

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



Monday, March 6, 2017  
1:30 pm  
Council Chamber  
City Hall, 1435 Water Street

**Pages**

**1. Call to Order**

This meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

**2. Confirmation of Minutes**

3 - 6

PM Meeting - February 27, 2017

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

**3.1 700 Swordy Road - Z17-0009 & TA17-0003 - FORTISBC Ltd**

7 - 23

To consider a Text Amendment to allow non-accessory parking as a principal use within the P<sub>4</sub> – Utilities zone and to consider a rezoning application for a portion of the subject property from the A<sub>1</sub> Agriculture zone to the P<sub>4</sub> – Utilities zone in order to construct a surface parking lot.

**3.2 BL11364 (TA17-0003) - Section 16 - Public and Institutional Zones**

24 - 24

To give Bylaw No. 11364 first reading in order to allow non-accessory parking as a principal use within the P<sub>4</sub> - Utilities zone.

**3.3 BL11365 (Z17-0009) - 700 Swordy Road - FORTISBC Inc.**

25 - 26

To give Bylaw No. 11365 first reading in order to rezone the subject property in order to construct a 67-stall surface parking lot.

#### **4. Bylaws for Adoption (Development Related)**

- 4.1      4125 & 4193 Gordon Dr, BL11318 - Thomson Farm House and Tobacco Barn on G. Thomson Farm Heritage Designation Bylaw** 27 - 28

To adopt Bylaw No. 11318 to designate the Thomson Farm House and Tobacco Barn on G. Thomson Farm as Designated Heritage Buildings.

- 4.2      4125 & 4193 Gordon Dr, BL11319 (HRA16-0002) - Colin Thomson** 29 - 40

To adopt Bylaw No. 11319 in order to enter into a Heritage Revitalization Agreement.

- 4.3      160 Hwy 33 W, BL11334 (Z16-0020) - 661682 BC Ltd** 41 - 41

To adopt Bylaw No. 11334 in order to facilitate the redevelopment of the former office building located on the site into a small craft distillery and lounge area.

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

- 5.1      2017 Organization Development Grants** 42 - 52

To provide for Council consideration revised guidelines for 2017 Organization Development grants.

#### **6. Mayor and Councillor Items**

#### **7. Termination**



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, February 27, 2017  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Members Present: Mayor Colin Basran, Councillor Maxine DeHart, Councillor Ryan Donn, Councillor Tracy Gray, Councillor Charlie Hodge, Councillor Brad Sieben, Councillor Luke Stack

Members Absent: Councillors Gail Given and Mohini Singh

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist\*; Integrated Water Project Manager, Ron Westlake\*; Community Planning Department Manager, Ryan Smith\*; Utility Planning Manager, Andrew Reeder\*; Real Estate Services Manager, John Saufferer\*; Property Officer, Ben Walker\*; Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

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

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

### 2. Confirmation of Minutes

Moved By Councillor DeHart/Seconded By Councillor Sieben

R155/17/02/27 THAT the Minutes of the Regular Meetings of February 20, 2017 be confirmed as circulated.

Carried

### 3. Reports

#### 3.1 Kelowna Water Value Planning Study

Staff:

- Displayed a PowerPoint Presentation providing background information to the Water Value Planning Study and spoke to the next steps.

Don Stafford, Strategic Value Solutions Value Engineering Specialist:

- Displayed a PowerPoint Presentation summarizing the 2017 Kelowna Integrated Water Planning Study and responded to questions from Council.

The meeting recessed at 2:14 p.m.

The meeting reconvened at 2:37 p.m.

#### **4. Development Application Reports & Related Bylaws**

##### **4.1 TA16-0018 C7 - Central Business Commercial Zone Amendments**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor DeHart

**R156/17/02/27** THAT Council receives, for information, the Supplemental Report from the Community Planning Department dated February 20th, 2017 with respect to amendments to the Zoning Bylaw Text Amendment Application No. TA16-0018 to amend Zoning Bylaw 8000 as outlined in Schedule "A" attached to the Supplemental Report from the Community Planning Department dated February 20th, 2017 be considered by Council;

AND THAT Text Amend Bylaw No. 11307 be forwarded for rescindment consideration;

AND THAT Plan Text Amendment Application No. TA16-0018 to amend Zoning Bylaw 8000 as outlined in Schedule "A" attached to the Report from the Community Planning Department dated February 20th, 2017 be considered by Council;

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

**Carried**  
Councillor Hodge - Opposed

##### **4.2 BL11363 (TA16-0018) - C7 - Central Business Commercial Zone**

Moved By Councillor Stack/Seconded By Councillor DeHart

**R157/17/02/27** THAT Bylaw No. 11363 be read a first time.

**Carried**  
Councillor Hodge - Opposed

##### **4.3 Arab Appaloosa Public Interest Survey**

Staff:

- Displayed a PowerPoint Presentation summarizing the Arab Appaloosa Public Interest Survey and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Sieben

**R158/17/02/27** THAT Council receive for information the supplementary report from Community Planning dated February 20, 2017, with respect to the establishment of a Local Area Service along Arab and Appaloosa Roads;

AND THAT Council direct staff to follow the future land use and bylaw enforcement strategy as identified in the Utilities Planning Manager report, dated March 16, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;

AND THAT Council direct staff to prepare Official Community Plan amendments as identified in the Utilities Planning Manager report, dated March 21, 2016 regarding the Arab/Appaloosa Land Use and Bylaw Enforcement Strategy;

**Carried**  
Councillor Gray - Opposed

**5. Bylaws for Adoption (Development Related)**

**5.1 BL11333 (TA16-0005) - Secondary Suites Amendment**

Moved By Councillor DeHart/Seconded By Councillor Stack

**R159/17/02/27** THAT Bylaw No. 11333 be adopted.

**Carried**

**5.2 1945 Bennett Rd, BL11356 (LUC16-0002) - Edward & Linda De Cazalet**

Moved By Councillor Given/Seconded By Councillor Singh

**R160/17/02/27** THAT Bylaw No. 11356 be adopted.

**Carried**

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

**6.1 Project Update – Public Placemaking (Bernard Avenue Laneway)**

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed licence of occupation on the Bernard Avenue laneway.

Moved By Councillor Hodge/Seconded By Councillor Stack

**R161/17/02/27** THAT Council receives, for information, the Report from the Manager, Real Estate Services dated February 27, 2017, with respect to updating Council on the status of the Bernard Avenue Laneway project;

AND FURTHER THAT Council endorse the License of Occupation between the City of Kelowna and Mr. Bill Scutt, dated January 01, 2017 and attached to the Report of the Manager, Real Estate Services, dated February 27, 2017;

**Carried**

Councillor DeHart acknowledged Downtown Kelowna Association Executive Director Peggy Athans and congratulated her on her upcoming move to Calgary and thanked Ms. Athans for all her good work with the DKA over her time with the organization.

## 7. Bylaws for Adoption (Non-Development Related)

### 7.1 BL11331 - Road Closure and Removal of Highway Dedication - Portion of Knox Cres

The Mayor invited anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.

No one from the gallery came forward.

Moved By Councillor Hodge/Seconded By Councillor Gray

R162/17/02/27 THAT Bylaw No. 11331 be adopted.

Carried

## 8. Mayor and Councillor Items

Councillor Donn:

- Made comment on drive thru design and how he would look at future applications with this in mind.

Councillor Gray:

- Acknowledged the retirement of the Kelowna Fire Department Chief Jeff Carlisle.
- Provided kudos to snowplow operators who displayed consideration to citizens in their driveways shoveling snow as they approached in their trucks.

Councillor DeHart:

- Provided kudos to staff who shovel out the bus stops early in the mornings so they are clear for riders.
- Provided kudos for staff who are repairing pot holes.

Councillor Stack:

- Spoke to his attendance at the Coldest Night of the Year Event this past week and acknowledged Metro Community and Gospel Mission in doing a good job to raise awareness.

Mayor Basran:

- Spoke to his attendance at the recent Mayors Caucus and that a written report will be forthcoming.

## 9. Termination

This meeting was declared terminated at 4:01 p.m.

\_\_\_\_\_  
Mayor

/acm

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

# REPORT TO COUNCIL



**Date:** March 6, 2017

**RIM No.** [RIM Classification Number]

**To:** City Manager

**From:** Community Planning Department (AC)

**Application:** Z17-0009 & TA17-0003

**Owner:** FORTISBC Inc.

**Address:** 700 Swordy Rd

**Applicant:** Zeidler BKDI Architects – Jean  
Guy Beliveau

**Subject:** [Title]

Existing OCP Designation: MXR – Mixed Use (Residential/Commercial) & MRL – (Multiple  
Residential – Low Density)

Existing Zone: P4 – Utilities & A1 - Agriculture

Proposed Zone: P4 – Utilities

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0009 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Part of Lot 2 Outlined Red on Plan A917 District Lot 134 ODYD Plan 2864, located at 700 Swordy Rd, Kelowna, BC from the P4 – Utilities & A1 - Agriculture zones to the P4 – Utilities zone, be considered by Council;

THAT Zoning Bylaw Text Amendment Application No. TA17-0003 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated March 6<sup>th</sup> 2017 for Lot 2 Outlined Red on Plan A917 District Lot 134 ODYD Plan 2864, located at 700 Swordy Rd, Kelowna, BC be considered by Council;

AND THAT the Zone Amending Bylaw & the Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

AND FURTHER THAT final adoption of the Zone Amending Bylaw & the Text Amendment Bylaw be subsequent to the following:

The outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated March 6<sup>th</sup> 2017.

## 2.0 Purpose

To consider a rezoning application on the subject property from the P4 – Utilities & zone and to consider a Text Amendment to allow non-accessory parking as a principal use within the P4 – Utilities zone in order to construct a 67-stall surface parking lot.

