City of Kelowna Regular Council Meeting AGENDA



Pages

Monday, July 22, 2024 1:30 pm Council Chamber City Hall, 1435 Water Street

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.	Confir	mation of Minutes	6 - 13
	PM Me	eeting - July 8, 2024	
3.	Public	In Attendance - Business Licence Appeal	
	3.1	Bernard Ave 911 - Business Licence Application Reconsideration	14 - 42
		To hear a request for reconsideration of business licence application No. 4092136 for a "Rooming House, Private" business on the subject property.	
4.	Develo	opment Application Reports & Related Bylaws	
	4.1	Cerise Dr 1236 - Z24-0023 (BL12680) - Anira Properties Ltd	43 - 62
		To rezone the subject property from the MF1 – Infill Housing zone to the MF1cc – Infill Housing zone with Child Care Centre, Major zone to facilitate a childcare centre.	
	4.2	Solly Ct 865 - Z24-0004 (BL12681) - 865 Solly Court Ltd., Inc.No. BC1389060	63 - 84
		To rezone the subject property from the MF1 – Infill Housing zone to the MF2 – Townhouse Housing zone to facilitate a townhouse development.	

4.3 Lakeshore Rd 3805 - Z23-0035 (BL12683) TA24-0008 (BL12684) - Jim Pattison Industries Ltd., Inc.No. BC0928747

To rezone the subject property from the P₃ – Parks and Open Space zone and the P₄ – Utilities zone to the VC1 – Village Centre zone to facilitate a mixed-use development and to amend the Zoning Bylaw by creating a site-specific regulation allowing for a car-share program to be located within an enclosed parkade and eligible for a parking reduction.

4.4 Updates to Various Sections - TA24-0009 (BL12682) - City of Kelowna

To amend the following sections of Zoning Bylaw No. 12375: Section 5 - Definitions & Interpretations, Section 5 - Definitions - Short-Term Rental Accommodation, Section 6 – General Development Regulations, Section 7 – Site Layout, Section 8 – Parking & Loading, Section 10 – Agriculture & Rural Residential Zones, Section 13 – Multi-Dwelling Zones, and Section 14 – Core Area & Other Zones.

4.5 Updates to Various Sections - BL12682 (TA24-0009) - City of Kelowna

To give Bylaw No. 12682 first reading in order to amend the following sections of Zoning Bylaw No. 12375: Section 5 - Definitions & Interpretations, Section 5 -Definitions - Short-Term Rental Accommodation, Section 6 – General Development Regulations, Section 7 – Site Layout, Section 8 – Parking & Loading, Section 10 – Agriculture & Rural Residential Zones, Section 13 – Multi-Dwelling Zones, and Section 14 – Core Area & Other Zones.

4.6 Rezoning Bylaws Supplemental Report to Council

To receive a summary of notice of first reading for Rezoning Bylaws No. 12676 and 12677 and to give the bylaws further reading consideration.

4.7 Rezoning Applications

To give first, second and third reading to rezoning applications.

4.7.1 Cross Rd 1951 - BL12676 (Z23-0071) - City of Kelowna

To give Bylaw No. 12676 first, second and third reading in order to rezone portions of the subject property from the MF1 – Infill Housing zone and the P2 – Education and Minor Institutional zone to the MF3r – Apartment Housing Rental Only zone.

4.8 Rezoning Applications

To give first, second and third reading and adopt rezoning applications.

185 - 186

187 - 188

173 - 184

136 - 172

	4.8.1	Highland Dr 1508 - BL12677 (Z24-0022) - 1344628 B.C. Ltd., Inc.No. BC1344628	189 - 189				
		To give Bylaw No. 12677 first, second and third reading and adopt in order to rezone the subject property from the MF1 — Infill Housing zone to the MF2 — Townhouse Housing zone.					
4.9	Graham	Rd 875 - BL12534 (Z23-0009) - 1356934 B.C. Ltd., Inc.No. BC1356934	190 - 190				
		nd and adopt Bylaw No. 12534 in order to rezone the subject property from - Infill Housing zone to the MF2 - Townhouse Housing zone.					
4.10	Graham	Rd 875 - DP23-0024 - 1356934 BC Ltd., Inc.No. BC1356934	191 - 232				
	To issue developr	a Development Permit for the form and character of a townhouse housing nent.					
4.11	Clement	Ave 815-865 - BL12629 (Z23-0002) - ASI Vivo GP Inc., Inc.No. A0119520	233 - 233				
		d and adopt Bylaw No. 12629 in order to rezone the subject properties from — Duplex Housing zone to the MF3r — Apartment Housing Rental Only zone.					
4.12	Clement Ave 815 - 865 - DP23-0008 - ASI Vivo GP Inc., Inc.No. A0119520						
	To issue housing.	a Development Permit for the form and character of rental apartment					
Bylaw	rs for Adopt	ion (Development Related)					
5.1	Rutland I Malhotra	Rd N 375, 395 - BL12670 (Z24-0011) - Siddarth Malhotra and Sunaina a	332 - 332				
	•	: Bylaw No. 12670 in order to rezone the subject properties from the UC4 — Urban Centre zone to the UC4r — Rutland Urban Centre Rental Only zone.					
Non-[Developmei	nt Reports & Related Bylaws					
6.1	Update t	o Council priorities 2023 - 2026	333 - 359				
	To receiv	ve Council endorsement for the updated Council priorities for 2023 – 2026.					
6.2	Subdivisi Amendr	ion, Development and Servicing Bylaw 7900 - Works and Services Programs nent	360 - 375				
	To provid	de an alternative infrastructure Works and Services delivery model.					
6.3	BL12685	- Amendment No. 27 to Bylaw No. 7900	376 - 379				
		Rylaw No. 12685 first second and third reading					

To give Bylaw No. 12685 first, second and third reading.

5.

6.

6.4	BL12686 - Amendment No. 2 to Development Application Fees Bylaw No. 12552	380 - 380
	To give Bylaw No. 12686 first, second and third reading.	
6.5	Revitalization Tax Exemption Program Bylaw No. 12561 - Amendment No. 2	381 - 383
	To consider an amendment to the Revitalization Tax Exemption Program Bylaw No. 12561 to include a transitional provision.	
6.6	BL12688 - Amendment No. 2 to Revitalization Tax Exemption Program Bylaw No. 12561	384 - 384
	To give Bylaw No. 12688 first, second and third reading.	
6.7	Growing Canada's Community Canopies Grant	385 - 387
	To inform Council of the Growing Canada's Community Canopies Grant, and to receive support to apply for the grant funding.	
6.8	Infrastructure Capital Program Update	388 - 419
	To advise Council on Administration's progress towards the goals of the capital projects plan for 2024.	
6.9	Water Supply July 2024 Update	420 - 428
	To provide an update on the water supply status for the Kelowna Water Utility.	
6.10	Local Government Climate Action Program Year 3	429 - 467
	To update Council on Year 3 of the provincial Local Government Climate Action Program (LGCAP) and to fulfill the provincial requirements to make the LGCAP survey and attestation form public.	
6.11	2024-2025 Kelowna Transit Annual Operating Agreement	468 - 489
	To receive Council approval for an execution of the transit 2024/2025 Annual Operating Agreement.	
6.12	Community Transit Fare Programs	490 - 508
	To review the existing transit community fare programs in Kelowna and investigate the costs and implications of endorsing fare-free transit for youth aged 13 to 18.	
6.13	Good Neighbour Bylaw No. 11500 - Amendment No. 3	509 - 515
	To amend the construction noise provisions of Good Neighbour Bylaw No. 11500.	
6.14	BL12674 - Amendment No. 3 to Good Neighbour Bylaw 11500	516 - 518
	To give Bylaw No. 12674 first, second and third reading.	

7. Resolutions

- 7.1 Draft Resolution Special Closed Committee of the Whole Meeting with Westbank 519 519 First Nation
- 8. Mayor and Councillor Items
- 9. Termination



City of Kelowna Regular Council Meeting _{Minutes}

Date: Monday, July 8, 2024 Location: Council Chamber City Hall, 1435 Water Street

Members Present Mayor Tom Dyas*, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove*, Mohini Singh*, Luke Stack, Rick Webber and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist*; City Clerk, Laura Bentley; Divisional Director, Planning, Climate Action and Development Services, Ryan Smith*; Community Planning & Development Manager, Dean Strachan*; Urban Planning Manager, Jocelyn Black*; Planner, Tyler Caswell*; Long Range Policy Planning Manager, Robert Miles*; Development Engineering Manager, Nelson Chapman*; Planner Specialist, Trisa Atwood*; Director, Finance and Corporate Services, Shayne Dyrdal*; Airport Finance Manager, Parth Patel*, Airport Senior Project Manager, William Lampard*; Community & Neighbourhood Services Manager, Mariko Siggers*; Senior Project Architect, Amy Johnston*; Divisional Director, Partnership & Investments, Derek Edstrom*; Divisional Director, Active Living & Culture, Jim Gabriel*; Transportation Engineering Manager, Gordon Foy*; General Manager, Infrastructure, Mac Logan*; Deputy City Clerk, Michael Jud*; Legal & Administrative Coordinator, Lisa Schell

Legislative Coordinator (Confidential), Arlene McClelland

Staff Participating Remotely

John Frittenburg, JF Group*

Guest Participating Remotely

(* 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 Hodge

THAT the Minutes of the Regular Meetings of June 24, 2024 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 KLO Road 1758-1760 - A24-0006 - Various Owners

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Webber

THAT Agricultural Land Reserve Application No. A24-0006 for Lot 2 District Lot 131 ODYD Plan EPP51229, located at 1758-1760 KLO Rd, Kelowna, BC for a Non-Adhering Residential Use Permit pursuant to Section 25 of the *Agricultural Land Commission Act*, be supported by Council;

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

<u>Carried</u> Councillor Hodge and Stack – Opposed

3.2 Glenmore Rd 1875-2255 - A24-0007- City of Kelowna

Staff:

Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Agricultural Land Reserve Application No. A24-0007 for:

- Lot 1 Sections 15 and 16 Township 23 ODYD Plan EPP15596, located at 1875 Glenmore Rd N, Kelowna, BC;
- Lot 7 Block 12 Section 15 Township 23 ODYD Plan 1068, located at 2105 Glenmore Rd N, Kelowna, BC;
- Lot 8 Block 12 Section 15 Township 23 ODYD Plan 1068, located at 2105 Glenmore Rd N, Kelowna, BC;
- Lot 9 Block 12 Section 15 Township 23 ODYD Plan 1068, located at 2105 Glenmore Rd N, Kelowna, BC;
- 5. Lot 10 Block 12 Section 15 Township 23 ODYD Plan 1068, located at 2105 Glenmore Rd N, Kelowna, BC;
- Lot 11 Block 12 Section 15 Township 23 ODYD Plan 1068, located at 2105 Glenmore Rd N, Kelowna, BC;
- Block 18 Section 15 Township 23 ODYD Plan 1068, located at 2105 Glenmore Rd N, Kelowna, BC; and,
- Lot A Sections 15, 16, 21 and 22 Township 23 ODYD Plan EPP104543, located at 2105-2255 Glenmore Rd N, Kelowna, BC;

for a Subdivision Application pursuant to Section 25 of the *Agricultural Land Commission Act*, be supported by Council;

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

Carried

3.3 Cross Rd 1951 - Z23-0071 (BL12676) - City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Councillor Lovearove declared a conflict of interest due to owning property adjacent to the subject property and left the meeting at 1:55 pm

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Rezoning Application No. Z23-0071 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 1 Section 4 Township 23 ODYD Plan EPP120282, located at 1951 Cross Road, Kelowna, BC from the MF1 – Infill Housing zone and the P2 – Education and Minor Institutional zone to the MF3r – Apartment Housing zone as shown on Map "A" attached to the Report from the Development Planning Department dated July 8, 2024, be considered by Council;

AND THAT Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated July 8, 2024.

Carried

Councillor Lovegrove returned to the meeting at 1:55 p.m.

3.4 Highland Dr 1508 - Z24-0022 (BL12677) - 1344628 B.C. Ltd., Inc. No. BC1344628

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. Z24-0022 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 Section 29 Township 26 ODYD Plan 21281 Except Plan KAP85729, located at 1508 Highland Dr N, Kelowna, BC from the MF1 – Infill Housing zone to the MF2 – Townhouse Housing zone, be considered by Council.

<u>Carried</u> Councillor Cannan – Opposed

3.5 Rezoning Bylaws Supplemental Report to Council

Staff:

- Commented on the notice of first reading and correspondence received.

3.6 Rezoning Applications

- 3.6.1 Rutland Rd N 375, 395 BL12670 (Z24-0011) Siddarth Malhotra and Sunaina Malhotra
- 3.6.2 Saucier Ave 761, 771, 781, 791, 801-803 BL12671 (Z23-0037) Barneet Singh Mundi

- 3.6.3 Monterey Ct 1095-1097 BL12672 (Z23-0076) 1280331 BC Ltd., Inc. No. BC1280031
- 3.6.4 Vista Rd 425, 445, 455 BL12673 (Z24-0010) Cashoffer GP Ltd., Inc. No. BC1197853
- 3.6.5 Valley Rd 438 BL12675 (Z23-0065) M. Bonn Enterprises Ltd., Inc. No. BC0235139

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Bylaw No. 12670, 12671, 12672, 12673 and 12675 each be read a first, second and third time.

Carried

3.7 Rutland Rd N 2080 - DP24-0018 - Mission Group (Reid's Corner) Real Estate Ltd., Inc. No. BC1386213

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council authorizes the issuance of Development Permit No. DP24-0018 Lot 3 Section 35 Township 26 ODYD Plan EPP110033, located at 2080 Rutland Rd N, Kelowna, BC subject to the following:

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

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

AND THAT issuance of the Development Permit be considered subsequent to approval of the Ministry of Transportation and Infrastructure;

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

Carried

3.8 McKinley Rd 1890, 1988, Hilltown Rd 3500, Glenmore Rd N 3850 - OCP24-0006 -Early Consideration

Staff:

- Displayed a PowerPoint Presentation summarizing the application and provided an overview of early consideration and the development process.
- Responded to questions from Council.

THAT Council invites the applicant to respond to questions of Council

<u>Carried</u>

Paul Fenske, Principal, Placemark, Applicant*

- Provided comments regarding the context for this application.
- Displayed a PowerPoint presentation.
- Commented on the City's growth strategy and land uses.
- Spoke to the McKinley Gateway project and being an opportunity in Kelowna's north to deliver a complete community.
- Commented that the McKinley Gateway project must align with the Official Community Plan Pillars through future planning and public engagement process.
- Spoke to best practices through the planning process.
- Responded to questions from Council.

Staff:

- Responded to further questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Stack

THAT Official Community Plan Map Amendment No. OCP24-0006 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 as outlined in the Report from the Development Planning Department dated July 8, 2024 for Lot 6, Sections 21 and 28, Township 23, ODYD, Plan EPP8753, Except Plans EPP40437, EPP92220 and EPP117593; Lot 5, Sections 21 and 28, Township 23, ODYD, Plan EPP8753; Lot A, Sections 28 and 33, Township 23, ODYD, Plan EPP117593, and Lot B, Sections 21, 28, 29 and 33, Township 23, ODYD, Plan EPP117593, located at 1890 & 1988 McKinley Road, 3500 Hilltown Rd and 3850 Glenmore Rd N, Kelowna, BC, be considered by Council;

AND THAT Council directs staff to process application OCP24-0006 in accordance with Development Application and Heritage Procedures Bylaw No. 12310;

AND FURTHER THAT Council directs staff to investigate a timeline that would align work on this application with future work on the North Glenmore Sector Development Study.

Defeated

Mayor Dyas, Councillor Cannan, DeHart, Hodge, Lovegrove, Singh, Stack, Webber and Wooldridge - Opposed

The meeting recessed at 3:30 p.m.

The meeting reconvened at 3:38 p.m.

3.9 Harvey Ave 1574-1634 - ARP24-0001 - PMC (KBC and Harvey) Holdings Corp

Staff:

- Displayed a PowerPoint Presentation providing an overview of the draft Area Redevelopment Plan and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from the Development Planning Department, dated July 8, 2024, with respect to the draft Burtch/Harvey Area Redevelopment Plan;

AND THAT Council authorizes the preparation of the final Burtch/Harvey Area Redevelopment Plan for Council consideration.

<u>Carried</u>

4. Bylaws for Adoption (Development Related)

4.1 Providence Ave 410 - BL12523 (OCP23-0001) - Kettle Valley Holdings Ltd., Inc. No. 551772

Mayor Dyas declared a conflict of interest on items 4.1 and 4.2 as the applicant is a client of a business his son operates and commented that the City Manager lives near the subject property and they both left the meeting at 4:30 p.m. with Deputy Mayor Cannan presiding as chair of the meeting.

Ryan Smith took over as Acting City Manager at 4:30 p.m.

Councillor Singh declared a conflict due to living in Kettle Valley and left the meeting at 4:30 p.m.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12523 be adopted.

Carried Councillor Cannan - Opposed

4.2 Providence Ave 410 - BL12524 (Z23-0001) - Kettle Valley Holdings Ltd., Inc. No. 551772

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Bylaw No. 12524 be adopted.

Councillor Cannan - Opposed

Mayor Dyas, City Manager and Councillor Singh returned to the meeting at 4:32 p.m. and the Mayor resumed Chairing the meeting.

5. Non-Development Reports & Related Bylaws

5.1 Kelowna International Airport 2024 Financial Plan Amendment - Combined Operations Building

Staff:

- Displayed a PowerPoint Presentation providing an overview of the combined operations building and proposed amendment to the City's 2024 Financial Plan.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives for information the report from Kelowna International Airport dated July 8, 2024, with respect to the amendment of the City of Kelowna's 2024 Financial Plan;

AND THAT the 2024 Financial Plan be amended to include \$5,800,000 in capital costs associated with the Combined Operations Building as outlined in the report from Kelowna International Airport dated July 8, 2024.

Carried

5.2 Activity Centre Functional Space Plans and ORL Partnership Update

Staff:

- Displayed a PowerPoint Presentation summarizing the programs for the Glenmore and Mission Activity Centres and provided an update on the partnership with the Okanagan Regional Library for an express library at the Glenmore Activity Centre.
- Responded to questions from Council.

John Frittenburg, JF Group Club Design & Management Consultant:

- Continued displaying the PowerPoint presentation.
- Provided an overview of the functional plan and programs for the Mission and Glenmore Activity Centres.
- Provided an overview of the project history, processes and findings to date.
- Spoke to the benefits of Recreation and Culture.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information this report from Active Living & Culture/ Partnerships & Investments, dated July 8, 2024, regarding the functional space planning for the Activity Centres in Glenmore and Mission, and an update on the strategic partnership with the Okanagan Regional Library as part of the Building a Stronger Kelowna portfolio;

AND THAT Council directs staff to enter into a Letter of Understanding with the Okanagan Regional Library for the provision of two express libraries under the general guidance discussed in this report.

Carried

John Frittenburg disconnected from the meeting at 5:15 p.m.

5.3 Highway 33 Clement Extension Project Update

Staff:

- Displayed a PowerPoint Presentation providing an update on the Highway 33 and Clement Avenue extension project and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Stack

THAT Council receives, for information, the report from the Manager of Transportation Engineering dated July 8, 2024, with respect to the Highway 33 / Clement Extension Project.

Councillor Lovegrove - Opposed

5.4 Updated Options to Address Construction Noise

Staff:

Displayed a PowerPoint Presentation providing an update on options to address construction noise by amending the Good Neighbour Bylaw and responded to questions from Council.

Moved By Councillor Lovegrove

THAT Council receives, for information, the report from the Office of the City Clerk dated July 8, 2024, regarding updated options to address construction noise;

AND THAT Council directs staff to prepare the necessary bylaw amendments in accordance with Option B as described in the report from the Office of the City Clerk dated July 8, 2024.

Motion failed as there was no seconder.

Moved By Councillor Webber/Seconded By Councillor DeHart

THAT Council receives, for information, the report from the Office of the City Clerk dated July 8, 2024, regarding updated options to address construction noise;

AND THAT Council directs staff to prepare the necessary bylaw amendments in accordance with Option C as described in the report from the Office of the City Clerk dated July 8, 2024.

Carried

6. Mayor and Councillor Items

Councillor DeHart:

- Former RCMP OIC, Bill McKinnon, provided positive comments regarding the social development update recently presented to Council.

Councillor Cannan:

- Notice of Motion for Council to write to BC Housing and partners to change Stephen's Village Supportive Housing from a wet to a dry facility.

Councillor Hodge:

 Congratulated local band, The Cruzeros, for being named to the BC Country Music Association Hall of Fame.

Councillor Lovegrove:

- Commented on Canada Day celebrations.
- Spoke to their attendance at the Car Star Facility opening on behalf of the Mayor.

7. Termination

This meeting was declared terminated at 6:24 p.m.

Mayor Dyas

/acm

City Clerk

Report to Council

Date:	July 22, 2024
То:	Council
From:	City Manager
Subject:	Business Licence Application Reconsideration
Department:	Development Services



Recommendation:

THAT Council uphold the decision of the Licence Inspector to refuse the issuance of a Business Licence for a "Rooming House, Private" business on the subject property located at 911 Bernard Avenue Kelowna, BC, on April 24, 2023

Purpose:

To hear a request for reconsideration of business licence application No. 4092136 for a "Rooming House, Private" business on the subject property.

Background:

Section 60(5) of the *Community Charter* requires that where a municipal officer or employee exercises a delegated authority to grant, refuse, suspend or cancel a business licence, the applicant or licence holder who is subject to the decision is entitled to have Council reconsider the matter.

The City of Kelowna Business Licence and Regulation Bylaw No. 12585, which delegates the authority to issue, refuse, cancel and suspend City business licences to the Licence Inspector, sets out procedures for this type of hearing:

7.14 An applicant or licence holder who wishes Council to reconsider the Licence Inspector's decision to refuse, suspend, or cancel a licence must, within ten (10) business days of the date of the refusal, suspension, or cancellation, deliver to the Corporate Officer of the City a written request stating the grounds upon which the request is based.

7.15 The Corporate Officer must refer a request made under Section 7.14 to a regular or special Council meeting and notify the applicant or licence holder of the time and place at which Council will reconsider the decision of the Licence Inspector.

7.16 If Council elects to uphold the Licence Inspector's decision to refuse, suspend, cancel, or place conditions on the applicant or licence holder, the Corporate Officer will provide the

applicant or licence holder with written notice of Council's decision, and the applicant or licence holder must comply with any terms, restrictions, and requirements imposed by Council.

Discussion:

The property owner had been issued an annual business licence for a Rooming House, Private business on the subject property from 2010 when he purchased the property until the end of 2021. This type of business was permitted under the principal use of "boarding or lodging houses" in the former Zoning Bylaw No. 8000, RM4 zone. When Zoning Bylaw No. 12375 came into effect on September 26, 2022, the property was rezoned to MF2 and "boarding or lodging houses" were no longer permitted, except as a lawful non-conforming use in a case where such a business had commenced prior to the zoning change and continues.

The Rooming House business licence was not renewed by the owner for the 2022 calendar year. As a result, Bylaw staff began investigation and enforcement steps to determine if the business was continuing to operate without a licence, and through these investigations discovered that each of the boarding units had been unlawfully converted into individual apartments with their own kitchens, without building permits. It was also determined that the owner had been using the units for short-term rentals since 2010, contrary to the terms of the business licence which only allowed a boarding or lodging house use. Sleeping units in boarding or lodging houses may not contain kitchens and short-term rentals are not permitted in boarding or lodging houses. Since no lawful boarding or lodging house use was actually occurring at the time the Zoning Bylaw was updated in September 2022, the property does not have lawful non-conforming status for this use and is fully subject to Zoning Bylaw No. 12375.

The owner continues to advertise and operate a nightly rental business on the property without a business licence and contrary to land use restrictions, resulting in Bylaw enforcement action. As a result of this ticketing the owner made a new application for a business licence for a Rooming House on the subject property in December 2022. This new business licence application was rejected as the Rooming House, Private business does not fall under any permitted use in the MF2 - Townhouse Housing zone. Staff advised the owner of the rejection in December 2022. Subsequently, the owner applied again for a business licence for a boarding or lodging house in spring 2023. This was rejected for the same reasons and is the subject of the current reconsideration request.

The owner has expressed concerns that the property was marketed and sold to him without disclosure of the fact that the apartment units were unlawful. These representations were made by third parties and the City cannot be responsible for them. A submission from the applicant has been circulated to Council.

The property owner may apply for building permits and rezoning, to either regularize the suites or remove the kitchens and permit lawful business of a corresponding type. Staff have attempted to work with the property owner for two years to bring the use of the property into conformance with the Zoning Bylaw. To date the owner has rejected the staff recommendations and instead continues to unlawfully use the property for a short-term rental business with no licence. Unless and until the owner pursues and completes these permitting steps, no business licence can properly be issued.

Internal Circulation:

Business Licencing Office of the City Clerk

Submitted by: Dean Strachan, Manager, Community Planning and Development

Reviewed By:	Graham March, Licensing & System Improvement Supervisor
Approved for inclusion:	Ryan Smith, Divisional Director of Planning & Development Services

Attachments:

- 1. Attachment 1 Business Licence Application
- 2. Attachment 2 Business Licence Refusal Letter, April 24, 2023
- 3. Attachment 3 Zoning Bylaw No. 8000, Section 13.10 and Definitions
- 4. Attachment 4 Zoning Bylaw No. 12375, Section 13

Jan 10, 2024

Activities/LICENSING - ONLINE APPLICATION

Row Name	Value	and a lot of
1 AddrSearch_1_Legalld	25C171013161759278853	
2 AppTypeSlct_1_Boundary		
3 AppTypeSlct_1_HomeBased	0	
4 AppTypeSlct_1_InterMunicipal	0	
5 AppTypeSIct_1_RelDate		
6 AppTypeSIct_1_Renewable	1	
7 AppTypeSIct_1_Seasonal	0	
8 AppTypeSIct_1_StartDate	2023-01-09	
9 Confirm_1_Provision		
	I declare that I am the person named as "applicant" and am the owner or operator of the business, or the owner or operator's agent duly authorized in writing. I understand that checking this box is equivalent to providing a legal signature, and I confirm that all information provided and recorded on this application is true a accurate. I declare that I have done my due diligence and am aware of any restrictions and conditions from bulletins or bylaws posted at Kelowna.ca that may pe	
10 Confirm_2_Provision		
	Privacy Notification: This information is being collected for the purpose of determining the applicant's eligibility to obtain and maintain a Business Licence in the	City of
	Kelowna pursuant to its Bylaws. In providing this information, you have consented to its use for the above-described purpose and declare that all information pro-	
	herein is correct. This information may be shared with applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of required inspections, applicable City of Kelowna departments and related agencies for the purpose of the purpose	
11 Confirm_3_Provision	All licences are effective from January 1st to December 31st of the Licence year, excluding licences that operate on a per day basis or on a basis other than an	
	licences are transferable with proof of change of ownership documentation and payment of a change of licence fee, excluding Short-Term Rentals. All licence fee	
12 Journey_1	ACCOUNT CREATED ONLINE	
13 LicDocs_1_Count	2.0000000	
14 LicDocs_1_FileName	LPN ID.jpg	
15 LicDocs_1_InternalFileName	OTHER	
16 LicDocs_1_PublicName	Other	
17 LicDtls_1_AttrName	Have you done any renovations or improvements?	
18 LicDtls_1_AttrPickld	20132C200303133815225206	
	20132C200303133054269098	
19 LicDtls_1_AttrTyprld	NO RENOVATIONS	
20 LicDtls_1_AttrValue		
21 LicDtls_1_Count	5.0000000	
22 LicDtls_1_eBilling		
23 LicDtls_1_LicDescription	KELOWNA ART LODGE	
24 LicDtls_2_AttrName	Floor area (m2)	
25 LicDtls_2_AttrTyprld	89496C190702174939577103	
26 LicDtls_2_AttrValue	350.0000000	
27 LicDtls_3_AttrName	# of employees	
28 LicDtls_3_AttrTyprld	<u>89496C190</u> 702174946027232	
29 LicDtls_3_AttrValue		
30 LicDtls_4_AttrName	# of suites/rooms	C+
31 LicDtls_4_AttrTyprld	89947C190704091633716035	ttach
32 LicDtls_4_AttrValue	7.0000000	0)
33 LicDtls_5_AttrName	Applicant name	~
34 LicDtls_5_AttrTyprld	29209C200603131637307459	()
35 LicDtls_5_AttrValue	AXLE HILDEBRAND	5
36 LICENCEE_1_Business2Email		-
37 LICENCEE_1_Business2Fax		\prec
38 LICENCEE_1_Business2Name		ment
39 LICENCEE_1_Business2Phone	e	D
40 LICENCEE_1_Count	1.0000000	7
41 LICENCEE_1_JointContactType	De PERSON	-
42 LICENCEE_1_LongName	Licencee	T
43 LICENCEE_1_MailingAdd1		-
44 LICENCEE_1_MailingAddr1		
45 LICENCEE_1_MailingAddr2		
40 LIGENOLE_I_MailingAdurz		17

1

Row Name	Value
46 LICENCEE_1_MailingCity	Value
46 LICENCEE_1_MailingCountry 47 LICENCEE_1_MailingCountry	CANADA
48 LICENCEE_1_MailingHouse	
49 LICENCEE 1_MailingPostZip	
50 LICENCEE_1_MailingProvState	
	BRITISH COLUMBIA
51 LICENCEE_1_MailingStreet	
52 LICENCEE_1_MailingUnit	
53 LICENCEE_1_Person1Email	
54 LICENCEE_1_Person1Fax	
55 LICENCEE_1_Person1FirstNam	
56 LICENCEE_1_Person1LastNam	
57 LICENCEE_1_Person1MInitial	
58 LICENCEE_1_Person1Phone	250-833-2435
59 LICENCEE_1_Person2Cell	
60 LICENCEE_1_Person2Email	
61 LICENCEE_1_Person2Fax	
62 LICENCEE_1_Person2FirstNam	
63 LICENCEE_1_Person2LastNam	e
64 LICENCEE_1_Person2MInitial	
65 LICENCEE_1_Person2Phone	DEBOON.
66 LICENCEE_1_PrimContactType	
67 LicTypeSIct_1_Count	1.0000000
68 LicTypeSIct_1_LicenceName	Rooming House, Private Nursing Home, Rest Home
69 LicTypeSlct_1_LicenceType	41340C200819082846989963
70 OrderNumber	93021.0000000
71 Settings	kLijbMSUXkch6OXf4lkynJtXsF9ULz1S5_B56ijpqMbQWsSOF9lUlsoKYyBjdv_mfqXAtkFRvNXpu45jT7n0yDEi7vwPBm6qjPpga4lf7lYBAbX5HC1eamsgnWKa0yHl
72 Templateld	90188C190704162919908136
73 TRADE_1_Business2Email	
74 TRADE_1_Business2Fax	
75 TRADE_1_Business2Name	
76 TRADE_1_Business2Phone	
77 TRADE_1_Count	1.0000000
78 TRADE_1_JointContactType	BUSINESS
79 TRADE_1_LongName	Trade
80 TRADE_1_MailingAdd1	
81 TRADE_1_MailingAddr1	
82 TRADE_1_MailingAddr2	
83 TRADE_1_MailingCity	
84 TRADE_1_MailingCountry	CANADA
85 TRADE_1_MailingHouse	
86 TRADE_1_MailingPostZip	
87 TRADE_1_MailingProvState	BRITISH COLUMBIA
88 TRADE_1_MailingStreet	
89 TRADE_1_MailingUnit	
90 TRADE_1_Person1Email	axle@kelownaartlodge.com
91 TRADE_1_Person1Fax	
92 TRADE_1_Person1FirstName	DENNIS AXLE
93 TRADE_1_Person1LastName	HILDEBRAND
94 TRADE_1_Person1MInitial	R
95 TRADE_1_Person1Phone	250-833-2435
96 TRADE_1_Person2Cell	
97 TRADE_1_Person2Email	18
	10

2

Value

 Row
 Name

 98
 TRADE_1_Person2Fax

 99
 TRADE_1_Person2FirstName

 100
 TRADE_1_Person2LastName

 101
 TRADE_1_Person2MInitial

 102
 TRADE_1_Person2Phone

 103
 TRADE_1_PrimContactType

Attachment 2 City of Kelowna

Apr 24, 2023

HILDEBRAND, DENNIS AXLE R

Dear Sir/Madam:

Re: Business Licence Application Number 4092136 911 BERNARD AVE

BUSINESS LICENCE APPLICATION REJECTED

Please be advised that Business Licence Application Number 4092136 with the City of Kelowna *has been rejected*. The reason for this rejection is that secondary suites cannot be located in a boarding or lodging house. On December 6, a previous business licence application 4091852 for the same business type at the same location was rejected and direction was provided to bring the property into compliance by March 26, 2023. As of April 24, 2023 compliance has not been met.

The City of Kelowna Business Licence and Regulation Bylaw No. 7878, Section 4.4, states:

"No person shall carry on a business for which a licence is required by this bylaw within the City without holding a valid and subsisting licence for the carrying on of such business."

If you conduct a business or continue to conduct a business without a valid licence, the City may take enforcement steps against you, which could include but is not limited to the laying of charges, for which you may be liable upon summary conviction to a fine of up to \$10,000.

For further information please contact the Business Licensing department at the City of Kelowna by phone at 250-469-8617 or by e-mail at <u>businesslicences@kelowna.ca</u>.

Thank you,

1 Mouch

Graham March Licensing and Systems Improvement Supervisor

GM:

Business Licensing kelowna.ca/business businesslicences@kelowna.ca 250-469-8617 1435 Water Street Kelowna, BC V1Y 1J4

OPTIONS TO MOVE FORWARD TO ACHIEVE COMPLIANCE AND OBTAIN A BUSINESS LICENCE

- 1.) If further clarification is required regarding the rejection, please reach out to the contact provided.
- 2.) Once all licensing requirements have been met, you may re-apply for a business licence with the City of Kelowna. Per Business Licence and Regulation Bylaw No. 7878 – Section 5 – your \$25.00 application fee is non-refundable.
- 3.) If you believe that the City has misinterpreted your business licence application or the contact provided has been unable to provide a satisfactory explanation or resolution to your concerns, you may at no charge, request that Council reconsider the decision of the Licensing and Systems Improvement Supervisor to deny the requested business licence. In order to do so, you must give notice in writing to the City Clerk, within ten (10) business days of receipt of this notice, setting out the grounds upon which you disagree with the decision and your desired outcome. Notice may be sent to the City Clerk at <u>cityclerk@kelowna.ca</u> or by mailing or dropping off a notice at Office of the City Clerk, 1435 Water Street, Kelowna, BC, V1Y 1J4. Upon receipt of a notice requesting Council reconsideration, the City Clerk will place the item on agenda for the next conveniently available Council meeting date and will inform you of the day and time.

Attachment 3

Zoning Bylaw No. 8000

Section 13 – Urban Residential Zones

13.10 RM4 – Transitional Low Density Housing RM4r – Transitional Low Density Housing (Residential Rental Tenure Only)

13.10.1 Purpose

The purpose is to provide a **zone** primarily for low rise low **density apartment housing** with **urban services** as a transition between low and medium **density development**.

13.10.2 Principal Uses

The principal uses in this zone are:

(a) boarding or lodging houses

- (b) community garden
- (c) congregate housing
- (d) group home, major
- (e) mico suite housing
- (f) multiple dwelling housing
- (g) religious assemblies (where in existence prior to July 1st, 1998)
- (h) supportive housing

13.10.3 Secondary Uses

The secondary uses in this zone are:

- (a) agriculture, urban
- (b) child care centre, major
- (c) community recreation services
- (d) home based businesses, minor
- (e) multi-residential shared gardens
- (f) short term rental accommodation subject to Section 9.17 of this bylaw

13.10.4 Buildings and Structures Permitted

- (a) apartment housing
- (b) row housing
- (c) stacked row housing
- (d) permitted accessory buildings and structures

13.10.5 Subdivision Regulations

- (a) The minimum **lot width** is 30.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum lot area is 900 m².

13.10.6 Development Regulations

- (a) The maximum floor area ratio is 0.65. Where parking spaces are provided totally beneath habitable space of a principal building, beneath useable common amenity areas or in a garage or carport providing that in all cases, the parking spaces are screened from view, an amount may be added to the floor area ratio equal to 0.2 multiplied by the ratio of such parking spaces to the total required parking spaces, but in no case shall this amount exceed 0.20.".The floor area ratio may be increased by a further 0.3 for a development constructed in an Urban Centre (as defined by Kelowna's Official Community Plan).
- (b) The maximum **site coverage** is 50%, provided that the maximum **site coverage** of **buildings**, driveways, and parking areas is 60%.
- (c) The maximum **height** is the lesser of 13.0 m or 3 **storeys**, except it is 4.5 m for accessory **buildings** and **structures**.
- (d) The minimum **site front yard** is 6.0 m, except it is 4.5 m for any portion 2 **storeys** or less.
- (e) The minimum site side yard is 2.3 m for a building not over two storeys or an accessory building or structure and 4.5 m for any part of a building over 2 storeys, except it is 4.5 m from a flanking street.
- (g) The minimum site rear yard is 7.5 m for a building not over two storeys or an accessory building or structure and 9.0 m for any part of a building over 2 storeys, except it is 1.5 m for accessory buildings.
- (h) No principal **building** shall be closer than 3.0 m to another principal **building**.
- (i) For multiple dwelling housing, congregate housing, group home, major or supportive housing, major developments up to 1.0m of required rear yard landscaping buffer may be transferred to a multi-residential shared garden on the same parcel.
- (j) For multiple dwelling housing, congregate housing or group home, major developments 10% of the private open space requirement per unit may be transferred to a multi-residential shared garden located on the same parcel."

13.10.7 Other Regulations

- (a) A minimum area of 7.5 m² of private open space shall be provided per bachelor dwelling, congregate housing bedroom or group home bedroom, 15.0 m² of private open space shall be provided per 1 bedroom dwelling, and 25.0 m² of private open space shall be provided per dwelling with more than 1 bedroom.
- (b) No continuous building frontage shall exceed 40.0 m for a 3 storey building, nor 65.0 m for a 2 storey building. If the frontage is interrupted by an open courtyard equivalent in depth and width to the building height, the maximum continuous 3

storey building frontage may be 80.0 m provided that no **building** section exceeds 40.0 m.

- (c) Religious assemblies must conform to the requirements of the P2 zone.
- (d) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (e) In the RM4r zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure.**

Section 2 – Interpretation, General Definitions

BOARDING OR LODGING HOUSES means a **building** in which the **owner** or manager may supply accommodation for their family, and **sleeping unit** accommodation, for remuneration. It may or may not include meal service. It includes lodges for senior citizens but does not include **hotels**, **motels**, **temporary shelter services**, **congregate housing**, or **bed and breakfast homes**.

SHORT-TERM RENTAL ACCOMMODATION means the use of a dwelling unit or one or more sleeping units within a dwelling unit for temporary overnight accommodation for a period of 29 days or less. This use does not include bed and breakfast homes, hotels or motels.

9.17 Short-Term Rental Accommodation

- 9.17.1 Where short-term rental accommodation is a secondary use, it must be secondary to a dwelling unit as a principal use and must be operated by a resident who resides for more than 240 days of the year at that dwelling unit.
- 9.17.2 Short-term rental accommodation is not permitted in a secondary suite or carriage house.
- 9.17.3 Short-term rental accommodation is not permitted in combination with a bed and breakfast home.
- 9.17.4 No more than one booking or reservation for short-term rental accommodation is permitted in each dwelling unit at one time.
- 9.17.5 No more than two adults may occupy a sleeping unit used for short-term rental accommodation.
- 9.17.6 The maximum number of sleeping units that may be used for short-term rental accommodation in each dwelling unit is specified in Table 9.17.1.

Table 9.17.1 Maximum Sleeping Units for Short-Term Rental Accommodation

Two dwelling housing	Maximum number of sleeping units			
Single dwelling housing	3			
Two dwelling housing				
Multiple dwelling housing (including apartment housing) as a principal use				

Three dwelling housing	2
Four dwelling housing	
Multiple dwelling housing (including apartment housing) as a secondary use	

9.17.7 Parking must be provided in accordance with the parking and loading regulations of Section 8. Short-term rental accommodation may not use required visitor parking spaces.

Attachment 4

Zoning Bylaw No. 12375

SECTION 13 -

Multi-Dwelling Zones

Section 13.1 - Zone Purposes							
Zones Purpose							
MF1 – Infill Housing	The purpose is to provide a zone for infill development within the core area of the City limiting development to ground-oriented housing of 2 storeys.						
MF2 – Townhouse Housing	The purpose is to provide a zone for ground-oriented multiple housing (typically townhouse developments) up to 3 storeys on serviced urban lots.						
MF3 – Apartment Housing	The purpose is to provide a zone primarily for apartments ranging up to 6 storeys on serviced urban lots with various commercial uses permitted on transit supportive corridors.						

Section 13.2 – Sub-Zone Purposes									
Zones	Purpose								
MF1 – Infill Housing	MF1r – Infill Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.							
MF2 – Townhouse Housing	MF2r – Townhouse Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.							
MF3 – Apartment Housing	MF3r – Apartment Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.							

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Section 13 - Multi-Dwelling Zones

	Definition	s / Gene	ral Rules / S	Site Layout	/ Parking	/ Min Pai	king Tab	le / Min Bicy	cle Tabl	e / Spec	ific Uses	/ CD Zone	IS
Agricu	Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones			
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



Section	13.3 - Permitted L	and Uses	and the second second
Uses	('P' Principal Use	Zones e, 'S' Secondary Use, '	-' Not Permitted)
U.S.C.	MF1	MF2	MF3
Accessory Buildings or Structures	S	S	S
Agriculture, Urban	S	S	S
Apartment Housing	-	-	Р
Child Care Centre, Major	S	S	S .7
Child Care Centre, Minor	S	S	S .7
Cultural and Recreation Services	-		5 -2
Duplex Housing	Р	Р	-
Emergency and Protective Services	-	-	P .8
Food Primary Establishment		•	S -2
Group Home	P .1	P .1	8
Health Services	-	-	S .2
Home-Based Business, Major	S -5	S .6	S .6
Home-Based Business, Minor	S	S	S
Professional Services	-	-	5 -2
Participant Recreation Services, Indoor	-		S
Personal Service Establishments	-	-	S .2
Retail	-	-	S .2
Secondary Suite	S ³	-	3
Semi-Detached Housing	Р	Р	
Short-Term Rental Accommodations	S	S	S
Single Detached Housing	Р	Р	3
Stacked Townhouses	•	Р	P. ⁴
Townhouses	Р	Р	P .4

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Section 13 – Multi-Dwelling Zones

1	Definition	s / Gene	ral Rules / S	Site Layout	/ Parking	Min Pa	rking Tab	le / Min Bicy	ycle Tabl	e / Spec	ific Uses	/ CD Zone	15
Agricu	ilture & Rural	Zones	Single &	Two Dwelli	ng Zones	Mul	ti-Dwellir	ng Zones		Core A	rea and	Other Zon	es
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



Sect	tion 13.3 - Permitted La	nd Uses	
Uses	('P' Principal Use,	Zones 'S' Secondary Use,	'-' Not Permitted)
	MF1	MF2	MF3
FOOTNOTES (Section 13.3):	The second second	and a stranger	
Group homes are only permitted duplex housing form.	d within a <mark>single detache</mark> d	l housing, semi-det	tached housing, or a
² These land uses are only permit permitted above the first storey. floor area or storey restriction w OCP future land use designation.	Except, Health Services is hen the lot exists within t	permitted as a prine	cipal use without any
³ Secondary suites are only perm secondary suite is permitted per secondary suites are a permitted a Area – Health District OCP future	lot. Single detached housi as secondary use only whe	ng are permitted a	s a principal use and
*Townhouses and/or stacked town units are in the form of apartment		f the majority of the	e residential <mark>dwelling</mark>
⁶ Home-based business, major is c units.	only permitted when the k	ot has two (2) or le	ess principal <mark>dwelling</mark>
⁶ Home-based business, major is transit supportive corridors, gro oriented dwelling units within vill	ound-oriented dwelling u		
Child care centre, major and chil exists within the C-HTH – Core An			
* Emergency and protective service lot exists within the C-HTH – Core			

	Sectio	m = metres / m ² = squa		
			Zones	
Mar aller		MF1	MF2	MF3
Min. Lot Width	Regular Lots	7.5 m	20.0 m ¹	30.0 m
with. Lot width	Corner Lots	9.5 m	20.011	50.011
	Regular Lots	277.5 m ²	000 21	1/00-2
Min. Lot Area	Corner Lots	350 m ²	900 m ² .1	1,400 m ²
Min. Lot Depth		30.0 m	30.0 m ^{.1}	30.0 m

Section 13 – Multi-Dwelling Zones

	Definition	s / Gene	ral Rules / !	Site Layout	/ Parking ,	/ Min Pa	king Tab	le / Min Bic	ycle Table	e / Spec	ific Uses	/ CD Zone	ES
Agricu	ilture & Rural	Zones	Single &	Two Dwelli	ng Zones	Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



FOOTNOTES (Section 13.4):

Townhouse developments may be subdivided into smaller lots than the regulations listed above provided the site is comprehensively developed under a single development permit and a party wall agreement is registered on title.

Se	m = metres / m ² = so		ns
	in metres in se	Zones	
	MF1	MF2	MF3
Max. Height Max. Density	Section 13.6 – De	nsity and Height D	evelopment Regulations
Max. Site Coverage of all Buildings	55% .**	55%	65%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	75% .10	80%	85%
Min. Front Yard and Flanking Side Yard Setback for all portions of a building that are not Ground- Oriented including Accessory Buildings / Structures	4.0 m ^{.5}	3.0 m ^{.s}	4.5 m - ³
Min. Front Yard and Flanking Side Yard Setback for Ground-Oriented, Residential	4.0 m ^{.5}	3.0 m ^{.3} , .5	3.0 m ⁻³ , ^{.5}
Min. Front Yard and Flanking Side Yard Setback for Ground-Oriented, Commercial	n/a	n/a	2.0 m
Min. Building Stepback from Front Yard and Flanking Side Yard	n/a	n/a	3.0 m ^{.6}
Min. Side Yard Setback	1.2 m ¹ , .2	3.0 m except 1.2 m from a lane ^{.2}	3.0 m ^{.7}
Min. Rear Yard Setback	3.0 m except 0.9 m from a rear lane	4.5 m except 0.9 m from a rear lane	4.5 m except 3.0 m from a rear lane ⁴

Section 13 - Multi-Dwelling Zones

	Definition	s / Gene	ral Rules /	Site Layout	/ Parking ,	Min Pa	rking Tab	le / Min Bicy	cle Tabl	e / Spec	ific Uses	/ CD Zone	25
Agricu	ulture & Rural	Zones	Single &	Two Dwelli	ng Zones	Mul	ti-Dwellin	ng Zones		Core A	rea and	Other Zon	es
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density





		m = metres / m ² = s		
		1451	Zones	1452
Min. Rear Ya Accessory B Structures	ard Setback for uildings /	MF1 1.5 m except 0.9 m from a lane	MF2 1.5 m except 0.9 m from a lane	MF3 1.5 m except 0.9 m from a lane -7
Min. Separa Detached Pr Buildings	tion between incipal	2.0 m	3.0 m	n/a
	For Developments with 1 to 10 Dwelling Units		n/a	
Min. Common and Private Amenity Space	For Developments with 11 to 20 Dwelling Units	n/a	6.0 m ² per bachelor dwelling unit 10.0 m ² per 1- bedroom dwelling unit 15 m ² per dwelling unit with more than 1-bedroom ¹⁸ , ⁹	7.5 m ² per bachelor dwelling unit 15.0 m ² per 1-bedroom dwelling unit 25 m ² per dwelling unit with
	For Developments with greater than 20 Dwelling Units		7.5 m ² per bachelor dwelling unit 15.0 m ² per 1- bedroom dwelling unit 25 m ² per dwelling unit with more than 1-bedroom ^{.8} , .9	more than 1-bedroom ^{.8} , .9
Max. Buildin	ig Frontage	A continuous building	frontage shall not	exceed 100 m in length.
⁴ For lots 17. ³ Side yards wall agree	are not required ment num setback for g		sing or townhouse	o 2.1 m. s on a lot line that has a part reduced to 2.0 metres if both

a) The maximum height of the first storey floor above the adjacent curb level for groundoriented residential units are 1.2 m. Height is measured from the grade at the sidewalk directly

Section 13 - Multi-Dwelling Zones

	Definition	s / Gene	ral Rules / S	Site Layout	/ Parking	/ Min Pa	rking Tab	le / Min Bicy	/cle Tabl	e / Spec	ific Uses	/ CD Zone	25
Agricu	ilture & Rural	Zones	Single &	Two Dwelli	ng Zones	Mul	ti-Dwellir	ng Zones		Core A	rea and	Other Zon	es
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



		Zones	
and the second second	MF1	MF2	MF3
example diagram Fig	ure 5.12. oor area for ground-or		or applicable lot line . See s on the first floor is 11 m ²
 For portions of a parkade grade, the rear yard setbac 			than 2.3 m above finished
⁵ The setback for a garage, a a 6 m setback measured fro from lot line (whichever is g	om back-of-curb or edg		
⁶ Minimum building stepback any floor above the second		gs 5 storeys and taller.	The stepback can occur or
If the property is abutting Residential future land use additional setback needs to	e designation as defin	ed in the Official Com	
Common and Private American spaces have direct access to Private Amenity Space decorrequired.	o open space and play	areas within the lot. Th	ne amount of Common and
A minimum of 4.0 m ² per dv as common area that is a setback areas. Common an 19 In the M51 area the	ccessible to all resider nenity space is not requ	nts and must not be lo uired for fee simple tov	ocated within the required
³⁰ In the MF1 zone, the garaged count towards the overall is	and the second		

	A MARKED AND AND AND AND AND AND AND AND AND AN	/ FAR = floor area ratio / GFA = gros	- andre shill a should be
		Zones	
	MF1	MF2	MF3
Min. Density for Lots fronting onto a Transit Supportive Corridor	n/a	1,050 m ² For lots without a lane = 3	nits per 1,000 m ² and a Min. lot area ⁻⁵ .1 units per 1,000 m ² and a m ² lot area ^{.5}
Max. Base Density	o.8 FAR for double fronting lots and lots with a lane or o.6 FAR for lots without a lane	1.0 FAR See Underground Parking Base FAR Adjustments ^{.6}	For 4 storeys and below Max FAR = 1.3 ⁻² For 5 storeys and above Max FAR = 1.8 ⁻² See Underground Parking Base FAR Adjustments ⁻⁶

Section 13 – Multi-Dwelling Zones

	Definition	s / Gene	ral Rules / S	Site Layout	/ Parking ,	/ Min Par	king Tab	le / Min Bicy	ycle Table	e / Spec	ific Uses	/ CD Zone	25
Agricu	lture & Rural	Zones	Single &	Two Dwelli	ng Zones	Mul	ti-Dwellir	ng Zones		Core A	rea and	Other Zon	es
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



			Zones			
		MF1	MF2	MF3		
Max. Bonus Public Amen Streetscape	ity &	n/a	An additional 0.15 FAR ^{.3}	An additional 0.25 FAR		
Max. Bonus Rental or Aff Housing Bon	Density for ordable	n/a	An additional 0.3 FAR ³	An additional 0.3 FAR ^{,3}		
Max. Base H		8.0 m & 2 storeys	11.0 m & 3 storeys	18.0 m & 4 storeys or 22.0 m / 6 storeys ^{.1}		
Max. Base Height for Buildings	Front or Flanking Building Elevation	n/a	10.0 m & 3 storeys	n/a		
with Walkout Basements	Rear Building n/a Elevation		12.6 m & 3 storeys	n/a		
Max. Bonus Height		n/a	n/a	22.0 m & 6 storeys - ³ Or 44.0 m & 12 storeys - ⁴		

⁴ If a parkade entrance / exit has a lower finished grade than the surrounding area then this portion of the parkade can be excluded from height calculations. The base height is 18.0 m & 4 storeys except the maximum height may be increased to 22.0 m / 6 storeys if:

- · The subject property is fronting onto a Transit Supportive Corridor; or
- The subject property does not abut a RU1, RU2, RU3, RU4, or RU5 zoned lot.

² The base FARs are derived from the base height regulation. Therefore, the base FARs remain constant even if an owner successfully applies for a Development Variance Permit to the base heights.

³These bonuses only apply to lots within the core area or within a village centre. The bonus density and bonus height provisions occur if the provisions of Section 6.8 Density Bonus are secured.

*The increase in height to 44.0 m and 12 storeys only applies in situations where:

- (a) lots are fronting a Provincial Highway; and
- (b) lots are within 400 m of a transit stop and that transit stop must be located fronting onto a Provincial Highway or a major arterial road; and
- (c) the abutting lots cannot be zoned A1, A2, RR1, RR2, RU1, RU2, RU3, RU4, or RU5; and
- (d) lots are within the Core Area Neighbhourhood Future Land Use Designations as outlined in the OCP.
- (e) The bonus density and bonus height provisions occur if the provisions of Section 6.8 Density Bonus are secured.

Section 13 – Multi-Dwelling Zones

	Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones												
Agric	Agriculture & Rural Zones Single				ng Zones	ones Multi-Dwelling Zones			Core Area and Other Zones				es
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



The second second		res / m² = square metres / FAR = floor area ratio / GFA = gross floor area Zones MF1 MF2 MF3						
	MF1	MF2	MF3					

[#] If eighty percent (80%) of the parking provided on-site is located underground (below finished grade) then the base FAR is increased by 0.25 FAR.

200	Section 13.7 - Section 13.7 - Section 13.7 - Section 13.7 - Sections app	Site Specific Regu oly on a site-specific	
	Legal Description	Civic Address	Regulation
1.	Lot A, District Lot 140, ODYD, Plan KAP58184	1915-1925 Enterprise Way	This property is permitted to have hotels as principal land use.
2.	ODYD, Plan KAS3399	1132-1160 Bernard Ave	This property is permitted to have 16 storeys in height.
3.	Lot 1, Section 32, Township 26, ODYD, Plan KAP 91641	530 Caramillo Ct.	This property is permitted to have Apartment housing limited to 4 storeys.
4.	Strata Plan of Lot 3 & Remainder Lot 3, Section 28, Township 26, ODYD, PLAN KAP74074 (See Posting Plan EPP 104511)	777 Denali Drive	This property is permitted to have 3 storey apartment building on top of a two storey townhouse.
5.	Lot B, Section 24, Township 28, Land District 54, Plan KAP30848, EXC EPT Plan KAP79047, EPP23768	530 Quartz Crescent	This property is permitted to have Apartment housing limited to 3 storeys.
6.	Lot 20 Section 32 Township 26 ODYD Plan KAP60008 Except Plans KAP77707, KAP87078 and KAP91641	1691 Cara Glen Way	The MF2 – Townhouse Housing portion of this property is permitted to have Apartment housing limited to 4 storeys.

Section 13 - Multi-Dwelling Zones amended as follows:

Section 13.2 - Sub-Zone Purposes- BL12475, BL12594

Section 13.3 - Permitted Land Uses - BL12500, BL12475

Section 13.4 - Subdivision Regulations - BL12475

- Section 13.5 Development Regulations- BL 12500, BL12475, BL12594
- Section 13.6 Density and Height Development Regulations BL12500, BL12475, BL12594

Section 13.7 - Site Specific Regulations - BL12500

Section 13 – Multi-Dwelling Zones

123	Definition	s / Gene	ral Rules /	Site Layout	/ Parking ,	/ Min Par	rking Tab	le / Min Bicy	cle Tabl	e / Spec	ific Uses	/ CD Zone	25
Agricu	siture & Rural	Zones	Single &	gle & Two Dwelling Zones Multi-Dwelling Zones Core Are				rea and	and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



Zoning Bylaw 12375, Definitions

DWELLING means accommodation providing interconnected, free flowing space including bedroom(s), washrooms, and a kitchen intended for domestic use, and used or intended to be used permanently or semi-permanently for a household. A dwelling includes only one room which, due to its design, plumbing, equipment, and furnishings, may be used primarily as a kitchen, except where otherwise permitted in the bylaw. One wet bar is permitted within a dwelling. This use does not include a room in a hotel or a motel.

HOUSEHOLD means: (a) a person; or (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or(d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities; (e) in addition, a household may also include up to one housekeeper or nanny.

BOARDING OR LODGING HOUSES means a building in which the owner or manager may supply accommodation for their family, and sleeping unit accommodation, for remuneration. It may or may not include meal service. It does not include hotels, motels, temporary shelter services, congregate housing, or bed and breakfast homes. Short-term rental accommodations shall not be permitted to operate within a boarding or lodging house.

SLEEPING UNIT means a habitable room not equipped with self-contained cooking facilities, providing accommodation for guests.



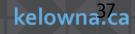
Business Licence Application Reconsideration

911 Bernard Avenue



Purpose

To hear a request for reconsideration of business licence application No. 4092316 for a "Rooming House, Private" business on the subject property.

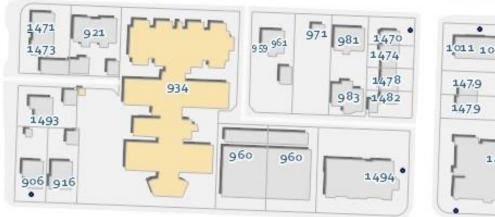


Context Map

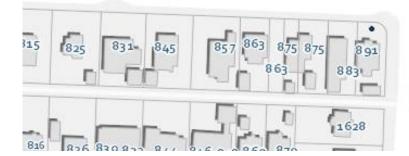


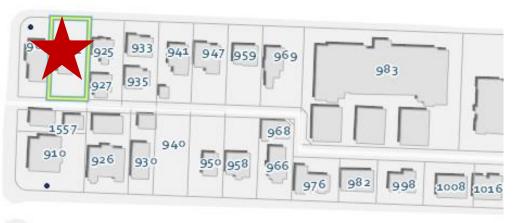
1

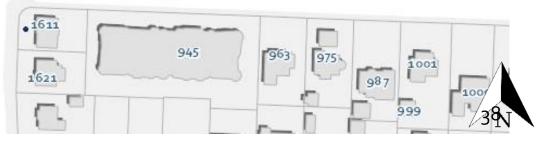






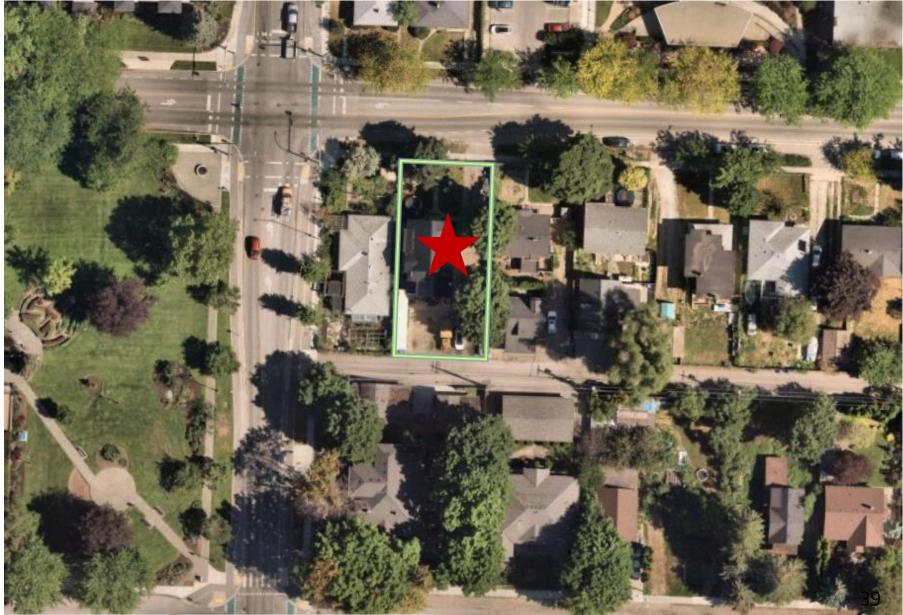






Subject Property Map





Site Photos



Site Photos

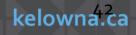




Staff Recommendation

Staff Recommend:

THAT Council uphold the decision of the Licence Inspector to refuse the issuance of a Business Licence for a "Rooming House, Private" business on the subject property located at 911 Bernard Avenue Kelowna, BC, on April 24, 2023.



REPORT TO COUNCIL REZONING



Date:	July 22, 2024	Kelowna
То:	Council	
From:	City Manager	
Address:	1236 Cerise Dr	
File No.:	Z24-0023	
	Existing	Proposed
OCP Future Land Use:	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
Zone:	MF1 – Infill Housing	MF1cc – Infill Housing with Child Care Centre, Major

1.0 Recommendation

THAT Rezoning Application No. Z24-0023 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 7 Section 30 Township 26 ODYD PLAN KAP53262, located at 1236 Cerise Dr, Kelowna, BC from the MF1-Infill Housing zone to the MF1cc – Infill Housing zone with Child Care Centre, Major zone, be considered by Council.

2.0 Purpose

To rezone the subject property from the MF1 – Infill Housing zone to the MF1cc – Infill Housing zone with Child Care Centre, Major zone to facilitate a childcare centre.

3.0 Development Planning

Staff support the proposed rezoning application to MF1cc – Infill Housing zone with Child Care Centre, Major to facilitate a daycare within an existing single dwelling house. The subzone allows a licensed establishment that provides child care, educational services, and supervision to more than 8 children. The proposal meets the intent of the Official Community Plan (OCP) and the Future Land Use Designation of C-NHD Core Area Neighbourhood, which supports facilitating childcare spaces throughout the Core Area.

The daycare will have a proposed capacity for up to a maximum of 39 children. The daycare will operate between the hours of 7:30 am - 5:00 pm. The Zoning Bylaw parking requirements have been met and a loading area for drop-off and pick-up of the children is provided.

Orientation	Zoning	Land Use
North	MF1 – Infill Housing zone	Single Detached Dwelling
East	MF1 – Infill Housing zone	Single Detached Dwelling
South	MF1 – Infill Housing zone	Single Detached Dwelling
West	MF1 – Infill Housing zone	Single Detached Dwelling

4.0 Site Context & Background



Subject Property Map: 1236 Cerise Dr

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

 Objective 5.4 Strategically locate community services to foster greater inclusion and social connections in the Core Area

 Policy 5.4.7 Child Care Spaces
 Facilitate the development of childcare spaces throughout the Core Area including accessible, affordable, and inclusive spaces that meet the needs of the community.

 The proposed rezoning will facilitate the development of a childcare centre in close proximity to schools, recreation areas, and is located within an established neighbourhood.

6.0 Application Chronology

Application Accepted:May 28, 2024Neighbourhood Notification Summary Received:July 4, 2024

Report prepared by:	Sara Skabowski, Planner I
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Reviewed by:	Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments: Attachment A: Letter of Rationale Attachment B: DRAFT Site Plan Attachment C: Summary of Neighbourhood Notification

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

Project Rational



Subject: Proposal for Daycare Zoning Approval in Our Community

Dear Members of the City Council,

My name is Rahul Chaudhary, and I own and operate Babies 'N' Tots Daycare in the upper Mission neighbourhood. Last year, council members adopted the zoning in Upper Mission (5031 Windsong Crescent, Kelowna), and the parents and neighbours are quite pleased. 90% of my children are from the neighbourhood. Their lives have become easier because my facility is only 5 to 10 minutes away from their home, and their children are exposed to a home-based atmosphere that is beneficial to their mental and physical development.

I am writing to urge your consideration and approval of the proposed daycare zoning (1236 Cerise Drive) for our community. As a resident deeply invested in the well-being and progress of our neighborhood, I believe that establishing a daycare facility here would serve as a valuable asset with numerous benefits for families and the community as a whole.

First and foremost, the establishment of a daycare facility aligns with the growing needs of our community. With the increasing number of families and working parents in our area, there is a pressing demand for accessible and high-quality childcare services. By approving the zoning for a daycare facility, the City Council has the opportunity to address this demand and provide much-needed support to families juggling work and childcare responsibilities.

Furthermore, the presence of a daycare facility in our community would contribute positively to our local economy. It would create job opportunities for childcare professionals and staff, stimulating employment growth and economic activity. Additionally, by enabling parents to work or pursue further education knowing their children are in safe and reliable care, the daycare facility would indirectly support workforce productivity and participation.

Moreover, a daycare facility can enhance the overall livability and vibrancy of our neighborhood. It would foster a sense of community by bringing together families from diverse backgrounds and providing a nurturing environment for children to learn and socialize. Furthermore, by offering educational programs and activities tailored to early childhood development, the daycare facility would enrich the lives of our youngest residents and contribute to their future success.

I understand that concerns regarding zoning regulations and neighborhood compatibility may arise. However, it is crucial to emphasize that careful planning and adherence to established guidelines can address these concerns effectively. By working collaboratively with city planners, developers, and community stakeholders, we can ensure that the daycare facility is integrated seamlessly into our neighborhood while preserving the quality of life for all residents.

In conclusion, I urge the City Council to approve the zoning for the daycare facility in our community. Doing so would not only meet the growing childcare needs of our residents but also

promote economic growth, community cohesion, and the well-being of our children. Thank you for your attention to this matter, and I trust that you will make the decision that best serves the interests of our community.

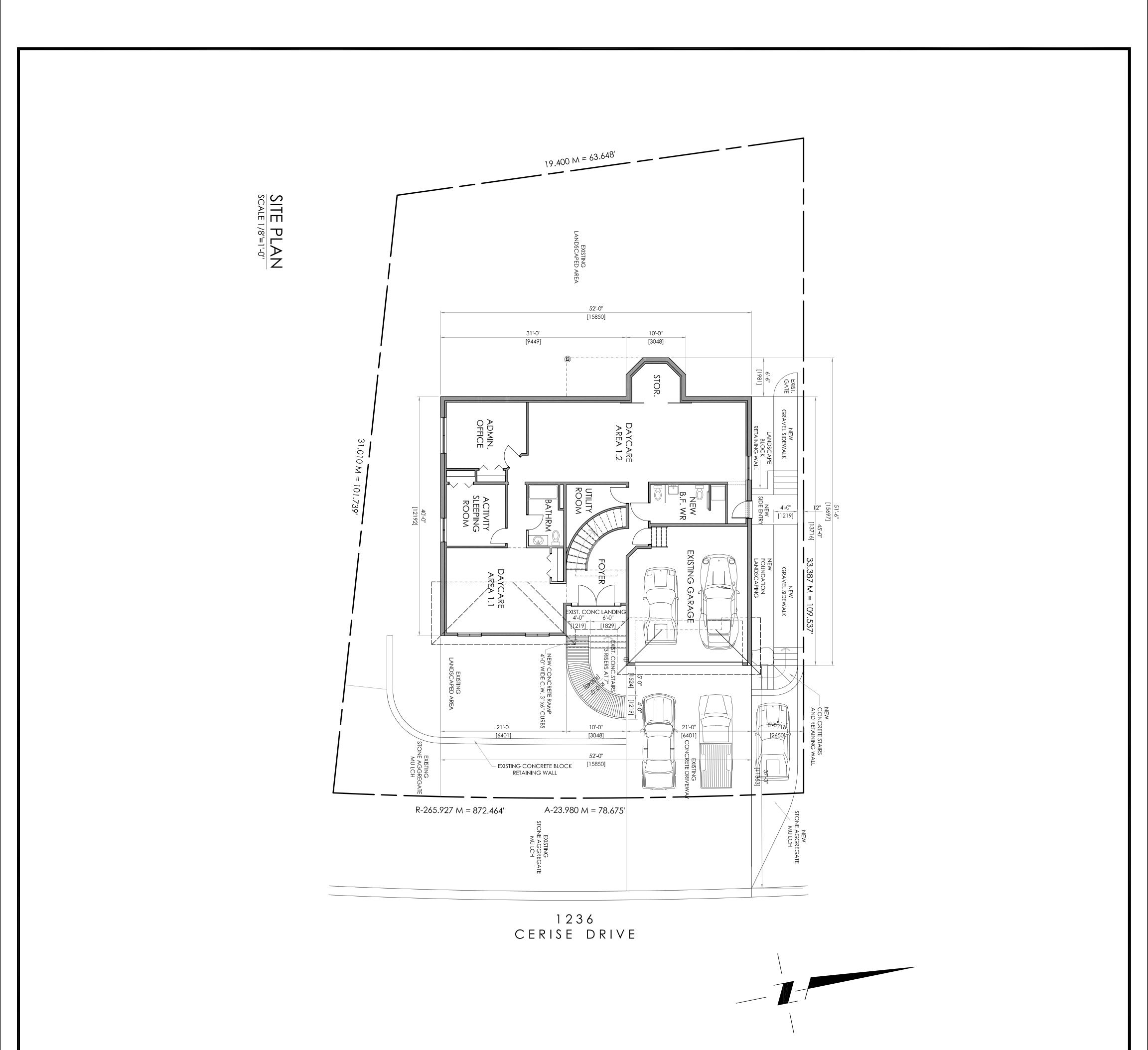
Sincerely,

Rahul Chaudhary

5031 Windsong Crescent

Kelowna BC

V1W 5C4



SITE DATA

LEGAL LOT NO 7 PLAN KAP 53262 SECTION 30 TOWNSHIP 26 O.D.Y.D.

ADDRESS 1236 CERISE DRIVE KELOWNA, BC,

<u>ZONING</u> - CITY OF KELOWNA BYLAW 12375 EXISTING - MF1- MULTI DWELLING ZONE PROPOSED ZONING: SECTION 13.2 SUBZONE MF1cc CHILD CARE CENTRE , MAJOR

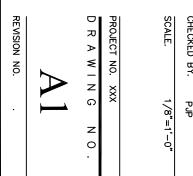
<u>LOT AREA</u> 0.17 Acres = 0.0688 Ha 7405.705 SQ.FT. = 687.99 SQ. . ۲

LOT COVERAGE OF ALL BUILDINGS - MAX 40% EXISTING GROUND FLOOR AREA 203.637 SQ.M. = 2192.00 SQ.FT. LOT COVERAGE = 29.599 %

PROPOSED DAYCARE G.F.A. OCCUPANT LOAD 39 CHILDREN + STAFF

PARKING DAYCARE

1 SPACE PER 11 CHILDREN 4 SPACES STAFF PARKING <u>1 SPACE</u> <u>5 SPACES REQ'D - 5 PROVIDED</u>



Z ċ JUL 03, 2024 RJL

DATE CREATED. DRAWN BY. CHECKED BY. PJP 1/8"=1'-0"

SITE PLAN WEB: www.praltd.com SHEETTITL

OKANAGAN OFFICE: 1743 SUNRISE ROAD KELOWNA, BC, V1P 1G3 TEL: (250) 765 0314 C: (250) 801 9717 EMAIL: k.design@telus.net

PACIFIC RIM ARCHITECTURE LTD. <u>SURREY HEAD OFFICE:</u> 1688 152 STREET SUITE 404 SOUTH SURREY, BC V4A 4N2 TEL: (604) 503-0107 EMAIL: info@praltd.com

PR

BABIES 'N' TOTS DAYCARE 1236 CERISE DR. KELOWNA B.C.

TENANT IMPROVEMENTS

 REVISIONS

 NO.
 DATE

 1
 MAY 16,2024

 ISSUED FOR REVIEW
 DATE.

 2
 MAY 21,2024

 ISSUED FOR DP
 DATE.

 3
 JUL 03,2024

 ISSUED FOR DP-REV
 NO.

 OR
 DP-REV

 NO.
 DATE.

 OR
 DP-REV

 NO.
 DATE.

 S No NO S awing must not be scaled. ctors shall verify all ions prior to commencement , and any omissions or ancies shall be reported to hitect. wing, as an instrument of cls and may not be used without their permission less the reproduction carries arme. All design and other ation shown on this drawing se on the specified project of may not be used lise without the written sion of the Architects. DATE. DATE. DATE. DATE.



NO.

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Rahul Chaudhary

1236 Cerise Drive

Kelowna, BC

raahulcy@gmail.com

306-502-5222

Jun 28th, 2024

Dear Neighbor's,

I hope this letter finds you well. I am writing to inform you about an upcoming change in the use of my property located at 1236 Cerise Drive. After careful consideration and in response to community needs, I have decided to rezone my house to accommodate a daycare facility.

This decision stems from my positive experience operating a similar daycare facility in the Upper Mission area, where the community response has been overwhelmingly supportive. I firmly believe that offering a daycare in our neighborhood will benefit local families by providing a safe and nurturing environment for children aged 0-5 years.

Key details of the daycare operation are as follows:

- Capacity: The daycare will accommodate up to 39 children.
- **Operating Hours:** Monday to Friday from 07:30 AM to 05:00 PM, excluding statutory holidays and Christmas break.
- **Traffic Management:** Not all the parents coming at the same time to drop off and pick up. We are managing on the same way in upper mission area as well and nobody has any issues yet.

As a conscientious neighbor, I am committed to ensuring that the daycare operates smoothly and in harmony with the surrounding community. Measures will be in place to manage noise levels and traffic flow effectively, with ample parking available on-site to prevent any inconvenience to nearby residents.

I welcome any questions or concerns you may have regarding this upcoming change. Please feel free to reach out to me at 306-502-5222 or raahulcy@gmail.com at your convenience. Your feedback and support are highly valued as we work together to enhance our community.

Thank you for your understanding and cooperation in this matter.

Warm regards,

Rahul Chaudhary



Neighbour Consultation Form (Council Policy No.367)

A summary of neighborhood consultation efforts, feedback and response must be provided to City staff, identifying how the efforts meet the objective of this form of consultation. This information must be provided to City staff a minimum of 20 days prior to Council initial consideration of the application(s) for inclusion in the report to Council or this information must be provided to the delegate authorized to issue minor Development Variance Permits prior the decision of the delegate.

I, RAHUL CHAUDHARY, the applicant for Application No.

(brief description of proposal)

at 12.36 Cenine chine have conducted the required neighbour (address)

consultation in accordance with Council Policy No. 367.

- My parcel is located **outside** of the Permanent Growth Boundary and I have consulted all owners & occupants within a 300m radius
- My parcel is located inside of the Permanent Growth Boundary and I have consulted all owners & occupants within a 50m radius

I have consulted property owners and occupants by doing the following: Met Personally and

with them. and

Please initial the following to confirm it has been included as part of the neighbour consultation:

- <u>*RL*</u> Location of the proposal;
- <u>*fll*</u> Detailed description of the proposal, including the specific changes proposed;
- RC Visual rendering and/or site plan of the proposal;
- <u>fit</u> Contact information for the applicant or authorized agent;
- _____Contact information for the appropriate City department;
- _____Identification of available methods for feedback.

Please return this form, along with any feedback, comments, or signatures to the File Manager 20 days prior to the anticipated initial consideration by Council date or 10 days prior to the delegates decision. On the back of this form please list those addresses that were consulted.

City of Kelowna 1435 Water Street Kelowna, BC V1Y 1J4 TEL 250 469-8600 FAX 250 862-3330 kelowna.ca

		ATT	ACHMENT C
		#_ Z 24	City of
Address	Spoke with Owner & Occupant	Planner Left Packagis with Owner & Occupant	SS Date COMMUNITY PLANNING
1244 Censor drive	n.l.		JULY Z LORY FRANZ
12 the Cain abien			
1220 Cerise daire	SV.		July 2, 2024 Sharm
1212 Cerine dain	Al.		July 2, 2024 Alana
1225 1233 Cerin daire	est i		July 2,2024 Reena
1855 Carre daine			
1301 four the to			
1243 Cenize Chine			
1200 Koby 1+ -	H.		July 2/24 Kelsy
1202 Kely (t	R		304 2/2024 Macana
1192 Kely (+ -	J.G.		JULY 2 2024 m
1182 Kels Ct	Soll		July 2 para Just
1172 Halmy Ct	23		July 2/24 Laura + Srott
1215 Kuly (+ -	RB		July 2.2024 Roman
1323 Katy Et Gronview Ave			
1223 CEAKE drive	9	S	02107/24 · Tod
1305 Glenniew Ave	*IP	HP	July 2/24 Heather
172 1140 Cerise Dr.	15		July 2/24
1233 Course Duive			

CITY OF KELOWNA

BYLAW NO. 12680 Z24-0023 1236 Cerise Drive

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

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

- THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 7 Section 30 Township 26 ODYD Plan KAP53262 located on Cerise Drive, Kelowna, BC from the MF1 – Infill Housing zone to the MF1cc – Infill Housing zone with Child Care Centre, Major zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



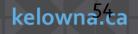
Z24-0023 1236 Cerise Dr

Rezoning Application



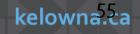
Purpose

To rezone the subject property from the MF1 – Infill Housing zone to the MF1cc – Infill Housing zone with Child Care Centre, Major zone to facilitate a child care centre.

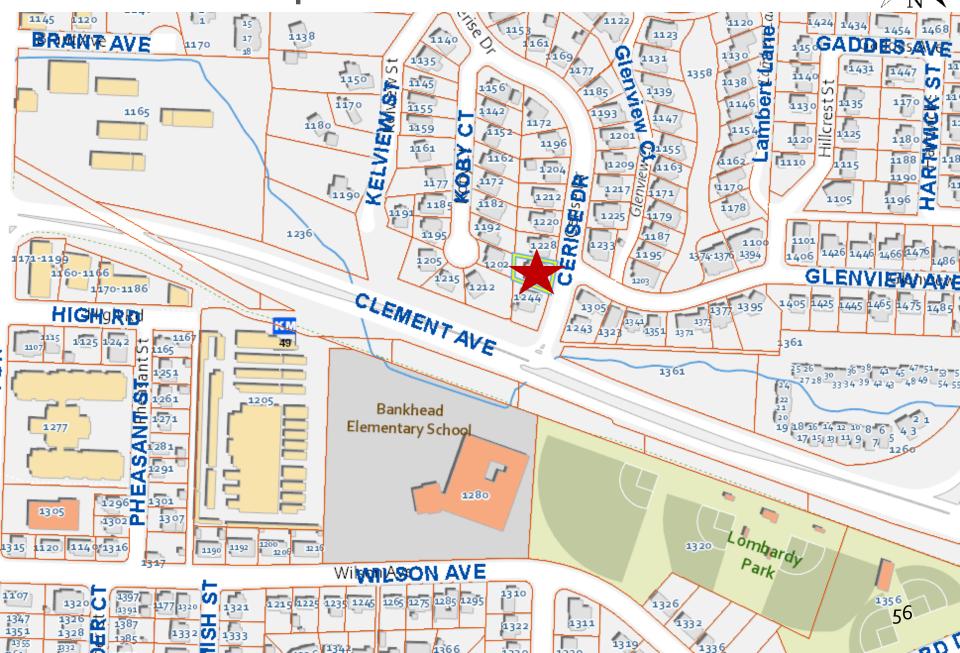


Development Process





Context Map



OCP Future Land Use





Subject Property Map





"cc" – Child Care Centre, Major

Purpose

 To provide a sub-zone to allow for Child Care Centre, Major on a case-by-case basis where supported by OCP Policy.

Summary of Uses

- Child Care Centre, Major
 - Licensed under Community Care and Assisted Living Act
 - Care, education, supervision
 - More than 8 children



OCP Objectives – Climate Resilience K

Climate Criteria

Dark Green – Meets Climate Criteria Light Green– Will Meet Criteria Soon Yellow – Does not meet Climate Criteria

10 min Walk to Retail/Restaurants	
5 min Walk to Park	
10 min Bike to Public School	
20 min Bus to Urban Centre/Village Centre/Employment Hub	
Retaining Trees and/or Adding Trees	
OCP Climate Resilience Consistency	





OCP Objectives & Policies

C-NHD: Core Area Neighbourhood

- OCP Policy 5.4.7 Facilitate the development of childcare spaces throughout the Core Area
 - Transit Supportive Corridor
 - Bankhead Elementary School
 - Lombardy Park
 - Established neighbourhood





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
 - Child Care Centre Policies



REPORT TO COUNCIL REZONING



Date:	July 22, 2024	Kelowna
То:	Council	
From:	City Manager	
Address:	865 Solly Ct	
File No.:	Z24-0004	
	Existing	Proposed
OCP Future Land Use:	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
Zone:	MF1 – Infill Housing	MF2 – Townhouse Housing

1.0 Recommendation

THAT Rezoning Application No. Z24-0004 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 2 Section 26 Township 26 ODYD PLAN 20566, located at 865 Solly Ct, Kelowna, BC from the MF1 – Infill Housing zone to the MF2 – Townhouse Housing zone, be considered by Council.

2.0 Purpose

To rezone the subject property from the MF1 – Infill Housing zone to the MF2 – Townhouse Housing zone to facilitate a townhouse development.

3.0 Development Planning

Staff support the proposed rezoning from the MF1 – Infill Housing zone to the MF2 – Townhouse Housing zone to facilitate the construction of a townhouse development. The subject property has the Future Land Use Designation of Core Area Neighbourhood (C-NHD). The property size is larger than a typical MF1 zoned lot, which allows for a moderate increase in density beyond what is achievable within the current infill housing zone.

The proposal meets the intent of the Core Area Neighbourhood policies, which are intended to accommodate the City's urban growth through residential infill such as ground-oriented multi-unit housing. The proposal aligns with the Official Community Plan (OCP) Policy for the Core Area to encourage a diverse mix of low and medium density housing located in proximity to schools, recreation centres, and other amenities.

Lot Area	Proposed (m ²)
Gross Site Area	1,649.87 m²
Road Dedication	n/a
Undevelopable Area	n/a
Net Site Area	1,649.87 m²

Orientation	Zoning	Land Use
North	MF1 – Infill Housing	Two single detached dwellings
East	P5 – Municipal District Park	Rutland Recreation Park
South	MF1 – Infill Housing	Single detached dwelling
West	MF1 – Infill Housing	Single detached dwelling

4.0 Site Context & Background

Subject Property Map: 865 Solly Ct



The subject property is located within a cul-de-sac neighbourhood on Solly Ct, and is near the intersection with Hartman Rd. The surrounding area is zoned MF1 – Infill Housing area, and P5 – Municipal District Park. The site is in close proximity to Rutland Recreation Park and Rutland Elementary, Middle, and Senior Secondary Schools. Approximately 300 m to the west is Rutland Rd N, a Transit Supportive Corridor with BC Transit bus stops.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.11 Increase the diversity of housing forms and tensure to create an inclusive affordable		
and complete Core Area		
Policy 5.11.1	Ensure a diverse mix of low and medium density forms in the Core Area that	
Diverse Housing	support a variety of household types and sizes, income levels and life stages.	
Forms	This proposal adds increased density into the established single detached housing	
	neighbourhood.	
	Incorporate ground-oriented units in the design of multi-family developmens in	
	the Core Area to support a variety of household types and sizes.	

Policy 5.11.3	The proposal will include ground-oriented units onto Solly Ct.
Ground Oriented	
Housing	

6.0 Application Chronology

Application Accepted:January 31, 2024Neighbourhood Notification Summary Received:July 2, 2024

Report prepared by:Sara Skabowski, Planner IReviewed by:Jocelyn Black, Urban Planning ManagerReviewed by:Nola Kilmartin, Development Planning Department ManagerApproved for Inclusion:Ryan Smith, Divisional Director, Planning, Climate Action & Development

Attachments:

Attachment A: Summary of Neighbourhood Notification Attachment B: Draft Site Plan

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





Summary of Neighbor Notification

Date: July 2, 2024

To: Kelowna City Council From: New Town Architecture & Engineering

Subject: Summary of Neighbor Notification for DP24-0020 - 865 Solly Ct Townhomes

Dear Council Members,

As per Council Policy No. 367, please find below the summary of our neighbor notification efforts, feedback received, and any resulting changes to the project. This summary is provided to ensure transparency and compliance before the application is scheduled for Council consideration.

1. Date of Notification:

Mailout was sent on May 22, 2024.

2. Methods of Notification:

Mail out.

3. List of Addresses Notified:

Please refer to the attached file for the full address list.

4. Details of Information Provided:

A design rationale was sent to the neighbors. (Please find the Design Rationale attached.)

5. Feedback Received:

1 phone call received at New Town Architecture & Engineering office:

"A lady named Pauline called on June 14th. She expressed some concerns about the possibility of additional density in the neighborhood exacerbating existing on-street parking issues. We informed her we are fully in accordance with the bylaw with respect to our on-site parking, including visitor parking, and that we do not intend for residents to be parking on the street."

6. Project Changes Resulting from Neighbor Notification:

No changes were made based on the feedback received.

Please feel free to contact us if you require any further information or clarification.

Sincerely,

Lenka Aligerova Intern Architect AIBC New Town Architecture & Engineering

Attachments:

Address list
 Design rationale

ATTACHMEN	A TI
This forms part of appli	cation
# Z24-0004	🐼 💥
	City of
Planner Initials SS	Kelowna COMMUNITY PLANNING

DP24-0020 - 865 Solly Ct Townhomes - Neighbor Notification Address List

Name	Unit	Street Number	Street	City	Postal Code
Owner/Occupant		645	Dodd Rd	Kelowna, BC	V1X 5H1
Owner/Occupant		285	Hartman Rd	Kelowna, BC	V1X 2M8
Owner/Occupant	А	304	Hartman Rd	Kelowna, BC	V1X 2N1
Owner/Occupant	В	304	Hartman Rd	Kelowna, BC	V1X 2N1
Owner/Occupant	А	316	Hartman Rd	Kelowna, BC	V1X 2N1
Owner/Occupant	В	316	Hartman Rd	Kelowna, BC	V1X 2N1
Owner/Occupant		328	Hartman Rd	Kelowna, BC	V1X 2N1
Owner/Occupant	А	340	Hartman Rd	Kelowna, BC	V1X 2N1
Owner/Occupant	В	340	Hartman Rd	Kelowna, BC	V1X 2N1
Owner/Occupant		815	Solly Ct	Kelowna, BC	V1X 2X4
Owner/Occupant		820	Solly Ct	Kelowna, BC	V1X 5W8
Owner/Occupant		825	Solly Ct	Kelowna, BC	V1X 2X4
Owner/Occupant		830	Solly Ct	Kelowna, BC	V1X 5W8
Owner/Occupant		835	Solly Ct	Kelowna, BC	V1X 2X4
Owner/Occupant		840	Solly Ct	Kelowna, BC	V1X 5W8
Owner/Occupant		845	Solly Ct	Kelowna, BC	V1X 2X4
Owner/Occupant		860	Solly Ct	Kelowna, BC	V1X 5W8
Owner/Occupant		865	Solly Ct	Kelowna, BC	V1X 2X4
Owner/Occupant		880	Solly Ct	Kelowna, BC	V1X 5W8
Owner/Occupant		292	Hartman Rd	Kelowna, BC	V1X 2N1
Owner/Occupant		885	Solly Ct	Kelowna, BC	V1X 2X4
Owner Occupant		935	Maygard Rd	Kelowna, BC	V1X 5X1







Dear Neighbour:

RE: Application for Zoning & Development Permit

865 Solly Court

This letter is to advise that an application has been made to the City of Kelowna for the development of the property shown on the map below.



