
CITY OF KELOWNA

MEMORANDUM

Date: June 10, 2009
File No.: 0870-20-050, 0870-20-051, 0870-20-056
To: City Manager
From: Director, Real Estate & Building Services
Subject: **BC Housing Initiative (Tutt St. Place - N.O.W. Canada) - Progress Report**

RECOMMENDATION:

THAT Council receive, for information, the report of the Real Estate & Building Services Director dated June 10, 2009 with respect to the BC Housing / NOW Canada project and related parking;

AND THAT Council support the proposed No-Net-Loss Parking Plan (permanent stalls) recommended by Staff in this report;

AND THAT Council direct staff to proceed with implementing the No-Net-Loss Parking Plan outlined in this report with additional funding in the amount of approximately \$10,000 to be funded from 7530.304.2687R.*.*.000.10.*;

AND THAT Council reconfirm previous direction to Staff to proceed with a parking study in 2009 for the Pandosy Town Center and report back to Council with recommendations related to implementation of a parking management strategy;

AND THAT Council direct Staff to continue to explore additional parking options for the Pandosy Town Center subject to the outcome of the parking study.

BACKGROUND:

On March 19, 2008, Kelowna City Council approved a Memorandum of Understanding (MOU) between the Province of B.C. and the City to expedite the approval and construction of up to 128 new supportive housing units in our community on three city-owned sites.

The MOU recognized the contribution of three specific sites, via a 60 year lease from the City to BC Housing in exchange for a Provincial commitment to build and operate the facilities. Among the criteria set by the Province was the requirement that the land had to be serviced, vacant, City owned and appropriately zoned. The Province has agreed to pay all costs to design the housing facilities and take the projects through to the issuance of development and building permits, including consultant fees and disbursements. The Province has also confirmed capital and operating funding for the term of the 60 year leases for two of the three sites.

The approximate direct economic investment in our community resulting from these two funded projects is \$21 million in capital construction in 2009 & 2010 and \$36 million in operating over the 60 year term. The non-profit operators are in place for all three projects and the buildings have been designed to a LEED Gold Certification or equivalent standard in all cases. Once built these buildings may represent the first LEED standard buildings in the Okanagan.



Project Status - 2955 Pandosy St. (Tutt St. Place - NOW Canada)

The subject property was purchased by the City in 1984 from the Mercantile Bank of Canada, the receiver for Scott's Building, for \$185,000 with General Taxation Revenues.

On March 10, 2008 Council endorsed the use of the unencumbered City owned property located at 2955 Pandosy St. for the BC Housing / NOW Canada project and as part of that endorsement Council instructed Staff to bring forward a no-net-loss parking plan for the area:

*“AND THAT a plan resulting in no net loss of parking be settled on the Pandosy Street site prior to commencement of construction of any building on that site”
 (Full resolution attached at schedule “A”)*

In 2008 and 2009 Staff worked with property owners in the area and developed a plan to provide a no-net-loss in parking resulting from the proposed project. The steps resulted in the acquisition of two properties located at 558 and 582 Osprey Avenue with the intent of constructing permanent replacement parking. In addition, the City has entered into a 1 year renewable lease at 2728 Pandosy Street for public parking purposes. Finally, Staff worked with NOW Canada to maximize the number of parking stalls on the development site that would remain for public parking purpose. The results of this plan was as follows:

NO-NET-LOSS REPLACEMENT PARKING PLAN (APRIL 2009)		
NUMBER OF STALLS	LOCATION	COMMENT
44 permanent stalls lost	2955 Pandosy (Subject property)	
31 permanent stalls gained	Osprey	
- 13		Net LOSS in permanent parking
21 stalls temporarily lost	2955 Pandosy	
72 stalls temporarily gained	2728 Pandosy	
+ 51		Net GAIN in temporary parking

In April of 2009 Council approved the no-net-loss parking replacement plan (above) and directed staff to proceed with taking the steps necessary to put it in place.

Subsequent to April 15th, 2009 merchants of the Pandosy Town Center suggested to Staff and Council that the no-net-loss parking replacement plan endorsed by Council was insufficient, in part, because it did not result in a no-net-loss of permanent parking.