## 3.0 Community Planning

Staff support the rezoning and text amendment bylaws. The purpose of the 67 stall surface parking lot is to supplement the commercial parking lot at the adjacent mixed-use project (The Shore) located immediately west. The property will remain in the ownership of Fortis with a long-term lease to 'The Shore'. A landscape buffer variance for the surface parking lot, from 3.0m to 2.0m, is needed due to Fortis's vehicular requirements to service the existing sub-station and to the location of the overhead power poles. A Development Permit and Development Variance Permit for the surface parking lot will come to Council for review if the Rezoning and Text Amendment are supported. The purpose of the Text Amendment is to allow surface parking lots as a permitted use within the P4 zone. Staff believe the primary use of 'non-accessory parking' is an acceptable use within that zone. Staff considered rezoning a portion of the subject property to a zone that permits non-accessory parking (such as the C4 zone) but that was not acceptable to Fortis' re: protection of their long term interests. The property needs to permit 'Utilities, Major' as a principal use as Fortis would like to protect for a long-term possible expansion to the sub-station. The principal use 'Utilities, Major' is only permitted within the P4 zone.

## 4.0 Proposal

### 4.1 Project Description

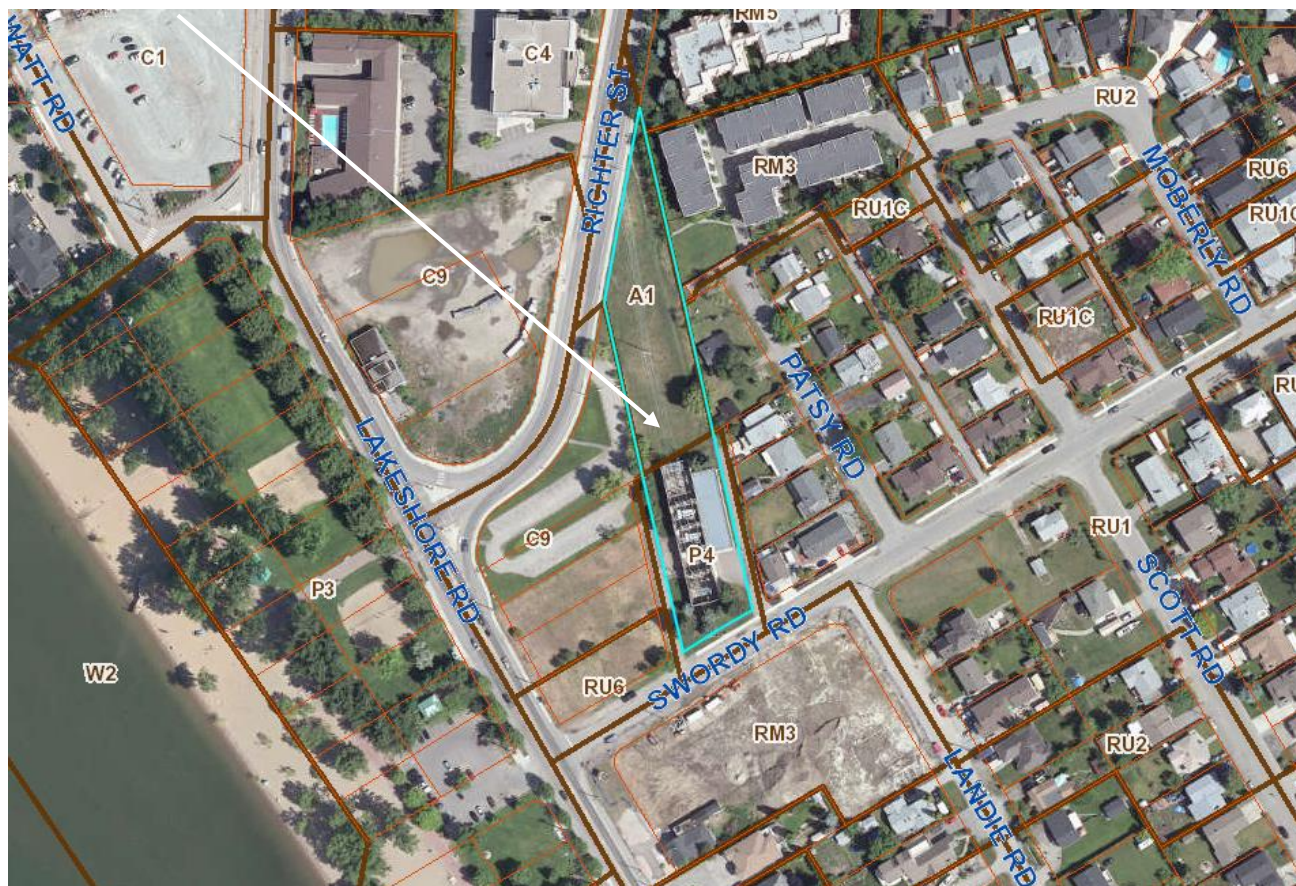
The 67 stall parking lot will be screened with a landscape buffer and will be setback 9.2m from the existing Fortis sub-station at the south end. The 9.2m clearance is a safety setback required by the Fortis equipment. Access to the surface parking lot will be from Richter Street. Fortis will develop a new access for service vehicles from Swordy Road. A pedestrian link has been created at the south-western end of the surface parking lot to facilitate pedestrian movement between the two sites.

### 4.2 Site Context

The site is located at the south end of the South Pandosy Urban Centre within close proximity to Boyce - Gyro Beach. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C9 – Tourist Commercial	Vacant
East	RU1 – Single Detached Housing & RM3 – Low Density Multiple Housing	Residential
South	RM3 – Low Density Multiple Housing	Residential
West	Future C4- Urban Centre Commercial	Vacant

**Subject Property Map:** 700 Swordy Rd



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Preferred Plant Species.**<sup>1</sup> Use species of plants well-adapted to Kelowna, drought-tolerant, pest-resistant, with preference for plants indigenous to the Kelowna area, compatible with urban development and adapted to the specific site conditions in restoration and replanting practices on City land. Emphasize “right tree in the right location” to help ensure that trees will not have to be removed due to future conflicts with utility wires, building foundations, etc.

**Power Lines.**<sup>2</sup> Ensure development appropriately interfaces with transmission lines.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

A Building permit is required for the civil works portion of the parking lot. A Civil engineer is required to provide drawings and schedules at time of permit application.

### 6.2 Development Engineering Department

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.27.2 (Development Process Chapter).

See attached memorandum dated February 9, 2017.

6.3 Fire Department

No concerns.

6.4 Shaw

Shaw owns/operates an existing aerial fibre on the FortisBC transmission line that crosses the subject lot. As per the plan, it looks as though pole locations will be unaffected, but in the event that poles, and/or their associated downhauls, need to be relocated, Shaw will have to supply the developer a cost sheet for the relocation work.

**7.0 Application Chronology**

Date of Application Received: February 2<sup>nd</sup> 2017  
Date Public Consultation Completed: February 20<sup>th</sup> 2017

**Report prepared by:** Adam Cseke, Planner 2  
**Reviewed by:** Terry Barton, Urban Planning Manager  
**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Development Engineering Memo dated February 9<sup>th</sup> 2017  
Initial Drawing Package

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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** February 9, 2017  
**File No.:** Z17-0009  
**To:** Community Planning (AC)  
**From:** Development Engineering Manager(SM)  
**Subject:** 700 Swordy Road

P4

Development Engineering has the following requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Sergio Sartori

.1) Domestic Water and Fire Protection

- a) The development site is presently serviced with a small diameter (19-mm) water service off of Swordy Road. Only one service will be permitted for this development.

.2) Sanitary Sewer

- (a) The development site is presently serviced with a 100mm-diameter sanitary sewer service. Only one service will be permitted for this development.

.3) Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
- (b) Only one service will be permitted for this development. The applicant, at their cost, will arrange the installation of one overflow service. The estimated cost of this construction for bonding purposes is **\$10,000.00**

.4) Road Improvements

- (a) Richter Street fronting this development has been upgraded to an urban standard to including barrier curb & gutter, concrete sidewalk. The boulevard will need to be landscaped and the driveway access constructed. The relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction is at the developer's expense. The estimated cost of the road improvements for bonding purposes is **\$12,000.00**

- (b) Swordy Road fronting this development presently constructed to a rural standard. The road must be upgraded to a full urban standard (SS-R5) along the full frontage of this proposed development, including a barrier curb and gutter, monolithic sidewalk, piped storm drainage system including catch basins, manholes / dry-wells and pavement widening. The estimated cost for this construction for bonding purposes is **\$30,000.00**

.5) Electric Power and Telecommunication Services

- a) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- b) Streetlights must be installed on Swordy Rd if required.

.6) Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

.7) Design and Construction

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

.8) Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.

- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be

.9) Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

.10) Bonding and Levy Summary

(a) Bonding

Storm service	\$10,000.00
Richter Street upgrade	\$12,000.00
Swordy Road upgrade	\$30,000.00

Total Bonding **\$52,000.00**

NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided, and may be in the form of cash or an irrevocable letter of credit, in an approved format. The owner must also enter into a servicing agreement in a form provided by the City.


.11) Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3.5% of Total Off-Site Construction Cost plus GST).

.12) Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) The access to the south part of the site is existing from the lane. The access to the parking lot or north part of the site is proposed from Richter Street does not meet the throat length requirement of 15 m as laid out by TAC standard.
- (ii) The future, access and egress to Richter Street from the site may be restricted to right-in and right-out onto Richter Street with a future median.



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Steve Muenz, P. Eng.  
Development Engineering Manager  
SS

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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** February 10, 2017  
**File No.:** DP17-0016  
**To:** Community Planning (AC)  
**From:** Development Engineer Manager (SM)  
**Subject:** 700 Swordy Rd

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The Development Engineering comments and requirements regarding this Development Permit application are as follows:

**1. General.**

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z17-0009.



