

**City of Kelowna
Regular Council Meeting
AGENDA**



Monday, May 26, 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 - May 12, 2014

3. Public in Attendance

3.1 Presentation of PIBC Award, re: 2014 Gold Award, Award of Excellence

To present Council with the PIBC's 2014 Gold Award, Award of Excellence for Excellence in Planning Practice in recognition of the Bernard Avenue Revitalization Project.

3.2 Cory Krist, General Manager, H2O Adventure & Fitness Centre, re: Annual Report

12 - 30

To provide Council with an annual report on the activities of the H2O Adventure & Fitness Centre.

3.3 Richard Rosenthal, Chief Civilian Director, Independent Investigations Office of BC

31 - 49

To provide Council with an overview of the Independent Investigations Office of BC.

3.4 Superintendent Romanchuk, re: Policing Report

50 - 56

To provide Council with an update on the RCMP's activities.

4. Development Application Reports & Related Bylaws

- 4.1 Agricultural Land Reserve Appeal Application No. A14-0002 - 1980, 1982-1984, 2048 and (N of) Union Road, Union Road Properties Ltd. et al 57 - 153
- Mayor to invite the Applicant, or Applicant's Representative, to come forward.**
- To consider a staff recommendation NOT to support an application to the Agricultural Land Commission pursuant to Section 30(1) of the *Agricultural Land Commission Act* for exclusion from the Agricultural Land Reserve.
- 4.2 Official Community Plan Bylaw Amendment Application No. OCP14-0006 & Rezoning Application No. Z14-0008 - 560 & 562 McKay Avenue, 0781540 BC Ltd. 154 - 180
- These applications seek to amend the Official Community Plan (OCP) future land use designation for the subject lands from MRM – Multiple Unit Residential (Medium Density) to MXR – Mixed Use (Residential/Commercial), per attached Map ‘A’, and to rezone them from RU6 – Two Dwelling Housing to C4 – Urban Centre Commercial, per attached Map ‘B’, to facilitate the development of a 3-storey mixed-use development. In conjunction with the subject applications, staff is also recommending that Council rescind 1st, 2nd and 3rd readings for the previous 2007 OCP Amendment and Rezoning applications for the subject lands, which have now expired and are superceded by the current applications under consideration.
- 4.2.1 Bylaw No. 10245 (OCP07-0032) - 560, 561, 582 & 583 McKay Avenue, 0781540 BC Ltd. 181 - 181
- Requires a majority of all members of Council (5).**
- To rescind Bylaw No. 10245 at third reading and close the file.
- 4.2.2 Bylaw No. 10246 (Z07-0093) - 560, 561, 582 & 583 McKay Avenue, 0781540 BC Ltd. 182 - 182
- To rescind Bylaw No. 10246 at third reading and close the file.
- 4.2.3 Bylaw No. 10968 (OCP14-0006) - 560 & 582 McKay Avenue, 0781540 BC Ltd. 183 - 184
- Requires a majority of all members of Council (5).**
- To give Bylaw No. 10968 first reading in order to change the future land use designation of the subject properties from the Multiple Unit Residential (Medium Density) designation to the Mixed Use (Residential/Commercial) designation.
- 4.2.4 Bylaw No. 10969 (Z14-0008) - 560 & 582 McKay Avenue, 0781540 BC Ltd. 185 - 186
- To give Bylaw No. 10969 first reading in order to rezone the subject properties from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre Commercial zone.

