City of Kelowna Public Hearing AGENDA



Tuesday, May 2, 2017 6:00 pm Council Chamber City Hall, 1435 Water Street

Pages

Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

- 1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030* Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.
- (b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.
- (c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after April 19, 2017 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.
- (d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.
- (e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

3. Individual Bylaw Submissions

3.1 Temporary Farm Worker Housing Bylaw Amendments OCP16-0022 (BL11373) TA16-0015 (BL11374) - City of Kelowna

To amend the Official Community Plan, Zoning Bylaw and Development Applications Procedures Bylaw to provide updates to temporary farm worker housing policy that meets the needs of farmers, which adheres to provincial standards and provides a consistent approach across the Central Okanagan.

3.2 550 Truswell Road, 3814, 3820, 3828, 3832, 3838 Capozzi Road, 3786 Lakeshore Road, Rezoning Application Z16-0069 (BL11384) - Aqua Resort Ltd and City of Kelowna

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To consider a rezoning application from RU1 and P3 to C9 and P3 to facilitate the construction of a resort residential high-rise complex.

4. Termination

5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
- (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
 - (ii) The Chair will recognize ONLY speakers at the podium.
- (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.
- (g) Final calls for respresentation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to

your item if required.

Report to Council



Date: April 10, 2017

File: 1210-24

To: City Manager

From: Community Planning and Strategic Investment (TG/MS)

Subject: Temporary Farm Worker Housing Bylaw Amendments OCP16-0022, TA16-0015,

TA16-0016

Recommendation:

THAT Official Community Plan Text Amendment Application No. TA16-0022 to amend Kelowna 2030 Official Community Plan Bylaw No. 10500 as outlined in Schedule 'A' attached to the Report from Community Planning and Strategic Investment dated April 10, 2017, be considered by Council;

AND THAT Zoning Bylaw Text Amendment Application No. TA16-0015 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule 'B' attached to the Report from Community Planning and Strategic Investment dated April 10, 2017, be considered by Council;

AND THAT Council receives, for information, the amendments to City of Kelowna Development Application Procedures Bylaw No. 10540 as outlined in Schedule 'C' attached to the Report from the Community Planning and Strategic Investment dated April 10, 2017;

AND THAT Council considers the public process outlined in the Report from Community Planning and Strategic Investment dated April 10, 2017, to be appropriate consultation for the purpose of Section 475 (1) and (3) of the Local Government Act;

AND THAT the Official Community Plan text amending bylaw and Zoning Bylaw text amending bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT Bylaw No. 11375, being Amendment No. TA16-0016 to Development Application Procedures Bylaw No. 10540 be forwarded for reading consideration.

Purpose:

To amend the Official Community Plan, Zoning Bylaw and Development Applications Procedures Bylaw to provide updates to temporary farm worker housing policy that meets the needs of farmers, which adheres to provincial standards and provides a consistent approach across the Central Okanagan.

Background:

Temporary Farm Worker Housing (TFWH) is a challenge faced by a number of BC municipalities due to the growing demand for temporary migrant farm workers. A general lack of labour due to insufficient farm family succession, an aging farm population and farm size have led to a critical shortage of experienced farm labour in much of BC.¹ However, farm worker housing is commonly built on agricultural land in the ALR and typically generates concerns within the immediate neighbourhood or community. These include:

- Potential misuse of farm worker housing (i.e. as rental housing for non-farm uses to generate revenue);
- Loss of agricultural land (i.e. permanent conversion of agricultural land to a residential footprint);
- Changes to the agricultural landscape (i.e. the increased density of people and structures clutters the rural aesthetic quality of the landscape);
- Increased demands on municipal infrastructure; and
- A perceived 'detachment' of the workers having no connection to the community.

Central Okanagan communities are not immune to these issues, and as a result several challenging applications have been brought forth to house workers on farm land in the past 18 months.

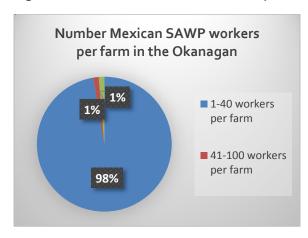
Recognizing that many farm operations have multiple parcels throughout the region, City staff have pursued a regional approach in an effort to provide consistent policies across the Central Okanagan. Starting in late 2015, staff worked together with the Regional District of Central Okanagan, City of West Kelowna, District of Lake Country, the Ministry of Agriculture and the Agriculture Land Commission to review and develop consistent policies for TFWH throughout the region. This "Regional TFWH Working Group" has undergone a robust process in the development of the proposed TFWH as outlined in Schedule D: Temporary Farm Worker Housing Policy Development Process. It should be noted that the District of Peachland declined to participate in the process due to the limited amount of ALR land in their community and TFWH is not expected to become an issue for their community.

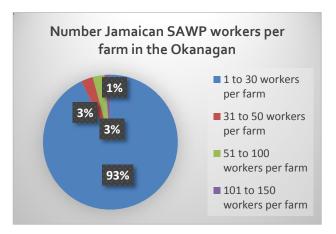
Based on data from the Mexican Consultate and Jamaica Liaison Service, in 2016, farmers in the Okanagan hired 2085 Mexican and 707 Jamaican workers through the federal Seasonal Agricultural Workers Program (SAWP)². When examining the distribution of workers, it was discovered that over 93 per cent of Okanagan farms have less than 40 workers per farm as illustrated in Figure 1. Further investigation found that in 2016, only 3 Kelowna farms had more than 40 Mexican SAWP workers, and only 4 Kelowna farms had more than 30 Jamaican SAWP workers.

¹Ministry of Agriculture, 2009. Regulating Temporary Farm Worker Housing in the ALR, Discussion Paper and Standards.

² Personal Communication Consulada General de Mexico en Vancouver SAWP Coordinator and Deputy Chief Liaison Officer, Jamaica Liaison Service

Figure 1: Distribution of SAWP workers per Okanagan Farm





Note: The method for reporting data varies between the Mexican and Jamaican SAWP coordinators.³

The proposed OCP amendments (Schedule A, attached), and Zoning Bylaw amendments (Schedule B, attached) take into account the numbers of temporary farm workers per farm in the Okanagan, and have been drafted based on *Ministry of Agriculture's Guide to Bylaw Development in Farming Areas.* ⁴ The proposed amendments have also been informed through a best practice review of other communities including Abbotsford, Delta, Maple Ridge, Pitt Meadows and Langley. The proposed amendments to the Development Application Procedures Bylaw (Schedule C, attached) outline the process for applying for a Temporary Farm Worker Housing Permit. The policies and regulations have been drafted to address the majority of applications for temporary farm worker housing with the intent of:

- Providing a consistent approach across the region;
- Meeting Council's priority of preserving agricultural land by minimizing the development footprint;
- Providing certainty and predictability for farm operators;
- Establishing a clear process for the application of up to 40 temporary farm workers; and
- Providing Council an opportunity to evaluate and hear from the public for those site specific applications for more than 40 temporary farm workers. These applications would require a site specific zoning amendment and would be required to go through a rezoning process as opposed to the permit process these proposed policies outline (as per Figure 2).

Ministry of Agriculture staff have been involved since the beginning of the process and have provided input and guidance to ensure the proposed policies were consistent with the Ministry of Agriculture's Guide to Bylaw Development in Farming Areas as well as advised on necessary requirements to meet as a Farm Bylaw Community (Kelowna is one of four in the province, regulated under Section 553 of the Local Government Act). A letter of support from the Ministry is attached (Schedule F).

The proposed amendments have also been referred to a variety of organizations for their input including:

³ Personal Communication Consulada General de Mexico en Vancouver SAWP Coordinator and Deputy Chief Liaison Officer, Jamaica Liaison Service

⁴ Ministry of Agriculture, 2015. Guide for Bylaw Development in Farming Areas. http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards/840000-1 guide for bylaw development in farming areas.pdf

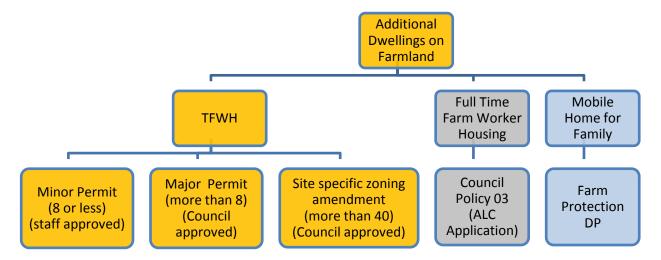
- BC Fruit Growers Association
- BC Cherry Association
- Consulate General of Mexico
- Jamaican Liaison Services
- Agriculture Land Commission
- BC Ministry of Agriculture
- Interior Health

- Central Okanagan Economic Development Commission
- Central Okanagan Food Policy Council
- BC Cattlemen's Association
- BC Grape Growers
- BC Wine Grape Council
- Certified Organics Association of BC
- BC Honey Producers Association

A summary of input received to date is provided in Schedule E: Temporary Farm Worker Housing Policy Input Received.

It should be noted that these proposed amendments only address temporary farm worker housing. Applications for housing family or additional housing for full time farm employees are addressed through separate, established, policies as illustrated in Figure 2:

Figure 2: Application streams for additional dwellings on farmland



Proposed Policy:

The proposed amendments have the following objectives:

- Minimize the footprint on farm land;
- Require the use of existing dwellings within the farm unit as a first option wherever possible;
- Require new TFWH to be temporary structures on non-permanent foundations;
- Address dwellings on all properties within the farm unit which includes leased properties;
- Ensure appropriate buffers to adjacent properties; and
- Measurable (e.g. number of workers, season of use, temporary farm worker housing footprint)

Given the input to date, staff have ensured that the proposed text amendments and policy changes reflect the Ministry of Agriculture's best practices and guidelines, and promote a regulatory environment that provides consistent and predictable regulations to all farm operators. The broader coordination with neighbouring local governments was also an effort to create a regional framework

where such regulations are equal across the board for the purposes of farm business planning. Additionally, the proposed regulations aim to situate temporary farm workers in locations where municipal infrastructure is readily available and where services/amenities are accessible for the workers. Overall, the goal is to support the economic aspects of temporary farm workers adding value to farm activities but to direct the financial investment of the corresponding housing units to locations and forms that preserve the long-term integrity of agricultural land as it relates to the OCP's growth strategy.

The proposed Official Community Plan amendments (Schedule A) introduce policy to:

- Encourage the location of farm help housing within the Permanent Growth Boundary;
- Ensure the TFWH footprint is contiguous with the farm residential footprint or within 50 meters of the road;
- Require all existing dwellings on the farm unit be utilized prior to construction of new dwellings; and
- Require a vegetated buffer to screen the temporary housing from property lines and active farming areas.

The following proposed Zoning Bylaw amendments (Schedule B) translate the policy direction of the OCP into zone regulations and include:

- Definitions for farm residential footprint, farm unit, on-farm processing, temporary farm worker(s), temporary farm worker housing, and temporary farm worker housing footprint;
- Requirements to be met prior to issuance of a permit for TFWH;
- Maximum TFWH footprint size of 0.25 ha;
- The type of TFWH structures allowed; and
- Maximum number of 40 temporary farm workers per farm unit (applications for more than this would require a site specific zoning amendment application).

Amendments to the Development Application Procedures Bylaw (Schedule C) formalizes the process for applicants applying for a Temporary Farm Worker Housing Permits and:

- Outlines procedures for a Temporary Farm Worker Housing Permit Minor Direct for eight or fewer sleeping units in one or more TFW agricultural dwellings which can be approved by City staff if all criteria are met; and
- Outlines procedures for a Temporary Farm Worker Housing Permit Major for all other applications to be reviewed by Council.

In summary, the goals of the proposed policy changes are to:

- Remove constraints to agriculture and improve agricultural viability;
- Support agriculture as part of the agricultural community's future;
- Minimize intrusion of non-agricultural uses into agricultural protection areas;
- Support opportunities for legitimate farm operations to provide adequate dwellings for farm workers; and
- Establish regulations and guidelines that are enforceable.

Next Steps:

Kelowna is one of only four farm bylaw communities in the province, and consequently, once the proposed amendments have received Third Reading by Council, they must be forwarded to the Minister of Agriculture for approval prior to the Final Adoption.

The Regional District of Central Okanagan (RDCO) is undergoing the process concurrently and plans to bring their amendments to the Regional Board for First Reading near the end of April. It should be noted that there are differences between the City of Kelowna and RDCO policies due to the differences in staff resources, current processes and urban/rural interface. The biggest difference noted is that the RDCO has put all of the policy within their Zoning Bylaw, while the City of Kelowna is proposing policy changes in three documents (OCP, Zoning, and Development Application Procedures Bylaw) to allow for flexibility. The overall intent of the amendments, however, remains the same.

The District of Lake Country and City of West Kelowna will consider the proposed policy as part of future reviews of their Zoning Bylaws.

In summary, the proposed regulations are comprehensive, thoughtful and have been arrived at through best practice research and farm operation evaluation. Given the potential negative impacts that housing can have on agricultural land, the proposed regulations and approval streams are deemed the best approach to regulate housing for farm workers and provide a framework that will support farm operators in their efforts to support successful farm operations while at the same time, avoiding unwarranted development from occurring under the pretense of farm help. These recommendations have been supported by both the Agricultural Land Commission and the Ministry of Agriculture (see attached Schedule F and G).

Internal Circulation:

Divisional Director, Community Planning and Real Estate
Community Planning Department Manager
Divisional Director, Communications and Information Services
Divisional Director, Corporate and Protective Services
Building and Permitting Manager
Long Range Planning Manager
Communications Advisor

Legal/Statutory Authority:

Local Government Act Part 14, Division 4 – Official Community Plans Local Government Act Part 14, Division 4 – Zoning Bylaws

Legal/Statutory Procedural Requirements:

Local Government Act Section 475 specifies that a local government must, during the development, repeal or amendment of an official community plan, provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. This consultation is required in addition to a required public hearing.

Existing Policy:

OCP Policy 5.33.1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna

Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size. 5

OCP Policy 5.34.2 Farm Help Housing. Accommodation for farm help on the same agricultural parcel will be considered only where:

- Agriculture is the principal use on the parcel, and
- The applicant demonstrates that he additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary.

Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.⁶

Farm Protection DP Guidelines

Guideline 1.2: On agricultural lands, where appropriate, locate all buildings and structures, including farm help housing and farm retail sales, within a contiguous area (i.e. homeplate). Exceptions may be permitted where the buildings or structures are for farm use only.⁷

External Agency/Public Comments:

City of Kelowna staff collaborated with staff from Regional District of Central Okanagan, City of West Kelowna, District of Lake Country, Ministry of Agriculture and Agriculture Land Commission to develop the proposed policies and regulations.

City staff also consulted with the Agricultural Advisory Committee on two occasions (October 2016 and February 2017).

Agricultural Advisory Committee: February 9, 2017

The draft Temporary Farm Worker Housing policies were reviewed by the Agriculture Advisory Committee at the meeting held on February 9, 2017 and the following recommendations were passed:

Moved By Jeff Ricketts/Seconded By Ed Schiller

THAT the Agricultural Advisory Committee recommends that Council lobby the Ministry of Agriculture to reduce the allowable parcel size for temporary farm worker housing from 3.8 hectares to 2.0 hectares in order to reflect what is actually happening in the agriculture industry.

Carried

Moved By Domenic Rampone/Seconded By Pete Spencer

THAT the Agricultural Advisory Committee recommends that Council encourage the Regional District of Central Okanagan and the City of West Kelowna to join Kelowna in

⁵ City of Kelowna. Kelowna 2030 Official Community Plan, Chapter 5: Development Process, page 5.35

⁶ City of Kelowna. Kelowna 2030 Official Community Plan, Chapter 5: Development Process, page 5.36

⁷ City of Kelowna. Kelowna 2030 Official Community Plan, Chapter 15: Farm Protection DP Guidelines, page 15.3

lobbying the Ministry of Agriculture to lowering the minimum parcel size for Temporary Farm Worker Housing from 4.0 ha to 2.0 ha.

