

City of Kelowna
Regular Council Meeting
AGENDA



Monday, June 27, 2022
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

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

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

2. Confirmation of Minutes

6 - 10

June 20, 2022

3. Development Application Reports & Related Bylaws

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

11 - 27

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.

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

28 - 46

To rezone the subject property from the RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House zone.

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

47 - 65

To rezone the subject property from the RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House zone.

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

66 - 85

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.

3.5.	Greene Rd 658 - Z21-0107 (BL12395) - Ricki Chan	86 - 110
	To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.	
3.6.	Arab Rd/Appaloosa Rd Area Rezoning Applications	111 - 132
	To consider eleven rezoning applications within the Arab Rd/Appaloosa Rd area to rezone from the A1 - Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone to facilitate industrial development of the subject lots.	
3.6.1.	Appaloosa Rd 3008 - Z20-0026 (BL12396) - DL Capital Inc., Inc. No. BCo820774	133 - 149
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	
3.6.2.	Appaloosa Rd 3029 - Z19-0050 (BL12397) - Viking Refrigeration Ltd. Inc. No. BCo495457	150 - 165
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	
3.6.3.	Appaloosa Rd 3036 - Z21-0070 (BL12398) - Bhudinder Mroke and Balwant Mroke	166 - 184
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	
3.6.4.	Appaloosa Rd 3089 - Z19-0052 (BL12399) - 1571937 Alberta Ltd. and Garrett Radchenko	185 - 200
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	
3.6.5.	Appaloosa Rd 3139 - Z19-0049 (BL12400) - Gregory T. Pitura, Irene A. Pitura and Edward J. Pitura	201 - 214
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	

3.6.6.	Appaloosa Rd 3039 - Z19-0051 (BL12401) - Suresh K. Khurana and Babita Khurana	215 - 230
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	
3.6.7.	Appaloosa Rd 3128 - Z19-0053 (BL12402) - 1056175 BC Ltd., Inc.No. BC1056175	231 - 246
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	
3.6.8.	Appaloosa Rd 3156 - Z19-0054 (BL12403) - Angus B. Aitken and Sara D. Aitken	247 - 262
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	
3.6.9.	Arab Rd 185 - Z20-0025 (BL12404) - 1046958 B.C. LTD., INC.NO. BC1046958	263 - 278
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	
3.6.10.	Appaloosa Rd 3196 - Z20-0072 (BL12405) - Watermarks Developments Ltd., Inc. No. 1191800	279 - 294
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	
3.6.11.	Appaloosa Rd 3169 - Z21-0071 (BL12406) - 1301318 BC Ltd., Inc. No. BC1301318	295 - 311
	To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.	
3.7.	Clifton Rd N 259 - Z22-0027 (BL12410) - Brian L. Burnham	312 - 329
	To rezone the subject property from the RR3 – Rural Residential 3 zone to the RU6 – Two Dwelling Housing zone to facilitate the construction of two single family dwellings.	

- 3.8. **Muir Rd 140 - Z22-0016 (BL12411) - Simarjeet Kaur Sandhu** 330 - 344
To rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a 2-lot subdivision.
- 3.9. **Viewcrest Crt 394 - Z22-0030 (BL12412) - Sundeep Jassi, Hans Jassi and Manisha Jassi** 345 - 366
To rezone the subject property from the RR3 – Rural Residential 3 zone to the RU1c – Large Lot Housing with Carriage House zone to facilitate the construction of a carriage house.
- 3.10. **Doyle Ave 350 - Z21-0061 - City of Kelowna** 367 - 374
To amend the servicing requirements associated with the rezoning application for 350 Doyle Ave (Z21-0061).

4. Non-Development Reports & Related Bylaws

- 4.1. **2021 Annual Report** 375 - 418
To meet the legislated reporting requirement for annual financial reporting, showcase City services, programs and projects, and provide contextual information for the data contained in the Statement of Financial Information report.
- 4.2. **Abbott Active Transportation Corridor** 419 - 423
To increase the budget for the Abbott (Rose to Cedar) and Casorso 3 (KLO to Lanfranco) Active Transportation Corridor (ATC) projects to address construction inflation, final project scope, tender pricing, and allow for advancing the projects forward in 2022.
- 4.3. **Transit 2022/2023 Annual Operating agreement** 424 - 445
To obtain approval for and execution of the transit 2022/2023 Annual Operating Agreement and to amend the 2022 Financial Plan to accept \$1,761,188 in Safe Restart funding.
- 4.4. **Active Living and Culture Fees and Charges** 446 - 474
To obtain approval for amendments to the Active Living and Culture Fees and Charges Bylaw No. 9609.
- 4.5. **BL12409 Amendment No. 7 to Active Living & Culture Fees and Charges Bylaw No. 9609** 475 - 493
To give Bylaw No. 12409 first, second and third reading.

4.6. Road Closure - Adjacent to 657 Clement Ave 494 - 496

To close a 186.8 square meter portion of lane for consolidation with the adjacent properties.

4.7. BL12390 - Road Closure Bylaw - Adjacent to 657 Clement Ave 497 - 498

To give Bylaw No. 12390 first, second and third reading.

5. Mayor and Councillor Items

6. Termination



City of Kelowna
Regular Council Meeting
Minutes

Date:	Monday, June 20, 2022
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge
Members Remote	Councillor Charlie Hodge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Corporate Strategic Services, Carla Weaden*; Communications Department Manager, Lisa Corcoran*; Utility Services Manager, Kevin Van Vliet*; Landfill & Compost Operations Manager, Scott Hoekstra*; Divisional Director, Partnership & Investments, Derek Edstrom*; Parks & Buildings Planning Manager, Robert Parlane*; Park and Landscape Planner, Melanie Steppuhn*; Divisional Director, Planning & Development Services, Ryan Smith*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Long Range Policy Planning Manager, Robert Miles*; Sustainability Coordinator, Tracy Guidi*; Infill Housing Planning Manager, James Moore*; Planner Specialist, Daniel Sturgeon*
Staff participating Remotely	Legislative Coordinator (Confidential), Clint McKenzie
Guests participating Remotely	Catherine Knaus*, Director, Ipsos; Jordan Best* Western Canada Director, Collections, Recycle BC; Travis Kendel*, RDCO
*Denotes partial attendance	

1. Call to Order

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

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

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

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

R0434/22/06/20 THAT the Minutes of the Regular Meetings of June 13, 2022 be confirmed as circulated.

Carried

3. Non-Development Reports & Related Bylaws

3.1 2022 Citizen Survey Results

Staff introduced the remote consultant.

Remote guest, Catherine Knaus, Director, Ipsos Reid shared a PowerPoint presentation remotely that summarized the 2022 Citizen survey results and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0435/22/06/20 THAT Council receives, for information, the Report from the Communications Manager dated June 13, 2022 with respect to the results of the 2022 Citizen Survey

Carried

3.2 Recycle BC and Curbside Collection

Staff displayed a PowerPoint presentation summarizing the reasons for Recycle BC to become the next recycle collector and responded to questions from Council.

Guest, Jordan Best Western Canada Director Collections, Recycle BC participated remotely and responded to questions from Council

Moved By Councillor Donn/Seconded By Councillor Given

R0436/22/06/20 THAT Council receives for information, the report from Utility Services dated June 20, 2022, with respect to Recycle BC and Curbside Collection;

AND THAT Council requests Recycle BC undertake direct curbside recycling services within the City of Kelowna;

AND THAT Council authorize staff to submit a letter on behalf of the City before July 1, 2022, to acknowledge and agree to the Recycle BC Requirements as outlined in this report;

AND THAT Council direct staff to work with Recycle BC to extend the current Statement of Work for Curbside Collection Services Provided by Local Government agreement to April 30, 2026, to align the commencement of Recycle BC direct service with the expiration of the City's current curbside collection contract;

AND FURTHER THAT Council direct staff to work collaboratively with Recycle BC and the Regional District to review options to expand curbside collection prior to the April 30, 2026, transition.

Carried

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R0437/22/06/20 THAT Council authorizes the Mayor to write Recycle BC to encourage the continued use of a multi-stream cart service in Kelowna as part of any new recycling service.

Carried**3.3 Lynrick Rd Culvert Replacement Project**

Staff provided the rationale for the additional budget requested.

Moved By Councillor Sieben/Seconded By Councillor Donn

Ro438/22/06/20 THAT Council receives for information, the report from Utility Services dated June 20, 2022, regarding the Lynrick Rd Culvert Replacement Project;

AND THAT the 2022 Financial Plan be amended to include the transfer of \$210k to the Lynrick Rd Culvert Replacement Project from the Gopher Creek Pre-Design and Land Acquisition general reserve funding.

Carried**3.4 Knox Mountain Park Management Plan Update**

Staff displayed a PowerPoint presentation summarizing the updated Knox Mountain Management Plan and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Given

Ro439/22/06/20 THAT Council receives, for information, the report from the Parks and Buildings Planning Department dated June 20, 2022, with respect to the Knox Mountain Park Management Plan Update;

AND THAT Council endorse the Knox Mountain Park Management Plan Update as attached to the report from the Parks and Buildings Planning Department dated June 20, 2022;

AND THAT Council direct staff to begin implementation of the recommendations and actions.

Carried

Councillor Donn - Opposed

3.5 Educational Institutional Future Land Use -1205 High Rd

Staff displayed a PowerPoint presentation summarizing the rationale for future land use designation of the subject property and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Wooldridge

Ro440/22/06/20 THAT Council receives for information, the report from the Policy & Planning Department dated June 20, 2022 regarding the Future Land Use for 1205 High Road.

Carried

Councillor Sieben - Opposed

3.6 Suburban Multi Unit Future Land Use - 4998 Gordon Dr

Staff displayed a PowerPoint presentation summarizing the rationale for the future land use designation of the subject property and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Donn

Ro441/22/06/20 THAT Council direct staff to bring forward a proposed amendment to Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of 4998 Gordon Drive from Suburban – Multiple Unit (S-MU) to Village Centre (VC) future land use designation.

Carried**3.7 Climate Resilient Kelowna GHG Modelling and Targets**

Staff displayed a PowerPoint presentation providing an update on the Climate Resilient Kelowna strategy and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Sieben

R0442/22/06/20 THAT Council receives for information, the report from the Policy & Planning Department dated June 20, 2022, with respect to Climate Modelling: GHG Reduction Targets and Next Steps for Climate Resilient Kelowna Strategy;

AND THAT Council direct staff to update the 2040 OCP with new GHG reduction targets as outlined in the report;

AND THAT Council direct staff to use these new GHG reduction targets as a basis for developing a Climate Resilient Kelowna Strategy;

AND FURTHER THAT the 2022 Financial Plan be amended to include \$95,000 to complete the *Climate Resilient Kelowna* strategy from Intact Insurance's Municipal Climate Resiliency Grant program, if successful, or \$80,000 from the Climate Action Reserve should the grant not be approved, as outlined in the report.

Carried**3.8 Infill Housing and UBCM Grant - Project Update**

Staff displayed a PowerPoint presentation summarizing the work plan and objectives for the Infill Project and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Singh

R0443/22/06/20 THAT Council receives, for information, the report from Policy and Planning dated June 20, 2022 with respect to the UBCM Local Government Development Approvals Program Grant and the Infill Options Project;

AND THAT Council direct staff to report back on the results of stakeholder engagement and concept development for policy and bylaw changes that would expand ground-oriented infill housing in Core Area Neighbourhoods consistent with the direction of the Official Community Plan.

Carried**4. Bylaws for Adoption (Non-Development Related)****4.1 BL12344 - Amendment No. 33 to Bylaw Notice Enforcement Bylaw No. 10475**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0444/22/06/20 THAT Bylaw No. 12344 be adopted.

Carried**4.2 BL12393 - General Local Government Election Bylaw**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

Ro445/22/06/20 THAT Bylaw No. 12393 be adopted.

Carried

5. Mayor and Councillor Items

Councillor DeHart:

- Attended the Grant Thornton Business Excellence Awards as a judge. It was a great get together for the business community.

Councillor Donn:

-Kudos to RDCO for changing their decision regarding the use of electric bikes being allowed on the Rail Trail.

Councillor Sieben:

-Visited the Surrey Aquatic Centre with his family this past weekend. It is a well used facility. Reinforced the need to continue with the expansion plans for the PRC.

Councillor Wooldridge:

- National Aboriginal Day tomorrow with activities scheduled downtown on the 300 block of Leon Avenue.

6. Termination

This meeting was declared terminated at 4:25 p.m.

Mayor Basran

sf/cm

Cgt M. Kozie
City Clerk
per:

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z22-0026

Owner: Cindy Louise Good

Address: 217 Merlin Crt

Applicant: George T. Gibson

Subject: Rezoning Application

Existing OCP Designation: S-RES – Suburban Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z22-0026 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 50 Section 6 Township 23 ODYD Plan 42134, located at 217 Merlin Crt, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.

3.0 Development Planning

Development Planning supports the application to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage house zone to facilitate a carriage house. The lot has a future land use designation of Suburban Residential (S-RES), and the proposed zone is consistent with this future land use designation, has a sanitary sewer connection, and is within the city's permanent growth boundary. The implementation of a carriage house will be integrated sensitively into the context of the neighbourhood and consistent with the OCP's Policy of Sensitive Infill.

Proposal

3.1 Project Description

The applicant proposes to rezone the subject property to RU1c – Large Lot Housing with Carriage to allow the construction of a carriage house.

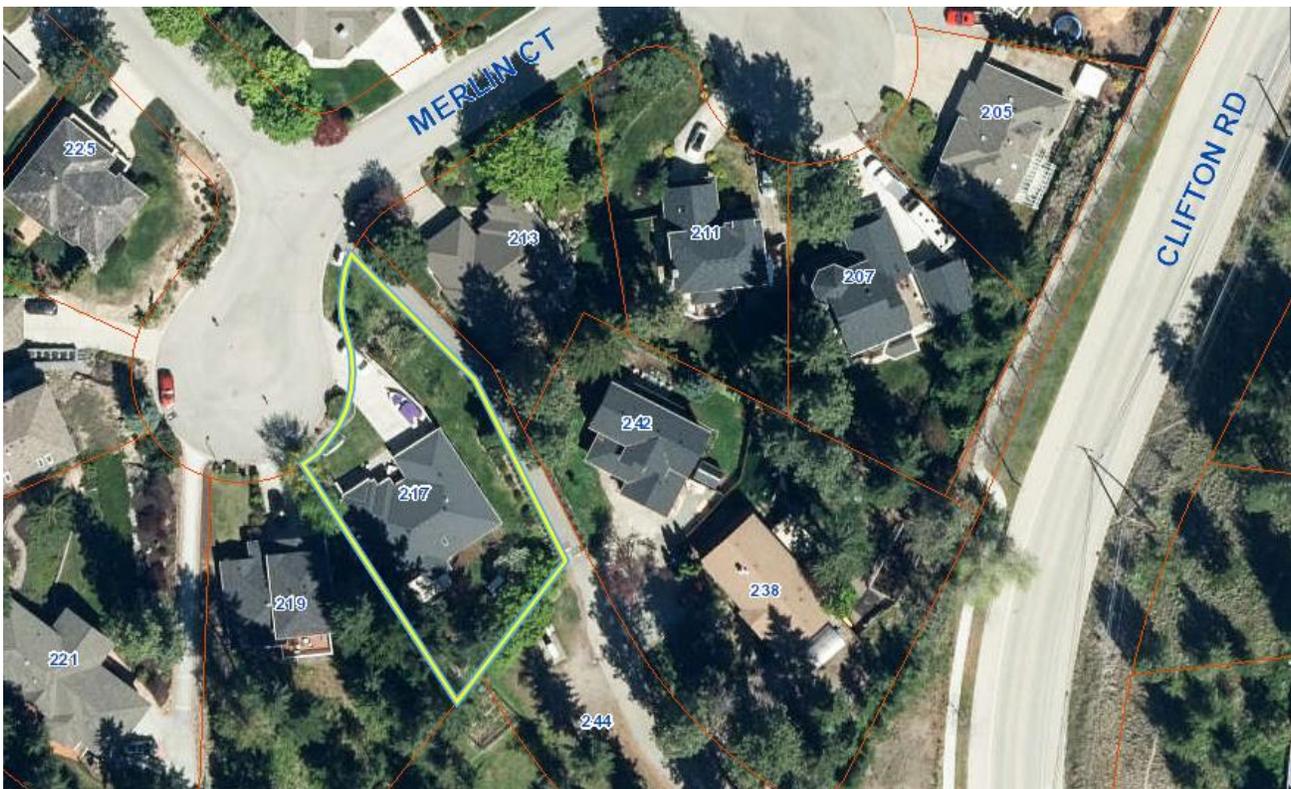
3.2 Site Context

The subject property is located on Merlin Court within the Magic Estates neighbourhood. The parcel has a Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary. The surrounding area consists primarily of RU1 – Large Lot Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Family Dwelling
East	RU6 – Two Dwelling Housing	Two Dwelling Housing
South	RR3 – Rural Residential 3	Single Family Dwelling
West	RU1 – Large Lot Housing	Single Family Dwelling

Subject Property Map: 217 Merlin Crt



4.0 Current Development Policies

4.1 Kelowna Official Community Plan (OCP)

Objective 7.2. Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable.	
Policy 7.2.1. Ground-Oriented Housing.	Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities.
	<i>Proposed Carriage house would provide an additional , ground oriented dwelling contributes to diverse and affordable housing within suburban communities.</i>

5.0 Application Chronology

Date of Application Accepted: April 4, 2022
 Date Public Consultation Completed: April 19, 2022

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

Attachments:

Schedule A: Development Engineering Memo
 Attachment A: Site Plan

Z22-0026
217 Merlin Crt
Rezoning Application

Proposal

- ▶ To rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House.

Development Process



April 4, 2022

Development Application Submitted

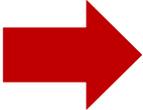


Staff Review & Circulation



April 19, 2022

Public Notification Received



June 27, 2022

Initial Consideration



First, Second, Third, Fourth Reading

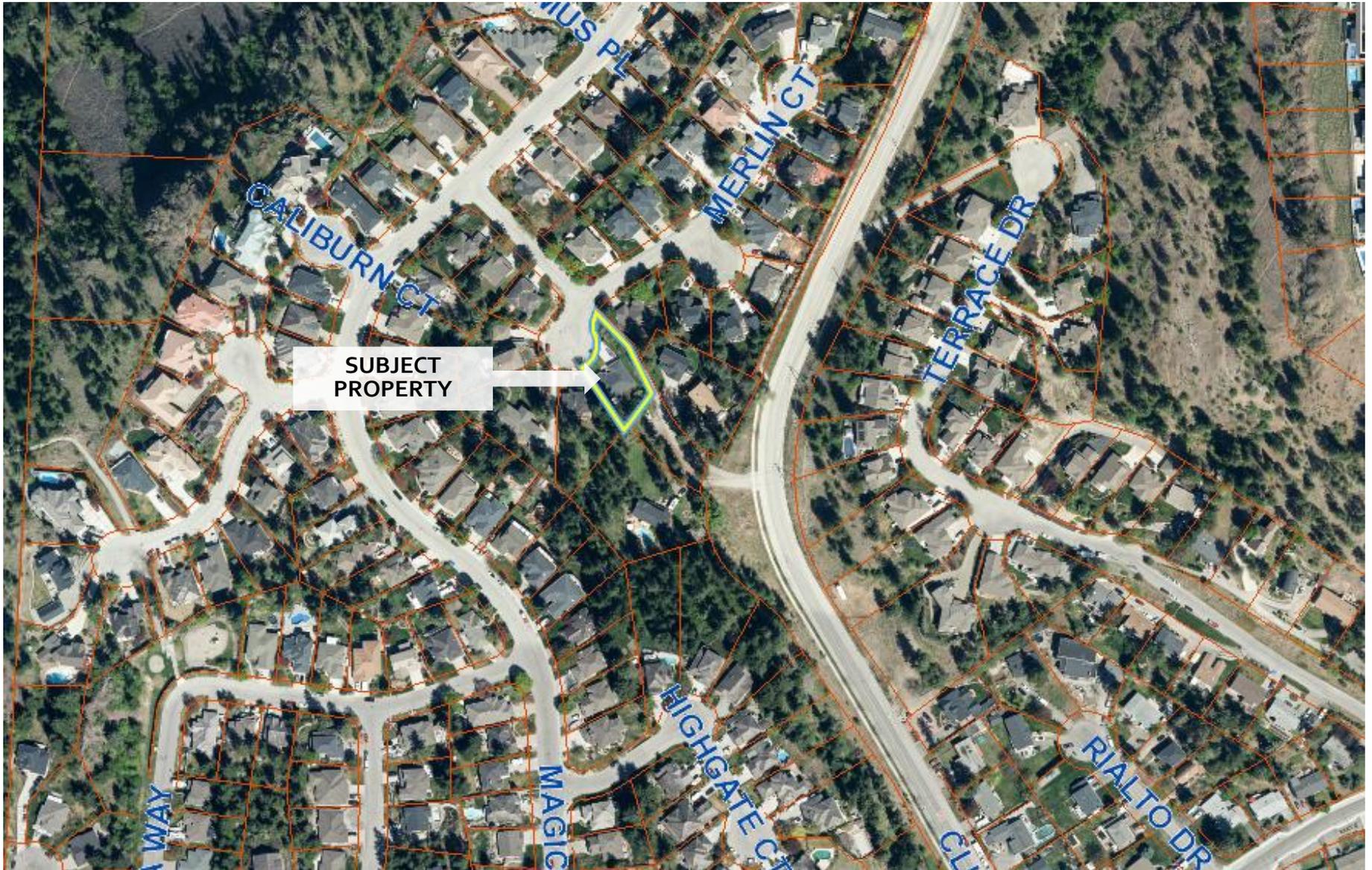


Building Permit

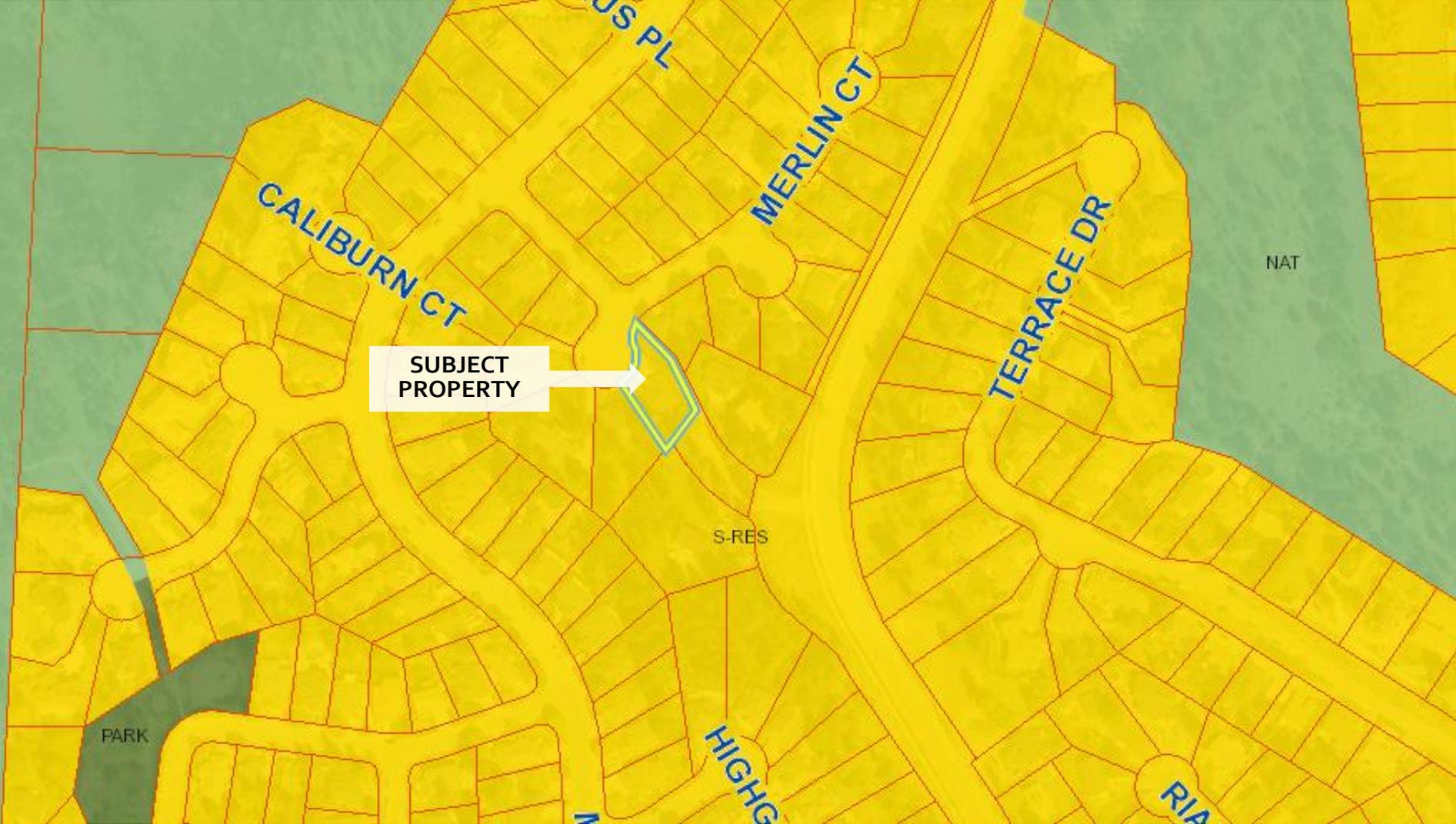


Council Approvals

Context Map



OCP Future Land Use / Zoning



Subject Property Map



Project details

- ▶ The property is 1020m² and has connection to sanitary sewer.
- ▶ Carriage home proposed to be constructed at rear of the property.
- ▶ The proposed zoning meets all zoning bylaw regulations .

Staff Recommendation

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



Conclusion of Staff Remarks

CITY OF KELOWNA
MEMORANDUM

Date: April 5, 2022
File No.: Z22-0026
To: Community Planning (JI)
From: Development Engineering Manager (NC)
Subject: 217 Merlin Ct

SCHEDULE	A
This forms part of application # Z22-0026	
Planner Initials	JI
 City of Kelowna DEVELOPMENT PLANNING	
RU1 to RU1C	

The Development Engineering Branch has the following comments and requirements associated with this rezoning application to rezone the subject properties from RU1 to RU1c for the construction of a carriage home. The utility upgrading requirements outlined in this report will be a requirement of this development.

1. General

- a. The following requirements are valid for 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 update/change some or all items in this memo once these time limits have been reached.
- b. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

2. Domestic Water and Fire Protection

- a. The subject lot is located within the City of Kelowna water supply area. The existing lot is serviced with a 19-mm diameter water service. The Applicant, at their cost, will arrange for the removal of the existing service and the installation of one new larger metered water service if one is required. Only one service will be permitted per legal lot.
- b. The Developer's Consulting Mechanical Engineer will determine the fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by the City of Kelowna are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.

3. Sanitary Sewer

- a. Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service off Brighton Rd. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

4. Storm Drainage

- a. This property is located within an area identified by the City of Kelowna as having poor infiltration conditions. Service connection to the City Storm system may be required if site conditions do not provide for safe infiltration or dispersal of storm water on site. The safe use of infiltration is to be confirmed, at time of Building Permit, with submission of a geotechnical report provided by a Professional Engineer competent in the field of hydro-geotechnical engineering.
- b. If storm service connection is required, the Applicant can sign a Third-Party Work Order for the cost of the storm service and have the City complete installation. For estimate inquiries please contact Ryan O'Sullivan, by e-mail rosullivan@kelowna.ca or phone, 250-469-8519.

5. Electric Power and Telecommunication Services

- a. It is the applicant's responsibility to make a servicing application with the respective electric power, telephone, and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

6. Geotechnical Study

- a. At time of Building Permit, the Applicant is required to provide a comprehensive geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below:
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - iv. Any special requirements for construction of roads, utilities, and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.
- b. Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

7. Site Access

- a. This property will be permitted only one driveway with a maximum width of 6m.


 Nelson Chapman, P.Eng
 Development Engineering Manager

RO

SCHEDULE		A
This forms part of application		
# Z22-0026		
Planner Initials	JJ	 City of Kelowna <small>DEVELOPMENT PLANNING</small>

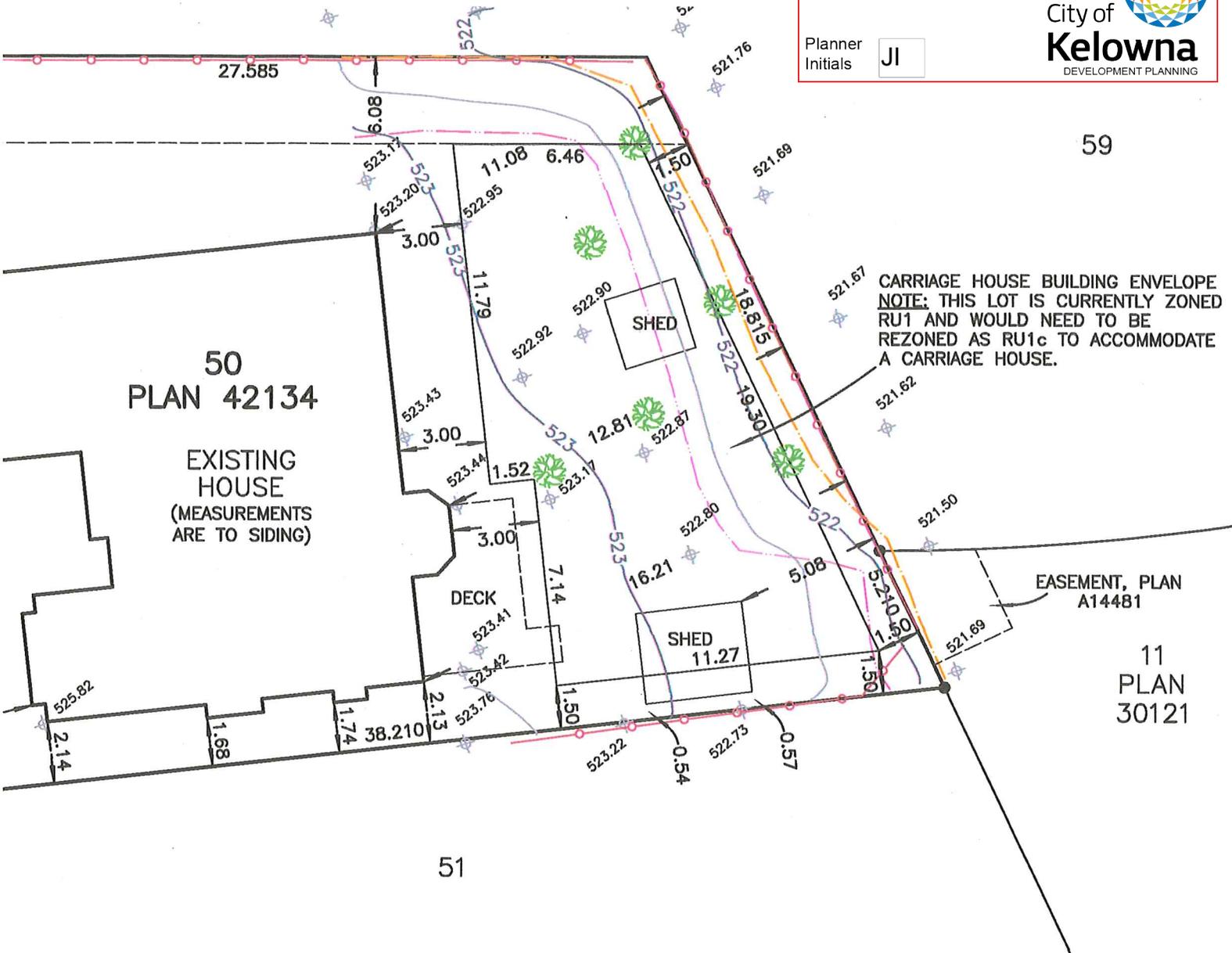
This forms part of application

Z22-0026



City of
Kelowna
DEVELOPMENT PLANNING

Planner Initials **JJ**



NOTES		JOB NO.: 22956	
ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM RTK GNSS OBSERVATIONS.		DATE: MARCH 11, 2022	
LOT DIMENSIONS ARE DERIVED FROM FIELD MEASUREMENTS AND LAND TITLE RECORDS.		SCALE: 1:200 METRES	
PROPERTY LINES ARE APPROXIMATE AND ARE SUBJECT TO A FULL LEGAL SURVEY.		CLIENT: GIBSON, GEORGE	
THIS PLAN IS FOR THE SOLE USE OF THE CLIENT FOR DESIGN PURPOSES ONLY AND IS NOT TO BE USED FOR RE-ESTABLISHMENTS OF PROPERTY LINES.			
CONTOURS ARE AT 0.5 METRES INTERVALS.			
DESCRIPTION	BY	DATE REVISED	
DATE	RD	MARCH 16, 2022	
DEVELOPMENT ENVELOPE ADDED	TSA	MARCH 21, 2022	
		FIELD CREW: RC/RQ	DRAWN BY: RD
S:\SHARED (AUG 10, 2006)\JOB_FILES\229XX\22956\22956-CAD DRAWINGS\22956-TOPO.DWG			

CITY OF KELOWNA

BYLAW NO. 12347

Z22-0026-

217 Merlin Court

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 50 Section 6 Township 23 ODYD, Plan 42134 located on Merlin Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z22-0023

Owner: Heather J. Painchaud

Address: 445 Brighton Road

Applicant: Heather J. Painchaud

Subject: Rezoning Application

Existing OCP Designation: S-RES - Suburban Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z22-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 83 Section 24 Township 26 Osoyoos Division Yale District Plan 24631, located at 445 Brighton Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c– Large Lot Housing with Carriage House zone be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated June 27, 2022;

2.0 Purpose

To Rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.

3.0 Development Planning

Staff support the proposal to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone. The subject property has a S-RES – Suburban Residential future land use designation, has a sanitary sewer connection, and is within the city's permanent growth boundary. As such, the proposed zone is consistent with the Official Community Plan's (OCP)

objectives and the RU1c – Large Lot Housing with Carriage House zone and should integrate well within the surrounding neighbourhood.

4.0 Proposal

4.1 Project Description

The proposed rezoning from the RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House zone to facilitate the construction of a carriage house. The existing garage in the rear yard will be demolished, and the building envelope will be re-used for the carriage house. The subject property has a Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives.

4.1 Site Context

The subject property is located on Brighton Road near the intersection with Holbrook Road. The parcel has a Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary. The surrounding area consists primarily of RU1 – Large Lot Housing.

Specifically, adjacent land uses are as follows:

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

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Kelowna 2040 – Official Community Plan Policy Template

Objective 7.2. Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable.

<p>Policy 7.2.1. Ground-Oriented Housing.</p>	<p>Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities.</p>
	<p><i>Proposed Carriage house would provide an additional , ground oriented dwelling contributes to diverse and affordable housing within suburban communities.</i></p>

Objective 7.6. Support a variety of low-density housing.

<p>Policy 7.6.1. Family-friendly multi-unit housing.</p>	<p>Encourage multi-unit developments near schools to include a variety of unit sizes, including three or more bedrooms</p>
	<p><i>Proposed Carriage house would provide an additional dwelling unit on a site near multiple schools</i></p>

6.0 Application Chronology

Date of Application Received: March 18 ,2022

Date Public Consultation Completed: March 25, 2022

Report prepared by: Graham Allison, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Schedule A: Site Plan

Attachment A: Development Engineering Memo

Attachment B: Application Rationale

PAINCHAUD FAMILY CARRIAGE HOUSE,

Carriage House,
445 Brighton Rd, Kelowna, BC
Zone: RU1

Lot: 83
Plan: KAP54631
PID: --

PROPERTY ZONE - RU1

MAXIMUM LOT COVERAGE FOR BUILDINGS: 40%
INCLUDING PARKING AREAS: 50%
LOT SIZE: 0.24acres (971sqm)
PROVIDED LOT COVERAGE: 24.4%
Existing House: 106.8sqm (1150sqft) = 10.9%
Driveway/Parking Areas: 75.3 sqm (811sqft) = 7.7%
Carriage House: 56.57sqm (609sqft) = 5.8%

ACCESSORY BUILDING:

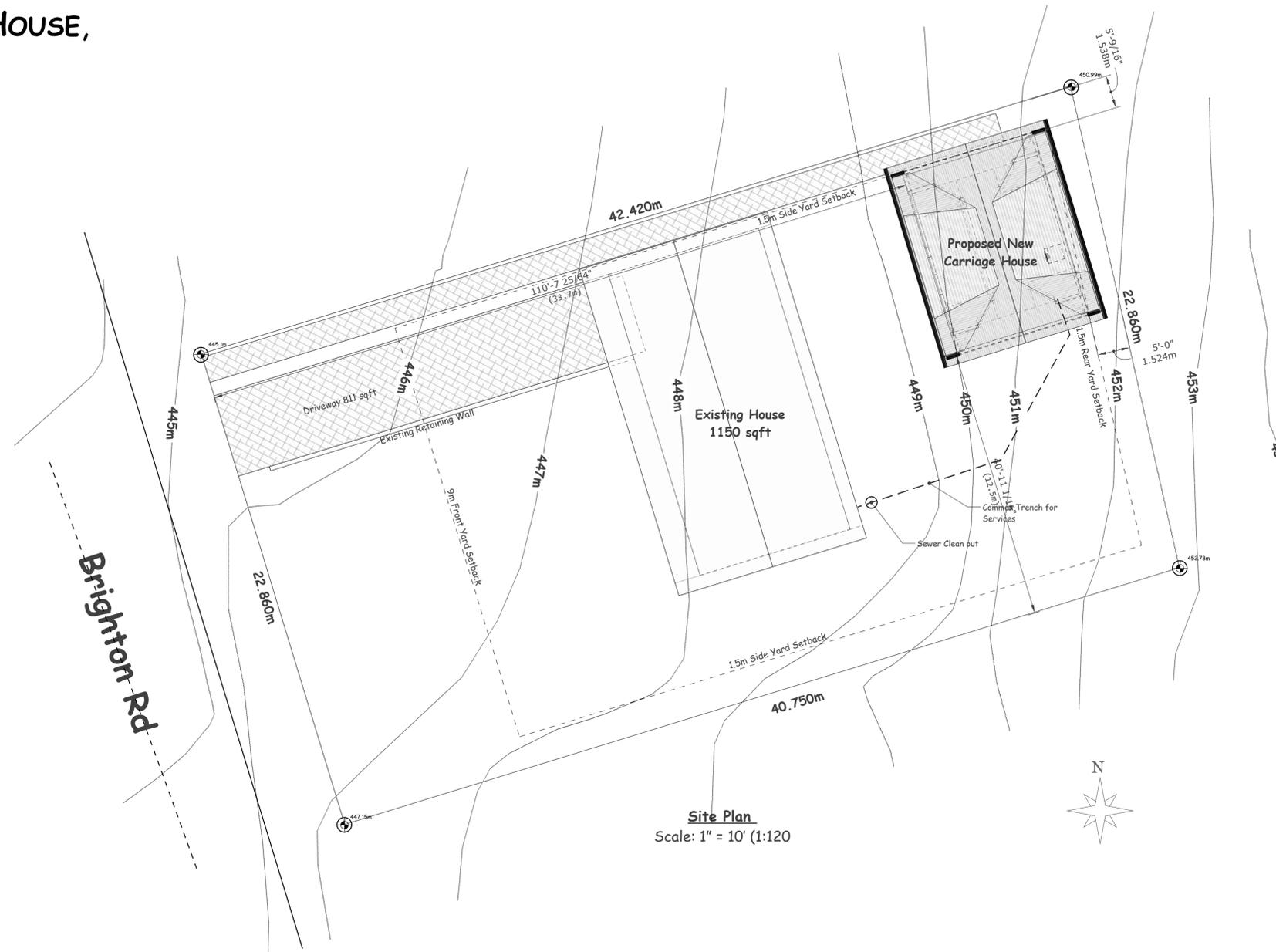
MAXIMUM BUILDING HEIGHT: 4.8m
PROPOSED BUILDING HEIGHT: 4.8m

REQUIRED FRONT YARD SETBACK (WEST): 9m
PROVIDED FRONT SETBACK (WEST): 33.7m

REQUIRED INTERIOR SIDE YARD SETBACK (SOUTH): 1.5m
PROVIDED INTERIOR SIDE YARD SETBACK (SOUTH): 12.5m

REQUIRED INTERIOR SIDE YARD SETBACK (NORTH): 1.5m
PROVIDED INTERIOR SIDE YARD SETBACK (NORTH): 1.538m

REQUIRED REAR YARD SETBACK (EAST): 1.5m
PROVIDED REAR YARD SETBACK (EAST): 1.524m

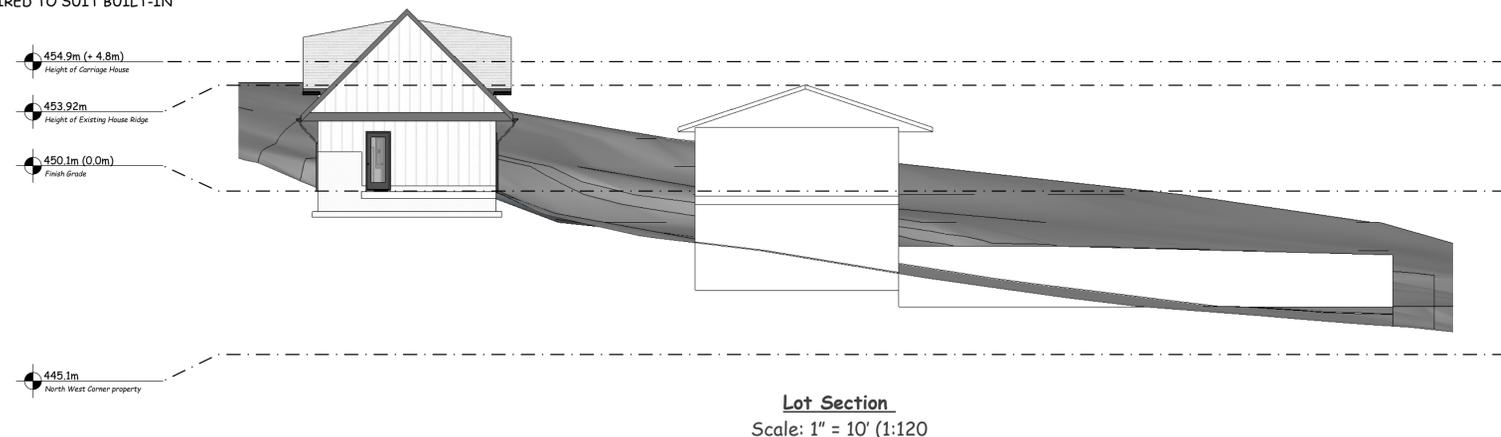


GENERAL NOTES

1. DIMENSIONS ARE TO FACE OF WALL. DO NOT SCALE DRAWINGS. THE GENERAL CONTRACTOR IS TO CONFIRM ALL DIMENSIONS ON-SITE AND ADJUST DIMENSIONS AS REQUIRED TO SUIT BUILT-IN FIXTURES AND APPLIANCES. ANY SUCH DISCREPANCIES ARE TO BE REPORTED TO THE OWNER.
2. ALL WORK TO CONFORM TO THE BCBC, LOCAL BYLAWS AND DEVELOPMENT PERMIT REQUIREMENTS. ALL WORK MUST MEET THE STANDARDS OF THE BCBC AND SUB-TRADE ASSOCIATIONS GOVERNING EACH TRADE INVOLVED IN THE PROJECT.
3. ALL DRAWINGS ARE TO BE READ AS A COMPLETE SET IN CONJUNCTION WITH DRAWINGS AND SPECIFICATIONS FOR MECHANICAL, ELECTRICAL, GEO-TECH, AND CIVIL AS APPLICABLE.
4. ONCE WORK COMMENCES ON THIS PROJECT BY ANY SUB-TRADE MEANS THAT THE ABOVE REQUIREMENTS HAVE BEEN REVIEWED.
5. THE SUB-CONTRACTORS ARE RESPONSIBLE FOR THEIR SITE SAFETY AND ARE TO MEET ALL REQUIREMENTS OF THE WCB.
6. THE SUB-CONTRACTOR IS TO ALL DIMENSIONS AFFECTING THEIR TRADE AND IN THE CASE OF DISCREPANCY THE GC IS TO BE NOTIFIED BEFORE WORK COMMENCES.
7. GC TO PROVIDE WINDOW AND DOOR SCHEDULE IN CONJUNCTION WITH THESE DRAWINGS FOR CONSTRUCTION. CONTRACTOR TO ENSURE EGRESS MEETS THE CURRENT BCBC.
8. SMOKE ALARMS AND CARBON DIOXIDE DETECTORS ARE TO BE INSTALLED AS PER THE CURRENT BCBC.
9. ALL BATHROOMS ARE TO BE EQUIPPED WITH EXHAUST FAN AS PER THE CURRENT BCBC.
10. INSTALL INTERCONNECTED SMOKE ALARMS AND CARBON MONOXIDE DETECTORS AS REQUIRED AND LOCATED AS PER BCBC.
11. FLASH ALL EXTERIOR WALL PENETRATIONS AS PER BCBC.
12. PROVIDE RADON MITIGATION AS PER BCBC.
13. GRADES SHOWN ON PLANS ARE ESTIMATED. FOUNDATION WALL HEIGHTS MAY REQUIRE ADJUSTMENTS TO SUIT SITE CONDITIONS.
14. THESE DRAWINGS HAVE BEEN CHECKED BY THE CONTRACTOR.

NOTE:

1. ALL ROOF DRAINAGE TO BE DIRECTED TO ON-SITE APPROVED HOLDING TANK.
 2. ALL ON-SITE RUN-OFF AND SURFACE DRAINAGE TO BE CONTROLLED ON-SITE. APPROVED ABSORBENT LANDSCAPING MATERIAL.
 3. STORM WATER CALCULATIONS TO BE COMPLETED BY ENGINEER AS REQUIRED.
 4. ROCK PIT AND/OR HOLDING TANK SIZES TO BE PROVIDED BY ENGINEER AS REQUIRED.
 5. PROVIDE DRAINAGE AWAY FROM THE BUILDING FOUNDATION.
 6. MIN. SLOPE AWAY FROM BUILDING FOR AT LEAST 5'-0": 5% (APPROX. 3/4" PER 12")
- IF ROOF OVERHANG PROJECTS WITHIN 1.2 m OF PROPERTY LINE PROTECT SOFFIT (NON-VENTING SOFFIT) AS PER 9.10.15.5.(10) OF THE BCBC
GRADE ELEVATIONS TO BE CONFIRMED ON SITE BY CONTRACTOR; ELEVATIONS HAVE NOT BEEN VERIFIED ON-SITE BY DESIGNER. FOUNDATION WALL HEIGHTS MAY REQUIRE ADJUSTMENT TO SUIT SITE CONDITIONS AND MANUFACTURER SPECIFICATIONS.



Notes:
Property distance and grading information are derived from documents supplied by the client and scaled mapping obtained from the C.O.K. GIS Web Map Services. All distances and grades to be confirmed on site

SCHEDULE A
This forms part of application # Z22-0023
Planner Initials GA
City of Kelowna DEVELOPMENT PLANNING

CITY OF KELOWNA
MEMORANDUM

Date: March 24, 2022
File No.: Z22-0023
To: Community Planning (GA)
From: Development Engineering Manager (NC)
Subject: 445 Brighton Rd

ATTACHMENT A

This forms part of application
Z22-0023


City of
Kelowna
DEVELOPMENT PLANNING

Planner Initials GA

RU1 to RU1C

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject lot RU1 to RU1c to facilitate the construction of a Carriage House. The utility upgrading requirements outlined in this report will be a requirement of this development.

1. General

- a. The following requirements are valid for 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 update/change some or all items in this memo once these time limits have been reached.
- b. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- c. This application is subject to comment from the Ministry of Transportation and Infrastructure.

2. Domestic Water and Fire Protection

- a. The subject lot is within the Black Mountain Irrigation District (BMID) water supply area. The Developer is required to make satisfactory arrangements with BMID for all water and fire protection-related issues. All charges for service connection(s) and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the Developer.
- b. The Developer's Consulting Mechanical Engineer will determine the fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by BMID are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.

3. Sanitary Sewer

- a. Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service off Brighton Rd. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.
- b. Brooks Box, as per CoK SS-S9, is to be installed over inspection chamber for existing service connection.

4. Storm Drainage

- a. This property is located within an area identified by the City of Kelowna as having poor infiltration conditions. Service connection to the City Storm system may be required if site conditions do not provide for safe infiltration or dispersal of storm water on site. The safe use of infiltration is to be confirmed, at time of Building Permit, with submission of a geotechnical report provided by a Professional Engineer competent in the field of hydro-geotechnical engineering.
- b. If storm service connection is required, the Applicant can sign a Third-Party Work Order for the cost of the storm service and have the City complete installation. For estimate inquiries please contact Sarah Kelly, by e-mail skelly@kelowna.ca or phone, 250-469-8783.

5. **Electric Power and Telecommunication Services**

- a. It is the applicant's responsibility to make a servicing application with the respective electric power, telephone, and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

6. **Geotechnical Study**

- a. At time of Building Permit, the Applicant is required to provide a comprehensive geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below:
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - iv. Any special requirements for construction of roads, utilities, and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.
- b. Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

7. **Site Access**

- a. This property will be permitted only one driveway with a maximum width of 6m.


 Nelson Chapman, P.Eng
 Development Engineering Manager

SK

Carriage House at 445 Brighton Rd

To whom it may concern,

ATTACHMENT		B
This forms part of application # Z22-0023		
Planner Initials	GA	 City of Kelowna DEVELOPMENT PLANNING

As long time Kelowna residents with a large, active family we are hoping to build a Carriage House on our existing property at 445 Brighton Rd. We plan for this building to provide more storage for our growing family as well as a small suite that we will rent or that may be used by our teenage boys for living space when they become adults and go to college.

With the current housing market in Kelowna, we felt that this was the best way to invest in our property and our children's future. We were disappointed to find that the most recent rezoning of the core area and rutland did not include our property.

The space at the back of our property is very rarely used and would provide more than adequate room to build a garage and carriage house. We have great access to that section of the yard with the perfect place for a lit walkway and lots of parking (as demonstrated in photos).

We have designed a building that follows all of the guidelines for a carriage house in Kelowna (as detailed in our plans).

Thank you for your time and consideration,

Heather Painchaud

Z22-0023

445 Brighton Road

Rezoning Application

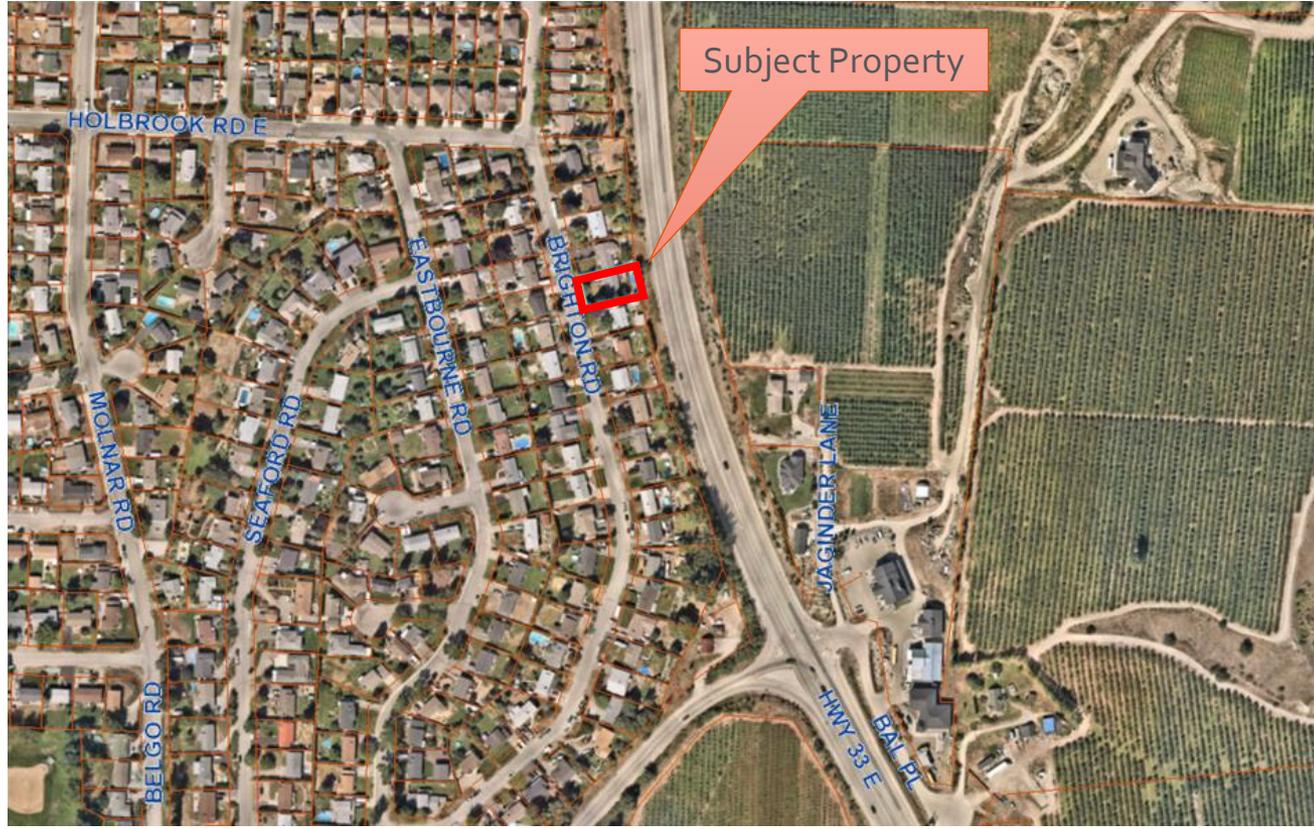
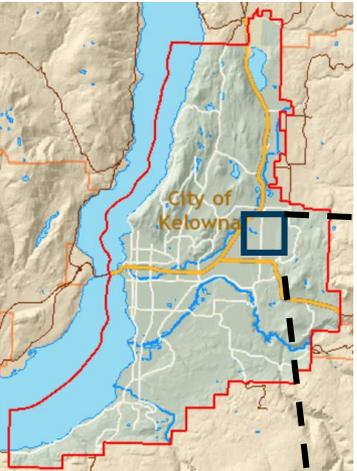
Proposal

- ▶ To consider an application to rezone the subject property from RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House zone.

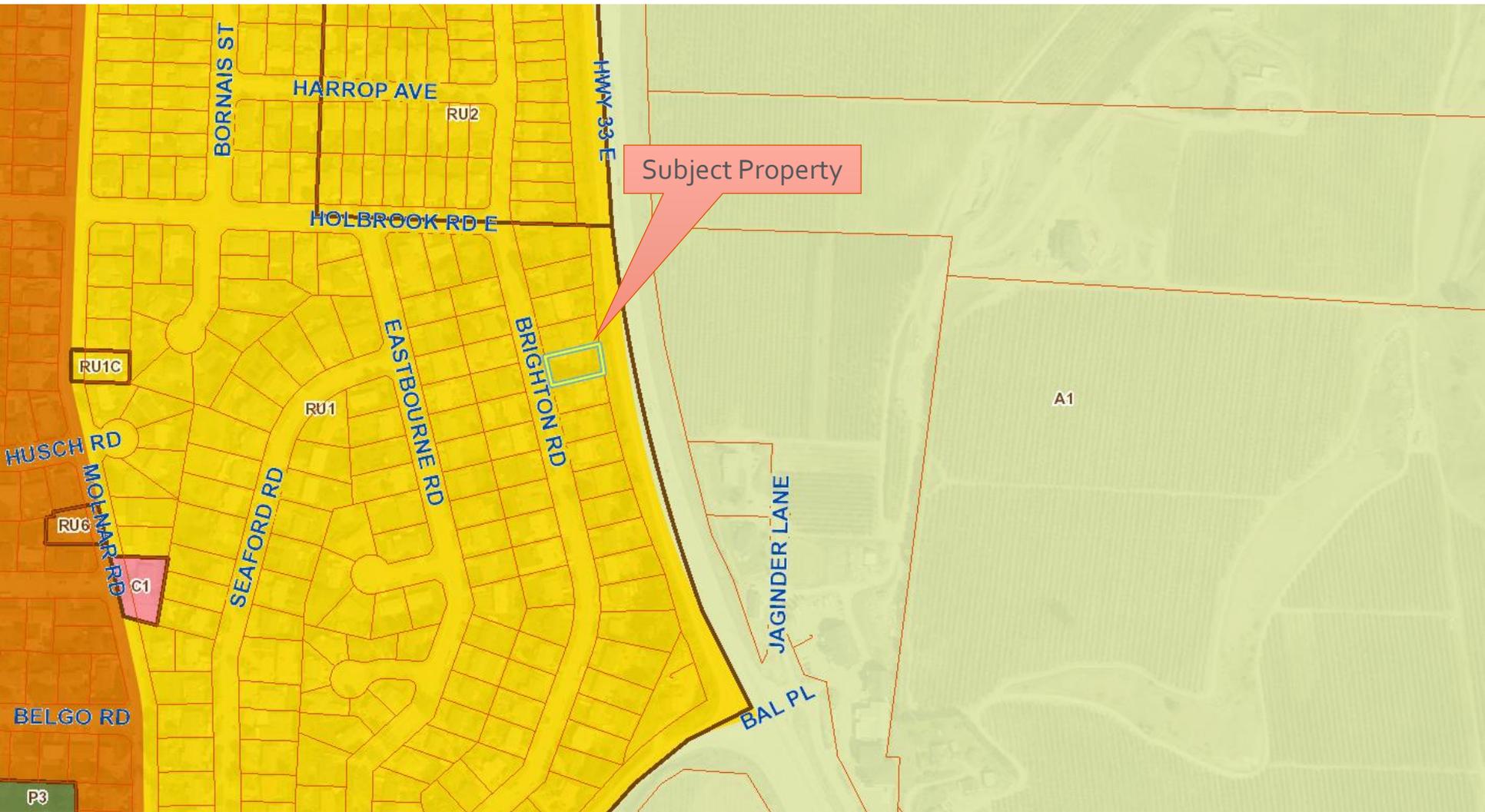
Development Process



Context Map



OCP Future Land Use / Zoning



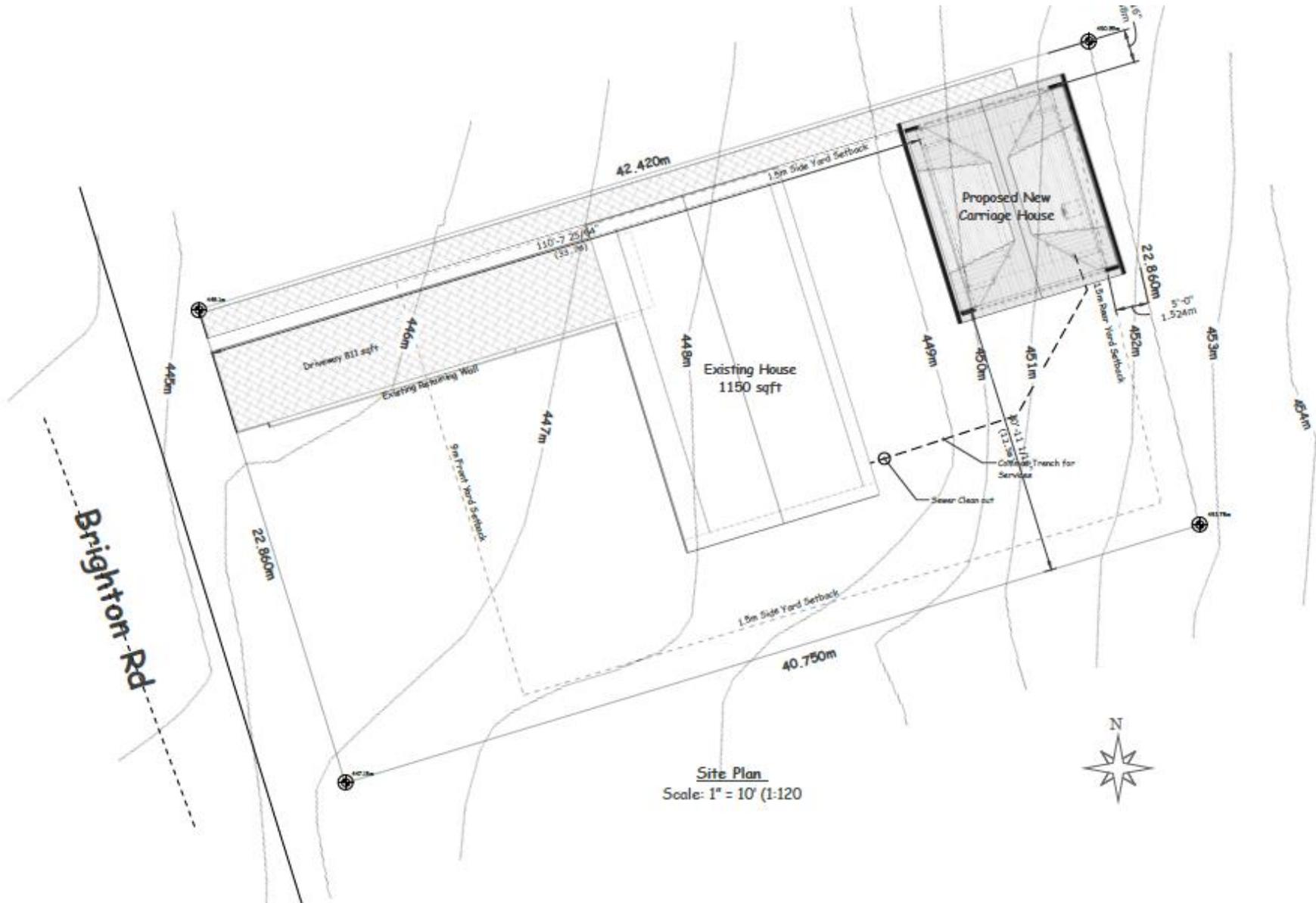
Subject Property Map



Project Details

- ▶ The proposed rezoning from the RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House zone
- ▶ Would facilitate the construction of a carriage house

Site Plan



Development Policy

- ▶ Meets the intent of Official Community Plan Suburban Residential Policies by providing modest residential growth within existing neighbourhoods
 - ▶ Proposed Carriage house would provide an additional ground-oriented dwelling contributes to diverse and affordable housing within suburban neighbourhoods
 - ▶ Provides an additional dwelling unit on a site near multiple schools

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to the RU1c – Large Lot Housing with Carriage House zone:
 - ▶ Consistent with the surrounding neighbourhood uses
 - ▶ Future Land Use designation of S-RES supports the RU1c zone



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12391

Z22-0023

445 Brighton Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 83 Section 24 Township 26, ODYD, Plan 24631 located on Brighton Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022
To: Council
From: City Manager
Department: Development Planning
Application: Z22-0012 **Owner:** Linda and Sigismondo Servedio
Address: 661 Del Monte Court **Applicant:** Urban Options Planning Corp.
Subject: Rezoning Application
Existing OCP Designation: S-RES – Suburban Residential
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU1c - Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z22-0012 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7 District Lot 358 Osoyoos Division Yale District Plan 27079, located at 661 Del Monte Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c– Large Lot Housing with Carriage House zone be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule “A” attached to the Report from the Development Planning Department dated June 27, 2022;

2.0 Purpose

To Rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.

3.0 Development Planning

Staff support the proposal to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone. The subject property has a S-RES – Suburban Residential future land use designation, has a sanitary sewer connection, and is within the city’s permanent growth boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives and the RU1c – Large Lot Housing with Carriage House zone and should integrate well within the surrounding neighbourhood.

4.0 Proposal

4.1 Project Description

The proposed rezoning from the RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House zone to facilitate the construction of a carriage house. The existing garage in the rear yard will be demolished, and the building envelope will be re-used for the carriage house. The subject property has a Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives.

4.2 Site Context

The subject property is located on Del Monte Court near the intersection with Del Monte Road. The parcel has a Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary. The surrounding area consists primarily of RU1 – Large Lot Housing.

Specifically, adjacent land uses are as follows:

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

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Kelowna 2040 – Official Community Plan Policy Template

Objective 7.2. Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable.	
Policy 7.2.1. Ground-Oriented Housing.	Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities. <i>Proposed Carriage house would provide an additional , ground oriented dwelling contributes to diverse and affordable housing within suburban communities.</i>

Objective 7.6. Support a variety of low-density housing.	
Policy 7.6.1. Family-friendly multi-unit housing.	Encourage multi-unit developments near schools to include a variety of unit sizes, including three or more bedrooms <i>Proposed Carriage house would provide an additional dwelling unit on a site near multiple schools</i>

6.0 Application Chronology

Date of Application Received: January 21, 2022
 Date Public Consultation Completed: February 23, 2022

Report prepared by: Graham Allison, Planner 1
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments

- Schedule A: Site Plan
- Attachment A: Development Engineering Memo
- Attachment B: Application Rationale

Z22-0012

661 Del Monte Court

Rezoning Application

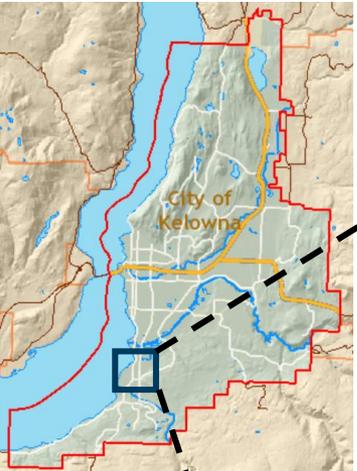
Proposal

- ▶ To consider an application to rezone the subject property from RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House zone.

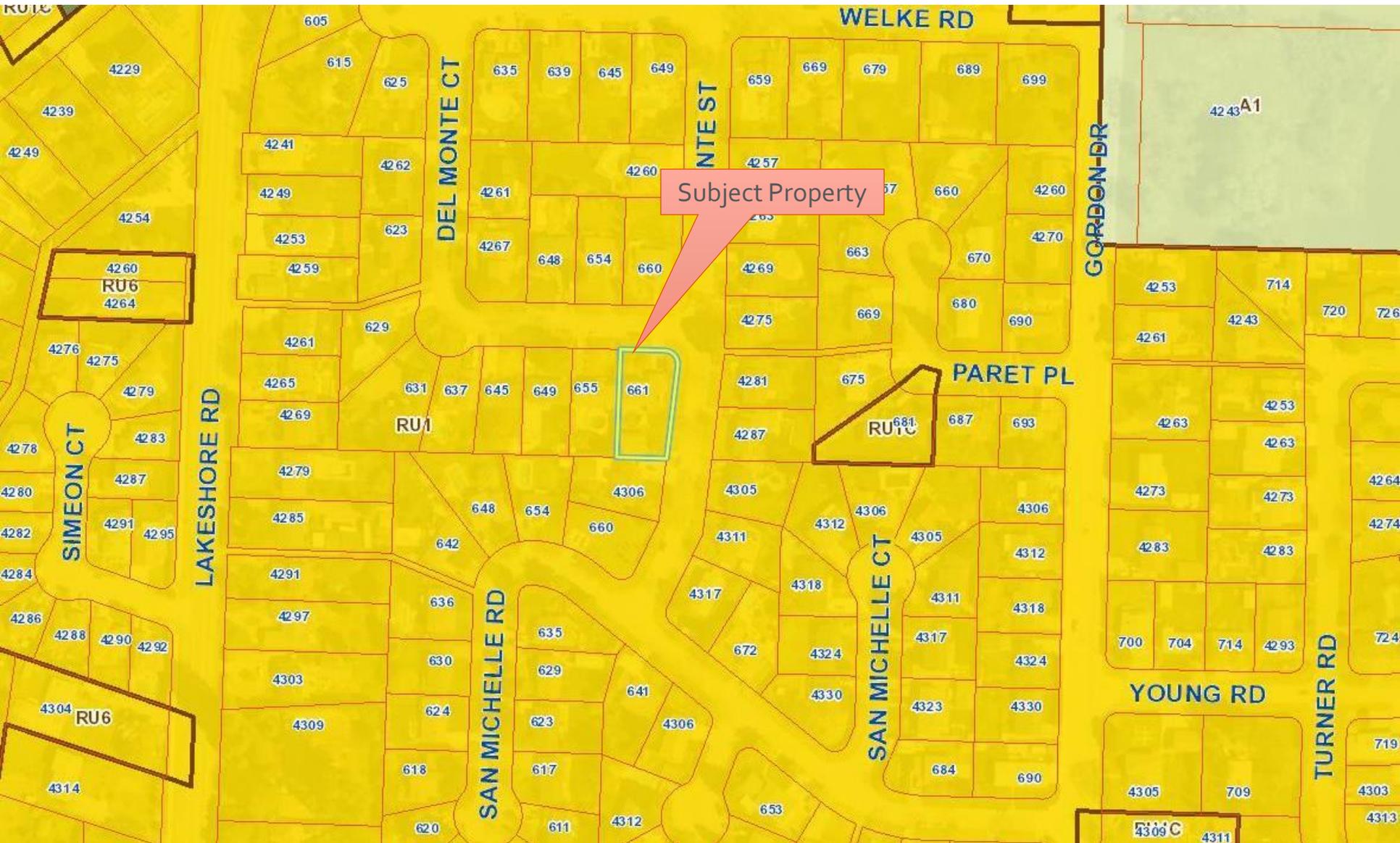
Development Process



Context Map



OCP Future Land Use / Zoning



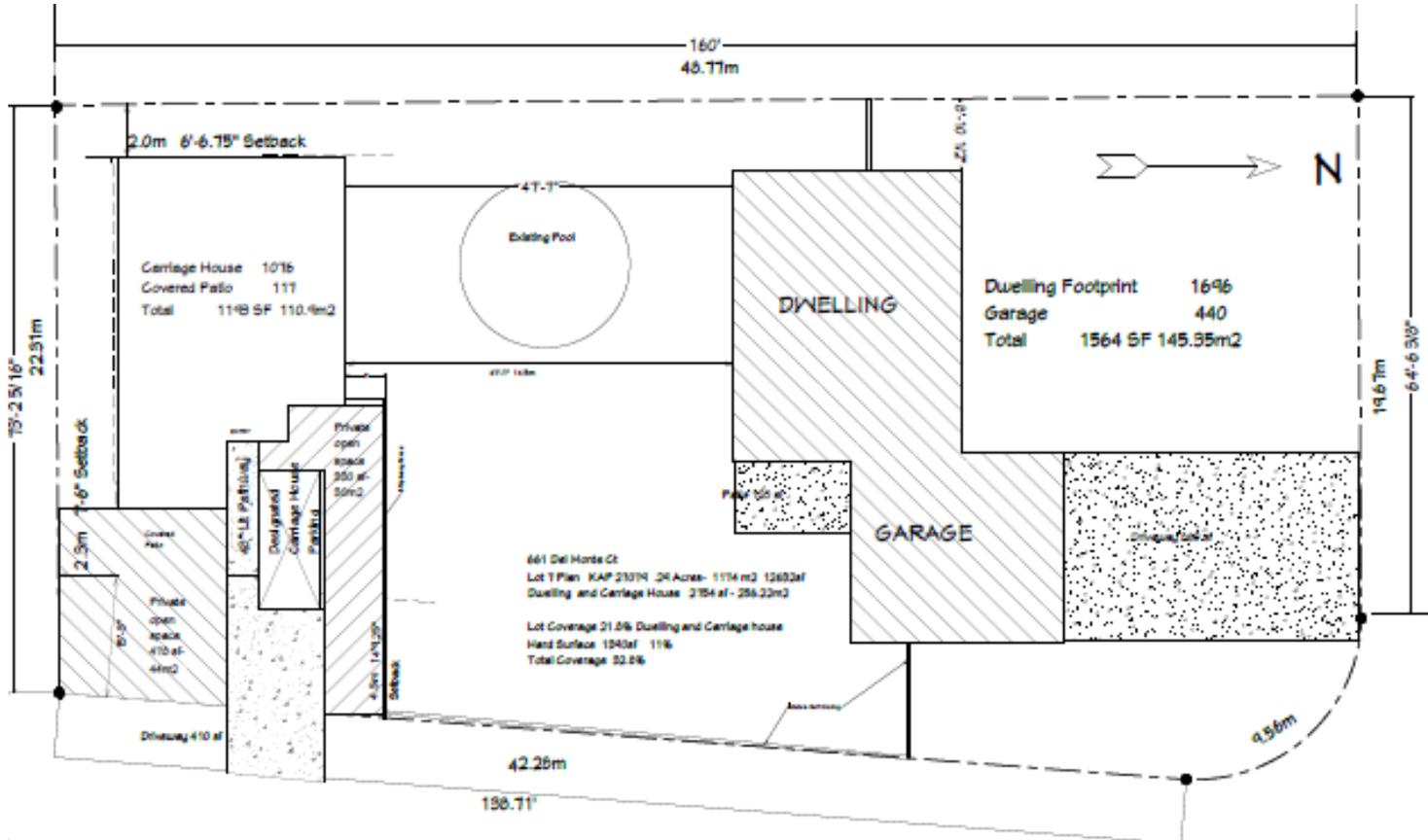
Subject Property Map



Project Details

- ▶ The proposed rezoning from the RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House zone
- ▶ Would facilitate the construction of a carriage house in place of the existing garage

Site Plan



Development Policy

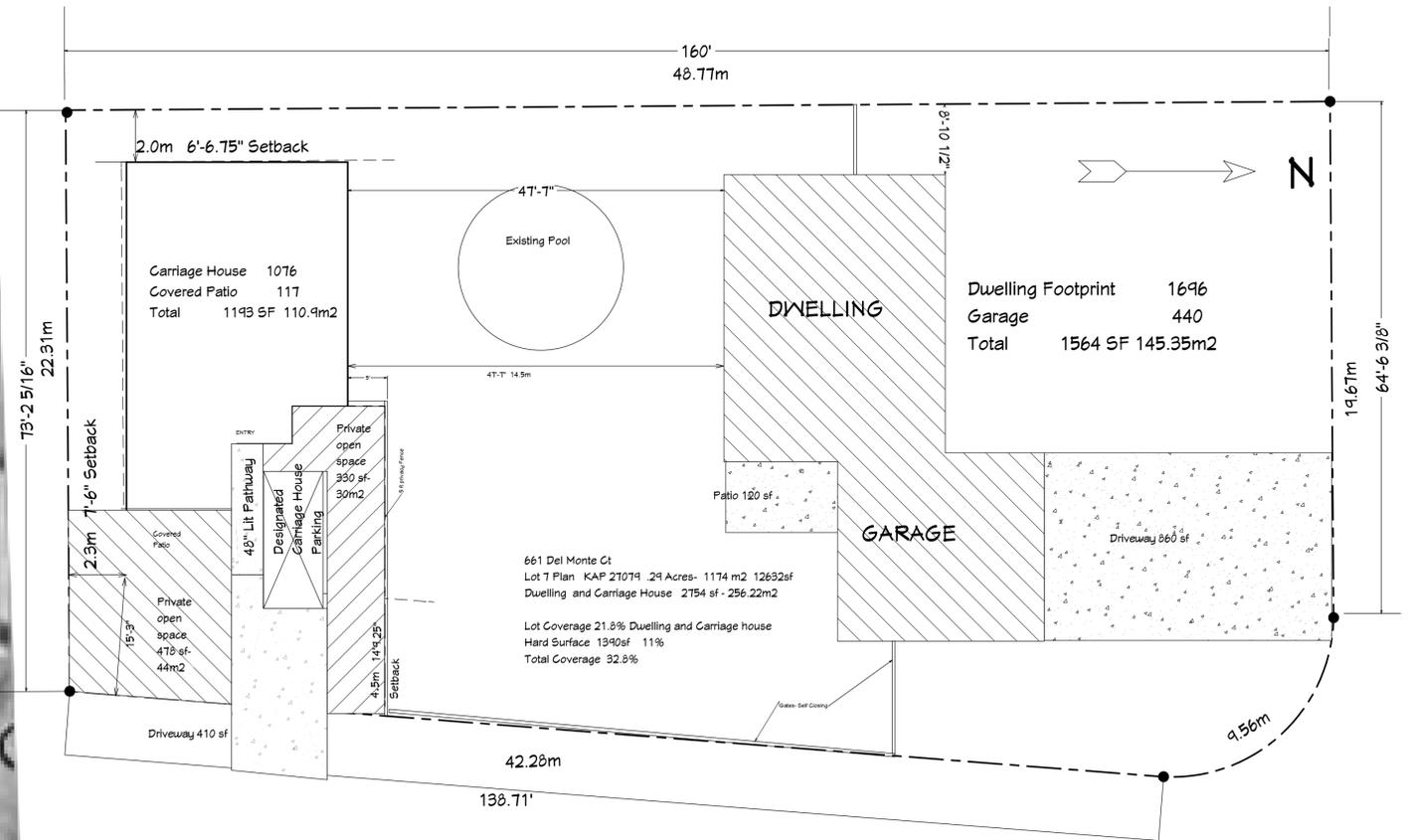
- ▶ Meets the intent of Official Community Plan Suburban Residential Policies by providing modest residential growth within existing neighbourhoods
 - ▶ Proposed Carriage house would provide an additional ground-oriented dwelling contributes to diverse and affordable housing within suburban neighbourhoods
 - ▶ Provides an additional dwelling unit on a site near multiple schools

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to the RU1c – Large Lot Housing with Carriage House zone:
 - ▶ Consistent with the surrounding neighbourhood uses
 - ▶ Future Land Use designation of S-RES supports the RU1c zone

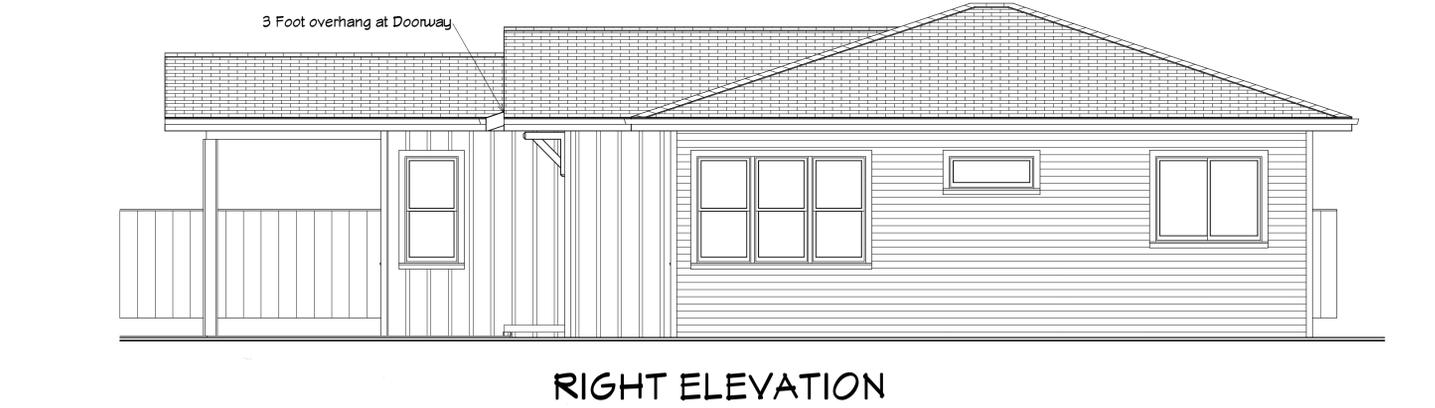


Conclusion of Staff Remarks

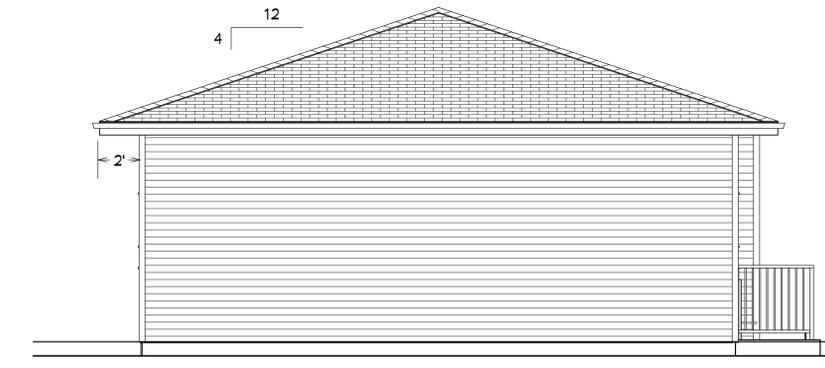
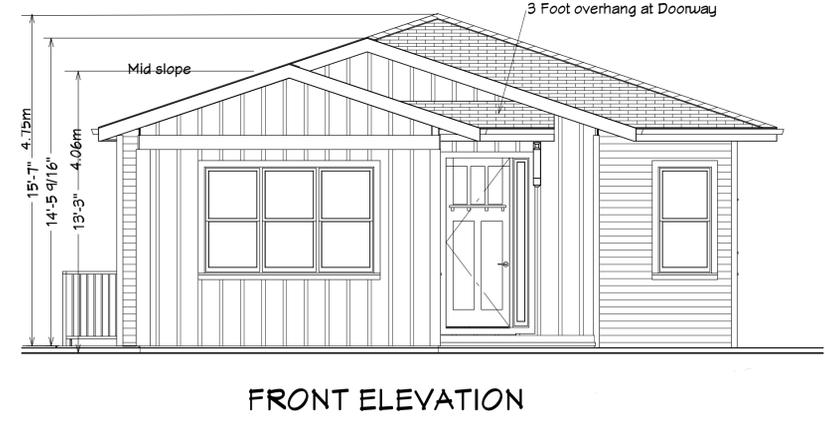


REVISION TABLE			
NUMBER	DATE	REVISION BY	DESCRIPTION

GINO AND LINDA SERVEDIO RESIDENCE
 661 Del Monte Court Kelowna BC



site plan



SCHEDULE A
 This forms part of application
 # Z22-0012

Planner Initials GA

DATE:
2022-01-19

SCALE:

SHEET:
P-1

CITY OF KELOWNA
MEMORANDUM

Date: February 24, 2022
File No.: Z22-0012
To: Community Planning Services (GA)
From: Development Engineering Manager (NC)
Subject: 661 Del Monte Ct.

