

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



Monday, March 31, 2014
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** 5 - 11

Regular PM Meeting - March 24, 2014
3. **Development Application Reports & Related Bylaws**
 - 3.1 **Rezoning Application No. Z13-0045 - 469 Glenmore Road, Terry Johnston & Jeffery Pereverzoff** 12 - 47

To consider a proposal to rezone the subject property to the C3 – Community Commercial zone to accommodate a car wash.

 - 3.1.1 **Bylaw No. 10937 (Z13-0045) - 469 Glenmore Road, Terry Johnson & Jeffery Pereverzoff** 48 - 50

To give Bylaw No. 10937 first reading in order to rezone the subject property from the A1 - Agriculture 1 zone to the C3 - Community Commercial zone.
 - 3.2 **Heritage Designation Application No. HD14-0001 - 609 Burne Avenue, Craig Abernethy** 51 - 57

To remove the Municipal Heritage Designation from the property at 609 Burne Avenue as the former heritage building located on the site, commonly known as the 'John F. Burne House', was completely destroyed by fire in August 2013.

 - 3.2.1 **Bylaw No. 10938 (HD14-0001) - 609 Burne Avenue, Craig Abernethy** 58 - 58

To give Bylaw No. 10938 first reading in order to remove the Municipal Heritage Designation from the subject property.

- 3.3 Official Community Plan Bylaw Amendment Application No. OCP14-0007 and Rezoning Application No. Z14-0002 - 1908, 1924 and (Part of) Henkel Road, Surinder Gosel & City of Kelowna 59 - 75
- To amend the Official Community Plan Future Land Use designation and to rezone the subject properties in order to accommodate the development of a six lot single family subdivision.
- 3.3.1 Bylaw No. 10940 (OCP14-0007) - 1924 Henkel Road and (Part of) Henkel Road, Surinder Gosel & City of Kelowna 76 - 78
- Requires a majority of all members of Council (5).**
To give Bylaw No. 10940 first reading in order to change the future land use designations of part of the subject properties from the REP - Resource Protection Area and EDINST - Educational/Major Institutional designations to the S2RES - Single/Two Unit Residential designation.
- 3.3.2 Bylaw No. 10941 (Z14-0002) - 1908, 1924 and (Part of) Henkel Road, Surinder Gosel & City of Kelowna 79 - 81
- To give Bylaw No. 10941 first reading in order to rezone part of the subject properties from the RR3 - Rural Residential 3 and P2 - Educational Minor Institutional zones to the RU2 - Medium Lot Housing zone.
- 3.4 Text Amendment No. TA14-0006 - Proposed Amendment to Zoning Bylaw No. 8000 - I1 Business Industrial Zone, City of Kelowna 82 - 85
- To forward for Council's consideration a text amendment to Zoning Bylaw No. 8000 which would allow Medical Marihuana Production Facilities as a principal use in the I1 - Business Industrial Zone.
- 3.4.1 Bylaw No. 10944 (TA14-0006) - Medical Marihuana Production Facilities - Industrial Zones 86 - 86
- To give Bylaw No. 10944 first reading in order to amend Zoning Bylaw No. 8000 to allow Medical Marihuana Production Facilities as a principle use in the I1 - Business Industrial Zone.
4. Non-Development Reports & Related Bylaws
- 4.1 Tourism Oriented Destination Sign Fees 87 - 88
- To give reading consideration to Bylaw No. 10942 in order to implement the collection of fees pursuant to Council Policy No. 373.
- 4.1.1 Bylaw No. 10942 - Amendment No. 25 to Traffic Bylaw No. 8120 89 - 90
- To give Bylaw No. 10942 first, second and third readings in order to amend City of Kelowna Traffic Bylaw No. 8120.

- 4.2 Road Closure - Portion of Lane between Cambridge and Central Avenues (Pleasantvale Lane) 91 - 93

The closed road is to be consolidated with the adjacent properties. Statutory right of ways to protect City utilities and other public utilities within the road closure area will be registered concurrently.

- 4.2.1 Bylaw No. 10935 - Road Closure Bylaw, Portion of Lane between Cambridge and Central Avenues (Pleasantvale Lane) 94 - 95

To give Bylaw No. 10935 first, second and third readings in order to authorize the City to permanently close and remove the highway dedication of a portion of highway between Cambridge and Central Avenue.

- 4.3 Parcel Tax Bylaw - Lawrence Avenue Local Area Service 96 - 99

To give reading consideration to Bylaw No. 10922 to impose a parcel tax on all benefiting parcels in the Local Service Area for Lawrence Avenue for 20 years starting on July 2nd, 2014 up to and including the 2033 taxation year, and to set the date, time and location for the 2014 Parcel Tax Roll Review.

- 4.3.1 Bylaw No. 10922 - Parcel Tax Bylaw for Lawrence Avenue Local Area Service 100 - 101

To give Bylaw No. 10922 first, second and third readings in order to authorize the City to impose a parcel tax under Section 200 of the *Community Charter* on the benefiting parcels in the Lawrence Avenue Local Area Service.

- 4.4 *LATE ITEM - Sufficiency Report for the Kelowna Police Services Building Project* 102 - 104

For Council to receive the Sufficiency Report for the Kelowna Police Services Building Project and to advance the accompanying loan authorization bylaw for adoption consideration.

- 4.4.1 *Bylaw No. 10900 - Kelowna Police Services Building Loan Authorization Bylaw* 105 - 106

To adopt Bylaw No. 10900 in order to authorize the City to undertake and carry out, or cause to be carried out, the construction of the new Kelowna Police Services Building.

5. Bylaws for Adoption (Non-Development Related)

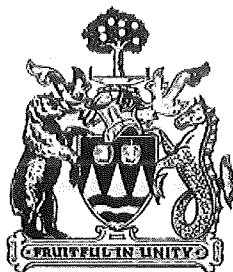
- 5.1 Bylaw No. 10926 - Road Closure Bylaw, Portion of Glenmore Road N 107 - 108

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

To adopt Bylaw No. 10926 in order to authorize the City to permanently close and remove the highway dedication of a portion of highway on Glenmore Road

N.

6. Mayor and Councillor Items
7. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, March 24, 2014
 Location: Council Chamber
 City Hall, 1435 Water Street

Council Members Present: Deputy Mayor Colin Basran and Councillors Andre Blanleil, Maxine DeHart, Gail Given and Gerry Zimmermann

Council Members Absent: Mayor Walter Gray and Councillors Robert Hobson, Mohini Singh and Luke Stack

Staff Present: City Manager, Ron Mattiussi*; City Clerk, Stephen Fleming; Infrastructure Divisional Director, John Vos*; Community Planning & Real Estate Divisional Director, Doug Gilchrist*; Corporate & Protective Services Divisional Director, Rob Mayne*; Urban Planning Manager, Ryan Smith; Cultural Services Manager, Sandra Kochan*; Subdivision, Agriculture & Environment Director, Shelley Gambacort*; Financial Services Director, Genelle Davidson*; Public Works Manager, Darryl Astofooroff*; Engineering Traffic Technician, Laurens Campbell*; Council Recording Secretary, Arlene McClelland and Council Recording Secretary, Tania Tishenko

1. Call to Order

Deputy Mayor Colin Basran called the meeting to order at 1:30 p.m.

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

2. Confirmation of Minutes

Moved By Councillor Given/Seconded By Councillor Zimmermann

R186/14/03/24 THAT the Minutes of the Regular Meeting of March 17, 2014 be confirmed as circulated.

Carried

3. Public in Attendance

3.1. Lorna McParland, Artistic & Administrative Director, Alternator Centre for Contemporary Art, re: Annual Report

Lorna McParland, Artistic & Administrative Director, Alternator Centre for Contemporary Art
- Gave a presentation of the Annual Report to Council.

4. Development Application Reports & Related Bylaws

4.1. Rezoning Application No. Z13-0038 - 721-725 Francis Avenue, Aldo & Wilma Clinaz

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council.

Moved By Councillor Zimmermann/Seconded By Councillor Blanleil

R187/14/03/24 THAT Rezoning Application No. Z13-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lots 1 and 2, District Lot 136, ODYD, Strata Plan KAS1005 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown In Form 1, located on 721-725 Francis Avenue, Kelowna, BC from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling Housing zone 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 FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

Carried

4.1.1. Bylaw No. 10933 (Z13-0038) - 721-725 Francis Avenue, Aldo & Wilma Clinaz

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R188/14/03/24 That Bylaw No. 10933 be read a first time.

Carried

City Clerk:

- Advised that this application will be scheduled to the April 15, 2014 Public Hearing.

4.2. Rezoning Application No. Z13-0037 - 3657 Highway 97 North, Raul Holdings Inc.

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council.
- Responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor DeHart

R189/14/03/24 THAT Rezoning Application No. Z13-0037 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 35, Township 26, ODYD, Plan 19674, Except Plan 23587, located on 3657 Highway 97N, Kelowna, BC from the A1 - Agriculture 1 zone to the C10 - Service Commercial zone be, considered by Council;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered 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 the requirements of the Development Engineering Branch and Black Mountain Irrigation District being completed to their satisfaction.

Carried

4.2.1. Bylaw No. 10934 (Z13-0037) - 3657 Highway 97 North, Raul Holdings Inc.

Moved By Councillor Given/Seconded By Councillor Zimmermann

R190/14/03/24 THAT Bylaw No. 10934 be read a first time.

Carried

City Clerk:

- Advised that this application will be scheduled to the April 15, 2014 Public Hearing.

4.3. Farm Help Housing Permit Application No. FH14-0002 - 1090 McKenzie Road, GP Sandher Holdings Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council.
- Responded to questions from Council.

Moved By Councillor Zimmermann/Seconded By Councillor Blanleil

R191/14/03/24 THAT Council authorize the issuance of Farm Help Housing Permit No. FH14-0002 for Lot 2, Section 25 TWP 26 ODYD Plan 4586 Except (1) Parcel A Plan B7112 (2) Plans 19263 and 20308 located at 1090 McKenzie Road, Kelowna B.C., subject to the following:

1. The dimensions of the addition to the existing dwelling be constructed on the land be in general accordance with attached Drawings S1 to S5;
2. The Seasonal Farm Worker Housing be constructed in accordance with Seasonal Agricultural Worker Program (SAWP) / BC Agriculture Council Housing Standards, and the maximum number of workers housed is in accordance with provincial and federal housing requirements for agricultural workers, as they may be amended from time to time;
3. The improvements are in accordance with the BC Building Code, and that all conditions of the City of Kelowna Building and Permitting Services be met (letter attached);
4. Registration of a Section 219 Restrictive Covenant restricting the use of the Seasonal Farm Worker Housing to use by farm employees only, and which is restricted to a maximum occupation of 6 months of the year, and that this

restriction be applied to the entire second dwelling of the above property, described in the attached drawings S1 to S5.

Carried

4.4. Farm Help Housing Permit Application No. FH14-0003 - 1240 Latta Road, GP Sandher Holdings Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council.
- Responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor DeHart

R192/14/03/24 THAT Council authorize the issuance of Farm Help Housing Permit No. FH14-0003 for Lot 26 Section 36 TWP 26 ODYD Plan 1760 except Plan 30358 located at 1240 Latta Road, Kelowna B.C., subject to the following:

1. The dimensions of the addition to the existing dwelling be constructed on the land be in general accordance with the attached sketch;
2. The Seasonal Farm Worker Housing be constructed in accordance with Seasonal Agricultural Worker Program (SAWP) / BC Agriculture Council Housing Standards, and the maximum number of workers housed is in accordance with provincial and federal housing requirements for agricultural workers, as they may be amended from time to time;
3. The improvements are in accordance with the BC Building Code, and that all conditions of the City of Kelowna Building and Permitting Services be met (letter attached);
4. Registration of a Section 219 Restrictive Covenant restricting the use of the Seasonal Farm Worker Housing to use by farm employees only, and which is restricted to a maximum occupation of 6 months of the year, and that this restriction be applied to the entire dwelling, described in the attached sketch.

Carried

5. Bylaws for Adoption (Development Related)

5.1. Bylaw No. 10916 (Z14-0003) - 4377 Gordon Drive, Richard & Michelle Kooistra

Moved By Councillor Zimmermann/Seconded By Councillor Given

R193/14/03/24 THAT Bylaw No. 10916 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1. 2014 Carryovers

Staff:

- Displayed a PowerPoint presentation summarizing the report before Council.
- Responded to questions from Council.

Divisional Director, Infrastructure:

- Responded to questions from Council.

Divisional Director, Community Planning & Real Estate:

- Responded to questions from Council.

Moved By Councillor Blanleil/Seconded By Councillor Given

R194/14/03/24 THAT the 2014 Financial Plan be increased by \$3,221,190 to provide for operating carryover projects and \$90,332,640 for capital carryover projects as summarized in Financial Plan Volume 2.

Carried

6.2. Lakeshore Road - Dehart to McClure

Divisional Director, Infrastructure:

- Displayed a PowerPoint presentation summarizing the report before Council.

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R195/14/03/24 THAT Council receives the report of the Infrastructure Division Director dated March 24, 2014 regarding Lakeshore Road from Dehart to McClure Roads;

AND THAT Council approves proceeding with the design and the construction of this section of Lakeshore in 2014 and 2015;

AND THAT Council approve the amendments to the 2014 Financial Plan in the amount of \$700,000 with \$577,142 from Sector B DCC Roads Reserve and \$122,858 from the

Arterial Road Reserve to cover the costs of predesign, land acquisition and start of detailed design;

AND THAT Council direct staff to bring forward budget submissions to the 2015 Provisional Budget for the completion of design and construction of this section of Lakeshore.

Carried

6.3. New Council Policy No. 373 - Tourist Oriented Destination Signs

Staff:

- Displayed a PowerPoint presentation summarizing the report before Council.
- Responded to questions from Council.

Moved By Councillor Blanleil/Seconded By Councillor Zimmermann

R196/14/03/24 THAT Council receives, for information, the Report from the Public Works Manager dated March 11, 2014 with respect to tourist oriented destination signs;

AND THAT Council adopts Council Policy No. 373, being Tourist Oriented Destination Signs, as outlined in the Report from the Public Works Manager, dated March 11, 2014.

Carried

7. Mayor and Councillor Items

Councillor Given:

- Commented on her attendance at the Okanagan Arts Awards with Councillor Basran.

8. Termination

This meeting was declared terminated at 2:31 p.m.

Deputy Mayor



City Clerk

2.0 Purpose

To consider a proposal to rezone the subject property to the C3 - Community Commercial zone to accommodate a car wash.

3.0 Urban Planning Department

Urban Planning Department staff are generally supportive of the proposed land use change to the C3 - Community Commercial zone. The proposal is consistent with the Official Community Plan (OCP) future land use designation. Adding to this, the lot is situated within the Glenmore Valley village centre, which is the area in which the OCP seeks to direct commercial development in the Glenmore area.

Within the list of permitted uses in the C3 zone, 'Service Stations, Minor' is a principal permitted use, allowing up to 6 car wash bays. While permitted in the zone, car washes as a use are both land consumptive and sometimes nuisance generating. In recognition of this, the Zoning Bylaw provides specific regulations addressing car washes and other vehicle oriented uses. One of these regulations addresses the proportion of the site occupied by buildings by requiring a minimum amount of land area per car wash bay that is to remain free of buildings. This number is set at 370m² per car wash bay, where the applicant's proposal includes a request to reduce this standard to 193.8m² per car wash bay. Examining the proposed land use with the above in mind reveals a site that appears to struggle somewhat to accommodate adequately the demands it generates, from parking to access and vehicle circulation.

This challenge is made all the more difficult when paired with the constraints generated by the site's context, including its interface with the park, the need to maintain access for the City to the adjacent park, and the interface with the residential community to the south. As a result of this struggle, the proposal is unable to accommodate any landscape buffer along the south property line.

While staff and the applicant have worked together productively to attempt to address the challenges encountered, the applicant's own consultation efforts have revealed that there remain major concerns among neighbouring residents about the potential for negative impacts from the project, and in particular, from noise and vehicle emissions.

The above discussion leads to the focal point of the challenges that this development faces: the southern property line. It is in this location that the demands of the proposed use (access, parking, circulation) and the demands of its context (sightlines to park, noise and emissions mitigation) meet. The applicant has requested a variance to reduce the landscape buffer requirement in this location, and has suggested several measures aimed at mitigating the impacts of the development on adjacent lands.

Despite this, Urban Planning staff are prepared to support this land use change to the C3 zone. Strictly speaking, it is not the *use* that is of concern to staff, but the expression of that use on the site in built form and site planning. To this end, the efforts of staff will be directed towards working with the applicant on the Development Permit and Development Variance Permit applications to ensure that the use proposed is expressed in a built form that respects its surroundings and adequately mitigates any negative impacts it may generate.

4.0 Proposal

4.1 Background

When staff were initially approached about the potential development of the site for a commercial use, several key items were identified:

- Access to Glenmore Road (4-lane arterial) would be limited, as there is already a significant number of driveway accesses in a short span;
- The lane abutting the south side of the property is used as a park access, so maintaining visibility and clear lines of sight in and out is critical for public safety;
- An existing mature tree on the east side of the property should be protected, as it contributes to the park to the east.

The proposed development requires two driveway accesses for effective circulation. But, with driveways off Glenmore Road in such close proximity, the subject property would only be permitted a single access. One of the adjacent accesses is the lane abutting the south side of the property, which is used occasionally by the City for maintenance access to the detention pond in the park to the east and the underground utilities leading to it. In order to address this issue, staff from affected departments met on several occasions and determined that the City would be prepared to give up its maintenance driveway access in exchange for maintenance access to the detention pond through the subject property secured by way of Statutory Right-of-Way. This solution allows the applicant the two driveway accesses needed, and secures the required maintenance access for the City.

Under typical circumstances, a car wash would construct sound barrier fencing and landscaping between it and all adjacent land uses. However, in this instance, that option is not supported by staff. The lane abutting the south side of the lot under application presently contains a gravel trail providing pedestrian access to the park and detention pond to the east. The detention pond and park area is well used by nearby residents, and there is no significant visual obstruction of the park from Glenmore Road. This allows for clear surveillance and increases the level of safety. There is a concrete wall on the south side of the lane, which is the north wall of the adjacent Sandalwood development. Developing opaque walls on the south, east, and north sides of the proposed development may result in significant safety issues for park users and may impact the success of the park in the long term. Staff have suggested that the applicant utilize fencing and landscaping that does not unduly obscure sightlines into the park. Unfortunately, this requires the applicant team to identify mechanisms to mitigate the negative noise impacts of the development without the use of solid walls.

In order to address the protection of the mature tree on the east side of the lot, staff and the applicant have proposed a land-for-land swap. Under this swap, the applicant will dedicate to the City 147m² of land on the east side property in exchange for the equivalent land area of excess road right-of-way on the west side of the lot. This land exchange will be considered by Council in a separate but parallel process.

A Development Permit and Development Variance Permit are required, and will be considered by Council alongside final adoption of the rezoning, should the land use be supported. The applicant is seeking two variances to eliminate landscape buffers on the west and south sides of the property in order to accommodate the circulation necessary for the development. This is of particular concern along the southern property line, which is nearest adjacent residential development. The City has offered the opportunity to purchase a small portion of the lane to the south that is not needed by the City in order to provide sufficient room for the proposal and associated standards. However, after some discussion, the applicant team elected not to move ahead with this option. Staff have asked the applicant to provide rationale supporting their variance request that discusses the noise impact of the proposal and possible mitigation measures. These will be discussed in more detail at Council's consideration of the Development Variance Permit.

The applicant has conducted Neighbour Consultation in accordance with Council Policy No. 367 (see attachments). As a result, considerable concerns have been identified by residents of the adjacent (south) Sandalwood development, particularly those homes closest to the development. Concerns raised include the potential negative impacts of noise (car wash operation, vacuum operation, vehicle activity), and potential air quality concerns due to exhaust from idling cars. In response to this, the applicant has proposed several measures aimed at reducing any negative impacts (see attached rationale), including:

- Installing vacuums designed to reduce noise;
- Installing signage to reduce vehicle idling;
- Installing sound barrier fencing around the vacuums; and,
- Programming of car wash doors to reduce noise during wash process.

4.2 Project Description

The applicant is proposing to rezone the subject property in order to permit the development of a six bay car wash facility. The six car wash bays are divided between two buildings. The easternmost building contains two fully automated bays, and the westernmost building contains four self-serve bays, and two dog wash stations. Car vacuums are located both to the west of the buildings, and on the south side of the property.