Carried

Moved By Domenic Rampone/Seconded By Pete Spencer

THAT the Agricultural Advisory Committee recommends that Council support the draft policies for temporary farm worker housing that meets the needs of farmers, which adheres to provincial standards, in conjunction with a consistent regional approach, as presented by staff on February 9, 2017.

Carried

The application files for the required OCP, Zoning and Development Application Procedure Bylaw amendments have been referred to the following organizations for comment:

- BC Fruit Growers Association
- BC Cherry Association
- Consulate General of Mexico
- Jamaican Liaison Services
- Agriculture Land Commission
- BC Ministry of Agriculture
- Interior Health

- Central Okanagan Economic Development Commission
- Central Okanagan Food Policy Council
- BC Cattlemen's Association
- BC Grape Growers
- BC Wine Grape Council
- Certified Organics Association of BC
- BC Honey Producers Association

Communications Comments:

The requirements for consultation under Section 475 of the Local Government Act have been addressed in the following way:

- March 15, 2017 Official Community Plan webpage on kelowna.ca revised to explain proposed amendments and provide a contact for comments by March 31, 2017
- March 16, 2017 application file was referred to organizations affected (see previous section for list) with request for input by March 29, 2017.
- March 16, 2017 message forwarded to City of Kelowna e-subscribe recipients.
- March 17, 2017 ad placed in Kelowna Daily Courier, with comment deadline of March 31, 2017.
- March 24, 2017 ad placed in Kelowna Daily Courier, with comment deadline of March 31, 2017.

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Considerations not applicable to this r Financial/Budgetary Considerations: Personnel Implications: Alternate Recommendation:	report:	
Submitted by:		
T. Guidi, Sustainability Coordinator	M. Steppuhn, Planner Specialist	
Approved for inclusion:	DNB/TC	

cc:

Divisional Director, Community Planning and Real Estate

Community Planning Department Manager

Divisional Director, Communications and Information Services

Divisional Director, Corporate and Protective Services

Building and Permitting Manager

Long Range Planning Manager

Communications Advisor

Regional District of Central Okanagan, Ron Fralick

City of West Kelowna, Brent Magnan

District of Lake Country, Mark Koch

District of Peachland, Cory Gain

Attachments:

Schedule A: OCP16-0022 List of Amendments to OCP Bylaw No. 10500 for TFWH Schedule B: TA16-0015 List of Amendments to Zoning Bylaw No. 8000 for TFWH

Schedule C: TA16-0016 List of Amendments to Development Application Procedures Bylaw No.

10540 for TFWH

Schedule D: Temporary Farm Worker Housing Policy Development Process

Schedule E: Temporary Farm Worker Housing Policy Input Received
Schedule F: Ministry of Agriculture Letter of Support and follow up email

Schedule G: Agriculture Land Commission Letter of Support





Purpose

- Provide clear policy and process direction for Temporary Farm Worker Housing
- ► Respond to the changing needs of the industry
- Provide a consistent regional approach
- Consistent with provincial bylaw standards



Council Priorities and Commitments



- Preserve agricultural land
- Fair but firm
- Responsive customer service
- ► Planning excellence



Application streams



Additional Dwellings on Farmland

TFWH

Major Permit

Minor

Permit

(8 or less)

(staff

approved)

(more than 8) (Council approved) Site specific zoning amendment

(more than 40) (Council approved)

Full Time Farm Worker Housing

Council
Policy 03
(ALC
Application)

Mobile Home for Family

Farm Protection DP



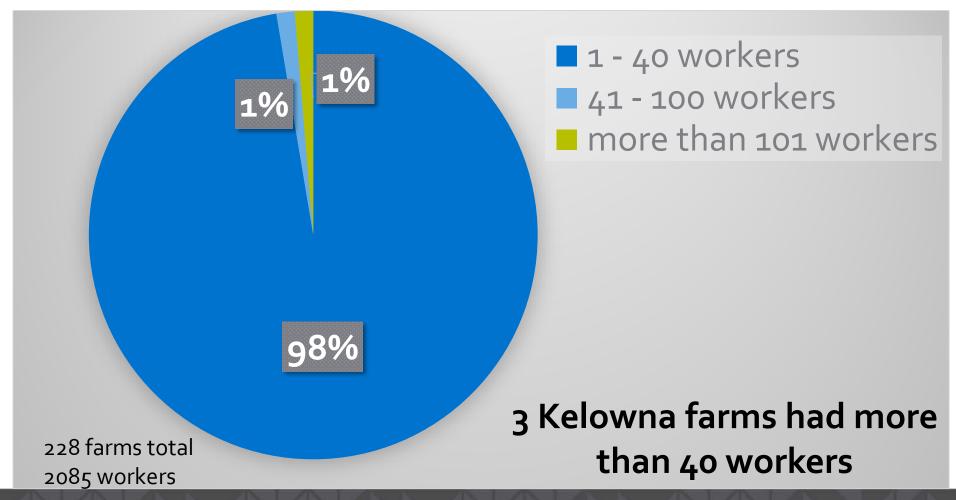
Regional approach

- ►Initiated in late 2015
- Regional TFWH Working Group:
 - ► City of Kelowna
 - **RDCO**
 - City of West Kelowna
 - District of Lake Country
 - Ministry of Agriculture
 - ► Agriculture Land Commission



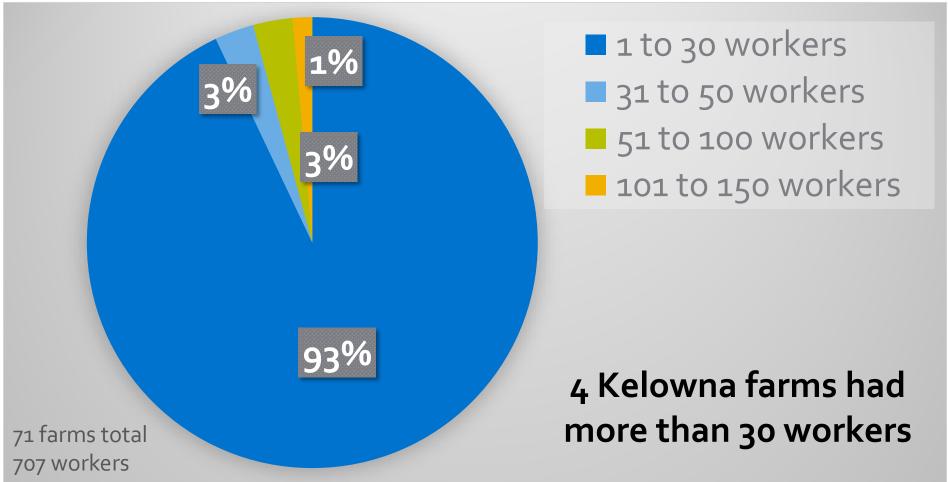
Mexican SAWP Workers per Farm in the Okanagan, 2016













Opportunities for Input

TIMELINE	INPUT OPPORTUNITY	
Throughout Process	Regional TFWH Working Group	
Oct. 13, 2016	1 st Application Referral	
Oct. 13, 2016	1 st AAC Meeting	
Oct. 31, 2016	1 st Council Meeting	
Feb. 9, 2017	2 nd AAC Meeting	
Feb. 10, 2017	2 nd Application Referral	
Mar. 6, 2017	2 nd Council Meeting	
Mar. 15, 2017	3 rd Application Referral	
Mar. 17 and 24, 2017	Courier ads inviting comments	

Who we heard from



- Agriculture Advisory Committee
- Ministry of Agriculture
- Agriculture Land Commission
- Ministry of Transportation
- ▶ Interior Health
- ▶ BC Fruit Growers Association
- Jealous Fruit Ltd. / Coral beach Farms

- Central Okanagan Food Policy Council
- > 2 residents
- Consulate General of Mexico
- ▶ Jamaican Liaison Services
- Season Agriculture Worker Program Inspector
- Radical Action with Migrants in Agriculture



Objectives

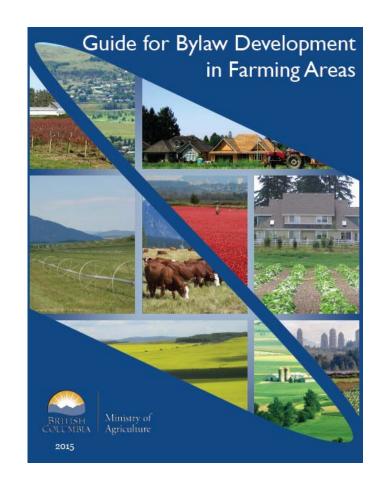
- ► Reduce the footprint on farm
- Use existing dwellings as first option
- New TFWH on non -permanent foundations
- Addresses buffers to adjacent properties
- Minimize the risk of TFWH being used for non-farm purposes





The Policy

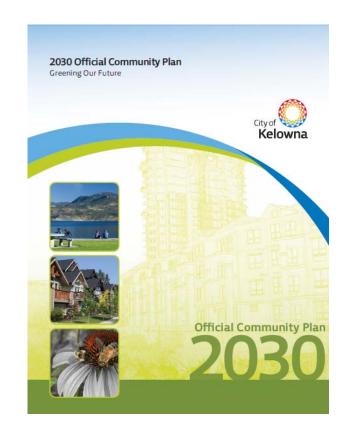
- Consistent with Guide to Bylaw Development in Farming Areas
- ▶ Policy changes to:
 - **OCP**
 - Farm Protection DP Guidelines
 - Zoning Bylaw
 - Development Application Procedures Bylaw



OCP & Farm DP Guidelines Update



- As a first option, farm help housing should be located within the PGB
- ▶ Design TFWH such that:
 - Use all existing dwellings first
 - Should be contiguous with the residential footprint (homeplating) or within 50 meters of road
 - Vegetated buffer





Zoning Bylaw Update

- New definitions
- ► Farm classification status
- ► Minimum parcel size 3.8 ha
- ▶ TFW need demonstrated through documentation
- ▶ Include a communal kitchen
- Occupied 8 months per calendar year during growing, harvesting and pruning periods
- Removal or decommission when vacant for two years





Zoning Bylaw Update:

- TFWH footprint may not exceedo.20 ha
- ➤ Structures to accommodate a maximum of 40 TFW per farm unit
- ► Farm units with multiple parcels require covenant restricting TFWH on other parcels





Zoning Bylaw Update

- ► Farm units with greenhouses and/or on-farm processing can increase by 1 worker per each 1000 m² of those structures
- New TFWH structures on nonpermanent foundations that can be removed by a vehicle.





Procedures Bylaw Update

- ► TFWH Permit Minor Direct if:
 - Consistent with OCP DP Guidelines
 - Authorizes 8 or fewer sleeping units
 - ▶ No variances
- ► TFWH Permit Major
 - All other applications
- ► Removed the word "refusal" from "Issuance of TFWH permits"

Example 1





Proposed policy	Application	Meets policy?
Parcel size > 3.8 ha	6.o ha	Yes
Farm unit > 3.8 ha	48 ha	Yes
Max 40 TFW	40	Yes
< 0.2 ha TFWH footprint	o.2 ha	Yes

<u>Application meets proposed</u> <u>guidelines:</u>

- TFWH Permit Major
- Council review to amend and/or set conditions



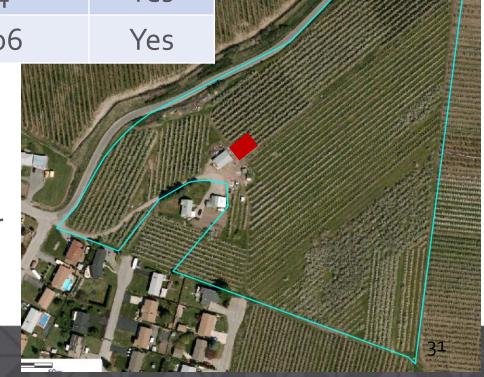
Example 2



Proposed policy	Application	Meets policy?
Parcel size > 3.8 ha	6.5 ha	Yes
Farm unit > 3.8 ha	unknown	Yes
Max 40 TFW	14	Yes
< 0.2 ha TFWH footprint	0.06	Yes

<u>Application meets proposed</u> <u>guidelines:</u>

- TFWH Permit Major
- Council review to amend and/or set conditions









Meets

Application

			policy?
	Parcel size > 3.8 ha	6.o ha	Yes
なが	Farm unit > 3.8 ha	77 ha	Yes
	Max 40 TFW	60	No
	< 0.2 ha TFWH footprint	o.28 ha	No



Proposed policy







ISSUE: Parcel size less than 3.8 ha

REMEDY: Apply for site specific zoning

amendment (require Minister approval)

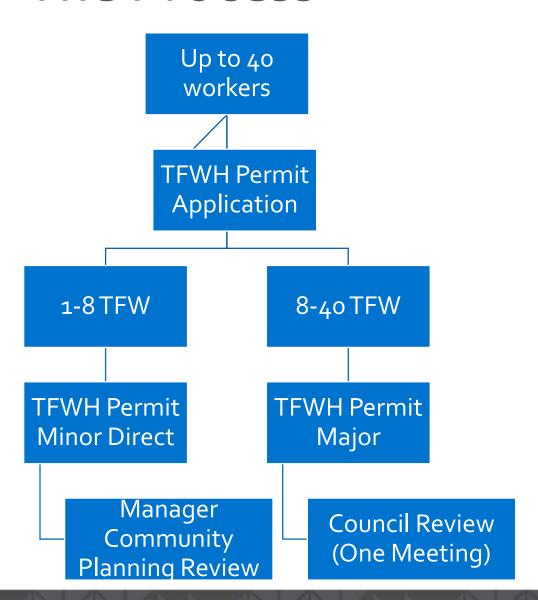
ISSUE: More than 40 workers per farm unit

REMEDY: Move to urban location or apply for site

specific zoning amendment

The Process





More than 40 TFW Site Specific Zoning Amendment Application Council 1st Reading Public Hearing (2nd and 3rd reading) Final Adoption

Comparative Process – Rural and Urban



Rural Zoning TFWH >40

Zone Amendment Application

Farm Protection
Development
Permit

Urban Zoning
Multiple Unit Residential >40

OCP Amendment Application

Zone Amendment Application

Form and Character
Development
Permit

Variances (Typical in the urban core)



Development Process





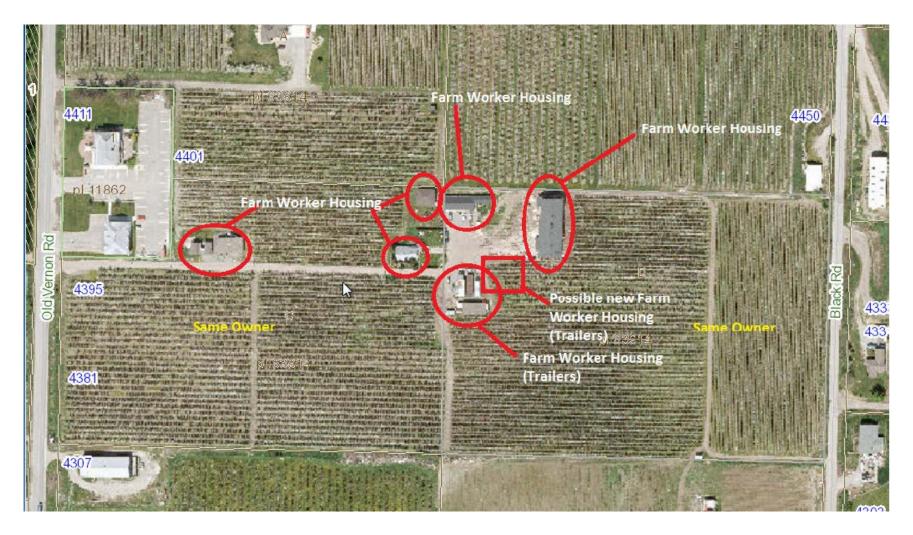


Other Municipal Examples

Local Gov't	Min. Farm Unit	Min. Lot Size	Max. workers per operation	Occupancy time limits	Farm Community (Section 553)
Kelowna	3.8 ha	3.8 ha	40	8 months specified on declaration	Yes
Delta	8 ha	4 ha	42 max	Specified on declaration	Yes
Langley	4 ha	4 ha	10 persons / 4 ha, 40 workers max	April 1 – Nov. 30	Yes
Abbotsford	3.8 ha (A ₁) 8 ha (A ₂)	3.8 ha	Not specified	Specified on declaration	Yes
Pitt Meadows	2 ha	2 ha	10 persons / 4 ha, 40 workers max	April 1 – Nov. 30	No
Richmond	8.09 ha	8.09 ha	30 max	10 months in any 12 month period	No