On May 25, 2009 Council chose to defer the Development Permit Application (No. DP08-0234) for the subject project in order to consider a caveat that was placed on the property. In addition, Council directed staff to report back with a comprehensive parking plan for the South Pandosy Area (resolution attached as Schedule 'B').

Merchant Concerns

The key issues raised by area merchants were the following:

- 1.) That construction traffic resulting from the project would result in patron parking not being available.
- 2.) That there was no safe pedestrian access to the Osprey parking lot due to the lack of sidewalk on Pandosy between Raymer Ave. and Osprey Ave.

- 3.) That the City was not meeting its commitment to a true no-net-loss in permanent parking.
- 4.) That the temporary and/or permanent parking would not be operational prior to the closure of the existing parking lot.
- 5.) That the subject lot was the wrong place for housing and that Osprey is a better location.

Solutions to Merchant Concerns

ISSUE	SOLUTION / COMMENT
#1 (Construction Traffic)	Commitment from the project contractor to direct construction vehicle traffic to the Osprey parking lot (attached as Schedule 'C').
#2 (Safe Pedestrian Access)	Staff have acquired the land necessary for construction of a sidewalk between Raymer & Osprey which is to be constructed immediately.
#3 (No-net-loss of Permanent Stalls)	Staff have reconfigured excess City land, less than 100m from the center of the Pandosy Village, to accommodate 30 formalized stalls (15 <u>net stalls</u> taking into account existing non-formalized parallel parking). (Drawing attached as Schedule 'D').
#4 (Timing)	All replacement parking (temporary and permanent) will be in place prior to the closure of the existing parking lot.
#5 (Location)	The subject property is zoned for the proposed use and is supported by the City's Planning professionals and the Advisory Planning Committee. Mixed use buildings with ground floor commercial are desirable in the heart of all the City's town centres. The proposed form of development is very similar to what Council recently approved in the immediate vicinity. Further, the Osprey site does not meet the conditions of BC Housing and would only accommodate approximately 20 units vs. the 39 proposed.

As a result of Council's direction to Staff and their interest in addressing the concerns of the Pandosy merchants the above-noted issues have been addressed and a No-Net-Loss Replacement Parking Plan can be achieved as follows:

NO-NET-LOSS REPLACEMENT PARKING PLAN (JUNE 2009)		
NUMBER OF STALLS	LOCATION	COMMENT
44 permanent stalls lost	2955 Pandosy	
31 permanent stalls gained	Osprey	
15 permanent stalls gained	Cedar Laneway	
+ 2		Net GAIN in permanent parking
21 stalls temporarily lost	2955 Pandosy	
72 stalls temporarily gained	2728 Pandosy	
+ 51		Net GAIN in temporary parking

Long-term Outlook

While the overall issue of parking in the whole of the Pandosy Town Center is beyond the scope of this single project, Council should be aware of the steps Staff propose to take in addressing the issue:

Step #1 - Fast-tracked the parking study
(Which was an original recommendation of the Pandosy/KLO Sector Plan)

Step #2 - Explore implementation of a parking management plan with land owners, business and Council.
***It should be noted that preliminary investigation indicates that the majority of parking in the subject lot is utilized by employees in the area and not business patrons. This pressure may be alleviated by a parking management plan.
(time limitations, designated employee parking and/or pay parking)

Step #3 - Develop and implement an acquisition strategy for additional land for parking
(subject to need identification and funding source being established)

Step #4 - Consider parking structure if required / desired

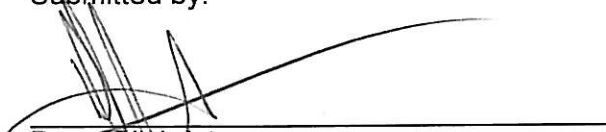
INTERNAL CIRCULATION

Director, Land Use Management
Director, Infrastructure Planning
Director, Community & Media Relations
Director, Financial Services
General Manager, Community Sustainability
General Manager, Corporate Sustainability

Considerations that were not applicable to this report:

