

City of Kelowna

Regular Council Meeting

AGENDA



Monday, April 7, 2025
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

4 - 10

PM Meeting - March 31, 2025

3. Public in Attendance

**3.1 Central Okanagan Economic Development Commission Roadmap to Resiliency
COEDC Strategy 2025-2030**

11 - 36

To receive the Central Okanagan Economic Development Commission Roadmap to Resiliency COEDC Strategy 2025-2030.

4. Development Application Reports & Related Bylaws

4.1 Lakeshore Rd 5570 and 5600 - OCP24-0011 (BL12765) Z24-0036 (BL12766) - Multiple Owners

37 - 53

To amend the Official Community Plan to change the future land use designation of portions of the subject properties from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban – Residential designation and to rezone portions of the subject properties from the A2 – Agricultural / Rural Residential zone to the RR2 – Small Lot Rural Residential zone to facilitate a two-lot subdivision.

4.2	Lakeshore Rd 5570 and 5600 -BL12765 (OCP24-0011) - Multiple Owners	54 - 55
	Requires a majority of all members of Council (5).	
	To give Bylaw No. 12765 first reading in order to change the future land use designation of portions of the subject properties from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban Residential designation.	
4.3	Lakeshore Rd 5570 and 5600 - BL12766 (Z24-0036) - Multiple Owners	56 - 57
	To give Bylaw No. 12766 first reading in order to rezone portions of the subject properties from the A2 – Agriculture / Rural Residential zone to the RR2 – Small Lot Rural Residential zone.	
4.4	Bernard Ave 279 - LL25-0004 - 456288 BC LTD	58 - 76
	To support a structural change application to an existing liquor primary licence.	
5.	Bylaws for Adoption (Development Related)	
5.1	Pacific Ave 1239 - BL12760 (Z25-0001) - 1309118 B.C. Ltd., Inc.No. BC1309118	77 - 77
	To adopt Bylaw No. 12760 in order to rezone the subject property from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone.	
6.	Non-Development Reports & Related Bylaws	
6.1	Proposed Renaming of a Portion of Frost Road to Frost Crescent	78 - 79
	To advance Road Renaming Bylaw No. 12759 for reading consideration.	
6.2	Renaming of Section of Frost Road to Frost Crescent - BL12759 - City of Kelowna	80 - 81
	To give Bylaw No. 12759 first, second and third reading in order to rename a portion of Frost Road to Frost Crescent.	
6.3	St. Paul St 1355 - RTE25-0002 - Revitalization Tax Exemption	82 - 108
	To enter into a Revitalization Tax Exemption Agreement with 1247752 B.C. Ltd., Inc. No. BC1247752 and 1267320 B.C. Ltd., Inc. No. BC1267320 on the subject property.	
6.4	Revitalization Tax Exemption Program Updates	109 - 136
	To consider amendments to the Revitalization Tax Exemption Program Bylaw No. 12561.	
6.5	Amendment No. 3 to Revitalization Tax Exemption Program Bylaw No. 12561	137 - 138
	To give Bylaw No. 12758 first, second and third reading.	

6.6	Amendment No. 4 to Revitalization Tax Exemption Program Bylaw No. 12561	139 - 139
	To give Bylaw No. 12778 first, second and third reading.	
6.7	Next Generation 911 Grant Application	140 - 142
	To approve a grant application to the Next Generation 911 funding program.	
6.8	Water Supply Agreement for McCulloch Lake Resorts	143 - 155
	To consider entering into an agreement with 1205687 BC Ltd. (McCulloch Lake Resort) for the sale of non-potable water from the City's McCulloch Lake Reservoir.	
6.9	Uptown Rutland Business Association - 2025 Budget	156 - 172
	To authorize the 2025 levy on Class 5 light industry and Class 6 business/other properties located within the Uptown Rutland Business Improvement Area.	
6.10	Downtown Kelowna Association - 2025 Budget	173 - 193
	To authorize the 2025 levy on Class 5 light industry and Class 6 business/other properties located within the Kelowna Downtown Business Improvement Area.	
6.11	Amendments to Council Policy No. 388 - Code of Conduct	194 - 212
	To adopt amendments to Council Policy No. 388 – Code of Conduct and to advance for reading consideration amendments to Council Remuneration and Expense Bylaw No. 7547.	
6.12	Amendment No. 13 to Council Remuneration and Expense Bylaw No. 7547	213 - 213
	To give Bylaw No. 12777 first, second and third reading.	
7.	Bylaws for Adoption (Non-Development)	
7.1	BL12757 - Amendment No. 1 to the Five Year Financial Plan 2024 - 2028	214 - 215
	To adopt Bylaw No. 12757.	
8.	Mayor and Councillor Items	
9.	Termination	



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, March 31, 2025
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart*, Luke Stack, Rick Webber and Loyal Wooldridge
Members Participating Remotely	Councillors Gord Lovegrove and Mohini Singh
Members Absent	Councillor Charlie Hodge**
Staff Present	City Manager, Doug Gilchrist; City Clerk, Laura Bentley; Event Services Supervisor, Sarah Semeniuk*; Divisional Director, Planning, Climate Sustainability and Development Services, Ryan Smith*; Development Planning Manager, Alex Kondor*; General Manager, Corporate Services, Joe Sass*; Business Performance and Advisory Services Manager, Shelly Little*; Deputy Chief Financial Officer, Marina Warrender*; Corporate Assurance Supervisor, Jennifer Grills*; Budget Supervisor, Jay Jean*; Financial Planning Manager, Melanie Antunes*; Controller, Matt Friesen*; Real Estate Department Manager, Johannes Saufferer*; Community Safety Services Manager, Kevin Duggan*; Acting Community Safety Director, Kevin Mead*
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guest	Wayne Moore, Civic & Community Awards Steering Committee Chair*

(* Denotes partial attendance; ** Denotes leave of absence)

1. Call to Order

Mayor Dyas called the meeting to order at 1:32 p.m.

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

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

2. Confirmation of Minutes

Moved By Councillor DeHart/Seconded By Councillor Webber

THAT the Minutes of the Regular Meetings of March 17, 2025 be confirmed as circulated.

Carried

Mayor Dyas;

- Provided remarks on the recent cleanup of the outdoor sheltering site along the Rail Trail at Richter Street.

3. Committee Reports

3.1 50th Annual Civic and Community Awards Finalist Announcement

Staff:

- Introduced the presentation and Wayne Moore, Civic & Community Awards Steering Committee Chair.

Wayne Moore, Civic & Community Awards Steering Committee Chair

- Displayed a PowerPoint Presentation.
- Identified the Civic & Community Award finalists in each category.

Moved By Councillor DeHart/Seconded By Councillor Webber

THAT Council receives for information, the report from Sport & Event Services, dated March 31, 2025, announcing the finalists for the 50th Annual Civic & Community Awards.

Carried

4. Public in Attendance

4.1 381 Viewcrest Ct Business Licence Cancellation Reconsideration

Councillor DeHart declared a perceived conflict of interest as they own short term rental properties and work for a local Hotel and departed the meeting at 1:42 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the short term rental operation and reasons for the business licence cancellation.

City Clerk:

- Advised that correspondence was circulated to Council and invited the Applicant to address Council.

Peter Drummond, Viewcrest Court, Applicant

- Displayed a PowerPoint Presentation.
- Spoke to the formal warnings regarding their short-term rental, specifically related to the fire safety plan and the incorrect listing description of the number of rooms available.
- Spoke to achieving compliance after being informed of violations related to their short term rental operations.
- Spoke to noise and parking complaints, monitored noise levels, and the response of the RCMP and Bylaw Enforcement Officers.
- Displayed a timeline of complaints received and responses.
- Raised concerns with the neighbours' actions and behaviour towards their family, causing unease.
- Commented that their family now lives in Kelowna full time.
- Commented that they are proactively responsible owners and not in contravention of rules.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council upholds the decision of the Licence Inspector to cancel the Short-Term Rental Business Licence for a 'Short-Term Rental Accommodation' business on the subject property located at 381 Viewcrest Ct, Kelowna BC on March 1, 2025.

Carried

Councillor DeHart returned to the meeting at 2:05 p.m.

5. Development Application Reports & Related Bylaws

5.1 Rezoning Bylaws Supplemental Report to Council

Staff:

- Commented on notice of first reading and correspondence received.
- Responded to questions from Council.

5.2 Bernard Ave 1230-1296, D'Anjou St 1481-1495, Richmond St 1488 - BL12769 (Z24-0046) - Multiple Owners

Moved By Councillor Webber/Seconded By Councillor Cannan

THAT Bylaw No. 12769 be read a first, second and third time.

Carried
Councillor Cannan - Opposed

5.3 Temple Ct 252 - Z22-0045 (BL12486) - Rescind Rezoning Bylaw

Staff:

- Provided comments on the rescindment of bylaw readings.

Moved By Councillor Cannan/Seconded By Councillor Stack

THAT Council receives, for information, the Report from the Development Planning Department dated March 31, 2025 with respect to Rezoning Application No. Z22-0045 for the property located at 252 Temple Ct.;

AND THAT Bylaw No. 12486 be forwarded for rescindment consideration and the file be closed.

Carried

The meeting recessed at 2:09 p.m.

The meeting reconvened at 2:13 p.m.

5.4 Temple Ct 252 - BL12486 (Z22-0045) - Giovanni Lenza and Stonewood Development Corp., Inc. No. BCo671615

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT first, second and third readings given to Bylaw No. 12486 be rescinded.

Carried

6. Bylaws for Adoption (Development Related)

6.1 Multiple Properties - BL12748 (Z24-0060) - City of Kelowna

Moved By Councillor Webber/Seconded By Councillor DeHart

THAT Bylaw No. 12748 be adopted.

Carried

6.2 Laurier Ave 964 - BL12752 (Z24-0057) - 608698 B.C. Ltd., Inc. No. BCo608698

Moved By Councillor Webber/Seconded By Councillor Stack

THAT Bylaw No. 12752 be adopted.

Carried

6.3 Hwy 97 N 3699 - BL12754 (Z24-0061) - University Business Park Ltd., Inc. No. 431185

Moved By Councillor DeHart/Seconded By Councillor Stack

THAT Bylaw No. 12754 be adopted.

Carried

6.4 Dougall Rd N 465-495 - BL12756 (Z24-0062) - 1470626 B.C. Ltd., Inc. No. BC1470626

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Bylaw No. 12756 be adopted.

Carried

7. Non-Development Reports & Related Bylaws

7.1 Value for Money Status Report

Staff:

- Displayed a PowerPoint Presentation outlining the status of recommendations under the Value for Money Program.

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Council receives, for information, the Report from Audit Committee dated March 31, 2025, with respect to the status of recommendations from the Value for Money Program.

Carried

7.2 Treasury Process Follow up Value for Money

Staff:

- Displayed a PowerPoint Presentation outlining the results of the Treasury Process follow up Value for Money engagement.

Moved By Councillor DeHart/Seconded By Councillor Webber

THAT Council receives, for information, the report from the Audit Committee dated March 31, 2025 with respect to the results of the Treasury Process Follow up Value for Money engagement.

Carried

7.3 Infrastructure Deficit Value for Money

Staff:

- Displayed a PowerPoint Presentation outlining the results of the Infrastructure Deficit Value for Money engagement and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council receives, for information, the Report from the Audit Committee dated March 31, 2025, with respect to the results of the Infrastructure Deficit Value for Money engagement.

AND THAT Council endorses the value for money engagement recommendations directed to management, as outline in the report from the Audit Committee dated March 31, 2025.

Carried**7.4 Amendment No. 1 to the Five Year Financial Plan 2024-2028**

Staff:

- Displayed a PowerPoint Presentation summarizing the transfers and amendments to the 2024-2028 Financial Plan.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council receives, for information, the Report from Financial Services dated March 31, 2025 with respect to amendments to the Five Year Financial Plan 2024-2028 Bylaw;

AND THAT Bylaw No. 12757, being Amendment No. 1 to the Five Year Financial Plan 2024-2028 Bylaw No. 12639, be advanced for reading consideration.

Carried**7.5 BL12757 - Amendment No. 1 to the Five Year Financial Plan 2024 - 2028**Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12757 be read a first, second and third time.

Carried**7.6 2024 Financial Performance and Health Indicators Update**

Staff:

- Displayed a PowerPoint Presentation summarizing the 2024 Financial Performance, Financial Health indicators and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Cannan

THAT Council receives, for information, the 2024 Financial Performance Report and Financial Health Dashboard from Financial Services.

Carried**7.7 Prospera Place Improvements**

Staff:

- Displayed a PowerPoint Presentation providing an update on various improvements to Prospera Place and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receives, for information, the report from the Infrastructure and Real Estate departments dated March 31, 2025, with respect to an update on various improvements being made to Prospera Place;

AND THAT the 2025 Financial Plan be amended to include an additional \$1.3 million for facility improvements at Prospera Place, with funding from General Unrestricted Capital Reserves;

AND FURTHER THAT Council authorizes the Real Estate Department Manager to negotiate and execute an agreement formalizing the City's ownership of the improvements being installed by the City.

Carried

7.8 Deterrent Spray Bylaw Consultation and Adoption

Staff:

- Displayed a PowerPoint Presentation outlining the notice and no correspondence was received regarding the sale of Deterrent Sprays from businesses.

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Council receives, for information, the report from the Community Safety Services Branch dated March 31, 2025, recommending that Council adopt the Sale of Deterrent Spray Bylaw No. 12678 and consider amendments to the Bylaw Notice Enforcement Bylaw No. 10475;

AND THAT Bylaw No. 12678, Sale of Deterrent Spray Bylaw, No. 12678 be forwarded for adoption;

AND THAT Bylaw No. 12679, Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for adoption.

Carried

7.9 BL12678 - Sale of Deterrent Spray

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12678 be adopted.

Carried

7.10 BL12679 - Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12679 be adopted.

Carried

7.11 Southern Interior Bylaw Adjudication Registry Agreement

Staff:

- Provided an overview of the addition to and renewal of the Southern Interior Bylaw Adjudication Registry Agreement and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT Council approves the addition of the Town of Osoyoos to the Southern Interior Bylaw Notice Dispute Registry Agreement.

AND THAT Council renews the agreement for an additional five (5) year term.

Carried

8. Resolutions

8.1 Draft Resolution re: Purchasing Bylaw

Councillor Cannan:

- Provided comments on the background and purpose of the draft resolution.

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Council directs staff to review Purchasing Bylaw No. 11477, based on the proposed policy direction outlined in the draft resolution from Councillor Cannan dated March 31, 2025, and report back to Council with options to enhance the Bylaw's effectiveness and compliance in alignment with prioritizing Canadian suppliers.

Carried

9. Mayor and Councillor Items

Councillor Stack:

- Spoke to their attendance at the groundbreaking ceremony for Troika Developments' purpose-built rental building on Barlee Road.

Councillor Wooldridge:

- Will be attending, on behalf of Mayor Dyas, the Evolve 2025 Summit Conference on Saturday, April 6, 2025 at the Coast Capri Hotel.

Councillor Cannan:

- Recognized Chris Bocskei, organizer of the Rutland Community Spring Clean Up event.

Councillor DeHart:

- Will be attending the Chamber of Commerce and Uptown Rutland Business Association meeting on April 22, 2025.

Mayor Dyas:

- Acknowledged Councillor DeHart on the 27th anniversary of her "Straight from DeHart" column.

10. Termination

This meeting was declared terminated at 3:18 p.m.

Mayor Dyas

lb/acm



City Clerk

Report to Council



Date: April 7, 2025
To: Council
From: City Manager
Subject: Central Okanagan Economic Development Commission Roadmap to Resiliency
COEDC Strategy 2025-2030
Department: Partnerships Office

Recommendation:

THAT Council receives, for information, the report from the Partnerships Office dated April 7, 2025, with respect to the Central Okanagan Economic Development Commission Roadmap to Resiliency COEDC Strategy 2025-2030.

Purpose:

To receive the Central Okanagan Economic Development Commission Roadmap to Resiliency COEDC Strategy 2025-2030.

Council Priority Alignment:

Economic Development

Background:

The Central Okanagan Economic Development Commission (COEDC) is a function of the Regional District of the Central Okanagan and provides economic development services to the region, including the City of Kelowna. The COEDC works to foster the development of a healthy, dynamic and resilient community economy by supporting existing businesses and encouraging new business investment in the Central Okanagan.

Discussion:

The COEDC recently released the Roadmap to Resiliency COEDC Strategy 2025-2030. The Strategy builds on regional strengths, addresses current challenges, and pursues the top opportunities for enhancing investment and supporting a thriving business environment. It provides a roadmap that builds on the current foundation of regional assets and existing economic development programming.

The focus of the Strategy is to position the region for economic growth and resilience in the face of changing economic conditions. The Roadmap to Resiliency Strategy provides an overall framework for operational actions, potential key performance indicators, and COEDC’s recommended role.

This Strategy was presented to the Regional District of the Central Okanagan Board on February 20, 2025.

This Strategy is being presented to Council as it aligns with Council's priority of Economic Development.

Conclusion:

The Central Okanagan Economic Development Commission (COEDC) Roadmap to Resiliency Strategy 2025-2030 is a detailed plan aimed at fostering economic growth and resilience in the region. The full report is available: <https://www.investkelowna.com/about-the-coedc/coedc-strategy-2025-to-2030/>

Internal Circulation:

Office of the City Clerk

Considerations applicable to this report:

n/a

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Consultation and Engagement:

Communications Comments:

Submitted by:

M. Kam, Partnerships Office Director

Approved for inclusion: D. Edstrom, Partnerships & Investments Divisional Director



**CENTRAL
OKANAGAN**
ECONOMIC
DEVELOPMENT
COMMISSION

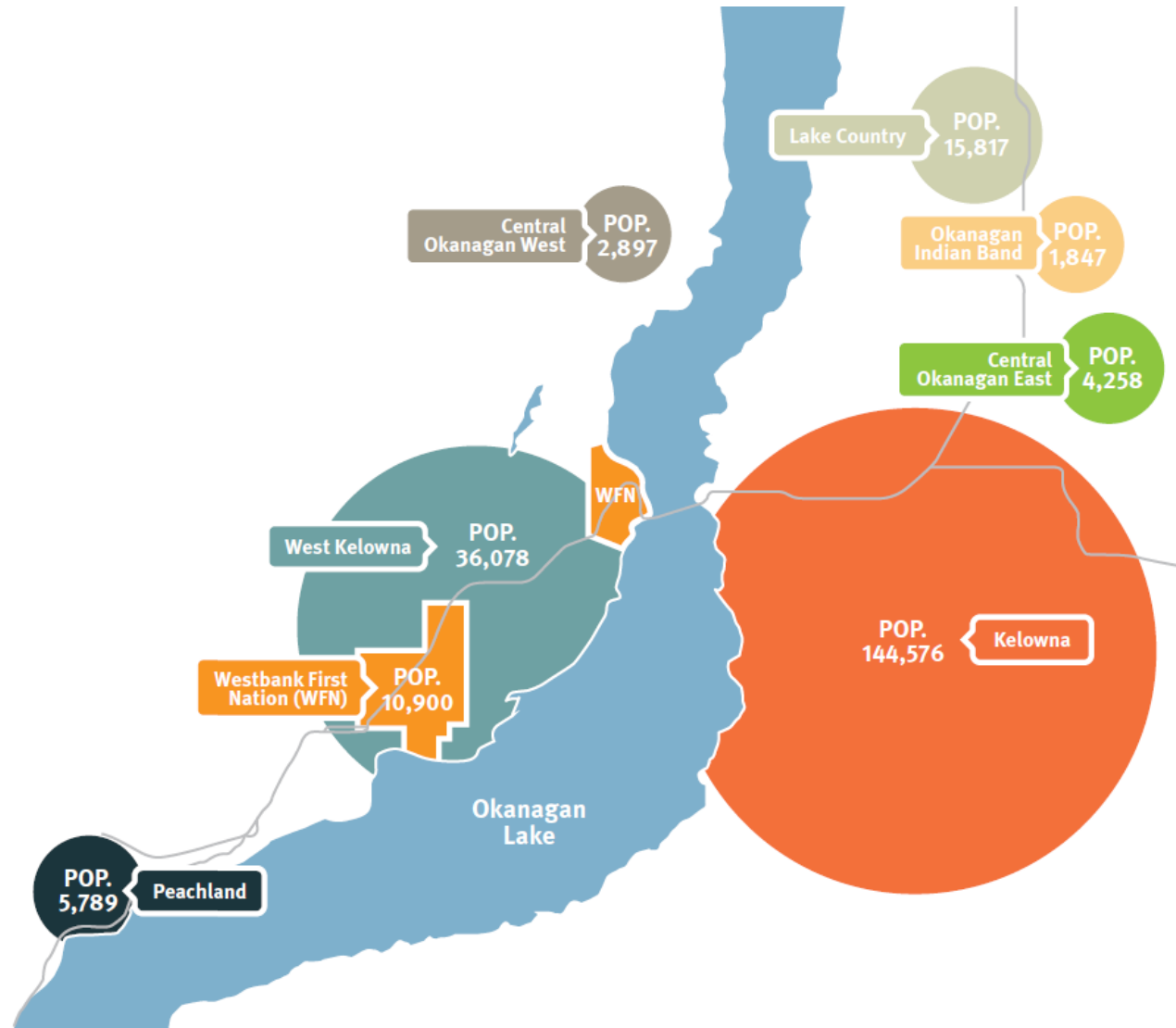
Roadmap to Resiliency

COEDC Strategy 2025-2030

City of Kelowna
April 7, 2025



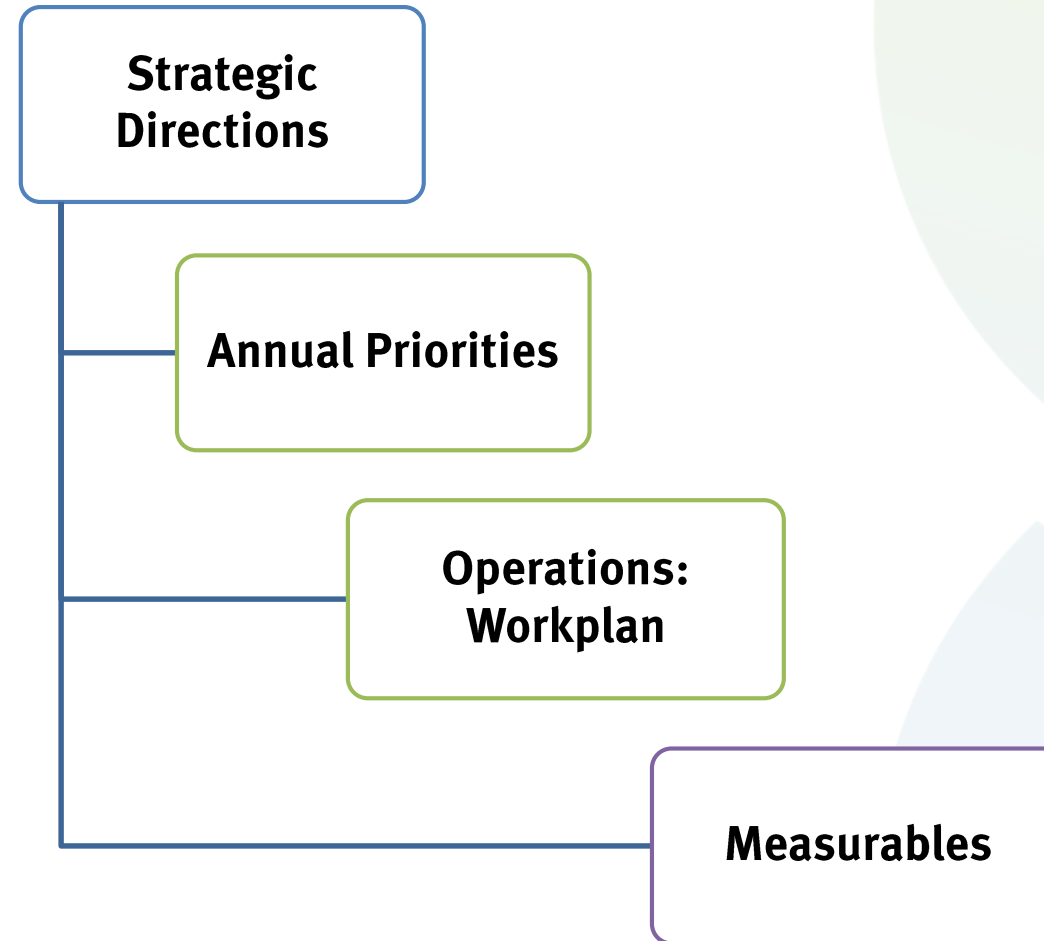
Regional Model



Recognized Best Practice

- Highly integrated regional economy
- Economies of scale
- Impact on national and global stage

Strategic Plan to Workplan



In Action



Business Retention and Enhancement

- Site visits & 1-1 support
- Agriculture support
- Manufacturing sector programming
- Referrals

Workforce Development

- Connector program
- Okanagan Young Professionals Collective
- Workforce profile and strategy

In Action



Investment Attraction

- OKGo partnership
- Digital and in-person marketing
- Trade and Invest BC
- Global Affairs Canada, Invest in Canada

Coordination, Communication, and Facilitation

- Economic data: portal, profile, presentations
- Business resources
- Advisory committee
- Economic development partners

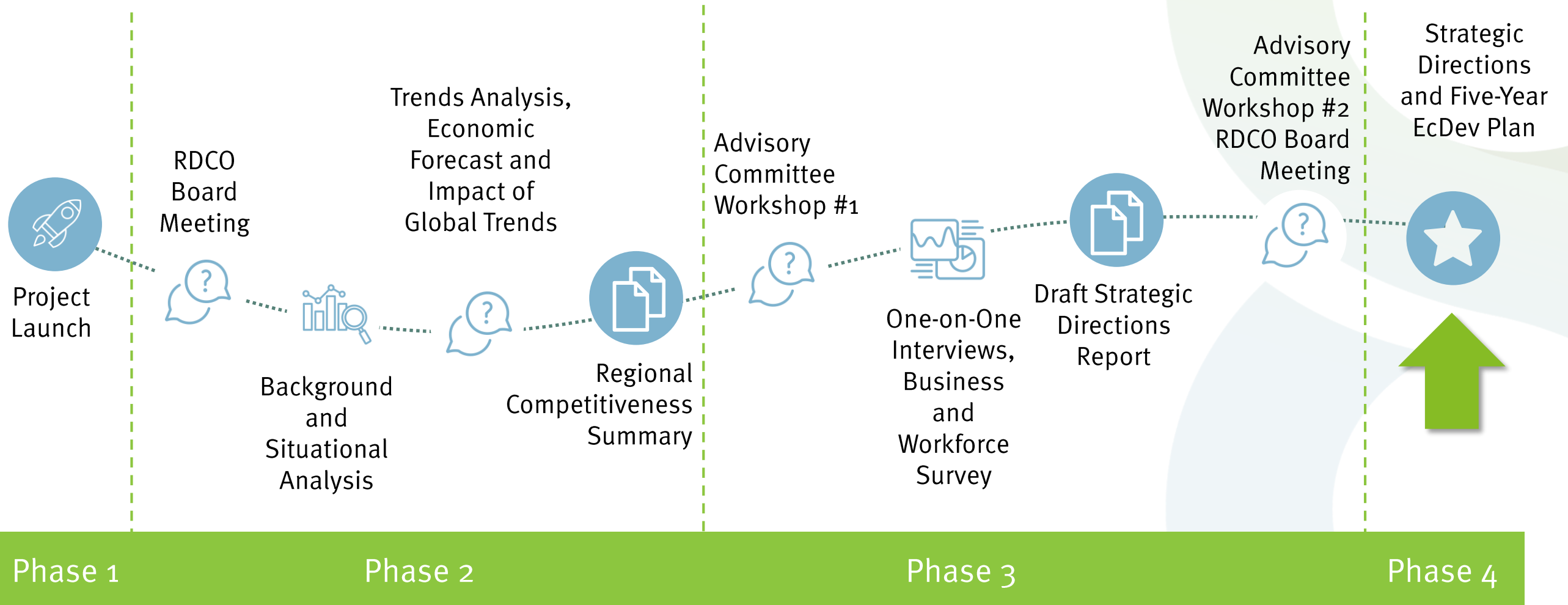
Deloitte.



Roadmap to Resiliency

COEDC Strategy 2025-2030

Project Overview



How did we get here?



Background Review

Background documents reviewed from **all Central Okanagan communities** to understand policy context and economic positioning.



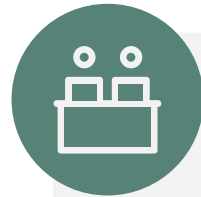
Competitive Assessment

Analysis of trends and economic forecasts and comparisons of the Central Okanagan economy to similar regions and major cities in Canada.



Community Engagement

Community engagement included a **business survey, workforce survey** and **interviews** with representatives of major industries and institutions.



Advisory Committee Workshops

Two **workshop sessions** with the COEDC Advisory Committee.



Strategic Directions

The outcome of the background work is **four strategic directions** to leverage regional strengths, enhance partnerships, and anticipate future economic trends.

Strategic Directions



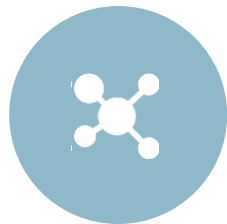
Strategic directions provide an overall framework for operational actions, potential key performance indicators (KPIs), and COEDC's recommended role.



Drive Economic Resilience



Build a Skilled Workforce



Promote Innovation



Grow Export-Focused Industries



COEDC Strategy 2025 to 2030 is in **alignment with projected resources** outlined in COEDC's 5-year financial plan, as well as grant and partnership funding opportunities.

The scope and breadth of the **plan is adaptable** to changing regional needs, available resources, and external economic conditions (such as USA trade barriers).

Drive Economic Resilience

Support businesses in adapting to a changing landscape.

ACTIONS

COEDC ROLE

- 1** Focus investment initiatives on attracting innovative businesses to bolster existing sectors and address local challenges. **LEAD**
- 2** Develop educational resources and tailored adaptation strategies to address challenges and promote resilience. **LEAD & SUPPORT**
- 3** Establish a network of resilience champions to mentor businesses in enhancing their resilience. **SUPPORT**
- 4** Support resiliency and diversification initiatives by engaging with the innovation ecosystem. **SUPPORT**

KPI'S

EVENTS (INVESTMENT ATTRACTION, WORKSHOPS ETC), site visits, resource development & analytics

Build a Skilled Workforce

Foster a skilled regional workforce by focusing on talent development, attraction, and retention.

ACTIONS

COEDC ROLE

- | | | |
|----------|---|----------------|
| 1 | Conduct a labour market study to gather critical intelligence on workforce gaps. | LEAD |
| 2 | Develop targeted talent attraction initiatives based on identified needs. | LEAD |
| 3 | Continue to partner with post-secondary institutions to support program development that aligns with regional industry needs. | SUPPORT |
| 4 | Support regional and municipal housing initiatives by providing a link to regional workforce intelligence and associated housing needs. | SUPPORT |

KPI'S

Partner & grant funding, events, presentations, labour market strategy completion

Promote Innovation

Promote innovation to boost labor productivity and resource efficiency.

ACTIONS	COEDC ROLE
1 Enhance existing business outreach programming by providing technology adoption tools and resources.	LEAD
2 Showcase regional innovations through storytelling.	LEAD
3 Facilitate industry and cross-industry roundtables to share innovation best practices.	LEAD & SUPPORT
4 Support post-secondary in connecting faculties with industry to foster research and innovation addressing community needs.	SUPPORT

KPI'S

Events, site visits, presentations, digital analytics (website, social media, newsletters)

Grow Export-Focused Industries

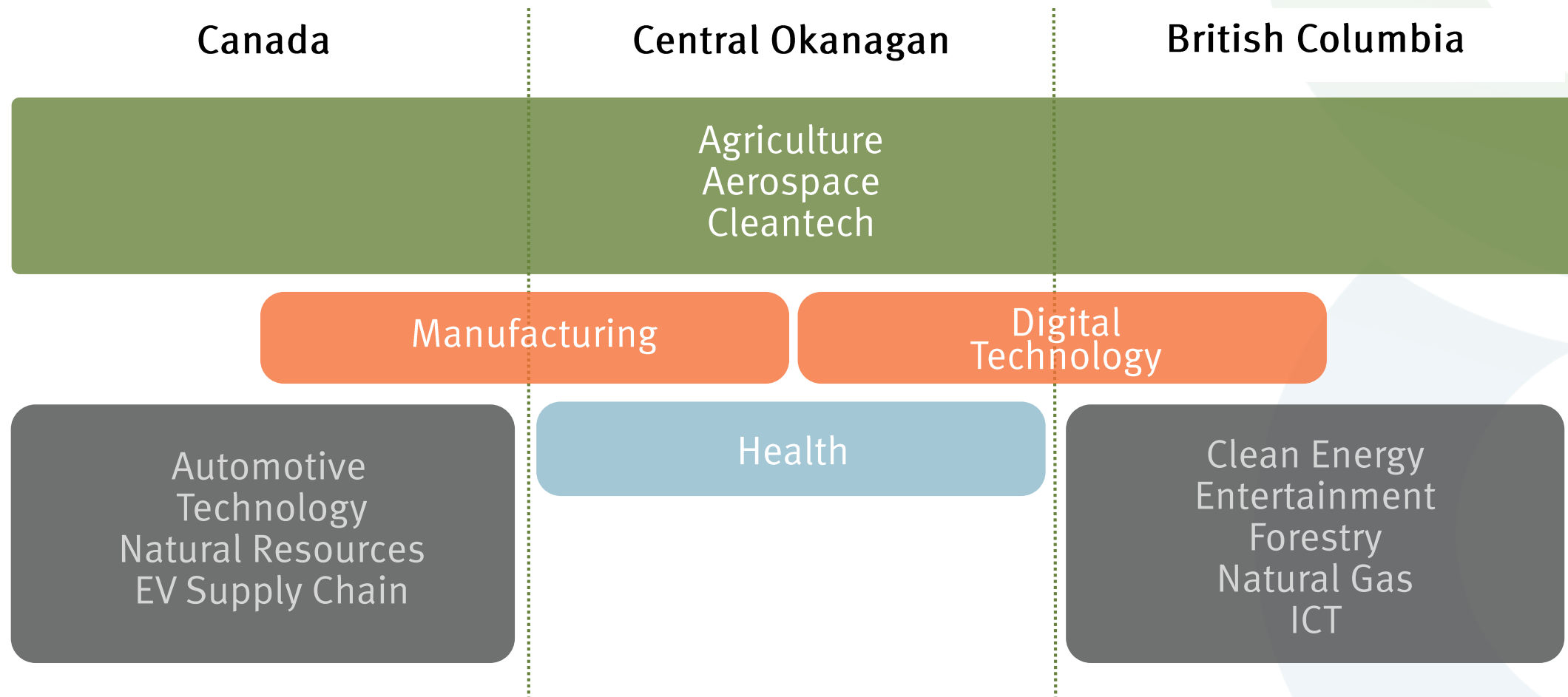
Strengthen export base by attracting high-value companies, supporting market expansion, and building regional supply chains.

ACTIONS	COEDC ROLE
1 Concentrate investment attraction initiatives on export-oriented sectors with growth potential that align with federal/provincial targets.	LEAD
2 Conduct a regional supply chain study to enhance export industry integration with the regional economy.	LEAD
3 Maintain high level of regional business intelligence by actively engaging with export-oriented industries.	LEAD & SUPPORT
4 Support businesses with export development by connecting to Federal and Provincial resources.	SUPPORT

KPI'S
 Export-focused events, site visits, presentations, supply chain study completion

Target Sectors

- 🌿 Agriculture
- 🔧 Digital Technology
- ⚡ Clean Technology
- ❤️ Health
- ⚙️ Manufacturing
- ✈️ Aerospace



Resources



Krista Mallory
Manager | Central Okanagan Economic
Development Commission
250-469-6182
kmallory@investkelowna.com

LOOKING FOR:

- General information?
- Statistics?
- Quarterly Economic Indicators?
- Industry-specific profiles?
- Export advice?
- Local government connections?
- Workforce sourcing?
- Housing prices?
- Business development assistance?



Roadmap to Resiliency

COEDC Strategy
2025 TO 2030



The COEDC Strategy 2025 to 2030 builds on regional strengths and addresses challenges to seize opportunities, support a thriving business environment and promote investment in the region.

The Strategic Directions for the Central Okanagan Economic Development Commission (COEDC) build on previous strategies and regional reports, and were informed by economic analysis and diverse community engagement. Four strategic directions emerged to drive sustainable growth and position the Central Okanagan as a major economy in Western Canada.



Economic Reconciliation

The Regional District of Central Okanagan (RDCO) acknowledges our presence on the traditional, ancestral and unceded tmxwúla?xw (land) of the syilx/Okanagan people who have resided here since time immemorial. We recognize, honour and respect the syilx/Okanagan lands upon which we live, work and play.

The Regional District of Central Okanagan's Economic Development Commission is committed to fostering economic reconciliation. The COEDC Strategy 2025 to 2030 will be implemented in alignment with the Declaration on the Rights of Indigenous Peoples Act. The directions and actions outlined in this strategy are deeply rooted in collaboration with the syilx/Okanagan people and will be implemented collaboratively to support economic independence and reconciliation.

Central Okanagan Economic Development Commission

The Central Okanagan Economic Development Commission (COEDC) is a function of the Regional District of Central Okanagan and provides economic development services to the following communities:

- District of Peachland
- City of West Kelowna
- Westbank First Nation (WFN)
- City of Kelowna
- District of Lake Country
- Central Okanagan East and West

Mandate

The COEDC works to foster the development of a healthy, dynamic and resilient community economy by supporting existing businesses and encouraging new business investment in the Central Okanagan.

Advisory Committee

With an Advisory Committee made up of 45+ influential industry leaders, community shapers and elected officials, the COEDC stays informed of challenges and opportunities facing the regional business community.



Strategic Directions

Comprehensive community engagement and economic analysis established a regional vision, guiding the development of renewed strategic directions. The strategic directions provide an overall framework for operational actions, potential key performance indicators (KPI's), and COEDC's recommended role.

The directions and associated actions are designed to be adaptable, allowing for responses to economic uncertainties and opportunities that may arise over the next five years. While specific economic disruptors, such as pandemics, tariffs, or trade agreements, cannot be predicted, actions can be developed under each of the strategic directions to address regional needs consistent with the latest economic conditions.

The COEDC Strategy 2025 to 2030 and its associated actions have been developed in alignment with the projected resources outlined in COEDC's 5-year financial plan, as well as anticipated grant and partnership funding opportunities. The scope and breadth of these initiatives will be adjusted based on regional needs and available COEDC resources. Additional resources may be required to address changes in the economic needs of the region.



Drive Economic Resilience



Build a Skilled Workforce



Promote Innovation



Grow Export-Focused Industries



Drive Economic Resilience

Support businesses in adapting to a changing landscape.



Build a Skilled Workforce

Foster a skilled regional workforce by focusing on talent development, attraction, and retention.

ACTIONS

COEDC ROLE

- | ACTIONS | COEDC ROLE |
|--|----------------|
| 1 Focus investment initiatives on attracting innovative businesses to bolster existing sectors and address local challenges. | LEAD |
| 2 Develop educational resources and tailored adaptation strategies to address challenges and promote resilience. | LEAD & SUPPORT |
| 3 Establish a network of resilience champions to mentor businesses in enhancing their resilience. | SUPPORT |
| 4 Support resiliency and diversification initiatives by engaging with the innovation ecosystem. | SUPPORT |

KPI'S

Events (investment attraction, workshops etc), site visits, resource development & analytics

ACTIONS

COEDC ROLE

- | ACTIONS | COEDC ROLE |
|---|------------|
| 1 Conduct a labour market study to gather critical intelligence on workforce gaps. | LEAD |
| 2 Develop targeted talent attraction initiatives based on identified needs. | LEAD |
| 3 Continue to partner with post-secondary institutions to support program development that aligns with regional industry needs. | SUPPORT |
| 4 Support regional and municipal housing initiatives by providing a link to regional workforce intelligence and associated housing needs. | SUPPORT |

KPI's

Partner & grant funding, events, presentations, labour market strategy completion



Promote Innovation

Promote innovation to boost labor productivity and resource efficiency.



Grow Export-Focused Industries

Strengthen export base by attracting high-value companies, supporting market expansion, and building regional supply chains.

ACTIONS

COEDC ROLE

- | ACTIONS | COEDC ROLE |
|--|----------------|
| 1 Enhance existing business outreach programming by providing technology adoption tools and resources. | LEAD |
| 2 Showcase regional innovations through storytelling. | LEAD |
| 3 Facilitate industry and cross-industry roundtables to share innovation best practices. | LEAD & SUPPORT |
| 4 Support post-secondary in connecting faculties with industry to foster research and innovation addressing community needs. | SUPPORT |

KPI'S

Events, site visits, presentations, digital analytics (website, social media, newsletters)

ACTIONS

COEDC ROLE

- | ACTIONS | COEDC ROLE |
|--|----------------|
| 1 Concentrate investment attraction initiatives on export-oriented sectors with growth potential that align with federal/provincial targets. | LEAD |
| 2 Conduct a regional supply chain study to enhance export industry integration with the regional economy. | LEAD |
| 3 Maintain high level of regional business intelligence by actively engaging with export-oriented industries. | LEAD & SUPPORT |
| 4 Support businesses with export development by connecting to Federal and Provincial resources. | LEAD & SUPPORT |

KPI's

Export-focused events, site visits, presentations, supply chain study completion

Target Sectors


Identified sectors support business innovation and economic diversification through investment and workforce attraction. Targets align with Federal and Provincial priorities. This alignment maximizes resources and success, driving regional economic growth.

 **Agriculture**

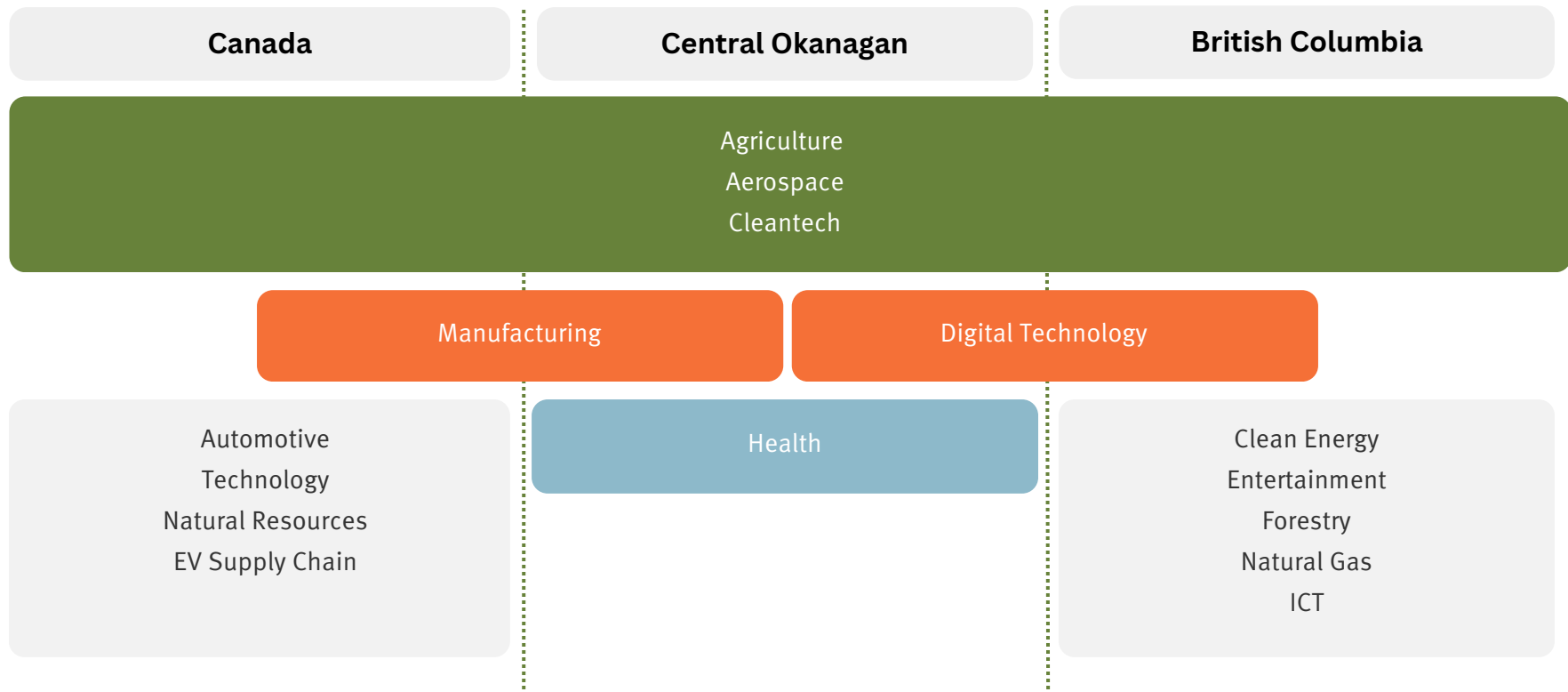
 **Clean Technology**

 **Manufacturing**

 **Digital Technology**

 **Health**

 **Aerospace**





Reach out to our team, we're ready to help!