Other example





	OCP16-0022 - DRAFT					
	List of Amendments to Official Community Plan Bylaw No. 10500 for					
	Temporary Farm Worker Housing					
No.	Section	Existing	Proposed	Explanation		
1	Chapter 5 - Development Processes Revise policy 5.34.2 to replace the words agricultural parcel with farm unit.	Farm Help Housing. Accommodation for farm help on the same agricultural parcel will be considered only where: • agriculture is the principal use on the parcel, and • the applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary. Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.	Farm Help Housing. As a first option, farm help housing should be located within the Permanent Growth Boundary providing access to amenities for workers. Accommodation for farm help on the same farm unit will be considered only where: • agriculture is the principal use on the parcel, and • the applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary. Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.	Replace the words 'agricultural parcel' with 'farm unit' to be consistent with Zoning Bylaw. Add statement to encourage farm help housing to be within Permanent Growth Boundary.		
2	Chapter 15 - Farm Protection	1) Any development located on Agricultural Lands before:	1) Any development located on Agricultural Lands before:	Remove agri-tourist accommodation to be consistent		
L	1 TOCCCION	ASI ICUITUI LUITUS DETOTE.	ASI ICUITUI UL LUIIUS DETOIC.	accommodation to be consistent		

SCHEDULE A - OCP16-0022

	Development Permit Guidelines Remove agri-tourist accommodation under Properties Affected 1. b. ii.	a. Subdivision of land; b. A Building Permit, Soil Permit, or alteration of land associated with the following uses: i. agri-tourism; ii. agri-tourist accommodation; iii. agricultural dwellings, additional; iv. secondary suite (within an accessory building or structure); v. utility services, minor impact; vi. wineries and cideries; vii. greenhouses and plant nurseries; viii. agricultural and garden stands; ix. temporary farm worker housing.	a. Subdivision of land; b. A Building Permit, Soil Permit, or alteration of land associated with the following uses: i. agri-tourism; ii. agricultural dwellings, additional; iii. secondary suite (within an accessory building or structure); iv. utility services, minor impact; v. wineries and cideries; vi. greenhouses and plant nurseries; vii. agricultural and garden stands; viii. temporary farm worker housing.	with Zoning Bylaw amendment to prohibit the use of Agritourist accommodation within the A1 zone. (received third reading at August 23, 2016 Council meeting).
3	Chapter15 - Farm Protection Development Permit Guidelines Add new guideline under 1.7 and label it 1.8		Design temporary farm worker housing such that: • Temporary farm worker housing should use all existing dwellings within the farm unit, prior to building new temporary farm worker housing, unless the existing dwellings are used for a use consistent with the Agriculture Land Commission Act. Alternatively, the existing dwellings on the farm unit must be removed, decommissioned to an approved use or demolished,	Addition of policy on where temporary farm worker housing should be located, the type of buffer required as well as using existing dwellings first prior to construction of new temporary farm worker housing.

SCHEDULE A - OCP16-0022

	the existing septic system, prior to the authorization of a new temporary farm worker housing structure. Temporary farm worker housing footprint should be contiguous with the residential footprint (i.e. homeplate) and / or within 50 metres of the road. Temporary farm worker housing should have a minimum 3 metre wide vegetated buffer for screening to adjacent property lines and between the temporary farm worker housing and active farming areas.	
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	Zoning Bylaw No. 8000					
	List of Amendments to Zoning Bylaw No. 8000 for Temporary Farm Worker Housing					
No.	Section	Existing	Proposed	Explanation		
1	Replace in Section 2 Interpretation, 2.3 General Definitions	AGRICULTURAL DWELLINGS, ADDITIONAL means any dwelling on a bona fide agricultural operation that is used to house full-time permanent or seasonal farm workers employed on the same site as the agricultural operation only. This may include but is not limited to single detached houses, mobile homes, or bunkhouses.	AGRICULTURAL DWELLING(S), ADDITIONAL means any dwelling on a bona fide agricultural operation that is used to house full-time permanent or temporary farm workers employed on the farm unit. This may include but is not limited to single detached houses, mobile homes, or bunkhouses.	Replaced the words "on the same site" with farm unit so the definition is consistent with temporary farm worker(s). Replaced seasonal farm workers with temporary farm workers for consistency.		
2	Add to Section 2 Interpretation, 2.3 General Definitions		RESIDENTIAL FOOTPRINT means the portion of a lot that includes all structures, landscaping, driveways and parking areas associated with the principal dwelling, including but not limited to the principal dwelling, mobile home for family, home based business (minor, major and rural), accessory structures including garage and storage, recreation areas (including pools and sport courts), and outdoor living areas. Structures not included in the residential footprint are agricultural structures, including greenhouses,			

3	Add to Section 2 Interpretation, 2.3 General Definitions	agricultural and garden stands and those structures associated with the temporary farm worker housing footprint. FARM UNIT means one or more contiguous or non-contiguous parcels, that may be owned, rented or leased, within City limits, which forms and is managed as a single farm.	Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas."
4	Add to Section 2 Interpretation, 2.3 General Definitions	ON-FARM PROCESSING means the undertaking of processes, including mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments and biological treatments on a farm unit to: • Prepare value added products from farm products to sell, or • Prepare feed for livestock, poultry, farmed game, located on the farm But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production.	
5	Add to Section 2 Interpretation, 2.3 General Definitions	TEMPORARY FARM WORKER(S) means an individual or individuals who carry out agricultural work on a temporary and seasonal basis on a farm unit.	Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas."

Interpretation, 2.3 General Definitions Agriculture "Guio accommodate temporary farm worker(s), which is accessory to a farm unit, that is used to provide spaces for cooking, sanitary, living and sleeping. 7 Add to Section 2 Interpretation, 2.3 General Definitions TEMPORARY FARM WORKER HOUSING (TFWH) FOOTPRINT means the portion of a lot that includes all structures, driveways and parking areas associated with the temporary farm worker housing, including but not limited to structures for	de for Bylaw Farming Areas." ied from print to rea used for
Definitions accommodate temporary farm worker(s), which is accessory to a farm unit, that is used to provide spaces for cooking, sanitary, living and sleeping. 7 Add to Section 2 Interpretation, 2.3 General Definitions 2.3 General Definitions Development in I worker(s), which is accessory to a farm unit, that is used to provide spaces for cooking, sanitary, living and sleeping. TEMPORARY FARM WORKER HOUSING (TFWH) FOOTPRINT residential footposition means the portion of a lot that includes all structures, driveways and parking areas associated with the temporary farm worker housing, including	ied from print to irea used for
Definitions accommodate temporary farm worker(s), which is accessory to a farm unit, that is used to provide spaces for cooking, sanitary, living and sleeping. 7 Add to Section 2 Interpretation, 2.3 General Definitions Befinitions Development in Interpretation of a farm unit, that is used to provide spaces for cooking, sanitary, living and sleeping. TEMPORARY FARM WORKER HOUSING (TFWH) FOOTPRINT residential footput distinguish the authorized includes all structures, driveways and parking areas associated with the temporary farm worker housing, including	ied from print to rea used for
a farm unit, that is used to provide spaces for cooking, sanitary, living and sleeping. 7 Add to Section 2 Interpretation, 2.3 General Definitions Definitions 8 Definitions Definitions Definitions associated with the temporary farm worker housing, including	print to rea used for
provide spaces for cooking, sanitary, living and sleeping. 7 Add to Section 2 Interpretation, 2.3 General Definitions Definitions Definitions Definitions Definitions Definition modifing residential footpooling includes all structures, driveways and parking areas associated with the temporary farm worker housing, including	print to rea used for
Sanitary, living and sleeping. 7 Add to Section 2 Interpretation, 2.3 General Definitions Definitions Definitions Sanitary, living and sleeping. TEMPORARY FARM WORKER HOUSING (TFWH) FOOTPRINT residential footpoint distinguish the authorization includes all structures, driveways and parking areas associated with the temporary farm worker housing, including	print to rea used for
7 Add to Section 2 Interpretation, 2.3 General Definitions TEMPORARY FARM WORKER HOUSING (TFWH) FOOTPRINT means the portion of a lot that includes all structures, driveways and parking areas associated with the temporary farm worker housing, including	print to rea used for
Interpretation, 2.3 General Definitions HOUSING (TFWH) FOOTPRINT means the portion of a lot that includes all structures, driveways and parking areas associated with the temporary farm worker housing, including	print to rea used for
2.3 General Definitions means the portion of a lot that includes all structures, driveways and parking areas associated with the temporary farm worker housing, including	rea used for
Definitions includes all structures, driveways and parking areas associated with the temporary farm worker housing, including	
driveways and parking areas associated with the temporary farm worker housing, including	worker
associated with the temporary farm worker housing, including	
farm worker housing, including	
but not limited to structures for	
cooking, sanitary, living and	
sleeping. The footprint does not	
include the vegetated buffer.	
8 Add to Section 9 9.13 Temporary Farm Worker Addition of category	
Specific Use Housing use regulations f	
Regulations farm worker hou	
9 Add to Section 9 9.13.1 The following Addition of speci	
Specific Use requirements must be met prior regulations outli	
Regulations, to the issuance of a permit for a conditions that n	
9.13 Temporary temporary Farm Worker temporary farm	worker
Farm Worker Housing structure: housing.	
Housing (a) Farm Classification for the	
parcel, as determined by the	
BC Assessment Act.	
(b) Minimum parcel size is 3.8 ha.	
(c) The need for temporary	
farm worker housing onsite	
to house temporary farm	
workers must be	

demonstrated through
documentation such as a
contract with the federal
government through a
migrant worker program,
such as the Seasonal
Agricultural Worker Program,
farm receipts and / or
previous employment
records, and/or a farm plan
prepared by a professional
agrologist.
(d) New TFWH structures shall
include a communal kitchen.
(e) The TFWH shall be occupied
only during the farm unit's
growing, harvesting and
pruning periods
(f) A statutory declaration must
be filed with the City of
Kelowna annually, by January
31 st , stating that the building
will be used only for TFWH
and specify the time(s) of
year when the TFWH will be
occupied. The specified
period of time may be no
greater than eight months of
that calendar year.
(g) If the temporary farm worker
housing is vacant for two
consecutive growing seasons,
the owner will remove, at
their expense, any temporary
structures for temporary

10 Add to Section 9	farm worker housing, and remove or decommission any existing buildings that had been repurposed for temporary farm worker housing purposes, by December 31st of the second year of vacancy. 9.13.2 TFWH Footprint Size Addition of specific use
Specific Use Regulations, 9.13 Temporary Farm Worker Housing	(a) TFWH footprint may not exceed 0.20 ha. regulations for temporary farm worker housing footprint size.
Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing	9.13.3 TEMPORARY FARMWORKER ALLOCATION (a) Structure(s) to accommodate a maximum of forty temporary farm workers per farm unit. (b) Farm units with greenhouses and/or on- farm processing structures may increase allowable number of workers by 1 worker per each 1000 m2 of greenhouse and/or on-farm processing structures. (c) Where a farm unit comprises of multiple parcels of land, TFWH may be clustered on a single parcel, subject to: i. A restrictive covenant be registered on all other parcels of the

			farm unit restricting the development of further TFWH on said parcels, and transferring the allocation of TFWH to the parcel being developed with TFWH.	
12	Replace in Section 11 Agriculture Zones 11.1.3 Secondary Uses	(a) agricultural dwellings, additional	(a) agricultural dwelling(s), additional	Update the word to match with revised definition.
13	Add to Section 11 Agriculture Zones 11.1.4 Buildings and Structures Permitted		(f) TFWH may be in one of the following structure types: i. Existing structure with a Building Permit that was approved at least 2 years prior to TFWH application, to be converted into TFWH, on the parcel within the farm unit. ii. New TFWH must be in temporary structures on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.	Regulations for type of structures permitted for TFWH.

	Procedures Bylaw No. 10540 - DRAFT					
	List of Amendments to Development Application Procedures Bylaw No. 10540 for					
	Temporary Farm Worker Housing					
No.	Section	Existing Text	Proposed Text	Explanation		
1	Update wording in section 1.3.7	An application for an Additional Dwelling for Farm Employee Permit	An application for a Temporary Farm Worker Housing Permit			
2	Add to 1.4 Definitions		'Community Planning' means the City of Kelowna's Community Planning Department.	Consistent with re- organization		
3	Remove from 1.4 Definitions	'Land Use Management' means the City of Kelowna's Land Use Management Department;	'Land Use Management' means the City of Kelowna's Land Use Management Department;	Consistent with re- organization		
4	Replace all instances in Zoning Bylaw	'Land Use Management'	'Community Planning'	Consistent with re- organization		
5	Replace all instances in Zoning Bylaw	'Director of Land Use Management'	'Department Manager, Community Planning'	Consistent with reorganization. Note: the definition for Department Manager, Community Planning was added during a previous revision, and Director of Land Use Management definition was removed during a previous revision.		
6	Remove from Section 1.4.1 Definitions	'Additional Dwelling for Farm Employee Permit' means a permit authorized by Section 15(1) of the Community Charter for the accommodation of a full-time employee or employees paid to work on a farm operation.	'Additional Dwelling for Farm Employee Permit' means a permit authorized by Section 15(1) of the Community Charter for the accommodation of a full-time employee or employees paid to work on a farm operation.	Remove additional dwelling for farm employee permit.		
7	Add to Section 1.4.1 Definitions	-	'Agricultural Advisory Committee' means an advisory committee established by Council.	No definition in bylaw.		