The City of Kelowna OCP designates this location as Core Area Neighbourhood, which forecasts ground oriented multifamily development. In keeping with this vision, a zoning application has been made to rezone the property to MF2 – Townhouse Housing.

This development concept involves the construction of two buildings consisting of twelve 3bedroom townhomes, accompanied by at grade amenity space.

A site plan and details of the application for Zoning & DP are provided on the reverse of this page. If you have any comments or questions, please feel free to contact us in writing.

Applicant Contact:

Jesse Alexander, Planner New Town Architecture & Engineering Inc 300-1650 Bertram Street Kelowna V1Y 2G4

City of Kelowna Contact

Sara Skabowski, Planner I City of Kelowna 1435 Water Street Kelowna V1Y 1J4

NEW TOWN ARCHITECTURE & ENGINEERING INC.

newtownservices.ca



An application has been made to the City of Kelowna as follows:

✓ Form & character development permit to facilitate two 3 storey townhome buildings, with twelve homes total.

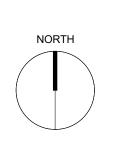




Figure 2: Site Plan.



remain) POWERLINES (to OVERHEAD



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project title SOLLY CT TOWNHOMES project address

865 Solly Ct, Kelowna, BC

project no.

drawing title

SITE PLAN

file no.

Revisions		
No.	DATE	ISSUED FOR
1	2023-10-31	PRE-APP MEETING
2	2024-01-19	IFDP
3	2024-05-23	RE-IFDP



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

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

limited to such use.

This drawing must not be scaled

commencement of work.

Verify all dimensions and datums prior to

Report all errors and omissions to the Architect.

ATTACHMENT

This forms part of application # Z24-0004

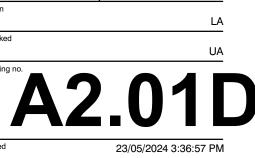


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4226

As indicated

CITY OF KELOWNA

BYLAW NO. 12681 Z24-0004 865 Solly Court

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 2 Section 26 Township 26 ODYD PLAN 20566 located on Solly Coourt, Kelowna, BC from the MF1 Infill 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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



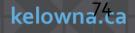
Z24-0004 865 Solly Ct

Rezoning Application

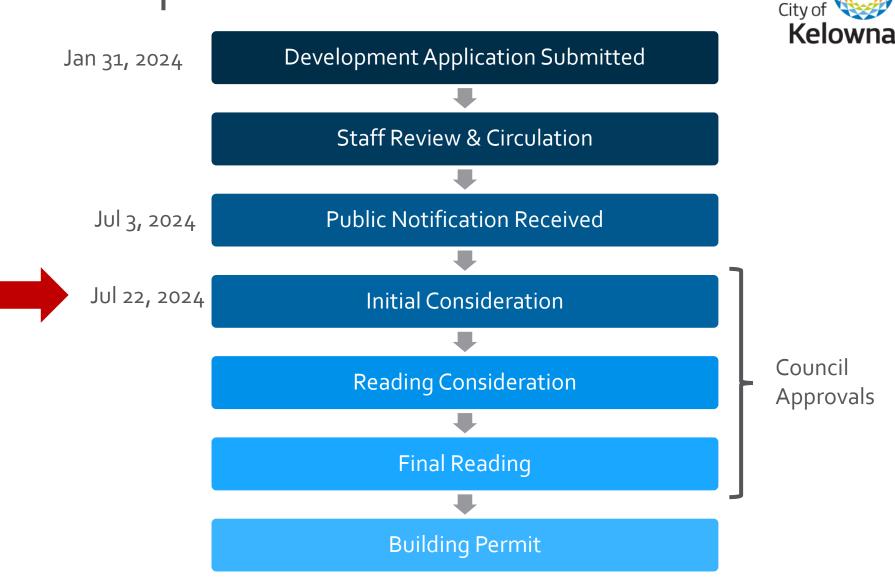


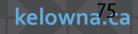
Purpose

To rezone the subject property from the MF1 – Infill Housing zone to the MF2 – Townhouse Housing zone to facilitate a townhouse development.



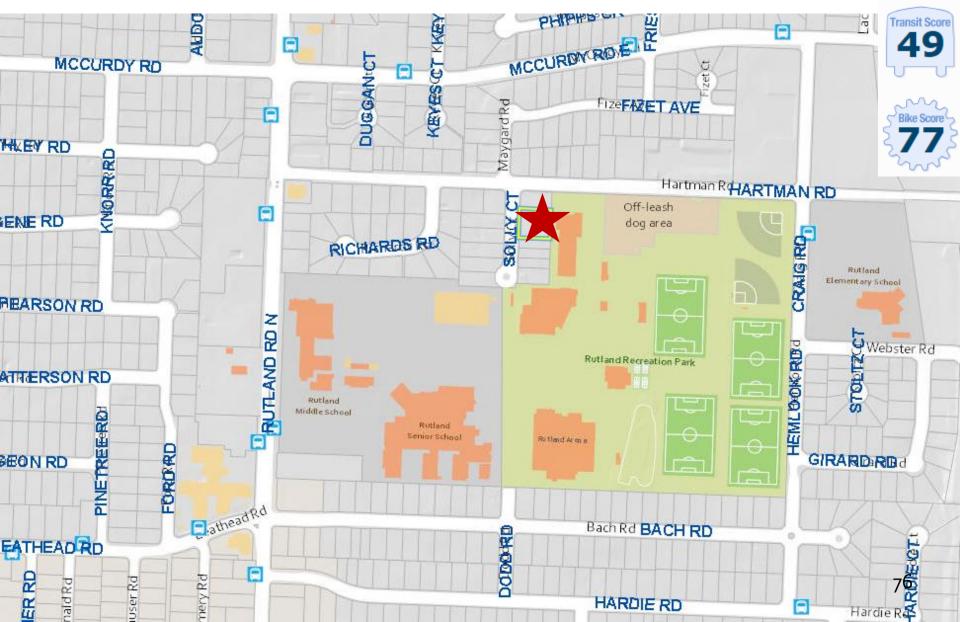
Development Process





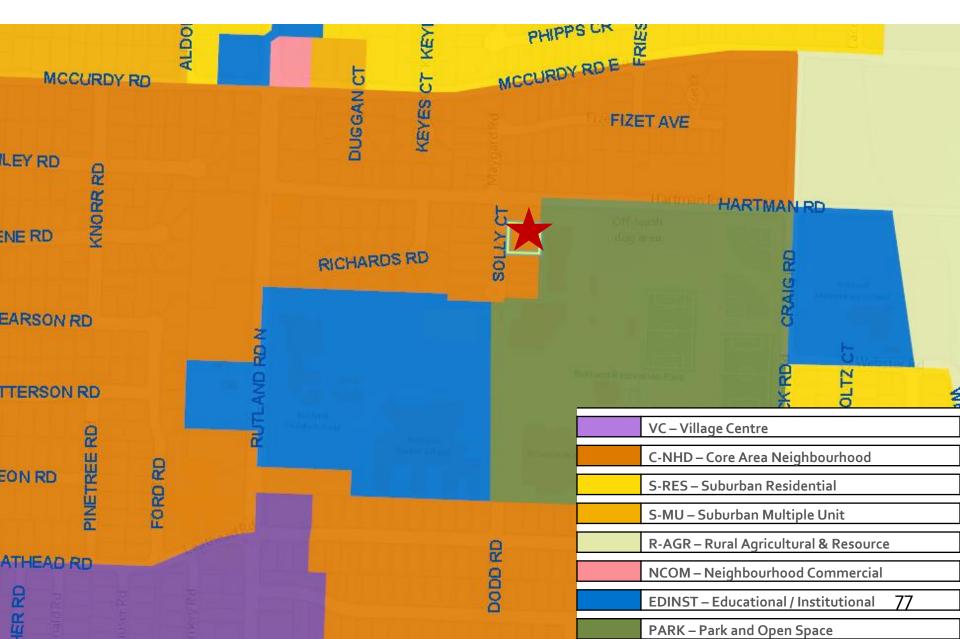
Context Map





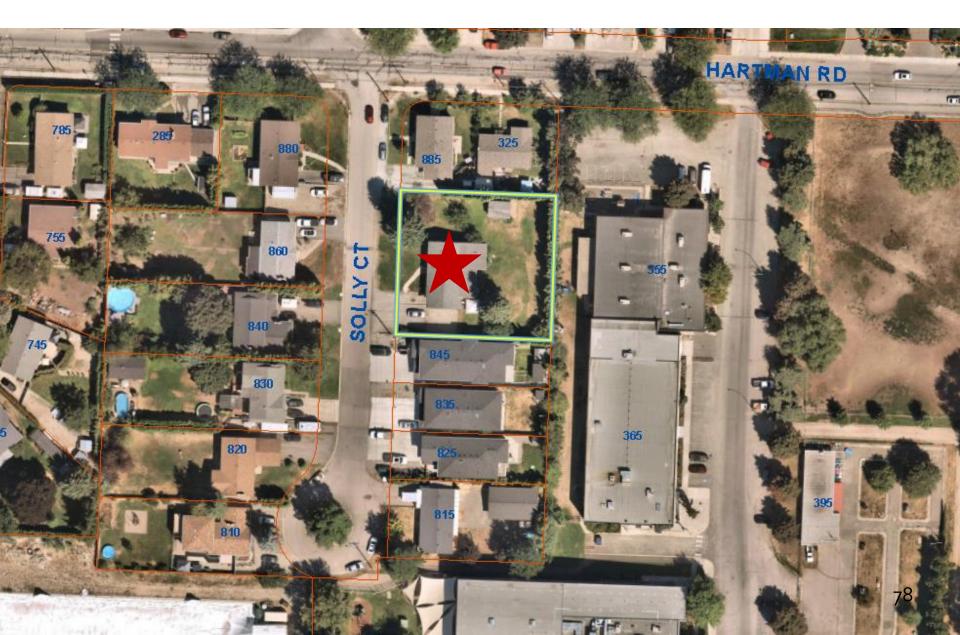
OCP Future Land Use





Subject Property Map





MF2 – Townhouse Housing Zone

Purpose

 To provide a zone for ground-oriented multiple housing (typically townhouses) up to 3 storeys on serviced urban lots.

Summary of Uses

- Townhouses
- Stacked Townhouses
- Duplex Housing
- Semi-Detached Housing
- Home Based Businesses

MF2 – Townhouse Housing Zone

Regulation	Maximum Permitted
Height	11.0 m & 3 storeys
Base Floor Area Ratio	1.0
Bonus Floor Area Ratio	Underground Parking: 0.25 Public Amenity: 0.15 Rental/Affordable: 0.3
Site Coverage Buildings Site Coverage Total	55% 80%

MF2 – Townhouse Housing Zone

Regulation	Minimum Permitted
Total Number of Trees	1 per 10 lineal metres of landscape area Min. 8 trees
Number of Large Trees	50% Large Trees Min. 4 large trees
Amenity Space	6.0 m2 per studio 10.0 m2 per 1-bed 15.0 m2 per unit with 2-bed+
Potential Unit Count	12 units



OCP Objectives – Climate Resilience K

Climate Criteria

Dark Green – Meets Climate Criteria Light Green– Will Meet Criteria Soon Yellow – Does not meet Climate Criteria

10 min Walk to Retail/Restaurants	
5 min Walk to Park	
10 min Bike to Public School	
20 min Bus to Urban Centre/Village Centre/Employment Hub	
Retaining Trees and/or Adding Trees	
OCP Climate Resilience Consistency	





OCP Objectives & Policies

Policy 5.11.1 Diverse Housing Forms

The proposal adds meaningful density into the established single detached housing neighbourhood.

Policy 5.11.3 Ground Oriented Housing

The proposal will include ground-oriented units onto Solly Ct, in proximity to schools, recreation, and other amenities.





Staff Recommendation

Staff recommend support for the proposed rezoning as it is consistent with:

- OCP Future Land Use C-NHD
- OCP Objectives in Chapter 5 Core Area
 - Ground Oriented Housing
 - Housing Diversity
- Development Permit required



REPORT TO COUNCIL REZONING & TEXT AMENDMENT



VC1 – Village Centre

Date:	July 22, 2024	Kelowna		
То:	Council			
From:	City Manager			
Address:	3805 Lakeshore Rd			
File No.:	Z23-0035 TA24-0008			
	Existing	Proposed		
OCP Future Land Use:	VC – Village Centre	VC – Village Centre		
_	P3 – Parks and Open Space			

P₄ – Utilities

1.0 Recommendation

Zone:

THAT Rezoning Application No. Z23-0035 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 1 District Lot 134 Osoyoos Division Yale District Plan 39987, located at 3805 Lakeshore Rd, Kelowna, BC from the P3 – Parks and Open Space zone and from the P4 – Utilities zone to the VC1 – Village Centre zone as shown on Map "A" attached to the Report from the Development Planning Department dated July 22,2024, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated July 22, 2024;

AND FURTHER THAT Zoning Bylaw Text Amendment Application No. TA24-0008 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated July 22, 2024, be considered by Council.

2.0 Purpose

To rezone the subject property from the P_3 – Parks and Open Space zone and the P_4 – Utilities zone to the VC1 – Village Centre zone to facilitate a mixed-use development and to amend the Zoning Bylaw by creating a site-specific regulation allowing for a car-share program to be located within an enclosed parkade and eligible for a parking reduction.

3.0 Development Planning

Staff recommend support for the proposed rezoning to the VC1 – Village Centre zone. This proposed zone is consistent with the Future Land Use designation within the Official Community Plan (OCP) of Village Centre. Policies within the OCP encourage Village Centres to be developed as Kelowna's secondary hubs of activity. The proposed VC1 – Village Centre zone would facilitate a mixed-use development in support of these policies.

Should the project be supported by Council, a Natural Environment Development Permit would be required to be issued prior to any building permit being issued. This will ensure the protection of the Riparian Management Area (wetland) through the registration of a no-disturb covenant. The Natural Environment Development Permit also requires the remediation and restoration of the Riparian Management Area.

Site-Specific Text Amendment:

This application proposes a site-specific text amendment to the car-share incentive regulations within the Zoning Bylaw. Section 8.2.11(b) allows for the total minimum off-street vehicle parking requirements to be reduced by five (5) parking spaces per car-share vehicle provided on site. The maximum reduction in total required parking is 20% (for base parking requirement). The Zoning Bylaw specifies that the following regulations also need to be met:

• the car-share vehicle parking space must be located on-site or within 100 metres of the subject property, in a highly visible spot, at-grade, publicly accessible at all times (i.e., not within an enclosed parkade), clearly marked for the exclusive use of the shared vehicle and guaranteed to operate for a minimum of two years

The City currently has one established car-share organization (Modo). The applicant was unable to secure car-share services from Modo, as the property was seen as too distant from their existing vehicles and membership network and posed too much of a risk. To be able to utilize car-share incentives, the applicant is proposing five car-share stalls be provided by Jim Pattison Lease, which would be established in Kelowna on this property. A car-share organization, as defined in the Zoning Bylaw, means operations that allow members of the general public to book vehicles on a short-term as-needed basis, paying only for the time they use the vehicle and the distance they drive. The operators are responsible for maintenance, insurance and vehicle booking through an online application.

Base parking requirements are calculated from the residential unit composition and gross floor area of commercial uses. Based on draft development permit drawings, this proposal has a base parking requirement of 109 stalls. If the site-specific text amendment application is supported by Council, the project would be eligible to reduce the required on-site base parking requirement by up to 22 stalls (or 20%) by providing five (5) car-share stalls on site. This is the 20% maximum reduction possible under the Zoning Bylaw's car-share incentive regulations.

This site-specific text amendment would allow for car share stalls to be located within an enclosed parkade and not in a highly visible spot, as required under Section 8.2.11(b). The Zoning Bylaw requires a car share to be guaranteed to operate for a minimum of two years, and the applicant has proposed their car-shares to operate for a minimum of four years. Further details of the proposed car-share program, including how they would meet the other requirements of the Zoning Bylaw, as well as comply with the car-share organization definition, is included in Attachment D.

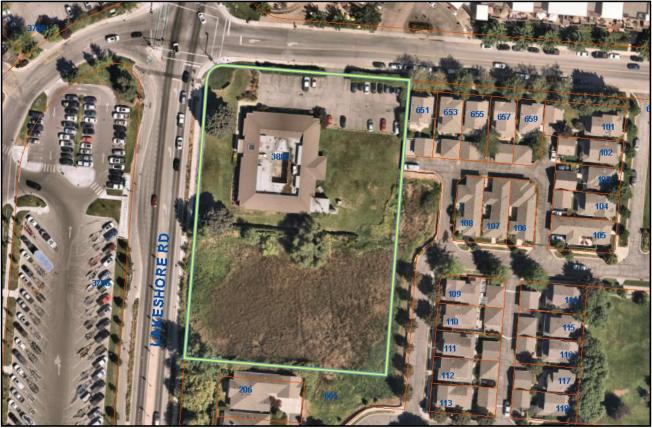
Development Planning is currently reviewing the existing car-share incentives regulations, given the interest in car-share programs that operate differently than the regulations, such as this proposal.

Lot Area	Proposed (m ²)	
Gross Site Area	9 , 182 m²	
Road Dedication	325.27 m ²	
Undevelopable Area (Riparian	5,498 m²	
Management Area)		
Net Site Area	3,358.73 m²	

4.0 Site Context & Background

Orientation	Zoning	Land Use	
North	VC1 – Village Centre	Mixed-Use (Commercial/Apartment Housing)	
East	MF1 – Infill Housing	Single Detached Housing	
South	MF1 – Infill Housing	Single Detached Housing	
West	P1 – Major Institutional	Non-Accessory Parking	

Subject Property Map: 3805 Lakeshore Rd



The subject property is located within the Cook Truswell Village Centre on the east side of Lakeshore Rd. The property has an existing single storey commercial building which has been used for radio telecommunications. It is currently vacant and would be demolished to facilitate this development. The southern portion of the property contains a known wetland, which would be formally protected through the registration of a no-disturb covenant and the Riparian Management Area would be remediated and restored.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.1 Enco	urage Village Centres as Kelowna's secondary hubs of activity.
Policy 5.1.1.	Encourage the development of a range of services, small scale and specialty
Village Centre	retail, and limited office employment in scale with supporting low
Composition	rise residential development in Village Centres to serve the surrounding Core
	Area Neighbourhoods. Support these uses with additional parks, plazas and
	other public realm improvements.
	The proposed VC1 – Village Centre zone would allow a building up to six storeys in
	height with a variety of permitted uses.
Objective 5.11 Incr	ease 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
Diverse Housing	Area to support a variety of household types and sizes, income levels and life
Forms	stages.
	The proposed VC1– Village Centre zone would permit medium density housing
	forms, including apartment housing.

5.2 Application Chronology

Application Accepted:	May 24, 2023
Neighbourhood Notification Summary Received:	June 28, 2024

Report prepared by:	Kimberly Brunet, Planner Specialist
Reviewed by:	Jocelyn Black, Urban Planning Manager
Reviewed by:	Nola Kilmartin, Development Planning Development Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning, Climate Action & Development
	Services

Attachments:

Schedule A: Proposed Site-Specific Text Amendment to Zoning Bylaw No. 12375 Attachment A: Development Engineering Memo Attachment B: Summary of Neighbourhood Notification Attachment C: Draft Site Plan Attachment D: Applicant's Letter of Rationale for the Site-Specific Text Amendment Map A: Zoning Amendment Z23-0035

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



Schedule A – Proposed Text Amendment

No.	Section	Current Wording	Proposed Wording		Reason for Change
1.	Section 8.7 Site Specific Regulations	N/A	Section 8.7 Site Specific Regulation Uses and regulations apply on a Legal Description Lot 1 District Lot 134 Osoyoos Division Yale District Plan 39987	s follows: Regulation To allow a car-share program to be located within an enclosed parkade and eligible for parking reductions established under Section 8.2.11(b).	



CITY OF KELOWNA

MEMORANDUM

Date:	June 12, 2023	
File No.:	Z23-0035	
То:	Urban Planning Manager (KB)	
From:	Development Engineering Manager (NC)	
Subject:	3805 Lakeshore Rd.	P4/RR2 to VC1

The Development Engineering Department has the following requirements associated with this application to rezone the subject property from P4 – Utilities and RR2 – Small Lot Rural Residential to VC1 – Village Centre.

Works and Services requirements directly attributable at time of Building Permit are contained in the Development Engineering Branch memo under file DP23-0109.

The Development Engineering Technician for this file is Aaron Sangster (asangster@kelowna.ca).

1. <u>GENERAL</u>

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 has not been adopted within this time.

2. PROPERTY-SPECIFIC REQUIREMENTS

- a. Approximately 2.14 m road dedication along the entire frontage of Lakeshore Rd. is required to achieve a ROW width of 30.0 m in accordance with OCP Functional Road Classification objectives.
- b. Approximately 1.0 m road dedication along the entire frontage of Cook Rd. is required to achieve a ROW width of 22.0 m in accordance with OCP Functional Road Classification objectives.
- c. A road dedication of 6.0 m radius at the corner of Lakeshore Rd. and Cook Rd. is required.

Nelson Chapman, P.Eng. Development Engineering Manager AS



3805 Lakeshore R Summary of Neighbour Notification

Introduction:

Formosis Architecture (applicant), on behalf of Jim Pattison Industries Ltd. (owner), submitted a combined Rezoning/DP & Natural Environmental DP Application in May 2023 to the City of Kelowna for 3805 Lakeshore Road (site). The application is to rezone the site from P4; RR2 zone to a VC-1 zone to accommodate a 6-storey residential building with ground floor commercial. The building will include 104 residential rental units.

The application proposes a site-specific text amendment to allow shared vehicle stalls (5) to be located within an enclosed parkade. The inclusion or car share stalls and vehicles is an emerging mode of transportation that will help support car-light living by filling a gap for residents who primarily rely on biking, walking and transit.

The application also includes proposed variances for the minimum ratio between tree sizes (50% large trees required, 0% proposed), and for the minimum building stepback from the front yard and flanking side yard from 3.0 m required to 0.0 m proposed for portions of the building on both frontages.

Neighbour Notification Approach:

As per the City of Kelowna's Council Policy 367, Section 4, Formosis Architecture sent a Neighbour Notification to addresses within a 50m radius from 3805 Lakeshore Rd. The City of Kelowna provided a list of addresses the that fall within the radius which was used for the mailing.

Date of Notification: Mailed May 7, 2024

<u>Method of Notification</u>: A notification flyer was mailed via Canada Post. A copy is included in *Appendix A*.

List of All Addresses Notified: A copy of the list is included in Appendix B.

Details of Information provided: A copy of the flyer is included in Appendix A.

Feedback Summary:

Seven responses were received to the notification. One of these seven represented a group of three individual owners in an adjacent development. These three individuals attended a Zoom Call with a representative of the site owner and voiced comments verbally which are captured in the summary numbers below. A copy of the emails received with personal details redacted is included in *Appendix C*.

The number in bracket (X) indicates the number of responses of the twelve that fall into the theme.

• Traffic and parking impacts (7) – concerns related to increased parking demand traffic congestion in the area with increased density.



- Wildlife and natural habitats (5) questions/concerns around the size of the Riparian Management Area being maintained and impact on the wetland.
- Geotechnical (3) question/concern regarding impact of development on neighbouring properties.
- Greenspace (2) comments regarding lack of greenspace in the neighbourhood.
- **Privacy (3)** concern regarding overlook of amenity deck into neighbouring properties.
- Upkeep of property (3) comment regarding upkeep and landscaping of property preconstruction.
- Building height (1) comment related to building height and thought that it would not exceed two storeys.

Conclusion:

The project team replied to the emails received and advised the respondents that their feedback would be included in a summary report when the application is presented to City Council for consideration.

Overall, the majority of questions and comments related to the impact of increased density in the neighbourhood overall and the impact on traffic and parking, and concerns regarding the retention on the Riparian Management Area and Wetland.

The project team will consider the feedback received and work with City staff throughout the application process to address concerns.

APPENDIX A

Notice of Rezoning and Text Amendment Application

3805 Lakeshore Road, Kelowna BC

Formosis Architecture has submitted an application to the City of Kelowna for the redevelopment of 3805 Lakeshore Rd. The applicant is proposing to rezone the site from a P3;P4 zone to a VC-1 zone to accommodate a 6-storey rental building with ground floor commercial facing Lakeshore Rd. The application proposes a site-specific text amendment to locate all (5) car share stalls in an enclosed parkade.

The following variances are proposed:

- To reduce the required minimum 3.0m step back to 0m at level 6 of the corner portion of the building located at the intersection of Cook Rd and Lakeshore Rd.
- Variance to the required ratio of tree sizes within the front-yard setbacks. Proposing small and medium sized trees within the setback while relocating large trees to the East side-yard.

To provide feedback on the proposal, please email info@3805lakeshore.ca.

Applicant Contact Adam Gruchala Phone: (604) 688-7582 Email: agruchala@formosis.ca

City of Kelowna Contact Kimberly Brunet Phone: (250) 469-8637 Email: kbrunet@kelowna.ca





APPENDIX B

Page 4 of 22

Mailist Owners

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Address 651 Cook Rd V1W4T4 ** Occupant ** 653 Cook Rd V1W4T4 ** Occupant ** 102 654 Cook Rd V1W3G7 ** Occupant ** 104 654 Cook Rd V1W3G7 ** Occupant ** 106 654 Cook Rd V1W3G7 ** Occupant ** 108 654 Cook Rd V1W3G7 ** Occupant ** 110 654 Cook Rd V1W3G7 ** Occupant ** 112 654 Cook Rd V1W3G7 ** Occupant ** 114 654 Cook Rd V1W3G7 ** Occupant ** 116 654 Cook Rd V1W3G7 ** Occupant ** 118 654 Cook Rd V1W3G7 ** Occupant ** 120 654 Cook Rd V1W3G7 ** Occupant ** 122 654 Cook Rd V1W3G7 ** Occupant ** 124 654 Cook Rd V1W3G7 ** Occupant ** 126 654 Cook Rd V1W3G7 ** Occupant ** 128 654 Cook Rd V1W3G7 ** Occupant ** 132 654 Cook Rd V1W3G7 ** Occupant ** 134 654 Cook Rd V1W3G7 ** Occupant ** 136 654 Cook Rd V1W3G7 ** Occupant ** 138 654 Cook Rd V1W3G7 ** Occupant ** 140 654 Cook Rd V1W3G7 ** Occupant ** 142 654 Cook Rd V1W3G7 ** Occupant ** 144 654 Cook Rd V1W3G7 ** Occupant **

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Page 5 of 22

ATT	ACH	HMENT B
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# <u>Z23-</u> (0035 T/	A24-0008 🗱 🏅
		City of 🔌
Planner Initials	KB	Kelowna

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ATTACHMENT

This forms part of application

Z23-0035 TA24-0008



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3805 Lakeshore Rd V1W3K6 ** Occupant **	

APPENDIX C

FW: Development of the property on Cook and Lakeshore Roads in Kelowna BC

6/26/24 4:40 PM

From: "Lara Reid" <reid@jpdevelopments.com>

To: "info@3805lakeshore.ca" <info@3805lakeshore.ca>



Page 12 of 22

From:

Sent: Sunday, June 16, 2024 8:51 AM To: Adam Gruchala <<u>agruchala@formosis.ca</u>>

Subject: Development of the property on Cook and Lakeshore Roads in Kelowna BC

Hello Adam,

I live in the area of the proposed development by your company on Cook & Lakeshore roads in Kelowna BC. I have a few questions and concerns regarding this.

The property is bordering on a riparian area that much wildlife lives in and has lived in. Sadly over the years we have seen many species die off, and/ or leave the area as it has become uninhabitable to them. We have lost turtles, frogs, some types of birds. This area is a protected area, but unfortunately this has not changed the outcome for the wildlife.

Seeing what your company has proposed, it looks very large and daunting, to all that live in the area, both human and the wildlife. What are your intensions to help maintain the quality of life for the wildlife and people who reside in this area?



Rezoning and text amendment for 3805 Lakeshore application

5/13/24 6:13 PM

From: ".

To: info@3805lakeshore.ca

Cc: mayorandcouncil@kelowna.ca

I am in receipt of your postcard announcing your application for the rezoning application referenced in the subject box.

I am not at all in favour of your application.

Sincerely,



Sent from my iPad



FW: DVP24-0068 Feedback

6/26/24 6:25 PM

From: "

To: "info@3805lakeshore.ca" <info@3805lakeshore.ca>



Page 14 of 22

From: Sent: Thursday, May 30, 2024 5:09 PM To: Adam Gruchala <<u>agruchala@formosis.ca</u>> Subject: DVP24-0068 Feedback

You don't often get email from

earn why this is important

Hi Adam,

Community members of Somerville Corner received your distribution mail re: the development of 3805 Lakeshore Rd (DVP24-0068).

To avoid any overlap of communication for you and your team, we've appointed a small committee to stay up-to-date with potential development and progress. Given the proximity to our property and current application, we have a number of concerns and would like the opportunity to learn more from you and to provide our feedback.

Do you have time for a call in the next week or two to discuss this?

Thanks,



FW: Follow Up: 3805 Lakeshore Road

6/26/24 4:53 PM

Page 15 of 22 Response from representative of the owner following call with 3 owners in an adjacent development.

To: "info@3805lakeshore.ca" <info@3805lakeshore.ca>





From: Paul Williams <paul@williamsmanagement.ca> Sent: Monday, June 24, 2024 10:36 AM

To: Cc:

Subject: Follow Up: 3805 Lakeshore Road

Dear .

Thank you for taking the time to meet with us and expressing your concerns and perspectives about the site. As neighbours, we appreciate you providing us with these insights, and we look forward to collaborating with you to make this project a success.

We wanted to provide you with some updates as it relates to our conversation:

Geotechnical

We spoke with the structural engineers of **The little who** were able to speak to the current site conditions. The reasoning for the halt in construction is for **The site** reasons rather than structural or geotechnical ones. The site is not sinking, and there is no cause for concern – this is very reassuring!

the geotechnical engineers on the project had the following to say about the site, " The has provided conceptual foundation options for the proposed development, none of which have underground parking or significant excavation works that would require shoring design along the perimeter of the property. During the detailed design, the potential effects of neighboring properties and utilities will be considered, however with no extensive dewatering or excavations intended for the project we do not anticipate any significant impacts to the neighboring properties at this time."

Traffic

We understand your concern as it relates to parking and traffic. The project will be following the City of Kelowna's parking bylaws and providing car share vehicles and stalls. By providing alternative

modes of transit, we hope car share usage will decline private vehicle ownership, reduting of 22 congestion and the project's overall impact to traffic.

Williams Management was brought onto the project when it was already instream and we had thought a traffic study was undertaken on the site, as this is typically a requirement from most municipalities at rezoning. The City of Kelowna does not require this study so one was not complete. We apologize for this misunderstanding.

Pool Overlook/Privacy

We appreciate your comments on privacy and overlook as it relates to the pool amenity. We contacted the project architect to discuss the issue. He reminded us about the large landscape/vegetative buffer that is being built into the area between the strata and the building. There will be large tree coverage in this area preventing any overlook from the pool deck into homes.

Landscaping and Upkeep

We contacted ownership about the current landscaping on the site. We will work with them to ensure this is maintained.

Again, we appreciate you taking the time to meet with us. We are always happy to connect further to discuss the project. Below is contact information for the project team should you have any questions. Once we have selected a General Contractor for the project, we will provide you with their contact information as well.

Team Contact Information

Paul Williams (Williams Management)

paul@williamsmanagement.ca

(604) 644-9939

Sarah Glazier (Williams Management)

sarah@williamsmanagement.ca

(902) 599-0389

Lara Reid (Jim Pattison Developments)



Page 17 of 22

Kind regards, Paul



Paul Williams Principal paul@williamsmanagement.ca 604.644.9939



Attachments:

- image001.jpg
- image002.jpg
- AllAttachments.zip

Formosi Development, at Lakeshore and Cook

5/13/24 10:53 AM

From: ".

To: info@3805lakeshore.ca

Cc: "



We are residents of Somerville Corner, and last week we received a postcard with information re, the Formosi development proposed for the site of the present Radio Station.

Three major concerns 1. We had been reassured by Jamie Brown, that any building replacing the Radio station, would be limited to TWO STORIES

2. Similarly, any new building would would not exceed the 'footprint' of

the old building.

3. MOST IMPORTANTLY, the WETLAND PRESERVATION area, which takes up at least half of the property, would be strictly 'off limits' to any building or development, and maintained and secured in perpetuity.

The postcard seems to show the wetland as part of the development site ! On further searching, the building per se. does not seem to encroach on the actual wetland, but there is a strip labelled 'riparian', which looks as it it encroaches on the Northern end of the wetland. Pictures of this strip - while quite pleasantly treed and grassy - do not in any way suggest the term 'riparian. One assumes this piece has been sliced off the actual 'wetland'.

Also, we do not understand the request to "reduce the step back to zero..." on the corner of Cook and Lakeshore. Does this mean there would be no public sidewalk ?, or does the building overhang the sidewalk ?

Concerned.....

108

"riparian Area' in Formosis plan

5/25/24 5:41 PM

From: "

To: "info@3805lakeshore.ca" <info@3805lakeshore.ca>

Cc: "



We wrote to you on may 13th, expressing concern about this development. We have not had any response, and thinking more about the plan, we particularly would like an explanation re. the so-called 'Riparian Area'.

Whilst this may not actually extend into the protected marsh area, it should act as a natural, protective strip, to further enhance the integrity of the marsh. It should therefore itself, be 'natural', in the way that a stream bank would be – a transition zone 'linking aquatic and terrestrial environments' - to quote the official definition. In fact, I believe there is a city bylaw regarding protection of these.

Looking at your plan, the 'riparian zone' has markings and shapes that would suggest a relatively 'wild' area. However, looking at the 'street view', it would seem to be basically a cement walkway, with small trees and patches of lawn - pleasant in its own way, but not exactly 'riparian'. I also presume that the large, old, trees in this strip are among the ones that will be cut down, vastly reducing the amount of shade in the area, and thus having a negative effect on the marsh.

Sincerely,

Re: 3805 Lakeshore Road

5/29/24 10:47 AM

From:

To: info@3805lakeshore.ca

Page 20 of 22



Hello Kimberly,

I'm writing in regards to Formosis Architecture's application to the City of Kelowna to re-zone 3805 Lakeshore Road to accommodate a 6-storey rental building with ground floor commercial facing Lakeshore.

I understand the City of Kelowna needs more rental housing. But I don't think this particular location is a viable option. I'm not sure the area can handle the increased density with the addition of Aqua, Movala, Caban and The Ledge on Lakeshore.

When projects complete the congestion is going to be absolutely horrible. In addition, parking is already congested on Cook Road, and a 6-storey rental building is only going to increase the problem.

I'm wondering... does the City have any plans to help alleviate congestion on Lakeshore Road or Cook Road?

The other concern I have with this project is that it backs onto a Wetland, so there is lack of green space for tenants. The only green space in the area is in Somerville Corner (which is privately owned). If the City wants to rapidly increase density like other major cities, then they need to start planning green spaces like every other City.

Thank you,



3805 Lakeshore Road

5/29/24 10:37 AM

From: "

To: info@3805lakeshore.ca

ATTACHMENT B This forms part of application # Z23-0035 TA24-0008 City of Planner Initials KB

Page 21 of 22

Hello Kimberly,

I'm writing in regards to Formosis Architecture's application to the City of Kelowna to re-zone 3805 Lakeshore Road to accommodate a 6-storey rental building with ground floor commercial facing Lakeshore. While I understand the City of Kelowna needs more rental housing, I don't think this particular location is fantastic. With the addition of Aqua, Movala, Caban and The Ledge On Lakeshore, I'm not sure the area can handle the increased density. These projects won't complete for a few more years, but when they do, the congestion is going to be absolutely horrendous. Not only this, but parking is already congested on Cook Road, and the addition of a 6storey rental building is only going to increase the problem. I'm curious, does the City have any plans to help alleviate congestion on Lakeshore Road or Cook Road for that matter? The other concern I have with this project is that it backs onto a Wetland, so there is lack of green space for tenants. The only green space in the area is in Somerville Corner (which is privately owned). If the City wants to rapidly increase density like other major cities, then they need to start planning green spaces like every other City.

Thank you,



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FW: RE 3805 Lakeshore Rezoning

6/26/24 4:28 PM

To: "info@3805lakeshore.ca" <info@3805lakeshore.ca>



-----Original Message-----

From:

Sent: Tuesday, May 14, 2024 4:28 PM

To: kbrunet@kelowna.ca <mailto:kbrunet@kelowna.ca>

Cc: <u>mayorandcouncil@kelowna.ca</u> <<u>mailto:mayorandcouncil@kelowna.ca</u>>; <u>parking@kelowna.ca</u>

<<u>mailto:parking@kelowna.ca</u>>; Adam Gruchala <agruchala@formosis.ca <<u>mailto:agruchala@formosis.ca</u>>> Subject: RE 3805 Lakeshore Rezoning

Hello Kimberly,

I would like to know if there are parking spaces for two cars per residential unit in the new building being proposed. On looking at the submitted plans, there probably aren't enough parking spots in the parkade. Parking and traffic in this area is already a problem. I live in Somerville Corner and we already suffer from the parking issues of Playa Del Sol residents and the new development just behind Playa Del Sol will add to the nightmare.

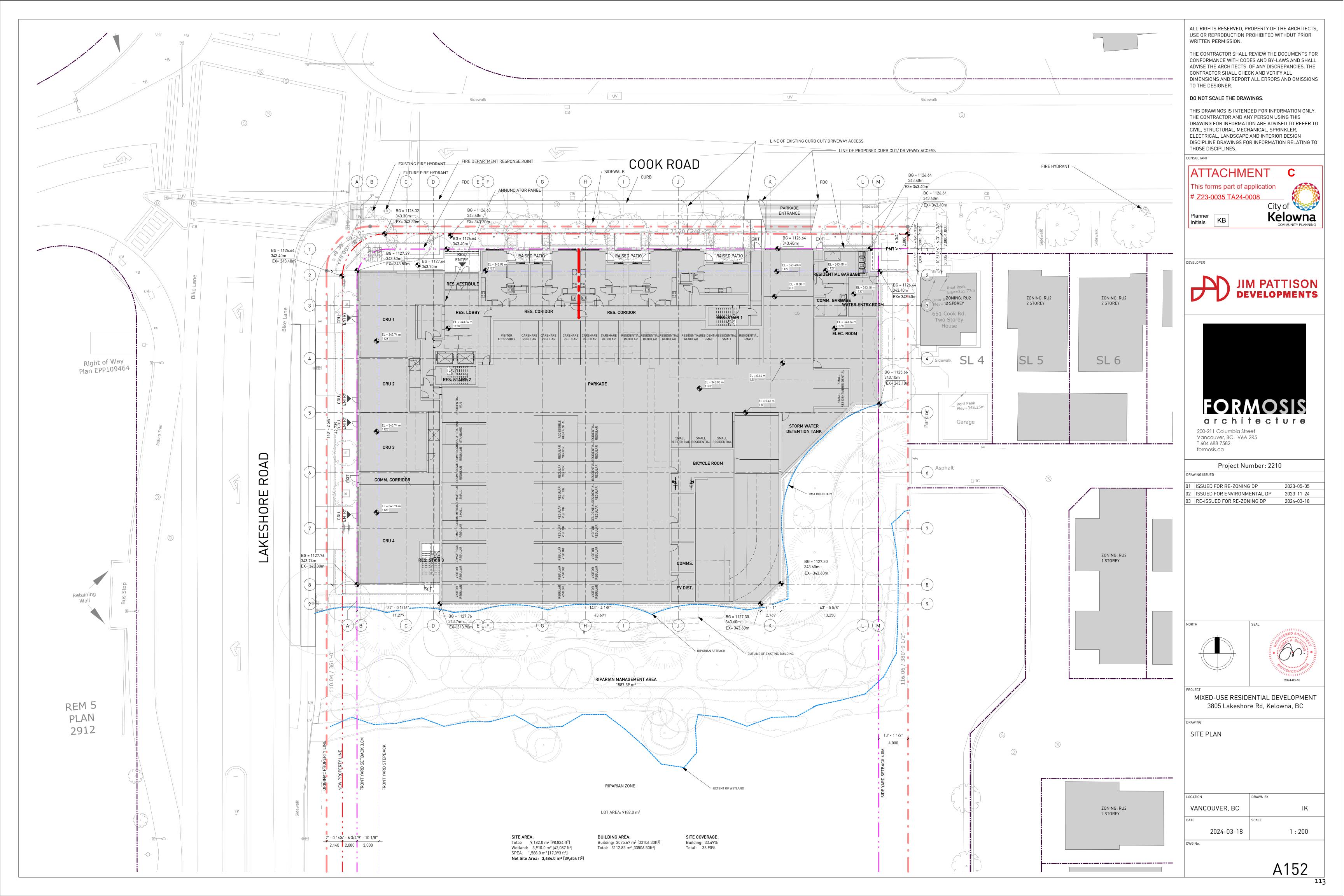
Cook Road will have three main points of egress and ingress from the three developments. The on street parking is a huge problem already and two of these developments are not even functioning yet. With parking being allowed on both sides of Cook Rd. the setback for parking is not sufficient and creates a dangerous situation for residents of Somerville Corner trying to turn onto Cook Rd. The visibility problem combined with the increase in speeding vehicles will only get worse. Is the city willing to rethink the parking on Cook Rd?

The wetland looks like it will be retained but will it be the same size as it is currently?



Attachments:

• 16-May-2024 - Lakeshore Neighbour Response.docx





March 5, 2024

Nola Kilmartin Chief Planner City of Kelowna City Hall 1435 Water Street Kelowna, BC V1Y 1J4

Attention: Ms. Nola Kilmartin

Dear Nola,

Re: Proposal to Introduce Car Share Services in Kelowna

I am writing to you on behalf of Jim Pattison Lease, one of the largest and most respected car leasing and fleet management companies in the industry, with an exciting proposal that aligns with the growing transportation needs of Kelowna.

Commitment

As a company deeply committed to innovation and community service, we are thrilled to announce our readiness to venture into a new business domain—providing car share services for the greater Kelowna area. We have plans to take this business nationally. This initiative is not just a business expansion for us; it's a step towards contributing to Kelowna's, and Canada's urban mobility and sustainability goals.

We have ambitious plans to operate and expand this business in Kelowna and across the country for many years to come, reflecting our long-term commitment to growing and sustaining this initiative.

Rationale

Our confidence in this concept is not unfounded. We have conducted research into the local transportation landscape, evaluating the opportunity, demand, and market potential. Our findings indicate a significant need for flexible, efficient, and eco-friendly transportation solutions in Kelowna, especially given the city's growing population and the increasing emphasis on reducing carbon footprints.

The timing for launching our car share initiative is exceptionally opportune, coinciding with the recent introduction of various bills by the province of BC aimed at encouraging housing development while simultaneously reducing minimum parking stall requirements. This legislative shift ensures that the demand for car share services is poised to increase, aligning perfectly with our initiative's launch, forecasting a promising future for this sustainable transportation solution.







We're excited to launch our innovative car-sharing service in a community renowned for its growth and development potential. Our analysis indicates that this location will be profitable at launch and will grow as the population expands with development.

Access & Operations

Our service will leverage advanced technology, blending mobile and telematics solutions, keyless vehicle entry and ignition, entry, scheduling, and payment systems. This ensures a hassle-free experience for users to locate, book, access, drive, and manage payments for their rides with only their smartphone.

Furthermore, we're committed to ensuring ease of access for our users. Our vehicles and access points will be secured through secure codes and touchless access methods, resulting in a smooth and secure process for all.

Our vision is to create a network of shared vehicles that are easily accessible and cost-effective, complementing the existing public transport system and the current car share company operating in Kelowna. This service is particularly aimed at providing a convenient option for those who occasionally need a vehicle without the hassle of owning one, thereby reducing the number of privately owned cars on the road and contributing to a cleaner, less congested urban environment.

We are enthusiastic about the prospect of working collaboratively with the City of Kelowna to make this service a reality. Our proposal includes a comprehensive plan addressing key aspects such as vehicle maintenance, service area coverage, user accessibility, and an environmentally friendly fleet (all cars to be electric).

We believe that our expertise in the automotive leasing industry for the past 60 years, combined with our commitment to innovation and community welfare, positions us uniquely to successfully implement and manage this service. We are eager to discuss how we can tailor this proposal to best fit the needs and expectations of the Kelowna community.

First Launch

To that end, we have an immediate opportunity to implement our car share platform in the proposed Jim Pattison Developments purpose-built rental residential project located at 3805 Lakeshore Road in Kelowna. We plan to begin with an initial fleet of 5 cars, with a desire to scale the business upwards, adapting to the community's needs.

Jim Pattison Lease understands that the City of Kelowna's bylaw (8.2.11) requires that new developments receiving a car share parking reduction guarantee operation of the program for a minimum of 2 years. We are committed to meeting this obligation in partnership with Jim Pattison Developments and are willing to increase the minimum to four years at the proposed development to provide security that the car share platform will remain in operation for the benefit of residents and the public.





We attach our standard *Letter of Understanding* with Jim Pattison Developments for the basic business terms upon which our car share service will be delivered to this exciting new project as well as a *Carshare Information Package* that outlines the background related to Jim Pattison Development's Rezoning/ Development Permit Application Submission.

Thank you for considering this proposal. We are excited about the possibility of bringing this muchneeded service to Kelowna and look forward to the opportunity to contribute positively to the city's transportation landscape.

Yours truly,

Ryan D'Souza President, Jim Pattison Lease

CC:

Doug Gilchrist, City Manager Ryan Smith, Director of Planning Jocelyn Black, Manager Urban Planning Mitch Cramp, Jim Pattison Developments Adam Gruchala, Formosis Architecture Paul Williams, Williams Management

Enclosed: Letter of Understanding

Carshare Information Package





3805 Lakeshore Road, Kelowna

Carshare Information Package to Support Rezoning/Development Permit Application Submission dated May 2, 2023

Provided by: Jim Pattison Developments Ltd.

Provided to: Mark Tanner, Planner II – City of Kelowna

Introduction:

Based on the parking reductions being sought in our application, Jim Pattison Developments (JPD) held a meeting with Modo Carshare (Kelowna) to discuss our project. At this meeting, Modo declined the opportunity to participate in our project, causing JPD to seek other carshare solutions. Fortunately, another Pattison Group company – Jim Pattison Lease (<u>www.jimpattisonlease</u>) has committed to providing both the carshare operating platform and vehicles required to support our project and which meet the carshare requirements of the City of Kelowna.

Our understanding of the definition of the City of Kelowna's Carshare Organization to be:

CAR-SHARE ORGANIZATION means operations that allow members of the general public to book vehicles on a short-term as-needed basis, paying only for the time they use the vehicle and the distance they drive. The operators are responsible for maintenance, insurance and vehicle booking through an online application.

As per the Planning Department's request, we have addressed the following issues with respect to providing our Carshare Program through Jim Pattison Lease:

1. Confirmation that Modo is not willing to provide carshare vehicles:

Attached please find an email from Modo Carshare confirming that they are not willing to provide carshare vehicles at the proposed development (3805 Lakeshore Road, Kelowna).

2. How the car-share would meet the requirements of the Zoning Bylaw (dedicated car and parking stall, available to the public)

The Carshare vehicles and dedicated Carshare stalls for our project would be located on the ground level of the secured parkade at 3805 Lakeshore Rd, as indicated on the attached plan. The parkade will be fully secured but will permit 24/7 access to Carshare members (both general public and tenants of our project) that have made a Carshare booking online. In a separate service agreement with Jim Pattison Developments, Jim Pattison Lease will ensure that regular maintenance schedules are adhered to, and adequate insurance is in place for the Carshare vehicles. Jim Pattison Lease is currently in the process of developing an online application dedicated to Carshare usage and payment platform, which we will share with the City of Kelowna when it is completed in the coming months.



3. Details on how the organization would operate (e.g., overall structure):

The Carshare platform will operate as a solely owned business line of Jim Pattison Lease. All vehicles, online applications and other proprietary business functions related to the Carshare business line will be owned and administered by Jim Pattison Lease. Jim Pattison Developments will enter into a Services Agreement with Jim Pattison Lease to provide the Carshare program to our project.

4. Previous experience or resources that would demonstrate that is it viable:

Jim Pattison Lease has been in business for over 61 years and is one of the largest privately held fleet vehicle management companies in Canada. Jim Pattison Lease also operates Visa Rentals and Leasing, a rental vehicle company that provides services in British Columbia and Alberta. They have been exploring entering the Carshare market for some time and possess the technological, financial and vehicle resources to deliver an exceptional Carshare offering to the Kelowna market, and to fill a clear market gap that exists as a result of having only one other Carshare provider for Kelowna in Modo.

5. Information on how booking would work and availability to the public:

The Jim Pattison Lease Carshare program would take bookings and payment through an online application, similar to Modo and other Carshare providers. We will share the new mobile application with the City of Kelowna when Jim Pattison Lease has completed it in the coming months. The mobile application would be available for free download by the general public and by the tenants of our project. Access to Carshare vehicles would be into the secured parkade at the project with a one-time access code via an access door as indicated on the attached plan. The entrance and parking area will be under 24/7 CCTV surveillance to enhance safety. When the Carshare members are finished with their booking, they will return the Carshare vehicle to a designated stall at our project. The Carshare vehicles will be equipped with programable garage door openers to allow access in and out of the parkade.

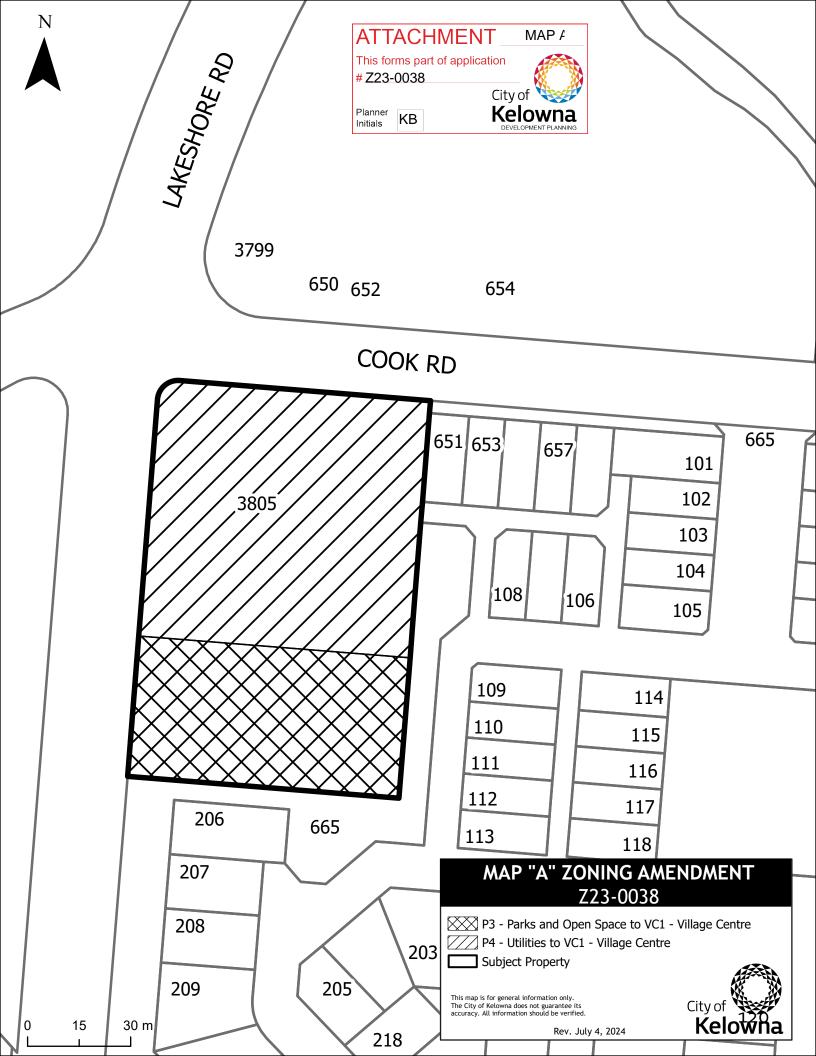
6. Details about how the car-share would be secured (e.g.: if the building sells, how is it assured that the car-share will be continued, the parking stall will still be reserved etc.):

Like legal agreements that we have entered with the City of Vancouver for Carshare services, Jim Pattison Developments would propose to enter into a legal agreement with the City of Kelowna for Carshare services at the property, to be registered on title. We are pleased to share precedent legal agreements with the City of Kelowna or to review the terms of existing Carshare legal agreements that the City of Kelowna would like to use. The terms of the Carshare legal agreement would include for such items as specifically identified Carshare stalls to be designated, Jim Pattison Developments' obligations to maintain ongoing carshare services, and the length of time for those obligations. Jim Pattison Developments intends to hold and operate the project on a long-term basis, but in the unlikely event the property did sell, the legal agreement registered on title would have provisions such that the obligation to provide Carshare services would survive and be passed onto subsequent owners.



7. Assurances about the long-term sustainability and JPD's commitment to the car-share in the long term (e.g.: is it financially viable; it won't just be abandoned after a year or two if there is lower use):

Jim Pattison Developments has held extensive discussions with Jim Pattison Lease with regards to our proposed Carshare solution for this project. The Services Agreement that the two parties will enter into will ensure that this venture is financially accretive to Jim Pattison Lease and that they will maintain the service for the long term. Jim Pattison Lease views this Kelowna Carshare opportunity as a springboard to a much broader opportunity to develop and grow an entirely new business line for their company. Jim Pattison Developments intends to reconsider Carshare providers for all future multi-family residential projects, for which we have a deep development pipeline, and to look to Jim Pattison Lease as our Carshare provider. This approach will not only further support this new business line but will allow Jim Pattison Lease to build their brand in this space so they can pursue other third-party developers beyond Jim Pattison Developments.



CITY OF KELOWNA

BYLAW NO. 12683 Z23-0035 3805 Lakeshore Road

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

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

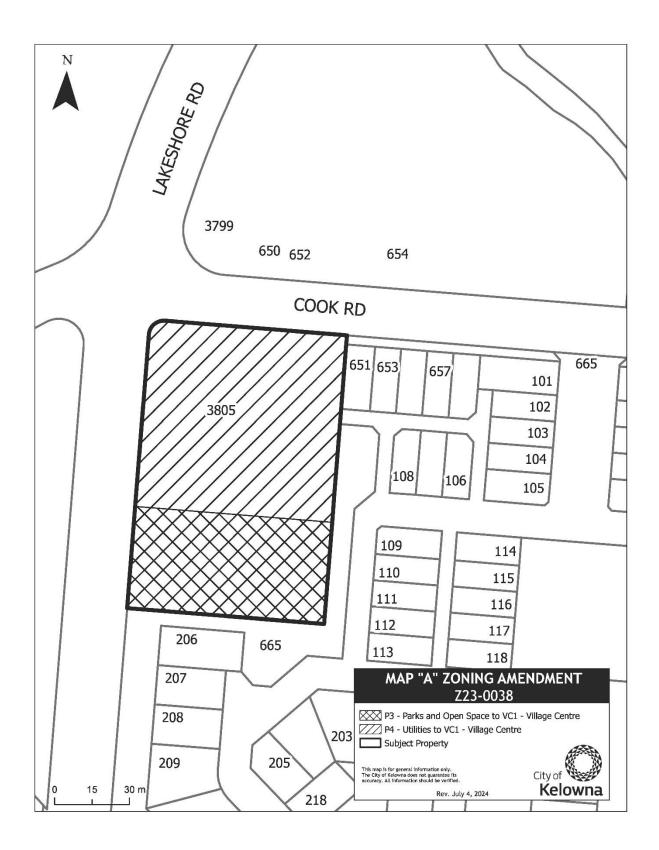
- THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot 1 District Lot 134 ODYD Plan 39987 located on Lakeshore Road, Kelowna, BC from the P3 – Parks and Open Space zone and from the P4 – Utilities zone to the VC1 – Village Centre zone as shown on Map "A" attached to and forming part of this bylaw.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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



CITY OF KELOWNA

BYLAW NO. 12684 TA24-0008 3805 Lakeshore Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375, Section 8 – Parking and Loading be amended by adding Section 8.7 – Site Specific Regulations as follows in its appropriate location:

"					
	Section 8.7 Site Specific Regulations Uses and Regulations apply on a site-specific basis as follows:				
Legal Description Civic Address Regulation					
1.	Lot 1 District Lot 134 ODYD Plan 39987	3805 Lakeshore Rd	To allow a car-share program to be located within an enclosed parkade and eligible for parking reductions established under Section 8.2.11(b).)		

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

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

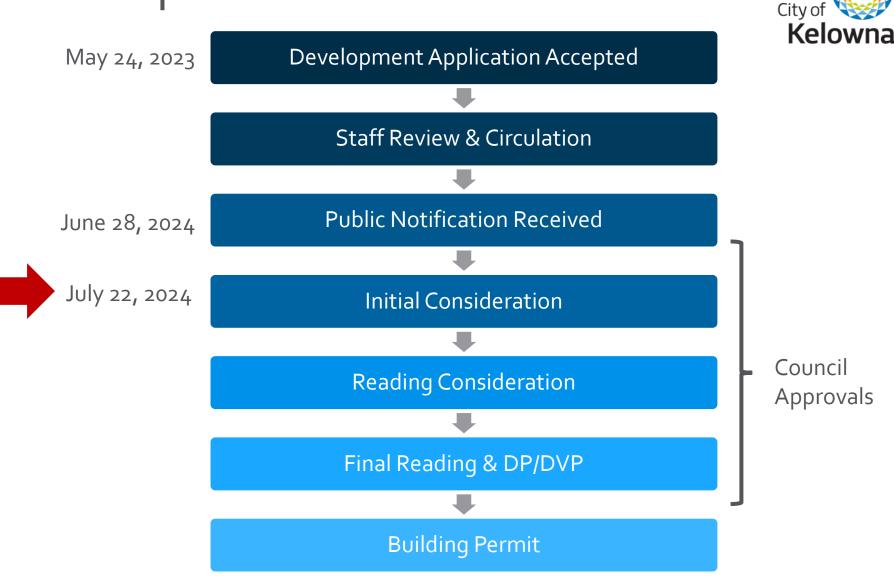
City Clerk

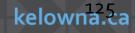


Z23-0035 TA24-0008 3805 Lakeshore Rd

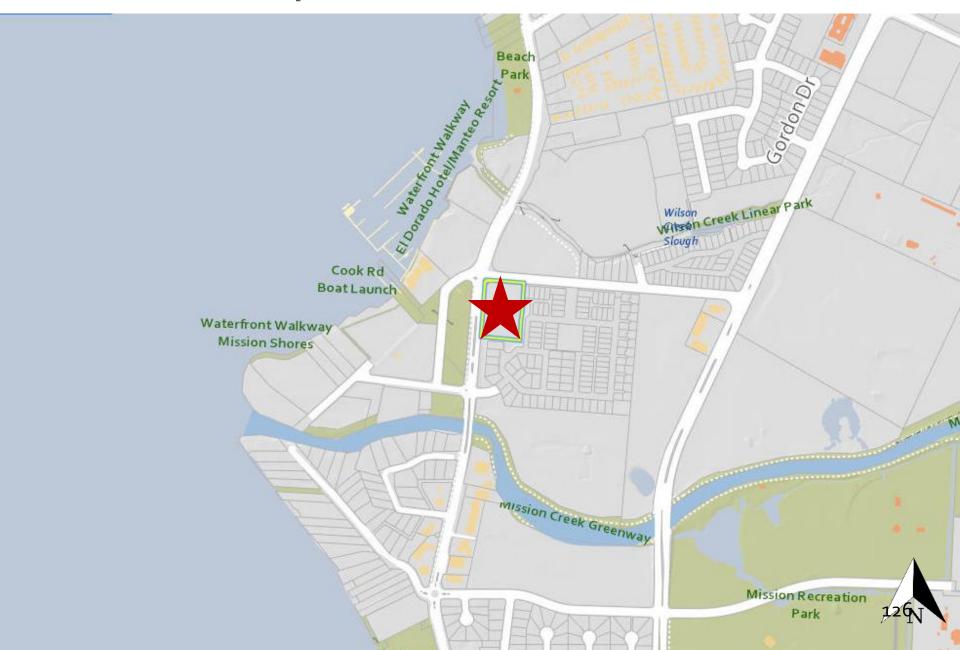
Rezoning and Text Amendment Application

Development Process



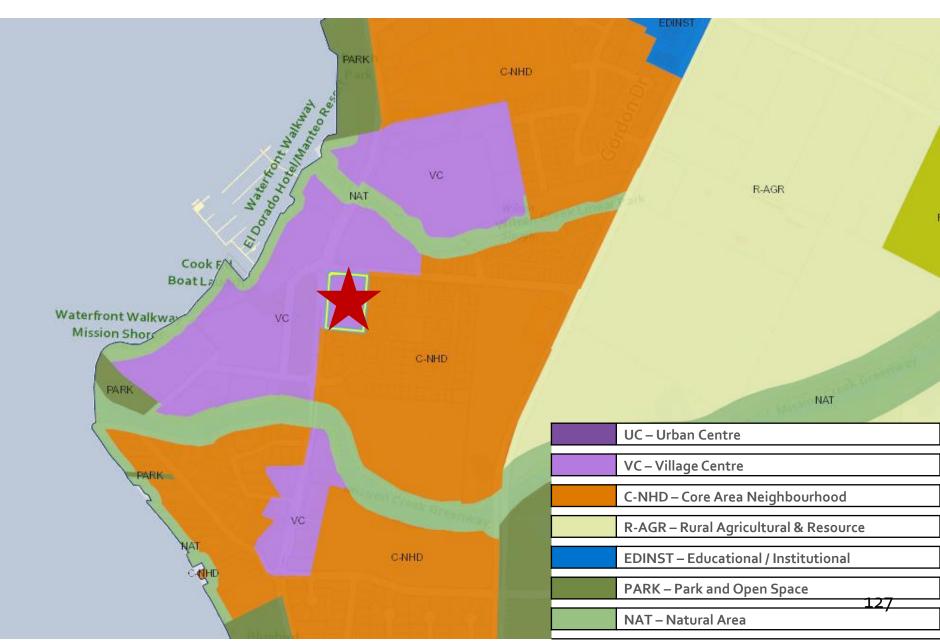


Context Map



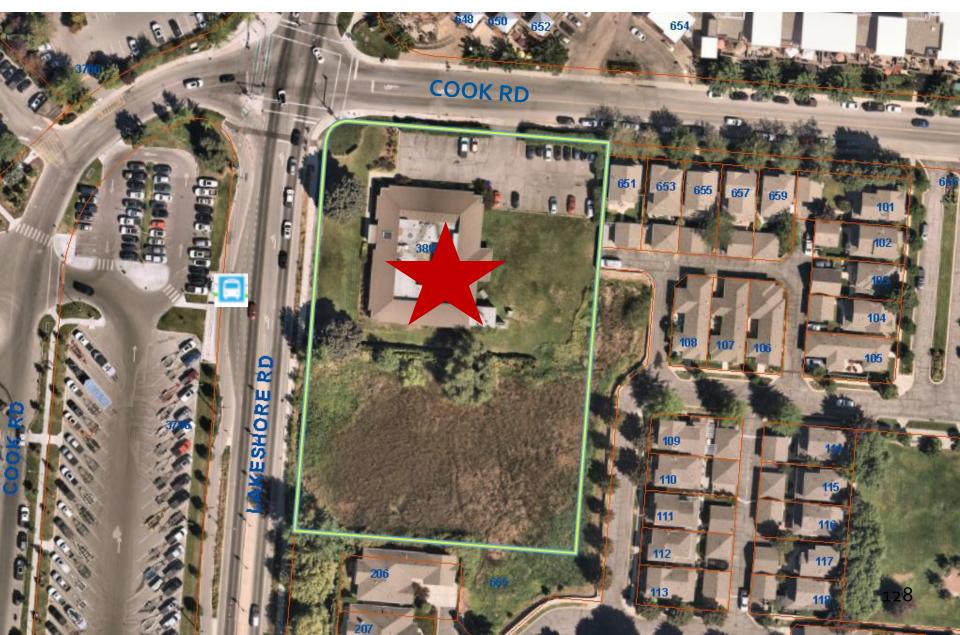
OCP Future Land Use





Subject Property Map





VC1–Village Centre Zone

Purpose

 To provide a zone for a comprehensive mixed-use area which can include a variety of uses specified for each Village Centre (as identified with the OCP).

Summary of Uses

- Apartment Housing
- Stacked Townhouses
- Townhouses
- Small-scale and specialty retail
- Limited offices
- Restaurants at grade
- Health Services
- Personal Services
- Restaurants & Liquor Primary

VC1–Village Centre Zone

Regulation	Maximum Permitted
Base Height	Cook Truswell Village Centre: 6 storeys & 22.0 m
Base Floor Area Ratio	Cook Truswell Village Centre: 1.5
Bonus Floor Area Ratio	Underground Parking: 0.25 Public Amenity: 0.25 Rental/Affordable: 0.3
Site Coverage Buildings Site Coverage Total	75% 85%

VC1–Village Centre Zone

Regulation	Minimum Permitted
Total Number of Trees	1 per 10 lineal metres of landscape area 13 required
Number of Large Trees	50% Large Trees 7 required
Amenity Space	7.5 m² per studio 15.0 m² per 1-bed 25 m² per unit with 2-bed+
Potential Unit Count	104 units
Proposed Commercial Uses	Approx. 450 m ² commercial at- grade fronting Lakeshore Rd



OCP Objectives – Climate Resilience K

Climate Criteria

Dark Green – Meets Climate Criteria Light Green– Will Meet Criteria Soon Yellow – Does not meet Climate Criteria

10 min Walk to Retail/Restaurants	
5 min Walk to Park	
10 min Bike to Public School	
20 min Bus to Urban Centre/Village Centre/Employment Hub	
Retaining Trees and/or Adding Trees	
OCP Climate Resilience Consistency	





Site-Specific Text Amendment Kelowna

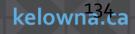
- An application to create a site-specific regulation allowing for a car-share program to be located within an enclosed parkade and eligible for a parking reduction
 - Zoning Bylaw requires car-share stalls to be highly visible, at grade and publicly accessibly at all times (i.e. not within an enclosed parkade)
- Five (5) car-share stalls would result in the maximum 20% reduction to base parking requirements (22 stalls)
- Would see the establishment of a new car share organization
- Development Planning is currently reviewing the existing car-share regulations



OCP Objectives & Policies

Future Land Use: VC - Village Centre

- Objective 5.1 Encourage Village Centres as Kelowna's secondary hubs of activity.
 - Encourage the development of a range of services, small scale and specialty retail, and limited office employment in scale with supporting low rise residential development
- Objective 5.11 Increase the diversity of housing forms and tenure to create an inclusive, affordable and complete Core Area.
 - 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.





Staff Recommendation

- Staff recommend support for the proposed rezoning and site-specific text amendment as it is consistent with:
 - OCP Future Land Use Village Centre
 - OCP Objectives in Chapter 5 Core Area
 - Encourage Village Centres as secondary hubs of activity
 - Housing Diversity
 - Development Planning is currently reviewing the existing car-share regulations
 - Development Permit and Development Variance Permit to follow for Council consideration

REPORT TO COUNCIL TEXT AMENDMENTS

Date:	July 22 nd , 2024
То:	Council
From:	City Manager
Address:	n/a
File No.:	TA24-0009



1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA24-0009 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated July 22nd 2024, be considered by Council;

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

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

2.0 Purpose

To amend the following sections of Zoning Bylaw No. 12375: Section 5 - Definitions & Interpretations, Section 5 - Definitions - Short-Term Rental Accommodation, Section 6 – General Development Regulations, Section 7 – Site Layout, Section 8 – Parking & Loading, Section 10 – Agriculture & Rural Residential Zones, Section 13 – Multi-Dwelling Zones, and Section 14 – Core Area & Other Zones.

3.0 Development Planning

Staff have committed to continual improvements to the Zoning Bylaw as priorities evolve and challenges arise. Staff are presenting a series of minor amendments for Council's review. Concurrently, Staff are working on two other Zoning Bylaw amendment projects. The first project is a Section 8 Parking review. Council's priority of increasing affordable housing supply, the requirements of the federal Housing Accelerator Fund (HAF), and adoption of the provincial Transit Oriented Areas (TOA) legislation have necessitated a review of our parking bylaw. For example, the application of the current cash-in-lieu parking policy acts as a financial disincentive for multi-family housing in Urban Centres where the OCP directs increased residential density to support transit nodes and corridors. The second project is a more comprehensive landscape section review, to be implemented as an outcome from the City's Sustainable Urban Forest Strategy. This will improve coordination of on-site landscaping requirements with updated off-site landscape provisions within the Subdivision and Servicing Bylaw 7900 updates.

In this report, several recommended content changes are proposed to the Zoning Bylaw. For a detailed list of changes and the reasons for recommending these changes please see the attached Schedule 'A'. Table 3.1 below provides an executive summary of the changes. The executive summary is organized into eight categories.

Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes					
No.	No. Area of Change		Additional Detail		
1.	Section 5 Definitions & Interpretations	 Updates to: a) Front Lot Line b) Stepback c) Building Envelope Area d) Common & Private Amenity Space e) Short-Term Rental Accommodation 	 a) Alter Front Lot Line definition to apply to bareland strata lots. b) Amend Stepback definition to allow eaves to project within the area. c) Update Building Envelope Area definition to capture all legal restrictions such as easements & rights-of-way. d) Amend the definition of Common & Private Amenity Space to exclude lobbies. e) Change Short-Term Rental Accommodation definition to align with provincial legislation of less than 90 consecutive days. 		
2.	Section 6 – General Development Regulations	Updates to: a) Swimming Pool Regulations	 a) Amend location and setback swimming pool regulations to add the term flanking side yards to capture corner lot situations. 		
з.	Section 7 – Site Layout (Landscaping)	 Updates to: a) Definitions b) Soil Volumes c) Reorganize table d) Overhead power lines e) Add MF4 to Landscape Regulation table f) Adjust setback from tree to building 	 a) Replace 'Growing Medium' definition with 'Soil Volume' definition . Replace 'Growing Medium Area' definition with 'Soft Landscaping' definition. Add definition of infill housing to allocate landscape requirements to that specific development form. b) Adjust soil volumes to fit better in tight urban environments while maintaining adequate volumes for healthy trees. c) Reorganize the table format for increased clarity and fewer footnotes. d) Expand the overhead power lines provision to all development. e) Clarify which landscape requirements apply to various MF4 developments. f) Adjust the setback above the second storey to remove the step forward as this will allow for full canopy growth and light exposure over time. 		
4.	Section 7 – Site Layout (Fencing and Retaining Walls)	 Updates to: a) Formatting b) Fences on top of or beside retaining walls c) Retaining walls 	 a) Simplify and reorganize section into two separate sections (Fencing & Retaining Walls). b) Clarify the intended height of a fence on top of or beside a retaining wall or steep slope. c) Rewrite retaining wall section for increased clarity of maximum retaining wall height and clarify when a professional engineer is required. 		

	Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes				
No.		Area of Change	Additional Detail		
5.	Section 8 – Parking & Loading	Updates to: a) Drive Aisles b) Universal Accessible Parking c) Tandem Parking d) Rutland Transit Oriented Area	 d) Clarify the one-way drive aisle width is 5.5 metres when adjacent parking is 60 degrees or greater. e) Clarify that universal accessible parking is to be triggered with MF2, not MF1 developments. f) Clarify that tandem parking is not to be used between principal dwelling units and to allow tandem parking for Child Care Centre, Major with the principal dwelling. g) The original Transit Oriented Area map missed one property (165 Dougall Rd S). 		
6.	Section 10 – Agriculture & Rural Residential Zones	Updates to: a) Mobile Home in A1 b) Single Detached Dwelling in A1, A2, RR1, & RR2 c) Bed & Breakfast	 a) Clarify the footnote that only 1 mobile home is permitted per lot within the A1 zone. b) Add a footnote to ensure only one single detached dwelling is permitted per lot with the A1, A2, RR1, & RR2 zones. c) Amend footnote to provide consistent bed & breakfast regulations across zones that allow bed & breakfast homes only if one unit exists on the lot. 		
7.	Section 13 – Multi-Dwelling Zones	Updates to: a) Child Care Centre, Major b) MF1 Side Yard Setbacks c) Parkade entrance / exit height exclusion	 a) Change Child Care Centre, Major from Secondary use to Principal use to be consistent with childcare regulations throughout the City. b) Change MF1 side setback from 1.8m to 1.2m for garages or carports to help accommodate necessary parking onsite. c) Add an exclusion for parkade entrances / exits as the overall height regulation will remain intact. 		
8.	Section 14 — Core Area & Other Zones	 Updates to: a) Office & Apartment use in the C1 & C2 zone b) Urban Centre side yard setbacks c) Lots with Parks designation with a Transit Oriented Area d) Parkade entrance / exit height exclusion 	 a) Clarify the definition that these uses cannot occur on the ground floor but can occur on floors above the ground floor. b) Add Suburban Future Land Use designations to the list of adjacent lots. c) Comply with the provincial Transit Oriented Areas legislation with regards to height and density on designated lots, including lots with a park designation d) Add an exclusion for parkade entrances / exits as the overall height regulation will remain intact. 		

Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes				
No.		Area of Change	Additional Detail	

Report prepared by:	Adam Cseke, Planner Specialist		
Reviewed by:	Jocelyn Black, Urban Planning Manager		
Reviewed by:	Nola Kilmartin, Development Planning Department Manager		
Approved for Inclusion by:	Ryan Smith, Divisional Director, Planning, Climate Sustainability & Development Services		

Attachments:

Schedule 'A': Proposed Text Amendments to Zoning Bylaw No. 12375

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

City of Kelowna

Planner Initials AC

Content Changes to Zoning Bylaw No. 12375

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 5 – Definitions & Interpretations – Building Envelope Area	BUILDING ENVELOPE AREA means the remainder area of a lot after excluding the setbacks areas and all areas of the lot that have a 'no build' restrictive covenant or a 'no disturb' restrictive covenant for any environmental or geotechnical purposes. (See Figure 5.2).	BUILDING ENVELOPE AREA means the remainder area of a lot after excluding the setbacks areas and all areas of the lot that have a 'no build' restrictive covenant or a 'no disturb' restrictive covenant for any environmental or geotechnical purposes, <u>or easements & statutory rights-of-</u> <u>way.</u> (See Figure 5.2).	Ensure any legal restriction on a lot is captured in the definition.
2.	Section 5 – Definitions & Interpretations – Common and Private Amenity Space.	COMMON AND PRIVATE AMENITY SPACE means a useable open space area, exclusive of parking spaces, which is developed for the recreational use of the residents and includes: indoor common amenity space, outdoor common space, common terraces, common rooftop spaces, private decks, level landscaped recreation areas, and balconies. Landscaped areas required in Section 7 cannot be counted towards common and private amenity space.	COMMON AND PRIVATE AMENITY SPACE means a useable open space area, exclusive of parking spaces, which is developed <u>exclusively</u> for the recreational use of the residents and includes: indoor common amenity space, outdoor common space, common terraces, common rooftop spaces, private decks, level landscaped recreation areas, and balconies. Landscaped areas required in Section 7 cannot be counted towards common and private amenity space.	To clarify areas such as lobbies are excluded from the common and private amenity space calculations.
3.	Section 5 - Definitions & Interpretations – Growing Medium	GROWING MEDIUM means the material that plants grow in. Growing medium shall follow the standards identified in the Canadian Landscape Standard (CLS).	delete	Replace the term Growing Medium with Soil Volume to clarify the intended meaning.
4.	Section 5 - Definitions & Interpretations – Infill Housing	n/a	INFILL HOUSING means any form of development on a lot within the C-NHD - Core Area Neighbourhood or the S-RES – Suburban Residential future land use designation outlined within the OCP that contains or will contain three to six dwelling units and / or any form of development on a MF1, MF4, RU1, RU2, or RU3 zoned lot that contains or will contain three to six dwelling units.	Clarify meaning of infill housing to be able to quote landscape regulations for infill housing developments.
5.	Section 5 – Definitions & Interpretations – Lot Line, Front – Urban and Rural Residential	LOT LINE, FRONT – URBAN AND RURAL RESIDENTIAL means, in the case of an interior lot, a lot line separating the lot from the street; or in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street not including a corner rounding or corner cut; or for a lot configuration that is not otherwise described in this definition, front lot line as approved by the Director of Planning & Development Services	LOT LINE, FRONT – URBAN AND RURAL RESIDENTIAL means, in the case of an interior lot, a lot line separating the lot from the street <u>or bareland strata</u> <u>road</u> ; or in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street not including a corner rounding or corner cut; or for a lot configuration that is not otherwise described in this definition, front lot line as approved by the Director of Planning & Development Services	Specifying that front lot lines apply to Bareland Strata roads
6.	Section 5 - Definitions & Interpretations – Short-Term Rental Accommodation	SHORT-TERM RENTAL ACCOMMODATION means the use of a dwelling unit or one or more sleeping units within a dwelling unit for temporary overnight accommodation for a period of 29 days or less. This use excludes hotels and motels. Short-term rental accommodations shall not be permitted to operate within a boarding or lodging house, a carriage house, a group home, or within a secondary suite. See Section 9.10 for Short Term Rental Accommodation Specific Regulations.	SHORT-TERM RENTAL ACCOMMODATION means the use of a dwelling unit or one or more sleeping units within a dwelling unit for temporary overnight accommodation for a period of <u>time of less than 90 consecutive days</u> . This use excludes hotels and motels. Short-term rental accommodations shall not be permitted to operate within a boarding or lodging house, a carriage house, a group home, or within a secondary suite. See Section 9.10 for Short Term Rental Accommodation Specific Regulations.	The provincial Short-Term Rental Accommodations Act defines short-term rental as a period of time of less than 90 consecutive days. This change will ensure the City's Zoning Bylaw definition of a Short- Term Rental is consistent with provincial legislation to avoid any possible discrepancies.
7.	Section 5 - Definitions & Interpretations – Soft Landscaping	n/a	SOFT LANDSCAPING means soil-based groundcover within the landscape area, including landscaping with a minimum 150mm of growing medium and plants including natural turf, ground covers such as perennials and grasses, shrubs and trees. Soft landscaping does not include areas without growing medium and plant materials such as areas that are predominately rock, artificial turf, rubberized surfacing or hard surfacing such as but not limited to pavers.	Replace the term Growing Medium Area with Soft Landscaping to clarify the intended meaning of the regulation.



City of
Kelowna

 SCHEDULE
 A

 This forms part of application
 #

 # TA24-0009
 City of

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No.	Section	Current Wording	Proposed Wording	
8.	Section 5 - Definitions & Interpretations – Soil Volume	n/a	SOIL VOLUME means the growing medium material that plants g growing medium shall follow the standards identified in the Canac Landscape Standard (CLS).	
9.	Section 5 – Definitions & Interpretations – Stepback	STEPBACK means the horizontal recessing of the building facade above a specified storey. Common stairwells, elevators, and the associated common floor areas that access the stairwells and elevators are exempt from requiring to meet the stepback. See illustrative figures for visual representation below:	STEPBACK means the horizontal recessing of the building façade, from the face of the building wall, above a specified storey. Comm stairwells, elevators, and the associated common floor areas that stairwells and elevators are exempt from requiring to meet the ste Eaves can project into the stepback no greater than 0.6 meters. So illustrative figures for visual representation below:	non access the epback.
10.	Section 6 – General Development Regulations – 6.1 – Swimming Pools – 6.1.1	Swimming pools shall not be located in a required front yard setback.	Swimming pools shall not be located in a required front yard <u>or fla</u> <u>yard</u> setback.	anking side
11.	Section 6 – General Development Regulations – 6.1 – Swimming Pools – 6.1.3	At grade swimming pools shall be located at a minimum of 0.9 metres from side lot line and rear lot line and 1.5 metres from any street, except for a required front yard.	At grade swimming pools shall be located at a minimum of 0.9 me side lot line and rear lot line and 1.5 metres from any street, excep required front <u>or flanking side yard.</u>	
12.	Table 7.2 — Tree & Landscaping Planting Requirements	See Chart A	<u>See Chart B</u>	
13.	Section 7.5 Site Layout – Fencing and Retaining Walls	<u>See Chart C</u>	<u>See Chart D</u>	
14.	Section 8 – Parking & Loading - Table 8.2.7.a Dimensions of Parking Spaces and Drive Aisles – Drive Aisles:	One way drive aisles (6o degree parking)	One way drive aisles (6o-degree parking <u>or greater</u>)	

	Reason for Change
2	Replace the term Growing Medium with Soil Volume to clarify the intended meaning.
	Eaves can be permitted in stepback area and clarify where the setback is measured from.
	Capture corner lots
	Capture corner lots
	Adjust the minimum soil volume per tree based on feedback from Landscape Architects. Expand the overhead power line provision to all developments. Clarify which category of landscape requirements MF4 developments are assigned. Adjust the setback from trees to buildings above the second storey. Reorganize the table to have less footnotes.
	To specify drive-aisle requirements for parking greater then 60 degrees.



No.	Section	Current Wording	Proposed Wording	Reason for Change		
15.	Section 8 – Parking & Loading – Table 8.2.17 Amount of Accessible Parking Spaces	<u>See Chart E</u>	<u>See Chart F</u>	To ensure Universal Accessible spaces are not triggered with MF1 developments and only begin with MF2 developments.		
16.	Section 8.2.6 Off- Street Parking Regulations – Tandem Parking	 Tandem parking spaces are permitted only for: (a) developments with 6 or less dwelling units but only one tandem parking space is permitted in front of any garage or carport; or (b) townhouses with 7 or more dwelling units where the lot is located within the Core Area. Visitor parking stalls cannot be configured in tandem."; 	 Tandem parking spaces are permitted only for: (a) developments with 6 or less dwelling units <u>and</u>: only one tandem parking space is permitted in front of any garage or carport; a tandem space cannot be used for different principal dwelling units; parking spaces for secondary suites, carriage houses, and Child Care Centre, Major can be in tandem with the principal dwelling unit(s). (b) townhouses with 7 or more dwelling units where the lot is located within the Core Area <u>and</u>: visitor parking stalls cannot be used for different principal dwelling units. 	Add tandem parking for Child Care Centre, Major as predominantly the use is for pickups and drop offs. Permitting a tandem configuration will provide more opportunity for Child Care in residential neighbourhoods. Clarifying tandem parking is not to be used between principal dwelling units.		
17.	Table 8.3 – Required Residential Off- Street Parking Requirements – Footnote 12	Except secondary suites and carriage houses only require 1.0 space per dwelling unit. The parking spaces for the secondary suites and carriage houses can be located in the driveway and in tandem with the single detached dwelling parking as long as two additional off-street parking spaces are provided for the principal dwelling. Notwithstanding Section 8.1.4, parking for secondary suites or carriage houses can be surfaced with a dust- free material.	Except secondary suites and carriage houses only require 1.0 space per dwelling unit.	This footnote only refers to agricultural and rural residential lots, therefore the tandem provisions were reallocated into Section 8.2.6 Tandem Parking.		
18.	Residential Parking Exemptions Map 8.3.d Rutland Exchange	<u>See Chart G</u>	<u>See Chart H</u>	The original map missed one property (165 Dougall Rd S) that is within the Transit Oriented Area.		
19.	Section 10 – Agriculture & Rural Residential Zones - 10.3 – Permitted Land Uses – footnote .6	^{.6} Maximum one single detached dwelling or mobile home per lot, unless another residence is permitted within the Agriculture Land Reserve as described in the Agricultural Land Commission Act (and related regulation and policy).	^{.6} Maximum one mobile home per lot.	To ensure only one mobile home per lot.		
20.	Section 10 – Agriculture & Rural Residential Zones - 10.3 – Permitted Land Uses – footnote .13	NA	⁻¹³ Maximum of one Single Detached Dwelling unit is permitted per lot, except on A1 zoned ALR land when another residence is permitted within the Agriculture Land Reserve as described in the Agricultural Land Commission Act (and related regulation and policy).	To ensure only one Single Detached Dwelling per lot.		