We facilitate business investment and support existing businesses.
With minimum fuss and maximum speed. Reach out to us for:

- Statistics
- Quarterly Economic Indicators
- Industry Data
- Business Support
- Export Support
- Workforce Support
- Government Connections

Central Okanagan Economic Development Commission

Address

1450 K.L.O. Road
Kelowna, BC V1W 3Z4

Tel: 1-250-469-6280

Email: info@investkelowna.com

Web: www.investkelowna.com

[Download COEDC Strategy 2025 to 2030 Full Report](#)



REPORT TO COUNCIL SUPPLEMENTAL



Date: April 7, 2025
To: Council
From: City Manager
Address: 5570 & 5600 Lakeshore Rd
File No.: OCP24-0011 / Z24-0036

	Existing	Proposed
OCP Future Land Use:	R-AGR – Rural Agricultural & Resource S-RES - Suburban Residential	S-RES – Suburban Residential
Zone:	A2 – Agriculture/Rural Residential	RR2 – Small Lot Rural Residential

1.0 Recommendation

THAT Council receives, for information, the report from Development Planning Department dated April 7, 2025 with respect to a revised Official Community Plan Amendment Bylaw and Zoning Amending Bylaw for the property located at 5570 Lakeshore Rd and 5600 Lakeshore Rd, Kelowna, BC;

AND THAT Official Community Plan Map Amendment Application No. OCP24-0011 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC and That Part Fractional North West ¼ Section 15 Shown on Plan B1309 Township 28 Similkameen Division Yale District Except Plans KAP84401 and KAP88770, located at 5600 Lakeshore Road from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban - Residential designation, as shown on Map “A” attached to the Report from the Development Planning Department dated April 7, 2025, be considered by Council;

AND THAT Rezoning Application No. Z24-0036 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC and That Part Fractional North West ¼ Section 15 Shown on Plan B1309 Township 28 Similkameen Division Yale District Except Plans KAP84401 and KAP88770, located at 5600 Lakeshore Road, from the A2 – Agriculture/Rural Residential zone to the RR2 – Small Lot Rural Residential zone as shown on Map “B” attached to the Report from the Development Planning Department dated April 7, 2025, be considered by Council;

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

AND THAT the applicant be required to complete a Subdivision Application prior to permits being issued for site works and construction on the site;

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

2.0 Purpose

To amend the Official Community Plan to change the future land use designation of portions of the subject properties from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban – Residential designation and to rezone portions of the subject properties from the A2 – Agricultural / Rural Residential zone to the RR2 – Small Lot Rural Residential zone to facilitate a two-lot subdivision.

3.0 Background

On March 3, 2025, Council considered a Rezoning and OCP Amendment Bylaw for 5570 Lakeshore Rd. Staff moved forward with non-support and Council recommended the alternative recommendation:

Resolution	Date
<p>THAT Official Community Plan Map Amendment Application No. OCP24-0011 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban - Residential designation, as shown on Map “A” attached to the Report from the Development Planning Department dated March 3, 2025, be considered by Council;</p> <p>AND THAT Rezoning Application No. Z24-0036 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, located at 5570 Lakeshore Rd, Kelowna, BC from the A2 – Agriculture/Rural Residential zone to the RR2 – Small Lot Rural Residential zone as shown on Map “B” attached to the Report from the Development Planning Department dated March 3, 2025, be considered by Council;</p> <p>AND THAT the Official Community Plan Amendment Bylaw and Zoning Amending Bylaw be forwarded to a Public Hearing for further consideration;</p> <p>AND THAT final adoption of the Official Community Plan Amending Bylaw and Rezoning Bylaw be considered subsequent to an application to amend the Official Community Plan and rezone the portion of property to be consolidated with the subject property;</p> <p>AND THAT the applicant be required to complete a Subdivision Application prior to permits being issued for site works and construction on the site;</p> <p>AND FURTHER THAT the final adoption of the Official Community Plan and Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.</p>	<p>March 3, 2025</p>

4.0 Discussion

The OCP Amendment and Rezoning Applications aim to facilitate a two-lot subdivision at 5570 Lakeshore Rd. The applicant proposes purchasing portions of the neighboring property at 5600 Lakeshore Rd to create two properties that meet the 1.0 ha minimum size for unserviced lots. The OCP Amendment and Rezoning

Bylaws presented to Council on March 3, 2025, did not include the neighbouring property. Staff propose amending the OCP Amendment (Map A) and Rezoning (Map B) Bylaws to include portions of 5600 Lakeshore Rd, avoiding an additional development application. Staff recommend the OCP Amendment Bylaw and Rezoning Bylaw applications be amended and moved forward to a Public Hearing.

5.0 Application Chronology

Application Accepted: July 30, 2024
Reading Consideration: March 3, 2025

Attachments:

Map A: OCP Amendment – OCP24-0011
Map B: Zoning Amendment – Z24-0036

Report prepared by: Tyler Caswell, Planner Specialist
Reviewed by: Alex Kondor, Development Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

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



5538

5532

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5555

5570

LAKESHORE RD

5600

ATTACHMENT Map A

This forms part of application

OCP24-0011

Planner
Initials TC



MAP "A" OCP AMENDMENT OCP24-0011

Subject Properties

R-AGR - Rural - Agricultural Resource to R-RES Rural - Residential

BC

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

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Rev. Monday, March 24, 2025



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LAKESHORE RD

5600

ATTACHMENT Map B

This forms part of application # Z24-0036

Planner Initials **TC**



MAP "B" ZONING AMENDMENT Z24-0036

- Subject Property BC
- A2 - Agricultural/Rural Residential to RR2 - Small Lot Rural Residential

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

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Rev. Monday, March 24, 2025





Supplemental Report

5570 & 5600 Lakeshore Rd

OCP24-0011 / Z24-0036

Purpose

- To amend the Official Community Plan to change the future land use designation of portions of the subject properties from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban – Residential designation and to rezone portions of the subject properties from the A2 – Agricultural / Rural Residential zone to the RR2 – Small Lot Rural Residential zone to facilitate a two-lot subdivision.

Development Process

June 30, 2024 Development Application Submitted



Staff Review & Circulation



Nov 15, 2024 Public Notification Received



Mar 3, 2025 Initial Consideration



April 10, 2025 Supplemental Report



Public Hearing

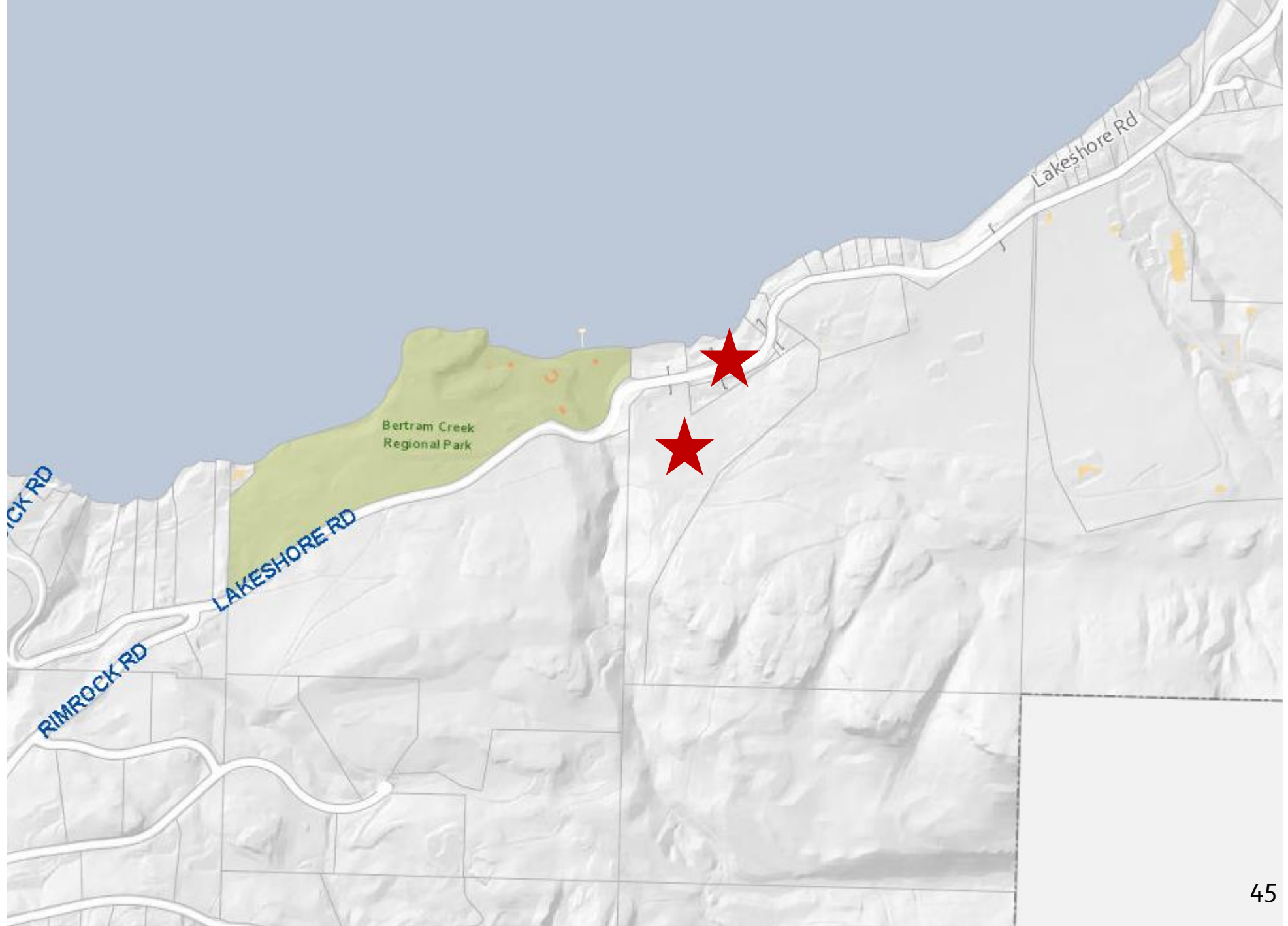


Final Reading & Subdivision

Council Approvals

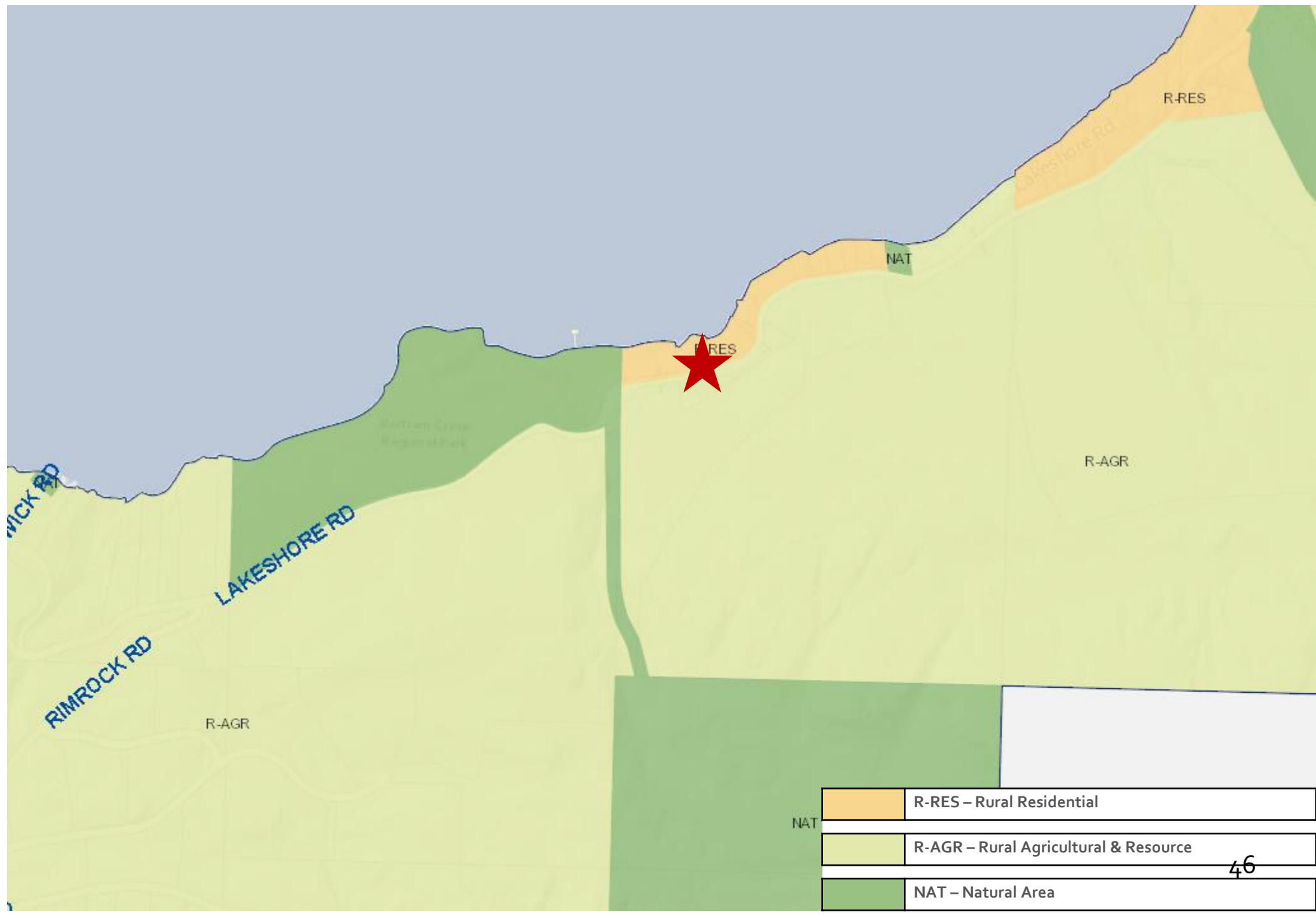


Context Map



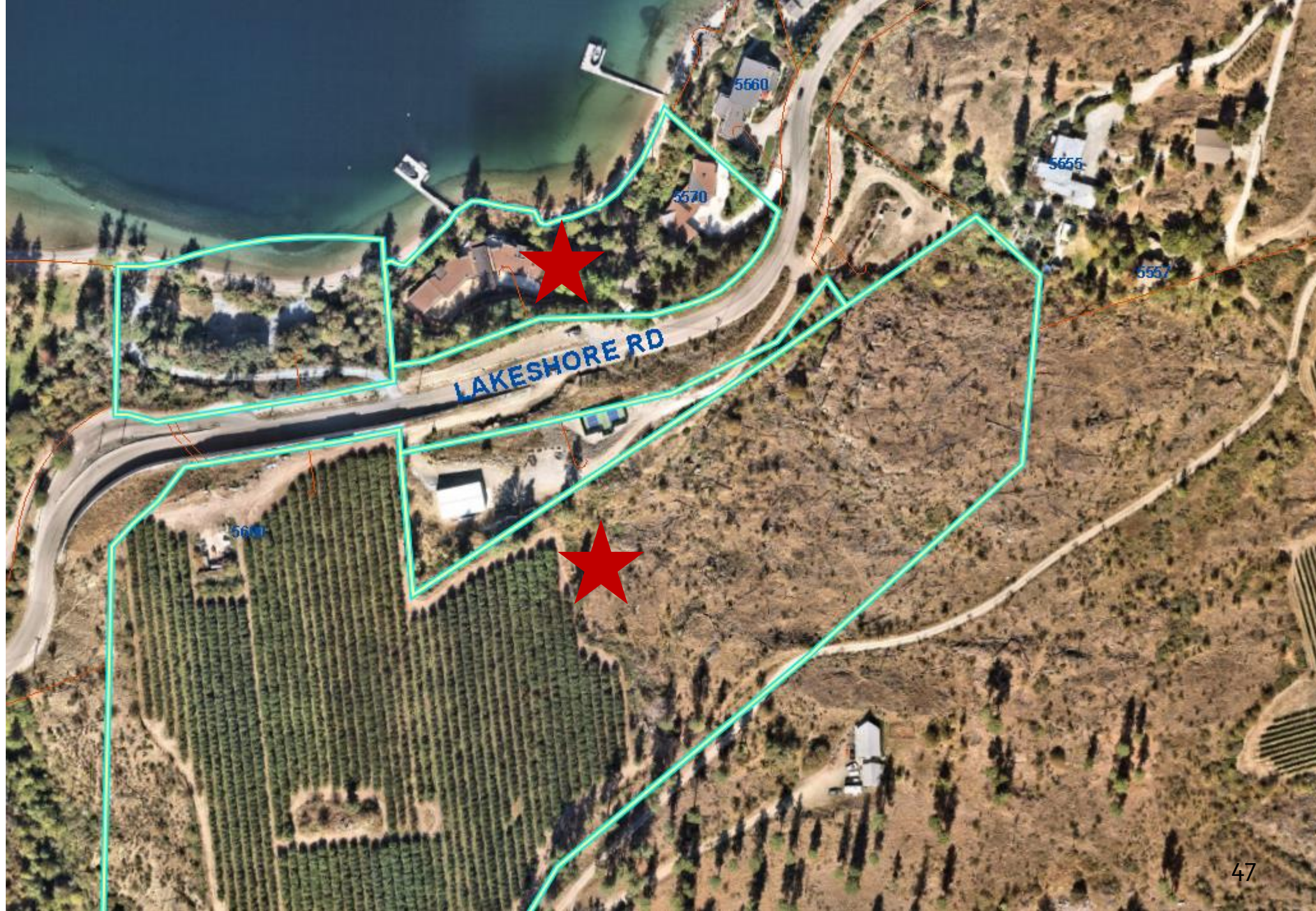


Context Map: OCP Future Land Use





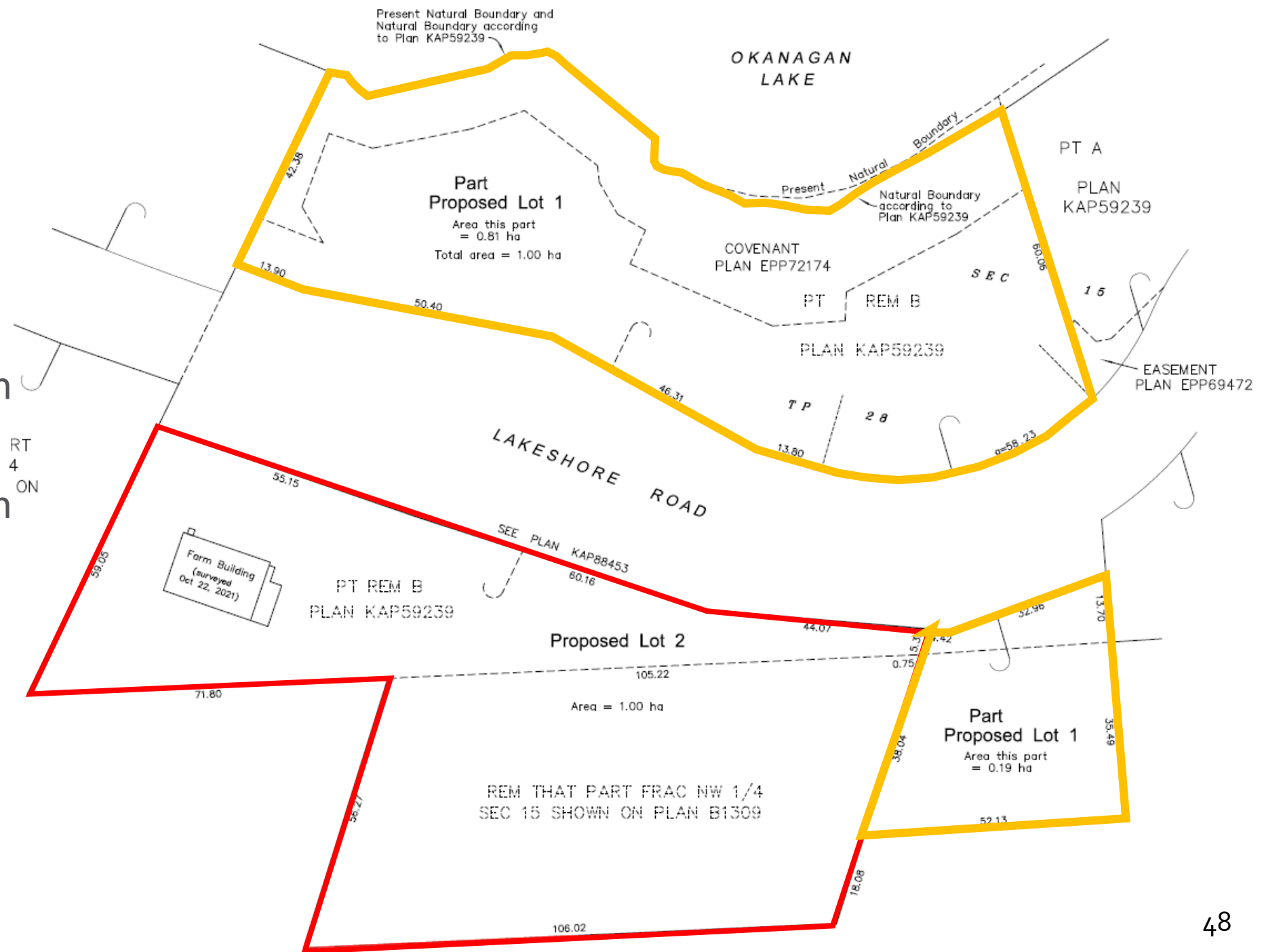
Subject Property Map





Proposed Subdivision

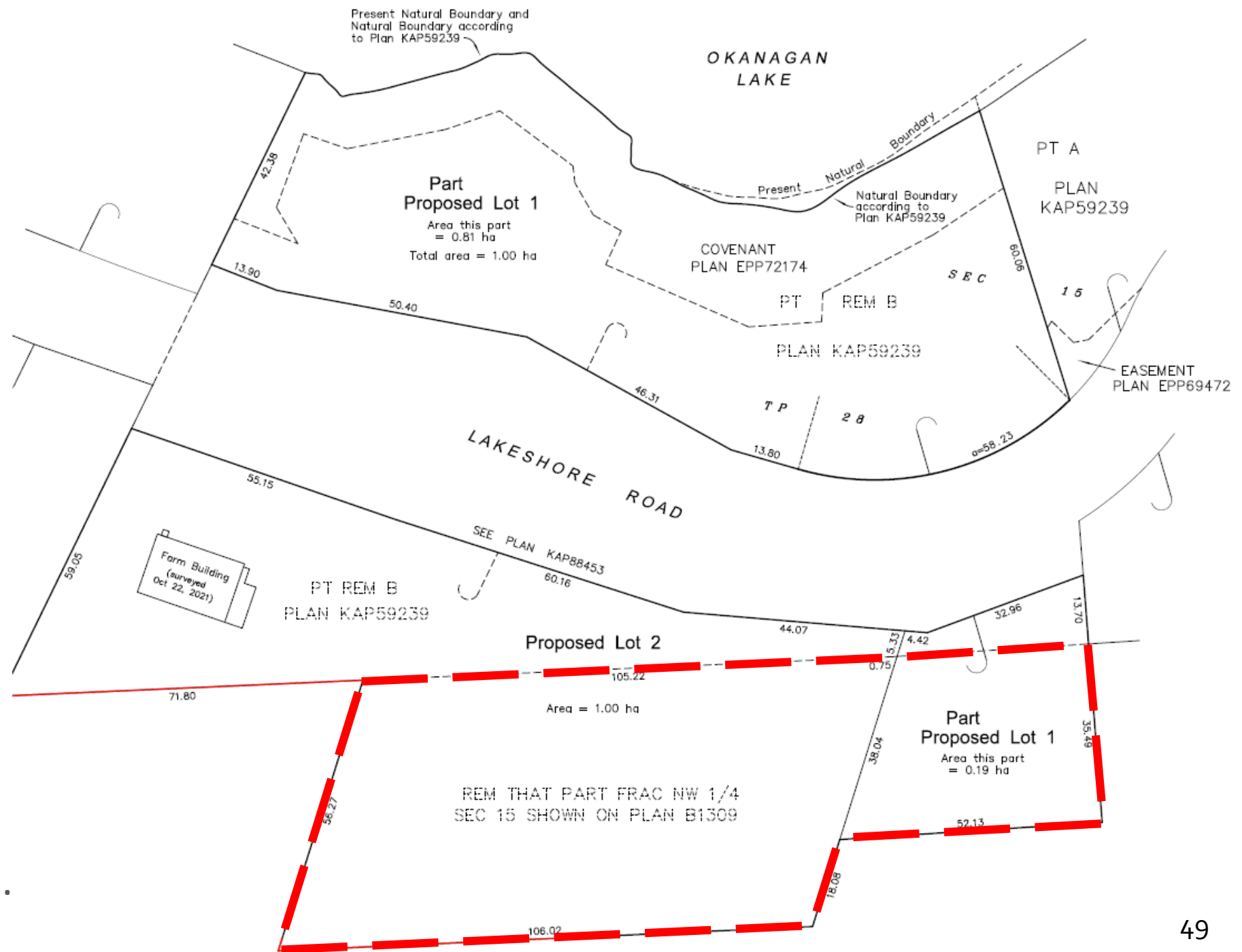
- Proposed Lot 1 in Orange;
- Proposed Lot 2 in Red.





Proposed Subdivision

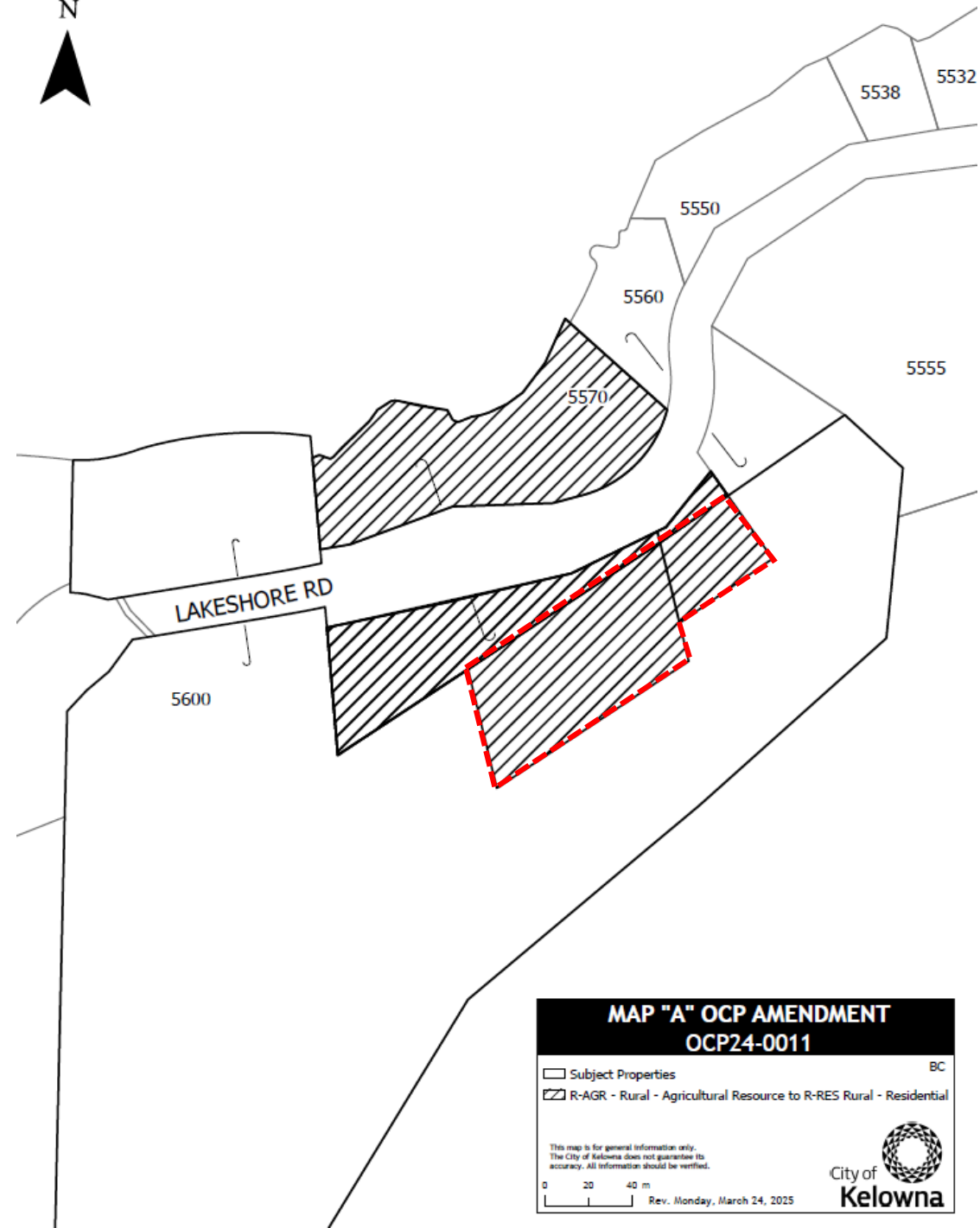
- Red area will be purchased from 5600 Lakeshore Rd as part of the subdivision;
- This is required to meet minimum parcel size of 1.0 ha;
- This was not included in the original application.





Updated Map 'A'

- Amended map to include portions of 5600 Lakeshore Rd that weren't part of the original application.



**MAP "A" OCP AMENDMENT
OCP24-0011**

BC

☐ Subject Properties

▨ R-AGR - Rural - Agricultural Resource to R-RES Rural - Residential

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

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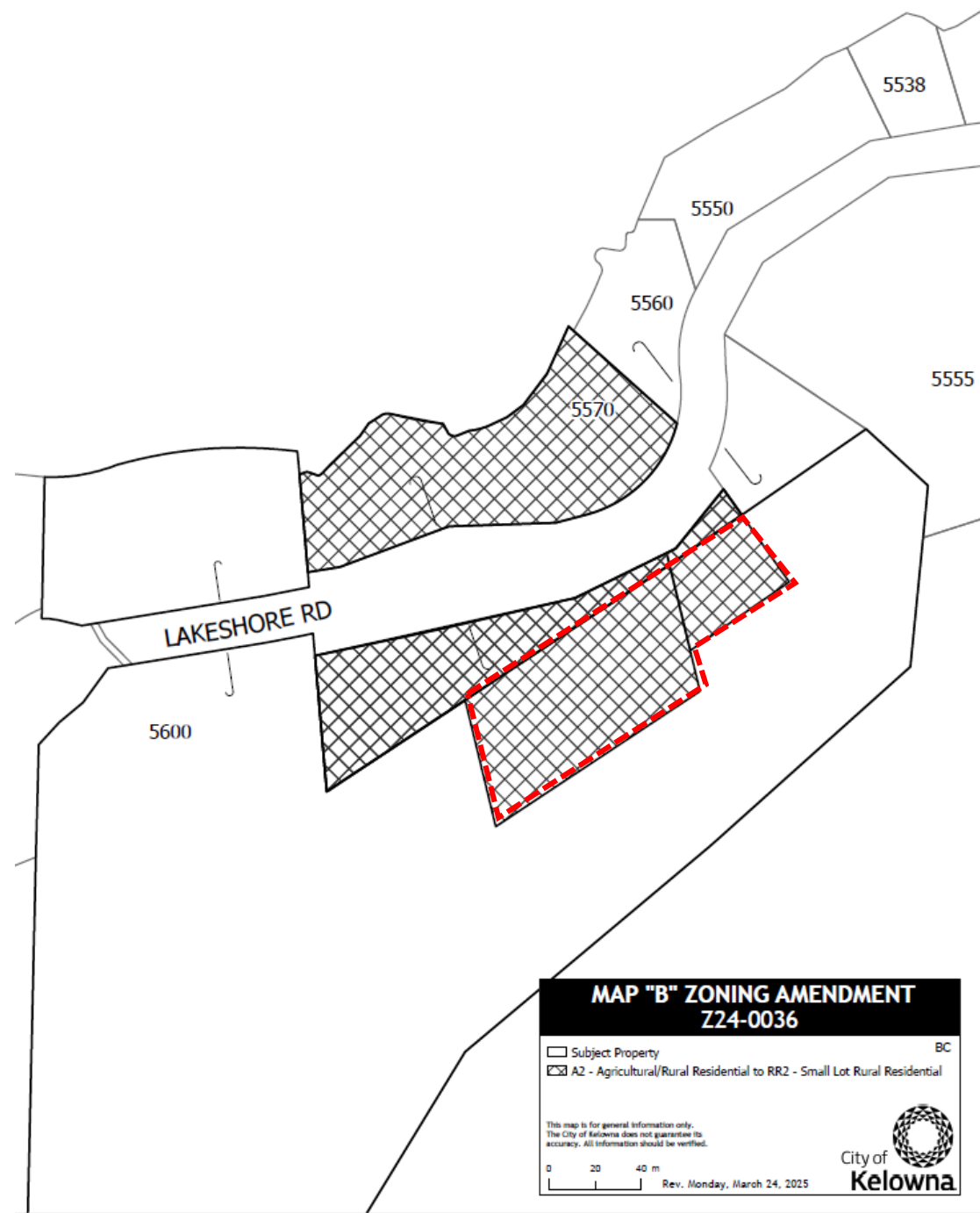
City of Kelowna

Rev. Monday, March 24, 2025



Updated Map 'B'

- Amended map to include portions of 5600 Lakeshore Rd that weren't part of the original application.



Project Description

- The subdivision of 5570 Lakeshore Rd requires the purchase of a portion of the neighbouring property at 5600 Lakeshore Rd;
- This portion of the property was not included in the original application.
- The Council recommendation, Map 'A', and Map 'B' have been amended to now include 5600 Lakeshore Rd.

Staff Recommendation

- Staff recommend the application be forwarded to a Public Hearing for further reading consideration.

CITY OF KELOWNA

BYLAW NO. 12765

Official Community Plan Amendment No. OCP24-0011 5570 and 5600 Lakeshore Road

A bylaw to amend the "Kelowna 2040 – Official Community Plan Bylaw No. 12300".

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

1. THAT Map 3.1 – **Future Land Use** of "Kelowna 2040 – Official Community Plan Bylaw No. 12300" be amended by changing the Future Land Use designation of portions of:
 - a. Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, and
 - b. That Part Fractional North West ¼ Section 15 Shown on Plan B1309 Township 28 Similkameen Division Yale District Except Plans KAP84401 and KAP88770

located on Lakeshore Road, Kelowna, BC from the R-AGR – Rural – Agricultural & Resource designation to the S-RES – Suburban Residential designation as shown on Map "A" attached to and forming part of this bylaw.

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

Read a first time by the Municipal Council this

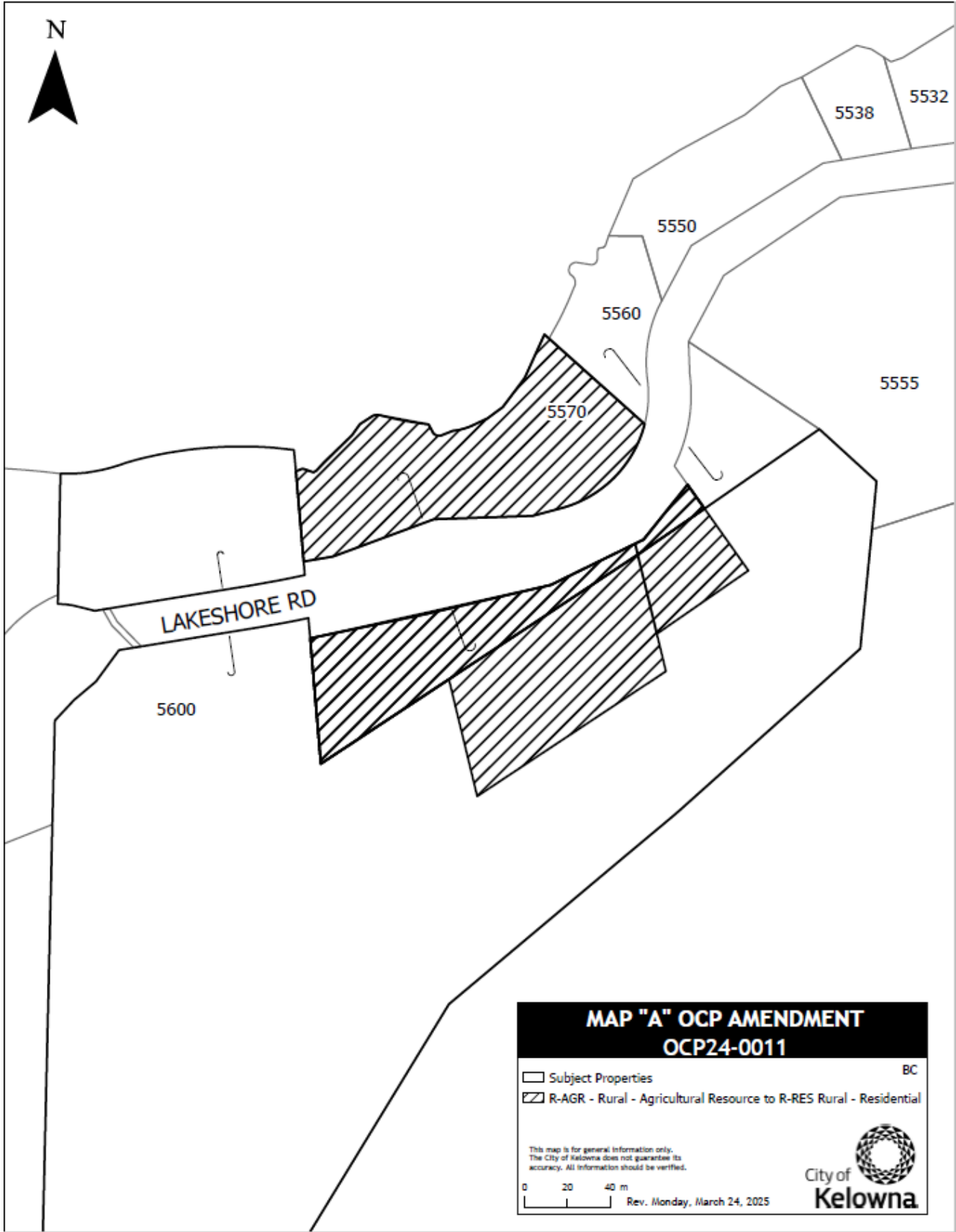
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 12766
Z24-0036
5570 and 5600 Lakeshore Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of:
 - a. Lot B Section 15 Township 28 Similkameen Division Yale District Plan KAP59239 Except Plan KAP88453, and
 - b. That Part Fractional North West ¼ Section 15 Shown on Plan B1309 Township 28 Similkameen Division Yale District Except Plans KAP84401 and KAP88770

located on Lakeshore Road, Kelowna, BC from the A2 – Agriculture / Rural Residential zone to the RR2 – Small Lot Rural Residential zone as shown on Map "B" attached to and forming part of this bylaw.

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

Read a first time by the Municipal Council this

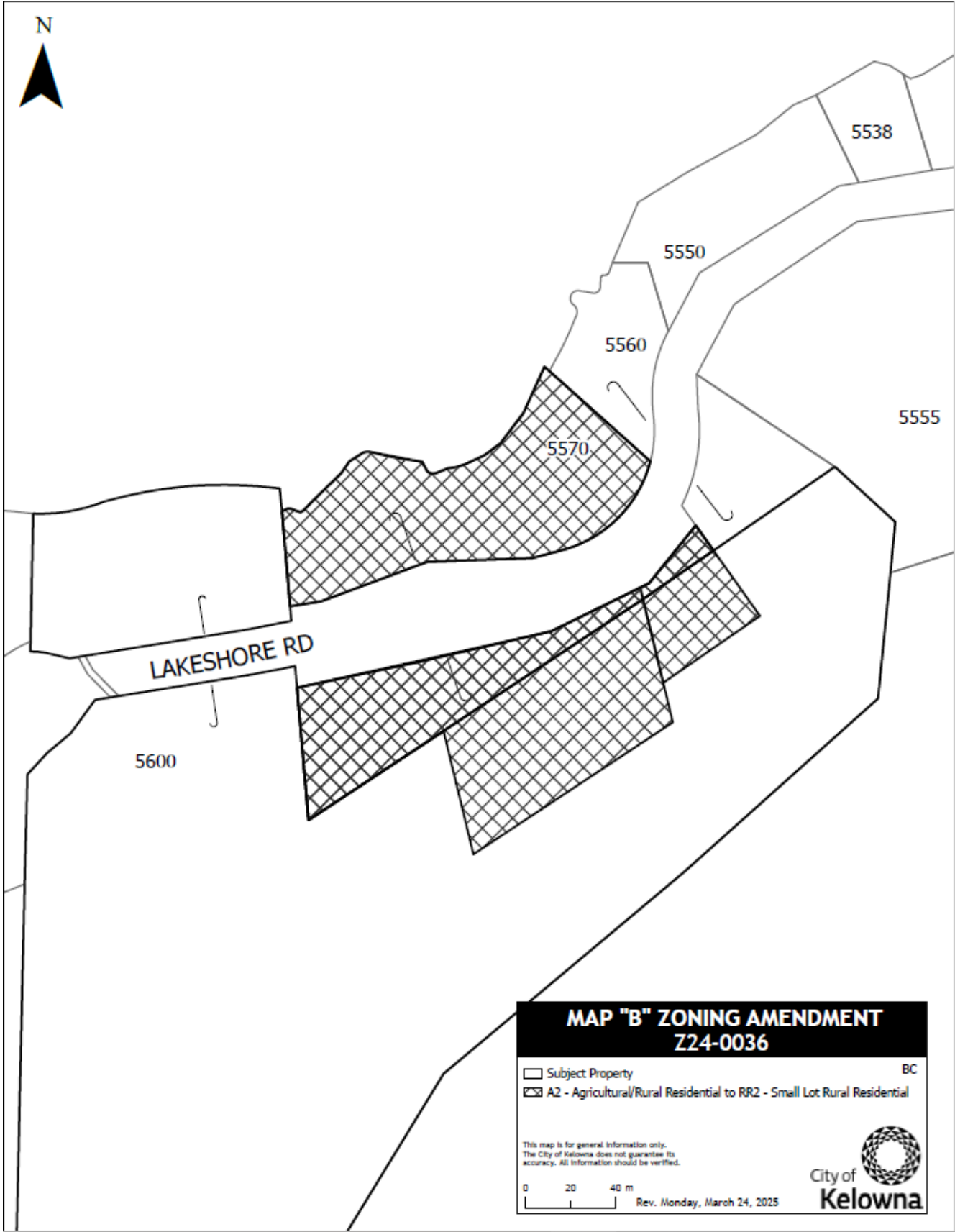
Considered at a Public Hearing on the

Read a 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

LIQUOR LICENSE



Date: April 7, 2025
To: Council
From: City Manager
Address: 279 Bernard Ave
File No.: LL25-0004

	Existing	Proposed
OCP Future Land Use:	UC – Urban Centre	UC – Urban Centre
Zone:	UC1 – Downtown Urban Centre	UC1 – Downtown Urban Centre

1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with Division 9 (71) of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Leopold’s Tavern Kelowna Bernard Inc. for a licence amendment for The Easterly 26 Feet of Lot 12 Block 13 District Lot 139 ODYD Plan 462, located at 279 Bernard Ave, Kelowna, BC for the following reasons:
 - The proposed capacity complies with Council Policy 359 – Liquor Licensing Policy & Procedures as the capacity does not exceed 500 persons.
2. Council’s comments on LCRB’s prescribed considerations are as follows:
 - a) The potential for noise if the application is approved:
 The potential impact for additional noise is minimal as the patio has been existing for several years in the present location on a temporary basis.
 - b) The impact on the community if the application is approved:
 The potential for negative impacts is minimal as the area supports several similar patios in a tourist and pedestrian oriented area as part of a city program.
3. The views of residents are summarized in the Staff report for the subject application. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

2.0 Purpose

To support a structural change application to an existing liquor primary licence.