	Procedures Bylaw No. 10540 - DRAFT						
	List of Amendments to Development Application Procedures Bylaw No. 10540 for						
Na	Temporary Farm Worker Housing						
No.	Section	Existing Text	Proposed Text	Explanation			
8	Add to Section 1.4.1 Definitions		'Temporary Farm Worker Housing Permit Minor Direct' means a permit authorized by Section 15 (1) of the Community Charter, issued by the Department Manager, Community Planning that applies to development that meets the following criteria: Is for eight or fewer sleeping units in one or more Temporary farm worker agricultural dwellings; and Is consistent with the applicable guidelines and policies of the Official Community Plan and regulations of the Zoning Bylaw.	No definition in bylaw. Wording is consistent with Development Application Fees Bylaw.			
9	Section 1.4.1 Definitions		'Temporary Farm Worker Housing Permit Major' means a permit authorized by Section 15(1) of the Community Charter for the accommodation of an employee(s) paid to work on a farm for less than eight months per calendar year.	No definition in bylaw. Wording is consistent with Development Application Fees Bylaw.			
10	Revise 2.1.2 in Section 2.1 Making Application	2.1.2 Application Requirements and Processing h) An Application for an Additional Dwelling for Farm Employee Permit will be made and processed substantially in accordance with Schedule '9' of this bylaw.	h) An Application for a Temporary Farm Worker Housing Permit will be made and processed	Dwelling for Farm Employee Permit with			
11	Replace wording Section 2.3.4 Delegation of Authority	2.3.4 Issuance or Refusal of Additional Dwelling for Farm Employee Permits The powers of Council under Section 15(1) of the Community Charter to issue, to refuse, to amend and to set conditions for permits for the placement of dwellings for the accommodation of farm help, in	2.3.4 Issuance of Temporary Farm Worker Housing Permits The powers of Council under Section 15(1) of the Community Charter to issue, to amend and to set conditions for permits for the placement of dwellings for the accommodation of Temporary farm workers, in accordance with the Agricultural Land Commission Act and Regulations.	Replace Additional Dwelling for Farm Employee Permit with Temporary Farm Worker Housing Permit; remove words 'farm help'; and remove the words "to refuse" as Council cannot refuse			

	Procedures Bylaw No. 10540 - DRAFT						
	List of Amendments to Development Application Procedures Bylaw No. 10540 for						
	Temporary Farm Worker Housing						
No.	Section	Existing Text	Proposed Text	Explanation			
		accordance with the Agricultural Land Commission Act and Regulations.		an application for up to 40 temporary farm workers as Kelowna is a Farm Bylaw community.			
12	Add to Section 2.4.2 '(s)' and Renumber '(t) Development Approval Information	s) Any other topic in relation to which the Director of Land Use Management considers the proposed activity or development impacts the jurisdiction of the City	 s) Agricultural impacts, including, but not limited to a soils assessment; t) Any other topic in relation to which the Department Manager, Community Planning considers the proposed activity or development impacts the jurisdiction of the City. 				
13	Rename schedule 9	Schedule '9' Applications for Additional Dwelling for Farm Employee Permits	Schedule '9' Applications for Temporary Farm Worker Housing Permits				
14	Replace Schedule '9' Applications for Additional Dwelling for Farm Employee Permits with Schedule '9' Applications for Permanent Farm Worker Housing Permits	This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed. 1.0 APPLICATION REQUIREMENTS The following information will be required to accompany an application for an Additional Dwelling for Farm Employee Permit under this Bylaw: 1.1 State of Title, printed within ninety (90) days before making application, for all properties subject of the application; 1.2 Owner's Authorization (where required); 1.3 Project Rationale outlining the justification for the additional farm help in relation to the agricultural	This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed. 1.0 TEMPORARY FARM WORKER HOUSING PERMIT MINOR DIRECT 1.1 Restriction on Delegation. As a restriction on Section 2.3.4, the Department Manager, Community Planning may only issue or amend Temporary Farm Worker Housing Permits that meet the following criteria: • The Permit is consistent with OCP DP Guidelines; • The Permit authorizes eight (8) or fewer sleeping units; and • No variances to the Zoning Bylaw are	Update wording to reflect Permanent Farm Worker Housing Permit			

	Procedures Bylaw No. 10540 - DRAFT						
	Li	• • • • • • • • • • • • • • • • • • •	Application Procedures Bylaw No. 10540 for				
	Temporary Farm Worker Housing						
No.	Section	Existing Text	Proposed Text Explanation				
		activities, including maps, as necessary. 2.0 PROCESSING PROCEDURES An Additional Dwelling for Farm Employee Permit application submitted in accordance with this bylaw will be processed as follows: 2.1 Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant. 2.2 Land Use Management will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. One Window Staff will open a file only upon a complete submission package. 2.3 Land Use Management will refer the application to all applicable City departments, government and external agencies. 2.4 Land Use Management will evaluate the proposal for compliance with relevant City bylaws and policies and relevant provincial regulations, which include but is not limited to Agricultural Land Reserve Use, Subdivision and Procedure Regulation. 2.5 Relevant technical comments will be incorporated into a staff report for	Applications not eligible for issuance or amendment by the Department Manager, Community Planning must be considered by Council. 1.2 Application Requirements a) The following information listed in Schedule '1' of this bylaw will be required to accompany an application for a Temporary Farm Worker Housing Permit Minor Direct under this bylaw: (a) Application (g) Photographs Form (b) State of Title (i) Site Plan Certificate (c) Owner's Authorization form (if applicable) (d) Site Profile or Site Profile or Site Profile Waiver (f) Project (m) Landscape Plan Rationale b) Additional information may be required by the Department Manager, Community Planning to evaluate adequately and to issue a Permit, in accordance with Section 2.4 of this bylaw. 1.3 Processing Procedures A Temporary Farm Worker Housing Permit Minor Direct application				

JCITE	Procedures Bylaw No. 10540 - DRAFT						
	List of Amendments to Development Application Procedures Bylaw No. 10540 for						
	Temporary Farm Worker Housing						
No.	Section	Existing Text	Proposed Text	Explanation			
		consideration by the Director of Land Use Management. 2.6 Land Use Management will notify the applicant in writing of the decision of the Director of Land Use Management. 2.7 If authorized for issuance by the Director of Land Use Management, staff will prepare the required Additional Dwelling for Farm Employee Permit, related schedules and required covenants for signature.	submitted in accordance with this bylaw will be processed as follows: a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant. b) Community Planning will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. One Window Staff will open a file only once a complete package has been submitted. c) Community Planning will refer the application to all applicable City departments. d) Community Planning will evaluate the proposal for compliance with relevant City bylaws and policies. e) Relevant technical comments will be incorporated into a staff report for consideration by the Department Manager, Community Planning. f) Community Planning will notify the applicant in writing of the decision of the Department Manager, Community Planning. g) If authorized for issuance by the Department Manager, Community Planning, staff will prepare the required Permit and related schedules for signature, and obtain				

	Procedures Bylaw No. 10540 - DRAFT				
	Li	st of Amendments	to Development Application Procedures Bylaw No. 10540 for		
	Temporary Farm Worker Housing				
No.	Section	Existing Text	Proposed Text Explanation		
			the required Landscape Bonding, pursuant to Section 2.8 of this bylaw. h) Upon sign-off of the Permit by the Department Manager, Community Planning and receipt of the related bonding, the Permit will be issued and then registered on the State of Title. 2.0 TEMPORARY FARM WORKER HOUSING PERMIT MAJOR 2.1 Application Requirements a) The following information listed in Schedule '1' of this bylaw will be required to accompany an application for a Temporary Farm Worker Housing Permit Major under this Bylaw:		
			(a) Application (g) Photographs Form (b) State of Title (i) Site Plan Certificate (c) Owner's (j) Floor Plans Authorization form (if applicable) (d) Site Profile or Site Profile Waiver (f) Project (m) Landscape Plan Rationale b) Additional information may be required the Department Manager,		

	Procedures Bylaw No. 10540 - DRAFT					
	L	ist of Amendments to De	evelopment Application Procedures Bylaw No. 10540 for			
	Temporary Farm Worker Housing					
No.	Section	Existing Text	Proposed Text Explanation			
			Community Planning to evaluate adequately and to make a recommendation to Council concerning a Permit, in accordance with Section 2.4 of this bylaw. 2.2 Processing Procedures A Temporary Farm Worker Housing Permit application submitted in accordance with this Bylaw will be processed as follows: a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant. b) Community Planning will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. Staff will open a file only upon a complete submission package. c) Community Planning will refer the application to all applicable City departments, and government and external agencies. d) Community Planning will evaluate the proposal for compliance with relevant City bylaws and policies. e) The applicant will undertake the form(s) of public notification and			

	Procedures Bylaw No. 10540 - DRAFT					
	<u></u>		evelopment Application Procedures Bylaw No. 10540 for			
	Temporary Farm Worker Housing					
No.	Section	Existing Text	Proposed Text Explanation			
			consultation required in accordance with Section 4 of this bylaw f) Community Planning will prepare a staff report and refer the application to the Agricultural Advisory Committee. g) The applicant is encouraged to attend the meeting of the Agricultural Advisory Committee at which the Permit application is being reviewed. h) Upon receipt of the recommendation of the Agricultural Advisory Committee and the comments of other referral agencies, Community Planning staff will prepare a staff report and draft Permit for review by Council. i) Staff of the Office of the City Clerk will notify the applicant in writing of the decision of Council. j) If authorized for issuance by Council, Community Planning staff will prepare the required Permit and related schedules for signature, and obtain the required Bonding, pursuant to Section 2.8 of this bylaw. Upon sign-off of the Permit by the Department Manager, Community Planning and receipt of the related bonding, the Permit will be issued and then registered.			

Schedule D: Temporary Farm Worker Housing Policy Development Process

Date	Action	
August 2015	City staff initiates regional approach to updating TFWH policies	
September 22, 2015	1st meeting with Regional TFWH Working Group ¹	
December 1, 2015	2 nd meeting with Regional TFWH Working Group	
April 13, 2016	3 rd meeting with Regional TFWH Working Group	
July 6, 2016	4 th meeting with Regional TFWH Working Group	
August 29, 2016	City staff receives input from Agriculture Land Commission staff on	
Ostoborco	proposed TFWH policy changes.	
October 13, 2016	Proposed policy changes referred to: Interior Health	
	Ministry of Agriculture Agriculture Land Commission	
	Agriculture Land Commission	
	Ministry of Transportation	
	• RDCO	
	BMID GTID	
	• GEID	
	• SEKID	
	Rutland Water Works	
October 13, 2016	1 st AAC workshop with initial proposed policy changes for TFWH	
October 31, 2016	1 st City Council workshop on initial proposed TFWH policy changes	
October – January,	Multiple contacts with BCFGA regarding numbers of TFW and	
comparison of number of workers between Okanagan and the mainland.		
November 1, 2016	City staff consult with local construction company that builds TFWH.	
November 3, 2016	City staff meet with housing inspector for the federal Season	
3,	Agriculture Worker Program (SAWP) that inspects the majority of large	
Navarahawaa	Central Okanagan farms	
November 29, 2016	City staff consults with ALC CEO regarding TFWH bonding in the Lower Mainland	
December C. co.C		
December 6, 2016	5 th meeting with Regional TFWH Working Group	
January, 2017	City staff contacted the Mexican Consulate and the Jamaican Liaison	
	Services and received documentation on number SAWP workers in the	
January on 1997	Okanagan.	
January 23, 2017	City staff consult with City of Richmond staff regarding TFWH policies	
January - February,	Mexican Consulate staff provide documentation comparing TFWH	
2017	policies in BC, Quebec and Ontario and information about upcoming SAWP informative sessions in BC.	
Eghruary o 2017		
February 9, 2017	2 nd AAC Workshop with revised proposed policy changes for TFWH	
Revised proposed policy changes for TFWH referred for comment to:		

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¹ The Regional TFWH Working Group consisted of representatives from City of Kelowna, Regional District of Central Okanagan, District of Lake Country, City of West Kelowna, Ministry of Agriculture and Agriculture Land Commission (note ALC only participated in a few sessions). District of Peachland declined to participate in the process due to the limited amount of ALR land in their community and TFWH is not expected to become an issue.

	Interior Health
	Agriculture Land Commission
	Ministry of Agriculture
	Ministry of Transportation
	Regional District of Central Okanagan
	City of West Kelowna
	District of Lake Country
	Black Mountain Irrigation District
Glenmore Ellison Improvement District	
	Rutland Waterworks
	South East Kelowna Irrigation District
February 23, 2017	City staff consult with Ministry of Agriculture staff to confirm
,	information on impacts of site specific zoning amendments in Farm
	Regulated Communities
February 28, 2017	City staff consult with Ministry of Agriculture staff to confirm parcel size
	information.
March 6, 2017	2 nd City Council Workshop with revised proposed policy changes for
	TFWH
March 15, 2017	Revised proposed policy changes for TFWH referred for comment to:
	BC Fruit Growers Association
	BC Cherry Association
	Consulate General of Mexico
	Jamaican Liaison Services
	Agriculture Land Commission
	BC Ministry of Agriculture
	Interior Health
	Central Okanagan Economic Development Commission
	Central Okanagan Food Policy Council
	BC Cattlemen's Association
	BC Grape Growers
	BC Wine Grape Council
	Certified Organics Association of BC
	BC Honey Producers Association
March 17, 2017	Kelowna Daily Courier Advertisement inviting comments on the revised
, ,	proposed policy for TFWH by March 31.
March 24, 2017	Kelowna Daily Courier Advertisement inviting comments on the revised
	proposed policy for TFWH by March 31.

Schedule E: Temporary Farm Worker Housing Policy Input Received

Date	Organization	Summary of Input	Notes
August 10, 2016	Radical Action with Migrants in Agriculture (RAMA)	Concerns with violations of SAWP requirements and opportunities for how farmworker housing is regulated.	
September 9, 2016	Ministry of Agriculture	Letter of support for initial proposed TFWH policy acknowledging the consistence with the Minister's Bylaw Standard.	
October 12, 2016	Agriculture Land Commission, Martin Collins Regional Planner	Letter of support for initial proposed TFWH policy and acknowledging consistency with the ALC Act and Regulation. Suggestion to adjust 6o-meter road setback to 5o-meter road setback.	TFWH proposed policies revised to 50- meter road setback as per suggestion.
November 10, 2016	Ministry of Agriculture, Gregory Bartle, Land Use Planner	 Support the proposed policy with suggestions to: Development Application Procedures Bylaw and requirements of Right to Farm Regulated Community 	 Continued discussions with Ministry of Agriculture to revise the draft policies to ensure consistency with Farm Regulated Community requirements.
December 16, 2016	Ministry of Agriculture, Gregory Bartle, Land Use Planner	 Further recommendations for the proposed policy: Submit bylaws for Minister approval as a Farm Bylaw Ensure wording in Development Application Procedures Bylaw cannot deny housing for under 40 workers as per the Guide for Bylaw Development in Farming Areas. 	Development Application Procedures Bylaw proposed policy was revised to remove the word "deny"
January 10, 2017	Ministry of Transportation and Infrastructure, Blaine Garrison, Development Technician	No objection to proposed policy subject to all new structures adjacent to provincial highways adhere to the Ministry's standards for structural setbacks, and no direct access to controlled access highways.	

Date	Organization	Summary of Input	Notes
January 20,	Interior Health, Jill	Support of proposed policy and outlined the	
2017	Worboys (Public	importance that agricultural capacity is a key	
	Health Dietician)	aspect of local healthy food systems and	
	and Anita Ely	recommended that applications for TFWH be	
	(Environmental	circulated prior to them prior to issuance of a	
	Health Officer)	building permit.	
February	Ministry of	Referred to same comments made on January 10,	
16, 2017	Transportation	2017.	
	and		
	Infrastructure,		
	Blaine Garrison,		
	Development		
	Technician		
February	Ministry of	Support of proposed policies with suggestions to:	
24, 2017	Agriculture,	Revise section 1.2b) of the Development	Development Application Procedures
	Gregory Bartle,	Application Procedures Bylaw regarding	Bylaw section 1.2b) was revised and the
	Land Use Planner	authority to "deny" a permit	word "deny" removed.
March 15,	BC Fruit Growers	Request that the City organize a roundtable with	
2017	Association, Fred	industry, city staff, employee representatives, and	
	Steele, President	BC Ministry of Agriculture staff to review and	
		discuss proposed policy.	
March 28,	David Geen,	Concerns with TFWH proposed policy including:	
2017	President Jealous	Cap of 40 temporary farm workers per farm unit	
	Fruit Ltd. / Coral	as they currently staff over 700 people, with	
	Beach Farms Ltd.	housing for 335.	
		Housing TFW in urban areas as it adds to the	
		length of workers' day	
		While 90% of farms have less than 40 workers,	
		the remaining 10% of farms produce more	
		 Location of units near a road, suggest use of 	Proposed policy is under development
		poorest land	permit guidelines "temporary farm
			worker housing footprint should be
			contiguous with residential footprint

Date	Organization	Summary of Input	Notes
			and/or within 50 meters of the road." This allows for some flexibility.
March 29, 2017	Central Okanagan Food Policy Council	 Supportive of TFWH policy, concerns include: Recommends more detailed standards for zoning (i.e. number of kitchens required for a certain number of workers) Suggestion of regional housing strategy that provides a variety of housing opportunities off of ALR land Importance of food system resilience and food self-reliance 	Federal SAWP requirements regulate standards for this
March 30, 2017	Elizabeth Heier, resident	Concerns over TFWH proposed policy including: Neighbourhood awareness of TFWH applications Enforcement of proposed regulations	 Council Policy 367 Public Notification and Consultation for Development Application requires neighbourhood consultation for seasonal farm worker housing
March 30, 2017	Bruce Wilson, resident	Concerns over TFWH proposed policy including: • Enforcement of proposed regulations	



September 9, 2016

File:

0280-20

Ref:

184951

Tracy Guidi Sustainability Coordinator City of Kelowna, BC tguidi@kelowna.ca

RE: Okanagan regional approach to Temporary Farm Worker Housing local government bylaws

Dear Ms. Guidi:

Thank you for providing a final opportunity to review the draft Temporary Farm Worker Housing bylaw provisions dated August 12, 2016 which were prepared by City of Kelowna staff and other Central Okanagan local government staff.

Ministry of Agriculture staff acknowledge the effort involved in co-ordinating a regional approach to temporary farm worker housing and recognize the potential benefits for both local governments and the farming community. Temporary Farm Worker Housing is an important and complex issue involving multiple levels of government which affects farmers, local governments and the public. Ministry staff are encouraged with the initiative being taken by the working group and appreciate having had the opportunity to participate in the formulation of the draft bylaw provisions.

Ministry staff have reviewed the August 12, 2016 version of the draft bylaw provisions and are of the opinion that they are consistent with the intention of the Minister's Bylaw Standard on Temporary Farm Worker Housing. If you have any questions or require any further assistance through the bylaw approval process, please continue to engage with Ministry staff.

Sincerely,

Joan Easton

Executive Director

pc:

Brenda Lennox, Senior Manager, Strengthening Farming Unit, Ministry of Agriculture



Fri 2/24/2017 9:57 AM

Bartle, Gregory AGRI:EX < Gregory.Bartle@gov.bc.ca>

RE: TA16-0015/TA16-0016/OCP16-0022 - Temporary Farm Worker Housing - RECIRCULATION

To Deb Champion

Cc ☐ Skinner, Anne E AGRI:EX; ☐ Melanie Steppuhn; ☐ Tracy Guidi

Deborah Champion City of Kelowna

Hi Ms. Champion,

Thank you for the opportunity to provide feedback. It's very encouraging to read in the Committee Report (9 February 2017) that the additional research provided on worker numbers per farm, is in-line with the Ministry's own Bylaw Standard provision on the topic.

Kelowna may wish to further review the proposed text of Section 1.2 b) of the draft Development Applications Procedures Bylaw Amendment to ensure that this delegated authority to issue 'or deny' a Permit is the actual intent, given the regulatory criteria of being a 'Right to Farm regulated' community (B.C. Reg. 187/2001) (Local Government Act Section 481, 552 and 553).

Regards,

Gregory Bartle, Land Use Planner British Columbia Ministry of Agriculture

Phone: 250.387.9687 Email: Gregory.Bartle@gov.bc.ca



October 12, 2016

Agricultural Land Commission

133–4940 Canada Way Burnaby, British Columbia V5G 4K6 Tel: 604 660-7000 Fax: 604 660-7033

www.alc.gov.bc.ca

Reply to the attention of Martin Collins ALC File:

Todd Cashin Suburban & Rural Planning Manager City of Kelowna 1435 Water St Kelowna, BC V1Y 1J4

Dear Sir:

City of Kelowna Temporary Farm Worker Housing Bylaw Amendments Re:

Zoning Bylaw 8000 and Procedures Bylaw 10540

TA16-0015 and TA16-0016

Thank you for forwarding draft copies of proposed bylaw amendments proposed for the City of Kelowna Bylaws referenced above pertaining to Temporary Farm Worker Housing.

The ALC would like to commend the City for its draft bylaw amendments which attempt to ensure that the proposed Temporary Farm Worker Housing (TFWH) located within the ALR is consistent with the purposes of the Agricultural Land Commission Act and regulation.

The only substantive comment on the amendments is that a 60 meter setback from the road may be excessive for this type of housing, and that instead the rear of the TFWH building be no greater than 50 meters from a road. The ALC commonly recommends that residential structures be located no deeper than 50 meters from the public road to help limit negative impacts on agriculture from long driveways, and residences that are located adjacent to production areas (which are commonly located deeper within the parcel).

Apart from the above, the ALC has no objection to the proposed Temporary Farm Worker Housing amendments proposed for the bylaw(s), finding them to be consistent with the ALC's mandate to preserve agricultural land and encourage farming.

Again thank you for the opportunity to comment. If you have any further questions please contact the undersigned.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Martin Collins, Regional Planner

REPORT TO COUNCIL



Date: April 10, 2017

RIM No. 1250-030

To: City Manager

From: Community Planning Department (RR)

Aqua Resort Ltd., City of Application: Z16-0069 Owner:

Kelowna

550 Truswell Road

3814, 3820, 3828, 3832, 3838 Capozzi Address: Applicant:

Road

Mission Group

3786 Lakeshore Road

Subject: Rezoning Application No. Z16-0069

Existing OCP Designation: Tourism Commercial

RU1 – Large Lot Residential, C9 – Tourism Commercial, P1 – Major Existing Zone:

Institutional

Proposed Zone: C9 – Tourism Commercial, P1 – Major Institutional

Recommendation 1.0

THAT Rezoning Application No. Z16-0069 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

- 1. Lot 1, Sec. 1 & 12, Twp. 25, Plan 2714 located at 3814 Capozzi Road, Kelowna, BC;
- 2. Lot 2, Sec. 1, Twp. 25, Plan 2714 located at 3820 Capozzi Road, Kelowna, BC;
- 3. Lot 3, Sec. 1, Twp 25, Plan 2714 located at 3828 Capozzi, Road, Kelowna, BC;
- 4. Lot 4, Sec 1, Twp 25, Plan 2714, located at 3832 Capozzi Road, Kelowna, BC;
- 5. Lot 5, Sec 1, Twp 25, Plan 2714 located at 3838 Capozzi Road, Kelowna, BC; and
- 6. that portion of Capozzi Road between the southeast property lines of 3814, 3820, 3828, 3832 and 3838 Capozzi Road and the centerline of Capozzi Road, Kelowna, BC;

from the RU1 – Large Lot Residential zone to the C9 – Tourist Commercial zone be considered by Council;

AND THAT Rezoning Application No. Z16-oo69 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot 5, Sec 12, Twp 25, Plan 2912 located at 3786 Lakeshore, Kelowna, BC from the P1 – Major Institutional zone to the C9 – Tourism Commercial zone as shown on Map "A" attached to the Report from the Community Planning Department April 3, 2017 be considered by Council;

AND THAT Rezoning Application No. Z16-oo69 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot 17, Sec 1, Twp 25, Plan 2714 located at 550 Truswell Road, Kelowna, BC from the C9 – Tourist Commercial zone to P1 – Major Institutional zone as shown on Map "A" attached to the Report from the Community Planning Department April 3, 2017 be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated April 3, 2017;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the closure of Capozzi Road along 3814 through 3838 Capozzi Road;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the completion of the land exchange between the applicant and the City of Kelowna;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

2.0 Purpose

To consider a rezoning application from RU1 and P3 to C9 and P3 to facilitate the construction of a resort residential high-rise complex.

3.0 Community Planning

Staff support the proposed rezoning to c9 – Tourism Commercial and is encouraged by the developer's efforts to assemble and consolidate a large subject property for a comprehensive development. The Official Community Plan designates the properties for future Tourism Commercial use, with a recognition that the area is intended as a resort residential hub. This vision is consistent with the many resort/residential developments within the neighbourhood including Playa-del-Sol, El Dorado, Manteo, Water's Edge and Mission Shores.

Staff and the applicant are continuing to review the project's form and character, with an emphasis on ensuring building mass and design are appropriate for the neighbourhood. The height is considerably greater than what has been previously developed in the neighbourhood though increased building heights have been contemplated in the area, through approved changes to the Manteo Resort and the Hiawatha Park. There may be changes to the design prior to the project advancing to Development Permit.

The design submitted by the applicant is very much a resort style design, with an emphasis on large terraces and private amenity space with the use of three towers on a podium. It is unlike the downtown pin towers or bulkier residential towers, and would be a unique building form for Kelowna, serving a unique function.

Council will have the opportunity to approve the form and character at a later date. The applicant has requested a variance to the height of the towers, but no other variances are currently being proposed.

4.0 Proposal

4.1 Overview and approvals process

This application will be the first in a series of applications whose approval would lead to the development of approximately 350 resort residential units in a series of towers ranging from 13 to 19 storeys in height. Council will also have to consider a road closure bylaw, closing a portion of Capozzi, a land swap, and a Form and Character Development Permit and Development Variance Permit prior to the project proceeding.

4.2 <u>Background</u>

A similar concept was proposed in 2008, with a significantly higher level of density (450 units). The proposal was supported by the City's Advisory Planning Committee. However, the proposal was never advanced to Council. Because the proposal at the time included a marina, the project required provincial approvals. The delay in provincial approvals coupled with the 2008 recession drove the developer to withdraw the application.

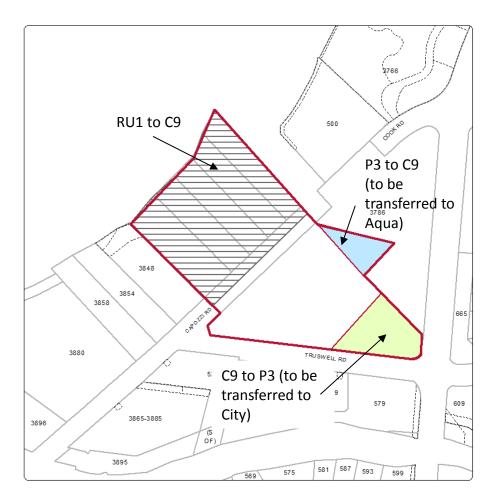
The proposed land swap has been active since 2008, having been reaffirmed by successive councils.

At this time, the properties along the waterfront are being used as single dwelling homes, while the larger lot is being used for a boat storage and valet service.

4.3 Zoning Areas

The applicant has applied to rezone 5 properties from RU1 -Large Lot Housing to C9-Tourism Commercial, to rezone a portion of the neighbouring City parking area to C9 – Tourism Commercial, to rezone a portion of the applicant's property to P3 – Park and Open Space, and to rezone a portion of the road to be closed to C-9 Tourism Commercial.

This rezoning will create a site assembled parcel zoned C9. The City has previously approved a land swap, which would see the developer take ownership of a portion of Capozzi Rd in exchange for the southeastern portion of the site.

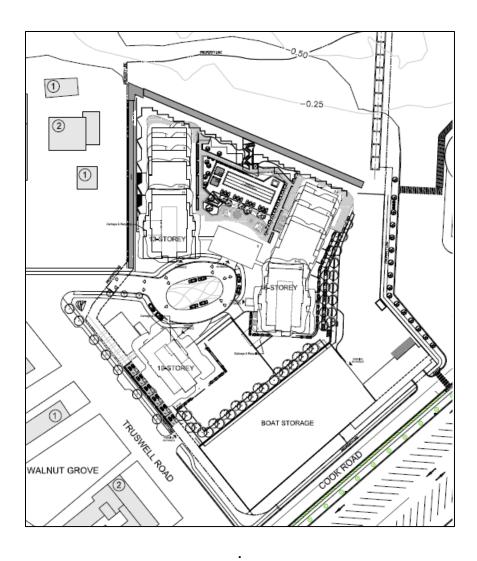


While a portion of Capozzi Road will be closed, the developer will construct a new section of Cook Road. The realigned Cook Road will allow the City to construct a boat trailer parking lot between Lakeshore and Cook.

If Council chooses to rezone the subject properties, the applicant will follow up with a development permit application for a 350 unit resort residential development and associated boat storage.

4.4 Project Description

The proposed development, referred to as "Aqua", will be a 350 unit resort residential complex with three main towers on a parking podium. The project will also include a 4 floor dry-land boat storage facility and a private boat launch.



The project will consist of three towers, ranging in height from 13 to 19 stories, around a central entry. The main entrance to the site will be off of Truswell Road. The boat storage will be located along the east edge of the site, facing onto the realignment Cook Road.



The Phase 1 tower will be 19 stories in height, with Phase 2 at 16 stories and Phase 3 at 13 stories. The buildings will be located over a 3 storey parking podium partially ringed with townhomes.

There will be a commercial building located on the southwest portion of the side, near the entry to the *porte-cochere* off Truswell Rd. Based on the C9 zone, the commercial building could include retail or food service opportunities.

The 4 storey boat storage will be a major amenity for residents on the site. While the 2008 version of the Aqua project featured a large marina, the 2017 version instead houses boats in dryland storage. The boat valet service would then prepare and launch boats when required from a private boat launch. There would be no marina or moorage associated with the project.



The applicant will provide waterfront access along both side of the project. The access off of Truswell, which will tie to the Mission Creek parking lot, will be a 4.5 m wide boardwalk. The access will be fronted by townhomes, rather than a parkade wall.

Prior to development, the project will require a Council approved Development Permit and a substantial height variance. Approval of the Zoning does not imply approval of the Development Permit, and would not commit Council to approving the DP or variance.

4.5 Official Community Plan

With the exception of a small corner of the parking lot involved in the land swap, the properties are designated for Tourism Commercial. The City has limited lakefront property dedicated for Tourist Commercial use, with a cluster in the subject property's neighbourhood and a cluster in McKinley Beach.

With such a limited bank of lakefront Tourism Commercial, and almost no undeveloped lakefront Tourism Commercial near the downtown core, staff believe that the City needs to maximize the intensity of use of the scarce tourism lands. The Aqua project, which will achieve densities of 130 units per hectare, achieves that goal.

The subject property, as one of the last developable Tourist Commercial properties, has long been seen as a site for a significant building. The South Pandosy / KLO Sector Plan indicates that the site should be encouraged to be developed with a "Landmark Building" as a focal point for the Tourism Commercial node.

4.6 Waterfront

As part of the Natural Environment Development Permit phase, the waterfront and its riparian area will be dedicated to the City. The waterfront is currently occupied by a number of docks supported by retaining structures. The applicant intends to remove all docks and retaining structures and re-naturalise the waterfront with beach and natural vegetation.

The City is currently conducting a study on sand movement in the area to reduce the need for constant dredging at the Cook Street Boat Launch. As part of the Natural Environment Development Permit process, the applicant will be required to work towards any recommendations that come out of the study.

The applicant will construct a public boardwalk along the edge of the Aqua frontage. The boardwalk will either be dedicated to the City or protected in perpetuity by a Statutory Right of Way, as determined by the Natural Environment DP process. Regardless, public access across the boardwalk and between adjoining roads and the waterfront will be preserved and protected.

4.7 Site Context

The site is located in a neighbourhood primarily used for resort and residential uses. To the north are the El-Dorado Hotel and Manteo resorts, while there are residential buildings such as Mission Shores to the south.

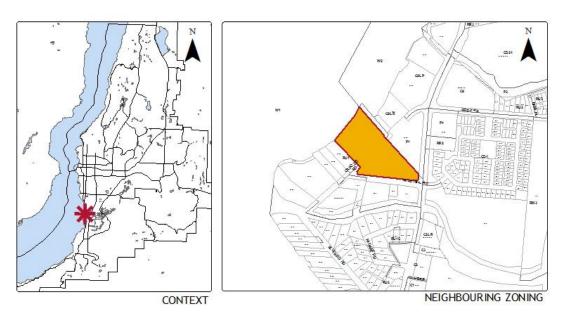
There have been several developments proposed at various times in the neighbourhood, including significant projects at Manteo and the nearby Hiawatha park. Previous approvals have contemplated locating tall buildings in the area.