ATTACHMENT A	
This forms part of application # Z22-0012	
Planner Initials	GA
 City of Kelowna DEVELOPMENT PLANNING	
RU1 to RU1c	

The Development Engineering Branch has the following comments and requirements associated with this application to rezone application to rezone the subject property from RU1 to RU1c for the construction of a carriage house.

1. General

- a. The following requirements are valid for one (1) years from the reference date of this memo, or until the application/PLR has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- b. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

2. Domestic Water and Fire Protection

- a. The subject property is currently serviced with one 19mm water service. The developer's consulting mechanical engineer will determine the domestic, fire protection requirements and establish hydrant requirements and service needs. Should service upgrades be required, they will be at the developer's cost and additional bonding will be required. Only one service will be permitted for this subject property. For estimate inquiry's please contact Aaron Sangster, by email asangster@kelowna.ca.

3. Sanitary Sewer

- a. Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

4. Road Improvements and Site Access

- a. Existing driveways will not be permitted to exceed 6m.
- b. Only one driveway, with a maximum width of 6m, will be permitted per frontage. No parking is permitted within City boulevard.

5. Electric Power and Telecommunication Services

- a. It is the applicant's responsibility to make a servicing application with the respective electric power, telephone, and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.



Nelson Chapman, P.Eng.
Development Engineering Manager

AS



January 20, 2021

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

Application to Rezone the Property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House at 661 Del Monte Ct.

Dear Planning Staff,

The purpose of this application is to rezone the subject property from RU1 to RU1c to allow for the construction of a carriage house. The existing garage in the rear yard will be demolished, and the building envelope will be re-used for the carriage house. Although the current zoning is RU1 – Large Lot Housing, the property is located outside of the core area and therefore a Rezoning application is required. The lot size is very large at 1174m² and can easily support a carriage house.

This proposal conforms to the 2040 OCP – Future Land Use guidance of *Suburban Residential*, as carriage houses are a supported use. In addition, the following pillars are met:

1. Stop planning new suburban neighbourhoods.

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

2. Promote more housing diversity.

Although suburban neighbourhoods do not support as much housing diversity as the core area, the addition of carriage houses and secondary suites is a great way to use existing properties and services to create diverse housing options in areas of lower density.

3. Protect our environment.

Constructing a carriage house on an existing building envelope reduces the need for environmental impacts such as blasting, site grading, and tree removal.

As shown on the attached site plan, the proposed carriage house is single-storey and is located within the Permanent Growth Boundary. The proposal conforms to all regulations under the RU1 and Specific Use sections of *Zoning Bylaw 8000*. The footprint and total floor area of the structure is

ATTACHMENT	B
This forms part of application # Z22-0012	
Planner Initials	GA
 City of Kelowna DEVELOPMENT PLANNING	

CITY OF KELOWNA

BYLAW NO. 12392

Z22-0012

661 Del Monte Court

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 7 District Lot 358, ODYD, Plan 27079 located on Del Monte Court, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z22-0001

Owner: 0899148 B.C. Ltd., Inc.No.
BC0899148

Address: 920 Franklyn Road

Applicant: Urban Options Planning Corp.

Subject: Rezoning Application

Existing OCP Designation: C-NHD - Core Area Neighbourhood

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z22-0001 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 23 District Lot 143 ODYD Plan 21429, located at 920 Franklyn Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6– Two Dwelling Housing zone, be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated June 27, 2022;

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.

3.0 Development Planning

Staff support the proposal to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone. The subject property has a Future Land Use Designation of C-NHD – Core Area Neighbourhood and is within the City's Permanent Growth Boundary. As such, the proposed

zone is consistent with the Official Community Plan’s (OCP) objectives and the RU6 – Two Dwelling Housing zone is congruous with the surrounding neighbourhood.

4.0 Proposal

4.1 Project Description

The proposed rezoning from the RU1 – Large Lot Housing to the RU6 – Two Dwelling Housing would facilitate the demolition of the existing home on the property, and the construction of two detached dwellings. The subject property has the Future Land Use Designation of C-NHD – Core Area Neighbourhood and is within the City’s Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives.

4.2 Site Context

The subject property is located on Franklyn Road near the intersection with Mccurdy Road. The parcel has a Future Land Use Designation of C-NHD – Core Area Neighbourhood and is within the City’s Permanent Growth Boundary. The surrounding area consists primarily of RU1 – Large Lot Housing.

Specifically, adjacent land uses are as follows:

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

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Kelowna 2040 – Official Community Plan Policy

Objective 7.2. Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable.

<p>Policy 7.2.1. Ground-Oriented Housing.</p>	<p>Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities.</p>
	<p><i>The proposed rezoning would provide an additional , ground oriented dwelling contributes to diverse and affordable housing within suburban communities.</i></p>

Objective 7.6. Support a variety of low-density housing.

<p>Policy 7.6.1. Family-friendly multi-unit housing.</p>	<p>Encourage multi-unit developments near schools to include a variety of unit sizes, including three or more bedrooms</p>
	<p><i>The proposed rezoning would provide an additional dwelling unit on a site near multiple schools</i></p>

6.0 Application Chronology

Date of Application Received: January 6, 2022

Date Public Consultation Completed: January 21, 2022

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

Attachments

- Schedule A: Site Plan
- Attachment A: Development Engineering Memo
- Attachment B: Application Rationale

TWO SINGLE DETACHED DWELLING HOUSES

920 FRANKLYN RD.

RE-ZONING: RU1 -> RU6



Blue Vision Design Inc.
1486 Wilmot Ave
Kelowna, BC V1P 1N3
250.864.6666
blue.vision@hotmail.com

Issue Schedule		
Issue Number	Description	Date (dd.mm.yy)
1	Re-Zoning	06.12.2021

ALL EXISTING DIMENSIONS T.B.C. PRIOR TO CONSTRUCTION

PD Moore Homes Inc.
Attn: Perdip Moore
8288 North Fraser Way
Burnaby, BC V3N 5G4
604.345.4663 perdirp@moorehomesinc.com

Two Single Detached Dwelling Houses

920 Franklyn Rd
Kelowna, BC

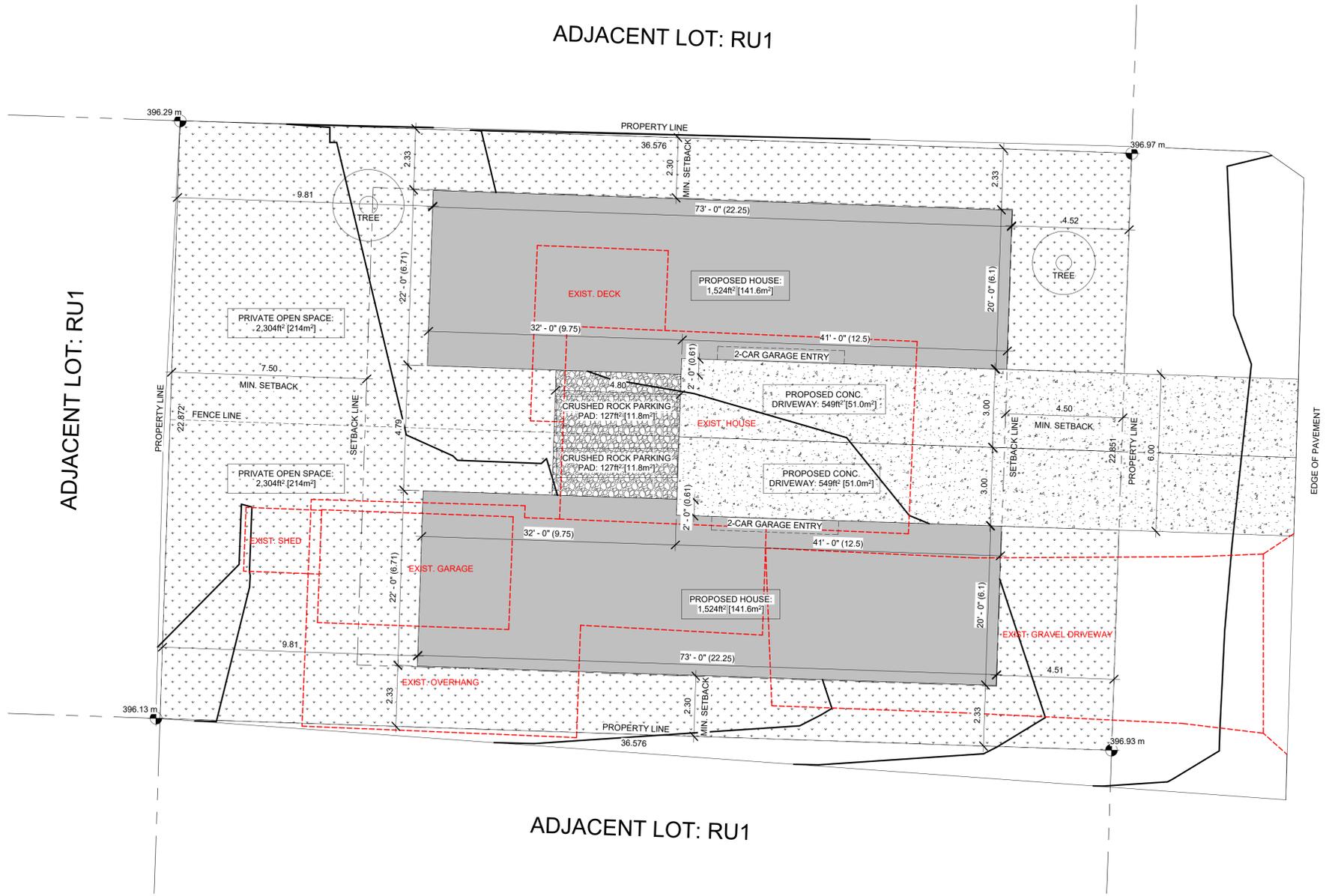
SITE PLAN

SCALE:
AS NOTED

DRAWN BY: BV
CHECKED BY: BV

DATE: 06.12.2021
PROJECT: 2021-066

A1.0



1 SITE PLAN
1/8" = 1'-0"

REFER TO SURVEY FROM BENNETT LAND SURVEYING LTD. DATED NOVEMBER 15, 2021.

EXISTING MAIN FLOOR ELEVATION: GEO. 396.47
PROPOSED MAIN FLOOR ELEVATION: 100'-0" (GEO. T.B.D.)

SITE INFORMATION

GENERAL ZONING AND SITE INFORMATION

- CIVIC ADDRESS: 920 FRANKLYN RD
- LEGAL: PLAN KAP21429, LOT 23
- EXISTING ZONE: RU1
- PROPOSED ZONE: RU6
- AUTHORITY: CITY OF KELOWNA
- TOTAL LOT AREA: 9,001sqft [836.2m²]

RU6 SITE CONSTRAINTS

- MAX. SITE COVERAGE: 40% (50% INCL. DRIVEWAY)
- FRONT YARD SETBACK: 4.5m & 6.0m FOR CARPORT/GARAGE
- REAR YARD SETBACK: 7.5m & 1.5m (ACCESSORY BUILDINGS)
- SIDE YARD SETBACK: 2.0m (1 - 1 1/2 STOREY)
- MAX. HEIGHT OF HOUSE: 2.3m (2 STOREY)
- MIN. DISTANCE BETWEEN HOUSES: 9.5m (2.5 STOREY)
- MIN. LOT WIDTH: 18.0m
- MIN. LOT DEPTH: 30.0m
- MIN. LOT AREA: 700m²
- MIN. PRIVATE OPEN SPACE/DWELLING: 30m²

SITE COVERAGE

EXISTING SITE COVERAGE:	2,475sqft [229.9m ²] (27.5%)
EXISTING DRIVEWAY COVERAGE:	864sqft [80.3m ²] (9.6%)
+ PROPOSED BUILDING COVERAGE:	3,048sqft [283.2m ²] (33.9%)
+ PROPOSED DRIVEWAY COVERAGE:	1,372sqft [127.5m ²] (15.2%)
= TOTAL PROPOSED SITE COVERAGE:	4,420sqft [410.6m ²] (49.1%)

SCHEDULE A
This forms part of application # Z22-0001
Planner Initials GA
City of Kelowna DEVELOPMENT PLANNING

CITY OF KELOWNA
MEMORANDUM

Date: January 10, 2021
File No.: Z22-0001
To: Planning and Development Officer (GA)
From: Development Engineering Manager (RO)
Subject: 920 Franklyn Rd

ATTACHMENT A

This forms part of application
Z22-0001

Planner Initials GA


City of
Kelowna
DEVELOPMENT PLANNING

RU1 to RU6

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the property from RU1 – Large Lot Housing zone to RU6 - Two-Dwelling Housing zone. The Development Technician for this file is Sarah Kelly (skelly@kelowna.ca).

1. GENERAL

- a. The following requirements are valid for 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 update/change some or all items in this memo once these time limits have been reached.
- b. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject lot is located within the Black Mountain Irrigation District (BMID) service area. The developer is required to make satisfactory arrangements with BMID for all water and fire protection-related issues. All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- b. The Developer's Consultant will determine the fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by BMID are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.
- c. The water system must be capable of supplying the domestic and fire flow demands of the project in accordance with the Subdivision, Development, & Servicing Bylaw No. 7900. Provide water flow calculations for this development to confirm bylaw conformance (60 L/s for single & two dwelling residential).

3. SANITARY SEWER SYSTEM

- a. Our records indicate that the subject lot is currently serviced with a 100-mm diameter sanitary sewer service. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.

- b. Only one service will be permitted for each legal lot. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service, complete with an inspection chamber (as per SS-S7 & SS-S9), at the applicants cost.

4. STORM DRAINAGE

- a. The property is located within the City of Kelowna drainage service area. The City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b. The developer must engage a consulting civil engineer to provide a stormwater management plan for the site, which meets the requirements of the Subdivision, Development, and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.
- c. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.

5. ROAD IMPROVEMENTS & SITE ACCESS

- a. Franklyn Rd must be upgraded to an urban standard (SS-R5) along the full frontage of the subject property including curb and gutter, sidewalk, LED street lighting, landscaped and irrigated boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- b. Only the service upgrades, if required, must be completed at this time. The City wishes to defer the upgrades to Franklyn Rd therefore, a cash-in-lieu of immediate construction payment is required and the City will initiate the work later, on its own construction schedule. The cash-in-lieu amount is determined to be **\$37,378.64** not including utility service cost.
- c. Only one driveway per frontage will be permitted with a maximum width of 6m.

6. POWER AND TELECOMMUNICATION SERVICES

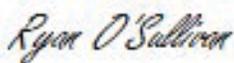
- a. All proposed distribution and service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

7. GEOTECHNICAL STUDY

- a. At the time of Building Permit application the applicant is required to provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.
- b. The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - iv. Any special requirements for construction of roads, utilities, and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.

8. CHARGES AND FEES

- a. Development Cost Charges (DCC's) are payable.
- b. Cash-in-lieu payment to defer Franklyn Rd frontage upgrades: **\$37,378.64**
- c. Fees per the "Development Application Fees Bylaw" include:
 - i. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - ii. Engineering and Inspection Fee: **\$1,263.77** (\$1,203.59 plus \$60.18 GST).



Ryan O'Sullivan
Development Engineering Manager

SK



December 13, 2021

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

ATTACHMENT **B**

This forms part of application
Z22-0001

Planner Initials **GA**

City of Kelowna
DEVELOPMENT PLANNING

Application to Rezone the Property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing at 920 Franklyn Rd.

Dear Planning Staff,

The purpose of this application is to rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate the construction of two single-detached dwellings. Context photos are provided to show the current configuration of the neighbourhood. The property is quite large with an area of 836.2m² and can easily support two-dwelling housing. All regulations and setbacks under the RU6 zone have been met as part of this application.

The proposal has been strategically designed with a shared driveway to meet the maximum road frontage width requirement of 6.0m. Both units contain a 2-car garage for parking plus an additional stall at the end of the driveway. The property contains an abundance of yard space, allowing for 214m² of private open space for the inhabitants of each dwelling. Both existing trees in the front and rear of the property will remain in place.

In the immediate neighbourhood within a 100m radius, there are 10 properties which are zoned RU6. The subject property is located within the core area, with an OCP Future Land Use designation of S2RES. We believe the application is beneficial to the community for multiple reasons. Firstly, the application will allow for upgrades in a neighbourhood which has experienced limited redevelopment since it was constructed in the 1970's. The landowner is constructing the dwellings to increase the rental housing stock in an upcoming area of Kelowna. Secondly, the property is situated near amenities such as the McCurdy Corner shopping mall, Ben Lee Park, Pearson Elementary. McCurdy Road, a 4-lane major arterial is located around the corner from the subject property, providing an opportunity for cycling and public transit.

We believe this project creates infill in an area of Kelowna with great potential. For any questions regarding the application, please contact Urban Options Planning Corp. at the undersigned.

Regards,

Urban Options Planning Corp.
By its authorized signatory, Birte Decloux, RPP MCIP

Z22-0001

920 Franklyn Road

Rezoning Application

Proposal

- ▶ To consider an application to rezone the subject property from RU1 – Large Lot Housing to the RU6 – Two Dwelling Housing

Development Process

Jan. 6, 2022

Development Application Submitted



Staff Review & Circulation



Jan. 21, 2022

Public Notification Received



Jun 27, 2022

Initial Consideration



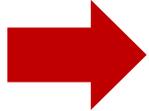
First
Second & Third Readings



Final Reading

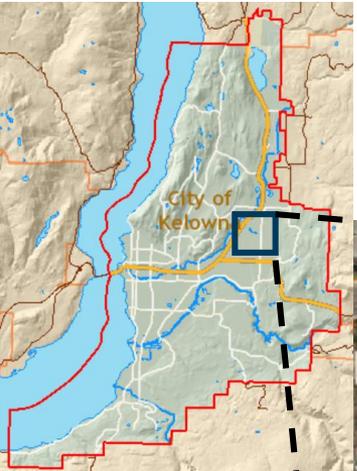


Subdivision

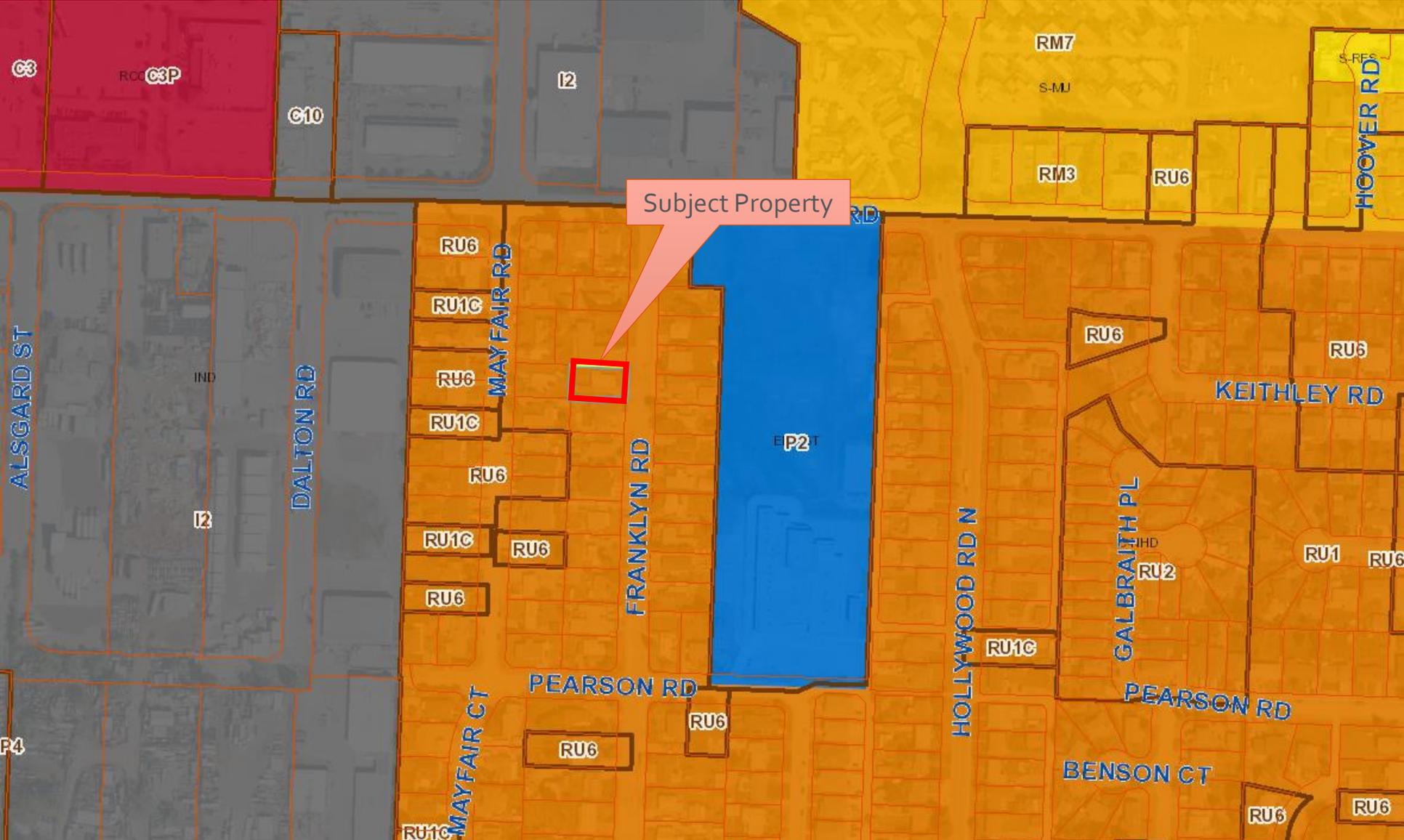


Council
Approvals

Context Map



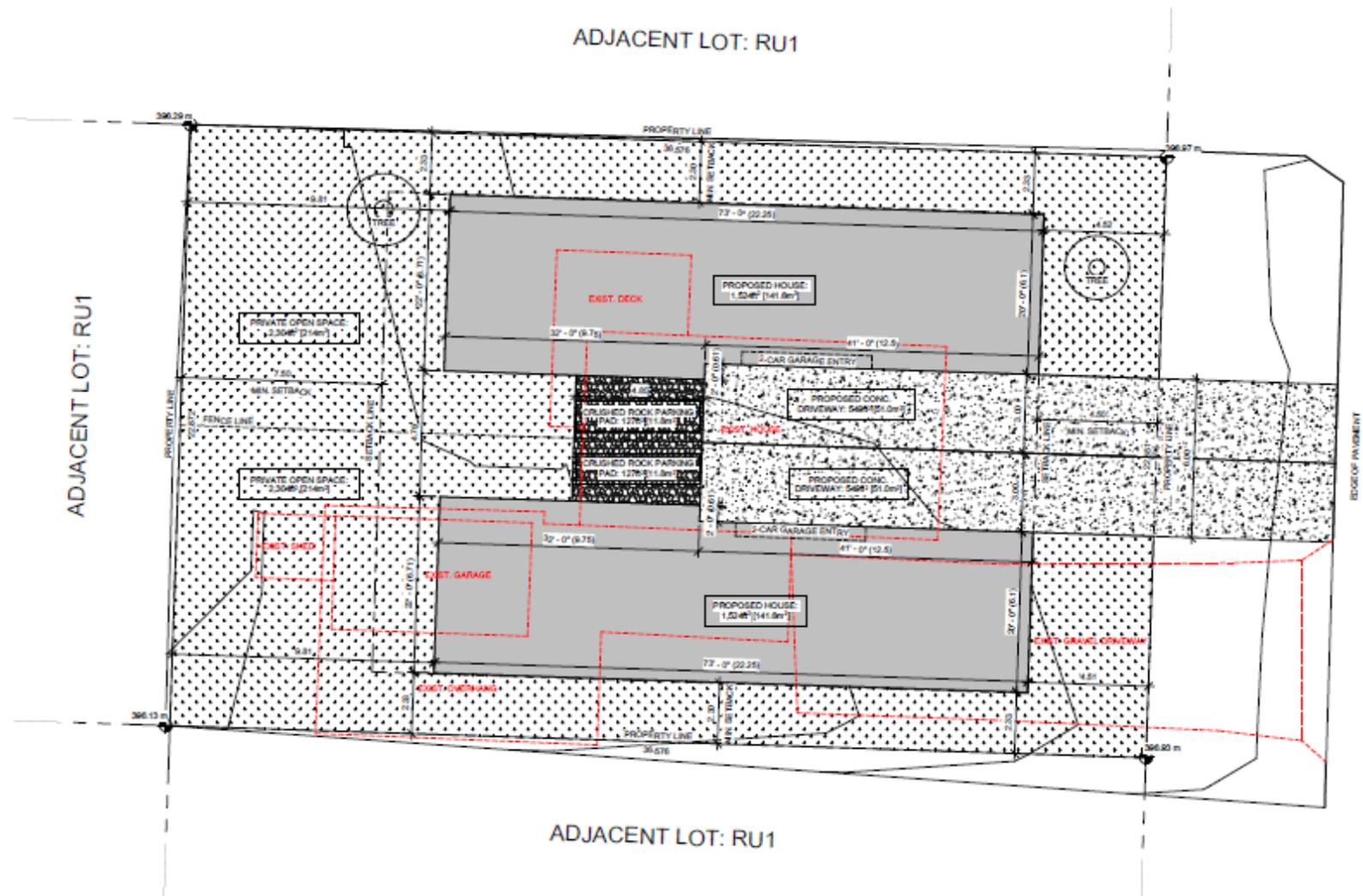
OCP Future Land Use / Zoning



Project details

- ▶ Proposed rezoning to RU6 –Two Dwelling Housing
- ▶ Property has a C-NHD Future Land Use Designation
- ▶ Both lots meet the depth, width and size of the RU6 zone.

Proposed Site Plan



Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies: C-NHD Future Land Use Designation
 - ▶ Within Permanent Growth Boundary
 - ▶ Within Core Area
 - ▶ Sensitive Infill

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to the RU6 – Two Dwelling Housing:
 - ▶ Consistent with the surrounding neighbourhood uses
 - ▶ Future Land Use designation of C-NHD supports the RU6 zone



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12394

Z22-0001

920 Franklyn Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 23 District Lot 143, ODYD, Plan 21429 located on Franklyn Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

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

4.0 Proposal

4.1 Project Description

The proposed rezoning from the RU1 – Large Lot Housing to the RU6 – Two Dwelling Housing would facilitate the construction of a second home on the site. The subject property has the Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives.

4.2 Site Context

The subject property is located on Greene Road near the intersection with Lakeshore Road. The parcel has a Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary. The surrounding area consists primarily of RU1 – Large Lot Housing.

Specifically, adjacent land uses are as follows:

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

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Kelowna 2040 – Official Community Plan Policy Template

Objective 7.2. Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable.

Policy 7.2.1. Ground-Oriented Housing.	Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities.
	<i>The proposed rezoning would provide an additional , ground oriented dwelling contributes to diverse and affordable housing within suburban communities.</i>

Objective 7.6. Support a variety of low-density housing.

Policy 7.6.1. Family-friendly multi-unit housing.	Encourage multi-unit developments near schools to include a variety of unit sizes, including three or more bedrooms
	<i>The proposed rezoning would provide an additional dwelling unit on a site near multiple schools</i>

6.0 Application Chronology

Date of Application Received: December 16, 2021

Date Public Consultation Completed: March 14, 2022

Report prepared by: Graham Allison, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Schedule A: Site Plan

Attachment A: Developmeny Engineering Memo

Attachment B: Application Rationale

689

SRW PLAN
A15479

52.090

SRW PLAN A15888

B
PLAN 32043

EXISTING RESIDENCE
& PERMIT ADDITION

PROPOSED
RESIDENCE

1250 sq.ft

DRIVEWAY

GREENE ROAD

24.833

SHED

14.537

A
PLAN KAP56295

37.828

B
PLAN KAP56295

RETAINING WALL

SCHEDULE

A

This forms part of application
Z21-0107

Planner
Initials GA



689

SRW PLAN
A15479

52.090

SRW PLAN A15888

B
PLAN 32043

**EXISTING RESIDENCE
& PERMIT ADDITION**

**PROPOSED
RESIDENCE**

24.833

SHED

14.537

A
PLAN KAP56295

37.828

B
PLAN KAP56295

RETAINING WALL

24.416

GREENE ROAD

CITY OF KELOWNA
MEMORANDUM

Date: January 13, 2022
File No.: Z21-0107
To: Urban Planning (GA)
From: Development Engineering Manager (RO)
Subject: 658 Greene Rd.

ATTACHMENT A

This forms part of application
Z21-0107

Planner Initials GA


City of
Kelowna
DEVELOPMENT PLANNING

RU1 to RU6

The Development Engineering Department has the following comments and requirements associated to a Rezoning Application to Rezone 658 Greene Road from RU1 – Large Lot Housing to RU6 - Two-Dwelling Housing.

The Development Engineering Technologist for this project is Aaron Sangster.

1. General

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

2. Domestic Water and Fire Protection

- a. The subject property is currently serviced with a 19mm water service. The disconnection of the existing small diameter water services and the tie-in of a larger new 50mm service can be provided by City forces at the developer's expense. One metered water service will supply the development. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades. For estimate inquiry's please contact Aaron Sangster by email asangster@kelowna.ca or phone, 250-469-8487

3. Sanitary Sewer

- a. Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Aaron Sangster by email asangster@kelowna.ca or phone, 250-469-8487.

4. Storm Drainage

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

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

5. Road Improvements

- a. Greene Rd Rd. must be upgraded to an urban standard along the full frontage of this proposed development, sidewalk, irrigated landscaped boulevard, drainage system including catch basins, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a SS-R7. Cash-in-lieu instead of immediate construction is required, and the City will initiate the work later, on its own construction schedule. The cash-in-lieu amount is determined to be **\$26,709.14** not including utility service cost, and Development Engineering fee to be **\$903.04** (\$860.03 + \$43.00 GST).

6. Electric Power and Telecommunication Services

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

7. Development Permit and Site Related Issues

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

8. Geotechnical Study

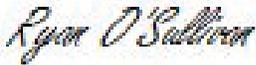
- a. Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).

- iv. Any special requirements for construction of roads, utilities and building structures.
- v. Recommendations for items that should be included in a Restrictive Covenant.
- vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- vii. Any items required in other sections of this document.

Additional geotechnical survey may be necessary for building foundations, etc

12. Charges and Fees

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



Ryan O'Sullivan
Development Engineering Manager

AS

658 GREENE ROAD

INFILL DEVELOPMENT SITE – RU1 TO RU6 (TWO DWELLING HOUSING)

December 3, 2021

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

ATTACHMENT		B
This forms part of application		
# Z21-0107		
Planner Initials	GA	 City of Kelowna DEVELOPMENT PLANNING

Attention: Mayor & Council, Planning Staff, and Approving Officer

Re: Rezoning Application – 658 GREENE ROAD

Background

The Owner/Applicant and Agent, Bear Land Development Services Ltd. (Bear Land), wish’s to rezone the 0.32 acres (1,295m²) parcel from **RU1 - Large Lot Housing** to **RU6 - Two Dwelling Housing** to provide for 2 dwelling units, including the renovation of the existing home.

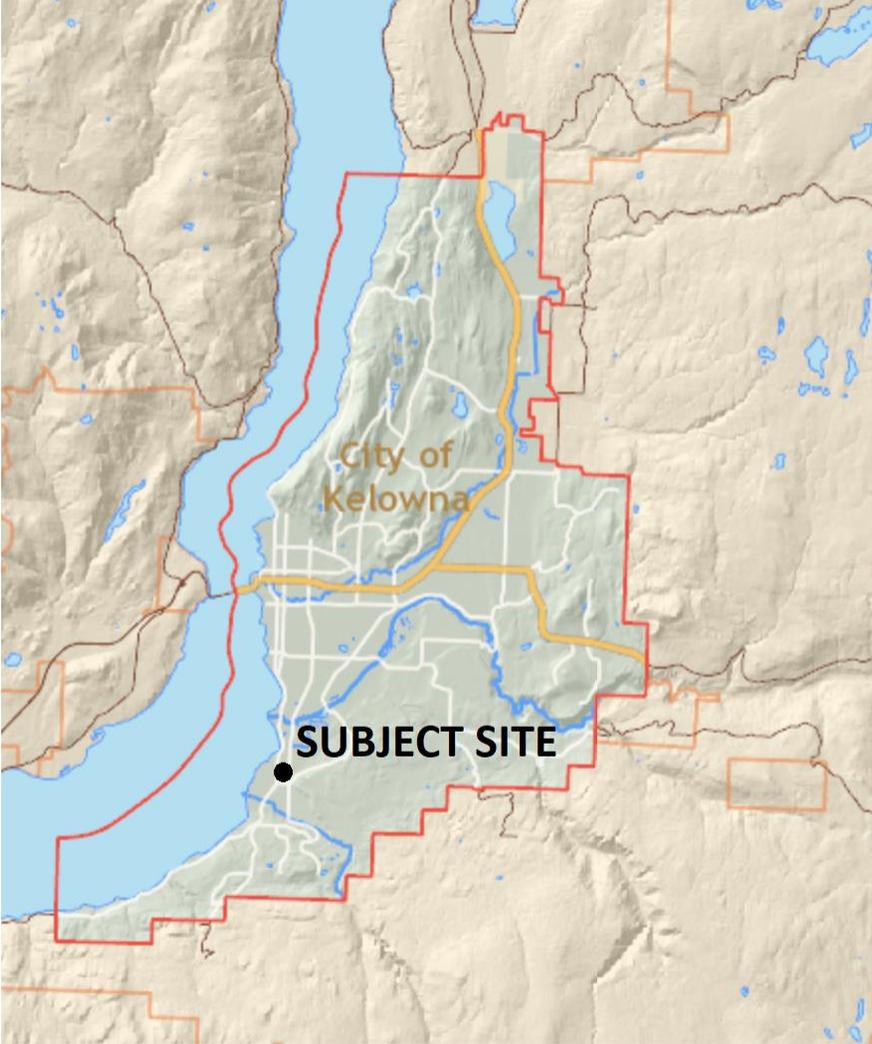
An application for Rezoning has been included with this summary report. The Owner/Applicant, intends to submit application for any Development Permits in conjunction with the Rezoning application. A Preliminary Concept Plan and Renderings has been included as background information in support of the rezoning application. The purpose of the RU6 zone is to provide for two dwelling housing on the existing infill site located in the Lower Mission area. The Owner has retained Bear Land and West Coast Design to help facilitate the Rezoning, Concept Design, and Development Permit approvals.

Site Location & Context

This subject property is located in the Greene Road neighborhood, which is accessed off of Lakeshore Road, on the east side. The site and neighbourhood is located behind Dorothea Walker Elementary School. The site is flat and includes driveway access to an existing home and garage located on Greene Road. The existing home is currently under extensive renovation and will be completed in the new year (2022). The adjacent properties along Greene Road and those that back onto the property are zoned RU1 and RU6. There are also several other RU6 and RU1C properties in the immediate area. Proximity to several different Schools, Commercial (Sunshine

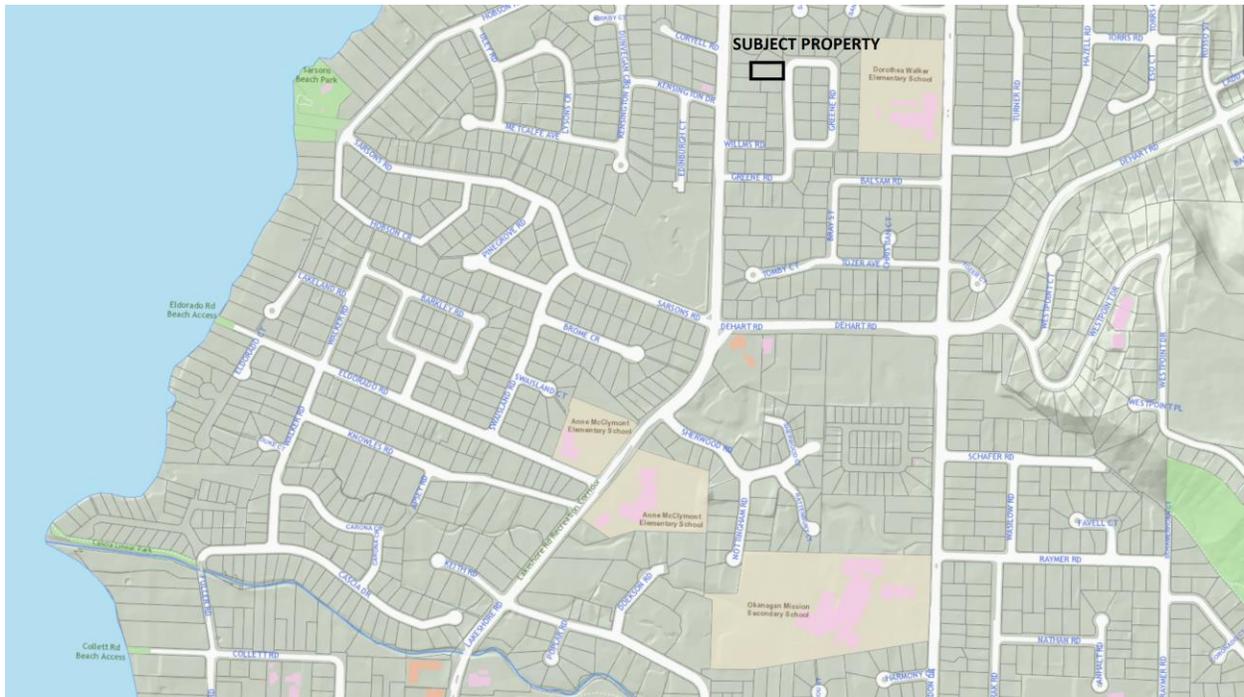
Rezoning Summary – 658 GREEN ROAD

Market), and parks provide opportunities and amenities that makes this location an excellent candidate for family housing.



Subject Property Location – City of Kelownna

Rezoning Summary – 658 GREEN ROAD



Subject Property – 658 Greene Road, Lower Mission



658 GREENE ROAD

The proposed development has little to no interfere with any of the immediate neighbor's or adjacent properties. The applicant is confident that the proposed 2 dwelling housing units do not negatively impact the neighbor's ability to enjoy their property, nor will it interfere with any views.

Concept Design

Our team has been actively involved with the City of Kelowna visioning for future land use. This experience has help us to understand the City's vision for higher density development of smaller residential parcels. The design team has developed a proposal whose final design incorporates much of the Planning Department's vision of better use of valuable developable land through a compact, higher density infill building form. The proposed design solution for the site was holistic in nature incorporating the following:

- I. Presenting inviting front door entries to street frontage;
- II. Using the building form to screen private rear yard spaces;
- III. Utilizing rear yard areas to create private and shared outdoor spaces;
- IV. Utilizing roofing for ideal solar panel locations/sun exposure;
- V. Meeting parking requirements on site while promoting pedestrian and bicycle use through connection to neighborhood pathways and easy access to bike lanes on Lakeshore;
- VI. Proposing a design sympathetic to the RU6 zone in that the project requires **no variances**;
- VII. Developing a building whose form and character is both pedestrian in scale and dynamic along Greene Road elevation.

The careful consideration of 658 Greene Road two dwelling housing concept is being presented to the City of Kelowna as part of our team's commitment to supporting the City vision of healthy, quality development of our local community. We look forward to your consideration and support of our Rezoning proposal.



Urban Design Development Permit

The proposed site falls within the Revitalization Design Guidelines area, as per Map 5.8 - Urban Design DP Area Designation. The Owner and Bear Land will work directly with City Staff to ensure compliance with any Urban Design, Form and Character, and Revitalization goals and objects outlined in the OCP for Two Dwelling Housing Design Guidelines.

TRAFFIC, PARKING & GREENHOUSE GAS REDUCTION

The increase in traffic proposed for 2 units will produce approximately 3 trips, or less, during peak AM and PM hours. However, due to the location of the site in relation to the transit, and neighboring school, it is expected that the number of trips would be reduced significantly. The location of the site promotes the use of active transportation, convenient use of public transit, and walkability to the surrounding areas. The bus stop on Lakeshore is located less than 220m from the subject site, which reduces the dependence for Single Occupancy Vehicles. This ultimately helps reduce greenhouse gas emissions and reduces the parking demand for the proposed development. Ample on-street and off-street parking is provided, which exceeds the Parking Bylaw (Section 8) requirements.

SUMMARY

We trust that the information provided above address the initial comments and feedback related to the Rezoning application. The Applicant and Agent, Bear Land, are keen to work with the City on this project to discuss any additional objectives and any form and character requirements. The finalized documents and fees can follow confirmation and acceptance of the items listed above.

By: 
Name: Kevin Johnson, P. Eng.
Title: Principal – Project Engineer



City of
Kelowna

Z21-0107 658 Greene Road

Rezoning Application

Proposal

- ▶ To consider an application to rezone the subject property from RU1 – Large Lot Housing to the RU6 – Two Dwelling Housing

Development Process



Dec. 16, 2021

Development Application Submitted



Staff Review & Circulation



Mar. 14, 2022

Public Notification Received



Jun 27, 2022



Initial Consideration



First
Second & Third Readings



Final Reading

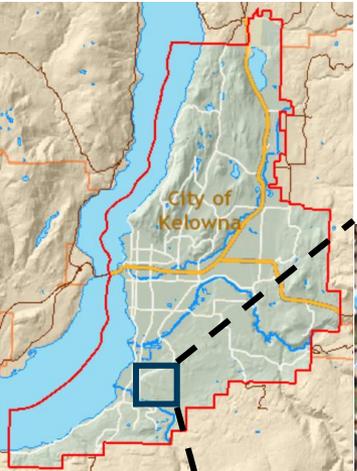


Subdivision

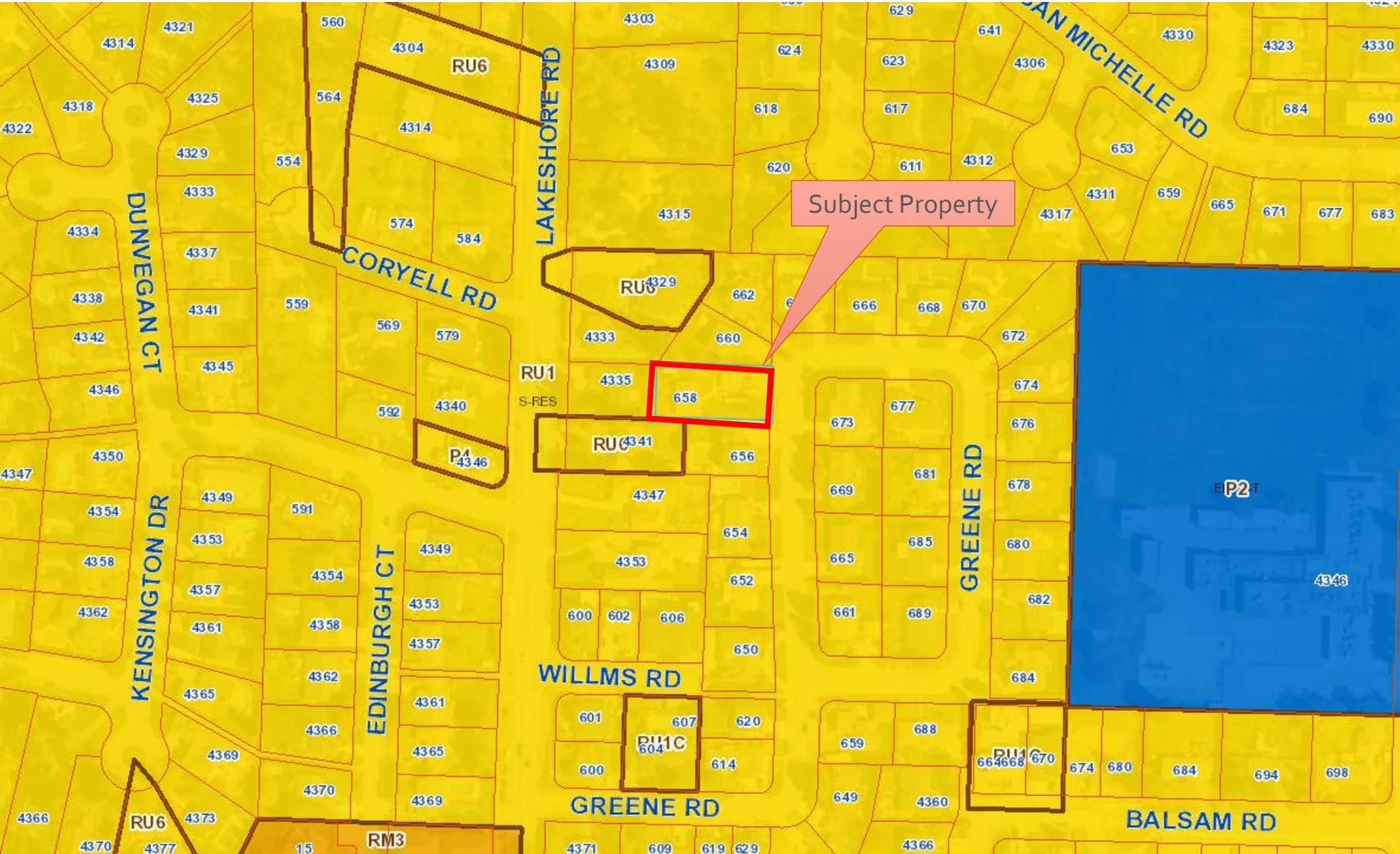


Council Approvals

Context Map



OCP Future Land Use / Zoning



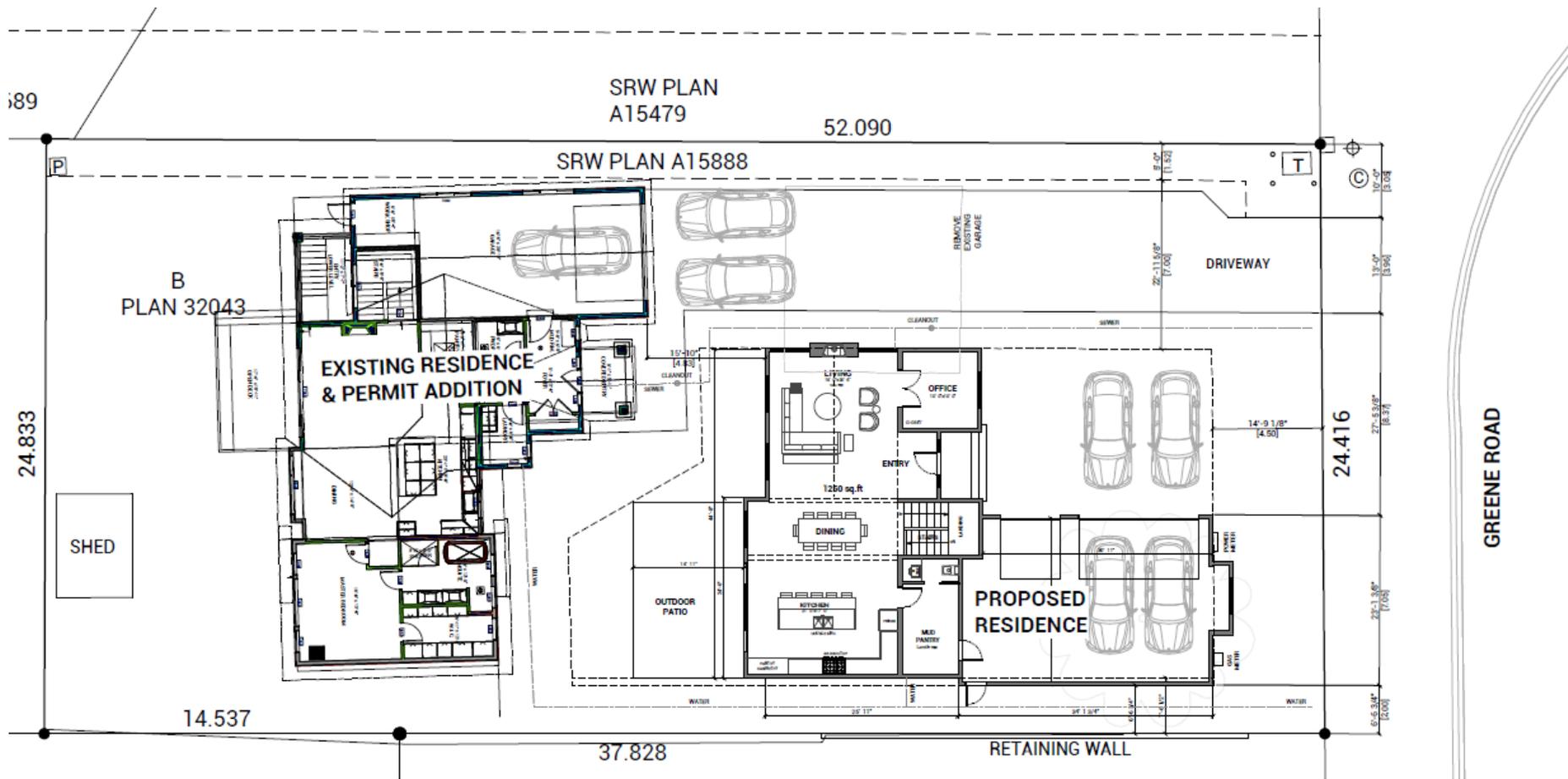
Subject Property Map



Project details

- ▶ Proposed rezoning to RU6 –Two Dwelling Housing
- ▶ Property has a S-RES Future Land Use Designation
- ▶ Both lots meet the depth, width and size of the RU6 zone.

Proposed Site Plan



Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies: S-RES Future Land Use Designation
 - ▶ Within Permanent Growth Boundary
 - ▶ Sensitive Infill

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to the RU6 – Two Dwelling Housing:
 - ▶ Consistent with the surrounding neighbourhood uses
 - ▶ Future Land Use designation of S-RES supports the RU6 zone



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12395

Z21-0107

658 Greene Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B District Lot 358 ODYD Plan 32043 located on Greene Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

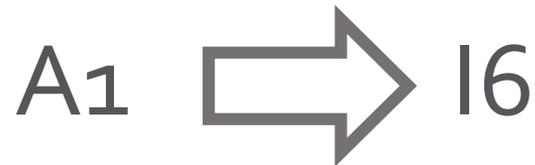
City Clerk

Arab/Appaloosa Area

Rezoning Application Package

Proposal

- ▶ To rezone the subject property from the A1 – Agriculture zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot



Development Process

January 2019 – June 2021

Development Applications Submitted



August 2021

Area-Wide Engineering & Servicing Design



December 21, 2021

Servicing Agreement & Bond for Works



February 28, 2022

Project Update Report to Council



April - June 2022

Public Notification Received



June 27, 2022

Initial Consideration



Second & Third Readings



Final Reading

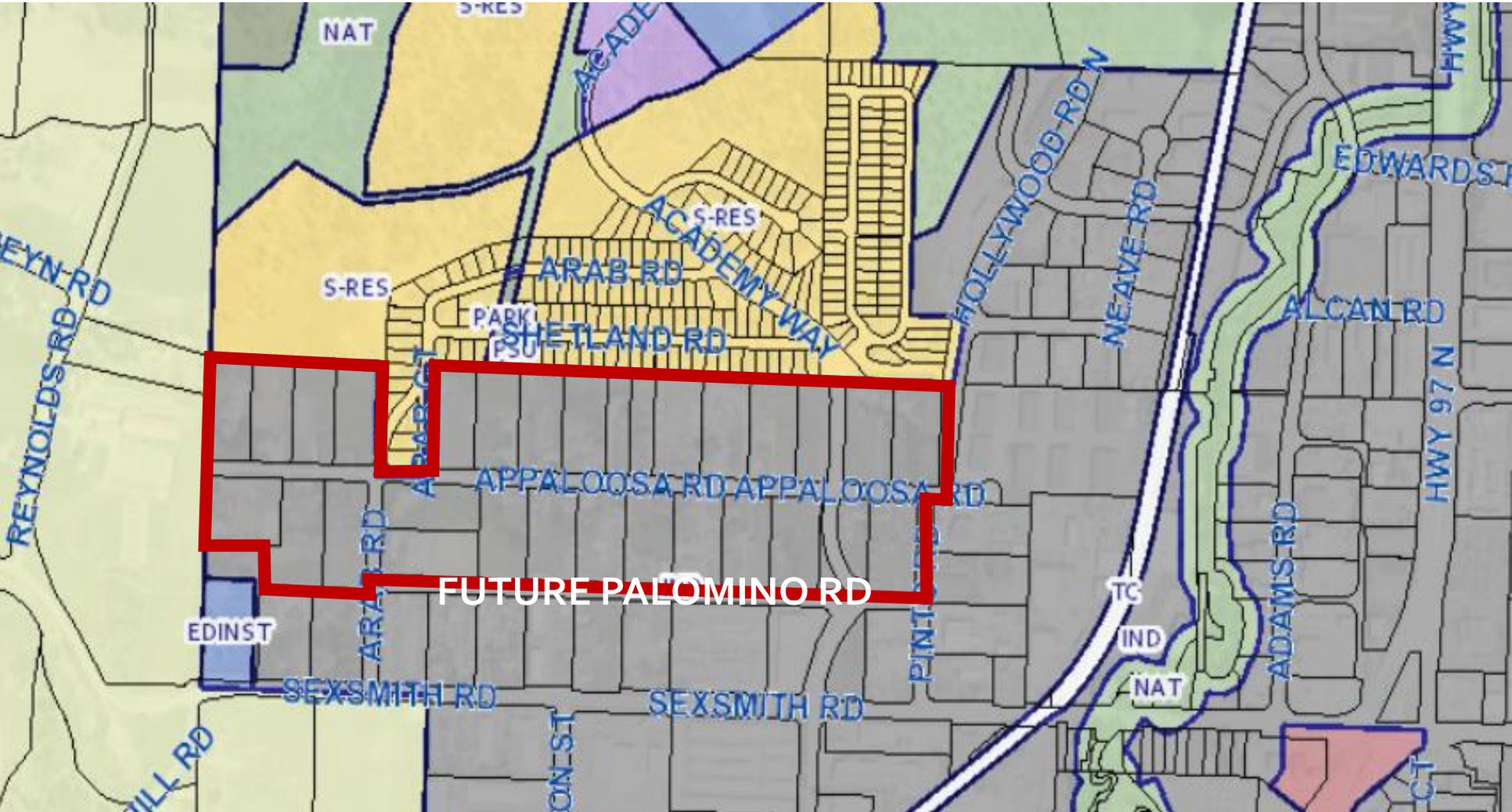


Council Approvals

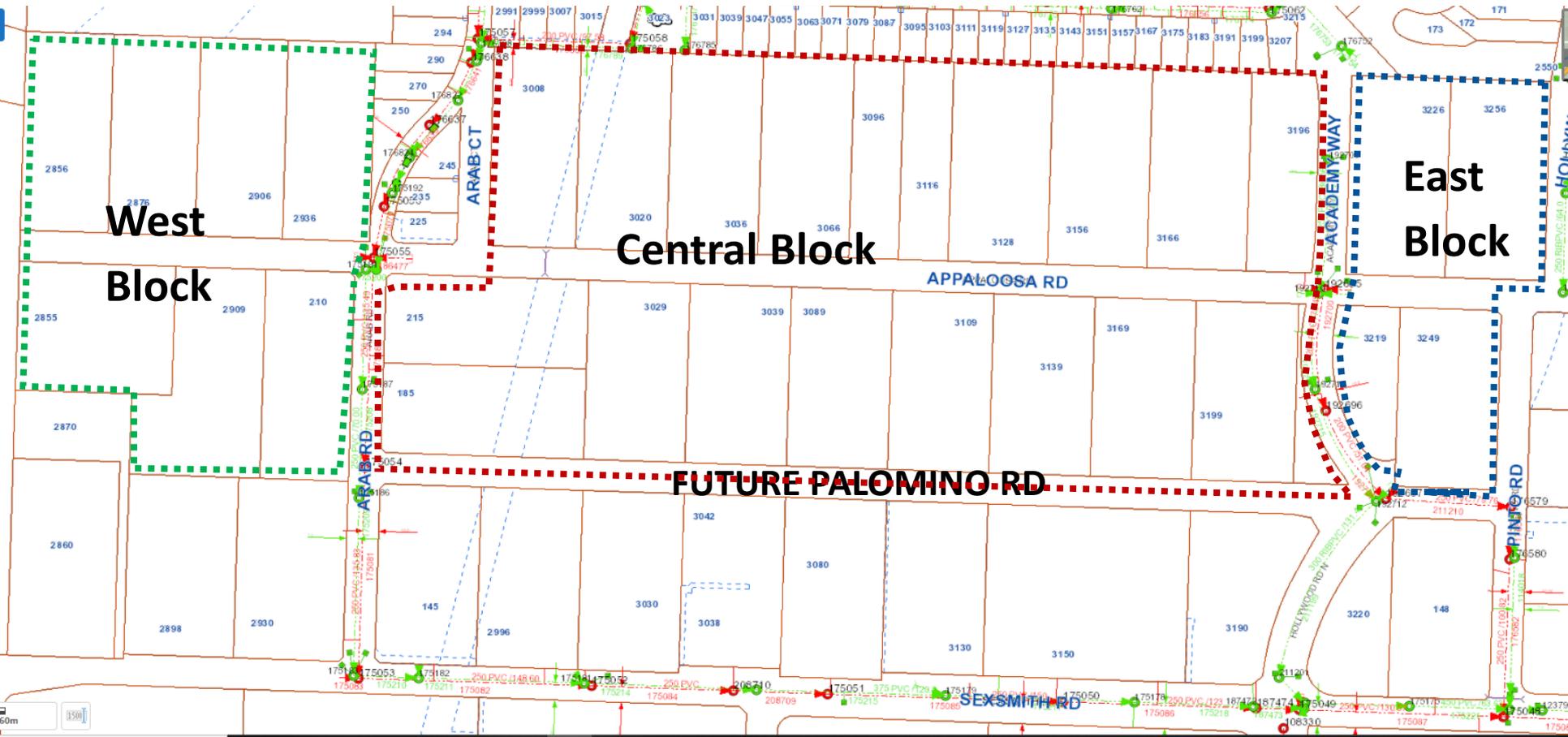
Context Map



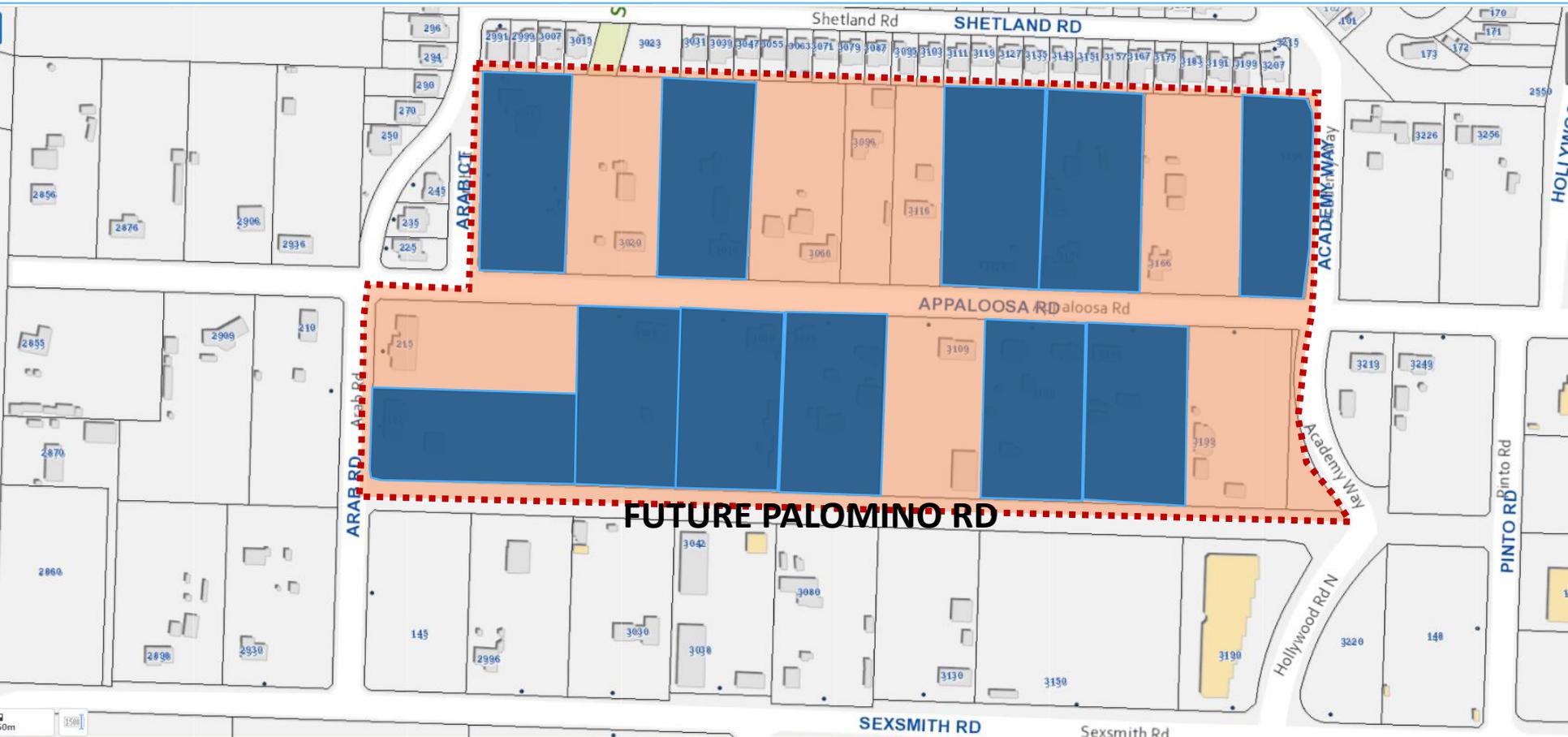
OCP Future Land Use



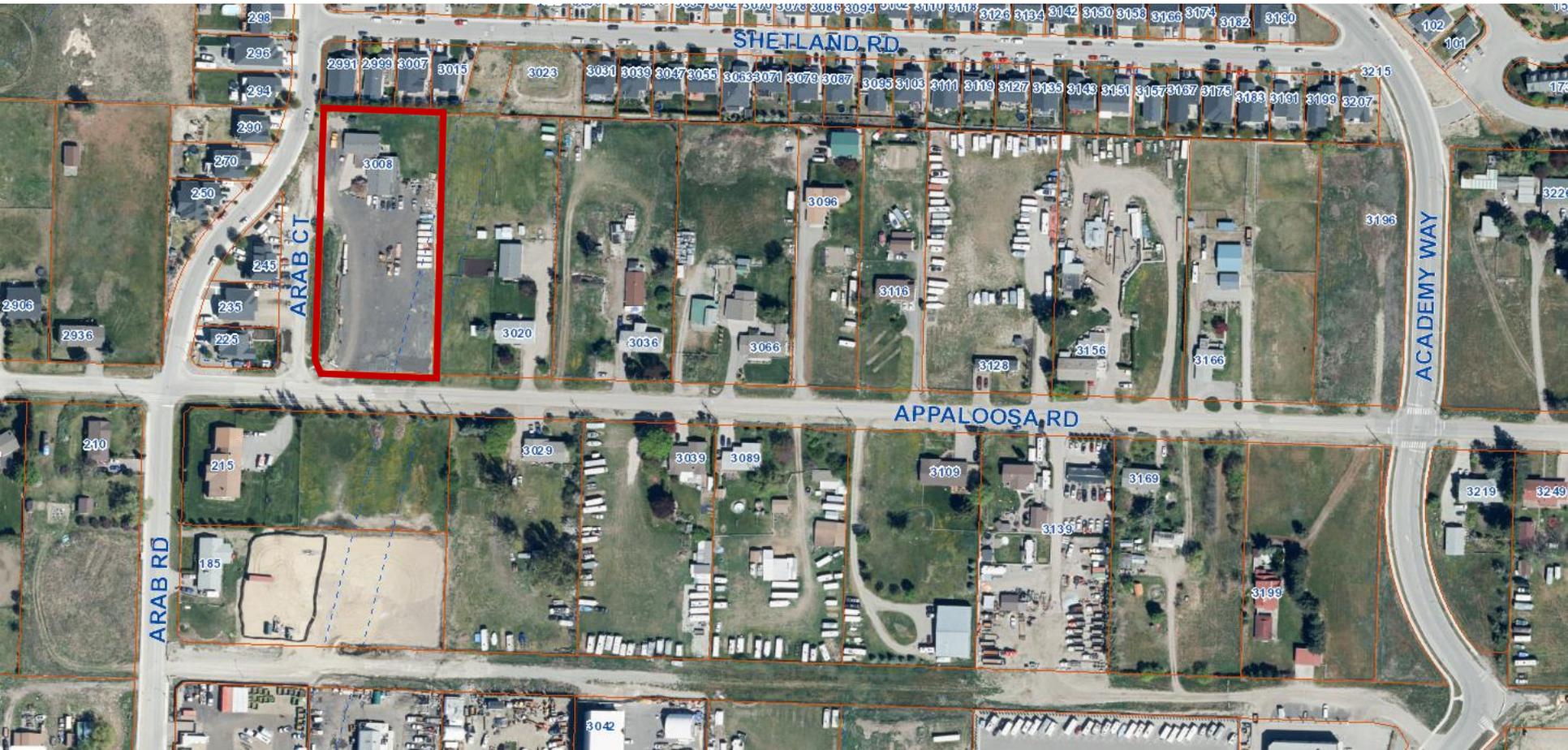
Project Background



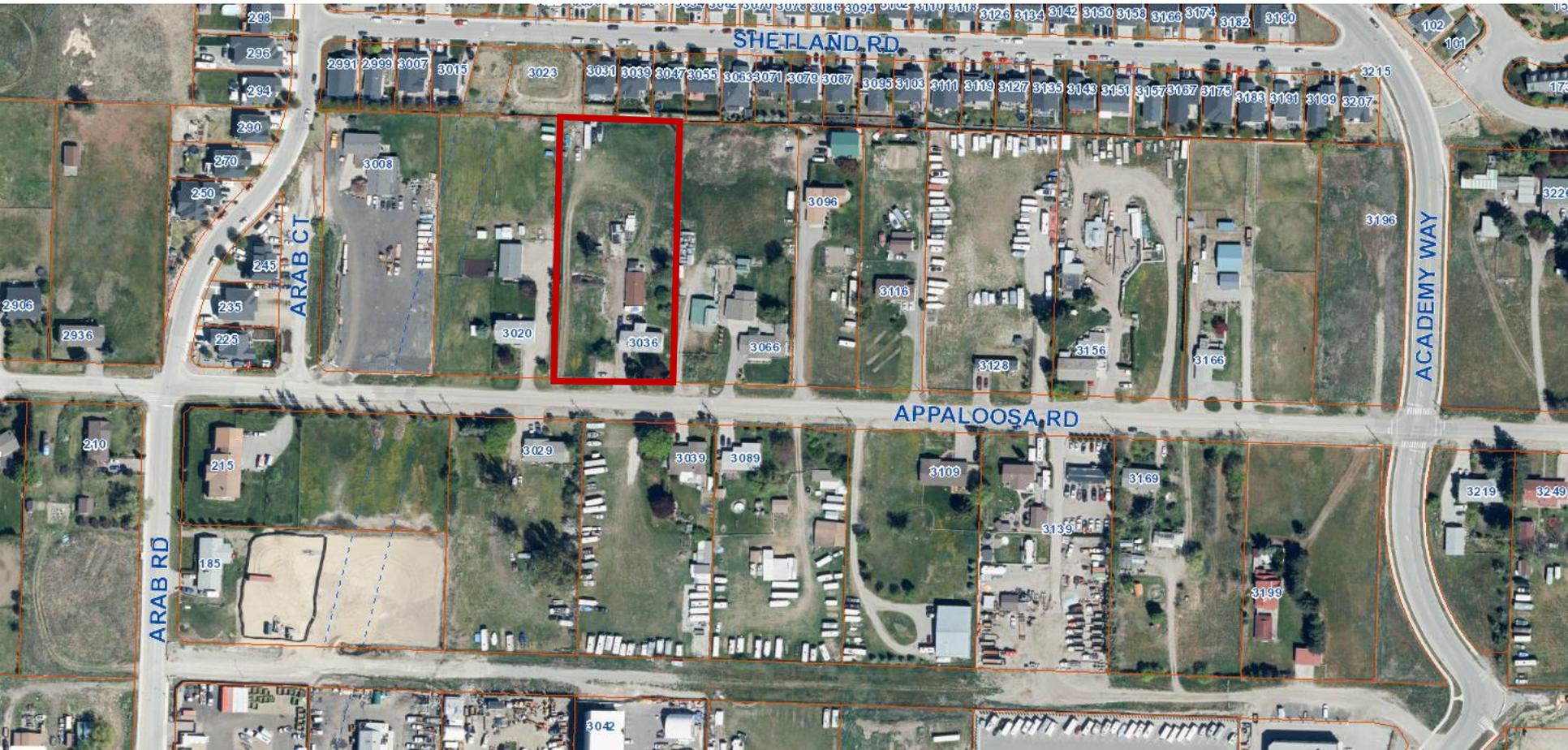
Rezoning Applications



3008 Appaloosa Rd



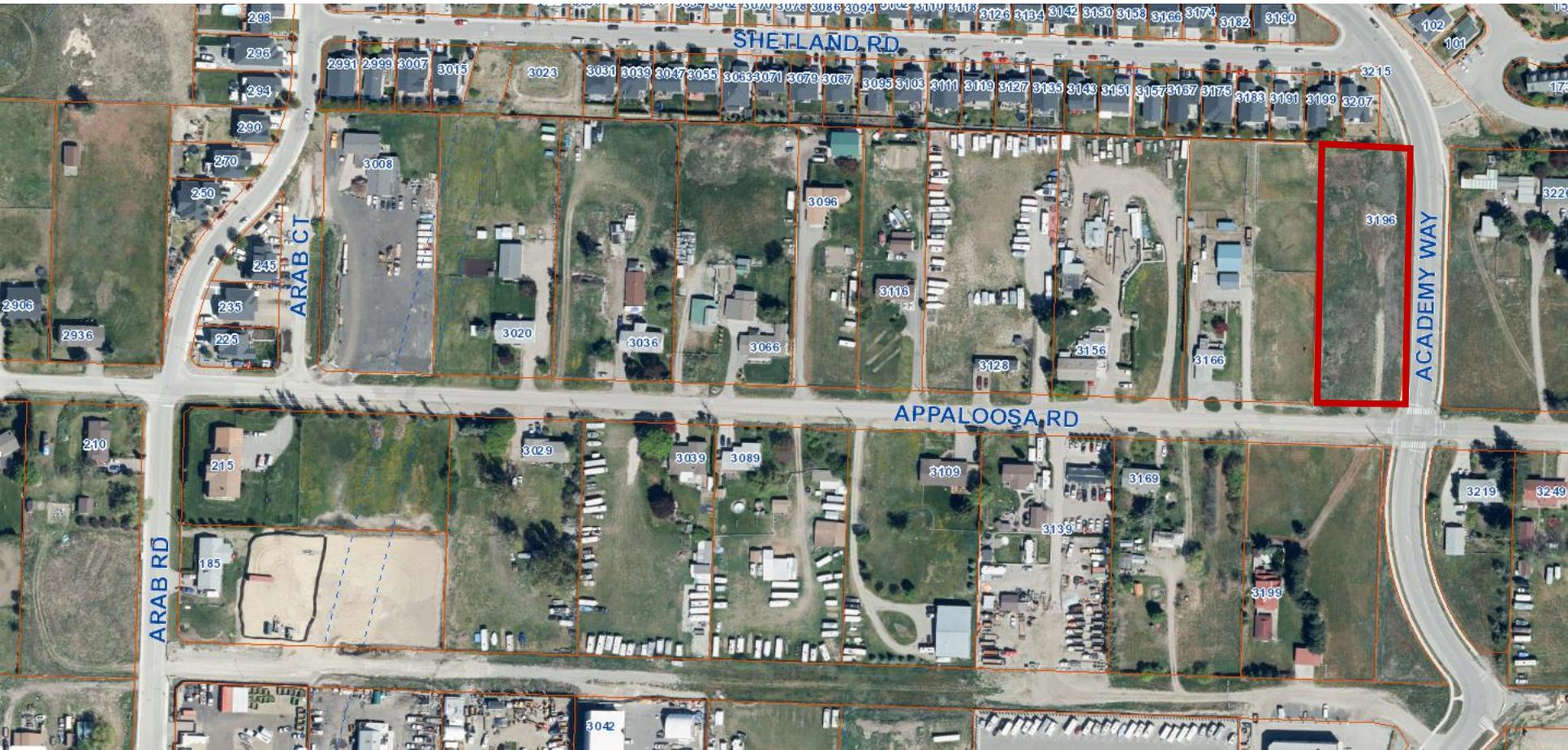
3036 Appaloosa Rd



3128 Appaloosa Rd



3196 Appaloosa Rd



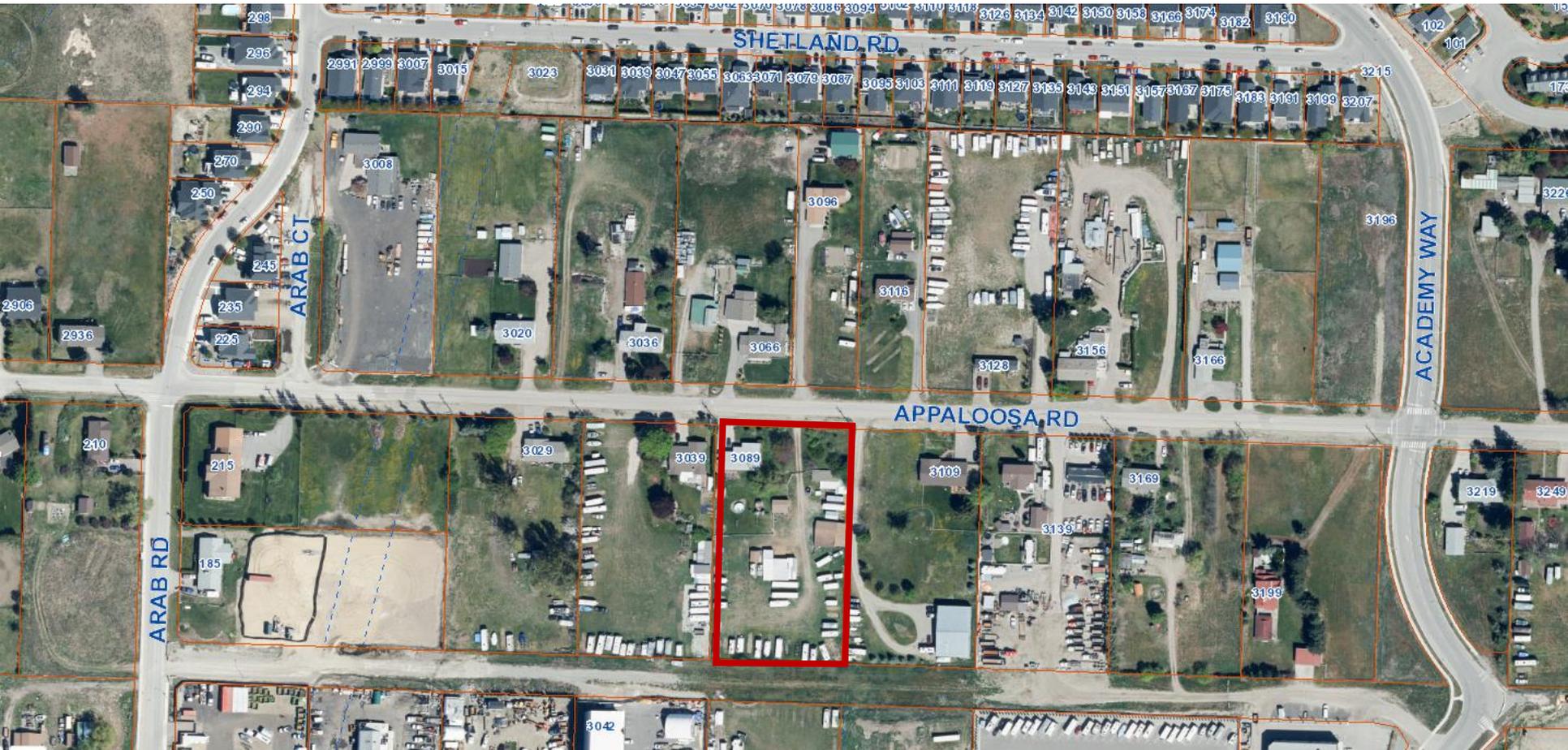
185 Arab Rd



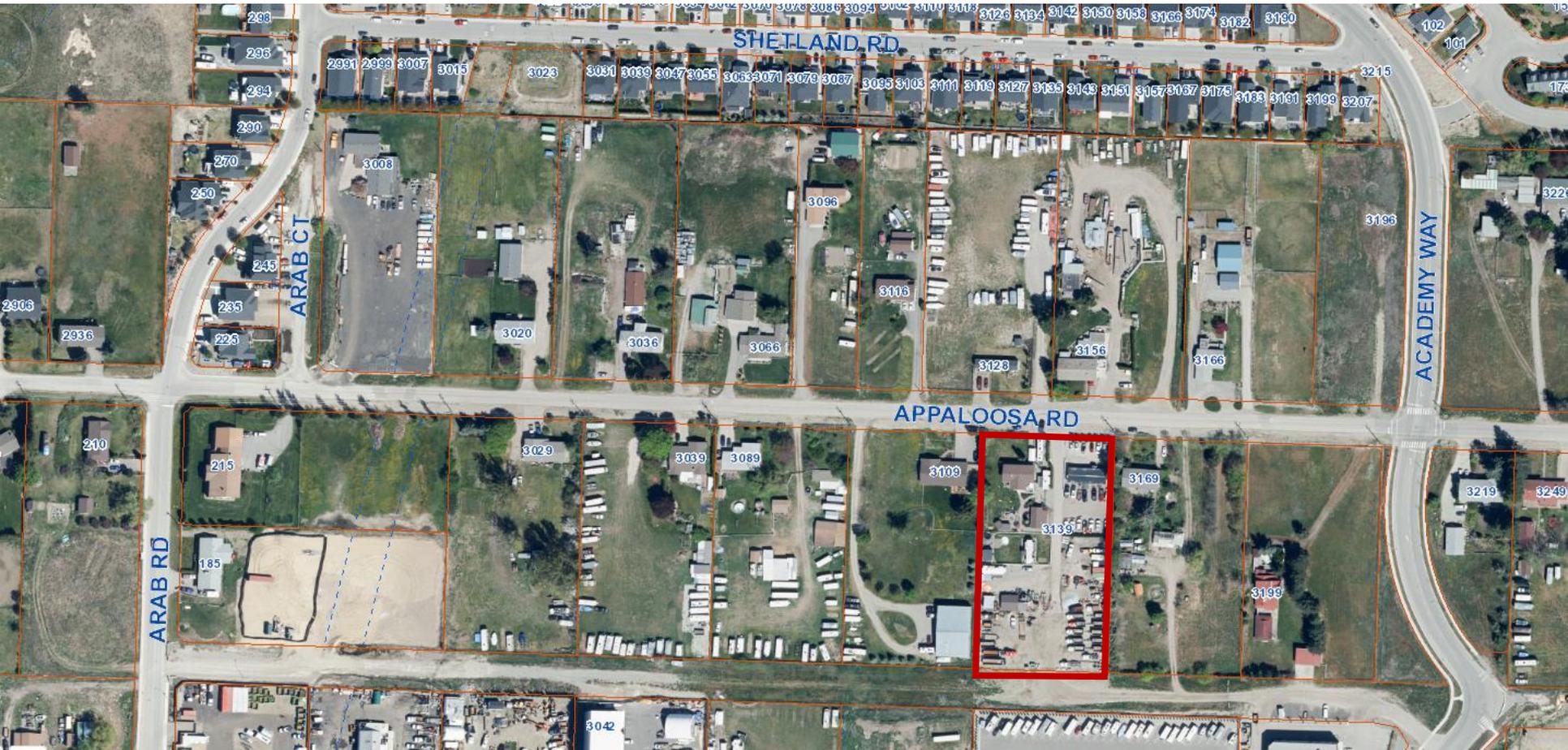
3039 Appaloosa Rd



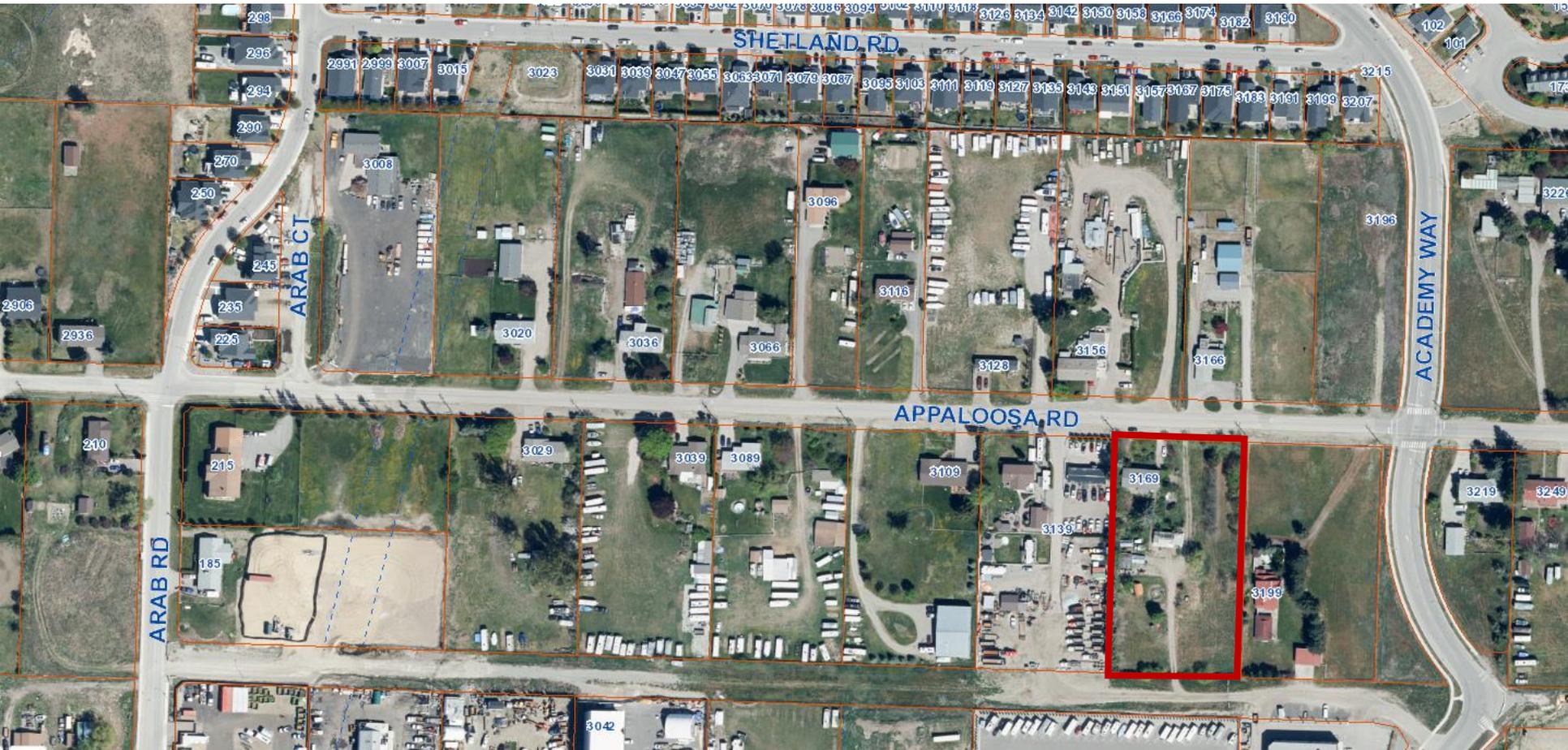
3089 Appaloosa Rd



3139 Appaloosa Rd



3169 Appaloosa Rd



Development Policy

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)

Policy 6.4.1	<p>Erosion of Industrial Lands</p> <p>Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.</p>
Policy 6.4.4	<p>Industrial / Residential Interface</p> <p>Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods</p>
Policy 6.4.6	<p>Regional Industrial Lands</p> <p>Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles</p>

Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning applications for the Arab/Appaloosa Area from the A1 to I6 zone to facilitate industrial development
- ▶ Meets the intent of the OCP
- ▶ Areawide engineering & servicing solution
- ▶ Recommend the Bylaw be forwarded to 2nd and 3rd reading



Conclusion of Staff Remarks

Rezoning Applications



REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0026 **Owner:** DL Capital Inc., Inc. No. BCo820774

Address: 3008 Appaloosa Rd **Applicant:** CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z20-0026 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, Section 3, Township 23, Osoyoos Division Yale District Plan 18861, located at 3008 Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND – Industrial, is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening

requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

4.0 Proposal

4.1 Background

The Arab/Appaloosa Road area (subject area; the neighbourhood) has a long-standing planning history. A project update for the subject area was presented to Council on February 28, 2022. Previous Council resolutions for the subject area is provided in Attachment A.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution lead by the area residents. In order to rezone the area from Agriculture to Industrial, the road network in the area requires comprehensive upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and the future Palomino Road, which need to be completed concurrently.

Additionally, fair cost-sharing of upgrade works is necessary so that the entire neighbourhood may proceed. The cost for off-site requirements for the area properties is estimated to be in excess of three million dollars, which is more than one property owner is likely to be able to manage.

Throughout 2020 and 2021, number of property owners in the area formed a neighbourhood group, continued to collaborate with the civil engineer and the City towards a comprehensive servicing solution that meets the City's servicing regulations for industrial development. In August 2021, an area-wide engineering and servicing plan was submitted to the City by the consultant which was approved by staff. Additionally, members of the neighbourhood group formed a numbered company to facilitate and administer the bonding for the off-site works. On December 21, 2021, neighbourhood residents with instream rezoning application, including the owner of the subject property, entered a development servicing agreement with the City and bonded for the off-site works. To achieve the neighbourhood financial solution, the neighbourhood group provided bonding for the frontage improvements of the adjacent properties located between Arab Rd and Academy Way (Central Block) that have not applied for rezoning at this time. Those properties will be subject to late comer fees for the frontage improvements that will be payable to the neighbourhood group upon rezoning.

4.2 Project Description

The subject property has a history of Bylaw enforcements resulting from land use that has been contrary to the existing zone (A1 – Agriculture 1), and within the recent months the property owner has altered the subject lot from Agriculture to Industrial use without a permit and prior to approval of a rezoning application. The applicant is proposing to rezone the property to allow for existing industrial uses on the property to come into Bylaw compliance. As per Council endorsed enforcement strategy, on April 7, 2022, the property owner was issued a notification letter, informing the owner of the progressive bylaw enforcement steps that would be followed should the rezoning application be defeated.

The property owner wishes to rezone the subject property from A1 to I6 to allow for an office and equipment storage in accordance with the City's Development Permit guidelines to facilitate a contractor services business. There is currently a detached single family building on the subject lot. The property owner intends to maintain the existing residence following successful rezoning of the parcel.

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

To fulfill Council Policy No. 367, the applicant notified property owners/tenants within 50m of the subject property and submitted a Neighbour Consultation Form to staff on June 8, 2022. Historically and recently, staff have received correspondences and fielded enquires from the surrounding area residents regarding the Arab/Appaloosa project, and continue to receive correspondence from neighbouring residents. Correspondence have consisted of concerns and complaints regarding activities and land uses in the area.

Also, Council Policy No. 367 identifies the application as “Zoning Major” and would require the applicant to undertake public information session as well as to post a large format development notice sign on their lot. However, since the application aligns with the 2040 OCP, that the Arab/Appaloosa neighbourhood residents have demonstrated a coordinated rezoning effort and process, and that the subject area has been undergoing a development process for the past decade, staff feel a neighbourhood consultation and a regular format development notice sign adequately satisfy the public notification and consultation process.

4.3 Site Context

The subject parcel is located within the Arab/Appaloosa area and a Transmission Pressure Pipeline runs through the property. The western parcel boundary abuts Arab Court, which is a local road that dead ends at the north end of the property where the existing principal dwelling is accessed. The surrounding land use consist of residential to the north and west, combination of Agriculture and Industrial to the east and south. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium lot housing P3 – Parks and open spaces P4 – Utilities	Single family residential Parks and open spaces Utilities
East	A1 – Agriculture 1	Rural residential
South	Appaloosa Rd A1C – Agriculture 1 with carriage house A1 – Agriculture 1	Rural residential
West	Arab Ct RU2C – Medium lot housing A1 – Agriculture 1	Rural residential

Subject Property Map: Zoning and future land use at and around 3008 Appaloosa Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.1	Erosion of Industrial Lands Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.
Policy 6.4.4	Industrial / Residential Interface Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods
Policy 6.4.6	Regional Industrial Lands Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles

6.0 Technical Comments

- 6.1 Development Engineering Department
Refer to Schedule A.

7.0 Application Chronology

Date of application received:	February 24, 2020
Date of area-wide engineering and servicing plan approval:	August 2021
Date area residents sign servicing agreement and bond:	December 21, 2021
Date of project update report to Council:	February 28, 2022
Date neighbourhood consultation received:	June 8, 2022

Report prepared by:	Barbara B. Crawford, Planner II
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Reviewed by:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Previous Council resolutions
Attachment B: Applicants project rationale and site plan
Attachment C: Development Engineering Memo

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	<p>April 13, 2015</p>
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	<p>March 21, 2016</p>

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>



PROJECT DESCRIPTION/RATIONALE

265 Arab Court, City of Kelowna Development Proposal

Proposal to Rezone from A1 (non ALR) to I6



Background

The Arab and Appaloosa Road area has been a neighbourhood on the verge of transition since 2012. Primarily zoned for Agriculture (non ALR), many of the area's parcels have had a history of non-conforming uses (largely low impact industrial in nature) and a desire to legitimize those uses through rezoning to address the need for greater industrial lands within the City. To date, a lack of adequate servicing and coordination between property owners has been a hinderance to this transition.

However, in recent years the future land use of this area has been designated in the City's Official Community Plan (OCP) as *Industrial – Transitional*. Additionally, several properties fronting onto Sexsmith Road have achieved I6 zoning, A1 zoned area property owners are increasingly coordinating their efforts to achieve the necessary servicing required to complete this neighbourhood transition and there are numerous rezoning applications currently in the City's que requesting I6 zoning.

Development Proposal

The property owner wishes to rezone the subject property from *A1 – Agriculture 1* to *I6 – Low-Impact Transitional Industrial* to allow for an office and equipment storage in accordance with the City's Development Permit guidelines to facilitate a contractor services business. The I6 zone is intended to accommodate a range of low-impact transitional industrial land uses, which are appropriate as a transition between established industrial land uses and residential, rural and agricultural land uses. The property owner intends to maintain the existing residence following successful rezoning of the parcel.

Subject Property

265 Arab Court is approximately 1.75 acres with a gentle slope running northwest to southeast. The property is utilized for residential purposes. The western parcel boundary abuts Arab Court, which is a local road that dead ends at the north end of the property where the principal dwelling is accessed. Other than the dwelling located at the north end, lawn occupies the remainder of the parcel. The property is serviced by community water but not sewer.

Existing Zoning

The parcel is zoned *A1 - Agriculture 1* and is not contained within the ALR.

Future Land Use

The anticipated Future Land Use is *Industrial – Transitional (IND-T)*, which envisions light industrial and residential uses located in areas as transitional between industrial and residential.

Servicing

The property owner is currently working with neighbouring property owners and CTQ Consultants to establish a servicing plan which meets the area's requirements in accordance with the City's Subdivision, Development & Servicing Bylaw No. 7900.

Capital Costs

Industrial developments are responsible for contributing financially to the overall structural health of the community as it relates to parks, roads and community services where appropriate through development cost charges (DCCs).

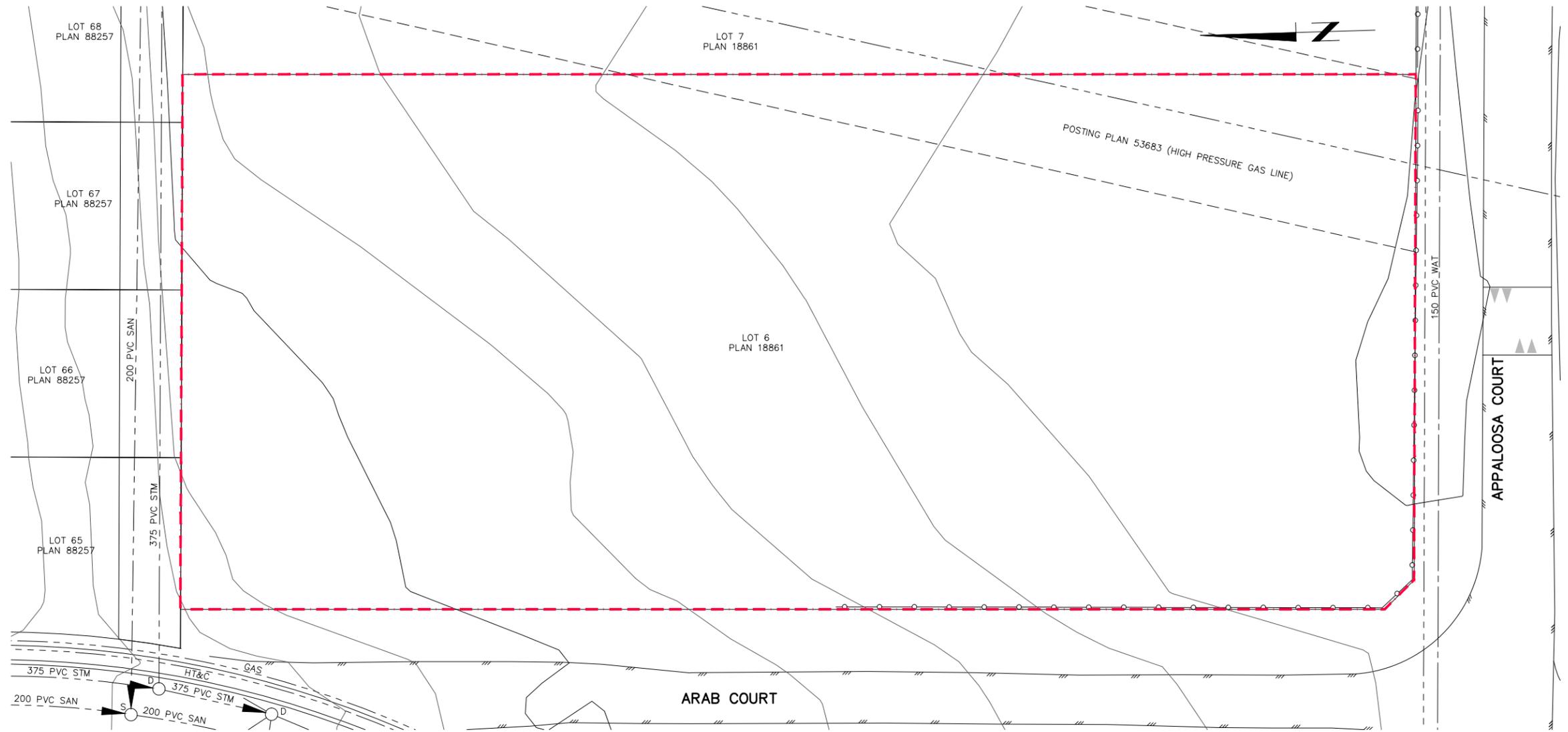
Form and Character

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. Transitional industrial areas must ensure appropriate screening to maintain privacy of residential uses, proper placement of window openings and loading doors and strategic orientation of lighting to minimize light trespass and overall disturbance to adjacent residential uses. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

Summary

The proposed rezoning is in line with the City's anticipated future land use for the area, which will serve as a transitional buffer between the residential uses to the north and the general industrial uses to the south. The City is currently processing numerous rezoning applications within the area with the same zoning objectives and 16 zoned properties already exist along Sexsmith Road. Rezoning the subject property and transitioning this area into I6 zoning will provide much needed low impact industrial lands in the City.

L:\General Data\Projects-2017\17118-20 - 265 Arab Court Rd Rezoning\4-CAD\DESIGN-SET\17118-20-G-01.dwg February 24, 2020 Tobi Friesen



Legend		existing		proposed	
—	Water	○	BO	○	BO
- - -	Sanitary Sewer	⊕	HYD	⊕	HYD
- - -	Storm Sewer	⊗	WV	⊗	WV
- - -	Gas	⊙	SM	⊙	SM
- - -	Hydro, Tel, Cable	⊘	SM	⊘	SM
- - -	O/H Utility	⊚	CO	⊚	CO
- - -	Edge of Asphalt	⊛	CB	⊛	CB
▲	Survey Control	⊜	CB	⊜	CB
		⊝	DW	⊝	DW
		⊞	UP	⊞	UP
		⊟	LS	⊟	LS
		⊠	LS	⊠	LS

No.	YY.MM.DD	By	Issued	Chkd	No.	YY.MM.DD	By	Revision	Chkd
1	20.02.24	DC	FOR RE-ZONING	DC					



Drawn	KM
Design	JR/KM
Approved	
Date	FEBRUARY 2020
Scale	1:500

CITY FILE # TBD
THE CITY OF KELOWNA
 ENGINEERING DEPARTMENT
265 ARAB COURT
REZONING
SITE PLAN



Division	
MUNICIPAL	
Drawing No.	Rev No.
G-01	145

CITY OF KELOWNA
MEMORANDUM



Date: March 6, 2020
File No.: Z20-0026
To: Planning & Development Services Department (BC)
From: Development Engineer Manager (JK)
Subject: 265 Arab Ct., Lots 6, Plan 18861 A1 – I6

Development Engineering has the following comments and requirements associated with this application rezone the subject property from A-1 to I6 are as follows:

1. General

- a) Access to the subject lots must be achieved off of Appaloosa Road only, CTQ Consultants Ltd. has created a master plan for Area.

2. Geotechnical Study

We recommend that a comprehensive geotechnical study be undertaken over the subject property. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. Sanitary Sewer System

- a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$13,300 per Single Family Equivalent (SFE). This Bylaw was reviewed for and accepted by Council in 2018.

determined by the following formula: the first 0.36 acres of developed land or portion thereof equals 1 SFE. Thereafter 1.39 Acres per acre of developed land.

The assessed value is 4.89 SFE's is **\$65,063.60**

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual By-Law 7900 is required.

6. Road Improvements

- a.) The frontage of Appaloosa Road and Arab Ct will be upgraded to a full (SS-R5) urban standard in accordance with Bylaw 7900, complete with curb and gutter, Sanitary and storm works, sidewalk, fillet paving, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc.
- b.) The Appaloosa Properties will work together in completing all roads, Water, Sanitary and storm works for Appaloosa, Palomino, Arab roads. CTQ Consultants Ltd. has created a master plan for Area.
- c.) Access only from Appaloosa Rd, Arab Ct access must be removed.

7. Road Dedication and Subdivision Requirements

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

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

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

11. DCC Credits

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. Bonding and Levies Summary

Levies

Connection. Area #35	\$65,063.60
Total levies	<u>\$65,063.60</u>



 James Kay, P. Eng.
 Development Engineering Manager
 RO

CITY OF KELOWNA
BYLAW NO. 12396
Z20-0026
3008 Appaloosa Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 6 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z19-0050 **Owner:** Viking Refrigeration Ltd. Inc.
No. BCo495457

Address: 3029 Appaloosa Rd **Applicant:** CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z19-0050 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 41, Section 3, Township 23, Osoyoos Division Yale District Plan 18861, located at 3029 Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND - Industrial and is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening

requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

4.0 Proposal

4.1 Background

The Arab/Appaloosa Road area (subject area; the neighbourhood) has a long-standing planning history. A project update for the subject area was presented to Council on February 28, 2022. Previous Council resolutions for the subject area is provided in Attachment A.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution lead by the area residents. In order to rezone the area from Agriculture to Industrial, the road network in the area requires comprehensive upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and the future Palomino Road, which need to be completed concurrently.

Additionally, fair cost-sharing of upgrade works is necessary so that the entire neighbourhood may proceed. The cost for off-site requirements for the area properties is estimated to be in excess of three million dollars, which is more than one property owner is likely to be able to manage.

Throughout 2020 and 2021, number of property owners in the area formed a neighbourhood group, continued to collaborate with the civil engineer and the City towards a comprehensive servicing solution that meets the City's servicing regulations for industrial development. In August 2021, an area-wide engineering and servicing plan was submitted to the City by the consultant which was approved by staff. Additionally, members of the neighbourhood group formed a numbered company to facilitate and administer the bonding for the off-site works. On December 21, 2021, neighbourhood residents with instream rezoning application, including the owner of the subject property, entered a development servicing agreement with the City and bonded for the off-site works. To achieve the neighbourhood financial solution, the neighbourhood group provided bonding for the frontage improvements of the adjacent properties located between Arab Rd and Academy Way (Central Block) that have not applied for rezoning at this time. Those properties will be subject to late comer fees for the frontage improvements that will be payable to the neighbourhood group upon rezoning.

4.2 Project Description

The subject property has a history of Bylaw enforcements resulting from land use that has been contrary to the existing zone (A1 – Agriculture). The applicant is proposing to rezone the property to allow for existing industrial uses on the property to come into Bylaw compliance. As per Council endorsed enforcement strategy, on April 7, 2022, the property owner was issued a notification letter, informing the owner of the progressive bylaw enforcement steps that would be followed should the rezoning application be defeated.

The property owner wishes to rezone the subject property from A1 to I6 to facilitate the development of two general indusrail buildings on the property in accordance with the City's Development Permit guidelines. There is currently a detached single family building on the subject lot. The property owner intends to maintain the existing residence following successful rezoning of the parcel.

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

To fulfill Council Policy No. 367, the applicant notified property owners/tenants within 50m of the subject property and submitted a Neighbour Consultation Form to staff on June 8, 2022. Historically and recently, staff have received correspondences and fielded enquires from the surrounding area residents regarding the Arab/Appaloosa project, and continue to receive correspondence from neighbouring residents. Correspondence have consisted of concerns and complaints regarding activities and land uses in the area.

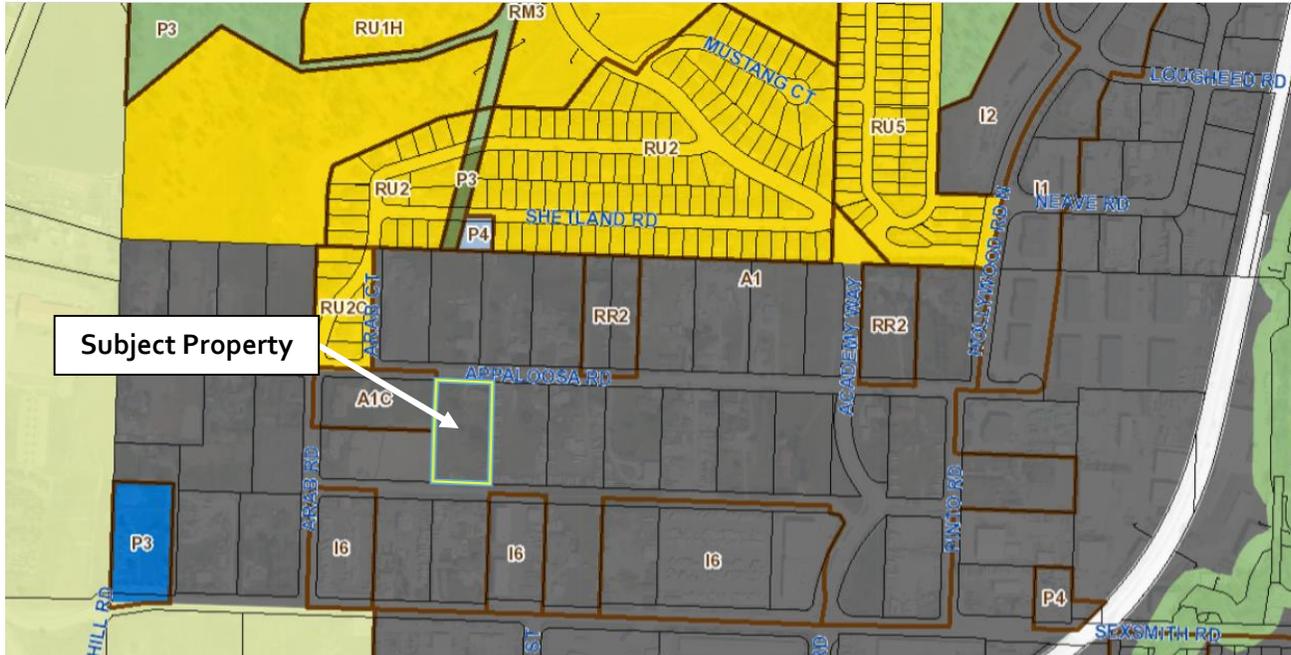
Also, Council Policy No. 367 identifies the application as “Zoning Major” and would require the applicant to undertake public information session as well as to post a large format development notice sign on their lot. However, since the application aligns with the 2040 OCP, that the Arab/Appaloosa neighbourhood residents have demonstrated a coordinated rezoning effort and process, and that the subject area has been undergoing a development process for the past decade, staff feel a neighbourhood consultation and a regular format development notice sign adequately satisfy the public notification and consultation process.

4.3 Site Context

The subject parcel is located within the Arab/Appaloosa area. The subject property abuts agriculture properties to the east and west, Appaloosa Road and the future Palomino Road, to the north and south, respectively. The surrounding land use consist of agriculture and rural residential properites to the north, east and west, and industrial properties to the south. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Appaloos Road A1 – Agriculture 1	Rural residential
East	A1 – Agriculture 1	Rural residential
South	Future Palamino Road I6 - Low Impact Transitional Industrial	Rural residential Industrial
West	A1C – Agriculture 1 with carriage house A1 – Agriculture 1	Rural residential

Subject Property Map: Zoning and future land use at and around 3029 Appaloosa Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.1	<p>Erosion of Industrial Lands</p> <p>Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.</p>
Policy 6.4.4	<p>Industrial / Residential Interface</p> <p>Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods</p>
Policy 6.4.6	<p>Regional Industrial Lands</p> <p>Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles</p>

6.0 Technical Comments

- 6.1 Development Engineering Department
Refer to Schedule A.

7.0 Application Chronology

Date of application received:	January 23, 2019
Date of area-wide engineering and servicing plan approval:	August 2021
Date area residents sign servicing agreement and bond:	December 21, 2021
Date of project update report to Council:	February 28, 2022
Date neighbourhood consultation received:	June 8, 2022

Report prepared by:	Barbara B. Crawford, Planner II
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Reviewed by:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Previous Council resolutions
Attachment B: Applicants project rationale and site plan
Attachment C: Development Engineering Memo

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	April 13, 2015
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	March 21, 2016

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>



January 18th, 2019

3029 Appaloosa Rd
Kelowna, B.C.
V1V-2G9

Rezoning property at 3029 Appaloosa Road from A1 to I6. This parcel of land is 64.7 m by 115.44 m Which is far greater than the minimum for an I 6 Zone requirement.

The property at 3029 Appaloosa Road rises slightly from east to west along the frontage, and slopes downwards from the road to the rear of the property by roughly twenty feet. Currently this property is developed with a residential building located adjacent to the Appaloosa Road property line and other than that the property is undeveloped. The owner wishes to change the zoning on this property to make better use of the property, to condense the growth of Kelowna and not have pockets of underutilized land. I have been informed that there is currently a lack of Low Impact Transitional Industrial Land in the City of Kelowna.

3029 Appaloosa Road

Zone **I 6**

Lot	41	Plan	18861	KID	283123
		PID	008-202-974		

Subdivision Regulations

Lot Size	Min.	40 m wide
Lot Size	Min	50 m depth

Lot Area is	78,847 sq. ft.	7 325 m2
Permittable Building Area is	30,497 sq. ft.	2 833 m2

Future plans for an industrial use building m2

3029 Appaloosa Road

Lot Size	64.4 m exceeds lot width
Lot Size	115.47 m exceeds lot depth

Maximum Building Height 9.5 m

Setbacks

Front Setback	4.5 m from buildings and structures
Side Setback	4.5 m from buildings and structures
Rear Setback	30 m from residential / 7.5 m from industrial

No uses that would create a nuisance. NO outdoor excess of noise, odour, earth borne vibrations, Heat, high brightness lighting, or light emissions. Autobody repair paint shops not permitted

Only one single detached residence is permitted.

The OWNER has expressed interest in building two general industrial use buildings on this Site.

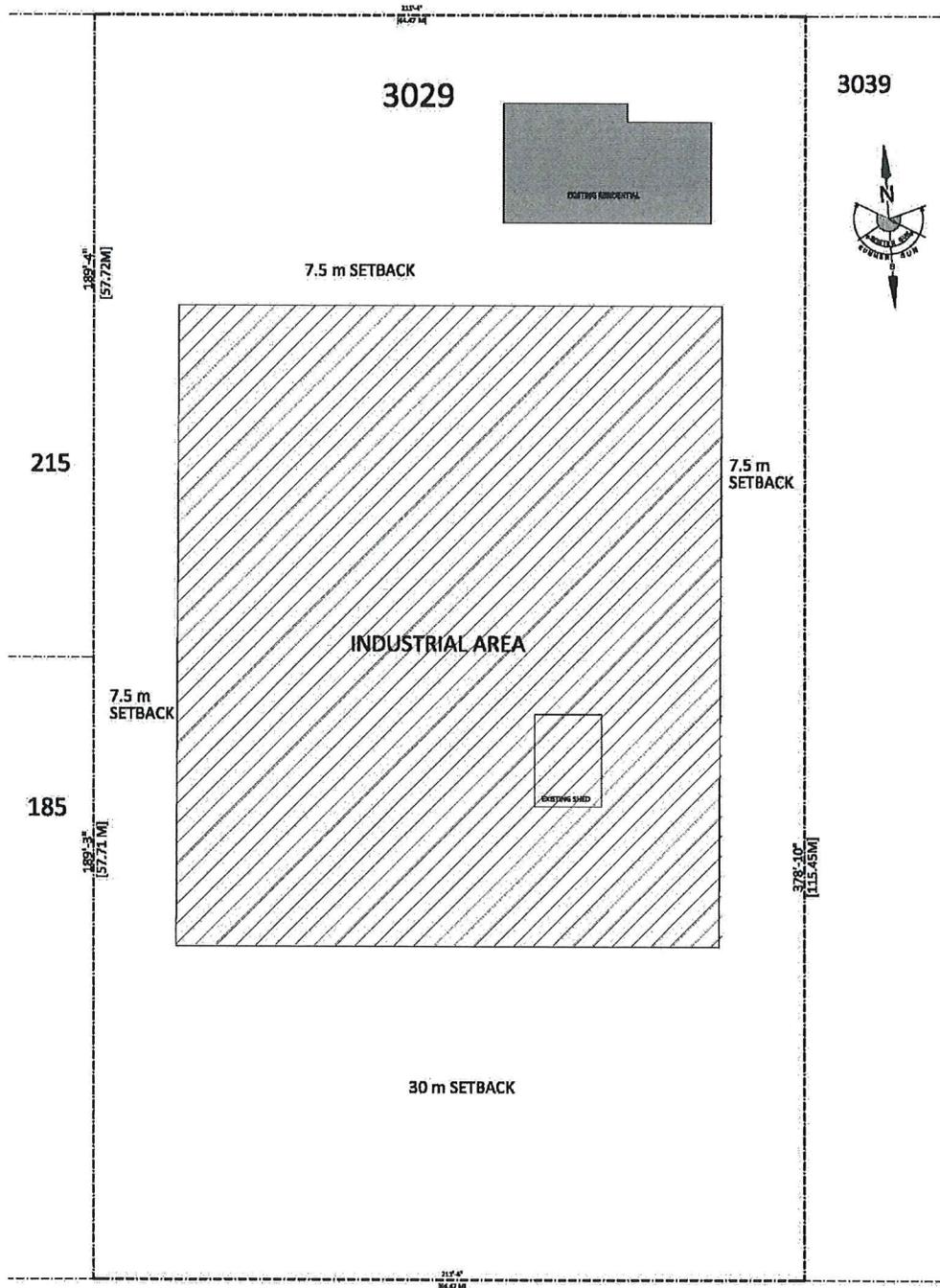
Retaining the current residents building (62.33 m²) and develop an industrial building with loading docks and sufficient parking.

The proximity to Sexsmith allows for ease of slight increase in vehicular transportation and Bus Transportation is nearby on the highway. Allowing for the ebb and flow of new workers. The type of land use allowed would not increase the volume of noise to the area. After work hours would return the Decibal level of noise to its residential levels.

Upon talks with CTQ Consultants Ltd. Eight of the 16 or so property owners are getting involved at this stage to proceed with initial talks about the cost estimate of the frontal improvements to current standards. The owners that are on board for rezoning this area are in discussion on how to cover the entire cost of upgrading the services along Appaloosa Road. How to deal with the owners who are latecomers to this project is to be discussed in further meetings.

Light Industrial and residential uses located in areas as a transition between residential and industrial must include provisions for residential use as live\ work space. Goal is to keep the residential component adjacent and the industrial component together as much as possible. Rezoning from A-1 to I-6 would give additional much required low industrial use office and warehouse space- filling the need for such space.

Appaloosa Road



CITY OF KELOWNA
MEMORANDUM



Date: March 4, 2019
File No.: Z19-0050
To: Planning & Development Services Department (BC)
From: Development Engineer Manager (JK)
Subject: 3029 Appaloosa Rd., Lots 41, Plan 18861 A1 – I6

Development Engineering has the following comments and requirements associated with this application rezone the subject property from A-1 to I6 are as follows:

1. General

- a) Access to the subject lots must be achieved off of Appaloosa Road and exit on Palomino Road is designated as a lane Palomino will be exit only to Arab road. Until such time that Palomino Road is fully built to SS-R5 Urban Collector Class 1 and second access to Appaloosa north from east end of Palomino Road. CTQ Consultants Ltd. has created a master plan for Area.

2. Geotechnical Study

We recommend that a comprehensive geotechnical study be undertaken over the subject property. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. Sanitary Sewer System

- a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$13,300 per Single Family Equivalent (SFE). This Bylaw was reviewed for and accepted by Council in 2018.

determined by the following formula: the first 0.36 acres of developed land or portion thereof equals 1 SFE. Thereafter 1.48 Acres per acre of developed land.

The assessed value is 5.14 SFE's is **\$68,415.20**

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual By-Law 7900 is required.

6. Road Improvements

- a.) The frontage of Appaloosa Road will be upgraded to a full (SS-R5) urban standard in accordance with Bylaw 7900, complete with curb and gutter, Sanitary and storm works, sidewalk, fillet paving, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc.
- b.) Palomino Road at the rear of the property will be constructed to a 6.0m lane Standard with street light in ultimate locations with ditching and storm works to CTQ master plan, curb, gutter, sidewalk, fillet paving, storm drainage works which extends and connects to the municipal system, landscaped and irrigated boulevard, lane markings, removal and/or relocation existing utilities as may be deferred until second out to Appaloosa at east end is completed. The developer is responsible for contributing for their half of Palomino road for the combined frontage of the subject property. The cash in lieu of construction for these works is \$60,230.63
- c.) The Appaloosa Properties will work together in completing all roads, Water, Sanitary and storm works for Appaloosa, Palomino, Arab roads. CTQ Consultants Ltd. has created a master plan for Area.

7. Road Dedication and Subdivision Requirements

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

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

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

10. Servicing Agreements for Works and Services

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

11. DCC Credits

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. Bonding and Levies Summary

Levies

Palomino Road Deferred Revenue	\$60,230.63
Connection. Area #35	\$68,415.20
Total levies	<u>\$128,645.83</u>



 James Kay, P. Eng.
 Development Engineering Manager
 RO

CITY OF KELOWNA
BYLAW NO. 12397
Z19-0050
3029 Appaloosa Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 41 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0070

Owner: Bhupinder S. Mroke & Balwant K. Mroke

Address: 3036 Appaloosa Rd

Applicant: CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z21-0070 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8, Section 3, Township 23, Osoyoos Division Yale District Plan 18861, located at 3036 Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND - Industrial and is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening

requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

4.0 Proposal

4.1 Background

The Arab/Appaloosa Road area (subject area; the neighbourhood) has a long-standing planning history. A project update for the subject area was presented to Council on February 28, 2022. Previous Council resolutions for the subject area is provided in Attachment A.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution lead by the area residents. In order to rezone the area from Agriculture to Industrial, the road network in the area requires comprehensive upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and the future Palomino Road, which need to be completed concurrently.

Additionally, fair cost-sharing of upgrade works is necessary so that the entire neighbourhood may proceed. The cost for off-site requirements for the area properties is estimated to be in excess of three million dollars, which is more than one property owner is likely to be able to manage.

Throughout 2020 and 2021, number of property owners in the area formed a neighbourhood group, continued to collaborate with the civil engineer and the City towards a comprehensive servicing solution that meets the City's servicing regulations for industrial development. In August 2021, an area-wide engineering and servicing plan was submitted to the City by the consultant which was approved by staff. Additionally, members of the neighbourhood group formed a numbered company to facilitate and administer the bonding for the off-site works. On December 21, 2021, neighbourhood residents with instream rezoning application, including the owner of the subject property, entered a development servicing agreement with the City and bonded for the off-site works. To achieve the neighbourhood financial solution, the neighbourhood group provided bonding for the frontage improvements of the adjacent properties located between Arab Rd and Academy Way (Central Block) that have not applied for rezoning at this time. Those properties will be subject to late comer fees for the frontage improvements that will be payable to the neighbourhood group upon rezoning.

4.2 Project Description

The subject property does not has a history of Bylaw enforcements. The property owner wishes to rezone the subject property from A1 to I6 to accommodate a future office and equipment storage in accordance with the City's Development Permit guidelines to facilitate a contractor's services business. There is currently a detached single family building and an accessory building on the subject lot.

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

To fulfill Council Policy No. 367, the applicant notified property owners/tenants within 50m of the subject property and submitted a Neighbour Consultation Form to staff on June 8, 2022. Historically and recently, staff have received correspondences and fielded enquires from the surrounding area residents regarding the Arab/Appaloosa project, and continue to receive correspondence from neighbouring residents. Correspondence have consisted of concerns and complaints regarding activities and land uses in the area.

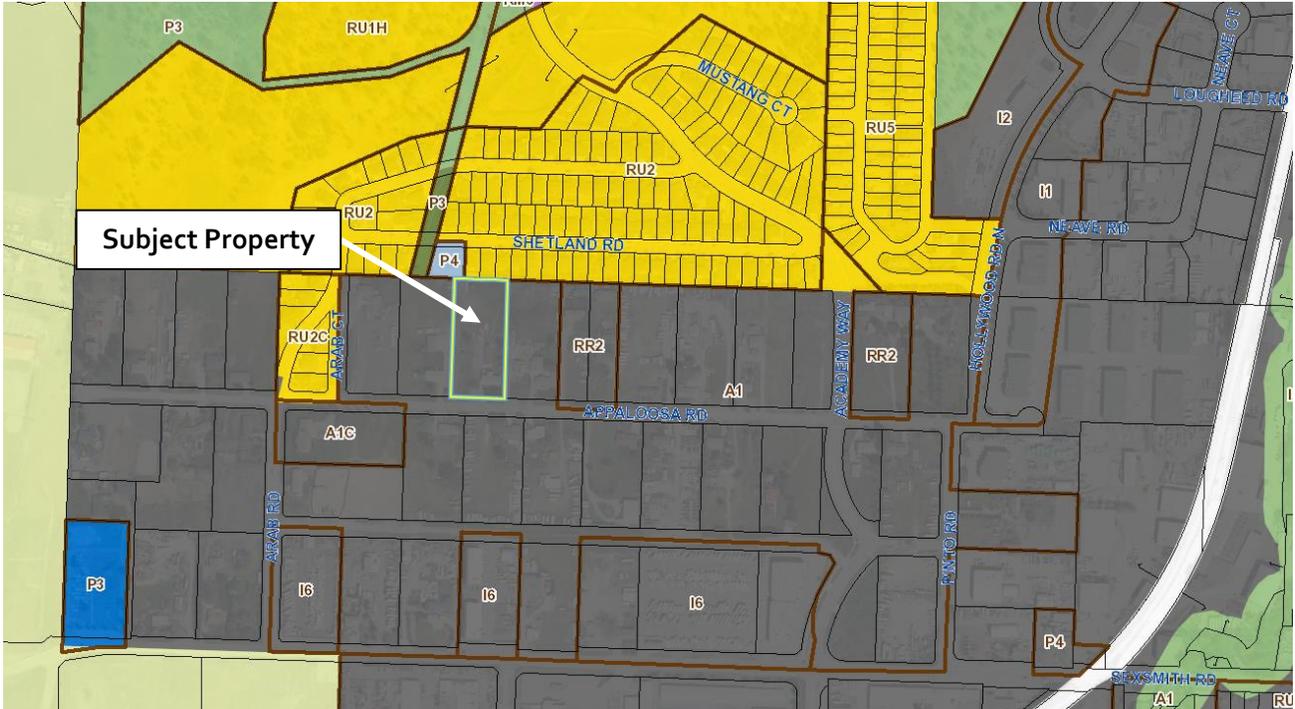
Also, Council Policy No. 367 identifies the application as “Zoning Major” and would require the applicant to undertake public information session as well as to post a large format development notice sign on their lot. However, since the application aligns with the 2040 OCP, that the Arab/Appaloosa neighbourhood residents have demonstrated a coordinated rezoning effort and process, and that the subject area has been undergoing a development process for the past decade, staff feel a neighbourhood consultation and a regular format development notice sign adequately satisfy the public notification and consultation process.

4.3 Site Context

The subject parcel is located within the Arab/Appaloosa area. The subject property abuts agriculture properties to the east and west, residential properties and Appaloosa Road to the north and south, respectively. The surrounding land use consist of agriculture and rural residential properites to the north, rural residential to the east and west, and industrial properties to the south. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium lot housing P3 – Parks and open spaces P4 – Utilities	Single family residential Parks and open spaces Utilities
East	A1 – Agriculture 1 RR2 – Rural residential 2	Rural residential
South	Appaloosa Rd A1 – Agriculture 1	Rural residential
West	A1 – Agriculture 1 Arab Ct	Rural residential

Subject Property Map: Zoning and future land use at and around 3036 Appaloosa Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.1	<p>Erosion of Industrial Lands</p> <p>Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.</p>
Policy 6.4.4	<p>Industrial / Residential Interface</p> <p>Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods</p>
Policy 6.4.6	<p>Regional Industrial Lands</p> <p>Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles</p>

6.0 Technical Comments

6.1 Development Engineering Department
Refer to Schedule A.

7.0 Application Chronology

Date of application received:	June 29, 2021
Date of area-wide engineering and servicing plan approval:	August 2021
Date area residents sign servicing agreement and bond:	December 21, 2021
Date of project update report to Council:	February 28, 2022
Date neighbourhood consultation received:	June 8, 2022

Report prepared by:	Barbara B. Crawford, Planner II
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Reviewed by:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Previous Council resolutions
Attachment B: Applicants project rationale and site plan
Attachment C: Development Engineering Memo

CITY OF KELOWNA
MEMORANDUM

SCHEDULE	A
This forms part of application # Z21-0070	
Planner Initials	BC
 City of Kelowna DEVELOPMENT PLANNING	

Date: July 22, 2021
File No.: Z21-0070
To: Planning and Development Officer (BC)
From: Development Engineering Manager (RO)
Subject: 3036 Appaloosa Rd A1 to I6

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from A1 - Agricultural to I6 - Low Impact Transitional Industrial.

1. GENERAL

- a. The following requirements are valid for 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 update/change some or all items in this memo once these time limits have been reached.
- b. The subject lot is included in a group of properties which will work together in completing all road, water, sanitary and storm upgrading for Appaloosa Rd and Arab Rd and construction of Palamino Rd. CTQ Consultants Ltd. has created a master plan for this area.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- d. These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).

2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject lot is located within the Glenmore Ellison Improvement District (GEID) service area. The developer is required to make satisfactory arrangements with GEID for all water and fire protection-related issues. All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- b. The Developer's Consulting Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by GEID are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.



3. SANITARY SEWER SYSTEM

- a. The subject is not currently serviced by the City's Sanitary Sewer System. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.
- b. Only one service will be permitted for this development. Inspection manholes are required on all industrial connections, manhole is to be installed on private property with an access easement for City crews.
- c. The subject lot is in the Sexsmith / Appaloosa (No. 35) Sewer Connection Area. As per the Sewer Connection Charge Bylaw (No. 11540) the Developer will be required to pay a connection fee prior to connection of sanitary service at property line. The Sewer Connection Charge for this property was calculated using Bylaw 11540 Schedule 1 and Schedule 2. The required payment will be **\$68,042.80**.

4. STORM DRAINAGE

- a. The property is located within the City of Kelowna drainage service area. For on-site disposal of drainage water, a hydrogeotechnical report will be required, complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems.
- b. Provide the following drawings:
 - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii. A detailed Stormwater Management Plan for this subdivision; and,
 - iii. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- c. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 *Detention Storage*.
- d. As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, and applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- e. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- f. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.
- g. Identify clearly on a contour map, or lot grading plan, all steep areas (>30 %). Provide cross sections for all steep areas at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.



- h. Individual lot connections are required for all industrial lots as per Bylaw 7900 Schedule 4, Section 3.9.12. Ensure that payment of connection fees has been completed (please provide receipt).
- i. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

5. ROAD IMPROVEMENTS

- a. The frontage of Appaloosa Road is to be upgraded to a full urban standard complete with curb and gutter, storm works, sidewalk, asphalt removal and replacement, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc. These works will be included in the Appaloosa Rd Upgrading and Palamino Rd Construction project. The developer is responsible for contributing for their half of Appaloosa Rd for the frontage of the subject property.

6. POWER AND TELECOMMUNICATION SERVICES

- a. All proposed distribution and service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

7. GEOTECHNICAL STUDY

- a. At time of Building Permit application, provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**
- b. The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).



- iv. Any special requirements for construction of roads, utilities, and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.
- c. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

“Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.”

The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia’s Professional Practice Guidelines for Retaining Wall Design. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of Retaining Wall Design Guideline) and any necessary independent reviews (as per EGBC’s Documented Independent Review of Structural Designs).

- d. Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.
- e. Any exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer. For adequate Rockfall Protection adjacent to walls and rock cuts, please consider BC MoTI Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.

Where walls are on the high side, the City’s preference is that the walls remain setback and on private property. Where the walls hold up a public road, the City’s preference is that additional dedication be provided, and the walls be owned by the City. Please design any geogrids or tie-backs so that they do not encroach into the required road ROW.

8. DESIGN AND CONSTRUCTION

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.



- b. Engineering drawing submissions are to be in accordance with the City’s “Engineering Drawing Submission Requirements” Policy. Please note the number of sets and drawings required for submissions.
- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d. A “Consulting Engineering Confirmation Letter” (City document ‘C’) must be completed prior to submission of any designs.
- e. Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City’s Development Engineering Department. The design drawings must first be “Issued for Construction” by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

9. SERVICING AGREEMENT FOR WORKS AND SERVICES

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

10. CHARGES AND FEES

- a. The developer is responsible for contributing for their half of Appaloosa Rd upgrades for the frontage of the subject property. This contribution is yet to be finalized and will be determined at time of construction.
- b. Sewer Connection Charge as per Bylaw 11540:
 - i. Sexsmith (No. 35) Sewer Connection Charge \$68,042.80
 - ii. Contribution towards area sanitary expansion \$11,075.00

Total: \$56,967.80

Ryan O’Sullivan
Development Engineering Manager

SK

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	April 13, 2015
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	March 21, 2016

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>

PROJECT DESCRIPTION/RATIONALE

3036 Appaloosa Rd, City of Kelowna Development Proposal

Proposal to Rezone from A1 (non ALR) to I2



CTQ File 17118-50

June 21, 2021



Background

The Arab and Appaloosa Road area has been a neighborhood on the verge of transition since 2012. Primarily zoned for Agriculture (non ALR), many of the area's parcels have had a history of non-conforming uses (largely low impact industrial in nature) and a desire to legitimize those uses through rezoning to address the need for greater industrial lands within the City. To date, a lack of adequate servicing and coordination between property owners has been a hinderance to this transition.

However, in recent years the future land use of this area has been designated in the City's Official Community Plan (OCP) as *Industrial – Transitional*. A1 zoned area property owners are increasingly coordinating their efforts to achieve the necessary servicing required to complete this neighborhood transition and there are numerous rezoning applications currently in the City's que requesting I6 zoning.

Development Proposal

The property owner wishes to rezone the subject property from *A1 – Agriculture 1* to *I6 – Low-Impact Transitional Industrial* to accommodate a future office and equipment storage in accordance with the City's Development Permit guidelines to facilitate a contractor's services business.

Subject Property

3036 Appaloosa Rd is approximately 1.84 acres and is currently being utilized for residential purposes. The southern parcel boundary abuts Appaloosa Road and the northern parcel boundary abuts the rear yards of the Shetland Road neighbourhood.

Existing Zoning

The parcel is zoned *A1 - Agriculture 1* and is not contained within the ALR.

Future Land Use

The anticipated Future Land Use is *Industrial – Limited (IND-L)*, which envisions light industrial and residential but is limited by compatibility with nearby residential uses.



Servicing

The property owner is currently working with neighboring property owners and CTQ Consultants to establish a servicing plan which meets the area's requirements in accordance with the City's Subdivision, Development & Servicing Bylaw No. 7900.

Capital Costs

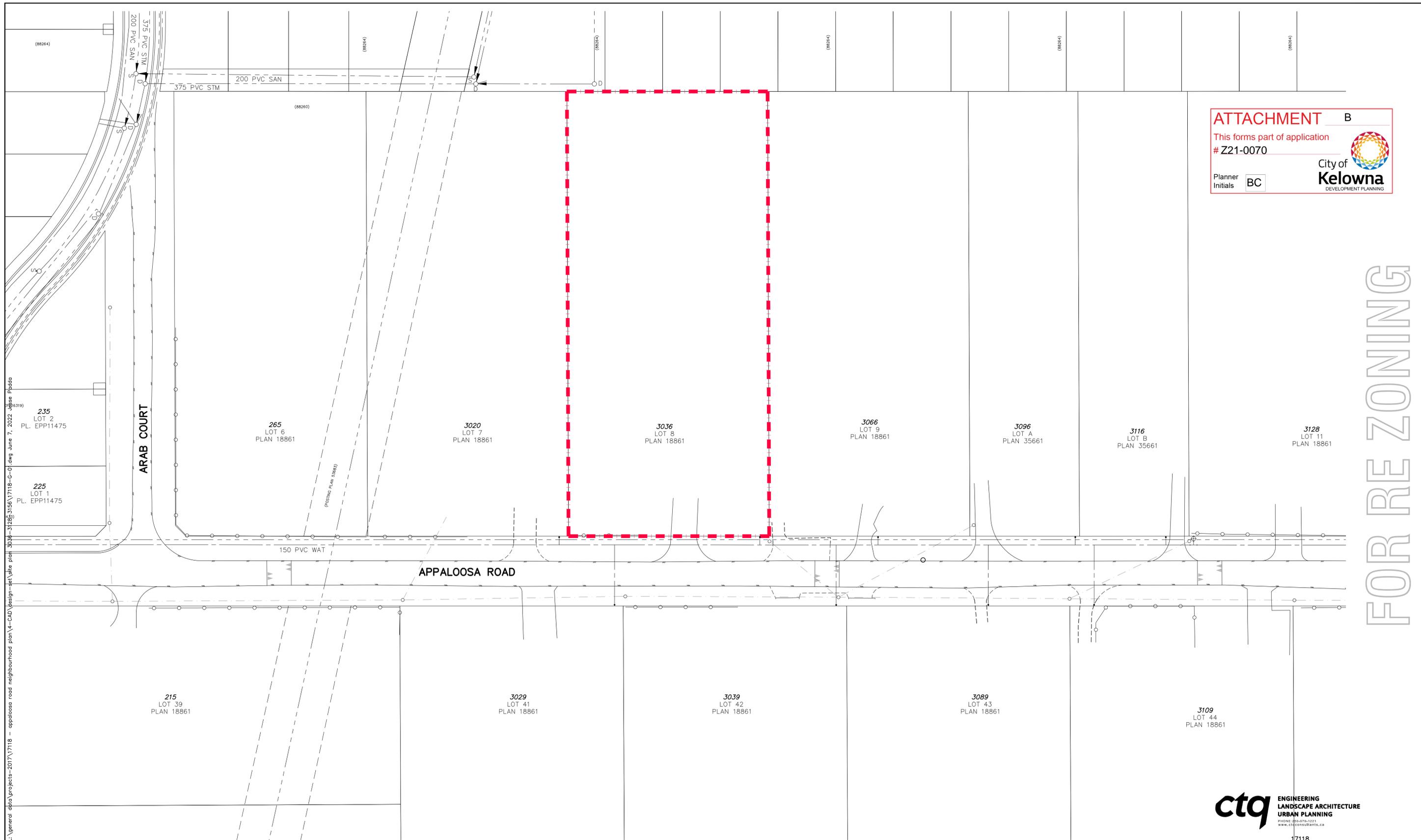
Industrial developments are responsible for contributing financially to the overall structural health of the community as it relates to parks, roads and community services where appropriate through development cost charges (DCCs).

Form and Character

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. Transitional industrial areas must ensure appropriate screening to maintain privacy of residential uses, proper placement of window openings and loading doors and strategic orientation of lighting to minimize light trespass and overall disturbance to adjacent residential uses. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

Summary

The proposed rezoning is in line with the City's anticipated future land use for the area, which will serve as a transitional buffer between the residential uses to the north and the general industrial uses to the south. The City is currently processing numerous rezoning applications within the area with the same zoning objectives and 16 zoned properties already exist along Appaloosa Road. Rezoning the subject property and transitioning this area into I6 zoning will provide much needed low impact industrial lands in the City.



ATTACHMENT B
 This forms part of application
 # Z21-0070
 Planner Initials BC
 City of Kelowna
 DEVELOPMENT PLANNING

FOR RE ZONING

L:\general_data\projects-2017\17118 - appaloosa road neighbourhood plan\4-CAD\design-set\site plan 3036-3128-3158-17118-G-01.dwg June 7, 2022
 3036-3128-3158-17118-G-01.dwg June 7, 2022
 3036-3128-3158-17118-G-01.dwg June 7, 2022
 3036-3128-3158-17118-G-01.dwg June 7, 2022

Legend		existing		proposed	
Water	—	Blowoff	● BO	Design Invert of Sanitary Service at property line	○
Sanitary Sewer	—	Hydrant	⊕ HYD	Design Invert of Storm Service at property line	○
Storm Sewer	—	Water Valve	⊕	Existing Invert of Sanitary Service at property line	○
Gas	—	San Manhole	○ S	Existing Invert of Storm Service at property line	○
Hydro, Tel, Cable	—	Storm Manhole	○ D		
O/H Utility	—	Cleanout	○ CO		
Edge of Asphalt	—	Catch Basin	▭ CB		
Survey Control	△	Drywell	○ DW		
		Utility Pole	○ UP		
		Lamp Standard	□ LS		

No.	YY.MM.DD	By	Issued	Chkd	No.	YY.MM.DD	By	Revision	Chkd



Drawn	JP
Design	JP/DC
Approved	
Date	JUNE 2022
Scale	1:500

THE CITY OF KELOWNA
 ENGINEERING DEPARTMENT
SITE PLAN
 3036 APPALOOSA ROAD

Division	MUNICIPAL
Drawing No.	G-01
Rev No.	0

ctq ENGINEERING
 LANDSCAPE ARCHITECTURE
 URBAN PLANNING
 PHONE: 250.767.1221
 www.cticonsultants.ca

17118

CITY OF KELOWNA
BYLAW NO. 12398
Z21-0070
3036 Appaloosa Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 8 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z19-0052

Owner: 1571937 Alberta Ltd. &
Garrett Radchenko

Address: 3089 Appaloosa Rd

Applicant: CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z19-0052 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 43, Section 3, Township 23, Osoyoos Division Yale District Plan 18861, located at 3089 Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND - Industrial and is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening

requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

4.0 Proposal

4.1 Background

The Arab/Appaloosa Road area (subject area; the neighbourhood) has a long-standing planning history. A project update for the subject area was presented to Council on February 28, 2022. Previous Council resolutions for the subject area is provided in Attachment A.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution lead by the area residents. In order to rezone the area from Agriculture to Industrial, the road network in the area requires comprehensive upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and the future Palomino Road, which need to be completed concurrently.

Additionally, fair cost-sharing of upgrade works is necessary so that the entire neighbourhood may proceed. The cost for off-site requirements for the area properties is estimated to be in excess of three million dollars, which is more than one property owner is likely to be able to manage.

Throughout 2020 and 2021, number of property owners in the area formed a neighbourhood group, continued to collaborate with the civil engineer and the City towards a comprehensive servicing solution that meets the City's servicing regulations for industrial development. In August 2021, an area-wide engineering and servicing plan was submitted to the City by the consultant which was approved by staff. Additionally, members of the neighbourhood group formed a numbered company to facilitate and administer the bonding for the off-site works. On December 21, 2021, neighbourhood residents with instream rezoning application, including the owner of the subject property, entered a development servicing agreement with the City and bonded for the off-site works. To achieve the neighbourhood financial solution, the neighbourhood group provided bonding for the frontage improvements of the adjacent properties located between Arab Rd and Academy Way (Central Block) that have not applied for rezoning at this time. Those properties will be subject to late comer fees for the frontage improvements that will be payable to the neighbourhood group upon rezoning.

4.2 Project Description

The subject property has a history of Bylaw enforcements resulting from land use that has been contrary to the existing zone (A1 – Agriculture 1). The applicant is proposing to rezone the property to allow for existing industrial uses on the property to come into Bylaw compliance. As per Council endorsed enforcement strategy, on April 7, 2022, the property owner was issued a notification letter, informing the owner of the progressive bylaw enforcement steps that would be followed should the rezoning application be defeated.

The property owner wishes to rezone the subject property from A1 to I6 to facilitate future industrial development of the property in accordance with the City's Development Permit guidelines. There is currently a detached single family building and several accessory buildings on the subject lot.

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

To fulfill Council Policy No. 367, the applicant notified property owners/tenants within 50m of the subject property and submitted a Neighbour Consultation Form to staff on June 8, 2022. Historically and recently, staff have received correspondences and fielded enquires from the surrounding area residents regarding the Arab/Appaloosa project, and continue to receive correspondence from neighbouring residents. Correspondence have consisted of concerns and complaints regarding activities and land uses in the area.

Also, Council Policy No. 367 identifies the application as “Zoning Major” and would require the applicant to undertake public information session as well as to post a large format development notice sign on their lot. However, since the application aligns with the 2040 OCP, that the Arab/Appaloosa neighbourhood residents have demonstrated a coordinated rezoning effort and process, and that the subject area has been undergoing a development process for the past decade, staff feel a neighbourhood consultation and a regular format development notice sign adequately satisfy the public notification and consultation process.

4.3 Site Context

The subject parcel is located within the Arab/Appaloosa area. The subject property abuts agriculture properties to the east and west, Appaloosa Road and the future Palomino Road to the north and south, respectively. The surrounding land use consist of agriculture and rural residential properites to the north, east and west, and industrial properties to the south. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Appaloosa Road A1 – Agriculture 1 RR2 – Rural residential 2	Rural residential
East	A1 – Agriculture 1	Rural residential
South	Future Palamino Road I6 - Low Impact Transitional Industrial A1 – Agriculture 1	Industrial Rural residential.
West	A1 – Agriculture 1	Rural residential

Subject Property Map: Zoning and future land use at and around 3089 Appaloosa Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.1	<p>Erosion of Industrial Lands</p> <p>Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.</p>
Policy 6.4.4	<p>Industrial / Residential Interface</p> <p>Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods</p>
Policy 6.4.6	<p>Regional Industrial Lands</p> <p>Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles</p>

6.0 Technical Comments

6.1 Development Engineering Department
Refer to Schedule A.

7.0 Application Chronology

Date of application received:	January 30, 2019
Date of area-wide engineering and servicing plan approval:	August 2021
Date area residents sign servicing agreement and bond:	December 21, 2021
Date of project update report to Council:	February 28, 2022
Date neighbourhood consultation received:	June 8, 2022

Report prepared by:	Barbara B. Crawford, Planner II
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Reviewed by:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Previous Council resolutions
Attachment B: Applicants project rationale and site plan
Attachment C: Development Engineering Memo

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	April 13, 2015
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	March 21, 2016

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>



February 26th, 2019

3089 Appaloosa Rd
Kelowna, B.C.
V1V-2G8

1571937 Alberta Ltd.

Rezoning property at 3089 Appaloosa Road from A1 to I6. This parcel of land is 64.3 m by 115.45 m Which is far greater than is minimum for an I 6 Zone requirements.

The property at 3089 Appaloosa Road rises slightly from east to west along the frontage, and slopes downwards from the road to the rear of the property by roughly twenty feet. Currently this property is developed with a residential building located adjacent to the Appaloosa Road property line, And several out buildings, mainly though the property is undeveloped. The owner wishes to change the zoning on this property to make better use of the property, to condense the growth of Kelowna and not have pockets of underutilized land. I have been informed that there is currently a lack of Low Impact Transitional Industrial Land in the City of Kelowna.

3089 Appaloosa Road

Zone I 6

Lot	43	Plan	18861	KID	2832251
		PID	008-202-991		

Subdivision Regulations

Lot Size Min. 40 m wide
Lot Size Min 50 m depth

Lot Area is	78,030 sq. ft.	7 249 m2
Permittable Building Area is	28,160 sq. ft.	2 616 m2

Future plans for an industrial use building m2

3189 Appaloosa Road

Lot Size 64.43 m exceeds lot width
Lot Size 115.45 m exceeds lot depth

Maximum Building Height 9.5 m

Setbacks

Front Setback	4.5 m from buildings and structures
Side Setback	4.5 m from buildings and structures
Rear Setback	30 m from residential / 7.5 m from industrial

No uses that would create a nuisance. NO outdoor excess of noise, odour, earth borne vibrations, Heat, high brightness lighting, or light emissions. Autobody repair paint shops not permitted

Only one single detached residence is permitted.