No.	Section	Current Word	ling					Proposed Wor	ding					Reason for Change			
21.	Section 10 –		Aı	A2	RR1	RR2			Aı	A2	RR1	RR2		Add required footnote beside the principal			
	Agriculture &	Single	P ^{.6}	Р	Р	Р		Single	P .13	P.13	P.13	P.13		use in each zone to footnote .13.			
	Rural Residential	Detached						Detached									
	Zones - 10.3 –	Dwelling						Dwelling									
	Permitted Land						_										
	Uses – Single																
	Detached																
	Dwelling																
22.	Section 10 –	^{.12} [Deleted]						^{.12} A bed & breakfast can only occur if there is only one dwelling unit on the						Addition of a regulation that was removed in			
	Agriculture &							<u>lot.</u>						error, and mirrors the wording of bed &			
	Rural Zones — 10.3													breakfast regulations in the RU1, RU2 and			
	Permitted Land											RU ₃ zones.					
	Uses – Footnotes																
	.12													During the transition from DUL to ME, in the			
23.	Section 13 — Multi-Dwelling	Child	MF1 S	MF ₂	MF3 S	MF4 S	-	Child	MF1 P ^{.3}	MF2 S	MF3 S	MF <u>4</u> S	-	During the transition from RU1 to MF1 in the Core Area it was missed that Child Care			
	Zones - Section	Care	5	5	5			Care	F -	5	5	J		Centre, Major was intended to be a permitted			
	13.3 Multi-	Centre,						Centre,						principal use.			
	Dwelling Zones	Major						Major									
	Permitted Land												J				
	Uses – MF1 –																
	Child Care Centre,																
	Major																
24.	Section 13 –	-3 [Deleted]						⁻³ <u>The lot must have a child care sub-zone 'cc' on the property for a child care</u> <u>centre, major to be permitted.</u>						During the transition from RU1 to MF1 in the			
	Multi-Dwelling													Core Area it was missed that Child Care Centre, Major was intended to be a permitted principal use.			
	Zones -Section																
	13.3 Multi-																
	Dwelling Zones																
	Permitted Land																
25	Uses – Footnote ⁻³ Section 13.5	² Side varde	are not real	uirad far cam	i datachad b	oucing or to	whouses on a	⁻² Side yards are not required for semi-detached housing or townhouses on a					whouses on a	To help accommodate similar parking			
25.	Multi-Dwelling	⁻² Side yards are not required for semi-detached housing or townhouses on a lot line that has a party wall agreement.							•	all agreemen	setbacks to existing fourplexes for lots with lanes.						
	Zones –								· · ·	5							
	Development								can have a side yard setback of 1.2 metres when the lot has access to a rear or side lane. Any residential space on those MF1 lots above the garage or carport					idites.			
	Regulations –							must meet the 1.8 m side yard setback.									
	Footnote .2																
26.	Section 13.5	.9 A minimum	n of 4.0 m² p	oer dwelling	unit of the co	ommon and	private amenity	⁹ A minimum of 4.0 m ² per dwelling unit of the common and private amenity						To add an indoor amenity requirement area to			
	Multi-Dwelling	space shall be configured as common area that is accessible to all residents								as <u>a</u> commo	help facilitate strata meetings and promote						
	Zones –	and must not be located within the required setback areas. Common amenity								within the rec	other common apartment communal living						
	Development	space is not required for fee simple townhouses.							space is not required for fee simple townhouses. <u>For all apartment buildings</u> , at least 75 m ² of the required portion of common area shall be configured					opportunities.			
	Regulations –																
	Footnote .9							<u>indoors.</u>									



Planner Initials AC

SCHEDULE

This forms part of application #_TA24-0009



А



Current Wording	Proposed Wording	Reason for Change
The base height is 18.0 m & 4 storeys except the maximum base height is 22.0 m / 6 storeys if the subject property is fronting onto a Transit Supportive Corridor.	To add an exclusion for parkade entrances as the overall height regulation will remain intact.	
Offices are intended to be a minor component within the zone. Offices and Apartment Housing are limited to the uppermost floor within a building. Offices and Apartment Housing cannot occur on the ground floor	Offices are intended to be a minor component within the zone. Offices and Apartment Housing are limited <u>to above the first floor</u> . Offices and Apartment Housing cannot occur on the ground floor.	Provides clarity within the C1 – Local & Neighbourhood Commercial zone and the C2 – Vehicle Oriented Commercial zone for buildings proposed to be taller than two storeys.
Except it is 3.0 m when abutting a core area neighbourhood (C-NHD) or an education / institutional (EDINST) future land use designation as outlined in the Official Community Plan.	Ensure setbacks to additional future land uses.	
^{.13} Lots identified in a Transit Oriented Area identified by Map 8.3.b , Map 8.3.c, or Map 8.3.d have the base FAR for the 6-storey category increased from 1.8 FAR to 2.5 FAR. Developments that use this base density cannot apply the Underground Parking Base FAR Adjustment referenced in footnote ^{.12} .	^{.13} Lots <u>that have a 6 storey Building Height category and are within a Transit</u> <u>Oriented Area as identified by Map 8.3.b</u> , Map 8.3.c, or Map 8.3.d then have <u>their density increased from 1.8 base FAR to 2.5 base FAR.</u> Developments that use this base density cannot apply the Underground Parking Base FAR Adjustment referenced in footnote ^{.12} .	Re-word to clarify meaning.
NA	¹⁵ If a lot has a Park Building Height category and is within a Transit Oriented Area as identified by Map 8.3.b, Map 8.3.c, or Map 8.3.d then: if the lot is within 200 metres of the Transit Exchange the lot can be developed in accordance with the 12 storey base height and density category and if the lot is between 200 and 400 metres of the Transit Exchange the lot can be developed in accordance with the 6 storey the base height and density category.	To capture some designated park lots that occur within the Transit Oriented Areas.
Min. Density (if applicable) & Max. Base Density FAR ^{1, 7} For areas identified as PARK = 0.5 FAR ⁹	Min. Density (if applicable) & Max. Base Density FAR ^{1, 7} For areas identified as PARK = 0.5 FAR ^{9, 15}	To capture some designated park lots that occur within the Transit Oriented Areas.
	 22.0 m / 6 storeys if the subject property is fronting onto a Transit Supportive Corridor. Offices are intended to be a minor component within the zone. Offices and Apartment Housing are limited to the uppermost floor within a building. Offices and Apartment Housing cannot occur on the ground floor Except it is 3.0 m when abutting a core area neighbourhood (C-NHD) or an education / institutional (EDINST) future land use designation as outlined in the Official Community Plan. ⁴³ Lots identified in a Transit Oriented Area identified by Map 8.3.b , Map 8.3.c, or Map 8.3.d have the base FAR for the 6-storey category increased from 1.8 FAR to 2.5 FAR. Developments that use this base density cannot apply the Underground Parking Base FAR Adjustment referenced in footnote ¹³. NA Min. Density (if applicable) & Max. Base Density FAR ⁴.7 	2.2.0 m / 6 storeys if the subject property is fronting onto a Transit Supportive area then this portion of the parkade can be excluded from height Corridor. area then this portion of the parkade can be excluded from height Corridor. area then this portion of the parkade can be excluded from height Corridor. and the subject property is fronting onto a Transit Supportive Corridor. Offices are intended to be a minor component within the zone. Offices and Apartment Housing are limited to the uppermost floor within a building. Offices are intended to be a minor component within the zone. Offices and Apartment Housing are limited to above the first floor. Offices and Apartment Housing cannot occur on the ground floor. Except it is 3.0 m when abutting a core area neighbourhood (C-NHD) or an education / institutional (EDINST) future land use designation as outlined in the Official Community Plan. Except it is 3.0 m when abutting a Core Area Neighbourhood (C-NHD), Suburban-Residential (S-RES), Suburban - Multiple Unit (S-MU), or an Education / institutional (EDINST) future land use designation as outlined in the Official Community Plan. **Lots identified in a Transit Oriented Area identified by Map 8.3.b. Map 8.3.c. or Map 8.3.d. then sa base FAR Abust use this base density increased from 3.6 KaR. Developments that use this base density increased from 3.6 KaR. Developments that use this base density cannot apply the Underground Parking Base FAR Adjustment referenced in footnote **. NA **Lots identified by Map 8.3.b. Map 8.3.c. map 8.3.c. or Map 8.3.d. then. if the lot is between zoo and yoo metres of the Transit Exchange the lot can be developed in acc



Planner Initials AC City of **Kelowna**



No.	Section	Current Wording	Proposed Wording	Reason for Change
33.	Section 14 – Core	Max. Base Height . ^{1, .7}	Max. Base Height . ^{1, .7, 14}	To apply footnote 14, as referenced below, to
	Area & Other			the Base Heights in Section 14.
	Zones - Section			
	14.14 – Density			
	and Height - Max.			
	Base Height.			
34.	Section 14 – Core	NA	^{.14} If a parkade entrance / exit has a lower finished grade than the surrounding	To add an exclusion for parkade entrances
	Area & Other		area then this portion of the parkade can be excluded from height	situations as the overall height regulation will
	Zones - 14.14 –		calculations.	remain intact.
	Density and			
	Height –			
	Footnotes .14			





Chart A

Original – Section 7 – Site Layout

Table 7.2 — Tree & Landscaping Planting Requirements					
	cm =centimetres / r	m = metres / m ² = square m	etres		
Criteria Minimum Number of Trees within Landscape Areas - ²	Any MF1, RU1, RU2, or RU3 zone forMF2 zone, MF3 zones, Core Area Zone, Village Centre Zone, HealthUrban Centre Zones, Commercial Zones, Industrial Zones, & Comprehensive District Zones, and Institutional Zonesvwhich the lot contains 3 or more 				
Minimum Growing Medium Area ^{.4}	groundcover in landscape areas ^{.9} , ^{.11} See Visual Example Figure 7.2.1	groundcover in landscape areas ^{.9} See Visual Example Figure 7.2.1	areas ^{.6} , .9 See Visual Example Figure 7.2.1		
Minimum Landscaping for any surface parking lot over 15 vehicles ^{.5}	 that interface must setback landscapin (b) landscaped islands (c) the maximum num landscaped islands (d) landscaped islands (e) landscaped islands (e) landscaped islands (f) locate landscaped access without und 	t have at least a minimum ig area might be larger). Se are required at the end of other of parking spaces in or drive aisle separating the are not to be longer than t shall be clearly delineated and loading spaces;	each parking aisle; a consecutive row is 14 with a e next 14 spaces; he adjacent parking space; I as separate and in addition to nd unloading vehicles can gain		
Minimum / Maximum Tree Spacing	Minimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area.				
Minimum Setback from buildings, raised patios, and balconies to on-site trees	Large: 3 m radius from centre of tree up to the second storey of the building Medium: 2 m radius from centre of tree up the second storey of the building Small: 1 m radius from centre of tree up to the second storey of the building Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically				
SCHEDULE A					

SCHEDULE	A
This forms part of appl # TA24-0009	ication
Planner Initials AC	City of Kelowna



Table 7.2 – Tree & Landscaping Planting Requirements					
	cm =centimetres	$/m = metres / m^2 = 2$	square metres		
		Any MF1, RU1, RU2, MF2 zone, MF3 zones, Urban Centre Z		n Centre Zones,	
	or RU3 zone for	Core Area Zone,	, Village Con	nmercial Zones,	
Criteria	which the lot	Centre Zone, H	Health Indu	ustrial Zones, &	
	contains 3 or more	District Zones	s, and Co	omprehensive	
	dwelling units.	Institutional Z	Zones Deve	elopment Zones	
	measured fror	n the centre of the t	ree at finished grad	e (trunk flare).	
Minimum		1			
Deciduous Tree	Large: 5 cm				
Planting Stock	Medium: 4 cm				
Caliper .1	Small: 3 cm				
Minimum					
Coniferous Tree	250 cm				
Planting Stock	250 cm				
Height					
Minimum Ratio	Large: Min 50%				
between Tree size -3	Medium: No min or max				
between mee size	Small: Max 25%				
Minimum Growing		Single Tree	Pair	Shared	
Medium Volumes	Large Tree	30 m³	20 M ³	15 m ³	
per Tree ^{.4} , ^{.8}	Medium Tree	20 M ³	15 M ³	12 M ³	
	Small Tree	15 M ³	12 M ³	10 m ³	

FOOTNOTES (Section 7.2):

¹ All deciduous trees shall have a minimum clear stem height of 1.5 m.

² The linear metre calculation is used to determine a minimum number of trees that is to be planted within the landscape area (not the minimum spacing). At least one tree per landscape area is required.

⁻³ Tree size will be defined in the City of Kelowna's Urban Tree Guide, if only one tree is required, it must be a large tree or conifer. All columnar trees shall be considered a medium or small tree for determination of the tree size ratio. However, these trees require the equivalent Large Tree Growing Medium Volume. All trees onsite including the trees within the landscape area and the trees within parking lot landscape islands must meet this ratio.

⁴ Minimum growing medium may be shared through the landscape area (tree, turf, and shrub). Electrical transformers and driveways within the landscape areas can be excluded from the minimum percentage of growing medium area.

⁻⁵ The minimum number of trees within landscape areas and within parking islands are separate calculations and cannot be double counted to meet minimum numbers. However, trees in adjacent parking landscape islands may share growing medium with the Landscape Area to meet trenched/shared growing medium minimum amounts.

⁶ The minimum number of trees in the front yard or flanking yard landscape area can be planted outside the front yard or flanking yard landscape areas if the abutting boulevard contains an irrigated boulevard with planted street trees. If the minimum number of trees is planted outside the front yard



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	Table 7.2 — Tree & Landscaping Planting Requirements						
	cm =centimetres / m = metres / m² = square metresAny MF1, RU1, RU2,MF2 zone, MF3 zones,Urban Centre Zones,						
	or RU3 zone for	Core Area Zone, Village	Commercial Zones,				
Criteria	which the lot	Centre Zone, Health	•				
Criteriawhich the lotCentre Zone, HealthIndustrial Zones, 8contains 3 or moreDistrict Zones, andComprehensive							
	5	Institutional Zones	•				
	dwelling units.		Development Zones				
· · · · · · · · · · · · · · · · · · ·		is no minimum growing me	dium area required in the front				
yard or flanking yar							
		trees required are only requ	uired when a lot contains three				
or more dwelling un							
⁸ For growing medium volume calculation, any continuous growing medium the roots can reach on the							
subject property to a depth of 1 metre can be applied. The boulevard can be used for growing							
medium volume if	the growing medium	volume does not interfere	e with the necessary growing				
medium volume fo	or street trees. If this	growing medium area is	covered by sidewalk or other				
impervious surface,	, soil cells will be require	d to achieve the minimum	growing medium requirement.				
If the overall soil volumes cannot be met but soil cells are installed, then there is no minimum							
growing medium volume requirement.							
^{•9} There is no minimum growing medium area required in front yard or flanking yard landscape area if							
soil cells are installed to accommodate the minimum on-site trees within the front yard or flanking							
yard landscape area.							
¹⁰ The minimum number of trees in the front yard or flanking yard landscape area can be planted							
outside the front yard or flanking yard landscape areas if the abutting boulevard contains overhead							
electrical power lines that would interfere with the growth of the trees.							
	¹¹ There is no minimum number of trees onsite and no minimum growing medium area within the front						
	yard or flanking yard landscape area if adequately sized large trees are planted within the boulevard						
	utilizing soil cells and the boulevard contains a sidewalk or a sidewalk is installed.						





Chart B

Proposed – Table 7.2 Tree & Landscaping Planting Requirements

Table 7.2 — Tree & Landscaping Planting Requirements cm =centimetres / m = metres / m ² = square metres / m ³ = metres cubed				
Criteria Regulations				
Standard Requireme	nts for Minimum Trees, Soft	landscaping, and Soil V	olume for all Developments .1	
Minimum Number of Trees within Landscape Areas ¹	1 tree pe	r 10 linear metres of lan	dscape area	
Minimum Soft Landscaping Area * See Visual Example Figure 7.2.1			oft landscaping	
		Single Tree	Shared	
Minimum <mark>Soil</mark>	Large Tree	20 M ³	15 m ³	
Volume per Tree ·3	Medium Tree	18 m ³	12 m ³	
	Small Tree	15 m ³	10 m ³	
Area specific modification to Trees, Soft landscaping, and Soil Volume Requirements			olume Requirements	
Overhead Power Lines for any zone Landscape Areas and Boulevards for Infill Housing	 The minimum number of trees in the front yard or flanking yard landscape area can be planted outside the front yard or flanking yard landscape areas if the abutting: boulevard, front yard and / or flanking yard contains overhead electrical power lines that would interfere with the growth of the trees. There is no minimum number of trees onsite and no minimum soft landscaping within the front yard or flanking yard landscape area if large trees are planted within the boulevard and the boulevard contains a sidewalk or a sidewalk is installed. 			
Landscape Areas and Boulevards for any: MF2, M3, MF4 ⁻⁴ zone or any zone within Section 14 Core Area and Other Zones	The minimum number of trees can be planted outside of the front yard or flanking yard landscape areas if the abutting boulevard is irrigated and contains a sidewalk or a sidewalk will be installed. There is no minimum soft landscaping required within the front yard or flanking yard landscape area if the minimum number of trees is planted outside the front yard or flanking yard landscape area.			
Universal Landscape Requirements				
Minimum Landscaping for any surface parking lot	 (a) If a surface parking lot contains 15 vehicles or greater and abuts a street, then the interface area with the street must have a minimum 1.5 metres landscape area. (b) landscaped islands are required at the end of each parking aisle; 			
over 15 vehicles ^{.5}	•	•	consecutive row is 14 with a	
SCHEDULE A				





required parking and loading spaces; (f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference; (g) a minimum of one tree must be included in a landscaped island; and (h) landscape islands must have a minimum 75% soft landscaping or soil cells. Minimum / Minimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area. Minimum Setback from buildings, raised patios, and balconies to on-site trees Large: 3 m radius from centre of tree to the building Minimum Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare). Minimum Large: 5 cm Deciduous Tree Medium: 4 cm Planting Stock Small: 3 cm Caliper ⁶ Minimum	Table 7.2 – Tree & Landscaping Planting Requirements cm =centimetres / m = metres / m² = square metres / m³ = metres cubed				
(d) landscaped islands are not to be longer than the adjacent parking space; (e) landscaped islands shall be clearly delineated as separate and in addition to required parking and loading spaces; (f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference; (g) a minimum of one tree must be included in a landscaped island; and (h) landscape islands must have a minimum 75% soft landscaping or soil cells. Minimum / Maximum Tree Spacing Minimum Setback from buildings, raised patios, and balconies to on-site trees Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare). Minimum Coniferous Tree Large: 5 cm Minimum Coniferous Tree Medium: 2 cm Minimum Coniferous Tree Small: 3 cm	Criteria	Regulations			
(e) landscaped islands shall be clearly delineated as separate and in addition to required parking and loading spaces; (f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference; (g) a minimum of one tree must be included in a landscaped island; and (h) landscape islands must have a minimum 75% soft landscaping or soil cells. Minimum / Maximum Tree Spacing Minimum Setback from buildings, raised patios, and balconies to on-site trees Large: 3 m radius from centre of tree to the building Minimum Deciduous Tree Planting Stock Caliper *6 Minimum		landscaped island or drive aisle separating the next 14 spaces;			
required parking and loading spaces; (f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference; (g) a minimum of one tree must be included in a landscaped island; and (h) landscape islands must have a minimum 75% soft landscaping or soil cells. Minimum / Minimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area. Minimum Setback from buildings, raised patios, and balconies to on-site trees Large: 3 m radius from centre of tree to the building Minimum Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare). Minimum Large: 5 cm Deciduous Tree Medium: 4 cm Planting Stock Small: 3 cm Caliper ⁶ Minimum		(d) landscaped islands are not to be longer than the adjacent parking space;			
access without undue interference; (g) a minimum of one tree must be included in a landscaped island; and (h) landscape islands must have a minimum 75% soft landscaping or soil cells. Minimum / Maximum Tree Spacing Minimum Setback from buildings, raised patios, and balconies to on-site trees Minimum Deciduous Tree Planting Stock Caliper - ⁶ Minimum Conferous Tree		(e) landscaped islands shall be clearly delineated as separate and in addition to required parking and loading spaces;			
(h) landscape islands must have a minimum 75% soft landscaping or soil cells.Minimum / Maximum TreeMinimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area.Minimum Setback from buildings, raised patios, and balconies to on-site treesLarge: 3 m radius from centre of tree to the building Small: 1 m radius from centre of tree to the building Munimum Deciduous TreeMinimum Deciduous TreeLarge: 5 cm Medium: 4 cm Small: 3 cmMinimum Coniferous TreeLarge: 5 cm Small: 3 cm					
Minimum / Maximum TreeMinimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area.Minimum Setback from buildings, raised patios, and balconies to on-site treesLarge: 3 m radius from centre of tree to the building Small: 1 m radius from centre of tree to the building Small: 1 m radius from centre of tree to the buildingMinimum Deciduous TreeAny underground parkade, underground building: 4 cm Small: 3 cmMinimum Coniferous TreeLarge: 5 cm Small: 3 cm		(g) a minimum of one tree must be included in a landscaped island; and			
Minimum / Maximum Tree Spacingaccessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area.Minimum Setback from buildings, raised patios, and balconies to on-site treesLarge: 3 m radius from centre of tree to the building Small: 1 m radius from centre of tree to the building Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare).Minimum Deciduous Tree Planting Stock Caliper -6Large: 5 cm Small: 3 cmMinimum Coniferous TreeSmall: 3 cm		(h) landscape islands must have a minimum 75% soft landscaping or soil cells.			
Minimum Setback from buildings, raised patios, and balconies to on-site treesMedium: 2 m radius from centre of tree to the building Small: 1 m radius from centre of tree to the buildingAny underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare).Minimum Deciduous Tree Planting Stock Caliper -6Large: 5 cm Medium: 4 cm Small: 3 cmMinimum Coniferous TreeMinimum Coniferous Tree	Maximum Tree	Minimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area.			
from buildings, raised patios, and balconies to on-site treesSmall: 1 m radius from centre of tree to the buildingAny underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare).Minimum Deciduous Tree Planting Stock Caliper .6Large: 5 cm Medium: 4 cm Small: 3 cmMinimum Coniferous TreeMinimum Coniferous Tree		Large: 3 m radius from centre of tree to the building			
raised patios, and balconies to on-site trees Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare). Minimum Deciduous Tree Planting Stock Caliper ¹⁶ Minimum Coniferous Tree		5			
balconies to on-site treesAny underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare).Minimum Deciduous Tree Planting Stock Caliper -6Large: 5 cm Medium: 4 cm Small: 3 cmMinimum Coniferous Tree		Small: 1 m radius from centre of tree to the building			
trees as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare). Minimum Deciduous Tree Planting Stock Caliper ^{.6} Minimum Coniferous Tree					
measured from the centre of the tree at finished grade (trunk flare).MinimumDeciduous TreePlanting StockCaliper -6MinimumConiferous Tree					
Minimum Deciduous Tree Planting Stock Caliper ^{.6} Minimum Coniferous Tree	trees				
Deciduous Tree Large: 5 cm Planting Stock Medium: 4 cm Caliper ^{.6} Small: 3 cm Minimum Coniferous Tree	Minimum				
Planting Stock Medium: 4 cm Caliper ^{.6} Small: 3 cm Minimum Coniferous Tree		•			
Caliper ^{.6} Small: 3 cm Minimum Coniferous Tree					
Minimum Coniferous Tree		Small: 3 cm			
Planting Stock Height	Minimum Coniferous Tree Planting Stock	250 cm			
Large: Min 50%		Large: Min 50%			
Minimum Ratio Medium: No min or max		5 0			
between Tree size '7 Small: Max 25%	between Tree Size "	Small: Max 25%			

FOOTNOTES (Section 7.2):

¹⁴ The linear metre calculation is used to determine the minimum number of trees to be planted within the landscape area (not the minimum spacing). At least one tree per landscape area is required, unless there is an area specific modification. The minimum landscaping and number of trees is required for all developments, except, for residential developments that contains two or less dwelling units per lot.

² Electrical transformers and driveways within the landscape areas can be excluded from the minimum

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	Table 7.2 — Tree & Landscaping Planting Requirements cm =centimetres / m = metres / m ² = square metres / m ³ = metres cubed			
Criteria	Regulations			
Criteria Regulations percentage of soft landscaping area. If soil cells are installed for all the required trees in the front yard or flanking yard landscape area, then there is no minimum soft landscaping requirement. 3 Soil volume may be shared through the landscape area (tree, turf, and shrub). For the soil volume calculation, any continuous growing medium the roots can reach on the subject property to a maximum depth of 1 metre can be applied. The boulevard can be partially used for soil volume calculation only when the landscaped portion of the boulevard is directly abutting the property line and the soil volumes do not interfere with any subsurface utility infrastructure. * This category applies to any MF4 development with 7 or more dwelling units or if the development is primarily commercial. * The minimum number of trees within landscape areas and within parking islands are separate calculations and cannot be double counted to meet minimum numbers. Trees in adjacent parking landscape islands may share soil volume with the adjacent landscape area to meet the minimum trenched/shared soil volume amounts. * All deciduous trees shall have a minimum clear stem height of 1.5 m. * Tree size will be defined in the City of Kelowna's Urban Tree Guide, if only one tree is required, it must be a large tree or conifer. All columnar trees shall be considered a medium or small tree for determination of the tree size ratio. These columnar trees require the equivalent large tree soi volume. All trees onsite including the trees within the landscape area and the trees within parking lot landscape islands must meet this ratio.				



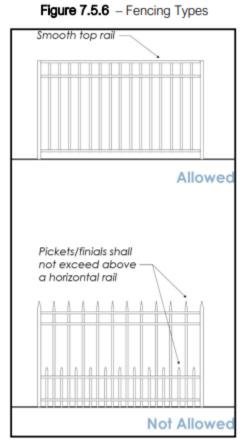


Chart C

Original – Section 7.5.10 Site Layout – Fencing and Retaining Walls

7.5 Fencing and Retaining Walls

- 7.5.1 Screening fences shall be consistent with the quality of building design and materials of the principal building.
- 7.5.2 Screening fences shall be opaque double-sided construction. Where screening fences are allowed or required by this Bylaw, they shall be of an opaque or a combination of opaque and lattice design.
- 7.5.3 The maximum height for fences constructed from natural grade shall be:
 - (a) 2.0 metres in rural residential zoned properties except; where abutting an agricultural, industrial, or commercial zone commercial zone, then the maximum height shall be 2.4 metres.
 - (b) 2.4 metres in commercial or industrial zoned properties.
 - (c) 2.0 metres in single & two dwelling, multidwelling, village centre, or urban centre zoned lots except; that it shall not exceed 1.2 metres in height within the minimum front yard or flanking yard setbacks.



- 7.5.4 No fence in a commercial, public and institutional or industrial zone shall exceed 2.4 metres in height.
- 7.5.5 Lots in industrial zones are to have an opaque 2.4 metres high fence around all storage yards, along all lot lines abutting non-industrial zones and around wrecking yards that are visible from a street abutting the lot.
- 7.5.6 No metal fence shall constructed or erected that have the ends of fence pickets or finials to extend above a horizontal rail (see Figure 7.5.6).
- 7.5.7 No barbed wire fencing shall be constructed or erected in any rural residential, single & two dwelling, multi-dwelling, or core area & other zone, except in the P1 zone where the site is used for detention and correction services.
- 7.5.8 No razor wire fences shall be constructed or erected in any zone except were associated with penitentiaries, jails, or places of incarceration.
- 7.5.9 No fencing shall be constructed or erected at or below the high-water mark (geodetic elevation of 343 metres) of Okanagan Lake.





- 7.5.10 Retaining Walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 metres measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 metres horizontal separation between tiers. The maximum number of tiers that may be constructed without a professional design by a qualified professional engineer is two. The maximum total height of any retaining wall system that may be constructed without a professional design by a qualified professional engineer is 2.4 metres.
 - (a) a retaining wall may be higher than 1.2 metres, measured from finished grade, where the natural grade of the subject lot is lower than the abutting property.
 - (b) the combined height of a fence on top of a retaining wall at the lot line or within 1.2 metres of the lot line shall not exceed 2.0 metres, measured from natural grade at the abutting higher property.
 - (c) where an affected property remains at natural grade and the subject property constructs a retaining wall and a fence within 1.2 metres of the lot line, the maximum height for a fence on the affected property shall be no greater than 1.8 metres above the height of the retaining wall or 3.0 metres, whichever is less.
- 7.5.11 In the case of a retaining wall, the maximum height of a fence, or portion of retaining wall extending above the natural grade of the abutting higher property, or combination thereof, shall be 2.0 metres, measured from the natural grade of the abutting higher property.



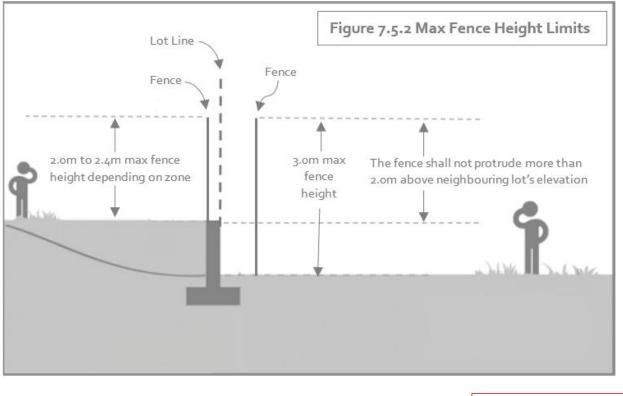


Chart D

Proposed – Section 7.5.10 Site Layout – Fencing and Retaining Walls

7.5 Fencing

- 7.5.1 Screening fences shall be opaque double-sided construction. Where screening fences are allowed or required by this Bylaw, they shall be of an opaque or a combination of opaque and lattice design.
- 7.5.2 The maximum height for fences constructed from natural grade shall be:
 - (a) 2.0 metres in rural residential zoned properties except; where abutting an agricultural, industrial, or commercial zone commercial zone, then the maximum height shall be 2.4 metres.
 - (b) 2.0 metres in suburban residential, multi-dwelling, village centre, or urban centre zoned lots except; that it shall not exceed 1.2 metres in height within the minimum front yard or flanking yard setbacks.
 - (c) 2.4 metres in commercial, public and institutional, or industrial zoned properties.
 - (d) Notwithstanding S.7.5.2 (a), (b), & (c); the maximum height of a fence that abuts a neighbouring lot which is higher in elevation and is erected on the low side is 3.0 metres, as long as, the fence does not protrude more than 2.0 metres above the elevation of the neighbouring lot (see Figure 7.5.2)

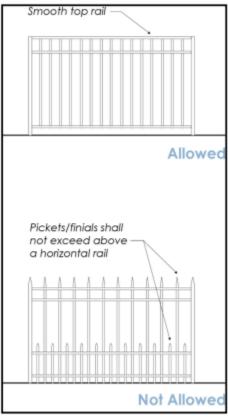






- 7.5.3 Lots in industrial zones are to have an opaque 2.4 metres high fence around all storage yards, along all lot lines abutting non-industrial zones and around wrecking yards that are visible from a street abutting the lot.
- 7.5.4 No metal fence shall be constructed or erected that have the ends of the fence pickets or finials extend above a horizontal rail (see Figure 7.5.4).
- 7.5.5 No barbed wire fencing shall be constructed or erected in any rural residential, suburban residential, multi-dwelling, or core area & other zone, except in the P1 zone where the site is used for detention and correction services.
- 7.5.6 No razor wire fences shall be constructed or erected in any zone except were associated with penitentiaries, jails, or places of incarceration.
- 7.5.7 No fencing shall be constructed or erected at or below the high-water mark (geodetic elevation of 343 metres) of Okanagan Lake.

FIGURE 7.5.4 – Fencing Types



7.6 Retaining Walls

- 7.6.1 No individual retaining wall shall exceed a height of 1.2 metres measured from grade on the lower side.
 - (a) Except, where the grade of the subject lot is lower than the abutting property then any retaining walls must not exceed a height of 3.0 metres measured from grade on the lower side.
 - (b) Except, retaining walls can be any height subject to condition of subdivision approval.
- 7.6.2 Notwithstanding S.7.6.1; any individual retaining wall greater than 1.2 metres in height must be constructed with a professional design by a qualified professional engineer.
- 7.6.3 Notwithstanding S.7.6.1; any tiered retaining walls must be spaced horizontally a minimum of 1.2 metres between tiers. The maximum number of tiers that may be constructed without a professional design by a qualified professional engineer is two. The maximum total height of any retaining wall system that may be constructed without a professional design by a qualified professional engineer is 2.4 metres.





Chart E

Original – Table 8.2.17 Amount of Accessible Parking Spaces

Table 8.2.17 Amount of Accessible Parking Spaces				
Min. Number of Required	Min. Number of Required Van-			
Accessible Parking Spaces	Accessible Parking Spaces			
o spaces	o spaces			
1 space	o spaces			
2 spaces	1 space			
3 spaces	1 space			
4 spaces	1 space			
5 spaces	1 space			
6 spaces	2 spaces			
7 spaces	2 spaces			
8 spaces	2 spaces			
2% of the total spaces	2 spaces			
	Min. Number of Required Accessible Parking Spaces o spaces 1 space 2 spaces 3 spaces 4 spaces 5 spaces 6 spaces 7 spaces 8 spaces			

Note: The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.





Chart F

Proposed – Table 8.2.17 Amount of Accessible Parking Spaces

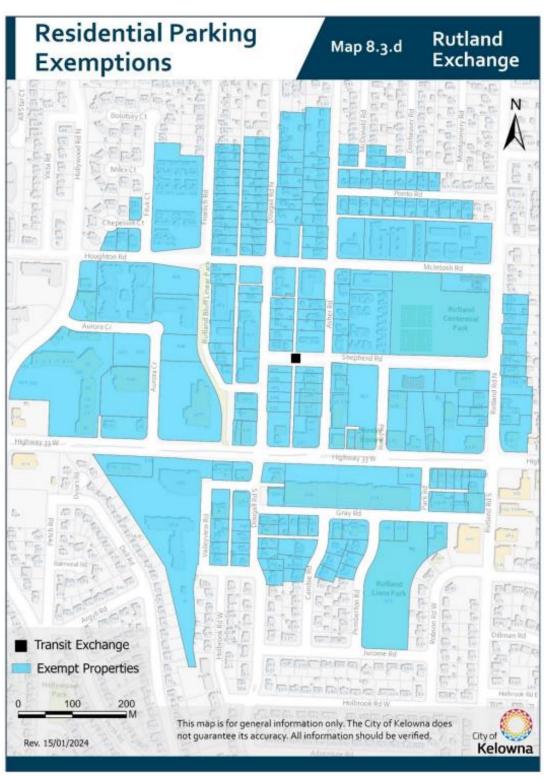
Table 8.2.17 Amount of Accessible Parking Spaces				
Min. Number of Required	Min. Number of Required Van-			
Accessible Parking Spaces	Accessible Parking Spaces			
o spaces	o spaces			
1 space	o spaces			
2 spaces	1 space			
3 spaces	1 space			
4 spaces	1 space			
5 spaces	1 space			
6 spaces	2 spaces			
7 spaces	2 spaces			
8 spaces	2 spaces			
2% of the total spaces	2 spaces			
	Min. Number of Required Accessible Parking Spaces o spaces 1 space 2 spaces 3 spaces 4 spaces 5 spaces 6 spaces 7 spaces 8 spaces			

Note: The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.

SCHEDULE	А
This forms part of applic # TA24-0009	cation
	City of
Planner Initials AC	Kelowna DEVELOPMENT PLANNING



Chart G

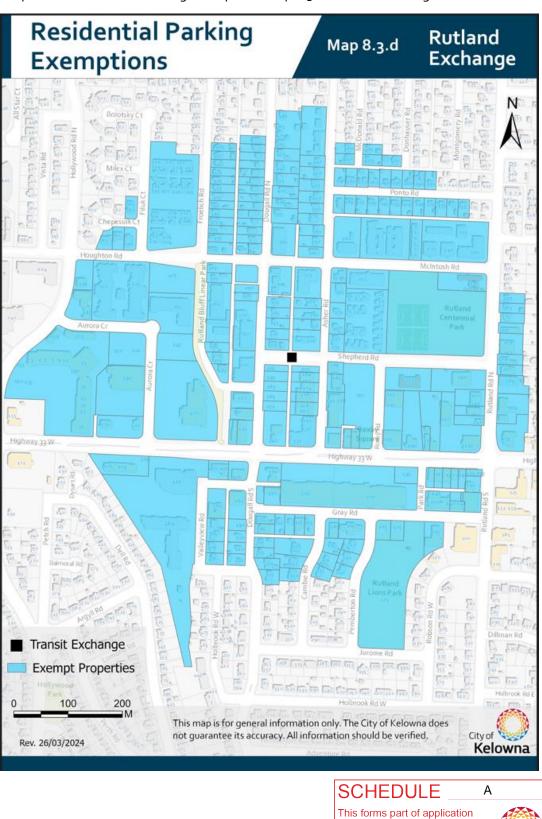


Original – Residential Parking Exemptions Map 8.3.d Rutland Exchange





Chart H



TA24-0009

AC

Planner

Initials

City of

Kelowna

Proposed – Residential Parking Exemptions Map 8.3.d Rutland Exchange



TA24-0009 General Improvements to Zoning Bylaw

Text Amendments



Purpose

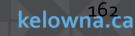
- The purpose of the text amendment is to make improvements to following sections of Zoning Bylaw No. 12375:
 - Section 5 Definitions & Interpretations
 - Section 6 General Development Regulations
 - Section 7 Site Layout
 - Section 8 Parking & Loading
 - Section 10 Agriculture & Rural Residential Zones
 - Section 13 Multi-Dwelling Zones
 - Section 14 Core Area & Other Zones

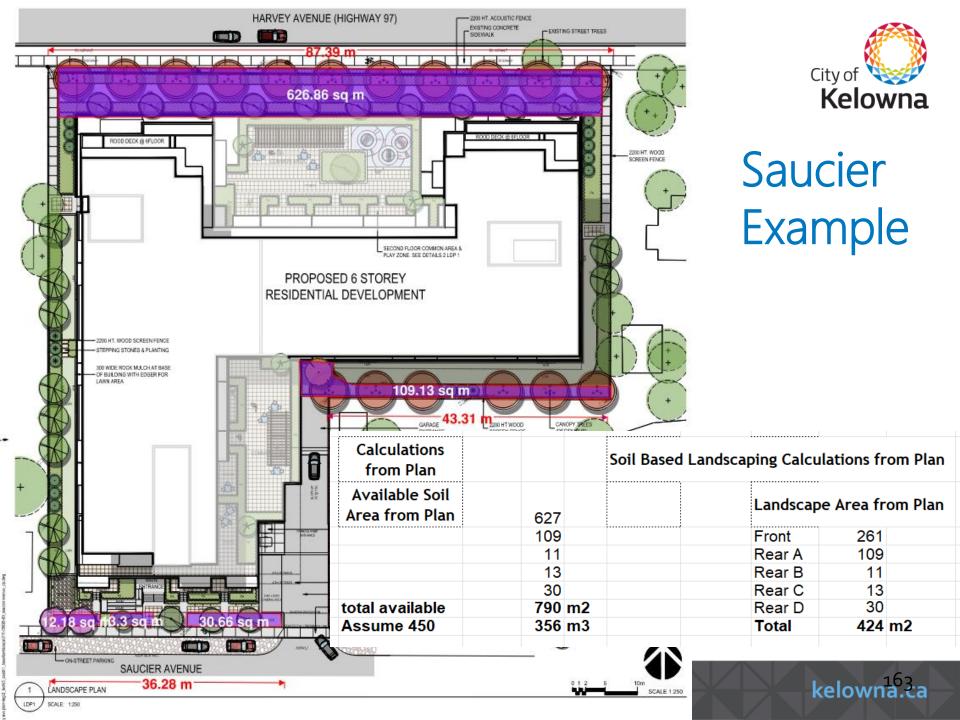


Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes



No.	Area o	f Change	Additional Detail		
1.	Section 5 Definitions & Interpretations	 Updates to: a) Front Lot Line b) Stepback c) Building Envelope Area d) Common & Private Amenity Space e) Short-Term Rental Accommodation 	 a) Alter Front Lot Line definition to apply to bareland strata lots. b) Amend Stepback definition to allow eaves to project within the area. c) Update Building Envelope Area definition to capture all legal restrictions such as easements & rights-of-way. d) Amend the definition of Common & Private Amenity Space to exclude lobbies. e) Change Short-Term Rental Accommodation definition to align with provincial legislation of less than 90 consecutive days. 		
2.	Section 6 – General Development Regulations	Updates to: a) Swimming Pool Regulations	a) Amend location and setback swimming pool regulations to add the term flanking side yards to capture corner lot situations.		
3.	Section 7 – Site Layout (Landscaping)	 Updates to: a) Definitions b) Soil Volumes c) Reorganize table d) Overhead power lines e) Add MF4 to Landscape Regulation table f) Adjust setback from tree to building 	 a) Replace 'Growing Medium' definition with 'Soil Volume' definition . Replace 'Growing Medium Area' definition with 'Soft Landscaping' definition. Add definition of infill housing to allocate landscape requirements to that specific development form. b) Adjust soil volumes to fit better in tight urban environments while maintaining adequate volumes for healthy trees. c) Reorganize table format for increased clarity and fewer footnotes. d) Expand the overhead power lines provision to all development. e) Clarify which landscape requirements apply to various MF4 developments. f) Adjust the setback above the second storey to remove the step forward as this will allow for full canopy growth and light exposure over time. 		





Landscape Calculator



Landscape Calculator	Site Ca	alculat	ions			Soil Calcu	lations				Input from Development Application
Required	Linear Length	Width (m)	Area (m2)	Large (Single = 20	Large Trees (Shared-	Medium (Single =	Medium (Shared -	Small (Single =	Proposed Small	Soil Required	Formula Embedded
Front Setback	87	3	261								
Rear Setback	78	3	234								
Industrial Side	0	0	0								
Total Landscape Area	165	6	495								
Soil Based 'Soft' (75%)			371								
Total Trees Required	17										
Large Trees (50%)	9	11		If single then 20m3 ea.	135					135	
Medium (25%)	4	8				If single then 18m3	50			50	
# Small (Rest)	4	3						lf single then 15m ea	41	41	
Required Soil Volume (m3)		226								226	
Actual Soil (m3)		356									
Adequate / Deficient(e.g. negative) Soil		130									164



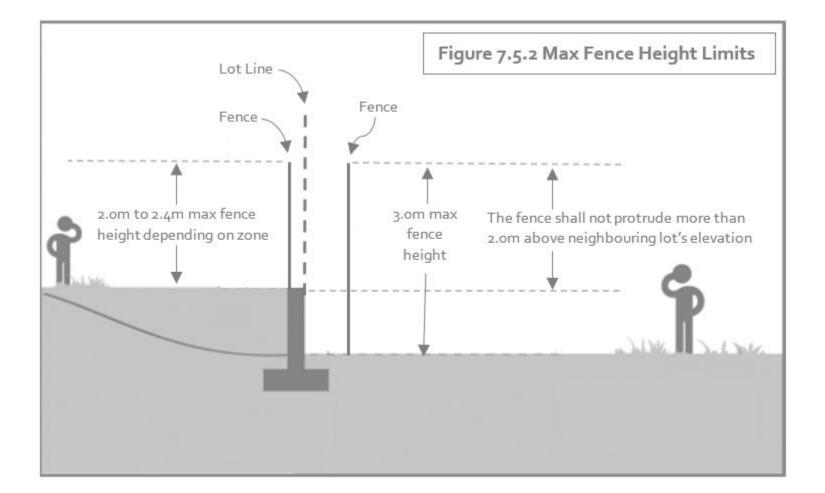
Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of	Change	Additional Detail		
4.	Section 7 – Site Layout (Fencing and Retaining Walls)	Updates to: a) Formatting b) Fences on top of or beside retaining walls c) Retaining walls	 a) Simplify and reorganize section into two separate sections (Fencing & Retaining Walls). b) Clarify the intended height of a fence on top of or beside a retaining wall or steep slope. c) Rewrite retaining wall section for increased clarity of maximum retaining wall height and when a professional engineer is required. 		
5.	Section 8 – Parking & Loading	Updates to: a) Drive Aisles b) Universal Accessible Parking c) Tandem Parking d) Rutland Transit Oriented Area	 a) Clarify the one-way drive aisle width is 5.5 metres when adjacent parking is 60 degrees or greater. b) Clarify that universal accessible parking is to be triggered with MF2, not MF1 developments. c) Clarify that tandem parking is not to be used between principal dwelling units and to allow tandem parking for Child Care Centre, Major with the principal dwelling. d) The original Transit Oriented Area map missed one property (165 Dougall Rd S). 		
6.	Section 10 – Agriculture & Rural Residential Zones	Updates to: a) Mobile Home in A1 b) Single Detached Dwelling in A1, A2, RR1, & RR2 c) Bed & Breakfast	 a) Clarify the footnote that only 1 mobile home is permitted per lot within the A1 zone. b) Add a footnote to ensure only one single detached dwelling is permitted per lot with the A1, A2, RR1, & RR2 zones. c) Amend footnote to provide consistent bed & breakfast regulations across zones that allows bed & breakfast homes only if one unit exists on the lot. 		



Fencing & Retaining Walls





kelowna.ca

Fencing & Retaining Walls



7.6 Retaining Walls

- 7.6.1 No individual retaining wall shall exceed a height of 1.2 metres measured from grade on the lower side.
 - (a) Except, where the grade of the subject lot is lower than the abutting property then any retaining walls must not exceed a height of 3.0 metres measured from grade on the lower side.
 - (b) Except, retaining walls can be any height subject to condition of subdivision approval.
- 7.6.2 Notwithstanding 5.7.6.1; any individual retaining wall greater than 1.2 metres in height must be constructed with a professional design by a qualified professional engineer.
- 7.6.3 Notwithstanding 5.7.6.1; any tiered retaining walls must be spaced horizontally a minimum of 1.2 metres between tiers. The maximum number of <u>tiers</u> that may be constructed without a professional design by a qualified professional engineer is two. The maximum total height of any retaining wall system that may be constructed without a professional design by a qualified professional engineer is 2.4 metres.



Universal Accessible Parking

<u>Chart A</u>

Original – Table 8.2.17 Amount of Accessible Parking Spaces

Table 8.2.17 Amount of Accessible Parking Spaces					
Total Number of Parking Spaces	Min. Number of Required	Min. Number of Required Van-			
Onsite.	Accessible Parking Spaces	Accessible Parking Spaces			
1-4 spaces	o spaces	o spaces			
5 – 36 spaces	1 space	o spaces			
37 – 68 spaces	2 spaces	1 space			
69 – 100 spaces	3 spaces	1 space			
101-150 spaces	4 spaces	1 space			
151-200 spaces	5 spaces	1 space			
201-300 spaces	6 spaces	2 spaces			
301-400 spaces	7 spaces	2 spaces			
401-500 spaces	8 spaces	2 spaces			
Over 500 spaces	2% of the total spaces	2 spaces			
Note: The number of van-accessible parking spaces is included in the minimum required accessible					
parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which					

City of Kelowna

Chart B

must be van accessible.

Proposed – Table 8.2.17 Amount of Accessible Parking Spaces

Table 8.2.2	17 Amount of Accessible Parkir	ng Spaces			
Total Number of Parking Spaces Onsite.	Min. Number of Required Accessible Parking Spaces	Min. Number of Required Van- Accessible Parking Spaces			
1–6 spaces	o spaces	o spaces			
7 – 36 spaces	1 space	o spaces			
37 – 68 spaces	2 spaces	1 space			
69 – 100 spaces	3 spaces	1 space			
101-150 spaces	4 spaces	1 space			
151-200 spaces	5 spaces	1 space			
201-300 spaces	6 spaces	2 spaces			
301-400 spaces	7 spaces	2 spaces			
401-500 spaces	8 spaces	2 spaces			
Over 500 spaces	2% of the total spaces	2 spaces			
Note: The number of van-accessible parking spaces is included in the minimum required accessible					
parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.					

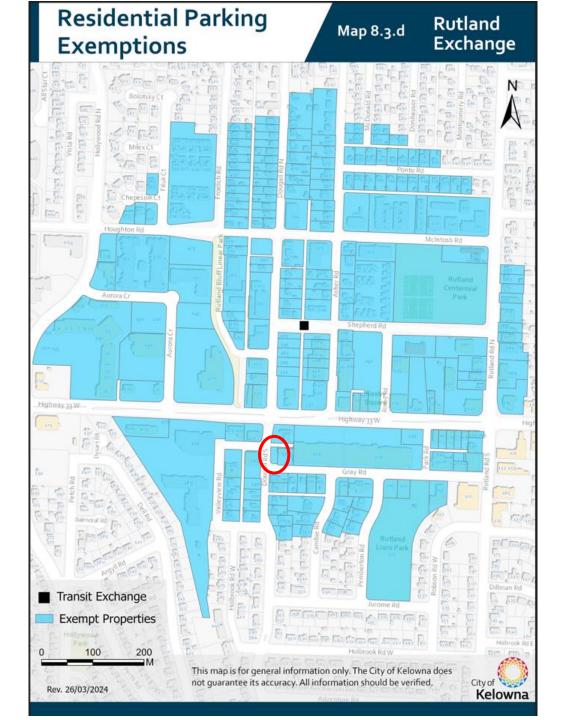






Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of	Change	Additional Detail		
7.	Section 13 – Multi-Dwelling Zones	 Updates to: a) Child Care Centre, Major b) MF1 Side Yard Setbacks c) Parkade entrance / exit height exclusion 	 a) Change Child Care Centre, Major from Secondary use to Principal use to be consistent with childcare regulations throughout the City. b) Change MF1 side setback from 1.8m to 1.2m for garages or carports to help accommodate the necessary parking onsite. c) Add an exclusion for parkade entrances / exits as the overall height regulation will remain intact. 		
8.	Section 14 — Core Area & Other Zones	 Updates to: a) Office & Apartment use in the C1 & C2 zone b) Urban Centre side yard setbacks c) Lots with Parks designation with a Transit Oriented Area d) Parkade entrance / exit height exclusion 	 a) Clarify the definition that these uses cannot occur on the ground floor but can occur on floors above the ground floor. b) Add Suburban Future Land Use designations to the list of adjacent lots. c) Comply with provincial Transit Oriented Areas legislation with regards to height and density on applicable lots, including lots with a park designation. d) Add an exclusion for parkade entrances / exits as the overall height regulation will remain intact. 		



Exclusion for Parkade Entrances / Exits

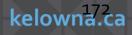






Staff Recommendation

- Staff recommend support for the proposed Text Amendments and recommend the bylaw be forwarded to public hearing
 - Improvements to Zoning Bylaw to increase functionality and applicability
 - Alignment with federal, provincial and municipal housing priorities



CITY OF KELOWNA

BYLAW NO. 12682 TA24-0009 — Updates to Various Sections

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 that City of Kelowna Zoning Bylaw No. 12375 be amended as follows:

- THAT Section 5 Definitions & Interpretations, 5.3 General Definitions, BUILDING ENVELOPE AREA be amended by adding ", or easements & statutory rights-of-way" after "or geotechnical purposes";
- AND THAT Section 5 Definitions & Interpretations, 5.3 General Definitions, COMMON AND PRIVATE AMENITY SPACE be amended by adding "exclusively" before "for the recreational use of the residents";
- 3. AND THAT Section 5 Definitions & Interpretations, 5.3 General Definitions, GROWING MEDIUM be deleted in its entirety;
- 4. AND THAT **Section 5 Definitions & Interpretations, 5.3 General Definitions** be amended by adding the following in its appropriate location:

"INFILL HOUSING means any form of development on a lot within the C-NHD - Core Area Neighbourhood or the S-RES – Suburban Residential future land use designation outlined within the OCP that contains or will contain three to six dwelling units and / or any form of development on a MF1, MF4, RU1, RU2, or RU3 zoned lot that contains or will contain three to six dwelling units.";

- 5. AND THAT Section 5 Definitions & Interpretations, 5.3 General Definitions, LOT LINE, FRONT – URBAN AND RURAL RESIDENTIAL be amended by adding "or bareland strata road" after "a lot line separating the lot from the street";
- AND THAT Section 5 Definitions & Interpretations, 5.3 General Definitions, SHORT-TERM RENTAL ACCOMMODATION be amended by deleting "29 days or less" and replacing it with "time of less than 90 consecutive days";
- 7. AND THAT **Section 5 Definitions & Interpretations, 5.3 General Definitions** be amended by adding the following in its appropriate location:

"**SOFT LANDSCAPING** means soil-based groundcover within the landscape area, including landscaping with a minimum 150mm of growing medium and plants including natural turf, ground covers such as perennials and grasses, shrubs and trees. Soft landscaping does not

include areas without growing medium and plant materials such as areas that are predominately rock, artificial turf, rubberized surfacing or hard surfacing such as but not limited to pavers.";

8. AND THAT Section 5 – Definitions & Interpretations, 5.3 – General Definitions be amended by adding the following in its appropriate location:

"**SOIL VOLUME** means the growing medium material that plants grow in. The growing medium shall follow the standards identified in the Canadian Landscape Standard (CLS).";

- 9. AND THAT Section 5 Definitions & Interpretations, 5.3 General Definitions, STEPBACK be amended as follows:
 - a) By adding ", measured from the face of the building wall," after "recessing of the building façade", and
 - b) By adding "Eaves can project into the stepback no greater than 0.6 meters." after "requiring to meet the stepback.";
- AND THAT Section 6 General Development Regulations, 6.1 Swimming Pools, 6.1.1 be amended by adding "or flanking side yard" after "a required front yard";
- 11. AND THAT Section 6 General Development Regulations, 6.1 Swimming Pools, 6.1.3 be amended by adding "or flanking side yard" after "a required front yard";
- 12. AND THAT Section 7 Site Layout, 7.2 Landscaping Standards, Table 7.2 Tree & Landscaping Planting Requirements be deleted in its entirety and replaced with Table 7.2 outlined in Schedule A as attached to and forming part of this bylaw;
- 13. AND THAT Section 7 Site Layout, 7.5 Fencing and Retaining Walls be deleted in its entirety and replaced with 7.5 – Fencing and 7.6 – Retaining Walls outlined in Schedule B as attached to and forming part of this bylaw;
- 14. AND THAT Section 8 Parking and Loading, 8.2 Off Street Parking Regulations, Tandem Parking, 8.2.6 be deleted in its entirety and replaced with the following

"8.2.6 Tandem parking spaces are permitted only for:

(a) developments with 6 or less dwelling units and:

i. only one tandem parking space is permitted in front of any garage or carport;

ii. a tandem space cannot be used for different principal dwelling units;

iii. parking spaces for secondary suites, carriage houses, and Child Care Centre, Major can be in tandem with the principal dwelling unit(s).

(b) townhouses with 7 or more dwelling units where the lot is located within the Core Area and:

i. visitor parking stalls cannot be configured in tandem;

ii. a tandem space cannot be used for different principal dwelling units.";

- 15. AND THAT Section 8 Parking and Loading, 8.2 Off Street Parking Regulations, Table 8.2.7.a Dimensions of Parking Spaces and Drive Aisles, Drive Aisles: be amended by adding "or greater" after "One way drive aisles (60 degree parking";
- AND THAT Section 8 Parking and Loading, 8.2 Off Street Parking Regulations, Table
 8.2.17 Amount of Accessible Parking Spaces be deleted in its entirety and replaced with Table
 8.2.17 outlined in Schedule C as attached to and forming part of this bylaw;
- 17. AND THAT Section 8 Parking and Loading, 8.3 Required Off-Street Parking Requirements, Table 8.3 – Required Residential Off-Street Parking Requirements, FOOTNOTE ^{.12} be amended by deleting "The parking spaces for the secondary suites and carriage houses can be located in the driveway and in tandem with the single detached dwelling parking as long as two additional off-street parking spaces are provided for the principal dwelling. Notwithstanding Section 8.1.4, parking for secondary suites or carriage houses can be surfaced with a dust-free material.";
- 18. AND THAT Section 8 Parking and Loading, 8.3 Required Off-Street Parking Requirements, Residential Parking Exemptions Map 8.3.d Rutland Exchange be deleted in its entirety and replaced with Map 8.3.d outlined in Schedule D as attached to and forming part of this bylaw;
- 19. AND THAT Section 10 Agriculture & Rural Residential Zones, Section 10.3 Permitted Land Uses, Single Detached Dwelling be amended as follows:
 - a) By deleting ".6" under "A1", and
 - b) By adding ".13" under "A1", "A2", "RR1", and "RR2";
- 20. AND THAT Section 10 Agriculture & Rural Residential Zones, 10.3 Permitted Land Uses, FOOTNOTES, ^{.6} be amended by deleting ", unless another residence is permitted within the Agriculture Land Reserve as described in the Agricultural Land Commission Act (and related regulation and policy)";
- 21. AND THAT Section 10 Agriculture & Rural Residential Zones, 10.3 Permitted Land Uses, FOOTNOTES, ¹² be amended by deleting "[Deleted]" and replacing it with "A bed & breakfast can only occur if there is only one dwelling unit on the lot.";
- 22. AND THAT Section 10 Agriculture & Rural Residential Zones, 10.3 Permitted Land Uses, FOOTNOTES be amended by adding the following in its appropriate location:

"¹³ Maximum of one Single Detached Dwelling unit is permitted per lot, except on A1 zoned ALR land when another residence is permitted within the Agriculture Land Reserve as described in the Agricultural Land Commission Act (and related regulation and policy).";

- 23. AND THAT Section 13 Multi-Dwelling Zones, Section 13.3 Permitted Land Uses, Child Care Centre, Major be amended by deleting "S" under "MF1" and replacing it with "P⁻³";
- 24. AND THAT Section 13 Multi-Dwelling Zones, Section 13.3 Permitted Land Uses, FOOTNOTES, ^{.3} be amended by deleting "[Deleted]" and replacing it with "The lot must have a child care sub-zone 'cc' on the property for a child care centre, major to be permitted.";
- 25. AND THAT Section 13 Multi-Dwelling Zones, Section 13.5 Development Regulations, FOOTNOTES, ² be amended by adding the following after "party wall agreement.":

"For MF1 lots garages and carports can have a side yard setback of 1.2 metres when the lot has access to a rear or side lane. Any residential space on those MF1 lots above the garage or carport must meet the 1.8 m side yard setback.";

- 26. AND THAT Section 13 Multi-Dwelling Zones, Section 13.5 Development Regulations, FOOTNOTES, ^{.9} be amended by adding "For all apartment buildings, at least 75 m² of the required portion of common area shall be configured indoors." after "fee simple townhouses.";
- 27. AND THAT Section 13 Multi-Dwelling Zones, Section 13.6 Density and Height Development Regulations, FOOTNOTES, ¹ be amended by adding "If a parkade entrance / exit has a lower finished grade than the surrounding area then this portion of the parkade can be excluded from height calculations." before "The base height";
- 28. AND THAT Section 14 Core Area & Other Zones, Section 14.9 Principal and Secondary Land Uses, FOOTNOTES, ^{.6} be amended by deleting "the uppermost floor within a building" and replacing it with "above the first floor";
- 29. AND THAT Section 14 Core Area & Other Zones, Section 14.11 Commercial and Urban Centre Zone Development Regulations, FOOTNOTES, ^{.3} be amended by deleting "core area neighbourhood (C-NHD) or an education / institutional" and replacing it with "Core Area Neighbourhood (C-NHD), Suburban -Residential (S-RES), Suburban - Multiple Unit (S-MU), or an Education / Institutional";
- 30. AND THAT Section 14 Core Area & Other Zones, Section 14.14 Density and Height be amended by adding "^{1,15}" after "For areas identified as PARK = 0.5 FAR ⁹" under the "Min. Density (if applicable) & Max. Base Density FAR ^{1,1,7}" column in the "UC1 (Downtown)" row, the "UC2 (Capri / Landmark)" row, the "UC3 (Midtown)" row, the "UC4 (Rutland)" row, and the "UC5 (Pandosy)" row;
- 31. AND THAT Section 14 Core Area & Other Zones, Section 14.14 Density and Height, Max. Base Height be amended by adding ".14" after "Max. Base Height .1, .7";
- 32. AND THAT Section 14 Core Area & Other Zones, Section 14.14 Density and Height, FOOTNOTES, ¹³ be amended by deleting "Lots identified in a Transit Oriented Area identified by Map 8.3.b, Map 8.3.c, or Map 8.3.d have the base FAR for the 6-storey category increased

from 1.8 FAR to 2.5 FAR." and replacing it with "Lots that have a 6 storey Building Height category and are within a Transit Oriented Area as identified by Map 8.3.b, Map 8.3.c, or Map 8.3.d then have their density increased from 1.8 base FAR to 2.5 base FAR.";

33. AND THAT Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height, FOOTNOTES be amended by adding the following in its appropriate location:

"¹⁴ If a parkade entrance / exit has a lower finished grade than the surrounding area then this portion of the parkade can be excluded from height calculations.";

34. AND FURTHER THAT Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height, FOOTNOTES be amended by adding the following in its appropriate location:

".¹⁵ If a lot has a Park Building Height category and is within a Transit Oriented Area as identified by Map 8.3.b, Map 8.3.c, or Map 8.3.d then: if the lot is within 200 metres of the Transit Exchange the lot can be developed in accordance with the 12 storey base height and density category and if the lot is between 200 and 400 metres of the Transit Exchange the lot can be developed in accordance with the 6 storey the base height and density category.";

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

Read a first time by the Municipal Council this

Considered at a Public Hearing on this

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule A

	Table 7.2 – Tree & Landsca cm =centimetres / m = metres / m	aping Planting Requireme ² = square metres / m ³ = metres c			
Criteria	Regulations				
Standard Requireme	Standard Requirements for Minimum Trees, Soft landscaping, and Soil Volume for all Developments .1				
Minimum Number of Trees within Landscape Areas ¹	1 tree per 10 linear metres of landscape area				
Minimum Soft Landscaping Area ^{.2} See Visual Example Figure 7.2.1	75% of the landscape area shall be soft landscaping				
		Single Tree	Shared		
Minimum Soil	Large Tree	20 m ³	15 m ³		
Volume per Tree -3	Medium Tree	18 m ³	12 M ³		
	Small Tree	15 M ³	10 M ³		
Area specifi	modification to Trees, Soft	landscaping, and Soil Volu	me Requirements		
Overhead Power Lines for any zone Landscape Areas and Boulevards for Infill Housing	The minimum number of trees in the front yard or flanking yard landscape area can be planted outside the front yard or flanking yard landscape areas if the abutting: boulevard, front yard and / or flanking yard contains overhead electrical power lines that would interfere with the growth of the trees. There is no minimum number of trees onsite and no minimum soft landscaping within the front yard or flanking yard landscape area if large trees are planted within the boulevard and the boulevard contains a sidewalk or a sidewalk is installed.				
Landscape Areas and Boulevards for any: MF2, MF3, MF4 ^{.4} zone or any zone within Section 14 Core Area and Other Zones	The minimum number of trees can be planted outside of the front yard or flanking yard landscape areas if the abutting boulevard is irrigated and contains a sidewalk or a sidewalk will be installed. There is no minimum soft landscaping required within the front yard or flanking yard landscape area if the minimum number of trees is planted outside the front yard or flanking yard landscape area.				
	Universal Lands	cape Requirements			
Minimum Landscaping for any surface parking lot over 15 vehicles ^{.5}	landscape area. (b) landscaped islands are (c) the maximum number	with the street must have a required at the end of each	a minimum 1.5 metres parking aisle; ecutive row is 14 with a		
	(d) landscaped islands are	not to be longer than the a	djacent parking space;		

	Table 7.2 – Tree & Landscaping Planting Requirements cm =centimetres / m = metres / m ² = square metres / m ³ = metres cubed		
Criteria	Regulations		
	(e) landscaped islands shall be clearly delineated as separate and in addition to required parking and loading spaces;		
	 (f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference; 		
	(g) a minimum of one tree must be included in a landscaped island; and		
	(h) landscape islands must have a minimum 75% soft landscaping or soil cells.		
Minimum / Maximum Tree Spacing	Minimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area.		
Minimum Setback from buildings, raised patios, and	Large: 3 m radius from centre of tree to the building Medium: 2 m radius from centre of tree to the building Small: 1 m radius from centre of tree to the building		
balconies to on-site trees	Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare).		
Minimum Deciduous Tree Planting Stock Caliper ^{.6}	Large: 5 cm Medium: 4 cm Small: 3 cm		
Minimum Coniferous Tree Planting Stock Height	250 cm		
Minimum Ratio between Tree size '7Large: Min 50% Medium: No min or max Small: Max 25%			

FOOTNOTES (Section 7.2):

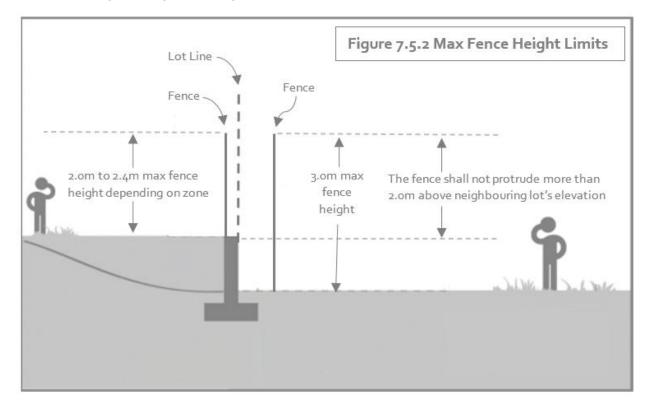
- ¹⁴ The linear metre calculation is used to determine the minimum number of trees to be planted within the landscape area (not the minimum spacing). At least one tree per landscape area is required, unless there is an area specific modification. The minimum landscaping and number of trees is required for all developments, except, for residential developments that contains two or less dwelling units per lot.
- ² Electrical transformers and driveways within the landscape areas can be excluded from the minimum percentage of soft landscaping area. If soil cells are installed for all the required trees in the front yard or flanking yard landscape area, then there is no minimum soft landscaping requirement.
- ⁻³ Soil volume may be shared through the landscape area (tree, turf, and shrub). For the soil volume calculation, any continuous growing medium the roots can reach on the subject property to a

	Table 7.2 — Tree & Landscaping Planting Requirements cm =centimetres / m = metres / m ² = square metres / m ³ = metres cubed					
Criteria	Regulations					
 calculation only whand the soil volume This category applied primarily commercies The minimum num calculations and calculations and	nber of trees within landscape areas and within parking islands are separate nnot be double counted to meet minimum numbers. Trees in adjacent parking nay share soil volume with the adjacent landscape area to meet the minimum il volume amounts. shall have a minimum clear stem height of 1.5 m. ined in the City of Kelowna's Urban Tree Guide, if only one tree is required, it must conifer. All columnar trees shall be considered a medium or small tree for e tree size ratio. These columnar trees require the equivalent large tree soil volume. adding the trees within the landscape area and the trees within parking lot landscape					

Schedule B

7.5 Fencing

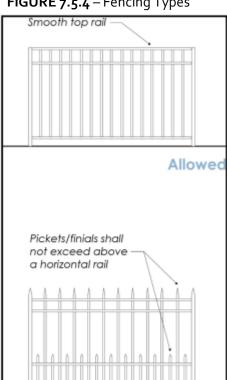
- 7.5.1 Screening fences shall be opaque double-sided construction. Where screening fences are allowed or required by this Bylaw, they shall be of an opaque or a combination of opaque and lattice design.
- 7.5.2 The maximum height for fences constructed from natural grade shall be:
 - (a) 2.0 metres in rural residential zoned properties except; where abutting an agricultural, industrial, or commercial zone commercial zone, then the maximum height shall be 2.4 metres.
 - (b) 2.0 metres in suburban residential, multi-dwelling, village centre, or urban centre zoned lots except; that it shall not exceed 1.2 metres in height within the minimum front yard or flanking yard setbacks.
 - (c) 2.4 metres in commercial, public and institutional, or industrial zoned properties.
 - (d) Notwithstanding S.7.5.2 (a), (b), & (c); the maximum height of a fence that abuts a neighbouring lot which is higher in elevation and is erected on the low side is 3.0 metres, as long as, the fence does not protrude more than 2.0 metres above the elevation of the neighbouring lot (see Figure 7.5.2)



- Lots in industrial zones are to have an opaque 2.4 7.5.3 metres high fence around all storage yards, along all lot lines abutting non-industrial zones and around wrecking yards that are visible from a street abutting the lot.
- No metal fence shall be constructed or erected that 7.5.4 have the ends of the fence pickets or finials extend above a horizontal rail (see Figure 7.5.4).
- No barbed wire fencing shall be constructed or erected 7.5.5 in any rural residential, suburban residential, multidwelling, or core area & other zone, except in the P1 zone where the site is used for detention and correction services.
- No razor wire fences shall be constructed or erected in 7.5.6 any zone except were associated with penitentiaries, jails, or places of incarceration.
- No fencing shall be constructed or erected at or below 7.5.7 the high-water mark (geodetic elevation of 343 metres) of Okanagan Lake.

Retaining Walls 7.6

- No individual retaining wall shall exceed a height of 1.2 metres measured from grade on the lower 7.6.1 side.
 - (a) Except, where the grade of the subject lot is lower than the abutting property then any retaining walls must not exceed a height of 3.0 metres measured from grade on the lower side.
 - (b) Except, retaining walls can be any height subject to condition of subdivision approval.
- 7.6.2 Notwithstanding S.7.6.1; any individual retaining wall greater than 1.2 metres in height must be constructed with a professional design by a qualified professional engineer.
- Notwithstanding S.7.6.1; any tiered retaining walls must be spaced horizontally a minimum of 7.6.3 1.2 metres between tiers. The maximum number of tiers that may be constructed without a professional design by a qualified professional engineer is two. The maximum total height of any retaining wall system that may be constructed without a professional design by a qualified professional engineer is 2.4 metres.



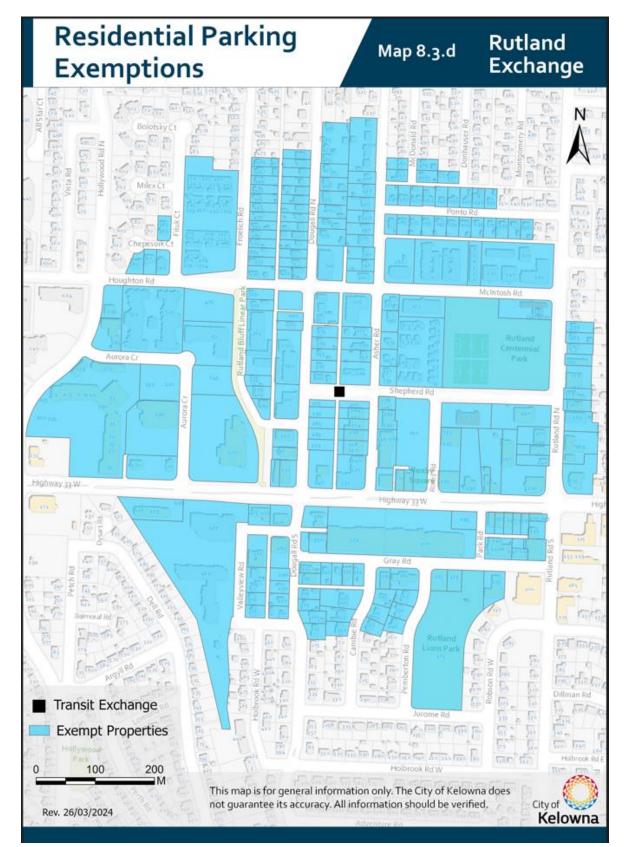
Not Allowed

FIGURE 7.5.4 – Fencing Types

Sch	edu	le C

Table 8.2.17 Amount of Accessible Parking Spaces			
Total Number of Parking Spaces Onsite.	Min. Number of Required Accessible Parking Spaces	Min. Number of Required Van- Accessible Parking Spaces	
1–6 spaces	o spaces	o spaces	
7 – 36 spaces	1 space	o spaces	
37 – 68 spaces	2 spaces	1 space	
69 – 100 spaces	3 spaces	1 space	
101-150 spaces	4 spaces	1 space	
151-200 spaces	5 spaces	1 space	
201-300 spaces	6 spaces	2 spaces	
301-400 spaces	7 spaces	2 spaces	
401-500 spaces	8 spaces	2 spaces	
Over 500 spaces	2% of the total spaces	2 spaces	
Note: The number of van-accessible parking spaces is included in the minimum required accessible			
parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.			





Report to Council



Date:	July 22, 2024
То:	Council
From:	City Manager
Department:	Office of the City Clerk
Subject:	Rezoning Bylaws Supplemental Report to Council

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated July 22, 2024, with respect to one rezoning applications;

AND THAT Rezoning Bylaws No. 12676 and 12677 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaws No. 12676 and 12677 and to give the bylaws further reading consideration.

Background:

A public hearing cannot be held for zoning bylaws for residential development that are consistent with the OCP. A public hearing is not required for all other zoning bylaws that are consistent with the OCP. Public notice is given before first reading with signage on the subject property, newspaper advertisements, and mailouts in accordance with the Local Government Act and Development Application & Heritage Procedures Bylaw No. 12310.

Discussion:

The Rezoning Applications were brought forward to Council for initial consideration on July 8, 2024. Notice of first reading was completed as outlined above.

Correspondence was received as per the following table:

Address	Application	Bylaw	Public Hearing Option	Recommended Readings	Correspondence Received
1951 Cross Rd	Z23-0071	12676	No	1 st , 2 nd ,3 rd	0
1508 Highland Dr	Z24-0022	12677	No	1 st , 2 nd , 3 rd and adopt	10

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

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaws No. 12676 and 12677 further reading consideration.

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the Local Government Act, Council may choose to:

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

Considerations not applicable to this report:

Existing Policy: Financial/Budgetary Considerations: External Agency/Public Comments: Communications Comments:

Submitted by:	L. Klaamas, Legislative Technician
Approved for inclusion:	W. Junkin-Faris, Acting City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12676 Z23-0071 1951 Cross Road

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

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

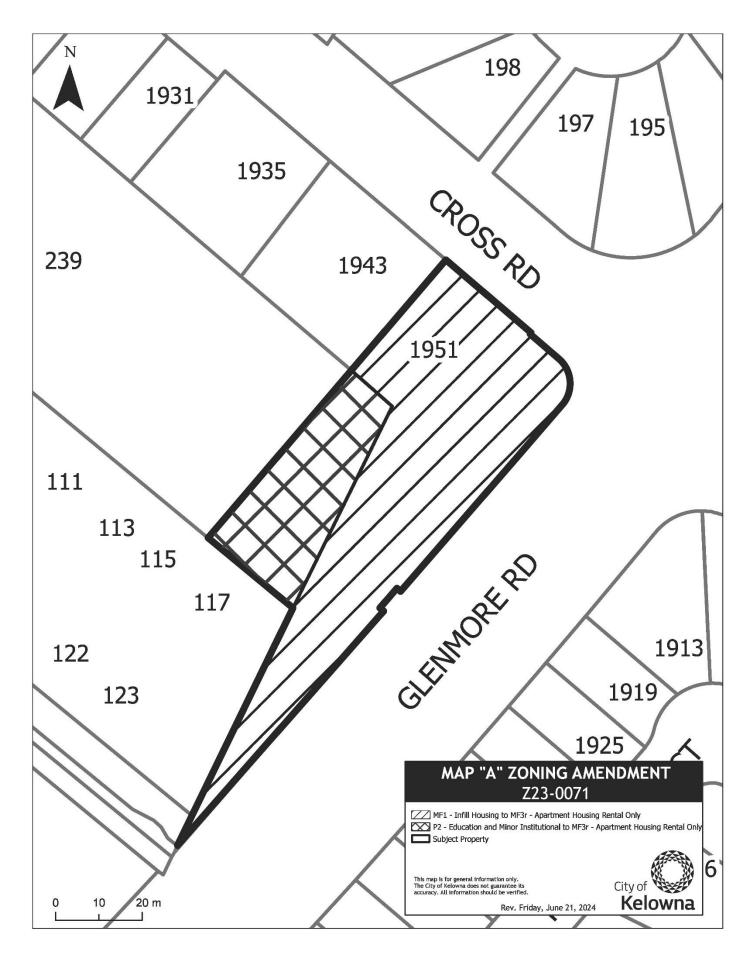
- THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot 1 Section 4 Township 23 ODYD Plan EPP120282 located on Cross Road, Kelowna, BC from the MF1 – Infill Housing zone and the P2 – Education and Minor Institutional zone to the MF3r – Apartment Housing Rental Only zone as shown on Map "A" attached to and forming part of this bylaw.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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



CITY OF KELOWNA

BYLAW NO. 12677 Z24-0022 1508 Highland Drive N

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 1 Section 29 Township 26 ODYD Plan 21281 Except Plan KAP85729 located on Highland Dr N, Kelowna, BC from the MF1 Infill 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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12534 Z23-0009 875 Graham Road

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 1 Section 22 Township 26 ODYD Plan 19161, located on Graham Road, Kelowna, BC from the MF1 Infill 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 19th day of June, 2023.

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

Mayor

City Clerk

REPORT TO COUNCIL DEVELOPMENT PERMIT



Date:	July 22, 2024
То:	Council
From:	City Manager
Address:	875 Graham Rd
File No.:	DP23-0024
Zone:	MF2 – Townhouse Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12534 be considered by Council;

AND THAT Council authorizes issuance of Development Permit No. DP23-0024 for Lot 1 Section 22 Township 26 ODYD Plan 19161, located at 875 Graham Road, Kelowna, BC subject to the following:

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

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

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

2.0 Purpose

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

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of townhouse housing. The proposed project generally aligns with the Official Community Plan (OCP) Form and Character Design Guidelines for Townhouses. Key guidelines that are met include:

- Orienting the end unit on the perpendicular building to be facing the street;
- Designing the end units to minimize the overlook and direct sight lines to neighbouring properties; and
- Creating high-quality semi-private outdoor amenity spaces to be available for all units.

Materials that are used include arctic white, light grey and midnight black hardie panel, light grey and wood stain hardie lap siding and brick veneer. Common amenity spaces are only required for townhouse developments with 11 or more units, but the proposal has included a common seating area with string lights at the northeast corner of the site. Private amenity spaces are included for all units with both ground-level amenity turf area and private balconies being provided.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located on the corner of Graham Rd and Matt Rd and has the Future Land Use Designation of Core Area Neighbourhood. The surrounding area is primarily zoned MF1 – Infill Housing. The subject property is in close proximity to Quigley Elementary School, Hollywood Rd Education Services Centre, and Moraine Park.

AREA & UNIT STATISTICS				
Gross Lot Area			1075 m ²	
Total Number of Units			8	
Townhome			8	
DEVELOPMENT REGULATIONS				
CRITERIA	MF2 ZONE PROPOSAL			
Total Maximum Floor Area Ratio	1	.0	0.98	
Max. Site Coverage (buildings)	55	5%	40.24%	
Max. Site Coverage (buildings, parking, driveways)	80%		73.68%	
Max. Height	11.0 m / 3 storeys 9.66 m / 3 storeys			
Setbacks				

5.0 Zoning Bylaw Regulations Summary

Min. Front Yard – Ground-Oriented (East)	2.0 M	2.05m		
Min. Flanking Side Yard (North)	3.0 m	3.07 M		
Min. Side Yard (South)	2.1 M	3.45 m		
Min. Rear Yard (West)	4.5 m	4.5 m		
Amenity Space				
Total Required Amenity Space	o m²	304.9 m²		
Common	o m²	156.6 m ²		
Private	o m²	148.3 m²		
Landscaping				
Min. Number of Trees	10 trees	10 trees		
Min. Large Trees	5 trees	6 trees		
PARKING REGULATIONS				
CRITERIA	MF ₂ ZONE REQUIREMENTS	PROPOSAL		
Total Required Vehicle Parking	14 stalls	15 stalls		
Residential	13	14		
Visitor	1	1		
Patio of Pagular to Small Stalls	Min. 50% Regular	50 % Regular		
Ratio of Regular to Small Stalls	Max. 50% Small	50 % Small		
Bicycle Stalls Short-Term	4 stalls	4 stalls		

6.0 Application Chronology

Application Accepted:	February 15, 2023
Neighbour Notification Received:	February 27, 2023
Adoption of Zone Amending Bylaw:	July 22, 2024

Report prepared by:	Tyler Caswell, 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: Draft Development Permit – DP23-0024 Schedule A: Site Plan & Floor Plans Schedule B: Elevations & Sections Schedule C: Landscape Plan Attachment B: OCP Form and Character Development Permit Guidelines

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

Development Permit

DP23-0024



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

875 Graham Road

and legally known as

Lot 1 Section 22 Township 26 ODYD Plan 19161

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

Townhouse Housing

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

Date of Council Approval:	July 22, 2024
Development Permit Area:	Form and Character
Existing Zone:	MF2 – Townhouse Housing
Future Land Use Designation:	C-NHD – Core Area Neighbourhood

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

This is NOT a Building Permit.

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

<u>NOTICE</u>

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

Owner:

1356934 BC Ltd., Inc.No. BC1356934

Applicant:

CM Designs Ltd.