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Steve Muenz, P. Eng.  
Development Engineering Manager

SS

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**CITY OF KELOWNA**

**MEMORANDUM**

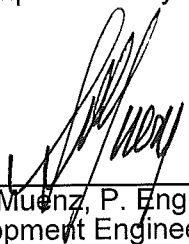
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**Date:** February 10, 2017  
**File No.:** DVP17-0019  
**To:** Community Planning (AC)  
**From:** Development Engineering Manager (SM)  
**Subject:** 700 Swordy Road

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The Development Engineering comments and requirements regarding this DVP application are as follows:

The request to vary the landscape buffer for the front and side yards from 3.0m to 2.0m does not compromise any municipal services.



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Steve Muenz, P. Eng.  
Development Engineering Manager

SS

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**CITY OF KELOWNA**

**MEMORANDUM**

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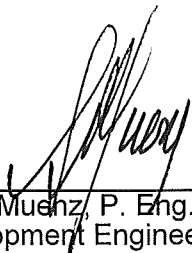
**Date:** February 10, 2017  
**File No.:** TA17-0003  
**To:** Community Planning (AC)  
**From:** Development Engineer Manager (SM)  
**Subject:** 700 Swordy Rd

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The Development Engineering comments and requirements regarding this Text Amendment application are as follows:

1. **General.**

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z17-0009.



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Steve Muenz, P. Eng.  
Development Engineering Manager

SS

January 30, 2017

Zeidler BKDI Architects  
300, 640 – 8 Avenue SW  
Calgary, Alberta T2P 1G7  
T +1 403 233 2525  
info@zeidler.bkdi.com  
zeidler.bkdi.com

## Design Rationale Statement

### RE: CITY OF KELOWNA REZONING / DP APPLICATION: FORTIS PARKING LOT

#### PARTNERS

##### VAIDILA BANELIS | ARCHITECT

AAA, AIBC, OAA, SAA, MRAIC,  
LEED® AP

##### STEPHEN BUGBEE | ARCHITECT

AAA, AIBC, SAA, MAA, NSAA,  
MRAIC, CAA, AIA (IA)

##### TAREK EL-KHATIB | ARCHITECT

AAA, AIBC, SAA, OAA, AANB,  
FRAIC, AIA, RIBA

##### CATHERINE RICHARDSON |

LICENSED INTERIOR DESIGNER  
AAA, IDA, IDNS, IDC

##### BILL MITCHELL

##### JEAN GUY BELIVEAU

#### PRINCIPALS

##### MARTIN VEENHOVEN | ARCHITECT

AAA, AIBC, MRAIC, AIA (WA)

The proposed Rezoning / DP Application allows the site to located at 700 Swordy Road to be rezoned from A1 / P4 to A1 / P4 / C4. The purpose of the change in zoning is to allow the creation of a 67-stall surface parking lot next to the mixed-use project scheduled for construction at 3441, 3451, 3461, and 3471 Lakeshore Road. It is the aim that this parking lot supplement the commercial parking requirements for the above mentioned mixed-use building. As required by City of Kelowna zoning By-Laws, the lot is screened with a landscape buffer on the front and side yards, and will back onto a fence 9.2m away from the existing Fortis sub-station at the south end. The 9.2m clearance is a safety setback required by the Fortis equipment. Access to the lot will be from Richter Street, allowing a left and right in and a right out onto the latter. The site currently contains high voltage power lines running in the north-south direction, and two existing power poles. The power pole currently located in the middle of the site has a support guy wire and the one located at the north end will be fitted with one in the near future. As such, the former has a landscaped peninsula at its base, and a new impact resistant barrier to prevent collisions of cars with the power pole. The rationale behind the parking layout was to spread the 2 parallel rows of cars as far away as possible from the overhead power lines while maintaining appropriate landscape buffers to the neighbouring properties. To facilitate pedestrian movement from this site to the one the parking lot will be serving, a pedestrian link has been created at the south-western end of the lot.

Sincerely,  
**Zeidler BKDI Architects**



Jean Guy Beliveau  
Partner

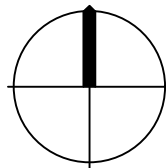


seal

NOT FOR CONSTRUCTION

consultants

This drawing must not be scaled.  
The contractor shall verify all levels, datums, and dimensions prior to commencement of work. All errors and omissions must be reported to the Architects immediately.  
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Issue No.	Date	Description
1	30-01-17	ISSUED FOR REZONING / DP

client



201-3975 LAKESHORE RD, KELOWNA

project title

700 SWORDY RD FORTIS  
REZONING / DP

700 SWORDY RD, KELOWNA BC  
CALGARY, AB

drawing title

EXISTING SITE SURVEY

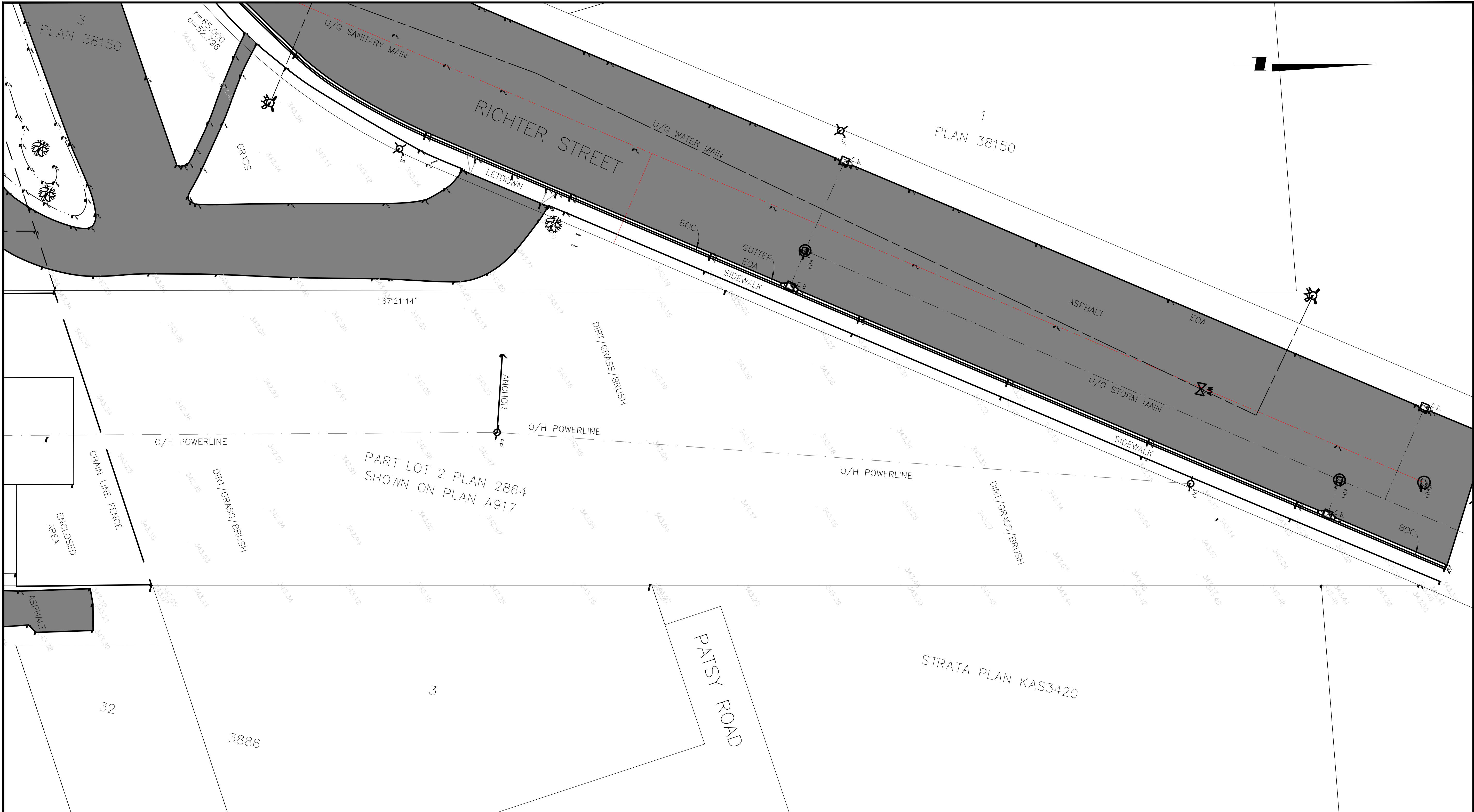
scale: 1:200  
drawn by: TC  
checked by: JG  
project no: 215-085  
date issued: 2017-01-30

re-issue no:

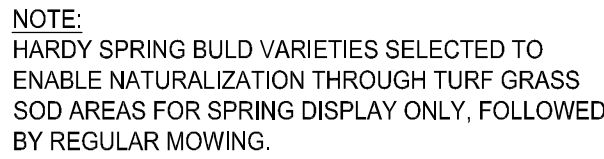
sheet no:



DP1.02



<p>B.C. LAND SURVEYORS CANADA LANDS SURVEYORS Subdivision Design Legal, Topographic &amp; GPS Surveys 404-1630 Pandosy St., Kelowna, B.C. V1Y 1P7 Telephone (250)763-3115 Fax (250)763-0321</p>	LEGAL DESCRIPTION	CLIENT	LEGEND		NOTES	JOB NO. 20623
	LOT 36-39, PLAN 3886 LOT 3, PLAN 38150 PART LOT 2, SHOWN ON PLAN A917	RISE COMMERCIAL DEVELOPMENTS	<p>— DENOTES U/G ELECTRIC LINE — DENOTES U/G GAS LINE - - - DENOTES U/G SANITARY MAIN - - - DENOTES U/G SANITARY MAIN - - - DENOTES TOP/TOE SWALE - - - DENOTES U/G STORM MAIN - - - DENOTES O/H POWER</p> <p>⊗ LAMP STANDARD ⊗ WATER VALVE ⊗ WATER SHUT OFF ⊗ FIRE HYDRANT ⊗ STORM MANHOLE ⊗ SPOT HEIGHT</p> <p>⊗ STORM CATCH BASIN ⊗ POWER POLE ⊗ SANITARY SEWER MANHOLE ⊗ PAD MOUNTED TRANSFORMER ⊗ TREE ⊗ UTILITY VAULT EOA DENOTES EDGE OF ASPHALT</p>		NOTE: ELEVATIONS ARE GEODETIC, DERIVED FROM GCM 95H1803 (ELEV.=343.702m) UNDERGROUND UTILITY LOCATIONS DERIVED FROM AS-BUILT DRAWINGS AND THEIR ACCURACY CANNOT BE GUARANTEED.	DATE: JUNE 6, 2016
	DRAWING TYPE	CIVIC ADDRESS	REVISION NO. DESCRIPTION		BY DATE REVISED	ADDITIONAL NOTES:
	SITE PLAN	3441, 3451, 3461, 3471 LAKESHORE RD 700 SWORDY RD				FIELD BOOK: PAGE NO: FIELD CREW: RC DRAWN BY: CH S:\Shored (Aug 15, 2006)\Job_Files\206XX\20623\20623-SITE PLANNING



1. Do not allow air pockets to form when backfilling.
2. Stake tree outside of tree pit.
3. Bars should be hammered secure down to a minimum of 400mm into compacted subgrade.
4. If tree is in wire basket, cut strapping and pull burlap an basket from top 1/3 of rootball prior to backfilling.
5. Use rubber hose on all guy wires to protect tree a point of contact.
6. Prune dead and broken branches to maintain natural form of tree as directed by Landscape Architect.



