

City of Kelowna

Regular Council Meeting

AGENDA



Monday, April 24, 2017
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

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

2. Confirmation of Minutes

5 - 14

PM Meeting - April 10, 2017

3. Development Application Reports & Related Bylaws

3.1 TA15-0008 - Miscellaneous Housekeeping Carriage House and Accessory Building Amendments

15 - 21

To consider a Text Amendment to harmonize carriage house and accessory building regulations to reduce the need for future variance requests and improve bylaw administration.

3.2 TA15-0008 (BL11369) - Miscellaneous Housekeeping Text Amendments

22 - 39

To give Bylaw No. 11369 first reading in order to harmonize carriage house and accessory building regulations to reduce the need for future variance requests and improve bylaw administration.

3.3 1065 Guisachan Rd, Z17-0022 - Bridget McKittrick-Gillberg & Michael Gillberg

40 - 47

To consider rezoning the subject property from Ru1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the future construction of a carriage house.

3.4 1065 Guisachan Rd, Z17-0022 (BL11390) - Bridget McKittrick-Gillberg & Michael Gillberg

48 - 48

To give Bylaw No. 11390 first reading in order to rezone the subject property from Ru1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the future construction of a carriage house.

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|------|--|-----------|
| 3.5 | 140 Mills Road, Z17-0003 - Derer's Tile Haus Inc. No. BC0917501 | 49 - 63 |
| | To rezone the subject property from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing to facilitate the development of multiple dwelling housing. | |
| 3.6 | 140 Mills Road Z17-0003 (BL11391) - Derer's Tile Haus Inc. No. BC917501 | 64 - 64 |
| | To give Bylaw No. 11391 first reading in order to rezone the subject property from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing to facilitate the development of multiple dwelling housing. | |
| 3.7 | 849 Raymer Road, Z17-0017 - Sascha and Margaret Heinrich | 65 - 73 |
| | To consider rezoning the subject property from Ru1 – Large Lot Housing with Carriage House to facilitate the future construction of a carriage house. | |
| 3.8 | 849 Raymer Road, Z17-0017 (BL11392) - Sascha and Margaret Heinrich | 74 - 74 |
| | To give Bylaw No. 11392 first reading in order to rezone the subject from the RU1 – Large Lot Housing zone to the Ru1c – Large Lot Housing with Carriage House zone. | |
| 3.9 | 1920-1936 Summit Drive, TA17-0006 - Various Owners | 75 - 80 |
| | To consider a proposed text amendment to allow a limited amount of retail liquor sales in the CD3 zone. | |
| 3.10 | 1920-1936 Summit Drive, TA17-0006 (BL11393) - Lindy Holdings Ltd | 81 - 81 |
| | To give Bylaw No. 11393 first reading in order to allow a limited amount of retail liquor sales in the CD3 zone. | |
| 3.11 | 948 McCurdy Road, DP17-0021 - Protech Consulting 2012 | 82 - 98 |
| | To consider the form and character of a vehicle service station. | |
| 4. | Bylaws for Adoption (Development Related) | |
| 4.1 | 5425 Upper Mission Dr, BL11344 (OCP16-0012) - Kestrel Holdings Ltd | 99 - 101 |
| | Requires a majority of all members of Council (5) | |
| | To adopt Bylaw No. 11344 in order to change the future designation of the subject property to facilitate a single and two unit residential subdivision with park space. | |
| 4.2 | 5425 Upper Mission Dr, BL11345 (Z16-0014) - Kestrel Holdings Ltd | 102 - 103 |
| | To adopt Bylaw No. 11345 in order to rezone the subject property to facilitate a single and two unit residential subdivision with park space. | |

4.3	3523 Landie Rd, BL11360 (Z16-0085) - Tracy Hansford	104 - 104
	To adopt Bylaw No. 11360 in order to rezone the subject property to facilitate the future construction of a carriage house.	
4.4	BL11364 (TA17-0003) - Section 16 - Public and Institutional Zones	105 - 105
	To adopt Bylaw No. 11364 in order to allow non-accessory parking as a principal use within the P4 - Utilities zone.	
4.5	700 Swordy Road, BL11365 (Z17-0009) - FORTISBC Inc.	106 - 107
	To adopt Bylaw No. 11365 in order to rezone the subject property in order to construct a 67-stall surface parking lot.	
4.6	1449 Ethel Street, BL11371 (HRA16-0001) - Donald McDonald and Linda Scott-McDonald	108 - 118
	To adopt Bylaw No. 11371 in order to enter into a Heritage Revitalization Agreement to allow special events such as weddings, corporate events, fundraisers, and others; in exchange for long term preservation of a heritage resource	
5.	Non-Development Reports & Related Bylaws	
5.1	2017 Sterile Insect Release (SIR) parcel tax	119 - 136
	To authorize the 2017 Sterile Insect Release parcel tax levy on specified property tax rolls within the City of Kelowna.	
5.2	BL11379 - Sterile Insect Release Program Parcel Tax Bylaw 2017	137 - 148
	To give Bylaw No. 11379 first, second and third readings in order to authorize the 2017 Sterile Insect Release parcel tax levy on specified property tax rolls within the City of Kelowna.	
5.3	Updates to Allocation Guidelines and Fees Bylaw for Recreation and Cultural Facilities	149 - 234
	To seek Council's endorsement on updates to the Conditions of Use & Allocation Guidelines for Recreation & Cultural Facilities and amendments to Fees & Charges Bylaw No. 9609.	
5.4	BL11366 - Amendment No. 5 to Recreation Fees and Charges Bylaw No. 9609	235 - 249
	To give Bylaw No. 11366 first, second and third readings in order to amend the Recreation Fees and Charges Bylaw No. 9609.	

6. Bylaws for Adoption (Non-Development Related)

- 6.1 BL11377 - Amendment No. 1 to the Five Year Financial Plan 2016-2020 Bylaw No. 11227** 250 - 251

To adopt Bylaw No. 11377 in order to amend the Five Year Financial Plan 2016-2020 Bylaw No. 11227.

- 6.2 BL11378 - Amendment No. 1 to Development Cost Charge Reserve Fund Expenditure Bylaw, 2016 No. 11230** 252 - 252

To adopt Bylaw No. 11378 in order to amend the Development Cost Charge Reserve Fund Expenditure Bylaw, 2016 No. 11230.

7. Mayor and Councillor Items

8. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 10, 2017
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh* and Luke Stack

Staff Present Deputy City Manager, Joe Creron; City Clerk, Stephen Fleming; Suburban & Rural Planning Manager, Todd Cashin*; Planner Specialist, Melanie Steppuhn*; Sustainability Coordinator, Tracy Guidi*; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Planner, Adam Cseke*; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist*; Financial Planning Manager, George King*; Controller, Jackie Dueck*; Budget Supervisor, Melanie Antunes*; Accountant, Matt Friesen*; Utility Planning Manager, Andrew Reeder*; Public Works Manager, Darryl Astooroff*; Roadways Operations Supervisor, Stephen Bryans*; Legislative Coordinator (Confidential), Arlene McClelland

(* denotes partial attendance)

1. Call to Order

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

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

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Gray

R246/17/04/10 THAT the Minutes of the Regular Meetings of April 3, 2017 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Temporary Farm Worker Housing Bylaw Amendments OCP16-0022, TA16-0015, TA16-0016

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Donn

R247/17/04/10 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.

Carried

Councillors Sieben and Singh - Opposed

3.2 BL11373 (OCP16-0022) - Temporary Farm Worker Housing OCP Amendments

Moved By Councillor Given/Seconded By Councillor Donn

R248/17/04/10 THAT Bylaw No. 11373 be read a first time;

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

Councillors Sieben and Singh - Opposed

3.3 BL11374 (TA16-0015) - Temporary Farm Worker Housing Amendments

Moved By Councillor Gray/Seconded By Councillor Hodge

R249/17/04/10 THAT Bylaw No. 11374 be read a first time.

Carried

Councillors Sieben and Singh - Opposed

3.4 BL11375 Amendment No. 5 to Development Applications Procedures Bylaw No. 10540

Moved By Councillor Gray/Seconded By Councillor Hodge

R250/17/04/10 THAT Bylaw No. 11375 be given first, second and third reading.

Carried
Councillors Sieben and Singh - Opposed

3.5 TA16-0007 - Medical Marihuana Amendments

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Singh

R251/17/04/10 THAT Zoning Bylaw Text Amendment Application No. TA16-0007 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined Schedule "A" and in the Report from the Community Planning Department dated March 13, 2017 be considered by Council;

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

Carried
Councillor Hodge - Opposed

3.6 BL11376 (TA16-0007) - Medical Marihuana Amendments

Moved By Councillor Donn/Seconded By Councillor Gray

R252/17/04/10 THAT Bylaw No. 11376 be read a first time.

Carried
Councillor Hodge - Opposed

3.7 1225 Hwy 33 W, OCP16-0024 and Z16-0071 - Seventh Day Adventist Church

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor DeHart

R253/17/04/10 THAT Official Community Plan Map Amendment Application No. OCP16-0024 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1, Section 22, Township 26, ODYD, Plan EPP64302, located at 1225 Hwy 33 W, Kelowna, BC from the S2RES - Single / Two Unit Residential designation to the EDINST – Educational / Major Institutional designation, be considered by Council;

AND THAT Rezoning Application No. Z16-0071 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 22, Township 26, ODYD, Plan EPP64302, located at 1225 Hwy 33 W, Kelowna, BC from the RU1 – Large Lot Housing zone to the P2 – Educational & Minor Institutional zone be considered by Council;

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

AND FURTHER THAT final adoption of the Official Community Plan Map Amending Bylaw and 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 March 23, 2017.

Carried

3.8 1225 Hwy 33 W, BL11380 (OCP16-0024) - Seventh Day Adventist Church

Moved By Councillor Given/Seconded By Councillor Hodge

R254/17/04/10 THAT Bylaw No. 11380 be read a first time

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

3.9 1225 Hwy 33 W, BL11381 (Z16-0071) - Seventh Day Adventist Church

Moved By Councillor Donn/Seconded By Councillor Gray

R255/17/04/10 THAT Bylaw No. 11381 be read a first time.

Carried

3.10 Arab Ct, Appaloosa Rd and Sexsmith Rd, OCP17-0008 - Various Owners

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Donn

R256/17/04/10 THAT Council waive the requirement of the Development Application Procedures Bylaw 10540 that a defeated bylaw not be reconsidered for 6 months from the date of its defeat;

AND THAT Official Community Plan Map Amendment Application No. OCP16-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of the properties identified in Appendix 'A' attached to the Community Planning report dated April 10, 2017, from the Industrial – Limited (IND-L) designation to the Resource Protection Area (REP) designation be considered by Council;

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

AND THAT Council considers the public processes detailed in the Report from the Community Planning Department dated February 27, 2017, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*.

AND FURTHER THAT Council directs staff to pursue an escalating Bylaw Enforcement process on non-compliant properties in the subject area.

Carried

Councillors Given, Gray and Hodge - Opposed

3.11 Arab Ct, Appaloosa Rd and Sexsmith Rd, BL11382 (OCP17-0008) - Various Owners

Moved By Councillor Sieben/Seconded By Councillor Singh

R257/17/04/10 THAT Bylaw No. 11382 be read a first time

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried
Councillors Given and Gray - Opposed

3.12 TA16-0014 - CD5 Parking Amendments - ICR Project Inc.

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Given

R258/17/04/10 THAT Council receives, for information, the report from Community Planning dated January 23, 2017, with regards to a proposed text amendment to change the residential parking rate within the CD5 zone;

AND THAT Text Amendment No. TA16-0014 to amend City of Kelowna Zoning Bylaw No. 8000, as outlined in "Schedule A" attached to the Report from Community Planning dated January 23, 2017, be considered by Council;

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

Defeated
Mayor Basran, Councillors Donn, Given, Hodge, DeHart, Gray, Stack and Singh - Opposed

3.13 CD5 - Parking Amendments BL11383 (TA16-0014) - ICR Projects

Bylaw No. 11383 was not read as the motion was defeated.

Councillor Singh departed the meeting at 4:04 p.m.

The meeting recessed at 4:04 p.m.

The meeting reconvened at 4:14 pm

3.14 550 Truswell Road, 3814, 3820, 3828, 3832, 3838 Capozzi Road, 3786 Lakeshore Road, Rezoning Application Z16-0069 - Mission Group

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Donn

R259/17/04/10 THAT Rezoning Application No. Z16-0069 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

Lot 1, Sec. 1 & 12, Twp. 25, Plan 2714 located at 3814 Capozzi Road, Kelowna, BC;

Lot 2, Sec. 1, Twp. 25, Plan 2714 located at 3820 Capozzi Road, Kelowna, BC;
 Lot 3, Sec. 1, Twp 25, Plan 2714 located at 3828 Capozzi, Road, Kelowna, BC;
 Lot 4, Sec 1, Twp 25, Plan 2714, located at 3832 Capozzi Road, Kelowna, BC;
 Lot 5, Sec 1, Twp 25, Plan 2714, located at 3838 Capozzi Road, Kelowna, BC; and
 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 Cg – Tourist Commercial zone be considered by Council;

AND THAT Rezoning Application No. Z16-0069 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 Cg – 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. Z16-0069 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 Cg – 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.

Carried

**3.15 550 Truswell Road, 3814, 3820, 3828, 3832, 3838 Capozzi Road, 3786 Lakeshore Rd
 BL11384 (Z16-0069) - Aqua Resort Ltd**

Moved By Councillor Hodge/Seconded By Councillor Sieben

R260/17/04/10 THAT Bylaw No. 11384 be read a first time.

Carried

The City Clerk confirmed items scheduled for the April 25, 2017 and May 2, 2017 Public Hearings.

4. Non-Development Reports & Related Bylaws

4.1 Amendment to the Five Year Financial Plan, 2016-2020

Staff:

- Provided an overview of the amendment to the Five Year Financial Plan, 2016-2020 and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor DeHart

R261/17/04/10 THAT Council receives, for information, the Report from the Manager, Financial Planning dated April 10, 2017 with respect to amendments to the Five Year Financial Plan 2016-2020 Bylaw

AND THAT Bylaw No. 11377 being Amendment No. 1 to the Five Year Financial Plan 2016-2020 Bylaw No. 11227 be advanced for reading consideration.

Carried

4.2 BL11377 - Amendment No. 1 to the Five Year Financial Plan 2016-2020 Bylaw No. 11227

Moved By Councillor DeHart/Seconded By Councillor Stack

R262/17/04/10 THAT Bylaw No. 11377 be read a first, second and third time.

Carried

4.3 Amendment No. 1 to Development Cost Charge Reserve Fund Expenditure Bylaw, 2016 No. 11230

Staff:

- Provided an overview of the expenditures in the 2016 Development Cost Charge Reserve Fund Expenditures Bylaw.

Moved By Councillor Stack/Seconded By Councillor Donn

R263/17/04/10 THAT Council receives, for information, the Report from the Manager, Financial Planning date April 10, 2017 with respect to amendments to the Development Cost Charge Reserve Fund Expenditure Bylaw;

AND THAT Bylaw No. 11378 being Amendment No. 1 to the Development Cost Charge Reserve Fund Expenditure Bylaw, 2016 No. 11230 be advance for reading consideration.

Carried

4.4 BL11378 - Amendment No. 1 to Development Cost Charge Reserve Fund Expenditure Bylaw, 2016 No. 11230

Moved By Councillor Stack/Seconded By Councillor DeHart

R264/17/04/10 THAT Bylaw No. 11378 be read a first, second and third time.

Carried

4.5 Investment of City of Kelowna Funds for 2016

Staff:

- Displayed a PowerPoint Presentation summarizing the City of Kelowna's 2016 investment of surplus funds.

Moved By Councillor Stack/Seconded By Councillor Sieben

R265/17/04/10 THAT Council receives, for information, the Report from the Acting Budget Supervisor dated April 10, 2017 with respect to the investment of City of Kelowna funds for 2016.

Carried

4.6 2017 Tax Distribution Policy

Staff:

- Displayed a PowerPoint Presentation summarizing the tax class ratios used in preparation of the 2017 tax rates.

Moved By Councillor Given/Seconded By Councillor Gray

R266/17/04/10 THAT Council approve a Municipal Tax Distribution Policy as outlined in the Report dated April 10, 2017, for the year 2017 that will result in a modification of the 2016 Tax Class Ratios to reflect the uneven market value changes which have been experienced between property classes, as follows:

Property Class	2016 Tax Class Ratios	2017 Tax Class Ratios
Residential/Rec/NP/SH	1.0000:1	1.0000:1
Utilities	5.0458:1	5.3182:1
Major Industrial	3.7328:1	5.8019:1
Light Industrial/Business/Other	2.1934:1	2.2967:1
Farm Land	0.1275:1	0.1357:1
Farm Improvements	0.4801:1	0.4810:1

AND THAT Council approve development of 2017 tax rates to reflect the 2017 assessment changes in property market values.

Carried

4.7 2016/2017 Sidewalk Snow Clearing Pilot Program

Staff:

- Provided an update on the 2016/2017 Sidewalk Snow Clearing Pilot Program.

Moved By Councillor Hodge/Seconded By Councillor DeHart

R267/17/04/10 THAT Council receives, for information, the Report from the Public Works Manager dated April 10, 2017 with respect to sidewalk snow clearing 2016/2017 pilot program;

AND THAT Council consider an ongoing budget increase for in-kind sidewalk plowing as part of the 2018 Budget.

Carried

4.8 Review of Council Policies Related to Public Works

Staff:

- Provided an overview and update of Council Policies administered by the Public Works Branch.

Moved By Councillor DeHart/Seconded By Councillor Hodge

R268/17/04/10 THAT Council receive for information the April 10, 2017 report of the Public Works Manager, reviewing Council policies related to Public Works;

AND THAT Council Policy No. 07, Road Closure Gate – Field Road, be rescinded as outlined in the Report from the Public Works Manager dated April 10, 2017;

AND THAT Council Policy No. 162, Traffic Control – School Zones be rescinded as outlined in the Report from the Public Works Manager dated April 10, 2017;

AND THAT Council Policy No. 216, Traffic Control – Special Events be rescinded as outlined in the Report from the Public Works Manager dated April 10, 2017;

AND THAT Council Policy No. 245, No Exemption – Garbage Collection Tax Levy be rescinded as outlined in the Report from the Public Works Manager dated April 10, 2017;

AND THAT Council Policy No. 252, Culvert Supply and Installation – Ongoing Maintenance be rescinded as outlined in the Report from the Public Works Manager dated April 10, 2017;

AND THAT Council Policy No. 321, Ditch Maintenance and Inspection be amended as outlined in the Report from the Public Works Manager dated April 10, 2017;

AND THAT Council Policy No. 331, Sidewalk and Walkway Maintenance and Inspection be amended as outlined in the Report from the Public Works Manager dated April 10, 2017;
AND THAT Council Policy No. 332, Snow and Ice Control be amended as outlined in the Report from the Public Works Manager dated April 10, 2017;

AND THAT Council Policy No. 358, Roadside Memorials be amended as outlined in the Report from the Public Works Manager dated April 10, 2017;

AND FURTHER THAT Council Policy No. 373, Tourist Oriented Destination Signs be amended as outlined in the Report from the Public Works Manager dated April 10, 2017.

Carried

4.9 Strategic Biosolids Review Status and Communications Plan

Staff:

- Introduced Consultants Tim Phelan and Diana Bulley.
- Provided an overview of the Study.

Tim Phelan, Opus International Consultants and Diana Bulley, James Lawrence Group

- Displayed a PowerPoint Presentation summarizing the Strategic Biosolids Study and Communications Plan.
- Responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

R269/17/04/10 THAT Council receives, for information, the report from the Utilities Planning Manager dated April 10, 2017, with respect to the Strategic Biosolids Review Status and Communications Plan.

Carried

5. Bylaws for Adoption (Non-Development Related)

5.1 Portion of Lakeshore Rd, BL11330 - Road Closure Bylaw

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

No one from the gallery came forward.

Moved By Councillor Hodge/Seconded By Councillor DeHart

R270/17/04/10 THAT Bylaw No. 11330 be adopted.

Carried**6. Mayor and Councillor Items**

There were no Mayor and Councillor items.

7. Termination

This meeting was declared terminated at 5:49 p.m.

Mayor

/acm



City Clerk

DRAFT

REPORT TO COUNCIL



Date: April 24, 2017

RIM No. 1250-04

To: City Manager

From: Community Planning Department (RR)

Application: TA15-0008

Applicant: City of Kelowna

Subject: Zoning Bylaw Text Amendment

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA15-0008 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated April 24, 2017 be considered by Council;

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

2.0 Purpose

To consider a Text Amendment to harmonize carriage house and accessory building regulations to reduce the need for future variance requests and improve bylaw administration.

3.0 Community Planning

The proposed amendments were requested by Council to harmonize regulations between Carriage Houses and Accessory Buildings. Under the current bylaw, carriage houses have different setbacks and heights than accessory building. Therefore, a homeowner building a garage with an eye to eventually converting it to a carriage house would require variances to the height and setbacks.

Because the difference between the maximum height of an accessory building (4.5 m) and a carriage house (4.8 m) is so small, only 30 cm, staff are recommending that accessory building heights be increased to match carriage house heights.

Additionally, staff have prepared amendments to consolidate all carriage house regulations and accessory building regulations into a single section of the bylaw. At this time, regulations are repeated throughout the bylaw, meaning that even small amendments require extensive staff review.

4.0 Proposal

4.1 Background

The proposed amendments were prepared at the request of Council, in response to several development variance permits where applicants built accessory buildings with the intent of later converting them to

carriage houses. In developing the bylaw amendments, staff determined that there was an opportunity to further consolidate and re-organize the structure of the zoning bylaw regulations regarding carriage houses.

4.2 Project Description

The most significant changes to the bylaw are changes to accessory building regulations to match carriage house regulations, and simplify all setbacks.

Regulation	Accessory Building	Carriage House	Harmonised Bylaw
Maximum Height	4.5 m	4.8 m	4.8 m
Rear Yard Setbacks	1.5 m	0.9 m, 1.5 m or 2.0 m	1.5 m

All of the proposed changes are fairly minor, ranging from 30 cm in height to 60 cm in distance. Staff expect that this will reduce the number of minor variances coming before council, without leading to an optically different pattern of development in Kelowna.

The bylaw does not increase the maximum size or coverage of either accessory buildings or carriage houses. It does not grant any development rights to properties that do not currently have development rights, or change any land uses.

Report prepared by:

Ryan Roycroft, Planner

Reviewed by:

☐

Ryan Smith, Community Planning Department Manager

Approved for Inclusion:

☐

Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Proposed Section 6.5 Accessory Building Regulations
Proposed Section 9.5b Carriage House Regulations

6 General Development Regulations

6.5 Accessory Development

6.5.1 General Regulations

- (a) No person shall erect or permit to be erected a satellite dish, radio or television mast in a residential **zone** that is:
 - i. Located in a required **front** or **side yard** or projects over any **lot line**; and
 - ii. Higher than the **height** permitted for any **accessory structure** in that **zone** unless the property owner or tenant holds a current Amateur Radio License issued by Industry Canada.

6.5.2 Accessory Buildings in Non-Residential Zones

- (a) An **accessory building or structure** in any non-residential **zone** is subject to the **development** regulations for that **zone**.
- (b) Notwithstanding Section 6.5.2(a), an **accessory building or structure** on a **lot** in a non-residential **zone** which abuts a **lot** in a residential **zone** shall not be less than 1.5 m from the boundary of the **lot** in a residential **zone**.
- (c) Notwithstanding Section 6.5.2(a), one half bathroom with a toilet and sink is permitted to a maximum area of 3 m². Bedrooms and / or full bathrooms are not permitted within an **accessory building or structure**, except one full bathroom is permitted in an **accessory building or structure** used exclusively as a pool house.

6.5.3 Accessory Buildings in Residential Zones

- (a) In urban residential **zones**, the maximum **site coverage** for accessory buildings is the lesser of 14% or a footprint 90 m².
- (b) In rural residential **zones**, the maximum **site coverage** for accessory buildings is 14%, except that it is 10% in the RR1 **zone**.
- (c) The maximum **height** is 4.8 m, except it is 6.0 m in the RR1 **zone**.
- (d) The principal **dwelling** shall be located between the **front lot line** and an **accessory building or structure** except for **double fronting lots**. For **double fronting lots**, an **accessory building or structure** shall be sited in accordance with the regulations for a **single detached house** in that **zone**.
- (e) The minimum **side yard** shall comply with the requirements for a principal **dwelling** for that **zone**, except:
 - i. for an **accessory building or structure** on an **interior lot line** and with a **gross floor area** of less than 10 m² and a **height** of less than 2.0 m there is no minimum **side yard**; and
 - ii. for mechanical equipment on an **interior lot line** the minimum **side yard** is 1.2 m, except it is 0.2 m in the RU2 and RU3 **zones**.

- (f) The minimum **rear yard** is 1.5 m, except it is 3.0 m in the RR1 and RR2 **zones**.
- (g) The minimum distance to the principal **dwelling** is 3.0 m, except if the **gross floor area** of the accessory building is less than 10 m², the minimum distance is 1.0 m.
- (h) One half bathroom with a toilet and sink is permitted to a maximum area of 3 m². Bedrooms and / or full bathrooms are not permitted, except one full bathroom is permitted in an **accessory building or structure** used exclusively as a pool house.

9 Specific Use Regulations

9.5 Secondary Suite and Carriage House

9.5b Carriage House Regulations

9.5b.1 Development Regulations in Residential, Health District and Comprehensive Development Zones

- (a) In urban residential, health district and comprehensive development **zones**, where all **accessory buildings** or **carriage houses** are one **storey** in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 20% or 130 m² and the maximum footprint is 100 m² for a **carriage house** and the maximum footprint is 50 m² for all **accessory buildings or structures**.
- (b) In urban residential, health district and comprehensive development **zones**, where any carriage houses or accessory structures are greater than one storey in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 14% or 90 m².
- (c) In rural residential **zones**, where all **accessory buildings** or **carriage houses** are one **storey** in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 20% and the maximum footprint is 100 m² for a **carriage house** and the maximum footprint is 50 m² for all **accessory buildings or structures**.
- (d) In rural residential **zones**, where any carriage houses or accessory structures are greater than one storey in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 14%.
- (e) The maximum **net floor area** is the lesser of 100 m² for a single storey carriage house, or 90 m² for a carriage house greater than 1 storey, to a maximum of 75% of the **net floor area** of the principal **dwelling**.
- (f) The maximum upper storey floor area is 75% of the carriage house footprint area..
- (g) The maximum **height** is the lesser of 4.8 m or the **height** of the principal **dwelling**, as measured to the midpoint, except it is the lesser of 6.0 m or the **height** of the principal **dwelling**, as measured to the midpoint in the RR1 **zone**.
- (h) The principal **dwelling** shall be located between the **front lot line** and a **carriage house** except for **double fronting lots**. For **double fronting lots**, a **carriage house** shall be sited in accordance with the regulations for a **single detached house** in that **zone**.

- (i) The minimum **side yard** shall comply with the requirements for a principal **dwelling** for that zone.
- (j) The minimum **rear yard** is 1.5 m, except it is 3.0 m in the RR1c and RR2c zones.
- (k) The minimum distance to a principal **dwelling** is 3.0 m.

9.5b.2 Development Regulations in Agricultural Zones

- (a) The maximum **site coverage** is 90 m², except it is 100 m² if a **carriage house** is limited to one **storey**.
- (b) The maximum **net floor area** is the lesser of 90 m² or 75% of the **net floor area** of the principal **dwelling**.
- (c) The maximum **height** is 6.0 m.
- (d) The minimum **front yard** is 12.0 m except for **double fronting lots**. For **double fronting lots**, a **carriage house** shall be sited in accordance with the regulations for a **single detached house** in that zone.
- (e) The minimum **side yard** is 3.0 m, except it is 4.0 m from a **flanking street**.
- (f) The minimum **rear yard** is 3.0 m.
- (g) The minimum distance to a principal **dwelling** is 4.5 m and the maximum distance is 10.0 m.

9.5b.3 Other Regulations

- (a) A **carriage house** shall be connected to a community sanitary sewer unless the **lot** is at least 1.0 ha and meets the requirements of the **City** and the Medical Health Officer for septic disposal capacity.
- (b) A **carriage house** shall not be stratified.
- (c) In **residential zones**, a **carriage house** shall not be permitted on the same **lot** as a **boarding and lodging house**, a **bed and breakfast home** or a **group home**.
- (d) A minimum of 30 m² of **private open space** shall be provided per **dwelling** unit. The **private open space** shall have a direct connection to a **carriage house** entrance and be defined from other **private open space** with the use of **landscaping**.
- (e) A lit pathway shall be provided between the **front lot line** and a **carriage house** entrance, except it is not required in **agricultural zones** or **rural residential zones**.
- (f) A pathway shall be provided between the on-site **carriage house parking space** and a **carriage house** entrance.
- (g) A **mobile home** may be considered a **carriage house** only in **agricultural zones** where a **carriage house** is permitted.

- (h) In addition to the regulations listed in this Section, other regulations may apply. These include the general **development** regulations of Section 6, the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.

CITY OF KELOWNA
BYLAW NO. 11369
TA15-0008 – Miscellaneous Housekeeping Zoning Bylaw No. 8000
Text Amendments

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

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

1. THAT **Section 2 – Interpretation, 2.3 General Definitions , CARRIAGE HOUSE** be deleted that reads:

CARRIAGE HOUSE means an additional dwelling unit located within a building that is subordinate to the principal dwelling unit and is a single real estate entity.

And replaced with:

CARRIAGE HOUSE means a **dwelling** unit located within a **building** that is subordinate to the principal **building** on the **lot** and is not an **accessory building or structure**. It shall be a **use** secondary only to the **principal use** of **single dwelling housing**.

2. AND THAT **Section 6 – General Development Regulations, 6.5 Accessory Development** be deleted in its entirety and replaced with a new **6.5 Accessory Development** as attached to and forming part of this bylaw;
3. AND THAT **Section 9 – Specific Use Regulations, 9.5 Secondary Suite and Carriage House, 9.5b Carriage House Regulations** be deleted in its entirety and replaced with a new **9.5b Carriage House Regulations** as attached to and forming part of this bylaw;
4. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.4 Buildings and Structures Permitted** sub-paragraph (d) be deleted in its entirety that reads:

"(d) carriage house (permitted only on properties that have a 'c' designated sub-zone)"

and replace with a new **11.1.4 Buildings and Structures Permitted** sub-paragraph (d) that reads:

"(d) one **carriage house** (A1c only)"

5. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.6 Buildings and Structures Permitted** sub-paragraph (a) be deleted in its entirety that reads:

"a) The maximum **site coverage** is 10% for residential **development** (inclusive of **agri-tourist accommodation**), and it is 35% for **agricultural structures** except it may be increased to 75% for greenhouses with closed wastewater and storm water management systems.

Site coverage of accessory **buildings** or **structures** and **carriage houses** shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m² or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m² only if the carriage house is limited to one (1) storey in height and is less than 75% of the total floor area of the principal building."

and replace with a new **11.1.4 Buildings and Structures Permitted** sub-paragraph (a) that reads:

"(a) The maximum **site coverage** is 10% for residential **development** (inclusive of **agri-tourist accommodation**), and it is 35% for **agricultural structures** except it may be increased to 75% for **greenhouses and plant nurseries** with closed wastewater and storm water management systems."

6. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**, except it is 16.0m for **agricultural structures** and 6.0m for **accessory buildings or carriage house**."

and replace with a new **11.1.6 Development Regulations** sub-paragraph (b) that reads:

"(b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**, except it is 16.0 m for **agricultural structures** and it is 6.0 m for **accessory buildings or structures**."

7. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) The minimum **rear yard** is 10.0 m, except it is 3.0 m for **accessory buildings** and a **carriage house**. A **carriage house** must be located no closer than 4.5 m to the principal **dwelling** and no further than 10m from the principal **dwelling**."

and replace with a new **11.1.6 Development Regulations** sub-paragraph (e) that reads:

"(e) The minimum **rear yard** is 10.0 m, except it is 3.0 m for **accessory buildings or structures**."

8. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.7 Other Regulations** sub-paragraph (g) be deleted in its entirety that reads:

"(g) A carriage house must not be closer than 3.0m to an existing principal building."

9. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.7 Other Regulations** sub-paragraph (i) be deleted in its entirety that reads:

"(i) A **mobile home** may be considered a **carriage house** only in an A1c – Agricultural 1 with Carriage House zone."

10. AND THAT **Section 12 – Rural Residential Zones, 12.1 RR1 – Rural Residential 1 zone, 12.1.4 Building and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

"(c) **carriage house** (permitted only on properties that have a 'c' designated sub-zone)"

and replace with a new **12.1.4 Building and Structures Permitted** sub-paragraph (c) that reads:

"(c) one **carriage house** (RR1c only)"

11. AND THAT **Section 12 – Rural Residential Zones, 12.1 RR1 – Rural Residential 1 zone, 12.1.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

"(a) The maximum **site coverage** is 10%, except that it is 50% for **greenhouses and plant nurseries**."

Site coverage of accessory **buildings** or **structures** and **carriage house** shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m² or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m² only if the carriage house is limited to one (1) storey in height and is less than 75% of the total floor area of the principal building.”

and replace with a new **12.1.6 Development Regulations** sub-paragraph (a) that reads:

“(a) The maximum **site coverage** is 10%, except that it is 50% for **greenhouses and plant nurseries**.”

12. AND THAT **Section 12 – Rural Residential Zones, 12.1 RR1 – Rural Residential 1 zone, 12.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

“(b) The maximum **height** is the lesser of 9.5m or 2 ½ storeys, except it is 6.0m for accessory buildings, carriage house, and accessory structures.”

and replace with a new **12.1.6 Development Regulations** sub-paragraph (a) that reads:

“(b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**.”

13. AND THAT **Section 12 – Rural Residential Zones, 12.1 RR1 – Rural Residential 1 zone, 12.1.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

“(e) The minimum **rear yard** is 10.0 m, except it is 3.0 m for accessory **buildings**.”

and replace with a new **12.1.6 Development Regulations** sub-paragraph (a) that reads:

“(e) The minimum **rear yard** is 10.0 m.”

14. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.7 Other Regulations** sub-paragraph (f) be deleted in its entirety that reads:

“(f) A “c” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **secondary use** in the form of a secondary **dwelling** unit is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent **zone**.”

and replace with a new **11.1.7 Other Regulations** sub-paragraph (f) that reads:

“(f) A “c” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent **zone**.”

15. AND THAT **Section 12 – Rural Residential Zones, 12.1 RR1 – Rural Residential 1 zone, 12.1.7 Other Regulations** sub-paragraph (g) be deleted in its entirety that reads:

“(g) A **carriage house** must not be closer than 3.0m to an existing principal building.”

16. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.4 Building and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

“(c) **carriage house** (permitted only on properties that have a ‘c’ designated sub-zone)”

and replace with a new **12.2.4 Building and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

"(c) one **carriage house** (RR2c only)"

17. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

"(a) The maximum **site coverage** is 20%, except that it is 50% for **greenhouses and plant nurseries**.

Site coverage of accessory **buildings** or **structures** and **carriage house** shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m² or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m² only if the carriage house is limited to one (1) storey in height and is less than 75% of the total floor area of the principal building."

and replace with a new **12.2.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

"(a) The maximum **site coverage** is 20%, except that it is 50% for **greenhouses and plant nurseries**."

18. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) The maximum **height** for principal buildings is the lesser of 9.5m or 2 ½ storeys. The maximum **height** for **accessory buildings** / structures is 4.5m. The maximum **height** for **carriage houses** is 4.8m."

and replace with a new **12.2.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**."

19. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a secondary **dwelling** unit is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of the parent **zone**."

and replace with a new **12.2.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) 12.2.7 Other Regulations (g) A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of the parent **zone**."

20. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:
- “(f) The minimum **rear yard** is 9.0 m, except it is 3.0 m for accessory **buildings**.”
- and replace with a new **12.2.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:
- “(f) The minimum **rear yard** is 9.0 m.”
21. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.7 Other Regulations** sub-paragraph (f) be deleted in its entirety that reads:
- “(f) A **carriage house** must not be closer than 3.0m to an existing principal building.”
22. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.3 Secondary Uses** sub-paragraph (c) be deleted in its entirety that reads:
- (c) **carriage homes** (RR3c only)
- and replace with a new **12.3.3 Secondary Uses** sub-paragraph (f) be deleted in its entirety that reads:
- (c) **carriage house** (RR3c only)
23. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:
- “(c) **carriage house** (permitted only on properties that have a ‘c’ designated sub-zone)”
- and replace with a new **12.3.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:
- “(c) one **carriage house** (RR3c only)”
24. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:
- “(a) The maximum **site coverage** is 30%.
- Site** coverage of accessory **buildings** or **structures** and **carriage house** shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m² or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m² only if the carriage house is limited to one (1) storey in height and is less than 75% of the total floor area of the principal building.”
- and replace with a new **12.3.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:
- “(a) The maximum **site coverage** is 30%.”
25. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

"(b) The maximum height for principal buildings is the lesser of 9.5m or 2 ½ storeys. The maximum height for accessory buildings / structures is 4.5m. The maximum height for carriage houses is 4.8m."

and replace with a new , **12.3.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**."

26. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) The minimum **rear yard** is 7.5 m, except it is 1.5 m for accessory **buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m."

and replace with a new , **12.3.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) The minimum **rear yard** is 7.5 m. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m."

27. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.7 Other Regulations** sub-paragraph (c) be deleted in its entirety that reads:

"(c) A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a secondary **dwelling** unit is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of the parent **zone**."

and replace with a new , **12.3.7 Other Regulations** sub-paragraph (c) be deleted in its entirety that reads:

"(c) A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of the parent **zone**."

28. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.7 Other Regulations** sub-paragraph (d) be deleted in its entirety that reads:

"(d) A **carriage house** must not be closer than 3.0m to an existing principal building."

29. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.3 Secondary Uses** sub-paragraph (c) be deleted in its entirety that reads:

"(c) **carriage homes** (RU1c only)"

and replace with a new , **13.1.3 Secondary Uses** sub-paragraph (c) be deleted in its entirety that reads:

"(c) **carriage house** (RU1c and RU1hc only)"

30. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

“(c) **carriage house** (permitted only on properties that have a ‘c’ designated sub-zone)”

and replace with a new , **13.1.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

“(c) one **carriage house** (RU1c and RU1hc only)”

31. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

“(a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%.

For all accessory buildings or structures and carriage houses:

- The maximum combined lot coverage of all accessory **buildings** or **structures** and **carriage houses** shall not exceed 14%.
- The maximum combined area of all accessory **buildings / structures** and **carriage houses** (e.g. footprint size) shall not exceed 90 m².
- The maximum net floor area of a carriage house shall not exceed 90 m².
- The maximum net floor area of all carriage houses (including 1 storey carriage houses) shall not exceed 75% of the total net floor area of the principal dwelling.
- If a development contains a carriage house and if the height of all the accessory buildings / structures, and carriage house are limited to one (1) storey then the following bonus applies:
 - The maximum combined lot coverage of all accessory **buildings / structures** and **carriage houses** may be increased to a maximum of 20%
 - The maximum combined area of all accessory **buildings / structures** and **carriage houses** (e.g. footprint size) may be increased to a maximum of 130 m² subject to:
 - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m².
 - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50 m².”

and replace with a new , **13.1.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

“(a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%.”

32. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

“(b) The maximum height for principal **buildings** shall be:

- i. 9.5 m or 2 ½ **storeys** whichever is the lesser; or
- ii. 2 ½ storeys in the RU1h zone and where any vertical wall element facing a front, flanking **street** or **rear yard** (including **walkout basements**) is the lesser of 6.5 m or 2 **storeys**, above which the **building** shall be stepped back at least 1.2 m; and
- iii. 4.5 m for **accessory buildings or structures**.”

and replace with a new , **13.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

“(b) The maximum **height** for principal **buildings** is:

- i. 9.5 m or 2 ½ **storeys** whichever is the lesser; or

- ii. 2 ½ storeys in the RU1h zone and where any vertical wall element facing a **front, flanking street** or **rear yard** (including **walkout basements**) is the lesser of 6.5 m or 2 **storeys**, above which the **building** shall be stepped back at least 1.2 m.”
33. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

“(e) The minimum **rear yard** is 7.5 m, except it is 1.5 m for accessory **buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m.”

and replace with a new , **13.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

“(e) The minimum **rear yard** is 7.5 m. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m.”
34. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:

“(f) For RU1h zones, the maximum **height** of any vertical wall element facing a front, flanking street or rear yard (including walkout basements) is the lesser of 6.5 m or 2 **storeys**, above which the **building** must be stepped back at least 1.2m.”
35. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.7 Other Regulations** sub-paragraph (b) be deleted in its entirety that reads:

“(b) A “c” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **secondary use** in the form of a secondary **dwelling** unit is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent **zone**.”

and replace with a new , **13.1.7 Other Regulations** sub-paragraph (b) be deleted in its entirety that reads:

“(b) A “c” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent **zone**.”
36. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.7 Other Regulations** sub-paragraph (c) be deleted in its entirety that reads:

“(c) A **carriage house** must not be closer than 3.0m to an existing principal building.”

and replace with a new , **13.1.7 Other Regulations** sub-paragraph (c) be deleted in its entirety that reads:
37. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

“(c) **carriage house** (permitted only on properties that have a ‘c’ designated sub-zone)”

and replace with a new , **13.2.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

“(c) one **carriage house** (RU2c and RU2hc only)”

38. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

“(a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%.

For all accessory buildings or structures and carriage houses:

- The maximum combined lot coverage of all accessory **buildings** or **structures** and **carriage houses** shall not exceed 14%.
- The maximum combined area of all accessory **buildings / structures** and **carriage houses** (e.g. footprint size) shall not exceed 90 m².
- The maximum net floor area of a carriage house shall not exceed 90 m².
- The maximum net floor area of all carriage houses (including 1 storey carriage houses) shall not exceed 75% of the total net floor area of the principal dwelling.
- If a development contains a carriage house and if the height of all the accessory buildings / structures, and carriage house are limited to one (1) storey then the following bonus applies:
 - The maximum combined lot coverage of all accessory **buildings / structures** and **carriage houses** may be increased to a maximum of 20%
 - The maximum combined area of all accessory **buildings / structures** and **carriage houses** (e.g. footprint size) may be increased to a maximum of 130 m² subject to:
 - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m².
 - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50 m².”

and replace with a new , **13.2.6 Development Regulations** sub-paragraph (c) be deleted in its entirety that reads:

“(a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%.”

39. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

“(b) The maximum height for principal **buildings** shall be:

- 9.5 m or 2 ½ **storeys** whichever is the lesser; or
- 2 ½ storeys in the RU2h zone and where any vertical wall element facing a front, flanking **street** or **rear yard** (including **walkout basements**) is the lesser of 6.5 m or 2 **storeys**, above which the **building** shall be stepped back at least
- 1.2 m; and
- 4.5 m for **accessory buildings or structures**.”

and replace with a new , **13.2.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

“(b) The maximum **height** for principal **buildings** is:

- i. 9.5 m or 2 ½ **storeys** whichever is the lesser; or

- ii. 2 ½ **storeys** in the RU2h zone and where any vertical wall element facing a **front, flanking street** or **rear yard** (including **walkout basements**) is the lesser of 6.5 m or 2 **storeys**, above which the **building** shall be stepped back at least 1.2 m.”

40. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

“(e) The minimum **rear yard** is 6.0 m for a 1 or 1 ½ **storey** portion of a **building** and 7.5 m for a 2 or 2 ½ **storey** portion of a **building**, except it is 1.5 m for **accessory buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m.”

and replace with a new , **13.2.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

“(e) The minimum **rear yard** is 6.0 m for a 1 or 1 ½ **storey** portion of a **building** and 7.5 m for a 2 or 2 ½ **storey** portion of a **building**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m.”

41. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.7 Other Regulations** sub-paragraph (d) be deleted in its entirety that reads:

“(d) A “c” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **secondary use** in the form of a secondary **dwelling** unit is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent **zone**.”

and replace with a new , **13.2.6 Other Regulations** sub-paragraph (d) be deleted in its entirety that reads:

“(d) A “c” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent **zone**.”

42. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.7 Other Regulations** sub-paragraph (e) be deleted in its entirety that reads:

“(e) A **carriage house** must not be closer than 3.0m to an existing principal building.”

43. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.4 Buildings and Structures Permitted** sub-paragraph (f) be deleted in its entirety that reads:

“(f) **carriage house**”

and replace with a new , **13.6.4 Buildings and Structures Permitted** sub-paragraph (f) be deleted in its entirety that reads:

“(f) one **carriage house**”

44. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

“(b) For all accessory buildings or structures and carriage houses:

- The maximum combined lot coverage of all accessory **buildings or structures and carriage houses** shall not exceed 14%.
- The maximum combined area of all accessory **buildings / structures and carriage houses** (e.g. footprint size) shall not exceed 90 m².
- The maximum net floor area of a carriage house shall not exceed 90 m².
- The maximum net floor area of all carriage houses (including 1 storey carriage houses) shall not exceed 75% of the total net floor area of the principal dwelling.
- If a development contains a carriage house and if the height of all the accessory buildings / structures, and carriage house are limited to one (1) storey then the following bonus applies:
 - The maximum combined lot coverage of all accessory **buildings / structures and carriage houses** may be increased to a maximum of 20%
 - The maximum combined area of all accessory **buildings / structures and carriage houses** (e.g. footprint size) may be increased to a maximum of 130 m² subject to:
 - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m².
 - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50 m².”

45. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.6 Development Regulations** sub-paragraph (d) be deleted in its entirety that reads:

“(d) The maximum height for accessory buildings / structures is 4.5m.”

46. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

“(e) The maximum height for carriage houses is 4.8 m.”

47. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.6 Development Regulations** sub-paragraph (h) be deleted in its entirety that reads:

“(h) The minimum site rear yard is 7.5 m, except it is 1.5 m for accessory buildings. Where the lot width exceeds the lot depth, the minimum rear yard is 4.5 m provided that one side yard shall have a minimum width of 4.5 m.”

and replace with a new , **13.6.6 Development Regulations** sub-paragraph (h) be deleted in its entirety that reads:

“(h) The minimum **rear yard** is 7.5 m. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m.”

48. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.7 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) A carriage house must not be closer than 3.0m to an existing principal building."

49. AND THAT **Section 13 – Urban Residential Zones, 13.7 RM1 – Four Dwelling Housing Zones, 13.7.4 Buildings and Structures Permitted** sub-paragraph (a) be deleted in its entirety that reads:

"(a) carriage house"

and replace with a new , **13.6.6 Development Regulations** sub-paragraph (h) be deleted in its entirety that reads:

"(a) one carriage house"

50. AND THAT **Section 13 – Urban Residential Zones, 13.7 RM1 – Four Dwelling Housing Zones, 13.7.6 Development Regulations** sub-paragraph (c) be deleted in its entirety that reads:

"(c) The maximum height is the lesser of 9.5 m or 2 ½ storeys, except it is 4.5 m for accessory buildings and structures."

and replace with a new , **13.7.6 Development Regulations** sub-paragraph (c) be deleted in its entirety that reads:

"(c) The maximum height is the lesser of 9.5 m or 2 ½ storeys."

51. AND THAT **Section 13 – Urban Residential Zones, 13.7 RM1 – Four Dwelling Housing Zones, 13.7.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:

"(f) The minimum site rear yard is 6.0 m for a 1 or 1 ½ storey portion of a building and 7.5 m for a 2 or 2 ½ storey portion of a building, except it is 1.5 m for accessory buildings."

and replace with a new , **13.7.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:

"(f) The minimum rear yard is 6.0 m for a 1 or 1 ½ storey portion of a building and 7.5 m for a 2 or 2 ½ storey portion of a building."

52. AND THAT **Section 17 – Health District Zones, 17.2 HD2 – Hospital and Health Support Services, 17.2.5 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"17.2.5.2 (b) The maximum height is the lesser of 9.5 m or 2 ½ storeys, except it is 4.5m for accessory buildings (which may contain a carriage house.)"

and replace with a new , **13.7.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:

"17.2.5.2 (b) The maximum height is the lesser of 9.5 m or 2 ½ storeys, except it is 4.5 m for accessory buildings or structures."

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

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

6.5 Accessory Development

6.5.1 General Regulations

- (a) No person shall erect or permit to be erected a satellite dish, radio or television mast in a residential **zone** that is:
 - i. Located in a required **front** or **side yard** or projects over any **lot line**; and
 - ii. Higher than the **height** permitted for any **accessory structure** in that **zone** unless the property owner or tenant holds a current Amateur Radio License issued by Industry Canada.

6.5.2 Accessory Buildings in Non-Residential Zones

- (a) An **accessory building or structure** in any non-residential **zone** is subject to the **development** regulations for that **zone**.
- (b) Notwithstanding Section 6.5.2(a), an **accessory building or structure** on a **lot** in a non-residential **zone** which abuts a **lot** in a residential **zone** shall not be less than 1.5 m from the boundary of the **lot** in a residential **zone**.
- (c) Notwithstanding Section 6.5.2(a), one half bathroom with a toilet and sink is permitted to a maximum area of 3 m². Bedrooms and / or full bathrooms are not permitted within an **accessory building or structure**, except one full bathroom is permitted in an **accessory building or structure** used exclusively as a pool house.

6.5.3 Accessory Buildings in Residential Zones

- (a) In urban residential **zones**, the maximum **site coverage** for accessory buildings is the lesser of 14% or a footprint 90 m².
- (b) In rural residential **zones**, the maximum **site coverage** for accessory buildings is 14%, except that it is 10% in the RR1 **zone**.
- (c) The maximum **height** is 4.8 m, except it is 6.0 m in the RR1 **zone**.
- (d) The principal **dwelling** shall be located between the **front lot line** and an **accessory building or structure** except for **double fronting lots**. For **double fronting lots**, an **accessory building or structure** shall be sited in accordance with the regulations for a **single detached house** in that **zone**.
- (e) The minimum **side yard** shall comply with the requirements for a principal **dwelling** for that **zone**, except:
 - i. for an **accessory building or structure** on an **interior lot line** and with a **gross floor area** of less than 10 m² and a **height** of less than 2.0 m there is no minimum **side yard**; and
 - ii. for mechanical equipment on an **interior lot line** the minimum **side yard** is 1.2 m, except it is 0.2 m in the RU2 and RU3 **zones**.
- (f) The minimum **rear yard** is 1.5 m, except it is 3.0 m in the RR1 and RR2 **zones**.
- (g) The minimum distance to the principal **dwelling** is 3.0 m, except if the **gross floor area** of the accessory building is less than 10 m², the minimum distance is 1.0 m.

- (h) One half bathroom with a toilet and sink is permitted to a maximum area of 3 m². Bedrooms and / or full bathrooms are not permitted, except one full bathroom is permitted in an **accessory building or structure** used exclusively as a pool house.

9 Specific Use Regulations

9.5 Secondary Suite and Carriage House

9.5b Carriage House Regulations

9.5b.1 Development Regulations in Residential, Health District and Comprehensive Development Zones

- (a) In urban residential, health district and comprehensive development **zones**, where all **accessory buildings** or **carriage houses** are one **storey** in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 20% or 130 m² and the maximum footprint is 100 m² for a **carriage house** and the maximum footprint is 50 m² for all **accessory buildings or structures**.
- (b) In urban residential, health district and comprehensive development **zones**, where any carriage houses or accessory structures are greater than one storey in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 14% or 90 m².
- (c) In rural residential **zones**, where all **accessory buildings** or **carriage houses** are one **storey** in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 20% and the maximum footprint is 100 m² for a **carriage house** and the maximum footprint is 50 m² for all **accessory buildings or structures**.
- (d) In rural residential **zones**, where any carriage houses or accessory structures are greater than one storey in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 14%.
- (e) The maximum **net floor area** is the lesser of 100 m² for a single storey carriage house, or 90 m² for a carriage house greater than 1 storey, to a maximum of 75% of the **net floor area** of the principal **dwelling**.
- (f) The maximum upper storey floor area is 75% of the carriage house footprint area..
- (g) The maximum **height** is the lesser of 4.8 m or the **height** of the principal **dwelling**, as measured to the midpoint, except it is the lesser of 6.0 m or the **height** of the principal **dwelling**, as measured to the midpoint in the RR1 **zone**.
- (h) The principal **dwelling** shall be located between the **front lot line** and a **carriage house** except for **double fronting lots**. For **double fronting lots**, a **carriage house** shall be sited in accordance with the regulations for a **single detached house** in that **zone**.

- (i) The minimum **side yard** shall comply with the requirements for a principal **dwelling** for that zone.
- (j) The minimum **rear yard** is 1.5 m, except it is 3.0 m in the RR1c and RR2c zones.
- (k) The minimum distance to a principal **dwelling** is 3.0 m.

9.5b.2 Development Regulations in Agricultural Zones

- (a) The maximum **site coverage** is 90 m², except it is 100 m² if a **carriage house** is limited to one **storey**.
- (b) The maximum **net floor area** is the lesser of 90 m² or 75% of the **net floor area** of the principal **dwelling**.
- (c) The maximum **height** is 6.0 m.
- (d) The minimum **front yard** is 12.0 m except for **double fronting lots**. For **double fronting lots**, a **carriage house** shall be sited in accordance with the regulations for a **single detached house** in that zone.
- (e) The minimum **side yard** is 3.0 m, except it is 4.0 m from a **flanking street**.
- (f) The minimum **rear yard** is 3.0 m.
- (g) The minimum distance to a principal **dwelling** is 4.5 m and the maximum distance is 10.0 m.

9.5b.3 Other Regulations

- (a) A **carriage house** shall be connected to a community sanitary sewer unless the **lot** is at least 1.0 ha and meets the requirements of the **City** and the Medical Health Officer for septic disposal capacity.
- (b) A **carriage house** shall not be stratified.
- (c) In **residential zones**, a **carriage house** shall not be permitted on the same **lot** as a **boarding and lodging house**, a **bed and breakfast home** or a **group home**.
- (d) A minimum of 30 m² of **private open space** shall be provided per **dwelling** unit. The **private open space** shall have a direct connection to a **carriage house** entrance and be defined from other **private open space** with the use of **landscaping**.
- (e) A lit pathway shall be provided between the **front lot line** and a **carriage house** entrance, except it is not required in **agricultural zones** or **rural residential zones**.
- (f) A pathway shall be provided between the on-site **carriage house parking space** and a **carriage house** entrance.
- (g) A **mobile home** may be considered a **carriage house** only in **agricultural zones** where a **carriage house** is permitted.

- (h) In addition to the regulations listed in this Section, other regulations may apply. These include the general **development** regulations of Section 6, the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.

REPORT TO COUNCIL



Date: April 24, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (EW)

Application: Z17-0022

Owner: Bridget Anne McKittrick-
Gillberg & Michael Andre
Gillberg

Address: 1065 Guisachan Rd

Applicant: Barnett Construction Ltd.

Subject: Rezoning Application

Existing OCP Designation: SRES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. 17-0022 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 16 District Lot 136 ODYD Plan 38928, located at 1065 Guisachan Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

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

AND FURTHER THAT final adoption of the Zone Amending 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 24, 2017.

2.0 Purpose

To consider rezoning the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the future construction of a carriage house.

3.0 Community Planning

Community Planning Staff support the proposed rezoning application to facilitate the future construction of a carriage house on the subject property. The parcel has a Future Land Use designation of S2Res – Single/ Two Unit Residential in the Official Community Plan (OCP) and is currently zoned RU1 – Large Lot Housing. The parcel is within the City of Kelowna's Permanent Growth Boundary.

Rezoning the subject property to add the 'c' designation meets several City policy objectives including fostering a mix of housing forms and concentrating growth with the Permanent Growth Boundary. The proposed rezoning is also consistent with the property's future land use designation.

In fulfillment of Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Project Description

Plans submitted with the rezoning application propose the construction of a single storey carriage house at the rear of the property accessed from the lane.

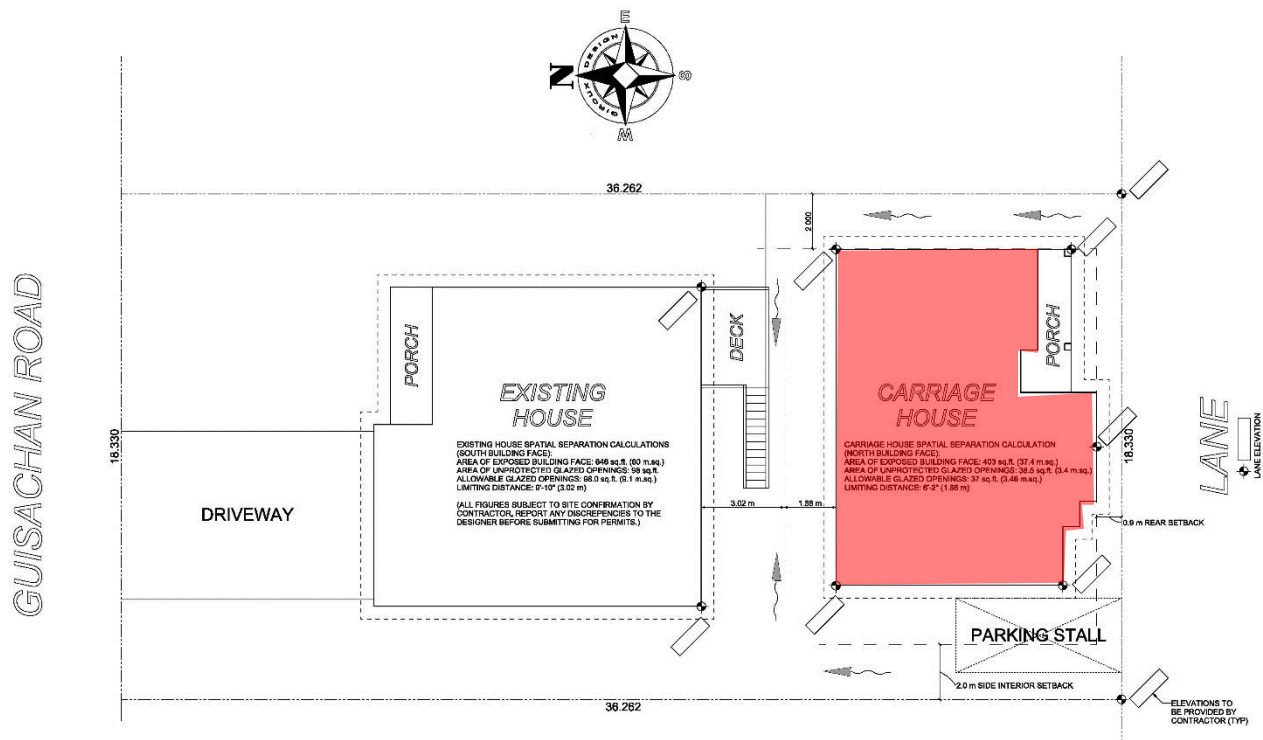


Figure 1. Site plan with the proposed location of the carriage house indicated by the red box.

The existing accessory building located at the rear of the property will be removed. The proposal complies with the zoning regulations and the single-storey design is mindful of neighbouring properties. The design includes two bedrooms and a surface parking stall proposed on the west side of the carriage house. The two other required parking stalls are provided by the single family dwelling's existing two-car garage.



Figure 2. Conceptual rendering of proposed carriage house.

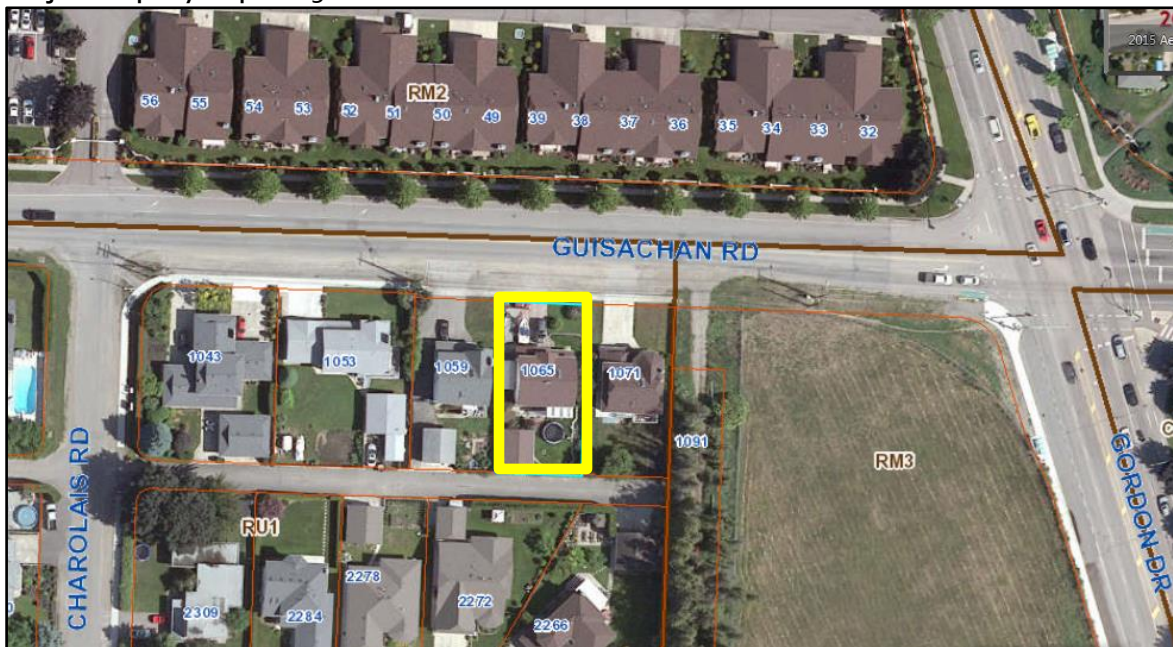
4.2 Site Context

The parcel is located in the South Pandosy - KLO city sector, within the Permanent Growth Boundary. The subject property is 664 m².