Nola Kilmartin Development Planning Department Manager Planning & Development Services Date of Issuance



1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

THAT Council authorizes the issuance of Development Permit No. DP23-0224 for Lot 1 Section 22 Township 26 ODYD Plan 19161 located at 875 Graham Road, Kelowna, BC, subject to the following:

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

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

3. PERFORMANCE SECURITY

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

a) An Irrevocable Letter of Credit OR certified cheque OR a Surety Bond in the amount of \$45,636.25

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

4. INDEMNIFICATION

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

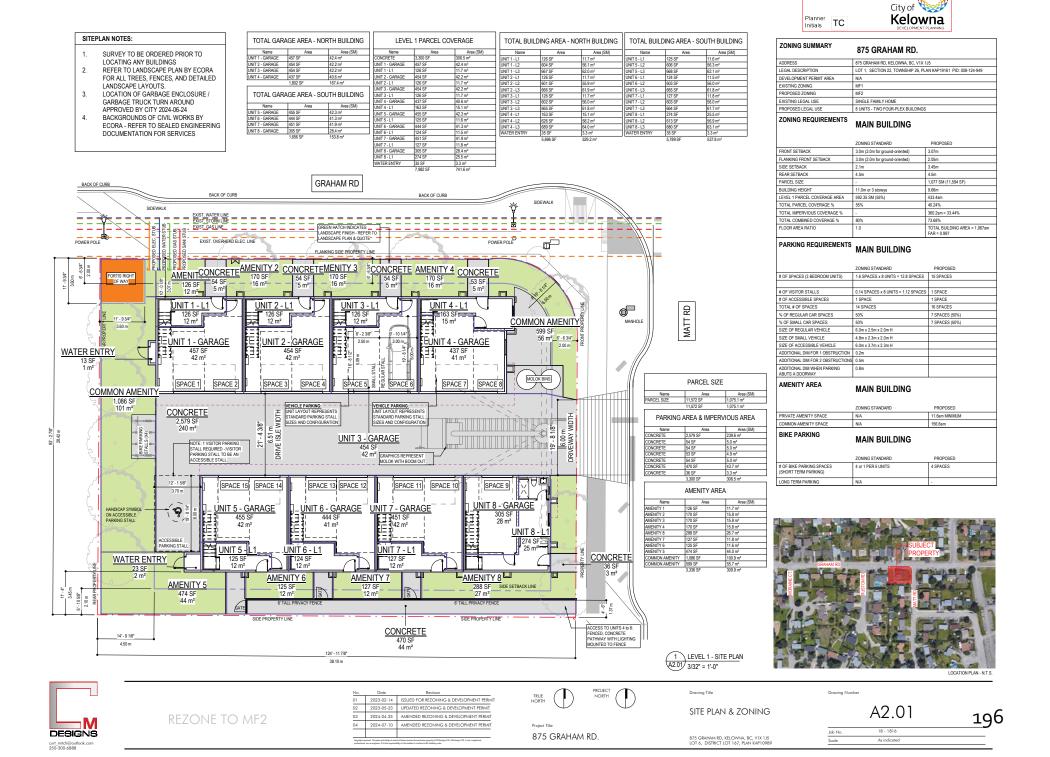
a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

ATTACHMEN	NT_A
This forms part of appli # DP23-0024	cation
" DI 20 0024	City of
Planner Initials TC	Kelowna

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

DP23-0024 Page 2 of 2 195



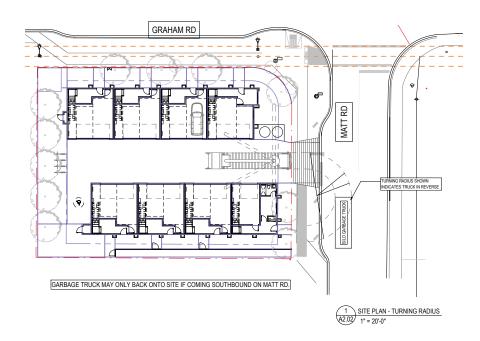
SCHEDULE

This forms part of application # DP23-0024

А



LETTER FROM SILO INDICATING BACKUP IS OKAY - DATED MAY 24, 2024



Project Title



REZONE TO MF2

 No.
 Date
 Revision

 01
 2023-20-214
 SUBLE TO RECOMING A DEVELOPMENT FEMIT

 02
 2023-05-23
 UPARTED HEZONING A DEVELOPMENT FEMIT

 03
 2024-06-23
 AVENDED HEZONING A DEVELOPMENT FEMIT

 04
 2024-07-10
 AVENDED HEZONING & DEVELOPMENT REMIT

 04
 2024-07-10
 AVENDED HEZONING & DEVELOPMENT REMIT

 05
 DEVELOPMENT REMIT
 DEVELOPMENT REMIT

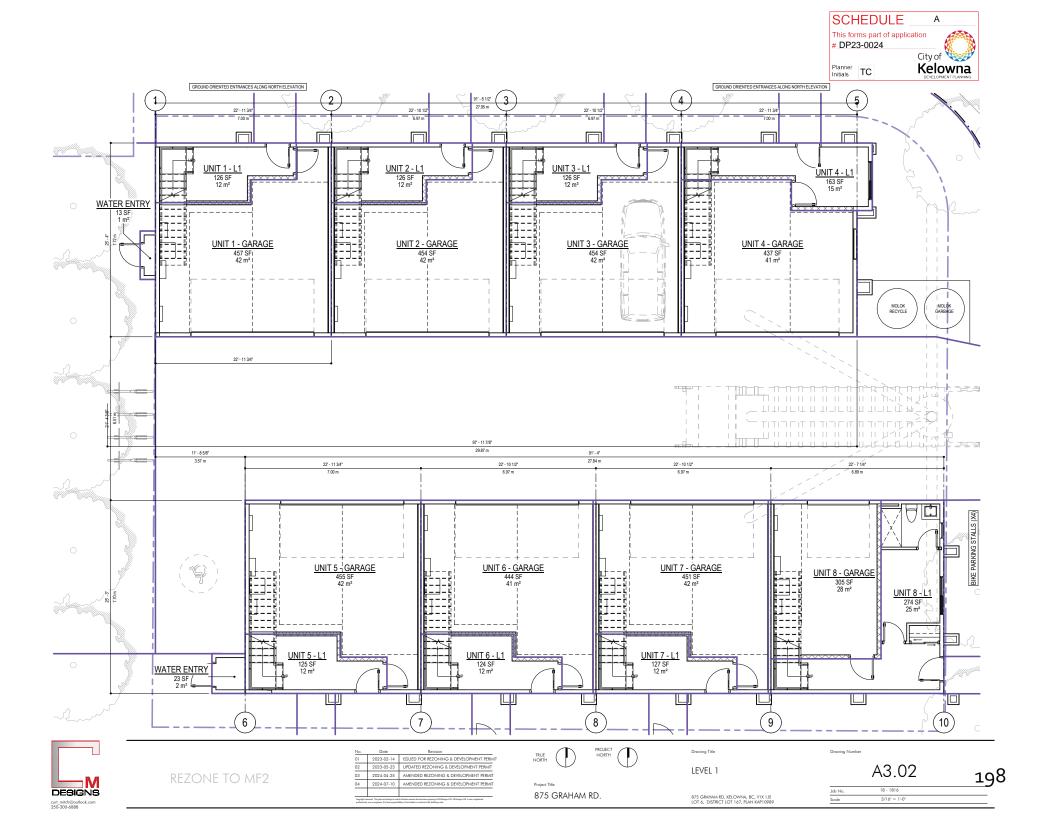
SITE PLAN - GARBAGE TURNING RADIUS

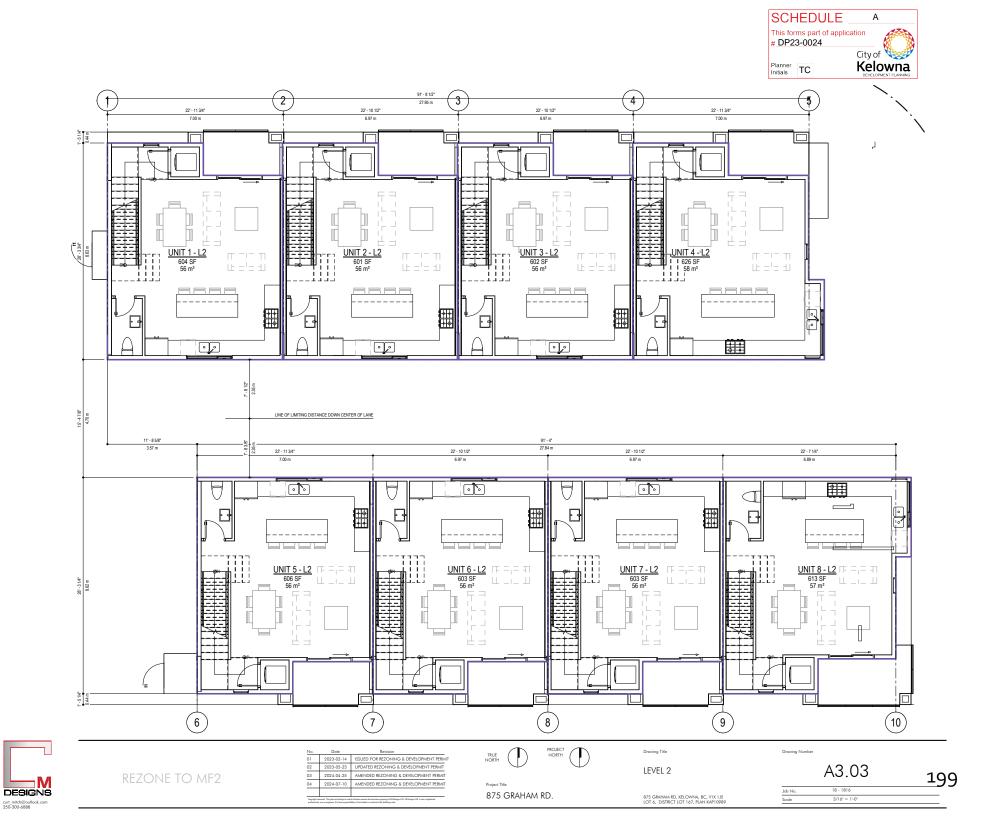
875 GRAHAM RD, KELOWNA, BC, V1X 1J5 LOT 6, DISTRICT LOT 167, PLAN KAP10989

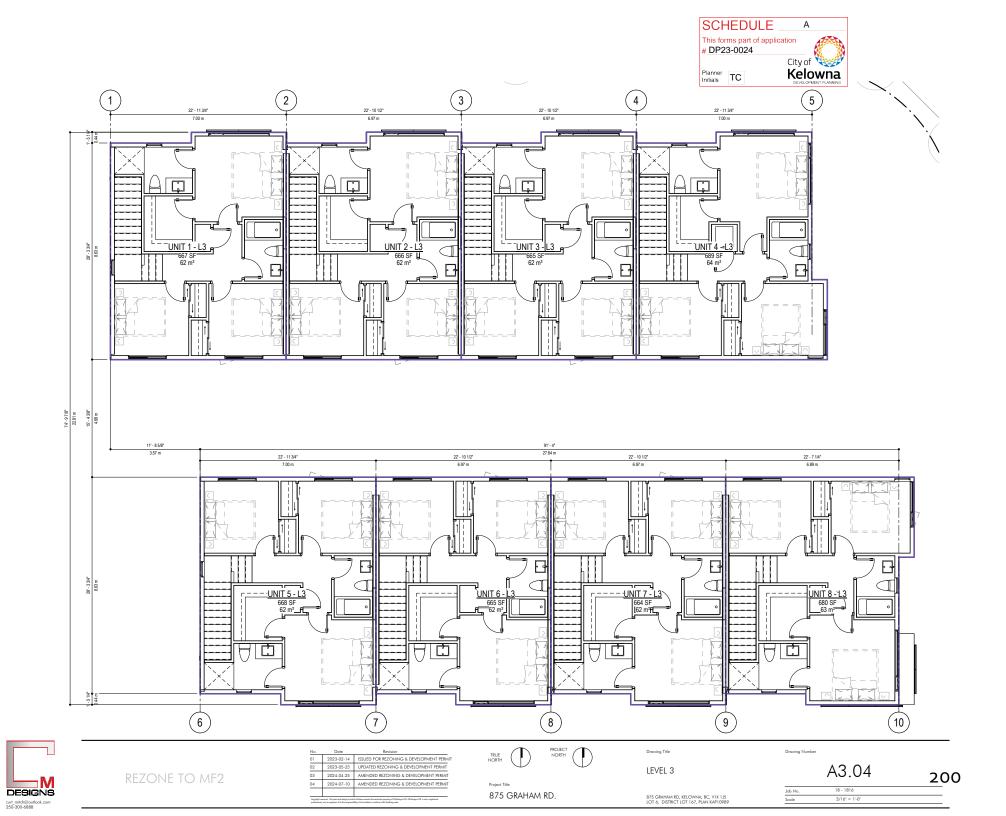
Drawing Title

Drawling Number A2.02 197 Job No. 18 - 1816 Scole 1' = 20.0'

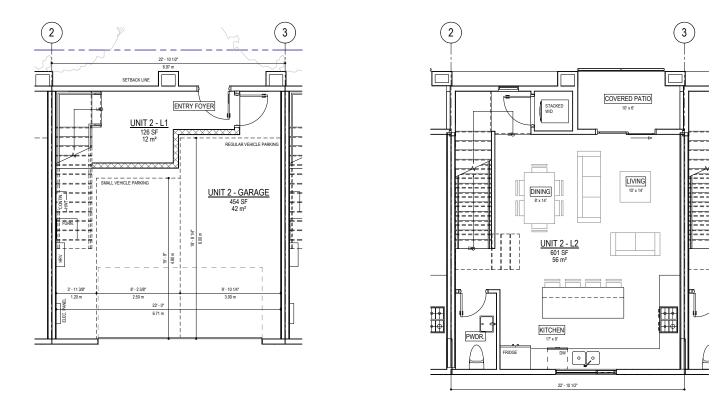
875 GRAHAM RD.











1 TYP UNIT - LEVEL 1 A3.05 1/4" = 1'-0" 2 TYP. UNIT - LEVEL 2 A3.05 1/4" = 1'-0"

Drawing Number

Job No. Scale



REZONE TO MF2

No.	Date	Revision
01	2023-02-14	ISSUED FOR REZONING & DEVELOPMENT PERMIT
02	2023-05-23	UPDATED REZONING & DEVELOPMENT PERMIT
03	2024-04-25	AMENDED REZONING & DEVELOPMENT PERMIT
04	2024-07-10	AMENDED REZONING & DEVELOPMENT PERMIT
_		

PROJECT NORTH TRUE NORTH T Project Title

875 GRAHAM RD.

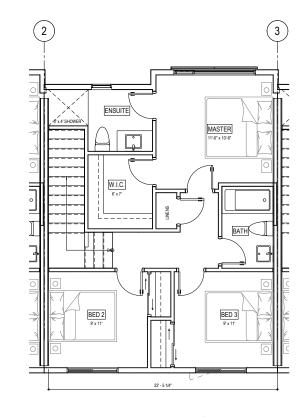
TYP. UNIT PLAN - LEVEL 1 AND 2

Drawing Title

875 GRAHAM RD, KELOWNA, BC, V1X 1J5 LOT 6, DISTRICT LOT 167, PLAN KAP10989 A3.05 18-1816 1/4" = 1'.0"

201





1 TYP. UNIT - LEVEL 3 A3.06 1/4" = 1'-0"





875 GRAHAM RD.

875 GRAHAM RD, KELOWNA, BC, V1X 1J5 LOT 6, DISTRICT LOT 167, PLAN KAP10989



AMENDED REZONING AND DEVELOPMENT PERMIT 2024-07-10

ARCHITECTURAL

- A0.00 COVER SHEET, DRAWING LIST & MATERIAL BOARD EXISTING PHOTOS A1.12 A2.01 SITE PLAN & ZONING SITE PLAN - GARBAGE TURNING RADIUS A2.02 A3.02 LEVEL 1 LEVEL 2 A3.03 A3.04 LEVEL 3 TYP. UNIT PLAN - LEVEL 1 AND 2 A3.05 A3.06 TYP. UNIT PLAN - LEVEL 3 A4 01 STREET FACING ELEVATIONS
- A4.02 SOUTH BUILDING ELEVATIONS
- WEST BUILDING ELEVATIONS A4.04
- A4.05 3D VIEWS
- A4.06 RENDERINGS



DESIGN RATIONALE

LOCATION: VARIOUS EXTERIOR

Dear community planners,

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

DEVELOPMENT PERMIT w/ VARIANCE:

The current lot, as it currently exists, is very large. Approximately 28m (91') wide x 38m (124') deep, and just over 1,000sm. The existing home has already been demolished and ready for a new vision. The proposal is to rezone the RU2 lot to MF2 to facilitate the development. The property is within the Permanent Growth Boundary (PGB), within the Core Area, and meets the city's vision for increased density. The 7 units will be broken into one 4-plex and one 3-plex and will meet the proposed bylaw requirements for MF2.

Each unit will be 3 storeys in height, approximately 1,200SF (139sm) in size, 3 bed, 2.5 bath, and a double car attached garage. The access for parking will be from a driveway off of Matt rd. If rezoning is approved, the townhomes will be available for purchase.



PRECEDENCE: There are no immediate neighbouring properties with the MF2, however on Hollydell rd, about a block away there is a good example of townhomes zoned MF2.

This property is a good example of what is possible within the MF2 zone.



REZONE TO MF2

No.	Date	Revision
01	2023-02-14	ISSUED FOR REZONING & DEVELOPMENT PERM
02	2023-05-23	UPDATED REZONING & DEVELOPMENT PERMIT
03	2024-04-25	AMENDED REZONING & DEVELOPMENT PERMI
04	2024-07-10	AMENDED REZONING & DEVELOPMENT PERMI
		al Lines: wearles: the eaclastice property of CM Designs LTD. OR Designs LTD. is not a registered direct the building to conform to BC building code.

875 GRAHAM RD

Project Title

COVER SHEET, DRAWING LIST & MATERIAL BOARD

Drawing Title

875 GRAHAM RD, KELOWNA, BC, V1X 1J5 LOT 6, DISTRICT LOT 167, PLAN KAP10985

18 - 1816

A0.00

Drawing Number

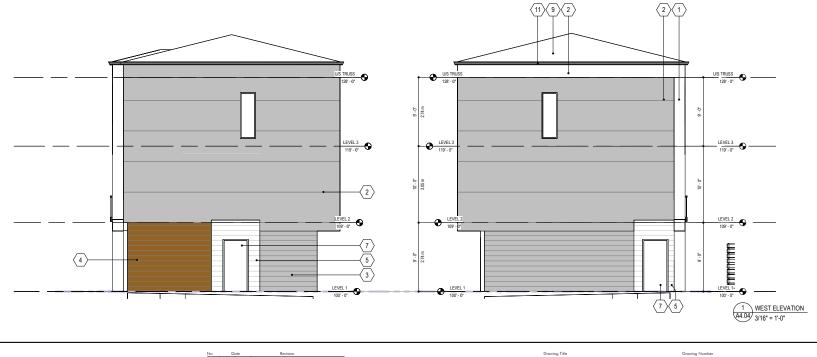
203











Project Title

875 GRAHAM RD.

DESIGNS

REZONE TO MF2

 No.
 Date
 Revision

 01
 2023-02-14
 SSUED FOR REZONING & DEVELOPMENT FEMIT

 02
 2023-05-23
 UPDATED REZONING & DEVELOPMENT FEMIT

 03
 2024-04-25
 AMENDED REZONING & DEVELOPMENT FEMIT

 04
 2024-07-10
 AMENDED REZONING & DEVELOPMENT FEMIT

 04
 2024-07-10
 AMENDED REZONING & DEVELOPMENT FEMIT

 04
 2024-07-10
 MENDED REZONING & DEVELOPMENT FEMIT

WEST BUILDING ELEVATIONS

875 GRAHAM RD, KELOWNA, BC, V1X 1J5 LOT 6, DISTRICT LOT 167, PLAN KAP10989 A4.04

Job No. Scale 206





curt_mitch@outlook.com 250-300-6888



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875 GRAHAM RD.

875 GRAHAM RD, KELOWNA, BC, V1X 1J5 LOT 6, DISTRICT LOT 167, PLAN KAP10989

18 - 1816

Job No. Scale





VIEW FROM GRAHAM RD LOOKING SOUTH



Project Title

875 GRAHAM RD.

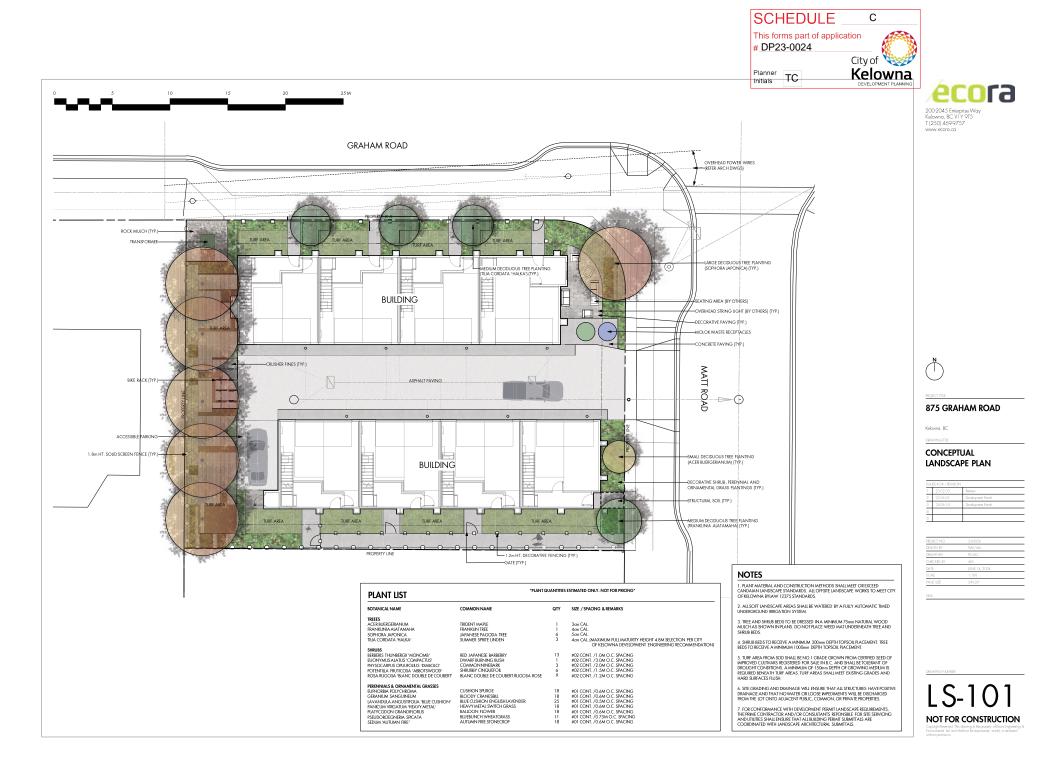
DESIGNS

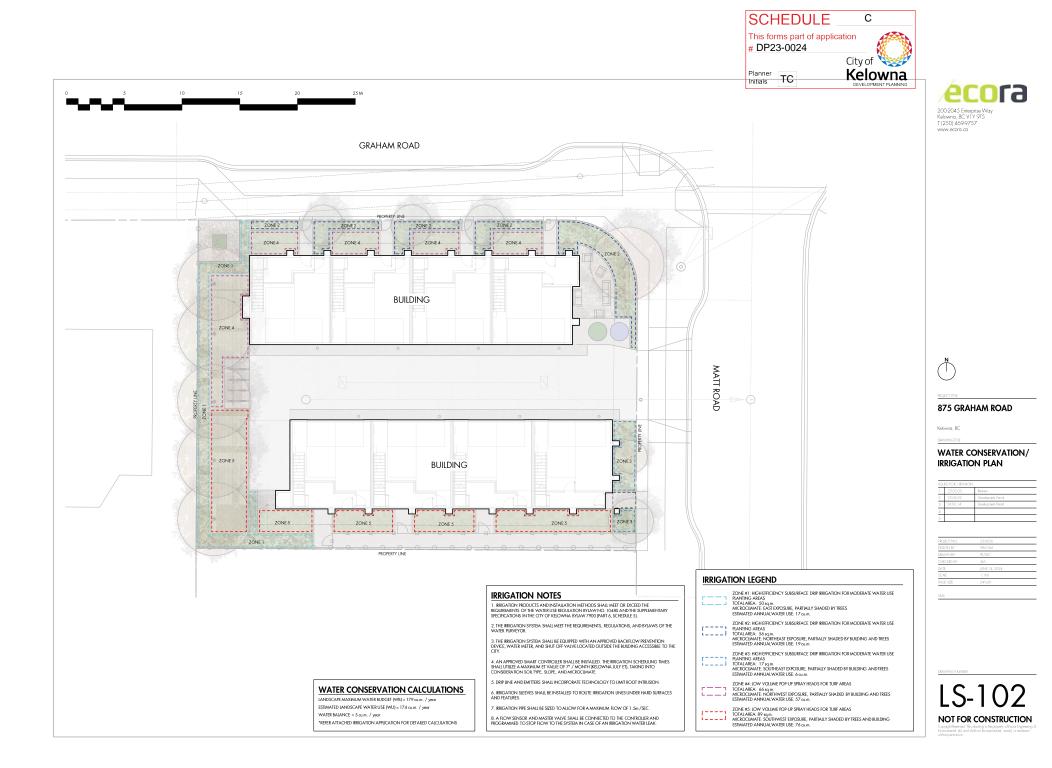


No.	Date	Revision
01	2023-02-14	ISSUED FOR REZONING & DEVELOPMENT PERMI
02	2023-05-23	UPDATED REZONING & DEVELOPMENT PERMIT
03	2024-04-25	AMENDED REZONING & DEVELOPMENT PERMIT
04	2024-07-10	AMENDED REZONING & DEVELOPMENT PERMIT

Drawing Title RENDERINGS 875 GRAHAM RD, KELOWINA, BC, VIX 15 LOT 6, DISTRICT LOT 167, RUN KAP10989 Drewing Number A4.06 Job No. 18 - 1816

208





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

	SECTION 4.0: TOWNHOUSES & INFILL									
RA	TE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5			
(1 İ	s least complying & 5 is highly complying)				_					
	3.1 Townhouses									
3.1	1 Relationship to the Street	N/A	1	2	3	4	5			
a.	Design primary unit entrances to provide:						\checkmark			
•	A clearly visible front door directly accessible from a public street									
	or publicly accessible pathway via a walkway, porch and/or stoop;									
•	Architectural entrance features such as stoops, porches, shared									
	landings, patios, recessed entries, and canopies;									
•	A sense of transition from the public to the private realm by									
	utilizing strategies such as changes in grade, decorative railings,									
	and planters; and									
•	Punctuation, articulation, and rhythm along the street									
b.	A maximum 1.2 m height (e.g. 5-6 steps) is desired for front						\checkmark			
	entryways or stoops. Exceptions can be made in cases where the									
	water table requires this to be higher.									
с.	In the case of shared landings that provide access to multiple						\checkmark			
	units, avoid having more than two doors in a row facing outward.									
d.	For buildings oriented perpendicularly to the street (e.g. shotgun						\checkmark			
	townhomes), ensure that the end unit facing the street is a custom									
	street-oriented unit with primary entry directly accessible from									
	the fronting street and primary living space at grade.									
e.	For large townhouse projects (e.g. master planned communities	✓								
	with internal circulation pattern), Guidelines 3.1.1.a-d apply for									
	units facing strata roads as well as those units fronting onto public									
	streets.									
3.1	2 Scale and Massing	N/A	1	2	3	4	5			
a.	Wherever possible, reflect the positive attributes of adjacent				\checkmark					
	housing while integrating new higher density forms of housing as									
	envisioned in the OCP.									
b.	Scale and site buildings to establish consistent rhythm along the					\checkmark				
	street by, for example, articulating individual units through									
	integration of recessed entries, balconies, a change in materials									
	and slight projection/recess in the façade.									
c.	Limit the number of connected townhouse units to a maximum of						\checkmark			
	6 units before splitting into multiple buildings.									
•	In larger townhouse developments (e.g., master planned									
	communities with internal circulation pattern), integrate a large									
	proportion of 4 unit townhouse buildings to create a finer gran of									
	development and limit visual impacts.									
3.1	3 Site Planning	N/A	1	2	3	4	5			
a.	Gated or walled communities are not supported.						\checkmark			
ATTACHMENT B										

b.	For large townhouse projects, consider including communal	✓						
	amenity buildings.							
	Connectivity							
с.	Provide pedestrian pathways on site to connect:						~	
•	Main building entrances to public sidewalks and open spaces;							
•	Visitor parking areas to building entrances;							
•	From the site to adjacent pedestrian/trail/cycling networks (where							
	applicable).							
d.	When pedestrian connections are provided on site, frame them						\checkmark	
	with an active edge – with entrances and windows facing the path							
	or lane.							
e.	For large townhouse projects (e.g. master planned communities	\checkmark						
	with internal circulation pattern):							
•	Design the internal circulation pattern to be integrated with and							
-	connected t the existing and planned public street network.							
-	ing Distances and Setbacks		1					
f.	Locate and design buildings to maintain access to sunlight, and					v		
~	reduce overlook between buildings and neighbouring properties.				\checkmark			
g.	Separate facing buildings on site a minimum of 10 – 12 m to				v			
h	provide ample spatial separation and access to sunlight.							
h.	Limit building element projections, such as balconies, into setback						v	
• •	areas, streets, and amenity areas to protect solar access.							
	.4 Open Spaces Design all units to have easy access to useable private or semi-					\checkmark		
a.	private outdoor amenity space.					•		
b.	Design front yards to include a path from the fronting street to the						\checkmark	
0.	primary entry, landscaping, and semi-private outdoor amenity							
	space.							
с.	Avoid a 'rear yard' condition with undeveloped frontages along						\checkmark	
	streets and open spaces.							
d.	Design private outdoor amenity spaces to:					\checkmark		
•	Have access to sunlight;							
•	Have railing and/or fencing to help increase privacy; and							
•	Have landscaped areas to soften the interface with the street or							
	open spaces/							
e.	Design front patios to:					\checkmark		
•	Provide an entrance to the unit; and							
•	Be raised a minimum of 0.6 m and a maximum of 1.2 m to create a							
	semi-private transition zone.							
f.	Design rooftop patios to:	✓						
•	Have parapets with railings;		1					
•	Minimize direct sight lines into nearby units; and							
•	Have access away from primary facades.							
g.	Design balconies to be inset or partially inset to offer privacy and						\checkmark	
	shelter, reduce building bulk, and minimize shadowing.							



•	Consider using balcony strategies to reduce the significant potential for heat loss through thermal bridge connections which						
	could impact energy performance.						
h.	Provide a minimum of 10% of the total site area to common outdoor amenity spaces that:					✓	
•	Incorporate landscaping, seating, play space, and other elements that encourage gathering or recreation; and						
•	Avoid isolated, irregularly shaped areas or areas impacted by parking, mechanical equipment, or servicing areas.						
i.	For large townhouse projects, provide generous shared outdoor	✓					
	amenity spaces integrating play spaces, gardening, storm water and other ecological features, pedestrian circulation, communal						
	amenity buildings, and other communal uses.						
	.5 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	Provide landscaping in strategic locations throughout to frame building entrances, soften edges, screen parking garages, and break up long facades.						~
Sit	e Servicing		-				-
b.	Exceptions for locating waste collection out of public view can bee made for well-designed waste collection systems such as Molok bins.						•
Pa	king						
C.	Rear-access garage or integrated tuck under parking is preferred	\checkmark					
	in townhouses, in general, and is required for townhouses facing public streets.						
d.	Centralized parking areas that eliminate the need to integrate parking into individual units are supported.	✓					
e.	Front garages and driveway parking are acceptable in townhouses facing internal strata roads, with the following considerations:				~		
•	Architecturally integrate the parking into the building and provide weather protection to building entries; and						
•	Design garage doors to limit visual impact, using strategies such as recessing the garage from the rest of the façade.						
f.	Provide visitor parking in accessible locations throughout the site and provide pedestrian connections from visitor parking to townhouse units. Acceptable locations include:					~	
•	Distributed through the site adjacent to townhouse blocks; and						
•	Centralized parking, including integration with shared outdoor amenity space						
Ac	Cess						
g.	Ensure that internal circulation for vehicles is designed to accommodate necessary turning radii and provides for logical and						√
h.	safe access and egress. For large townhouse projects (e.g. master planned communities with internal circulation pattern), a minimum of two access/egress	 ✓ 					
	points to the site is desired.						



i.	Locate access points to minimize impacts of headlights on						\checkmark
	building interiors.						
3.1	3.1.6 Building Articulation, Features, and Materials			2	3	4	5
a.	Design facades to articulate the individual units while reflecting positive attributes of neighbourhood character. Strategies for achieving this include:					~	
•	Recessing or projecting facades to highlight the identity of individual units; and						
•	Using entrance features, roofline features, or other architectural elements.						
b.	To maximize integration with the existing neighbourhood, design infill townhouses to:					~	
•	Incorporate design elements, proportions, and other characteristics found within the neighbourhood; and						
•	Use durable, quality materials similar or complementary to those fond within the neighbourhood.						
c.	Maintain privacy of units on site and on adjacent properties by minimizing overlook and direct sight lines from the building using strategies such as:					✓	
•	Off-setting the location of windows in facing walls and locating doors and patios to minimize privacy concerns from direct sight lines;						
•	Use of clerestory windows;						
•	Use of landscaping or screening; and						
•	Use of setbacks and articulation of the building.						
d.	In larger townhouse developments (e.g. master planned communities with internal circulation pattern), provide modest variation between different blocks of townhouse units, such as change in colour, materiality, building, and roof form.	√					





Development Permit

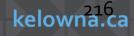
City of

Kelowna

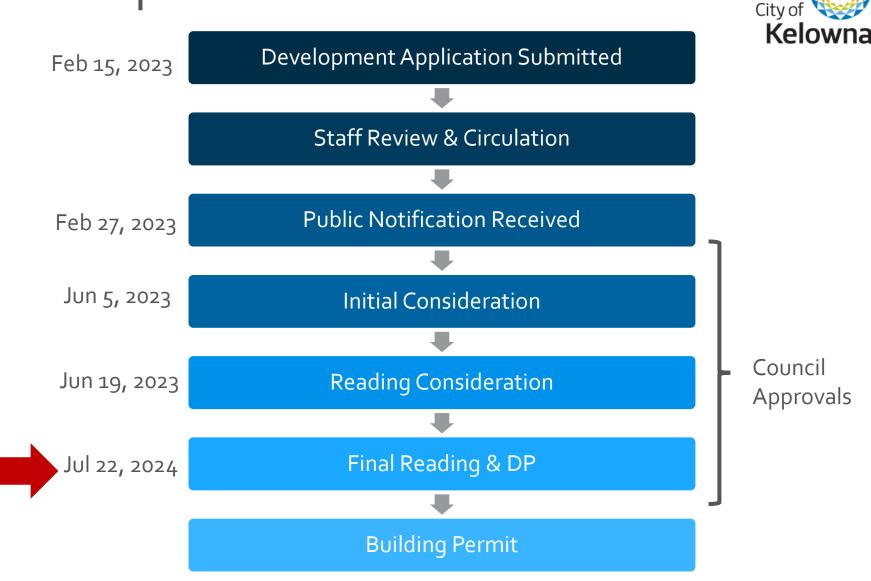


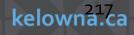
Purpose

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

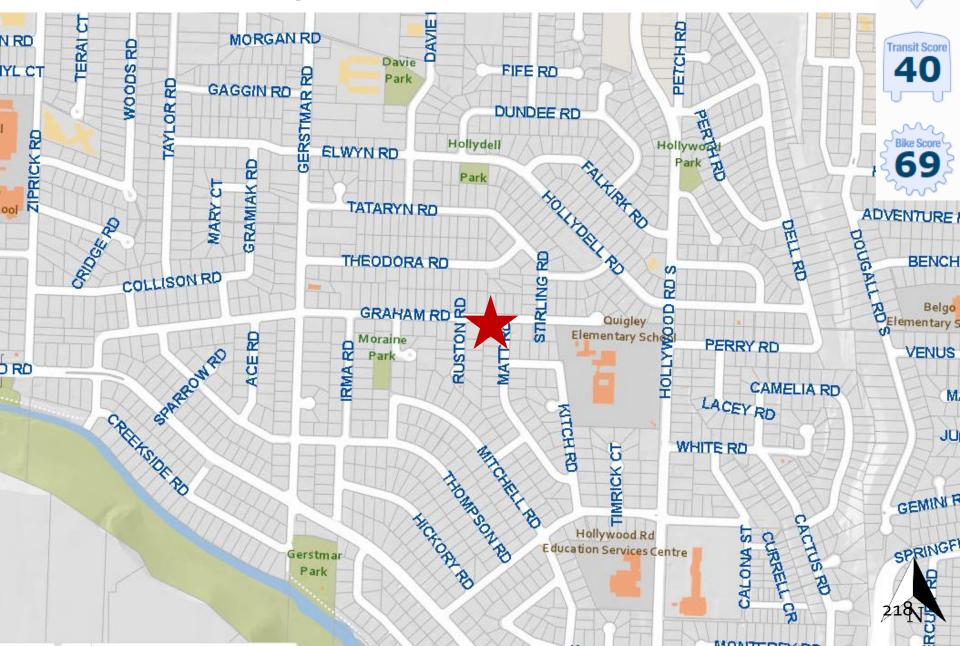


Development Process





Context Map



Walk Score

41

Subject Property Map

œ

RUSTON

RAHAM RD

MATT



RD

STIREME

Site Photos



EXISTING PROPERTY - VIEW FROM WEST LOOKING EAST



EXISTING PROPERTY - VIEW FROM NORTH EAST LOOKING SOUTH WEST





EXISTING PROPERTY - VIEW LOOKING SOUTH DOWN MATT. ROAD

EXISTING PROPERTY - VIEW FROM NORTH LOOKING SOUTH



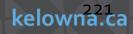
EXISTING PROPERTY - VIEW FROM EAST LOOKING WEST



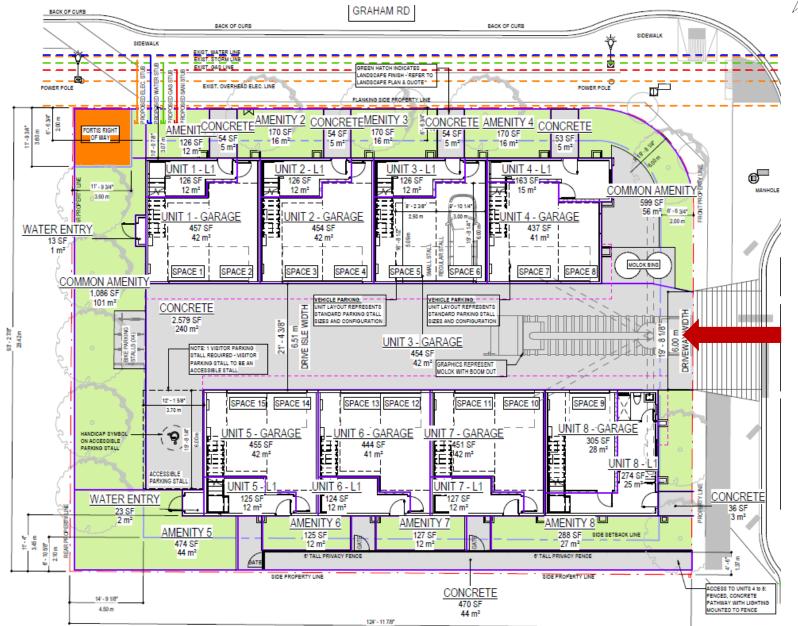
Technical Details

MF2 – Townhouse Housing

- 8 townhouse units
- 3 storeys in height
- 15 parking stalls proposed
- ▶ 10 trees in total;
 - ▶ 6 Large Trees



Site Plan



Elevation – North and East

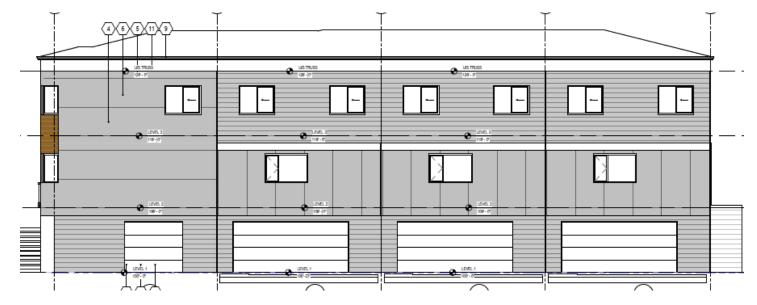


SOUTH BUILDING

NORTH BUILDING Matt Road Elevation

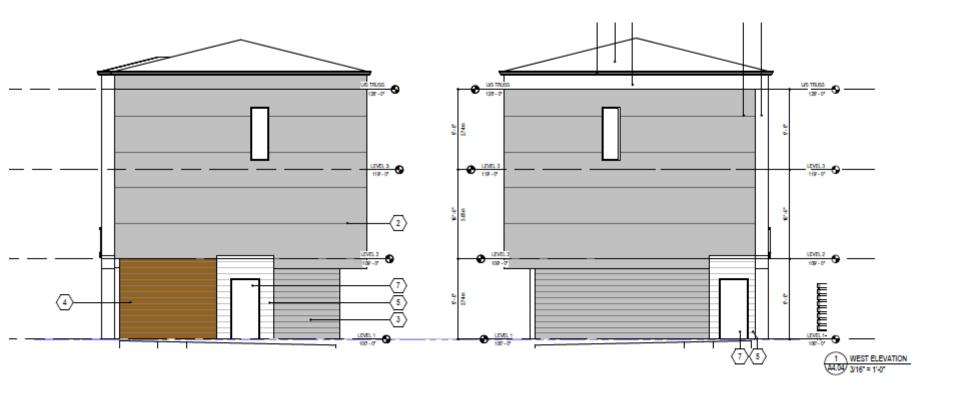
Graham Road Elevat²⁷³

Elevation – South





Elevation – West



Materials Board







MATERIAL: BLACK ASPHALT

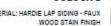




EXTERIOR - ACCENT 1 MATERIAL: BLACK ALUMINUM

LOCATION: GUTTERS. WINDOWS, & DOORS





MATERIAL: HARDIE LAP SIDING - FAUX

COLOUR 2



COLOUR 3 MATERIAL: HARDIE BOARD AND BATTEN - MIDNIGHT BLACK

LOCATION: VARIOUS EXTERIOR



Landscape Plan





Rendering – SW



VIEW FROM CORNER OF GRAHAM RD & MATT RD LOOKING WEST

Rendering – Graham Road



VIEW FROM GRAHAM RD LOOKING SOUTH

Rendering – Matt Road





OCP Design Guidelines

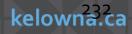
- Orienting the end unit on the perpendicular building ('slot housing') to be facing the street;
- Designing the end units to minimize the overlook and direct sight lines to the neighbouring property;
- High-quality private outdoor amenity spaces for all units;





Staff Recommendation

- Staff recommend support for the proposed development permit as it:
 - Meets majority of the OCP Design Guidelines;
 - Provides density in near Quigley Elementary School;
 - No variances are required.



CITY OF KELOWNA

BYLAW NO. 12629 Z23-0002 815 – 865 Clement Avenue

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

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

- THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot A Section 30 Township 26 ODYD Plan EPP124219, located on Clement Ave, Kelowna BC from the MF1 – Infill Housing zone to the MF3r – 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 18th day of March, 2024.

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

Mayor

City Clerk

REPORT TO COUNCIL DEVELOPMENT PERMIT



Date:	July 22, 2024
То:	Council
From:	City Manager
Address:	815 – 865 Clement Ave
File No.:	DP23-0008
Zone:	MF3r – Apartment Housing Rental Only

1.0 Recommendation

THAT Rezoning Bylaw No. 12629 be amended at third reading to revise the legal description of the subject properties from:

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

to Lot A Section 30 Township 26 ODYD Plan EPP124219;

AND THAT final adoption of Rezoning Bylaw No. 12629 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0008 for Lot A Section 30 Township 26 ODYD Plan EPP124219, located at 815 – 865 Clement Ave, Kelowna, BC subject to the following:

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

5. The applicant be required to make a payment into the Public Amenity & Streetscape Capital Reserve Fund as established by Bylaw No. 12386 in accordance with Table 6.8.a in Zoning Bylaw No. 12375;

AND THAT the applicant be required to enter into a Car-Share Agreement for a minimum of two years from the date of Building Occupancy as set out in Attachment "D" attached to the Report from the Development Planning Department dated July 22;

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

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

2.0 Purpose

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

3.0 Development Planning

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

- Avoiding blank, windowless walls along streets and other public open spaces;
- Locating off-street parking and other 'back-of-house' uses such as loading, garbage collection, utilities and vehicle access away from public view;
- Expressing a unified architectural concept that incorporates variation in façade treatments and incorporating a range of architectural features and details; and
- Limiting the length of residential building facades and breaking up large sites with a mid-block connection.

In order to reduce the scale and massing of the buildings, the applicant amended their original design which included a single 115 m long building, and instead separated the proposal into two separate buildings with a shared underground parkade. This complies with OCP Design Guidelines which encourages breaking up the perceived mass of buildings and limiting the length of building facades. A mid-block connection between the two buildings enhances pedestrian permeability.

Vehicle access is provided from the lane which runs along the east property line and the rear of the property. Parking is provided in surface stalls off the lane, a shared underground parkade level, and at-grade parking within each building. Two car share stalls are provided. A loading stall is located along the rear lane.

Significantly more amenity space is provided than the minimum Zoning Bylaw requirements. Common amenity space includes indoor amenity rooms on the ground floor of each building and multiple roof top patios on each building which includes outdoor furniture, games tables, barbecue areas, bocce court, dog run, shade structures, and planter boxes.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located on Clement Ave between Ethel St and Richter St, 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 property. 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 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS		
Gross Lot Area	4,577.29 m ²	
Undevelopable Land (statutory right-of-way)	135.8 m ²	
Total Number of Units	197	
Bachelor	36	
1-bed	78	
2-bed	75	
3-bed	8	

DEVELOPMENT REGULATIONS					
CRITERIA MF3r ZONE PROPOSAL					
Total Maximum Floor Area Ratio	2.35	2.35			
Base FAR	1.8	1.8			
Public Amenity & Streetscape Bonus FAR	0.25	0.25			
Rental Bonus FAR	0.3	0.3			
Max. Site Coverage (buildings)	65%	56%			

Max. Site Coverage (buildings, parking, driveways)	85%	83.75%
Max. Height	22.0 m & 6 storeys	20.49 m & 6 storeys
Base Height	22.0 m & 6 storeys	20.49 m & 6 storeys
Setbacks		
Min. Front Yard (north)	3.0 m	3.0 m
Min. Side Yard (west)	3.0 m	3.0 M
Min. Side Yard (east)	3.0 m	3.0 M
Min. Rear Yard (south)	3.0 m	3.0 m
Stepbacks		
Min. Fronting Street (north)	3.0 m	3.0 M
Amenity Space		
Total Required Amenity Space	2241 m ²	3554 m²
Common	788 m²	2043 m ²
Landscaping		
Min. Number of Trees	12 trees	16 trees
Min. Large Trees	6 trees	6 trees

PARKING REGULATIONS			
CRITERIA	MF ₃ r ZONE REQUIREMENTS	PROPOSAL	
Total Required Vehicle Parking	199 stalls	201 stalls	
Residential	204.1		
Visitor	27.58		
"r" Subzone Reduction	-23.2		
Car Share Reduction	-10		
Ratio of Regular to Small Stalls	Min. 50% Regular	50% Regular	
	Max. 50% Small	50% Small	
Min. Loading Stalls	o stalls	1 stalls	
Bicycle Stalls Short-Term	12 stalls	12 stalls	
Bicycle Stalls Long-Term	150 stalls	152 stalls	
Bonus Stalls Provided for			
Parking Reduction	n		
Bike Wash & Repair		у	

6.0 Application Chronology

Application Accepted:	January 20, 2023
Public Information Session:	February 12, 2024
Neighbour Notification Received:	February 13, 2024
Adoption of Zone Amending Bylaw:	July 8, 2024

Report prepared by:	Mark Tanner, Planner Specialist
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: Draft Development Permit DP23-0008 Schedule A: Site Plan & Floor Plans Schedule B: Elevations & Sections Schedule C: Landscape Plan Attachment B: OCP Form and Character Development Permit Guidelines Attachment C: Renderings Attachment D: Car Share Agreement

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

Development Permit





DP23-0008

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

815 – 865 Clement Ave

and legally known as

Lot A Section 30 Township 26 ODYD Plan EPP124219

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

Apartment Housing

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

Date of Council Approval:	July 22, 2024
Development Permit Area:	Form & Character
Existing Zone:	MF3r – Apartment Housing Rental Only
Future Land Use Designation:	C-NHD – Core Area Neighbourhood

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

This is NOT a Building Permit.

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

NOTICE

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

Owner:

ASI Vivo GP Inc., Inc. No. A0126515

Applicant:

Arlington Street Investments Inc.

Nola Kilmartin Development Planning Department Manager Planning & Development Services Date of Issuance



1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

THAT Council authorizes the issuance of Development Permit No. DP23-0008 for Lot A Section 30 Township 26 ODYD Plan EPP124219 located at 815 – 865 Clement Ave, Kelowna, BC, subject to the following:

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

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

3. PERFORMANCE SECURITY

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

a) An Irrevocable Letter of Credit **OR** certified cheque **OR** a Surety Bond in the amount of **\$224,000.00**

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

4. PUBLIC AMENITY & STREETSCAPE CAPITAL RESERVE FUND

Public Amenity & Streetscape Capital Reserve Fund Payment in the amount of \$93,376.72 required for 4577.29 m² lot area as part of the proposed development.

5. INDEMNIFICATION

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

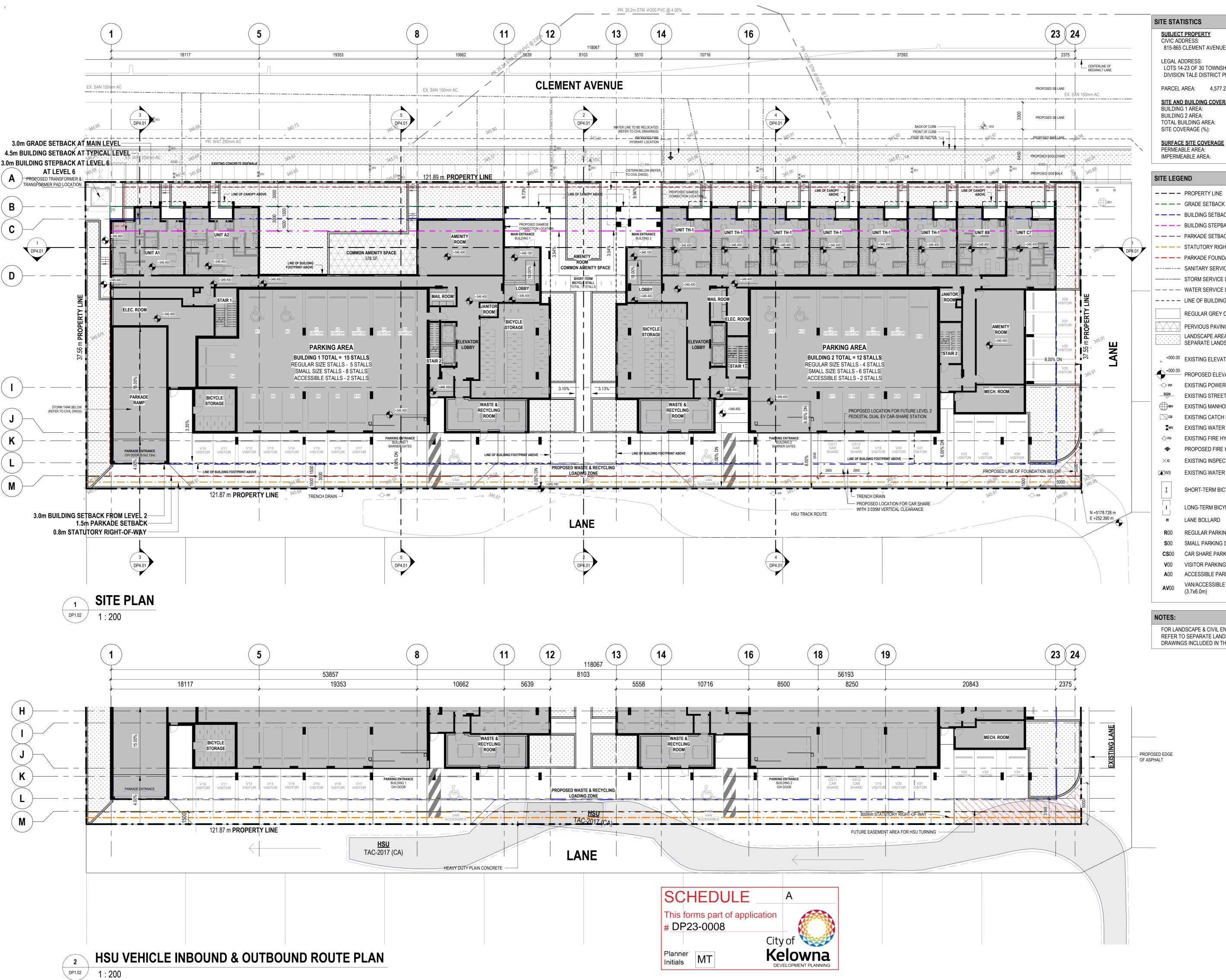
a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

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



DP23-0008 Page 3 of 3 241



SITE STATISTICS

CIVIC ADDRESS: 815-865 CLEMENT AVENUE, KELOWNA, BC

LEGAL ADDRESS: LOTS 14-23 OF 30 TOWNSHIP 26 OSOYOOS **DIVISION TALE DISTRICT PLAN 1277**

PARCEL AREA: 4,577.29 m²

SITE AND BUILDING COVERAGE BUILDING 1 AREA: BUILDING 2 AREA: TOTAL BUILDING AREA: SITE COVERAGE (%):

> 743.97 m² (16.25%) 1,269.60 m² (27.74%)

1,259.41 m² 1,304.30 m²

2,563.71 m²

56.01%

SITE LEGEND

- ---- PROPERTY LINE ---- GRADE SETBACK ---- BUILDING SETBACK - - - BUILDING STEPBACK ---- PARKADE SETBACK - - - STATUTORY RIGHT-OF-WAY - - - PARKADE FOUNDATION LINE ---- SANITARY SERVICE LINE ----- STORM SERVICE LINE ---- WATER SERVICE LINE ---- LINE OF BUILDING ABOVE/BELOW
 - REGULAR GREY COLOR CONCRETE
 - PERVIOUS PAVING LANDSCAPE AREA (REFER TO SEPARATE LANDSCAPE DRAWINGS)
- +000.00 EXISTING ELEVATION
- PROPOSED ELEVATION
- EXISTING POWER POLE
- EXISTING STREET SIGN
- EXISTING MANHOLE
- EXISTING CATCH BASIN EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT LOCATION EXISTING INSPECTION CHAMBER
- **W**S EXISTING WATER SERVICE
 - SHORT-TERM BICYLE PARKING STALL
- LONG-TERM BICYLE PARKING STALL LANE BOLLARD
- R00 REGULAR PARKING STALL (2.5x6.0m) **S**00 SMALL PARKING STALL (2.3x4.8m) CS00 CAR SHARE PARKING STALL (2.9x5.5m) VISITOR PARKING STALL (2.5x6.0m) **V**00 ACCESSIBLE PARKING STALL (3.7x6.0m)
- VAN/ACCESSIBLE PARKING STALL (3.7x6.0m)

FOR LANDSCAPE & CIVIL ENGINEERING DETAILS REFER TO SEPARATE LANDSCAPE & CIVIL DRAWINGS INCLUDED IN THIS PACKAGE

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PROJECT TEAM :

ARCHITECT DAAS DESIGN AND ARCHITECTURE STUDIO INC. #310, 1032 17 Ave. S.W. Calgary, AB T2T 0A5 info@daasarchitecture.com

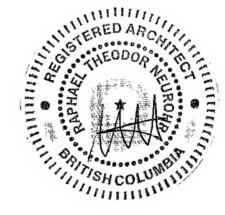
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	RESUBMISSION	
07	DEVELOPMENT PERMIT	MAY 16, 2024
	RESUBMISSION RESPONSE	
06	RESUBMISSION FOR TECHNICAL	FEBRUARY 22,
	REVIEW	2024
No.	Description :	Date :
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Project Information :

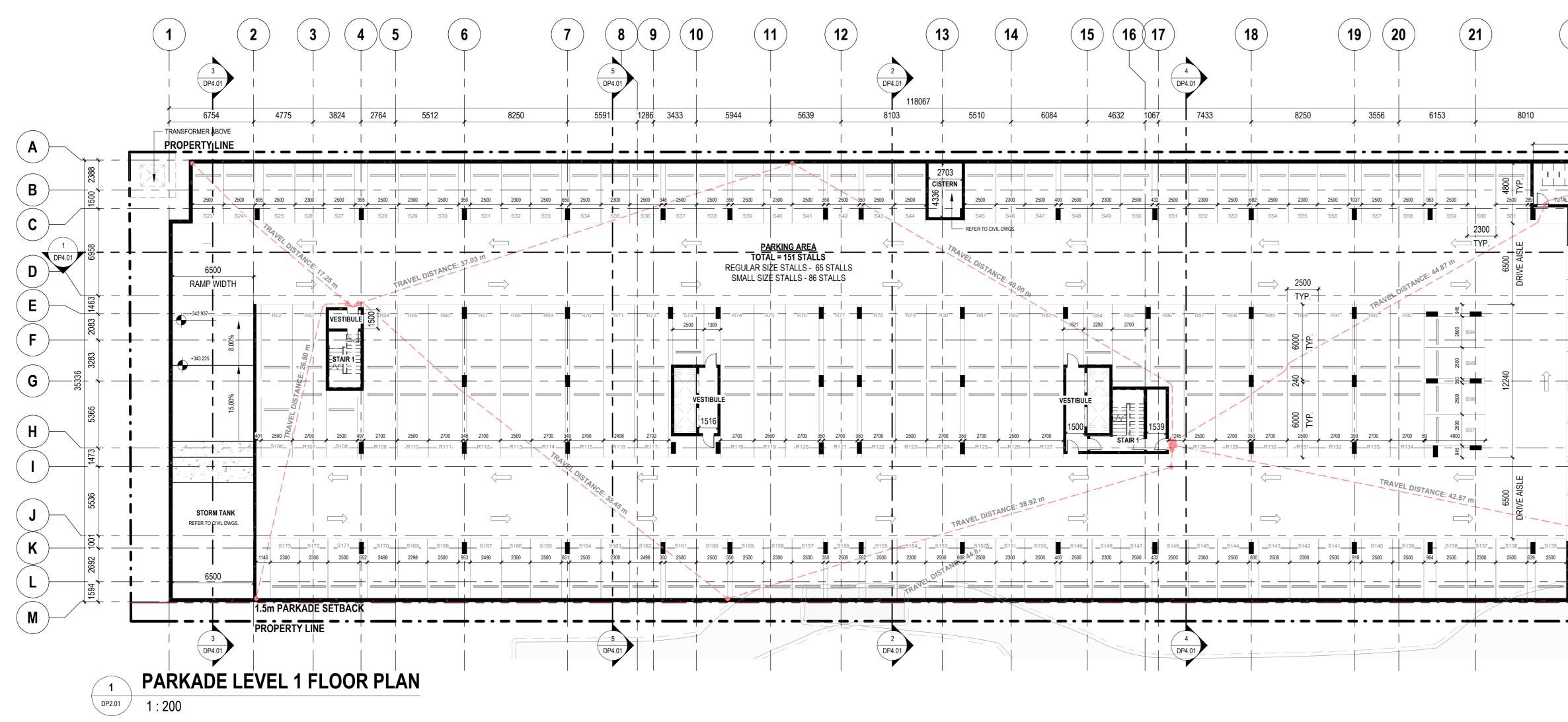
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815-865 CLEMENT AVENUE, KELOWNA, BC

Drawing title :

SITE PLAN

Project number :			23-014
Issued :		J	UNE 12, 2024
Drawn by :	-	Checked by :	TS, RN
No.			





PARKING STALLS COMPUTATION				
Type Required Provided				
Studio	32.40			
1 Bedroom, 1 Bathroom	78.00			
2 Bedroom, 2 Bathroom Junior	24.20			
2 Bedroom, 2 Bathroom Premium	51.70			
2 Bedroom Townhouse	6.60			
3 Bedroom, 3 Bathroom	11.20			
Visitor Parking	27.58	28		
Total Parking Stalls Required	231.68			
Less:				
1 Car Share	-10			
MF3R (Designated Rental)	-23.17			
Total Required after Bonuses	199	201		

PARKING STALL SIZE DISTRIBUTION				
Туре	Required	Provided		
Accessible Parking Stall-Regular (3.7x6.0m)	6*	6**		
Van Accessible Parking Stall (4.8x6.0m)	2*	2**		
Regular Size Parking Stalls-min.50% (2.5x6.0m)	100.50	101		
Small Size Parking Stalls-max.50% (2.3x4.8m)	100.50	100		
Total Parking Stalls	199	201		

NOTES:

provided.

VEHICLE PARKING STALLS

Unless otherwise stated all parking stalls reflects Kelowna Bylaw Regulations Regular Vehicle Parking Stall (2 5x6 0m)

Regular Vehicle Parking Stall (2.5x6.0m) Small Vehicle Parking Stall (2.3x4.8m) Accessible Vehicle Parking Stall (3.7x6.0m)

* The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. ** 2 Van-accessible parking included in 6 Accessible Parking stalls

BICYCLE PARKING STALLS

Bike Stalls reflects Kelowna Bylaw Standards & Regulations.

DAAS

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06	RESUBMISSION FOR TECHNICAL	FEBRUARY 22,
	REVIEW	2024
No.	Description :	Date :
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Project Information :

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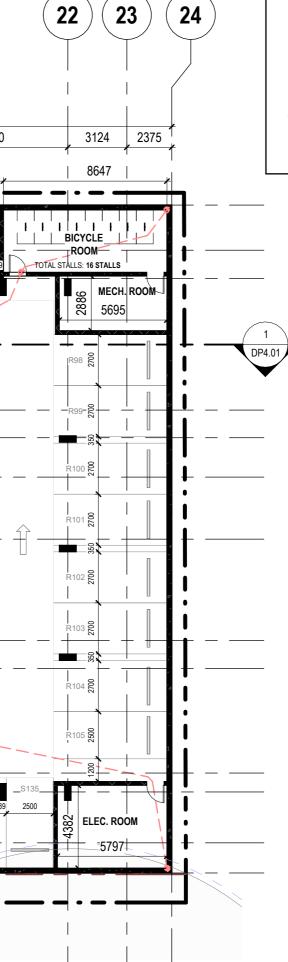
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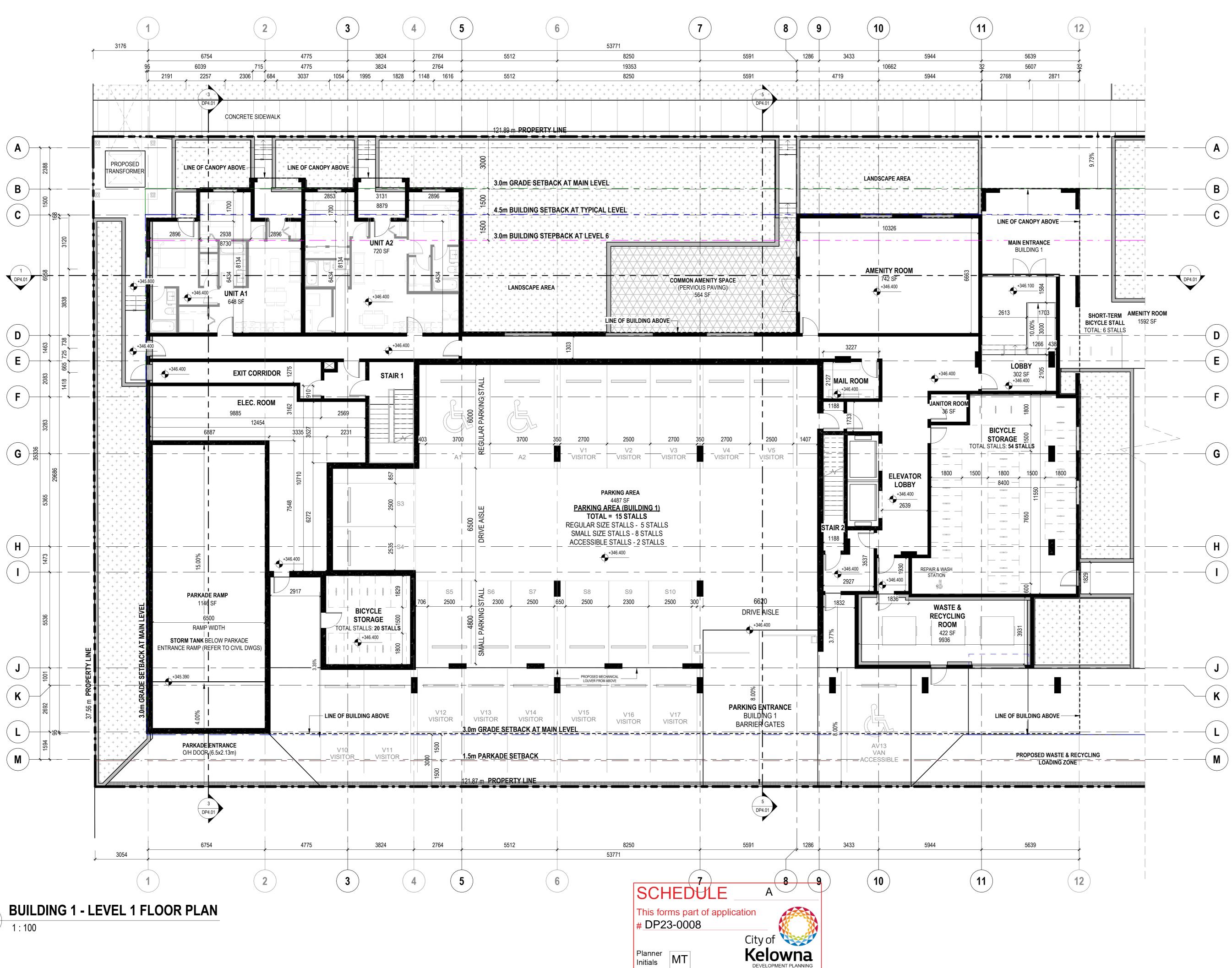
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PARKADE FLOOR PLANS

Project number :			23-014
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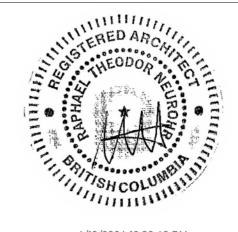
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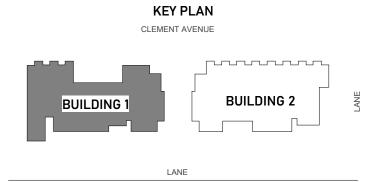
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06	RESUBMISSION FOR TECHNICAL REVIEW	FEBRUARY 22, 2024
No.	Description :	Date :

Project Information :

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Drawing title :

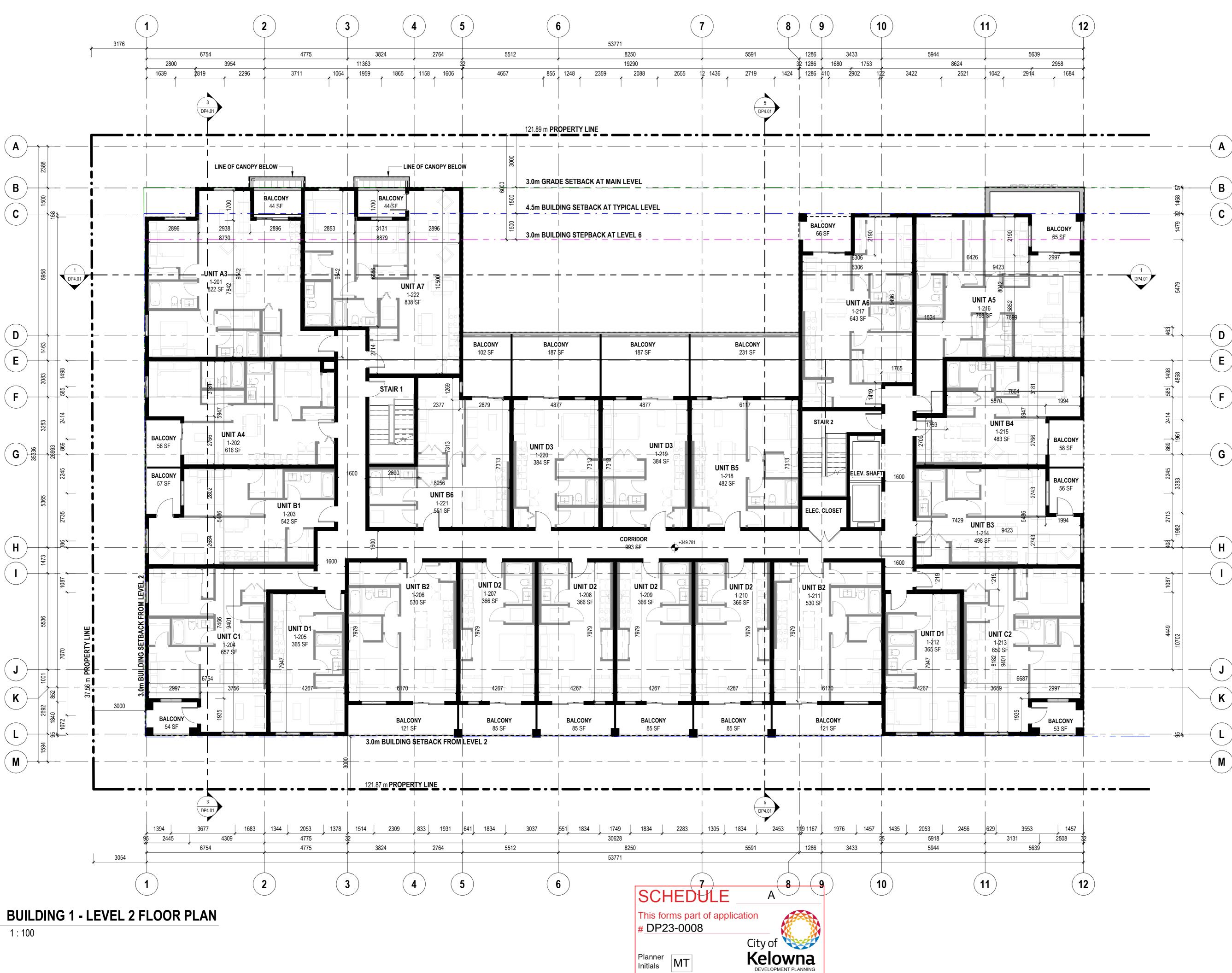
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BUILDING 1 - LEVEL 1 **FLOOR PLAN**

Project number :			23-014
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1 DP2.03





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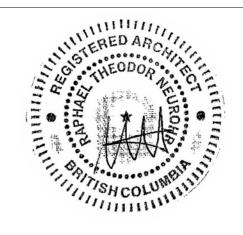
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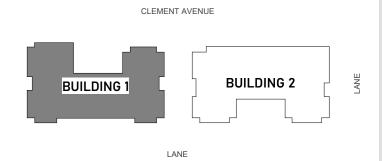
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No.	Description :	Date :

Project Information :

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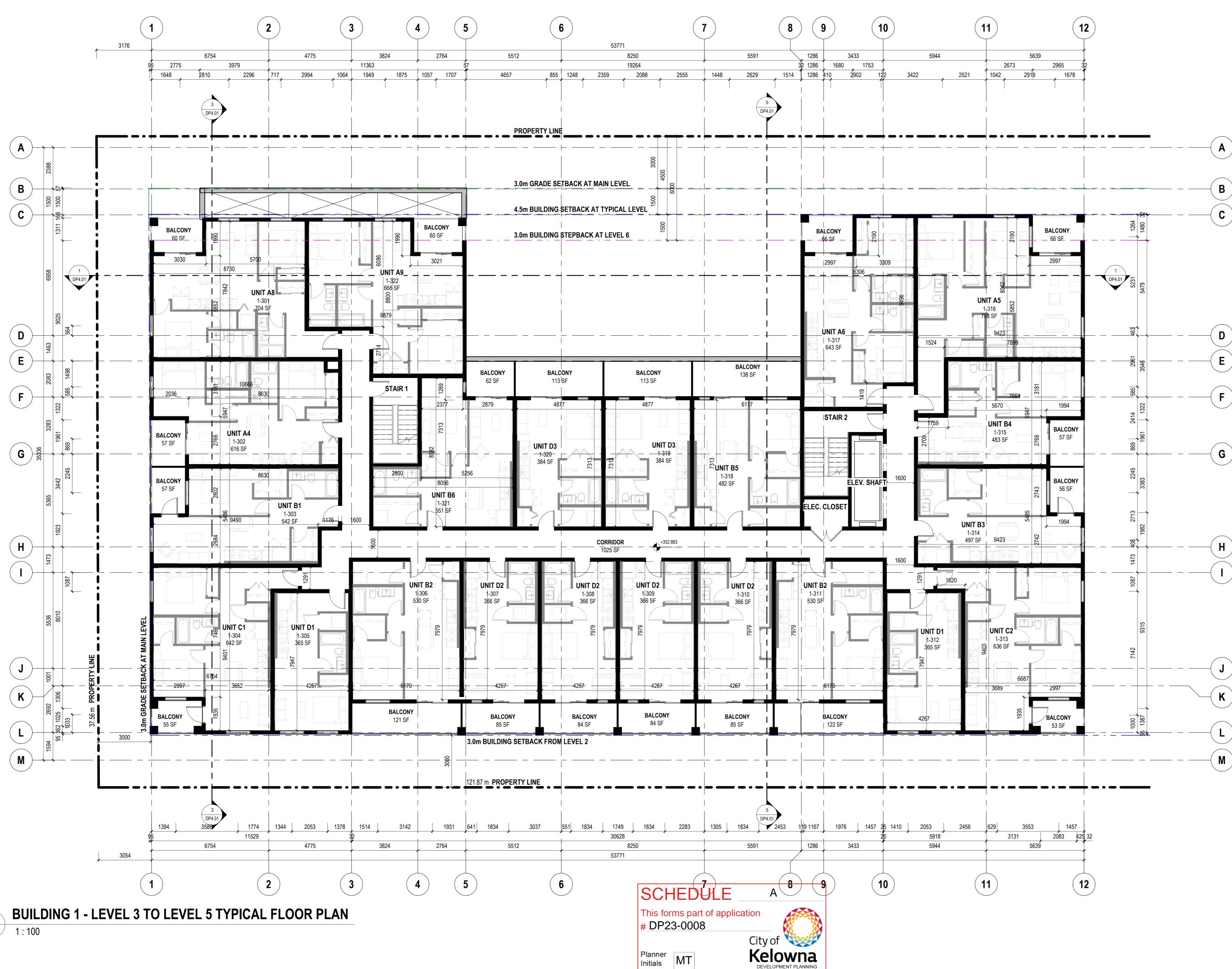
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BUILDING 1 - LEVEL 2 **FLOOR PLAN**

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1 DP2.04



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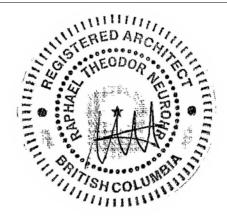
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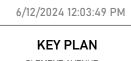
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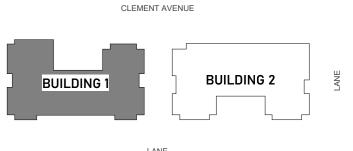
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BUILDING 1 - TYPICAL

FLOOR PLAN

08 DEVELOPMENT PERMIT

07 DEVELOPMENT PERMIT

RESUBMISSION RESPONSE

06 RESUBMISSION FOR TECHNICAL

RESUBMISSION

REVIEW

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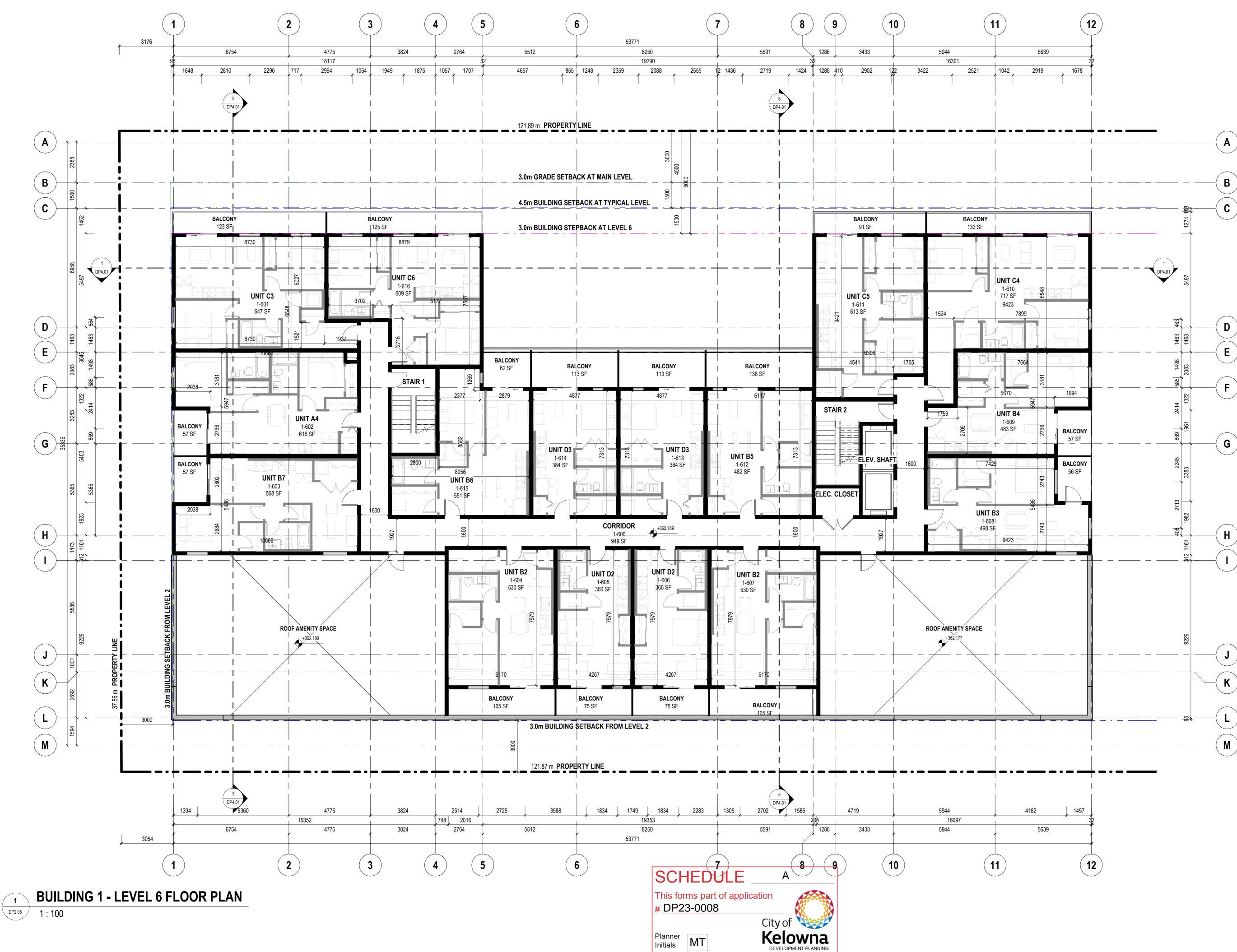
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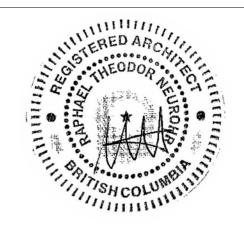
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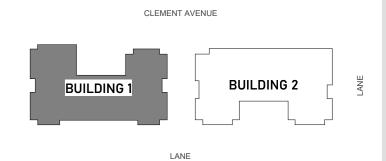
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No.	Description :	Date :

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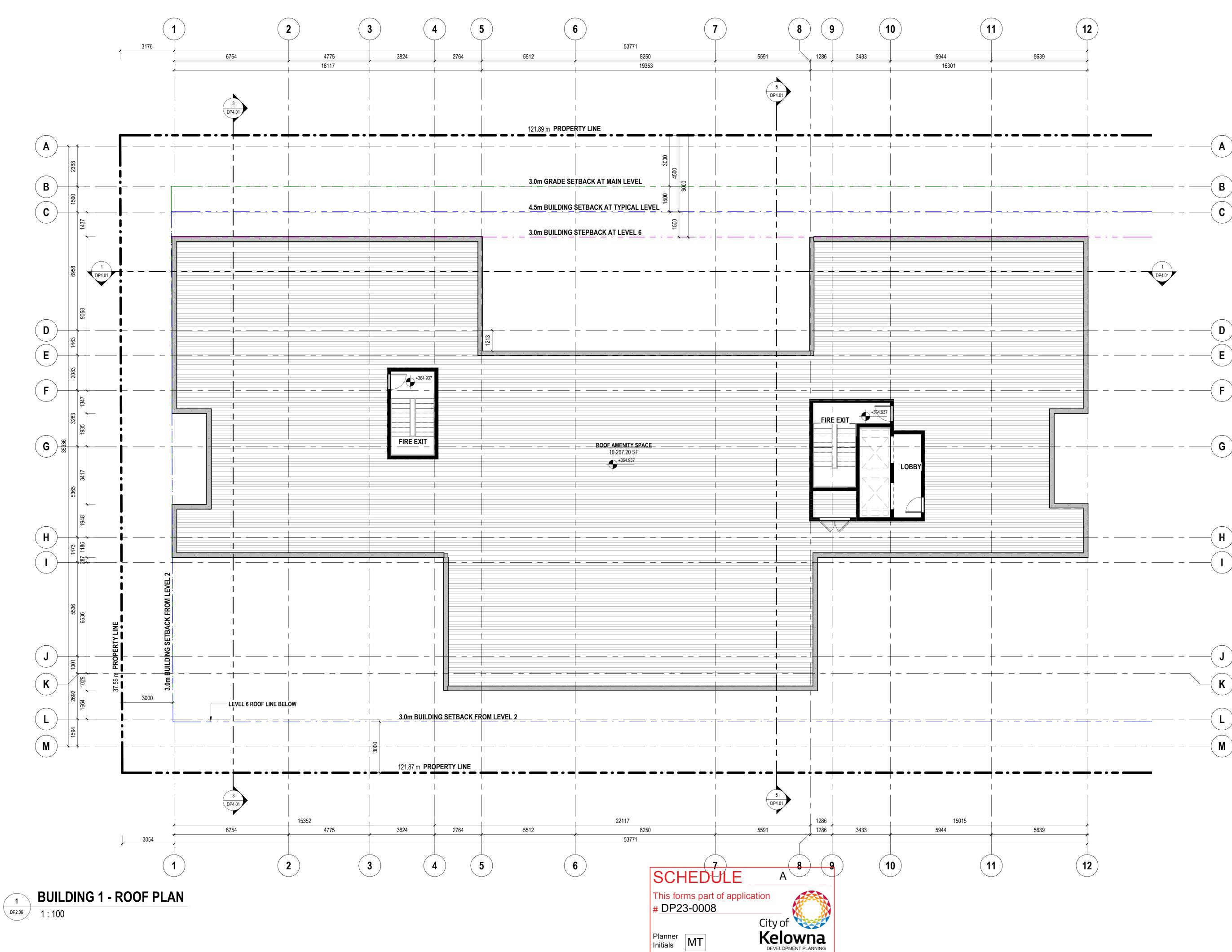
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BUILDING 1 - LEVEL 6 **FLOOR PLAN**

Project number :			23-014
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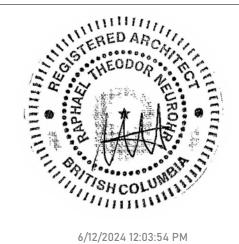
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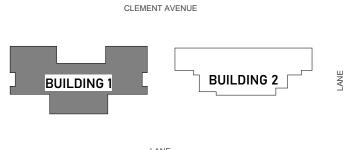
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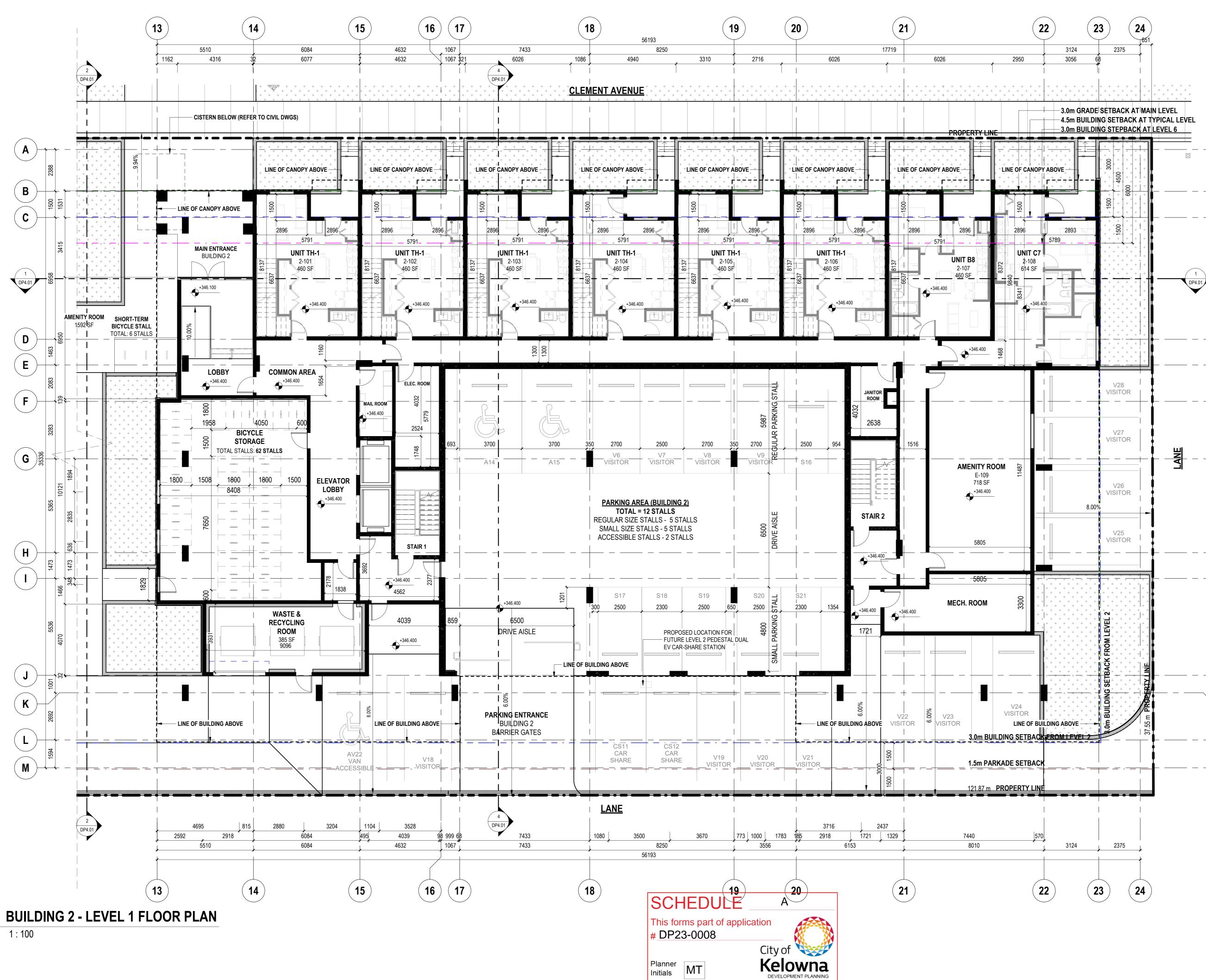
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BUILDING 1 – ROOF PLAN

Project number :			23-014
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Drawn by :	-	Checked by :	TS, RN
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PROJECT TEAM :

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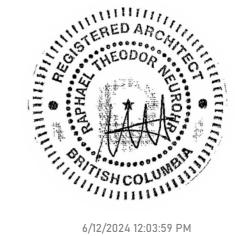
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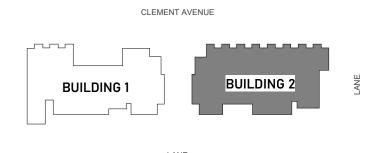
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Project Information :

Drawing title :

Project number

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Drawn by

BUILDING 2 - LEVEL 1

FLOOR PLAN

VIVO

815-865 CLEMENT AVENUE, KELOWNA, BC

23-014

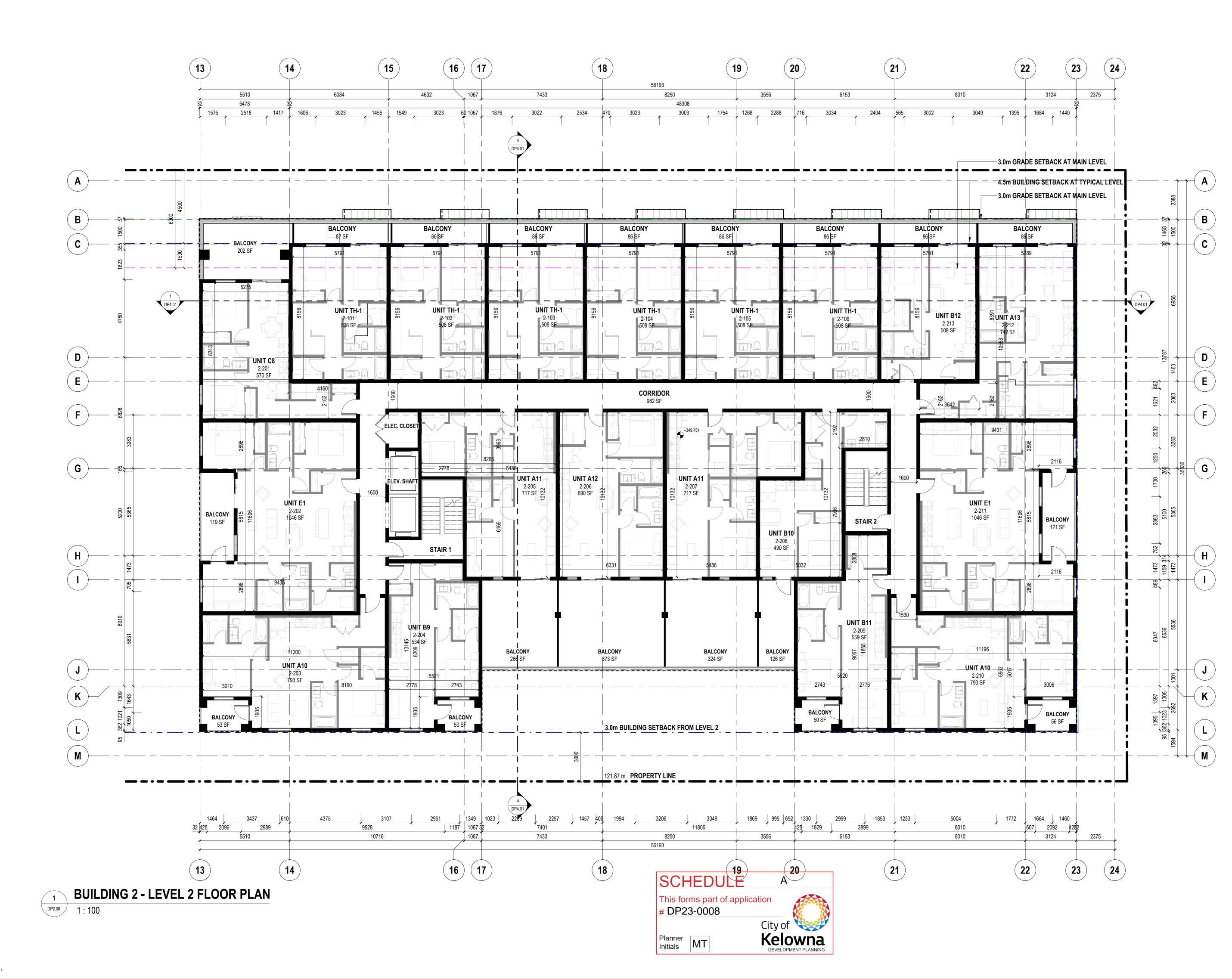
JUNE 12, 2024

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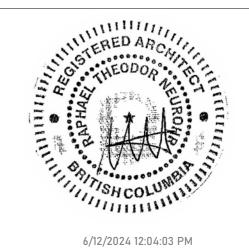
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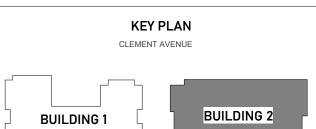
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06	RESUBMISSION FOR TECHNICAL REVIEW	FEBRUARY 22, 2024
No.	Description :	Date :

Project Information :

Drawing title :

Project number

Issued :

No.