The CD24 zone, intended for the nearby Hiawatha project, allows heights up to 11 storeys. The nearby Manteo was approved to build up to 14 storeys.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C ₉ LR – Tourism Commercial Liquor Primary	El Dorado Hotel
East	P1 = Major Institutional	City Parking Lot
South	C9 – Tourism Commercial	Multi Family Housing
West	RU1 – Large Lot Housing	Single Dwelling Housing

Subject Property Map:





SUBJECT PROPERTY

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Future Land Use

Mixed Use Tourism (MXT)

Developments that provide for a mix of hotel, apartment hotel, multiple unit residential uses and associated commercial uses intended to service the tourism market. Building densities and height would be consistent with the provisions of the C9, RM3, RM4 and RM5 zones of the Zoning Bylaw.

5.2 <u>South Pandosy / KLO Sector Plan (rescinded)</u>

The South Pandosy / KLO Sector Plan indicated that the property was suited for a landmark tourism commercial development.

6.0 Application Chronology

Date of Application Received: Oct. 21, 2016
Date of Application Re-submission Feb. 23, 2017

Date Public Consultation Completed: August, 2016 and September, 2016

Report prepared by: Ryan Roycroft, Planner

Reviewed by: Terry Barton, Urban Planning Manager

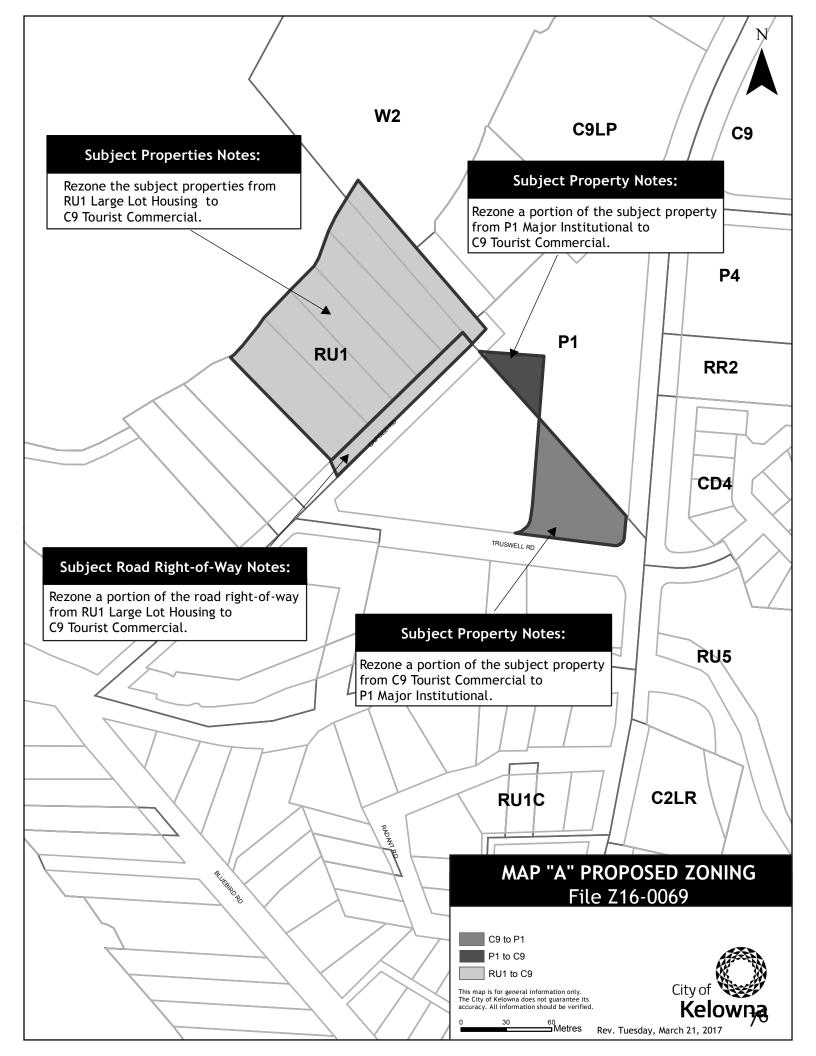
Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning & Strategic

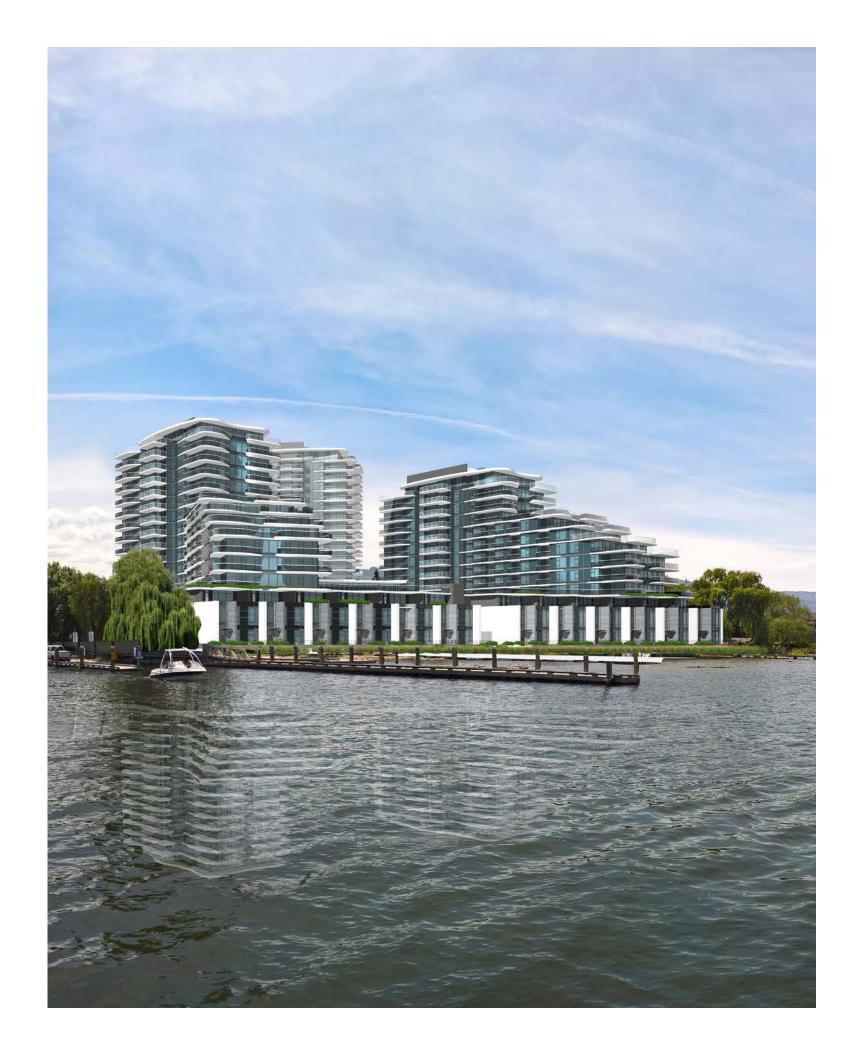
Investments

Attachments:

Applicant's Submission
Development Engineering Memorandum

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).







Truswell & Capozzi Road Kelowna, BC

Community Master Plan & Vision Summary

February 2017



Team

Architect:

IBI Group

Contact: Martin Bruckner

700 – 1285 West Pender Street Vancouver, BC, V6E 4B1 Tel: (604) 683-8797 Fax: (604) 681-2770 mbruckner@ibigroup.com

Landscape Architect:

WSP | MMM Group **Contact: Byron Douglas**

540 Leon Avenue Kelowna, BC V1Y 6J6 Canada T +1 250-869-1334 #4344 F +1 250-869-4849

DouglasB@mmm.ca

Traffic Consultant:

Bunt & Associates Engineering

Environmental Consultant:

Ecoscapes Environmental Consultants/Water's Edge Engineering

Owner:

Mission Group Contact: Luke Turri

10th Floor -1631 Dickson Ave Kelowna, BC, V1Y 0B5 Tel: (250) 448 8810 Fax: (250) 762 4236 lturri@missiongroup.ca

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APPENDIX

Traffic Management ReportBunt & Associates Engineering

Infrastructure Design Report WSP/MMM Group

AMV Conceptual Pier Design and Environmental Impact Report Ecoscapes Environmental Consultants/Water's Edge Engineering

Architect Drawing Set IBI Group

Landscape Architect Drawing Set WSP/MMM Group



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Sketch: View at Corner Public Plaza of Capozzi & Truswell Road



1.0 Development Proposal

1.1 Introduction

Aqua is a proposed waterfront community situated on 6.25 acres, located in the Cook Road Tourist Commercial Area of Kelowna. The vision for Aqua includes a wide range of public amenities; openness to the water, a flowing landscape plan, public spaces, and places to sit, walk, reflect, gather, and celebrate.

A Dynamic Waterfront Destination

Aqua will help to create a dynamic destination aligned with the City's goals to create a vibrant node of mixed tourist and residential accommodations and uses in the Mission Creek neighbourhood. The development at Aqua will add life and vitality to the existing residential neighborhood by clustering a critical mass of residential homes with local amenities that will enhance the neighborhood and add to the waterfront experience.

Site Context















1.2 Application Summary

Existing Zoning:

C9 Tourist Commercial (Existing Boat Storage) / RU1 Large Lot Single Family (Waterfront Lots)

Proposed Zoning:

C9 – Tourist Commercial

This zone is supported within the existing OCP designation of "Mixed-Use Tourism" (MXT), which envisions: "developments that provide for a mix of hotel, apartment hotel, multiple unit residential uses and associated commercial uses intended to service the tourism market" (Kelowna 2030 OCP).

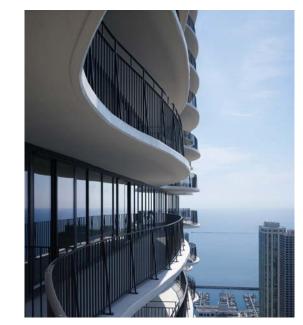
Development Permit & Development Variance Permit

A Development Permit is sought to approve the form & character of the proposed residential community and boat valet operation. Mission Group is also requesting the approval of residential tower heights above the six storey limit currently permitted in the C9 zone. Previous height variances within the Cook Road Tourist Commercial area have been approved where design and community benefits have warranted. The Aqua community is proposed with tower heights between 13 and 19 stories (up to 60m).

Architectural / Landscape Inspiration





















1.3 Statement of Development Rationale

With the OCP designation for allowable density in place along the waterfront, Aqua is slated to continue building on the City of Kelowna's vision for this area. Therefore, Mission Group's focus in this application is how to appropriately allocate the prescribed density in a sophisticated form that maintains view corridors through the site. Mission Group and their consultants have worked collaboratively with the City of Kelowna and followed an extensive process of public consultation to develop a masterplan that focuses on the following guiding principles:

A. Built Form

- Permit increase in overall building heights with taller buildings in locations that optimize views through the site
- Balance building height and massing with the impact of overshadowing of adjacent buildings, public spaces, and streets
- Minimize view blockage
- Building height and massing should reinforce, compliment and enhance the visual character of the street, and contribute to enhancing the public realm

B. Character

- Incorporate a visually distinctive and consistent architectural design
- Reinforce a sense of place through increased pedestrian activity along the waterfront
- Treat building exteriors to capture the marine character of the waterfront

C. Community Amenities

- Maximize the public use of the waterfront
- Enhance Mission Creek Greenway connections
- Encourage shoreline enhancements
- Create a more efficient layout and operation of the public parking areas and boat launch staging area

D. Access and Circulation

- Incorporate pedestrian-oriented design
- Provide trail connections to existing pedestrian and Lakeshore bike pathways
- Develop a transportation management

E. Sustainability

- Incorporate prevailing innovative green building design and construction
- Utilize native, non-invasive and drought tolerant landscaping

- Explore opportunities to enhance aquatic habitat
- Incorporate Crime Prevention through Environmental Design (CPTED) principals

F. Parking

- Improve off street parking for truck, trailer, and vehicles at the public boat launch
- Incorporate bicycle parking and storage
- Locate parking areas so they do not visually dominate the community

G. Waterfront

- Create an identifiable neighbourhood focus along the waterfront
- Provide pedestrian walkways and spaces with appropriate landscape elements including outdoor furniture and lighting
- Link the Mission Creek Greenway to the waterfront

Waterfront Boardwalk



Truswell Road Upgrade



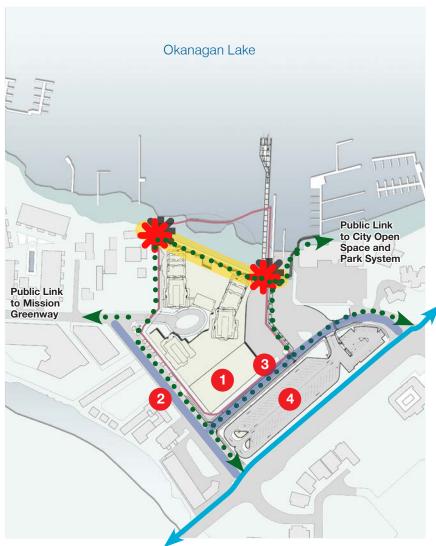
Cook Road Upgrade



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AQUA

Public Benefits Diagram





Waterfront Promenade



- Expanded Boat Storage in Internal Structure
- Truswell Road Upgrades
- Cook Road Extension
- City Boat Launch Parking Lot Improvements

1.4 Community Benefits & **Infrastructure Improvements**

Mission Group has been building strong and vibrant communities in Kelowna for well over a decade. Aqua will exemplify the pinnacle of Mission Group's developments to date.

Mission Group is committed to working cooperatively with the City of Kelowna, local residents, regional authorities, and other stakeholders to create an innovative development that is suited to the needs of the community, achieves the highest quality construction, and generates an attractive return for the City, community and for our shareholders.

1. Deliver a high quality public realm

A strong focus on the public realm, internal pathways and building interfaces help to create a range of experiences for users. Dedicated public areas and pathways have been created in response to public input and city comments with an expansion of the public realm. The proposal increases the public pathways from the original rezoning application to provide further connections and interest through a series of pedestrian gathering spaces and pathways through the site.

Attention has been given to ensure pedestrian connections are cohesive with a focus on providing landmark elements and new access points that will open up the waterfront to the public.

2. Environmental

Mission Group is committed to working with the City of Kelowna and community to have a positive environmental impact on this neighborhood. Community benefits include restoration and naturalization of the lakeshore which will improve environmental quality and erosion resistance. In addition, providing expanded boat storage in an internal structure avoids the addition of a marina and provides multiple environmental benefits including maintaining open views to the water.

3. Transportation & Infrastructure **Improvements**

To mitigate current and future traffic and parking concerns, Mission Group is committed to the following transportation improvements to the neighborhood:

- Truswell Road upgrades including sidewalk, lighting, street trees and landscaped boulevard
- Cook Road extension provides alternative access and egress for the neighborhood, as well as adds to the pedestrian and cycling network
- Improved truck, trailer, and vehicle parking with additional landscaping on an improved City Boat Launch parking

Context Photos





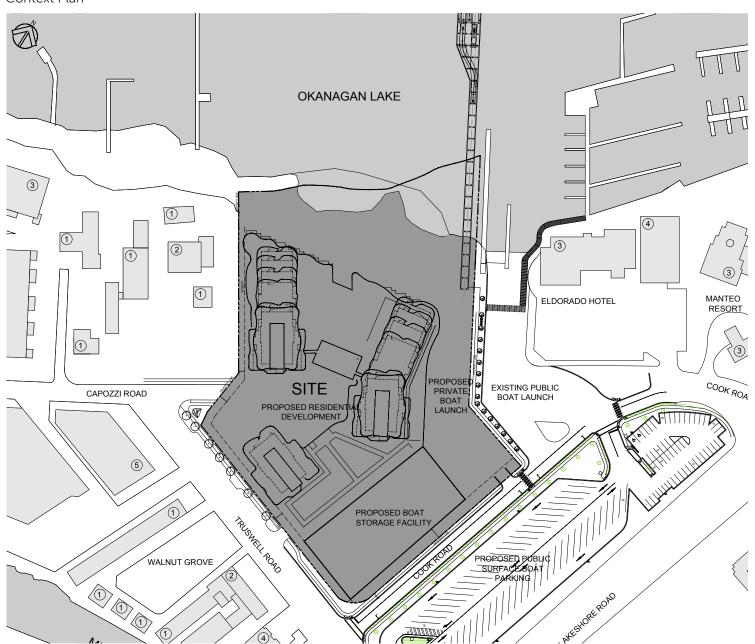








Context Plan



2.0 Site Context

2.1 Context and Connectivity

Site Connections

The Aqua site is currently bounded by Capozzi Road, Cook Road, Truswell Road, and Lakeshore Road. Lakeshore Road currently exists as a two-lane arterial road that provides north/south connectivity from the site to Highway 97 (Harvey Avenue). In 2014, Lakeshore Road (between Cook Road to Lexington Drive) was reconstructed to provide raised centre medians and multi-use pathways. Truswell Road functions as a two-lane minor collector level facility that connects the existing boat storage area to Lakeshore Road. In the vicinity of the site, Cook Road, functions as a two-lane collector, and provides accessibility to the existing boat launch.

The development of Agua will also connect to the Mission Creek Greenway Trailhead, located at the intersection of Lakeshore Road and Truswell Road.

2.2 Existing Lot Areas & **Development Boundaries**

Mission Group and the City of Kelowna have entered into a land exchange agreement that provides a series of mutual benefits. As part of the agreement, Mission Group will construct new public improvements, including:

- Creation of more usable, regular shaped development parcels;
- The extension of Cook Road to Truswell; providing alternative access and egress for the neighbourhood, as well as adding to the pedestrian and cycling network.
- A more efficient layout and operation of the public parking areas and boat launch staging area
- Clear areas for queuing and staging will reduce congestion at the public launch
- Landscaped boulevards along the new Cook Road and surrounding the revised boat launch parking areas.



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Summary

Vision

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Plan

Master

ommunity

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3.0 Urban Design **Principles**

3.1 Design Principles

A set of design principles have been identified to guide the Agua lands development.

A development that responds in a formal manner to its existing context

Aqua will create a legible overall form that reinforces its contextual relationship to the marine setting by stepping the waterfront buildings down towards the water while introducing a point tower building form along Cook Street. Building forms will be inspired by the lake front environment. Balconies appear as if eroded by flowing water, providing ample private open space, and creating additional shade. Thematically, the buildings will also reference boat and marine forms with curving 'mast' elements at the building leading edges. Designed to open views through the site and to the lakefront, the proposed building forms recognize adjacent patterns of natural features and their relationship to the water while helping to shape future context.

A Strong Sense of Place

The Aqua Marine Valet building will feature an added landmark element to activate the corner of Cook Road and the Public Boat Launch. This will act as a gateway to the new development while anchoring a vibrant public realm and creation of "place". Serving as an element of arrival, it will open to a series of public pathways that lead directly to the waterfront and around the site, including a delineated landscaped path through the private and public boat launch areas. New public pathways will

connect to existing pedestrian and cycling networks thereby creating a high-quality pedestrian experience and enhancing a sense of community. The public realm is further activated with the addition of boutique retail along the southwest corner of Truswell Road. The introduction of a lobby along Truswell, adjacent to retail and townhomes will further animate this active frontage and create a strong sense of place. The development's formal entrance off Capozzi Road, into an internal courtyard Porte Cochere will serve as an additional gateway element that signifies an official arrival at this destination.

Animated Waterfront

Aqua will engage and animate the public waterfront with appropriate interface considerations with the programming and design of the public realm.

Character Palette

The public realm shall be further developed around three character influences: the natural character inspired by the riparian corridor along the waterfront boardwalk; the village character along the Truswell Road side, and the Marine character of the eastern side that interfaces with the private and public boat launches.

Connected Public Spaces

A series of public pathways will be the central features in organizing the community. These areas will be connected by greenways to create a pedestrian and cyclist friendly neighborhood. Permeable east-west and north-south access through the site and beyond will be maximized.

Variety of Form and Detail

The buildings and public realm design will pursue a variety of forms, details, and character expressions to provide interest to this new community.

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3.2 Views/Orientations

Community Master Plan & Vision Summary

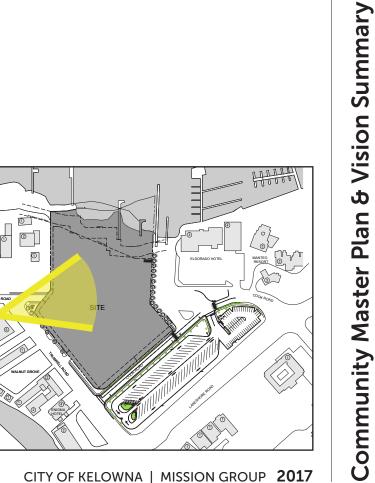




View A - From corner of Capozzi & Truswell



3.2 Views/Orientations



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View F - From Water

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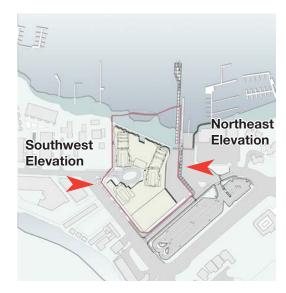
3.3 Massing & Height

Okanagan Lake

AQUA

Aqua will be built under the C9 zone which provides a capacity of approximately 37,100 square meters of floor area (approximately 350 homes). Building heights and layouts are dependent upon how this floor area is distributed across the site. Through the community consultation, a variety of building height options were presented to the community ranging from 12 to 24 stories with feedback indicating preference for the proposed building heights in this application. These building heights provide the following benefits:

- Allow slimmer building forms, avoiding bulkier low rise buildings
- Provide more sunlight and less shadowing on adjacent public areas such as the new waterfront boardwalk and private lands
- Offer better view corridors between buildings
- Create more opportunities for architectural interest in a signature design concept



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Building Massing Diagrams

Southwest Elevation

A Q U A Northeast Elevation TOWER 03 19-STOREY TOWER 01 13-STOREY Okanagan Lake



Rendering: View From corner of Capozzi & Truswell - Looking East







3.4 Illustrative Masterplan

Community Master Plan & Vision Summary

···· Pedestrian Route - - - Multi-use Route - Cycle & Pedestrian Primary Vehicle Route PEDESTRIAN ROUTE: o Adding full sidewalk and landscaping along extended Cook and Truswell. o Dedicated pedestrian path added from Capozzi Road to new lakefront public board-MULTI-USE ROUTE - CYCLE AND PEDESTRIAN: o Connections to existing multi-use routes via new Cook Road and improved Truswell Road SECONDARY VEHICLE ROUTE: o Extension of Cook Road to Truswell Road and full upgrade to Truswell Road TRUSWELLIROAD MISSION CREEK GREENWAY TRAILHEAD

Secondary Vehicle Route

Transportation Network

Mission Creek Greenway and Waterfront Promenade



Proposed Waterfront Boardwalk

Existing Waterfront Pathway

Future Mission Creek Greenway Extension

Existing Bicycle Route

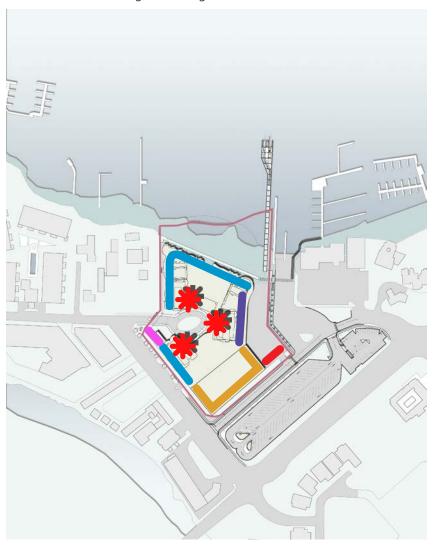
4.0 Masterplan Framework

Mission Creek Greenway and Waterfront Promenade

Mission Creek Greenway is one of Kelowna's most used recreational corridors. The Greenway offers a lengthy trail system that traverses through Kelowna's beautiful and diverse landscapes. The waterfront frontage of the Aqua development provides an important greenway connection to this valued community resource, finally connecting Okanagan Lake to the Greenway.

Site Circulation Waterfront Boardwalk Marine Alley Upgrade Truswell Frontage to Lakeshore Road Cook Road Extension **Existing City Road Pedestrians Connection**

Ground Floor Building Uses Diagram





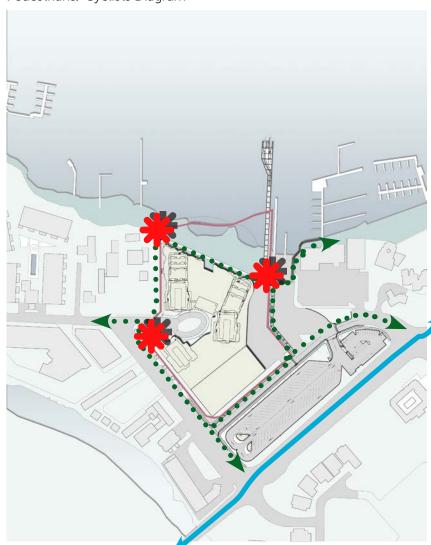
4.1 Permeability & Connectivity

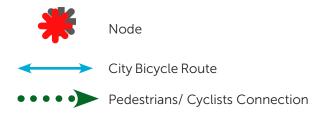
The redevelopment of the Aqua lands will become a hub of connectivity to the lakefront in this dynamic location. The new walkfront boardwalk will be accessed from both the north and south via newly created public pedestrian links. Through thoughtful urban design, the public will be drawn to interact with these spaces, opening up this key location to the rest of the community. Linking Mission Creek Greenway to the lakefront via an upgraded Truswell Road frontage will expand on the existing walkfront pathway north of the Aqua lands that reaches Rotary Beach. Further connectivity is added via the extension of Cook Road to Truswell Road, allowing for improved circulation for all modes of transportation.

4.2 Porosity & Transparency

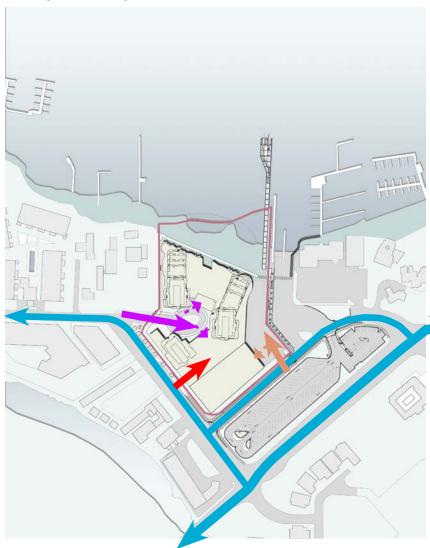
Various degrees of engagement between ground oriented units and public pathways will correspond to the range of building uses. Ground oriented commercial uses will be relatively porous and transparent offering some degree of security and defensible space from the street. Ground oriented apartments and townhomes will be well fenestrated to allow for "eyes on the street" while the access to individual front doors would be defined by adjoining front patios to create defensible private space, and a comfortable transition between the private and public realms.

Pedestrians/ Cyclists Diagram





Building Access Diagram





4.3 Pedestrians/Cyclists

A clear hierarchy of mobility modes will influence the design of the pathways with priority placed on pedestrians followed by cyclists to encourage alternatives to driving. The circulation system seeks to maximize pedestrian permeability through private development sites via the pathways and boardwalk.

4.4 Building Access & Parking

Primary vehicular access to the site is from Truswell Road, with secondary access from Capozzi Road. Both access points connect to Cook Road and Lakeshore Road. Primary access to the Boat Storage building and marine access would be along Cook Road. Parking will be accommodated in three levels of above grade parking, located in the podium structure of the buildings. Driveway and lobby entry points are as shown.

Waterfront Boardwalk Access Waterfront Promenade City Road **Pedestrians Connection**

Public & Private Space Diagram



Public Space

Privately Owned and Public Accessible Space

Private Space

City Road

Pedestrians Connection

4.5 Waterfront Boardwalk Access

A series of north-south pedestrian corridors and pathways will help improve permeability and access to the waterfront. The expanded pedestrian network will loop around the site and provide connections to the existing waterfront boardwalk in front of the Hotel Eldorado through to the Mission Creek Greenway. The new waterfront boardwalk "Waterfront Promenade" will be accessed via a pathway entrance at the northeast corner of Cook Road and the public boat launch, "Marine Alley", as well as through a southwest path the "Mews". This allows for direct visual access to the waterfront; creates a simplified circulatory flow; and allows for direct pedestrian access to the waterfront from a multitude of locations.

4.6 Public & Private Space

A hierarchy of public spaces are proposed to create a transition between private and public spaces. Areas will be defined through the use of planters and planting, elevating private areas above public to improve safety; low fencing and gates where necessary; and windows and doors for private overview of public areas.

The development site is designed with a publicly accessible internal courtyard configuration that is privately owned and maintained. The courtyard is bisected by the southwest Mews that connects to the adjacent streets, and allows greater pedestrian permeability through the development block.

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AQUA

Sketch: View Along Truswell - Typical Street Treatment



4.7 Public Realm Character

The design strategy proposed encourages a public realm expression that celebrates a marine, urban, and natural character for the waterfront. The public realm and pathways use a cohesive palette of materials and design elements throughout to create the sense of a contemporary and contextually meaningful neighborhood precinct, within which a variety of unique spaces can exist.

4.7.1 Character Palette & Distinct Areas

The character of the public realm is inspired by the context of the waterfront and related boating activity, providing deeper meaning and a sense of place to the community. Reinforcing Aqua's connection to its surroundings, the public pathways, semi-public courtyards, and private outdoor spaces are characterized using a palette of marine, urban, and ecological materials and elements that celebrate the contrasting interface between nature, urbanity and the commercial boating activity that is integral to this community.

Marine Character Elements

Aqua celebrates the neighboring marine activity that reinforces the character and authenticity of the boating culture around it. Marine elements can include boating artifacts, decking, pile structures and

other marine and nautical detailing that would be used along the foreshore and throughout the public realm.

Urban Character Elements

In contrast to car-based suburban environments, compact walkable urban environments exhibit a greater degree of character and detailing in response to lower travel speeds. Richly textured materials and patterning, greater frequency of fenestration and a range of colours and tones will be designed to provide variation and interest at a walking pace. Specific responses include continuous paving surfaces, planting, lighting, and furnishings that span both pedestrian and vehicular space to slow traffic to reinforce a pedestrian oriented walking environment throughout all areas of the public realm.

Natural Character Elements

Aqua is defined by the marine shoreline fronting onto Okanagan Lake. Strong visual connections to the natural marine environment and the mountains provide a context that Aqua will integrate into both visually and functionally.

Planting choice will be inspired by the

Planting choice will be inspired by the naturalized foreshore planting and new riparian areas that aim to restore the shoreline ecosystem. Tree planting, along the pathways and within courtyards and podium roofs create an urban forest that provides greater ecological connectivity with adjacent riparian corridors.