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re-issue no:	sheet no:
1	DPL1.2

**PRELIMINARY SOFT LANDSCAPE COST ESTIMATE - NOT TO BE USED FOR CONSTRUCTION**

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
<b>GENERAL LANDSCAPING</b>				
Topsoil, imported (150mm depth)	432	m <sup>2</sup>	\$5.00	\$2,160.00
Shrub Bed Preparation (600mm depth)	500	m <sup>2</sup>	\$40.00	\$20,000.00
Wood Mulch (75mm depth)	250	m <sup>2</sup>	\$8.00	\$2,000.00
Sod	432	m <sup>2</sup>	\$5.50	\$2,376.00
<b>Subtotal</b>				<b>\$26,536.00</b>
<b>TREES AND SHRUBS</b>				
Trees - Coniferous				
Mountain Pine (2.0m height)	12	each	\$750.00	\$9,000.00
Sester's Dwarf Spruce (1.5m height)	20	each	\$450.00	\$9,000.00
Trees - Deciduous				
Upright Maple (50mm caliper)	8	each	\$700.00	\$5,600.00
Shrubs				
Paint the Town Red Easy Elegance (5 gal.)	141	each	\$45.00	\$6,345.00
Royal Bergundy Barberry (2 gal.)	44	each	\$35.00	\$1,540.00
Perennials				
Hardy Spring Bulb Varieties	10800	each	\$2.00	\$21,600.00
Feathered Reed Grass	275	each	\$30.00	\$8,250.00
<b>Subtotal</b>				<b>\$61,335.00</b>
<b>LANDSCAPE FEATURES</b>				
Irrigation		allowance		\$40,000.00
Black Tusk Basalt Boulders (900mm cubic)	24	each	\$1,500.00	\$36,000.00
<b>Subtotal</b>				<b>\$76,000.00</b>
<b>TOTAL</b>				<b>\$163,871.00</b>

**MATRIX**  
 LANDSCAPE ARCHITECTURE  
  
 Suite 300 640  
 8th Avenue SW  
 Calgary, AB, T2P 1G7  
 Tel: 403.266.5241  
 Fax: 403.262.2055

**SCHEDULE A - PROPOSED TEXT AMENDMENTS TO ZONING BYLAW 8000 - TA17-0003**

<b>Zoning Bylaw 8000</b>				
<b>No.</b>	<b>Section</b>	<b>Existing Text</b>	<b>Proposed Text</b>	<b>Rationale</b>
1.	16.4 - P4 Utilities 16.4.2 Principal Uses	<b>Principal Uses</b> The <b>principal uses</b> in this <b>zone</b> are: (a) <b>agriculture, urban</b> (b) <b>community garden</b> (b) <b>utility services, major impact</b> (c) <b>utility services, minor impact</b>	<b>Principal Uses</b> The <b>principal uses</b> in this <b>zone</b> are: (a) <b>agriculture, urban</b> (b) <b>community garden</b> (c) <b>non-accessory parking</b> (d) <b>utility services, major impact</b> (e) <b>utility services, minor impact.</b>	See Report

# CITY OF KELOWNA

## BYLAW NO. 11364

### TA17-0003 – Section 16 – Public and Institutional Zones

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

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

1. THAT **Section 16 – Public and Institutional Zones, 16.4 – P4 – Utilities, 16.4.2 Principal Uses** be amended by adding in its appropriate location and new sub-section for "non-accessory parking" and renumber subsequent sub-sections;
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

Approved under the Transportation Act this

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(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 11365**  
**Z17-0009 – 700 Swordy Road**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Part of Lot 2 Outlined Red on Plan A917 District Lot 134 ODYD Plan 2864 located on Swordy Road, Kelowna, B.C., from the P<sub>4</sub> – Utilities and A<sub>1</sub> – Agriculture zones to the P<sub>4</sub> – Utilities zone as per Map A attached;
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

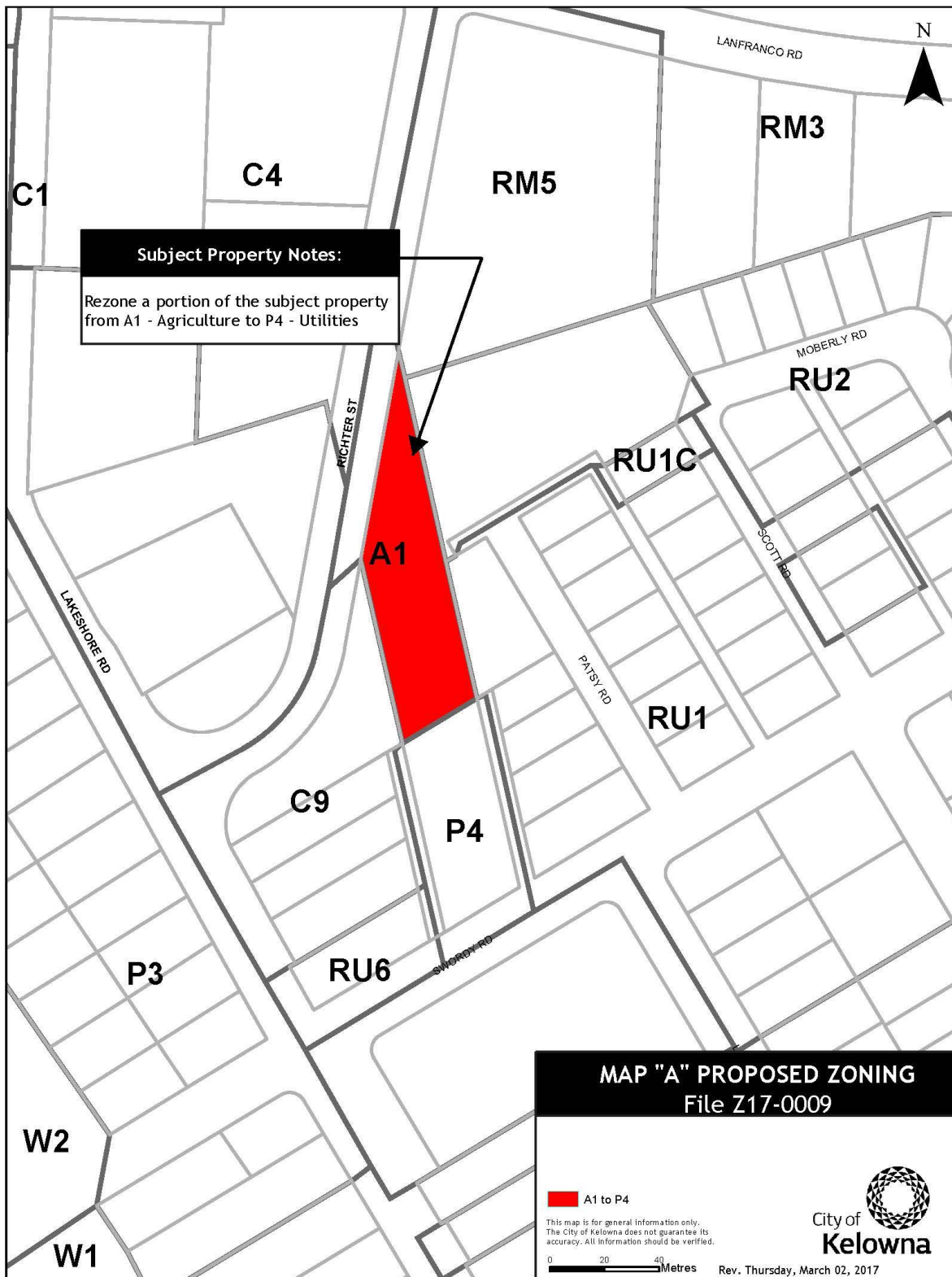
Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



# CITY OF KELOWNA

## BYLAW NO. 11318

### Thomson Farm House and Tobacco Barn on G. Thomson Farm Heritage Designation Bylaw

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WHEREAS the Municipal Council of the City of Kelowna considers the building known as the "Thomson Farm House" located at 4193 Gordon Drive, Kelowna, B.C. to be a building with heritage value and that the designation of the building as a heritage site pursuant to Section 611 of the *Local Government Act* is desirable for the conservation of the building;

AND WHEREAS the Municipal Council of the City of Kelowna considers the building known as the "Tobacco Barn on G. Thomson Farm" located at 4125 Gordon Drive, Kelowna, B.C. to be a building with heritage value and that the designation of the building as a heritage site pursuant to Section 611 of the *Local Government Act* is desirable for the conservation of the building;

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

1. The building known as the 'Thomson Farm House' situated on lands legally described as Lot 3, Section 6, Township 26, ODYD, Plan KAP46027 on 4193 Gordon Drive, Kelowna B.C. to be commonly known in the future as the "Thomson Farm House" is hereby designated a Designate Heritage Building pursuant to Section 611 of the *Local Government Act*.
2. The building known as the 'Tobacco Barn on G. Thomson Farm' situated on lands legally described as Lot 3, Section 6, Township 26, ODYD, Plan KAP80134 on 4125 Gordon Drive, Kelowna B.C. to be commonly known in the future as the "Tobacco Barn on G. Thomson Farm" is hereby designated a Designate Heritage Building pursuant to Section 611 of the *Local Government Act*.
2. Except as authorized by this bylaw or as authorized by a Heritage Alteration Permit approved by Council, no person shall:
  - (a) alter the exterior of the buildings designated by this bylaw;
  - (b) make a structural change to the buildings designated by this bylaw;
  - (c) move any buildings designated by this bylaw.
3. The following alterations to the designated buildings are hereby authorized without a Heritage Alteration Permit:
  - (a) Normal day to day maintenance and repairs.

