

**City of Kelowna
Regular Council Meeting
AGENDA**



Monday, September 9, 2013
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 feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

3 - 10

Regular PM Meeting - August 26, 2013

3. Development Application Reports & Related Bylaws

3.1 Development Permit Application No. DP13-0052 - 2280 Baron Road, Victor Projects Ltd.

11 - 41

To consider a Development Permit for the form and character of three new buildings at the existing Superstore site.

3.2 Rezoning Application No. Z10-0100 - 445 Pearson Road, Balwinder & Harbax Khunkhun

42 - 44

To extend the date for adoption of the Zone Amending Bylaw (BL10522) from May 17, 2013 to May 17, 2014. The applicant is seeking to rezone the subject property from the existing RU1 - large Lot Housing zone to the proposed RU6 - Two Dwelling Housing zone in order that a second dwelling can be constructed on the subject property.

3.3 Rezoning Application No. Z11-0025 - 2857 East Kelowna Road, Christopher Fehr & Ian McClellan

45 - 47

To extend the date for adoption of the Zone Amending Bylaw (BL10555) from January 12, 2013 to January 12, 2014. The applicant proposes an extension for the project to rezone the subject property from the A1 - Agriculture 1 zone to the A1c - Agricultural 1 with Carriage House zone in order to legalize an existing carriage house.

4. **Non-Development Reports & Related Bylaws**
 - 4.1 **Rescind all ownership Housing Agreements (Phase 1)** 48 - 51

To direct staff to rescind all existing ownership Housing Agreements.
 - 4.2 **Development Application Notification Process** 52 - 62

To amend the statutory notification area in Development Applications Procedures Bylaw No. 10540; amend corresponding Council Policy; and endorse a proposed Council Policy in support of a new public “Get Connected” informational notice.

 - 4.2.1 **Bylaw No. 10863 - Amendment No. 2 to Development Applications Procedures Bylaw No. 10540** 63 - 63

To give Bylaw No. 10863 first, second and third readings.
5. **Bylaws for Adoption (Non-Development Related)**
 - 5.1 **Bylaw No. 10884 - Amendment No. 27 to Airport Fees Bylaw No. 7982** 64 - 66

To adopt Bylaw No. 10884.
6. **Mayor and Councillor Items**
 - 6.1 **Councillor Basran, re: Notice of Motion - Parking Restrictions in the Downtown Core** 67 - 67

To consider aDraft Resolutionto direct staff to remove the parking restrictions between 3:00 am - 6:00 am in the downtown core for a one (1) year trial period, commencing January 1, 2014.
7. **Termination**



City of Kelowna Regular Council Meeting Minutes

Date: Monday, August 26, 2013
Location: Council Chamber
City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given*, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann

Staff Present: City Manager, Ron Mattiussi*; Acting City Manager, Paul Macklem*; City Clerk, Stephen Fleming*; Deputy City Clerk, Karen Needham; Manager, Property Management, Ron Forbes*; Manager, Environment & Land Use, Todd Cashin*; Planner, James Moore*; Sustainability Coordinator, Michelle Kam*; Manager, Airport Finance & Administration, Noreen Redman*; Manager, Community & Neighbourhood Programs, Louise Roberts*; Manager, Parks & Public Places, Terry Barton*; Planner Specialist, Pat McCormick*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. Call to Order

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

Mayor Gray advised that Agenda Item No. 5.4 has been withdrawn by staff.

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

2. Confirmation of Minutes

Moved By: Councillor Singh/Seconded By: Councillor DeHart

R567/13/08/26 THAT the Minutes of the Regular PM Meeting of August 12, 2013 be confirmed as circulated.

Carried

3. Public in Attendance

3.1. Peter Robinson, Community Energy Association on behalf of FortisBC, re: Okanagan Energy Diet

Peter Robinson, Community Energy Association on behalf of FortisBC:

- Provided an overview of FortisBC's Okanagan Energy Diet Program and responded to questions from Council.

The meeting recessed at 1:49 p.m. The meeting reconvened at 2:00 p.m.

3.1.1. Okanagan Energy Diet

Staff:

- Provided an overview of the Okanagan Energy Diet and the request for Municipal Financial commitment.

Moved By: Councillor Stack/Seconded By: Councillor Singh

R568/13/08/26 THAT Council receives, for information, the report from the Sustainability Coordinator, dated August 6, 2013, with respect to the Okanagan Energy Diet hosted by FortisBC;

AND THAT Council supports the City of Kelowna's involvement in FortisBC's Okanagan Energy Diet Program;

AND FURTHER THAT the 2013 Financial Plan be amended to provide for the \$25,000 City contribution from the Energy Management Reserve.

Carried

4. Development Application Reports & Related Bylaws

4.1. Agricultural Land Reserve Appeal Application No. A13-0009 - 984 & 1010 DeHart Road, Alexander Rezansoff & Sherwood Mission Developments Ltd.

Staff:

- Distributed a hard copy of staff's presentation.
- Distributed a hard copy of the Applicant's presentation.
- Summarized the application before Council and responded to questions from Council.
- Advised that the Agrologist's Report confirms that the two (2) parcels of land involved in the proposed Agricultural Land Reserve land swap have different agricultural viability.
- Provided an overview of the Agricultural Advisory Committee's comments with respect to the application.

The City Manager left the meeting at 2:29 p.m. The Acting City Manager joined the meeting at 2:29 p.m.

Mayor Gray invited the Applicant, or the Applicant's Representative, to come forward.

Keith Funk, New Town Planning, Applicant's Representative

- Provided the history of the application and the surrounding properties.
- Provided the history of the transportation/traffic issues in the area.
- Provided an overview of the public consultation process undertaken by the Applicant team.
- Advised that the three (3) parcel consolidation was changed to a two (2) parcel consolidation due to estate planning complications.
- Provided an overview of the Agricultural Advisory Committee meeting and discussion.
- Would like to leave the decision up to the Agricultural Land Commission to decide whether or not this is a good land swap.
- Responded to questions from Council.
- Noted that the property owner would like to create single-family, detached units where the traffic circle is being proposed. Currently the property owner is not considering developing multi-family on the site.
- Advised that the single-family area being proposed will have approximately 70 single-family units.
- Further clarified the public consultation process/meeting that was undertaken by the Applicant team.

Staff:

- Responded to questions from Council.
- Confirmed that staff favours a traffic circle to other options for traffic flow and safety.

Moved by: Councillor Stack/Seconded by: Councillor Zimmermann

R569/13/08/26 THAT Agricultural Land Reserve appeal A13-0009 for an exclusion of land from the Agricultural Land Reserve for Lot 2, Section 31, Township 29, Osoyoos Division Yale District Plan KAP62654, located at 1010 DeHart Road pursuant to Section 30(1) of the Agricultural Land Commission Act; and for the inclusion into the Agricultural Land Reserve of part of Lot 1, Section 31, Township 29, Osoyoos Division Yale District Plan KAP62654, located at 984 DeHart Road, Kelowna, B.C., pursuant to Section 17(3) of the Agricultural Land Commission Act, NOT be supported by Municipal Council;

AND THAT Municipal Council forwards the subject application to the Agricultural Land Commission.

Carried

Mayor Gray and Councillors Basran, Blanleil and Given - Opposed.

4.2. Rezoning Application No. Z13-0028 - 3935 Lakeshore Road & adjacent Bed of Mission Creek, Braniff Real Estate Services & Ministry of Forests, Land & Natural Resource Operations

Staff:

- Provided an overview of the application and responded to questions from Council.
- Confirmed that the dyke adjacent to Mission Creek has been upgraded.
- Advised that both staff and the Applicant are aware of the flooding issues with respect to the subject property.

Moved by: Councillor Stack/Seconded by: Councillor Hobson

R570/13/08/26 THAT Rezoning Application No. Z13-0028 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A, Section 6, Township 26, ODYD, Plan 12477, Except Plan KAP92361, located on 3935 Lakeshore Road, Kelowna, BC, from the C1 - Local Commercial zone to the C3 -

Community Commercial zone, and from the C1 - Local Commercial Zone to the RU5 - Bareland Strata zone and to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of All that unsurveyed Crown foreshore being part of the bed of Mission Creek adjacent to Lot A, Section 6, Township 26, ODYD, Plan 12477, Except Plan KAP92361, containing 56.5 square metres, more or less, from the RU5 - Bareland Strata zone to the C3 - Community Commercial zone as shown on Map "B" attached to the Report of the Urban Planning Department dated August 13, 2013, be considered by Council;

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

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

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to registration of the proposed lot line adjustment on the eastern property line of the subject property;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the registration on title of an access easement in favour of the Province and the City for the purposes of dike maintenance.

Carried

4.2.1. Bylaw No. 10885 (Z13-0028) - 3935 Lakeshore Road & adjacent Bed of Mission Creek, Braniff Real Estate Services & Ministry of Forests, Land & Natural Resource Operations

Moved by: Councillor Given/Seconded by: Councillor Zimmermann

R571/13/08/26 THAT Bylaw No. 10885 be read a first time.

Carried

4.3. Official Community Plan Bylaw Amendment Application No. OCP07-0022 and Rezoning Application No. Z07-0073, Extension Request - 2728 Pandosy Street, Al Stober Construction Ltd.

Moved by: Councillor Zimmermann/Seconded by: Councillor Singh

R572/13/08/26 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Official Community Plan Amending Bylaw No. 10265 and Zone Amending Bylaw No. 10266, for Lot 1, D.L. 14, ODYD, Plan KAP91460 located on 2728 Pandosy St., Kelowna, BC, be extended from December 15, 2012 to December 15, 2013. AND THAT this is the final extension for this project.

Carried

4.4. Rezoning Application No. Z09-0035, Extension Request - 3130 Sexsmith Road, Matthew James Ewonus

Councillor Given declared a conflict of interest as the Applicant is her financial advisor and left the meeting at 3:42 p.m.

Moved by: Councillor Zimmermann/Seconded by: Councillor Singh

R573/13/08/26 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10436 (Z09-0035, for Lot 28 Section 3 Township 23 ODYD Plan 18861, located at 3130 Sexsmith Road, Kelowna, BC, be extended from May 16, 2013 to November 16, 2013.

Carried

4.5. Rezoning Application No. Z10-0092, Extension Request - 3150 Sexsmith Road, Kimberly & John Berg

Councillor Given rejoined the meeting at 3:44 p.m.

Moved by: Councillor Zimmermann/Seconded by: Councillor Singh

R574/13/08/26 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10443 (Z10-0092, for Lot 27, Section 3, Township 23, ODYD Plan 18861, located at 3150 Sexsmith Road, Kelowna, BC, be extended from May 16, 2013 to November 16, 2013.

Carried

4.6. Rezoning Application No. Z10-0093, Extension Request - 3170 Sexsmith Road, Shanny & Marlin James Toews

Moved by: Councillor Zimmermann/Seconded by: Councillor Singh

R575/13/08/26 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10445 (Z10-0093, for Lot 26, Section 3, Township 23, ODYD Plan 18861, located at 3170 Sexsmith Road, Kelowna, BC, be extended from May 16, 2013 to November 16, 2013.

Carried

4.7. Rezoning Application No. Z12-0036, Extension Request - 354 Christleton Avenue, Dennis William Hector McGuire

Moved by: Councillor Zimmermann/Seconded by: Councillor Singh

R576/13/08/26 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10731, for Lot 8, D.L. 14, ODYD, Plan 3451 located on 354 Christleton Avenue, Kelowna, BC, be extended from August 7, 2013 to August 7, 2014.

Carried

5. Non-Development Reports & Related Bylaws

5.1. Amendment to Airport Fees and Charges Bylaw No. 7982

Staff:

- Provided an overview of the proposed amendments to the Airport Fees and Charges Bylaw No. 7982.
- Noted that Page 2 of the Bylaw has been amended due to a clerical error.

Moved by: Councillor Given/Seconded by: Councillor Hobson

R577/13/08/26 THAT Council receives for information the report of the Airport Finance & Administration Manager dated August 7, 2013 outlining recommended changes to the fees in the Airport Fees Bylaw;

AND THAT Bylaw No. 10884 being Amendment No. 27 to the City of Kelowna Airport Fees Bylaw 7982 be advanced for reading consideration.

Carried

5.1.1. Bylaw No. 10884 - Amendment No. 27 to Airport Fees Bylaw No. 7982

Moved by: Councillor Singh/Seconded by: Councillor Basran

R578/13/08/26 THAT Bylaw No. 10884 be read a first, second and third time.

Carried

5.2. Senior Societies Service Delivery Agreement

Staff:

- Provided an overview of the Senior Societies Service Delivery Agreements.

Moved by: Councillor Zimmermann/Seconded by: Councillor Basran

R579/13/08/26 THAT Council receives, for information, the Report from the Community & Neighbourhood Programs Manager dated August 21, 2013, regarding the Senior Societies Service Delivery Agreements;

AND THAT Council endorses the Service Delivery Agreements between the City of Kelowna and the Rutland Senior Centre Society and the Okanagan Mission Senior Centre Society as attached to the Report of the Community & Neighbourhood Programs Manager dated August 21, 2013;

AND FURTHER THAT the Divisional Director of Active Living and Culture be authorized to execute the Service Delivery Agreements with the Rutland Senior Centre Society and the Okanagan Mission Senior Centre Society on behalf of the City of Kelowna.

Carried

5.3. Draft City Park Concept Plan

Staff:

- Provided an overview of the planning process and summarized the public consultation process undertaken by staff.
- The open house was held on June 27, 2013.

- Staff is recommending that staff work with Tourism Kelowna to downsize the size of the structure and to mitigate any community concerns that have been raised.
- Responded to questions from Council.
- Distributed a hard copy of the proposed new layout for the City Park Concept Plan and provided an overview of the handout.

Moved by: Councillor Blanleil/Seconded by: Councillor Hobson

R580/13/08/26 THAT Council receives for information, the report from the Planner Specialist, Urban Design regarding community response to a draft concept design for City Park;

AND THAT Council directs staff to continue to work with Tourism Kelowna to address public concerns regarding the Pavilion as proposed in the attached Draft Concept Plan, by exploring ways to reduce the size of the building as well as its associated impacts;

AND THAT staff report back to Council regarding the outcome of the above exercise and to receive further direction regarding next steps.

Carried

5.4. Lease to Okanagan Symphony

This Agenda Item was withdrawn by staff.

5.5. Kelowna Youth and Family Services 2013 Lease

Staff:

- Provided an overview of the lease terms.

Moved by: Councillor Zimmermann/Seconded by: Councillor Basran

R581/13/08/26 THAT Council approves the City entering into a five (5) year Lease Modification Agreement, with Terra Landscaping and Bobcat Services Ltd. with the option to renew for an additional five (5) year term, in the form attached to the Report of the Manager, Property Management, dated August 20, 2013;

AND THAT the Mayor and City Clerk be authorized to execute the agreement.

Carried

6. Mayor and Councillor Items

6.1. Councillor Basran, re: Notice of Motion - Parking Restrictions in the Downtown Core

Councillor Basran put Council on notice that he intends to bring forward a motion to remove the parking restrictions between 3:00 am - 6:00 am in the downtown core, for a one (1) year trial period, starting January 1, 2014. Following the trial period, staff can report on their findings and recommend whether or not it should continue.

6.2. Councillor Hobson, re: Strata Complex Safety Concerns

Moved by: Councillor Hobson/Seconded by: Councillor Basran

R582/13/08/26 THAT staff report back to Council with respect to options related to balcony fire prevention.

Carried

6.3. Mayor Items

Mayor Gray thanked the Salvation Army, and in particular, the Emergency Disaster Services Team, for their support and assistance to the community during the recent condominium fires.

7. Termination

This meeting was declared terminated at 4:55 p.m.

Mayor

Deputy City Clerk

/slh

DRAFT

REPORT TO COUNCIL



Date: August 30th, 2013
RIM No. 0940-50
To: City Manager
From: Urban Planning, Community Planning & Real Estate (AW)
Application: DP13-0052 (Revised) **Owner:** Victor Projects Ltd., Inc. No. 593426
Address: 2280 Baron Road **Applicant:** Mallen Gowing Berzins Architecture Inc.
Subject: DP13-0052_Council Amendment
Existing OCP Designation: Mixed Use (Residential / Commercial)
Existing Zone: C4 - Urban Centre Commercial

1.0 Recommendation

THAT Council authorize the issuance of Development Permit No. DP13-0052 for Lot 6, D.L. 126, ODYD, Plan KAP59534, located at 2280 Baron Road, Kelowna B.C., subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general 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 professional landscaper;

AND THAT the applicant be required to complete the above-noted condition No. 4 within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

2.0 Purpose

To consider a Development Permit for the form and character of three new buildings at the existing Superstore site.

3.0 Urban Planning

The subject property is located within the Midtown Urban Centre on a large commercial property currently occupied by the Superstore. The property is designated Mixed Use - Residential / Commercial with the vision that redevelopment efforts would help to further urbanize and add a

mix of commercial and residential units to the urban centre. Staff recognize that this is an infill project that was always anticipated for development and that the existing conditions are not conducive to a completely urban form of development.

Staff have continued to work with the applicant in an attempt to orient the new buildings to face both Underhill Street and Baron Road. While Staff would still prefer a more dense pedestrian oriented form of development, the applicant has made improvements to the project that will help to improve the streetscape. The proposed Keg (Building 3) is a unique response and will help to animate the Underhill / Hwy 97 intersection. Buildings 1 & 2 have been improved to include additional glazing and articulation. The Baron / Underhill intersection has been enhanced with the highest level of building and streetscape detailing. Although there are still no building entrances at this location, a storefront has been added to the Building 1 which will bring more pedestrian activity to Baron Road. The quality of streetscaping has been greatly improved with new pedestrian plazas, sitting opportunities and a design theme that will help to brand and connect the various buildings. Additional landscaping and trees will also be added to the existing Superstore parking lot which will help break up the large surface parking lot.

In summary, infill on this site is a positive addition to this urban centre location and the applicant has made improvements to the pedestrian linkages and landscaping around Buildings 1 & 2. The applicant has also made improvements that will help to further animate the street and create more of a destination shopping experience. The existing large format retail condition presents challenges for an urban form of development. The appropriate redevelopment of this property is an important objective and will establish precedence for how key sites such as this will infill. While Staff would prefer to see the subject property redeveloped more intensively, the applicant has improved the overall form and character of the project, which will benefit the Midtown Urban Centre.

4.0 Proposal

4.1 Project Description

The project features three different buildings being added to undeveloped portions of the Superstore site. One building will occupy the northwest corner closest to Highway 97 and Underhill Road, the other two buildings will occupy the S/W corner at Baron & Underhill. Site access points will be maintained with the Underhill access near the gas station and the Baron access will be maintained between Buildings 1 & 2. The new buildings are all single storey structures with slightly undulated rooflines to help break up the long frontages. The elevations and materials were designed to relate back to the existing Superstore with a modernist and industrial expression clad in corrugated metal in primary colours mixed with grey. Buildings 1 & 2 feature grey brick, coloured metal panels, coloured stucco and some exposed concrete. They have been improved with additional plaza areas and glazing has been added to the prominent building ends. Building 3 consists of polished stucco, metal panel and exposed concrete largely in grey and charcoal colours. Building 3 will have been well design and features a patio surrounded by a decorative fence of copper aluminium fins. Drought tolerant trees, shrubs and ornamental grasses have been selected and existing plant materials will be retained, where feasible, to minimize the impact of new development. A 3.0m landscape buffer will be provided around the perimeter of the property. Each retail unit will have signage oriented towards the parking lot with street oriented signage on the building corners. A Development Variance Permit for parking was approved by Council at the July 30th Regular Council meeting. As a result, 231 stalls are proposed where a maximum of 100 stalls are permitted. The applicant has indicated that the

bike parking requirements have been satisfied but the exact location of these needs to be confirmed.

The project compares to Zoning Bylaw No. 8000 as follows:

| Zoning Analysis Table | | |
|--|---|---|
| CRITERIA | C4 ZONE REQUIREMENTS | PROPOSAL |
| Development Regulations | | |
| Floor Area Ratio | 1.0 | 0.3 |
| Height | 15.0m / 4 Storeys | 8.9m / 1 Storey |
| Front Yard | 0.0m | 3.0m |
| Side Yard (south) | 0.0m | 3.0m |
| Side Yard (north) | 0.0m | 3.0m |
| Rear Yard | 0.0m | 3.0m |
| Site Coverage | 75% | 30% |
| Other Regulations | | |
| Minimum Parking Requirements (New Buildings Only) | 80 Stalls 80 x 125% = 100 permitted | 231 stalls ¹ |
| Bicycle Parking | Class I: 10 spaces Class II: 24 spaces | Class I: 10 spaces Class II: 24 spaces |
| Loading Space | 3 stalls | 3 stalls |
| ¹ Variance from 100 stalls permitted to 231 proposed approved by Council at July 30 th Regular Council Meeting | | |

4.2 Site Context

Subject Property Map:



City of Kelowna - Accuracy and correctness not guaranteed.

The subject property is located in the Midtown Urban Centre and is home to the existing Superstore. Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|--|---------------------------|
| North | C4 - Urban Centre Commercial | Commercial |
| East | A1 - Agriculture 1 | Vacant |
| South | C4 - Urban Centre Commercial | Vacant |
| West | RM5 - Medium Density Multiple Housing C3 & C4 | Residential Commercial |

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

5.1.1 Development Process (Chapter 5) - Considerations in Reviewing Development Applications

Objective 5.8 Achieve high quality urban design.

Streetscaping (Policy 2). Urban Centre roads should be considered as part of the public space and streetscaped with full amenities (i.e. sidewalks, trees and other planting, furniture, bike facilities, boulevards, etc.).

Ensure opportunities are available for greater use of active transportation and transit to: improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices (Objective 5.10)

Maximize Pedestrian / Cycling Connectivity. Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes.

5.2.1 Urban Design Development Permit Areas (Chapter 14) - Revitalization Design Guidelines

Objectives

- Use appropriate architectural features and detailing of buildings and landscapes to define area character;
- Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;
- Enhance the urban centre's main street character in a manner consistent with the area's character;
- Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;
- Encourage an appropriate mix of uses and housing types and sizes;
- Design and facilitate beautiful public open spaces that encourage year-round enjoyment;
- Create open, architecturally-pleasing and accessible building facades to the street; and
- Improve existing streets and sidewalks to promote alternative transportation.