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM2 – Low Density Row Housing	MRL – Multiple Unit Residential (Low Density)
East	RU1 – Large Lot Housing	S2RES – Single/Two Unit Residential
South	RU1 – Large Lot Housing	S2RES – Single/Two Unit Residential
West	RU1 – Large Lot Housing	S2RES – Single/Two Unit Residential

Subject Property Map: 1065 Guisachan Rd



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m ²	664 m ²
Minimum Lot Width	16.5 m	18.3 m
Minimum Lot Depth	30.0 m	36.2 m
Development Regulations		
Max. Site Coverage (buildings)	40%	33%
Max. Site Coverage (buildings, driveways, and parking)	50%	46%
Single Storey Carriage House Regulations		
Max. Accessory Site Coverage	20%	15%
Max. Accessory Building Footprint	130 m ²	100 m ²
Max. Net Floor Area	100 m ²	100 m ²
Max. Net Floor Area to Principal Building	75%	32%
Maximum Height (to mid-point)	4.8 m	4.72 m
Maximum Height (to peak)	9.5 m	6.2 m
Minimum Side Yard (east)	2.0 m	2.0 m
Minimum Side Yard (west)	2.0 m	4.1 m
Minimum Rear Yard	0.9 m (lane)	0.9 m
Min. Distance to Principal Building	3.0 m	4.9 m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30 m ²	> 30m ²

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.

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

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Healthy Communities.³ Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Carriage Houses & Accessory Apartments⁴. Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- See Schedule "A" memorandum dated March 9, 2017.

6.3 Fire Department

- No concerns.

7.0 Application Chronology

Date of Application Received: February 22, 2017

Date Public Consultation Completed: February 10, 2017

Report prepared by: Emily Williamson, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A" – Development Engineering Memorandum dated March 9, 2017

Attachment "A" – Conceptual Elevations

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

CITY OF KELOWNA

MEMORANDUM

Date: March 9, 2017
File No.: Z17-0022
To: Community Planning (EW)
From: Development Engineering Manager (SM)
Subject: 1065 Guisachan Road RU1 to RU1c

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

1. Domestic Water and Fire Protection

Our records indicate that this property is currently serviced with a 19mm-diameter water service which is adequate for this application.

2. Sanitary Sewer

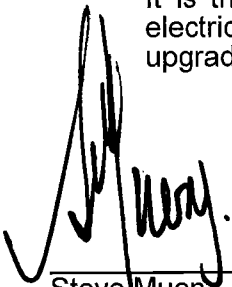
Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

4. Electric Power and Telecommunication Services

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

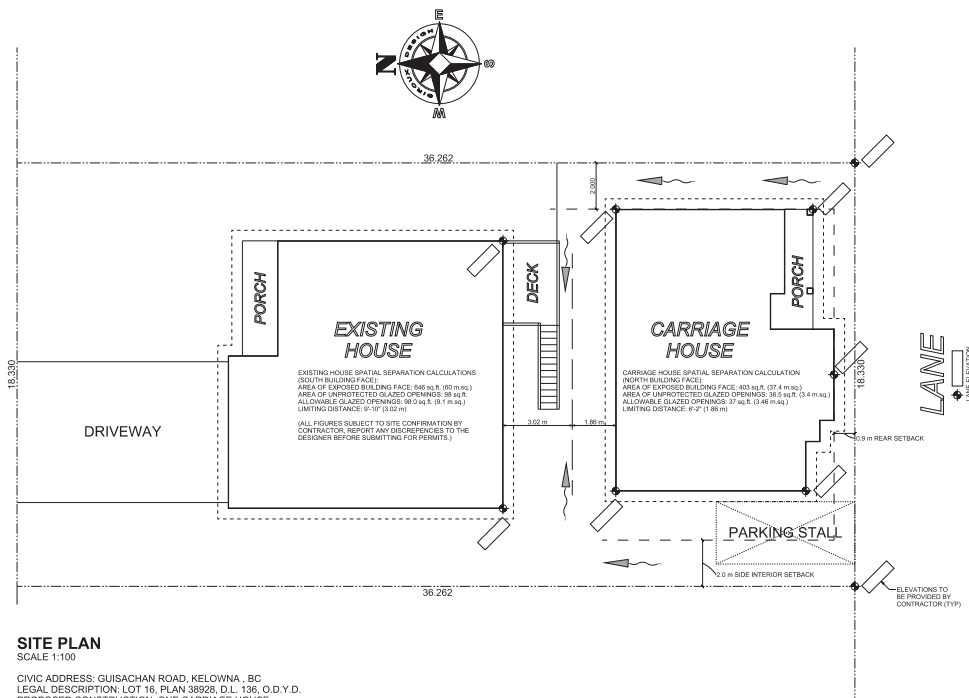


Steve Muenz, P. Eng.
Development Engineering Manager

SS

SCHEDULE		A
This forms part of application # Z17-0022		
Planner Initials	EW	 City of Kelowna <small>COMMUNITY PLANNING</small>

GUISACHAN ROAD



SITE PLAN
SCALE 1:100

CIVIC ADDRESS: GUISACHAN ROAD, KELOWNA, BC
 LEGAL DESCRIPTION: LOT 16, PLAN 35928, D.L. 136, O.D.Y.D.
 PROPOSED CONSTRUCTION: ONE CARRIAGE HOUSE
 ZONING: RU1c
 LOT AREA: 664.7 m²

CARRIAGE HOUSE ZONING REQUIREMENTS
 MAXIMUM HEIGHT: 4.8 m (PROPOSED 4.72 m)
 FRONT YARD: 0.9 m
 MIN. SIDE YARD: 2.0 m
 MIN. REAR YARD WITH A LANE: 0.9 m
 MIN. SETBACK FROM PRINCIPAL BUILDING: 3.0 m
 SINGLE STOREY MAX. COMBINED AREA OF ALL ACCESSORY BUILDINGS, STRUCTURES, AND CARRIAGE HOUSES: 130 m² sq. (PROPOSED 100 m² sq.)
 SINGLE STOREY MAX. NET FLOOR AREA OF CARRIAGE HOUSE: 100 m² sq. (PROPOSED 100 m² sq.)
 MAXIMUM COMBINED LOT COVERAGE OF ALL ACCESSORY BUILDINGS, STRUCTURES & CARRIAGE HOUSES: 20% (PROPOSED 15%)

SITE DRAINAGE
 ALL GRADES TO SLOPE AWAY FROM FOUNDATION SO THAT WATER WILL NOT ACCUMULATE AT OR NEAR THE BUILDING. SURFACE DRAINAGE SHALL BE DIRECTED AWAY FROM THE LOCATION OF A WATER SUPPLY OR SCHEP/TANK. SURFACE DIRT WELLS SHALL NOT BE LESS THAN 12" (3.05 m) FROM THE BUILDING FOUNDATION AND LOCATED SO THAT DRAINAGE IS AWAY FROM THE BUILDING.

SITE DRAINAGE SHOULD CONFORM TO ONE OF THE TWO FOLLOWING DRAINAGE METHODS:
 1) BACK TO FRONT: WITH THIS TYPE OF GRADING, THE REAR LOT LINE IS THE HIGH POINT. FIRST OF ALL AN ELEVATED APRON MUST BE CREATED AROUND THE HOUSE. THIS ALLOWS THE SURFACE DRAINAGE TO FLOW TOWARDS THE BACK AND THEN FORWARD TO THE STREET AT THE EDGES OF THE PROPERTY. BACK TO FRONT GRADING IS TYPICAL OF PROPERTIES ON A RISE OR ON MOUNTAINSIDE.
 2) SPLIT: WITH THIS TYPE, THE HOUSE IS THE HIGH POINT AND THE LOT IS GRADDED SO THAT SURFACE DRAINAGE FLOWS FORWARD TO THE STREET AND BACKWARD TOWARD THE REAR LOT LINE, WHICH IS THEN GENERALLY DRAINAGE BY A SWALE AND CATCH BASIN SYSTEM. THIS IS THE MORE COMMON TYPE AND IS TYPICAL OF HOUSING DEVELOPMENTS ON RELATIVELY FLAT LAND.

PLAN AND DESIGN SITE GRADING AND FOUNDATION DRAINAGE TO ANTICIPATE ALL SOURCES OF MOISTURE. DIVERT WATER AWAY FROM THE BASEMENT WALL AND PROVIDE AN EFFECTIVE DRAINAGE LAYER AROUND THE PERIMETER OF THE BASEMENT. THIS WILL PREVENT THE ACCUMULATION OF GROUND WATER THAT CAN CAUSE HYDROSTATIC PRESSURE ON THE BASEMENT WALLS AND AT THE FOOTINGS. DESIGN AND CONSTRUCT WINDOW WELLS PROPERLY TO ENSURE ACCEPTABLE PERFORMANCE UNDER ADVERSE WEATHER CONDITIONS.

SIZE AND LOCATE Sumps AND PUMP PUMPS TO EFFECTIVELY CONTROL THE GROUNDWATER LEVEL OVER THE ENTIRE BASEMENT AREA.

MOIST SURFACE DRAINAGE PROBLEMS OCCUR ALONG THE SIDE LOT LINES BETWEEN TWO HOUSES, ESPECIALLY WHERE THE HOUSES ARE CLOSE TOGETHER. IN THESE AREAS, A WELL DEFINED SWALE BETWEEN THE HOUSES SHOULD BE FORMED, WHICH ALLOWS SURFACE WATER TO BE DIVERTED FROM THE HOUSE AND DIRECTED TO THE SWALE AND THEN FORWARD OR BACKWARD, DEPENDING ON THE TYPE OF LOT-GRADING APPROACH USED.

WHERE DOWNSPOUTS ARE PROVIDED AND ARE NOT CONNECTED TO A SEWER, EXTENSIONS SHALL BE PROVIDED TO CARRY RAINWATER AWAY FROM THE BUILDING IN A MANNER WHICH WILL PREVENT SOIL EROSION. DOWNSPOUTS FROM THE ROOF SHOULD DISCHARGE AT GRADE INTO A SPLASH PAD AT LEAST 3' (0.9 m) AWAY FROM THE BUILDING. THEY SHOULD NOT BE DIRECTED TOWARD ADJACENT PROPERTY BUT RATHER TOWARD SWALES ESTABLISHED BETWEEN THE PROPERTIES AND WITHIN THE PROPERTY BOUNDARY.

IN ADDITION, THE FOLLOWING GUIDELINES SHOULD BE FOLLOWED:
 MINIMUM HEIGHT OF TOP OF FOUNDATION WALL ABOVE GRADE: 8" (200 mm)
 MINIMUM SLOPE AWAY FROM HOUSE FOR AT LEAST 5' (1.5 m) RUN:
 APPROXIMATELY 3/4" per 12" (19 mm per 305 mm)
 MINIMUM SLOPE ON REST OF LOT: 1/4" - APPROXIMATELY 1/2" per 12" (6 mm per 305 mm)
 MINIMUM ELEVATION OF LOT, AT HOUSE, ABOVE STREET LEVEL: 1'-6" (480 mm)
 MINIMUM DEPTH OF SWALES: 6" (150 mm)

WINDOW WELLS SHALL BE DRAINED TO THE FOOTING LEVEL OR OTHER SUITABLE LOCATION. FOUNDATION DRAIN (DRAINAGE PIPE OR WEEPING TILE) SHALL DRAIN TO A SEWER, DRAINAGE DITCH OR DRY WELL. SURFACE DRAINAGE SHOULD BE DIRECTED AWAY FROM WINDOW WELLS. EXISTING DRAINWELLS AND DRAINAGE PLANNED ELEVATION FROM WINDOW WELLS, PERIMETER OF THE LOT SHOULD NOT BE ALTERED AS A CONSEQUENCE OF GRADING, LANDSCAPING OR FENCING PROJECTS.

ATTACHMENT

A

This forms part of application

Z17-0022

Planner Initials

EW

City of Kelowna

COMMUNITY PLANNING

SITE & DRAINAGE PLAN

BARNETT CONSTRUCTION

DESIGN BY: A.J.G. DATE: JANUARY 26, 2017

DRAWN BY: A.J.G. REVISED:

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Due to the nature of the regulations and the complexity of the building process, the user of this drawing shall be responsible for ensuring that the drawing is used in accordance with the applicable laws and regulations. The user of this drawing shall be responsible for ensuring that the drawing is used in accordance with the applicable laws and regulations. The user of this drawing shall be responsible for ensuring that the drawing is used in accordance with the applicable laws and regulations.

GIROUX DESIGN GROUP

Custom Home and Building Design Since 1950.

Giroux Design Group Inc., 1000 W. Beaver Creek, Kelowna, BC V1Y 3A6

www.girouxdesigngroup.com

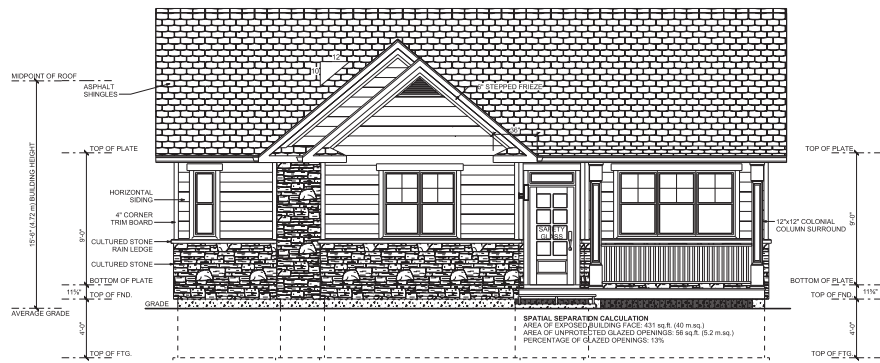
PLAN NO. WP-5498

SHEET NO. A1

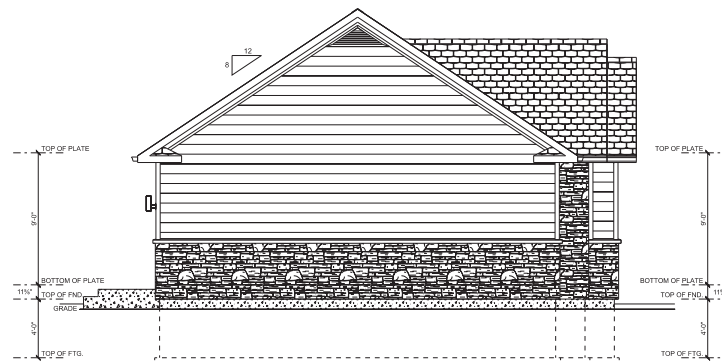
www.girouxdesigngroup.com

www.westhomeplanners.com

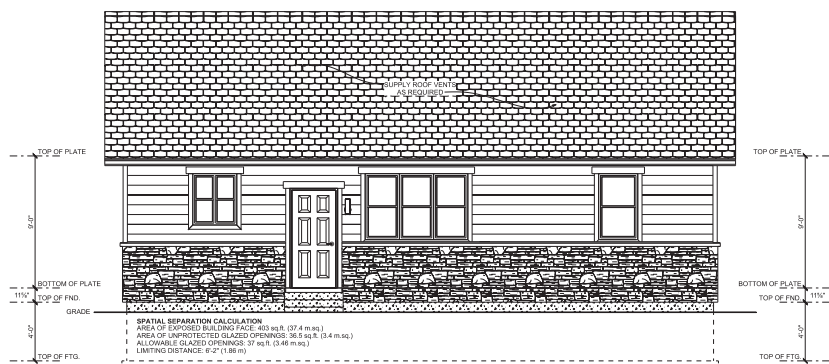
www.houseplanners.com



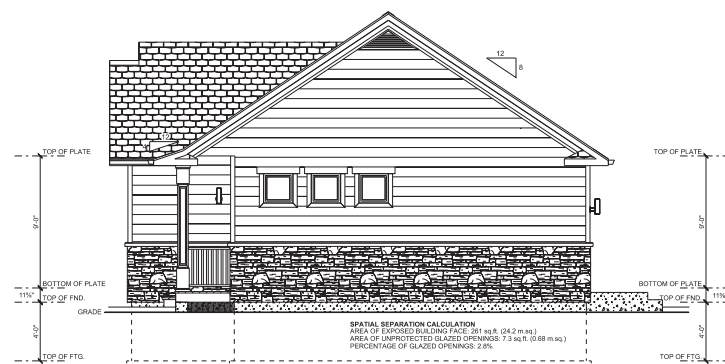
FRONT ELEVATION (FACING LANE)
SCALE: 1/4" = 1'-0"



LEFT ELEVATION



REAR ELEVATION (FACING HOUSE)



RIGHT ELEVATION

ATTACHMENT A

This forms part of application
Z17-0022

Planner Initials **EW**

City of Kelowna
COMMUNITY PLANNING

EXTERIOR ELEVATIONS

GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc., 1000 W. Beaver Creek, Kelowna, BC V1Y 3K6
e-mail: contact@girouxdesigngroup.com web: www.girouxdesigngroup.com

BARNETT CONSTRUCTION

DESIGN BY: A.J.G. DATE: JANUARY 26, 2017
DRAWN BY: A.J.G. REVISED:

PLAN NO. WP-5498
SHEET NO. A5

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

CITY OF KELOWNA
BYLAW NO. 11390
Z17-0022 – 1065 Guisachan Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 16, District Lot 136, ODYD, Plan 38928 located on Guisachan Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1c – Large Lot with Carriage Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: April 24, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z17-0003

Owner: Derer's Tile Haus Inc. Inc.No.
BC0917501

Address: 140 Mills Road

Applicant: Kenneth Derer

Subject: Rezoning Application

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, District Lot 125, ODYD, Plan 9286, located at 140 Mills Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone, 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 February 20, 2017;

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

2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing to facilitate the development of multiple dwelling housing.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing which is consistent with the Official Community Plan (OCP) Future Land Use of Multiple Unit Residential (Low Density). The proposal is consistent with the OCP urban infill policies of Compact Urban Form and Sensitive Infill by increasing density where infrastructure already exists and designing to be sensitive to the neighbourhood context.

The proposed units are ground-oriented and have direct access to individual patio and lawn areas, along with a common garden and play area. The proposed four-bedroom design allows for flexible family living with additional space for a den or home office, and a full sized double garage. These features are consistent with OCP Policies of Ground-Oriented Housing and Family Housing.

4.0 Proposal

4.1 Background

The subject property had a house and accessory building on it, and was the subject of several bylaw complaints over the past few years for noise, illegal suites, and unsightly premises. The applicants have demolished the house and cleared the land in preparation for this development.

4.2 Project Description

The proposed rezoning would change the zone of the subject property to allow for multiple dwelling housing in a row house complex. Each of the proposed units has a ground oriented design with direct access to a private outdoor patio and lawn space. In addition, there is a large common garden and play area. Each proposed unit has 2 full sized parking stalls in a double garage as well as driveway parking and features four bedrooms with a flex room for a home office or den. The proposal does not require any variances and is considered consistent with OCP Policies of Compact Urban Growth, Sensitive Infill, Ground-Oriented Housing, and Family Housing.

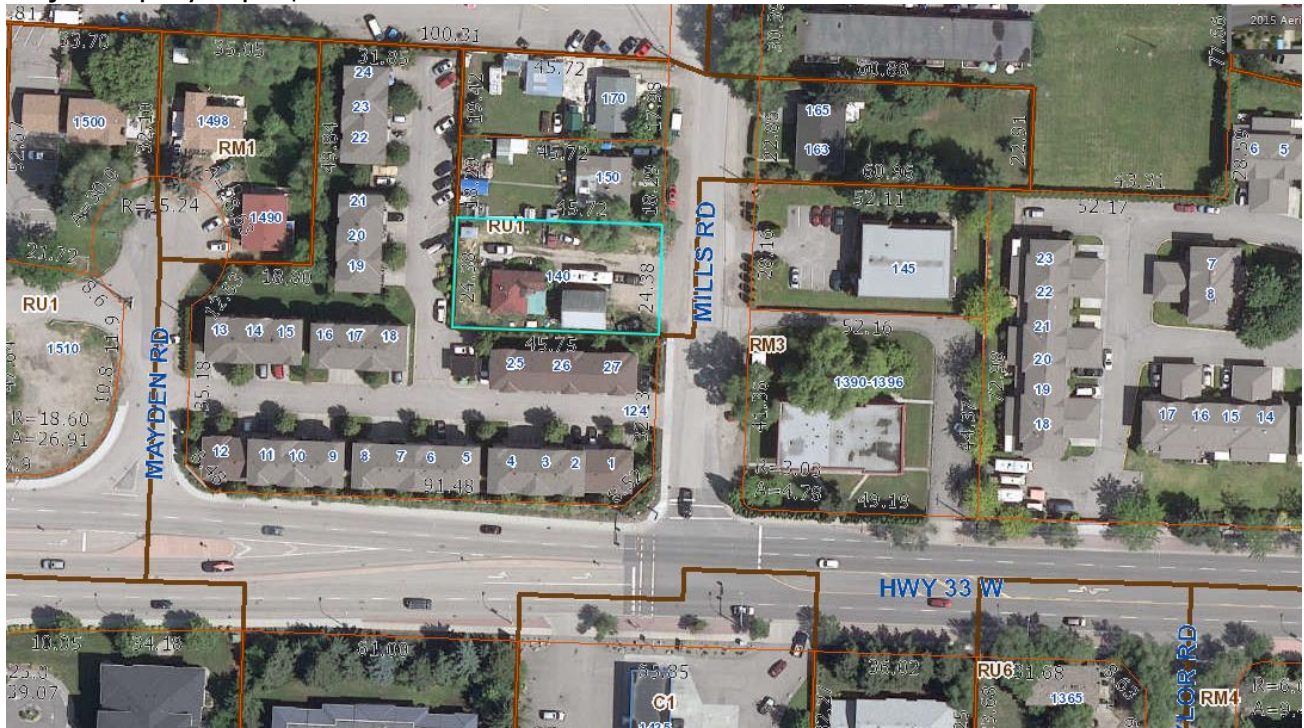
4.3 Site Context

The subject property is located on the west side of Mills Rd near the intersection of Highway 33 and Highway 97 in Rutland. It is near a major transit route, and there are several other multiple dwelling housing complexes in the near vicinity.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Family Dwelling
East	RM3 – Low Density Multiple Housing	Multiple Dwelling Housing
South	RM3 – Low Density Multiple Housing	Multiple Dwelling Housing
West	RM3 – Low Density Multiple Housing	Multiple Dwelling Housing

Subject Property Map: 140 Mills Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	900m ²	1133m ²
Lot Width	30.0m	24.38m
Lot Depth	30.0m	45.75m
Development Regulations		
Floor Area Ratio (FAR)	0.80	0.72
Building Height (metres/storeys)	10.0m / 3 storeys	9.4m / 2 ½ storeys
Front	4.5m	4.5m
Side (include direction)	4.0m	4.0m
Side (include direction)	4.0m	4.0m
Rear	7.5m	7.5m
Other Regulations		
Site Coverage of Building(s) (%)	40%	30.1%
Site Coverage of buildings, driveways, and parking (%)	60%	54.7%
Number of Parking Stalls/Loading Spaces	8 stalls	8 stalls
Private Open Space Area	25m ² per dwelling	404 m ²

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.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

Family Housing.³ Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighbourhood characteristics (e.g.: location and amenities).

Ground-Oriented Housing.⁴ Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets.

6.0 Technical Comments

6.1 Building & Permitting Department

- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- HPO (Home Protection Office) approval or exemption is required at time of Building Permit application.
- A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
- Fire Department access, turn a rounds and private hydrant locations if required are too be verified with Kelowna Fire Department.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
 - Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
 - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.

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

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter)

³ City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter)

⁴ City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter)

- Hard surfaced paths leading from the egress to a safe area are to be clearly defined as part of the DP
- Glazing to meet minimum provincial standards as outline in the Building Code.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.

6.2 Development Engineering Department

- Please see Schedule "A" dated February 20, 2017

6.3 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900 - 150 L/sec required. Should another hydrant be required on this property it shall be deemed private and shall be operational at the start of construction.
- Fire Department access is to be met as per BCBC 3.2.5. -
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- One address off of Mills Rd with unit numbers for this complex
- Drive aisle should have no parking signs.
- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- Do not issue BP unless all life safety issues are confirmed

6.4 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

7.0 Application Chronology

Date of Application Received: December 1, 2016

Date Public Consultation Completed: February 21, 2017

Report prepared by: Trisa Brandt, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan and Floor Plans

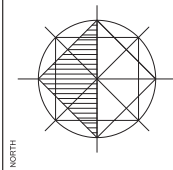
Conceptual Elevations

Landscape Plan

Schedule "A" dated February 20, 2017

MILLS ROAD

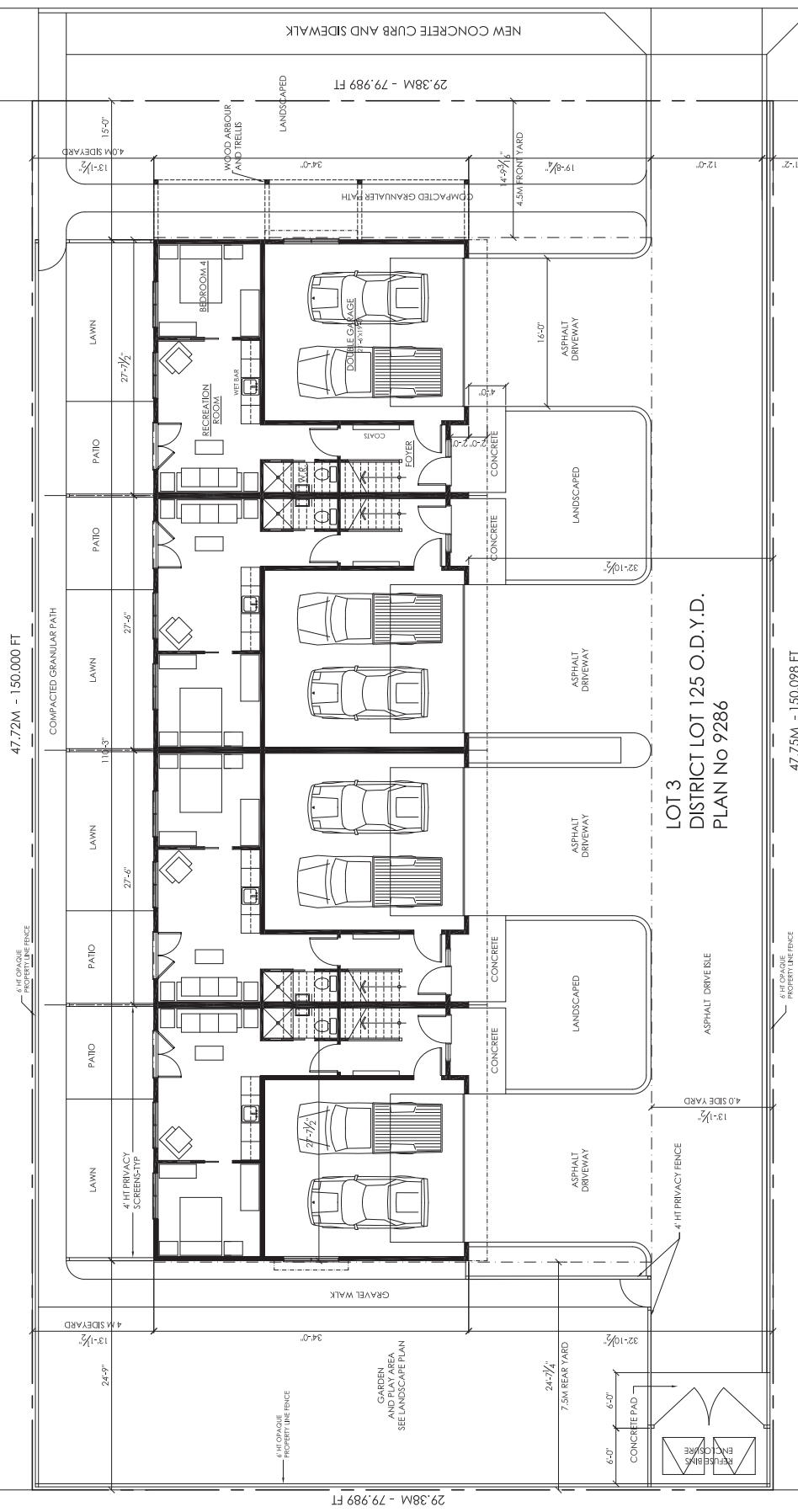
REV: 01/2017
 Based for Review
 Based for Permit
 Based for Construction



PROJECT
TOWNHOME DEVELOPMENT
 140 MILLS ROAD
 KELOWNA BC

DRAWING TITLE
SITE PLAN

PROJECT NO	2015-544
DATE	OCT 13, 2016
DRAWN	Ray Lefebvre
SCALE	3/16" = 1'-0"
DRAWING NO	



PARKING:
 2 SPACES FOR 3 BEDROOM UNITS
 1187 1/2 INT-REAR DRIVES
 16 SPACES PROVIDED

FOR HARD AND SOFT LANDSCAPING DETAILS
 REFER TO LANDSCAPE PLAN

EXISTING ZONING RU1-URBAN RESIDENTIAL ZONE
 PROPOSED ZONING RM2-LOW DENSITY - ROW HOUSING

SITE PLAN

SCALE 3/16" = 1'-0"
 BUILDING AREA 3487.55 SQ. FT.

BUILDING GROSS FLOOR AREAS

3RD AREA	1,492,464.50 SQ. FT. (15,095,895 SQ. FT.)
BUILDING AREA AT GRADE	341,322.50 SQ. FT. (3,687,500 SQ. FT.)
LOT AREA	1,492,464.50 SQ. FT. (15,095,895 SQ. FT.)
LOT COVERAGE OF BUILDING AND DRIVEWAYS	341,322.50 / 1,492,464.50 = MAX 50%
3688 * 2988 = 6614,50 SQ. FT. = 44,218 * MAX 53%	

GRASSY AREA	440,771.12 * 881,540.52 SQ. FT.
GRASSY CENTER LINE	437,989.12 * 879,741.52 SQ. FT.
IMPG SPACE CENTER LINE	481,760.12 * 1,048,265.52 SQ. FT.
MANEUVER	917,252.12 * 1,048,265.52 SQ. FT.
CENTER LINE	931,023.12 * 1,048,265.52 SQ. FT.
COVERED DECKS	72,878.14 * 282,023.12 SQ. FT.
WATER FLOODE	831,130.12 * 970,950.12 SQ. FT.
CONCRETE DRIVEWAY	827,750.12 * 1,665,300.12 SQ. FT.
FLOOR AREA RATIO	3317,300.12 SQ. FT.
NET FLOOR AREA	1,855,864.52 / 15,095,895.52 SQ. FT. = 0.036
	MAX 0.05



1343 Barnes Road
Kelowna, BC
V1P 6S3
T: 250-265-0314
F: 250-265-0315
E: keystone@keystone.ca

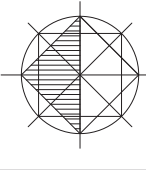
REV/DESCRIPTION: -

Based for Review: JOHN 12, 2017

Based for Permit: -

Based for Construction: -

NORTH



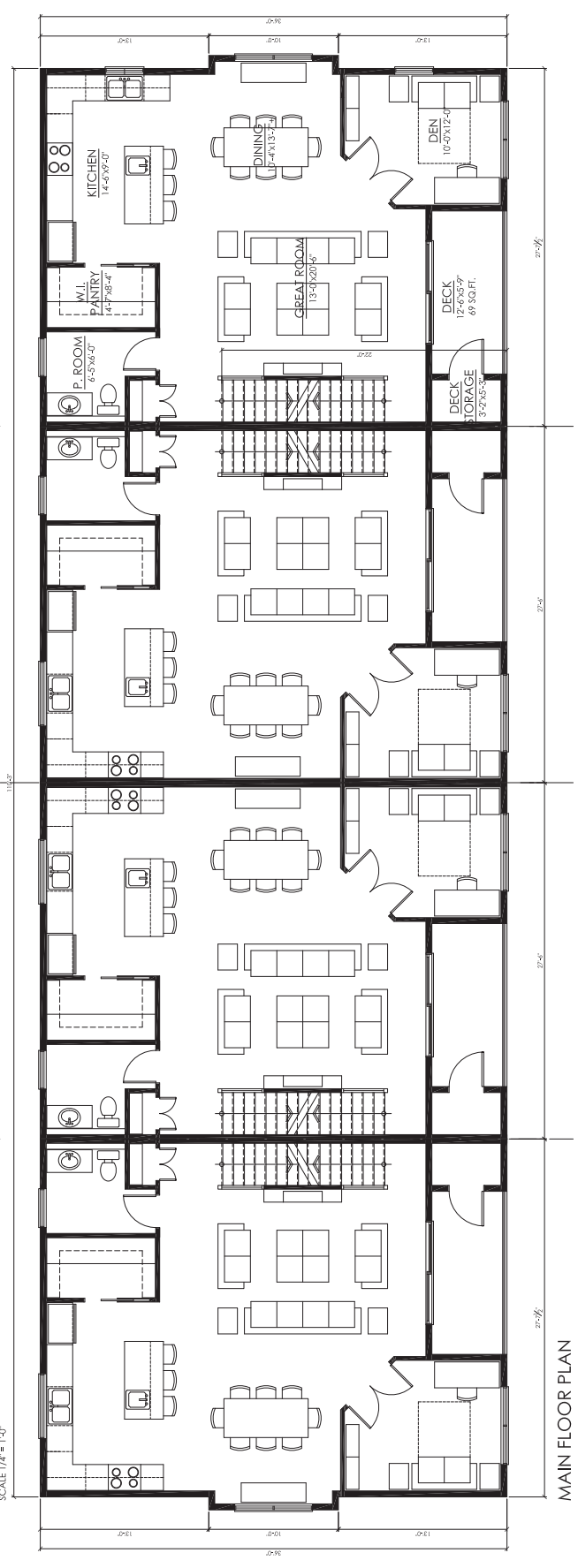
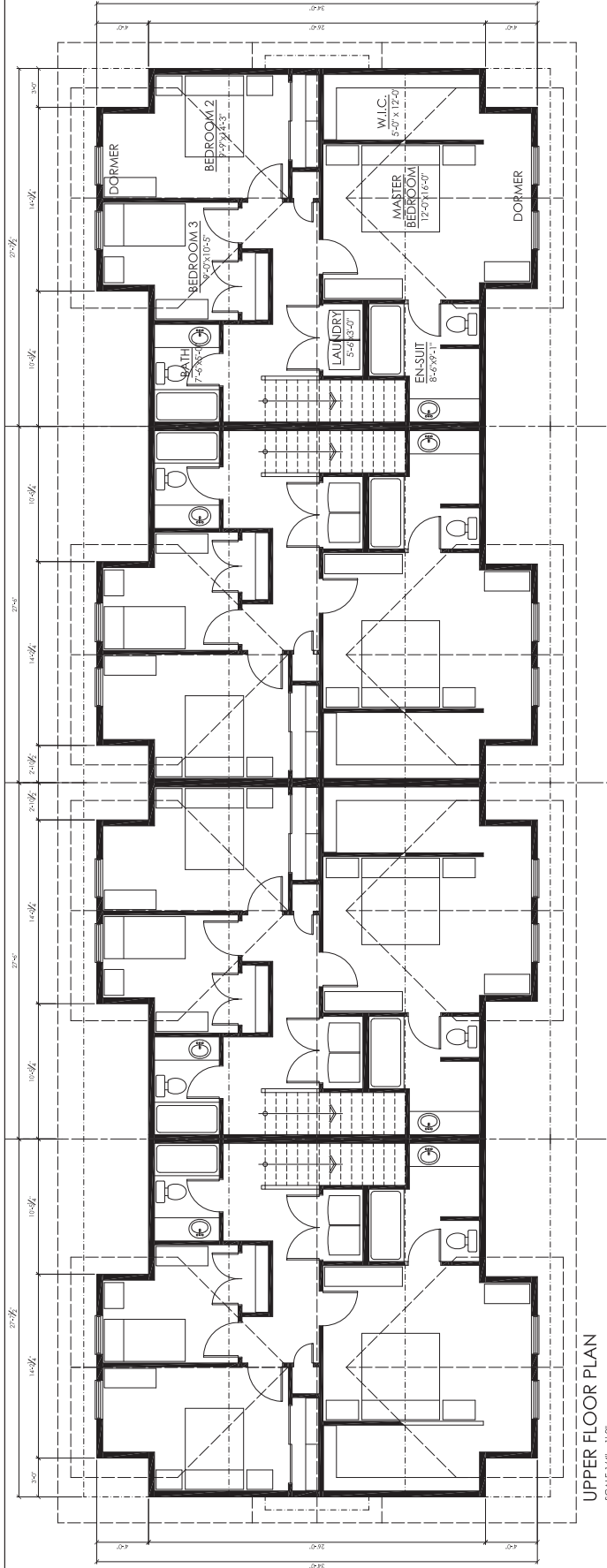
PROJECT
TOWNHOME
DEVELOPMENT
140 MILLS ROAD
KELOWNA BC

DRAWING TITLE

SITE PLAN

PROJECT NO	2015-544
DATE	OCT 13, 2016
DRAWN	Ray Lefebvre
SCALE	1/4" = 1'-0"
DRAWING NO	

2 of 4

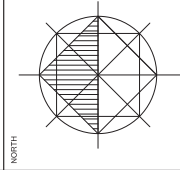




1743 Bantle Road
Kelowna, BC
V1P 8G5
T: 250-765-0314
F: 250-765-0315
E: keystone@keystone.ca

REV: 01/2017
Based for Review
Based for Permit
Based for Construction

DATE: JAN 12, 2017



PROJECT
TOWNHOME
DEVELOPMENT
140 MILLS ROAD
KELOWNA BC

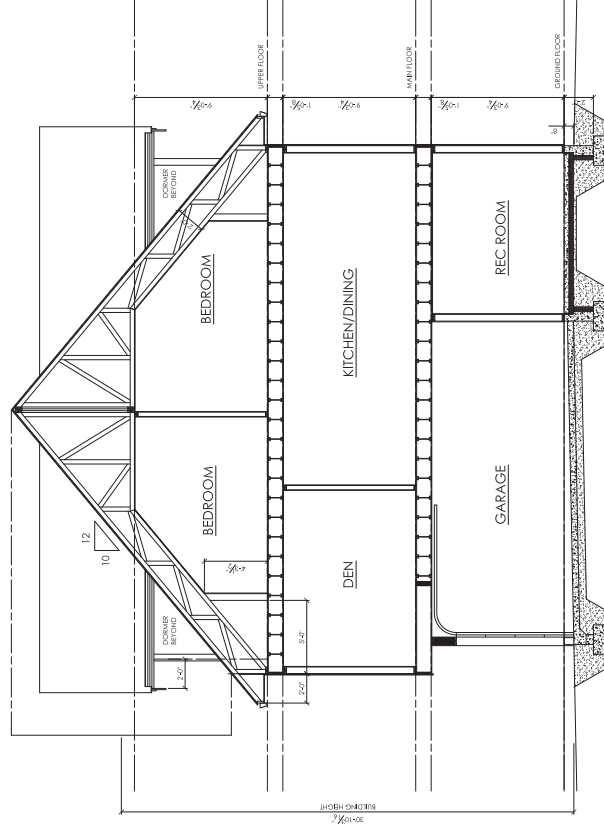
DRAWING TITLE
SOUTH ELEVATION
EAST ELEVATION
SECTION

PROJECT NO	2015-548
DATE	OCT 13, 2016
DRAWN	Raj Ladanna
SCALE	1/4" = 1'-0"
DRAWING NO	

3 of 4



SOUTH ELEVATION
SCALE 1/4" = 1'-0"



CROSS SECTION
SCALE 1/4" = 1'-0"

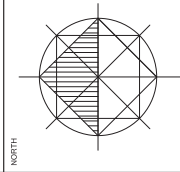


EAST ELEVATION - VIEW FROM MILLS ROAD
SCALE 1/4" = 1'-0"



1743 Bantle Road
Kelowna, BC
V1P 8G3
T: 250-765-0314
F: 250-765-0315
E: keystone@keystone.ca

REV/DESCRIPTION: -
Issued for Review: JAN 12, 2014
Issued for Permit: -
Issued for Construction: -

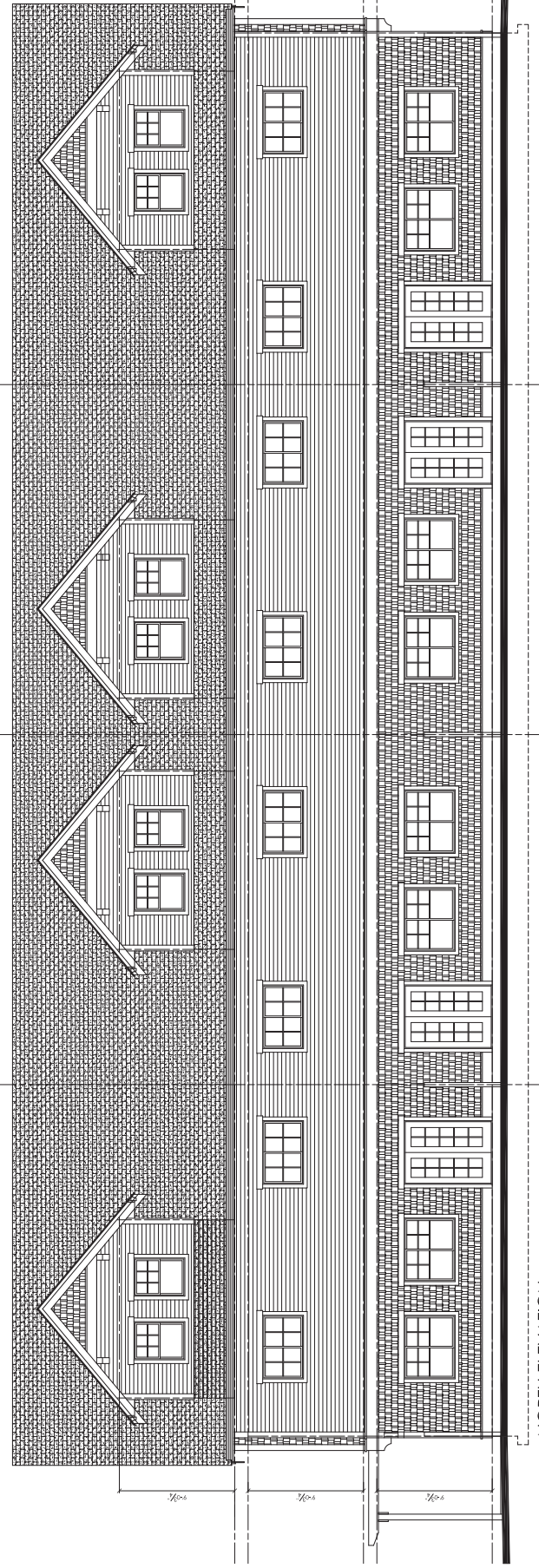


PROJECT
TOWNHOME
DEVELOPMENT
140 MILLS ROAD
KELOWNA BC

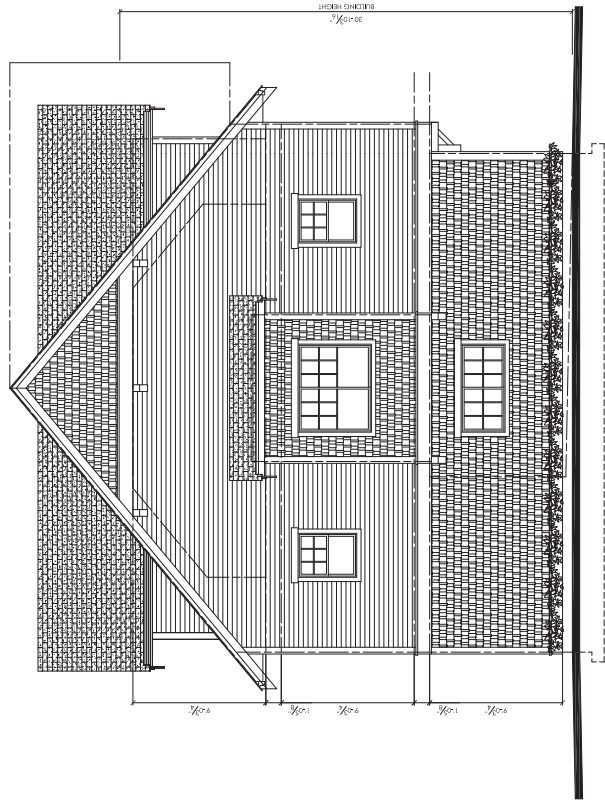
DRAWING TITLE
NORTH ELEVATION
WEST ELEVATION

PROJECT NO	2013-544
DATE	OCT 13, 2013
DRAWN	Ray Ladouceur
SCALE	1/4" = 1'-0"
DRAWING NO	

4 of 4



NORTH ELEVATION
SCALE 1/4" = 1'-0"



WEST ELEVATION SCALE 1/4" = 1'-0"

- NOTE:
1. PLANT MATERIAL AND SPECIFICATIONS SHALL BE BASED ON THE LATEST EDITIONS OF THE L.A. STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 2. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE L.A. STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 3. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE L.A. STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 4. PLANT MATERIAL SELECTIONS ARE BASED ON THE LATEST EDITIONS OF THE L.A. STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 5. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE L.A. STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 6. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE L.A. STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 7. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE L.A. STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 8. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE L.A. STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 9. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE L.A. STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 10. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE L.A. STANDARD SPECIFICATIONS FOR CONSTRUCTION.

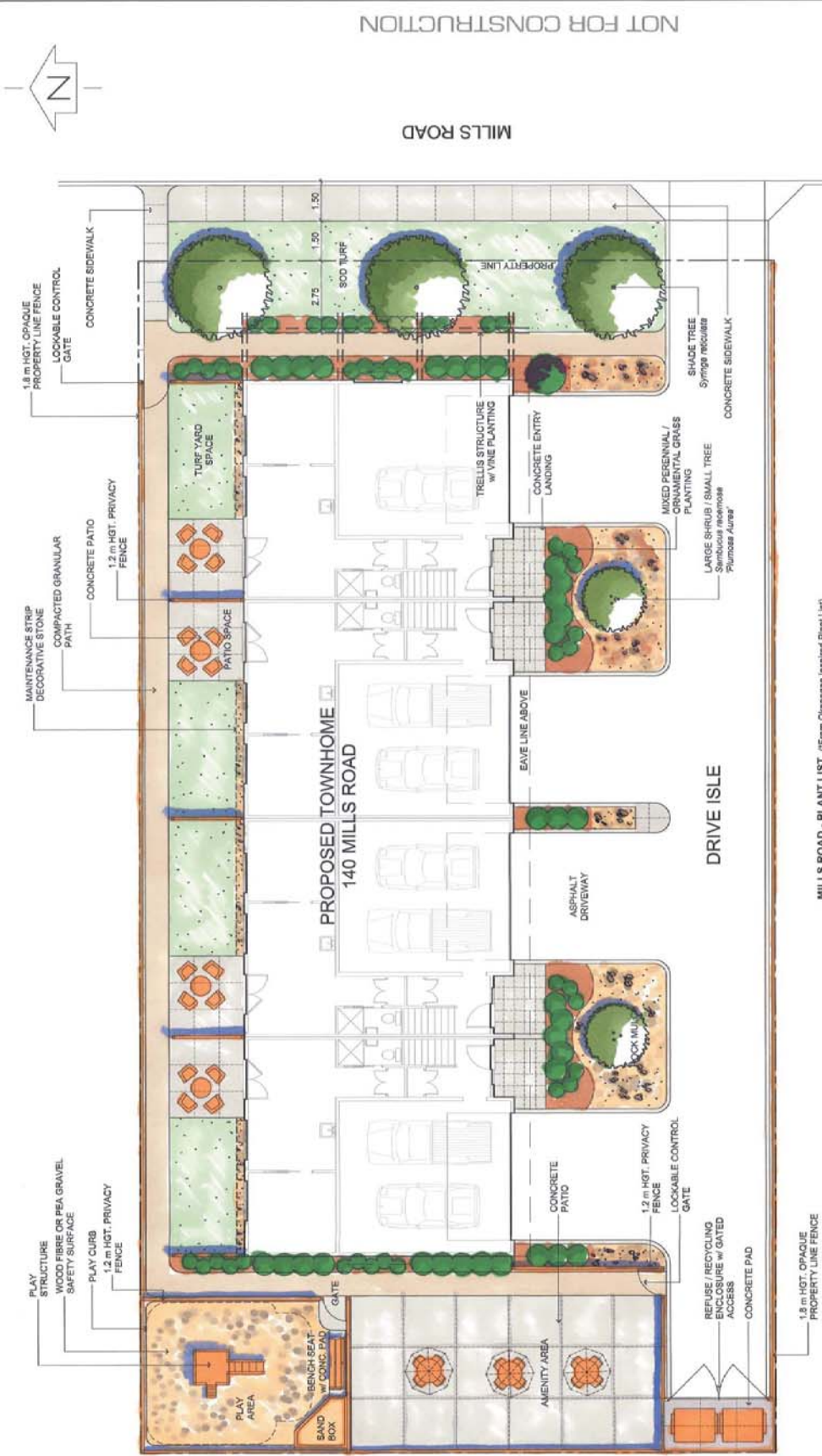
NO.	DATE	DESCRIPTION	REVISIONS / ISSUED
1	12/17/19	ISSUED FOR PERMIT	
2	12/17/19	CLIENT REVIEW	
3	12/17/19	ISSUED FOR PERMIT	

DERPERS TILE HAUS INC.

MILLS ROAD TOWNHOME DEVELOPMENT
140 MILLS ROAD, KELUWNA, B.C.

INSITE DESIGN LANDSCAPE DP PLAN

LDP-1



MILLS ROAD - PLANT LIST (From Olmstead Inspired Plant List)

Qty	Botanical Name	Common Name	Size	Root	Max Size (H x W)	Comments
3	<i>Syringa reticulata</i>	Japanese Tree Lilac	5m x 3m	B&B	5m x 3m	Single leader, symmetrical form
1	<i>Hydrangea arborescens grandiflora</i>	Annabelle Hydrangea	#02	Potted	1.5m x 1.5m	Well established, dense plant
2	<i>Sambucus racemosa Plumosa Aune</i>	Golden Plum Elder	#05	Potted	3.0m x 2.0m	Multi-stem, tree form shrub
9	<i>Schilax millifolium Moonshine</i>	Moonshine Yarrow	#01	Potted	0.5m x 0.5m	Well established, dense plant
5	<i>Pentstemon quinquefolia Englemannii</i>	Englemann Ivy	#01	Potted	0.5m x 0.5m	Staked, min. 3 leaders
13	<i>Hebe x exoniifolia 'Goldstrum'</i>	Goldstrum Hebe	#01	Potted	0.75m x 0.75m	Well established, dense plant
15	<i>Calluna vulgaris 'Karl Foerster'</i>	Karl Foerster	#01	Potted	1.5m x 0.75m	Well established, dense plant
13	<i>Hebe x exoniifolia 'Englemannii'</i>	Englemann Ivy	#01	Potted	0.5m x 0.5m	Well established, dense plant
11	<i>Hebe x exoniifolia 'Goldstrum'</i>	Goldstrum Hebe	#01	Potted	0.75m x 0.75m	Well established, dense plant
9	<i>Hebe x exoniifolia 'Karl Foerster'</i>	Karl Foerster	#01	Potted	0.75m x 0.75m	Well established, dense plant



CITY OF KELOWNA

MEMORANDUM

Date: February 20, 2017
File No.: Z17-0003
To: Urban Planning Management (TB)
From: Development Engineering Manager (SM)
Subject: 140 Mills Road Lot: 3 Plan: 9286 RU1 to RM2

The Development Engineering Department has the following comments and requirements associated with this rezoning application to rezone from RU1 to RM2 to facilitate the development of four townhomes. The road and utility upgrading requirements outlined in this report will be requirements of this development.

The Development Engineering Technologist for this project is Jason Ough

1. **General**

These Development Engineering comments and requirements are subject to review and or revision for approval by the Ministry of Transportation (MOTI) Infrastructure.

2. **Domestic Water and Fire Protection**

- a) This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs, as well as any costs to decommission existing services are to be paid directly to RWD.
- b) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.

3. **Sanitary Sewer**

- a) The subject property is currently encumbered with a 3m wide SROW for sanitary sewer along the southern boundary: Drawing No. A-2413-66. The City will allow the discharge this SROW and decommissioning of the existing sewer main. Any legal, survey or other fees associated with discharging the SROW and decommissioning of the existing 200mm sewer main will be paid for by the developer.
- b) The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. If adequately sized for the ultimate service needs, the applicant may use a portion of the existing sewer main at the south east corner of the property for the sanitary service needs of the project.

4. Storm Drainage

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
- b) This development must include the design and construction of a piped drainage system for Mills Road fronting the subject lot. The existing main is shown on drawing: A-4227-1.

5. Road Improvements

- a) Mills Road is identified in the 2030 Transportation Servicing Plan as a 2 Lane Major Collector.
- b) The applicant must have a civil engineering consultant submit a design for Mills Road to be upgraded to an urban standard (SS-R5) along the full frontage of the subject property; including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Estimate will also be required, for bonding purposes, to be submitted by the applicants civil engineering consultant.

6. Development Permit and Site Related Issues

- a) Direct the roof drains into on-site rock pits or splash pads.
- b) An 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.

7. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building 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.

8. Design and Construction

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

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

9. 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 piezometers 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.


Steve Muenz, P. Eng.
Development Engineering Manager

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CITY OF KELOWNA
BYLAW NO. 11391
Z17-0003 – 140 Mills Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 3, District Lot 125, ODYD, Plan 9286 located on Mills Road, Kelowna, B.C., from the RU₁ – Large Lot Housing zone to the RM₃ – Low Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: April 24, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (EW)

Application: Z17-0017

Owner: Sascha Richard Heinrich &
Margaret Heinrich

Address: 849 Raymer Rd

Applicant: Urban Options Planning &
Permits

Subject: Rezoning Application

Existing OCP Designation: SRES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. 17-0017 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 580A SDYD Plan KAP73736, located at 849 Raymer Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

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

AND FURTHER THAT final adoption of the Zone Amending 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 24, 2017.

2.0 Purpose

To consider rezoning the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the future construction of a carriage house.

3.0 Community Planning

Community Planning Staff support the proposed rezoning application to facilitate the future construction of a carriage house on the subject property. The parcel has a Future Land Use designation of S2Res – Single/ Two Unit Residential in the Official Community Plan (OCP) and is currently zoned RU1 – Large Lot Housing. The property is located within the Permanent Growth Boundary. The density in the

neighbourhood has been modestly increasing in recent years as there are several examples of RU6 – Two Dwelling Housing, RU2 – Medium Lot Housing, and RU1c – Large Lot Housing with Carriage House properties within the surrounding area. Rezoning the subject parcel to the RU1c zone will continue the density increase trend, a key objective for the City’s urban infill strategy.

In fulfillment of Council Policy No. 367, the applicant submitted a Neighbourhood Consultation Summary Form outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Project Description

Plans submitted with the rezoning application propose the construction of a single storey carriage house in the southeast corner of the property. The carriage house will replace an existing garage/workshop. The proposal complies with the zoning regulations and the single-storey design is mindful of neighbouring properties. Following feedback from the applicant’s neighbourhood consultation on the roof height, the applicant revised the plans and lowered the roof height by approximately 1 foot (0.3 m). The carriage house design includes a one-bedroom unit and a garage for two vehicles.



Figure 1. Conceptual rendering of proposed carriage house.

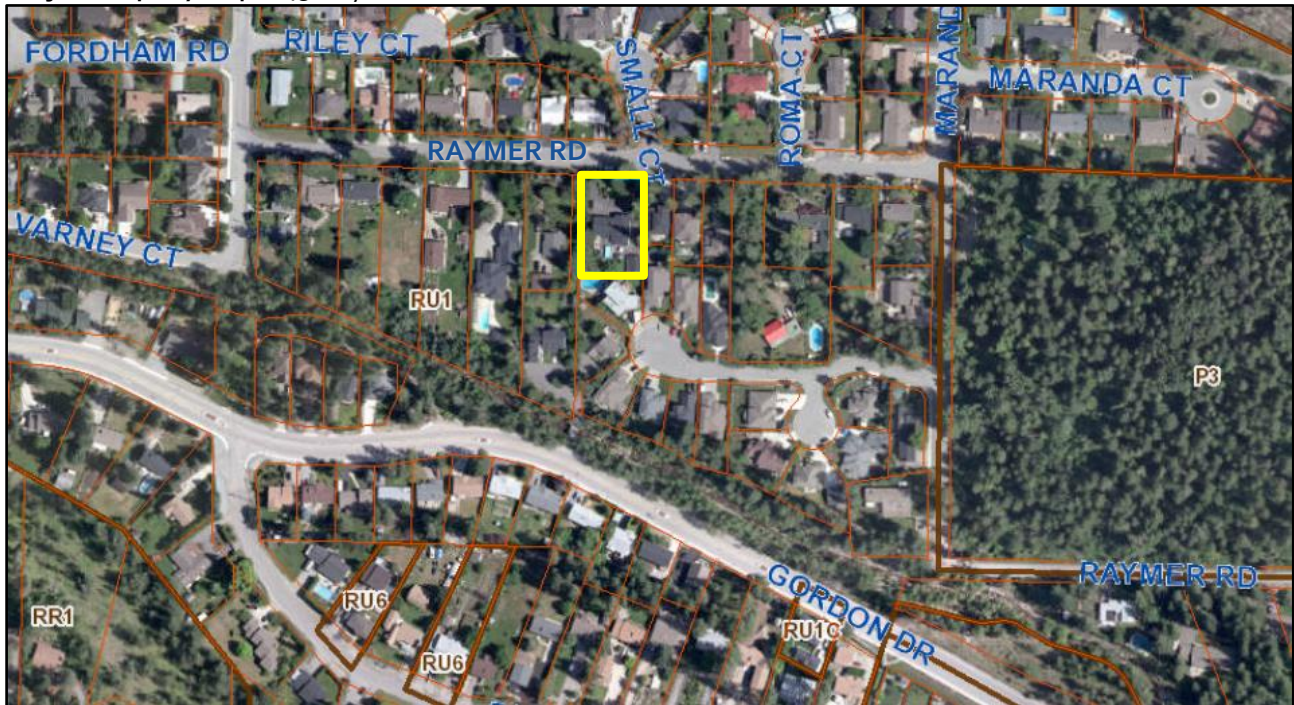
4.2 Site Context

The parcel is located in the North Okanagan Mission city sector, within the Permanent Growth Boundary. The subject property is a large RU1 parcel at 1,991 m².

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	S2RES – Single/Two Unit Residential
East	RU1 – Large Lot Housing	S2RES – Single/Two Unit Residential
South	RU1 – Large Lot Housing	S2RES – Single/Two Unit Residential
West	RU1 – Large Lot Housing	S2RES – Single/Two Unit Residential

Subject Property Map: 849 Raymer Rd



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m ²	1991 m ²
Minimum Lot Width	16.5 m	31.1 m
Minimum Lot Depth	30.0 m	55.4 m
Development Regulations		
Max. Site Coverage (buildings)	40%	20%
Max. Site Coverage (buildings, driveways, and parking)	50%	46%
Single Storey Carriage House Regulations		
Max. Accessory Site Coverage	20%	6%
Max. Accessory Building Footprint	130 m ²	123 m ²
Max. Net Floor Area	100 m ²	51 m ²
Max. Net Floor Area to Principal Building	75%	32%
Maximum Height (to mid-point)	4.8 m	4.34 m
Maximum Height (to peak)	7.1 m	5.2 m
Minimum Side Yard (east)	2.0 m	2.0 m
Minimum Side Yard (west)	2.0 m	15.0 m
Minimum Rear Yard	2.0 m	2.0 m

Min. Distance to Principal Building	3.0 m	5.6 m
Other Regulations		
Minimum Parking Requirements	4 stalls (carriage house + home based business)	5 stalls
Minimum Private Open Space	30 m ²	> 30m ²

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.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Healthy Communities.³ Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Carriage Houses & Accessory Apartments⁴. Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- A fire rated wall is required from the dwelling to the garage from the foundation to the underside of the roof sheathing. Please provide these details at time of building permit application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

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

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

6.2 Development Engineering Department

- See Attachment "A" memorandum dated March 8, 2017.

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- Both dwellings shall have a posted address on Raymer Rd.
- If a fence is ever constructed between the dwellings a gate with a clear width of 1100mm is required.
- Maintain access to all units from Raymer Rd.

7.0 **Application Chronology**

Date of Application Received: January 31, 2017
Date Public Consultation Completed: February 20, 2017
Date Revised Plan Received: April 6, 2017

Report prepared by: Emily Williamson, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A" – Development Engineering Memorandum dated March 8, 2017
Attachment "A" – Conceptual Elevations

CITY OF KELOWNA

MEMORANDUM

Date: March 8, 2017
File No.: Z17-0017

To: Community Planning (EW)

From: Development Engineering Manager (SM)

Subject: 849 Raymer Road

RU1 to RU1c

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

1. Domestic Water and Fire Protection

Our records indicate that this property is currently serviced with a 19mm-diameter water service which is adequate for this application.