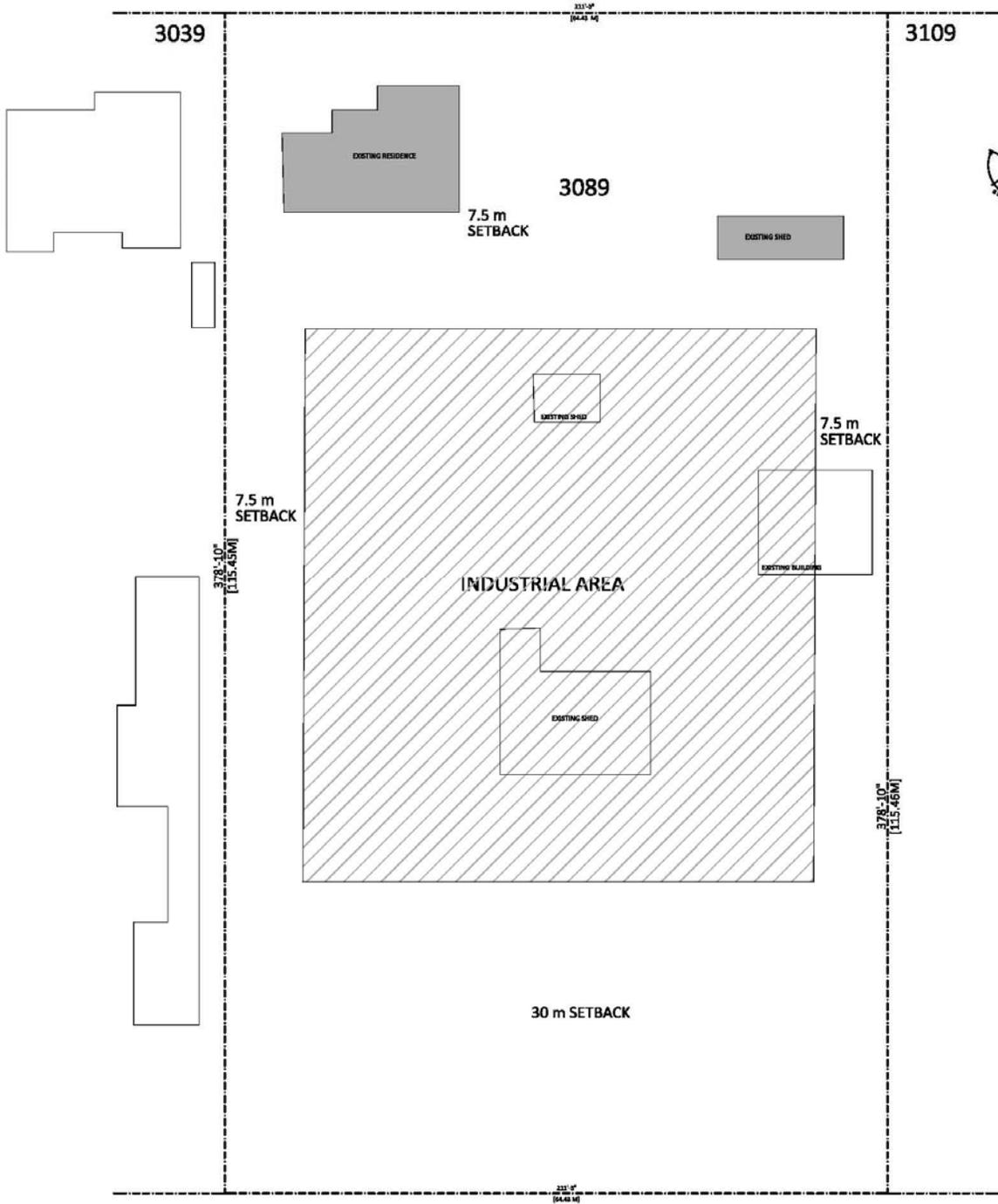
The OWNER has expressed interest in building two general industrial use buildings on this Site. Retaining the current residents building and shed (225.3 m2) and develop an industrial building with loading docks and sufficient parking.

The proximity to Sexmith allows for ease of slight increase in vehicular transportation and Bus Transportation is nearby on the highway. Allowing for the ebb and flow of new workers. The type of land use allowed would not increase the volume of noise to the area. After work hours would return the Decimal level of noise to its residential levels.

Upon talks with CTQ Consultants Ltd. Eight of the 16 or so property owners are getting involved at this stage to proceed with initial talks about the cost estimate of the frontal improvements to current standards. The owners that are on board this rezoning are in discussion on how to cover the entire cost of upgrading the services along Appaloosa Road. How to deal with the owners who are latecomers to this project is to be discussed in further meetings.

Light Industrial and residential uses located in areas as a transition between residential and industrial must include provisions for residential use as live\ work space. Goal is to keep the residential component adjacent and the industrial component together as much as possible. Rezoning from A-1t o I 6 would give additional much required low industrial use office and warehouse space- filling the need for such space.

APPALOOSA ROAD



CITY OF KELOWNA
MEMORANDUM



Date: March 4, 2019
File No.: Z19-0052
To: Planning & Development Services Department (BC)
From: Development Engineer Manager (JK)
Subject: 3089 Appaloosa Rd., Lots 43, Plan 18861 A1 – I6

Development Engineering has the following comments and requirements associated with this application rezone the subject property from A-1 to I6 are as follows:

1. General

- a) Access to the subject lots must be achieved off of Appaloosa Road and exit on Palomino Road is designated as a lane Palomino will be exit only to Arab road. Until such time that Palomino Road is fully built to SS-R5 Urban Collector Class 1 and second access to Appaloosa north from east end of Palomino Road. CTQ Consultants Ltd. has created a master plan for Area.

2. Geotechnical Study

We recommend that a comprehensive geotechnical study be undertaken over the subject property. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. Sanitary Sewer System

- a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$13,300 per Single Family Equivalent (SFE). This Bylaw was reviewed for and accepted by Council in 2018.

determined by the following formula: the first 0.36 acres of developed land or portion thereof equals 1 SFE. Thereafter 1.48 Acres per acre of developed land.

The assessed value is 5.14 SFE's is **\$68,415.20**

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual By-Law 7900 is required.

6. Road Improvements

- a.) The frontage of Appaloosa Road will be upgraded to a full (SS-R5) urban standard in accordance with Bylaw 7900, complete with curb and gutter, Sanitary and storm works, sidewalk, fillet paving, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc.
- b.) Palomino Road at the rear of the property will be constructed to a 6.0m lane Standard with street light in ultimate locations with ditching and storm works to CTQ master plan, curb, gutter, sidewalk, fillet paving, storm drainage works which extends and connects to the municipal system, landscaped and irrigated boulevard, lane markings, removal and/or relocation existing utilities as may be deferred until second out to Appaloosa at east end is completed. The developer is responsible for contributing for their half of Palomino road for the combined frontage of the subject property. The cash in lieu of construction for these works is \$60,230.63
- c.) The Appaloosa Properties will work together in completing all roads, Water, Sanitary and storm works for Appaloosa, Palomino, Arab roads. CTQ Consultants Ltd. has created a master plan for Area.

7. Road Dedication and Subdivision Requirements

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

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

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

10. Servicing Agreements for Works and Services

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

11. DCC Credits

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. Bonding and Levies Summary

Levies

Palomino Road Deferred revenue	\$60,230.63
Connection. Area #35	\$68,415.20
Total levies	<u>\$128,645.83</u>



 James Kay, P. Eng.
 Development Engineering Manager
 RO

CITY OF KELOWNA
BYLAW NO. 12399
Z19-0052
3089 Appaloosa Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 43 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z19-0049

Owner: Irene A. Pitura and Edward J. Pitura & Gregory T. Pitura

Address: 3139 Appaloosa Rd

Applicant: CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z19-0049 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 45, Section 3, Township 23, Osoyoos Division Yale District Plan 18861, located at 3139 Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND - Industrial and is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening

requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

4.0 Proposal

4.1 Background

The Arab/Appaloosa Road area (subject area; the neighbourhood) has a long-standing planning history. A project update for the subject area was presented to Council on February 28, 2022. Previous Council resolutions for the subject area is provided in Attachment A.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution lead by the area residents. In order to rezone the area from Agriculture to Industrial, the road network in the area requires comprehensive upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and the future Palomino Road, which need to be completed concurrently.

Additionally, fair cost-sharing of upgrade works is necessary so that the entire neighbourhood may proceed. The cost for off-site requirements for the area properties is estimated to be in excess of three million dollars, which is more than one property owner is likely to be able to manage.

Throughout 2020 and 2021, number of property owners in the area formed a neighbourhood group, continued to collaborate with the civil engineer and the City towards a comprehensive servicing solution that meets the City's servicing regulations for industrial development. In August 2021, an area-wide engineering and servicing plan was submitted to the City by the consultant which was approved by staff. Additionally, members of the neighbourhood group formed a numbered company to facilitate and administer the bonding for the off-site works. On December 21, 2021, neighbourhood residents with instream rezoning application, including the owner of the subject property, entered a development servicing agreement with the City and bonded for the off-site works. To achieve the neighbourhood financial solution, the neighbourhood group provided bonding for the frontage improvements of the adjacent properties located between Arab Rd and Academy Way (Central Block) that have not applied for rezoning at this time. Those properties will be subject to late comer fees for the frontage improvements that will be payable to the neighbourhood group upon rezoning.

4.2 Project Description

The subject property has a history of Bylaw enforcements resulting from land use that has been contrary to the existing zone (A1 – Agriculture 1). The applicant is proposing to rezone the property to allow for existing industrial uses on the property to come into Bylaw compliance. As per Council endorsed enforcement strategy, on April 7, 2022, the property owner was issued a notification letter, informing the owner of the progressive bylaw enforcement steps that would be followed should the rezoning application be defeated.

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To fulfill Council Policy No. 367, the applicant notified property owners/tenants within 50m of the subject property and submitted a Neighbour Consultation Form to staff on June 8, 2022. . Historically and recently, staff have received correspondences and fielded enquires from the surrounding area residents regarding the Arab/Appaloosa project, and continue to receive correspondence from neighbouring residents. Correspondence have consisted of concerns and complaints regarding activities and land uses in the area.

Also, Council Policy No. 367 identifies the application as “Zoning Major” and would require the applicant to undertake public information session as well as to post a large format development notice sign on their lot. However, since the application aligns with the 2040 OCP, that the Arab/Appaloosa neighbourhood residents have demonstrated a coordinated rezoning effort and process, and that the subject area has been undergoing a development process for the past decade, staff feel a neighbourhood consultation and a regular format development notice sign adequately satisfy the public notification and consultation process.

4.3 Site Context

The subject parcel is located within the Arab/Appaloosa area. The subject property abuts agriculture properties to the east and west, Appaloosa Road and the future Palomino Road to the north and south, respectively. The surrounding land use consist of agriculture and rural residential properites to the north, east and west, and industrial properties to the south. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Appaloosa Road A1 – Agriculture 1 RR2 – Rural residential 2	Rural residential
East	A1 – Agriculture 1	Rural residential
South	Future Palamino Road I6 - Low Impact Transitional Industrial	Industrial
West	A1 – Agriculture 1	Rural residential

Subject Property Map: Zoning and future land use at and around 3139 Appaloosa Rd.



5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.1	<p>Erosion of Industrial Lands</p> <p>Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.</p>
Policy 6.4.4	<p>Industrial / Residential Interface</p> <p>Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods</p>
Policy 6.4.6	<p>Regional Industrial Lands</p> <p>Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles</p>

6.0 Technical Comments

6.1 Development Engineering Department
Refer to Schedule A.

7.0 Application Chronology

Date of application received:	February 7, 2019
Date of area-wide engineering and servicing plan approval:	August 2021
Date area residents sign servicing agreement and bond:	December 21, 2021
Date of project update report to Council:	February 28, 2022
Date neighbourhood consultation received:	June 8, 2022

Report prepared by:	Barbara B. Crawford, Planner II
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Reviewed by:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Previous Council resolutions
Attachment B: Applicants project rationale and site plan
Attachment C: Development Engineering Memo

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	April 13, 2015
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	March 21, 2016

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>

ATTACHMENT B
 This forms part of application
 # Z19-0049
 Planner Initials BC
 City of Kelowna
 DEVELOPMENT PLANNING

January 17th, 2019

3139 Appaloosa Rd
 Kelowna, B.C.
 V1V-2G9

Rezoning property at 3139 Appaloosa Road from A1 to I6. This parcel of land is 64.4 m by 115.47 m Which is far greater than is minimum for an I 6 Zone requirements.

The property at 3139 Appaloosa Road rises slightly from east to west along the frontage, and slopes downwards from the road to the rear of the property by roughly fifteen feet. Currently this property is developed with a residential / security building located adjacent to the Appaloosa Road property line and other than that the property is partially undeveloped. The owner wishes to change the zoning on this property to make better use of the property, to condense the growth of Kelowna and not have pockets of underutilized land. I have been informed that there is currently a lack of Low Impact Transitional Industrial Land in the City of Kelowna.

3139 Appaloosa Road

Zone **I 6**
 Lot 45 Plan 18861 KID 283248
 PID 003-027-210

Subdivision Regulations

Lot Size Min. 40 m wide
 Lot Size Min 50 m depth

Lot Area is 78,794 sq. ft. 7 320 m2
 Permittable Building Area is 23,790 sq. ft. 2 210 m2

Future Light Industrial Building m2

3139 Appaloosa Road

Lot Size 64.4 m exceeds lot width
 Lot Size 115.47 m exceeds lot depth

Maximum Building Height 9.5 m

Setbacks

Front Setback 4.5 m from buildings and structures
 Side Setback 4.5 m from buildings and structures
 Rear Setback 30 m from residential / 7.5 m from industrial

No uses that would create a nuisance. NO outdoor excess of noise, odour, earth borne vibrations, Heat, high brightness lighting, or light emissions. Autobody repair paint shops not permitted

Only one single detached residence is permitted.

The OWNER has expressed interest in building two general industrial use buildings on this Site.

Retaining the current residence and security building (297.2 m2) and develop and light industrial building with loading dock and sufficient parking.

The proximity to Sexmith allows for ease of slight increase in vehicular transportation and Bus Transportation is nearby on the highway. Allowing for the ebb and flow of new workers. The type of land use allowed would not increase the volume of noise to the area. After work hours would return the Decimal level of noise to its residential levels.

Upon talks with CTQ Consultants Ltd. Eight of the 16 or so property owners are getting involved at this stage to proceed with initial talks about the cost estimate of the frontal improvements to current standards. The owners that are on board this rezoning are in discussion on how to cover the entire cost of upgrading the services along Appaloosa Road. How to deal with the owners who are latecomers to this project is to be discussed in further meetings.

Light Industrial and residential uses located in areas as a transition between residential and industrial must include provisions for residential use as live\ work space. Goal is to keep the residential component adjacent and the industrial component together as much as possible. Rezoning from A-1t o l 6 would give additional much required low industrial use office and warehouse space- filling the need for such space.

ATTACHMENT B

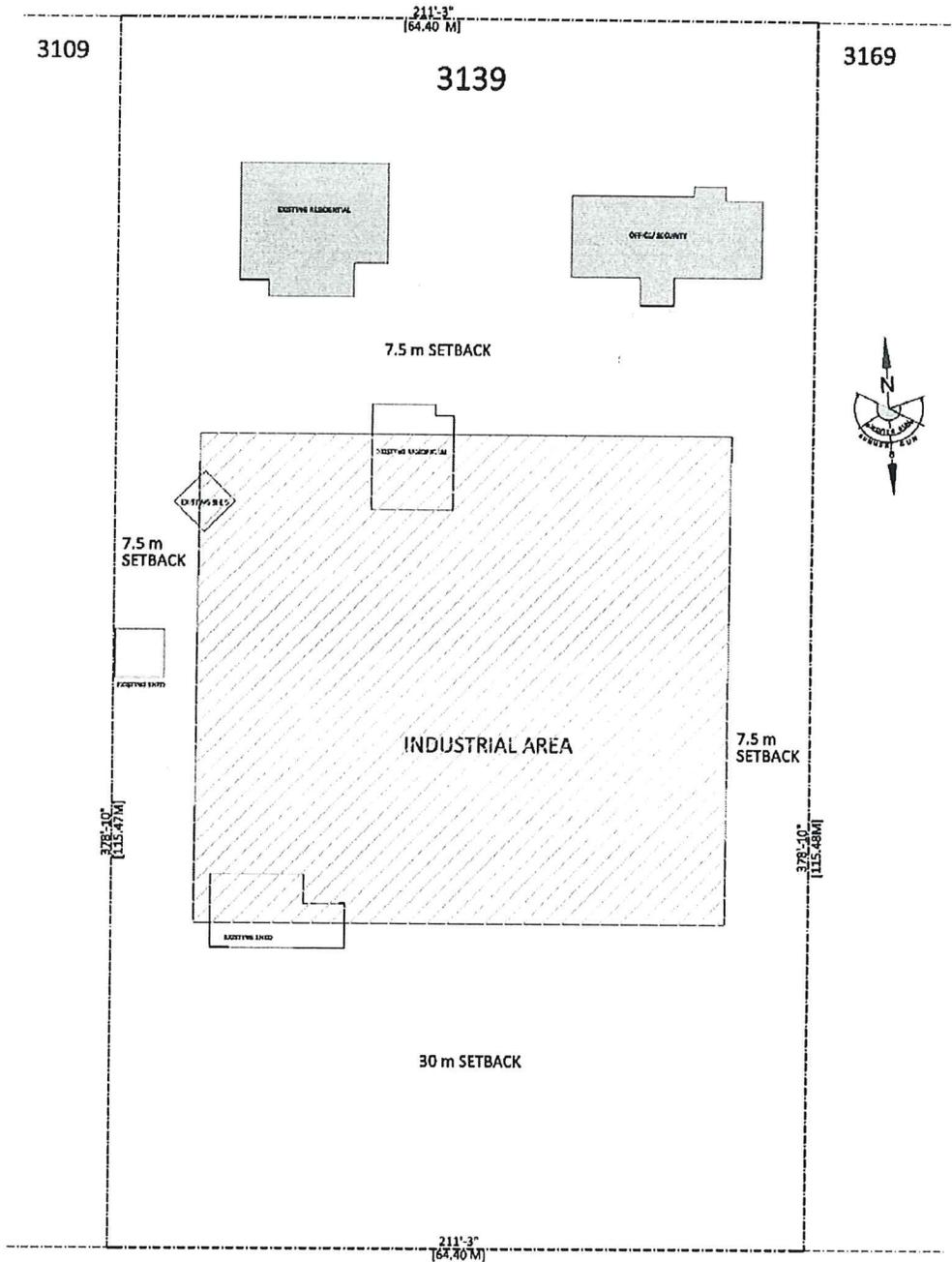
This forms part of application
Z19-0049



City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials BC

Appaloosa Road



CITY OF KELOWNA
MEMORANDUM



Date: March 4, 2019
File No.: Z19-0049
To: Planning & Development Services Department (BC)
From: Development Engineer Manager (JK)
Subject: 3139 Appaloosa Rd., Lots 45, Plan 18861 A1 – I6

Development Engineering has the following comments and requirements associated with this application rezone the subject property from A-1 to I6 are as follows:

1. General

- a) Access to the subject lots must be achieved off of Appaloosa Road and exit on Palomino Road is designated as a lane Palomino will be exit only to Arab road. Until such time that Palomino Road is fully built to SS-R5 Urban Collector Class 1 and second access to Appaloosa north from east end of Palomino Road. CTQ Consultants Ltd. has created a master plan for Area.

2. Geotechnical Study

We recommend that a comprehensive geotechnical study be undertaken over the subject property. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. Sanitary Sewer System

- a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$13,300 per Single Family Equivalent (SFE). This Bylaw was reviewed for and accepted by Council in 2018.

determined by the following formula: the first 0.36 acres of developed land or portion thereof equals 1 SFE. Thereafter 1.48 Acres per acre of developed land.

The assessed value is 5.14 SFE's is **\$68,415.20**

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual By-Law 7900 is required.

6. Road Improvements

- a.) The frontage of Appaloosa Road will be upgraded to a full (SS-R5) urban standard in accordance with Bylaw 7900, complete with curb and gutter, Sanitary and storm works, sidewalk, fillet paving, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc.
- b.) Palomino Road at the rear of the property will be constructed to a 6.0m lane Standard with street light in ultimate locations with ditching and storm works to CTQ master plan, curb, gutter, sidewalk, fillet paving, storm drainage works which extends and connects to the municipal system, landscaped and irrigated boulevard, lane markings, removal and/or relocation existing utilities as may be deferred until second out to Appaloosa at east end is completed. The developer is responsible for contributing for their half of Palomino road for the combined frontage of the subject property. The cash in lieu of construction for these works is \$60,230.63
- c.) The Appaloosa Properties will work together in completing all roads, Water, Sanitary and storm works for Appaloosa, Palomino, Arab roads. CTQ Consultants Ltd. has created a master plan for Area.

7. Road Dedication and Subdivision Requirements

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

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

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

10. Servicing Agreements for Works and Services

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

11. DCC Credits

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. Bonding and Levies Summary

Levies

Palomino Road Deferred Revenue	\$60,230.63
Connection. Area #35	\$68,415.20
Total levies	<u>\$128,645.83</u>



 James Kay, P. Eng.
 Development Engineering Manager
 RO

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z19-0051

Owner: Suresh K. Khurana and Babita Khurana

Address: 3039 Appaloosa Rd

Applicant: CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z19-0051 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 42, Section 3, Township 23, Osoyoos Division Yale District Plan 18861, located at 3039 Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND - Industrial and is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening

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Orientation	Zoning	Land Use
North	Appaloos Road A1 – Agriculture 1	Rural residential
East	A1 – Agriculture 1	Rural residential
South	Future Palamino Road I6 - Low Impact Transitional Industrial	Rural residential Industrial
West	A1C – Agriculture 1 with carriage house A1 – Agriculture 1	Rural residential

Subject Property Map: Zoning and future land use at and around 3039 Appaloosa Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
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6.0 Technical Comments

6.1 Development Engineering Department
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Report prepared by:	Barbara B. Crawford, Planner II
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Reviewed by:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

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<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	April 13, 2015
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	March 21, 2016

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>



January 25th, 2019

3039 Appaloosa Rd
Kelowna, B.C.
V1V-2G9

Rezoning property at 3039 Appaloosa Road from A1 to I6. This parcel of land is 64.7 m by 115.44 m Which is far greater than is minimum for an I 6 Zone requirements.

The property at 3039 Appaloosa Road rises slightly from east to west along the frontage, and slopes downwards from the road to the rear of the property by roughly twenty feet. Currently this property is developed with a residential building located adjacent to the Appaloosa Road property line and other than that the property is undeveloped. The owner wishes to change the zoning on this property to make better use of the property, to condense the growth of Kelowna and not have pockets of underutilized land. I have been informed that there is currently a lack of Low Impact Transitional Industrial Land in the City of Kelowna.

3039 Appaloosa Road

Zone **I 6**

Lot	42	Plan	18861	KID	283150
		PID	008-202-982		

Subdivision Regulations

Lot Size	Min.	40 m wide
Lot Size	Min	50 m depth

Lot Area is	8,400 sq. ft.	7 469 m2
Permittable Building Area is	28,160 sq. ft.	2 616 m2

Future plans for an industrial use building m2

3139 Appaloosa Road

Lot Size	64.4 m exceeds lot width
Lot Size	115.47 m exceeds lot depth

Maximum Building Height 9.5 m

Setbacks

Front Setback	4.5 m from buildings and structures
Side Setback	4.5 m from buildings and structures
Rear Setback	30 m from residential / 7.5 m from industrial

No uses that would create a nuisance. NO outdoor excess of noise, odour, earth borne vibrations, Heat, high brightness lighting, or light emissions. Autobody repair paint shops not permitted

Only one single detached residence is permitted.

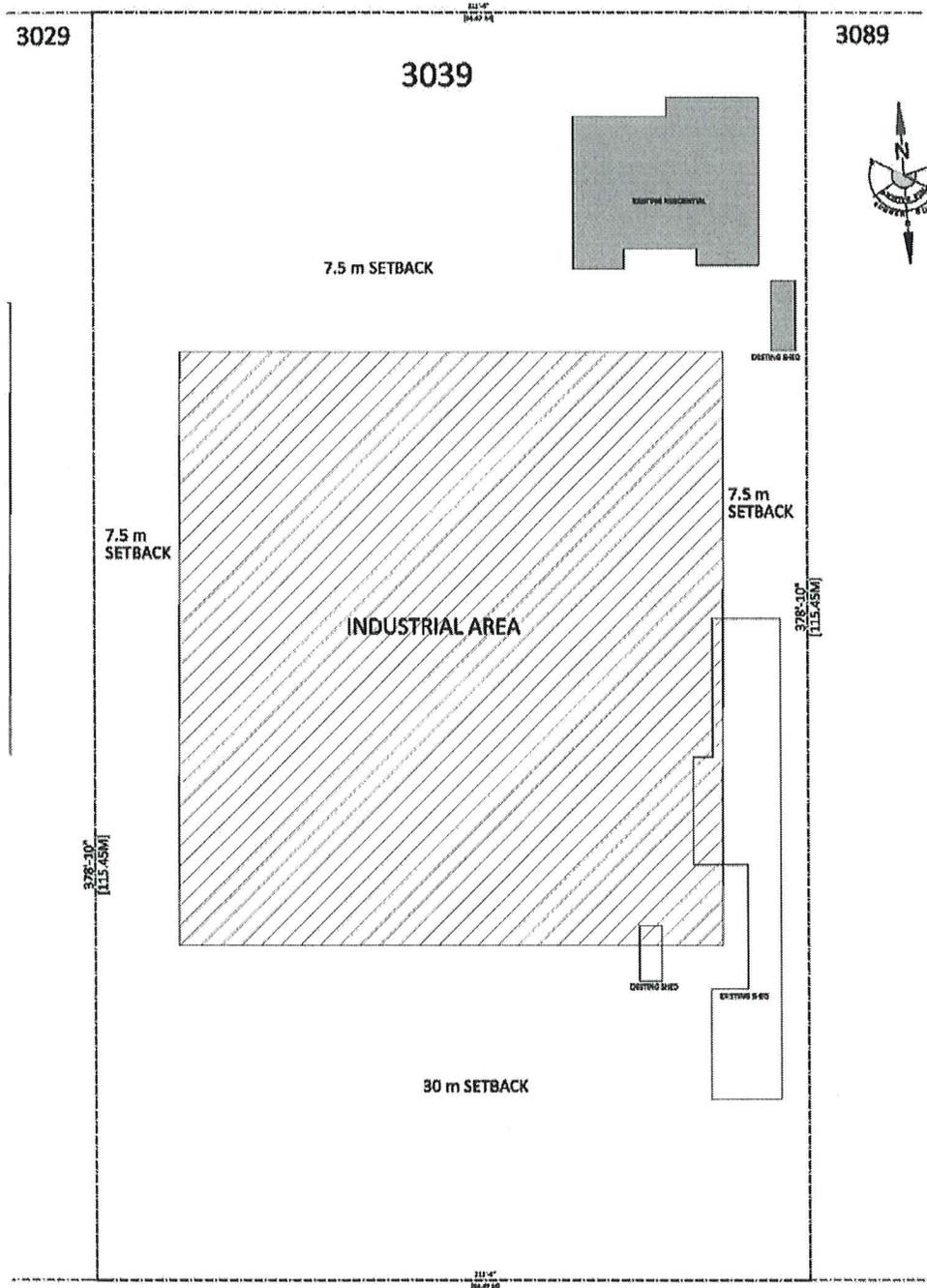
The OWNER has expressed interest in building two general industrial use buildings on this Site. Retaining the current residents building (195 m²) and develop an industrial building with loading docks and sufficient parking.

The proximity to Sexmith allows for ease of slight increase in vehicular transportation and Bus Transportation is nearby on the highway. Allowing for the ebb and flow of new workers. The type of land use allowed would not increase the volume of noise to the area. After work hours would return the Decibal level of noise to its residential levels.

Upon talks with CTQ Consultants Ltd. Eight of the 16 or so property owners are getting involved at this stage to proceed with initial talks about the cost estimate of the frontal improvements to current standards. The owners that are on board this rezoning are in discussion on how to cover the entire cost of upgrading the services along Appaloosa Road. How to deal with the owners who are latecomers to this project is to be discussed in further meetings.

Light Industrial and residential uses located in areas as a transition between residential and industrial must include provisions for residential use as live\ work space. Goal is to keep the residential component adjacent and the industrial component together as much as possible. Rezoning from A-1 to I 6 would give additional much required low industrial use office and warehouse space- filling the need for such space.

Appaloosa Road



CITY OF KELOWNA
MEMORANDUM



Date: March 4, 2019
File No.: Z19-0051
To: Planning & Development Services Department (BC)
From: Development Engineer Manager (JK)
Subject: 3039 Appaloosa Rd., Lots 42, Plan 18861 A1 – I6

Development Engineering has the following comments and requirements associated with this application rezone the subject property from A-1 to I6 are as follows:

1. General

- a) Access to the subject lots must be achieved off of Appaloosa Road and exit on Palomino Road is designated as a lane Palomino will be exit only to Arab road. Until such time that Palomino Road is fully built to SS-R5 Urban Collector Class 1 and second access to Appaloosa north from east end of Palomino Road. CTQ Consultants Ltd. has created a master plan for Area.

2. Geotechnical Study

We recommend that a comprehensive geotechnical study be undertaken over the subject property. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. Sanitary Sewer System

- a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$13,300 per Single Family Equivalent (SFE). This Bylaw was reviewed for and accepted by Council in 2018.

determined by the following formula: the first 0.36 acres of developed land or portion thereof equals 1 SFE. Thereafter 1.48 Acres per acre of developed land.

The assessed value is 5.14 SFE's is **\$68,415.20**

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual By-Law 7900 is required.

6. Road Improvements

- a.) The frontage of Appaloosa Road will be upgraded to a full (SS-R5) urban standard in accordance with Bylaw 7900, complete with curb and gutter, Sanitary and storm works, sidewalk, fillet paving, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc.
- b.) Palomino Road at the rear of the property will be constructed to a 6.0m lane Standard with street light in ultimate locations with ditching and storm works to CTQ master plan, curb, gutter, sidewalk, fillet paving, storm drainage works which extends and connects to the municipal system, landscaped and irrigated boulevard, lane markings, removal and/or relocation existing utilities as may be deferred until second out to Appaloosa at east end is completed. The developer is responsible for contributing for their half of Palomino road for the combined frontage of the subject property. The cash in lieu of construction for these works is \$60,230.63
- c.) The Appaloosa Properties will work together in completing all roads, Water, Sanitary and storm works for Appaloosa, Palomino, Arab roads. CTQ Consultants Ltd. has created a master plan for Area.

7. Road Dedication and Subdivision Requirements

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

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

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

10. Servicing Agreements for Works and Services

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

11. DCC Credits

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. Bonding and Levies Summary

Levies

Palomino Road Deferred revenue	\$60,230.63
Connection. Area #35	\$68,415.20
Total levies	<u>\$128,645.83</u>

James Kay

 James Kay, P. Eng.
 Development Engineering Manager
 RO

CITY OF KELOWNA
BYLAW NO. 12401
Z19-0051
3039 Appaloosa Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 42 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z19-0053

Owner: 1056175 BC Ltd., Inc. No.
BC1056175

Address: 3128 Appaloosa Rd

Applicant: CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z19-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 11, Section 3, Township 23, Osoyoos Division Yale District Plan 18861, located at 3128 Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND - Industrial and is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening

requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

4.0 Proposal

4.1 Background

The Arab/Appaloosa Road area (subject area; the neighbourhood) has a long-standing planning history. A project update for the subject area was presented to Council on February 28, 2022. Previous Council resolutions for the subject area is provided in Attachment A.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution lead by the area residents. In order to rezone the area from Agriculture to Industrial, the road network in the area requires comprehensive upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and the future Palomino Road, which need to be completed concurrently.

Additionally, fair cost-sharing of upgrade works is necessary so that the entire neighbourhood may proceed. The cost for off-site requirements for the area properties is estimated to be in excess of three million dollars, which is more than one property owner is likely to be able to manage.

Throughout 2020 and 2021, number of property owners in the area formed a neighbourhood group, continued to collaborate with the civil engineer and the City towards a comprehensive servicing solution that meets the City's servicing regulations for industrial development. In August 2021, an area-wide engineering and servicing plan was submitted to the City by the consultant which was approved by staff. Additionally, members of the neighbourhood group formed a numbered company to facilitate and administer the bonding for the off-site works. On December 21, 2021, neighbourhood residents with instream rezoning application, including the owner of the subject property, entered a development servicing agreement with the City and bonded for the off-site works. To achieve the neighbourhood financial solution, the neighbourhood group provided bonding for the frontage improvements of the adjacent properties located between Arab Rd and Academy Way (Central Block) that have not applied for rezoning at this time. Those properties will be subject to late comer fees for the frontage improvements that will be payable to the neighbourhood group upon rezoning.

4.2 Project Description

The subject property has a history of Bylaw enforcements resulting from land use that has been contrary to the existing zone (A1 – Agriculture 1). The applicant is proposing to rezone the property to allow for existing industrial uses on the property to come into Bylaw compliance. As per Council endorsed enforcement strategy, on April 7, 2022, the property owner was issued a notification letter, informing the owner of the progressive bylaw enforcement steps that would be followed should the rezoning application be defeated.

The property owner wishes to rezone the subject property from A1 to I6 to facilitate future industrial development of the property in accordance with the City's Development Permit guidelines. There is currently a detached single family building on the subject lot

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

To fulfill Council Policy No. 367, the applicant notified property owners/tenants within 50m of the subject property and submitted a Neighbour Consultation Form to staff on June 8, 2022. . Historically and recently, staff have received correspondences and fielded enquires from the surrounding area residents regarding the Arab/Appaloosa project, and continue to receive correspondence from neighbouring residents. Correspondence have consisted of concerns and complaints regarding activities and land uses in the area.

Also, Council Policy No. 367 identifies the application as “Zoning Major” and would require the applicant to undertake public information session as well as to post a large format development notice sign on their lot. However, since the application aligns with the 2040 OCP, that the Arab/Appaloosa neighbourhood residents have demonstrated a coordinated rezoning effort and process, and that the subject area has been undergoing a development process for the past decade, staff feel a neighbourhood consultation and a regular format development notice sign adequately satisfy the public notification and consultation process.

4.3 Site Context

The subject parcel is located within the Arab/Appaloosa area. The parcel abuts rural residential property to the west and agriculture to the east, residential properties and Appaloosa Road, to the north and south respectively. The surrounding land use consist of agriculture and rural residential properites to the north, east as west, industrial properties further to the south. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium lot housing	Single family residential
East	A1 – Agriculture 1	Rural residential
South	Appaloosa Rd A1 – Agriculture 1	Rural residential
West	RR2 – Rural residential 2 A1 – Agriculture 1	Rural residential

Subject Property Map: Zoning and future land use at and around 3128 Appaloosa Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.1	Erosion of Industrial Lands Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.
Policy 6.4.4	Industrial / Residential Interface Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods
Policy 6.4.6	Regional Industrial Lands Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles

6.0 Technical Comments

6.1 Development Engineering Department
Refer to Schedule A.

7.0 Application Chronology

Date of application received:

January 21, 2019

Date of area-wide engineering and servicing plan approval: August 2021
Date area residents sign servicing agreement and bond: December 21, 2021
Date of project update report to Council: February 28, 2022
Date neighbourhood consultation received: June 8, 2022

Report prepared by: Barbara B. Crawford, Planner II
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Previous Council resolutions
Attachment B: Applicants project rationale and site plan
Attachment C: Development Engineering Memo

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
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<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
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<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>

PROJECT RATIONALE LETTER

3128 Appaloosa Road. City of Kelowna Development Proposal

Proposal to Rezone from A1 (not ALR) to I6





Background

The Arab and Appaloosa Road area has been a neighbourhood on the verge of transition since 2012. Primarily zoned for Agriculture (non ALR), many of the area's parcels have had a history of non-conforming uses (largely low impact industrial in nature) and a desire to legitimize those uses through rezoning to address the need for greater industrial lands within the City. To date, a lack of adequate servicing and coordination between property owners has been a hinderance to this transition.

However, in recent years the future land use of this area has been designated in the City's Official Community Plan (OCP) as *Industrial – Transitional*. Additionally, several properties fronting onto Sexsmith Road have achieved I6 zoning, A1 zoned area property owners are increasingly coordinating their efforts to achieve the necessary servicing required to complete this neighbourhood transition and there are numerous rezoning applications currently in the City's que requesting I6 zoning.

Development Proposal

The property own wishes to rezone the subject property from *A1 – Agriculture 1* to *I6 – Low-Impact Transitional Industrial* to accommodate a future industrial development. The I6 zone is intended to accommodate a range of low-impact transitional industrial land uses which are appropriate as a transition between established industrial land uses and residential, rural and agricultural land uses.

Subject Property

3128 Appaloosa Rd is approximately 2.01 acres, is flat and currently an empty lot. The property was utilized for residential purposes. Appaloosa Rd abuts the south parcel boundary and provides access to the property and would be the primary access. At the southern end of the parcel, Academy Way turns into Hollywood Rd North. The property is serviced by community water but not sewer. Appaloosa has a ditch system for storm water management that is brought to the intersection at Academy Way to the East and Arab Road to the West.

Existing Zoning

The parcel is zoned *A1 - Agriculture 1* and is not contained within the ALR

Future Land Use

The anticipated Future Land Use is *Industrial – Transitional (IND-T)*, which envisions light industrial and residential uses located in areas as transitional between industrial and residential.

Servicing

The property owner is currently working with neighbouring property owners and CTQ Consultants to establish a servicing plan which meets the area's requirements in accordance with the City's Subdivision, Development & Servicing Bylaw No. 7900.

Capital Costs

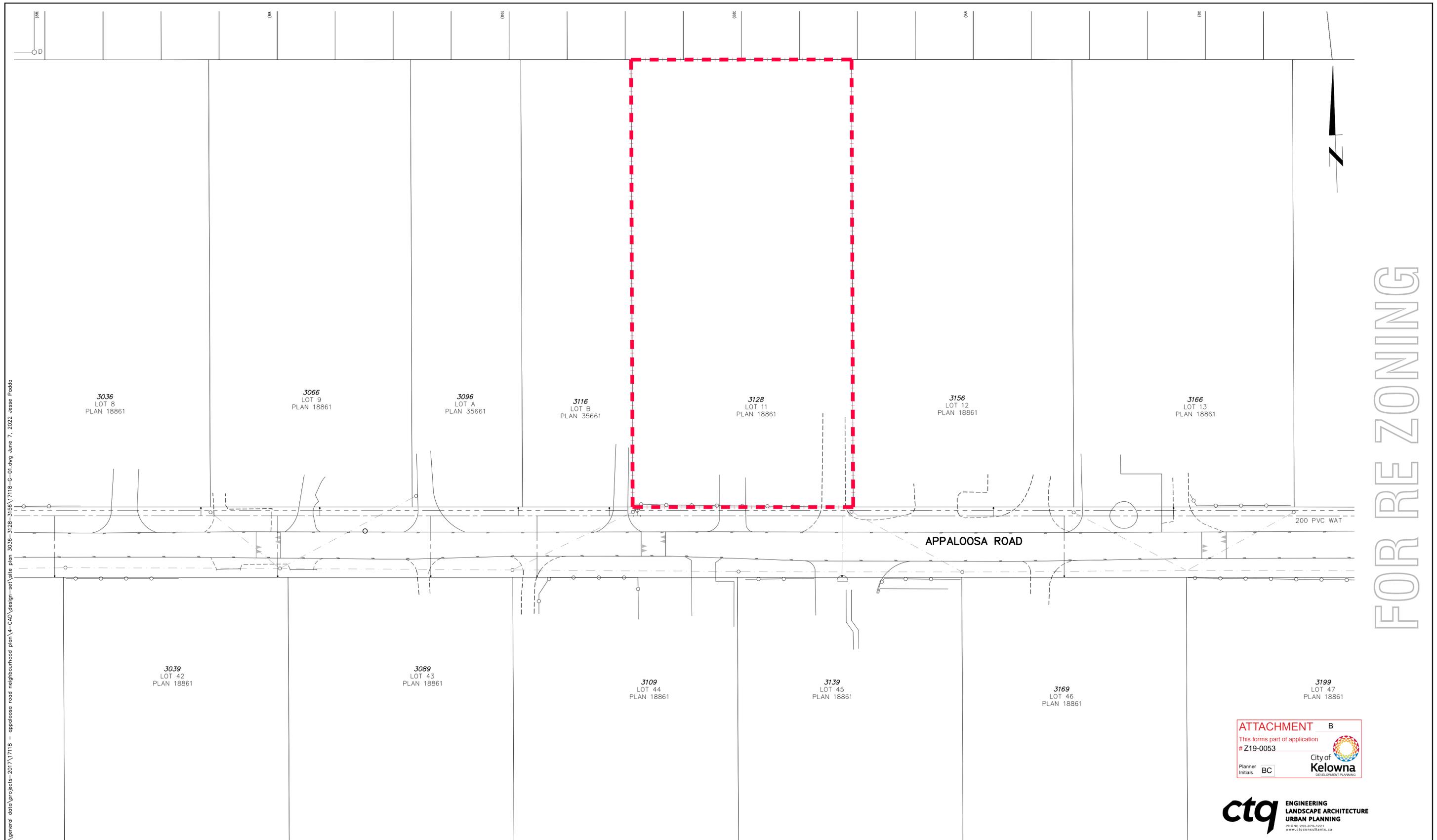
Industrial developments are responsible for contributing financially to the overall structural health of the community as it relates to parks, roads and community services where appropriate through development cost charges (DCCs).

Form and Character

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. Transitional industrial areas must ensure appropriate screening to maintain privacy of residential uses, proper placement of window openings and loading doors and strategic orientation of lighting to minimize light trespass and overall disturbance to adjacent residential uses. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

Summary

The proposed rezoning is in line with the City's anticipated future land use for the area, which will serve as a transitional buffer between the residential uses to the north and the general industrial uses to the south. The City is currently processing numerous rezoning applications within the area with the same zoning objectives and 16 zoned properties already exist along Sexsmith Road. Rezoning the subject property and transitioning this area into I6 zoning will provide much needed low impact industrial lands in the City.



FOR RE ZONING

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Legend		existing		proposed	
Water	—	Blowoff	BO	Design Invert of Sanitary Service at property line	—
Sanitary Sewer	—	Hydrant	HYD	Design Invert of Storm Service at property line	—
Storm Sewer	—	Water Valve	WV	Existing Invert of Sanitary Service at property line	—
Gas	—	San Manhole	S	Existing Invert of Storm Service at property line	—
Hydro, Tel, Cable	—	Storm Manhole	D		
O/H Utility	—	Cleanout	CO		
Edge of Asphalt	—	Catch Basin	CB		
Survey Control	△	Drywell	DW		
		Utility Pole	UP		
		Lamp Standard	LS		

No.	YY.MM.DD	By	Issued	Chkd	No.	YY.MM.DD	By	Revision	Chkd



Drawn	JP
Design	JP/DC
Approved	
Date	JUNE 2022
Scale	1:500

THE CITY OF KELOWNA
ENGINEERING DEPARTMENT

SITE PLAN
3128 APPALOOSA ROAD

17118

Division	MUNICIPAL
Drawing No.	G-01
Rev No.	0

ATTACHMENT B
 This forms part of application
 # Z19-0053
 Planner Initials BC

ctq ENGINEERING
LANDSCAPE ARCHITECTURE
URBAN PLANNING
PHONE 250.781.1221
www.cticonsultants.ca

CITY OF KELOWNA
MEMORANDUM

ATTACHMENT	C
This forms part of application # Z19-0053	
Planner Initials	BC
 City of Kelowna DEVELOPMENT PLANNING	

Date: March 4, 2019
File No.: Z19-0053
To: Planning & Development Services Department (BC)
From: Development Engineer Manager (JK)
Subject: 3128 Appaloosa Rd., Lots 11, Plan 18861 A1 – I6

Development Engineering has the following comments and requirements associated with this application rezone the subject property from A-1 to I6 are as follows:

1. General

- a) Access to the subject lots must be achieved off of Appaloosa Road and exit on Palomino Road is designated as a lane Palomino will be exit only to Arab road. Until such time that Palomino Road is fully built to SS-R5 Urban Collector Class 1 and second access to Appaloosa north from east end of Palomino Road. CTQ Consultants Ltd. has created a master plan for Area.

2. Geotechnical Study

We recommend that a comprehensive geotechnical study be undertaken over the subject property. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. Sanitary Sewer System

- a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$13,300 per Single Family Equivalent (SFE). This Bylaw was reviewed for and accepted by Council in 2018.

determined by the following formula: the first 0.36 acres of developed land or portion thereof equals 1 SFE. Thereafter 1.74 Acres per acre of developed land.

The assessed value is 5.62 SFE's is **\$74,746.00**

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual By-Law 7900 is required.

6. Road Improvements

- a.) The frontage of Appaloosa Road will be upgraded to a full (SS-R5) urban standard in accordance with Bylaw 7900, complete with curb and gutter, Sanitary and storm works, sidewalk, fillet paving, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc.
- b.) The Appaloosa Properties will work together in completing all roads, Water, Sanitary and storm works for Appaloosa, Palomino, Arab roads. CTQ Consultants Ltd. has created a master plan for Area.
- c.)

7. Road Dedication and Subdivision Requirements

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

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

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

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

10. Servicing Agreements for Works and Services

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

11. DCC Credits

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. Bonding and Levies Summary

Levies

Connection. Area #35	\$74,746.00
Total levies	<u>\$74,746.00</u>



 James Kay, P. Eng.
 Development Engineering Manager
 RO

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z19-0054

Owner: Sara D. Aitken and Angus B. Aitken

Address: 3156 Appaloosa Rd

Applicant: CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z19-0054 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 12, Section 3, Township 23, Osoyoos Division Yale District Plan 18861, located at 3156 Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND - Industrial and is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening

requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

4.0 Proposal

4.1 Background

The Arab/Appaloosa Road area (subject area; the neighbourhood) has a long-standing planning history. A project update for the subject area was presented to Council on February 28, 2022. Previous Council resolutions for the subject area is provided in Attachment A.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution lead by the area residents. In order to rezone the area from Agriculture to Industrial, the road network in the area requires comprehensive upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and the future Palomino Road, which need to be completed concurrently.

Additionally, fair cost-sharing of upgrade works is necessary so that the entire neighbourhood may proceed. The cost for off-site requirements for the area properties is estimated to be in excess of three million dollars, which is more than one property owner is likely to be able to manage.

Throughout 2020 and 2021, number of property owners in the area formed a neighbourhood group, continued to collaborate with the civil engineer and the City towards a comprehensive servicing solution that meets the City's servicing regulations for industrial development. In August 2021, an area-wide engineering and servicing plan was submitted to the City by the consultant which was approved by staff. Additionally, members of the neighbourhood group formed a numbered company to facilitate and administer the bonding for the off-site works. On December 21, 2021, neighbourhood residents with instream rezoning application, including the owner of the subject property, entered a development servicing agreement with the City and bonded for the off-site works. To achieve the neighbourhood financial solution, the neighbourhood group provided bonding for the frontage improvements of the adjacent properties located between Arab Rd and Academy Way (Central Block) that have not applied for rezoning at this time. Those properties will be subject to late comer fees for the frontage improvements that will be payable to the neighbourhood group upon rezoning.

4.2 Project Description

The subject property has a history of Bylaw enforcements resulting from land use that has been contrary to the existing zone (A1 – Agriculture 1). The applicant is proposing to rezone the property to allow for existing industrial uses on the property to come into Bylaw compliance. As per Council endorsed enforcement strategy, on April 7, 2022, the property owner was issued a notification letter, informing the owner of the progressive bylaw enforcement steps that would be followed should the rezoning application be defeated.

The property owner wishes to rezone the subject property from A1 to I6 to facilitate future industrial development of the property in accordance with the City's Development Permit guidelines. There is currently a detached single family building with a second unit and several accessory buildings on the subject lot.

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

To fulfill Council Policy No. 367, the applicant notified property owners/tenants within 50m of the subject property and submitted a Neighbour Consultation Form to staff on June 8, 2022. Historically and recently, staff have received correspondences and fielded enquires from the surrounding area residents regarding the Arab/Appaloosa project, and continue to receive correspondence from neighbouring residents. Correspondence have consisted of concerns and complaints regarding activities and land uses in the area.

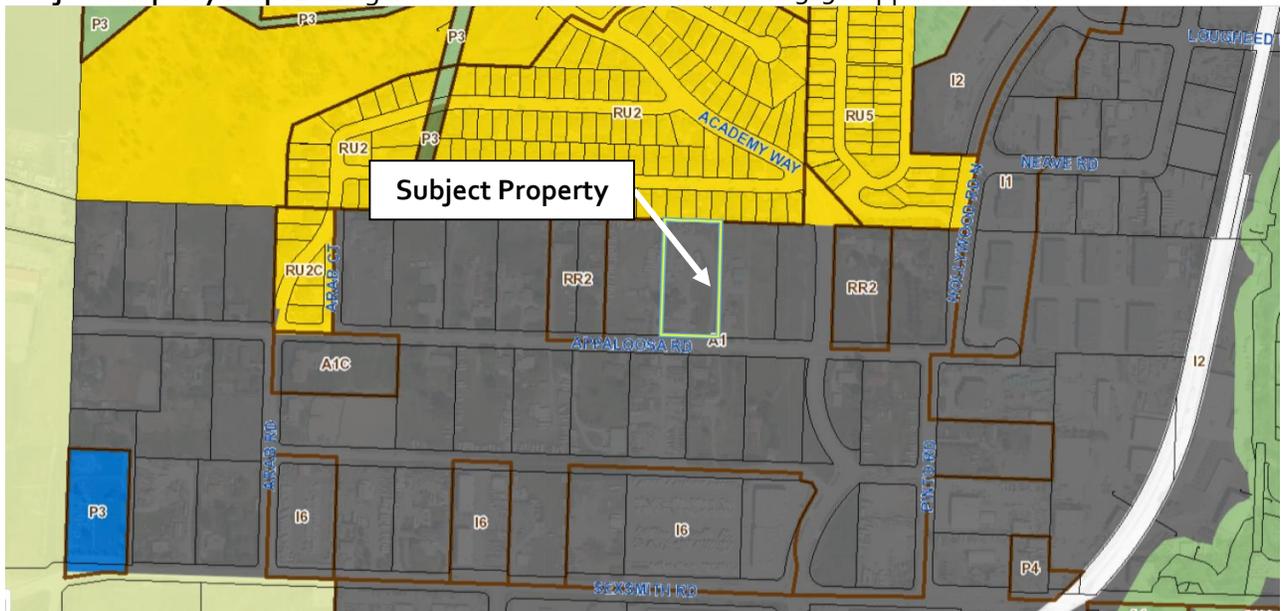
Also, Council Policy No. 367 identifies the application as “Zoning Major” and would require the applicant to undertake public information session as well as to post a large format development notice sign on their lot. However, since the application aligns with the 2040 OCP, that the Arab/Appaloosa neighbourhood residents have demonstrated a coordinated rezoning effort and process, and that the subject area has been undergoing a development process for the past decade, staff feel a neighbourhood consultation and a regular format development notice sign adequately satisfy the public notification and consultation process.

4.3 Site Context

The subject parcel is located within the Arab/Appaloosa area. The subject property abuts agriculture properties to the east and west, residential properties and Appaloosa Road to the north and south, respectively. The surrounding land use consist of agriculture and rural residential properites to the north, east and west, industrial properties further to the south. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium lot housing	Single family residential
East	A1 – Agriculture	Rural residential
South	Appaloosa Rd A1 – Agriculture	Rural residential
West	A1 – Agriculture	Rural residential

Subject Property Map: Zoning and future land use at and around 3156 Appaloosa Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.1	<p>Erosion of Industrial Lands</p> <p>Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.</p>
Policy 6.4.4	<p>Industrial / Residential Interface</p> <p>Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods</p>
Policy 6.4.6	<p>Regional Industrial Lands</p> <p>Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles</p>

6.0 Technical Comments

6.1 Development Engineering Department
Refer to Schedule A.

7.0 Application Chronology

Date of application received:	January 24, 2019
Date of area-wide engineering and servicing plan approval:	August 2021
Date area residents sign servicing agreement and bond:	December 21, 2021
Date of project update report to Council:	February 28, 2022
Date neighbourhood consultation received:	June 8, 2022

Report prepared by:	Barbara B. Crawford, Planner II
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Reviewed by:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Previous Council resolutions
Attachment B: Applicants project rationale and site plan
Attachment C: Development Engineering Memo

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	April 13, 2015
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	March 21, 2016

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>

PROJECT RATIONALE LETTER

3156 Appaloosa Road. City of Kelowna Development Proposal

Proposal to Rezone from A1 (not ALR) to I6





Background

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However, in recent years the future land use of this area has been designated in the City's Official Community Plan (OCP) as *Industrial – Transitional*. Additionally, several properties fronting onto Sexsmith Road have achieved I6 zoning, A1 zoned area property owners are increasingly coordinating their efforts to achieve the necessary servicing required to complete this neighbourhood transition and there are numerous rezoning applications currently in the City's que requesting I6 zoning.

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Subject Property

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Existing Zoning

The parcel is zoned *A1 - Agriculture 1* and is not contained within the ALR

Future Land Use

The anticipated Future Land Use is *Industrial – Transitional (IND-T)*, which envisions light industrial and residential uses located in areas as transitional between industrial and residential.

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Capital Costs

Industrial developments are responsible for contributing financially to the overall structural health of the community as it relates to parks, roads and community services where appropriate through development cost charges (DCCs).

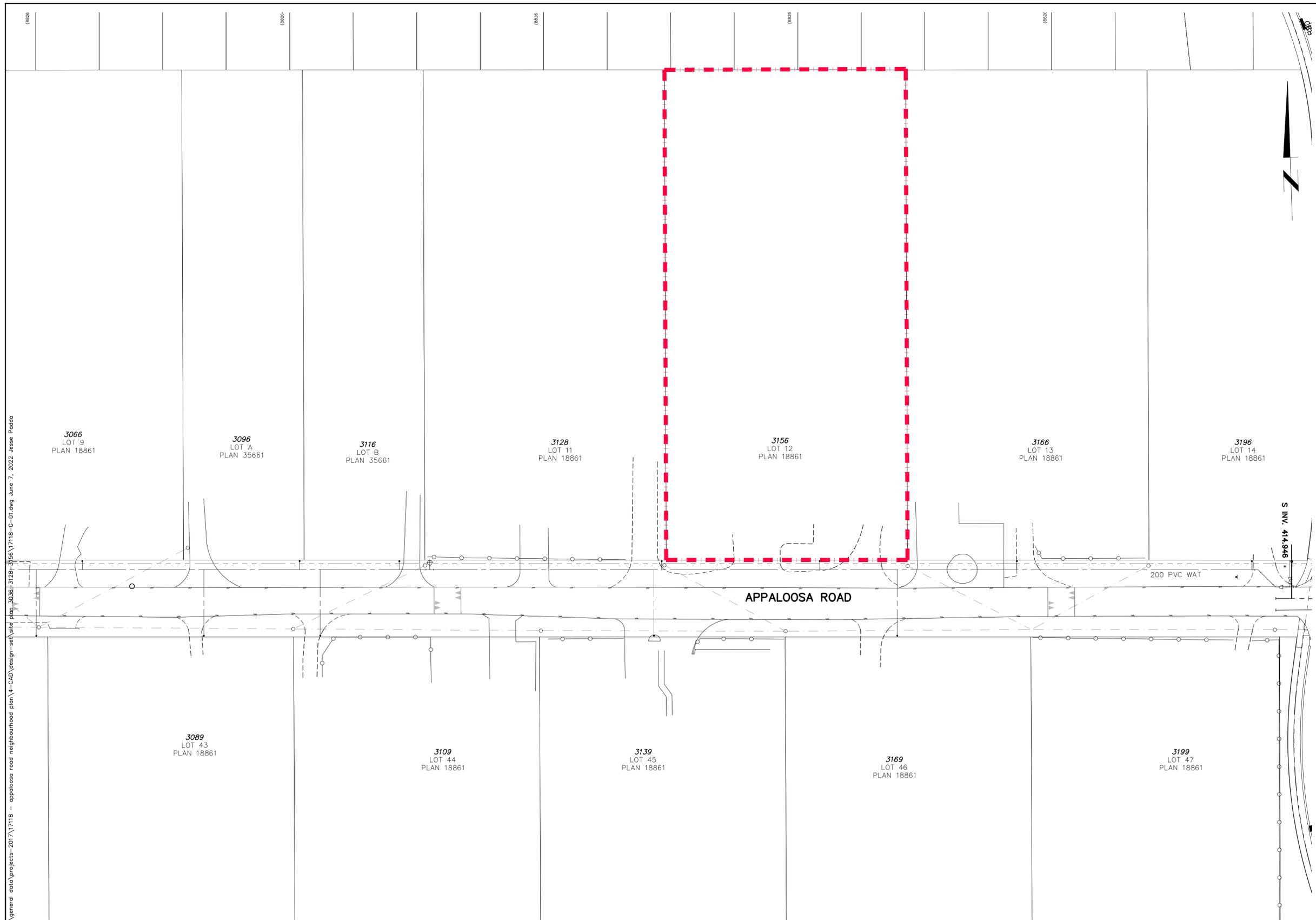
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Summary

The proposed rezoning is in line with the City’s anticipated future land use for the area, which will serve as a transitional buffer between the residential uses to the north and the general industrial uses to the south. The City is currently processing numerous rezoning applications within the area with the same zoning objectives and 16 zoned properties already exist along Sexsmith Road. Rezoning the subject property and transitioning this area into I6 zoning will provide much needed low impact industrial lands in the City.

ATTACHMENT B
 This forms part of application # Z19-0054
 Planner Initials BC
 City of Kelowna
 DEVELOPMENT PLANNING



FOR RE ZONING

L:\general_data\projects-2017\17118 - appaloosa road neighbourhood plan\4-CAD\design-set\site plan_3036-3128.dwg June 7, 2022 Jesse Pardo

Legend		existing		proposed	
Water	—	Blowoff	BO	Design Invert of Sanitary Service at property line	—
Sanitary Sewer	—	Hydrant	HYD	Design Invert of Storm Service at property line	—
Storm Sewer	—	Water Valve	WV	Existing Invert of Sanitary Service at property line	—
Gas	—	San Manhole	S	Existing Invert of Storm Service at property line	—
Hydro, Tel, Cable	—	Storm Manhole	D		
O/H Utility	—	Cleanout	CO		
Edge of Asphalt	—	Catch Basin	CB		
Survey Control	△	Drywell	DW		
		Utility Pole	UP		
		Lamp Standard	LS		

No.	YY.MM.DD	By	Issued	Chkd	No.	YY.MM.DD	By	Revision	Chkd



Drawn	JP
Design	JP/DC
Approved	
Date	JUNE 2022
Scale	1:500

THE CITY OF KELOWNA
 ENGINEERING DEPARTMENT
SITE PLAN
 3156 APPALOOSA ROAD

Division	MUNICIPAL
Drawing No.	G-01
Rev No.	0

ctq ENGINEERING
 LANDSCAPE ARCHITECTURE
 URBAN PLANNING
 PHONE 250.781.1221
 www.ctqconsultants.ca

17118

CITY OF KELOWNA
MEMORANDUM

ATTACHMENT C
This forms part of application
Z19-0054
Planner Initials BC
City of Kelowna
DEVELOPMENT PLANNING

Date: March 4, 2019
File No.: Z19-0054
To: Planning & Development Services Department (BC)
From: Development Engineer Manager (JK)
Subject: 3156 Appaloosa Rd., Lots 12, Plan 18861 A1 – I6

Development Engineering has the following comments and requirements associated with this application rezone the subject property from A-1 to I6 are as follows:

1. General

- a) Access to the subject lots must be achieved off of Appaloosa Road and exit on Palomino Road is designated as a lane Palomino will be exit only to Arab road. Until such time that Palomino Road is fully built to SS-R5 Urban Collector Class 1 and second access to Appaloosa north from east end of Palomino Road. CTQ Consultants Ltd. has created a master plan for Area.

2. Geotechnical Study

We recommend that a comprehensive geotechnical study be undertaken over the subject property. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. Sanitary Sewer System

- a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$13,300 per Single Family Equivalent (SFE). This Bylaw was reviewed for and accepted by Council in 2018.

determined by the following formula: the first 0.36 acres of developed land or portion thereof equals 1 SFE. Thereafter 1.74 Acres per acre of developed land.

The assessed value is 5.62 SFE's is **\$74,746.00**

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual By-Law 7900 is required.

6. Road Improvements

- a.) The frontage of Appaloosa Road will be upgraded to a full (SS-R5) urban standard in accordance with Bylaw 7900, complete with curb and gutter, Sanitary and storm works, sidewalk, fillet paving, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc.
- b.) The Appaloosa Properties will work together in completing all roads, Water, Sanitary and storm works for Appaloosa, Palomino, Arab roads. CTQ Consultants Ltd. has created a master plan for Area.

7. Road Dedication and Subdivision Requirements

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

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

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

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

10. Servicing Agreements for Works and Services

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

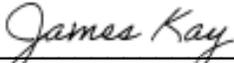
11. DCC Credits

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. Bonding and Levies Summary

Levies

Connection. Area #35	\$74,746.00
Total levies	<u>\$74,746.00</u>



 James Kay, P. Eng.
 Development Engineering Manager
 RO

CITY OF KELOWNA
BYLAW NO. 12403
Z19-0054
3156 Appaloosa Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 12 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0025 **Owner:** 1046958 BC Ltd., Inc. No BC1046958

Address: 185 Arab Rd **Applicant:** CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z20-0025 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 40, Section 3, Township 23, Osoyoos Division Yale District Plan 18861, located at 185 Arab Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND – Industrial, is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening

requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

4.0 Proposal

4.1 Background

The Arab/Appaloosa Road area (subject area; the neighbourhood) has a long-standing planning history. A project update for the subject area was presented to Council on February 28, 2022. Previous Council resolutions for the subject area is provided in Attachment A.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution lead by the area residents. In order to rezone the area from Agriculture to Industrial, the road network in the area requires comprehensive upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and the future Palomino Road, which need to be completed concurrently.

Additionally, fair cost-sharing of upgrade works is necessary so that the entire neighbourhood may proceed. The cost for off-site requirements for the area properties is estimated to be in excess of three million dollars, which is more than one property owner is likely to be able to manage.

Throughout 2020 and 2021, number of property owners in the area formed a neighbourhood group, continued to collaborate with the civil engineer and the City towards a comprehensive servicing solution that meets the City's servicing regulations for industrial development. In August 2021, an area-wide engineering and servicing plan was submitted to the City by the consultant which was approved by staff. Additionally, members of the neighbourhood group formed a numbered company to facilitate and administer the bonding for the off-site works. On December 21, 2021, neighbourhood residents with instream rezoning application, including the owner of the subject property, entered a development servicing agreement with the City and bonded for the off-site works. To achieve the neighbourhood financial solution, the neighbourhood group provided bonding for the frontage improvements of the adjacent properties located between Arab Rd and Academy Way (Central Block) that have not applied for rezoning at this time. Those properties will be subject to late comer fees for the frontage improvements that will be payable to the neighbourhood group upon rezoning.

4.2 Project Description

The subject property has a recent history of Bylaw enforcements resulting from land use that has been contrary to the existing zone (A1 – Agriculture 1), and within the recent months the property owner has altered the subject lot from Agriculture to Industrial use without a permit and prior to approval of a rezoning application. The applicant is proposing to rezone the property to allow for existing industrial uses on the property to come into Bylaw compliance. As per Council endorsed enforcement strategy, on April 7, 2022, the property owner was issued a notification letter, informing the owner of the progressive bylaw enforcement steps that would be followed should the rezoning application be defeated.

The property owner wishes to rezone the subject property from A1 to I6 to facilitate future industrial development of the property in accordance with the City's Development Permit guidelines. There is currently a detached single family building on the subject lot.

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

To fulfill Council Policy No. 367, the applicant notified property owners/tenants within 50m of the subject property and submitted a Neighbour Consultation Form to staff on June 8, 2022. Historically and recently, staff have received correspondences and fielded enquires from the surrounding area residents regarding the Arab/Appaloosa project, and continue to receive correspondence from neighbouring residents. Correspondence have consisted of concerns and complaints regarding activities and land uses in the area.

Also, Council Policy No. 367 identifies the application as “Zoning Major” and would require the applicant to undertake public information session as well as to post a large format development notice sign on their lot. However, since the application aligns with the 2040 OCP, that the Arab/Appaloosa neighbourhood residents have demonstrated a coordinated rezoning effort and process, and that the subject area has been undergoing a development process for the past decade, staff feel a neighbourhood consultation and a regular format development notice sign adequately satisfy the public notification and consultation process.

4.3 Site Context

The subject parcel is located within the Arab/Appaloosa area and a Transmission Pressure Pipeline runs through the property. The property fronts Arab Road, is on the corner of Arab Road and future Palomino Road, and on the south side of Appaloosa Rd. The surrounding land use consist of agriculture and rural residential lots to the north, east and west, and a combination of industrial and rural residential lots to south. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1C – Agriculture with carriage house Appaloosa Rd	Rural residential
East	A1 – Agriculture	Rural residential
South	Future Palomino Rd I6 - Low Impact Transitional Industrial A1 – Agriculture	Industrial Rural residential
West	Arab Road A1 – Agriculture	Agriculture and rural residential

Subject Property Map: Zoning and future land use at and around 185 Arab Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.1	Erosion of Industrial Lands Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.
Policy 6.4.4	Industrial / Residential Interface Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods
Policy 6.4.6	Regional Industrial Lands Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles

6.0 Technical Comments

6.1 Development Engineering Department
Refer to Schedule A.

7.0 Application Chronology

Date of application received:	February 5, 2020
Date of area-wide engineering and servicing plan approval:	August 2021
Date area residents sign servicing agreement and bond:	December 21, 2021
Date of project update report to Council:	February 28, 2022
Date neighbourhood consultation received:	June 8, 2022

Report prepared by:	Barbara B. Crawford, Planner II
Reviewed by:	Dean Strachan, Community Planning & Development Manager
Reviewed by:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Previous Council resolutions
Attachment B: Applicants project rationale and site plan
Attachment C: Development Engineering Memo

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	April 13, 2015
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	March 21, 2016

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>

February 4, 2020

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



Regarding: 185 Arab Rd – Rezoning Rationale

The following items will illustrate the support for the application to rezone 185 Arab Rd from A1 – Agricultural to I6 – Low Impact Transitional Industrial

1.0 Existing Lot Conditions

The existing conditions of the lot meet all of the zone requirements of I6 (as outlined in the attached Zoning Analysis Table). The existing residential house is situated that its within the I6 building setbacks. No variances are required with the rezoning to I6 for this property.

2.0 Existing Off-Site Conditions

With the improvement of Arab Rd completed in 2009 to meet the Collector Class 1 Rural Road ROW, the lot will have the appropriate utility services provided to tie into. The frontage of the lot still requires some off-site upgrades for sidewalks.

With this being a corner lot, it also backs onto Palomino Rd. Palomino Rd has been reclassified to a laneway, where a portion of it has been constructed in 2019 from Arab Rd heading east approximately 70 meters adjacent to the property line.

It is understood that the owner of the lot will have to contribute its share of the costs of upgrading Arab Rd and Palomino Rd. A recent detailed cost analysis was completed by CTQ Consultants Ltd that outlines the required off-site costs to be paid, which has been submitted to the City.

3.0 OCP (official Community Plan)

This lot sits within an area that the City has identified in its Official Community Plan to be Light – Industrial. Rezoning to I6 fits within the Official Community Plan.

4.0 Future Development in the Area

The area between Sexsmith Rd, Arab Rd, Appaloosa Rd, and Hollywood Rd is undergoing a transition from A1 to I6. In the last three years, within this area, there have been 5 lots rezoned from A1 to I6 and 10 lots currently in the process of being rezoned. In addition, there are 10 lot owners who are coming together to provide a security bond to allow the upgrading of Appaloosa and Palomino Rd (between Arab and Hollywood Rd) to meet the requirements of an Industrial subdivision.

5.0 Existing Industrial Needs

Currently the City of Kelowna has a shortage of available Industrial land and buildings. This is demonstrated with observing how new projects are leased or sold in a very short time period (*210 Lougheed and 3050 Sexsmith Rd*).

A search for available Industrial land only shows one lot available that is technically zoned Industrial, but is advertised to be rezoned Commercial (*1055-1063 Ellis St*).

While there are a couple of Strata units coming online (*Enterprise Way and Clement Ave*), these units are geared towards a different user than what you would see in the Sexsmith / Appaloosa area. When researching the available units that are comparable, there is only 8 units available at this time (*Airport Park*).

When talking with local Commercial Realtors, they express a real need for more Industrial land and buildings. It has also been noted that currently there is a vacancy rate of 0.76% for Industrial. (*HM Commercial Group – 2019 Industrial Report*).

6.0 Proposed Development

No official design has been completed for 185 Arab Rd at this time. Rezoning this property conforms to the area and will further enhance the Industrial area requirements and needs.

7.0 Summary

1. The lot meets all of the I6 zoning requirements
2. Arab Rd has already been upgraded to provide the required utilities to the lot
3. Palomino Rd has been partially completed adjacent to the lot
4. Rezoning this lot follows the Official Community Plan designation and requirements
5. The immediate surrounding area is transitioning from A1 to I6 with upgrading the infrastructure to accomplish this
6. There is an extremely low inventory of available Industrial land in the City of Kelowna
7. The rezoning and development of the lot conforms to the neighbourhood and will enhance the Industrial needs of the area

Regards,



Steve Lea, Civil Tech
Press Developments Ltd.

N



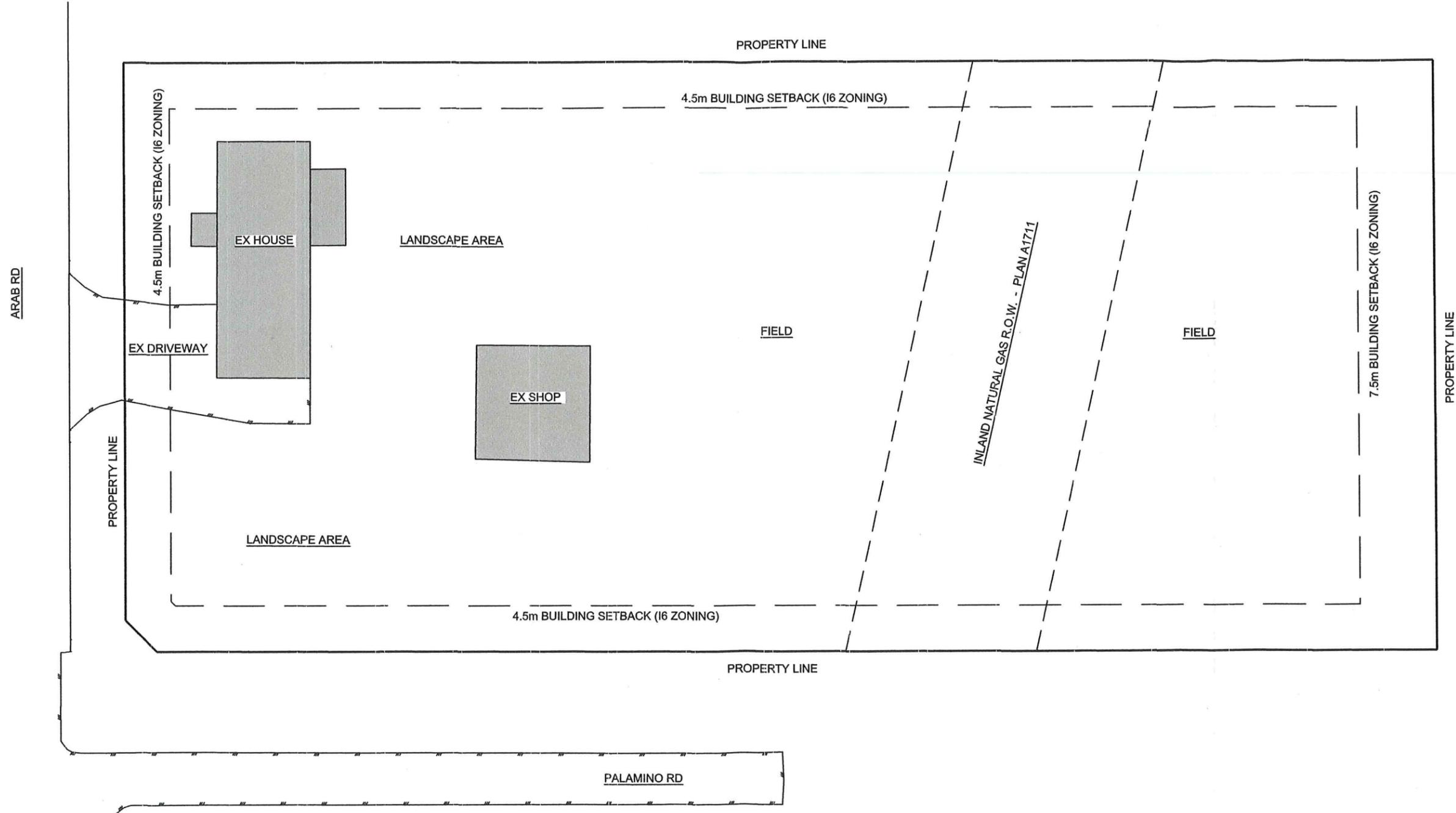
ATTACHMENT B

This forms part of application # Z20-0025

Planner Initials BC



THE DRAWINGS AND DIMENSIONS AS SHOWN ARE BASED ON ESTIMATED EXISTING CONDITIONS AND MEASUREMENTS. ALL DESIGN AND DIMENSIONS HEREIN ARE SUBJECT TO CHANGE PER ACTUAL AND CONFIRMED SITE CONDITIONS AND MEASUREMENTS.
OWNER AND CONTRACTOR TO VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, EXISTING CODES, AND GRADE REQUIREMENTS.
CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE DESIGNER OF ANY DIMENSIONAL ERRORS, OMISSIONS, OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.
OWNER WILL TAKE NECESSARY PRECAUTIONS TO REMOVE OR RELOCATE ITEMS OF VALUE TO BE REUSED AND/OR SAVED, OR IN ANY DANGER OR BEING DAMAGED DUE TO CONSTRUCTION PROCESS.



ISSUES

No.	DATE	DESCRIPTION
1	MAR 3, 20	REZONING

REVISIONS

No.	DATE	DESCRIPTION
-----	------	-------------

PROJECT 185 ARAB RD
 CLIENT 0725353 BC LTD.
 DRAWING TITLE EX SITE PLAN

DATE FEBRUARY 8, 2020
 SCALE 1 : 200
 DRAWN SWL
 PROJECT No. 20004
 DRAWING No.

HALF-SCALE

C1

CITY OF KELOWNA
MEMORANDUM



Date: March 6, 2020
File No.: Z20-0025
To: Planning & Development Services Department (BC)
From: Development Engineer Manager (JK)
Subject: 185 Arab Rd., Lots 401, Plan 18861 A1 – I6

Development Engineering has the following comments and requirements associated with this application rezone the subject property from A-1 to I6 are as follows:

1. **General**

Access to the subject lots must be achieved off of Arab Road and exit on Palomino Road is designated as a rural lane Palomino will be exit only to Arab road. CTQ Consultants Ltd. has created a master plan and cost estimate for Bonding for Area.

2. **Geotechnical Study**

We recommend that a comprehensive geotechnical study be undertaken over the subject property. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. **Sanitary Sewer System**

- a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$13,300 per Single Family Equivalent (SFE). This Bylaw was reviewed for and accepted by Council in 2018.

determined by the following formula: the first 0.36 acres of developed land or portion thereof equals 1 SFE. Thereafter 1.49 Acres per acre of developed land.

The assessed value is 5.17 SFE's is **\$68,787.60**

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual By-Law 7900 is required.

6. Road Improvements

- a.) The Appaloosa Properties will work together or on their own the first application in to council will be required to complete all roads, Water, Sanitary and storm works for Appaloosa area, Including Palomino, Arab roads. CTQ Consultants Ltd. has created a master plan and cost estimate for bonding for Area.
- b.) The frontage of Arab Road will be upgraded to a full (SS-R5) urban standard in accordance with Bylaw 7900, Sidewalk and road marking will be required.

