

**City of Kelowna**  
**Regular Council Meeting**  
**AGENDA**



Monday, March 4, 2024  
1:30 pm  
Council Chamber  
City Hall, 1435 Water Street

**Pages**

**1. Call to Order**

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

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

**2. Confirmation of Minutes**

3 - 8

PM Meeting - February 26, 2024

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

**3.1 Hollywood Rd N 673 McWilliams Rd 595 - Z23-0083 (BL12628) - Meta Ventures Ltd., Inc.No. BC1360646**

9 - 22

To rezone the subject properties from the RU<sub>1</sub> – Large Lot Housing zone and the RU<sub>4</sub> – Duplex Housing zone to the MF<sub>2</sub> – Townhouse Housing zone to facilitate a townhouse development.

**3.2 Clement Ave 815-865 - Z23-0002 (BL12629) - ASI Vivo GP Inc., Inc.No. A0119520**

23 - 42

To rezone the subject properties from the RU<sub>4</sub> – Duplex Housing zone to the MF<sub>3r</sub> – Apartment Housing Rental Only zone to facilitate the development of rental apartment housing.

**3.3 Homer Rd 250, 270, 280 - Z23-0077 (BL12630) - 1376686 B.C. Ltd., Inc.No. BC1376686**

43 - 56

To rezone the subject properties from the RU<sub>1</sub> – Large Lot Housing zone to the MF<sub>2</sub> – Townhouse Housing zone to facilitate a townhouse development.

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

- |            |   |                |
|------------|---|----------------|
| <b>4.1</b> | <b>Subdivision, Development and Servicing Bylaw No 7900 - Infill Housing Update</b>   | <b>57 - 72</b> |
|            | <p>To amend various sections of Subdivision, Development and Servicing Bylaw No. 7900 and Council Policy No. 101 in response to the implementation of the Provincial legislation for Small-Scale Multi-Unit Housing and Transit Oriented Development Areas.</p> |                |
| <b>4.2</b> | <b>BL12624 - Amendment No. 26 to Subdivision, Development and Servicing Bylaw No. 7900</b>  | <b>73 - 78</b> |
|            | <p>To give Bylaw No. 12624 first, second and third reading.</p>   |                |
| <b>4.3</b> | <b>Property Management - 2023 Delegation of Authority</b>   | <b>79 - 85</b> |
|            | <p>To provide Council with a summary of the transactions approved by the Manager, Property Management between January 1 to December 31, 2023, in accordance with Bylaw No. 11250.</p>   |                |
| <b>5.</b>  | <b>Mayor and Councillor Items</b>   |                |
| <b>6.</b>  | <b>Termination</b>  |                |



**City of Kelowna  
Regular Council Meeting  
Minutes**

Date:	Monday, February 26, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove, Luke Stack, Rick Webber and Loyal Wooldridge
Members Absent	Councillor Mohini Singh
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*, Development Planning Department Manager, Nola Kilmartin*; Community Planning & Development Manager, Dean Strachan*; Planner Specialist, Adam Cseke*; Planner, Andrew Ferguson*; Community Safety Director, Darren Caul*; Integrated Transportation Department Manager, Brittany Hallam*; Mobility Specialist, Cameron Noonan, Strategic Transportation Planning Manager, Mariah VanZerr*; Divisional Director, Active Living & Culture, Jim Gabriel*, Legislative Technician, Natasha Beauchamp*; Legislation Technician, Lillian Klaamas
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

**1. Call to Order**

Mayor Dyas called the meeting to order at 1:30 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.

**2. Confirmation of Minutes**

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT the Minutes of the Regular Meetings of February 12, 2024 be confirmed as circulated.

**Carried**

### 3. Development Application Reports & Related Bylaws

#### 3.1 Water St 1241 - TA23-0012 - RG Lot 2 Ltd., 556992

City Clerk:

- Confirmed the item was removed from the agenda as the applicant withdrew their application.

#### 3.2 Clifton Rd N 159 - OCP23-0007 (BL12625) Z23-0046 (BL12626) - Ashley and Todd Ramsay

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Official Community Plan Map Amendment Application No. OCP23-0007 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot 1 Section 6 Township 23 ODYD Plan EPP12985, located at 159 Clifton Rd N, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation, as shown on Map "A" attached to the Report from the Development Planning Department dated February 26, 2024, be considered by Council;

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

AND THAT Council considers the Public Consultation process to be appropriate consultation for the Purpose of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated February 26, 2024;

AND THAT Rezoning Application No. Z23-0046 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 1 Section 6 Township 23 ODYD Plan EPP12985, located at 159 Clifton Rd N, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone, as shown on Map "B" attached to the Report from the Development Planning Department dated February 26, 2024, be considered by Council;

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

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

Carried

#### 3.3 Clifton Rd N 159 - BL12625 (OCP23-0007) - Ashley and Todd Ramsay

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12625 be read a first time;

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

Carried

**3.4 Clifton Rd N 159 - BL12626 (Z23-0046) - Ashley and Todd Ramsay**

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Bylaw No. 12626 be read a first time.

**Carried**

**3.5 Provincial Housing Legislation Comprehensive Amendments - TA24-0001 Z24-0001 OCP24-0001 - City of Kelowna**

Staff:

- Displayed a PowerPoint presentation summarizing the previous staff presentations from February 5th and 12th regarding the Official Community Plan and Zoning Bylaw Amendments and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council receive, for information, the report from the Divisional Director of Planning and Development Services dated February 5<sup>th</sup> and 12<sup>th</sup> 2024, regarding implementation of the provincial legislation through Small- Scale Multi-Unit Housing and Transit Oriented Development Areas;

AND THAT Text Amendment Application No. TA24-0001 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing multiple sections as described in Schedule 'A' attached to the Report from the Development Planning Department dated February 5<sup>th</sup> and 12<sup>th</sup> 2024, be considered by Council;

AND THAT Rezoning Application No. Z24-0001 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of approximately 26,000 lots as described in Schedule 'B' attached to the Report from the Development Planning Department dated February 5<sup>th</sup> and 12<sup>th</sup> 2024, be considered by Council;

AND THAT Official Community Plan Map Amendment Application No. OCP24-0001 to amend Map 4.5 Pandosy Building Heights Map and Map 4.7 Rutland Building heights in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by amending the maps in accordance with Schedule 'C' attached to the Report from the Development Planning Department dated February 5<sup>th</sup> and 12<sup>th</sup> 2024, be considered by Council;

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

AND FURTHER THAT Council direct Staff to proceed to first reading of the bylaw changes to implement the provincial housing and transit-oriented area legislation as described in this report from the Divisional Director, Planning and Development Services dated February 5<sup>th</sup> and 12<sup>th</sup> 2024.

**Carried**

**3.6 Sadler Rd 200, 210, 230 - Z23-0084 (BL12627) - Dominion (Sadler) Inc., Inc. No. A0128728**

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Rezoning Application No. Z23-0084 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of:

- a. That Part of Lot 3 Lying East of a Line Drawn Parallel To And 155.1 Feet Distant from the Westerly Boundary of Said Lot; Section 26 Township 26 ODYD Plan 2773, located at 200 Sadler Rd, Kelowna BC;
- b. The East ½ of Lot 4 Section 26 Township 26 ODYD Plan 2773 Except Plan 5971, located at 210 Sadler Rd, Kelowna BC; and
- c. Lot B Section 26 Township 26 ODYD Plan 12323, located at 230 Sadler Rd, Kelowna BC;

from the UC<sub>4</sub> – Rutland Urban Centre zone to the UC<sub>4r</sub> – Rutland Urban Centre 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 February 26, 2024;

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 & Development Variance Permit for the subject property.

Carried

### **3.7 Rezoning Bylaws Supplemental Report to Council**

City Clerk:

- Confirmed 2 pieces of correspondence received for the rezoning on Cross Road. The bylaws may be read together unless Council wishes to separate one or more of the bylaws for individual reading consideration.

### **3.8 Rezoning Applications**

- 3.8.1 Cross Rd 1910 - BL12617 (Z23-0011) - 1361420 BC Ltd., Inc. No. BC1361420
- 3.8.2 Barber Rd 135 - BL12618 (Z23-0049) - ASI Barber Road GP Inc., Inc. No. A0122606
- 3.8.3 Buck Road 654 - BL12622 (Z22-0077) - He Na and Wei Li

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Bylaw Nos. 12617, 12618 and 12622 each be read a first, second and third time.

Carried

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

### **4.1 URBA On-Call Pilot Project and Business Improvement Area Grant Programs**

Staff:

- Provided rationale for the proposed grant to the Uptown Rutland Business Association to establish an On-Call team and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Council approves a one-time grant of \$130,000 to the Uptown Rutland Business Association (URBA) for the URBA On-Call pilot project;

AND THAT the 2024 Financial Plan be amended to include grant funding;

AND THAT Council directs staff to draft a Council policy as a framework for a new Business Improvement Area (BIA) grant program.

Carried

The meeting recessed at 2:33 p.m.

The meeting reconvened at 2:44 p.m.

**4.2 2024 Micromobility Program Overview of Contract Terms**

Staff:

- Displayed a PowerPoint Presentation summarizing key contract terms for the next operating period for the Micromobility Program and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from Integrated Transportation, dated February 26th 2024, with regards to the Micromobility Program;

AND THAT Council direct staff to conduct a selection process for the next operating term of the Micromobility Program.

Carried

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT the Micromobility contract be amended to prohibit the operation of scooters on the part of Bernard Avenue that is closed during the summer Meet Me on Bernard season.

Defeated

Mayor Dyas, Councillors Hodge, Lovegrove, Webber and Wooldridge - Opposed

**4.3 H2O Adventure and Fitness Centre Lease and Operating Agreement**

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed Lease and Operating Agreement with the YMCA for the H2O Adventure and Fitness Centre and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Council receives, for information, the report from the Active Living & Culture Division and Real Estate department dated February 26, 2024, with respect to the Lease and Operating Agreement between the City of Kelowna and the YMCA of Southern Interior of BC;

AND THAT Council approves the YMCA of Southern Interior of BC Lease and Operating Agreement generally as attached to the report from the Active Living & Culture Division and Real Estate department dated February 26, 2024;

AND THAT the Mayor and City Clerk be authorized to execute the Lease and Operating Agreement and all documents necessary to complete this transaction;

AND FURTHER THAT the 2024 Financial Plan be amended to meet the requirements of the Lease and Operating Agreement.

Carried

## 5. Resolutions

### 5.1 Draft Resolution - SILGA Invasive Mussels

Staff:

- Confirmed the previous Council direction is in a SILGA resolution format.

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

WHEREAS Okanagan Lake is at very high risk for infestation of invasive mussels, particularly following the discovery of quagga mussels in a tributary of the Columbia River in Idaho;

AND WHEREAS an infestation of invasive mussels would cause significant economic and environmental losses, with economic losses alone estimated at \$64 million to \$129 million annually across the Province;

THEREFORE BE IT RESOLVED that UBCM request the Province of British Columbia take action on the Okanagan Basin Water Board's recommendations to the Ministry of Water, Land and Resource Stewardship for invasive mussel prevention, dated September 25, 2023, including requesting the federal government enhance inspections, increasing funding and staffing for the Invasive Mussel Defence Program, introducing "pull-the-plug" legislation, and updating the provincial Early Detection, Rapid Response plan;

AND BE IT FURTHER RESOLVED that UBCM request the Province of British Columbia work with the federal government to increase long-term funding and support to prevent invasive mussels from entering waterways in British Columbia.

Carried

City Manager:

- Made remarks regarding the impending retirement of the City Clerk.

## 6. Mayor and Councillor Items

Council:

- Provided individual comments regarding the impending retirement of the City Clerk.

## 7. Termination

This meeting was declared terminated at 3:43 p.m.

\_\_\_\_\_  
Mayor Dyas

sf/acm

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



# REPORT TO COUNCIL REZONING



**Date:** March 4, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 673 Hollywood Rd N & 595 McWilliams Rd  
**File No.:** Z23-0083

	Existing	Proposed
<b>OCP Future Land Use:</b>	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
<b>Zone:</b>	RU <sub>1</sub> – Large Lot Housing RU <sub>4</sub> – Duplex Housing	MF <sub>2</sub> – Townhouse Housing

## 1.0 Recommendation

THAT Rezoning Application No. Z23-0083 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot A Section 26 Township 26 ODYD Plan KAP50019, located at 673 Hollywood Rd N, Kelowna, BC from the RU<sub>4</sub> – Duplex Housing zone to the MF<sub>2</sub> – Townhouse Housing zone and Lot 24 District Lot 143 ODYD Plan 29836, located at 595 McWilliams Rd, Kelowna, BC from the RU<sub>1</sub> – Large Lot Housing zone to the MF<sub>2</sub> – Townhouse 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 March 4, 2024;

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 RU<sub>1</sub> – Large Lot Housing zone and the RU<sub>4</sub> – Duplex Housing zone to the MF<sub>2</sub> – Townhouse Housing zone to facilitate a townhouse development.

## 3.0 Development Planning

Staff support the proposal to rezone the subject properties to the MF<sub>2</sub> – Townhouse Housing zone. The proposed rezoning will facilitate the development of a 14 unit townhouse development which aligns with the Official Community Plan (OCP) Future Land Use Designation of Core Area Neighbourhood. The proposed townhouse development use is consistent with OCP Policies which encourage medium density residential development and diverse housing tenures within the Core Area.

Lot Area	Proposed (m <sup>2</sup> )
Gross Site Area	2,281 m <sup>2</sup>
Road Dedication	19 m <sup>2</sup>
Net Site Area	2,262 m <sup>2</sup>

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Detached Housing
East	RU1 – Large Lot Housing	Single Detached Housing
South	RU4 – Duplex Housing	Duplex Housing
West	RU1 – Large Lot Housing	Single Detached Housing

Subject Property Map: 673 Hollywood Rd N & 595 McWilliams Rd



The subject properties are in close proximity to transit routes along Leathead Road and are walkable to Ben Lee Park to the south.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.3 Design residential infill to be sensitive to neighbourhood context.		
Policy	5.3.1	Encourage gentle densification in the form of ground-oriented residential uses such as house-plexes, townhouses and narrow lot housing to approximately 2 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.
Ground Oriented infill		<i>The application proposes gentle densification to an existing neighbourhood.</i>

Objective 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 to support a variety of household types and sizes, income levels and life stages. <i>The application proposes low to medium density creating more variety into the neighbourhood.</i>
Diverse Housing Forms		

**6.o Application Chronology**

Application Accepted: December 4, 2023  
 Neighbourhood Notification Summary Received: December 18, 2023

**Report prepared by:** Jason Issler, Planner I  
**Reviewed by:** Jocelyn Black, Urban Planning Manager  
**Reviewed by:** Nola Kilmartin, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

**Attachments:**  
 Attachment "A": Development Engineering Memo

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).

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**CITY OF KELOWNA**  
**MEMORANDUM**

**Date:** January 23, 2024 (*Rev 1*)  
**File No.:** Z23-0083  
**To:** Urban Planning (JI)  
**From:** Development Engineering Manager (NC)  
**Subject:** 673 Hollywood Rd N & 595 McWilliams Rd

**ATTACHMENT** A

This forms part of application  
# Z23-0083

  
City of  
**Kelowna**  
DEVELOPMENT PLANNING

Planner Initials JI

RU1 and RU4 to MF2

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The Development Engineering Department has the following requirements associated with this Rezoning Permit Application for a townhouse development on the subject property. Works and Services attributable at the time of Building Permit are outlined in our memo under DP23-0225.