Scale :

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Drawn by

VIVO

815-865 CLEMENT AVENUE, KELOWNA, BC

BUILDING 2 – LEVEL 2

FLOOR PLAN





23-014

JUNE 12, 2024

- Checked by : TS, RN



DEVELOPMENT PLANNING



ARLINGTONST GROUP

PROJECT TEAM :

ARCHITECT DAAS DESIGN AND ARCHITECTURE STUDIO INC. #310, 1032 17 Ave. S.W. Calgary, AB T2T 0A5 info@daasarchitecture.com

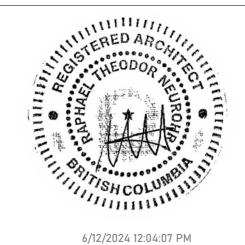
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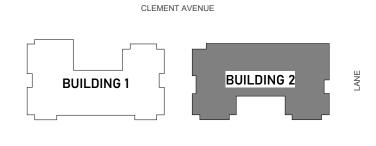
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No.	Description :	Date :

Drawing title :

Project number

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Project Information :

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815-865 CLEMENT AVENUE, KELOWNA, BC

BUILDING 2 – TYPICAL

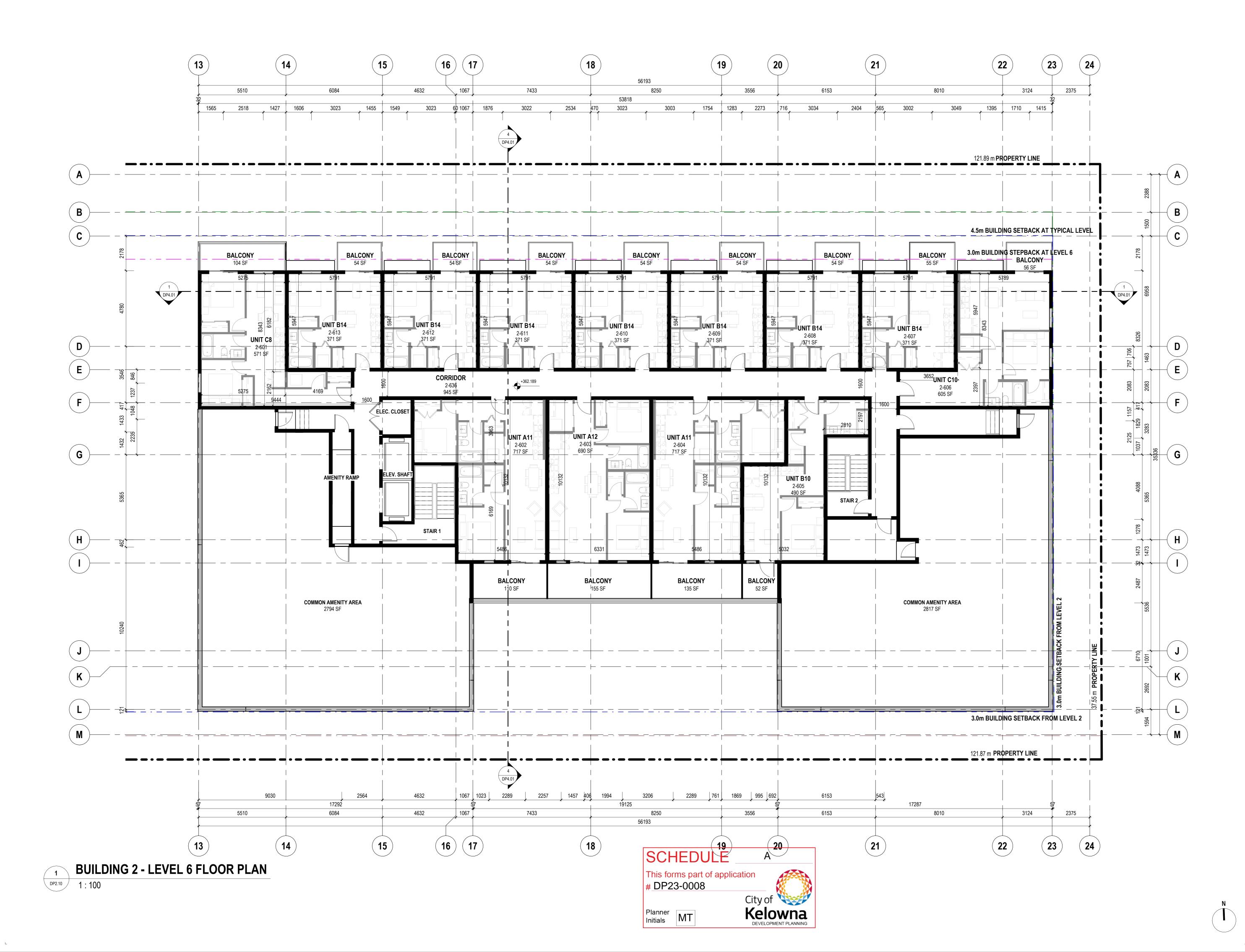
FLOOR PLAN

DP2.09

23-014

JUNE 12, 2024

- Checked by : TS, RN





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PROJECT TEAM :

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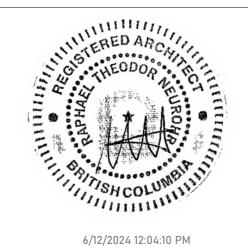
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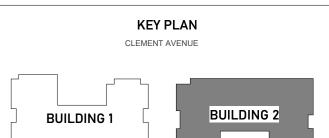
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No.	Description :	Date :

Project Information :

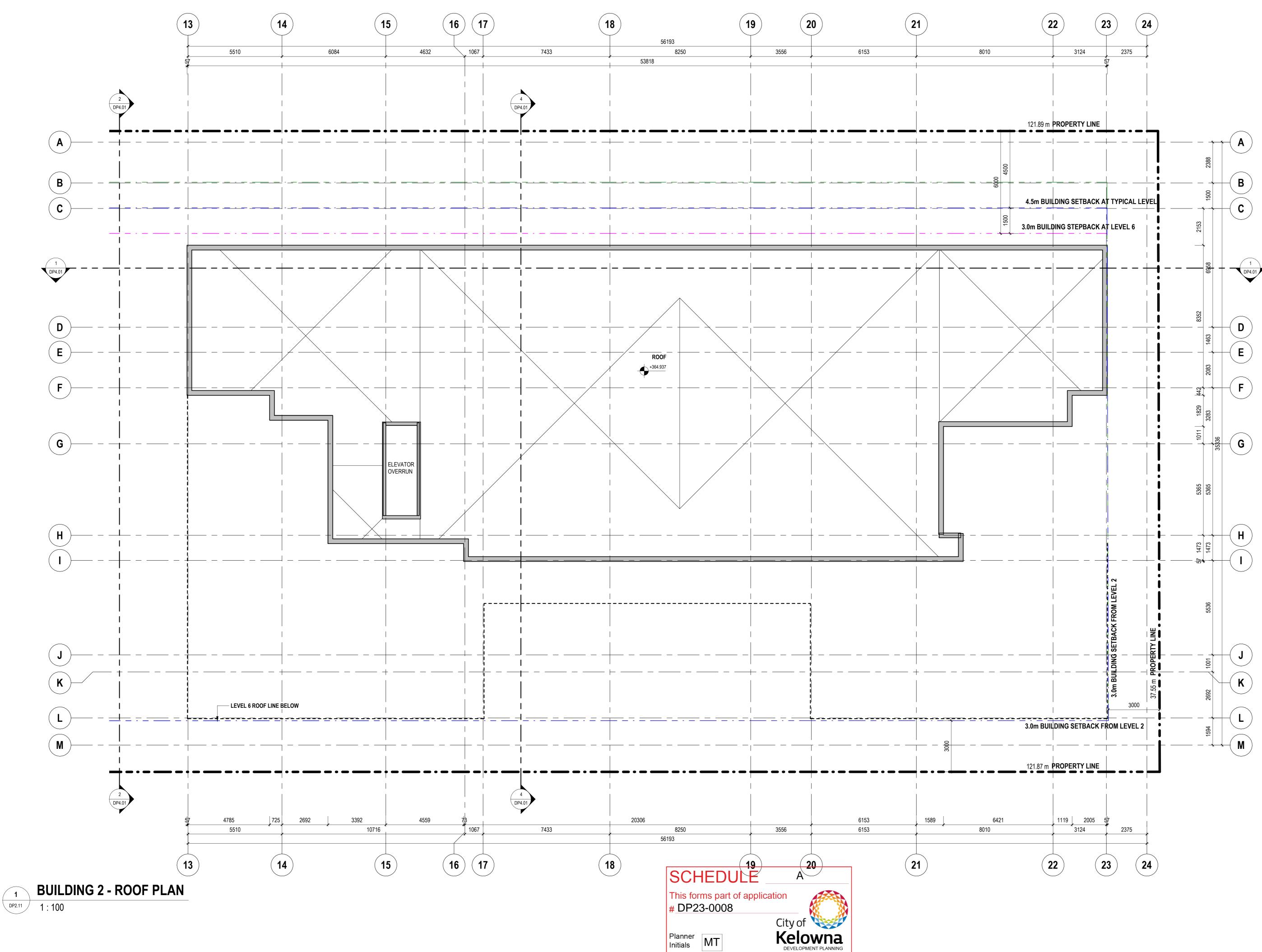
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VIVO

Scale :

BUILDING 2 - LEVEL 6 FLOOR PLAN

23-014 Project number JUNE 12, 2024 Issued : - Checked by : TS, RN Drawn by No.





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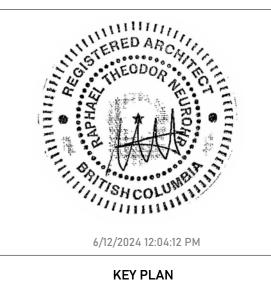
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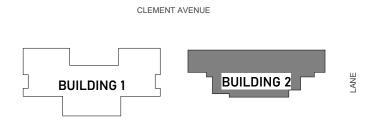
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00	RESUBMISSION	JUNE 12, 2024
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	RESUBMISSION RESPONSE	
06	RESUBMISSION FOR TECHNICAL	FEBRUARY 22,
	REVIEW	2024
No.	Description :	Date :
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Project Information :

VIVO

815-865 CLEMENT AVENUE, KELOWNA, BC

Drawing title :

Scale :

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BUILDING 2 – ROOF PLAN

Project number :		23-014
Issued :	JUL	IE 12, 2024
Drawn by : -	Checked by :	TS, RN
No.		
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NORTH ELEVATION (STREET) 1:200





SOUTH ELEVATION (LANE) 1 : 200

SCF	IEDUL	ЕВ
	ms part of a 3-0008	pplication
Planner Initials	MT	City of Kelow

NERO		



ELEVATION LEGEND

METAL PANEL (FASTPLANK) - COLOR: "CHAMPAGNE METALLIC"

METAL PANEL (QUICKPANEL) -COLOR: "WHITE"

GLASS RAILING

METAL PANEL (FASTPLANK) - COLOR: "CHARCOAL"

CONCRETE - COLOR: "GREY"

ALUMINIUM RAILING PICKET - COLOR: "BLACK"



ARLINGTONST GROUP

PROJECT TEAM :

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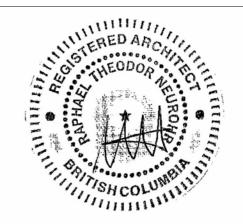
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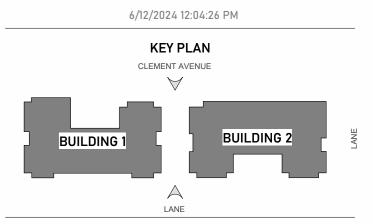
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No.	Description :	Date :

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815-865 CLEMENT AVENUE, KELOWNA, BC

Drawing title :

COMPOSITION ELEVATIONS

Issued : JUNE 12, 202
Drawn by : - Checked by : TS, R

LOUVERS - COLOR TO MATCH : "CHARCOAL"

ALUMINIUM CLAD PVC WINDOWS DOORS FRAMES - COLOR: "BLACK ANODIZED"



BUILDING 1 - NORTH ELEVATION

DP3.02 1:100

ELEVATION LEGEND

- WALL FINISH METAL PANEL (QUICKPANEL) -COLOR: "CHAMPAGNE METALLIC"
- 2 WALL FINISH METAL PANEL (QUICKPANEL) COLOR: "CHARCOAL"
- 3 WALL FINISH METAL PANEL (FASTPLANK) -COLOR: "CHAMPAGNE METALLIC"
- WALL FINISH METAL PANEL (FASTPLANK) -COLOR: "CHARCOAL"
- **5** WALL FINISH METAL PANEL (FASTPLANK) COLOR: "WHITE"
- 6 METAL CAP FLASHING COLOR: TO MATCH MATERIAL
- (7) WALL FINISH CONCRETE COLOR: "GREY"
- 8 ALUMINIUM CLAD PVC WINDOWS FRAMES -COLOR: "BLACK ANODIZED"
- 9 SLIDING DOOR BALCONY GLAZED COLOR: "BLACK ANODIZED"
- **10** ENTRANCE DOOR GLAZED COLOR: "BLACK ANODIZED"
- (**11**) BALCONY SWING DOOR GLAZED
- (12) METAL DOOR COLOR: "CHARCOAL"
- (13) O/H METAL DOOR COLOR "DARK GREY"
- (14) GLASS RAILING
- (15) ALUMINIUM RAILING PICKET COLOR: "BLACK"
- (16) FROSTED GLASS BALCONY PARTITION WALL
- (**17**) BUILDING SIGNAGE
- **18** MECHANICAL LOUVER COLOR TO MATCH "CHARCOAL"

ARLINGTONST GROUP

PROJECT TEAM :

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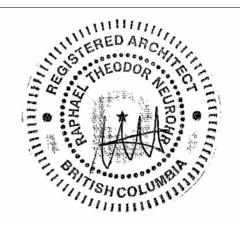
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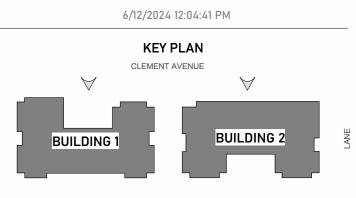
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No.	Description :	Date :

Project Information :

VIVO

815-865 CLEMENT AVENUE, KELOWNA, BC

Drawing title :

Scale :

NORTH ELEVATION

Project number :			23-014
Issued :			JUNE 12, 2024
Drawn by :	-	Checked by :	TS, RN
No.			

DP3.02

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BUILDING 2 - SOUTH ELEVATION

DP3.03 1:100

1

ELEVATION LEGEND

- WALL FINISH METAL PAINEL (COLOR: "CHAMPAGNE METALLIC" WALL FINISH - METAL PANEL (QUICKPANEL)
- 2 WALL FINISH METAL PANEL (QUICKPANEL) -COLOR: "CHARCOAL"
- 3 WALL FINISH METAL PANEL (FASTPLANK) -COLOR: "CHAMPAGNE METALLIC"
- WALL FINISH METAL PANEL (FASTPLANK) -COLOR: "CHARCOAL"
- **5** WALL FINISH METAL PANEL (FASTPLANK) COLOR: "WHITE"
- 6 METAL CAP FLASHING COLOR: TO MATCH MATERIAL
- (7) WALL FINISH CONCRETE COLOR: "GREY"
- **8** ALUMINIUM CLAD PVC WINDOWS FRAMES COLOR: "BLACK ANODIZED"
- 9 SLIDING DOOR BALCONY GLAZED COLOR: "BLACK ANODIZED"
- **10** ENTRANCE DOOR GLAZED COLOR: "BLACK ANODIZED"
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- (12) METAL DOOR COLOR: "CHARCOAL"
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- (16) FROSTED GLASS BALCONY PARTITION WALL
- (17) BUILDING SIGNAGE
- (18) MECHANICAL LOUVER COLOR TO MATCH "CHARCOAL"

В

City of **Kelowna**

ARLINGTONST GROUP

PROJECT TEAM :

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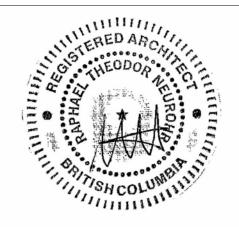
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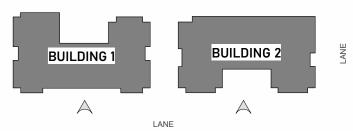
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Project Information :

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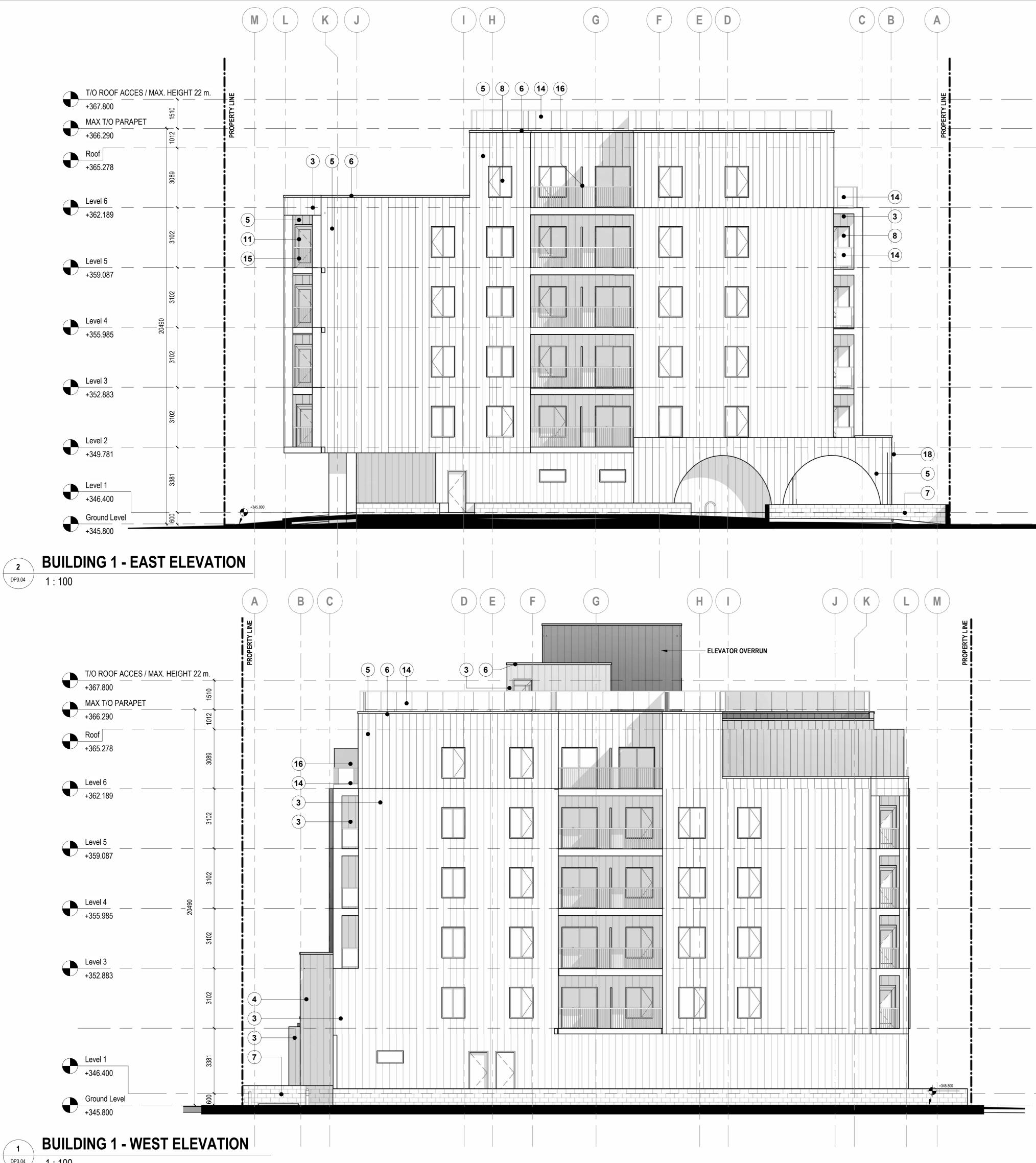
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Scale :

SOUTH ELEVATIONS

Project number :			23-014
Issued :		JU	NE 12, 2024
Drawn by :	-	Checked by :	TS, RN
No.			

DP3.03



1 BUILL DP3.04 1 : 100

ELEVATION LEGEND

- WALL FINISH METAL PANEL (QUICKPANEL) COLOR: "CHAMPAGNE METALLIC"
- 2 WALL FINISH METAL PANEL (QUICKPANEL) COLOR: "CHARCOAL"
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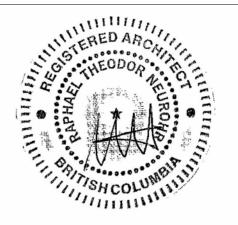
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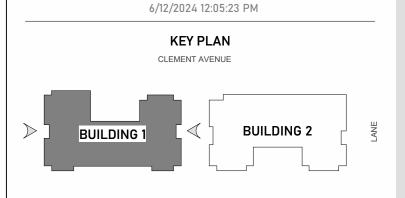
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SCF	HEDULE	В
This forms part of application # DP23-0008		
		City of
Planner Initials	MT	Kelowna

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815-865 CLEMENT AVENUE, KELOWNA, BC

Drawing title :

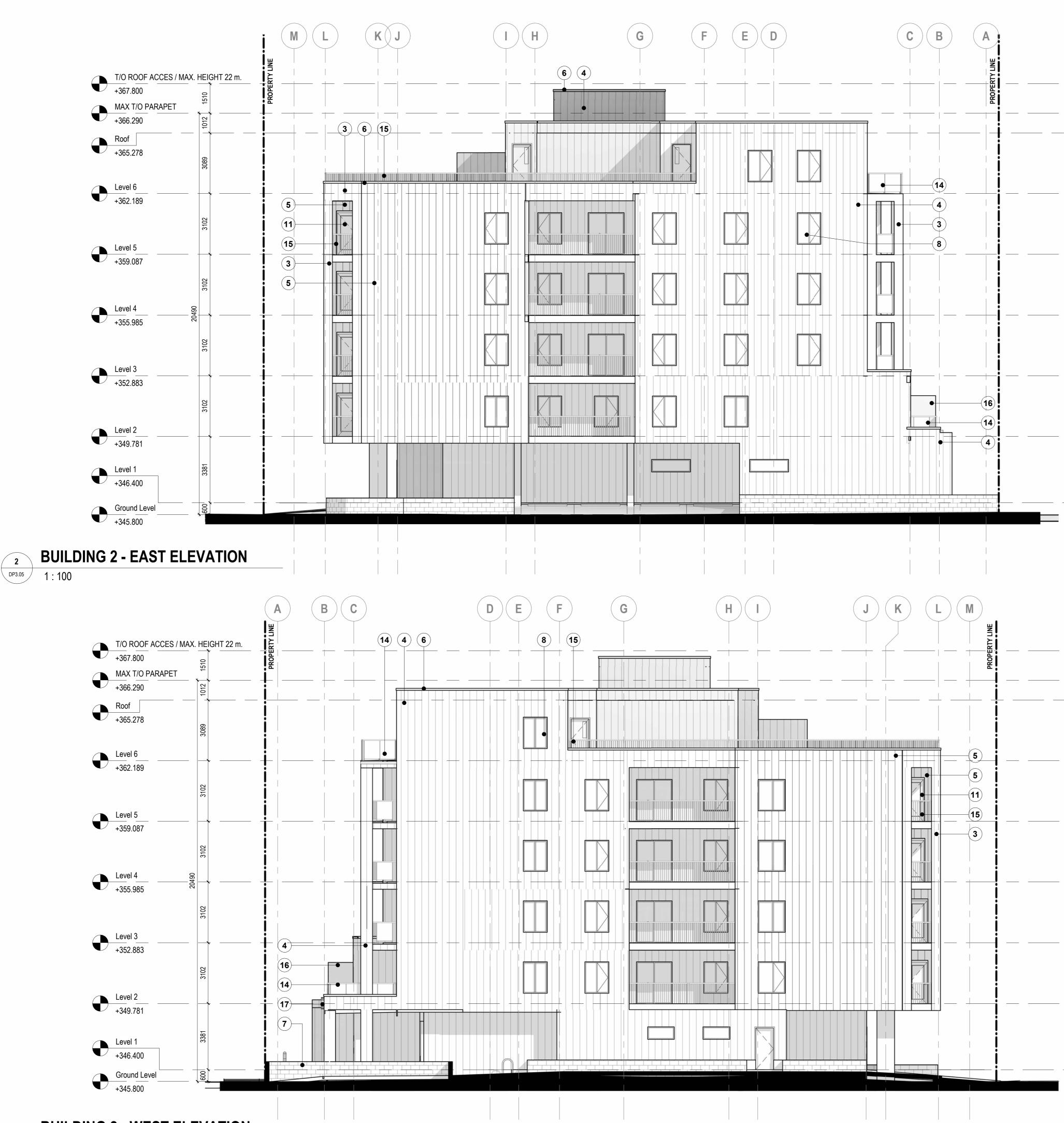
Scale :

BUILDING 1 - EAST & WEST ELEVATION

Project number :			23-014
Issued :		JU	NE 12, 2024
Drawn by :	-	Checked by :	TS, RN
No.			

DP3.04

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2

BUILDING 2 - WEST ELEVATION



- WALL FINISH METAL PANEL (QUICKPANEL) COLOR: "CHAMPAGNE METALLIC"
- 2 WALL FINISH METAL PANEL (QUICKPANEL) COLOR: "CHARCOAL"
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ARCHITECT DAAS DESIGN AND ARCHITECTURE STUDIO INC. #310, 1032 17 Ave. S.W. Calgary, AB T2T 0A5 info@daasarchitecture.com

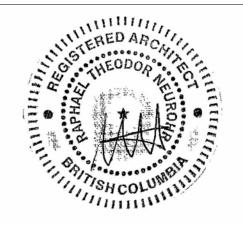
STRUCTURAL ENGINEER TRL & ASSOCIATES LTD. #100, 1615 10 Ave. S.W. Calgary, AB T3C 0J7 trl@trleng.ca

<u>CIVIL ENGINEER</u> Alpine Consultants Ltd. 1998 Vernon St., Lumby, BC V0E 2G jason@alpineengineering.ca

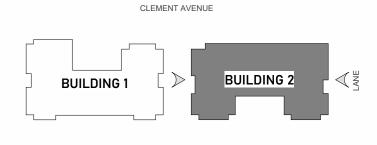
MECHANICAL & ELECTRICAL ENGINEER EMBE Consulting Engineers Inc. #204, 110 12 Ave. S.W. Calgary, AB T2R 0G7 info@embeconsulting.ca

<u>LANDSCAPE ARCHITECT</u> Navagrah Landscape Architecture #301, 501 - 18 Avenue S.W., Calgary, AB T2S 0C7 ynavagrah@navagrah.ca

NOT FOR CONSTRUCTION







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08	DEVELOPMENT PERMIT RESUBMISSION	JUNE 12, 2024
07	DEVELOPMENT PERMIT RESUBMISSION RESPONSE	MAY 16, 2024
06	RESUBMISSION FOR TECHNICAL REVIEW	FEBRUARY 22, 2024
No.	Description :	Date :

Project Information :

VIVO

815-865 CLEMENT AVENUE, KELOWNA, BC

Drawing title :

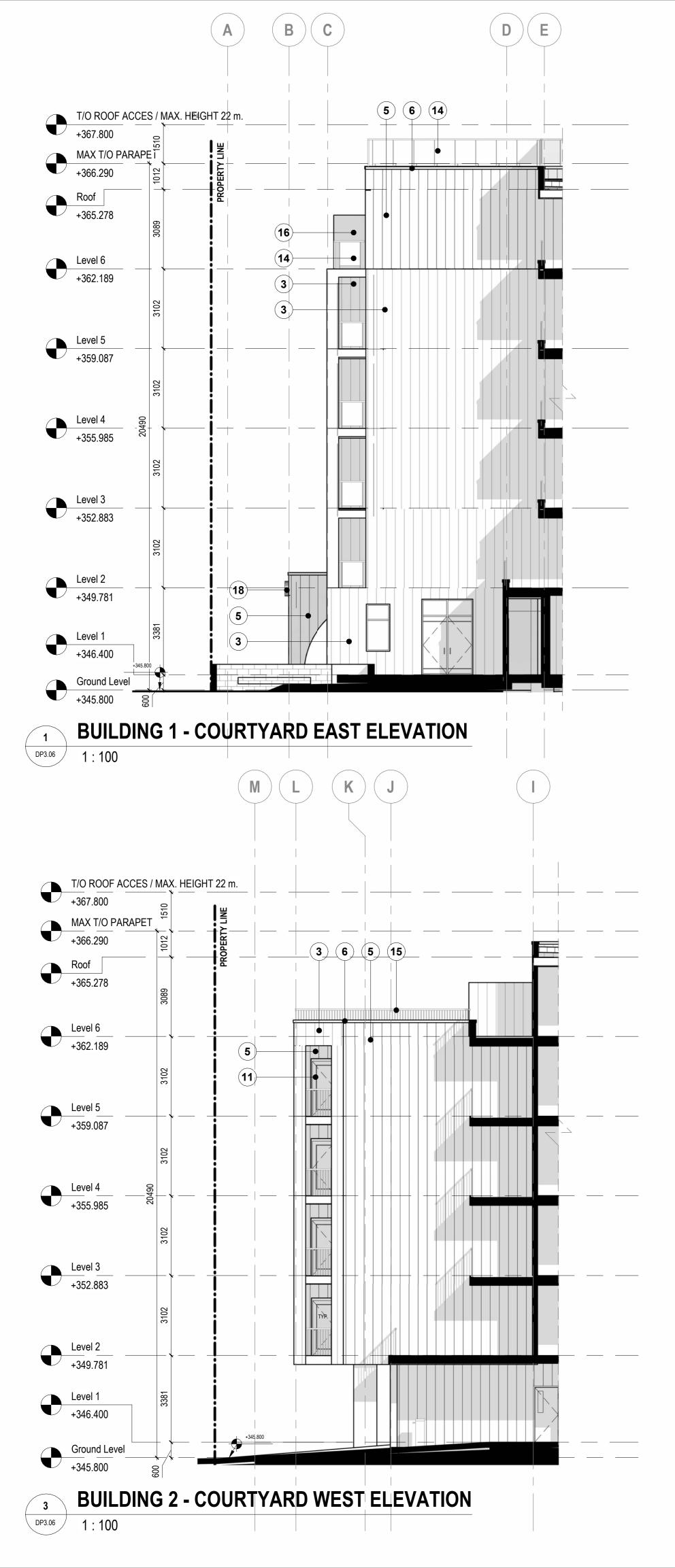
Scale :

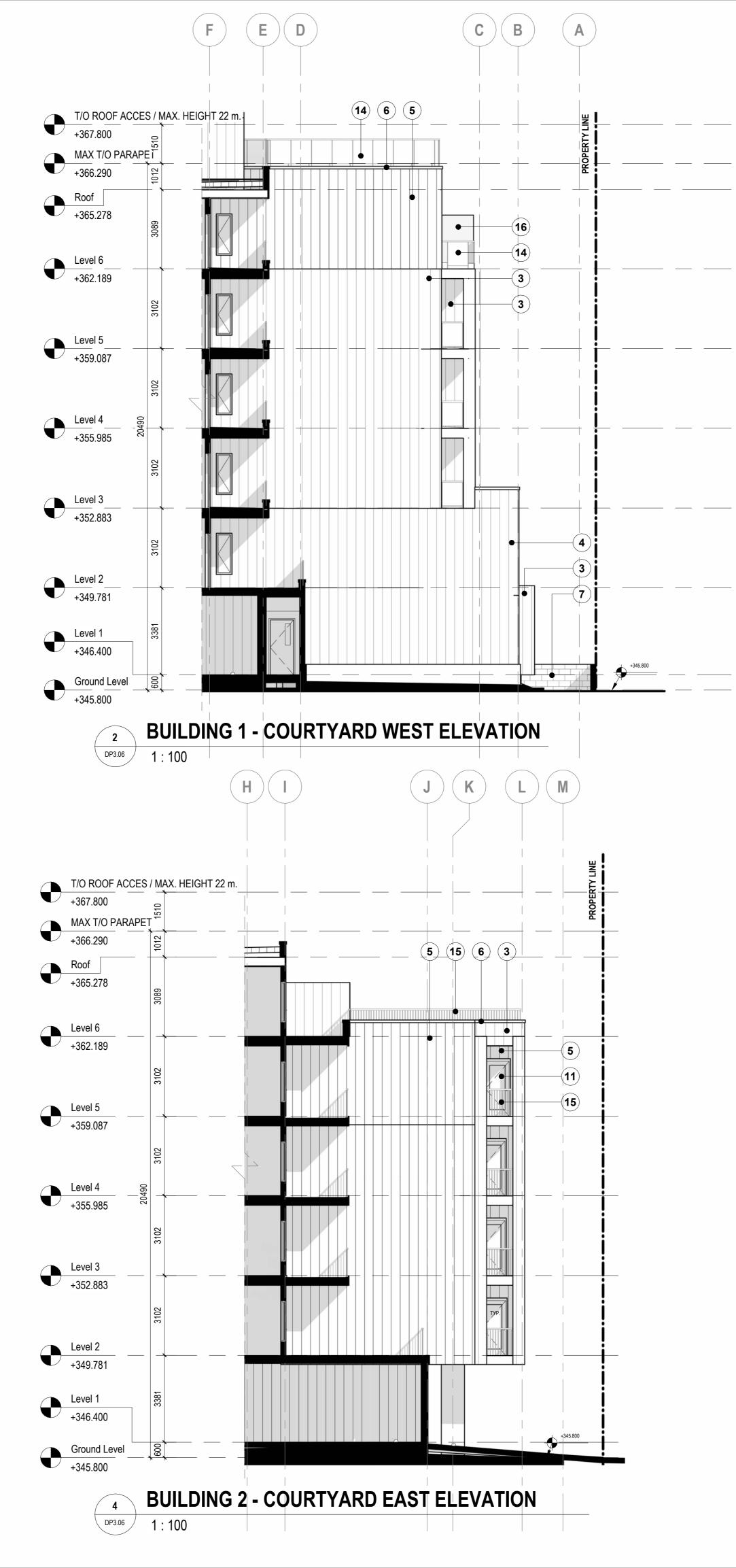
BUILDING 2 - EAST & WEST ELEVATION

Project number :			23-014
Issued :		JU	NE 12, 2024
Drawn by :	-	Checked by :	TS, RN
No.			

DP3.05

SCHEDULE В This forms part of application # DP23-0008 City of Kelowna DEVELOPMENT PLANNING Planner Initials MT





ELEVATION LEGEND

- WALL FINISH METAL PANEL (QUICKPANEL) COLOR: "CHAMPAGNE METALLIC"
- 2 WALL FINISH METAL PANEL (QUICKPANEL) COLOR: "CHARCOAL"
- 3 WALL FINISH METAL PANEL (FASTPLANK) -COLOR: "CHAMPAGNE METALLIC"
- **4** WALL FINISH METAL PANEL (FASTPLANK) COLOR: "CHARCOAL"
- **5** WALL FINISH METAL PANEL (FASTPLANK) COLOR: "WHITE"
- 6 METAL CAP FLASHING COLOR: TO MATCH MATERIAL
- **7** WALL FINISH CONCRETE COLOR: "GREY"
- **8** ALUMINIUM CLAD PVC WINDOWS FRAMES COLOR: "BLACK ANODIZED"
- 9 SLIDING DOOR BALCONY GLAZED COLOR: "BLACK ANODIZED"
- **10** ENTRANCE DOOR GLAZED COLOR: "BLACK ANODIZED"
- (11) BALCONY SWING DOOR GLAZED
- (12) METAL DOOR COLOR: "CHARCOAL"
- (13) O/H METAL DOOR COLOR "DARK GREY"
- (14) GLASS RAILING
- (15) ALUMINIUM RAILING PICKET COLOR: "BLACK"
- (16) FROSTED GLASS BALCONY PARTITION WALL
- (**17**) BUILDING SIGNAGE
- (18) MECHANICAL LOUVER COLOR TO MATCH "CHARCOAL"



ARLINGTONST GROUP

PROJECT TEAM :

ARCHITECT DAAS DESIGN AND ARCHITECTURE STUDIO INC. #310, 1032 17 Ave. S.W. Calgary, AB T2T 0A5 info@daasarchitecture.com

STRUCTURAL ENGINEER TRL & ASSOCIATES LTD. #100, 1615 10 Ave. S.W. Calgary, AB T3C 0J7 trl@trleng.ca

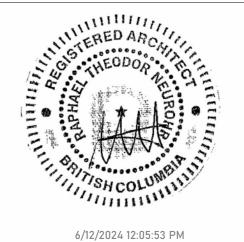
<u>CIVIL ENGINEER</u> Alpine Consultants Ltd. 1998 Vernon St., Lumby, BC V0E 2G jason@alpineengineering.ca

<u>MECHANICAL & ELECTRICAL ENGINEER</u> EMBE Consulting Engineers Inc. #204, 110 12 Ave. S.W. Calgary, AB T2R 0G7 info@embeconsulting.ca

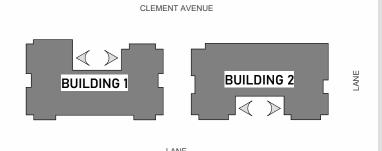
LANDSCAPE ARCHITECT Navagrah Landscape Architecture #301, 501 - 18 Avenue S.W., Calgary, AB T2S 0C7 ynavagrah@navagrah.ca

SCHEDULE B This forms part of application # # DP23-0008 City of Planner City of Initials MT

NOT FOR CONSTRUCTION



KEY PLAN



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No.	Description :	Date :

Project Information :

VIVO

815-865 CLEMENT AVENUE, KELOWNA, BC

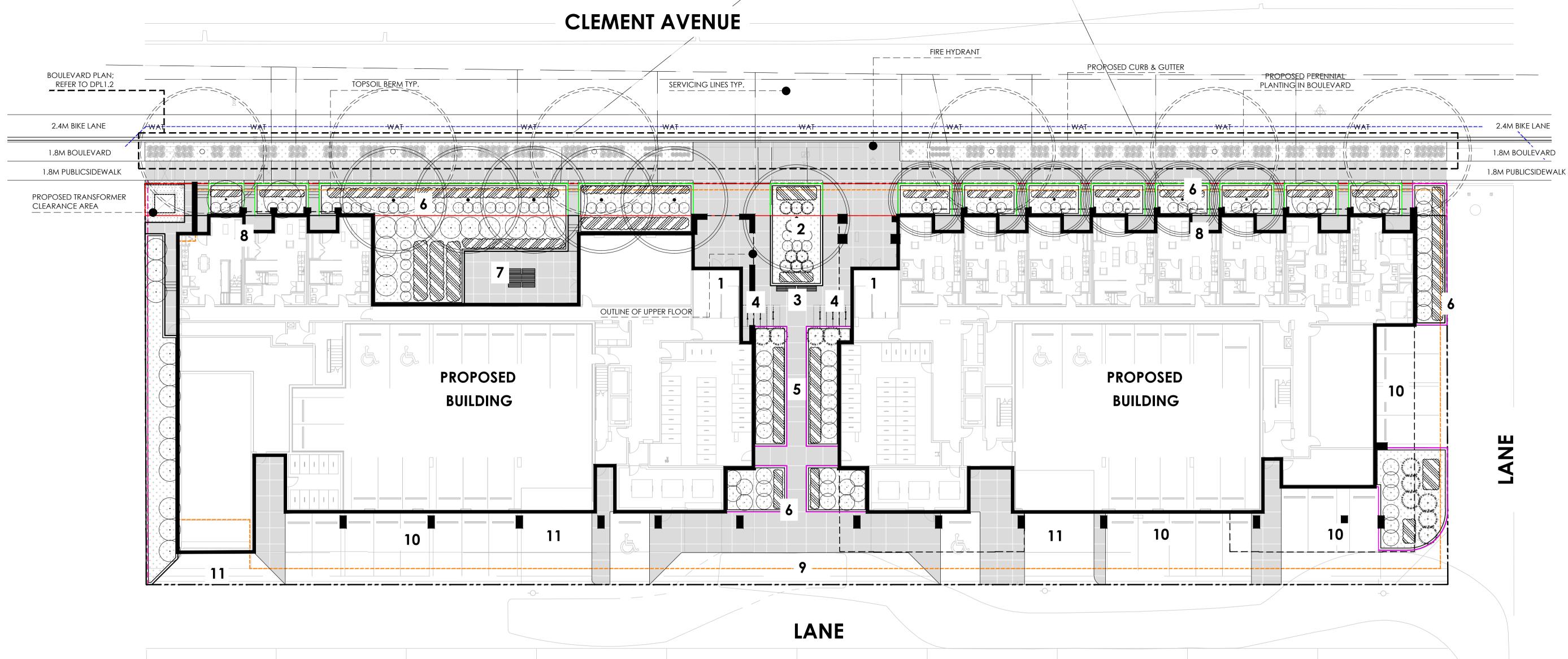
Drawing title :

Scale

COURTYARD ELEVATIONS

Project number :			23-014
Issued :		JUI	NE 12, 2024
Drawn by :	-	Checked by :	TS, RN
No			

DP3.06



NOTES

- 1. THIS DRAWING HAS BEEN PREPARED FOR DEVELOPMENT PERMIT PURPOSES ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES. 2. ALL PLANT MATERIAL TO CONFORM TO THE CANADIAN NURSERY
- TRADES ASSOCIATION STANDARDS.
- 3. ALL PLANT MATERIAL SIZES SHOWN ARE MINIMUM SIZES.
- 4. DO NOT SCALE DRAWINGS. 5. ALL PLANTING BEDS TO HAVE A MINIMUM OF 75MM DEPTH
- CHARCOAL MULCH UNLESS OTHERWISE NOTED.
- 6. ALL SOFT SURFACE LANDSCAPE AREAS TO BE IRRIGATED WITH
- UNDERGROUND IRRIGATION SYSTEM 7. ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE NOTED.
- 1. MAIN ENTRY
- 2. CENTRAL PLANTING BED WITH FEATURE TREE
- CENTRAL PLAZA WITH SEATING 3.
- **BIKE PARKING** 4.
- 5. MEWS
- PLANTER TYP. 6.
- 7. PRIVATE GATHERING SPACE WITH PICNIC TABLE
- 8. PRIVATE PATIO TYP.
- 9. LOADING ZONE
- 10. PARKING AREA
- 11. PARKADE ENTRANCE

LEGEND

_____ PARKADE EXTENTS ٠ .

REGULAR GREY COLOR CONCRETE

PLANTING BED WITH CHARCOAL MULCH INSTALLED TO 75MM DEPTH

20MM RUNDLE ROCK INSTALLED TO 75MM DEPTH WITH LANDSCAPE FILTER FABRIC

SOD

FRONT SETBACK AREA

PROPERTY LINE

----- EXISTING UNDERGROUND WATER LINE TO BE RELOCATED. THE NEW RELOCATED WATERLINE TO MAINTAIN THE REQUIRED SEPARATION FROM BOULEVARD TREES

TYPE 1 PLANTER: HEIGHT VARIES

TYPE 2 PLANTER: 450MM ABOVE GROUND; 300MM BELOW GROUND

BOULEVARD TREES; REFER TO DPL6 FOR PLANTING PLAN DETAILS

LARGE DECIDUOUS TREES

MEDIUM DECIDUOUS TREES

SMALL DECIDUOUS TREES

DECIDUOUS SHRUBS

LANDSCAPE ANALYSIS

SITE AREA: 4,577.29 SQ.M.

GROUNDFLOOR PROVIDED LANDSCAPED AREA (FRONT SETBACK) = 365.69 SQ.M. REQUIRED SOIL-BASED LANDSCAPING (FRONT SETBACK) = 75% = 274.26 SQ.M. PROVIDED SOIL-BASED LANDSCAPING (FRONT SETBACK) = 305.90 SQ.M. OR 83.65%

PROVIDED LANDSCAPE

TOTAL NUMBER OF REQUIRED TREES BASED ON 1TREE /10L.M. = 12.19~12 MIN 50% OF LARGE TREES = 6MAX 25% OF SMALL TREES = 3

TOTAL NUMBER OF REQUIRED TREES BASED ON 1/ 55 SQ.M. = 6.65 ~7 MIN 50% OF LARGE TREES = 3.5~4 MAX 25% OF SMALL TREES = 1.75~2

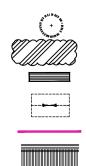
TOTAL TREES PROVIDED = 16

LARGE DECIDUOUS TREES PROVIDED = 06 (OF REQUIRED) LARGE DECIDUOUS TREES TO HAVE MIN. 50MM CALLIPER

MEDIUM DECIDUOUS TREES PROVIDED = 06 MEDIUM DECIDUOUS TREES TO HAVE MIN. 50MM CALLIPER SMALL DECIDUOUS TREES PROVIDED = 04 SMALL DECIDUOUS TREES TO HAVE MIN. 30MM CALLIPER

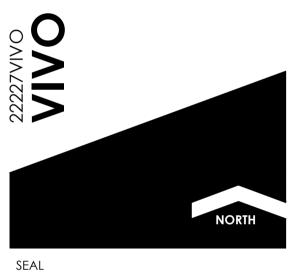
TOTAL SHRUBS PROVIDED = 155



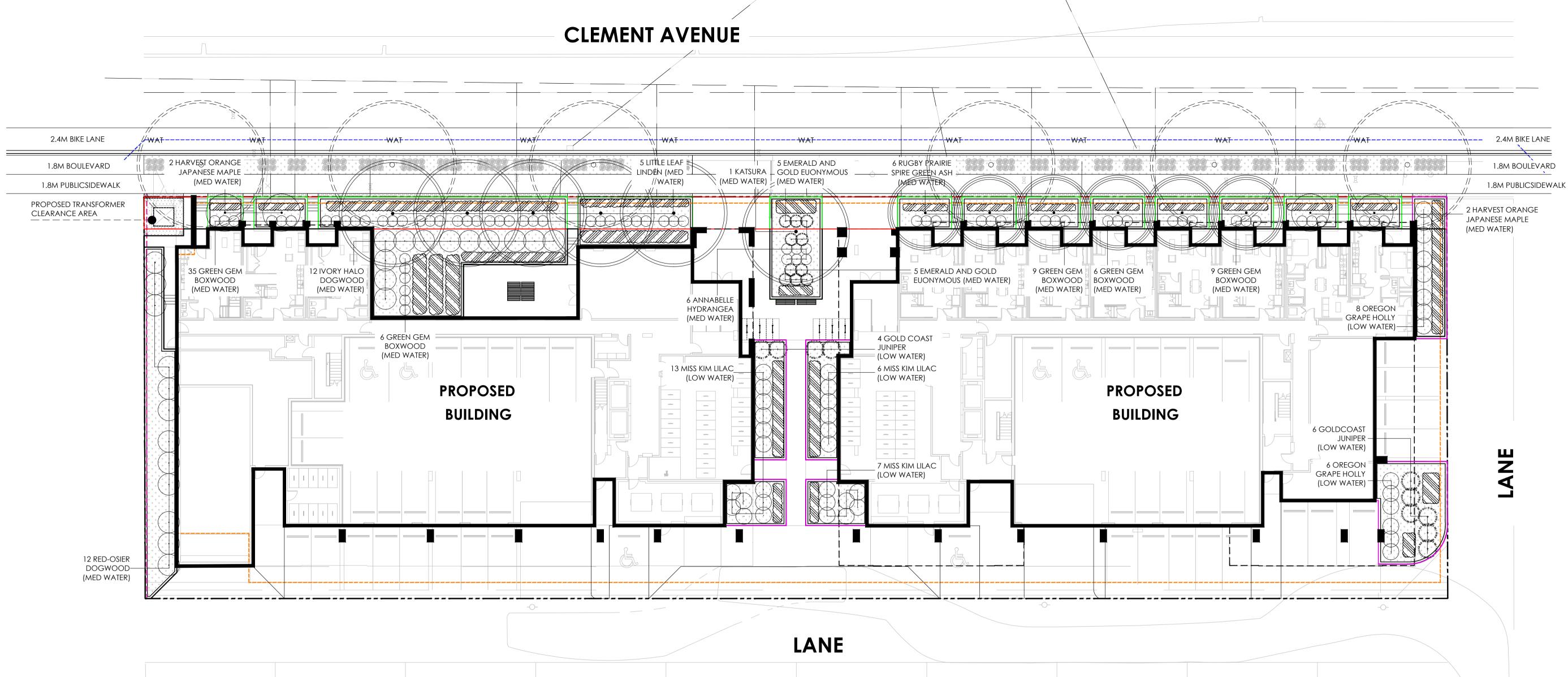


CONIFEROUS SHRUBS PERENNIALS BENCH CLASS 2 BIKE STALLS TOTAL QUANTITY: 12 1800 MM HT. LANDSCAPE FENCE PICNIC TABLE





ISSUED FOR DATE 221017 COORD 221018 COORD 221116 DP REDLINE 230508 REVIEW 230512 REVIEW 230525 COORD 230526 DP RESUBMISSION 230601 REVISED DP 230802 REVISED DP 240118 ARC 240514 REVISED DP COORD 240617 APE APE SCALE 1:200 240514 DATE 365 DRAWN BY CP/JY DERT SPERT CHECKED BY YN PRC DP



LEGEND

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PLANTING BED WITH CHARCOAL MULCH INSTALLED TO 75MM DEPTH

20MM RUNDLE ROCK INSTALLED TO 75MM DEPTH WITH LANDSCAPE FILTER FABRIC

SOD

FRONT SETBACK AREA

PROPERTY LINE

PARKADE EXTENTS

EXISTING UNDERGROUND WATER LINE TO BE RELOCATED. THE NEW RELOCATED WATERLINE TO MAINTAIN THE REQUIRED SEPARATION FROM BOULEVARD TREES TYPE 1 PLANTER: HEIGHT VARIES

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BOULEVARD TREES; REFER TO DPL6 FOR PLANTING PLAN DETAILS

LARGE DECIDUOUS TREES

MEDIUM DECIDUOUS TREES

SMALL DECIDUOUS TREES

DECIDUOUS SHRUBS

CONIFEROUS SHRUBS PERENNIALS BENCH

PLANTING SCHEDULE (ENTIRE SITE)

common name

large deciduous trees (TOTAL: 06) LITTLE LEAF LINDEN KATSURA

medium deciduous trees (TOTAL: 06) RUGBY PRAIRIE SPIRE GREEN ASH

small deciduous trees (TOTAL: 04) HARVEST ORANGE JAPANESE MAPLE

common name

deciduous shrubs (TOTAL: 135) GREEN GEM BOXWOOD IVORY HALO DOGWOOD MISS KIM LILAC ANNABELLE HYDRANGEA RED-OSIER DOGWOOD OREGON GRAPE HOLLY

coniferous shrubs (TOTAL: 20) EMERALD AND GOLD EUONYMOUS GOLD COAST JUNIPER

botanical name

TILIA CORDATA CERCIDIPHULLUM JAPONICUM

FRAXINUS PENNSYLVANICA 'RUGB

ACER PALMATUM 'HARVEST ORAN latin name

BUXUS 'GREEN GEM' CORNUS ALBA 'BAIHALO' SYRINGA PATULA 'MISS KIM' HYDRANGEA ARBORESCENS 'ANN CORNUS SERICEA MAHONIA AQUIFOLIUM

EUINYMUS FORTUNEI 'EMERALD 'N JUNIPERUS CHINENSIS 'GOLD COA



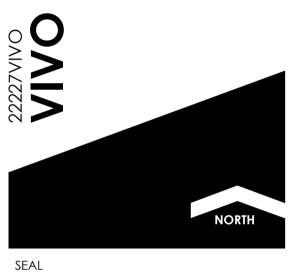
CLASS 2 BIKE STALLS TOTAL QUANTITY: 12 1800 MM HT. LANDSCAPE FENCE

PICNIC TABLE

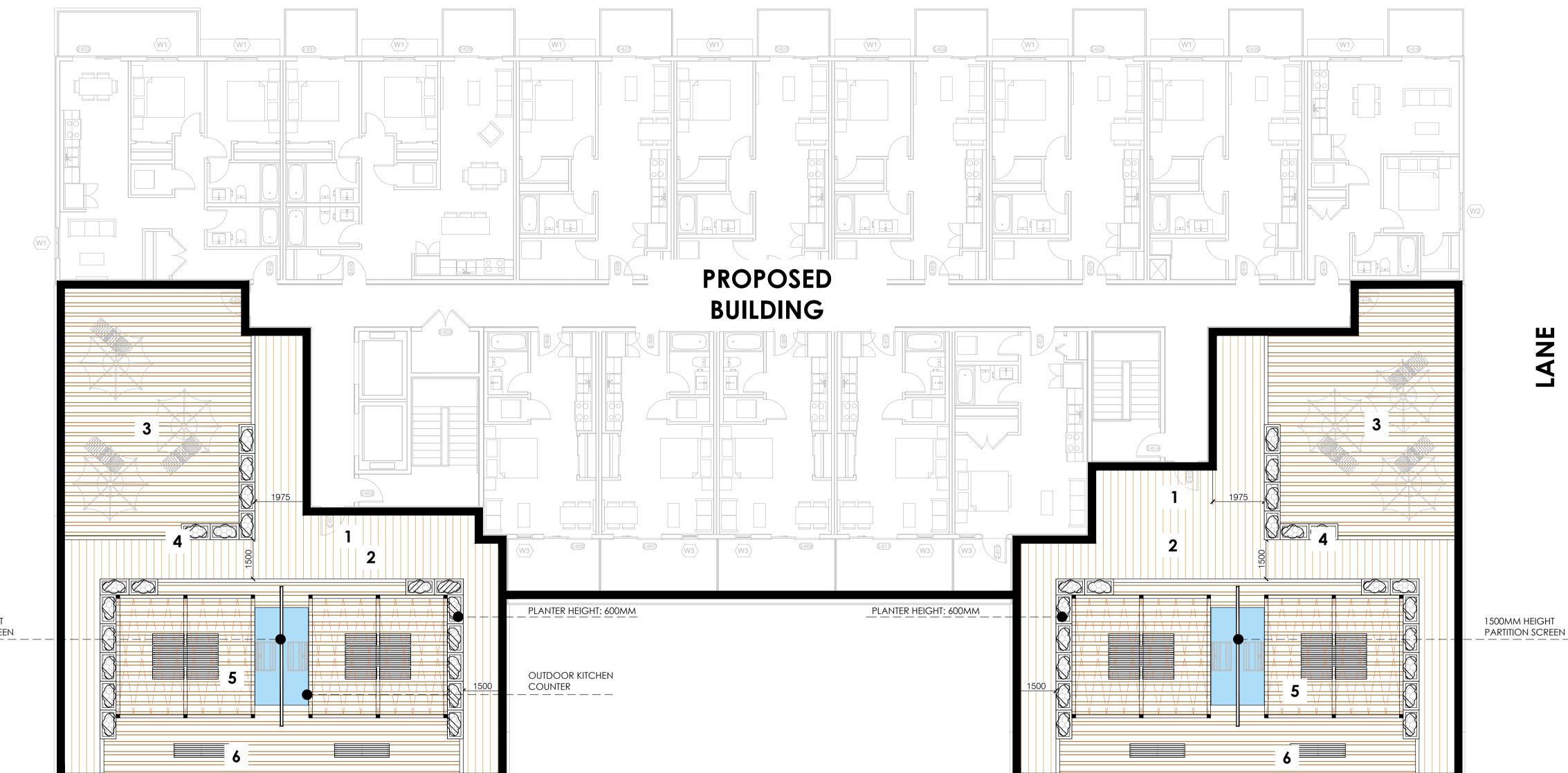
	size at planting	quantity	water usage	typical spacing
	50MM CAL. 50MM CAL.	05 01	MEDIUM MEDIUM	
GBY'	50MM CAL.	06	MEDIUM	
ANGE'	30MM CAL.	04	MEDIUM	
	size/ spread	quantity	water usage	typical spacing
NABELLE'	600MM HT. 600MM HT. 600MM HT. 600MM HT. 600MM HT.	65 12 26 06 12 14	MEDIUM MEDIUM LOW MEDIUM MEDIUM LOW	900MM 800MM 1200MM 900MM 2000MM
n' gold' Dast'	600mm Spread 600mm Spread	10 10	MEDIUM LOW	1000MM 1500MM

SCH	EDULE	С	
This form # DP23	ns part of app 3-0008	olication	
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Planner Initials	MT	Kelov	





ISSUED FOR DATE 221017 COORD 221018 COORD 221116 DP REDLINE 230508 REVIEW 230512 REVIEW 230525 COORD 230526 DP RESUBMISSION 230601 REVISED DP 230802 REVISED DP 240118 ÅE 240514 REVISED DP COORD 240617 HE L URB APE N N N 1:200 SCALE DATE 240514 356 DRAWN BY CP/JY LANL DERT RODL CHECKED BY YN PRC DP



1500mm height Partition Screen

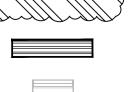
NOTES

- INSTALL BACKFLOW PREVENTION DEVICES TO MEET CITY OF KELOWNA STANDARDS TO ISOLATE THE OUTDOOR IRRIGATION SYSTEM FROM THE POTABLE WATER SYSTEM.
- PROVIDE ADEQUATE TOPSOIL OR GROWING MEDIUM OF DEPTH AND QUALITY TO MEET THE BC LANDSCAPE STANDARD, PUBLISHED BY THE BC SOCIETY OF LANDSCAPE ARCHITECTS AND THE BC LANDSCAPE AND NURSERY ASSOCIATION. MINIMUM TOPSOIL DEPTHS ARE 300MM FOR SHRUBS AND 600MM FOR TREES FOR PLANTINGS AT GRADE. FOR PLANTING OVER STRUCTURE 300MM FOR GROUNDCOVER, 600MM FOR SHRUBS, AND 1200MM FOR TREES IS TO BE PROVIDED.
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 ENSURE MATCHED PRECIPITATION RATES WITHIN ALL IRRIGATION CIRCUITS.
- DESIGN AND INSTALL PIPE AND HEAD LAYOUT SO FLOW VELOCITY DOES NOT EXCEED 1.5 M/S, AND TO MINIMIZE ELEVATION CHANGE OR PRESSURE VARIATION IN CIRCUITS. PROVIDE CHECK VALVES TO STOP LOW HEAD DRAINAGE.
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 ENSURE IRRIGATION ZONES ARE OPERATING AT THE MANUFACTURER'S OPTIMUM
- PRESSURE RANGE. USE PRESSURE REGULATING VALVES WHERE NECESSARY.
 9. INSTALL AND APPROPRIATELY PROGRAM A SMART CONTROLLER. A SMART CONTROLLER IS DEFINED AS A CONTROLLER CAPABLE OF RECEIVING SENSOR DATA
- SUCH AS A RAIN SENSOR OR SOIL MOISTURE SENSOR OR WEATHER STATION DATA.
 INSTALL AN IRRIGATION SYSTEM ISOLATION VALVE LOCATED OUTSIDE THE BUILDING IN A LOCATION ACCESSIBLE TO THE CITY THAT WHEN CLOSED SHALL STOP THE SUPPLY OF WATER FROM THE POTABLE WATER SUPPLY TO THE OUTDOOR IRRIGATION SYSTEM AND SHALL BE CAPABLE OF BEING CLOSED AND LOCKED OFF BY THE CITY.

LEGEND









TREX COMPOSITE DECK BOARDS PRODUCT: TREX TRANSCEND LINEAGE COLOR: JASPER

TREX COMPOSITE DECK BOARDS PRODUCT: TREX TRANSCEND LINEAGE COLOR: CARMEL

PLANTING BED WITH ROCK MULCH

PERENNIALS

BENCH

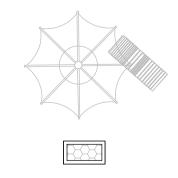
BBQ (PROVIDE GAS CONNECTION FOR BBQ)

PICNIC TABLE; REFER TO DETAIL #3 L7.3 (TOTAL QUANTITY: 07)

CLEMENT AVENUE

LANE



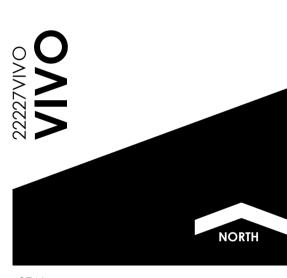


MOVEABLE WOOD PLANTER; REFER TO DETAIL #5 L7.3 STRING TWINKLE LIGHTS TRELLIS FRAME; REFER TO DETAIL #1 L7.0

LOUNGING CHAIR WITH UMBRELLA

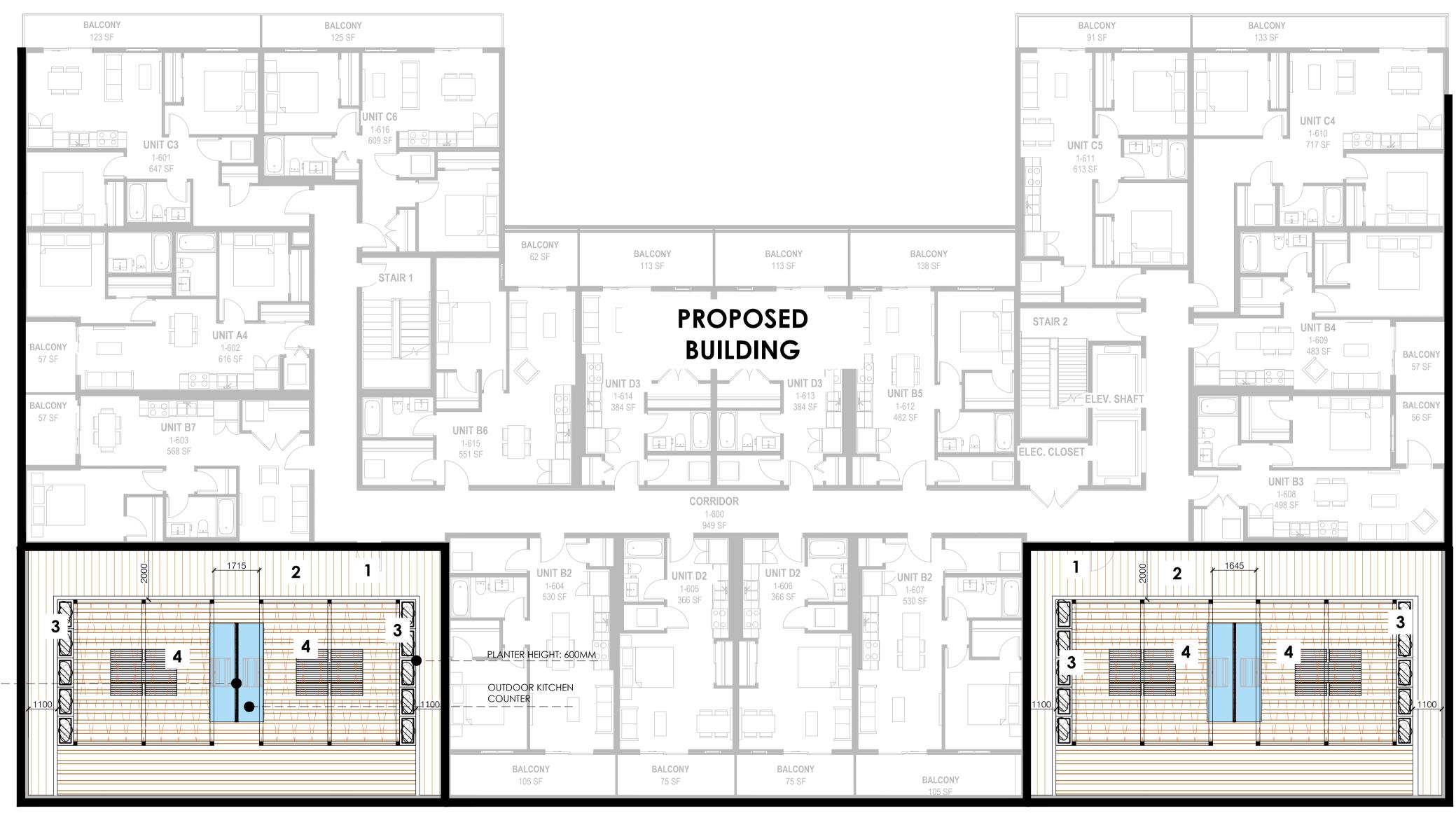
- 1. ROOFTOP ENTRANCE
- 2. PATHWAY
- 3. LOUNGING SPACE WITH LOUNGING CHAIRS AND UMBRELLAS
- 4. PERENNIAL PLANTING WITHIN PLANTER TYP.
- 5. OUTDOOR GATHERING SPACE WITH BBQ AND PICNIC TABLES
- 6. OUTLOOK AREA WITH BENCHES





SEAL

ISSUED FOR COORD DP REDLINE REVIEW COORD DP RESUBMISSION REVISED DP REVISED DP REVISED DP COORD	DATE 221017 221018 221116 230508 230512 230525 230526 230601 230802 240118 240514 240617	this drawing supercedes previous issues. Do not scale the drawing.	all Landscape drawings remain the property of the landscape architect. This drawing is the property of navagrah landscape architecture + urban design ltd. The drawings may not be reproduced without the permission of the landscape architect.	Ni-\ Proiects\ Current\ 22227/IVO_Viv/O_Viv/O_Viv/O_Vivent\ Construction\ 22227/IVO_Site Landsc
SCALE DATE DRAWN BY CHECKED BY	1:100 240514 CP/JY YN	THIS DRAWING SUPERCE	ALL LANDSCAPE DRAWI PROPERTY OF NAVAGRA REPRODUCED WITHOUT	V () Irrent/ 2227
DP				Viv Proionte

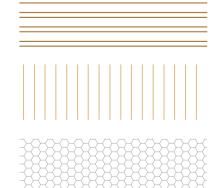


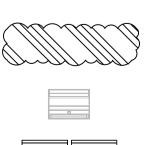
1500MM HEIGHT PARTITION SCREEN

NOTES

- 1. INSTALL BACKFLOW PREVENTION DEVICES TO MEET CITY OF KELOWNA STANDARDS TO ISOLATE THE OUTDOOR IRRIGATION SYSTEM FROM THE POTABLE WATER SYSTEM.
- 2. PROVIDE ADEQUATE TOPSOIL OR GROWING MEDIUM OF DEPTH AND QUALITY TO MEET THE BC LANDSCAPE STANDARD, PUBLISHED BY THE BC SOCIETY OF LANDSCAPE ARCHITECTS AND THE BC LANDSCAPE AND NURSERY ASSOCIATION. MINIMUM TOPSOIL DEPTHS ARE 300MM FOR SHRUBS AND 600MM FOR TREES FOR PLANTINGS AT GRADE. FOR PLANTING OVER STRUCTURE 300MM FOR GROUNDCOVER, 600MM FOR SHRUBS, AND 1200MM FOR TREES IS TO BE PROVIDED.
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- 6. DESIGN AND INSTALL PIPE AND HEAD LAYOUT SO FLOW VELOCITY DOES NOT EXCEED 1.5 M/S, AND TO MINIMIZE ELEVATION CHANGE OR PRESSURE VARIATION IN CIRCUITS. PROVIDE CHECK VALVES TO STOP LOW HEAD DRAINAGE.
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LEGEND







TREX COMPOSITE DECK BOARDS PRODUCT: TREX TRANSCEND LINEAGE COLOR: JASPER

TREX COMPOSITE DECK BOARDS PRODUCT: TREX TRANSCEND LINEAGE COLOR: CARMEL

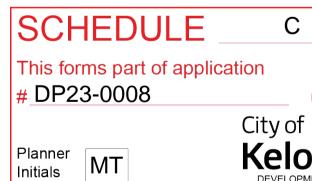
PLANTING BED WITH ROCK MULCH

PERENNIALS

BBQ (PROVIDE GAS CONNECTION FOR BBQ)

PICNIC TABLE; REFER TO DETAIL #3 L7.3 (TOTAL QUANTITY: 07)

CLEMENT AVENUE



LANE

MOVEABLE WOOD PLANTER; REFER TO DETAIL #5 L7.3 STRING TWINKLE LIGHTS

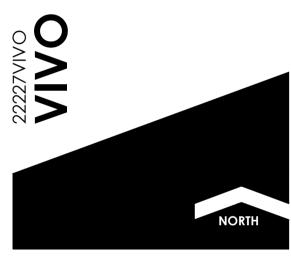
TRELLIS FRAME; REFER TO DETAIL #1 L7.0

- **ROOFTOP ENTRANCE**
- PATHWAY 2.
- PERENNIAL PLANTING WITHIN PLANTER TYP. 3.
- OUTDOOR GATHERING SPACE WITH BBQ 4 AND PICNIC TABLES



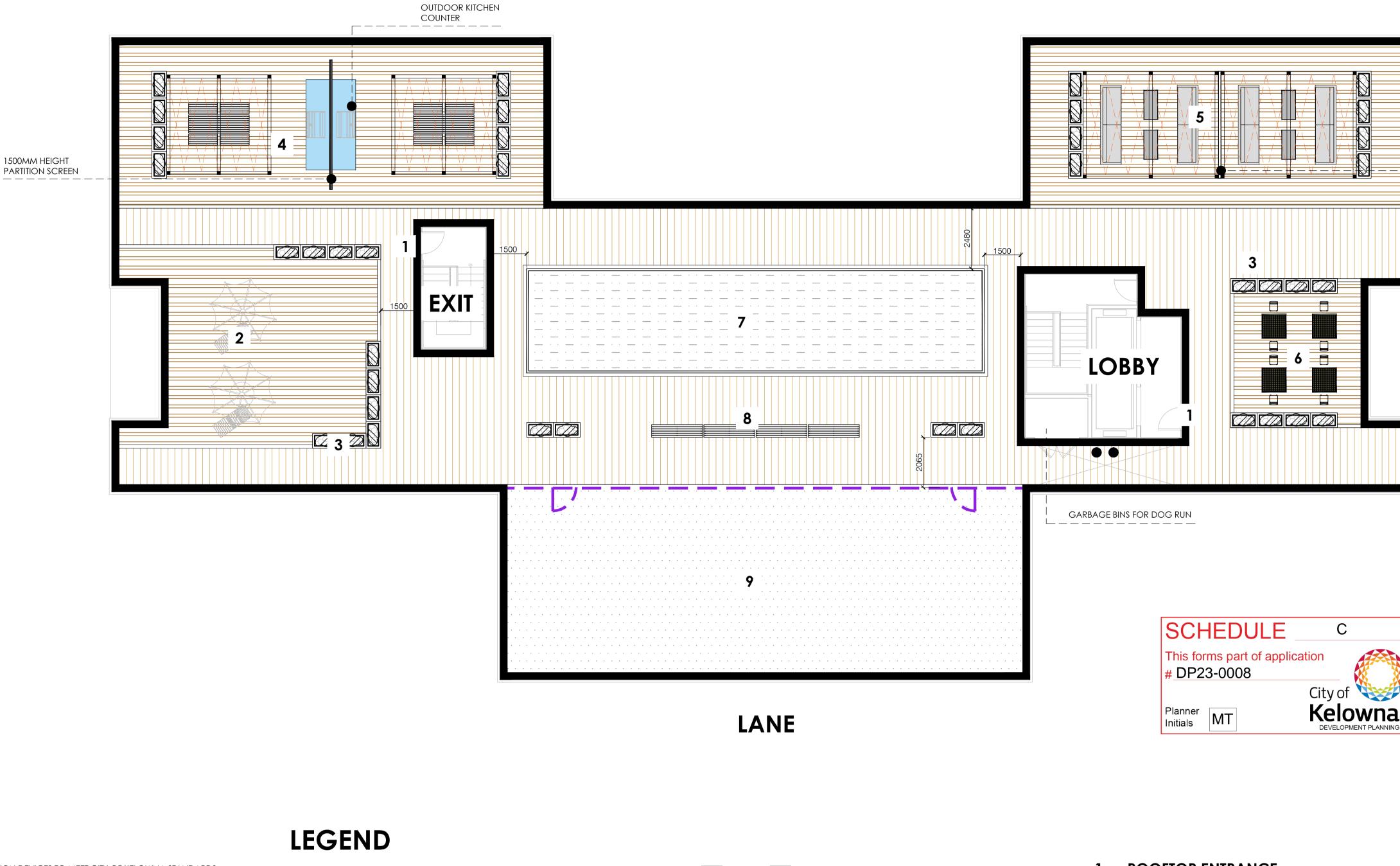
LANE





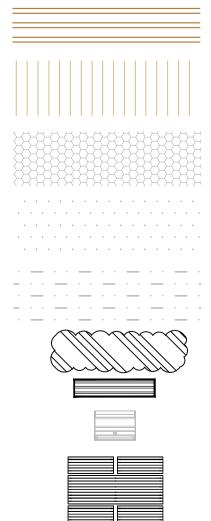
SEAL

ISSUED FOR COORD DP REDLINE REVIEW COORD DP RESUBMISSION REVISED DP REVISED DP REVISED DP COORD	DATE 221017 221018 221116 230508 230512 230525 230526 230601 230802 240118 240514 240617	THIS DRAWING SUPERCEDES PREVIOUS ISSUES. DO NOT SCALE THE DRAWING. ALL LANDSCAPE DRAWINGS REMAIN THE PROPERTY OF THE LANDSCAPE ARCHITECT. THIS DRAWING IS THE PROPERTY OF NAVAGRAH LANDSCAPE ARCHITECTURE + URBAN DESIGN LITD. THE DRAWINGS MAY NOT BE REPRODUCED WITHOUT THE PERMISSION OF THE LANDSCAPE ARCHITECT.
SCALE DATE DRAWN BY CHECKED BY	1:100 240514 CP/JY YN	THIS DRAWING SUPERCEDES ALL LANDSCAPE DRAWING PROPERTY OF NAVAGRAH I REPRODUCED WITHOUT THE
DP 	WEST E	BUILDING



NOTES

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- 7. ENSURE IRRIGATION MAINLINES ARE LEAK FREE USING LEAK TESTS. 8. ENSURE IRRIGATION ZONES ARE OPERATING AT THE MANUFACTURER'S OPTIMUM PRESSURE RANGE. USE PRESSURE REGULATING VALVES WHERE NECESSARY.
- 9. INSTALL AND APPROPRIATELY PROGRAM A SMART CONTROLLER. A SMART CONTROLLER IS DEFINED AS A CONTROLLER CAPABLE OF RECEIVING SENSOR DATA SUCH AS A RAIN SENSOR OR SOIL MOISTURE SENSOR OR WEATHER STATION DATA.
- 10. INSTALL AN IRRIGATION SYSTEM ISOLATION VALVE LOCATED OUTSIDE THE BUILDING IN A LOCATION ACCESSIBLE TO THE CITY THAT WHEN CLOSED SHALL STOP THE SUPPLY OF WATER FROM THE POTABLE WATER SUPPLY TO THE OUTDOOR IRRIGATION SYSTEM AND SHALL BE CAPABLE OF BEING CLOSED AND LOCKED OFF BY THE CITY.



TREX COMPOSITE DECK BOARDS PRODUCT: TREX TRANSCEND LINEAGE COLOR: JASPER

TREX COMPOSITE DECK BOARDS PRODUCT: TREX TRANSCEND LINEAGE COLOR: CARMEL

PLANTING BED WITH ROCK MULCH

ARTIFICIAL TURF FOR DOG RUN

BOCCE COURT SURFACE

PERENNIALS

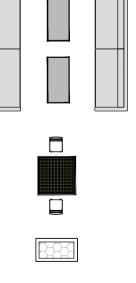
BENCH

BBQ (PROVIDE GAS CONNECTION FOR BBQ)

PICNIC TABLE; REFER TO DETAIL #3 L7.3 (TOTAL QUANTITY: 07)

LOUNGING CHAIR WITH UMBRELLA

CLEMENT AVENUE



_ _ _ _ _ _

REMOVABLE SOFAS AND TABLES

CHESS/ POKER PLAY TABLE AND CHAIRS

MOVEABLE WOOD PLANTER; REFER TO DETAIL #5 L7.3

STRING TWINKLE LIGHTS

TRELLIS FRAME; REFER TO DETAIL #1 L7.1 DOG RUN AREA FENCE AND GATE

- **ROOFTOP ENTRANCE** 1.
- LOUNGING SPACE WITH LOUNGING 2. CHAIRS AND UMBRELLAS
- 3. PERENNIAL PLANTING WITHIN PLANTER TYP.
- 4. OUTDOOR GATHERING SPACE WITH BBQ AND PICNIC TABLES
- 5. OUTLOOK AREA WITH REMOVABLE SOFAS AND TABLES
- 6. ACTIVE SPACE CHESS/ POKER GAME TABLE
- 7. ACTIVE SPACE BOCCE COURT DOUBLE SIDE LINEAR BENCH
- 8. 9. FENCED DOG RUN AREA

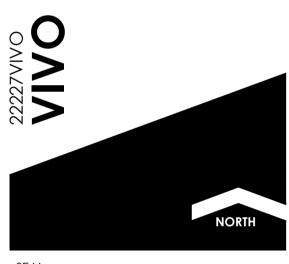




LANE







SEAL

ISSUED FOR COORD DP REDLINE REVIEW COORD DP RESUBMISSION REVISED DP REVISED DP REVISED DP COORD	DATE 221017 221018 221116 230508 230512 230525 230526 230601 230802 240118 240514 240617	THIS DRAWING SUPERCEDES PREVIOUS ISSUES. DO NOT SCALE THE DRAWING.	all Landscape drawings remain the property of the Landscape architect. This drawing is the property of Navagrah Landscape architecture + urban design ltd. The drawings may not be reproduced without the permission of the Landscape architect.	viacts) (Current) 22227/IV/(- Vivo) (Current) (Construction) 22227/IV/(- Site Lands)
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ATTACHMENT B				
This forms part # DP23-0008				
	City of			
Planner Initials MT	Kelowna DEVELOPMENT PLANNING			

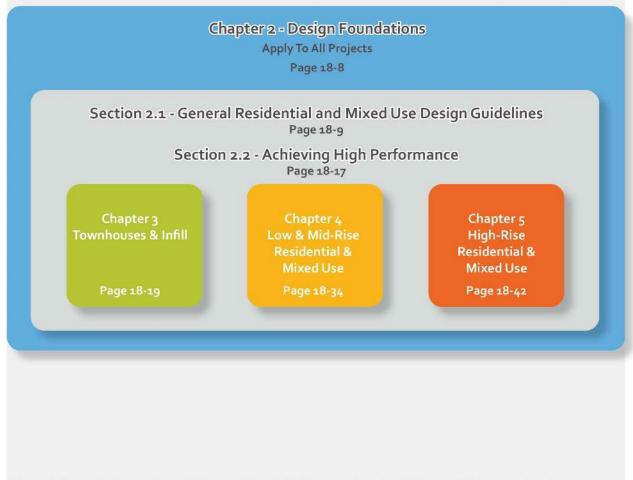
FORM & CHARACTER – DEVELOPMENT PERMIT GUIDELINES

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

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

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

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



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

ATTACH	HMENT B
This forms par # DP23-000	t of application
Planner	City of Kelowna
Initials MT	DEVELOPMENT PLANNING

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

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

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# DP23-0008	🕷 🔞
	City of 🏼
Planner Initials MT	Kelowna

21	.3 Site Planning	N/A	1	2	3	4	5
a.	Site and design buildings to respond to unique site conditions and		-	-	5	4	5
	opportunities, such as oddly shaped lots, location at prominent	•					
	intersections, framing of important open spaces, corner lots, sites						
	with buildings that terminate a street end view, and views of						
	natural features.						
b.	Use Crime Prevention through Environmental Design (CPTED)					\checkmark	
	principles to better ensure public safety through the use of						
	appropriate lighting, visible entrances, opportunities for natural						
	surveillance, and clear sight lines for pedestrians.						
с.	Limit the maximum grades on development sites to 30% (3:1)	\checkmark					
d.	Design buildings for 'up-slope' and 'down-slope' conditions	\checkmark					
	relative to the street by using strategies such as:						
•	Stepping buildings along the slope, and locating building						
	entrances at each step and away from parking access where						
	possible;						
•	Incorporating terracing to create usable open spaces around the						
	building			1			
•	Using the slope for under-building parking and to screen service						
	and utility areas;						
•	Design buildings to access key views; and						
•	Minimizing large retaining walls (retaining walls higher than 1 m						
	should be stepped and landscaped).				 ✓ ✓ ✓ ✓ ✓ ✓ ✓ 		
e.	Design internal circulation patterns (street, sidewalks, pathways)						\checkmark
	to be integrated with and connected to the existing and planned						
	future public street, bicycle, and/or pedestrian network.						<u> </u>
f.	Incorporate easy-to-maintain traffic calming features, such as on-	\checkmark					
	street parking bays and curb extensions, textured materials, and						
	crosswalks.						
g.	Apply universal accessibility principles to primary building entries,						\checkmark
	sidewalks, plazas, mid-block connections, lanes, and courtyards						
	through appropriate selection of materials, stairs, and ramps as						
	necessary, and the provision of wayfinding and lighting elements.						
	.4 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	Locate off-street parking and other 'back-of-house' uses (such as						\checkmark
	loading, garbage collection, utilities, and parking access) away						
<u>ل</u>	from public view.						
b.	Ensure utility areas are clearly identified at the development						\checkmark
	permit stage and are located to not unnecessarily impact public or			1			
6	common open spaces.						
с.	Avoid locating off-street parking between the front façade of a building and the fronting public street			1			\checkmark
لم	building and the fronting public street.			-			├──
d.	In general, accommodate off-street parking in one of the			1		~	
•	following ways, in order of preference:			1			
•	Underground (where the high water table allows)			1			
•	Parking in a half-storey (where it is able to be accommodated to						
	not negatively impact the street frontage);		1	1	1	1	1



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

	Initials DEVELOPMENT PLANNING						
g.	Plant native and/or drought tolerant trees and plants suitable for the local climate.						\checkmark
h.	Select trees for long-term durability, climate and soil suitability, and compatibility with the site's specific urban conditions.						\checkmark
i.	Design sites and landscapes to maintain the pre-development flows through capture, infiltration, and filtration strategies, such as the use of rain gardens and permeable surfacing.						✓
j.	Design sites to minimize water use for irrigation by using strategies such as:						\checkmark
•	Designing planting areas and tree pits to passively capture rainwater and stormwater run-off; and						
• k.	Using recycled water irrigation systems. Create multi-functional landscape elements wherever possible, such as planting areas that also capture and filter stormwater or landscape features that users can interact with.						~
Ι.	Select materials and furnishings that reduce maintenance requirements and use materials and site furnishings that are sustainably sourced, re-purposed or 100% recycled.	✓					
m.	Use exterior lighting to complement the building and landscape design, while:						\checkmark
•	Minimizing light trespass onto adjacent properties; Using full cut-off lighting fixtures to minimize light pollution; and Maintaining lighting levels necessary for safety and visibility.						
n.	Employ on-site wayfinding strategies that create attractive and appropriate signage for pedestrians, cyclists, and motorists using a 'family' of similar elements.	~					
2.1	6 Building Articulation, Features and Materials	N/A	1	2	3	4	5
a. • •	Express a unified architectural concept that incorporates variation in façade treatments. Strategies for achieving this include: Articulating facades by stepping back or extending forward a portion of the façade to create a series of intervals or breaks; Repeating window patterns on each step-back and extension interval; Providing a porch, patio, or deck, covered entry, balcony and/or bay window for each interval; and Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce each interval. Incorporate a range of architectural features and details into			2	3	4	√
	building facades to create visual interest, especially when approached by pedestrians. Include architectural features such as: bay windows and balconies; corner feature accents, such as turrets or cupolas; variations in roof height, shape and detailing; building entries; and canopies and overhangs.						•



	ornamental features and art work; architectural lighting; grills and railings; substantial trim details and moldings / cornices; and			
	trellises, pergolas, and arbors.			
с.	Design buildings to ensure that adjacent residential properties		\checkmark	n
	have sufficient visual privacy (e.g. by locating windows to			n
	minimize overlook and direct sight lines into adjacent units), as			
	well as protection from light trespass and noise.			
d.	Design buildings such that their form and architectural character			<
	reflect the buildings internal function and use.			
e.	Incorporate substantial, natural building materials such as		<	
	masonry, stone, and wood into building facades.			
f.	Provide weather protection such as awnings and canopies at			\checkmark
	primary building entries.			
g.	Place weather protection to reflect the building's architecture.		\checkmark	
h.	Limit signage in number, location, and size to reduce visual clutter			<
	and make individual signs easier to see.			
i.	Provide visible signage identifying building addresses at all			\checkmark
	entrances.			