2. Sanitary Sewer

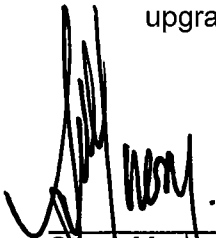
Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

4. Electric Power and Telecommunication Services

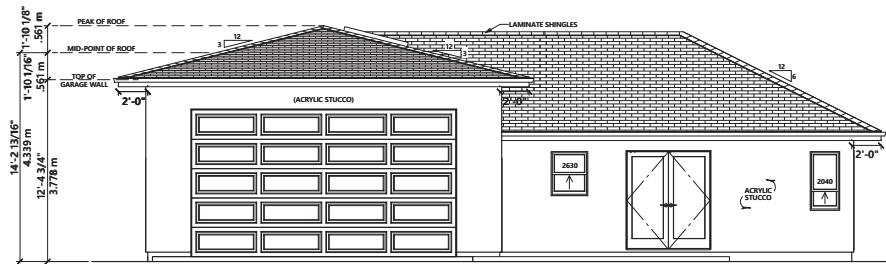
It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



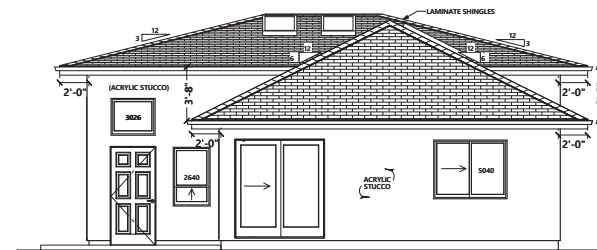
Steve Muenz, P. Eng.
Development Engineering Manager

SS

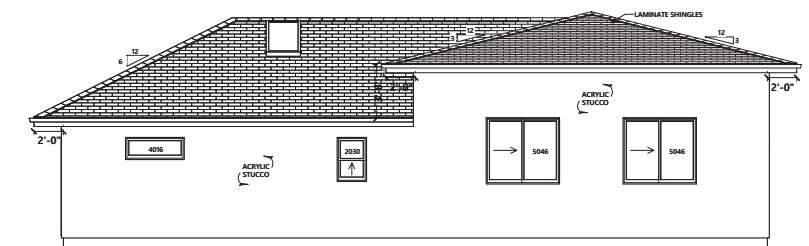
SCHEDULE		A
This forms part of application		
# Z17-0017		
Planner Initials	<div style="border: 1px solid black; padding: 2px;">EW</div>	 City of Kelowna <small>COMMUNITY PLANNING</small>



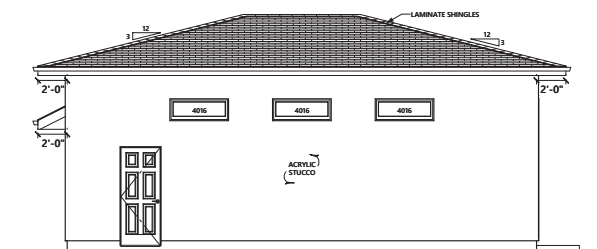
FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

ATTACHMENT

A

This forms part of application

Z17-0017

Planner
Initials **EW**



1. ALL WORK SHALL CONFORM TO THE CURRENT BUILDING CODES ADOPTED BY AUTHORITIES HAVING JURISDICTION OR LOCAL BUILDING CODES AND BYLAWS WHICH MAY TAKE PRECEDENCE.
2. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DRAWINGS.
3. "R-TISTRY DRAFTING INC." SHALL NOT BE RESPONSIBLE FOR ANY VARIANCES FROM THE STRUCTURAL DRAWINGS AND SPECIFICATIONS, OR ADJUSTMENT REQUIRED RESULTING FROM CONDITIONS ENCOUNTERED AT THE JOB SITE AND IS THE SOLE RESPONSIBILITY OF THE OWNER/ BUILDER.
4. CONSTRUCTION LOADS ON THE STRUCTURE CAUSED BY INTERIM STORAGE OF MATERIALS OR USE OF EQUIPMENT, SHALL NOT BE ALLOWED TO EXCEED THE DESIGN LOADINGS.
5. ALL WINDOW AND DOOR SIZES AND OPERATION ARE TO BE CONFIRMED BY OWNER/BUILDER WITH THE MANUFACTURE.



R-tistry Home Design
design@rtistryhomedesign.com
Ph: 250-469-1641

ISSUED PLANS:	NO.1 PERMIT DRAWINGS	JAN. 25, 2017
	NO.2 ROOF PITCH REV.	APRIL 5, 2017

PROJECT TITLE:
**849 RAYMER ROAD
ACCESSORY BUILDING**

DATE:
2017-04-06

SCALE:
1/8" = 1'

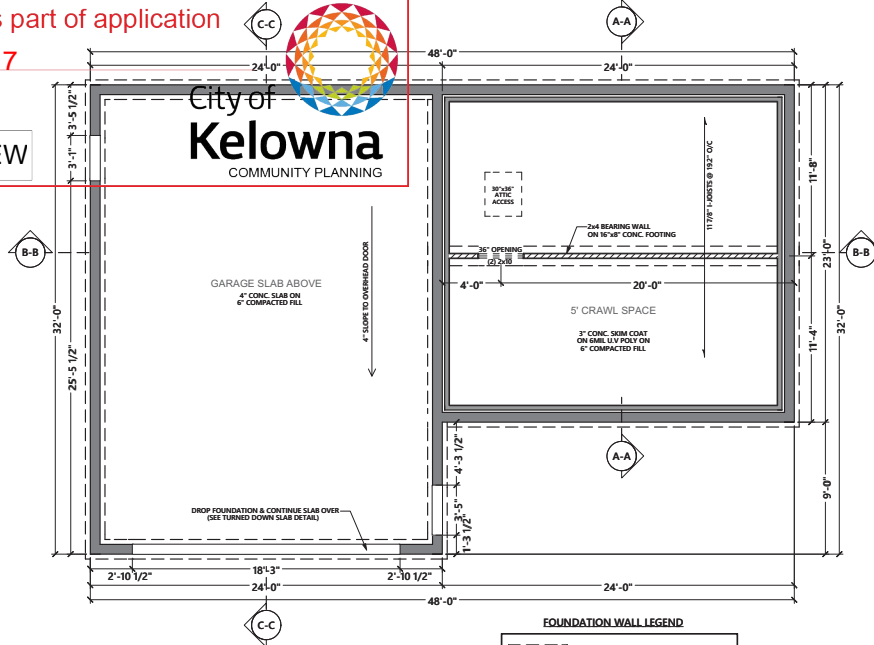
SHEET:

1/4

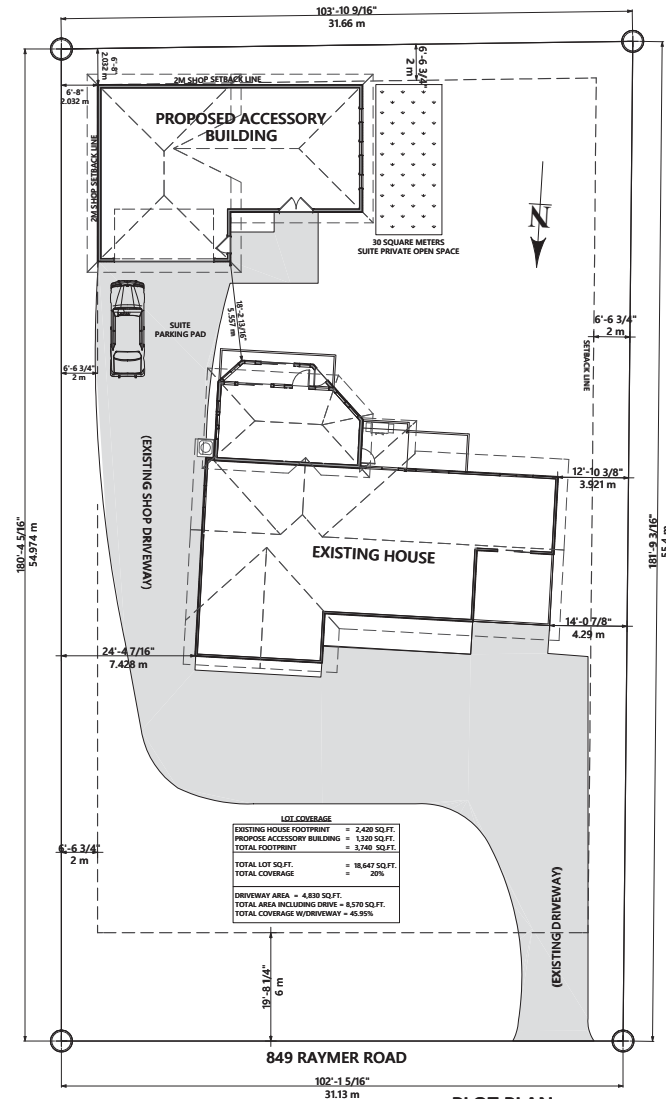
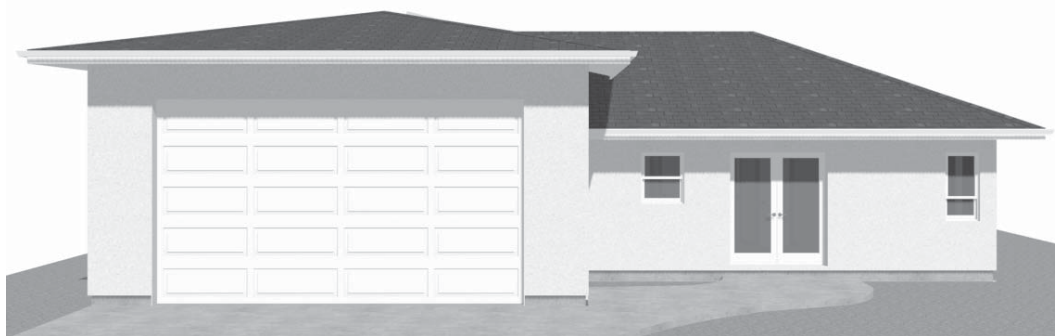
ATTACHMENT A

This forms part of application
Z17-0017

Planner
Initials EW



FOUNDATION PLAN



PLOT PLAN
SCALE: 3/32" = 1'



R-tistry Home Design
design@rtistryhomedesign.com
PH: 250-469-1641

ISSUED PLANS:	NO.1. PERMIT DRAWINGS	JAN. 25, 2017
	NO.2. ROOF PITCH REV.	APRIL 6, 2017

PROJECT TITLE:
849 RAYMER ROAD
ACCESSORY BUILDING

DATE:
2017-04-06

SCALE:
1/8" = 1'

SHEET:
2/4



ISSUED PLANS:		
NO.1	PERMIT DRAWINGS	JAN. 25, 2017
NO.2	ROOF PITCH REV.	APRIL 6, 2017

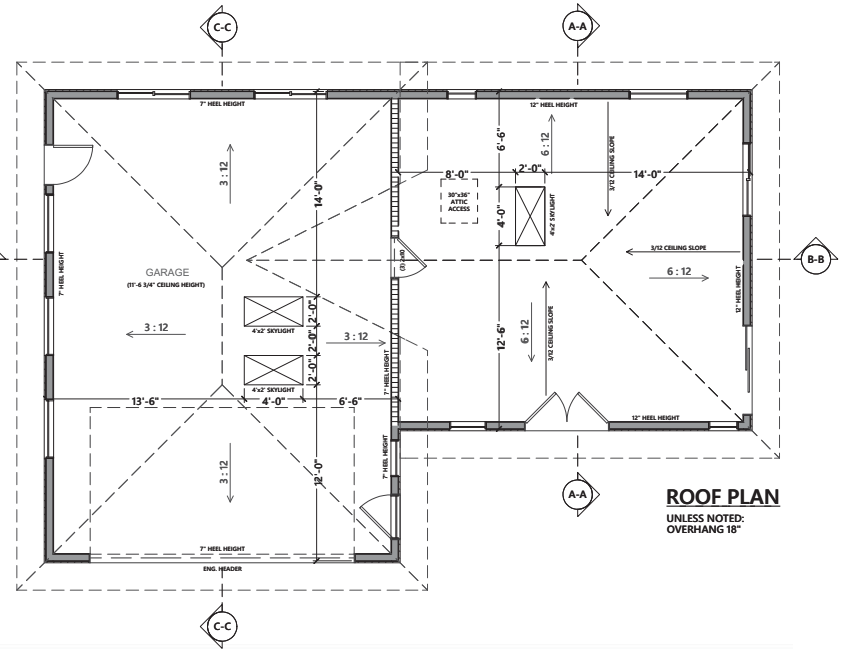
PROJECT TITLE:
849 RAYMER ROAD
ACCESSORY BUILDING

DATE:
2017-04-06

SCALE:
1/8" = 1'

SHEET:


3/4




ROOF PLAN
UNLESS NOTED:
OVERHANG 18"

GARAGE AREA: 768 SQ.FT.
SUITE AREA: 552 SQ.FT.
FOOT PRINT AREA: 1320 SQ.FT.

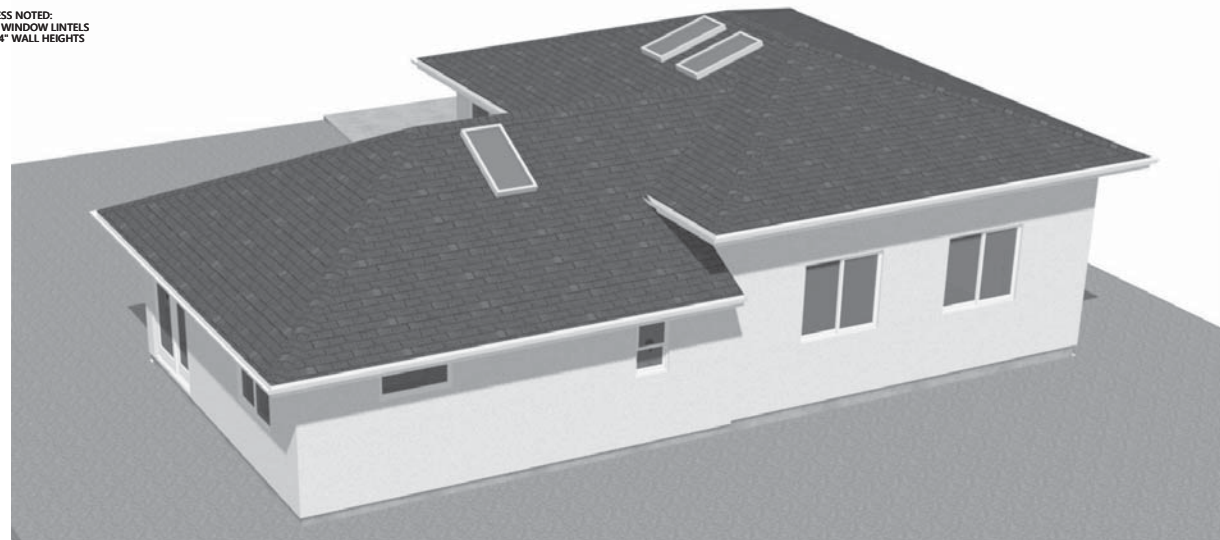
UNLESS NOTED:
6'-8" WINDOW LINTELS
8'-3/4" WALL HEIGHTS

2x4 STUDS 16" O/C ————— 

2x6 BEARING WALL
FIRE RATED WALL
STUDS @ 16" O/C ————— 

1/2" TYPE "X" DRYWALL
R20 INSULATION

2 x LUMBER
ENG. BEAM
(DROPPED)



This forms part of application
Z17-0017



City of Kelowna
COMMUNITY PLANNING

Planner
Initials

EW

CITY OF KELOWNA
BYLAW NO. 11392
Z17-0017 – 849 Raymer Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, District Lot 580A, SDYD, Plan KAP73736 located on Raymer Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1C – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: April 24, 2017

RIM No. 1250-04

To: City Manager

From: Community Planning Department (RR)

Application: TA17-0006

Owner: Various

Address: 1920-1936 Summit

Applicant: Kent Macpherson

Subject: Zoning Bylaw Text Amendment

Existing OCP Designation: COMM - Commercial

Existing Zone: CD3 – Comprehensive Development

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA17-0006 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated April 24, 2017 for Lot C, Sec. 29, Twp. 26, ODYD Plan EPP54061 located at 1920-1936 Summit Drive be considered by Council;

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

2.0 Purpose To consider a proposed text amendment to allow a limited amount of retail liquor sales in the CD3 zone.

3.0 Community Planning

Community Planning staff support the proposed bylaw amendment. The CD3 zone only applies to a single property at the corner of Glenmore and Summit, which has been partially developed with a commercial plaza. The amendments would be limited in scope, allowing liquor to be sold from a single building.

The site and its location is appropriate for a small scale local liquor store. There are no nearby liquor stores, with the closest, Brandt's Creek Liquor Store, located 1.75 km away. The site is within walking distance of more than 200 single dwelling residential units, as well as the 600 current and proposed units on the former Conservatory site. The presence of the small retail liquor store will reduce the need for nearby residents to drive to other neighbourhoods.

The proposal complies with the relevant requirements of Kelowna Liquor Licensing Liquor License Policy and Procedures.

Because of the limited size of the liquor store, only 185 m² (2,000 sq. ft), staff do not expect any negative impacts.

4.0 Proposal

4.1 Background

In October of 2015, Council approved DP15-0161, allowing the development of a commercial plaza at the south end of the property commonly known as The Conservatory. Since that approval, the developer has constructed 4 of the 5 buildings proposed for the site, and is preparing to construct the 5th.

Council has also approved DP16-0081, which would allow the construction of an 87 unit rental apartment building directly north of the commercial plaza. Council has further approved the issuance of DP17-0017, which would allow the construction of a 166 unit rental building. Both of these buildings will be started in spring of 2017.

During the initial development of the commercial plaza, staff did not support including retail liquor sales in the zone for the property, as it would have allowed liquor sales to occupy a prominent or dominant portion of the site. Now that the project is largely complete, and there is an assurance that liquor sales will only be located in a small building at the centre of the site, staff are no longer concerned about liquor sales dominating the project.

4.2 Project Description

The applicant has requested a text amendment allowing retail liquor sales on a limited area of the property. Specifically, the applicant has requested that the central building on the site be allowed to operate as a retail liquor store.

The proposed text amendment would allow Retail Liquor Sales as a use in the CD3 zone, with a restriction that no more than 185 m² (2,000 sq. ft) of floorspace be used for liquor sales. This would limit liquor sales to the central building, and require that any other liquor based uses first receive council approval.



4.3 Site Context

The subject property is centrally located in the Glenmore neighbourhood, within walking distance of large numbers of single family homes and a number of multi-family developments. The nearest liquor store is the Brandt's Creek Liquor Store, approximately 1.75 km to the north.

The liquor sales outlet would be located in a building at the centre of the commercial site, with extensive parking surrounding it.



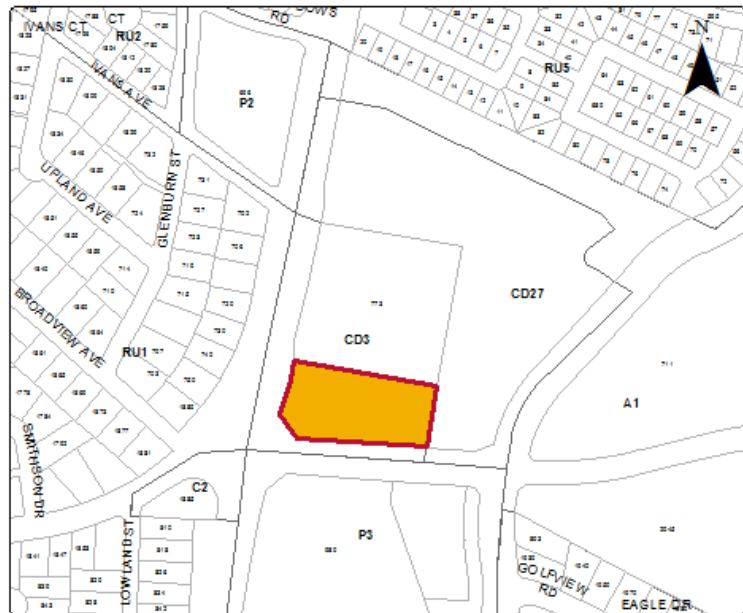
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD3 – Comprehensive Development	Multi-Family Rental Building
East	CD27 – Comprehensive Development	Vacant (Future Multi-Family)
South	P3 – Major Park	Golf Course
West	RU1 – Large Lot Residential	Single Dwelling Residential

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



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.

5.2 Liquor License Policy and Procedures 359

C. RETAIL LIQUOR SALES (RLS)

The following considerations should be made for the location of liquor stores/retail liquor sales (RLS):

- a) Continue to require new or relocated RLS establishments to apply for a rezoning application to allow for "Retail Liquor Sales" in applicable zones.
- b) No Retail Liquor Sales shall be approved for (in conjunction with) Liquor Primary Establishments with person capacity that exceed 150 persons.
- c) Any new or relocated Retail Liquor Sales establishment shall not be located within 300 m of an existing Liquor Primary establishment with a person capacity greater than 350 persons.

6.o Application Chronology

Date of Application Received: February 27, 2017

Report prepared by: Ryan Roycroft, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Bylaw amendments table

Zoning Bylaw No. 8000				
No.	Section	Existing Text	Proposed Text	Explanation of Change
1	CD3 – Comprehensive Development 3 Permitted Uses, Area “2”		(k) retail liquor sales And renumbering subsequent permitted uses	<i>Adding Retail Liquor Sales as a permitted use in Area 2 of the CD3 zone</i>
2	CD3 – Comprehensive Development 3 1.5 Other Regulations		(f) Only one Retail Liquor Sale business is permitted in Area 2. (g) Retail Liquor Sales within Area 2 shall be limited to a maximum Gross Floor Area of 185 m ² .	

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CITY OF KELOWNA

BYLAW NO. 11393

TA17-0006 – CD3 – Comprehensive Development Three Zone

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

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

1. THAT **Section 18 – CD3 – Comprehensive Development Three Zone, 1.2 Permitted Uses**, Permitted Principal uses in Area 2, be amended by adding in its appropriate location a new subparagraph "retail liquor sales" and renumbering subsequent sub-paragraphs;
2. AND THAT **Section 18 – CD3 – Comprehensive Development Three Zone, 1.5 Other Regulations**, be amended by adding in its appropriate location the following new subsections:
 - "(f) Only one Retail Liquor Sale business is permitted in Area 2.
 - (g) Retail Liquor Sales within Area 2 shall be limited to a maximum Gross Floor Area of 185 m²"
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: April 24, 2017

RIM No. 0940-00

To: City Manager

From: Community Planning Department (TB)

Application: DP17-0021

Owner: Victor Projects Ltd, Inc.
No. BC1050457

Address: 948 McCurdy Road

Applicant: Grant Maddock
Protech Consulting 2012

Subject: Development Permit

Existing OCP Designation: COMM - Commercial

Existing Zone: C3 – Community Central

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP17-0021 for Lot 4, Section 27, Township 26, ODYD, Plan 1879 Except Plans A12969, H8110, KAP64562, KAP85879, and EPP52046, located at 948 McCurdy Road, Kelowna, BC subject to the following:

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

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

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

2.0 Purpose

To consider the form and character of a vehicle service station.

3.0 Community Planning

Community Planning supports the development permit for the form and character of a vehicle service station as it is consistent with the existing land use and zoning requirements, and the scale of the building and design is appropriate for this subject property. There are no variances requested and a landscape plan has been provided that meets the minimum requirements for the zoning bylaw.

4.0 Proposal

4.1 Background

The subject property is a shopping centre known as McCurdy Corner. There are several other businesses on the property including furniture retail, food primary, and participant recreation services. The primary access is off of McCurdy Road and there is already ample parking on site for the requirements of the shopping centre.

4.2 Project Description

The proposed vehicle service station would be for a Mr. Lube, which provides oil changes and vehicle maintenance services. The proposal includes 3 service bays, a lunch room, storage room, and small retail area. The design is similar to other Mr. Lube stations in Kelowna and is representative of their corporate brand and the function of the building.

The height is similar to a 1 ½ storey as the underground work stations must be constructed above the high water table and with consideration of the Mill Creek Floodplain. The total height of the main portion of the building is 6.8m, with a parapet that extends an additional 4.5m.

The proposed building features glass garage doors, stone finish, and timber hardie plank siding. There is one fascia sign on each frontage that will feature backlit blue channel letters on a yellow panel. The proposed signage complies with the current sign bylaw in terms of number and size of signs within a C3 zone. The existing freestanding sign which is currently used for other tenants will be removed as a function of this development.



Figure 1: North Elevation and West Elevation (facing Highway 97 N)

The garage doors face north and south to allow for proper vehicular circulation. The proposed landscaping meets the minimum requirements and includes 5 deciduous columnar trees that will allow visibility of the

business along the Highway 97 N frontage. The applicant has taken care to design a garbage enclosure that is functional and discreet utilizing horizontal wooden planks and landscaping in the form of evergreen and deciduous shrubs. Vehicle stacking will be on the north side of the building and will be shielded from Highway 97 N through existing and proposed landscaping.

4.3 Site Context

The development proposal is located in McCurdy Corner Shopping Centre, north of “Triple-O’s” and south of “The Brick”. It is a high visibility corner on the corner of McCurdy Road and Highway 97 N. Highway 97 N features a landscaped berm along this portion of the highway.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C10 – Service Commercial	Commercial
East	C4LP – Urban Centre Commercial Liquor Primary	Commercial
South	C10 – Service Commercial	Commercial
West	I2 – General Industrial	Industrial

Subject Property Map: 948 McCurdy Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Comprehensive Design Guidelines

Authenticity and Regional Expression.¹ Use colours found in the region's natural and cultural landscape.

Massing and Height²: Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape.

Exterior Elevations and Materials³: Exterior building materials should be selected for their functional and aesthetic quality, and should exhibit qualities of workmanship, durability, longevity and ease of maintenance.

Amenities, ancillary services and utilities⁴: Locate loading, garbage, storage, utilities and other ancillary services away from public view. All such areas shall be screened and designed as an integral part of the building to minimize impact.

Landscape development and irrigation water conservation⁵: Incorporate landscaping that helps screen parking areas, mechanical functions, and garbage and recycling areas.

6.0 Technical Comments

6.1 Development Engineering Department

- Please see attached memorandum dated March 10, 2017

6.2 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template at Kelowna.ca
- Should a hydrant be required on this property it shall be operational prior to the start of construction and shall be deemed a private hydrant
- Address and unit number to be posted. This building shall be addressed off of the street it is accessed from.
- A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD.
- Fire Department access is to be met as per BCBC 3.2.5.

¹ City of Kelowna Official Community Plan, Chapter 14, Guideline 1.5

² City of Kelowna Official Community Plan, Chapter 14, Guideline 4.2

³ City of Kelowna Official Community Plan, Chapter 14, Guideline 6.1

⁴ City of Kelowna Official Community Plan, Chapter 14, Guideline 11.1

⁵ City of Kelowna Official Community Plan, Chapter 14, Guideline 12.1

- All tanks and piping used for storing and dispensing regulated or unregulated lubricating oils and/or combustible liquids must conform to part 4 of the BC Fire Code.
- A fuel dispensing/underground tank permit will be required to be obtained from the Kelowna Fire Department prior to installation.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Dumpster/refuse container must be 3 meters from structures
- Do not issue BP unless all life safety issues are confirmed

7.0 Application Chronology

Date of Application Received: February 7, 2017
Date Revised Plans Received: March 20, 2017
Date Public Consultation Completed: Not Required

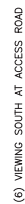
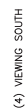
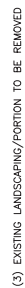
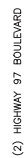
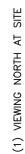
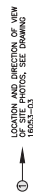
Report prepared by: Trisa Brandt, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Context/Site Photos
Draft Development Permit DP17-0021
Schedule "A": Site Plan
Schedule "B": Elevations and Materials
Schedule "C": Landscape Plan



DEVELOPMENT PERMIT



APPROVED ISSUANCE OF DEVELOPMENT PERMIT NO. DP17-0021

Issued To:	Victor Projects Ltd, Inc.No BC1050457
Site Address:	948 McCurdy Road
Legal Description:	Lot 4, Section 27, Township 26, ODYD, Plan 1879 Except Plans A12969, H8110, KAP64562, KAP85879, and EPP52046
Zoning Classification:	C3 – Community Central
Development Permit Area:	Comprehensive Development Permit Area - Commercial

SCOPE OF APPROVAL

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

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

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

1. TERMS AND CONDITIONS

THAT Development Permit No. DP17-0021 for Lot 4, Section 27, Township 26, ODYD, Plan 1879 Except Plans A12969, H8110, KAP64562, KAP85879, and EPP52046, located at 948 McCurdy Road, Kelowna, BC to allow the construction of a vehicle service station be approved subject to the following:

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

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

2. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) A Certified Cheque in the amount of \$29,611.88 OR
- b) An Irrevocable Letter of Credit in the amount of \$29,611.88 .

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

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. Indemnification

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

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

_____	_____
Ryan Smith, Community Planning Department Manager	Date
Community Planning & Real Estate	

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or his or her designates**

A

DP17-0021

Planner Initials TB



City of Kelowna
COMMUNITY PLANNING

THE CITY OF KELOWNA
DESIGN AND CONSTRUCTION
MR. LUBE CANADA
948 MCCURDY ROAD LOT 4 PLAN 18
COMPOSITE UTILITY & SITE GRADING
PLAN

BASE	BZ	DESIGN	BZ
APPROVED		DRP	
DATE			
SCALE		JAN 2017	
SCALE		HORIZ. 1:150	

**SCALE NOT ACCURATE
OVER LONG DISTANCES**

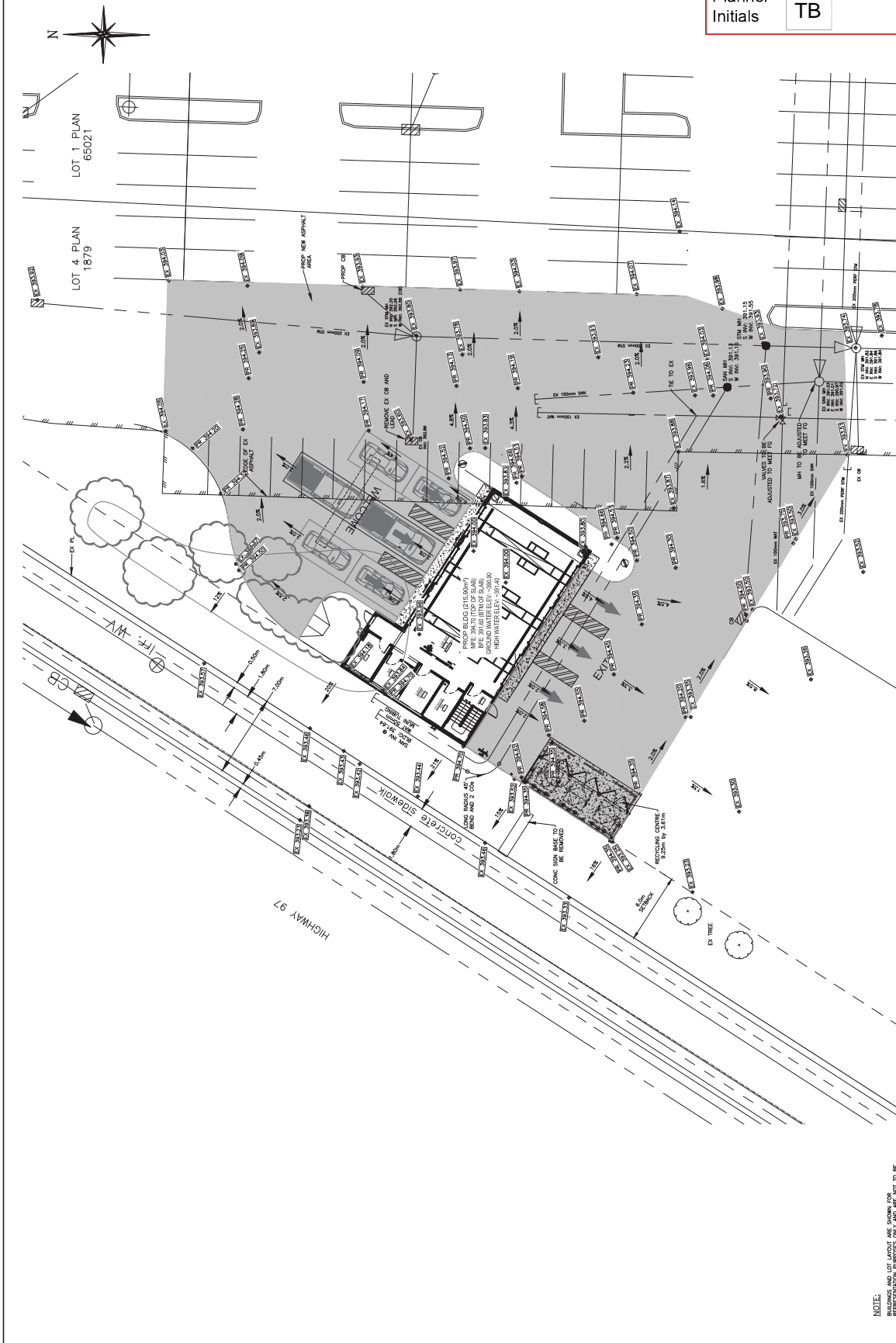
PROTECH CONSULTING 2012
200 - 1461 St. Paul Street Kelowna B.C.
Phone: 860-1771
FAX: 860-1994

LEGEND

WATER	EX. MANHOLE	WATER CURB STOP
SAN. SEWER	PROP. MANHOLE	SANITARY INSPECTION CHAMBER
STORM SEWER	POWER POLE	EXISTING ELEVATION
GAS	LAMP STANDARD	PROPOSED ELEVATION
u/g UTILITY (ALIGNMENT)		HYDRANT

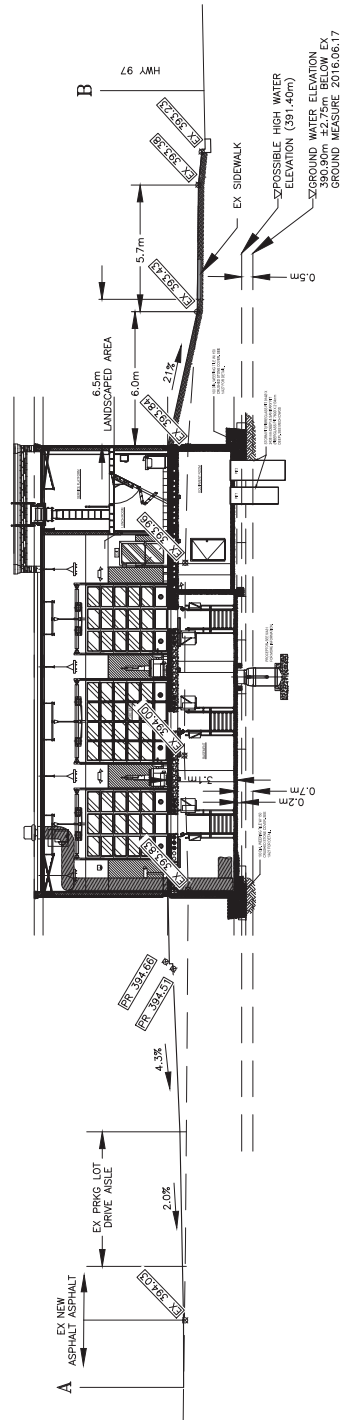
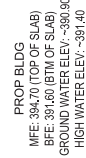
LEGEND

NOTE: BUILDINGS AND LOT LAYOUT ARE SHOWN FOR REPRESENTATION PURPOSES ONLY AND ARE NOT TO BE USED FOR BUILDING PLACEMENT.



A

TB



<p> LEGEND WATER ———— SAN. SEWER ———— STORM SEWER ———— GAS ———— 1/0 UTILITY (ALIGNMENT) ———— SURVEY MONUMENT — </p>		<p> DL MANHOLE <input type="radio"/> MH # <input type="radio"/> — WATER CURB STOP PROP. MANHOLE <input type="radio"/> MH # <input type="radio"/> — SANITARY INSPECTION CHAMBER CATCH BASIN <input type="radio"/> CB — CATCH BASIN JUMP STANDARD CURB <input type="radio"/> — JUMP STANDARD CURB CATCH BASIN <input type="radio"/> CB — CATCH BASIN HYDRANT <input type="radio"/> — HYDRANT SURVEY MONUMENT <input type="radio"/> — SURVEY MONUMENT </p>		<p> PROTECH CONSULTING 2012 200 - 1461 St. Paul Street, Kelowna B.C. Phone: 860-1771 FAX: 860-1994 </p>		<p> BASE BZ DESIGN BZ APPROVED DATE JAN 2017 SCALE 1:150 SCALE NOT ACCURATE OVER LONG DISTANCES </p>		<p> THE CITY OF KELOWNA DESIGN AND CONSTRUCTION MR. LUBE CANADA 948 McCURDY ROAD LOT 4 PLAN 1879 BUILDING CROSS SECTION DETAIL </p>		<p> DIVISION 8 </p>	
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SCHEDULE

A

This forms part of application

DP17-0021

Planner
Initials

TB

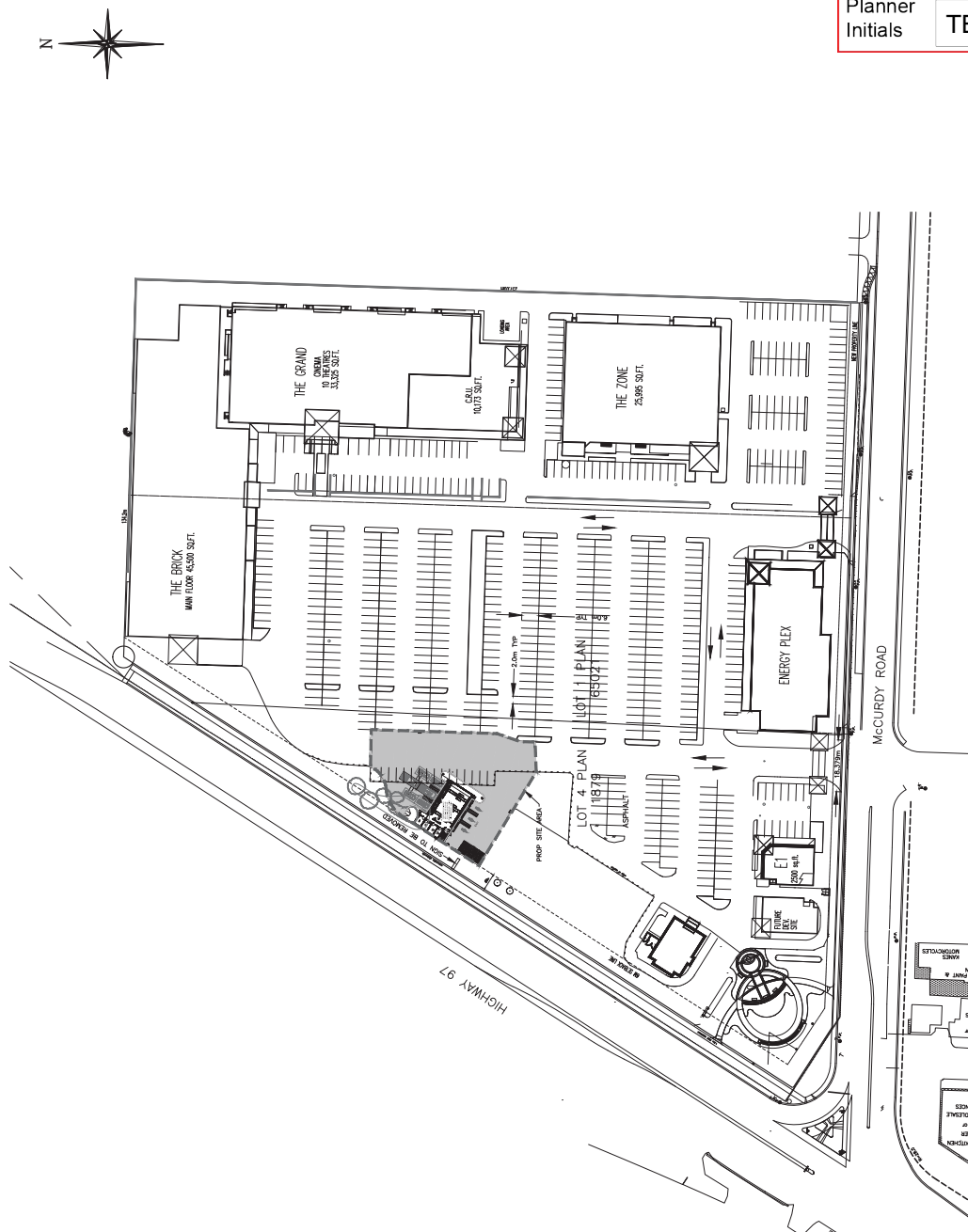
THE CITY OF KELOWNA
DESIGN AND CONSTRUCTION
MR. LUBE CANADA
948 McCURDY ROAD LOT 4 PLAN 1879
SITE PLAN

BASE APPROVED BY DESIGN REZ
DATE JAN 2017
SCALE HORIZ. 1"=50'
SCALE NOT ACCURATE
OVER LONG DISTANCES

NO. 11/14/17/20 BY
REVISION

PROTECH CONSULTING 2012
200 - 1461 St. Paul Street Kelowna B.C.
CANADA V1Y 1C6
TEL: 860-1894 FAX: 860-1894

LEGEND
WATER
SAN SEWER
STORM SEWER
GAS
U/G UTILITY (AUGMENT)
SURVEY MONUMENT
WATER CATCH STOP
MANHOLE
POWER POLE
LAMP STANDARD
COMBUSTIBLE
HYDRANT
SURVEY MONUMENT
WATER CATCH STOP
MANHOLE
POWER POLE
LAMP STANDARD
COMBUSTIBLE
HYDRANT
SURVEY MONUMENT





MR. LUBE
LUBE OIL CHANGERS

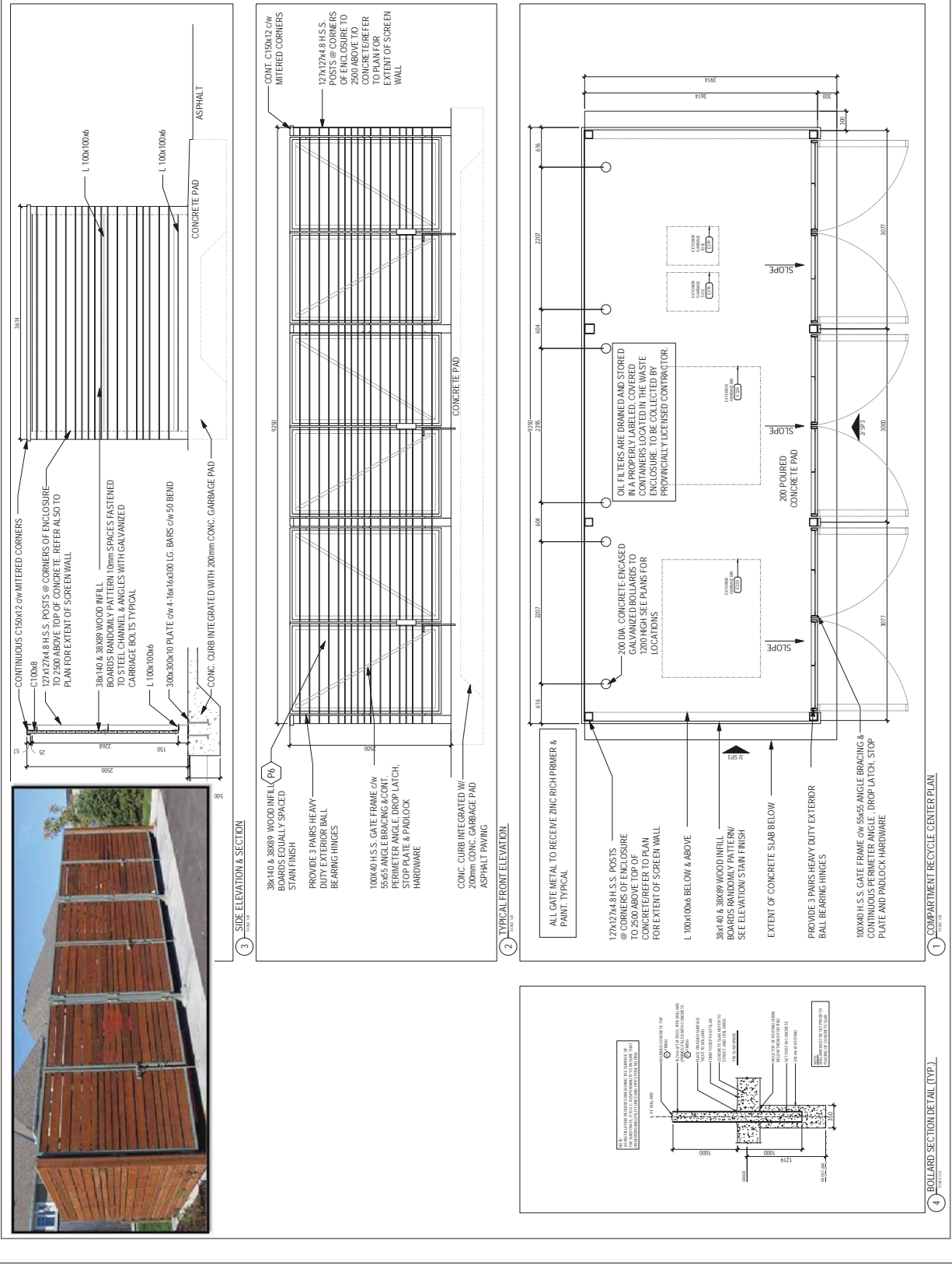
PROJECT: MR. LUBE - 3 BAY
OPTION #2

2525 TENTH LINE ROAD
WILLOW GROVE, BC V2Y 1A6

PLANNER INITIALS: [Blank]

TB

RECYCLE CENTER
ELEVATIONS & DETAILS



This forms part of application

DP17-0021

EXTERIOR
ELEVATIONS
PROPOSAL
OPTION 12

City of
Kelowna
COMMUNITY



COMMUNITY PLANNING

Planner
Initials

TB	
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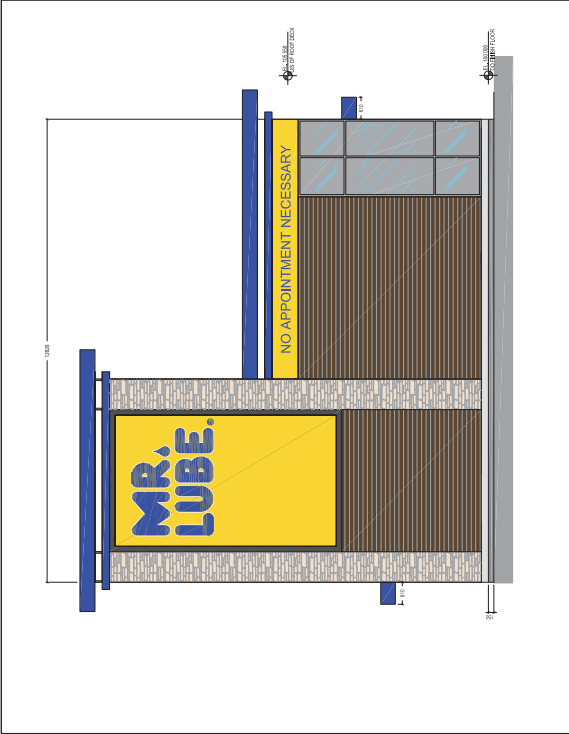
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PROJECT

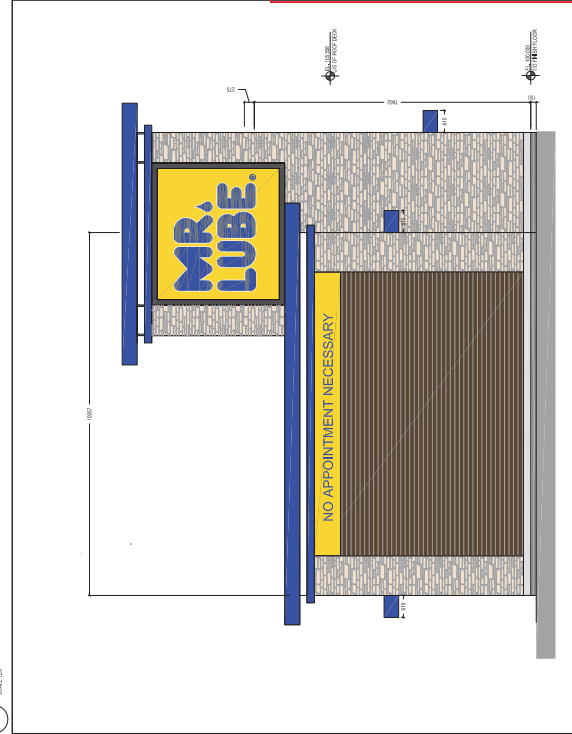
MR. LUBE - 197
KELOWNA
(NON-PHOTOGRAPHIC DESIGN)
MCURDY ROAD AND HIGHWAY 97
KELOWNA, BC
JOB NUMBER
JOB NUMBER

ISSUE BOOK	
DATE	TOPIC
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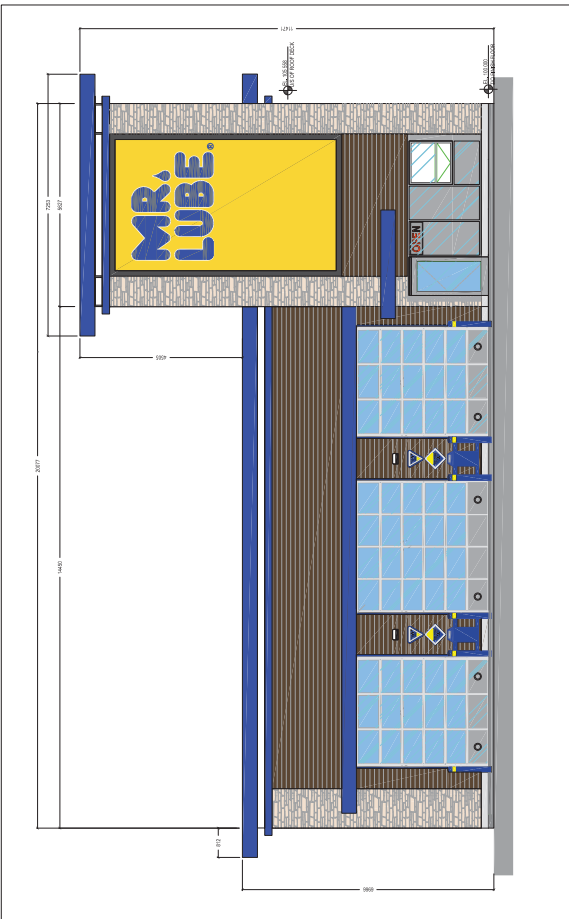
CHECKED BY:	-
DRAWN BY:	U.T.
FILE NAME:	
ROOM:	AR PLUMBING



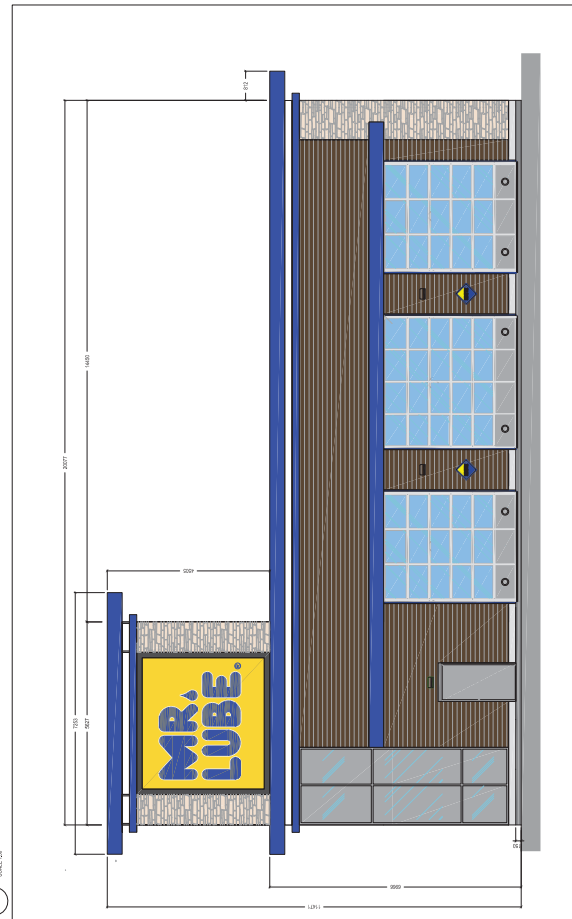
3 EXTERIOR ELEVATION - OFFICE SIDE



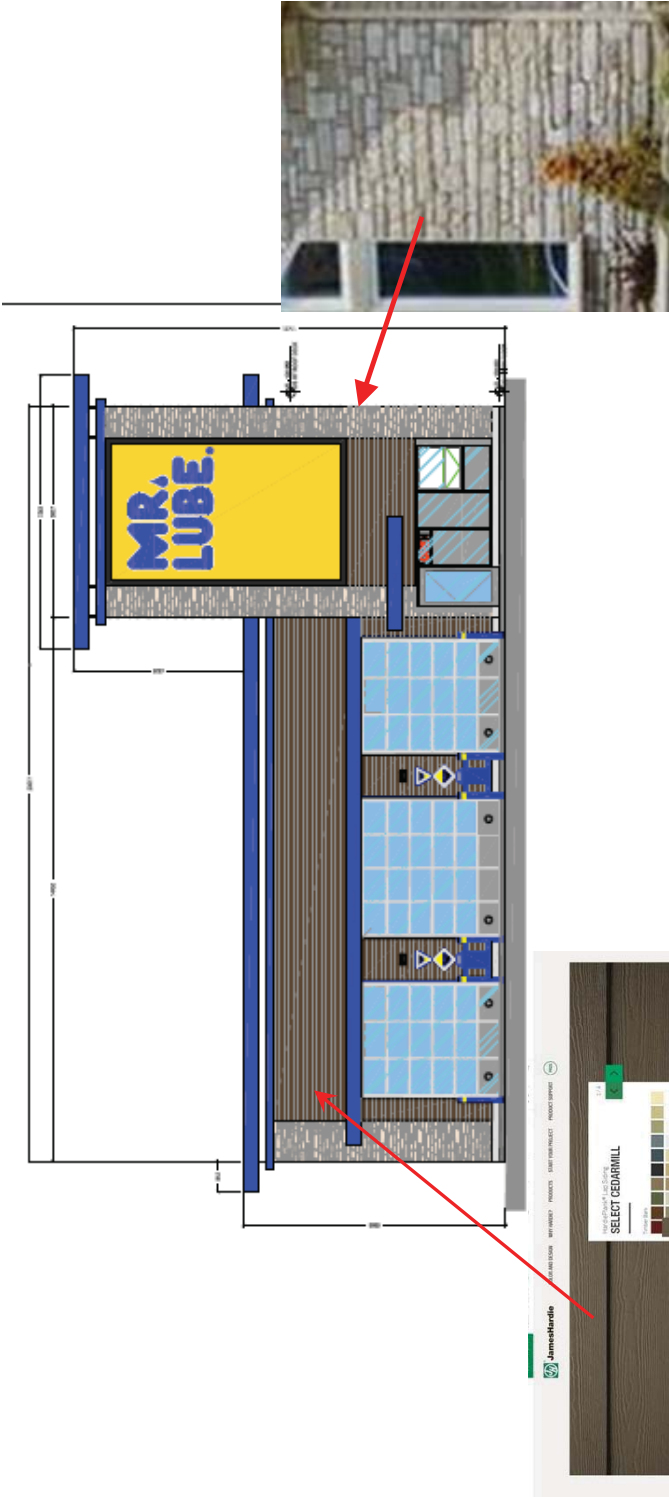
4 EXTERIOR ELEVATION- BAY SIDE (IMPACT STREET VIEW)



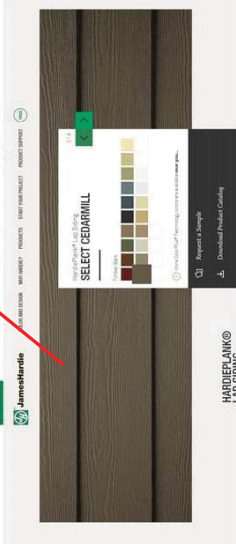
1 EXTERIOR ELEVATION- ENTRY SIDE



2 EXTERIOR ELEVATION-EXIT SIDE
SCALE 1/8"



Stone finish - Sholdice, stone veneer, designer stone, Colour Mix of Slate & Husdon.



Timber Bark Hardie Plank Siding with the Cedarmill texture

Exterior Building Finishes



PROJECT TITLE
MR LUBE

CLIENT
Kelowna, BC

DRAWING TITLE
**CONCEPTUAL
LANDSCAPE PLAN**

REVISION	DATE	BY	REVIEW
1	17.01.20		Review
2	17.02.20		Review
3			
4			
5			

SCHEDULE

This forms part of application
DP17-0021

Initials
Date

TB



DRAWING NUMBER



NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED B.C.L.N.A. STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
ACER RUBRUM ARMSTRONG	ARMSTRONG RED MAPLE	5	6cm CAL.
SHRUBS			
CORNUS ALBA 'BALHALO'	IVORY HALO DOGWOOD	89	#01 CONT. / 1.2M O.C. SPACING
RHUS AROMATICA 'GRO-LOW'	MUGO PINE	24	#01 CONT. / 1.2M O.C. SPACING
WEIGELA FLORIDA 'MINUET'	GRO-LOW SUMAC	64	#01 CONT. / 1.2M O.C. SPACING
ORNAMENTAL GRASSES			
PENNISETUM ALOPECUROIDES	MINUET WEIGELA	120	#01 CONT. / 1.2M O.C. SPACING
	FOUNTAIN GRASS	8	#01 CONT. / 1.0M O.C. SPACING





REVISIONS	
1	17/01/20
2	17/02/20
3	
4	
5	
6	

SCHEDULE
This forms part of application
DP17-0021

PROJECT NO. 17-008
DATE 17/01/20
DRAWN BY [Signature]
CHECKED BY [Signature]
APPROVED BY [Signature]
SCALE 1:1
SHEET 1 OF 1

City of Kelowna
COMMUNITY PLANNING

FOR REVIEW ONLY
This drawing is for review only and does not constitute a final design. It is subject to change without notice. The City of Kelowna is not responsible for the accuracy or completeness of the information provided.

IRRIGATION NOTES

1. IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE WATER USE REGULATION BYLAW NO. 10480 AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KELOWNA BYLAW 7900 (PART 6, SCHEDULE 5).
2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER PURVEYOR.
3. THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, AND SHUT OFF VALVE LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE CITY.
4. AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM ET VALUE OF 7 / MONTH (KELOWNA JULY ET), TAKING INTO CONSIDERATION SOIL TYPE, SLOPE, AND MICROCLIMATE.
5. DRIP LINE AND EMITTERS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTRUSION.
6. IRRIGATION SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES AND FEATURES.
7. IRRIGATION PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m / SEC.
8. A FLOW SENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

IRRIGATION LEGEND

- ZONE #1: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
[Blue dashed line icon]
MICROCLIMATE: WEST EXPOSURE. PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 121 cu.m.
- ZONE #2: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
[Yellow dashed line icon]
MICROCLIMATE: WEST EXPOSURE. PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 115 cu.m.

WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WB) = 421 cu.m. / year
ESTIMATED LANDSCAPE WATER USE (WU) = 232 cu.m. / year
WATER BALANCE = 187 cu.m. / year
*REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS



CITY OF KELOWNA

BYLAW NO. 11344

Official Community Plan Amendment No. OCP16-0012 – - 5425 Upper Mission Dr

A bylaw to amend the "Kelowna 2030 – Official Community Plan Bylaw No. 10500".

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "Kelowna 2030 – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of portions of Lot A Section 24, Township 28 SDYD Plan 18646 except Plans KAP83995, KAP83997, KAP87210, KAP88425 and KAP92762 located at 5425 Upper Mission Drive, Kelowna, BC from S2RES – Single / Two Unit Residential to the S2RESH – Single / Two Unit Residential – Hillside; from S2RESH – Single / Two Unit Residential – Hillside to PARK – Major Park and Open Space; and from PARK – Major Park and Open Space designation to the S2RESH – Single / Two Unit Residential – Hillside as shown on Map A attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 23rd day of January, 2017.

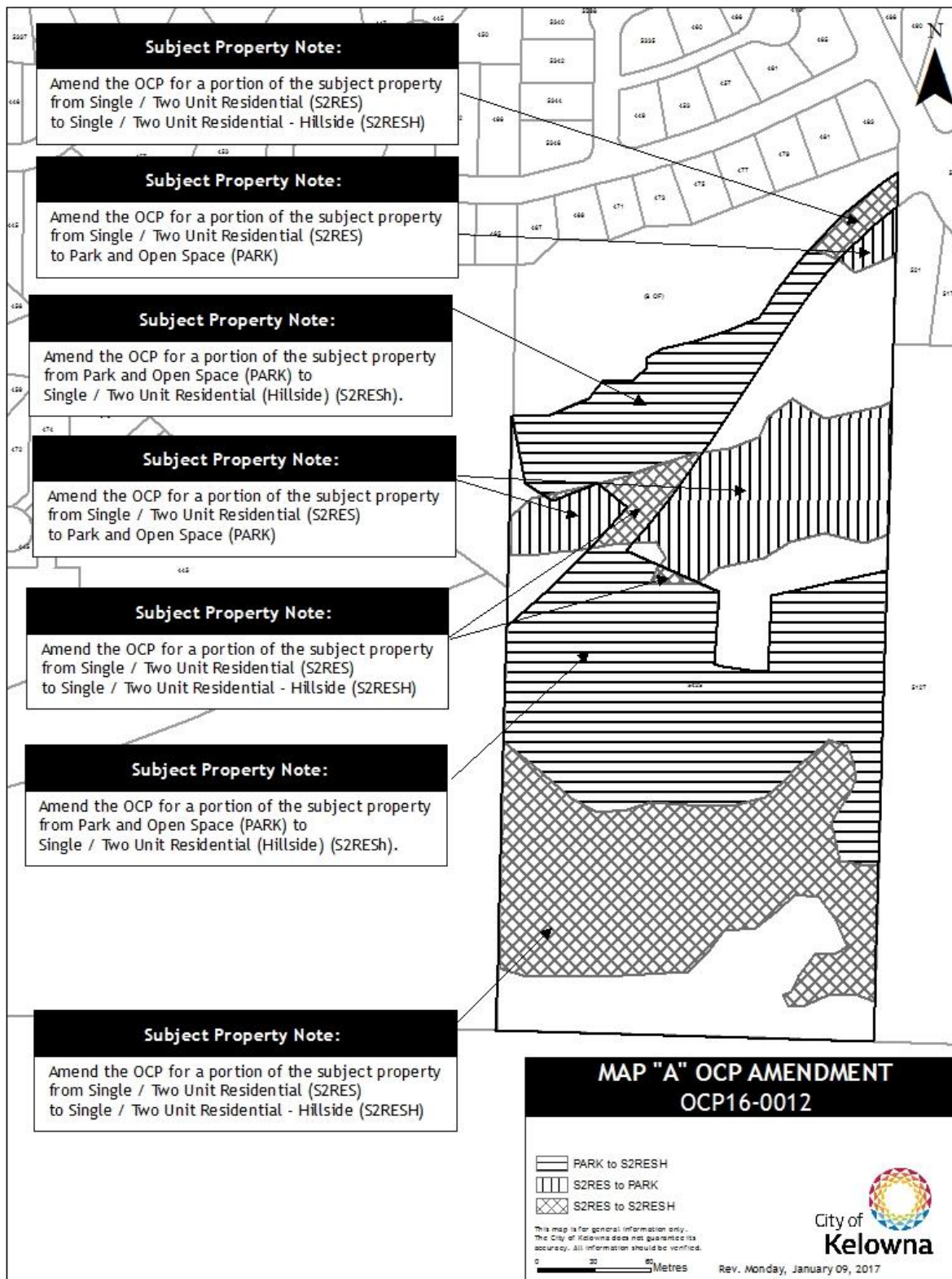
Considered at a Public Hearing on the 7th day of February, 2017.