Guidelines

Relationship to the Street (Objective 2.0)

- Ensure streetwall height is proportional (0.75:1 maximum) to the width of the street as measured from building face to building face. Any development that exceeds this height must utilize a podium and step back above the streetwall;
- Provide for public movement, street furniture, and building access zones to be incorporated into sidewalks adjacent to development;
- Design buildings to occupy 100% of a property's frontage along streets, eliminating elements that disrupt the streetwall such as off-street parking, dead spaces, empty lots, or driveways;
- Coordinate building setbacks with adjacent sidewalks to increase the space for public use (i.e., utilize a building setback or building indentation as a patio space or seating area, incorporate corner rounding into the public realm with specialized paving treatment and street furniture);
- Provide a high quality public realm consistent with the character of urban development (i.e. incorporate focal points/plazas, pedestrian pathways, parks and open space, enhanced streetscapes, and landscaping).

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 Permit(s) for new construction
- Size and location of all signage to be clearly defined as part of the development permit
- Full Plan check for Building Code related issues will be done at time of Building Permit applications

6.2 Development Engineering Department

DP

- The proposed building does not compromise any Municipal Infrastructure or services.
- All the services to the proposed building are to be extended from the on-site mains. No additional services to the property will be permitted for this development.

6.3 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. The Subdivision Bylaw requires a minimum of 150ltr/sec flow. The main access road to the front entrance Super Store has been changed with the addition of the new building 1. The fire route to the Super Store requires 6M clear access and the corners are to be a 12M center line radius as per 3.2.5.6 of the BCBC. Additional comments will be required at the Building permit application.

7.0 Application Chronology

Date of Application Received: June 12th, 2013
DVP application approved: July 30th, 2013 Regular Council Meeting

Report prepared by:

Alec Warrender, Land Use Planner

Reviewed by:

Danielle Noble-Brandt, Manager, Urban Land Use

Approved for Inclusion

Doug Gilchrist, GM, Community Planning & Real Estate

Attachments:

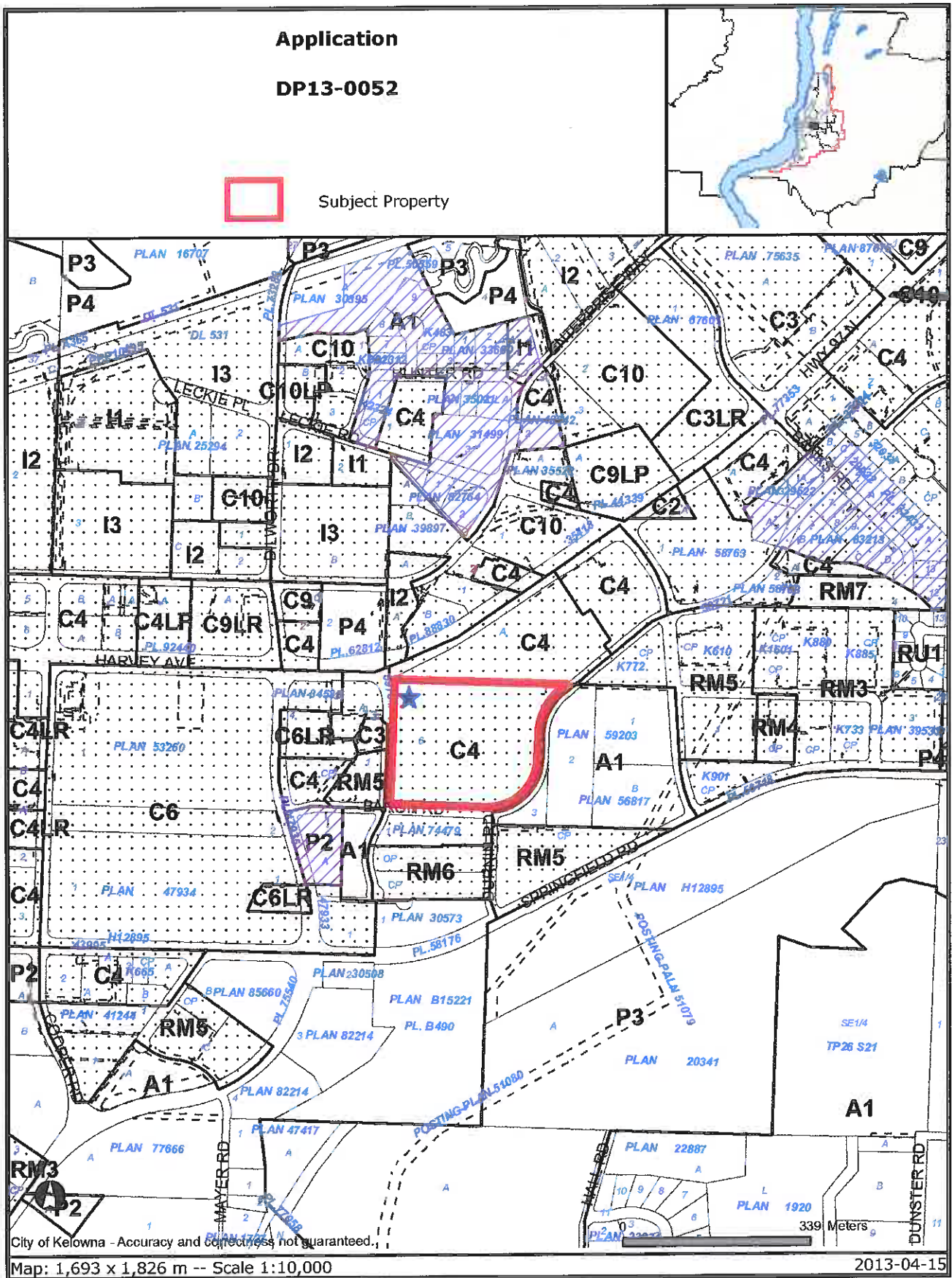
Subject Property Map

Site Plan

Elevations & Renderings

Landscape Plan

Applicant's Summary of Revisions



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.



GENERAL SITE INFORMATION

City Address: 7280 Baron Road, Midvale, Park County, Colorado
Legal Description: Lot 6 Plan 39754 (CD-02-075-53)
Current Zoning: C-1 Urban Center Commercial
Parcel Size: 48,999 sqm
Parcel Area: 613,065 sq.ft.

SITE ANALYSIS

Lot Area: 62.0 ac
Lot Area: 2,602 sqm
Proposed 5.1a Change: 305
3. Lot 1: 1,167 sqm
3. Lot 2: 2,692 sqm
3. Lot 3: 740 sqm
3. Lot 4: 4,597 sqm
3. Lot 5: 13,202 sqm
3. Lot 6: 17,882 sqm

PARKING REQUIREMENTS

ASFA REQUIRED: 189,446 sq.ft.
PROPOSED: 189,446 sq.ft.

RECYCLE PARKING REQUIREMENTS

ASFA CLASS 1: 1,312
CLASS 2: 228 sqm
CLASS 3: 228 sqm

RECYCLE PARKING REQUIREMENTS

AREA CLASS 1: 1,143 sqm
CLASS 2: 2,242 sqm
CLASS 3: 254 sqm

RECYCLE PARKING REQUIREMENTS

CLASS 1: 3 spaces
CLASS 2: 5 spaces
CLASS 3: 15 spaces

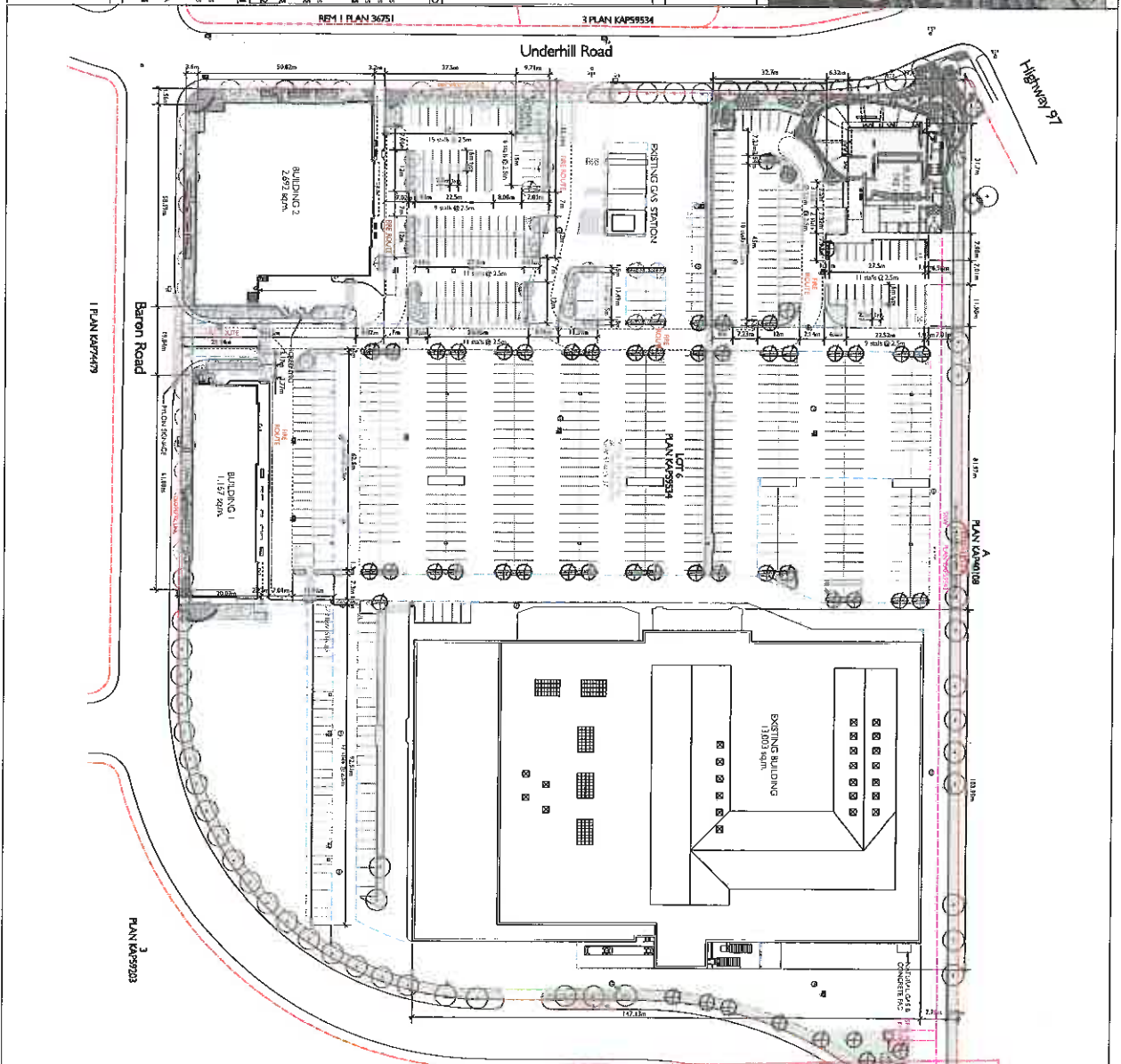
RECYCLE PARKING REQUIREMENTS

CLASS 1: 8 spaces
CLASS 2: 15 spaces
CLASS 3: N/A

RECYCLE PARKING REQUIREMENTS

CLASS 1: 26 spaces
CLASS 2: 26 spaces
CLASS 3: 26 spaces

Legend: NEW BUILDING CONSTRUCTION TO REMAIN, EXISTING TO REMAIN, LANDSCAPING, PROPERTY LINES, RIGHT OF WAY, LANDSCAPE STRIP



SCHEDULE A
This forms part of development
Permit # **DPB-0052 (Amendment)**



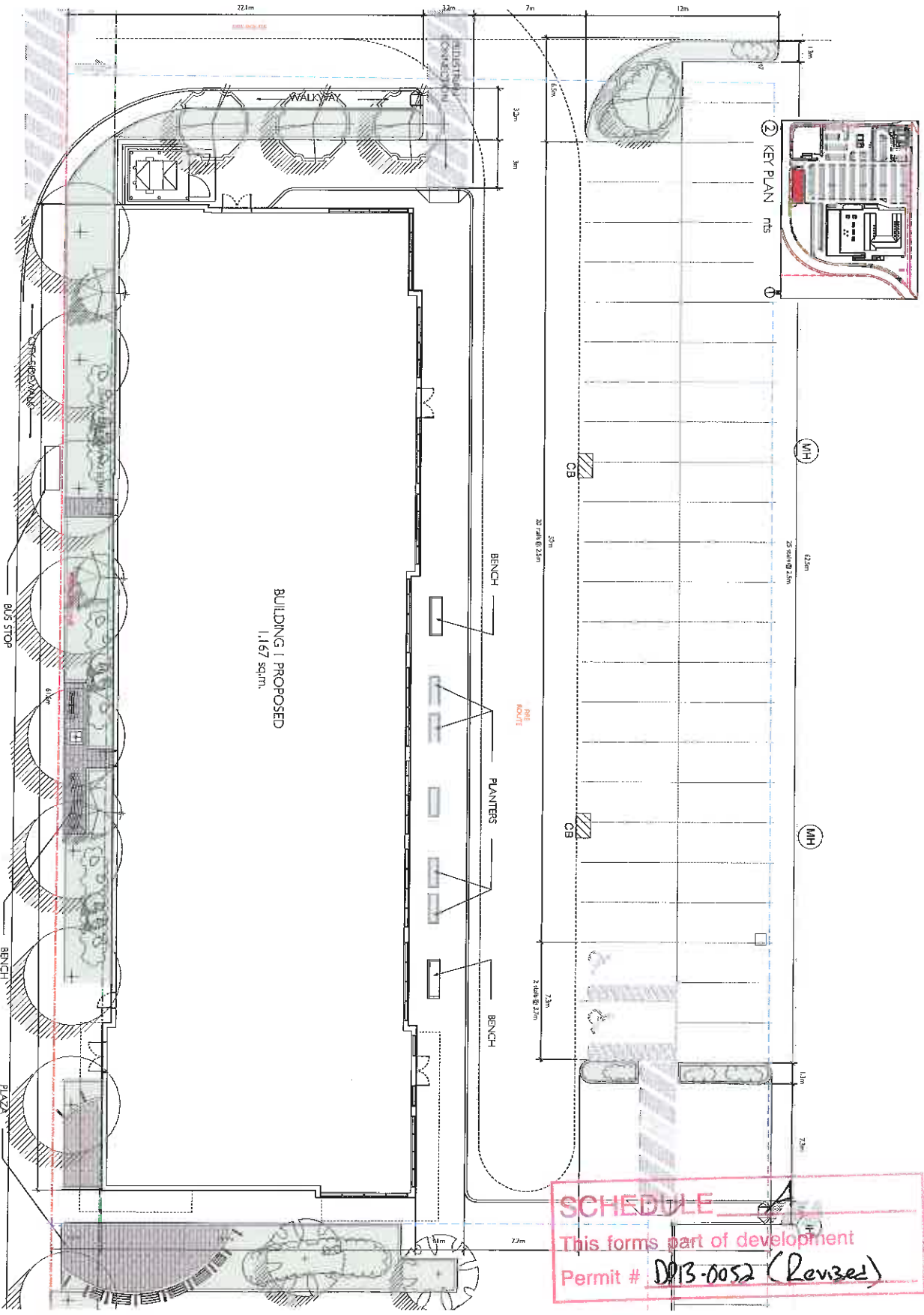
TABLE 1: SITE PLAN

| NO. | DESCRIPTION | DATE |
|-----|-------------|------------|
| 1 | DESIGN | APRIL 2017 |
| 2 | REVISION | APRIL 2017 |
| 3 | REVISION | APRIL 2017 |

KELOMAN DEVELOPMENT
7280 Baron Road
Midvale, CO

MALLEN GOWIN BERZINS ARCHITECTURAL INCORPORATED
1500 29th St, West, Boulder, CO

① BUILDING 1 - ENLARGED PLAN 1:100



BUILDING 1 PROPOSED
1,167 sqm

SCHEDULE
This forms part of development
Permit # DP13-0052 (Revised)

| | | | | |
|---|----------|----------------|----|----|
| 1 | 04/20/13 | Quarter Review | DA | CC |
| 1 | 04/24/13 | Quarter Review | DA | CC |
| 1 | 04/22/13 | Quarter Review | DA | CC |
| 1 | 04/22/13 | Quarter Review | DA | CC |

Project: **KELOWNA DEVELOPMENT**
1400 Glenora Road Kelowna, BC

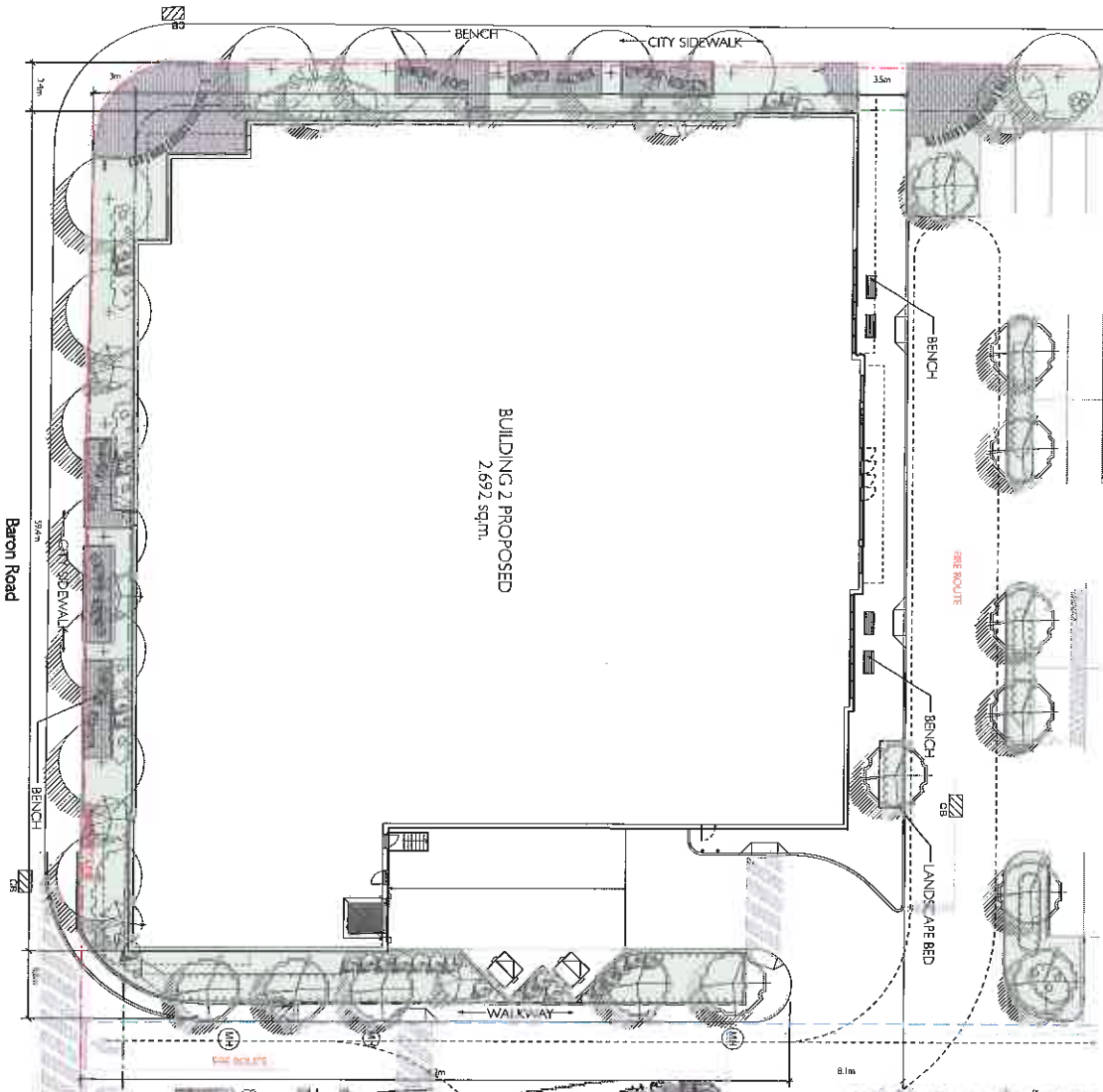
Project: **BUILDING 1 ENLARGED PLAN**

Project No: **DP-02**

Page: **2**

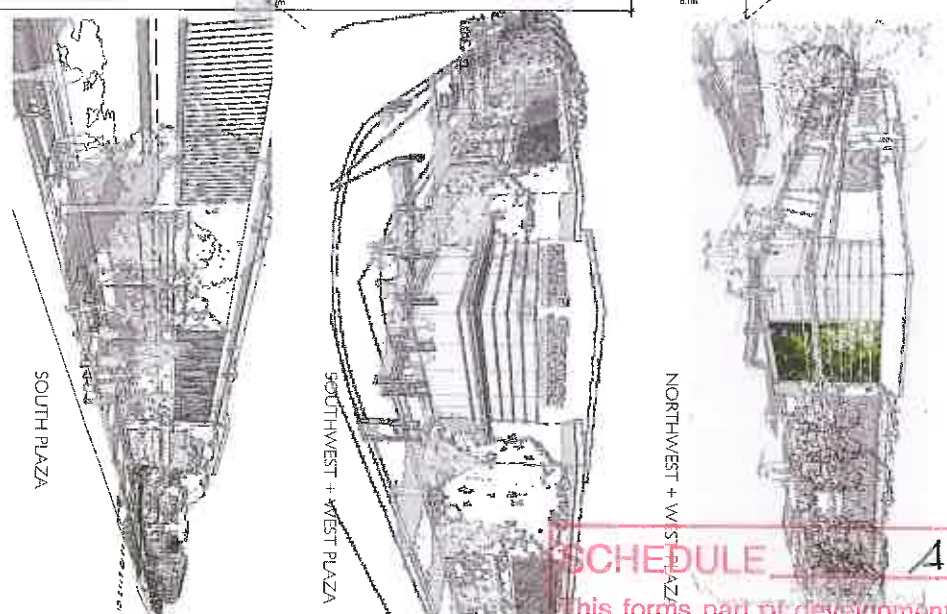
Underhill Road

① BUILDING 2 - ENLARGED PLAN 1:150



BUILDING 2 PROPOSED
2,692 sq.m.