The following comments and requirements are valid for a period of one (1) year from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the right to modify some or all items in this memo if the zone-amendment bylaw is not adopted within this time.

The Development Engineering Technologist for this file is Michael James-Davies (mjames-davies@kelowna.ca).

**1. SITE-SPECIFIC REQUIREMENTS**

- a. *Hollywood Rd N is a Core Area Major Arterial (3 Lane) typical section XS-R86, with a 25.0 ROW. Approximately 0.3m road dedication is required to achieve this.*
- b. A 5m x 5m corner cut road dedication between Hollywood Rd and McWilliams Rd is required.
- c. A 3m x 3m corner cut road dedication between McWilliams Rd and Josselyn Ln is required.

**2. DOMESTIC WATER AND FIRE PROTECTION**

- a. The subject property is located within the Black Mountain Irrigation District (BMID) Water Supply Area. Confirmation of at least 150 L/s available fire flow from BMID must be provided to the City Engineer prior to adoption of the zone amendment bylaw.

  
\_\_\_\_\_  
Nelson Chapman, P.Eng.  
Development Engineering Manager

MJD

**CITY OF KELOWNA**

**BYLAW NO. 12628**

**Z23-0083**

**673 Hollywood Road N. and 595 McWilliams Road**

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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 Section 26 Township 26 ODYD Plan KAP50019 located on Hollywood Road N, Kelowna, BC from the RU4 – Duplex Housing zone to the MF2 – Townhouse Housing zone.
2. AND THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 24 District Lot 143 ODYD Plan 29836 located on McWilliams Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone.
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

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



City of  
**Kelowna**

Z23-0083

673 Hollywood Rd N & 595

McWilliams Rd

Rezoning Application

# Purpose

- ▶ To rezone the subject property from the RU1 – Large Lot Housing zone and the RU4 - Duplex Housing zone to the MF2 – Townhouse Housing zone to facilitate a townhouse development.

# Development Process



Dec 4, 2023

Development Application Submitted



Staff Review & Circulation



Dec 18, 2023

Public Notification Received



Mar 4, 2024

Initial Consideration



Reading Consideration



Final Reading & DP



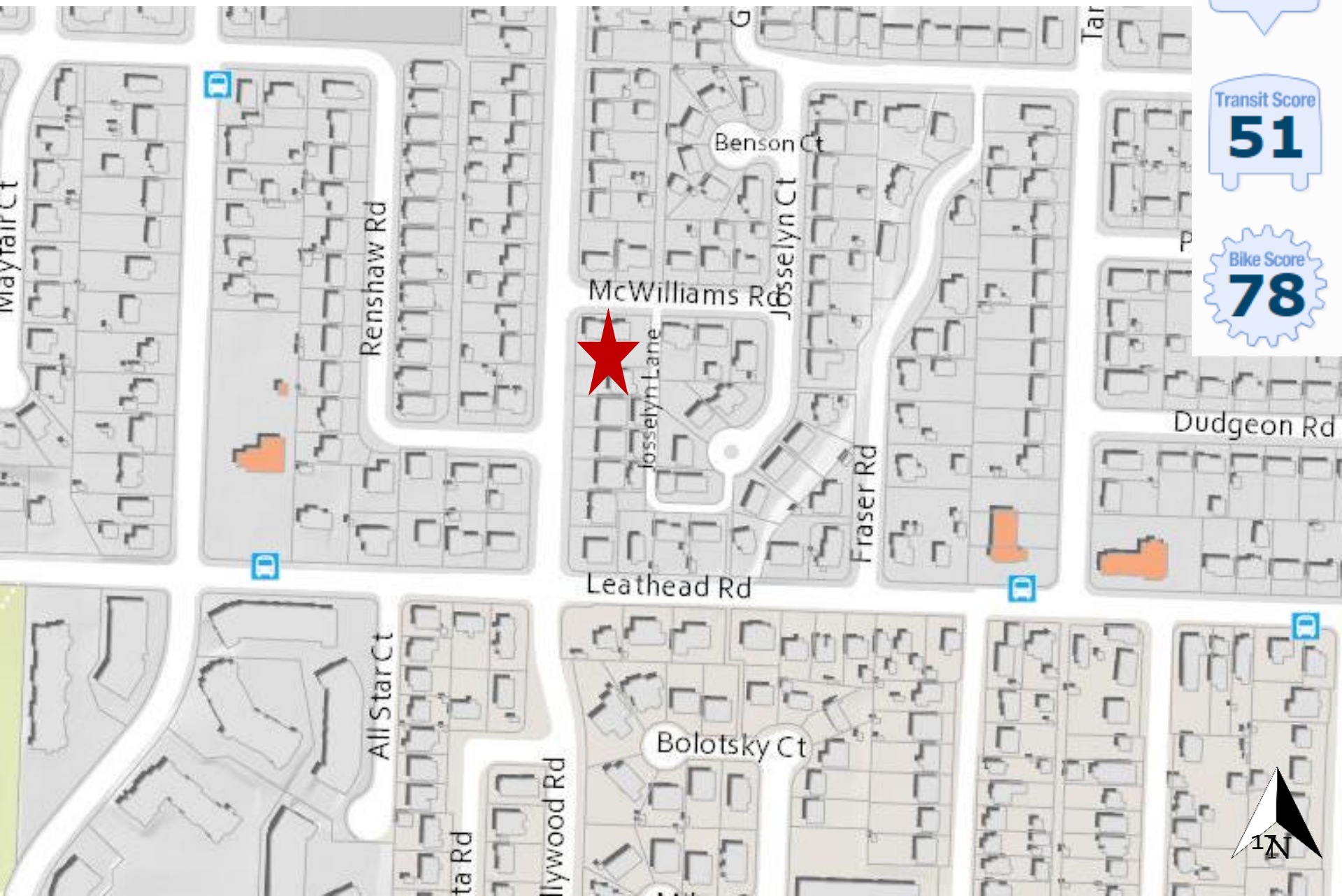
Building Permit



Council Approvals



# Context Map



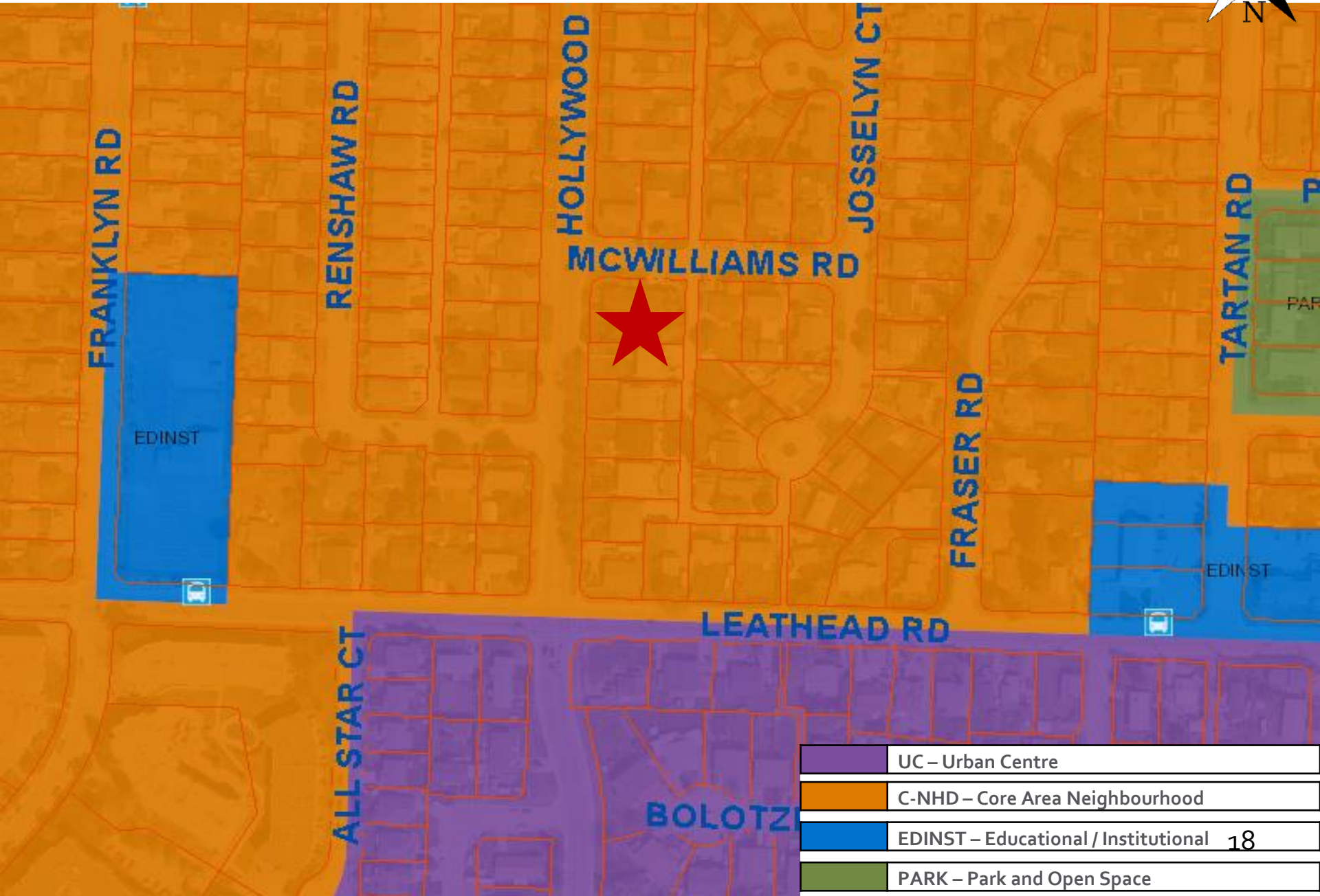
Walk Score  
**62**

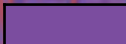



Transit Score  
**51**

Bike Score  
**78**



# OCP Future Land Use



	UC – Urban Centre
	C-NHD – Core Area Neighbourhood
	EDINST – Educational / Institutional 18
	PARK – Park and Open Space

# Subject Property Map



# Project Details

- ▶ C-NHD – Core Area Neighbourhood
- ▶ MF2 – Townhouse Housing
  - ▶ Close to transit and parks
- ▶ 14 Townhouse units proposed

# OCP Objectives & Policies

- ▶ Policy 5.3.1: Encourage gentle densification in the form of ground-oriented residential units.
  - ▶ Gentle Densification into an existing neighbourhood.
- ▶ Policy 5.11.1: Ensure diverse mix of low and medium density housing forms in the Core Area.

# 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
    - ▶ Housing Diversity
    - ▶ Ground Oriented Infill

# REPORT TO COUNCIL REZONING



**Date:** March 4, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 815 – 865 Clement Ave  
**File No.:** Z23-0002

	Existing	Proposed
<b>OCP Future Land Use:</b>	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
<b>Zone:</b>	RU <sub>4</sub> – Duplex Housing	MF <sub>3r</sub> – Apartment Housing Rental Only

## 1.0 Recommendation

THAT Rezoning Application No. Z23-0002 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of:

- a. Lot 14 Section 30 Township 26 ODYD Plan 1277, located at 865 Clement Ave, Kelowna BC;
- b. Lot 15 Section 30 Township 26 ODYD Plan 1277, located at 863 Clement Ave, Kelowna, BC;
- c. Lot 16 Section 30 Township 26 ODYD Plan 1277, located at 853 Clement Ave, Kelowna, BC;
- d. Lot 17 Section 30 Township 26 ODYD Plan 1277, located at 847 Clement Ave, Kelowna, BC;
- e. Lot 18 District Lot 138 ODYD Plan 1277, located at 841 Clement Ave, Kelowna, BC;
- f. Lot 19 Section 30 Township 26 ODYD Plan 1277, located at 837 Clement Ave, Kelowna, BC;
- g. Lot 20 Section 30 Township 26 ODYD Plan 1277, located at 831 Clement Ave, Kelowna, BC;
- h. Lot 21 District Lot 138 ODYD Plan 1277, located at 825 Clement Ave, Kelowna, BC;
- i. Lot 22 District Lot 138 ODYD Plan 1277, located at 819 Clement Ave, Kelowna, BC; and
- j. Lot 23 District Lot 138 ODYD Plan 1277, located at 815 Clement Ave, Kelowna, BC;

from the RU<sub>4</sub> – Duplex Housing zone to the MF<sub>3r</sub> – Apartment Housing 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 March 4, 2024;

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 RU<sub>4</sub> – Duplex Housing zone to the MF<sub>3r</sub> – Apartment Housing Rental Only zone to facilitate the development of rental apartment housing.

### 3.0 Development Planning

Staff support the proposed rezoning from the RU<sub>4</sub> – Duplex Housing zone to the MF<sub>3r</sub> – Apartment Housing Rental Only zone. The proposed rezoning will facilitate the development of rental apartment housing 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. Additionally, the site benefits from being within one block of the Downtown Urban Centre. The proposed Rental Only subzone aligns with OCP Policy encouraging diverse housing tenures within the Core Area.

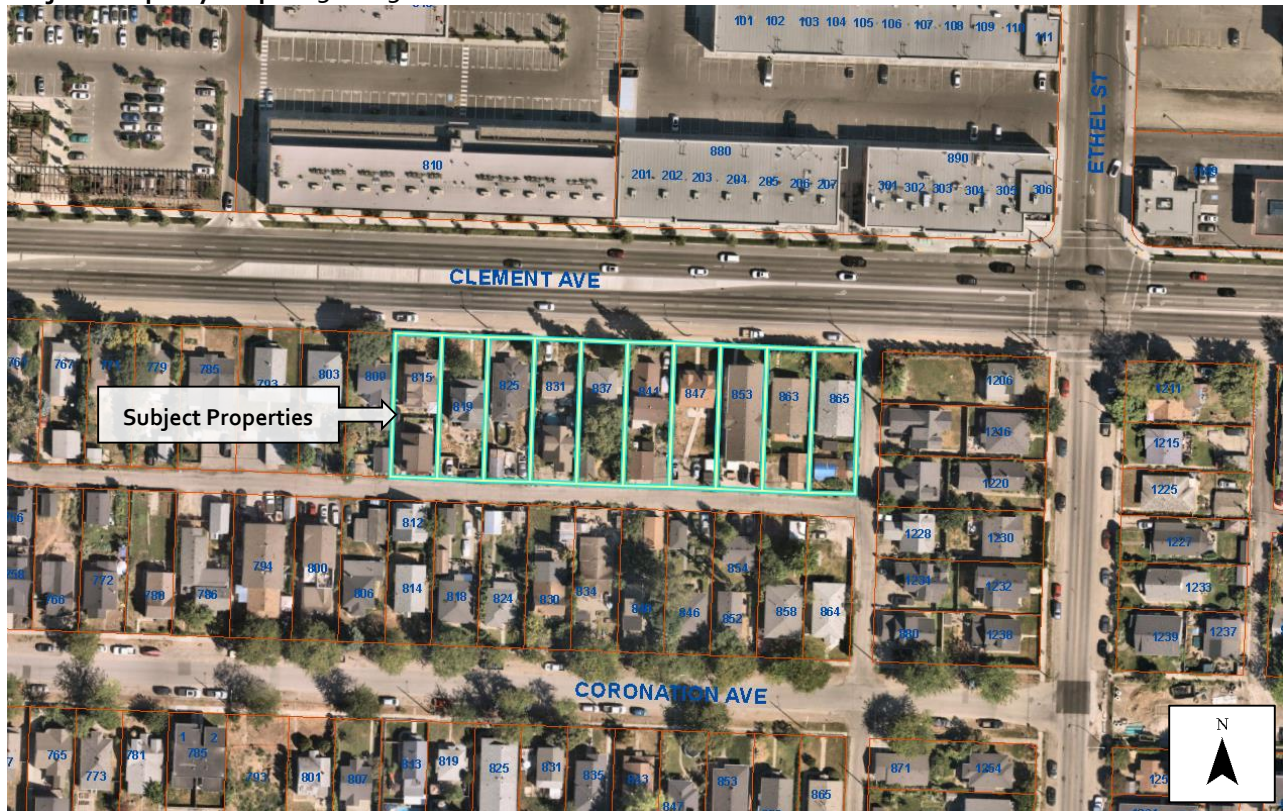
As a requirement prior to development of the site, the applicant will be required to dedicate 0.8 m along the rear lane, in addition to contributing 50% of the cost toward the future upgrading of existing transit stops near the development site.