EXISTING POLICY
FINANCIAL/BUDGETARY CONSIDERATIONS
PERSONNEL IMPLICATIONS
TECHNICAL REQUIREMENTS
EXTERNAL CIRCULATION
ALTERNATE RECOMMENDATION
LEGAL/STATUTORY AUTHORITY
LEGAL/STATUTORY PROCEDURAL REQUIREMENTS
COMMUNICATIONS CONSIDERATIONS

Submitted by:



Doug Gilchrist, RIBC, PMP
Director, Real Estate & Building Services

Approved for Inclusion:



John Vos, General Manager, Community Services

cc: J. Vos, General Manager, Community Services
J. Paterson, General Manager, Community Sustainability
R. Cleveland, Director, Infrastructure Planning

Schedule 'A'

This will confirm that your report dated March 5, 2008 was considered by Council during the "closed session" of the Regular Meeting held Monday, March 10, 2008, when the following resolution was adopted:

THAT Council approve the City entering into leases with Provincial Rental Housing Corporation and the sponsors, as described in the Memorandum of Understanding, of properties described as follows:

1. *2955 Pandosy Street, Kelowna, see Schedule "A" attached to this report;*
2. *185 & 195 Rutland Road North, Kelowna, Lots A and B, Plan 35077;*
3. *1757 Water Street, Lot 2, Plan 2871; 330 Boyce Crescent, Lot 2, Plan 3287; 340 Boyce Crescent, Lot B, Plan 5057, except Plan KAP82452 and 352 Boyce Crescent, Kelowna, Part of Lot 3, Plan 5057.*

in substantially the form of lease which the City entered into with the Provincial Rental Housing Corporation for the City-owned property at 1436 St. Paul Street;

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete the transactions;

AND THAT Council authorize staff to proceed with the necessary subdivision application to create the housing site described at 2955 Pandosy Street, as well as lot consolidation of the other two sites identified above;

AND THAT Council ratify the Memorandum of Understanding between the BC Housing Management Commission and the City of Kelowna attached to the report of the Community Planning Manager dated March 5, 2008;

AND THAT a plan resulting in no net loss of parking be settled on the Pandosy Street site prior to commencement of construction of any building on that site;

AND FURTHER THAT information regarding this transaction not be released to the public until such time as project certainty has been confirmed, subject to any privacy rights provided for in the Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165. A joint press release of the initiative shall be completed with BC Housing at the appropriate time.

Schedule "B"

- 2.1 Community Sustainability Division, dated April 24, 2009, re: Development Permit Application No. DP08-0234 – City of Kelowna (Philip Macdonald Architect) – 2955 Pandosy Street

Mayor Shepherd advised that Item 5.03 will need to be deferred as Council became aware late on Friday that a Caveat has been filed against the subject property and that Council is seeking legal advice with respect to the matter.

The following resolution was adopted:

THAT Council defer consideration of Development Permit Application No. DP08-0234.

The following additional resolution was adopted:

THAT Council direct staff to develop a comprehensive parking plan for the South Pandosy Area and report back to Council.

Schedule "C"



LED COR CONSTRUCTION LIMITED
4, 3302 Appaloosa Road
Kelowna, BC
Canada, V1V 2W5
Phone: (250) 491-2991
Facsimile: (250) 765-8075

June 3, 2009

New Opportunities for Women
PO Box 22060
Capri Centre PO
Kelowna, BC
V1Y 9N9

Attn: Liz Talbot, Executive Director

RE: CONTRACTOR PARKING TUTT STREET PROJECT – KELOWNA, BC

Dear Madam/Sir,

We confirm your request to designate the Osprey parking lot as the contractor / worker long term parking area. Please bear in mind there will be construction vehicles visible on and around the construction site which is a critical function of our business.

We will endeavor to cooperate with the Owner and the City of Kelowna to minimize the impact of the disruption to area parking during the course of construction.

Sincerely,

LED COR CONSTRUCTION LIMITED

A handwritten signature in blue ink, appearing to read "M. Fuhrmann", is written over a horizontal line.

Mark Fuhrmann, Project Manager

Schedule 'D'



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CEDAR AVENUE