Vehicular traffic will enter through a one-way movement driveway that leads into the queuing areas for the car washes. Vehicles then proceed from the car wash out an exit only driveway onto Glenmore Road. Vehicle parking is provided on the west and south sides of the proposed development.

Both buildings feature very dominant shed roof forms - each equipped with solar panels - that face directly south. Both buildings contain also two levels, but the second level of each building is limited, as the steep pitch of the shed roof constrains available floor area. The second level of the westernmost building has no windows, while the easternmost building has windows facing only to the north, east, and west elevations.

Some landscaping is provided on site on the east and west property lines. There will be a fence buffering the properties to the north, which are presently occupied by the Glenmore-Ellison Improvement District. No landscaping is proposed on the south side of the property, where applicant has provided a black chain link fence in accordance with City requirements.

4.3 Site Context

The subject property is situated on the east side of Glenmore Road approximately 300m south of its intersection with Kane Road. The lot is 1,541m² in area and is presently undeveloped. It is zoned A1 - Agriculture 1, but is designated COMM - Commercial in the Official Community Plan. The lot is within the Permanent Growth Boundary, and is situated in the Glenmore Valley village centre. Development in the surrounding area is varied, including commercial, residential and institutional uses.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P4 - Utilities C3 LR - Community Commercial P3 - Parks and Open Space RM5 - Medium Density Multiple Housing	GEID yards and office Various commercial uses Brandt's Creek Linear Park Low rise apartment housing

East	A1 - Agriculture 1 P3 - Parks and Open Space	Sutton Glen Park (detention pond) Brandt's Creek Linear Park
South	RU5 - Bareland Strata Housing	Sandalwood Adult Community (bareland strata)
West	RU5 - Bareland Strata Housing P2 - Education and Minor Institutional	The Orchard Watson Road Elementary

Subject Property Map: 469 Glenmore Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1,541 m ²	1,541 m ²
Lot Width	40.0 m	25.86 m - 30.48 m
Lot Depth	30.0 m	52.43 m
Development Regulations		
Floor Area Ratio	1.0	0.30
Site Coverage	50%	24.5%
Height	Lesser of 15.0 m or 4 storeys	7.8 m / 2 storeys
Front Yard	3.0 m	11.15 m
Side Yard (south)	0.0 m	10.82 m
Side Yard (north)	0.0 m	6.86 m
Rear Yard	0.0 m	0.02 m
Other Regulations		
Minimum Parking Requirements	2 per service bay (1 stall within bay) = 6 stalls	5 stalls●

Land Area Not Occupied By Buildings	370 m ² /wash bay = 2,220 m ²	193.8 m ² /wash bay ^②
Loading Space	1 per 1,900 m ² GFA = 1 space	1 space
Landscape Buffers:		
Front	Level 2	Level 1 ^③
Rear	Level 3	Level 3
Side (north)	Level 3	Level 3
Side (south)	Level 3	Level 1 ^③
Car Wash Vehicle Stacking	5 stalls per automated pay 2 stalls per self-wash bay	5 stalls 2 stalls
<p>① Indicates a requested variance to the minimum number of off-street parking stalls from 6 permitted to 5 proposed.</p> <p>② Indicates a requested variance to the minimum amount of land area not occupied by buildings from 370m² per car wash bay to 193.8m² per car wash bay.</p> <p>③ Indicates a requested variance to the minimum landscape buffer treatment level for both front and side lot lines from Level 3 permitted to Level 1 proposed.</p>		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Goals for a Sustainable Future

Foster Sustainable Prosperity.¹ Foster a healthy, dynamic and sustainable economy by retaining and attracting youth and talent, supporting business, encouraging appropriate new investment, providing for environmentally sound growth and improving the quality of life for Kelowna residents.

Provide Spectacular Parks.² Provide spectacular parks where people pursue active, creative and healthy lifestyles close to where they live and work.

Development Process

Compact Urban Form.³ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Permanent Growth Boundary.⁴ Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

6.0 Technical Comments

6.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)

¹ City of Kelowna Official Community Plan, Chapter 1 (Introduction), Goal 5.

² City of Kelowna Official Community Plan, Chapter 1 (Introduction), Goal 7.

³ City of Kelowna Official Community Plan, Chapter 5 (Development Process) Policy 5.3.2.

⁴ City of Kelowna Official Community Plan, Chapter 5 (Development Process) Policy 5.3.1.

- 2) Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- 3) A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
 - a. Hard surface paths are to be provided from the exit stairwells to the street(s)
 - b. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - c. Fire department to comment of driveway access and turn radius requirements for their vehicles.
- 4) A Geotechnical report is required to address the sub soil conditions and site drainage.
- 5) Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit are to clearly identify how this rating will be achieved and where these area(s) are located.
- 6) The upper floor plan may have a dead end co-oridor(s). An exiting analysis is required as part of the code analysis at time of building permit application. No cross sections were provided at time of DP review.
- 7) Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- 8) The solar panels may be reflective, which may affect the neighboring properties.
- 9) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

See Development Engineering Memorandum, dated February 27, 2014.

6.3 Bylaw Services

No concerns.

6.4 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 #7900 requires a minimum of 150ltr/sec fire flows.

6.5 Glenmore-Ellison Improvement District

See letter from GEID, dated February 19, 2014.

6.6 Telus Communications

TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.

6.7 Fortis BC (electric)

There are primary electrical distribution facilities along Glenmore Road. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.

7.0 Application Chronology

Date of Application Received: December 16, 2013

Neighbour Consultation Date: March 6-14, 2014

Report prepared by:

James Moore, Planner II

Reviewed by:

Ryan Smith, Urban Planning Manager

Approved for Inclusion

D. Gilchrist, Div. Dir. of Community Planning & Real Estate

Attachments:

Subject Property Map

Site Plan/Landscape Plan

Conceptual Elevations

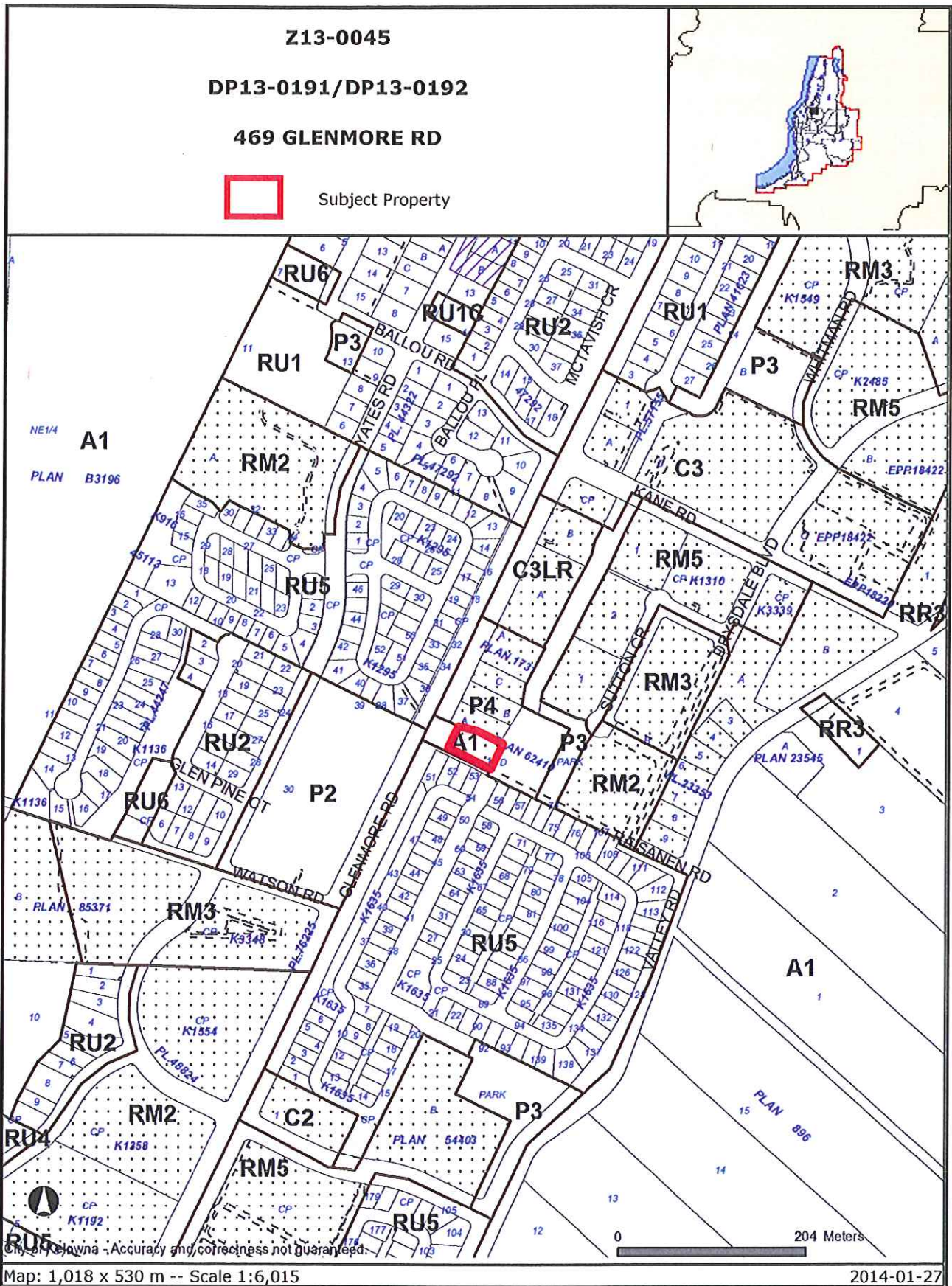
Context/Site Photos

Applicant's Letter of Rationale, dated March 13, 2014

Neighbour Consultation Summary, dated March 14, 2014

Letter from GEID, dated February 19, 2014

Development Engineering Memorandum, dated February 27, 2014



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.



PROPOSED CARWASH DEVELOPMENT
469 CLEMMORE ROAD
KELOWNA, BC

HANS P. NEUMANN ARCHITECT INC.

1120 HIGHLAND DRIVE NORTH, KELOWNA, B.C. V1Y 4G5

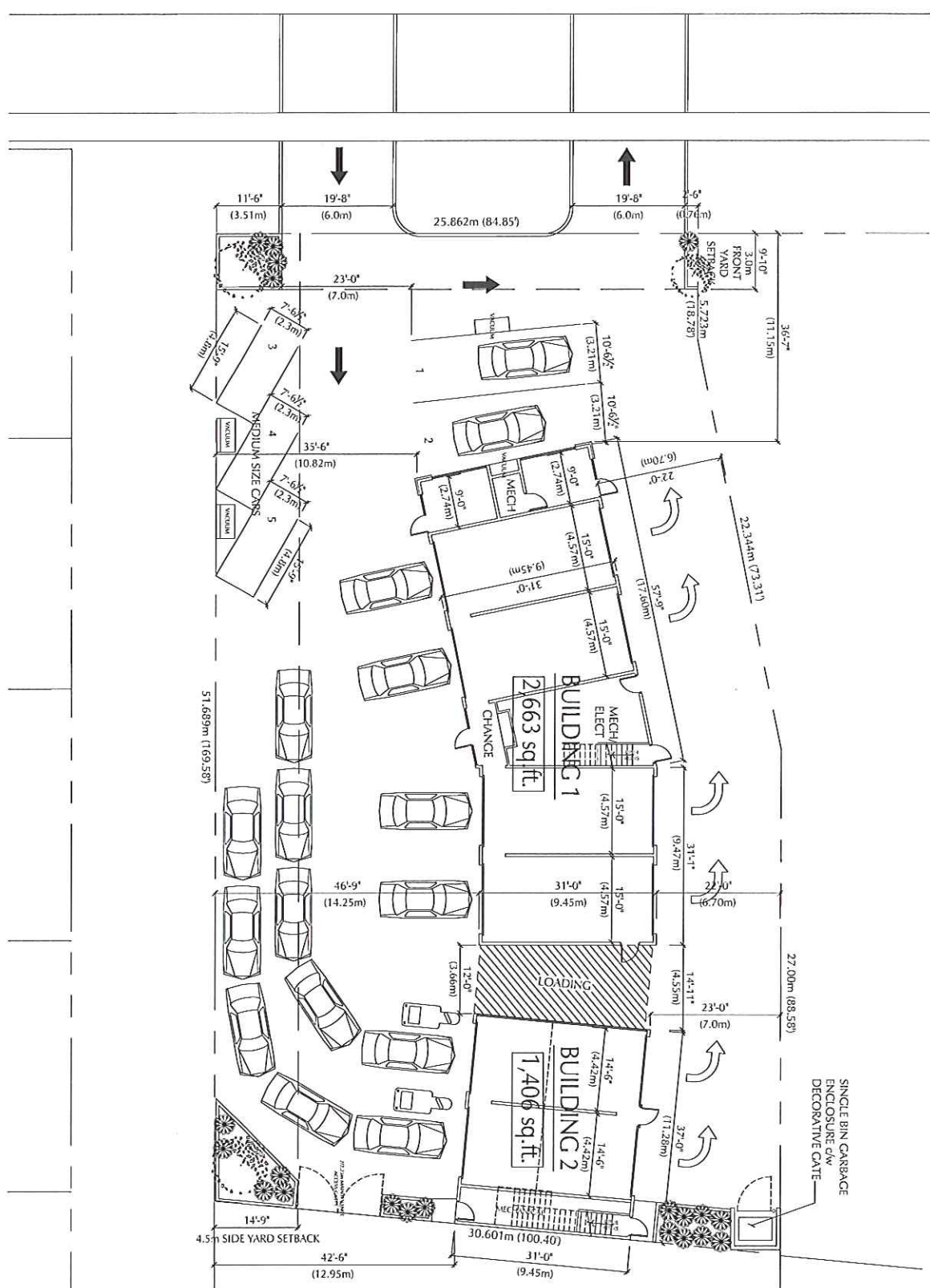
PHONIC: 250-864-0401 FAX: 250-864-0417



SITE/ROOF PLAN & ZONING BYLAW ANALYSIS

NO.	DATE	DESCRIPTION	SCALE
1	NOV 2014	CONCEPT DEVELOPMENT	1/8" = 1'-0"
2	FEB 2015	PRELIMINARY DEVELOPMENT	1/8" = 1'-0"
3	MAY 2015	FINAL DEVELOPMENT PLAN	1/8" = 1'-0"
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DP1



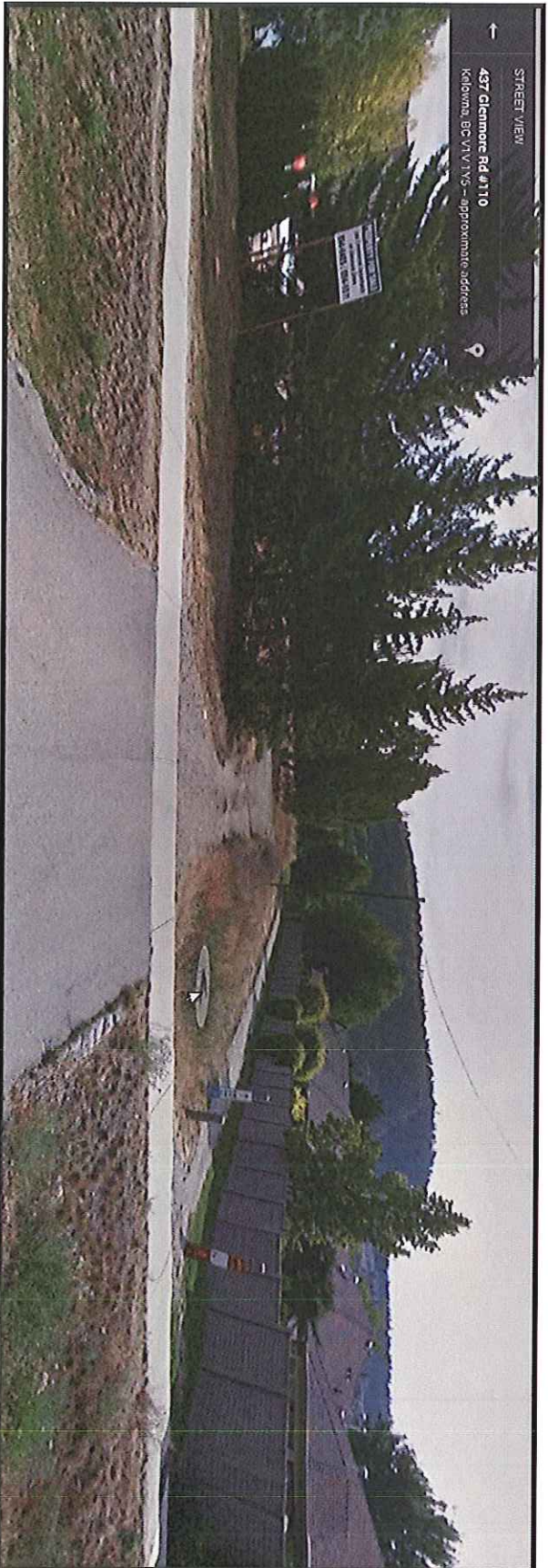
PROJECT DATA

PROJECT NAME: PROPOSED CARWASH DEVELOPMENT
 PROJECT ADDRESS: 469 CLEMMORE ROAD, KELOWNA, BC
 CLIENT: HANS P. NEUMANN ARCHITECT INC.
 DATE: NOV 2014

ZONING BYLAW REQUIREMENTS

PARAMETER	REQUIREMENT	COMPLIANCE
MAXIMUM BUILDING HEIGHT	35.0m (114.8ft)	COMPLIANT
MAXIMUM LOT COVERAGE	40.0%	COMPLIANT
MINIMUM SETBACKS	3.0m (9.8ft)	COMPLIANT
MINIMUM FRONT YARD SETBACK	3.0m (9.8ft)	COMPLIANT
MINIMUM SIDE YARD SETBACK	1.5m (4.9ft)	COMPLIANT
MINIMUM REAR YARD SETBACK	1.5m (4.9ft)	COMPLIANT
MINIMUM FRONT SETBACK	3.0m (9.8ft)	COMPLIANT
MINIMUM SIDE SETBACK	1.5m (4.9ft)	COMPLIANT
MINIMUM REAR SETBACK	1.5m (4.9ft)	COMPLIANT
MINIMUM FRONT SETBACK	3.0m (9.8ft)	COMPLIANT
MINIMUM SIDE SETBACK	1.5m (4.9ft)	COMPLIANT
MINIMUM REAR SETBACK	1.5m (4.9ft)	COMPLIANT
MINIMUM FRONT SETBACK	3.0m (9.8ft)	COMPLIANT
MINIMUM SIDE SETBACK	1.5m (4.9ft)	COMPLIANT
MINIMUM REAR SETBACK	1.5m (4.9ft)	COMPLIANT

Z13-0045 – Site Photo



Hi Dawn,

13 March 2014

Before we address the neighboring properties concerns I would like to give you some of my background on car washes.

I have been in the car wash industry for 14 years and have been involved in the construction of 5 car washes. These washes are located in Kamloops, Comox, Langley and Surrey. My involvement has been from planning to operations in all 5 locations. We have always tried to use the latest technology as far as, water conservation and reclaim, Eco friendly soaps, carbon footprint reduction and general environmental impact reduction strategies. This wash will be our most advanced yet. We also hope to create Canada's first "zero" carbon footprint car wash. This will be done by the installation of solar panels, LED lighting throughout the site and a "NO IDLING" policy just to name a few.

This car wash when completed should be one of the most eco friendly in B.C. if not Canada.

We reviewed all the feedback from the neighboring properties and we are very confident that we can address their concerns.

The main concern seems to be the loudness of the vacuums. The vacuums that will be used on this site are John Coleman 93000 series for which we have supplied the specification sheet. We have used these vacuums for the past 14 years with very good results as far as noise reduction is concerned. These vacuums, at 45 feet which is the closest home, should produce less noise than road traffic at the same distance. Also the vacuums are only used by approximately 25% of our customers. This is going by existing car counts at our other locations.

I would recommend that the city allow us to install an "architectural sound barrier wall" behind the vacuums, between the vacuums and the closest home, of approximately 25 – 30 feet in length and about 6 feet high. This sound barrier wall would be constructed out of concrete fencing material similar to that have been used to decrease noise of some highways. Installing this sound barrier wall would substantially decrease the sound of the vacuums. In our experience this works far better than a landscape buffer.

Also to address possible graffiti problems we have had great support from other municipalities in recruiting some of the local schools art class students to paint murals on any panels or fencing we feel might be a problem.