Lot Area	Proposed
Gross Site Area	4577 m <sup>2</sup>
Road Dedication	~97.6 m <sup>2</sup>
Undevelopable Area	N/A
Net Site Area	~4479 m <sup>2</sup>

### 4.0 Site Context & Background

Orientation	Zoning	Land Use
North	I <sub>2</sub> – General Industrial	Light Industrial/Commercial
East	RU <sub>4</sub> – Duplex Housing	Single Detached Housing
South	RU <sub>4</sub> – Duplex Housing	Single Detached Housing
West	RU <sub>4</sub> – Duplex Housing	Single Detached Housing

Subject Property Map: 815 – 865 Clement Ave





The subject property is located on Clement Ave, between Ethel Street and Richter Street, one block east of the Downtown Urban Centre. Clement Ave is a Transit Supportive Corridor and transit stops are located within 50 m of the subject properties. A mix of light industrial, multi-dwelling residential, and commercial uses are located north of Clement Ave while the rest of the surrounding neighbourhood primarily consists of single detached dwellings.

**5.0 Current Development Policies**

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

<b>Objective 5.2 Focus residential density along Transit Supportive Corridors.</b>	
Policy 5.2.1 Transit Supportive Corridor Densities	Encourage development that works toward a long term population density of between 50 – 100 people per hectares within 200 m of each corridor to achieve densities that support improved transit service and local services and amenities. Discourage underdevelopment of properties along Transit Supportive Corridors. <i>The subject properties abut a Transit Supportive Corridor.</i>
Policy 5.2.2 Low Rise Corridor Development	Encourage low rise apartments and stacked townhouses up to six storeys in height in Core Area Neighbourhoods that front or directly abut Transit 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. <i>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.</i>
<b>Objective 5.11 Increase the diversity of housing forms and tenure to create an inclusive, affordable and complete Core Area.</b>	
Policy 5.11.2 Diverse Housing Tenures	Encourage a range of rental and ownership tenures that support a variety of households, income levels, and life stages. Promote underrepresented forms of tenure, including but not limited to co-housing, fee-simple row housing, co-ops, and rent-to-own. <i>The proposed rezoning to the Rental Only subzone will facilitate the development of long-term rental housing.</i>

**6.0 Application Chronology**

Application Accepted: January 20, 2023  
 Public Information Session: February 12, 2024  
 Neighbourhood Notification Summary Received: February 13, 2024

**Report prepared by:** Mark Tanner, Planner II  
**Reviewed by:** Jocelyn Black, Urban Planning Manager  
**Reviewed by:** Nola Kilmartin, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning, Climate Action & Dev Services

**Attachments:**

Attachment A: Development Engineering Memo

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).

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**CITY OF KELOWNA**  
**MEMORANDUM**



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**Date:** February 23, 2023  
**File No.:** Z23-0002  
**To:** Urban Planning (MT)  
**From:** Development Engineering Manager (NC)  
**Subject:** 815 – 865 Clement Ave RU4 to MF3

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The Development Engineering Department has the following comments associated with this Rezoning application from RU4 – Duplex Housing to MF3 – Apartment Housing to facilitate an apartment housing development.

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. This proposed development may require the installation or modification of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and determine requirements.
- c. All City Trees must be protected as per Bylaw 8042 Schedule C – Tree Barrier and Installation Policy requirements. Removal of City Trees will require prior approval of the City’s Urban Forestry Supervisor and may be subject to replacement, at a minimum two for one ratio, and compensation payment as per the City of Kelowna Equitable Compensation as defined in Section 8.2 of Bylaw 8042.
- d. There is a possibility of a high groundwater table or surcharging of storm drains during major storm events. Non-basement buildings may be required. This should be considered in the design of the onsite system, lot grading, and minimum basement elevations.
- e. Comments and requirements contained herein assume the subject properties will be consolidated into a single lot.

**2. DEVELOPMENT PERMIT COMMENTS AND SITE-SPECIFIC REQUIREMENTS**

- a. All vehicle access to the subject property must be from the lane, no loading zone or vehicle access will be permitted from Clement Ave.

- b. A Transportation Assessment is required of this development to assess connectivity with and impacts to the surrounding transportation network including potential road dedication requirement along the lane frontage. The results of this assessment may inform additional requirements. Please contact the development technician for this file to obtain terms of reference for completing the analysis.
- c. The Developer must provide excess and extended services along the Clement Ave frontage of the proposed development. The excess and extended services shall include design and construction of all frontage improvements extending to the centreline of Clement Ave and east to the Ethel St intersection. The cost of installation of the excess and extended portion of the works must be borne by the Developer *may* be eligible for cost recovery via a Latecomer Agreement or DCC Credit. Costs for directly attributable components shall be borne by the Developer without eligibility for cost recovery.
  - i. The cost of excess and extended services shall be included in the calculation of the City Engineering Administration and Inspection Fee.
  - ii. The entire cost of all works shall be included when determining the performance security.
  - iii. The developer must provide a public and competitive bidding process for the frontage related works that are eligible for cost recovery.
  - iv. Please contact the development technician for this file for more information.
- d. Indicate, on the site, the locations of loading zones and garbage/recycle collection areas. Provide turning movements for an HSU vehicle to confirm maneuverability on site without requiring a reverse movement onto public roads or lanes, if vehicles are required to enter the site to access these areas.
- e. Provide turning movements to confirm that the proposed site layout meets the requirements for fire truck access and circulation.

**3. DOMESTIC WATER AND FIRE PROTECTION**

- a. The subject property is located within the City of Kelowna Water Supply Area. Our records indicate that this property is currently serviced with multiple connections off Clement Ave. Only one service connection will be permitted for this development.
- b. The Developer's Consulting Engineer will determine the domestic water servicing and fire protection requirements for this development. If upgrades are necessary to achieve adequate servicing, hydrant spacing, or fire protection, the Developer must complete any such upgrades at their cost and any obsolete services must be fully decommissioned at the main.
- c. The Developer must demonstrate that both the calculated FUS fire flow demand and the internal building sprinkler demand of the proposed development does not exceed the Bylaw 7900 requirement of 150 L/s for High-Density Residential.
- d. The City estimates that the minimum fire flow of 150 L/s for High-Density Residential, in accordance with Bylaw 7900 standards, is available from the watermain fronting the subject property, given our modelling assumptions. The Developer's Consulting Engineer should contact the development technician for this file to confirm the City's modeling assumptions are suitable for this proposed development.

- e. A water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation Bylaw 5968-87.

#### 4. **SANITARY SEWER SYSTEM**

- a. Our records indicate that this property is currently serviced with multiple connections off a 150 mm diameter main, running at 0.2%, along Clement Ave. Only one service connection will be permitted for this development.
- b. The Developer's Consulting Engineer will determine the sanitary sewer servicing requirements for this development, including downstream capacity and flow velocity analysis. Upgrading and decommissioning works are expected to be necessary to achieve adequate servicing. The Developer must complete all necessary work at their cost. Please contact the development technician for this project to arrange for network modeling analysis.
  - i. Required upgrades are expected to include upgrading the existing 150 mm diameter sanitary main fronting the subject property to a 200 mm diameter main downstream of the proposed service connection location.
  - ii. Decommissioning of the existing 150 mm diameter main, services, and manholes upstream of the proposed service connection location.
- c. Service connection is to be completed as per SS-S7 with an inspection chamber and Brooks Box, with consideration given to SS-S50 for connections to mains.

#### 5. **STORM DRAINAGE**

- a. The subject property is located within the City of Kelowna drainage service area. Only one service connection will be permitted per lot.
- b. The Applicant must engage a Consulting Engineer to provide the following drawings for the site, in accordance with Bylaw 7900 requirements:
  - i. A detailed Lot Grading Plan;
    - a. Indicate on the Lot Grading Plan the building slab elevations, finished grade elevations throughout the site, any slopes that are steeper than 30%, areas that have greater than 1.0 m of fill, finished grade slopes, and perimeter grades to match existing grades;
    - b. Grading directly to a natural drainage path must include adequate erosion control and water quality improvement measures;
  - ii. A detailed Stormwater Management Plan;
    - a. Surface runoff during a storm event of 1:100 year return period from this development must not discharge from the site in excess of the 1:5 year pre-development rate;
    - b. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 *Detention Storage*;

- c. As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, applied to post-development rainfall intensity curve stage (IDF) in Section 3.7.2;
- iii. An Erosion and Sediment Control (ESC) Plan;
  - a. Prepare as per section 3.14 of Schedule 4 of Bylaw 7900 and best practices;
  - b. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- c. Register statutory right of ways on site for all storm water infrastructure or flow paths carrying, conveying, detaining and/or retaining storm water that is generated from the public properties or public road right of ways. Show details of dedications, rights-of-way, setbacks and non-disturbance areas.
- d. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. Intermittent pumping of groundwater for structures within seasonal range of the groundwater table may be permitted with some conditions. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

## **6. ROADWAY AND STREETScape**

- a. Clement Ave is classified in the 2040 OCP as a Core Area Major Arterial and must be upgraded to an urban standard along the full frontage of the subject property to facilitate additional corridor density associated with this development. Required upgrades to include sidewalk, curb and gutter, LED street lighting, landscaped and irrigated boulevard, pavement removal and replacement, and re-location or undergrounding of utilities if required to accommodate the upgrading construction. Road cross-section will be provided to consulting engineer, upon request, at time of detailed offsite design.
- b. Lane must be upgraded to an SS-R2 standard along the full frontage of this proposed development including drainage system, burial of overhead wires and removal of poles as necessary to ensure minimum 6 m unencumbered ROW width, pavement removal and replacement, and re-location or undergrounding of utilities if required to accommodate the upgrading construction. Additional lane width may need to be dedicated from the subject property to achieve operational requirements.
- c. All Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IIABC, are to be included as a line item in the estimate for the Servicing Agreement performance security. Landscape and irrigation plans require approval by the Development Engineering Branch at the same time as other "issued for construction" drawings.
- d. Streetlights must be installed on all public roads. All streetlighting plans are to include photometric calculations demonstrating Bylaw 7900 requirements are met and require approval by the Development Engineering Branch at the same time as other "issued for construction" drawings.

**7. POWER AND TELECOMMUNICATION SERVICES**

- a. Re-locate or underground existing poles and utilities within the lanes where necessary to remove aerial trespass(es), achieve setbacks, and maintain 6 m unencumbered ROW width.
- b. Re-locate or underground existing poles and utilities along Clement Ave where necessary to remove aerial trespass(es), achieve setbacks, and meet road cross-section standards.
- c. 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.
- d. Provide all necessary Statutory Rights-of-Ways for any utility corridors as may be required.

**8. GEOTECHNICAL STUDY**

- a. Provide a Geotechnical Report prepared by a Professional Engineer competent in the field of geotechnical or hydrogeological engineering as applicable. The Geotechnical Report must be submitted to the Development Services Department as part of the Building Permit submission and prior to the City's review of Engineering drawings. Geotechnical Report to address, at a minimum, any of the applicable items below:
  - i. Site suitability for development;
  - ii. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property, as well as any monitoring required;
  - iii. Site soil characteristics (i.e., fill areas, unsuitable soils such as organic material, etc);
  - iv. Any special requirements for construction of roads, utilities, and building structures;
  - v. Recommendations for items that should be included in a Restrictive Covenant;
  - vi. Recommendations for erosion and sedimentation controls for water and wind;
  - vii. Any items required in other sections of this memo;
  - viii. Recommendations for roof drains and perimeter drains on the site;


**9. DESIGN AND CONSTRUCTION OF OFFSITE WORKS**

- a. Offsite Works and Services are required of this development as outlined above. The Developer must Design and enter into a Servicing Agreement and provide security for the Construction of the Works prior to adoption of the Zone Amendment Bylaw.
- b. Design of all offsite works and site servicing must be completed in accordance with Subdivision, Development, and Servicing Bylaw No. 7900 and is subject to the approval of the City Engineer prior to construction or execution of a Servicing Agreement.
  - i. See Bylaw 7900 Sections 6.0, 7.0, and 9.0, as well as Schedule 4 for procedural guidance, approval requirements, and design standards.
  - ii. Design must be completed by a suitably qualified and experience Consulting Engineer.

- iii. Engineering drawing submissions are to be in accordance with *Council Policy 265 – Engineering Drawing Submission Requirements*. Drawings must be submitted digitally in PDF format and sealed in accordance with EGBC Guidelines.
- c. A Servicing Agreement is required for all Works and Services on City lands (Offsite Works).
  - i. The Servicing Agreement must be in the form of Schedule 2 of Bylaw 7900.
  - ii. The Developer’s Consulting Engineer, prior to preparation of a Servicing Agreement, must provide adequate drawings and estimates for the Works to the City Engineer.
  - iii. Bylaw 7900, Part 3 – Security for Works and Services, Sections 7.1 - 7.2, describes the Security requirements of an Owner for entering into Servicing Agreements. Security must be in the form of an irrevocable letter-of-credit, bank draft, or certified cheque.
- d. Construction of the required Works and Services must be completed in accordance with Bylaw 7900 requirements and is subject to several approvals prior to work commencing. These include, but are not necessarily limited to, the following:
  - i. Before any construction of the Works commences, design drawings must be reviewed and approved for construction by the City Engineer.
  - ii. A “Consulting Engineering Confirmation Letter” (City template provided upon request) must be executed by the Owner and Consulting Engineer and provided to the City.
  - iii. The Developer’s Consulting Engineer must undertake adequate inspections during construction of the Work, as outlined in EGBC’s *Guide to the Standard for Documented Field Reviews During Implementation or Construction*. A Quality Control and Assurance Plan acceptable to the City Engineer must be submitted prior to construction approval. Refer to Bylaw 7900, Schedule 3.
  - iv. Insurance requirements are outlined in Bylaw 7900, Section 7.3. A compliant Certificate of Insurance must be provided prior to construction approval.
  - v. Contractor must provide a current WorkSafe BC Clearance Letter.
- e. Construction completion, maintenance period, and return of Performance Security requirements are outlined in Bylaw 7900, Sections 9.5 - 9.7 and Sections 10.0 - 10.4.