3.0 Development Planning

Staff support the request to increase the service area and capacity of the existing Liquor Primary establishment known as Leopold’s Tavern. The applicant is seeking to increase the overall capacity from 88 to 135. The proposed increase is consistent with Council Policy 359 for capacity of establishments located within the Central Area.

The subject property is located on Bernard Avenue in an established commercial area surrounded by several similar patios and food primary establishments. The proposed patio is located on Bernard Avenue and has been operating under the provincial Temporary Expanded Service Area (TESA) program since the COVID-19 pandemic. Leopold’s Tavern has been working in partnership with the City of Kelowna under a lease agreement to utilize this space under the annual Meet Me on Bernard program. With the province’s announcement to end the TESA program the applicant is seeking to operate the patio on a permanent basis between the months of July to September.

4.0 Project Details

Existing Hours:

		Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open		10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM
Close	Indoor	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM
	Patio	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

Occupant Load:

	Existing	Proposed
Indoor	80	
Outdoor (Patio 1)	8	
Outdoor (Patio 2)		47

5.0 Site Context & Background

Orientation	Zoning	Land Use
North	UC1 – Downtown Urban Centre	Food Primary Establishment
East	UC1 – Downtown Urban Centre	Retail
South	UC1 – Downtown Urban Centre	Liquor Primary Establishment
West	UC1 – Downtown Urban Centre	Food Primary Establishment

Subject Property Map: 279 Bernard Avenue



The subject property is located within the Downtown Urban Centre on Bernard Avenue between Water Street and Mill Street. The property is near a variety of commercial shopping areas, employment options, apartment housing, and transit stops.

6.0 Public Input Received

Neighbour notification was conducted in accordance with Council Policy 359 Liquor Licensing Policy & Procedures:

- Notices were delivered to properties within a 50 m radius of the subject property on March 10, 2025; and
- Signage was erected on the subject property on March 14, 2025.

Notification provided an opportunity for affected residents to comment on the proposal. No members of the public provided comment.

7.0 Current Development Policies

7.1 Council Policy #359 – Liquor Licensing Policy and Procedures

The following sections of Policy #359 are applicable to this application:

- Within the Central Area, an outdoor patio at a licenced establishment may not operate later than 11:00 PM.
- A licenced establishment within the Central Area that closes later than midnight, must limit capacity to 500 persons.

8.0 Application Chronology

Application Accepted: February 4, 2025

Report prepared by: Jason Issler, Planner II
Reviewed by: Adam Cseke, Development Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Attachment A: Letter of Rationale
Attachment B: Floor Plan/Site Plan/Occupant Load
Attachment C: Summary of Neighbourhood Notification

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



ATTACHMENT A

This forms part of application
LL25-0004

Planner Initials



City of Kelowna
DEVELOPMENT PLANNING

October 31, 2024

Planning and Development Services
City of Kelowna

Subject: Rationale Letter for adding patio on Bernard Avenue.
Address: 279 Bernard Avenue, Kelowna
License: Liquor Primary No. 304851
Applicant: Leopold's Tavern Kelowna Bernard Inc. (Licensee)

To Whom it May Concern,

The writer is assisting the above applicant with a request to the City of Kelowna and the Liquor and Cannabis Regulation Branch for an increase in capacity for the liquor primary licence from the current interior capacity of 80 and patio capacity of 8. This increase is a result of the inclusion of Bernard Street Patio from July 1 to September long weekend every year with a capacity of 46 persons. This additional patio is across the sidewalk on the street so the current 8 person patio will remain. As it is necessary to cross an unlicensed sidewalk, only servers will cross the unlicensed sidewalk with any alcoholic beverages to the new patio on the street.

The establishment currently has two licensed areas as follows:

Person 01 (Interior)	80 persons
Patio 01 (Exterior)	8 persons

Our client now wishes to add the 47 person patio to their licence permanently.

Project Rationale

The Licensee has taken over the premises from Fernando's in December 2021. The intention is to operate this Liquor Primary establishment very similar to the way Fernando's operating at this location for many years as a friendly neighbourhood pub/bar. The addition of the street patio is to add to the enjoyment of the community during the summer months as Bernard Avenue will be shut down to vehicle traffic as has been done in previous years.

In order to have liquor service on this patio, it is a requirement to submit a New Patio application to the Liquor and Cannabis Regulation Branch. Since this is an increase in liquor primary seats, the application must go through the City of Kelowna Council process.

This will offer the general public, business people and tourists alike an expanded outdoor liquor primary area for their enjoyment.

This Liquor Primary licence also has a Family Foodservice Endorsement which allows minors in attendance when accompanied by a Parent or Guardian until 10pm.

Hours of Operation

The approved licensed hours of the establishment are currently 10 am – 2 am, seven days per week. Liquor service on this new patio will be permitted until 11pm, seven days per week. Last call will be at 10:30pm and all liquor will be removed from the areas by 11pm and all patrons must vacate the area by Midnight, as was noted on the annual MMOB TESA permit.

Operator

The applicant is Leopold’s Tavern Kelowna Bernard Inc. Leopold’s Taverns are currently located across Western Canada. They have one location in Victoria, one location in Vancouver, six locations in Alberta, nine locations in Saskatchewan and six in Manitoba.

The applicant is excited to add an enticing new patio to this new concept to the City of Kelowna to add to their already vibrant hospitality venues.

If you require any further information, please do not hesitate to contact me.

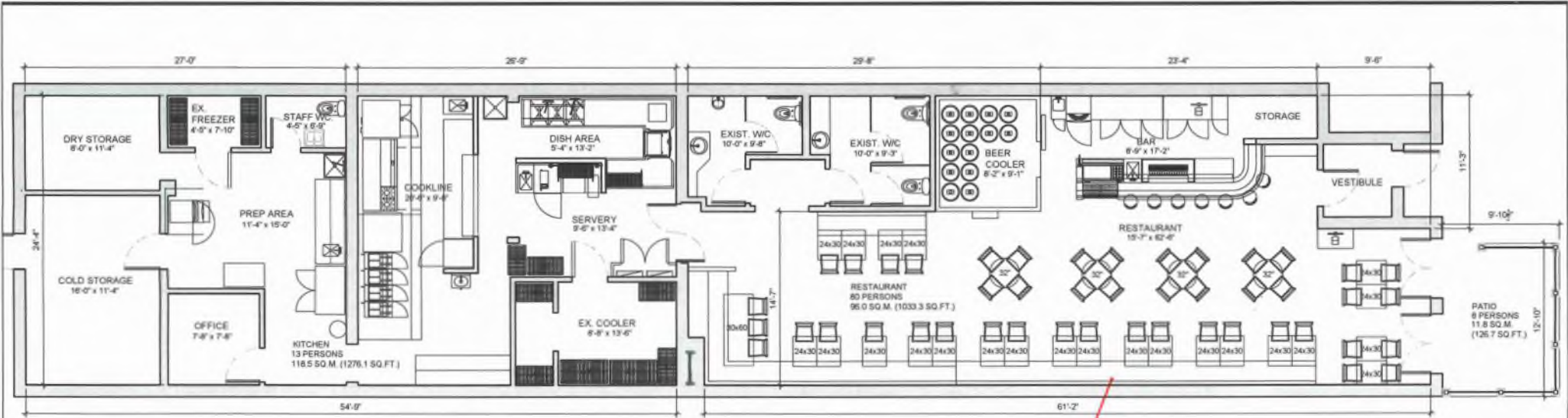
Sincerely,



Chantelle Kraushaar

Project Manager
Leo’s Group

ATTACHMENT	A
This forms part of application # LL25-0004	
Planner Initials	Jl
 City of Kelowna DEVELOPMENT PLANNING	



1 EXISTING RESTAURANT LAYOUT
A1.0 SCALE: 1/8" = 1'-0"

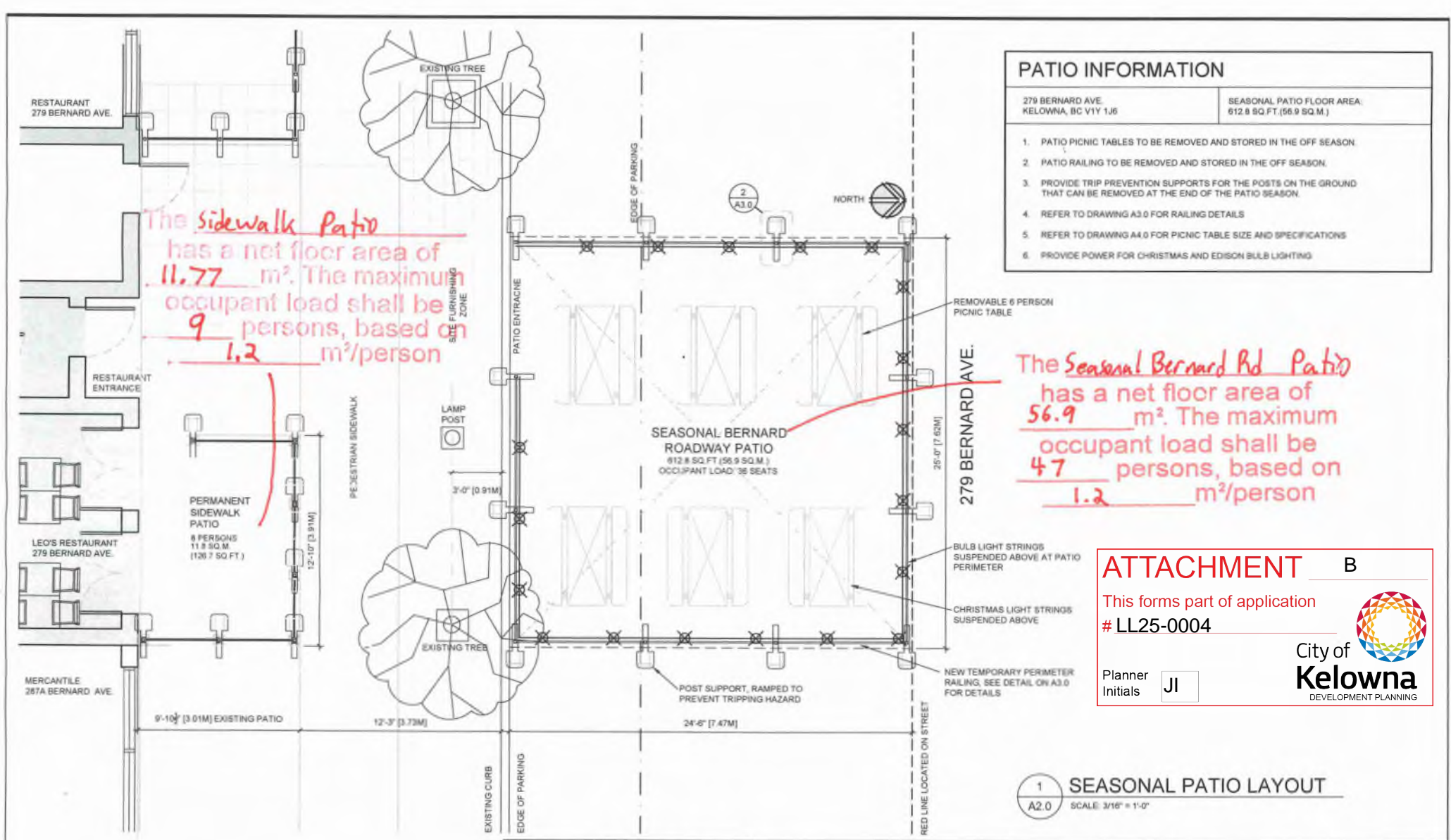
CAPACITY			PLUMBING REQUIREMENTS			
AREA:	OCCUPANT LOAD:	CALCULATIONS:	PLUMBING FIXTURE REQ. MALE/FEMALE COUNT @ 50%_50%			
RESTAURANT	7 SEATS	RESTAURANT = 96.0 SQ.M. DIVIDED BY 1.2 SQ.M. PER PERSON: 80 PERSONS (74 SEATS POSTED)	OCC. LOAD	FIXTURES REQUIRED	FIXTURES PROVIDED	NBC 2023 AE REFERENCE
BAR	67 SEATS	KITCHEN = 118.5 SQ.M. DIVIDED BY 9.3 SQ.M. PER PERSON: 12.74 OR 13 PERSONS	131	2 MALE	2 MALE	3.7.2.2.(4) A
OPEN SEATING	13 PERSONS	PATIO = SEATS 8 PERSONS. SEASONAL PATIO = SEATS 36 PERSONS		3 FEMALE	2 FEMALE	3.7.2.2.(4) A
KITCHEN / STAFF	8 SEATS					
PATIO	36 SEATS					
SEASONAL PATIO						
TOTAL OCC. LOAD	131 PERSONS					

Liquor License
Occupant Load is @
136 people Reviewed
by City of Kelowna
Inspection Services
Jan 8, 2025 N.M.

ATTACHMENT B
This forms part of application # LL25-0004
Planner Initials JI
City of Kelowna DEVELOPMENT PLANNING

The Restaurant has a net floor area of 96 m². The maximum occupant load shall be 80 persons, based on 1.2 m²/person

LEOPOLD'S KELOWNA 279 BERNARD, AVE. KELOWNA, BC. V1Y 1J6 SCALE: AS SHOWN PROJECT: 24.2029
ISSUE: R0 ISSUED FOR REVIEW DATE: 2024-11-22
LEOPOLD'S TAVERN INTERERICS SHEET: A1.0



PATIO INFORMATION	
279 BERNARD AVE. KELOWNA, BC V1Y 1J6	SEASONAL PATIO FLOOR AREA: 612.9 SQ.FT. (56.9 SQ.M.)
1. PATIO PICNIC TABLES TO BE REMOVED AND STORED IN THE OFF SEASON. 2. PATIO RAILING TO BE REMOVED AND STORED IN THE OFF SEASON. 3. PROVIDE TRIP PREVENTION SUPPORTS FOR THE POSTS ON THE GROUND THAT CAN BE REMOVED AT THE END OF THE PATIO SEASON. 4. REFER TO DRAWING A3.0 FOR RAILING DETAILS 5. REFER TO DRAWING A4.0 FOR PICNIC TABLE SIZE AND SPECIFICATIONS 6. PROVIDE POWER FOR CHRISTMAS AND EDISON BULB LIGHTING	

The Sidewalk Patio has a net floor area of 11.77 m². The maximum occupant load shall be 9 persons, based on 1.2 m²/person

The Seasonal Bernard Rd Patio has a net floor area of 56.9 m². The maximum occupant load shall be 47 persons, based on 1.2 m²/person

ATTACHMENT B
This forms part of application # LL25-0004
Planner Initials JI
City of Kelowna DEVELOPMENT PLANNING

1 SEASONAL PATIO LAYOUT
A2.0 SCALE: 3/16" = 1'-0"

LEOPOLD'S KELOWNA 279 BERNARD, AVE. KELOWNA, BC. V1Y 1J6 SCALE: AS SHOWN PROJECT: 24.2029
ISSUE: R0 ISSUED FOR REVIEW DATE: 2024-11-22
LEOPOLD'S TAVERN INTERERICS SHEET: A2.0



Leopold's Tavern
279 Bernard St, Kelowna, BC, V1Y 6N2

March 3, 2025

Dear Neighbor,

I hope this letter finds you well. We are reaching out to inform you of a development permit application we have submitted to the City of Kelowna for our business, Leopold's Tavern, located at 279 Bernard St.

Our proposal seeks to incorporate our temporary street patio into our annual permit and liquor license, allowing us to continue providing an enhanced outdoor dining experience. This change will help us better serve our guests and contribute to the vibrant atmosphere of Bernard Avenue.

As part of the City of Kelowna's development process, we are required to notify nearby property owners and residents. We welcome any feedback, questions, or concerns you may have regarding this application. Please feel free to reach out to me directly at chantelle@leosgroup.ca.

For more information, you may also contact Jason Issler with the City of Kelowna's planning department at JIssler@kelowna.ca.

We appreciate your time and support and look forward to continuing to be a valued part of the neighborhood.

Sincerely,

Chantelle Kraushaar [chantelle@leosgroup.ca]

Project Manager
Leo's Hospitality Management Group

ATTACHMENT		C
This forms part of application		
# LL25-0004		
Planner Initials	JI	 City of Kelowna DEVELOPMENT PLANNING

Address
257-261 Bernard Ave V1Y6N2
262 Bernard Ave V1Y6N4
262 Bernard Ave V1Y6N4
263-265 Bernard Ave V1Y6N2
266 Bernard Ave V1Y6N4
267-271 Bernard Ave V1Y6N2
270 Bernard Ave V1Y6N4
272 Bernard Ave V1Y6N4
273-279 Bernard Ave V1Y6N2
274 Bernard Ave V1Y6N4
279 Bernard Ave V1Y6N2
280 Bernard Ave V1Y6N4
285-287 Bernard Ave V1Y6N2
289 Bernard Ave V1Y6N2
293-297 Bernard Ave V1Y6N2
294 Bernard Ave V1Y6N4
242-246 Lawrence Ave V1Y6L3

252 Lawrence Ave V1Y6L3
256 Lawrence Ave V1Y6L3
266 Lawrence Ave V1Y6L3
274 Lawrence Ave V1Y6L3
1560 Water St V1Y1J7
1562 Water St V1Y1J7
1570 Water St V1Y1J7
1570 Water St V1Y1J7
1580 Water St V1Y1J7
1580 Water St V1Y1J7

ATTACHMENT C

This forms part of application
LL25-0004

Planner Initials

City of 
Kelowna
DEVELOPMENT PLANNING

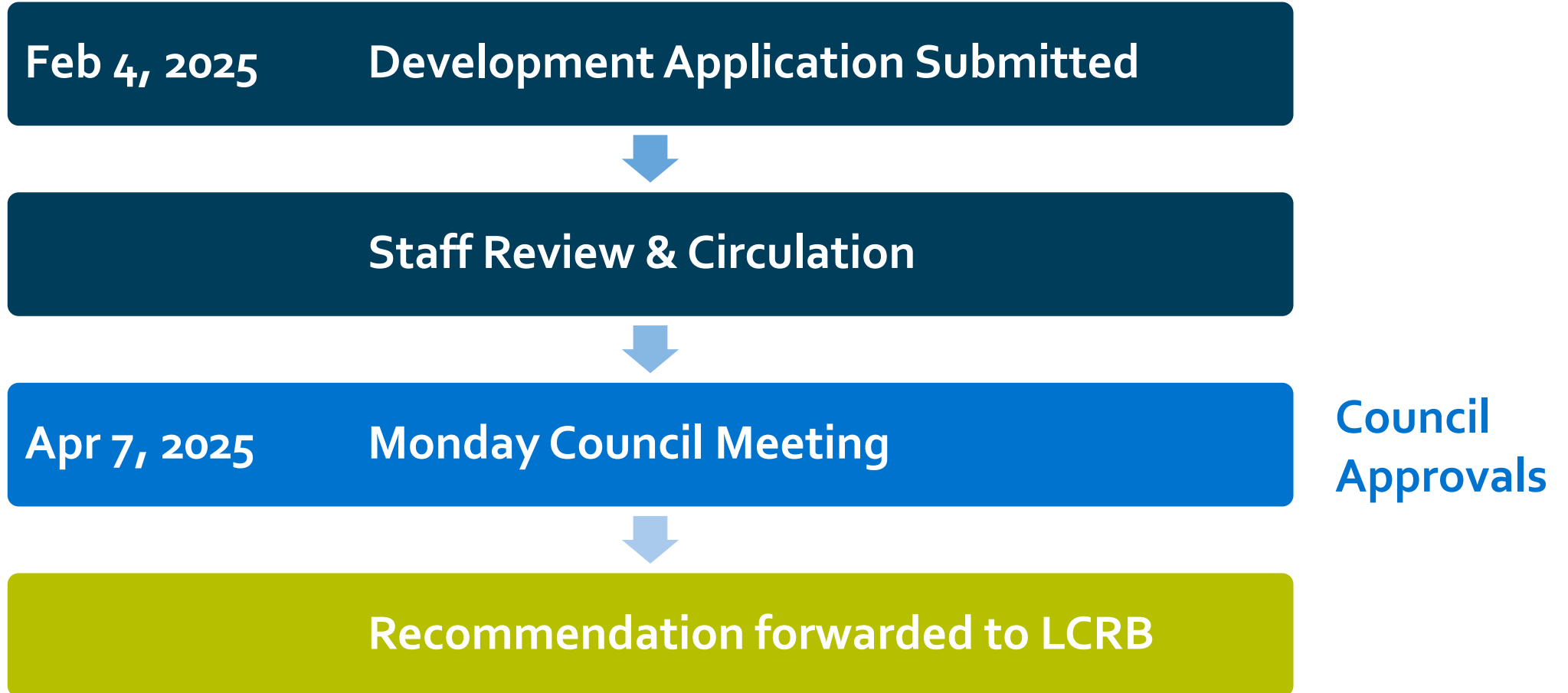
Liquor Licence Application

279 Bernard Ave

LL25-0004

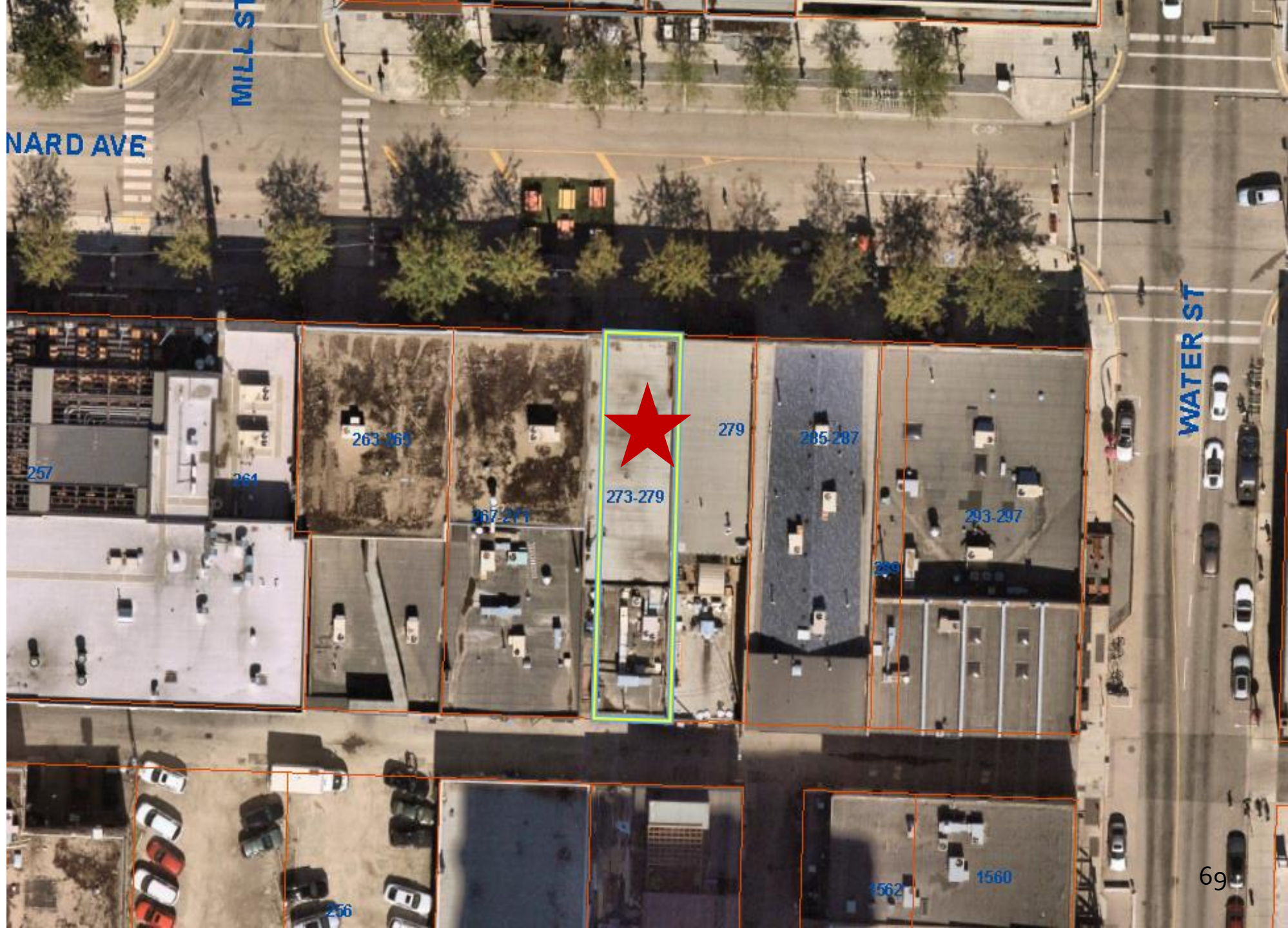


Development Process





Subject Property Map

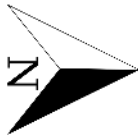


Hours of Sale

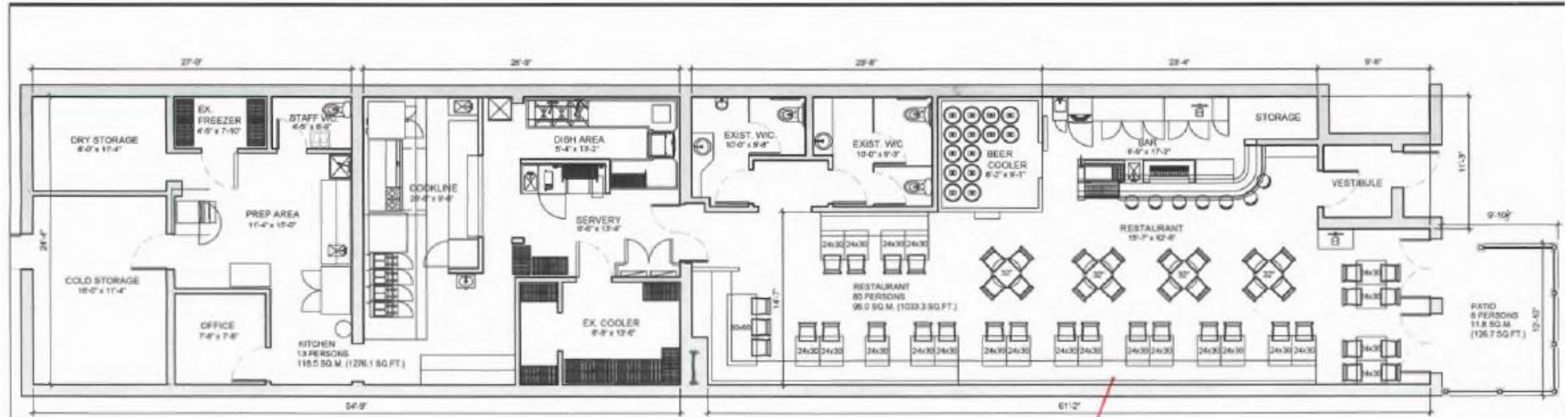
EXISTING	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Open	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM
Close	Indoor	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM
	Outdoor	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

Occupancy

	Existing	Proposed
Indoor	80	
Outdoor (Patio 1)	8	
Outdoor (Patio 2)		47



Occupant Load

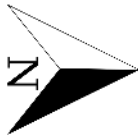


1 EXISTING RESTAURANT LAYOUT
A1.0 SCALE: 1/8" = 1'-0"

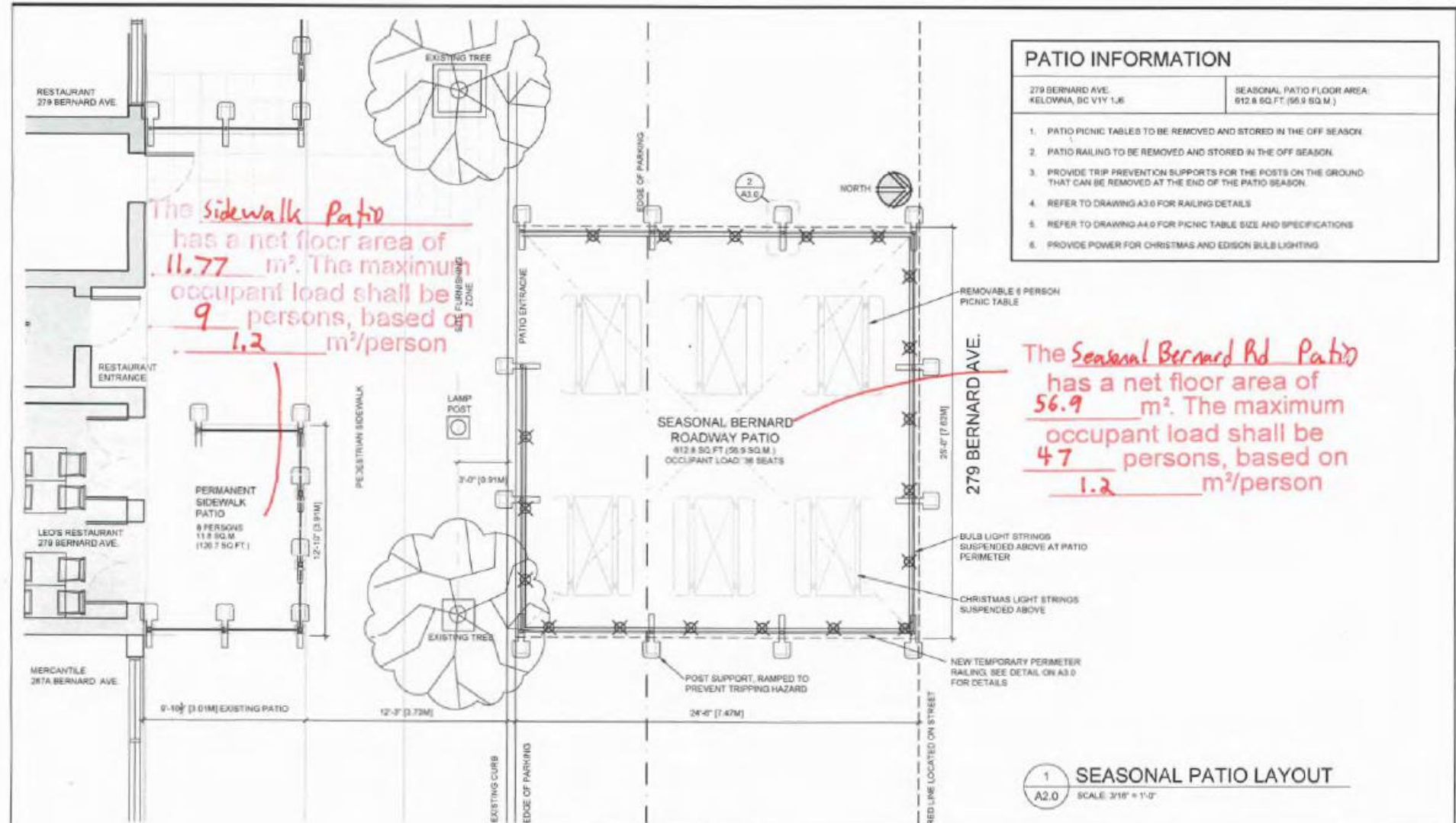
Liquor License
 Occupant Load is
136 people Reviewed
 by City of Kelowna
 Inspection Services
 Jan 8, 2025 N.M.

CAPACITY			PLUMBING REQUIREMENTS			
AREA:	OCCUPANT LOAD:	CALCULATIONS:	PLUMBING FIXTURE REQ. MALE/FEMALE COUNT @ 50%_50%			
RESTAURANT BAR:	7 SEATS	RESTAURANT = 96.0 SQ.M. DIVIDED BY 1.2 SQ.M. PER PERSON. 80 PERSONS (74 SEATS POSTED)	OCC. LOAD	FIXTURES REQUIRED	FIXTURES PROVIDED	NBC 2023 AE REFERENCE
OPEN SEATING:	67 SEATS	KITCHEN = 118.5 SQ.M. DIVIDED BY 9.3 SQ.M. PER PERSON. 12.74 OR 13 PERSONS.	131	2 MALE 3 FEMALE	2 MALE 2 FEMALE	3.7.2.2 (4) A 3.7.2.2 (4) A
KITCHEN / STAFF:	13 PERSONS	PATIO = SEATS 8 PERSONS. SEASONAL PATIO = SEATS 35 PERSONS				
PATIO:	8 SEATS					
SEASONAL PATIO:	35 SEATS					
TOTAL OCC. LOAD	131 PERSONS					

The Restaurant has a net floor area of 96 m². The maximum occupant load shall be 80 persons, based on 1.2 m²/person



Occupant Load



Public Input

- Properties within 50m of the subject property were notified.
- Signage was placed on the property for 10 days.
- No comments from the public received.

Council Policy #359

- Within the Central Area, an outdoor patio at a licenced establishment may not operate later than 11:00 PM.
- A licenced establishment within the Central Area that closes later than midnight, must limit capacity to 500 persons.

Staff Recommendation

- Staff recommend **support** for the proposed liquor licence as it is consistent with:
 - Council Policy #359
- That Council directs Staff to forward a resolution of support to the LCRB.

CITY OF KELOWNA

BYLAW NO. 12760

Z25-0001

1239 Pacific Avenue

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 1 District Lot 137 ODYD PLAN EPP113649 located on Pacific Avenue, Kelowna, BC from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 17th day of March, 2025.

Approved pursuant to section 52(3)(a) of the Transportation Act this 18th day of March 2025.

Damian Kusiak
for Minister of Transportation & Transit

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: April 7, 2025
To: Council
From: City Manager
Department: Office of the City Clerk
Subject: Proposed Renaming of a Portion of Frost Road to Frost Crescent

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated April 7, 2025 with respect to a bylaw to rename a portion of Frost Road to Frost Crescent;

AND THAT Road Renaming Bylaw No. 12759 be forwarded for reading consideration.

Purpose:

To advance Road Renaming Bylaw No. 12759 for reading consideration.

Background:

On February 10, 2025, Council received a report recommending that a portion of Frost Road be renamed to Frost Crescent. The proposed road renaming supports the anticipated connection between Frost Road and Chute Lake Road that is currently under construction. Council directed staff to proceed in bringing forward for reading consideration the necessary road renaming bylaw.

Discussion:

Two properties with three addresses are impacted by the proposed road naming change. In accordance with Council Policy No. 363 notices were mailed to each of the affected property owners. The notices provided information about the proposed name change as well as details on the assistance that the City will provide to minimize any resulting inconvenience. The property owners were advised to submit any comments they wished to share in advance of the bylaw receiving reading consideration. No comments have been received to date.

Conclusion:

Staff have completed the public notice requirement as set out in Policy No. 363 and are recommending that the bylaw now be advanced for reading consideration. Should the bylaw ultimately be adopted, staff will continue to ensure the affected property owners are provided with the assistance outlined in Policy No. 363 such that the impacts of the name change are minimized.

Considerations applicable to this report:

Existing Policy: [Council Policy 363 - Naming, Street Name/ Address Changes and Compensation](#)

Financial/Budgetary Considerations: Financial compensation for the road renaming will be provided to affected property owners in accordance with Council Policy 363. This is available through existing budget.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

External Agency/Public Comments:

Communications Comments:

Submitted by: M. Jud, Deputy City Clerk

Approved for inclusion: L. Bentley, City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12759

A Bylaw to Rename a Section of Frost Road to Frost Crescent

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

1. THAT the name of Frost Road be changed to Frost Crescent as outlined in Map "A" attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as the "Renaming of Section of Frost Road to Frost Crescent Name Change Bylaw No. 12759".

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: April 7, 2025
To: Council
From: City Manager
Subject: RTE25-0002 for 1355 St. Paul St
Department: Development Planning

Recommendation:

THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with 1247752 B.C. LTD., INC.NO. BC1247752 and 1267320 B.C. LTD., INC.NO. BC1267320 for Lot 2 DL 139 ODYD PLAN EPP123577 located at 1355 St. Paul St, Kelowna, BC in the form attached to the Report from the Development Planning Department dated April 7, 2025;

AND THAT Council authorizes the Development Planning Department Manager to execute the Revitalization Tax Exemption Agreement RTE25-0002 on behalf of the City of Kelowna.

Purpose:

To enter into a Revitalization Tax Exemption Agreement with 1247752 B.C. LTD., INC.NO. BC1247752 and 1267320 B.C. LTD., INC.NO. BC1267320 on the subject property.

Council Priority Alignment:
Affordable Housing

Background:

The Revitalization Tax Exemption (RTE) program encourages specific types of new development by providing a property tax reduction to projects that meet the criteria of Revitalization Tax Exemption Program Bylaw No. 12561. Specifically, the RTE program incentivizes purpose built rental housing as well as new growth in Urban Centres. The RTE program has supported Council’s priority of Affordable Housing by helping to encourage new market rental housing which in turn facilitates movement throughout the housing system.

Revitalization Tax Exemption Program Bylaw No. 12561 includes delegation of approval to staff provided the estimated value of the RTE is under an established maximum. The maximum is calculated as 0.175% of the following year’s Property Value Tax revenue as outlined in Schedule A of the Five-Year Capital Plan. The current maximum value for delegation is an estimated municipal tax impact of \$324,187.

A Development Permit (DP24-0027) for 1355 St. Paul St was authorized by Council on November 25, 2024. The project contains 384 dwelling units, which includes 68 studios, 141 one-bedroom, and 175 two-

bedroom units. The property is zoned UC1r – Downtown Urban Centre Rental Only, which guarantees rental-only tenure.

Discussion:

The estimated municipal tax impact of a RTE for 1355 St. Paul St is \$4,078,348 over 10 years, or an average of approximately \$407,835 per year. This exceeds the thresholds for delegation established in Section 9 of Revitalization Tax Exemption Program Bylaw No. 12561 and requires Council authorization.

Staff recommend approval of RTE25-0002. This project fulfills the objective of the RTE program to encourage an increase in the supply of purpose-built rental housing and will result in construction of 384 additional rental housing units. These continue to be much-needed additions in the context of a low vacancy rate and above average increases in rental costs across the City. Continued support for RTE applications assists achieving Council's priority of housing affordability and supports the Official Community Plan's objectives to increase diversity of housing types and tenures.

Revitalization Tax Exemption Program Bylaw No. 12561 requires Council approval of RTEs over a certain value. The RTE for 1355 St Paul Street exceeds this threshold. The proposed RTE complies with the requirements of Bylaw No. 12561, Council's priorities, and OCP Policy.

Internal Circulation:

Housing Policy and Programs
Revenue Services

Considerations applicable to this report:

Legal/Statutory Authority:

Revitalization Tax Exemption Program Bylaw No. 12561, 2023
Community Charter, Division, Section 226
Local Government Act, Section 483
School Act, Section 129

Financial/Budgetary Considerations: The estimated municipal tax impact of the RTE for 1355 St. Paul St is \$4,078,348 over 10 years, or an average of approximately \$407,835 per year.

Considerations not applicable to this report:

Consultation and Engagement:

Communications Comments:

Legal/Statutory Procedural Requirements:

Existing Policy:

Submitted by: K. Brunet, Planner Specialist

Approved for inclusion: R. Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Schedule A – RTE25-0002
Appendix A – Plans and Specifications

SCHEDULE "B"

Revitalization Tax Exemption Agreement

THIS AGREEMENT dated for reference the ___ day of _____, 20__ is

BETWEEN:

1247752 B.C. LTD., INC.NO.BC1247752
 550 Doyle Avenue
 Kelowna, BC
 V1Y 7V1

AND:

1267320 B.C. LTD., INC.NO BC1267320
 550 Doyle Avenue
 Kelowna, BC
 V1Y 7V1

(collectively, the "Owner")

AND:

CITY OF KELOWNA
 1435 Water Street,
 Kelowna, B.C.
 V1Y 1J4

(the "City")

GIVEN THAT:

- A. The Owner is the registered owner in fee simple of lands in the City of Kelowna at 1355 St Paul Street legally described as LOT 2, PLAN EPP123577, DISTRICT LOT 139 (the "Parcel");
- B. Council has established a revitalization tax exemption program and has included within the Revitalization Tax Exemption Program Bylaw No. 12561 the designation of areas which include the Parcel as a revitalization area; and
- C. The Owner proposes to construct new improvements on the Parcel as described in Appendix "A" attached to and forming part of this agreement (the "Project") and has applied to the City to take part in the revitalization tax exemption program in respect of the Project and the City has agreed to accept the Project under the program;

THIS AGREEMENT is evidence that in consideration of the promises exchanged below, the Owner and the City covenant and agree each with the other as follows:

1. **The Project** – the Owner will use its best efforts to ensure that the Project is constructed, maintained, operated and used in a fashion that will be consistent with and will foster the objectives of the revitalization tax exemption program, as outlined in the Revitalization Tax Exemption Program Bylaw No. 12561 (the "Bylaw"). Without limiting the generality of the foregoing, the Owner covenants to use its best efforts to ensure that the Project will:
 - a. Construct and operate 384 units of purpose-built market rental housing with a mixture of studio, 1, 2 and 3 bedroom apartments, within a 40 storey concrete building with on-site parking and in-building amenity spaces.
2. **Operation and Maintenance of the Project** – throughout the term of this agreement, the Owner shall operate, repair and maintain the Project and will keep the Project in a state of good repair as a prudent owner would do.
3. **Revitalization Amount** – In this agreement, "Revitalization Amount" means the municipal portion of property tax calculated in relation to the increase in the assessed value of improvements on the Parcel resulting from the construction of the Project as described in section 1;
4. **Revitalization Tax Exemption** – subject to fulfilment of the conditions set out in this agreement and in the Bylaw, the City shall issue a revitalization tax exemption certificate (the "Tax Exemption Certificate") to the British Columbia Assessment Authority entitling the Owner to a property tax exemption in respect of the property taxes due (not including local service taxes) in relation to the Revitalization Amount on the Parcel (the "Tax Exemption") for the calendar year(s) set out in the Tax Exemption Certificate .
5. **Conditions** – the following conditions shall be fulfilled before the City will issue a Tax Exemption Certificate to the Owner in respect of the Project:
 - a. The Owner must complete or cause to be completed construction of the Project in a good and workmanlike fashion and in strict compliance with the building permit and the plans and specifications attached hereto as Appendix "A";
 - b. The Owner must submit a copy of the Occupancy Permit and Title Certificate dated within 30 days to the City of Kelowna's Revenue Branch within 48 months from the date the Agreement is executed.
6. **Calculation of Revitalization Tax Exemption** – the amount of the Tax Exemption shall be equal to:
 - a) For Purpose-Built Rental Housing Projects within the Core Area, Glenmore Valley Village Centre and University South Village Centre as identified in Schedule A, 100% of the Revitalization Amount on the parcel which can be attributed to residential land uses.
7. **Term of Tax Exemption** – provided the requirements of this agreement, and of the Bylaw, are met the Tax Exemption shall be for 10 years after the BC Assessment Authority validates the Tax Exemption Certificate issued by the City of Kelowna's Revenue Branch,.
8. **Compliance with Laws** – the Owner shall construct the Project and, at all times during the term of the Tax Exemption, use and occupy the Parcel and the Project in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or municipal laws or statutes or bylaws, including all the rules regulations policies guidelines criteria or the like made under or pursuant to any such laws.
9. **Effect of Stratification** – if the Owner stratifies the Parcel under the Strata Property Act, then the Tax Exemption shall be prorated among the strata lots in accordance with the unit entitlement of each strata lot for:



- a. the current and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office before May 1; or
- b. for the next calendar year and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office after May 1;

so long as, if the Project is the subject of an operating agreement between the Owner and the Provincial Rental Housing Corporation, the Owner is in compliance with the operating agreement. The Owner agrees to provide written confirmation to the City regarding the Owner's compliance with the said operating agreement, satisfactory to the City, upon the City's reasonable inquiry.