Read a second and third time by the Municipal Council this 7th day of February, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11345
Z16-0024 – 5425 Upper Mission Drive

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot A Section 24, Township 28 SDYD Plan 18646 except Plans KAP83995, KAP83997, KAP87210, KAP88425 and KAP92762 located at 5425 Upper Mission Drive, Kelowna, BC from the RU1H – Large Lot Housing (Hillside Area) zone to the RH2 – Hillside Two Dwelling Zone; and the RU1H – Large Lot Housing (Hillside Area) zone to the P3 – Parks and Open Space Zone as shown on Map B attached;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 23rd day of January, 2017.

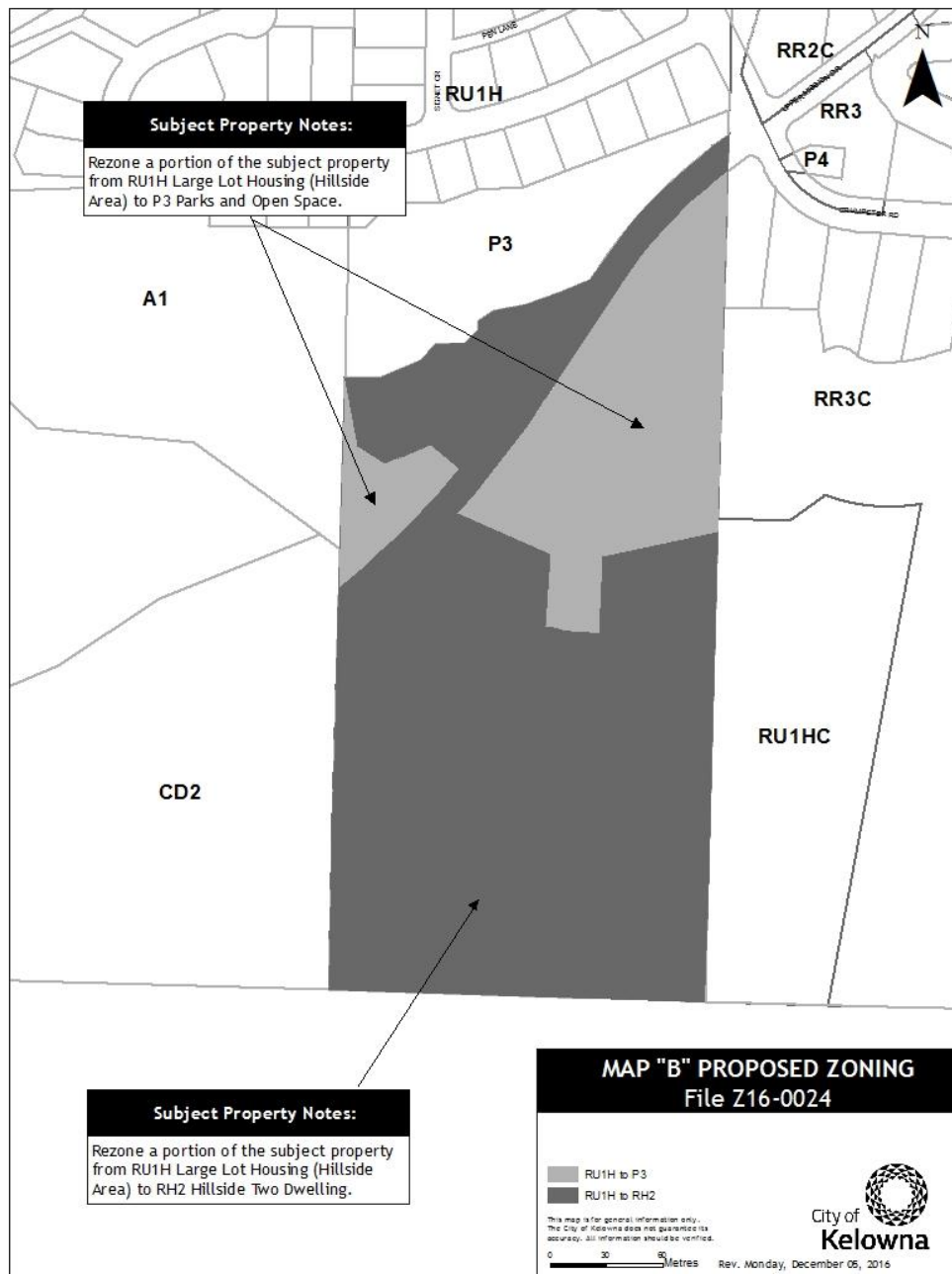
Considered at a Public Hearing on the 7th day of February, 2017.

Read a second and third time by the Municipal Council this 7th day of February, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11360
Z16-0085 – 3523 Landie Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot C, District Lot 134, ODYD, Plan 29197 located at Landie Road, Kelowna, BC from the RU1 – Large Lot Housing zone and RU1c – Large Lot Housing with Carriage House zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 20th day of February, 2017.

Considered at a Public Hearing on the 7th day of March, 2017.

Read a second and third time by the Municipal Council this 7th day of March, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11364

TA17-0003 – Section 16 – Public and Institutional Zones

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

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

1. THAT **Section 16 – Public and Institutional Zones, 16.4 – P4 – Utilities, 16.4.2 Principal Uses** be amended by adding in its appropriate location and new sub-section for "non-accessory parking" and renumber subsequent sub-sections;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 6th day of March, 2017.

Considered at a Public Hearing on the 21st day of March, 2017.

Read a second and third time by the Municipal Council this 21st day of March, 2017.

Approved under the Transportation Act this 11th day of April, 2017.

Audri Henry

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

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

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Part of Lot 2 Outlined Red on Plan A917 District Lot 134 ODYD Plan 2864 located on Swordy Road, Kelowna, B.C., from the P4 – Utilities and A1 – Agriculture zones to the P4 – Utilities zone as per Map A attached;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 6th day of March, 2017.

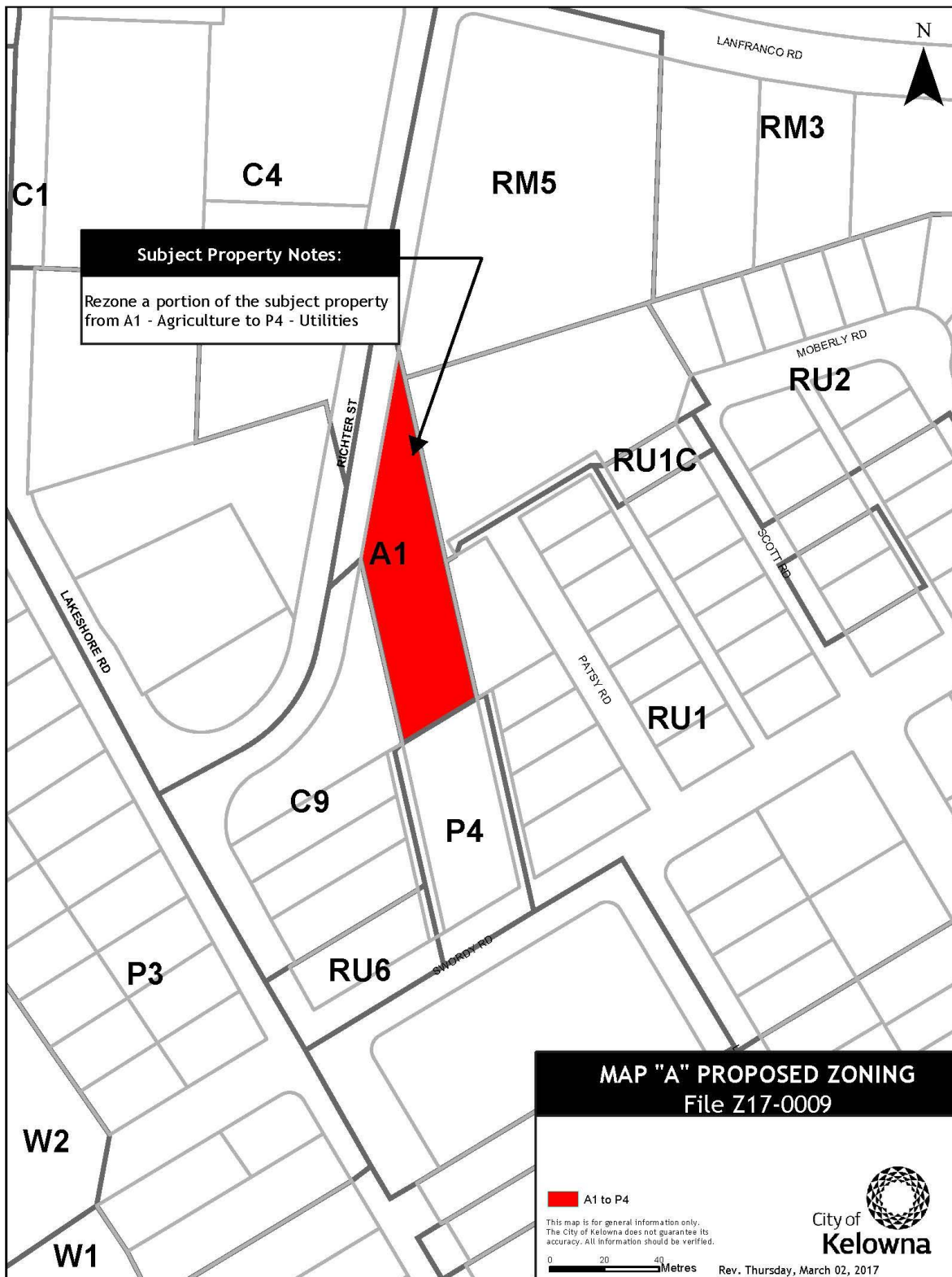
Considered at a Public Hearing on the 21st day of March, 2017

Read a second and third time by the Municipal Council this 21st day of March, 2017

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA

BYLAW NO. 11371

**Heritage Revitalization Agreement Authorization Bylaw HRA16-0001 –
Donald McDonald and Linda Scott-McDonald
1449 Ethel Street**

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

AND WHEREAS the Municipal Council of the City of Kelowna is desirous of entering into a Heritage Revitalization Agreement with Donald McDonald and Linda Scott-McDonald for the property located at 1449 Ethel Street, Kelowna, B.C.;

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

1. The Municipal Council of the City of Kelowna hereby authorizes the City of Kelowna to enter into a Heritage Revitalization Agreement with Donald McDonald and Linda Scott-McDonald for the property known as the "Billy-Lloyd Jones House" located at 1449 Ethel Street, Kelowna, B.C., and legally described as:

Lot 1, District lot 138, ODYD, Plan 2442;

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

2. The Mayor and City Clerk are hereby authorized to execute the attached agreement, as well as any conveyances, deeds, receipts and other documents in connection with the attached agreement, and to affix the corporate seal of the City of Kelowna to same.
3. This bylaw shall come into full force and effect as of and from the date of adoption.

Read a first time by the Municipal Council this 20th day of March, 2017.

Considered at a Public Hearing this

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE "A"
HERITAGE REVITALIZATION AGREEMENT

THIS AGREEMENT dated as of the ___ day of _____, 2017

BETWEEN:

City of Kelowna, a Municipal Corporation having offices at 1435 Water Street, Kelowna, British Columbia V1Y 1J4

(herein called the "CITY")

OF THE FIRST PART

AND: Donald Franklin McDonald and Linda Joan Scott-McDonald of 1449 Ethel Street, Kelowna, British Columbia, V1Y2X5

(herein called the "OWNER")

OF THE SECOND PART

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

AND WHEREAS the Owner owns certain real property on which is situated a building of heritage value, pursuant to the City's Heritage Register, which property and building are located at 1449 Ethel Street, Kelowna, BC and legally described as:

Parcel Identifier: 002-001-527
Lot 1, District Lot 138, ODYD, Plan 2442

(herein called the "Heritage Lands")

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

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

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

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

1.0 Heritage Revitalization

- 1.1 The parties agree that the Heritage Lands have heritage value, deserving of protection and conservation and the Owner specifically agrees to maintain, preserve and protect the heritage character of the buildings located on the Heritage Lands (Billy Lloyd-Jones House) in accordance with attached Schedule "AA".
- 1.2 The parties agree that the Heritage Lands may, notwithstanding the RU6 – Two Dwelling Housing zoning on the Heritage Lands, be used for the following permitted uses:
- (a) The adaptive reuse of the residential property to a space for small scale special events such as but not limited to weddings, corporate lunches, birthday parties, garden tours, and heritage tours, provided that:
- i. The hours of operation for any commercial enterprises taking place outdoors on the subject property shall take place between 9am – 10pm, Sunday through Saturday;
 - ii. The hours of operation for any commercial enterprises taking place indoors on the subject property shall take place between 9am – 12 midnight, Sunday through Saturday;
 - iii. The frequency of weekend events is not to exceed 4 events per month to a maximum of 24 per year;
 - iv. The frequency of weekday events is not to exceed 4 events per month to a maximum of 24 per year;
 - v. The subject property must adhere to the rules and regulations set out in the City of Kelowna Noise Control Bylaw No. 6647.
 - vi. The number of attendees is limited to 30 guests within the heritage home as per British Columbia Building Code Regulations;
 - vii. The serving of alcohol is regulated by the Liquor Control and Licensing Branch of British Columbia (LCLB) and hosts of the special events shall abide by the licensing regulations of the LCLB;
 - viii. Four on-site parking stalls shall be provided on the front driveway accessed from Ethel Street;
 - ix. One on-site loading stall shall be provided from the lane off Stockwell Avenue;
 - vi. A minimum of one dwelling unit on site shall be used for a full time residence;
 - vii. A maximum of 4 Bed & Breakfast rooms within the heritage home may be used for nightly accommodation as related to hosting special events. Consecutive stays must be 3 days or less;
 - viii. The 2 bedroom carriage house may be used for special events and/or nightly accommodation as related to hosting special events. Consecutive stays for nightly accommodation must be 3 days or less;
 - viv. A maximum of 4 rooms may be used for nightly accommodation at any one point in time in any combination of rooms in the heritage home and carriage house;
 - vv. The business sign be limited to one non-illuminated nameplate not to exceed 2.5 square feet in area as regulated by City of Kelowna Sign Bylaw No.8235;

- vvi. Fencing and landscaping shall be maintained to provide a visual and sound buffer for adjacent properties;
 - vii. No nuisance from noise, vibration, smoke, dust, odours, traffic, heat, glare, electrical or radio disturbance shall be produced and the privacy and enjoyment of adjacent properties shall be preserved;
 - viii. The owners/operators of the business shall hold a valid City of Kelowna Business License for Special Events and Bed and Breakfast as per City of Kelowna Business License and Regulation Bylaw No. 7878.
- 1.3 The parties agree that, except as varied or supplemented by the provisions of this agreement, all bylaws and regulations of the City and all laws of any authority having jurisdiction shall apply to the property and commercial business.
- 1.4 Where a Heritage Alteration Permit is required, the discretion to approve, refuse, or revise such permit is delegated by Council to the Director of Land Use Management.
- 2.0 Conservation and Maintenance of Existing Development.**
- 2.1 The owner agrees not to alter the exterior of the heritage building except pursuant to a Heritage Alteration Permit issued by the City, and in accordance with this agreement.
- 2.2 The owner agrees to maintain the exterior of the Heritage Building (Billy Lloyd-Jones House) and Carriage House on the Heritage Lands in general accordance with the photographs attached hereto as Schedule "AA";
- 2.3 If original features must be replaced, the new material shall be similar or identical to the original. Where original features were removed through earlier renovations or alterations and the replacements were not in keeping with the original style of the building, any subsequent replacement of these features shall complement the building's heritage style.
- 3.0 Proposed Development**
- 3.1 The parties agree that variances to the following subsections of City of Kelowna Zoning Bylaw No. 8000 be granted through this agreement:
- Zoning Bylaw No. 8000 – Section 9.5b.8 – Carriage House Regulations**
- To allow a carriage house in conjunction with a Bed and Breakfast.
- Zoning Bylaw No. 8000 – Section 9.6.1(a) – Bed and Breakfast Regulations:**
- To allow a Bed and Breakfast to operate with a total of 6 rooms, only 4 of which may be used at any one time; and to allow 2 of those rooms to exist in the carriage house rather than the principal dwelling.
- Zoning Bylaw No. 8000 – Table 8.1 – Parking Schedule:**
- To reduce the required number of parking spaces from 8 (required) to 4 plus 1 loading stall (proposed).
- 3.2 The Owner agrees to undertake and maintain appropriate landscaping on the subject property.

4.0 Damage or Destruction

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

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

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

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

5.0 Breach

5.1 In the event that the Owner is in breach of any term of this Agreement, the City may give the Owner notice in writing of the breach and the Owner shall remedy the breach within 30 days of receipt of the notice. In the event that the Owner fails to remedy the breach within the time allotted by the notice, the City may, by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 464 through 470 of the *Local Government Act*, cancel this Agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

6.0 Amendment

6.1 The parties acknowledge and agree that this Agreement may only be amended by one of the following means:

a) By bylaw with the consent of the parties provided that a Public Hearing shall be held if an amendment would permit a change to use or density of use on site or;

b) By Heritage Alteration Permit (HAP), issued pursuant to Section 617 of the *Local Government Act*.

7.0 Representations

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

8.0 Statutory Functions

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

9.0 Inurement

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

10.0 Other Documents

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

11.0 Notices

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

(a) To the City:

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

ATTENTION: City Clerk

(b) To the Owner:

Donald Franklin McDonald
Linda Joan Scott-McDonald
1449 Ethel Street
Kelowna, BC
V1Y2X5

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

12.0 No Partnership or Agency

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

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

CITY OF KELOWNA
By its authorized signatories

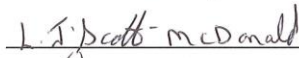
Mayor

City Clerk

Donald Franklin McDonald



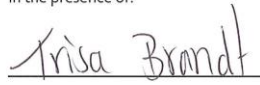
Linda Joan Scott-McDonald



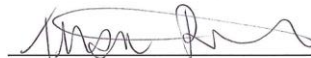
Date:



In the presence of:



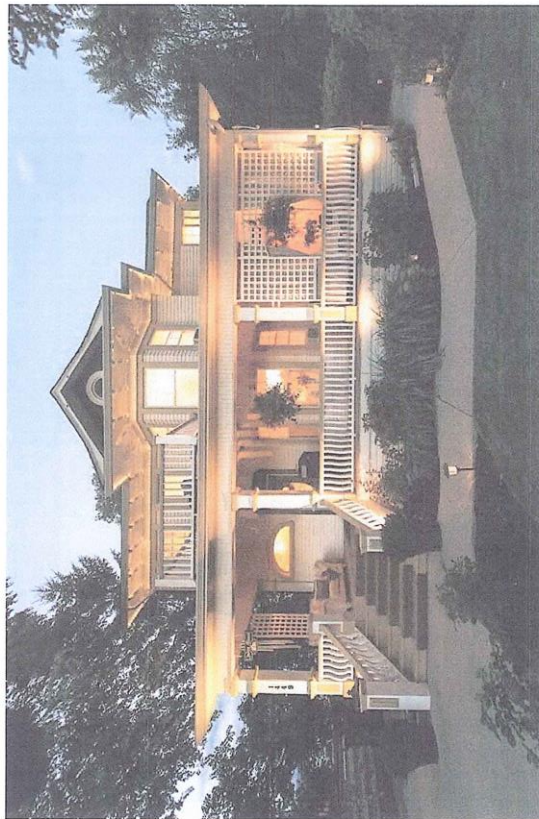
Witness (print name)
TRISA BRANDT
A COMMISSIONER FOR TAKING
AFFIDAVITS FOR BRITISH COLUMBIA
1115 WATER STREET, KELOWNA, BC V1Y 1J4
Address
Order No. 2015-1159
Expiry Date: 2018-09-30



Witness (Signature)

Occupation

SCHEDULE		AA
This forms part of application # HRA16-0001		
Planner Initials	TB	 City of Kelowna COMMUNITY PLANNING



SCHEDULE		AA
This forms part of application # HRA16-0001		
Planner Initials	TB	 City of Kelowna COMMUNITY PLANNING



Carriage House

SCHEDULE	AA
This forms part of application # HRA16-0001	
Planner Initials	TB
 City of Kelowna COMMUNITY PLANNING	



Report to Council



Date: April 24, 2017
File: 0280-40
To: City Manager
From: Angie Schumacher, Revenue Supervisor
Subject: 2017 Sterile Insect Release (SIR) parcel tax
Report Prepared by: Jay Jean, Accountant

Recommendation:

THAT Council approve the Sterile Insect Release Program as outlined in the report dated April 24, 2017, charging the 2017 Sterile Insect Release (SIR) Parcel Tax to individual property tax rolls in accordance with the 2017 SIR Parcel Tax Assessment Roll provided to the City of Kelowna by SIR administration.

AND THAT Bylaw No. 11379 being the Sterile Insect Release Program Parcel Tax Bylaw 2017 be forwarded for reading consideration.

Purpose:

To authorize the 2017 Sterile Insect Release parcel tax levy on specified property tax rolls within the City of Kelowna.

Background:

The SIR Program is an area wide codling moth management program operating in key growing areas of the Okanagan, Similkameen and Shuswap Valleys, in commercial orchards and urban areas. The SIR Board governs the service provided through bylaws of the Okanagan Similkameen, Central, North and Columbia Shuswap Regional Districts. Funding is requisitioned through a land value tax paid by all property owners in the service area and a parcel tax levied against planted host tree acreage. The SIR Program provides enforcement of area wide management and control of codling moth infestation as well as the rearing and releasing of sterile codling moths throughout orchards. This environmentally friendly technique reduces the need for reliance on pesticides. Sterile insect technology allows for greater opportunities for sustainable agricultural practices such as integrated pest management controls of orchard pests. A reduction in chemical sprays benefits the entire community through less environmental impact to the air, water and soil quality, benefiting public health as well as producing quality fruit.

The program consists of two separate levies. The first levy is based on the assessed value of the land and a tax rate for each class of property (residential, utility, major and light industrial, recreational, business, and farm land), and is provided by the Regional District of Central Okanagan. It applies, generally, to all property tax rolls within the City of Kelowna.

The second levy is a parcel tax applicable to all properties that are 0.30 acres or more and contain 20 or more codling moth host trees (apple, pear, crab apple, and quince). The 2017 charge of \$139.26 per assessed acre will be applied to all property tax rolls on the list provided by SIR administration and are attached to Bylaw 11379.

The attached chart lists the historical annual budget figures levied on property within the City of Kelowna as well as the year over year percentage change.

	2011	2012	2013	2014	2015	2016	2017
General Levy on All Properties	\$708,054	\$703,129	\$708,659	\$715,400	\$719,400	\$725,950	\$731,272
Percentage Change from Prior Year	0.32%	-0.70%	0.79%	0.95%	0.56%	0.91%	0.73%
Parcel Tax Levy	\$378,955	\$366,295	\$352,690	\$344,695	\$336,120	\$329,755	\$322,597
Percentage Change from Prior Year	-4.39%	-3.34%	-3.71%	-2.27%	-2.49%	-1.89%	-2.17%
Per Acre Charge for Parcel Tax	\$139.26	\$139.26	\$139.26	\$139.26	\$139.26	\$139.26	\$139.26
Percentage Change from Prior Year	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

Internal Circulation:

Office of the City Clerks

Legal/Statutory Authority:

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

Financial/Budgetary Considerations:

While the SIR program is run across the 4 participating regional districts, each municipality has tax authority over their own specific area. Each municipality deals with the parcel tax and then passes on the funds to the Regional District, who then uses the funds to pay for the SIR Program.

Considerations not applicable to this report:
Legal/Statutory Procedural Requirements:
Existing Policy:
Personnel Implications:
External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:

Submitted by:

Angie Schumacher, Revenue Supervisor

Approved for inclusion:



Genelle Davidson, Divisional Director, Financial Services

Attachments:
2017 SIR Parcel Tax Roll

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	3108010	1355 LATTA RD	LOT 10, PLAN KAP1611, SEC 1, TWP 23, 41	6.39	889.87
217	3121000	2355 MCKENZIE RD	LOT A, PLAN KAP15859, SEC 1, TWP 23, 41	6.37	887.09
217	3121010	2295 MCKENZIE RD	LOT 2, PLAN KAP33255, SEC 1, TWP 23, 41	20.40	2840.90
217	3186100	2685 SEXSMITH RD	LOT 1, PLAN KAP45492, SEC 3, TWP 23, 41	9.02	1256.13
217	3205000	2635 SEXSMITH RD	LOT 1, PLAN KAP12772, SEC 3&33, TWP 23, 41	1.00	139.26
217	3210125	2517 SEXSMITH RD	LOT 10, PLAN KAP21431, SEC 3&4, TWP 23, 41	6.84	952.54
217	3210210	705 VALLEY RD	LOT B, PLAN KAP31659, SEC 3, TWP 23, 41	3.70	515.26
217	3255321	1982 UNION RD	LOT A, PLAN KAP75150, SEC 4, TWP 23, 41	1.00	139.26
217	3255322	1980 UNION RD	LOT B, PLAN KAP75150, SEC 4, TWP 23, 41	1.00	139.26
217	3262000	2389 LONGHILL RD	LOT 13, PLAN KAP1068, SEC 4, TWP 23, 41	2.81	391.32
217	3263000	2206 LONGHILL RD	LOT 2, PLAN KAP1068, SEC 4&34, TWP 23, 41	7.33	1020.78
217	3264000	185 VALLEY RD	LOT 3, PLAN KAP1068, SEC 4&34, TWP 23, 41	3.77	525.01
217	3266000	143 1 VALLEY RD	LOT 5, PLAN KAP1068, SEC 4, TWP 23, 41	3.84	534.76
217	3267000	127 1 VALLEY RD	LOT 6, PLAN KAP1068, SEC 4, TWP 23, 41	9.27	1290.94
217	3268000	2214 BONN RD	LOT 7, PLAN KAP1068, SEC 4, TWP 23, 41	4.51	628.06
217	3269000	115 VALLEY RD N	LOT 8, PLAN KAP1068, SEC 4, TWP 23, 41	10.16	1414.88
217	3270000	2547 SEXSMITH RD	LOT 11, PLAN KAP1068, SEC 3&4, TWP 23, 41	1.23	171.29
217	3271000	220 MAIL RD	LOT 12, PLAN KAP1068, SEC 4, TWP 23, 41	8.46	1178.14
217	3272000	180 MAIL RD	LOT 13, PLAN KAP1068, SEC 4, TWP 23, 41	7.01	976.21
217	3274000	135 VALLEY RD N	LOT H, PLAN KAP1636, SEC 4, TWP 23, 41	5.34	743.65
217	3278000	800 PACKINGHOUSE RD	LOT 3, PLAN KAP1884, SEC 4&9, TWP 23, 41	1.00	139.26
217	3279000	2160 SCENIC RD	LOT 4, PLAN KAP1884, SEC 4&9, TWP 23, 41	4.44	618.31
217	3337532	770 PACKINGHOUSE RD	LOT A, PLAN KAP35054, SEC 4, TWP 23, 41	3.86	537.54
217	3395000	531 GLENMORE RD N	LOT 29, PLAN KAP896, SEC 9, TWP 23, 41	6.39	889.87
217	3645000	2434 GALE RD	LOT 2, PLAN KAP1453, SEC 23, TWP 23, 41	1.77	246.49
217	3646000	2504 GALE RD	LOT 3, PLAN KAP1453, SEC 23, TWP 23, 41	4.17	580.71
217	3650000	2801 DRY VALLEY RD	LOT 7, PLAN KAP1453, SEC 23, TWP 23, 41	2.58	359.29
217	3664000	2155 PIER MAC WAY	LOT 1, PLAN KAP2257, SEC 23, TWP 23, 41	2.33	324.48
217	3664516	2849 DRY VALLEY RD	LOT B, PLAN KAP37471, SEC 23, TWP 23, 41	10.67	1485.90
217	3884000	3310 MATHEWS RD	LOT 63, PLAN KAP1247, SEC 3&34, TWP 26, 41	9.56	1331.33
217	3899000	3260 MATHEWS RD	LOT 109, PLAN KAP1247, SEC 3, TWP 26, 41	3.12	434.49
217	3905001	4232 SPIERS RD	LOT 117, PLAN KAP1247, SEC 3, TWP 26, 41	7.16	997.10
217	3905104	4236 SPIERS RD	LOT B, PLAN KAP92871, SEC 3, TWP 26, 41	4.45	619.71
217	3906000	4233 SPIERS RD	LOT 119, PLAN KAP1247, SEC 3, TWP 26, 41	5.01	697.69

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	3907000	4221 SPIERS RD	LOT 120, PLAN KAP1247, SEC 3, TWP 26, 41	11.20	1559.71
217	3908000	4215 SPIERS RD	LOT 121, PLAN KAP1247, SEC 3, TWP 26, 41	1.00	139.26
217	3912000	3030 GRIEVE RD	LOT 125, PLAN KAP1247, SEC 3, TWP 26, 41	5.50	765.93
217	3913001	3015 GRIEVE RD	LOT 126, PLAN KAP1247, SEC 3, TWP 26, 41	9.88	1375.89
217	3913100	3145 GULLEY RD	LOT 127, PLAN KAP1247, SEC 3, TWP 26, 41	9.20	1281.19
217	3949320	4280 SPIERS RD	LOT B, PLAN KAP34609, SEC 3, TWP 26, 41	9.95	1385.64
217	3949340	4207 SPIERS RD	LOT B, PLAN KAP47098, SEC 3, TWP 26, 41	3.07	427.53
217	3949390	3480 WATER RD	LOT A, PLAN KAP71707, SEC 3, TWP 26, 41	6.46	899.62
217	3950000	3965 TODD RD	LOT , PLAN KAP1247, SEC 4, TWP 26, 41	8.67	1207.38
217	3952062	3865 SPIERS RD	LOT 138, PLAN KAP1247, SEC 4, TWP 26, 41	6.75	940.01
217	3953000	3895 SPIERS RD	LOT 139, PLAN KAP1247, SEC 4, TWP 26, 41	4.71	655.91
217	3955000	2809 GRIEVE RD	LOT 141, PLAN KAP1247, SEC 4, TWP 26, 41	11.94	1662.76
217	3956000	4201 SPIERS RD	LOT 142, PLAN KAP1247, SEC 4, TWP 26, 41	6.18	860.63
217	3960000	2699 SAUCIER RD	LOT 145, PLAN KAP1247, SEC 4, TWP 26, 41	3.76	523.62
217	3965000	4175 TODD RD	LOT 150, PLAN KAP1247, SEC 4, TWP 26, 41	8.33	1160.04
217	3968000	4067 TODD RD	LOT 153, PLAN KAP1247, SEC 4, TWP 26, 41	6.43	895.44
217	3971503	2287 WARD RD	LOT B, PLAN KAP78689, SEC 4, TWP 26, 41	35.86	4993.86
217	3973000	3980 TODD RD	LOT 159, PLAN KAP1247, SEC 4, TWP 26, 41	2.41	335.62
217	3979000	2715 HEWLETT RD	LOT 3, PLAN KAP1656, SEC 4, TWP 26, 41	8.31	1157.25
217	3981000	2570 SAUCIER RD	LOT , PLAN KAP6018B, SEC 4, TWP 26, 41	1.18	164.33
217	3985000	2675 HEWLETT RD	LOT A, PLAN KAP12142, SEC 4, TWP 26, 41	4.83	672.63
217	3990002	3950 SPIERS RD	LOT E, PLAN KAP12142, SEC 4, TWP 26, 41	1.37	190.79
217	3995027	3920 TODD RD	LOT B, PLAN KAP21140, SEC 4, TWP 26, 41	1.00	139.26
217	3995159	3955 SPIERS RD	LOT A, PLAN KAP56989, SEC 4, TWP 26, 41	1.33	185.22
217	3995172	2620 HEWLETT RD	LOT 2, PLAN KAP92520, SEC 4, TWP 26, 41	8.49	1182.32
217	3997000	1591 SAUCIER RD	LOT 237, PLAN KAP1247, SEC 5, TWP 26, 41	7.78	1083.44
217	4008001	4025 CASORSO RD	LOT A, PLAN KAP91004, SEC 5, TWP 26, 41	2.83	394.11
217	4008002	4029 CASORSO RD	LOT B, PLAN KAP91004, SEC 5, TWP 26, 41	3.15	438.67
217	4014004	3896A CASORSO RD	LOT A, PLAN KAP92331, SEC 5, TWP 26, 41	8.93	1243.59
217	4016000	3877 CASORSO RD	LOT 4, PLAN KAP2243, SEC 5, TWP 26, 41	1.51	210.28
217	4021000	3995 CASORSO RD	LOT 8, PLAN KAP2243, SEC 5, TWP 26, 41	5.70	793.78
217	4023000	1989 WARD RD	LOT 10, PLAN KAP2243, SEC 5, TWP 26, 41	9.33	1299.30
217	4029000	4153 BEDFORD RD	LOT 1, PLAN KAP15793, SEC 5, TWP 26, 41	5.77	803.53
217	4031000	4122 BEDFORD RD	LOT 4, PLAN KAP15793, SEC 5, TWP 26, 41	1.88	261.81

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217	4032158	3860 CASORSO RD	LOT 2, PLAN KAP89549, SEC 5, TWP 26, 41	1.00	139.26
217	4118205	1950 WARD RD	LOT A, PLAN KAP48946, SEC 8, TWP 12, 41	12.85	1789.49
217	4118206	1990 WARD RD	LOT B, PLAN KAP48946, SEC 8, TWP 12, 41	2.49	346.76
217	4121000	3677 SPIERS RD	LOT 1, PLAN KAP1072, SEC 9, TWP 26, 41	4.74	660.09
217	4127000	3663 SPIERS RD	LOT 2, PLAN KAP1765, SEC 9, TWP 26, 41	7.25	1009.64
217	4151030	3769 SPIERS RD	LOT 1, PLAN KAP23684, SEC 9, TWP 26, 41	1.66	231.17
217	4151105	2190 GULLEY RD	LOT A, PLAN KAP26008, SEC 9, TWP 26, 41	7.36	1024.95
217	4151125	2568 K.L.O. RD	LOT B, PLAN KAP26528, SEC 9, TWP 26, 41	3.53	491.59
217	4151140	3664 SPIERS RD	LOT A, PLAN KAP28797, SEC 9, TWP 26, 41	13.98	1946.85
217	4151150	3668 SPIERS RD	LOT B, PLAN KAP28797, SEC 9, TWP 26, 41	1.00	139.26
217	4151155	3678 SPIERS RD	LOT C, PLAN KAP28797, SEC 9, TWP 26, 41	6.77	942.79
217	4151192	2777 K.L.O. RD	LOT A, PLAN KAP43297, SEC 9&10, TWP 26, 41	9.58	1334.11
217	4151195	3740 HART RD	LOT 6, PLAN KAP29282, SEC 9, TWP 26, 41	6.47	901.01
217	4151200	2452 GULLEY RD	LOT 7, PLAN KAP29282, SEC 9, TWP 26, 41	21.88	3047.01
217	4151210	2725 K.L.O. RD	LOT A, PLAN KAP45934, SEC , TWP 26, 41	28.73	4000.94
217	4151260	2295 K.L.O. RD	LOT 2, PLAN KAP33463, SEC 9, TWP 26, 41	8.62	1200.42
217	4151265	3551 SPIERS RD	LOT 3, PLAN KAP33463, SEC 9, TWP 26, 41	3.28	456.77
217	4151292	2202 GULLEY RD	LOT A, PLAN KAP44147, SEC 9, TWP 26, 41	21.08	2935.60
217	4151300	3671 SPIERS RD	LOT A, PLAN KAP70726, SEC 9, TWP 26, 41	1.23	171.29
217	4152000	3690 POOLEY RD	LOT , PLAN , SEC 10, TWP 26, 41	16.99	2366.03
217	4154000	3400 REEKIE RD	LOT 3, PLAN KAP355, SEC 10, TWP 26, 41	8.73	1215.74
217	4156000	3455 ROSE RD	LOT 4, PLAN KAP355, SEC 10, TWP 26, 41	16.80	2339.57
217	4157051	3480 FITZGERALD RD	LOT 5, PLAN KAP355, SEC 10, TWP 26, 41	10.07	1402.35
217	4158000	3201 ROSE RD	LOT 3, PLAN KAP790, SEC 10, TWP 26, 41	16.21	2257.40
217	4160001	3090 MCCULLOCH RD	LOT 5, PLAN KAP790, SEC 10, TWP 26, 41	5.65	786.82
217	4161000	3641 HART RD	LOT 7, PLAN KAP790, SEC 10, TWP 26, 41	6.80	946.97
217	4167000	3286 MCCULLOCH RD	LOT 3, PLAN KAP978, SEC 10, TWP 26, 41	6.58	916.33
217	4168000	3296 1 MCCULLOCH RD	LOT 4, PLAN KAP978, SEC 10, TWP 26, 41	4.11	572.36
217	4170000	3041 POOLEY RD	LOT 3, PLAN KAP1517, SEC 10, TWP 26, 41	2.40	334.22
217	4171000	3131 POOLEY RD	LOT 2, PLAN KAP1517, SEC 10, TWP 26, 41	1.00	139.26
217	4174002	3099 MCCULLOCH RD	LOT B, PLAN KAP71621, SEC 10, TWP 26, 41	2.91	405.25
217	4176000	3591 HART RD	LOT 3, PLAN KAP1589, SEC 10, TWP 26, 41	3.33	463.74
217	4179000	3635 REEKIE RD	LOT A, PLAN KAP2038, SEC 10, TWP 26, 41	15.68	2183.60
217	4180000	3695 FITZGERALD RD	LOT B, PLAN KAP2038, SEC 10, TWP 26, 41	25.65	3572.02

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217	4181000	3520 REEKIE RD	LOT 1, PLAN KAP2398, SEC 10, TWP 26, 41	3.96	551.47
217	4183000	3680 REEKIE RD	LOT 2, PLAN KAP2398, SEC 10, TWP 26, 41	10.94	1523.50
217	4194000	3275 MCCULLOCH RD	LOT 1, PLAN KAP6530, SEC 10, TWP 26, 41	12.18	1696.19
217	4198000	3524 ROSE RD	LOT A, PLAN KAP11840, SEC 10, TWP 26, 41	9.17	1277.01
217	4199100	3564 ROSE RD	LOT A, PLAN KAP18708, SEC 10, TWP 26, 41	11.84	1648.84
217	4199156	3269 MCCULLOCH RD	LOT 2, PLAN KAP90496, SEC 10, TWP 26, 41	2.06	286.88
217	4199180	3301 MCCULLOCH RD	LOT 2, PLAN KAP28811, SEC 3&10, TWP 26, 41	14.83	2065.23
217	4199252	3630 FITZGERALD RD	LOT B, PLAN KAP30817, SEC 10, TWP 26, 41	10.10	1406.53
217	4199254	3505 FITZGERALD RD	LOT 1, PLAN KAP30818, SEC 10, TWP 26, 41	20.43	2845.08
217	4199278	3565 ROSE RD	LOT A, PLAN KAP38325, SEC 10, TWP 26, 41	7.88	1097.37
217	4199280	3248 MCCULLOCH RD	LOT B, PLAN KAP38325, SEC 10, TWP 26, 41	1.00	139.26
217	4199302	3665 HART RD	LOT 2, PLAN KAP48949, SEC 10, TWP 26, 41	11.35	1580.60
217	4199303	3255 MCCULLOCH RD	LOT A, PLAN KAP63291, SEC 10, TWP 26, 41	1.00	139.26
217	4199306	3671 HART RD	LOT B, PLAN KAP92586, SEC 10, TWP 26, 41	3.71	516.65
217	4201000	3940 SENGER RD	LOT , PLAN , SEC 11, TWP 26, 41	5.55	772.89
217	4208000	2604 A BELGO RD	LOT 5, PLAN KAP1380, SEC 11, TWP 26, 41	7.07	984.57
217	4209000	2502 BELGO RD	LOT 6, PLAN KAP1380, SEC 11, TWP 26, 41	14.97	2084.72
217	4210000	2550 WALBURN RD	LOT 7, PLAN KAP1380, SEC , TWP 26, 41	3.35	466.52
217	4214000	2605 BELGO RD	LOT 3, PLAN KAP1380, SEC 11, TWP 26, 41	8.55	1190.67
217	4215000	2505 BELGO RD	LOT 4, PLAN KAP1380, SEC 11, TWP 26, 41	8.76	1219.92
217	4220000	3950 BORLAND RD	LOT , PLAN KAP1862B, SEC 11, TWP 26, 41	2.92	406.64
217	4222000	3527 BEMROSE RD	LOT 2, PLAN KAP2005, SEC 11, TWP 26, 41	3.17	441.45
217	4223000	3835 BORLAND RD	LOT A, PLAN KAP2645, SEC 11, TWP 26, 41	4.07	566.79
217	4225000	3553 BEMROSE RD	LOT 1, PLAN KAP4332, SEC 11, TWP 26, 41	4.37	608.57
217	4227000	3587 BEMROSE RD	LOT 3, PLAN KAP4332, SEC 11, TWP 26, 41	5.38	749.22
217	4228000	3625 BEMROSE RD	LOT A, PLAN KAP4553, SEC 11, TWP 26, 41	7.95	1107.12
217	4232000	3647 BEMROSE RD	LOT 1, PLAN KAP5787, SEC 11, TWP 26, 41	6.04	841.13
217	4234000	4010 SENGER RD	LOT A, PLAN KAP6005, SEC 11, TWP 26, 41	25.24	3514.92
217	4235000	3975 SENGER RD	LOT A, PLAN KAP6633, SEC 11, TWP 26, 41	2.62	364.86
217	4237120	2149 BELGO RD	LOT 1, PLAN KAP31521, SEC , TWP 26, 41	10.04	1398.17
217	4237128	2277 BELGO RD	LOT 1, PLAN EPP30052, SEC 11, TWP 26, 41	1.00	139.26
217	4237130	2327 BELGO RD	LOT 1, PLAN KAP33009, SEC 11, TWP 26, 41	8.84	1231.06
217	4237137	3547 BEMROSE RD	LOT 1, PLAN KAP71097, SEC 26, TWP 11, 41	1.00	139.26
217	4237138	2547 BELGO RD	LOT A, PLAN KAP76995, SEC 11, TWP 26, 41	1.00	139.26

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217	4237139	3567 BEMROSE RD	LOT A, PLAN KAP77725, SEC 11, TWP 26, 41	1.00	139.26
217	4240000	2260 GARNER RD	LOT 1, PLAN KAP1380, SEC , TWP 26, 41	8.53	1187.89
217	4243000	2455 WALBURN RD	LOT B, PLAN KAP3238B, SEC 12, TWP 26, 41	7.40	1030.52
217	4245051	2601 WALBURN RD	LOT 2, PLAN KAP62978, SEC 12, TWP 26, 41	7.63	1062.55
217	4247000	1190 LEWIS RD	LOT 9, PLAN KAP1380, SEC 13, TWP 26, 41	8.08	1125.22
217	4248000	2290 GARNER RD	LOT 2, PLAN KAP1380, SEC 13, TWP 26, 41	7.52	1047.24
217	4249000	2148 WALBURN RD	LOT 4, PLAN KAP1380, SEC 13, TWP 26, 41	10.45	1455.27
217	4254000	1093 TEASDALE RD	LOT 8, PLAN KAP1380, SEC , TWP 26, 41	5.17	719.97
217	4256000	1320 BELGO RD	LOT 1, PLAN KAP1926, SEC 13, TWP 26, 41	6.20	863.41
217	4258000	1404 LEWIS RD	LOT 2, PLAN KAP1926, SEC 13, TWP 26, 41	7.32	1019.38
217	4261000	1839 WALBURN RD	LOT 7, PLAN KAP1926, SEC 13, TWP 26, 41	5.61	781.25
217	4269002	2091 WALBURN RD	LOT 2, PLAN KAP4119, SEC 13, TWP 26, 41	3.52	490.20
217	4270003	1959 WALBURN RD	LOT B, PLAN KAP91170, SEC 13, TWP 26, 41	1.00	139.26
217	4293000	1181 LEWIS RD	LOT A, PLAN KAP11265, SEC 13, TWP 26, 41	1.24	172.68
217	4315000	3855 EAST KELOWNA RD	LOT 13, PLAN KAP665, SEC 14, TWP 26, 41	2.30	320.30
217	4317000	2075 BELGO RD	LOT 9, PLAN KAP1380, SEC 14, TWP 26, 41	4.20	584.89
217	4318001	1865 BELGO RD	LOT 11, PLAN KAP1380, SEC 14, TWP 26, 41	9.27	1290.94
217	4319000	2280 HOLLYWOOD RD S	LOT 12, PLAN KAP1380, SEC 14, TWP 26, 41	3.98	554.25
217	4323000	1725 TEASDALE RD	LOT 2, PLAN KAP1380, SEC 14, TWP 26, 41	1.56	217.25
217	4324000	1650 GEEN RD	LOT 3, PLAN KAP1380, SEC 14, TWP 26, 41	1.87	260.42
217	4325001	1390 GEEN RD	LOT A, PLAN KAP90868, SEC 14, TWP 26, 41	5.28	735.29
217	4325005	1552 GEEN RD	LOT 1, PLAN EPP34425, SEC 14, TWP 26, 41	1.92	267.38
217	4326000	1699 TEASDALE RD	LOT 5, PLAN KAP1380, SEC 14, TWP 26, 41	1.00	139.26
217	4327004	1595 TEASDALE RD	LOT B, PLAN EPP32484, SEC 14, TWP 26, 41	4.56	635.03
217	4329000	1409 TEASDALE RD	LOT 8, PLAN KAP1380, SEC 14, TWP 26, 41	3.20	445.63
217	4330000	1555 TEASDALE RD	LOT 10, PLAN KAP1380, SEC 14, TWP 26, 41	1.04	144.83
217	4333000	1375 GEEN RD	LOT 5, PLAN KAP1380, SEC 13, TWP 26, 41	1.00	139.26
217	4334001	1225 TEASDALE RD	LOT 6, PLAN KAP1380, SEC 14, TWP 26, 41	3.96	551.47
217	4335000	1103 TEASDALE RD	LOT 7, PLAN KAP1380, SEC 14, TWP 26, 41	2.17	302.19
217	4343000	2270 HOLLYWOOD RD S	LOT A, PLAN KAP1845, SEC 14, TWP 26, 41	1.00	139.26
217	4344000	2015 BELGO RD	LOT B, PLAN KAP1845, SEC 14, TWP 26, 41	8.86	1233.84
217	4346000	1565 1 BELGO RD	LOT B, PLAN KAP1846, SEC 14, TWP 26, 41	5.12	713.01
217	4350000	1469 TEASDALE RD	LOT 1, PLAN KAP4384, SEC 14, TWP 26, 41	7.52	1047.24
217	4351000	1429 TEASDALE RD	LOT 2, PLAN KAP4384, SEC 14, TWP 26, 41	1.96	272.95

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217	4353000	3675 EAST KELOWNA RD	LOT A, PLAN KAP76792, SEC 15, TWP 26, 41	1.00	139.26
217	4354000	3223 REID RD	LOT B, PLAN KAP76792, SEC 15, TWP 26, 41	1.00	139.26
217	4360093	3754 EAST KELOWNA RD	LOT B, PLAN KAP84170, SEC 14, TWP 26, 41	6.90	960.89
217	4360267	1708 GEEN RD	LOT 1, PLAN KAP82075, SEC 14, TWP 26, 41	5.27	733.90
217	4360268	1605 GEEN RD	LOT 2, PLAN KAP82075, SEC 14, TWP 26, 41	7.44	1036.09
217	4360354	1950 BELGO RD	LOT 2, PLAN KAP25528, SEC 14, TWP 26, 41	14.27	1987.24
217	4360527	3795 EAST KELOWNA RD	LOT A, PLAN KAP58793, SEC 14, TWP 26, 41	1.00	139.26
217	4364000	2995 DUNSTER RD	LOT 6, PLAN KAP187, SEC 15, TWP 26, 41	1.46	203.32
217	4365000	3098 EAST KELOWNA RD	LOT 6, PLAN KAP187, SEC 15, TWP 26, 41	9.89	1377.28
217	4366000	3002 EAST KELOWNA RD	LOT 6, PLAN KAP187, SEC 15, TWP 26, 41	2.39	332.83
217	4367000	2855 DUNSTER RD	LOT 7, PLAN KAP187, SEC 15, TWP 26, 41	15.96	2222.59
217	4368000	3152 EAST KELOWNA RD	LOT 7, PLAN KAP187, SEC 15, TWP 26, 41	15.92	2217.02
217	4369000	2795 DUNSTER RD	LOT 8, PLAN KAP187, SEC 15, TWP 26, 41	17.25	2402.24
217	4370002	3250 EAST KELOWNA RD	LOT B, PLAN EPP54381, SEC 15, TWP 26, 41	13.31	1853.55
217	4372000	3208 REID RD	LOT 18, PLAN KAP187, SEC 15, TWP 26, 41	7.63	1062.55
217	4375000	3350 POOLEY RD	LOT 20, PLAN KAP187, SEC 15, TWP 26, 41	7.89	1098.76
217	4379000	3073 DUNSTER RD	LOT 12, PLAN KAP665, SEC 16, TWP 26, 41	6.28	874.55
217	4380000	3502 EAST KELOWNA RD	LOT 11, PLAN KAP187, SEC 15, TWP 26, 41	8.40	1169.78
217	4381000	2947 EAST KELOWNA RD	LOT 1, PLAN KAP736, SEC 15, TWP 26, 41	8.00	1114.08
217	4382000	2981 EAST KELOWNA RD	LOT 2, PLAN KAP736, SEC 15, TWP 26, 41	6.57	914.94
217	4385000	3072 EAST KELOWNA RD	LOT 6, PLAN KAP821B, SEC 15, TWP 26, 41	3.50	487.41
217	4386001	3622 EAST KELOWNA RD	LOT 12, PLAN KAP187, SEC 15, TWP 26, 41	4.19	583.50
217	4386002	3652 EAST KELOWNA RD	LOT 12, PLAN KAP187, SEC 15, TWP 26, 41	1.06	147.62
217	4387000	3183 DUNSTER RD	LOT , PLAN KAP187, SEC 15, TWP 26, 41	4.78	665.66
217	4394000	3582 EAST KELOWNA RD	LOT B, PLAN KAP1670, SEC 15, TWP 26, 41	3.89	541.72
217	4396000	2960 MCCULLOCH RD	LOT B, PLAN KAP1703, SEC 15, TWP 26, 41	4.41	614.14
217	4400000	3430 POOLEY RD	LOT B, PLAN KAP1725, SEC 15, TWP 26, 41	11.76	1637.70
217	4402000	3251 EAST KELOWNA RD	LOT 1, PLAN KAP3379, SEC 15, TWP 26, 41	3.89	541.72
217	4403000	3240 POOLEY RD	LOT 2, PLAN KAP3379, SEC 15, TWP 26, 41	2.22	309.16
217	4404000	3260 POOLEY RD	LOT 3, PLAN KAP3379, SEC 15, TWP 26, 41	11.19	1558.32
217	4406000	3420 EAST KELOWNA RD	LOT 1, PLAN KAP3380, SEC 15, TWP 26, 41	9.01	1254.73
217	4407000	3490 EAST KELOWNA RD	LOT 2, PLAN KAP3380, SEC 15, TWP 26, 41	7.68	1069.52
217	4412000	3288 REID RD	LOT A, PLAN KAP4618, SEC 15, TWP 26, 41	10.80	1504.01
217	4416000	3329 EAST KELOWNA RD	LOT 1, PLAN KAP5512, SEC 15, TWP 26, 41	6.69	931.65

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217	4418000	3375 DALL RD	LOT 1, PLAN KAP6585, SEC 15, TWP 26, 41	5.07	706.05
217	4420000	3060 POOLEY RD	LOT 2, PLAN KAP6585, SEC 15, TWP 26, 41	2.15	299.41
217	4423190	3350 EAST KELOWNA RD	LOT 1, PLAN KAP30593, SEC 15, TWP 26, 41	1.00	139.26
217	4423192	3310 EAST KELOWNA RD	LOT 2, PLAN KAP30593, SEC 15, TWP 26, 41	13.31	1853.55
217	4423194	3410 POOLEY RD	LOT A, PLAN KAP34483, SEC 15, TWP 26, 41	4.50	626.67
217	4423198	3120 POOLEY RD	LOT B, PLAN KAP34888, SEC 15, TWP 26, 41	9.08	1264.48
217	4423205	3480 POOLEY RD	LOT A, PLAN KAP53451, SEC 15, TWP 26, 41	1.00	139.26
217	4423207	3367 REID RD	LOT B, PLAN KAP55650, SEC 15, TWP 26, 41	1.85	257.63
217	4423208	3390 REID RD	LOT 1, PLAN KAP56635, SEC 15, TWP 26, 41	1.00	139.26
217	4423209	3360 REID RD	LOT 2, PLAN KAP56635, SEC 15, TWP 26, 41	7.32	1019.38
217	4428000	3395 NEID RD	LOT 26, PLAN KAP187, SEC 16, TWP 26, 41	3.24	451.20
217	4432000	3194 DUNSTER RD	LOT 5, PLAN KAP665, SEC 16, TWP 26, 41	1.94	270.16
217	4433000	3172 DUNSTER RD	LOT 6, PLAN KAP665, SEC 16, TWP 26, 41	2.39	332.83
217	4436000	3042 1 DUNSTER RD	LOT 9, PLAN KAP665, SEC 16, TWP 26, 41	1.66	231.17
217	4525228	2877 EAST KELOWNA RD	LOT B, PLAN KAP33697, SEC 16, TWP 26, 41	6.38	888.48
217	4525503	2690 BEWLAY RD	LOT 1, PLAN KAP56199, SEC 16, TWP 26, 41	3.20	445.63
217	4591000	2934 DUNSTER RD	LOT C, PLAN KAP1700, SEC 22, TWP 26, 41	7.89	1098.76
217	4805214	2960 DUNSTER RD	LOT 1, PLAN KAP73437, SEC 22, TWP 26, 41	12.95	1803.42
217	4814000	1250 BELGO RD	LOT 3, PLAN KAP2128, SEC , TWP 26, 41	3.72	518.05
217	4824000	1205 BELGO RD	LOT 2, PLAN KAP2329, SEC 23, TWP 26, 41	2.42	337.01
217	4825001	1368 3 TEASDALE RD	LOT 3, PLAN KAP2329, SEC 23, TWP 26, 41	17.58	2448.19
217	4837000	1454 TEASDALE RD	LOT A, PLAN KAP4697, SEC 23, TWP 26, 41	1.92	267.38
217	4884000	1255 BELGO RD	LOT 2, PLAN KAP5620B, SEC , TWP 26, 41	14.91	2076.37
217	4898000	879 HIGHWAY 33 E	LOT 3, PLAN KAP9679, SEC , TWP 26, 41	8.94	1244.98
217	5479000	3363 SPRINGFIELD RD	LOT 5, PLAN KAP1802, SEC 24, TWP 26, 41	12.14	1690.62
217	5502130	811 HIGHWAY 33 E	LOT A, PLAN KAP23321, SEC 24, TWP 26, 41	1.93	268.77
217	5502305	1151 LEWIS RD	LOT A, PLAN KAP33567, SEC 24, TWP 26, 41	5.39	750.61
217	5502310	881 HIGHWAY 33 E	LOT B, PLAN KAP33567, SEC 24, TWP 26, 41	8.89	1238.02
217	5503001	751 HARTMAN RD	LOT , PLAN KAP264, SEC 25, TWP 26, 41	8.85	1232.45
217	5510000	920 HARTMAN RD	LOT 3, PLAN KAP731, SEC 25, TWP 26, 41	5.95	828.60
217	5511000	1130 HARTMAN RD	LOT 4, PLAN KAP731, SEC 25, TWP 26, 41	5.37	747.83
217	5513002	1080 GIBSON RD	LOT A, PLAN EPP11757, SEC 25, TWP 26, 41	1.00	139.26
217	5513004	1120 GIBSON RD	LOT B, PLAN EPP11757, SEC 25, TWP 26, 41	6.28	874.55
217	5514000	1145 MORRISON RD	LOT 2, PLAN KAP1515, SEC 25, TWP 26, 41	2.51	349.54

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	5516000	712 MCCURDY RD E	LOT 4, PLAN KAP1515, SEC 25, TWP 26, 41	6.83	951.15
217	5517000	225 GIBSON RD	LOT 4, PLAN KAP1760, SEC 25, TWP 26, 41	3.72	518.05
217	5519002	1610 SWAINSON RD	LOT 1, PLAN KAP77945, SEC , TWP 26, 41	10.86	1512.36
217	5524000	1308 MCKENZIE RD	LOT 12, PLAN KAP1760, SEC 25, TWP 26, 41	6.55	912.15
217	5529000	1795 MCCURDY RD E	LOT 1, PLAN KAP77943, SEC , TWP 26, 41	1.18	164.33
217	5530000	1550 SWAINSON RD	LOT 1, PLAN KAP77944, SEC , TWP 26, 41	22.85	3182.09
217	5548000	1090 MCKENZIE RD	LOT 2, PLAN KAP4586, SEC 25, TWP 26, 41	26.74	3723.81
217	5561000	690 HARTMAN RD	LOT A, PLAN KAP5499, SEC 25, TWP 26, 41	16.60	2311.72
217	5579469	1045 EL PASO RD	LOT 22, PLAN KAP22986, SEC 25, TWP 26, 41	5.19	722.76
217	5579575	839 HARTMAN RD	LOT 2, PLAN KAP29183, SEC 25, TWP 26, 41	17.85	2485.79
217	5579684	837 HARTMAN RD	LOT A, PLAN KAP35135, SEC 25, TWP 26, 41	2.66	370.43
217	6471000	463 VALLEY RD	LOT 2, PLAN KAP896, SEC , TWP 26, 41	2.03	282.70
217	6499001	445 VALLEY RD	LOT 3, PLAN KAP896, SEC 33, TWP 26, 41	3.75	522.23
217	6501000	2224 ROJEM RD	LOT 4, PLAN KAP896, SEC 33, TWP 26, 41	2.06	286.88
217	6502000	389 VALLEY RD	LOT 5, PLAN KAP896, SEC 33, TWP 26, 41	7.83	1090.41
217	6507000	2429 LONGHILL RD	LOT 14, PLAN KAP1068, SEC 33, TWP 26, 41	11.55	1608.45
217	6508000	2449 LONGHILL RD	LOT 15, PLAN KAP1068, SEC 33, TWP 26, 41	1.28	178.25
217	6510000	120 MAIL RD	LOT 15, PLAN KAP1068, SEC , TWP 26, 41	7.95	1107.12
217	6511000	102 MAIL RD	LOT 16, PLAN KAP1068, SEC , TWP 26, 41	8.75	1218.53
217	6524000	2300 30 SILVER PL	LOT 8, PLAN KAP1249, SEC 33, TWP 26, 41	3.43	477.66
217	6525000	2227 ROJEM RD	LOT 9, PLAN KAP1249, SEC 33, TWP 26, 41	2.10	292.45
217	6527000	2255 ROJEM RD	LOT 11, PLAN KAP1249, SEC 33, TWP 26, 41	4.42	615.53
217	6528000	2309 ROJEM RD	LOT 12, PLAN KAP1249, SEC 33, TWP 26, 41	4.36	607.17
217	6529000	2323 ROJEM RD	LOT 13, PLAN KAP1249, SEC 33, TWP 26, 41	2.78	387.14
217	6533000	2379 ROJEM RD	LOT 17, PLAN KAP1249, SEC 33, TWP 26, 41	1.96	272.95
217	6541000	330 VALLEY RD	LOT 2, PLAN KAP4043, SEC 33, TWP 26, 41	1.00	139.26
217	6554120	2389 2 ROJEM RD	LOT A, PLAN KAP26223, SEC 33, TWP 26, 41	4.91	683.77
217	6554140	2400 LONGHILL RD	LOT A, PLAN KAP26592, SEC 4&33, TWP 23, 41	2.41	335.62
217	6554160	2461 LONGHILL RD	LOT A, PLAN KAP28623, SEC 33, TWP 26, 41	5.10	710.23
217	6554195	2350 SILVER PL	LOT 1, PLAN KAP33461, SEC 33, TWP 26, 41	3.52	490.20
217	6554197	2489 LONGHILL RD	LOT 2, PLAN KAP33461, SEC 33, TWP 26, 41	4.13	575.14
217	6554199	574 RIFLE RD	LOT 3, PLAN KAP33461, SEC 33, TWP 26, 41	3.39	472.09
217	6554238	2351 ROJEM RD	LOT C, PLAN KAP61113, SEC 33, TWP 26, 41	4.45	619.71
217	6557002	2710 LONGHILL RD	LOT B, PLAN KAP88097, SEC 34, TWP 26, 41	1.00	139.26