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

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



						•	
٠	Semi-private spaces should be located above to soften the edge						
	and be at a comfortable distance from street activity; and						
٠	Where conditions such as the high water table do not allow for this						
	condition, up to 2 m is permitted, provided that entryways, stairs,						
	landscaped terraces, and patios are integrated and that blank						
	walls and barriers to accessibility are minimized.						
4.1	5 Publicly-Accessible and Private Open Spaces	N/A	1	2	3	4	5
a.	Integrate publicly accessible private spaces (e.g. private					\checkmark	
	courtyards accessible and available to the public) with public open						
	areas to create seamless, contiguous spaces.						
b.	Locate semi-private open spaces to maximize sunlight						\checkmark
	penetration, minimize noise disruptions, and minimize 'overlook'						
	from adjacent units.						
Ου	tdoor amenity areas						
c.	Design plazas and urban parks to:	\checkmark					
•	Contain 'three edges' (e.g. building frontage on three sides) where						
	possible and be sized to accommodate a variety of activites;						
•	Be animated with active uses at the ground level; and						
•	Be located in sunny, south facing areas.						
d.	Design internal courtyards to:	\checkmark					
•	Provide amenities such as play areas, barbecues, and outdoor						
	seating where appropriate.						
•	Provide a balance of hardscape and softscape areas to meet the						
	specific needs of surrounding residents and/or users.						
e.	Design mid-block connections to include active frontages, seating				\checkmark		
	and landscaping.				-		
Ro	oftop Amenity Spaces			1			
f.	Design shared rooftop amenity spaces (such as outdoor recreation					\checkmark	
	space and rooftop gardens on the top of a parkade) to be					_	
	accessible to residents and to ensure a balance of amenity and						
	, , , , , , , , , , , , , , , , , , ,						
•	Limiting sight lines from overlooking residential units to outdoor						
	amenity space areas through the use of pergolas or covered areas						
	where privacy is desired; and						
•	Controlling sight lines from the outdoor amenity space into						
	adjacent or nearby residential units by using fencing, landscaping,						
	or architectural screening.						
g.	Reduce the heat island affect by including plants or designing a	\checkmark					
	green roof, with the following considerations:						
•	Secure trees and tall shrubs to the roof deck; and						
•	Ensure soil depths and types are appropriate for proposed plants						
	and ensure drainage is accommodated.						
4.1	6 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
a.	Articulate building facades into intervals that are a maximum of 15						, √
	m wide for mixed-use buildings and 20 m wide for residential						
	buildings. Strategies for articulating buildings should consider the						
	potential impacts on energy performance and include:						
	potential impacts on energy performance and include.		L	1			



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

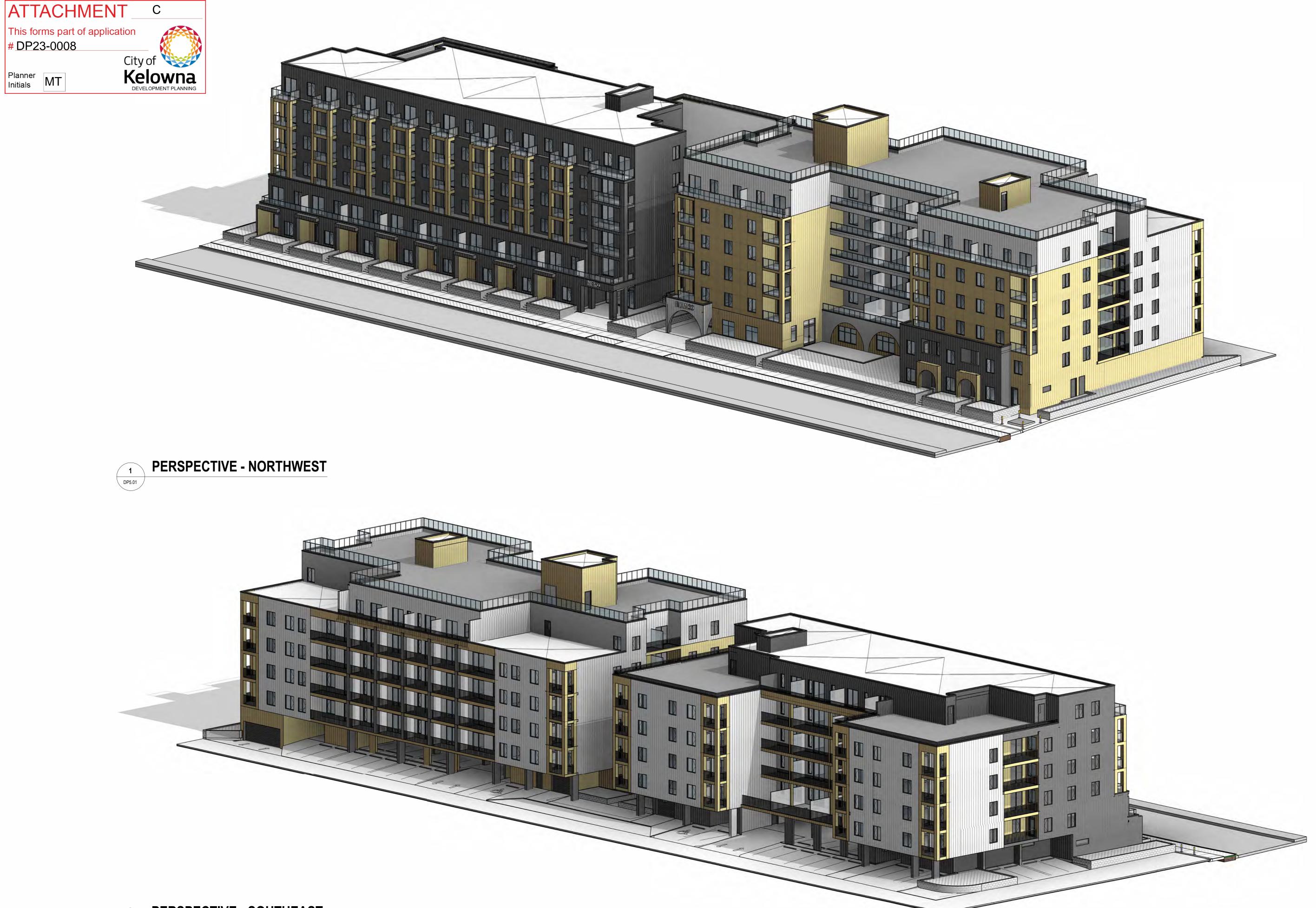


	located on highways and/or major arterials in alignment with the City's Sign Bylaw.				
k.	Avoid the following types of signage:	\checkmark			
•	Internally lit plastic box signs;				
•	Pylon (stand alone) signs; and				
•	Rooftop signs.				
Ι.	Uniquely branded or colored signs are encouraged to help establish a special character to different neighbourhoods.	\checkmark			

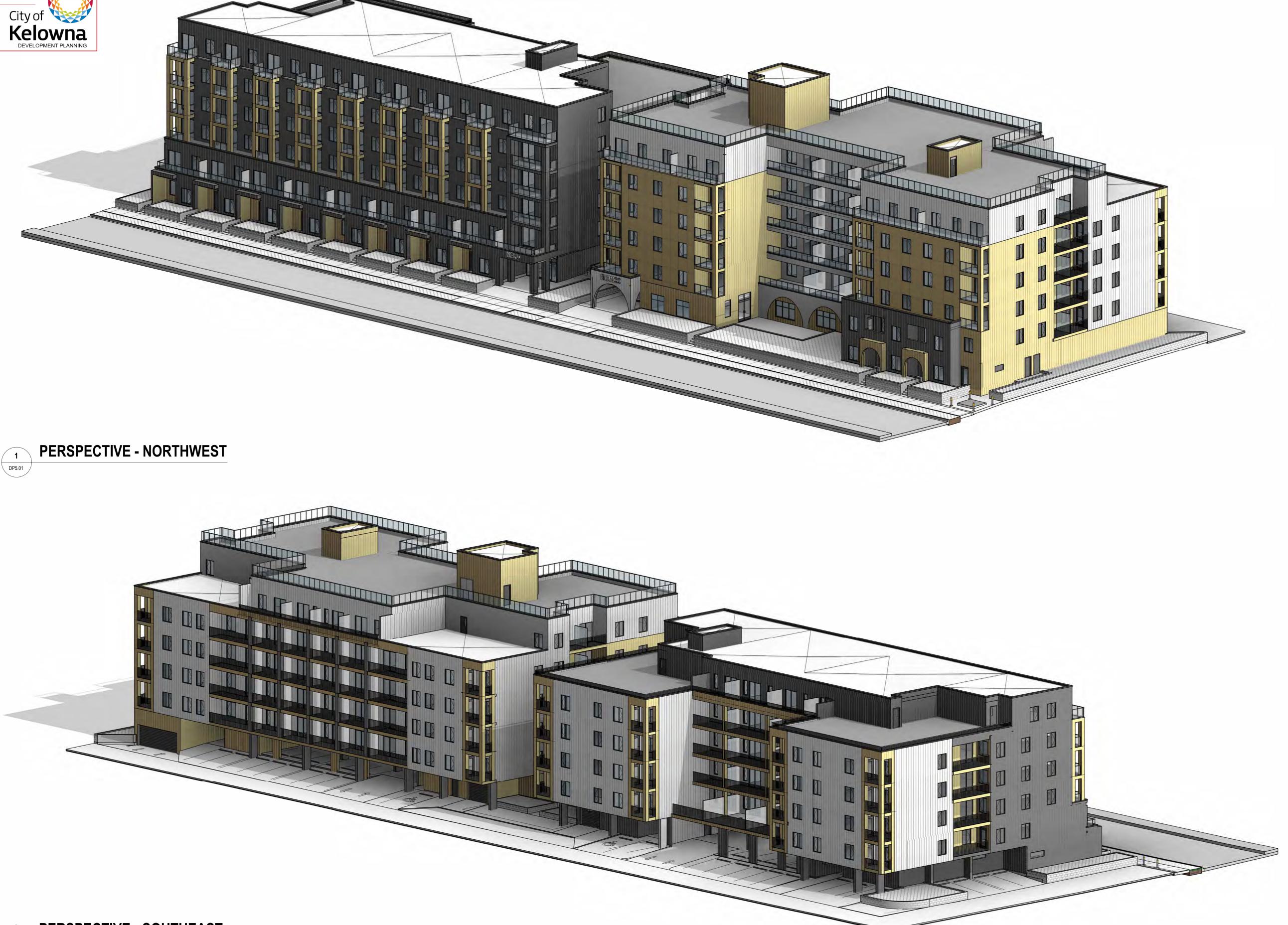














ELEVATION LEGEND METAL PANEL (FASTPLANK) - COLOR: "CHAMPAGNE METAL PANEL (QUICKPANEL) -GLASS RAILING METALLIC" COLOR: "WHITE" METAL PANEL (FASTPLANK) - COLOR: "CHARCOAL" ALUMINIUM RAILING PICKET - COLOR: "BLACK" CONCRETE - COLOR: "GREY"



LOUVERS - COLOR TO MATCH : "CHARCOAL"

ALUMINIUM CLAD PVC WINDOWS DOORS FRAMES - COLOR: "BLACK ANODIZED"



ARLINGTONST GROUP

PROJECT TEAM :

<u>ARCHITECT</u> DAAS DESIGN AND ARCHITECTURE STUDIO INC. #310, 1032 17 Ave. S.W. Calgary, AB T2T 0A5 info@daasarchitecture.com

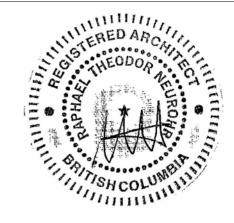
<u>STRUCTURAL ENGINEER</u> TRL & ASSOCIATES LTD. #100, 1615 10 Ave. S.W. Calgary, AB T3C 0J7 trl@trleng.ca

<u>CIVIL ENGINEER</u> Alpine Consultants Ltd. . 1998 Vernon St., Lumby, BC V0E 2G jason@alpineengineering.ca

MECHANICAL & ELECTRICAL ENGINEER EMBE Consulting Engineers Inc. #204, 110 12 Ave. S.W. Calgary, AB T2R 0G7 info@embeconsulting.ca

<u>LANDSCAPE ARCHITECT</u> Navagrah Landscape Architecture #301, 501 - 18 Avenue S.W., Calgary, AB T2S 0C7 ynavagrah@navagrah.ca

NOT FOR CONSTRUCTION



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08	DEVELOPMENT PERMIT RESUBMISSION	JUNE 12, 2024
07	DEVELOPMENT PERMIT RESUBMISSION RESPONSE	MAY 16, 2024
06	RESUBMISSION FOR TECHNICAL REVIEW	FEBRUARY 22, 2024
No.	Description :	Date :

Project Information :

Drawing title :

Project number :

lssued :

No.

Drawn by :

815-865 CLEMENT AVENUE, KELOWNA, BC

VIVO

PERSPECTIVE

DP5.01 Scale :

23-014

JUNE 12, 2024

- Checked by : TS, RN











PERSPECTIVE - NORTHWEST

ELEVATION LEGEND



METAL PANEL (FASTPLANK) - COLOR: "CHAMPAGNE METALLIC"

METAL PANEL (QUICKPANEL) -COLOR: "WHITE" GLASS

GLASS RAILING

METAL PANEL (FASTPLANK) - COLOR: "CHARCOAL"

CONCRETE - COLOR: "GREY"

ALUMINIUM RAILING PICKET - COLOR: "BLACK"

ALUMINIUM CLAD PVC WINDOWS DOORS FRAMES - COLOR: "BLACK ANODIZED"



ARLINGTONST GROUP

PROJECT TEAM :

<u>ARCHITECT</u> DAAS DESIGN AND ARCHITECTURE STUDIO INC. #310, 1032 17 Ave. S.W. Calgary, AB T2T 0A5 info@daasarchitecture.com

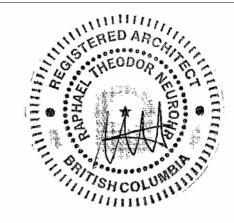
<u>STRUCTURAL ENGINEER</u> TRL & ASSOCIATES LTD. #100, 1615 10 Ave. S.W. Calgary, AB T3C 0J7 trl@trleng.ca

<u>CIVIL ENGINEER</u> Alpine Consultants Ltd. 1998 Vernon St., Lumby, BC V0E 2G jason@alpineengineering.ca

MECHANICAL & ELECTRICAL ENGINEER EMBE Consulting Engineers Inc. #204, 110 12 Ave. S.W. Calgary, AB T2R 0G7 info@embeconsulting.ca

<u>LANDSCAPE ARCHITECT</u> Navagrah Landscape Architecture #301, 501 - 18 Avenue S.W., Calgary, AB T2S 0C7 ynavagrah@navagrah.ca

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6/12/2024 12:09:24 PM

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Project Information :

VIVO

815-865 CLEMENT AVENUE, KELOWNA, BC

Drawing title :

PERSPECTIVE

Project number : 23-014 Issued : JUNE 12, 2024 Drawn by : - Checked by : TS, RN No. DP55022

LOUVERS - COLOR TO MATCH : "CHARCOAL"

Scale :



CO-OPERATIVE CARSHARING AGREEMENT

THIS AGREEMENT made the $\frac{16 \text{th}}{2024}$ day of $\frac{\text{May}}{2024}$,

BETWEEN:

MODO CO-OPERATIVE

200 - 470 Granville Street Vancouver, BC V6C 1V5

("Modo")

AND:

ASI VIVO GP INC. 400 1550 5th Street SW Calgary AB, T2R 1K3

("Developer")

WHEREAS:

A. Developer is the registered owner of those certain lands located 815-856 Clement Avenue in Kelowna and legally described as follows:

Legal lot description: LOTS 14-23 OF 30 TOWNSHIP 26 OSOYOOS DIVISION TALE DISTRICT PLAN 1277

(the "Lands");

- B. Developer intends to construct or to cause to be constructed a rental residential development (the "**Development**") on the Lands;
- C. It is intended that Development will include 202 rental units (collectively the "**Rental Units**", and each a "**Rental Unit**");
- D. Modo is a member-owned co-operative that facilitates carsharing for individuals and businesses as an alternative to privately-owned automobiles;
- E. As a condition of approving the Development, the City of Kelowna (the "Municipality") requires Developer to provide two (2) co-operative vehicles (each a "Shared Vehicle" and, collectively, the "Shared Vehicles") in connection with the Development and to be available as part of a service to share the use of the Shared Vehicles (the "Carsharing Program");



- F. In addition, the Municipality requires Developer to designate two (2) parking spaces at the Development for the exclusive use of the Shared Vehicles (the "Shared Vehicle Parking Spaces" as set out in Schedule A hereto) and free-ofcharge to Modo;
- G. Modo will deliver the Shared Vehicles to the Shared Vehicle Parking Spaces and will make the Shared Vehicles available for use in accordance with the terms of this Agreement;
- H. Modo will, at its cost, operate, maintain, repair and insure the Shared Vehicles and administer the service to share the Shared Vehicles (collectively, the "Services");
- I. Developer and Modo intend that the Shared Vehicles will be available for use by all members of Modo (collectively, the "**Modo Members**" and each a "**Modo Member**"), including the Residents who become Modo Members; and
- J. Developer and Modo wish to set out in this Agreement the terms and conditions of the Carsharing Program as it pertains to the Development.

NOW THEREFORE in consideration of the sum of Ten (\$10.00) Dollars now paid by each party to the other (the receipt and sufficiency of which is hereby acknowledged) and in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

ARTICLE 1 - DEFINITIONS

- 1.1 Definitions. In this Agreement, the following terms have the following meanings:
 - (a) "Agreement" means this agreement, any schedules attached hereto which are referred to in this agreement, and every properly executed instrument which by its terms amends, modifies, supplements, or extends this agreement;
 - (b) "Arbitrator" has the meaning set out in section 14.1(d);
 - (c) "Carsharing Program" has the meaning set out in Recital E;
 - (d) **"Commencement Date**" means the date on which the Occupancy Permit is issued by the Municipality;
 - (e) **"Contract Fees**" means collectively the Project Fee (as defined below) and the Phased Shared Vehicle Project Fee (as defined below), and **"Contract Fee**" means any one of them;
 - (f) "Developer" means the party defined as Developer on the first page of this Agreement and any of its heirs, executors, administrators, successors, assigns, subsidiaries or nominees who may assume Developer's right, title or interest in the Development and/or this



Agreement from Developer named herein, and expressly includes any person which may manage or operate the Development for Developer from time to time;

- (g) "Development" has the meaning set out in Recital B;
- (h) "Driving Credits" has the meaning set out in section 7.2;
- (i) **"Estimated Occupancy Date**" has the meaning set out in section 3.5;
- (j) "EV Stations" means two (2) electric vehicle charging stations (which specifications are defined in Schedule B) to be provided, installed, maintained and replaced by Developer, at Developer's sole cost, to be used for the sole purpose of charging the Shared Vehicles, and to be located adjacent to the Shared Vehicle Parking Spaces;
- (k) "Lands" has the meaning set out in Recital A;
- (I) "Marketing Program" has the meaning set out in section 7.2;
- (m) **"Mediator**" means a member in good standing of the Arbitrators Association of British Columbia or Mediate BC;
- (n) "Membership Holder" means the Rental Owner;
- (0) "Membership Shares" means membership shares in Modo;
- (p) "Modo Members" has the meaning set out in Recital I;
- (q) "Municipality" has the meaning set out in Recital E;
- (r) **"Occupancy Permit"** means the first occupancy permit issued by the Municipality in respect of the Development;
- (s) **"Partnership Membership**" means the Membership Holder membership in Modo by way of ownership of the Subject Shares;
- (t) **"Partner User**" means a Resident (as defined below) of the Development who benefits from Modo membership privileges by way of the Partnership Membership;
- (u) **"Phased Shared Vehicle Project Fee**" has the meaning set out in section 2.4;
- (v) "Phased Shared Vehicle Purchase Notice" has the meaning set out in section 2.4;
- (w) "Project Fee" has the meaning set out in section 2.1;



- (x) **Rental Owner**" means the registered owner of the Rental Units;
- (y) **"Rental Units**" has the meaning set out in Recital C;
- (z) **"Residents**" means collectively, the tenants of the Rental Units and **"Resident**" means any one of them;
- (aa) "Rules" has the meaning set out in section 5.4(a);
- (bb) "Services" has the meaning set out in Recital H;
- (cc) "Shared Vehicles" has the meaning set out in Recital E;
- (dd) **"Shared Vehicle Deployment Sequence**" has the meaning set out in section 2.4;
- (ee) **"Shared Vehicle Minimum Term**" means the term of three (3) years for each Shared Vehicle, commencing from the later of the Commencement Date or the first date that the applicable Shared Vehicle is made available for use by Modo Members at a Shared Vehicle Parking Space;
- (ff) "Shared Vehicle Parking Space" has the meaning set out in Recital G:
- (gg) "Subject Shares" has the meaning set out in section 2.1(b);
- (hh) "Sustainable Usage Levels" means the level of use of the Modo vehicles by Modo Members that remains cost-effective to meet Modo's usage goals; and,
- (ii) "Term" means the term of this Agreement as described in section 9.1.

ARTICLE 2 - PROJECT FEE

- 2.1 At least sixty (60) days prior to Estimated Occupancy Date, Developer will pay to Modo the aggregate sum of \$32,000.00 plus GST (the "**Project Fee**"), representing the following:
 - (a) \$1,000.00 for the purchase of one hundred (100) Membership Shares (the "**Subject Shares**"); and
 - (b) the Project Fee minus \$1,000.00 to be used by Modo toward the ownership costs of one (1) Shared Vehicle.
- 2.2 Upon payment of the Project Fee, Modo will issue the Subject Shares to Developer and will issue a receipt to Developer confirming payment of the Project Fee to Modo.



- 2.3 Developer agrees that Modo will not be under any obligation whatsoever to provide the Services or issue the Subject Shares if Modo has not received full payment of the Project Fee from Developer by the required deadline set out in section 2.1 of this Agreement.
- 2.4 When the terms for the provision of each of the second of the Shared Vehicles have been satisfied pursuant to the provisions in the applicable row of the deployment sequence of the Shared Vehicles (the "Shared Vehicle Deployment Sequence") as set out in Schedule C hereto, Modo will provide written notice (the "Phased Shared Vehicle Purchase Notice") to Developer, and, within 30 days, Developer will pay to Modo the sum of \$32,000.00 plus GST (the "Phased Shared Vehicle Project Fee") to be used by Modo toward the ownership costs of such additional Shared Vehicle.
- 2.5 Upon payment of a Phased Shared Vehicle Project Fee, Modo will issue a receipt to Developer confirming payment of such Phased Shared Vehicle Project Fee to Modo.
- 2.6 If the Occupancy Permit is issued later than in the year 2026, the Contract Fees will increase by 4% for each year thereafter, on January 1st of such year and until the Occupancy Permit is issued, including the year the Occupancy Permit is issued.

ARTICLE 3 - BENEFITS AND OBLIGATIONS OF DEVELOPER

- 3.1 Developer agrees to designate the Shared Vehicle Parking Spaces for the exclusive use of Modo as set out in Schedule A hereto, in compliance with the standards set out in Schedule B and free-of-charge to Modo from the Commencement Date and throughout the Term.
- 3.2 Developer agrees that throughout the Term, subject to section 11.5, the Shared Vehicle Parking Spaces will be accessible to and exclusively useable by Modo Members on a 24 hours a day, 7 days a week basis.
- 3.3 Developer permits Modo to directly authorize removal of unauthorized vehicles parked in the Shared Vehicle Parking Spaces through the towing company contracted by Developer, or a towing company of Modo's choice in the event there is not a designated contractor or if that contractor is unavailable. Any unauthorized vehicle parked in the Shared Vehicle Parking Spaces may be removed by Modo at the vehicle owner's risk and expense.
- 3.4 aDeveloper agrees that from the Commencement Date and throughout the Term, the EV Stations will be operational and designated for the exclusive use of Modo.
- 3.5 At least sixty (60) days prior to the date Developer anticipates that the Occupancy Permit will be issued, Developer will provide written notice to Modo of such estimated date (the "Estimated Occupancy Date").



- 3.6 Promptly upon issuance of the Occupancy Permit, Developer will further provide Modo with written notice of the Commencement Date.
- 3.7 Upon completion of Developer's obligations under section 2.1 and assumption of this Agreement by the Membership Holder pursuant to section 4.1, Developer will cause the Subject Shares, which together form the Partnership Membership, to be transferred to and registered in the name of the Membership Holder and the Membership Holder will hold the Subject Shares on behalf of and for the benefit of the Residents, subject to section 5.4.
- 3.8 Developer warrants that it will cause its subsidiaries and any party which may manage or operate the Development from time to time to comply with the terms of this Agreement and will cause any of its successors or permitted assigns to enter into an assumption agreement, provided that, upon such assumption, Developer will be released of its obligations hereunder to the extent its obligations are so assumed.

ARTICLE 4 - ASSUMPTION BY MEMBERSHIP HOLDER

- 4.1 Once Developer is in a position to do so (as determined by Developer in its sole discretion), Developer will:
 - (a) assign the Developer's interest in and to this Agreement to the Rental Owner;
 - (b) cause the Rental Owner to assume: (i) Developer's covenants and obligations under this Agreement as it relates to the Development; and (ii) any other covenants and obligations under this Agreement as it relates to the Development which are expressly identified as covenants or obligations of the Rental Owner or the Membership Holder; and
 - (c) transfer an undivided interest in and to the Subject Shares to the Rental Owner concurrently with such assumption, and Modo hereby consents to such transfer.
- 4.2 Effective upon the assumption of this Agreement by the Membership Holder pursuant to section 4.1, Developer and its nominees, subsidiaries and other affiliates will have no further obligations or liabilities whatsoever hereunder, except that Developer (and not the Membership Holder) will continue to be liable for Developer's obligations under section 2.4.

ARTICLE 5 - BENEFITS AND OBLIGATIONS OF THE MEMBERSHIP HOLDER

5.1 The parties agree that, following the transfer described in section 4.1, the Subject Shares will be registered in the name of the Membership Holder. The Membership Holder will be the legal owner of all the Subject Shares, and their beneficial interest will vest in the Residents in accordance with this Agreement.



- 5.2 The Subject Shares, and the benefit of the Partnership Membership, will not be allocated or divided in any manner as between the Residents, and there will be no limit on the number of Residents of any given Rental Unit that may apply to be Partner Users at any given time (subject to the overall limit on the number of Partner Users set out in section 6.1).
- 5.3 The parties agree that the Residents will not automatically become Modo Members and must apply to join Modo and meet Modo's membership requirements in order to be eligible to use the Shared Vehicles and participate in the Carsharing Program.
- 5.4 The Membership Holder agrees that, upon assuming this Agreement, it will:
 - (a) use reasonable commercial efforts to make available to the Residents the rules set out in Schedule D hereto (the "**Rules**"); and
 - (b) at all times retain joint ownership of the Subject Shares.
- 5.5 Every six (6) months during the Term (commencing within six (6) months after the Commencement Date), Modo will provide the Rental Owner in writing with the name of each Partner User.
- 5.6 Within thirty (30) days after receipt of the information, referred to in section 5.5, the Membership Holder will confirm to Modo in writing which Partner Users have, to the best of the applicable Membership Holder's knowledge, ceased to be Residents, and Modo will cancel such Partner Users' benefits of the Partnership Membership and such former Residents will cease to be Partner Users.
- 5.7 The Rental Owner agrees to pay for the electricity withdrawn from the EV Stations when due and Modo will reimburse the Rental Owner in accordance with section 6.15.

ARTICLE 6 - BENEFITS AND OBLIGATIONS OF MODO

- 6.1 Modo agrees that the Partnership Membership will allow up to a maximum number of Residents to be Partner Users at any given time, such maximum number to be equal to the Contract Fees paid hereunder at such given time divided by \$500, rounded down to the closest whole number. For greater certainty, once the foregoing number of Partner Users has been reached, no other Resident may become a Partner User unless an existing Partner User ceases to be a Partner User.
- 6.2 Any number of Residents of any given Rental Unit may apply to Modo to become Partner Users, and each such Resident who becomes a Partner User will count as a separate Partner User for the purposes of the limit set out in section 6.1.



- 6.3 Modo covenants and agrees that the Partnership Membership will grant Partner Users the benefit of usage of Modo vehicles at the same usage rates as shareholders of Modo but without voting rights.
- 6.4 Modo will use the Contract Fees, less the amount required to purchase the Subject Shares, toward the ownership costs of two (2) new four-wheeled automobiles with electric motorization, provided that Modo may temporarily use four-wheeled automobiles with internal combustion engines as the Shared Vehicles if Modo is unable to procure and deliver new four-wheeled automobiles with electric motorization within the time period set out in the Shared Vehicle Deployment Sequence. In the event that Modo is temporarily using four-wheeled automobiles with internal combustion engines as the Shared Vehicle, Modo will use reasonable commercial efforts to replace such automobiles with new four-wheeled automobiles with electric motorization as soon as possible after the Commencement Date at no additional cost to Developer or the Membership Holder.
- 6.5 Forthwith upon the purchase of each Shared Vehicle, Modo will provide Developer with a copy of such Shared Vehicle's registration evidencing that such Shared Vehicle is registered in the name of Modo together with proof of insurance.
- 6.6 Modo will deliver the Shared Vehicles to the Shared Vehicle Parking Spaces and will make the Shared Vehicles available for use by Modo Members in accordance with the terms of this Agreement and pursuant to the Shared Vehicle Deployment Sequence.
- 6.7 In the event that the Occupancy Permit is not issued within thirty (30) days after the Estimated Occupancy Date, Modo reserves the right to park the Shared Vehicles at another location suitable for its use within the Carsharing Program and make them available for use by Modo Members, provided always that Modo will deliver the Shared Vehicles to the Shared Vehicle Parking Spaces by no later than the date(s) set out in the Shared Vehicle Deployment Sequence.
- 6.8 Modo agrees to provide the Shared Vehicles for the use of Modo Members and to cause the Shared Vehicles to be parked in the Shared Vehicle Parking Spaces at all times when not in use by a Modo Member and when not being repaired or serviced.
- 6.9 Modo will be the sole provider of the Carsharing Program in respect of the Shared Vehicles during the Term.
- 6.10 The parties agree that Modo will not be responsible for any costs related to the use of and access to the Shared Vehicle Parking Spaces during the Term, including, without limitation, the maintenance of the Shared Vehicle Parking Spaces.



- 6.11 Notwithstanding the foregoing, Modo must promptly and at its own expense clean up any oil or other substance which spills or leaks from a Shared Vehicle into or onto any part of the Development, failing which Developer may clean up such spill or leak, and Modo will, forthwith on demand reimburse Developer for the cost thereof.
- 6.12 Modo will at its sole expense provide Developer with appropriate signage for the Shared Vehicle Parking Spaces.
- 6.13 Modo will be solely responsible for providing and paying for the Services, including but not limited to the operation, administration, maintenance, repair, replacement and insurance costs in respect of the Shared Vehicles and the Carsharing Program in a prudent manner. If a Shared Vehicle is damaged beyond repair during the Shared Vehicle Minimum Term for such Shared Vehicle, then Modo will promptly replace such Shared Vehicle with a vehicle of at least equivalent value and function and such replacement vehicle will constitute the Shared Vehicle for all purposes hereunder.
- 6.14 The parties agree that Developer and the Membership Holder will not be responsible for any costs associated with the Shared Vehicles, the EV Stations, the Carsharing Program or the Services, including, without limitation, any applicable taxes or delivery fees in respect of the purchase of the Shared Vehicles or any user or membership fees of any of the Residents, other than the payment of the Contract Fees and the maintenance, use of and access to the Shared Vehicle Parking Spaces and EV Stations.
- 6.15 Modo will reimburse the Rental Owner the amount paid by the Rental Owner for the electricity withdrawn from the EV Stations, based on data logs and reports from the EV Stations. The reimbursement will be made in arrears on a yearly basis, starting on the Commencement Date or such other date as may be agreed upon by the Rental Owner and Modo.
- 6.16 Modo reserves the right to temporarily relocate some or all of the Shared Vehicles from the Shared Vehicle Parking Spaces if some or all of the Shared Vehicle Parking Spaces cannot be used as contemplated in section 3.1 or 3.2 and for a duration greater than twenty-four (24) consecutive hours, provided that once the Shared Vehicle Parking Spaces are available for use as contemplated in sections 3.1 and 3.2, Modo will promptly return the Shared Vehicles back to the Shared Vehicle Parking Spaces.
- 6.17 Modo reserves the right to temporarily relocate some or all of the Shared Vehicles from the Shared Vehicle Parking Spaces if some or all of the EV Stations cannot be used as contemplated in section 3.4 for a duration greater than twenty-four (24) consecutive hours, provided that once the EV Stations are available for use as contemplated in section 3.4, Modo will promptly return the Shared Vehicles back to the Shared Vehicle Parking Spaces.



- 6.18 Modo will provide orientation to all Residents wishing to participate in the Carsharing Program.
- 6.19 Modo will provide Developer with marketing materials to promote participation in the Services to Residents and prospective residents of the Development.
- 6.20 Modo confirms and agrees that, in accordance with Modo's membership documentation, each Resident will be individually responsible for any and all actions, causes of action, costs or claims of whatsoever type or nature levied or made by Modo or by any other person as a result of or in connection with such Resident's participation in the Services or otherwise arising from the Subject Shares of, or membership in, Modo held by the Membership Holder or its affiliates, subsidiaries, successors or assigns.
- 6.21 Modo represents and warrants that there are no other obligations associated with the holding of the Subject Shares by the Membership Holder beyond those which are contemplated in this Agreement, in the Rules, or at law.

ARTICLE 7 - MARKETING AND ASSESSMENT

- 7.1 Modo acknowledges that the Rental Units will be occupied by Residents that will change over time.
- 7.2 Modo will establish a marketing program (the "Marketing Program") where Modo will, within fifteen (15) days following the Commencement Date, credit \$100 of driving credits ("Driving Credits") to the Modo account of each Resident who becomes a Modo Member for the first time, which Driving Credits will only be applied to fees for usage of Modo vehicles, for the duration of the Term.
- 7.3 Throughout the duration of the leasing and occupancy phases of the Development, Developer agrees to communicate the benefits of the Carsharing Program to prospective residents and Residents. This will be done through Developer's existing communications channels such as email, website, collateral, leasing agents and property managers, with the intent to raise awareness and usage of the Services, and with the information and materials in support provided by Modo, including:
 - (a) a short description of Modo, the Services, the Driving Credits and the Partnership Membership on the Development's website (if applicable);
 - (b) to the extent permitted by law, a direct email or mail to the Residents shortly after such Residents have moved into the Development, with a link to a dedicated "welcome" page on Modo's website;
 - (c) to the extent permitted by law, a follow up direct email or mail to the Residents six (6) months after first occupation of the Development, with a link to a dedicated "welcome" page on Modo's website; and



 (d) a small notice (sticker or poster) in a prominent location (i.e. elevator, community room), providing a short description of the Services, the Driving Credits and the Partnership Membership,

and the Membership Holder consents and agrees to the foregoing and will take such steps as reasonably required to assist Developer in carrying out the foregoing obligations.

- 7.4 From the date of this Agreement until the termination of this Agreement, Developer and Modo will allow use of each other's graphics in advertising and promotional activities conducted by either party. Such use of graphics must be in a manner whereby the graphics remain in their original form and each party will use the most recent version of the other party's graphics (as approved by each party in writing).
- 7.5 Developer and Modo will only use each other's wordmarks, logos or trade names pursuant to section 7.4 solely in connection with activities relating to the Development. Any other use must receive the prior written approval of each party (by mail or electronic mail).
- 7.6 The Membership Holder will permit Modo to assess, not more than once a year, the impacts of its Services by facilitating the administration of assessment measures including, but not limited to (and to the extent permitted by law), the distribution of emails, surveys and questionnaires for the Residents relative to the Services, provided that the Residents, in their sole discretion, may elect not to participate in any such assessment measures.

ARTICLE 8 - SECURITY INTEREST

- 8.1 Subject to receipt of the applicable Contract Fees for the applicable Shared Vehicle or Shared Vehicles, Modo agrees to grant to Developer a security interest in such Shared Vehicle or Shared Vehicles and to execute and deliver to Developer a security agreement in substantially the form attached as Schedule E hereto.
- 8.2 Modo acknowledges and agrees that Developer may register a security interest in each Shared Vehicle for a term equal to the Shared Vehicle Minimum Term for such Shared Vehicle in the British Columbia Personal Property Registry.

ARTICLE 9 - NO FIXED TERM

9.1 The term (the "**Term**") will commence on the date this Agreement is executed by the parties. This Agreement will not have a fixed term and will continue in full force and effect until terminated in accordance with the terms hereof provided that Modo agrees to provide the Services in respect of each Shared Vehicle for a minimum term equal to the Shared Vehicle Minimum Term for such Shared Vehicle.



ARTICLE 10 - MUTUAL REPRESENTATIONS

- 10.1 Each party represents and warrants to the other that:
 - (a) it is an entity duly organized and validly existing under the laws of its jurisdiction of organization or incorporation;
 - (b) it has the requisite power and authority to enter into this Agreement and to carry out its obligations under this Agreement; and
 - (c) such party's obligations under this Agreement constitute legal, valid and binding obligations, enforceable against such party in accordance with the terms herein.

ARTICLE 11 - TERMINATION AND AMENDMENT

- 11.1 Developer and Modo agree that, if after execution of this Agreement, Developer does not receive approval for a development permit, a building permit or any other permit necessary to construct and complete the Development from the Municipality then Developer will give notice of same and thereafter this Agreement will terminate and both parties will be relieved of their obligations herein, except as expressly set out herein.
- 11.2 No amendment, addition, deletion or other modification to this Agreement will be effective unless in writing and signed by each party.
- 11.3 During a Shared Vehicle Minimum Term, this Agreement may not be amended or terminated without the prior written consent of the Municipality.
- 11.4 Notwithstanding sections 11.2 and 11.3, Modo reserves the right to make reasonable amendments to the rules governing the Membership Shares and ownership of the Subject Shares as set out in Schedule D, so long as such changes apply equally to all Residents. Upon any amendments, Modo will immediately notify the Membership Holder, following which the Membership Holder will notify the Residents of such amendments.
- 11.5 Developer and Modo agree that, if the usage of a Shared Vehicle falls below Sustainable Usage Levels, and only after the Shared Vehicle Minimum Term of such Shared Vehicle has expired, Modo may exercise its right, in its sole discretion, to: (i) replace such Shared Vehicle with any vehicle of Modo's choice, or (ii) relocate such Shared Vehicle from the Shared Vehicle Parking Spaces, in each case so as to ensure that the terms of the Agreement are not oppressive to Modo or its members.
- 11.6 In the event of relocation of all Shared Vehicles pursuant to section 11.5, then the Shared Vehicle Parking Spaces will no longer need to be made available to Modo and sections 3.1 to 3.4, 5.7, 6.8, 6.9, 6.12 and 6.15 will cease to apply, and Modo will not be obligated hereunder to provide the Services or make the Shared



Vehicles available for use of Residents, but, for greater certainty, the Partnership Membership will continue in effect. For the avoidance of doubt, in the event of a replacement of a Shared Vehicle pursuant to section 11.5, this section 11.6 will not apply.

- 11.7 If the Development is destroyed and not rebuilt in a form substantially similar to the original buildings, either of the parties may terminate this Agreement and in such case Modo will cancel the Subject Shares held by the Membership Holder, and the Membership Holder will not be entitled to a refund of the purchase price paid for the Subject Shares or any part thereof.
- 11.8 Either party will have the right to terminate this Agreement forthwith on the dissolution, winding up or bankruptcy of the other party.

ARTICLE 12 - SUBSEQUENT TRANSFERS OF RENTAL UNITS

12.1 If at any time following the assumptions and transfer referred to in section 4.1, the Rental Owner subsequently transfers its interest in the Rental Units to a transferee, then the Rental Owner will cause such transferee to execute an assumption agreement which provides that such transferee agrees to be bound by the terms and conditions of this Agreement and assumes all of the obligations of Developer and the Membership Holder under this Agreement, and the Rental Owner will transferee, and the transferring Rental Owner will not be liable for any obligations or liabilities arising hereunder from and after the date of such transfer.

ARTICLE 13 - DEFAULT

13.1 A party claiming default under the terms of this Agreement must provide the defaulting party with written notice of the default. If the defaulting party fails to correct the default within thirty (30) days of receipt of such written notice, the party claiming default may deliver notice of dispute in accordance with section 14.1(a) and proceed with the dispute resolution procedures provided for in ARTICLE 14 -.

ARTICLE 14 - DISPUTE RESOLUTION

- 14.1 If a dispute arises between the parties in connection with this Agreement, then Developer and Modo agree to use the following procedure to resolve the dispute:
 - (a) the party initiating the dispute will send a notice of dispute in writing to the other party which notice will contain the particulars of the matter in dispute and the relevant provisions of this Agreement and the responding party will send a notice of reply in writing to the other party to the dispute within ten (10) days after receipt of the notice of dispute, setting out particulars of its response and any relevant provisions of the Agreement;



- (b) if the dispute remains unresolved for thirty (30) days after a notice of dispute has been issued as per section 14.1(a)., or if a default is not cured within thirty (30) days after either party notifies the other of such default, the parties will agree upon and appoint a Mediator for the purpose of mediating such dispute. The appointment of the Mediator will be carried out in accordance with the terms and conditions of an agreement to be entered into between the parties and the Mediator which will set out the terms of reference for the engagement of the Mediator. The Mediator will conduct a non-binding mediation of the dispute according to the rules and procedures as determined by the Mediator. If the parties fail or neglect to agree upon a Mediator within ten (10) days following the end of the relevant 30-day period referred above, the dispute will be resolved by an Arbitrator (as defined below) in accordance with section 14.1(d). No individual with any direct or indirect interest in the subject matter of this Agreement or any direct or indirect interest in the parties to this Agreement may be appointed as a Mediator;
- (c) if the dispute has not been resolved within ten (10) days after the Mediator has been appointed under section 14.1(b), or within such further period agreed to by the parties, the Mediator will terminate the mediated negotiations by giving notice in writing to both parties;
- (d) except for claims for injunctive relief, all claims and disputes between the parties to this Agreement arising out of or relating to this Agreement which are not resolved by the Mediator in accordance with section 14.1, will be decided by final and binding arbitration before a single arbitrator (the "Arbitrator") in accordance with the Arbitration Act (British Columbia). The parties will agree upon the Arbitrator within fifteen (15) days of the Mediator terminating the mediated negotiations. Failing such agreement between the parties, such Arbitrator will be finally chosen by reference to a Judge of the Supreme Court of British Columbia. The Arbitrator will not have any direct or indirect interest in the subject matter of the Development or any direct or indirect interest in either party of subsidiaries of the parties to this Agreement. No arbitration arising out of or relating to this Agreement will include, by consolidation or joinder or in any other manner, an additional person not a party to this Agreement, except by written consent containing specific reference to this Agreement and signed by each party and any other person sought to be joined. This provision will be specifically enforceable in any Court of competent jurisdiction;
- (e) the parties covenant and agree that the Arbitrator appointed hereunder will have the power to, among other things, specifically declare that a party to this Agreement is in default of the terms of the Agreement and, in appropriate circumstances, declare that the Agreement is terminated and award damages for breach of contract or otherwise;



- (f) an award or order rendered by the Arbitrator will be final and binding upon the parties, and judgment may be entered upon it in accordance with applicable law in any Court having jurisdiction within the Province of British Columbia;
- (g) unless otherwise agreed in writing by the parties, the parties will continue to meet their obligations under this Agreement while the mediation and arbitration processes are continuing; and
- (h) the parties will each bear their own costs in connection with the foregoing and all costs of any mediation or arbitration (including the cost of the Mediator and the Arbitrator) will be shared equally by the parties.
- 14.2 The dispute resolution provisions of section 14.1 will survive termination of this Agreement in respect of any dispute resolution process that is commenced under section 14.1 prior to the date of termination.

ARTICLE 15 - NOTICES

- 15.1 Notices under this Agreement will be given in writing by personal delivery or by email to the following addresses or electronic mail addresses set out below:
 - (a) Developer:
 - ASI Vivo GP Inc., 400 1550 5th Street SW, Calgary, AB, T2R 1K3
 - Email: ralph.bennetsen@arlingtonstreet.ca
 - (b) Modo
 - 200 470 Granville Street, Vancouver, BC, V6C 1V5
 - Email: info@Modo.coop
- 15.2 All notices will be deemed to have been delivered on the date of delivery, if delivered, and on the next business day following, if emailed.
- 15.3 Addresses for notices may be amended by written notice from one party to the other.

ARTICLE 16 - ASSIGNMENT

16.1 Neither party will transfer or assign this Agreement to any other party without the prior written consent of the parties to this Agreement, which consent will not be unreasonably withheld. Notwithstanding the foregoing, Developer may assign this Agreement to the Rental Owner without Modo's prior consent but on notice to Modo, which notice will include the contact information of the parties to which the Agreement is being assigned.



ARTICLE 17 - INDEMNITY

17.1 Each party agrees to indemnify and save harmless the other party from and against all losses, costs, damages, suits, actions, causes of action, claims or demands in any way resulting from, connected with or arising out of the first party's breach of its obligations under this Agreement. This section 17.1 will survive the termination of the Agreement.

ARTICLE 18 - GENERAL

- 18.1 Nothing in this Agreement nor the acts of the parties will be construed, implied or deemed to create an agency, partnership or joint venture relationship between the parties. Neither party has the right or authority to, and will not, assume or create any obligation of any nature whatsoever on behalf of the other party or bind the other party in any respect whatsoever.
- 18.2 This Agreement constitutes the entire agreement between the parties with respect to the subject-matter hereof and cancels and supersedes any prior understandings and agreements between the parties with respect thereto. There are no representations, warranties, terms, conditions, undertakings or collateral agreements, express, implied or statutory, between the parties other than as expressly set forth in this Agreement.
- 18.3 Any provision of this Agreement that is or becomes unenforceable will be unenforceable to the extent of such unenforceability without invalidating the remaining provisions hereof.
- 18.4 Any waiver or consent will be effective only in the instance and for the purpose for which it is given. No failure or delay on the part of either party in exercising any right, power or privilege under this Agreement will constitute a waiver thereof nor will any single or partial exercise of any right, power or privilege preclude any other or further exercise thereof or the exercise thereof or the exercise of any other right, power or privilege.
- 18.5 This Agreement will enure to the benefit of and be binding upon the parties and their heirs, executors, administrators, personal representatives, respective successors and permitted assigns.
- 18.6 The parties will at all times do, execute, acknowledge and deliver such acts, deeds, agreements and other instruments as may be reasonably necessary or desirable to give full force and effect to the terms of this Agreement.
- 18.7 This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia, and the federal laws of Canada applicable therein and each party irrevocably attorns to the exclusive jurisdiction of the courts of the Province of British Columbia.



18.8 This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original and all of which taken together will be deemed to constitute one and the same instrument. Delivery of an executed counterpart of this Agreement by facsimile or electronic means will be equally effective as delivery of a manually executed counterpart thereof.

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first written above.

By Modo:

MODO CO-OPERATIVE, by its authorized signatory

DocuSigned by: 'atrick Nan By: Name: Patrick Nangle Title: CEO

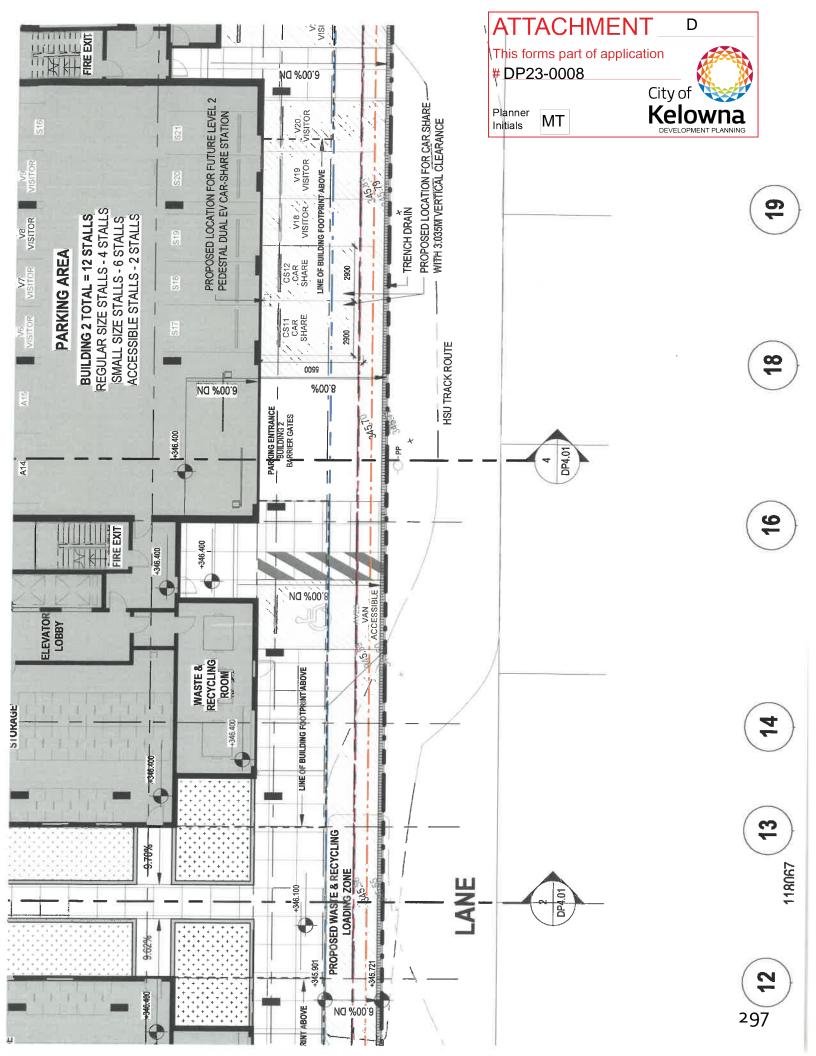
By Developer: ASI VIVO GP INC, by its authorized signatory By: FRANK LONARDELLI 4 Name: Title:



SCHEDULE A SHARED VEHICLE PARKING SPACES

[Parking drawings inserted on subsequent page]

Page 1 of 1





SCHEDULE B CONSTRUCTION STANDARDS FOR SHARED VEHICLE PARKING SPACE

The Shared Vehicle Parking Space shall be constructed to the satisfaction of the General Manager of Engineering Services and the Chief Building Official of the municipality where the Shared Vehicle Parking Space is being constructed, and in accordance with the following specifications and requirements:

1. General

The Shared Vehicle Parking Space shall be constructed, finished and designated in accordance with applicable municipal building permits, by-laws, policies and guidelines, including the municipal standards as required by the Parking By-law and Building By-law applying to the property upon which the Shared Vehicle Parking Space is being constructed.

2. Dimensions

The Shared Vehicle Parking Space dimensions shall be standardized:

- The minimum height shall be 2.0 meters.
- The minimum width shall be 2.9 meters.
- The minimum length shall be 5.5 meters.

Tandem parking shall not be permitted. Perpendicular and angle parking shall be preferred.

Where one side of a Shared Vehicle Parking Space abuts any portion of a fence or structure, there shall be a horizontal clearance of at least 30 centimetres between such side of the Shared Vehicle Parking Space and the said fence or structure.

3. Location

It is preferred to locate the Shared Vehicle Parking Space at either street level or lane level. If locating the Shared Vehicle Parking Space at street level or lane level is not feasible, the Shared Vehicle Parking Space shall be located at the parking level of the parkade closest to the street level, second only in selection to the siting of disability parking spaces.

If the Shared Vehicle Parking Space is located underground or above ground, the location of the Shared Vehicle Parking Space will be chosen to ensure the greatest possible visibility of the space and most convenient access to the building, second only in selection to the siting of disability parking spaces.

When several Shared Vehicle Parking Spaces are provided, the spaces shall be located next to each other or in close proximity.



4. Access

Permitted users of the Shared Vehicle to be parked on the Shared Vehicle Parking Space must have the ability to access the Shared Vehicle Parking Space 24 hours a day, 7 days a week.

The procedure for permitted users to self-access the Shared Vehicle Parking Space by foot when the Shared Vehicle Parking Space is located in a gated parkade shall consist in typing a code on a keypad or swiping a key fob on a fob reader. The procedure shall be simple and consistent to prevent access disruption.

In the event that a keypad is being used to provide access to the Shared Vehicle Parking Space, it should be possible to change the code of the keypad over time.

The procedure for permitted users to depart from and return to the parkade with a Shared Vehicle when the Shared Vehicle Parking Space for the Shared Vehicle is located in a gated parkade shall consist in typing a code on a keypad or swiping a key fob on a fob reader or using a remote control. The procedure shall not require for the permitted users to step out of the Shared Vehicle to perform the procedure.

In the event that remote controls are being used for permitted users to depart from and return to the parkade with a Shared Vehicle, Modo shall be provided with one more remote control than the number of Shared Vehicles to be parked in the parkade.

The location of the Shared Vehicle Parking Space and procedure to access the Shared Vehicle Parking Space in a gated parkade shall be designed to mitigate potential security concerns from users of the parkade.

5. Maneuverability

The location of the Shared Vehicle Parking Space will be chosen to ensure the Shared Vehicle can be parked in the Shared Vehicle Parking Space driving forward with an angle of approach between 0° and 90°.

An angle of approach to park the Shared Vehicle in the Shared Vehicle Parking Space between 90° and 180° or the need to park the Shared Vehicle in reverse shall not be permitted.

The location of the Shared Vehicle Parking Space shall not require a maneuver more complex than a three-point turn to drive the Shared Vehicle out of the Shared Vehicle Parking Space.

If the Shared Vehicle Parking Space is located in a parkade with an entry/exit ramp, the location of the Shared Vehicle Parking Space shall not require for the Shared Vehicle to be driven in reverse to exit the parkade.



6. Signage

The Shared Vehicle Parking Space shall be clearly designated with signage and pavement markings.

Clear, visible and legible signs shall be placed directing users of the Shared Vehicle to the location of the Shared Vehicle Parking Space, indicating which parking space is the Shared Vehicle Parking Space and marking it as being reserved for the exclusive purpose of parking a Shared Vehicle.

A symbol (similar to that approved for a disability space) shall be stamped/painted on the Shared Vehicle Parking Space.

7. Lighting

The Shared Vehicle Parking Stall shall be illuminated to the satisfaction of the General Manager of Engineering Services of the municipality where the Shared Vehicle Parking Space is being constructed with:

- average illumination levels of 11 Lux with a uniformity ratio (average level to minimum level) of 3:1;
- luminaires situated in such a way so as not to directly throw light onto streets, lanes, or adjacent properties; and
- a photocell or equivalent switch that will activate the lighting system when ambient light levels are 11 Lux or less.

8. Connectivity

Sufficient 3G and/or 4G LTE cellular network reception signal of the cellular network used for the operation of the Shared Vehicle shall be supplied at the Shared Vehicle Parking Space to ensure the reliable operation of the Shared Vehicle service, with:

- a Received Signal Strength Indicator (RSSI) for 3G cellular network superior to -86 dBm; and
- a Reference Signal Received Power (RSRP) for 4G LTE cellular network superior to -106 dBm.

9. Electric Vehicle charging infrastructure

The Vehicle Parking Space must be provided with an EV Station (as defined below).

EV Station means a 40 amp (minimum), 208-volt, single phase Level 2 electric vehicle charging level (as defined by SAE International's J1772 standard) charging outlet capable of charging an electric vehicle and includes all wiring, electrical transformer and other electrical equipment necessary to supply the required electricity for such outlet, and mechanical ventilation modifications, all of which is to be provided, installed,



maintained and replaced by Developer, at Developer's sole cost and to be used for the sole purpose of supplying electricity to the Shared Vehicle Parking Space.

The EV Station must feature:

- a. a RFID card reader to enable/disable power distribution, which card reader must be set-up to only enable and disable power distribution when presented with the RFID card(s) used by Modo; and
- b. networking/telematic functionalities which permit remote set-up of the EV Station, monitor of its status and collection of utilization data.

Modo must be granted administrator credentials for the EV Station to monitor it through its EV charging management software/web portal.



SCHEDULE C SHARED VEHICLE DEPLOYMENT SEQUENCE

Shared Vehicle	Commenceme nt of Shared Vehicle deployment	Conditions for deployment of the Shared Vehicle
Shared Vehicle #1	Within seven (7) days after the Commencement Date.	 The Project Fee has been paid to Modo at least 60 days prior to the Estimated Occupancy Date as per section 2.1 of this Agreement; The Shared Vehicle Parking Spaces are available for use by Modo as contemplated in sections 3.1 and 3.2 of this Agreement; and One (1) EV Station (or more) is available for use by Modo as contemplated in section 3.4 this Agreement.
Shared Vehicle #2	Within 60 days after all conditions set out in the column titled	 Aggregate utilization of all Modo vehicles located within one (1) kilometre radius of the Development is equal or superior to the 40th percentile of Modo's vehicle fleet overall during an entire fiscal quarter;
	"Conditions for deployment of the Shared	 The Shared Vehicle Parking Spaces are available for use by Modo as contemplated in sections 3.1 and 3.2 of this Agreement;
	Vehicle" for Shared Vehicle #2 are met or earlier if	 The Phased Shared Vehicle Project Fee has been paid to Modo as per section 2.4 of this Agreement for purchase of Shared Vehicle #2;
	deemed appropriate by Modo.	 Shared Vehicle #1 is available to Modo Members as part of the Carsharing Program; and
		 The EV Stations are available for use by Modo as contemplated in section 3.4 of this Agreement.

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SCHEDULE D PARTNERSHIP MEMBERSHIP RULES

- 1. The following terms have the following meanings:
 - (a) "Development" means the rental residential development known as Vivo located at ______in Kelowna, British Columbia;
 - (b) "Membership Holder" means the registered owner of the Development;
 - (c) "Modo" means Modo Co-operative;
 - (d) **"Residents**" means, collectively, residents of the Development, and each such resident is referred to herein as a "**Resident**"; and
 - (e) "Strata Corporation" means the strata corporation for the Strata Development.
- 2. The Membership Holder has entered into, or has assumed an agreement (the "Cooperative Carsharing Agreement") with Modo pursuant to which Modo granted to the Membership Holder a Modo partnership membership (the "Membership") by issuing to the Membership Holder a certain number of membership shares in Modo (the "Modo Shares") for the benefit of Residents, as set out in the Co-operative Carsharing Agreement, so Residents can benefit from Modo membership privileges without the need to themselves pay Modo membership fees.
- 3. The Membership Holder will be the legal owner of the Modo Shares, and a certain number of Residents, as further set out in the Co-operative Carsharing Agreement, may, on a continuing basis, enjoy the benefits of the Membership subject to meeting Modo's eligibility requirements as set out on Modo's website from time to time and as set out herein (the "Membership Eligibility Criteria").
- 4. Residents who are granted the rights and benefits of the Membership from time to time (the "**Partner Users**" and, each a "**Partner User**") will benefit from the same price plan for usage of Modo vehicles as other member shareholders of Modo but, for clarity, will not have any voting rights in respect of the Membership or Modo.
- 5. Any Resident may apply to become a Partner User, provided that membership privileges will be granted to applying and eligible Residents on a first-come, first-served basis.
- 6. In order for a Resident to become a Partner User, the Resident must submit to Modo, an application including (but not limited) to the following:
 - (a) the applicant Resident, if the holder of a driver's licence issued in British Columbia, Canada, must prove current residency at the Development by

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providing Modo with a copy of its current driver's records indicating their address within the Development;

- (b) the applicant Resident, if the holder of a driver's licence issued outside of British Columbia, Canada, must prove current residency at the Development by providing Modo with a copy of a bill indicating the name of the Resident and the Resident's address within the Development; and
- (c) the applicant Resident, must provide contact information and such other information regarding the Resident as may be reasonably required by Modo for the purposes of determining if the Resident qualifies for the Membership Eligibility Criteria.
- 7. Each Partner User will be responsible for and will save the Membership Holder harmless from any and all liabilities incurred by the Membership Holder and any and all actions, causes of action, costs or claims of whatsoever type or nature levied or made against the Membership Holder by Modo or by any other person, to the extent resulting from such Partner User's participation in the Membership and except to the extent resulting from the negligence or willful misconduct of the Membership Holder.
- 8. A Resident may only be a Partner User and may only exercise the rights and benefits of the Membership while such Resident meets the Membership Eligibility Criteria.
- 9. If at any time Resident who is a Partner User ceases to meet the Membership Eligibility Criteria, then the Resident will cease to be a Partner User and may only reapply to be a Partner User when the Resident again meets the Membership Eligibility Criteria.
- 10. Except as otherwise provided in these rules, a Partner User may only enjoy and exercise the benefits of the Membership while the Partner User is a Resident, and the benefits that a Partner User enjoys under the Membership may not under any circumstances be assigned, transferred or sold by the Partner User to any person.
- 11. If a Partner User does not book a Modo vehicle at least once during a period of twelve (12) consecutive months, Modo may cancel such Partner User's participation in the Membership.
- 12. The Modo Shares remain at all times in the name of the Membership Holder.
- 13. Partner Users may only make use of Modo vehicles in accordance with the policies and rules of Modo.
- 14. These rules will have no further force or effect upon termination of the Co-operative Carsharing Agreement.

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SCHEDULE E SECURITY AGREEMENT

BY: MODO CO-OPERATIVE 200 - 470 Granville Street Vancouver, BC V6C IV5

(the "Grantor")

IN FAVOUR OF:

(the "Secured Party")

WHEREAS:

A. The Secured Party has financed the acquisition by the Grantor of the following vehicle(.s):

Make/Model:	
Vehicle Identification Number:	

Make/Model:	
Vehicle Identification Number:	

(the "Shared Vehicles"); and

B. The Grantor has agreed to deliver this Agreement to create security over the interest it has in the Shared Vehicles for the benefit of the Secured Party.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and the covenants and agreements herein contained the Grantor and the Secured Party hereby agree as follows:

- Security Interest in the Shared Vehicles. As security for the performance by the Grantor of its obligations set forth in the Co-operative Carsharing Agreement attached hereto (the "Co-op Car Agreement"), the Grantor grants to the Secured Party a security interest (the "Security Interest") in all of its present and future right, title and interest in and to the Shared Vehicles.
- 2. **Grant of Security Interest in Proceeds of Collateral.** The Grantor also grants the Secured Party a security interest in the proceeds derived directly or indirectly from any dealing with the Shared Vehicles, including but not limited to, accounts receivable, bills of exchange, insurance proceeds, chattel paper, intangibles, motor vehicles, and all other after acquired property constituting proceeds. The Grantor acknowledges that the Security

Page 1 of 3

Interest hereby created attaches upon the execution of this Security Agreement, that the value has been given and that the Grantor has rights in the Shared Vehicles.

- 3. **Use and Location of the Shared Vehicles.** The Grantor will not sell, lease or otherwise dispose of the Shared Vehicles without the prior written consent of the Secured Party and the Grantor will keep the Shared Vehicles in good condition, reasonable wear and tear excepted.
- 4. **No Liens on Shared Vehicles.** The Grantor will not permit any lien, charge, encumbrance or security interest (each, a "Lien") to attach to the Shared Vehicles which ranks prior to or equal with or could in any event rank prior to the equal with the rank of the Security Interest. The Grantor will not enter into any agreement with any person which would obtain prior or equal rank for any Lien over the rank of the 'Security Interest'.
- 5. **Name of Grantor.** The Grantor covenants not to change its name without giving fifteen (15) days' prior written notice to the Secured Party (so as to enable the Secured Party to amend its registration in respect of this Agreement and protect its rights hereunder).
- 6. **Default.** It will be a "Default" under this Agreement if:
 - (a) the Grantor breaches or fails to perform any of the terms, conditions, obligations or covenants to be observed and performed by the Grantor under the Co-op Car Agreement, and persists in such failure or breach after thirty (30) days' notice by the Secured Party requiring that the Grantor remedy such failure or breach.
 - (b) the Grantor commits an act of bankruptcy or becomes insolvent or files a proposal or a notice of intention to file a proposal,
 - (c) an assignment for the benefit of creditors under applicable bankruptcy or similar legislation is made or a petition is filed,
 - (d) an order is made, a resolution is passed, or any other step is taken for the bankruptcy, liquidation, dissolution or winding-up of the Grantor or for any arrangement or composition of its debts, or
 - (e) a receiver, receiver and manager or receiver-manager of the Grantor is appointed.
- 7. **Remedies.** The Security Interest is immediately enforceable, upon the occurrence of a Default, and the Secured Party, at its option, may exercise at any time following such Default any or all of the rights, remedies, privileges and powers available to it under this Agreement, the Personal Property Security Act (British Columbia) or any other applicable legislation. All rights, remedies, privileges and powers of the Secured Party hereunder are cumulative and no such right, remedy, privilege or power is exhaustive but is in addition to each other right, remedy, privilege and power of the Secured Party hereunder or under any other agreement, instrument or document now or hereafter existing at law or in equity or by statute.
- 8. **Costs of Enforcement.** The Grantor will be responsible for payment of all costs, charges and expenses (including legal costs on a solicitor and own client basis) of the Secured Party of and incidental to any proceeding taken to enforce the remedies of this Agreement.

Page 2 of 3



- 9. **Loss, Injury or Destruction.** The loss, injury or destruction of the Shared Vehicle will not operate in any manner to release the Grantor from its obligations to the Secured Party under the Co-op Car Agreement.
- 10. **Term**. The Security Interest granted hereunder will terminate and be of no further force and effect as of the expiry of the Shared Vehicle Minimum Term (as defined in the Co-Op Car Agreement) for the Shared Vehicles.
- 11. **Amendment.** This Agreement may be altered or amended only by an agreement in writing signed by the parties hereto.
- 12. **Binding Effect.** This Agreement will enure to the benefit of and be binding upon the heirs, executors, administrators, legal and personal representatives, successors and permitted assigns of the parties, as applicable.
- 13. **Governing Law.** This Agreement is governed by and will be construed in accordance with the laws of the Province of British Columbia and the laws of Canada applicable therein.
- 14. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original and all of which taken together will he deemed to constitute one and the same instrument.
- 15. **Execution by Electronic Means**. This Agreement may be executed by the Grantors and transmitted by facsimile or other electronic means, and when it is executed and transmitted this Agreement will be for all purposes as effective as if the Grantor had delivered an executed original Agreement.

IN WITNESS WHEREOF the Grantor has executed this Agreement on the ____ day of

MODO CO-OPERATIVE, by its authorized signatory

By:

Name: Title:

Page 3 of 3



Development Permit

City of

Kelowna



Purpose

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

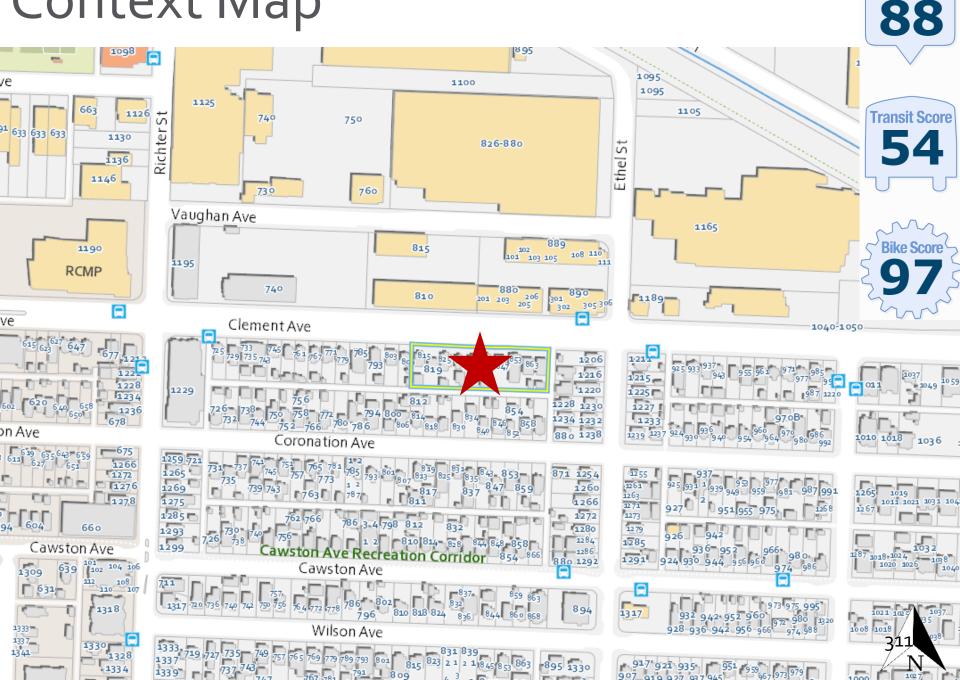


Development Process



kelowna.ca

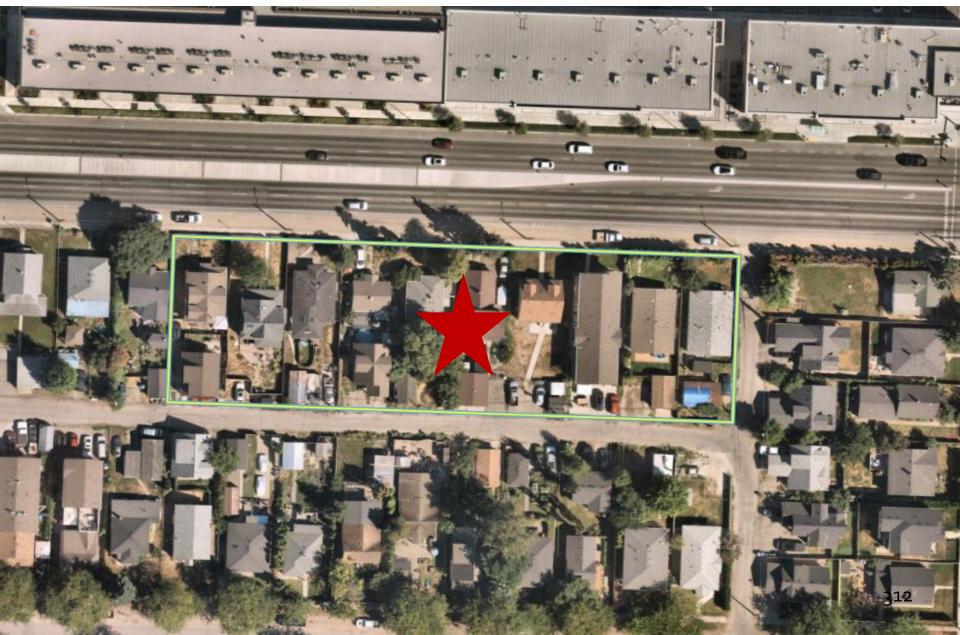
Context Map



Walk Score

Subject Property Map







kelowi

Technical Details

Two 6-storey rental apartment buildings

- 36 bachelor units
- ▶ 78 one-bedroom units
- 75 two-bedroom units
- 8 three-bedroom units
- 201 parking stalls
 - Shared underground parkade, at-grade structured parking, surface stalls, loading stalls
 - 2 Modo car share stalls
- 152 long-term bicycle spaces
- Common amenity space: indoor and outdoor
 - Rooftop patios: outdoor furniture, games tables, BBQs, bocce, dog run, planter boxes
- 16 trees along the street

Site Plan



Clement Ave



Lane

Elevations - North



Elevation – Building 1 - North



Elevation – Building 2 - North



Elevations - South



Elevations – Building 1 - South



Elevations – Building 2 - South

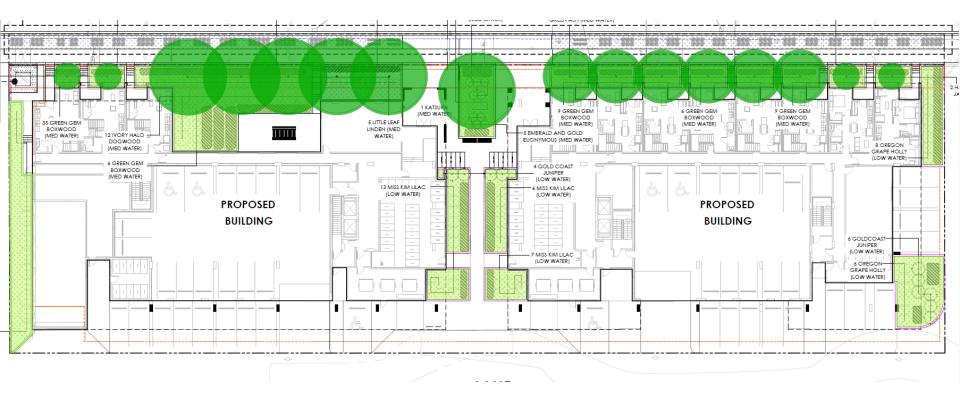


Materials Board

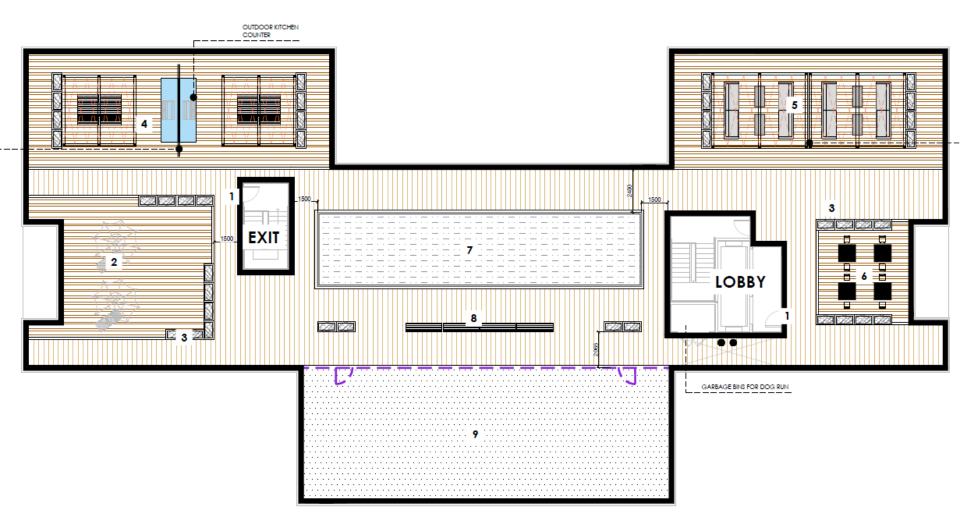


Landscape Plan





Rooftop Patio – Building 1



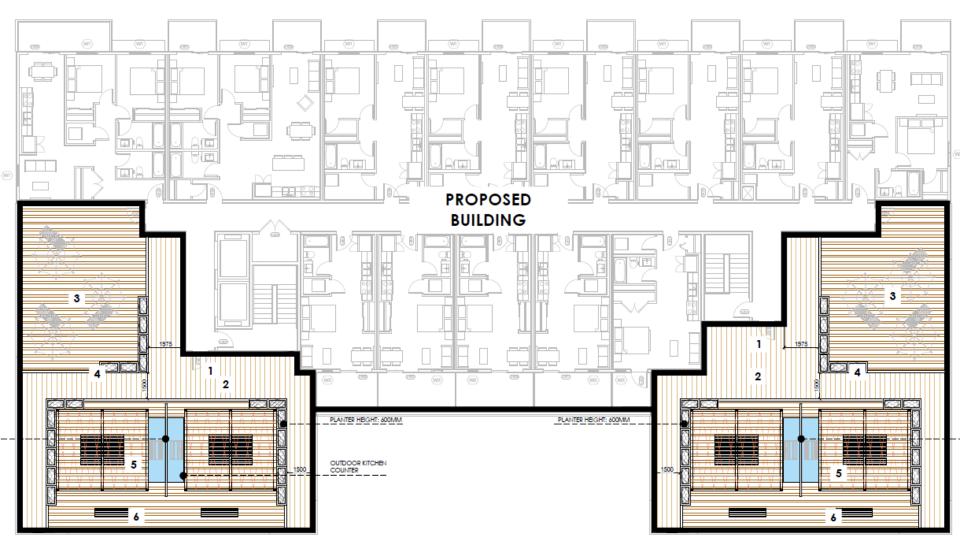
6th Floor Patios – Building 1





Patios – Building 2





Rendering – Clement Ave



Rendering – Clement Ave



Rendering – Northwest



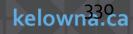
Rendering – Northwest





OCP Design Guidelines

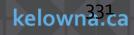
- Avoiding blank, windowless walls along streets and other public open spaces
- Locating off-street parking and other 'back-of-house' uses such as loading, garbage collection, utilities, and vehicle access away from public view
- Expressing a unified architectural concept that incorporates variation in façade treatments and incorporating a range of architectural features and details
- Limiting the length of the residential building facade and breakup up a large site with a mid-block connection





Staff Recommendation

- Staff recommend support for the proposed Development Permit as it:
 - Meets OCP Design Guidelines for Low & Mid-Rise Residential Buildings
 - No variances are required



CITY OF KELOWNA

BYLAW NO. 12670 Z24-0011 375, 395 Rutland Road N

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 1 Section 26 Township 26 ODYD Plan 3513 Except Plan 37956, located on Rutland Rd N, Kelowna, BC; and
 - b. Lot 2 Section 26 Township 26 ODYD District Plan 3513, located on Rutland Rd N, Kelowna, BC;

from the UC₄ – Rutland Urban Centre zone to the UC₄r – Rutland Urban Centre Rental Only zone.

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

Read a first, second and third time by the Municipal Council this 8th day of July, 2024.

Approved under the Transportation Act this 8th day of July, 2024.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to	Council
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Date:	July 16, 2024
То:	Council
From:	City Manager
Subject:	Council priorities 2023 – 2026 Update
Department:	Corporate Strategy & Performance

Recommendation:

THAT Council endorse the updated 2023 – 2026 Council priorities as attached to the report from the City Manager dated July 16, 2024;

AND THAT Council direct staff to report back on the progress of the 2023 – 2026 Council priorities.

Purpose:

To receive Council endorsement for the updated Council priorities for 2023 – 2026.

Background:

Council approved its priorities for 2023 – 2026 on March 7, 2023 with a commitment to report on progress regularly and update the priorities as appropriate.

Staff presented a six month progress report on October 16, 2023. Following the 12-month progress report presented to Council on March 25, 2024 Council met twice to review its current priorities, assess progress, identify actions for staff to evaluate, and provide direction to update its priorities.

Previous Council Resolution

Resolution	Date
THAT COUNCIL approve the 2023 – 2026 Council Priorities as attached to the	March 20, 2023
report of the City Manager dated March 7, 2023;	

Discussion:

The structure of the Council priorities document leads with Council Priority Actions which is the focus of this Council report. The document also identifies 'the results we want to see' and 'how we measure progress on this priority' which further clarifies the direction to staff and enables <u>reporting on outcomes</u> in addition to progress on specific <u>Council priority actions</u>.

Six actions from the current priorities were identified as complete and removed from the updated priorities (e.g. establish a safety task force with stakeholders), while a number of actions were updated to reflect significant progress or changing context (e.g. "Explore partnership opportunities for alternative forms of sheltering" was updated to "Complete the delivery of tiny home units committed to by the Province" following the delivery of 120 units at the STEP and Trailside sites).

The updated Council Priorities 2023 - 2026 document identifies the following seven (7) priority areas and 30 Council Priority Actions distributed across the priorities.

Crime & safety

- Advance implementation of Mayor's Task Force on Crime Reduction recommendations, including Business Improvement Area support
- Reduce property crime; including break and enters and theft
- Demonstrate effectiveness of visibility on high-risk traffic behavior (e.g. speeding, texting) and crime.
- Support utilization of current policy restricting use of drugs in public spaces
- Partner with Provincial ministries responsible for mental health and problematic substance use on initiatives (i.e. Community Safety Plan) that improve local conditions

Updates to this priority's actions include advancing Mayor's Task Force on Crime Reduction recommendations, increased visibility on high-risk traffic behavior and crime, and maintaining a focus on reducing property crime.

The completed action from the Crime & Safety priority was to establish a safety task force with stakeholders.

Affordable Housing

- Meet provincial/local affordable housing targets with support from the Province
- Complete Housing Action Plan including incentive options
- Partner on the creation of a low-cost affordable housing pilot project
- Investigate options to protect renters impacted by redevelopment projects and protect existing rental stock

Updates to this priority's actions include a focus on meeting housing targets developed after the initial Council priorities, complete a Housing Action Plan to address housing needs including incentive options, and investigate options to protect renters impacted by redevelopment.

The completed action from the Affordable Housing priority is acquire city owned land to build affordable housing. Land acquisition is ongoing and will adjust as required based on Council's policy direction.

Homelessness

- Advocate for a regional care facility (e.g. Red Fish Healing Center model)
- Complete the delivery of tiny home units committed to by the Province

- Facilitate a purpose-built permanent shelter with 'wrap-around' supports and graduated housing options.
- Assess feasibility of care and delivery models such as a multi-care site

Updates to this priority's actions include to the previous action "Explore partnership opportunities for alternative forms of sheltering" which saw 120 units completed on two sites and was updated to "Complete the delivery of tiny homes committed to by the Province" and assessment of care and delivery models identified in the Mayor's Task Force on Crime Reduction.

The completed action from the Homelessness priority was to develop an emergency winter shelter program. Staff continue to execute a plan for emergency cold weather response with examples such as warming buses and clothing, a mat program, etc. highlighted in the last progress report.

Transportation

- Complete the functional design of the Hwy 33 multi-modal traffic corridor and propose a partnership delivery model to the Province
- Secure funding for a new transit operations center
- Enhance traffic safety (e.g. traffic calming and pedestrian infrastructure)
- Explore alternative modes of transportation between UBCO/YLW and downtown
- Improve transit service including expanding the transit pass program
- Improve traffic flow and capacity on major road networks (e.g. roads bundle)

Updates to this priority's actions reflect progress on existing actions and to align to Council's advocacy priorities notably for the future delivery of the Highway 33 expansion and a new transit operations centre.

Agriculture

- Protect agricultural lands
- Continue to ensure farmland is used for permitted uses
- Ensure sufficient & high-quality agricultural water supply

The update to this priority's actions is to ensure a sufficient and high-quality agricultural water supply. The City plays a critical role to provide enabling infrastructure such as water that support farmers and the agricultural sector.

Completed actions from the Agriculture priority is to facilitate the creation of a permanent home for the farmer's market, review the Agriculture Plan with respect to secondary uses, and expand enforcement/bylaw officers.

Climate & Environment

- Complete the Climate Resilient Kelowna Strategy
- Include 'Climate Lens' in decision making to assess mitigation and adaptation
- Increase urban tree canopy (e.g. tree-lined medians)
- Pilot energy concierge program to enable retrofits in buildings

The update to this priority's action is to complete the Climate Resilient Kelowna Strategy which will provide holistic direction and actions for the City to both mitigate GHGs and adapt to a changing climate.

Economy

- Seek opportunities to enhance economic diversification
- Attract new employment and support existing business growth
- Assess the City's supply of employment lands
- Consider the City's investment into economic development

The new economy priority recognizes that a thriving economy is essential to a good quality of life for residents and the community's long-term sustainability.

Conclusion:

The Council priorities document does not outline all the City's base business, nor does it include the detailed plan that will achieve the results. While some of the 30 priority action items are already underway others will require staff to present plans to Council or request funding for consideration.

Status updates will be provided at a regular cadence. The regular cadence of reviewing progress enables Council and the city's administrative leadership to adjust their approach and investments to ensure projects are completed, new projects added as required, and the overall portfolio of projects is contributing to the results defined within the seven priority areas.

Following Council's approval, the priorities will be communicated to the public through a variety of channels. Priorities will be communicated through the organization so staff can advance the actions and to inform work planning and budget direction for 2025.

Considerations not applicable to this report:

Legal/Statutory Authority: Legal/Statutory Procedural Requirements: Existing Policy: Financial/Budgetary Considerations:

Submitted by: M. McGreer, Department Manager Corporate Strategy & Performance

Approved for inclusion: L. Corcoran, Communications Director

cc: SLT



Council Priorities 2023-2026

Updated July 2024



Message from the Mayor

On behalf of Council, I am pleased to share our updated priorities for 2023 -2026. Overall, we continue to stay the course on the six focus areas we started with at the beginning of our term as these areas continue to be important to our community. With this update, we have also added an additional priority area that reflects the growth and evolution of the City.

We've accomplished many of the original actions, added new actions that we can significantly advance, as well as realigned some of our priority outcomes based on what've learned. Our success to date has benefitted from support from other levels of government and the active participation of residents and businesses to be part of the solution. As demonstrated, we are not afraid to try new things and will continue to evaluate progress on these priorities regularly and make adjustments if necessary.

The new priority area focuses on the economy and is grounded in what we've heard from residents, businesses and the communities we serve. It acknowledges that a thriving and resilient economy underpins a good quality of life today and in the future.

The updated Council priorities are informed by <u>regular reporting on progress</u>, allowing us to monitor both actions and how they are contributing to the results we want to see. The regular reporting is part our commitment to transparency and continually seeking opportunities to improve.

I believe these priorities balance the short- and long-term action needed to create a community for the future, while ensuring we continue to provide good value for the day-today services we, as a municipality, deliver.