- 10. **Termination of the agreement** - the revitalization tax exemption agreement will be valid for 48 months from the date the agreement is executed. If the conditions for issuance of a Tax Exemption Certificate have not been met during this term, the owner may request a renewal term to this agreement or the agreement will be terminated.
- 11. **Cancellation** – the City may in its sole discretion cancel the Tax Exemption Certificate:
 - a. on the written request of the Owner;
 - b. effective immediately upon delivery of a notice of cancellation to the Owner if at any time any of the conditions in the Tax Exemption Certificate are not met; or
 - c. If the Owner is subject to an operating agreement with the Provincial Rental Housing Corporation and is not in compliance with the operating agreement.

If such cancellation occurs, the Owner of the Parcel for which the Tax Exemption Certificate was issued will remit to the City an amount equal to the value of any Tax Exemption received after the cancellation of the Tax Exemption Certificate.

- 12. **No Refund** – for greater certainty, under no circumstances will the Owner be entitled under the City's revitalization tax exemption program to any cash credit, any carry forward tax exemption credit or any refund for any property taxes paid.
- 13. **Notices** – any notice or other writing required or permitted to be given hereunder or for the purposes hereof to any party shall be sufficiently given if delivered by hand or posted on the Parcel, or if sent by prepaid registered mail (Express Post) to such party:
 - a. in the case of a notice to the City, at:

THE CITY OF KELOWNA
1435 Water Street,
Kelowna, B.C.
V1Y 1J4

Attention: Divisional Director, Planning, Climate Action and Development Services

- b. in the case of a notice to the Owner, at:
- 1247752 B.C. LTD., INC.NO.BC1247752
550 Doyle Avenue
Kelowna, BC
V1Y 7V1



AND

1267320 B.C. LTD., INC. NO BC1267320
550 Doyle Avenue
Kelowna, BC
V1Y 7V1

Attention: Stefan Hertel
Phone: 604-626-7598
Email: shertel@missiongroup.ca

Or at such other address as the party to whom such notice or other writing is to be given shall have last notified the party giving the same.

14. **No Assignment** – the Owner shall not assign its interest in this agreement except to a subsequent owner in fee simple of the Parcel.
15. **Severance** – If any portion of this agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this agreement.
16. **Interpretation** – wherever the singular or masculine is used in this agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.
17. **Further Assurances** – the parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this agreement.
18. **Waiver** – waiver by the City of a default by the Owner shall be in writing and shall not be deemed to be a waiver of any subsequent or other default.
19. **Powers Preserved** – this agreement does not:
 - a. Affect or limit the discretion, rights or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Parcel;
 - b. Affect or limit any enactment relating to the use or subdivision of the Parcel; or
 - c. Relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Parcel and without limitation shall not confer directly or indirectly any exemption or right of set-off from development cost charges, connection charges, application fees, user fees or other rates, levies or charges payable under any bylaw of the City.
20. **Reference** – every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, assigns, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows.
21. **Enurement** – this agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.
22. The maximum Revitalization Tax Exemption authorized by this agreement must not exceed the Revitalization Amount on the Property between:
 - a. the calendar year before the construction or alteration began, as outlined under Section 1 of this agreement; and



- b. the calendar year in which the construction or alteration, as outlined under Section 1 of this agreement, is completed.
23. The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as a result of the Revitalization Tax Exemption.



IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

Executed by the CITY OF KELOWNA by
Its authorized signatories:


Name:


Name:

Position:

Position:

Executed by 1247752 B.C. LTD., INC.NO.BC1247752 and 1267320 B.C. LTD., INC.NO BC1267320 by its Authorized signatories:



Name: Luke Turri

Andrew Kurbis
Andrew Kurbis (Mar 20, 2025 16:28 PDT)

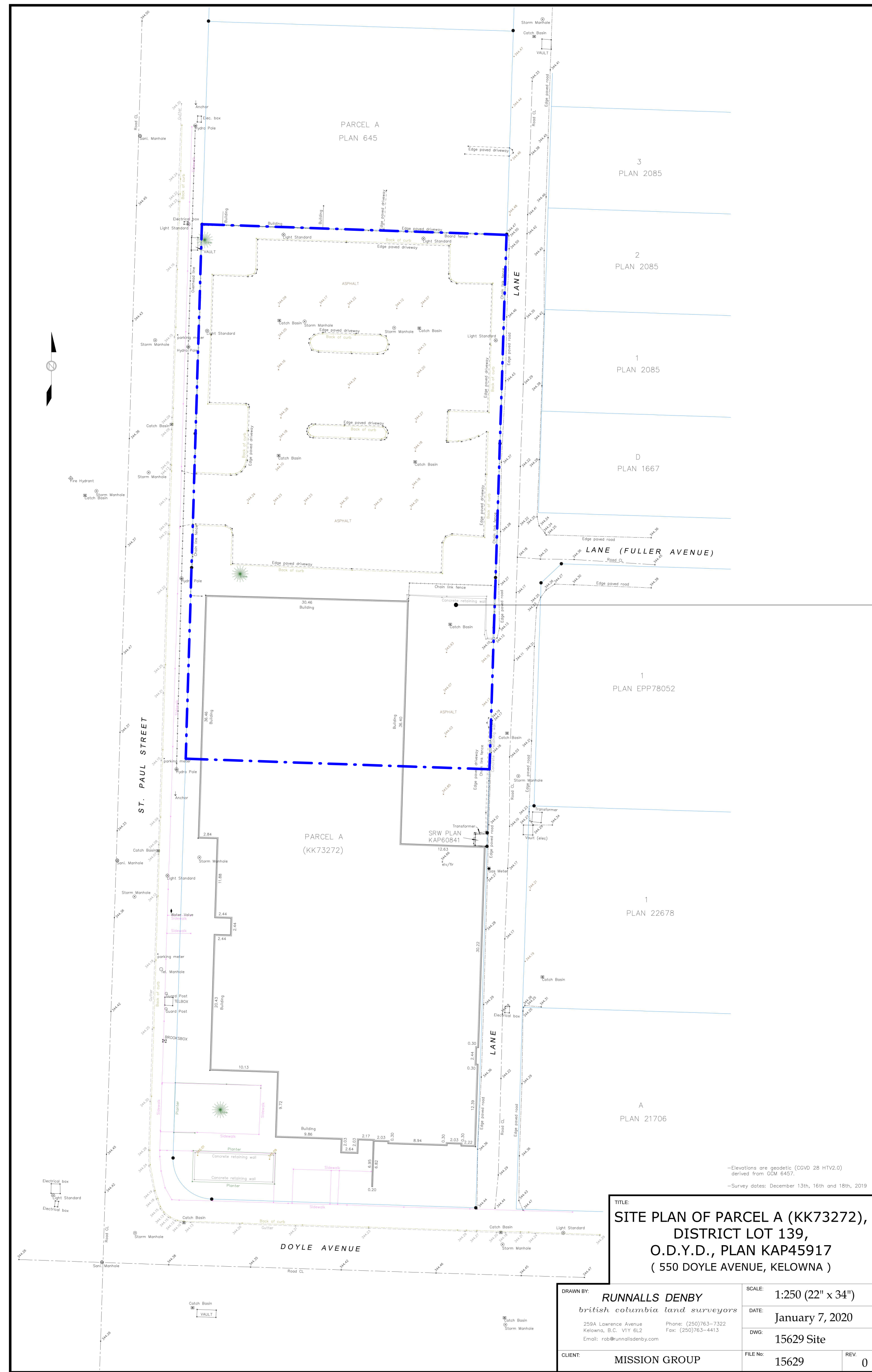
Name:

1247752 B.C. Ltd.

Position: President
Director

Position:

Appendix "A": Plans and Specifications



SUBJECT SITE FOR THIS APPLICATION

TITLE
SITE PLAN OF PARCEL A (KK73272),
DISTRICT LOT 139,
O.D.Y.D., PLAN KAP45917
(550 DOYLE AVENUE, KELOWNA)

DRAWN BY: RUNNALLS DENBY <i>british columbia land surveyors</i>	SCALE: 1:250 (22" x 34")
DATE: January 7, 2020	DWG: 15629 Site
CLIENT: MISSION GROUP	FILE No: 15629 REV: 0

SCHEDULE A

This forms part of application
 # DP24-0027

Planner Initials **TA**

APPENDIX A

This forms part of application
 # RTE25-0002

Planner Initials **KB**

CLIENT
MISSION GROUP
 1631 Dickson Ave, 10th Floor,
 Kelowna, BC V1Y 0B5

COPYRIGHT
 This drawing has been prepared solely for the intended use, thus any reproduction or distribution for any purpose other than authorized by Arcadis is forbidden. Written dimensions shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job, and Arcadis shall be informed of any variations from the dimensions and conditions shown on the drawing. Shop drawings shall be submitted to Arcadis for general conformance before proceeding with fabrication.

Arcadis Architects (Canada) Inc.
 formerly IBI Group Architects (Canada) Inc.

ISSUES

No.	DESCRIPTION	DATE
A	DEVELOPMENT PERMIT	31st Jan. 2024
B	DEVELOPMENT PERMIT AMENDMENT	18th June 2024
C	TRS RESPONSE #1	15th Oct 2024

CONSULTANTS

KEYPLAN

SEAL

PRIME CONSULTANT

 1353 Ellis Street - Suite 202
 Kelowna BC V1Y 1Z9 Canada
 tel 250 980 3432
 www.arcadis.com

PROJECT
 1355 St Paul
 1355 St Paul St,
 Kelowna, BC
 V1Y 2E1

PROJECT NO:
141150

DRAWN BY: TL	CHECKED BY: GM
PROJECT MGR: GM	APPROVED BY: LM

SHEET TITLE
 SURVEY

SHEET NUMBER DP0.04	ISSUE C
-------------------------------	-------------------

3M / 4M SETBACK AREA ABOVE 16M
 BUILDING COVERAGE
 PROPERTY LINE
 SETBACK LINE

CLIENT
MISSION GROUP
 1631 Dickson Ave, 10th Floor,
 Kelowna, BC V1Y 0B5

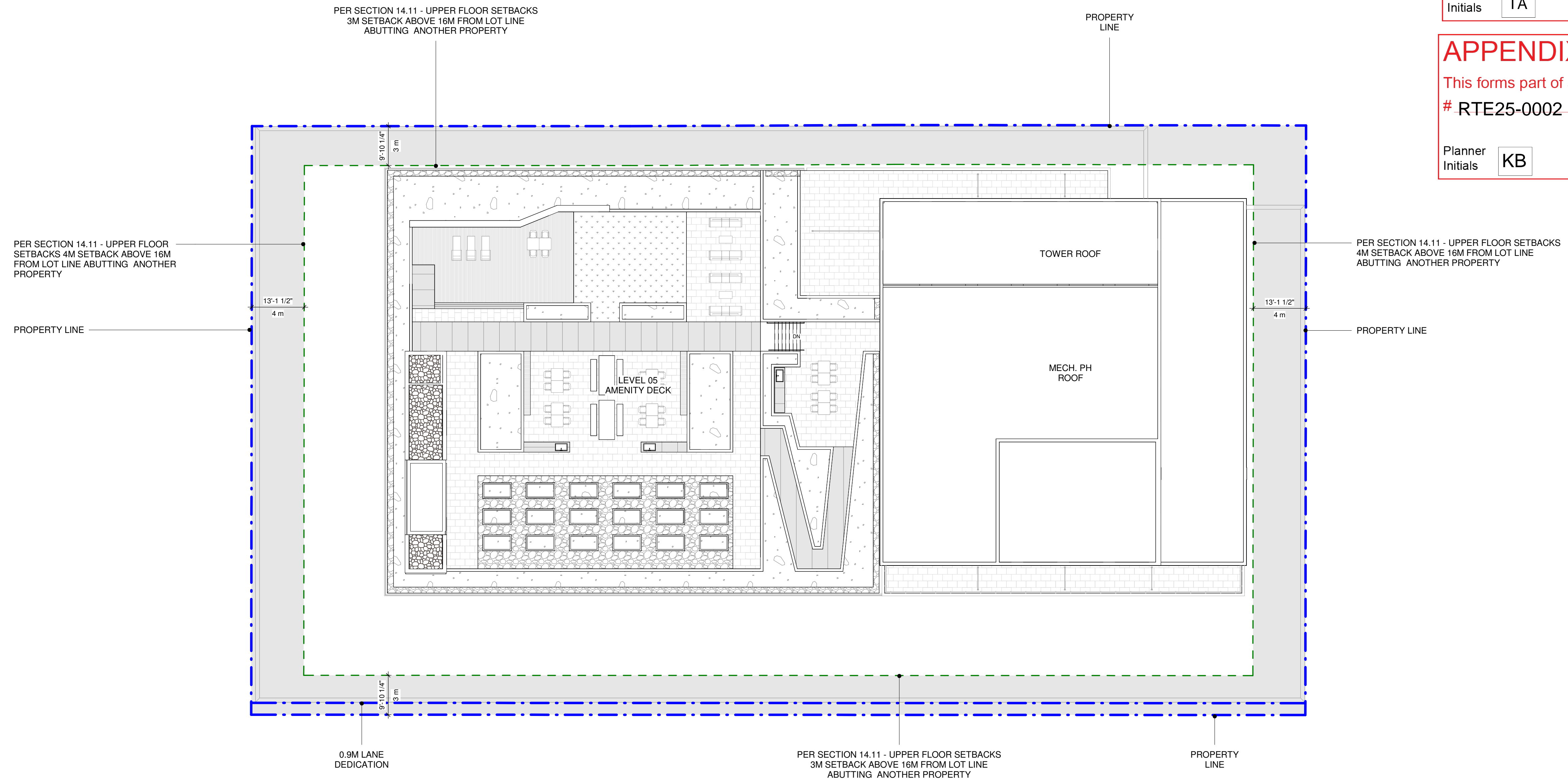
COPYRIGHT
 This drawing has been prepared solely for the intended use, thus any reproduction or distribution for any purpose other than authorized by Arcadis is forbidden. Written dimensions shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job, and Arcadis shall be informed of any variations from the dimensions and conditions shown on the drawing. Shop drawings shall be submitted to Arcadis for general conformance before proceeding with fabrication.

Arcadis Architects (Canada) Inc.
 formerly IBI Group Architects (Canada) Inc.

ISSUES		
No.	DESCRIPTION	DATE
A	DEVELOPMENT PERMIT	31st Jan. 2024
B	DEVELOPMENT PERMIT AMENDMENT	18th June 2024
C	TRS RESPONSE #1	15th Oct 2024

SCHEDULE A
 This forms part of application
 # DP24-0027
 Planner Initials **TA**


APPENDIX A
 This forms part of application
 # RTE25-0002
 Planner Initials **KB**

CONSULTANTS

KEYPLAN



2024-10-17

PRIME CONSULTANT

 1353 Ellis Street - Suite 202
 Kelowna BC V1Y 1Z9 Canada
 tel 250 980 3432
 www.arcadis.com

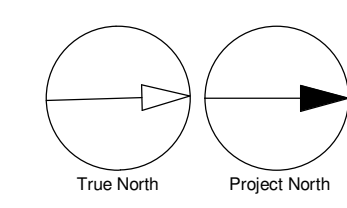
PROJECT
 1355 St Paul
 1355 St Paul St,
 Kelowna, BC
 V1Y 2E1

PROJECT NO:
 141150
 DRAWN BY: **TL** CHECKED BY: **GM**
 PROJECT MGR: **GM** APPROVED BY: **LM**

SHEET TITLE
SETBACK PLAN

SHEET NUMBER **DP0.05** ISSUE **C**

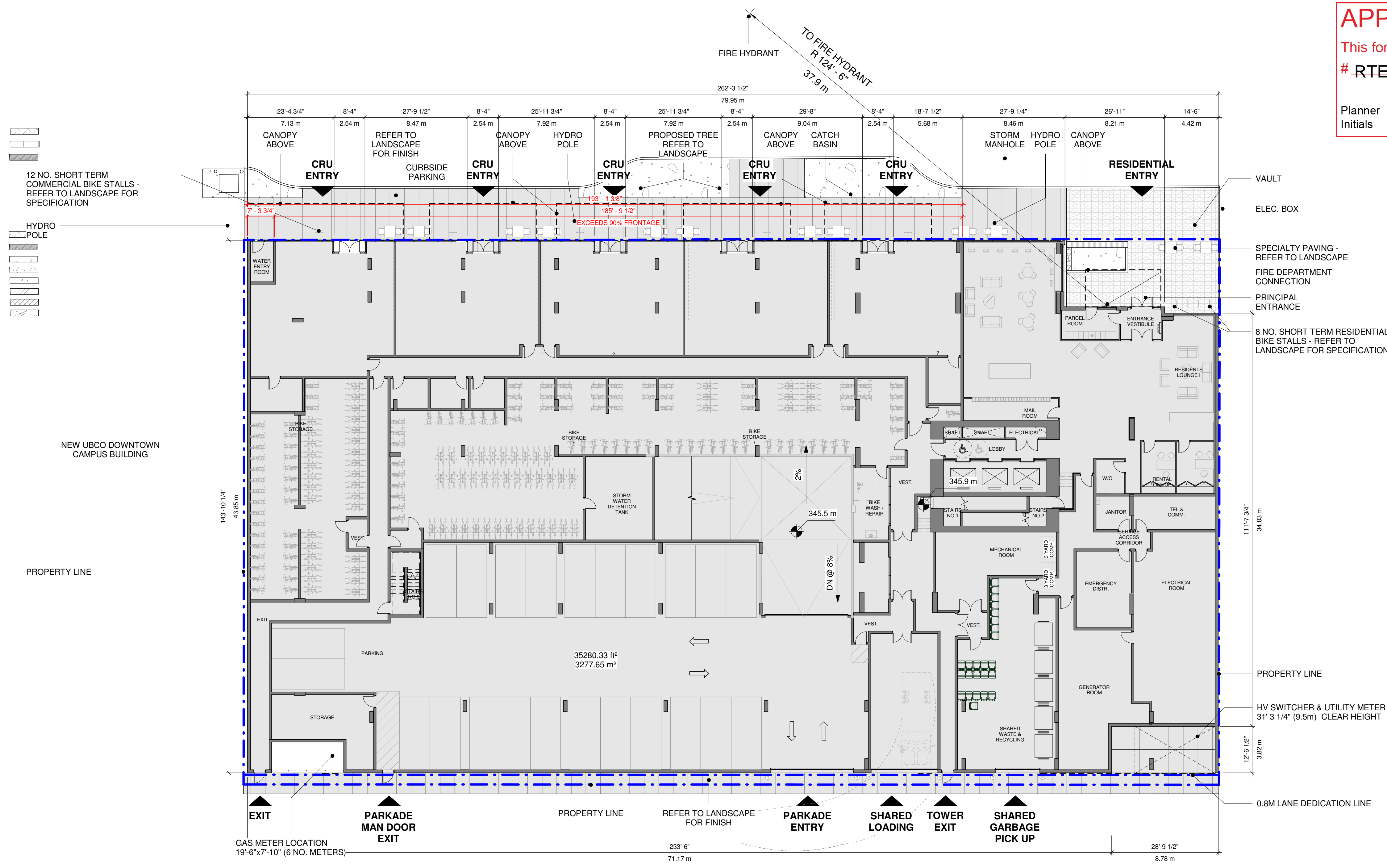
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10/15/2024 2:48:04 PM

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10/15/2024 2:48:32 PM



SCHEDULE A
 This forms part of application
 # DP24-0027
 Planner Initials TA
 City of Kelowna
 COMMUNITY PLANNING

APPENDIX A
 This forms part of application
 # RTE25-0002
 Planner Initials KB
 City of Kelowna
 COMMUNITY PLANNING

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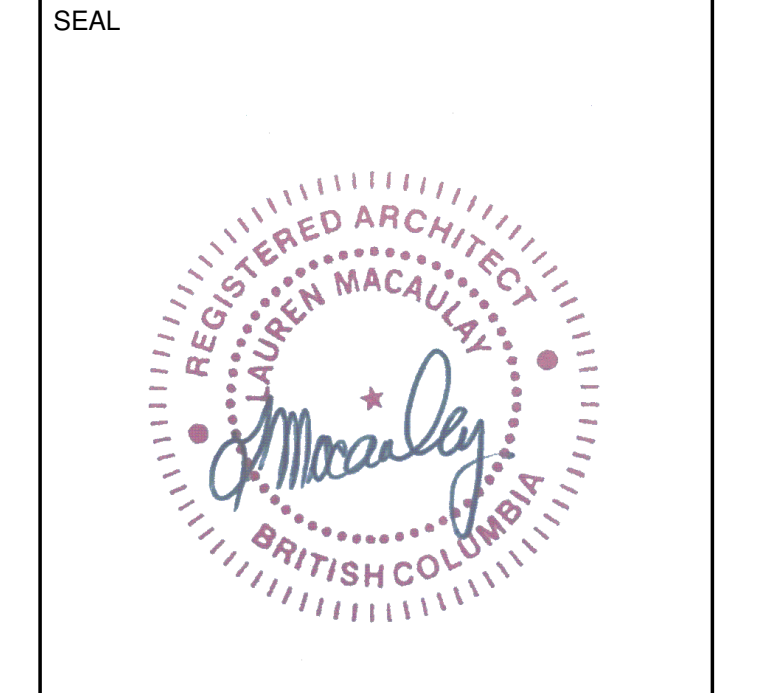
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No.	DESCRIPTION	DATE
A	DEVELOPMENT PERMIT	31st Jan. 2024
B	DEVELOPMENT PERMIT AMENDMENT	18th June 2024
C	TRS RESPONSE #1	15th Oct 2024

ISSUES

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ARCADIS
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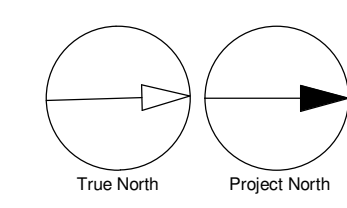
PROJECT
 1355 St Paul
 1355 St Paul St,
 Kelowna, BC
 V1Y 2E1

PROJECT NO:
 141150
 DRAWN BY: TL
 PROJECT MGR: GM
 CHECKED BY: GM
 APPROVED BY: LM

SHEET TITLE
PROPOSED SITE PLAN

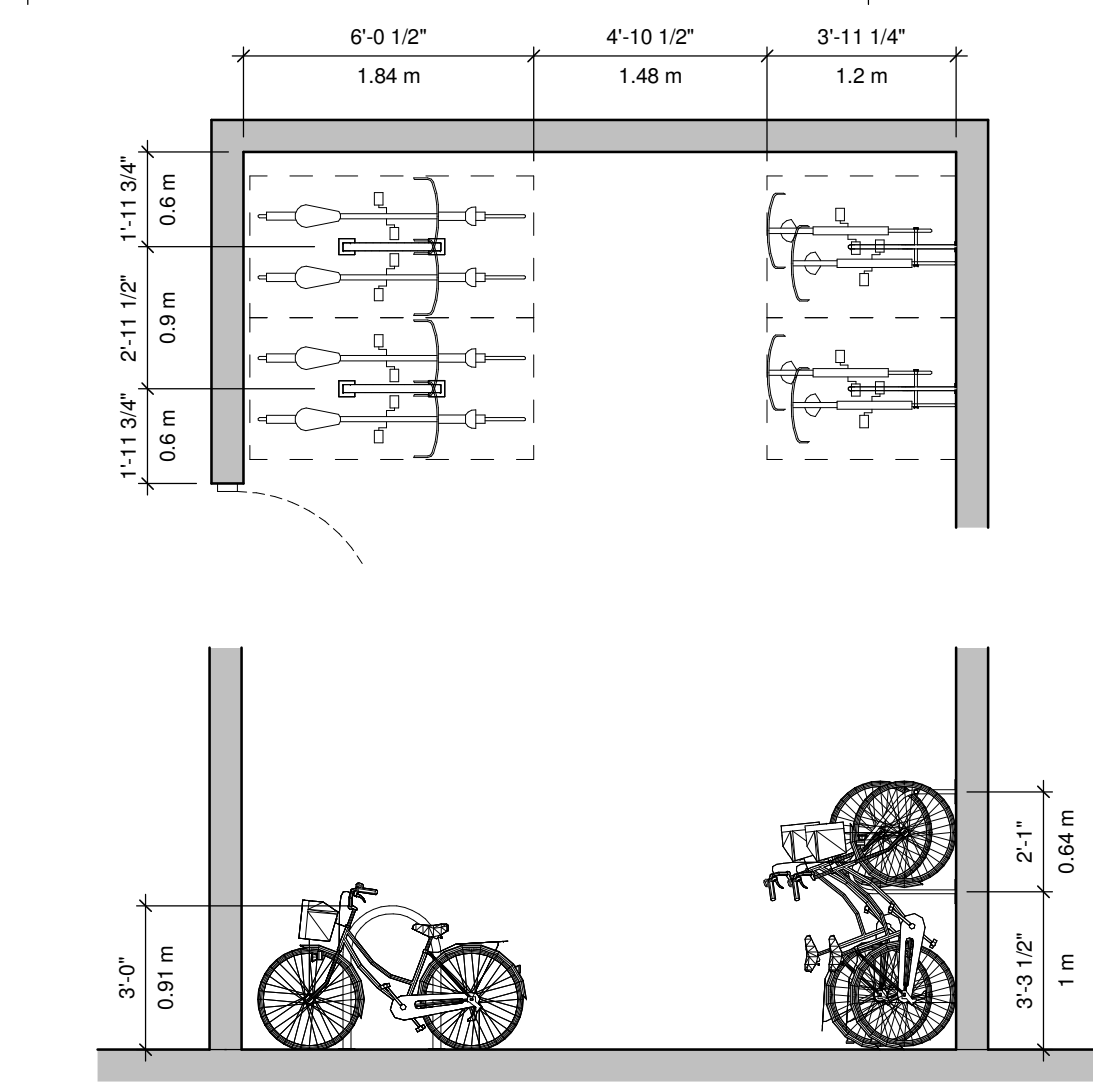
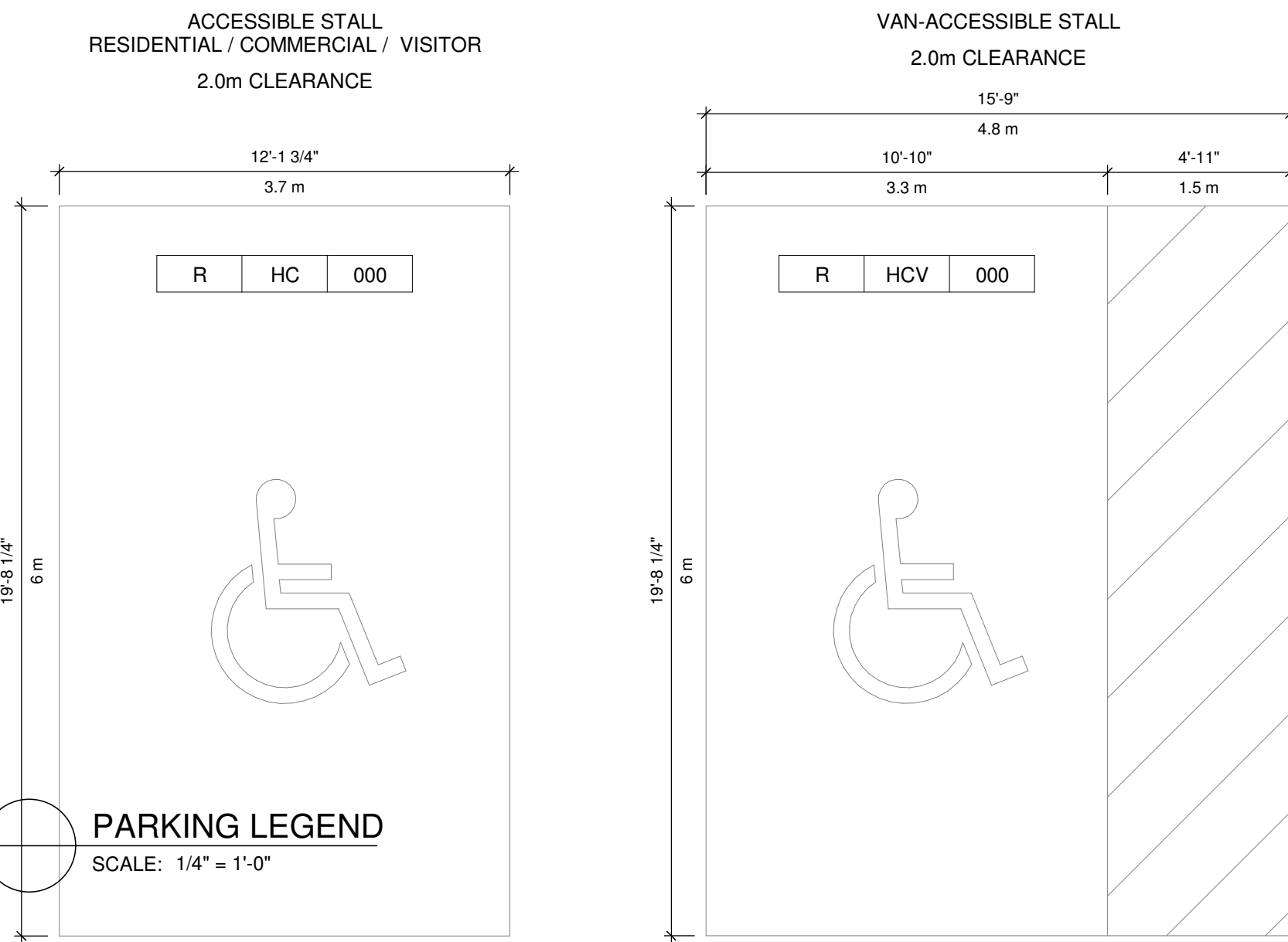
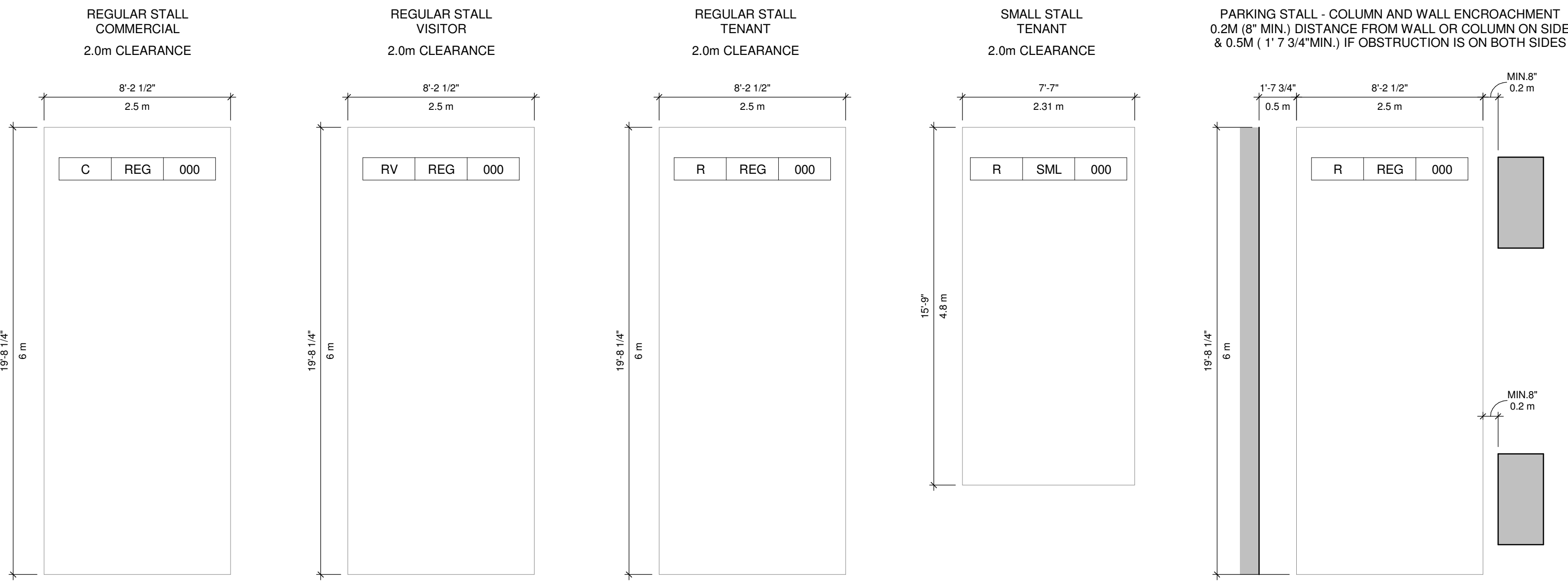
SHEET NUMBER
DP0.07
 ISSUE
C

1 PROPOSED SITE PLAN
 DP0.07 SCALE: 1/16" = 1'-0"



Autodesk Docs/141150 - 1355 St Paul/141150/1355 St Paul_A_P0221V1

CITY OF KELOWNA VEHICULAR STANDARDS



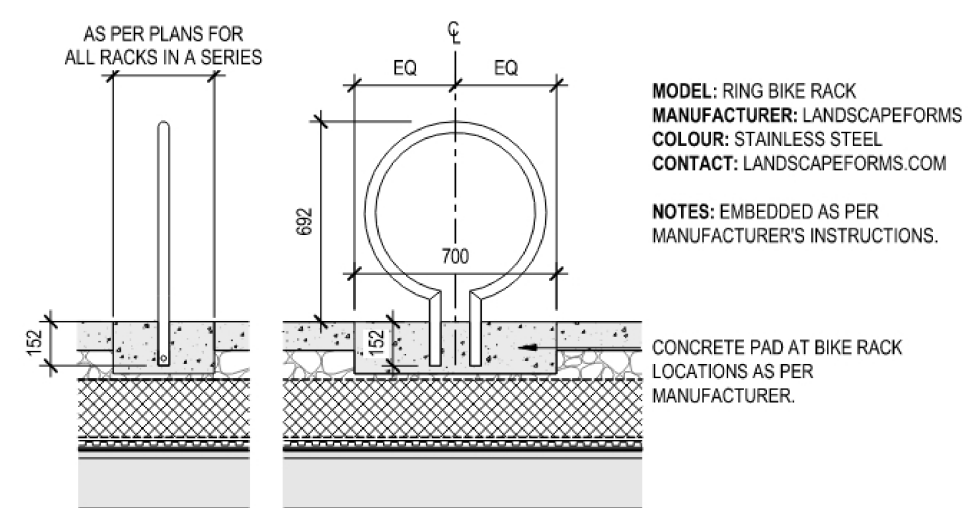
LONG TERM BIKE STORAGE LEGEND
SCALE: 1/4" = 1'-0"

PARKING TAG
R REG 000
STALL NUMBER
STALL TYPE
OCCUPANCY

OCCUPANCY LEGEND
C COMMERCIAL
R RESIDENTIAL
V VISITOR
C/V COMMERCIAL / VISITOR (SHARED)
RV RESIDENTIAL VISITOR
RT RETAIL
EV ELECTRIC VEHICLE
CS CAR SHARE
REG REGULAR
SML SMALL VEHICLE
HC HANDICAP
HCV HANDICAP VAN
L LOADING
T TANDEM

BYLAW 8.2.16: WHERE A DEVELOPMENT CONSISTS OF A MIX OF USE CLASSES, THE TOTAL OFF-STREET PARKING REQUIREMENT SHALL BE THE SUM OF THE OFF-STREET PARKING REQUIREMENTS FOR EACH USE CLASS.

(A) NOTWITHSTANDING SECTION 8.2.16, IN MIXED-USE DEVELOPMENTS THE PARKING SPACES REQUIRED FOR OFFICES AND OTHER COMMERCIAL RELATED LAND USES CAN BE SHARED WITH THE RESIDENTIAL VISITOR PARKING REQUIREMENTS. PARKING SPACES MUST BE AVAILABLE FOR BOTH LAND USES (COMMERCIAL AND VISITOR) AT ALL TIMES.