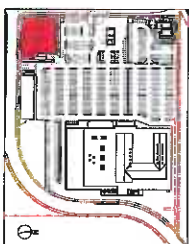
Baron Road



NORTHWEST + WEST PLAZA

SOUTHWEST + WEST PLAZA

SOUTH PLAZA



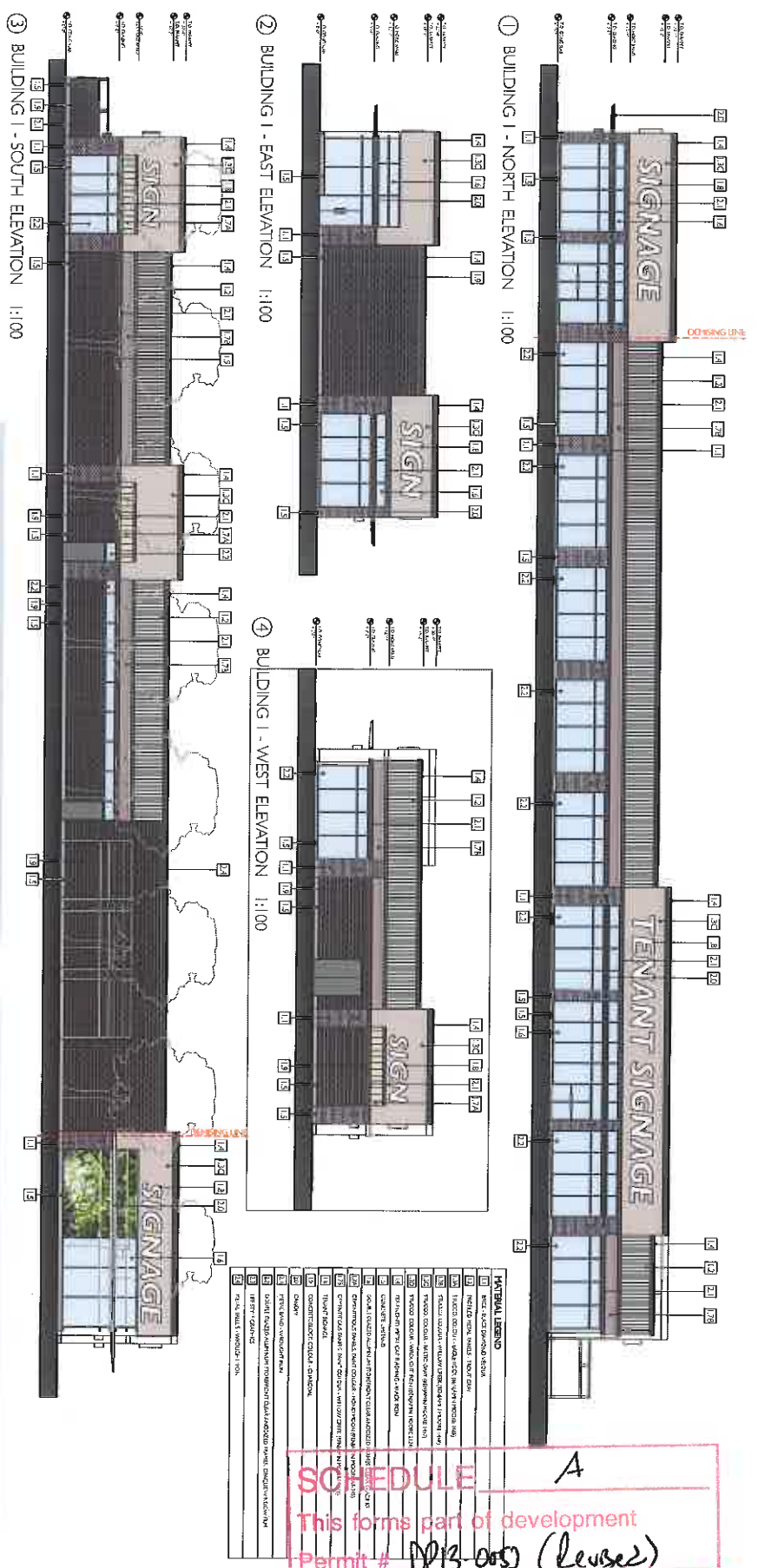
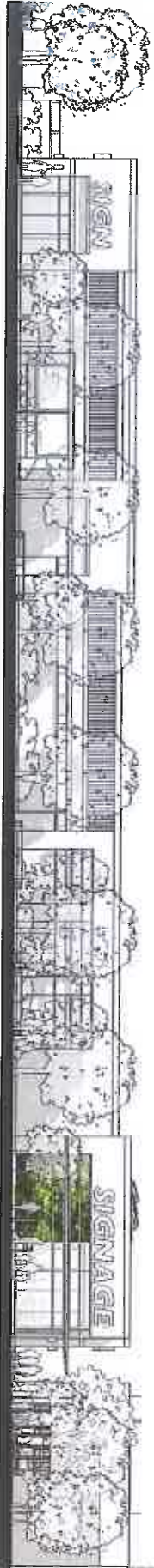
SCHEDULE 4
 This forms part of development
 Permit # **DPB-0052 (Revised)**

| | |
|-----------------|-----------------------------------|
| PROJECT # | 12038 |
| DATE | 14/01/2011 |
| SCALE | 1:150 |
| PROJECT NAME | BUILDING 2 ENLARGED PLAN |
| PROJECT ADDRESS | 2280 Baron Road, Kilmorynne, D.C. |
| CLIENT | KELOWNA DEVELOPMENT |
| DATE | 14/01/2011 |
| PROJECT # | DP-03 |
| DATE | 14/01/2011 |
| SCALE | 1:150 |
| PROJECT NAME | BUILDING 2 ENLARGED PLAN |
| PROJECT ADDRESS | 2280 Baron Road, Kilmorynne, D.C. |
| CLIENT | KELOWNA DEVELOPMENT |
| DATE | 14/01/2011 |

| | | | |
|-----|-------------------|------------|----|
| NO. | DESCRIPTION | DATE | BY |
| 1 | ISSUED FOR PERMIT | 14/01/2011 | MB |
| 2 | REVISION | | |
| 3 | REVISION | | |
| 4 | REVISION | | |

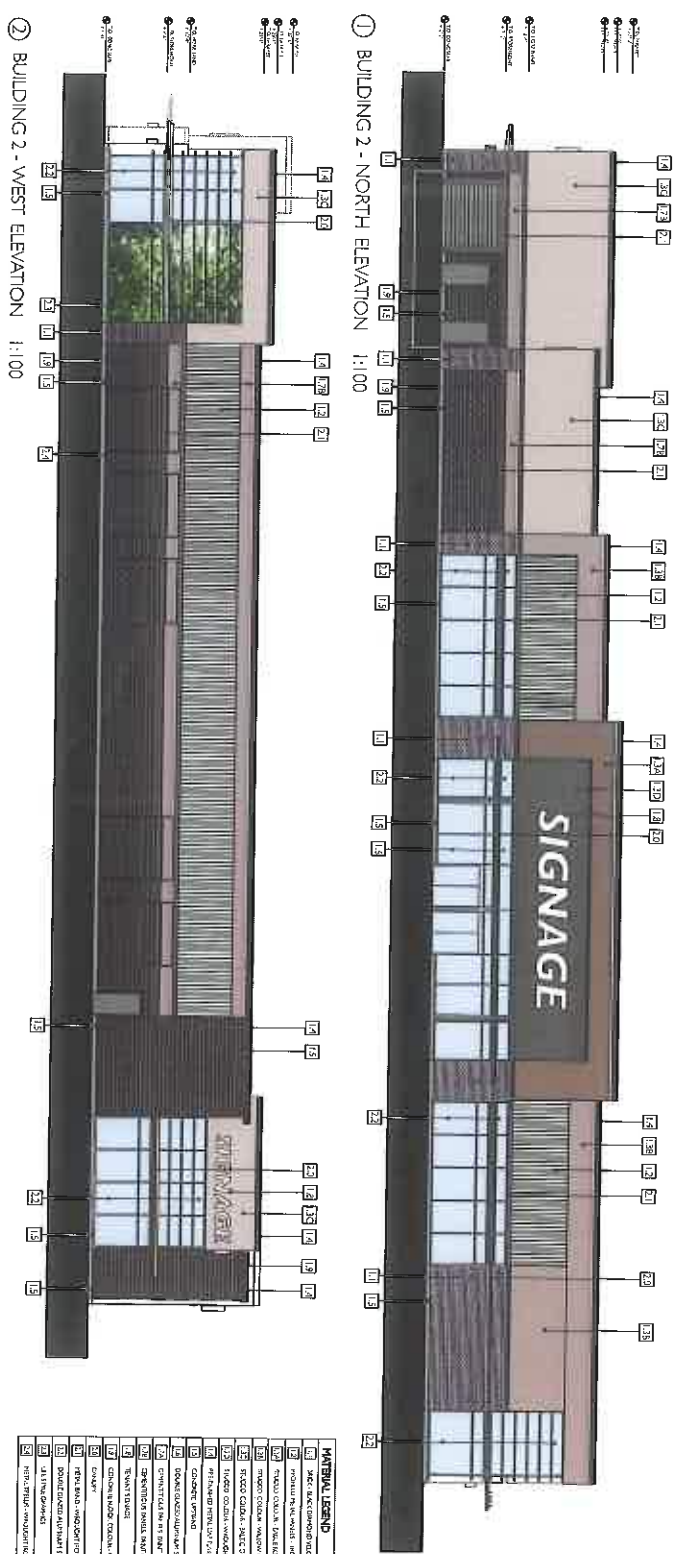
MALLEN COWI & BERZINS
 ARCHITECTURE INCORPORATED
 70-061 W. Condon Street, Wakefield, MA 01880

⑤ VIEW - BARON ROAD



SCHEDULE A
 This forms part of development
 Permit # DP13-005 (Revised)

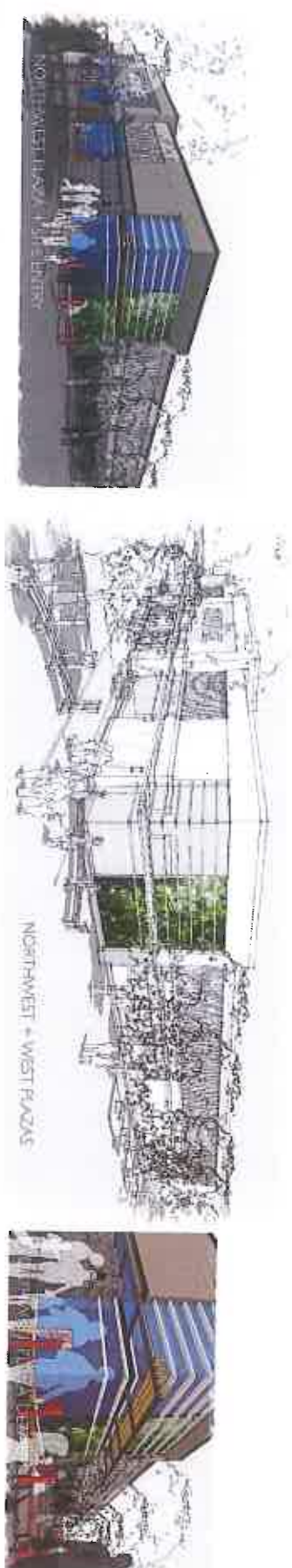
| | |
|-------------|---|
| PROJECT | KELOWNA DEVELOPMENT 2287 Baron Road Kelowna, BC |
| DATE | August 28, 2013 |
| SCALE | AS SHOWN |
| PROJECT NO. | DP-04 |
| DATE | 2013 |
| PROJECT NO. | DP-04 |
| DATE | 2013 |
| PROJECT NO. | DP-04 |
| DATE | 2013 |



MATERIAL LEGEND

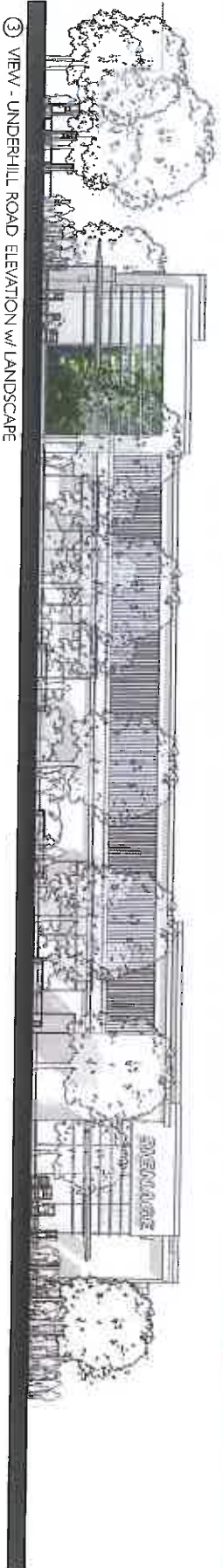
| | |
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| 1 | BRICK |
| 2 | STONE |
| 3 | GLASS |
| 4 | WOOD |
| 5 | ROOFING |
| 6 | LANDSCAPE |
| 7 | PAVING |
| 8 | SCREENING |
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| 33 | SCREENING |

SCHEDULE A
 This forms part of development
 Permit # DPB-C052 (Revised)



MATERIAL LEGEND

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| 1 | BRICK |
| 2 | STONE |
| 3 | GLASS |
| 4 | WOOD |
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MATERIAL LEGEND

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| 1 | BRICK |
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| 3 | GLASS |
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| 5 | ROOFING |
| 6 | LANDSCAPE |
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| 33 | SCREENING |

PROJECT
 KELOWNA DEVELOPMENT
 2280 Barton Road
 Kelowna, BC

DATE
 August 26, 2013

PROJECT NO.
 DP-05

SCALE
 1:100

PROJECT
 BUILDING 2 ELEVATIONS

- 1. 2x4 STUDS
- 2. 1/2" GYPSUM BOARD
- 3. 1/2" GYPSUM BOARD
- 4. 1/2" GYPSUM BOARD
- 5. 1/2" GYPSUM BOARD
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- 97. 1/2" GYPSUM BOARD
- 98. 1/2" GYPSUM BOARD
- 99. 1/2" GYPSUM BOARD
- 100. 1/2" GYPSUM BOARD

1 BUILDING 2 - SOUTH ELEVATION 1:100

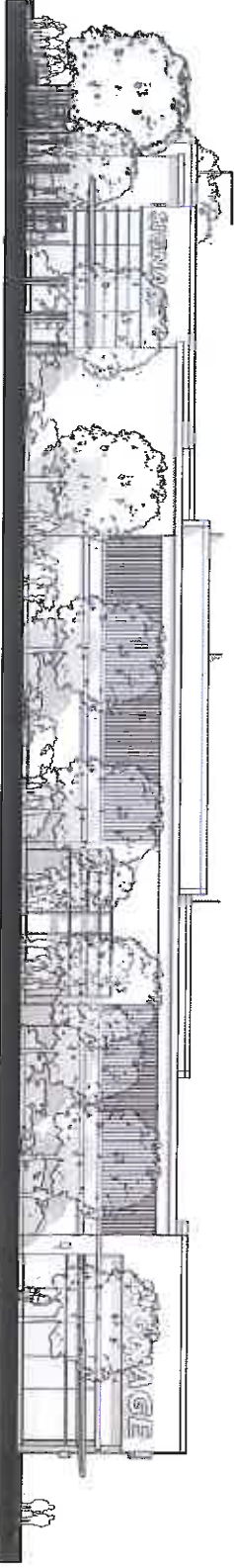


SCHEDULE A
 This forms part of development
 Permit # DPB-0052 (Revised)

2 BUILDING 2 - EAST ELEVATION 1:100



3 VIEW - BARON ROAD w/ LANDSCAPE



MALLEN GOWING BERZINS
 ARCHITECTURE INCORPORATED
 Suite 1700 • 611 W. Congress Street, York, SC 29732 • 803.782.2222 • www.mgberzins.com

KEYLONA DEVELOPMENT
 Kershaw, SC

BUILDING 2 ELEVATIONS

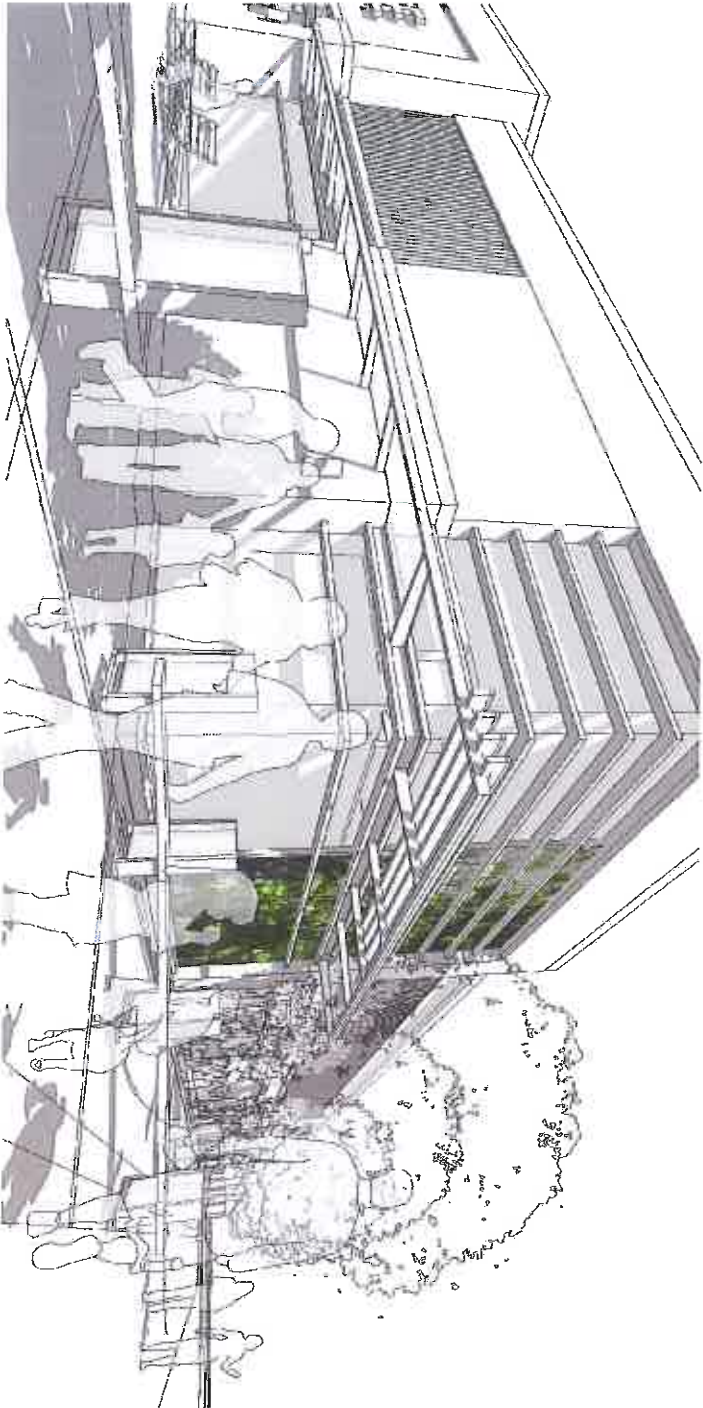
Project: DP-06
 Date: August 28, 2013
 Scale: AS NOTED

11

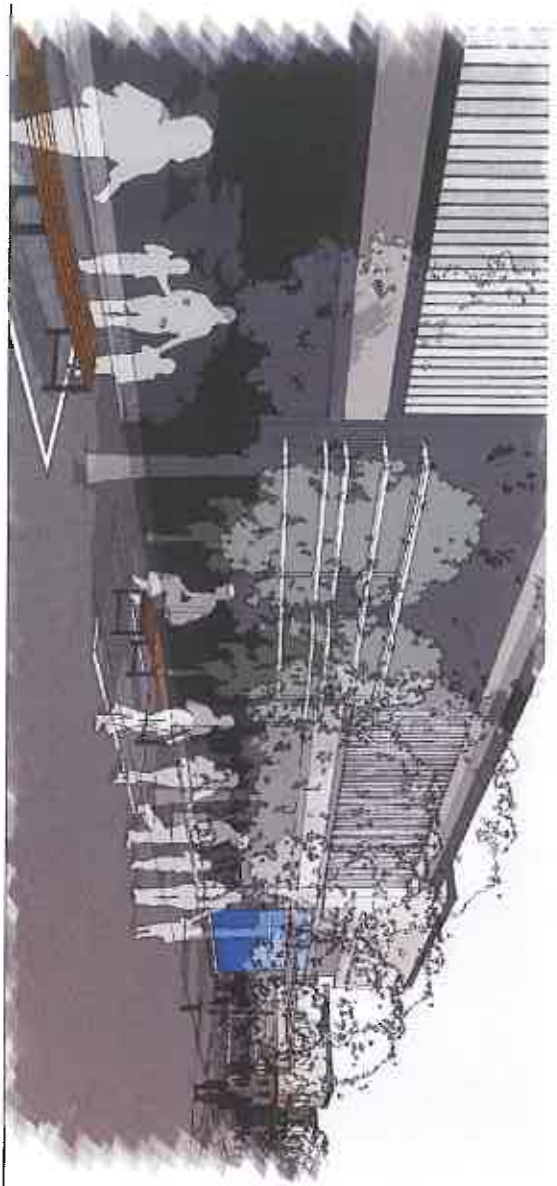


Building 2 - Entry Plaza

SCHEDULE B
 This forms part of development
 Permit # DP13-0052 (reverse)

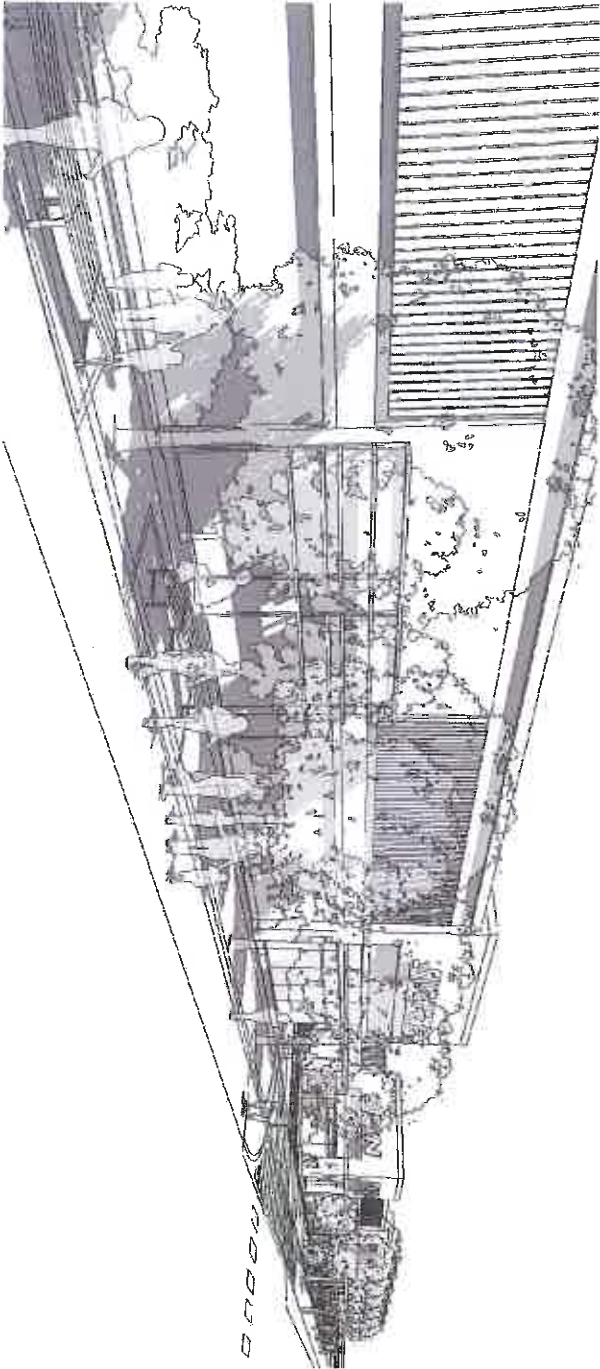


| | | |
|----------------|---|---------------|
| NO. DATE | DESCRIPTION | BY |
| | | |
| PROJECT | KEDOMNA DEVELOPMENT 2880 Burnham Road Kelowna, B.C. | |
| PROJECT TITLE | SCHEMATIC ELEVATIONS | |
| PROJECT NUMBER | DATE | SCALE |
| 18058 | 04.11.2013 | 3/32" = 1'-0" |
| PROJECT | DP-21 | |