4.8 The Waterfront

The Aqua waterfront will be defined by distinct areas that reinforce a strong sense of place within the community. As the heart of the neighborhood, this public realm space will be active and animated by pedestrians, cyclists and the boating community with daily leisure and boating activities and people watching. This precinct is comprised of a number of distinct areas including "Marine Alley", the "Waterfront Promenade", and the entrance to the "Mews".

A permeable network of publicly accessible pathways and courtyards connected by the north-south Mews and Marine Alley creates a more intimate series of passive neighbourhood oriented spaces. The Waterfront Promenade defines the foreshore of Aqua featuring a range of active and passive activities and experiences catering to a wide range of user groups and enabling a strong connection with the water's edge.

Rendering: Aqua Marine Valet Entry



4.8.1 "Marine Alley"

The entrance point to Aqua Marine Valet marks the Gateway to the development and provides an opportunity to engage the public through a pedestrian pathway that links directly to the waterfront. "Marine Alley" will allow pedestrians and cyclists to leisurely observe boating activity at the adjacent public and private boat launches on a delineated pathway located along the eastern property boundary. A wooden lookout structure located at the terminus of Marine Alley at the public boat launch pedestrian crossing, will allow public viewing of boat operations from the lake, while offering views to the Lake and surrounding waterfront activities.



4.8.2 "Waterfront Promenade"

The publicly accessible waterfront boardwalk runs parallel to the development frontage and is being proposed as a separated and elevated pedestrian walkway with the potential for planting and seating. The construction of this greenway will be completed in two phases to allow public access to the waterfront to occur in Phase I, while enabling the development for the remaining phases to proceed without disruption to public access.

Phase I

In consultation with the City, Phase I will occur during construction of Tower I and will require installation of footings to allow boardwalk placement and the construction of an interim gravel boardwalk with public access.

Community Master Plan & Vision Summary

Section: Waterfront Boardwalk



Phase II/III

In consultation with the City, the "Waterfront Promenade" boardwalk will be constructed and completed to coincide with the completion of Tower III at Aqua. A concrete boardwalk will be constructed and will include landscaping and public realm components.



4.8.3 Courtyards and "Mews"

Courtyards function as passive gathering spaces, neighborhood gathering space, contemplative space, and natural green space. These courtyards also function as internal corridors through neighbourhood blocks providing access to semi-private open spaces, and private residences. Unique in character, with informal plantings, furnishings and a variety of paving materials, the courtyards provide intimate linkages that are pedestrian in scale. Water features and sculptural landscape elements merge with rich indigenous and sustainable planting to create a sequence of visual delights. Furthermore, paved surfaces within courtyards serve as outdoor plaza space that can accommodate intermittent loading access.

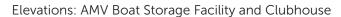
Connecting Aqua's waterfront along the southwestern property line, the Mews is a multi-purpose lane that has been expanded to 4.6 metres in width and is accessible to both pedestrians and cyclists. The addition of townhomes along this formalized passage provides a linear green corridor connection between residential development and the water, while setting context for future adjacent development. Residential townhome frontages are furnished with slightly raised patio spaces that create a comfortable grade separation between public and private space. A two-storey material expression is intended to create an intimate scale to this passageway. The terminus of the Mews at the waterfront will be characterized by a pedestrian 'landing', with a proposed pier extension to create a gathering space and viewing platform.

Illustrative Waterfront Boardwalk Plan

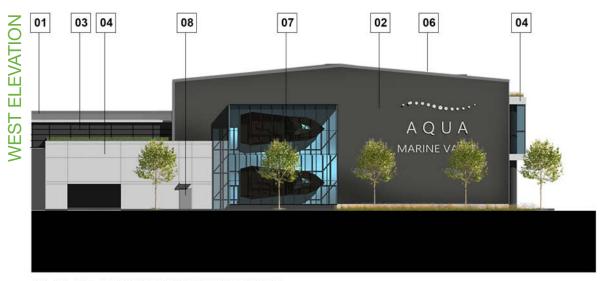


4.8.4 Illustrative Waterfront **Boardwalk Plan**

The plan illustrates the potential improvements to the public waterfront boardwalk and associated shoreline improvements that will be undertaken in tandem with the development phasing of Tower III, in consultation with the City of Kelowna.









- 02. DARK GRAY HORIZONTAL SIDING 03. DARK GRAY ALUMINUM PANEL
- 04. WHITE ALUMINUM PANEL
- **05. SILVER ALUMINUM TRELLIS SYSTEM**
- 06. STANDING SEAM METAL ROOF 07. GLASS AND ALUMINUM WINDOW SYSTEM
- **08. ALUMINUM DOOR**
- 09. METAL PANEL WOOD TONE





Sketch: View Along Cook Road at Marine Alley



4.9 Aqua Marine Valet (AMV)

4.9.1 Design Elements

Cook Road and Truswell Road form the primary entrances to the Aqua development and both roads are intended to be animated and active streets. The commercial nature of the internal boat storage building requires a prescribed form, however, there are opportunities for this building to become the visual and functional cornerstone of the development. The corner of Cook Road and the public boat launch serves as a public gathering place, a place for socializing and an entrance to the public realm at Aqua. A glazed two-storey extension, interconnected to the northeast corner of the boat building celebrates this entrance and provides interest to the building at a human scale along this street frontage, while adding functional space that can be utilized as amenity or commercial area. The corner of Cook Road and Truswell Road also offers opportunity for a street scale expression with a glazed display element, adding interest along this active frontage. A rich landscape palette will soften the base of the boat building and enhance the pedestrian experience.

4.9.2 Operational Program Parameters

The AMV commercial operation will provide indoor storage in a four-storey form that will replace the existing outdoor boat storage and provide valet service for vehicles, thereby reducing vehicular activity at the water's edge. The rationalized public boat launch parking area and the improved pedestrian safety through the public realm components of this operation, will provide a multitude of public benefits. The absence of a private marina will maintain open views over the lake and provide additional environmental benefits.

4.9.3 Conceptual Design of Pier

The AMV boat storage building will be constructed in Phase I and will include a new private launching pier, subject to Ministry of Environmental approvals.



5.0 Site Design Parameters

5.1 Building Character

The resulting building form has been shaped through the public engagement process as part of the community consultation completed to date.

A tower building form has emerged, resulting in three distinct towers with stepped forms and townhomes that bring architectural variety and interest to this development. The design includes the following principles:

- A. STEP-BACK AT UPPER FLOORS
 Create a step back at the penthouse and/or sub penthouse levels
- B. PODIUM AND WINGS
 Keep form to 2-storey expression
 along the waterfront boardwalk
 and Cook Road, apart from the
 separate boat storage building at
 4-storeys. Provide stepping over the

- three-storey parkade podium on the waterfront buildings.
- C. PODIUM TREATMENT
 Allow for roof access and amenity support areas on the parkade podium.
- D. INTERCONNECTING FORMS
 Allow for a variety of interconnecting form elements that link between base, middle, and top components.
- E. BASE EXPRESSION

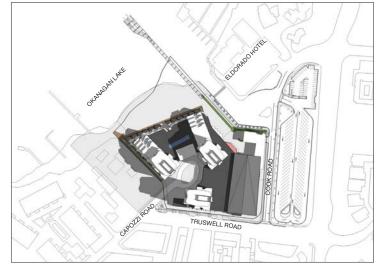
 Create a two and three-level street scale expression exploring different approaches to fenestration, recessed entries, balcony relationships, and materiality all relating to the human scale along street frontages and courtyard exposures.
- F. STREET DETAIL

 Create a finer grain of detail,
 together with useable entrance
 terraces, fencing, signage, canopies,
 planters, and lightings, etc., at street
 frontages, appropriate to residential
 or commercial usage.



AQUA

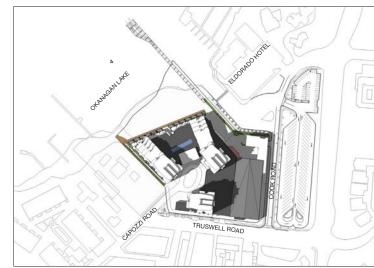
5.2 Shadow Study



Summer Solstice (DST) 9:30 am



Summer Solstice (DST) 12:30 pm



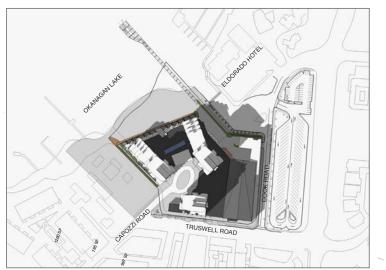
Summer Solstice (DST) 15:30 pm



Vernal Equinox (DST) 9:30 am



Vernal Equinox (DST) 12:30 pm



Vernal Equinox (DST) 15:30 pm



Rendering: South Elevation









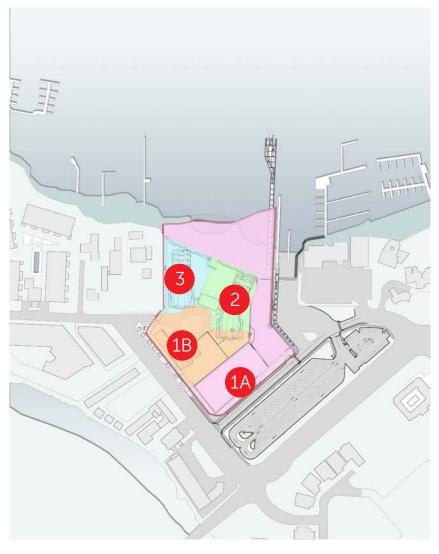


Rendering: North Elevation

Rendering: West Elevation



Phasing Diagram









PHASE 3

6.0 Development Phasing

Aqua will be developed in three phases over an expected 5-7 year build-out. The proposed development area is comprised of two site areas; the Aqua development consolidated parcel and the Aqua Marine Valet subdivided parcel.

6.1 Phase I

- Tower I located on Truswell Road including townhomes and portion of related parkade with entrance off Truswell Road
- Stand alone retail building on Truswell
- Aqua Marine Valet Building, Launch Area, and Pier
- 'Interim' Waterfront Boardwalk
- Pedestrian Entrance to waterfront via Cook Road "Marine Alley"

6.2 Phase II

• Tower II (northeast waterfront) including portion of related parkade

6.3 Phase III

- Tower III (southwest waterfront) including waterfront townhomes and portion of remaining parkade
- 'Final' Waterfront Boardwalk "Waterfront Promenade"
- Pedestrian Path along the southwest property line "Mews"
- Completed (inner courtyard) Porte Cochere

AQUA

Rendering - View from Eldorado Harbour



7.0 Conclusion

Mission Group is honored to be a part of this special site. We believe that Aqua will bring signature architecture and vibrant public spaces to its world-class location, celebrating the lakeside experience. The concrete building forms present a contemporary architectural language, inspired by the lakefront environment.

In short, we are confident that Aqua will serve to reinforce the Capozzi/Truswell area as a hallmark lakefront location – a place in which both residents and tourists alike can appreciate and enjoy.

CITY OF KELOWNA

MEMORANDUM

Date:

December 19, 2016

File No.:

Z16-0069

To:

Community Planning (RR)

From:

Development Engineering Manager (SM)

Subject:

550 Truswell, 3814, 3820, 3828, 3832 & 3838 Capozzi Rd - Resort Development

Development Engineering Department have the following comments and requirements associated with this 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

General

a) The proposed resort development triggers a traffic impact assessment (TIA). The City Transportation & Mobility department will review and provide the approval of the TIA. Recommendations from the Traffic Impact Analysis (TIA) will become requirements of rezoning.

1. Domestic Water and Fire Protection

- (a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- (b) It is anticipated that a watermain link will be needed to be maintained between Cook Road (boat launch) and the Capozzi Road, Truswell Road intersection to provide the fire flow requirements to Mission Shores and other developments. If it is determined that upgrades to the existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- (c) Construct a watermain within the new Cook Road extension to Truswell Road. Install a new service at a location that will service the proposed and future phases. The cost of these works will be included in the road construction cost estimate.
- (d) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

(e) A water meter is mandatory for this development and must be installed inside the buildings on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

- (a) The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing small diameter services and the installation of a new larger service.
- (b) The applicant, at his cost, will arrange for the removal of the existing main within the closed road and the installation of new sanitary service as required. The existing 200mm PVC main within Capozzi Rd may be utilized for the proposed development if sufficient in size. Provide a terminal manhole on the main at the new property line boundary of this development.
- (c) A downstream flow analysis check is required by a consulting civil engineer to determine the impact of additional flow contributions on the existing pipe system. If it is determined that upgrades to the existing facilities must be made, additional bonding will be required.

3. Storm Drainage

- The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems.
- (b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of the existing main within the closed road, and the installation of new storm main as required as well as one new overflow service.
- (c) Construct a storm sewer main within the new Cook Road extension. The cost of these works will be included in the road construction cost estimate.
- (d) Construct a sewer main within the Truswell Road right-of-way. The cost of these works will be included in the road construction cost estimate.

4. Road Improvements

- (a) Lakeshore Road fronting this development has been upgraded to a full urban standard therefore no further works are required.
- (b) Cook Road extension to Truswell Rd: Construct the new road to a SS-R4 standard (15.0m), modified to include a 1.5m separate sidewalk on both sides, including barrier curb and gutters, piped storm drainage system, street lighting and boulevard landscaping /irrigation, street lights as required Street parking will be limited to one side of the road right-of-way.

- (c) Truswell Road fronting this development must be upgraded to a full urban standard (SS-R7) including a concrete sidewalk, barrier curb and gutter, piped storm drainage system including catch basins and manholes, pavement widening, landscaped boulevard including trees with irrigation integrated with the on-site landscaping and irrigation system, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- (d) Capozzi Road fronting this development must be upgraded to a full urban standard (SS-R7) including a concrete sidewalk, barrier curb and gutter, piped storm drainage system including catch basins and manholes, pavement widening, landscaped boulevard including trees with irrigation integrated with the on-site landscaping and irrigation system, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.

5. <u>Subdivision</u>

By registered plan to provide the following:

- (a) Provide easements as may be required including Capozzi Road(onsite) for the Cul De Sac.
- (b) Provide a corner rounding at the intersection of Truswell Road and Capozzi Road.
- (c) Lot consolidation.
- (d) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

- a) The electrical services to this development must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.
- b) 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.
- c) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

7. Street Lighting

Street lighting including underground ducts must be installed on all roads fronting on the proposed development.

8. <u>Engineering</u>

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.

9. <u>Design and Construction</u>

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

10. Servicing Agreements for Works and Services

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

11. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

(a) Area ground water characteristics.

- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install pisometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, Identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

12. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) A MSU standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan. Indicate on the site plan, the locations of the garbage and recycle bins.
- (ii) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

Steve Muenz, P. Eng.

Development Engineering Manager

SS

CITY OF KELOWNA

MEMORANDUM

Date:

December 19, 2016

File No.:

DVP16-0261

To:

Community Planning (RR)

From:

Development Engineer Manager (SM)

Subject:

550 Truswell, 3814, 3820, 3828, 3832 & 3838 Capozzi Rd - Resort Development

Development Engineering comments and requirements regarding this development variance permit application are as follows:

- 1. To vary the residential building heights in excess of 6 storeys/22.0m does not compromise any municipal services.
- 2. To vary the boat storage building higher than one storey/6.0m does not compromise any municipal services.

Steve Muenz, P. Eng.

Development Engineering Manager

SS

CITY OF KELOWNA

MEMORANDUM

Date:

December 19, 2016

File No.:

DP16-0260

To:

Community Planning (RR)

From:

Development Engineer Manager (SM)

Subject:

550 Truswell, 3814, 3820, 3828, 3832 & 3838 Capozzi Rd - Resort Development

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 Development Engineering Report under file Z16-0069.

Steve Muenz, P./Eng. / Development Engineering Manager

SS