BYLAW 8.5.5: SHORT-TERM BICYCLE PARKING STANDARDS:
(A) SHORT-TERM BICYCLE PARKING MUST BE CONVENIENTLY LOCATED WITHIN 15 METRES OF ANY MAIN ENTRANCES (WHETHER INSIDE OR OUTSIDE OF THE BUILDING), A WELL-LIT AREA, CLEARLY VISIBLE TO VISITORS, AND SUBJECT TO CASUAL SURVEILLANCE BY OCCUPANTS OF THE BUILDING(S).
(B) SHORT-TERM BICYCLE PARKING SPACES SHALL BE PROVIDED IN A BICYCLE RACK THAT IS PERMANENTLY ANCHORED TO THE GROUND OR A WALL.
(C) DESIGN AND INSTALL SHORT-TERM BICYCLE PARKING TO THE MINIMUM DIMENSIONS SHOWN IN TABLE 8.5.1 MINIMUM DIMENSIONS FOR BICYCLE PARKING AND ILLUSTRATED IN FIGURE 8.5.1

SHORT TERM BIKE STORAGE LEGEND
SCALE: 1/4" = 1'-0"

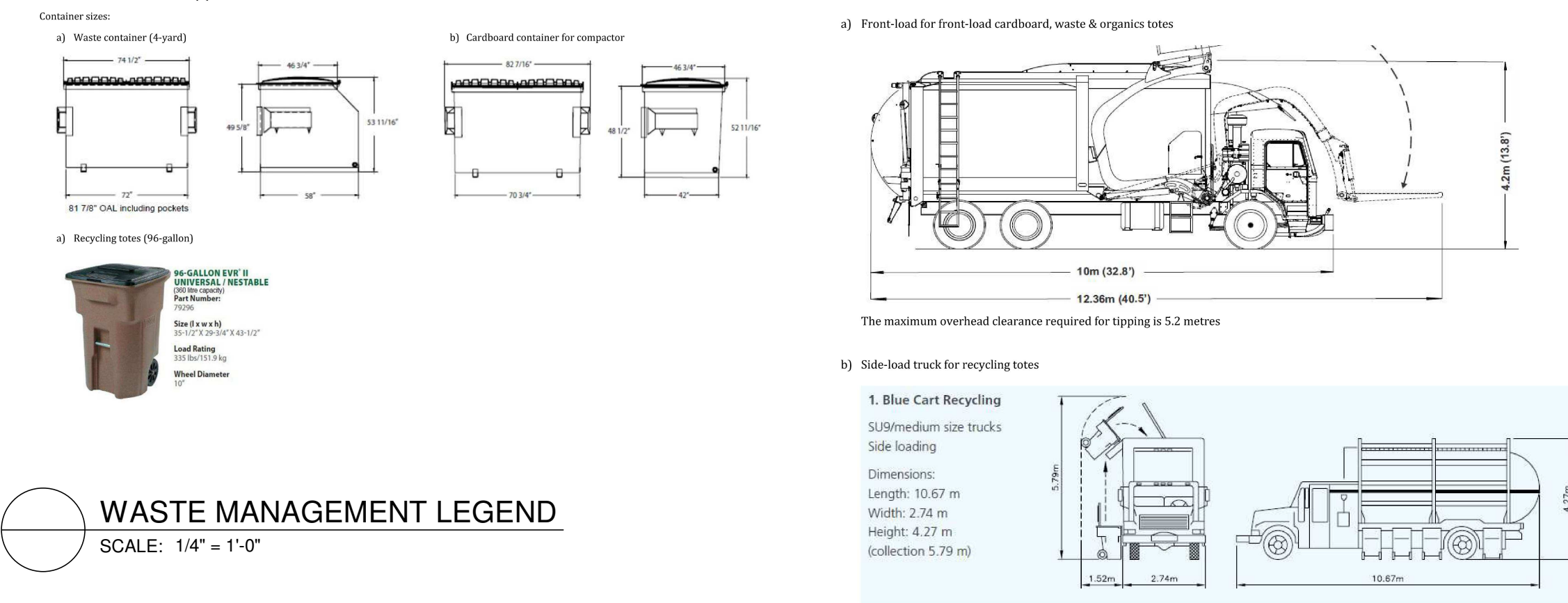
WASTE COLLECTION CALCULATIONS

Category	Space (m ²)	Total vol./wk (L)	Container size	Type of container	Proposed container quantity	Proposed collection frequency	At-grade staging required
Single-stream recycling (no O/C or glass)*	525.13	672.25	96-gallon	Tote	5	1 x week	No - room at street level
Cardboard	525.13	1207.30	3-cubic yard	Front-load	1	1 x week	No - room at street level
Waste (including glass)	525.13	1183.07	4-cubic yard	Front-load	1	1 x week	No - room at street level

*Includes mixed containers and mixed papers

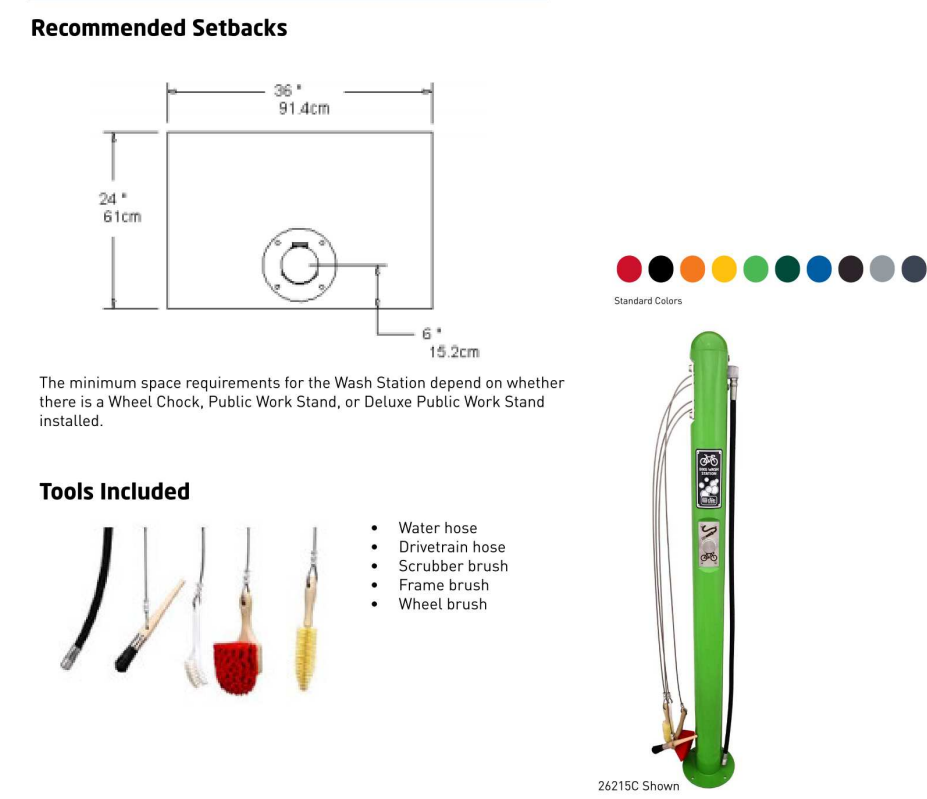
Category	No. of units	Total vol./wk (L)	Container size	Type of container	Proposed container quantity	Proposed collection frequency	At-grade staging required
Single-stream recycling (no cardboard or glass)*	384	4844.9	96-gallon	Tote	18	2 x week	No - room at street level
Cardboard	384	3977.1	4-cubic yard	Front-load	2	2 x week	No - room at street level
Waste	384	9993.5	3-cubic yard	Vertical compactor	2	2 x week	No - room at street level

*Includes mixed containers and mixed papers



WASTE MANAGEMENT LEGEND
SCALE: 1/4" = 1'-0"

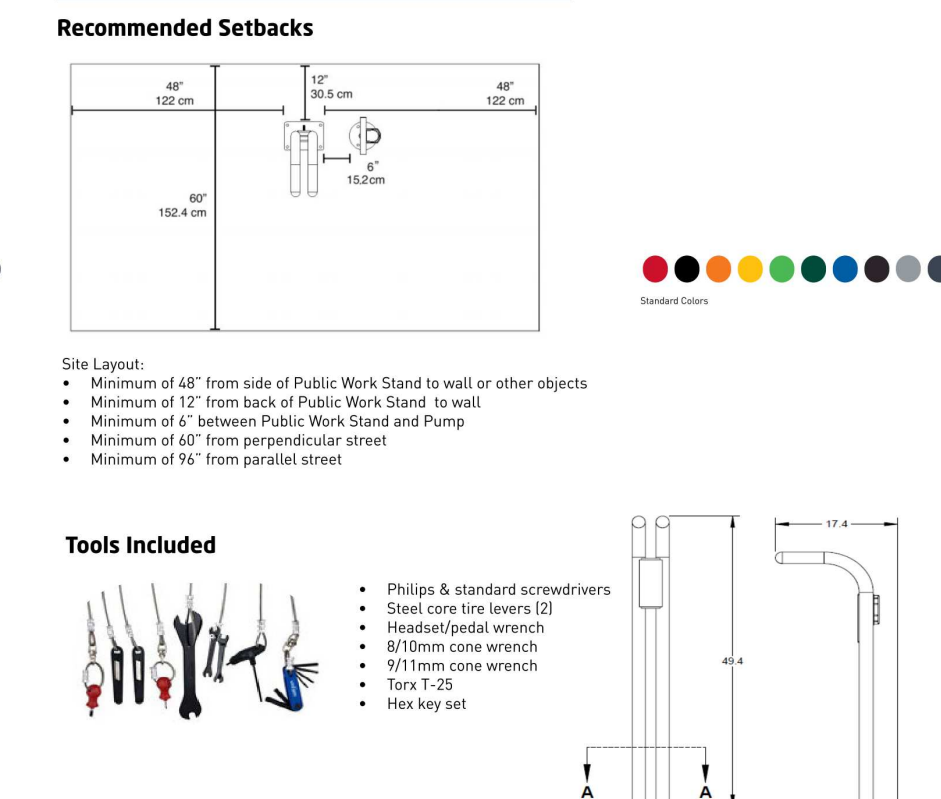
Bike Wash Station



Product Specifications

- Includes vandal-resistant hose and nozzle with stainless steel fittings
- HVLC High Velocity Low Consumption nozzle optimized for strong cleaning power without damaging bicycle bearings while also minimizing water usage
- Vandal-proof auto shut off water valve prevents wasted water
- Cleaning brushes attached to braided stainless steel cable to prevent theft
- Requires municipal water and sanitary drain or dry well hookup (check local codes)
- System is compliant with ADA, EPA, and Public Law 111-380 (No Lead requirements)

Public Work Stand



Product Specifications

- Universal bike mounting - hang by seat or top tube
- New common bicycle tools tethered by stainless steel aircraft cable
- Unique beam design eliminates possibility of locking a bike to the station
- ADA-compliant design
- QR code link to maintenance instructions for viewing from smart phone
- Installation hardware included

BIKE WASH & REPAIR LEGEND
SCALE: 1/4" = 1'-0"

SCHEDULE A
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DP24-0027
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APPENDIX A
This forms part of application
RTE25-0002
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CONTRACTORS
Arcadis Architects (Canada) Inc.
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CONSULTANTS

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SEAL
REGISTERED ARCHITECT
LAUREN MACAULAY
BRITISH COLUMBIA

2024-10-17
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PROJECT
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Kelowna, BC
V1Y 2E1

PROJECT NO: 141150
DRAWN BY: TL
PROJECT MGR: GM
CHECKED BY: GM
APPROVED BY: LM

SHEET TITLE
CITY OF KELOWNA REQUIREMENTS

SHEET NUMBER DP0.09
ISSUE C

APPENDIX A

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SCHEDULE A

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DP24-0027

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Parking Schedule - Overall	
Accessible Stall	6
Regular Stall	181
Small Stall	134
Van Accessible Stall	2
Total Parking Stalls	323

Parking Schedule - Level 01	
Regular Stall	23
Parking Stalls	23

Bike Parking - Overall	
Floor Mounted - Bike Rack	262
Wall Mounted - Bike Rack	262
Bike Stalls	524

Bike Parking - Level 01	
Floor Mounted - Bike Rack	152
Wall Mounted - Bike Rack	218
Bike Stalls	370

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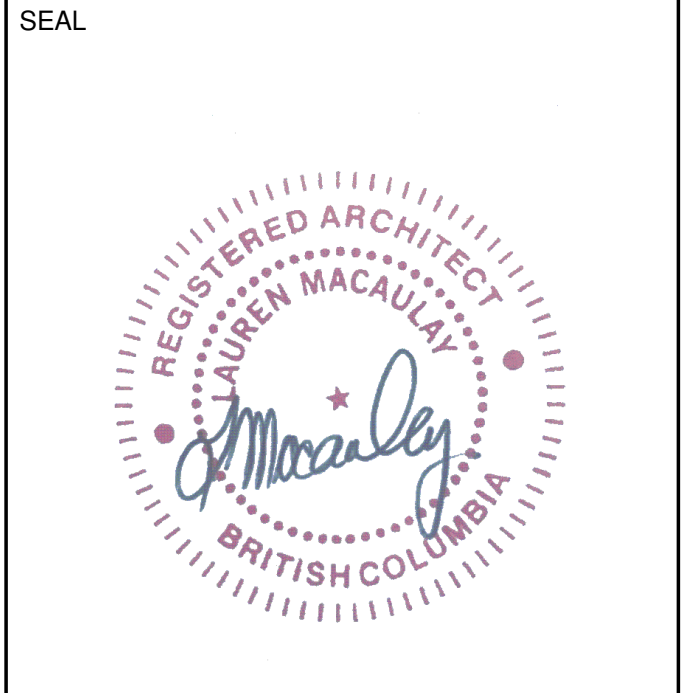
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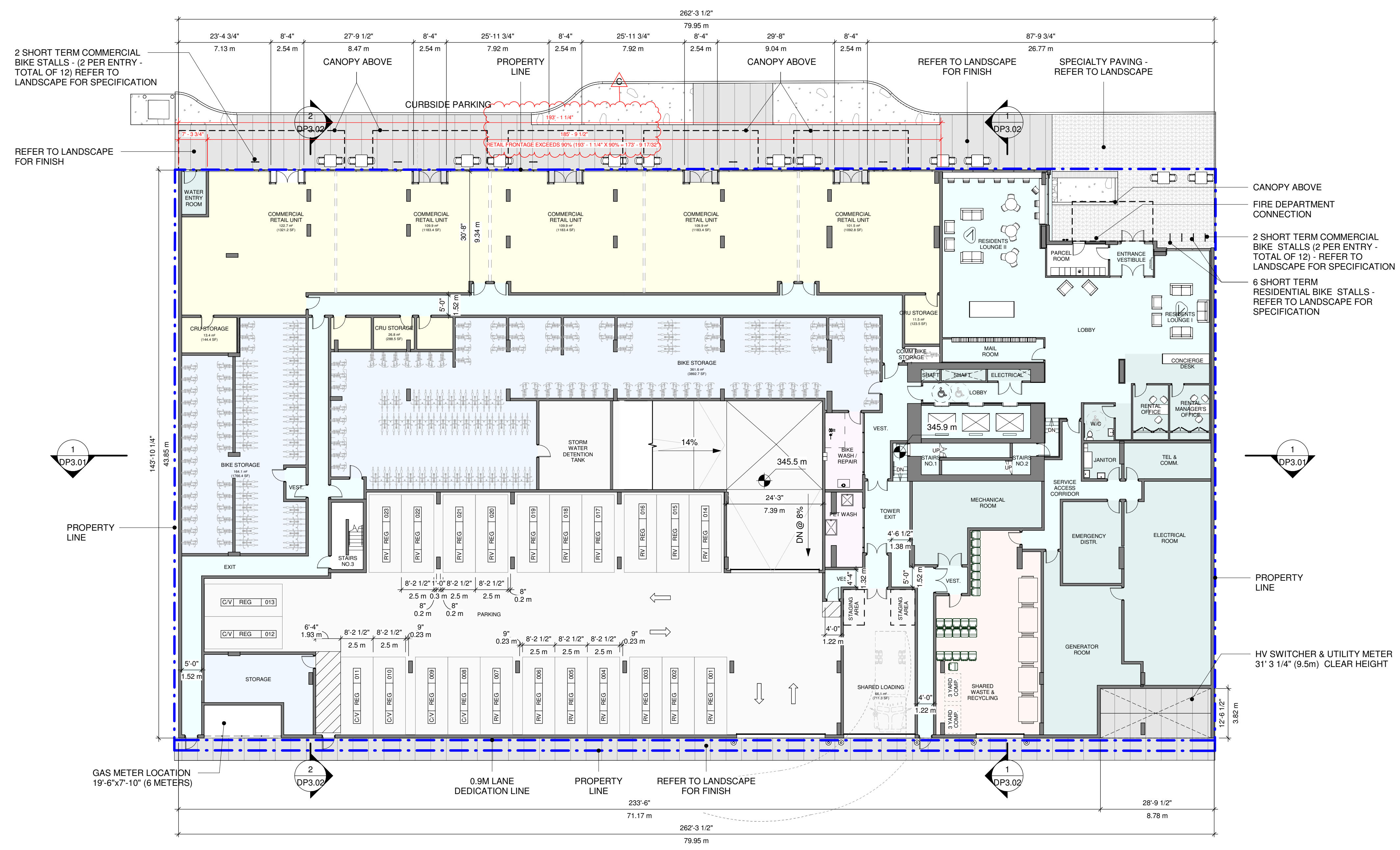
PROJECT NO:
141150

DRAWN BY: **TL** CHECKED BY: **GM**

PROJECT MGR: **GM** APPROVED BY: **LM**

SHEET TITLE
MAIN FLOOR FLOOR PLAN

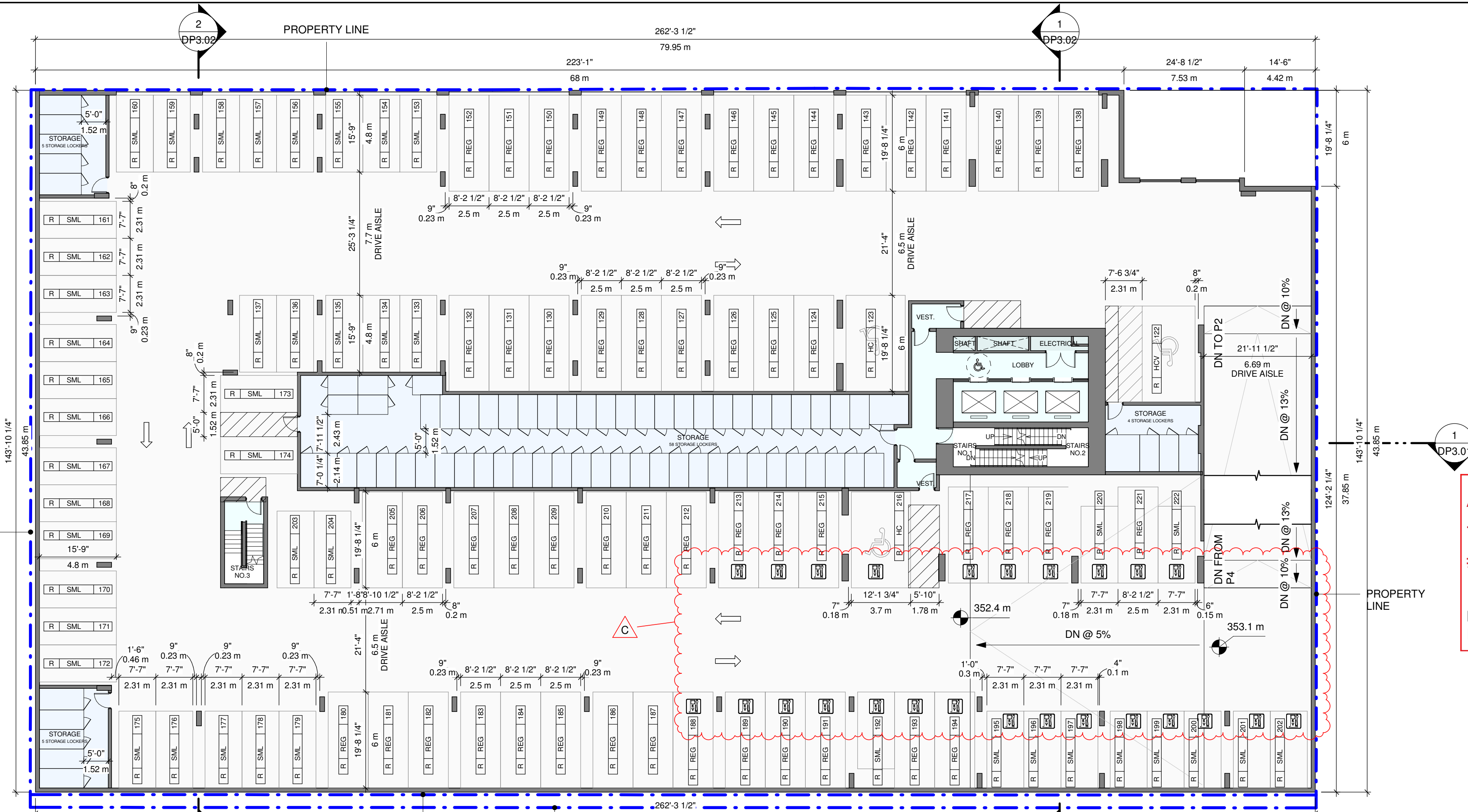
SHEET NUMBER **DP1.01** ISSUE **C**



1 MAIN FLOOR PLAN
DP1.01 SCALE: 1/16" = 1'-0"

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Autodesk Docs/141150-1355 St Paul/141150-1355_ST_PAUL_A_P002E1V4



Parking Schedule - Level P3

Accessible Stall	2
Regular Stall	53
Small Stall	45
Van Accessible Stall	1
Parking Stalls	101

SCHEDULE A

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DP24-0027

Planner Initials TA

City of Kelowna
COMMUNITY PLANNING

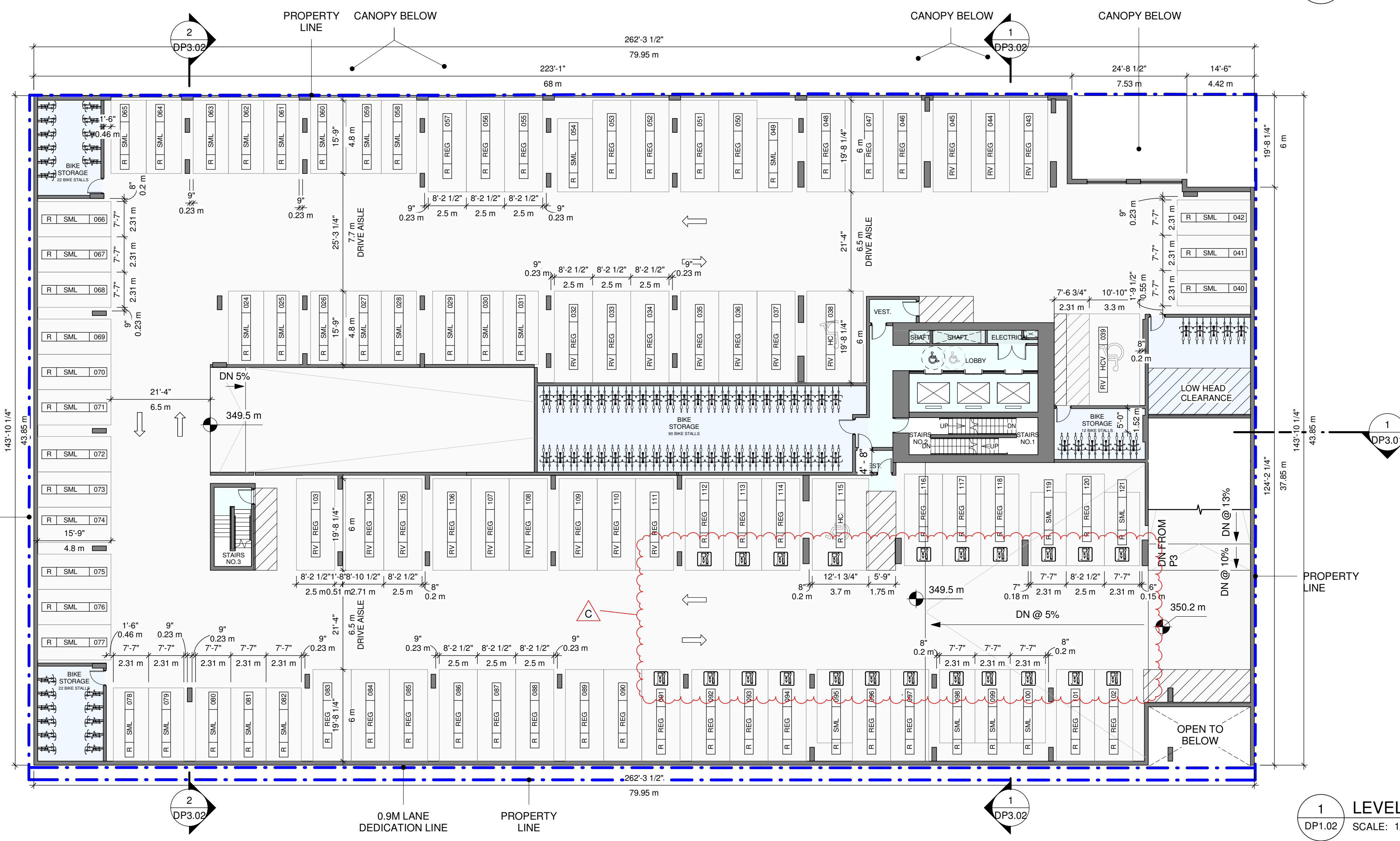
APPENDIX A

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RTE25-0002

Planner Initials KB

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2 LEVEL P3 FLOOR PLAN
DP1.02 SCALE: 1/16" = 1'-0"



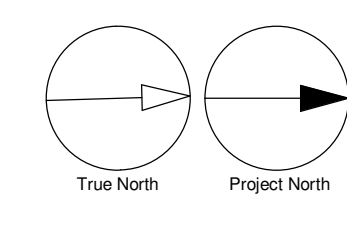
Parking Schedule - Level P2

Accessible Stall	2
Regular Stall	51
Small Stall	44
Van Accessible Stall	1
Parking Stalls	98

Bike Parking - Level P2

Floor Mounted - Bike Rack	110
Wall Mounted - Bike Rack	44
Bike Stalls	154

1 LEVEL P2 FLOOR PLAN
DP1.02 SCALE: 1/16" = 1'-0"



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REGISTERED ARCHITECT

LAUREN MACAULAY

BRITISH COLUMBIA

2024-10-17

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PROJECT

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1355 St Paul St,
Kelowna, BC
V1Y 2E1

PROJECT NO:
141150

DRAWN BY:
TL

PROJECT MGR:
GM

CHECKED BY:
GM

APPROVED BY:
LM

SHEET TITLE

LEVEL P2 & P3 FLOOR PLAN

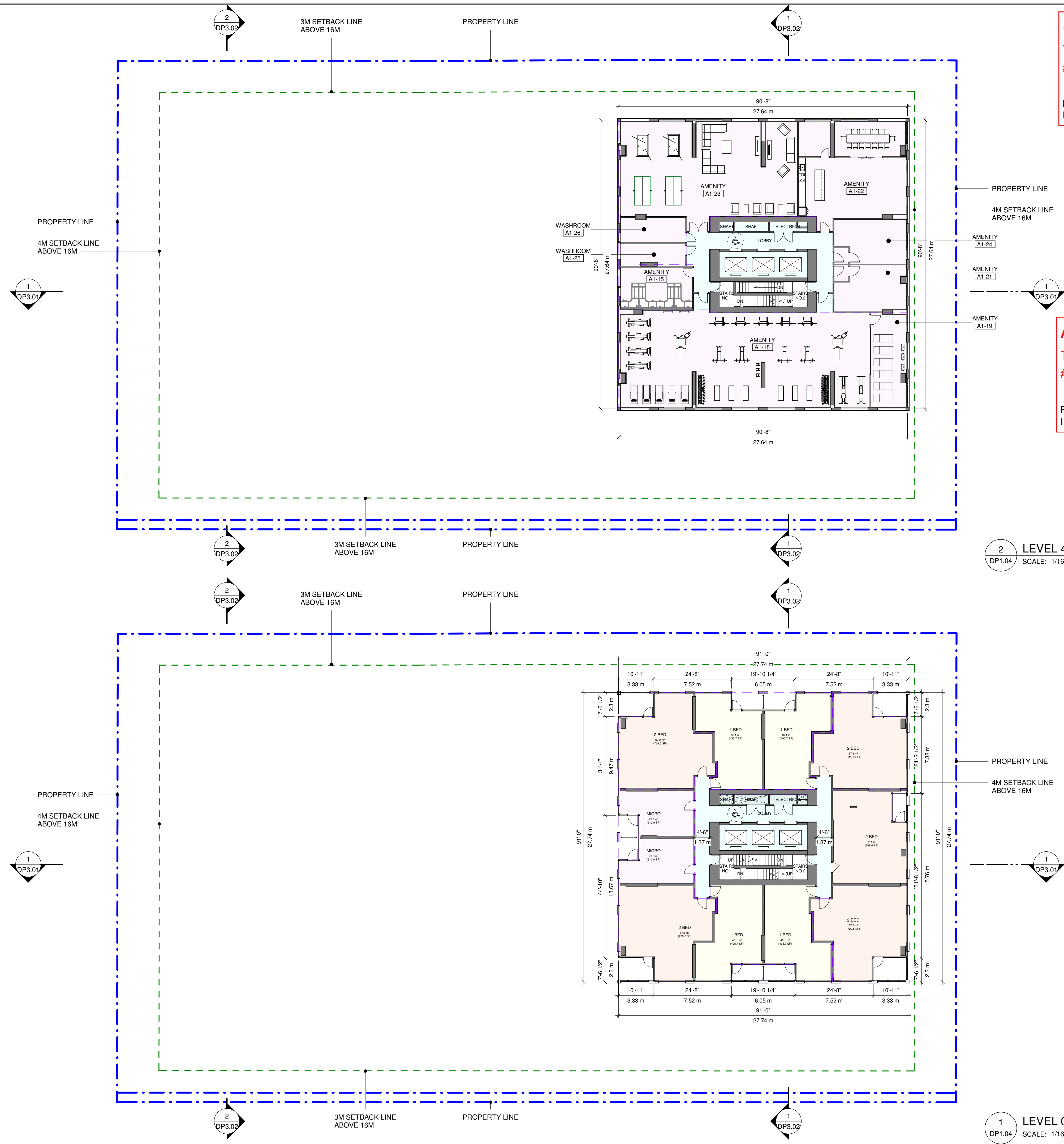
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DP1.02

ISSUE

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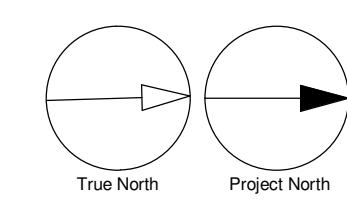


SCHEDULE A
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 # DP24-0027
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 City of Kelowna COMMUNITY PLANNING

APPENDIX A
 This forms part of application
 # RTE25-0002
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2 LEVEL 40 FLOOR PLAN
 DP1.04 SCALE: 1/16" = 1'-0"

1 LEVEL 06-39 FLOOR PLAN
 DP1.04 SCALE: 1/16" = 1'-0"



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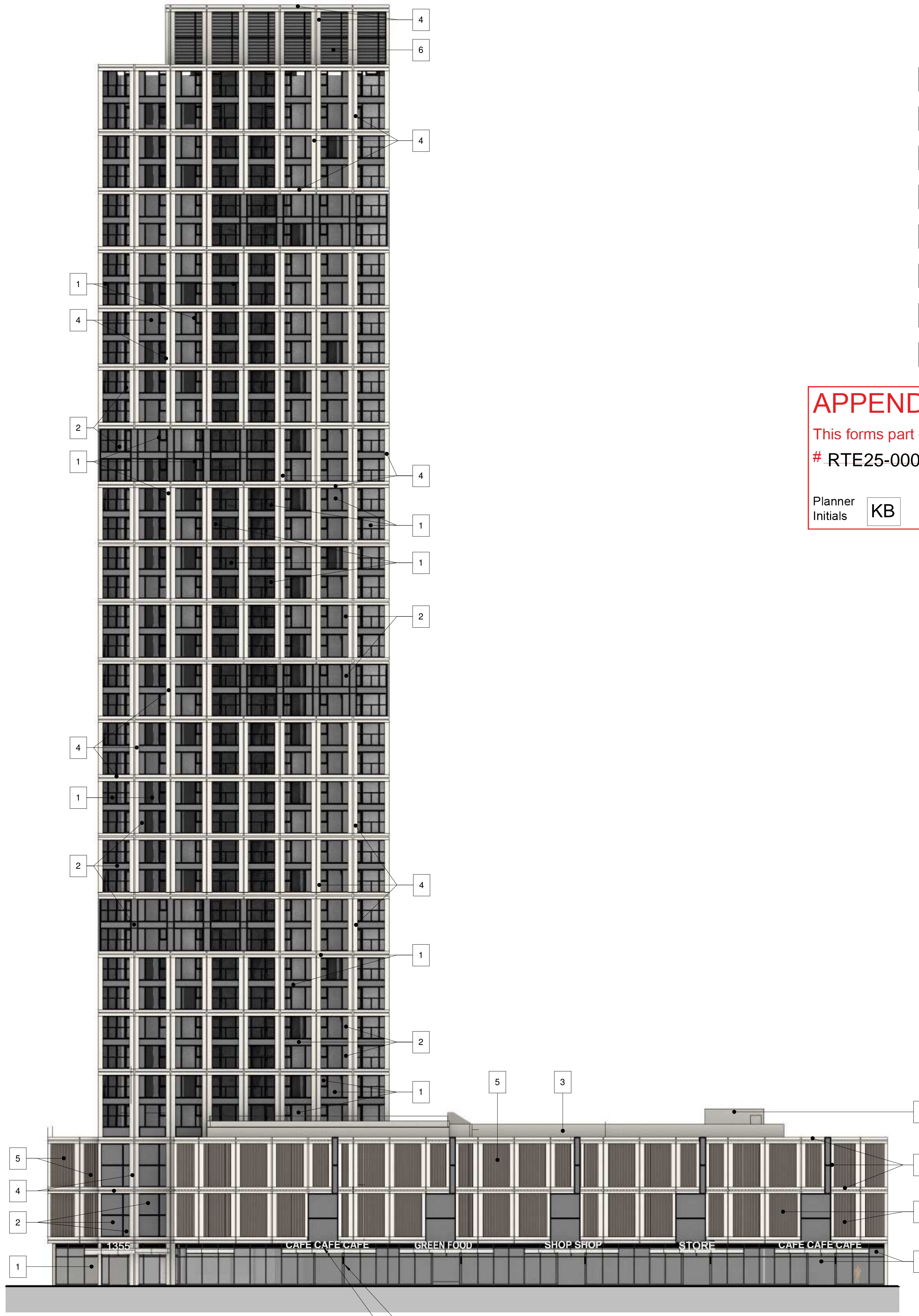
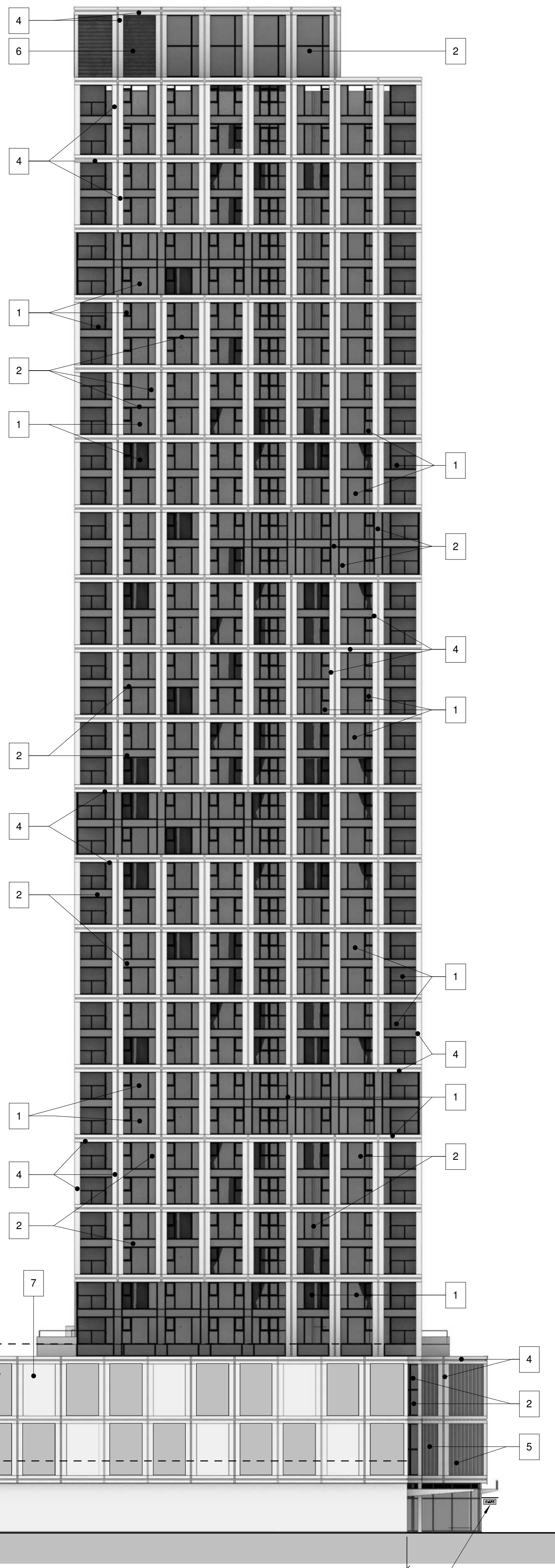
PROJECT
1355 St Paul
 1355 St Paul St,
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PROJECT NO:
 141150
 DRAWN BY: TL
 PROJECT MGR: GM
 CHECKED BY: GM
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SHEET TITLE
LEVEL 06-39 & 40 FLOOR PLAN

SHEET NUMBER
DP1.04
 ISSUE
C

Autodesk Docs/141150 - 1355 St Paul/141150-1355_ST_PAUL_A_P0221V4



- MATERIAL LEGEND**
- 1 CLEAR GLASS
 - 2 CHARCOAL GREY METAL SPANDREL
 - 3 PAINTED CONCRETE - CHARCOAL GREY
 - 4 METAL PANEL - WHITE
 - 5 METAL SCREENING - GREY
 - 6 LOUVER - GREY
 - 7 PAINTED CONCRETE - WHITE
 - 8 PAINTED CONCRETE - LIGHT GREY

APPENDIX A

This forms part of application # RTE25-0002

Planner Initials **KB**

SCHEDULE B

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PROJECT

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Kelowna, BC
V1Y 2E1

PROJECT NO:
141150

DRAWN BY: TL **CHECKED BY:** GM

PROJECT MGR: GM **APPROVED BY:** LM

SHEET TITLE
NORTH & WEST ELEVATIONS

SHEET NUMBER
DP2.01

ISSUE
C

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SCHEDULE B
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 City of Kelowna
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1355 St Paul
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PROJECT NO:

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DRAWN BY:

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CHECKED BY:

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PROJECT MGR:

GM

APPROVED BY:

LM

SHEET TITLE

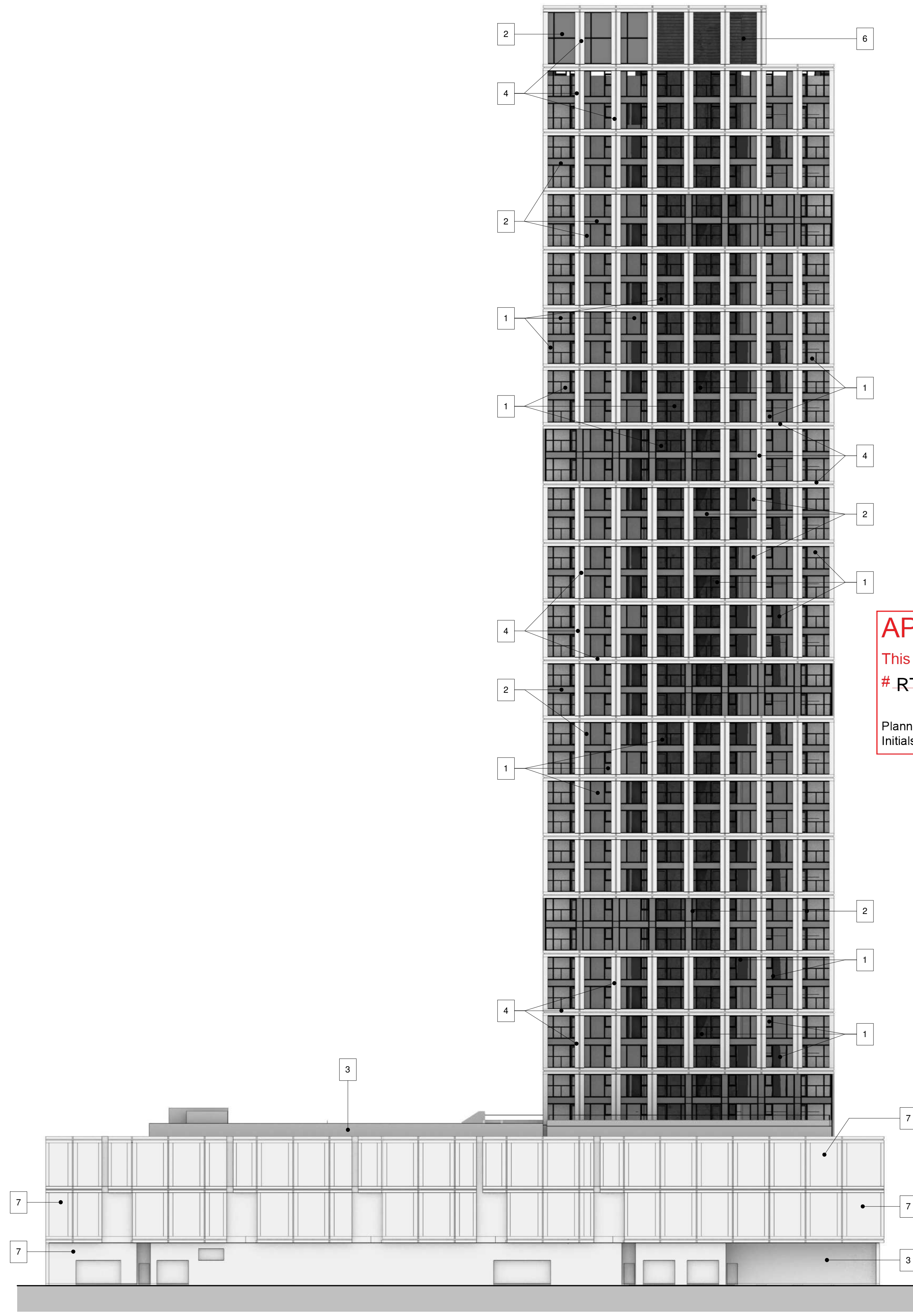
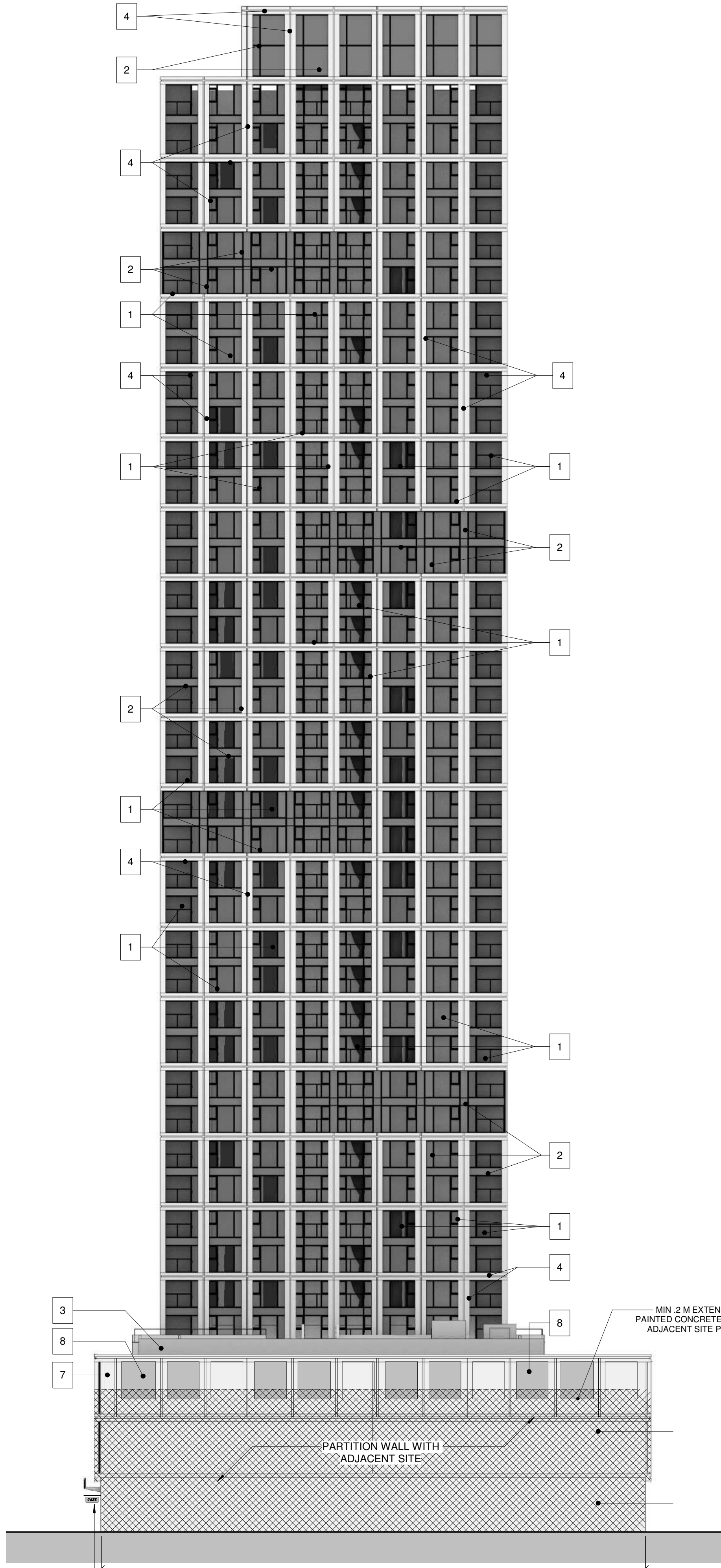
SOUTH & EAST ELEVATIONS

SHEET NUMBER

DP2.02

ISSUE

C



- MATERIAL LEGEND**
- 1 CLEAR GLASS
 - 2 CHARCOAL GREY METAL SPANDREL
 - 3 PAINTED CONCRETE - CHARCOAL GREY
 - 4 METAL PANEL - WHITE
 - 5 METAL SCREENING - GREY
 - 6 LOUVER - GREY
 - 7 PAINTED CONCRETE - WHITE
 - 8 PAINTED CONCRETE - LIGHT GREY

APPENDIX A

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SCHEDULE B

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Kelowna, BC
V1Y 2E1

PROJECT NO:
141150

DRAWN BY:
TL

CHECKED BY:
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PROJECT MGR:
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APPROVED BY:
LM

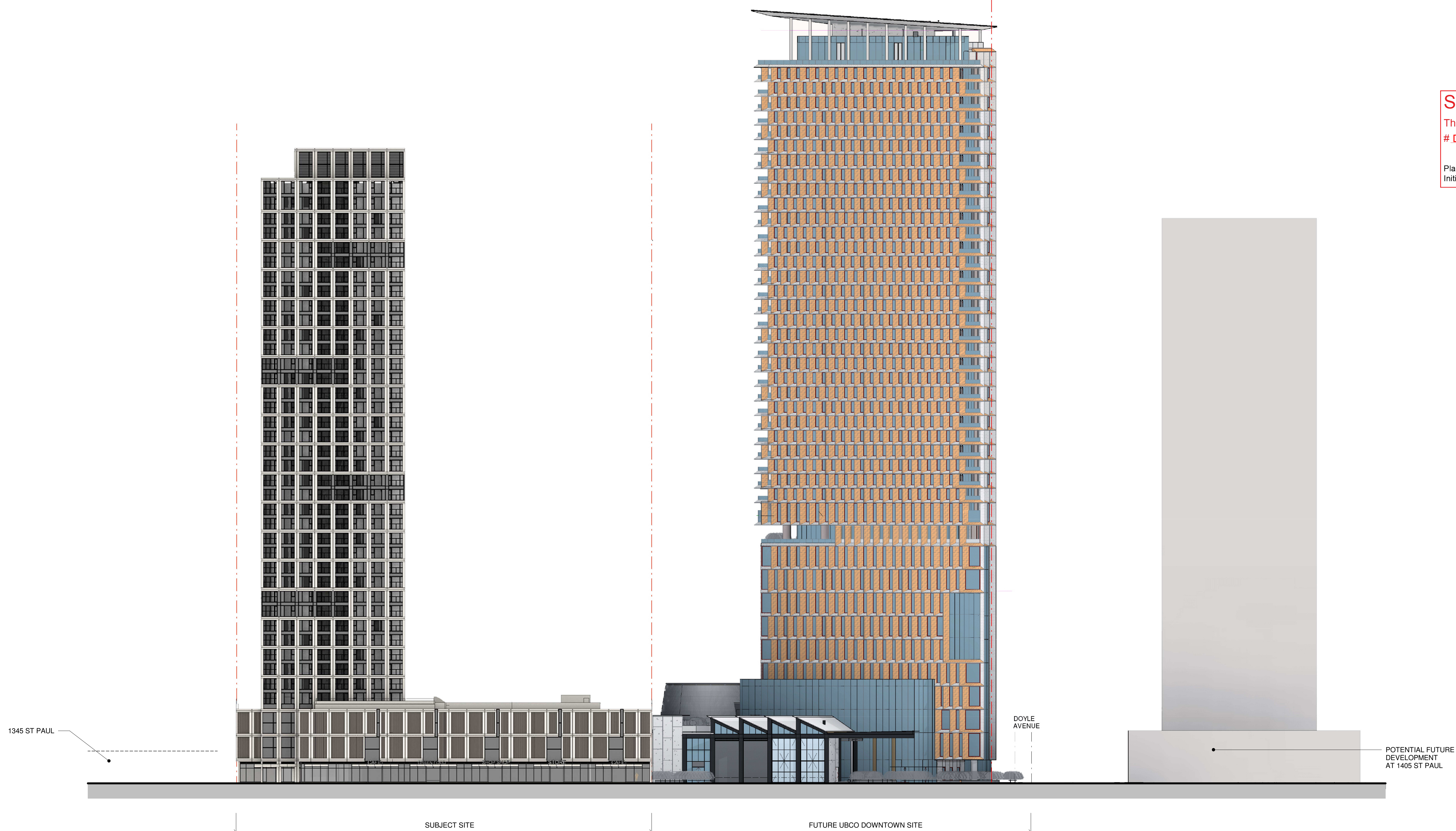
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ST PAUL STREETScape

SHEET NUMBER

DP2.03

ISSUE

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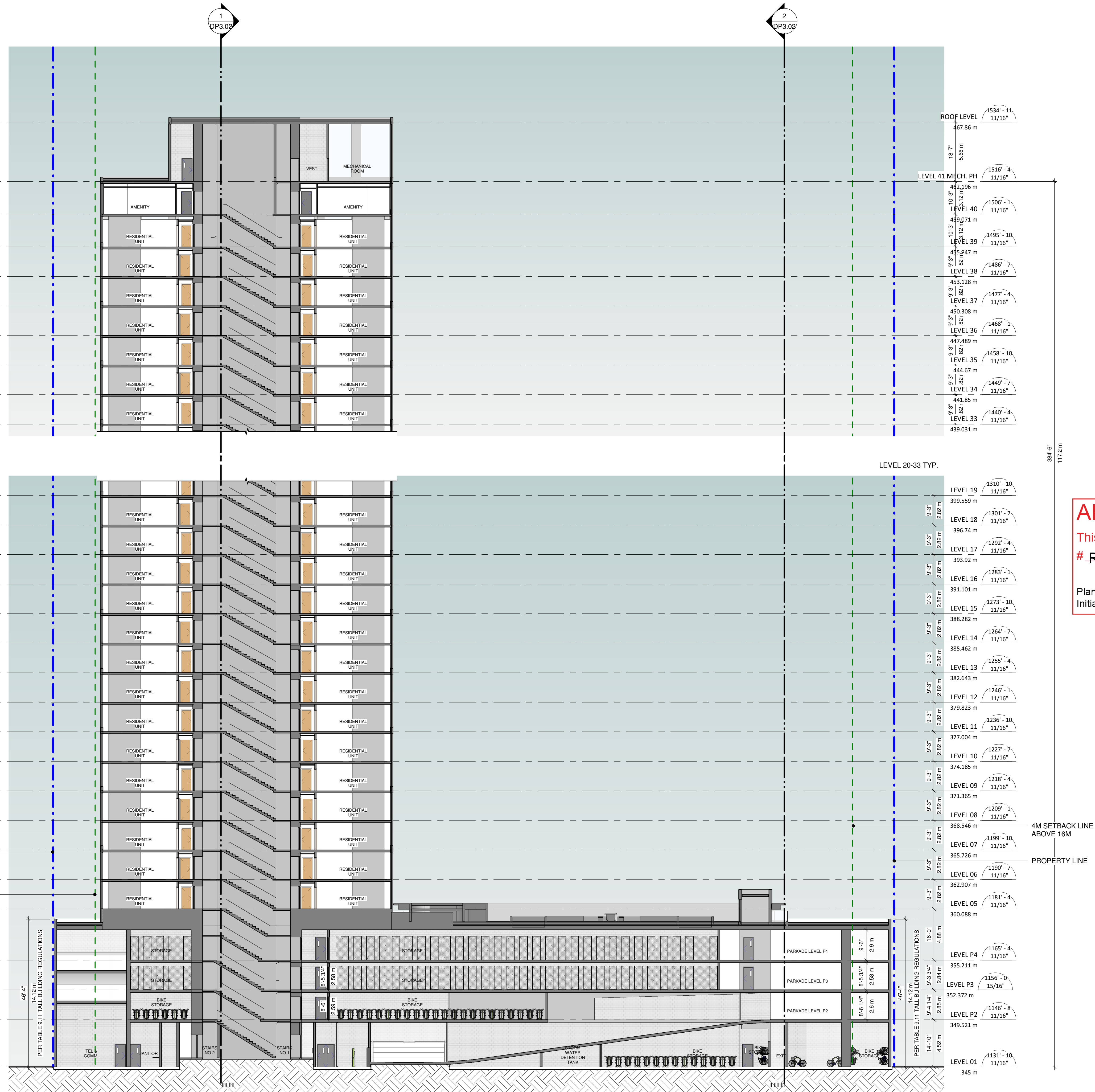


1 ST PAUL - STREETScape
DP2.03 SCALE: 1/32" = 1'-0"

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Autodesk Docs/141150-1355 St Paul/141150-1355 ST PAUL_A_P0221V

1/11



1 BUILDING SECTION 1
 DP3.01 SCALE: 1/16" = 1'-0"

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Arcadis Architects (Canada) Inc.
 formerly IBI Group Architects (Canada) Inc.