All the wash bays including the touchless automatic will have programmable doors that can automatically open and close when each vehicle enters and exits the wash. The sound of the wash bays even when the doors open for vehicles to enter will be far less than the current road noise from Glenmore rd.

Yours Truly
Phil Declerck

Shhhhh!

The Quiet 93000 Series Vacuum

- Oval vacuum style
- Graphic vacuum body decaling with your choice of background color
- Stainless steel construction
- Count-down timer
- Built-in count-down timer and vacuum cycle counter
- Electronic coin acceptor
- Four filter bag design
- Your choice of dome color
- Twin 1.6 HP vacuum motors
- Quiet Kit Installation
- Shipping weight of 325 lbs.

Distance in Feet	Decibel with Acoustical Foam
1	82
5	76
10	72
15	69
20	67
25	64



Jim Coleman Company
5842 W. 34th Street
Houston, TX 77092
7130683-9878
1-800-999-9878
FX: 713-683-9624

March 14, 2014
File: 2229
CoK: Z13-0045

Attention: James Moore, MCIP, RPP

**Re: 469 Glenmore Road – Proposed Suds City Car Wash
Public Notification and Consultation Summary Responses**

In regards to the proposed development application for 469 Glenmore Road, information was circulated by hand, to all properties within 50m of the subject property.

As a result of the hand out, I have been back to visit with neighbors at their homes on two occasions, as well as had several phone discussions and email correspondence with other residents all within the Sandlewood Community.

These meetings were very useful to field questions and identify concerns the neighboring property owners had. The feedback gathered has been brought back to our design team and we are collaboratively working towards solutions that may elevate some of the residents' concerns.

For your information I have enclosed the following documentation:

- Information handout for neighboring properties, prepared by D.E.Pilling & Assoc., dated March 6, 2014.
- Various email correspondence between myself and Sandlewood Residents
- Response letter from the developer, dated March 14, 2014, providing suggestions for design revisions and additional information to help address concerns brought forward from neighbors.

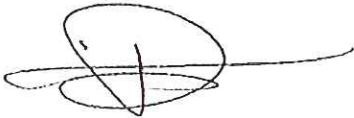
To summarize the concerns brought up from my discussions with the neighbors, I can comment as follows:

- Greatest concerns is the noise level from the vacuums. *The developer has now upgraded the model, and provided the vacuum specs, to a high end noise reduction model, unlike other washes have in our area. He has also proposed a partial soundproof wall behind the vacuums only to help block the noise from the residents.*
- There is a general understanding that a landscape buffer will not alleviate any of the noise from the development and residents do not express an issue with granting this variance.

- Approx. 50% of the Sandlewood residents expressed a desire for a soundproof fence along the entire south perimeter of the property, despite the City's concern for graffiti, and "corridor type" feel along the walkway. Most comment that they already have graffiti issues now and will not see the fence from there already enclosed yards. *The developer has suggested installing a wall only behind the vacuums for soundproofing as a solution. Student lead art work/murals could also be incorporated onto the fencing to avoid the temptation for graffiti on a blank canvas as an option.*
- Concerns with exhaust from idles cars was expressed. *The developer will install "no idling" signage for cars in cue.*
- Concerns about the noise at later hours was expressed. *The doors are all fully programmable and can be set to close behind the vehicles automatically after certain hours.*

We welcome any more comments to be forwarded on to us as you receive them so that we have opportunity to research options that may improve the design details of the development.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dawn Williams', with a long horizontal flourish extending to the right.

Dawn Williams,
Project Manager

March 6, 2014
File: 2229
CoK: Z13-0045

Dear Sir or Madam,

**Re: 469 Glenmore Road – Proposed Suds City Car Wash
Public Notification and Consultation**

In regards to the proposed development for 469 Glenmore Road, please find enclosed the preliminary plans prepared by Hans P. Neumann Architect Inc. for the Suds City Car Wash:

- DP1 (rev. 1) – Site Plan
- DP2 (rev. 0) – Building 1 Elevations
- DP3 (rev. 0) – Building 2 Elevations

The layout and use of the property as proposed is in accordance with City Staff recommendations, and the City of Kelowna's Official Community Plan.

The proposed development is for a fully automated car wash including two fully automatic service bays, four self-serve wash bays and two pet wash stations.

Rezoning amendment and development permit applications have been submitted to City of Kelowna as required to accommodate the proposed car wash facility.

The following variances have been proposed collaboratively with City of Kelowna staff to accommodate the development:

- Reduce the 3.0 landscape buffer requirement along the south property line to zero, including any solid screen fencing as a permitted buffer option. This is to prevent potential impacts from creating a "solid walled corridor" along the existing walkway to Brandt's Creek Park and to improve maneuverability on the site, which is already narrow.
- Reduce the minimum landscape buffer requirement between the right-in entrance and right-out exit along Glenmore Road to zero. This is to improve visual sightlines for vehicular movements onto Glenmore Road. Boulevard landscaping requirements will still apply.

Prior to the application progressing through the City rezoning process, we are interested any comments or input you may have. If you have any questions, concerns or comments regarding the Suds City Car Wash development, please contact us in writing by Friday March 14th 2014 so your comments can be considered.

Sincerely,



Dawn Williams,
D.E. Pilling & Assoc. Ltd.
#200-540 Groves Avenue
Kelowna, BC V1Y 4Y7

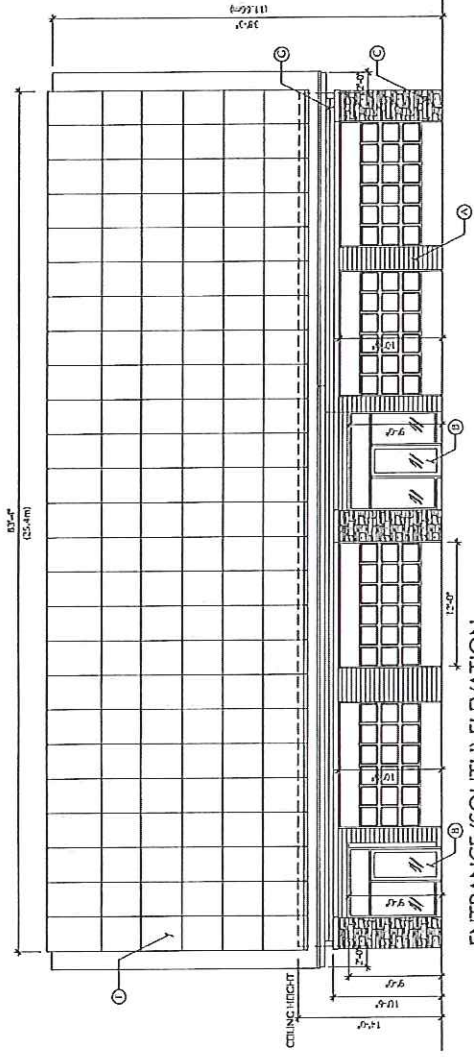
Dawn Williams,
Project Manager
dawnw@pillling.ca

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

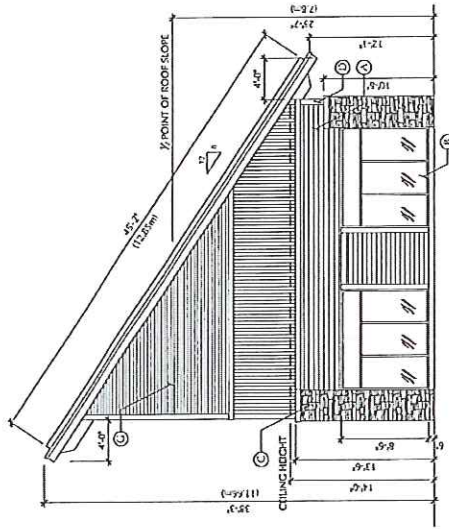
James Moore,
Planner II
jmoore@kelowna.ca

#200-540 GROVES AVE., KELOWNA BC V1Y 4Y7
PH: 250.763.2315 FX: 250.763.6559 E: reception@pillling.ca

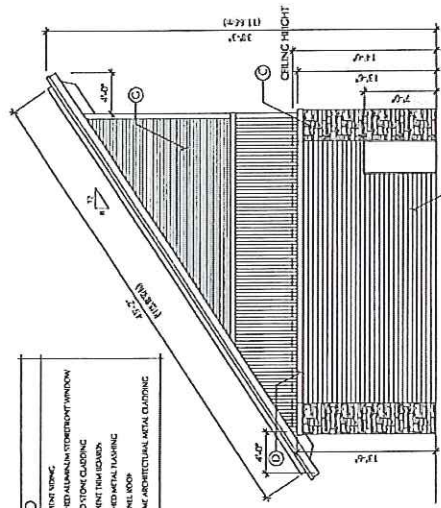
“PROVIDING TECHNICALLY SOUND SOLUTIONS AT THE LEAST COST TO THE CLIENT.”



ENTRANCE (SOUTH) ELEVATION
SCALE: 3/16" = 1'-0"

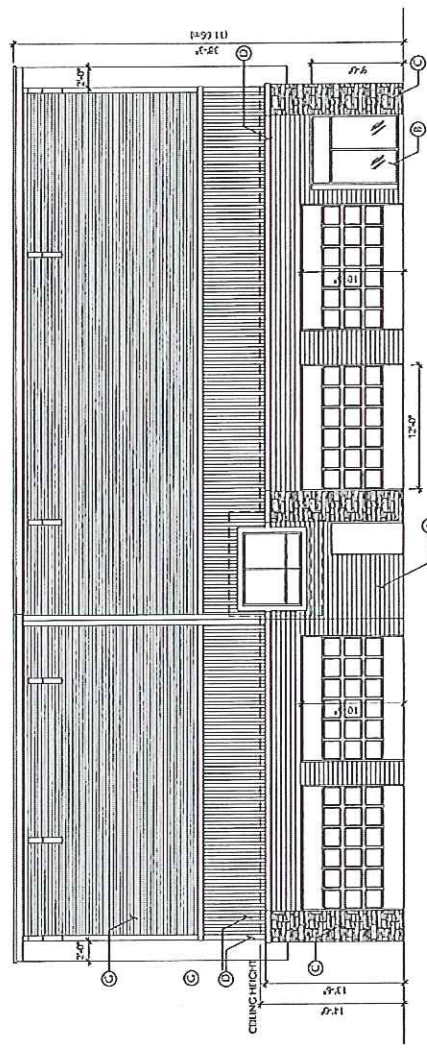


SIDE (WEST) ELEVATION
SCALE: 3/16" = 1'-0"



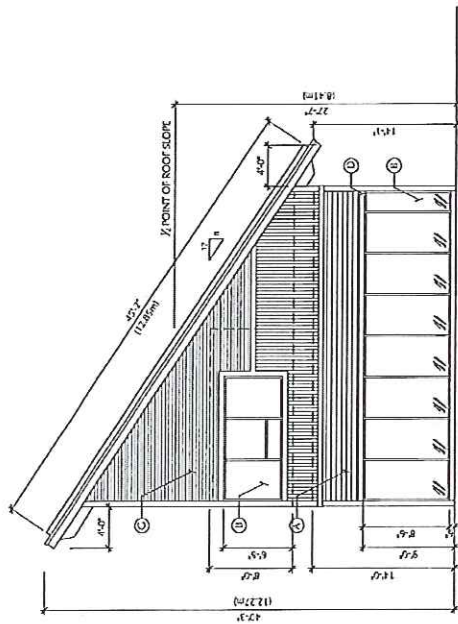
SIDE (EAST) ELEVATION
SCALE: 3/16" = 1'-0"

- LEGEND
- ① FINISH WORK
 - ② FINISHED ALUMINUM WINDOW
 - ③ CORRUGATED GLAZING
 - ④ FINISH WORK
 - ⑤ FINISH WORK
 - ⑥ FINISH WORK
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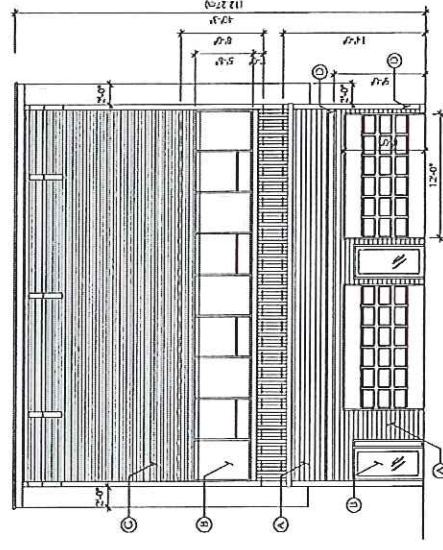


EXIT (NORTH) ELEVATION
SCALE: 3/16" = 1'-0"

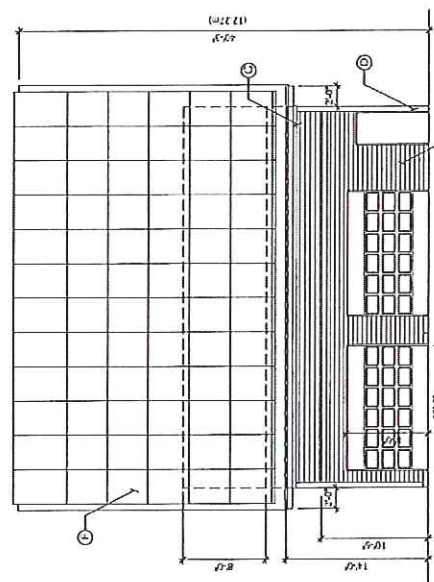
PROJECT		PROPOSED CARWASH DEVELOPMENT 460 GLENMORE ROAD SELOWANA, BC	
DRAWING TITLE		BUILDING 1 ELEVATIONS	
DRAWING NO.		DP2	
DATE		AUGUST 17, 2011	
DRAWN BY		JPM	
CHECKED BY		JPM	
SCALE		3/16" = 1'-0"	
PROJECT NO.		1001 HIGHLAND DRIVE NORTH, SELOWANA, BC, V1Y 4J5	
PHONE		(250) 844-8171 FAX (250) 844-8172	
FIRM		HANS P. NEUMANN ARCHITECT INC.	
FIRM ADDRESS		1001 HIGHLAND DRIVE NORTH, SELOWANA, BC, V1Y 4J5	
FIRM PHONE		(250) 844-8171	
FIRM FAX		(250) 844-8172	
FIRM WEBSITE		WWW.HANSNEUMANNARCHITECT.COM	



SIDE (WEST) ELEVATION
SCALE: 3/16" = 1'-0"



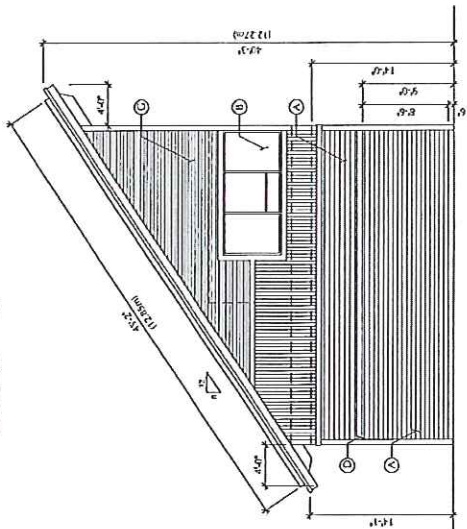
EXIT (NORTH) ELEVATION
SCALE: 3/16" = 1'-0"




ENTRANCE (SOUTH) ELEVATION
SCALE: 3/16" = 1'-0"

LEGEND

- ① RIBBED CONCRETE
- ② PREFINISHED ALUMINUM VERTICAL WINDOW
- ③ CULVERT RIBbed CLADDING
- ④ RIBBED CONCRETE TRIM BOARD
- ⑤ PREFINISHED METAL FINISHING
- ⑥ SOLID PAINT BODY
- ⑦ CAVALLINE ARCHITECTURAL METAL CLADDING



SIDE (EAST) ELEVATION
SCALE: 3/16" = 1'-0"

	HANS P. NEUMANN ARCHITECT INC.		PROJECT PROPOSED CARWASH DEVELOPMENT 469 GLENMORE ROAD KELOWNA, BC
	BUILDING 2 ELEVATIONS		DRAWING TITLE
DATE: _____ DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____	PROJECT NUMBER: _____ DRAWING NUMBER: _____	SCALE: 3/16" = 1'-0" DATE: AUGUST 31, 2011 DRAWING: 100	DRAWING NO. DP3 REVISIONS:

Dawn Williams

From:
Sent: Wednesday, March 12, 2014 10:57 AM
To: Dawn Williams
Subject: Re: File 2229 CoK Z13-0045 - Public

The following are my concerns for the proposed Carwash off Glenmore Rd.

1. At first glance, it appears that this is too large a development for the size of the lot.
2. Cars lining up to enter the wash bays, will be idling along the south fence line, creating noise, and exhaust pollution.
3. As I have COPD, the exhaust is of particular concern to me. I do spend a great deal of time on my deck (which is on the north side of my house) and in my gardens during the summer months.
4. There is no buffer shown in the drawings, and the suggested seven foot high insulated fence placed near our existing wall, on city property, would certainly be an eyesore, and could be very dangerous if there were any room between the two fences for pedestrian transit.
5. Any such development will surely devalue our property, and create a problem should we wish to sell.

Acceptable development of this property would be a business type building, with offices or smaller boutique types of shops.

A concerned resident of Sandalwood,
Edna Hatch

Dawn Williams

From: Dawn Williams
Sent: Wednesday, March 12, 2014 8:15 AM
To: Dawn Williams
Subject: Re: File 2229 CoK Z13-0045 - Public

Thank you for this information. I shall be forwarding my concerns in a separate email.
Regards,
Edna Hatch

Dawn Williams

From: Dawn Williams
Sent: Tuesday, March 11, 2014 9:42 PM
To: t5411340
Subject: Fw: File 2229 CoK Z13-0045 - Public
Attachments: 20140310151458678.pdf

Sent from my BlackBerry 10 smartphone on the Rogers network.

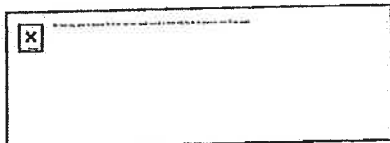
From: Dawn Williams <dawnw@pilling.ca>
Sent: Tuesday, March 11, 2014 9:39 PM
To:
Subject: Fw: File 2229 CoK Z13-0045 - Public

Good Evening Edna,

I met with your neighbors tonight and they asked if I could email you a copy of the information I had tried to hand deliver to you regarding the development proposal on the property next door to you. I've attached a copy of the letter and drawing of the application for you to review. Once you've had a chance to look it over please don't hesitate to call me with any questions or concerns.

Have a good night,

Dawn Williams,
Project Manager



#200-540 Groves Avenue, Kelowna, B.C. V1Y 4Y7
PH: 1-250-763-2315 FX: 1-250-763-6559 C:1-250-215-4568 E: dawnw@pilling.ca

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Sent from my BlackBerry 10 smartphone on the Rogers network.

Dawn Williams

From: Dawn Williams
Sent: Tuesday, March 11, 2014 9:42 PM
To: t5411340
Subject: Fw: File 2229 CoK Z13-0045

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Karen Fairfield
Sent: Tuesday, March 11, 2014 7:28 PM
To: James Moore
Cc: Dawn Williams
Subject: RE: File 2229 CoK Z13-0045

Some additional comments on the proposed car wash on 469 Glenmore Rd:

I took the time to drive around and visit some of the car washes here in Kelowna to get a better idea of the noise level to be expected and it really is significant. The proposed plan has vacuums right on the south perimeter of the property. The vehicular traffic would also be right on the south perimeter. The houses in Sandlewood backing this perimeter all have the master bedroom just a few feet from all of this. Our Sandlewood perimeter wall would do little to block this level of noise. As unsightly as a second wall on the other side of the access path to Brandt's Creek park might be, I think aesthetics must take a back seat to practicality. A chain link fence or small landscape barrier would do little to mitigate the noise issue. A substantial second fence is really the only step toward a solution here.

Karen Fairfield #166 550 Yates

From: James Moore [jmoore@kelowna.ca]
Sent: Monday, March 10, 2014 3:07 PM
To: Karen Fairfield
Cc: dawnw@pilling.ca
Subject: RE: File 2229 CoK Z13-0045

Hi Karen,

Thank you very much for taking the time to write to the City articulating your concerns regarding the proposed car wash development at 469 Glenmore Road. Your comments will be kept on file. Please note that staff have asked the applicant to provide rationale/evidence in support of their requested variance demonstrating that the car wash will not cause significant negative noise impact to adjoining lands.