Mayor Tom Dyas

Overview of Council Priorities



Crime &

Advance implementation of Mayor's Task Force on Crime Reduction recommendations

Reduce property crime

Demonstrate effectiveness of visibility on high-risk traffic behaviour and crime

Support retention of current policy restricting use of drugs in public spaces

Partner with Provincial ministries responsible for mental health and problematic substance use on initiatives (i.e. Community Safety Plan)

Affordable Housing



Meet provincial/local affordable housing targets with support from the Province

Complete the Housing Action Plan including incentive options

Partner on the creation of a low-cost affordable housing pilot project Investigate options to

protect renters impacted by redevelopment projects and protect existing rental stock

Homelessness



Advocate for a regional care facility (e.g. Red Fish Healing Centre model)

Complete the delivery of tiny home units committed to by the Province

Facilitate a purpose-built permanent shelter with 'wrap-around' supports and graduated housing options

Assess feasibility of care and delivery models such as a multi-care site Transportation



Complete the functional design of the Hwy 33 multimodal traffic corridor and propose a partnership delivery model

Secure funding for a new transit operations centre

Enhance traffic safety

Explore alternative modes of transportation between UBCO/YLW and downtown

Improve transit service including expanding the transit pass program

Improve traffic flow and capacity on major road networks (e.g. roads bundle)

Agriculture



Protect agricultural lands

Continue to ensure farmland is used for permitted uses

Ensure sufficient & highquality agricultural water supply Climate & Environment



Complete the Climate Resilient Kelowna Strategy

Continue to include 'Climate Lens' in decision making to assess mitigation and adaptation

Increase urban tree canopy (e.g. tree-lined medians)

Pilot energy concierge program to enable retrofits in buildings

Economy



Seek opportunities to enhance economic diversification

Attract new employment and support existing business growth

Assess the City's supply of employment lands

Consider the City's investment into economic development





Crime & Safety

Council Priority Actions

- 1. Advance implementation of Mayor's Task Force on Crime Reduction recommendations, including Business Improvement Area support
- 2. Reduce property crime; including break and enters and theft
- 3. Demonstrate effectiveness of visibility on high-risk traffic behaviour (e.g. speeding, texting) and crime
- 4. Support retention of current policy restricting use of drugs in public spaces
- 5. Partner with ministries responsible for mental health and addictions on initiatives (i.e. Community Safety Plan) that improve local conditions, including alternative response models and advocacy

How we measure progress on the priority

- Business break and enters and thefts are decreasing (reported # of property crime)
- Resident sense of safety in our community is increasing (% residents that feels safe).
- Public safety resources are increasing (e.g. police, bylaw and fire)

- # or % of residents who feel safe in Kelowna increases.
- Decrease in business break and enters and thefts.
- Public safety resources keep pace with community growth (e.g. police, bylaw and fire).



Affordable Housing

Council Priority Actions

- 1. Meet provincial/local affordable housing targets with support from the Province
- 2. Complete Housing Action Plan including incentive options
- 3. Partner on the creation of a low-cost affordable housing pilot project
- 4. Investigate options to protect renters impacted by redevelopment projects and protect existing rental stock

How we measure progress on the priority

- The City has a sufficient supply of each housing type (# new housing units by type such as affordable housing)
- Market rental is more affordable (the proportion spending more than 30% to go down compared to previous term)
- Home ownership is more affordable (ratio of median income and median sale price, potentially by housing type)

- Residents have improved access to affordable housing whether they rent or own.
- The city has an improved housing supply that meets the social and economic needs of the community.
- An increase in the supply of affordable housing options for people with low to moderate incomes.







Homelessness

Council Priority Actions

- 1. Advocate for a regional care facility (e.g. Red Fish Healing Center model)
- 2. Complete the delivery of tiny home units committed to by the Province
- 3. Facilitate a purpose-built permanent shelter with 'wrap-around' supports and graduated housing options
- 4. Assess feasibility of care and delivery models such as a multi-care site

How we measure progress on the priority

- # of complex care units Interior Health adds to our community
- Progress towards Housing Needs Assessment (HNA) non-market housing targets (measured to be developed through HNA)
- *#* of people experiencing homelessness

The Results We Want to See

- A decrease in the number of people living on our streets who have mental health and/or addictions from the previous term.
- Reduce the impacts of social issues stemming from lack of support for people experiencing poverty, problematic substance use and untreated mental health conditions on the community.



Transportation

Council Priority Actions

- 1. Complete the functional design of the Hwy 33 multi-modal traffic corridor and propose a partnership delivery model to the Province
- 2. Secure funding for a new transit operations centre
- 3. Enhance traffic safety (e.g. traffic calming and pedestrian infrastructure)
- 4. Explore alternative modes of transportation between UBCO/YLW and downtown
- 5. Improve transit service including expanding the transit pass program
- 6. Improve traffic flow and capacity on major road networks (e.g. roads bundle)

How we measure progress on the priority

- Transit ridership (Transportation Master Plan target)
- Mode Share (Transportation Master Plan target)
- Improved travel choices (Number of trips by walking, biking, transit, rideshare)
- Optimize travel times (Reliable travel times between the five urban hubs)
- Monitor goods movement times (Average goods movement time)
- Promote inclusive transportation (% of low-income residents close to frequent transit and active transportation corridors)
- Central Okanagan Region's Transit Service Guidelines (frequency, service span targets, and performance by route)
- Traffic safety is increasing (Traffic related injuries and fatalities per capita)

- Capacity and traffic flow is enhanced on major road corridors
- More trips by alternative transportation modes (e.g. transit, rideshare, biking, walking)
- Traffic safety management is increasing (e.g. speed control)







Agriculture

Council Priority Actions

- 1. Protect agricultural lands
- 2. Continue to ensure farmland is used for permitted uses
- 3. Ensure sufficient & high-quality agricultural water supply

How we measure progress on the priority

- Farmland is used for permitted farm uses (Number of non-farm use contraventions closed off during Council term)
- Protect agricultural land (# acres excluded from Agricultural Land Reserve, with the exception of those that are planned in OCP 2040; # properties rezoned from agricultural to a non-agricultural zone outside of OCP future land use)
- % of farmland that is being actively farmed in being maintained or is increasing (% of agriculture land that is actively farmed)
- # of days of agricultural water service interruption

The results we want to see

• Increased engagement and support for the agricultural industry as an integral part of our healthy food system, economy and culture.



Climate & Environment

Council Priority Actions

- 1. Complete the Climate Resilient Kelowna Strategy
- 2. Continue to include 'Climate Lens' in decision making to assess mitigation and adaptation
- 3. Increase urban tree canopy (e.g. tree-lined medians)
- 4. Pilot energy concierge program to enable retrofits in buildings

How we measure progress on the priority

- Community and corporate GHG emissions are decreasing (e.g. GHG emissions by theme such as buildings, transportation; residential energy use per capita; fuel use data; corporate energy intensity)
- Protect tree canopy (progress on tree canopy cover targets established for each Growth district through the Urban Forest Strategy update)
- Protection of environmentally sensitive land (measure to be confirmed)

- Reduce corporate and community greenhouse gas (GHG) emissions (e.g. energy efficient buildings, zero-emission vehicles and charging infrastructure, urban focused growth, alternative transportation modes, renewable energy)
- Protect and restore natural areas (e.g. Okanagan Lake, urban forest, wetlands)
- Include a Climate Lens in City decision making, ensuring we always consider climate impacts
- Enhanced climate emergency planning and response programs (e.g. flooding, wildfires, extreme heat and a changing water supply)







Economy

Council Priority Actions

- 1. Seek opportunities to enhance economic diversification
- 2. Attract new employment and support existing business growth
- 3. Assess the City's supply of employment lands
- 4. Consider the City's investment into economic development

How we measure progress on the priority

- Business and/or employment growth (e.g. business counts, business licenses)
- Employment lands supply (measure to be confirmed based on employment lands assessment projects underway)

- Priority sectors for economic diversification are supported.
- The number of businesses are increasing.
- The city has a sufficient supply of suitably located and serviced employment lands.
- Economic development service delivery models and level of investment are evaluated.



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kelowna.ca/councilpriorities







Update to Council Priorities 2023-2026

July 22, 2024



Agenda

Priority setting & reporting process

► Updated Council priorities 2023 – 2026

► What is next?





City of Kelowna



Council Priorities 2023-2026





Council priorities 2023 - 2026

Summary

- ► 30 actions
- ► 7 priority areas

Within each priority area

- Council priority actions
- ► How we measure progress on the priority
- The results we want to see



Crime & Safety

Council Priority Actions

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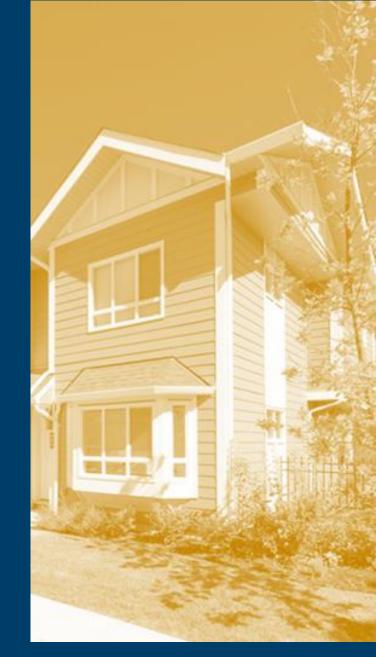
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Affordable Housing

Council Priority Actions

- 1. Meet provincial/local affordable housing targets with support from the Province
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The Results We Want to See

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Agriculture

Council Priority Actions

- 1. Protect agricultural lands
- 2. Continue to ensure farmland is used for permitted uses
- 3. Ensure sufficient & high-quality agricultural water supply

The results we want to see

• Increased engagement and support for the agricultural industry as an integral part of our healthy food system, economy and culture.



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- 1. Complete the Climate Resilient Kelowna Strategy
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- 3. Increase urban tree canopy (e.g. tree-lined medians)
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- Protect and restore natural areas (e.g. Okanagan Lake, urban forest, wetlands)
- Include a Climate Lens in City decision making, ensuring we always consider climate impacts
- Enhanced climate emergency planning and response programs (e.g. flooding, wildfires, extreme heat and a changing water supply)







Economy

Council Priority Actions

- 1. Seek opportunities to enhance economic diversification
- 2. Attract new employment and support existing business growth
- 3. Assess the City's supply of employment lands
- 4. Consider the City's investment into economic development

- Priority sectors for economic diversification are supported.
- The number of businesses are increasing.
- The city has a sufficient supply of suitably located and serviced employment lands.
- Economic development service delivery models and level of investment are evaluated.



What is next?

Report on Council priority actions within 6 months

Progress report end of March 2025

Report to Council



Date:	July 22, 2024
То:	Council
From:	City Manager
Subject:	Subdivision, Development and Servicing Bylaw No. 7900 & Development Application Fees Bylaw No. 12552 Amendments for alternative Works and Services Programs
Department:	Development Engineering

Recommendation:

THAT Council receives, for information, the report from Development Engineering, dated July 22, 2024, with respect to amending Subdivision, Development and Servicing Bylaw No. 7900 and Development Application Fees Bylaw No. 12552;

AND THAT Bylaw No. 12685, being Amendment No. 27 to Subdivision, Development and Servicing Bylaw No. 7900, be forwarded for reading consideration;

AND THAT Bylaw No. 12686, being Amendment No. 2 to Development Application Fees Bylaw No. 12552, be forwarded for reading consideration;

AND FURTHER THAT Council authorize the supplemental incentive funding as described in this report to a maximum of \$1.5M with funding from development reserves.

Purpose:

To provide an alternative infrastructure Works and Services delivery model.

Council Priority Alignment:

Affordable Housing Transportation

Background:

Neighbourhood street urbanization is an important component for supporting accessibility and mobility, reducing heat-island effect through urban tree canopy coverage, and incentivizing infill development on "turn-key" serviced streets. As a condition of subdivision approval or building permit issuance, a

developer is typically required to provide directly attributable works and services at their cost. These may include upgrading their street frontage, servicing for water and sanitary sewer, and mitigating any offsite infrastructure or environmental impacts. Works and servicing requirements are assessed in accordance with Schedule 7 of Bylaw No. 7900 to the level of service standard outlined in Schedules 1, 4, and 5 of Bylaw No. 7900. When works are required, a developer must either construct them or pay cash-in-lieu of construction for the City to complete the works.

As a historical practice, where street frontage and utility improvements were required of a developer but the improved standard was not compatible with the existing condition, the City would collect cash-inlieu of construction and take on the responsibility of delivering the infrastructure at a future date in conjunction with a larger project. However, because any individual street block requires a large majority of redevelopment before enough funds are accumulated for construction, construction projects have seen rapid cost inflation, and neighbourhood street urbanization has no funding sources other than from development, the City has not been able to deliver in a timely manner on its commitments for neighbourhood street urbanization.

Additionally, while infill housing development has been identified as a key driver of increased housing supply and affordability, the costs associated with servicing infill developments has increased substantially in recent years and smaller-scale housing projects are facing significant headwinds. Shared infrastructure, such as street frontage, transit shelters, and fire hydrants have neighbourhood-scale benefits and can be the difference between a "go" and a "no-go" for a small-scale development if they are required to front-end these costs to service their development.

Discussion:

Options to accelerate the delivery of neighourhood street renewal and urbanization have historically been constrained by a lack of funding for complete projects and dedicated staff resources for delivery. Neighbourhood street urbanization is currently 100% developer-funded, which does not well-represent the benefit to existing users that renewed streets provide. As a solution, staff are proposing an overhaul to the Neighbourhood Street Urbanization Program to diversified funding sources and to include a predictable and sustainable delivery schedule with a dedicated staff resource.

There are currently two programs that exist in the 2024 Financial Plan related to neighbourhood street urbanization. The *Local Street Urbanization Program* and the *Roadway Urbanization Program* (see Page 340). The intent of the proposed change is to facilitate an integration of these two programs for the 2025 Financial Plan, with detailed budget requests for projects coming at that time.

The proposed amendments to Bylaw No. 7900 are to provide a "Works and Services Program" framework as an alternative delivery method for some directly attributable works and services. The programs are expected to equitize costs to developers for shared infrastructure without having to front-end costs. The programs are currently proposed to include Neighbourhood Street Urbanization alongside Transit Shelter upgrades and Fire Hydrant coverage to support infill housing. Participation in the program would be voluntary as an alternative to paying cash-in-lieu; the program rates must be set lower to encourage participation and will need average costs from prior years to ensure fairness and sustainability.

The proposed funding framework acknowledges a shared benefit and responsibility, with City-funds providing a targeted 30% supplement to the program to incentivize development within the Core Area, near Urban Centres, which will serve to reduce costs to infill development relative to a developer's cost

to construct without any supplemental funding. The supplement is proposed to be from development reserves to establish the program over two years and provide an opportunity to explore more sustainable funding sources for long-term program delivery in consultation with Council and the development industry. If supported, a future report to Council will capture the implementation details for this funding allocation.

The proposed amendment to Development Application Fees Bylaw No. 12552 is administrative in nature and in response to the establishment of the proposed funding framework. The fire hydrant levy would continue to be collected via Bylaw No. 7900 alongside the other components of the "Works and Services Program" framework.

Conclusion:

The proposed changes to Bylaw No. 7900 and Bylaw No. 12552 will help facilitate the predictable, sustainable, and accelerated delivery of neighbourhood street urbanization and renewal through establishing "Works and Services Programs" as an alternative delivery framework that the development industry may participate in to benefit from accelerated approval times and reduced costs.

To ensure the financial sustainability of the program, alternative funding sources are necessary. As an interim approach, it is proposed that \$1.5M from development reserves be allocated to the program to supplement a targeted 30% of the cost, deployed to incentivize infill development within the Core Area, near Transit Supportive-Corridors and Urban Centres. As the program delivers neighbourhood streets, staff will review the benefit of this program and seek input from Council and the development industry on sustainable funding options, which would allow for the program to continue longer-term.

Internal Circulation:

Development Planning Financial Planning Integrated Transportation

Considerations applicable to this report:

Legal/Statutory Authority: Local Government Act, S.506, 508; Community Charter S.194 *Financial/Budgetary Considerations:* Future budget requests will follow typical procedure.

Considerations not applicable to this report: Legal/Statutory Procedural Requirements: Existing Policy: Consultation and Engagement: Communications Comments:

Submitted by: N. Chapman, Development Engineering Manager Approved for inclusion: R. Smith, Division Director, Planning, Climate Action & Development Services

cc:

M. Antunes, Financial Planning Manager B. Hallam, Integrated Transportation Manager N. Kilmartin, Development Planning Manager

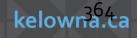


Subdivision, Development and Servicing Bylaw No. 7900 & Development Application Fees Bylaw No. 12552 Amendments



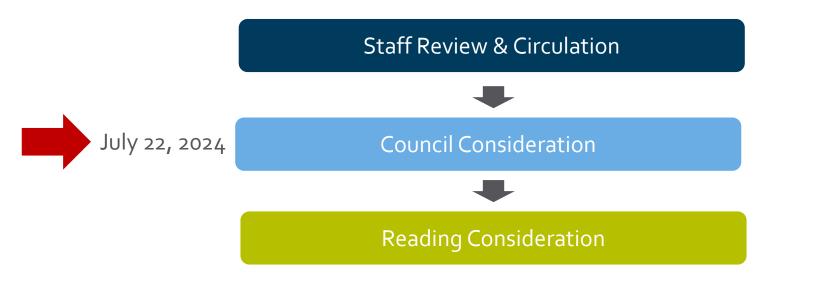
Purpose

- To provide an alternative infrastructure Works and Services Delivery Model
- To improve transparency and consistency of offsite works costs for development and accelerate delivery of neighbourhood street urbanization, transit shelters, and fire hydrants.



Bylaw Development Process





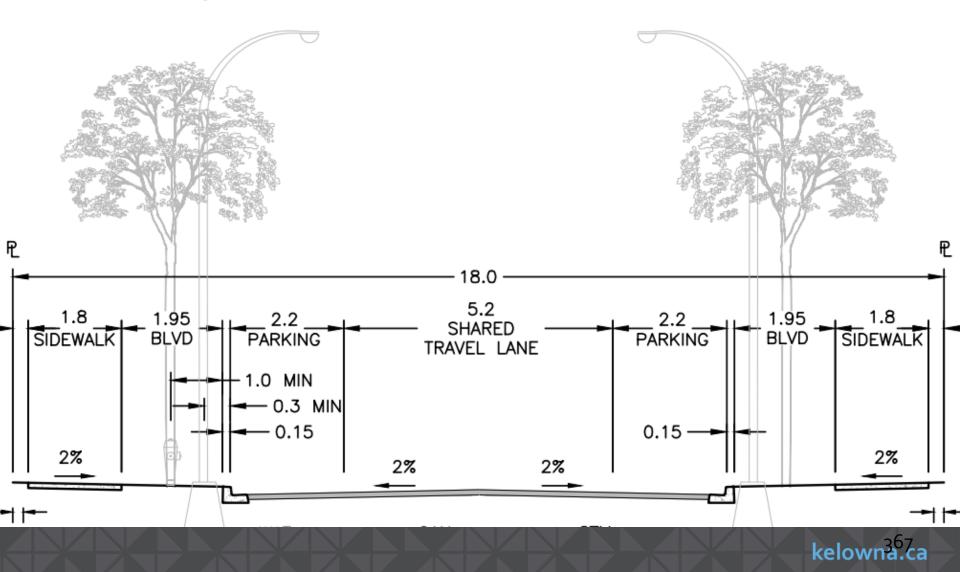




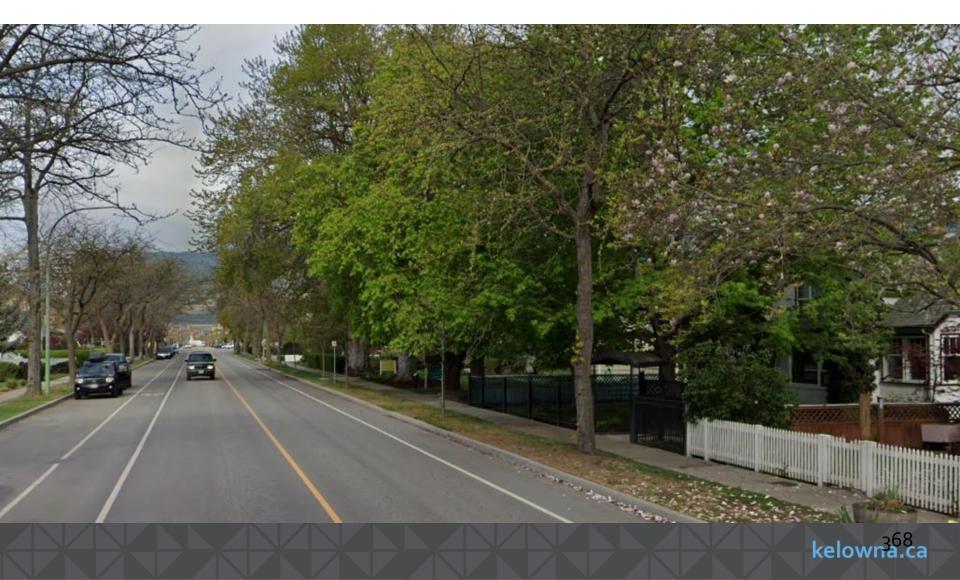


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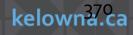
- Frontage Improvements & Deferred Revenue
 - Development required to construct frontage as "directly attributable" to meet level of service standard
 - Where construction is not compatible with existing conditions, City has taken "cash-in-lieu" of construction
 - This Deferred Revenue is a liability for this City, requiring expenditure for a construction commitment
 - Purchasing power is eroded over time due to construction cost inflation
 - Limited ability to complete projects due to numerous independent fund accounts for unrelated projects





Infill Development and Street Urbanization

- Complete, serviced streets are an incentive for infill development – "turn key"
- Costs can vary significantly from development to development, based on existing conditions
 - ▶ i.e., overhead utilities, storm drainage, existing trees
- Consistent, transparent, predictable costs are key for an infill development pro forma.
- Street Urbanization is currently funded primarily through development
- A need to recognize the shared goal and mutual benefit

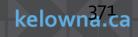




Proposed Changes

SDS Bylaw 7900: Schedule 7 – Directly Attributable Guidelines

- Add a Works and Services Programs Section with a predefined Scope and Fees
- Not a new Fee a voluntary alternative to reduce processing times and reduce costs for everyone
- Ability to pool resources for accelerated delivery
- A "win-win" for constructability and cost consistency
- Development Application Fees Bylaw 12552
 To remove existing Fire Hydrant Levy





Discussion

- Three Proposed Programs:
 - Street Frontage Improvements
 - Fire Hydrants
 - Transit Shelters
- Program requires supplementary funding for long-term sustainability
- Supplement funding from reserves for an estimated two-year period for demonstrating a successful track record and consult on alternative long-term funding options





Discussion

- Program requires supplementary funding for long-term sustainability
- Supplement funding from reserves for an estimated two-year period for demonstrating a successful track record and consult on alternative long-term funding options
- Budget amendments will be brought to Council at a later date

Staff Recommendation



Staff recommend **support** of the amendments to the Subdivision, Development and Servicing Bylaw No. 7900 and Development Application Procedures Bylaw No. 12552 so that they can be forwarded for reading consideration.

- Improved cost consistency, transparency, and predictability
- Framework for accelerated delivery of Street Urbanization
- Supplemental Funding to acknowledge shared benefits and for long-term program sustainability



Conclusion of Staff Remarks

CITY OF KELOWNA

Bylaw No. 12685 Amendment No. 27 to Subdivision, Development and Servicing Bylaw No. 7900

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, Section 4.0 Definitions, Subsection 4.1 Definitions** be amended by deleting the definition for "Fees" in its entirety and replacing with:

""<u>Fees</u>" means those fees payable to the City in connection with the Subdivision or Development of land, as prescribed by this bylaw or the current version of the City of Kelowna Development Fees Application Bylaw."

2. THAT Part 4 – City to Perform Work, Section 8.0 City to Perform Work be amended by deleting Subsection 8.1(b) in its entirety and replacing with:

"(b) the City will advise the Owner that they must pay the City, in cash,

- i. 125% of the cost, as estimated by the Consulting Engineer and approved by the City Engineer, of designing and Constructing such Works and Services, or
- ii. if applicable, a program fee for the Works and Services as outlined in Schedule 7; and"
- 3. THAT the term "his or her" be deleted and replaced with the word "their" throughout the bylaw.
- 4. THAT the word "his" be deleted and replaced with the word "their" throughout the bylaw.
- 5. THAT the term "City of Kelowna Zoning Bylaw No. 8000" be deleted and replaced with "City of Kelowna Zoning Bylaw No. 12375" throughout the bylaw.
- 6. THAT Schedule 7 Guidelines for Determining Servicing Requirements for Certain Developments Having a "Directly Attributable" Impact on Infrastructure be deleted in its entirety.
- 7. THAT Schedule 7 Fees and Guidelines for Determining Servicing Requirements for Certain Developments Having a "Directly Attributable" Impact on Infrastructure, as attached to and forming a part of this bylaw, be added.
- 8. This bylaw may be cited as "Bylaw No. 12685, being Amendment No. 27 to Subdivision, Development and Servicing Bylaw No. 7900".
- 9. 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

SCHEDULE 7

Fees and Guidelines for Determining Servicing Requirements for Certain Developments Having a "Directly Attributable" Impact on Infrastructure

1.0 Assessing Directly Attributable Requirements

- 1.1 In determining which Works and Services are directly attributable, the City Engineer shall consider:
 - (a) the ability of the City's infrastructure systems to provide service to a Subdivision or Development in accordance with the needs of the Subdivision or Development and the standards outlined in Schedule 1, and
 - (b) the impact that servicing a proposed Subdivision or Development will have on the City's ability to maintain its existing system levels of service for future Developments in accordance with the OCP and any other infrastructure master plans.
- 1.2 In general, a directly attributable impact on one or more particular system will be created when any of the following arises as a result of a Subdivision, or Development via Building Permit:
 - (a) a need for increased flow or capacity of the system(s), or
 - (b) a need to upgrade the system(s) due to the inability of the system to provide adequate service because of, but not limited to, insufficient capacity, age, condition, accessibility, operational challenges, safety concerns, or other concerns regarding integration with existing services.
- 1.3 The need for increased flow or capacity, or for an upgrade to an existing system, as outlined in above, will generally arise, and consequently a directly attributable impact necessitating a requirement for some service upgrades or installations will be created to adequately service the Development or offset the impact to a particular service, with:
 - (a) any proposed Subdivision; or
 - (b) any Building Permit that allows for:
 - (i) construction on vacant lots (whether previously developed, or previously developed at some time but vacant for an extended period of time immediately prior to the proposed construction);
 - (ii) significant usage changes;
 - (iii) significant usage increases or expansions; or
 - (iv) demolition of existing structure(s) and construction of new structure(s) with significant usage changes or increases or expansion.

Type of Development	Water	Sanitary Sewer	Drainage	Road Frontage	Road Dedication
Residential					
Alterations, Accessory Buildings	NO	NO	NO	NO	NO
New Single/Duplex/Suite Addition	MAYBE	NO	NO	NO	MAYBE
Two-Unit Detached	MAYBE	NO	MAYBE	MAYBE	YES
Multi-Unit (3 +)	YES	YES	YES	YES	YES
Mixed Use, Non-Residential					
Façade	NO	NO	NO	NO	NO
Additions/Alterations	MAYBE	MAYBE	MAYBE	MAYBE	YES
New Development	YES	YES	YES	YES	YES

TYPES OF DEVELOPMENT THAT WILL <u>GENERALLY*</u> HAVE A "DIRECTLY ATTRIBUTABLE IMPACT" REQUIRING INSTALLATION OF WORKS AND SERVICES

*This table is only to be used a GUIDE. Each application will be reviewed individually and any "directly attributable impact" on infrastructure, and the resulting servicing requirements, will be determined on a case-by-case basis. After the case-by-case basis evaluation, any particular Development of a type listed in the table above MAY or MAY NOT require the installation of works and services contrary to what is shown in this table.

2.0 Works & Services Programs and Fees

- (a) The fees and credits as noted in Sections 2.1, 2.2, and 2.3 will increase by five percent (5%) on January 1 each year, beginning January 1, 2025.
- (b) All fees and charges will be rounded to the nearest 5 dollars (\$5).
- (c) All fees and charges include relevant Provincial and Federal taxes unless otherwise stated.
- (d) Parts of the municipality affected in this section are defined, designated, or identified by the OCP, except for a Zone or Laneway.

2.1 Neighbourhood Street Frontage Program Fees

- (a) May be payable for a Development fronting a road classified as a Local or Collector Road Class in the following parts of the municipality:
 - (i) the Core Area,
 - (ii) an Urban Centre, or
 - (iii) a Village Centre.

Neighbourhood Street (per metre of	-
Fronting Classification	2024 Rate
Local Road Class	\$ 2,950
Collector Road Class	\$ 3,150
Laneway	\$ 340

- (b) At the discretion of the City Engineer, a Development fronting a road classified as a Minor Arterial Road Class in the Core Area, an Urban Centre, or a Village Centre may be eligible to participate in the program at 105% of the Collector Road Class rate.
- (c) Credit for existing works may be applied and the fee rate reduced per metre of frontage at the following rates:

Neighbourhood Street From per metre of fro	5
Credits for Existing Works	2024 Rate
Storm Drainage System	\$ 500
Curb & Gutter	\$ 170
Sidewalk	\$ 270
Pavement Structure	\$ 520
Boulevard (Treed, Irrigated)	\$ 440

- (i) Existing works will be assessed, and credit may be applied at the discretion of the City Engineer where the existing works are in good condition, compatible with the ultimate typical section, and renewal is not directly attributable to the Development.
- (d) Where the City has provided street frontage upgrades through the Neighbourhood Street Urbanization Program that benefits a Development, an Owner must pay the fee per metre of frontage for the City's recovery of its cost to provide the service.

- 2.2 Infill Fire Hydrant Program Fees
 - (a) May be payable for a Development in a MF1, MF2 or RU Zone located in the following parts of the municipality:
 - (i) the Core Area,
 - (ii) an Urban Centre, or
 - (iii) a Village Centre.

 Infill Hydrant Fee Rate
 (per fire hydrant)
 2024 Rate
\$ 1,500

- (b) Where the City has provided a fire hydrant through the Infill Fire Hydrant Program that benefits a Development, an Owner must pay the fee per hydrant for the City's recovery of its cost to provide the service.
- 2.3 Infill Transit Stop Program Fees
 - (a) May be payable for a Development located within 400 m of a Frequent Transit Network or Future Frequent Transit Network in the following parts of the municipality:
 - (i) the Core Area,
 - (ii) an Urban Centre, or
 - (iii) a Village Centre.

Transit Stop Fee Rate
(per residential unit)
2024 Rate
\$ 200

(b) Where the City has provided a transit pad or shelter through the Infill Transit Stop Program that benefits a Development, an Owner must pay the fee per residential unit for the City's recovery of its cost to provide the service.

CITY OF KELOWNA

Bylaw No. 12686

Amendment No. 2 to Development Application Fees Bylaw No. 12552

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Development Application Fees Bylaw No. 12552 be amended as follows:

 THAT Schedule "A", Table 5: Development Engineering Fees be amended by deleting the following "Fire Hydrant Levy" row in its entirety:

"Fire Hydrant Levy	\$ 290.00	For subdivisions serviced by community water distribution systems. In subdivisions where the developer is extending the water mains and installing fire hydrants this levy does not apply. The City will accumulate the funds accrued from the hydrant levy and these funds will be used to install fire hydrants as may be required"
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- 2. This bylaw may be cited as "Bylaw No. 12686, being Amendment No. 2 to Development Application Fees Bylaw No. 12552".
- 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

Mayor

City Clerk

Report to (Council
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Date:	July 22, 2024
То:	Council
From:	City Manager
Subject:	Revitalization Tax Exemption Program Bylaw No. 12561 – Amendment No. 2
Department:	Development Planning

Recommendation:

THAT Council receives, for information, the report from the Development Planning Department, dated July 22, 2024, with respect to amending the Revitalization Tax Exemption Program Bylaw No. 12561 to include a transitional provision;

AND FURTHER THAT Bylaw No. 12688 being Amendment No. 2 to the Revitalization Tax Exemption Program Bylaw No. 12561 be advanced for reading consideration.

Purpose:

To consider an amendment to the Revitalization Tax Exemption Program Bylaw No. 12561 to include a transitional provision.

Background:

The Revitalization Tax Exemption Program Bylaw No. 12561 was adopted on August 28, 2023. An amendment to require properties to have zoning for rental-only tenure to be eligible for a Revitalization Tax Exemption was adopted on May 27, 2024.

Discussion:

The Revitalization Tax Exemption program has been in place in the City since 2006 and in recent years has become one of the most effective housing incentives we have. An amendment to the Revitalization Tax Exemption Program Bylaw was made earlier this year, requiring properties to have zoning for rental-only tenure to be eligible for a Revitalization Tax Exemption. The proposed introduction of a transitional provision would allow for previously issued applications to be amended under the terms of the previous Revitalization Tax Exemption Program Bylaw No. 9561 and would remain in effect until December 31, 2024.

If this bylaw amendment is approved by Council, Staff anticipate bringing forward one amendment to an existing Revitalization Tax Exemption for Council consideration, for a project that does not have rentalonly tenure. This Revitalization Tax Exemption would require Council authorization. The amendment would allow for other projects with an existing Revitalization Tax Exemption to amend their applications without having rental-only tenure, however Staff are not aware of any additional amendment applications that would be pursued.

Conclusion:

An update report on the Revitalization Tax Exemption program will be brought forward to Council later this year.

Internal Circulation:

Long Range Policy Planning

Considerations applicable to this report:

Legal/Statutory Authority: Section 226 of the Community Charter provides authority to exempt property from municipal property value taxes and sets the basic requirements for a revitalization tax exemption program. Council may include requirements in its revitalization program bylaw that must be met before an exemption certificate may be issued.

Considerations not applicable to this report: Legal/Statutory Procedural Requirements Existing Policy Financial/Budgetary Considerations Consultation and Engagement Communications Comments

Submitted by:	K. Brunet, Planner Specialist	
Approved for inclusion:	R. Smith, Divisional Director, Planning, Climate Action and Development Services	
Attachments:	Schedule A – Proposed Amendments	

Schedule A – Proposed Amendments

No.	Section	Current Wording	Proposed Wording
1.	Section 4 – Definitions	"Divisional Director, Planning & Development Services" means the person appointed as such and includes their lawful designate(s).	"Divisional Director, Planning, <u>Climate Action</u> & Development Services" means the person appointed as such and includes their lawful designate(s).
2.	Section 8 – Other Provisions	N/A	8.3 Notwithstanding Section 8.1 of this Bylaw, an Agreement that was approved prior to May 27, 2024 may be amended and executed provided that the Agreement complies with all other provisions of this Bylaw. This transitional provision remains in effect until December 31, 2024
3.	Section 9 – Delegation	9.1. Provided that all necessary prerequisites of the Community Charter, the Local Government Act, other applicable federal and provincial enactments, City bylaws, and City policies have been met, the Divisional Director, Planning & Development Services is assigned the authority within the parameters established by this bylaw to approve, execute and amend an Agreement as required for a Project that results in a Tax Exemption Amount of up to a maximum tax value of \$0.175% of the following year's Property Value Tax Revenue as identified in Schedule 'A' of the City of Kelowna Five-Year Financial Plan Bylaw, as amended from time to time.	Local Government Act, other applicable federal and provincial enactments, City bylaws, and City policies have been met, the Divisional Director, Planning, <u>Climate Action</u> & Development Services is assigned the authority within the parameters established by this bylaw to approve, execute and amend an Agreement as required for a Project that results in a Tax

Reason for Change
Update title.
To introduce a transitional provision to allow for existing approved agreements to be able to amend their applications without having rental-only tenure, until December 31, 2024.
This is a minor amendment for clarity (removal of ``\$").

CITY OF KELOWNA

Bylaw No. 12688

Amendment No. 2 to Revitalization Tax Exemption Program Bylaw No. 12561

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Revitalization Tax Exemption Program Bylaw No. 12561 be amended as follows:

1. THAT Section 8 – Other Provisions be amended by adding the following new section:

"8.3 Notwithstanding section 8.1 of this bylaw, an Agreement that was approved prior to May 27, 2024 may be amended and executed provided that the Agreement complies with all other provisions of this bylaw. This transitional provision remains in effect until December 31, 2024."

- 2. AND THAT **Section 9.1** be amended by deleting the dollar sign ("\$") that appears before "0.175%".
- 3. AND FURTHER THAT all instances of the term "Divisional Director, Planning & Development Services" throughout this bylaw be deleted and replaced with "Divisional Director, Planning, Climate Action & Development Services
- 4. This bylaw may be cited as "Bylaw No. 12688, being Amendment No. 2 to Revitalization Tax Exemption Program Bylaw No. 12561."
- 5. 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 22nd day of July, 2024.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council

Date:July 22, 2024To:CouncilFrom:City Manager

City of Kelowna

Department: Partnerships Office

Recommendation:

Subject:

THAT Council receives, for information, the report from the Partnerships Office dated July 22, 2024 with respect to the Growing Canada's Community Canopies Grant;

AND THAT Council directs staff to apply for grant funding to the Growing Canada's Community Canopies Grant program, administered through the Federation of Canadian Municipalities;

Growing Canada's Community Canopies Grant

AND THAT Council authorizes staff to execute all documents necessary to complete and manage the grant;

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

Purpose:

To inform Council of the Growing Canada's Community Canopies Grant, and to receive support to apply for the grant funding.

Council Priority Alignment:

Climate & Environment

Background:

The Federation of Canadian Municipalities' Green Municipal Fund (GMF) is a \$2.4B investment from the Government of Canada in a bundle of funding programs that delivers environmental, economic and social impact.

Under the GMF, the Growing Canada's Community Canopies (GCCC) funding program is a \$291M initiative that will support planting at least 1.2 million trees across the country. The initiative is a part of GMF's broader approach to nature-based climate solutions, which will achieve significant carbon sequestration and increase forest and community resilience to climate change. Tree planting funding is for new tree planting projects, supporting communities to grow, manage and protect their tree canopies.

Discussion:

The City is applying to the GCCC tree planting fund for two projects aimed at increasing tree canopy coverage throughout our community:

- 1. Glenmore Recreation Park: Brandts Creek Tree Project
- 2. Canopy Corridors: Resilient Trees within Medians

Glenmore Recreation Park: Brandts Creek Tree Project

From historical air photos and agrology reports, the northern half of the Glenmore Recreation Park site has been devoid of vegetation since the 1950's. In the last twenty years, it has been filled with mineral soil, further disrupting the natural system. The site's southern half was historically used for farming, with hay being the primary crop. This project includes planting over 300 trees and associated under storey shrubs along Brandts Creek in Glenmore Recreation Park.

Canopy Corridors: Resilient Trees within Medians

Many medians in Kelowna lack trees altogether, while those that do exist often suffer from poor conditions due to proximity to asphalt surfaces, pollutants, and inadequate irrigation infrastructure. This project aims to increase tree plantings and implementing sustainable landscape beds for canopy trees within medians along Highway 97, replacing approximately 50 trees in poor health and planting approximately 41 new trees.

Planting activities for both projects are targeted in areas that have low tree equity to improve overall coverage throughout our community. Each project includes a variety of environmental and social benefits; providing shade, boosting the local ecology, and beautifying our community.

Conclusion:

The City actively pursues grants to reduce municipal taxation and to leverage City funding for infrastructure, services, and programs to support Council, corporate and community priorities.

Funding from the Growing Canada's Community Canopies fund will support two important projects to increase tree canopy throughout Kelowna.

Internal Circulation:

Parks Operations Parks and Buildings Planning Finance

Considerations applicable to this report:

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: N. Cantley, Partnerships Coordinator

Approved for inclusion:

M. Kam, Acting Partnership Office Director

cc: M. Steppuhn B. Stewart T. Hillis





Date:	July 22, 2024
То:	Council
From:	City Manager
Subject:	Infrastructure Capital Program Update
Department:	Infrastructure Delivery

Recommendation:

THAT Council receive this report from the Infrastructure Delivery department providing a midyear update on major capital projects.

Purpose:

To advise Council on Administration's progress towards the goals of the capital projects plan for 2024.

Council Priority Alignment:

Transportation

Background:

The 2024 capital budget plans were reviewed by Council during multiple stages in Q3 and Q4 of 2023. Administration has previously provided a midyear update about the progress of numerous major significant capital projects around Kelowna.

Discussion:

Administration notes several positive trends in procurement for this year's capital plan. The City began the year with efforts to broadcast the intended work program to the industry with the objective of increased awareness leading to more competition on bids. Biding activity has increased. Pricing appears to have stabilized with post COVID inflation tapering to pricing changes more closely tied to the construction related price indexes. Administration has also been trialing alternative procurement and project management frameworks with the objective of increasing utilization of the capital budget.

Conclusion:

The 2024 City of Kelowna capital budget program is generally on-track to deliver the largest group of projects for the public to date.

Internal Circulation:

Communications

Considerations applicable to this report: Communications Comments:

The City employs multiple channels to advise the public about City projects. The intent of these communications is a combination of advising the public of potential disruptions to their usual routines and to highlight progress on City priorities.

Considerations not applicable to this report: Legal/Statutory Authority: Legal/Statutory Procedural Requirements: Existing Policy: Financial/Budgetary Considerations: Consultation and Engagement:

Submitted by:	Brian Beach, Manager, Infrastructure Delivery
Approved for inclusion:	Mac Logan, General Manager, Infrastructure
Attachment(s): Infrastructure Capital Program Update	

cc: Communications Director

Infrastructure Capital Program Update

City of Kelowne

July 22, 2024

Projects Completed (or near completion)

July 2024

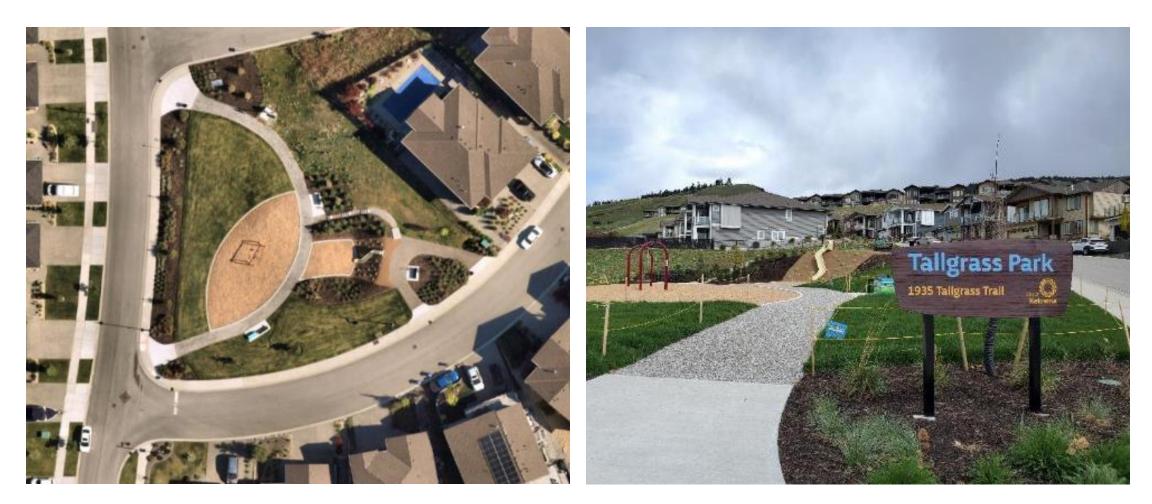
A DESCRIPTION OF THE OWN

- Kelowna

Water Street Boat Launch

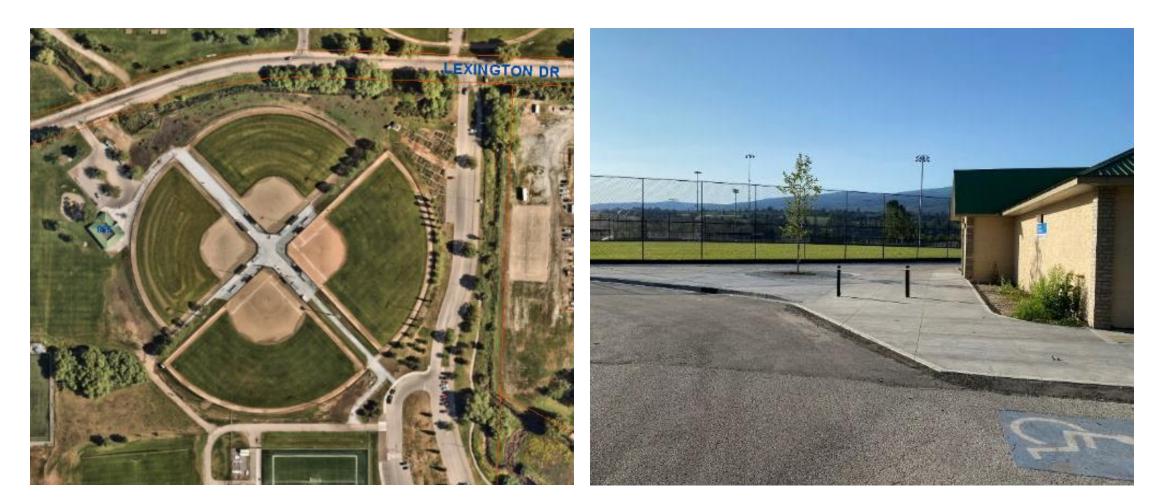


Tower Ranch – Tallgrass Park



City of Kelowna

Mission Rec Ball Fields



City of Kelowna

Knox Mountain Park South Lookout Improvements



Hwy. 97 / Pandosy Right Turn



City of Kelowna

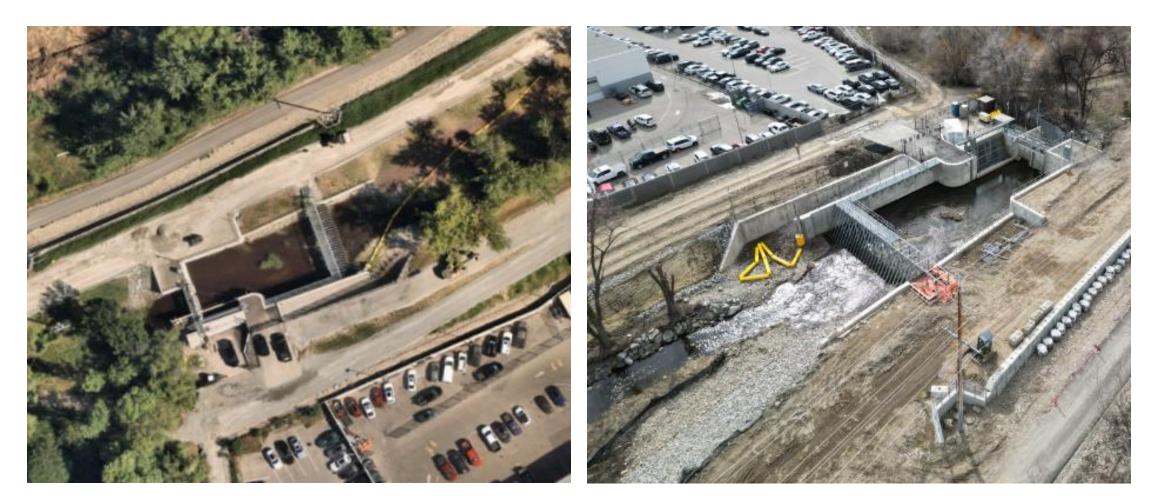
Landfill Aerated Static Pile







Mill Creek Diversion



Richter East Sewer

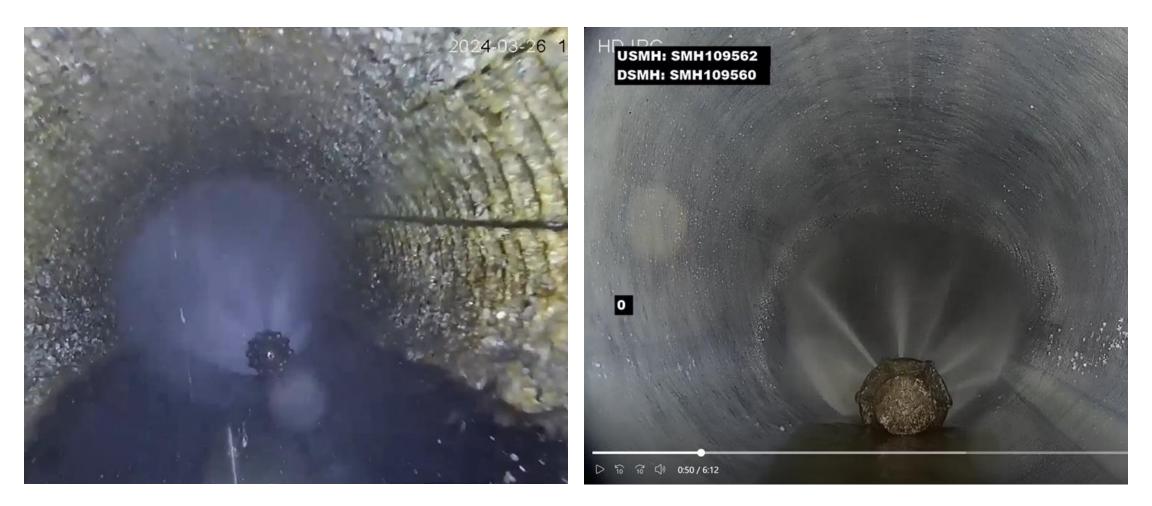
Delivered by City crews



Pandosy Area Sewer (EAC)



Burtch Sewer Trunk Lining



Bluebird Beach Parking Shoulder



Sutherland ATC (Ethel to Gordon)

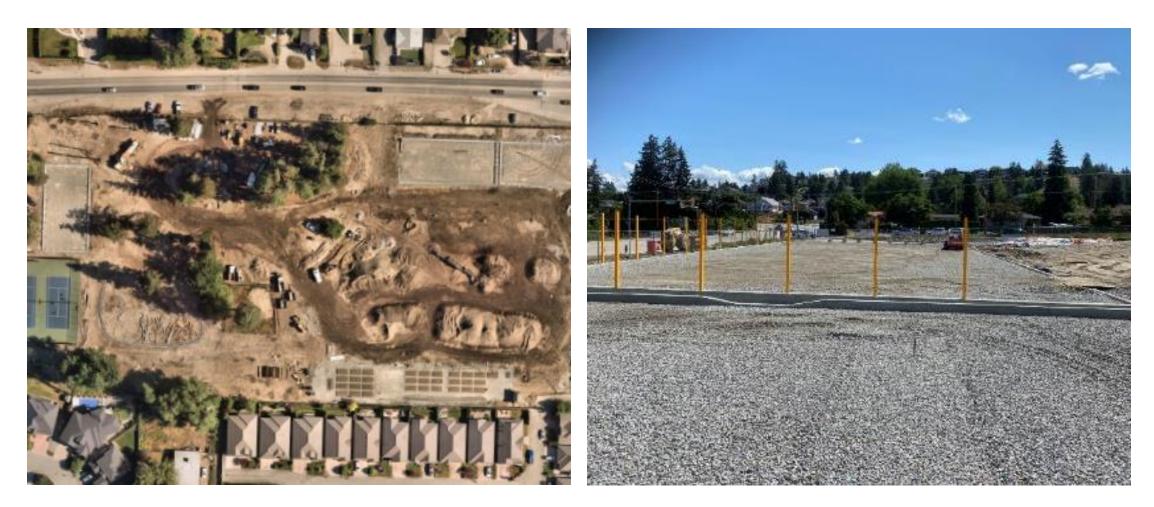




Projects In Progress

July 2024

Dehart Park



Sutherland ATC (Gordon to Chandler)



Leckie ATC (Hwy 97 to Dilworth)



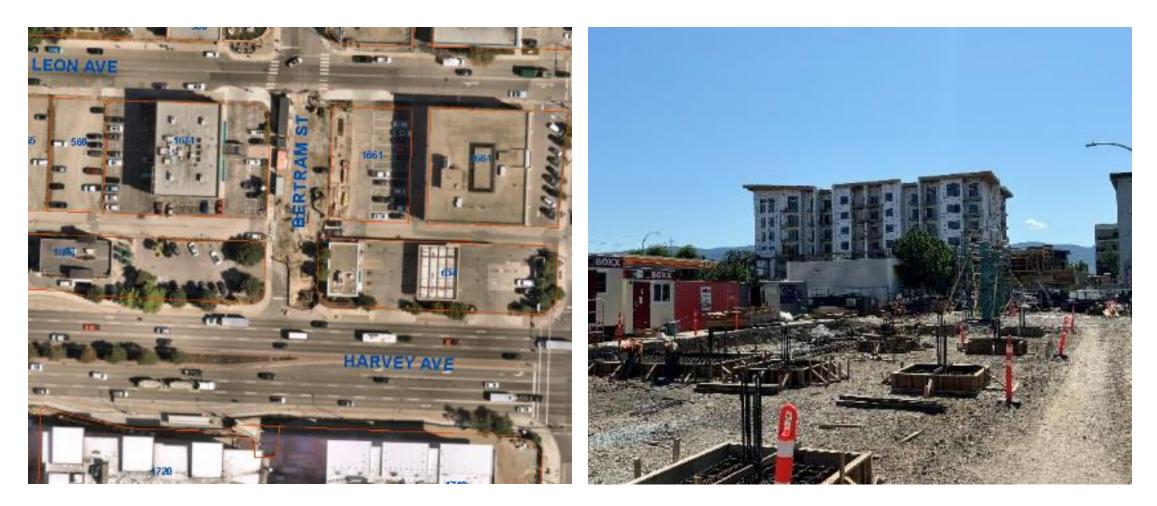
Summit Water Reservoir Expansion



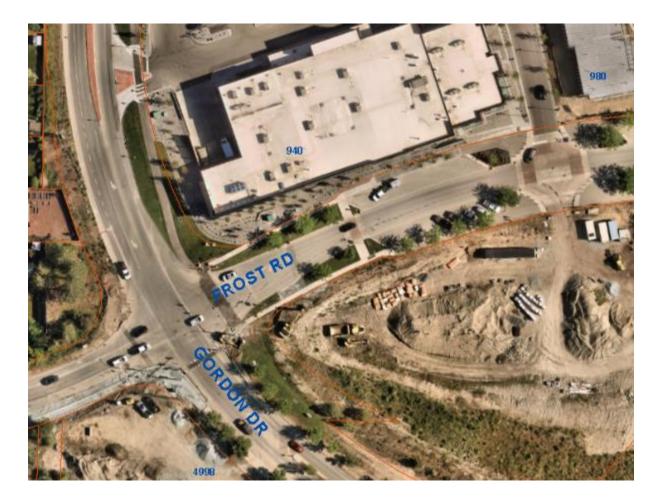
Rutland Centre Sewer Connections (Phase 2)



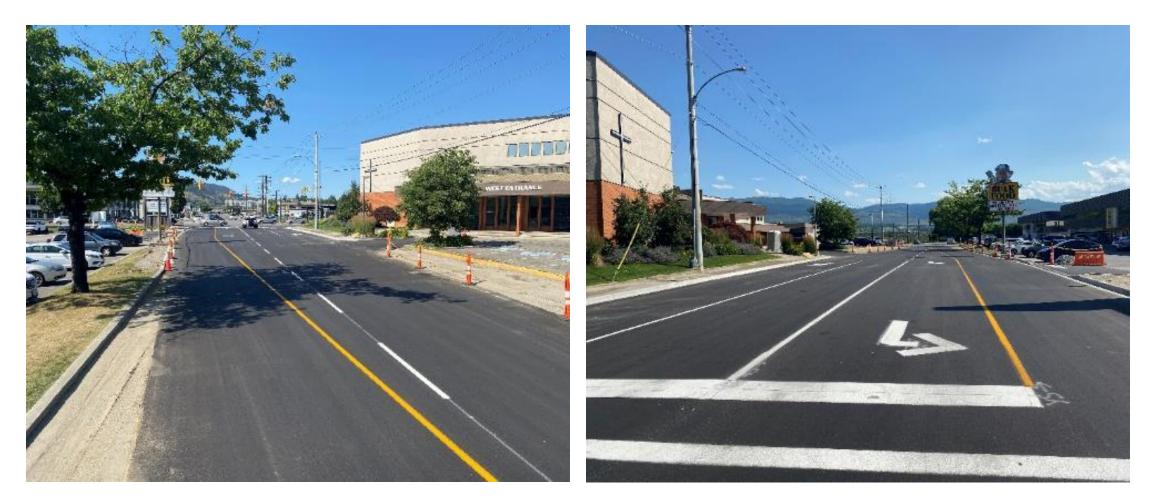
Hwy 97 / Bertram Ped/Bike Overpass



Frost / Gordon Traffic Signal



Spall / Springfield Intersection Upgrades



Projects Just Beginning

July 2024

City of

Kelowna

Glenmore Trunk Sewer Phase 1 (Cross to Union)



Coronation Ave. Water & Sewer Upgrades



Glenmore 4 ATC Extension



Raymer Ave. Watermain Replacement



Road Renewal / Paving Program





Questions?

For more information, visit kelowna.ca.





Date:	July 22, 2024	
То:	Council	
From:	City Manager	
Subject:	Water Supply Update – July 2024	
Department:	Utility Services	

Recommendation:

THAT Council receives, for information, the report from Utility Services dated July 22, 2024, with respect to the status of anticipated water supplies for the remainder of 2024;

AND THAT Council rescind the declaration that Agricultural Customers of the Kelowna Water Utility cannot exceed their annual Allotment in 2024; and that the City may shut off water services in the event that Customers exceed their Allotment.

Purpose:

To provide an update on the water supply status for the Kelowna Water Utility.

Background:

On April 22, 2024, Council passed a resolution moving the Kelowna water utility to Stage 1 Water Use Restrictions and declaring that Agricultural Customers are to be limited to their annual water allotment of 685mm in accordance with the Water Regulation Bylaw **for 2024 only**. At that time, staff were concerned that a continued dry spring would result in inadequate upland storage at McCulloch Reservoir, which was necessary to reliably provide adequate irrigation water to all allotted properties relying on the non-potable water system.

From the potable water perspective, staff were also concerned that potentially low water levels in Okanagan Lake may drive imposed water restrictions from the Province later in the year.

Stage 1 water restrictions do not impose additional water restrictions beyond the "normal" stage but are intended to raise awareness of drought conditions and prepare the community for the possibility of moving to more impactful watering restrictions.

City Manager July 22, 2024 Page **2** of **3**

Stage 1 water restrictions for lawn and garden irrigation for non-farm properties using either potable or non-potable water are publicly posted on Kelowna.ca and are as follows:

Odd numbered addresses	Tuesday, Thursday, Saturday	
Even numbered addresses	Wednesday, Friday, Sunday	
No watering allowed	Mondays	

Relevant Portion of Previous Council Resolution:

Resolution	Date
AND THAT due to drought conditions leading to an anticipated shortage in supply of water in the Non-Potable water system, Council declare Stage 1 Water Use Restrictions be in effect for all water customers of the Kelowna Water Utility;	April 22, 2024
AND FURTHER THAT Council declare that Agricultural Customers of the Kelowna Water Utility cannot exceed their annual Allotment in 2024; and that the City may shut off water services in the event that Customers exceed their Allotment.	

Discussion:

Since the April 22, 2024 declarations by Council, water supply conditions have improved considerably. This spring's cooler growing conditions, timely rain events and challenging crop conditions have led to a reduced demand and increased reservoir levels. McCulloch Reservoir reached full pool on June 5, 2024. Staff generally consider a full reservoir provides the needed irrigation water for the rest of the irrigation season regardless of how hot or dry the rest of summer turns out.

On Okanagan Lake, proactive water management by the Province has allowed the Okanagan Lake to reach a peak level of 342.28m, only 0.20m below full pool. While there are no drought declarations on the lake as of this date, the Province remains concerned over its commitments on the Okanagan River downstream as precipitation levels remain below normal and the summer heat ramps up.

Conclusion:

Staff recommend that the Utility remain at Stage 1 watering restrictions to avoid waste and preserve the water supply stability that has been re-established.

Staff are confident that the non-potable water system has adequate water storage to meet the needs of our irrigation customers for the remainder of 2024.

Internal Circulation:

Communications

Communications Comments:

The City publishes water conservation public awareness messaging throughout the summer through a variety of channels such as social media, Kelowna.ca and our e-updates direct to residents who have subscribed to receive updates from the City. High use agriculture water customers were contacted following the April 22 resolution to restrict agricultural properties to their allotment. Customer notification to advise of the amendments to this resolution will occur through various grower associations and the City's website.

Considerations not applicable to this report: Legal/Statutory Authority: Legal/Statutory Procedural Requirements: Existing Policy: Consultation and Engagement: Financial/Budgetary Considerations:

Submitted by:	K. Van Vliet, Utility Services Department Manager
Approved for inclusion:	M. Logan, General Manager of Infrastructure

cc: Communications Director

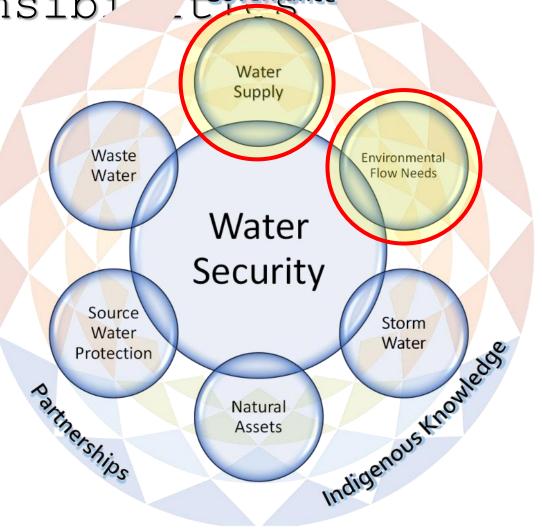


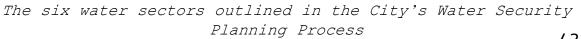
Potable & Non-Potable Water Supply Status Presentation to Council – July 22, 2024

Water Security/Responsibj _termance

Principle 1: "All

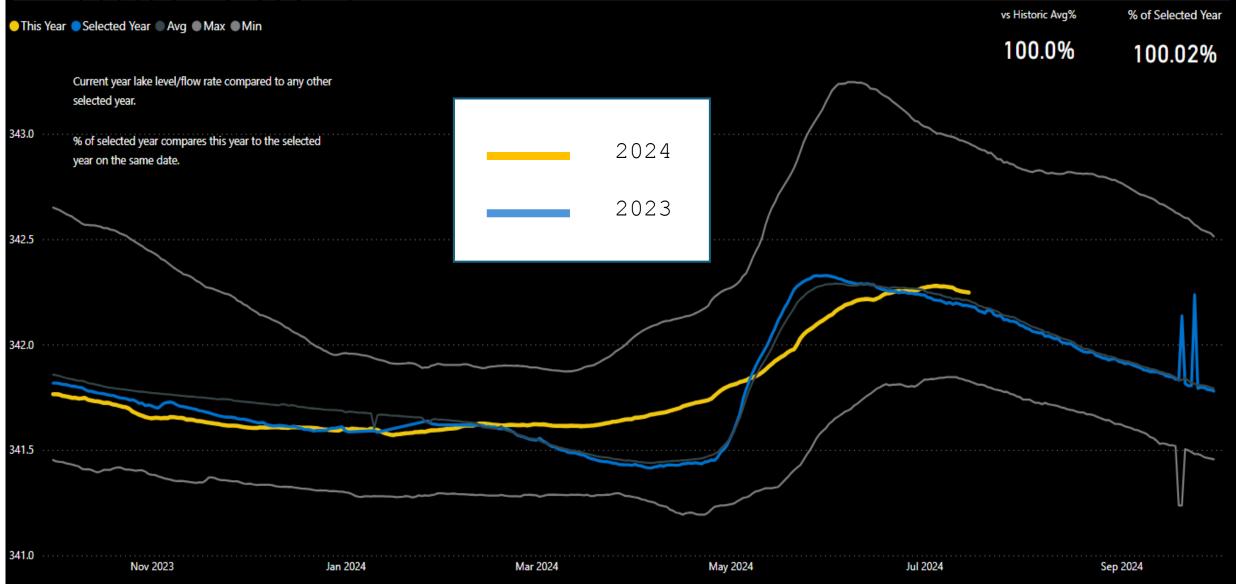
residents and water users in the City have a safe, affordable, resilient and sustainable supply of high-quality drinking water and a reliable Supply vater for that the guality and quantity water is available to support a healthy aquatic ecosystem."



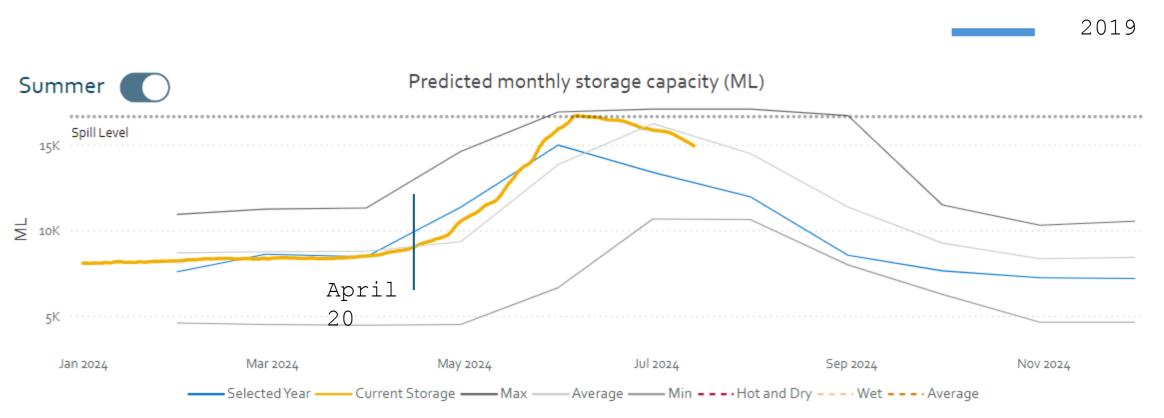




Okanagan Lake Levels - Today



McCulloch Lake - Dashboard -Summer



*Note the exact date of historic reservoir data is unknown. It is assumed that values represent the end of the month.

2024

Conclusion

- Okanagan Drought into 4th Year.
- Potable System
 - Okanagan Lake water levels at "normal".
 - Recommend that Stage 1 water restrictions remain for users on both systems.
- Non-Potable System
 - Near normal operation.
 - Recommend that the declaration to limit users for 2024 only to their allotment else possible shutoff be rescinded.





Thank you!

Report to	Council
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Date:	July 22, 2024
То:	Council
From:	City Manager
Subject:	Local Government Climate Action Program – Year 3 Reporting
Department:	Climate Action & Environmental Stewardship and Energy Management

Recommendation:

THAT Council receives, for information, the report from the Climate Action & Environmental Stewardship and Energy Management Departments, dated July 22, 2024, with respect to the Local Government Climate Action Program Annual Update.

Purpose:

To update Council on Year 3 of the provincial Local Government Climate Action Program (LGCAP) and to fulfill the provincial requirements to make the LGCAP survey and attestation form public.

Council Priority Alignment:

Climate & Environment

Background:

In 2022, the provincial government introduced the LGCAP to provide predictable, stable, and flexible funding for local governments and Modern Treaty Nations to support climate action that reduces greenhouse gas (GHG) emissions and prepares communities for the impacts of a changing climate.

The City of Kelowna is eligible for \$419,082 annually, provided the eligibility requirements outlined in Table 1 are met. Originally the funding was provided for a three-year period (2022-2024) and funds were disbursed from the provincial government on an annual basis. Earlier this year, funds for an additional two years (2025 and 2026) were approved, and funds for LGCAP years 2024-2026 were disbursed in an upfront lump sum payment.

Table 1: LGCAP Eligibility Requirements

LGCAP Eligibility Requirement	Meeting Requirement?	Details
Be a signatory of the BC Climate Action Charter	\checkmark	Kelowna signed on to the Charter soon after it was launched in 2007
Measure and report annually on corporate GHG emissions	\checkmark	See Attachment A for 2023 GHG emissions
Report annually on initiatives linked to the CleanBC Roadmap to 2030 and/or Climate Preparedness and Adaptation Strategy	\checkmark	See Attachment A which includes initiatives that were worked on in 2023
Submit and publicly post a completed program survey and signed attestation form by July 31 each year	In progress	Survey and signed attestation form will be submitted following this Council presentation
Demonstrate that the first two annual installments (2022-2023) of LGCAP funds are spent on climate action by March 31, 2025	In progress	Staff have identified priority initiatives to fund based on an internal application process (see point 4 of the Discussion section)
Demonstrate that the last three annual installments (2024-2026) of LGCAP funds are spent on climate action by March 31, 2028	Not started	Staff will follow the same internal application process as years 1 and 2 to determine priority initiatives

Discussion:

Annual reporting for the LGCAP is completed through an online survey that requires information on corporate and community GHG emissions, initiatives that align with the provincial <u>CleanBC Roadmap</u> to 2030 and/or <u>Climate Preparedness and Adaptation Strategy</u>, and approximate resources invested in climate action (see Attachment A). The final component of the survey is a signed attestation form confirming that the LGCAP funds have been or will be allocated to climate action. The City has completed the online survey and attestation form which summarizes climate action in 2023 related to the LGCAP. Outlined below is a high-level summary.

LGCAP Survey Highlights:

1. <u>Corporate GHG Emissions</u>

The City tracks energy and emissions data from its corporate operations (e.g., civic buildings and facilities, water and wastewater treatment, vehicle fleet, outdoor lighting) through its energy management system. In 2023, City operations emitted 7,381 tonnes of carbon dioxide equivalent (tCO2e) emissions, excluding emissions from the airport, landfill and police facilities as per the LGCAP reporting standards. As per LGCAP requirements an estimate for contractor emissions was included in the survey; however, this number is highly variable and trends on corporate GHG emissions reductions are best determined excluding contractor service emissions. Beginning in 2018, higher usage of facilities and older infrastructure have led to a small rise in the City's corporate GHG emissions, as seen in Figure 1.



Figure 1: Corporate GHG emissions (2018 – 2023)

2. Community GHG emissions

All local governments and Modern Treaty Nations receive community GHG emissions data through the Province's Community Energy and Emissions Inventory (CEEI). The CEEI is broken down by transportation, buildings, and waste. As illustrated in Figure 2, the latest data available through the CEEI is for the year 2021 and shows that absolute community GHG emissions have increased slightly (4.6 per cent) compared to the 2007 baseline year. On a positive note, progress is being made on a per capita basis (declining approximately 20 per cent capita since 2007).



Figure 2: Community GHG emissions (2007-2021)

3. City of Kelowna recent climate action projects

Outlined below are a sample of the initiatives the City led during 2023 that align with the CleanBC Roadmap to 2030 and/or Climate Preparedness and Adaptation Strategy. A more comprehensive summary of climate action projects completed in 2023 related to Council Priorities can be found on the <u>Climate & Environment Section</u> of the Progress Report on Council Priorities 2023-2026 webpage and in the LGCAP survey (Attachment A).

Initiatives reducing GHG emissions:

- **Corporate efficiency upgrades or retrofits:** Ongoing energy upgrades to City facilities including the Rutland Family Y that will reduce emissions by 160 tonnes of CO2e per year.
- **Zero emission vehicle (ZEV) procurement:** In 2023, we added six ZEVs five Battery Electric Vehicles (BEVs) and one Hydrogen Fuel Cell Vehicle to the City's corporate fleet.
- **Established electric vehicle charging ready bylaws:** To support the shift to electric vehicles, we updated the Zoning Bylaw to require most parking stalls in new residential buildings to include an energized electrical outlet capable of minimum Level 2 charging.
- **Topping Up Provincial energy efficiency programs:** We continued to offer top-up rebates to existing provincial programs to those that switch from a fossil fuel heating system to a heat pump and to those that install EV chargers in multi-unit residential buildings. We also added top ups for heat pump water heaters and electrical service upgrades.

Initiatives to adapt to a changing climate:

- *FireSmart Community Chipping Program:* The City won a Climate and Energy Action Award at the 2023 UBCM Conference for this program that offers free curbside removal and chipping of highly flammable plant and shrub materials to reduce wildfire fuel levels on private properties.
- *WaterSmart Landscaping Rebates:* Offered rebates to Kelowna residents for planting climate appropriate landscapes and optimizing water use.
- *Mill Creek Flood Protection:* continued the multi-year, multi-million-dollar initiative to improve the creek corridor and reduce flooding potential throughout the city, from the Kelowna Airport to Okanagan Lake.

Work continued on several strategies that will help the City continue to reduce GHG emissions and adapt to changing climate. These include the Climate Resilient Kelowna Strategy, the Sustainable Urban Forest Strategy, and the Water Security and Responsibility Plan - all of which will be presented to Council for endorsement later this year.

4. Initiatives to be funded through LGCAP

The first two years of LGCAP funding must be spent by the City by March 31, 2025. Eligible expenditures are flexible and can include, but are not limited to staffing, contracts, climate resilient infrastructure, matching funds to leverage funding from the other sources, risk assessments, and communications/engagement.

Earlier this year, staff initiated an internal application process to identify and prioritize climate action initiatives across the organization that require funding and would support the objectives of the LGCAP. After an internal review process, the following initiatives were recommended for LGCAP funding:

- Lawn Swap Go Electric Rebate Program: Provides rebates to eligible residents when trading out old gas-powered equipment for new electric equipment. The rebate covers up to \$150 (no more than 50% of the cost) for new electric lawnmowers, leaf blowers, trimmers or chainsaws.
- **Quail Ridge Park Wildfire Risk Reduction Prescription:** Develop a wildfire risk reduction prescription (known as a fuel management prescription) for the Quail Ridge Linear Park and adjacent natural area.

- *Fire Weather Monitoring Stations:* The City is partnering with the UBCO to install a network of fire weather stations across Kelowna's natural areas. This would enable the Kelowna Fire Department to monitor wildfire weather and predicted fire behaviour in real time across the community.
- **Term Staff Position Climate Action Specialist:** A three-year term staff position who can support the City's community climate action efforts by developing and implementing programs focused on mobilizing behaviour change in the community.

Over the coming months, staff will be implementing the initiatives, ensuring LGCAP requirements are met. Additional initiatives may be added based on available funding and LGCAP alignment.

Conclusion:

The Province introduced the LGCAP to provide predictable, stable, and flexible funding to help local governments and Modern Treaty Nations reduce GHG emissions and/or adapt to the anticipated increase in frequency and severity of climate events (e.g. wildfire, drought, heat domes, and flooding). The City continues to support climate action through various funding streams and will utilize the LGCAP funding for initiatives that align with the Province's CleanBC Roadmap to 2030 and Climate Preparedness and Adaptation Strategy and the upcoming Climate Resilient Kelowna Strategy.

Internal Circulation:

- Capital Planning & Asset Management
- Communications
- Financial Services
- Fire Prevention
- Grants & Special Projects

- Integrated Transportation
- Long Range Policy Planning
- Purchase Services
- Urban Forestry
- Utility Services

Existing Policy:

- 2040 OCP
 - Objective 12. 1: Design the community to be more resilient to a changing climate.
 - Objective 12.2: Prioritize climate resiliency in City operations
 - Objective 12.9: Support the community to prepare for and become resilient to the impacts of climate change.
- 2023-2026 Council Priorities
 - o Climate and Environment: Reduce corporate and community GHG emissions

Financial/Budgetary Considerations:

The proposed initiatives for utilizing the initial allocation of LGCAP funds will be presented to Council with the quarterly financial reporting.

Submitted by:

C. Ray, MRM Climate Action & Environment Manager R. Baines, P.Eng, CEM Energy Manager

Approved for inclusion:

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



Local Government Climate Action Program (LGCAP) Year 3

Kelowna Survey Responses for 2024

July 2024

1435 Water Street Kelowna, BC V1Y 1J4 TEL 250-469-8610 FAX 250-862-3349 email@kelowna.ca

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Introduction

The Local Government Climate Action Program – Year 2

The provincial Local Government Climate Action Program (LGCAP) provides local governments and Modern Treaty Nations with predictable and stable funding for the next three years to support the implementation of local climate action that reduces emissions and prepares communities for the impacts of a changing climate.

The LGCAP supports local climate action to help BC reach the Province's legislated climate targets and achieve provincial climate goals outlined in the <u>CleanBC Roadmap to 2030</u> and the <u>Climate</u> <u>Preparedness and Adaptation Strategy</u>.

The City of Kelowna is eligible for \$419,082 annually until 2026 provided the following eligibility requirements are met each year:

- Be a signatory of the <u>BC Climate Action Charter;</u>
- Measure and report on traditional service GHG emissions;
- Report on projects linked to one or more objectives from the province's <u>CleanBC Roadmap to</u> 2030 and/or <u>Climate Preparedness and Adaptation Strategy</u>;
- By the July 31 deadline, submit the completed program survey and signed attestation form to confirm that the first two years of LGCAP funds were or will be used towards climate action by the March 31, 2025 deadline; and
- By the September 30 deadline, publicly post the survey and attestation form.

Part A: Climate Action Planning

Climate Action Plans are strategic roadmaps that identify how an organization will reduce their greenhouse gas (GHG) emissions (mitigation), increase their resilience to the impacts of climate change (adaptation), or a combination of both.

To answer the following questions, consider staff that contribute to activities that reduce greenhouse gas (GHG) emissions and/or strengthen resilience and the ability to adapt to climate-induced impacts. This includes (but is not limited to): climate-related hazards; integrating climate change measures into policies, strategies and planning; improving education, raising awareness of climate change causes and solutions, increasing human and institutional capacity with respect to climate change mitigation and adaptation, and impact reduction and early warning systems.

Question 1 a): How many staff in full time equivalents (FTEs) are dedicated to working specifically on climate action? If a staff member is a climate action coordinator and works 100% on climate-related issues, add 1.0.

4.0

Question 1 b): How many staff in full-time equivalents (FTEs) are dedicated to working on climate action in other departments such as transportation or engineering? For example: Can include staff in engineering, emergency management, transportation, waste management, etc. related to climate work but whose primary role is not working on climate action. If a staff member works approximately 25% (please estimate) on climate-related issues, add 0.25. Working on climate-related issues does not need to be written into the staff member's job description to be counted here.

10.5

Question 2 a): Does your local government or Nation have a community-wide climate action plan or other guiding document(s)?

Yes, a standalone mitigation plan was adopted in June 2018.

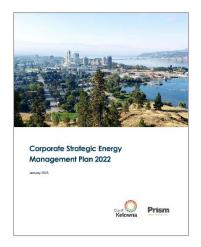


Kelowna's Community Climate Action Plan (2018).

It should be noted that a new community climate action plan (the Climate Resilient Kelowna Strategy) that addresses both mitigation and adaptation is currently in development. A draft can be found at: <u>https://getinvolved.kelowna.ca/climatestrategy</u>.

Question 2 b): Does your local government or Nation have a corporate climate action plan or other guiding document(s)?

Yes, an integrated climate action plan (addressing mitigation and energy) (adopted in January 2023)



Corporate Strategic Energy Management Plan (2022)

Question 3: Has your local government or Nation declared a climate emergency? Yes

Question 4: Please select up to three challenges impeding the advancement of climate action in your community.

- Lack of staff capacity or expertise
- Lack of financial resources
- Lack of data or information
- Lack of provincial or federal government support or collaboration
- Competing priorities
- Other

Part B: Traditional Services Greenhouse Gas Emissions

Measuring traditional services emissions (defined in previous years as corporate emissions) is a Program requirement for all communities with a 2020 population of 10,000 and above (see population statistics here). Traditional services GHG emissions are those produced by the delivery of local government or Modern Treaty Nation "traditional services" including:

- Fire protection,
- Solid waste management,
- Recreational / cultural services,
- Road and traffic operations,
- Water and wastewater management, and
- Local government administration.

Question 5: For the 2023 calendar year, has your local government or Nation measured and reported associated traditional services GHG emissions? Yes

If your local government or Nation measured 2023 traditional services GHG emissions, please report the GHG emissions from services delivered directly by your local government (in tonnes of carbon dioxide equivalent) from scope 1 and 2 sources.

7,381

- OPTIONAL: Please indicate how many tonnes of CO2e are associated with facilities.
 - o 4,345
- OPTIONAL: Please indicate how many tonnes of CO2e are associated with mobile sources.
 3,036

If your local government or Nation measured 2023 traditional services GHG emissions, please report the GHG emissions from contracted services (in tonnes of carbon dioxide equivalent) from scope 1 and scope 2 sources. 4,601

If your local government or Nation measured 2023 traditional services GHG emissions, please report the total GHG emissions from both directly delivered and contracted services (in tonnes of carbon dioxide equivalent) from scope 1 and scope 2 sources. This would be the sum of the two questions above.

11,982

If your local government or Nation measured 2023 traditional services GHG emissions, please report what protocol you used to measure emissions.

2023 B.C. Best Practices Methodology for Quantifying Greenhouse Gas Emissions

Part C: Community-Wide Greenhouse Gas Emissions

B.C. Climate Action Charter signatories have committed to measuring and reporting their communitywide GHG emissions generated from all GHG sources (anthropogenic) within their community boundary.

The Community Energy and Emissions Inventory (CEEI) initiative provides a provincial framework for tracking and reporting energy and GHG emissions at a community-wide scale. It is published with a two-year lag; however, raw data can be requested by local governments that wish to measure and report their community-wide emissions for the buildings and solid waste sectors ahead of publication.

The Climate Action Secretariat (CAS) is aware that some local governments are developing their own community-wide GHG emissions inventories (separate from the provincial CEEI). A better understanding of community-wide emissions measurement across B.C. will help CAS as we upgrade CEEI.

Question 6: For the 2023 calendar year, have community-wide GHG emissions been measured for your local government or Nation?

No, community GHG emissions were not reported because the 2023 Provincial CEEI data has not been released.

If not, has your community or Nation measured and reported community-wide emissions in the past?

Yes

When was the last year your community or Nation reported its community-wide emissions and what is the interval for reporting (ex. 2022, every 5 years)?

2021. Emissions inventories are updated when the Province releases CEEI inventory updates, annually. However, these updates usually result in inventories that are 2 + years out of date.

Please report your community-wide transportation sector emissions in tonnes of CO2e for the most recent year available.

410,425

Please report your community-wide buildings sector emissions in tonnes of CO2e for the most recent year available.

292,066

Please report your community-wide solid waste sector emissions in tonnes of CO2e for the most recent year available.

64,641

If your local government or Nation measured your community-wide emissions, please report the protocol(s) you used to measure emissions.

• Global Protocol for Community-Scale Greenhouse Gas Emissions Inventories (GPC).

- GCoM Common Reporting Framework (CRF).
- 2006 IPCC Guidelines for National Greenhouse Gas Inventories.
- U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions (ICLEI USA).
- Regional specific methodology (CEEI).
- Jurisdiction specific methodology.
- Other.

Question 7: Currently, the Province's legislated GHG emission reduction targets are 40% by 2030, 60% by 2040 and 80% by 2050, relative to 2007. Please state your local government or Nation's target(s). Please enter "0" if no targets or baseline are established for the years given in the table.

	Reduction Percentage (format: e.g., 40)	Baseline Year (format: e.g., 2007)
2030	-	-
2040	-	-
2050	80	2007

If your local government or Nation's targets do not conform to the target years noted above, please enter them here. Format e.g.: target 2035 50% baseline 2010, target 2060 70% baseline 2010, ...

The City's Official Community Plan has GHG emission reduction targets of 25% by 2033 and 80% by 2050. However, in June 2022, Council directed staff to use targets of 40% below 2007 levels by 2030 and net zero by 2050 in the development of a new Climate Resilient Kelowna Strategy anticipated to be complete in 2024, at which time the OCP targets will be revised to reflect this.

Question 8: Does your local government or Nation have net-zero or carbon-neutral emissions target(s)? Please select all that apply.

- Yes: Community-wide net-zero target (Net-zero refers to a jurisdiction or organization achieving a balance between greenhouse gas emissions produced and removed from the atmosphere (e.g. planting trees or using carbon capture technologies))
- Yes: Corporate carbon neutrality (Carbon neutral refers to an organization reducing emissions as much as practicable and then offsetting the remainder by purchasing offsets or other similar mechanisms)
- Yes: Corporate net-zero target (Net-zero refers to a jurisdiction or organization achieving a balance between greenhouse gas emissions produced and removed from the atmosphere (e.g. planting trees or using carbon capture technologies))
- No

Note: Once the Climate Resilient Kelowna Strategy is completed, the OCP targets for community GHG emissions will be updated to reflect net-zero by 2050 GHG emission reduction target.

Question 9: Please select up to three supporting indicators that would be most valuable to your local government or Nation to advance climate action (these indicators were previously reported through the Community Energy and Emissions Inventory initiative).

- Housing type: Private dwellings by structural type
- Floor area: Average floor area by building category and era
- Residential density: Population and dwelling units per "net" land area
- Commute by mode: Employed labour force by mode of commute
- Greenspace: Land area that is parks and protected greenspace
- Walk score: Proximity to services
- Proximity to transit: Persons, dwelling units and employment within walking distance of a "quality" transit stop/line
- Other:
 - Vehicle kilometres travelled (ICBC data) at the forward sortation area (FSA) or neighbourhood level and/or vehicle ownership at the FSA or neighbourhood level
 - o Building energy (natural gas, electricity) use at the FSA or neighbourhood level
 - o Tree canopy coverage

Part D: Provincial Policy Alignment - Mitigation

The <u>CleanBC Roadmap to 2030</u> is B.C's plan to meet provincial emissions reduction targets to be 40% below 2007 levels for 2030 and set us on course to reach net-zero emissions by 2050.

One requirement of this Program is that you must report on a minimum of one project linked to objectives from the <u>CleanBC Roadmap to 2030</u> and/or <u>Climate Preparedness and Adaptation</u> <u>Strategy</u> (CPAS). Funding does not need to come from this program. For questions 10-13, if your community reports one initiative related to one sector (e.g. buildings) you have satisfied this requirement. That said, please select all that apply.

Question 10: Please indicate all climate initiatives your local government or Nation had inprogress, ongoing or completed in the 2023 calendar year related to the buildings sector. This should not be limited to what your LGCAP funding supported.

Corporate buildings policies, programs and actions.

- Highest efficiency standards for new space and water heating equipment.
- BC Energy Step Code adoption (Step 3 or higher).
- Zero Carbon Step Code adoption.
- Efficiency upgrades/retrofits.
- Requirement to use mass timber in buildings construction.
- Requirement to measure embodied carbon.
- Other.
 - Developing policy for all new corporate buildings (city-owned and operated) to meet LEED Gold and CAGBC Zero Carbon Building standards.

Community-wide buildings policies, programs and actions.