ISSUES		
No.	DESCRIPTION	DATE
A	DEVELOPMENT PERMIT	31st Jan. 2024
B	DEVELOPMENT PERMIT AMENDMENT	18th June 2024
C	TRS RESPONSE #1	15th Oct 2024

SCHEDULE B
 This forms part of application
 # DP24-0027

Planner Initials **TA**

City of Kelowna
 COMMUNITY PLANNING

CONSULTANTS

KEYPLAN

APPENDIX A
 This forms part of application
 # RTE25-0002

Planner Initials **KB**

City of Kelowna
 COMMUNITY PLANNING

SEAL



2024-10-17

PRIME CONSULTANT

 1353 Ellis Street - Suite 202
 Kelowna BC V1Y 1Z9 Canada
 tel 250 980 3432
 www.arcadis.com

PROJECT
 1355 St Paul
 1355 St Paul St,
 Kelowna, BC
 V1Y 2E1

PROJECT NO:
 141150
 DRAWN BY:
 TL
 PROJECT MGR:
 GM

CHECKED BY:
 GM
 APPROVED BY:
 LM

SHEET TITLE
BUILDING SECTIONS

SHEET NUMBER
DP3.01

ISSUE
C

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Revitalization Tax Exemption Application

1355 St. Paul St

RTE25-0002

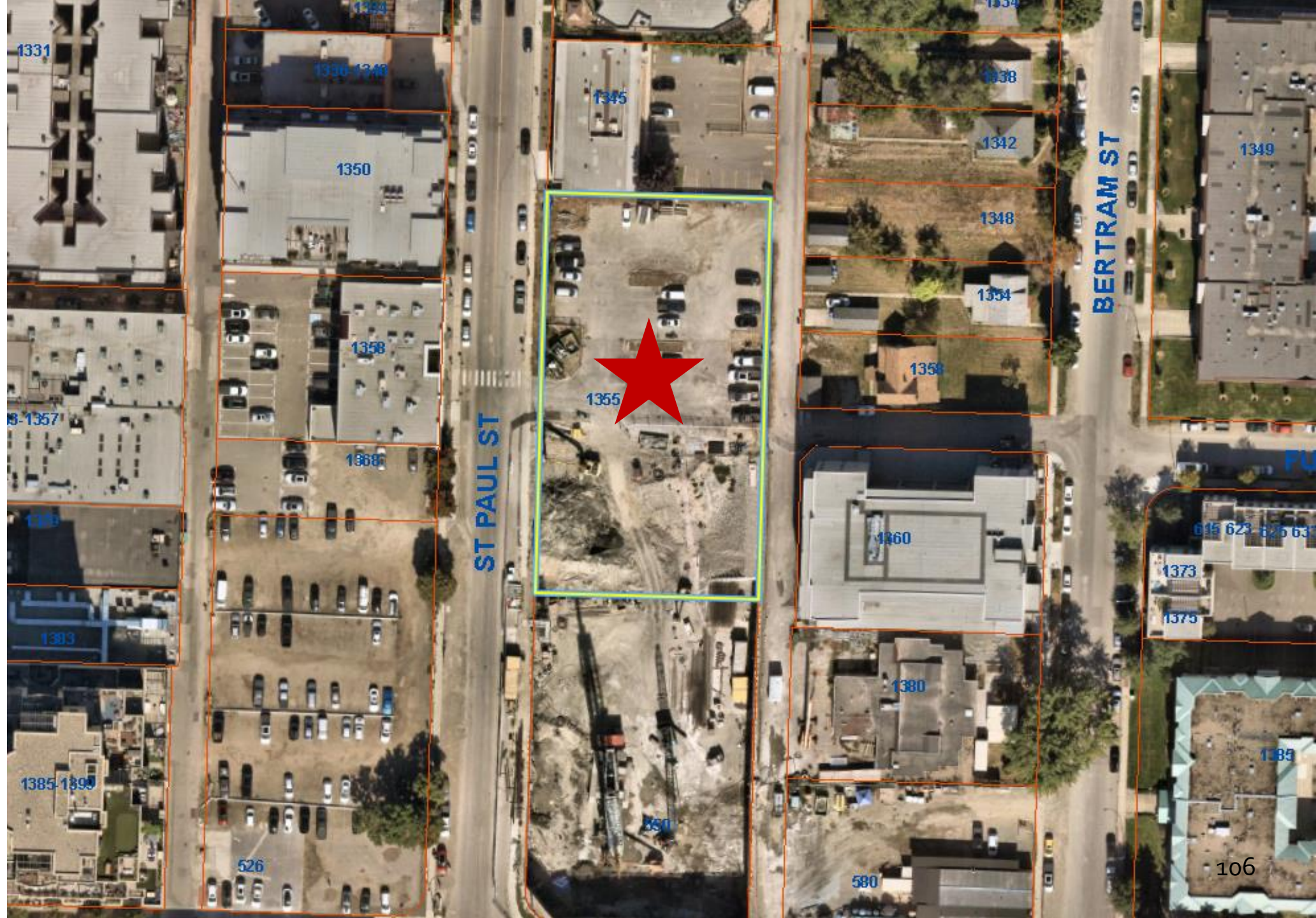


Purpose

To enter into a Revitalization Tax Exemption Agreement with 1247752 B.C. LTD., INC.NO. BC1247752 and 1267320 B.C. LTD., INC.NO. BC1267320 on the subject property.



Subject Property Map



Background

- Development Permit was authorized by Council in Nov. 2024
- Estimated municipal tax impact of a RTE for this project is \$4,078,348 over 10 years, or an average of approximately \$407,835 per year.
 - This exceeds the thresholds for delegation to Staff and requires Council authorization

Staff Recommendation

- Staff recommend approval for the RTE as it:
 - Complies with the requirements of RTE Bylaw No. 12561
 - Aligns with Council priorities (Affordable Housing)
 - Helps achieve OCP policies
 - Increase diversity of housing types and tenures

Report to Council



Date: April 7, 2025
To: Council
From: City Manager
Subject: Revitalization Tax Exemption Program Updates
Department: Housing Policy & Programs

Recommendation:

THAT Council receives, for information, the report from the Housing Policy and Programs Department dated April 7, 2025 with respect to amendments to the Revitalization Tax Exemption Program Bylaw No. 12561;

AND THAT Bylaw No. 12758 being Amendment No. 3 to the Revitalization Tax Exemption Program Bylaw No. 12561 be advanced for reading consideration.

AND FURTHER THAT Bylaw No. 12777 being Amendment No. 4 to the Revitalization Tax Exemption Program Bylaw No. 12561 be advanced for reading consideration.

Purpose:

To consider amendments to the Revitalization Tax Exemption Program Bylaw No. 12561.

Council Priority Alignment:

Affordable Housing

Background:

The Housing Action Plan (HAP) aims to address the community’s pressing housing challenges across the interconnected segments of the housing system, referred to as the Housing Wheelhouse. Improvements in any segment of the Wheelhouse benefit the housing system as a whole. 26 individual actions have been identified as part of the HAP, including revising rental housing tax exemptions (Action 2.4).

The Revitalization Tax Exemption (RTE) program provides tax exemptions for purpose-built rental housing. Eligible projects can receive a tax exemption on the municipal portion of property tax attributable to the increase in property value resulting from development of a property for 10 years.

When the City grants an RTE for purpose-built rental housing, the Province also exempts the School Tax portion of property tax.

The aim of the RTE program is to meet the demand for rental housing by encouraging development of purpose-built rental housing projects. It supports the financial viability of rental projects by reducing operating costs for the first 10 years of the lifecycle of a rental project.

Council rescinded the previous Revitalization Tax Exemption Program Bylaw and introduced a new one on August 28, 2023. This introduced a variety of changes to the program, including removing the eligibility for ownership (strata) residential development, aligning the boundaries with the new Official Community Plan, delegation of some tax exemption agreements to the Divisional Director of Planning & Development, and through a later amendment adding a requirement for the Rental Only subzone. Since the new bylaw was adopted, the following RTEs applications have been submitted:

Issued	File #	Address	Units	Average tax impact per year	Total estimated tax impact over 10 yr term
15-Jan-24	RTE23-0010	2155 Mayer Rd**	122	\$75,415	\$754,150
15-Jan-24	RTE23-0009	3777-3779 Lakeshore Rd	128	\$58,475	\$584,750
15-Jan-24	RTE23-0012	1720 Richter St	132	\$99,420	\$994,200
04-Apr-24	RTE23-0014	1333-1341 Bertram St	157	\$95,916	\$959,165
04-Apr-24	RTE24-0002	169 Rutland Rd N	114	\$88,297	\$882,971
04-Apr-24	RTE24-0003	803 Lowland St	50	\$27,040	\$270,400
26-Apr-24	RTE23-0013	812 Saucier Ave	171	\$151,776	\$1,517,757
24-May-24	RTE23-0011	500 Asher Rd	127	\$92,985	\$929,850
09-Jul-24	RTE24-0006	1110 Lawson Ave	130	\$102,481	\$1,024,813
29-Aug-24	RTE24-0004	450 Montgomery	54	\$39,538	\$395,385
17-Oct-24	RTE24-0007	2124 Pandosy St	16	\$12,547	\$125,471
03-Dec-24	RTE24-0008	210 Sadler Rd	115	\$101,512	\$1,015,119
21-Jan-25	RTE24-0010	2110 Wilkinson St	107	\$72,656	\$726,563
In-stream	RTE24-0005	765 Badke Rd	120	\$109,864	\$1,098,642
In-stream	RTE24-0009	459 Osprey Ave	56	\$38,389	\$383,888
In-stream	RTE25-0001	1881 Barlee Rd	160	\$146,676	\$1,466,765
In-stream	RTE25-0002	1355 St Paul St	384	\$407,835	\$4,078,348
Total:			2143	\$1,682,433	\$17,208,237

** Non-market rental housing project

Discussion:

Staff recommend support for the proposed changes to the Revitalization Tax Exemption (RTE) program as outlined below. The proposed changes align with the City's Official Community Plan (OCP) and are an identified action in the Housing Action Plan (HAP). In addition to the major changes outlined below, minor changes to the bylaw to delete outdated sections and streamline administration are also proposed.

Proposed Program Changes

1. *Eligibility for co-operative housing*

It is proposed to add co-operative housing as an additional form of tenure that would be eligible for a tax exemption to help encourage new construction of this housing type. Co-op housing provides an alternative housing tenure which can provide long-term affordability, as without a profit motive, housing costs tend to be cheaper than comparable private market rentals. Staff are aware of three existing housing co-operatives in Kelowna consisting of 146 units. The most recent was constructed in 2001.

This change aligns with OCP Policy which encourages promoting underrepresented forms of tenure like co-ops.

2. *Additional Support for Non-Profit Rental Housing*

It is proposed to add a tax exemption for the land value of non-profit rental housing, in addition to the existing tax exemption for the value of improvements. This is expected to provide a benefit to non-profit rental housing between 10% to 50% additional tax impact per year.

When there is a legal restriction (e.g.: Housing Agreement) registered on the title of a non-profit rental housing property, BC Assessment applies a discounted assessment value to the improvements on that property, limiting the beneficial impact of an RTE.

3. *Expansion of Eligibility Boundaries*

It is proposed to increase the eligibility boundaries to the entire Permanent Growth Boundary. Currently, RTEs are limited to the City's Core Area and the University Village Centre.

Expanding the boundaries of the RTE program would incentivize rental housing projects in portions of the City that are not currently eligible, but are designated for multi-unit residential development, such as the Ponds Village Centre, Black Mountain Village Centre, Wilden, and McKinley Beach. These areas typically do not have many rental housing options. Despite the boundary expansion, as portions of the City outside the Core Area are generally not 'pre-zoned' for multi-unit residential development, Council approval would still be required through a rezoning process to the appropriate zone and associated Rental Only subzone.

4. *Implementation of a rental vacancy restriction*

It is proposed to suspend tax exemptions for new market purpose-built rental housing projects when the vacancy rate exceeds 4% for two consecutive years. This restriction would not apply to non-profit rental housing.

A vacancy rate of 3% to 5% is considered healthy. If the vacancy rate remains above 4% for two consecutive years, it is a sign that the rental housing market is healthy and does not require the same incentivization as it has in the past. If the vacancy rate is measured below 4% for a single year, new RTE applications would be accepted.

Additional Amendment

In addition to the general changes to the RTE program, it is proposed to add a transitional provision to allow a project that already has an Occupancy Permit to apply for an RTE. The developer of that project has raised concerns about application process issues that did not allow them to submit an application at the appropriate time. If the bylaw changes are approved, the specific application would be considered on

its own merits once an application has been received. Other projects that meet the criteria could also apply, for Council consideration.

Conclusion:

The RTE program is intended to support the financial viability of projects to meet the demand for rental housing. The proposed changes to the RTE program are intended to increase the impact of the program by adding additional forms of tenure, expanding eligibility, and increasing support for non-profit rental housing. The changes align with the Official Community Plan and are identified actions in the Housing Action Plan.

Internal Circulation:

Communications
Development Planning
Finance
Long Range Planning
Office of the City Clerk
Real Estate

Considerations applicable to this report:

Legal/Statutory Authority:

Community Charter, Division 7 – Permissive Exemptions

Existing Policy:

1.1 Official Community Plan (OCP)

Objective 4.12 Increase the diversity of housing types and tenures to create inclusive, affordable and complete Urban Centres.	
Policy 4.12.3 Diverse Housing Tenures	Encourage a range of rental and ownership tenures that support a variety of households, income levels and life stages. Promote underrepresented forms of tenure, including but not limited to co-housing, fee-simple row housing, co-ops, and rent-to-own.
Objective 5.11 Increase the diversity of housing forms and tenure to create an inclusive, affordable and complete Core Area.	
Policy 5.11.2 Diverse Housing Tenures	Encourage a range of rental and ownership tenures that support a variety of households, income levels and life stages. Promote underrepresented forms of tenure, including but not limited to co-housing, fee-simple row housing, co-ops, and rent-to-own.
Objective 6.9 Encourage housing forms that support students, faculty and staff of nearby employment centres.	
Policy 6.9.2 Range of Housing Tenures	Support a range of rental and ownership tenures that support a variety of households and income levels. In addition, support underrepresented forms of tenure, including but not limited to co-housing, fee-simple row housing, co-ops, and rent-to own.
Objective 6.10 Prioritize the construction of purpose-built rental housing.	

Policy 6.10.1 Housing Tenure Diversity	Support the development of rental housing in the Gateway District, within UBCO and the University South Village Centre.
--	---

1.2 Housing Action Plan

2.4 Direct Action	<p>Revise rental housing tax exemptions: the City of Kelowna provides a 100 percent municipal tax exemption on the “revitalization amount” for ten years for new purpose-built rental housing. This exemption is part of a larger revitalization tax exemption program. The City is looking to expand this exemption to:</p> <ul style="list-style-type: none"> • Include other forms of tenures that support long-term affordability, including co-operative rental housing; • Include areas of the City outside of the Core Area and Village Centres; and • Include an exemption for land value for affordable housing projects. 	<p>Housing with Supports:</p> <ul style="list-style-type: none"> • Long-Term Supportive Housing • Subsidized Rental Housing <p>Market Housing:</p> <ul style="list-style-type: none"> • Rental Housing
---	--	---

Financial/Budgetary Considerations:

The total estimated tax impact of the RTE program for the 2025 fiscal year is \$3.768 million, and \$4.043 million for 2026. This estimate does not include any of the expansions to the program described in this report.

The proposed expansion of the program is expected to increase uptake and add additional impact to taxation, while implementation of a rental vacancy restriction may reduce the impacts if vacancy rates increase:

- *Eligibility of co-operative housing:* While an RTE may help incentivize new co-operative housing, significant uptake of RTEs for co-operative housing is not expected given that the most recent co-operative housing project in Kelowna was constructed greater than 20 years ago. This would limit the financial impact of the expanded program. While there are groups interested in the development of co-operative housing in the Okanagan, staff are not aware of new co-operative housing projects that are close to an application at this time.
- *Additional support for non-profit rental housing:* The additional tax impact of exempting the value of land for non-profit rental housing varies on a case-by-case basis, but would likely vary between an additional 10% and 50%.
- *Expansion of eligibility boundaries:* Development of multi-unit residential rental projects outside of the Core Area is limited given that very little land is designated in the OCP for this purpose. Only one rental housing project containing 164 units has been approved outside of the current eligibility boundaries since the current OCP was adopted on January 10, 2022. Two projects containing 190 units outside of the eligibility boundaries are currently in-stream. Staff are aware of forthcoming projects in the Black Mountain and Dilworth areas that may be eligible (pending Council approval) and consist of 1,000+ additional units, but uptake would be expected over an extended period of time.

- *Implementation of a rental vacancy restriction:* A vacancy restriction will reduce the financial impact of the program when the vacancy rate is above 4% by reducing the number of RTE applications.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Consultation and Engagement:

Communications Comments:

Submitted by: M. Tanner, Planner Specialist

Approved for inclusion: J. Moore, Housing Policy & Programs Manager
R. Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Schedule A: Proposed Text Amendments – Program Updates

Schedule B: Proposed Text Amendments – Additional Amendment

Schedule A – Proposed Text Amendment – Program Updates

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Preamble	<p>AND WHEREAS Council wishes that the following objectives of the program must be known:</p> <ul style="list-style-type: none"> To incentivize new commercial developments within urban centres to sustain and enhance the existing commercial centres, reduce greenhouse gas emissions associated with transportation, promote healthy and pedestrian-oriented lifestyles, increase the attractiveness of these locations to existing and potential residents, and to promote a high standard of urban design within urban centres; To incentivize construction of new Purpose-Built Rental Housing within Kelowna’s Core Area and identified Village Centres; 	<p>AND WHEREAS Council wishes that the following objectives of the program must be known:</p> <ul style="list-style-type: none"> To incentivize new commercial developments within urban centres to sustain and enhance the existing commercial centres, reduce greenhouse gas emissions associated with transportation, promote healthy and pedestrian-oriented lifestyles, increase the attractiveness of these locations to existing and potential residents, and to promote a high standard of urban design within urban centres; <u>To incentivize construction of new Purpose-Built Rental Housing, Non-Profit Rental Housing and Co-Operative Housing within Kelowna’s Permanent Growth Boundary;</u> 	To expand the objectives of the program to recognize the objective of incentivizing housing within the entire Permanent Growth Boundary.
2.	Section 4 – Definitions, 4.1	<p>“Agreement” means a Revitalization Tax Exemption Agreement between the owner of a Parcel and the City, substantially in the format of and with the content of Schedule “B”.</p>	<p>“Agreement” means a Revitalization Tax Exemption Agreement between the owner of a Parcel and the City.</p>	To delete the reference to Schedule B.
3.	Section 4 – Definitions, 4.1	N/A	<p>“Co-operative Housing” means a project with five or more Dwelling Units that is owned by a legal association incorporated under the <i>Cooperative Association Act</i>.</p>	To add a definition for Co-Operative Housing.
4.	Section 4 – Definitions, 4.1	N/A	<p>“Non-Profit Rental Housing” means a project with five or more Dwelling Units that is owned and operated by a non-profit housing provider or the Provincial Rental Housing Corporation (BC Housing).</p>	To add a definition for Non-Profit Rental Housing.
5.	Section 4 – Definitions, 4.1	<p>“Purpose-Built Rental Housing” means a project with five or more Dwelling Units that are intended to be used for rental housing. Purpose-built rental housing meets an identified need for housing in the City and does not include buildings that are stratified, except those stratified buildings that are subject to operating agreements with the Provincial Rental Housing Corporation.</p>	<p>“Purpose-Built Rental Housing” means a project with five or more Dwelling Units that are intended to be used for rental housing. Purpose-built rental housing does not include buildings that are stratified.</p>	To amend the definition of Purpose-Built Rental Housing to recognize that the requirement for the Rental Only subzone does not allow stratified dwelling units to receive tax exemptions.
6.	Section 4 – Definitions, 4.1	N/A	<p>“Land” will have the same meaning as set out in the <i>Assessment Act</i>.</p>	To add a definition for land.
7.	Section 4 – Definitions, 4.1	N/A	<p>“Land Amount” means the municipal portion of property tax calculated in relation to the assessed value of the land on the property.</p>	To add a definition for property tax based on land value.

No.	Section	Current Wording	Proposed Wording	Reason for Change
8.	Section 4 – Definitions, 4.1	N/A	“Vacancy Rate” means the most recent primary market vacancy rate for City of Kelowna published by the Canada Mortgage and Housing Corporation.	To add a definition for the vacancy rate.
9.	Section 5 – Eligibility, 5.1, 5.1.5	5.1.5 the property must be located in a Revitalization Area shown on Schedule “A”.	5.1.5 the property must be located <u>within the Permanent Growth Boundary as shown on Map 3.1 of Kelowna 2040 - Official Community Plan Bylaw No. 12300, as amended from time to time;</u>	To expand the eligibility boundary to the entire Permanent Growth Boundary.
10.	Section 6 – Extent, Amounts, and Maximum Term of Tax Exemptions Available, 6.1, 6.1.4	6.1.4 For Purpose-Built Rental Housing Projects within the Core Area, Glenmore Valley Village Centre and University South Village Centre as shown in Schedule “A” , 100% of the Revitalization Amount on the parcel which can be attributed to residential land uses.	6.1.4 For Purpose-Built Rental Housing Projects <u>and Co-Operative Housing Projects</u> , 100% of the Revitalization Amount on the parcel which can be attributed to residential land uses.	To add Co-Operative Housing and to remove the boundary restriction for Purpose-Built Rental Housing.
11.	Section 6 – Extent, Amounts, and Maximum Term of Tax Exemptions Available, 6.1	N/A	6.1.5 For Non-Profit Rental Housing projects, 100% of the Revitalization Amount on the parcel which can be attributed to residential land uses and 100% of the Land Amount.	To add a tax exemption amount for non-profit rental housing projects that includes the Revitalization Amount and Land Amount.
12.	Section 7 – Making Application, 7.3	7.3.5 Signed Agreement (Schedule B) completed with project specific details in executable form;	7.3.5 Signed Agreement completed with project specific details in executable form;	To remove a reference to Schedule B.
13.	Section 8 – Other Provisions	8.1 A Project which falls under Section 6.1.4 is required to have zoning for rental-only tenure for the Property.	8.1 A Purpose-Built Rental Housing project which falls under Section 6.1.4 or Non-Profit Rental Housing which falls under Section 6.1.5, is required to have zoning for rental-only tenure for the property.	To clarify that Purpose-Built Rental Housing and Non-Profit Rental Housing projects require rental-only tenure zoning, but Co-Operative Housing projects do not.
14.	Section 8 – Other Provisions	8.3 Notwithstanding section 8.1 of this bylaw, an Agreement that was approved prior to May 27, 2024, may be amended and executed provided that the Agreement complies with all other provisions of this bylaw. This transitional provision remains in effect until December 31, 2024.	N/A	To remove grandfathering provisions that are no longer in effect.
15.	Section 8 – Other Provisions	N/A	8.3 Purpose-Built Rental Housing projects are not eligible under Section 6.1.4 when the vacancy rate is greater than 4% for two (2) consecutive years at the time a complete application is submitted.	To introduce a vacancy rate cap for tax exemptions for Purpose-Built Rental Housing.

No.	Section	Current Wording	Proposed Wording	Reason for Change
16.	Schedule B	See Schedule B .	N/A	To delete Schedule B and renumber subsequent sections so that the that the agreement template can be edited without a bylaw amendment.

SCHEDULE "B"
Revitalization Tax Exemption Agreement

THIS AGREEMENT dated for reference the ____ day of _____, 20__ is

BETWEEN:-

[Company Name]
[Company Address 1]
[Company Address 2]
[Company Address 3]

(the "Owner")

AND:-

CITY OF KELOWNA
1435 Water Street,
Kelowna, B.C.
V1Y 1J4

(the "City")

GIVEN THAT:-

A. The Owner is the registered owner in fee simple of lands in the City of Kelowna at *[insert civic address]* legally described as *[insert legal description]* (the "Parcel");

B. Council has established a revitalization tax exemption program and has included within the Revitalization Tax Exemption Program Bylaw No. 12561 the designation of areas which include the Parcel as a revitalization area; and

C. The Owner proposes to construct new improvements *[or alter existing improvements]* on the Parcel as described in Appendix "A" attached to and forming part of this agreement (the "Project") and has applied to the City to take part in the revitalization tax exemption program in respect of the Project and the City has agreed to accept the Project under the program;

THIS AGREEMENT is evidence that in consideration of the promises exchanged below, the Owner and the City covenant and agree each with the other as follows:-

1. **The Project** — the Owner will use its best efforts to ensure that the Project is constructed, maintained, operated and used in a fashion that will be consistent with and will foster the objectives of the revitalization tax exemption program, as outlined in the "City of Kelowna Revitalization Tax Exemption Program Bylaw No. 12561" (the "Bylaw"). Without limiting the generality of the foregoing, the Owner covenants to use its best efforts to ensure that the Project will include the following:-

a. *[insert project details (type, size, number of units, etc)]*:-

2. **Operation and Maintenance of the Project** — throughout the term of this agreement, the Owner shall operate, repair and maintain the Project and will keep the Project in a state of good repair as a prudent owner would do.

3. **Revitalization Amount** — In this agreement, "**Revitalization Amount**" means the municipal portion of property tax calculated in relation to the increase in the assessed value of improvements on the Parcel resulting from the construction of the Project as described in section 1;

4. **Revitalization Tax Exemption** — subject to fulfilment of the conditions set out in this agreement and in the Bylaw, the City shall issue a revitalization tax exemption certificate (the "Tax Exemption Certificate") to the British Columbia Assessment Authority entitling the Owner to a property tax exemption in respect of the property taxes due (not

including local service taxes) in relation to the Revitalization Amount on the Parcel (the "Tax Exemption") for the calendar year(s) set out in the Tax Exemption Certificate.

5. **Conditions** — the following conditions shall be fulfilled before the City will issue a Tax Exemption Certificate to the Owner in respect of the Project:

a. The Owner must complete or cause to be completed construction of the Project in a good and workmanlike fashion and in strict compliance with the building permit and the plans and specifications attached hereto as Appendix "A";

b. The Owner must submit a copy of the Occupancy Permit and Title Certificate dated within 30 days to the City of Kelowna within 48 months from the date the Agreement is executed.

6. **Calculation of Revitalization Tax Exemption** — the amount of the Tax Exemption shall be equal to *[choose appropriate option from below based on parcel location, insert applicable wording, and delete remaining]*:

a. For "Tax Incentive Area 1", 100% of the Revitalization Amount on the parcel which can be attributed to a commercial land use.

b. For "Tax Incentive Area 2,"

a. 100% of the Revitalization Amount on the parcel, for a project with a minimum floor area of 3,716 m² (40,000 sq. ft.) or greater which can be attributed to a commercial land use; or

b. 50% of Revitalization Amount on the parcel which can be attributed to a commercial land use, for a project with a floor area of less than 3,716 m² (40,000 sq. ft.).

c. For "Tax Incentive Area 3," 100% of the Revitalization Amount on the Parcel which can be attributed to a commercial land use.

d. For Purpose Built Rental Housing Projects within the Core Area, Glenmore Valley Village Centre and University South Village Centre as identified in Schedule A, 100% of the Revitalization Amount on the parcel which can be attributed to residential land uses.

7. **Term of Tax Exemption** — provided the requirements of this agreement, and of the Bylaw, are met the Tax Exemption shall be for 10 years after the BC Assessment Authority validates the Tax Exemption Certificate issued by the City of Kelowna's Revenue Branch.

8. **Compliance with Laws** — the Owner shall construct the Project and, at all times during the term of the Tax Exemption, use and occupy the Parcel and the Project in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or municipal laws or statutes or bylaws, including all the rules regulations policies guidelines criteria or the like made under or pursuant to any such laws.

9. **Effect of Stratification** — if the Owner stratifies the Parcel under the Strata Property Act, then the Tax Exemption shall be prorated among the strata lots in accordance with the unit entitlement of each strata lot for:

a. the current and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office before May 1; or

b. for the next calendar year and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office after May 1;

so long as, if the Project is the subject of an operating agreement between the Owner and the Provincial Rental Housing Corporation, the Owner is in compliance with the operating agreement. The Owner agrees to provide written confirmation to the City regarding the Owner's compliance with the said operating agreement, satisfactory to the City, upon the City's reasonable inquiry.

~~10. **Termination of the agreement**—the revitalization tax exemption agreement will be valid for 48 months from the date the agreement is executed. If the conditions for issuance of a Tax Exemption Certificate have not been met during this term, the owner may request a renewal term to this agreement or the agreement will be terminated.~~

~~11. **Cancellation**—the City may in its sole discretion cancel the Tax Exemption Certificate:~~

~~a. on the written request of the Owner;~~

~~b. effective immediately upon delivery of a notice of cancellation to the Owner if at any time any of the conditions in the Tax Exemption Certificate are not met; or~~

~~c. If the Owner is subject to an operating agreement with the Provincial Rental Housing Corporation and is not in compliance with the operating agreement.~~

~~If such cancellation occurs, the Owner of the Parcel for which the Tax Exemption Certificate was issued will remit to the City an amount equal to the value of any Tax Exemption received in respect of a period falling after the date of the cancellation of the Tax Exemption Certificate.~~

~~12. **No Refund**—for greater certainty, under no circumstances will the Owner be entitled under the City's revitalization tax exemption program to any cash credit, any carry forward tax exemption credit or any refund for any property taxes paid.~~

~~13. **Notices**—any notice or other writing required or permitted to be given hereunder or for the purposes hereof to any party shall be sufficiently given if delivered by hand or posted on the Parcel, or if sent by prepaid registered mail (Express Post) to such party:~~

~~a. in the case of a notice to the City, at:~~

~~THE CITY OF KELOWNA~~

~~1435 Water Street,~~

~~Kelowna, B.C.~~

~~V1Y 1J4~~

~~Attention: Divisional Direction, Planning & Development Services~~

~~b. in the case of a notice to the Owner, at:~~

~~*{Insert name and address of owner}*~~

~~Attention:~~

~~Phone:~~

~~Email:~~

~~Or at such other address as the party to whom such notice or other writing is to be given shall have last notified the party giving the same.~~

~~14. **No Assignment**—the Owner shall not assign its interest in this agreement except to a subsequent owner in fee simple of the Parcel.~~

~~15. **Severance**—if any portion of this agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this agreement.~~

~~16. **Interpretation**—wherever the singular or masculine is used in this agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.~~

~~17. **Further Assurances**—the parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this agreement.~~

~~18. **Waiver**—waiver by the City of a default by the Owner shall be in writing and shall not be deemed to be a waiver of any subsequent or other default.~~

~~19. **Powers Preserved**—this agreement does not:~~

- ~~a. Affect or limit the discretion, rights or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Parcel;~~
- ~~b. Affect or limit any enactment relating to the use or subdivision of the Parcel; or~~
- ~~c. Relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Parcel and without limitation shall not confer directly or indirectly any exemption or right of set off from development cost charges, connection charges, application fees, user fees or other rates, levies or charges payable under any bylaw of the City.~~

~~20. **Reference**—every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, assigns, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows.~~

~~21. **Enurement**—this agreement shall ensure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.~~

~~22. The maximum Revitalization Tax Exemption authorized by this agreement must not exceed the Revitalization Amount on the Property between:~~

- ~~a. the calendar year before the construction or alteration began, as outlined under Section 1 of this agreement; and~~
- ~~a. the calendar year in which the construction or alteration, as outlined under Section 1 of this agreement, is completed.~~

~~23. The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as a result of the Revitalization Tax Exemption.~~

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

Executed by the CITY OF KELOWNA by
Its authorized signatories:

Name: _____ Name _____

Position _____ Position _____

Executed by _____ by its Authorized signatories:

Name _____ Position _____

Name: _____ Position _____

Appendix "A": Plans and Specifications

Schedule B – Proposed Text Amendment – Additional Amendment

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 5 – Eligibility	N/A	5.3 Notwithstanding Section 5.2.4 above, a Project for which an Occupancy Permit has been issued in accordance with City of Kelowna Building Bylaw No. 7245 is eligible for a Tax Exemption provide that the Occupancy Permit was issued between February 1 and August 31, 2023. This transitional provision applies only to Projects for which a complete Tax Exemption application is received by the City prior to October 1, 2025.	To add a transitional provision to allow a project that has previously received an Occupancy Permit to apply for a tax exemption.
2.	Section 8 – Other Provisions	N/A	8.4 Notwithstanding Section 8.1 of this bylaw, a Project to which Sections 5.3 and 6.1.4 apply and for which an Occupancy Permit has been issued in accordance with City of Kelowna Building Bylaw No. 7245 between February 1 and August 31, 2023 is not required to have zoning for rental-only tenure, but is instead required to enter into a housing agreement with the City.	To add a transitional provision to allow a project that has previously received an Occupancy Permit to apply for a tax exemption.

Revitalization Tax Exemption Program Updates

Housing Policy & Programs

March 2025



Purpose

To consider amendments to the Revitalization Tax Exemption Program Bylaw No. 12561.

Revitalization Tax Exemption (RTE) Program



Provides tax exemptions for purpose-built rental housing



10-year exemption on municipal portion of property tax attributable to increase in property value resulting from development



Intended to encourage Purpose-Built Rental Housing by reducing operating costs for first 10 years of the lifecycle of the project

Background

- New Revitalization Tax Exemption Program Bylaw introduced on August 28, 2023
 - Removed eligibility for ownership (strata) residential;
 - Aligned boundaries with new Official Community Plan
 - Delegation of some RTE agreements to staff
 - Required 'Rental Only' subzone

Since August 2023

	# of applications	# of units	Average tax impact per year	Total estimated tax impact over 10-year term
Issued RTEs	14	1423	\$1,018,058	\$10,180,594
RTE applications in-stream	4	720	\$664,375	\$7,027,643

Proposed Changes



Eligibility for co-operative housing



Additional support for non-profit rental housing



Expansion of eligibility boundaries



Implementation of a rental vacancy restriction

Proposed Changes



Eligibility for co-operative housing

- **Alternative form of tenure that can provide long-term affordability**
- **Promote a tenure that has not been constructed in Kelowna since 2001**

Proposed Changes



Additional support for non-profit rental housing

- Add tax exemption for the land value of non-profit rental housing
- Would provide a 10% to 50% increase in tax exemption

Proposed Changes



Expansion of Eligibility Boundaries

- Increase eligibility to the entire Permanent Growth Boundary
- Support rental housing projects in areas that do not have many rental housing options

Proposed Changes



Implementation of a rental vacancy restriction

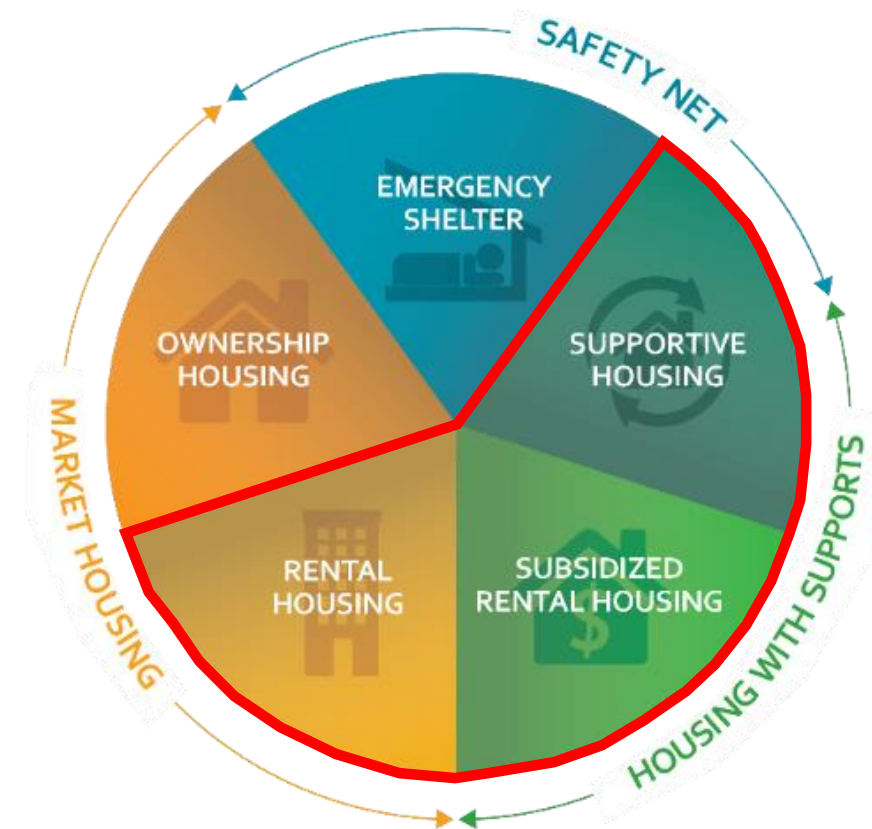
- **Vacancy Rate above 4% - suspend new RTE applications for market rental housing projects**
- **Would not apply to non-profit housing projects**

Additional Amendment

- Addition of a transitional provision
- Allow an RTE application for a project that has already received Occupancy Permit
- Application would be considered on its own merits

Housing Action Plan

- **Action 2.4 – Revise Rental Housing Tax Exemptions**
 - Include other tenures that support long-term affordability, including co-operative housing
 - Include areas of the City outside of the Core Area and Village Centres
 - Include an exemption for land value for affordable housing projects



OCP Objectives & Policies

Urban Centre – Encourage a range of rental and ownership tenures and underrepresented forms of tenure.

Core Area – Encourage a range of rental and ownership tenures and underrepresented forms of tenure.

Gateway – Support a range of rental and ownership tenures and underrepresented forms of tenure

Gateway– Support the development of rental housing in the Gateway District.

Conclusion

Staff recommend **support** for proposed changes to RTE program as it is consistent with:

- Housing Action Plan
- OCP Objectives & Policies
- Enhance long-term affordability

CITY OF KELOWNA

Bylaw No. 12758

Amendment No. 3 to Revitalization Tax Exemption Program Bylaw No. 12561

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Revitalization Tax Exemption Program Bylaw No. 12561 be amended as follows:

1. THAT the **Preamble** be amended by deleting "within Kelowna's Core Area and identified Village Centres;" after "To incentivize construction of new Purpose-Built Rental Housing" and replacing it with ", Non-Profit Rental Housing and Co-Operative Housing within Kelowna's Permanent Growth Boundary;".
2. AND THAT **Section 4 – Definitions**, 4.1, "Agreement" be amended by deleting ", substantially in the format of and with the content of Schedule "B"".
3. AND THAT **Section 4 – Definitions**, 4.1, "Purpose-Built Rental Housing" be amended by deleting "meets an identified need for housing in the City and does not include buildings that are stratified, except those stratified buildings that are subject to operating agreements with the Provincial Rental Housing Corporation." and replacing it with "does not include buildings that are stratified."
4. AND THAT **Section 4 – Definitions**, 4.1 be amended by adding the following new definitions in the appropriate locations:
 - a) "'Co-operative Housing" means a project with five or more Dwelling Units that is owned by a legal association incorporated under the Cooperative Association Act."
 - b) "'Non-Profit Rental Housing" means a project with five or more Dwelling Units that is owned and operated by a non-profit housing provider or the Provincial Rental Housing Corporation (BC Housing)."
 - c) "'Land" has the same meaning as set out in the *Assessment Act*."
 - d) "'Land Amount" means the municipal portion of property tax calculated in relation to the assessed value of the land on the property."
 - e) "'Vacancy Rate" means the most recent primary market vacancy rate for City of Kelowna published by the Canada Mortgage and Housing Corporation."
5. AND THAT **Section 5 – Eligibility**, 5.1.5 be amended by deleting "in a Revitalization Area shown on Schedule "A"." and replacing it with "within the Permanent Growth Boundary as shown on Map 3.1 of Kelowna 2040 - Official Community Plan Bylaw No. 12300, as amended from time to time."
6. AND THAT **Section 6 - Extent**, Amounts, and Maximum Term of Tax Exemptions Available, 6.1.4 be amended by deleting "within the Core Area, Glenmore Valley Village Centre and University South Village Centre as shown in Schedule "A"" and replacing it with "and Co-Operative Housing Projects".
7. AND THAT **Section 6 - Extent**, Amounts, and Maximum Term of Tax Exemptions Available, 6.1 be amended by adding the following new section in its appropriate location:

"6.1.5 For Non-Profit Rental Housing projects, 100% of the Revitalization Amount on the parcel which can be attributed to residential land uses and 100% of the Land Amount."

8. AND THAT **Section 7 – Making Application**, 7.3.5 be amended by deleting "(Schedule B)" after "Signed Agreement".
9. AND THAT **Section 8 – Other Provisions**, 8.1 be deleted in its entirety and replaced with the following new section:
"8.1 A Purpose-Built Rental Housing project which falls under Section 6.1.4 or Non-Profit Rental Housing which falls under Section 6.1.5, is required to have zoning for rental-only tenure for the property."
10. AND THAT **Section 8 – Other Provisions**, 8.3 be deleted in its entirety.
11. AND THAT **Section 8 – Other Provisions** be amended by adding the following new section:
"8.4 Purpose-Built Rental Housing projects are not eligible under Section 6.1.4 when the vacancy rate is greater than 4% for two (2) consecutive years at the time a complete application is submitted."
12. AND FURTHER THAT **Schedule B** attached to and forming part of Revitalization Tax Exemption Program Bylaw No. 12561 be deleted in its entirety.
13. This bylaw may be cited as "Bylaw No. 12758, being Amendment No. 3 to Revitalization Tax Exemption Program Bylaw No. 12561."
14. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

Bylaw No. 12778

Amendment No. 4 to Revitalization Tax Exemption Program Bylaw No. 12561

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Revitalization Tax Exemption Program Bylaw No. 12561 be amended as follows:

1. THAT **Section 5 – Eligibility**, be amended by adding the following new section 5.3:

“5.3 Notwithstanding Section 5.2.4 above, a Project for which an Occupancy Permit has been issued in accordance with City of Kelowna Building Bylaw No. 7245 is eligible for a Tax Exemption provided that the Occupancy Permit was issued between February 1 and August 31, 2023. This transitional provision applies only to Projects for which a complete Tax Exemption application is received by the City prior to October 1, 2025.”

2. AND THAT **Section 8 – Other Provisions** be amended by adding the following new section:

“8.5 Notwithstanding Section 8.1 of this bylaw, a Project to which Sections 5.3 and 6.1.4 apply and for which an Occupancy Permit has been issued in accordance with City of Kelowna Building Bylaw No. 7245 between February 1 and August 31, 2023 is not required to have zoning for rental-only tenure, but is instead required to enter into a housing agreement with the City.”

3. This bylaw may be cited as "Bylaw No. 12778, being Amendment No. 4 to Revitalization Tax Exemption Program Bylaw No. 12561."
4. 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: April 7, 2025
To: Council
From: City Manager
Subject: Next Generation 911 Grant Application
Department: Partnerships Office

Recommendation:

THAT Council receives, for information, the report from the Partnerships Office dated April 7, 2025 with respect to the Next Generation 911 Grant;

AND THAT Council directs staff to apply for grant funding to the Next Generation 911 Grant program, administered through the Union of British Columbia Municipalities;

AND THAT Council authorizes staff to execute all documents necessary to complete and manage the Grant.

Purpose:

To approve a grant application to the Next Generation 911 funding program.

Council Priority Alignment:

Crime & Safety

Background:

The Next Generation 911 funding program is a \$60M investment from the Province of British Columbia that supports compliance with the Canadian Radio-Television and Telecommunications Commission (CRTC) federal mandate.

Next Generation 911 refers to the modernization of 911 networks and infrastructure across Canada. It is a federally-mandated transition of the emergency communications network from the current network to an Internet Protocol based technology. Next Generation 911 will enable important improvements to public safety, including better 911 caller location information, real time texting, streaming audio and video.

Previous Council Resolution
Next Generation 911 Funding

Resolution	Date
<p>That Council receives, for information, the financial funds for transitioning Kelowna Fire Dispatch to Next Generation 9-1-1 (NG9-1-1) with respect to the Union of BC Municipalities (UBCM) letter date August 4, 2023.</p> <p>AND THAT the 2023 Financial Plan be amended to include grant funding of \$3,045,000 received from the Union of BC Municipalities to be used towards the NG 9-1-1 transition project.</p>	December 4, 2023

Discussion:

The City is applying to this program to support Next Generation 911 transition, a critical project that will ensure that Kelowna Fire Dispatch can provide efficient and effective emergency services to the public using more modern technology.

This next round of funding will help supplement existing funding to support replacing traditional 911 systems by integrating digital technologies, allowing for the transmission of multimedia data such as text messages, images, video, and real-time location information to emergency responders. This system aims to improve response times, enhance communication capabilities, and provide better service to our community.

Conclusion:

The City actively pursues grants to reduce municipal taxation and to leverage City funding for infrastructure, services, and programs to support Council, corporate and community priorities.

Funding from the Next Generation 911 fund will support initiatives to enable important improvements to public safety and modernize 911 networks and critical infrastructure for the City of Kelowna.

Internal Circulation:

Fire Department
Financial Services

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Consultation and Engagement:

Communications Comments:

Submitted by: K. March, Grants & Special Projects Manager

Approved for inclusion: M. Kam, Partnerships Office Director

cc:

D. Seymour
S. Leatherdale
J. Sass

J. Bedell

Report to Council



Date: April 7, 2025
To: Council
From: City Manager
Subject: Water Access Agreement for McCulloch Lake Resort
Department: Utility Services

Recommendation:

THAT Council receives, for information, the report from the Utility Services Department, dated April 7, 2025 with respect to allowing the McCulloch Lake Resort to purchase non-potable water from the McCulloch Lake Reservoir;

AND THAT the Mayor and City Clerk be authorized to execute the Agreement between 1205687 BC Ltd. and the City of Kelowna;

AND FURTHER THAT Council directs staff to request consent from the Board of the Regional District of Central Okanagan (RDCO) for the City of Kelowna to provide non-potable water service to the McCulloch Lake Resort.

Purpose:

To consider entering into an agreement with 1205687 BC Ltd. (McCulloch Lake Resort) for the sale of non-potable water from the City’s McCulloch Lake Reservoir.

Background:

McCulloch Lake Resort (the Resort) is situated on the shores of McCulloch Lake, a water reservoir that forms the foundation of the City’s non-potable water supply system. The resort currently consists of 7 cabins, including a common area but had been previously approved to expand to 41 cabins. The Resort currently gets water from wells that have limited capacity.

In late 2024, the City was approached by the purchaser of the Resort to obtain additional water for a resort expansion, adding 15 cabins for a total of 22. When the new Resort owner approached the Province for a water license, they were informed that the Province would not provide a license and that they should

approach the City of Kelowna for access to some of our licensed water supply. The planned layout of the expanded Resort is included for information as Attachment A.

The City owns numerous water diversion, storage and consumption licenses in that area. McCulloch Lake reservoir is formed by several dams owned and operated by the City. McCulloch Lake is the main controlled reservoir supplying the City's non-potable water system inherited from the South East Kelowna Irrigation District (SEKID).

Discussion:

There is sufficient water to service the water allocation of existing non-potable irrigation customers in southeast Kelowna. This draft agreement allows the Resort to use up to 23 cubic metres of water per day with an assumed (and billed) average consumption of 3,000 cubic metres of water per year. Usage will be paid at the non-farm irrigation rate in the Water Regulation Bylaw. Using the 2025 non-potable service rate of \$0.38 per cubic metre will result in a revenue of \$1,140 per annum, with additional city owned infrastructure to maintain or operate. As a comparative, this water could irrigate between 0.45 and 0.60 hectares of land in southeast Kelowna.

The agreement outlines that water to the resort is a lower priority than water to other City non-potable customers. Should the City declare stage three water restrictions, the resort will be restricted to indoor/sanitary use only. Should the City declare stage four water restrictions, the resort must cease to use water all together which could impact their operations.

The initial agreement is for a five-year term after which the agreement will extend annually in perpetuity with annual rates charged as per the Water Regulation Bylaw. Either party can cancel the agreement after the initial five-year term with one year's written notice.

Due to a lack of wastewater infrastructure and the reliance on septic systems, development around McCulloch Lake should be discouraged to ensure that our water supply is protected. By entering into a water supply agreement, the City has some influence and control over further development on this site. The City will also obtain some revenue from the resort to help fund the cost of operating and maintaining our infrastructure.

As the property is in the RDCO, consent from the Regional District is required to allow the City to provide a service outside of our boundaries and allow our water regulation bylaw to apply to this property. Should the RDCO rescind its consent to the City providing water to this property, the City will act to terminate the agreement.

An amendment to one of the City's water supply licenses that will permit this agreement is in process with the Province. The agreement will be made available to execute as soon as the license amendment is approved.

Conclusion:

Allowing the Resort to use water under the City's license provides additional revenue for the City's non-potable water system while minimizing any risk to our current customer base.

Internal Circulation:

Financial Services

Considerations applicable to this report:***Legal/Statutory Authority:***

To comply with Section 13 of the Community Charter, consent of the RDCO for the City to provide water services is required.

Financial/Budgetary Considerations:

Utility Billing will add this property to the City's customer base and bill for services annually.

Considerations not applicable to this report:***Legal/Statutory Procedural Requirements:******Existing Policy:******Consultation and Engagement:******Communications Comments:***

Submitted by: K. Van Vliet, Utility Services Department Manager

Approved for inclusion: M. Logan, General Manager, Infrastructure

Attachments:

Attachment A : Layout of anticipated McCulloch Lake Resort

Attachment B: McCulloch Lake Water Access Agreement

cc:

M. Friesen, Controller



LEGAL DESCRIPTION

LOT 1, PLAN KAP 68835, DL 6865 4177S 4204,
SIMILAKAMEN DIV. OF YALE DISTRICT, LICENSE 334565

CURRENT ZONING

C8 - WILDERNESS RESORT COMMERCIAL
(TO ACCOMMODATE WILDERNESS ORIENTED TOURIST
ACCOMMODATION WITH ASSOCIATED USES)

MIN. FRONT YARD SETBACK 8.0m
MIN. SIDE YARD SETBACK 6.0m
MIN. REAR YARD SETBACK 6.0m
MIN. NUMBER OF WILDERNESS ACCOMMODATION UNITS - 25 / HC

SITE DETAILS

LOT AREA TOTAL	21,492.29m ²	5,000.00m ² MIN
LOT AREA PORTION ZONED C8	18,940.00m ²	5,000.00m ² MIN
LOT WIDTH	322.00m	20.0m MIN
LOT DEPTH	36.00m	20.0m MIN

UNIT AREA CALCULATIONS

UNIT 1 - 5	EXISTING	5 x 123.73m =	618.56m ²
UNITS 6 - 12	NEW	7 x 97.50m =	682.50m ²
UNITS 13 - 16	NEW	4 x 96.60m =	386.40m ²
UNITS 17 - 19	NEW	3 x 69.73m =	209.19m ²
UNIT 20	NEW		96.60m ²
EXISTING 'A' FRAME			141.20m ²
EXISTING LODGE			176.56m ²
TOTAL FOOTPRINT AREA			2,310.81m²

TOTAL WILDERNESS CABINS ALLOWED

24 UNITS PER HECTARE
LOT AREA 1.8hc
CABINS ALLOWED 45
CABINS PROPOSED 21

SITE COVERAGE

ALLOWED 30%
PROPOSED 12.2%

PARKING AND LOADING

	REQUIRED	PROVIDED
LODGE PARKING BASED ON 70 SEATS	18	22
HANDICAPPED PARKING	1	1
EXISTING 6 CABINS	1 PER CABIN = 6	6
PROPOSED 15 CABINS	1 PER CABIN = 15	30
LOADING SPACE	1	1



AGREEMENT – McCulloch Lake Water Access

THIS AGREEMENT made as of the 31st day of March, 2025

BETWEEN:

1205687 BC LTD.

9995 McCulloch Lake Rd Naramata BC V0H1N0

(hereinafter referred to as the “Resort”)

OF THE FIRST PART

AND:

CITY OF KELOWNA, (description of the organization)

(hereinafter referred to as the “City”)

OF THE SECOND PART

WHEREAS

- A. The Resort is the registered owner of land (the “Resort Land”) being in the Central Okanagan Regional District, in the Province of British Columbia and more particularly known and described as:

Lot 1 District Lots 686S and 41775 Similkameen Division Yale District
Plan KAP68835 Except Phase 1 Strata Plan EPS7766
PID: 025-014-102
9995 McCulloch Lake Road

which land is utilized for a resort development.

- B. The Resort is desirous of entering into an agreement to obtain an interruptible supply of water for the Resort Property;
- C. The City has water licenses for the use, storage and supply of water from the McCulloch Lake Reservoir (“McCulloch Lake”), which is adjacent to the Resort, and such licenses allow the Resort to draw and use water from McCulloch Lake; and
- D. The City is prepared to allow the Resort to draw and use water from McCulloch Lake on the terms and conditions contained herein.

NOW THEREFORE in consideration of the mutual promises and of the covenants hereafter contained, the receipt and sufficiency of which each party acknowledges, IT IS AGREED:

1. TERM

1.1 The term of this Agreement shall be five (5) years and shall run from the first day of April, 2025, to the last day of December, 2030. At the end of the initial 5-year term the Agreement shall automatically renew each year for a one-year term until terminated in accordance with this Agreement.

2. DESIGN AND MAINTENANCE OF INTAKE PIPE

2.1 Prior to drawing any water from McCulloch Lake pursuant to this Agreement, the Resort will submit plans, drawings and specifications for an intake pipe to bring water from McCulloch Lake to the Resort to the City for review and approval (the "Intake Pipe"). Once approved by the City in writing, the relevant plans, drawings and specifications will be the "Approved Design" for the purposes of this Agreement.

2.2 The Resort will construct the Intake Pipe strictly in accordance with the Approved Design.

2.3 Once constructed, the Resort will obtain written certification from a professional or consultant acceptable to the City certifying that the Intake Pipe is complete and has been constructed in accordance with the Approved Design, and, concurrently, the Resort shall provide the City with as built drawings of the portion of Intake Pipe extending from McCulloch Lake to the Resort Land property line.

2.4 If the Resort fails to complete the requirements outlined in sections 2.1 – 2.3 within 180 days of the date this Agreement is fully executed, this Agreement will automatically terminate and be of no force or effect.

2.5 After completion, the Resort will operate and maintain the Intake Pipe in good condition and to the City's satisfaction and will repair or replace the Intake Pipe upon the request of the City, however, the Resort agrees that it will not materially alter or replace the Intake Pipe without the prior written approval of the City.

3. SUPPLY

3.1 The City shall allow the Resort access to surplus, natural, untreated water from McCulloch Lake.

3.2 The City is not obligated to allow the Resort to draw water from McCulloch Lake if the Resort's proposed draw would exceed the limits of the City's applicable water licenses and permits.

3.3 The City covenants with the Resort that:

- (a) It will allow the Resort to draw up to a maximum of 23 cubic metres of water per day from McCulloch Lake.
- (b) It will allow higher volumes of water removal from McCulloch Lake during or in response to a structural or wildfire event, with the extent of such higher volumes remaining within the City's sole discretion, and the Resort Agrees that it will not draw additional higher volumes of water until the City has authorized such additional draws in writing.

3.4 The Resort acknowledges and agrees that:

- (a) The City provides no representations or warranties regarding the quality of the water in McCulloch Lake or the water's suitability for the Resort's purposes.
- (b) The quality of McCulloch Lake's water can vary based on several factors, including during the year due varying inflows from the watershed into the lake, changes in elevation of the water in the lake throughout the year, temperature variation and wildfires.
- (c) McCulloch Lake water may be polluted by recreational users.
- (d) The Resort is solely responsible for all aspects of water treatment and distribution within the Resort Land in accordance with all applicable legislation.
- (e) The scope of the Resort under this Agreement includes 22 habitable structures, including cabins and lodges generally as proposed in Attachment A. Should The Resort choose to expand the scope of the Resort in the future by adding additional habitable structures and require additional water supply, the Resort will negotiate a new agreement with the City.

3.5 The Resort covenants that:

- (a) It will not draw more than 23 cubic metres of water per day from McCulloch Lake.
- (b) Water drawn from McCulloch Lake will be used only for irrigation, human health and sanitary purposes.
- (c) It will not distribute water drawn from McCulloch to properties, structures or end users located outside the Resort Lands, nor will it allow end users to redistribute the such water to properties, structures or end users located outside the Resort Lands
- (d) The Resort's water use will comply with all applicable City regulations, including irrigation use and timing, and the Water Use Restrictions Stages including in *Water Regulation Bylaw*

10480, as amended, revised and replaced from time to time (the “Bylaw”). In the event that the City declares Stage 3 Water Use Restrictions pursuant to the Bylaw, the Resort will stop any irrigation use and restrict its water use to human health and sanitary purposes. In the event that the City declares Stage 4 Water Use Restrictions, the Resort will cease drawing water from McCulloch Lake.

4. PRICE AND PAYMENT FOR WATER

4.1 The City will invoice the resort once annually for water use based on an assumed annual average consumption of 3,000 cubic metres per annum times the volumetric rate, applicable for that year, for Non-Potable Services as defined in the Bylaw.

4.2 The City may, at its sole discretion, revise the assumed annual average consumption rate used to calculate the amount payable by the Resort as outlined in section 4.1 by giving notice to the Resort of such revision.

4.3 The Resort will pay the City’s invoice within 60 days of issuance, and late payments will be subject to an additional 7% fee, compounded monthly.

5. COST AND PREPARATION OF AGREEMENT

The Resort shall, within 30 days of demand, pay the City all costs incurred in preparing and executing Agreement.

6. NO LEGAL OBLIGATION

It is recognized by the Resort that this Agreement to allow the Resort to draw water from McCulloch Lake creates no legal obligation on the part of the City to supply water to the Resort and only sets terms for access in order to withdraw with from McCulloch Lake under the City’s Water Licenses administered by the Province and terms of payment which the City may, in its absolute discretion, supply to the Resort and that the Resort acknowledges it has no legal right to compel the City to supply water under conditions above nor recover any damages from the City for the failure to supply water.

7. RELEASE AND INDEMNITY

7.1 Neither the City nor their respective personnel or contractors will be liable for, and the Resort hereby releases the City and their respective elected officials and directors, officers, employees, servants, contractors and agents (“Personnel”) from all liabilities, actions, judgments, claims, losses, damages, orders, fines, penalties, expenses, including related professional and other fees and disbursements, and costs losses (“Losses”), including without limitation, Losses as a result of any bodily injury or death caused, suffered or sustained as a

result of Resort's supply of water to end users unless resulting from the respective negligence or wilful acts of the City or their respective Personnel or contractors, as the case may be.

7.2 The Resort will indemnify and save harmless the City and their Personnel from and against all Losses which the City or their respective Personnel may suffer or incur arising out of this Agreement, including, without limitation, all Losses suffered or incurred by the City or their respective Personnel that arise, whether directly or indirectly, from any breach by the Resort, its Personnel, or any other person for whom the Resort is responsible in law, of any of its covenants and obligations under this Agreement, and except where such Losses result from the respective negligence or wilful acts of the City or their Personnel, as the case may be.

8. TERMINATION CONDITIONS

8.1 Should either party be in breach of its covenants or undertakings under this Agreement which remains unrectified for a period of 30 days following written notification of such breach, the Party not in breach may, at its option and without prejudice to any other rights or remedies it might have, immediately terminate this Agreement.

8.2 Either party has the right to terminate this agreement with one year's written notice for any reason.

8.3 Should the Regional District of Central Okanagan rescind its consent to this Agreement then the City will provide one year's notice of Termination.

8.4 Should this Agreement be terminated, the Resort will be responsible to remove or deactivate the Intake Pipe to the City's satisfaction.

9. GENERAL

9.1 **Time** – Time shall be the essence of this Agreement and the transactions contemplated in this Agreement.

9.2 **Notice** – Any notice required or permitted to be given under this Agreement shall be sufficiently given if delivered personally or if sent by prepaid registered mail to the address indicated on page one provided that any party shall be entitled to designate another address by giving notice of it to the other party in accordance with the terms of this Agreement. Any notice so mailed shall be deemed to have been received, except during a period of interruption of normal postal service, on the fourth business day following the date of mailing.

9.3 **Further Assurances** – Each party shall from time to time execute and deliver or cause to be executed and delivered all such further documents and instruments and do or cause to be done all further acts and things as any of the other party may reasonably require as being

necessary or desirable in order to effectively carry out or better evidence or perfect the full intent and meaning of this Agreement or any provision hereof.

9.4 **No Assignment** – No party may assign its rights under this Agreement without the prior written consent of the other party.

9.5 **Entire Agreement** – This Agreement constitutes the entire agreement between the parties with respect to the subject matter of the Agreement and contains all of the representations, warranties, covenants and agreements of the respective parties, and may not be amended or modified except by an instrument in writing executed by the parties. This Agreement supersedes all prior agreements, memoranda, and negotiations between the parties.

9.6 **Jurisdiction** – This Agreement shall be construed in accordance with and governed by the laws of British Columbia.

9.7 **Counterparts** – This Agreement may be signed in counterparts and each such counterpart will constitute an original document and such counterparts, taken together, will constitute one and the same instrument. A counterpart may be delivered by fax or any other form of electronic transmission.

As evidence of their agreement to be bound by this Agreement, the parties have executed this Agreement below:

THE CITY OF KELOWNA by its' authorized signatories:

Signature

Name

Title

Date

Signature

Name

Title

Date

1205687 BC LTD. by its' authorized signatories:

Signature

Name

Title

Date

Signature

Name

Title

Date

Attachment A



LEGAL DESCRIPTION
 LOT 1, PLAN KAP 6885, CL. 885 6175 ASK
 DISTRICT: DIV. OF PAID DISTRICT LICENSE 28885

CURRENT ZONING
 C1 - WILDERNESS RESORT COMMERCIAL
 (70 ACCOMMODATE WILDERNESS ORIENTED TOURIST ACCOMMODATION WITH ASSOCIATED USES)

MIN. FRONT YARD SETBACK 5.0m
 MIN. SIDE YARD SETBACK 5.0m
 MIN. REAR YARD SETBACK 5.0m
 MIN. NUMBER OF WILDERNESS ACCOMMODATION UNITS - 25 HC

UNIT AREA CALCULATIONS

UNIT 1 - 3	EXISTING	3 x 123.7m ²	371.1m ²
UNITS 4 - 12	NEW	7 x 27.5m ²	192.5m ²
UNITS 13 - 18	NEW	4 x 36.5m ²	146.0m ²
UNITS 19 - 18	NEW	3 x 49.7m ²	149.1m ²
UNIT 20	NEW	1 x 36.5m ²	36.5m ²
EXISTING W/ FRAME			178.5m ²
EXISTING LOOGE			178.5m ²
TOTAL FOOTPRINT AREA			2310.8m²

TOTAL WILDERNESS CABINS ALLOWED
 24 UNITS PER HECTARE
 LOT AREA 1.8ha
 CABINS ALLOWED 45
 CABINS PROPOSED 21

SETBACKS
 ALLOWED 10%
 PROPOSED 12.2%

PARKING AND LOADING

	REQUIRED	PROVIDED
LOOGE PARKING BASED ON 70 SEATS	18	22
UNASSIGNED PARKING	1	1
EXISTING 6 CABINS	1 PER CABIN = 6	6
PROPOSED 15 CABINS	1 PER CABIN = 15	30
LOADING SPACE	1	1

SETBACKS

	REQUIRED	PROVIDED
LOT AREA TOTAL	21 452.25m ²	6,000.00m ² MIN
LOT AREA PORTION ZONED C1	19,540.00m ²	6,000.00m ² MIN
LOT WIDTH	322.00m	20.0m MIN
LOT DEPTH	36.60m	20.0m MIN



Report to Council



Date: April 7, 2025
To: Council
From: City Manager
Subject: Uptown Rutland Business Association 2025 Budget
Department: Financial Services - Controller

Recommendation:

THAT Council approves the Uptown Rutland Business Association (URBA) 2025 Budget as attached to the report of the Controller dated April 7, 2025.

AND THAT Council approve the 2025 levy of \$245,359 on the Class 5 and Class 6 properties located within the boundaries of the Uptown Rutland Business Improvement Area.

Purpose:

To authorize the 2025 levy on Class 5 light industry and Class 6 business/other properties located within the Uptown Rutland Business Improvement Area.

Background:

On September 26, 2022, the Council approved the Uptown Rutland Business Improvement Area Bylaw No. 12427. Bylaw No. 12427 established the local area (Schedule A) for the purpose of annually funding the activity of the Uptown Rutland Business Association for a period of 5 years, 2023 to 2027. In the bylaw, the Council approved the Uptown Rutland Business Association’s 2025 budget request of \$245,359 for the city to tax the affected properties within the improvement area boundary.

Discussion:

Attached is a copy of the Uptown Rutland Business Association’s 2025 Budget, which includes the 2025 levy of \$245,359 (Schedule B), the 2024 Financial Statements as reviewed by BDO Canada LLP (Schedule C), a list of Board of Directors for 2025 (Schedule D).

City of Kelowna staff have not participated in or assisted the Uptown Rutland Business Association in preparation of their annual budget

Conclusion:

It is recommended that the Council approve the 2025 budget of \$245,359 as set out in Schedule B to be levied on the Class 5 and 6 properties included in Schedule A.

Considerations applicable to this report:

Legal/Statutory Authority:

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

Uptown Rutland Business Improvement Area Bylaw No. 12427.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements
Existing Policy
Financial/Budgetary Considerations
Consultation and Engagement
Communications Comments

Submitted by: M Friesen, Controller, Financial Services

Approved for inclusion: M. Warrender, Deputy Chief Financial Officer, Financial Services

Attachments:

Schedule A – URBA Map
Schedule B – 2025 URBA Budget
Schedule C – 2024 URBA Financials
Schedule D – 2025 URBA Board of Directors

urba

Uptown Rutland

BUSINESS ASSOCIATION

UPTOWN RUTLAND BUSINESS IMPROVEMENT ASSOCIATION	
REVENUE	2025 BUDGET
Membership Levy	245,359
Events & Promotions & Grants	36,490.00
On Call Grant CoK	100,000.00
TOTAL REVENUE	381,849.00
EXPENSES	
Administration & Office Expense	184,570.00
Beautification/Streetscape	2,000.00
Events & Promotions	16,125.00
Marketing	51,812.00
URBA On Call Pilot Project	228,592.00
TOTAL EXPENSES	483,099
NET INCOME/LOSS	-101,250.00

**Uptown Rutland Business Association
Financial Information
For the Year Ended December 31, 2024**

Final Draft for Management Approval

**Uptown Rutland Business Association
Financial Information
For the Year Ended December 31, 2024**

Contents

Compilation Engagement Report	1
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Statement of Operations	4
Note to Financial Information	5

Final Draft for Management Approval



Tel: 250 763 6700
Fax: 250 763 4457
Toll-free: 1 800 928 3307
www.bdo.ca

BDO Canada LLP
1631 Dickson Avenue, Suite 500
Kelowna, BC, V1Y 0B5

Compilation Engagement Report

To Management of Uptown Rutland Business Association

On the basis of information provided by management, we have compiled the balance sheet of Uptown Rutland Business Association as at December 31, 2024 and the statements of operations and changes in net assets for the year then ended, and Note 1, which describes the basis of accounting applied in the preparation of the compiled financial information.

Management is responsible for the accompanying financial information, including the accuracy and completeness of the underlying information used to compile it and the selection of the basis of accounting.

We performed this engagement in accordance with Canadian Standard on Related Services (CSRS) 4200, *Compilation Engagements*, which requires us to comply with relevant ethical requirements. Our responsibility is to assist management in the preparation of the financial information.

We did not perform an audit engagement or a review engagement, nor were we required to perform procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an audit opinion or a review conclusion, or provide any form of assurance on the financial information.

Readers are cautioned that the financial information may not be appropriate for their purposes.

Chartered Professional Accountants

Kelowna, British Columbia
TBD

**Uptown Rutland Business Association
Balance Sheet**

December 31	2024	2023
Assets		
Current		
Cash	\$ 220,436	\$ 65,963
Temporary investments	10,303	10,000
Accounts receivable	-	142
Inventories	4,026	4,630
Prepays and deposits	1,958	2,126
	236,723	82,861
Capital assets		
Intangible assets	-	2,583
	-	785
	\$ 236,723	\$ 86,229
Liabilities and Net Assets		
Current		
Accounts payable and accrued liabilities	\$ 28,432	\$ 19,972
Net Assets		
Invested in capital assets	-	2,583
Unrestricted	208,291	63,674
	208,291	66,257
	\$ 236,723	\$ 86,229

On behalf of the Board:

_____ Director

_____ Director

The accompanying note is an integral part of this financial information.

**Uptown Rutland Business Association
Statement of Changes in Net Assets**

For the year ended December 31	Invested in capital assets	Unrestricted	2024	2023
Balance, beginning of the year	\$ 2,583	\$ 63,674	\$ 66,257	\$ 25,727
Excess (deficiency) of revenues over expenses	(2,583)	144,617	142,034	40,530
Balance, end of the year	\$ -	\$ 208,291	\$ 208,291	\$ 66,257

Final Draft for Management Approval

The accompanying note is an integral part of this financial information.

Uptown Rutland Business Association Statement of Operations

For the year ended December 31	2024	2023
Revenue		
Municipal tax levy	\$ 235,675	\$ 222,547
Grants and subsidies	245,500	-
Special events and sponsorships	12,111	21,211
Mural income	8,803	5,881
Associate membership revenue	1,194	-
Interest income	303	-
	503,586	249,639
Operating expenses		
Advertising and promotion	34,362	34,111
Amortization on capital assets	2,583	2,299
Amortization on intangible assets	785	1,570
Beautification / streetscape	34,067	9,440
Insurance	7,801	2,540
Interest and bank charges	1,282	300
Mural merchandise	604	922
Office	16,329	10,273
Professional fees	11,587	9,285
Rental	8,759	4,047
Repairs and maintenance	2,403	174
Salaries and wages	212,010	110,668
Special events	500	6,552
Telephone	7,328	4,667
Training	1,396	190
Travel	19,756	12,071
	361,552	209,109
Excess of revenues over expenses	\$ 142,034	\$ 40,530

The accompanying note is an integral part of this financial information.

**Uptown Rutland Business Association
Note to Financial Statements**

December 31, 2024

1. Basis of Accounting

The basis of accounting applied in the preparation of the financial information is on the historical cost basis, reflecting cash transactions with the addition of:

- accounts receivable
- prepaid expenses, expensed monthly over the period(s) covered
- property, buildings and equipment amortized over their useful life
- intangible assets amortized over their useful life
- accounts payable and accrued liabilities

Final Draft for Management Approval



Uptown Rutland

BUSINESS ASSOCIATION

2025 BOARD OF DIRECTORS

<u>NAME</u>	<u>TITLE</u>	<u>BUSINESS NAME</u>
Justin Bullock	President	OK Tire & Top Grade Tire
Brad McNaughton	1 st Vice President	LUX Quality Homes
Jassie Kakoschke	Secretary	Valley First
Domenic Rampone	Treasurer	Kelowna Gospel Mission
Harjit Toora	Director	Manohar Vegetarian Bakery
Indy Dhial	Director	Pita Pit
Mayor Tom Dyas	Ex-Officio	City of Kelowna
To be announced	Director (Appointed)	Kelowna Chamber of Commerce
Birte Decloux	Director (Appointed)	Urban Options Planning Corp
Karen Beaubier	Executive Director	URBA

Uptown Rutland Business Improvement Area 2025 Budget

April 7, 2025



Bylaw No. 12427

- Council approved Bylaw No. 12427 on September 26, 2022
- Term of 2023 to 2027
- Class o5 light industry and o6 business/other

Budget

- Requesting \$245,359 for the third year

Year	Uptown Rutland Business Improvement Area
2023	\$222,547
2024	\$233,675
2025	\$245,359
2026	\$257,627
2027	\$270,508

Levy

- Based on assessment values totaling approximately \$319 million for class 05 and 06
- A general levy of approximately \$0.78 per thousand dollars of assessed value
 - For example: approximately \$78 would be levied on property that is assessed at 100,000



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: April 7, 2025
To: Council
From: City Manager
Subject: Downtown Kelowna Association 2025 Budget
Department: Financial Services - Controller

Recommendation:

THAT Council approves the Downtown Kelowna Association 2025 Budget as attached to the report of the Controller dated April 7, 2025.

AND THAT Council approves the 2025 levy of \$1,335,860 on Class 5 and Class 6 properties located within the boundaries of the Kelowna Downtown Business Improvement Area.

Purpose:

To authorize the 2025 levy on Class 5 light industry and Class 6 business/other properties located within the Kelowna Downtown Business Improvement Area.

Background:

On October 16, 2023, the Council approved the Kelowna Downtown Business Improvement Area Bylaw No. 12575. Bylaw No. 12575 established the local area (Schedule A) for the purpose of annually funding the activity of the Downtown Kelowna Association for a period of 5 years from 2024 to 2028. In the bylaw, Council approved the Downtown Kelowna Association’s 2025 budget request of \$1,335,860 in order for the City to tax the affected properties within the improvement area boundary.

Discussion:

Attached is a copy of the Downtown Kelowna Business Association’s 2025 Budget, which includes the 2025 levy of \$1,335,860 (Schedule B), the 2024 Financial Statements as reviewed by KPMG LLP Chartered Professional Accountants (Schedule C), and a list of the Board of Directors for 2024-2026 (Schedule D)

City of Kelowna staff have not participated in or assisted the Downtown Kelowna Association in preparation of their annual budget.

Conclusion:

It is recommended that Council approve the 2025 budget of \$1,335,860 as set out in Schedule B to be levied on the Class 5 and 6 properties included in Schedule A.

Considerations applicable to this report:

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

Kelowna Downtown Business Improvement Area Bylaw No. 12575.

Legal/Statutory Procedural Requirements:

Council may, by bylaw, impose a parcel tax in accordance with Division 4 Section 200 of the Community Charter to provide all or part of the funding for a service.

Considerations not applicable to this report:

Legal/Statutory Authority
Existing Policy
Financial/Budgetary Considerations
Consultation and Engagement

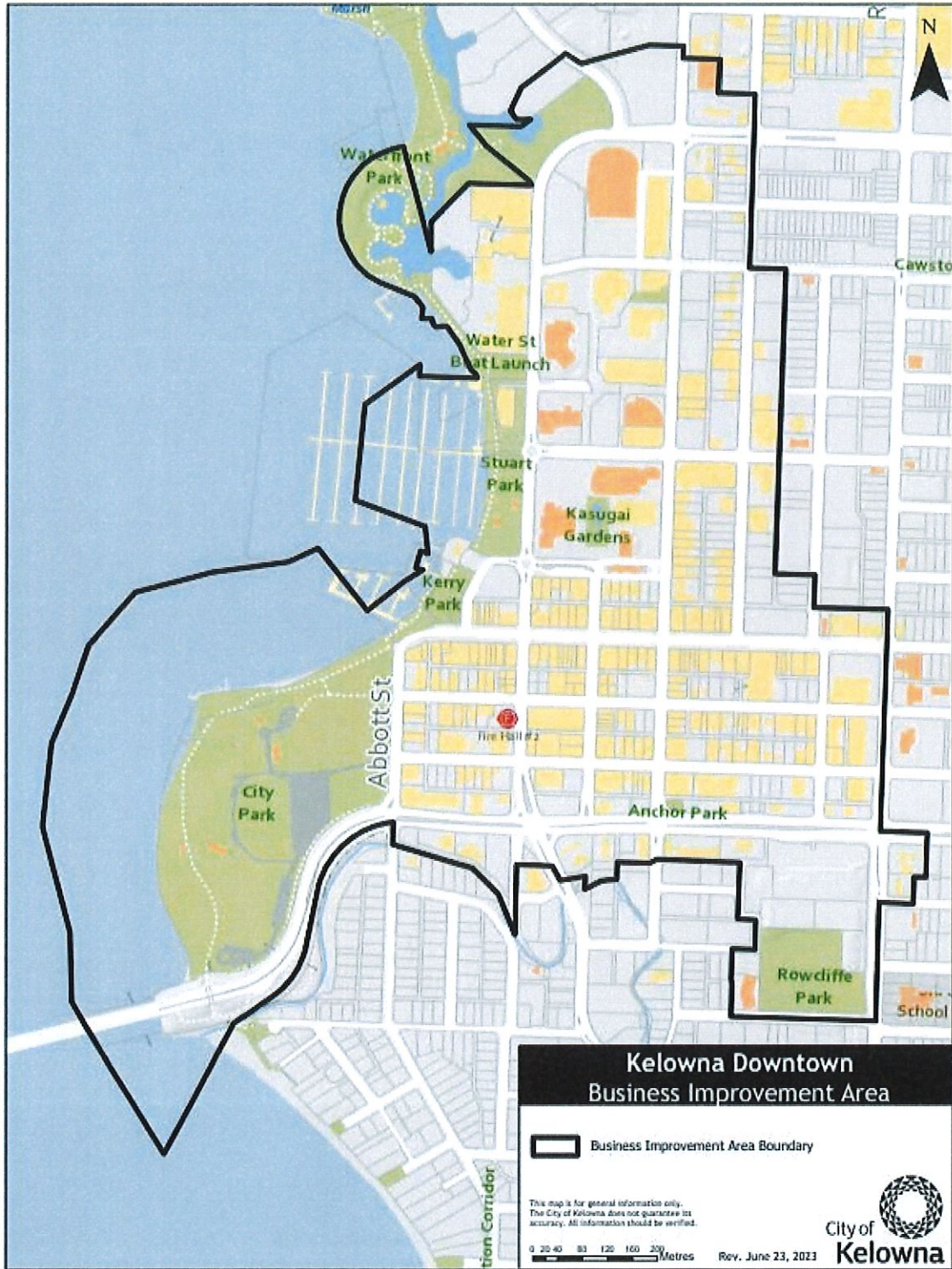
Submitted by: M Friesen, Controller – Financial Services

Approved for inclusion: M. Warrender, Deputy Chief Financial Officer, Financial Services

Attachments:

Schedule A – DKA Map
Schedule B – DKA 2025 Budget Summary
Schedule C – 2024 DKA DRAFT FS
Schedule D – DKA Board of Directors 2024-2026

SCHEDULE A – Map



**DOWNTOWN KELOWNA BUSINESS IMPROVEMENT AREA SOCIETY
2025 BUDGET**

Revenue	2025 Budget	2024 Year End	2024 Budget
Membership Levy	1,335,860	1,263,741	1,263,741
Downtown On Call	143,778	106,305	100,000
Downtown Clean Team	74,000	74,221	96,000
Downtown Summer Team	11,000	5,543	25,200
Events	105,000	-	-
Events - After 5	-	27,473	27,000
Events - Block Party	-	5,000	20,000
Events - Winter Street Mkt	-	10,875	13,000
Events - Show N' Shine	-	7,850	11,600
Events - MMOB	-	2,500	5,000
Events - Sponsorship	-	-	-
Events - Night Market	-	54,801	-
Recovery	-	10,000	-
Other	-	18,390	-
	1,669,638	1,586,698	1,561,541
Expenses	2025 Budget	2024 Year End	2024 Budget
Amortization	-	-	-
Business Recruitment	8,000	8,060	8,000
Clean Team	292,924	282,771	276,473
Communications	7,840	5,968	7,240
Downtown Summer Team	16,373	19,376	32,380
Downtown On Call	542,771	557,143	507,363
Events	146,500	165,670	153,000
Insurance	10,000	9,888	10,000
Interest on long term debt	-	-	-
Marketing and Promotions	130,736	128,129	94,895
Office and Administration	51,145	55,263	52,385
Professional Development	5,000	2,791	3,000
Professional Fees	30,760	21,041	20,500
Rent	72,000	66,131	63,300
Wages and Benefits	318,705	307,292	305,375
	1,632,754	1,629,525	1,533,911
			-
Excess/Loss of revenues over expenses	36,884	(42,827)	27,630
Net assets, beginning of Year	366,200	409,027	447,583
Net assets, end of Year		366,200	

Notes for Internal Use Only - Re: 2024

Levy
New Funding for DOC
Includes funding and invoiced work.
Anticipated CSJ funding for 8 weeks

Block Party cancelled for 2025

New revenue in 2024/new event
Pocket street parklet sponsor Tourism Kelowna/City of Kelowna
Parking token refund/URBA repayment for uniforms

ICSC Conference / Expansion marketing
Over budget from stats and OT

Only 1 student approved hoping for 3 this year
High turnover resulted in more OT/stats/5 day sick paid
Increased costs/refined costing for 2025

Invested in new branding due to low visitorship

BIABC Conference Mark & Cassandra
Increased fees above budget
New lease rate for 2025
Status quo on admin staff

Financial Statements of

**KELOWNA DOWNTOWN BUSINESS
IMPROVEMENT AREA SOCIETY**
(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Year ended December 31, 2024



KPMG LLP
200-3200 Richter Street
Kelowna, BC V1W 5K9
Canada
Telephone (250) 979 7150
Fax (250) 763 0044

INDEPENDENT PRACTITIONER'S REVIEW ENGAGEMENT REPORT

To the Members of Kelowna Downtown Business Improvement Area Society

We have reviewed the accompanying financial statements of Kelowna Downtown Business Improvement Area Society (Operating as Downtown Kelowna Association), which comprise the statement of financial position as at December 31, 2024, the statement of operations, statement of changes in net assets and statement of cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Practitioner's Responsibility

Our responsibility is to express a conclusion on the accompanying financial statements based on our review. We conducted our review in accordance with Canadian generally accepted standards for review engagements, which require us to comply with relevant ethical requirements.