**10. CHARGES, FEES, AND SECURITIES**

- a. Fees per the “Development Application Fees Bylaw” include:
  - i. Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
  - ii. Survey Monument Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
  - iii. Engineering and Inspection Fee: 3.5% of offsite works and services (plus GST).

  
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Nelson Chapman, P.Eng.  
Development Engineering Manager  
SK



**CITY OF KELOWNA**  
**BYLAW NO. 12629**  
**Z23-0002**  
**815 – 865 Clement Avenue**

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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 14 Section 30 Township 26 ODYD Plan 1277, located on Clement Ave, Kelowna BC;
  - b. Lot 15 Section 30 Township 26 ODYD Plan 1277, located on Clement Ave, Kelowna, BC;
  - c. Lot 16 Section 30 Township 26 ODYD Plan 1277, located on Clement Ave, Kelowna, BC;
  - d. Lot 17 Section 30 Township 26 ODYD Plan 1277, located on Clement Ave, Kelowna, BC;
  - e. Lot 18 District Lot 138 ODYD Plan 1277, located on Clement Ave, Kelowna, BC;
  - f. Lot 19 Section 30 Township 26 ODYD Plan 1277, located on Clement Ave, Kelowna, BC;
  - g. Lot 20 Section 30 Township 26 ODYD Plan 1277, located on Clement Ave, Kelowna, BC;
  - h. Lot 21 District Lot 138 ODYD Plan 1277, located on Clement Ave, Kelowna, BC;
  - i. Lot 22 District Lot 138 ODYD Plan 1277, located on Clement Ave, Kelowna, BC; and
  - j. Lot 23 District Lot 138 ODYD Plan 1277, located on Clement Ave, Kelowna, BC;

from the RU<sub>4</sub> – Duplex Housing zone to the MF<sub>3r</sub> – Apartment Housing 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

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



City of  
**Kelowna**

# Z23-0002 815 – 865 Clement Ave

Rezoning Application

# Purpose

- ▶ To rezone the subject properties from the RU<sub>4</sub> – Duplex Housing zone to the MF<sub>3r</sub> – Apartment Housing Rental Only zone to facilitate the development of rental apartment housing.

# Development Process



Jan 20, 2023

Development Application Submitted



Staff Review & Circulation



Feb 13, 2024

Public Notification Received



March 4, 2024

Initial Consideration



Reading Consideration



Final Reading & Development Permit

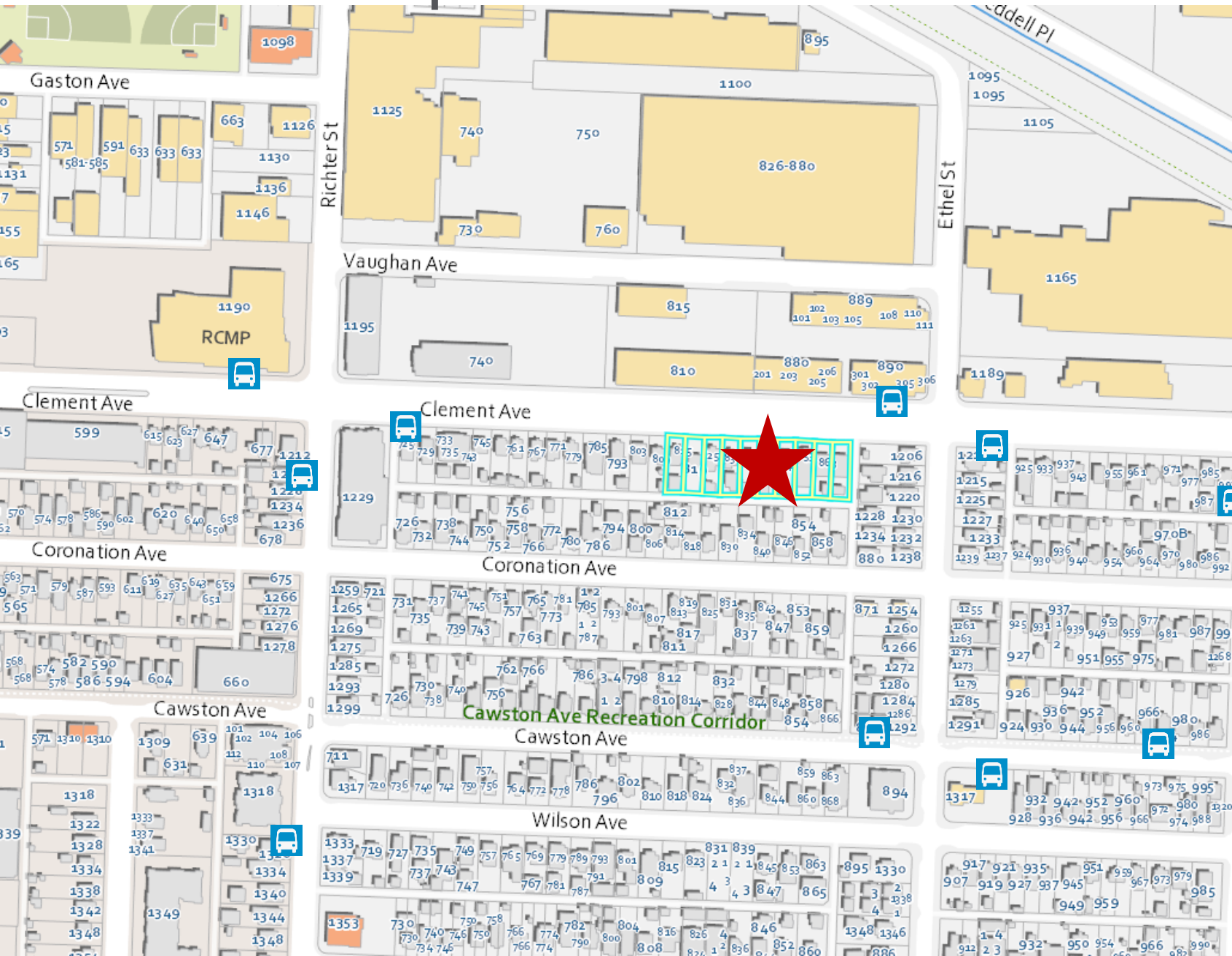


Building Permit



Council Approvals

# Context Map



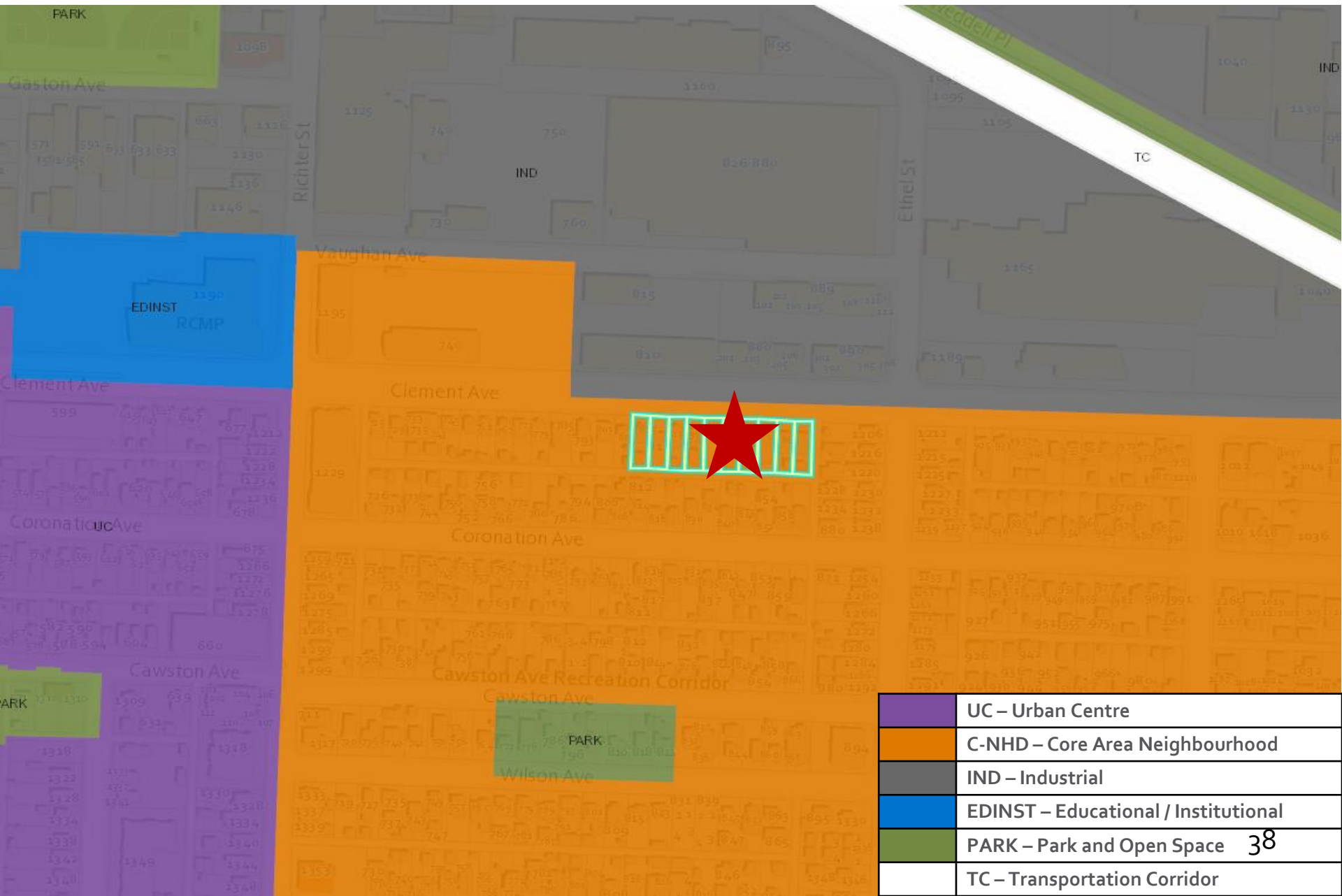
Walk Score  
**88**



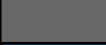



Transit Score  
**54**

Bike Score  
**97**

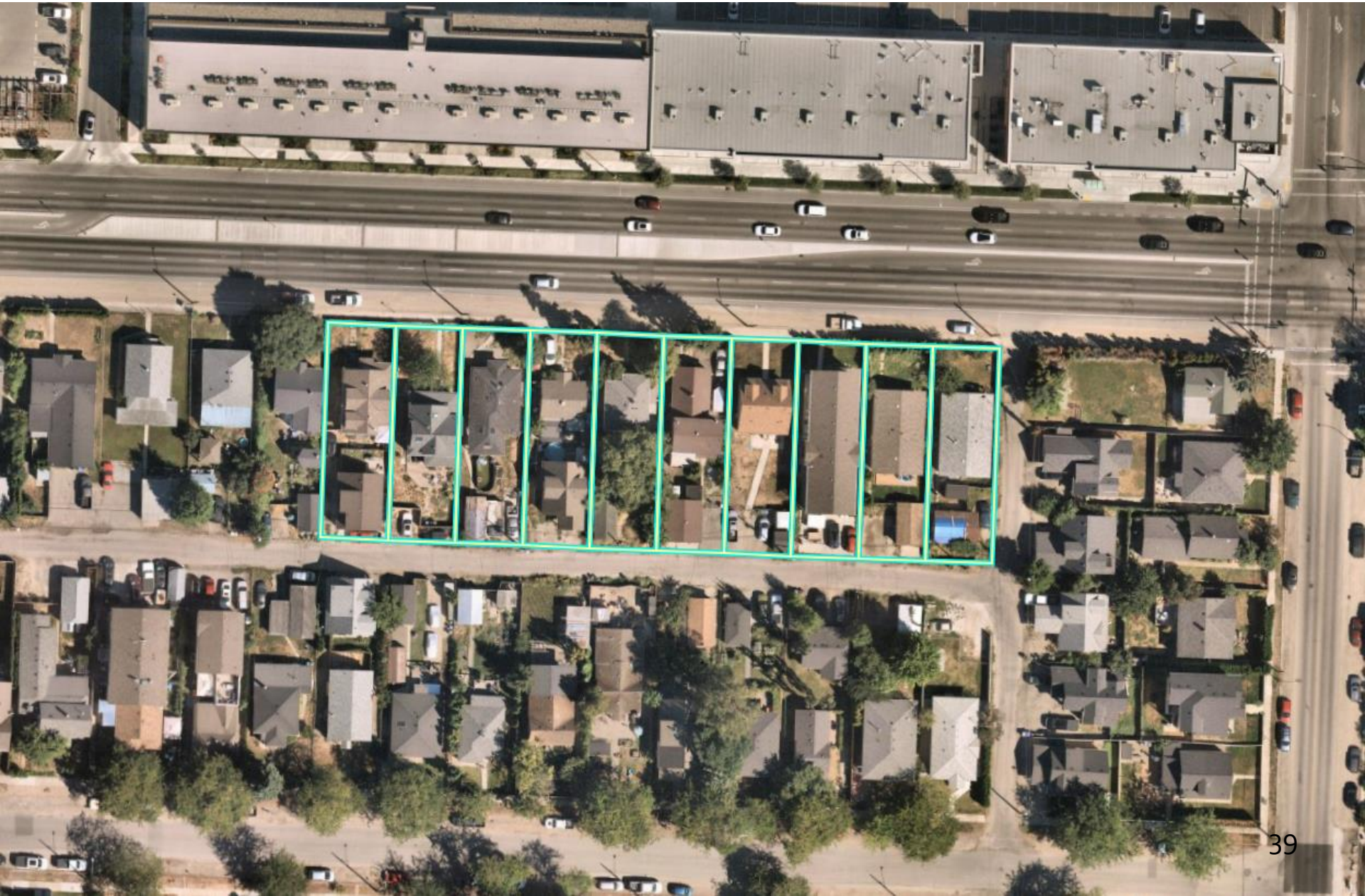


# OCP Future Land Use



	UC – Urban Centre
	C-NHD – Core Area Neighbourhood
	IND – Industrial
	EDINST – Educational / Institutional
	PARK – Park and Open Space 38
	TC – Transportation Corridor

# Subject Property Map



# Project Details

- ▶ RU<sub>4</sub> – Duplex Housing zone to MF<sub>3r</sub> – Apartment Housing Rental Only zone
  - ▶ Facilitate construction of apartment housing
  - ▶ Long-term rental housing
  - ▶ Vehicle access from lane



# OCP Objectives & Policies

- ▶ **Policy 5.2.1: Transit Supportive Corridor Densities**
  - ▶ Encourage development that increases density along Transit Supportive Corridors to support improved services and amenities. Discourage underdevelopment.
- ▶ **Policy 5.2.2. Low Rise Corridor Development**
  - ▶ Encourage low rise apartments up to six storeys in Core Area Neighbourhoods that abut Transit Supportive Corridors.
- ▶ **Policy 5.11.2 Diverse Housing Tenures**
  - ▶ Encourage a range of rental and ownership tenures that support a variety of households, income levels, and life stages.

# Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning as it is consistent with:
  - ▶ OCP Future Land Use: C-NHD – Core Area Neighbourhood
  - ▶ OCP Policies:
    - ▶ Policy 5.2.1 Transit Supportive Corridor Densities
    - ▶ Policy 5.2.2: Low Rise Corridor Development
    - ▶ Policy 5.11.2: Diverse Housing Tenures
  - ▶ Development Permit to follow

# REPORT TO COUNCIL REZONING



**Date:** March 4, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 250, 270, 280 Homer Road  
**File No.:** Z23-0077

	Existing	Proposed
<b>OCP Future Land Use:</b>	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
<b>Zone:</b>	RU1 – Large Lot Housing	MF2 – Townhouse Housing

## 1.0 Recommendation

THAT Rezoning Application No. Z23-0077 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 3 Section 27 Township 26 ODYD Plan 14897 located at 280 Homer Rd, Kelowna, BC, of Lot 4 Section 27 Township 26 ODYD Plan 14897 located at 270 Homer Rd, Kelowna, BC, and of Lot 5 Section 27 Township 26 ODYD Plan 14897 located at 250 Homer Rd, Kelowna, BC, from the RU1 – Large Lot Housing zone to the MF2 - Townhouse 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 March 4, 2024;

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 RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone to facilitate a townhouse development.

## 3.0 Development Planning

Staff support the proposed rezoning from the RU1 - Large Lot Housing zone to the MF2 - Townhouse Housing zone to facilitate the construction of a townhouse development. The subject properties have an Official Community Plan (OCP) Future Land Use Designation of C-NHD - Core Area Neighbourhood. The intent of Core Area Neighbourhood is to accommodate much of the city's growth through sensitive residential infill and low-rise buildings. Core Area Neighbourhoods support a variety of ground-oriented residential uses such as townhouses. In order to facilitate the townhouse development, the applicant is required to consolidate the three subject lots.

Lot Area	Proposed (m <sup>2</sup> )
Gross Site Area	4,344 m <sup>2</sup>
Road Dedication	N/A
Undevelopable Area	N/A
Net Site Area	Approx. 4,264 m <sup>2</sup>

**4.0 Site Context & Background**

Orientation	Zoning	Land Use
North	RU <sub>1</sub> – Large Lot Housing MF <sub>2</sub> – Townhouse Housing	Single Detached Housing and Townhouse Residential
East	RU <sub>1</sub> – Large Lot Housing	Single Detached Housing
South	RU <sub>1</sub> – Large Lot Housing RU <sub>1c</sub> – Large Lot Housing with Carriage House MF <sub>1</sub> – Infill Housing MF <sub>2</sub> – Townhouse Housing	Single Detached Housing, Single Detached Housing with Carriage House, and Townhouse Residential
West	RU <sub>1</sub> – Large Lot Housing RU <sub>2</sub> – Medium Lot Housing MF <sub>1</sub> – Infill Housing MF <sub>2</sub> – Townhouse Housing	Single Detached Housing and Townhouse Residential

**Subject Property Map: 250, 270 280 Homer Road**



The surrounding neighbourhood context is a combination of RU<sub>1</sub> – Large Lot Housing, RU<sub>2</sub> – Medium Lot Housing, MF<sub>1</sub> – Infill Housing and MF<sub>2</sub> – Townhouse Housing zones.

The subject properties are located in the Rutland OCP Sector approximately one block west of the Rutland Urban Centre and approximately 200 meters north of Hwy 33 West, which is classified as Transit Supportive Corridor. There are two transit stops located near the intersection of Hwy 33 W and Homer Rd. Additionally, the proposed development site is near a number of parks, including Ben Lee Park, and the Houghton Road Recreation Corridor is located within short walking distance to the north of the site. The location of the proposed development aligns with the intent of the OCP, allowing residents of Core Area Neighbourhoods easier access to Urban Centres for many of their day-to-day shopping and employment needs while the Transit Supportive and Active Transportation Corridors would make it easier to reach other areas of the city without a car.

**5.0 Current Development Policies**

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

Objective 5.3 Design residential infill to be sensitive to neighbourhood context	
Policy 5.3. 2 Transition from Transit Supportive Corridors	Provide a transition area allowing for 3-4 storeys in height serving as a transition from the medium density development along the Transit Supportive Corridors and lower density residential areas in the Core Area. Encourage ground-oriented residential such as stacked townhouses and bungalow courts with setbacks that respect adjacent lower density residential areas. Discourage commercial uses in the transition zone.
	<i>The proposed development is ground-oriented townhouse form, close to Transit Supportive and Active Transportation Corridors allowing residents of Core Area Neighbourhoods easier access to Urban Centres for many of their day-to-day shopping and employment needs.</i>

**6.0 Application Chronology**

Application Accepted: August 8, 2023  
 Neighbourhood Notification Summary Received: February 6, 2024

**Report prepared by:** Barbara B. Crawford, Planner II  
**Reviewed by:** Jocelyn Black, Urban Planning Manager  
**Reviewed by:** Nola Kilmartin, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

**Attachments:**  
 Attachment "A": Development Engineering Memo

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).

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**CITY OF KELOWNA**  
**MEMORANDUM**



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**Date:** December 18, 2023  
**File No.:** Z23-0077  
**To:** Urban Planning (BC)  
**From:** Development Engineering Manager (NC)  
**Subject:** 250-280 Homer Rd RU1 to MF2

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The Development Engineering Department has the following requirements associated with this application to rezone the subject property RU1 Large Lot Housing to MF2 Townhouse Housing.

Works and Services attributable at the time of Building Permit are contained in the Development Engineering memo under file DP23-0212.

The Development Engineering Technologist for this file is Michael James-Davies ([MJames-Davies@kelowna.ca](mailto:MJames-Davies@kelowna.ca)).

- a. The subject property is located within the Black Mountain Irrigation District (BMID) Water Supply Area. 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, at least 150 L/s, from BMID being provided to the City Engineer prior to adoption of the zone amendment bylaw.
- b. The Developer must provide excess and extended services along the Homer Rd frontage of the proposed development. The excess and extended services shall include design of frontage improvements extending past the north property line to the intersection with Houghton Rd. The cost of design will be reimbursed by the City; details to be confirmed by Development Engineering Technologist, upon request, at time of detailed design.
- c. Construction of excess and extended services **may** be required, depending on available City funds at the time at the time of Building Permit application. In this case, the cost of construction will be reimbursed by the City; details to be confirmed by Development Engineering Technologist, upon request, at time of detailed design.

  
\_\_\_\_\_  
Nelson Chapman, P.Eng.  
Development Engineering Manager  
MJD

**CITY OF KELOWNA**  
**BYLAW NO. 12630**  
**Z23-0077**  
**250, 270, 280 Homer Road**

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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 3 Section 27 Township 26 ODYD Plan 14897 located on Homer Road, Kelowna, BC;
  - b) Lot 4 Section 27 Township 26 ODYD Plan 14897 located on Homer Road, Kelowna, BC; and
  - c) Lot 5 Section 27 Township 26 ODYD Plan 14897 located on Homer Road, Kelowna, BC;from the RU1 – Large Lot Housing zone to the MF2 – Townhouse 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

Approved under the Transportation Act this

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(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

---

City Clerk



City of  
**Kelowna**

Z23-0077

250, 270, 280 Homer Rd

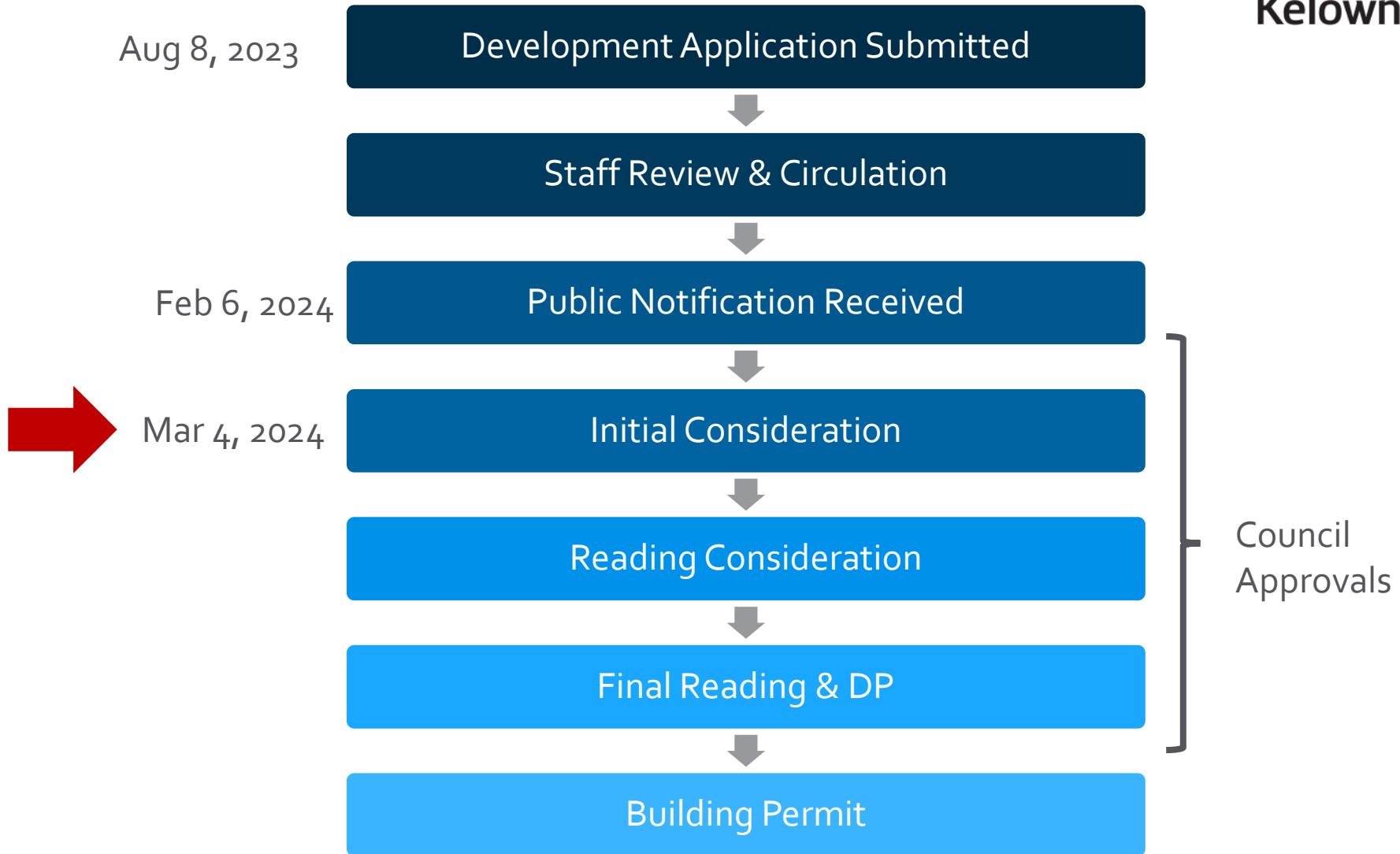
Rezoning Application



# Purpose

- ▶ To rezone subject properties from the RU<sub>1</sub> – Large Lot Housing zone to the MF<sub>2</sub> – Townhouse Housing zone to facilitate a townhouse development.