7. Road Dedication and Subdivision Requirements

- (a) Grant Statutory Rights Of Way if required for utility services.
- (b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, TELUS, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

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

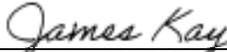
11. DCC Credits

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. Bonding and Levies Summary

Levies

Palomino Rd. repair works	TBD
Connection. Area #35	\$68,787.60
Total levies	<u>TBD</u>



 James Kay, P. Eng.
 Development Engineering Manager
 RO

CITY OF KELOWNA

BYLAW NO. 12404

Z20-0025

185 Arab Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 40 Section 3 Township 23 ODYD Plan 18861 located on Arab Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z20-0072 **Owner:** Watermark Developments Ltd.,
Inc. No. 1191800

Address: 3196 Appaloosa Rd **Applicant:** CTQ Consultants Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z20-0072 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 14, Sections 2 and 3, Township 23, Osoyoos Division Yale District Plan 18861, except plan EPP64644 located at 3196 Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND - Industrial and is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses

that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

4.0 Proposal

4.1 Background

The Arab/Appaloosa Road area (subject area; the neighbourhood) has a long-standing planning history. A project update for the subject area was presented to Council on February 28, 2022. Previous Council resolutions for the subject area is provided in Attachment A.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution lead by the area residents. In order to rezone the area from Agriculture to Industrial, the road network in the area requires comprehensive upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and the future Palomino Road, which need to be completed concurrently.

Additionally, fair cost-sharing of upgrade works is necessary so that the entire neighbourhood may proceed. The cost for off-site requirements for the area properties is estimated to be in excess of three million dollars, which is more than one property owner is likely to be able to manage.

Throughout 2020 and 2021, number of property owners in the area formed a neighbourhood group, continued to collaborate with the civil engineer and the City towards a comprehensive servicing solution that meets the City's servicing regulations for industrial development. In August 2021, an area-wide engineering and servicing plan was submitted to the City by the consultant which was approved by staff. Additionally, members of the neighbourhood group formed a numbered company to facilitate and administer the bonding for the off-site works. On December 21, 2021, neighbourhood residents with instream rezoning application, including the owner of the subject property, entered a development servicing agreement with the City and bonded for the off-site works. To achieve the neighbourhood financial solution, the neighbourhood group provided bonding for the frontage improvements of the adjacent properties located between Arab Rd and Academy Way (Central Block) that have not applied for rezoning at this time. Those properties will be subject to late comer fees for the frontage improvements that will be payable to the neighbourhood group upon rezoning.

4.2 Project Description

The subject property has a no history of Bylaw enforcements. The property owner wishes to rezone the subject property from A1 to I6 to facilitate future industrial development of the property in accordance with the City's Development Permit guidelines. The subject lot currently is vacant.

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

To fulfill Council Policy No. 367, the applicant notified property owners/tenants within 50m of the subject property and submitted a Neighbour Consultation Form to staff on June 8, 2022. Historically and recently, staff have received correspondences and fielded enquires from the surrounding area residents regarding the Arab/Appaloosa project, and continue to receive correspondence from neighbouring residents. Correspondence have consisted of concerns and complaints regarding activities and land uses in the area.

Also, Council Policy No. 367 identifies the application as “Zoning Major” and would require the applicant to undertake public information session as well as to post a large format development notice sign on their lot. However, since the application aligns with the 2040 OCP, that the Arab/Appaloosa neighbourhood residents have demonstrated a coordinated rezoning effort and process, and that the subject area has been undergoing a development process for the past decade, staff feel a neighbourhood consultation and a regular format development notice sign adequately satisfy the public notification and consultation process.

4.3 Site Context

The subject parcel is located within the Arab/Appaloosa area. The subject property abuts agriculture properties to the west and Academy Way to the east, residential properties and Appaloosa Road to the north and south, respectively. The surrounding land use consist of agriculture and rural residential properites to the east, west, and south. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium lot housing	Single family residential
East	Academy Way RR2 – Rural residential 2	Rural residential
South	Appaloosa Rd A1 – Agriculture 1	Rural residential
West	A1 – Agriculture 1	Rural residential

Subject Property Map: Zoning and future land use at and around 3196 Appaloosa Rd.



5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.1	Erosion of Industrial Lands

	Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.
Policy 6.4.4	Industrial / Residential Interface Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods
Policy 6.4.6	Regional Industrial Lands Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles

6.0 Technical Comments

6.1 Development Engineering Department
Refer to Schedule A.

6.2 Ministry of Transportation and Infrastructure

- 6.2.1 The Ministry has reviewed the materials submitted with this referral and have no concerns or comments.
- 6.2.2 The bylaw must be forwarded after 3rd reading (adoption) for Ministry signature.

7.0 Application Chronology

Date of application received:	July 13, 2020
Date of area-wide engineering and servicing plan approval:	August 2021
Date area residents sign servicing agreement and bond:	December 21, 2021
Date of project update report to Council:	February 28, 2022
Date neighbourhood consultation received:	June 8, 2022

Report prepared by: Barbara B. Crawford, Planner II
Reviewed by: Dean Strachan, Manager Community Planning & Development
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

- Attachment A: Previous Council resolutions
- Attachment B: Applicants project rationale and site plan
- Attachment C: Development Engineering Memo

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	April 13, 2015
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	March 21, 2016

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>

PROJECT DESCRIPTION/RATIONALE

3196 Appaloosa Rd, City of Kelowna Development Proposal

Proposal to Rezone from A1 (non ALR) to I2





Background

The Arab and Appaloosa Road area has been a neighbourhood on the verge of transition since 2012. Primarily zoned for Agriculture (non ALR), many of the area’s parcels have had a history of non-conforming uses (largely low impact industrial in nature) and a desire to legitimize those uses through rezoning to address the need for greater industrial lands within the City. To date, a lack of adequate servicing and coordination between property owners has been a hinderance to this transition.

However, in recent years the future land use of this area has been designated in the City’s Official Community Plan (OCP) as *Industrial – Transitional*. Additionally, several properties fronting onto Sexsmith Road have achieved I2 zoning, A1 zoned area property owners are increasingly coordinating their efforts to achieve the necessary servicing required to complete this neighbourhood transition and there are numerous rezoning applications currently in the City’s que requesting I2 zoning.

Development Proposal

The property owner wishes to rezone the subject property from *A1 – Agriculture 1* to *I2 – General Industrial* to accommodate a future industrial development. The purpose for I2 zone is to provide a range of general industrial uses.

Subject Property

3196 Appaloosa Rd is approximately 1.37 acres with a gentle slope running north to south and is currently vacant. The eastern parcel boundary abuts Academy Way, which is a collector road that has been designed as a complete street, which includes the provision of sidewalks and bike lanes. The property is serviced by both community water and sewer.

Existing Zoning

The parcel is zoned *A1 - Agriculture 1* and is not contained within the ALR.

Future Land Use

The anticipated Future Land Use is *Industrial – Limited (IND-L)*, which envisions light industrial and residential but is limited by compatibility with nearby residential uses.



Servicing

The property owner is currently working with neighbouring property owners and CTQ Consultants to establish a servicing plan which meets the area's requirements in accordance with the City's Subdivision, Development & Servicing Bylaw No. 7900.

Capital Costs

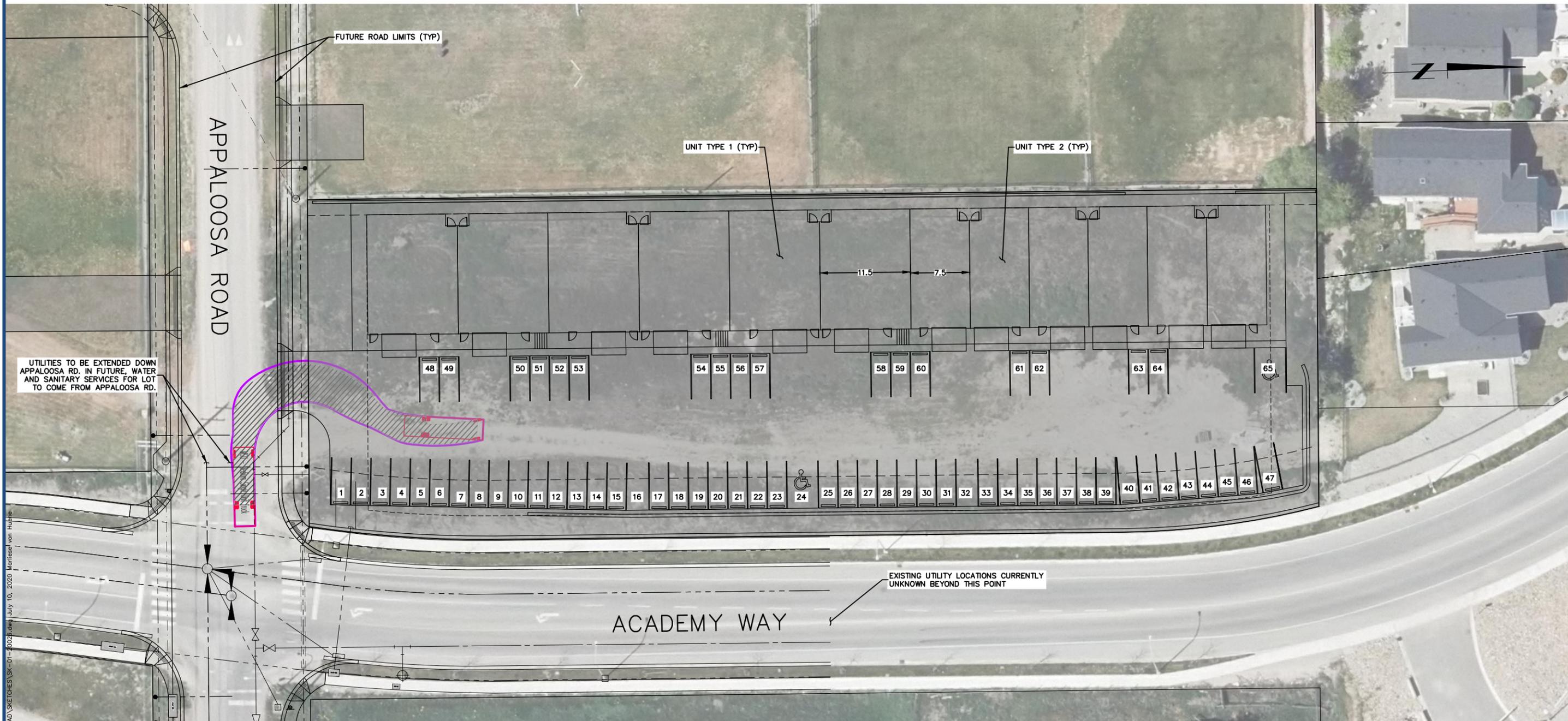
Industrial developments are responsible for contributing financially to the overall structural health of the community as it relates to parks, roads and community services where appropriate through development cost charges (DCCs).

Form and Character

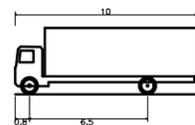
Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. Transitional industrial areas must ensure appropriate screening to maintain privacy of residential uses, proper placement of window openings and loading doors and strategic orientation of lighting to minimize light trespass and overall disturbance to adjacent residential uses. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

Summary

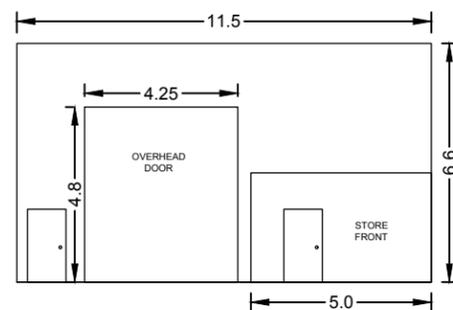
The proposed rezoning is in line with the City's anticipated future land use for the area, which will serve as a transitional buffer between the residential uses to the north and the general industrial uses to the south. The City is currently processing numerous rezoning applications within the area with the same zoning objectives and I2 zoned properties already exist along Sexsmith Road. Rezoning the subject property and transitioning this area into I2 zoning will provide much needed low impact industrial lands in the City.



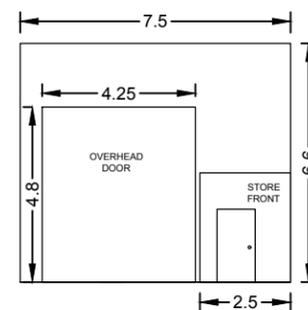
P:\Projects-2020\20026 - Lot 48 Appaloosa Road\4-CAD\SKETCHES\SK-01-20026.dwg July 10, 2020 Mariessel von Huette



MSU - Medium Single Unit Truck
 Overall Length 10.000m
 Overall Width 2.600m
 Overall Body Height 3.650m
 Min Body Ground Clearance 0.445m
 Track Width 2.600m
 Lock-to-lock time 4.00s
 Curb to Curb Turning Radius 11.100m



UNIT TYPE 1 ELEVATION



UNIT TYPE 2 ELEVATION

ATTACHMENT B
 This forms part of application
 # Z20-0072

Planner Initials **BC**

3196 APPALOOSA ROAD
 PROJECT No. 20026
 DRAWING No. 2
 SCALE: NTS
 July 10, 2020



CITY OF KELOWNA
MEMORANDUM

ATTACHMENT	C
This forms part of application # Z20-0072	
Planner Initials	BC
 City of Kelowna DEVELOPMENT PLANNING	

Date: August 24, 2020
File No.: Z20-0072
To: Planning & Development Services Department (BC)
From: Development Engineer Manager (JK)
Subject: 3196 Appaloosa Rd., Lots 14, Plan 18861 A1 – I2

Development Engineering has the following comments and requirements associated with this application rezone the subject property from A-1 to I2 are as follows:

1. General

Access to the subject lots must be achieved off of Appaloosa Road and exit on Palomino Road is designated as a lane Palomino will be exit only to Arab road. Until such time that Palomino Road is fully built to SS-R5 Urban Collector Class 1 and second access to Appaloosa north from east end of Palomino Road. CTQ Consultants Ltd. has created a master plan for Area.

2. Geotechnical Study

We recommend that a comprehensive geotechnical study be undertaken over the subject property. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

3. Sanitary Sewer System

- a) The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$13,300 per Single Family Equivalent (SFE). This Bylaw was reviewed for and accepted by Council in 2018.

determined by the following formula: the first 0.36 acres of developed land or portion thereof equals 1 SFE. Thereafter 1.37 Acres per acre of developed land.

The assessed value is 3.82 SFE's is **\$50,837.92**

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual By-Law 7900 is required.

6. Road Improvements

a.) The frontage of Appaloosa Road will be upgraded to a full (SS-R5) urban standard in accordance with Bylaw 7900, complete with curb and gutter, Sanitary and storm works, sidewalk, fillet paving, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc.

b.) The Appaloosa Properties will work together in completing all roads, Water, Sanitary and storm works for Appaloosa, Palomino, Arab roads. CTQ Consultants Ltd. has created a master plan for Area.

c.) Lot access must be moved to west property line not to effect Appaloosa rd. and Academy way intersection.

7. Road Dedication and Subdivision Requirements

(a) Grant Statutory Rights Of Way if required for utility services.

(b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

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

11. DCC Credits

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. Bonding and Levies Summary

Levies

Connection. Area #35	\$50,837.92
Total levies	<u>\$50,837.92</u>



 James Kay, P. Eng.
 Development Engineering Manager
 RO

CITY OF KELOWNA
BYLAW NO. 12405
Z20-0072
3196 Appaloosa Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 14 Sections 2 and 3 Township 23 ODYD Plan 18861 Except Plan EPP64644, located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0071

Owner: 1301318 BC Ltd., Inc. No.
BC1301318

Address: 3169 Appaloosa Rd

Applicant: Urban Options Planning Corp

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: A1 – Agriculture 1

Proposed Zone: I6 – Low Impact Transitional Industrial

1.0 Recommendation

THAT Rezoning Application No. Z21-0071 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 46, Section 3, Township 23, Osoyoos Division Yale District Plan 18861, located at 3169 Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 - Low Impact Transitional Industrial zone, be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to submission of on-site landscape plan.

2.0 Purpose

To rezone the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone to facilitate industrial development of the subject lot.

3.0 Development Planning

Staff are supportive of the proposed rezoning of the subject property from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone as the proposal aligns with the Official Community Plan (OCP). The OCP designates the property as IND - Industrial and is located in the Gateway Growth Strategy District within the permanent growth boundary. The I6 zone allows for a range of low-impact industrial uses

that are intended to act as a transition between the general industrial areas to the south and east and the rural residential areas to the north and west. The permitted uses, development regulations, screening requirements, outdoor storage restriction and other regulations within the I6 zone are designed to limit negative impacts to the nearby residential, rural, and agricultural uses in the area.

4.0 Proposal

4.1 Background

The Arab/Appaloosa Road area (subject area; the neighbourhood) has a long-standing planning history. A project update for the subject area was presented to Council on February 28, 2022. Previous Council resolutions for the subject area is provided in Attachment A.

The area has complex road and utility challenges that necessitates a comprehensive and coordinated solution lead by the area residents. In order to rezone the area from Agriculture to Industrial, the road network in the area requires comprehensive upgrades, and community water and sewer is required to service the new industrial lands. The off-site requirements include underground and surface infrastructure for Appaloosa Road and the future Palomino Road, which need to be completed concurrently.

Additionally, fair cost-sharing of upgrade works is necessary so that the entire neighbourhood may proceed. The cost for off-site requirements for the area properties is estimated to be in excess of three million dollars, which is more than one property owner is likely to be able to manage.

Throughout 2020 and 2021, number of property owners in the area formed a neighbourhood group, continued to collaborate with the civil engineer and the City towards a comprehensive servicing solution that meets the City's servicing regulations for industrial development. In August 2021, an area-wide engineering and servicing plan was submitted to the City by the consultant which was approved by staff. Additionally, members of the neighbourhood group formed a numbered company to facilitate and administer the bonding for the off-site works. On December 21, 2021, neighbourhood residents with instream rezoning application, including the owner of the subject property, entered a development servicing agreement with the City and bonded for the off-site works. To achieve the neighbourhood financial solution, the neighbourhood group provided bonding for the frontage improvements of the adjacent properties located between Arab Rd and Academy Way (Central Block) that have not applied for rezoning at this time. Those properties will be subject to late comer fees for the frontage improvements that will be payable to the neighbourhood group upon rezoning.

4.2 Project Description

The subject property has no history of Bylaw enforcements. The property owner wishes to rezone the subject property from A1 to I6 to facilitate future industrial development of the property in accordance with the City's Development Permit guidelines. There is currently a detached single family building and several accessory buildings on the subject lot.

Prior to obtaining a Building Permit, industrial developments are required to obtain an approved Development Permit for compliance with form and character guidelines. The property owner intends to pursue approval of a Development Permit following successful rezoning of the parcel.

To fulfill Council Policy No. 367, the applicant notified property owners/tenants within 50m of the subject property and submitted a Neighbour Consultation Form to staff on April 14, 2022. Historically and recently, staff have received correspondences and fielded enquires from the surrounding area residents regarding

the Arab/Appaloosa project, and continue to receive correspondence from neighbouring residents. Correspondence have consisted of concerns and complaints regarding activities and land uses in the area.

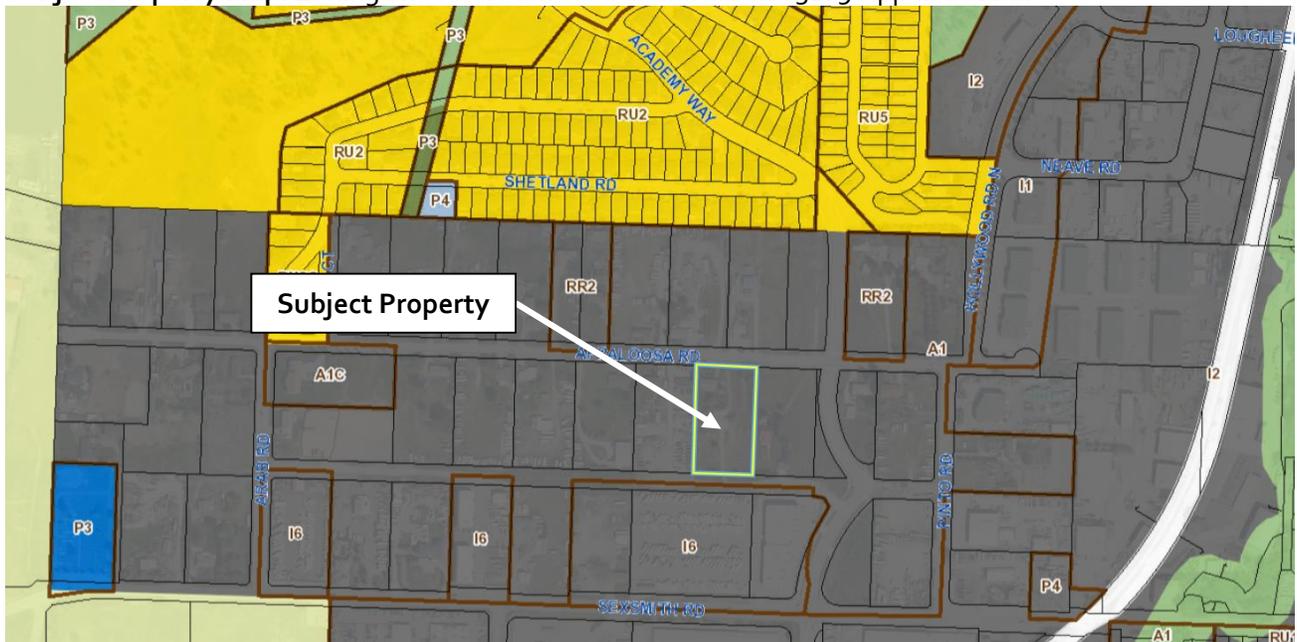
Also, Council Policy No. 367 identifies the application as “Zoning Major” and would require the applicant to undertake public information session as well as to post a large format development notice sign on their lot. However, since the application aligns with the 2040 OCP, that the Arab/Appaloosa neighbourhood residents have demonstrated a coordinated rezoning effort and process, and that the subject area has been undergoing a development process for the past decade, staff feel a neighbourhood consultation and a regular format development notice sign adequately satisfy the public notification and consultation process.

4.3 Site Context

The subject parcel is located within the Arab/Appaloosa area. The subject property abuts agriculture properties to the east and west, Appaloosa Road and the future Palomino Road to the north and south, respectively. The surrounding land use consist of agriculture and rural residential properites to the north, east and west, and industrial properties to the south. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Appaloosa Road A1 – Agriculture 1	Rural residential
East	A1 – Agriculture 1	Rural residential
South	Future Palamino Road I6 - Low Impact Transitional Industrial	Industrial
West	A1 – Agriculture 1	Rural residential

Subject Property Map: Zoning and future land use at and around 3169 Appaloosa Rd.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4 - Support the continued development of industrial lands (Chapter 6: The Gateway)	
Policy 6.4.1	<p>Erosion of Industrial Lands</p> <p>Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair functions in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make developing industrial uses challenging.</p>
Policy 6.4.4	<p>Industrial / Residential Interface</p> <p>Require low impact industrial uses where industrial lands are adjacent to residential lands. Such uses should be primarily indoors, have limited outdoor storage and include extensive buffering and screening to reduce impacts on residential neighbourhoods</p>
Policy 6.4.6	<p>Regional Industrial Lands</p> <p>Support a regional approach to managing industrial lands, recognizing that industrial business needs are connected across the region, with different local contexts playing unique and important roles</p>

6.0 Technical Comments

6.1 Development Engineering Department
Refer to Schedule A.

6.2 Ministry of Transportation and Infrastructure

6.2.1 The Ministry has reviewed the materials submitted with this referral and have no concerns or comments.

6.2.2 The bylaw must be forwarded after 3rd reading (adoption) for Ministry signature.

7.0 Application Chronology

Date of application received:	June 24, 2021
Date of area-wide engineering and servicing plan approval:	August 2021
Date area residents sign servicing agreement and bond:	December 21, 2021
Date of project update report to Council:	February 28, 2022
Date neighbourhood consultation received:	April 14, 2022

Report prepared by: Barbara B. Crawford, Planner II
Reviewed by: Dean Strachan, Manager, Community Planning & Development
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Previous Council resolutions
 Attachment B: Applicants project rationale and site plan
 Attachment C: Development Engineering Memo

Appendix A: Previous Council Resolutions – Arab/Appaloosa Road Area

Resolution	Date
<p>THAT Council receives, for information, the Report from the Manager, Urban Land Use dated November 19, 2012 with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND FURTHER THAT Council directs staff to report back with options for amending the I6 – Low Impact Transitional Industrial Zone to ensure consistency of intent and purpose with the Kelowna 2030 Official Community Plan.</p>	December 3, 2012
<p>THAT Council receives, for information, the Supplemental Report from the Manager of Urban Land Use dated March 19, 2013, with respect to the Industrial – Limited future land use designation contained in the Kelowna 2030 Official Community Plan;</p> <p>AND THAT Council directs staff to pursue Land Use Alternative 1, as identified in Report from the Manager of Urban Land Use dated March 19, 2013;</p> <p>AND THAT Council directs staff to initiate the process to advance Sanitary Sewer Connection Area #35 to a Specified Sanitary Sewer Service Area;</p> <p>AND FURTHER THAT Council direct staff NOT to accept further Rezoning applications for the Arab/Appaloosa Road area, pending final resolution of land for the area.</p>	March 25, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager dated September 30, 2013, regarding the Arab/Appaloosa Water, Sewer and Road Pre-design and Public Review;</p> <p>AND THAT Council direct staff to abandon the Local Area Service process required to construct the infrastructure needed to meet the I6 – Low Impact Transitional Zoning as costs are in excess of what will likely be considered reasonable by area property owners;</p> <p>AND FURTHER THAT staff be directed to report back to Council with alternative options for future land uses in the Arab/Appaloosa area.</p>	September 30, 2013
<p>THAT Council receives, for information, the Report from Utilities Planning Manager, Bylaw Services Manager and Urban Planning Manager, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p> <p>AND THAT Council directs staff to follow Option 1 as identified in the Utilities Planning Manager, Bylaw Services Manager and Urban Planning Managers report, dated December 16, 2013 regarding the Arab/Appaloosa Land Use and Servicing Options;</p>	December 16, 2013

Resolution	Date
<p>AND THAT Council directs staff to bring forward the proposed amendments to the I6 Zone, including a provision for outdoor storage, and to require Development Permits, to ensure consistency with the intent and purpose of the Kelowna 2030 OCP and Industrial-Limited designation;</p> <p>AND THAT Council directs staff to ensure that the fire flow and servicing with respect to the I6 Zone be required as per Subdivision, Development and Servicing Bylaw No. 7900;</p> <p>AND THAT Council directs staff to commence bylaw enforcement action against the two (2) most prolific offenders;</p> <p>AND FURTHER THAT Council directs staff to hold a Local Area Servicing meeting in order to gauge support for a Local Area Servicing Bylaw and to explain the proposed changes to the I6 Zone.</p>	
<p>THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by amending Map 5.8 as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Official Community Plan Bylaw Text Amendment No. OCP14-0002 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 by adding Section 18 to the Comprehensive Development Permit Guidelines, as outlined in the Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND THAT Zoning Bylaw Text Amendment No. TA14-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending to I6 – Low Imp Report of the Community Planning and Real Estate Department dated April 13, 2015, be considered by Council;</p> <p>AND FURTHER THAT the Official Community Plan Amending Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.</p>	April 13, 2015
<p>THAT Council receives, for information, the report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND THAT Council directs staff to follow the Bylaw Enforcement Strategy as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and By Enforcement Strategy;</p> <p>AND THAT Council directs staff to prepare Official Community Plan amendments as identified in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p>	March 21, 2016

Resolution	Date
<p>AND FURTHER THAT Council directs staff to lift the moratorium on accepting rezoning applications in the Arab/Appaloosa area as noted in the Report from the Community Planning Department Manager dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	
<p>THAT Council receive for information, the supplementary report from the Community Planning Department dated November 28, 2016, with respect to the Industrial – Limited future land use designation for properties along the Arab and Appaloosa Roads;</p> <p>AND FURTHER THAT Council direct staff to pursue Option 3 (Informational Mail-Out and Survey with Public Open House / Meeting) as outlined in the report from the Community Planning Department dated November 28, 2016.</p>	November 28, 2016
<p>THAT Council receive for information the supplementary report from Community Planning dated February 27, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;</p> <p>AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;</p> <p>AND FURTHER THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy.</p>	February 27, 2017
<p>THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;</p> <p>AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;</p> <p>AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the <i>Local Government Act</i>.</p> <p>AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.</p>	April 25, 2017

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated February 28, 2022, with respect to the Arab/Appaloosa Road Area Development Update;</p> <p>AND THAT Council endorses to the Arab/Appaloosa Road area engineering plan and project process as outlined in the report from the Development Planning Department dated February 28, 2022;</p> <p>AND FURTHER THAT Council directs staff to renew bylaw enforcement for the Arab/Appaloosa Road area as outlined in the report from the Development Planning Department dated February 28, 2022.</p>	<p>February 28, 2021</p>



June 25, 2021

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

Rezoning Application to Develop Industrial Buildings at 3169 Appaloosa Road

Dear Barbara,

The purpose of this application is to rezone the property at 3169 Appaloosa Road to the *I6 – Low-Impact Transitional Industrial* zone to permit compatible industrial uses on the property. As shown on the attached site plan, it is proposed to develop the property with two industrial buildings. The appropriate parking and loading stalls are in compliance with the zoning requirements.

The property is large enough to meet the minimum lot size requirements of the *I6 – Low-Impact Transitional Industrial* zone, and the appropriate utility services are available nearby. The site development is proposed as two industrial buildings to be constructed on both sides of a central driveway. Parking is located on both sides of the common drive aisle. The drive aisle provides access to both the exiting Appaloosa Road and the unconstructed Palomino Road.

Many of the Official Community Plan objectives are met with this proposal, including:

- The proposed zone is consistent with the future land use designation of Industrial – Light for the area,
- Provides much-needed industrial space,
- Better utilizes a property which has hinted at industrial uses in the past,
- Close proximity to industrial amenities such as the fuel station and highway 97.

There have been several properties in the area that have been rezoned to the I6 zone and developed with appropriate industrial buildings nearby the subject property. Given that this area is changing to a much-needed Industrial area we ask that you support the project.

Regards,

Birte Decloux, RPP MCIP
Urban Options Planning Corp.

Therrien

Floor Areas		
Building A	1,637.71 m ²	17,628.13 ft ²
Building B	1,637.71 m ²	17,628.14 ft ²
Grand total	3,275.41 m ²	35,256.27 ft ²

ATTACHMENT B

This forms part of application
Z21-0071

Planner Initials BC



City of Kelowna
DEVELOPMENT PLANNING

SYMBOL LEGEND

CONSTRUCTION REFERENCE		CONSTRUCTION TAG
FINISH REFERENCE		EXTERIOR FINISH TAG
GRID NUMBER		GRID BUBBLE
DOOR REFERENCE		DOOR TAG
ROOM NUMBER		ROOM TAG
DESCRIPTION		ELEVATION DATUM
ELEVATION		
DRAWING NUMBER		WALL SECTION CALLOUT
SHEET NUMBER		
DRAWING NUMBER		BUILDING SECTION CALLOUT
SHEET NUMBER		
DRAWING NUMBER		ELEVATION CALLOUT
SHEET NUMBER		
WINDOW REFERENCE		WINDOW TAG
ELEVATION		ELEVATION TAG
DRAWING TITLE		DRAWING TITLE
DRAWING NUMBER		
SHEET NUMBER		
SCALE		

DRAWING INDEX

No.	TITLE
ARCHITECTURAL	
A0.0	Index
A1.0	Site Plan

Kelowna, British Columbia

Lease Bays

Therrien Lease Bays

3169 Appaloosa Road
Kelowna, British Columbia

Lot 46, Plan 18861, Section 3, Township 23



Stamp:

PRELIMINARY
NOT FOR CONSTRUCTION

aggregate
design studio ltd.

(403) 885-5525 P.O. BOX 1690 BLACKFALDS, AB, T0M 0J0

DO NOT SCALE DRAWING
VERIFY ALL DIMENSIONS, DATUMS AND LEVELS PRIOR TO COMMENCEMENT OF WORK. REPORT ANY DISCREPANCIES OR OMISSIONS TO THE ARCHITECT IMMEDIATELY.
ALL WORK MUST COMPLY WITH THE MOST RECENT EDITION OF THE APPLICABLE BUILDING CODE AND ANY OTHER GOVERNING AUTHORITIES.
THIS IS A COPYRIGHT DRAWING AND SHALL NOT BE REPRODUCED OR REVISED WITHOUT THE WRITTEN CONSENT OF THE CONSULTANT.

Index

A0.0

Project number:	B20755
Date:	2020-11-26 4:01:13 PM
Drawn by:	IH/EA
Checked by:	RO
Scale:	As indicated



- NOTES CONCERNING BUILDING LOCATION**
- THIS SITE PLAN IS BASED ON INFORMATION PROVIDED BY THE OWNER, AND NOT A SURVEY OR ACTUAL SITE MEASUREMENTS. ENGINEER IS TO BE ADVISED BEFORE START OF CONSTRUCTION OF ANY UN-KNOWN FEATURES ON THIS OR THE ADJACENT SITES THAT MIGHT IMPACT ON THE PROJECT EITHER DURING CONSTRUCTION OR FUTURE USE.
 - THE "NORTH" ORIENTATION REFERS TO NOMINAL NORTH RATHER THAN TRUE OR MAGNETIC NORTH.
 - ANY DIMENSIONS THAT SHOW THE LOCATION OF EXISTING FEATURES ARE APPROXIMATE ONLY, AND ARE TO BE CONFIRMED BEFORE CONSTRUCTION START AS REQUIRED BY A CERTIFIED ALBERTA LAND SURVEYOR.
 - LANDSCAPING IS SUBJECT TO CHANGE.

PARKING SCHEDULE

Stall Type	Count
BARRIER FREE PARKING STALL	4
STANDARD PARKING STALL	70
TOTAL STALLS	74

SITE PLAN LEGEND

PROPERTY LINE	---
SETBACK LINE	- - - - -
RIGHT OF WAY LINE	=====
RIGHT OF WAY HATCH	XXXXXX
PROPOSED BUILDING	▨
FENCE
MAN DOOR	▽
OVERHEAD DOOR	▽
BARRIER FREE ENTRANCE	▽

SITE SCHEDULE

ON SITE		
HEAVY DUTY ASPHALT	10,596.92 ft ²	984.5 m ²
LANDSCAPING	17,585.33 ft ²	1,633.7 m ²
LIGHT DUTY ASPHALT	12,654.03 ft ²	1,175.6 m ²
MULCH	372.97 ft ²	34.7 m ²
SIDEWALK	4,449.13 ft ²	413.3 m ²
Grand total	45,658.37 ft²	4,241.8 m²

SITE MATERIAL LEGEND

	APRON
	SIDEWALK
	LIGHT DUTY ASPHALT
	HEAVY DUTY ASPHALT
	GRAVEL
	LANDSCAPING
	HARD LANDSCAPING
	MULCH

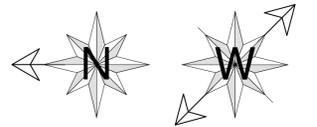


PARKING REQUIREMENTS:
 1.0 SPACE PER 100m² GFA (INCLUDES MEZZANINE AREA); PLUS
 2.5 SPACES PER 100m² GFA FOR ALL FLOOR AREA DEVOTED TO ACCESSORY ACTIVITIES SUCH AS ANY INDOOR DISPLAY, OFFICE, ADMINISTRATIVE OR TECHNICAL SUPPORT, OR RETAIL SALE OPERATIONS.

ESTIMATED PARKING REQUIRED (BASED ON 50:50 SPLIT):
 58 STALLS
 2 BARRIER FREE STALLS
 1 BARRIER FREE VAN STALL
TOTAL PARKING SHOWN:
 74 STALLS
 4 BARRIER FREE STALLS

ATTACHMENT B
 This forms part of application # Z21-0071
 Planner Initials **BC**
 City of Kelowna DEVELOPMENT PLANNING

1 Site Plan
 A1.0 1:200



NO.	DESCRIPTION	DATE
A	ISSUED FOR PRELIMINARY REVIEW	2020-11-24
B	ISSUED FOR PRELIMINARY REVIEW	2020-11-26

Therrien Lease Bays

3169 Appaloosa Road
 Kelowna, British Columbia

Lot 46, Plan 18861, Section 3, Township 23



Stamp:
PRELIMINARY
 NOT FOR CONSTRUCTION

aggregate design studio ltd.
 (403) 885-5525 P.O. BOX 1690 BLACKFALDS, AB, T0M 0J0
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Site Plan
A1.0

Project number:	B20755
Date:	2020-11-26 4:01:14 PM
Drawn by:	IH/EA
Checked by:	RO
Scale:	As indicated

W:\1\Therrien\2020\Lease Bays (B20755)\Arch\Therrien Lease Bays - Site Plan

CITY OF KELOWNA
MEMORANDUM

ATTACHMENT	C
This forms part of application # Z21-0071	
Planner Initials	BC
 City of Kelowna DEVELOPMENT PLANNING	

Date: July 21, 2021
File No.: Z21-0071
To: Planning and Development Officer (BC)
From: Development Engineering Manager (RO)
Subject: 3169 Appaloosa Rd A1 to I6

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from A1 - Agricultural to I6 - Low Impact Transitional Industrial.

1. GENERAL

- a. The following requirements are valid for 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 update/change some or all items in this memo once these time limits have been reached.
- b. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- c. These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).

2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject lot is located within the Glenmore Ellison Improvement District (GEID) service area. The developer is required to make satisfactory arrangements with GEID for all water and fire protection-related issues. All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- b. The Developer's Consulting Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by GEID are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.

3. SANITARY SEWER SYSTEM

- a. The subject is not currently serviced by the City's Sanitary Sewer System. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.

- b. Only one service will be permitted for this development. Inspection manholes are required on all industrial connections, manhole is to be installed on private property with an access easement for City crews.
- c. The subject lot is in the Sexsmith / Appaloosa (No. 35) Sewer Connection Area. As per the Sewer Connection Charge Bylaw (No. 11540) the Developer will be required to pay a connection fee prior to connection of sanitary service at property line. The Sewer Connection Charge for this property was calculated using Bylaw 11540 Schedule 1 and Schedule 2. The required payment will be **\$68,415.20**.

4. STORM DRAINAGE

- a. The property is located within the City of Kelowna drainage service area. For on-site disposal of drainage water, a hydrogeotechnical report will be required, complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems.
- b. Provide the following drawings:
 - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii. A detailed Stormwater Management Plan for this subdivision; and,
 - iii. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- c. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 *Detention Storage*.
- d. As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, and applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- e. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- f. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.
- g. Identify clearly on a contour map, or lot grading plan, all steep areas (>30 %). Provide cross sections for all steep areas at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.
- h. Individual lot connections are required for all industrial lots as per Bylaw 7900 Schedule 4, Section 3.9.12. Ensure that payment of connection fees has been completed (please provide receipt).

- i. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

5. ROAD IMPROVEMENTS

- a. The frontage of Appaloosa Road is to be upgraded to a full urban standard complete with curb and gutter, storm works, sidewalk, asphalt removal and replacement, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc. These works will be included in the Appaloosa Rd Upgrading and Palamino Rd Construction project. The developer is responsible for contributing for their half of Appaloosa Rd for the frontage of the subject property.
- b. Palamino Road at the rear of the property will be constructed to a full urban standard complete with curb and gutter, sidewalk, asphalt road, storm drainage works which extend and connect to the municipal system, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc. These works will be included in the Appaloosa Rd Upgrading and Palamino Rd Construction project. The developer is responsible for contributing for their half of Palamino Road for the frontage of the subject property.
- c. Only one access will be permitted per frontage, with a maximum width of 9m each.

6. POWER AND TELECOMMUNICATION SERVICES

- a. All proposed distribution and service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

7. GEOTECHNICAL STUDY

- a. At time of Building Permit application, provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**
- b. The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.

- ii. Site suitability for development.
 - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - iv. Any special requirements for construction of roads, utilities, and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.
- c. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

“Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.”

The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia’s Professional Practice Guidelines for Retaining Wall Design. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of Retaining Wall Design Guideline) and any necessary independent reviews (as per EGBC’s Documented Independent Review of Structural Designs).

- d. Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.
- e. Any exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer. For adequate Rockfall Protection adjacent to walls and rock cuts, please consider BC MoTI Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.

Where walls are on the high side, the City’s preference is that the walls remain setback and on private property. Where the walls hold up a public road, the City’s preference is that additional dedication be provided, and the walls be owned by the City. Please design any geogrids or tie-backs so that they do not encroach into the required road ROW.

8. DESIGN AND CONSTRUCTION

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

9. SERVICING AGREEMENT FOR WORKS AND SERVICES

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

10. CHARGES AND FEES

- a. The developer is responsible for contributing for their half of Palamino Road construction and Appaloosa Rd upgrades for the frontage of the subject property. This contribution is yet to be finalized and will be determined at time of construction.
- b. Sewer Connection Charge as per Bylaw 11540:

i. Sexsmith (No. 35) Sewer Connection Charge	\$68,415.20
ii. Contribution towards sanitary expansion	\$17,200.00
Total	\$85,615.20



Ryan O’Sullivan
Development Engineering Manager

SK

CITY OF KELOWNA
BYLAW NO. 12406
Z21-0071
3169 Appaloosa Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 46 Section 3 Township 23 ODYD Plan 18861 located on Appaloosa Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I6 – Low Impact Transitional Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Community Planning

Application: Z22-0027

Owner: Brian Burnham

Address: 259 Clifton Road North

Applicant: Mehdi Tehrani

Subject: Rezoning Application

Existing OCP Designation: S-RES – Suburban Residential

Existing Zone: RR3 – Rural Residential 3

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z22-0027 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, Section 8, Township 23, Osoyoos Division Yale District, Plan 20895, located at 259 Clifton Road North, Kelowna, BC from the RR3 – Rural Residential 3 zone to the RU6 – Two Dwelling Housing zone, be considered by Council.

2.0 Purpose

To rezone the subject property from the RR3 – Rural Residential 3 zone to the RU6 – Two Dwelling Housing zone to facilitate the construction of two single family dwellings.

3.0 Development Planning

Staff support the proposed rezoning application. The rezoning would allow for two smaller single family dwellings to be constructed on the lot. The building area of the lot is relatively flat, which is well suited for the RU6 zone. One house currently resides on the parcel, which would be demolished to make room for the proposed development. The proposal is well aligned with the Future Land Use Designation of S-RES – Suburban Residential and is located within the City's Permanent Growth Boundary. The lot meets the depth, width and area requirements of the RU6 zone, and no variances are required.

4.0 Proposal

4.1 Project Description

The proposed rezoning from the RR3 – Rural Residential 3 to the RU6 – Two Dwelling Housing is to facilitate the construction of two single family dwellings. The lot meets the minimum dimensions of the RU6 zone and will have negligible impacts on the existing utility services. The building area of the lot is relatively flat, which is well suited for the RU6 zone.

4.2 Site Context

The subject property is located in the Glenmore – Clifton – Dilworth Official Community Plan Sector and is within the Permanent Growth Boundary. The lot is located above Clifton Road and is accessed via a sloped driveway; however, the building area is relatively flat. The parcel is connected to sanitary sewer and is fully serviced from Clifton Road. The Clifton Road frontage within this area is predominantly single family dwellings within the RR3 – Rural Residential 3 zone. Lands east of the subject property consists of steep slopes that are zoned A1 – Agricultural 1. The surrounding Future Land Use is primarily S-RES – Suburban Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 – Rural Residential 3	S-RES – Suburban – Residential
East	A1 – Agriculture 1	S-RES – Suburban – Residential
South	RR3 – Rural Residential 3	S-RES – Suburban – Residential
West	RR3 – Rural Residential 3	S-RES – Suburban – Residential

Subject Property Map: 259 Clifton Road North



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable. (Chapter 7: Suburban Neighbourhoods)	
Policy 7.2.1 Ground-Oriented Housing	<p>Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities.</p> <p><i>In addressing the high costs of servicing suburban neighbourhoods, the proposed two dwelling housing project will make more efficient use of the existing infrastructure and contribute to reducing the overall urban footprint within the City.</i></p>
Policy 7.2.2 Hillside Housing Forms	<p>Encourage housing forms that best match to the topography and have the lowest amount of impact in hillside areas, such as minimum cuts and fills, for example, and provide the greatest environmental protection. Discourage housing forms and associated roadways that cause high amounts of slope disturbance and visual impact.</p> <p><i>The proposed dwellings would be built on a flat bench within the hillside context of the site (the new houses would replace the existing house on the site). Slopes will not be disturbed and minimal/no grading will be required for construction of the dwellings.</i></p>
Policy 7.2.4 Boulevard and Neighbourhood Trees	<p>Encourage subdivision plantings of street trees and individual lot trees to create a comfortable suburban environment over the long term.</p> <p><i>Mature shrubs and trees are in abundance within the existing boulevard frontage of this lot.</i></p>

6.0 Technical Comments

6.1 City of Kelowna Development Engineering Department

Refer to attached Schedule A.

7.0 Application Chronology

Date of Application Received: March 30, 2022

Date Public Consultation Completed: May 27, 2022

Report prepared by: Corey Davis, Development Technician - Engineering

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package

CITY OF KELOWNA
MEMORANDUM

Date: April 13, 2022
File No.: Z22-0027
To: Community Planning (CD)
From: Development Engineering Manager (NC)
Subject: 259 Clifton Rd N RR3 to RU6

Development Engineering has the following comments and requirements associated with this application. The utility upgrading requirements outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection

- a. This property is currently serviced with a 19mm-diameter water service. Only one service is permitted for each legal lot, with one metered water service to supply both the main residence. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this development to confirm this as well as fire protection at time of Building Permit application. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

2. Sanitary Sewer

- a. Our records indicate that the subject lot is currently serviced with a 100mm diameter sanitary sewer service. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs. Only one service is permitted for each legal lot. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

3. Road Improvements

- a. Clifton Rd N must be upgraded to an SS-R16 urban Arterial standard along the full frontage of this proposed development including curb and gutter, sidewalk, road fillet paving, storm drainage system, LED streetlighting, landscaped boulevard c/w irrigation, pavement removal and replacement, and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be \$58,233.17 not including utility service cost.

4. Development Permit and Site Related Issues

Direct the roof drains onto splash pads. Infiltration not permitted.

5. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

6. Charges and Fees

a. Development Cost Charges (DCC's) are payable.

b. Engineering and Inspection Fee:

i.	3.5% of Construction	\$1,875.11
ii.	GST	\$93.76

Total \$1,968.86

c. Cash-in-Lieu of Construction Payments:

**Payment must be made with certified cheque or bank draft*

i.	Clifton Rd N Frontage Upgrades	\$58,233.17
----	--------------------------------	--------------------

Total \$60,202.03



Nelson Chapman, P. Eng.
Development Engineering Manager
RO

259 CLIFTON RD NORTH REZONING APPLICATION TO RU6 PROPOSED SITE PLAN

CIVIC ADDRESS:
259 CLIFTON RD NORTH

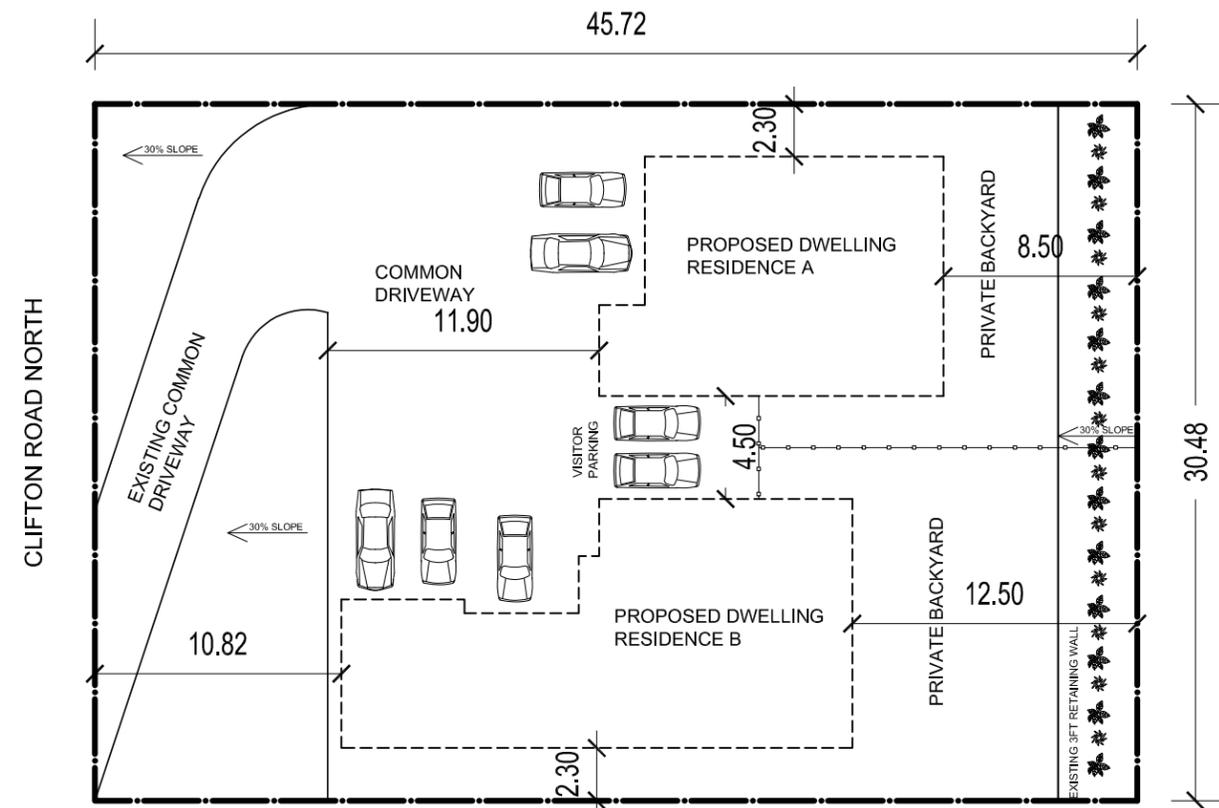
LEGAL DESCRIPTION:
LOT 6 PLAN KAP 20895
PID: 004-786-734

PROJECT NAME:
259 CLIFTON RD NORTH

APPLICANT:
MEHDI TEHRANI
(250) 777 1677

CURRENT ZONING ==> RR3
PROPOSED ZONING ==> RU6

ZONING TABLE:



ATTACHMENT A

This forms part of application
Z22-0027

Planner Initials **CD**



PROPOSED ZONING	RU6 (TWO DWELLING)	
	PERMITTED	PROPOSED
SITE AREA (m2)	700	1394
LOT FRONTAGE (m)	18.00	30.48
LOT DEPTH (m)	30.00	45.72
SITE COVERAGE (%)	40	30
SITE COVERAGE W/ DRIVEWAY (%)	50	45
FRONT YARD SETBACK (GARAGE TO P.L.(m))	6.0	23.15, 10.82
REAR YARD SETBACK (m) - 2 ½ STOREY	7.5	8.5, 12.50
SIDE YARD SETBACK (m) - 2 ½ STOREY	2.3	2.3
SIDE YARD SETBACK (m) - 2 ½ STOREY	2.3	2.3



REVISION	REV	DATE	BY	CHK	APP	DESCRIPTION

NOTES:

DRFT:	
DSND:	
CHCK:	
APP:	

259 CLIFTON RD NORTH REZONING

PAGE: 1 OF 1

DATE: 2022 03 25
YEAR: MONTH: DAY:

SCALE:

PREPARED FOR: Nili Quality Homes Ltd, 1084 ARBOR VIEW DR., KELOWNA, BC V1W4X1

DWG NO: 2022-03-25-CLFTON-001

Z22-0027

259 Clifton Road North

Rezoning Application

Proposal

- ▶ To rezone the subject property from RR3 – Rural Residential 3 to RU6 – Two Dwelling Housing.

Development Process

Mar 30th, 2022

Development Application Submitted

Staff Review & Circulation

May 27th, 2022

Public Notification Received

June 27th, 2022

Initial Consideration

First,
Second & Third Readings

Final Reading

Building Permit

Council Approvals

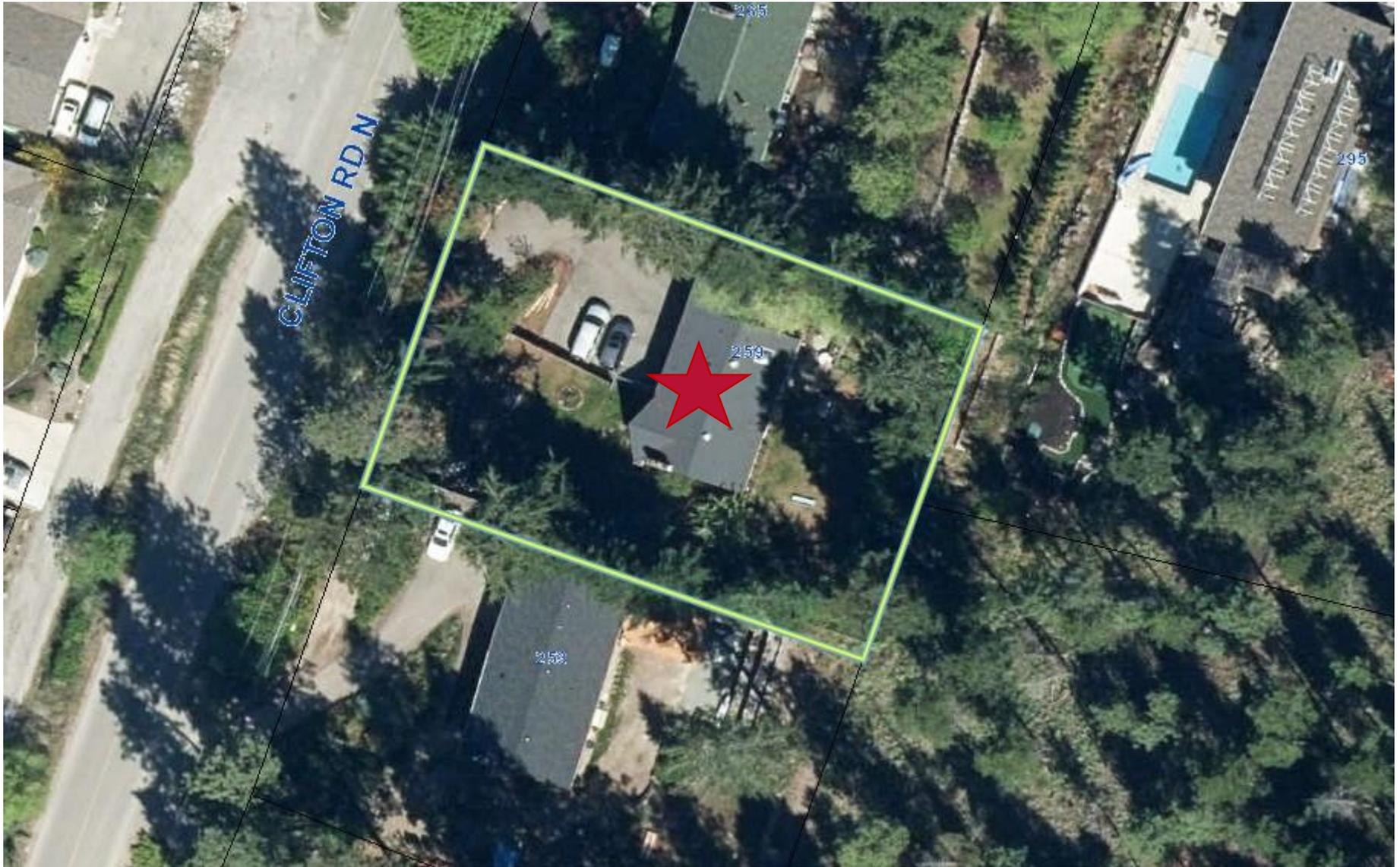
Context Map



OCP Future Land Use / Zoning



Subject Property Map

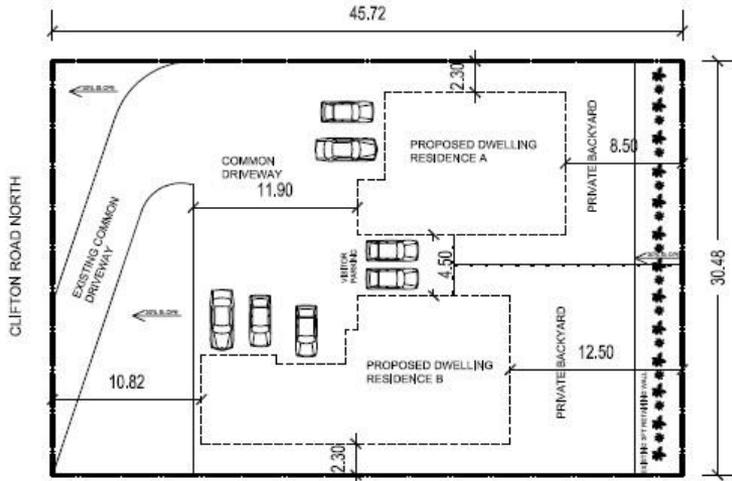


Project/technical details

- ▶ Proposed rezoning would facilitate 2 dwellings on the lot.
- ▶ The lot currently has one house on it.
- ▶ The lot meets the depth, width and size of the RU6 zone.

Site Plan

259 CLIFTON RD NORTH REZONING APPLICATION TO RU6 PROPOSED SITE PLAN



CIVIC ADDRESS:
259 CLIFTON RD NORTH

LEGAL DESCRIPTION:
LOT 6 PLAN KAP 20895
PID: 004-786-734

PROJECT NAME:
259 CLIFTON RD NORTH

APPLICANT:
MEHDI TEHRANI
(250) 777 1677

CURRENT ZONING ==> RR3
PROPOSED ZONING ==> RU6

ZONING TABLE:

PROPOSED ZONING	RU6 (TWO DWELLING)	
	PERMITTED	PROPOSED
SITE AREA (m2)	700	1394
LOT FRONTAGE (m)	18,00	30,48
LOT DEPTH (m)	30,00	45,72
SITE COVERAGE (%)	40	30
SITE COVERAGE W/ DRIVEWAY (%)	50	45
FRONT YARD SETBACK (GARAGE TO P.L.)(m)	6.0	23.15, 10.82
REAR YARD SETBACK (m) - 2 1/2 STOREY	7.5	8.5, 12.50
SIDE YARD SETBACK (m) - 2 1/2 STOREY	2.3	2.3
SIDE YARD SETBACK (m) - 2 1/2 STOREY	2.3	2.3



REV	DATE	BY	CHK	APP	DESCRIPTION

NOTES:

DRFT:	
DSND:	
CHCK:	
APP:	

259 CLIFTON RD NORTH REZONING			PAGE: 1 OF 1
DATE:	2022	03	25
	YEAR	MONTH	DAY
SCALE:			
PREPARED FOR: Nili Quality Homes Ltd, 1084 ARBOR VIEW DR., KELOWNA, BC V1W4X1			
DWG NO: 2022-03-25-CLFTON-001			

Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Within Permanent Growth Boundary
 - ▶ Sensitive Infill

- ▶ Consistent with Zoning Bylaw – no variances

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to facilitate 2 dwelling housing.
- ▶ Meets the intent of the Official Community Plan
 - ▶ Urban Infill Policies
- ▶ The subject property aligns with the OCP Future Land Use of S-RES - Suburban - Residential



Conclusion of Staff Remarks

Core Area that reflect the existing development pattern. The proposed lots meet the minimum dimensions of the RU2 zone.

4.0 Proposal

4.1 Project Description

The proposed rezoning from the RU1 – Large Lot Housing to the RU2 – Medium Lot Housing will facilitate a 2-lot subdivision of the subject property. The applicant proposes to retain the existing single family dwelling on Proposed Lot A by removing the attached car port. Proposed Lot B is vacant. Both parcels would be provided driveway accesses from Muir Road.

4.2 Site Context

The subject property is located on Muir Road between the intersections with Highway 33 E and Myron Road. The Future Land Use Designation to the west is C-NHD – Core Area Neighbourhood and to the east it is S-RES – Suburban Residential. The surrounding area is primarily zoned RU1 – Large Lot Housing and RU6 – Two Dwelling Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Detached Housing
East	RU1 – Large Lot Housing	Single Detached Housing
South	RU6 – Two Dwelling Housing	Duplex
West	RU6 – Two Dwelling Housing	Duplex

Subject Property Map: 140 Muir Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.3 Design residential infill to be sensitive to neighbourhood context.	
Policy 5.3.1 Ground Oriented Infill	Encourage gentle densification in the form of ground-oriented residential uses such as house-plexes, townhouses and narrow lot housing to approximately 2 storeys, maintaining residential uses and setbacks that reflect the existing development pattern. Consider opportunities for greater height and massing at block ends and along Active Transportation Corridors.
	<i>The 2-lot subdivision of an existing large residential parcel constitutes gentle densification.</i>

6.0 Application Chronology

Date of Application Accepted: March 3, 2022

Date Public Consultation Completed: June 7, 2022

Report prepared by: Mark Tanner, Planner II

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Proposed Subdivision Plan

PROPOSED SUBDIVISION PLAN OF LOT 19 SECTION 26 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 15377

CITY OF KELOWNA
CIVIC ADDRESS: 140 MUIR ROAD
PID: 008-836-914

SCALE 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.

THE INTENDED PLOT SIZE OF THIS PLAN IS 280mm IN WIDTH BY 432mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:200

LOT 20
PLAN 15377

LOT 30
PLAN 15377

LOT 31
PLAN 15377

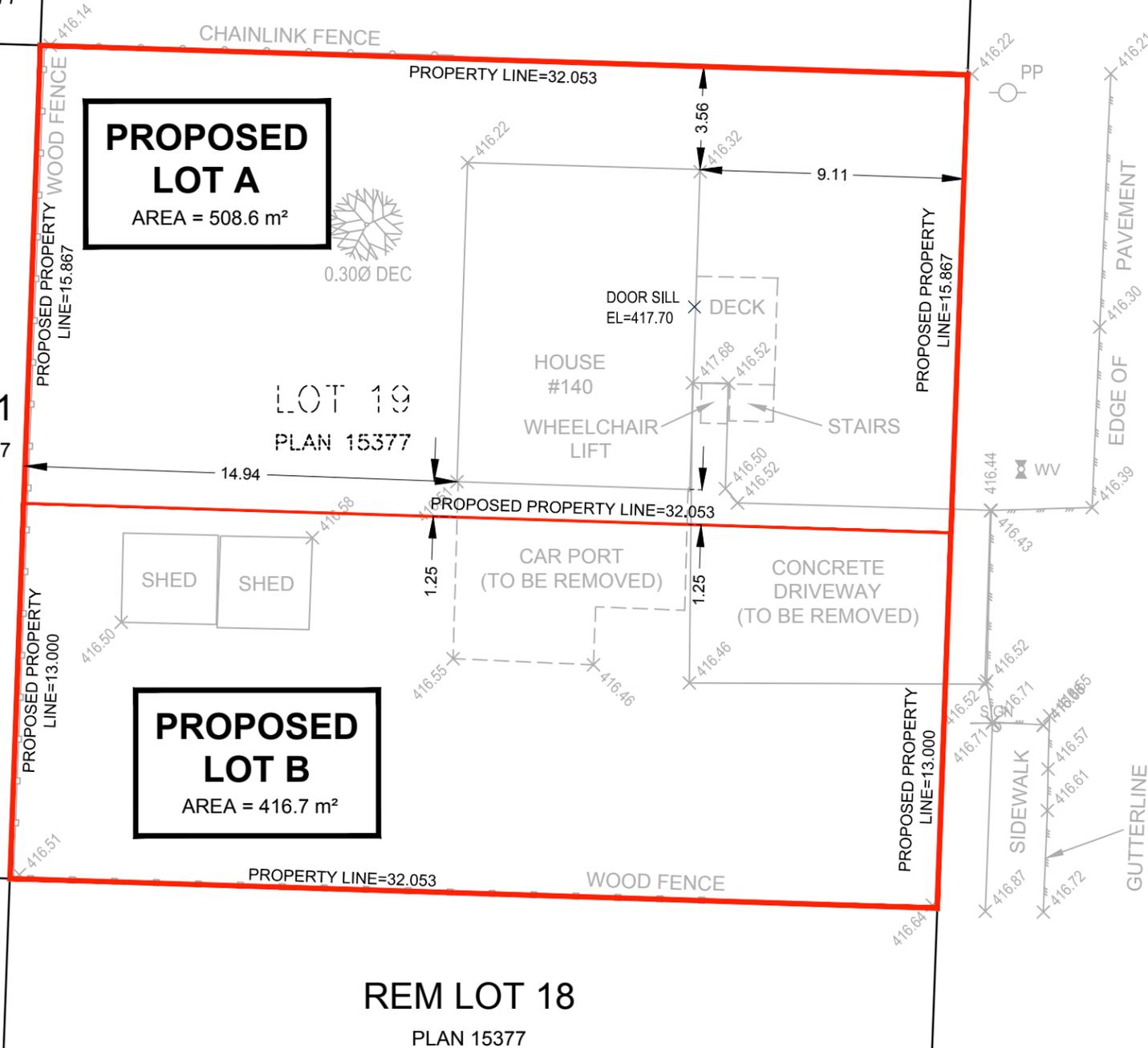
LOT 32
PLAN 15377

LOT 19
PLAN 15377

REM LOT 18
PLAN 15377

PROPOSED LOT A
AREA = 508.6 m²

PROPOSED LOT B
AREA = 416.7 m²



ATTACHMENT A

This forms part of application
Z22-0016

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING

ZONING: RU1
PROPERTY DIMENSIONS SHOWN ARE DERIVED FROM: FIELD SURVEY
OFFSETS TO PROPERTY LINES ARE NOT TO BE USED TO DEFINE BOUNDARIES.
REFER TO CURRENT CERTIFICATE(S) OF TITLE FOR ADDITIONAL, EXISTING OR PENDING CHARGES.
THIS PLAN SHOWS THE LOCATION OF VISIBLE FEATURES ONLY, AND DOES NOT INDICATE BURIED SERVICES THAT MAY EXIST ON OR AROUND THE SUBJECT SITE.
FEATURES SHOWN WITHOUT DIMENSIONS SHOULD BE CONFIRMED WITH BENNETT LAND SURVEYING LTD.

ELEVATIONS ARE TO CGVD28 GEODETIC DATUM, AND ARE DERIVED FROM DUAL-FREQUENCY GNSS OBSERVATIONS PROCESSED USING THE SMARTNET REAL-TIME NETWORK SERVICE.
THIS PLAN HAS BEEN PREPARED FOR CONSTRUCTION PURPOSES ONLY AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT.
ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF BENNETT LAND SURVEYING LTD..
BENNETT LAND SURVEYING LTD. ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.
FINAL DIMENSIONS AND AREAS OF NEW LOTS SUBJECT TO MINOR CHANGES UPON COMPLETION OF LEGAL SURVEY.

bennett
LAND SURVEYING LTD.
BC LAND SURVEYORS
#201 - 1470 ST. PAUL STREET,
KELOWNA, BC
V1Y 2E6
TEL 250-763-5711
www.bennettsurveys.com

FB701 P108-111 (PB)

FIELD SURVEY COMPLETED ON JULY 22, 2021.



City of
Kelowna

Z22-0016
140 Muir Road
Rezoning Application

Proposal

- ▶ To rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a 2-lot subdivision.

Development Process

March 3, 2022

Development Application Submitted

Staff Review & Circulation

June 7, 2022

Public Notification Received

June 27, 2022

Initial Consideration

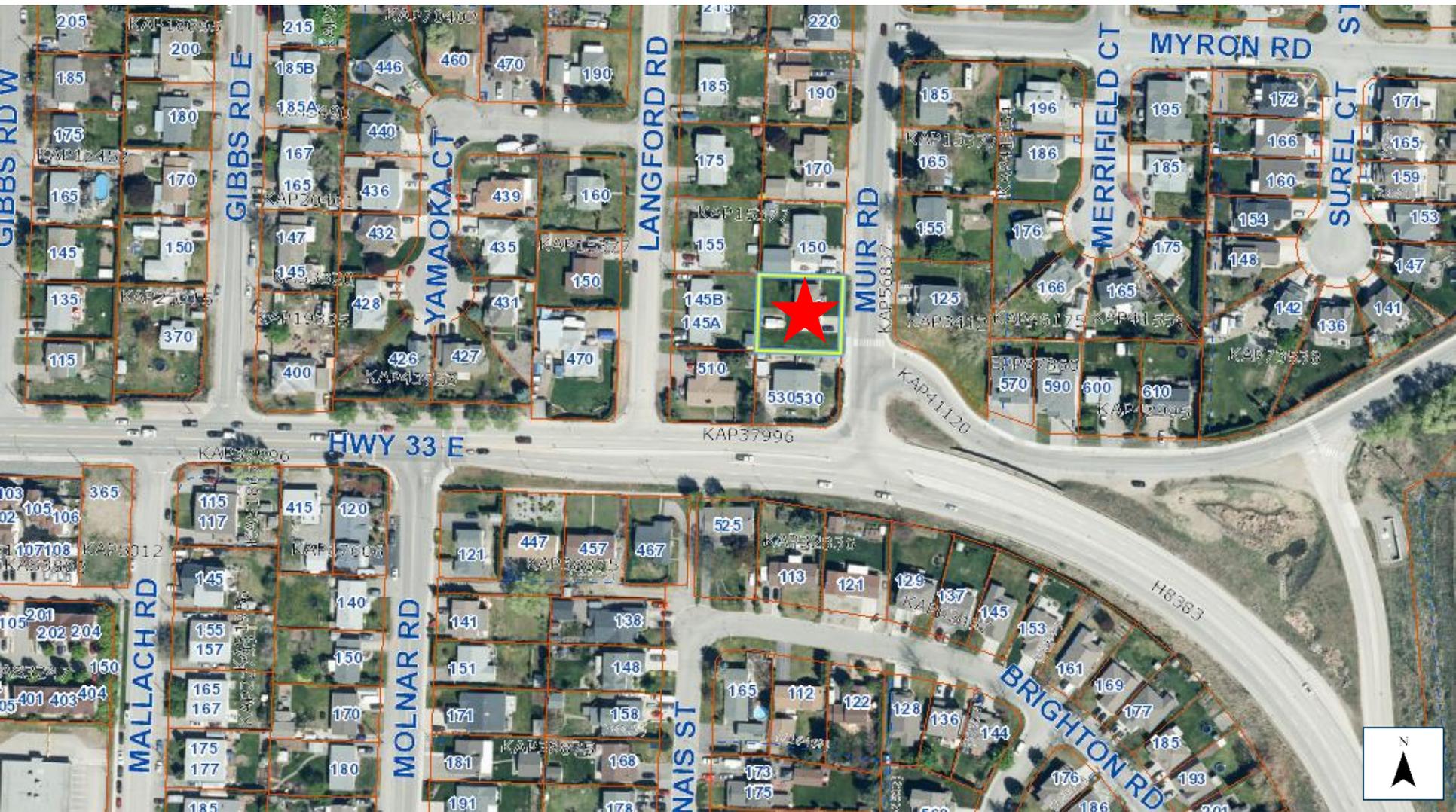
First, Second & Third Readings

Final Reading

Subdivision, Building Permit

Council Approvals

Context Map



OCP Future Land Use / Zoning



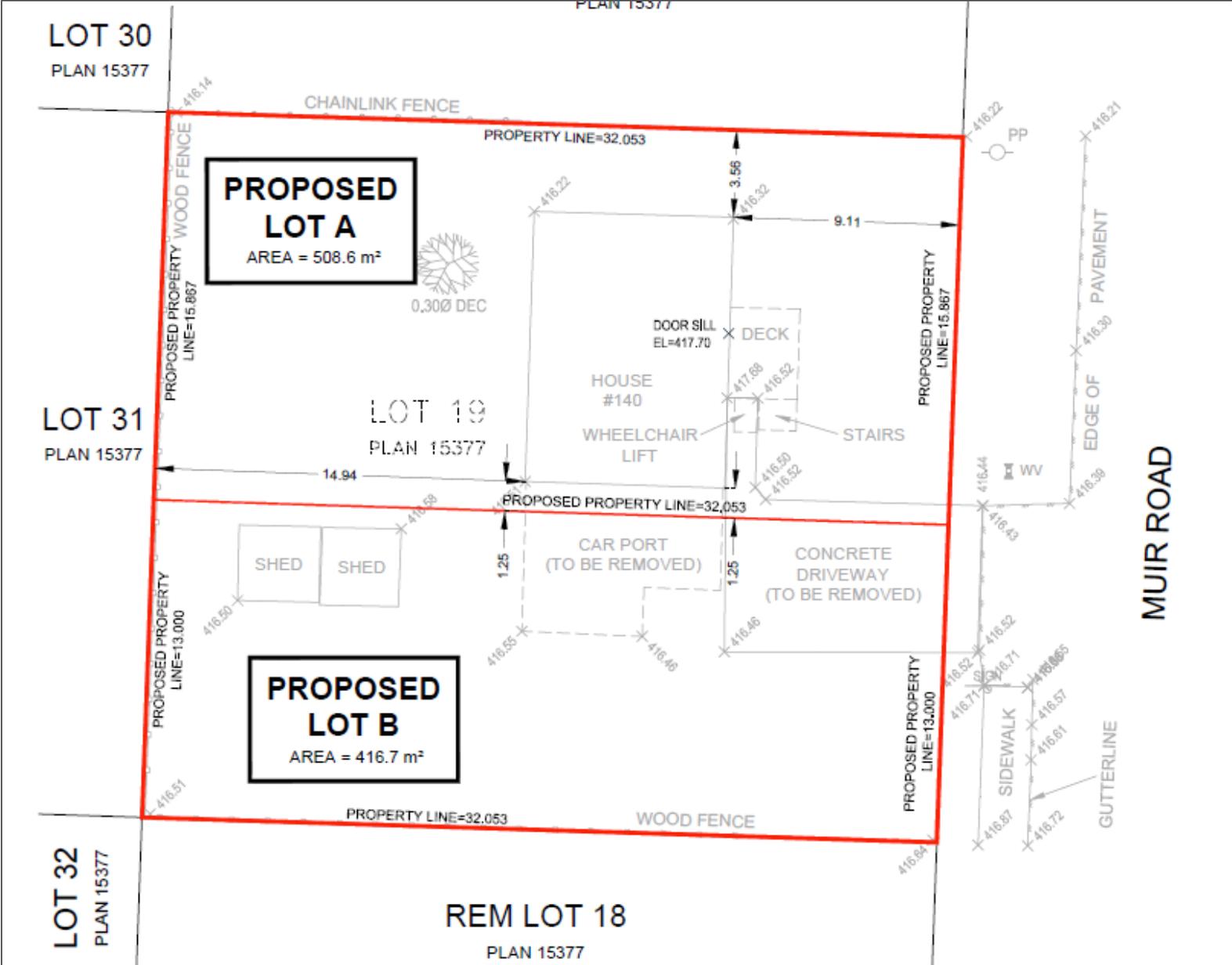
Subject Property Map



Project/technical details

- ▶ Proposed rezoning to RU2 – Medium Lot Housing will facilitate the subdivision of the property into 2 lots.
- ▶ The proposed lots meet the depth, width and size requirements of the RU2 zone.