Staff would encourage you to remain involved in this public process, through the following methods:

- Written comments to Mayor & Council;
- Representation at the formal Public Hearing;
- Representation at the formal variance hearing.

If you have any questions about the proposal, please feel free to contact me directly at (250) 808-4961.

Sincerely,

James Moore, MCIP, RPP
Urban Planning | Community Planning & Real Estate Division

City of Kelowna 1435 Water Street, Kelowna, BC V1Y 1J4 kelowna.ca/landuse

From: Karen Fairfield
Sent: Monday, March 10, 2014 12:38 PM
To: James Moore
Cc: dawnw@pllling.ca
Subject: File 2229 CoK Z13-0045

March 10, 2013

Dawn Williams/James Moore,

As one of the Sandlewood residents whose property would back the proposed Suds City Car Wash development on 469 Glenmore Road (File: 2229 CoK: Z13-0045) I am obviously concerned about the impact this development would have on both my property value and on my quality of life. My greatest concern is with a potential dramatic increase in noise level in a previously very quiet, environmentally sensitive neighbourhood. The development proposal flyer states that the City of Kelowna staff has worked collaboratively with the developer and approves of the proposal to reduce the 3.0 landscape buffer requirement along the south property line to zero to prevent potential impacts from creating a "solid walled corridor" along the existing walkway to Brandt's Creek Park and to improve manoeuvrability on the site which is already narrow. I agree that a solid walled corridor isn't ideal but to wave the landscape buffer entirely shows a complete lack of consideration for an already established, peaceful residential neighbourhood. If the proposed business now, or at some time in the future, becomes a 24/7 operation, then that 3.0 buffer becomes even more critical. In keeping with the current feel of the neighbourhood and wetland area, a green boulevard (it could be planted with native specimens like Oregon Grape or wild rose bushes like those that line the Brandt's creek park area and would provide a buffer without a lot of maintenance) would in my opinion be much more appropriate than a solid graffiti covered wall and potentially convenient location for dubious activity. If Suds City can't fit their business within the allotted space, then maybe this isn't the space for them.

Karen Fairfield #166 550 Yates Road
RVE Teacher

Dawn Williams

From: Dawn Williams
Sent: Thursday, March 13, 2014 11:36 AM
To:
Subject: suds city photos
Attachments: kelowna car wash 010.jpg; SudsCityAwning500x375.jpg

Hi Jackie,

I've attached a picture of the existing Suds City, built by the same developer in Surrey. I've also attached a picture of a wash that's similar "style" of the building proposed.

I hope this helps you!

Dawn Williams,
Project Manager



#200-540 Groves Avenue, Kelowna, B.C. V1Y 4Y7
PH: 1-250-763-2315 FX: 1-250-763-6559 C:1-250-215-4568 E: dawnw@pilling.ca

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Glennmore-Ellison Improvement District

445 Glenmore Road
Kelowna, BC V1V 1Z6

Email: glenmore.ellison@shaw.ca
Website: www.glenmoreellison.com

Phone: 250-763-6506

Fax: 250-763-5688

February 19, 2014

City of Kelowna
Development Services Dept.
1435 Water St.
Kelowna, BC V1Y 1J4

Attention: Deb Champion (*via email: dchampion@kelowna.ca*)

Re: City of Kelowna File Z13-0045, DP13-0191, DP13-0192
469 Glenmore Rd. – Lot 1, Plan 9951
Johnston/Pereverzoff/D.E. Pilling & Assoc. Ltd.

GEID is in receipt of a referral concerning the rezoning and development for Lot 1, Plan 9951, at 469 Glenmore Rd. to accommodate a car wash facility.

GEID has also received a separate referral dated February 13, 2014 (City File 1125-51-001) for the road closure of approximately 147 square meters (0.036 acres) fronting 469 Glenmore Rd., and consolidation with the property. Our comments for that referral are separate from this application and have been forwarded to Ryan W. Smith, Real Estate Services Department.

The subject property is within the District's servicing area and is currently classified with 0.37 acres "R" grade (residential). Upon development, the resulting property will be classified as "C" grade (commercial) and the size of the property adjusted to include the road closure area.

Capital Expenditure Charges (CECs)

Payment of Capital Expenditure Charges (CECs) is required for each new parcel or new development connecting to GEID. For the proposed development, CECs are payable for each sprinklered building at a rate of \$4,800 minimum charge for the first 250 m² of each building floor area, and a rate of \$8/ m² for additional floor area over 250 m², and a rate of \$10/m² for buildings without fire sprinkler systems. A credit for the single family residence that was demolished will also be applied. CECs are payable according to the bylaw in force at time of payment.

Fireflow Availability and Hydrants

Hydrant spacing and flow rates must conform to City of Kelowna Bylaw # 7900. GEID requires that the developers have hydrant locations and spacing reviewed by the City of Kelowna Fire Department, and that a written response be provided to GEID prior to constructing the proposed water works. In the event that additional hydrants are required

File Z13-0045, DP13-0191, DP13-0192
469 Glenmore Rd. - Lot 1, Plan 9951
February 19, 2014

by the Kelowna Fire Department, the hydrant purchase, connection, and installation shall be at the applicant's cost.

The developer must submit a New Fire Hydrant Data form, as required by both GEID and the City of Kelowna, for any new hydrant installed as part of this development.

Water Works

No information has been provided regarding expected flows, demands, or the size of the service required for the car wash. We note, however, that the existing ¾" domestic service connection is inside the road closure area and will need to be abandoned and relocated, with all costs borne by the owner. Upon receipt of servicing details for the carwash, GEID will be in a position to comment further on the costs for a larger diameter service connection.

Meters

All water within the property must be metered. As specified in GEID Bylaws #147 and #148, a water meter must be installed on all new water services and supplied and installed by the applicant according to manufacturer's directions and GEID standards. At this time, all meters installed within the GEID service area are required to be compatible with the Sensus RadioRead system. The meter shall be installed with adequate clearances to permit repair or replacement, and will be inspected by GEID to meet GEID requirements. A mechanical drawing should be provided showing clearances for the meter.

A three conductor, 22 gauge, solid conductor cable with red, green, and black wire colours is required, and must be installed between the meter and MXU location on the building exterior.

GEID's contractor, CORIX Utilities, will supply and install a remote meter reading device (MXU) compatible with the Sensus RadioRead™ system. The remote MXU will be located outside the building near the entrance door, and shall be in line-of-sight from a publicly accessible roadway servicing at the site. A fee of \$300.00 is charged for the supply and installation of the MXU.

If an irrigation system is proposed, it must be connected to the water system after the main water meter, and be designed to 10 USgpm maximum flow. GEID requires that irrigation system mechanical plans be submitted to review the irrigation flow allotment and cross connection control.

New Account Fees

GEID Bylaw # states that all new accounts or transfers of ownership shall pay a fee of \$20.00/parcel. For the proposed development, a \$20.00 fee will be applicable.

Development Application Fee

A Development Application Fee of \$150.00 is required for staff review of each Subdivision, Rezoning or Development Permit application.

Tolls and Taxes (2014)

Under Tolls Bylaw #155, the facility will be invoiced monthly as a metered commercial property at a monthly minimum rate of \$48.25 for the first 30 m³, with excess water charged at \$0.40/m³.

File Z13-0045, DP13-0191, DP13-0192
469 Glenmore Rd. - Lot 1, Plan 9951
February 19, 2014

Under Tax Bylaw #154, the property will be charged at a rate of \$156.00/acre for all Grade "C" lands where a business, institution or commercial enterprise exists. This tax is invoiced annually and will be based on the actual acreage of the property.

The above-noted rates are current to 2014 and according to the bylaw in force.

Summary

GEID is not in a position to issue a water letter for this development until further details are provided to GEID.

If you have any questions please do not hesitate to contact me at 250-763-6506.

Yours truly,
GLENMORE-ELLISON
IMPROVEMENT DISTRICT



Darren Schlamp, B.Sc.
Operations Manager

c.c. Ryan W. Smith, Real Estate Services (via email: rwsmith@kelowna.ca)

CITY OF KELOWNA
MEMORANDUM

Date: February 27 2014
File No.: Z13-0045

To: Land Use Management Department (JM)

From: Development Engineering Manager

Subject: 469 Glenmore Road Lot 1 Plan 9951 Car Wash

Development Engineering has the following comments and requirements associated with this application to rezone the A1 to C3. The road and utility upgrading requirements outlined in this report will be a requirement of this application.

The Development Engineering Technologist for this project is John Filipenko. ASCT

1. Water

- a) The property is located within the Glenmore Ellison Improvement District service area.
- b) Ensure an adequately sized domestic water and fire protection system is in place. The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID.

2. Sanitary Sewer

- a) Our records indicate the property is serviced with a 100mm diameter service. The applicant, at his cost, will arrange for the installation of an inspection manhole at the new property line. The estimated cost of construction for bonding purposes is \$6,000.00
- b) The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Should service upgrades be required, additional bonding will be required..

3. Drainage

- a) A requirement of this rezoning application will be to prepare a storm water management plan complete with a detailed Site Grading Plan including erosion and sedimentation controls required onsite and on the frontage road.
- b) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.

- c) There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- d) Our records indicate that the property is currently not serviced with an overflow storm connection. The estimated cost of a new service for bonding purposes is \$4,000.00

4. Road Improvements.

Glenmore Drive

- a) Glenmore Road Access will be restricted to right- in and right out only movements.
- b) Glenmore Road frontage will require fully urbanization. Construct a barrier curb and gutter, two commercial driveway letdowns including sidewalk crossings, landscaped boulevard including underground irrigation and trees, fillet pavement, piped drainage system including a modified catch-basin and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.

The construction of the full urban upgrade of Glenmore Road will be deferred. A one-time cash payment shall be collected from the developer to pay for the future urban upgrade.

- c) In the Interim, the Glenmore Road frontage will require the construction of an additional driveway access complete with culvert, headwall construction. Including landscaped boulevard modifications and re-location or adjustment of utility appurtenances if required to accommodate this construction. The estimated cost of this construction for bonding purposes is \$5,500.00 (not including the cost of relocating or adjusting of utility poles and other appurtenances)
- d) As a condition of rezoning a lockable vehicle gate with a width of 4.5m or greater must be provided to access the park and storm detention facilities. The estimated cost of this construction for bonding purposes is \$2,500.00

5. Road Dedication and Subdivision Requirements

- a) Excess road right-of-way is available to the developer. The Land exchange will necessitate adjustments to the frontage and rear property lines
- b) Transferring of various ownerships is to be dealt with by the City Real Estate Manager.
- c) A blanket SRW will be registered in favor of the City granting maintenance access 24/7 for City crews and equipment needing to access the park and storm detention pond behind (east of) the subject property.

The SRW will contain language indicating that should damage occur to the property because of maintenance vehicles accessing the park and storm detention pond the City will cover the costs of repair.

- d) If any road dedication or closer affects lands encumbered by a Utility right-of-way (such as Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of

the road dedication or closer must be incorporated in the construction drawings submitted to the City's Development Manager.

- e) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to this development site must be installed in an underground duct system. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

The Removal of aerial trespasses over City Lands will be at the developer's expense.

7. Engineering

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

8. Survey Monuments and Iron Pins

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

9. Security and Levy Summary

a) Bonding

Sanitary service modifications	\$ 6,000.00
Storm Service construction	\$ 4,000.00
Access modifications to Glenmore Rd and Park	\$ 8,000.00

Total Bonding **\$ 18,000.00**

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

a) Levies

Glenmore Road Frontage Improvements
One-time cash payment for future urban upgrading. **\$21,305.00**

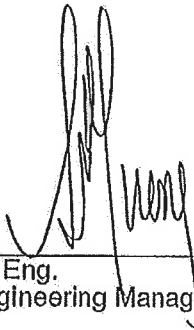
10. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3% of Total Off-Site Construction Cost plus GST) **\$1,020.78** (\$ 963.0 + 57.78 GST)

11. Servicing Agreements for Works and Services

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

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



Steve Muenz, P. Eng.
Development Engineering Manager

JF

CITY OF KELOWNA
BYLAW NO. 10937
Z13 - 0045 - Terry Johnston and Jeffery Pereverzoff
469 Glenmore Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Section 32, Township 26, ODYD, Plan 9951 located on 469 Glenmore Road, Kelowna, B.C., from the A1 - Agriculture 1 zone to the C3 - Community Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 15th day of April 2014.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

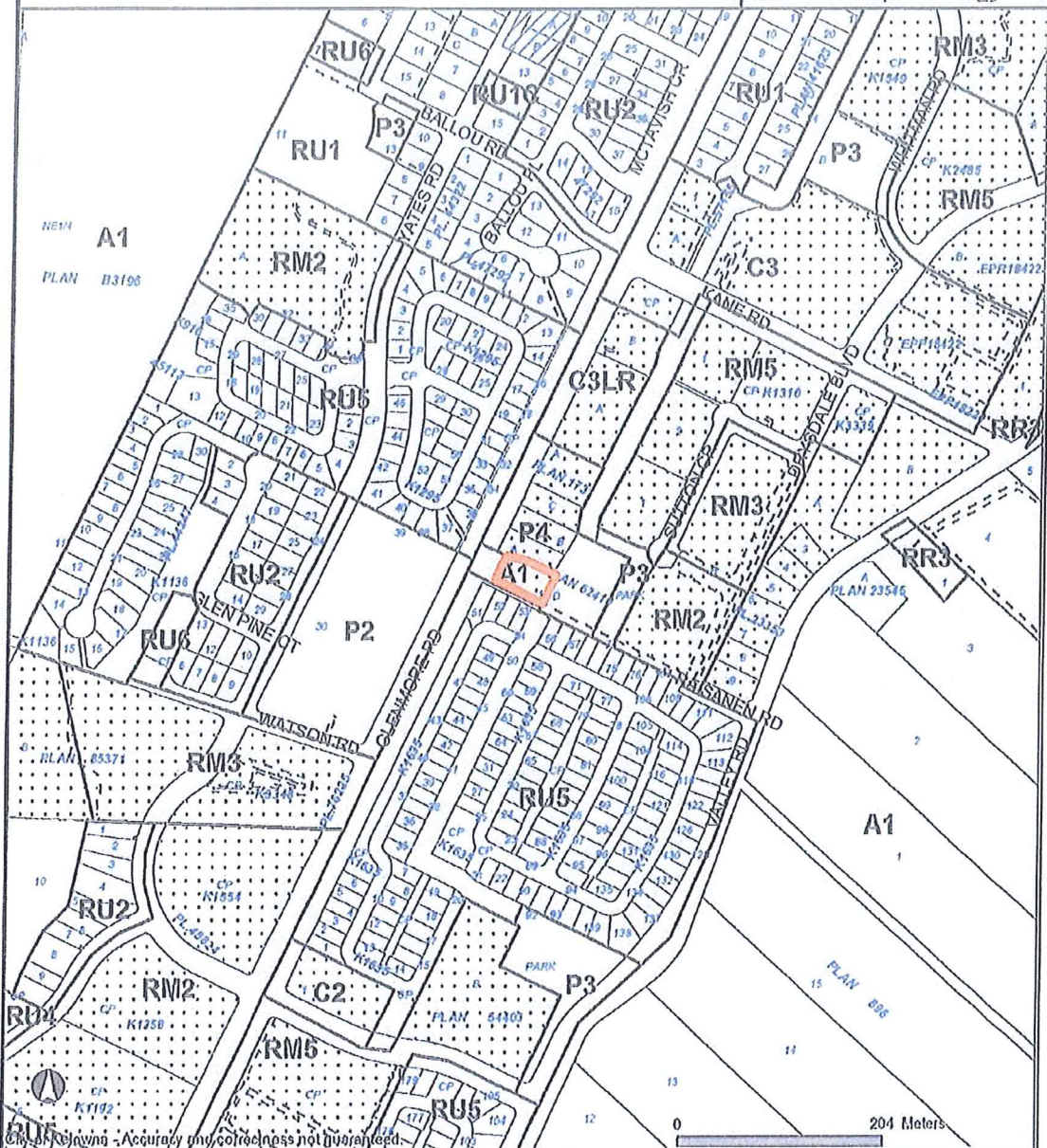
Z13-0045

DP13-0191/DP13-0192

469 GLENMORE RD



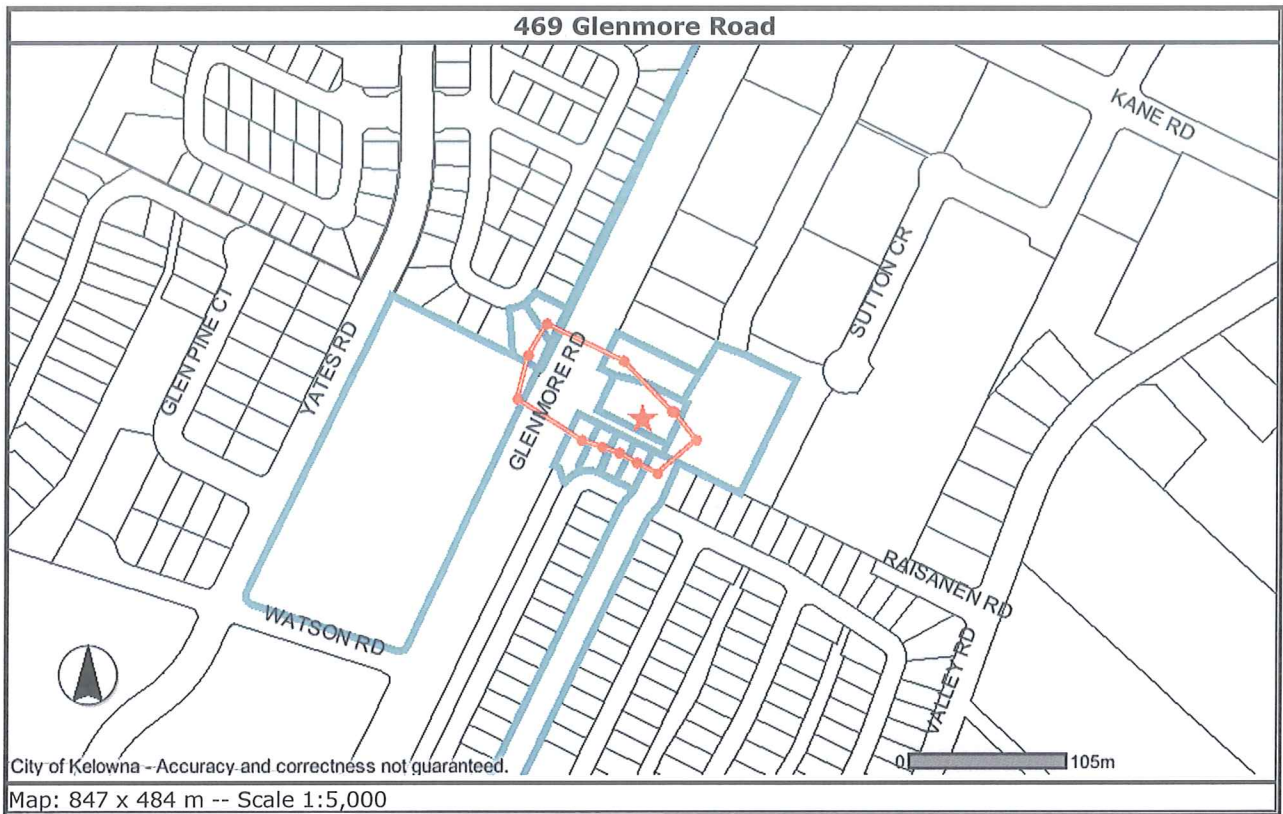
Subject Property



Map: 1,018 x 530 m -- Scale 1:6,015

2014-01-27

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.



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

4.0 Proposal

4.1 Background

Until the fire that fully destroyed the structure on the subject property in August 2013, it was listed on the City’s Heritage Register. Commonly known as the “John F. Burne House”, it was a 2½ storey, wood frame house constructed in 1905. According to the Statement of Significance, the house was valued for its association with an early prominent citizen in the legal profession - John F. Burne (1867-1938) - and as an early example of residential construction. Burne moved to Kelowna in 1903, and is valued for being Kelowna’s first lawyer, as well as the City’s first police magistrate. (See attached Statement of Significance).

In the 1950s the house had been converted to a boarding house, and then operated for quite some time (until the present) as an existing, non-conforming triplex dwelling. In 1995, the house was designated as a Municipal Heritage Building, pursuant with Section 967 of the *Local Government Act*, when the larger property was subdivided to create a new, west adjacent lot at 601 Burne Avenue.