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	6612470	2512 LONGHILL RD	LOT A, PLAN KAP26258, SEC , TWP 26, 41	13.50	1880.01
217	6612672	2614 LONGHILL RD	LOT 1, PLAN KAP40166, SEC 34, TWP 26, 41	2.17	302.19
217	6638000	1844 RUTLAND RD N	LOT , PLAN KAP264, SEC 35, TWP 26, 41	1.00	139.26
217	6646000	625 CORNISH RD	LOT 27, PLAN KAP425, SEC , TWP 26, 41	1.00	139.26
217	6647000	610 CORNISH RD	LOT 28, PLAN KAP425, SEC 35, TWP 26, 41	7.77	1082.05
217	6650001	550 CORNISH RD	LOT 31, PLAN KAP425, SEC 3526, TWP , 41	1.00	139.26
217	6658000	355 CORNISH RD	LOT 41, PLAN KAP425, SEC 35, TWP 26, 41	3.64	506.91
217	6773003	1685 RUTLAND RD N	LOT 3, PLAN KAP18313, SEC 35, TWP 26, 41	2.05	285.48
217	6773440	585 CORNISH RD	LOT 1, PLAN KAP19142, SEC 35, TWP 26, 41	3.86	537.54
217	6776850	2105 MORRISON RD	LOT 1, PLAN KAP425, SEC 36, TWP 26, 41	4.14	576.54
217	6776900	1990 MCKENZIE RD	LOT 2, PLAN KAP425, SEC 36, TWP 26, 41	15.13	2107.00
217	6777000	1900 MCKENZIE RD	LOT 3, PLAN KAP425, SEC 36, TWP 26, 41	6.03	839.74
217	6778000	1893 MORRISON RD	LOT 3, PLAN KAP425, SEC 36, TWP 26, 41	4.17	580.71
217	6788000	1304 MORRISON RD	LOT 10, PLAN KAP425, SEC 36, TWP 26, 41	7.58	1055.59
217	6793000	2104 1 MORRISON RD	LOT 15, PLAN KAP425, SEC , TWP 26, 41	2.82	392.71
217	6794000	685 2 OLD VERNON RD	LOT 16, PLAN KAP425, SEC , TWP 26, 41	7.70	1072.30
217	6796000	745 CORNISH RD	LOT 18, PLAN KAP425, SEC , TWP 26, 41	6.35	884.30
217	6799510	1425 MORRISON RD	LOT B, PLAN EPP15301, SEC 36, TWP 26, 41	7.31	1017.99
217	6803000	1350 HORNING RD	LOT 20, PLAN KAP1760, SEC 36, TWP 26, 41	14.64	2038.77
217	6805005	1920 MCCURDY RD E	LOT 3, PLAN KAP91486, SEC 31, TWP 27, 41	14.58	2030.41
217	6806000	1431 LATTA RD	LOT 24, PLAN KAP1760, SEC , TWP 26, 41	2.65	369.04
217	6807001	1305 LATTA RD	LOT 25, PLAN KAP1760, SEC 36, TWP 26, 41	11.53	1605.67
217	6810002	1341 LATTA RD	LOT 28, PLAN KAP1760, SEC 36, TWP 26, 41	9.97	1388.42
217	6814006	1400 LATTA RD	LOT 2, PLAN KAP91485, SEC 31, TWP 27, 41	10.47	1458.05
217	6814007	1448 LATTA RD	LOT 3, PLAN KAP91485, SEC 31, TWP 27, 41	17.22	2398.06
217	6817001	1331 MCCURDY RD E	LOT 1, PLAN KAP4060, SEC 36, TWP 26, 41	19.57	2725.32
217	6819000	1545 MCCURDY RD E	LOT 3, PLAN KAP4060, SEC 36, TWP 26, 41	15.90	2214.23
217	6820000	1445 LATTA RD	LOT 25, PLAN KAP4218B, SEC 36, TWP 26, 41	12.24	1704.54
217	6828490	1761 MORRISON RD	LOT A, PLAN KAP25654, SEC 36, TWP 26, 41	3.97	552.86
217	6828500	1750 MCKENZIE RD	LOT B, PLAN KAP25654, SEC 36, TWP 26, 41	10.23	1424.63
217	6828524	1700 MCKENZIE RD	LOT D, PLAN KAP25654, SEC 36, TWP 26, 41	7.37	1026.35
217	6828618	1301 LATTA RD	LOT 1, PLAN KAP33998, SEC 36, TWP 26, 41	1.00	139.26
217	6828642	837 MCCURDY RD E	LOT 2, PLAN EPP14181, SEC 36, TWP 26, 41	1.00	139.26
217	6828644	833 MCCURDY RD E	LOT 3, PLAN EPP14181, SEC 36, TWP 26, 41	1.00	139.26

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	6886003	2025 1 TREETOP RD	LOT 1, PLAN KAP1760, SEC , TWP 27, 41	9.81	1366.14
217	6960185	5681 LAKESHORE RD	LOT 1, PLAN EPP37698, SEC 16, TWP 28, 54	1.00	139.26
217	7143000	559 BARNABY RD	LOT 3, PLAN KAP1743, SEC 25, TWP 28, 54	1.00	139.26
217	7161000	4856 LAKESHORE RD	LOT , PLAN KAP1722, SEC 25, TWP 29, 41	3.73	519.44
217	7264002	1456 DEHART RD	LOT 1, PLAN KAP1837, SEC , TWP 29, 41	11.58	1612.63
217	7269000	999 CRAWFORD RD	LOT 1, PLAN KAP13170, SEC 31, TWP 29, 41	11.85	1650.23
217	7270072	1265 CRAWFORD RD	LOT 2, PLAN KAP21104, SEC 31, TWP 29, 41	1.00	139.26
217	7270074	1285 CRAWFORD RD	LOT 3, PLAN KAP21104, SEC , TWP 29, 41	1.00	139.26
217	7278000	4551 STEWART RD W	LOT 220, PLAN KAP1247, SEC 32, TWP 29, 41	2.89	402.46
217	7280000	4480 STEWART RD E	LOT 222, PLAN KAP1247, SEC 32, TWP 29, 41	1.00	139.26
217	7286000	1690 SAUCIER RD	LOT 228, PLAN KAP1247, SEC 32, TWP 29, 41	1.00	139.26
217	7287000	1670 SAUCIER RD	LOT 229, PLAN KAP1247, SEC 32, TWP 29, 41	6.61	920.51
217	7290000	1650 SAUCIER RD	LOT 232, PLAN KAP1247, SEC 32, TWP 29, 41	9.79	1363.36
217	7291000	4202 BEDFORD RD	LOT 233, PLAN KAP1247, SEC 32, TWP 29, 41	9.74	1356.39
217	7293000	1601 SAUCIER RD	LOT 238, PLAN KAP1247, SEC 32, TWP 29, 41	1.62	225.60
217	7296000	1475 DEHART RD	LOT 246, PLAN KAP1247, SEC 32, TWP 29, 41	1.00	139.26
217	7304000	4132 BEDFORD RD	LOT 3, PLAN KAP15793, SEC 32, TWP 29, 41	6.38	888.48
217	7304010	1485 DEHART RD	LOT 1, PLAN KAP20969, SEC 32, TWP 29, 41	1.21	168.50
217	7351000	4305 JAUD RD	LOT 5, PLAN KAP6171, SEC 34, TWP 29, 41	17.46	2431.48
217	9533000	2517 GALE RD	LOT 2, PLAN KAP10810, SEC , TWP , 41	6.91	962.29
217	9533052	2499 GALE RD	LOT C, PLAN KAP19044, SEC , TWP , 41	1.00	139.26
217	9533053	2475 GALE RD	LOT D, PLAN KAP19044, SEC , TWP , 41	1.00	139.26
217	9533054	2449 GALE RD	LOT E, PLAN KAP19044, SEC , TWP , 41	1.00	139.26
217	9533055	2427 GALE RD	LOT F, PLAN KAP19044, SEC , TWP , 41	1.00	139.26
217	9533057	2555 GALE RD	LOT A, PLAN EPP65442, SEC , TWP , 41	1.39	193.57
217	10393000	2050 BYRNS RD	LOT 1, PLAN KAP2830, SEC 17, TWP 26, 41	20.34	2832.55
217	10394001	2190 COOPER RD	LOT A, PLAN KAP80629, SEC , TWP , 41	6.70	933.04
217	10410000	1756 BYRNS RD	LOT 23, PLAN KAP415, SEC , TWP , 41	11.40	1587.56
217	10411000	1890 BYRNS RD	LOT 23, PLAN KAP415, SEC 19, TWP 26, 41	4.35	605.78
217	10414000	1756 BYRNS RD	LOT 26, PLAN KAP415, SEC , TWP , 41	15.50	2158.53
217	10518000	1650 BYRNS RD	LOT 2, PLAN KAP78759, SEC , TWP , 41	3.61	502.73
217	10519852	2225 SPALL RD	LOT B, PLAN KAP40808, SEC , TWP , 41	13.45	1873.05
217	10519854	1980 BYRNS RD	LOT C, PLAN KAP40808, SEC , TWP , 41	10.91	1519.33
217	10519856	1990 BYRNS RD	LOT D, PLAN KAP40808, SEC , TWP , 41	1.00	139.26

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	10531000	1909 BYRNS RD	LOT 15, PLAN KAP415, SEC , TWP , 41	10.05	1399.56
217	10543001	2589 BENVOLIN RD	LOT 1, PLAN KAP3357, SEC , TWP , 41	5.67	789.60
217	10549000	2029 BYRNS RD	LOT 2, PLAN KAP8615, SEC , TWP , 41	8.21	1143.32
217	10589113	1909 BYRNS RD	LOT B, PLAN KAP67173, SEC , TWP , 41	22.89	3187.66
217	11501711	4345 HOBSON RD	LOT 25, PLAN KAP27559, SEC , TWP , 41	1.00	139.26
217	11502309	4340 HOBSON RD	LOT A, PLAN KAP69885, SEC , TWP , 41	1.00	139.26
217	12185840	2450 SAUCIER RD	LOT 166, PLAN KAP1247, SEC 33, TWP 29, 41	3.68	512.48
217	12185870	2225 SAUCIER RD	LOT 180, PLAN KAP1247, SEC 33, TWP 29, 41	1.00	139.26
217	12191000	4400 JAUD RD	LOT 3, PLAN KAP1734, SEC 33, TWP 29, 41	13.92	1938.50
217	12199072	4499 WALLACE HILL RD	LOT A, PLAN KAP35213, SEC , TWP , 41	2.01	279.91
217	12199082	4380 WALLACE HILL RD	LOT 2, PLAN KAP39632, SEC , TWP , 41	4.70	654.52
217	12199103	2740 HARVARD RD	LOT 14, PLAN KAP62784, SEC , TWP , 41	3.11	433.10
217	12199105	4300 WALLACE HILL RD	LOT B, PLAN KAP62482, SEC , TWP , 41	15.82	2203.09
				2316.51	322597.18



City of
Kelowna

Sterile Insect Release (SIR) Program 2017

Part 1: Levy on Land Only

- ▶ A general levy of 0.0485 cents per thousand of assessed value of land on all classes.
 - ▶ For example: \$4.85 would be levied on land that is assessed at 100,000

Part 2: Levy on Parcels

- ▶ All parcels of land that are greater than **0.3** of an acre and contain 20 or more codling moth host trees are charged \$139.26 per assessed acre.



Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 11379

Sterile Insect Release Program Parcel Tax Bylaw 2017

A bylaw pursuant to Section 200 of the *Community Charter* to impose and levy a Parcel Tax upon the owners of land or real property within the City of Kelowna being served by the Sterile Insect Release Program.

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

1. A Parcel Tax shall be and is hereby imposed and levied upon the owners of land or real property as shown on Schedule "A" attached to and forming part of this bylaw, being served by the Sterile Insect Release Program.
2. The Parcel Tax shall be levied for the 2017 tax year on each parcel of land aforementioned, and the amount of such Parcel Tax shall be One Hundred and Thirty-Nine Dollars and Twenty-Six Cents (\$139.26) per assessed acre.
3. This bylaw shall be known for all purposes as the "Sterile Insect Release Program Parcel Tax Bylaw 2017 No. 11379".

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	3108010	1355 LATTA RD	LOT 10, PLAN KAP1611, SEC 1, TWP 23, 41	6.39	889.87
217	3121000	2355 MCKENZIE RD	LOT A, PLAN KAP15859, SEC 1, TWP 23, 41	6.37	887.09
217	3121010	2295 MCKENZIE RD	LOT 2, PLAN KAP33255, SEC 1, TWP 23, 41	20.40	2840.90
217	3186100	2685 SEXSMITH RD	LOT 1, PLAN KAP45492, SEC 3, TWP 23, 41	9.02	1256.13
217	3205000	2635 SEXSMITH RD	LOT 1, PLAN KAP12772, SEC 3&33, TWP 23, 41	1.00	139.26
217	3210125	2517 SEXSMITH RD	LOT 10, PLAN KAP21431, SEC 3&4, TWP 23, 41	6.84	952.54
217	3210210	705 VALLEY RD	LOT B, PLAN KAP31659, SEC 3, TWP 23, 41	3.70	515.26
217	3255321	1982 UNION RD	LOT A, PLAN KAP75150, SEC 4, TWP 23, 41	1.00	139.26
217	3255322	1980 UNION RD	LOT B, PLAN KAP75150, SEC 4, TWP 23, 41	1.00	139.26
217	3262000	2389 LONGHILL RD	LOT 13, PLAN KAP1068, SEC 4, TWP 23, 41	2.81	391.32
217	3263000	2206 LONGHILL RD	LOT 2, PLAN KAP1068, SEC 4&34, TWP 23, 41	7.33	1020.78
217	3264000	185 VALLEY RD	LOT 3, PLAN KAP1068, SEC 4&34, TWP 23, 41	3.77	525.01
217	3266000	143 1 VALLEY RD	LOT 5, PLAN KAP1068, SEC 4, TWP 23, 41	3.84	534.76
217	3267000	127 1 VALLEY RD	LOT 6, PLAN KAP1068, SEC 4, TWP 23, 41	9.27	1290.94
217	3268000	2214 BONN RD	LOT 7, PLAN KAP1068, SEC 4, TWP 23, 41	4.51	628.06
217	3269000	115 VALLEY RD N	LOT 8, PLAN KAP1068, SEC 4, TWP 23, 41	10.16	1414.88
217	3270000	2547 SEXSMITH RD	LOT 11, PLAN KAP1068, SEC 3&4, TWP 23, 41	1.23	171.29
217	3271000	220 MAIL RD	LOT 12, PLAN KAP1068, SEC 4, TWP 23, 41	8.46	1178.14
217	3272000	180 MAIL RD	LOT 13, PLAN KAP1068, SEC 4, TWP 23, 41	7.01	976.21
217	3274000	135 VALLEY RD N	LOT H, PLAN KAP1636, SEC 4, TWP 23, 41	5.34	743.65
217	3278000	800 PACKINGHOUSE RD	LOT 3, PLAN KAP1884, SEC 4&9, TWP 23, 41	1.00	139.26
217	3279000	2160 SCENIC RD	LOT 4, PLAN KAP1884, SEC 4&9, TWP 23, 41	4.44	618.31
217	3337532	770 PACKINGHOUSE RD	LOT A, PLAN KAP35054, SEC 4, TWP 23, 41	3.86	537.54
217	3395000	531 GLENMORE RD N	LOT 29, PLAN KAP896, SEC 9, TWP 23, 41	6.39	889.87
217	3645000	2434 GALE RD	LOT 2, PLAN KAP1453, SEC 23, TWP 23, 41	1.77	246.49
217	3646000	2504 GALE RD	LOT 3, PLAN KAP1453, SEC 23, TWP 23, 41	4.17	580.71
217	3650000	2801 DRY VALLEY RD	LOT 7, PLAN KAP1453, SEC 23, TWP 23, 41	2.58	359.29
217	3664000	2155 PIER MAC WAY	LOT 1, PLAN KAP2257, SEC 23, TWP 23, 41	2.33	324.48
217	3664516	2849 DRY VALLEY RD	LOT B, PLAN KAP37471, SEC 23, TWP 23, 41	10.67	1485.90
217	3884000	3310 MATHEWS RD	LOT 63, PLAN KAP1247, SEC 3&34, TWP 26, 41	9.56	1331.33
217	3899000	3260 MATHEWS RD	LOT 109, PLAN KAP1247, SEC 3, TWP 26, 41	3.12	434.49
217	3905001	4232 SPIERS RD	LOT 117, PLAN KAP1247, SEC 3, TWP 26, 41	7.16	997.10
217	3905104	4236 SPIERS RD	LOT B, PLAN KAP92871, SEC 3, TWP 26, 41	4.45	619.71
217	3906000	4233 SPIERS RD	LOT 119, PLAN KAP1247, SEC 3, TWP 26, 41	5.01	697.69

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	3907000	4221 SPIERS RD	LOT 120, PLAN KAP1247, SEC 3, TWP 26, 41	11.20	1559.71
217	3908000	4215 SPIERS RD	LOT 121, PLAN KAP1247, SEC 3, TWP 26, 41	1.00	139.26
217	3912000	3030 GRIEVE RD	LOT 125, PLAN KAP1247, SEC 3, TWP 26, 41	5.50	765.93
217	3913001	3015 GRIEVE RD	LOT 126, PLAN KAP1247, SEC 3, TWP 26, 41	9.88	1375.89
217	3913100	3145 GULLEY RD	LOT 127, PLAN KAP1247, SEC 3, TWP 26, 41	9.20	1281.19
217	3949320	4280 SPIERS RD	LOT B, PLAN KAP34609, SEC 3, TWP 26, 41	9.95	1385.64
217	3949340	4207 SPIERS RD	LOT B, PLAN KAP47098, SEC 3, TWP 26, 41	3.07	427.53
217	3949390	3480 WATER RD	LOT A, PLAN KAP71707, SEC 3, TWP 26, 41	6.46	899.62
217	3950000	3965 TODD RD	LOT , PLAN KAP1247, SEC 4, TWP 26, 41	8.67	1207.38
217	3952062	3865 SPIERS RD	LOT 138, PLAN KAP1247, SEC 4, TWP 26, 41	6.75	940.01
217	3953000	3895 SPIERS RD	LOT 139, PLAN KAP1247, SEC 4, TWP 26, 41	4.71	655.91
217	3955000	2809 GRIEVE RD	LOT 141, PLAN KAP1247, SEC 4, TWP 26, 41	11.94	1662.76
217	3956000	4201 SPIERS RD	LOT 142, PLAN KAP1247, SEC 4, TWP 26, 41	6.18	860.63
217	3960000	2699 SAUCIER RD	LOT 145, PLAN KAP1247, SEC 4, TWP 26, 41	3.76	523.62
217	3965000	4175 TODD RD	LOT 150, PLAN KAP1247, SEC 4, TWP 26, 41	8.33	1160.04
217	3968000	4067 TODD RD	LOT 153, PLAN KAP1247, SEC 4, TWP 26, 41	6.43	895.44
217	3971503	2287 WARD RD	LOT B, PLAN KAP78689, SEC 4, TWP 26, 41	35.86	4993.86
217	3973000	3980 TODD RD	LOT 159, PLAN KAP1247, SEC 4, TWP 26, 41	2.41	335.62
217	3979000	2715 HEWLETT RD	LOT 3, PLAN KAP1656, SEC 4, TWP 26, 41	8.31	1157.25
217	3981000	2570 SAUCIER RD	LOT , PLAN KAP6018B, SEC 4, TWP 26, 41	1.18	164.33
217	3985000	2675 HEWLETT RD	LOT A, PLAN KAP12142, SEC 4, TWP 26, 41	4.83	672.63
217	3990002	3950 SPIERS RD	LOT E, PLAN KAP12142, SEC 4, TWP 26, 41	1.37	190.79
217	3995027	3920 TODD RD	LOT B, PLAN KAP21140, SEC 4, TWP 26, 41	1.00	139.26
217	3995159	3955 SPIERS RD	LOT A, PLAN KAP56989, SEC 4, TWP 26, 41	1.33	185.22
217	3995172	2620 HEWLETT RD	LOT 2, PLAN KAP92520, SEC 4, TWP 26, 41	8.49	1182.32
217	3997000	1591 SAUCIER RD	LOT 237, PLAN KAP1247, SEC 5, TWP 26, 41	7.78	1083.44
217	4008001	4025 CASORSO RD	LOT A, PLAN KAP91004, SEC 5, TWP 26, 41	2.83	394.11
217	4008002	4029 CASORSO RD	LOT B, PLAN KAP91004, SEC 5, TWP 26, 41	3.15	438.67
217	4014004	3896A CASORSO RD	LOT A, PLAN KAP92331, SEC 5, TWP 26, 41	8.93	1243.59
217	4016000	3877 CASORSO RD	LOT 4, PLAN KAP2243, SEC 5, TWP 26, 41	1.51	210.28
217	4021000	3995 CASORSO RD	LOT 8, PLAN KAP2243, SEC 5, TWP 26, 41	5.70	793.78
217	4023000	1989 WARD RD	LOT 10, PLAN KAP2243, SEC 5, TWP 26, 41	9.33	1299.30
217	4029000	4153 BEDFORD RD	LOT 1, PLAN KAP15793, SEC 5, TWP 26, 41	5.77	803.53
217	4031000	4122 BEDFORD RD	LOT 4, PLAN KAP15793, SEC 5, TWP 26, 41	1.88	261.81

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217	4032158	3860 CASORSO RD	LOT 2, PLAN KAP89549, SEC 5, TWP 26, 41	1.00	139.26
217	4118205	1950 WARD RD	LOT A, PLAN KAP48946, SEC 8, TWP 12, 41	12.85	1789.49
217	4118206	1990 WARD RD	LOT B, PLAN KAP48946, SEC 8, TWP 12, 41	2.49	346.76
217	4121000	3677 SPIERS RD	LOT 1, PLAN KAP1072, SEC 9, TWP 26, 41	4.74	660.09
217	4127000	3663 SPIERS RD	LOT 2, PLAN KAP1765, SEC 9, TWP 26, 41	7.25	1009.64
217	4151030	3769 SPIERS RD	LOT 1, PLAN KAP23684, SEC 9, TWP 26, 41	1.66	231.17
217	4151105	2190 GULLEY RD	LOT A, PLAN KAP26008, SEC 9, TWP 26, 41	7.36	1024.95
217	4151125	2568 K.L.O. RD	LOT B, PLAN KAP26528, SEC 9, TWP 26, 41	3.53	491.59
217	4151140	3664 SPIERS RD	LOT A, PLAN KAP28797, SEC 9, TWP 26, 41	13.98	1946.85
217	4151150	3668 SPIERS RD	LOT B, PLAN KAP28797, SEC 9, TWP 26, 41	1.00	139.26
217	4151155	3678 SPIERS RD	LOT C, PLAN KAP28797, SEC 9, TWP 26, 41	6.77	942.79
217	4151192	2777 K.L.O. RD	LOT A, PLAN KAP43297, SEC 9&10, TWP 26, 41	9.58	1334.11
217	4151195	3740 HART RD	LOT 6, PLAN KAP29282, SEC 9, TWP 26, 41	6.47	901.01
217	4151200	2452 GULLEY RD	LOT 7, PLAN KAP29282, SEC 9, TWP 26, 41	21.88	3047.01
217	4151210	2725 K.L.O. RD	LOT A, PLAN KAP45934, SEC , TWP 26, 41	28.73	4000.94
217	4151260	2295 K.L.O. RD	LOT 2, PLAN KAP33463, SEC 9, TWP 26, 41	8.62	1200.42
217	4151265	3551 SPIERS RD	LOT 3, PLAN KAP33463, SEC 9, TWP 26, 41	3.28	456.77
217	4151292	2202 GULLEY RD	LOT A, PLAN KAP44147, SEC 9, TWP 26, 41	21.08	2935.60
217	4151300	3671 SPIERS RD	LOT A, PLAN KAP70726, SEC 9, TWP 26, 41	1.23	171.29
217	4152000	3690 POOLEY RD	LOT , PLAN , SEC 10, TWP 26, 41	16.99	2366.03
217	4154000	3400 REEKIE RD	LOT 3, PLAN KAP355, SEC 10, TWP 26, 41	8.73	1215.74
217	4156000	3455 ROSE RD	LOT 4, PLAN KAP355, SEC 10, TWP 26, 41	16.80	2339.57
217	4157051	3480 FITZGERALD RD	LOT 5, PLAN KAP355, SEC 10, TWP 26, 41	10.07	1402.35
217	4158000	3201 ROSE RD	LOT 3, PLAN KAP790, SEC 10, TWP 26, 41	16.21	2257.40
217	4160001	3090 MCCULLOCH RD	LOT 5, PLAN KAP790, SEC 10, TWP 26, 41	5.65	786.82
217	4161000	3641 HART RD	LOT 7, PLAN KAP790, SEC 10, TWP 26, 41	6.80	946.97
217	4167000	3286 MCCULLOCH RD	LOT 3, PLAN KAP978, SEC 10, TWP 26, 41	6.58	916.33
217	4168000	3296 1 MCCULLOCH RD	LOT 4, PLAN KAP978, SEC 10, TWP 26, 41	4.11	572.36
217	4170000	3041 POOLEY RD	LOT 3, PLAN KAP1517, SEC 10, TWP 26, 41	2.40	334.22
217	4171000	3131 POOLEY RD	LOT 2, PLAN KAP1517, SEC 10, TWP 26, 41	1.00	139.26
217	4174002	3099 MCCULLOCH RD	LOT B, PLAN KAP71621, SEC 10, TWP 26, 41	2.91	405.25
217	4176000	3591 HART RD	LOT 3, PLAN KAP1589, SEC 10, TWP 26, 41	3.33	463.74
217	4179000	3635 REEKIE RD	LOT A, PLAN KAP2038, SEC 10, TWP 26, 41	15.68	2183.60
217	4180000	3695 FITZGERALD RD	LOT B, PLAN KAP2038, SEC 10, TWP 26, 41	25.65	3572.02

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217	4181000	3520 REEKIE RD	LOT 1, PLAN KAP2398, SEC 10, TWP 26, 41	3.96	551.47
217	4183000	3680 REEKIE RD	LOT 2, PLAN KAP2398, SEC 10, TWP 26, 41	10.94	1523.50
217	4194000	3275 MCCULLOCH RD	LOT 1, PLAN KAP6530, SEC 10, TWP 26, 41	12.18	1696.19
217	4198000	3524 ROSE RD	LOT A, PLAN KAP11840, SEC 10, TWP 26, 41	9.17	1277.01
217	4199100	3564 ROSE RD	LOT A, PLAN KAP18708, SEC 10, TWP 26, 41	11.84	1648.84
217	4199156	3269 MCCULLOCH RD	LOT 2, PLAN KAP90496, SEC 10, TWP 26, 41	2.06	286.88
217	4199180	3301 MCCULLOCH RD	LOT 2, PLAN KAP28811, SEC 3&10, TWP 26, 41	14.83	2065.23
217	4199252	3630 FITZGERALD RD	LOT B, PLAN KAP30817, SEC 10, TWP 26, 41	10.10	1406.53
217	4199254	3505 FITZGERALD RD	LOT 1, PLAN KAP30818, SEC 10, TWP 26, 41	20.43	2845.08
217	4199278	3565 ROSE RD	LOT A, PLAN KAP38325, SEC 10, TWP 26, 41	7.88	1097.37
217	4199280	3248 MCCULLOCH RD	LOT B, PLAN KAP38325, SEC 10, TWP 26, 41	1.00	139.26
217	4199302	3665 HART RD	LOT 2, PLAN KAP48949, SEC 10, TWP 26, 41	11.35	1580.60
217	4199303	3255 MCCULLOCH RD	LOT A, PLAN KAP63291, SEC 10, TWP 26, 41	1.00	139.26
217	4199306	3671 HART RD	LOT B, PLAN KAP92586, SEC 10, TWP 26, 41	3.71	516.65
217	4201000	3940 SENGERR RD	LOT , PLAN , SEC 11, TWP 26, 41	5.55	772.89
217	4208000	2604 A BELGO RD	LOT 5, PLAN KAP1380, SEC 11, TWP 26, 41	7.07	984.57
217	4209000	2502 BELGO RD	LOT 6, PLAN KAP1380, SEC 11, TWP 26, 41	14.97	2084.72
217	4210000	2550 WALBURN RD	LOT 7, PLAN KAP1380, SEC , TWP 26, 41	3.35	466.52
217	4214000	2605 BELGO RD	LOT 3, PLAN KAP1380, SEC 11, TWP 26, 41	8.55	1190.67
217	4215000	2505 BELGO RD	LOT 4, PLAN KAP1380, SEC 11, TWP 26, 41	8.76	1219.92
217	4220000	3950 BORLAND RD	LOT , PLAN KAP1862B, SEC 11, TWP 26, 41	2.92	406.64
217	4222000	3527 BEMROSE RD	LOT 2, PLAN KAP2005, SEC 11, TWP 26, 41	3.17	441.45
217	4223000	3835 BORLAND RD	LOT A, PLAN KAP2645, SEC 11, TWP 26, 41	4.07	566.79
217	4225000	3553 BEMROSE RD	LOT 1, PLAN KAP4332, SEC 11, TWP 26, 41	4.37	608.57
217	4227000	3587 BEMROSE RD	LOT 3, PLAN KAP4332, SEC 11, TWP 26, 41	5.38	749.22
217	4228000	3625 BEMROSE RD	LOT A, PLAN KAP4553, SEC 11, TWP 26, 41	7.95	1107.12
217	4232000	3647 BEMROSE RD	LOT 1, PLAN KAP5787, SEC 11, TWP 26, 41	6.04	841.13
217	4234000	4010 SENGERR RD	LOT A, PLAN KAP6005, SEC 11, TWP 26, 41	25.24	3514.92
217	4235000	3975 SENGERR RD	LOT A, PLAN KAP6633, SEC 11, TWP 26, 41	2.62	364.86
217	4237120	2149 BELGO RD	LOT 1, PLAN KAP31521, SEC , TWP 26, 41	10.04	1398.17
217	4237128	2277 BELGO RD	LOT 1, PLAN EPP30052, SEC 11, TWP 26, 41	1.00	139.26
217	4237130	2327 BELGO RD	LOT 1, PLAN KAP33009, SEC 11, TWP 26, 41	8.84	1231.06
217	4237137	3547 BEMROSE RD	LOT 1, PLAN KAP71097, SEC 26, TWP 11, 41	1.00	139.26
217	4237138	2547 BELGO RD	LOT A, PLAN KAP76995, SEC 11, TWP 26, 41	1.00	139.26

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217	4237139	3567 BEMROSE RD	LOT A, PLAN KAP77725, SEC 11, TWP 26, 41	1.00	139.26
217	4240000	2260 GARNER RD	LOT 1, PLAN KAP1380, SEC , TWP 26, 41	8.53	1187.89
217	4243000	2455 WALBURN RD	LOT B, PLAN KAP3238B, SEC 12, TWP 26, 41	7.40	1030.52
217	4245051	2601 WALBURN RD	LOT 2, PLAN KAP62978, SEC 12, TWP 26, 41	7.63	1062.55
217	4247000	1190 LEWIS RD	LOT 9, PLAN KAP1380, SEC 13, TWP 26, 41	8.08	1125.22
217	4248000	2290 GARNER RD	LOT 2, PLAN KAP1380, SEC 13, TWP 26, 41	7.52	1047.24
217	4249000	2148 WALBURN RD	LOT 4, PLAN KAP1380, SEC 13, TWP 26, 41	10.45	1455.27
217	4254000	1093 TEASDALE RD	LOT 8, PLAN KAP1380, SEC , TWP 26, 41	5.17	719.97
217	4256000	1320 BELGO RD	LOT 1, PLAN KAP1926, SEC 13, TWP 26, 41	6.20	863.41
217	4258000	1404 LEWIS RD	LOT 2, PLAN KAP1926, SEC 13, TWP 26, 41	7.32	1019.38
217	4261000	1839 WALBURN RD	LOT 7, PLAN KAP1926, SEC 13, TWP 26, 41	5.61	781.25
217	4269002	2091 WALBURN RD	LOT 2, PLAN KAP4119, SEC 13, TWP 26, 41	3.52	490.20
217	4270003	1959 WALBURN RD	LOT B, PLAN KAP91170, SEC 13, TWP 26, 41	1.00	139.26
217	4293000	1181 LEWIS RD	LOT A, PLAN KAP11265, SEC 13, TWP 26, 41	1.24	172.68
217	4315000	3855 EAST KELOWNA RD	LOT 13, PLAN KAP665, SEC 14, TWP 26, 41	2.30	320.30
217	4317000	2075 BELGO RD	LOT 9, PLAN KAP1380, SEC 14, TWP 26, 41	4.20	584.89
217	4318001	1865 BELGO RD	LOT 11, PLAN KAP1380, SEC 14, TWP 26, 41	9.27	1290.94
217	4319000	2280 HOLLYWOOD RD S	LOT 12, PLAN KAP1380, SEC 14, TWP 26, 41	3.98	554.25
217	4323000	1725 TEASDALE RD	LOT 2, PLAN KAP1380, SEC 14, TWP 26, 41	1.56	217.25
217	4324000	1650 GEEN RD	LOT 3, PLAN KAP1380, SEC 14, TWP 26, 41	1.87	260.42
217	4325001	1390 GEEN RD	LOT A, PLAN KAP90868, SEC 14, TWP 26, 41	5.28	735.29
217	4325005	1552 GEEN RD	LOT 1, PLAN EPP34425, SEC 14, TWP 26, 41	1.92	267.38
217	4326000	1699 TEASDALE RD	LOT 5, PLAN KAP1380, SEC 14, TWP 26, 41	1.00	139.26
217	4327004	1595 TEASDALE RD	LOT B, PLAN EPP32484, SEC 14, TWP 26, 41	4.56	635.03
217	4329000	1409 TEASDALE RD	LOT 8, PLAN KAP1380, SEC 14, TWP 26, 41	3.20	445.63
217	4330000	1555 TEASDALE RD	LOT 10, PLAN KAP1380, SEC 14, TWP 26, 41	1.04	144.83
217	4333000	1375 GEEN RD	LOT 5, PLAN KAP1380, SEC 13, TWP 26, 41	1.00	139.26
217	4334001	1225 TEASDALE RD	LOT 6, PLAN KAP1380, SEC 14, TWP 26, 41	3.96	551.47
217	4335000	1103 TEASDALE RD	LOT 7, PLAN KAP1380, SEC 14, TWP 26, 41	2.17	302.19
217	4343000	2270 HOLLYWOOD RD S	LOT A, PLAN KAP1845, SEC 14, TWP 26, 41	1.00	139.26
217	4344000	2015 BELGO RD	LOT B, PLAN KAP1845, SEC 14, TWP 26, 41	8.86	1233.84
217	4346000	1565 1 BELGO RD	LOT B, PLAN KAP1846, SEC 14, TWP 26, 41	5.12	713.01
217	4350000	1469 TEASDALE RD	LOT 1, PLAN KAP4384, SEC 14, TWP 26, 41	7.52	1047.24
217	4351000	1429 TEASDALE RD	LOT 2, PLAN KAP4384, SEC 14, TWP 26, 41	1.96	272.95

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217	4353000	3675 EAST KELOWNA RD	LOT A, PLAN KAP76792, SEC 15, TWP 26, 41	1.00	139.26
217	4354000	3223 REID RD	LOT B, PLAN KAP76792, SEC 15, TWP 26, 41	1.00	139.26
217	4360093	3754 EAST KELOWNA RD	LOT B, PLAN KAP84170, SEC 14, TWP 26, 41	6.90	960.89
217	4360267	1708 GEEN RD	LOT 1, PLAN KAP82075, SEC 14, TWP 26, 41	5.27	733.90
217	4360268	1605 GEEN RD	LOT 2, PLAN KAP82075, SEC 14, TWP 26, 41	7.44	1036.09
217	4360354	1950 BELGO RD	LOT 2, PLAN KAP25528, SEC 14, TWP 26, 41	14.27	1987.24
217	4360527	3795 EAST KELOWNA RD	LOT A, PLAN KAP58793, SEC 14, TWP 26, 41	1.00	139.26
217	4364000	2995 DUNSTER RD	LOT 6, PLAN KAP187, SEC 15, TWP 26, 41	1.46	203.32
217	4365000	3098 EAST KELOWNA RD	LOT 6, PLAN KAP187, SEC 15, TWP 26, 41	9.89	1377.28
217	4366000	3002 EAST KELOWNA RD	LOT 6, PLAN KAP187, SEC 15, TWP 26, 41	2.39	332.83
217	4367000	2855 DUNSTER RD	LOT 7, PLAN KAP187, SEC 15, TWP 26, 41	15.96	2222.59
217	4368000	3152 EAST KELOWNA RD	LOT 7, PLAN KAP187, SEC 15, TWP 26, 41	15.92	2217.02
217	4369000	2795 DUNSTER RD	LOT 8, PLAN KAP187, SEC 15, TWP 26, 41	17.25	2402.24
217	4370002	3250 EAST KELOWNA RD	LOT B, PLAN EPP54381, SEC 15, TWP 26, 41	13.31	1853.55
217	4372000	3208 REID RD	LOT 18, PLAN KAP187, SEC 15, TWP 26, 41	7.63	1062.55
217	4375000	3350 POOLEY RD	LOT 20, PLAN KAP187, SEC 15, TWP 26, 41	7.89	1098.76
217	4379000	3073 DUNSTER RD	LOT 12, PLAN KAP665, SEC 16, TWP 26, 41	6.28	874.55
217	4380000	3502 EAST KELOWNA RD	LOT 11, PLAN KAP187, SEC 15, TWP 26, 41	8.40	1169.78
217	4381000	2947 EAST KELOWNA RD	LOT 1, PLAN KAP736, SEC 15, TWP 26, 41	8.00	1114.08
217	4382000	2981 EAST KELOWNA RD	LOT 2, PLAN KAP736, SEC 15, TWP 26, 41	6.57	914.94
217	4385000	3072 EAST KELOWNA RD	LOT 6, PLAN KAP821B, SEC 15, TWP 26, 41	3.50	487.41
217	4386001	3622 EAST KELOWNA RD	LOT 12, PLAN KAP187, SEC 15, TWP 26, 41	4.19	583.50
217	4386002	3652 EAST KELOWNA RD	LOT 12, PLAN KAP187, SEC 15, TWP 26, 41	1.06	147.62
217	4387000	3183 DUNSTER RD	LOT , PLAN KAP187, SEC 15, TWP 26, 41	4.78	665.66
217	4394000	3582 EAST KELOWNA RD	LOT B, PLAN KAP1670, SEC 15, TWP 26, 41	3.89	541.72
217	4396000	2960 MCCULLOCH RD	LOT B, PLAN KAP1703, SEC 15, TWP 26, 41	4.41	614.14
217	4400000	3430 POOLEY RD	LOT B, PLAN KAP1725, SEC 15, TWP 26, 41	11.76	1637.70
217	4402000	3251 EAST KELOWNA RD	LOT 1, PLAN KAP3379, SEC 15, TWP 26, 41	3.89	541.72
217	4403000	3240 POOLEY RD	LOT 2, PLAN KAP3379, SEC 15, TWP 26, 41	2.22	309.16
217	4404000	3260 POOLEY RD	LOT 3, PLAN KAP3379, SEC 15, TWP 26, 41	11.19	1558.32
217	4406000	3420 EAST KELOWNA RD	LOT 1, PLAN KAP3380, SEC 15, TWP 26, 41	9.01	1254.73
217	4407000	3490 EAST KELOWNA RD	LOT 2, PLAN KAP3380, SEC 15, TWP 26, 41	7.68	1069.52
217	4412000	3288 REID RD	LOT A, PLAN KAP4618, SEC 15, TWP 26, 41	10.80	1504.01
217	4416000	3329 EAST KELOWNA RD	LOT 1, PLAN KAP5512, SEC 15, TWP 26, 41	6.69	931.65

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217	4418000	3375 DALL RD	LOT 1, PLAN KAP6585, SEC 15, TWP 26, 41	5.07	706.05
217	4420000	3060 POOLEY RD	LOT 2, PLAN KAP6585, SEC 15, TWP 26, 41	2.15	299.41
217	4423190	3350 EAST KELOWNA RD	LOT 1, PLAN KAP30593, SEC 15, TWP 26, 41	1.00	139.26
217	4423192	3310 EAST KELOWNA RD	LOT 2, PLAN KAP30593, SEC 15, TWP 26, 41	13.31	1853.55
217	4423194	3410 POOLEY RD	LOT A, PLAN KAP34483, SEC 15, TWP 26, 41	4.50	626.67
217	4423198	3120 POOLEY RD	LOT B, PLAN KAP34888, SEC 15, TWP 26, 41	9.08	1264.48
217	4423205	3480 POOLEY RD	LOT A, PLAN KAP53451, SEC 15, TWP 26, 41	1.00	139.26
217	4423207	3367 REID RD	LOT B, PLAN KAP55650, SEC 15, TWP 26, 41	1.85	257.63
217	4423208	3390 REID RD	LOT 1, PLAN KAP56635, SEC 15, TWP 26, 41	1.00	139.26
217	4423209	3360 REID RD	LOT 2, PLAN KAP56635, SEC 15, TWP 26, 41	7.32	1019.38
217	4428000	3395 NEID RD	LOT 26, PLAN KAP187, SEC 16, TWP 26, 41	3.24	451.20
217	4432000	3194 DUNSTER RD	LOT 5, PLAN KAP665, SEC 16, TWP 26, 41	1.94	270.16
217	4433000	3172 DUNSTER RD	LOT 6, PLAN KAP665, SEC 16, TWP 26, 41	2.39	332.83
217	4436000	3042 1 DUNSTER RD	LOT 9, PLAN KAP665, SEC 16, TWP 26, 41	1.66	231.17
217	4525228	2877 EAST KELOWNA RD	LOT B, PLAN KAP33697, SEC 16, TWP 26, 41	6.38	888.48
217	4525503	2690 BEWLAY RD	LOT 1, PLAN KAP56199, SEC 16, TWP 26, 41	3.20	445.63
217	4591000	2934 DUNSTER RD	LOT C, PLAN KAP1700, SEC 22, TWP 26, 41	7.89	1098.76
217	4805214	2960 DUNSTER RD	LOT 1, PLAN KAP73437, SEC 22, TWP 26, 41	12.95	1803.42
217	4814000	1250 BELGO RD	LOT 3, PLAN KAP2128, SEC , TWP 26, 41	3.72	518.05
217	4824000	1205 BELGO RD	LOT 2, PLAN KAP2329, SEC 23, TWP 26, 41	2.42	337.01
217	4825001	1368 3 TEASDALE RD	LOT 3, PLAN KAP2329, SEC 23, TWP 26, 41	17.58	2448.19
217	4837000	1454 TEASDALE RD	LOT A, PLAN KAP4697, SEC 23, TWP 26, 41	1.92	267.38
217	4884000	1255 BELGO RD	LOT 2, PLAN KAP5620B, SEC , TWP 26, 41	14.91	2076.37
217	4898000	879 HIGHWAY 33 E	LOT 3, PLAN KAP9679, SEC , TWP 26, 41	8.94	1244.98
217	5479000	3363 SPRINGFIELD RD	LOT 5, PLAN KAP1802, SEC 24, TWP 26, 41	12.14	1690.62
217	5502130	811 HIGHWAY 33 E	LOT A, PLAN KAP23321, SEC 24, TWP 26, 41	1.93	268.77
217	5502305	1151 LEWIS RD	LOT A, PLAN KAP33567, SEC 24, TWP 26, 41	5.39	750.61
217	5502310	881 HIGHWAY 33 E	LOT B, PLAN KAP33567, SEC 24, TWP 26, 41	8.89	1238.02
217	5503001	751 HARTMAN RD	LOT , PLAN KAP264, SEC 25, TWP 26, 41	8.85	1232.45
217	5510000	920 HARTMAN RD	LOT 3, PLAN KAP731, SEC 25, TWP 26, 41	5.95	828.60
217	5511000	1130 HARTMAN RD	LOT 4, PLAN KAP731, SEC 25, TWP 26, 41	5.37	747.83
217	5513002	1080 GIBSON RD	LOT A, PLAN EPP11757, SEC 25, TWP 26, 41	1.00	139.26
217	5513004	1120 GIBSON RD	LOT B, PLAN EPP11757, SEC 25, TWP 26, 41	6.28	874.55
217	5514000	1145 MORRISON RD	LOT 2, PLAN KAP1515, SEC 25, TWP 26, 41	2.51	349.54

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217	5516000	712 MCCURDY RD E	LOT 4, PLAN KAP1515, SEC 25, TWP 26, 41	6.83	951.15
217	5517000	225 GIBSON RD	LOT 4, PLAN KAP1760, SEC 25, TWP 26, 41	3.72	518.05
217	5519002	1610 SWAINSON RD	LOT 1, PLAN KAP77945, SEC , TWP 26, 41	10.86	1512.36
217	5524000	1308 MCKENZIE RD	LOT 12, PLAN KAP1760, SEC 25, TWP 26, 41	6.55	912.15
217	5529000	1795 MCCURDY RD E	LOT 1, PLAN KAP77943, SEC , TWP 26, 41	1.18	164.33
217	5530000	1550 SWAINSON RD	LOT 1, PLAN KAP77944, SEC , TWP 26, 41	22.85	3182.09
217	5548000	1090 MCKENZIE RD	LOT 2, PLAN KAP4586, SEC 25, TWP 26, 41	26.74	3723.81
217	5561000	690 HARTMAN RD	LOT A, PLAN KAP5499, SEC 25, TWP 26, 41	16.60	2311.72
217	5579469	1045 EL PASO RD	LOT 22, PLAN KAP22986, SEC 25, TWP 26, 41	5.19	722.76
217	5579575	839 HARTMAN RD	LOT 2, PLAN KAP29183, SEC 25, TWP 26, 41	17.85	2485.79
217	5579684	837 HARTMAN RD	LOT A, PLAN KAP35135, SEC 25, TWP 26, 41	2.66	370.43
217	6471000	463 VALLEY RD	LOT 2, PLAN KAP896, SEC , TWP 26, 41	2.03	282.70
217	6499001	445 VALLEY RD	LOT 3, PLAN KAP896, SEC 33, TWP 26, 41	3.75	522.23
217	6501000	2224 ROJEM RD	LOT 4, PLAN KAP896, SEC 33, TWP 26, 41	2.06	286.88
217	6502000	389 VALLEY RD	LOT 5, PLAN KAP896, SEC 33, TWP 26, 41	7.83	1090.41
217	6507000	2429 LONGHILL RD	LOT 14, PLAN KAP1068, SEC 33, TWP 26, 41	11.55	1608.45
217	6508000	2449 LONGHILL RD	LOT 15, PLAN KAP1068, SEC 33, TWP 26, 41	1.28	178.25
217	6510000	120 MAIL RD	LOT 15, PLAN KAP1068, SEC , TWP 26, 41	7.95	1107.12
217	6511000	102 MAIL RD	LOT 16, PLAN KAP1068, SEC , TWP 26, 41	8.75	1218.53
217	6524000	2300 30 SILVER PL	LOT 8, PLAN KAP1249, SEC 33, TWP 26, 41	3.43	477.66
217	6525000	2227 ROJEM RD	LOT 9, PLAN KAP1249, SEC 33, TWP 26, 41	2.10	292.45
217	6527000	2255 ROJEM RD	LOT 11, PLAN KAP1249, SEC 33, TWP 26, 41	4.42	615.53
217	6528000	2309 ROJEM RD	LOT 12, PLAN KAP1249, SEC 33, TWP 26, 41	4.36	607.17
217	6529000	2323 ROJEM RD	LOT 13, PLAN KAP1249, SEC 33, TWP 26, 41	2.78	387.14
217	6533000	2379 ROJEM RD	LOT 17, PLAN KAP1249, SEC 33, TWP 26, 41	1.96	272.95
217	6541000	330 VALLEY RD	LOT 2, PLAN KAP4043, SEC 33, TWP 26, 41	1.00	139.26
217	6554120	2389 2 ROJEM RD	LOT A, PLAN KAP26223, SEC 33, TWP 26, 41	4.91	683.77
217	6554140	2400 LONGHILL RD	LOT A, PLAN KAP26592, SEC 4&33, TWP 23, 41	2.41	335.62
217	6554160	2461 LONGHILL RD	LOT A, PLAN KAP28623, SEC 33, TWP 26, 41	5.10	710.23
217	6554195	2350 SILVER PL	LOT 1, PLAN KAP33461, SEC 33, TWP 26, 41	3.52	490.20
217	6554197	2489 LONGHILL RD	LOT 2, PLAN KAP33461, SEC 33, TWP 26, 41	4.13	575.14
217	6554199	574 RIFLE RD	LOT 3, PLAN KAP33461, SEC 33, TWP 26, 41	3.39	472.09
217	6554238	2351 ROJEM RD	LOT C, PLAN KAP61113, SEC 33, TWP 26, 41	4.45	619.71
217	6557002	2710 LONGHILL RD	LOT B, PLAN KAP88097, SEC 34, TWP 26, 41	1.00	139.26

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	6612470	2512 LONGHILL RD	LOT A, PLAN KAP26258, SEC , TWP 26, 41	13.50	1880.01
217	6612672	2614 LONGHILL RD	LOT 1, PLAN KAP40166, SEC 34, TWP 26, 41	2.17	302.19
217	6638000	1844 RUTLAND RD N	LOT , PLAN KAP264, SEC 35, TWP 26, 41	1.00	139.26
217	6646000	625 CORNISH RD	LOT 27, PLAN KAP425, SEC , TWP 26, 41	1.00	139.26
217	6647000	610 CORNISH RD	LOT 28, PLAN KAP425, SEC 35, TWP 26, 41	7.77	1082.05
217	6650001	550 CORNISH RD	LOT 31, PLAN KAP425, SEC 3526, TWP , 41	1.00	139.26
217	6658000	355 CORNISH RD	LOT 41, PLAN KAP425, SEC 35, TWP 26, 41	3.64	506.91
217	6773003	1685 RUTLAND RD N	LOT 3, PLAN KAP18313, SEC 35, TWP 26, 41	2.05	285.48
217	6773440	585 CORNISH RD	LOT 1, PLAN KAP19142, SEC 35, TWP 26, 41	3.86	537.54
217	6776850	2105 MORRISON RD	LOT 1, PLAN KAP425, SEC 36, TWP 26, 41	4.14	576.54
217	6776900	1990 MCKENZIE RD	LOT 2, PLAN KAP425, SEC 36, TWP 26, 41	15.13	2107.00
217	6777000	1900 MCKENZIE RD	LOT 3, PLAN KAP425, SEC 36, TWP 26, 41	6.03	839.74
217	6778000	1893 MORRISON RD	LOT 3, PLAN KAP425, SEC 36, TWP 26, 41	4.17	580.71
217	6788000	1304 MORRISON RD	LOT 10, PLAN KAP425, SEC 36, TWP 26, 41	7.58	1055.59
217	6793000	2104 1 MORRISON RD	LOT 15, PLAN KAP425, SEC , TWP 26, 41	2.82	392.71
217	6794000	685 2 OLD VERNON RD	LOT 16, PLAN KAP425, SEC , TWP 26, 41	7.70	1072.30
217	6796000	745 CORNISH RD	LOT 18, PLAN KAP425, SEC , TWP 26, 41	6.35	884.30
217	6799510	1425 MORRISON RD	LOT B, PLAN EPP15301, SEC 36, TWP 26, 41	7.31	1017.99
217	6803000	1350 HORNING RD	LOT 20, PLAN KAP1760, SEC 36, TWP 26, 41	14.64	2038.77
217	6805005	1920 MCCURDY RD E	LOT 3, PLAN KAP91486, SEC 31, TWP 27, 41	14.58	2030.41
217	6806000	1431 LATTA RD	LOT 24, PLAN KAP1760, SEC , TWP 26, 41	2.65	369.04
217	6807001	1305 LATTA RD	LOT 25, PLAN KAP1760, SEC 36, TWP 26, 41	11.53	1605.67
217	6810002	1341 LATTA RD	LOT 28, PLAN KAP1760, SEC 36, TWP 26, 41	9.97	1388.42
217	6814006	1400 LATTA RD	LOT 2, PLAN KAP91485, SEC 31, TWP 27, 41	10.47	1458.05
217	6814007	1448 LATTA RD	LOT 3, PLAN KAP91485, SEC 31, TWP 27, 41	17.22	2398.06
217	6817001	1331 MCCURDY RD E	LOT 1, PLAN KAP4060, SEC 36, TWP 26, 41	19.57	2725.32
217	6819000	1545 MCCURDY RD E	LOT 3, PLAN KAP4060, SEC 36, TWP 26, 41	15.90	2214.23
217	6820000	1445 LATTA RD	LOT 25, PLAN KAP4218B, SEC 36, TWP 26, 41	12.24	1704.54
217	6828490	1761 MORRISON RD	LOT A, PLAN KAP25654, SEC 36, TWP 26, 41	3.97	552.86
217	6828500	1750 MCKENZIE RD	LOT B, PLAN KAP25654, SEC 36, TWP 26, 41	10.23	1424.63
217	6828524	1700 MCKENZIE RD	LOT D, PLAN KAP25654, SEC 36, TWP 26, 41	7.37	1026.35
217	6828618	1301 LATTA RD	LOT 1, PLAN KAP33998, SEC 36, TWP 26, 41	1.00	139.26
217	6828642	837 MCCURDY RD E	LOT 2, PLAN EPP14181, SEC 36, TWP 26, 41	1.00	139.26
217	6828644	833 MCCURDY RD E	LOT 3, PLAN EPP14181, SEC 36, TWP 26, 41	1.00	139.26

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	6886003	2025 1 TREETOP RD	LOT 1, PLAN KAP1760, SEC , TWP 27, 41	9.81	1366.14
217	6960185	5681 LAKESHORE RD	LOT 1, PLAN EPP37698, SEC 16, TWP 28, 54	1.00	139.26
217	7143000	559 BARNABY RD	LOT 3, PLAN KAP1743, SEC 25, TWP 28, 54	1.00	139.26
217	7161000	4856 LAKESHORE RD	LOT , PLAN KAP1722, SEC 25, TWP 29, 41	3.73	519.44
217	7264002	1456 DEHART RD	LOT 1, PLAN KAP1837, SEC , TWP 29, 41	11.58	1612.63
217	7269000	999 CRAWFORD RD	LOT 1, PLAN KAP13170, SEC 31, TWP 29, 41	11.85	1650.23
217	7270072	1265 CRAWFORD RD	LOT 2, PLAN KAP21104, SEC 31, TWP 29, 41	1.00	139.26
217	7270074	1285 CRAWFORD RD	LOT 3, PLAN KAP21104, SEC , TWP 29, 41	1.00	139.26
217	7278000	4551 STEWART RD W	LOT 220, PLAN KAP1247, SEC 32, TWP 29, 41	2.89	402.46
217	7280000	4480 STEWART RD E	LOT 222, PLAN KAP1247, SEC 32, TWP 29, 41	1.00	139.26
217	7286000	1690 SAUCIER RD	LOT 228, PLAN KAP1247, SEC 32, TWP 29, 41	1.00	139.26
217	7287000	1670 SAUCIER RD	LOT 229, PLAN KAP1247, SEC 32, TWP 29, 41	6.61	920.51
217	7290000	1650 SAUCIER RD	LOT 232, PLAN KAP1247, SEC 32, TWP 29, 41	9.79	1363.36
217	7291000	4202 BEDFORD RD	LOT 233, PLAN KAP1247, SEC 32, TWP 29, 41	9.74	1356.39
217	7293000	1601 SAUCIER RD	LOT 238, PLAN KAP1247, SEC 32, TWP 29, 41	1.62	225.60
217	7296000	1475 DEHART RD	LOT 246, PLAN KAP1247, SEC 32, TWP 29, 41	1.00	139.26
217	7304000	4132 BEDFORD RD	LOT 3, PLAN KAP15793, SEC 32, TWP 29, 41	6.38	888.48
217	7304010	1485 DEHART RD	LOT 1, PLAN KAP20969, SEC 32, TWP 29, 41	1.21	168.50
217	7351000	4305 JAUD RD	LOT 5, PLAN KAP6171, SEC 34, TWP 29, 41	17.46	2431.48
217	9533000	2517 GALE RD	LOT 2, PLAN KAP10810, SEC , TWP , 41	6.91	962.29
217	9533052	2499 GALE RD	LOT C, PLAN KAP19044, SEC , TWP , 41	1.00	139.26
217	9533053	2475 GALE RD	LOT D, PLAN KAP19044, SEC , TWP , 41	1.00	139.26
217	9533054	2449 GALE RD	LOT E, PLAN KAP19044, SEC , TWP , 41	1.00	139.26
217	9533055	2427 GALE RD	LOT F, PLAN KAP19044, SEC , TWP , 41	1.00	139.26
217	9533057	2555 GALE RD	LOT A, PLAN EPP65442, SEC , TWP , 41	1.39	193.57
217	10393000	2050 BYRNS RD	LOT 1, PLAN KAP2830, SEC 17, TWP 26, 41	20.34	2832.55
217	10394001	2190 COOPER RD	LOT A, PLAN KAP80629, SEC , TWP , 41	6.70	933.04
217	10410000	1756 BYRNS RD	LOT 23, PLAN KAP415, SEC , TWP , 41	11.40	1587.56
217	10411000	1890 BYRNS RD	LOT 23, PLAN KAP415, SEC 19, TWP 26, 41	4.35	605.78
217	10414000	1756 BYRNS RD	LOT 26, PLAN KAP415, SEC , TWP , 41	15.50	2158.53
217	10518000	1650 BYRNS RD	LOT 2, PLAN KAP78759, SEC , TWP , 41	3.61	502.73
217	10519852	2225 SPALL RD	LOT B, PLAN KAP40808, SEC , TWP , 41	13.45	1873.05
217	10519854	1980 BYRNS RD	LOT C, PLAN KAP40808, SEC , TWP , 41	10.91	1519.33
217	10519856	1990 BYRNS RD	LOT D, PLAN KAP40808, SEC , TWP , 41	1.00	139.26

Jurisdiction	Folio	Grower Address	Legal Description	Adj. Acres	x139.26
217	10531000	1909 BYRNS RD	LOT 15, PLAN KAP415, SEC , TWP , 41	10.05	1399.56
217	10543001	2589 BENVOLIN RD	LOT 1, PLAN KAP3357, SEC , TWP , 41	5.67	789.60
217	10549000	2029 BYRNS RD	LOT 2, PLAN KAP8615, SEC , TWP , 41	8.21	1143.32
217	10589113	1909 BYRNS RD	LOT B, PLAN KAP67173, SEC , TWP , 41	22.89	3187.66
217	11501711	4345 HOBSON RD	LOT 25, PLAN KAP27559, SEC , TWP , 41	1.00	139.26
217	11502309	4340 HOBSON RD	LOT A, PLAN KAP69885, SEC , TWP , 41	1.00	139.26
217	12185840	2450 SAUCIER RD	LOT 166, PLAN KAP1247, SEC 33, TWP 29, 41	3.68	512.48
217	12185870	2225 SAUCIER RD	LOT 180, PLAN KAP1247, SEC 33, TWP 29, 41	1.00	139.26
217	12191000	4400 JAUD RD	LOT 3, PLAN KAP1734, SEC 33, TWP 29, 41	13.92	1938.50
217	12199072	4499 WALLACE HILL RD	LOT A, PLAN KAP35213, SEC , TWP , 41	2.01	279.91
217	12199082	4380 WALLACE HILL RD	LOT 2, PLAN KAP39632, SEC , TWP , 41	4.70	654.52
217	12199103	2740 HARVARD RD	LOT 14, PLAN KAP62784, SEC , TWP , 41	3.11	433.10
217	12199105	4300 WALLACE HILL RD	LOT B, PLAN KAP62482, SEC , TWP , 41	15.82	2203.09
				2316.51	322597.18

Report to Council



Date: April 24, 2017

Rim No. 0610-53

To: City Manager

From: Divisional Director, Active Living & Culture

Subject: Updates to the Conditions of Use & Allocation Guideline for Recreation and Cultural Facilities and amendments to Fees & Charges Bylaw No. 9609

Prepared by: Manager, Recreation & Business Services

Recommendation:

THAT Council receives the report from the Divisional Director of Active Living & Culture, regarding updates to the Conditions of Use & Allocation Guidelines for Recreation & Cultural Facilities and the amendments to the Fees & Charges Bylaw No. 9609, as outlined in the report dated April 24, 2017;

AND THAT Council endorse the updates to the Conditions of Use & Allocation Guidelines for Recreation & Cultural Facilities as outlined in the report dated April 24, 2017;

AND THAT Bylaw No. 11366 being Amendment No. 5 to the Recreation & Cultural Services Fees & Charges Bylaw No. 9609 be advanced for reading consideration.

PURPOSE: To seek Council's endorsement on updates to the Conditions of Use & Allocation Guidelines for Recreation & Cultural Facilities and amendments to Fees & Charges Bylaw No. 9609.