5.	Bylaws for Adoption (Development Related)	
5.1	Bylaw No. 10917 (TA14-0002) - Medical Marihuana Production Facilities - Industrial Zones	187 - 187
	To adopt Bylaw No. 10917 in order to amend Zoning Bylaw No. 8000 to allow for medical marihuana production facilities on I2, I3 & I4 zoned lands.	
5.2	Bylaw No. 10920 - Medical Marihuana Producer Business Licence and Regulation Bylaw	188 - 193
	To adopt Bylaw No. 10920 in order to provide for the Licencing and Regulating of Health Canada Licenced Medical Marihuana businesses within the City of Kelowna.	
5.3	Bylaw No. 10921 - Amendment No. 8 to Bylaw Notice Enforcement Bylaw No. 10475	194 - 195
	To adopt Bylaw No. 10921 in order to amend Bylaw Notice Enforcement Bylaw No. 10475 to add a new section for Medical Marihuana Producer Business Licences.	
5.4	Bylaw No. 10944 (TA14-0006) - Medical Marihuana Production Facilities - Industrial Zones	196 - 196
	To adopt Bylaw No. 10944 in order to amend Zoning Bylaw No. 8000 to allow for medical marihuana production facilities on I1 zoned lands.	
6.	Non-Development Reports & Related Bylaws	
6.1	Transit 2014/2015 Annual Operating Agreements	197 - 203
	To provide Council with information on Transit costs for the current year and receive Council authorization to sign the Annual Operating Agreements for the current year, with the amended agreement for last year and the Master Operating Agreement.	
6.2	Security Issuing Bylaw - Lawrence Avenue Local Area Service	204 - 205
	To obtain Council approval that the Regional District of Central Okanagan be requested to prepare a security issuing bylaw with a 20 year term.	
6.3	2013 Household Travel Survey	206 - 226
	To present the results of the 2013 Household Travel Survey conducted in the fall of 2013 to households in the Central Okanagan Region and City of Vernon. The report will also compare results to those from the 2007 Household Travel Survey.	
6.4	Copeland House - Heritage Tax Exemption	227 - 229
	To have Council authorize entering into an agreement to allow a permissive tax	

exemption for the owner of the Copeland House located at 784 Elliot Avenue.

- 6.4.1 Bylaw No. 10966 - 784 Elliot Avenue, Heritage Building Property Tax Exemption Bylaw 230 - 236

Requires a majority of all members of Council (5).

To give Bylaw No. 10966 first, second and third readings.

- 6.5 Corporate Energy and GHG Emissions 237 - 317

Purpose of report is to present the latest corporate GHG emissions data and highlight GHG emissions reduction projects. The Community actions were highlighted in a separate Council report on March 3rd, 2014 (Climate Action Revenue Incentive Program Reporting Requirement). Further, the purpose of this report is to make the final corporate GHG values public to meet the provincial requirements for the Climate Action Revenue Incentive Program.

- 6.6 Road Closure Bylaw - Portion of Road Near Bird Place 318 - 320

To transfer a portion of excess City roadway to Westcorp On The Lake Inc. (the "Purchaser") to be used as landing area for a bridge to be constructed over Wilson Creek.

- 6.6.1 Bylaw No. 10958 - Road Closure Bylaw, Portion of Bird Place 321 - 322

To give Bylaw No. 10958 first, second and third readings.

7. Mayor and Councillor Items

8. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, May 12, 2014
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present: Deputy Mayor Luke Stack and Councillors Colin Basran, Maxine DeHart*, Gail Given, Robert Hobson, Mohini Singh, and Gerry Zimmermann

Members Absent: Mayor Walter Gray, Councillor Andre Blanteil

Staff Present: Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Subdivision, Agriculture & Environment Services Manager, Todd Cashin*; Long Range Policy Planning Manager, James Moore*; Urban Planning Manager, Ryan Smith*; Development Engineering Manager, Steve Muenz*; Event Development Supervisor, Mariko Siggers*; Utility Planning Manager, Andrew Reeder*; Long Range Policy Planning Manager, Gary Stephen*; Parking Services Manager, Dave Duncan*; and Council Recording Secretary, Arlene McClelland

(*denotes partial attendance)

1. Call to Order

Deputy Mayor Stack called the meeting to order at 1:31 p.m.

Deputy Mayor Stack indicated he was in the Chair as Mayor Gray is on the Inaugural flight between Kelowna and Fort McMurray, Alberta.

Deputy Mayor Stack 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 Hobson/Seconded By Councillor Basran

R328/14/05/12 THAT the Minutes of the Regular Meeting of May 5, 2014 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

- 3.1. Official Community Plan Bylaw Amendment Application No. OCP14-0005 & Rezoning Application No. Z14-0006 - 235 Queensway Avenue, 1470 & 1476 Water Street, Portions of Mill Street & Queensway Avenue, Westcorp Holyrood Inc.