4.2 Project Description

The property owner is seeking to remove the Municipal Heritage Designation on the subject property, as the protected heritage building on the site was completely destroyed by fire in August 2013, beyond the point of reconstruction. In October 2013, the City issued a Demolition Permit for the removal of the building remains and to address health and safety issues (asbestos and mould).

4.3 Site Context

The subject property is located mid-block on the south side of the 600 Block of Burne Avenue, between Pandosy and Richter Streets, in the South Central neighbourhood. The subject site and surrounding area is largely zoned RU6 - Two Dwelling Housing and designated as S2RES - Single / Two Unit Residential.

Subject Property Map: 609 Burne Avenue



Application Chronology

Date of Application Received: February 3, 2014

Community Heritage Committee: February 6, 2014

The above noted application was reviewed by the Community Heritage Commission at the meeting on February 6, 2014 and the following recommendation was passed:

THAT the Community Heritage Committee supports the removal of the Heritage Designation for the now demolished property previously located at 609 Burne Avenue.

Report prepared by:

Abigail Riley, Urban Planner

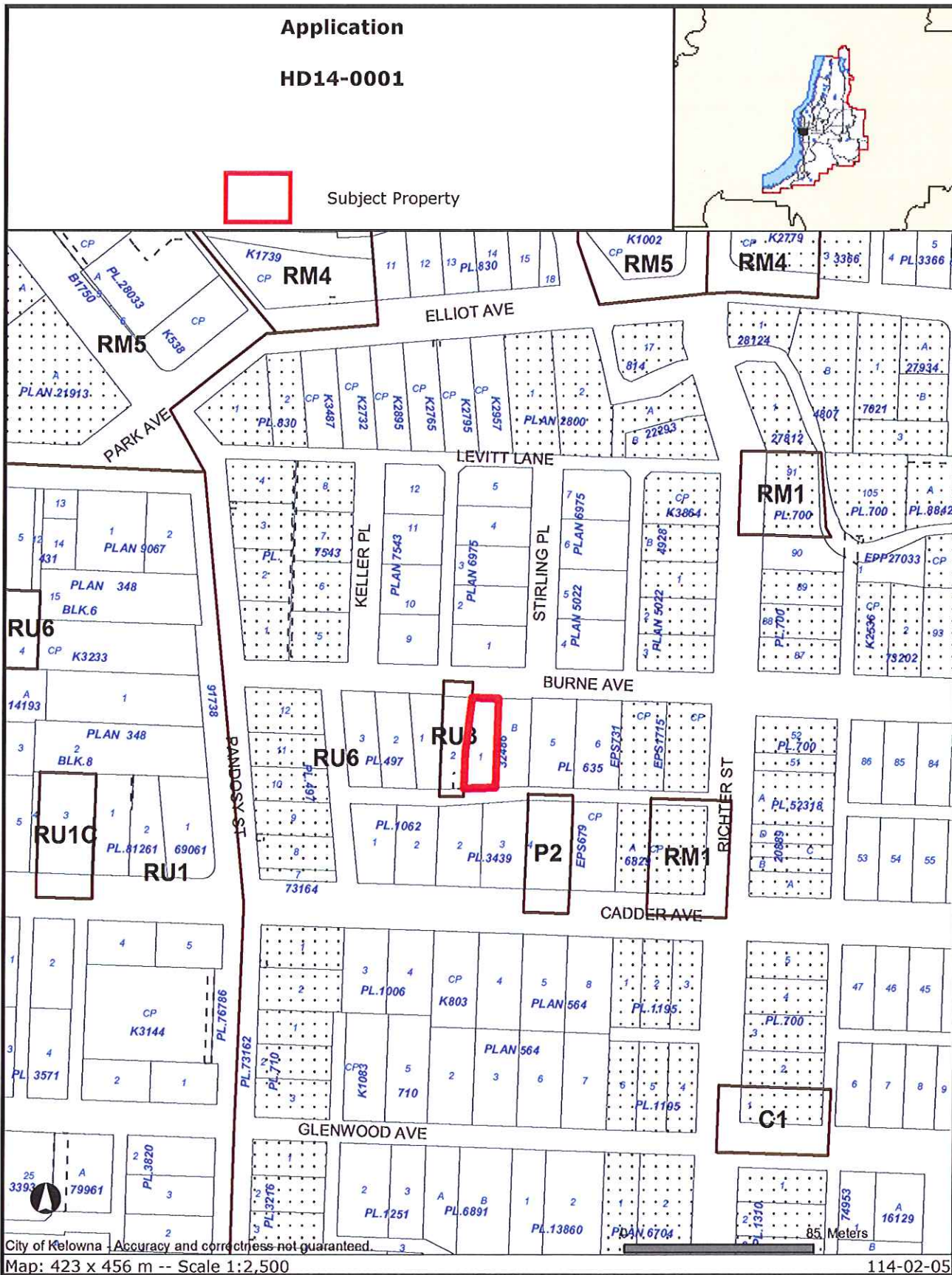
Reviewed by:



Ryan Smith, Urban Planning Manager

Attachments:

Subject Property Map
Building/Context Photos
Statement of Significance - 609 Burne Avenue



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.

List Readme

Heritage Building - CRHP

609 Burne Ave - John F. Burne House

[Identification](#) [Formal Recognition](#) [Location](#) [Desc I](#) [Desc II](#) [Desc III](#) [Images](#) [Doc](#) [Admin](#) [Previous](#)

E20 Place Description: The historic place is the two-and-one-half-storey, wood frame and brick John F. Burne House, built in 1905 and located at 609 Burne Avenue in Kelowna's South Central neighbourhood.

E21 Heritage Value: The John F. Burne House is valued for its association with an early prominent citizen in the legal profession, and as an example of early residential construction occurring at the time the City of Kelowna incorporated in 1905.

John Ford Burne (1867-1938), known to his friends by the nickname "John Fat" because of his girth, was "a happy jolly fellow with a wonderful sense of humour which endeared him to his many friends." Born in England, he came to Canada and practiced law at Pincher Creek, Alberta, and at Ymir, BC, before coming to Kelowna in 1903 to set up as a solicitor. Burne is valued as Kelowna's first lawyer. The firm of Burne and Weddell, of which he was a co-founder in 1917, was still operating until recently as Weddell Horne and Company.

John and Adelaide Burne first resided in what was then called "the Overwaitea block," at the northwest corner of Lawrence Avenue and Pandosy Street. By late 1904 their growing family needed more room. So in 1905 they had this wood-frame house built at a cost of \$2,500. Painted red, it was then 'away in the country' - at a distance from the newly incorporated City of Kelowna - along a muddy road. The Kelowna Land and Orchard Company had just subdivided the area south of Mill Creek. Burne Avenue, constructed later, is named for him. South Central is now considered an inner-city neighbourhood, and so this property has value for demonstrating the growth of Kelowna. Many of the architectural features of the house have been obscured by subsequent alterations.

John Burne was also the first police magistrate of the City of Kelowna, from 1905 to 1910 and again from 1929 to 1938. He was very active in the Kelowna Aquatic Association and, despite his bulk, was an expert diver.

The family lived here until Burne's death in December 1938. The owner was still listed as J.F. Burne in 1942, but after that the house had several different owners. In the 1950s it was converted to a boarding house, as were many of the larger early houses of Kelowna. It is now again a single-family residence. These changes in use are representative of the development of the South Central neighbourhood.

E22 Character Defining Elements:

- Location on Burne Avenue, forming part of Kelowna's South Central Neighbourhood
- Residential form, scale and massing as expressed by two-storey height and rectangular plan
- Street-facing gable, articulated by the eaves
- Long-time residential use



609 BURNE AVENUE
(WITH FOLK HERITAGE
BUILDING).

33 © 2014 Dyh



609 BURNE AVE.
(WITH FORMER HERITAGE BUILDING)

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CITY OF KELOWNA

BYLAW NO. 10938

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

1. THAT City of Kelowna Heritage Designation Bylaw No. 7555 (J.F. Burne House) and all amendments thereto, be repealed.
2. This bylaw shall come into full force and effect upon the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time and be adopted by the Municipal Council this

Mayor

City Clerk

REPORT TO COUNCIL



Date: April 1, 2014
RIM No. 1250-30
To: City Manager
From: Subdivision, Agriculture & Environment Services, Community Planning and Real Estate (DB)
Application: OCP14-0007 / Z14-0002 **Owner:** Surinder Gosal
City of Kelowna
Address: 1908 & 1924 Henkel Rd and (Part of) Henkel Road **Applicant:** Surinder Gosal
Subject: Official Community Plan and Zoning Amendment
Existing OCP Designation: REP - Resource Protection Area and EDINST - Educational/Major Institutional
Proposed OCP Designation: S2RES - Single Two Units Residential
Existing Zone: RR3 - Rural Residential 3 and P2 - Educational and Minor Institutional
Proposed Zone: RU2 - Medium Lot Housing

1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP14-0007 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of part of Lot A Section 4 Township 23 ODYD Plan 34105 Except Plan KAP61643, located at 1924 Henkel Rd from the Resource Protection Area (REP) designation to the Single/Two Unit Residential (S2RES) designation as shown Map "A" attached to the report of Subdivision, Agriculture & Environment Services, dated April 1, 2014 be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP14-0007 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of a part of the Henkel Road closure area from Educational/Major Institutional (EDINST) designation to the Single/Two Unit Residential (S2RES) designation as shown Map "A" attached to the report of Subdivision, Agriculture & Environment Services, dated April 1, 2014 be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Subdivision, Agriculture & Environment Services, dated April 1, 2014;

AND THAT Rezoning Application No. Z14-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A Section 4 Township 23 ODYD Plan

34105 Except Plan KAP61643, located at 1924 Henkel Rd and Lot 2 Section 4 Township 23 ODYD Plan 17274, located at 1908 Henkel Rd from the RR3 - Rural Residential 3 zone to the RU2 - Medium lot housing zone as shown on Map "B" attached to the report of Subdivision, Agriculture & Environment Services, dated April 1, 2014, be considered by Council;

And THAT Rezoning Application No. Z14-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of the Henkel Road closure area from the P2 - Educational and Minor Institutional zone to the RU2 - Medium lot housing zone as shown on Map "B" attached to the report of Subdivision, Agriculture & Environment Services, dated April 1, 2014, be considered by Council;

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

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 issuance of a Preliminary Layout Review by the City of Kelowna's Subdivision Approving Officer.

2.0 Purpose

To amend the Official Community Plan Future Land Use designation and to rezone the subject properties in order to accommodate the development of a 6 lot single family subdivision.

3.0 Subdivision, Agriculture and Environment Services comments

The applicant and owner of 1908 Henkel Road is proposing a six lot residential subdivision that would urbanize and improve the existing Henkel Road. In order to achieve the objective, the applicant approached the City of Kelowna in late 2013 to purchase a vacant portion of City of Kelowna land as well as some excess road right of way. The applicant and the City of Kelowna have reached a sales agreement and the applicant is now ready to move forward with the proposed development.

As the development site is located directly north of North Glenmore Elementary School, School District 23 expressed some concerns about the exiting pick up/drop off area located on the south side of Henkel Road. The school district would like to ensure that a pick up/drop off area, as well as a sidewalk, be built as part of the proposed development. As Developers are typically responsible to urbanize their side of the street, staff have agreed to request the sidewalk to be constructed on the south side of the street to reduce vehicular/pedestrian conflicts. This location would also provide safe pedestrian access to the school, as well as provide a logical connection to the Glenmore Active Transportation Corridor. Staff have also been working with the development engineer to ensure that there is appropriate parking for pick ups and drop offs.

Subdivision, Agriculture, and Environment Staff support this application, as it would improve the existing condition of Henkel Road and provide reasonably priced infill housing in the area.

4.0 Proposal

4.1 Background

In late 2013, the owner of 1908 Henkel Road approached the City to inquire about the potential development of his property. The owner expressed interest in acquiring some of the adjacent

un-used City-owned land at 1924 Henkel Road, as well as an excess portion of Henkel Road right of way, in order to facilitate the development of a 6 lot subdivision. Upon review, it was determined that the subject un-used City land was no longer required for City and that the proposed subdivision would contribute to the urbanization of Henkel Road. The applicant entered into purchase agreement with City of Kelowna subject to various conditions.

4.2 Project Description

The applicant is proposing the development of a 6 lot subdivision that would require an OCP Future Land Use designation amendment, as well as a rezoning amendment. It must also be noted that the proposed subdivision layout will require a lot depth variance on proposed lot 2 in order to accommodate the proposed cul-de-sac.

OCP Amendment

The applicant is proposing to amend the OCP future Land Use designation for parts of 1924 Henkel Road from the Resource Protection Area (REP) to the proposed Single Two Unit Residential (S2RES) designation. The applicant is also proposing to amend the OCP Future Land Use for part of the proposed Henkel Road Closure area from the existing Educational/Major Institutional (EDINST) to the proposed Single/Two Unit Residential (S2RES), to accommodate the proposed subdivision (See attached proposed subdivision layout).

Rezoning

The applicant is proposing to rezone 1908 Henkel Road and parts of 1924 Henkel Road from the existing Rural Residential 3 (RR3) zone to the proposed Medium Lot Housing (RU2) zone. In addition, the applicant is also proposing to rezone a section of the Henkel Road closure area from the Education and Minor Institutional (P2) to Medium Lot Housing (RU2) zone to accommodate the proposed subdivision layout, as shown on the attached subdivision layout.

4.3 Site Context

The subject properties are located in the Glenmore-Clifton-Dilworth Sector of the City in a predominantly single family neighbourhood. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 - Rural Residential 3	Single Family Housing
East	A1 - Agricultural 1	Agriculture
South	P2 - Education and Minor Institutional	School
West	A1 -Agricultural 1	Single Family Housing

Subject Property Map:



4.4 Current Development Policies

4.5 Kelowna Official Community Plan (OCP)

Future Land Use

Single/Two Unit Residential (S2RES)¹: Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Non-residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

Development Process

Compact Urban Form.² Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

¹ City of Kelowna Official Community Plan - Future Land Use Chapter.

² City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

Sensitive Infill.³ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Housing Mix.⁴ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

5.0 Technical Comments

5.1 Development Engineering Department

Please see attached.

5.2 Fortis BC

There are primary distribution facilities along Snowsell Street. In order to service the proposed subdivision, a primary distribution extension will be required from the existing power line on Snowsell St, the cost of which will be significant. To date, arrangements have not been made to bring electrical service to the proposed lots. The applicant is responsible for costs associated with any change to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.

5.3 Irrigation District

Attached.

5.4 School District No. 23

The subject property is located to the north of North Glenmore Elementary School which has a current enrolment of around 460 students.

Historically there have been some transportation challenges on and surrounding the North Glenmore Elementary site (traffic/congestion issues, concerned residents and pedestrian safety concerns) that have been somewhat mitigated by the efforts and investments of the School District and the City of Kelowna. As with most school sites, there continue to be some transportation challenges at this location.

Currently many parents utilize the gravel shoulder on Henkel Road as a pick-up and drop off location for students. We would like to see this practice continue and as such would like any upgrade of Henkel Rd to include on-street parking and a sidewalk.

Other than our request that infrastructure improvements associated with this application consider the needs and safety of North Glenmore Elementary students, the School District has no objections to the above mentioned applications.

³ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

6.0 Application Chronology

Date of Application Received: January 15, 2014
Land exchange (road closure/dedication) agreement finalized: March 17, 2014

Report prepared by:

Damien Burggraeve, Land Use Planner

Approved for Inclusion: Shelley Gambacort, Director, Land Use Management

Attachments:

Map A - OCP Amendment
Map B - Zoning Amendment
Subject Property Map
Proposed Subdivision Layout
Development Engineering Requirements
Public Consultation

N



REP

Scenic Rd

PARK

Subject Property Notes:

Amend the OCP Future Land Use designation for a portion of the subject property from Resource Protection Area (REP) to Single / Two Unit Residential (S2RES).

Kerr Rd
Kathler Rd

S2RES

Snowsell St N

Henkel Rd

Glenmore Rd N

Subject Property Notes:

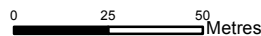
Amend the OCP Future Land Use designation for a portion of the road closure area from Educational/Major Institutional (EDINST) to Single / Two Unit Residential (S2RES).

EDINST

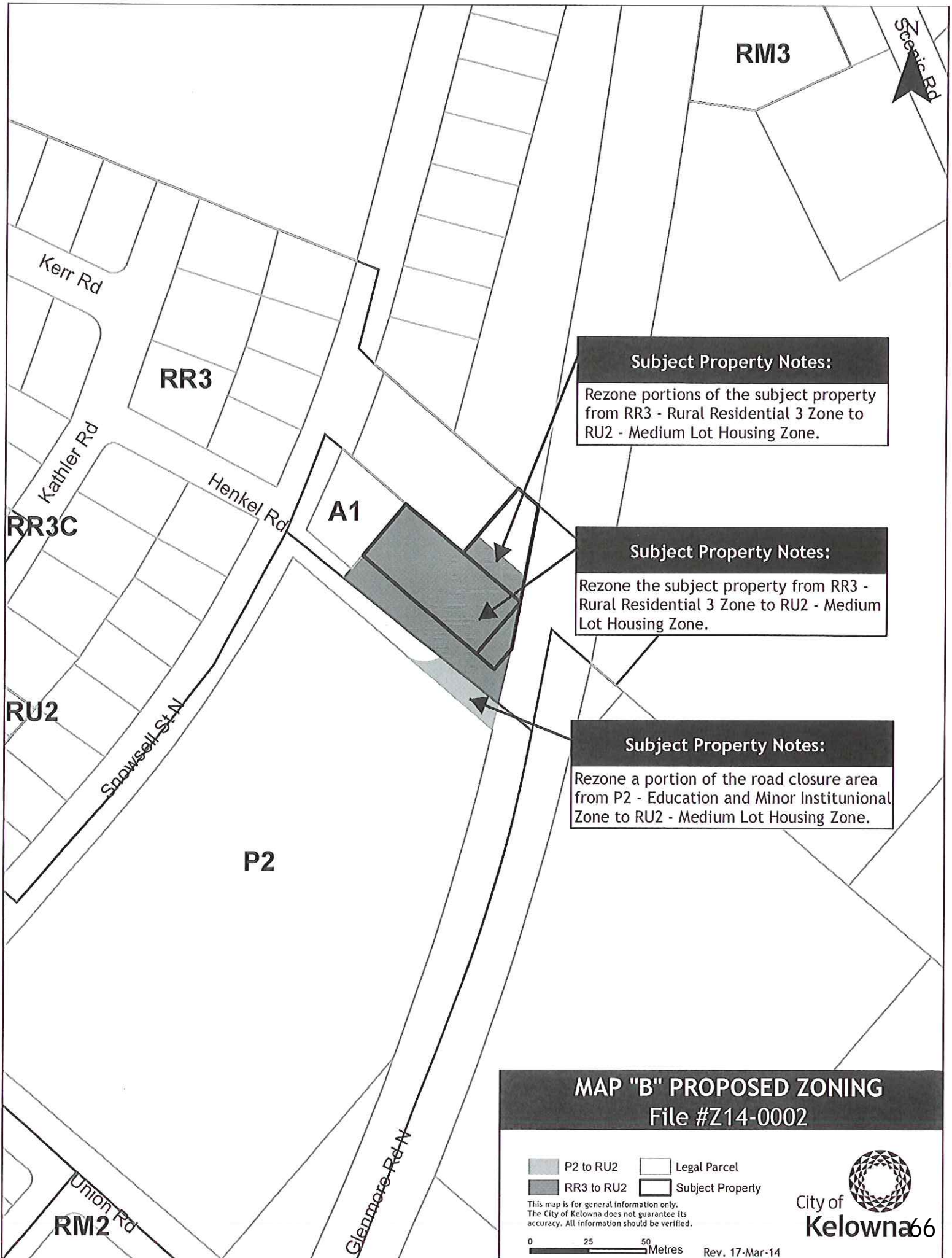
**MAP "A" OCP AMENDMENT
OCP14-0007**

- Educational/Major Institutional
- Major Park/Open Space (public)
- Resource Protection Area
- Single / Two Unit Residential
- Legal Parcel
- EDINST to S2RES
- REP to S2RES

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



Rev. 19-Mar-14



Subject Property Notes:
 Rezone portions of the subject property from RR3 - Rural Residential 3 Zone to RU2 - Medium Lot Housing Zone.