Background:

At the February 27, 2017, morning Council meeting, Council was provided an overview of the approach and documents related to setting fee structures and allocation of facilities through the Active Living & Culture Division. This was provided as background as staff were reviewing updates to the Conditions of Use & Allocation Guidelines and amendments to the Fees & Charges Bylaw No. 9609. Key documents include:

- Council Policy 222 Recreation and Cultural Services – Philosophy/Fees & Charges Policy – This policy provides the framework for setting fees and contains policy statements that ensure services provide benefit to the public.

Council Report – Overview of Fee Structures and Allocation of Space in Sport, Recreation and Cultural Facilities

- Conditions of Use & Allocation Guidelines for Recreation & Cultural Facilities (the Guidelines) – The manual contains general and specific conditions that guide the use and scheduling of various City facilities and sports fields.
- Fees & Charges Bylaw No. 9609 (the Bylaw) – The Bylaw contains fee schedules for the various bookable facilities; rental rates, facility admission rates and services through Active Living & Culture.

A key aspect in the management and application of the Guidelines and the Bylaw is the ongoing collaboration with facility-based advisory committees; specifically, the Sportsfield Advisory Committee, Arena Advisory Committee, Aquatics Advisory Committee and the Outdoor Events Committee. This collaboration ensures awareness of community trends with input from key user groups that guide the development and implementation of these documents.

Conditions of Use & Allocation Guidelines for Recreation & Cultural Facilities

Updates are made to the Guidelines on an ongoing basis to improve the document but not change the principles or intent on how space is allocated. The more significant changes are brought back to Council for consideration. The current updates within this section can be summarized as follows:

- New and updated clauses in administrative sections and facility sections to reflect current practice
- Allocation guidelines that address new spaces and changing use patterns

General Sections (pages 7-12)

- Canadian Sport for Life Model (CS4L) principles have been introduced into the Guidelines to support the early stages of the City's integration plans. Moving forward, the intent would be to further develop policies and procedures that would support, and even reward, Community Organizations that adhere to and implement operational practices related to CS4L, Long Term Athlete Development and appropriate standards of operation, play and ethics.
- Additional clarity has been inserted into the "Traditional (Historical) Use" definition related to commercial organizations and traditional status. When a group obtains traditional status they gain preference in the annual booking process for time and location. Generally, only non-for-profit organizations are eligible to gain traditional status. A commercial organization may gain traditional status through the following circumstances:
 - Annual events that are recognized through the Outdoor Event process
 - Allocations that are made as part of lease/operating agreements, or
 - Significant non-prime time bookings allocated as a strategic means to maximize facility use (Director approval required).
- A "facility usage" clause has been added authorizing the Director to periodically amend rates on a short term basis for the purpose of facility use maximization or promotion.
 - Facility use maximization will be used to sell off any unbooked space within 48 hours up to a maximum discount of 50%.
 - Promotional purposes will be limited to a maximum discount of 25% on one-year Facility Passes at Parkinson Recreation Centre up to four times per year to increase attendance in the fitness centre.

Council Report – Overview of Fee Structures and Allocation of Space in Sport, Recreation and Cultural Facilities

Facility Rentals (page 18-21)

This section reflects programming and rentals at Parkinson Recreation Centre, Activity Centres and other similar program/rental sites. The priority allocation is being documented for clarity and is based on past practice. In general, the priority order is:

1. City Programming
2. Partner Programming
3. Corporate Requirements
4. Community Rentals

Sportsfields (page 35)

Outdoor Fitness Classes (and/or boot camps) within parks and sportsfields have become increasingly popular throughout the City in the last few years. In order to manage their presence and impact on infrastructure (fields, goal posts, railings, bleachers, fences, etc.), a fitness permit process has been added to the Guidelines that supports outdoor fitness classes at specific parks. Bookings will be on a first come, first served basis, and may be made no more than 60 days in advance. A new permit fee structure for Outdoor Fitness Classes has also been included in the Bylaw amendments.

Outdoor Events (page 50)

Council Policy 216 “Traffic Control – Special Events” was rescinded on April 10, 2017 by Civic Operations Division and incorporated into the Outdoor Events section of the Guidelines. This section now defines the terms and conditions for traffic management to ensure public safety and that sufficient traffic control methods are in place for special events.

Other Facilities (pages 57-58)

This section has been expanded to include bookable facilities such as tennis courts, pickleball courts, basketball courts, outdoor multi-sport courts and beach volleyball courts.

Recognizing current practice, a Facility Use Agreement has been established with Pickleball Kelowna providing exclusive use of the Parkinson Recreation Centre courts for no greater than 36 hours per week between May to October. This information has been added to this section of the Guidelines.

The chart below recognizes new bookable facilities for basketball courts, outdoor multi-sport courts and beach volleyball courts. General rules and guidelines have been established including allocation times and priorities. In order to better assess use and demands, as well as balance organized play with general drop-in opportunities, this section will be on a trial basis to be further evaluated following the 2018 season.

Facilities	Location	Types of Bookings		Allocation Priorities
		Tournaments & events, City programs and other rentals	Tournaments & events and City Programs	
Basketball Courts	Jubilee Court – City Park	✓		1. Tournaments/Events 2. City Programs
	South Court –		✓	3. Minor sports

Council Report – Overview of Fee Structures and
Allocation of Space in Sport, Recreation and Cultural Facilities

	City Park			Organizations 4. Adult Sport Organizations 5. Commercial
Outdoor Multi Courts	Parkinson Recreation Centre	✓		
	Ben Lee Park	✓		
Beach Volleyball	City Park Courts	✓		
	Boyce-Gyro Courts		✓	

Fees & Charges Bylaw No. 9609

The following outlines the significant changes within the Bylaw for Active Living & Culture. If not otherwise affected by rate changes as noted below, fees increase annually by 2 percent. The updates within this section can be summarized as follows:

- Fee adjustments to align with comparable market rates
- Adjustments to establish consistent relationships between non-profit and commercial rates
- Multi-year rate table extensions or change to annual 2 percent increase
- Introduction of new fees that address new facility development and changing use patterns

Each fee schedule currently has varying effective dates for increases throughout the calendar year. Through this update, this will be changed to a standard date of April 1 each year. However, for 2017 only, given the timing of this report, the effective date of all new fee changes will be May 1.

Schedule A – Parkinson Recreation Centre – Facility Admissions

This schedule includes admission fees for Parkinson Recreation Centre swimming pool and fitness centre. All fees go up by 2 percent annually but the six month and one-year family rates have been adjusted to establish a ratio equal to two adult rates for passes of the same duration to create consistency.

	6 Month		1 Year	
	Current	Proposed	Current	Proposed
Pool	\$396.66	\$395.30	\$686.23	\$668.94
Facility	\$489.87	\$500.70	\$808.69	\$847.34

- Corporate Wellness Pass Program for external organizations updated by increasing the discount for annual passes from 20 percent to 25 percent and adding the same discount for the purchase of 100 or more adult single entry facility passes.
- Addition of a Facility Promo Pass at \$25 for new members. This is a one-time, one-month pass to the fitness centre and pool at Parkinson Recreation Centre at a reduced rate to try the facility.

Schedule B – Parkinson Recreation Centre

This schedule includes rental fees for the gymnasium and various rentable rooms at Parkinson Recreation Centre that go up annually by 2 percent. Changes for 2017 include adjustments to align fees with market rates, changes to commercial rates to establish the relationship between commercial and non-profit and the addition of bookable spaces such as the Cherry Room and front concourse or back patio. Adjustments vary, but the rooms with the most significant rate changes are:

Council Report – Overview of Fee Structures and
Allocation of Space in Sport, Recreation and Cultural Facilities

	Non-Profit		Commercial	
Rooms – Hourly Rates	CURRENT RATES	PROPOSED RATES	CURRENT RATES	PROPOSED RATES
Spartan Room	\$19.30	\$ 25.00	\$30.16	\$50.00
Orchard Room (Bartlett, Red Haven & Sun Haven Sections + 2 kitchenettes)	\$25.32	\$ 28.00	\$38.72	\$56.00
Red Haven Room	\$11.27	\$ 14.00	\$17.26	\$28.00
Sun Haven Room (+ kitchenette)	\$14.10	\$ 18.00	\$21.57	\$36.00
Bartlett Sun Room (Bartlett & Sun Haven Sections + 2 kitchenettes)	\$17.33	\$ 25.00	\$26.00	\$50.00

Schedule B1 – Aquatic Rentals

The fees in this schedule include club training and competition rentals at H2O Adventure & Fitness Centre and Parkinson Recreation Centre as well as commercial and non-profit rentals at Parkinson Recreation Centre. Changes to the fees include:

- The multi-year rate tables conclude in 2017 and the minor rates will change to a 2 percent annual increase while the adult rates will remain at 1.5 times the minor rate.
- The commercial rates at Parkinson Recreation Centre have been established at double the adult rate and will increase annually by 2 percent.

Schedule C – Apple Bowl

The changes in this schedule include:

- Increase commercial full stadium rate to establish the relationship between commercial and adult non-profit.
- The minor multi-year rate schedule for track and field practice has been updated to bring the rates closer to market standard. The adult rate has not been used and therefore removed.

PROPOSED RATES – per hour	2017	2018	2019	2020	2021
Track and Field Practice - Minor	\$14.18	\$15.60	\$18.72	\$22.46	\$26.95

Schedule D – Sportsfields

This schedule includes league and tournament rates for sportsfields as well as the artificial turf field. Changes include:

- Natural Turf Fields – establish a commercial rate for natural turf fields that did not exist previously.
- Artificial Turf Field – replace prime and non-prime “times” with prime and non-prime “seasons” in order to encourage use of the artificial turf field and reduce the pressure on the natural turf fields. Also, incorporate the pre-season practice rate into the Non-Prime Season fee schedule.
- Addition of a Park Permit fee for outdoor fitness classes based on \$80 per month or \$400 per season. This fee provides access to specified parks for permitted use.

Council Report – Overview of Fee Structures and
Allocation of Space in Sport, Recreation and Cultural Facilities

Schedule E - Arenas

This schedule includes arena rentals and public skating rates. Changes to this schedule are limited to an extension of the multi-year rate table for public skating with rates set to accommodate easy cash transactions on sites with manual cash collection processes. The example provided below is for adult single entry.

Admission Rates	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
General Admission	\$4.50	\$4.50	\$4.75	\$4.75	\$4.75

Schedule F – Multi-Purpose Facilities

This schedule includes rental rates that increase annually by 2 percent for the various rentable recreation facilities throughout Kelowna. Changes for 2017 include market rate adjustments and changes to commercial rates to establish the relationship between commercial and non-profit. Adjustments vary but the facilities with the most significant rate changes are:

Location	CURRENT RATES		PROPOSED RATES	
	Non-Profit Hourly Rates	Commercial Hourly Rates	Non-Profit Hourly Rates	Commercial Hourly Rates
Rutland Activity Centre				
Hall	\$12.79	n/a	\$30.00	n/a
Multi-Purpose Room	\$4.18	n/a	\$15.00	n/a
Meeting Room	\$2.14	n/a	\$12.00	n/a
Parkinson Activity Centre				
Main hall	\$19.70	\$29.55	\$39.00	\$78.00
Kinsmen Media Centre	\$11.50	\$17.25	\$14.00	\$28.00

Schedule G – Other Facilities/Parks

This schedule includes fees for Outdoor Events and other rentable facilities such as tennis, pickleball, basketball, lacrosse and ball hockey and beach volleyball.

Outdoor Events

Changes to this part of the schedule include:

- Removal of the Outdoor Events Application fees multi-year rate table to change to an annual 2 percent increase plus the addition of a fourth category (D) to provide a more accurate representation of events as opposed to categorizing by size alone. Rates for categories A-C have not changed.

Outdoor Events Application Fee Category	Non-Profit Rates per licence	Commercial Rates per licence
A	\$60.00	\$120.00
B	\$90.00	\$180.00
C	\$120.00	\$240.00

Council Report – Overview of Fee Structures and
Allocation of Space in Sport, Recreation and Cultural Facilities

D	\$150.00	\$300.00
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- Removal of the multi-year table and change to 2 percent annual increase for wedding in parks

Other Facilities

This is an expanded section that includes new fees for tennis and pickleball courts but also new bookable facilities such as basketball courts, outdoor multi-sport courts and beach volleyball courts. The fee structure is consistent with the framework and ratios between the various groups. The one exception is the per member rate which has been established with Pickleball Kelowna in line with standard practice for pickleball facilities and as a means to further support club development.

Tennis & Pickleball Courts		Court per Hour		Court per Day (10hr max)	
Non-profit		\$5.00		\$50.00	
Commercial		\$10.00		\$100.00	
Pickleball Kelowna	2017	2018	2019	2020	2021
Per member rate	\$12.00	\$14.00	\$16.00	\$18.00	\$20.00

Court per Hour	Basketball and Outdoor Multi-Sport Courts	Beach Volleyball Court
Minor	\$8.50	\$7.50
Adult	\$17.00	\$15.00
Commercial	\$34.00	\$30.00

Schedule H – Kelowna Community Theatre

Most fees in this schedule had been set in a multi-year rate table that concludes in 2017. Updates to this section include:

- Multi-year rate tables will be removed and fees will now go up annually by 2 percent.
- The Capital Improvement Fee is a one-time increase from \$1.50 to \$1.75 that does not go up annually.
- Bar restocking fee changed from \$50 per category to \$100.

Internal Circulation: Active Living & Culture Managers, Community Communications Manager, Divisional Director of Financial Services; Deputy City Clerk

Existing Policy: Bylaw No. 9609 Recreation & Cultural Services Fees & Charges, Conditions of Use & Allocation Guidelines for Recreation Facilities, Theatre, Sports fields and Parks and Council Policy 222 - Recreation and Cultural Services-Philosophy/Fees & Charges Policy.

The Guidelines is a comprehensive document that blends administrative requirements and information regarding facility use with guiding principles and policy statements in managing allocation of space within facilities. As a 2017 work plan item, staff will be further reviewing this document and determine best way to break it down in terms of administrative document managed by staff and a policy statements that should be endorsed by Council. As this work progresses information will be brought back to Council.

Council Report – Overview of Fee Structures and
Allocation of Space in Sport, Recreation and Cultural Facilities

Considerations that were not applicable to this report:

Financial/Budgetary Considerations

Personnel Implications

Alternate Recommendation

Legal/Statutory Authority

Legal/Statutory Procedural Requirements

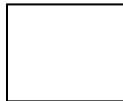
External Agency/Public Comments

Technical Requirements

Submitted by:

L. Angus, Manager, Recreation & Business Services

Approved for inclusion:



J. Gabriel, Director, Active Living & Culture

Cc: Divisional Director, Communications & Information Services

Attachments

1. Council Policy 222 - Recreation and Cultural Services Philosophy/Fees & Charges
2. Conditions of Use & Allocation Guidelines Manual for Recreation Facilities, Theatre, Sports fields and Parks



City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
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Council Policy

Active Living & Culture – Philosophy/Fees & Charges Policy

APPROVED November 23, 1992

RESOLUTION: R375/10/04/26

REPLACING: R892/99/11/01; S1315/1992/11/23

DATE OF LAST REVIEW: April 2010

A. STATEMENT OF PHILOSOPHY

The City of Kelowna provides a variety of recreation, parks and leisure services as a vehicle to achieve benefits for all individuals and for the community at large.

AND

The level of community resources that the City of Kelowna dedicates towards these services should be directly related to the extent of benefit to the community and the City's ability to pay.

Although not limited to the following, benefits to the community can be defined as activities that:

- lead to individual growth or community development
- improve the physical or social well being of the community and the individual
- enhance or support family life
- promote community spirit and pride
- beautify or protect the environment
- enhance leadership qualities in individuals
- enhance personal skill development related to leisure and recreation activities
- integrate persons of varying socio-economic status and person with disabilities
- enhance the quality of life in the City's outdoor environment.

B. POLICY STATEMENT FOR FEES AND CHARGES

The purpose of these policy statements is to guide the overall system of fees and charges so that there is internal consistency and a fair level of financial contribution by the participant and by the City of Kelowna.

1. In order to justify the City's involvement, services must provide some level of benefit to the public. Services that can demonstrate a greater public benefit justify a greater commitment of municipal resources than those that do not. (Access to parks, facilities, and commitments of staff time are the primary municipal resources provided by the Active Live & Culture Division)
2. Fees should not be a barrier to participation in basic recreation and cultural services and the City of Kelowna will ensure that a system is available to assist those who cannot afford fees for basic services. (The concept of a "basic recreation and cultural service" is defined in Appendix "A".)
3. Fees and charges should be applied consistently to all sectors of the community regardless of race, ethnic origin, age, religion, gender or ability. Lower fees to certain sectors of the community are justified by defined community benefits. (For example: lower fees to children or seniors encourage higher levels of participation and higher levels of participation by these age groups has a number of broad community benefits.)
4. While respecting statements 1, 2 and 3, fees and charges will, whenever possible, reflect costs and fair market value for the services offered because revenue received offsets the demand on general taxation and thus allows for more services to be provided.

5. While the financial commitment to individual programs, facilities, and services varies depending on the nature of the service, the City of Kelowna will strive to improve efficiency and effectiveness. Higher rates of cost recovery for certain service will be achieved by:
- (a) charging fair market value for services when it is appropriate to do so;
 - (b) incorporating prudent cost controls;
 - (c) including in the service mix those services which are more financially productive; and
 - (d) raising fees when it is not in conflict with policies (a), (b) and (c).

C. APPENDIX "A"

A DEFINITION OF BASIC RECREATION AND CULTURAL SERVICES AND PUBLIC BENEFIT

BASIC RECREATION AND CULTURAL SERVICES are broadly beneficial and widely available to the public. They fulfill the following criteria:

1. Consistency with the goals and objectives of the City of Kelowna and the Active Living & Culture Division.
2. Socially worthwhile.
3. Broadly accessible by:
 - * being available to large numbers of participants;
 - * having low fee levels;
 - * having minimal transportation barriers to the location;
 - * having low costs for getting started in the activity;
 - * lacking other barriers such as age, gender, and skill level.
4. A reasonably safe activity that does not subject participants to a high degree of risk.
5. Provide opportunities for personal development.
6. Respond to an identifiable local need.
7. Feasible from a financial and practical perspective.

(NOTE: There is a recognized system available to enable the Active Living & Culture Division to determine if a service satisfies the criteria to be a Basic Recreation and Cultural Service. Examples of basic recreation and cultural services would include: public swims, youth soccer and use of local parks for passive recreation.)

REASON FOR POLICY

To identify policy statements that will guide the overall system of fees and charges for recreation and cultural services so that there is internal consistency and a fair level of financial contribution by the participant and by the City of Kelowna.

LEGISLATIVE AUTHORITY

Council Resolution.

PROCEDURE FOR IMPLEMENTATION

The Director of Active Living & Culture ensures adherence to these policy statements.

Active Living & Culture

Conditions of Use & Allocation Guidelines for

RECREATION & CULTURAL FACILITIES

The purpose of this policy is to establish guidelines for the general use and allocation of City recreation and cultural properties. This policy is to be used in concurrence with *Bylaw 9609, Fees and Charges for Recreation and Cultural Services*. The Director of Active Living & Culture or his/her designated authority reserves the right to make revisions to this policy as required as long as the overall intent of the guidelines have not been changed.

Effective May 1, 2017

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GENERAL REFERENCE

The following General Definitions, Terms & Conditions, Fees & Charges and Insurance apply to:

- Programs & Admissions
- Parkinson Recreation Centre
- Multi-use Facilities:
 - Parkinson Activity Centre
 - Okanagan Mission Activity Centre
 - Kinsmen Fieldhouse Hall
 - Kinsmen Media Centre
 - Cedar Creek Community Hall
 - Rutland Activity Centre
 - Sport Kelowna Boardroom
- Arenas
- Aquatic Facilities
- Sportsfields
- Capital News Centre Indoor Turf Field
- Overnight Parking
- Apple Bowl Stadium
- Outdoor Events
- Stuart Park
- Other Parks & Facilities
 - Tennis & Pickleball Courts
 - Basketball Courts
 - Lacrosse & Ball Hockey
 - Beach Volleyball
- Grand Promenade – Convention/Trade Show Display Area
- Kelowna Community Theatre

Other specific Definitions, Terms & Conditions may apply and can be found within the individual sections contained throughout this policy.

GENERAL DEFINITIONS

Adult Sport Organization – A recognized Kelowna Adult Sport Association or an association whose primary purpose is for activities for adults (aged 19 & older) are registered non-profit societies and are volunteer based.

Agreement Holder – The signatory on the Facility Use Agreement.

CS4L – Canadian Sport for Life - a movement to improve the quality of sport and physical activity in Canada. CS4L includes long-term athlete development, developing Physical Literacy, and Active for Life.

Casual User – An occasional renter/user that does not use a regularly scheduled time slot through a season.

Commercial Organization – An organization which operates on a for-profit basis.

Community Event – Rental of time to community groups for community activities.

Community/Local Non-Profit Organization (LNPO) – A non-incorporated group composed of individuals joined together on a non-profit basis or a non-profit organization incorporated under the Society Act of BC. For groups to be considered as LNPO and be eligible for the non-profit rate, the following conditions must apply else there may be a reduction in that LNPO's annual allocated hours:

- Membership of the group is open and available to any Kelowna resident.
- At least 75% of the members are residents of Kelowna or work at a business address in Kelowna.
- The purposes and practices of the group are not contrary to the BC Human Rights Act or the group is not involved in the promotion of unlawful activities.
- The purpose of the group shall enrich the liveability of the Kelowna community.
- Must have exclusive control of the booked time and be responsible to directly pay the rental fees.
- Must be legally responsible and liable for all activities related to the event.
- Must be able to demonstrate that the financial risk and reward related to the event rests clearly with the LNPO.
- Must direct any net profit from the event to the purposes of the LNPO.
- May employ or contract others on a 'fee for service' for the delivery of the event.

Community (Use) – Often a Casual User that is not otherwise an organized group or commercial and is eligible for the non-profit rate.

Facility – Includes buildings, parks and sportsfields.

Facility Use Agreement/Invoice – Hereby referred to as the Agreement.

League – Due to the varied nature of sports organizations, league may be interpreted as a Club, Association, Society, etc.

Marquee Event – An annual event of significant stature that has community wide benefit and impact.

Major Event – is considered an event that 1) restricts general park access and 2) due to its event components the park is susceptible to infrastructure damage.

Minor Sport Organization – A recognized Kelowna Minor Sport Association or an association whose primary purpose is for activities for children and youth (aged 18 & under), are registered non-profit societies and are volunteer based.

Multi-Age Sport Organization – A group with both adult and minor registrants who are registered non-profit societies. If the group has more adult members than youth members, it will be considered an adult group for purposes of applying rental fees.

Predominant User – The most common user of a playing field/arena. This is not intended to exclude other users.

Private/Recreation Group/Adult Sport Organization – A group whose majority membership consists of adults (19 years & older) or minors that are not minor sport organizations such as fun league adult hockey, roller hockey, lacrosse etc will be considered an Adult Group for the purpose of application of fees.

Renter – Means an individual person or persons, feminine and/or masculine.

Special Event – An organized event, such as a concert, ice show, convention or competition held within a City Facility.

Team – May be interpreted as an individual or group of Facility users.

Tournament – A series of games held at one or more sites over one or more days, which does not constitute part of regular season play and is open to non-league teams. A tournament with only local participation will be considered under 'League Play' when prioritized.

Tournament Major – A tournament that creates a disruption to the schedule affecting other groups and requires more than the annual allocation of space.

Traditional (Historical) Use – An existing local minor sport association, adult group, performance, special event or non-profit rental which has been on-going for more than three years. Traditional use refers to the number of hours or days booked annually by the group except for Kelowna Community Theatre which refers to a specific date. Other considerations when reviewing traditional use include daily time slot, day of booking, location of booking and traditional league/event patterns.

- Commercial bookings are generally not eligible to gain traditional status - time is allocated to commercial organizations after allocations are complete with not-for-profit and community bookings as outlined in the various facility categories. The exception to this is:
 - annual events recognized through the Outdoor Event process
 - allocations made as part of a lease/operating agreement

- annual tournaments or special events that fall outside of the Outdoor Events process
 - significant non-prime time bookings allocated as a strategic means to maximize facility use (Director approval required)
- The City recognizes the role of commercial organizations as part of the community delivery system, and while they may not be granted traditional status, the City will strive to allocate time that supports their programming needs.
- As a general rule, if two groups of a similar nature (i.e. 2 non-profit groups or 2 commercial groups) request the same facility space at the same time (within the appropriate "request timeframe"), priority will be given to the group who has used that space/time in the previous year(s). If neither group has used that space/time, the City will attempt to work with both groups to determine an agreeable solution that meets the facility needs for both groups.

GENERAL TERMS & CONDITIONS

- 1) The City of Kelowna recognizes the Canadian Sport for Life (CS4L) model is a movement to improve the quality of sport and physical activity in Canada and as such begun to introduce the principles into policies and procedures.
- 2) The Active Living and Culture Division reserves the right to negotiate with organizers of major events/tournaments which have significant impact City wide and will make the final decisions on facility bookings in relation to these matters.
- 3) **Code of Conduct:** All individuals and groups accessing the City's facilities are required to respect and follow an expected standard Code of Conduct and comply with rental rules and regulations or will be subject to Facility banning procedures, termination of contract and/or suspension of rental privileges for one year.
- 4) **Agreements:** Will be documented on the standard contract form and invoiced accordingly. The Agreement Holder is authorized to use only the Facility listed for the event, date and time as set out in the Agreement. All renters must adhere to the Terms & Conditions as set out in the Facility Use Agreement(s). All requested information must be received before starting date on the contract (e.g. proof of insurance coverage, field contact representative, league executive, league schedules).
 - i) **Assignment:** The Agreement Holder will not allow any other person, group or organization to sub lease the Facility.
 - ii) All groups are advised to have a copy of the agreement on site during the event/booking for inspection as required.
- 5) **Agreement Changes:** Any changes to the Agreement must be made in writing and signed by both the Agreement Holder and a signatory on behalf of the City. While all attempts to accommodate changes will be made, some changes requested less than 24 hours prior to or too close to (i.e. for Outdoor Events) the event may not be allowed.
- 6) **Rental Request Deadlines:** Requests received by the City with seven (7) days or less notice will be assessed by City staff as to the ability of the City to meet the contract requirements. If it is determined that the number of days' notice is not sufficient, the rental request may not be accommodated. Future Rentals: There shall be no bookings taken beyond two (2) years (24 months) in the future.
- 7) **Rental Request Approval:** The Director of Active Living & Culture or his/her designated authority reserves the right to approve, cancel or deny any rental request at the City's sole discretion.
- 8) **Cancellations:**
 - i) **Cancellation by Agreement Holder** ¹: All bookings are subject to a cancellation fee. Cancelled bookings regardless of the number of days' notice will result in the forfeit of the Rental Deposit as outlined in (i) in the General Fees & Charges section. If the Agreement Holder delivers written notice of cancellation at least fourteen (14) days prior to the date of the event, the Agreement Holder is not required to pay the full Rental Fee for the event. If the Agreement Holder delivers written notice of cancellation within fourteen (14) days of the event, the full Rental Fees may apply. Transferability of rental deposit may be allowed at the sole discretion of the City.
 - ii) Thirty (30) days' notice is required for cancellation of arenas, ball diamonds, and outdoor facilities or full charges may apply. Some exceptions may apply - refer to specific information attached hereto. Groups that release booked time within the thirty (30) day period will not be subject to cancellation fees if the City is able to rent the Facility to another. **Cancellation for tournament or special event:** must be made thirty (30) days in advance or full charges may apply. The City encourages the

development of new tournaments and may be flexible with its cancellation policies during the tournament's initial start-up year.

- iii) **Cancellation by City for Agreement Holder's Breach:** Without limiting other remedies available to the City, the City may cancel this Agreement, prevent the Agreement Holder from holding the event or remove the Agreement Holder from the Facility during the event and in each of those cases keep the damage deposit if the Agreement Holder breaches any term or condition of this Agreement.
- iv) **Cancellation for other reasons:** If the Agreement Holder is prevented from using the Facility on the date or dates set out in the Agreement for the event because a labour dispute is blocking access to the Facility or because a fire, flood, earthquake or other natural disaster has destroyed or damaged the Facility, the City may cancel the Agreement and may reimburse the Rental Fee and/or Deposit to the Agreement Holder.
- 9) The Agreement Holder is not permitted to install or use a **Closed circuit T.V.** for commercial purposes in any part of the building.
- 10) **Compliance with Laws:** The Agreement Holder must comply with all applicable Municipal, Provincial and Federal laws, regulations and bylaws in its use of the Facility. Failure to do so may result in termination of the Agreement and/or denial of future rental privileges.
- 11) **Concessions:** The City has the sole and exclusive right to operate or lease out all concessions in or on City facilities. The Agreement Holder cannot conduct business and/or operate a concession to sell food, drinks, clothing or other goods at or from the Facility unless authorized under the Agreement. The Agreement Holder must also possess the appropriate City of Kelowna Business Licence and have an affiliation with a local firm. Exceptions may be permitted for non-profit sales such as club promotions and apparel, subject to approval by the City in consultation with the Facility Operator as detailed in the Facility Use Agreement(s).
- 12) **Dressing Rooms:** Will be available to the Agreement Holder 30 minutes before and after a game or practice unless otherwise stated. While in the dressing rooms, minor groups must be supervised by a designated team official at all times.
- 13) All use of **Electrical Connections** must be approved by facility staff and completed by a qualified contractor. Any additional connection requirements must be made by the Agreement Holder and all costs become their responsibility. An electrical permit from BC Safety Authority may be required and will be the responsibility of the Agreement Holder.
- 14) Depending on size and nature of event, user group(s) may be required to meet with a designated City official to complete the Pre/post **Event Checklist** as part of the preparation and clean-up of tournaments or other special events.
- 15) **Facility Suitability:** It is the Agreement Holder's responsibility to assess the Facility and be satisfied that the Facility is suitable and safe for its event. The City makes no promises, warranties or representations as to the suitability of the Facility for the Agreement Holder's event.
- 16) **Facility Access:** Unless other arrangements are made the Agreement Holder will not be given any keys to the Facility and instead the Agreement Holder acknowledges that the Facility will be unlocked and locked by City staff or its agents, servants or contractors. (Not applicable to some park rentals).
- 17) **Facility Modifications:** The Agreement Holder must not construct, erect, attach or cause or permit any device, fixture, sign, fence or decoration to be installed or attached in any way to any part of the Facility without the prior written consent of the City. Absolutely no ground penetration (stakes) or structures can be erected in City Parks without prior written consent of the City. The City reserves the right to cancel an event if ground conditions are such that use would result in significant damage to turf and/or park

infrastructure.

- 18) **Facility Damages:** User groups are required to cooperate with the City staff by reporting damages to facilities, equipment and unsafe conditions prior to the game/event or at their earliest convenience. The Agreement Holder shall be liable for any damage to the building occurring as a result of their use during the renter's contract time.
- 19) **Vacating the Facility:** The Agreement Holder and all guests must vacate the Facility by the end time indicated on the Agreement. The Agreement Holder acknowledges and agrees that if it does not do so, the damage deposit will be retained by the City. **Clean Up:** The Agreement Holder must leave the Facility in a clean, neat and tidy condition following the event so that the Facility is returned to the condition it was at the beginning of the Agreement. If the Facility is indoors, the Agreement Holder must clean the floors and clean and store any of the City's chairs, tables and other equipment that the Agreement Holder was permitted to use.
- 20) **Fire Code Regulations & Evacuations:** The Agreement Holder shall not permit over-crowding by spectators and/or participants in excess of the limits set by the Fire Commissioner, and shall not permit blocking of hallways, exits, etc. with equipment. The Agreement Holder shall strictly adhere to all Fire Code regulations and follow the evacuation procedure for the facility.
- 21) **First Aid** is the responsibility of the Agreement Holder/user.
- 22) **Liquor:**
 - i) **No Liquor Unless Permitted:** The Agreement Holder must not allow alcohol to be sold, offered for sale or consumed at the Facility/Event unless authorized under the Agreement and a Special Event Permit has been approved. The Agreement will specify which locations are approved for liquor consumption.
 - ii) **If Liquor Permitted:**
 - a. Indoor Venues - the Agreement Holder must not allow alcohol to be brought to the Facility/Event by participants or persons attending. All permitted alcohol must be supplied and served by the Agreement Holder. The Agreement Holder must complete a City of Kelowna "Special Event Permit" (formally known as Special Occasion Licence) application, to be approved by the Director of Active Living & Culture or his/her designate before obtaining a liquor permit. The Agreement Holder must then obtain and display at the event site, a valid liquor license from the Province which must comply with regulations of the Liquor Control and Licensing Branch, Ministry of Public Safety and Solicitor General. **A security person as contracted by the City must be on the premises during the event and the Agreement Holder will be responsible to pay for this service.** No liquor to be served or consumed outdoors.
 - b. Outdoor Events – Outdoor Events section 3.3.4 applies.
 - iii) **Host Liquor Liability Endorsement:** The Permit Holder, together with all of its subcontractors (as applicable), shall provide evidence of Host Liquor Liability coverage by way of either a separate Endorsement to their Comprehensive General Liability Insurance or specific language to be included in the Certificate of Insurance confirming coverage is not excluded.
 - iv) The Agreement Holder must comply with the **Designated Drive Awareness Program** as per Council Policy 310.
- 23) **Litter Control:** Permit Holders are responsible for collection and removal of litter generated by their event including litter and broken glass from the parking area and all areas between the parking area and the Facility at the conclusion of the event. Charges will apply for any clean up done by City Staff.
- 24) The City and its operators reserve the right to schedule both Routine and Special **Maintenance** on all City owned facilities, which may require the closure of facilities for the appropriate amount of time based on the maintenance application.

- 25) The City reserves the right to protect **Marquee Events** by limiting the ability of an event of a similar nature to rent city facilities if, in the City's opinion, the new request would endanger the viability of the existing Marquee Event.
- 26) **No Smoking:** The Agreement Holder shall not permit anyone to smoke in the Facility except in designated smoking areas. Smoking is not permitted within three (3) metres of public or workplace doorways, open windows or air intakes (i.e. a "buffer zone"). For Facilities located in recognized parks, the Parks & Public Spaces Bylaw #6819-91 applies which includes but is not limited to No Smoking.
- 27) **Removal of Goods & Chattels:** The Permit Holder undertakes and agrees to remove all the goods and chattels of the Permit Holder on or before the termination of this Agreement. In the event that the Permit Holder shall fail to remove such goods and chattels as aforesaid, the City may remove and store goods and chattels at the expense of the Permit Holder and the City shall not be liable for any damage to or loss of the said goods and chattels during such removal or storage, or both. The City may deduct appropriate charges from the Damage Deposit. All equipment, displays, moneys and other goods and chattels of the Licensee brought onto or into the City Facility shall be the sole responsibility of the Permit Holder and the City shall not be liable for any damage to or loss of such equipment, displays, moneys and other goods and chattels from any cause whatsoever.
- 28) **Right of Entry:** The Permit Holder agrees that the Director of Active Living & Culture or such other person(s) designated from time to time to carry out the functions of the Manager of the Facility or Park for purposes of this Agreement, together with any agents or employees of the City, shall at all reasonable times be entitled to enter upon and inspect the City Facility and to make such alterations, repairs or additions as may be necessary in the opinion of the Director or designated person for the safety and preservation of the Facility.
- 29) **Security:** The City may require that a renter pay for additional services of bonded uniformed security personnel at certain functions or at Parkinson Recreation Centre when the rental takes place outside the usual operating hours and may stipulate the number and duration of time for such personnel.
- 30) **Special Events** throughout the different seasons such as Ice Carnivals, Minor Association, Major Tournaments etc., will be contracted separately from the regular booking through a separate Facility Rental Contract.
- 31) **Statutory Holidays and after-hours events:** Any event going beyond the normal hours of the City's working schedule including special events on a Statutory Holiday will be required to pay the additional labour costs at the applicable rate as per the CUPE Collective Agreement. Any requests for facility rentals on a Statutory Holiday will be considered on an individual basis.
- 32) **Youth Groups:** If the Facility is used by a group with any person under the age of 16, at least two persons, 19 years of age or older, must supervise the group at all times.

GENERAL FEES & CHARGES

All fees and charges are as outlined in the **ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609**. Additional information relating to fees & charges is located in the applicable section of this document.

- a) For fees that increase by an annual percentage and are established by ratio, the increase will be calculated on the applicable base rate and the ratios will be maintained.
- b) Non-Profit rates include non-organized community use (i.e. one time private rentals). Non-Profit organizations must provide proof of status to receive Non-Profit rates.
- c) Each contract is to be paid according to the Terms identified within.
- d) Payment options include cash, cheque, Visa, MasterCard and Debit Card. The City reserves the right to demand prior payment, of any charges, at the time of signing the Agreement, which will apply in the case of most bookings received from distant points (out of town).
- e) Credit card transactions are limited to one transaction up to a maximum of \$1,000 per season.
- f) Rentals may be subject to a minimum charge.
- g) In the event of a rate change, the rate charged will be the rate that is or will be applicable at the time of the rental.
- h) Payment by casual users is due in advance of use. No exceptions.
- i) Deposits:
 - i. *Damage Deposit:* The Agreement Holder is liable for any damages and must provide a Deposit to the City 7 days in advance of the event. The City reserves the right to determine the amount of the Damage Deposit based on the nature and location of the event and the Agreement Holder agrees that the City may keep all or part of the Deposit as a payment toward the repair of damage to the Facility and/or to cover any outstanding charges. If damages exceed the amount of the deposit the Agreement Holder will pay all additional amounts owed. Even though the City may keep the Deposit, the City is still entitled to pursue other legal remedies to pursue amounts owing from the Agreement Holder.
 - ii. *Rental Deposit:* A non-refundable rental deposit is due and payable at the time of booking to secure the rental. The amount is dependent upon the Agreement total and any exceptions are noted in the applicable section of this policy. If the rental amount is paid in full at time of booking, the equivalent of the rental deposit will be retained as non-refundable.
 - 1. Deposits for tournaments and special events in aquatic facilities, arenas, sportsfields stadiums and/or outdoor events will be based on:
 - a. First Time Renters - 25% of the total rental fee upon confirmation by the City on the allocation of the facility for the event.
 - b. Traditional Status Renters - 10% of the total rental fee upon confirmation by the City on the allocation of the facility for the event.
 - c. Balance of rental fee must be paid seven (7) days in advance of the first date of use.

- j) **Returned Payment Fees:** The City of Kelowna's current service charge will be applied on all returned payments. Three (3) occurrences of returned payments will require all future payments to be made in cash or by certified cheque.
- k) **Overdue Accounts** are subject to interest as per Council Policy 340 or being sent to collections which may result in the termination of privileges for booking, registering or admission to any City of Kelowna facilities or programs until account is paid in full.
- l) Any organization being favoured with a **Grant-In-Aid** or rent free usage of a Facility, must also sign an Agreement for the Facility in the usual manner and the rental charges will be paid for internally by the City. Reference Council Policy 58 Grant-in-Aid Funding Requests.
- m) Regular Local Non-Profit Minor Leagues and Associations are required to pay within thirty (30) days of the current month end.
- n) Regular Adult Recreation including Commercial is required to pay monthly in advance of use.
- o) At the discretion of the Director of Active Living & Culture and/or his/her designated authority may, from time to time, approve alternate payment arrangements based on registration timelines and cash flow. It is the responsibility of the Agreement Holder to clearly demonstrate a need to an alternate payment plan.
- p) The Director of Active Living & Culture or his/her designate is able to negotiate a rate with large commercial or institutional rentals that book significant facility space during non-prime time hours, as long as the negotiated rate is within 20% of the set commercial rate. The purpose of this policy is to facilitate the development of sport tourism and sport development opportunities that further utilize facility space.
- q) The Director of Active Living & Culture or his/her designate is authorized to periodically amend rates on a short term basis for the purpose of facility use maximization or promotion through:
 - a. The sale of any available facility space within 48 hours up to a maximum discount of 50% of the applicable rate.
 - b. A maximum discount of 25% on one-year Facility Passes at PRC to increase attendance in the fitness centre excluding Access Passes.
- r) **Interest:** Any amounts owing by the Agreement Holder to the City after the time payment is due will bear interest at the current City of Kelowna rate, calculated monthly not in advance.
- s) **Refunds:** Will be paid in the same manner as the original payment, i.e.: credit or debit card transactions will be refunded back to the card. The Director of Active Living & Culture or his/her designated authority may, from time to time, approve alternate payment arrangements based on each individual circumstance where refunding in the same method is not reasonably possible.
- t) Tariffs such as Socan, Resound and others that are established in the future, by law, will be charged to contracts as applicable.
- u) Extra fees such as but not limited to: field lining, goal post changes, event setup/takedown, janitorial, security, Technician time, equipment surcharge etc. as required may be charged and will be based on actual costs when possible unless otherwise stated.

GENERAL INSURANCE

All renters of City of Kelowna Facilities will be responsible to have comprehensive General Liability Insurance as described in the following sections:

1. Options

- **All Sport Insurance** - the City of Kelowna can forward a request and payment directly to All Sport Insurance Marketing Ltd. as a service to the renter - *the City is not an insurance agent, broker or representative of All Sport Insurance*. Fees and information schedules are available at Parkinson Recreation Centre and the Sport Kelowna Office. Note: this insurance is not available for PRC kitchen only rentals.
- **Insurance Company of choice** – should a renter choose or is required to purchase insurance at the Insurance Company of the renter's choice, the insurance requirements required by the City of Kelowna are provided below:

2. Renter to Provide

Renter shall without limiting its obligations or liabilities under the permit/contract, procure and maintain at its own expense and cost, the insurance policies listed with limits no less than those shown in the respective items, unless the City advises in writing that it has determined that the exposure to liability justifies less limits. The insurance policies shall be maintained continuously from commencement of the Agreement until the date of termination of the Agreement or such longer period as may be specified. Certificates are to be sent from the agent directly or an email trail proving the source of origin is required.

- A. Worker's Compensation Insurance covering all employees of the renter engaged in the contract in accordance with the statutory requirements of the province or territory having jurisdiction over such employees;
- B. Comprehensive General Liability Insurance providing for an inclusive limit of not less than \$2,000,000.00 for each occurrence or accident;
 - (i) Providing for all sums which the renter shall become legally obligated to pay for damages because of bodily injury (including death at any time resulting there from) sustained by any person or persons or because of damage to or destruction of property caused by an occurrence or accident arising out of or related to this rental agreement or any operations carried on in connection with this rental Agreement;
 - (ii) Including coverage for Participant Injury, Products/Completed Operations, Blanket Contractual, Contractor's Protective, Personal Injury, Contingent Employer's Liability, Broad Form Property Damage, Tenant's Legal Liability and Non-Owned Automobile Liability;
 - (iii) Including a Cross Liability clause providing that the inclusion of more than one Insured shall not in any way affect the rights of any other Insured hereunder, in respect to any claim, demand, suit or judgment made against any other Insured.
- C. Automobile, Aircraft and Watercraft Liability Insurance covering all motor vehicles, aircraft or watercraft owned, operated and used or to be used by the Exhibitor directly or indirectly in the performance of the Contract. The Limit of Liability shall not be less than \$2,000,000 inclusive, for loss or damage including personal injuries and death resulting from any one accident or occurrence.

2.1. The City Named as Additional Insured

The policies required shall provide that the City is named as an Additional Insured there under and that the said policies are primary without any right of contribution from any insurance otherwise maintained by the City.

2.2. Certificate of Insurance

The renter agrees to submit Certificates of Insurance, as supplied by the City and made a part hereof, for itself and to the Recreation Manager at the City prior to commencement of the rental Agreement. Such certificate shall provide that thirty (30) days' written notice shall be given to the Sport and Event Development Manager of the City, prior to any material change or cancellation of any such policy.

- 2.3. **Other Insurance**
After reviewing the rental Certificate of Insurance, the City may require other insurance or alterations to any applicable insurance policies in force during the period of the rental Agreement and will give notifications of such requirement. Where other insurances or alterations to any insurance policies in force are required by the City and result in increased insurance premium, such increased premium shall be at the renter's expense.
- 2.4. **Additional Insurance**
The renter may take out such additional insurance, as it may consider necessary and desirable. All such additional insurance shall be at no expense to the City.
- 2.5. **Insurance Companies**
All insurance which the renter is required to obtain, with respect to the Agreement, shall be with insurance companies registered in and licensed to underwrite such insurance in the Province of British Columbia.
- 2.6. **Failure to Provide**
If the renter fails to do all or anything which is required of it with regard to insurance, the City may do all that is necessary to affect and maintain such insurance and any monies expended by the City shall be repayable by and recovered from the renter. The renter expressly authorizes the City to deduct from any monies owing by the renter to the City or otherwise accepts that the City will invoice the renter for costs incurred to insure.
- 2.7. **Proof of Insurance:** The Agreement Holder must provide proof of liability insurance appropriate for the Facility Agreement use, to the City at least 48 hours (21 days for Outdoor Event Applications/Permits) prior to holding its event at the Facility. If proof of insurance is not provided to the City within the time required, the City may cancel this Agreement, prevent the Agreement Holder from holding its event, and retain the Deposit.
- Theatre rentals are an exception where if proof of insurance is not provided prior to the event, the City will apply for All Sport Insurance on the renter's behalf and will invoice the renter.
 - Softball leagues – teams must provide proof of coverage for damage to third party property/injury to third parties not directly involved in the event/game and/or occur outside the venue. Confirmation can be included on the certificate of insurance provided to the City.
- 2.8. **User Group Insurance (if applicable):** If the City has accepted insurance for the Agreement Holder as required for any program whereby the City has collected fees for such insurance, it is understood that the City is NOT an agent or broker of insurance and makes NO representations or warranties with respect to the appropriateness of such insurance whatsoever. Agreement Holders are strongly encouraged to consult a licensed insurance broker and/or legal advisor regarding insurance for their activities related to this Agreement. The City's acceptance of insurance as meeting the requirements, in no way limits the liability of the Agreement Holder.
- 2.9. **Hold Harmless:** The Agreement Holder shall be liable for all loss, costs, damages, and expenses whatsoever incurred or suffered by the City, its elected officials, officers, employees and agents (the Indemnities) including but not limited to damage to or loss of property and loss of use thereof and injury to or death of a person or persons resulting from or in connection with the performance, purported performance, or non-performance of this permit/contract, excepting only where such loss, costs, damages and expenses are as a result of the sole negligence of the Indemnities.
- 2.10. **Indemnity:** The Agreement Holder shall defend, indemnify and save harmless the Indemnities from and against all claims, demands, actions, proceedings and liabilities whatsoever and all costs and expenses incurred in connection therewith and resulting from the performance, purported performance, or non-performance of the Agreement, excepting only where such claim, demand, action, proceeding or liability is based on the sole negligence of the Indemnities.

- 2.11. **Joint and Several Liability:** If the Agreement Holder is composed of more than one person (whether that person is an individual or a society or a company), each person is jointly and severally responsible for complying with all the terms of this Agreement.

PARKINSON RECREATION CENTRE AND MULTI-USE FACILITIES

The General Conditions & Definitions for the Rental of City of Kelowna Facilities on pages 8-11 apply to all sections. All other conditions are outlined below.

1. **PROGRAMS & ADMISSIONS DEFINITIONS**

Admissions – are limited to the Parkinson Recreation Centre Fitness Facility, pool & gymnasium.

Facility Pass – Includes pool (as defined below), cardio room, weight room, circuit plus and open gymnasium.

Family – maximum of two adults and all of their children under 19 years of age who are related by birth, legal status or marriage and are living in the same household. Full time students over 18 years living in the same household, with proof of enrolment, are eligible under a Family Pass.

Pool Pass – Includes public swim, lane and adult swim, whirlpool and steam room.

Programs – are delivered throughout the community.

Recreation Access Pass – a discount recreation pass for persons with a permanent cognitive or physical disability.

2. **PROGRAMS & ADMISSIONS, FEES & CHARGES**

All fees and charges are as outlined in the ***ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609, Schedule A.***

All charges shall be paid in advance when a program is enrolled in, or before an activity takes place. For any payments returned NSF, the enrolled participant will not be allowed to continue in the program until payment is received. The Director of Active Living & Culture or his/her designate reserves the right to reassess each case individually.

2.1. **Passes & Admissions:**

Passes are non-transferrable.

Identification is required to purchase a pass.

2.2. **Seniors Discount & Rates:**

The City will offer a reduced rate on general admission fees for facility and pool access and aquatic fitness programs (drop-in and registration fees) at Parkinson Recreation Centre as well as on all land fitness programs offered throughout the community. Identification is required.

2.3. **H2o Adventure and Fitness Centre and Parkinson Recreation Centre Joint Facility Access:**

Participants with a valid membership at H2o or a one year pass at Parkinson Recreation Centre are eligible for a 25% discount on single admission or punch cards as used by the respective facility. Access through this program is limited to the equivalent age category, for example: adult pass/membership is eligible for an adult single or punch card admission at the other facility.

2.4. **Refunds:**

Programs may, at times, be cancelled due to insufficient enrollment. In the event of a cancellation, time or location change, participants will be notified with as much lead time as possible. Eligible refunds must be requested and processed within the year of purchase, otherwise credit on account will be issued.

(a) Program Cancellations:

- Should the City cancel a program, preference of a full refund, credit on account or enrollment in another available program will be made available.
- Processing and mailing of a refund cheque may take up to three (3) weeks.
- Payments made by credit card or debit card will be refunded back to the card.
- Program cancellations are not subject to the withdrawal fee.

(b) Program Withdrawals & Transfers:

- All program withdrawals are subject to the withdrawal fee but program transfers are exempt. The Director of Active Living & Culture or his/her designate, at his/her discretion, may from time to time waive the withdrawal fee.
- Full refunds less the withdrawal fee will only be considered 24 hours prior to program commencement to allow for others to register; except for Leagues, Licensed Programs,

Birthday Parties, Aquatic Leadership, Private Swim Lessons and other specialty programs which have longer notice requirements (contact Parkinson Recreation Centre for more information on each program). If less than 24 hours' notice is given the withdrawal fee plus the price of the first class will be charged.

- Refund or credit amounts will be prorated from the date of the withdrawal request.
- Leagues: There are no refunds for team or player withdrawals from sport leagues once the sport league schedule has been published unless the team or individual can be replaced.

(c) Pass Cancellations:

- A refund or credit will be issued for cancelled Facility or Pool passes. A cancellation fee will be charged at the time of cancellation unless a doctor's note is provided. The refund on 3, 6 & *12 month passes will be calculated as the difference between the original amount paid and the equivalent months used at the one month rate.

*The refund on the 12 month pass that has 6 months or less remaining will be calculated in two parts. 1) The difference between the original amount and the 6 month pass rate. 2) The remainder will be calculated at the 1 month rate.

- No refunds are available on partially used 10 & 20 entry Facility or Pool passes.
- Scheduled payments – notification of pass cancellation must be received in writing by the last day of the month prior i.e. March 31st for a cancellation of May 1st.
- Access Passes are non-refundable.

(d) Registration Service Agreements:

- Local non-profit sport, recreation and cultural organizations without the capacity to process their own registration services may be eligible to enter into a Registration Service Agreement.
- Refunds will only be considered 24 hours prior to program commencement. Refunds after program commencement are subject to the discretion of the Not for Profit community organization that the City is processing registrations for.

2.5. Credits:

Clients may leave a refund on account as a credit to be used at a later date.

Credit balances on accounts will be subject to Council Policy 330.

Credits less than \$50 will become the property of the City of Kelowna after one (1) year of inactivity. Credits greater than \$50 will become the property of the City of Kelowna after three (3) years of inactivity.

2.6. Waitlists:

Waitlisted clients will receive a call as space becomes available. The City will hold the spot for 24 hours only. On long weekends, this time will be extended until the first business day after the holiday.

2.7. Pass Extensions:

- 1 month pass – no extensions available
- 3 month pass – no extensions available
- 6 month pass – one time extension, maximum of two (2) weeks requested in advance
- 1 year pass - one time extension, maximum four (4) weeks requested in advance
- Extensions, due to medical reasons (minimum of 1 week), are subject to approval by management and will require a doctor's note.

2.8. Customer Satisfaction:

Customers unsatisfied with a program or service may be offered a refund or issued a credit at the discretion of management.

2.9. Scheduled Payments:

- Scheduled payments are available for 6 month and 1 year Aquatic & Facility passes.

- Payment processing fee is due on pass purchases/renewals and is non-refundable.
- Only credit cards are accepted as a form of payment unless system upgrades provide other options.

3. CORPORATE WELLNESS PASS PROGRAM

The Corporate Wellness Pass Program provides discounted access to Parkinson Recreation Centre pool and fitness centre to registered organizations in the Kelowna area.

External Employers

Requests to participate in the program must be made in writing. The following criteria define the requirements of each option:

3.1. One Year Adult Pass

- a) A minimum of five (5) employees participating is required
- b) Discount is based on one (1) year adult facility passes only.
- c) Discount is available to employees of the organization only.
- d) Payment can be made in full or in monthly instalments as per Scheduled Payments noted in 2.9 above.
- e) Each pass purchased requires proof of employment.

3.2. Single Entry

- a) The minimum purchase for discounted single entry is 100 with additional entries available in increments of 25.
- b) Discount is only available on adult facility passes.
- c) Payment must be made in advance by the organization.
- d) Passes will be loaded onto a single organization account and employers will be responsible to work with City staff to identify a process for ensuring only those authorized to use it can.

4. RECREATION ACCESS PASS REQUIREMENTS

An Access Pass will be issued to individuals with a permanent disability based on the following eligibility requirements.

a) Confirmation by any one of the following authorities:

1. A letter from the disability pension provider stating the person's name, phone number, mailing address, date of birth and disability status. Disability pension providers include the Federal or Provincial governments, Revenue Canada Disability Tax Credit, Canada Veterans Affairs, W.C.B., ICBC or private insurance company. Partial disability pensions and pension applications in process will not be considered;
2. A referral letter from an established agency, association or group home whose mandate is to support persons with a permanent cognitive or physical disability. The referral letter must state the person's name, phone number, mailing address, date of birth and disability status. Referral letters will not be accepted from physicians or other medical professionals; **or**
3. The approval of the Community & Neighbourhood Services Manager.

b) Access Pass Fees:

1. For use by clients who have a permanent disability. The fees are based on a percentage of the annual Facility or Pool Adult Pass rates: A pass for Programs and Facility Access is 33% and a pass for Program Access or Facility Access is 25% of the Adult regular rate. Program pass holders are eligible for a 50% discount off the regular rate on any land or aquafit fitness program – drop-ins excluded.
2. Access Passes are non-refundable.

5. FACILITY RENTALS

All fees and charges are as outlined in the **ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609, Schedule B.**

The General Conditions for the Rental of City of Kelowna Facilities on pages 8-11 apply to all sections. Other specific conditions are as outlined below.

General Principles:

- a. The City strives to follow the priority order as defined below but may, at its discretion, alter the order for significant community events/rentals:
 1. City Programming – activities, programs and events coordinated by the Active Living & Culture Division
 2. Partner Programming – partners with active agreements with the City of Kelowna Active Living & Culture Division
 3. Corporate Requirements – other City of Kelowna requirements such as open houses, elections etc.
 4. Community Rentals
- b. Any existing booking with historical status must annually request the booking a minimum of one (1) year in advance to retain historical status.
- c. Rentals are for single bookings only. Reoccurring rentals with multiple bookings are subject to additional review and approval.
- d. Any potential booking conflict will need to be reviewed.
- e. Rentals that are deemed in conflict with City or partner programs/events may not be authorized.
- f. Set up and take down is the responsibility of the renter in all multi—use facilities except where otherwise noted.

5.1. PARKINSON RECREATION CENTRE

- Includes Banquet Rooms, Kitchen, Meeting Rooms, Outdoor Areas, BBQ, Multi-Use Rooms.
- Room rentals are subject to an event set up and take down fee.
- Large or complex events are subject to additional City staff requirements and will be charged at the current rate.
- Kitchen rentals are only available with the rental of the Apple or MacIntosh Rooms.
- Outdoor Area A is only available with a room rental and Outdoor Area B is only available with a rental i.e. room or bbq.

Room name	Dimensions	Size (sq ft)	Capacity Banquet/ Dance	Capacity Meeting
Apple Room	56' x 108'	6,000	400	450
MacIntosh Room	56' x 72'	4,000	175	250
Spartan Room	56' x 36'	2,000	70	100
Kitchen	NA	NA	NA	NA
Gala Boardroom (Boardroom table in place)	36' x 15'	540	Meetings Only	20
Orchard Room (Bartlett, Red Haven & Sun Haven Sections, + 2 Kitchenettes)	60' x 30'	1,800	80	100
Bartlett Room (+ Kitchenette)	21' x 30'	640	30	40
Red Haven Room	18' x 30'	540	20	30
Sun Haven Room (+ Kitchenette)	20' x 30'	600	20	30
Haven Room (Red Haven & Sun Haven Sections + Kitchenette)	38' x 30'	1140	40	50

Bartlett Sun Room (Bartlett & Sun Haven Sections + 2 Kitchenettes)	41' x 30'	1230	50	60
Cherry Room	12' x 28'	650	20	20
Outdoor Area A	Front entrance concourse	NA	NA	NA
Outdoor Area B	Lawn off Banquet Room	NA	400 Outdoor Event	NA
Outdoor Barbecue (does not include Kitchen facilities)	Back Patio	<u>NA</u>	<u>NA</u>	NA

MULTI-USE FACILITIES

All fees and charges are as outlined in the **ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609, Schedule F.**

5.2. PARKINSON ACTIVITY CENTRE

- Fully equipped commercial kitchen is available with room rental only.

Room name	Dimensions	Size (sq ft)	Capacity Banquet/ Dance	Capacity Meeting
Activity Room	36' x 31'	1,116	40	50
Main Hall	57' x 60'	3,420	170	250
Kitchen	NA	NA	NA	NA
Meeting Room	19' x 21'	400	Meetings Only	25
Lounge Triangular room with 5 permanent tables and 20 chairs.	28' x 20' approximately	560	20	20

5.3. OKANAGAN MISSION ACTIVITY CENTRE

- Users must **completely clear the facility by 10:00 p.m.**
- Kitchen has stove and fridge.
- Renter to provide all dishes, cutlery, etc. – limited dishes and cutlery are available.

Facility	Location	Capacity
Hall, Kitchen & Grounds	4398 Hobson Road, Kelowna, B.C. V1W 1Y3	70

5.4. KINSMEN FIELDHOUSE HALL

- Available for private rentals on a limited basis.
- Renter to provide all dishes, cutlery, etc.

Facility	Location	Capacity
Hall & Kitchen	3975 Gordon Drive, Kelowna, B.C. V1W 4M8	70 meeting; 60 banquet

5.5. KINSMEN MEDIA CENTRE – MISSION SOFTBALL COMPLEX

- Complete with forty (40) chairs and ten (10) tables.

Facility	Location	Capacity
Meeting Room	3975 Gordon Drive, Kelowna, B.C. V1W 4M8	40 using tables & chairs 60 – not using tables

5.6. CEDAR CREEK COMMUNITY HALL

- Complete with tables and chairs for approximately sixty (60). Additional tables/chairs are the responsibility of the renter.
- Kitchen has a stove, fridge and sink and is only available with hall rental.
- Renter to provide all dishes, cutlery, etc.

Facility	Location	Capacity
Meeting Room	5160 Chute Lake Rd, Kelowna, B.C. V1W 4L6	25
Community Room Includes Main Hall & Kitchenette		60

5.7. RUTLAND ACTIVITY CENTRE

- Complete with tables and chairs for approximately thirty (30). Additional tables/chairs are the responsibility of the renter.
- Kitchen has a stove, fridge and sink and is available with room rental only.
- Renter to provide all dishes, cutlery, etc.

Facility	Location	Capacity
Meeting Room	765 Dodd Road, Kelowna, B.C. V1X 5H1	20
Multi-Purpose Room includes kitchen		50
Hall		150

5.8. SPORT KELOWNA BOARDROOM

- Boardroom table and chairs.

Sport Kelowna Boardroom	14' x 30'	280	NA	10
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ARENAS

The General Conditions & Definitions for the Rental of City of Kelowna Facilities on pages 8-11 apply to all sections. All other conditions are outlined below.

1. ARENAS GENERAL INFORMATION

The intent of this policy is to establish guidelines for the general use and allocation of arenas by the City of Kelowna - Active Living & Culture Division. **Community Use Hours are available in Memorial, Rutland, Capital News Centre and Prospera Arenas. For information on booking Stuart Park Arena, see Stuart Park section page 58.**

City Operated Arenas:	
Kelowna Memorial Arena	Rutland Arena
1424 Ellis Street, Kelowna BC V1Y 2A5	645 Dodd Road, Kelowna BC V1X 5H1
	West Rink multi-purpose room – 27'x21x
Stuart Park Arena	
1414 Water Street	
City Time Allocated Arenas:	
Prospera Place	Capital News Centre
1234 Water Street, Kelowna BC V1Y 9W6	3925 Gordon Drive, Kelowna BC V1W 3G6

2. ARENA DEFINITIONS

Nominees: Local non-profit organizations (LNPO) identified by the City as being qualified to use Community Priority Time at the Capital News Centre and Prospera Arena. The City will decide who will have nominee status based on the following criteria which shall include all or a majority of the following conditions:

- 1) The Nominee must have Society status through the Corporate Registry;
- 2) The Nominee must have exclusive control of the Community Priority booked time and be responsible to directly pay the rental fees;
- 3) The Nominee must be legally responsible and liable for all activities related to the event;
- 4) The Nominee must be able to demonstrate that the financial risk and reward related to the event rests clearly with the Nominee;
- 5) The Nominee must direct any net profit from the event to the purposes of the non-profit group;
- 6) The Nominee may employ or contract others on a 'fee for service' for the delivery of the event; and
- 7) Failure to comply with any or all the above mentioned conditions may result in the reduction of that LNPO's annual allocated hours.