Councillor DeHart declared a conflict of interested due to being in the Hotel and Convention business and departed the meeting at 1:33 p.m.

Staff:

- Provided a PowerPoint presentation of the proposed application.
- Responded to questions from Council.

Moved By: Councillor Zimmermann/Seconded By: Councillor Given

R329/14/05/12 THAT Official Community Plan Bylaw Amendment No. OCP 14-0005 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of

1. Part of the Mill Street Road Right-of-Way, being approximately 596m² in area, located adjacent to 235 Queensway Avenue and 262 Bernard Avenue, Kelowna, BC
2. Part of the Queensway Avenue Road Right-of-Way, being approximately 168m² in area, located adjacent to 235 Queensway Avenue and 1470 Water Street, Kelowna, BC

from the PARK - Major Park & Open Space designation to the MXR - Mixed Use (Residential/Commercial) designation, as shown on Map "A" attached to the Report of Land Use Management Department dated April 28, 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 Land Use Management Department dated April 28, 2014;

AND THAT Rezoning Application No. Z14-0006 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

1. Lot 1, District Lot 139, ODYD, Plan 2698, located at 1470 Water Street, Kelowna, BC
2. Lot 2, District Lot 139, ODYD, Plan 2698, located at 1476 Water Street, Kelowna, BC
3. Part of the Mill Street Road Right-of-Way, being approximately 596m² in area, located adjacent to 235 Queensway Avenue and 262 Bernard Avenue, Kelowna, BC
4. Part of the Queensway Avenue Road Right-of-Way, being approximately 168m² in area, located adjacent to 235 Queensway Avenue and 1470 Water Street, Kelowna, BC

from the C7 - Central Business Commercial and P3 - Parks and Open Space zones to the C7lp/rls - Central Business Commercial (liquor primary / retail liquor sales) zone, as shown on Map "B" attached to the Report of the Land Use Management Department dated April 28, 2014, be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment Bylaw 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 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 submission of a plan of subdivision consolidating the subject properties and closed road into one title;

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

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the applicant entering into an encroachment agreement with the City to accommodate canopies, and a land agreement to accommodate the kaleidoscope projection, as described in the report from the Urban Planning Department, dated April 28, 2014;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the conclusion of the road closure process, as described in the report from the Urban Planning Department, dated April 28, 2014.

Carried

3.1.1. Bylaw No. 10962 (OCP14-0005) - 235 Queensway Avenue, 1470 & 1476 Water Street, Portions of Mill Street & Queensway Avenue, Westcorp Holyrood Inc.

Moved By Councillor Basran/Seconded By Councillor Singh

R330/14/05/12 THAT Bylaw No. 10962 be read a first time;

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

Carried

3.1.2. Bylaw No. 10963 (Z14-0006) - 235 Queensway Avenue, 1470 & 1476 Water Street, Portions of Mill Street & Queensway Avenue

Moved By Councillor Singh/Seconded By Councillor Basran

R331/14/05/12 THAT Bylaw No. 10963 be read a first time.

Carried

3.2. Rezoning Application No. Z13-0016, 984 Dehart Road, Sherwood Mission Developments & Dr. A. Rezansoff

Councillor DeHart rejoined the meeting at 2:05 p.m.

Staff:

- Provided a PowerPoint presentation of the proposed application.
- Responded to questions from Council.

Council:

- Raised questions with respect to traffic impacts.

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R332/14/05/12 THAT Official Community Plan Bylaw Amendment No. OCP13-0011 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing a portion of the Future Land Use designation of Lot 1, Section 31, TWP 29, ODYD Plan KAP62654, located at 984 Dehart Road, Kelowna, BC, from the Multi-Unit Residential Low Density (MRL) designation to the Single/Two Unit Residential (S2RES) designation, and a portion of Single/Two Unit Residential (S2RES) be changed to Multi-Unit Residential Low Density (MRL), in accordance with 'Map A', be considered by Council;

AND THAT Rezoning Application No. Z13-0016 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot 1, Section 31, TWP 29, ODYD Plan KAP62654, located at 984 Dehart Road, Kelowna, BC, from the A1 - Agriculture 1 zone to the RU1 - Large Lot Housing zone, in accordance with 'Map B' be considered by Council;

AND THAT the Official Community Plan Amendment Bylaw and 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 Development Engineering Branch, Subdivision, Agriculture & Environment Branch and Parks & Public Space Branch, being completed to their satisfaction, as well as, a Natural Environment Development Permit, a Farm Protection Development Permit and a water rights easement being registered on title.

Carried

3.2.1. Bylaw No. 10964 (OCP13-0011) - 984 Dehart Road, Sherwood Mission Developments Ltd.

Moved By Councillor Basran/Seconded By Councillor Singh

R333/14/05/12 THAT Bylaw No. 10964 be read a first time;

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

Carried

3.2.2. Bylaw No. 10965 (Z13-0016) - 984 Dehart Road, Sherwood Mission Developments Ltd.

Moved By Councillor Singh/Seconded By Councillor Basran

R334/14/05/12 THAT Bylaw No. 10965 be read a first time.

Carried

4. Non-Development Reports & Related Bylaws

4.1. Center of Gravity 2014

Staff:

- Provided an overview of staff report.
- Responded to questions from Council.

Moved By Councillor Basran/Seconded By Councillor DeHart

R335/14/05/12 THAT Council receives, for information, the report from the Event Development Supervisor dated May 7, 2014 regarding the 2014 Center of Gravity Festival.

Carried

4.2. 2014 Outdoor Events

Staff:

- Displayed a PowerPoint presentation.
- Responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor DeHart

R336/14/05/12 THAT Council receives, for information, the report from the Event Development Supervisor dated May 7, 2014 regarding the 2014 Outdoor Event season.

Carried

4.3. Vernon Creek Risk Assessment

Staff:

- Displayed a PowerPoint presentation.
- Responded to questions from Council.

Moved By Councillor Hobson/Seconded By Councillor Zimmermann

R337/14/05/12 THAT Council receives, for information, the report from the Utilities Planning Manager dated May 12th, 2014 regarding the Vernon Creek risk assessment;

AND THAT Council direct staff to follow Option 1 as identified in the Utilities Planning Manager report, dated May 12th, 2014, regarding the Vernon Creek risk assessment;

AND FURTHER THAT the 2014 Financial Plan be amended by \$47,450 to provide for the creation of a design, operation and maintenance manual for the Vernon Creek Flume with funding from General Reserves.

Carried

4.4. Small Shop Promotion Days

Staff:

- Provided an overview of the initiative.
- Responded to questions from Council.

Moved By Councillor Basran/Seconded By Councillor Hobson

R338/14/05/12 THAT Council receives, for information, the report from the Manager, Parking Services dated May 6, 2014, with respect to free downtown parking on two (2) dates in 2014;

AND FURTHER THAT Council approves free on-street parking in the downtown area on the following two (2) dates in 2014: Thursday June 19th, commencing at 2:00 p.m. and Saturday October 25th, all day.

Carried

4.5. Regional Growth Strategy

Staff:

- Provided an overview of the RDCO Regional Growth Strategy Bylaw and staff report.

Moved By Councillor Hobson/Seconded By Councillor Given

R339/14/05/12 THAT Council receives the report on the RDCO Regional Growth Strategy Bylaw 1336 from the Department Manager, Policy and Planning dated May 12, 2014;

AND THAT Council accepts the Regional Growth Strategy Bylaw 1336 as outlined in the report dated May 12, 2014.

Carried

5. Bylaws for Adoption (Non-Development Related)

5.1. Bylaw No. 10950 - Five Year Financial Plan, 2014-2018

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R340/14/05/12 THAT Bylaw No. 10950 be adopted.

Carried

5.2. Bylaw No. 10952 - Tax Structure Bylaw, 2014

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R341/14/05/12 THAT Bylaw No. 10952 be adopted.

Carried

5.3. Bylaw No. 10948 - Annual Tax Rates Bylaw, 2014

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R342/14/05/12 THAT Bylaw No. 10948 be adopted.

Carried

5.4. Bylaw No. 10949 - DCC Reserve Fund Expenditure Bylaw, 2014

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R343/14/05/12 THAT Bylaw No. 10949 be adopted.