# Development Process



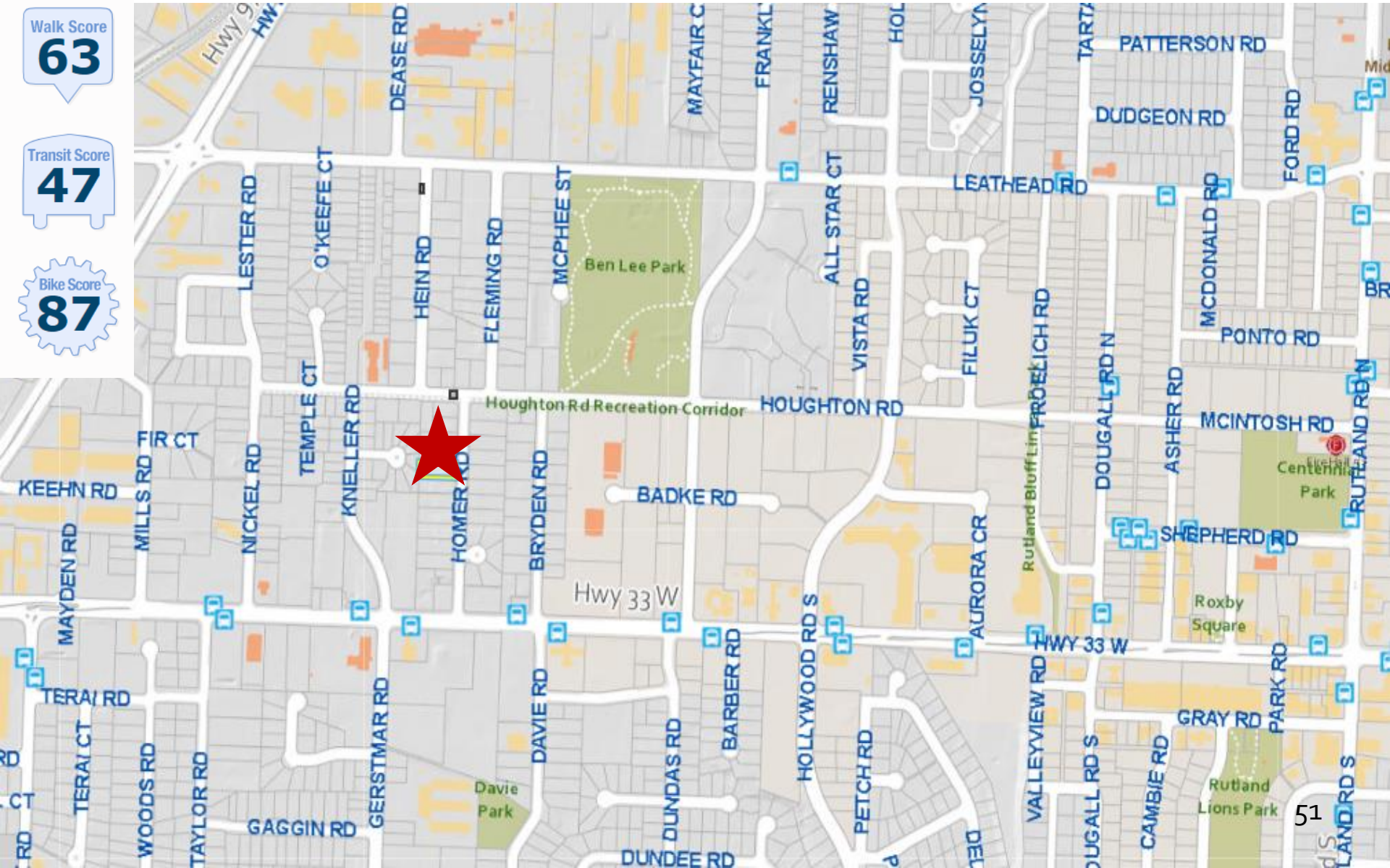
# Context Map



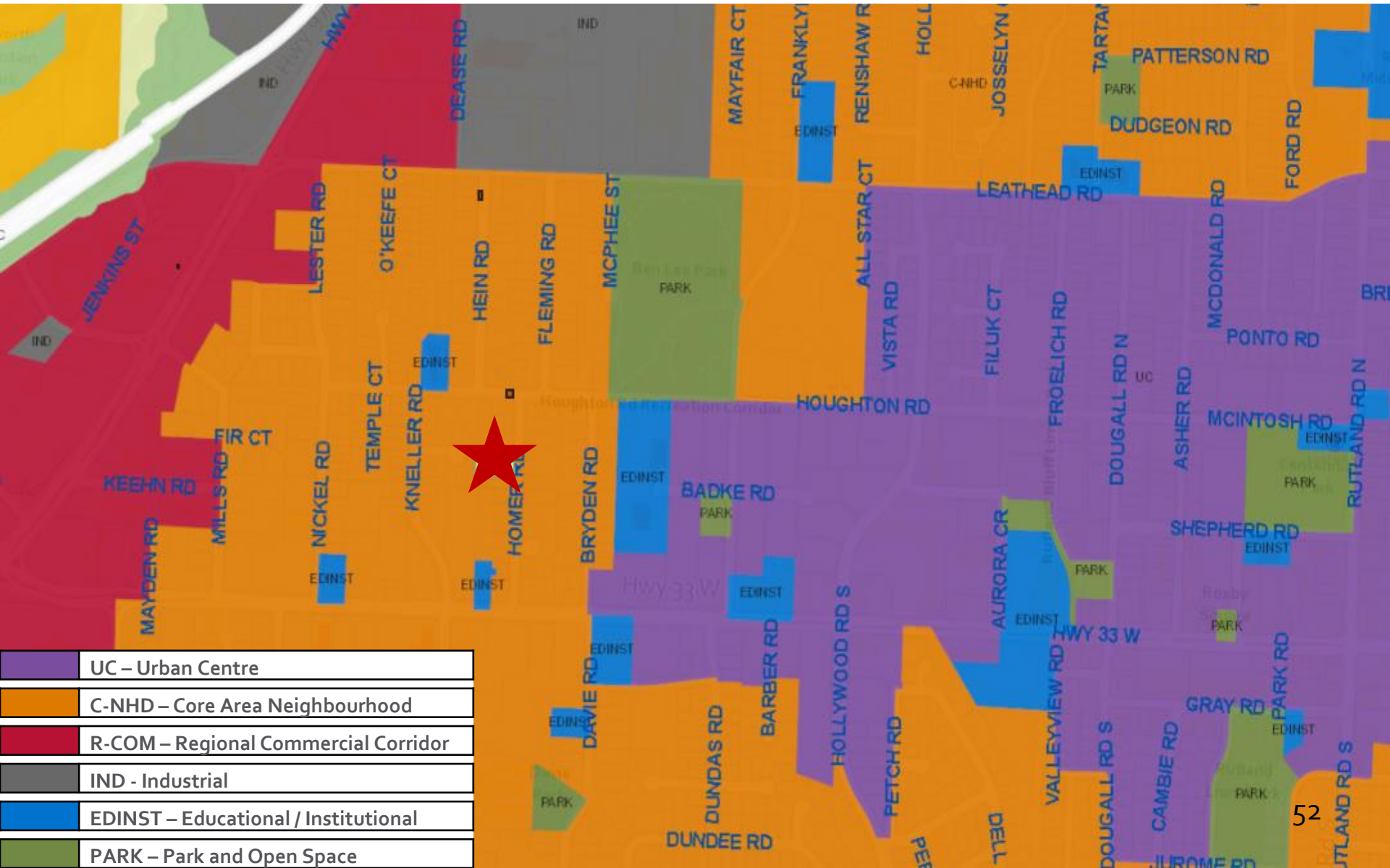
Walk Score  
**63**

Transit Score  
**47**

Bike Score  
**87**



# OCP Future Land Use



UC – Urban Centre
C-NHD – Core Area Neighbourhood
R-COM – Regional Commercial Corridor
IND - Industrial
EDINST – Educational / Institutional
PARK – Park and Open Space

# Subject Property Map



# Project Details

- ▶ C-NHD – Core Area Neighbourhood
- ▶ Three Lot Rezoning
  - ▶ RU1 – Large Lot Housing to MF2 – Townhouse Housing
  - ▶ Six Townhouses, 33 three-bedroom units
  - ▶ Lot consolidation
- ▶ Close to transit stops, Transit Supportive and Active Transportation Corridors, parks and Rutland Urban Centre.

# OCP Objectives & Policies

- ▶ **Policy 5.3.2: Transition from Transit Supportive Corridors**
  - ▶ Provide a transition area allowing for 3-4 storeys in height serving as a transition from the medium density development along the Transit Supportive Corridors and lower density residential areas in the Core Area. Encourage ground-oriented residential with setbacks that respect adjacent lower density residential areas

# 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 Neighbourhoods
    - ▶ Sensitive residential infill
    - ▶ Ground oriented townhouses
    - ▶ Transit Supportive and Active Transportation
    - ▶ Near Rutland Urban Centre



# Report to Council



**Date:** March 4, 2024  
**To:** Council  
**From:** City Manager  
**Subject:** Subdivision, Development and Servicing Bylaw No. 7900 – Infill Housing Update  
**Department:** Development Engineering Branch

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**Recommendation:**

THAT Council receives, for information, the report from the Development Engineering Branch with respect to amending the Subdivision, Development and Servicing Bylaw No. 7900 and Council Policy No. 101, being Conversion of Overhead Power Lines to Underground Installation, dated March 4, 2024;

AND THAT Bylaw No. 12624, being Amendment No. 26 to Subdivision, Development and Servicing Bylaw No. 7900, be forwarded for reading consideration;

AND THAT Council adopts the revised Council Policy No. 101 Conversion of Overhead Power Lines to Underground Installation, as outlined in the report from Development Engineering dated March 4, 2024.

**Purpose:**

To amend various sections of Subdivision, Development and Servicing Bylaw No. 7900 and Council Policy No. 101 in response to the implementation of the Provincial legislation for Small-Scale Multi-Unit Housing and Transit Oriented Development Areas.

**Council Priority Alignment:**

Affordable Housing  
Transportation

**Background:**

In late 2016 and in September 2022, the City of Kelowna approved changes to the Zoning Bylaw to allow multi-unit housing up to four units on a single lot in a limited area of the Downtown and Pandosy neighbourhoods (i.e., the Infill Challenge 1.0” initiative) and to allow higher densities within the Urban Centre areas. In November 2023, the Province of British Columbia passed Bill 44 and Bill 47 related to multi-unit housing and increased density in transit-oriented areas; in response to this legislation, the City of Kelowna is considering further amendments to the Zoning Bylaw to allow multi-unit housing in

all neighbourhoods within the Permanent Growth Boundary and additional increased density in several transit-oriented areas.

The Subdivision, Development & Servicing Bylaw No. 7900 (Bylaw 7900) sets the minimum design and construction standards for civil infrastructure works and services within the City of Kelowna (City) as a condition of development approval. Where historically, changes in land use had been subject to a rezoning process where servicing could be upgraded as a condition of rezoning, the “pre-zoning” of urban centres and for infill requires more robust servicing requirements be implemented at time of building permit, rather than at rezoning.

Council Policy No. 101 was first adopted in 2003 and provides direction to the City Engineer for when to require the undergrounding of existing overhead power and telecommunication wiring as a condition of development approval.

*Previous Council Resolution*

Resolution	Date
<p>THAT for smaller Latecomer Agreements (the lesser of \$1.5m or \$50k/property), Council delegate authority to authorize and prepare the Latecomer Agreements to the Development Engineering Manager, and authority to execute to the Mayor and Clerk.</p>	<p><b>R611/19/06/10</b> June 10, 2019</p>

**Discussion:**

In response to past and future anticipated amendments to the Zoning Bylaw, the proposed changes to Bylaw 7900 and Council Policy 101 are intended to simplify administrative processes, maintain an acceptable level of service for community safety, and ensure a robust standard for the provision of municipal civil infrastructure. The proposed changes can be grouped into 3 categories:

1. Latecomer Procedures for Excess or Extended Services
2. Water Supply for Fire Protection
3. Infrastructure and Transportation Capacity Design Standards

***1. Latecomer Procedures for Excess or Extended Services***

Excess or Extended Services are infrastructure works that are required to be completed of a development that benefit other lands. This occurs when adjacent or upstream lands are anticipated to require future capacity in an infrastructure system that is being provided by downstream development. The cost to provide Excess or Extended Services can either be borne by the City or the Developer (the Firstcomer). In either case, the cost to provide Excess or Extended Services is eligible for cost recovery via a Latecomer Agreement, which requires all benefiting lands to pay a proportion of the cost back to the Firstcomer.

The procedure for implementing a Latecomer Agreement is outlined in Bylaw 7900; they are primarily technical engineering documents that are prepared by the City Engineer and currently require a Council resolution to finalize. The bylaw under consideration proposes to make this a fully staff-delegated procedure for improved administrative efficiency due to the technical nature of the subject matter and the expected increase in volume in Latecomer Agreements associated with infill development. With an increase in infill developments, newly constructed infrastructure will generally benefit surrounding lands

and Latecomer Agreements will be necessary with more frequency than was historically seen with greenfield development.

Improving efficiency will enable a reduction in staff time and subsequent cost to development (application fee), which will reduce barriers to pursuing cost-recovery and support affordable infill housing developments.

## ***2. Water Supply for Fire Protection***

With past and future anticipated changes to the Zoning Bylaw comes increased pressure on aging and potentially capacity-strained municipal infrastructure. This can result in a discrepancy between the defined levels of service for water supply, firefighting, and sanitary sewer servicing and what the City's infrastructure can provide. It also changes historical practice of requiring land to be sufficiently serviced as a condition of granting a higher land use and necessitates these servicing upgrades be made as a condition of building permit issuance.

With the objective of balancing the somewhat competing objectives of ensuring adequate water supply for firefighting while maintaining housing affordability, the amendments to Bylaw 7900 are informed by recommendations from the Integrated Community Fire Protection report. This review provided an overview of the important considerations, challenges, and solution frameworks in three areas:

1. Fire Department Response Planning (Response-Oriented Solutions),
2. Water Supply and Distribution Network (Network-Oriented Solutions), and
3. Neighbourhood and Building Fire Risk (Building-Oriented Solutions)

Through the internal consultation undertaken with stakeholder departments, it is generally agreed that to provide sufficient water for firefighting efforts for exposure control (i.e., to contain fires to subject properties and stop them from spreading to adjacent structures) as a minimum in constrained situations as a condition of development approval is an acceptable level of service for community safety. This approach balances affordable housing objectives while ensuring sufficient water for exposure control is available and that this amount is prioritized for public fire protection use over private systems.

While the vast majority of development will have sufficient water for fully extinguishing structure fires, when a minimum fire flow for "exposure-control only" is provided through the development approval process in constrained situations, in conjunction with a well-equipped and informed fire department, modern building construction for fire resistivity, and increased spacing between buildings, it is suggested that infill housing redevelopment represents a relatively neutral risk to community fire safety.

## ***3. Infrastructure Capacity Design Standards***

The bylaw under consideration also proposed several changes to the detailed water, sanitary sewer, and transportation design standards in response to network and servicing capacity impacts of small-scale infill multi-unit housing. These changes are to ensure systems are designed for future capacity and to protect transit supportive corridors and encourage access consolidation on major arterial roads.

Council Policy 101 is proposed to be amended to expand the requirement to underground overhead power and telecommunication wiring for most development within the Core Area. This had previously been limited to Urban and Village Centres. This is in accordance with the objectives of the Official

Community Plan, the Transportation Master Plan, and the Urban Forestry Branch for the provision of the City's urban tree canopy. It is also necessary to support the financial viability of the Neighbourhood Street Urbanization Program.

**Conclusion:**

The proposed changes to Subdivision, Development and Servicing Bylaw No. 7900 and Council Policy 101 are in response to past and future anticipated Zoning Bylaw changes for the provision of multi-unit infill housing in areas of the City where infrastructure constraints exist. The proposed changes will simplify administrative processes, maintain an acceptable level of service for community safety, and ensure a robust standard for the provision of municipal civil infrastructure.

**Internal Circulation:**

Kelowna Fire Department  
Utility Planning  
Integrated Transportation  
Infrastructure Operations  
Development Services

**Considerations applicable to this report:**

**Legal/Statutory Authority:** *Local Government Act, Division 11, Section 507 and 508*

**Existing Policy:** *Council Policy No. 101*

**Considerations not applicable to this report:**

**Legal/Statutory Procedural Requirements:**

**Financial/Budgetary Considerations:**

**Consultation and Engagement:**

**Communications Comments:**

**Submitted by:**

N. Chapman, Development Engineering Manager

**Approved for inclusion:**

R. Smith, Divisional Director, Planning, Climate Action, & Development Services

M. Logan, Infrastructure General Manager

cc:

M. Bayat, Development Services Director  
B. Hallam, Integrated Transportation Manager  
R. Maclean, Utility Planning Manager  
L. Paley, Building Permitting Supervisor  
D. Seymour, Fire Chief  
K. Van Vliet, Utility Services Manager



City of Kelowna  
1435 Water Street  
Kelowna, BC V1Y 1J4  
250 469-8500  
kelowna.ca

# Council Policy

## Conversion of Overhead Power Lines to Underground Installation

ESTABLISHED March 3, 2003

Contact Department: Development Engineering

### Guiding Principles

The 2040 Official Community Plan sets a strategic course for how the city should grow, which includes support for vibrant and functional urban streetscapes. The City utilizes the Development Cost Charges program to accommodate the community's projected growth by supporting development approvals in a consistent, proportional, fair, and transparent manner.

### Purpose

To direct when existing overhead electrical and communication wiring must be converted to underground as a condition of subdivision or development approval.

### Application

This policy applies to an application for subdivision or development.

### Definitions

"Core Area" means 'Core Area' as defined in Kelowna 2040 – Official Community Plan Bylaw No. 12300.

"Development" means 'Development' as defined in Subdivision, Development and Servicing Bylaw No. 7900.

"Dwelling" means 'Dwelling' as defined in Zoning Bylaw No. 12375.

"Subdivision" means 'Subdivision' as defined in Subdivision, Development and Servicing Bylaw No. 7900.

"Urban Centre" means 'Urban Centre' as defined in Kelowna 2040 – Official Community Plan Bylaw No. 12300.

"Village Centre" means 'Village Centre' as defined in Kelowna 2040 – Official Community Plan Bylaw No. 12300.

"Works" means 'Works and Services' as defined in Subdivision, Development and Servicing Bylaw No. 7900.

### Policy Statements

1. Where underground electrical and communication wiring is required under Subdivision, Development and Servicing Bylaw No. 7900 and a proposed subdivision or development has frontage along a highway, burial of existing overhead electrical and communication wiring along that frontage of a proposed subdivision or development is required in the following cases:
  - a) All mixed-use, commercial, or industrial subdivision or development within the Core Area, an Urban Centre, or a Village Centre;
  - b) Any residential subdivision creating a new lot within the Core Area, an Urban Centre, or a Village Centre;
  - c) Any residential development that results in 1 or more additional dwelling unit(s) on a lot within an Urban Centre or a Village Centre; or
  - d) Any residential development that results in 3 or more total dwelling units on a lot within the Core Area.
2. Notwithstanding the above, an overhead power line is not required to be undergrounded where the voltage is greater than 12,000 volts.

### Amendments

Last Revised:

Replacing: R375/2010-04-26; R1039/2008-11-24; R191/2003-03-03

# Amendment No. 26 to the Subdivision, Development and Servicing Bylaw No. 7900

# Proposal

- ▶ To amend various sections of Subdivision, Development and Servicing Bylaw No. 7900 and Council Policy No. 101 in response to the implementation of the Provincial legislation for Small-Scale Multi-Unit Housing and Transit Oriented Development Areas.

# Bylaw Development Process



Staff Review & Circulation



→ March 4, 2024

Council Consideration



Reading Consideration



# Background

- ▶ Past and Future Anticipated changes to the Zoning Bylaw will allow multi-unit housing densification within the Permanent Growth Boundary.
- ▶ The Subdivision, Development and Servicing Bylaw No. 7900 sets the minimum design and construction standards for municipal civil infrastructure.
- ▶ Council Policy 101 provides staff direction for when to require undergrounding of overhead wiring as a condition of development approval.

# Proposed Changes

- ▶ The proposed changes to Bylaw 7900 and Council Policy 101 are intended to:
  - ▶ Simplify administrative processes and reduce barriers
  - ▶ Maintain an acceptable level of service for infrastructure supporting fire protection capabilities
  - ▶ Ensure a robust standard for the provision of infrastructure through growth and densification in accordance with engineering best practice and Council objectives and endorsed Master Plans

# Discussion

- ▶ The proposed changes to Bylaw 7900 and Council Policy 101 can be grouped into 3 categories:
  1. Latecomer Procedures for Excess or Extended Services
  2. Water Supply for Fire Protection
  3. Infrastructure and Transportation capacity design

# Discussion

- ▶ Latecomer Procedures for Excess or Extended Services
  - ▶ For infrastructure works that benefit lands other than those being developed
  - ▶ Generally required when upstream lands are anticipated to rely on downstream works being constructed by a development
  - ▶ Technical in nature
  - ▶ Increased frequency with infill vs. greenfield
  - ▶ Staff delegation vs. Council resolution
  - ▶ Reduce barriers and cost for development

# Discussion

- ▶ Water Supply for Fire Protection
  - ▶ Competing priorities: public safety and infrastructure vs. housing supply and affordability;
  - ▶ Maintain existing standards where viable;
  - ▶ Ensure enough water is always available for public firefighting for “exposure control” as a minimum where risk is low in constrained situations to support affordability;
  - ▶ Continue to ensure coordination and collaboration between Fire Department, Utility Services, & Development Services.

# Discussion

- ▶ Design Standards for Utility Servicing and Transportation Corridors
  - ▶ Ensure systems are designed for future capacity for infill densification while providing appropriate interim service
  - ▶ Protect transit supportive corridors and encourage access consolidation on major arterial roads
  - ▶ Provide urbanized streets within the Core Area that can support significant tree canopy growth and meet the needs of densifying neighbourhoods

# Staff Recommendation

Staff recommend **support** of Bylaw Amendment No. 26 to the Subdivision, Development and Servicing Bylaw No. 7900 and Council Policy No. 101 so that it can be forwarded for reading consideration.

- ▶ Simplify administrative processes and reduce barriers
- ▶ Maintain an acceptable level of service for infrastructure supporting fire protection capabilities
- ▶ Ensure a robust standard for the provision of infrastructure through growth and densification in accordance with engineering best practice and Council objectives and endorsed Master Plans



## *Conclusion of Staff Remarks*



# CITY OF KELOWNA

## Amendment No. 26 to Subdivision, Development and Servicing Bylaw No. 7900

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The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Subdivision, Development and Servicing Bylaw No. 7900 be amended as follows:

1. THAT **Part 1 – Introduction, 4.0 Definitions** be amended by
  - 1.1. Deleting “Excess or Extended Services” in its entirety and replacing it with the following:

“Excess or Extended Services” means those Works and Services in respect of:

    - (a) a portion of a Highway system that will provide access to land other than the land being subdivided or developed; and
    - (b) a portion of a water, sewage or drainage system that will serve land other than the land being subdivided or developed.”
  - 1.2. Amending “Owner” by deleting “Sections 356 and 357 of the *Local Government Act*” and replacing with “Sections 228 and 229 of the *Community Charter*”.
2. THAT **Part 5 – Owner to Perform Work, 9.2 Drawing Approval** be amended by deleting “The Consulting Engineer must submit with the drawings a completed “construction drawing checklist”, in the form approved by the City.” and replacing with “The Consulting Engineer must complete and submit the Design Drawings in accordance with the Engineering Drawing Submission Requirements.”
3. THAT **Part 6 – Excess or Extended Services and Latecomers, 11.1 Information Requirements** be amended by deleting it in its entirety and replacing with

“11.1 Information Requirements. If the City requires the Owner to provide Excess or Extended Services, the Owner, in addition to providing the information set out in Part 2 of this bylaw, and prior to Constructing any Works and Services, must provide the City with such information, documents, and agreements as may be required by the City Engineer, including without limitation:

  - (a) Design Information for the Excess or Extended Services, including:
    - (i) Design Drawings of the Excess or Extended Services, including which lands are intended to be Benefiting Lands;
    - (ii) In the case of Excess Services, a written technical brief to inform the determination of the Excess Services portion of the Works and Services provided under Part 2 of this bylaw.
  - (b) the Consulting Engineer’s estimate of the Owner’s costs in connection with any such Excess or Extended Services, verified by the City Engineer. The Owner’s costs may include the following:
    - (i) the cost of the Owner’s interest in the land used for Excess or Extended Services if such interest was acquired by the Owner for the specific purpose of providing Excess or Extended Services;
    - (ii) the cost of Constructing the Excess or Extended Services; and
    - (iii) the cost of designing and inspecting the Excess or Extended Services, to a maximum of 10% of the cost referred to in Paragraph 11.1(b)(ii),but shall not include the Owner’s cost of connections or the Owner’s financing costs in connection with any such Excess or Extended Services.
  - (c) a draft Latecomer Agreement in the City’s standard form.”

4. THAT **Part 6 – Excess or Extended Services and Latecomers, 11.2 Latecomer Agreements** be amended by deleting it in its entirety and replacing with

“11.2 Latecomer Agreements. If the City determines that all or part of the costs referred to in Paragraph 11.1(b) are excessive and shall be paid for by the Owner, the City Engineer will:

- (a) determine:
  - (i) whether all or part of the costs of the Excess or Extended Services referred to in Paragraphs 11.1(b) must be paid for by the Owner;
  - (ii) which lands are Benefiting Lands;
  - (iii) which part of the Excess or Extended Services would benefit each of the Benefiting Lands; and
  - (iv) the Latecomer Charges that would apply to each of the Benefiting Lands.
- (b) prepare a Latecomer Agreement for execution by the Owner, which will set out, inter alia, the matters referred to in Paragraph 11.2(a), fix the rate of interest to be charged on Latecomer Charges accruing from the Date of Substantial Performance of the Works and Services until the Latecomer Charges are paid in accordance with Bylaw No. 6519-89, a bylaw to provide for an interest rate payable on Latecomer Charges; and fix the term of the Latecomer Agreement, which term shall be 1 day unless otherwise agreed to by the City and the Owner;
- (c) notify all potential Latecomers of the Latecomer Charges and interest thereon that would be payable upon a Latecomer connecting to or using Excess or Extended Services prior to the expiration of a Latecomer Agreement to which the Benefit Lands are subject; and
- (d) collect and remit to the Owner or his permitted assign, in accordance with the Latecomer Agreement, any Latecomer Charges collected by the City from a Latecomer.”

5. THAT **Schedule 1 - Works and Services Requirements, Table 2: Road Requirements (Refer to Standard Drawings)** be amended by

5.1. Deleting Note 4 in its entirety and replacing it with “4. Where a Rapid Transit or Frequent Transit Network is identified on OCP Map 13.2 – Transit Overlay up to 3 m of additional ROW may be required on Local, Collector, and Minor Arterial roads and up to 6 m of additional ROW may be required on Major Arterial roads.”

5.2. Adding the following new Note 5: “5. Where OCP Maps 13.2, 13.3, 13.4, and 13.5 overlays are present, consult with City Engineer for design requirements.”

6. THAT **Schedule 4 – Design Standards, 1.1 General** be amended by deleting it in its entirety and replacing it with the following:

“1.1 General These guidelines are not intended to be a substitute for sound engineering knowledge and experience. Water distribution system designs should be prepared under the direction of a design professional who has the appropriate experience and is registered with Engineers and Geoscientists British Columbia.

Water for Kelowna is provided by the City of Kelowna Water Utility and three other water purveyors:

- Black Mountain Irrigation District
- Glenmore Ellison Improvement District
- Rutland Water Works District

These design standards apply to the City of Kelowna Water Utility with the following exceptions:

- Section 1.5 Fire Flows is applicable to Subdivision or Development within the City.
- The location of all water infrastructure within City Rights-of-Ways shall be in accordance with these standards and those in Section 0.4 Utility Rights-of-Ways.
- The design of community water systems should be consistent with the most current edition of the [Design Guidelines for Drinking Water systems in British Columbia](#), published by the BC Ministry of Health.

While these design standards are in general conformance with the other three major water purveyors, individual purveyor’s requirements may differ in some instances; it is the responsibility of the Consulting Engineer to confirm with the applicable water purveyor regarding their specific requirements.”

7. THAT **Schedule 4 – Design Standards, Section 1.3 Per Capita Demand** be amended by adding the following after the existing text:

“For calculating residential design population for the determination of Design Flow (see Section 1.6), the number of dwelling units is to be based on the maximum permissible number of units allowed under the Zoning Bylaw for the lots being serviced by the proposed water system, including the potential for multiple units, secondary suites, or carriage houses. Use Multi-Family per capita demand for ground-oriented infill housing.

For assessing adequate water quality (i.e, water age, chlorine residual, etc.), the anticipated number of dwelling units based on the intent of the proposed development should be used to estimate an expected interim and ultimate average day demand. The number of dwelling units may require adjustment based on expected occupancy conditions within phased developments to ensure adequate water quality is maintained for initial users and at full build-out.”

8. THAT **Schedule 4 – Design Standards, Section 1.5 Fire Flows** be amended by deleting it in its entirety and replacing it with the following:

**“1.5 Fire Flows**

Available Fire Flow is defined as the minimum flow of water able to be reliably delivered to a node of a community water system for firefighting purposes for a defined minimum duration at a minimum pressure of 140 kPa (20 psi) and a maximum velocity of 4 m/s during a period of Maximum Day Demand on the water system. Available Fire Flow is allocated for public and private use in accordance with Council Policy No. 383 Water Supply Level of Service for the City of Kelowna water supply area.

Required Fire Flow is defined and calculated in accordance with the current edition of “Water Supply for Public Fire Protection,” published by Fire Underwriters Survey (FUS). Needed Fire Flow calculated in accordance with the current edition of “Guide for Determination of Needed Fire Flow,” published by Insurance Services Office (ISO) is considered an acceptable alternative method for determining Required Fire Flow for the purposes of this section.

The design of proposed system required to deliver fire flow must be informed by hydraulic information from water model results provided by the City or other water purveyor.

**1.5.1 Subdivision Requirements**

- a) The Available Fire Flow in a proposed or existing system servicing a new subdivision is subject to the following minimum requirements based on the general land use and associated building type to be serviced:

**Table 1.5.1 Minimum Available Fire Flow by Building Type @ 140 kPa (20 psi)**

<b>Building Type or Zone Category</b>	<b>Minimum Fire Flow</b>	<b>Minimum Duration</b>
Simple Residential (Part 9) <sup>1</sup>	60 L/s	1.5 hrs
Complex Residential (Part 3) <sup>1</sup>	150 L/s	2.0 hrs
Commercial & Mixed Use	150 L/s	2.0 hrs
Institutional	150 L/s	2.0 hrs
Industrial	225 L/s	3.0 hrs

<sup>1</sup> Residential Part 9 and Part 3 Buildings are as defined in the [BC Building Code](#).

- b) The Available Fire Flow of a proposed system must be sufficient to meet the calculated Required Fire Flow of the theoretical highest demand building type allowable under the Zoning Bylaw for all proposed lots within the service area.
- c) Where the Available Fire Flow of an existing system is insufficient to meet the Required Fire Flow of the theoretical highest demand building type allowable under the Zoning Bylaw for a proposed lot, the

existing system must be upgraded to provide an Available Fire Flow exceeding the anticipated maximum Required Fire Flow.

- d) Where a proposed lot has a calculated anticipated Required Fire Flow greater than the Available Fire Flow from an existing water system and where, in the opinion of the City Engineer, increasing the Available Fire Flow of a supply or distribution system is not viable and the overall fire risk of the neighbourhood is low, the Approving Officer may issue Subdivision Approval if both of the following are satisfied:
  - i. All projections and exterior walls located within 5.0 m of a property line on all proposed lots are covenanted to be constructed to meet the technical requirements for non-combustible cladding and unvented soffits under the BC Building Code; and
  - ii. The Minimum Available Fire Flow corresponding to the proposed building type as outlined in Table 1.5.1 is provided to all proposed lots.

#### 1.5.2 Development Requirements

- a) All new buildings to be serviced by a community water system shall be provided with an adequate water supply for firefighting.
  - b) Adequate water supply for firefighting must be provided to the subject property at all stages of building construction as required by the [City of Kelowna Fire and Life Safety Bylaw No. 10760](#) and the [BC Fire Code](#).
    - i. Where a Fire Safety Plan in accordance with the BC Fire Code relies on a community water system for public fire protection, adequate water supply for firefighting shall be determined in accordance with Section 1.5.2.d) or as otherwise determined by the Fire Chief and City Engineer or representative from the applicable water purveyor.
  - c) Buildings that are sprinklered throughout with a sprinkler system or have a standpipe system conforming to the requirements of the BC Building Code are deemed to have adequate water supply for firefighting.
  - d) Non-Sprinklered Buildings serviced by a community water system with an Available Fire Flow exceeding the subject building's calculated Required Fire Flow are deemed to have adequate water supply for firefighting, provided that adequate hydrant coverage is available in accordance with Section 1.15 Hydrants.
  - e) Where a non-sprinklered building has a calculated Required Fire Flow greater than the Available Fire Flow from an existing water system,
    - i. the building must be modified to reduce its Required Fire Flow below the Available Fire Flow, or
    - ii. the existing system must be upgraded to provide an Available Fire Flow exceeding the Required Fire Flow.
  - f) Where a non-sprinklered building has a calculated Required Fire Flow greater than the Available Fire Flow from an existing water system and where, in the opinion of the City Engineer, increasing the Available Fire Flow of a supply or distribution system is not viable and the overall fire risk of the neighbourhood is low, the Building Official may issue a Building Permit if both of the following are satisfied:
    - i. All projections and exterior walls located within 5.0 m of a property line on all proposed lots are constructed to meet the technical requirements for non-combustible cladding and unvented soffits under the BC Building Code; and
    - ii. The Minimum Available Fire Flow corresponding to the proposed building type as outlined in Table 1.5.1 is provided to all proposed buildings."
9. THAT **Schedule 4 – Design Standards, Section 1.9 Minimum Pipe Diameter** be amended by deleting "\* For looped distribution mains with lengths less than 500 m in residential subdivisions, the diameter can be reduced to 150 mm, providing that fire flow requirements can be met."

10. THAT **Schedule 4 – Design Standards, Section 1.15 Hydrants** be amended by deleting in its entirety and replacing it with the following:

“1.15 Hydrants

Fire hydrants shall be spaced in accordance with "Water Supply for Public Fire Protection - A Guide to Recommended Practice" (latest edition), published by Fire Underwriters Survey, subject to the following minimum spacing, as measured along road centreline:

- Not more than 150 m apart in rural single family residential or agricultural areas;
- Not more than 120 m apart in suburban, urban, or infill residential areas;
- Not more than 100 m apart in high density residential, commercial, industrial, or institutional areas.

Fire hydrants should be located in general at street intersections and as follows:

- Hydrant locations as per BC Building Code for all buildings.
- 1.0 m back from curb or 0.5 m back of sidewalk to centre line of hydrant.
- Minimum 1.0 m clear of any other utility structure in all directions.
- Minimum 3.0 m clear in direct line with hose connections.
- At property lines in mid-block locations.
- SRW required where open cut excavation to base of hydrant assembly extends into private property.
- Bollards or concrete barriers for hydrant protection may be required at the City Engineer’s discretion.

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.

On arterial highways with, or designated to be constructed with, a raised median, fire hydrants shall be installed on both sides of the highway with each side treated exclusively for spacing requirements”.

11. THAT **Schedule 4 – Design Standards, Section 1.21 Service Connections** be amended by deleting the following:

“Service connection size should be calculated on the basis of the designated land use including sprinkler systems and/or on-site hydrants, where applicable. The minimum size is outlined in 1.9 - Minimum Pipe Diameter.”

and replacing with

“Service connection size should align with the [BC Plumbing Code](#) for proposed Developments, or be calculated on the basis of the designated land use including sprinkler systems or on-site hydrants, where applicable in the case of Subdivision. The minimum size is outlined in Section 1.9 - Minimum Pipe Diameter. Standard permitted sizes and materials are provided in the Approved Products List.”

12. THAT **Schedule 4 – Design Standards, Section 1.23.2 Reservoir Capacity** be amended by adding the following after the existing text:

“Fire Storage shall be the greater of:

- 1,080 cubic meters,
- the volume as determined in accordance with the Fire Underwriters Survey guide for the theoretical highest demand building type allowable under the Zoning Bylaw for all lots within the reservoir service area, and
- the minimum volume outlined in Table 1.5.1 for the highest future land use or building type within the reservoir service area.”

13. THAT **Schedule 4 – Design Standards, Section 2.2 Per Capita Flow** be amended by adding the following after the existing text: “For calculating design population density in order to determine ADWF, the number of dwelling units is to be based on the maximum permissible number of units allowed under the Zoning Bylaw for the lots being serviced, including the potential for multiple units, secondary suites, or carriage houses.”

14. THAT **Schedule 4 – Design Standards, Section 2.10 Minimum Pipe Diameter** be amended by deleting “except for the upstream section where future extension is not possible, in which case 150 mm is acceptable provided it has a grade of 1% or greater.”

15. THAT **Schedule 4 – Design Standards, Section 2.16.1 Size** be amended by deleting “Minimum pipe size is 100 mm diameter for residential services and 150 mm for all other services.” and replacing with the following:
  - “Service connection size should align with the BC Plumbing Code for proposed Developments.
  - Minimum pipe size is 100 mm diameter for residential services servicing up to 4 units and 150 mm for all other services.
  - Standard permitted sizes are provided in the Approved Products List.”
16. THAT **Schedule 4 – Design Standards, Table 4.3.1: Road Cross Section Summary** be amended by adding the following after the existing text in Note 2: “Where a Rapid Transit or Frequent Transit Network is identified on OCP Map 13.2 – Transit Overlay up to 3.0 m of additional ROW may be required on Local, Collector, and Minor Arterial roads and up to 6.0 m of additional ROW may be required on Major Arterial roads.”
17. THAT the term “Building Inspector” be deleted and replaced with “Building Official” throughout the bylaw.
18. This bylaw may be cited as "Bylaw No. 12624, being Amendment No. 26 to Subdivision, Development and Servicing Bylaw No. 7900."
19. 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

# Report to Council



**Date:** March 4, 2024  
**To:** Council  
**From:** City Manager  
**Subject:** 2023 Annual Report – Manager, Property Management Delegation of Authority  
**Department:** Real Estate

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**Recommendation:**

THAT Council receive for information the report from the Real Estate Department dated March 4, 2024, with respect to the transactions approved by the Manager, Property Management in accordance with the Delegation of Authority to Enter into Leases and Licenses of Occupation Bylaw No. 11250 for the period starting January 1, 2023, and ending December 31, 2023.

**Purpose:**

To provide Council with a summary of the transactions approved by the Manager, Property Management between January 1, 2023, and December 31, 2023, in accordance with Bylaw No. 11250.

**Background:**

In accordance with Bylaw No. 11250, section 2.6, *"The Manager, Property Management shall provide a report to Council to be received for information regarding any transactions approved pursuant to this Bylaw on an annual basis."* This report provides a summary of transactions from January 1, 2023, to December 31, 2023.

**Discussion:**

In 2023, 37 agreements were executed under the delegated authority granted through Bylaw No. 11250. The agreements included licenses of occupation, commercial leases, agricultural leases, amending agreements, and an agreement to grant. Each of these transactions are to a maximum fair market value of sixty thousand dollars (\$60,000.00) per year, do not exceed a term of fifteen (15) years, and are in accordance with City policies.

The details of the transactions approved by the Manager, Property Management have been summarized in the table below, with a detailed report provided in the attached Schedule A.

Type	Quantity
Licenses of Occupation (including amendments)	18
Commercial Leases (including renewal)	13
Agricultural Leases (including renewal)	3
Amending Agreement	2
Agreement to Grant Statutory Right of Way	1
<b>TOTAL</b>	<b>37</b>

**Conclusion:**

The information above satisfies the requirement to report to Council in accordance with Bylaw No. 11250, section 2.6, up to and including December 31, 2023.

**Considerations not applicable to this report:**

***Legal/Statutory Authority:***

***Legal/Statutory Procedural Requirements:***

***Existing Policy:***

***Financial/Budgetary Considerations:***

***Consultation and Engagement:***

***Communications Comments:***

**Submitted by:** C. Passley, Manager, Property Management (Acting)

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

**Attachments:** Schedule A – 2023 Delegation of Authority Report  
Schedule B – Property Management – Delegation of Authority Powerpoint



## 2023 Delegation of Authority Summary

Signatory	Organization	Type	Dates	Term	Renewal	Value		Address	Reason
JB	Air Hart Aviation	License of Occupation	Jan 1, 2023 - December 31, 2024	2 years	3 x 1 years	\$20,700	annually	1354 Water Street	Dock moorage for floatplanes
JB	Okanagan Parasail	License of Occupation	Jan 1, 2023 - December 31, 2024	2 years	3 x 1 years	\$8,050	annually	1354 Water Street	Dock moorage for parasailing operations
JB	Lakefront Sports Centre	License of Occupation	Jan 1, 2023 - December 31, 2024	2 years	3 x 1 years	\$35,650	annually	1354 Water Street	Dock moorage for recreation marine rentals
JB	Green Square Development	License of Occupation - Amendment	Feb 15, 2021 - April 30, 2023	n/a	n/a	\$1,950	monthly	3715 Casorso	Extension of term.
JB	New Frontier Developments Ltd	Farm Lease Renewal	Oct 1, 2023 - Sept 30, 2024	1 year	2 x 1 years	\$11,025	annually	4444 Bulman	Lease renewal
JB	Jeffrey N. Brown	Lease Renewal	Oct 1, 2022 - September 30, 2027	5 years	n/a	\$4,500	annually	753 Finns Road	Lease renewal
JB	District of Lake Country & RDNO	Agreement to Grant Statutory Right of Way				\$1		PLAN KAP937F DISTRICT LOT 125 EXCEPT PLAN KAP40300, PART 5.15 ACRES OF DL 125 & OF SEC 28 TWP 26	Obtain statutory right-of-way
JB	Regional District of Central Okanagan	Amending Agreement	Mar 20, 2023 - Dec 31, 2025	5 years	N/A	1	annually	890 Weddel Place	Amendment to leased area
JB	1575 Bernard Projects Ltd.	License of Occupation	July 1, 2023 - December 31, 2024	18 mnths	N/A	\$500	1 time fee	1575 Bernard Avenue	Placement of temporary power transformer
JB	Kelowna Chiefs Hockey - Concession	Lease Renewal	August 1, 2023 - July 31, 2024	1 year	3 x 1 years	\$2000 + 5% of gross profits	annually	645 Dodd Road	Renewal of concession lease
JB	Kelowna Chiefs Hockey - Facility	Lease Renewal	August 1, 2023 - July 31, 2024	1 year	3 x 1 years	\$44,500	annually	645 Dodd Road	Renewal of facility lease
JB	Kelowna Chiefs Hockey - Skate Shop	Lease Renewal	August 1, 2023 - July 31, 2024	1 year	3x 1 years	\$1000 + 5% of gross profits	annually	645 Dodd Road	Renewal of skate shop lease
JB	Miller Capilano Maintenance Corp.	License of Occupation	July 10, 2023 - July 23, 2023	13 days	N/A	\$1	1 time fee	3330 Springfield Road	Material storage during construction
JS	Bluepoint Construction	License of Occupation	August 14, 2023 - August 14, 2024	12 months	N/A	\$2,500	monthly	1325 Sutherland Aveune	Staff parking, material laydown and site office trailer
JS	Okanagan-Kootenay Sterile Insect Release Board	Lease Renewal	Oct 1, 2023 - Sept 30, 2024	1 year	n/a	\$19,000	annually	4210 Old Vernon Road	Lease renewal
JB	O'Lake Café & Bistro	Lease Renewal and Modification	Feb 1, 2023 - Jan 31, 2028	5 years	N/A	\$3,050.67	monthly	375 Lawrence Avenue	Commercial lease renewal
JB	Diamond T Ranch	Farm Lease	Nov 5, 2022 - Nov 4, 2027	5 years	N/A	\$14,775	annually	1595 Glenmore Road	farm lease
JB	Made in India Restaurant	License of Occupation	May 1, 2023 - Oct 15, 2025	3 years	2 x 1 years	\$6,111.00	annually (increases by 2% per year)	Food concession rotation	Food concession
JB	Sweet Cloud Ice Cream Rolls	License of Occupation	May 1, 2023 - Oct 15, 2025	3 years	2 x 1 years	2,000	annually (increases by 2% per year)	Food concession rotation	Food concession
JB	TENEBRIS Coffee	License of Occupation	May 1, 2023 - Oct 15, 2025	3 years	2 x 1 years	\$1,500	annually (increases by 2% per year)	Food concession rotation	Food concession
JB	Fortune Creek Canada	License of Occupation	May 1, 2023 - Oct 15, 2025	3 years	2 x 1 years	\$14,700	annually (increases by 2% per year)	Food concession rotation	Food concession
JB	The Roller Skate Guy	License of Occupation	May 1, 2023 - Oct 15, 2025	3 years	2 x 1 years	\$900	annually (increases by 2% per year)	Stuart Park, 1430 Water Street	Activity concession
JB	Okanavan Crepes	License of Occupation	May 15, 2023 - Sept 15, 2023	1 year	N/A	\$1,836	annual	City Park Plaza, 1600 Abbott Street	Food concession - final renewal
JB	Mty Tiki Ming Enterprises	Lease Renewal and Modification	April 1, 2023 - March 31, 2025	2 years	1 x 2 years	The greater of \$36,510 or 10% of Gross Revenue	annual	Commercial unit inside H2O Adventure and Fitness Centre	Lease renewal
JB	Coral Beach Farms/ Jealous Fruits	Lease Renewal	Oct 1, 2021 - Sept 30, 2024	3 years	2 x 3 year	\$57,500	annual	2735 East Kelowna	Lease renewal
JS	RG Facilities - CNC	Modification Agreement	Oct 1, 2023 - Sept 30, 2028	5 years	N/A	\$636	monthly	4105 Gordon Drive	Third modification agreement
JB	Breezy Beach Rentals	License of Occupation	May 15, 2023 - Sept 15, 2023	3 years	2 x 1 years	\$3,600	annually (increases by 2% per year)	Gyro and Rotary Beach	Service concession
JB	Okanagan Beach Rentals	License of Occupation	May 15, 2023 - Sept 15, 2023	3 years	2 x 1 years	\$5,000	annually (increases by 2% per year)	Tugboat Bay	Activity concession
JB	Simple Pursuits	License of Occupation	July 1st, 2023 - July 1st, 2024	1 year	N/A	\$10	1 time fee	PID: 007-950-217 Lot B District Lot 125 Section 28 Township 26 ODYD Plan 19786	Okanagan Rail trail detour license
JS	Misty-Rae Edwards dba Corner Stone Early Learning Center	Modification Agreement	Oct 1, 2023 - Sept 30, 2024	1 year	n/a	\$3,340	monthly	1920 Dunn Street	Lease renewal
CP	Strata Plan KAS3411	Lease Renewal	May 15, 2023 - May 14, 2028	5 years	1 five year remaining	\$8,757.50	monthly	345 Lawrence Ave - Chapman parkade	Lease renewal for 50 parking stalls in Chapman Parkade
CP	Okanagan Regional Library	Lease Renewal	Jan 1, 2024 - Dec 31, 2026	3 years	N/A	\$716,098	annual	1380 Ellis St.	Lease Renewal
CP	Kelowna Museum Society	Modification Agreement	Mar 1, 2022 - Feb 27, 2027	5 years	N/A	\$1	annual	470 Queensway	Transfer museum van to society
CP	Beant Singh Chahal & Harkirat Singh Chahal	Farm Lease	April 1, 2024 - March 31, 2039	15 years	N/A	Max of \$7,920 + 5% of gross profits	annual	500 Valley Rd.	Farm Lease
CP	Bladez Skate Rental	License of Occupation	Dec 1, 2023 - Feb 28, 2024	3 months	1 term	\$800	annual	1430 Water St.	Activity Concession - Renewal
CP	YMCA Okanagan	Modification Agreement	Jan 1, 2024 - March 31, 2024	3 months	N/A	\$0	monthly	4075 Gordon Dr.	H2O - Overholding clause to enable negotiations
CP	Cornerstone Shelter	License of Occupation	Nov 15, 2023 - Mar 31, 2028	5 years	1 x 5 years	\$1	annual	425 Leon Ave.	Gate Installation



City of  
**Kelowna**

# Delegation of Authority Property Management - 2023

February 26, 2024

# Delegation of Authority Bylaw No. 11250

- ▶ Bylaw No. 11250 was approved in July 2016 to support the efficient management of City-owned or leased real property;
- ▶ It authorizes staff to execute real estate-related agreements, provided the agreements are:
  - ▶ A maximum annual fair market value of \$60,000/year or less; and
  - ▶ A maximum term of 15 years or less, including initial term and any approved renewals.



# Types of Executed Agreements

Type	Quantity
Licenses of Occupation (including amendments)	18
Commercial Leases (including renewal)	13
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<b>TOTAL</b>	<b>37</b>



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**Kelowna**

Questions?