Seasons:

Regular Season-	Tuesday of Labour Day weekend to March 31 st
Spring Season-	April 1 st to June 30 th
Summer Season-	July 1 st to Monday of Labour Day weekend

Prime/Non-Prime Time:

Regular/Spring Season:

Monday through Friday, excluding weekends, stat holidays and school holidays:

6:00 a.m. - 8:00 a.m.	Prime
8:00 a.m. - 3:00 p.m.	Non-Prime
3:00 p.m. - 10:30 p.m.	Prime
10:30 p.m. +	Non-Prime

Weekends:

6:00 a.m. - 10:30 p.m.	Prime
10:30 p.m. +	Non-Prime

Summer Season:

Monday through Sunday:

6:00 a.m. - 10:30 p.m.	Prime
10:30 p.m. +	Non-Prime

3. ARENA FEES & CHARGES

All fees and charges are as outlined in the **ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609, Schedule E.**

Ice bookings are charged a minimum of an additional fifteen (15) minutes for ice floods.
Payments as per Contract. All General Terms & Conditions apply except as noted below.

4. ARENA SCHEDULING

Public Skating

Indoor public skating will be offered at several locations weekly from October through March on average 10 hours per week. The time will be a combination of weekday and weekend time with programs suitable for all ages.

In addition to regularly scheduled Public Skating session, additional times will be programmed during school spring break, school Christmas break and other appropriate holiday and school breaks.

Once the Activity & Program Guide has been developed, requests to cancel public skating will not be considered.

5. PROSPERA PLACE (called "Facility" operated by "Arenas")

5.1. Time Allocation

Arenas shall allocate to the City the community use time each ice season as follows:

- a) 750 Prime Time Hours. "Prime Time Hour" means an hour between 6:00 a.m. and 8:00 a.m. or between 3:00 p.m. and 12:00 midnight on School District No. 23 school days or between 6:00 a.m. and 12:00 midnight on non-school days. Prime Time Hours between August 15 and Labour Day inclusive shall not exceed six hours per day without the prior written consent of the City; and
- b) 750 Non-Prime Time Hours. "Non-Prime Time Hour" means an hour between 8:00 a.m. and 3:00 p.m. on School District No. 23 school days.

5.2. Scheduling

- a) Arenas shall provide to the City a draft schedule for the City's community use time for each ice season at least six months prior to the beginning of the Season being scheduled. The City and Arenas shall consult with each other before finalizing any schedule for the allocation of community use time for a Season. If Arenas does not provide the City with a draft schedule at least six months prior to the beginning of the Season being scheduled, then the City may determine the schedule.
- b) The City shall provide to Arenas a schedule of planned uses for its community use time at least three months in advance of scheduled activity but has the right to change such uses thereafter, acting reasonably.
- c) Arenas may reschedule the City's community use times (except for up to three events per Season which the City has designated in its schedule under section 6.2 as not permitted to be rescheduled) into other time blocks to accommodate uses by the Rockets and events scheduled by Arenas from time to time, provided that the total amount of Prime Time Hours and Non-Prime Time Hours allocated to the City in each Season is as required by section 6.1. Notice of rescheduling must be given to the City not less than 30 days in advance of the originally scheduled time.
- d) Notwithstanding section 6.2 the City and Arenas may trade hours of use within the Facility at any time upon agreement of both parties.
- e) For all the community use time provided to the City pursuant to this Article 6 (ref: Article 7 of the Multi-Purpose agreement) the City has the right, for the uses in section 6.3 to schedule, book, rent to others, and set admission fees and all other fees and charges. All fees generated will be retained by the City.

5.3. Uses

The City may use its community use time only for:

- a) The following ice events:
 - i. Public skating
 - ii. Organized minor sports under the control of local non-profit organizations
 - iii. Rental of time to community groups for non-profit community activities
 - iv. Community special events; or
 - v. Recreational programs or activities operated by, or under the authority of, the City's Active Living & Culture Division; or
- b) Dry floor events that are consistent with the criteria set out above.
- c) All community use bookings made by the City are in an "unconfirmed" status until the event is inside the 30-day notice period for bumping. All groups are to be advised that their booking is subject to bumping as per the terms of the Prospera Place Agreement.

5.4. Community Use – Prospera Place (3 Days Non-Bump Provision)

General Principles:

- a. Types of Community Use are governed by the Prospera Place Agreement.
- b. The City is able to protect three dates in a 'non-bump' status which are recognized by Prospera Place. The City will accept applications (on the City's Application Form) on an on-going basis between 12 to 18 months prior to the date of the proposed event. Applications requiring more than 18 months' notice of confirmation must deal directly with Prospera Place and will not be considered in the Community Use Non-Bump provision. In the event an application is made for an event prior to 12 months in advance it will be dealt with strictly on the basis of availability.
- c. All community use bookings are at an 'ice ready' basis and additional set-up requirements are separate from the City rental charges and are subject to rates as set by Prospera Place.
- d. All groups must be a bona fide non-profit organization. Groups must be registered as such under the Society Act or any other statute, or may also be a genuine and authentic group or organization that may not be registered as such, but who have organized and meet regularly or occasionally for a common purpose. The City will determine whether the group making the request for time is a legitimate representative or the club, group, organization or society involved.
- e. All groups may collect fees for things such as registration and/or admission but must utilize all monies collected to cover event/activity expenses, improve public facilities which they may own, are building, renovating or participating in improvements that are on a local level. Groups organizing events that are to generate revenue must clearly outline the intended use of the revenue.
- f. The following is not considered applicable to community use time: Community groups acting as a promoter or fronting a professional entertainer/event, trade shows, conventions, and religious functions.
- g. All food, beverage and alcohol services for events must be coordinated through Prospera Place.

Non-Bump Event Priorities:

- a) Major City sponsored non-profit community events.
- b) Existing non-profit minor sport organizations hosting a major tournament or provincially sanctioned event.
- c) Non-profit organizations.
- d) Recreational programs or activities operated by or under the authority of the City's Active Living

5.5. Memorial Arena Agreement

- a) If, after Substantial Completion, the City rents Memorial Arena for Commercial Events or Uses other than Adult Recreational Hockey, Junior Hockey or Professional Hockey without the prior written agreement of Arenas, the City will pay to Arenas two times the gross rental which the City received for the event or use.
- b) During the five year period commencing on the first day of the month following the month in which Substantial Completion occurs, if the City rents Memorial Arena for Adult Recreational Hockey for more than an average of 62 hours per month over any successive seven month period or more than 75 hours in any month without the prior written agreement of Arenas, the City shall pay to Arenas for each such hour an amount equal to two times the published hourly rate for Adult Recreational Hockey in the Facility.
- c) After the five year period in section 5.4.a) If the City rents Memorial Arena for Adult Recreational Hockey at any time without the prior written agreement of Arenas, the City shall pay to Arenas for each such hour an amount equal to two times the published hourly rate for Adult Recreational Hockey in the Facility.
- d) If after Substantial Completion, the City rents Memorial Arena or the Facility for Junior Hockey or Professional Hockey without the prior written agreement of Arenas, the City shall pay to Arenas for each such game an amount equal to two times the regular season base game rate for the Rockets in the Facility.
- e) The City reserves the right to determine all rates and schedules for Memorial Arena.

5.6. Rockets

- a) The City acknowledges that Arenas has an obligation to provide ice time to the Rockets. When the Facility is not available for practice time for the Rockets or a visiting team playing against the Rockets, that Arenas is obliged to provide in accordance with the Rockets Agreement due to a major special event pre-empting the use of the Facility by the Rockets or the visiting team, and provided Arenas has given at least 30 days' notice in writing thereof to the City, the City shall make ice-time available to the Rockets or the visiting team in Memorial Arena if available and otherwise in a City-owned facility of the City's choice (but only if such a facility exists).
- b) If the Rockets or a visiting team use a City-owned facility, the City shall charge Arenas (and Arenas shall pay) the rental rates normally charged by the City for commercial ice time or, at the City's option, Arenas will provide the City with ice time in the Facility, on an hour for hour basis and at a reasonable time, in lieu of payment of such rent (and such ice time will not be included in the community use time in *Article 7 of the agreement*).
- c) The hours provided by the City to the Rockets or a visiting team will be at a time suitable to the City, although the City will use all reasonable efforts to provide time to the Rockets or the visiting team in accordance with the practice times set out in the Rockets Agreement and otherwise will provide the Rockets or the visiting team with such other available time as is selected by Arenas. Without limitation, the City will not be required to reschedule any pre-planned community special event, tournament or other special event planned for a specific day provided that the aggregate number of such community special events, tournaments and other special events in any Season which the City is not required to reschedule does not exceed twenty.

6. CAPITAL NEWS CENTRE

6.1. Standards and Scope of Facility

- 6.1.1 The Operator shall at all times operate, manage and maintain the Facility to a first class standard, such that it meets or exceeds at all times the standard for facilities of its type as operated by leading private operators in Canada.

- 6.1.2 The Operator shall operate the Facility to provide a broad range of leisure and sporting opportunities to the community with a venue for recreation and leisure activities including:
 - a. programs such as public skating, hockey, lacrosse, ringette and figure skating and other minor sports through leagues and tournaments;
 - b. ice or dry floor facilities for organized adult and minor sports; and
 - c. other recreational programs, activities, community events or tournaments as may be planned and organized by or in conjunction with the City.

6.2. Community Priority Time

- 6.2.1 The Operator shall make the use of the Facility available to the City and its Nominees the use of the Facility at the times, in the manner and on the terms set out in the operating agreement, and Community Priority time shall be allocated and reserved in accordance with terms set out in the operating agreement.
- 6.2.2 Community Priority time may only be used by the City or its Nominees, for non-commercial events including but not limited to public skating, organized minor sports, community activities, community special events, recreational programs and other City or non-profit activities.
- 6.2.3 Where the City has booked and paid for Community Priority Time, the City may in its sole discretion resell the Community Priority Time to its Nominees, at any rates or fees determined by the City from time to time.
- 6.2.4 The City shall pay the Community Rates to the Operator for all Community Priority Time which is used by the City.
- 6.2.5 Community Rates for Community Priority Time which is used by Nominees shall be paid to the Operator by the Nominees in accordance with the Operator's deposit and payment policies.
- 6.2.6 Subject to terms set out in the operating agreement, the use of the Facility by the Nominees shall be regulated by the Operator and the Operator's usual rules and regulations for Facility usage shall apply to the Nominees.
- 6.2.7 The City shall have no responsibility for the acts or omissions for the Nominees, their members and invitees.

6.3. Meeting Room Use

- 6.3.1 The Operator shall make available to the City, for use by the City and non-profit community groups authorized by the City during normal Facility operating hours, up to 500 hours of use of meeting rooms within the Facility in each year of the Term, at no cost to the City. The use of the Facility under this section shall be regulated by the Operator and the Operator's usual rules and regulations for meeting room uses shall apply.
- 6.3.2 The City may book the use of the meeting rooms on not less than forty-eight hours' notice to the Operator, and the Operator shall act reasonably in accommodating such requests, subject only to the meeting rooms being unavailable due to previously scheduled activities.
- 6.3.3 The City shall have no responsibility for the acts or omissions of the non-profit community groups, their members or invitees.

7. ARENAS ALLOCATION PRINCIPLES & GUIDELINES

7.1. It is important to maintain a process that maximizes overall use of facilities.

The expected outcome is more efficient time allocation, in order to maximize scheduling and revenue opportunities. To accomplish this, both the City and the user groups must remain cooperative when involved with the scheduling process.

It is further recognized that the summer use pattern priority is given to sport schools and camps that encourage sport tourism.

- 7.1.1 All users must submit schedules of play in the same format so that information is consistent for necessary comparisons. Applications must differentiate between tournaments and regular practice/league play.

Ice User Groups

Annual Ice Allocation – September through August Deadline – Early March
(Request forms sent late February with the schedule finalized prior to June 1st)

Spring/Summer ice bookings to be reconfirmed with the City prior to March 1st.

Dry Floor User Groups

Annual Dry Floor Allocation – April through August Deadline – Early October
(Request forms sent mid-September with the schedule finalized prior to March 1st)

- 7.1.2 Allocation Guidelines for Regular Season:

1. Ice/Building Maintenance
2. Public Skating
3. Tournaments/Special Events
4. Minor League Play/Practice Time
5. Sports School Camps
6. City Programming
7. Adult/Commercial Regular Use
8. School and Casual Use

Allocation Guidelines for Spring Season:

1. Ice/Building Maintenance
2. Tournaments/Special Events
3. City Programming
4. Local non-profit/Minor League Play
5. Sport Schools and Camps
6. Adult League Play
7. School and Casual Use

Allocation Guidelines for Summer Season:

1. Ice/Building Maintenance
2. Sport Camps
3. City Programming
4. Minor League Play
5. Adult League Play
6. School and Casual Use

Allocation Guidelines for Dry Floor Use:

1. Ice/Building Maintenance
2. Tournaments/Special Events
3. Minor League Play/Practice
4. Adult League Play/Practice
5. Community Programming

- 7.1.3 Any renewal applications received after the annual allocation deadline are treated as new requests.

- 7.1.4 Non-local minor organizations cannot attain traditional status.

- 7.1.5 The City will make final decisions on applications but will not do so without input and collaboration from the Arena Advisory Committee.

7.2. It is important to recognize traditional uses.

This will allow user groups more consistent annual and long term planning. See General Definitions for Traditional Use.

- 7.2.1. Any existing tournament which has been on-going for more than three years retains its traditional position as long as it is booked annually as per season outline 7.1.2.
- 7.2.2. Any requests to change their traditional use with another group must be coordinated through the Scheduling Coordinator.
- 7.2.3. In an effort to aid with organizations future planning of tournaments, the City may provide a three (3) year snapshot to address any extra ordinary requests and/or revolving holidays.
- 7.2.4. If a tournament or special event is cancelled, the user group must notify the Scheduling Coordinator more than 30 days prior to the start of the program date with (a) new use or (b) release the date(s); excluding Spring and Summer ice bookings.

Regular Booking

- 7.2.5. Any existing rentals which have been on-going for more than three years will be considered traditional as long as it is booked annually.
- 7.2.6. Regular times may be cancelled from time to time to accommodate major tournaments/special events. Every effort to find an alternate location and time slot will be made by the City.

Note: Notwithstanding the foregoing, the City reserves the right to negotiate with organizers of major events which have a significant impact City wide and make final decisions outside of this timeframe.

Should a group not require its traditional time in a given year, special application may be made to the Arena Advisory Committee for a one year absence from their traditional time and still maintain their traditional status. This will be reviewed on a case by case application.

7.3. It is important to maintain a systematic and fair process for existing user groups to access additional and new time in City allocated facilities.

Additional and new time may be a result of: freed up ice time; new facility development; the desire/need to expand leagues, organized groups, tournaments and special events. The expected outcome is a collaborative process where requests are evaluated and through consensus top priorities are allocated.

- 7.3.1. Existing groups must make request for additional time as per 7.1.
- 7.3.2. All requests will be considered based on:
 - Available time in relation to all the submitted requests.
 - Impact on traditional use.
 - Groups plan for increased time.
- 7.3.3. Any organizations pursuing a major tournament &/or special event and requiring new/additional ice time (outside their normal use) must receive a letter of support from the City or the provision of ice time may not be guaranteed.
- 7.3.4. New time provided will not be considered traditional until the three year period has occurred. This initial three year period is considered the initiation period where the City is able to change schedules in order to maximize use of all arenas.
- 7.3.5. Short notice, one-of ice cancellations, will be distributed on a first contact opportunity basis. Best efforts will be made to fairly distribute available ice time to all groups.
- 7.3.6. League allocation shall be made prior to consideration of individual team requests from the same league. Teams belonging to a league must apply for space through their league rather than as individual teams. These teams will be prioritised as Casual Use.

- 7.3.7. Groups who cancel 10% of allocated ice time must notify the City and will not be allocated the times the following year.

Appeal Process

- 7.3.8. Appeal will only be considered if policies are not properly applied (as opposed to considering appeals if group is not satisfied with its allocation). No appeal after fifteen (15) days of entering into a contract for arena use.
- 7.3.9. All Appeals will be reported in writing to the Arena Advisory Committee.
- 7.3.10. Appeals will be considered by a "Tribunal" made up of two impartial representatives from the Arena Advisory Committee and the Director of Active Living & Culture or his/her designate. In the event, that the Tribunal is unable to settle the appeal, the appeal shall be forwarded to the Arena Advisory Committee for further review and final decision.

7.4. The importance to maintain an avenue and opportunity for new groups requesting time allocation.

The expected outcome is a systematic process where new groups (users) are able to apply and be considered for facility time allocation.

- 7.4.1. New groups requesting ice must apply in accordance with section 7.1.
- 7.4.2. Applications will be reviewed and evaluated, with consideration given to the following criteria:
- Status of the organization and its viability (i.e. existence of a Provincial Sport Organization, provincial/national trends in sport, CS4L alignment).
 - Impact on existing facility users; ice availability.
 - Planned use (i.e. participation versus elite).
 - Equitable access (i.e. recognition of all the diversity of the community).
 - Need to recognize unique requirements of new groups; which may displace current groups, arena location and/or time slot.

7.5. It is important to maintain open communication between the City and the user groups.

The expected outcome is a collaborative approach with the users to facility allocation and development of operating policies.

- 7.5.1. Arena Advisory Committee (AAC) – up to 9 voting members: 5 representing minor groups and 4 representing adult groups. Members of the committee are required to attend regularly scheduled meetings. If a committee member misses two consecutive meetings, they may be removed from the committee.

New members are recruited as follows:

- complete application form
- interviews may be required from the existing committee
- selection by consensus of the existing committee

As possible, composition of the AAC will consist of representation from Kelowna Minor Hockey, Kelowna Figure Skating, Kelowna Ringette, Kelowna Speed Skating, Kelowna Minor Lacrosse, Senior Lacrosse, (2) Adult Recreation Hockey, plus one additional member.

AQUATIC FACILITIES

The General Conditions for the Rental of City of Kelowna Facilities on pages 8-11 apply to all sections. All other conditions are outlined below.

1. AQUATIC FACILITIES GENERAL INFORMATION

The intent of this policy is to establish the general use and allocation of time and space of aquatic facilities to Aquatic Sports Clubs by the City of Kelowna.

City Operated Aquatic Facilities:	
Parkinson Recreation Centre (Parkinson Pool)	
1800 Parkinson Way, Kelowna BC V1Y 4P9	
City Time Allocated Aquatic Facilities:	
Kelowna Family "Y" (Athans Pool)	H2O Adventure & Fitness Centre (H2o)
375 Hartman Road, Kelowna BC V1X 4V5	4075 Gordon Drive, Kelowna BC V1W 5J2

- First Aid is the responsibility of the Aquatic facility staff; all injuries and incidences must be reported to staff.
- No posters shall be posted without prior approval of the operator, other than those posted on assigned club bulletin boards.
- Special events throughout the season, such as Swim Meets, etc., will be contracted separately from regular booking contracts through separate Facility Rental Contracts.
- The City and its operators shall ensure that weekend public swimming (Saturday/Sunday) is available in at least one city pool when public swimming sessions may be cancelled for special events or swim meets at the other pools.

2. AQUATIC FACILITIES DEFINITIONS

Club Meet – an event held during an aquatic club's regular scheduled pool time requiring additional facility equipment, further impacting the facility and may include time trials.

Swim Meet - an event held at one site over one or more days, which does not constitute a part of the regular season schedule and creates a disruption to the schedule.

3. AQUATIC FACILITIES FEES & CHARGES

All fees and charges are as outlined in the **ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609, Schedule B1**.

Applicable to all Groups, Swim Clubs and Associations:

- Swim Clubs are to pay in accordance with the facility rental agreements.

4. AQUATIC CAPACITY DISTRIBUTION

The City of Kelowna has 3 aquatic facilities capable of hosting training for aquatic based local sport organizations. H2O and Kelowna Family "Y" can host swim competitions and PRC will only be used as a training facility.

- 4.1 The City will work with facility operators and local sport organizations to distribute hours within each facility in a fair and equitable manner.
 - Total number of hours available within the 3 facilities will be based on historical use patterns (approximately 12,000 hours/year – 80% H2O, 12% Kelowna Family Y and 8% PRC) and cannot be significantly altered without agreement from the Aquatic Advisory Committee, the Operator and the City.
- 4.2 For the purpose of this policy the annual allocation of "Lane hours per Year" shall be calculated from September 1 to August 31.
- 4.3 Lane Utilization – In determining how many lanes are required or can be allocated this policy will use

the following numbers to determine “optimal utilization” of a lane. Allocated time that is not utilized in the best interest of meeting program and community needs will be raised with the Aquatic Advisory Committee for reconsideration and redistribution.

- For a 50 meter lane “optimal lane utilization” is deemed to be 7-9 swimmers
- For a 25 meter lane “optimal lane utilization” is deemed to be 4-5 swimmers

4.4 It is the responsibility of the Club or facility operator wishing to increase the number of lanes allocated to it to demonstrate that their existing allocation is operating at “optimal utilization” and that they have additional swimmers requiring additional lane hours.

4.5 For the purpose of balancing competitive swim program needs as well as community programming (and facility membership models), during competitive club rental times, swim lanes will be reserved for public use as follows:

- **H2O:** 3 lanes will be reserved for public use at all times (unless in 50m configuration where 2 lanes will be reserved for public). Note below: Flex Lane.
- **KFY:** 2 lanes will be reserved for public use at all times.
- **PRC:** All lanes are available for rental. Whole pool rental needs to be approved by AAC and operator.

4.5.1 Competitions/Tournaments have priority over public swim lanes; if required.

4.5.2 Commercial renters will be required to negotiate time and space with facility operators after local sport organizations have finalized schedules.

5. AQUATIC FACILITIES ALLOCATION PRINCIPLES & GUIDELINES

5.1 It is important to maintain a process that maximizes overall use of aquatic facilities while balancing user group needs and program opportunities.

To accomplish this, the City of Kelowna, the facility operators and the user groups must remain cooperative when involved with the scheduling process.

5.1.1 Requests for Use

- The City will make final decision on applications but will not do so without input and collaboration from the Aquatic Advisory Committee.
- All groups must submit request forms in the format provided so that information is consistent for necessary comparisons. Groups requesting both regular training time as well as competition time must submit request on two separate forms.
- Annual requests for regular practice/training time and for swim meets/competitions will be accepted on May 31. These submissions will specify requests for the upcoming September-to-August period.
- Applications that come in after the submission deadline will be treated as new requests and won't be considered until other requests and submissions have been allocated.
- It is understood that the need to submit requests for annual use prior to club registration periods may have an impact on final program needs. With this in mind, a reconfirmation opportunity is set for each time period, during which a group is able to release time or increase its request without penalty. All groups will be financially responsible for all time kept after the reconfirmation deadline.

Reconfirmation timing:

September to December period: No reconfirmation period

January to April period: October 25

May to August period: April 1

5.1.2 Allocation Priorities

Where requests for specified times, facilities and periods exceed capacity, allocation decisions will be made using the following priority guidelines:

- 1) Swim Meets/Special Events
- 2) Local minor sports training time
 - i) Traditional total hours of use
 - ii) Requests requiring special facility requirements (i.e. depth)
 - iii) New use (existing group and new group)
- 3) Local adult sports training time
 - i) Traditional total hours of use
 - ii) Requests requiring special facility requirements (i.e. depth)
 - iii) New use (existing group and new group)
- 4) Non local youth sports time
- 5) Non local adult sports time

The allocation principles will also follow:

- Late afternoon – priority to youth
- Early morning time – blended youth/adult
- Evening – priority to adult
- Weekend time – blended youth/adult

In keeping with the commitment to maximize overall use, programming and training allocations may be distributed in all three aquatic facilities.

Non-local organizations cannot obtain traditional use status.

5.2 It is important to remain flexible and open to scheduling changes in order to best develop use patterns.

Through the use of the Advisory Committee structure, open communication will be maintained among City staff, facility operators, and other user groups to ensure the continuation of a collaborative approach to facility allocation and problem solving on an ongoing basis.

5.2.1 Regular Use

Traditional use for regular training time will be based on the total number of hours used annually. Traditional patterns will also be considered when allocating time. Examples of traditional patterns include:

- previous time slot and day of booking
- previous booking location

5.2.2 Competitions

- Traditional use for competitions will be based on specific dates and times previously scheduled.
- Club Meet (as defined in article 2) – Renter must give thirty (30) days' advance notice to the facility operator.
- Any existing competition which has been on-going for more than three years retains its traditional position as long as it is booked annually as per submission deadline.
- Any request to change traditional use with another group must be coordinated through the Scheduling Coordinator.
- Should a group not require its traditional time for a competition in a given year, it may make special application to the Aquatic Advisory Committee for a one year absence and still maintain its traditional status. Such requests will be reviewed by the Aquatic Advisory Committee on a case by case basis.
- Regular training or program times may be cancelled subject to thirty (30) days' written notice to the club or facility operator due to the set up and hosting of competitions.
- The City reserves the right to negotiate with organizers of major events which have a significant impact City wide and make final decisions outside of this timeframe.

5.3 It is important to maintain a systematic and fair process for existing user groups to access additional and/or new time in City owned facilities.

- A collaborative process where existing program growth requests are evaluated and through consensus top priorities are allocated.
- Existing groups must make requests for additional time as per section 5.1.1
- All requests will be considered based on:
 - Available time in relation to all the submitted requests.
 - Impact on traditional use.
 - A plan, justification and rationale for increased or altered time.
- Any additional regular time that is allocated through this process will be considered, after three (3) years, traditional use and part of the annual allocation of the user group making the request. Note: the first year of allocation contributing to traditional status will be the 2011-2012 season.

5.4 It is important to maintain an avenue and opportunity for new groups to access time that will support program success and growth.

- A systematic process that enables new groups to apply and be considered for pool time will be provided.
- New groups requesting pool time must apply in accordance with section 5.1.1
- Applications will be reviewed and evaluated with consideration given to the following criteria:
 - Status of the organization and its viability (i.e. existence of a PSO, provincial and national sport trends, CS4L alignment).
 - Impact on the viability and operations of other sport groups (i.e. is there a positive impact or negative impact on existing groups); pool availability.
 - Planned use (i.e. participation versus elite).
 - Equitable access (i.e. recognition of all the diversity of our community).
 - Need to recognize unique requirements of new groups; which may displace current groups' pool location and/or timeslot.

5.5 It is important to establish a systematic appeal process for groups who feel their requests have not been reviewed and evaluated based on established allocation guidelines.

- An appeal will only to be considered if policies were not properly applied (as opposed to considering appeals if group is not satisfied with its allocation). No appeal will be considered if it is received by City staff more than 15 days after entering into a contract for pool use.
- Appeals will be considered within 15 days of receipt and formally responded to within 30 days.
- All Appeals will be reported in writing to the Aquatic Advisory Committee.
- Appeals will be considered by a "Tribunal" made up of two impartial representatives from the Aquatic Advisory Committee and the appropriate City and facility staff representatives. In the event that the Tribunal is unable to settle the matter, the appeal shall be forwarded to the full Aquatic Advisory Committee for further review and final decision.

5.6 It is important to recognize large special events that have broad community appeal has and that provide significant social, cultural, financial and/or tourism benefits.

- Any organization pursuing a one-time competition that creates a requirement for new/additional pool time (outside of normal use) must receive a letter of support from the Aquatic Advisory Committee.
- The maximum number of competitions shall normally be limited to one per month per facility.

The established usage pattern for competitive swim clubs includes annual competitions that are an integral part of the clubs training program. These competitions will be deemed “anchor” competitions with historical status and will receive priority booking status over other “non-anchor” competitions.

5.7 It is important to establish an appropriate balance between operational costs of facilities and operational costs of aquatic local sport organizations.

A fee schedule that is appropriate to the services received for each facility and in relationship to other facilities and other local sport organizations.

SPORTSFIELDS

The General Terms & Conditions for the Rental of City of Kelowna Facilities on pages 8-11 apply to this section. Other specific conditions are as outlined below.

1. **SPORTSFIELD GENERAL INFORMATION**

The intent of this policy is to establish guidelines for the allocation of sportsfields by the City of Kelowna Active Living & Culture Division.

For the purpose of allocation, the multi-courts at the Capital News Centre will be governed by the Sportsfield Allocation Policy.

Outdoor Fitness Classes

All scheduled fitness classes must obtain a park rental permit and have a current City of Kelowna business license and certificate of insurance. Fitness bookings are on a "first come, first served" basis but will not be made more than 60 days in advance. Class sizes must be limited to 20 participants.

Fitness classes will be permitted in the following parks:

Knox Mountain	Rotary Arts Common	Jack Robertson	Crossglen
Strathcona	Kinsmen	Osprey	Cameron
Gyro Beach	Rotary Beach	Redridge	Curlew
Quarry	Rutland Lions	Ben Lee	Gertsmar

Fitness classes will only be permitted in other City parks when the classes are free and open to the public.

Classes in conjunction with a conference or event at a downtown venue will also be permitted in downtown parks.

Organized fitness classes are not permitted on Sport fields at any times and sports field infrastructure (goals posts, fences, trees, railings, etc.) is to be used for its intended purpose only.

2. **SPORTSFIELD DEFINITIONS**

Natural Turf Field:

Prime-Time Field Use:

April 15 - June 30 and September 1 – October 31

3:00 p.m. until dusk Monday through Friday

3:00 p.m. until 11:00 p.m. – 7 days per week on fields with lights

8:00 a.m. until dusk weekends including fields with lights

Annual School Spring Break

8:00 a.m. to dusk – 7 days per week

8:00 a.m. until 11:00 p.m. on fields with lights

July 1 - August 31

8:00 a.m. until dusk – 7 days per week

8:00 a.m. until 11:00 p.m. on fields with lights

Non-Prime Time Field Use: 8:00 a.m. until 3:00 p.m. Monday through Friday; excluding school holidays, stat holidays and July and August.

Regular Season: Mid-April (natural turf field opening date) through to October 31st.

Shoulder Season: November 1st through to mid-April (natural turf field opening date).

Artificial Turf Field:

Prime Season Field Use: April 1 to June 30 and September 1 to November 30.

Non-Prime Season Field Use: December 1 to March 31 and July 1 to August 31

3. **SPORTSFIELD FEES & CHARGES**

All fees and charges are as outlined in the **ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609 Schedule D**.

For any significant tournament booking of four or more diamonds/sportsfields at the Mission Recreation Park, the Kinsmen Media Centre or Fieldhouse will be available at no charge.

4. SPORTSFIELD ALLOCATION PRINCIPLES & GUIDELINES

4.1 Need to maximize use of fields while considering field condition and safety of users.

- 4.1.1 User groups must not commence play on a field, ball diamond or running track or any other outdoor facility, where the combination of excessive moisture and player usage may cause damage to the turf or playing surface - games will have to be postponed or re-scheduled. Extreme weather conditions may require field closure and such closure will be advertised by the City of Kelowna.
- 4.1.2 Proper authorization is required for motor vehicles, (except emergency vehicles) motor bikes, dogs or horses to be allowed on any City owned outdoor facility, within the limits of the ***Parks and Public Spaces Bylaw, Bylaw No. 10680***.
- 4.1.3 In managing the level of use of a natural turf field per season, the benchmark of 550 hours is used. It is recognized that many variables affect the turf condition beyond the 550 hour mark. When reviewing the level of use of a field, factors affecting the level of approved use will be:
 - Age of participants
 - Impact of use on turf (i.e. type of sport, practice versus game)
 - Time of playing season

4.2 Need to recognize traditional uses. (See General Definition for Traditional Use)

- 4.2.1 Any existing tournament or special event which has been on-going for more than three (3) years retains its annual time slot as long as it is annually requested within the established request period as indicated in the annual request letter. When allocating tournaments, consideration will be given to traditional and practical uses in regards to location. The City reserves the right to treat all late applications as new requests as per 4.3.
- 4.2.2 The annual listing of special events/tournaments shall be adopted by the Sportsfield Advisory Committee prior to January 31. In an effort to aid with organizations future planning of tournaments, the City will provide a three (3) year snapshot to address any extra ordinary requests and/or revolving holidays.
- 4.2.3 New applications will be reviewed and evaluated with consideration given to the following criteria:
 - Status of organization and its viability (i.e. existence of a Provincial Sport Organization, provincial/national trends in the sport, CS4L alignment)
 - Impact on other sport groups (i.e. is there a positive or negative impact on existing groups); field availability.
 - Planned use (i.e. participation versus elite)
 - Equitable access (i.e. recognition of community diversity)
 - Need to recognize unique requirements of new groups; which may displace current groups, field location and/or time slot.
- 4.2.4 Any existing league which has been on-going for more than three (3) years retains its annual booking allocation time slot as long as it is booked annually on or before early October. Any expansion of time must be in accordance with Expansion Policy. Refer to section 4.8.
- 4.2.5 Notwithstanding the foregoing, the City reserves the right to negotiate with organizers of major events which may require approval outside the time frames noted herein. Whenever possible, this will be done in consultation with the predominant user of the facility in question.
- 4.2.6 The City will make final decisions on applications but will not do so without input and collaboration from the Sportsfield Advisory Committee.

4.3 Need to have equitable access to fields for both regular and occasional users.

- 4.3.1 Any renewal applications received after the deadline dates may be treated as new requests.
- 4.3.2 Priority shall be given to special events and tournaments ahead of regularly scheduled games, practices and casual use.
- 4.3.3 Where an organized sport group which is a regular user and an informal group of occasional users apply for the use of the same field at the same time, preference may be given to the organized group.
- 4.3.4 League allocation shall be made prior to consideration of individual team requests from the same league. Teams belonging to a league must apply for space through their league rather than as individual teams.
- 4.3.5 Teams not belonging to a league will be encouraged to amalgamate with a league.
- 4.3.6 Sportsfield allocation shall be made as follows:

NATURAL TURF FIELDS	
Spring, Fall and Winter Allocation:	Summer Allocation (including spring break and Pro D days):
1. Field Maintenance	1. Field Maintenance
2. Tournaments/Special Events	2. Tournaments/Special Events
3. Minor Sport Organizations	3. City Programming
4. City Programming	4. Sport Camps
5. Adult Sport	5. Minor Sport Organizations
6. Casual Use/Schools	6. Adult Sport Organizations
	7. Casual Use

- 4.3.7 **Artificial Turf Field Stadium** allocation priorities for the Artificial Turf Field Stadium will be the same as the natural turf fields with preference being given to power sports (i.e. rugby and football)
- 4.3.8 The City will strive to balance the needs of the local sporting community and the demand for tournament/special event needs.

4.4 Need to have open communication among user groups.

- 4.4.1 Sportsfield Advisory Committee (up to 9 voting members):
 - 4 representing minor groups
 - 4 representing adult groups
 - 1 director at large

The individuals that represent sport organizations must be endorsed by that Sport Organization. Members of the committee are required to attend regularly scheduled meetings. If a committee member misses two consecutive meetings they may be removed from the committee.

- 4.4.2 New members are recruited as follows:
 - complete application form
 - interviews may be required from the existing committee
 - selection by consensus of the existing committee

4.5 Need to coordinate with School District for use and improvement of school fields.

- 4.5.1 Establish annual meeting with School District regarding field availability and scheduling challenges. Seek opportunities for increased collaboration and proactive problem solving.
- 4.5.2 School District representative may participate (non-voting) on the Sportsfield Advisory Committee.

4.6 Need to optimise revenues when opportunities present themselves.

- 4.6.1 Established tournaments and special events take precedence. Applications for new tournaments, special events, and practices are to be received by the deadline dates as outlined by the City and are to be considered as part of the regular allocation process. Requests received after this deadline will be considered on the basis of merit, with final approvals announced by February 15th of each year.
- 4.6.2 Any adult or minor group wishing to plan a tournament or special event at a time when another user has traditional use must make a submission to that user group before an application is made for the event. This applies to both existing tournaments and regular league play. The new application must be accompanied by a letter from the prior user confirming its agreement to release the dates in question. The time slot released for special tournaments or other events shall revert back to the prior user in the following season. If agreement on the release of dates cannot be reached the case may be appealed to the tribunal as noted in the appeal process as per 4.7.
- 4.6.3 Applications for "one day tournaments" will be placed on a waiting list for consideration after full weekend tournaments are approved for the facility in question, or will be assigned to an alternate available location. One day tournaments will not establish traditional use.
- 4.6.4 Confirmed tournaments, special events, will not be "bumped" purely based on financial advantages.
- 4.7 Need to develop criteria on final decisions for field allocation, or any policy issue, complete with an appeal process.**
 - 4.7.1 Appeals will only be considered if policies are not properly applied (as opposed to considering appeals if group is not satisfied with its allocation).
 - 4.7.2 All appeals will be reported in writing to the Sportsfield Advisory Committee.
 - 4.7.3 Appeals will be considered by a "Tribunal" made up of two impartial representatives from the Sportsfield Advisory Committee and the Director of Active Living & Culture or his/her designated authority. In the event that the Tribunal is unable to settle the appeal, the appeal shall be forwarded to the Sportsfield Advisory Committee for further review and final decision.
 - 4.7.4 No appeal after 15 days of entering into a contract for field use.
- 4.8 Need to provide for expansion of leagues, tournaments, special events without detriment to other users.**
 - 4.8.1 Expansion of leagues will only be considered if the number of players increases (as opposed to more games for the same number of players), and league requesting expansion must verify that it is maximizing the current field allocation.
 - 4.8.2 Any league applying for expansion must verify that there will be provision made for public access to the league.
 - 4.8.3 Expansion of tournaments will only be considered if fields and appropriate resources are available.
- 4.9 Need to recognize large special events with broad community appeal which has significant social, cultural, financial and/or tourism benefits.**
 - 4.9.1 Any event, tournament or regularly scheduled league play may be relocated or cancelled in favour of large significant event(s). Traditional user will get weekend back after use.
- 4.10 Need to allocate new or expanded sportsfields in a fair and equitable manner in order to maximize the use of both the new AND existing locations/times.**
 - 4.10.1 In the case of EXPANSION of an existing facility, the current "traditional" user(s) shall retain existing current priority status based on the existing schedule of use. Any expansion of use shall be dealt with under item 4.8 above.

- 4.10.2 The first season of a new facility (this initiation period may be longer if determined by the City) will be allocated by the City based on maximizing the capacity of the entire sportsfield system and not on chronological order of requests.
- 4.10.3 There shall be no traditional nor priority use established during this initiation period, with the exception of any existing traditional user(s).

4.11 Need to minimize disturbance to neighbouring properties due to use of field lights.

- 4.11.1 **Apple Bowl Lights:** Activities to be scheduled to 11:00 p.m. only. Computer will be set to 11:15 p.m. in consideration of possible game/event delay and clean up requirements.
East Kelowna Softball Lights: Activities to be scheduled to 11:00 p.m. only. Computer setting will be to 11:15 p.m.
Elks Stadium Lights: Activities to be scheduled to 11:00 p.m. only. Computer setting will be to 11:15 p.m.
Kinsmen Softball Lights: Activities to be scheduled to 11:00 pm only. Computer setting will be to 11:15 p.m.
Mission Field Lights: Activities to be scheduled to 11:00 p.m. only. Computer setting will be to 11:15 p.m.
- 4.11.2 Scheduling of lights beyond 11:00 p.m. will be considered for special events or tournaments, at all locations with the exception of the East Kelowna Softball fields. Requests for lights beyond 11:00 p.m. must be made at least two (2) weeks in advance. The Director of Active Living & Culture or his/her designate must approve all requests.

4.12 Sportsfield Categories

	"A" FIELD	Modified "A"	"B" FIELD	"C" FIELD
Key Features & Identifying Traits	Full size field(s) Sports lights Shale Infields Outfield fences Adjacent washrooms	May be somewhat smaller than "A" Field Fewer structural amenities than "A" Sports lights	Full size field(s) Shale infields Large backstops Groups of fields	Less than full size fields Grass infields Small backstops Limited fencing Limited uses Low maintenance costs Multi-purpose area(s)
Locations:	Kinsmen Softball Complex Elks Stadium Mission Artificial Turf (M15) Apple Bowl	East Kelowna Softball Complex Mission 9 Parkinson East Field	Belgo Park City Park (South) South Kelowna Centennial Soccer, Softball & Lacrosse Edith Gay Park Lillooet Soccer Lombardy #3 Lombardy #4 Lombardy #5 Mission 10, 11, 12, 13 & 14 Osprey Park Parkinson Soccer, Lacrosse & Cricket Redridge Soccer Rutland Baseball & Soccer Jack Robertson Baseball Ben Lee Park Lacrosse Kettle Valley Soccer Quarry Soccer	Cameron Baseball Dilworth Soccer Lombardy #1 & 2 Lions Park Curling Rink Watson Rd Soccer Martin Education Centre Soccer KLO Soccer

5. PLAYING FIELD INVENTORY

SPORT	LOCATION	PREDOMINANT USER
5.1 BASEBALL/SOFTBALL DIAMONDS	Rutland Sportsfields (2 diamonds)	Central Okanagan Minor Baseball
	Edith Gay Park (4 diamonds)	Central Okanagan Minor Baseball
	Lombardy Park (5 diamonds)	Central Okanagan Minor Baseball
	North End Sportsfields (3 diamonds) <ul style="list-style-type: none"> • Elks Stadium • Lions Park • Curling Rink 	Kelowna Falcons Kelowna Jr. & Sr. Jays Okanagan College Okanagan Athletics Central Okanagan Minor Baseball
	Quarry Park (1 diamond)	Central Okanagan Minor Baseball
	Osprey Park (1 diamond)	Central Okanagan Minor Baseball
	Cameron Park (2 diamonds)	Central Okanagan Minor Baseball Kelowna Minor Fastball
	Jack Robertson Park (1 diamond)	Central Okanagan Minor Baseball Seniors Slo-Pitch
	Belgo Park (1 diamond)	Central Okanagan Minor Baseball
	Mission Softball Complex (6 diamonds)	Adult Slo-Pitch
	East Kelowna Fields (2 diamonds)	Adult Slo-Pitch
	City Park (South) Sportsfield	Adult Soccer
5.2 SPORTFIELDS	Parkinson Sportsfields (6 fields)	Adult/Minor Soccer Adult/Minor Rugby Cricket Kelowna Ultimate Frisbee
	Parkinson East Field (1 field)	Minor Soccer Okanagan Sun Adult/Minor Rugby
	Apple Bowl (Field and Track)	Okanagan Sun Okanagan Athletics Special O
	Rutland Sportsfields (4 fields)	Adult/Minor Soccer
	Mission Sportsfields (6 fields)	Adult/Minor Soccer Minor Football
	Artificial Turf (1 field)	Multi-Use
	Quarry Park (1 field)	Adult/Minor Soccer
	Kettle Valley Park (1 field)	Adult/Minor Soccer
	Redridge Park (1 field)	Adult/Minor Soccer
	Dilworth Soccer (2 mini fields)	Minor Soccer
	Lillooet Sportsfield (1 field)	Minor Soccer
	Ben Lee Sportsfield	Kelowna Ultimate Frisbee

	Centennial Park (1 large & 1 mini field)	Adult/Minor Soccer
	Martin Education Centre (2 mini fields)	Minor Soccer
	Watson Road School (1 field)	Minor Soccer
	KLO Sportsfields (3 mini fields)	Minor Soccer
	PRC – P-g Lawn Area	Adult/Minor Soccer
5.3 PRACTICE FIELDS	Johnson Road Park	Adult/Minor Soccer
	Rutland Lawn Area	Adult/Minor Soccer
	Mission Sportsfield - M-10 Lawn Area	Adult/Minor Soccer
	Walrod School	Adult/Minor Soccer

6. CAPITAL NEWS CENTRE INDOOR TURF FIELD

All fees and charges are as outlined in the **ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609, Schedule E**.

6.1 It is important to maintain a process that maximizes overall use of community priority time.

The expected outcome is an efficient process to allocate community time and maximize scheduling and program development opportunities.

This will allow user groups more consistent annual and long term planning.

- 6.1.1 All Nominees must submit requests for time in the same format so that information is consistent for necessary comparisons. Applications must differentiate between tournaments and regular practice/league play.

Annual Indoor Turf Field Allocation – September through August

Deadline – Early March (*Request forms sent out mid-February with the schedule finalized prior to June 1st*)

Spring/Summer Indoor Turf Field bookings to be reconfirmed with the City prior to February 1st.

Nominees: Local non-profit community groups identified by the City as being qualified to use Community Priority Time at the Capital News Centre and Prospera Arena. The City will decide who will have nominee status based on the following criteria which shall include all or a majority of the following conditions:

- 1) The Nominee must have Society status through the Corporate Registry
- 2) The Nominee must have exclusive control of the Community Priority booked time and be responsible to directly pay the rental fees;
- 3) The Nominee must be legally responsible and liable for all activities related to the event;
- 4) The Nominee must be able to demonstrate that the financial risk and reward related to the event rests clearly with the Nominee;
- 5) The Nominee must direct any net profit from the event to the purposes of the non-profit group;
- 6) The Nominee may employ or contract others on a 'fee for service' for the delivery of the event; and failure to comply with any or all the above mentioned conditions may result in the reduction of that LNPO's annual allocated hours.

6.1.2 Guidelines for Regular Season allocation:

1. Maintenance
2. Tournaments
3. Minor League Play/Practice Time
4. City Programming
5. School Use/Casual Use
6. Adult Non-Profit

Guidelines for Spring Break and Summer Schedule allocation:

1. Maintenance
2. Sport Camps
3. City Programming
4. Minor League Play

- 5. Adult Non-Profit
- 6. Casual Use

Note: When reviewing requests, the total length of booking requested will be a consideration (i.e. a longer booking with consistent time will be seen more favourably than a short booking).

- 6.1.3 Any renewal applications received after the annual deadline dates (6.1 a) are treated as new applications.
- 6.1.4 The City will make final decisions on applications but will not do so without input and collaboration from the Sportsfield Advisory Committee.

6.2 Need to recognize traditional uses. (See General Definitions for Traditional Use)

Any significant deviation from the traditional time will not occur without a consultative process with group(s) affected.

Groups who drop a significant amount of allocated time must notify the City and may not be allocated the times the following year.

Tournaments - Minor and Major

- 6.2.1 Any existing tournament which has been on-going for more than three years attains traditional status as long as it is booked annually as per section 6.1.
- 6.2.2 Any requests to change traditional use with another group must be coordinated through the Scheduling Coordinator.

Regular Booking

- 6.2.3 Any existing rentals which have been on-going for more than three years will attain traditional status as long as it is booked annually as per 4.2.4.

Note: Notwithstanding the foregoing, the City reserves the right to negotiate with organizers of major events which have a significant impact City wide. These events will be scheduled as per section 6.1. Every effort to find an alternate time slot will be made by the City.

If traditional time is released it reverts back to the general community priority time for allocation as per section 6.1.

Should a group not require its traditional time in a given year, special application may be made to the Sportsfield Advisory Board for a one year absence from their traditional time and still maintain their traditional status. This will be reviewed on a case by case application.

6.3 It is important to maintain a systematic and fair process for existing Nominees to access additional and new time community priority.

Additional and new time may become available as a result of: freed up time, new facility development, the desire/need to expand leagues, organized groups, tournaments and special events. The expected outcome is a collaborative process where requests are evaluated and through consensus top priorities are allocated.

- 6.3.1 Existing Nominees must make request for additional time as per section 6.1.
- 6.3.2 All requests will be considered based on:
 - Available time in relation to the all submitted requests.
 - Impact on existing Nominees.
 - Nominees plan for increased time.
- 6.3.3 Any Nominee pursuing a major tournament &/or special event and requiring new/additional community priority time (outside their normal use) must receive a letter of support from the City so that the required time can be considered as per section 6.1.

- 6.3.4 New time provided will not be considered traditional until the three year period has occurred. This initial three year period is considered the initiation period where the City is able to change schedules in order to maximize use of community priority time.
- 6.3.5 League allocation shall be made prior to consideration of individual team requests from the same league. Teams belonging to a league must apply for space through their league rather than as individual teams. These teams will be prioritised as Casual Use.

Appeal Process

- 6.3.6 Appeals will only be considered if policies are not properly applied (as opposed to considering appeals if group is not satisfied with its allocation).
- 6.3.7 All Appeals will be reported in writing to the Sportsfield Advisory Committee.
- 6.3.8 Appeals will be considered by a "Tribunal" made up of two impartial representatives from the Sportsfield Advisory Committee and the Director of Active Living & Culture or his/her designated authority. In the event, that the Tribunal is unable to settle the appeal, the appeal shall be forwarded to the Sportsfield Advisory Committee for further review and final decision.

6.4 The importance to maintain an avenue and opportunity for new Nominees requesting community priority time.

The expected outcome is a systematic process where new Nominees are able to apply and be considered for community priority time.

- 6.4.1 New groups requesting community priority time must apply as per section 6.1.
- 6.4.2 Applications are reviewed and evaluated globally, with consideration given to the following criteria:
 - Status of the organization and its viability (i.e. support of a Provincial Sport Organization, provincial/national trends in the sport, CS4L alignment)
 - Impact on other sports groups (i.e. is there a positive or negative impact on existing groups)
 - Planned use (i.e. participation versus elite).
 - Equitable access (i.e. The importance to recognize all the diversity that exists within our community).
- 6.4.3 Should no time be available; the City may further review all schedules and obtain a percentage from existing groups to provide as a starter.

6.5 The importance to recognize large social events with broad community appeal which has significant social, cultural, financial and/or tourism benefits.

The City values and encourages opportunities that may have a broad community appeal. The expected outcome is to support requests in balance with the current allocations.

- 6.5.1 Any event, tournament or regularly schedule play may be relocated or cancelled in favour of large significant community event.

6.6 It is important to maintain open communication between the City and the user groups.

The expected outcome is a collaborative approach with our users to facility allocation and development of operating policies.

- 6.6.1 Sportsfield Advisory Committee – up to nine (9) voting members: Four (4) representing minors groups and four (4) representing adults groups and one (1) director at large.

New member are recruited as follows:

- Complete application form
- Interviews may be required from the existing committee
- Selection by consensus of the existing committee

OVERNIGHT PARKING

The General Terms & Conditions for the Rental of City of Kelowna Facilities on pages 8-11 apply to this section. Other specific conditions are as outlined below.

In support of tournaments and special events taking place at the City's District Parks, overnight parking for participants renting the Parkinson Recreation Park, Mission Recreation Park, and Rutland Recreation Park is available as approved by the Director of Active Living & Culture or his/her designate.

To ensure there is an organized approach in developing the overnight parking plan, participants are required to reserve parking spots through the event organizers. Recognizing some participants will show up without confirmed reservations, additional spots will be made available within facility parking limitations.

Given that each location has its own unique facility characteristics, a "General Requirements" sheet will be attached to the facility rental contract and further outline the specific rental requirements and expectations. The requirements and expectations may vary between events and locations.

1. OVERNIGHT PARKING FEES & CHARGES

A fee is charged per vehicle in a parking lot per night.

Event organizers are responsible to collect all fees and remit the same to the City within three (3) days of the conclusion of the event. Any incremental costs are the responsibility of the event organizer.

2. OVERNIGHT PARKING GUIDELINES

- 2.1. The location and layout requirements of overnight parking are to be pre-arranged with the Sport & Event Services Manager. Parking only in City approved areas.
- 2.2. Only self-contained recreation vehicles will be permitted. No parking on grassed areas.
- 2.3. An on-site parking co-ordinator is required to control parking arrangements and ensure all requirements are followed. This person must be present at all times while vehicles are arriving.
- 2.4. No alcohol in parking lot.
- 2.5. A single parking space is to separate each vehicle in this area.
- 2.6. A 20' emergency access lane must be maintained through the overnight parking area.
- 2.7. Event organizer is responsible for security and the orderly conduct of users in the designated overnight parking area.
 - When overnight parking vehicles exceed 20 units, a uniformed, professional security company is required to remain on site throughout the night.
 - When overnight parking vehicles is less than 20 units, overnight security services can be provided by event volunteers.
- 2.8. Washrooms may be available on site either by direct access to facility or portable toilets brought in for the event at the expense of the organizer.
- 2.9. Shower facilities may be available during regular operating hours at the Parkinson Recreation Centre, Kinsmen Fieldhouse, and Rutland Arena and may be subject to a fee.
- 2.10. No dumping of waste water on any of the overnight parking sites.
- 2.11. All garbage must be deposited in existing bins or removed from the site at the end of the event otherwise renters may be charged.
- 2.12. Any incidences are to be reported immediately to the City's contract security company.
- 2.13. The parks are closed at 11:00 p.m. through to 6:00 a.m. and participants must respect this as "quiet time".

- 2.14. Participants not respecting the rules and guidelines will be evicted from the overnight parking site.
- 2.15. City representatives may at their discretion, alter on-site parking arrangements during the events to ensure safety considerations to both the participants and facility.

APPLE BOWL STADIUM

The General Terms & Conditions for the Rental of City of Kelowna Facilities on pages 8-11 apply to this section. Other specific conditions are as outlined below.

1. **APPLE BOWL GENERAL INFORMATION**

The Apple Bowl Stadium is the premier sportsfield in Kelowna. The seating capacity and the associated amenities make it the preferred site to host high level, provincial, national and international level events. Ensuring this field is maintained to the highest standard is a top priority so the City's maintenance and scheduling practices for this field are different from the rest of the Sportsfield inventory.

Location: Bernard Avenue, between Burtch and Spall Roads.

History: Facility opened in 1980. Inaugural event – 1980 BC Summer Games

Capacity:

- Grandstand (covered) – 1,054 Seats
- Uncovered Aluminium Bleachers – 1,260 Seats
- Dressing Rooms – 4
- Officials Room – 1
- Washrooms – 1 Male, 1 Female
- Telecommunications Centre - complete with all connections for operation of sound system and telephone lines.

Track: 400 Meter, 8 lanes. Regulation size, rubberized all-weather track, including provision for "steeple chase". Pole Vault facility and Hammer Throw facility.

Playing Field Area: Complete with full-frame football and soccer goalposts. Soccer users to provide own nets. Field Dimensions: Length – 110 m Width – 62 m

Parking: Parking available on adjacent lot (old Dr. Knox School site). Access off Burtch Road. Parking stalls by Basil Meikle Tennis Courts, access off Spall Road. 80 Parking stalls available to the northeast. Access off Spall Road.

Serving of Alcohol: A Liquor Primary Licence has been established with an approved contractor. Events requesting liquor service are required to operate through the licenced concession contractor. Special Event Permits will not be considered within this facility.

Food/Beverage Concession: Concession operation is provided. No other food or beverage service is permitted without permission.

Telephone Service: Arrangements for access to existing service or to provide additional service to be made through the Supervisor of the Facility and will be at the cost of the renter.

Electrical Service: Arrangements for access to existing service or to provide additional service to be made through the Supervisor of the Facility and will be at the cost of the renter.

Sportsfield Lights: High quality sportsfield lighting (Level 3 Standard) that is computer controlled.

Sound Booth & Sound System: Sound booth equipped with counters in viewing area and console for sound system. Digital control sound system complete with:

- 4 wireless microphones
- 2 direct wired microphones
- headsets appropriate for track & field starters, field referees
- 8 perimeter speakers complete with zone controls
- music quality appropriate for voice, tapes, CDs

Security alarms in sound booth are computer controlled. Access to area to be arranged through Active Living & Culture Division. Renter to sign out keys and microphones at Parkinson Recreation Centre.

Electronic Scoreboard: Designed for football and soccer. Controller to be obtained from Parkinson Recreation Centre.

Equipment: All equipment required for track & field is owned by the Okanagan Athletics Club or School District No. 23. Access to equipment is to be organized with either School District No. 23 or the Okanagan Athletics Club.

2. **APPLE BOWL DEFINITIONS**

Non-Sporting Event - An event that does not use the playing field area of the Stadium for play, such as an assembly, music festival and rally and creates no impact on the playing turf.

Premier Game - A sporting event with wide community appeal, including local, regional, provincial, national and international level games.

Public Use - Use of the track area only by the general public for walking, running or wheelchair.

Regular Game - League Games of the Okanagan Challenge Soccer Club and the Okanagan Sun Football Club, High School Football league and exhibition games.

Seasonal Field Use - The Apple Bowl FIELD AREA "season" runs from approximately May through October in each year, with special provision made for later requirements for final games, weather and field conditions permitting into November.

Sporting Event - A sporting event using the field including football, soccer or rugby or other field sport (excluding baseball or fastball), a track meet, a footrace either walking, running or wheelchair.

Track Use Season - The Apple Bowl TRACK is open to the general public from dawn to dusk throughout the year, when track is safe to use and no other bookings in place.

3. **APPLE BOWL FEES & CHARGES**

All fees and charges are as outlined in the ***ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609, Schedule C.***

- 3.1. Tournaments or Special Events rental deposits are based on 50% (non-refundable) of the total rental fee to be paid at the time of booking confirmation and the balance paid thirty (30) days in advance of the first day of use.
- 3.2. The City recognizes the need to abide by the Joint Use Agreement with School District No. 23. In accordance with the agreement, there is no charge for school track meets, however, a refundable security deposit will be charged.
- 3.3. Hourly rates INCLUDE regular lining of field, goal posts, time clock control, lights and access to sound system. Extra fees will apply to events that require goal post change during the weekend.

4. **APPLE BOWL ALLOCATION PRINCIPLES & GUIDELINES**

4.1. **Need to maintain a high calibre sporting facility.**

- 4.1.1. The City of Kelowna shall coordinate the use with objective of maintaining the playing field area in the best possible condition throughout the playing season.

The most significant turf damage occurs during the fall season (September to October) when football is the predominant user. During the fall season, the following use guidelines will apply:

- Weekend use (Friday through Sunday) not too exceed three football games
 - After November 11, the Apple Bowl field will be winterized and an alternate location will be required for games
 - After November 11, only National level sporting events will be considered for extended use of the Apple Bowl
 - The City reserves the right to relocate and/or limit use based on field condition
- 4.1.2. User groups must not commence play on the field, or running track or any other outdoor facility, where the combination of excessive moisture and player usage may cause damage to the turf or playing surface. Games will have to be postponed or re-scheduled. Extreme weather conditions may require field closure, and such closure will be advertised by the City of Kelowna.
 - 4.1.3. No vehicles permitted on the playing field area or track. If special circumstances require vehicles on the track, prior written authorization must be obtained from the Director of Active Living & Culture or his/her designated authority and the user will be required to protect the track surface. Failure to do so will result in a fine and will restrict the user's ability to book the Apple Bowl in the future.
 - 4.1.4. Practicing is not permitted on the Apple Bowl Field without obtaining prior authority from the Director of Active Living & Culture or his/her designate.
 - 4.1.5. Only sporting events permitted on the playing field area.
 - 4.1.6. No animals permitted unless otherwise approved by the Director of Active Living & Culture or his/her designated authority.

4.2. It is important to establish conditions of permit for all events and relay them to the event organizer and ensure conditions of permit are met.

- 4.2.1. The contracted concessionaire has the exclusive rights to all food service at the Stadium. The City reserves the right to provide for additional food service for up to 5 events per season.
- 4.2.2. Dressing rooms will be available to the user as required.
- 4.2.3. The user shall not add to or alter any utility service without prior approval from the Sport & Event Services Manager.
- 4.2.4. Renters must supply own forces for the operation of their booking; i.e. security, ticket takers and litter control.
- 4.2.5. All field line painting must be done by City crews. Two weeks' notice prior to games is required.
- 4.2.6. Special requests for additional City staff resources requires two weeks' notice prior to game. Includes goal post removal, special lining requirements, alternate field layout, logo painting etc.

4.3. Need to recognize predominant uses.

- 4.3.1. Traditional SPORTS Users:
 - School District No. 23 Track Meets
 - Okanagan Athletics Club – Annual Use
 - Okanagan Athletics Club – Jack Brow Track Meet
 - Okanagan Sun Football - Games
 - High School Football - Games
 - BC Special Olympics Track and Field
 - Central Okanagan Rugby Enthusiasts
- 4.3.2. The aforementioned organizations shall retain annual time slots as long as they are booked annually by the City at the appointed deadline. All applications received after the deadline date shall be treated as new applications. If any sporting organization requires an extension for submission of its annual application, a written request must be made to the City of Kelowna, or that organization may lose its priority.
- 4.3.3. New applications will be dealt with on a merit basis, evaluated on the following:
 - season of play
 - impact on the turf
 - impact on other user groups
 - status of organization (local, regional, provincial, national, international)
- 4.3.4. Notwithstanding the foregoing, the City reserves the right to negotiate with organizers of games and/or events which may require approval outside the time frames noted herein. Whenever possible negotiations will be done in consultation with organizers of annual events.

4.4. It is important to maintain equity in the priority allocation process.

Whenever possible the priority for allocation of the Stadium shall be as follows:

First Priority: School District No. 23 Track & Field Events
Second Priority: Okanagan Athletics Club
Third Priority: Okanagan Sun Football Games
Fourth Priority: Major Athletic Tournament games and/or Special Sporting Events
Fifth Priority: Minor Sport Organizations
Sixth Priority: Adult Sport Organizations
Seventh Priority: Community Non-Athletic Events

4.5. Need to coordinate schedules of play for "league" games.

- 4.5.1. The City will collaborate to provide adequate game dates to the Okanagan Sun Football Club, and High School Football each season. The collaborative process involves:
- City's Scheduling Coordinator provides possible dates for each leagues needs
 - Each group takes these dates to their respective scheduling meetings
 - Unused dates are returned and become available to other groups that may require additional/alternate dates
 - If a group requires additional/alternate dates outside of what has been provided for their initial scheduling meeting, they must contact the City's Community Recreation Coordinator prior to making any scheduling commitments
- 4.5.2. If it is necessary to schedule football, soccer, and/or rugby games on the same weekend, then the additional cost of necessary goal post changes will be the responsibility of the team(s) requiring the change.
- 4.5.3. No seasonal game schedules are to be finalized by organizations without approval from the City of Kelowna.
- 4.5.4. Any expansion of leagues or league games must be approved by the City in advance of such expansion.
- 4.5.5. Games will take priority over track practices. During the scheduling process an attempt will be made to minimize impact on track practices.
- 4.6. Need to minimize disturbance to neighbouring properties due to use of field lights.**
- 4.6.1. Apple Bowl Lights – Activities to be scheduled to 11:00 p.m. only.
- Computer will be set to 11:15 p.m. in consideration of possible game/event delay and clean up requirements.
- 4.6.2. Scheduling of lights beyond 11:00 p.m. will be considered for special events or tournament. Requests for lights beyond 11:00 p.m. must be made at least two (2) weeks in advance and be approved by the Sport & Event Services Manager.