Carried

5.5. Bylaw No. 10951 - Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2014

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R344/14/05/12 THAT Bylaw No. 10951 be adopted.

Carried

6. Mayor and Councillor Items

Councillor Singh:

- Encouraged the public to attend Small Shop Promotion event.

Councillor Basran:

- Encouraged the public to attend Rutland May Days Parade and event this weekend.

Councillor DeHart:

- Stewart Centre Event held on May 15, 2014 with full day of events with proceeds going to the Arthritis Society.

Councillor Zimmermann:

- Spoke to his attendance at a Nursing luncheon at KGH and noted that this is Nursing Week.

Councillor Given:

- Second Annual Child Development Resource Day Exhibit Tuesday May 13th at the Trinity Baptist Church.

Deputy Mayor Stack:

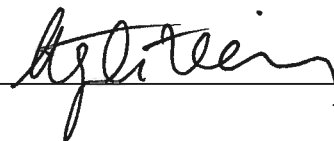
- Spoke to his attendance at the last Okanagan Symphony Orchestra event of the season last Saturday, May 10th and commented on the participation of the Kasugai Sister City Association in the event.

7. Termination

This meeting was declared terminated at 3:26 p.m.

Deputy Mayor Stack

/acm/sf/tt



City Clerk

H₂O adventure + fitness centre



H₂O is operated by



2013 numbers...



4628 average members on roll

106805 admissions sold

1300 served/day



Over 90% of Kelowna's aquatic club training hours occur at H2O and we host between 11 – 13 competitions annually

The YMCA and the City of Kelowna share the same access objective...

Everyone is welcome

495 children and families utilize the YMCA financial program



11% of Membership Utilizing the Financial Assistance Program

In 2013, H2O also serviced over 8,700 City of Kelowna Recreation vouchers which are distributed by over 80 service organizations throughout Kelowna.

YMCA staff employed at the H2O Centre are represented on the Everyone Gets To Play committee and the Canadian Tire Jump Start Committee.

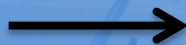
Everybody gets to play™



More amazing partnerships...

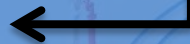
It is our mission to drown proof our community

Across The Lake
Swim Society Event

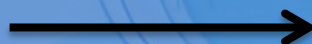


YMCA Aquatic Staff volunteer their
time to provide event safety supervision

Proceeds from event are
given to the YMCA



additional funding from the
Central Okanagan Foundation



The YMCA provides free
Transportation and Swimming
lessons to all Grade 3
students in SD 23

Get them while they're young!...but we didn't stop there!



We worked with 2 brave grade 3 students Hailey and Dominic, who took on the 2.1 KM Across The Lake Swimming Challenge last summer....and made it!

and you're never too old!...

We also provide teen, adult and even senior specific swimming lessons.

- FlowRider lessons
- Clubs & competitions
- Water polo
- Jr. Lifeguard Club
- Skills and Drills
- Streamliners
- and many other fantastic programs dedicated to developing the potential of the people we serve



How do we do all this....

AN AMAZING FACILITY & FANTASTIC PEOPLE

On average we have over 130 staff and over 65 volunteers!
...we'd have more volunteers but we keep hiring them which is part of our development process.



And sometimes we just let the community create programs...



The Women's Show and Tell Group was created almost two years ago from a dedicated volunteer named Beverly Jones.

Leading, inspiring and teaching what it means to live an active and healthy lifestyle...

87% of our members surveyed indicate that they joined H2O to become more active and live a healthier lifestyle

Group fitness is huge with 100 – 120 classes offered/week



Our philosophy...

We want people to want to exercise and live a healthier lifestyle and offer programs to help people “stick with it”.



And while parents exercise, what do the kids do?

We not only offer child-minding services but also many child and youth programs to enrich the lives and develop the children we serve.

- Girl space & Guy Stuff
- Movin' & Groovin
- Zumba Kids
- Active Kidz Camp
- Craft and Swim nights
- Jr. Triathlon Club
- Hip Hop Dance
- Nature Detectives



Tourist visitors...

We work closely with Tourism Kelowna, the City of Kelowna and local accommodation sites to promote and grow tourist visits.

In 2013 our Hotel Referral Program has grown from 6 local hotels to 23.

Sheraton 4 Points
Super 8
Accent Inn
Best Western
Best Western Westside
Casa Loma
Coast Capri
Comfort Inn
Cove, The
Days Inn
Delta Hotel
Dilworth Inn
Fairfield
Holiday Inn
Holiday Park
Howard Johnson
Manteo Hotel
Ok Seasons Resort
Prestige Hotel
Royal Ann
Sandman Inn
Sheraton 4 Points
Super 8

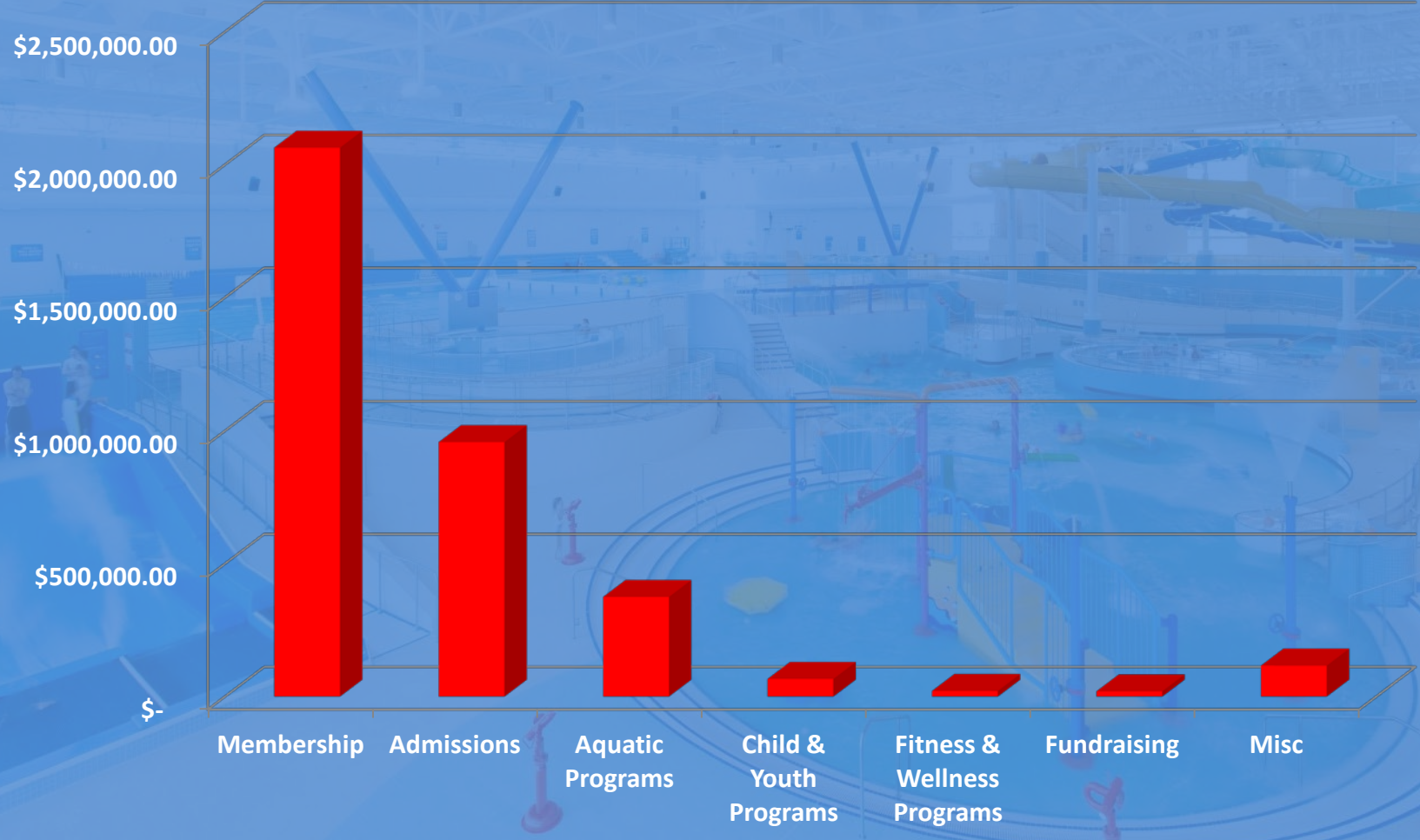
The Finances...

Revenue/Expenses/Surplus



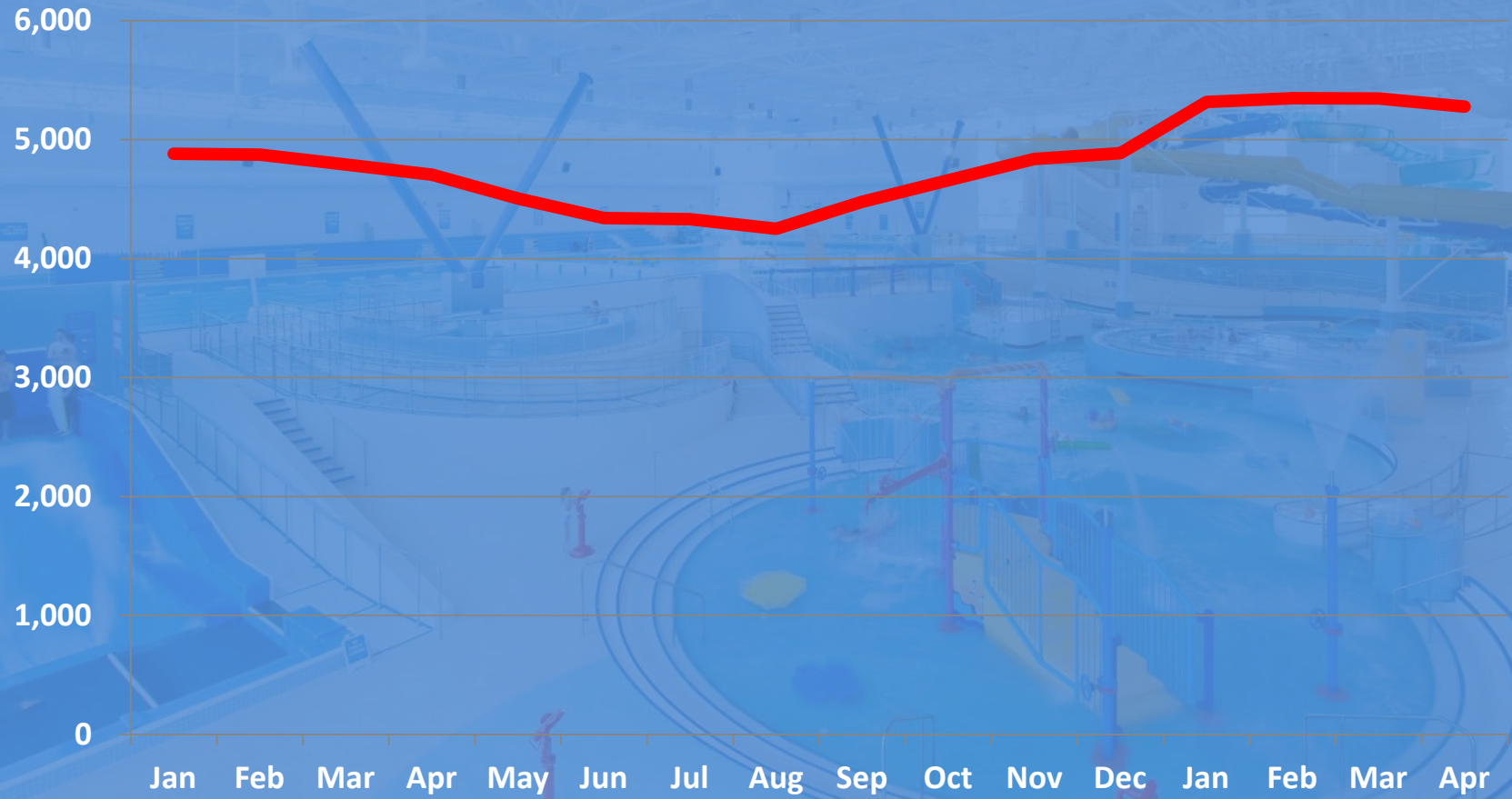
The Finances...