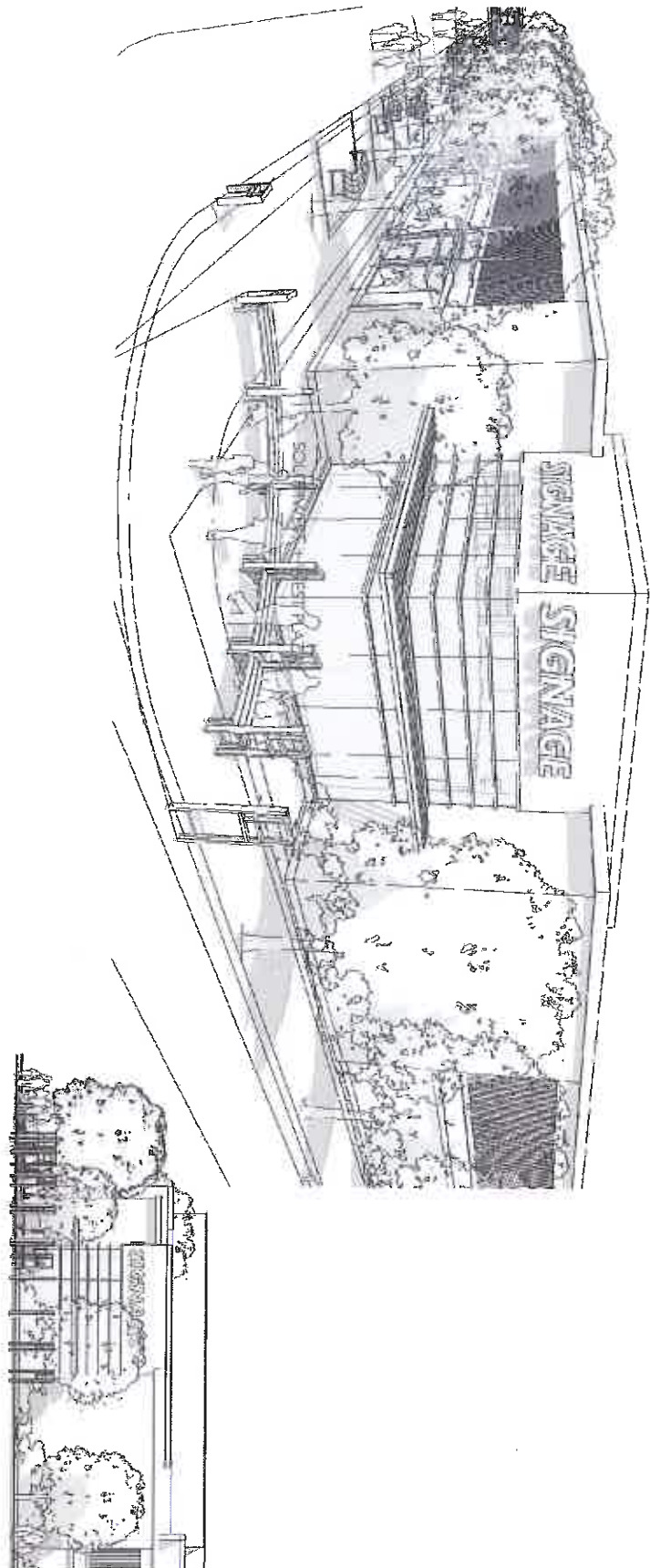
Building 2 - Centre Plaza

SCHEDULE B
 This forms part of development
 Permit # DP13-0052 (Reuse)



| | | | |
|-----------|--------------|--------------|---------|
| PROJECT # | DATE | SCALE | PROJECT |
| 12058 | APR 21, 2013 | 3/8" = 1'-0" | |
| DATE | BY | SCALE | PROJECT |
| DP-22 | | | |

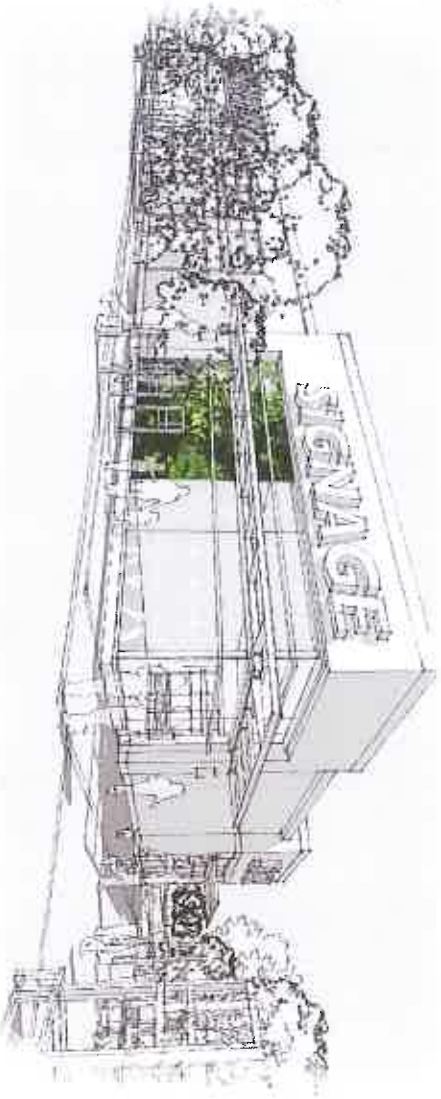
KEIDYMA DEVELOPMENT
 2280 Burn Road
 Kelowna, BC



Building 2 - Corner Plaza

SCHEDULE B
 This forms part of development
 Permit # DP13-0052 (Revise)

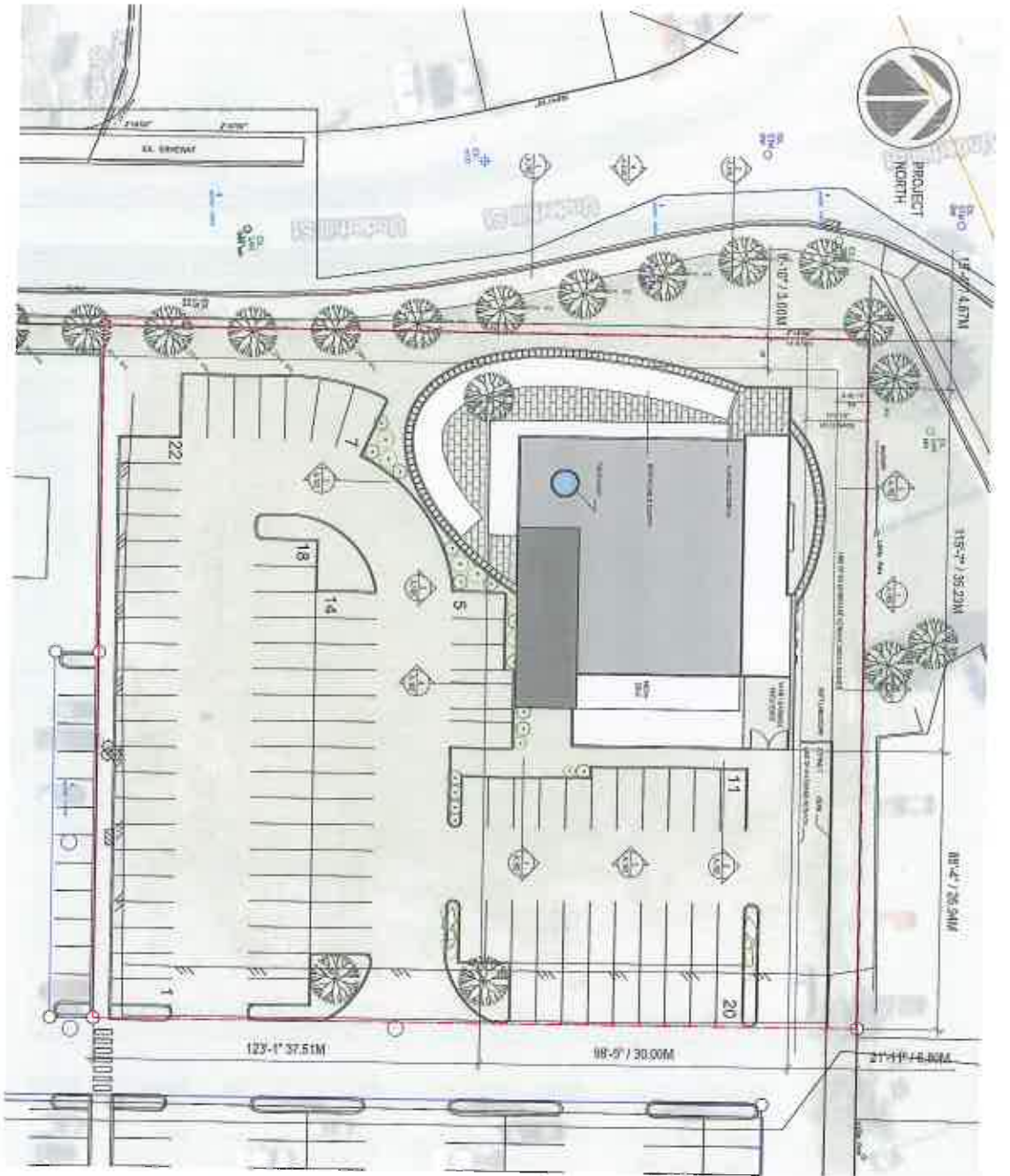
| | |
|--|--|
| PROJECT: KEDOMINA DEVELOPMENT | |
| 3880 Barton Road Kilwinia, B.C. | |
| ARCHITECT: MALLEN GOWING BERZINS ARCHITECTURE INCORPORATED | |
| 1500 - 170 - 01 W Cordova Drive, Vancouver, B.C. V6C 1H4 604.271.4111 info@mgberzins.com www.mgberzins.com | |
| NO.: | |
| DATE: | |
| DESCRIPTION: | |
| DESIGNED BY: | |
| DRAWN BY: | |
| CHECKED BY: | |
| APPROVED BY: | |
| PROJECT # A-12345 DATE JUN 11, 2013 SCALE 3/8" = 1'-0" PERMIT # DP-23 | |



Building 1 - East Plaza

SCHEDULE B
 This forms part of development
 Permit # DP13-0052 (revised)

| | | | |
|---|--------------|--------|--------------|
| NO. DATE | DESCRIPTION | BY | CHKD. |
| | | | |
| <p>THIS DOCUMENT IS THE PROPERTY OF MALLEN COWI NG BERZINS ARCHITECTURE INCORPORATED. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF MALLEN COWI NG BERZINS ARCHITECTURE INCORPORATED.</p> | | | |
| <p>PROJECT: KELOWNA DEVELOPMENT 4320 Burr Road Kelowna, BC</p> | | | |
| <p>SCALE: SCHEMATIC ELEVATIONS</p> | | | |
| DATE: | JUL 15, 2013 | | |
| PROJECT NO.: | 130258 | SCALE: | 5/8" = 1'-0" |
| CONTRACT NO.: | DP-24 | | |
| | | | |



1
001 SITE LAYOUT / ROOF PLAN
1/16" = 1'-0"

CHRISTOPHER BOZYK ARCHITECTS LTD
 101-111 KENNEDY ROAD, SUITE 101, MARKHAM, ONTARIO L3R 9W7
 PHONE: (905) 947-8888 FAX: (905) 947-8889

SCHEDULE A
 This forms part of development
 Permit # DP13-0052 (Revised)

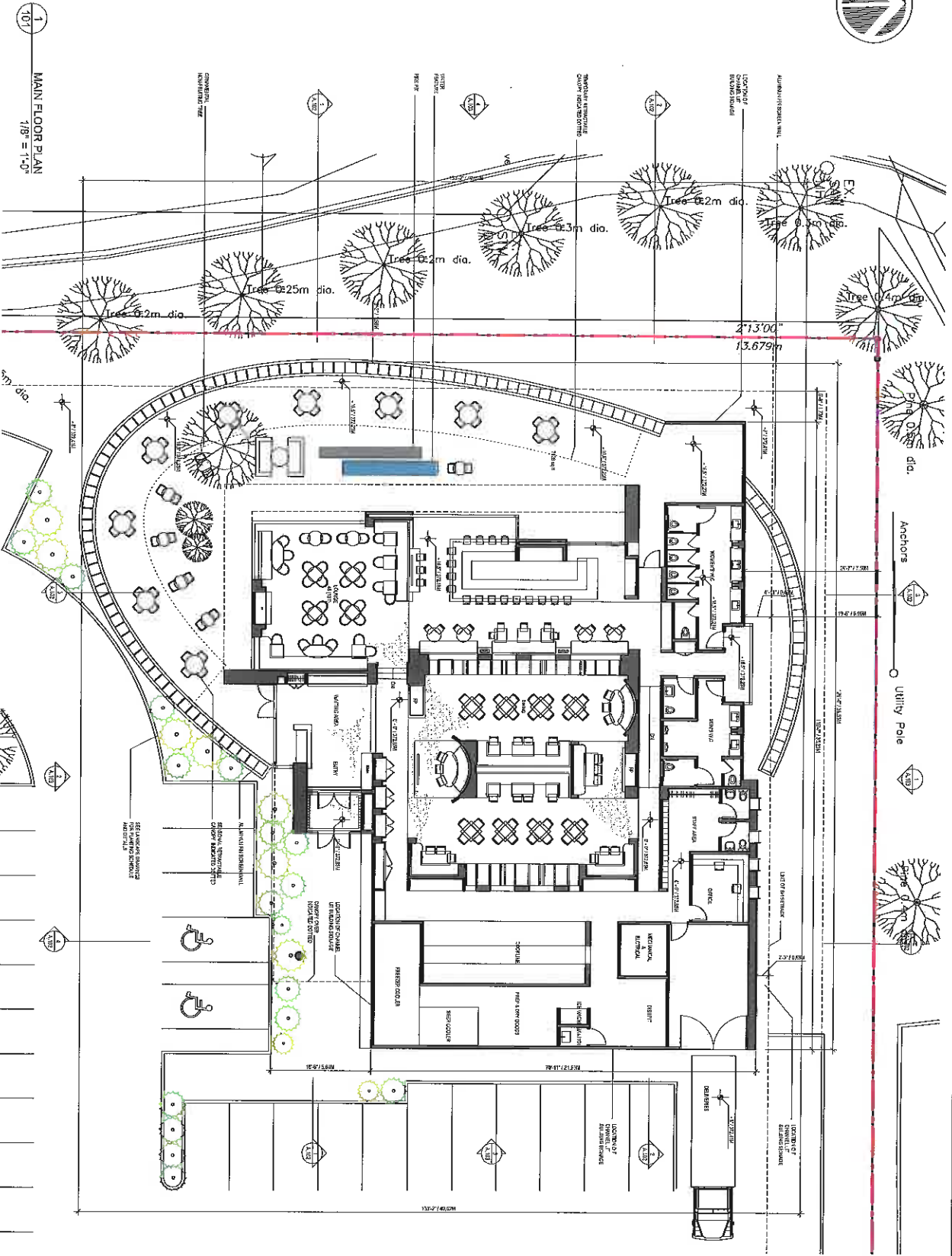
THE KEG
 STEAKHOUSE & BEER

THE KEG
 2280 BARON ROAD
 KELOWNA BC
 BUILDING 3
 SITE LAYOUT &
 ROOF PLAN
 DRAWING NO. 101-111-KA-01

A.0.01

| NO. | DATE | DESCRIPTION |
|-----|------------|--------------------------------|
| 1 | 2013-08-20 | ISSUED FOR PERMITTING PURPOSES |
| 2 | 2013-08-20 | ISSUED FOR DEVELOPMENT PERMIT |
| 3 | 2013-08-20 | ISSUED FOR REVIEW |
| 4 | 2013-08-20 | ISSUED FOR REVIEW |

GENERAL NOTES:
 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
 2. THE SHOWN DIMENSIONS ARE THE CENTER-TO-CENTER DIMENSIONS OF THE BUILDING FOOTPRINT.
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1
101
MAIN FLOOR PLAN
1/8" = 1'-0"

SCHEDULE A
 This forms part of development
 Permit # DR13-0052 (Revised)

CHRISTOPHER BOZYK ARCHITECTS LTD
 11411 KENNEDY STREET, SUITE 100, RICHMOND, BC V6X 1A7
 PHONE: (604) 273-1111 FAX: (604) 273-1111

THE KEG
 2280 BARON ROAD
 KELOWNA BC
 BUILDING 3
 MAIN FLOOR PLAN

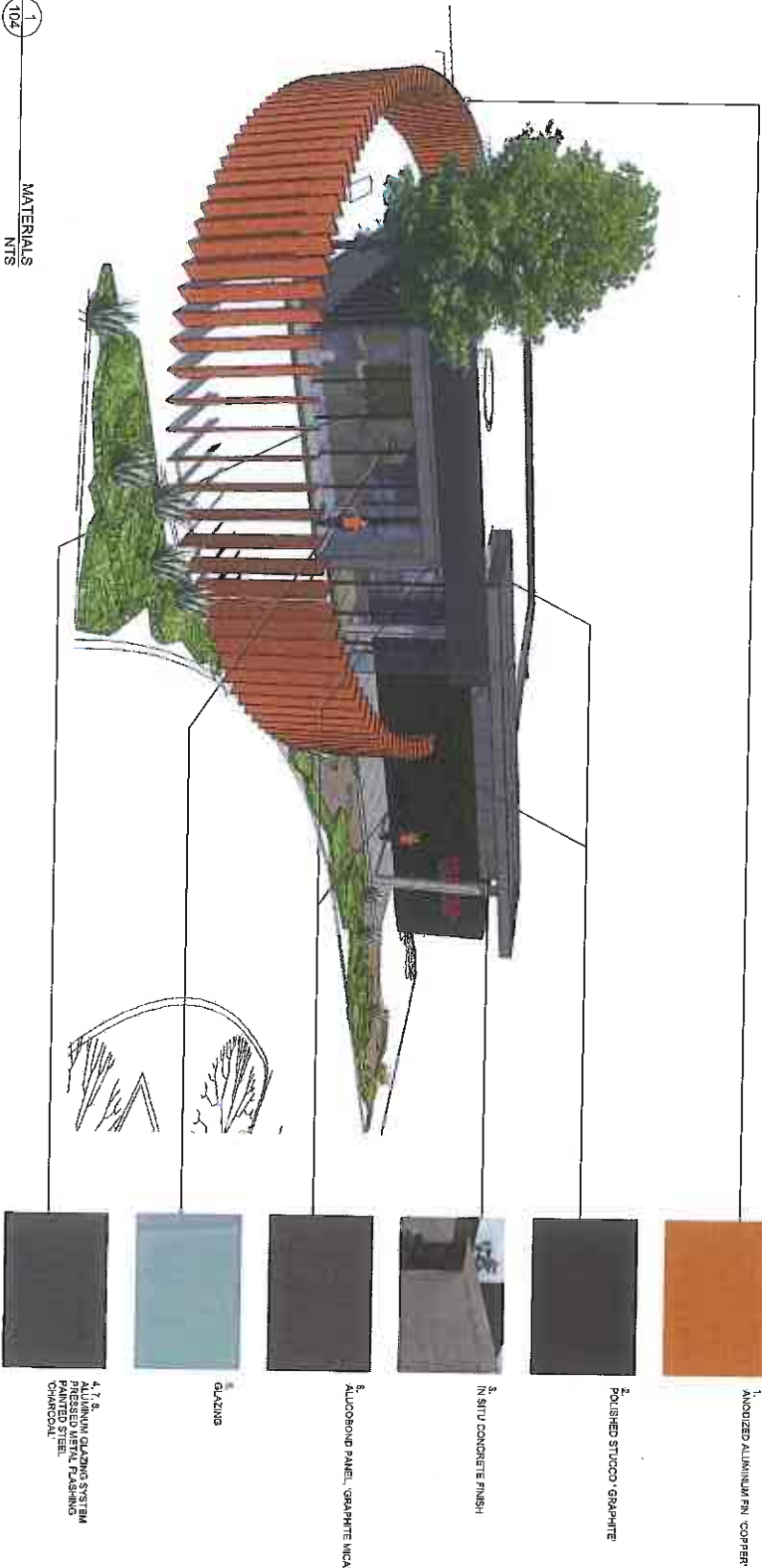
SCALE: 1/8" = 1'-0" 25/11/10

A.1.01

THE KEG
 RESTAURANT & BAR

| | | |
|----|-----------|---------------|
| 1 | 11.1.1.1 | GENERAL NOTES |
| 2 | 11.1.1.2 | GENERAL NOTES |
| 3 | 11.1.1.3 | GENERAL NOTES |
| 4 | 11.1.1.4 | GENERAL NOTES |
| 5 | 11.1.1.5 | GENERAL NOTES |
| 6 | 11.1.1.6 | GENERAL NOTES |
| 7 | 11.1.1.7 | GENERAL NOTES |
| 8 | 11.1.1.8 | GENERAL NOTES |
| 9 | 11.1.1.9 | GENERAL NOTES |
| 10 | 11.1.1.10 | GENERAL NOTES |
| 11 | 11.1.1.11 | GENERAL NOTES |
| 12 | 11.1.1.12 | GENERAL NOTES |
| 13 | 11.1.1.13 | GENERAL NOTES |
| 14 | 11.1.1.14 | GENERAL NOTES |
| 15 | 11.1.1.15 | GENERAL NOTES |
| 16 | 11.1.1.16 | GENERAL NOTES |
| 17 | 11.1.1.17 | GENERAL NOTES |
| 18 | 11.1.1.18 | GENERAL NOTES |
| 19 | 11.1.1.19 | GENERAL NOTES |
| 20 | 11.1.1.20 | GENERAL NOTES |