Subdivision Plan



Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to facilitate the proposed subdivision.
- ▶ Meets the intent of the Official Community Plan
 - ▶ C-NHD – Core Area Neighbourhood Designation and Policies
- ▶ Meets Zoning Bylaw requirements for RU2 – Medium Dwelling Housing



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12411

Z22-0016-

140 Muir Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 19 Section 26 Township 26, ODYD, Plan 15377 located on Muir Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 27, 2022

To: Council

From: City Manager

Department: Community Planning

Application: Z22-0030

Owner: Sundeep Jassi, Hans Jassi,
Manisha Jassi

Address: 394 Viewcrest Court

Applicant: CM Designs Ltd.

Subject: Rezoning Application

Existing OCP Designation: S-RES – Suburban - Residential

Existing Zone: RR3 – Rural Residential 3

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z22-0030 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 17, Section 23, Township 28, Similkameen Division Yale District Plan KAP53665, located at 394 Viewcrest Court, Kelowna, BC from the RR3 – Rural Residential 3 zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council.

2.0 Purpose

To rezone the subject property from the RR3 – Rural Residential 3 zone to the RU1c – Large Lot Housing with Carriage House zone to facilitate the construction of a carriage house.

3.0 Development Planning

Staff support the proposed rezoning application. The rezoning would allow for a carriage house to be constructed over a garage/accessory building. The subject property is fronting on two roads where the principal dwelling fronts Viewcrest Court and the carriage house/garage would front Uplands Court. The proposal is well aligned with the Future Land Use Designation of S-RES – Suburban Residential and is located within the City's Permanent Growth Boundary. The lot meets the depth, width and area of the RU1c zone, and no variances are required.

4.0 Proposal

4.1 Project Description

The proposed rezoning from the RR3 – Rural Residential 3 to the RU1c – Large Lot Housing with Carriage House is to facilitate the construction of a carriage house over an accessory building/garage. The lot meets the minimum dimensions of the RU1c zone and will have negligible impacts on the existing utility services. The proposed carriage house would be built into the slope, eliminating the need for large retaining walls or cuts into the hillside at that location. Landscape walls are proposed on either side of the carriage house to provide useable yard space for the residents. The planned retaining walls adhere to the City of Kelowna Zoning Bylaw and are considered minor in nature.

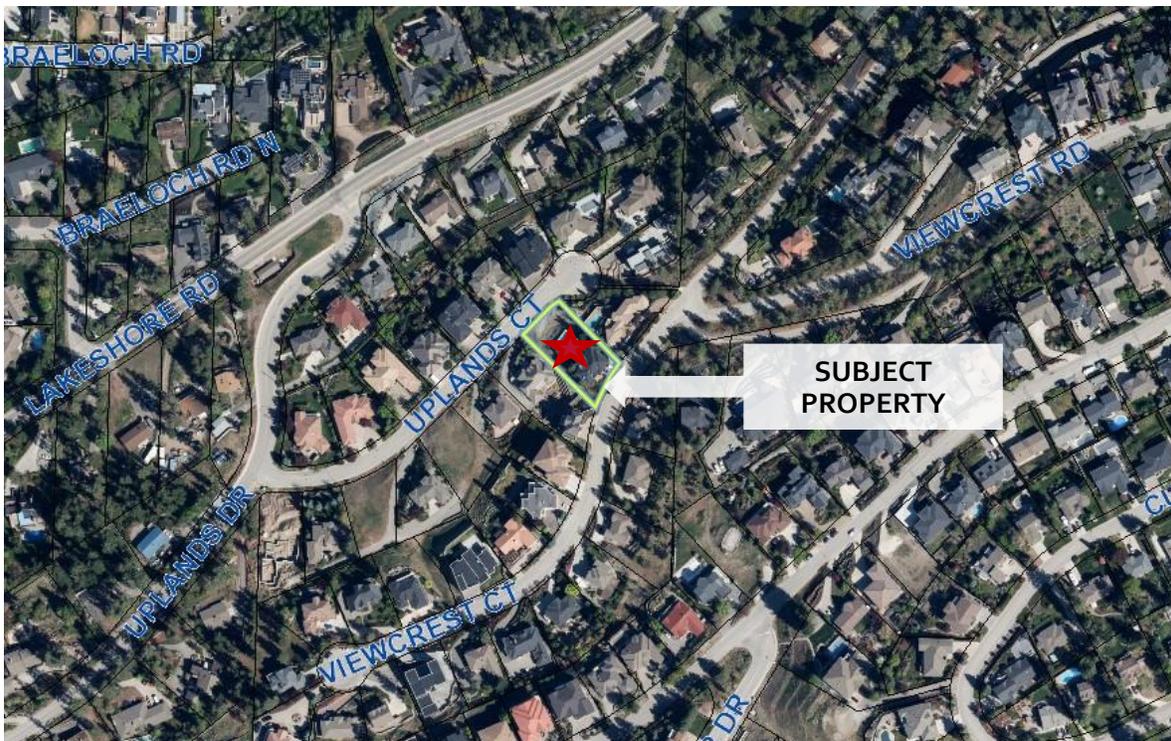
4.2 Site Context

The subject property is located in the Southwest Mission Official Community Plan Sector and is within the Permanent Growth Boundary. The lot is sloping and fronts onto two roads where the principal dwelling fronts Viewcrest Court and the carriage house/garage would front Uplands Court. The parcel is connected to sanitary sewer and is fully serviced. The area is predominantly single family dwellings within the RR3 – Rural Residential 3 zone and RU1 – Large Lot Housing zone. The surrounding Future Land Use is primarily S-RES – Suburban Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 – Rural Residential 3	S-RES – Suburban Residential
East	RR3 – Rural Residential 3	S-RES – Suburban Residential
South	RR3 – Rural Residential 3	S-RES – Suburban Residential
West	RU1 – Large Lot Housing	S-RES – Suburban Residential

Subject Property Map: 394 Viewcrest Court



Current Development Policies

4.3 Kelowna Official Community Plan (OCP)

Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable. (Chapter 7: Suburban Neighbourhoods)	
<p>Policy 7.2.1 Ground-Oriented Housing</p>	<p>Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities.</p>
	<p><i>In addressing the high costs of servicing suburban neighbourhoods, the proposed carriage house project will make more efficient use of the existing infrastructure and contribute to reducing the overall urban footprint within the City.</i></p>
<p>Policy 7.2.2 Hillside Housing Forms</p>	<p>Encourage housing forms that best match to the topography and have the lowest amount of impact in hillside areas, such as minimum cuts and fills, for example, and provide the greatest environmental protection. Discourage housing forms and associated roadways that cause high amounts of slope disturbance and visual impact.</p>
	<p><i>The proposed carriage house would be built into the slope, eliminating the need for large retaining walls or cuts into the hillside at that location. Landscape walls proposed on either side of the carriage house adhere to the City of Kelowna Zoning Bylaw and are considered minor in nature.</i></p>

5.0 Technical Comments

5.1 City of Kelowna Development Engineering Department

See attached Schedule A

6.o Application Chronology

Date of Application Received: April 29, 2022
Date of Public Consultation Completed: May 7, 2022

Report prepared by: Corey Davis, Development Technician - Engineering

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package

Z22-0030
394 Viewcrest Court
Rezoning Application

Proposal

- ▶ To rezone the subject property from RR3 – Rural Residential 3 to RU1C – Large Lot Housing (with Carriage House).

Development Process

April 29th, 2022

Development Application Submitted

Staff Review & Circulation

May 7th, 2022

Public Notification Received

June 27th, 2022

Initial Consideration

First,
Second & Third Readings

Final Reading

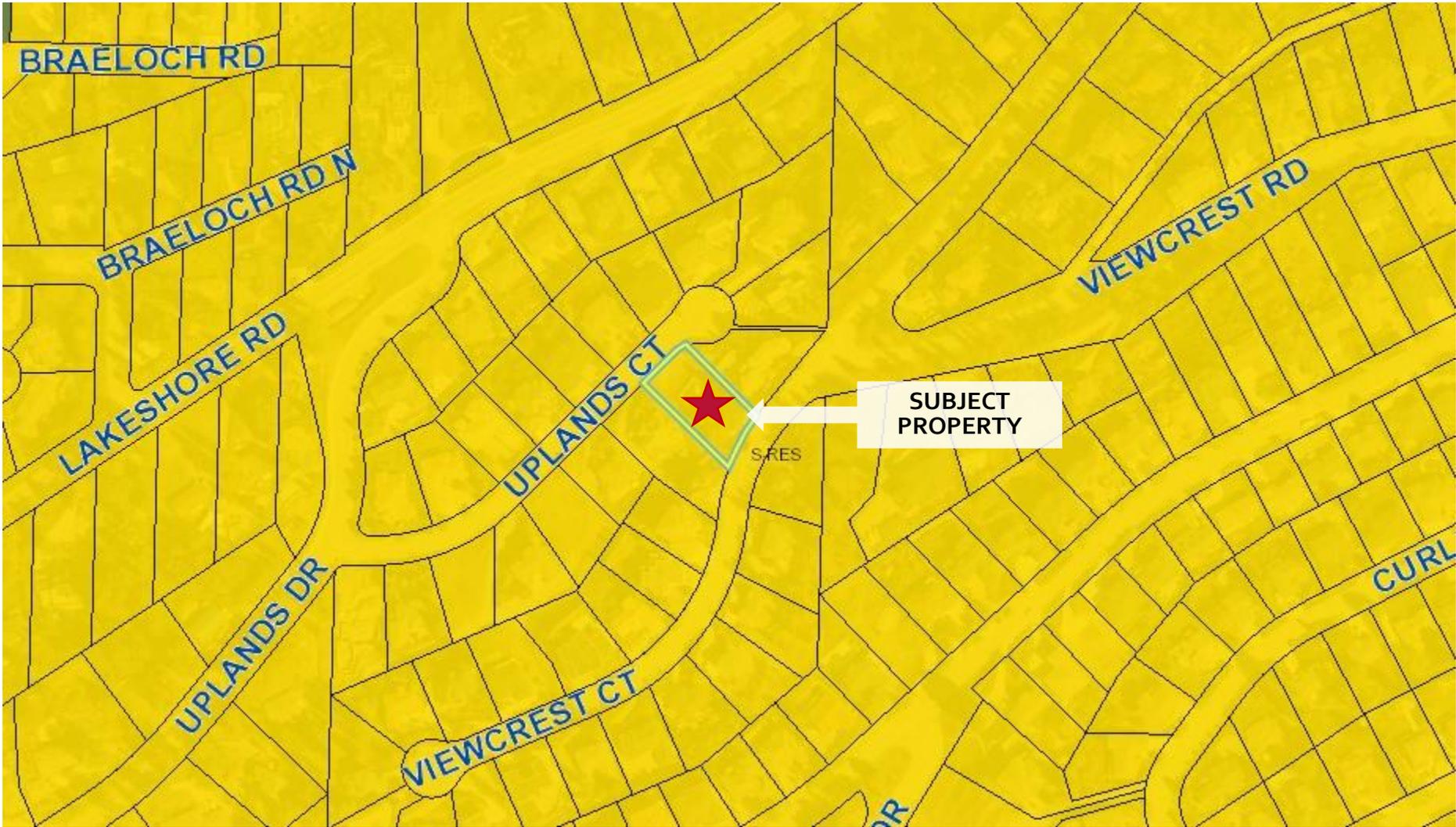
Building Permit

Council Approvals

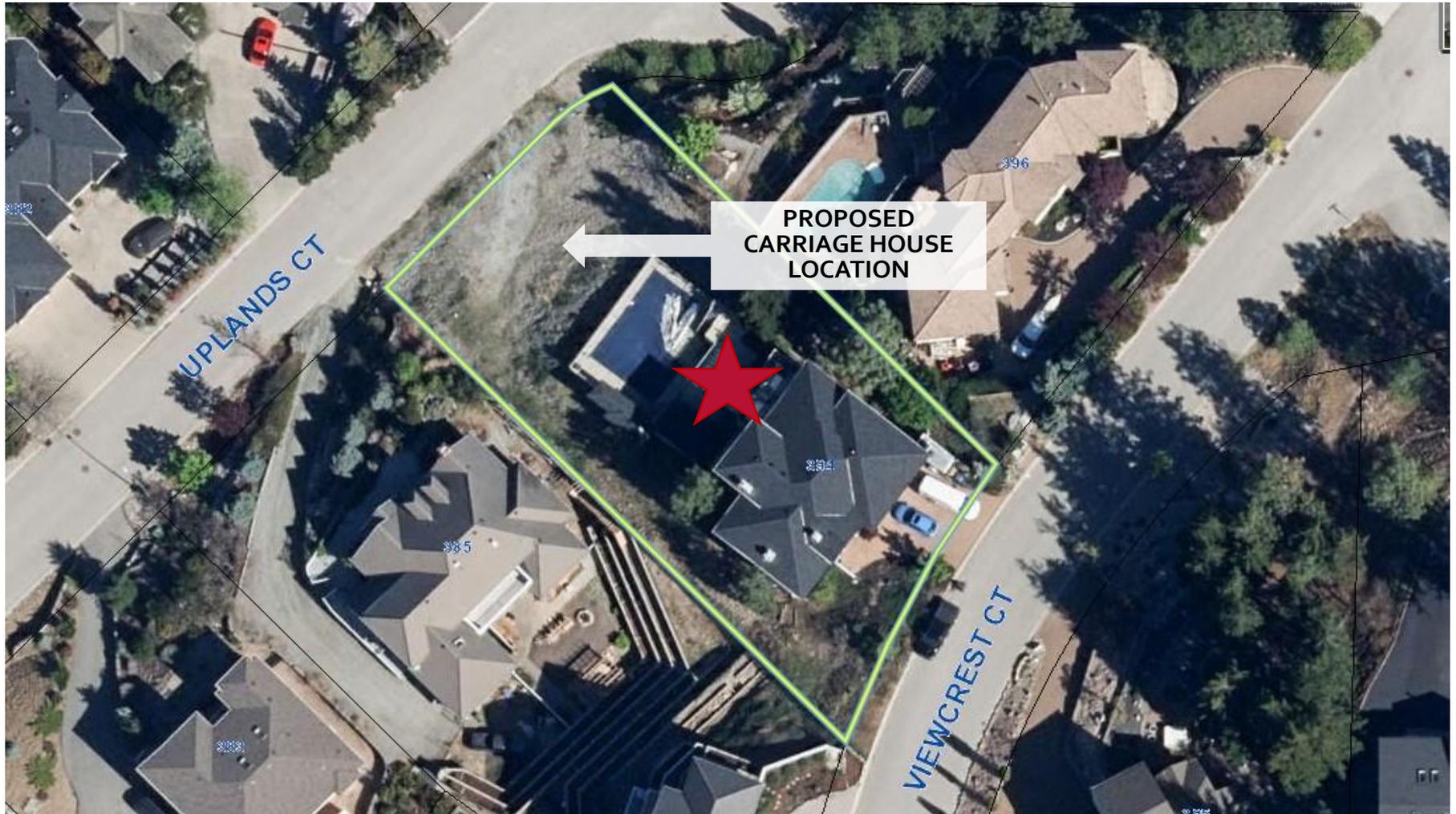
Context Map



OCP Future Land Use / Zoning



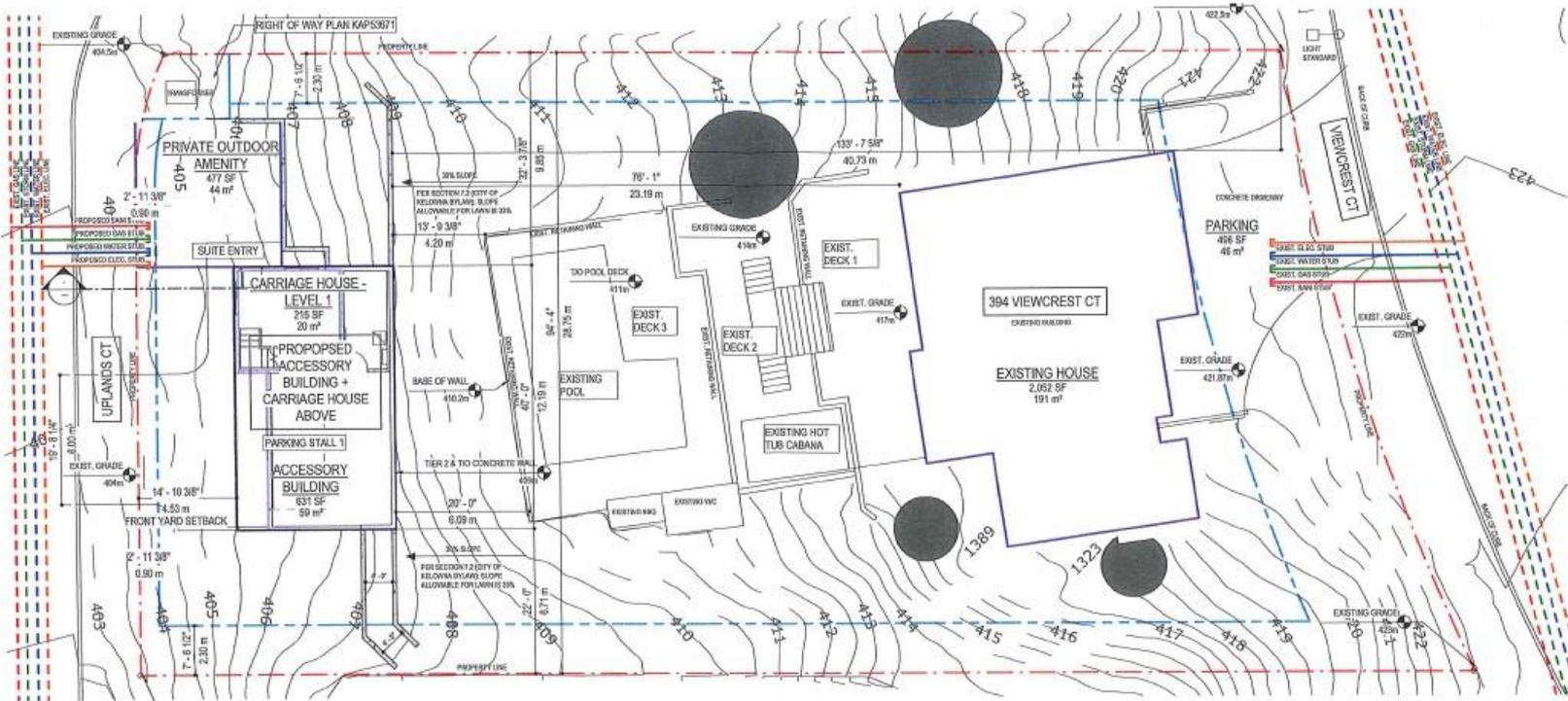
Subject Property Map



Project/technical details

- ▶ The lot meets the depth, width and size of the RU1C zone.
- ▶ Proposed rezoning would facilitate a carriage house built above a garage/accessory building.
- ▶ The lot fronts two roads. The principal dwelling fronts Viewcrest Court and the carriage house/garage would front Uplands Court.
- ▶ The carriage house/garage is proposed to be built into the existing slope.

Site Plan



1 LEVEL 1 - SITE PLAN
1" = 10'-0"

PARCEL SIZE		
Size	Area	Area (SQ)
Parcel Size	17,330 SF	1,583.00
Parcel Size	17,330 SF	1,583.00

PARKING AREA		
Size	Area	Area (SQ)
Parking	456 SF	41.54
Parking	456 SF	41.54

TOTAL BUILDING AREA		
Size	Area	Area (SQ)
Accessory Bld Area	631 SF	58.70
Carriage House	215 SF	19.87
Level 1	215 SF	19.87
Level 2	412 SF	38.44
Deck	388 SF	35.81
Private Outdoor Amenity	477 SF	44.31
Total Building Area	2,052 SF	191.00

ZONING SUMMARY			
394 VIEWCREST COURT			
ADDRESS	394 VIEWCREST COURT, WILLOWDALE, BC V3P 4J8		
LEGAL DESCRIPTION	LOT 17, SECTION 23, TOWNSHIP 23, PLAN R452845		
DEVELOPMENT PERMIT AREA	10A		
EXISTING ZONING	R1U1		
PROPOSED ZONING	R1U1 (CARriage HOUSE)		
EXISTING LEGAL USE	SINGLE FAMILY HOME		
PROPOSED LEGAL USE	SINGLE FAMILY HOME + CARriage HOSE		

ZONING REQUIREMENTS			
MAIN BUILDING			
ZONING STANDARD		PROPOSED	
FRONT SETBACK	4.5m HOUSE / 8.0m GARAGE	NOT CHANGED	NOT CHANGED
REAR SETBACK	2.0m	NOT CHANGED	NOT CHANGED
FRONT SETBACK	2.0m	NOT CHANGED	NOT CHANGED
FENCE HEIGHT	1.5m	NOT CHANGED	1.5m MAX (2.0m SF)
BUILDING HEIGHT	0.5m or 2.5 stories	7.95m (26' - 9.355) - NOT CHANGED	7.95m (26' - 9.355) - NOT CHANGED
LEVEL 1 PARCEL COVERAGE AREA	0.4m (24.5M HPS)	198.00 - NOT CHANGED	198.00 - NOT CHANGED
TOTAL PARCEL COVERAGE %	48%	11.8%	11.8%
TOTAL PARKING COVERAGE %	18%	2.8%	2.8%

ZONING REQUIREMENTS			
CARRIAGE HOUSE			
ZONING STANDARD		PROPOSED	
FRONT SETBACK	15m	42.26m	
SIDE SETBACK	1.5m	6.71m	
REAR SETBACK	4.5m	4.5m	
DISTANCE FROM PRINCIPAL BUILDING	3.0m	24.58m	
FIRE DRIVWAY	4.5m	4.5m	
NET FLOOR AREA (2 STOREY)	90m ²	200m ²	
PARCEL COVERAGE	14%	5.9%	
TOTAL PARCEL COVERAGE	-	301.3m ²	
FLOORSPACE OF PRINCIPAL BUILDING	15%	29.2%	
ACCESSORY BUILDING AREA	10%	68.7m ²	
TOTAL CARriage HOUSE AREA	80m ²	80m ²	
(NET LEVEL CARriage HOUSE) (HPS)	15%	19%	

SITEPLAN NOTES:

- ALL EXISTING GRADERS AND SURVEY INFORMATION BASED ON SURVEY FILE BY CLARKE LAND SURVEYING DATED MARCH 3 2009
- ALL SETBACKS IS APPROX. CIVIL TO CONFIRM UPON BUILDING PERMIT APPROVAL
- SETBACKS WERE ALREADY STUDIED DOWN BY ULTIMATE COURT IN AN INTERPARTY MAT A BUILDING OR STRUCTURE IS DEVELOPED DOWN THERE
- ALL EXISTING SOLICITORS PERIOD, HOT TUB CABANA, POOL TO REMAIN. ALL POOL DECKS TO REMAIN AS TO BE REDUCED TO FRONT OF HOUSE OR PARKING DRIVEWAY
- REF TO AS SERIES FOR DETAILS OF FINISHED WALLS & WINDOWS



LOCATION MAP - N.T.S



REZONING APPLICATION
 APPLICANT - SUNDEEP JASSI - sundeepjassi@yahoo.com

No.	Date	Revision
01	2023-04-04	ISSUE FOR REZONING

TRUE NORTH PROJECT NORTH
 Project Title
 394 VIEWCREST

Drawing Title
 SITE PLAN & ZONING

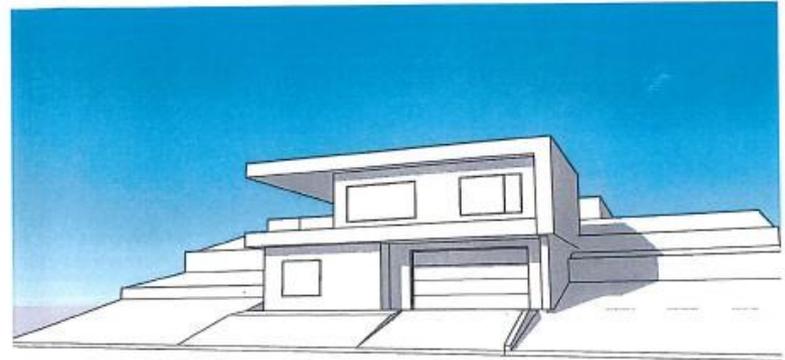
Drawing Number
 A2.01

Job No. 18 - 1814
 Scale As Indicated

Perspective Drawings

394 VIEWCREST CT

394 VIEWCREST COURT, KELOWNA, BC V1W 4J9
LOT 17, SECTION 23, TOWNSHIP 28, PLAN KAP53665



ISSUED FOR REZONING - UPDATED

2022-04-13

Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Within Permanent Growth Boundary
 - ▶ Sensitive Infill

- ▶ Consistent with Zoning Bylaw – no variances

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to RU₁C – Large Lot Housing with Carriage House

- ▶ Meets the intent of the Official Community Plan
 - ▶ Urban Infill Policies

- ▶ The subject property aligns with the OCP Future Land Use of S-RES - Suburban - Residential



Conclusion of Staff Remarks

MEMORANDUM**Date:** May 24, 2022**File No.:** Z22-0030**To:** Community Planning Services (CD)**From:** Development Engineering Manager (NC)**Subject:** 394 VIEWCREST CT Lot 17 Plan KAP53665 Carriage House RU1 to RU1c

The Development Engineering Branch has the following comments and requirements associated with this application to rezone application to rezone the subject property from RU1 to RU1c for the construction of a carriage house.

1. General

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

2. Domestic Water and Fire Protection

The subject property is currently serviced with a 19mm copper water service. Only one metered water service is permitted to supply both the main residence and the carriage house. The applicant shall determine the required servicing needs and, if necessary, decommission the existing service and install a larger service at their own cost.

3. Sanitary Sewer

- a. Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber (IC).
- b. A brooks box shall be installed over the inspection chamber if one does not exist.

4. Storm Sewer

- a. This property is located within an area identified by the City of Kelowna as having poor infiltration conditions. Service connection to the City Storm system is required for all roof leaders and foundation perimeter drains.
- b. Our records indicate that this property is currently serviced with a 100mm-diameter storm sewer service complete with inspection chamber (IC).
- c. A brooks box per CoK SS-S9 shall be installed over the existing inspection chamber if one does not exist.

5. Road Improvements, Dedication, and Site Access

- a. One driveway with a maximum driveway width of 6.0m per fronting road as per Bylaw 7900. No parking is permitted within City boulevard.
- b. Driveway grades within the City boulevard shall not exceed 5.0%

- c. Uplands Ct must be upgraded along the full frontage of the subject property to include a landscaped and irrigated boulevard, as well as pavement removal or replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.

6. Electric Power and Telecommunication Services

- a. It is the applicant's responsibility to make a servicing application with the respective electric power, telephone, and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

7. Geotechnical Study

- a. At the time of Building Permit application, the applicant is required to provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below:

NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

- b. The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (i.e., fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - iv. Any special requirements for construction of roads, utilities, and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.
- c. If any blasting is proposed as part of this subdivision, a Soil Removal and Deposit Application must be made to the City for such works. The proposed blasting work is to comply with Amendment No. 1 to the Soil Removal and Deposit Regulation Bylaw No. 9612, specifically Section 6 PERMIT REQUIREMENTS – (k) and (g).
- d. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

"Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height

of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.”

The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia’s Professional Practice Guidelines for Retaining Wall Design. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of Retaining Wall Design Guideline) and any necessary independent reviews (as per EGBC’s Documented Independent Review of Structural Designs).

- e. Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.
- f. Any exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer. For adequate Rockfall Protection adjacent to walls and rock cuts, please consider BC MoTI Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.

Where walls are on the high side, the City’s preference is that the walls remain setback and on private property. Where the walls hold up a public road, the City’s preference is that additional dedication be provided, and the walls be owned by the City. Please design any geogrids or tiebacks so that they do not encroach into the required road ROW.



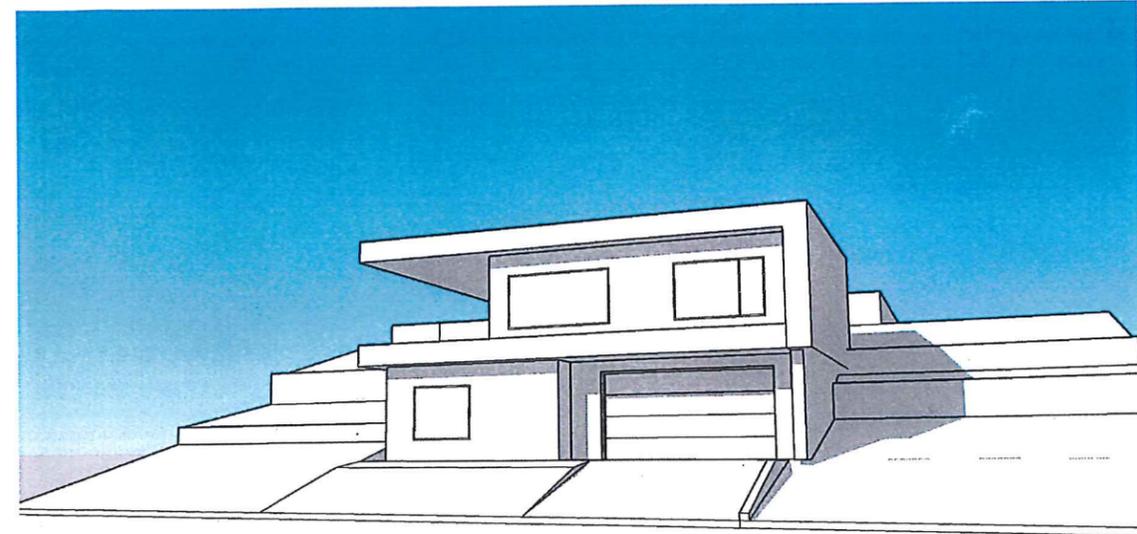
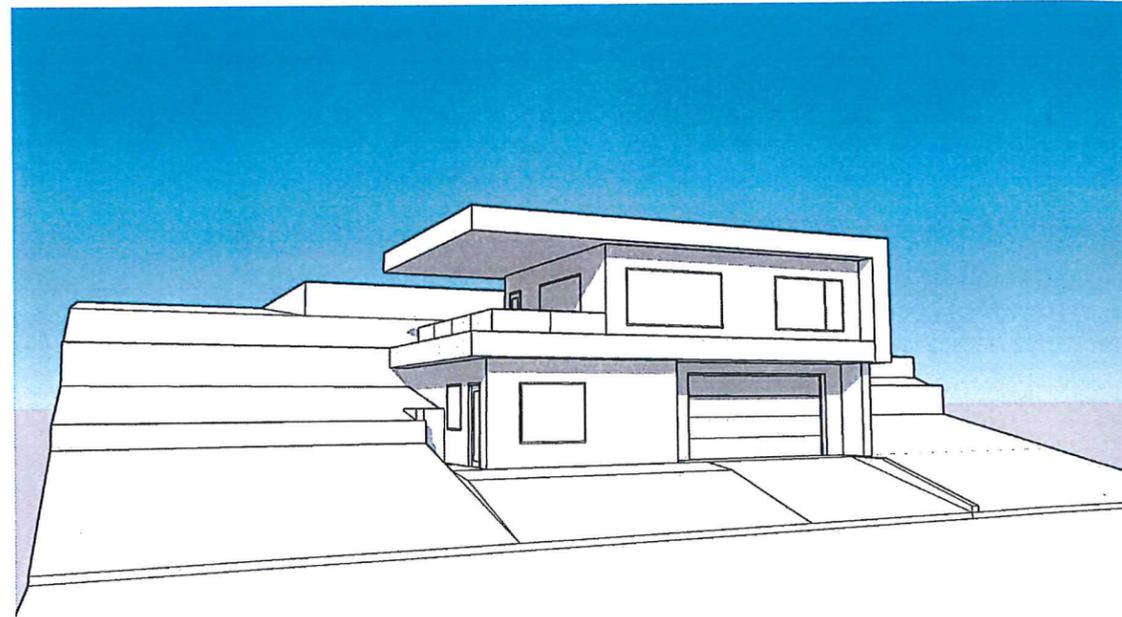
Nelson Chapman, P.Eng.
Development Engineering Manager

JF



394 VIEWCREST CT

394 VIEWCREST COURT, KELOWNA, BC V1W 4J9
 LOT 17, SECTION 23, TOWNSHIP 28, PLAN KAP53665



ISSUED FOR REZONING - UPDATED

2022-04-13

ARCHITECTURAL

- A0.00 COVER SHEET & DRAWING LIST
- A1.12 EXIST. PHOTOS & DESIGN RATIONALE
- A2.01 SITE PLAN & ZONING
- A3.02 LEVEL 1
- A3.03 LEVEL 2



REZONING APPLICATION
 APPLICANT - SUNDEEP JASSI - sundeepjassi@yahoo.com

No.	Date	Revision
01	2022-04-04	ISSUED FOR REZONING

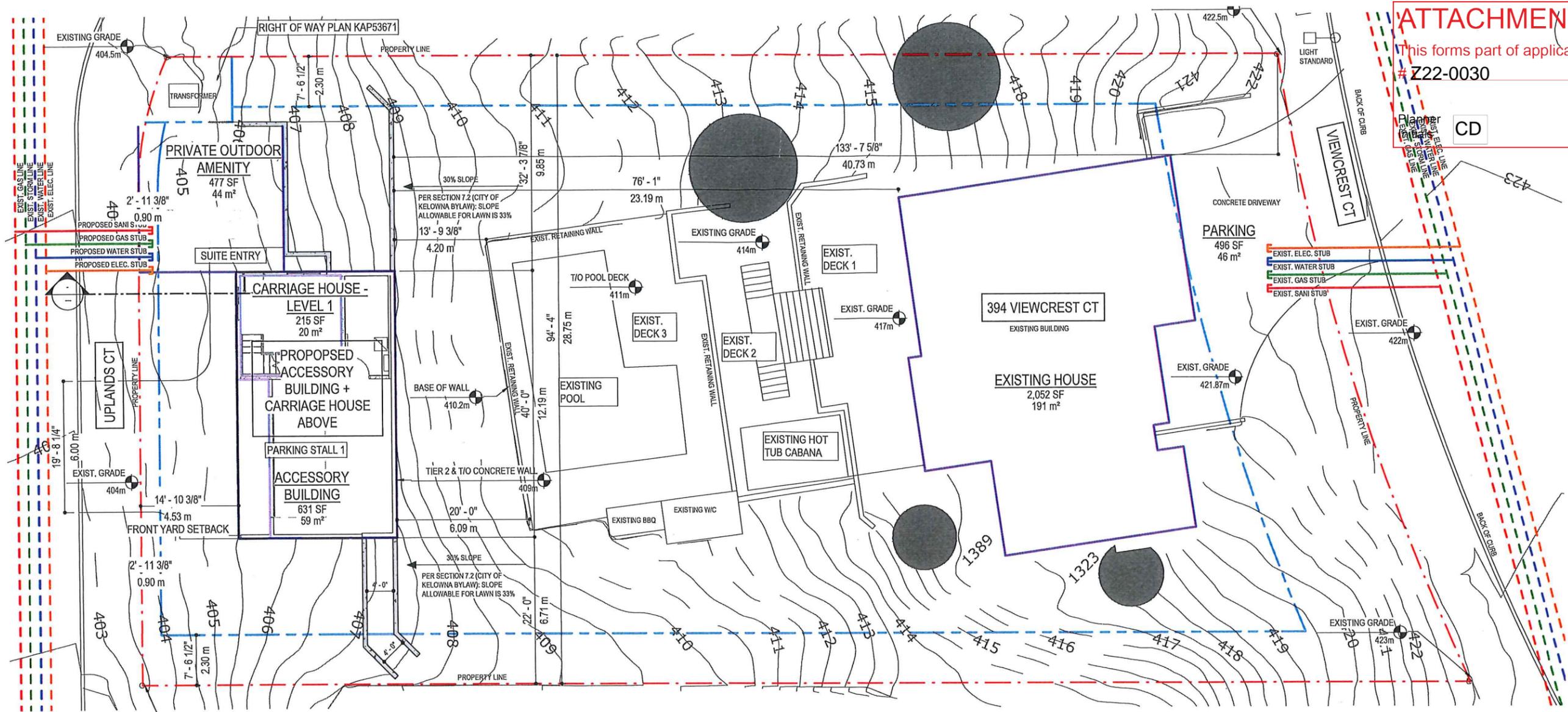
Project Title
 394 VIEWCREST

Drawing Title
 COVER SHEET &
 DRAWING LIST

Drawing Number
 A0.00

394 VIEWCREST COURT, KELOWNA, BC V1W 4J9
 LOT 17, SECTION 23, TOWNSHIP 28, PLAN KAP53665

Job No. 18 - 1816
 Scale



1 LEVEL 1 - SITE PLAN
 A2.01 1" = 10'-0"

PARCEL SIZE		
Name	Area	Area (SM)
PARCEL SIZE	17,336 SF	1,610.6 m ²
	17,336 SF	1,610.6 m ²

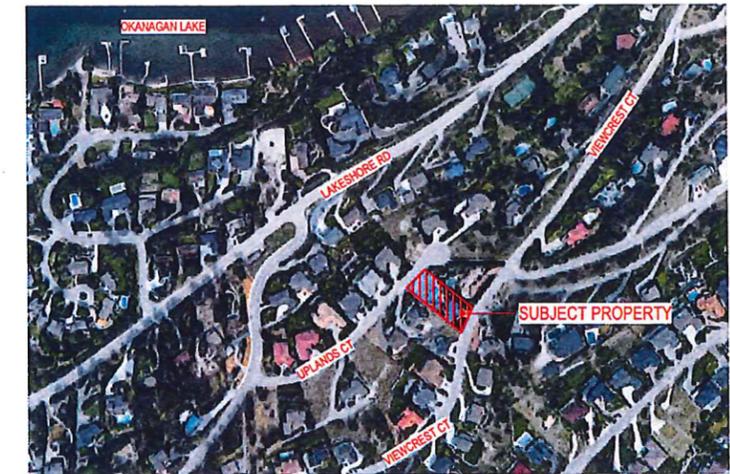
PARKING AREA		
Name	Area	Area (SM)
PARKING	496 SF	46.1 m ²
	496 SF	46.1 m ²

TOTAL BUILDING AREA		
Name	Area	Area (SM)
ACCESSORY BUILDING	631 SF	58.7 m ²
CARRIAGE HOUSE - LEVEL 1	215 SF	20.0 m ²
CARRIAGE HOUSE - LEVEL 2	672 SF	62.4 m ²
DECK	288 SF	26.8 m ²
EXISTING HOUSE	2,052 SF	190.6 m ²
PRIVATE OUTDOOR AMENITY	477 SF	44.3 m ²
	4,336 SF	402.8 m ²

ZONING SUMMARY 394 VIEWCREST COURT		
ADDRESS	394 VIEWCREST COURT, KELOWNA, BC V1W 4J9	
LEGAL DESCRIPTION	LOT 17, SECTION 23, TOWNSHIP 28, PLAN KAP53665	
DEVELOPMENT PERMIT AREA	N/A	
EXISTING ZONING	RU1	
PROPOSED ZONING	RU1C (CARRIAGE HOME)	
EXISTING LEGAL USE	SINGLE FAMILY HOME	
PROPOSED LEGAL USE	SINGLE FAMILY HOME + CARRIAGE HOME	
ZONING REQUIREMENTS MAIN BUILDING		
	ZONING STANDARD	PROPOSED
FRONT SETBACK	4.5m HOUSE / 6.0m GARAGE	NOT CHANGED
SIDE SETBACK	2.0m	NOT CHANGED
REAR SETBACK	7.5m	NOT CHANGED
PARCEL SIZE	500 SM	1,610.6 SM (17,336 SF)
BUILDING HEIGHT	9.5m or 2.5 storeys	7.905m (25' - 9 3/8") - NOT CHANGED
LEVEL 1 PARCEL COVERAGE AREA	64.24 SM (40%)	190.6 SM - NOT CHANGED
TOTAL PARCEL COVERAGE %	40%	11.8%
TOTAL PARKING COVERAGE %	10%	2.8%

ZONING REQUIREMENTS CARRIAGE HOUSE		
	ZONING STANDARD	PROPOSED
FRONT SETBACK	12m	42.23m
SIDE SETBACK	1.5m	6.71m
REAR SETBACK	4.5m	4.5m
DISTANCE FROM PRINCIPAL BUILDING	3.0m	24.69m
BUILDING HEIGHT	4.8m	4.8m
NET FLOOR AREA (2 STOREY)	90sm	89sm
PARCEL COVERAGE	14%	5.6%
TOTAL PRINCIPAL DWELLING	-	381.2sm
PERCENTAGE OF PRINCIPAL DWELLING	75%	25.3%
ACCESSORY BUILDING AREA	14%	58.7sm
TOTAL CARRIAGE HOUSE AREA	90sm	89sm
2ND LEVEL CARRIAGE HOUSE RATIO	75%	70%

- SITEPLAN NOTES:**
- ALL EXISTING GRADES AND SURVEY INFORMATION BASED ON SURVEY FILE BY SUMMIT LAND SURVEYING DATED MARCH 3, 2022.
 - ALL SERVICING IS APPROX. CIVIL TO CONFIRM UPON BUILDING PERMIT APPROVAL.
 - SERVICES WERE ALREADY STUBBED DOWN AT UPLANDS COURT IN ANTICIPATION THAT A BUILDING OR STRUCTURE BE DEVELOPED DOWN THERE.
 - ALL EXISTING STRUCTURES (HOUSE, HOT TUB CABANA, POOL) TO REMAIN. ALL POOL DECKS TO REMAIN AS IS. NO REVISION TO FRONT OF HOUSE OR PARKING / DRIVEWAY REFER TO A3 SERIES FOR DETAILED RETAINING WALL ELEVATIONS



LOCATION MAP - N.T.S



REZONING APPLICATION
 APPLICANT - SUNDEEP JASSI - sundeepjassi@yahoo.com

No.	Date	Revision
01	2022-04-04	ISSUED FOR REZONING



Drawing Title
SITE PLAN & ZONING

Drawing Number
A2.01

Job No. 18 - 1816
 Scale As indicated

394 VIEWCREST COURT, KELOWNA, BC V1W 4J9
 LOT 17, SECTION 23, TOWNSHIP 28, PLAN KAP53665

CITY OF KELOWNA

BYLAW NO. 12412 Z22-0030- 394 Viewcrest Court

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 17 Section 23 Township 28, SDYD, Plan KAP53665 located on Viewcrest Court, Kelowna, BC from the RR3 – Rural Residential 3 zone to the RU1c – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: June 27, 2022
To: Council
From: City Manager
Department: Development Planning
Application: Z21-0061
Address: 350 Doyle Ave
Subject: Report to Council - Supplemental
Owner: City of Kelowna
Applicant: Zeidler Architecture

Recommendation:

THAT Council receives, for information, the Report from the Development Planning Department dated June 27, 2022 with respect to Rezoning Application No. Z21-0061 for the property located 350 Doyle Ave;

AND THAT the servicing requirements be amended in accordance with Schedule "A" attached to the Report from the Development Planning Department dated June 27, 2022;

Purpose:

To amend the servicing requirements associated with a rezoning application for 350 Doyle Ave (Z21-0061).

Background:

Rezoning Bylaw No. 12286 to rezone 350 Doyle Ave from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone received second and third readings on November 16, 2021.

Discussion:

Following third reading of the Rezoning Bylaw, the Development Engineering Department met with the Applicant and representatives of the Real Estate and Parks Department regarding the Applicant's requirement to construct the ArtWalk Project and how to better integrate with directly attributable offsite works that have arisen from recently completed technical analysis.

Three material changes to the Servicing Agreement are proposed:

- Remove the requirement for lane upgrade or widening (was previously included in anticipation of construction damage). It is now required that the condition prior to construction be assessed and that any damage to the lane during construction will necessitate that the lane be reconstructed/repaved as warranted.
- Clarify that the Applicant's responsibility for the construction cost of the ArtWalk Crosswalk at Doyle Ave will extend north from the road centreline, with the City being responsible for costs south of the road centreline.
- Confirm that the applicant will be responsible to complete frontage improvements extending west to tie-into the existing sidewalk at the Doyle Ave / Water St Roundabout, including sidewalk widening and conversion of the existing angle parking into parallel parking to eliminate reverse-movement conflicts with the proposed ArtWalk Crosswalk.

Submitted by: Kimberly Brunet, Planner II
Approved for inclusion: Ryan Smith, Divisional Director

Attachments:
Schedule A – Amended City of Kelowna Memorandum

CITY OF KELOWNA
MEMORANDUM

Date: June 8, 2022
File No.: Z21-0061 Rev 1
To: Planning and Development Officer (KB)
From: Development Engineering Manager (RO)
Subject: 350 Doyle Ave P1 to C7R

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from the P1 – Major Institutional zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone.

1. GENERAL

- a. The following requirements are valid for 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 update/change some or all items in this memo once these time limits have been reached.
- b. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- d. The proposed Development triggers a Traffic Impact Assessment (TIA). Prior to initiation of the TIA, Terms of Reference (TOR) must be established. The applicant's consulting transportation engineer shall contact the Development Engineering Technician for this development who, in collaboration with the City's Integrated Transportation Department, will determine the terms of reference for the study. Recommendations from the Traffic Impact Analysis (TIA) will become requirements of this development.
- e. These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).

2. DOMESTIC WATER AND FIRE PROTECTION

- a. The subject lot is located within the City of Kelowna water supply area. The existing lots does not currently have a water service. Only one service will be permitted per legal lot.

- b. The Developer's Consulting Engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for this development is 150 L/s. If it is determined that upgrades to any existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- c. An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- d. All fire flow calculations are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.
- e. A Water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The Developer or Building Contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department and prepare the meter setter at their cost.

3. SANITARY SEWER SYSTEM

- a. Our records indicate that the subject lot is currently with serviced with one 100-mm and one 150-mm diameter sanitary sewer service. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.
- b. Only one service will be permitted for this development, the applicant will arrange for the removal and disconnection of the existing services and the installation of one new larger service at the applicants cost.
- c. If one of the existing service connections are to be utilized it must be completed with an inspection chamber (c/w Brooks Box) as per SS-S7 & SS-S9.
- d. Connection of new sanitary service to AC sewer main within Doyle Ave must adhere to WorkSafe BC approved procedures. Overbuild manhole will not be permitted.

4. STORM DRAINAGE

- a. The property is located within the City of Kelowna drainage service area. For on-site disposal of drainage water, a hydrogeotechnical report will be required, complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems.
- b. Provide the following drawings:
 - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii. A detailed Stormwater Management Plan for this subdivision; and,
 - iii. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.

- c. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 *Detention Storage*.
- d. As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, and applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- e. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- f. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.
- g. Identify clearly on a contour map, or lot grading plan, all steep areas (>30 %). Provide cross sections for all steep areas at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.
- h. If individual lot connections are required, ensure that payment of connection fees has been completed (please provide receipt).
- i. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

5. ROAD IMPROVEMENTS

- a. Doyle Ave must be upgraded to a full urban standard (modified SS-R6) along the full frontage (to centreline) of the subject property and extending west to the Doyle/Water roundabout, installation of new crosswalk to the road centreline in conjunction with the proposed Artwalk at location to be provided by Development Technician at time of detailed design, curb and gutter, sidewalk, LED street lighting, landscaped and irrigated boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road cross section will be provided to consulting engineer, upon request, at time of detailed offsite design.
- b. Design and construction of the Artwalk for the entire area between the centreline of Doyle Ave north to the the extents of the existing portion north of Smith Ave will be a requirement of this development. Artwalk design requires approval by the City at the same time as other “issued for construction” drawings. The City reserves the right to require excess or extended works of the developer necessary for the Crosswalk south of the Doyle Ave centreline to be completed at the City’s cost.
- c. North-south lane fronting this development to the east will be reviewed prior to construction of Development and the condition will be assed at that time. If any damage or deficiencies are noted as a result of construction at the subject property, the entire lane will need to be remove and replaced with reverse asphalt crown and storm drainage.
- d. All Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IABC, are to be included as a line

item in the estimate for the Servicing Agreement performance security. Landscape and irrigation plans require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.

6. POWER AND TELECOMMUNICATION SERVICES

- a. All proposed distribution and service connections are to be installed underground. It is the developer’s responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant’s cost.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City’s Development Manager.
- c. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

7. GEOTECHNICAL STUDY

- a. Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer’s report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**
- b. The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - iv. Any special requirements for construction of roads, utilities, and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.

- c. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

“Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.”

The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia’s Professional Practice Guidelines for Retaining Wall Design. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of Retaining Wall Design Guideline) and any necessary independent reviews (as per EGBC’s Documented Independent Review of Structural Designs).

- d. Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.
- e. Any exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer. For adequate Rockfall Protection adjacent to walls and rock cuts, please consider BC MoTI Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.

Where walls are on the high side, the City’s preference is that the walls remain setback and on private property. Where the walls hold up a public road, the City’s preference is that additional dedication be provided, and the walls be owned by the City. Please design any geogrids or tie-backs so that they do not encroach into the required road ROW.

8. ROAD DEDICATION/SUBDIVISION REQUIREMENTS

- a. No driveway access will be permitted to Doyle Ave. All vehicle access to the development site is to be provided from the lane.
- b. Indicate on the site the locations of loading bays as well as the garbage and recycle bins. Provide turning movements for a MSU vehicle to confirm manoeuvrability on site and within lane. No reverse movement within or into the lane will be permitted.
- c. Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

9. DESIGN AND CONSTRUCTION

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

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

10. SERVICING AGREEMENT FOR WORKS AND SERVICES

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

11. CHARGES AND FEES

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



Nelson Chapman P.Eng.
Development Engineering Manager

RO

Report to Council



Date: June 27, 2022
To: Council
From: City Manager
Subject: 2021 Annual Report and Statement of Financial Information
Department: Financial Services

Recommendation:

THAT Council receives, for information, the 2021 Annual Report for the year ended December 31, 2021.

AND THAT Council receives, for information, the 2021 Statement of Financial Information report that includes: Council Remuneration and Expense Report, Schedule of Remuneration and Expenses paid to or on behalf of each employee, Schedule of Payments to Suppliers of Goods and Services and Schedule of Payments to Suppliers for Grants and Contributions.

Purpose:

To meet legislated reporting requirement for annual financial reporting, showcase City services, programs and projects, and provide contextual information for the data contained in the Statement of Financial Information report.

Background:

Annual reporting of the financial information is mandatory for all municipalities under the *Financial Information Act*. The City's annual report is available online at kelowna.ca/annualreport, with print copies available by request. Each year the City prides itself on producing a report that meets financial requirements, while presenting the information in a way that tells the story behind the numbers.

Discussion:

Public Review

The *Community Charter* requires that the public is informed that the report is available for review two weeks prior to Council's consideration of the annual report. Members of the public were invited (via newspaper advertising, eSubscribe newsletter, online marketing and social media) to review the report, provide feedback and ask questions about the report prior to and at the June 27 Council meeting.

The 2021 Annual Report was published on kelowna.ca/annualreport on June 10, 2022. As of June 20, the digital Annual Report document was viewed 20,229 times and Facebook social media posts garnered over 31,368 views (reaching 15,155 users). The Annual Report and City Views e-newsletters, featuring stories on the Annual Report, were sent to 4,387 subscribers. In addition, the Council Priority videos promoting the Annual Report were viewed 10,283 times. A news story and the City Manager and Mayor messages were shared on LinkedIn and InSites, and a general story was shared on the Community Stories web page on kelowna.ca.

Annual Report

On April 28, 2022 the Audit Committee reviewed the City of Kelowna's annual Consolidated Financial Statements for the year ended December 31, 2021; these statements were subsequently approved by Council on May 9, 2022.

The 2021 annual report summarizes the City's financial and non-financial accomplishments through a period of continued pandemic restrictions. Even though restrictions continued, a recovery trend emerged in our community and at the City of Kelowna, demonstrating resiliency, agility and prosperity.

For the first time, building permit values exceeded \$1 billion and the Kelowna International Airport (YLW) continued to be one of the ten busiest airports in the country and one of the fastest recovering airports in Canada. 2021 included milestone achievements with the completion of the 2040 Official Community Plan, the 2040 Transportation Master Plan and the development of Kelowna's first Community Safety Plan. The City was awarded \$20 million in federal and provincial grant funding through 16 grant applications supporting eligible infrastructure projects, the City's Outdoor Sheltering Strategy, extension of the Houghton Road Active Transportation Corridor from Rutland to the Okanagan Rail Trail, and the Kelowna septic system elimination and sewer connection project.

The 2021 Annual Report is structured to highlight and reflect on Council Priorities 2019 – 2022 which in turn advances the Imagine Kelowna vision and guides our actions to become a City of the Future. The annual report discusses what was accomplished in each of the six Council focus areas: Community Safety, Social & Inclusive, Transportation & Mobility, Vibrant Neighbourhoods, Economic Resiliency, and Environmental Protection as well as the three Corporate focus areas: Financial Management, Clear Direction and People.

Tax Exemptions

A report on permissive tax exemptions granted by Council is included in the annual report. The amount reported in this section includes the municipal portion of taxes exempted for the year 2021 as required under the *Community Charter*. A report is also included on Development Cost Charges (DCC) to indicate the activity for charges received, expenditures made and any waivers or reductions for each DCC group.

Statistical Review

Within the annual report, following the audited Consolidated Financial Statements and Notes to the Consolidated Financial Statements, is the Statistical Review, in graphic format, for the years 2017 – 2021.

Statement of Financial Information

The 2021 Council Remuneration and Expenses report, Employee Remuneration and Expenses report, and Schedules of Payments for the Provision of Goods & Services and Grants & Contributions are prepared annually as part of the *Financial Information Act* reporting requirements.

The 2021 Employee Remuneration report shows an increase of 43 staff earning more than \$75,000 over 2020 – management staff increased by 9, IAFF staff increased by 10, and CUPE staff increased by 24. These increases are largely the result of a combination of incremental wage increases from collective agreements, staff hired in the latter part of 2020 reporting a full salary in 2021, staff deployments to the Emergency Operations Centre (EOC) from April to November supporting major events and a reflection of a growing population.

The City provides hundreds of services that require a wide variety of education and specialized qualifications. The City must also compete with the public and private sectors to recruit and retain employees who are qualified to fill these positions. Kelowna, as one of the fastest growing cities over the past five years, needs to ensure staffing levels keep up with the demand for services.

The chart below provides a summary of the changes by employee group:

Remuneration Comparison 2021 - 2020			
>\$75,000	2021 Numbers	2020 Numbers	Change in Numbers
Management	156	147	9
IAFF	134	124	10
CUPE	235	211	24
TOTAL	525	482	43

The total employee remuneration for 2021 increased by 6.3 per cent, or approximately \$5.1 million to \$85.1 million. This increase can be attributed to the return of full-time, part-time, casual and student staff not on the payroll or with reduced hours in 2020 due to actions taken to address pandemic conditions; an average of 2 per cent in wage and salary increases with the remainder the result of increased staffing to ensure continued service levels to a growing city.

The City of Kelowna continues to support the business community through supplier payments. In 2021, the City saw an increase of \$44.8 million largely due to: pandemic recovery and a normalization of expenses, deferral of 2020 payments to 2021 in response to pandemic conditions and a reduction in grant expenses.

Supplier Payment Comparison 2021 – 2020 (\$000s)			
Supplier Payments	2021	2020	Change
>\$25k	\$354,320	\$307,491	\$46,829
Less than \$25k	8,666	10,674	(2,008)
TOTAL	\$362,986	\$318,165	\$44,821
# of suppliers >\$25k	490	561	(71)

In 2021 the City provided payments to suppliers amounting to \$363 million with the number of suppliers decreasing by 71.

Top 10 Suppliers (excl. Other Tax Authorities)	
Supplier's Name	Amount (\$)
Pension Corporation	15,102,961
Emil Anderson Construction	11,050,401
Young Anderson "In Trust"	6,627,651
Fortis BC	6,154,617
BC Transit	5,278,059
Lifeworks Inc.	4,405,358
CGL Contracting Ltd	4,217,477
Environmental 360 Solutions Ltd	3,773,741
Bouygues Energies & Services Canada Ltd	3,419,639
Commissionaires BC	2,982,724

Conclusion:

The 2021 annual report reflects on the shift from resilience to momentum, despite a global economic downturn. The City's financial position continued to grow in 2021 despite the changing economic environment. Monitoring annual progress reporting on Council Priorities and deliberate and continued attention to our financial principles and strategies will be required as we face new economic and environmental challenges.

Internal Circulation:

- G. Davidson, Divisional Director Financial Services
- S. Leatherdale, Divisional Director Corporate & Protective Services
- T. Wilson, Media Relations Manager
- C. Judson, Communications Consultant
- C. Weaden, Divisional Director Corporate Strategic Services

Considerations applicable to this report:

Legal/Statutory Authority:

Community Charter section 98, Annual Municipal Report – requires that the annual report be prepared by June 30 of each year and that it be available for public inspection at the meeting when the Annual Report is to be considered by Council.

Community Charter section 99, Annual Meeting on Report – Council must give notice of the meeting at which the Annual Report is to be considered, in accordance with section 94, and consider the annual report along with any submissions and questions from the public.

Financial Information Act Regulation, Schedule 1, Section 9(2) – requires that a Municipality have the Statement of Financial Information approved by its Council and by the officer assigned responsibility for financial administration under the *Local Government Act*.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: S Little, Corporate Finance Manager

Approved for inclusion:



G. Davidson, Divisional Director Financial Services

2021 Annual Report 2021 Statement of Financial Information

2021 Annual Report

Community Charter

- ▶ Division 5 – Reporting, Sections 98 & 99
- ▶ Presented by June 30th of each year
- ▶ Available for public review 2 weeks prior to Council review

Public Review

- ▶ Online June 10th at kelowna.ca/annualreport
- ▶ Invitation to comment sent via:
 - ▶ Newspaper advertising
 - ▶ Online marketing (e-Newsletter)
 - ▶ Social media (Facebook, Twitter, Youtube & LinkedIn)

Annual Report Video



- ▶ [Economic Resiliency](#)
- ▶ [Transportation & Mobility](#)
- ▶ [Vibrant Neighbourhoods](#)

Annual Report Content

- ▶ Highlights from 2021 aligned with Council Priorities 2019 – 2022
- ▶ Resiliency to Momentum
- ▶ Awards and Recognition
- ▶ Audited Consolidated Financial Statements
- ▶ Permissive Tax Exemptions
- ▶ Statistical Review

2021 Statement of Financial Information

CITY OF KELOWNA



Statement of Financial Information

- ▶ Audited Financial Statements
- ▶ Council Remuneration and Expense report
- ▶ Schedule of Remuneration and Expenses
- ▶ Schedule of Payments to Suppliers of Goods and Services
- ▶ Schedule of Payments to Suppliers for Grants and Contributions

Remuneration Comparison 2021 - 2020

Group	# of Employees >75,000		
	2021	2020	Change
Management	156	147	9
IAFF	134	124	10
CUPE	235	211	24
TOTAL	525	482	43

Summary of Supplier Payments (\$000)

Supplier Payments	2021	2020	Change
Greater than \$25,000	\$354,320	\$307,491	\$46,829
Less than \$25,000	8,666	10,674	(2,008)
TOTAL	\$362,986	\$318,165	\$44,821
# of suppliers > \$25k	490	561	(71)



Questions?

For more information, visit kelowna.ca.

2021 Statement of Financial Information

For the year ended December 31, 2021

Including

Council Remuneration and Expense Report
Schedule of Remuneration and Expenses paid to or on behalf of each employee
Schedule of Payments to Suppliers of Goods and Services
Schedule of Payments to Suppliers for Grants and Contributions

June 2022

1435 Water Street
Kelowna, BC V1Y 1J4
TEL 250-469-8542
financeyearend@kelowna.ca

CITY OF KELOWNA
 Council Remuneration and Expense Report
 for the year ended December 31, 2021

Surname	First Name	Taxable Remuneration (\$)	Other Expenses (\$)
Mayor			
Basran	Colin	110,986	10,696
Councillors			
DeHart	Maxine	37,972	-
Donn	Ryan	37,972	80
Given	Gail	37,972	475
Hodge	Charles	38,322	-
Sieben	Brad	38,322	-
Singh	Mohini	38,322	-
Stack	Luke	38,322	-
Wooldridge	Loyal	37,972	-
Total Council		\$ 416,161	\$ 11,251

CITY OF KELOWNA

Schedule of Remuneration and Expenses paid to or on behalf of each employee
for the year ended December 31, 2021

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Management				
Abrey	B	Infrastructure Systems Manager	116,520	572
Adamson	J	Property Management Manager	96,357	997
Antunes	M	Financial Services Supervisor	98,020	2,594
Aylard	P	Senior Project Manager	111,943	2,350
Babcock	C	Event Development Supervisor	91,098	533
Baines	R	Energy Specialist	78,705	1,886
Barton	T	Development Planning Department Manager	131,181	1,667
Bayat	M	Development Services Director	149,673	-
Beach	B	Infrastructure Delivery Dept Manager	148,148	50
Bentley	L	Deputy City Clerk	98,748	1,412
Black	J	Urban Planning Manager	102,810	2,275
Boehm	A	Intelligent Cities Manager	106,111	1,546
Bos	H	Public Works Manager	75,251	-
Brennan	J	Business Services Application Manager	110,722	1,569
Budde	A	Security & Business Continuity Coordinator	91,498	23
Buettner	M	Communications Consultant	80,386	604
Bujara	C	Corporate HR Department Manager	125,944	-
Burma	L	Corporate Records & Information Coordinator	87,459	-
Bushell	S	Project Manager	104,612	1,745
Butt	H	Senior Project Manager - TERM	123,588	-
Cairney	B	Traffic Signals & Systems Supervisor	108,272	65
Campbell	L	Traffic Operations & Technical Support Supervisor	104,031	-
Castorf	H	Project Manager	101,146	-
Caul	D	Community Safety Director	141,365	1,050
Cavanaugh	M	Project Manager - EDRMS	77,200	-
Cavezza	B	HR Programs & Systems Manager	99,473	176
Chan	C	Project Manager	105,832	349
Coates	S	Police Services Manager	112,383	3,586
Collier	E	Police Facility Operations Supervisor	75,546	997
Corcoran	L	Communications Department Manager	130,740	2,212
Cornock	C	Crime Prevention Supervisor	93,765	4,638
Creron	J	Deputy City Manager	209,680	-
Cronquist	S	Deputy Fire Chief	180,909	100
Davidson	G	Divisional Director, Financial Services	185,670	865
DeGruchy	J	Senior Project Manager	120,745	50
Dempsey	L	Utility Engineer	99,449	397
Dombowsky	J	Transit and Programs Manager	111,283	466
Douglas	M	Communications Consultant	83,548	2,667
Drachenberg	N	Airport Safety & Security Mgr	122,242	-
Dray	T	HR Business Partner	84,300	-
Dreaper	L	Compensation and Benefits Manager	101,575	2,089
Dueck	J	Controller	123,343	100

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Duncan	D	Parking Services Manager	103,411	1,633
Dyrdal	S	Senior Airport Finance & Corporate Services Mgr	126,536	4,167
Edstrom	D	Divisional Director, Partnerships & Investments	182,063	1,603
Effray	S	Innovation Consultant	83,696	303
Elchitz	P	Senior Airport Operations Manager	147,368	2
Emery	W	Procurement Management Supervisor	93,727	1,173
Evans	R	Partnerships Office Director	102,920	487
Fagan	S	Arena Stadium Spvrs	96,878	-
Finney	W	Acting Exempt Rate	81,906	-
Fleming	S	City Clerk	138,238	1,045
Follack	S	Deputy Fire Chief	174,786	659
Foy	G	Transportation Engineering Manager	127,403	331
Gabriel	J	Divisional Director, Active Living & Culture	186,777	1,205
Garcia Batres	J	Solid Waste Supervisor	90,456	183
Gatzke	D	Parks and Beaches Supervisor	100,194	645
Gazley	D	Bylaw Services Manager	77,060	75
Geirsdottir	S	Performance Improvement Consultant	86,635	-
Gibbs	A	Senior Project Manager	131,051	50
Gilchrist	D	City Manager	306,371	1,455
Gosselin	M	Wastewater Manager	121,581	3,660
Gramiak	P	Revenue Supervisor	87,604	575
Grills	K	Fleet Services Supervisor	91,938	273
Grills	J	Budget Supervisor	81,181	1,175
Hall	J	Airport Operations Manager	116,453	-
Hamilton	J	Sponsorship & Advertising Manager	89,077	521
Hart	P	Police Services Executive Assistant	89,377	-
Hillis	T	Cemetery Manager	80,464	-
Hoekstra	S	Landfill & Compost Operations Manager	107,577	559
Hollier	L	Deputy Fire Chief	128,281	-
Hood	G	Strategic Land Development Mgr	108,558	-
Hoppe	E	Water Quality & Customer Care Supervisor	99,716	-
Hughes	K	Financial Planning Manager	129,967	424
Hunsberger	A	Urban Forestry Supervisor	111,664	50
Hunter	K	Bylaw Services Supervisor	100,242	2,759
Isaak	K	Capital Planning Supervisor	83,707	454
Ivey	C	Community Theatre Manager	84,970	579
Johnston	A	Project Architect	109,955	1,265
Josefson	S	Safety Advisor	93,050	1,317
Kam	M	Grants & Special Projects Manager	92,493	424
Kay	K	Community Engagement Supervisor	88,374	4,993
Kayfish	L	Risk Manager	121,858	-
Keis	T	Civic Operations Finance & Administration Manager	92,976	2,894
Kochan	S	Partnership Manager	105,244	-
Kowal	T	Building Inspection & Licensing Manager	126,969	-
Leatherdale	S	Divisional Director, Corporate and Protective Services	197,318	-
Li	A	Civic Operations Finance & Admin Service Supervisor	84,402	5,845
Little	S	Corporate Finance Manager	116,341	2,519
MacLean	R	Utility Planning Manager	124,333	632

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Matte	C	Communications Manager	85,754	1,262
McFarlane	J	Asset Manager	92,005	974
McGreer	M	Corporate Strategy & Performance, Dept Manager	125,132	3,905
McWillis	C	Cultural Services Manager	92,032	3,762
Miles	R	OCP Project Planner	92,429	621
Monk	J	Airport Duty Manager	93,798	-
Moore	J	Long Range Policy Planning Manager	107,725	537
Morash	V	HR Business Partner	82,275	-
Munchinsky	C	Airport Business Dev and Community Relations Manager	84,110	5,270
Murrell	M	Utilities Network Maintenance Supervisor	99,607	273
Nadasde	W	Utilities Construction Supervisor	105,316	631
Naish	M	HR Business Partner	83,153	-
Netzel	J	Senior Project Manager	103,930	946
Newcombe	A	Divisional Director, Infrastructure	112,220	-
Nice	M	Human Resources Services Manager	104,322	-
Nicholas	D	Sport & Event Services Manager	103,359	32
Noble-Brandt	D	Policy & Planning Department Manager	138,012	918
Norman	K	Accounting Operations Supervisor	96,534	23
Pabla	J	Information Services Director	141,409	2,072
Paley	L	Permitting Supervisor	88,366	873
Parlane	R	Parks & Buildings Planning Manager	118,759	-
Perry	S	Building Services Manager	101,163	1,597
Peters	N	Acting Exempt Rate	98,858	179
Ray	C	Champion of the Environment	99,645	701
Reinhart	S	Police Quality Assurance Supervisor	81,598	-
Rideout	A	Client Services Supervisor	88,018	1,930
Ritchie	G	Senior Airport Development Manager	128,155	3,533
Robertson	S	Project Manager	98,733	439
Rogowski	K	Transportation Engineer Safety and Systems	88,429	1,216
Rumpel	A	Asset & Facilities Supervisor	96,960	628
Samaddar	S	Airport Director	202,002	6,339
Sargeant	S	Senior Transportation Planning Engineer	100,368	-
Saufferer	J	Real Estate Department Manager	133,124	395
Schwarz	D	Water Distribution Supervisor	85,239	2,312
Schwerdtfeger	A	Roadways Operations Supervisor	97,389	2,628
Seemann	L	Airport Duty Manager	96,364	-
Shaw	J	Infrastructure Engineering Manager	144,571	225
Siggers	M	Community & Neighbourhood Services Manager	101,575	200
Smith	R	Divisional Director, Planning & Development Services	177,119	45
Sophonow	T	Sportsfield & Irrigation Supervisor	103,514	50
Soros	A	Fleet Services Manager	104,737	103
Stella	M	Airport Operations & Emergency Services Manager	111,172	2,635
Stewart	B	Parks Services Manager	129,397	611
Strachan	W	Community Planning & Development Manager	124,989	-
Stuart	B	Water Supply & Pumpstations Supervisor	108,715	5,252
Thiessen	A	Project Portfolio Manager	127,721	-
Thompson	D	Roadways Construction Supervisor	104,666	50
Timms	L	Infrastructure Systems Manager	95,369	871

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Tollefson	B	Acting Exempt Rate	96,347	-
Tompkins	D	Purchasing Manager	103,666	-
Van Vliet	K	Utility Services Manager	152,138	789
VanZerr	M	Strategic Transportation Planning Manager	118,023	418
Vleeming	K	Solid Waste Supervisor	89,369	908
Vos	J	Acting Exempt Rate	89,553	-
Walker	B	Real Estate Services Manager	89,106	49
Weaden	C	Divisional Director, Corporate Strategic Services	193,046	1,567
Weremy	A	Water Operations Manager	121,634	957
Wheeler	S	Social Development Manager	107,171	519
Whiting	T	Fire Chief	195,067	373
Williams	C	TRG OP Senior Transportation Planning Engineer	105,070	288
Wilson	I	Infrastructure Operations Department Manager	165,974	205
Wilson	T	Communications Manager	105,758	572
Wilson	L	Communications Consultant	83,998	838
Wilson	C	HR Disability Coordinator	83,842	250
Wise	G	Licensing and Systems Improvement Supervisor	125,183	-
Yakimchuk	J	Airport Project Manager	100,390	-
Firefighters				
Baillie	J	Lieutenant	116,126	-
Baker	A	Firefighter	84,766	-
Barton	P	Firefighter- 10th Year	117,093	725
Baudais	S	Dispatch Centre Operator (Schedule A)	118,884	-
Baumann	R	Firefighter	104,488	-
Beaton	D	Firefighter	112,112	-
Belinski	S	Firefighter	89,787	-
Benson	A	Firefighter	112,792	1,109
Blanleil	C	Firefighter	92,786	-
Bonkowski	G	Firefighter- 10th Year	117,592	343
Brownlee	M	Captain	137,254	364
Campbell	H	Firefighter	96,719	-
Chapman	J	Firefighter	103,520	925
Chatham	A	Captain	92,362	-
Christian	J	Firefighter	107,570	-
Clarke	S	Captain	136,689	-
Cockings	P	Firefighter	90,426	575
Corsi	R	Firefighter	128,723	575
Dais	J	Platoon Captain	124,434	28
Darchuk	G	Captain	124,017	-
Dermake	A	Dispatch Centre Operator (Schedule A)	121,942	60
Descouens	F	Firefighter	82,276	-
Dion	R	Firefighter- 10th Year	109,790	575
Donoghue	R	Firefighter	83,798	-
English	R	Firefighter	100,937	-
Enns	C	Firefighter	105,526	-
Enseleit	C	Firefighter- 10th Year	123,637	534
Erhardt	A	Firefighter	102,766	1,220

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Euper	R	Fire Inspector II	114,252	-
Fairweather	B	Firefighter	103,292	-
Fenton	L	Firefighter- 10th Year	109,662	575
Freeman	T	Firefighter	87,965	-
Freh	K	Firefighter	105,073	295
Gaschnitz	C	Firefighter	119,443	3,524
Gaudet	S	Firefighter	99,218	495
Geier	O	Firefighter	83,138	-
Geistlinger	M	Firefighter	79,359	-
Gibson	D	Firefighter- 10th Year	78,586	575
Graf	S	Firefighter	109,416	100
Green	W	Firefighter	108,370	1,020
Haines	M	Firefighter	106,231	925
Hanik	T	Dispatch Centre Operator (Schedule A)	107,826	60
Harrison	O	Firefighter	104,781	-
Hawley	M	Fire Inspector II	115,202	-
Heyming	D	Firefighter	93,759	-
Hill	M	Captain	131,940	-
Hogg	D	Firefighter	104,579	1,220
Jacobson	K	Fire Inspector I	102,985	794
Johnson	P	Fire Prevention Officer	134,979	1,098
Johnson	N	Firefighter	104,883	-
Johnston	T	Captain	137,435	-
Kakuno	T	Firefighter	95,064	575
Keating	L	Firefighter	113,726	575
Kelly	J	Platoon Captain	145,597	-
Kiehlbauch	S	Captain	133,685	-
Kinnear	M	Firefighter- 10th Year	110,555	575
Klonteig	S	Fire Administration Officer I	123,920	729
Kranabetter	M	Captain	126,554	-
Kroschinsky	B	Firefighter	104,448	-
Lang	C	Captain	141,462	725
Liebel	D	Firefighter	97,580	-
Light	T	Platoon Captain	144,618	-
MacDonald	C	Firefighter	103,777	295
MacDonald	C	Firefighter	98,665	1,220
MacKinnon	K	Firefighter	99,664	295
Mamchur	T	Firefighter	111,398	-
Martins	J	Firefighter	100,999	-
McCarthy	D	Firefighter- 10th Year	110,944	-
McConnell	P	Firefighter	91,890	-
McLaren	T	Firefighter	99,763	-
McNairn	J	Firefighter- 10th Year	110,683	1,500
Melnyk	T	Captain	149,032	-
Metzger	C	Firefighter	91,497	28
Meyer	S	Firefighter	102,020	-
Miller	D	Platoon Captain	144,441	-
Minchin	M	Dispatch Operator 2 (Schedule B)	101,928	60

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Moffat	R	Captain	128,203	-
Moorhouse	M	Firefighter- 10th Year	107,884	575
Mudge	R	Firefighter	106,746	1,020
Muldoon	B	Firefighter	110,578	-
Murphy	S	Firefighter	100,756	-
Nanci	E	Asst. Fire Training Officer	127,525	95
Neale	S	Firefighter	92,042	295
Ness	J	Firefighter	108,093	575
Nykilchuk	B	Firefighter- 10th Year	117,268	1,109
Orban	C	Lieutenant	124,468	-
Paley	G	Training Officer	137,169	115
Paulhus Walts	M	Dispatch Operator 2 (Schedule B)	80,969	-
Payer	S	Captain	124,584	-
Peace	E	Firefighter	78,461	53
Pellett	R	Firefighter	98,622	534
Pfenning	B	Captain	125,569	-
Picklyk	J	Captain	133,750	-
Prowal	J	Firefighter	101,928	925
Rooks	S	Firefighter- 10th Year	106,278	575
Roshinsky	S	Platoon Captain	146,653	-
Rositch	B	Firefighter- 10th Year	84,718	-
Rossi	S	Firefighter	102,970	-
Rubuliak	C	Firefighter	109,348	1,020
Sanger	T	Firefighter	109,377	575
Schmidt	A	Firefighter- 10th Year	104,759	575
Schraeder	J	Firefighter- 10th Year	112,691	725
Shaw	D	Lieutenant	129,232	-
Showdra	C	Firefighter	80,711	-
Skeldon	R	Captain	138,904	-
Spady	D	Firefighter	89,953	50
Sparks	A	Dispatch Centre Operator (Schedule A)	111,990	-
Springer	J	Fire Administration Officer II	120,719	729
Stantic	P	Captain	136,167	-
Stene	U	Firefighter	86,141	-
Stewart	C	Firefighter- 10th Year	107,316	725
Stoodley	J	Firefighter- 10th Year	120,193	7,747
Syrnyk	B	Fire Inspector I	95,609	300
Szabadi	T	Firefighter	104,943	-
Taylor	N	Firefighter	105,765	-
Telford	G	Firefighter	99,790	-
Twamley	J	Fire Inspector I	101,862	629
Volk	M	Captain	145,966	-
Walroth	M	Dispatch Centre Operator (Schedule A)	99,186	-
Warnick	J	Firefighter	82,377	-
Watters	T	Firefighter	79,996	-
Wentland	J	Firefighter- 10th Year	108,258	1,109
Weremy	K	Lieutenant	123,749	-
Wiberg	K	Captain	137,356	-