- Topping up Provincial energy efficiency incentive programs.
- Highest efficiency standards for new space and water heating equipment.
- BC Energy Step Code adoption (Step 3 or higher).
- Zero Carbon Step Code adoption.
- Requirement to use mass timber in buildings construction.
- Requirement to measure embodied carbon.
- Other.
 - Participated in a working group led by Renewable Cities comprising architects, developers, building officials and other industry professionals to examine local government solutions to mass timber.

Please highlight a community project(s) that was in-progress, ongoing or completed in the 2023 calendar year related to buildings.

• Continued to offer an additional \$2,000 rebate for heat pumps as part of the Clean BC Municipal Top-Up program and expanded top-up options to include electrical service upgrades and heat pump water heaters.

- Offered mid-construction blower door test rebates (\$325) for new Part 9 building permits.
- Ongoing collaboration with NRCAN on Canadian Energy End Use (CEE) map project to develop mapping dashboard (GIS) for building energy use and GHG metrics based on current and projected policy scenarios.
- Ongoing collaboration with Carleton University on randomized control trial field study to: administer heat pump survey, test efficacy of information distributions, and recruit participants to a home energy coordinator program.
- Analysis of aggregated Part 9 NRCAN data since Step Code implementation, to develop understanding of current performance and prospects for higher steps of Step Code and Zero-Carbon Step Code.
- Continued implementation of Energy Step Code Step 3 for Part 9 residential buildings and midsteps for Part 3 buildings.
- Continued participating in the Building Benchmark BC program.
- Continued the *See the Heat* (in partnership with the Okanagan Regional Library) program. where residents can borrow a thermal imaging camera that connects to a smartphone to learn more about the energy efficiency of their home.
- Initiated a contract for a home energy concierge program, Home Energy Navigator. The program launched in early-2024.

Question 11: Please indicate all climate initiatives your local government or Nation had inprogress, ongoing or completed in the 2023 calendar year related to the transportation sector. This should not be limited to what your LGCAP funding supported.

Corporate transportation policies, programs and actions.

- Programs to increase high-occupancy (2 or more people) vehicle trips (i.e. carpooling).
- Established personal (passenger) transportation target goals, and measures to reach them, in annual reports – may include target goals for vehicle kilometre reduction, mode share for active transportation and zero-emission vehicles.
- Established commercial transportation target goals, and measures to reach them, in annual reports may include target goals for vehicle kilometre reduction, mode share for energy efficient commercial transportation and zero-emission vehicles.
- Implemented zero-emission vehicle first procurement policy for all local government on and off-road vehicles purchases.
- Implemented a zero-emission vehicle preference or requirement for contracted work from a service provider.
- Active transportation infrastructure investments.
- Active transportation education and encouragement programs.
- Expanded micromobility access, bylaws and/or infrastructure (e.g. introduced or expanded bike/e-bike/e-scooter sharing programs, built new bike/scooter lanes, updated bylaws for use of bikes/scooters).
- Installation of secure bike parking (i.e. bike valet).
- Electric vehicle charging studies/planning.

- Electric vehicle charging infrastructure investments.
- Required new and/or existing gasoline and card lock fuel stations to include zero-emission vehicle infrastructure development.
- Not applicable.
- Other.

Community-wide transportation policies, programs and actions.

- Programs to increase high-occupancy (2 or more people) vehicle trips (i.e. carpooling).
- Improving or expanding public transportation.
- Mode shift targets for passenger and/or commercial transportation (shifting from private vehicles to sustainable modes like walking, cycling and public transit) in Official Community Plan, Regional Growth Strategy or other guiding documents.
- Established personal (passenger) transportation target goals, and measures to reach them, in annual reports – may include target goals for vehicle kilometre reduction, mode share for active transportation and zero-emission vehicles.
- Established commercial transportation target goals, and measures to reach them, in annual reports may include target goals for vehicle kilometre reduction, mode share for energy efficient commercial transportation and zero-emission vehicles.
- Bylaws updated to prioritize energy efficient transportation hierarchy (i.e. pedestrians first).
- Revising existing bylaws or implementing new ones to support active transportation.
- Active transportation planning.
- Active transportation infrastructure investments.
- Active transportation education and encouragement programs.
- Expanded micromobility access, bylaws and/or infrastructure (e.g. introduced or expanded bike/e-bike/e-scooter sharing programs, built new bike/scooter lanes, updated bylaws for use of bikes/scooters).
- Bylaws that reduce or eliminate off-street parking requirements.
- Implement pedestrian plazas, car-free streets (temporary or permanent) or limited-access automobile streets.
- Installation of public secure bike parking (i.e. bike valet).
- Neighbourhood or community-wide speed limit reductions.
- Electric vehicle charging studies/planning.
- Mandatory EV infrastructure in new construction.
- Established electric vehicle charging ready bylaws.
- Electric vehicle charging infrastructure investments.
- Streamlined hydrogen fueling station permitting process.
- Required new and/or existing gasoline and card lock fuel stations to include zero-emission vehicle infrastructure development.
- Required green roads certification for any new or significantly modified existing roads.

- Not applicable.
- Other.

Please highlight a community project(s) that was in-progress or completed in the 2023 calendar year related to transportation.

- To support the shift to electric vehicles, we updated the Zoning Bylaw to require most parking stalls in new residential buildings (e.g., single-family dwellings, duplexes, fourplexes, townhomes, multi-unit residential buildings) to include an energized electrical outlet capable of minimum Level 2 charging.
- Invested in 13 bus stops and completed new network plans to improve transit in Rutland and the Mission.
- Completed two major bike corridors: the Houghton active transportation corridors (ATCs) from Hollywood Road to Rutland Road, and the Ethel/Casorso ATC from Okanagan College to Rotary Beach.
- Updated the City's Bike Map.
- Completed a plan for the Neighbourhood Bikeways Program.
- Continued to deliver the City's Micromobility Program for shared e-bikes and e-scooters.
- Continued implementation of the anti-idling bylaw on July 25, 2022.
- Continued expansion of the public EV charging network, with new level two chargers at four different locations across the community.
- Offered additional rebates for MURB EV charging (individual charger rebate and EV ready infrastructure rebate) as part of the Clean BC Municipal Top Up program.
- Organized GoByBike Week. Participation in 2023 increased by roughly 20 per cent, with a 40 per cent increase in the number of schools participating.
- Continued improvements to winter active transportation corridor maintenance, focusing on corridors that are used most and connect to key destinations. New equipment also made snow clearing quicker and more efficient.
- Continued the Central Okanagan Regional Goods Movement Study in partnership with the BC Ministry of Transportation and Infrastructure, which identifies strategies to ensure the sustainable and efficient movement of goods as our region grows, including decarbonization of commercial goods movement in alignment with the Clean BC Roadmap to 2030.

Question 12: Please indicate all climate initiatives your local government or Nation had inprogress, ongoing or completed in the 2023 calendar year related to community-wide and corporate action. This should not be limited to what your LGCAP funding supported.

Corporate climate policies, programs and actions

- Circular economy or zero waste strategy.
- Sustainable procurement policy.
- Renewable energy investments (e.g. district energy, waste heat recovery, biomass, solar studies).
- Green/blue carbon sequestration.
- Compliance carbon offset projects.

- Voluntary carbon offset projects.
- Not applicable.
- Other.

Community-wide climate policies, programs and actions.

- Complete, compact communities.
 - Rezoning
 - o Smaller lots
 - Density bonuses
 - Secondary suites and laneway homes
 - Infill development
 - Urban containment boundaries
 - Official Community Plans
 - o Regional Growth Strategies
 - Community Development Plans

Organics diversion

- Circular economy or zero waste strategy
- Renewable energy investments (e.g. district energy, waste heat recovery, biomass)
- Green/blue carbon sequestration
- Not applicable
- 🗸 Other
 - Participated in the Canadian Circular Cities and Regions initiative and develop a Circular Economy Roadmap through the process.

Please highlight a community project(s) that was in-progress, ongoing or completed in the 2023 calendar year related to community-wide or corporate action.

- Continued to implement the 2040 Official Community Plan
- Continued development of the North End Plan
- Participated in the Canadian Circular Cities and Regions Initiative
- In late 2023, the City launched a project to create a new Fast Track approval process to help make it easier and faster to develop infill housing. The Fast Track builds upon the success of the City's new infill pre-zoning, and includes two key components:
 - An initial set of 4-6 pre-reviewed infill designs (aka: pre-approved, standardized), and
 - An accelerated (Fast Track) approval process that reduces approval timelines by 80 per cent
 - (The project will be completed in 2024. Following completion, the City will be looking to expand the options available for pre-approved designs.

Part E: Provincial Policy Alignment - Resilience and Adaptation

The goal of climate adaptation is to reduce risk and vulnerability associated with climate change impacts. To manage climate impacts, local governments and Nations are integrating climate adaptation principles into decisions and everyday activities.

One requirement of this Program is that you must report on at least one or more project(s) linked to one or more objectives from the <u>CleanBC Roadmap to 2030</u> and/or the <u>Climate Preparedness and</u> <u>Adaptation Strategy (CPAS)</u> in Questions 10-13. If your community reports one initiative related to one sector you have satisfied this requirement, but please select all that apply for Questions 10-13.

Question 13: Please indicate all initiatives your local government or Nation had completed, ongoing or in-progress in the 2023 calendar year to adapt to and build resilience to climate impacts. This should not be limited to what your LGCAP funding supported.

Corporate resilience and adaptation policies, programs and actions.

- Undertaking or completing a risk assessment at the asset or project level.
- Undertaking or completing a Hazard Risk Vulnerability Analysis (HRVA) at the asset or project level.
- Addressing current and future climate risks through plans, adaptation measure implementation, programs, service delivery, asset management and/or other functions.
- Collaboration with other communities on resilience planning/initiatives.
- Monitoring climate risks or impacts (floods, wildfire, etc.).
- Providing training (adaptation and mitigation skills).
- Creation of policy/procedures to affect change (climate considerations into decision-making processes).
- Creating data systems to support climate action.
- Utilizing natural assets/nature-based solutions.
- Developing emergency/hazard response plans.
- Not applicable.
- Other.

Community-wide resilience and adaptation policies, programs and actions.

- Undertaking or completing a risk assessment at the community level.
- Undertaking or completing a Hazard Risk Vulnerability Analysis (HRVA) at the community level.
- Addressing current and future climate risks through plans, adaptation measure implementation, programs, service delivery, asset management and/or other functions.
- Collaboration with other communities on resilience planning/initiatives.
- Hydroclimatological data collection.
- Monitoring climate risks or impacts (floods, wildfire, etc.).

- Public engagement on climate risks and actions.
- Providing training (adaptation and mitigation skills).
- Creation of policy/procedures to affect change (climate considerations into decision-making processes).
- Creating data systems to support climate action.
- Utilizing natural assets/nature-based solutions.
- Developing emergency/hazard response plans.
- Not applicable.
- Other.

Please highlight one or more climate adaptation project(s) that were completed, ongoing or inprogress in the 2023 calendar year to reduce risk and increase resilience. Please enter NA if your community reported no community-wide or corporate initiatives ongoing, completed or in-progress for 2023.

- Won a Climate and Energy Action Award at the 2023 UBCM Conference for the FireSmart Community Chipping Program that offers free curbside removal and chipping of highly flammable plant and shrub materials to reduce wildfire fuel levels on private properties.
- Completed a quantitative Climate Vulnerability and Risk Assessment.
- Implemented the Community Wildfire Resilience Plan, which was endorsed in August 2022.
- Continued an update to the Sustainable Urban Forest Strategy (strategy development and engagement).
- Continued the development of the new community climate action plan, the Climate Resilient Kelowna Strategy, which addresses both mitigation and adaptation (strategy development and engagement).
- Continued work on the Mill Creek Flood Protection Project (City is in the fifth year of an eightyear project to improve flood passage and public safety on Mill Creek).
- Continued work on the City of Kelowna Water Security Plan, a holistic view of future water needs and community resiliency in the face of a changing climate and social pressures.
- Administer and promote Qualified Water Efficient Landscaper (QWEL) certification for contractors.
- Offered rebates for planting climate appropriate landscapes for the public.

Question 14 a): Has a climate risk and vulnerability or similar assessment been undertaken for your local government or Nation?

Please select all that apply. In the textbox, please provide the link to the public assessment if available.

- Yes at the community level (Council Report and Executive Summary: <u>https://kelownapublishing.escribemeetings.com/Meeting.aspx?Id=deo7od94-foo5-463e-a1aad2d737864d28&Agenda=Agenda&lang=English&Item=38&Tab=attachments.</u>
- Yes at the asset or project level
- No

Question 14 b): Are you integrating climate risk into asset management, budgeting and climate action plans?

- 🗸 Yes, in asset management
- Yes, in budgeting
- Yes, in climate action plans
- No

Question 15: What are the most significant climate hazards and impacts faced by your jurisdiction and what is the timeframe of their expected impact on your community?

For each selection, please indicate if the timeframe of their expected impact is short, medium, long or not sure. (short [current/by 2025]; medium [2026-2050]; long [beyond 2050])

Climate hazard	Expected impact timeframe
Extreme heat and heat stress	Short
Extreme cold, snow and ice	Short
Water shortages	Short
Wildfire	Short
Wildfire smoke	Short
Overland flooding	Short
Coastal flooding, storm surge events and/or other coastal hazards	N/A
Wind, rain, and other storm events	Short – medium
Ecological impacts (examples of ecological impacts include	Short
biodiversity loss and erosion)	
Cultural impacts (examples of cultural impacts include threats to	Short
identities, languages, and livelihoods)	
Human health impacts	Short
Power outages	Short
Not applicable / no hazards	N/A
Not sure	N/A
Other:	
Water quality degradation	Medium
Landslides	Medium – long
Invasive species	Short

Question 16: What information do you need to know to be able to plan effectively for the future of your community, with respect to the hazards and impacts identified in Question 15? Please select one or more of what you consider the most valuable types of information for planning.

- Local knowledge
- Localized climate modelling and projected scenarios
- Assessment of potential community impacts
- Assessment of community vulnerabilities
- Risk assessment of hazards

- Mapping of climate change impacts and hazards
- Demographic information
- Projected development
- Adaptation planning information
- Technical expertise to implement solutions
- Community/stakeholder engagement and support
- Information on partnership opportunities
- Examples of actions taken by other communities
- Not sure
- 🗸 Other
 - Indigenous knowledge: culturally significant sites, historical ecological ranges/ecosystem patterns.

Optional: What resilience indicators are of most value to your local government or Nation?

In developing the Climate Resilient Kelowna Strategy, we found that identifying adaptation/resilience indicators was challenging. Therefore, the City of Kelowna would welcome best practices for adaptation/resilience indicators.

Tree canopy coverage and localized temperature data would be valuable.

Question 17: Based on the hazards and impacts you indicated as most significant in Question 15, which groups are most vulnerable to the impacts of those climate hazards and impacts?

- Low-income households
- Indigenous Peoples
- Racialized communities
- Newcomers to Canada (immigrants and refugees)
- People experiencing homelessness
- Seniors
- Women and girls
- Persons with disabilities
- LGBTQIA2S+: Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, Intersex, Asexual, Two-Spirit, and additional sexual orientations and gender identities
- People living alone/isolated
- Not sure
- 🗸 Other
 - Through the Climate Vulnerability and Risk Assessment, we identified which areas of Kelowna would be most at risk for the major local climate hazards (i.e., wildfires, extreme heat, flooding). Therefore, the groups above living in the highest risk areas (depending on the hazard) will be most vulnerable

Question 18: Of the hazards and impacts identified in Question 15, please specify the associated adaptation measures completed or in-progress in the 2023 calendar year, if any. If entering a hazard under "Other", please also write the hazard in the "Adaption measure" textbox.

Hazard	Adaptation measure
Extreme heat and heat stress	 Continued implementation of the Heat Alert and Response System Drafted the Sustainable Urban Forest Strategy (in- progress) Mapped urban heat islands through the Climate Vulnerability and Risk Assessment
Extreme cold, snow and ice	 Continued upgrading the capacity of snow clearing equipment.
Water shortages	 2023 was an extreme drought year and the City effectively managed through Level 5 drought conditions for almost four months (both potable and non-potable water systems were resilient) All creeks exhibited high temperatures due to critical flow conditions. The City ensured that environmental flow need releases were achieved for Mission Creek from Hydraulic Lake storage. Additional attention was given to reservoir levels in the Hydraulic Creek Watershed to ensure supply met demand throughout the year in the Southeast Kelowna water system. Administer and promote Qualified Water Efficient Landscaper (QWEL) certification for contractors Offered rebates for planting climate appropriate landscapes for the public Participated in provincial drought response team Continued development of Water Security and Responsibility Plan
Wildfire	 Continued implementation of the Community Wildfire Resilience Plan Continued the Community FireSmart Chipping Program for wildfire fuel reduction Continued implementation of the FireSmart program Worked with Glenmore-Ellison Improvement District during Grouse Complex Fire for emergency water planning
Wildfire smoke	 Continued communications program to raise awareness of smoke impacts, options for accessing clean air spaces
Overland flooding	 Continued implementation of the Mill Creek Flood Mitigation Project (the upgraded diversion trimmed peak flows effectively on Mill Creek)

	 Continued enforcement of Riparian Management Area development limitations to move structures away from flood-prone areas at time of re- development (Natural Environment Development Permits-Official Community Plan) Finished Downtown Stormwater Master Plan Initiated work related to a potential stormwater utility
Coastal flooding, storm surge events and/or other coastal hazards	N/A
Wind, rain, and other storm events	-
Ecological impacts	 Completed the sensitive ecosystem inventory update in collaboration with the Regional District of Central Okanagan Continued the update to Sustainable Urban Forest Strategy including analysis of new LiDAR to estimate tree canopy coverage Implementation of updated bylaws for tree protection to increase the number of replacement trees required Updated Zoning Bylaw to improve tree planting standards (e.g. requirements for soil volumes/soil cells appropriate to mature tree size, increased the number of trees planted in parking lots) Worked with regional partner (RDCO) to update invasive species bylaw and implemented invasive species management plans with several capital projects (e.g. Mill Creek Diversion)
Human health impacts	 Continued work on extreme heat response planning (e.g., implementation of the two-tiered Heat Alert & Response System for heat warnings and extreme heat emergencies) Continued implementation of the Regional Air Quality Program in collaboration with the Regional District of Central Okanagan
Cultural impacts	-
Power outages	 As part of the development of the Climate Resilient Kelowna Strategy, engaged with FortisBC Electricity on grid redundancy.
Other	-

Part F: Equity

Taking an equity-informed approach to climate action is about enhancing climate resilience for everyone in B.C., regardless of where and how they live and requires a just approach that integrates equity considerations into climate planning and adaptation responses.

Question 19: How does your local government or Nation ensure equitable access to and distribution of climate action opportunities and benefits? Please select all that apply.

- By collecting and analyzing disaggregated and/or spatial data on the impacts of climate policy and change.
- By engaging with equity seeking groups/frontline communities most impacted by climate policy and change.
- By designing and implementing climate actions that remove barriers to participation in planning and programs faced by equity seeking groups/frontline communities most impacted by climate change.
- There are no specific measures in place to ensure equitable access to and distribution of opportunities and benefits.
- Not sure how to integrate equity into our climate action work.
- Not sure if equity is being integrated into our climate action work.

Optional: Please highlight a climate initiative completed or in-progress in the 2023 calendar year that promotes equity and inclusion.

Continued partnering on the delivery of the See the Heat thermal imaging camera loan program. The program is in partnership with the Okanagan Regional Library and provides thermal imaging cameras for loan at no cost to ORL members. The program removes the cost barrier to energy efficiency and allows residents to borrow a thermal imaging camera that connects to a smartphone to learn more about the energy efficiency of their home (e.g. how well your house is insulated, how well doors and windows seal, what plug ins and outlets are particularly leaky, etc.). The program was recently highlighted in the SDG Cities Canada Report for Inclusive Culture:

https://unhabitat.org/sites/default/files/2024/06/sdg_cities_canada_report_final_23.06.2024_web.pdf

Part G: LGCAP Year 2 Funding

The Program must be able to demonstrate the impact this funding has on greenhouse gas emissions reductions and resilience and adaptation in B.C. To substantiate the Program, we must develop a baseline understanding of where local governments and Nations are at with respect to climate action and track progress over time.

Please do your best to specify how much of your LGCAP funds was invested for each initiative undertaken without double counting.

Question 20: What did/will your local government or Nation spend its LGCAP funding on for year two of the Program (2023)? Please select all that apply and indicate the total dollar value associated with each initiative. Please ensure the amount(s) entered for Question 20 equals your local government or Nation's total LGCAP funding received in 2023 (\$419,082).

- Corporate (Options listed below, titled "Corporate initiatives")
- Community (Options listed below, titled "Community initiatives")
- Funds on hold

Corporate Initiatives

- Staffing (\$355,082)
- Energy study
- Climate study
- Traditional services emissions reporting
- Asset management
- Climate finance planning
- Leveraging funds from other sources/ grant stacking
- Buildings initiatives
- Community-wide initiatives
- Resilience and adaptation initiatives
- Topping up programs/incentives
- Other

Community Initiatives

- Climate engagement
- Climate study
- Energy study
- Asset management
- Buildings initiatives
- Transportation initiatives

- Community-wide initiatives
- Resilience and adaptation initiatives
 - Undertaking or completing a risk assessment at the community level.
 - Undertaking or completing a Hazard Risk Vulnerability Analysis (HRVA) at the community level.
 - Addressing current and future climate risks through plans, adaptation measure implementation, programs, service delivery, asset management and/or other functions. (\$24,000)
 - o Collaboration with other communities on resilience planning/initiatives.
 - Hydroclimatological data collection.
 - Monitoring climate risks or impacts (floods, wildfire, etc.). (\$25,000)
 - Public engagement on climate risks and actions.
 - Creation of policy/procedures to affect change (climate considerations into decisionmaking processes).
 - Creating data systems to support climate action.
 - Utilizing natural assets/nature-based solutions.
 - o Developing emergency/hazard response plans.
 - o Other.
- Topping up programs/incentives

🗸 Other

• Rebates for low-carbon landscaping equipment (\$15,000)

Please highlight the initiative(s) your local government or Nation's LGCAP year two funding will support.

- Lawn Swap Go Electric Rebate Program: Provides rebates to eligible residents when trading out old gas-powered equipment for new electric equipment. The rebate covers up to \$150 (no more than 50% of the cost) for new electric lawnmowers, leaf blowers, trimmers or chainsaws.
- **Quail Ridge Park Wildfire Risk Reduction Prescription:** Develop a wildfire risk reduction prescription (known as a fuel management prescription) for the Quail Ridge Linear Park and adjacent natural area.
- Fire Weather Monitoring Stations: The City is partnering with UBCO to install a network of fire weather stations across Kelowna's natural areas. This would enable the Kelowna Fire Department to monitor wildfire weather and predicted fire behaviour in real time across the community.
- **Term Staff Position Climate Action Specialist:** A three-year term staff position who can support the City's community climate action efforts by developing and implementing programs focused on mobilizing behaviour change in the community.

Question 21 a): How much additional funding for climate action were you able to invest by leveraging your LGCAP funds? This could include matching grants as well as private investment. 2023 LGCAP funds were not used for additional funding. **Question 21 b): Please list the funding programs leveraged and associated funders (i.e. Investing in Canada Infrastructure Program, Canada/Province).** Please enter "NA" if no funds were leveraged. NA

Question 22: What is your internal decision criteria for spending LGCAP dollars?

Staff who have work that relates to climate action are sent an application form to apply for LGCAP funding on an annual basis. An internal committee reviews the applications and decides which projects/programs/initiatives are most in line with the City's corporate and community climate objectives (and the Province's CleanBC Roadmap to 2030 and Climate Preparedness and Adaptation Strategy). The recommended projects are presented to City Council in tandem with presentation of the LGCAP survey and attestation form.

Question 23: Does your local government or Nation use a formal framework to apply <u>a climate</u> <u>lens</u> on infrastructure planning and decision-making? This could include the Provincial preliminary GHG assessment guidance, the Federal climate lens guidance, or another climate lens framework.



Question 24: What is the value in the Program's continuity for your community? Optional

LGCAP is very valuable to the City of Kelowna. It:

- Provides a predictable, reliable source of funding to invest in climate action especially since local governments have many competing priorities (e.g., housing crisis, crime and safety) and limited available taxation dollars.
- In this era of inflation, climate funding is even more important as taxation dollars are not going as far, meaning there is even more competition for our limited financial resources.
- Provides a source of "matching funds" should the City of Kelowna apply for other climate action grants.
- Provides the resources and measures needed to assure that strategies and goals are effective, achievable and being implemented.
- Sends an important message that the province stands behind the CleanBC Roadmap to 2030 with funding to help communities implement actions that will help achieve the targets.

Part H: Local Government Climate Action Program Attestation Form

Instructions for the Attestor (CFO or equivalent staff person):

• Complete and sign this form by filling in the fields below.

I, the Chief Financial Officer, or equivalent position, attest to the following:

- That Local Government Climate Action Program funding has been, or will be, allocated to climate action.
- That Local Government Climate Action Program funds for years 1 and 2 received in 2022 and 2023 will be spent by March 31, 2025.
- That Local Government Climate Action Program funds for years 3-5 received in 2024 will be spent by March 31, 2028.
- That a completed and signed version of this form and survey contents will be publicly posted by September 30, 2024.

Attested by (first name, last name):	JOE SASS
Professional title:	GM CORPORATE SORVICES/CFO
Local Government or Modern Treaty N	
Date:	Jun 15/24
Attestor Signature:	9
-	

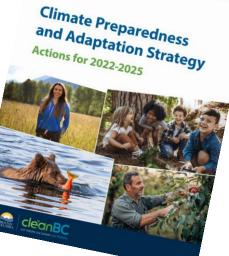


Local Government Climate Action Program (LGCAP) – Year 3 July 22, 2024

What is LGCAP?

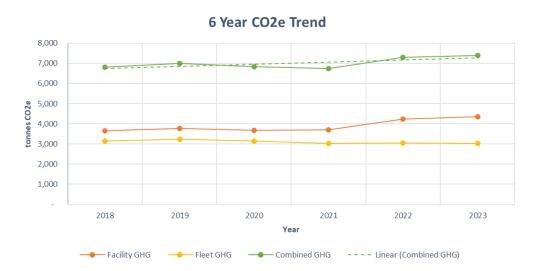
- \$419,082 annual funding for local climate action if requirements are met:
 - ✓ BC Climate Action Charter Signatory
 - ✓ Traditional service GHG emissions reporting
 - ✓ Projects aligned with CleanBC Roadmap or Climate Preparedness and Adaptation Strategy
 - Publicly posted survey and attestation form
 - First two years of funds spent by March 31, 2025
 - Last three years of funds spent by March 31, 2028



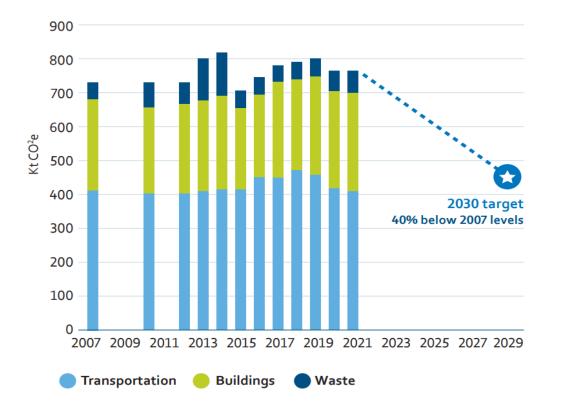


Traditional Services GHG Emissions

- Emissions have increased slightly over six years
- Increase mainly because of higher usage of facilities
- Fleet emissions have decreased slightly



Community GHG Emissions



- Based on Community Energy and Emissions data from the Province (only to 2021)
- Absolute emissions trending upwards
 - Increase mainly because of buildings and waste
 - Transportation emissions have decreased slightly
- Emissions per capita trending downwards
- Climate Resilient Kelowna Strategy will identify actions to put on path to reduce total emissions 40% below 2007 levels.

Aligning with CleanBC

Corporate Initiatives

- Efficiency upgrades for City facilities (e.g., Rutland Family Y)
- Added six ZEVs five Battery Electric Vehicles (BEVs) and one Hydrogen Fuel Cell Vehicle

Community Initiatives

- Continued to offer top-up rebates for heat pumps and EV chargers, and expanded topups to electrical service upgrades and heat pump water heaters
- Updated the Zoning Bylaw with EV-Ready charging requirements







Roadmap to 2030



Aligning with Climate Preparedness & Adaptation

- Won Climate & Energy Action Award for the FireSmart Community Chipping Program
- Completed a Climate Vulnerability & Risk Assessment
- Offered rebates to residents for climate appropriate / WaterSmart landscaping
- Continued Mill Creek Flood Protection project
- Effectively managed through Level 5 drought conditions for almost four months

Climate Preparedness and Adaptation Strategy

Actions for 2022-2025



Spending LGCAP Funds

- First two annual installments must be spent by March 31, 2025 (i.e., \$419,082 x 2 = \$838,164)
- Cross-departmental application process identified the following initiatives for LGCAP funding:
 - Lawn Swap Go Electric Rebate Program
 - Quail Ridge Park Wildfire Risk Reduction Prescription.
 - Fire Weather Monitoring Stations
 - Term Staff Position Climate Action Specialist
- Remaining funds to be spent in accordance with LGCAP requirements and alignment with the City's climate action objectives







Implement initiatives and spend first two years of LGCAP funding by March 31, 2025



Complete the Climate Resilient Kelowna Strategy and identify priority initiatives for future LGCAP funding



Continue to identify other climate initiatives for potential LGCAP funding through staff collaboration



Spend last three years of LGCAP funds by March 31, 2028



Questions?

For more information, visit kelowna.ca.





Date:	July 22, 2024
То:	Council
From:	City Manager
Subject:	Transit 2024/2025 Annual Operating Agreement
Department:	Controller

Recommendation:

THAT Council approve the 2024/2025 Annual Operating Agreement between BC Transit and City of Kelowna for Conventional, Community, and Custom transit;

AND THAT the Mayor and City Clerk be authorized to execute the Annual Operating Agreement between BC Transit and the City of Kelowna covering the period April 1, 2024 to March 31, 2025.

Purpose:

To receive Council approval for and execution of the transit 2024/2025 Annual Operating Agreement.

Background:

The Annual Operating Agreement (AOA) is submitted by BC Transit to the City of Kelowna and is effective for the period of April 1st to March 31st of the following year. The AOA is a summary of budgeted revenues and costs within the Kelowna Regional Transit System for BC Transit's fiscal year (March 31st year end).

Each Local Government Partner within the Kelowna Regional Transit System submits the AOA to their Councils for approval.

Discussion:

AOA Comparison

When comparing the 2024/2025 AOA with the previously Council approved AOA, the main areas of increased costs are:

- Fixed costs for scheduled Service
- Fleet maintenance
- BCT Management Services

The main areas of decreased costs are:

- Information Systems
- ICBC Insurance
- Land and Buildings Lease Fees

Revenues are slightly higher than the 2023/2024 AOA as ridership levels have fully rebounded from the COVID-19 Pandemic. Ridership is now projected to grow in line with population growth and post secondary enrollment, however we are experiencing some service capacity constraints. Fixed costs are a large portion of the cost increase, this is largely due to wage increases as well as increases with CPI.

Conventional Transit

Revenues are projected to increase by \$201,844, with City of Kelowna's portion being \$168,277. The 2024/25 AOA includes a \$1,505,278 increase in costs with \$1,376,326 relating to operating costs and \$128,952 relating to lease fees. This represents a 10% increase from the 2023/24 AOA presented to Council in June 2023. The City's portion of the Local Government share of the cost increase is \$1,215,985 with the net impact of these revenue and costs projections resulting in a net cost increase of \$1,047,708.

Community Transit

The 2024/25 AOA includes a \$448,935 increase in costs for Community transit with \$432,714 relating to an increase in operating cost and \$16,221 relating to an increase in lease fees. This represents a 21% increase from the 2023/24 AOA presented to Council in 2023. \$205,344 is the City's portion of the Local Government share of the increase.

Custom Transit

The 2024/25 AOA also includes a \$133,667 increase in costs for Custom transit with \$126,681 relating to an increase in operating costs and an increase of \$6,986 related to lease fees. This represents a 8% increase from 2023/24 AOA presented to Council in June 2023. \$98,512 is the City's portion of the Local Government share of the increase.

Conclusion:

The impact to the City of Kelowna for transit services for the 2024/25 AOA is an increase to total net transit costs across all business units of \$1,351,564 which is mainly impacted by increasing operating costs. The estimated impacts of the 2024/2025 AOA were included in the City of Kelowna's 2024 Provisional Budget that Council approved in December 2023.

Internal Circulation:

Manager, Transit and Programs General Manager, Corporate Services General Manager, Infrastructure

Considerations applicable to this report:

Legal/Statutory Authority:

Annual Operating Agreement is required to authorize funding for payment of transit contractor.

Financial/Budgetary Considerations:

Existing budget provides for these annual operating requirements.

Considerations not applicable to this report: Legal/Statutory Procedural Requirements: Existing Policy: External Agency/Public Comments: Communications Comments:

Submitted by:

P. Gramiak, Revenue Supervisor

Approved for inclusion: J. Sass, General Manager, Corporate Services

cc: M. Kittmer, Transit and Programs Manager

ANNUAL OPERATING AGREEMENT

between

City of Kelowna

and

British Columbia Transit

Effective April 1, 2024

Information contained in Schedule 'C' Budget is subject to the *Freedom of Information & Protection of Privacy Act*. Consult with BC Transit prior to releasing information in these schedules to individuals or companies other than those who are party to this agreement.

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ANNUAL OPERATING AGREEMENT

April 1, 2024 - March 31, 2025

- BETWEEN: **City of Kelowna** (the "Municipality")
- AND: British Columbia Transit (the "Authority")

WHEREAS the Authority is authorized to contract for transit services for the purpose of providing and maintaining those services and facilities necessary for the establishment, maintenance and operation of a public passenger transportation system in the Transit Service Area;

WHEREAS the Municipality is authorized to enter into one or more agreements with the Authority for transit services in the Transit Service Area;

WHEREAS the parties hereto have entered into a Transit Service Agreement which sets out the general rights and responsibilities of the parties hereto;

WHEREAS the Municipality and the Authority are authorized to share in the costs for the provision of a Public Passenger Transportation System pursuant to the *British Columbia Transit Act*;

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Transit Service Agreement, the specific terms and conditions for the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter contained, the parties covenant and agree with each other as follows:

SECTION 1: DEFINITIONS

Unless agreed to otherwise in the Annual Operating Agreement, the definitions set out in the Transit Service Agreement shall apply to this Annual Operating Agreement including:

- a) *"Annual Operating Agreement"* shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendments negotiated and entered into by the parties subsequent hereto;
- b) *"Transit Service Agreement"* shall mean the Transit Service Agreement between the parties to this Annual Operating Agreement, including any amendments made thereto;
- c) *"Incurred"* means an event or transaction has taken place for which an obligation to pay exists, even if an invoice has not been received, such that the underlying evidence indicates there is little or no discretion to avoid the obligation. The value of the obligation is to be calculated in accordance with recognized Canadian accounting standards.

SECTION 2: INCORPORATION OF SCHEDULES

All schedules to this agreement are incorporated into the agreement, and form part of the agreement.

SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT

Upon execution, this Annual Operating Agreement shall be deemed integrated into the Transit Service Agreement and thereafter, the Transit Service Agreement and Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the *British Columbia Transit Act*, as amended from time to time.

SECTION 4: TERM AND RENEWAL

- a) The parties agree that the effective date of this agreement is to be April 1, 2024, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Transit Service Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.
- b) Upon commencement in accordance with Section 4(a) of this agreement, the term of this agreement shall be to March 31, 2025, except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Transit Service Agreement shall likewise be so terminated or not renewed, as the case may be.
- c) Either party may terminate this agreement as follows:
 - i. Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.
 - ii. Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension, the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 12.

SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

This Agreement and the parties hereto are subject to the provisions of the *Freedom of Information and Protection of Privacy Act* (FOIPPA). Any information developed in the performance of this Agreement, or any personal information obtained, collected, or stored pursuant to this Agreement, including database information, shall be deemed confidential and subject to the provisions of FOIPPA, including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of FOIPPA.

SECTION 6: SETTLEMENT OF DISPUTES

In the event of any dispute arising between or among the parties as to their respective rights and obligations under this Agreement, or in the event of a breach of this Agreement, the parties agree to use their best efforts to find resolution through a mediated settlement. However, in the event that mediation is not successful in finding a resolution satisfactory to all parties involved, any party shall be entitled to give to the other notice of such dispute and to request arbitration thereof; and the parties may, with respect to the particular matter then in dispute, agree to submit the same to a single arbitrator in accordance with the applicable statutes of the Province of British Columbia.

SECTION 7: MISCELLANEOUS PROVISIONS

- a) Amendment: This agreement may only be amended in writing as signed by the Municipality and the Authority and specifying the effective date of the amendment.
- b) Assignment: This Agreement shall not be assignable without prior written consent of the parties.
- c) Enurement: This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- d) The parties agree that this agreement is in substantial compliance with all relevant legislative requirements to establish the rights and obligations of the parties as set out in the *British Columbia Transit Act*.

SECTION 8: LOCAL CONTRIBUTIONS AND RESERVES

British Columbia Transit service is provided using a cost-sharing model. Where any transit-related contributions are received and/or third-party revenues are earned that are in excess of expenses, the Authority is required to hold these excess funds in a reserve account for use against transit-related expenditures in future years. When unanticipated expenditures occur that were not included in the budget and cannot be covered by reserves, the Authority will seek to recover these based on the cost-sharing ratios between the Municipality and the Authority.

Eligible Operating Expenses

The Authority will invoice the Municipality and collect on monthly invoices based on incurred eligible operating expenses to provide Transit Service. Eligible operating expenses are comprised of the following costs of providing Public Passenger Transportation Systems:

- a) For Conventional Transit Service:
 - i. the operating costs for providing Conventional Transit Service excluding interest and amortization;
 - ii. the amount of any operating lease costs of BC Transit for Conventional Transit Services;
 - iii. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement;
 - iv. an amount of the annual operating costs of the authority not exceeding those costs payable under an Annual Operating Agreement.
- b) For Custom and Paratransit Transit Service:
 - i. the operating costs for providing Custom Transit Service excluding interest and amortization, but including the amount paid by the Authority to redeem taxi saver coupons issued under the Taxi Saver Program after deducting from that amount the amount realized from the sale of those coupons;
 - ii. the amount of any operating lease costs of the Authority for Custom Transit Service;
 - iii. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement; and
 - iv. an amount of the annual operating costs of the authority not exceeding those costs payable under an Annual Operating Agreement.
- c) Eligible operating expenses exclude the costs of providing third-party 100%-funded services.
- d) Annual operating costs of the Authority are operations, maintenance and administration costs that are for the shared benefit of all transit systems operated by the Authority. These costs are allocated to each transit system on a pro rata basis, based on the nature of the costs.

Lease Fees

The Authority will invoice the Municipality and collect on monthly invoices for lease fees on tangible capital assets owned by the Authority that are used in the provision of transit service. Lease fees are comprised of the following:

- a) The Municipality's fee for use of the asset, including for the costs of acquisition, construction, development and betterment of the asset and the costs of installing the asset at the location and condition necessary for its intended use;
- b) Debt financing and risk-related charges or costs payable on assets;
- c) Payment into a reserve fund for preventative maintenance and major repair of assets owned or leased by the authority;
- d) Amounts sufficient for the Authority to recover all other costs relating to the asset, including, but not limited to taxes and administrative charges.

Where lease fees are received that exceed actual asset-related expenses in any given period, these will be placed in a pooled reserve. This reserve will be used to offset against future lease fees as outlined above.

Reserve Funds

The Authority will establish the following for each transit system to record the contributions that have been received but not yet earned as follows:

- a) **Local Transit Fund:** Contributions by the Municipality towards eligible operating expenses that have been received but not matched with a Provincial share contribution will be deferred in the Local Transit Fund.
 - i. Any expenditure of monies from the Local Transit Fund will:
 - 1. only be credited towards the Municipality's share of expenses for the transit system for which it was collected.
 - 2. be applied to reduce Municipal invoices at the discretion of the Municipality as agreed to under the Annual Operating Agreement or amendments as required.
 - ii. The Local Transit Fund may be used towards lease fees.
 - iii. The Authority will provide a quarterly statement of account of the Local Transit Fund balance including contributions, amounts utilized and interest earned.

SECTION 9: SAFE RESTART CONTRIBUTION

Under the Safe Restart Program, the federal and provincial governments provided joint, non-recurring contributions to transit systems in British Columbia (the "Safe Restart Contribution") in 2020/21 and 2021/22.

The Authority applied the Safe Restart Contributions as follows:

- a) As an allocation towards the Municipality's share of eligible operating expenses in the fiscal year of the contribution;
- b) After applying the allocation of Safe Restart Contribution, any excess contributions received from the Municipality were deferred to the Local Transit Fund;
- c) The Authority will apply the remaining Local Transit Fund balance to reduce 2022/23 and future municipal invoices at the discretion of the Municipality as agreed to under an Annual Operating Agreement or amendments as required.

It is expected that by receiving the Safe Restart contribution, the Municipality will work with the Authority to maintain targeted essential transit service levels by not reducing transit service below existing planned service levels and maintain affordability by limiting annual fare increases to an average of 2.3% from April 1, 2020 through March 31, 2025.

SECTION 10: GOVERNING LAW

This agreement is governed by, and shall be construed in accordance with, the laws of the Province of British Columbia, with respect to those matters within provincial jurisdiction, and in accordance with the laws of Canada with respect to those matters within the jurisdiction of the Government of Canada.

SECTION 11: COUNTERPARTS

This contract and any amendment hereto may be executed in counterparts, each of which shall be deemed to be an original and all of which shall be considered to be one and the same contract. A signed facsimile or PDF copy of this contract, or any amendment, shall be effective and valid proof of execution and delivery.

SECTION 12: NOTICES AND COMMUNICATIONS

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a designated officer of the parties hereto to whom it is addressed where an electronic signed document is emailed to the parties or if mailed by prepaid registered mail to the Authority at:

British Columbia Transit c/o Executive Assistant, Strategy and Public Affairs PO Box 9861 520 Gorge Road East Victoria, BC V8W 9T5

and to the Municipality at:

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

and, if so mailed, shall be deemed to have been received five (5) days following the date of such mailing.

IN WITNESS WHEREOF, the parties have hereunto set their hand this _____ day of _____, 2024.

City of Kelowna

British Columbia Transit

Vice President, Strategy and Public Affairs

Vice President, Finance and Chief Financial Officer

SCHEDULE A: TARIFF AND FARES

APPENDIX 1: TARIFF NOTES

Conventional Transit Fares:

vent	ional transit Fares.	Effective as of April. 1, 2024
a)	Single Fares: i) Adult/College Student ii) Senior iii) Student iv) Child 12 and under v) Accessible Transit Attendant	\$2.50 \$2.50 \$2.50 Free Free
b)	10 Rides i) Adult/College Student ii) Senior/Student*	\$22.25 \$20.25
c)	Day Pass: i) Adult/College Student ii) Senior iii) Student	\$ 5.00 \$ 5.00 \$ 5.00
d)	30 Day / Monthly Pass: i) Adult ii) Senior* iii) Student* iv) College Student** v) College Semester Pass**	\$70.00 \$45.00 \$45.00 \$55.00 \$176.00
e)	U-Pass per semester	\$63.00

- f) Transfers: allow for one local transfer within 90 minutes from the time of issue.
- g) BC Bus Pass valid for the current calendar year and available through the Government of British Columbia BC Bus Pass Program.
- h) CNIB Identification Card available from the local office of the CNIB.
- i) BC Transit Employee Bus Pass.
- * Reduced fare with valid ID for seniors aged 65 and over, and students in full-time attendance to grade 12.

** Reduced fare for full-time registered college students available only at Okanagan College and Sprott-Shaw Community College.

APPENDIX 2: TARIFF AND FARES

Custom Transit Fares:

Fares:

Effective as of September 1, 2021 **One Way Trip:**

Registered User	\$ 2.50
Registered User – 12 and under	Free
Companion	\$ 2.50
Attendant accompanying registered user	no charge
Tickets (5) - adult	\$11.25
Tickets (5) - senior	\$10.00
Monthly Pass - adult	\$70.00
Monthly Pass – senior	\$45.00

Note: Visitors may register for temporary handyDART service. Proof of registration in another jurisdiction or proof of eligibility is required.

SCHEDULE B: SERVICE SPECIFICATIONS

Kelowna Conventional Transit Service:

The Local Transit Service Area for Kelowna Conventional transit service shall be: shall be the municipal boundaries of the Corporation of the City of Kelowna in effect September 25, 1980, the corporate boundaries of the District of West Kelowna, the District of Peachland of the Regional District of Central Okanagan, the corporate boundaries of the District of Lake Country, and Central Okanagan West Electoral Area IR# 9 and IR# 10 and a portion Central Okanagan East Electoral Area (Ellison) only.

The <u>Annual Service Level</u> for the City of Kelowna's share of the Kelowna Conventional transit service shall be **145,000** Revenue Service Hours.

The Exception Days recognized annually for the Kelowna Conventional transit service are:

Exception Days	Service Level
Good Friday	Sunday
Easter Monday	Monday
Victoria Day	Sunday
Canada Day	Saturday
BC Day	Sunday
Labour Day	Sunday
Truth and Reconciliation Day	Regular service
Thanksgiving Day	Sunday
Remembrance Day	Sunday
Christmas Day	Sunday
Boxing Day	Saturday
New Year's Day	Sunday
Family Day	Sunday

Kelowna Community Transit Service:

The Local Transit Service Area for Kelowna Community transit service shall be: shall be the municipal boundaries of the Corporation of the City of Kelowna in effect September 25, 1980, the corporate boundaries of the District of West Kelowna, the District of Peachland of the Regional District of Central Okanagan, the corporate boundaries of the District of Lake Country, and Central Okanagan West Electoral Area IR# 9 and IR# 10 and a portion Central Okanagan East Electoral Area (Ellison) only.

The <u>Annual Service Level</u> for the City of Kelowna's share of the Kelowna Community transit service shall be **14,800** Revenue Service Hours.

The Exception Days recognized annually for the Kelowna Community transit service are:

Exception Days	Service Level
Good Friday	Sunday
Easter Monday	Monday
Victoria Day	Sunday
Canada Day	Saturday
BC Day	Sunday
Labour Day	Sunday
Truth and Reconciliation Day	Regular service
Thanksgiving Day	Sunday
Remembrance Day	Sunday
Christmas Day	Sunday
Boxing Day	Saturday
New Year's Day	Sunday
Family Day	Sunday

Kelowna Custom Transit Service:

The Local Transit Service Area for Kelowna Custom transit service shall be:

The boundaries of the Kelowna Custom (handyDART) Transit Service Area shall be the municipal boundaries of the Corporation of the City of Kelowna, the corporate boundaries of the City of West Kelowna, and the corporate boundaries of the District of Lake Country.

The <u>Annual Service Level</u> for the Kelowna Custom transit service shall be **36,800** Revenue Service Hours.

The Exception Days recognized annually for the Kelowna Custom transit service are:

Exception Days	Service Level
Good Friday	No Service
Easter Monday	No Service
Victoria Day	No Service
Canada Day	No Service
BC Day	No Service
Labour Day	No Service
Truth and Reconciliation Day	Regular Service
Thanksgiving Day	No Service
Remembrance Day	No Service
Christmas Day	No Service
Boxing Day	No Service
New Year's Day	No Service
Family Day	No Service

SCHEDULE C: BUDGET

				-		_		_		_					
KELOWNA COMMUNITY BUS	OF	FFICIAL AOA 2024/25			CITY OF KELOWNA		TY OF WEST KELOWNA		ESTBANK		ISTRICT OF	_	ISTRICT OF	RD	
TOTAL REVENUE	\$	-		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
TOTAL OPERATING COSTS	\$	4,311,132		\$	1,972,349	\$	1,253,983	\$	635,993	\$	177,625	\$	271,182	\$	-
TOTAL COSTS (including Local Government Share of Lease Fees)	\$	4,562,368		\$	2,072,722	\$	1,334,871	\$	677,017	\$	189,083	\$	288,675	\$	-
NET LOCAL GOVERNMENT SHARE OF COSTS	\$	2,522,244		\$	1,140,943	\$	740,611	\$	375,622	\$	104,907	\$	160,162	\$	-
KELOWNA CUSTOM	OF	FICIAL AOA			CITY OF	C	TY OF WEST	W	/ESTBANK	D	ISTRICT OF	D	ISTRICT OF	RD	co
		2024/25			KELOWNA		KELOWNA	FIR	STNATION	PE	ACHLAND	LA	E COUNTRY	ELLI	so
TOTAL REVENUE	\$	130,875		\$	130,875	\$	-	\$	-	\$	-	\$	-	\$	-
TOTAL OPERATING COSTS	\$	4,345,815		\$	4,345,815	\$	-	\$	-	\$	-	\$	-	\$	-
TOTAL COSTS (including Local Government Share of Lease Fees)	\$	4,624,827		\$	4,624,827	\$	-	\$	-	\$	-	\$	-	\$	-
NET LOCAL GOVERNMENT SHARE OF COSTS	\$	1,540,252		\$	1,540,252	\$	-	\$	-	\$	-	\$	-	\$	-
KELOWNA/CENTRAL OKANAGAN CONVENTIONAL	OF	FICIAL AOA 2024/25			CITY OF KELOWNA		TY OF WEST KELOWNA		ESTBANK	_	STRICT OF		ISTRICT OF (E COUNTRY	RD	
TOTAL REVENUE	\$	7,648,224		\$	7,648,224	\$	-	\$	-	\$	-	\$	-	\$	-
TOTAL OPERATING COSTS	\$	27,377,167		\$	22,141,125	\$	3,116,207	\$	592,672	\$	-	\$	1,475,354	\$51	,81
TOTAL COSTS (including Local Government Share of Lease Fees)	\$	29,747,293		\$	24,059,393	\$	3,384,001	\$	643,355	\$	-	\$	1,604,210	\$56	,33
NET LOCAL GOVERNMENT SHARE OF COSTS	\$	8,961,185		\$	5,785,765	\$	1,888,879	\$	359,034	\$	-	\$	896,041	\$31	,46
	REV	ENUE SHARE			100.00%										
	COS	ST SHARE			80.94%		11.30%		2.14%				5.44%	C	.19
	MAJ	JOR OPERATIN	IG PROJECT		100.00%										
	BRT	SHARE			67.15%		26.34%		6.51%						



Transit 2024/2025 Annual Operating Agreement

Transit 2024/2025 Annual Operating Agreement



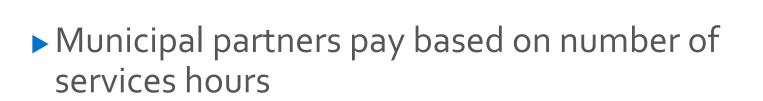
▶ Effective April 1st to March 31st 2025

Largest Tier 1 system among municipal systems

- Provides over 240,000 hours of service annually
- ► BC Transit covers 46.7% of costs
- Municipal partners cover 53.3% of costs



Transit 2024/2025



- Revenues are 100% retained by the municipal partners
 - Based on 75% passenger counts and 25% services hours
 - City of Kelowna receives 83.37% of total revenues





2024/2025 AOA Comparison to 2023/2024	City of Kelowna Portion
Total Revenue Increase	\$168,277
Conventional Community Custom Total Cost Increase	\$1,215,985 \$205,344 \$98,512 \$1,519,841
Net Projected Cost Increase	\$1,351,564





Questions?

Report to Council

Date:	July 22, 2024
То:	Council
From:	City Manager
Subject:	Transit Community Fare Programs
Department:	Integrated Transportation



Recommendation:

THAT Council receives, for information, the report from the Integrated Transportation Department dated July 22, 2024, with information related to Transit Community Fare Programs;

AND THAT Council direct staff to undertake a fare review in conjunction with BC Transit and our Central Okanagan Regional Transit partners;

AND FURTHER THAT Council direct staff to report the results of the fare review back to Council in 2025 to inform the 2026 operating budget.

Purpose:

To review the existing transit community fare programs in Kelowna and investigate the costs and implications of endorsing fare-free transit for youth aged 13 to 18.

Council Priority Alignment:

Transportation

Background:

The Kelowna Regional Transit System operates throughout the Central Okanagan, including Kelowna, Lake Country, West Kelowna, Westbank First Nation, Peachland, and the Regional District of Central Okanagan. Routes and service levels are set by each individual partner community in collaboration with BC Transit, while fares are established jointly by all regional partners.

The Kelowna Regional Transit System offers various fare products which provide a discount to riders. Additionally, there are two distinct equity-based programs to facilitate transit access for residents. The Emergency Transit Assistance Program (ETAP) provided through the City's partnership with the United Way BC and the Family Pass Maximum. In addition, the Province of British Columbia offers the <u>Get on</u> <u>Board!</u> program to all transit systems across the province. At the April 22, 2024, meeting, Council passed the following resolution:

Previous Council Resolution

Resolution	Date
THAT Council directs staff to investigate the costs and implications of	April 22 nd , 2024
endorsing fare-free transit for youth up to age 18 and report back to Council.	

Discussion:

Standard Transit Fare Products

Presently, various standard fare products provide a discount, outlined in the table below.

Туре	Fare	Discount
Day Pass	\$5.00	Recently reduced from \$6.50 to \$5.00 per day as part of the Umo fare
		system launch.
30-Day Concession	\$45.00	\$35 less than the 30-Day Adult Pass. Available to youth aged 13-18 and
Pass		adults over age 65.
10-Rides Concession	\$20.25	\$2.25 less than the 10-Rides Adult Pack; a 10% discount compared to
Pack		adult 10-ride packs, which themselves are priced 10% below face value.

Provincial Program

The Province of British Columbia launched the Get on Board! Program on September 1, 2021, allowing children aged 12 and under to ride transit free of charge. The program was implemented to increase affordable transportation options, foster a culture of transit use, and support efforts to reduce greenhouse gas emissions. The province currently funds this program by providing financial support via a grant to BC Transit which credits local governments to offset the revenue impacts.

Equity-Based Transit Fare Programs

There are two distinct equity-based programs that facilitate access to transit for residents:

1. Emergency Transit Assistance Program (ETAP)

Since 2001, through the City's partnership with United Way BC, the ETAP has provided transit tickets to community organizations that support low income and at-risk citizens, including families. Annually, 10,200 tickets are made available, helping recipients access services and opportunities throughout the region.

The ETAP program was last adjusted in 2012. Since that time, Kelowna's population has grown by 38%. The compounded effects of the COVID-19 pandemic, coupled with the housing crisis and the rising cost of living, have driven up the costs of essentials like childcare, housing, and food. Consequently, there are more individuals and families relying on the assistance provided by the ETAP to access essential services and opportunities.

United Way BC advises that only 46% of requested tickets will be met in 2024. To address growing demand, the City of Kelowna will be increasing the number of single-ride adult transit tickets allocated to the ETAP annually from the existing 10,200 to 22,200, providing 100, 30-day passes to support select community organizations who support citizens with more regular travel needs, and providing a 7.5% program management fee to United Way BC to sustain and enhance program delivery.

2. Family Pass Maximum

The Family Pass Maximum policy assists families by capping the cost of student passes per family at 2.5 times the current student rate. For example, the maximum rate of \$112.50 is equal to 2.5 times the current student rate of \$45. Families needing passes for three or more youth aged 13 to 18 can access this program at City Hall.

Fare Review and Means-Based Fare Exploration

Transit fare reviews are typically conducted every five years. A fare review has not been undertaken since 2015, as the planned review in 2020 was postponed due to the COVID-19 pandemic, and the terms of the Federal Safe Restart funding grant required that fares be capped through April 1, 2025.

A comprehensive transit fare review provides an opportunity to assess current fare rates, service costs, community fare programs, and historical revenue and ridership trends. It may also be a forum to explore new fare options, such as means-based fares. Means-based fare programs aim to expand transit access to those who may not be able to afford it, providing mobility for essential travel and access to opportunities.

A fare review, supported by BC Transit, will begin this fall and extend through 2025. A parallel city-led study would be necessary to assess the feasibility, method and implications of means-based fare options.

Implementation of Fare-Free Transit for Youth Program in Kelowna

By 2024, the region is projected to have approximately 17,000 youths aged 13 to 18, with 11,100 of them residing in Kelowna.¹ Although it is difficult to determine the exact ridership of this demographic, drawing from the experience in Victoria where 45% of youth currently hold annual fare-free passes (also known as a U-PASS), up to an equivalent of 91,800 monthly passes could potentially be issued locally if the Fare-Free Transit for Youth Program were to be implemented. This represents a 125% increase from the 40,754-student month passes sold in 2023.

¹ Population estimates and projections according to BCStats.

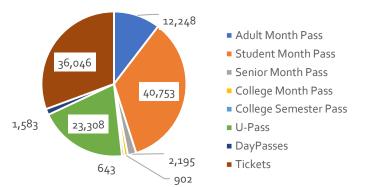
City Manager July 22, 2024 Page **4** of **7**

Although increasing ridership is a goal of the Kelowna Regional Transit System and BC Transit, existing capacity and service levels must be considered. The anticipated increase in demand would likely be focused on routes serving schools during peak hours, which are already among Kelowna's busiest services.² Meeting this demand would require investment in additional services.

The Transit Expansion Initiatives – 3 Year Outlook that comes before Council each year details priority service investments. If a fare-free program for youth were to be implemented, resulting service improvements required to meet demand would need to be included in these expansion proposals.

Cost Implications

In 2023, sales of student monthly passes reached 40,753, up from 29,160 in 2018, representing a 28.5% increase. Revenues from these passes totaled \$1,834,000, accounting for 24% of the total \$7,629,000 in Conventional transit fare revenues³. Without a provincial revenue offset, providing fare-free transit for youth aged 13 to 18 would reduce fare revenues by up to \$1,834,000, with this figure expected to rise should sales trends continue.



Quantity of Fares Products Sold by Type in 2023

BC Transit systems are funded through a mix of provincial and municipal contributions that vary based on service type. The province funds 46.69% of conventional transit system operating costs, with local governments covering the remaining 53.31%. The collected fare revenues offset the municipal portion, reducing the reliance on property taxes to fund transit. In 2023, fare revenues collectively offset just over 33% of total conventional transit operating costs, reducing the local share funded by property taxes to nearly 20%.⁴ Revenues from student monthly passes accounted for nearly 8% of this reduction.

Other Considerations

³ Revenue indicated does not include cash or ticket paid fares by youth. It is assumed that a proportion of youth passes sold were purchased by young adults over 18 as vendors do not all verify age.

⁴ In the 2023/24 BC Transit fiscal, system-wide Conventional transit operating costs totaled \$23 million.

City Manager July 22, 2024 Page **5** of **7**

When transit is free for youth, there is a potential that young adults may pose as under 18 to access the free service. There may be ways to mitigate fare evasion, such as implementing identification and verification with ID processes, as well as monitoring and enforcement measures. However, these approaches may be resource intensive as they are required to be managed by municipalities, leading to increased costs for residents. All considerations when determining a method for such a program should Council with to proceed.

Additionally, youth behavior aboard transit and at transit stops is of growing concern. Increased teen ridership with this program would likely exacerbate this issue. Unbecoming behavior affects the experience of other riders and the perception of transit which can negatively affect ridership. Strategies would need to be implemented to protect the positive experience for all riders.

Other Fare-Free Transit for Youth Programs

Many municipalities across Canada are exploring free transit for youth aged 13 to 18. In communities that have implemented such programs, increases in youth ridership have varied, often taking several years to fully manifest. In places like Victoria and Penticton, different funding models were adopted to support the program. The tables in Attachment 1 highlight key impacts and implications observed in other programs implemented nationwide.

As discussions on free transit continue, BC Transit has also provided a summary of considerations. Their report emphasizes that adopting a balanced approach, accommodating the needs of all transit users, is key to building a robust and widely utilized system. This blended approach removes the cost barrier for some populations while retaining fares for others to fund improvements. As part of this strategy, local governments may employ targeted fare programs to achieve social goals.⁵

Conclusion:

The number of student passes purchased in the region has significantly increased since 2018 resulting in higher revenue from student fares. Without a provincial offset to replace these revenues, providing fare-free transit for youth aged 13 to 18 would shift transit operating costs increasingly to taxation.

The potential rise in ridership may also require expedited investment in additional services without corresponding revenue to support them. Pending BCTransit's completion of operating system and fleet assets, the region's ability to increase service is limited.

The community's growing population and escalating socio-economic challenges underscore the need for equity-based transit fare programs. The ETAP program plays a critical role in helping vulnerable citizens access services and opportunities. A comprehensive fare review, supported by BC Transit from fall 2024 through 2025, offers an opportunity to consider additional means-based fare options alongside existing programs like the ETAP which may provide greater value to the community than the implementation of a fare-free transit for youth program.

⁵BC Transit, Fare-Free Transit: A summary of Considerations for BC Transit, November 2019.

Internal Circulation:

Active Living & Culture, Social Development Manager Community Communications, Community Engagement Manager Community Communications, Communications Advisor Financial Systems & Reporting, Financial Analyst Financial Planning Manager, Financial Planning Revenue Supervisor, Financial Services

Considerations applicable to this report:

Existing Policy:

Council Transportation Priority: Improve transit service and promote inclusive transportation. Transportation Master Plan recommendation: Expand transit pass programs to improve the affordability of transit service and help remove barriers to using transit.

Official Community Plan Objective 9.3.6: Foster collaborative efforts to equitably enhance community wellbeing.

Imagine Kelowna Goal: Build healthy neighborhoods that support a variety of households, income levels, and life stages.

Financial/Budgetary Considerations:

Based on 2023 figures, providing free transit for youth aged 13 to 18 would result in a reduction in fare revenues of up to \$1,834,000, and increasing over time. In the absence of a provincial revenue offset, an additional 7.95% of the local share of transit operating costs would need to be funded through taxation. If the province were to expand the Get on Board! program to include youth aged 13 to 18 and compensate communities for lost revenues (accounting for annual ridership growth and potential fare evasion) the fiscal impact to the city would be limited to the cost of increasing services to meet demand which benefits all riders.

Expanding the United Way partnership and ETAP has limited financial implications as it is assumed that ETAP beneficiaries would not otherwise purchase transit fare products due to financial hardship. ⁶ To support UWBC in managing ETAP, a 7.5% administrative fee totaling \$10,455.33 will be funded from the transit reserve in 2024. A budget request for 2025 will be included in the transit operating budget to ensure continuity.

Considerations not applicable to this report:

Legal/Statutory Authority: Legal/Statutory Procedural Requirements:

⁶ Costs are limited to production and shipping of paper QR code Umo tickets and additional smartcards for 30-Day passes and, staff time required to program cards.

Consultation and Engagement: Communications Comments:

Submitted by:		M. Kittmer, Transit and Programs Manager				
Reviewed by:		B. Hallam, Integrated Transportation Department Manage				
Approv	ed for inclusion:	M. Logan, Infrastructure General Manager				
Attachments: Attachment 1: Other Fare-Free Transit for Youth Programs						
cc: B. Walman, Manager Government Relations, BC Transit J. Sass, General Manager, Corporate Services						

- L. Cocran, Communications Director, Corporate Strategic Services J. Gabriel, Divisional Director, Active Living & Culture

Other Fare-Free Transit for Youth Programs

Community	Program Name	Start Date	Age Range
Victoria, BC	Youth U-Pass	2019	13-18
Penticton, BC	Free Transit for Youth 24 and Under Pass	2024	13-24
Sunshine Coast, BC	N/A	2024	13-18
Oakville, ON	N/A	2023	13-19
Kingston, ON	High School Transit Student Pass	2012	15-18(<14 free)

Table 1. Program Overview

Table 2. Cost Implications and Funding

Community	Cost Implications and Funding		
Victoria, BC	 The City of Victoria compensates system partners at a rate of \$11.25 per youth per month, based on population estimates. This rate reflects the cost of a monthly youth/ senior pass spread out over a semester's cost. The program is funded by the City through the collection of Sunday parking fees.¹ 		
Penticton, BC	 Penticton launched a pilot project in March 2024 to provide free transit access to youth aged 24 and under. The pilot project is funded by a grant from the federal government's Building Safer Communities initiative to the City of Penticton.² The grant also funds three additional programs in collaboration with non-profit agencies, offering various forms of support to youth. Eligible youth can register for free transit passes. The cost of each pass, valued at \$35, is covered by the city using funds from the grant. 		
Sunshine Coast, BC	 The total estimated minimum potential revenue loss by offering free transit for ages 13 to 18 years was calculated at approximately \$90,000 per year. The Sunshine Coast Regional District (SCRD) retains all fare revenue to offset their share of the operating costs, therefore this loss in revenue would need to be offset by taxation. The SCRD note that there may be future financial impacts to consider including long-term pressures for service enhancement and expansion that may arise with increased ridership.³ 		
Kingston, ON	 Kingston estimates that providing free transit to youth costs about \$250,000 per year. Contributions from the Public and Separate School Boards amount to \$60,000 each annually, supplemented by provincial gas taxes ranging from \$40,000 to \$70,000 based on ridership. There typically remains a deficit of \$60,000 to \$90,000 per year, which is covered through municipal taxes. 4 		

¹ Partners agreed to a reduced rate in return stable revenue provided through the program. ² BC Transit, personal communication, 2024.

³ Sunshine Coast Regional District Staff Report, November 2023. ⁴ Lattanzi, *Sunshine Coast Feasibility Study*.

Table 3. Ridership and Service Implications

Community	Ridership and Service Implications		
Victoria, BC	 Initially, 2,300 free passes were distributed in 2019. By 2021, when the eligible age range was adjusted to 13 to 18 (as free transit was available to all children in BC aged 12 and under), the number of free passes distributed increased to 2,600, showing a 13% increase in uptake over time.⁵ Currently, about 45% of Victoria's youth population of 4,422 participates in the U-Pass program with an average usage of 25 rides per month.⁶ 		
Oakville, ON	 Oakville introduced a free transit program for youth in May 2023, which led to an 85% increase in youth ridership within the first month. This initiative also led to a 5.4% increase in adult ridership during the same period, indicating that youth free transit programs can affect overall transit usage.⁷ In response to the increased demand, service was added to accommodate school travel demand before and after school, as well as during lunchtime.⁸ 		
Kingston, ON	 Introduced in stages starting in 2012, the program provides students with an annual bus pass at no cost to the student. This increase in ridership coincided with phased implementation of free transit for youth and an investment in transit services, including a 50% increase in service hours, a 30% increase in the number of buses, the introduction of high-frequency routes, and improvements to bus stop amenities.⁹ The program is credited with contributing to the overall 70% increase in ridership since 2012. However, these increases are understood to have occurred largely because of the investments in and improvements to transit service and infrastructure.¹⁰ Capacity issues were noted two years into the pilot because of youth travelling during peak morning and afternoon times. 		

⁵ Anne Lattanzi, Free Transit for Youth on the Sunshine Coast Feasibility Study, November 2023.

⁶ BC Transit, personal communication, 2024.

⁷ Lattanzi, *Sunshine Coast Feasibility Study*.

⁸ Oakville Transit, personal communication, 2024.

⁹ Lattanzi, Sunshine Coast Feasibility Study.

¹⁰ BC Transit, *Fare-Free transit: A summary of Considerations for BC Transit*, November 2019.

Community	Administration	Pass Details
Victoria, BC	 The City of Victoria spends approximately 35 hours per month to administer this program.¹¹ The City validates applications and provide a physical one-year ID pass to all approved youth.¹² 	 Umo-compatible card with photo ID. The passes are valid for one year.
Penticton, BC	 Youth aged 13 to 24 can register for free transit passes at five designated locations.¹³ Vendors are set up with a 'free fare' category in Umo and provide the applicant an activation code after ID validation. 	 Umo mobile app or reloadable card. The passes will be valid until Dec. 31, 2024.
Oakville, ON	 The PRESTO card can be purchased online or in person. After purchasing, the card must be programmed at an authorized PRESTO, available at participating Shoppers Drug Marts and transit customer service outlets.¹⁴ 	 Stand-alone PRESTO card with no photo ID. The cards are programmed once and are valid until the youth ages out.
Kingston, ON	 Passes are distributed through schools. The school board contributes 80 to 120 hours (about 5 days) per year for administration.¹⁵ 	 A stand-alone card with a chip and no photo ID. The pass is renewed automatically every year until the rider ages out.

Table 4. Administrative Implications and Pass Details

¹¹ Lattanzi, *Sunshine Coast Feasibility Study*.

¹² BC Transit, personal correspondence, 2024.

¹³ <u>Penticton first in B.C. to offer free transit for age 24 and under | City of Penticton</u>

¹⁴ Youth and Seniors (oakvilletransit.ca)

¹⁵ Lattanzi, *Sunshine Coast Feasibility Study*.

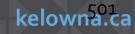
Transit Community Fare Programs July 22, 2024

Standard Transit Fare Products



- Various standard fare products provide a discount to riders.
- ► Fares are established by all regional partners.

Туре	Fare	Discount
Day Pass	\$5.00	Recently reduced from \$6.50 to \$5.00 per day as part of the Umo fare system launch.
30-Day Concession Pass	\$45.00	\$35 less than the 30-Day Adult Pass.
10-Rides Concession Pack	\$20.25	\$2.25 less than the 10-Rides Adult Pack; a 10% discount compared to adult 10-ride packs, which themselves are priced 10% below face value.





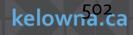
Community Programs

Emergency Transportation Assistance Program (ETAP)

- Increase annual tickets from 10,200 to 22,200 in 2024 to meet demand.
- Provide 100 additional 30-day passes per month for more regular travel needs.
- Provide UWBC with a 7.5% management fee totaling \$10,455.33 to enhance and sustain program delivery.

Family Pass Maximum

Caps the cost of student passes per family at 2.5 times the current student rate.





Provincial Program

The Get on Board! Program

- Launched on September 1, 2021.
- Allows children 12 and under to ride transit for free.
- Funded by a provincial grant to BC Transit.

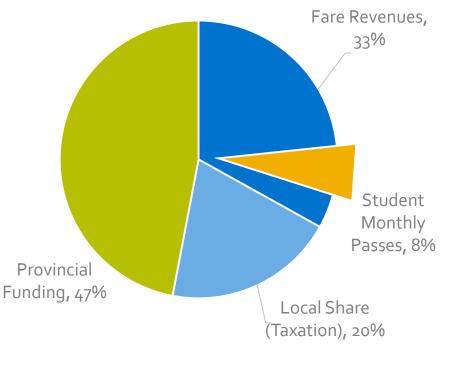




Fare-Free Transit for Youth

Cost Implications

- In 2023, sales of student monthly passes reached 40,753 (+35.5% since 2018).
- Revenues from these passes totaled \$1,834,000.

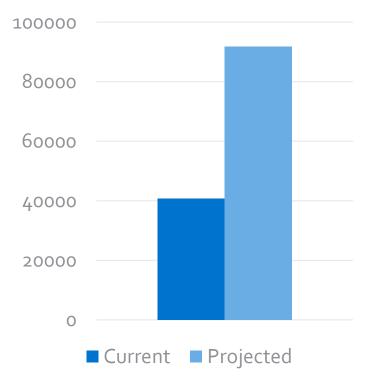


Transit Funding Model

Fare-Free Transit for Youth

Ridership and other implications

Equivalent Month Passes per year at 45% uptake (7,500 youth)



Fare evasion: potential that young adults may pose as under 18.

Transit etiquette: youth behavior aboard transit and at stops is of growing concern.



Fare Review

- Reviews assess fare rates, community programs, service cost, and historical revenue and ridership trends.
- Reviews explore new fare options, including means-based fares (e.g., Kamloops 'Kam Pass').

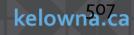
A new fare review will begin this fall. A parallel study will assess the feasibility and impact of means-based fare options.





Recommendations

- THAT Council receives, for information, the report from the Integrated Transportation Department dated July 22, 2024, with information related to Transit Community Fare Programs;
- AND THAT Council direct staff to undertake a fare review in conjunction with BC Transit and our Central Okanagan Regional Transit partners;
- AND FURTHER THAT Council direct staff to report the results of the fare review back to Council in 2025 to inform the 2026 operating budget.





Questions?





Date:	July 22, 2024	
То:	Council	
From:	City Manager	
Subject:	Amendment to Good Neighbour Bylaw	
Department:	oartment: Office of the City Clerk	

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated July 22, 2024 regarding amendments to the Good Neighbour Bylaw;

AND THAT Bylaw No. 12674, being Amendment No. 3 to Good Neighbour Bylaw No. 11500, be forwarded for reading consideration.

Purpose:

To amend the construction noise provisions of Good Neighbour Bylaw No. 11500.

Background:

On July 8, 2024, staff presented updated options for amending the Good Neighbour Bylaw to address the impact of construction noise on Kelowna residents. Staff presented three options for Council consideration: Options A, B and C. Council directed staff to prepare the necessary bylaw amendments to implement Option C.

Previous Council Resolution

Resolution	Date
THAT Council receives, for information, the report from the Office of the City Clerk dated July 8, 2024, regarding updated options to address construction noise;	July 8, 2024
AND THAT Council directs staff to prepare the necessary bylaw amendments in accordance with Option C as described in the report from the Office of the City Clerk dated July 8, 2024.	

Discussion:

This amendment to the Good Neighbour Bylaw implements changes to **Section 8 – Construction Noise** in accordance with "Option C" as summarized below:

	Daily Construction Noise Window	Statutory Holidays
Option C	Monday-Friday: No change	7:00 am-4:00 pm on all provincial
	Saturday: 7:00 am-4:00 pm	statutory holidays
	Sunday: 8:00 am-4:00 pm	

The amendment will not affect the daily construction noise window on non-holiday weekdays. Construction noise will continue to be permitted on these days between the hours of 7:00am-9:00pm as under the current bylaw.

On both Saturdays and Sundays, the amended bylaw will permit construction noise within a reduced window of 7:00am-4:00pm on Saturdays, and 8:00am-4:00pm on Sundays. In addition, construction noise will be limited on all provincial statutory holidays to between the hours of 7:00am-4:00pm.

The amendment implements changes to the construction noise variance procedure as directed by Council. These changes include the addition of extreme heat conditions as a consideration for assessing whether to issue a variance, as well as a more detailed list of mitigations on which the issuance of a variance may be conditioned.

The full list of changes contained in this amendment is set out in the attached Schedule A – Proposed Text Amendments.

Conclusion:

The amendment implements Council's preferred option (Option C) for addressing the impacts of construction noise on residents of the city. An effective date of September 2, 2024 (the first day following the Labour Day statutory holiday) will provide the development industry time to adjust their operations to comply with the new regulations.

Internal Circulation:

Development Engineering Development Planning Infrastructure Operations

Considerations applicable to this report: Existing Policy: Good Neighbour Bylaw No. 11500

Considerations not applicable to this report: Legal/Statutory Authority: Legal/Statutory Procedural Requirements: Existing Policy: Financial/Budgetary Considerations: Consultation and Engagement:

Submitted by:	M. Jud, Deputy City Clerk
Approved for inclusion:	W. Junkin-Faris, Acting City Clerk
Attachments:	Schedule A – Proposed Text Amendments.

cc:

R. Smith, Divisional Director, Planning, Climate Sustainability and Development Services

G. Bos, Infrastructure Operations Department Manager

Schedule A – Proposed Text Amendments

Good Neighbour Bylaw No. 11500 – Amendment No. 3

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Definitions	N/A	Holiday has the same meaning as in the British Columbia <i>Employment Standards Act</i> .	Limit definition to provincial holidays only for purposes of section 8.1.
2.	Definitions	Public Works Manager means the person with supervisory authority over the City's department of Public Works;	Delete	This title is no longer used and will be replaced with Roadways Operations Manager.
3.	Definitions	N/A	Roadways Operations Manager means the person with supervisory authority over the City's Roadways Operations.	Add new defined term.
4.	8.1	8.1 No person shall on any day before 7:00 am or after 9:00 pm make or cause, or permit to be made or caused any construction noise.	 8.1 No person shall on any day before 7:00 am or after 9:00 pm make or cause, or permit to be made or caused any construction noise that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity except: a) between the hours of 7:00 am and 9:00 pm on any week day that is not a holiday; b) between the hours of 7:00 am and 4:00 pm on any week day that is a holiday, or on any Saturday; c) between the hours of 8:00 am and 4:00 pm on any Sunday. 	. 3

5.	8.2	8.2 A person may apply to the public works	8.2 A person may apply to the Roadways	Minor textual improvements.
		manager for permission to vary the time	Operations Manager for permission to	
		restrictions established in section 8.1 of	vary the time restrictions established in	
		this bylaw with respect to construction	section 8.1 of this bylaw with respect to	
		noise generated on public spaces or	construction noise generated on public	
		streets. A person may apply to the	spaces or streets. A person may apply to	
		development engineering manager for	the Development Engineering Manager	
		permission to vary the time restrictions	for permission to vary the time restriction	5
		established in section 8.1 of this bylaw	established in section 8.1 of this bylaw	
		with respect to construction noise	with respect to construction noise	
		generated on real property that is not a	generated on real property that is not a	
		public space or a street. An application in	public space or a street. An application in	
		the form specified by the development	the form specified by the Roadways	
		engineering manager or development	Operations Manager or Development	
		engineering manager, as appropriate,	Engineering Manager, as appropriate,	
		must be submitted at least five (5)	must be submitted at least five (5)	
		business days prior to the date of the	business days prior to the date of the	
		proposed activity.	proposed activity.	
6.	8.3	8.3 Upon receiving an application submitted	8.3 Upon receiving an application submitted	Add extreme heat conditions as
		in accordance with section 8.2 of this	in accordance with section 8.2, the City	a criterion upon which a
		bylaw, the City may, by written permit,	may, by written permit, vary the time	variance may be granted. Move
		vary the time restrictions set out in	restrictions set out in section 8.1 either	text dealing with mitigations to
		section 8.1 of this bylaw for a certain	with respect to a specific location or	new section 8.3.1. Minor textual
		location and activity if, in the opinion of	throughout the City generally. Such	improvements.
		the public works manager or	permit may be issued if, in the opinion of	
		development engineering manager, as	the Roadways Operations Manager or	
		appropriate:	Development Engineering Manager, as	
		(a) public safety or traffic considerations	appropriate:	
		make it necessary or expedient that the	a)- public safety or traffic <u>any</u> of the	
		work or activity commence or continue	following considerations make it	
		beyond those time restrictions; or	necessary or expedient that the work or	

(b) it is impossible or imprac	
out, within those time restr	ictions: those time restrictions: ; or
(a) excavation;	i. <u>safety of</u>
(ii) concrete pouring o	r finishing; <u>the public or the environment;</u>
(iii) major structural or	mechanical ii. <u>significant impacts to traffic</u>
component delivery of	r placement; <u>impactson public roadways;</u>
or	iii. <u>extreme heat conditions (i.e.</u> forecasted daily high
(iv) relocation of a bui	
after considering whether there	
prior notification of the neighbo	
would be affected, the public wo	orks manager Canada weather forecast for
or development engineering ma	nager as <u>Kelowna); or</u>
appropriate may impose such te	b) it is impossible or impractical to carry
restrictions as deemed necessar	
circumstances to mitigate the in	
construction noise on the adjace	
neighbourhood.	iv. <u>dewatering;</u>
li ligheodhioda.	v. major
	structural or mechanical
	component delivery or
	placement; or
	vi. relocation of a building. ; and
	after considering whether there should be prior
	notification of the neighbourhood that would
	be affected, the public works manager or
	development engineering manager, as
	appropriate may impose such terms and
	restrictions as deemed necessary in the
	circumstances to mitigate the impact of the
	construction noise on the adjacent
	neighbourhood.

ermit issued in accordance with section 8.3Expand on the type ofhis bylaw may be subject to such terms and trictions as deemed necessary by themitigations that may berequired by staff as conditionsrequired by staff as conditions
trictions as deemed necessary by the required by staff as conditions
adways Operations Manager or to issuance of a variance.
velopment Engineering Manager, as
propriate, to mitigate the impact of the
struction noise on the adjacent
ghbourhood. Such terms and mitigations
y include, but are not limited to:
a. <u>prior notification of the</u>
neighbourhood that would be
affected;
b. <u>restrictions on the type of work</u>
performed; and
c. <u>restrictions on the use of heavy</u>
equipment and vehicles.
Section 8.1 of this bylaw does not apply to Add new section to exempt
municipal or other government personnel municipal and other
or contractors carrying out work on behalf government operations such as
of the City or government, as applicable, snow clearing, road
including but not limited to snow removal, maintenance etc. from
maintenance and repair of highways, application of the bylaw.
public works, infrastructure, buildings,
structures, parks and other lands.

CITY OF KELOWNA

BYLAW NO. 12674

Amendment No. 3 to Good Neighbor Bylaw No. 11500

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Good Neighbour Bylaw No. 11500 be amended as follows:

- 1. THAT Section 2. Definitions be amended by
 - 1.1. Adding the following new definition in its appropriate place:

"Holiday has the same meaning as in the British Columbia Employment Standards Act;"

1.2. Deleting in its entirety the definition of "Public Works Manager" that reads:

"Public Works Manager means the person with supervisor authority over the City's department of Public Works;"

1.3. Adding the following new definition in its appropriate place:

"Roadways Operations Manager means the person with supervisory authority over the City's Roadways Operations;"

- 2. THAT Section 8. Construction Noise by amended by:
 - 2.1. Deleting in its entirety **Section 8.1** that reads:

"8.1 No person shall on any day before 0700 hours or after 2100 hours make or cause, or permit to be made or caused any **construction noise**."

and replacing with:

"8.1 No person shall make or cause, or permit to be made or caused any **construction noise** that is liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity except:

- a) between the hours of 7:00 am and 9:00 pm on any weekday that is not a holiday;
- b) between the hours of 7:00 am and 4:00 pm on any weekday that is a **holiday**, or on any Saturday;
- c) between the hours of 8:00 am and 4:00 pm on any Sunday.
- 2.2. Deleting from **Section 8.2** all instances of the words "for permission".
- 2.3. Deleting from **Section 8.2** the final sentence that reads:

"An application in the form specified by the **development engineering manager** or **development engineering manager**, as appropriate, must be submitted at least five (5) business days prior to the date of the proposed activity."

and replacing with:

"An application in the form specified by the **Roadways Operations Manager** or **Development Engineering Manager**, as appropriate, must be submitted at least five (5) business days prior to the date of the proposed activity."

2.4. Deleting in its entirety **Section 8.3** that reads:

"8.3 Upon receiving an application submitted in accordance with section 8.2, the **City** may, by written permit, vary the time restrictions set out in section 8.1 for a certain location and activity if, in the opinion of the **public works manager** or **development engineering manager**, as appropriate:

- (a) public safety or traffic considerations make it necessary or expedient that the work or activity commence or continue beyond those time restrictions; or
- (b) it is impossible or impractical to carry out, within those time restrictions:
 - (a) excavation;
 - (ii) concrete pouring or finishing;
 - (iii) major structural or mechanical component delivery or placement; or
 - (iv) relocation of a building; and

after considering whether there should be prior notification of the neighbourhood that would be affected, the **Roadways Operations Manager** or **Development Engineering Manager**, as appropriate may impose such terms and restrictions as deemed necessary in the circumstances to mitigate the impact of the **construction noise** on the adjacent neighbourhood."

and replacing with:

"8.3 Upon receiving an application submitted in accordance with section 8.2, the **City** may, by written permit, vary the time restrictions set out in section 8.1 either with respect to a specific location or throughout the **City** generally. Such permit may be issued if, in the opinion of the **Roadways Operations Manager** or **Development Engineering Manager**, as appropriate:

- (a) any of the following considerations make it necessary or expedient that the work or activity commence or continue beyond those time restrictions:
 - (i) safety of the public or the environment;
 - (ii) significant impacts to traffic on public roadways;
 - (iii) extreme heat conditions (i.e. forecasted daily high temperature of 30 degrees Celsius or higher according to the 24-hour Environment Canada weather forecast for Kelowna); or
- (b) it is impossible or impractical to carry out, within those time restrictions:
 - (i) excavation;
 - (v) concrete pouring or finishing;
 - (vi) dewatering;
 - (vii) major structural or mechanical component delivery or placement; or
 - (viii)relocation of a building.
- 2.5. Adding the following new section in its appropriate place:

"8.3.1 A permit issued in accordance with section 8.3 may be subject to terms and restrictions as deemed necessary by the **Roadways Operations Manager** or **Development Engineering Manager**, as appropriate, to mitigate the impact of the **construction noise** on the adjacent neighbourhood. Such terms and restrictions may include, but are not limited to:

- (a) prior notification of the neighbourhood that would be affected;
- (b) restrictions on the type of work or activities performed; or
- (c) restrictions on the use of heavy equipment and vehicles."

2.6. Adding the following new section in its appropriate place:

"8.7 Section 8.1 does not apply to municipal or other government personnel or contractors carrying out work on behalf of the **City** or government, as applicable, including but not limited to snow removal, maintenance and repair of highways, public works, infrastructure, buildings, structures, parks and other lands."

- 3. AND FURTHER THAT all instances of "public works manager" be replaced with "Roadways Operations Manager" throughout the entirety of this bylaw.
- 4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of September 2, 2024.

Read a first, second and third time by the Municipal Council this 22th day of July, 2024.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

DRAFT RESOLUTION

Re: Special Closed Committee of the Whole Meeting with Westbank First Nation (WFN) – August 15, 2024

THAT Council schedule a Special Closed Committee of the Whole Meeting with Westbank First Nation Council for Tuesday, August 15th, 2024 beginning at 8am;

AND THAT Council authorize the August 15, 2024 Special Closed Committee of the Whole Meeting to be held outside of City Hall at Quails' Gate Winery, Stewart Family Conference Room, being located at 3303 Boucherie Rd in the City of West Kelowna, BC.

BACKGROUND:

City Council and Westbank First Nation Council meet periodically to discuss topics of mutual interest. A Council resolution is required to hold a Committee of the Whole meeting on non-Council Monday and to hold a meeting outside of City Hall.

Date: July 22nd, 2024.