SCHEDULE B
 This forms part of development
 Permit # DP13-0052 (Revised)



1
104
MATERIALS
NTS

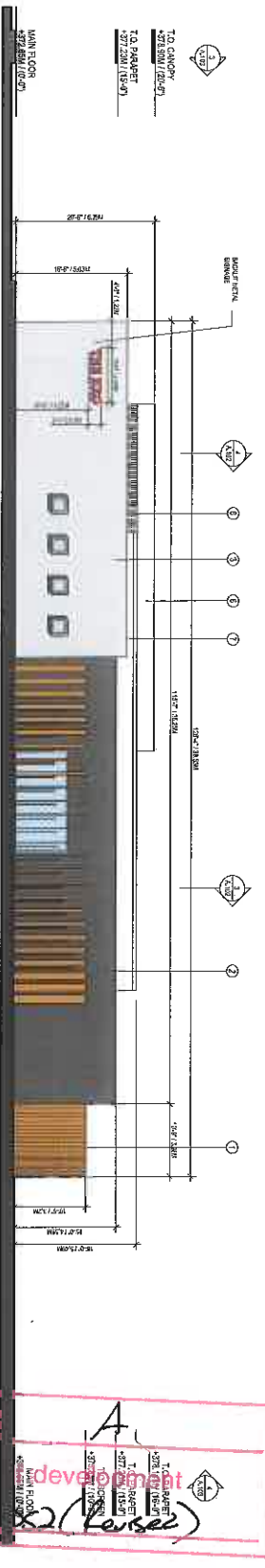
| NO. | DESCRIPTION | UNIT | QUANTITY |
|---------|---|---------|----------|
| 1 | ANODIZED ALUMINUM FIN COPPER | SQ. FT. | |
| 2 | POLISHED STONE® GRANITE | SQ. FT. | |
| 3 | IN SITU CONCRETE FINISH | SQ. FT. | |
| 4 | ALUCOBOND PANEL, GRANITE MICA | SQ. FT. | |
| 5 | GLAZING | SQ. FT. | |
| 6, 7, 8 | PAINTED METAL FLASHING SYSTEM CHARNCOAL | SQ. FT. | |

THE KEG
 STANDARDS & CARE

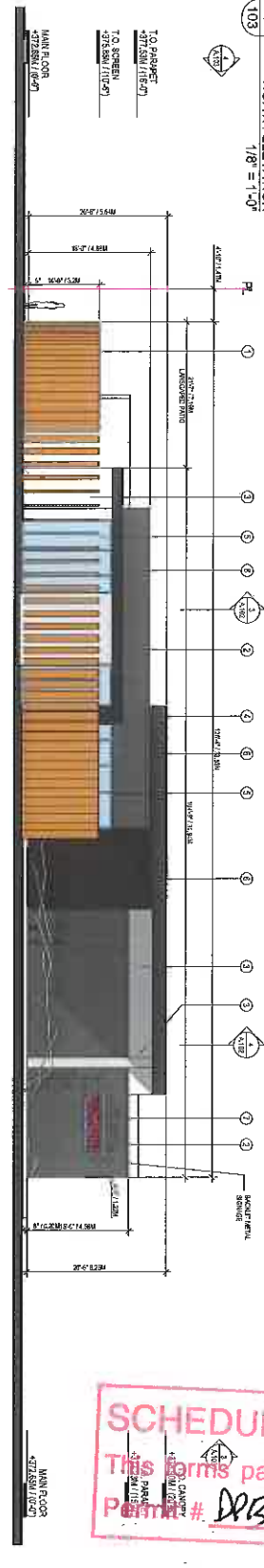
THE KEG
 2280 BARON ROAD
 KELOWNA BC
 BUILDING 3
 MATERIALS

SCALE: 1/8" = 1'-0" DATE: 11/11/11 DRAWN: JWP

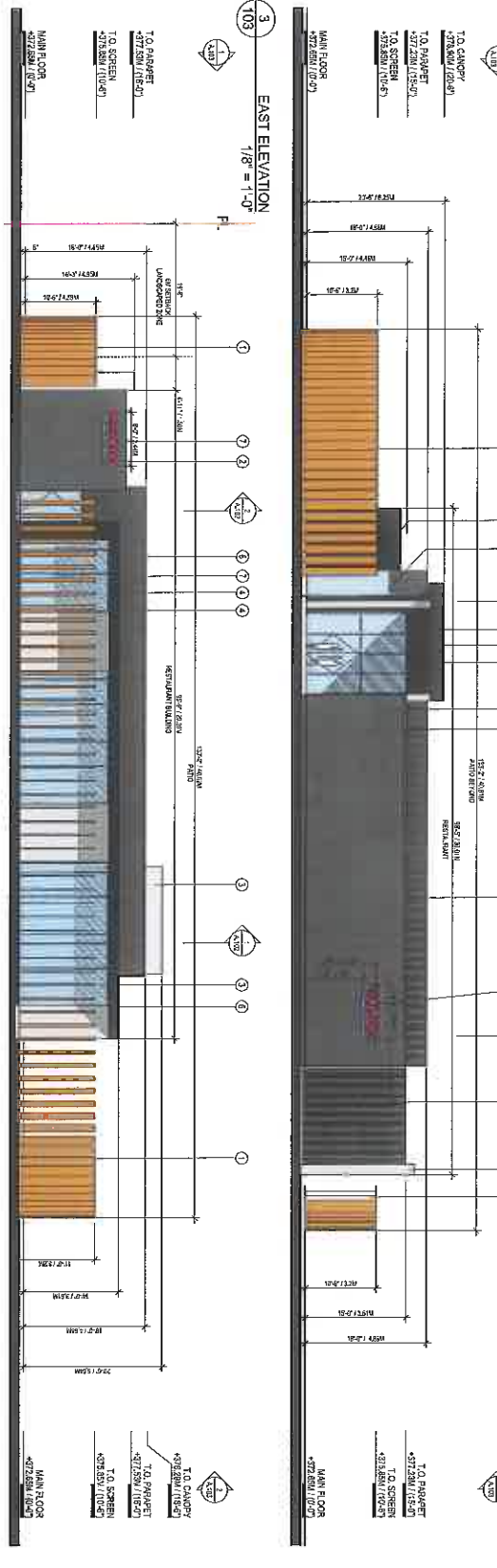
A.1.04



1 NORTH ELEVATION
1/8" = 1'-0"



2 SOUTH ELEVATION
1/8" = 1'-0"



3 EAST ELEVATION
1/8" = 1'-0"

4 WEST ELEVATION
1/8" = 1'-0"

SCHEDULE A

This forms part of development Permit # DRB-2022-002 (Kersel)

- 1 ANODIZED ALUMINUM FIN. COATED FINISH
- 2 POLISHED STUCCO
- 3 RAW CONCRETE FINISH
- 4 ANODIZED ALUMINUM CURTAIN WALL SYSTEM
- 5 GLAZING
- 6 ALUCOBOND PANEL GRIP/FINISH
- 7 PRESSED METAL FLASHING CURTAIN WALL
- 8 EUROGR PAINTS/STEE CURTAIN WALL

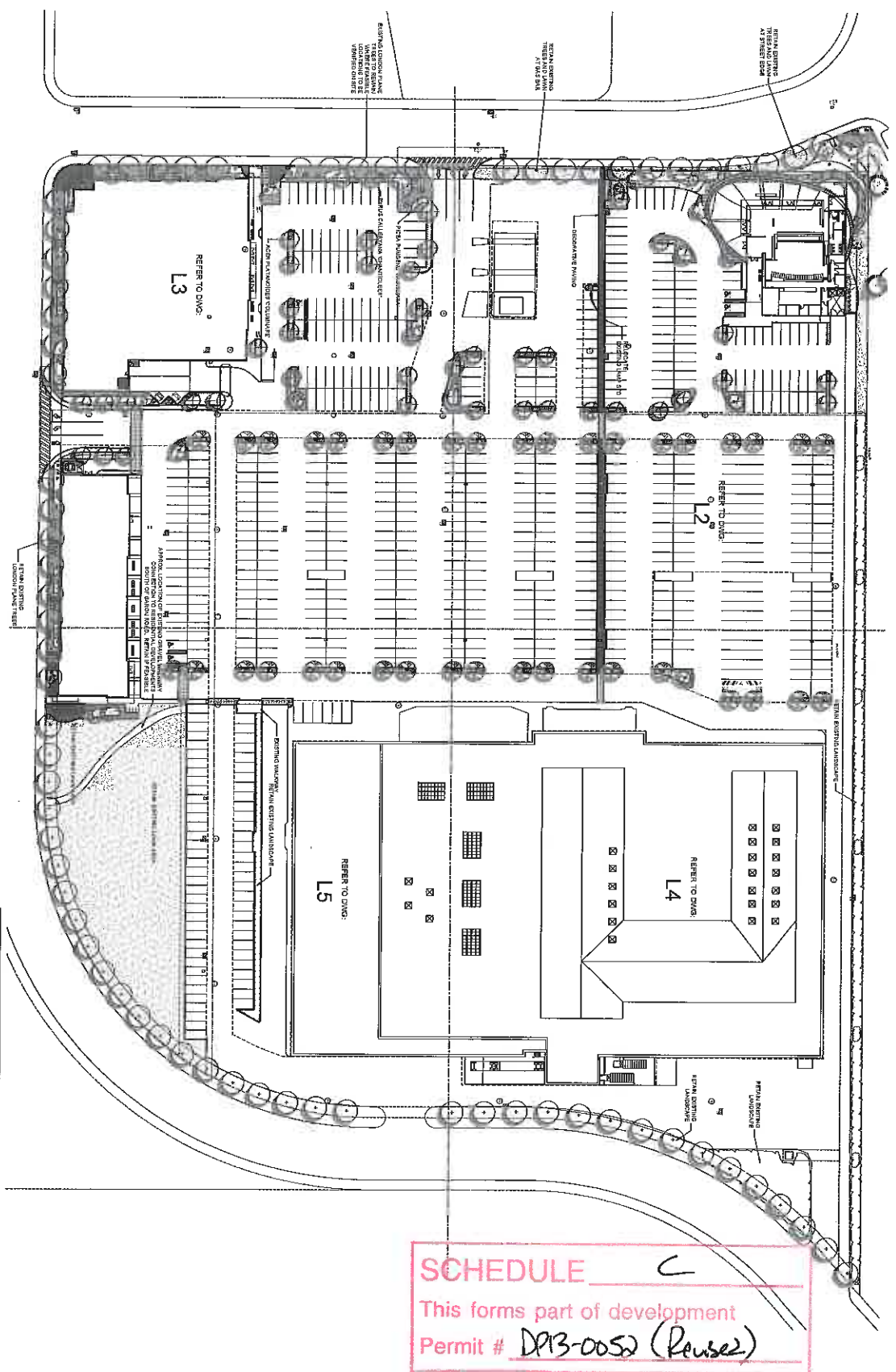
CHRISTOPHER BOZYK ARCHITECTS LTD
 4144 KASLOO STREET, ANCHORAGE, WA, US
 PHONE: (509) 241-5444 FAX: (509) 241-5444

| NO. | DATE | DESCRIPTION |
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| 1 | 04.15.22 | ISSUED FOR PERMIT |
| 2 | 04.15.22 | ISSUED FOR PERMIT |
| 3 | 04.15.22 | ISSUED FOR PERMIT |
| 4 | 04.15.22 | ISSUED FOR PERMIT |

THE KEG STEAKHOUSE & BAR

**THE KEG
 2280 BARON ROAD
 KELOWNA BC
 BUILDING 3
 ELEVATIONS**

A.1.03



SCHEDULE C
 This forms part of development
 Permit # DP13-0052 (Reuse)

TREE SCHEDULE

| NO. | SYMBOL | DESCRIPTION | QUANTITY | REMARKS |
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| 1 | (Symbol) | 1" CALIBER SOUTHERN REDWOOD | 10 | PLANTING IN ALL AREAS |
| 2 | (Symbol) | 2" CALIBER SOUTHERN REDWOOD | 10 | PLANTING IN ALL AREAS |
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| 10 | (Symbol) | 10" CALIBER SOUTHERN REDWOOD | 10 | PLANTING IN ALL AREAS |

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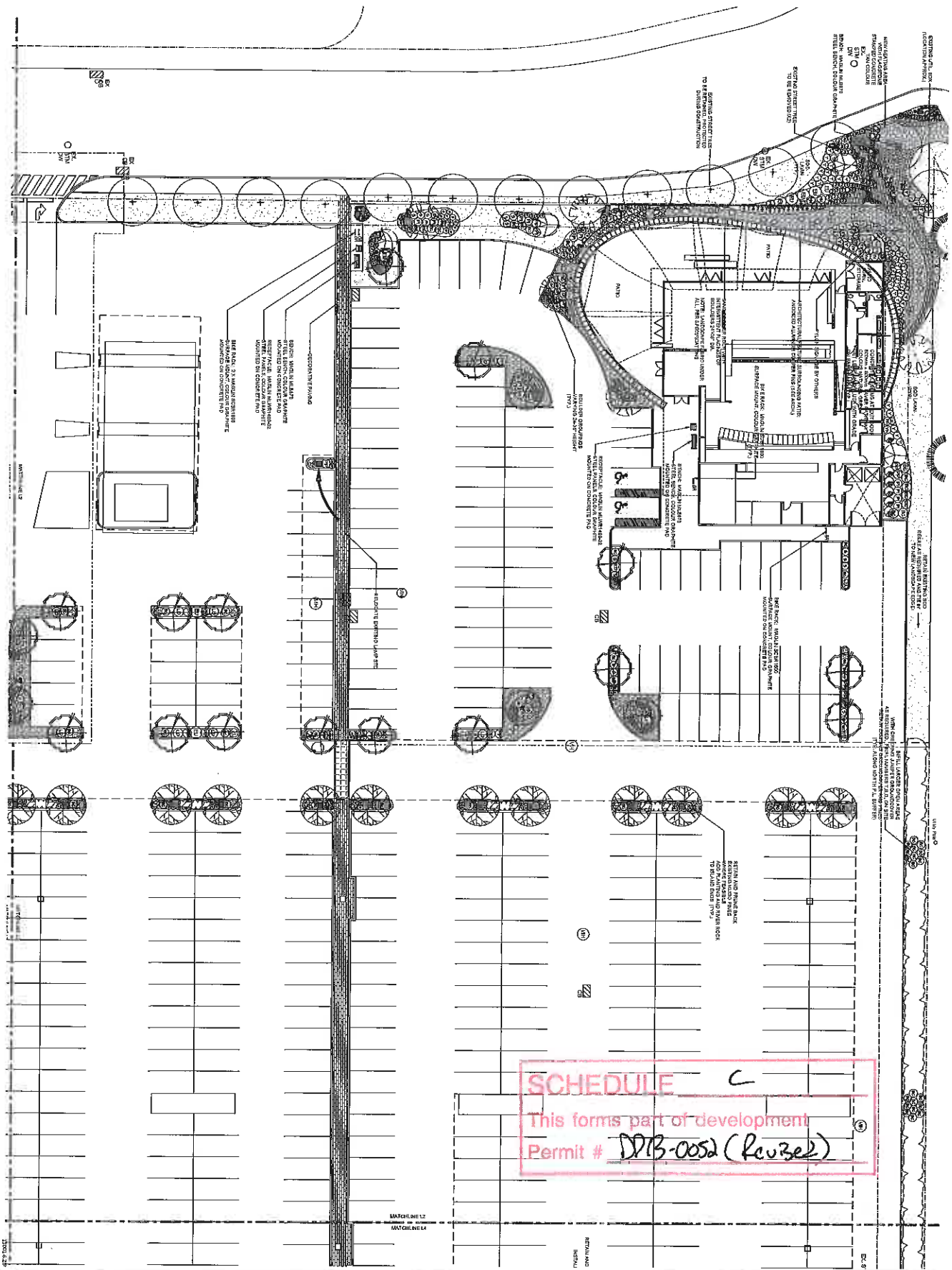
poms
 LANDSCAPE ARCHITECTS
 804 S. 10th St. - 4th Floor
 Raleigh, NC 27601
 Phone: 919.856.1234
 Fax: 919.856.1235
 Email: info@poms.com

PROJ. NO.: COMMERCIAL DEV.
2280 BARON ROAD
KELOWNA, BC

DRAWING TITLE: LANDSCAPE PLAN
DATE: 11/14/10
SCALE: 1/8" = 1'-0"
DRAWN BY: RA
CHECKED BY: RA
DATE: 11/14/10
PROJECT NUMBER: 13-001

DRAWING NUMBER: L1
OF 8

| NO. | DATE | REVISION DESCRIPTION | BY |
|-----|----------|----------------------|----|
| 1 | 11/14/10 | ISSUED FOR PERMIT | RA |
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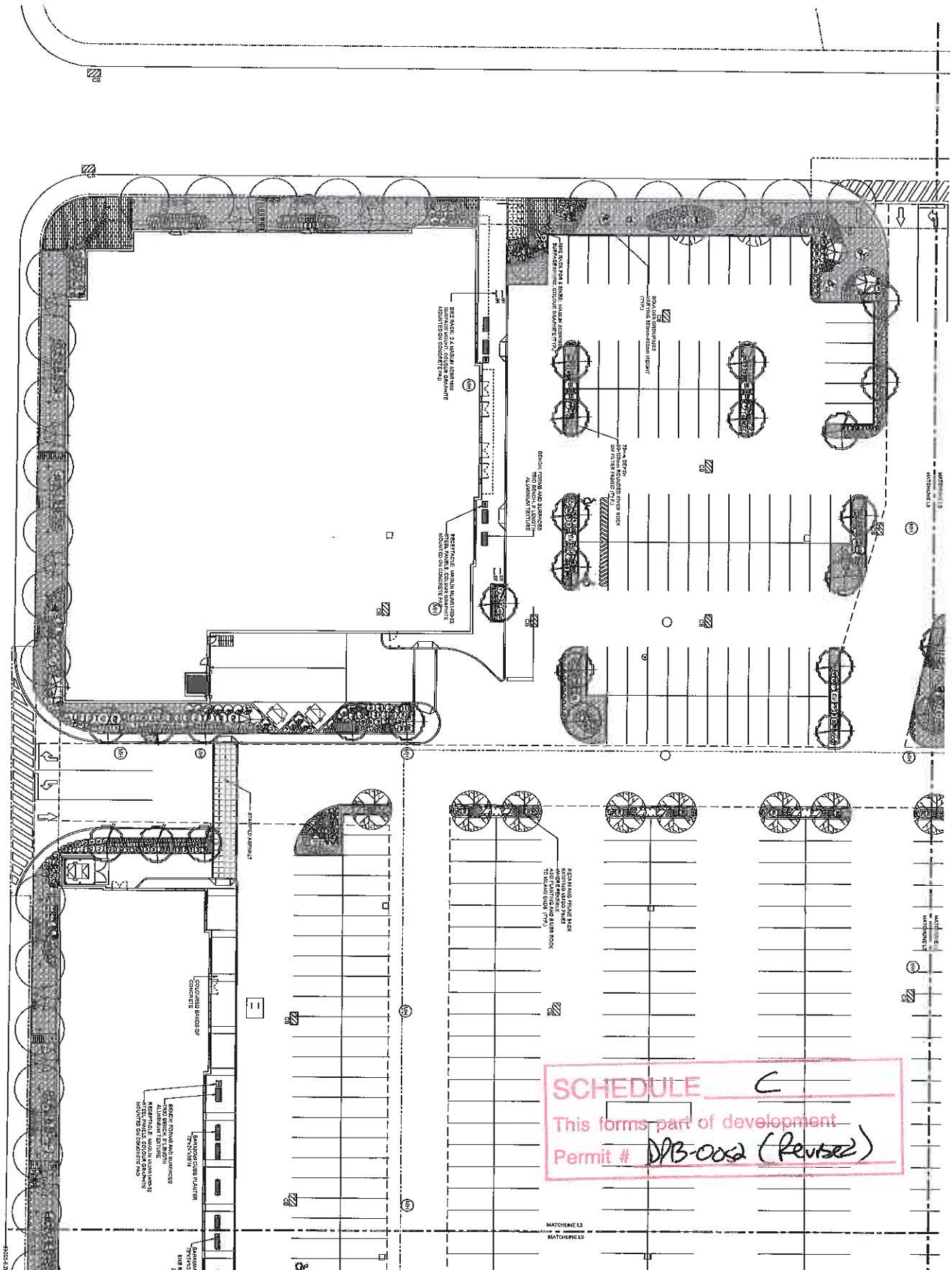


SCHEDULE C
 This forms part of development
 Permit # DP13-0052 (Reuse)

DRAWING TITLE: LANDSCAPE SHRUB PLAN
 DATE: 2/14/18
 SCALE: 1/8" = 1'-0"
 SHEET: 12 OF 8
 CLIENT: COMMERCIAL DEV.
 PROJECT: 2280 BAYON ROAD, KENOWA, SC
 DRAWING NUMBER: 13-001

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pons
 LANDSCAPE ARCHITECTS
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 DENVER, COLORADO 80202
 P: 303.733.1111 | F: 303.733.1112



SCHEDULE C
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 Permit # **DAB-002 (Revised)**

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pmpb
LANDSCAPE ARCHITECTS
 804 019 - 4188 8888
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PROJECT:
 COMMERCIAL DEV.
 2580 BAYVIEW ROAD
 KILGORE, BC

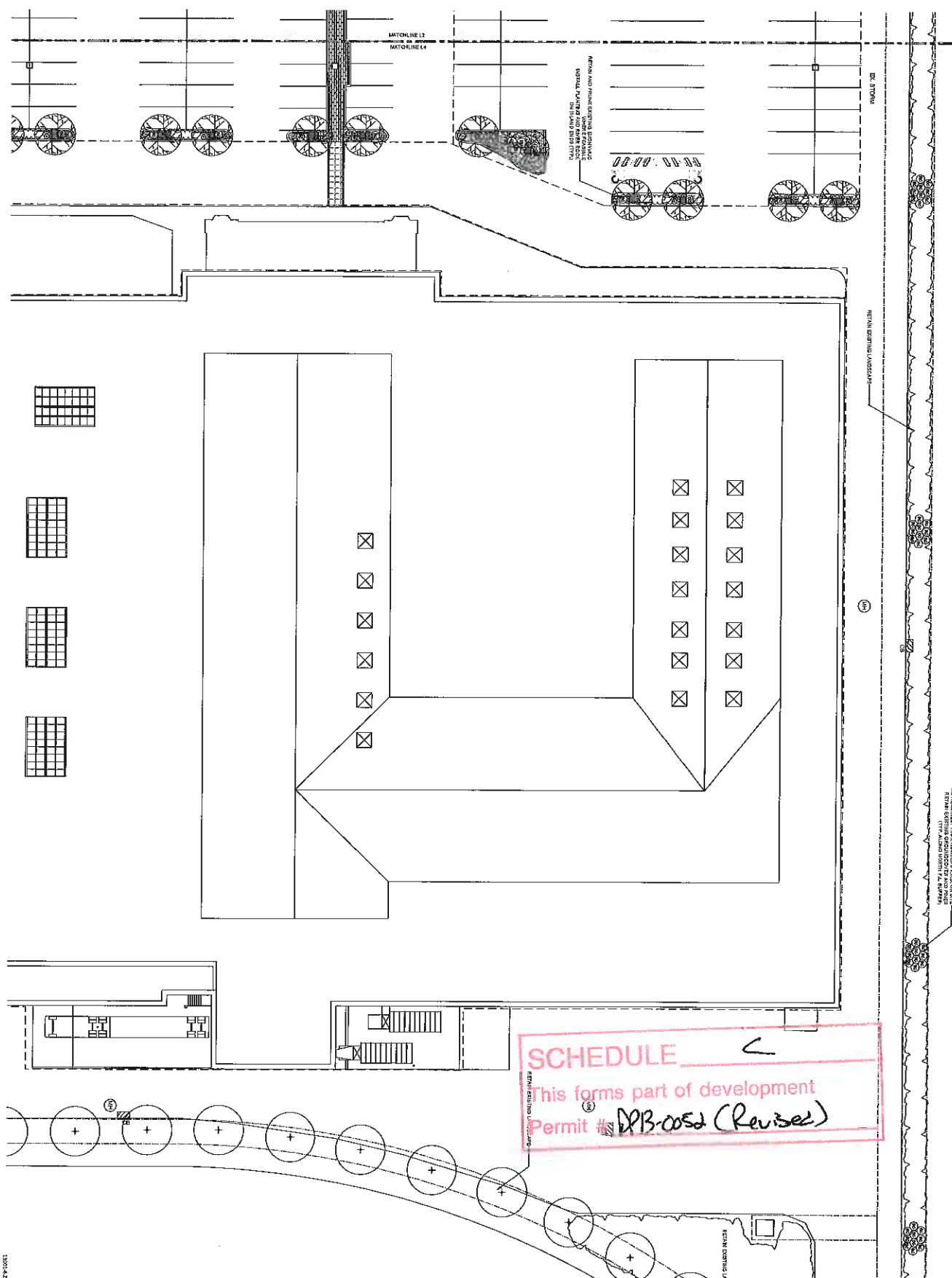
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SCALE: 1/8" = 1'-0"
DESIGN: SA
CHKD: RM
DWG. NO.: 13-001

PROJECT NUMBER: 13-001

CLIENT:

REVISIONS:

DATE: 11/20/18
BY: SA
CHKD: RM
DATE: 11/20/18
BY: SA
CHKD: RM



SCHEDULE ←
 This forms part of development
 Permit # **DPB-0052 (Revised)**

DRAWN BY: ARCHITECTURE INC. (AIA) 1111
 FROM EXISTING GEOMETRIC DATA AND FIELD
 SURVEY DATA BY: ARCHITECTURE INC. (AIA) 1111

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 SUITE 1018 - 4185 SILVER CREEK DRIVE
 VANCOUVER, BC V6M 2K4
 TEL: (604) 273-8888
 FAX: (604) 273-8889
 WWW.PMSLANDSCAPE.COM



| NO. | DATE | REVISION DESCRIPTION | BY | CHKD. |
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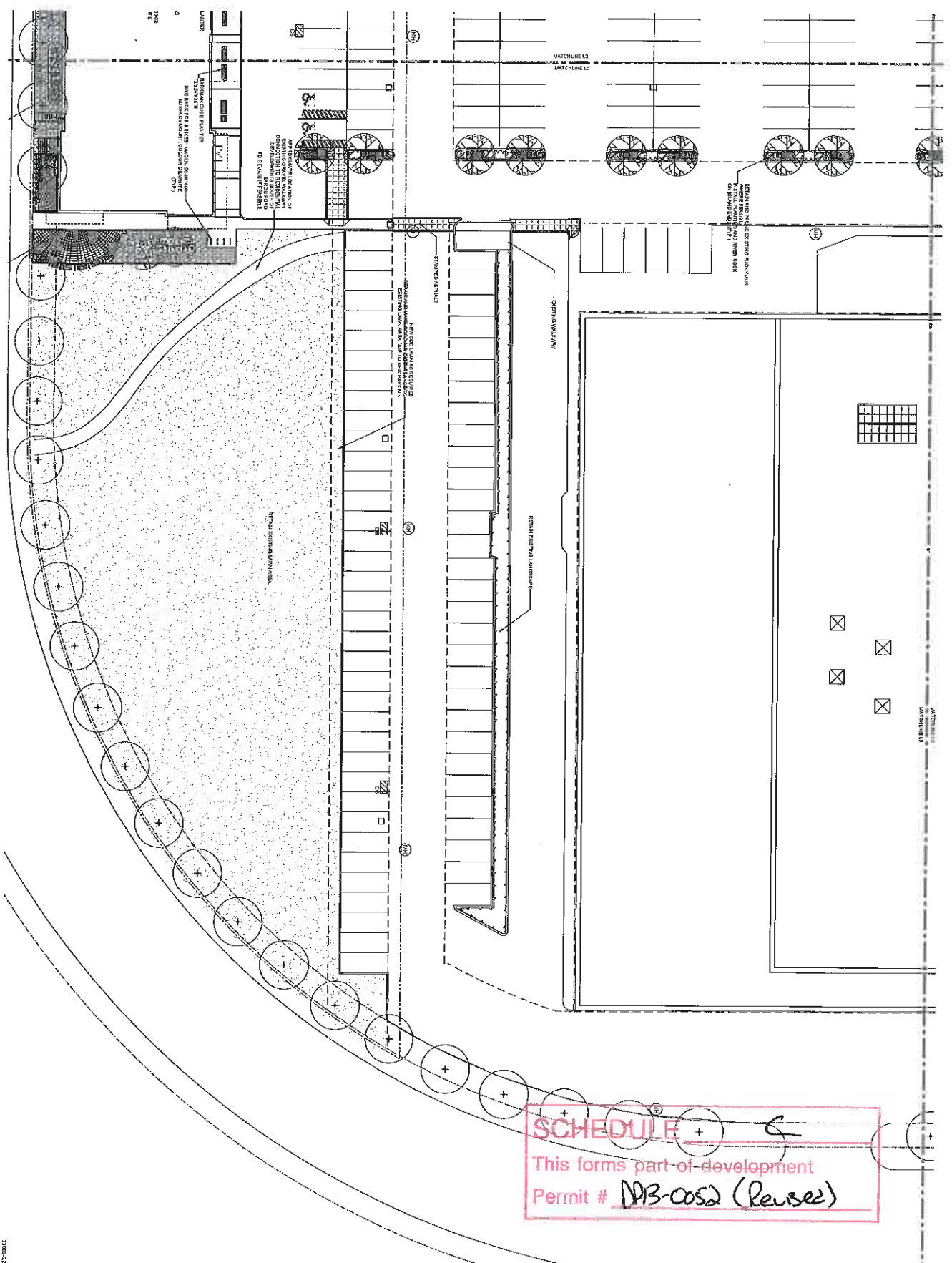
PROJECT: COMMERCIAL DEV.
 2280 BARON ROAD
 KELLOWNA, BC

DRAWING TITLE: LANDSCAPE SHRUB PLAN

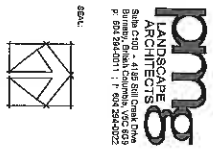
DATE: 13-04-2014
SCALE: 1:200
DESIGNER: SA
CHECKER: RM

DRAWING NUMBER: L4
OF 8

PMS PROJECT NUMBER: 13-001



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| NO. | DATE | REVISION DESCRIPTION | BY |
|-----|----------|--------------------------|----|
| 1 | 12/14/16 | REV. APPROVAL FOR PERMIT | SM |
| 2 | 12/14/16 | REV. APPROVAL FOR PERMIT | SM |
| 3 | 12/14/16 | REV. APPROVAL FOR PERMIT | SM |
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| 9 | 12/14/16 | REV. APPROVAL FOR PERMIT | SM |
| 10 | 12/14/16 | REV. APPROVAL FOR PERMIT | SM |




PROJECT: COMMERCIAL DEV.
2280 SANDON ROAD
KELOWNA, BC

DRAWING TITLE: LANDSCAPE SHRUB PLAN

DATE: 12/14/16
SCALE: 1:200
DRAWN: SA
DESIGNED: SA
CHECKED: FNM

DRAWING NUMBER: **L5**
OF 6

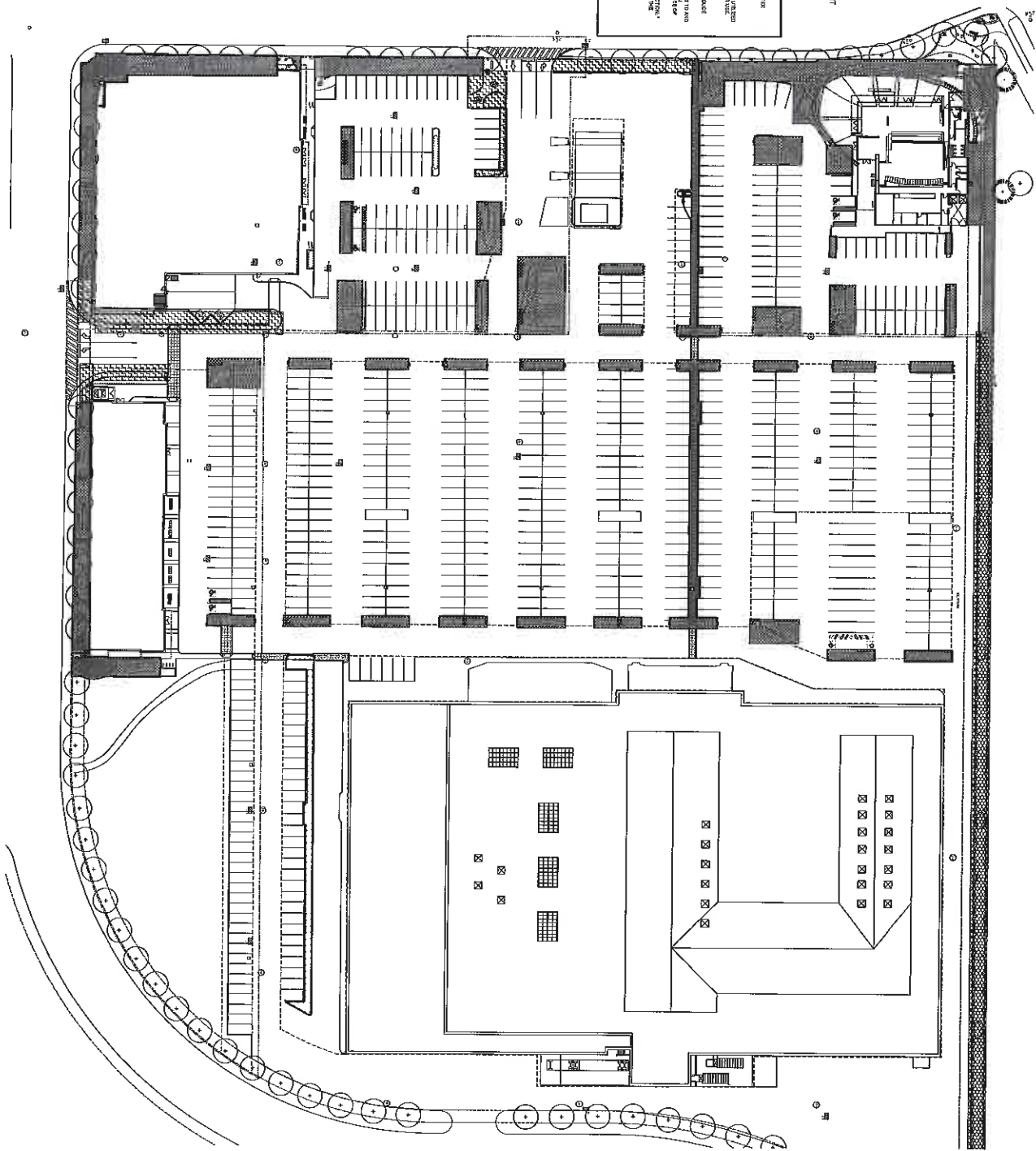
PLANT PROJECT NUMBER: 13-001

-  LOW WATER USE REQUIREMENT
-  MEDIUM WATER USE REQUIREMENT
-  HIGH WATER USE REQUIREMENT

LOW WATER USE REQUIREMENT: This area is designated as low water use. The design shall comply with the requirements of the Low Water Use Ordinance, which requires the use of water-saving fixtures and landscaping. The design shall also comply with the requirements of the Low Water Use Ordinance, which requires the use of water-saving fixtures and landscaping.

MEDIUM WATER USE REQUIREMENT: This area is designated as medium water use. The design shall comply with the requirements of the Medium Water Use Ordinance, which requires the use of water-saving fixtures and landscaping. The design shall also comply with the requirements of the Medium Water Use Ordinance, which requires the use of water-saving fixtures and landscaping.

HIGH WATER USE REQUIREMENT: This area is designated as high water use. The design shall comply with the requirements of the High Water Use Ordinance, which requires the use of water-saving fixtures and landscaping. The design shall also comply with the requirements of the High Water Use Ordinance, which requires the use of water-saving fixtures and landscaping.



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pmp
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 1400 E. 10th Street
 Suite 100
 Raleigh, NC 27601
 P: 919.833.1111 F: 919.833.1112

SCHEDULE
 This forms part of development
 Permit # DPB-052 (Revised)

| NO. | DATE | REVISION DESCRIPTION | BY | CHKD. |
|-----|----------|----------------------|----|-------|
| 1 | 11/14/13 | ISSUED FOR PERMITS | MM | MM |
| 2 | 11/14/13 | ISSUED FOR PERMITS | MM | MM |
| 3 | 11/14/13 | ISSUED FOR PERMITS | MM | MM |
| 4 | 11/14/13 | ISSUED FOR PERMITS | MM | MM |
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| 7 | 11/14/13 | ISSUED FOR PERMITS | MM | MM |
| 8 | 11/14/13 | ISSUED FOR PERMITS | MM | MM |
| 9 | 11/14/13 | ISSUED FOR PERMITS | MM | MM |
| 10 | 11/14/13 | ISSUED FOR PERMITS | MM | MM |

PROJECT: COMMERCIAL DEV.
 2280 BARON ROAD
 KELOWNA, BC

DRAWING TITLE: IRRIGATION ZONES

DATE: 12/16/13 DRAWING NUMBER: **L7**

SCALE: 1/8" = 1'-0"

DRAWN BY: SA

CHECKED BY: SA

DESIGNED BY: PVA

DATE: 12/16/13

PROJECT NUMBER: 13-001

PART ONE: GENERAL REQUIREMENTS

- 1. The contractor shall be responsible for obtaining all necessary permits...
2. The contractor shall be responsible for obtaining all necessary permits...
3. The contractor shall be responsible for obtaining all necessary permits...

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

Table with 2 columns: Item No., Description. Includes items for utility relocation, drainage, and landscaping.

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

PART THREE: SOFT LANDSCAPE DEVELOPMENT

- 1. The contractor shall be responsible for obtaining all necessary permits...
2. The contractor shall be responsible for obtaining all necessary permits...
3. The contractor shall be responsible for obtaining all necessary permits...

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

Table with 2 columns: Item No., Description. Includes items for utility relocation, drainage, and landscaping.

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

PART THREE: SOFT LANDSCAPE DEVELOPMENT - CONT.

- 1. The contractor shall be responsible for obtaining all necessary permits...
2. The contractor shall be responsible for obtaining all necessary permits...
3. The contractor shall be responsible for obtaining all necessary permits...

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

Table with 2 columns: Item No., Description. Includes items for utility relocation, drainage, and landscaping.

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

PART THREE: SOFT LANDSCAPE DEVELOPMENT - CONT.

- 1. The contractor shall be responsible for obtaining all necessary permits...
2. The contractor shall be responsible for obtaining all necessary permits...
3. The contractor shall be responsible for obtaining all necessary permits...

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

Table with 2 columns: Item No., Description. Includes items for utility relocation, drainage, and landscaping.

Table with 2 columns: Item No., Description. Includes items for site preparation, grading, and paving.

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SCHEDULE
This forms part of development
Permit # DB002 (Reuse)

COMMERCIAL DEV.
2280 BARON ROAD
KELOWNA, BC
CLIENT:
NO. DATE:
REVISION:
DATE:
BY:
DRAWN:
CHECKED:
APPROVED:
PROJECT NUMBER: 13001-K-07

August 30, 2013

The City of Kelowna
Land Use Management Department
1435 Water Street
Kelowna BC V1Y 1J4

Attn.: Alec Warrender

**Re.: Commercial Development Permit Resubmission
Baron Road at Underhill, Kelowna**

Dear Alec,

We are writing to provide a summary of changes to the proposal at hand that we are resubmitting in support of a development permit approval for 3 new buildings at the Superstore site at Baron Road and Underhill.

The changes, in summary, are as follows:

Plan Changes

- We have moved Building 2 (Marshall's) building tight to both setbacks along the Baron and Underhill frontages.
- The southwest prominent corner has been cut back to create a pedestrian-oriented plaza at that location, complete with street furniture and decorative vertical 'fins' to tie in with the hardscape features of the Keg building design.
- The southwest corner plaza has been oriented to open out to the main corner and address this key intersection. The hardscape elements and street furniture design reinforce this expression.
- We have created 3 pedestrian seating areas along Building 2's Underhill frontage, complete with street furniture.
- We have created another pedestrian plaza at the northwest corner to demarcate a connection between on-site and off-site pedestrian paths. It, again, is programmed with street furniture and decorative vertical 'fins' to tie in with the hardscape features of the Keg building design.
- We have created a similar series of 3 pedestrian seating areas along Building 2's Baron Road frontage, complete with street furniture.
- Another pedestrian seating areas along Building 1's Baron Road frontage, occurs mid-way along that building.
- A pedestrian plaza occurs at the southeast corner of building 1 to demarcate a connection between on-site and off-site pedestrian paths.
- All buildings on site are connected with a series of pedestrian paths and crossings demarcated with stamped concrete and asphalt elements.
- The size and density of the buildings remain unchanged. The parking stalls provided have fallen by 2 to accommodate the northwest plaza near Building 2.

Building Design Changes

- For both Buildings 1 and 2, prominent building corners have been redesigned to include additional glazing and architectural articulation, including the introduction of dynamic wall and mullion patterning and 'lifestyle' graphics. These elements bring a storefront approach to the Baron Road and Underhill frontages of the buildings.
- The main intersection of Baron and Underhill has been addressed with the highest architectural feature and glazed element, giving this corner the greatest expression in terms of architectural hierarchy.
- Greater differentiation of materials and building massing elements has been utilized to greater animate the longer building frontages, with particular focus and attention paid to the Baron Road and Underhill frontages of the buildings. New trellis elements have been introduced to the Baron Road and Underhill frontages for visual interest and to bring the scale of the buildings to the pedestrian level near the City sidewalks. These trellises are designed to relate to the projecting mullion patterns developed at the glazed building corners.
- We have added mid-block clerestory glazing to Building 2 to animate the Baron Road frontage.
- A building entry and storefront has been added to the southeast end of Building 1. It is our intention to encourage the building tenant to populate the pedestrian plaza at that location with outdoor seating for a welcoming pedestrian environment.
- The design of the Keg has remained consistent.

Landscape Changes

- The new pedestrian plazas have been hard-scaped and surrounded with new landscaping to help delineate these areas as pedestrian nodes.
- New trees and low landscaping have been added to the Superstore parking area islands (the existing landscaping requires replacement).

We trust that this summary will help assist you in your review and preparation for your report to Council. We look forward to discussing the resubmission with staff and proceeding to the September 9 Council date for consideration.

Regards,



P.J. Mallen, B.A., M.Arch., MAIBC, AAA, OAA, LEED AP
Principal

REPORT TO COUNCIL



Date: August 21, 2013

RIM No. 1250-30

To: City Manager

From: Land Use Management, Community Sustainability (PMcV)

Application: Z10-0100 **Owner:** Balwinder Singh Khunkhun,
Harbax Kaur Khunkhun

Address: 445 Pearson Road **Applicant:** Balwinder & Harbax
Khunkhun

Subject: Rezoning Application, Extension Request

Existing Zone: RU1 - Large Lot Housing zone

Proposed Zone: RU6 - Two Unit Housing zone

1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10522, Lot 67, Section 26, Township 26, O.D.Y.D., Plan 22239, located on 445 Pearson Road, Kelowna, BC be extended from May 17, 2013 to May 17, 2014.

2.0 Purpose

To extend the date for adoption of the Zone Amending Bylaw (BL10522) from May 17, 2013 to May 17, 2014. The applicant is seeking to rezone the subject property from the existing RU1 - large Lot Housing zone to the proposed RU6 - Two Dwelling Housing zone in order that a second dwelling can be constructed on the subject property.

3.0 Land Use Management

Section 2.12.1 of Procedure Bylaw No. 10540 states that:

In the event that an application made pursuant to this bylaw is one (1) year old or older and has been inactive for a period of six (6) months or greater:

- a) The application will be deemed to be abandoned and the applicant will be notified in writing that the file will be closed;
- b) Any bylaw that has not received final adoption will be of no force and effect;

- c) In the case of an amendment application, the City Clerk will place on the agenda of a meeting of **Council** a motion to rescind all readings of the bylaw associated with that Amendment application.

Section 2.12.2 of the Procedure Bylaw makes provision that upon written request by the applicant prior to the lapse of the application, **Council** may extend the deadline for a period of twelve (12) months by passing a resolution to that affect.

By-Law No. 10522 received second and third readings on May 17, 2011 after the Public Hearing held on the same date. The Bylaw was given two (2) extensions, each being six (6) months in duration. The applicant wishes to have this application remain open for an additional twelve (12) months in order to secure the finance costs to meet site servicing requirements. Considering the length of time that has lapsed with no formal activity to advance this project, the Urban Land Use Department will be reluctant to grant any further extension.