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Wiersma	L	Firefighter- 10th Year	112,969	4,109
Wilkes	A	Firefighter	103,603	1,220
Williamson	A	Dispatch Centre Operator (Schedule A)	132,449	444
Woodworth	M	Firefighter	102,514	50
Wright	J	Firefighter	110,840	1,109
Wudrich	S	Captain	146,089	534
Young	S	Captain	134,000	-
Zimmermann	C	Captain	127,553	575
Zimmermann	R	Dispatch Centre Operator (Schedule A)	108,579	-
Zol	D	Firefighter- 10th Year	118,131	725
CUPE Staff				
Agar	N	Airport Operations Specialist/Firefighter	76,205	607
Airth	K	HVAC Technician	81,016	-
Allan	L	Building Insp/ Plan Checker III	86,486	-
Allingham	A	Water Supply Operator III	77,600	1,168
Ambler	S	Client Support Technician	79,587	-
Anderson	C	Airport Operations Specialist/Firefighter	90,244	590
Asao	K	Accountant	79,856	-
Aulenback	D	Plumbing, HVAC & Gas Inspector	89,366	535
Backstrom	W	Roadways Foreman	100,560	-
Bakay	K	Senior Wastewater Treatment Operator	86,682	958
Balehowsky	B	Airport Operations Specialist/Firefighter	76,816	590
Ballan	L	Lic/Bylaw Enforcement Officer	83,967	402
Bancarz	M	Mechanic Lead-Hand	83,952	325
Bazzana	M	Accountant	77,673	-
Bedell	J	Community Policing Coordinator	88,412	4,365
Beitel	C	Utilities Foreman	93,855	200
Bell	R	Business Systems Analyst	100,383	-
Benke	S	Business Systems Analyst	89,032	-
Bergeson	T	Urban Forestry Technician	90,217	1,685
Beulah	B	Environmental Technician I	80,363	1,661
Bevandick	G	Street Lighting Technician	85,302	47
Bibby	R	Building Insp/ Plan Checker III	79,105	-
Black	K	Lic/Bylaw Enforcement Officer	90,729	224
Blamire	C	Equipment Operator V	78,880	1,581
Blaskovits	J	Lic/Bylaw Enforcement Officer	79,887	91
Blinkhorn	W	Senior Buyer	75,231	-
Bordage	J	Airport Mechanic	77,607	-
Bosch	W	Foreman Parks	81,242	50
Bourgeau	D	Airport Mechanic	98,604	156
Bradshaw	T	Airport Operations Specialist/Firefighter	75,542	325
Bransfield	D	Equipment Operator V	85,057	396
Brennan	S	Building Insp/ Plan Checker III	77,058	-
Brown	P	Plumbing, HVAC & Gas Inspector	88,562	-
Browning	L	Instrument/Electric Technician	83,698	890
Brunet	K	Planner II	78,448	-
Brydon	L	Lic/Bylaw Enforcement Officer	83,556	50

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Bundschuh	J	Traffic Signals Technician	99,662	-
Butler	P	Oper. Intelligence Clerk - Police Services	75,299	-
Cabrera	M	Concrete Finisher	79,149	50
Caswell	T	Planner I	75,447	935
Chabeniuk	B	Asset Management Coordinator	76,430	-
Clarke	J	Airport Operations Specialist/Firefighter	77,658	325
Connor	T	Traffic Signals Technician	105,939	287
Cooper	A	Millwright	77,125	-
Crawford	B	Planner II	104,405	1,478
Cseke	A	Planner Specialist	89,243	419
Dacre	B	Design Technician	91,373	-
Dale	J	Plumbing, HVAC & Gas Inspector	88,353	1,255
Day	R	Water or Wastewater Electrical Foreman	87,133	229
Demers	D	Control Systems Specialist	77,963	-
Devitt	J	Wastewater Treatment Operator II	83,145	1,621
Dexel	D	Senior Wastewater Treatment Op (SA)	89,539	613
Dodaro	K	Design Technician	81,574	1,347
Doig	B	Hydro-Excavation Operator	79,370	396
Duggan	M	Equipment Operator IV	82,863	-
Dungate	D	Parks Foreman	80,999	75
Dunlop	D	Client Support Technician	82,718	-
Egely	S	Mechanic	82,435	279
Elliott	D	Airport Operations Specialist/Firefighter	78,176	590
Empey	C	Traffic Signals Technician	103,490	287
Enevoldson	D	Environmental Tech II 8Hr	87,942	612
England	K	Senior Bylaw Officer	94,539	2,545
Enns	D	Water Supply Operator III	77,504	526
Everett	J	Airport Operations Specialist/Firefighter	91,436	606
Facca	M	Building Insp/ Plan Checker III	87,354	590
Faminoff	M	Financial Analyst	88,141	930
Fiedler	D	Design Technician	89,202	488
Filipenko	J	Development Technician	86,502	-
Floor	T	Business Systems Analyst	97,978	-
Francis	D	Utilities Foreman	90,647	1,535
Fraser	R	Business Systems Analyst	93,347	-
Friesen	M	Financial Analyst	90,395	-
Gillmore	P	Equipment Operator IV	79,832	-
Goulet	D	Equipment Operator IV	76,046	23
Gregson	C	Financial Analyst	86,125	-
Guidi	T	Sustainability Coordinator	84,778	413
Guidi	C	Concrete Finisher	78,583	50
Hager	J	Design Technician	94,031	357
Haley	B	Airport Operations Specialist/Firefighter Crew Captain	89,475	707
Hall	T	Water Supply Operator II	80,194	1,219
Harborne	N	Plumbing, HVAC & Gas Inspector	89,363	-
Hardman	M	Lic/Bylaw Enforcement Officer	84,194	377
Harvie	A	Carpenter II	76,694	213
Henri	R	Lic/Bylaw Enforcement Officer	93,710	224

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Hickson	B	Painter II	80,544	175
Hilstob	J	Water Supply Operator II	78,854	660
Hogan	D	Lic/Bylaw Enforcement Officer	94,808	91
Hopkins	L	Security & Building Tech Lead Hand	95,257	91
Hrycan	D	Accountant	79,490	-
Hughes	M	Millwright	76,795	207
Humes	D	WW Treatment Foreman	93,681	2,275
Hunchak	N	Roadways Foreman	111,896	50
Hunchak	T	Traffic Operations Services Coordinator	87,794	-
Ihaksi	R	Pipelayer II	82,371	1,717
Ingvarsson	H	Lic/Bylaw Enforcement Officer	89,411	91
Isfan	S	Community Policing Coordinator	83,814	-
Jackson	R	IE Technician (Current incumbent)	89,239	175
Jamison	P	Equipment Operator V	77,386	300
Janousek	A	Planner II	78,741	909
Jarvo	J	Business Systems Analyst	92,689	59
Jean	J	Accountant	79,708	-
Jennejohn	R	Design Technician	96,667	50
Jensen	C	Water/or WW Maintenance Foreman	84,138	833
Jensen	J	Mapping Technician	75,328	-
Johansson	S	Park and Landscape Planner	83,838	5,492
Johnson	K	Roadways Foreman	114,125	50
Jomphe	R	Mechanic	84,689	417
Josephson	M	Building Technician	77,501	50
Kapiniak	M	Design Technician	92,805	50
Kaus	P	Parks Foreman	85,449	50
Kawalle	J	Design Technician	93,802	3,129
Kehler	R	Network Systems Analyst	93,503	-
Kelly	S	Development Technician	80,669	175
Kittmer	M	Transit Service Coordinator	75,974	2,104
Kokorudz	S	Mechanic	81,072	77
Kondor	A	Planner Specialist	90,813	299
Koole	P	Plumbing, HVAC & Gas Inspector	89,366	465
Korolchuk	L	Planner Specialist	86,358	2,600
Kyle	C	Business Systems Analyst	99,584	58
Lahn	J	Pipelayer II	79,873	3,110
Laidlaw	R	Equipment Operator IV	90,566	2,254
Lamothe	M	Design Technician	93,981	50
Lamprecht	H	Wastewater Treatment Operator II	78,088	354
Lawson	J	Financial Analyst	82,435	-
Lazarus	M	Financial Analyst	87,589	-
Leduc	T	Business Systems Analyst	96,215	-
Leestolz	S	Building Insp/Plan Checker	86,241	-
Leonard	J	Lic/Bylaw Enforcement Officer	88,402	91
Leslie	C	Financial Analyst	85,922	-
Levere	R	Equipment Operator V	76,594	302
LeVoir	D	Building Insp/ Plan Checker III	90,933	-
Louttit	S	Electrical Technician	83,314	405

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
MacDougall	J	Community Policing Coordinator	81,496	-
MacKay	B	Equipment Operator III	75,753	1,376
Maier	G	Asset Management Coordinator	79,045	1,199
Mandryk	R	Control Systems Specialist	80,549	943
March	G	Planner Specialist	87,090	-
Mazar	P	Airport Operations Specialist/Firefighter Crew Captain	105,550	1,511
McClellan	T	Lic/Bylaw Enforcement Officer	81,666	91
McLaughlin	B	Equipment Operator IV	80,253	-
McLuskey	K	Senior Wastewater Treatment Op (SA)	79,907	3,077
Melrose	J	Utilities Service Person	92,811	175
Miazga	B	Water Meter Service Coordinator	75,624	470
Milan	G	Gardener II	77,583	50
Miles	W	Planner Specialist	93,415	1,131
Miles	L	Utilities Foreman	91,351	433
Mintram	K	Equipment Operator III	80,669	162
Moody	C	Cross Connection Coordinator	99,102	-
Mugridge	P	Business Systems Analyst	93,582	20
Mushta	L	Lic/Bylaw Enforcement Officer	83,250	91
Neetz	S	Utilities Foreman	90,705	653
Nelson	T	Plumbing, HVAC & Gas Inspector	89,360	1,132
Nicholas	P	Accountant	78,650	-
Nicoloyannis	E	Airport Operations Specialist/Firefighter	78,695	590
Noonan	C	Planner Specialist	85,295	500
O'Hanlon	S	Lic/Bylaw Enforcement Officer	82,476	274
O'Sullivan	R	Development Technician	106,732	-
Otteson	J	Electrical Technician	79,223	1,504
Pears	N	GIS Coordinator	81,806	-
Penny	J	Sr Computer Technician - Police Services	76,989	-
Petersen	J	Utilities Foreman	90,582	508
Petillion	T	Building Trades Foreman	79,103	50
Poirier	J	HVAC Technician	80,250	-
Pommier	K	CUPE President	99,504	-
Powelson	M	Equipment Operator II	78,128	506
Puche	R	Design Technician	94,031	226
Regnier	L	Accountant	79,526	-
Reid	T	Building Insp/ Plan Checker III	87,182	-
Richardson	R	Lic/Bylaw Enforcement Officer	85,063	-
Rolston	A	Parking Operations Coordinator	77,046	2,344
Ross	S	Police Services Watch Support Officer	75,401	260
Ruether	L	Community Communications Supervisor (Term)	77,558	585
Ryder	T	Business Systems Analyst	98,962	-
Sackmann	J	Traffic Technician	82,351	597
Salmon	T	Police Services Support Coordinator	80,615	-
Sangster	A	Development Technician	87,217	-
Saran	S	Water Supply Foreman	95,825	1,474
Sartori	S	Development Technician	75,708	-
Saukarookoff	C	Pipelayer II	77,166	3,075
Saunders	S	Trg Opp - EO IV	76,402	57

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Schellevis	R	Equipment Operator IV	79,089	-
Schlosser	G	Urban Forestry Foreman	83,265	1,253
Schultz	N	Traffic Technician	92,338	-
Scott	W	Senior Bylaw Officer	95,812	526
Seamark	P	Police Services Disclosure Coordinator	82,940	635
Seneshen	D	Water Distribution Operator II	81,923	393
Sexton	J	Financial Analyst	87,182	-
Sharpe	D	Water Supply Operator II	75,649	296
Short	J	Lic/Bylaw Enforcement Officer	89,284	502
Slivinski	D	Building Insp/ Plan Checker I	77,089	-
Smith	R	Property Officer II	76,420	-
Smith	C	Airport Operations Specialist/Firefighter Crew Captain	106,041	1,138
Smith	S	Airport Operations Specialist/Firefighter Crew Captain	82,008	341
Stauble	R	Business Systems Analyst	95,641	-
Stehle	K	Business Systems Analyst	101,828	58
Steppuhn	M	Park and Landscape Planner	87,066	-
Stevens	M	Building Insp/ Plan Checker III	89,647	-
Stewart	W	Airport Operations Specialist/Firefighter	79,886	606
Stickland	M	Traffic Technician	93,977	290
Stringer	T	Aquatic and Fitness Coordinator	83,009	325
Sukumaran	A	Business Systems Analyst	95,899	-
Swett	N	Network Systems Analyst	91,104	-
Szabadi	K	Airport Operations Specialist/Firefighter	80,792	1,726
Thibeault	A	Trg Op - Planner Specialist	80,184	1,780
Thind	B	Building Insp/ Plan Checker III	86,416	1,518
Thomas	M	Design Technician	91,150	2,495
Thompson	S	Accountant	78,894	-
Torgerson	M	Utilities Foreman	87,392	506
Trotzuk	K	Business Systems Analyst	100,451	-
Unruh	N	Accountant	78,397	-
Van Asseldonk	D	Water Supply Operator II	75,130	260
Van Steinburg	C	Hydrant & Valve Mtce Attendant	75,710	3,274
Vaskic	C	Wastewater Electrical Foreman	85,210	1,594
Vigeant	J	Plumber/Gas Fitter	77,174	13
Vogan	K	Police Information Technician	77,237	-
Voth	D	Design Technician	87,283	525
Waddell	T	Acting Exempt Rate	94,386	497
Wahl	K	Engineering Technical Support Coordinator	101,041	787
Walker	S	Project Technician	82,539	751
Wang	K	Business Systems Analyst	93,387	59
Wenker	S	Business Systems Analyst	89,855	59
West	J	Gardener I	75,353	1,391
Whapshare	D	Lic/Bylaw Enforcement Officer	87,918	190
Williams	R	Concrete Finisher	82,451	195
Williamson	B	Police Transport Maintenance Coordinator	77,032	-
Wojciechowski	D	Oper. Intelligence Clerk - Police Services	78,574	-
Woloshyn	T	Landscape Design Technician	81,578	728
Wong	W	Parks Foreman	86,480	227

Surname	First Initial	Position	Remuneration (\$)	Expenses (\$)
Worona	M	Mobility Specialist	84,227	78
Wright	K	Client Support Technician	75,749	-
Wyatt	B	Plumbing, HVAC & Gas Inspector	92,703	1,145
Yamabe	T	Sewer Equipment Operator	83,604	318
Yew	G	Business Systems Analyst	93,413	-
Zandvliet	B	Network Systems Analyst	104,982	-
Zsoldos	B	Mechanic	81,786	417
Employees less than \$75,000			32,193,501	174,605
Total of all Employees*			\$ 84,670,902	\$ 494,763

* Prepared under the Financial Information Regulation, Schedule 1, Section 6 (2),(3),(4),(5) and (6)

STATEMENT OF SEVERANCE AGREEMENTS**

There were five severance agreements under which payment commenced between the City of Kelowna and its employees during the fiscal year 2021. These agreements represent between 5 and 12 months of salary and benefits.

**Prepared under the Financial Information Regulation, Schedule 1, subsection 6(8)

RECONCILIATION PER SECTION 6 (2) (d)

Total Employees (including council)	\$ 85,087,063
Total per Schedule 2 - Segmented Information: Expenses - Salaries and benefits	\$ 101,527,000
Variance*	\$ 16,439,937

*The variance between the Schedule of Remuneration and Expenses and the Salaries and benefits expenses reported on the consolidated financial statements of the City are due to various factors including:

- + The Remuneration and Expenses schedule is based on actual cash payments made during the fiscal year (including payouts of vacation, gratuity, and overtime banks) whereas the consolidated financial statement figure is determined on an accrual basis; and,
- + The Salaries and benefits includes benefits that are recorded at full cost on the consolidated financial statements and includes items such as employer portions of federal deductions, retirement benefits and medical benefits.

CITY OF KELOWNA
 Schedule of Payments to Suppliers of Goods and Services
 for the year ended December 31, 2021

Supplier's Name	Amount (\$)
0791082 BC LTD. DBA ACTION TREE	273,634
0868791 B.C. LTD. DBA PURE PRESSURE	49,893
0917068 B.C.LTD KELOWNA HYUNDAI	141,911
0983169 BC LTD	72,053
1318421 B.C. LTD. DBA MISSION GROUP	34,813
2021945 ONTARIO INC. C.O.B DBA DIGITAL BOUNDARY GROUP	38,719
2048658 ALBERTA LTD DBA ENVIRO SALES	85,538
2054081 ONTARIO INC. O/A LANDSCAPE EFFECTS GROUP	231,831
3BP SOLUTIONS INC.	602,045
3M CANADA COMPANY	36,172
A DIVISION OF JIM PATTISON BROADCAST GROUP LP	30,077
A.G. APPEL ENTERPRISES LTD.	238,748
AARDVARK PAVEMENT MARKING SERVICES	217,571
ACCESS INFORMATION MANAGEMENT OF CANADA ULC	25,360
ACCESSSMT HOLDINGS LTD.	52,891
ACKLANDS-GRAINGER INC.	27,669
ACRES ENTERPRISES LTD.	1,540,135
ADVANTAGE ASSET TRACKING INC.	193,188
ADVANTAGE MANAGEMENT CONSULTING	53,543
AECOM CANADA LTD	505,879
AGF INVESTMENTS INC	61,226
AGILYX SOLUTIONS LIMITED	38,654
ALIGN ENGINEERING LTD	230,635
ALLAN'S HOSE N' ALL	95,885
ALLNORTH CONSULTANTS LIMITED	857,127
ALPINE ABATEMENT LTD	57,775
ALS CANADA LTD	27,034
ALTERNATOR CENTRE FOR CONTEMPORARY ART	44,484
AMADEUS AIRPORT IT AMERICAS INC	268,040
AMAZON.CA	62,253
ANCE BUILDING SERVICES CO. INC	35,550
ANDREW SHERET LIMITED	91,512
AON CANADA INC. DBA AON REED STENHOUSE INC.	165,876
APPLE.COM/CA	31,828
APPLIED INDUSTRIAL TECHNOLOGIES LP	27,236
ARCHINEERS CONSULTING LTD	75,060
ARTHON CONSTRUCTORS CORP	58,101
ASSA ABLOY ENTRANCE SYSTEMS	177,928
ASSOCIATED ENGINEERING B.C. LTD.	790,798
ASSOCIATED FIRE SAFETY EQUIPMENT	90,445
ASTROGRAPHIC INDUSTRIES LTD	92,304
ATLAS POLAR COMPANY LIMITED	105,890

Supplier's Name	Amount (\$)
ATLAS POWER SWEEPING LTD.	342,511
ATS TRAFFIC - BRITISH COLUMBIA LTD.	66,919
AVAARC WELDING LTD	70,996
AVERY WEIGH-TRONIX CANADA, ULC	32,944
B & L SECURITY PATROL(1981) LTD.	46,081
B.C. ARTSCAPE SOCIETY	52,170
BAMKO MERCH INC	61,552
BC AIR FILTER LTD.	33,761
BC ASSESSMENT AUTHORITY	2,266,409
BC GENERAL CONTRACTING INC	66,369
BC HOUSING MANAGEMENT COMMISSION	54,669
BC HYDRO	116,795
BC TRANSIT	5,278,059
BELL MOBILITY INC	29,624
BELTERRA CORPORATION	32,434
BENCH SITE DESIGN INC.	80,761
BEST BUY	31,924
BEST SERVICE PROS LTD.	184,800
BLACK MOUNTAIN IRRIGATION DISTRICT	147,394
BLUE SILVER SHIFT IT SERVICES INC DBA INVERO	63,318
BLUEPOINT CONSTRUCTION LTD	276,473
BONFIRE INTERACTIVE LTD	28,093
BOUYGUES ENERGIES & SERVICES CANADA LTD.	3,419,639
BRENNTAG CANADA INC.	291,583
BRICOR MECHANICAL LTD DBA ACE PLUMBING & HEATING	699,086
BRITECH HVAC LTD	103,026
BRON & SONS NURSERY CO	33,720
CABIN RESOURCE MANAGEMENT LTD	235,250
CALGON CARBON UV TECHNOLOGIES LLC	88,291
CANADA POST	156,822
CANADA SAFETY EQUIPMENT LTD.	217,646
CANADIAN DEWATERING LP	38,913
CANADIAN UNION OF PUBLIC EMPLOYEES	994,089
CANTEX-OKANAGAN CONSTRUCTION LTD	124,084
CAPRI CMW INSURANCE SERVICES LTD.	424,962
CARE SYSTEMS SERVICES LTD.	71,155
CARO ANALYTICAL SERVICES	90,441
CARSCADDEN STOKES MCDONALD ARCHITECTS INC.	86,446
CASTANET HOLDINGS LP	25,841
CCL PROJECT MANAGEMENT	112,124
CENTRAL OKANAGAN JOURNEY HOME SOCIETY-COJHS	94,979
CENTRAL OKANAGAN REGIONAL HOSPITAL	13,608,184
CENTRALSQUARE CANADA SOFTWARE INC.	338,437
CENTRIX CONTROL SOLUTIONS LP	438,701
CGL CONTRACTING LTD	4,217,477
CH ₂ M HILL CANADA LIMITED	83,759

Supplier's Name	Amount (\$)
CHANCES BULK UNLOADING LTD	346,380
CHAPMAN MECHANICAL LTD	47,947
CHARTER TELECOM INC.	223,638
CHASE	41,025
CHECKMATE CABS LTD.	82,303
CHILD ADVOCACY CENTRE OF KELOWNA	107,284
CIBC MORTGAGES INC.	33,744
CINTAS LOCATION 889	112,748
CISCO SYSTEMS CAPITAL CANADA CO.	66,387
CITY OF WEST KELOWNA	485,709
CLARIANT CANADA INC.	60,256
CODY TREE SERVICE 2005 LTD.	48,891
COLLIERS PROJECT LEADERS INC.	121,893
COMMISSIONAIRES BC	2,982,724
COMMUNITY ENERGY ASSOCIATION	85,108
COMPETITION GLASS COMPANY LTD.	26,793
CONSOLIDATED MANAGEMENT CONSULTANTS LTD	43,995
CORPORATE EXPRESS CANADA INC O/A STAPLES ADVANTAGE CANADA	73,670
COWBOY FORESTRY LTD	352,634
CR DIRECT CONTRACTING SERVICES INC	90,549
CREW MARKETING PARTNERS INC	71,947
CRM DYNAMICS LTD	71,857
CROSBY, EDWIN	50,000
CRYSTAL GLASS CANADA LTD	26,304
CURIOSITY ANALYSIS AND CONSULTING CORP	114,765
CUSTOM AIR CONDITIONING LTD	25,137
D & E COMMUNICATIONS	47,264
D & L ENVIRONMENTAL LTD.	169,177
DAN FORLIN ENTERPRISES	504,670
DAN'S TIRE SERVICE	48,250
DARKHORSE ANALYTICS INC.	38,647
DATA GROUP INTERNATIONAL INC	47,529
DAWSON INTERNATIONAL TRUCK CENTRES LTD	469,380
DELL CANADA INC.	223,892
DELTA GRAND OKANAGAN RESORT	90,049
DEMAND CONTRACTING LTD.	29,130
DESJARDINS CONTRACTING LTD.	48,015
DIAMOND T-RANCH LTD.	1,225,000
DIAMONDFORCE CONSTRUCTION LTD.	112,301
DIRECT EQUIPMENT WEST LTD	27,559
DISTILL MEDIA	25,425
DISTRICT OF LAKE COUNTRY	774,193
DOMINION GOVLAW LLP	45,852
DOUG BATEMAN LOGGING LTD.	56,427
DOWNTOWN KELOWNA ASSOCIATION	144,023
DRIVING FORCE INC., THE	171,887

Supplier's Name	Amount (\$)
DULUX PAINTS	29,306
DWOURNELL SPORT ARCHITECT	28,302
E. LEES AND ASSOCIATES CONSULTING LTD.	35,438
EBB ENVIRONMENTAL CONSULTANTS INC	101,315
ECO-COUNTER	31,793
ECO-EDGE LANDSCAPES	54,143
ECONOLITE CANADA INC.	385,210
ECORA ENGINEERING & RESOURCE GROUP LTD.	312,769
ECOSCAPE ENVIRONMENTAL CONSULTANTS LTD.	226,997
EECOL ELECTRIC CORP.	100,457
ELECTRIC MOTOR & PUMP SERVICE LTD.	141,557
EMCO CORPORATION	439,951
EMIL ANDERSON CONSTRUCTION INC	11,050,401
ENSEICOM INC	85,902
ENSIGN BROS. ENTERPRISES LTD.	52,967
ENVIRONICS ANALYTICS GROUP LTD.	26,308
ENVIRONMENTAL 360 SOLUTIONS LTD	3,773,741
ENVIROSUITE CANADA, INC	119,788
ESCRIBE SOLUTIONS	104,168
ESRI CANADA LIMITED	765,651
ESTI CONSULTING SERVICES	313,140
EVENT APPROVALS, INC.	31,500
EVERGREEN BUILDING MAINTENANCE INC.	917,493
EVERGREEN LANDS LTD	171,870
EVOQUA WATER TECHNOLOGIES LTD	380,229
EXCEL DEWATERING	29,201
EXCEL METAL FAB. LTD.	31,417
FALCON ENGINEERING LTD.	120,812
FARRIS LLP	46,216
FLETCHER PAINE ASSOCIATES LTD	211,099
FLOFORM INDUSTRIES LTD.	38,105
FLOWSYSTEMS DISTRIBUTION INC	93,357
FLYNN CANADA LTD	29,168
FOCUS COMMUNICATIONS INC	83,783
FOREMAN EQUIPMENT LTD.	706,046
FORSTER LANDSCAPING LTD	50,534
FORTIS BC	6,154,617
FORTIS BC ENERGY INC.	193,285
FORTIS BC INC.	195,394
FORTISBC - NATURAL GAS	388,582
FOUNTAIN TIRE KELOWNA LTD.	29,734
FRONTIER POWER PRODUCTS LTD.	44,157
GFL ENVIRONMENTAL INC.	149,817
GHD LIMITED	37,492
GLACIER HEIGHTS REFRIGERATION INC.	36,877
GLENMORE-ELLISON IMPROVEMENT DISTRICT	189,041

Supplier's Name	Amount (\$)
GLOBAL ROADWAY MAINTENANCE INC.	52,237
GODDARD, MARK W.	36,200
GOLDCLIFF ELECTRIC LTD.	115,991
GOLDER ASSOCIATES LTD.	538,884
GOTRAFFIC MANAGEMENT INC.	1,504,755
GRANICUS	70,296
GRANT THORNTON LLP	77,299
GRAYHAWK INDUSTRIES LTD.	120,813
GREAT WEST EQUIPMENT	933,877
GREENSTEP SOLUTIONS INC.	46,271
GREYBACK CONSTRUCTION LTD	92,347
GUILLEVIN INTERNATIONAL CO	497,521
HANNA INFRASTRUCTURE LTD.	2,771,356
HANSCOMB LTD.	63,000
HCMA ARCHITECTURE & DESIGN	66,302
HDR CORPORATION	28,200
HEAD TO HEAD IRRIGATION	167,320
HEMSON CONSULTING LTD	75,495
HITEX NORTH AMERICA LTD.	35,847
HOMEWOOD HEALTH INC.	54,900
HOULE ELECTRIC LTD	256,289
HUB FIRE ENGINES & EQUIPMENT LTD.	598,823
HUSKA HOLDINGS LTD.	855,387
HYLAND SOFTWARE CANADA ULC	83,255
IBI GROUP	79,766
ICLEAN4U	31,274
ICONIX WATERWORKS LP	939,676
ID CREATED, INC.	61,490
IDEXX LABORATORIES CANADA CORPORATION	82,870
IDRS	38,931
IFIDS.COM INC.	62,225
IGI RESOURCES INC	357,239
IMPERIAL PARKING CANADA CORPORATION	905,921
INFO-TECH RESEARCH GROUP INC	62,465
INTERCITY RECYCLE LTD.	352,937
INTERIOR DAMS INC	35,526
INTERIOR LAND RECLAMATION LTD	29,579
INTERIOR PORTABLE RENTALS LTD.	335,053
INTERPROVINCIAL TRAFFIC SERVICES LTD.	254,772
INTERSTATE ALL BATTERY	27,038
INTERVISTAS CONSULTING INC.	43,635
IPSOS LP	25,725
IRC BUILDING SCIENCES GROUP BC INC.	83,790
IRON MOUNTAIN CANADA OPERATIONS ULC	70,021
IRON VALLEY FABRICATION LTD.	48,079
J.J. MACKAY CANADA LIMITED	218,315

Supplier's Name	Amount (\$)
JAMES LAURENCE GROUP INC.	31,411
JIM PATTISON INDUSTRIES DBA JIM PATTISON LEASE	34,130
JOHNSON, LORI DBA DRAGONFLI STUDIO	33,504
JVL EXCAVATING INC	256,102
KAL TIRE	112,301
KAL-WEST MECHANICAL	359,372
KBL LOGISTICS LTD.	407,627
KELDON ELECTRIC LTD	366,281
KELOWNA CABS (1981) LTD.	92,322
KELOWNA NISSAN LTD. DBA KELOWNA INFINITI NISSAN	96,083
KELOWNA PADDLE CENTRE	38,448
KELOWNA PROFESSIONAL FIREFIGHTERS	383,655
KELOWNA READY-MIX INC	33,429
KELOWNA STEEL FABRICATORS LTD.	94,414
KENDRICK EQUIPMENT (2003) LTD	601,751
KENT-MACPHERSON APPRAISALS INC.	66,601
KIMCO CONTROLS LTD.	64,653
KING RANCH UNDERGROUND & EXCAVATING LTD	247,861
KLER, KARAMBIR	142,348
KNOWBE ₄ , INC	31,744
KON KAST PRODUCTS (2005) LTD	178,180
KONE INC.	197,304
KRUEGER ELECTRICAL LTD.	190,548
KTI LIMITED	1,206,185
KTOWN KLEENUP LTD.	160,240
LAFARGE CANADA INC	38,330
LAFRENTZ ROAD MARKING DBA CANADIAN ROAD BUILDERS INC.	95,722
LAHAWK ENTERPRISES	112,610
LAING ROOFING LTD	119,775
LAKESIDE COMMUNITIES INC.	738,709
LAKESIDE FASTENERS LTD.	32,724
LAND TITLE AND SURVEY AUTHORITY OF BC	25,589
LANDMARK SOLUTIONS LTD.	320,241
LEADERS INTERNATIONAL EXECUTIVE SEARCH	52,858
LIFEWORCS INC.	4,405,358
LIGHTSPARK SOFTWARE INC	92,610
LONG VIEW SYSTEMS CORPORATION	364,603
LOSS CONTROL CONSULTANTS LTD	31,736
LTA CONSULTANTS INC	43,924
LYNX BRAND FENCE PRODUCTS (2004) INC.	41,605
MACDONALD REALTY KELOWNA	100,000
MADDEN INDUSTRIAL CRAFTSMEN INC DBA MADDEN FABRICATION	101,950
MAGLIN SITE FURNITURE INC	34,765
MANHATTAN PROPERTIES	74,602
MANULIFE FINANCIAL	79,127
MARK RITE LINES EQUIPMENT COMPANY INC.	304,382

Supplier's Name	Amount (\$)
MATIAGO MANAGEMENT SERVICES	139,030
MCAP SERVICE CORP	40,810
MCELHANNEY CONSULTING SERVICES LTD	306,486
MCFARLANE CONTRACTING LTD.	29,984
MCKINLEY HILLSIDE LIMITED PARTNERSHIP	50,179
MEARL'S MACHINE WORKS LTD	397,909
MEDIAVALET INC.	29,207
MEDTEQ SOLUTIONS CA LTD	90,732
MELCOR DEVELOPMENTS LTD. DBA BLACK MOUNTAIN GOLF COURSE	26,250
METTLER-TOLEDO INC.	33,407
MICHELIN NORTH AMERICA (CANADA) INC.	38,771
MICROSOFT CORPORATION (RENO)	637,468
MIDSEA ENGINEERING LTD.	448,746
MIDVALLEY SHEET METAL LTD.	89,760
MINISTER OF FINANCE	74,967,798
MINISTRY OF FINANCE	2,420,757
MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCES OPERATIONS	40,957
MNP LLP	202,624
MODO CO-OPERATIVE	44,104
MODU-LOC FENCE RENTALS LTD	70,676
MONARCH NORTH AMERICA STRUCTURES LTD	61,914
MONERIS	426,779
MUNICIPAL INSURANCE ASSOCIATION OF BC	1,454,493
NACHURS ALPINE SOLUTIONS	211,050
NAPA AUTO PARTS	1,946,172
NEARMAP US, INC.	55,603
NEILSON STRATEGIES INC.	48,090
NEPTUNE TECHNOLOGY GROUP CANADA CO	268,828
NEW TOWN ARCHITECTURE & ENGINEERING INC	39,545
NEW WEST GYPSUM RECYCLING (ALBERTA) INC.	234,876
NEWCOMP ANALYTICS INC.	31,760
NO. 21 GREAT PROJECTS LTD.	153,200
NORTECH PARKING SYSTEMS INC.	320,040
NORTHERN COMPUTER	280,519
NOVA POLE INTERNATIONAL INC.	207,200
NUCLEUS STRATEGIES INC.	73,605
NUTRIEN AG SOLUTIONS (CANADA)	134,996
O2 PLANNING & DESIGN INC	42,376
OFFICE OF MCFARLANE BIGGAR ARCHITECTS & DESIGNERS	1,155,758
OK READY MIX, DIV. OF LEHIGH HANSON MATERIALS LTD	206,376
OKANAGAN LOCK SERVICE	72,025
OKANAGAN NATION ALLIANCE	86,362
OKANAGAN POWER EQUIPMENT LTD.	123,653
OKANAGAN REGIONAL LIBRARY	6,940,103
OKANAGAN VALLEY CONSTRUCTION LTD.	42,366
OKANANGAN OPPORTUNITY (PACIFIC) GP INC. BC1188652	85,563

Supplier's Name	Amount (\$)
OLIO INC.	146,418
OMEGA COMMUNICATIONS LTD.	79,810
ONE PEAK CREATIVE INC.	30,975
ONSITE CIVIL EXCAVATING LTD	106,636
ORCHARD FORD SALES LTD.	1,347,340
ORGANIZED CRIME AGENCY OF BRITISH COLUMBIA	84,566
P'S PARK INSPECTIONS LTD.	89,998
PACIFIC RIM EQUIPMENT INC	167,503
PACIFIC SPORT OKANAGAN	46,163
PACIFIC WESTERN FIRE PROTECTION (2017) LTD.	186,376
PALADIN SECURITY GROUP LTD.	285,362
PARSONS INC	450,577
PATHWAYS ABILITIES SOCIETY	231,210
PAYBYPHONE TECHNOLOGIES INCORPORATED	98,939
PCL CONSTRUCTORS WESTCOAST INC	316,456
PEAK ENVIRONMENTAL LTD.	34,568
PENSION CORPORATION	15,102,961
PEOPLE LIVED EXPERIENCE SOCIETY	156,565
PEOPLE-ADMIN, INC. DBA POWERSCHOOL CANADA ULC	70,699
PETROCAN	26,792
PIER MAC PETROLEUM INSTALLATION LTD	31,691
PIER MAC SAND & GRAVEL LTD	113,487
POLYCRETE RESTORATIONS LTD	506,277
POWER SAFETY SOLUTIONS	29,145
PREMIER PACIFIC SEEDS LTD.	74,787
PRIMARIS MANAGEMENT INC	410,582
PRINCESS AUTO	25,633
PRISM ENGINEERING LIMITED	111,560
PUROLATOR INC.	36,909
PYXIS CONSULTING GROUP INC.	39,638
QUALITY CHAIN LINK FENCING LTD.	116,986
QUIKRETE INTERNATIONAL INC DBA CONTECH ENGINEERED SOLUTIONS LLC	38,346
R&L CONSTRUCTION LTD.	93,333
R.H. STRONG REFRIGERATION DESIGN INC.	59,687
R.J.P. HOLDINGS LTD.	126,000
R-355 ENTERPRISES LTD.	1,040,981
RAMCO'S CARPET WAREHOUSE LTD.	101,891
RAMTECH ENVIRONMENTAL PRODUCTS	61,125
READ JONES CHRISTOFFERSEN LTD	171,555
REATON LEASING LTD.	900,000
RECEIVER GENERAL FOR CANADA	63,830,704
REDLINE BOBCAT SERVICES LTD.	290,249
REGIONAL DISTRICT OF CENTRAL OKANAGAN	24,584,419
REIMER WORLD PROPERTIES CORP.	90,481
RESOLVER INC.	26,766
RICOH CANADA INC	128,722

Supplier's Name	Amount (\$)
ROADWAYS TRAFFIC PRODUCTS LTD	78,662
ROBERTSON'S CLOTHING & SHOES INC.	38,730
ROCKY MOUNTAIN PHOENIX	89,181
ROGERS WIRELESS INC.	380,963
ROLLINS MACHINERY LIMITED	178,806
RONA HOME & GARDEN	25,429
RONA INC.	28,181
ROYAL BANK OF CANADA	32,164
ROYAL STAR ENTERPRISES INC.	1,273,561
ROYALE LANDSCAPING LTD	1,329,438
RUNNALLS DENBY BC LAND SURVEYORS	44,512
RUTLAND WATERWORKS DISTRICT	70,271
RYKON CONSTRUCTION MANAGEMENT LTD.	30,008
S.C. RESTORATIONS LTD	37,295
S.E. FOXGLOVE NURSERIES	51,728
SAFE SOFTWARE INC.	28,000
SAFEWAY	53,555
SAWCHUK DEVELOPMENTS CO. LTD	2,314,892
SBL CONTRACTORS LTD.	244,312
SCHOOL DISTRICT #23 (CENTRAL OKANAGAN)	1,361,808
SCOTIABANK	32,687
SCV CONTRACTORS CORPORATION	340,183
SEALTEC INDUSTRIES LTD	62,824
SECURE-RITE MOBILE STORAGE INC	39,277
SEED AND SPARROW DESIGN	37,499
SEISMIC 2000 CONSTRUCTION LTD.	71,441
SERWA BULLDOZING (1982) CO. LTD.	47,886
SHAW BUSINESS	76,337
SHAW CABLE	41,153
SHERINE INDUSTRIES LTD.	40,967
SIEMENS CANADA LIMITED	48,639
SIERRA LANDSCAPING LTD	1,740,161
SINGLA BROS. HOLDINGS LTD.	218,615
SITEONE LANDSCAPE SUPPLY, LLC	27,122
SMARKING INC.	65,585
SMITH CAMERON PUMP SOLUTIONS	38,819
SNC LAVALIN INC.	126,755
SOFTCHOICE LP	143,586
SOLIDCAD	35,750
SOURCE OFFICE FURNISHING	25,813
SPANMASTER STRUCTURES LTD	34,513
SPATIAL TECHNOLOGIES (2017) INC.	127,721
SPROUT SOCIAL	41,369
STAFFORD SPORTS, LLC	134,740
STANLEY BLACK & DECKER CANADA CORPORATION	98,504
STANTEC CONSULTING LTD. (SCL)	347,958

Supplier's Name	Amount (\$)
STAPLES PROFESSIONAL	53,948
STRATA PLAN KAS ₂₅₀₆	45,553
STRUTHERS TECHNICAL SOLUTIONS LTD.	280,556
STUDIO F MINUS LTD.	51,188
SUMMIT INTERNATIONAL TRADE SERVICES	27,872
SUMMIT TOOLS - KELOWNA	32,319
SUMMIT VALVE AND CONTROLS INC (BC)	41,832
SUNBELT RENTALS OF CANADA INC	264,891
SUNCOR ENERGY PRODUCTS PARTNERSHIP	2,481,689
SUN-OKA VALLEY TRANSPORT	196,467
SUPER SAVE DISPOSAL INC	99,519
SUPERIOR PROPANE	28,090
SUSTAINABILITY SOLUTIONS GROUP WORKERS CO-OPERATIVE	49,103
T.N.C. EXCAVATING LTD.	49,679
T ₂ SYSTEMS CANADA INC	91,801
TARGET SOLUTIONS DBA MEDTEQ SOLUTIONS CA LTD.	70,975
TCC THE CLEANING COMPANY CO LTD	826,428
TEAM ROCHON INC.	894,590
TECHNICAL SAFETY BC	53,396
TELUS COMMUNICATIONS INC	300,103
TELUS MOBILITY	60,434
TERRACOM SYSTEMS LTD	331,332
TERRATECH CONSULTING LTD.	41,296
TETRA TECH CANADA INC.	120,266
THE DISTRICT OF PEACHLAND	61,766
THE EQ DEVELOPMENT GROUP	37,277
THE GET GO INC.	329,220
THE HOME DEPOT	41,557
THE JF GROUP	66,355
THE OKANAGAN NEWSPAPER GROUP	66,562
THE ROC DOC VENTURES LTD. DBA SCOTT CONTRACTING	78,039
THOMAS SCOTT SIGNCRAFT LTD.	31,840
TKI CONSTRUCTION LTD.	1,062,951
TOLKO INDUSTRIES LTD	57,700
TOMKO SPORTS SYSTEMS INC	39,121
TOMTAR ROOFING & SHEET METAL LTD.	105,501
TOPS TOTAL OFFICE PRODUCTS LTD. DBA INTERIORS	371,730
TOTAL POWER LIMITED	39,763
TOURISM KELOWNA	2,626,976
TRANE CANADA	26,500
TRUE CONSULTING GROUP	38,755
TURN-KEY CONTROLS	48,856
UNIT ₄ BUSINESS SOFTWARE CORPORATION	213,867
UNITED ROTARY BRUSH CORP. OF CANADA	41,205
UNITED WAY BRITISH COLUMBIA	28,863
UNIVAR CANADA LTD.	180,842

Supplier's Name	Amount (\$)
UPTOWN RUTLAND BUSINESS ASSOCIATION	214,449
URBAN MATTERS CCC LTD.	458,203
URBAN SYSTEMS LTD.	659,467
VALLEY CARRIERS LTD.	368,472
VALLEY CURBING LTD	209,851
VAN-KEL IRRIGATION, A DIVISION OF EMCO CORPORATION	316,489
VANMAR CONSTRUCTORS 1048 INC.	31,500
VIKING-CIVES LTD	46,459
VWR INTERNATIONAL CO	38,147
WASTE N WATERTECH LTD	86,268
WATERKIND CONSULTING SERVICES LTD.	153,079
WATERS EDGE ENGINEERING LTD	77,350
WATERTRAX	30,796
WATT CONSULTING GROUP LTD.	104,212
WE CONSULTING & BENEFIT SERVICES LTD. "IN TRUST" FOR CAUS	1,006,914
WESTBANK FIRST NATION	204,479
WESTERN ROAD DISTRIBUTION INC.	328,718
WHOLESALE FIRE & RESCUE LTD.	41,958
WIENERS PLUMBING AND DRAIN CLEANING INC.	151,285
WIENERS PLUMBING AND IRRIGATION LTD	58,345
WILLIAMS MACHINERY LP	112,743
WISE WILDLIFE CONTROL SERVICES	27,360
WISHBONE INDUSTRIES LTD.	37,551
WOLSELEY CANADA INC.	436,082
WOOD WYANT CANADA INC.	32,714
WORKSAFE BC	1,009,838
WSP CANADA GROUP LTD.	119,273
WSP CANADA INC.	913,345
YETI REFRIGERATION INC	1,100,898
YMCA OF OKANAGAN ASSOCIATION	63,559
YOUNG ANDERSON	594,490
YOUNG ANDERSON "IN TRUST"	6,627,651
ZENCITY TECHNOLOGIES US INC.	31,600
ZONE WEST ENTERPRISES LTD	36,943
Supplier Payments Less Than \$25,000	8,665,960
Total Payments *	\$ 362,986,411

* Prepared under the Financial Information Regulation, Schedule 1, Section 7 and the Financial Information Act, section 2

Supplier's Name	Amount (\$)
Reconciliation (In thousands of dollars) per Section 7 (1) (c)	
Total Supplier Payments	\$ 362,986
Total per Schedule 2 - Segmented Information:	
Expenses - Total operating expenses	310,554
Less:	
Salaries and benefits	(101,527)
Amortization of tangible capital assets	(68,824)
Add:	
Payments made to other Taxing Authorities	109,066
Acquisition of tangible capital assets (less disposals)	67,121
Net Accrual Adjustment	27,932
Cost Recoveries	16,838
Miscellaneous	1,826
	<u>\$ 362,986</u>
Variance	<u>\$ -</u>

CITY OF KELOWNASchedule of Payments to Suppliers for Grants and Contributions
for the year ended December 31, 2021

Supplier's Name	Amount (\$)
CENTRAL OKANAGAN FOUNDATION	210,000
CENTRAL OKANAGAN JOURNEY HOME SOCIETY	250,000
DOWNTOWN AMBASSADOR PROGRAM	70,000
DOWNTOWN KELOWNA ASSOCIATION	1,126,084
FESTIVALS KELOWNA	181,950
KELOWNA ART GALLERY	477,193
KELOWNA ARTS FOUNDATION GRANT	292,000
KELOWNA MUSEUM ASSOCIATION	641,571
KELOWNA VISUAL & PERFORMING ARTS	280,300
MISCELLANEOUS COMMUNITY SERVICE GRANTS	27,300
OKANAGAN BOYS & GIRLS CLUB	358,506
TOURISM KELOWNA	344,430
YMCA-YWCA OF THE CENTRAL OKANAGAN	904,057
Total of All Grants and Contributions*	\$ 5,163,392

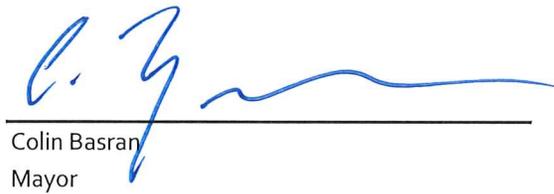
* Prepared under the Financial Information Regulation, Schedule 1, Section 7(2)

CITY OF KELOWNA
Statement of Financial Information Approval
for the year ended December 31, 2021

The undersigned, as authorized by the Financial Information Regulation, Schedule 1, subsection 9(2), approves all the statements and schedules included in this Statement of Financial Information, produced under the *Financial Information Act*.



Genelle Davidson CPA, CMA
Divisional Director Financial Services



Colin Basran
Mayor

June 20, 2022

Date

June 21, 2022

Date

* Prepared pursuant to the Financial information Regulation, Schedule 1, section 9



City Hall
1435 Water Street
Kelowna, BC V1Y 1J4
TEL 250 469-8610
FAX 250 862-3349

kelowna.ca

Report to Council



Date: June 27, 2022
To: Council
From: City Manager
Subject: Budget Amendments for the Abbott and Casorso 3 Active Transportation Corridors
Department: Integrated Transportation

Recommendation:

THAT Council receives for information, the report from Integrated Transportation dated June 27, 2022, with respect to Abbott and Casorso 3 (KLO to Lanfranco) Active Transportation Corridors;

AND THAT the 2022 Financial Plan be amended to increase the Abbott DCC Protected Bike Lanes (3473) project budget by \$380,026 with funding of \$320,704 from the Community Works Fund (R837) and \$59,322 from the DCC Sector I (R749) reserve;

AND FURTHER THAT the 2022 Financial Plan be amended to increase the Casorso 3 DCC ATC (356002A) project budget by \$502,798 with funding of \$390,674 from the Community Works Fund (R837) and \$112,124 from the DCC Sector I (R749) reserve.

Purpose:

To increase the budget for the Abbott (Rose to Cedar) and Casorso 3 (KLO to Lanfranco) Active Transportation Corridor (ATC) projects to address construction inflation, final project scope, tender pricing, and allow for advancing the projects forward in 2022.

Abbott DCC ATC (Rose to Cedar)
Construction of the Abbott ATC is currently underway using contracted forces. Similar to other capital projects in the first half of 2022, final pricing was higher than budgeted due to inflation, and there is currently insufficient funding to complete the full project scope, so the contract has been limited to the available budget. This report requests additional funds to construct the full project scope in 2022.

Casorso 3 DCC ATC (KLO to Lanfranco)
The City is currently in negotiations with a contractor to deliver the first phase of Casorso 3 from KLO to Lanfranco. This report requests additional funds to address inflation and accommodate the final project scope, informed by public consultation and feedback.

Proposed funding amendments for both projects would reallocate funds from previous year senior government active transportation project grants and have no impact on current year general taxation.

Background:

Abbott ATC

The Abbott Active Transportation Corridor (ATC) project is extending the existing bidirectional protected bike lane facility 1.4km from Rose Avenue (near Kelowna General Hospital) to Cedar Avenue (adjacent to South Pandosy Waterfront Park). This project is being constructed using a combination of quick-build and ultimate materials. Between Rose and Christleton, due to the narrow road right of way, ultimate works are being constructed. South of Christleton, a quick-build strategy, using interim materials in combination with reallocation of existing road space, is being used to deliver the project faster and at a lower cost than historical capital plans (2030+). Similar to segments north of Rose, protected bike lanes will be bidirectional on the lake side of the street.

This new segment will shorten a significant gap in our all ages and abilities cycling network and link to key health, employment, recreational and residential neighbourhood centres. The existing Abbott ATC has had record breaking growth in walking and biking through the COVID Pandemic and that high frequency of usage continues today. Based on the Quick-build Abbott ATC Public engagement, completed in 2021, 69% of respondents indicated they would walk or bike more with the construction of the quick-build project.

Casorso 3 DCC ATC (KLO to Lanfranco)

The Casorso 3 ATC project will extend the Ethel/Casorso Corridor southward from KLO to Lanfranco. Similar to phases of the Ethel ATC to the north, unidirectional protected bike lanes will be constructed on both sides of the street. Project tradeoffs have been informed by the reuse of existing infrastructure, consultation feedback and design guidance to balance project scope and cost.

Casorso 3 has been divided into two phases, with the construction of Phase 1 (KLO to Lanfranco) in 2022, and the construction of Phase 2 (Lanfranco to Barrera) anticipated in 2023 (dependent on the 2023 financial plan).

Once completed these projects will fill the final gap at the southern end of the Ethel/Casorso corridor and create a continuous all ages and abilities cycling facility from the southern portions of Lakeshore and Gordon to Downtown. It will provide people walking, biking and rolling with better access to destinations like Okanagan College, Casorso Elementary School, Kelowna Secondary School, Boyce-Gyro Beach Park and Pandosy Urban Centre.

Both Abbott and Casorso are identified as priority connections in the [2020 Regional Bicycling and Trails Master Plan](#) and [2016 Kelowna Pedestrian and Bicycle Master Plan](#).

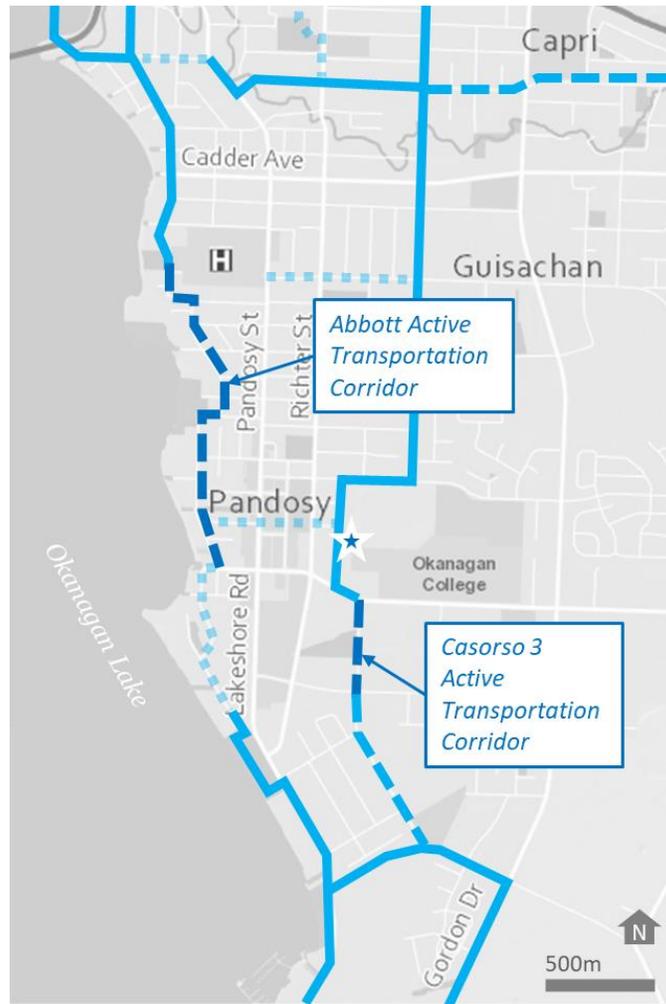


Figure 1 - Kelowna's existing and future All Ages and Abilities (AAA) network mapped with the Abbott ATC and Casorso 3 projects highlighted.

Cost challenges on Abbott

Based on the construction tender prices, updated land costs, and construction service engineering fees, a total budget of \$2,496,285 is projected to be required to complete Abbott. Including carryover, the current 2022 project budget is \$2,008,400. This budget shortfall of \$380,026 was the result of the following changes;

- Construction cost escalation made up the majority of the cost increase, with individual line items increasing by 15-20% compared to last year,
- Additional interim infrastructure required along the South Pandosy Waterfront Park as the park project was unable to complete its ultimate frontage works as planned in 2022,
- Additional minor land acquisition requirements to accommodate ultimate infrastructure near the Hospital, and
- Engineering and professional services costs also increased to a small degree.

Cost challenges on Casorso

Based on current 95% design detail cost estimates, and construction service engineering fees, a total budget of \$ 1,672,298 is projected to be required to complete Casorso 3 DCC ATC (KLO to Lanfranco). Including carryover, the current 2022 project budget is \$1,169,500. This budget shortfall of \$502,798 was the result of the following changes;

- Construction cost escalation made up the majority of the cost increase, with individual line items increasing by 15-20% compared to last year,
- Additional construction scope due to unseen electrical cost to meet current lighting standards, upgrades to existing KLO half signal and provisions to accommodate future traffic signals at Lanfranco & Casorso intersection,
- Additional construction scope, including maintaining more on-street parking, as a result of feedback received from the public engagement,
- Engineering and professional services also increased but to a small degree.

Active Transportation Grant Funding

In July of 2021, the Houghton 1 project received a \$2.4m [ICIP COVID-19 Resilience Infrastructure Grant](#) from the Government of Canada and the Province of British Columbia; displacing other project funding sources including; \$543,710 returned to the Sector I Transportation DCC Reserve (R749), \$1,414,400 returned to the Community Works Fund (R837) and, \$480,030 of taxation. A portion of these funds were used to address final construction costs for Houghton 1. It is proposed that remaining Community Works funds be used to address funding shortfalls on Abbott and Casorso.

This report requests additional funds to address cost escalation and facilitate the construction of the Abbott and Casorso ATCs. Proposed funding amendments would reallocate funds from previous year senior government ATC project grants and have no impact on current year general taxation.

Financial/Budgetary Considerations:

Additional budget is required to accommodate the unforeseen cost escalation for both the Abbott and Casorso 3 projects. The additional funding will be funded from the Community Works Fund and the DCC Sector I reserve. The funding splits are noted in the table below:

Casorso 3 DCC (KLO Rd – Lanfranco Rd), ATC	
Community Works Fund (R837) reserve	\$390,674
DCC Sector I (R749) reserve	\$112,124
Total Funding Required	\$502,798
Abbott DCC (Rose Ave – Cedar Ave) Protected Bike Lane Project	
Community Works Fund (R837) reserve	\$320,704
DCC Sector I (R749) reserve	\$59,322
Total Funding Required	\$380,026

Internal Circulation:

- Infrastructure
- Transportation Engineering
- Infrastructure Delivery
- Financial Planning
- Budget

Considerations applicable to this report:

Financial/Budgetary Considerations:

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

External Agency/Public Comments:

Communications Comments:

Submitted by: Chad Williams, Senior Transportation Planning Engineer

Approved for inclusion: M. Logan, Infrastructure General Manager

cc: Divisional Director, Corporate Strategic Services
Divisional Director, Partnerships and Investments
Divisional Director, Planning and Development Services
Divisional Director, Financial Services

Report to Council



Date: June 27, 2022
To: Council
From: City Manager
Subject: Transit 2022/2023 Annual Operating Agreement
Department: Revenue

Recommendation:

THAT Council approve the 2022/2023 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, 2022 to March 31, 2023;

AND FURTHER THAT Council approve an amendment to the 2022 Financial Plan reflecting the \$1,761,188 of Safe Restart funding received as per BC Transit’s Contribution Agreement to support the Kelowna Transit System, replacing the existing reserve funding.

[Recommendation]

Purpose:

To receive Council approval for and execution of the transit 2022/2023 Annual Operating Agreement and to amend the 2022 Financial Plan to accept \$1,761,188 in Safe Restart funding.

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.

In addition, Safe Restart funding has been provided to offset ongoing reduced ridership as Transit systems recover from the COVID-19 Pandemic. This funding is allocated to help Local Government Partners meet their share of costs to maintain affordable essential transit service levels during the COVID-19 pandemic recovery period.

Discussion:

Restart Funding

The 2022/2023 AOA does not reflect the \$1,761,188 of new Safe Restart funding that was received by the City of Kelowna, this was received after the AOA was submitted by BC Transit. Previous remaining Safe Restart funding of \$60,569 has been applied to the Conventional AOA and \$19,374 has been applied to the Custom AOA for 2022/2023. The City of Kelowna's 2022 Operating budget includes \$1,763,200 of reserve funding for transit operating costs and does not include the new Safe Restart funding of \$1,761,188.

While service levels and fares are set by each Local Government Partner, the Safe Restart Contribution is intended to assist in maintaining targeted essential transit service levels for the Kelowna Regional Transit System. By receiving this funding, the City of Kelowna and BC Transit work to maintain the targeted essential transit service levels as outlined in the AOA as well as limiting annual public fare increase to 2.3% through March 31, 2024.

AOA Comparison

When comparing the 2022/2023 AOA with the previously Council approved AOA, the main areas of increased costs are:

- Fuel
- Fleet Maintenance
- Hourly costs – Scheduled service
- BCT Management Services

The main areas of decreased costs are:

- COVID contingency
- ICBC Insurance

Revenues are significantly higher than the 2021/2022 AOA as ridership levels are increasing with many employees returning to offices and university students returning to classrooms. BC transit has also stated that they see ridership levels increase with increased gas prices which may further increase ridership in the coming months.

Conventional Transit

Revenues are projected to increase by \$1,806,566, with City of Kelowna's portion being \$1,495,114. The 2022/23 AOA includes a \$1,120,852 increase in costs with \$1,051,453 relating to operating costs and \$69,399 relating to lease fees. This represents a 9.1% increase from the 2021/22 Amended AOA presented to Council in March 2022. The City's portion of the Local Government share of the cost increase is \$934,107 with the net impact of these revenue and costs projections resulting in a net cost decrease of \$561,007.

Community Transit

The 2022/23 AOA includes a \$151,116 increase in costs for Community transit with \$133,322 relating to an increase in operating cost and \$17,794 relating to an increase in lease fees. This represents an 8.3% increase from the 2021/22 Amended AOA presented to Council in March 2022. \$63,406 is the City's portion of the Local Government share of the increase.

Custom Transit

The 2022/23 AOA also includes a \$25,569 increase in costs for Custom transit with \$950 relating to an increase in operating costs and an increase of \$24,619 related to lease fees. This represents a 0.7% increase from 2021/22 Amended AOA presented to Council in March 2022. \$18,844 is the City's portion of the Local Government share of the increase.

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.

The Safe Restart funding provides the opportunity to reduce reserve funding for Kelowna Transit Operating Costs for the City of Kelowna's 2022 budget year.

Safe Restart Funding	\$ 1,761,188
Current 2022 Reserve Funding	\$ 1,763,200

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

External Agency/Public Comments:

Communications Comments:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by:

P. Gramiak, Revenue Supervisor

Approved for inclusion:



G. Davidson, Director, Financial Services

cc:

J.Dombowsky, Transit and Programs Manager



Transit 2022/2023 Annual Operating Agreement

Transit 2022/2023 Annual Operating Agreement

- ▶ Effective April 1st to March 31st 2023
- ▶ 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 2022/2023 Annual Operating Agreement

- ▶ Municipal partners pay based on number of services hours
- ▶ Revenues are 100% retained by the municipal partners
 - ▶ Based on 75% passenger counts and 25% services hours
 - ▶ City of Kelowna receives 82.3% of total revenues

Transit 2022/2023 Annual Operating Agreement

- ▶ Safe Restart Funding
 - ▶ \$5.9M received and applied to past 2 AOA's
 - ▶ Received an additional \$1.76M
 - ▶ Not included in 2022/2023 AOA
 - ▶ \$79k from previous Safe Restart funding applied to 2022/2023 AOA

2022/2022 AOA Comparison to 2021/2022	City of Kelowna Portion
Total revenue increase	\$1,495,000
Conventional	\$934,000
Community	\$63,000
Custom	\$19,000
Total cost increase	<hr/> \$1,016,000
Net projected income increase	<hr/> <hr/> \$479,000



ANNUAL OPERATING AGREEMENT

between

City of Kelowna

and

British Columbia Transit

Effective
April 1, 2022

Information contained in this agreement 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, 2022 – March 31, 2023

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) "*Incurring*" 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, 2022, 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, 2023, 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 12.
 - 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;
 - i. the amount of any operating lease costs of BC Transit for Conventional Transit Services;
 - ii. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement;
 - iii. an amount of the Annual Operating Costs of the Authority not exceeding 8% of the direct operating 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;
 - i. the amount of any operating lease costs of the Authority for Custom Transit Service;
 - ii. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement; and
 - iii. an amount of the Annual Operating Costs of the Authority not exceeding 8% of the direct operating 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.
 - 1. be applied to reduce Municipal invoices at the discretion of the Municipality as agreed to under the Annual Operating Agreement or amendments as required.
 - i. The Local Transit Fund may be used towards lease fees.
 - ii. 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 a joint one-time contribution to transit systems in British Columbia (the "Safe Restart Contribution") in 2020/21.

The Authority applied the Safe Restart Contribution as follows:

- a) As a one-time allocation towards the Municipality's share of 2020/21 eligible operating expenses;
- 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, 2024.

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, Business Development
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 _____, 2022.

City of Kelowna

British Columbia Transit

Vice President, Business Development

Vice President, Finance and Chief Financial Officer

SCHEDULE "A": TARIFF AND FARES

APPENDIX 1: TARIFF NOTES

Conventional Transit Fares:

	<i>Effective as of Sept. 1, 2021</i>
a) Single Cash Fares:	
i) Adult/College Student	\$2.50
ii) Senior	\$2.50
iii) Student	\$2.50
iv) Child 12 and under	Free
v) Accessible Transit Attendant	Free
b) Tickets (sheet of 10):	
i) Adult/College Student	\$22.25
ii) Senior/Student*	\$20.25
c) One Day Pass:	
i) Adult/College Student	\$ 6.50
ii) Senior	\$ 6.50
iii) Student	\$ 6.50
d) Monthly Pass:	
i) Adult	\$70.00
ii) Senior*	\$45.00
iii) Student*	\$45.00
iv) College Student**	\$55.00
v) College Semester Pass**	\$176.00
e) U-Pass per semester	\$63.00
f) Transfers: allow for unlimited travel for up to 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.

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 Annual Service Level for the City of Kelowna's share of the Kelowna Conventional transit service shall be **143,100** 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
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 Annual Service Level for the City of Kelowna’s share of the Kelowna Community transit service shall be **14,700** 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
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 Annual Service Level 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
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/CENTRAL OKANAGAN CONVENTIONAL

	OFFICAL AOA 2022/23	CITY OF KELOWNA	CITY OF WEST KELOWNA	WESTBANK FIRST NATION	DISTRICT OF LAKE COUNTRY	RDGO / ELLISON
TOTAL REVENUE	\$6,769,156	\$6,769,156	-	-	-	-
TOTAL OPERATING COSTS	\$22,175,004	\$18,286,774	\$2,164,533	\$431,779	\$1,247,842	\$44,076
TOTAL COSTS	\$24,370,480	\$20,098,708	\$2,376,840	\$473,941	\$1,372,511	\$48,480
NET MUNICIPAL SHARE OF COSTS	\$6,554,912	\$4,448,898	\$1,228,309	\$209,951	\$642,971	\$24,784

REVENUE SHARE	100.00%	0.00%	0.00%	0.00%	0.00%
COST SHARE	82.53%	9.67%	1.92%	5.68%	0.20%
MAJOR OPERATING PROJECT	100.00%	0.00%	0.00%	0.00%	0.00%
BRT SHARE	67.15%	26.34%	6.51%	0.00%	0.00%

KELOWNA COMMUNITY BUS CONVENTIONAL

	OFFICAL AOA 2022/23	CITY OF KELOWNA	DISTRICT OF WEST KELOWNA	WESTBANK FIRST NATION	DISTRICT OF PEACHLAND	DISTRICT OF LAKE COUNTRY
TOTAL OPERATING COSTS	\$3,278,065	\$1,375,746	\$1,069,196	\$507,999	\$142,807	\$182,318
TOTAL COSTS	\$3,514,857	\$1,475,123	\$1,146,429	\$544,695	\$153,122	\$195,487
NET MUNICIPAL SHARE OF COSTS	\$1,958,130	\$821,792	\$638,677	\$303,450	\$85,305	\$108,906

Cost Share	41.97%	32.62%	15.50%	4.36%	5.56%
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KELOWNA CUSTOM

	OFFICIAL AOA 2022/23
TOTAL REVENUE	102,568
TOTAL OPERATING COSTS	3,656,211
TOTAL COSTS (including Local Government Share of Lease Fees)	3,925,400
NET LOCAL GOVERNMENT SHARE OF COSTS	1,311,449

Report to Council



Date: June 27, 2022
To: Council
From: City Manager
Subject: Amendments to Active Living and Culture Fees and Charges Bylaw No. 9609
Department: Active Living and Culture Division

Recommendation:

THAT Council receives the report from the Active Living & Culture Division, regarding amendments to the Fees & Charges Bylaw No. 9609, as outlined in the report dated June 27, 2022;

AND THAT Bylaw No. 12409 being Amendment No. 7 to the Active Living and Culture Fees & Charges Bylaw No. 9609 be advanced for reading consideration;

AND FURTHER THAT the 2022 Financial Plan be amended to include the increased equipment fund as outlined in the report dated June 27, 2022.

Purpose:

To obtain Council's endorsement for amendments to the Active Living and Culture Fees and Charges Bylaw No. 9609.

Background:

Participation and access to sport, recreation and cultural activities and programs is essential to the quality of life within a community. The latest [Citizen Survey in Kelowna \(Ipsos, 2022\)](#) highlights having good recreational facilities, opportunities and activities as one of the top three qualities that makes for an ideal city. Active Living & Culture (ALC) oversees the community use of recreation and cultural facilities that includes establishing fee structures, programming, and public use. Through these services, ALC charges user fees to support the division's operations through a variety of streams, many of which are outlined in the Active Living & Culture Fees and Charges Bylaw (No. 9609) and through other streams that fall outside the bylaw (e.g., general interest programs, stadium concessions).

At the May 2, 2022, AM Council meeting, Council was provided an overview of the work plan related to the fees and charges review within the Active Living & Culture Division which included background,

current approach to setting fees, future work plan related to setting fees and charges and an introduction to a new benefits-based approach to setting fees and charges. The approach and work plan were endorsed by Council.

The key components of the work plan include:



The current practice to setting fees and charges considers market comparisons, maintains awareness of community and sector trends and learnings through collaboration with facility-based user groups and advisory committees. This is a common approach within the sector, but it has some limitations related to recognizing community nuances, ensuring equity, and understanding and relating to operational expenses.

As we move forward, the benefits-based approach will expand on the current approach to setting fees and examine the investment in delivering services, its relationship to public benefit and corresponding investment recovery target for each activity.

This approach will provide guidance to ensuring services are sustainable and further operationalize the existing principles of [Council Policy 222 – Recreation and Cultural Services – Philosophy /Fees & Charges Policy](#), laying the groundwork for a more strategic process to setting fees for City operated facilities and programs.

The initial task (short term) within the work plan is to complete a review of current fees and charges and address any necessary immediate changes for operational purposes (using the City’s traditional approach).

Discussion:

This initial review focuses on a short-term adjustment of some fees that require amendment as a result of a market comparison with similar community facilities and sector trends, as well as to address operational changes. This review does not include changes to fee schedules that apply to facility-based user groups and advisory committees (e.g., arenas, sportsfields and pools) in order to prevent disruptions in service delivery and minimize the number of fee adjustments prior to the broader review, which will be part of the medium-term workplan schedule. Any immediate changes will be based on program and facility operating cycles and will help ensure that ALC is setup for a more significant change (if warranted) through the benefits-based approach model to come in 2023.

The [Active Living & Culture Fees & Charges Bylaw No. 9609](#) contains fee schedules for the various recreation and culture facilities' rental rates, Parkinson Recreation Centre (PRC) facility admission and other services through Active Living & Culture.

Key aspects of the existing bylaw include:

- Fee Schedules based on facility and/or program locations.
- Fee categories within each Schedule specific to how the facility is used and or programmed.
- Fee variations within Schedules that recognize different user groups.
- Fees increase annually by 2% or a multi-year rate table to address an approach to a desired end rate.

The following summarizes proposed changes within the bylaw:

- Amendments to the General section that provides additional clarity and reflects current practice.
- Introduction of one facility access category for PRC admission fees.
- Fee adjustments for some amenities to align with market rate comparisons (e.g., room rental bookings).
- Introduction of new fee categories that are currently not covered in the bylaw.
- Adjustment to reflect operational changes at the Kelowna Community Theatre and introduction of the Front of House services (Box Office, Concession, Marketing).
- Unless otherwise stated, fees updated to 2022 current rates and rounded up to the nearest whole dollar.

Each fee schedule with the exception of Schedule H – Kelowna Community Theatre, has a standard effective increase date of April 1 each year. However, for 2022 only, given the timing of this report, the effective date of all new fee changes will be October 1, 2022, except for the Kelowna Community Theatre which will be effective August 1, 2022.

General

This section includes direction on the administrative requirements for ALC Fees and Charges. Examples include use of deposits, administration fees and annual 2% fee increases. Changes to this section include:

- Administration updates to reflect current practices.
- The addition of a provision for the Director of Active Living & Culture or designate to periodically amend rates on a short-term basis for the purpose of facility use maximization or community development.
- A complete list of updates can be found in attachment 1. General Section - Text Amendments.

Schedule A - Parkinson Recreation Centre – Facility Administration Fees & Charges

This schedule includes admission fees for Parkinson Recreation Centre swimming pool and fitness centre. Changes to this schedule include:

- A consolidation of the pool rates for drop-in, entry cards and passes into the current facility access rate to better reflect an all-access recreation model, address access control challenges and simplify the administration of user fees. This consolidation will lead to a more holistic approach to wellness and increase the value to members. Existing members with pool options will have the opportunity to extend their passes up to September 30, 2023, at the existing rate if they choose to do so by September 30, 2022.

- Entry cards (Visit pass or punch card) are to now be valid for 2 years.
- Update Facility Promo Pass for first-time members from \$25 to 50 percent of the applicable monthly facility pass. This is a one-time, one-month pass to the fitness centre and pool at Parkinson Recreation Centre at a reduced rate to try the facility.
- A complete list of rate changes can be found in attachment 2. Schedule A – PRC – Facility Administration Fees & Charges.

Schedule B – Facility Rental Fees & Charges

This schedule includes rental fees for the gymnasium and various rentable rooms at Parkinson Recreation Centre. Changes to this section include:

- Increase hourly base rental rates to align with market rates.
- Addition of changerooms/showers rental rates for tournaments and event bookings.
- A complete list of room rental rate changes can be found in attachment 3 Schedule B – PRC – Facility Rental Fees & Charges.

Schedule B₁ – Aquatics Rentals

The fees in this schedule include club training and competition rentals at H₂O Adventure & Fitness Centre, and Parkinson Recreation Centre as well as commercial and non-profit rentals at Parkinson Recreation Centre.

- No significant change to fees in this schedule.

Schedule C – Apple Bowl

This schedule includes rental rates for stadium and track & field use at the Apple Bowl. Changes to this schedule include:

- Addition of an hourly full facility rate for Adult organizations (non-profit) set at \$85.00 per hour.
- Addition of hourly stadium-amenity rates for:
 - Track and field practice – Adult organizations (non-profit) set at \$38.00 per hour.
 - Changerooms/showers set at \$50.00 per day.

Schedule D – Sportsfields

This schedule includes regular-play and tournament rates for sportfields as well as the artificial turf field.

- No significant change to fees in this schedule.

Schedule E – Arenas

This schedule includes arena rental rates and public skating rates at the Memorial, Rutland, Prospera & Capital New Centre arenas.

- No significant change to fees in this schedule.

Schedule F – Multi-Purpose Facilities

This schedule includes rental rates for various facilities and bookable spaces in recreation facilities throughout Kelowna. Changes to this schedule include:

- Increase hourly base rental fees to align with market rates.
- Addition of a kitchen rental rate at the Rutland Activity Centre.
- A complete list of room rental rate changes can be found in attachment 4. Schedule F – Multi-Purpose Facilities – Rental Fees & Charges.

Schedule G – Other Facilities/Parks

This schedule includes fees for Outdoor Events, services & equipment, and other rentable facilities such as tennis courts, pickleball courts, basketball courts and beach volleyball courts. Changes to this schedule include:

- Increase of sound system rental rate from \$50.00 to \$100.00 per day.
- Addition of Road/Street Closure rate set at \$100.00 per day up to a maximum of 3 blocks – additional blocks charged at \$30.00 per day to a maximum of \$300.00 per day.
- Addition of Parking Lot Closure rates set at \$60.00 per day per parking bay up to a maximum of 80 stalls per bay.