4. This bylaw may be cited for all purposes as the 'Heritage Designation Bylaw No. 10841 (Thomson Farm House and Tobacco Barn on G. Thomson Farm)'.

Read a first time by the Municipal Council this 21<sup>st</sup> day of November, 2016.

Considered at a Public Hearing this 13<sup>th</sup> day of December, 2016.

Read a second and third time by the Municipal Council this 13<sup>th</sup> day of December, 2016.

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

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

# CITY OF KELOWNA

## BYLAW NO. 11319

### Heritage Revitalization Agreement Authorization Bylaw HRA16 - 0002– 4125 & 4193 Gordon Drive – Colin Gifford Magnus Thomson

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WHEREAS a local government may, by bylaw, enter into a heritage revitalization agreement with the Owner of certain real property which Council deems to be of heritage value pursuant to section 610 of the *Local Government Act*;

AND WHEREAS the Municipal Council of the City of Kelowna is desirous of entering into a Heritage Revitalization Agreement with Colin Gifford Magnus Thomson for the certain real property on which is situated two buildings of heritage value located at 4193 and 4125 Gordon Drive, Kelowna, B.C.;

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

1. The Municipal Council of the City of Kelowna hereby authorizes the City of Kelowna to enter into a Heritage Revitalization Agreement with Colin Gifford Magnus Thomson for the certain real property located at 4193 and 4125 Gordon Drive, Kelowna, B.C., and legally described as:

Lot 3, Section 6, Township 26, ODYD, Plan KAP46027 and Lot 3, Section 6, Township 26, ODYD, Plan KAP80134

In the form of such Agreement attached to and forming part of this bylaw as Schedule "A".

2. The Mayor and City Clerk are hereby authorized to execute the attached agreement, as well as any conveyances, deeds, receipts and other documents in connection with the attached agreement, and to affix the corporate seal of the City of Kelowna to same.

Read a first time by the Municipal Council this 21<sup>st</sup> day of November, 2016.

Considered at a Public Hearing this

Read a second and third time by the Municipal Council

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

SCHEDULE "A"  
HERITAGE REVITALIZATION AGREEMENT

<b>SCHEDULE A</b>	
This forms part of application # HRA16-0002	
Planner Initials	TB
 City of <b>Kelowna</b> COMMUNITY PLANNING	

THIS AGREEMENT dated as of the 8 day of November, 2016

BETWEEN:

CITY OF KELOWNA, a Municipal Corporation having offices at  
1435 Water Street  
Kelowna, British Columbia  
V1Y 1J4

(herein called the "CITY")

OF THE FIRST PART

AND: Colin Gifford Magnus Thomson  
4193 Gordon Drive  
Kelowna, British Columbia  
V1W 1S4

(herein called the "OWNER")

OF THE SECOND PART

WHEREAS a local government may, by bylaw, enter into a Heritage Revitalization Agreement with the Owner of property identified as having heritage value, pursuant to Section 610 of the *Local Government Act*;

AND WHEREAS the Owner owns certain real property on which is situated two buildings of heritage value, pursuant to the City's Heritage Register, which property is located at 4193 Gordon Drive, Kelowna, British Columbia; including the Thomson Farm House located on 4193 Gordon Drive, Kelowna, BC and the Tobacco Barn located at 4125 Gordon Drive, Kelowna British Columbia, and legally described as:

Parcel Identifier: 017-524-822  
Lot 3 Section 6 Township 26 ODYD Plan KAP46027

And

Parcel Identifier: 026-563-401  
Lot 3 Section 6 Township 26 ODYD Plan KAP80134

(herein called the "Heritage Lands")

AND WHEREAS the Owner has presented to the City a proposal for the use, development and preservation of the Heritage Lands and has voluntarily and without any requirement by the City, entered into this agreement pursuant to Section 610 of the *Local Government Act*;

AND WHEREAS a local government must hold a Public Hearing on the matter before entering into, or amending, a Heritage Revitalization Agreement if the agreement or amendment would permit a change to the use or density of use that is not otherwise authorized by the applicable zoning of the Heritage Lands and for these purposes Section 464 through 470 of the *Local Government Act* apply;

SCHEDULE "A" - Page 2.

AND WHEREAS within thirty days after entering into, or amending, a Heritage Revitalization Agreement the local government must file a notice in the Land Title Office in accordance with Section 594 of the *Local Government Act* and give notice to the Minister responsible for the *Heritage Conservation Act* in accordance with Section 595 of the *Local Government Act*;

NOW THEREFORE in consideration of the mutual promises contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

**1.0 Heritage Revitalization**

1.1 The parties agree that the Heritage Lands have heritage value, deserving of protection and conservation and the Owner specifically agrees to restore, maintain, preserve and protect the heritage character of the Thomson Farm House and the Tobacco Barn on G. Thomson Farm located on the Heritage Lands as photographed in Schedule "AA".

1.2 The parties agree that the Heritage Lands may, notwithstanding the A1 - Agriculture Zoning on the Heritage Lands, be used for the following permitted uses:

(a) The construction of an accessory building to be used as a Bed and Breakfast for tourist accommodations:

- i. The siting of the accessory building is contained within the Farm Building Footprint indicated on Schedule "BB";
- ii. The maximum floor area of the accessory building is limited to 90m<sup>2</sup>;
- iii. The height of the accessory building be restricted to 6.0m maximum at mid-point;
- iv. The form and character of the accessory building shall be approved through a Heritage Alteration Permit and is to reflect the form and character of the Thomson Farm House;
- v. The accessory building may be used for short term vacation rentals;
- vi. The accessory building may contain one kitchen;
- vii. The accessory building may contain bedroom(s) and bathroom(s);
- viii. One additional parking stall shall be provided within the Farm Building Footprint indicated on Schedule "BB";
- vi. Agriculture shall remain as the principal use on the subject property;
- vii. The subject property shall retain Farm Status through BC Assessment;
- viii. The accessory building shall be screened from Gordon Drive through the use of landscaping;
- viv. The business sign be limited to one non-illuminated nameplate not to exceed 2.5 square feet in area;

(b) The Owner will apply for all necessary building permits and Heritage Alteration Permits for construction of the accessory building;

SCHEDULE "A" - Page 3.

- (c) No major changes or additions are proposed to the Thomson Farm House or Tobacco Barn at this time;
  - (d) The applicant will apply to have the Thomson Farm House and Tobacco Barn Heritage Designated by Bylaw as a function of this Heritage Revitalization Agreement.
- 1.3 The parties agree that, except as varied or supplemented by the provisions of this agreement, all bylaws and regulations of the City and all laws of any authority having jurisdiction shall apply to the Heritage Lands and the Heritage Building.
  - 1.4 Where a Heritage Alteration Permit is required, the discretion to approve, refuse, or revise such permit is delegated by Council to the Director of Land Use Management.
- 2.0 Conservation and Maintenance of Existing Development.**
- 2.1 The owner agrees not to alter the exterior through a major renovation or addition of the heritage buildings (Thomson Farm House and Tobacco Barn on G. Thomson Farm) except pursuant to a Heritage Alteration Permit issued by the City, and in accordance with this agreement.
  - 2.2 If original features must be replaced, the new material shall be similar or identical to the original. Where original features were removed through earlier renovations or alterations and the replacements were not in keeping with the original style of the building, any subsequent replacement of these features shall complement the building's heritage style.
  - 2.3 The parties agree that the heritage buildings are to be inspected every two (2) years to ensure that regular maintenance and upkeep is consistent with the standards of this agreement.
- 3.0 Proposed Development**
- 3.1 The parties agree that variances to the following sections of City of Kelowna Zoning Bylaw No. 8000 be granted through this agreement:

**Zoning Bylaw No. 8000:**

Section 6.5.11 - Accessory Development

To allow the proposed accessory development to contain bedroom(s); bathroom(s); and one kitchen;

Section 9.6.1 (a) - Bed and Breakfast Homes

To allow Bed and Breakfast as a secondary use in a detached accessory building rather than in the principal dwelling.

Section 9.6.1 (c) - Bed and Breakfast Homes

To allow the licensed operator of the Bed and Breakfast to reside in their primary dwelling and not the dwelling where the Bed and Breakfast is being operated.

SCHEDULE "A" - Page 4.

- 3.2 The Owner agrees to provide and pay for all servicing required by the proposed development of the Heritage Lands and to provide required bonding for same, including, but not limited to: domestic water and fire protection, sanitary sewer, storm drainage, road improvements, road dedications and statutory rights-of-way for utility servicing, power and telecommunication services and street lighting all as noted in section 4.0 of this agreement.

(herein after called the "Development Engineering Department Requirements")

4.0 Development Engineering Requirements

Domestic Water

Our records indicate that this property is currently serviced with a 50mm-diameter water service which is adequate for this application.

Sanitary Sewer

Sanitary sewage is currently handled by an on-site sewage disposal system. On-site servicing will be reviewed by the Interior Health Authority and Building & Permitting.