The Urban Land Use Department recommends Council consider the request for an extension favourably.

Report prepared by:

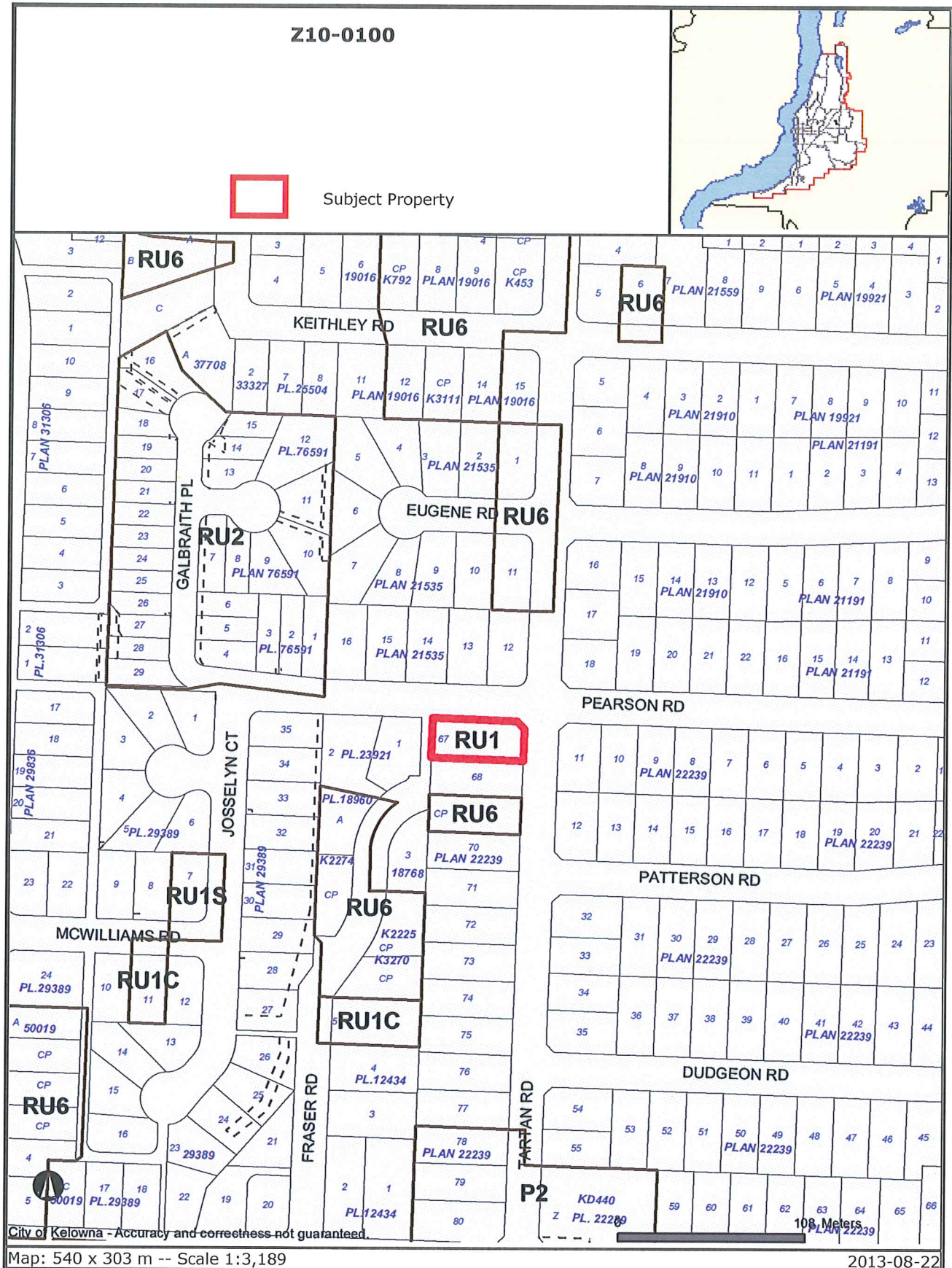
Paul McVey, Land Use Planner
/hb

Reviewed by: James Moore, Acting Manager, Urban Land Use

Approved for Inclusion Doug Gilchrist, Divisional Director
Community Planning & Real Estate

Attachments:

Subject Property Map



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

REPORT TO COUNCIL



Date: August 29, 2013
RIM No. 1250-30
To: City Manager
From: Urban Planning Department, Community Planning and Real Estate (BD)
Application: Z11-0025 **Owner:** Christopher Fehr & Ian McClellan
Address: 2857 East Kelowna Road **Applicant:** Christopher Fehr & Ian McClellan
Subject: Z11-0025 East K Rd COUNCIL extension Aug 2013
Existing Zone: A1 - Agriculture 1
Proposed Zone: A1c - Agricultural 1 with Carriage House

1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10555 Parcel A (DD145723F & Plan B6784) of Lot 25, Section 16, Township 26, ODYD Plan 187, located at 2857 East Kelowna Road, Kelowna, BC be extended from January 12, 2013 to January 12, 2014.

2.0 Purpose

To extend the date for adoption of the Zone Amending Bylaw (BL10555) from January 12, 2013 to January 12, 2014. The applicant proposes an extension for the project to rezone the subject property from the A1 - Agriculture 1 zone to the A1c - Agricultural 1 with Carriage House zone in order to legalize an existing carriage house.

3.0 Urban Planning

The above noted development application was originally considered at a Public Hearing by Council on July 12, 2011.

The applicant wishes to rezone the subject property from the A1 - Agriculture 1 zone to the A1c - Agriculture 1 with Carriage House in order to legalize the carriage house on the site. The original application sought the A1s- Agriculture with Secondary suite zone, however, the regulations have changed and the zoning designation has been updated.

Section 2.12.1 of Procedure Bylaw No. 10540 states that:

In the event that an application made pursuant to this bylaw is one (1) year old or older and has been inactive for a period of six (6) months or greater:

- a) The application will be deemed to be abandoned and the applicant will be notified in writing that the file will be closed;
- b) Any bylaw that has not received final adoption will be of no force and effect;
- c) In the case of an amendment application, the **City Clerk** will place on the agenda of a meeting of **Council** a motion to rescind all readings of the bylaw associated with that Amendment application.

Section 2.12.2 of the Procedure Bylaw makes provision for Council to consider an extension to an amending bylaw for up to 12 months.

By-Law No. 10555 received second and third readings on July 12, 2011 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional year in order to secure the finance costs to meet site servicing requirements. This project remains unchanged and is the same in all respects as originally applied for. The delay in the extension application occurred as the applicant had moved and was unreachable. Staff utilized multiple methods to contact the applicant and finally was able to reach the co-applicant who submitted the extension application.

The Urban Planning Department recommends that Council consider the request for an extension favourably however given the length of time that has lapsed, Staff will be reluctant to support any future extensions.

Report prepared by:

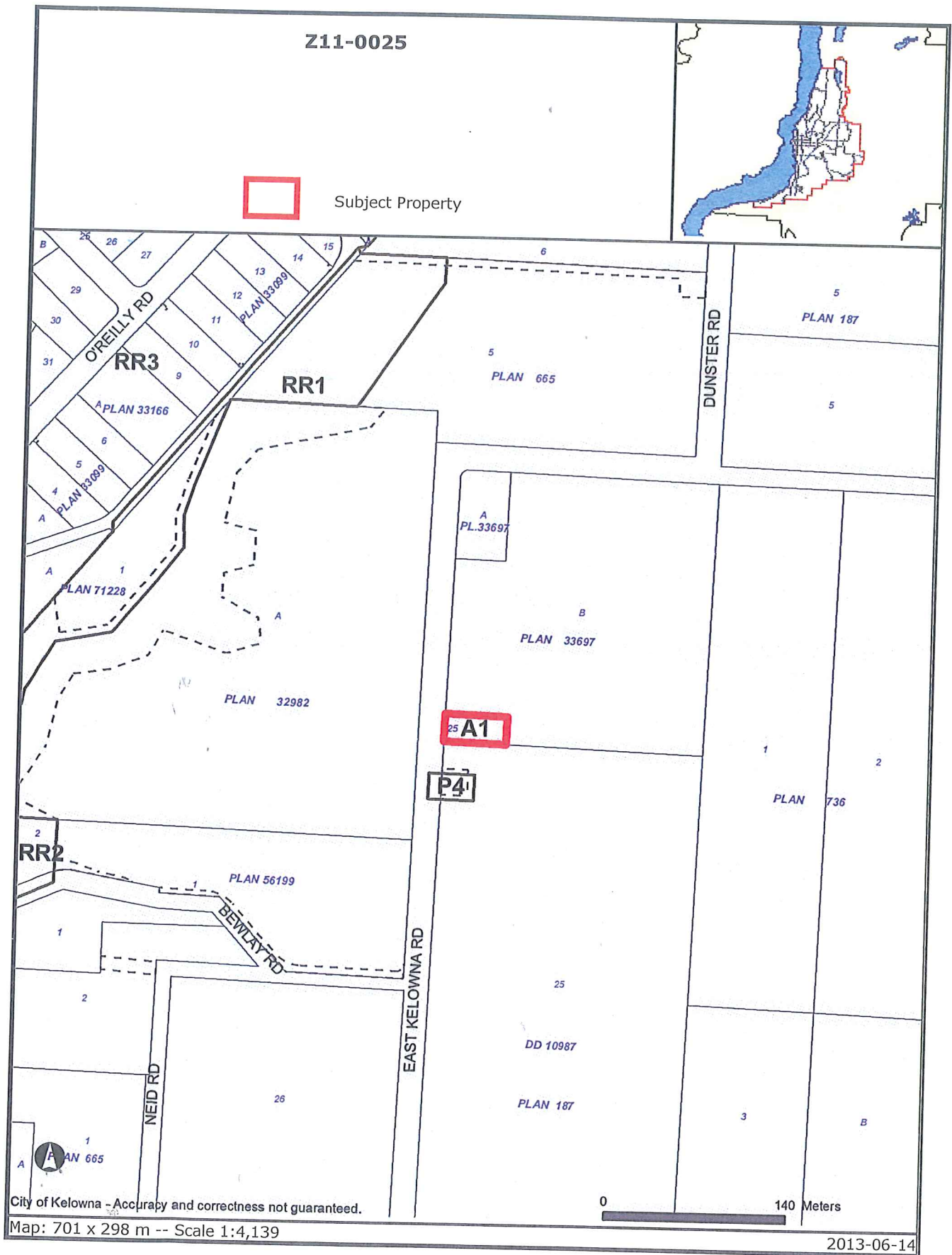
Birte Decloux, Urban Planner

Reviewed by:

Danielle Noble-Brandt, Urban Planning Manager

Approved for Inclusion:
and Real Estate

Doug Gilchrist, Division Director, Community Planning



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
 The City of Kelowna does not guarantee its accuracy. All information should be verified.

Report to Council



Date: August 16, 2013
Rim No. 0505-35
To: City Manager
From: L. Sanbrooks, Planner
Subject: 2013-08-16 - Report to Council - Rescind all ownership Housing Agreements (Phase 1)

Recommendation:

THAT Council, receives for information, the report from the Policy and Planning Department, dated August 16, 2013 with respect to rescinding all existing ownership Housing Agreements Authorization Bylaws;

AND THAT Council direct staff to proceed with the next steps to rescind all existing ownership Housing Agreements Authorization Bylaws.

Purpose:

To direct staff to rescind all existing ownership Housing Agreements.

Background:

Housing agreements secure commitments from developers to provide affordable housing that has been offered through the application approval processes. Housing agreements are built on the premise of a "win-win" arrangement - a developer gains the ability to build more units on a site than would otherwise be possible and in return, the city obtains affordable housing.

The City has several types of housing agreements:

1. Rental agreements
 - affordable rental,
 - purpose built, &
 - affordable rental in an owner/stratified building;
2. Affordable owner agreements that provide for affordable rental or owner dwellings;
(*the subject of this report*)
3. Special needs housing agreements;

4. Agreements for non-market¹/subsidized housing;
5. An agreement for families with members in health care (respite housing); and
6. A seniors' housing agreement.

Housing Agreements are applicable once approved by Council (by by-law) and signed off by the developer/owner and the City.

Ownership Housing Agreements:

Starting in 2005, ownership housing agreements were put in place to secure a few affordable dwellings within a building in return for an increase in density or in exchange for support for an OCP amendment to facilitate an upzoning. Currently there are ten active ownership Housing Agreements with a total of 38 affordable units.

Ownership Housing Agreements set a maximum price at which a property can be sold in order to preserve the affordability of the housing unit for a particular class of purchasers.

In 2005, the Kelowna homebuyer's market did not offer much choice for households with a combined income at or below the median income level for a Kelowna family. Historically, there was Council direction that affordable homes guaranteed by housing agreements should remain as a housing resource for as long as possible, particularly given the fact that they were originally secured as a developer's commitment to generate some affordable housing in return for increased density. In 2012, Council decided that no new ownership housing agreements would be executed; however, existing ownership housing agreements would continue to be administered.

Since then, the market has shifted and it is now no longer difficult to find a re-sale stratified dwelling at or below the City's starter home price of \$209,902. In the past two years, staff have received three requests from property owners to amend their ownership housing agreement to allow rentals. Moreover, in the past couple of years a number of other issues and areas of concern for City staff, developers and housing occupants with regards to ownership housing agreements have arisen:

- The federal and provincial government agencies, including BC Housing and Canada Mortgage and Housing have presented considerable resistance to ownership housing agreements due to the fact that they affect the title of the property;
- Not all owners and developers are receptive to the agreements. Many see them as a barrier to selling dwellings; and
- Owners and developers sometimes see the agreements as infringing on their property and housing market rights.

In essence, while the affordable ownership units served their purpose a few years ago when the average cost for a stratified dwelling was far above the City's starter home price, the housing market has since changed, thus making it easier to find a stratified property at or below the City's starter home price. Furthermore the three requests from the property owners to amend their ownership housing agreements to allow rentals, have all been approved by Council. If Council wishes to continue to support amendments, it would be more straightforward for both staff and those affected by the agreements, if this matter were dealt with proactively.

¹ Non-market housing receives subsidies in order to reach the housing needs of lower income households, while market housing is built by the private sector without significant government subsidies.

As a property owner for a unit with an existing ownership Housing Agreement, the rescission of the Housing Agreement will:

- Remove the requirement to sell the unit at the maximum Affordable Starter Home Price. The maximum Affordable Starter Home Price for 2013:

\$222,434 (non-strata titled, single ownership dwelling)

\$209,902 (strata titled dwelling)

\$200,336 (manufactured home with pad rental, additional)

- Remove the Ownership Affordability requirement.

***Ownership affordability:** the income level at which home ownership is possible (based on the median income level). The median income for a two or more person Kelowna household is **\$66,843 (2013)** - updated annually using the BC Consumer Price Index.*

The recommendation to eliminate agreements applies only to ownership housing. It is suggested that the three types of rental agreements (affordable rental, purpose built, & affordable rental in an owner/stratified building), special needs housing agreements, non-market/subsidized housing agreements, the agreement for families with members in health care (respite housing) and the one agreement for seniors' housing be retained.

Internal Circulation:

City Clerk
Manager, Urban Land Use

Legal/Statutory Authority:

Local Government Act Section 905:

A housing agreement under section 905 of the Local Government Act (LGA) is the only tool available to the City to ensure that affordable housing commitments are kept. Under Section 905(2) of the LGA: "*A housing agreement may include terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement...*"

Existing Policy:

Official Community Plan

Objective 5.9 - Support the creation of affordable and safe rental, non-market and/or special needs housing.

Note that the existing policy does not suggest that the City will be involved in ownership housing agreements.

Financial/Budgetary Considerations:

At present, significant changes to housing agreements can generate up to \$5,000 in legal fees. A minor legal review of an agreement is approximately \$200 - \$300, based on filed information. This cost is not recovered from the applicant.

Removing ownership housing agreements will reduce future administrative and staff costs.

Personnel Implications:

Housing agreements can require significant staff time due to administrative complexities, monitoring requirements and change requests. Complexities happen when the property owner wants changes to housing agreements and legal consultation is involved. These situations can take months to resolve and many hours of staff time in the three affected departments (Urban Planning, Policy and Planning and City Clerk’s Office).

External Agency/Public Comments:

In the past few years staff have received comments by BC Housing and CMHC that indicate both agencies are not keen on the ownership housing agreements.

Legal/Statutory Procedural Requirements

Should Council endorse the recommendations noted in this report, the next steps for staff will include contacting all 38 property owners by formal letter advising them of the proposed rescission to all existing ownership Housing Agreements and providing a short time period for comments. Following this communication, staff would then bring a second report for Council consideration, outlining any public input and listing all of the ownership Housing Agreement by-laws which could then be given 1st, 2nd, and 3rd reading. The Bylaw to rescind all ownership Housing Agreement by-laws could be adopted (4th reading) at the subsequent Council meeting. This process would not require a Public Hearing.

Communications Comments

All affected property owners will receive a letter advising them of the proposed rescission to the ownership Housing Agreements. The property owners will be provided two weeks to submit any comments to staff. These comments would then be included in the second report for Council consideration.

Considerations not applicable to this report:

Alternate Recommendation

Submitted by:

L. Sanbrooks, Planner

Reviewed by:

G. Stephen, Long Range Planning Manager

Approved for inclusion:



Signe Bagh, Director of Policy and Planning

cc:

City Clerk
Manager, Urban Planning

Report to Council



Date: September 09, 2013
File: 0600-01
To: City Manager
From: City Clerk
Subject: 2013-08-26 Report - Development Application Notification Process

Recommendation:

THAT Council receive the report from the City Clerk, dated September 09, 2013 regarding changes to the development application notification process for information;

AND THAT Council give reading consideration to Bylaw No. 10863 being Amendment No.2 to Development Applications Procedures Bylaw No.10540;

AND THAT Council amend Council Policy No. 359, 'Liquor Licensing Policy & Procedures' as attached to the report of the City Clerk, dated September 09, 2013;

AND THAT Council rescind Council Policies Nos. 309 and 272, being 'Submissions to Council' and 'Handling of Petitions Received from the Public';

AND FURTHER THAT Council endorse a new Council Policy No.369, Circulation of Correspondence to Council, as attached to the report of the City Clerk, dated September 09, 2013.

Purpose:

To amend the statutory notification area in Development Applications Procedures Bylaw No. 10540; amend corresponding Council Policy; and endorse a proposed Council Policy in support of a new public "Get Connected" informational notice.

Background:

During a policy discussion with Council at the June 24 Regular AM meeting, Council directed staff to bring forward amendments that would maintain statutory delivery requirements for development applications, while improving engagement with the broader community.

The proposed amendments to the development applications procedures bylaw will change the statutory notification area from properties within a radius of 50m of the subject property, to those who are abutting and adjoining properties of the subject property. In addition to this statutory notification, staff is proposing to inform residents in the general postal delivery route area of development proposals using a revised notice that will be presented in a more reader-friendly format. Amendments to Council Policy No. 359, 'Liquor Licensing Policy & Procedures' is also provided for consideration to ensure Section 3, Notification Requirements, reflects current and proposed practice.

With this change, the statutory notification in its current form will continue to be mailed directly to those owners and occupiers of properties most directly impacted by development proposals. In addition to this, the 'Get Connected' informational notice will provide notification by postal route delivery area, increasing the number of residents informed at a reduced per piece cost of delivery.

The proposed new notification offers greater value to the public and supports public participation in the decision-making process in a way that will inform and encourage input on changes in our community through both traditional methods, with options for new channels of communication.

In support of these changes, staff is also proposing a new Policy, "Council Policy No.369 Circulation of Correspondence to Council." By rescinding Council Policy No. 309 'Submissions to Council' and Council Policy No. 272 'Handling of Petitions Received from the Public', and combining the information into one new Policy, Council will further inform the public on how all correspondence provided to Council is circulated, whether as part of a specific public process or through regular contact with Council on various issues in the community.

Internal Circulation:

Communications
Community Planning
Subdivision, Agriculture & Environment

Legal/Statutory Authority:

Local Government Act s920.1 - a local government, must, by bylaw, establish procedures and policies on the development application approval process

Legal/Statutory Procedural Requirements:

Community Charter s124(3) - notice must be provided of proposed changes to a procedures bylaw

Existing Policy:

Development Application Procedures Bylaw No.10540
Council Policy No. 309 Submissions to Council
Council Policy No. 272 Handling of Petitions Received from the Public
Council Policy No. 359 Liquor Licensing Policy & Procedures

Considerations not applicable to this report:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:

Submitted by:

S Fleming, City Clerk

Approved for inclusion:



R. Mayne, Divisional Director, Corporate & Protective Services

Attachments:

Council Policy No. 309 Submissions to Council

Council Policy No. 272 Handling of Petitions Received from the Public

Council Policy No. 359 Liquor Licensing Policy & Procedures

PROPOSED Council Policy No. 369 Circulation of Correspondence to Council

SAMPLE 'Get Connected' Informational Notice

Get Connected

Office of the City Clerk

E-mail cityclerk@kelowna.ca
TEL 250-469-8645
FAX 250-862-3315
WEB kelowna.ca/council

Land Use Management

E-mail <file contact>
TEL 250-469-8482
FAX 250-

Broadcast

castanet.net
Council Meetings
Mondays at 1:30 p.m.
Public Hearings
every second Tuesday at 6 p.m.

Shaw Cable 11
Wednesday and Fridays at
11 a.m.

Kelowna City Council
City Hall
1435 Water Street
Kelowna BC V1Y 1J4
TEL 250 469-8980
FAX 250-862-3399
kelowna.ca

Proposed Changes Near You

Address: <New @ Proposed at <street address>>

The City has received an application from the property owner at the address above to <project description>, which requires a change to the current zoning.

Council welcomes input from residents as part of their consideration of this request. Attend the public hearing to hear from staff, the applicant, and members of the public:

Council Chambers - City Hall
Tuesday, <date>
6 p.m.

Unable to attend? Want to submit your comments?

Written comments may be sent to the Office of the City Clerk prior to the meeting. If you want more information about the application, contact <department lead, i.e. Urban Planning>

Visit kelowna.ca/getconnected to learn more or subscribe to e-updates delivered directly to your inbox.



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

*If you receive this notice, you are in the same Postal Delivery route area as the subject property.



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

Council Policy

Handling of Petitions Received from the Public

APPROVED April 26, 1999

RESOLUTION: R375/10/04/26
REPLACING: R342/99/04/26
DATE OF LAST REVIEW: April 2010

Departments receiving petitions are to forward them to the Office of the City Clerk, who will summarize the petitioners' request in a memo addressed to the Mayor and Council and provide a brief outline of how the petition is being handled.

When the necessary action takes a prolonged length of time, follow-up memos will also be provided to ensure Council is up-to-date as to the status of the petition.

Petitions concerning subdivisions are to be received by the Subdivision Approving Officer.

Petitions concerning development applications are to be received by the Land Use Management Department, unless they are part of a statutory notice in which case the petitions are forwarded to the Office of the City Clerk.

Statutory Petitions that are required by statute (i.e. alternative approvals under Section 86 of the Community Charter local service area petitions under Sections 212 to 214 of the Community Charter) are exempt from this policy.

REASON FOR POLICY

There are times when petitions are received and successfully handled by staff without Council involvement. However, Council needs to be informed of when a petition is received and how it is being dealt with so that if they receive public inquiries, Council is aware of the status of the petition. This establishes a policy to ensure that Council is kept informed.

LEGISLATIVE AUTHORITY

NA

PROCEDURE FOR IMPLEMENTATION

The department handling the petition will forward the memo to the Mayor and Council within 7 days of receiving the petition.



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

Council Policy

Submissions to Council

APPROVED December 20, 2004

RESOLUTION: R375/10/04/26
REPLACING: R1039/08/11/24; R1225/04/12/20; R512/02/12/16
DATE OF LAST REVIEW: April 2010

Written presentations to Council, resulting from a requirement of Statute or as a result of a request for submissions on a City initiative, will be circulated and reported to Council as two distinct (or separate) groups of correspondence:

1) First Priority:

- Correspondence from individuals that only outline the writers position;
- Correspondence from groups or associations that outline the group's position and report the number of members in the group, the date of the meeting at which the position was discussed and the number of members in attendance at that meeting.

2) Second Priority:

- Petitions;
- Form letters;
- Correspondence that purports to contain third party information;
- Correspondence from groups or associations that does not report the number of members in the group, the date of the meeting at which the position was discussed and the number of members in attendance at that meeting
- All unsigned correspondence.

3) All correspondence submitted as part of the development application public process must contain the name and indicate the area of residence (e.g. "123 Main St." or "a resident of Glenmore" or similar) of the author. Correspondence not meeting these requirements will not be returned to sender with an invitation to resubmit the correspondence with name and area of residence.

4) Any correspondence or other written submissions submitted as part of the development application public process must be received by 4:00 p.m. of the business day prior to the public hearing or meeting. Any correspondence or written submissions received after this deadline will not be circulated to Council. This restriction does not apply to the speaking notes of an intervener who submits notes of comments made during a public hearing or meeting.

REASON FOR POLICY

To assist members of Council in assessing all verbal and written presentations submitted to any Public Hearing or Council Meeting, as a result of some statute requirement or a request for submissions from the public on some City initiative.

LEGISLATIVE AUTHORITY

Council Resolution.

PROCEDURE FOR IMPLEMENTATION

The Office of the City Clerk receives these submissions and will ensure that they are circulated and reported as outlined in this policy.



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

Council Policy

Circulation of Correspondence to Council

Contact Department: Office of the City Clerk

Policy Statement

Members of Council receive correspondence from the public on various issues in the community, and regarding a wide variety of topics related to Public Hearings, Council Meetings and legislated forms of Petitioning.

Purpose

To ensure the processes related to the circulation of correspondence to Council, whether as part of a specific public process, or through regular contact with Council on various issues in the community, are clearly defined.

Background

While Council members and the City engage the community in various ways and for a variety of reasons, the Office of the City Clerk and Corporate Communications also provide a communication link for members of the public to 'Connect with Council' through written correspondence on a daily basis.

Depending on the nature of the written correspondence, Council is provided with the information in a timely manner, whether it is received in response to a legislated process, or a matter of individual or community interest.

Correspondence received as a result of Public Notification for Council Meeting or Public Hearing items from either statutory or informational notice, will be provided to Council as part of their meeting package.

Procedure:

1. General (Non-Development) Correspondence/Petition Submission:
 - a. Members of the public wishing to submit written correspondence for Council information or consideration may submit directly through the Mayor's office, or mayorandcouncil@kelowna.ca
 - i. Correspondence received will be acknowledged, when applicable, and circulated to Council through the Mayor and Council Correspondence system.
 - ii. Updates or additional correspondence will be added to the correspondence file if further action is required.
 - b. Petitions submitted to Council will be circulated to Council through the Mayor and Council Correspondence system and the appropriate City Department through the Service Request system. If further action is required, updates to the service request will be provided by the assigned department. Those submitting a general petition must:
 - i. clearly state the specific area of interest for the petition, followed by the position or request in point form;
 - ii. include the petition organizer and contact person name, civic address, phone number and email address; and
 - iii. provide a space for petitioners that includes their PRINTED name, signature, civic address and date the petition was signed.

**Please note that contact information is not necessary for each petitioner*

2. Subdivision Petitions Submission:

Petitions concerning subdivisions are to be received by the Subdivision Approving Officer.

3. Council Meeting (Development) Correspondence/Petition Submission:

The Office of the City Clerk, along with statutory notification according to Development Application Procedures Bylaw No.10540, will deliver informational notices to properties in the same general postal delivery route area as applications under consideration.

- a. The Office of the City Clerk will circulate to Council, and make available to the public at the meeting, any written comments that were received during the notification period, including:
 - i. correspondence from individuals that only outline the writers position;
 - ii. correspondence from groups or associations that outline the group's position and report the number of members in the group, the date of the meeting at which the position was discussed and the number of members in attendance at that meeting; or
 - iii. form letters or petitions; or
 - iv. correspondence, whether individual or group, that purports to contain third party information, or is commentary in nature;
- b. All written correspondence related to an application under consideration by Council in an open meeting, including email, becomes a public document once submitted to the City and must include the senders surname and civic address. While efforts will be made to obtain this information, correspondence lacking either a surname and/or civic address will not be circulated.

4. Alternative Approval Process (AAP) and Business Improvement Area (BIA) Petitions Submission:

- a. Petition forms will be accepted in paper, fax or electronic formats and must:
 - i. be submitted on the Council approved petition form;
 - ii. follow the requirement of the legislation as outlined on the petition form; and
 - iii. be received at the Office of the City Clerk no later than the closing date and time approved by Council.
- b. Results during the open petitioning period will not be provided to staff, Council or members of the public until the Corporate Officer has deemed the final total to be true and accurate in a report to Council.
- c. Once a petition is submitted, the petition and/or signature cannot be removed.

5. Local Area Service Petition Submissions:

- a. Petition forms will be accepted in paper, fax or electronic formats and must:
 - i. be submitted on the petition form created by City staff.
 - ii. follow the requirement of the legislation as outlined on the petition form.
 - iii. be received at the Office of the City Clerk no later than the closing date and time approved by Council;
- b. Results during the open petitioning period will not be provided to staff, Council or members of the public until the Corporate Officer has deemed the final total to be true and accurate in a report to Council.
- c. Once a petition is submitted, the petition and/or signature cannot be removed.

Amendments

N/A



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

Council Policy

Liquor Licensing Policy & Procedures

APPROVED February 21, 2011

RESOLUTION: R170/11/02/21
REPLACING: Council Policy No. 315
DATE OF LAST REVIEW: February 2011

A. BACKGROUND

The Provincial Liquor Control and Licensing Branch (LCLB) regulates the licensing of all liquor establishments and the retail sale of alcohol in British Columbia. City of Kelowna Municipal Council is referred on a number of these applications, including Liquor Primary applications, and other license endorsements. Local government comment is a key component of the LCLB's licensing decisions.

Council recognizes the importance of public entertainment venues, including liquor establishments, as a component of all vibrant cities. Managing the priorities of all community stakeholders is a delicate balance. As part of Council's on-going interest in establishing vibrant, livable Urban Centres, a 2003 report from the Mayor's Entertainment District Task Force was endorsed, relating to liquor licensing policy. The relevant policy from this 2003 report was adopted in former Council Policy #315 – "Liquor Licensing Procedures Liquor Primary (lp) and Retail Liquor Sales (rls)". At Council's request, a new review was completed by City staff in 2010. This new policy summarizes the pertinent policies endorsed in the Liquor Policy Review (2010), and is intended to guide future liquor license applications – including Provincial referral requests and rezoning applications on a City-wide basis.

B. LIQUOR PRIMARY (LP) ESTABLISHMENTS

In consideration of new, expanded or relocated Liquor Primary Establishments (cabarets/nightclubs, pubs, lounges), the following guidelines should be considered (see table below):

1. Siting/Density Guidelines:

- a) No establishment with a person capacity greater than 500 persons should be permitted.
- b) Large establishments (with person capacity greater than 249 persons):
 - i) Should only be located within an Urban Centre.
 - ii) Should be located a minimum of 250m from another Large establishment.
 - iii) Should be located a minimum of 100m from a Medium establishment.
 - iv) Should not be located beside a Small establishment.
- c) Medium establishments (with person capacity between 100-249 persons):
 - i) Should only be located within an Urban or Village Centre.
 - ii) Should be located a minimum of 100m from a Large or Medium establishment.
 - iii) Should not be located beside a Small establishment.
- d) Small establishments (with person capacity less than 100 persons):
 - i) Should not be located beside another liquor primary establishment.

The above siting guidelines are summarized in the following table:

| Establishment Type | Siting requirements from: | | | Location |
|-----------------------------|---------------------------|-----------------------------|-------------------------|-------------------------|
| | Small (<100 persons) | Medium (100-249 persons) | Large (250+ persons) | |
| Small (<100 persons) | Not beside. | Not beside | Not beside | City-wide |
| Medium (100-249 persons) | Not beside | Minimum 100m separation | Minimum 100m separation | Urban or Village Centre |
| Large (250+ persons) | Not beside | Minimum 100m separation | Minimum 250m separation | Only Urban Centre |

For the purposes of determining proximity, shortest walking distance (door-to-door) will be applied. These distances are meant to guide staff in their recommendations for particular applications, however, a number of other factors should be considered, including (but not limited to):

- a) Pertinent input from the RCMP;
- b) Vehicular and pedestrian traffic patterns for area and current zoning;
- c) Availability of on-site and off-site parking; proximity of playgrounds, schools, and other social facilities;
- d) Surrounding land-uses, and general impact on the local neighbourhood;
- e) Correspondence received from abutting property owners;
- f) Past licensee compliance and performance issues as may be provided by the LCLB.

2. Other Policies:

- a) New patios associated with liquor establishments should be located and designed to limit potential impacts on surrounding property owners.
- b) Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc)

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.

D. NEW LICENSES AND PERMANENT LICENSE CHANGES

Permanent License Changes requiring local government comment (new, expanded or amended Liquor Primary licenses, Food Primary licenses operating later than midnight, Patron Participation Entertainment endorsement, winery lounge/special event area endorsements, etc):

1. Application & Submission Requirements:

- a) Applicants are encouraged to conduct a pre-application meeting with Community Planning and Real Estate to discuss application process and submission requirements.
- b) Applicant must submit a City of Kelowna Liquor License Application in order to receive Council resolution.
- c) Applicant must show proof of application to the LCLB prior to municipal consideration.
- d) If approval is required by the Agricultural Land Commission, this must be addressed prior to City application.
- e) Proof of consultation with pertinent Business Improvement Association, Industry Association, and/or Resident's Association is required.
- f) It is suggested that applicants consider hosting a neighbourhood information meeting to provide an informal opportunity to discuss and resolve any potential neighbourhood concerns with the proposal prior to Council consideration.
- g) Amendments to submission requirements are at the discretion of the Director of Community Planning and Real Estate.

2. Municipal Review Process:

- a) Upon submission, staff will circulate the application to pertinent departments and agencies, prior to a staff report being presented to Council.
- b) Applications will be subject to a public meeting (or a Public Hearing where the application is being considered concurrently with a rezoning application). The applicant is responsible to the costs of advertising for the public meeting (see notification requirements below).

- c) The Community Planning and Real Estate Department shall make a recommendation to Municipal Council regarding the proposal. Council shall make its decision based on this recommendation as well as the information received at the Public Hearing or Public Meeting.
- d) The resolution from Municipal Council is then forwarded to the LCLB by the Community Planning and Real Estate Department for their final review.

3. Notification Requirements:

- a) Notification requirements are as per Development Application Procedures Bylaw, including the requirement to place notification signage on the property at least ten days prior to the public meeting date. Signs are to be purchased at City Hall.

An informational notice will also be delivered to properties in the same general postal delivery route area by Canada Post airmail. Newspaper advertisements will be placed in at least two consecutive issues, with the last publication to appear not less than three and not more than ten days before the Public Hearing or Public Meeting.

Notification is coordinated by the Office of the City Clerk.

E. TEMPORARY LICENSE CHANGES

Temporary license changes may be considered by the Divisional Director of Community Planning and Real Estate. Temporary Changes will only be considered by Council should the applicant wish to appeal the decision of the director.

Where appropriate, temporary changes are reviewed with the RCMP, Fire Department, Inspection Services Department, and the local liquor inspector.

Staff may consider up to three temporary license changes per calendar year for Liquor Primary establishments, including late closing requests. These requests will be considered on a case-by-case basis, and may be subject to additional policing costs being paid prior to the event (for example, 4:00am closings).

F. SPECIAL OCCASION LICENSE

The following considerations should be applied to Special Occasion License requests:

- a) SOL requests that require RCMP/Local Government consideration will be evaluated on a case-by-case basis.
- b) Review of SOL requests will include review of a number of factors, including (but not limited to) location, capacity, hours of operation, previous compliance, and impact on surrounding neighbours.
- c) SOL requests are intended to be for infrequent events, and are not to be used as a substitute for a permanent liquor license at a venue. Attention will be given to the number of SOL requests made in a given time period at one property.
- d) The RCMP have the authority to place additional restrictions on SOL's should they have public safety concerns associated with the event.
- e) No SOL's are to be granted where the proposed event is intended to cater to youth or where youth (under the age of 19) will be present.
- f) SOL licensees are to retain qualified private security personnel to monitor access to and from licensed events, where requested.
- g) All SOL events must respect the City of Kelowna Noise Bylaw.

REASON FOR POLICY

To establish revised policy and procedures for processing liquor license applications.

LEGISLATIVE AUTHORITY

Liquor Control & Licensing Act

PROCEDURE FOR IMPLEMENTATION

As outlined in the Liquor Policy Review Final Report.

CITY OF KELOWNA

BYLAW NO. 10863

Amendment No. 2 to Development Application Procedures Bylaw No. 10540

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Development Application Procedures Bylaw No. 10540 be amended as follows:

1. THAT SECTION 4 - PUBLIC NOTIFICATION & CONSULTATION, 4.1 PUBLIC NOTIFICATION & CONSULTATION REQUIREMENT, 4.2 PUBLIC NOTIFICATION, 4.2.1 Giving Notice be amended by:

- a) deleting the following in sub-paragraph a) that reads:

“In accordance with the *Local Government Act*, the City will mail or otherwise deliver individual notices to all Owners and tenants of the subject property for which an application is being made, and all Owners and tenants of all other properties within a distance of not less than 50 metres measured from the boundaries of any subject property to which the application pertains, advising of:”

and replacing it with:

“In accordance with the *Local Government Act*, the City will mail or otherwise deliver individual notices to all Owners and tenants of the subject property for which an application is being made, and all Owners and tenants of properties that are abutting and adjoining to the subject property to which the application pertains, advising of:”

2. This bylaw may be cited for all purposes as "Bylaw No. 10863, being Amendment No. 2 to Development Application Procedures Bylaw No. 10540."
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, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 10884

Amendment No. 27 to Airport Fees Bylaw No. 7982

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Airport Fees Bylaw No. 7982 be amended as follows:

1. THAT all references to "Airport General Manager" be deleted and replaced with "Airport Director";
2. AND THAT Schedule A, 5. AFTER HOURS FIRE FIGHTING AND MAINTENANCE SERVICES FEES, be deleted in its entirety that reads:

"AFTER HOURS FIREFIGHTING AND MAINTENANCE SERVICES FEES

For every landing or take-off requiring firefighting and maintenance coverage outside of the airport's normal published operating hours a fee of \$100.00 will be charged for every ½ hr or portion thereof."

3. AND THAT Schedule A, 7. AIRLINE TERMINAL BUILDING LEASE SPACE FEE, 7.4 COMMON USE COUNTER, be amended by deleting:

"\$4.50 per use (as defined in the Airport Manager's APM Circular No. 37/88, as amended from time to time)"

And replacing it with:

"\$4.50 per use (as defined in the Airport Director's Circulars, as amended from time to time)"

4. AND THAT Schedule A, 10. AIR TERMINAL BUILDING ADVERTISING SPACE FEE be deleted in its entirety that reads:

"AIR TERMINAL BUILDING ADVERTISING SPACE FEE

Effective : January 1, 2012

| | | |
|----------------------------|------------------------|-----------------------|
| 10.1 Strip Signs | approx. size 2' x 4' | \$680.00 per annum |
| 10.2 Super Signs | approx. size 30" x 40" | \$2,681.00 per annum |
| 10.3 Hotel Directory Board | approx. size 8" x 10" | \$473.00 per annum |
| 10.4 Bag Belt Signs | approx. size 2' x 4' | \$1,208.00 per annum |
| 10.5 Spectacular Signs | approx. size 9' x 5' | \$8,400.00 per annum |
| 10.6 Entrance Roadway Sign | approx. size 15' x 6' | \$10,500.00 per annum |

Effective : January 1, 2013

| | | |
|----------------------------|------------------------|----------------------|
| 10.1 Strip Signs | approx. size 2' x 4' | \$714.00 per annum |
| 10.2 Super Signs | approx. size 30" x 40" | \$2,815.00 per annum |
| 10.3 Hotel Directory Board | approx. size 8" x 10" | \$496.00 per annum |
| 10.4 Bag Belt Signs | approx. size 2' x 4' | \$1,268.00 per annum |
| 10.5 Spectacular Signs | approx. size 9' x 5' | \$8,820.00 per annum |

5. AND THAT Schedule A, 11. PAY TELEPHONE CONCESSION FEES be deleted in its entirety that reads:

“PAY TELEPHONE CONCESSION FEES

| | | |
|------|----------------------|---|
| 11.1 | Coin in Box Phones | \$12.00 per month plus 11% of cash in box and 1.6% of total charge call revenue |
| 11.2 | Card/Coin Phones | \$12.00 per month plus 11% of cash in box and 1.6% of total charge call revenue |
| 11.3 | Non Coin/Card Phones | \$22.00 per month plus 1.6% of total charge call revenue” |

6. AND THAT Schedule A, 12. LAND RENTAL RATES be deleted in its entirety that reads:

“LAND RENTAL RATES

(Effective January 1, 1995 to December 31, 1999)

| <u>Sub-Lessee</u> | <u>Per sq. ft per Annum</u> |
|----------------------------------|-----------------------------|
| Callahan Construction | \$0.201 |
| Kelowna Flightcraft - new hangar | \$0.145 |
| Kelowna Flightcraft - north end | \$0.336 |
| Northern Air Support | \$0.209 |
| Phoenix Investments | \$0.225 |
| Shell - North Fuel Storage | \$0.565 |
| Shell - Bulk Fuel Storage | \$0.298 |
| S.I.F.C. - Fuel Storage | \$0.565 |
| S.I.F.C. - Hangar | \$0.161 |

(Effective August 1, 1996 to July 31, 2000)

| | |
|-------------------------|---------|
| E & D Aircraft Services | \$0.226 |
|-------------------------|---------|

(Effective January 1, 2001)

| <u>Sub-Lessee</u> | <u>Per sq. ft per Annum</u> |
|--|-----------------------------|
| Callahan Construction | \$0.276 |
| Kelowna Flightcraft - new hangar | \$0.165 |
| Kelowna Flightcraft - parking lot | \$0.165 |
| Kelowna Flightcraft - component workshop | \$0.352 |
| Northern Air Support | \$0.234 |
| E & D Aircraft Services Ltd. | \$0.276 |
| Shell - Bulk Fuel Storage | \$0.413 |
| A.O.G. Air Support | \$0.207 |
| Southern Interior Flight Centre - Hangar | \$0.207 |

Land rental rates for the airport leases listed above shall increase by 2 percent per annum effective January 1, 2002 for the balance of their term.

Land rental rates for new airport leases and sub-leases will be based on current market value as determined by an independent appraisal for the initial year of the term, plus annual increases of 2 percent per annum for the balance of the term beyond the first year.”

And replace with:

“LAND RENTAL RATES

(Effective January 1, 2013)

Land rental rates for airport leases and sub-leases will be based on current market value as determined by an independent appraisal for the initial year of the term, plus annual increases of 2 percent per annum for the balance of the term beyond the first year.

Based on an independent study conducted in December, 2011 the land rental rates effective January 1, 2013 are:

| | | |
|-------------------|---|-------------------------|
| ±.50 acres | = | \$0.87 per square foot |
| 1.0 - 5.0 acres | = | \$0.58 per square foot |
| 6.0 - 10.0 acres | = | \$0.50 per square foot |
| 11.0 - 20.0 acres | = | \$0.42 per square foot” |

7. AND THAT Schedule A, 13. **AIRPORT MAINTENANCE CHARGE**, be deleted in its entirety that reads:

“AIRPORT MAINTENANCE CHARGE

\$0.022 per square foot per annum for all land leases and sub-leases until December 31, 2001. Effective January 1, 2002, the airport maintenance charge will increase by 2 percent per annum for the term of the individual land leases and sub-leases.”

And replaced with:

“AIRPORT MAINTENANCE CHARGE

Effective January 1, 2013, the airport maintenance charge is \$0.028 per square foot per annum and will increase by 2 percent per annum for the term of the individual land leases and sub-leases.”

AND THAT Schedule A, 25. **SECURITY FEES AND CHARGES - EFFECTIVE 15, 2009** be amended by deleting in its entirety “**Note: All security fees and charges include applicable taxes.**”

8. This bylaw may be cited for all purposes as "Bylaw No. 10884, being Amendment No. 27 to Airport Fees Bylaw No. 7982".
9. 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 26th day of August, 2013.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

DRAFT RESOLUTION

Re: Notice of Motion - Parking Restrictions in the Downtown Core

THAT Council directs staff to remove the parking restrictions between 3:00 am - 6:00 am in the downtown core, for a one (1) year trial period, commencing January 1, 2014;

AND THAT following the one (1) year trial period, staff report back to Council with recommendations on whether or not to reinstate the parking restrictions.

Date: August 30, 2013
File: 0610-50