Subject Property Notes:
 Rezone the subject property from RR3 - Rural Residential 3 Zone to RU2 - Medium Lot Housing Zone.

Subject Property Notes:
 Rezone a portion of the road closure area from P2 - Education and Minor Institutional Zone to RU2 - Medium Lot Housing Zone.

MAP "B" PROPOSED ZONING
File #Z14-0002

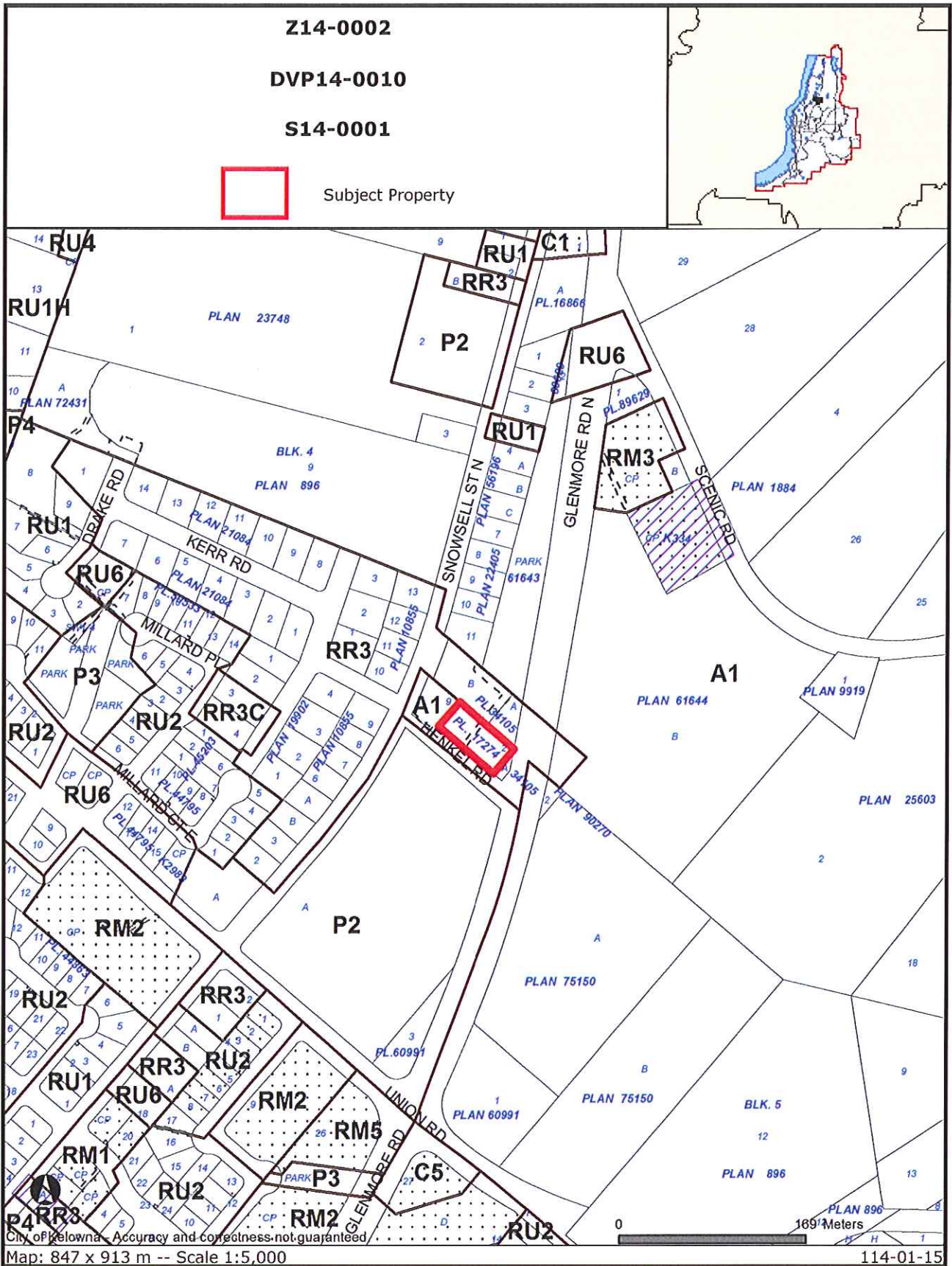
- P2 to RU2
- RR3 to RU2
- Legal Parcel
- Subject Property

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



Rev. 17-Mar-14





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.

CITY OF KELOWNA
MEMORANDUM

Date: February 3, 2014
File No.: Z14-0002
To: Land Use Management Department (DB)
From: Development Engineering Manager (SM)
Subject: 1908 Henkel Road Lot 2 Plan 17274 Proposed Zone - RU-2

The Development Engineering Branch comments and requirements regarding this application to rezone to RU-2 are as follows:

The Development Engineering Technologist for this project is John Filipenko. ASCT

All servicing requirements associated with the proposed rezoning as well as the preliminary layout review have been addressed in the subdivision application under file S14-0001

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

CITY OF KELOWNA
MEMORANDUM

Date: February 3, 2014
File No.: S14-0001
To: Planning and Development Officer (DB)
From: Development Engineering Manager
Subject: Subdivision Application – PLR Requirements

LOCATION: 1908 Henkel Road	Proposed Zone RU2
APPLICANT: Surinder Singh Gosal	Proposed 6 Lot Subdivision
LEGAL: Lot 2 Plan 17274 ODYD.	

WORKS AND SERVICES REQUIREMENTS

The City's Works & Utilities Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Final Approval of a subdivision plan.

The Development Engineering Technologist for this project is John Filipenko. AScT

The following Works & Services are required for this subdivision:

.1 General

- a) The postal authorities must be contacted to determine whether or not a "community mailbox" will be utilized. Please contact the Canadian Post Corporation, Delivery Services, P.O. Box 2110, Vancouver, B.C. V6B 4Z3 (604) 662-1381 in this regard.
- b) Where there is a possibility of a high water table or surcharging of storm drains during major storm events; non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- c) Provide the Consulting Engineer with a copy of the PLR, which details the Subdivision requirements.

.2 Geotechnical Report

- (a) Provide a modified geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

The Geotechnical reports must be submitted prior to application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Any special requirements for construction of driveways, utilities and building structures.
- (iv) Recommendations for roof drains and perimeter drains.
- (v) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (vi) Recommendations for items that should be included in a Restrictive Covenant.
- (vii) Any items required in other sections of this document.

.3 Water

- a) The property is located within the Glenmore Ellison Improvement District service area.
- b) Ensure an adequately sized domestic water and fire protection system is in place.
- c) The existing watermain blow-off assembly should be relocated to the road right-of way.
- d) Arrange for individual lot connections before submission of the subdivision plan; including payment of connection fees (provide copy of receipt).
- e) The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID.

.4 Sanitary Sewer

- a) The property is located within the City of Kelowna service area.
- b) Provide an adequately sized sanitary sewer system in accordance with the Subdivision, Development & Servicing Bylaw.
- c) It will be necessary to relocate existing sanitary main as well as extending the main to service the lots fronting the proposed cul-de-sac.
- d) Arrange for individual lot connections before submission of the subdivision plan; including payment of connection fees (provide copy of receipt).

.5 Drainage

- a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw require that each lot be provided with an individual connection.
- b) Provide a detailed Storm Management Plan and Lot Grading Plan

.6 Roads

- a) Henkel Road has a existing road right-of way width of 20.1m The residential Road and cul-de-sac is designated as local road. Excess road right-of-way is available to the developer. Please contact Mr. Graham Hood, Manager of Real Estate Services.
- b) Henkel Road frontage must be upgraded to a full urban standard including a curb and gutter, piped storm drainage system, pavement widening, landscape boulevard with underground irrigation, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.
- c) Dedicate 3.0m and construct a paved public walkway that will provide a pedestrian link between the cul-de-sac and multi-use path on Glenmore Road
- d) A separate 1.8m sidewalk is required along the school property (south side} of Henkel Road from Snowsell Street to the public walkway.
- e) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- a) Driveway access from proposed lots will not be permitted onto Glenmore Road. A restrictive covenant in favour of the City of Kelowna, registrable under Section 219 of the Land Title Act must be granted to the effect that vehicular access is not permitted from abutting lots. The subdivision plan must be endorsed to the effect that a covenant is to be registered. The covenant must be registered as a priority charge and is to be indicated on the Lot Grading Plan.

.7 Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground
- b) Street lights must be installed on all roads.
- c) Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application.
- d) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

.8 Design and Construction

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

.9 Servicing Agreements for Works and Services

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

.10 Charges and Fees

- a) Development Cost Charges (DCC's) are payable

- b) Fees per the “Development Application Fees Bylaw” include:
 - i) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iii) A hydrant levy charge of \$250.00 per lot (not required if developer installs a fire protection system – mains and hydrants).
 - i) Engineering and Inspection Fee: 3% of construction value (plus GST).

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

CITY OF KELOWNA

BYLAW NO. 10940

Official Community Plan Amendment No. OCP14-0007 Surinder Gosal and City of Kelowna 1924 Henkel Road and part of Henkel Road Closure Area

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "Kelowna 2030 - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of part of Lot A, Section 4, Township 23, ODYD, Plan 34105, Except Plan KAP61643, located on 1924 Henkel Road, Kelowna, B.C., from the REP - Resource Protection Area designation to the S2RES - Single Two Unit Residential designation and part of Henkel Road Closure Area from the EDINST - Education/Major Institutional Area designation to the S2RES - Single Two Unit Residential designation, as per Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

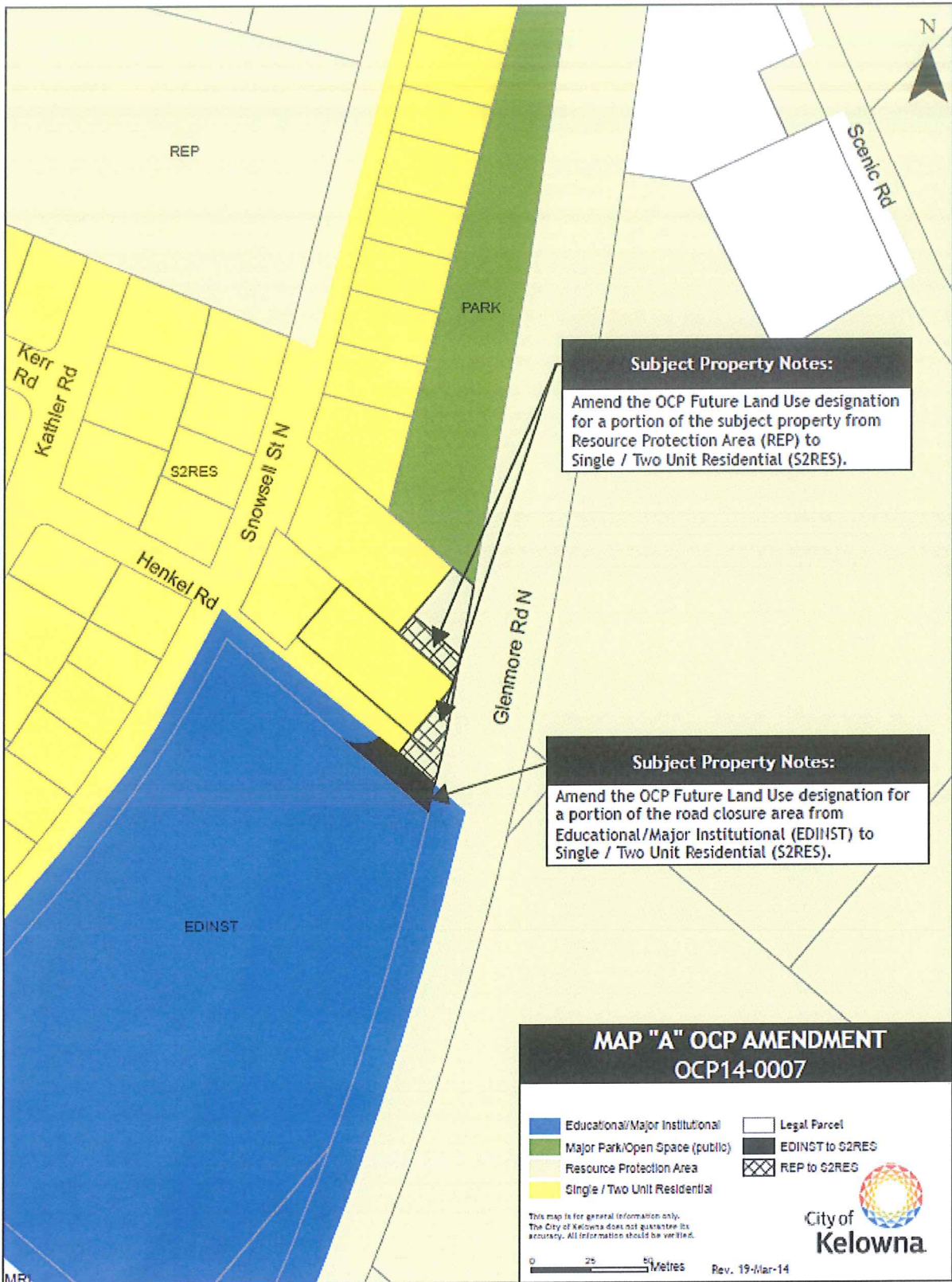
Considered at a Public Hearing on the

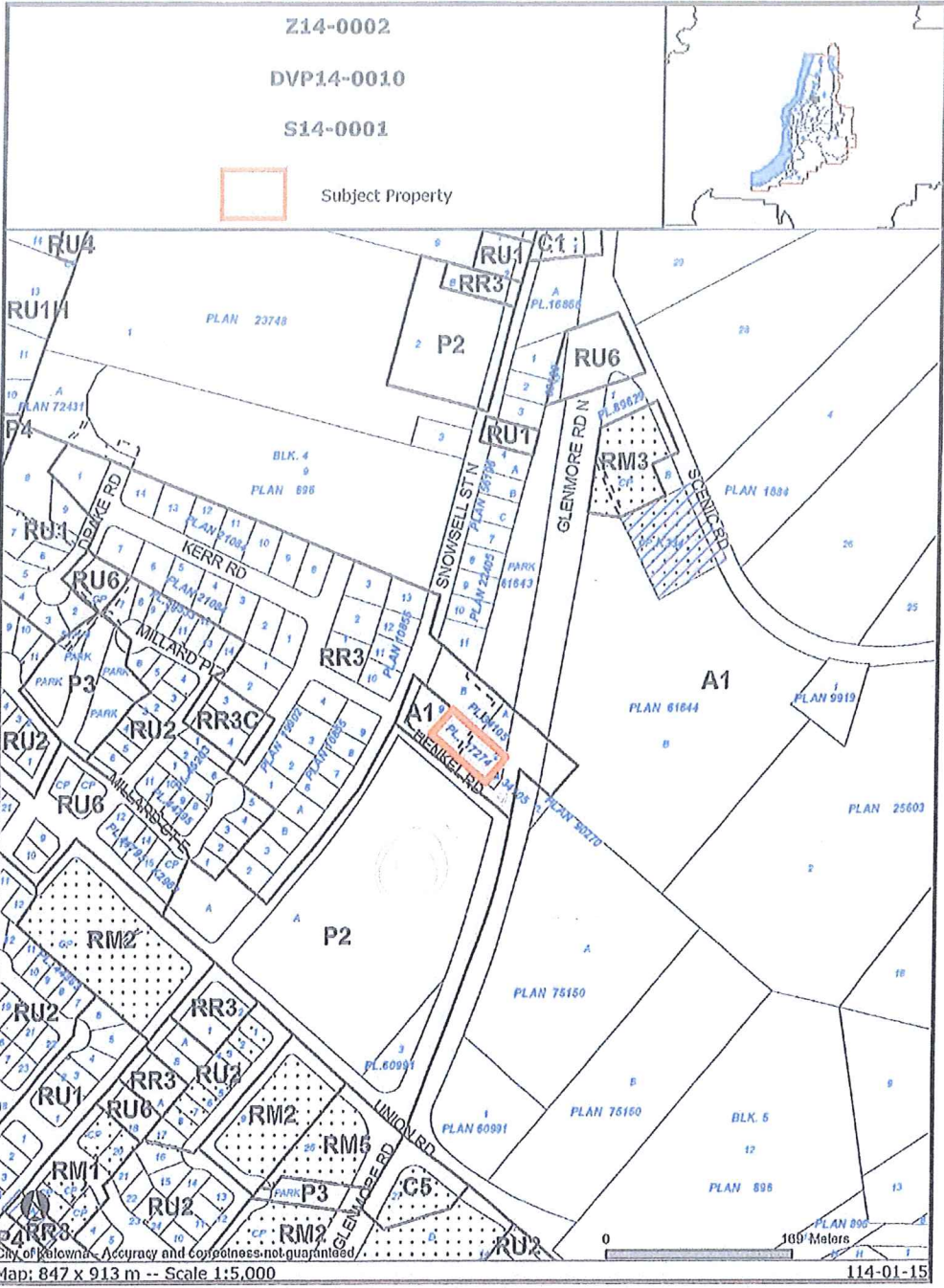
Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk





Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
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CITY OF KELOWNA

BYLAW NO. 10941

**Z14-0002 - Surinder Gosal and City of Kelowna
1908 Henkel Road, 1924 Henkel Road and part of Henkel
Road Closure**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot A, Section 4, Township 23, ODYD, Plan 34105, Except Plan KAP61643 located on 1924 Henkel Road, Kelowna, B.C. and Lot 2, Section 4, Township 23, ODYD, Plan 17274, Located at 1908 Henkel Road, Kelowna, B.C., from the RR3 - Rural Residential 3 zone to the RU2 - Medium Lot Housing zone, and part of the Henkel Road Closure Area from the P2 - Educational and Minor Institutional zone to the RU2 - Medium Lot Housing zone, as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