Site Access and Development Related Issues

Direct the roof drains onto splash pads.

Electric Power and Telecommunication Services

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

Otherwise, all requirements of City of Kelowna Subdivision, Development, and Servicing Bylaw No. 7900 apply.

5.0 Commencement and Completion

- 5.1 The Owner agrees to commence the proposed development upon adoption of City of Kelowna Heritage Revitalization Agreement Authorization Bylaw No. \_\_\_\_\_ and to complete all such construction within 2 years of the Heritage Alteration Permit issuance.

6.0 Damage or Destruction

- 6.1 In the event that no more than 75% of the Heritage Building is damaged, the parties agree as follows:

a) The Owner may repair the Heritage Building in which event the Owner shall forthwith commence the repair work and complete same within one year of the date of damage;

OR, in the event that the Heritage Building is destroyed,

SCHEDULE "A" - Page 5.

b) The City may, by bylaw, and after conducting a Public Hearing in the manner prescribed by Sections 464 through 470 of the *Local Government Act*, cancel this agreement, whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

**7.0 Breach**

- 7.1 In the event that the Owner is in breach of any term of this Agreement, the City may give the Owner notice in writing of the breach and the Owner shall remedy the breach within 30 days of receipt of the notice. In the event that the Owner fails to remedy the breach within the time allotted by the notice, the City may, by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 890 through 894 of the *Local Government Act*, cancel this Agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

**8.0 Amendment**

- 8.1 The parties acknowledge and agree that this Agreement may only be amended by one of the following means:
- a) By bylaw with the consent of the parties provided that a Public Hearing shall be held if an amendment would permit a change to use or density of use on site or;
  - b) By Heritage Alteration Permit (HAP), issued pursuant to Section 617 of the *Local Government Act*.

**9.0 Representations**

- 9.1 It is mutually understood and agreed upon between the parties that the City has made no representations, covenants, warranties, promises or agreements expressed or implied, other than those expressly contained in this Agreement.

**10.0 Statutory Functions**

- 10.1 Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the City in the exercise of its statutory functions and responsibilities including, but not limited to, the *Local Government Act* and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Heritage Lands.

**11.0 Inurement**

- 11.1 This Agreement inures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

**12.0 Other Documents**

- 12.1 The Owner agrees at the request of the City, to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to be done and performed all such acts and things as may be required in the opinion of the City to give full effect to the intent of this Agreement.

SCHEDULE "A" - Page 6.

**13.0 Interpretation**

Unless defined otherwise in this document all terms are defined in City of Kelowna Zoning Bylaw No. 8000.

**14.0 Notices**

14.1 Any notice required to be given pursuant to this Agreement shall be in writing and shall either be delivered mailed by registered mail as follows:

(a) To the City:

City of Kelowna  
1435 Water Street  
Kelowna, B.C. V1Y 1J4

ATTENTION: City Clerk

(b) To the Owner:

Colin Gifford Magnus Thomson  
4193 Gordon Drive  
Kelowna, British Columbia  
V1W 1S4

Or, to such other address to which a party hereto may from time to time advise in writing

**15.0 No Partnership or Agency**

15.1 The parties agree that nothing contained herein creates a relationship between the parties of partnership, joint venture or agency.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto on the day and year first above written.

CITY OF KELOWNA  
By its authorized signatories

\_\_\_\_\_  
Mayor

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

SCHEDULE "A" - Page 7.

Colin Thomson  
Colin Gifford Magnus Thomson, Owner  
COLIN G. M. THOMSON

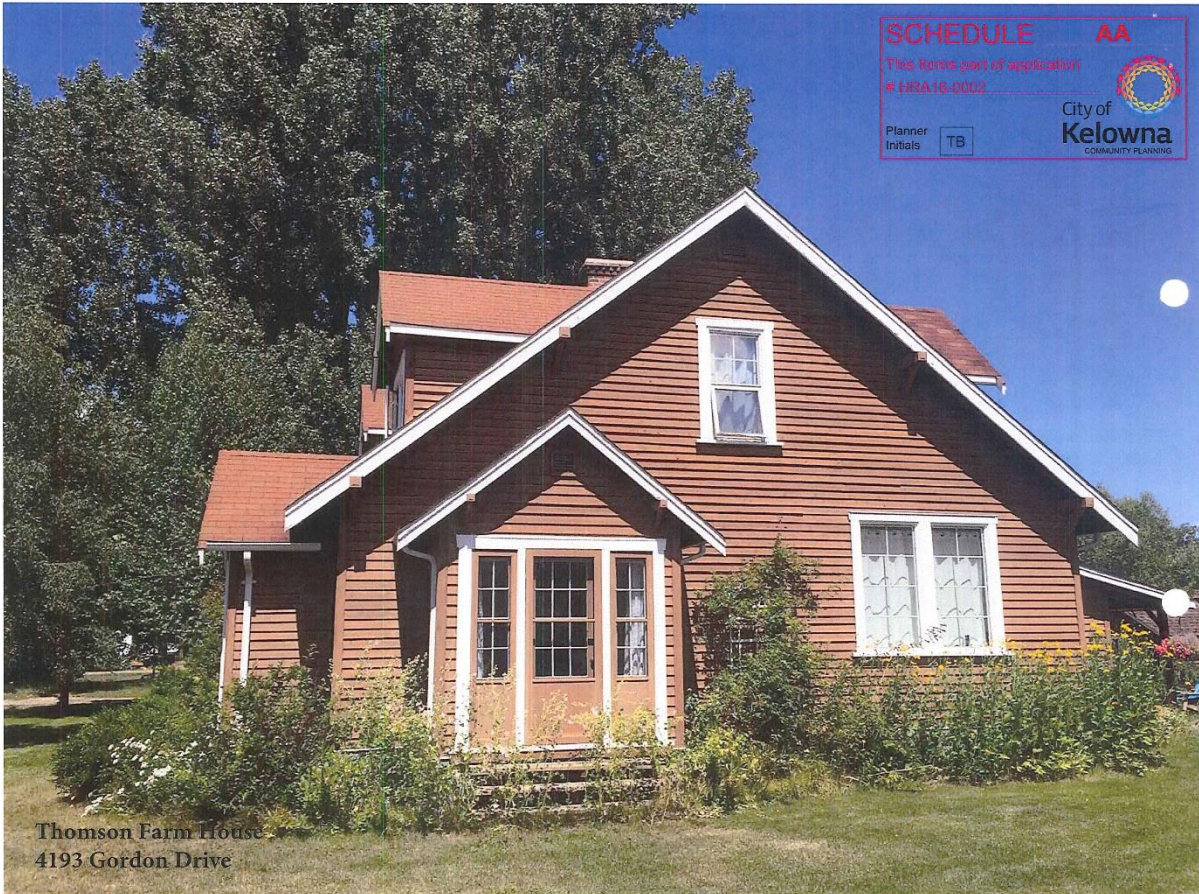
In the presence of:

Trisa Brandt  
Witness (print name)

[Signature]  
Witness (Signature)

2219 Aberdeen St.  
Address

Planner - City of Kelowna  
Occupation



**SCHEDULE AA**  
This form is part of application #HRA18-0009  
Planner Initials TB  
City of Kelowna  
COMMUNITY PLANNING

Thomson Farm House  
4193 Gordon Drive





GORDON RIVER



COTTAGE

SCHEDULE

BB

This forms part of application  
#HRA16-0002

Planner  
Initials

TB

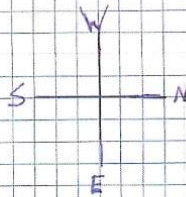


Farm Building Footprint to be in South West Corner of Property  
 $25\text{m} \times 30\text{m} = 600\text{m}^2$

DRIVEWAY



HERITAGE  
FARM  
HOUSE



1 SQUARE = 5 M



**CITY OF KELOWNA**  
**BYLAW NO. 11334**  
**Z16-0020 - 661682 BC Ltd - 160 HWY 33 W**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Section 26, Township 26, ODYD, Plan KAP74060 located on HWY 33 W, Kelowna, B.C., from the P4 - Utilities zone to the C4 - Urban Centre Commercial 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 time by the Municipal Council this 12<sup>th</sup> day of December, 2016.

Considered at a Public Hearing on the 10<sup>th</sup> day of January, 2017.

Read a second and third time by the Municipal Council this 10<sup>th</sup> day of January, 2017.

Approved under the Transportation Act this 1<sup>st</sup> day of March, 2017.

\_\_\_\_\_  
Audrie Henry  
(Approving Officer - Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

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

# Report to Council



**Date:** March 6, 2017  
**File:** 0710-01  
**To:** City Manager  
**From:** Sandra Kochan, Cultural Services Manager  
**Subject:** 2017 Organization Development Grants

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## **Recommendation:**

THAT Council receives for information the report of the Cultural Services Manager dated March 6, 2017 regarding 2017 Organization Development Grants;

AND THAT Council approves the 2017 Guidelines for the Organization Development Grant program as proposed in the report of the Cultural Services Manager dated March 6, 2017.

## **Purpose:**

To provide for Council consideration revised guidelines for 2017 Organization Development grants.

## **Background:**

On January 23, 2017, Council approved an allocation of \$15,000 in transitional Grant-in-Aid funds for the Organization Development Grant program, with direction for staff to report back with revised program guidelines for 2017 Organization Development grants.

Organization development (sometimes called 'capacity building') for not-for-profit organizations describes a suite of planning and development tasks which are typically beyond the scope of normal day-to-day operations. In many organizations, whether or not they have paid staff, addressing these tasks without additional human and financial resources is quite challenging. Nonetheless, planning and learning constitutes an essential element of an organization's success at all stages in its lifecycle, including start-up, growth, mature, decline or turnaround.

Support for organization development projects was introduced as part of the Cultural Services Project Grant program in 2014. Since that time, \$15,000 in matching funds from the Cultural Services budget has been set aside each year for organization development initiatives. Over the last three years, 16 grants have been provided to arts, culture and heritage organizations to support a range of projects to

improve their planning, governance, fundraising and program evaluation. Most grants are between \$2,500 and \$5,000.

Some examples:

- a) Two arts organizations, realizing that they were facing similar challenges regarding the workload for volunteer Board members, came together with a consultant in a workshop setting to review and plan how Board time spent on organizational activities can be efficient and effective.
- b) A local choir with a long history in the community recognized the need to refresh its approach. With the help of a consultant, they developed a five-year strategic plan that addressed audience development, funding, marketing and community outreach. The plan has already enabled the group to obtain more funding for 2017;
- c) Four organizations which collaborate to produce annual Asian Heritage Month events identified an opportunity to build a stronger partnership through improving the effectiveness of their Boards. With matching funds from an Organization Development grant, they hired a facilitator to conduct six workshops on Board development.

The proposed 2017 Guidelines expand grant eligibility to include cultural, sport, event, social service and other organizations with whom the City has a funding or working relationship. This recognizes that the need for, and the benefits of organization development extends across the not-for-profit sector, and is particularly important when an organization provides public services on behalf of, or in partnership with the City.

Highlights from the guidelines:

- Applicants are incorporated non-profits or registered charities, and established and active in the community for at least two years;
- Applicants have a relationship with the City of Kelowna through financial support, a signed lease or other agreement, or working partnership;
- Applicants do not have any outstanding liabilities or obligations to the City;
- Funding is provided on a matching basis, up to 50% of the total project cost, to a maximum of \$10,000. Matching contributions may be cash or in kind;
- Phased projects are welcomed – an applicant may access the program in successive years;
- Applicants must provide an honest self-assessment and clearly identify the purpose and outcome of their proposed organization development project;
- Funding can be used to hire a consultant, or pay tuition for a reputable and relevant course or workshop;
- Evaluation is streamlined and completed by staff within 30 days of the application deadline of May 5, 2017. The guidelines set out clear criteria to evaluate the quality, feasibility and outcomes of the proposed project;
- Projects are to be completed by the end of the calendar year unless alternative arrangements are made with staff. Final reports are due at year-end and receipt of the report is a pre-condition to eligibility in any City of Kelowna grant program.

As directed in the January 23, 2017 report, staff will report back at the end of 2017 with recommendations for allocation of transitional Grant-in-Aid funds for 2018 and future years. At that time, changes to the funding allocation for the Organization Development program may be recommended depending on the experience in 2017.

**Internal Circulation:**

Division Director, Active Living & Culture  
Active Living & Culture Managers  
Communications Supervisor

**Existing Policy:**

Policy 218: Community Social Development Grant Policy  
Policy 360: Social Policy  
Policy 274: Cultural Policy  
Policy 298: Sport Event Development Policy

**Financial/Budgetary Considerations:**

The additional allocation of \$15,000 for this program will be added to the existing \$15,000 (from the Cultural Services budget) for a total of \$30,000 available for Organization Development Grants in 2017.

**Considerations not applicable to this report:**

Legal/Statutory Authority  
Legal/Statutory Procedural Requirements  
Personnel Implications  
External Agency/Public Comments  
Communications Comments  
Alternate Recommendation

Submitted by:

S. Kochan, Cultural Services Manager

Approved for inclusion: J. Gabriel, Division Director, Active Living & Culture

**Appendix A: 2017 Organization Development Program Guidelines**

cc:

Division Director, Active Living & Culture  
Active Living & Culture Managers  
Communications Supervisor

## 2017 Active Living & Culture Grants Organization Development Program GUIDELINES

Deadline: Friday, May 5, 2017 at 3:00 p.m.

**These guidelines have been revised for 2017 – previous versions no longer apply.**

If you have questions after reviewing these guidelines, you can obtain more information from Active Living & Culture staff. Please contact staff well in advance of the deadline:

***Cultural Organizations:***

Caroline Ivey  
(250) 469-8474  
[civey@kelowna.ca](mailto:civey@kelowna.ca)

***Sport and Event Organizations:***

Doug Nicholas  
(250) 469-8859  
[dnicholas@kelowna.ca](mailto:dnicholas@kelowna.ca)

***Social Service Organizations:***

Mariko Siggers  
(250) 469-8818  
[msiggers@kelowna.ca](mailto:msiggers@kelowna.ca)

Submit required materials by the deadline to:  
2017 Organization Development Grants  
City of Kelowna Active Living & Culture Division  
Glenmore Office\*  
#105 – 1014 Glenmore Drive  
Kelowna, BC V1Y 4P2  
HOURS: Monday to Friday, 8:30 a.m. to 4:30 p.m.

*\*located at the corner of Mountain Avenue and Glenmore Drive*

### **CITY OF KELOWNA ACTIVE LIVING & CULTURE DIVISION**

The City of Kelowna's Active Living & Culture Division provides programs and services for the community which:

- Encourage active healthy lifestyles
- Build strong neighbourhoods
- Nurture lifelong participation in sport
- Enhance cultural vibrancy
- Facilitate development of events
- Enhance social sustainability
- Support effective management and operation of sport, recreation and cultural facilities.

Organizations seeking funding support from the City of Kelowna through any of the grant programs administered by the Active Living & Culture Division should be aware of and aligned with these core principles.

Further, there is an expectation that any organization supported by the City of Kelowna will be committed to the following values:

- ✓ Accessibility, diversity and inclusion: the organization will not unreasonably exclude anyone by reason of religion, ethnicity, gender, age, sexual orientation, language, disability or income
- ✓ Accountability and fiscal responsibility: using municipal resources effectively and efficiently
- ✓ Innovation: being leaders in finding new solutions
- ✓ Optimizing value: generate more value and impact from existing resources
- ✓ Partnerships and collaboration: working with others to leverage energy, talent and resources

Organization Development Grants are one of many grant programs provided by the City of Kelowna. Information about other grant opportunities is available on the [City's website](#):  
Home Page/City Hall/Grants

## 1.0 ORGANIZATION DEVELOPMENT PROGRAM OBJECTIVES AND DESCRIPTION

### 1.1 *Objectives:*

This program aims to provide assistance to non-profit sport, event, social service and cultural organizations for the purpose of undertaking activities or initiatives which develop the organization's capacity and sustainability.

Organizational capacity and sustainability describes a suite of planning and development tasks which are typically beyond the scope of normal day-to-day operations. These tasks usually fall within the purview of the organization's Board and management staff, but may also be led by committees, task forces or advisory groups.

Examples of organization development projects are provided below, but this list is not exhaustive and there may be other examples. Broadly-stated outcomes of an organization development project include an enhanced ability to adapt to change, to build strength and resilience, to accumulate working or 'risk' capital, and to deliver impactful programs and services in the community.

The need for organization development may be identified by the organization itself, or it may arise through feedback from a funding agency, organization members or community stakeholders. Occasionally, organization development projects are undertaken because the organization has encountered a crisis or major challenge which cannot be resolved without the benefit of outside expertise and additional resources.

Organizations must provide an honest self-assessment of their strengths and weaknesses and lifecycle in order to participate in this program.

Examples of organization development projects are: building skills for excellence in Board governance, strategic planning, leadership training for Board members, staff or volunteers, fund development, certification or accreditation, audience development, market research, data capture and analysis, succession planning, and program evaluation.

Funding is used to pay for consulting services or for tuition in reputable programs. Organization Development grants are a type of project grant, and are available for up to 50% of the total project cost, to a maximum of \$10,000. Organization Development grants require matching support from other sources which is equal to or more than the amount provided by the City. Matching contributions may be cash or in kind and must be identified, even if not confirmed, in the application. Two or more organizations may partner on an organization development project and undertake joint planning or training.

**NEW:** Effective for the 2017 grant cycle, non-profit organizations operating in sport, events, social service and arts, culture and heritage are eligible in this program.

### 1.2 *Organization profile:*

Organizations participating in this program are Kelowna-based, established, non-profit sport, event, social service or arts, culture and heritage organizations which have a mission to:

- 1.2.1 deliver community sport programming, including structured coaching, officiating, training and competition, to its members;
- 1.2.2 deliver an annual event of significant stature that has community wide benefit and impact;
- 1.2.3 generate, promote or accelerate socially beneficial services or programs in the City of Kelowna;
- 1.2.4 develop, create, produce, present and disseminate artistic work in any artistic discipline (Aboriginal arts, community arts, dance, interdisciplinary, literary, media, multidisciplinary, music, theatre, visual arts, fibre arts);
- 1.2.5 create, provide or facilitate events, materials, communications and/or services which interpret and convey the human history of Kelowna and/or foster preservation, stewardship, and public interpretation and appreciation of heritage knowledge, assets, collections and sites;
- 1.2.6 provide public education, programs, events or services focused on awareness, appreciation and celebration of Aboriginal and other ethno-cultural heritage, including language, traditions and artforms;

1.2.7 develop and deliver programs and services which provide quality visual arts, music or theatre experiences for participants living with chronic or permanent health conditions or disabilities which may limit their access to programs and services designed for the general population; or

1.2.8 provide services or resources in support of artists and arts organizations in the areas of research, information, professional development, networking, administration, audience development, marketing and communications.

They have been incorporated and actively providing the majority of their public programs and services in Kelowna for at least two (2) years prior to the application deadline. They demonstrate an inclusive, diverse and welcoming approach in their operations and activities. They have sound governance and are fiscally responsible, with diverse sources of revenue and good recordkeeping practices. They can demonstrate a need for financial support, and if they have a surplus or reserve, they have a plan for how that surplus or reserve will be used to improve their service to the community. Unless they are event-based organizations, they offer programming and/or services throughout the year. Event-based organizations must have delivered at least one public event in the 24 months preceding the application deadline.