OUTDOOR EVENTS

The General Terms & Conditions for the Rental of City of Kelowna Facilities on pages 8-11 apply to this section. Other specific conditions are as outlined below.

1. OUTDOOR EVENTS GENERAL INFORMATION

In accordance with City of Kelowna ***Outdoor Events Bylaw No. 8358***, organizers of outdoor events must make application for such an event. The Outdoor Events Committee pays particular attention to the provision of adequate health, sanitation, vehicular control, and crowd control to ensure public safety and the protection of public and private property.

The City reserves the right to require event organizers to submit an Outdoor Event Application for approval of their event:

1. when 350 people or more are on City property,
2. when 500 people or more are involved in an athletic event,
3. when any sized event is held on city roadways (parade, road race or walk),
4. when over 1,000 people attend an event on private property,
5. when a liquor permit is applied for on City property, and
6. based on event complexity as deemed by the Outdoor Events staff.

Ticketed Events

Groups must administer ticket sales through a recognized local ticket agency or make alternate arrangements to the satisfaction of the City of Kelowna.

Traffic Control for Events

Traffic control for events is the responsibility of the event organizer. The City will not supply City Traffic Officers for traffic control at outdoor events except where the City deems it necessary for public safety.

Organizers of outdoor events are required to provide at their cost, detailed Traffic Management Plans showing all traffic control devices and locations, as well as traffic control persons and locations. Requirements include:

- Individuals providing traffic control (Traffic Control Person or TCP) must be a minimum of 18 years of age and must be a certified flagger.
- Individuals NOT involved with traffic control (i.e. course marshal) must be a minimum of 16 years of age.
- All TCPs and course marshals must wear the required clothing and safety equipment in accordance with Work Safe BC standards which must be supplied by the event organizer.
- Traffic direction within a signalized intersection is ONLY permitted to be done by a Peace Officer appointed under the provision of the Motor Vehicle Act. All other stopping of traffic, re-routing of traffic and street closures may be done by certified TCPs.
- All Traffic Control devices such as barricades and cones must meet all requirements of the BC Ministry of Transportation and all barricades associated with any road closures must be manned at all times.

The Traffic Management plan is subject to City approval and is the responsibility of the event organizer to implement as approved by the City. The plan, once approved, is owned by the event organizer.

Bookable Parks & Sections thereof:

Ben Lee Park Lawn Area Picnic Area 1 Picnic Area 2 Picnic Area 3 Skateboard Park	Kinsmen Park	Rutland Centennial Park
		Rutland Lions Park
		Strathcona Park
City Park North Field	Knox Mountain Pioneer Pavilion	Stuart Park* Lawn

Jubilee Grandstands Parking Lot Picnic Area The Point Rose Garden South Plaza Sport Field Beach Volleyball Courts	Base Area	Event Place / Ice Rink Main Stage Civic Stage / Square Spirit Bear Plaza Jim's Orchard
Gyro Park Lawn Area	Rotary Arts Common Rotary Centre Art Walk	Sutherland Park
Kasugai Gardens Weddings Only	Rotary Beach	Waterfront Park Island Stage Concession Plaza Tug Boat Beach Rhapsody Plaza Pioneer Garden Pergola Harmony Place Dolphins Parking Lot
Kerry Park Stage & Surrounding Area	Roxby Parking Lot Roxby Square	

The remainder of the City of Kelowna's downtown, waterfront and/or beach parks are referred to as neighbourhood parks and are generally not considered "bookable" spaces however will be considered for significant community events that activate the Outdoor Event Application process.

Event requests falling outside the Outdoor Event Application process, but which may activate a park booking, would do so based on considerations such as:

- Impact on traffic flow and parking
- Requirements for site infrastructure
- Impact on the immediate neighbourhood
- Event supporting infrastructure to be brought in

2. **OUTDOOR EVENT FEES & CHARGES**

All fees and charges are as outlined in the **ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609, Schedule G**.

Payment of Fees: Payment is due seven (7) days in advance or when permit is signed.

Extra Fees: Extra fees related to site and additional requirements as set by the Outdoor Events Committee, such as Bylaw, RCMP, etc. Event organizers are responsible to pay.

Deposits: Rental deposits see General Fees & Charges page 9.

Returning Traditional events will be given to mid-February of the event year to pay rental deposits.

Policing Costs: Events requiring special policing arrangements may require police/Bylaw resource levels which can only be provided on an overtime basis or may require bringing in extra police resources from other RCMP detachments. In such cases the event organizers must pay 100% of these additional costs which may include overtime, travel, meals, accommodation and other incidental costs such as boat fuel. In such cases a minimum of three months advance notice is required.

Emergency Services: (RCMP, BC Ambulance, Kelowna Fire Department) may dedicate service to the event at organizer's cost.

Outdoor Events Application Fee categories:

No single criteria in this classification process is intended to be used to determine the classification of the event; rather every event is classified according to the category of 'best representation' guided by the criteria below. Final classification will be determined by the City of Kelowna.

Category	Description
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A	Single day event up to 500 people - Event impact (minimal or no impact of services and/or public domain) - No liquor license - Traditional status can be achieved
B	Single day event with 500-1500 people - Setup & Takedown may occur outside event day - Event impact (moderate impact of City services and/or public domain) - Liquor license in effect - Traditional status can be achieved
C	Single or Two-day event with more than 1500 people - Setup & Takedown may occur outside event day - Event impact (significant impact of City services and/or public domain) - Liquor license in effect - Traditional status can be achieved
D	Three or more-day event with more than 1500 people - Setup & Takedown may occur outside event day - Event impact (major impact of City services and/or public domain) - Liquor license in effect / Multiple licensed areas - Traditional status can be achieved

3. **OUTDOOR EVENT ALLOCATION PRINCIPLES & GUIDELINES**

The following are guidelines designed to support the ***Outdoor Event Bylaw # 8358*** and the existing Outdoor Event approval process which is followed when collaborating with event organizers as they plan their event.

3.1 **It is important to recognize traditional use.**

Preliminary confirmation packages for the upcoming year will be mailed out to event organizers annually in October. Event organizers will be requested annually to submit preliminary applications on or before November 15th so that annual events may be tentatively booked on the traditional date(s). Failure to submit the Preliminary Request Form for an event within this time may result in an organization losing its priority. All applications received after the deadline date shall be treated as new submissions.

Date	User Group Deadlines
Mid November	Returning Community Fundraisers, Festivals and Sporting Events deadline to confirm dates for next year
November 30	New Community Fundraisers, Festivals and Sporting Events will be allowed to reserve any dates/venues that have not been confirmed by returning events.
January (first working day)	Corporate Bookings accepted for current year only
February 14 (or first working day)	Religious and Wedding Ceremony bookings accepted for current year only

An organization wishing to take a one (1) year hiatus must submit a request in writing to the Outdoor Events Committee. Traditional status will not be extended beyond one year. Should there be significant changes to the scope of the event, the event may be treated as a new event and lose its Traditional status. Traditional status only applies to Community Fundraisers, Festivals and Sporting Events. Outdoor Events taking place on sportfields will not have Traditional Status as team sporting events will take priority over Outdoor Events.

Outdoor Event applications are to be submitted a minimum of sixty (60) days prior to the event and failure to do so may result in loss of booking and retention of rental deposit on file.

3.2 **It is important to maintain equity in the priority allocation process.**

The priority for allocation of the City of Kelowna's parks shall be as follows:

First Priority: Community Fundraisers, Festivals, Sporting Events
 Second Priority: Corporate Bookings
 Third Priority: Religious Bookings and Wedding Ceremony Bookings

The City reserves the right to deny an event request based on other events within the immediate area where they may be considered to be in conflict with one another and/or the total may create additional traffic and congestion challenges. Both City of Kelowna outdoor event bookings and other community events are considered (events at Prospera Place, RCA, Community Theatre, etc.).

Any event may be relocated or cancelled in favour of large significant events (i.e. Olympic Torch Relay).

Availability of park space does not guarantee that a booking will be considered.

3.3 It is important to establish conditions of permit for all events and relay them to the event organizer and ensure conditions of permit are met.

- 3.3.1 All applicants must enter into a Contract for Use of City Facilities/Property, if applicable and a Facility Use Agreement will be created.
- 3.3.2 The City reserves the right to establish conditions under which an event can proceed.
- 3.3.3 The City reserves the right to approve the 'content' of events. (i.e. film rating, performers, activities, etc.). Pamphlets, books, products and promotional materials may be available for the public, but it cannot be handed out.
- 3.3.4 Liquor as per the General Terms & Conditions apply as well as the following:
 As outlined in *Council Policy #223 – Liquor Licenses in Parks and Stadiums and Facilities*, Liquor Consumption restricted to designated parks. Additional parks require approval from the Director of Active Living & Culture or his/her designated authority.

Waterfront Park	Knox Mountain Park
City Park	Parkinson Recreation Park
Rotary Centre Arts Common	Mission Recreation Park
Apple Bowl Stadium	Rutland Recreation Park
Ellison Softball (High Noon)	East Kelowna Sportsfield
Elks Stadium	King Stadium
Rutland Centennial Park	Gyro Park

Liquor license / Special Event Permit:

- Hours of operation must be between 11:00 a.m. and 10:00 p.m.
 - The scale of the service area must be in relation to the event's attendance.
 - Service is restricted to event participants only.
 - Focus of the event cannot be on liquor service i.e. beer festival, wine festival.
 - The operation of the liquor licence is supplemental to the event.
 - Minors are not the prime focus of the event.
- 3.3.5 The City retains the right to access upon request, for its own use and at no charge to the City, any promotional material captured or produced as the result of an event in a City facility. This may include but is not limited to photography, video or audio recordings and the associated licenses and permissions.

3.4 It is important to recognize the varying categories of users to establish an equitable allocation.

3.4.1 Community Fundraisers, Festivals, Sporting Events

- For returning outdoor events, preliminary confirmation packages for the upcoming year will be mailed out to event organizers in October. This excludes park rental bookings which do not have Traditional Status.
- All events that are returning for another year have until mid-November to confirm the same date and venue for the following year. If confirmation in writing is not received by this date, the date and venue will be considered available and may be reserved for another event.
- All requests received after the deadline date shall be treated as new applications.

- Event capacity will be determined by the Outdoor Events Committee with consideration (but not limited) to activities and infrastructure on site, age demographic, park access and emergency services.
- Major events that are on consecutive weekends, in the same downtown park, may not be approved. Only ONE major event per park / week may be considered.
- The City reserves the right to provide preliminary approval of event bookings outside this sequence for events of a significant nature requiring additional planning time at the discretion of the Director of Recreation and Cultural Services.

3.4.2 Corporate Bookings

Social corporate bookings will be considered only in conjunction with conventions and conferences occurring within the City. These events cannot be commercial in nature where the focus is on the sale or promotion of goods and /or services.

- Requests for corporate bookings will be accepted as of January for the current year only.
- Corporate bookings will not be given traditional rights to a specific date or venue.
- Special Event Permit will be permitted as part of these bookings:
 - Service is restricted to attendees only.
 - The operation of the liquor licence is supplemental to the event.
 - Licensed hours of operation must be within the event times or between the hours of noon – 10:00 p.m.
 - Organizers must submit a security / safety plan that is approved by the Outdoor Events Committee.

City Park, Waterfront Park or Stuart Park North Field:

- Corporate bookings will only be accepted from park opening date (mid-April) until June 30 and Labour Day (September) to Thanksgiving (October).
- Single day events will only be considered.
- Allowable event days (set up to takedown) will be Tuesday to Thursday.
- Event must end no later than 10:00 p.m.
- Only ONE corporate booking per week will be considered.

Rotary Centre for the Arts Common:

- Corporate bookings will be accepted from park opening date (mid-April) to Thanksgiving (October). One of the two walkways through the Rotary Arts Common must remain open to pedestrian access at all times.
- Set-up and take down must take place between 6:00 a.m. & 9:00 p.m.
- Outdoor portion of the event must end no later than 10:00 p.m.

3.4.3 Wedding Ceremony Bookings

Requests for wedding ceremony bookings will be accepted as of February 14 (or the first working day after) of each year in the following locations:

Waterfront Park
City Park
Kasugai Garden

Knox Mountain Park – Pioneer Pavilion
Stuart Park
Kinsmen Park

- Kasugai Gardens (see Council Policy #176) - Bookings will be accepted in this park no more than one year in advance and for a maximum of twenty five (25) people and must be booked by a Minister or Marriage Commissioner.
- Knox Mountain - One rental will be permitted Monday to Thursday and one rental will be permitted Friday to Sunday with the only exception on long weekends when two rentals will be permitted. Bookings will be accepted in this park for a maximum of seventy five (75) people.

- Kinsmen Park – Maximum forty (40) people

3.4.4 Religious Organization Bookings

- Bookings for religious organizations will be allowed in waterfront parks from the park opening date (weather dependent, but usually April 1 until June 30 and from Labour Day to Thanksgiving. Due to the summer event schedule and public use of parks during summer months, no bookings will be considered from June 30 to Labour Day.
- Requests for bookings will be accepted as of February 14 (or the first working day after this date) of each year.
- Only one religious organization booking per week will be considered.
- A maximum of two bookings per organization is allowed each year.
- Bookings by religious organizations will not have traditional rights to their date or venue. A booking in one year is no guarantee that a booking will be accepted in subsequent years.

City Park – Bookings will be allowed in the Jubilee Grandstands and North Field areas of City Park. The sports field and the beach will not be considered. The waterfront promenade, water park, playground and beach must remain open at all times. If a group is too large for this venue, Island Stage in Waterfront Park is available.

Waterfront Park – Bookings in Waterfront Park will only be allowed at Island Stage; and Concession Plaza. Tugboat Beach will not be considered as a booking location. Maximum capacity at Island Stage is 5,000.

Stuart Park – Bookings will be allowed in all areas of Stuart Park; except the ice rink during winter months. The waterfront promenade must remain open at all times and the Sawmill Trust restrictions will apply. See Stuart Park section on page 58 for further information.

3.4.4.1 Display of Religious Symbols

Religious organizations that are traditionally widely recognized by the community may, upon request, temporarily display religious symbols at Kerry Park, Stuart Park and Roxby Park, in recognition of the diversity of cultures and religious faiths in Kelowna, and promote inclusiveness.

Displays must meet the following criteria:

- Requests must be made by the religious organization,
- Displays must be accompanied by education plaques or posters to explain the religious symbol,
- Displays must be respectful of other faiths,
- Displays are to occur during the normal duration of a major observance of that faith and not to exceed six weeks.

Applications are to be made to the Outdoor Event Coordinator and must be received at least sixty (60) days prior to the event and if an associated ceremony or event is involved, approval through the Outdoor Event application and approval process will be required. Verification of religious organization status may be required.

Display location will be determined by City staff and if agreed by all parties, more than one religious organization may display their symbols simultaneously.

All associated costs are the responsibility of the applicant and all insurance, safety and other City requirements will apply.

4. **OUTDOOR EVENTS COMMITTEE**

The Outdoor Event Committee approves all permitting and its responsibilities and make up is further outlined in the Outdoor Events Bylaw 8358.

STUART PARK

The General Terms & Conditions on pages 8-11 apply to this section. Other specific conditions are as outlined below.

Stuart Park (except Lawn) is bound by the Sawmill Trust conditions, and as such, no commercial activities of any kind will be allowed in the park. This includes, but is not limited to:

- No sale of merchandise or food whether for profit or by a non-profit in support of an event.
- No collection of registration fees allowed on site.
- No exchange of money for any purpose allowed on site.

Non-profit events that want to display banners/signage from their sponsors will be permitted.

Commercial/non-profit organizers who want to do a FREE public event (performance) will be permitted as long as there is no supporting commercial activity (i.e. free concert with no food or merchandise for sale).

Stuart Park Ice

- No rentals will be taken on Stuart Pak ice rink – the ice surface is intended for free public skating.
- Open early December through late February weather permitting

OTHER FACILITIES

The General Terms & Conditions on pages 8-11 apply to this section. Other specific conditions are as outlined below.

- 2017 & 2018 will be a trial period for all bookings of “Other Facilities” as per this section, including Tennis, Pickleball, Basketball, Lacrosse, Ball Hockey and Beach Volleyball. Court allocations will be reviewed at the end of the trial period and amendments may be made to ensure appropriate balance between organized use and public access. Traditional status will not be established during this trial period.
- During booked times, for the purpose of balancing organized use with community use, the City reserves the right to keep one or more court(s) available at all times for public use.
- The maximum number of tournament/events bookings at any one facility will normally be limited to one per month.

Fees and Charges are as outlined in the **ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609, Schedule G.**

TENNIS AND PICKLEBALL COURTS

Court Use

- All City tennis/pickleball courts are open to the public free of charge on a first come first served basis, subject to rules posted at individual courts. Specified courts throughout the city may be closed to public use due to City programs.
- Basil Meikle and Parkinson Recreation Centre pickleball courts are available for reserved booking, based on the following priority:
 - a. Maintenance
 - b. Tournaments/Events
 - c. City Programs
- Pickleball Kelowna will have exclusive use of the pickleball courts at Parkinson Recreation Centre for no greater than 36 hours per week between May to October. The City will work with Pickleball Kelowna prior to the start of each season to set the hours and will post agreed upon hours on site.

Tennis & Pickleball Court List

Park	Neighbourhood	Address	Tennis Courts	Lined for Pickleball
Basil Meikle	Central	1800 Parkinson Way	6	No
Birkdale	Rutland/Black Mtn	363 Prestwick Street	1	No
Blair Pond	Glenmore	333 Clifton Road	1	Yes
City	Downtown	1600 Abbott Street	2	No
Crossglen	Glenmore	207 Biggar Road	1	No
Edith Gay	Rutland	305 Moyer Road	2	Yes
Gerstmar	Rutland	955 Gerstmar Road	1	Yes
Hartwick	Glenmore	1480 Lambert Avenue	1	Yes
Jack Robertson	Glenmore	155 Willow Crescent	2	No
Kinsmen	Lakeshore	2600 Abbott Street	2	No
Knox Mountain	Downtown	450 Knox Mountain Drive	2	Yes
Quilchena	SW Mission	347 Quilchena Drive	1	No
Summerside	SE Kelowna	3858 Summerside Drive	1	No
Parkinson Rec Centre	Central	1800 Parkinson Way	0	Yes (12)

BASKETBALL COURTS

All City basketball courts are open to the public free of charge on a first come first served basis, subject to rules posted at individual courts. Specified courts may be closed to public use due to City programs, rentals or maintenance.

- The Jubilee Court at City Park is available to be booked for tournaments/events on weekends (Fri – Sun) and for City programs and other reserved bookings as follows:
Spring (May – June): Monday – Thursday 3:00pm – 9:00pm
Summer (July – August): Monday – Thursday 6:00pm – 9:00pm
- The South Court at City Park is only available to be booked for tournaments/events and City programs.
- Allocation priorities are as follows:
 1. Maintenance
 2. Tournaments/Events
 3. City Programs
 4. Minor sports Organizations/School Groups
 5. Adult Sport Organizations
 6. Commercial

MULTI-SPORT COURTS

City multi-sport courts (lacrosse and ball hockey) are open to the public free of charge on a first come first served basis. Courts may be closed to public use due to bookings or maintenance.

- Only the multi-use courts at Ben Lee Park and Parkinson Recreation Centre are available for reserved bookings.
- Allocation priorities are as follows:
 1. Maintenance
 2. Tournaments/Events
 3. City Programs
 4. Minor sports Organizations/School Groups
 5. Adult Sport Organizations
 6. Commercial

BEACH VOLLEYBALL

All City beach volleyball courts (City Park/Boyce-Gyro Park) are open to members of the public free of charge on a first come first served basis. Specified courts may be closed to public use due to City programs, rentals or maintenance.

- The five courts at City Park are available to be booked for tournaments/events on weekends (Fri – Sun) and for City programs and other reserved bookings as follows:
Spring (May – June): Monday – Thursday 3:00pm – 9:00pm
Summer (July – August): Monday – Thursday 6:00pm – 9:00pm
- The four courts at Boyce-Gyro Park are only available to be booked for tournaments/events and City programs.
- Allocation priorities are as follows:
 1. Maintenance
 2. Tournaments/Events
 3. City Programs
 4. Minor Sport Organizations/School Groups
 5. Adult Sport Organizations
 6. Commercial

GRAND PROMENADE – Convention/Trade Show Display Area

1. The Grand Promenade must be booked with permission from the Delta Grand Okanagan Resort & Conference Centre.
2. Any booking may not exceed 7 days. Exceptions will be considered but require the approval of the Director of Active Living & Culture or his/her designate.
3. The locations are for display purposes only. No vending of any kind is permitted.
4. Locations are not to be used for advertising of any kind, except informational signage directly pertaining to the display. Signage, which is deemed by the Director of Active Living & Culture to be inappropriate, will be removed by the Delta Grand Okanagan Resort & Conference Centre at the request of the Director of Active Living & Culture.
5. Displays are to reflect positively on Waterfront Park and the City of Kelowna. Displays that are deemed to be inappropriate will be removed by the Delta Grand Okanagan Resort & Conference Centre at the request of the Director of Active Living & Culture. Display fees will be refunded on a pro-rata basis.
6. Hours of operation for displays are limited to the Parks Bylaw.
7. Delta Grand Okanagan Resort & Conference Centre will be responsible for any additional maintenance or repair costs required as a result of booked displays.
8. Emergency vehicle access must be maintained at all times. Site layout must be pre-approved by the Outdoor Events Office.
9. Real Estate and Building Services and Parks Services must be notified prior to event approval.

KELOWNA COMMUNITY THEATRE

The General Terms & Conditions on pages 8-11 apply to this section. Other specific conditions are as outlined below.

1. THEATRE GENERAL INFORMATION

The Kelowna Community Theatre (KCT) is owned, operated and managed by the City of Kelowna. KCT management and staff are part of the Cultural Services Branch in the Active Living & Culture Division.

Location: 1375 Water Street, on the corner of Water Street and Doyle Avenue.

History: Opened September 13, 1962.

Capacity: Main Auditorium: 847 seats plus six wheel chair locations and six wheelchair companion locations.
Black Box Theatre: 106 persons

Parking: Municipal Parkade next to Library. Parking lot and street parking after 5:00 p.m. (some restrictions).

KCT is one of several city-owned cultural facilities in Kelowna's Cultural District. KCT's programs and services are delivered in accordance with the City of Kelowna's Cultural Plan and Corporate Plan, supporting the development of a safe, vibrant and sustainable city.

More Information about the physical features of the facility and stage and technical equipment is provided at kelowna.ca/culture or can be made available in printed form on request.

2. THEATRE DEFINITIONS

Force Majeure – A superior force, chance occurrence or unavoidable circumstance beyond the control of the parties to an agreement which prevents one or both of the parties from fulfilling their obligations under the agreement. Force majeure cannot be invoked to excuse the negligence or malfeasance of a party and will not apply if the event or its consequences are contemplated, reasonably predictable or natural.

Category A – School District #23 and Local Non-profit Producers

- School District 23;
- Kelowna-based registered BC Society in good standing; or
- Public or private academic institution within physical boundaries of City of Kelowna; and
- Performance or event which is developed/performed by the Society or school.

Category B - Local Non-Profit Presenters

- Kelowna-based registered BC Society in good standing; and
- Performance or event which is developed/performed by another individual or group and purchased by the Society; or
- Local youth performing arts schools (commercial).

Commercial

Any event that does not fit in any of the above categories, including but not limited to commercial bookings of regional or national performing groups. At the discretion of KCT Manager, an event may be negotiated if:

- Negotiation is necessary to secure a performance that would not otherwise be secured;
- The performance represents a significant opportunity for KCT audiences;

- Projected revenues exceed two (2) times the basic rental rate; or
- The rental involves multiple dates.

3. **THEATRE FEES & CHARGES**

All rental fees and charges are outlined in the **ACTIVE LIVING & CULTURE FEES AND CHARGES BYLAW NO. 9609, Schedule H.**

- a) Eligible renters seeking relief from KCT fees and charges are encouraged to consider applying for an Art, Culture & Heritage Project Grant to cover the rental fees. Guidelines are posted www.kelowna.ca/culture.
- b) New eligibility rules, policies and rates are effective for any rentals occurring after January 1, 2018. Arrangements for rentals already in place on that date will be honoured.
- c) Basic rent – a basic rate is applicable for both performance and rehearsal bookings. Rates are in three categories:
 - Commercial is the base rate
 - Category A is 50% of the base rate
 - Category B is 70% of the base rate
- d) Rental cap limits the maximum rent payable for performance days in the main auditorium. It is calculated as the greater of:
 - the listed fee in the Fees & Charges Bylaw; or
 - 10% of gross ticket sales revenues capped at 2.5 x the listed Rate for the category.

Sample calculation for an event with a listed rental rate of \$1,450.00, a ticket price of \$100.00 and 840 tickets sold: *10% of (840 x \$100.00) = \$8,400.00 full rent capped at 2.5 x \$1,450.00 = \$3,625 which is greater than basic rent of \$1,450.00. The rent payable \$3,625*
- e) Additional Rental Hours – charged per hour at 5% of the listed rate and covers additional utilities, volunteer hours and other charges relating to modifying the rental schedule but excluding fees for items identified as having an additional charge i.e. janitorial.
- f) Box office and ticketing – KCT does not offer this service currently and it is up to the renter to make independent arrangements for box office and ticketing services. Renters using approved ticket sellers (such as Ticketmaster or Select Your Tickets) may be charged a deposit of 25% of the gross estimated rental fee. Renters selling their own tickets or using a different ticket seller may be required to pay a rental deposit of \$2,000.00 to confirm the reservation. KCT reserves the right to receive six tickets for each performance to be used for the theatre's volunteer recognition program.
- g) Technical services – a block of Tech time is included in each rental and additional time is charged to the renter. See section 4.1.2. below.
- h) Merchandising fees as noted in section 4.1.5. below.
- i) Front of House services – a block of time is included in each rental and additional time is charged to the renter. See section 4.1.4. below.
- j) Artist and composer royalties – all renters are responsible for ensuring that all applicable artist and composer fees and royalties, including SOCAN and ReSound, are paid to the appropriate agencies. KCT will invoice renters for these fees and royalties if necessary, and the fees and royalties will be payable along with other fees and charges.

- k) CIF (Capital Improvement Fees) – applied to each admission, regardless of ticket price and invoiced by KCT. These fees directly support facility and equipment refurbishment and repair.
- l) Janitorial – basic janitorial services are provided for clean-up after the show, but extraordinary expenses will be billed back to the renter.
- m) Post-event settlement - final charges may vary depending upon the renter's actual use of space, and/or equipment and/or technical services. Settlements will be within 10 working days after the event. KCT has the right of first call on any and all ticket sales revenue to settle outstanding rental and facility charges, and may directly invoice the authorized ticket seller for reimbursement of all outstanding rental fees. If ticket revenues are insufficient to cover all outstanding rental fees, the renter will be invoiced for the remainder. If the renter requires settlement the night of the event, at least 2 weeks advance notice is required, and an additional fee may apply.
- n) Promotion and Marketing - all events, at the request of the renter will be included on the KCT's web pages and electronic reader board. Additional promotions can be coordinated through the KCT Manager on a fee-for-service basis.

4. THEATRE ALLOCATION PRINCIPLES & GUIDELINES

4.1 To provide a well-equipped and functional facility, and appropriate services to meet the needs of touring and local users.

- 4.1.1 The City of Kelowna coordinates the use of the facility safely for all events with the goal of maintaining the theatre in the best possible condition. KCT reserves the right to have its staff enter any rooms associated with the rental to communicate with the renter or theatre staff, or to protect the safety of the renter, the renter's equipment, the theatre's equipment, personnel, or visitors.
- 4.1.2 A KCT Technician must be present at all times during use of the facility. This technician is to assist with the rental, and is not to be used to fill a permanent gap in the rental client's production crew. Extra Technicians may be hired to fill any such gaps at an additional charge. The requirements for a KCT Technician to be present during the rental of the Black Box may be waived for regular theatre customers at the discretion of the Theatre Manager.
- 4.1.3 Access to the theatre and its equipment, is under the supervision of KCT technical staff. Access to the theatre and its systems is limited to those areas and equipment as listed in the rental contract. Other areas and equipment may be added to the contract if available.
- 4.1.4 Unless otherwise approved by the Theatre Manager, front-of-house personnel must be present until conclusion of the performance and the departure from the facility of all audience members. KCT will provide up to 5 hours of trained front-of-house (ticket-takers, ushers, coat check), bar and concessions personnel for the theatre user as part of the rental.
- 4.1.5 All products to be served through the bar and concession are the responsibility of KCT and no other merchandise, food or beverage is permitted unless approved by the Theatre Manager. Additional fees, as described in the bylaw, may apply if additional stock is requested.
- 4.1.6 The Kelowna Community Theatre has a permanent, non-transferable Liquor Primary license which extends to the main theatre lobby, stage and auditorium. The Black Box Theatre is not included in the Liquor Primary license. Anyone wishing to serve alcohol in the Black Box Theatre is required to obtain a Special Occasion License prior to their event and to ensure that the License is properly posted and fulfilled.
- 4.1.7 KCT will maintain a contract to feature local visual artists in the theatre in designated areas of the lobby.
- 4.1.8 KCT reserves the right to limit and direct any other decorations to the interior and exterior areas of the theatre.

- 4.1.9 KCT is a non-smoking facility. Smoking is not permitted in any part of the facility, including the Green Room and Dressing Rooms.
- 4.1.10 Any audio or visual recordings planned in association with the rental activity should be reviewed with the KCT Manager and approved prior to the event.
- 4.1.11 KCT and the City of Kelowna reserve the right to schedule both routine and special maintenance for any interior or exterior portion of the facility, or any equipment, which may require closure of all or part of the facility.

4.2 To provide equitable access to the theatre for performance and other activities by local and non-local groups or individuals.

- 4.2.1 The KCT Manager has the sole and unfettered discretion to approve or decline all bookings and rental applications.
- 4.2.2 Booking Inquiries fall into the following categories, (the term 'Client' refers to an individual or organization making such an inquiry or booking).

General Inquiry: client looking for available date(s) with no expectation of reserving and particular date. No commitments are made by either party.

Hold Dates: client is looking for specific date(s).

These dates are flagged as "Hold" by the theatre and are released when:

- Hold date(s) become a confirmed date with a signed contract and the applicable deposit is paid. Deposits are not refundable, nor are they transferable to other dates.
- Hold date(s) are removed at clients request or approval.
- Hold date is successfully challenged by another client looking for the same date.
- Hold date has not been confirmed within a month of the hold being placed.

Confirmed Dates: client has signed contract and paid the required deposit

Challenging Process: A hold date is challenged when a client is prepared to sign a contract and pay the required deposit on a date held by another client, and asks theatre Management to challenge the date.

Once notified of the challenge, the challenged client has up to three working days to respond with the intent to keep or release the date. If the challenged client chooses to keep the date, the challenged client must pay a minimum of a 50% non-refundable deposit to the theatre and sign a contract for the date.

If the challenged client releases the date, the challenging client then has up to three (3) working days from time of notification to sign the contract and present the deposit.

In the challenging process, if the client who ends up with the date defaults on the date, they will be held liable for the deposit amount for the date.

If "Force Majeure", or other circumstances occur that the Theatre Manager deems salient, the Theatre Manager has the right to modify the challenging time frames and process.

Single Date Bookings will not be taken more than twelve (12) months in advance.

Rehearsals: Rehearsal days on the main stage will not be booked as standalone bookings unless there is room available and less than one month to the date requested. A maximum of one rehearsal day will be booked for each performance day of a show. If additional rehearsals are required, they will have to be booked at the performance day rate.

Bookings of a season of performances (three or more performances sold as a package) and special events sold with a season of performances can be booked two years in advance of the current season.

4.3 Acknowledging the need to recognize traditional uses, and the special contractual needs of Kelowna's professional performing arts groups.

- 4.3.1 Organizations which have established a pattern of using KCT during specific dates for specific events over a period of three years are eligible to be designated as Traditional Users.
- 4.3.2 Designation as a Traditional User means that the organization will have the ability to put non-challengeable hold dates in the KCT calendar for up to three (3) seasons in advance.
- 4.3.3 In order to obtain or maintain designation as a Traditional User, an organization must, by April 30 of each year, submit a Traditional Usage Application Form to the KCT Manager. Upon written request, the KCT Manager may, in his or her sole discretion, grant an extension to the April 30 deadline.
- 4.3.4 Failure to submit a Traditional Usage Application Form by the prescribed deadline may result in the release of any dates being held for that user.
- 4.3.5 Approval of Traditional Usage designation rests solely with the KCT Manager.
- 4.3.6 If an event is cancelled, moved to another venue, or if the organization changes its traditional pattern of use, Traditional User designation may be withdrawn and any dates being held may be released.
- 4.3.7 When calendar dates for Traditional Users have been fixed, Kelowna's professional performing arts organizations will then have their choice of dates three seasons in advance of the current season.
- 4.3.8 If "Force Majeure" or other circumstances occur that the Theatre Manager deems salient, the Theatre Manager has the right to modify the booking time frames and process.



City of
Kelowna

Allocation Guidelines and Fees & Charges Bylaw

April 24, 2017

- ▶ Council Policy 222–
Philosophy/Fees &
Charges
- ▶ Conditions of Use and
Allocation Guidelines
- ▶ Fees & Charges Bylaw
No. 9609



Guidelines and Bylaw

► Includes:

- Facilities owned/operated by City and or specified within a third party operating agreement

► Does not include:

- Facilities owned by City but operated by third party
- Activities and program registration fees



Changes to Allocation Guidelines

▶ Key themes

- ▶ New and updated clauses in administrative and facility sections to reflect current practice
- ▶ Allocation guidelines that address new spaces and changing use patterns

Updates

- ▶ General Section
 - ▶ CS₄L
 - ▶ Commercial
 - ▶ Promotional opportunities
- ▶ Sportsfields
 - ▶ Outdoor Fitness Classes
- ▶ Outdoor Events



Updates continued

- ▶ Other Facilities
 - ▶ Various outdoor courts



Amendments to Bylaw

▶ Key themes:

- ▶ Alignment with market comparisons
- ▶ Consistency
- ▶ Multi-year rate table extensions or annual 2% increase
- ▶ Introduction of new fees for bookable facilities

Bylaw Amendments

- ▶ PRC
 - ▶ Admissions
 - ▶ Room Rentals
- ▶ Aquatics – lane rentals
- ▶ Apple Bowl
 - ▶ Commercial rate
 - ▶ Track and field practice rate
multi-year schedule
- ▶ Sportsfields
 - ▶ Park Permit Fee for outdoor
fitness classes



Bylaw Amendments continued

- ▶ Arenas
 - ▶ Public skating
- ▶ Multi-Purpose Facilities
- ▶ Other Facilities/Parks
 - ▶ Outdoor Events category re-classification
 - ▶ Introduction of new fees/bookable facilities
- ▶ Kelowna Community Theatre
 - ▶ 2% increase
 - ▶ CIF





Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 11366

Amendment No. 5 to Active Living & Culture Fees and Charges Bylaw No. 9609

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Recreation Cultural Services Fees and Charges Bylaw No. 9609 be amended as follows:

1. THAT all references to “Recreation & Cultural Services” be deleted and replaced with “Active Living and Culture”;
2. AND THAT Section 2. be amended by:
 - a) deleting in sub-paragraph (a) “his or her” before the words “designate, based upon the facility in question”;
 - b) deleting in sub-paragraph (d) at the end of the paragraph “ for set up of the plan”;
 - c) deleting sub-paragraph (e) that reads:

“Where overnight parking at a City of Kelowna facility has been approved pursuant to the City’s Outdoor Events Bylaw No. 8358 for participants of tournaments or special events, a fee of \$15.00 per vehicle per night shall be charged;”

And replacing it with:

“Where overnight parking at a City of Kelowna facility has been approved pursuant to the City’s Conditions of Use & Allocation Policy for Recreation Facilities, Theatre, Sportsfields and Parks for participants of tournaments or special events, a fee of \$15.00 per vehicle per night shall be charged;”

- d) deleting in sub-paragraph (e), the first bullet that reads:

“for agreements equal to or less than \$100.00, the rental deposit is the full amount;”

And replace with:

“for agreements equal to or less than \$100.00, the rental deposit is 50% of the full amount;”

- e) adding to Section 2 new sub-paragraphs (g) and (h) that reads:

“(g) Returned payment fees will be applied to all returned payments as per Miscellaneous Fees and Charges Bylaw No. 9381.

(h) All rentals subject to extra fees as defined in the City’s Condition of Use & Allocation Policy.”

3. AND THAT Section 3. be amended by adding “B1” after “The fees and charges as noted in Schedules A, B,”
4. AND THAT SCHEDULE A be deleted in its entirety and replaced with new SCHEDULE A as attached to and forming part of this bylaw;
5. AND THAT SCHEDULE B be deleted in its entirety and replaced with new SCHEDULE B as attached to and forming part of this bylaw;
6. AND THAT SCHEDULE B1 be deleted in its entirety and replaced with new SCHEDULE B1 as attached to and forming part of this bylaw;
7. AND THAT SCHEDULE C be deleted in its entirety and replaced with new SCHEDULE C as attached to and forming part of this bylaw;
8. AND THAT SCHEDULE D be deleted in its entirety and replaced with new SCHEDULE D as attached to and forming part of this bylaw;
9. AND THAT SCHEDULE E be deleted in its entirety and replaced with new SCHEDULE E as attached to and forming part of this bylaw;
10. AND THAT SCHEDULE F be deleted in its entirety and replaced with new SCHEDULE F as attached to and forming part of this bylaw;
11. AND THAT SCHEDULE G be deleted in its entirety and replaced with new SCHEDULE G as attached to and forming part of this bylaw;
12. AND THAT SCHEDULE H be deleted in its entirety and replaced with new SCHEDULE H as attached to and forming part of this bylaw;
13. This bylaw may be cited for all purposes as “Bylaw No. 11366 being Amendment No. 5 to Recreation Cultural Services Fees and Charges Bylaw No. 9609”;
14. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE A

Parkinson Recreation Centre - Facility Admission Fees & Charges 1800 Parkinson Way, Kelowna, B.C.

- All rates are subject to taxes unless otherwise stated.
- Single Entry or Drop-In rates are inclusive of tax where applicable.
- Rates are effective April 1, 2017 and increase annually except the 6 month and 1 year Family rates which are effective May 1, 2017 and will increase annually on April 1 every year thereafter.

<u>Tickets</u>	Single Entry or Drop-In * tax included		10 Entry Card		20 Entry Card	
	Pool	Facility	Pool	Facility	Pool	Facility
Adult (19-64)	\$5.25	\$6.75	\$42.50	\$54.60	\$75.00	\$96.40
Youth/Student (13-18)	\$3.95	\$5.00	\$32.00	\$40.50	\$56.40	\$71.40
Child (7-12)	\$2.90	n/a	\$23.50	n/a	\$41.40	n/a
Preschool (3-6)	\$1.60	n/a	\$13.00	n/a	\$23.00	n/a
Seniors (65-74)	\$3.95	\$5.00	\$32.00.	\$40.50	\$56.40	\$71.40
Seniors (75+)	\$2.90	\$3.00	\$23.50	\$24.30	\$41.40	\$43.00
Family	\$11.40	\$14.50	\$92.30	\$117.40	\$160.20	\$207.20

<u>Passes</u>	1 Month Pass	3 Month Pass	6 Month Pass	1 Year Pass
	Pool Facility	Pool Facility	Pool Facility	Pool Facility
Adult (19-64)	\$42.50	\$112.55	\$195.10	\$330.20
	\$54.65	\$144.65	\$250.70	\$424.30
	\$32.00	\$84.65	\$146.70	\$248.30
Youth/Student (13-18)	\$40.50	\$107.15	\$185.70	\$314.30
	\$23.50	\$62.15	\$107.70	\$182.30
Child (7-12)	N/A	N/A	N/A	N/A
	\$12.95	\$34.30	\$59.45	\$100.55
Preschool (3-6)	N/A	N/A	N/A	N/A
	\$32.00	\$84.65	\$146.70	\$248.30
Seniors (65-74)	\$40.50	\$107.15	\$185.70	\$314.30
	\$23.50	\$62.15	\$107.70	\$182.30
Seniors (75+)	\$24.30	\$64.30	\$ 111.45	\$188.55
	\$92.30	\$245.30	\$395.30	\$668.94
Family	\$117.40	\$310.70	\$500.70	\$847.34

Infants 2 & under free

Family defined in the Active Living & Culture Conditions of Use and Allocation Guidelines

Pool Pass is swim only with access to hot tub and steam room

Facility Pass includes access to pool, hot tub, steam room, fitness facility and drop-in gymnasium

Facility Promo Pass - \$25 - provides unlimited access to the fitness centre and pool for one month and is available to new facility customers only

Corporate Wellness Pass Program - 25% discount off 1 year Adult Facility rate or on 100 or more Adult Facility single entries

Access Pass Fees

- The Access Pass is a discount recreation pass for persons with a permanent disability who meet the eligibility requirements set by the Director of Active Living & Culture or his/her designate
- Access Passes are tax exempt and the discount rates are based on a one year Adult Facility Pass (as noted on the previous page)

Access Pass	
Combination Access Pass	67%
Program Access Pass (Annual pass January 1 st - December 31 st)	75%
Facility Access Pass	75%

Administration Fees:

- Membership Cancellation Fee - \$5.00 for monthly and yearly passes cancelled prior to expiration
- Program Withdrawal Fee - \$5.00
- Membership Card Replacement Fee - \$5.00
- Monthly Payment Plan - \$30.00 per year processing fee per pass

Registration Service Agreements:

- Active Living & Culture provides registration services to enable non-profit community organizations to provide a wide variety of recreational and educational programs to the residents of Kelowna. The fee charged is for the facilitation of the registration process based on \$15 per registrant plus applicable taxes and is subject to the terms and conditions of the Registration Service Agreement.

SCHEDULE B

Parkinson Recreation Centre - Facility Rental Fees & Charges 1800 Parkinson Way

- All rates are subject to taxes unless otherwise stated.
- All rates are effective May 1, 2017 and increase annually on April 1 every year thereafter.

GYMNASIUM

- Gymnasium rates are per hour.

	Whole Gym	Half Gym
Adult	\$58.02	\$29.01
Youth	\$29.01	\$14.51

ROOM RENTALS

- Rates are per hour with a 3 hour minimum unless otherwise stated.
- Daily rate is charged at 10 hours.

Rooms	Commercial Rental Rates Hourly Rate	Non-Profit Rental Rates Hourly Rate
Apple Room	\$118.00	\$ 59.00
MacIntosh Room	\$78.00	\$ 39.00
Spartan Room	\$50.00	\$ 25.00
Kitchen	\$20.00	\$ 10.00
Gala Boardroom (Boardroom Table in Place)	\$28.00	\$ 14.00
Orchard Room (Bartlett, Red Haven & Sun Haven Sections + 2 kitchenettes)	\$56.00	\$ 28.00
Bartlett Room (+ kitchenette)	\$36.00	\$ 18.00
Cherry Room	\$36.00	\$18.00
Red Haven Room	\$28.00	\$ 14.00
Sun Haven Room (+ kitchenette)	\$36.00	\$ 18.00
Haven Room (Red Haven & Sun Haven Sections + 2 kitchenettes)	\$50.00	\$ 25.00
Bartlett Sun Room (Bartlett & Sun Haven Sections + 2 kitchenettes)	\$50.00	\$ 25.00
Outdoor Areas A & B (only available with room rental)	\$20.00	\$10.00
Outdoor Barbeque <ul style="list-style-type: none"> • does not include kitchen facilities 	\$71.82 per day	\$35.91 per day

SCHEDULE B1

Aquatic Rentals - Fees & Charges

H2O Adventure & Fitness Centre - 4075 Gordon Drive
Parkinson Recreation Centre - 1800 Parkinson Way

- All rates are subject to taxes unless otherwise stated.
- Rates are effective January 1, 2017 except the commercial rate at Parkinson Recreation Centre which is effective May 1, 2017 and all rates increase annually on April 1 each year thereafter.

H2O ADVENTURE & FITNESS CENTRE

Non-Profit Clubs Training & Competiition	Rates per lane per hour
Minor (local)	
25m	\$ 9.94
50m	\$14.91
Adult (local) & Minor (non-local)	
25m	\$14.91
50m	\$22.36
Adult (non-local)	
25m	\$22.36
50m	\$33.54

PARKINSON RECREATION CENTRE

Rental Rates	During Regular Pool Hours - per lane per hour	Outside Regular Pool Hours - per hour for the full pool
Non-Profit Minor		
25m	\$8.83	\$77.59
Non-Profit Adult		
25m	\$13.25	\$116.38
Commercial	\$26.50	\$232.76

Outside Regular Pool Hours:

- Includes two lifeguards for a maximum number of participants as required by the LifeSaving Society

SCHEDULE C**Apple Bowl - Facility Rental Fees & Charges**

1555 Burtch Avenue

- All rates are subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter.
- All rate/hour fees are capped at 10 hours per day with a 2 hour minimum.

Apple Bowl Rates	Rates per hour
Commercial	\$ 152.22
Community Use/Minor Organization	\$57.07
School District No. 23 Track Meets	N/C

Exclusive Use - rates per hour	2017	2018	2019	2020	2021
Track and Field Practice - Minor	\$14.18	\$15.60	\$18.72	\$22.46	\$26.95

SCHEDULE D**SportsFields - Rental Fees & Charges**

Various locations in Kelowna

- All rates are subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter.
- Rates are per hour (capped at 10 hours per day) and include lights.

LEAGUE PLAY

Prime Time Rates	Minor	Adult	Commercial
Field A	\$ 11.04	\$22.08	\$44.16
Field "Modified" A	\$9.67	\$ 19.34	\$38.68
Field B	\$8.28	\$ 16.56	\$33.12
Field C	\$4.15	\$ 8.30	\$16.60

LEAGUE PLAY & TOURNAMENT PLAY

Non-Prime Time Rates	Minor	Adult	Commercial
Field A	\$ 8.28	\$ 16.56	\$33.12
Field "Modified" A	\$7.24	\$14.48	\$28.96
Field B	\$6.21	\$12.42	\$24.84
Field C	\$ 3.11	\$ 6.22	\$12.44

ARTIFICIAL TURF

Rental Rates	Minor	Adult	Commercial
Prime Season	\$ 22.08	\$ 44.16	\$88.32
Non-Prime Season	\$ 11.04	\$ 22.08	\$44.16
½ Field - Prime Season	\$11.04	\$ 22.08	\$44.16
½ Field - Non-Prime Season	\$ 5.52	\$ 11.04	\$22.08

Park Permit Fee	Rate
Per Month	\$80.00
Per Season	\$400.00

SCHEDULE E**Arenas - Rental & Admission Fees & Charges**

Memorial Arena - 1424 Ellis St
 Rutland Arena - 645 Dodd Rd
 Prospera Place - 1234 Water St
 Capital News Centre - 4105 Gordon Dr

COMMUNITY USE RENTALS

- All rates are subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter.

Rental Rates - Memorial, Rutland and Prospera Arenas	Rate per hour
Minor/School District #23 & Private Schools (to grade 12) - Prime Time & Non-Prime Time	\$94.92
Adult/Commercial - PRIME TIME	\$189.84
Adult/Commercial - NON-PRIME TIME	\$ 142.38
Dry Floor - Minors	\$ 41.77
Dry Floor - Adults	\$83.54
Rate per day	
Community Events Rate - Prospera (not including set-up or take-down)	\$1,813.01

PUBLIC SKATING

- Taxes included.
- Rates are for Memorial, Rutland & Capital News Centre Arenas.

Admission Rates	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
Preschool (5 & under)	\$2.75	\$2.75	\$3.00	\$3.00	\$3.00
Children (6-13)	\$3.75	\$3.75	\$4.00	\$4.00	\$4.00
General Admission	\$4.50	\$4.50	\$4.75	\$4.75	\$4.75
Seniors (65+)	\$2.75	\$2.75	\$3.00	\$3.00	\$3.00
Family Skating Pass (Maximum 5 persons)	\$12.25	\$12.25	\$12.50	\$12.50	\$12.50
Parent and Tot Skate	\$2.75	\$2.75	\$3.00	\$3.00	\$3.00
Skating Punch Card - 10 visits (all ages)	\$35.00	\$35.00	\$37.00	\$37.00	\$37.00
Skating Punch Card - 20 visits (all ages)	\$65.00	\$65.00	\$70.00	\$70.00	\$70.00

SCHEDULE F

Multi-Purpose Facilities - Rental Fees & Charges

Okanagan Mission Activity Centre - 4398 Hobson Rd
Kinsmen Fieldhouse Hall and Media Centre - 3975 Gordon Dr
Cedar Creek Community Centre - 5160 Chute Lake Rd
Rutland Activity Centre and Sport Kelowna - 765 Dodd Rd
Parkinson Activity Centre - 1790 Parkinson Way

- All rates are subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter.
- Rates are per hour with a 3 hour minimum rental unless otherwise stated.
- Daily rate is charged at 10 hours.

	Non-Profit Rental Rates	Commercial Rental Rates
	Hourly Rate	Hourly Rate
Okanagan Mission Activity Centre Hall, Kitchen and Grounds	\$20.00	\$40.00
Kinsmen Fieldhouse Hall Hall and Kitchen	\$20.00	\$40.00
Kinsmen Media Centre Meeting Room	\$14.00	\$28.00
Cedar Creek Community Centre Main Hall & Kitchenette Meeting Room only	\$20.00 \$14.00	\$40.00 \$28.00
Rutland Activity Centre Hall Multi-Purpose Room Meeting Room	\$30.00 \$15.00 \$12.00	n/a n/a n/a
Sport Kelowna Boardroom	14.00	28.00
Parkinson Activity Centre Activity Room Main hall Kitchen (per day) Meeting Room Lounge	\$18.00 \$39.00 \$100.00 \$14.00 \$18.00	\$36.00 \$78.00 \$200.00 \$28.00 \$36.00

SCHEDULE G

Other Facilities/Parks - Fees & Charges

- All rates are subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter unless otherwise stated.

Outdoor Events Application Fee Category	Non-Profit Rates per licence	Commerical Rates per licence
A	\$60.00	\$120.00
B	\$90.00	\$180.00
C	\$120.00	\$240.00
D	\$150.00	\$300.00

	Non-Profit Rates			Commercial Rates		
	3 Hr Min. Rate	Additional Hours	10 hour Max. per day	3 Hr Min. Rate	Additional Hours	10 hour Max. per day
Park Rental - per section of park	\$36.39	\$12.13	\$121.30	\$72.78	\$24.26	\$242.60
Ticketed Events - Gross Gate	4% of gross ticket sales to a maximum of \$4,000.00			8% of gross ticket sales, to a maximum of \$8,000.00		
<ul style="list-style-type: none">Rental rates for ticketed events will be based on a percentage of gross ticket sales or base park rental, whichever is greater.The rate is based on the event dates only. Set up and take down days will not be included in the calculation, but park rental fees will apply.If the event is on multiple days, the Gross Gate calculation applies to the highest gross revenue day with the remaining day(s) maximum rate calculated at 50% of that day.						
Permission to apply for a Special Event Permit Fee	\$ 68.92					
Sound System	\$50.00 per day					
Weddings & Memorials in City parks	\$150.00 for a maximum of 3 hours					

Bleachers:	Non-Profit Rates	Commercial Rates
Transportable Bleachers ▶ (1 st day)	\$177.95	\$355.90
Transportable Bleachers ▶ (additional days)	\$80.63	\$161.26
Standard Paris Bleachers ▶ (1 st day)	\$201.60	\$403.20
Standard Paris Bleachers ▶ (additional days)	\$81.99	\$163.98
Grand Promenade - Convention/Trade Show Space (see Conditions of Use & Allocations Guidelines for map):		
• Any 1 Display Area	\$392.71	\$392.71
• Any 3 Display Areas	\$1,014.64	\$1,014.64

Other Facilities/Parks - Fees & Charges

- All rates are subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually April 1 every year thereafter.

Tennis & Pickleball Courts	Court per Hour	Court per Day (10hr max)
Non-profit	\$5.00	\$50.00
Commercial	\$10.00	\$100.00

Pickleball Kelowna	2017	2018	2019	2020	2021
Per member	\$12.00	\$14.00	\$16.00	\$18.00	\$20.00

Court per Hour	Basketball and Outdoor Multi-Sport Courts	Beach Volleyball
Minor	\$8.50	\$7.50
Adult	\$17.00	\$15.00
Commercial	\$34.00	\$30.00

Kelowna Community Theatre - Fees & Charges
1375 Water Street, Kelowna, B.C.

- All rates subject to taxes unless otherwise stated.
- Rates are effective May 1, 2017 and increase annually on April 1 every year thereafter unless otherwise stated.

Rental Rates (8 hours continuous use)	Rate
Commercial Rate	\$1,600.00
Category A: Local Non-profit Producers & SD23	\$800.00
Category B: Local Non-profit Presenters	\$1,120.00
Dark Day Rate during multiple day rentals (maximum 2 days for each full week performance run)	\$240.00
Multiple performances in one day	1.5 times the listed rate
Capital Improvement Fee (all rentals) - not subject to an annual increase	\$1.75 per attendee
Additional rental hours	5% of the listed rate charged per hour

MAIN STAGE - REHEARSAL

- Rehearsal day rates are only available in preparation for a performance. A maximum of one rehearsal day per performance is permitted.
- Rehearsal day rates are not available on Fridays, Saturdays or Sundays.
- A theatre technician is included with the first 4 hours of the rental.

Rental Rates (4 hours)	Rate
Commercial Rate	\$725.00
Category A: School District No. 23 & Local Non-profit Producers	\$362.50
Category B: Local Non-profit Presenters	\$507.50
Additional rental hours	5% of the listed rate

BLACK BOX - PERFORMANCE

- Rates include lighting and sound equipment dedicated to the Black Box, tables, fridge and bar and do not include additional equipment or theatre technician.
- Technical support is required for events that involve making changes to the lighting system or use of the Black Box sound system. If warranted, due to safety or complex technical needs, additional theatre technical staff may be added to the booking at the renter's expense.

Rental Rates	Rate
Commercial Rate	\$540.00
Category A: School District No. 23 & Local Non-profit Producers	\$270.00
Category B: Local Non-profit Presenters	\$378.00

BLACK BOX - REHEARSAL

- Rates apply to the Black Box room only and do not include additional equipment or technician.
- Room is not to be used as a performance venue.

Rental Rates	Rate
Commercial - Daily Rate	\$240.00
Commercial - Hourly Rate	\$75.00
Category A: Local Schools (includes School District No. 23) & Local Non-profit Producers - Daily Rate	\$120.00
Category A: Local Schools (includes School District No. 23) & Local Non-profit Producers - Hourly Rate	\$37.50
Category B: Local Non-profit Presenters - Daily Rate	\$168.00
Category B: Local Non-profit Presenters - Hourly Rate	\$52.50

Extra Fees	Rate
Theatre Technicians hourly rate - first 8 hours (min call - 2 hrs)	\$52.50
Theatre Technicians overtime multiplier - after working 8 hrs	8 - 10 hrs = 1.5x and >10 hour = 2x
Same Day Settlements	\$115.00
9' Grand Piano (excludes tuning fee)	\$115.00
Marley Dance floor (includes dance floor tape & use for entire run)	\$140.00
Extra Fees not subject to an annual increase:	
Percent (%) of gross proceeds from all client merchandise sales	15%
SOCAN & ReSound fees	As per copyright legislation
Non-refundable deposit if using approved ticketseller	25% of the gross estimated rental fee
Non-refundable deposit if not using approved ticketseller	\$2,000.00
Bar/restocking fees	\$100.00 per category
Front of House services after first 5 hours	\$100.00/hour or portion thereof
Janitorial Services for additional cleaning if required	\$300.00 or actual costs, whichever is greater

CITY OF KELOWNA

BYLAW NO. 11377

Amendment No. 1 to the Five Year Financial Plan 2016-2020

Bylaw No. 11227

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

1. THAT the Five Year Financial Plan 2016-2020 Bylaw No. 11227 be amended by deleting Schedule "A" in its entirety and replacing with them new Schedule "A" as attached to and forming part of this bylaw;
2. This bylaw may be cited for all purposes as Bylaw No. 11377 being "Amendment No. 1 to the Five Year Financial Plan Bylaw, 2016-2020, No. 11227."

Read a first, second and third time by the Municipal Council this 10th day of April, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule "A"
Financial Plan 2016 - 2020

	2016 Amended Budget	2016	2017	2018	2019	2020	2021-2030
REVENUE							
PROPERTY VALUE TAX	119,879,430	119,879,430	126,418,833	133,163,297	139,873,658	146,621,819	1,793,646,313
LIBRARY REQUISITION	5,756,024	5,756,024	5,888,413	6,023,846	6,162,394	6,304,130	71,592,421
PARCEL TAXES	3,167,038	3,223,783	3,263,441	3,286,590	3,310,106	3,315,787	34,332,234
FEES AND CHARGES	107,385,474	106,746,093	109,734,726	111,367,172	113,311,918	115,947,582	1,299,290,083
BORROWING PROCEEDS	66,916,680	55,276,560	-	-	-	-	89,000,000
OTHER SOURCES	67,324,164	62,694,808	52,235,708	45,043,983	52,334,027	50,601,845	570,088,175
	370,428,810	353,576,698	297,541,121	298,884,887	314,992,103	322,791,164	3,857,949,226
TRANSFERS BETWEEN FUNDS							
RESERVE FUNDS	2,217,697	3,426,636	2,231,501	2,231,303	2,231,094	1,631,594	13,341,983
DCC FUNDS	14,027,633	13,119,310	19,154,057	21,400,501	21,053,485	31,223,270	163,065,700
SURPLUS/RESERVE ACCOUNTS	88,632,479	102,079,775	56,433,187	57,312,956	36,826,288	56,966,588	264,442,430
	104,877,809	118,625,721	77,818,744	80,944,760	60,110,867	89,821,452	440,850,113
TOTAL REVENUE	475,306,619	472,202,419	375,359,865	379,829,648	375,102,970	412,612,616	4,298,799,338
EXPENDITURES							
MUNICIPAL DEBT							
DEBT INTEREST	11,244,850	11,664,060	12,238,919	12,214,879	8,853,533	7,662,060	66,518,128
DEBT PRINCIPAL	13,452,159	13,498,254	13,391,604	14,699,076	11,565,938	8,463,806	64,128,675
CAPITAL EXPENDITURES	192,305,483	190,827,480	91,589,675	88,270,800	74,820,189	109,768,109	826,484,594
OTHER MUNICIPAL PURPOSES							
GENERAL GOVERNMENT	27,886,673	27,170,244	27,711,268	28,594,708	29,466,037	30,327,549	328,757,898
PLANNING, DEVELOPMENT & BUILDING							
SERVICES	25,513,089	24,216,452	22,678,943	23,952,392	24,779,277	25,647,455	275,606,795
COMMUNITY SERVICES	80,615,903	79,025,868	79,657,865	81,936,252	84,647,345	87,606,264	1,056,070,646
PROTECTIVE SERVICES	52,174,577	51,283,115	54,584,686	57,528,149	60,542,825	64,195,225	783,164,488
UTILITIES	20,426,365	19,375,599	19,908,841	20,575,440	21,110,667	21,687,027	251,344,398
AIRPORT	12,699,639	12,684,609	12,902,556	13,418,237	13,882,225	14,364,189	172,458,732
	436,318,738	429,745,681	334,664,357	341,189,934	329,668,038	369,721,685	3,824,534,354
TRANSFERS BETWEEN FUNDS							
RESERVE FUNDS	14,673,512	15,626,706	16,693,234	16,761,320	16,693,383	16,613,357	160,787,118
DCC FUNDS							
SURPLUS/RESERVE ACCOUNTS	24,314,369	26,830,032	24,002,274	21,878,394	28,741,549	26,277,573	313,477,866
	38,987,881	42,456,738	40,695,509	38,639,714	45,434,932	42,890,930	474,264,985
TOTAL EXPENDITURES	475,306,619	472,202,419	375,359,865	379,829,648	375,102,970	412,612,616	4,298,799,338

CITY OF KELOWNA

BYLAW NO. 11378

Amendment No.1 to Development Cost Charge Reserve Fund Expenditure Bylaw, 2016 No. 11230

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that City of Kelowna Development Cost Charge Reserve Fund Expenditure Bylaw, 2016 No. 11230 be amended as follows:

1. THAT section 1 be deleted and replaced with the following:

"1. The sum of Fourteen Million, Four Hundred and Sixty Two Thousand, Five Hundred and Forty One dollars (\$ 14,462,541.00) is hereby appropriated from the Development Cost Charge Reserve Fund to be expended in 2016 for the following purposes:

Land for Park Purposes	\$ 1,543,024.00
Road Construction	\$ 5,295,055.00
Water Mains, Pump Stations & Reservoir Construction	\$ 984,749.00
Wastewater Trunks, Plant & Debt Repayment	\$ 6,639,713.00
	<u>\$ 14,462,541.00"</u>

2. This bylaw may be cited as Bylaw No. 11378 - Amendment No. 1 to Development Cost Charge Reserve Fund Expenditure Bylaw, 2016 No. 11230.

Read a first, second and third time by the Municipal Council this 10th day of April, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk