)	WTR	SWR	STM	UG	SL		
CD12	WTR	SWR	STM	UG	SL		

Utilities

Notes:

- 1. Comprehensive Development Zones listed in Section 17 of the Zoning Bylaw, except the CD12 Airport zone.
- 2. The zones identified in this table are the zones designated in the Zoning Bylaw. Properties with an 's'. 'b'. 'h', 'lp' or 'rls' as part of the zoning designation shall comply with the works and services requirements of the parent zone (e.g. RU1s shall comply with the requirements of the RU1 zone.)

WORKS & SERVICES REQUIREMENTS

Road Requirements

Road requirements (refer to Standard Drawings) are determined using **Table 2** below and **Section 4.2 – Road Classifications**:

- Roadway classifications identified within the Map 13.1 Functional Road Classification of the City's Official Community Plan (OCP).
- 2. OCP Functional Road Classification Overlays:
 - Map 13.2 Transit Overlay;
 - Map 13.3 Biking Overlay;
 - Map 13.4 Truck Route Overlay; and
 - Map 13.5 DCC Project Overlay.
- 3. Consideration of the local context; the local context may include considerations such as, but not limited to:
 - Fixed elements unlikely to change over time, like topography, water bodies, environmentally sensitive areas, agricultural land reserves, First Nations reserves, etc.
 - Atypical frontages, for example schools, recreational facilities, parks, industrial loading areas, etc.
- 4. This Bylaw prescribes infrastructure design and practices. Council recognizes that each situation is unique, and solutions may need to be tailored to the existing conditions. As such, discretion is afforded the City Engineer to ensure the optimal technical solutions are implemented and adapt the prescribed practices herein to suit the individual project/site requirements.

Table 2: Road Requirements (Refer to Standard Drawings)

		OCP N	Map 13.3 – Biking	Overlay	
	Roadway Classification OCP Map 13.1	Not on Biking Overlay	On Secondary Biking Route	On Primary Biking Route	Notes:
>	Hillside	X	S-Ro1	Consult with	
aneway	Suburban	X	S-Ro2	Consult with	
ane	Core Area	X	S-Ro2	City	
-	Urban Centre	X	S-Ro2	Engineer	
	Rural	Х	S-R20		
•	Hillside	Х	S-R21		Village Local-Residential, development fronts at least one side
•	Hillside	Х	S-R22		Condition A, development fronts both sides
_[Hillside	Х	S-R23	Consult with	Condition B, development fronts one side only
Local	Hillside	Х	S-R24	City	Condition C, no development fronts street
-	Suburban	Х	S-R25	Engineer	
	Industrial	Х	S-R26		
•	Core Area	Х	S-R27		
	Urban Centre	Х	S-R28		
	Rural	X	S-R40		
•	Hillside	XS-R41			Village Collector Condition A, where commercial development fronts street
•	Hillside	XS-R ₄₂			Village Collector Condition B, where no commercial development fronts street
•	Hillside	XS-R ₄₃			Collector Condition A, development fronts both sides
•	Hillside	XS-R44	Consult with		Collector Condition B, development fronts one side only
_	Hillside	XS-R45	City Engineer	C 1	Collector Condition C, no development fronts street
Collector	Hillside	XS-R46		Consult with City	Minor Collector Condition A, development fronts both sides or, development fronts one side only
ပိ	Hillside	XS-R ₄₇		Engineer	Minor Collector Condition B, no development fronts street
•	Suburban	XS-R48	XS-R49		
-	Industrial	XS-R ₅ 0	Consult with City Engineer		
•	Core Area	XS-R ₅ 1	XS-R ₅₂		
•	Urban Centre	XS-R ₅₃	XS-R ₅₄		
	Rural		S-R60	XS-R61	
•	Hillside	XS-R62	Consult with City Engineer		Arterial Condition A, within village centre where environmental conditions permit
Ainor Arterial	Hillside	Х	S-R6 ₃	Consult with	Arterial Condition B, within 10-minute walking distance of village centre; or, within village centre where environmental conditions do not permit the use of Condition A
Minor	Hillside	Х	S-R64	City Engineer	Arterial Condition C, greater than a 10-minute walking distance from village centre.
	Suburban	Х	S-R65		
	Core Area	X	S-R66		
	Urban Centre	X	S-R67		
	Rural				
	3-lane	X	S-R8o	XS-R81	
	5-lane	X	S-R82	XS-R8 ₃	
1 _1	Suburban				
eria	3-lane	X	S-R84		
Major Arterial	5-lane	X	S-R85		
or /	Core Area			Consult with	
۸aj	3-lane		S-R86	City	
-	5-lane	Х	S-R87	Engineer	
	Urban Centre				
	3-lane		S-R88		
	5-lane	X	S-R89		

Notes:

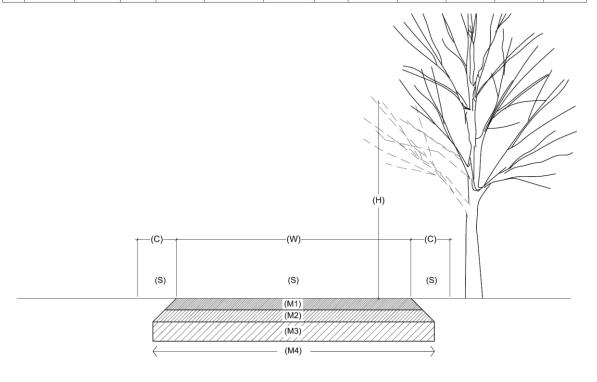
- Active Transportation Corridors not located with road right-of-way's such as but not limited to the Okanagan Rail Trail and Mission Creek Greenway, are transportation corridors requiring frontage improvements.
- 2. Pedestrian facilities are required on any road fronting a school or major recreational facility in rural land use areas.
- 3. Where a primary Biking Route is identified on OCP Map 13.3 Bike Overlay Map up to 2 m of additional ROW may be required.
- 4. Where OCP Classification Overlays Map 13.2,13.3, 13.4 and 13.5 are present, consult with City Engineer for design requirements

Linear Park Trails Requirements

Linear Park requirements (refer to Standard Drawings) are determined using **Table 3: Trail Requirements,** *Map* **10.1** - *Linear Corridors* of the *City's Official Community Plan* (OCP).

Table 3: Trail Requirements (Refer to Standard Drawings)

	CLASS	DIM	ENSION	IS	LONGITU SLOP		CROSS SLOPE	MATERIALS							
Trail Class	Trail Type	(W) Width	(C) Clear Zone	(H) Min. Vertical Clearance	(S) Typical Slope	(S) Slope for Short Sections (max. 10m)	Cross Slope	Surface Type	(M1) Type Depth	(M2) Granular Base	(M3) Sub-Base	(M4) Compacted Sub-Grade			
	Major Urban	4.5m or			5% max.	8% max.		Asphalt	50 mm	100 mm	200 mm	95% MPD			
1	Promenade	greater	0.5 m	3.0 m	(1:20)	(1:12)	2% min.	Concrete or Brick	100 mm or 75 mm	100 mm	N/A	95% MPD			
4	Major Multi-		2420	20020	8% max.	12% max.		Asphalt	50 mm	100 mm	200 mm	95% MPD			
2	Use (Urban)	4.5 - 3.0 m	0.5 m	3.0 m	(1:12)	(1:8)	2% min.	Concrete or Brick	60 mm	100 mm	N/A	95% MPD			
5.	Major Multi-		2020		8% max.	12% max.		Asphalt	50 mm	75 mm	150 mm	95% MPD			
3	Use (Rural)	4.5 - 3.0 m	0.5 m	2.5 m	(1:12)	(1:8)	2% min.	Concrete or Brick	60 mm	100 mm	N/A	95% MPD			
4	Standard	3.0 - 2.0 m	0.5 m	3.0 - 2.5 m	8% max.	15% max.	2% min.	Asphalt millings	60 mm	75 mm	150 mm	95% MPD			
0.20	Multi-Use				(1:12)	(1:7)		Aggregate	50 mm	100 mm	N/A	95% MPD			
5	Narrow	1.5 - 1.2 m	0.5 m	2.5 m	8% max.	15% max.	2% min.	Asphalt millings	60 mm	75 mm	150 mm	95% MPD			
3	Multi-Use	1.5 - 1.2 111	0.5 111	2.5 111	(1:12)	(1:7)	270 111111.	Aggregate	50 mm	100 mm	N/A	95% MPD			
6	Nature Trails	1.2 - 0.6 m	0.5 m	2.5 m	20% (1:5) max. hiking & walking	Over 20% use steps, etc.		Natural ground	N/A	N/A	N/A	95% MPD			
U	ivature I falls	1.2 - 0.0 III	0.5 M	2.3 111	15% (1:7) max. mountain biking	15%	2% min.	Aggregate if needed	50 mm	100 mm	N/A	95% MPD			



CITY OF KELOWNA

BYLAW NO. 12555 Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900

Schedule "B"

Schedule 4 Section 4 - Transportation

BL10481, BL10640, BL11692 BL11834 BL11913 BL12512 amended Schedule 4: BL12066 replaced Schedule 4 entirely:

SCHEDULE 4

OF BYLAW 7900

CITY OF KELOWNA

DESIGN STANDARDS

GENERA	AL DESIGN C	ONSIDERATIONS
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- 1. WATER DISTRIBUTION
- 2. SANITARY SEWER
- 3. STORMWATER MANAGEMENT
- 4. TRANSPORTATION
- ROADWAY LIGHTING
- TRAFFIC SIGNALS
- 7. LANDSCAPE AND IRRIGATION

Transportation

Bylaw 7900 Schedule 4 Section 4 - Transportation

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4.1 General

This Bylaw shall be used for the design of transportation infrastructure required to support the policies and objectives of the City's Official Community Plan (OCP). Transportation infrastructure includes roads, lanes, sidewalks, pedestrian crossings, active transportation facilities, transit facilities, and all other infrastructure necessary to support the movement of people and goods located within the road right-of-way, along Active Transportation Corridors, or within City-owned properties. This includes infrastructure necessary for pedestrians, cyclists, or other human powered modes, transit, passenger vehicles, emergency vehicles, and commercial or industrial vehicles.

Transportation infrastructure within the City is to be comfortable, convenient, safe, accessible, and attractive for everyone, regardless of age or ability. Complete streets elements such as traffic calming, accessible design, sidewalks, crossings, active transportation, transit infrastructure, and landscaping shall be incorporated within the road right-of-way as appropriate to support adjacent land uses and travel demand. The design of transportation infrastructure shall optimize ease of maintenance, longevity, and life cycle costs while meeting the above objectives.

4.1.1 Transportation Design Standards

The design of transportation infrastructure is context specific, and the application of good engineering judgment shall be appropriately employed in each design to address mobility objectives, in addition to the standards contained in this Bylaw. The establishment of appropriate design standards may require consultation and direction from the City Engineer where the provisions of this Bylaw do not adequately address mobility objectives in the context of unique or complex situations.

This Bylaw is not a substitute for sound engineering judgement and discretion is afforded the City Engineer to adapt the standards prescribed herein to suit individual designs on a case-by-case basis in consideration of site constraints, applicable mobility objectives, and City policies. In exercising discretion, the City Engineer may require the Consulting Engineer to submit supporting engineering analysis, including completion of a written Design Brief or Transportation Assessment, for consideration. Transportation designs shall be prepared under the direction of a Consulting Engineer with appropriate and relevant transportation experience, registered with Engineers and Geoscientists of British Columbia.

Where not otherwise specified in this Bylaw, design direction should be taken from the most current versions of the following standard guides, regulations, and legislation:

Federal

TAC (Transportation Association of Canada) - Geometric Design Guide for Canadian Roads;

TAC – Manual of Uniform Traffic Control Devices (MUTCD);

TAC – Canadian Guide to Traffic Calming;

TAC - Canadian Roundabout Design Guide;

TAC - Pedestrian Crossing Control Guide;

TAC - Canadian Road Safety Audit Guide;

TAC – Bikeway Traffic Control Guidelines for Canada;

TAC - Speed Management Guide;

Canadian Standards Association (CSA) Accessible Design for the Built Environment; and Canadian Highway Bridge Design Code.

Provincial/Regional

Motor Vehicle Act;

Local Government Act;

Community Charter;

BC MOTI (BC Ministry of Transportation and Infrastructure) – BC Supplement to TAC

Geometric Design Guide;

BC MOTI – Supplement to Canadian Highway Bridge Code;

BC MOTI – British Columbia Active Transportation Design Guide;

BC MOTI – Traffic Management manual For Work on Roadways;

BC Transit – Infrastructure Design Guidelines;

Master Municipal Construction Documents Design Guidelines;

Master Municipal Construction Documents, Volume II Specifications and Standard Detail

Drawings; and

Central Okanagan Region Transit Service Guidelines.

<u>Local</u>

City of Kelowna Official Community Plan Bylaw 123000 (OCP);

City of Kelowna Zoning Bylaw 12375;

Transportation Master Plan (TMP);

Pedestrian and Bicycle Master Plan;

Linear Parks Master Plan; and

Council-Adopted Urban Centre Plans;

4.2 Road Classifications

Road classifications are identified within *Map 13.1 Functional Road Classification* of the City's *OCP*. Refer to Section 4.3 – Cross sections and Schedule 1 – Works & Services Requirements to determine the cross-section requirements based on the classification assigned to a road. Not all Collector roads, Local roads, laneways, public pathways, and emergency accesses necessary to facilitate development are shown on Map 13.1 Functional Road Classification. New connections may be required as directed by the City Engineer or the Approving Officer.

The road classifications, shown in **Table 4.2.1**: **Road Classifications** below, consider both a road's function within the transportation system network and the mix of trips it services (land use context).

Transportation

Table 4.2.1: Road Classifications

		Road Type											
		Neighbourl	nood Street	Network	Maj	or Road Networl	<						
		Laneway	Local	Collector	Minor Arterial	Major Arterial	Provincial Arterial Highway						
	Rural	Rural Laneway	Rural Local	Rural Collector	Rural Minor Arterial	Rural Major Arterial							
	Hillside	Hillside Laneway	Hillside Local	Hillside Collector	Hillside Minor Arterial	-							
ontext	Suburban	Suburban Laneway	Suburban Local	Suburban Collector	Suburban Minor Arterial	Suburban Major Arterial	MOTI						
Land Use Context	Industrial	Industrial Laneway	Industrial Local	Industrial Collector	-	-	Jurisdiction (see description below)						
Lan	Core Area	Core Area Laneway	Core Area Local	Core Area Collector	Core Area Minor Arterial	Core Area Major Arterial	below)						
	Urban Centre	Urban Centre Laneway	Urban Centre Local	Urban Centre Collector	Urban Centre Minor Arterial	Urban Centre Major Arterial							

4.2.1 Road Types

Road types are described as follows:

Neighbourhood Street Network

- <u>Laneway:</u> A laneway, or alley, is a road that provides access to residences and businesses, often in higher density areas, and can be used to manage/control access to the Major Road Network. A laneway needs to consider operational functionality and accessibility. A laneway is narrow and accommodates small to mid-sized vehicles and parking is not facilitated. Typically, industrial laneways are not supported. Traffic volumes and speeds are low.
 - Laneways are classified based on the land use context of the surrounding road network shown within OCP *Map 13.1 Functional Road Classification*.
- <u>Local Road:</u> Local roads operate with the primary function to provide direct land access and are not intended to carry through traffic. Typically, Local roads include on-street parking and traffic volumes are less than 1,000 vehicles per day in residential areas, and less than 3,000 vehicles per day in mixed-use areas.
- <u>Collector Road</u>: Collector roads provide direct land access but with more emphasis on accommodating mobility as compared to Local roads. Typically, Collector roads are used for short distances and movement between Arterial roads and Local roads. Vehicle speeds tend to be low and on-street parking and driveways are present but managed.

Major Road Network

- Minor Arterial Road: Minor Arterial Roads provide the primary function of traffic mobility with some land access allowed. Minor Arterial Roads provide links between town centres, and onstreet parking is rare. The desired traffic volume range may overlap with Collector Roads; with the key differentiators being that Minor Arterial Roads have a greater emphasis on mobility (longer trips at higher speeds with less direct land access).
- <u>Major Arterial Road:</u> Major Arterial Roads provide a continuous route primarily for longer trips for through traffic, with limited land access. Typically, no on-street parking is allowed.
- <u>Provincial Arterial Highway:</u> Provincial Arterial Highways fall under the authority of the BC Ministry of Transportation and Infrastructure (MOTI). MOTI jurisdiction includes the Provincial Arterial Highway, including the curb return from the Highway onto the City Road Network. Due to the Provincial Arterial Highway's critical role in Kelowna's Road Network, Provincial Arterials Highways are included within the system despite being under provincial authority. Anywhere the City has a role in managing areas along, approaching, or within Highways (such as frontage requirements from the curb to the property line), guidelines for the Provincial Arterial Highway in Table 4.3.1 Road Cross Section Summary, shall apply. Road design to be accepted by MOTI, as per the BC Supplement to TAC and the TAC Geometric Design Guide for Canadian Roads.

4.2.2 Land-Use Context

The land-use context helps understand the potential character and urban form of an area plus movement and activity patterns, including the type and expected number of users. In a transportation context, land use often indicates the amount of pedestrian, bicycle, and transit activity that can be expected on the corridor and informs the types of vehicles that should be accommodated. The land use types are described, from a transportation perspective, as follows:

- **Rural:** Rural land use is primarily agricultural or industrial. Properties are larger with lower access frequency but with larger vehicles. The primary mode is vehicle, and typically no parking or urbanization is provided.
- <u>Hillside:</u> Hillside land use is typically lower density single family residential. Typically, vehicle focused with basic active transportation facilities. Often constrained corridors due to geography that result in narrow, winding roads.
- <u>Suburban:</u> Suburban land use is typically lower density single family residential. Typically, vehicle focused with basic active transportation facilities.
- <u>Industrial:</u> Industrial land use supports a range of modes and primarily vehicles with accommodation for heavy vehicles. Active transportation facilities should be considered in areas with uses with high customer/employment numbers and as part of the larger network. Roads may allow on-street parking.
- <u>Core Area:</u> Core Area land use is higher density with residential, commercial, and mixed uses. More pedestrian, cycling and transit activity is expected. Therefore, vehicle and active transportation are accommodated with higher emphasis on pedestrians and bicycles compared to the Suburban land use.
- <u>Urban Centres:</u> Urban Centres land use has the highest density of development with elevated levels of street level activity. Streets often provide a secondary function as public spaces. Many

trips are internal and completed on foot or bicycle. While access to the area is important, the speed of vehicles through the area is a lower priority, with a greater emphasis on pedestrians.

4.2.3 Network Overlay Maps

Network Overlay Maps have been developed to identify transportation elements that apply across multiple classifications (type and land use), and therefore require a consistent application. The following OCP Network Overlay Maps to the Functional Road Classification are:

- OCP Map 13.2 Transit Overlay: The Transit Overlay identifies key corridors for existing and future transit infrastructure. Most transit trips begin and end with walking, so it is important that these streets have good sidewalks, pedestrian network connectivity and convenient places to cross streets and catch the bus. Special attention is necessary to accommodate the larger transit vehicles along these routes and additional space may be required for specialized infrastructure, such as shelters or benches. Implemented as per Section 4.13 Transit Facilities, 4.5 Intersections and Standard Drawings SS-59 Urban Transit Stop Layout and SS-60 Urban Transit Stop Shelter Pad Details.
- OCP Map 13.3 Biking Overlay: The bicycle overlay identifies the existing and future primary (All Ages and Abilities) network and secondary (supporting) network. It shows streets where additional space is typically needed to separate people biking from vehicle traffic. Primary Bike Routes are intended to accommodate people of all ages and abilities with physical separation from traffic. These have site-specific designs, generally guided by Development Cost Charge Bylaw (DCC) project design, for which prior consultation with the City Engineer is required. Where a Primary Biking Route is identified on OCP Map 13.3 Bike Overlay Map, up to 2.0 m of additional ROW may be required. Secondary Bike Routes are usually bike lanes that connect people to the primary routes and their destinations. These should be implemented as per standard cross section drawings. All bike facility designs require consideration of current design practice as outlined in Section 4.12 Cycling Infrastructure, with priority given to user safety.
- OCP Map 13.4 Truck Route Overlay: The Truck Route Overlay identifies the truck routes
 and industrial areas where trucks are expected. Special attention is necessary to
 accommodate larger vehicles along these routes, particularly at intersections. See Section
 4.5 Intersections as well as Section 4.17 Pavements Structures.
- OCP Map 13.5 DCC Project Overlay: The DCC project overlay shows places where
 transportation projects are planned to support sector growth. These projects have specific
 transportation objectives to meet the needs of our growing community. They may not be
 implemented as per standard cross sections; designs that interact with this overlay map
 require prior consultation with the City Engineer and often require DCC Design Reports.

4.2.4 Linear Park Trail Classifications:

The trails of Kelowna vary with their context, level of use, and specific location. To capture the hierarchy, the trails have been classified into six types. The Linear Parks Trails shall follow the locations identified in Map 10.1 – Linear Corridors of the City's OCP. The determination of which trail class to use in which location is determined by the standards and use requirements below.

• <u>Class 1 – Major Urban Promenade:</u> A hard surface promenade designed to withstand a high level of use in an urban setting. These major City-wide routes are within, between or adjacent to popular destination points such as City-wide parks. They receive a variety of

uses including walking, jogging, cycling, wheelchairs, roller blades, general passage by all ages, and maintenance vehicles. They are typically in town centres and prominent, such as the waterfront.

- <u>Class 2 Major Urban Multi-Use:</u> A hard surface pathway designed for shared users and multiple directions. These are major routes through the City that are designed for bidirectional travel and multiple user types including walking, jogging, cycling, wheelchairs where possible, general passage by all ages, and maintenance vehicles. These are sometimes linkages between other trail types and are on occasion along rural roads.
- Class 3 Major Rural Multi-Use: An aggregate or asphalt millings surface trail designed for major City-wide routes. These will accommodate multiple user types such as walking, jogging, cycling, wheelchairs where possible, equestrian, general passage by all ages and maintenance vehicles. Typical locations are parks, creek corridors beyond the Riparian Management Area and irrigation flumes.
- <u>Class 4: Standard Multi-Use:</u> An aggregate or asphalt millings surface trail along significant routes through parks, neighbourhoods, secondary routes, creek corridors beyond the Riparian Management Area, irrigation flumes and natural parks for moderate use and bidirectional travel. These will accommodate walking, jogging, cycling, wheelchairs where possible, and equestrians in some locations. They shall have a width and gradient to accommodate a maintenance vehicle and specialized fire suppression equipment.
- Class 5: Narrow Multi-use: An aggregate or asphalt millings surface trail along routes
 where a Narrow Multi-Use Trail is required to accommodate topography, through parks,
 neighbourhoods, secondary routes, creek corridors beyond the Riparian Management Area
 for low or moderate level of use. These will accommodate walking, jogging, and mountain
 biking.
- <u>Class 6: Nature Trails:</u> A natural ground trail, with aggregate cover as required, for
 locations in natural parks and creek corridors with locations of steeper terrain, intended
 primarily for single track travel, for low to moderate levels of use. Steps may be needed in
 very steep sections. Lower use locations. These will accommodate walking, mountain
 biking, and hiking.

4.3 Cross Section Elements

4.3.1 General

Refer to Schedule 1 – Works & Services Requirements and Section 4.2 – Road Classifications to identify the applicable road classification and standard cross section for a road. Cross section requirements are identified within Schedule 1 – Works & Services Requirements.

Details include:

- Pavement width is measured from lip of gutter to lip of gutter, or edge of pavement to edge of pavement.
- Lane widths are measured from:
 - Centre of pavement marking to centre of pavement marking;
 - Centre of pavement marking to face of curb; or
 - o Centre of pavement marking to edge of pavement (where there is no curb).
- Rights-of-way and pavement widths are identified in **Table 4.3.1: Road Cross section Summary** and may necessitate increases, as is warranted by engineering analysis and

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attributable to the proposed subdivision or development, or to achieve larger transportation objectives, to accommodate:

- Special purpose lanes (turning lanes, passing lanes, climbing lanes, parking/loading lanes, or bus lanes, etc.)
- Transit facilities (queue jumper lanes, bus bays/pullout, transit stops, transit shelter, transit infrastructure, etc.) in accordance with OCP Map 13.2 – Transit Overlay;
- Active transportation facilities (bicycle lanes, protected bicycle lanes, multi-use pathways, space for queuing, and turning at intersection etc.) in accordance with OCP Map 13.3 – Biking Overlay; and
- For operational or constructability considerations related to roadways being adequately supported, protected, or drained.

Note that the objectives of the Standard Road Cross Sections, as detailed in **Table 4.3.1**: **Road Cross section Summary** and the Standard Drawings, are the clear and intended goals on all roads within the City. **Table 4.3.1**: **Road Cross section Summary** is intended to provide guidance for most design scenarios. Designs for more complex or unique developments require consultation with the City Engineer, as outlined in **Section 4.1.1** – **Transportation Design Standards**.

Table 4.3.1: Road Cross Section Summary¹

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Milister American			200	XS-R ₂₁	1	4.8	×		×			2	2.4	9.0	×	✓	✓	✓	2	1.5	2	1.35	2	0.9	×		×		×		17.4
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Suburban		Hilisiae	200	XS-R ₂₃	2	3.0	×		×			1 9	2.49	7.8/5.4	×	✓	✓	✓	1	1.5	2	1.35/2.259	1	0.9	×		×		×		12.3
Industrial	Local		200	XS-R ₂₄	2	3.0	×		×			×		5.4	×	✓	×	✓	1	1.5	2	1.35	×		×		×		×		10.5
Core Area XS-Ry 1 5,2 x x		Suburban		XS-R ₂₅	1	5.1	×		×			2	2.4	9.3	×	✓	×	✓	1	1.8	1	1.8	2	1.10	×		×		×		16.0
Urban Centre SS-R28 2 3,0		Industrial			2	3.4	×		×			2	2.7	11.6	×	✓	×	✓	2	1.8	×		2	2.0	×		×		×		20.0
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Full like field fi		Rural		XS-R40	2	3.2	×		2	0.6	1.8	×		10.0	✓	×	×	×			×		28	4.48	×		×		×		20.0
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Road Classification ¹	se	Maximum Units Served ¹¹	Cross Section Drawing #	s	es (excl. pecial rpose)²	//	edian³ Aux. .ane		Should	ers	Pa	rking ⁴	Pavement Width (m)	Г	Prainag	e		Sidew	alks	В	lvds³	В	order ⁵				Faciliti Map 1			h (m)
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Minor Arteri al	Urban Centre		XS-R67	2	3.3	×		×			1	2.4	13.8	×	✓	×	✓	2	3.0	2	1.85	2	0.3	×		2	1.8	2	0.9	25.0
ĀΑ	Orban Centre		XS-R67	2	3.3	✓	3.0	×			×		13.8	×	✓	×	✓	2	3.0	2	1.85	2	0.3	×		2	1.8	2	0.6	25.0
			XS-R8o	2	3.4	✓	4.4	2	0.6	2.1	×		15.4	✓	×	×	×			×		2 ⁸	4·7 ⁸	×		×		×		26.0
	Rural		XS-R81	2	3.4	√	4.4	2	0.6	1.8	×		14.8	✓	×	×	×			×		2 ⁸	4.5 ⁸	1	3.0	×		×		29.0
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			XS-R8 ₃	4	3.4	√	4.4	2	0.6	1.8	×		21.6	√	*	×	×			×		2 ⁸	4.6 ⁸	1	3.0	×		×		36.0
Major	Suburban		XS-R84	2	3.4	V	4.4	*			*		15.4	*	✓ ✓	*	√	2	_	2	1.75	2	0.3	*		2	1.8	2	0.6	24.0
Arterial			XS-R85	4	3.4	V	4.4	×			*		22.2	*	✓ ✓	×	✓ ✓	2	l	2	1.50	2	0.15	×		2	1.8	2	0.6	30.0
	Core Area		XS-R86	2	3.3	· /	4.2	×			×		15.0	×	./	×	∨	2		2	2.15	2	0.3	×		2	1.8	2	0.6	25.0
			XS-R87 XS-R88	4	3.3 3.3	1	4.2 3.0	×			×		21.6 13.8	*	∨	× ×	· /	2		2	2.10	2	0.3	×		2	1.8	2	o.6 o.6	31.5
	Urban Centre		XS-R89	1.	3.3 3.3	·	3.0	*			×		20.4	×	V	×	✓	2		2	2.10	2	0.3	×		2	1.8	2	0.6	25.5 32.0
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Notes:

- 1. Refer to Map 13.1 Functional Road Classification within the OCP.
- 2. Additional width may be required to accommodate active transportation corridors, transit facilities or by special purpose lanes at intersections. Refer to *Map 13.2 Transit Overlay*, *Map 13.3 Biking Overlay*, *Map 13.4 Truck Overlay*, and *Map 13.5 DCC Project Overlay* of the City's *OCP*. Special purpose lanes are required as per site conditions, projected traffic volumes and *TAC Geometric Design Guide for Canadian Roads*. Where a primary Biking Route is identified on OCP *Map 13.3 Biking Overlay* up to 2.0 m of additional ROW may be required.
- 3. Raised medians and boulevards shall be planted as per Landscape and Irrigation, Schedule 4, Section 7 of this Bylaw.
- 4. Parking and bicycle lane width measured from centre of pavement marking to face of curb.
- 5. Where existing dedicated ROW exceeds the standard cross section ROW identified, additional space shall be allocated at the discretion of the City Engineer to best achieve transportation objectives.
- 6. If an Industrial Laneway is required, it shall be designed to accommodate the anticipated design vehicle.
- 7. Surface stormwater management is by inverted crown.
- 8. Border includes width for ditch. Border for MUP included in MUP width.
- 9. Alternating between parking bays and boulevard.
- 10. Provincial Arterial Highway designs to be accepted by MOTI, as per BC Supplement to TAC and the TAC Geometric Design Guide for Canadian Roads.
- 11. Subject to **Section 4.9.**
- 12. Core Area Lanes to be 6.0 or 7.6m wide, based upon the following:
 - a. 6.0 m Right of Way and asphalt surface along the length of the laneway if the current or proposed land use is Single-Family, Infill and/or Townhouse (including MF1 and MF2), or Parks, as identified by the Zoning Bylaw.
 - b. 7.6 m Right of Way and asphalt surface along the length of the laneway if the current or proposed land use is Apartment (including MF₃), Health District, Village Centre, Commercial and/or Core Area Commercial Zone, as identified by the Zoning Bylaw.

4.4 Alignments

4.4.1 General

Alignment values shall be in accordance with the *TAC Geometric Design Guide for Canadian Roads*, unless otherwise noted herein. This Bylaw addresses typical conditions found in the City of Kelowna are not necessarily suitable for high-speed design considerations (i.e., 70km/h or greater). Any high-speed design shall be in accordance with *TAC Geometric Design Guide for Canadian Roads* and undertaken in consultation with the City Engineer.

In addition to this section, please refer to **Section 4.19 – Hillside Standards**.

4.4.2 Grade

Normal grade limits shall be as shown in **Table 4.4.1**: **Geometric Guidelines**.

The use of the maximum grades shall be restricted to cases where:

- The desired maximum grade cannot be obtained due to topographical constraints along accepted alignments; or
- The geometric design of intersections can be improved by increasing the grade on the minor road to avoid compromising the design of the major road.

Driveway grades shall be designed according to Standard Drawing SS-R58 - Driveway Grade

4.4.3 Vertical Curves

Vertical curve limits, as shown on **Table 4.4.1**: **Geometric Guidelines** and **Table 4.4.4**: **K-Values** are defined by the K-Value. The K-Value is the ratio of the curve length in meters to the algebraic difference in percent grades.

Use of K-Values below the limits shown in **Table 4.4.1: Geometric Guidelines** and **Table 4.4.4: K-Values** shall be restricted to cases justified by topographical constraints and are subject to approval by the City Engineer, who shall consider the adequacy of the resulting sight distances for any proposed reduction in K-values.

At road intersections, the minor road and/or cul-de-sac shall be constructed with an approach grade of not greater than 3% for a distance of not less than 15 m from the adjacent edge of asphalt of the major road.

4.4.4 Cross-Slopes

Standard roads shall have a centreline crown. The location of offset crowns shall be located on the lane line or the centre of the lane. Under adverse topographic conditions, and with approval of the City Engineer, offset crown or non-standard cross-slope may be used. An inverted crown (centreline swale) may be used for lanes.

The standard cross-slope is 2.0%. Superelevation introduction, transition, and usage shall follow guidelines within the TAC Geometric Design Guide for Canadian Roads, and as shown in **Table 4.4.1: Geometric Guidelines**.

At intersections, the cross-slope of the minor street shall be varied to suit the profile of the major street.

The maximum rate for changing cross-slope at intersections shall be as follows:

Arterial: 3% in 30 m
 Collector: 4% in 30 m
 Local: 6% in 15m

Additional provisions for adequate drainage across roadways may be warranted in areas of cross-slope transition.

4.4.5 Horizontal Alignment

Minimum radii and corresponding crown and super-elevations are shown in **Table 4.4.1: Geometric Guidelines** and **Table 4.4.3: Minimum Radii.** The centreline alignment of the road shall be located on the centreline of the right-of-way.

Horizontal alignments, including road centreline and curb return chainage stationing, shall be fully referenced, and fully described, showing internal angles, radii, tangent and arc lengths, taper ratios, and other descriptions as may be necessary for orienting, design review, and constructability.

4.4.6 Taper Lengths

Narrowing or widening of lane widths or dropping/adding a lane(s) are road characteristics that require appropriate and consistent pavement markings, signing and taper lengths based on speed. Centreline lane width transitions shall be as per TAC Manual of Uniform Traffic Control Devices and shown in **Table 4.4.6**: **Taper Values**. Auxiliary lane development tapers shall be as per principles in TAC Geometric Design Guide and as shown in **Table 4.4.6**: **Taper Values**.

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Table 4.4.1: Geometric Guidelines

	Design	Cunar	Radius		% Grade		K-'	Value (min.)	Sight Dista	nce (min.)
Classification	Speed (km/h)	Super Elevation % (max.)	m (min.)	Min	Desired Max	Max	Crest	No Illum	Sag Illum.	Stopping (m)	Decision (m)
Public Pathway/Multi- Use Pathway			TAC 5.5.3.1	1.0	5	8				TAC 5.5.2	1
Driveway, Single-family				1.0	8	10 15 ³					
Driveway, Commercial/ Multi-family	20		20	1.0	+6 -4	+10 -4	2	2	2	20	
Hillside Emergency Access	20		12	1.0	10	15	2	2	2	20	
Laneway	20	2 I.C. ²	20	0.5 ⁸ /	8	12 15 ³	3	2	2	20	80
Local		2 N.C. ²		0.5	6	12 10 ¹ 15 ³					
Collector	Table	6 4 ¹	Table	0.5	6	10 8 ¹ 12 ³	T	able 4.	4.4	Table	4.4.5
Minor Arterial	4.4.2	6 4 ¹	4.4.3	0.5	6	8 6 ¹ 10 ³		·			- , -
Major Arterial		6 4 ¹		0.5	6	8 6¹					
Provincial Arterial Highway		•		Ro	oad design to	o be acce	pted by N	ИОТІ		•	

Notes:

- Through roads at an intersection shall have the identified lower grades and increased radii extended on each side of the intersection for a distance equivalent to the Stopping Sight Distance.
- 2. Inverted Crown (I.C.) and Normal Crown (N.C.) to be 0.02 m/m (2%).
- 3. Within Hillside context maximum grade permitted where necessary due to topographic constraints and as approved by the City Engineer.
- 4. Tangent sections of Local roads, Collector roads and Minor and Major Arterial Roads shall have a N.C., located along the centreline of the road.
- 5. Reverse Crown may be considered in special circumstances.
- 6. Maximum super elevation reduced to 4% where there are intersecting roads or private accesses.
- 7. Changes in gradient more than 1% on Arterial roads and Collector roads, and over 2% on all other road classifications, shall be connected by vertical curves. Vertical curves shall be designed in accordance with the *TAC Geometric Design Guide*.
- 8. If longitudinal grade of a lane is less than 1.0% a Concrete Drainage Swale Across Asphalt shall be used, see standard drawing SS-R23 Concrete Drainage Swale Across Asphalt.

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- 9. The designer is responsible for establishing the appropriate combination of decisions to determine the required decision sight distance.
- 10. The combination of maximum grades with minimum horizontal and/or vertical curves shall be avoided.
- 11. Where there is a combination of horizontal and/or vertical curves combined with vertical grades, the designer should consider the following equations, while still meeting maximum and minimum values in Table 4.3.1.

$$\frac{\textit{Min.Radius}}{\textit{Design Radius}} + \frac{\textit{Min.K}}{\textit{Design K}} \leq 1.8$$

$$\frac{\textit{Design Grade}}{\textit{Max Grade}} + \frac{\textit{Min.Radius}}{\textit{Design Radius}} \leq 1.8$$

Table 4.4.2: Design Speeds

		Design Spe	ed (km/h)	1,2,3	
			Land	Use	
Classification	Rural	Suburban	Hillside	Industrial	Core Area & Urban Centre
Local	50	40	30	40	30
Collector	50	50	50 40 ⁴	50	40
Minor Arterial	70	50	60 50 ⁴		50
Major Arterial	80	60	60 50 ⁴		50

Notes:

- Design speed is the speed set for the design of the geometric features of the road that affect vehicle operation. Posted speed is the speed limit set by the City for reason of safety, economy, traffic control, and regulatory policy to encourage drivers to travel at an appropriate speed for surrounding conditions.
- 2. The City generally posts speed limits to the design speed, except where the design speed is ≥70km/h, where the posted speed is typically be 10 km/h lower.
- Where the existing posted speed is or exceeds 70km/h, maintain the posted speed unless otherwise directed by the City Engineer.
- Minimum permitted design speed, where necessary due to topographic constraints, and approved by the City Engineer.

Table 4.4.3: Minimum Radii

		Mir	nimum Radius (m	
Design Speed	Normal Crown 2%	Reverse Crown 2%	Superelevation 4%	Superelevation 6%
20	12			
30	25			
40	55	50		
50	105	90	80	
60	180	145	130	120
70	300	230	205	185
80	420	315	280	255

Notes:

- 1. For radii less than 55 m, no parking shall be permitted on the inside of the curve.
- 2. Intersection sight distance shall be provided for the approach and departure of an intersection, in accordance with the TAC Geometric Design Guide for Canadian Roads.
- 3. In retrofit designs, when the curve radius does not meet the minimum identified in **Table 4.4.3: Minimum Radii**, the designer shall consider lane width widening to accommodate the design vehicle.

Table 4.4.4: K-Values

	K-V	alue (mir	1)
Design		Sa	ag
Speed	Crest	Illumi	nated
		No	Yes
30	2	6	2
40	4	9	4
50	7	13	6
60	11	18	9
70	17	23	12
8o	26	30	16

Table 4.4.5: Sight Distance

Design		ım Sight ance¹
Speed	Stopping	Decision²
30	35	0-120
40	50	20-160
50	65	75-200
6o	85	95-235
70	105	125-275
80	130	155-315

Note:

1. In addition to stopping and decision sight distance, intersection sight distance shall

- be provided as per TAC Geometric Design Guide, Section 9.9.2.3, where warranted or required by the City Engineer.
- 2. Distances are subject to adjustment based on approach grade. Refer to TAC Geometric Design Guide, Section 2.5.

Minimum Taper					
Design Speed	Through Lane Alignment	Auxiliary Lane Development			
20	NA	NA			
30	15:1	5:1			
40	20:1	7.5:1			
50	25:1	10:1			
60	40:1	15:1			
70	45:1	20:1			
80	50:1	25:1			

Table 4.4.6: Taper Values

Notes:

- Through lane alignment tapers are made both by utilizing horizontal curves at the beginning and end of transition that is 2x the radius indicated in Table 4.4.3:
 Minimum Radii.
- 2. Auxiliary lane development taper is made by utilizing horizontal curves at the beginning that is 2/3 and end of transition that is 1/3 the radius indicated in **Table 4.4.3: Minimum Radii**
- 3. Through lane alignment tapers shall not be used within horizontal curves.

4.5 Intersections

4.5.1 General

Intersections shall be designed according to *TAC Geometric Design Guide for Canadian Roads* - *Intersections Chapter*. Intersections require specialized design, are often complex, and no one treatment can be universally applied, nor do road cross sections simply apply.

Intersections shall be designed with roads intersecting as close to 90° as possible. The acceptable range of intersection angle is between 70° and 110°.

4.5.2 Curb Returns

The minimum curb return radii for intersections at 90° angles shall be as follows in **Table 4.5.1: Minimum Curb Return Radii**. The designer shall consider the appropriate design vehicle expected to utilize the intersection and follow the curve radius principles listed in *TAC Geometric Design Guide* and *BC Active Transportation Design Guide*. Curb returns located on roads within industrial, agricultural, and commercial areas may require a larger radius to facilitate truck traffic and bus traffic. For truck and transit routes, shown on **OCP Map 13.4 – Truck Route Overlay** and **OCP Map 13.2 – Transit Overlay** and in Industrial areas, as per *OCP Map 13.1 – Functional Road Classification*, turning path analysis is required at intersections.

Right turn channelization should not be used in Core Areas and Urban Centres. However, where larger design vehicles are expected (e.g., Industrial Land Use, Major and Minor Arterial Roads,

Truck Routes), right turn channels shall be designed as Urban Smart Channels. An Urban Smart Channel is a hybrid right turn channel where vehicles enter the cross street at a sharper angle (typically ≥70°) and utilize a truck apron which accommodates larger design vehicles while managing the speeds of general traffic. This reduces the turning radius, causing drivers to slow down to complete the turn. This layout positions crossing pedestrians more directly in the line of sight of oncoming vehicles, thereby increasing visibility. See standard drawing **SS-R50 - Smart Channel Right Turn.**

Classification	Intersection with				
Classification	Local	Collector	Arterial		
Lane	With 3:1 flare to property corners				
Local	7.5 M	7.5 m	7.5 M		
Collector	7.5 M	7.5 -10 m	*		
Arterial (Minor or Major)	7.5 m	*	*		

Table4.5.1: Minimum Curb Return Radii

Curb return layouts are Illustrated in standard drawings SS-R51 - Intersection Curb Extension – Higher Class Road No Parking and SS-R52 - Intersection Curb Extension – Higher Class Road With Parking.

Gutter elevations on curb returns and cul-de-sacs shall be shown on the drawings at the beginning, one-quarter points, and end of curb returns, and at minimum 7.5 m intervals around cul-de-sacs. Profile drawings may be required where vertical curves or complex geometry are present in designs.

4.5.3 Corner Cuts

A corner cut is a triangular area of dedicated land at the corner of a property located at the intersection of two roads. This triangular area is required to achieve sight distances and to provide space for vehicle turning movements and accessibility.

Corner cuts shall be sufficient to provide a minimum distance from curb face to property line through the curve of 4.0 m or 5.0 m within Urban Centres. For the Major Road Network, property dedication shall be based on traffic control, axillary lanes and turn path analysis. Minimum corner cuts shall be as shown in **Table 4.5.2: Minimum Corner Cut Areas**.

^{*}The designer shall consider pedestrians, design vehicle, projected volumes, turning movements, approach and receiving lane widths, intersection angles, design vehicle turn path speed, and whether turning lanes are provided. When it is necessary to accommodate turning movements by large trucks, the use of offsets, tapers, and compound curves is recommended in place of a larger simple radius to minimize pedestrian crossing distances.

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Table 4.5.2: Minimum Corner Cut Areas

Intersection Type	Corner Cut
Lane to Lane	5 mx 5 m
Suburban Hillside Lane to all other roads	Not required
All other lanes to any road	3 m x 3 m
Local	3 m x 3 m
Collector	5 m x 5 m
Arterial (Minor or Major)	5 m x 5 m

4.5.4 Left Turn Lanes

Warrants for, and details of, left turn lanes shall be designed in accordance with the TAC Geometric **Design Guide.** Left turn lanes shall be required at signalized intersections.

Left turn lanes shall be "opposing" in design style.

4.5.5 Sight Distance

In addition to sight distance requirements elsewhere in this and other Bylaws, intersection sight distance shall be provided for the approach and departure of an intersection, in accordance with the TAC Geometric Design Guide for Canadian Roads.

Supplementary devices, such as mirrors, shall not be an acceptable solution to inadequate sight lines for new construction.

4.5.6 Curb Extensions

Curb extensions, also known as bulges or bulbs, should be considered for vehicle speed reduction, reduced pedestrian crossing distance, and improved pedestrian visibility. Design of the curb extensions shall be in accordance with the TAC - Canadian Guide to Traffic Calming and Section 4.20 - Traffic Calming.

For the design of Local roads and Collector roads with on-street parking, curb extensions shall be included both at intersections and at pedestrian crossings.

See Standard Drawing SS-R51 - Intersection Curb Extension - Higher Class Road No Parking and SS-R52 - Intersection Curb Extension – Higher Class Road With Parking for general design layout. Note that turn path analysis and site-specific design is required.

4.6 Roundabouts

A modern roundabout is a circular intersection in which vehicles travel counterclockwise around a central island. Vehicles entering the roundabout shall yield to traffic circulating within the roundabout. As traffic speeds are slower than within a traditional intersection, roundabouts tend to be a safer intersection treatment.

Recognizing the safety, environmental, operational, and life-cycle cost benefits, modern roundabouts shall be considered as the first option for greenfield situations where all-way stop control or traffic signals are, or will be, warranted by traffic analysis at Arterial/Arterial and Arterial/Collector roads intersections.

Roundabouts shall be considered for higher level intersection control for existing intersections with high turn volumes, intersections with a documented accident history, intersections that require complex decisions and movements, and intersections where not all legs are constructed at once.

Roundabouts generally are not considered for intersections with low turning movements, little accident history or potential, steep topography, or a significantly higher life-cycle costs than for a signalized intersection.

Roundabouts shall be designed in accordance with TAC – Canadian Roundabout Design Guide.

4.7 Railway Crossings

Locations and details of railway grade crossings are subject to requirements included in the *TAC Geometric Design Guide* and references noted therein. Railway crossing signs shall be in accordance with *TAC Manual of Uniform Traffic Control Devices for Canada* and any other applicable Federal or Provincial standards for Railway Crossings.

4.8 Traffic Control Devices

All traffic control devices, signs, pavement markings and warrants, shall be in accordance with the TAC Manual of Uniform Traffic Control Devices for Canada, TAC Geometric Design Guide for Canadian Roads, and British Columbia Active Transportation Design Guide.

All pavement markings (longitudinal, transverse, and symbols) shall be durable and in accordance with the **Approved Product List**. Pavement marking types, locations, dimensions, and materials shall be provided for review and acceptance by the City Engineer.

The developer is responsible to supply and install all sign sleeves and bases. The City, at their discretion, may produce the signs or provide the developer with a list of suppliers to have the signs made.

Traffic Control Device materials shall be as per the City's **Approved Products List**.

Signage and pavement markings for roundabouts shall be designed in accordance with **4.6** - **Roundabouts**.

Traffic Signals shall be designed in accordance with **Section 6 – Traffic Signals**, of this Schedule.

4.9 Cul-de-Sacs

4.9.1 General

The following requirements are for all roads unless superseded by **Section 4.9.2 – Hillside Cul-de-Sacs**.

A cul-de-sac is required at the terminus of roads longer than 90 m and shall be designed as per standard drawing **SS-R53 - Cul-De-Sac Turnaround** to permit safe and adequate space for the turning of vehicles. The maximum road length for a cul-de-sac (excluding Hillside areas) is 200 m, measured from the edge of the intersecting through road to the centre of the cul-de-sac bulb.

A pedestrian walkway shall be provided in each cul-de-sac to provide active transportation access through the neighbourhood. The walkway shall conform to the standard drawing, **SS-To2 - Major Multi-Use (Urban) standards** of this bylaw.

When a cul-de-sac is at the bottom of a hill, the longitudinal gradient of the first 50 m of road uphill from the cul-de-sac bulb shall not exceed 5%. The maximum longitudinal gradient for the rest of

the hill shall not exceed 8%. When a cul-de-sac is at the top of a hill, the longitudinal gradient for the road downhill from the cul-de-sac shall not exceed 12%.

The draining grade around the outside curb of a cul-de-sac shall not be less than 0.5% and not greater than 5%. Longitudinal gradients of cul-de-sac bulbs shall not exceed 5%.

4.9.2 Hillside Cul-de-Sacs

In hillside areas, as identified in *Map 13.1 Functional Road Classification*, long streets may be required to access developable pockets within areas of steep terrain. Due to the complex topography, it may not be possible for connectivity to be achieved at both ends of a street. However, in response to public safety:

- 1. A cul-de-sac or a second point of access is required at the terminus of roads longer than 90 m.
- 2. A Hillside Emergency Access is required on roads between 90 m and 360 m in length, serving more than 100 units¹.
- 3. A Secondary Access Public Lane is required within the last 360 m on roads longer than 360 m and serving/designed to serve up to 100 units*.
- 4. A Local road is required within the last 360 m on roads longer than 360 m and serving more than 100 units¹.
- 5. Beyond 600 units, a third access route is required. Turn-arounds are required every 360 m.

¹Unit count total shall include all units that depend on a single point of access to the Major Road Network (see **Section 4.2.1**), including branching cul-de-sacs. The number of units shall include the maximum potential unit count of single family, multi-family, secondary suite/carriage houses as permitted by zoning. For non-residential land uses, building occupancy will be considered.

In general, temporary secondary points of access will not be considered. However, a Hillside Emergency Access may be considered, consistent with the limitations of this access type, where it is:

- 1. Ultimately replaced by a permanent connection on another alignment or to higher standard (e.g., public lane, Local roads, etc.);
- 2. Constructed over the applicants' lands within a highway road reserve;
- 3. Constructed to the Hillside Emergency Access standard (but unpaved); and
- 4. Maintained by the applicant to the satisfaction of the Kelowna Fire Department.

Temporary secondary points of access will not be considered to defer the construction of ultimate works on the same alignment. Maintaining street connectivity for safety reasons wherever possible is a priority.

For Hillside Cul-de-Sacs, see standard drawing **SS-R53 - Cul-De-Sac Turnaround**. The City's preference for turn-around is a Cul-de-sac. A hammerhead turnaround, as per standard drawing **SS-R54 - Hammerhead Turnaround**, may be permitted by the City Engineer in hillside areas where there are topographic constraints, upon demonstrated hardship.

4.10 Traffic Barriers

A traffic barrier is a concrete barrier that primary functions to prevent penetration and safely redirect an errant vehicle away from a roadside or median hazard. The use of barriers within urban areas should be avoided and an appropriate clear zone should be provided.

If alternative design strategies are not viable and where warrants are met and approved by the City Engineer, in accordance with the Roadside Safety section of the *TAC Geometric Design Guide* and *BC Supplement to TAC Geometric Design Guide*, *Section 610 – Safety Barriers*, traffic barriers may be installed as per *Section 640 – Highway Safety Drawings*.

4.11 Sidewalks and Pedestrian Crossings

Appropriate allocation of pedestrian facilities through sidewalks and pedestrian crossings is an important multi-modal consideration as part of transportation infrastructure.

4.11.1 Sidewalks

Sidewalk requirements vary by road class and shall be as outlined above in **Table 4.3.1**: **Road Cross section Summary**. Sidewalks, crosswalks, and pedestrian facilities shall be designed in accordance with the following guidelines:

BC MOTI – British Columbia Active Transportation Design Guide;

CSA – Accessible Design for the Built Environment;

TAC – Geometric Design Guide for Canadian Roads;

TAC – Manual of Uniform Traffic Control Devices (MUTCD); and

TAC – Pedestrian Crossing Control Manual.

For sidewalks crossing accesses, the sidewalk grade shall be maintained across driveway crossings using methods outlined in the *BC Active Transportation Design Guide* and as per SS-C7a - Driveway Crossing for Barrier Curbs – Separate Sidewalk and Letdown and SS-C7b - Driveway Crossing for Barrier Curbs – Combined Sidewalk and Letdown.

4.11.2 Pedestrian Crossings

Safe and accessible pedestrian crossings are crucial to ensuring that people of all ages and abilities can navigate the transportation network. Pedestrian crossings present one of the greatest challenges for vulnerable road users, as they are exposed to conflicts with motorists and other road users. Geometric design elements, signage, pavement markings, and traffic control devices can be used to assist pedestrians and reduce these conflicts.

The provision and design of pedestrian crossings shall consider existing and future site conditions, pedestrian and traffic volumes, network connectivity, and pedestrian accessibility. The warrant for a proposed crosswalk shall be evaluated using the *TAC Pedestrian Crossing Control Guide*. New developments shall include future site conditions in the crossing warrant analysis.

The pedestrian crossing width can range from a minimum of 2.5 m to as wide as 4.0 m (*TAC Design Guidelines, Section* 2.3.14.1). The pavement marking and signage configuration for crossings shall be designed in accordance with the *TAC Manual of Uniform Traffic Control Devices for Canada*.

4.11.3 Accessibility

Accommodating people of all abilities is a primary objective of the City when designing transportation facilities. Universal design principles ensure that the built environment is accessible to people of all ages and abilities, regardless of any type of physical or cognitive impairment.

Tactile Walking Surface Indicators (TWSI) shall be required on new or upgraded curb letdowns within urban and village centres, adjacent public institutions, or crossing Active Transportation Corridors. TWSI shall be installed on curb letdowns of any new or upgraded crosswalk with a higher-level treatment, including rectangular rapid flashing beacons (RRFB), protected centre median pedestrian refuge, pedestrian signal, overhead flashers, or any crossing enhanced beyond a signed and marked crosswalk. See standard drawings SS-C8 - Sidewalk Ramp Details and SS-C9 Sidewalk Ramp Layouts. Refer also to the CSA Accessible Design for the Built Environment for design guidelines.

4.12 Cycling Infrastructure

Cycling infrastructure shall be designed in accordance with the following guidelines:

BC MOTI - British Columbia Active Transportation Design Guide;

TAC – Geometric Design Guide for Canadian Roads;

TAC – Manual of Uniform Traffic Control Devices (MUTCD); and

TAC – Bikeway Traffic Control Guidelines for Canada.

There are several types of cycling infrastructure that can be applied in various contexts. These facilities include on-street facilities (neighborhood bikeways, protected bicycle lanes, painted and buffered bicycle lanes, advisory bicycle lanes, bicycle accessible shoulders, shared-use lanes, and Shared Street) or off-street facilities (multi-use pathways or bicycle pathways).

The **OCP Map 13.3 – Biking Overlay** identifies the City's planned cycling network and facility type. Designers should consider motor vehicle speeds and volumes as the most important considerations in selecting the appropriate bicycle facility design. Higher motor vehicle speeds and volumes necessitate a greater degree of separation between motor vehicles and bicycles.

Cycling infrastructure requirements shall be as outlined in **Table 4.3.1**: **Road Cross Section Summary, Schedule 1 – Works and Services Requirements** of this bylaw, and **OCP Map 13.3 – Biking Overlay**.

4.13 Transit Facilities

Transit is an important component of the transportation system, facilitates growth in urban areas, helps to protect residents' quality of life and sustains economic growth. All transportation designs shall make provisions for existing bus routes and stops, as well as accommodate future services and associated transit facilities.

Transit facilities shall be designed in accordance with the following guidelines:

- British Columbia Active Transportation Design Guide;
- BC Transit Infrastructure Design Guidelines;
- BC Transit Infrastructure Design Summary;
- BC Transit Transit Service Guidelines, Central Okanagan Region; and
- TransLink Universally Accessible Bus Stop Design Guidelines.

Infrastructure for transit is dependent upon current and planned transit services, service level type (Rapid, Frequent, Local), current and planned fleet vehicles, land use, road classification, and road performance. Requirements for transit infrastructure including station or stop locations, furnishings and other amenities, bus bays, queue jumper lanes, and signal equipment, shall be coordinated with the City Engineer and BC Transit based on *OCP Map 13.2 – Transit Overlay*. Transit stop intervals shall be as per BC Transit's Infrastructure Design Summary, as per **Table 4.13.1: Transit Stop Spacing** below:

Table 4.13.1: Transit Stop Spacing

Transit Service	Typical Spacing (m)	Spacing Range (m)	
Urban Centre	200	200-300	
Core Area	230	200-365	
Suburban/Industrial/Hillside	300	200-760	
Rural	380	200-800	

Note: For Rapid Bus stop spacing, consult with City Engineer.

Where transit vehicles are to be accommodated within the road design, appropriate lane widths, turning radii, gradients and sight distances shall be incorporated. Geometric designs shall consider the implications on transit users, specifically addressing accessibility constraints, safety, and capacity at bus stop locations. Transit infrastructure shall be located such that it does not interfere with pedestrian movements on the sidewalk.

For detailed transit stop requirements, see Table 3.2 – Bus Stop Amenities within the BC Transit Infrastructure Design Guidelines. For the Frequent Transit Network and Rapid Transit Routes, stop requirements shall be as shown in Table 4.13.2: Transit Stop Requirements and shown in standard drawings SS-R59 – Urban Transit Stop Layout and SS-R60 – Urban Transit Stop Details.

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Table 4.13.2: Transit Stop Requirements

		Amenity			Passenge	er/Shelter pad	s ⁸	
Road Class	Service Layer	Shelter¹	Bench	Trash can	Electrical	Within Boulevard	Back of Walk	Structural Requirements
	Rapid		Cons	ult City	/ / BC T	ransit		
Arterial	Frequent	Avg. weekday boardings >20	Required if shelter not warranted	ervice ²		9m x 3.5m ⁴	7m x 2.25m ⁵	Consult Cit y^6
	Local	Avg. weekday boardings >15	Avg. weekday boardings >5	cial food s	cial food s			
Collector	Frequent	Avg. weekday boardings >20	Required if shelter not warranted	om of comme	Where shelters are warranted ³			
°)	Local	Avg. weekday boardings >15	Avg. weekday boardings >5	ıtres & 25	itres & 250 ere shelte			Cons
Local	Frequent	Avg. weekday boardings >20	Required if shelter not warranted	Within Urban Centres & 250m of commercial food service ²	Wh	9m x 2.4m ⁷	7m x 2.25m ⁷	
	Local	Avg. weekday boardings >15	Avg. weekday boardings >5	ŀΜ	With		7m x 1.8m ⁷	

Average weekday boardings are based upon historical transit data for existing stops or forecasted activity for new transit stops. Consult with the City Engineer for values.

- 1. Shelters shall be required at all transit stops located on Transit Supportive Corridors, within Urban Centres, or nearby secondary schools, community centres, or low-income housing, regardless of current average boardings.
- 2. Trash receptacles shall be required at all transit stops within Urban Centres and within 250 m of commercial food services. Food services includes restaurants, convenience stores, service stations, cafes, and schools. Consult City for types of receptacles.

- 3. Electrical service shall be required where shelters are required and at all transit stops located on Transit Supportive Corridors or within Urban Centres. Requirements: duct from slab to junction box with grounding and connection to nearest City streetlight. Where shelter installations will be deferred, duct to be stubbed at Junction Box. Refer to detail on standard drawing SS-R6o Urban Transit Stop Details.
- 4. Where combined width of boulevard, sidewalk, buffer is greater than 6.0 m, consult the City Engineer for possible reconfiguration of elements within right-of-way.
- A minimum 9.0 m by 2.25 m shelter pad behind the sidewalk, and a 9.0 m long passenger platform in the boulevard shall be required at all transit stops located on Transit Supportive Corridors or in Urban Centres. Refer to standard drawing SS-R59 – Urban Transit Stop Layout.
- 6. Where transit shelters are warranted, model specific foundations shall be required. Consult the City Engineer. Refer to standard drawings SS-R59 – Urban Transit Stop Layout and SS-R6o - Urban Transit Stop Details for required standard bus stop elements.
- 7. Consult City for possible reconfiguration of above-curb elements to accommodate transit stops. Area reflects required shelter pad back of sidewalk minimum 9.0 m long passenger platform in boulevard is also required.
- 8. Where articulated buses are expected to operate in the future, landing pad and shelter pad length shall be 15 m.

4.14 Driveways

Driveways are intended to provide functional access to property while minimizing conflict and speed. Opportunities to consolidate driveways with shared accesses easements should be considered where possible.

4.14.1 Residential Driveways

Residential driveway access to an Arterial road is not permitted unless alternate access onto a lower classification road is not possible. The dedication of new Local Roads or Lanes shall be considered for Subdivision applications to preclude residential driveways accessing directly onto Arterial Roads.

4.14.2 Number of Driveways

For ground-oriented residential developments, only one driveway is permitted per lot. A second driveway may be permitted for a corner lot, if that driveway is not on an Arterial Road or Collector Road.

When two or more new lots are created through Subdivision, lots with frontages less than 14m shall share a common driveway on the shared property line on Local Roads, Collector Roads, or where adjacent to an **Active Transportation Corridor**.

Where access onto a lower classification road is not possible and two or more new residential lots are created through subdivision on an Arterial road, driveway accesses shall be consolidated into one common access with shared access agreements.

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For commercial, industrial, institutional, agricultural, comprehensive, and multi-family developments, only one access is permitted. A second access may be permitted upon demonstrated need, if supported by engineering analysis acceptable to the City Engineer.

When multiple sites consolidate into a single development site, the resulting parcel's accesses shall be consolidated to bring it into conformance with this Bylaw. Where several parcels operate as a single site, consolidation of accesses should be considered.

4.14.3 Driveway Location and Widths

Where a lot abuts roads of different classifications, the driveway shall access the road of the lower classification. Where possible, driveways shall be placed outside **Functional Intersection Area**, as identified in TAC Geometric Design Guide for Canadian Roads.

Accesses across an existing or planned **Primary Bike Route**, as defined on **Map 13.3 –Biking**Overlay of the *OCP*, shall not be permitted unless alternate access is not possible.

Ground-Oriented Housing:

- Driveways located on corner lots shall be at least 7.0 m from the property line corner nearest the intersection.
- Minimum and maximum widths of residential driveways shall be as shown in Table 4.14.1:
 Driveway Widths.

Commercial, Industrial, Institutional, Comprehensive, and Apartment Housing:

- Driveways to corner lots shall be located no closer than 15 m from the property line of the adjoining road.
- Consideration shall be given to the turning design vehicle in establishing the driveway width
- The minimum width of a driveway to a property having one or more accesses is 4.0 m for one way access and 6.5 m for two-way access with a maximum of 11 m, as shown in Table 4.14.1: Driveway Widths.

	Driveway Throat Width (m)			
Access Type	Lower Limit	Upper Limit³		
Residential Zones	4.0	6.0		
Commercial/Industrial with a single access	4.0 ¹ /6.5 ²	11.0		
Commercial/Industrial with multiple access	4.0 ¹ /6.5 ²	9.0		

Table 14.14.1: Driveway Widths

Notes:

- 1. One-way access width
- 2. Two-way access width
- 3. Upon demonstrated need (turn path analysis or capacity analysis), a variance to these standards may be considered by the City Engineer.
- 4. Where lot frontage width is less than 13.5 m a shared driveway with the adjacent lot with a total width of 7.5 m is required.

4.14.4 Driveway Grades

General limits on driveway grades shall be as indicated in standard drawing SS-R₅8 - Driveway Grades and Table 4.4.1: Geometric Guidelines.

4.14.5 Driveway Letdown and Curb Return

Driveway letdowns shall be designed to conform to standard drawings SS-C7a - Driveway Crossing for Barrier Curbs – Separate Sidewalk and Letdown and SS-C7b - Driveway Crossing for Barrier Curbs – Combined Sidewalk and Letdown.

At the discretion of the City Engineer, access to large parking areas for commercial, industrial, and apartment housing may be designed as intersections per **Section 4.5**, including curb returns, provision for adequate sightlines, turning path analysis, and laning.

Auxiliary lanes may be required for access off major roads for safety reasons and to minimize disruption to traffic flows. Designs of such access shall be in accordance with the *TAC Geometric Design Guide*.

4.14.6 Access Management

In addition to the above access guidelines, access management techniques including driveway consolidation, medians, and turn restrictions should be applied in accordance with the Access Section of the *TAC – Geometric Design Guide* and the requirements of the City Engineer.

4.14.7 Queuing Storage

Minimum queuing for on-site storage at parking lot driveways, measured from driveway exit at the property line to the closest parking stall or aisle, shall be as identified in **Table 4.14.2: Driveway Storage Requirements with Parking** or as informed by Transportation Assessment recommendations:

Number of Parking Stalls	Length of Storage (m)
7 to 100	6
101-150	12
151-200	18
≥200	24

Table 4.14.2: Driveway Storage Requirements with Parking

Storage requirements for Drive Throughs shall be determined generally by **Zoning Bylaw No. 12375 Section 9.4**, however, a Transportation Assessment may be required by the City Engineer, to ensure impacts the road network are mitigated.

4.14.8 Sight Distance

Driveway accesses on Arterial Road and Collector Roads shall achieve **Intersection Sight Distance** – **Case B,** as defined in the **TAC – Geometric Design Guide**, and may be required to be achieved on Local Roads if warranted.

4.15 Clearances

4.15.1 Aerial Utilities

Clearances requirements for electrical and communication utilities are contained within the Canadian Electrical Code and can be impacted WorkSafe BC requirements. Additionally, an Electrical or Communication Utility may have additional clearance requirements. The following clearances are recommended separations for municipal infrastructure and may not be adequate to meet the requirements of a Utility, the Canadian Electrical Code, or WorkSafe BC requirements. Designers should confirm clearance requirements with a Utility prior to commencing design work.

Туре	Vertical Clearance
Communications and guy wires	5.0 m
Electrical conductors to 750 V	5.5 m
Electrical conductors over 750 V	Confirm with FortisBC

Horizontal clearances to be designed in accordance with FortisBC's Service and Metering Guide, Section 1.19, Limits of Approach. Signs and Poles.

For roads with design speeds of 60 km/h or below, the horizontal clearance for signs and poles from the edge of the travel lane to the edge of a utility pole or sign shall be:

- Roads without curbs: ≥2.0 m.
- Roads with curbs and boulevard: Signs and Poles 0.9 m preferable, 0.3 m minimum.
- Roads with curbs and boulevard: Utility Poles 0.9 m preferable, 0.75 m minimum.
- Roads with curbs and monolithic sidewalk: located behind sidewalk.

For roads with design speeds above 60 km/h, refer to TAC Geometric Design Guide for Canadian Roads Chapter 7- Roadside Design.

The use of minimum clearance may be justified when using safety appurtenances such as poles with break-way or frangible bases, or sign poles of light weight fabrication.

Horizontal clearance to lighting and signal poles and signal controller cabinets shall be in accordance with **Section 5 – Roadway Lighting** and **Section 6 – Traffic Signals**.

4.15.2 Trees

Refer to **Section 7 – Landscape and Irrigation** for minimum setbacks for trees.

4.15.3 Drainage Structures and Traffic Barriers

Clearances to drainage structures and traffic barriers shall be in accordance with the Roadside Safety section of **TAC Geometric Design Guidelines** and the **BC Supplement to TAC Geometric Design Guidelines**.

4.16 Utility Locations

The locations of utilities within the road right-of-way may vary within the road cross section. However, they are to be generally located as shown on Road Cross Section Drawings XS-Ro1 to XS-R89 and as per Schedule 4: Section o - General Design Considerations, Part o.4 - Utility Rights-of-Way and o.5 - Utility Separation.

Additional Guidelines include:

Manholes, valve boxes and underground structures shall be clear of wheel paths;

- All utilities shall be clear of curb and gutter;
- Third-party utilities (gas, underground telecommunications, and underground power) shall be
 placed based on the third-party *Joint Trenching* detail as identified in FortisBC Specification for
 Installation of Underground Conduit Systems, as close to the property line as possible with a
 minimum utility offset of 200 mm from the property line.
- Third-party utilities shall not be located under planted boulevards. If no outer boulevard exists, third-party utilities shall be located under the sidewalk, with vaults and junction boxes installed outside of the sidewalk where possible.
- In rural areas, where identified in **Schedule 1** of this Bylaw, overhead power and telecommunications shall be located at the back of walk, or back of ditch, and as close to the edge of right-of-way as practical.

Where insufficient space or conflicts between shallow utilities exist, an alternative electrical, communication, or gas trench location on private property within a Statutory Right of Way, or within an alternate alignment within the Road Right of Way, may be required in consultation with the City Engineer.

4.17 Pavement Structures

4.17.1 General

Pavement design shall include consideration of the subgrade soil type, frost susceptibility, moisture conditions, subgrade drainage provisions, Equivalent Single Axle Loads (ESAL) and anticipated traffic type and volumes.

4.17.2 Subgrade Preparation

Subgrade preparation shall be considered integral for construction of new roads.

Frost Susceptible Soils (ML - Silt):

The susceptibility of soils to frost heave is commonly classified using the US Corp of Army Engineers four categories, as shown in Table 15.2 of the 4th Edition of the Canadian Foundation Engineering Manual, 2006. All geotechnical reports shall address the frost susceptibility of the subgrade soil.

Swelling Soils (CH - Clay):

Pockets of soils known to change volume with variation of moisture content are known to exist in several locations within the limits of the City of Kelowna. These soils are typically identified as high plastic clays (CH), using the Unified Soil Classification System and Atterberg Limits index test American Society for Testing and Materials (ASTM) D4318. Where these soils are encountered as subgrade, special subgrade preparation considerations shall be required, as outlined below.

Scarification should render the subgrade to cohesive pieces of a maximum size of 20 mm to allow adequate moisture conditioning of the soil. The soil should be moisture conditioned to achieve a homogeneous moisture content between 0 and 3% over optimum. Following moisture conditioning, the subgrade soil should be compacted to a minimum of 95% of Modified Proctor density, as determined by ASTM D1557.

The subgrade should be covered with granular sub-base as soon as practical to minimize the variation of the moisture content in the subgrade. The contractor should be aware that additional moisture condition and compaction may be required, at the contractor's expense, should the moisture content be allowed to vary significantly from optimum prior to placing the sub-base.

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4.17.3 Pavement Design

Designers of pavement structures shall consider four primary factors in undertaking a specific design. These factors are:

- Subgrade support quality (geotechnical report);
- Design life (20 years);
- Traffic loading (expressed in ESALs); and
- Climate.

New pavement structures shall be designed in accordance with the methodologies presented in American Association of State Highway and Transportation Officials (AASHTO) AASHTO Guide for Design of Pavement Structures, 1993. The pavement structure shall be designed for a twenty (20) year design life.

The AASHTO design method is based on a Structural Number (SN) for the entire pavement structure (i.e., hot mix asphalt, granular base, and granular sub-base). The method incorporates the subgrade strength expressed as the Subgrade Resilient Modulus (Mr), and design loading (ESALs). Each component of the pavement structure is assigned a layer coefficient.

Subgrade strength is frequently characterized utilizing the California Bearing Ratio (CBR) test procedure (ASTM D1883). This test should be performed on soaked subgrade soil specimens compacted to 95% of Modified Proctor density as determined by ASTM D1557. The Resilient Modulus may be approximated from the soaked CBR test values using the following relationships:

- Mr(MPa) = 10.3 CBR, or
- Mr(psi) = 1,500 CBR

The soaked CBR properties of subgrade soil should be determined at a frequency of at least one test per every 150 lineal metres, or a portion there of, and for each major soil type encountered. Where more than one test is required, the tests should be evenly spaced.

The required SN for the pavement structure is the sum of the product of the layer coefficient, the component thickness, and a drainage coefficient for each component:

$$SN = a_{ac}D_{ac} + a_bD_bM_b + a_{sb}D_{sb}M_{sb}$$

Where:

SN	=	Structural Number for pavement structure	D_{ac}	=	Thickness of hot mix asphalt, mm
a ac	=	Layer coefficient for hot mix asphalt (0.4)	D _b	=	Thickness of granular base, mm
а _b	=	Layer coefficient for granular base (0.14)	D_{sb}	=	Thickness of granular sub-base, mm
a sb	=	Layer coefficient for granular subbase (0.10)	M _b and M _{sb}	=	Layer drainage coefficient (1.0 for Kelowna)

Road classifications, design traffic values and minimum depths of hot mix asphalt and granular base components of the total pavement structure shall be as shown in Table 4.17.1: Minimum Asphalt & Granular Base Depth.

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Table 4.17.1: Minimum Asphalt & Granular Base Depth

Classification	Min. Design Traffic (ESALs)	Minimum Depth of Hot Mix Asphalt (mm)	Minimum Depth of Granular Base (mm)	
Walkways/Multi-Use Pathway		50	75	
Local, Lanes, Accesses & Emergency Access	2.8 X 10 ⁴	50	75	
Collector	2.8 x 10 ⁵	100	75	
Arterial (Minor & Major)	1.0 X 10 ⁶	100	75	

Notes:

- 1. See Part 1, Chapter 1 of AASHTO for definition of ESAL.
- 2. Special design reviews may be requested by the City Engineer

Standard pavement structures, including required SN values, shall be as provided on **Table 4.17.2**: **Standard City of Kelowna Pavement Structures** for three strengths of subgrade. The standard pavement structures incorporate the minimum depths of hot mix asphalt and granular base shown in **Table 4.17.1**: **Minimum Asphalt & Granular Base Depth**, above.

Table 4.17.2: Standard City of Kelowna Pavement Structures

Classification	Structural	Thickness (r	mm) for Soaked CBR1 of:		
Classification	Component	3.0 ⁴ < CBR ≤ 5.0	5.0 < CBR ≤ 10	CBR > 10 ⁵	
	Asphalt – surface	50	50	50	
Walkway/Multi-Use	Granular Base	75	75	75	
Pathway	Granular Sub-base ³	150	150	150	
	Required SN Value	n/a	n/a	n/a	
Lead Lenes	Asphalt – surface	50	50	50	
Local, Lanes,	Granular Base	75	75	110²	
Accesses &	Granular Sub-base ³	275	765	0	
Emergency Access	Required SN Value	58	47	35	
	Asphalt – surface	50	50	50	
	Asphalt - base	50	50	50	
Collector	Granular Base	75	75	100²	
	Granular Sub-base	335	185³	0	
	Required SN Value	84	69	53	
	Asphalt – surface	50	50	50	
Autorial (Minar O	Asphalt - base	50	50	50	
Arterial (Minor &	Granular Base	75	75	75	
Major)	Granular Sub-base	535	355	155 ³	
	Required SN Value	104	86	66	

Notes:

- 1. Soaked CBR value shall be at 95% of Modified Proctor maximum dry density and optimum moisture content, as determined by ASTM D1557.
- 2. Placement of equivalent sub-base layer is not practical and shall be replaced with additional granular base.
- 3. Maximum aggregate size of sub-base material shall be no more than 50% of total depth of sub-base.

4. Where the top 1.0 m of subgrade has a soaked CBR value of less than 3, then the subgrade strength should be supplemented with an additional thickness of granular sub-base material in order to achieve a soaked CBR value of 3 or greater. The thickness of the supplemental sub-base and the corresponding composite CBR value for the top 1.0 m of composite subgrade can be determined by the following formula:

CBR Composite = $((t_{ssb} \times CBR_{ssb}^{\circ.33} + (100-t_{ssb}) \times CBR_{sg}^{\circ.33})/100)^3$ Where:

CBR Composite is 3 or greater. t_{ssb} = thickness of supplemental sub-base (cm)

CBR_{ssb} = CBR value of supplemental sub-base

CBR_{sg} = CBR value of subgrade soil

5. For design purposes, the maximum subgrade soaked CBR value shall not exceed 10.

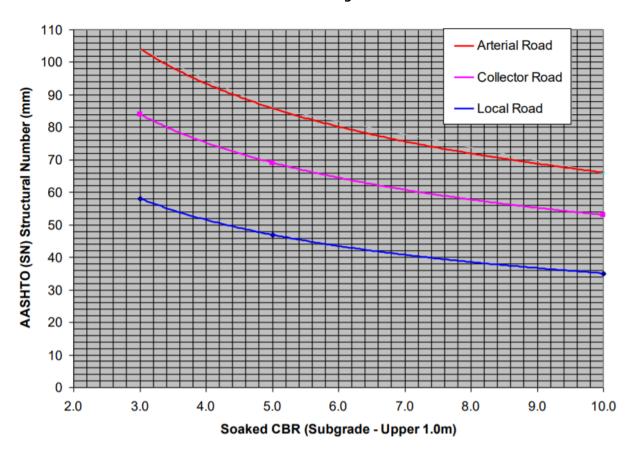
Design pavement structure to be placed on a prepared subgrade or compacted fill embankment. Refer to the MMCD and Schedule 5 – Construction Standards of this Bylaw.

Granular base and granular sub-base to have a minimum soaked CBR value of 80 and 20, respectively (refer to City Supplemental Specifications to MMCD).

Required physical properties for granular base and granular sub-base are given in **Schedule 5 – Construction Standards**.

Table 4.17.2: Standard City of Kelowna Pavement Structures provides standard pavement structures for roads constructed on only three strengths of subgrade. Alternate pavement structures may be designed based on the SN determined using **Figure 4.17.1: AASHTO Structural Number (SN) Values for Kelowna Street Classifications as a Function of Soaked Subgrade CBR Value.**

Figure 4.17.1: AASHTO Structural Number (SN) Values for Kelowna Street Classifications as a Function of Soaked Subgrade CBR Value



4.18 Bridges

4.18.1 General

Bridges, including culvert structures that span larger than 3.0 m, shall be designed in accordance with the latest version of the Canadian Highway Bridge Design Code CAN/CSA S6, and the BC MOTI Supplement to Canadian Highway Bridge Design Code. Consult with the City Engineer to establish design criteria for each structure prior to commencing design.

Bridges shall be designed with a minimum 75-year life span and to BCL-625 Live Loading specifications.

4.18.2 Road Clearance

Minimum vertical clearance to bridge structures shall be 5.0 m over paved road surfaces. The minimum vertical clearance to any lightweight structures spanning the road (pedestrian overpasses, sign bridges, etc.) shall be 5.5 m.

4.18.3 Flood Clearance

For creek crossings, the minimum clearance between the soffit and the Q200 design flood elevation (including a 15% increase in Q200 for climate change) shall not be less than 1.5 m.

4.19 Hillside Standards

4.19.1 General

Hillside standards are incorporated throughout this Bylaw section, including **Sections 4.2 – Road Classifications**, **4.3 – Cross-Section Elements**, **4.4 – Alignments**, **4.9 Culs-De-Sac**. Additional design guidance is provided in **Table 4.19.1: Hillside Alignment Design Criteria**.

The hillside standards have been designed for environmental sensitivity with reduced physical impacts in mind. The street standards proposed herein have been drawn from the following principles:

- The public interest requires safe, liveable, and attractive streets that contribute to the urban fabric;
- Streets should be designed to suit their function. Many streets, especially local ones, have purposes other than vehicular traffic; and
- A hierarchical street network should have a rich variety of types, including bicycle, pedestrian, and transit routes.

In Hillsides, rollover curb is only permitted in front of ground oriented residential development.

Horizontal Curve Radii (m)	6o km/h	50 km/h	40 km/h	30 km/h
Roadway Crossfall				
Normal Crown (-2%)	260	165	90	25
2% superelevation	205	120	65	25
4% superelevation	150	80	45	22
6% superelevation	120			
Through Intersections	200	120	70	40
Superelevation (%)	6o km/h	50 km/h	40 km/h	30 km/h
Max. superelevation	6	4	4	4
Max. superelevation at intersections	4	4 4		4
Superelevation Transition Lengths (m)	6o km/h	50 km/h	40 km/h	30 km/h
Transition length (2/4-lane roadways)				
Normal Crown to +2%	24/36	22/34	20	20
Normal Crown to +4%	38/54	33/50	30	30
Normal Crown to +6%	48/72	48/72		
Min. Tangent Length between reversing curv	/es			
2% superelevation	15/22	13/20	12	12
4% superelevation	28/42	26/40	24	22
6% superelevation	42/64			
1 Values for transition lengths include tand	ant runout	annlied at th	a cama rata	ЭC

Table 4.19.1: Hillside Alignment Design Criteria

- 1. Values for transition lengths include tangent runout applied at the same rate as superelevation runoff.
- 2. 60% of superelevation runoff occurs on the tangent approach and 40% on the curve, resulting in a minimum length of tangent between reversing curves of 120% of the superelevation runoff length.

60 km/h	50 km/h	40 km/h	30 km/h
0.5	0.5	0.5	0.5
8 ¹	10 ²	12	12
8	9	10	10
15m/5m⁵	5m	0	
5% ⁶	5%	6%	6%
20M	15M	5m	5m
	0.5 8 ¹ 8 15m/5m ⁵ 5% ⁶	0.5 0.5 8 ¹ 10 ² 8 9 15m/5m ⁵ 5m 5% ⁶ 5%	0.5 0.5 8¹ 10² 8 9 15m/5m5 5m 5%6 5% 6%

- 1. Under special circumstances, grades up to 10% may be permitted.
- 2. Under special circumstances, grades up to 12% may be permitted.
- 3. Applies where radius is less than 1.5 times minimum allowable radius.
- 4. Minimum distance back from the gutter line of the minor road that the specified grade may not be exceeded.
- 5. Distances for design road approach to intersection with collector road / local road.
- 6. 4% desirable.
- 7. Minimum distance back from the gutter line of the major road that the specified grade may not be exceeded.

Vertical Curve K Values	6o km/h	50 km/h	40 km/h	30 km/h
Minimum Crest	15	8	4	2
Minimum Sag	10	7	4	2
Crest/Sag on approach to stop condition	4	3	2	2
K values listed assume that new roadways will be illuminated.				

Stopping Sight Distance (m)		60 km/h	50 km/h	40 km/h	30 km/h
Downgrades:					
	12%	109	78	52	34
	9%	101	73	50	32
	6%	94	69	48	31
	3%	89	66	46	30
	0%	85	63	45	30
Upgrades:					
	3%	81	61	44	29
	6%	78	59	42	29
	9%	76	57	41	28
_	12%	73	56	40	28
Decision Sight Distance (m)		6o km/h	50 km/h	40 km/h	30 km/h
Minimum decision sight distance		175-225			

- 1. Note that decision sight distance applies only to multi-lane roads at intersections.
- 2. The range of values recognizes the variation in complexity that occurs at various sites. For less complex situations, values towards the lower end of the range are appropriate and for more complexity, values at the upper end are used.

4.20 Traffic Calming

Traffic calming provides a standardized approach to challenges associated with maintaining the appropriate traffic volumes and speeds for specific road classifications. Increased volumes and speeds may result from road users navigating around areas of congestion or moving more rapidly through a particular road to get to a destination.

As traffic calming requirements are location specific, the designer shall work with the City to identify the type and location of appropriate traffic calming devices. The design of traffic calming measures shall be consistent with the *TAC Canadian Guide to Neighbourhood Traffic Calming*. The use of traffic calming measures shall be considered within the context of the neighbourhood, to ensure short-cutting traffic is not moved from one neighbourhood street onto another.

The designer shall use appropriate design elements to limit vehicle operating speed to the required design speeds.

In general, restrictions include:

- No vertical deflections permitted on Arterial Roads, where transit routes are present or where a road is the only/primary access to a neighbourhood.
- No vertical deflections permitted on roads with grades >6%.
- No vertical deflections permitted on new roads, unless approved by the City.
- In rural areas, consideration for agricultural activities may limit the use of vertical deflection.

Pedestrian bulges or curb extensions shall be designed on Local Roads and Collector Roads with onstreet parking to improve pedestrian visibility and shorten crossing distances, as per **4.5.6 – Curb Extensions**.

If new development traffic is anticipated to negatively impact the speed and volume along existing Local and Collector Roads, as determined through a Transportation Assessment, traffic calming shall be included at developer's cost to mitigate anticipated impacts.

Priority shall be given to traffic calming measures on roads near elderly and child-oriented spaces and facilities.

4.21 Street Parking

Where conditions allow, the provision of parallel street parking enables access to the surrounding area while maintaining the safe and appropriate traffic throughput of the road design. The designer shall consult the City to confirm the requirements for on-street parking.

Parking lanes shall be designed as per **Table 4.21.1: Parking Lane Width,** in addition to the **TAC Geometric Design Guide**.

Table 21.1: Parking Lane Width

Classification	Parking Lane Width¹ (m)
Lane	Not allowed
Local Road	2.2-2.4
Hillside Roads	2.4
Collector	2.4
Industrial Roads	2.7
Minor Arterial	2.4
Major Arterial	2.42

Notes:

- 1. Parking lane widths are measured from the face of curb.
- 2. Street Parking is not recommended but may be considered in Urban Centres.

The location of parking areas shall not encroach within the Parking Distance Restrictions, as identified within Schedule K of City **Traffic Bylaw 8120**.

4.22 Road Safety

Road safety shall be considered in all designs to ensure that all users, particularly vulnerable users such as pedestrians and bicyclists, are accounted for and accommodated safely. Road safety shall consider existing and future safety issues within each design. The design phase is the easiest and most cost-effective time to address road safety.

At the discretion of the City Engineer, a Road Safety Audit may be required for designs of new segments of Arterial Roads, signalized intersections, roundabouts, Major Road Network bridges, and when making changes to an existing Arterial Road that include any of the following:

- New road features such as lanes, intersections, traffic control devices, or changes in alignment;
- The presence of vulnerable road users such as the elderly, children, cyclists, schools, or Active Transportation Corridors;
- The proposed design cannot meet Bylaw or TAC Design guidance; or
- The intersection or road segment has higher than average collision frequency.

The Road Safety Audit process shall be conducted in accordance with the *TAC Canadian Road Safety Audit Guide*. To support a clear and efficient process, a Terms of Reference or Work Plan shall be developed identifying scope, schedule for completion, team requirements, audit tasks, formal audit report contents and format, and response report expectations aligning with the *TAC Canadian Road Safety Audit Guide* process.

4.23 Transportation Assessments

4.23.1 General

A Transportation Assessment (TA) analyzes the likely impacts a proposed development will have on the transportation system and identifies potential mitigation measures to accommodate the additional trips and provide adequate network connectivity for all road users in a satisfactory manner. The City Engineer may require the completion of a TA in combination with other information to inform the transportation-related Works & Services requirements of a development application.

4.23.2 Requirement

Typically, an applicant is required to complete a TA when a proposed application is anticipated to generate 100 or more trips in the peak hour (unadjusted). A TA may be required for all Area Structure Plans (ASP), updates to ASPs, amendments to the OCP, or at the discretion of the City Engineer. Where a TA was previously completed, an update is required when a previously completed TA contains assumptions that are no longer valid; this may be due to, but not limited to, any of the following:

- When traffic data used is over three years old;
- When the previous TA contains a site access plan that has changed significantly; or
- When a modified development proposal results in a trip generation estimate for the current site plan that is 10% higher or lower than the previously analysed development proposal.

4.23.3 Study Process

The first step is for the applicant's traffic consultant is to establish the Terms of Reference (TOR) for the TA with the City prior to proceeding with analysis. The scope of the study shall be determined based on the scale, characteristics, and location of the proposed development. The key assumptions and methodology shall be outlined in the TOR, based on, but not limited to, **4.23.4 Study Components**.

Any development within 800 metres of an intersection with a Provincial Arterial Highway shall be subject to requirements of the Ministry of Transportation and Infrastructure. In these cases, joint scope development and TOR acceptance is required by MOTI and the City before the Traffic Assessment is undertaken. Any additional terms for completion of the analysis will be coordinated by the City Engineer.

4.23.4 Study Components

The TA shall be specific to the proposed development and in general include the following items:

- Development Plan: a current site concept plan identifying development location, proposed land use, size of buildings/uses, phasing of development, timing of phases, proposed multimodal access plan, internal roads, truck loading and parking layout for vehicles and bicycles;
- Peak Hours: Typically, weekday a.m., mid day and p.m. peak hour periods shall be analyzed. Commercial developments may require Saturday midday peak hour. Schools shall require analysis at all pick up and drop off times;
- Horizon Years: For single-year buildout, the opening year and 10 years hence shall be analyzed. Interim horizon years shall be analyzed for multi-phased developments;
- Study Area: The study intersections and network locations shall be identified based on the location, access plan and scale of the development;
- Analysis Software: Software applications for analysis and modelling shall be confirmed within the TOR. All analysis files shall be submitted electronically with the report for City review;
- Background Traffic Volumes: Traffic count data less than three years old shall be used and
 included with the report. Available count data may be obtained from the City, as per
 Miscellaneous Fees and Charges Bylaw 9381. The TA shall identify the appropriate annual
 traffic growth rate and future background traffic from approved and anticipated
 developments in the vicinity;

- Site Trip Generation: The TA shall identify the appropriate vehicle trip rates based upon the
 current Institute of Transportation Engineers' Trip Generation Manual or local trip
 generation survey. Where appropriate, the TA shall include pedestrian, cyclist, transit
 ridership estimation methodology;
- Trip Adjustment: Mode splits from the City's model, based on the Regional Household
 Travel Survey, may be applicable throughout the City of Kelowna. Developments along
 high-quality transit routes (≥15 min frequency FTN's, multiple routes), adjacent Primary
 Bicycle Routes, and within OCP Urban Centres may be eligible for up to a 10% trip
 adjustment. Additional reductions to vehicle trip generation shall be tied to specific
 improvements associated with the development;
- Network Connectivity: The TA shall identify:
 - Pedestrian network gaps on-site, and within a 400 m radius of the outer perimeter of the site,
 - Bicycle network gaps on-site, and within an 800 m radius of the outer perimeter of the site, and
 - Vehicular gaps within the study area to meet the OCP Map 13.1 Functional Road Classification and well connected Neighbourhood Street Network, lanes need for access and access management for Major Road Network and other relevant OCP and City policies (such as Urban Centres Roadmap);
- Transit: The TA shall identify the scale of impact to the transit facilities and network in the study area;
- Safety Analysis: The TA shall include accident history for all intersections and conflict points in the study area. Evaluation of the safety data and recommended modifications shall be included;
- Intersection Performance Criteria: The operational performance of the transportation network is assessed with and without the development. The vehicle capacity analysis results shall be reviewed based on the following benchmarks (as per Highway Capacity Manual):

Signalized Intersections and Roundabouts:

- Overall intersection Level of Service (LOS) LOS D,
- Overall intersection Volume to Capacity (v/c) ratios 0.85,
- o Individual movement LOS LOS E,
- o Individual movement v/c ratios 0.90, and
- o 95th Percentile queue lengths do not exceed the available storage length.

Unsignalized Intersections:

- o Individual movement LOS is LOS D, individual movement v/c o.9o, and
- o 95th Percentile queue lengths do not exceed the available storage length; and
- Warrant Analyses: the TA shall include as appropriate:
 - Intersection control determination Consistent **Section 4.6 Roundabouts**, roundabouts are the preferred treatment. Where a roundabout is determined by the City to not be viable, the TAC traffic signal warrant analysis shall be used,
 - TAC pedestrian crossing warrant analysis to identify the appropriate level of treatment ranging from zebra marking with flashers, curb bulb-outs, centre refuge median or pedestrian-activated signals,
 - Left turn phase warrant analysis If a signal is warranted, use the MOTI spreadsheet tool.

4.23.5 Report Submission

The Transportation Assessment report and all supporting data and analysis files shall be submitted electronically, signed, and sealed by a Professional Engineer (P.Eng.) registered within the Province of British Columbia. Options to mitigate the assessed impacts and provide adequate network connectivity for pedestrians, cyclists, and transit users shall be comprehensively evaluated, clearly tabulated, and include proposed responsibilities and trigger thresholds.

4.24 Linear Park Trails

The design of Linear Park Trails shall be based on the context of the trail the classification of the trail based on OCP Map 10.1 -Linear Corridors and be guided by the Linear Parks Master Plan. Design shall consider siting, experiential components, vegetation, bridges and boardwalks, safety, accessibility, trail access including trail heads, signage, and parking, and integrating viewpoints and rest areas. Trail Design shall follow guidelines in Table 4.24.1- Trail Design Guidelines as referenced in Figure 4.24.1- Trail Design Guidelines Label Reference and standard drawings SS-To1 to SS-To6.

(H)
(K)
(S)
(S)
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(S)
(S)
(M1)
(M2)
(M3)
(M3)

Figure 4.24.1- Trail Design Guidelines Label Reference

Transportation

Table 4.24.1- Trail Design Guidelines

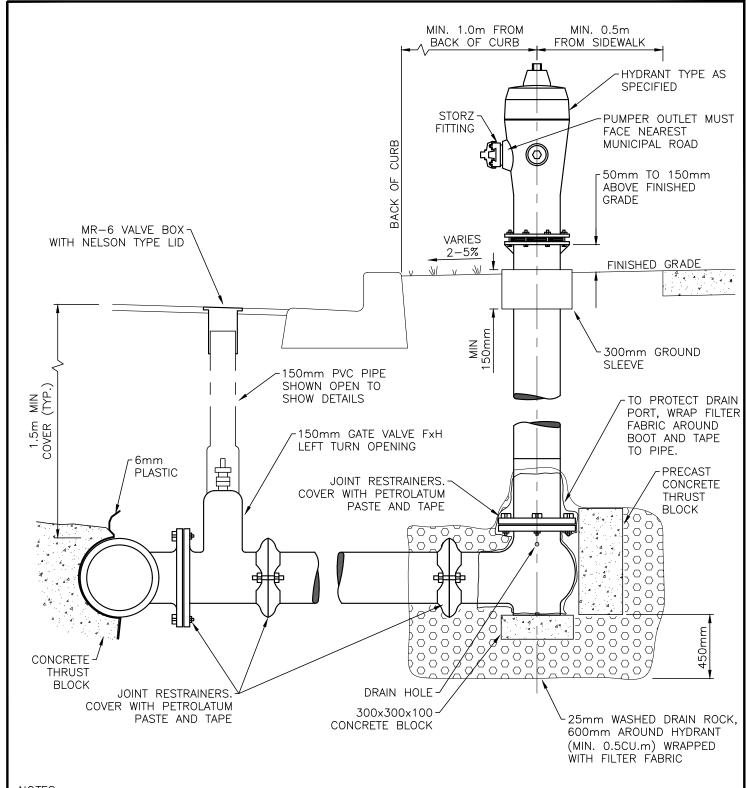
	CLASS		DIMENSIONS			LONGITUDINAL SLOPE (Grade)		MATERIALS				
Trail Class	Trail Type	(W) Width (m)	(C) Clear Zone (m)	(H) Min. Vertical Clearance	(S) Typical Slope	(S) Slope for Short Sections (max. 10m)	Cross Slope	Surface Type	(M1) Type Depth	(M2) Granular Base	(M ₃) Sub- Base	(M4) Compacted Sub-Grade
1	Major Urban Promenade	4.5 or	0.5	2.0 m	506 may (4.20)	8% max.	2%	Asphalt	50 mm	100 mm	200 mm	95% MPD
	SS-To1	greater	0.5	3.0 m	5% max. (1:20)	(1:12)	min.	Concrete Or Brick	100 mm or 75 mm	100 mm	N/A	95% MPD
	Major Multi-						0.4	Asphalt	50 mm	100 mm	200 mm	95% MPD
2	Use Urban SS-To2	4.5 - 3.0	0.5	3.0 m	8% max. (1:12)	12% max. (1:8)	2% min.	Concrete Or Brick	6o mm	100 mm	N/A	95% MPD
3	Major Multi- Use Rural					12% max.	2%	Asphalt	50 mm	75 mm	150 mm	95% MPD
	SS-To ₃	4.5 - 3.0	0.5	2.5 M	8% max. (1:12)	(1:8)	min.	Concrete Or Brick	6o mm	100 mm	N/A	95% MPD
4	Standard Multi-Use		0.5	20.25	8% max. (1:12)	15% max.	2%	Asphalt millings	6o mm	75 mm	150 mm	95% MPD
	Rural SS-To4	3.0 - 2.0	0.5	3.0 – 2.5 m	0% Max. (1:12)	(1:7)	min.	Aggregate	50 mm	100 mm	N/A	95% MPD
5	Narrow Multi-Use		0.5		8% max. (1:12)	15% max.	2%	Asphalt millings	6o mm	75 mm	150 mm	95% MPD
	Rural SS-To ₅	1.5 - 1.2	0.5	2.5 M	070 IIIax. (1:12)	(1:7)	min.	Aggregate	50 mm	100 mm	N/A	95% MPD
6	Nature Trails	12.06	0.5	2.57	20% (1:5) max. hiking & walking	Over 20% use steps	2%	Natural ground	N/A	N/A	N/A	95% MPD
	SS-To6	1.2 - 0.6	0.5	2.5 M	15% (1:7) max. mountain biking	15%	min.	Aggregate if needed	50 mm	100 mm	N/A	95% MPD

CITY OF KELOWNA

BYLAW NO. 12555 Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900

Schedule "C"

Standard Drawing SS-W4



- 1. HYDRANTS IN ACCORDANCE WITH APPROVED PRODUCTS LIST.
- 2. HYDRANTS SHALL HAVE 2 63.5mm OUTLETS B.C. STANDARD AND 1 100mm PUMPER OUTLET WITH STORZ FITTING
- 3. ALL HYDRANTS TO HAVE 300mmø GROUND SLEEVE (SDR 35 PVC)
- 4. SEE APPROVED PRODUCTS LIST FOR HYDRANT PAINT TYPE AND COLOR CODE.
- 5. FOR ALL BOLTS AND JOINT RESTRAINERS, USE DENSO PASTE AND TAPE.
- 6. MAINTAIN 1.0m MINIMUM CLEARANCE FROM ANY HYDRANT PROJECTION AROUND HYDRANT.
- 7. FOR HYDRANTS NOT PROTECTED BY A BARRIER CURB, SEE DETAIL DRAWINGS SS-C12B BOLLARDS.
- 8. HYDRANT NOT TO INTRUDE INTO SIDEWALK OR PUBLIC CORRIDORS.

STANDARD
DETAIL
DRAWING

DATE:		
JUN 22/23		
SCALE:		
NTS		

HYDRANT

DWG. NO.

SS-W4



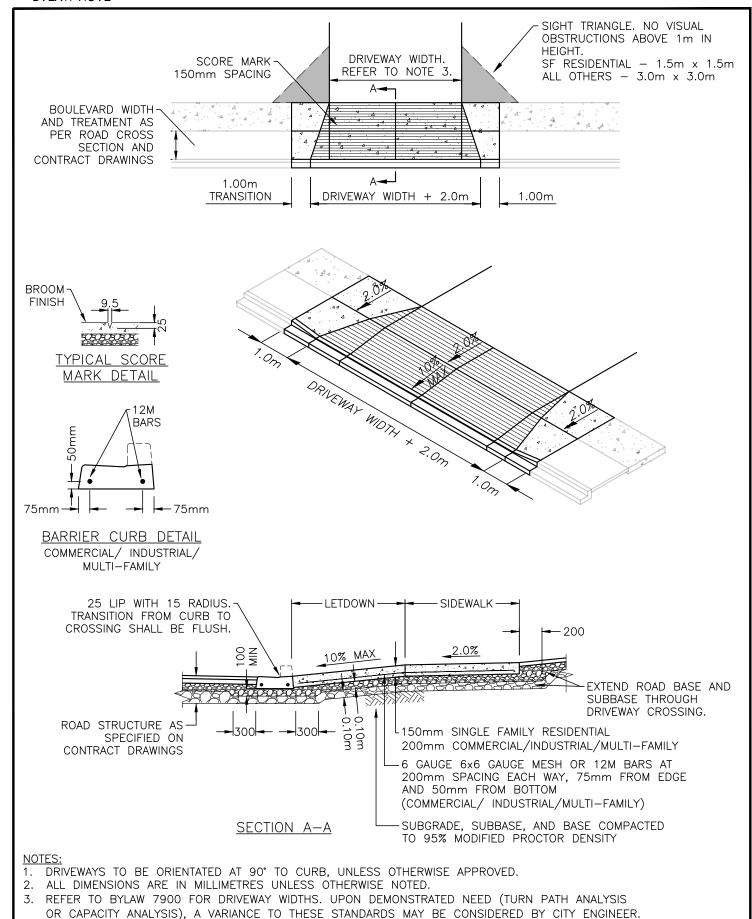
CITY OF KELOWNA

BYLAW NO. 12555 Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900

Schedule "D"

Standard Drawing's

SS-C7a - Driveway Crossing for Barrier Curbs — Separate Sidewalk and Letdown
SS-C7b - Driveway Crossing for Barrier Curbs — Combined Sidewalk and Letdown
SS-C8 — Sidewalk Ramp Details
SS-C9 - Sidewalk Ramp Layouts



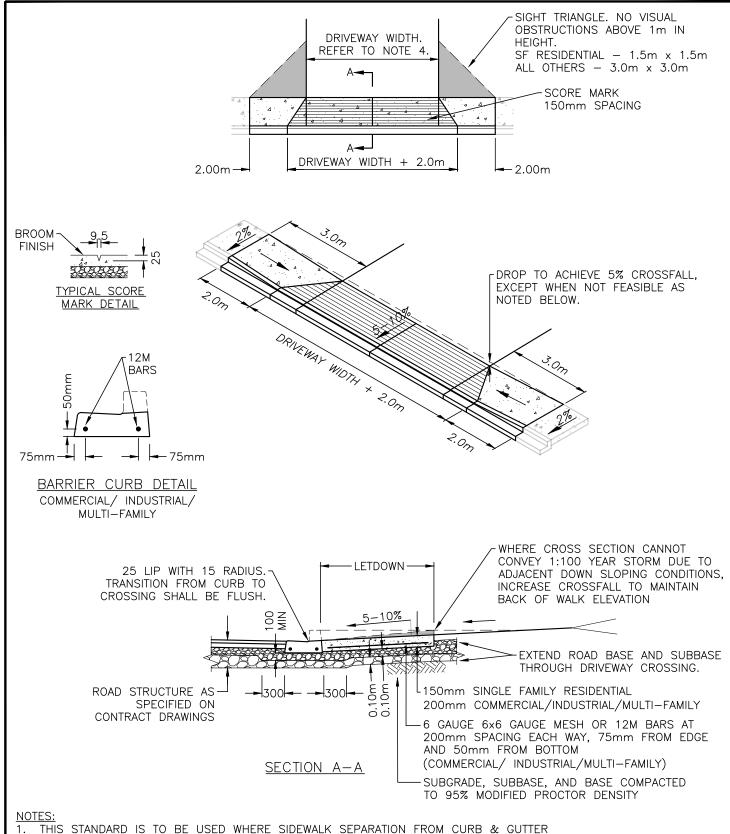
STANDARD DETAIL DRAWING DATE: SEPT 12/22 SCALE: NTS

DRIVEWAY CROSSING FOR
BARRIER CURBS
SEPARATE SIDEWALK AND LETDOWN

DWG. NO.

SS-C7a





- 1. THIS STANDARD IS TO BE USED WHERE SIDEWALK SEPARATION FROM CURB & GUTTER IS NOT POSSIBLE. SEE DRAWING SS-C7a FOR PREFERRED OPTION.
- 2. DRIVEWAYS TO BE ORIENTATED AT 90° TO CURB, UNLESS OTHERWISE APPROVED.
- 3. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED.
- 4. REFER TO BYLAW 7900 FOR DRIVEWAY WIDTHS. UPON DEMONSTRATED NEED (TURN PATH ANALYSIS OR CAPACITY ANALYSIS), A VARIANCE TO THESE STANDARDS MAY BE CONSIDERED BY THE CITY ENGINEER.

STANDARD
DETAIL
DRAWING

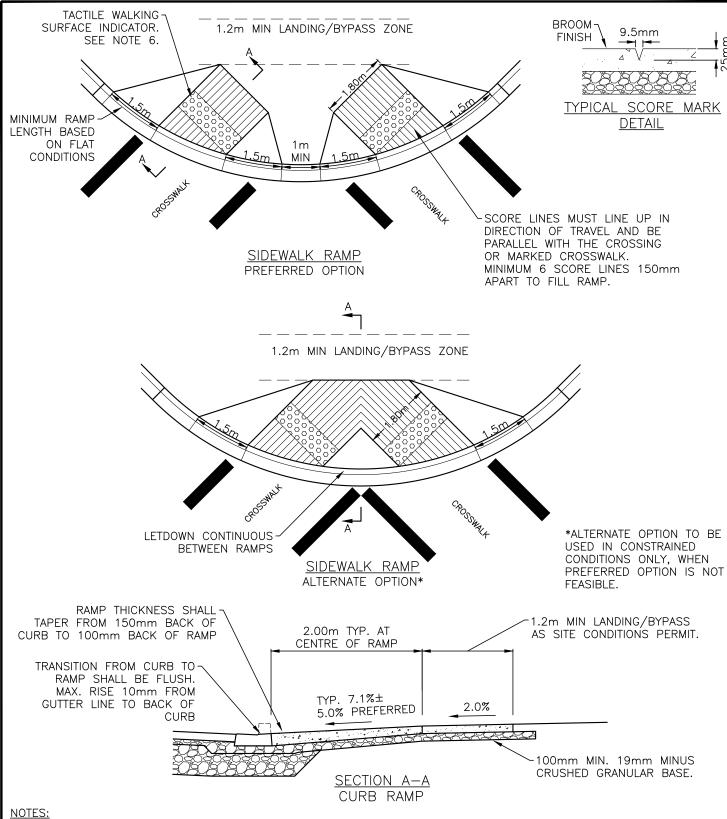
DATE: SEPT 12/22 SCALE: NTS

DRIVEWAY CROSSING FOR
BARRIER CURBS
COMBINED SIDEWALK AND LETDOWN

DWG. NO.

SS-C7b





- STANDARD RAMP LENGTH: 2.0m TYP.(±) AT CENTRE OF RAMP.
- STANDARD RAMP SLOPE: $7.1\%(\pm)$ AT CENTRE OF RAMP.
- PREFERRED RAMP SLOPE: 5% AT CENTRE OF RAMP WHERE VIABLE AND MAINTAINING THE LANDING/BYPASS ZONE.
- MAX. SLOPE 8.3% (1:12) AT ANY POINT WHERE TOPOGRAPHY REQUIRES.
- ADJUST LENGTH OF RAMP AS REQUIRED.
- WHEN SITE CONDITIONS DO NOT PERMIT TYPICAL LAYOUT, CONTACT CITY ENGINEER FOR APPROVAL OF DESIGN.
- REFER TO BYLAW 7900 FOR GUIDANCE AS TO WHEN TACTILE WALKING SURFACE INDICATORS ARE REQUIRED.

STANDARD DETAIL DRAWING

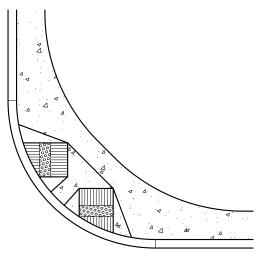
DATE: JUNE 22/23 SCALE: NTS

SIDEWALK RAMP DETAILS

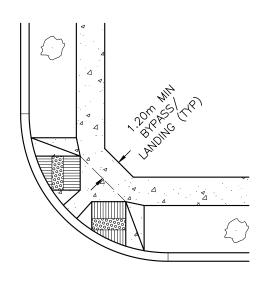
DWG. NO.

SS-C8

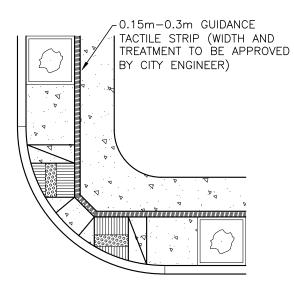




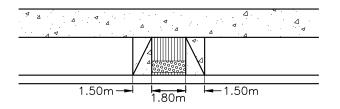
INTERSECTION MONOLITHIC SIDEWALK

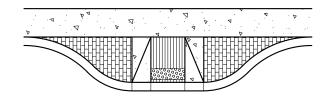


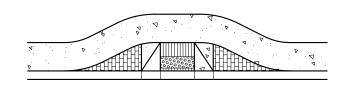
INTERSECTION SEPARATED SIDEWALK



INTERSECTION
URBAN CENTRES WITH HARD
SURFACE BOULEVARD







MID-BLOCK / 'T' INTERSECTION CROSSING OPTIONS

NOTES:

- 1. REFER TO DRAWING SS-C8 FOR SIDEWALK RAMP DETAILS
- 2. FOR THE DESIGN OF LOCAL AND COLLECTOR ROADS WITH ON-STREET PARKING, CURB EXTENSIONS SHALL BE INCLUDED BOTH AT INTERSECTIONS AND AT PEDESTRIAN CROSSINGS TO IMPROVE VISIBILITY. REFER TO DRAWINGS SS-R51, SS-R52, AND BYLAW 7900.
- 3. BOULEVARD TREATMENT AS PER LANDSCAPING SECTION 7.

STANDARD DETAIL DRAWING DATE: SEPT 12/22 SCALE: NTS

SIDEWALK RAMP LAYOUTS

DWG. NO.

SS-C9



CITY OF KELOWNA

BYLAW NO. 12555 Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900

Schedule "E"

Standard Drawing's – Standard Cross sections

XS-Ro1 - Hillside Laneway	SX-R ₅₃ - Urban Centre Collector
XS-Ro2 - Suburban / Core Area / Urban Centre	XS-R54 - Urban Centre Collector (With Bike
Laneways	Lanes)
XS-R20 - Rural Local	XS-R6o - Rural Minor Arterial
XS-R21 - Hillside Village Local Residential	XS-R61 - Rural Minor Arterial (With Multi-Use
XS-R22 - Hillside Local Condition A	Path)
(Development Both Sides)	XS-R62 - Hillside Arterial Condition A (Village
XS-R ₂₃ - Hillside Local Condition B	Parkway)
XS-R ₂₄ - Hillside Local Condition C	XS-R63 - Hillside Arterial Condition B
SX-R25 - Suburban Local	XS-R64 - Hillside Arterial Condition C
XS-R ₂ 6 - Industrial Local	XS-R65 - Suburban Minor Arterial
XS-R27Core Area Local	XS -R66 - Core Area Minor Arterial
XS-R ₂ 8 - Urban Centre Local	XS-R67 - Urban Centre Minor Arterial
XS-R4o - Rural Collector	XS-R8o - Rural Major Arterial (3 Lane)
XS-R41 - Hillside Village Collector Condition A	XS-R81 - Rural Major Arterial (3 Lane with
XS-R42 - Hillside Village Collector Condition B	Multi-Use Path)
XS-R ₄₃ - Hillside Collector Condition A	XS-R82 - Rural Major Arterial (5 Lane)
XS-R44 - Hillside Collector Condition B	XS-R83 - Rural Major Arterial (5 Lane with
XS-R45 - Hillside Collector Condition C	Multi-Use Path)
XS-R46 - Hillside Minor Collector Condition A	XS-R84 - Suburban Major Arterial (3 Lane)
XS-R ₄₇ - Hillside Minor Collector Condition B	XS-R85 - Suburban Major Arterial (5 Lane)
XS-R48 - Suburban Collector	XS-R86 - Core Area Major Arterial (3 Lane)
XS-R49 - Suburban Collector (With Bike Lanes)	XS-R87 - Core Area Major Arterial (5 Lane)

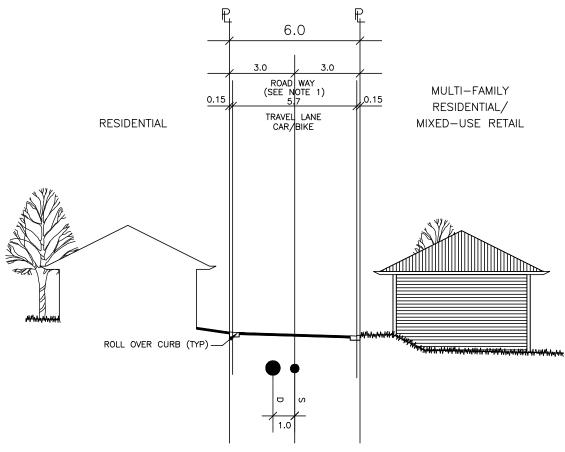
XS-R50 - Industrial Collector

XS-R₅₂ - Core Area Collector (With Bike Lanes)

XS-R51Core Area Collector

XS-R88 - Urban Centre Major Arterial (3 Lane)

XS-R89 - Urban Centre Major Arterial (5 Lane)



NOTE:

1. WHERE SINGLE FAMILY ABUTS BOTH SIDES, TRAVEL LANE MAY BE REDUCED TO 4.5M. IN THIS CASE, BOULEVARDS MUST BE TREATED WITH A LOW PROFILE, WEED FREE, AUTO ACCESSIBLE SURFACE. GRAVEL BASES TO EXTEND TO FULL WIDTH OF ROW (6.0M).

2. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

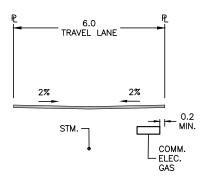
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

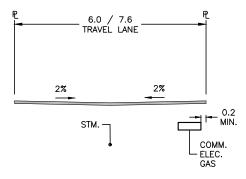
HILLSIDE LANEWAY

DWG. NO.





SUBURBAN



CORE AREA / URBAN CENTRE

NOTES

- 1. NO NEW INFRASTRUCTURE SHALL BE INSTALLED SUCH THAT IN ENCROACHES INTO THE LANEWAY, THEREBY REDUCING THE EFFECTIVE WIDTH OR FUNCTION OF THE LANEWAY
- 2. IF AN INDUSTRIAL LANEWAY IS REQUIRED IT MUST BE DESIGNED TO ACCOMMODATE THE ANTICIPATED DESIGN VEHICLE.
- 3. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 4. REFER TO SCHEDULE 4, TABLE 4.3.1, NOTE 12 TO DETERMINE THE APPROPRIATE CORE AREA LANE WIDTH.

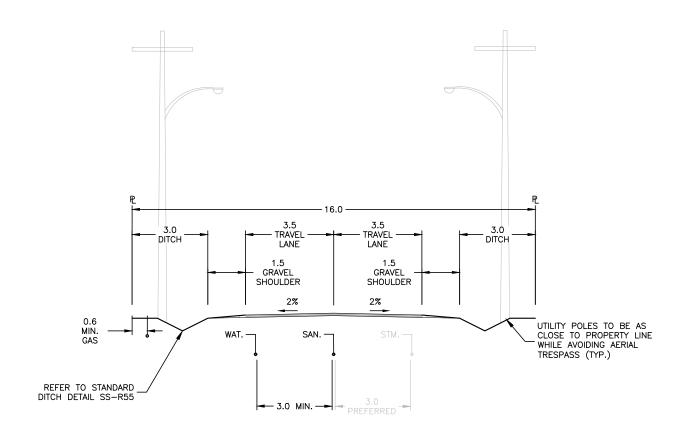
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

SUBURBAN / CORE AREA / URBAN CENTRE LANEWAYS

DWG. NO.





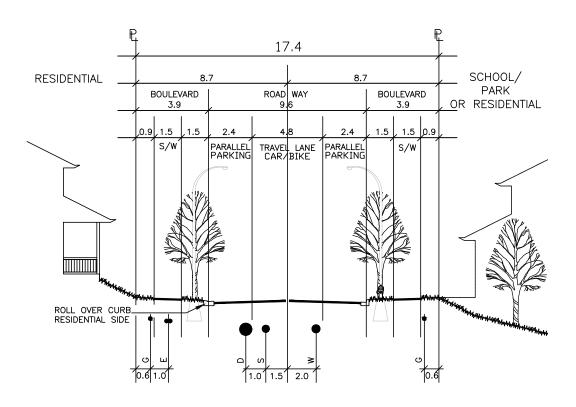
1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

RURAL LOCAL DWG. NO.





NOTES:

1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

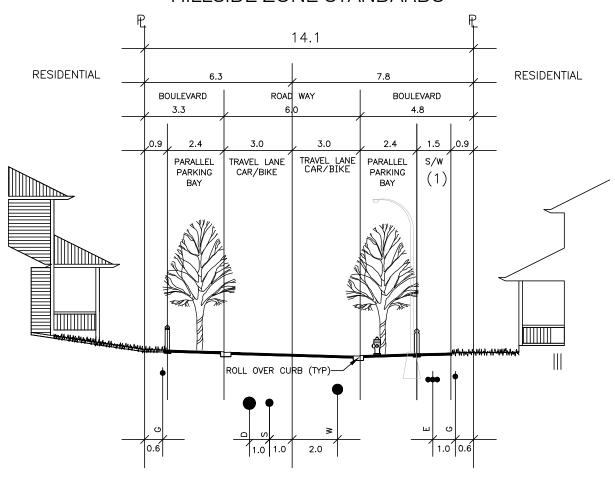
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

HILLSIDE VILLAGE LOCAL-RESIDENTIAL

DWG. NO.





NOTES:

- UNLESS NECESSARY FOR PEDESTRIAN CONNECTIVITY TO SCHOOLS, PARKS, COMMERCIAL AREAS OR LANDS BEYOND, A SIDEWALK IS NOT REQUIRED FOR LOCAL STREETS ACCESSING 30 LOTS OR LESS. THE STREET ROW WIDTH MAY BE REDUCED ACCORDINGLY IF SIDEWALK IS NOT REQUIRED.
- 2. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

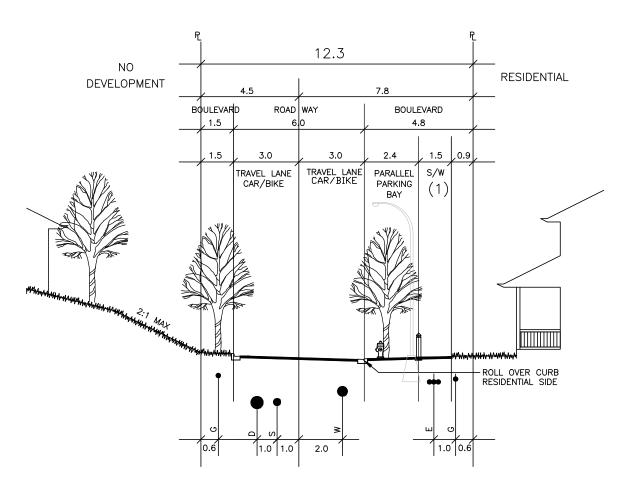
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

HILLSIDE LOCAL-CONDITION A (DEVELOPMENT BOTH SIDES)

DWG. NO.





NOTES:

- UNLESS NECESSARY FOR PEDESTRIAN CONNECTIVITY TO SCHOOLS, PARKS, COMMERCIAL AREAS OR LANDS BEYOND, A SIDEWALK IS NOT REQUIRED FOR LOCAL STREETS ACCESSING 30 LOTS OR LESS. THE STREET ROW WIDTH MAY BE REDUCED ACCORDINGLY IF SIDEWALK IS NOT REQUIRED.
- 2. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

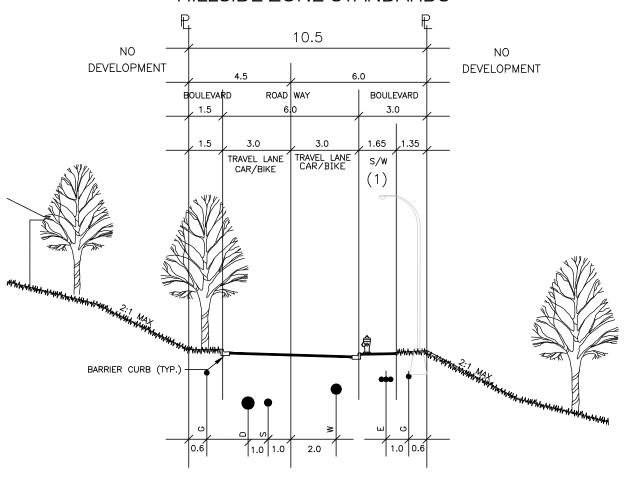
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

HILLSIDE LOCAL CONDITION B (DEVELOPMENT ONE SIDE)

DWG. NO.





NOTES:

- UNLESS NECESSARY FOR PEDESTRIAN CONNECTIVITY TO SCHOOLS, PARKS, COMMERCIAL AREAS OR LANDS BEYOND, A SIDEWALK IS NOT REQUIRED FOR LOCAL STREETS ACCESSING 30 LOTS OR LESS.
- 2. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

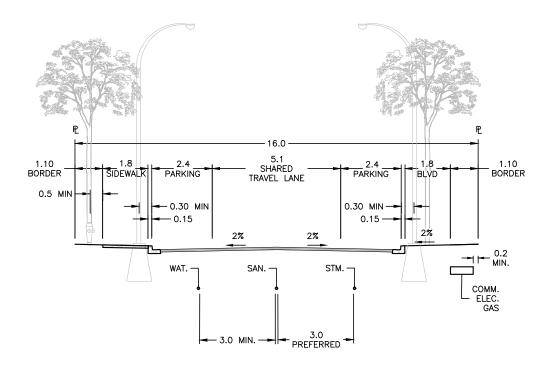
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

HILLSIDE LOCAL CONDITION C (NO DEVELOPMENT EITHER SIDE)

DWG. NO.





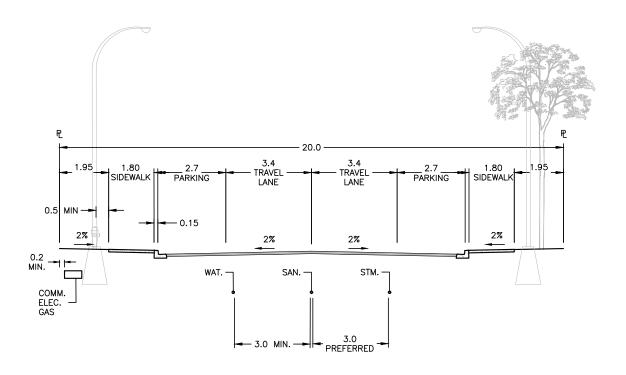
1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

SUBURBAN LOCAL DWG. NO.





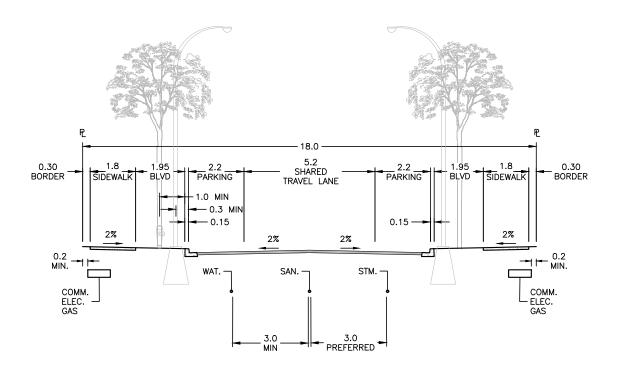
- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. SEPARATED SIDEWALK PLACED 0.3M OFF PL IS REQUIRED DEPENDING ON SURROUNDING LAND USE AND PEDESTRIAN CONNECTIONS AT THE CITY ENGINEER'S DISCRETION.

STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

INDUSTRIAL LOCAL DWG. NO.





1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

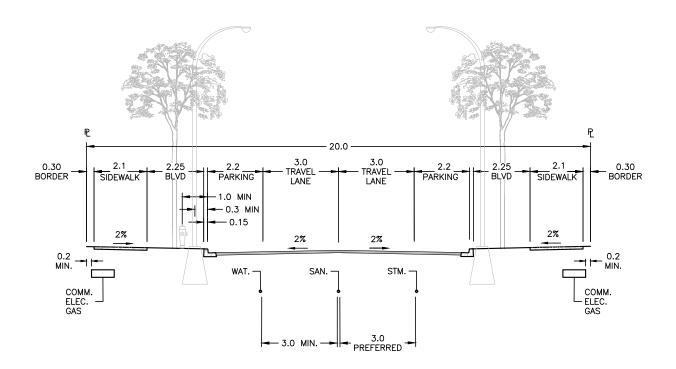
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

CORE AREA LOCAL

DWG. NO.





1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

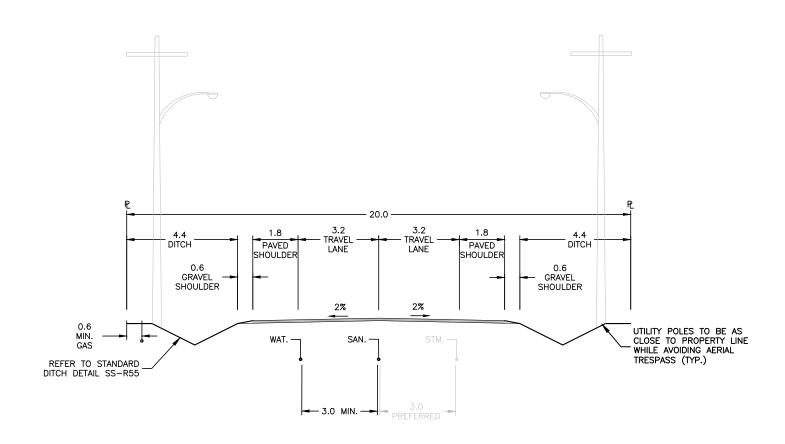
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

URBAN CENTRE LOCAL

DWG. NO.





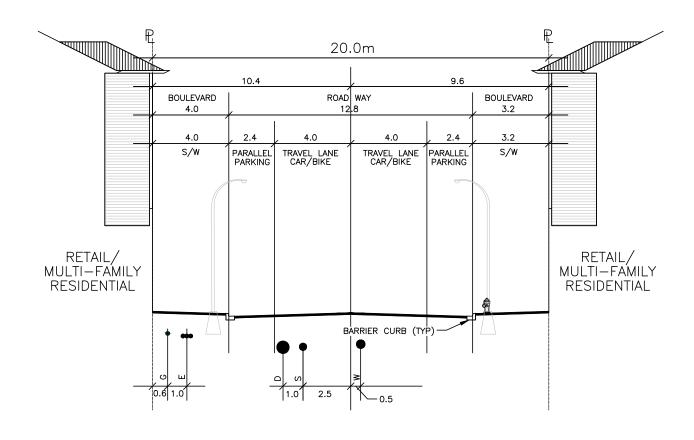
1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

RURAL COLLECTOR DWG. NO.





NOTES:

1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

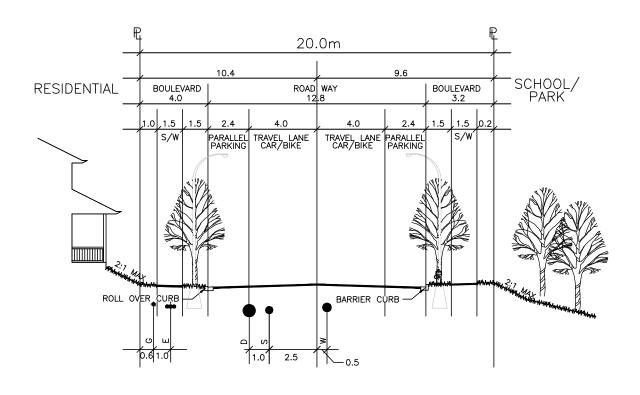
STANDARD DETAIL DRAWING

DATE: JULY 4/23 SCALE:

HILLSIDE - VILLAGE COLLECTOR CONDITION A (RETAIL/M.F. FRONTING)

DWG. NO.





NOTES:

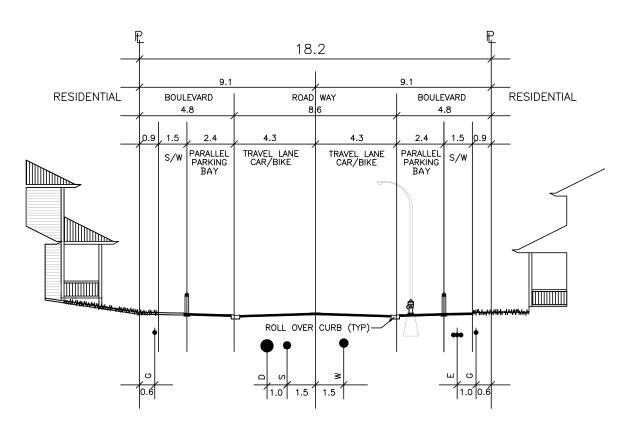
1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

STANDARD DETAIL DRAWING DATE:
JULY 4/23
SCALE:
NTS

HILLSIDE - VILLAGE COLLECTOR CONDITION B (NO RETAIL FRONTING)

DWG. NO.





NOTES:

1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

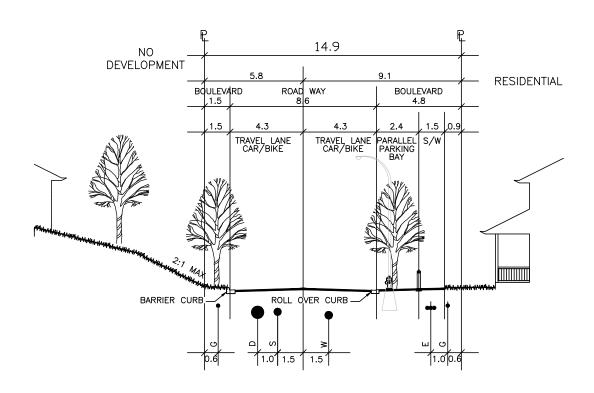
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

HILLSIDE - COLLECTOR CONDITION-A (DEVELOPMENT BOTH SIDES)

DWG. NO.





NOTES:

1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

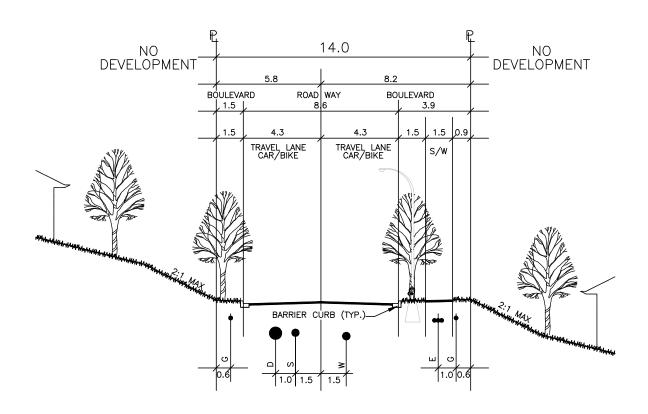
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

HILLSIDE - COLLECTOR CONDITION-B (DEVELOPMENT ONE SIDE)

DWG. NO.





NOTES:

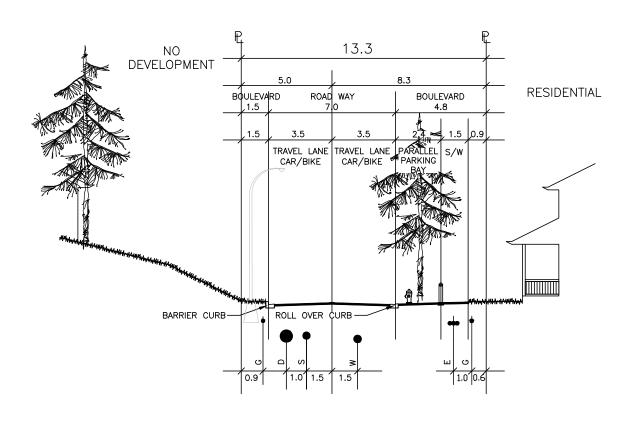
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STANDARD DETAIL DRAWING DATE:
JULY 4/23
SCALE:

HILLSIDE - COLLECTOR CONDITION-C (NO DEVELOPMENT EITHER SIDE)

DWG. NO.





NOTES:

1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

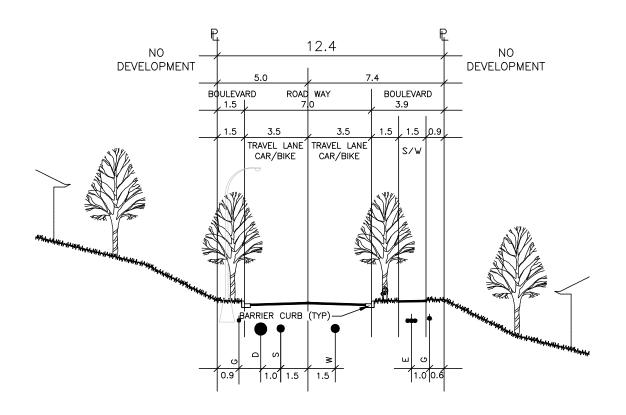
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

HILLSIDE - MINOR COLLECTOR CONDITION-A

DWG. NO.





NOTES:

1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

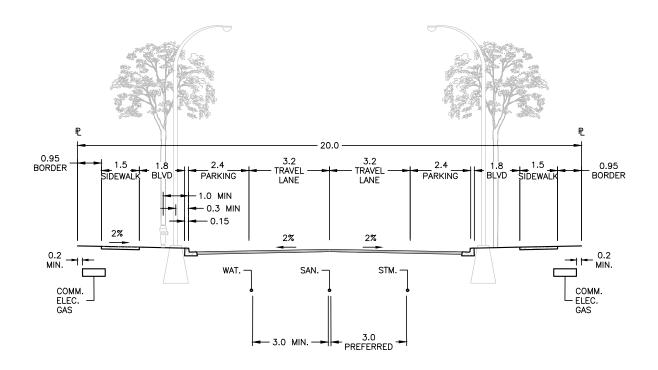
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

HILLSIDE - MINOR COLLECTOR CONDITION-B

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. HYDRANT TO BE CLEAR OF SIDEWALK, AND 1.0m ZONE SURROUNDING IT.

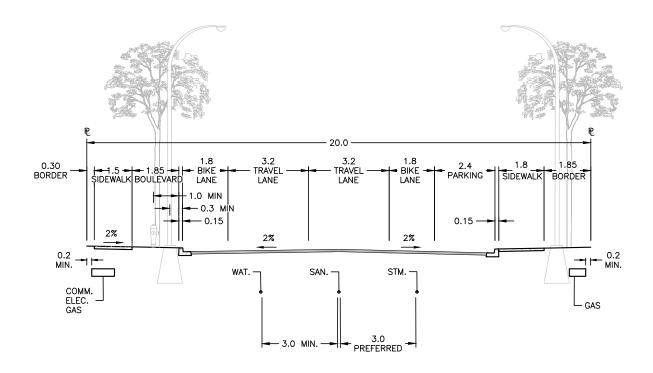
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

SUBURBAN COLLECTOR

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. SIDEWALK MAY BE MONOLITHIC OR SEPARATED TO ACCOMMODATE SIDEWALK, SHALLOW UTILITIES, AND STREET TREES.

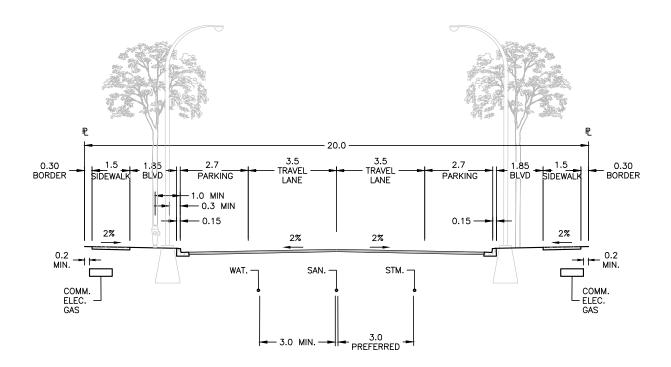
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

SUBURBAN COLLECTOR (WITH BIKE LANES)

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

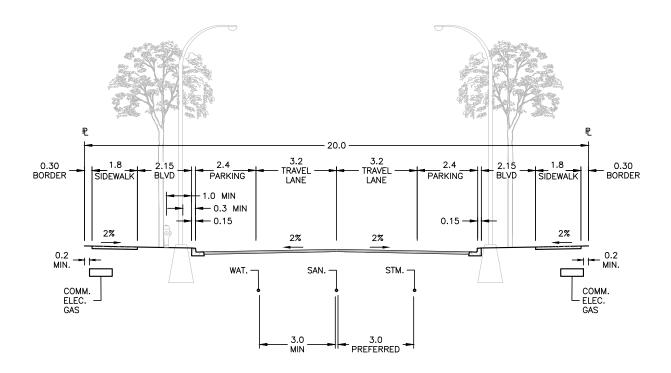
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

INDUSTRIAL COLLECTOR

DWG. NO.





- AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

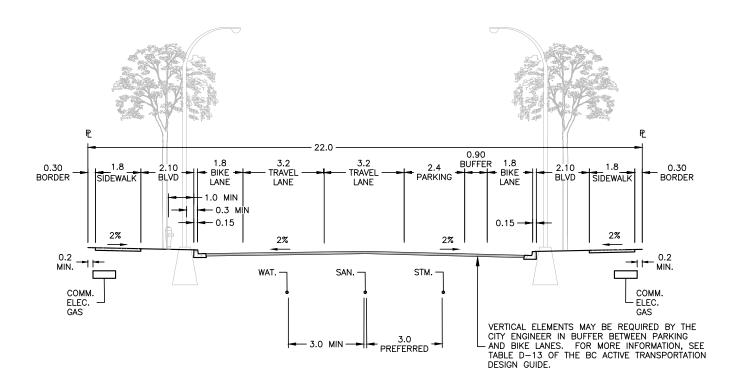
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

CORE AREA COLLECTOR

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

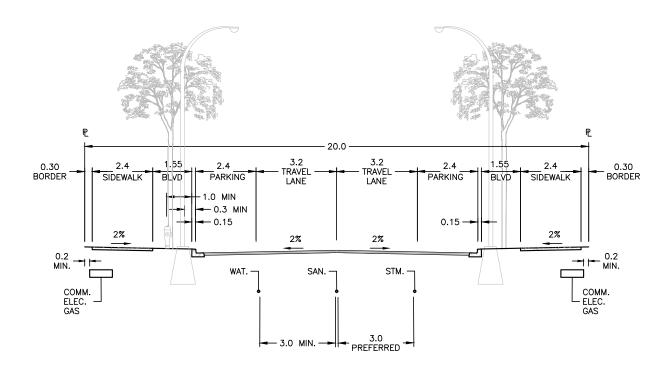
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

CORE AREA COLLECTOR (WITH BIKE LANES)

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

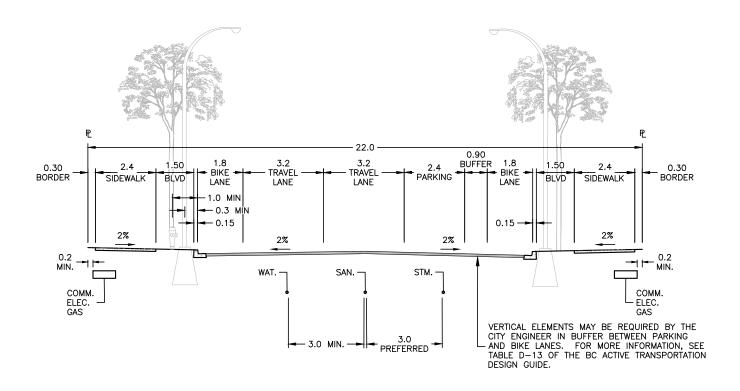
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

URBAN CENTRE COLLECTOR

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

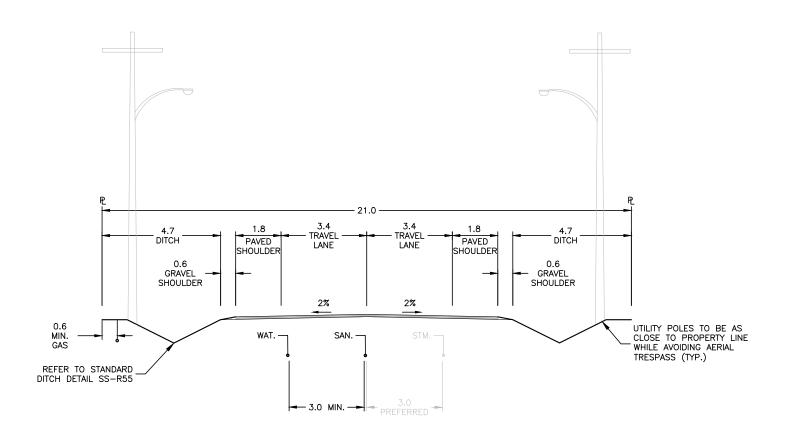
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

URBAN CENTRE COLLECTOR (WITH BIKE LANES)

DWG. NO.





- AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

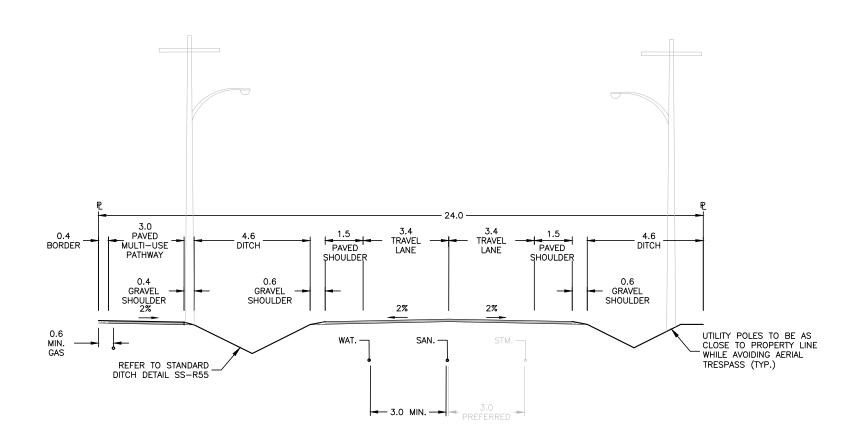
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

RURAL MINOR ARTERIAL

DWG. NO.





- AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

STANDARD
DETAIL
DRAWING

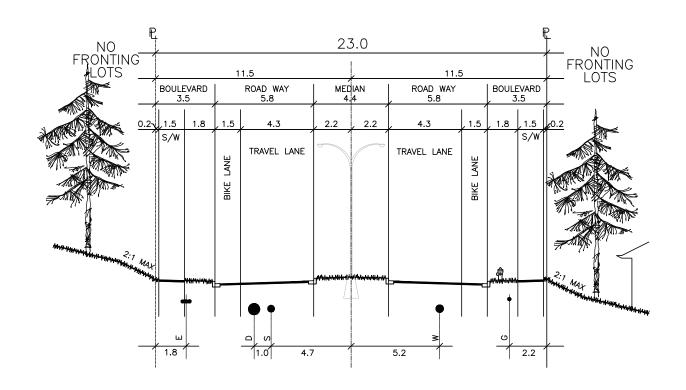
DATE:
JULY 4/23
SCALE:
NTS

RURAL MINOR ARTERIAL (WITH MULTI-USE PATH)

DWG. NO.



HILLSIDE ZONE STANDARDS



NOTES:

- AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

STANDARD
DETAIL
DRAWING

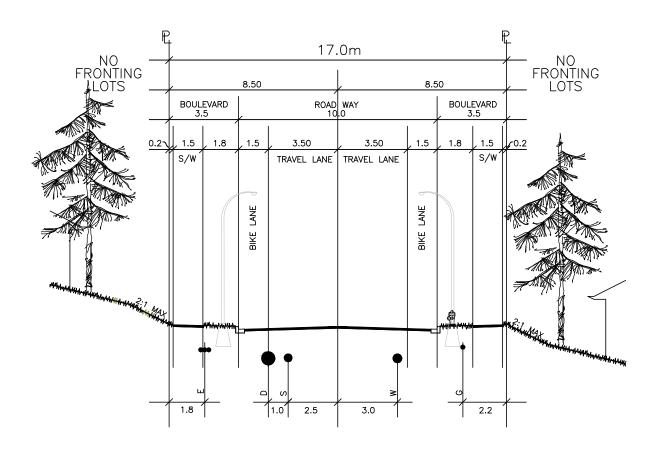
DATE:
JULY 4/23
SCALE:
NTS

HILLSIDE - ARTERIAL CONDITION A (VILLAGE PARKWAY)

DWG. NO.



HILLSIDE ZONE STANDARDS



NOTES:

- AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

STANDARD
DETAIL
DRAWING

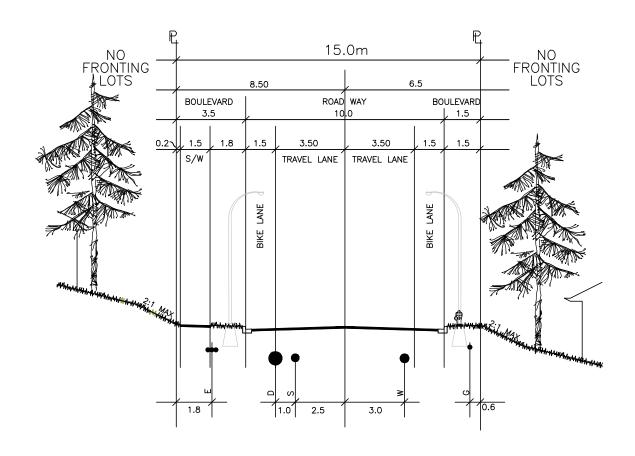
DATE:
JULY 4/23
SCALE:

HILLSIDE - ARTERIAL CONDITION **B** (WITHIN 0.8 KM WALKING DISTANCE OF VILLAGE)

DWG. NO.



HILLSIDE ZONE STANDARDS



NOTES:

- AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

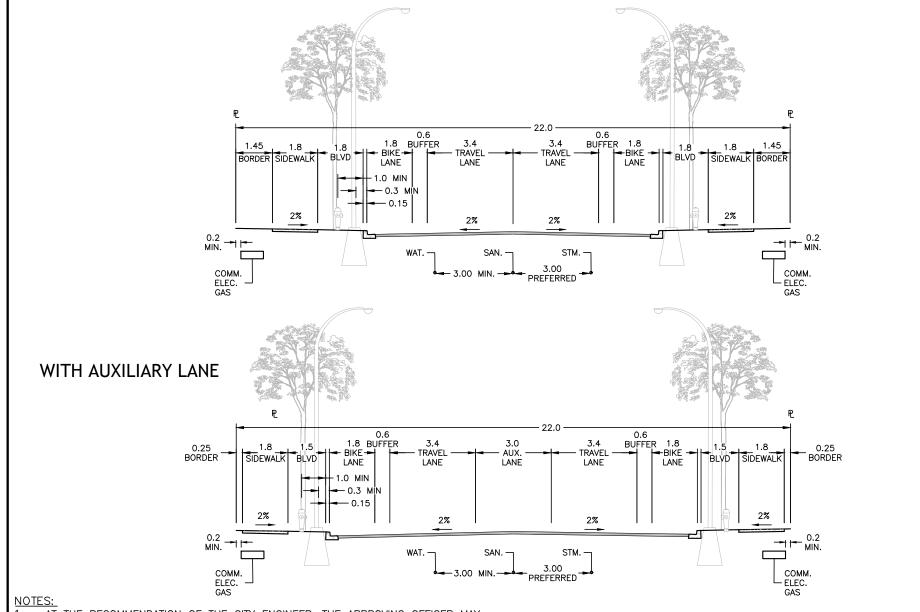
STANDARD
DETAIL
DRAWING

SCALE:

JULY 4/23 | HILLSIDE - ARTERIAL CONDITION-C (GREATER THAN 0.8 KM WALKING DISTANCE OF VILLAGE)

DWG. NO.





AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

STANDARD DETAIL DRAWING

DATE: JULY 4/23 SCALE: NTS

SUBURBAN MINOR ARTERIAL

DWG. NO.



MINOR ARTERIAL

SCALE:

NTS

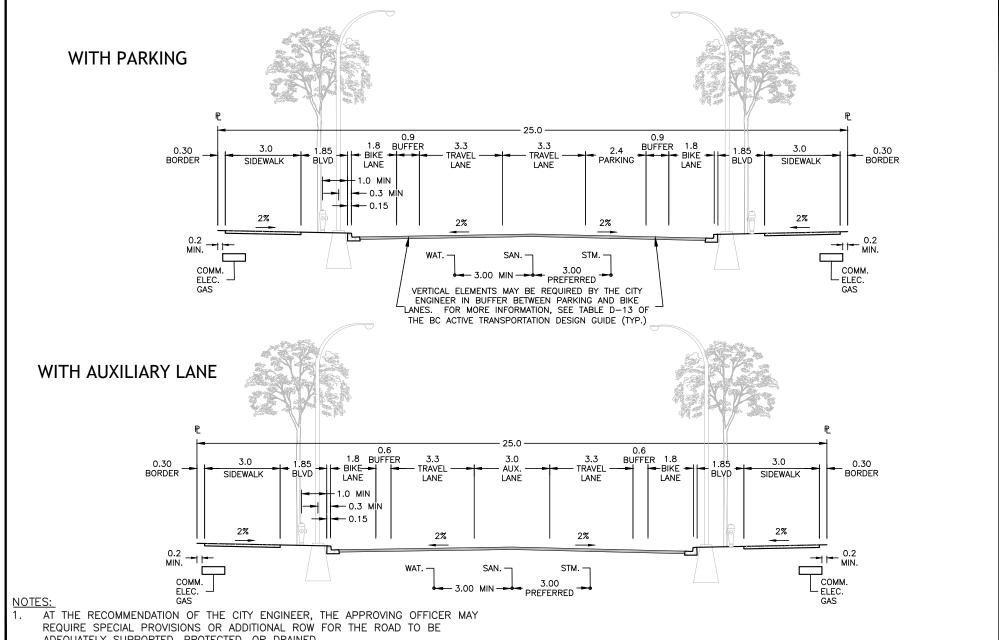
DRAWING

BYLAW NOTE

XS-R66

City of

Kelow



ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.

AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900

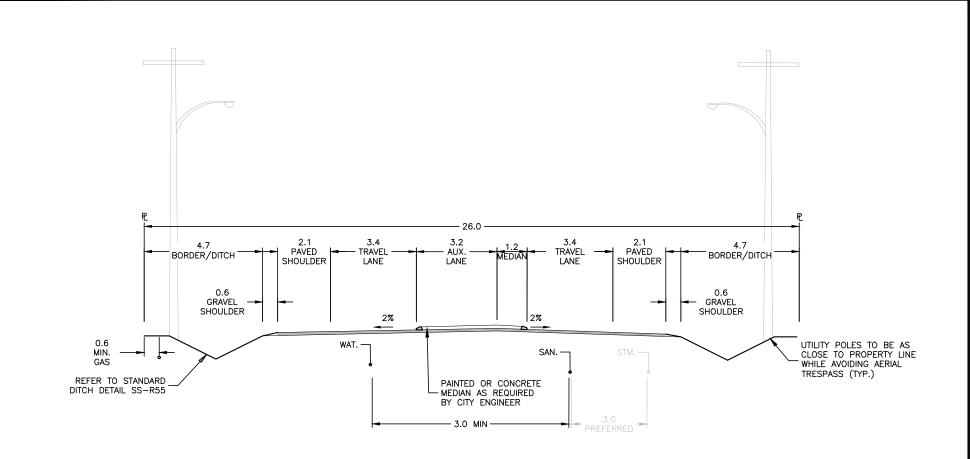
STANDARD DETAIL DRAWING

DATE: JULY 4/23 SCALE:

URBAN CENTRE MINOR ARTERIAL

DWG. NO.





- AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

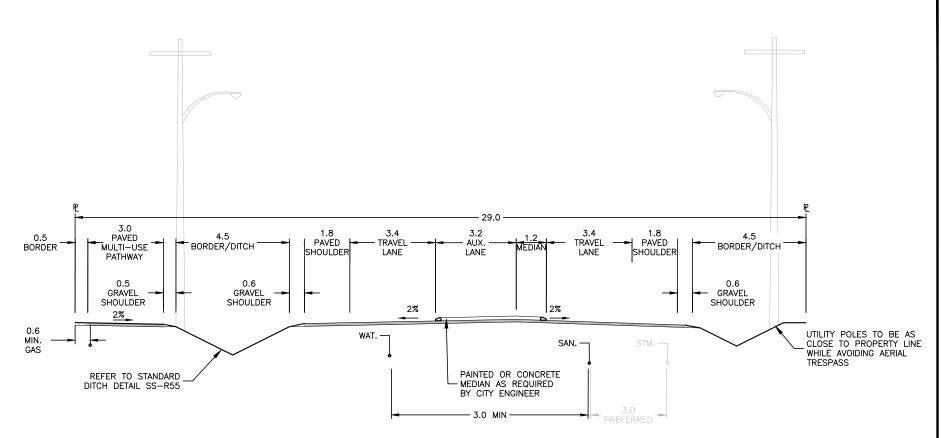
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

RURAL MAJOR ARTERIAL (3 LANE)

DWG. NO.





- AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

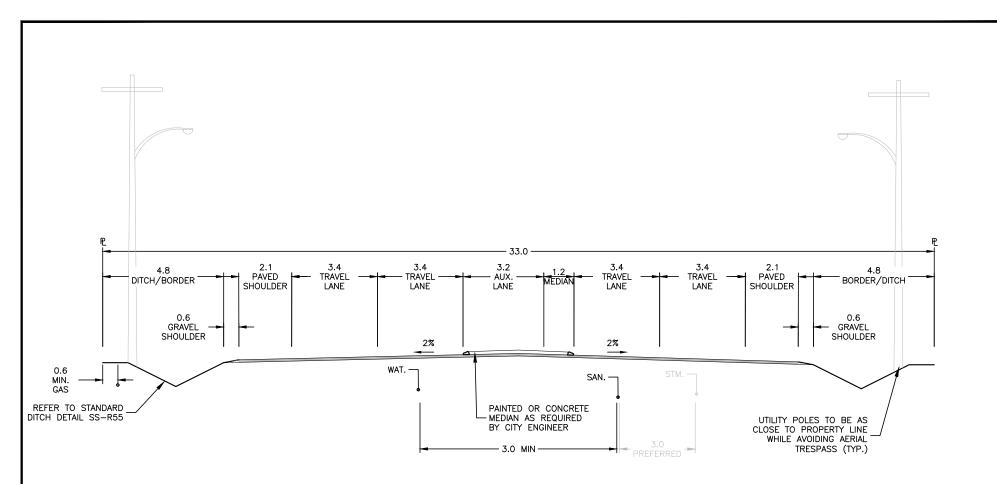
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

RURAL MAJOR ARTERIAL (3 LANE WITH MULTI-USE PATH)

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

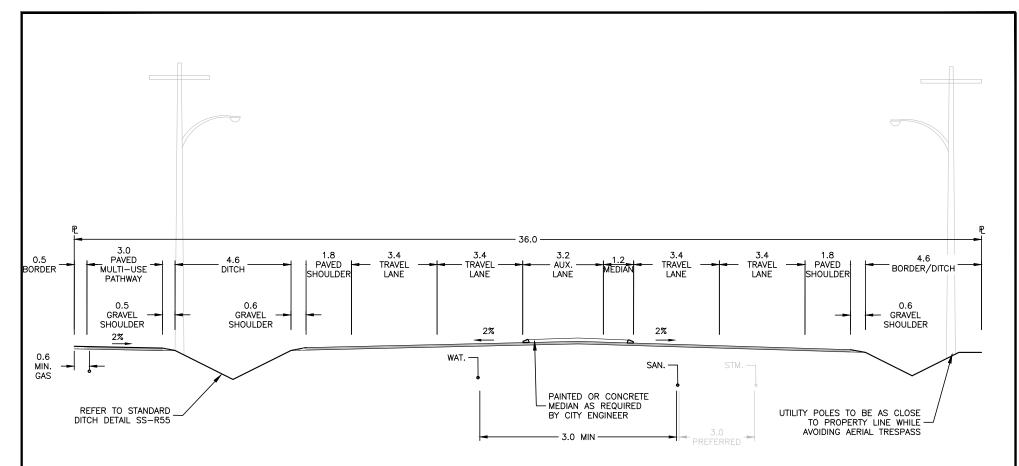
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

RURAL MAJOR ARTERIAL (5 LANE)

DWG. NO.





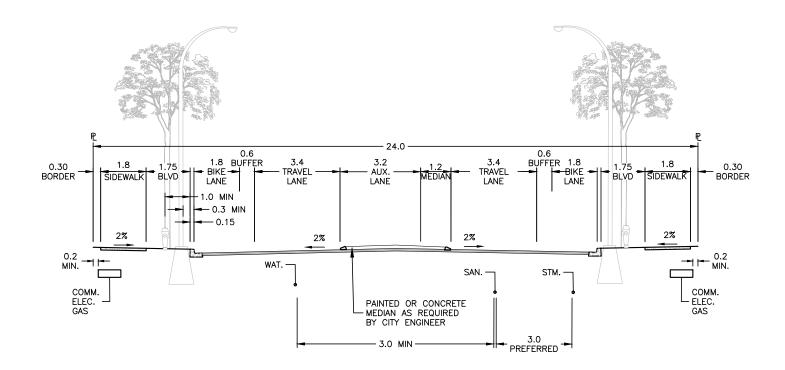
- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

STANDARD DETAIL DRAWING DATE:
JULY 4/23
SCALE:
NTS

RURAL MAJOR ARTERIAL (5 LANE WITH MULTI-USE PATHWAY)

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
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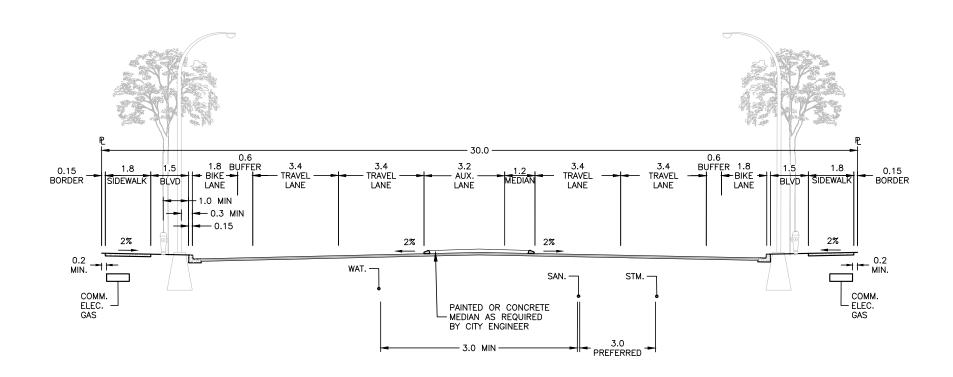
STANDARD
DETAIL
DRAWING

DATE: JULY 4/23 SCALE: NTS

SUBURBAN MAJOR ARTERIAL (3 LANE)

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

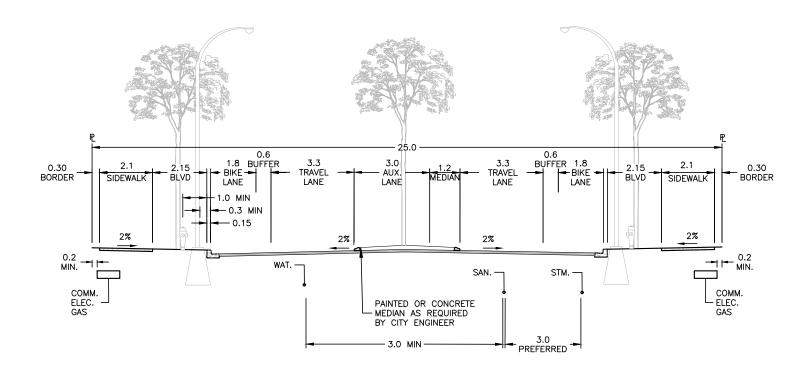
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

SUBURBAN MAJOR ARTERIAL (5 LANE)

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
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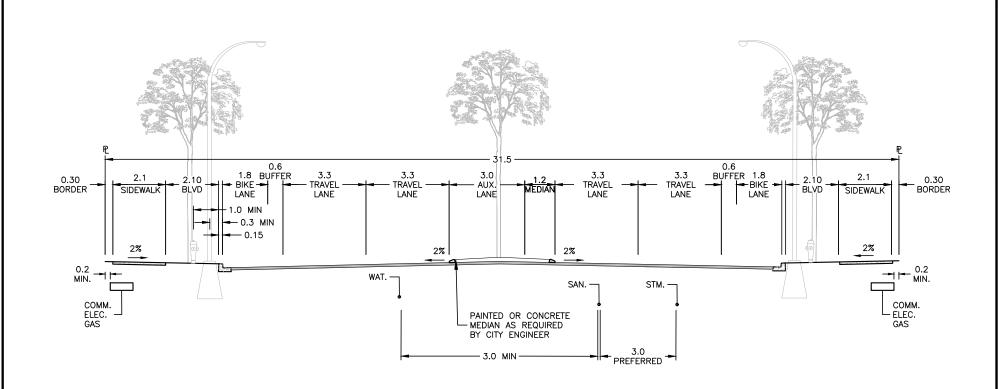
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

CORE AREA MAJOR ARTERIAL (3 LANE)

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

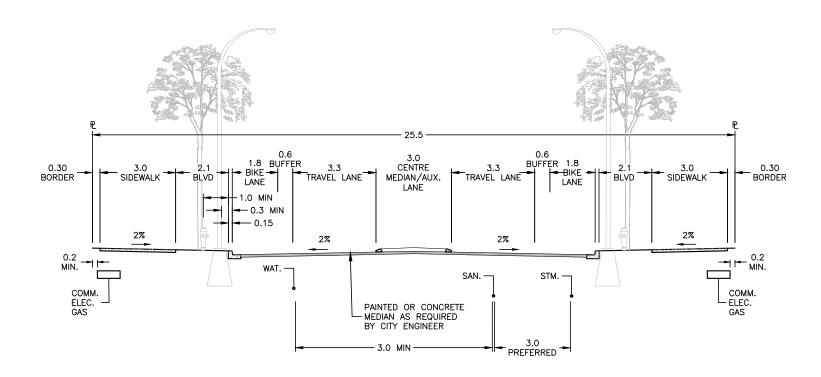
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

CORE AREA MAJOR ARTERIAL (5 LANE)

DWG. NO.





- 1. AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

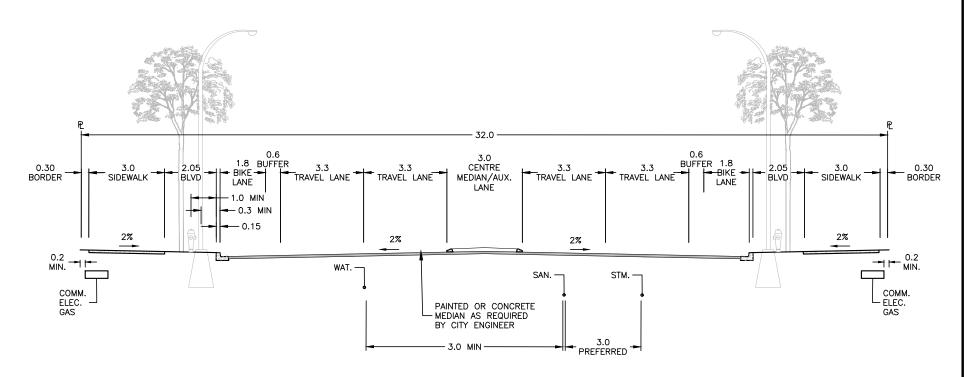
STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

URBAN CENTRE MAJOR ARTERIAL (3 LANE)

DWG. NO.





- AT THE RECOMMENDATION OF THE CITY ENGINEER, THE APPROVING OFFICER MAY REQUIRE SPECIAL PROVISIONS OR ADDITIONAL ROW FOR THE ROAD TO BE ADEQUATELY SUPPORTED, PROTECTED, OR DRAINED.
- 2. AUXILIARY LANES REQUIRED AS NECESSARY, AS PER BYLAW 7900.

STANDARD
DETAIL
DRAWING

DATE:
JULY 4/23
SCALE:
NTS

URBAN CENTRE MAJOR ARTERIAL (5 LANE)

DWG. NO.



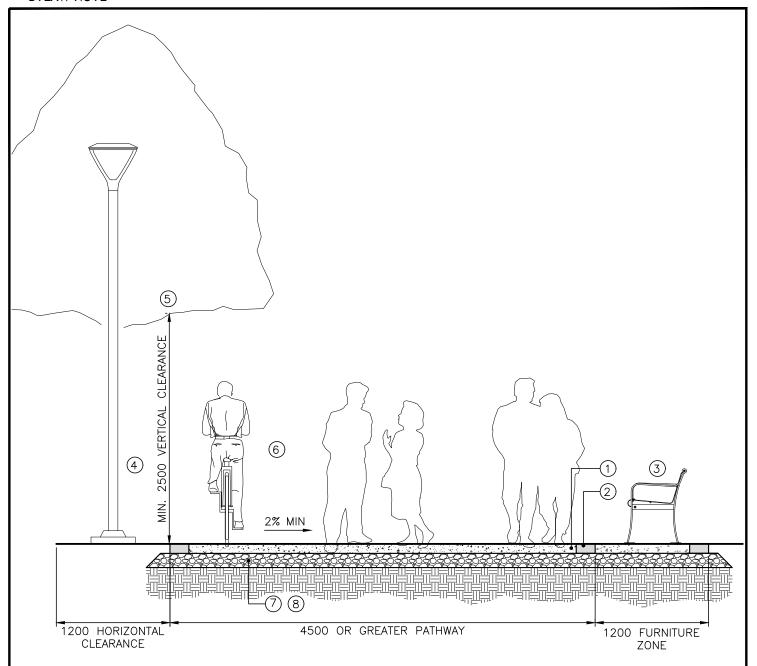
CITY OF KELOWNA

BYLAW NO. 12555 Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900

Schedule "F"

Standard Drawing's - Linear Park Trail Standards

SS-T01 Class 1 – Major Urban Promenade SS-T02 Class 2 – Major Multi-Use Urban SS-T03 Class 3 – Major Multi-Use Rural SS-T04 Class 4 – Standard Multi-Use Rural SS-T05 Class 5 – Narrow Multi-Use Rural SS-T06 Class 6 – Nature Trail Rural



- HARD SURFACE (E.G. PAVERS, CONCRETE, SPECIAL PAVING, ETC.) c/w SAW-CUT OR BROOM-OVER FINISHED CONTROL JOINTS
- 2. ACCENT PAVING EDGE, URBAN BRAILLE OPPORTUNITY
- COMFORT AMENITY ZONE (BENCH, BIKE RACK, WASTE RECEPTACLES, WAYFINDING SIGNAGE, KIOSKS, ETC.)
- 4. PEDESTRIAN LIGHTING c/w SHARP-ANGLE CUT-OFF FIXTURE & PAGEANTRY / BANNER OPPORTUNITY
- 5. TREE PLANTING SPACED EQUALLY BETWEEN LIGHTING c/w APPROVED GROWING MEDIUM AND VOLUME PER CITY STANDARDS
- 5. SHARED PATHWAY TO BE BARRIER FREE & UNIVERSAL ACCESSIBILITY STANDARDS.
- 7. 19mm MINUS COMPACTED GRANULAR BASE (95% MPD)
 OPTIONAL: SAND LEVELING BED FOR UNIT PAVER SURFACING REFER TO TRAIL GUIDELINES
 CHART FOR MAXIMUM SLOPES, MATERIAL DEPTHS AND SPECIFICATIONS
- 8. REMOVE ALL ORGANIC MATERIAL, LARGE STONES AND COMPACT NATIVE SUBGRADE (95% MPD)
- 9. ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE.

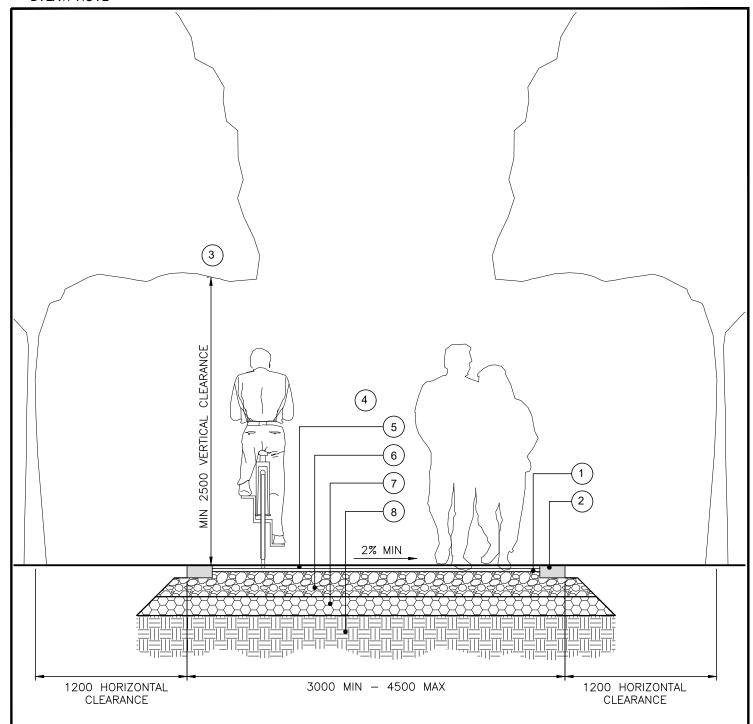
STANDARD
DETAIL
DRAWING

DATE: JUN 26/23 SCALE: NTS

CLASS 1 TRAIL
MAJOR URBAN PROMENADE

DWG. NO.





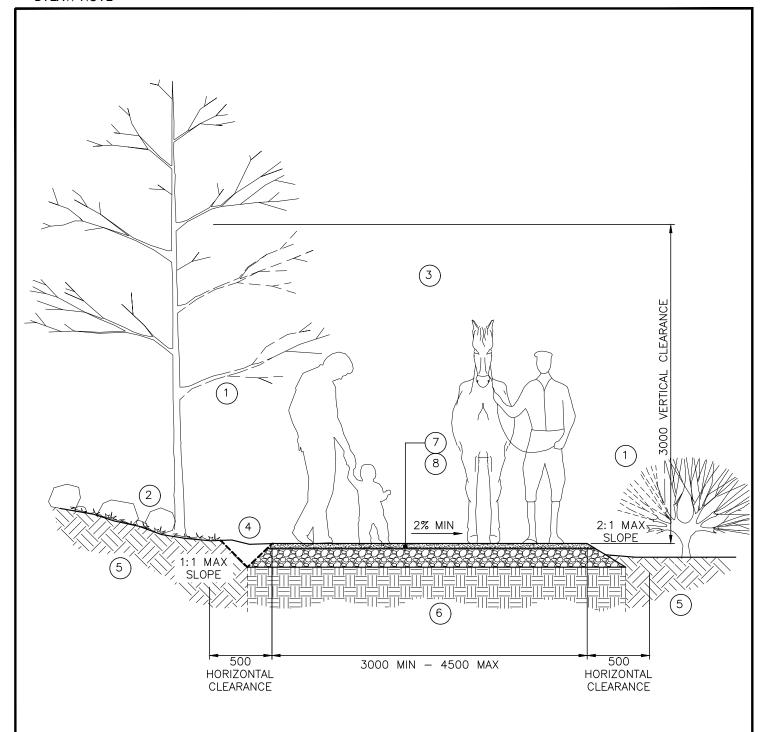
- 1. ASPHALT OR ASPHALT MILLINGS PAVING
- 2. ACCENT PAVING / EDGE RESTRAINT
- 3. TREE PLANTING SPACED EQUALLY BETWEEN LIGHTING c/w APPROVED GROWING MEDIUM AND VOLUME PER CITY STANDARDS
- 4. SHARED PATHWAY TO BE BARRIER FREE & UNIVERSAL ACCESSIBILITY STANDARDS
- 5. 50mm ASPHALT SURFACE. REFER TO BYLAW 7900 FOR STANDARD PAVEMENT STRUCTURE DEPTHS.
- 6.19mm MINUS COMPACTED GRANULAR BASE (95% MPD) REFER TO TRAIL GUIDELINES CHART FOR MAXIMUM SLOPES, MATERIAL DEPTHS AND SPECIFICATIONS
- 7. 75mm MINUS COMPACTED SUB-BASE (95% MPD) REFER TO TRAIL GUIDELINES CHART FOR MAXIMUM SLOPES, MATERIAL DEPTHS AND SPECIFICATIONS
- 8. REMOVE ALL ORGANIC MATERIAL, LARGE STONES AND COMPACT NATIVE SUBGRADE (95% MPD) 9. ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE

STANDARD
DETAIL
DRAWING

DATE: JUN 26/23 SCALE: NTS

CLASS 2 TRAIL MAJOR MULTI-USE URBAN DWG. NO.





- 1. PRUNE BRANCHES BACK TO TRUNK OR LIMB
- 2. REMOVE LOOSE ROCK & DEBRIS FROM ABOVE TRAIL
- 3. CLEAR & GRUB SHRUBS & TREES FOR TRAIL EXCEPT THOSE DESIGNATED TO STAY
- 4. PROVIDE DRAINAGE SWALE AS REQUIRED WHERE ADEQUATE DISCHARGE LOCATIONS ARE PRESENT
- 5. UNDISTURBED NATIVE SOIL
- 6. REMOVE ALL ORGANIC MATERIAL, LARGE STONES AND COMPACT NATIVE SUBGRADE (95% MPD)
- 7. AGGREGATE TRAIL: 10mm MINUS CRUSHED AGGREGATE / 19mm MINUS COMPACTED GRANULAR BASE OVER APPROVED FILL MATERIAL (95% MPD) REFER TO TRAIL GUIDELINES CHART FOR MAXIMUM SLOPES, MATERIAL DEPTHS AND SPECIFICATIONS
- 8. OPTIONAL: 50mm ASPHALT MILLINGS. REFER TO BYLAW 7900 FOR STANDARD PAVEMENT STRUCTURE & DEPTHS.
- 9. ALL DIMENSIONS SHOWN ARE MILLIMETRES UNLESS OTHERWISE NOTED.

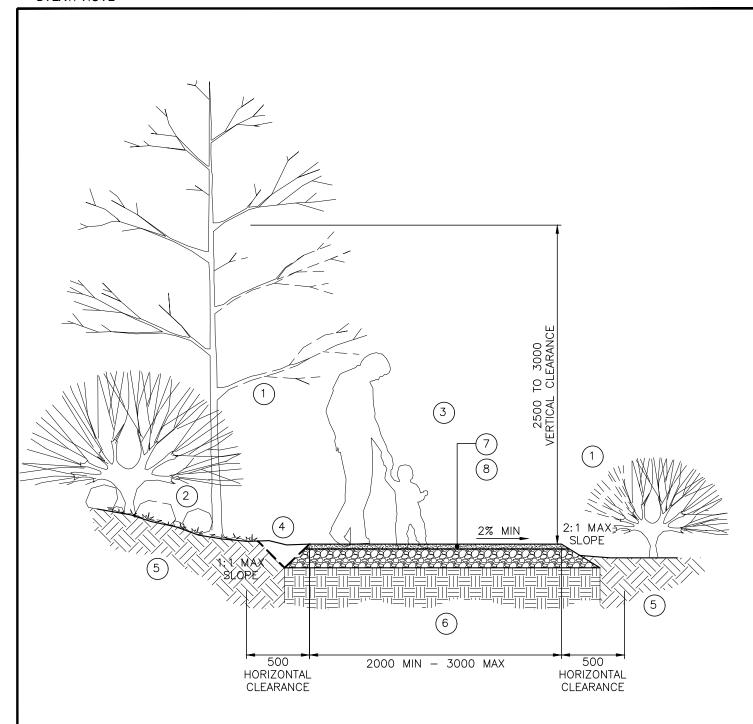
STANDARD
DETAIL
DRAWING

DATE: JUN 26/23 SCALE: NTS

CLASS 3 TRAIL
MAJOR MULTI-USE RURAL

DWG. NO.