Finally, they have, in the 24 months preceding the application deadline, received support from the City of Kelowna through one of the following avenues:

- Cultural Professional Operating Program
- Cultural General Operating Program
- Community Social Development Program
- Sport Event Development Grant
- Community Sport Delivery Program Grant
- Strategic Event Fund
- Active Living & Culture general budget
- Non-market lease or other agreement providing use and occupation of City-owned property
- Other avenues as may be identified by City staff.

The organization has, through critical self-assessment, identified a need for organization development and has proposed a viable project with specific, measurable deliverables and outcomes to address organization development needs. They are committed to completing their project by the end of the calendar year 2017, unless alternate arrangements are made with City staff.

### **1.3 Eligibility:**

To participate in this program, the organization must:

- Be a registered non-profit society or a registered charity with the Canada Revenue Agency (CRA) and be registered for at least two (2) years at the time of the application deadline;
- Be physically located, have an active presence and have the majority of its programs and services delivered within the City of Kelowna for at least two (2) years at the time of the application deadline;
- Have a sport, event, social service or cultural mandate and profile which is consistent with the objectives of this program;
- Have fulfilled all reporting requirements for any previous grants or funding support from the City of Kelowna;
- Have an independent Board of Directors composed of volunteers and representative of its mission and audience. Directors must:
  - Meet the minimum statutory requirements imposed by the relevant incorporation statute (i.e. *BC Societies Act*); and
  - Not be remunerated for their services as Director (except for reimbursement of reasonable expenses) nor hold concurrent staff positions.
- Provide a current year operating budget and independently prepared financial statements for the most recently completed fiscal year.

**1.4 *Ineligible organizations are:***

- Publicly funded or private educational institutions (public schools, universities, colleges, training organizations)
- Organizations whose mandates, operations and activities are not consistent with the program objectives, description and/or eligibility requirements
- Organizations which have outstanding indebtedness to the City of Kelowna or which have not fulfilled reporting requirements for any previous grants from the City of Kelowna
- Unincorporated committees, groups, collectives or individuals

**1.5 *Examples of eligible activities and expenses:***

**a) Contracting an experienced and qualified consultant** – professional fees, reasonable expenses and disbursements, including travel and accommodation are eligible. The consultant should be independent from the organization and cannot be a current member of the applicant's Board of Directors.

**b) Attending a reputable and relevant training course, workshop, seminar or conference** – tuition or registration fees, certification fees and costs of learning materials are eligible. Travel and accommodation costs are not eligible.

**1.6 *Ineligible activities and expenses are:***

- Trade shows or commercial/business activity
- Fundraising
- Projects which already receive financial or in kind support (including site provision) from other City of Kelowna sources
- Organization start-up costs or ongoing operating or administration expenses
- Costs of décor, food, beverage and purchased advertising
- Retroactive funding for initiatives which have already occurred
- Deficit reduction
- Bursaries or scholarships
- Construction, renovation, property purchase or major equipment purchases
- Activities focused on politics, education, religion, or advocacy.

**2.0 APPLICATION PROCESS**

Due to the nature of the eligibility criteria of this program, application forms are available only through City staff and will not be published on-line. Please contact staff to discuss eligibility for this program and obtain more information.

Organizations considering submission of an application are encouraged to do the following well in advance of the application deadline:

- Review these guidelines
- Contact City staff for more information
- Prepare a draft application and have it reviewed by City staff or a knowledgeable advisor

Eligible applicants will deliver the application form and required support materials by the program deadline, 3 p.m., Friday, May 5, 2017 to:

2017 Organization Development Grants  
Active Living & Culture Division  
Glenmore Office\*  
#105 – 1014 Glenmore Drive  
Kelowna, BC V1Y 4P2

HOURS: Monday to Friday, 8:30 a.m. to 4:30 p.m.

*\*located at the corner of Mountain Avenue and Glenmore Drive*

**NOTE:** Applications will be accepted through Canada Post mail provided that they are received prior to the deadline.

Applications will not be accepted by email.

Incomplete or late applications will not be accepted. Receipt of a complete application prior to the deadline does not guarantee funding. Obtaining a grant is a competitive process and demand exceeds available resources.

### **3.0 ASSESSMENT CRITERIA**

The criteria listed below and in Schedule 1 represent 'good' practices for project development and delivery. Assessment will be based on the degree to which organizations meet the criteria, based on the information they provide. All organizations and projects are unique; there is no expectation that an organization must be demonstrating exceptional performance in all areas in order to receive funding support. However, the assessment criteria provide an objective framework within which the project's feasibility and impact can be considered, and form the basis for constructive feedback to the organization.

Criteria are grouped into three (3) categories:

- Quality of Proposed Project (30%) – critical self-assessment, clearly identified rationale for the project, qualifications and expertise of identified consultant OR alignment of identified training course with project rationale, likelihood that the project will address issues identified in self-assessment;
- Feasibility of Proposed Project (30%) – defined milestones and reasonable timelines, commitment and ability to complete the project by December 31, 2017 unless otherwise arranged, reasonable project budget, active involvement of Board of Directors, management staff or other organization leadership in initiative, involvement of committed partners or collaborators;
- Outcomes of Proposed Project (40%) – clearly identified deliverables and measurable outcomes for the project, how the organization will evaluate the success of the project, commitment/plan from the organization to follow through with project learnings, legacy potential of project (how knowledge will be passed along within organization structure and beyond, if applicable).

Detailed criteria are listed in Schedule 1 of these Guidelines.

### **4.0 ASSESSMENT OF APPLICATIONS**

#### **4.1 Staff Review:**

Applications in this program are evaluated through Active Living & Culture staff review, which enables a streamlined and expedited process. Staff may call upon experienced sector or discipline experts from other communities or funding agencies in an advisory capacity when circumstances warrant.

#### **4.2 Interview:**

Following completion of staff review, applicants are invited to an interview with staff to discuss review findings, build understanding about how the organization will address any concerns arising, and engage in broader dialogue about the overall health of the organization.

#### **4.3 Notification:**

Applicants will receive written notification of evaluation results within 30 days of the application deadline. Notification will include feedback from the staff review and interview. Staff decisions communicated in a formal notification are final, unless adjusted through the reconsideration process described in Section 4.4.

Wherever possible, a cheque will be included with notification, or may be mailed separately.

#### **4.4 Request for Clarification/Request for Reconsideration:**

Applicants who do not agree with a funding notification may request further clarification from staff, or if still in disagreement after clarification, may make a formal request for reconsideration by the Director of the Active Living & Culture Division. In the event of a formal request for reconsideration, the City may delay distribution of some or all of the funds in this program until all of the funding decisions have been resolved.

#### **4.5 Final Report:**

Successful applicants will provide a Final Report in a prescribed format to the Active Living & Culture Division. Receipt of these reports is a pre-condition for future eligibility in any City of Kelowna grant program. Final Reports are considered part of assessment of any future applications by the organization.

Final Reports for 2017 Organization Development Grants must be submitted on or before December 31, 2017 unless other arrangements are made with staff.

### **5.0 TIMELINE**

A typical timeline appears in the table below. The timeline is subject to change.

Deadline	Staff Review & Interview	Notification	Distribution	Final Report
May 5 2017	May 2017	Late May 2017	Late May 2017	Dec 31 2017

### **6.0 CONDITIONS OF FUNDING**

In addition to any specific terms and conditions which may arise from the grant review process, the conditions below will apply to any organization receiving funding from this program:

- Grant funds must be applied to current expenses and must not be used to reduce or eliminate accumulated deficits or to retroactively fund activities;
- The organization will make every effort to secure funding from other sources as indicated in its application;
- The organization will maintain proper records and accounts of all revenues and expenditures relating to its activities and, upon the City's request, will make all records and accounts available for inspection by the City or its auditors;
- If there are any changes in the organization's activities as presented in its application, the City must be notified in writing immediately and approve such changes;
- In the event that the grant funds are not used for the organization's activities as described in the application, they are to be repaid to the City in full. If the activities are completed without requiring the full use of the City funds, the remaining City funds are also to be returned to the City;
- Receipt of a grant does not guarantee funding in the future.

### **7.0 CONFIDENTIALITY**

All documents submitted by Applicants to the City become the property of the City. The City will make every effort to maintain the confidentiality of each application and the information contained therein except to the extent necessary to communicate information to staff and assessors for the purposes of evaluation, administration and analysis. The City will not release any of this information to the public except as required under the Province of British Columbia *Freedom of Information and Protection of Privacy Act* or other legal disclosure process.

<b>SCHEDULE 1 – DETAILED ASSESSMENT CRITERIA</b>	
Project Quality 30%	There is evidence that the organization understands its lifecycle, and has identified strengths and weaknesses in its capacity and sustainability.
	The rationale and objectives for the project are clearly articulated.
	The project activities are aligned with the rationale and are likely to address the objectives.
	The applicant has identified a consultant with appropriate qualifications; in the alternative, the applicant has identified the process it will use to select a qualified consultant.
	The applicant has provided information about a reputable training course, workshop, seminar or conference that aligns with the project rationale and objectives.
	The project is aligned with program objectives, vision, principles and goals and is likely to improve the capacity and sustainability of the applicant.
Project Feasibility 30%	The organization has sufficient human and financial resources to support the project and the project budget.
	The project will be completed by December 31, 2017 or an alternative completion date has been proposed.
	Feasible project milestones (phases, stages) have been identified.
	The project budget is reasonable; expenses are aligned with project objectives and outcomes.
	Program matching requirements are met.
	The proposed use of grant funds is consistent with the program objectives and description.
	There is evidence of project support from sources other than the City of Kelowna.
	The applicant has identified active and appropriate project leadership and participation from within the organization.
	Current letters of project support have been provided by named partners and collaborators.
	The project is well-organized.
Project Outcomes 40%	There are clearly identified deliverables and specific measurable outcomes for the project.
	The applicant has determined how the success of the project will be evaluated.
	The applicant intends to continue or expand the project in future years.
	The applicant has indicated how knowledge arising from the project will be shared and used within the organization (and possibly beyond the organization).
	The organization is committed to changing and improving its governance and/or operations as a direct result of the project.