A review of financial statements in accordance with Canadian generally accepted standards for review engagements is a limited assurance engagement. The practitioner performs procedures, primarily consisting of making inquiries of management and others within the entity, as appropriate, and applying analytical procedures, and evaluates the evidence obtained.

The procedures performed in a review are substantially less in extent than, and vary in nature from, those performed in an audit conducted in accordance with Canadian generally accepted auditing standards. Accordingly, we do not express an audit opinion on these financial statements.

Conclusion

Based on our review, nothing has come to our attention that causes us to believe that the financial statements do not present fairly, in all material respects, the financial position of Kelowna Downtown Business Improvement Area Society as at December 31, 2024, and its results of operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.



Page 2

Report on other legal and regulatory requirements

As required by Section 117(1)(b) of the Societies Act (British Columbia), we are required to state whether these financial statements are prepared on a basis consistent with the basis on which the financial statements that related to the preceding period were prepared. Based on our review, nothing has come to our attention that causes us to believe that the significant accounting policies applied in preparing these financial statements have not been applied on a basis consistent with that of the preceding year.

A handwritten signature in black ink that reads 'KPMG LLP'. The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line that starts under the 'K' and ends under the 'P'.

Chartered Professional Accountants

Kelowna, Canada

March 25, 2025

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)
Statement of Financial Position

December 31, 2024, with comparative information for 2023


	2024	2023
Assets		
Current assets:		
Cash	\$ 187,260	\$ 227,419
Restricted cash and cash equivalents	45,743	44,054
Accounts receivable	6,509	5,943
Prepaid expenses	6,558	7,318
	<u>246,070</u>	<u>284,734</u>
Capital assets (note 2)	8,012	15,013
	<u>\$ 254,082</u>	<u>\$ 299,747</u>

Liabilities and Net Assets

Current liabilities:		
Accounts payable and accrued liabilities	\$ 61,494	\$ 50,070
Net assets:		
Invested in capital assets	8,012	15,013
Internally restricted	45,743	44,054
Unrestricted	138,833	190,610
	<u>192,588</u>	<u>249,677</u>
Commitments (note 4)		
	<u>\$ 254,082</u>	<u>\$ 299,747</u>


See accompanying notes to financial statements.

On behalf of the Board:



Bernata Mills, President

Director



Jaspal Dhill, Treasurer

Director

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Statement of Operations

Year ended December 31, 2024, with comparative information for 2023

	2024	2023
Revenue:		
Membership levy	\$ 1,263,741	\$ 1,148,954
Clean team	74,221	85,844
Downtown concierge	5,543	20,718
Downtown on call	106,305	100,000
Events	108,462	74,432
Other	30,079	45,159
	<u>1,588,351</u>	<u>1,475,107</u>
Expenses:		
Amortization	12,530	25,915
Business recruitment	8,060	6,463
Clean team	283,110	247,629
Communications	5,968	6,421
Downtown concierge	19,169	25,139
Downtown on call	557,651	500,607
Events	165,877	137,484
Insurance	9,888	9,025
Marketing and promotion	128,129	54,808
Office and administration	54,329	49,993
Professional development	2,791	2,666
Professional fees	21,041	22,755
Rent	66,131	59,347
Wages and benefits	310,766	314,783
	<u>1,645,440</u>	<u>1,463,035</u>
Excess (deficiency) of revenue over expenses	\$ (57,089)	\$ 12,072

See accompanying notes to financial statements.

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Statement of Changes in Net Assets

Year ended December 31, 2024, with comparative information for 2023

December 31, 2024	Invested in capital assets	Internally restricted	Unrestricted	Total
Net assets, beginning of year	\$ 15,013	\$ 44,054	\$ 190,610	\$ 249,677
Excess (deficiency) of revenue over expenses	(12,530)	1,689	(46,248)	(57,089)
Purchase of capital assets	5,529	-	(5,529)	-
Net assets, end of year	\$ 8,012	\$ 45,743	\$ 138,833	\$ 192,588

December 31, 2023	Invested in capital assets	Internally restricted	Unrestricted	Total
Net assets, beginning of year	\$ 36,492	\$ 42,910	\$ 158,203	\$ 237,605
Excess (deficiency) of revenue over expenses	(25,915)	1,144	36,843	12,072
Purchase of capital assets	4,436	-	(4,436)	-
Net assets, end of year	\$ 15,013	\$ 44,054	\$ 190,610	\$ 249,677

See accompanying notes to financial statements.

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Statement of Cash Flows

Year ended December 31, 2024, with comparative information for 2023

	2024	2023
Cash provided by (used in):		
Operating activities:		
Cash received from City of Kelowna	\$ 1,447,930	\$ 1,328,510
Cash received from other revenues	139,855	145,201
Cash paid to suppliers and employees	(1,620,726)	(1,428,452)
	(32,941)	45,259
Investing activities:		
Transfer to restricted cash and cash equivalents	(1,689)	(1,144)
Purchase of capital assets	(5,529)	(4,436)
	(7,218)	(5,580)
Increase (decrease) in cash	(40,159)	39,679
Cash, beginning of year	227,419	187,740
Cash, end of year	\$ 187,260	\$ 227,419

See accompanying notes to financial statements.

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)
Notes to Financial Statements

Year ended December 31, 2024

Kelowna Downtown Business Improvement Area Society (operating as Downtown Kelowna Association) (the "Society") is a non-profit association, registered under the Society Act (British Columbia), of businesses and individuals whose purpose is to promote the downtown as a safe and desirable place to conduct business, live, work and play through the cooperative and collective efforts of its members and government. The Society is a non-profit organization under the Income Tax Act and, accordingly, is exempt from income taxes, provided certain requirements of the Income Tax Act are met.

1. Significant accounting policies:

These financial statements are prepared in accordance with Canadian accounting standards for not-for-profit organizations. The Society's significant accounting policies are as follows:

(a) Internally restricted net assets:

Internally restricted net assets consists of a contingency reserve established by the Board for approved expenses. The reserve is fully funded at all times and interest earned is retained within the reserve.

(b) Cash and cash equivalents:

Cash and cash equivalents includes cash and short-term, liquid instruments readily convertible into cash.

(c) Capital assets:

Capital assets are recorded at cost, less accumulated amortization. Contributed assets are recorded at fair value at the date of contribution. When Society's management determines that some or all of its capital assets no longer contribute to the Society's ability to carry out its operations, the carrying amount of the assets are written down to their residual value. Amortization is provided using the straight-line method and the following annual rates, when the asset is available for use:

Asset	Rate
Equipment	30%
Furniture and fixtures	25%
Computer equipment	30%
Website	30%
Leasehold improvements	lesser of remaining lease term and 20%

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Notes to Financial Statements (continued)

Year ended December 31, 2024

1. Significant accounting policies (continued):

(d) Revenue recognition:

The Society follows the deferral method of accounting for contributions, which include the membership levy, administered by the City of Kelowna, and government grants (including municipal and federal grants for clean team, downtown concierge and downtown on call). Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount can be reasonably estimated and collection is reasonably assured.

(e) Contributed services:

Individuals and organizations contribute numerous volunteer hours each year to assist the Society in carrying out its operations. Because of the difficulty in determining the fair value of the contributed services, they are not recognized in these financial statements.

(f) Use of estimates:

The preparation of the financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the year. Items subject to such estimates and assumptions include the useful lives of the Society's capital assets. Actual results could differ from those estimates.

(g) Financial instruments:

Financial instruments are recorded at fair value on initial recognition and subsequently recorded at cost or amortized cost, unless management has elected to carry the instruments at fair value. The Society has not elected to carry any such financial instruments at fair value. Transaction costs incurred on the acquisition of financial instruments measured subsequently at fair value are expensed as incurred. All other financial instruments are adjusted by transaction costs incurred on acquisition and financing costs, which are amortized using the straight-line method.

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Notes to Financial Statements (continued)

Year ended December 31, 2024

2. Capital assets:

			2024	2023
	Cost	Accumulated amortization	Net book value	Net book value
Equipment	\$ 186,830	\$ 186,830	\$ -	\$ -
Furniture and fixtures	62,178	60,694	1,484	1,541
Computer equipment	30,248	23,720	6,528	5,441
Website	39,325	39,325	-	8,031
Leasehold improvements	8,981	8,981	-	-
	\$ 327,562	\$ 319,550	\$ 8,012	\$ 15,013

3. Related party transactions:

During the normal course of its operations, the Society may enter into transactions with Downtown Kelowna businesses, including entities affiliated with its Directors. These transactions are measured at the exchange amount, which is the amount of consideration established and agreed to by the related parties.

4. Commitments:

The Society leases its office space under an operating lease, expiring April 30, 2029. The lease terms provide for base annual rent payments as outlined below plus additional lease costs for common area costs, utilities, property taxes and management fees.

2025	\$ 42,867
2026	44,021
2027	45,175
2028	46,329
2029	15,571
	\$ 193,963

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)
Notes to Financial Statements (continued)

Year ended December 31, 2024

5. Remuneration paid to directors, employees and contractors:

In accordance with the Societies Act (British Columbia) Section 36.1 and Societies Regulation 9.2(b), the Directors of the Society receive no remuneration for the performance of their responsibilities as Directors.

As required by the Societies Act (British Columbia), the Society paid remuneration, including benefits, of \$75,000 or greater to two employees (2023 - two, \$184,473) for services for total remuneration of \$187,625.

6. Financial risks:

(a) Economic dependence:

The Society receives funding from the City of Kelowna through a member levy charged and collected by the City through its property tax system. The Society also receives other grant funding from the City and from federal and provincial government programs. Future operations of the Society depend on the continuation of funding from the City of Kelowna and renewal of the City's membership levy by-law. The current by-law expires December 31, 2028.

(b) Liquidity risk:

Liquidity risk is the risk that the Society will be unable to fulfill its obligations on a timely basis or at a reasonable cost. The Society manages its liquidity risk by monitoring its operating requirements. The Society prepares budget and cash forecasts to ensure it has sufficient funds to fulfill its obligations. There has been no change to the risk exposures from 2023.

DOWNTOWN KELOWNA

Board of Directors

Executive

Renata Mills	President	<i>Festivals Kelowna</i>
Travis Pye	Vice President	<i>Lakeshore Homestore</i>
Jaspal Dhial	Treasurer	<i>Multi-Power Products</i>
Caroline Bye	Secretary	<i>Kelowna Yacht Club</i>

Board

Tina Thygesen		<i>Mission Group</i>
Craig Shirra		<i>UBC Property Trust</i>
Crystal Dougan		<i>Little Hobo Soup & Sandwich Shop</i>
Thomas Eaves		<i>Pushor Mitchell LLP</i>
Nathan Matis		<i>Sweat Studios</i>
Jillian Povarchook		<i>Olive & Elle Boutique</i>
David Lindsay		<i>Train Station Pub</i>
Jason Wills		<i>Venture Realty</i>
Councilor Rick Webber		<i>Ex-Officio, City of Kelowna</i>



City of
Kelowna

Downtown Kelowna Business Improvement Area 2025 Budget

April 7, 2025

Bylaw No. 12575

- Council approved Bylaw No. 12575 on October 16, 2023
- Five-year term of 2024 to 2028
- Class o5 light industry and o6 business/other

Budget

- Requesting \$1,335,860 for the second year

Year	Downtown Kelowna Business Improvement Area
2024	\$1,263,741
2025	\$1,335,860
2026	\$1,390,040
2027	\$1,445,320
2028	\$1,503,075

Levy

- Based on assessment values totaling approximately \$1.4 billion for class 05 and 06
- A general levy of approximately \$0.97 per thousand dollars of assessed value
 - For example: approximately \$97 would be levied on property that is assessed at 100,000



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: April 7, 2025
To: Council
From: City Manager
Subject: Amendments to Council Policy No. 388 – Code of Conduct and Council Remuneration and Expense Bylaw No. 7547
Department: Office of the City Clerk

Recommendation:

THAT Council receive, for information, the report from the Office of the City Clerk dated April 7, 2025, regarding amendments to Council Policy No. 388 – Code of Conduct;

AND THAT Council adopt amendments to Council Policy No. 388 – Code of Conduct as set out in the report from the Office of the City Clerk dated April 7, 2025;

AND FURTHER THAT Bylaw No. 12777 being Amendment No. 13 to Council Remuneration and Expense Bylaw No. 7547 be advanced for reading consideration.

Purpose:

To adopt amendments to Council Policy No. 388 – Code of Conduct and to advance for reading consideration amendments to Council Remuneration and Expense Bylaw No. 7547.

Background:

On November 17, 2024, staff delivered a report to Council concerning a review of Council Policy No. 388 – Code of Conduct. The report summarized key observations arising from the experience of interpreting and applying the policy in its first year. The report also identified a series of recommended amendments to strengthen and clarify various areas of the Code of Conduct, several of which entail corresponding amendments to Council Remuneration and Expense Bylaw No. 7547. Council adopted a resolution directing staff to bring forward an amended draft policy and bylaw for further consideration.

Previous Council Resolution

Resolution	Date
THAT Council receive, for information, the report from the Office of the City Clerk dated November 18, 2024, regarding a review of Council Policy No. 388 – Code of Conduct;	November 18, 2024

<p><i>AND THAT Council direct staff to bring forward for Council consideration revisions to Council Policy No. 388 — Code of Conduct and Council Remuneration and Expense Bylaw No. 7547 as outlined in the report from the Office of the City Clerk dated November 18, 2024, with the exception of the proposed amendment to section 12 of Policy No. 388.</i></p>	
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Discussion:

Following Council’s direction, staff have prepared an amended Code of Conduct which implements the recommended changes as summarized below:

Code of Conduct Policy No. 388

- **Section 3** prohibits Council members from misuse of office to gain personal benefits for themselves, family members or friends. This section has been expanded to include illustrative examples of behavior that may breach this section, to provide greater clarity to both Council members and others as to what type of conduct this section restricts.
- **Section 4** has been revised to provide clearer guidance to Council on communicating with City staff and directing inquiries and other items appropriately. The revised section states that, in general, Council members will engage directly with the City Manager, and that requests for clarity on administrative matters will be directed to the appropriate member of senior staff.
- **Section 10** has been revised to provide greater clarity with respect to requirements for Council members who use social media accounts to state their personal views on issues that could come within the scope of City business. The revised section continues the requirement that Council members make a clear statement that their personal views do not represent Council or the City, however the revision makes it clear that this requirement may be met by posting a single general statement on the page or account. It clarifies that a Council member is not expected to include a statement associated with each and every social media post.
- **Section 16** has been revised to clarify that a Council member may not engage in campaign activities at City Hall or other City facilities that function primarily as staff workplaces. Campaign activities at other City facilities must follow the same policies and procedures as any other individual.
- **Section 27** has been revised to allow for the deadline to submit a formal complaint to be further extended when the potential complainant is a Council member and is working in good faith to address the basis of the potential complaint via informal resolution efforts.
- **Sections 28, 29 and 31** have been revised for minor textual improvements.

Staff have also prepared amendments to Council Remuneration and Expense Bylaw No. 7547 to implement the remaining elements of Council’s direction:

Council Remuneration and Expense Bylaw No. 7547

- **Sections 2, 3 and 4** of the Bylaw have been modernized by replacing the obsolete term “indemnity” with the word “remuneration” throughout.
- **Section 7** has been added to implement Section 46(i) of the Code of Conduct, which provides for a temporary reduction in remuneration as a remedy that Council may impose in respect of a violation of the Code of Conduct.

Conclusion:

The proposed amendments implement Council's direction by strengthening the Code of Conduct and providing greater clarity to Council, staff and the public as to the standards of conduct expected of Council members. Amendments to Council Remuneration and Expense Bylaw No. 7547 align with the remedy for a temporary reduction in remuneration that already exists in the Policy.

Considerations applicable to this report:

Legal/Statutory Authority: [Community Charter s 113.1](#)

Existing Policy: [Council Policy No. 388 – Code of Conduct](#)

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

Consultation and Engagement:

Communications Comments:

Submitted by:

M. Jud, Deputy City Clerk

Approved for inclusion: L. Bentley, City Clerk

Attachments:

Attachment A: Draft Amended Policy No. 388 – Code of Conduct

Council Policy

Code of Conduct

ESTABLISHED September 11, 2023



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

Contact Department: Office of the City Clerk

Guiding Principle

The Residents of the City of Kelowna are entitled to have a fair, ethical and accountable municipal Council that acts in the public interest, conducting its business with integrity and in a fair, honest and open manner.

The public expects that Council Members will adhere to the highest standards of professional conduct. Honesty, integrity, respect, transparency, leadership, collaboration, and accountability are the core ethical values reflected in this Code. Council Members are expected to perform their functions of office faithfully and to the best of their knowledge and ability, in accordance with these core ethical values.

The provisions of this Policy are to be interpreted broadly and in a manner that is consistent with the Community Charter.

The intention of Council in enacting this Code is not to stifle Council Members or to limit their ability to fully perform the governmental and advocacy functions that their position entails, with all the vigour, flair and freedom that is typical of a well-functioning democratic institution, but instead to guide Council Members to undertake those functions in a manner that accords with sound ethical principles.

Purpose

This Policy sets out the expectations Council Members are to follow in fulfilling their duties and responsibilities as elected officials.

Application

This Code applies to all Council Members, inclusive of their actions in their capacity as members of various boards, committees, and other discretionary appointments.

In this Policy:

“**Chief Administrative Officer (CAO)**” means the City Manager or their designate;

“**Corporate Officer**” means the person appointed as such by Council, or their designate;

“**Council Member**” means the Mayor and Councillors for the City of Kelowna;

“**FIPPA**” means the Freedom of Information and Protection of Privacy Act (British Columbia);

“**Investigator**” means the investigator appointed in section 30;

“**Resident**” means any person who would be eligible to vote in a municipal election in the City of Kelowna, along with any person holding a valid and subsisting business licence issued by the City of Kelowna; and

“**Staff**” means an officer or employee of the City of Kelowna, but does not include contractors.

Policy Statements

Part 1 – Conduct

Comply with all Laws

1. Council Members will comply with all applicable federal, provincial and municipal laws in the performance of their public duties, including but not limited to:
 - a) the *Community Charter*;
 - b) the *Local Government Act*;
 - c) FIPPA;
 - d) the *Financial Disclosure Act*; and
 - e) bylaws, policies, and procedures of the City.

General Conduct

2. Council Members will not engage with others, including Residents, Staff, Committee Members and other Council Members, in a manner that is abusive, bullying, intimidating or derogatory.
3. Council Members will not use their office to attempt to gain personal benefits for themselves, their family members or their friends. Without limiting the generality of this section, the following are illustrative examples of behaviour that may constitute a use of office to attempt to gain personal benefits:
 - a) Seeking to influence the outcome of a hiring process for a City staff position;
 - b) Seeking to influence City decision-making with respect to procurement or contracting outside of a Council decision;
 - c) Using confidential information gained in the course of one's official duties to pursue a financial or other personal interest; or
 - d) Representing one's self as a Council Member for the purpose of promoting a personal undertaking such as a business or non-profit organization.

Interactions with Staff

4. Council Members will direct questions and inquiries regarding departmental issues in accordance with protocols established by the City Manager. Council members will not contact Staff directly except to seek administrative clarity, and such inquiries will be directed to the appropriate member of the City's senior staff.
5. Council Members will not interfere with, hinder, or obstruct Staff in the exercise or performance of their roles, responsibilities, powers, duties, or functions, nor will they impair the ability of municipal officers or Staff to implement Council policy decisions in accordance with section 153 of the Community Charter.
6. Council Members will not request or require that Staff undertake personal or private work for or on behalf of a Council Member.
7. Council Members will not request or require that Staff engage in political activities, or subject them to reprisal of any kind for refusing to engage in such activities.

Interactions with the Public and Advocacy

8. To promote respect and integrity for Council decision-making, Council Members will accurately communicate the decisions of the Council, even if they disagree with the majority decision of Council.
9. Council Members will refrain from making any disparaging comments about other Council Members or members of staff.
10. The Mayor is the designated spokesperson for the City on Council matters. Council Members will represent the official policies or positions of Council to the best of their ability when designated as a delegate of Council.
 - a) When presenting their individual opinions and positions, Council Members will take reasonable steps to avoid confusion as to whether they are speaking on behalf of Council or the City. This includes explicitly stating that it is their own personal view and that they do not represent Council or the City in those views.
 - b) When communicating via a social media account, it will suffice for a Council Member to post a single statement in a routinely viewable location on the account page or profile stating that the views expressed via the account are the personal views of the Council Member only and do not represent the position of Council or the City.

Conduct of Meetings

11. Council Members will prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand. Council Members will not interrupt other speakers, make personal comments not germane to the business of the body, or otherwise interfere with the orderly conduct of a meeting.
12. Council Members will not interact or communicate with members of the public during open or closed Council meetings about matters being considered at that meeting via email, text or other social media applications.

Conflict of Interest

13. Council Members will act in accordance with sections 100 to 104 of the Community Charter and Council Policy No. 313 regarding conflict of interest and influence.

Gifts

14. Council Members will act in accordance with sections 105 and 106 of the Community Charter and Council Policy No. 389 Council Disclosure of Gifts and Personal Benefits.

Use of Public Resources

15. Council Members will not use City public resources such as Staff time, equipment, technology, supplies, facilities, branding or other property for private gain, personal purposes, or election-related purposes.
16. Council Members will not undertake federal, provincial or municipal election campaign activities at City Hall or at other City facilities where the main function of such locations is employee workspaces. Council Members who seek to engage in campaign activities at other City facilities must follow applicable City policies and procedures.

Leave of Absence

17. A Council Member who is running for elected office outside of a local government election should consider requesting a leave of absence from Council once the writ is dropped for that election to avoid conflicts of interest or perceived conflicts of interest.
18. A Council Member who is running for nomination or is a nominee for elected office outside of a local government election will not act as Deputy Mayor. The Mayor may appoint another Council Member as Deputy Mayor until after general voting day of that election or the end of the Deputy Mayor's scheduled term, if earlier than general voting day.
19. A Council Member who is running for nomination or is a nominee for elected office outside of a local government election will not represent Council on internal or external committees, task forces, or agencies. The Mayor may appoint another Council Member to represent Council until after general voting day of that election.
- 19.1 For certainty, sections 18 and 19 do not apply should the Council Member no longer be running for the nomination or not be nominated. In those instances the Council Member may resume the duties identified in those sections.

Part 2 – Investigation, Compliance And Enforcement

Implementation

20. This Code is intended to be self-enforcing and becomes most effective when Council Members are thoroughly familiar with it and embrace its provisions. For this reason, this Code will be provided as information to candidates for Council.

Informal Resolution

21. If a Council Member believes that they have observed another Council Member engaging in conduct that would breach this Policy, they must attempt to resolve the complaint directly with the other Council Member, if possible, prior to submitting a complaint under section 24.
22. If a Staff member believes that they have observed a Council Member engaging in conduct that would breach this Policy, and they wish to file a complaint, they must approach the CAO and the Corporate Officer on a confidential basis and inform the CAO and Corporate Officer of the alleged breach.
23. Upon receipt of the confidential information in section 22, the CAO and the Corporate Officer may:
 - a) determine that no breach has occurred and inform the Staff member of that determination;
 - b) attempt to address the alleged breach with the Council Member and, if the circumstances warrant, the Staff member; or
 - c) request that Staff member file a complaint in accordance with sections 24 and 25.

Complaint Procedure

24. Subject to sections 21 to 23, a Council Member, Staff member or Resident may submit a complaint to the CAO and Corporate Officer. Alternatively, if the complainant is the CAO or Corporate Officer or the complaint involves the CAO or Corporate Officer, the complaint may be submitted to the other position alone.
25. A complaint must be in writing, must be submitted within 30 days of the alleged breach (or within 30 days of notification to the CAO and Corporate Officer under section 22, if applicable), and must include, with sufficient detail:
 - a) the name of the complainant;
 - b) the name of the respondent Council Member(s);
 - c) the conduct that the complainant alleges was in breach of the Code;
 - d) the date(s) of the alleged conduct;
 - e) the part(s) of the Code the alleged conduct breached;
 - f) the basis for the complainant's knowledge of the conduct; and
 - g) if a complaint is submitted by a Council Member, whether the Council Member attempted to resolve the complaint informally under section 21.
26. A complaint that does not comply with all of the requirements of section 25 may be accepted if the CAO and Corporate Officer determine that there has been substantial compliance or if the circumstances otherwise warrant acceptance.

27. A complaint submitted outside the time limits set out in section 25 must be rejected, except that the CAO and Corporate Officer or City Solicitor may extend the time limits as follows:
 - a) by up to 30 days if the circumstances of the complaint are, based on the assessment of the CAO and Corporate Officer or City Solicitor, sufficiently serious; or
 - b) by up to 60 days if the complainant is a Council Member and they have made a good faith effort to informally resolve the complaint pursuant to section 21.
28. During a general local election, complaints submitted from the first day of the nomination period to the general voting day must be accepted and held in abeyance until after the new Council has taken office. At that time, complaints will only proceed if they relate to a Council Member who was re-elected in that election. For certainty, if the Council Member who is the subject of the complaint is not re-elected, the complaint must be rejected. The same provision applies to a Council Member who is running in a City by-election, or in a federal or provincial election beginning at the time the writ is dropped. If the Council Member who is the subject of the complaint resigns from Council following the election, the complaint must be rejected.

Preliminary Assessment

29. On receipt of a complaint, the CAO and Corporate Officer will conduct a preliminary assessment of the complaint or forward the complaint to the City's Solicitor to conduct a preliminary assessment. If the CAO, Corporate Officer or Solicitor determines that any of the following circumstances apply, then they must notify the complainant and respondent Council Member in writing that the complaint will be closed, stating the reason(s) for the closure:
 - a) the complaint is not with respect to a breach of this Policy;
 - b) the complaint is frivolous, vexatious, or not made in good faith;
 - c) the complaint would be more appropriately addressed through another process;
 - d) the complaint was not in compliance with sections 24 and 25, and the respondent Council Member will be prejudiced by the complainant's failure to comply;
 - e) the complainant wishes to withdraw the complaint, and it would be appropriate to allow the complaint to be withdrawn;
 - f) the complaint was submitted by a Council Member, and the Council Member ought to have first attempted to resolve the complaint informally under section 21; or
 - g) there are no reasonable grounds on which to conclude that a violation of this Policy has occurred.

Referral to Third-Party Investigator

30. If the CAO, Corporate Officer or Solicitor determines that the complaint should be accepted for investigation, they will refer the complaint to a neutral and independent third-party Investigator of their choosing to conduct an investigation and they will notify the complainant and respondent Council Member of the referral.
31. The Investigator will have the same ability to close a complaint on preliminary assessment when one or more of the circumstances set out in section 29 applies.
32. An Investigator, once retained, may only be dismissed for cause.

Criminal Conduct

33. If, at any stage in the complaint procedure, the CAO, Corporate Officer, Solicitor or Investigator determines that there are reasonable grounds to believe that there has been a contravention of the Criminal Code, or learns that there is an ongoing police investigation into the conduct that gave rise to the complaint, then they must immediately refer the matter to the appropriate authorities and suspend any investigation into the complaint until any resulting police investigation and charge have been finally disposed of, and will report the suspension to Council, the complainant, and the respondent Council Member.
34. For certainty, a complaint must be suspended while the respondent is on a mandatory leave of absence under section 109.3(1) of the Community Charter, and may be re-commenced only once the mandatory leave of absence ends pursuant to section 109.3(1)(b) of the Community Charter.

Formal Resolution

35. Once retained, the Investigator will deliver the complaint to the respondent Council Member, along with a request that the respondent Council Member provide a written response to the complaint, together with any submissions that the respondent Council Member chooses to make, within 10 days.
36. The Investigator may, at their discretion, deliver the respondent Council Member's written response and submissions to the complainant and request a reply in writing within 10 days.

37. The Investigator may:
 - a) speak to anyone relevant to the complaint;
 - b) request disclosure of documents relevant to the complaint;
 - c) access any record in the custody or control of the City, within the meaning of FIPPA, with the exception of records subject to solicitor-client privilege; and
 - d) extend the timelines established in sections 35 and 36, at their discretion.
38. The Investigator has discretion to conduct the investigation as they see fit, but must ensure that the investigation complies with the rules of procedural fairness and natural justice required in the circumstances of the complaint.

Adjudication and Reporting

39. The Investigator must conclude the investigation and make a determination regarding the alleged breach within 90 days of referral under section 30, unless the Investigator determines that doing so is not practicable, in which case the Investigator must notify the complainant and respondent Council Member of the delay and provide a revised decision date. The revised decision date may be extended by periods of up to 30 days at a time on provision of written notice to the complainant and respondent Council Member.
40. If, after reviewing all the material information, the Investigator determines that a Council Member did not violate this Policy, then the Investigator will:
 - a) prepare a written investigation report providing reasons for their determination, which will include a determination of whether the complaint was submitted frivolously, vexatiously or in bad faith; and
 - b) deliver a copy of the investigation report to the complainant, respondent Council Member, and Council.
41. If, after reviewing all the material information, the Investigator determines that a Council Member did violate this Policy, then the Investigator will:
 - a) prepare a written investigation report providing reasons for their determination, which must include:
 - i. a summary of the factual findings of the Investigator;
 - ii. an application of the Policy, and any other applicable law, to the facts;
 - iii. a recommendation of the appropriate sanction, subject to subsection (iv); and
 - iv. if applicable, a determination of whether the respondent Council Member took all reasonable steps to avoid the breach or whether the breach was trivial, inadvertent or due to an error in judgment made in good faith, in which case the Investigator may recommend that no sanction be imposed;
 - b) deliver a copy of the investigation report to the respondent Council Member; and
 - c) 48 hours after the delivery of the investigation report to the respondent Council Member, deliver a copy of the investigation report to Council.

Final Determination by Council

42. Council must, within 45 days of the Investigator's delivery of the investigation report, decide on the appropriate measures, if any, that are warranted by a breach of this Policy;
43. Prior to making any decision regarding the findings and recommendations set out in the investigation report, the respondent Council Member must be provided with an opportunity, either in person or in writing, to comment to Council on the Investigator's determinations and recommendations.
44. While an investigation report may be considered in a closed meeting, if the circumstances warrant, when Council deliberates and votes on the Investigator's recommendation, it will generally do so in an open meeting.
45. Within 30 days of Council's final decision about an investigation, it must, subject to the City's obligations under FIPPA, release to the public the investigation report, or a summary thereof, along with a summary of Council's decision.

Remedies

46. Remedies that may be imposed by Council for a violation of this Policy include the following:
 - a) a letter of reprimand from Council, addressed to the respondent Council Member;
 - b) a request from the Council that the respondent Council Member issue a letter of apology;
 - c) the publication of the letters contemplated in subsections (a) and (b), along with the respondent Council Member's response, if any;

- d) directions to the CAO and Corporate Officer regarding the method of providing documents that contain confidential information to the respondent Council Member;
 - e) a recommendation that the respondent Council Member attend specific training or counselling;
 - f) limitations on access to certain City facilities;
 - g) prohibition from representing the City at events and/or attending conferences;
 - h) suspension or removal of the respondent Council Member from the Deputy Mayor rotation;
 - i) a temporary reduction in remuneration;
 - j) public censure of the respondent Council Member; or
 - k) any other sanction recommended by the Investigator, so long as that sanction is within the authority of Council.
47. Council must consider the following factors when determining whether to impose a sanction on a Council Member:
- a) the degree and nature of the conduct;
 - b) whether the contravention was a single or repeated act;
 - c) whether the Council Member knowingly contravened the Code;
 - d) whether the Council Member took steps to mitigate or remedy the contravention;
 - e) the Council Member's history of other contraventions; and
 - f) if applicable, the Investigator's finding that the respondent Council Member took all reasonable steps to avoid the breach, or that the breach was trivial or done inadvertently or because of an error in judgment.

Confidentiality of Investigation

48. The CAO, Corporate Officer, Solicitor and Investigator must make all reasonable efforts to process and investigate complaints in a confidential manner.
49. The Investigator and every person acting under the Investigator's instructions must preserve confidentiality with respect to all matters that come into the Investigator's knowledge in the course of any investigation or complaint, except as otherwise required by law.

Obstruction and Frivolous and Vexatious Complaints

50. No Council Member, Staff or Resident will obstruct the Investigator, Solicitor, CAO or Corporate Officer in relation to the administration of this Policy or the investigation of a complaint. Without limitation, the following will constitute obstruction:
- a) uttering of threats against any person involved in the complaint;
 - b) destruction of relevant records or documents; and
 - c) refusal to cooperate with the Investigator.
51. A person who is found to have obstructed the Investigator, CAO, Corporate Officer, or Solicitor or any individual covered by this Policy who makes a complaint that is subsequently found to have been made in a deliberately frivolous, vexatious or malicious manner, or otherwise made in bad faith, will be subject to appropriate disciplinary action, which may include, but is not limited to:
- a) in the case of Council Members, sanctions and remedies as described in this Policy;
 - b) in the case of Staff, disciplinary action or termination of employment for just cause, as applicable;
 - c) in the case of any complainant, prohibition from filing complaints under this Code for a specified period of time.

Reimbursement of Costs

52. A Council Member may make a request to Council for reimbursement of the costs of legal advice and representation in responding to the formal complaint process outlined in this Policy. If appropriate, after considering all of the circumstances, Council may resolve to reimburse legal fees reasonably incurred by a Council Member, provided that all of the following are met:
- a) the Council Member has not previously been found to have breached the Code; and
 - b) the amount claimed does not exceed \$10,000.

Amendments

Resolution:
Replacing:23/09/11

Amendments to Council Code of Conduct and Remuneration Bylaw

April 7, 2025



Background

- ▶ Council direction from November 18, 2024:

Resolution

THAT Council receive, for information, the report from the Office of the City Clerk dated November 18, 2024, regarding a review of Council Policy No. 388 – Code of Conduct;

AND THAT Council direct staff to bring forward for Council consideration revisions to Council Policy No. 388 – Code of Conduct and Council Remuneration and Expense Bylaw No. 7547 as outlined in the report from the Office of the City Clerk dated November 18, 2024, with the exception of the proposed amendment to section 12 of Policy No. 388.

Recommended Amendments

General Conduct – Section 3

- ▶ Prohibits Council members from misuse of office to gain personal benefits
- ▶ Expanded to include examples of behavior that may breach this section

Recommended Amendments

Interactions with Staff – Section 4

- ▶ Revised to provide clearer guidance to Council on communicating with City staff, to:
 - ▶ Engage directly with the City Manager
 - ▶ Direct requests for clarity on administrative matters to the appropriate senior staff

Recommended Amendments – Code of Conduct

Interactions with the Public and Advocacy – Section 10

- ▶ Required to specify when expressing personal views vs speaking for the City
- ▶ Clarified how the requirement may be met on social media

Recommended Amendments – Code of Conduct

Use of Public Resources – Section 16

- ▶ Clarified restrictions on Council members engaging in election campaign activities at City facilities

Complaint Procedure – Section 27

- ▶ Further extension of the deadline when a Council member is engaged in good faith informal resolution efforts

Recommended Amendments – Remuneration Bylaw

Code of Conduct Remedies – Section 7

- ▶ Implemented Section 46(i) of the Code of Conduct
- ▶ Temporary reduction in remuneration as a remedy that may be imposed by Council in respect of a violation of the Code of Conduct

Conclusion

- ▶ Implement Council's direction
 - ▶ Strengthen the Code of Conduct
 - ▶ Provide greater clarity to Council, staff and the public as to the standards of conduct expected of Council members
- ▶ Amendments to the Council Remuneration Bylaw align it with the Policy
- ▶ Recommendation
 - ▶ That Policy No. 388 – Code of Conduct be adopted as revised
 - ▶ That Bylaw No. 12777, being Amendment No. 13 to Council Remuneration and Expense Bylaw No. 7547 be forwarded for reading consideration



Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

Bylaw No. 12777

Amendment No. 13 to Council Remuneration and Expense Bylaw No. 7547

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Council Remuneration and Expense Bylaw No. 7547 be amended as follows:

1. That **Section 2 – Mayor’s Indemnity, Section 3 – Councillor’s Indemnity, and Section 4 – Deputy Mayor’s Indemnity** be amended by replacing every instance of the word “indemnity” with “remuneration”.
2. That the following new section be added immediately following **Section 6 – Benefits**, with subsequent sections renumbered accordingly:

“7. Code of Conduct Remedies

Pursuant to Council Policy 388 – Code of Conduct, when a Council member has been found by an Investigator to have breached the Code of Conduct, Council may, by resolution, impose a temporary reduction in the remuneration to which the Council member would otherwise be entitled under this Bylaw.”

3. This bylaw may be cited as "Bylaw No. 12777 being Amendment No. 13 to Council Remuneration and Expense Bylaw No. 7547."
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12757

Amendment No. 1 to the Five Year Financial Plan 2024-2028 Bylaw No. 12639

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

1. THAT the Five Year Financial Plan 2024-2028 Bylaw No. 12639 be amended by deleting Schedule "A" in its entirety and replacing with the new Schedule "A" as attached to and forming part of this bylaw;
2. This bylaw may be cited for all purposes as Bylaw No. 12757 being "Amendment No. 1 to the Five Year Financial Plan Bylaw, 2024-2028, No. 12639."

Read a first, second and third time by the Municipal Council this 31st day of March 2025.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule "A"

Financial Plan 2024 - 2028

	2024 Amended Budget	2024	2025	2026	2027	2028	2029-2031
Revenue							
Property Value Tax	191,220,490	191,220,490	203,343,357	216,124,348	230,689,351	244,802,502	786,564,674
Library Requisition	7,859,400	7,859,400	8,016,588	8,176,920	8,340,458	8,507,267	26,035,639
Parcel Taxes	4,440,697	4,440,697	3,450,288	3,290,286	2,944,479	2,711,096	7,883,485
Fees and Charges	180,313,966	178,947,925	185,894,676	196,314,029	204,029,869	212,399,148	688,368,989
Borrowing Proceeds	5,912,000	4,522,400	71,928,262	24,680,540	11,421,775	16,806,499	25,875,982
Other Sources	111,145,672	98,499,082	161,931,710	140,624,333	113,384,030	85,439,508	225,580,497
	500,892,225	485,489,994	634,564,881	589,210,457	570,809,962	570,666,020	1,760,309,266
Transfer between Funds							
Reserve Funds	2,165,348	2,489,948	1,289,098	6,115,713	7,629,335	6,143,430	18,519,832
DCC Funds	69,285,955	61,375,400	57,634,139	52,938,672	66,663,479	65,428,683	140,205,159
Surplus/Reserve Accounts	346,459,499	305,547,770	119,650,706	100,298,759	95,870,859	75,249,984	257,737,446
	417,910,802	369,413,118	178,573,943	159,353,144	170,163,673	146,822,097	416,462,437
Total Revenue	918,803,027	854,903,112	813,138,824	748,563,601	740,973,635	717,488,117	2,176,771,703
Expenditures							
Municipal Debt							
Debt Interest	4,956,085	4,956,085	5,315,399	11,005,460	15,739,605	17,969,307	63,420,320
Debt Principal	7,149,119	7,149,119	7,258,284	8,954,238	10,373,849	10,258,477	36,787,913
Capital Expenditures	467,195,310	415,457,000	357,466,503	272,670,553	248,886,362	206,263,477	519,091,611
Other Municipal Purposes							
Arts & Culture	4,335,437	4,273,737	4,282,458	4,489,454	4,645,033	4,806,007	15,440,657
Community Development	6,140,607	6,002,914	4,793,625	5,150,805	5,209,788	5,382,430	17,243,174
Community Safety & Bylaw	8,742,899	7,853,956	7,650,957	7,902,278	8,183,981	8,467,965	27,232,983
Development Planning	2,642,314	2,713,940	2,599,523	2,687,924	2,779,287	2,873,820	9,222,032
Development Services	6,532,198	6,532,198	7,043,599	7,288,306	7,541,210	7,802,890	25,071,139
Enabling Services	75,543,681	73,464,907	75,380,138	79,266,450	83,399,969	87,762,191	290,811,350
Fire Safety	29,013,014	28,176,552	29,074,292	29,933,760	30,971,906	32,046,076	102,962,498
Governance & Leadership	4,686,337	4,716,757	4,540,408	4,698,150	4,861,176	5,029,858	16,161,228
Parking	5,013,279	4,993,679	4,655,296	4,749,895	4,846,916	4,946,474	15,463,232
Parks	13,685,214	13,402,113	14,280,247	14,825,843	15,339,239	15,870,450	50,986,163
Partnerships Office	1,495,389	1,405,389	1,236,025	1,278,966	1,100,246	1,138,424	3,657,827
Police Services & RCMP	61,864,804	59,394,604	61,498,220	63,634,014	65,841,357	68,125,286	218,885,725
Solid Waste & Landfill	17,093,005	17,080,505	17,294,887	16,831,025	17,314,117	17,813,287	56,603,919
Sport & Recreation	15,818,383	14,858,167	15,289,370	15,752,317	16,266,208	16,822,777	52,637,145
Stormwater & Flood Protection	3,369,341	3,369,341	2,809,749	2,896,693	2,976,454	3,068,875	9,792,654
Transit	35,435,316	31,871,916	31,712,016	32,800,301	33,925,048	35,088,823	112,660,004
Transportation	17,547,726	17,025,537	17,476,533	18,090,049	18,657,774	19,305,199	62,028,728
Wastewater	15,175,658	15,554,826	15,832,141	15,519,908	15,787,332	16,063,682	49,943,013
Water	14,531,186	14,065,368	13,003,895	12,829,942	13,046,487	13,270,324	36,733,688
Airport	27,441,720	27,176,085	27,726,778	28,855,121	30,541,836	31,576,677	100,472,340
	845,408,022	781,494,695	728,220,343	662,111,453	658,235,180	631,752,776	1,893,309,343
Transfers between Funds							
Reserve Funds	32,564,281	31,623,581	32,305,990	33,735,918	34,877,386	36,090,325	115,392,541
DCC Funds	-	-	-	-	-	-	-
Surplus/Reserve Accounts	40,830,724	41,784,836	52,612,491	52,716,230	47,861,069	49,645,017	168,069,820
	73,395,005	73,408,417	84,918,481	86,452,148	82,738,455	85,735,342	283,462,361
Total Expenditures	918,803,027	854,903,112	813,138,824	748,563,601	740,973,635	717,488,117	2,176,771,703