- 1. PRUNE BRANCHES BACK TO TRUNK OR LIMB
- 2. REMOVE LOOSE ROCK & DEBRIS FROM ABOVE TRAIL
- 3. CLEAR & GRUB SHRUBS & TREES FOR TRAIL EXCEPT THOSE DESIGNATED TO STAY
- 4. PROVIDE DRAINAGE SWALE AS REQUIRED WHERE ADEQUATE DISCHARGE LOCATIONS ARE PRESENT.
- 5. UNDISTURBED NATIVE SOIL
- 6. REMOVE ALL ORGANIC MATERIAL, LARGE STONES AND COMPACT NATIVE SUBGRADE (95% MPD)
- 7. AGGREGATE TRAIL: 10mm MINUS CRUSHED AGGREGATE / 19mm MINUS COMPACTED GRANULAR BASE OVER APPROVED FILL MATERIAL (95% MPD) REFER TO TRAIL GUIDELINES CHART FOR MAXIMUM SLOPES, MATERIAL DEPTHS AND SPECIFICATIONS
- 8. OPTIONAL SURFACE: 50mmD ASPHALT MILLINGS. REFER TO BYLAW 7900 FOR STANDARD PAVEMENT STRUCTURE & DEPTHS
- 9. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.

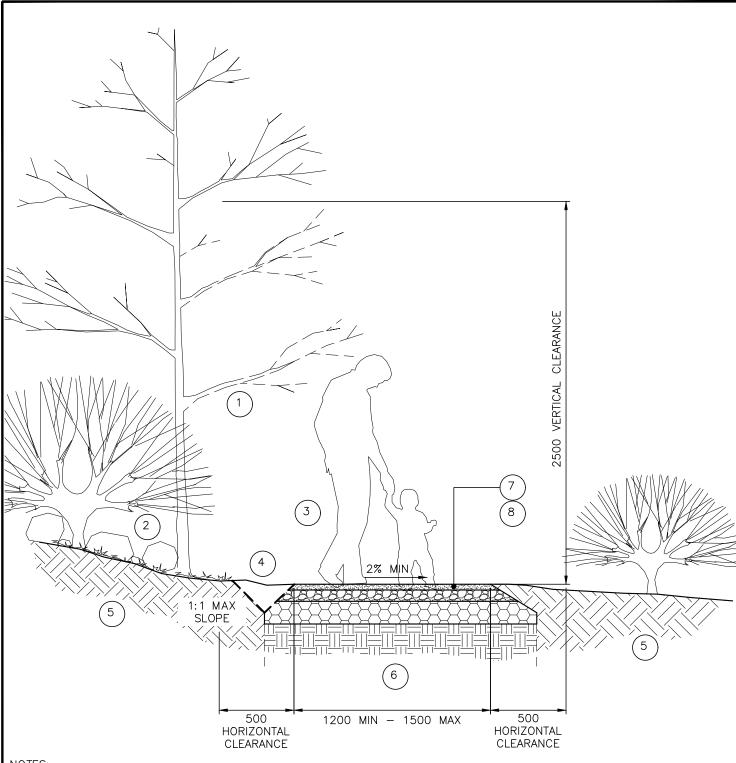
STANDARD
DETAIL
DRAWING

DATE: JUN 26/23 SCALE: NTS

CLASS 4 TRAIL STANDARD MULTI-USE RURAL

DWG. NO.





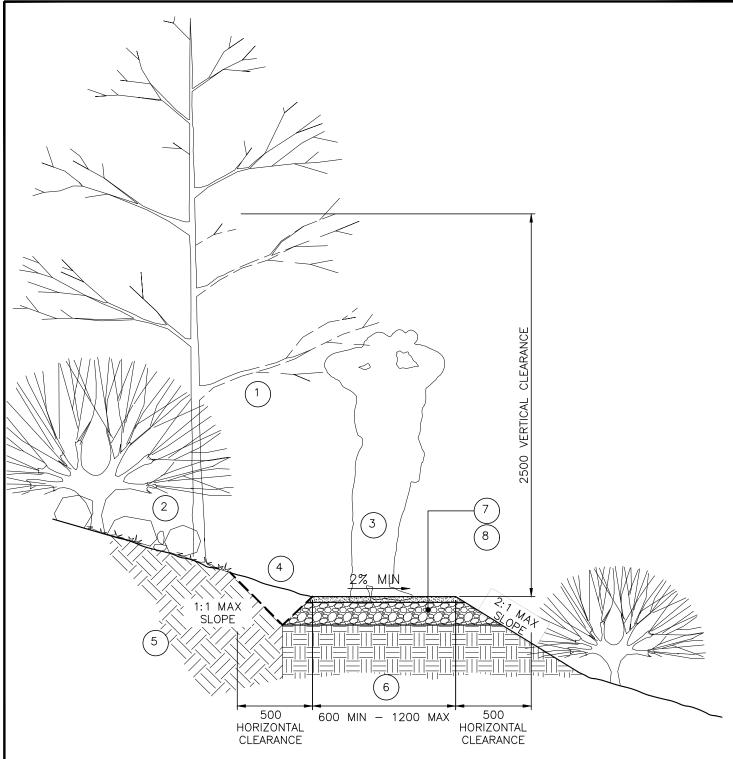
- PRUNE BRANCHES BACK TO TRUNK OR LIMB
- REMOVE LOOSE ROCK & DEBRIS FROM ABOVE TRAIL
- CLEAR & GRUB SHRUBS & TREES FOR TRAIL EXCEPT THOSE DESIGNATED TO STAY
- PROVIDE DRAINAGE SWALE AS REQUIRED WHERE ADEQUATE DISCHARGE LOCATIONS ARE PRESENT.
- UNDISTURBED NATIVE SOIL
- REMOVE ALL ORGANIC MATERIAL, LARGE STONES AND COMPACT NATIVE SUBGRADE (95% MPD)
- AGGREGATE TRAIL: 10mm MINUS CRUSHED AGGREGATE / 19mm MINUS COMPACTED GRANULAR
- BASE OVER APPROVED FILL MATERIAL (95% MPD)
 OPTIONAL SURFACE: 50mmD ASPHALT MILLINGS. REFER TO BYLAW 7900 FOR STANDARD PAVEMENT STRUCTURE & DEPTHS.
- ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.

STANDARD
DETAIL
DRAWING

DATE: JUN 26/23 SCALE: NTS

CLASS 5 TRAIL NARROW MULTI-USE RURAL DWG. NO.





- PRUNE BRANCHES BACK TO TRUNK OR LIMB
- REMOVE LOOSE ROCK & DEBRIS FROM ABOVE TRAIL
- CLEAR & GRUB SHRUBS & TREES FOR TRAIL EXCEPT THOSE DESIGNATED TO STAY
- PROVIDE DRAINAGE SWALE AS REQUIRED WHERE ADEQUATE DISCHARGE LOCATIONS ARE PRESENT
- UNDISTURBED NATIVE SOIL
- REMOVE ALL ORGANIC MATERIAL, LARGE STONES AND COMPACT NATIVE SUBGRADE (95% MPD)

- APPROVED FILL MATERIAL / NATURAL TRAIL
 REFER TO TRAIL GUIDELINES CHART FOR MAXIMUM SLOPES AND SPECIFICATIONS
 OPTIONAL SURFACE: 10mm MINUS CRUSHED AGGREGATE OVER 19mm MINUS COMPACTED GRANULAR BASE (95% MPD)

 10. DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.

STANDARD
DETAIL
DRAWING

DATE:
JUN 26/23
SCALE:
NTS

CLASS 6 TRAIL NATURE TRAIL RURAL DWG. NO.



CITY OF KELOWNA

BYLAW NO. 12555 Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900

Schedule "G"

Standard Drawing's - Road Works

SS-R₅₀ – Smart Channel Right Turn
SS-R₅₁ – Intersection Curb Extensions (higher class road without parking)
SS-R₅₂ – Intersection Curb Extensions (higher class road with parking)

SS-R₅₃ – Cul-De-Sac Turnaround

SS-R54 - Hammerhead Turnaround

SS-R55 – Standard Ditch Section

SS-R₅6 – Utility Access and Location at Ditch

SS-R₅₇ - Rock Cut Section

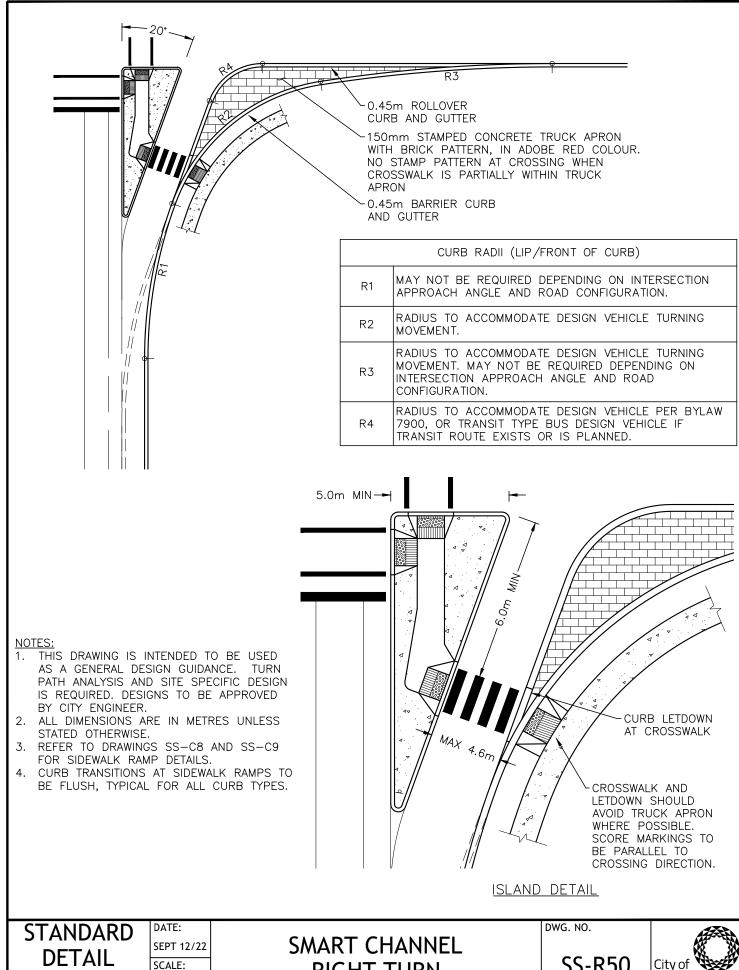
SS-R₅8 – Driveway Grades

SS-R59 – Urban Transit Stop Layout

SS-R6o – Urban Transit Stop Details

SS-R61 – Post Mounted Sign

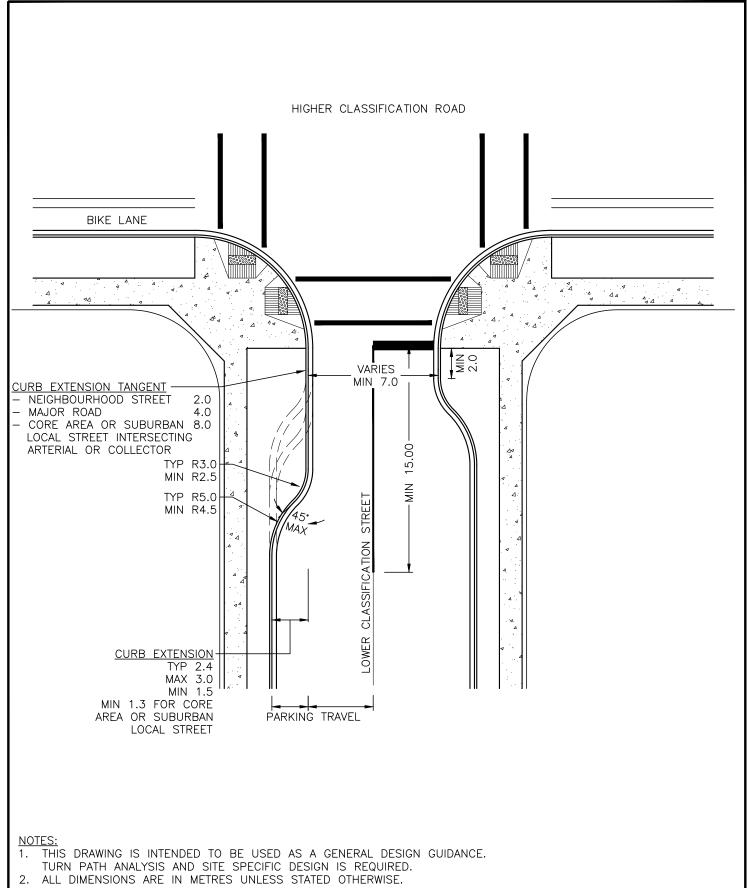
SS-R62 - Street Name Blades



Kel®wna

NTS

DRAWING



- 3. CURB DIMENSIONS ARE TO THE FACE OF CURB (150mm FROM BACK OF CURB).
- 4. SEE DRAWING SS-C8 AND SS-C9 FOR SIDEWALK RAMP DETAILS.

STANDARD	
DETAIL	
DRAWING	

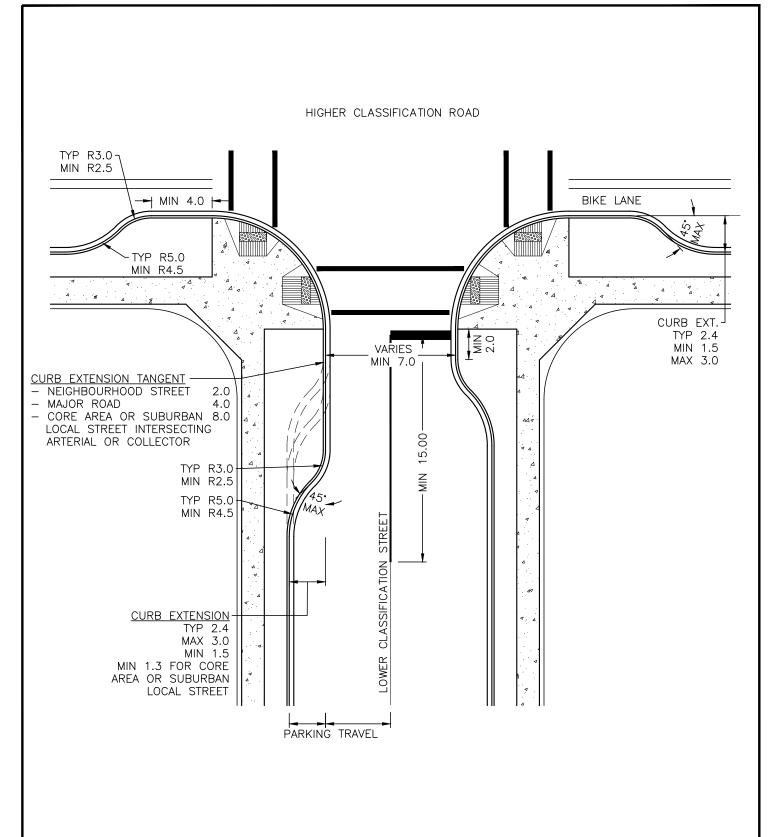
DATE: SEPT 22/22 SCALE: NTS

INTERSECTION CURB EXTENSIONS
HIGHER CLASS ROAD NO PARKING

DWG. NO.

SS-R51





- THIS DRAWING IS INTENDED TO BE USED AS A GENERAL DESIGN GUIDANCE. TURN PATH ANALYSIS AND SITE SPECIFIC DESIGN IS REQUIRED.
- 2. ALL DIMENSIONS ARE IN METRES UNLESS STATED OTHERWISE.
- 3. CURB DIMENSIONS ARE TO THE FACE OF CURB (150mm FROM BACK OF CURB).
- 4. SEE DRAWING SS-C8 AND SS-C9 FOR SIDEWALK RAMP DETAILS.

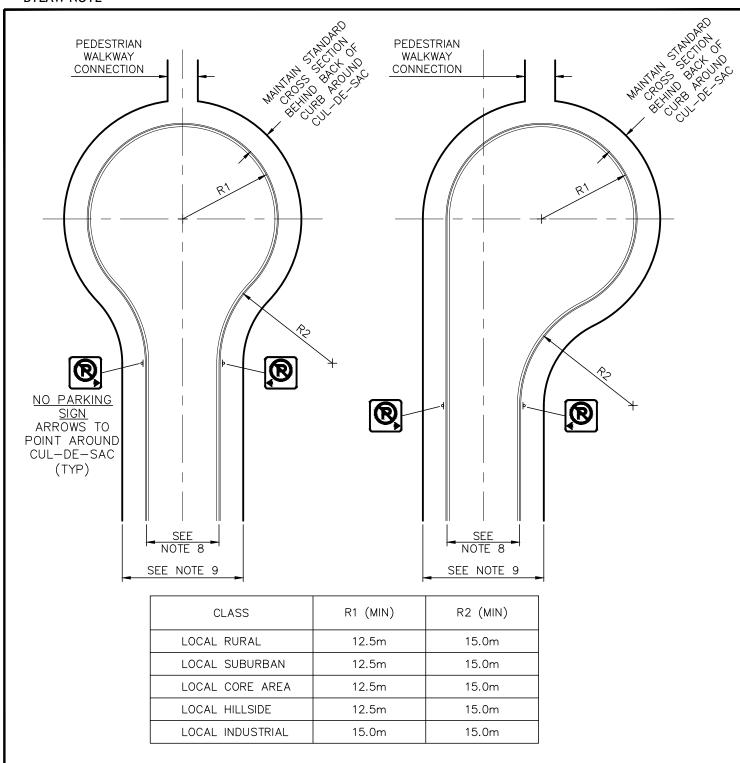
STANDARD
DETAIL
DRAWING

DATE: SEPT 22/22 SCALE: NTS INTERSECTION CURB
EXTENSIONS
HIGHER CLASS ROAD WITH PARKING

DWG. NO.

SS-R52





NOTES:

- 1. CUL-DE-SAC TURNAROUNDS ARE ONLY IMPLEMENTED ON LOCAL STREETS.
- 2. CUL-DE-SAC IMPLEMENTATION TO MEET BYLAW LENGTH AND NETWORK CONNECTION REQUIREMENT.
- NEW CUL-DE-SACS ARE NOT SUPPORTED IN URBAN CENTRES
- 4. NO PARKING WITHIN CUL-DE-SAC.
- 5. SPECIAL PROVISIONS FOR CUT AND FILL SLOPES MAY BE REQUIRED BY CITY ENGINEER.
- 6. CUL-DE-SAC TO HAVE MINIMUM LONGITUDINAL DRAINAGE OF 0.5%.
- 7. RADIUS DIMENSIONS SHOWN ARE TO FACE OF CURB (150mm FROM BACK OF CURB)
- 8. PAVEMENT WIDTH, SIDEWALK, AND BOULEVARD AS PER ROAD CROSS SECTION.
- 9. ROAD DEDICATION AS PER ROAD CROSS SECTION.

DATE:

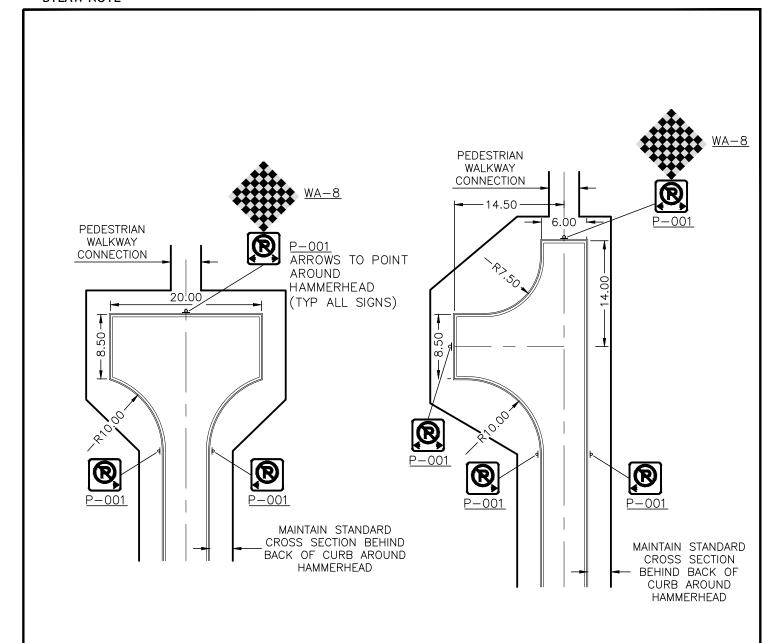
STANDARD	
DETAIL	
DRAWING	

JUN 22/23 SCALE: NTS

CUL-DE-SAC TURNAROUND

DWG. NO.





HAMMERHEAD

MODIFIED HAMMERHEAD

NOTES:

- 1. CITY PREFERENCE IS FOR CUL-DE-SAC. HAMMERHEAD TURNAROUND IS ONLY TO BE USED IN HILLSIDE ZONES UPON DEMONSTRATED NEED WHERE TOPOGRAPHICAL CONSTRAINTS ARE PRESENT AND AS APPROVED BY THE CITY ENGINEER.
- 2. PAVEMENT WIDTH AS PER ROAD CROSS SECTION.
- 3. ROAD DEDICATION AND FRONTAGE IMPROVEMENTS AS PER ROAD CROSS SECTION.
- 4. DIMENSIONS ARE ALL IN METRES UNLESS OTHERWISE NOTED.
- 5. DIMENSIONS ARE TO FACE OF CURB (150mm FROM BACK OF CURB).

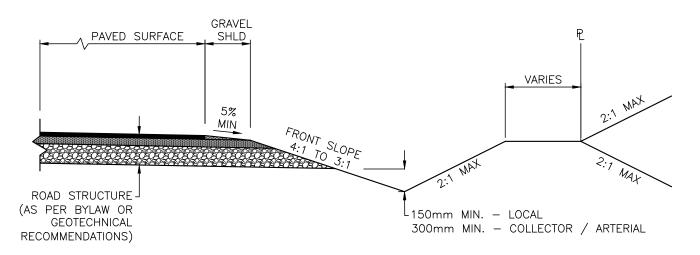
STANDARD
DETAIL
DRAWING

DATE:
JUN 22/23
SCALE:
NTS

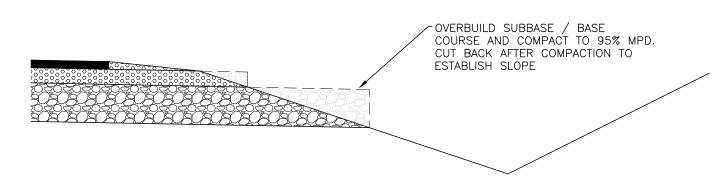
HAMMERHEAD TURNAROUND

DWG. NO.





TYPICAL DITCH SECTION



OVERBUILD DETAIL

NOTES:

- 1. WHERE THE CROSS SLOPE IS STEEPER THAN 4:1, ENGINEERING ANALYSIS IS REQUIRED WITH CONSIDERATION OF TAC GEOMETRIC DESIGN GUIDE FOR CANADIAN ROAD CHAPTER 7 AND MOTI BC SUPPLEMENT.
- 2. 2:1 SLOPES CAN BE CONSIDERED ON LOW VOLUME ROAD UPON DEMONSTRATED NEED AS PER TAC CHAPTER 7, IF APPROVED BY THE CITY ENGINEER

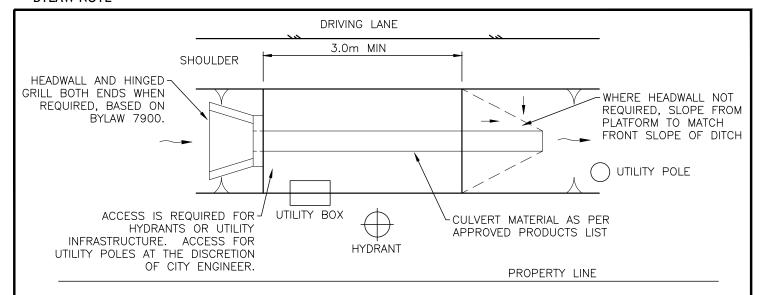
STANDARD
DETAIL
DRAWING

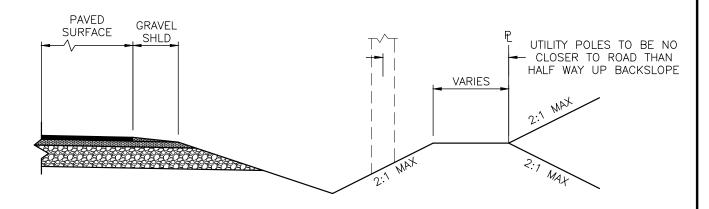
DATE: SEPT 23/22 SCALE: NTS

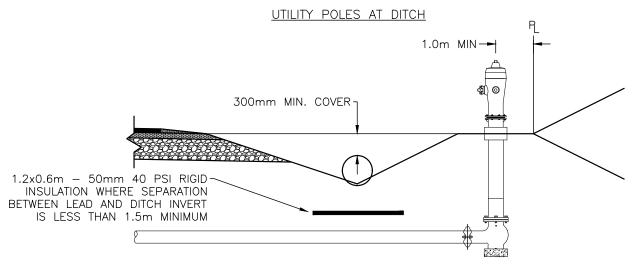
STANDARD DITCH SECTION

DWG. NO.









HYDRANT ACCESS AT DITCH

NOTES:

1. REFER TO DRAWING SS-R55 FOR TYPICAL DITCH SECTION DETAILS.

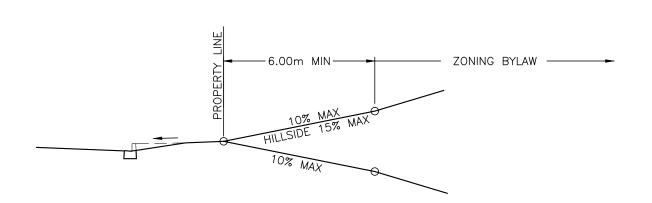
STANDARD
DETAIL
DRAWING

DATE: SEPT 23 /22 SCALE: NTS

UTILITY ACCESS AND LOCATION AT DITCH

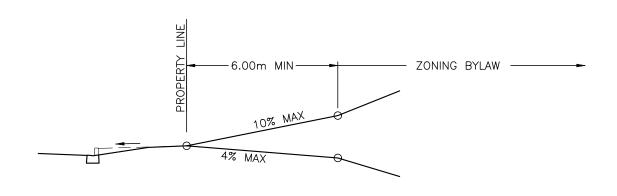
DWG. NO.





GROUND-ORIENTED

INFILL HOUSING / SINGLE & TWO DWELLING



COMMERCIAL / MULTI-DWELLING

NOTES:

1. MAXIMUM GRADE CHANGE AT ANY TRANSITION POINT 12% OR AS PER K-VALUE IN TABLE 4.4.1 SCHEDULE 4 SECTION 4.

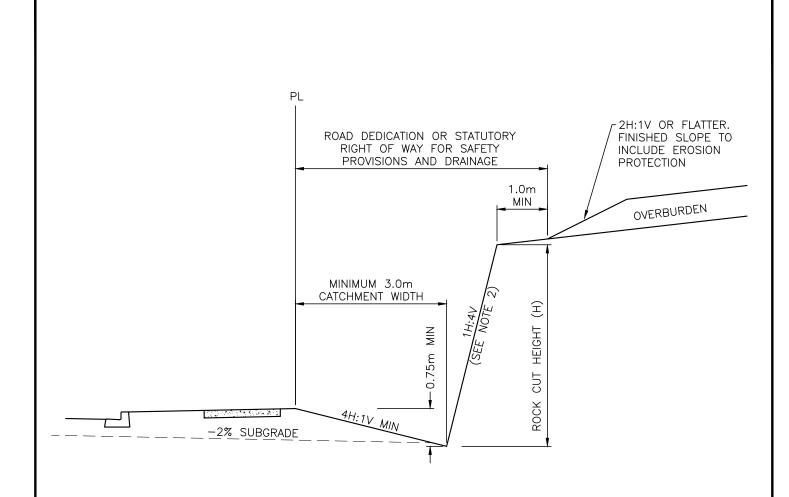
STANDARD	D.
	SE
DETAIL	S
DRAWING	

DATE: SEPT 23 /22 SCALE: NTS

DRIVEWAY GRADES

DWG. NO.





NOTES:

- 1. SITE SPECIFIC GEOTECHNICAL DESIGN REQUIRED FOR ALL ROCK CUT HEIGHTS GREATER THAN 4m AND WHERE GEOHAZARDS EXIST.
- 2. A VERTICAL BACKSLOPE MAY BE USED IF APPROVED BY THE GEOTECHNICAL DESIGN. MINIMUM CATCHMENT WIDTH WOULD THEN BE INCREASED BASED ON THE ROCK CUT HEIGHT (I.E. 3.0m + 25% OF ROCK CUT HEIGHT (H)), OR AS DIRECTED BY GEOTECHNICAL DESIGN.
- 3. DRAINAGE COLLECTION PROVISIONS TO BE ADDRESSED FOR CATCHMENT AREA.
- 4. GROUNDWATER SEEPAGE WITHIN OVERBURDEN, IF ANY, MUST BE ADDRESSED BY GEOTECHNICAL ENGINEERING DESIGN

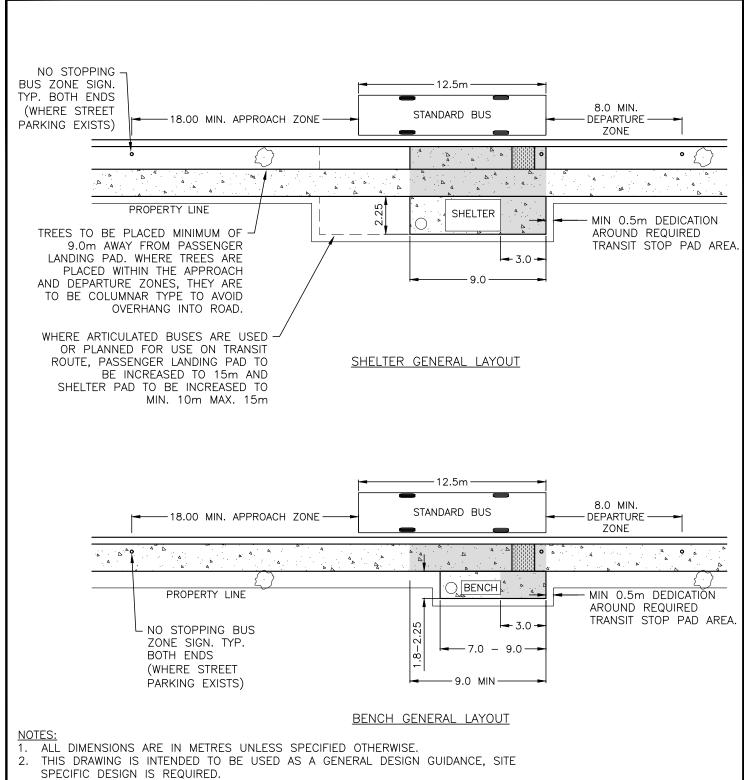
STANDARD
DETAIL
DRAWING

DATE:
JUN 22/23
SCALE:
NTS

ROCK CUT CROSS SECTION

DWG. NO.