Schedule H – Kelowna Community Theatre

This schedule includes fees and charges related to the operations of Kelowna Community Theatre. Changes to this schedule include:

- Updates to terminology that aligns Kelowna Community Theatre with the rental categories of the remainder of ALC
- Adds in and/or updates existing fee structures for the following:
 - Lobby – Reception or Meeting: New Section and Fees.
 - Main Stage/Black Box – Performance & Rehearsal sections:
 - Adjustment of fee structure including increases.
 - New rental category for City of Kelowna (30% of commercial rate).
 - Additional Fees section:
 - Clarification of services that are considered part of the base booking.
 - Technician rate increased and hours for support clarified.
 - Capital Improvement Fee increase from \$1.75 to \$2.00 per admission.
 - Front of House Services (Box Office, Concession, Marketing) – New Section and Fees.
- Main Stage – Temporary Performance Rental section – Removal of this section as implemented temporarily during COVID restrictions.
- Rates are effective August 1, 2022.
- A summary of additions can be found in attachment 5. Schedule H – Kelowna Community Theatre – Fees & Charges.

Equipment Fund

As part of this initial fee adjustment, staff considered the development of an Equipment Fund. Critical to the success of our services and programs is having the appropriate equipment to support the activities. Given the volume of use, and diversity of program opportunities - the creation of an additional fee to support equipment purchases creates a more sustainable model that will serve to enhance and broaden participants' experiences and ensure expectations are met.

This fund would be used to replace equipment and to acquire new equipment to expand program opportunities. Some examples of program equipment include fitness equipment (spin bikes, adult trampoline for bounce classes), tables and chairs in bookable and program spaces, sport equipment for programs, inflatables, and portable play structures.

The initial application of an additional equipment fee is proposed through City-offered registered community programs (e.g., adult sport leagues, fitness classes, swim lessons, and summer camps) where a 5% increase will be added to the base registration fee. Based on a pre-COVID year this fee is anticipated to generate \$65-75k and would be retained to directly support program equipment

purchases within the division. This would enhance the existing base budget of \$20k for program equipment. Community program fees are not included in the bylaw as the formula for setting fees varies season to season and among different types of programs. It is anticipated these fees will be included in the broader fees and charges review.

As the broader review continues, additional fee categories to support this fund will be considered. Also, as outlined in the work plan, a more strategic capital improvement program will be developed that will build upon existing programs that contribute to facility reserve funds.

Conclusion:

A key objective in the work of the Active Living & Culture division is to develop, support and facilitate programs and services that encourage active healthy lifestyles with a particular focus on building strong neighbourhoods and reducing barriers to participation.

Charging user fees is an important aspect of supporting business operations that must be balanced against fees becoming a barrier to participation. How these two principles continue to work together, including additional strategies to address financial barriers, will be carefully considered through the overall review process.

The updates proposed address some immediate changes that ensure we remain consistent in the market, address operational changes, and position the division for work ahead related to the benefits-based approach. While this initial update is not comprehensive of all fees within ALC, the future work plan includes a broader update incorporating the benefits-based approach and begins to consider all areas of the bylaw.

Over the coming months, staff will continue to work through the work plan with additional updates and information provided to Council.

Internal Circulation:

Active Living & Culture
Office of the City Clerk
Finance
Communications

Considerations applicable to this report:

Existing Policy:

Council Policy 222 - Recreation and Cultural Facilities Services – Philosophy/Fees & Charges Policy and Active Living & Culture Fees & Charges Bylaw No. 9609.

Financial/Budgetary Considerations:

The consolidation of one facility access rate, increase to rental rates for bookable spaces and rounding to the nearest whole dollar is anticipated to generate an additional \$50-60k in a full pre-COVID year. As the division continues to recover from COVID, revenue changes as the result of the bylaw will be monitored and reflected in future budgets.

The equipment fund is anticipated to generate \$65-75k annually in a full pre-COVID year and will be contributed to reserve and appropriated to directly support Active Living & Culture program equipment purchases. The anticipated revenue in 2022 will be \$15k and will be contributed to reserve.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

External Agency/Public Comments:

Communications Comments:

Submitted by: J. Jean, Administration & Business Services Manager

Approved for inclusion: J. Gabriel, Director, Active Living & Culture

cc: Divisional Director, Financial Services
Divisional Director, Communications

Attachments:

1. General Sections – Text Amendments
2. Schedule A – PRC – Facility Admission Fees & Charges
3. Schedule B – PRC - Facility Rental Fees & Charges
4. Schedule F – Multi-Purpose Facilities Rental Fees & Charges
5. Schedule H – Kelowna Community Theatre – Fees & Charges
6. Amendments to ALC Fees and Charges Bylaw No.9609 Council Presentation

General Sections – Text Amendments

No.	Section	Current Wording	Proposed Wording	Reason for Change
1. Damage Deposit	Section 2 (a) – Damage Deposit	A damage deposit may be required for rental of a City of Kelowna facility, with the minimum amount being \$300.00 and the maximum amount to be determined by the Director of Active Living and Culture or designate, based upon the facility in question and the risks for damage posed by the proposed event;	A damage deposit may be required for rental of a City of Kelowna facility, with the minimum amount being \$300.00 and the maximum amount to be determined by the Director of Active Living and Culture or designate, based upon the facility in question and the risks for damage posed by the proposed event; <u>A damage deposit and a non-refundable rental deposit may be required for rental of a City of Kelowna facility, with the fees and conditions defined in the City's Condition of Use & Allocation Policy.</u>	Combine Damage Deposit and Rental Deposit into one item and update wording to reflect changes.
2. NSF Charges	Section 2(b) – NSF Charges	NSF charges will be applied to all payments returned NSF as per Miscellaneous Fees and Charges Bylaw No. 9381.	NSF charges will be applied to all payments returned NSF as per Miscellaneous Fees and Charges Bylaw No. 9381.	Remove this clause already captured in Section 2 (g) – Returned Payments
3. Installment Payment Plan	Section 2 (d) – Installment Payment Plan	Where a monthly instalment payment plan is made available to users for the purchase of six (6) month and one (1) year passes, a \$30.00 service charge shall be applied for set- up of the plan	Where a monthly instalment payment plan is made available to users for the purchase of six (6) month and one (1) year passes to <u>Parkinson Recreation Centre</u> , a \$30.00 service charge shall be applied. for set up of the plan	Update wording to clarify item location and current practice
4. Rental Deposit	Section 2 (f) - Rental Deposit	A non-refundable rental deposit is due and payable at the time of booking to secure the rental. Except for the theatre rental deposit, the amount is dependent upon the rental agreement total amount payable and shall be as follows: <ul style="list-style-type: none"> • for agreements equal to or less than \$100.00, the rental deposit is the full amount, • for agreements equal to or less than \$100.00, the rental deposit is 50% of the full amount; and • for agreements equal to or greater than \$1,000.00 the rental deposit is 10%. 	A non-refundable rental deposit is due and payable at the time of booking to secure the rental. Except for the theatre rental deposit, the amount is dependent upon the rental agreement total amount payable and shall be as follows: <ul style="list-style-type: none"> • for agreements equal to or less than \$100.00, the rental deposit is the full amount; • for agreements equal to or less than \$100.00, the rental deposit is 50% of the full amount; and • for agreements equal to or greater than \$1,000.00 the rental deposit is 10%. a minimum of \$50.00 to a maximum of 10% of the agreement. 	Combine into Section 2 (a) with damage deposit. See Item No.1
5. Rate Amendments	Section 2 (New) – Rate Amendments		<u>The Director of Active Living & Culture or designate is authorized to periodically amend rates on a short term basis for the purpose of facility use maximization or community development.</u>	New item clarifying authority to amend rates on short term basis

Schedule A – PRC - Facility Admission Fees & Charges

Current = Pool option
Proposed = Full facility access

Tickets

	Single Entry or Drop-In * tax included		10 Entry Card*		20 Entry Card*	
	Current	Proposed	Current	Proposed	Current	Proposed
Adult (19-64)	\$6.00	\$7.50	\$46.90	\$60.30	\$82.80	\$106.40
Youth/Student (13-18)	\$4.50	\$5.50	\$35.30	\$44.70	\$62.20	\$78.80
Child (7-12)	\$3.25	\$3.25	\$25.90	\$25.90	\$45.80	\$45.80
Preschool (3-6)	\$2.00	\$2.00	\$14.40	\$14.40	\$25.40	\$25.40
Seniors (65-74)	\$4.50	\$5.50	\$35.30	\$44.70	\$62.20	\$78.80
Seniors (75+)	\$3.25	\$3.50	\$25.90	\$26.80	\$45.80	\$47.40
Family	\$13.00	\$16.00	\$101.90	\$129.60	\$176.80	\$228.80

*Denotes entry pass expires 2 years from date of purchase

Passes

	1 Month Pass		3 Month Pass		6 Month Pass		1 Year Pass	
	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed
Adult (19-64)	\$46.92	\$60.34	\$124.26	\$159.71	\$215.41	\$276.79	\$364.57	\$468.46
Youth/Student (13-18)	\$35.33	\$44.72	\$93.46	\$118.30	\$161.97	\$205.03	\$274.14	\$347.01
Child (7-12)	\$25.95	\$25.95	\$68.62	\$68.62	\$118.91	\$118.91	\$201.27	\$201.27
Preschool (3-6)	\$14.30	\$14.30	\$37.87	\$37.87	\$65.64	\$65.64	\$111.0	\$111.02
Seniors (65-74)	\$35.33	\$44.72	\$93.46	\$118.30	\$161.97	\$205.03	\$274.14	\$347.01
Seniors (75+)	\$25.95	\$26.83	\$68.62	\$70.99	\$118.91	\$123.05	\$201.27	\$208.17
Family	\$101.91	\$129.62	\$270.83	\$343.04	\$436.44	\$552.81	\$738.56	\$935.53

Infants 2 & under free

Family defined in the Active Living & Culture Conditions of Use and Allocation Guidelines

Child & Preschool is swim only with access to hot tub and steam room

Facility Pass includes access to pool, hot tub, steam room, fitness facility and drop-in gymnasium

Schedule B – PRC – Facility Rental Fees & Charges

GYMNASIUM

- Gymnasium rates are per hour.

	Whole Gym		Half Gym	
	Current	Proposed	Current	Proposed
Adult	\$64.06	\$70.00	\$32.03	\$35.00
Youth	\$32.03	\$35.00	\$16.02	\$17.50

ROOM RENTALS

- Rates are per hour with a 3 hour minimum unless otherwise stated.
- Daily rate is charged at 10 hours.

Rooms	Commercial Rental Rates		Non-Profit/Casual Community Users Rental Rates	
	Current	Proposed	Current	Proposed
Apple Room	\$130.28	\$150.00	\$ 65.14	\$75.00
MacIntosh Room	\$86.12	\$106.00	\$ 43.06	\$53.00
Spartan Room	\$55.20	\$76.00	\$ 27.60	\$38.00
Kitchen (only available with banquet room rental)	\$22.08	\$30.00	\$ 11.04	\$15.00
Gala Boardroom (Boardroom Table in Place)	\$30.91	\$50.00	\$ 15.46	\$25.00
Orchard Room (Bartlett, Red/Sun Haven Sections + 2 kitchenettes)	\$61.83	\$82.00	\$ 30.91	\$41.00
Bartlett Room (+ kitchenette)	\$39.75	\$60.00	\$ 19.87	\$30.00
Cherry Room	\$39.75	\$60.00	\$19.87	\$30.00
Red Haven Room	\$30.91	\$50.00	\$ 15.46	\$25.00
Sun Haven Room (+ kitchenette)	\$39.75	\$60.00	\$ 19.87	\$30.00
Haven Room (Red Haven & Sun Haven Sections + 2 kitchenettes)	\$55.20	\$76.00	\$ 27.60	\$38.00
Bartlett Sun Room (Bartlett & Sun Haven Sections + 2 kitchenettes)	\$55.20	\$76.00	\$ 27.60	\$38.00
Outdoor Areas A & B (only available with room rental)	\$22.08	\$42.00	\$11.04	\$21.00
Outdoor Barbeque: (only available with room rental & does not include kitchen facilities)	\$79.30 per day	\$100.00 per day	\$39.65 per day	\$50.00 per day
PRC Changerooms/Showers (tournament and event bookings)		\$100.00 per day		\$50.00 per day

Schedule F – Multi-Purpose Facilities - Rental Fees & Charges

- All rates are subject to taxes unless otherwise stated.
- Rates are effective October 1, 2022 and will increase annually on April 1 every year thereafter.
- Rates are per hour with a 3 hour minimum rental unless otherwise stated.
- Daily rate is charged at 10 hours.

	Non-Profit Rental Rates		Commercial Rental Rates	
	Hourly Rate		Hourly Rate	
	Current	Proposed	Current	Proposed
Okanagan Mission Activity Centre Hall and Kitchen	\$22.08	\$32.00	\$44.16	\$64.00
Kinsmen Fieldhouse Hall Hall and Kitchen	\$22.08	\$32.00	\$44.16	\$64.00
Kinsmen Media Centre Meeting Room	\$15.46	\$25.00	\$30.91	\$50.00
Cedar Creek Community Centre Main Hall & Kitchenette	\$22.08	\$32.00	\$44.16	\$64.00
	\$15.46	\$25.00	\$30.91	\$50.00
Rutland Activity Centre Hall Multi-Purpose Room Meeting Room Kitchen	\$33.12	\$41.00	n/a	\$82.00
	\$16.56	\$38.00	n/a	\$76.00
	\$13.25	\$25.00	n/a	\$50.00
	n/a	\$15.00	n/a	\$30.00
Sport Kelowna Boardroom	\$15.46	\$25.00	\$30.91	\$50.00
Parkinson Activity Centre Activity Room Main hall Kitchen (per day) Meeting Room Lounge	\$19.87	\$30.00	\$39.75	\$60.00
	\$43.06	\$53.00	\$86.12	\$106.00
	\$110.41	\$120.00	\$220.82	\$240.00
	\$15.46	\$25.00	\$30.91	\$50.00
	\$19.87	\$30.00	\$39.75	\$60.00

Schedule H – Kelowna Community Theatre - Fees & Charges

NEW*Rental Rates for Lobby (3-hour rental)		Basic Fee	
Commercial		\$260.00	
Non-profit Organization		\$182.00	
Local Non-profit Organization		\$130.00	
City of Kelowna		\$78.00	
Additional rental hours (after 3 hours)		20% of the Basic Fee per hour	
NEW*Box Office		Fee	
Box Office Ticket Service Fee (charged per each individual ticket sold via Internet, phone or box office)		If the ticket price is up to \$15: \$4.00; \$15 - 25: \$5.50; \$25-45: \$7.00; \$45 to \$65: \$8.00; \$65 to \$85: \$9.00; \$85+: \$10.00	
Subscription Ticket Fee (3+ shows sold together as a season)		35% Discount applied to Box Office Ticket Fee	
Free or Complimentary Issued Tickets		\$1.00 per ticket	
Set-up Fee (Commercial and Non-profit Organization)		\$150.00 per event	
Festivals and multi-day events using alternative entry mechanisms		To be approved by the Divisional Director or delegate	
Cancellations: <ul style="list-style-type: none"> • Promoter Cancellation Fee • Promoter Change of Date Fee • Patron Cancellation • City of Kelowna Cancellation 		\$500 + 2.5% of gross sales \$5.00 per ticket + 2.5% for tickets refunded Credit issued for ticket – less the ticket service fee 100% refunded with no fee to promoter	
Marketing Support: Marketing support provided using a la carte or multi-package options			\$50 - \$2500
Concession: A variety of alcoholic and non-alcoholic beverages and snacks will be offered for sale			Varied
KCT Section(s)	Rental Rates	Current Fee	Proposed Fee
Main Stage – Performance	City of Kelowna	N/A	\$480.00
	Additional rental hours (moved from after 8 to after 12 hours)	5% of the Basic Fee	20% of the Basic Fee
	Additional Same Day Performance (includes 3 additional FOH hours and 4 additional Tech hours)	N/A	50% of the Basic Fee per additional performance OR 10% of gross ticket sales
	Public Dress Rehearsal or performances to school groups	N/A	25% of the Basic Fee
Main Stage – Performance and Black Box - Performance	Extended Multi-Day Rental Commercial only - Min. of 14 days	N/A	70% of the Basic Fee
	Dark Day Rate	\$240.00 per day	15% of the Basic Fee
Main Stage – Rehearsal	Commercial	\$725.00	\$800.00
	Non-profit Organization	\$507.50	\$560.00
	Local Non-profit Organization	\$362.50	\$400.00
	City of Kelowna	N/A	\$240.00
	Additional rental hours	5% of Basic Fee/hour	20% of the Basic Fee/hour
Black Box – Performance	City of Kelowna	N/A	\$162.00
Black Box – Performance and Meeting or Rehearsal	Access to Lower Hallway and Dressing Room	N/A	\$80.00 per day
Black Box – Meeting or Rehearsal	City of Kelowna	N/A	\$72.00
	Hourly Rate (after 12 hours)	N/A	30% of the Basic Fee/ Hour
Additional Fees	Theatre Technician hourly rate	\$52.50 per hour	\$53.00 per hour
	Theatre Technician overtime >10hrs	N/A	2 times the rate per hour
	CIF	\$1.75 per ticket	\$2.00 per admission
	CIF (Main Stage un-ticketed events)	N/A	To be negotiated by KCT Mgr
	Towel Service	N/A	\$3.00 per item
	Statutory Holiday Fee	N/A	\$500 per day
	Additional Janitorial Services	\$300.00 or Actual	Market Rate

Amendments to ALC Fees & Charges Bylaw No. 9609

June 27, 2022

Bylaw #9609

- Includes:
 - Facilities owned/operated by City and or specified within a third-party agreement
- Does not include:
 - Facilities owned by City but operated by a third-party
 - General interest program registrations



Bylaw Overview

- Schedules based on facilities
- Multiple category rate structure specific to each facility or program
- Fee variations that recognize different user groups
- Fees increase annually by 2% or a multi-year rate table





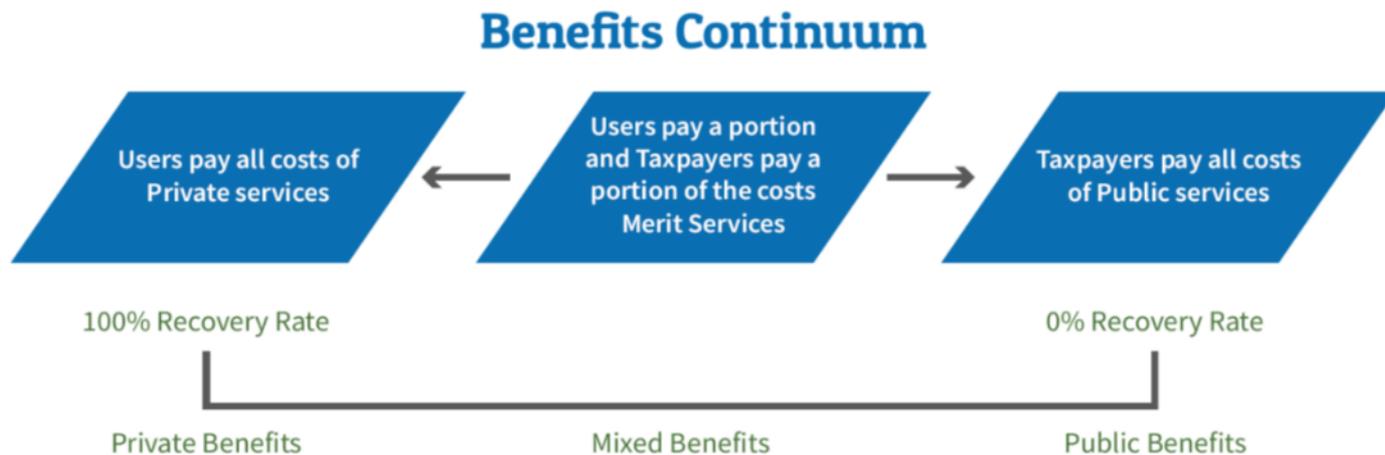
May 2nd Workshop Overview

- Introduction to a Benefits-based approach
- Current practice plus:
 - Cost to deliver service
 - Public benefit
 - Target subsidy level
- More strategic approach to setting fees

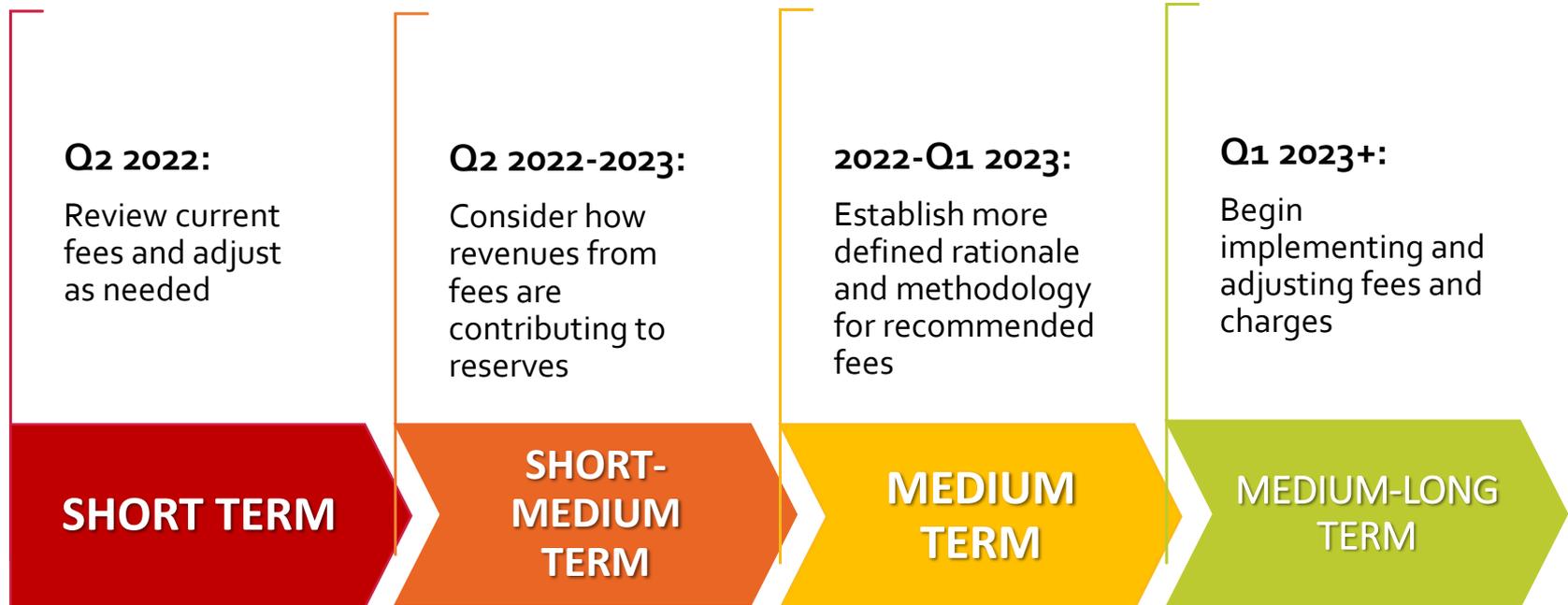
Benefits-Based Continuum

A Policy Based on the Benefits/Public Goods Approach

- Those who benefit from a public service should pay in proportion to the benefit they receive



Project Timeline





Summary of Changes

- Improve clarity and reflect current practice
- Single facility access rate at Parkinson Recreation Centre
- Fee adjustment to align with market comparison
- Introduction of new fees
- Operational changes at Kelowna Community Theatre
- Reset at 2022 rates and round up to nearest whole dollar



General Sections

- Administrative updates
- Clause to maximize facility use based on fee amendment on a short-term basis



Schedule A

PRC Facility Administration Fees & Charges

- Consolidation of pool rates into facility rates
- Entry cards valid for 2 years
- Promo Pass set at 50% of applicable monthly pass



Schedule B Facility Rental Fees & Charges

- Increase hourly room rental rates
- Additional changeroom/shower rate



Schedule C

Apple Bowl

- Additional rental rates to reflect current use patterns
 - Adult full facility and stadium-amenity rental rates
 - Changeroom/shower day rate



Schedule F

Multi Purpose Facilities

- Increase hourly room rental rates
- Additional rental area



Schedule G

Other Facilities / Parks

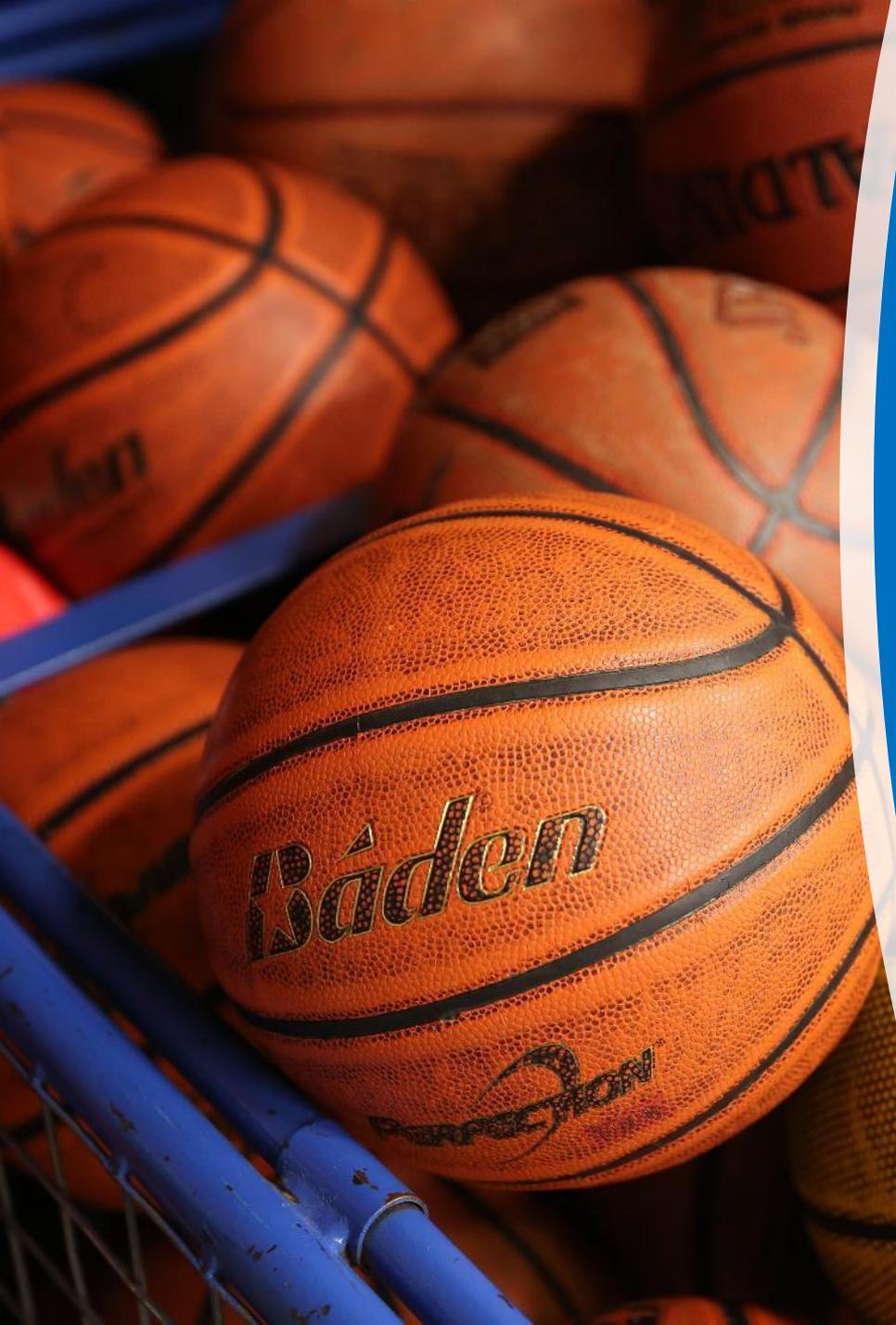
- Increase equipment rental rate per day
- Additional rates that reflect road closures and use of City parking lots



Schedule H

Kelowna Community Theatre

- Update of terminology
- Adjustment of fee structure and clarification of services
- Front of House (Box Office, Concession, Marketing)
- Removal of Temporary Performance Rental section



Equipment Fund

- Target to support program equipment
- Funded through 5% increase in City-offered registered programs
- Generate ~\$75k annually
- Establish program equipment reserve



Summary

- Short-term reset
- Continue with work plan and additional updates to Council as work progresses



Questions?
For more information, visit kelowna.ca

CITY OF KELOWNA

BYLAW NO. 12409

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

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Active Living & Culture Fees and Charges Bylaw No. 9609 be amended as follows:

1. THAT Section 2 be deleted in its entirety that reads:
- "2. In addition to any fee or charge set out in Schedules "A" to "H", the following shall apply:
 - (a) A damage deposit may be required for rental of a City of Kelowna facility, with the minimum amount being \$300.00 and the maximum amount to be determined by the Director of Active Living and Culture or designate, based upon the facility in question and the risks for damage posed by the proposed event;
 - (b) NSF charges will be applied to all payments returned NSF as per Miscellaneous Fees and Charges Bylaw No. 9381.
 - (c) Overdue accounts shall be subject to a monthly interest charge.
 - (d) Where a monthly instalment payment plan is made available to users for the purchase of six (6) month and one (1) year passes a \$30.00 service charge shall be applied for set-up of the plan;
 - (e) Where overnight parking at a City of Kelowna facility has been approved pursuant to the City's Conditions of Use & Allocation Policy for Recreation Facilities, Theatre, Sportsfields and Parks for participants of tournaments or special events, a fee of \$15.00 per vehicle per night shall be charged;
 - (f) A non-refundable rental deposit is due and payable at the time of booking to secure the rental. Except for the theatre rental deposit, the amount is dependent upon the rental agreement total amount payable and shall be as follows:
 - for agreements equal to or less than \$100.00, the rental deposit is the full amount;
 - for agreements equal to or less than \$100.00, the rental deposit is 50% of the full amount; and
 - for agreements equal to or greater than \$1,000.00 the rental deposit is 10%.
 - (g) Returned payment fees will be applied to all returned payments as per Miscellaneous Fees and Charges Bylaw No. 9381.
 - (h) All rentals subject to extra fees as defined in the City's Condition of Use & Allocation Policy:"

And replace it with:

- "2. In addition to any fee or charge set out in Schedules "A" to "H", the following shall apply:
 - (a) A damage deposit and a non-refundable rental deposit may be required for rental of a City of

Kelowna facility, with the fees and conditions defined in the City's Condition of Use & Allocation Policy.

- (b) Overdue accounts shall be subject to a monthly interest charge.
- (c) Where a monthly instalment payment plan is made available to users for the purchase of one (1) year passes to Parkinson Recreation Centre, a \$30.00 service charge shall be applied;
- (d) Where overnight parking at a City of Kelowna facility has been approved pursuant to the City's Conditions of Use & Allocation Policy for Recreation Facilities, Theatre, Sportsfields and Parks for participants of tournaments or special events, a fee of \$15.00 per vehicle per night shall be charged;
- (e) Returned payment fees will be applied to all returned payments as per Miscellaneous Fees and Charges Bylaw No. 9381.
- (f) The Director of Active Living & Culture or designate is authorized to periodically amend rates on a short term basis for the purpose of facility use maximization or community development.
- (g) All rentals subject to extra fees as defined in the City's Condition of Use & Allocation Policy;”

2. THAT Section 4 be amended by deleting “City of Kelowna Recreation Cultural Services Fees and Charges Bylaw No. 9609” and replace it with “City of Kelowna Active Living & Culture Fees and Charges Bylaw No. 9609”;
3. THAT **SCHEDULE A – PRC – Facility Admission Fees & Charges** rates table be deleted in it’s entirety that reads
 - “All rates are subject to taxes unless otherwise stated.
 - Single Entry or Drop-In rates are inclusive of tax where applicable.
 - Rates are effective April 1, 2017 and increase annually except the 6 month and 1 year Family rates which are effective May 1, 2017 and will increase annually on April1 every year thereafter.

Tickets

	Single Entry or Drop-In * tax included		10 Entry Card		20 Entry Card	
	Pool	Facility	Pool	Facility	Pool	Facility
Adult (19-64)	\$5.25	\$6.75	\$42.50	\$54.60	\$75.00	\$96.40
Youth/Student (13-18)	\$3.95	\$5.00	\$32.00	\$40.50	\$56.40	\$71.40
Child (7-12)	\$2.90	n/a	\$23.50	n/a	\$41.40	n/a
Preschool (3-6)	\$1.60	n/a	\$13.00	n/a	\$23.00	n/a
Seniors (65-74)	\$3.95	\$5.00	\$32.00.	\$40.50	\$56.40	\$71.40
Seniors (75+)	\$2.90	\$3.00	\$23.50	\$24.30	\$41.40	\$43.00
Family	\$11.40	\$14.50	\$92.30	\$117.40	\$160.20	\$207.20

Passes

1 Month Pass	3 Month Pass	6 Month Pass	1 Year Pass
Pool Facility	Pool Facility	Pool Facility	Pool Facility

	\$42.50	\$112.55	\$195.10	\$330.20
Adult (19-64)	\$54.65	\$144.65	\$250.70	\$424.30
	\$32.00	\$84.65	\$146.70	\$248.30
Youth/Student (13-18)	\$40.50	\$107.15	\$185.70	\$314.30
	\$23.50	\$62.15	\$107.70	\$182.30
Child (7-12)	N/A	N/A	N/A	N/A
	\$12.95	\$34.30	\$59.45	\$100.55
Preschool (3-6)	N/A	N/A	N/A	N/A
	\$32.00	\$84.65	\$146.70	\$248.30
Seniors (65-74)	\$40.50	\$107.15	\$185.70	\$314.30
	\$23.50	\$62.15	\$107.70	\$182.30
Seniors (75+)	\$24.30	\$64.30	\$111.45	\$188.55
	\$92.30	\$245.30	\$395.30	\$668.94
Family	\$117.40	\$310.70	\$500.70	\$847.34

Infants 2 & under free

Family defined in the Active Living & Culture Conditions of Use and Allocation Guidelines

Pool Pass is swim only with access to hot tub and steam room

Facility Pass includes access to pool, hot tub, steam room, fitness facility and drop-in gymnasium

Facility Promo Pass - \$25 – provides unlimited access to the fitness centre and pool for one month and is available to new facility customers only

Corporate Wellness Pass Program - 25% discount off 1 year Adult Facility rate or on 100 or more Adult Facility single entries

Access Pass Fees

- The Access Pass is a discount recreation pass for persons with a permanent disability who meet the eligibility requirements set by the Director of Active Living & Culture or his/her designate
- Access Passes are tax exempt and the discount rates are based on a one year Adult Facility Pass (as noted on the previous page)

Access Pass	
Combination Access Pass	67%
Program Access Pass (Annual pass January 1 st - December 31 st)	75%
Facility Access Pass	75%

Administration Fees:

- Membership Cancellation Fee - \$5.00 for monthly and yearly passes cancelled prior to expiration
- Program Withdrawal Fee - \$5.00
- Membership Card Replacement Fee - \$5.00
- Monthly Payment Plan - \$30.00 per year processing fee per pass

Registration Service Agreements:

- Active Living & Culture provides registration services to enable non-profit community organizations to provide a wide variety of recreational and educational programs to the residents of Kelowna. The fee charged is for the facilitation of the registration process based on \$15 per registrant plus applicable taxes and is subject to the terms and conditions of the Registration Service Agreement."

And replace it with:

“

- All rates are subject to taxes unless otherwise stated.
- *Single Entry or Drop-In rates are inclusive of tax where applicable.
- Rates are effective October 1, 2022 and will increase annually on April 1 every year thereafter.

<i>Tickets</i>	Single Entry or Drop-In * tax included	10 Entry Card **	20 Entry Card **
Adult (19-64)	\$7.50	\$60.30	\$106.40
Youth/Student (13-18)	\$5.50	\$44.70	\$78.80
Child (7-12)	\$3.25	\$25.90	\$45.80
Preschool (3-6)	\$2.00	\$14.40	\$25.40
Seniors (65-74)	\$5.50	\$44.70	\$78.80
Seniors (75+)	\$3.50	\$26.80	\$47.40
Family	\$16.00	\$129.60	\$228.80

<i>Passes</i>	1 Month Pass	3 Month Pass	6 Month Pass	1 Year Pass
Adult (19-64)	\$60.34	\$159.71	\$276.79	\$468.46
Youth/Student (13-18)	\$44.72	\$118.30	\$205.03	\$347.01
Child (7-12)	\$25.95	\$68.62	\$118.91	\$201.27
Preschool (3-6)	\$14.30	\$37.87	\$65.64	\$111.02
Seniors (65-74)	\$44.72	\$118.30	\$205.03	\$347.01
Seniors (75+)	\$26.83	\$70.99	\$123.05	\$208.17
Family	\$129.62	\$343.04	\$552.81	\$935.53

Infants 2 & under free

Family defined in the Active Living & Culture Conditions of Use and Allocation Guidelines

**Denotes entry card expires 2 years from date of purchase

Child & Preschool is swim only with access to hot tub and steam room

Entry Card & Pass includes access to pool, hot tub, steam room, fitness facility and drop-in gymnasium

Facility Promo Pass - 50% discount provides unlimited access to the fitness centre and pool for one month and is available to new facility customers only

Corporate Wellness Pass Program - 25% discount off 1 year facility pass or on 100 or more facility single entries

Access Pass Fees

- The Access Pass is a discount recreation pass for persons with a permanent disability who meet the eligibility requirements set by the Director of Active Living & Culture or designate
- Access Passes are tax exempt and the discount rates are based on a one year Adult Facility Pass (as noted on the previous page)

Access Pass	
--------------------	--

Combination Access Pass	67%
Program Access Pass (Annual pass January 1 st - December 31 st)	75%
Facility Access Pass	75%

Administration Fees:

- Membership Cancellation Fee - \$5.00 for monthly and yearly passes cancelled prior to expiration
- Program Withdrawal Fee - \$5.00
- Membership Card Replacement Fee - \$5.00
- Monthly Payment Plan - \$30.00 per year processing fee per pass

Registration Service Agreements:

- Active Living & Culture provides registration services to enable non-profit community organizations to provide a wide variety of recreational and educational programs to the residents of Kelowna. The fee charged is for the facilitation of the registration process based on \$15 per registrant plus applicable taxes and is subject to the terms and conditions of the Registration Service Agreement.”

4. AND THAT **SCHEDULE B – PRC – Facility Rental Fees & Charges** rates table be deleted in its entirety that reads

GYMNASIUM

- Gymnasium rates are per hour.

	Whole Gym	Half Gym
Adult	\$58.02	\$29.01
Youth	\$29.01	\$14.51

ROOM RENTALS

- Rates are per hour with a 3 hour minimum unless otherwise stated.
- Daily rate is charged at 10 hours.

Rooms	Commercial Rental Rates Hourly Rate	Non-Profit Rental Rates Hourly Rate
Apple Room	\$118.00	\$ 59.00
MacIntosh Room	\$78.00	\$ 39.00
Spartan Room	\$50.00	\$ 25.00
Kitchen	\$20.00	\$ 10.00

Gala Boardroom (Boardroom Table in Place)	\$28.00	\$ 14.00
Orchard Room (Bartlett, Red Haven & Sun Haven Sections + 2 kitchenettes)	\$56.00	\$ 28.00
Bartlett Room (+ kitchenette)	\$36.00	\$ 18.00
Cherry Room	\$36.00	\$18.00
Red Haven Room	\$28.00	\$ 14.00
Sun Haven Room (+ kitchenette)	\$36.00	\$ 18.00
Haven Room (Red Haven & Sun Haven Sections + 2 kitchenettes)	\$50.00	\$ 25.00
Bartlett Sun Room (Bartlett & Sun Haven Sections + 2 kitchenettes)	\$50.00	\$ 25.00
Outdoor Areas A & B (only available with room rental)	\$20.00	\$10.00
Outdoor Barbeque <ul style="list-style-type: none"> does not include kitchen facilities 	\$71.82 per day	\$35.91 per day

And replace it with:

- All rates are subject to taxes unless otherwise stated.
- Rates are effective October 1, 2022 and will increase annually on April 1 each year thereafter

GYMNASIUM

- Gymnasium rates are per hour.

	Whole Gym	Half Gym
Adult	\$70.00	\$35.00
Youth	\$35.00	\$17.50

ROOM RENTALS

- Rates are per hour with a 3 hour minimum unless otherwise stated.
- Daily rate is charged at 10 hours.

Rooms	Commercial Rental Rates Hourly Rate	Non-Profit/Casual Community Users Rental Rates Hourly Rate
Apple Room	\$150.00	\$75.00
MacIntosh Room	\$106.00	\$53.00

Spartan Room	\$76.00	\$38.00
Kitchen	\$30.00	\$15.00
Gala Boardroom (Boardroom Table in Place)	\$50.00	\$25.00
Orchard Room (Bartlett, Red Haven & Sun Haven Sections + 2 kitchenettes)	\$82.00	\$41.00
Bartlett Room (+ kitchenette)	\$60.00	\$30.00
Cherry Room	\$60.00	\$30.00
Red Haven Room	\$50.00	\$25.00
Sun Haven Room (+ kitchenette)	\$60.00	\$30.00
Haven Room (Red Haven & Sun Haven Sections + 2 kitchenettes)	\$76.00	\$38.00
Bartlett Sun Room (Bartlett & Sun Haven Sections + 2 kitchenettes)	\$76.00	\$38.00
Outdoor Areas A & B (only available with room rental)	\$42.00	\$21.00
Outdoor Barbeque (only available with room rental and does not include kitchen facilities)	\$100.00 per day	\$50.00 per day
PRC Changerooms/Showers (tournament and event bookings)	\$100.00 per day	\$50.00 per day

5. AND THAT **SCHEDULE C – Apple Bowl – Facility Rental Fees & Charges** rates table be deleted in its entirety that reads:

- All rates are subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter.
- All rate/hour fees are capped at 10 hours per day with a 2 hour minimum.

Apple Bowl Rates	Rates per hour
Commerical	\$152.22
Community Use/Minor Organization	\$57.07
School District No.23 Track Meets	N/C

Exclusive Use – rates per hour	2017	2018	2019	2020	2021
Track and Field Practice – Minor	\$14.18	\$15.60	\$18.72	\$22.46	\$26.95

And replace it with :

- All rates are subject to taxes unless otherwise stated.
- Rates are effective October 1, 2022 and will increase annually on April 1 every year thereafter.
- All rate/hour fees are capped at 10 hours per day with a 2 hour minimum.
- Changeroom/shower bookings are only available to PRC field use bookings and only when the Apple Bowl is not booked

Full Facility Rates (Events)	Rates per hour
Commercial	\$ 170.00
Community Use/Adult Organization (Non-profit)	\$85.00
Community Use/Minor Organization (Non-profit)	\$64.00
School District No. 23 Track Meets	N/C

Stadium Amenity Rates (Exclusive Use)	Rates per hour
Track & Field Practice – Minor Organizations (Non-profit)	\$ 28.00
Track & Field Practice – Adult Organizations (Non-profit)	\$38.00
Changerooms/Showers	\$50.00/changeroom (per day) **

** Additional charges may apply if additional cleans are required."

6. AND THAT **SCHEDULE F – Multi-Purpose Facilities – Rental Fees and Charges** rates table be deleted in its entirety that reads:

- "All rates are subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter.
- Rates are per hour with a 3 hour minimum rental unless otherwise stated.
- Daily rate is charged at 10 hours.

	Non-Profit Rental Rates	Commercial Rental Rates
	Hourly Rate	Hourly Rate
Okanagan Mission Activity Centre Hall, Kitchen and Grounds	\$20.00	\$40.00
Kinsmen Fieldhouse Hall Hall and Kitchen	\$20.00	\$40.00
Kinsmen Media Centre Meeting Room	\$14.00	\$28.00
Cedar Creek Community Centre Main Hall & Kitchenette	\$20.00	\$40.00
Meeting Room only	\$14.00	\$28.00
Rutland Activity Centre Hall	\$30.00	n/a
Multi-Purpose Room	\$15.00	n/a
Meeting Room	\$12.00	n/a
Sport Kelowna Boardroom	14.00	28.00
Parkinson Activity Centre		

Activity Room	\$18.00	\$36.00
Main hall	\$39.00	\$78.00
Kitchen (per day)	\$100.00	\$200.00
Meeting Room	\$14.00	\$28.00
Lounge	\$18.00	\$36.00

And replace it with :

- All rates are subject to taxes unless otherwise stated.
- Rates are effective October 1, 2022 and will increase annually on April 1 every year thereafter.
- Rates are per hour with a 3 hour minimum rental unless otherwise stated.
- Daily rate is charged at 10 hours.

	Non-Profit/Casual Community Users Rental Rates	Commercial Rental Rates
	Hourly Rate	Hourly Rate
Okanagan Mission Activity Centre Hall and Kitchen	\$32.00	\$64.00
Kinsmen Fieldhouse Hall Hall and Kitchen	\$32.00	\$64.00
Kinsmen Media Centre Meeting Room	\$25.00	\$50.00
Cedar Creek Community Centre Main Hall & Kitchenette	\$32.00	\$64.00
Meeting Room only	\$25.00	\$50.00
Rutland Activity Centre Hall	\$41.00	\$82.00
Multi-Purpose Room	\$38.00	\$76.00
Meeting Room	\$25.00	\$50.00
Kitchen	\$15.00	\$30.00
Sport Kelowna Boardroom	\$25.00	\$50.00
Parkinson Activity Centre Activity Room	\$30.00	\$60.00
Main hall	\$53.00	\$106.00
Kitchen (per day)	\$120.00	\$240.00
Meeting Room	\$25.00	\$50.00
Lounge	\$30.00	\$60.00

7. AND THAT **SCHEDULE G – Other Facilities/Parks - Fees and Charges** rates table be deleted in its entirety that reads:

- All rates are subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter unless otherwise stated.

Outdoor Events Application Fee Category	Non-Profit Rates per licence	Commercial Rates per licence
A	\$60.00	\$120.00
B	\$90.00	\$180.00
C	\$120.00	\$240.00
D	\$150.00	\$300.00

	Non-Profit Rates			Commercial Rates		
	3 Hr Min. Rate	Additional Hours	10 hour Max. per day	3 Hr Min. Rate	Additional Hours	10 hour Max. per day
Park Rental – per section of park	\$36.39	\$12.13	\$121.30	\$72.78	\$24.26	\$242.60
Ticketed Events - Gross Gate	4% of gross ticket sales to a maximum of \$4,000.00			8% of gross ticket sales, to a maximum of \$8,000.00		
<ul style="list-style-type: none"> Rental rates for ticketed events will be based on a percentage of gross ticket sales or base park rental, whichever is greater. The rate is based on the event dates only. Set up and take down days will not be included in the calculation, but park rental fees will apply. If the event is on multiple days, the Gross Gate calculation applies to the highest gross revenue day with the remaining day(s) maximum rate calculated at 50% of that day. 						
Permission to apply for a Special Event Permit Fee	\$ 68.92					
Sound System	\$50.00 per day					
Weddings & Memorials in City parks	\$150.00 for a maximum of 3 hours					

Bleachers:	Non-Profit Rates	Commercial Rates
Transportable Bleachers ➤ (1 st day)	\$177.95	\$355.90
Transportable Bleachers ➤ (additional days)	\$80.63	\$161.26
Standard Paris Bleachers ➤ (1 st day)	\$201.60	\$403.20
Standard Paris Bleachers ➤ (additional days)	\$81.99	\$163.98
Grand Promenade – Convention/Trade Show Space (see Conditions of Use & Allocations Guidelines for map):		
• Any 1 Display Area	\$392.71	\$392.71
• Any 3 Display Areas	\$1,014.64	\$1,014.64

Other Facilities/Parks – Fees & Charges

- All rates are subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually April 1 every year thereafter.

Tennis & Pickleball Courts	Court per Hour	Court per Day (10hr max)
Non-profit	\$5.00	\$50.00
Commercial	\$10.00	\$100.00

Pickleball Kelowna	2017	2018	2019	2020	2021
Per member	\$12.00	\$14.00	\$16.00	\$18.00	\$20.00

Court per Hour	Basketball and Outdoor Multi-Sport Courts	Beach Volleyball
Minor	\$8.50	\$7.50
Adult	\$17.00	\$15.00
Commercial	\$34.00	\$30.00

“
And replace it with:

- “All rates are subject to taxes unless otherwise stated.
- Rates are effective October 1, 2022 and will increase annually on April 1 every year thereafter unless otherwise stated.

Outdoor Events Application Fee Category	Non-Profit Rates per licence	Commerical Rates per licence
A	\$67.00	\$134.00
B	\$100.00	\$200.00
C	\$133.00	\$266.00
D	\$166.00	\$332.00

	Non-Profit Rates			Commercial Rates		
	3 Hr Min. Rate	Additional Hours	10 hour Max. per day	3 Hr Min. Rate	Additional Hours	10 hour Max. per day
Park Rental – per section of park	\$41.00	\$14.00	\$140.00	\$81.00	\$27.00	\$270.00
Ticketed Events - Gross Gate	4% of gross ticket sales to a maximum of \$4,000.00			8% of gross ticket sales, to a maximum of \$8,000.00		
<ul style="list-style-type: none"> • Rental rates for ticketed events will be based on a percentage of gross ticket sales or base park rental, whichever is greater. • The rate is based on the event dates only. Set up and take down days will not be included in the calculation, but park rental fees will apply. • If the event is on multiple days, the Gross Gate calculation applies to the highest gross revenue day with the remaining day(s) maximum rate calculated at 50% of that day. 						
Permission to apply for a Special Event Permit Fee	\$ 77.00					

Sound System	\$100.00 per day
Weddings & Memorials in City parks	\$150.00 for a maximum of 3 hours
Road/Street Closure	\$100.00 per day up to a maximum of 3 blocks – additional blocks \$30 per day to a maximum charge of \$300 per day
Parking Lot Closure	\$60 per parking bay per day up to a maximum of 80 stalls per bay

Bleachers:	Non-Profit Rates	Commercial Rates
Transportable Bleachers ➤ (1 st day)	\$197.00	\$394.00
Transportable Bleachers ➤ (additional days)	\$90.00	\$180.00
Standard Paris Bleachers ➤ (1 st day)	\$223.00	\$446.00
Standard Paris Bleachers ➤ (additional days)	\$91.00	\$182.00
Grand Promenade – Convention/Trade Show Space (see Conditions of Use & Allocations Guidelines for map):		
• Any 1 Display Area	\$434.00	\$434.00
• Any 3 Display Areas	\$1,121.00	\$1,121.00

Other Facilities/Parks – Fees & Charges

- All rates are subject to taxes unless otherwise stated.
- Rates are effective October 1, 2022 and will increase annually April 1 every year thereafter.

Tennis & Pickleball Courts	Court per Hour	Court per Day (10hr max)
Non-profit	\$6.00	\$60.00
Commercial	\$12.00	\$120.00

Pickleball Kelowna	2022
Per member	\$20.40

Court per Hour	Basketball and Outdoor Multi-Sport Courts	Beach Volleyball
Minor	\$10.00	\$9.00
Adult	\$20.00	\$18.00
Commercial	\$40.00	\$36.00

8. AND THAT **SCHEDULE H – Kelowna Community Theatre - Fees and Charges** rates table be deleted in its entirety that reads:

- "All rates subject to taxes unless otherwise stated.
- Rates are effective January 1, 2021 and increase annually on January 1 every year thereafter unless otherwise stated.

MAIN STAGE – PERFORMANCE

- A theatre technician is included with the first 8 hours of the rental.

Rental Rates (8 hours continuous use)	Basic Fee
Commercial Rate	\$1,600.00
Category A: Local Non-profit Producers & SD23	\$800.00
Category B: Local Non-profit Presenters	\$1,120.00
The final rental charge will be either the basic fee as stated above, OR 10% of gross ticket sales (capped at 2.5 x the Basic Fee), whichever is the greater amount.	
Dark Day Rate during multiple day rentals (maximum 2 days for each full week performance run)	\$240.00 per day
Multiple performances in one day	1.5 times the basic fee
Capital Improvement Fee (all rentals) – not subject to an annual increase	\$1.75 per ticket issued
Additional rental hours	5% of the basic fee charged per hour

MAIN STAGE – TEMPORARY PERFORMANCE RENTAL

- The temporary performance rental rates are a result of gathering restrictions in place due to COVID 19. Once restrictions on gatherings are lifted or allow for 50% or more of seats to be sold at KCT these fees will no longer apply.
- The temporary performance rental rates be reviewed in September 2021, if restrictions on audience members continue.
- A theatre technician is included with the first 8 hours of the rental.

Temporary Rental Rates (8 hours continuous use)	Basic Fee
Non-Profit	\$362.50 + \$0.94 per seat available for
Local Commercial	\$507.50 + \$1.31 per seat available for
Commercial	\$725.00 + \$1.88 per seat available for
The final rental charge will be either the basic fee as stated above, OR 10% of gross ticket sales (capped at 2.5 x the Basic Fee), whichever is the greater amount.	
Dark Day Rate during multiple day rentals (maximum 2 days for each full week performance run)	\$240.00 per day
Multiple performances in one day	1.5 times the basic fee
Capital Improvement Fee (all rentals) – not subject to an annual increase	\$1.75 per ticket issued
Additional rental hours	5% of the basic fee charged per hour

MAIN STAGE – REHEARSAL

- Rehearsal days are only available in preparation for a performance. A maximum of one rehearsal day per performance is permitted.
- Rehearsal days are not available on Fridays, Saturdays or Sundays.
- A theatre technician is included with the first 4 hours of the rental.

Rental Rates (4 hours)	Basic Fee
Commercial Rate	\$725.00
Category A: School District No. 23 & Local Non-profit Producers	\$362.50
Category B: Local Non-profit Presenters	\$507.50
Additional rental hours	5% of the basic fee charged per hour

BLACK BOX – PERFORMANCE

- Rates include lighting and sound equipment dedicated to the Black Box, tables, fridge and bar and do not include additional equipment or theatre technician.
- Technical support is required for events that involve making changes to the lighting system or use of the Black Box sound system. If warranted, due to safety or complex technical needs, additional theatre technical staff may be added to the booking at the renter's expense.

Rental Rates	Basic Fee
Commercial Rate	\$540.00
Category A: School District No. 23 & Local Non-profit Producers	\$270.00
Category B: Local Non-profit Presenters	\$378.00

BLACK BOX – REHEARSAL

- Rates apply to the Black Box room only and do not include additional equipment or technician.
- Room is not to be used as a performance venue.

Rental Rates	Basic Fee
Commercial – Daily Rate	\$240.00
Commercial – Hourly Rate	\$75.00
Category A: Local Schools (includes School District No. 23) & Local Non-profit Producers – Daily Rate	\$120.00
Category A: Local Schools (includes School District No. 23) & Local Non-profit Producers – Hourly Rate	\$37.50
Category B: Local Non-profit Presenters – Daily Rate	\$168.00
Category B: Local Non-profit Presenters – Hourly Rate	\$52.50

EXTRA FEES

Extra Fees	Fee
Theatre Technicians hourly rate – first 8 hours (min call – 2 hrs)	\$52.50
Theatre Technicians overtime multiplier – after working 8 hrs	8 – 10 hrs = 1.5x and >10 hour = 2x
Same Day Settlements	\$115.00
9' Grand Piano (excludes tuning fee)	\$115.00
Marley Dance floor (includes dance floor tape & use for entire run)	\$140.00
Extra Fees not subject to an annual increase:	Fee
Percent (%) of gross proceeds from all client merchandise sales	15%
SOCAN & ReSound fees	As per copyright legislation
Non-refundable deposit if using approved ticket seller	25% of the gross estimated rental fee
Non-refundable deposit if not using approved ticket seller	\$2,000.00
Bar/restocking fees	\$100.00 per category
Front of House services after first 5 hours	\$100.00/hour or portion thereof

Janitorial Services for additional cleaning if required	\$300.00 or actual costs, whichever is greater
Live-stream Fee	\$75.00

And replace it with:

- "All rates subject to taxes unless otherwise stated.
- The rates in the Bylaw are effective as of August 1, 2022.
- On January 1, 2024 and every year thereafter, the Rental Rate Basic Fee will increase by 2%. All other fees will be evaluated periodically.

LOBBY – RECEPTION OR MEETING

- The Lobby, as an open space, is available for rental when the Main Stage is not booked or during Main Stage Rehearsals and is bookable 60 days in advance.
- If required theatre technical staff may be added to the booking at the renter’s expense.
- FOH services may be available in consultation with staff.
- Minimal technical support is available and is included with the rental.

Rental Rates for Lobby (3-hour rental)	Basic Fee
Commercial	\$260.00
Non-profit Organization	\$182.00
Local Non-profit Organization	\$130.00
City of Kelowna	\$78.00
Additional rental hours (after 3 hours)	20% of the Basic Fee per hour

MAIN STAGE – PERFORMANCE

- A theatre technician is included with the first 8 hours of the rental.
- Includes 6 hours of Front of House (FOH) support – ticket takers, concession, ushers

Rental Rates (12-hour maximum)	Basic Fee
Commercial	\$1,600.00
Non-profit Organization	\$1,120.00
Local Non-profit Organization	\$800.00
City of Kelowna	\$480.00
The final rental charge will be either the basic fee as stated above, OR 10% of gross ticket sales (capped at 2.5 x the Basic Fee), whichever is the greater amount. Where the number of complimentary tickets issued for a single performance is greater than 10% of house capacity the rental client may be charged up to 2.5X the Basic Fee for the rental.	
Additional rental hours (after 12 hours)	20% of the Basic Fee per hour
Extended Multi-Day Rental (Commercial only) (minimum of 14 consecutive days excluding dark days)	70% of the Basic Fee
Dark Day Rate during rentals of 10 consecutive days or longer (maximum 2 days for each 10 day run)	15% of the Basic Fee
Additional Same Day Performance (includes 3 additional FOH hours and 4 additional Tech hours)	50% of the Basic Fee per additional performance OR 10% of gross ticket sales for all performances within the day. The

	rental rate charged is capped at 2.5X the total rental rate for the day (Basic Fee + Additional Same Day Performance Fee).
Public Dress Rehearsal or performances to school groups on the same day as ticketed performances (includes 1.5 additional FOH hours and 2 additional Tech hours)	25% of the Basic Fee

MAIN STAGE – REHEARSAL

- Rehearsal days are only available in preparation for a performance.
- A theatre technician is included with the first 4 hours of the rental.
- Rehearsal days do not include access to Lobby/Front of House.

Rental Rates (4 hours)	Basic Fee
Commercial	\$800.00
Non-profit Organization	\$560.00
Local Non-profit Organization	\$400.00
City of Kelowna	\$240.00
Additional rental hours (after 4 hours)	20% of the Basic Fee per hour

BLACK BOX – PERFORMANCE

- Rates include lighting and sound equipment dedicated to the Black Box, tables, fridge and bar and do not include additional equipment or technical support.
- Technical support is required for events that involve making changes to the lighting system or sound system.
- If warranted, due to safety or complex technical needs, theatre technical staff may be added to the booking at the renter's expense.
- FOH services are not included with Black Box rentals. If FOH services are required, arrangements can be coordinated with the Patron Services Coordinator.
- Capital Improvement Fee (CIF) is not applicable on admissions.

Rental Rates	Basic Fee
Commercial	\$540.00
Non-profit Organization	\$378.00
Local Non-profit Organization	\$270.00
City of Kelowna	\$162.00
Extended Multi-Day Rental (Commercial only) (minimum of 14 consecutive days excluding dark days)	70% of the Basic Fee
Dark Day Rate during rentals of 10 consecutive days or longer (maximum 2 days for each 10 day run)	15% of the Basic Fee
Access to Lower Hallway and Dressing Room A (when available)	\$80.00 per day

BLACK BOX – MEETING OR REHEARSAL (NO AUDIENCE)

- Rates include lighting and sound equipment dedicated to the Black Box, tables, fridge and bar and do not include additional equipment or technical support.
- Technical support is required for events that involve making changes to the lighting system or sound system.
- If warranted, due to safety or complex technical needs, theatre technical staff may be added to the booking at the renter's expense.

Rental Rates	Basic Fee
Commercial	\$240.00
Non-profit Organization	\$168.00
Local Non-profit Organization	\$120.00
City of Kelowna	\$72.00
Hourly Rate (after 12 hours)	30% of the Basic Fee per hour
Access to Lower Hallway and Dressing Room A (when available)	\$80.00 per day

ADDITIONAL FEES

- **Additional Fees not subject to an annual increase.**

Additional Technical Support	Fee
Theatre Technicians hourly rate (after those hours included in the specific rental, minimum call-out 2 hours)	\$53.00 per hour
Theatre Technicians overtime multiplier (after 8 hours and up to and including 10 hours)	1.5 times the rate per hour per technician
Theatre Technicians overtime multiplier (after 10 hours)	2 times the rate per hour per technician

Additional Service Fees	Fee
Capital Improvement Fee (Main Stage ticketed events)	\$2.00 per admission paid, by donation or complimentary
Capital Improvement Fee (Main Stage un-ticketed events)	To be negotiated by KCT Manager and approved by the Divisional Director or their delegate
Percent (%) of gross proceeds from commercial client merchandise (CDs, clothing, event souvenirs) sales	15% if KCT sells 10% if renter sells
Front of House Bar/restocking	\$100.00 per category
Front of House services after first 6 hours	\$100.00/hour or portion thereof
Towel Service	\$3.00 per item
Statutory Holiday Fee	\$500 per day
Live-stream Fee (all rental spaces), if charging for access to a live-stream link during a performance.	\$75.00
SOCAN and ReSound fees	As per copyright legislation
Piano Tuning/ Security Services/ Labour Crew (if arranged by KCT)	Market rate
Janitorial Services for additional cleaning as determined by theatre management	Market Rate (\$300 minimum)

FRONT OF HOUSE SERVICES

- As of August 1, 2022, all mainstage rentals will be required to ticket their events through the KCT Box Office.
- A Ticket Fee applies to all complimentary tickets issued to the client. Complimentary tickets may not be resold. Where the number of complimentary tickets issued for a single performance is greater than 10% of house capacity the rental client may be charged up to 2.5X the Basic Fee for the rental.
- All events will be listed on the theatre.kelowna.ca website with no additional charge. Supplementary marketing packages are available.

Box Office	Fee
Box Office Ticket Service Fee (charged per each individual ticket sold via Internet, phone or box office)	Ticket Price is: Up to \$15: \$4.00 \$15 - 25: \$5.50 \$25-45: \$7.00 \$45 to \$65: \$8.00 \$65 to \$85: \$9.00 \$85+: \$10.00
Subscription Ticket Fee (3+ shows sold together as a season)	35% Discount applied to Box Office Ticket Service Fee
Free or Complimentary Issued Tickets	\$1.00 per ticket
Set-up Fee (Commercial and Non-profit Organization) excludes Local Non-profit Organization	\$150.00 per event
Festivals and multi-day events using alternative entry mechanisms	To be negotiated by KCT Manager and approved by the Divisional Director or their delegate
Cancellations: <ul style="list-style-type: none"> • Promoter Cancellation Fee • Promoter Change of Date Fee • Patron Cancellation (only if the show permits cancellations) • City of Kelowna Cancellation 	\$500 + 2.5% of gross sales \$5.00 per ticket + 2.5% of ticket value for tickets refunded Credit issued for ticket – less the ticket service fee 100% refunded with no fee to promoter
Supplementary Marketing Support	Fee
Marketing support provided using a la carte or multi-package options	\$50 - \$2500
Concession	Fee
A variety of alcoholic and non-alcoholic beverages and snacks will be offered for sale from concessions located within KCT.	Varied

9. AND FURTHER THAT all rates in the following schedules B₁, D, E, G be rounded up to the nearest whole dollar effective October 1, 2022.
10. This bylaw may be cited for all purposes as "Bylaw No. 12409 being Amendment No. 7 to Active Living & Culture Fees and Charges Bylaw No. 9609";
11. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: June 27, 2022
To: Council
From: City Manager
Subject: Road Closure Adjacent to 657 Clement Ave
Department: Real Estate

Recommendation:

THAT Council receives, for information, the report from the Real Estate Department dated June 27, 2022, recommending that Council adopt the proposed closure of a portion of road adjacent to 657 Clement Avenue.

AND FURTHER THAT Bylaw No. 12390, being a proposed road closure of a portion of road adjacent to 657 Clement Avenue, be given reading consideration.

Purpose:

To close a 186.8 square meter portion of lane for consolidation with the adjacent properties.

Background:

The proposed road closure (shown as "Closed Road" on the attached Schedule 'A') will allow for the consolidation of the road closure area with the adjacent properties to achieve a multi-family housing development.

Legal/Statutory Authority:

Section 26 and 40, Community Charter

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Council
June 27, 2022
Page 2 of 2

Submitted by: B. Walker, Manager, Real Estate Services

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

Attachments: Schedule A – Survey Plan EPP121800

cc: L. Korolchuk, Urban Planning Manager
D. Strachan, Community Planning and Development Manager

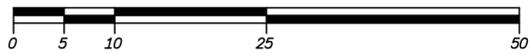
SCHEDULE A

REFERENCE PLAN TO ACCOMPANY BYLAW NO. 12390 (City of Kelowna) TO CLOSE PART OF ROAD DEDICATED ON PLAN 1037, DISTRICT LOT 139, OSOYOOS DIVISION YALE DISTRICT

PLAN EPP121800

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND
SECTION 40 OF THE COMMUNITY CHARTER.

BCGS 82E.083



The intended plot size of this plan is 432mm in width by
560mm in height (C size) when plotted at a scale of 1:500

(All distances are in metres)

GCM 6457
UTM Zone 11 coordinates
Datum: NAD83(CSR) 4.0.0.BC.1
UTM northing: 5529977.118
UTM easting: 321282.207
Estimated Absolute Accuracy
Achieved: 0.02m.

GCM 6459
UTM Zone 11 coordinates
Datum: NAD83(CSR) 4.0.0.BC.1
UTM northing: 5529989.762
UTM easting: 320920.821
Estimated Absolute Accuracy
Achieved: 0.02m.

LEGEND

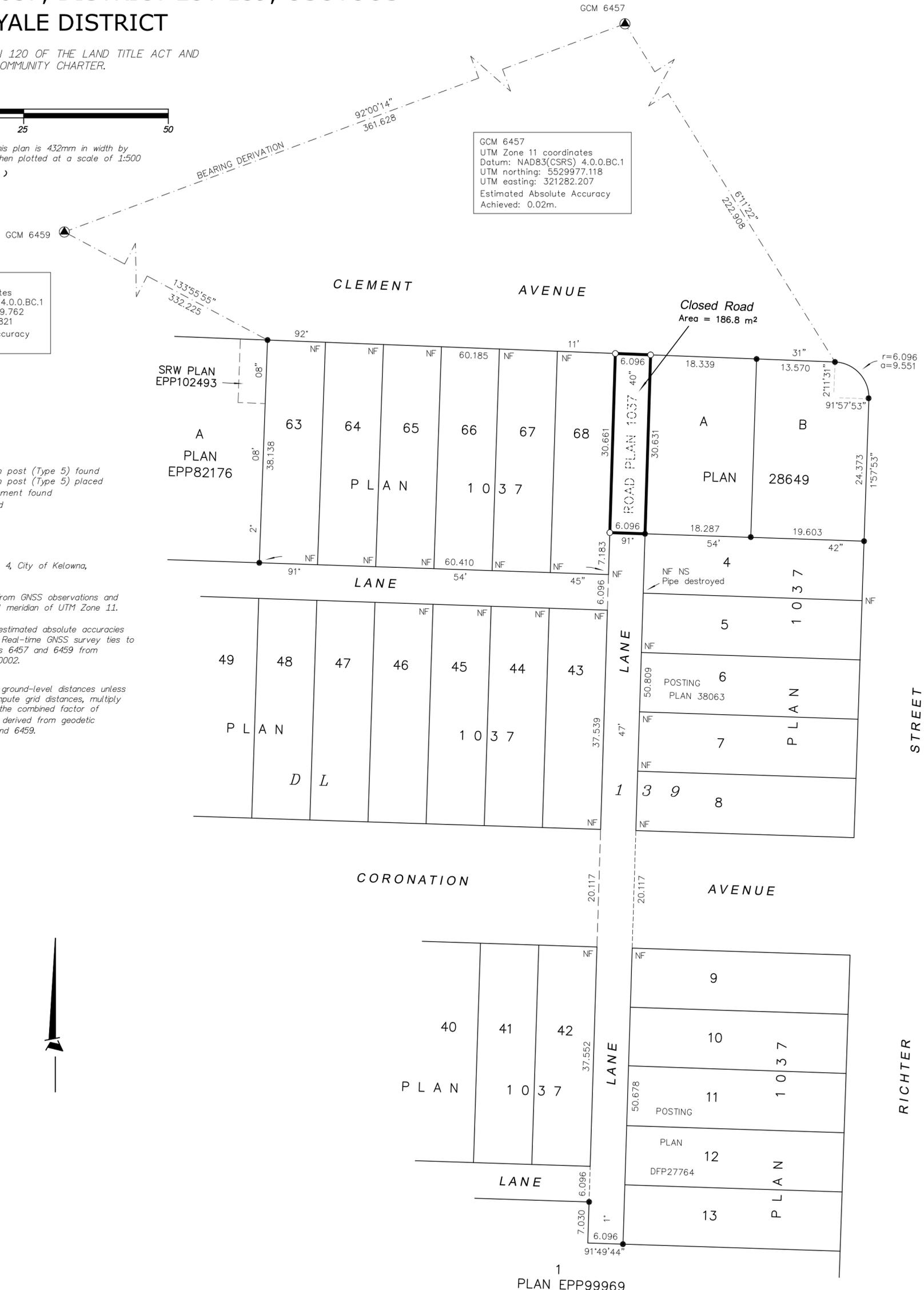
- Denotes Standard Iron post (Type 5) found
- Denotes Standard Iron post (Type 5) placed
- ⊙ Denotes Control Monument found
- NF Denotes nothing found

Integrated Survey Area No. 4, City of Kelowna,
NAD83 (CSRS) 4.0.0.BC.1

Grid bearings are derived from GNSS observations and
are referred to the central meridian of UTM Zone 11.

The UTM coordinates and estimated absolute accuracies
achieved are derived from Real-time GNSS survey ties to
geodetic control monuments 6457 and 6459 from
Leica Smartnet station ID 0002.

This plan shows horizontal ground-level distances unless
otherwise specified. To compute grid distances, multiply
ground-level distances by the combined factor of
0.99999417 which has been derived from geodetic
control monuments 6457 and 6459.
CGVD 28 (HTV2.0)



RUNNALLS DENBY

british columbia land surveyors

259A Lawrence Avenue Phone: (250)763-7322
Kelowna, B.C. Fax: (250)763-4413
V1Y 6L2 Email: rob@runnallsdenby.com

DWG. No.: 15950 CLOSED ROAD FILE: 15950

This plan lies within the Regional District of Central Okanagan.

The field survey represented by this plan was completed on
the 13th day of June, 2022.

Robert T. Macdonald, BCLS 873

CITY OF KELOWNA

BYLAW NO. 12390

Road Closure and Removal of Highway Dedication Bylaw (Portion of Road Adjacent to 657 Clement Ave)

A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of Road Adjacent to 657 Clement Ave

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

1. That portion of highway attached as Schedule "A" comprising 186.8 m² shown in bold black as Road to be Closed on the Reference Plan prepared by Robert T. Macdonald, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Bylaw No. 12390 - Page 2
Schedule "A"

REFERENCE PLAN TO ACCOMPANY BYLAW NO. 12390
(City of Kelowna) TO CLOSE PART OF ROAD DEDICATED
ON PLAN 1037, DISTRICT LOT 139, OSOYOOS
DIVISION YALE DISTRICT

PLAN EPP121800

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND
SECTION 40 OF THE COMMUNITY CHARTER.

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LEGEND

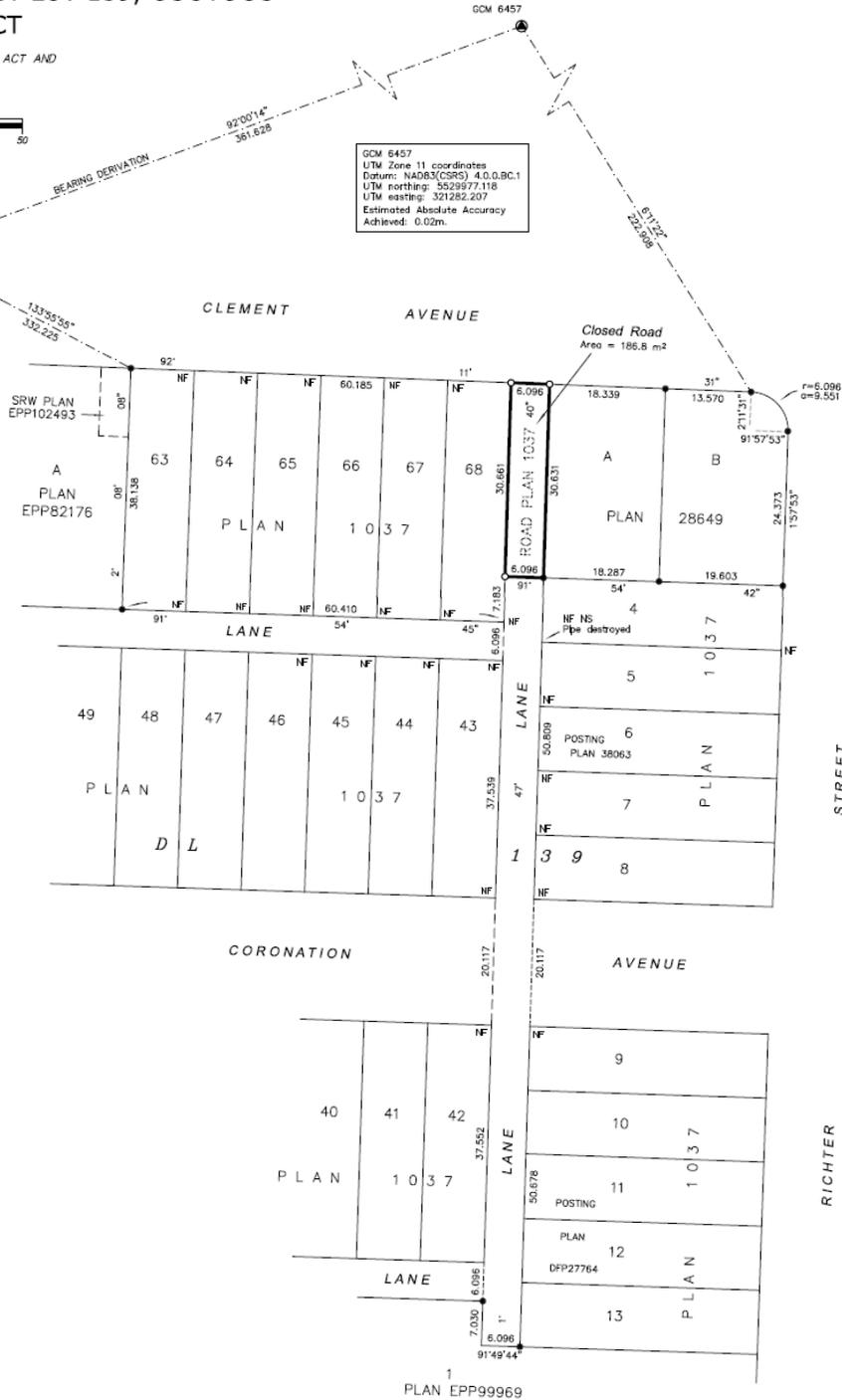
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COVID 28 (HY2.0)



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