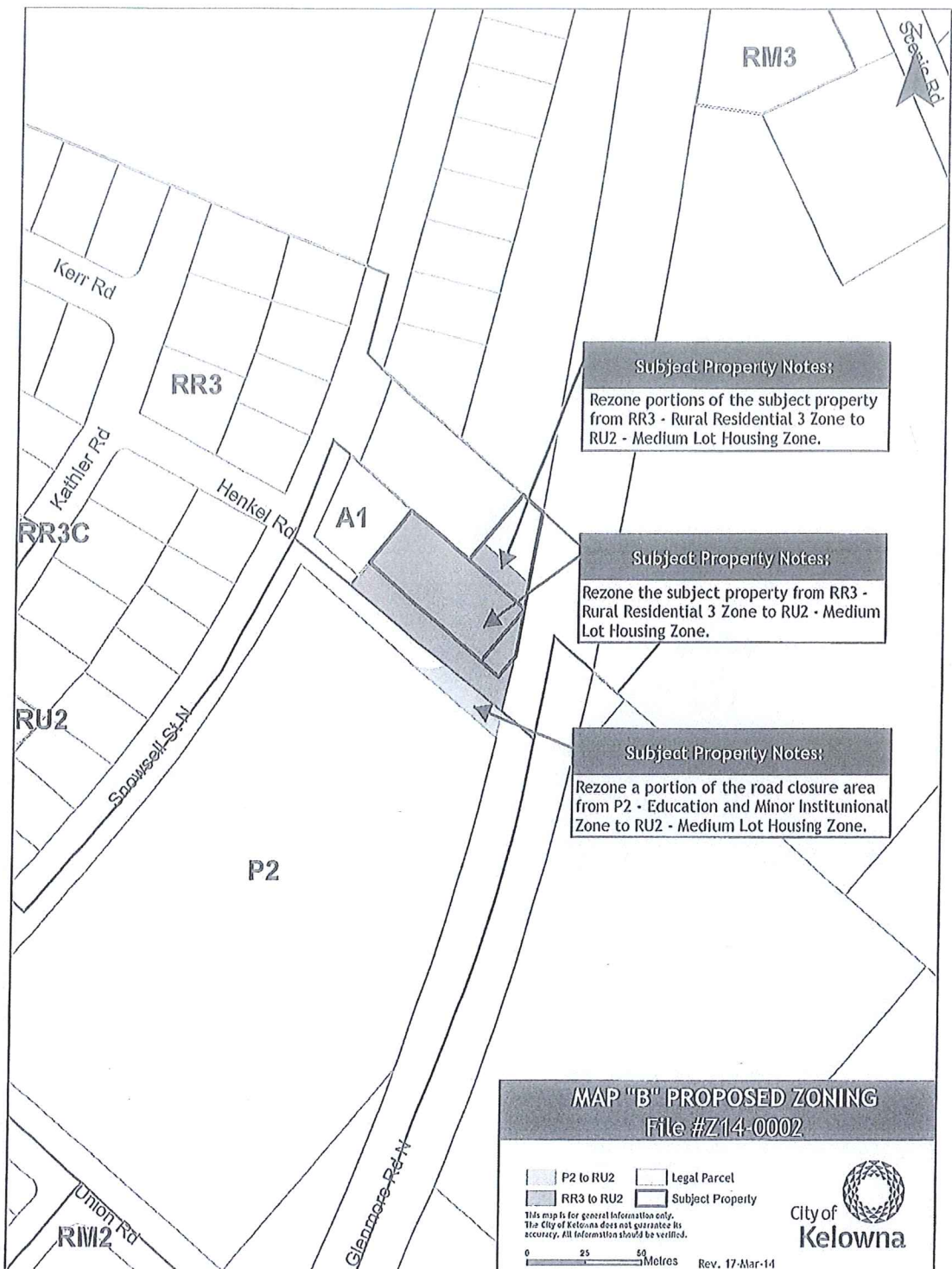
Considered at a Public Hearing on the

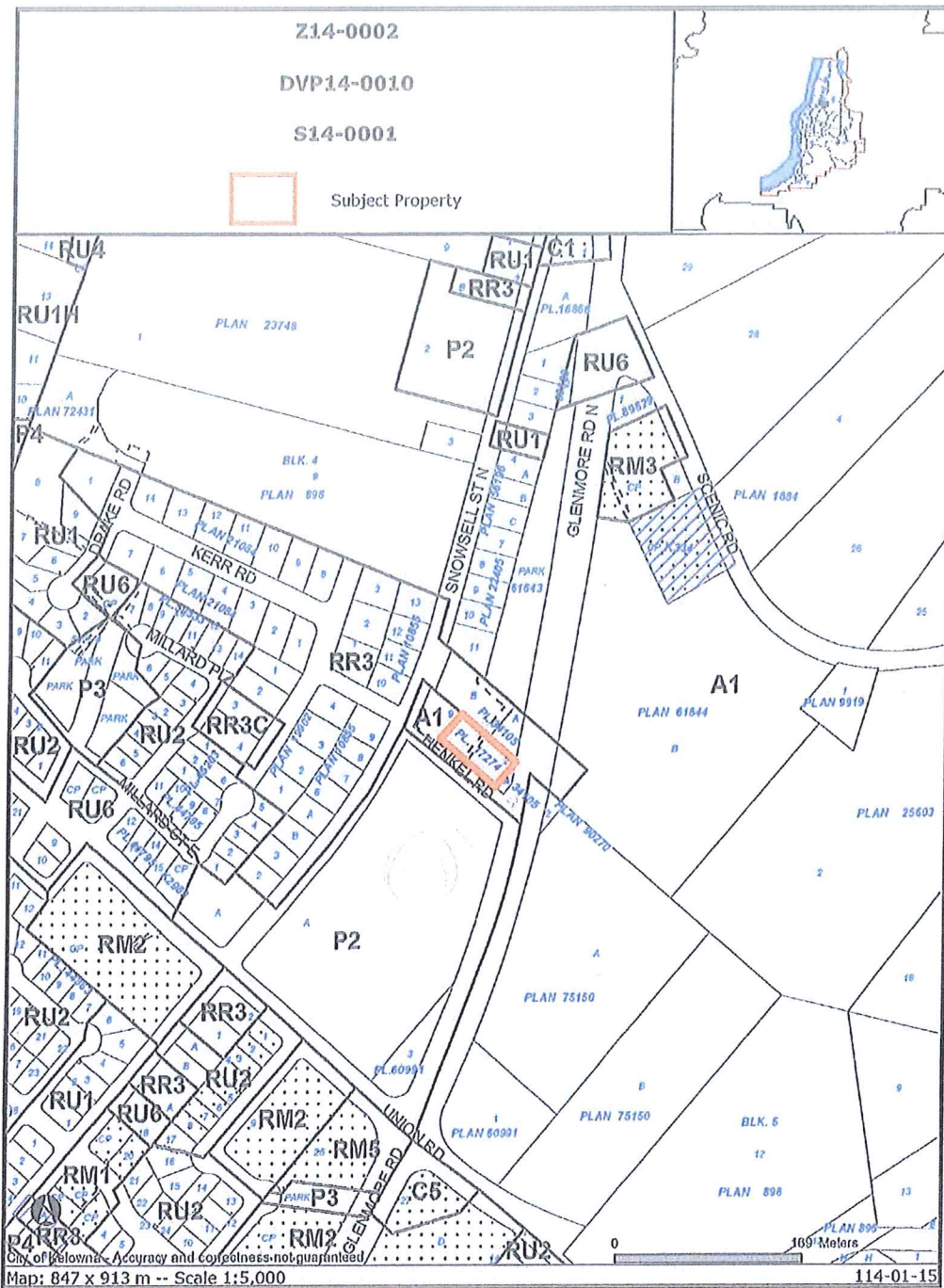
Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk





Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
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Report to Council



Date: 3/31/2014
File: TA14-0006
To: City Manager
From: Shelley Gambacort, Director, Subdivision, Agriculture & Environment
Subject: Proposed Text Amendment to Zoning Bylaw 8000 to permit Medical Marihuana Production Facilities in the I1 - Business Industrial Zone

Recommendation:

THAT Zoning Bylaw Text Amendment No. TA14-0006 to amend City of Kelowna Zoning Bylaw No. 8000 by adding Medical Marihuana Production Facilities (MMPF) as a Principal Use in the I1 - Business Industrial Zone, as outlined in Schedule "A" of the report from the Subdivision, Agriculture & Environment Department dated March 31, 2014, be considered by Council.

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

Purpose:

To forward for Council's consideration a text amendment to Zoning Bylaw No. 8000, which would allow Medical Marihuana Production Facilities as a principal use in the I1 - Business Industrial Zone.

Background:

At the March 18th regular meeting of Council third reading was given to a Text Amending Bylaw to allow Medical Marihuana Production Facilities (MMPF's) as a principal permitted use in the I2 - General Industrial, I3 - Heavy Industrial and I4 - Central Industrial zones. At that same meeting Council also directed staff to proceed with an amendment to include MMPF's as a principal permitted use in the I1 - Business Industrial zone.

The I1 - Business Industrial Zone is considered to be an appropriate industrial zone for MMPF's as the majority of the existing I1 principal permitted uses are also currently allowed in the I3 and/or the I4 zones.

Other factors considered when determining the appropriate zones for the MMPF land use include:

- the compatibility of, and impacts on, adjacent uses,
- the available infrastructure (road, water, storm, sanitary and electrical)
- accessibility for emergency services; and
- the ability to repurpose the buildings.

It should be noted that all MMPF's will first require approval from Health Canada and before a Health Canada licence can be issued, compliance with the site and physical security requirements under the new Health Canada *Marihuana for Medical Purposes Regulations* (MMPR) is required.

Key Health Canada MMPR's criteria include:

- Mandatory building and production security requirements relating to monitoring and detection to prevent unauthorized access;
- All areas within a site where cannabis is present must be equipped with a system that filters air to prevent the escape of odours and, if present, pollen; and
- Before a Health Canada licence can be issued, compliance with the site and physical security requirements under the MMPR and Health Canada *Directive on Physical Security Requirements for Controlled Substances* will be verified through a pre-licence inspection by Health Canada.

Internal Circulation:

Divisional Director of Community Planning & Real Estate
Divisional Director of Corporate and Protective Services
Divisional Director of Communications and Information Services
Director Development Services
Building & Permitting Manager
City Clerk
Policy & Planning Manager
Urban Planning Manager
RCMP, Crime Prevention Supervisor
Deputy Fire Chief, Fire Administration, Training & Fire Prevention

Legal/Statutory Authority:

Health Canada establishes the Regulations and issues licences for medical marihuana under the *Marihuana for Medical Purposes Regulations* (MMPR) regulations which came into force July 19, 2013 and will be in full effect April 1, 2014 replacing the current *Marihuana Medical Access Regulations* (MMAR), which will be repealed on March 31, 2014.

External Agency/Public Comments:

Existing Policy:

There is currently no existing policy specific to Medical Marihuana Production in either the OCP or the Zoning Bylaw.

Considerations not applicable to this report:

Financial/Budgetary Considerations
Personnel Implications
Alternate Recommendation
Communications

Submitted by: S. Gambacort, Director/Approving Officer
Subdivision, Agricultural & Environmental Department

Approved for inclusion: Doug Gilchrist, Division Director Community Planning & Real Estate

Attachments: Schedule "A"

SCHEDULE "A"
SUMMARY OF PROPOSED TEXT AMENDMENT

Zoning Bylaw No. 8000		
Section	Existing Text	Proposed Text
15.1- I1-Business Industrial 15.1.2 Principal Uses	N/A	<i>Add as a principal use:</i> Medical Marihuana Production Facility

CITY OF KELOWNA
BYLAW NO. 10944
TA14-0006 - City of Kelowna
Medical Marihuana Production Facilities - Industrial Zones

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

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

1. **AND THAT Section 15 - Industrial Zones, 15.1 I1-Business Industrial, 15.1.2 Principal Uses** be amended by adding in its appropriate location a new sub-paragraph for **Medical Marihuana Production Facilities** and renumber subsequent sub-paragraphs;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: 3/25/2014
File: 5460-00
To: City Manager
From: Darryl Astofooroff, Public Works Manager
Subject: Tourism Oriented Destination Sign Fees

Report Prepared by: Laurens Campbell, Engineering Traffic Technician

Recommendation:

THAT Council receives for information, the report from the Public Works Manager, Dated March 25 , 2014 with respect to the fees schedule for Council Policy 373 - Tourist Oriented Destination Signs

AND FURTHER THAT Bylaw No. 10942, being Amendment No. 25 to Traffic Bylaw No. 8120 be forwarded for reading consideration.

Purpose:

To give reading consideration to Bylaw No. 10942 in order to implement the collection of fees pursuant to Council Policy No. 373.

Background:

At the regular Council meeting of March 24, 2014, Council adopted Policy 373, regarding the program for installation of Tourist Oriented Destination Signs (TODS). The program requires fees to be collected in the amount of \$100.00 for an application fee and \$180.00 per sign for manufacture and installation costs, including all material and labour costs. The cost for replacement of missing or damaged signs will be \$120.00. All fees are to be paid by the sign beneficiary and all work will be performed by City of Kelowna Staff.

Internal Circulation:

Stephen Fleming - City Clerk
Jodie Foster-Sexsmith - Community Communications Supervisor

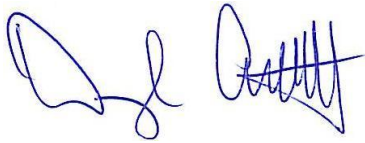
Legal/Statutory Authority:

City of Kelowna Traffic Bylaw #8120

Existing Policy:
Tourism Oriented Destination Signs - Policy 373

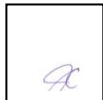
Considerations not applicable to this report:
Legal/Statutory Procedural Requirements:
Financial/Budgetary Considerations:
Personnel Implications:
External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:

Submitted by:



D. Astofooroff, Public Works Manager

Approved for inclusion:



J. Creron, Divisional Director Civic Operations

Attachments:
Bylaw No 10942

CITY OF KELOWNA

BYLAW NO. 10942

Amendment No. 25 to Traffic Bylaw No. 8120

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Traffic Bylaw No. 8120 be amended as follows:

1. THAT PART 1 - INTRODUCTION be amended by adding in its appropriate location a new definition for "Tourist Oriented Destination Signs" that reads:

"Tourist Oriented Destination Signs" means an approved sign or signs that are erected by the City to indicate the location of a particular tourist destination or attraction as indicated in the City of Kelowna Tourist Oriented Destination Signs Council Policy No. 373.

2. AND THAT PART 6 - TRAFFIC CONTROL DEVICES, 6.1 Placement and Erection, 6.1.1 be amended by adding in its appropriate location a new sub-paragraph for Tourist Oriented Destination Signs that reads:

Tourist Oriented Destination Signs Signs that are approved and erected by the City to indicate the location of a particular tourist destination or attraction.

3. AND THAT SCHEDULE "A" FEES be amended by adding in its appropriate location a new PART 6 - TOURIST ORIENTED DESTINATION SIGN section that reads:

PART 6 TOURIST ORIENTED DESTINATION SIGN

Tourist Oriented Destination Sign Fees:

	Application Fee	Sign Fee
Sign locations, sign manufacturing, utility locates, labor to install and hardware	\$100.00	\$180.00 per sign
Sign repair or replacement		\$120.00 per sign

Plus applicable taxes.

4. This bylaw may be cited for all purposes as "Bylaw No. 10942, being Amendment No. 25 to Traffic Bylaw No. 8120."
5. 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

Report to Council



Date: March 26, 2014
File: 1110-61-021
To: City Manager
From: J. Hancock, Manager, Real Estate Services
Subject: 2014-03-31 Report - Bylaw 10935 - Pleasantvale Lane

Recommendation:

THAT Council receives the Report from the Manager, Real Estate Services dated March 26, 2014, recommending that Council adopt the proposed road closure of a portion of land between Central Avenue and Cambridge Avenue;

AND FURTHER THAT Bylaw No. 10935, being proposed road closure of a portion of land between Central Avenue and Cambridge Avenue, be given reading consideration.

Purpose:

The closed road is to be consolidated with the adjacent properties. Statutory right of ways to protect City utilities and other public utilities within the road closure area will be registered concurrently.

Background:

Further to the Memorandum of Understanding entered into by the City of Kelowna, BC Housing and the Pleasantvale Homes Society outlining the redevelopment of the Pleasantvale site, the City of Kelowna agreed to close the laneway between Central Avenue and Cambridge Avenue in order to allow for the consolidation of the lane area with the overall development site.

Legal/Statutory Authority:

Section 26 and 40, Community Charter

Considerations not applicable to this report:

Internal Circulation:

Financial/Budgetary Considerations

Legal/Statutory Procedural Requirements:

Existing Policy:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:
Alternate Recommendation:

The Real Estate Services department requests Council's support of this road closure.

Submitted by: J. Hancock, Manager, Real Estate Services

Approved for inclusion: D. Edstrom, Director, Real Estate

Attachment:

1. Schedule A - Map

cc: M. Murrell, Utility Services Supervisor
R. Smith, Urban Planning Manager
G. Filafilo, Financial Project Manager

Schedule A

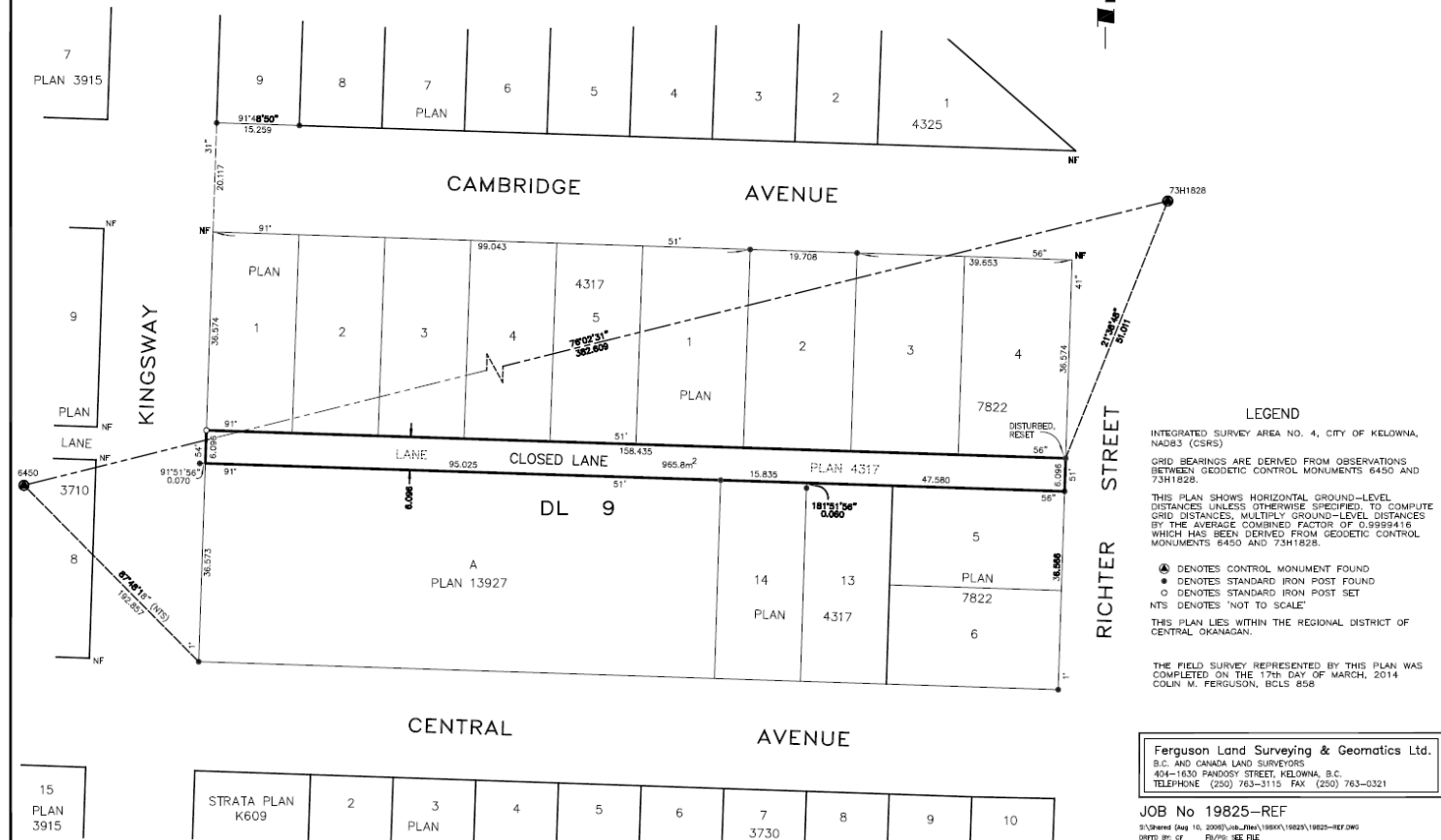
REFERENCE PLAN TO ACCOMPANY CITY OF KELOWNA ROAD CLOSURE AND REMOVAL OF HIGHWAY DEDICATION BYLAW No. 10935 OF LANE DEDICATED BY PLAN 4317 DISTRICT LOT 9 ODYD

PLAN EPP39551

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND SECTION 40 OF THE COMMUNITY CHARTER
BCGS 82E.083



THE INTENDED PLOT SIZE OF THIS PLAN IS 560mm IN WIDTH BY 432mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:500



LEGEND

INTEGRATED SURVEY AREA NO. 4, CITY OF KELOWNA, NAD83 (CSRS)

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS 6450 AND 73H1828.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE CORRECTION FACTOR OF 0.99994116 WHICH HAS BEEN DERIVED FROM GEODETIC CONTROL MONUMENTS 6450 AND 73H1828.

⊙ DENOTES CONTROL MONUMENT FOUND
● DENOTES STANDARD IRON POST FOUND
○ DENOTES STANDARD IRON POST SET
NTS DENOTES 'NOT TO SCALE'

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF CENTRAL OKANAGAN.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 17th DAY OF MARCH, 2014
COLIN M. FERGUSON, BCLS 858

Ferguson Land Surveying & Geomatics Ltd.
B.C. AND CANADA LAND SURVEYORS
404-1630 PARKSIDE STREET, KELOWNA, B.C.
TELEPHONE (250) 763-3115 FAX (250) 763-0321

JOB No 19825-REF
S:\Shared (Aug 10, 2008)\col_m\19825\19825\19825-REF.DWG
DWG: CM: CF PLOTTED: SEE FILE

STRATA PLAN K609	2	3	4	5	6	7	8	9	10
		PLAN				3730			

CITY OF KELOWNA

BYLAW NO. 10935

**Road Closure and Removal of Highway Dedication Bylaw
(Portion of Lane between Cambridge and Central Avenue)**

A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway between Cambridge and Central Avenue

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

1. That portion of highway attached as Schedule "A" comprising 965.8 m² shown in bold black as Closed Lane on the Reference Plan prepared by Colin M. Ferguson, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

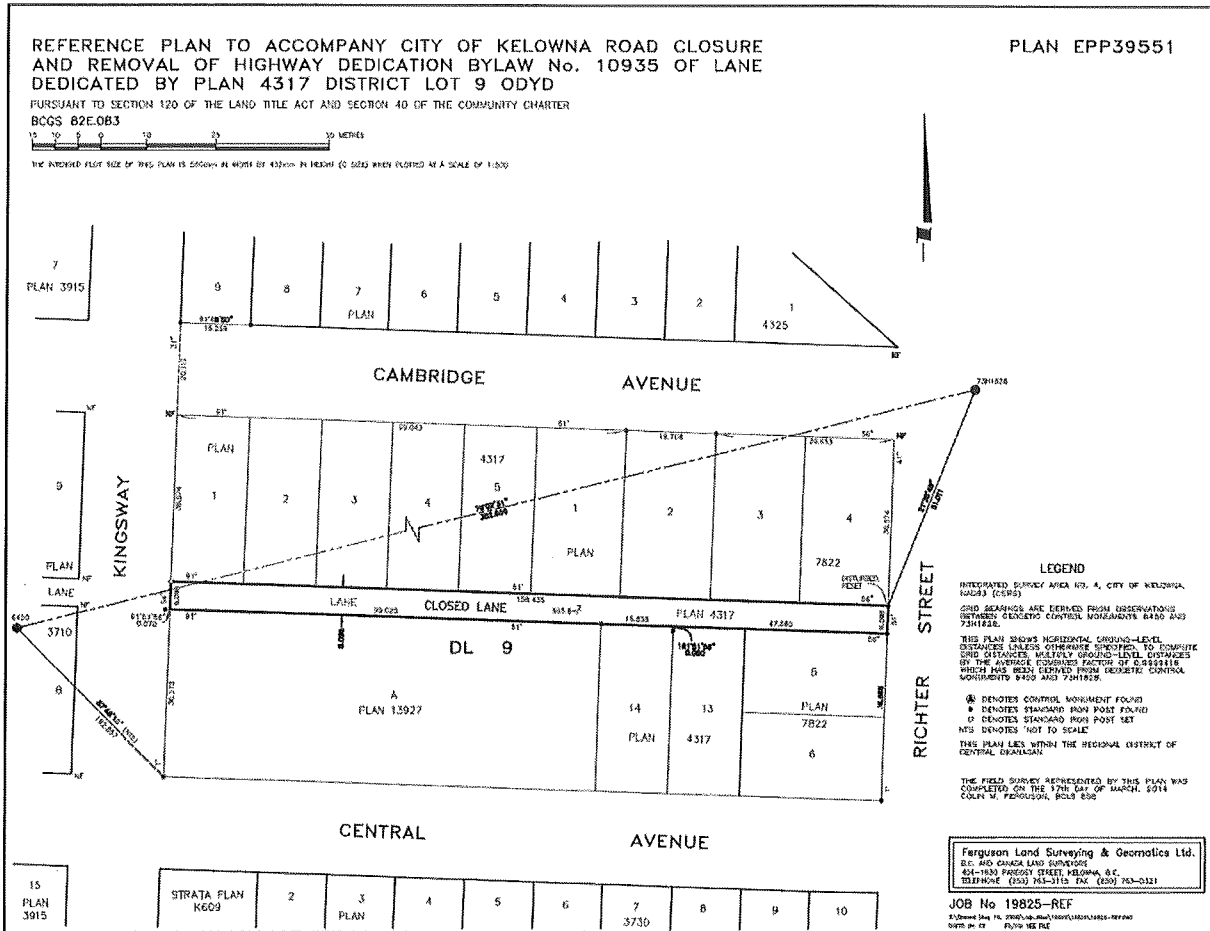
Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule "A"



Report to Council



Date: 3/31/2014
File: 0615-20
To: City Manager
From: City Clerk
Subject: Lawrence Avenue Parcel Tax Bylaw No. 10922 and 2014 Parcel Tax Review Panel
Report Prepared by: Legislative Coordinator

Recommendation:

THAT Council receives for information the report from the City Clerk dated March 31, 2014 directing staff to impose a parcel tax under Section 200 of the *Community Charter* on the benefiting parcels in the Lawrence Avenue Local Service Area.

AND THAT Bylaw No. 10922, being the Lawrence Avenue Local Area Service Parcel Tax be forwarded for reading consideration.

AND FURTHER THAT Council set the 2014 Parcel Tax Roll Review Panel meeting for Wednesday, April 16, 2014 at 11:45am in meeting room 4A-Knox Mountain, 4th Floor, City Hall, 1435 Water Street, Kelowna, BC.

Purpose:

To give reading consideration to Bylaw No. 10922 to impose a parcel tax on all benefiting parcels in the Local Service Area for Lawrence Avenue for 20 years starting on July 2nd, 2014 up to and including the 2033 taxation year, and to set the date, time and location for the 2014 Parcel Tax Roll Review.

Background:

On November 26, 2012 Council received the Approval of the Electors by an Owner Initiated process under the Community Charter, and the LAS establishment and loan authorization Bylaw No. 10748 was adopted. The loan authorization was for improvements which included paved road shoulders (soaker strips) along the curb and gutter, a landscaped boulevard along

the south side of the street complete with sod, trees, irrigation, and curb bulbs on both sides of the street.

Since adoption of the bylaw, the works on the Local Area Service for Lawrence Avenue have now been completed. A parcel tax on all the benefiting parcels within this Local Area Service will be set for 20 years starting on July 2nd, 2014 up to and including the 2033 taxation year.

Before Bylaw No. 10922 can be adopted, a Parcel Tax Roll Review will have to be held to provide property owners in a local area service with the opportunity to review the assessment roll. The members appointed by Council to the Parcel Tax Review Panel are Councilor Stack, Councilor Given and Councilor Basran.

The Parcel Tax Roll Review Panel is held to provide property owners in a local service area with the opportunity to review the assessment roll. The Panel must consider any complaints based on one or more of the following grounds for the parcel tax roll:

- a) there is an error or omission respecting a name or address on the parcel tax roll;
- b) there is an error or omission respecting the inclusion of a parcel;
- c) there is an error or omission respecting the taxable area; or
- d) an exemption has been improperly allowed or disallowed.

The Parcel Tax Roll Review Panel will hear any complaints on the following completed local service area identified on Schedule "A" as attached to this report.

If a property owner wishes to file a complaint on the above noted properties, they must provide written notice of the complaint to the Revenue Manager by 4pm Friday, April 11, 2014.

Internal Circulation:
Financial Services

Legal/Statutory Authority:
Community Charter, Sections 200, 201, 202, 204 and 205.

Legal/Statutory Procedural Requirements:
Before a parcel tax is imposed for the first time, a parcel tax roll review panel must consider any complaints respecting the parcel tax roll.

Community Charter, Section 94 - Post on a notice board and advertise 2 consecutive weeks in a local newspaper.

The required advertisements will be placed in the Capital News on Friday, April 4th and Friday, April 11th, 2014.

Community Charter, Section 204(3) - Financial Services will mail letters to owners of affected parcels 14 days prior to the Parcel Tax Review Panel meeting date stating:

- a) the service in relation to which the parcel tax is to be imposed;
- b) the taxable area;
- c) the time and place of the sitting of the review panel; and

- d) that the parcel tax roll is available for inspection at the municipal hall during its regular business hours.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

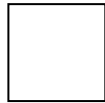
Community & Media Relations Comments:

Alternate Recommendation:

Submitted by:

S. Fleming, City Clerk

Approved for inclusion:

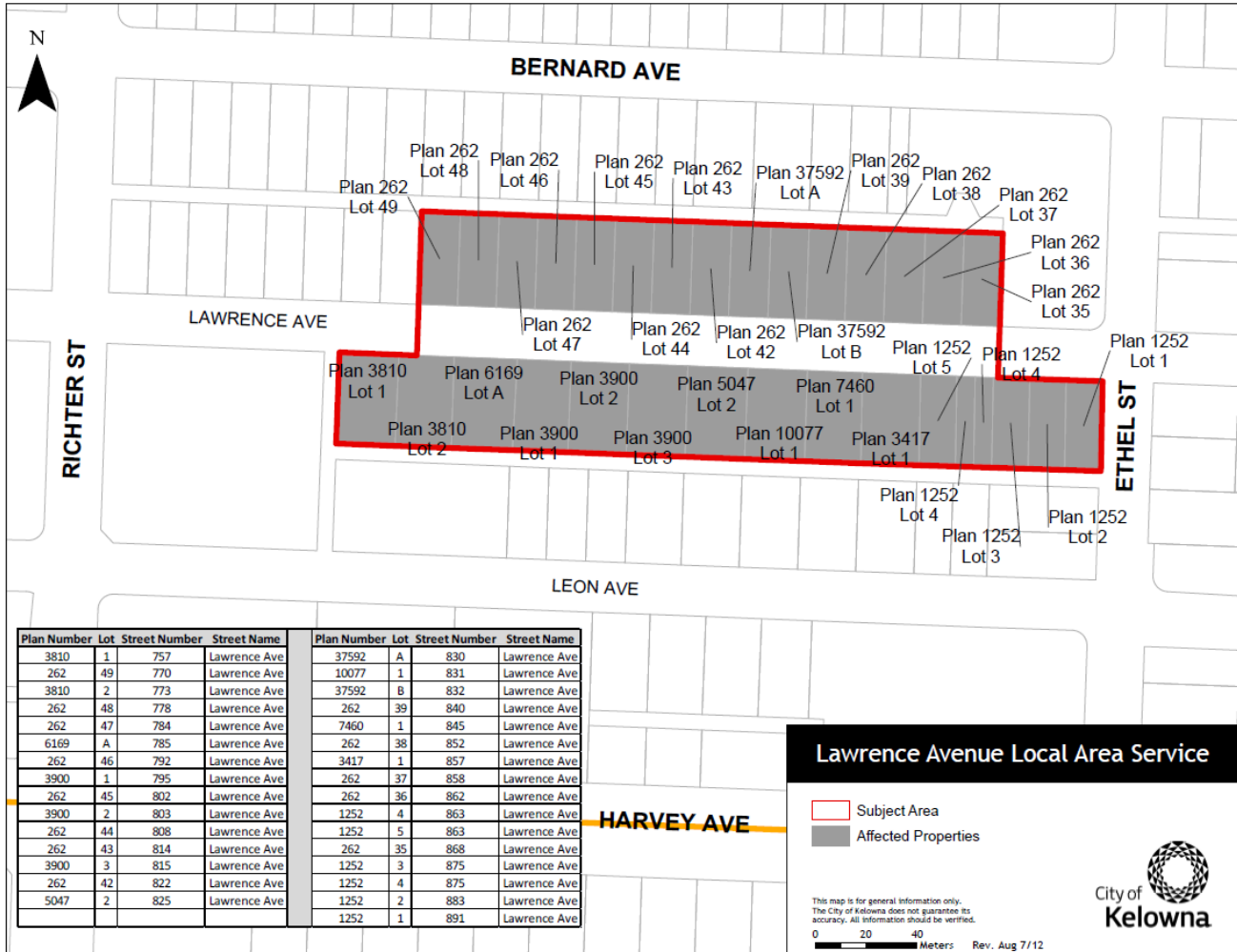


R. Mayne

cc:

G. King, Revenue, Manager

Schedule "A"



Plan Number	Lot	Street Number	Street Name
3810	1	757	Lawrence Ave
262	49	770	Lawrence Ave
3810	2	773	Lawrence Ave
262	48	778	Lawrence Ave
262	47	784	Lawrence Ave
6169	A	785	Lawrence Ave
262	46	792	Lawrence Ave
3900	1	795	Lawrence Ave
262	45	802	Lawrence Ave
3900	2	803	Lawrence Ave
262	44	808	Lawrence Ave
262	43	814	Lawrence Ave
3900	3	815	Lawrence Ave
262	42	822	Lawrence Ave
5047	2	825	Lawrence Ave

Plan Number	Lot	Street Number	Street Name
37592	A	830	Lawrence Ave
10077	1	831	Lawrence Ave
37592	B	832	Lawrence Ave
262	39	840	Lawrence Ave
7460	1	845	Lawrence Ave
262	38	852	Lawrence Ave
3417	1	857	Lawrence Ave
262	37	858	Lawrence Ave
262	36	862	Lawrence Ave
1252	4	863	Lawrence Ave
1252	5	863	Lawrence Ave
262	35	868	Lawrence Ave
1252	3	875	Lawrence Ave
1252	4	875	Lawrence Ave
1252	2	883	Lawrence Ave
1252	1	891	Lawrence Ave

CITY OF KELOWNA

BYLAW NO. 10922

Parcel Tax Bylaw for Lawrence Avenue Local Area Service

WHEREAS the City of Kelowna Council is authorized to impose by bylaw a parcel tax under Section 200 of the *Community Charter* on the benefiting parcels in the Lawrence Avenue Local Area Service;

AND WHEREAS the Council of the City of Kelowna has, by the Establishment and Loan Authorization Bylaw for Local Area Service Lawrence Avenue Bylaw No. 10748 authorized the construction of local improvements under Part 7 of the *Community Charter* and has provided that a portion of the capital costs of local improvement authorized will be paid by a parcel tax based on area of the parcel levied in 20 annual instalments within the benefiting area created by the bylaw;

AND WHEREAS the Council now is desirous of imposing the parcel tax based on the taxable frontage of the parcels;

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

1. In this bylaw:

“Benefiting Area” means the area described in Schedule “A” of “Establishment and Loan Authorization Bylaw for Local Area Service Lawrence Avenue Bylaw No. 10748”.

“City” means the City of Kelowna.

“Collector” means the Collector of Taxes for the City.

“Parcel” means any lot, block or other area, in which land is held or into which it is subdivided but does not include highways.

2. Establishment and Loan Authorization Bylaw for Local Area Service Lawrence Avenue Bylaw No. 10748 authorized the construction of local improvements under Part 7 of the *Community Charter*. The real properties immediately benefited by works undertaken as local improvements pursuant to the Establishment and Loan Authorization Bylaw for Local Area Service Lawrence Avenue Bylaw No. 10748 are identified as the Lawrence Avenue Local Area Service Tax Assessment Roll.

3. The annual parcel tax levied on each parcel under Section 2 of this bylaw, in each of the twenty (20) years, shall be equal to $(A \div B) \times C$, where:

A= the annual payment (which for the initial calculation of this bylaw is \$22,743.56) required to be made in that year for the repayment of principal and interest on the debt authorized by the Lawrence Avenue Local Area Service.

B= the metres within the benefiting area (which for the initial calculation purposes of this bylaw is 528.92 metres); and

C= the total metres allocated to the parcel.

Bylaw No. 10922 – Page 2

4. The parcel tax assessment based on the taxable frontage of the parcel is hereby imposed upon the parcels liable for the payment of the owners' portion of the cost and the interest thereon, over and above all other rates and taxes, and the said rates shall be collected annually in twenty (20) annual instalments, at the same time and in the same manner as other annual rates and taxes, and shall be subject to the same penalties for non-payment. The first such payment shall be due and payable on the 2nd day of July, 2014.
5. Any person whose parcel is subject to being specially assessed may commute for a payment in cash, by paying the portion of the cost assessed by the deadline established by the Collector.
6. This bylaw shall come into full force and effect and be binding on all persons for the 2014 taxation year for a period of twenty (20) years up to and including the 2033 taxation year.
7. This bylaw shall be cited as "Lawrence Avenue Local Area Service Parcel Tax Bylaw No. 10922".

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

Report to Council



Date: 3/28/2014
File: 0610-51
To: City Manager
From: S. Fleming, City Clerk
Subject: Sufficiency Report for the Kelowna Police Services Building Project
Report Prepared by: C. Boback, Legislative Coordinator

Recommendation:

THAT Council receive for information the report from the City Clerk dated March 28, 2014 pertaining to the Certificate of Sufficiency regarding the City of Kelowna borrowing from the Municipal Finance Authority for the sum of Forty-Two Million, Three Hundred and Eighty-Four Thousand Dollars (\$42, 384, 000.00) for the construction of a new Kelowna Police Services Building and related project work.

AND THAT Bylaw No. 10900 being the Kelowna Police Services Building Project Loan Authorization Bylaw be forwarded for adoption consideration.

Purpose:

For Council to receive the Sufficiency Report for the Kelowna Police Services Building Project and to advance the accompanying loan authorization bylaw for adoption consideration.

Background:

The Alternative Approval Process (AAP) pertaining to the City borrowing for the construction of a new Kelowna Police Services Building and related project work closed at 4:00 pm on Friday, March 28, 2014.

Approval of the electors will be obtained if the number of elector responses received by the end of the alternative approval process is less than 10% of the number of electors within the City of Kelowna (9, 484).

As of the deadline date, the Office of the City Clerk received one hundred and ninety-eight (198) valid petitions and seven (7) invalid petitions. Petitions were deemed invalid due to incomplete signatures.

As an insufficient number of valid petitions were received by the deadline, Council may proceed with borrowing from the Municipal Finance Authority through the adoption of Bylaw No. 10900.

Internal Circulation:

Communications and Information Services
Utility Services
Infrastructure

Legal/Statutory Authority: *Community Charter*, Sections 86, 94, 174 and 179

Legal/Statutory Procedural Requirements:

Notice of the Alternative Approval Process was advertised in the Kelowna Capital News on February 21st and 25th, 2014. On February 18, 2018, notice was posted on the notice board at City Hall and all relevant information relating the AAP was posted on the City of Kelowna Website.

Petitions submitted against the proposed agreement must be received by the Officer responsible for Corporate Administration (the City Clerk) in the form approved by Council by the deadline set by Council, and must be certified as sufficient or not, according to the requirements of the legislation.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:

S. Fleming, City Clerk

Approved for inclusion:



R. Mayne, Corporate & Protective Services Divisional
Director

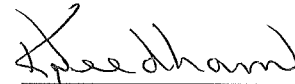
cc:

K. Van Vliet, Manager Utility and Building Projects

CITY OF KELOWNA
CERTIFICATE OF SUFFICIENCY

I hereby certify that sufficient petitions **HAVE NOT** been received in relation to the adoption of Bylaw No. 10900, being the Kelowna Police Services Building Loan Authorization Bylaw.

Dated this 28th day of March, 2014.



 D. Speerham
 City Clerk

Description of Proposal	Number of Elector Responses required to Defeat Proposal (10% of Electors City-wide)	Number of valid Responses Received
Bylaw No. 10900, being the Kelowna Police Services Building Loan Authorization Bylaw	9, 484	198

CITY OF KELOWNA

BYLAW NO. 10900

Kelowna Police Services Building Loan Authorization Bylaw

WHEREAS it is deemed desirable and expedient for the City of Kelowna to construct a new Kelowna Police Services Building to replace the current building as the current building has reached the end of its productive lifecycle and no longer meets the requirements for providing adequate space for staff and citizens;

AND WHEREAS the estimated debt to be incurred for construction of a Kelowna Police Service Building is the sum of Forty-Two Million, Three Hundred and Eighty-Four Thousand Dollars (\$42, 384, 000.00);

AND WHEREAS the maximum term of a debt that may be authorized by this bylaw is thirty (30) years;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained;

AND WHEREAS the Council has provided an alternate approval process in relation to the proposed Loan Authorization Bylaw;

AND WHEREAS the debt to be created by this bylaw for said construction of a new Kelowna Police Services Building is the sum of Forty-Two Million, Three Hundred and Eighty-Four Thousand Dollars (\$42, 384, 000.00);

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

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction of the new Kelowna Police Services Building, and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - (a) To borrow upon the credit of the municipality a sum not exceeding Forty-Two Million, Three Hundred and Eighty-Four Thousand Dollars (\$42, 384, 000.00);
 - (b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the new Kelowna Police Services Building.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is thirty (30) years.
3. This bylaw shall take effect on the date of its adoption by Council.
4. This bylaw may be cited for all purposes as "Bylaw No. 10900 being Kelowna Police Services Building Loan Authorization Bylaw".

Bylaw No. 10900 - Page 2

Read a first, second and third time by the Municipal Council this 13th day of January, 2014.

Received the Approval of the Inspector of Municipalities this 6th day of February, 2014.

Received Approval of the Electors this 28th day of March, 2014.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 10926

Road Closure and Removal of Highway Dedication Bylaw
(Portion of Glenmore Road N)

A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway on Glenmore Road N.

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

1. That portion of highway attached as Schedule "A" comprising 640.m² shown in bold black as Closed Road on the Reference Plan prepared by H.G. van Gurp, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

Read a first, second and third time by the Municipal Council this 17th day of March, 2014.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule "A"