- REFER TO ADDITIONAL DETAILS AND INFORMATION IN THE BC TRANSIT INFRASTRUCTURE DESIGN SUMMARY AND CONSULT CITY ENGINEER.
- 4. BOULEVARD AND SIDEWALK AS PER STANDARD CROSS SECTIONS.
- 5. IN RURAL AREAS, AS REQUIRED BY CITY ENGINEER, STOP REQUIREMENTS AS PER BC TRANSIT GUIDANCE FOR RURAL BUS STOP PADS.
- 6. ON ARTERIAL AND COLLECTOR ROADS WHERE BOULEVARD IS >3.5m, SHELTER PAD COULD BE ACCOMMODATED IN BOULEVARD IF IT DOES NOT BLOCK PEDESTRIAN FACILITY
- 7. IF NO SHELTER AND BENCH WARRANTED AS PER TABLE 4.13.2 SCHEDULE 4 SECTION 4, CONSTRUCT STOP AS PER GENERAL BENCH LAYOUT WITHOUT BENCH.

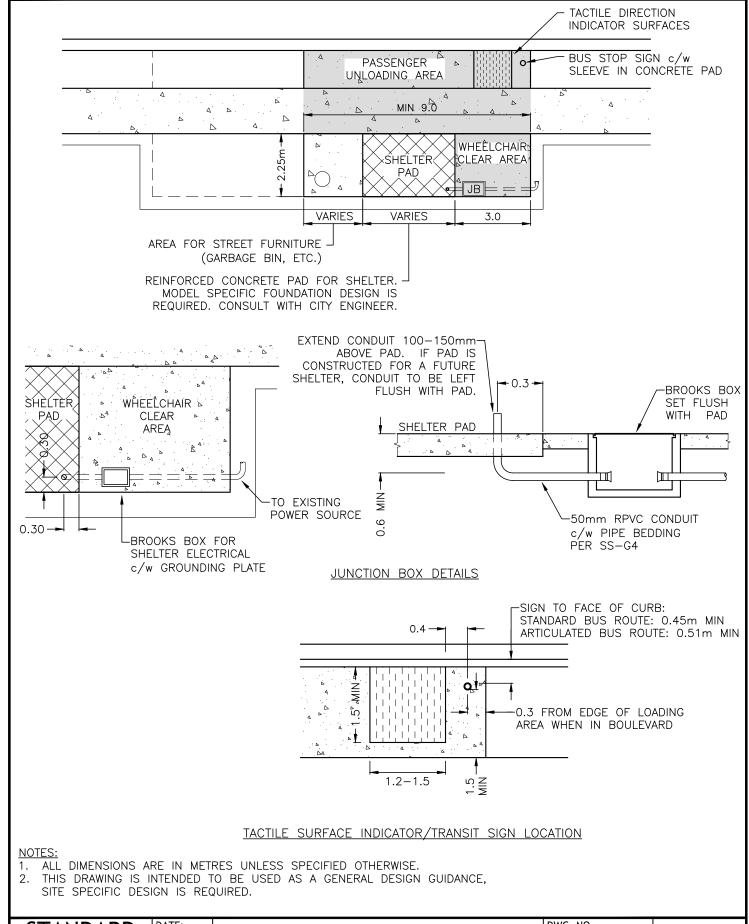
CLEAR ZONE FREE OF OBSTRUCTIONS

STANDARD DETAIL DRAWING DATE: SEPT 23/22 SCALE: NTS

URBAN TRANSIT STOP LAYOUT

DWG. NO.



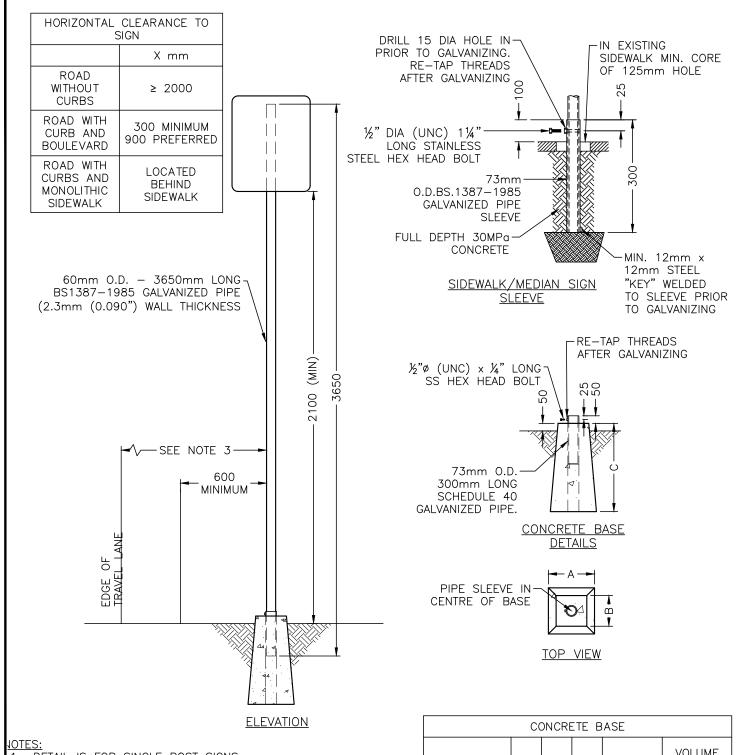


STANDARD DETAIL DRAWING DATE: SEPT 23/22 SCALE: NTS

URBAN TRANSIT STOP SHELTER PAD DETAILS

DWG. NO.





1. DETAIL IS FOR SINGLE POST SIGNS.

- ALL DIMENSIONS IN MILLIMETRES UNLESS OTHERWISE NOTED.
- HORIZONTAL CLEARANCES BASED ON DESIGN SPEEDS UP TO 60 km/h AS PER SECTION 4.15 IN BYLAW 7900. FOR HIGHER SPEED ROADS REFER TO TAC TRANSPORTATION ASSOCIATION OF CANADA ROADSIDE DESIGN.
- 4. SIGN SLEEVE TO BE PLACED PRIOR TO SIDEWALK POUR, OR TO BE CORED IN AFTER. FOR EXISTING SIDEWALK CORE MINIMUM 125mm HOLE IN SIDEWALK, SUB—EXCAVATE AND FILL WITH CONCRETE AROUND SLEEVE.

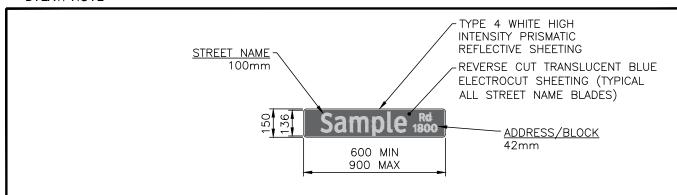
CONCRETE BASE							
APPLICATION	A mm	B mm	C mm	APPROX. MASS	VOLUME OF CONCRETE		
GRAVEL SHOULDER OR HIGHWAY	30 5	20 3	58 4	85 kg	0.05m³		
PAVED SHOULDER OR LANDSCAPE	229	152	45 7	37 kg	0.02m³		

STANDARD DETAIL DRAWING DATE: SEPT 29/22 SCALE: NTS

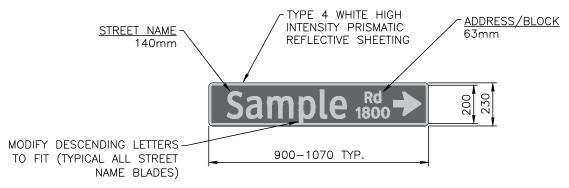
POST MOUNTED SIGN

DWG. NO.

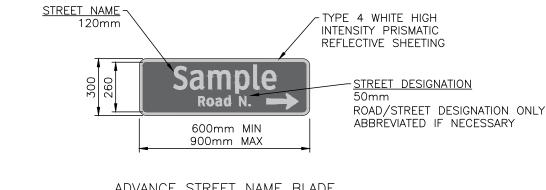


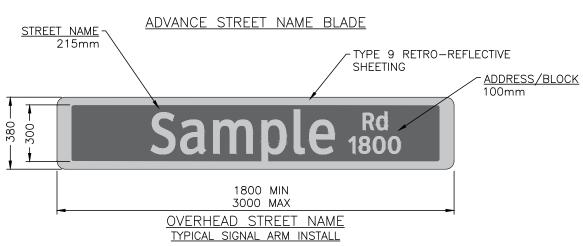


STANDARD STREET NAME BLADE



OVERSIZE STREET NAME BLADE HIGH SPEED/VOLUME MULTI LANE ROUTES





STANDARD DETAIL DRAWING DATE:
JULY 11/22
SCALE:
NTS

STREET NAME BLADE DETAILS

DWG. NO.



CITY OF KELOWNA

BYLAW NO. 12555 Amendment No. 24 to Subdivision, Development and Servicing Bylaw No. 7900

Schedule "H"

Schedule 5 - Drawings - Index for Reference

2. Drawing Index

Page 1

CITY OF KELOWNA STANDARD DRAWINGS INDEX AND CROSS-REFERENCE TO MMCD

	AND CITE	755 INEL E	INCLINCE.	10 MINICE		
	MMCD Standard Drawings		City of Kelowna Standard Drawings			
Dwg.	Title	Comment	Dwg.	Title		
	GENERAL DETAILS					
G1	General Legend for Contract Drawings	Deleted		(Per City A-size Drawing Block)		
G2	Legend for Materials	MMCD	G2	Legend for Materials		
G3	Legend for Street Light and Traffic Signal Drawings	Deleted		(Future Amendment - Refer to Utility)		
G4	Utility Trench	Replaced	SS-G4	Utility Trench		
G5	Pavement Restoration	Replaced	SS-G5	Pavement Restoration		
G6	Concrete Encasement for Water Main/ Sewer Separation	MMCD	G6	Concrete Encasement for Water Main/Sewer Separation		
G7	Concrete Protection for Underground Utilities	MMCD	G7	Concrete Protection for Underground Utilities		
G8	Pipe Anchor Blocks	MMCD	G8	Pipe Anchor Blocks		
	STORM AND SANITARY SEWERS					
S1	Standard and Sump Manholes	Replaced	SS-S1a SS- S1b	Manholes Manhole Frame and Cover		
S2	Standard Manhole Connection Details	Replaced	SS-S1a	Manholes		
\$3	Manhole Connection Details - Drop and Ramp Type	MMCD	S3	Manhole Connection Details - Drop and Ramp Type		
S4	Inside Drop Manhole	MMCD	S4	Inside Drop Manhole		
S 5	Precast Riser Manhole	MMCD	S5	Precast Riser Manhole		
S6	Sewer Clean-Out	Replaced	SS-S6	Clean-Out Detail (Temporary)		
S7	Sanitary Sewer Service Connection	Replaced	SS-S7	Sanitary Sewer Service Connection		
S8	Storm Sewer Service Connection	MMCD	S8	Storm Sewer Service Connection		
S9	Inspection Chamber for 100 to 200 Sanitary Sewer Connection	Replaced	SS-S9	Inspection Chamber for 100 to 200 Sanitary Sewer Connection		
S10	Inspection Chamber for 250 to 375 Storm Sewer Connection	MMCD	S10	Inspection Chamber for 250 to 375 Storm Sewer Connection		

Schedule 5

2. Drawing Index

Page 2

S11	Top Inlet Catch Basin	Replaced	SS-S11a SS-S11b SS-S11c	Catch Basin 900 mm diameter Catch Basin Castings Combined Side and Gutter Inlet Catch Basin - Top Slabs
S12	Lawn Drains	MMCD	S12	Lawn Drains
S13	Storm Sewer Inlet with Safety Grillage	MMCD	S13	Storm Sewer Inlet with Safety Grillage

BL12066 amended:

	MMCD Standard Drawings	City of Kelowna Standard Drawings			
Dwg.	Dwg. Title		Dwg.	Title	
S14	Concrete Block Endwall	MMCD	S14	Concrete Block Endwall	
S15	Driveway Culvert with Concrete Block Endwalls	MMCD	S15	Driveway Culvert with Concrete Block Endwalls	
		Added	SS-S50	Manhole Requirement for Services	
		Added	SS-S51	Drainage Drywell	
		Added	SS-S52	Drainage Drywell Installation	
		Added	SS-S53	Pipe Perforation and Bedding Detail for Ground Water Recharge	
		Added	SS-S54	Catch Basin Trapping Hood	
		Added	SS-S55	Flow Control Chamber (with sediment grease trap)	
		Added	SS-S56	IDF Curves	
		Added	SS-S57	Riprap Design Chart	
		Added	SS-S58	Groundwater Recharge Suitability Map	
		Added	SS-S59	Typical Lift Station Site Layout	
		Added	SS-S60	Sanitary Lift Station	
		Added	SS-S61	Above Ground Valve Kiosk	
		Added	SS-S62	Pigging Port	
		Added	SS-S63	Radio Antenna mast and Base	
	WATERWORKS				
W1	Typical Thrust Block Arrangements	MMCD	W1	Typical Thrust Block Arrangements	
W2a	Water Service Connection	Replaced	SS-W2	Water Service Connection	
W2b	Water Service Connection	Replaced	SS-W2	Water Service Connection	
W2c	Meter Installation for 19mm & 25mm Service Connections	Deleted			
W2d	Meter Installation for 38mm & 50mm Service Connections	Deleted			
W3	Gate Valve Installation	MMCD	W3	Gate Valve Installation	
W4	Fire Hydrant Installation	Replaced	SS-W4	Hydrant	
W5	Test Point Installation	MMCD	W5	Test Point Installation	

W6	Air Valve Assemblies - 25 and 50 mm Valves	Replaced	SS-W6	Air Valve Assembly
W7	Air Valve Assembly - 100 mm Valve	Delete		
W8	Blow-Off for Water Main	Replaced	SS-W8a SS-W8b	Blow-Off (for mains 100mm & smaller) 100mm Blow-Off (for mains 150mm & larger)
W9	Blow - Down Chamber	MMCD	W9	Blow - Down Chamber
W10	Waterworks Chamber Drain	MMCD	W10	Waterworks Chamber Drain
		Added	SS-W50	Irrigation Service
		Added	SS-W51	U-Bend Detail (Pipe Crossing Conflict)

	MMCD Standard Drawings	City of Kelowna Standard Drawings			
Dwg.	Title	Comment	Dwg.	Title	
	CONCRETE AND MISCELLANEOUS DETAILS				
C1	Concrete Sidewalk, Infill and Barrier Curb	MMCD	C1	Concrete Sidewalk, Infill and Barrier Curb	
C2	Concrete Sidewalk and Barrier Curb	MMCD	C2	Concrete Sidewalk and Barrier Curb	
C3	Concrete Sidewalk and Roll-Over Curb	MMCD	C3	Concrete Sidewalk and Roll-Over Curb	
C4	Concrete Curbs - Narrow Base	MMCD	C4	Concrete Curbs - Narrow Base	
C5	Concrete Curbs - Wide Base	MMCD	C5	Concrete Curbs - Wide Base	
C6	Concrete Median Curb and Interim Curbs	Replaced	SS-C6	Concrete Median Curb and Interim Curbs	
C7	Driveway Crossing for Barrier Curbs	Replaced	SS-C7a	Driveway Crossing for Barrier Curbs - Separate Sidewalk and Letdown	
		Added	SS-C7b	Driveway Crossing for Barrier Curbs - Combined Sidewalk and Letdown	
C8	Wheelchair Ramp for Sidewalk, Infill and Barrier Curbs	Replaced	SS-C8	Sidewalk Ramp Details	
С9	Wheelchair Ramp for Sidewalk and Barrier Curbs	Replaced	SS-C9	Sidewalk Ramp Layouts	
C10	Concrete Walkway	Deleted			
C11	Bicycle Baffle	Deleted			
C12	Removable Restriction Post	Deleted			
C13	Chain Link Fence for Walkway	MMCD	C13	Chain Link Fence for Walkway	
C14	Handrail on Concrete Retaining Wall	MMCD	C14	Handrail on Concrete Retaining Wall	

2. Drawing Index

Page 4

				Page 4		
	MMCD Standard Drawings		City of Kelowna Standard Drawings			
Dwg.	Title	Comment	Dwg.	Title		
	Cross Section Standards		-			
		Added	XS-R01	Hillside Laneway		
		Added	XS-R02	Suburban / Core Area / Urban Centre Laneways		
		Added	XS-R20	Rural Local		
		Added	XS-R21	Hillside Village Local Residential		
		Added	XS-R22	Hillside Local Condition A (Development Both Sides)		
		Added	XS-R23	Hillside Local Condition B (Development One Sides)		
		Added	XS-R24	Hillside Local Condition C (No Development Either Sides)		
		Added	SX-R25	Suburban Local		
		Added	XS-R26	Industrial Local		
		Added	XS-R27	Core Area Local		
		Added	XS-R28	Urban Centre Local		
		Added	XS-R40	Rural Collector		
		Added	XS-R41	Hillside Village Collector Condition A (Retail/M.F. Fronting)		
		Added	XS-R42	Hillside Village Collector Condition B (No Retail Fronting)		
		Added	XS-R43	Hillside - Collector Condition A (Development Both Sides)		
		Added	XS-R44	Hillside Collector Condition B (Development One Side)		
		Added	XS-R45	Hillside Collector Condition C (No Development Either Side)		
		Added	XS-R46	Hillside Minor Collector Condition A		
		Added	XS-R47	Hillside Minor Collector Condition B		
		Added	XS-R48	Suburban Collector		
		Added	XS-R49	Suburban Collector (With Bike Lanes)		
		Added	XS-R50	Industrial Collector		
		Added	XS-R51	Core Area Collector		
		Added	XS-R52	Core Area Collector (With Bike Lanes)		
		Added	SX-R53	Urban Centre Collector		
		Added	XS-R54	Urban Centre Collector (With Bike Lanes)		
		Added	XS-R60	Rural Minor Arterial		
		Added	XS-R61	Rural Minor Arterial (With Multi-Use Path)		
	ı	1	1			

	Added	XS-R62	Hillside Arterial Condition A (Village Parkway)
	Added	XS-R63	Hillside Arterial Condition B (Within 0.8km Walking Distance of Village)
	Added	XS-R64	Hillside Arterial Condition C (Greater Than 0.8km Walking Distance of Village)
	Added	XS-R65	Suburban Minor Arterial
	Added	XS -R66	Core Area Minor Arterial
	Added	XS-R67	Urban Centre Minor Arterial
	Added	XS-R80	Rural Major Arterial (3 Lane)
	Added	XS-R81	Rural Major Arterial (3 Lane with Multi-Use Path)
	Added	XS-R82	Rural Major Arterial (5 Lane)
	Added	XS-R83	Rural Major Arterial (5 Lane with Multi-Use Path)
	Added	XS-R84	Suburban Major Arterial (3 Lane)
	Added	XS-R85	Suburban Major Arterial (5 Lane)
	Added	XS-R86	Core Area Major Arterial (3 Lane)
	Added	XS-R87	Core Area Major Arterial (5 Lane)
	Added	XS-R88	Urban Centre Major Arterial (3 Lane)
	Added	XS-R89	Urban Centre Major Arterial (5 Lane)

MMCD Standard Drawings		City of Kelowna Standard Drawings			
Dwg.	Title	Comment	Dwg.	Title	
	Linear Park Trail Standards				
		Added	SS-T01	Class 1 - Major Urban Promenade	
		Added	SS-T02	Class 2 - Major Multi-Use Urban	
		Added	SS-T03	Class 3 - Major Multi-Use Rural	
		Added	SS-T04	Class 4 - Standard Multi-Use Rural	
		Added	SS-T05	Class 5 - Narrow Multi-Use Rural	
		Added	SS-T06	Class 6 - Nature Trail Rural	

MMCD Standard Drawings			City of Kelowna Standard Drawings			
Dwg.	Title		Comment	Dwg.	Title	
	ROAD WORKS					
R1	Paved Shoulders	MMCD	R1	Paved Shoulders	Paved Shoulders	
			Added	SS-R20	Left Turn Lane (Raised Median)	

Schedule 5

2. Drawing Index

Page 6

Added	SS-R21	Left Turn Lane (Painted) and Two-Way Left Turn Lane
Added	SS-R23	Concrete Drainage Swale Across Asphalt (existing)
Added	SS-R24	Density Payment Adjustment Chart
Added	SS-R50	Smart Channel Right Turn
Added	SS-R51	Intersection Curb Extension - Higher Class Road No Parking
Added	SS-R52	Intersection Curb Extension - Higher Class Road With Parking
Added	SS-R53	Cul-De-Sac Turnaround
Added	SS-R54	Hammerhead Turnaround
Added	SS-R55	Standard Ditch Section
Added	SS-R56	Utility Access and Location at Ditch
Added	SS-R57	Rock Cut Cross Section
Added	SS-R58	Driveway Grades
Added	SS-R59	Urban Transit Stop Layout
Added	SS-R60	Urban Transit Stop Shelter Pad Details
Added	SS-R61	Post Mounted Sign
Added	SS-R62	Street Name Blade Details

LANDSCAPING IRRIGATION – 6 (B) Landscaping	AND		
	Added	SS-L.01	Growing Medium - Lawn
	Added	SS-L.02	Growing Medium – Planting Bed
	Added	SS-L.03	Growing Medium - Boulevard
	Added	SS-L.04a	Tree – in Grass Open Space
	Added	SS-L.04b	Tree – in Planting Bed
	Added	SS-L.04c	Boulevard Tree – in Grass
	Added	SS-L.05a	Boulevard Tree – in Structural Soil (Plan)
	Added	SS-L.05b	Boulevard Tree – in Structural Soil (Section A-A')
	Added	SS-L.06a	Boulevard Tree – in Soil Cell (Plan)
	Added	SS-L.06b	Boulevard Tree – in Soil Cell (Section A-A')
	Added	SS-L.07	Root Barrier at Paving

LANDSCAPING AND IRRIGATION – 6 (C) Irrigation			
	Added	SS-IR.01a	Backflow Prevention Assembly 3/4"
	Added	SS-IR.01b	Backflow Prevention Assembly 1" to 2"
	Added	SS-IR.01c	Backflow Prevention Assembly 1" to 2"
	Added	SS-IR.01d	Backflow Prevention Assembly 2 1/2" to 4"
	Added	SS-IR.01e	Backflow Prevention Assembly 2 1/2" to 4"
	Added	SS-IR.02a	Irrigation Vault 1" to 2"
	Added	SS-IR.02b	Irrigation Vault 3/4"
	Added	SS-IR.03	Irrigation Cabinet Double
	Added	SS-IR.04a	Trench Section w/o Sleeving
	Added	SS-IR.04b	Thrust Blocks
	Added	SS-IR.05a	Stand Alone Isolation Value 50mm and Under
	Added	SS-IR.05b	Electric Control Value 24VAC

MMCD Standard Drawings		City of Kelowna Standard Drawings		
Dwg.	Title	Comment	Dwg.	Title
		Added	SS-IR.06a	Control Zone Kit 25mm
		Added	SS-IR.06b	Control Zone Kit 38mm
		Added	SS-IR.07	Mainline Drain Value
		Added	SS-IR.08a	Irrigation Value Box Small Size
		Added	SS-IR.08b	Irrigation Value Box Medium Size
		Added	SS-IR.08c	Irrigation Value Box Large Size
		Added	SS-IR.09	Wired Splice Box
		Added	SS-IR.10a	Sprayhead Sprinkler
		Added	SS-IR.10b	Rotor Sprinkler
		Added	SS-IR.11a	Dripline Header Assembly
		Added	SS-IR.11b	Root Watering System (Double)
		Added	SS-IR.11c	Tree Dripline
		Added	SS-IR.12a	Hydrant/Blow-Out Assembly 50mm
		Added	SS-IR.12b	Quick Coupler
		Added	SS-IR.12c	Lateral End Flush Valve
		Added	SS-IR.12d	Hose Bib
		Added	SS-IR.13	Temporary Boulevard Irrigation

Terms of Reference



COMMUNITY TASK FORCE ON PERFORMING ARTS

1. Introduction

The Community Task Force On is to provide recommendations to Council on community-driven partnership opportunities to advance the redevelopment of the Kelowna Community Theater ("KCT").

The Community Task Force On functions as a **Task Force** of Council.

2. Objectives

Task Force recommendations to Council will focus on the following objectives:

- Identifying partnership opportunities for the redevelopment of the KCT;
- Engage the public for their vision for KCT redevelopment opportunities
- Increase integration between all stakeholders involved the Performing Arts; and
- Identifying philanthropic opportunities to fund, in part, a new KCT and to what extent.

3. Scope of Work

To achieve its purpose and objectives, the Community Task Force On will:

- Review previous work completed by staff and consultants
 - o (see this memo): 2023 05 12 Performing Arts Centre Briefing Note for Partnership Office.docx
- Review the Civic Precinct Plan
- Obtain and review updated operating information from Kelowna Community Theatre:
 - building condition assessment
 - programming review
 - operating budget
 - box office and booking data (ticket sales, show bookings, audience seat fill rate and demographics)
- Consult the Theatre Manager and associated staff to understand; operational and technical capacity and limitations of the current facility, gaps in service delivery, and local demands;
- Consult the performing arts community and identify gaps, challenges and issues in the current, broad service delivery model;
- Consult major KCT users (including touring show representatives)
- Identify and interview possible partners for the redevelopment of the KCT;
- Report back to Council with a summary of what was learned through the community and stakeholder review process; and
- Develop actionable recommendations related to:
 - Partnership opportunities
 - Philanthropic funding prospects
 - Facility scale

- full analysis of benefits and detriments of a larger sized KCT vs. a smaller facility within the pool of current and proposed performing arts facilities.
- seating capacity
- o Facility usage
 - Local performing arts community focus vs. national productions
 - Proposed 'vision'
- Functional plan
 - Facility amenities and attributes to be included (i.e. Blackbox Theater)
- Operating models
 - public
 - private
 - multi-party partnership
 - hybrid
- o Interim Use Strategy
 - Alternate performing arts venue identification, during facility construction

4. Guiding Principles

The Task Force should consider the following guiding principles when developing recommendations:

- Consider the previous work conducted by staff and the associated specialized consultants, related to the future facility size and massing, siting, operating models, critical amenities and the ability to fund raise;
- Consider short- and medium-term steps to be taken to advance the redevelopment;
- Be aware of the City's overall financial plans and relative priority of infrastructure;
- Acknowledgement of the operating cost of a new KCT
- Consider partnerships that may involve; community groups, resident or business association, non-profit sectors, businesses, post-secondary institutions and other potential partners in the community while acknowledging capacity, respective mandates, expertise, and level of involvement;
- Base recommendations on best practices, data and evidence-based models;
- Consider cost, sustainability, and ongoing operations.

Note: Completing a functional plan or facility design of a new KCT is currently not in scope of the Task Forces at this time.

5. Membership, Appointment and Term

Members will be appointed by resolution of Council and will include:

- 1 member with Real Estate and/or City Planning expertise
- 1 2 Subject Matter Experts
 - o Performing Art Facility Development
 - Architect
- 1 member from the Performing Arts community
- 1 member from the tourism/economic development sector
- 1 member from a post-secondary institution
- 1 member with fundraising and/or partnership development expertise

- 1 member from the Business Community
- 1 Councillor
- Mayor

The Mayor will serve as the Task Force Chair.

The Community Task Force On will be in place for a 8-month timeframe with the ability to extend.

5. Reporting to Council

The Task Force will provide updates to Council at the end of month 4 and month 8.

6. Support

Support will be provided as follows:

- Administrative support will be provided by the City of Kelowna;
- Meeting rooms will be provided at City Hall as needed;
- Miscellaneous expenses will be covered by the City of Kelowna; and
- Financial recommendations are subject to the regular City of Kelowna budgeting processes.

Endorsed by Council: August, 14, 2023

DRAFT RESOLUTION

Re: Draft Terms of Reference – Community Task Force on Performing Arts

THAT Council endorses the Community Task Force on Performing Arts Terms of Reference;

AND THAT recommendations for Task Force member appointments be brought forward for Council consideration.

BACKGROUND:

The draft Terms of Reference for the Community Task Force on Performing Arts is attached to the Draft Resolution, dated August 14, 2023.

Date: August 14, 2023