Sources of Revenue



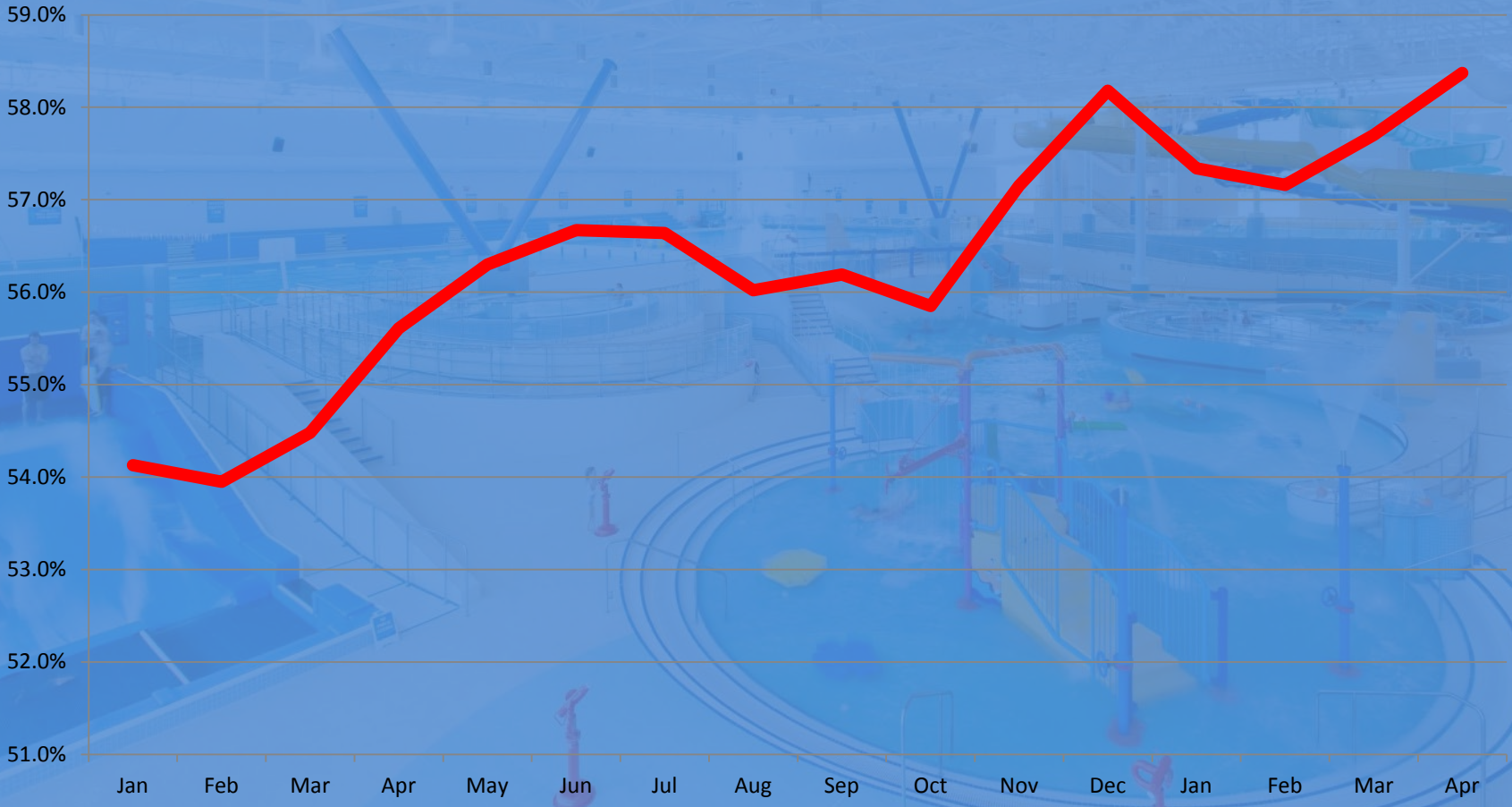
The Finances...

Membership Trends Jan 2013 – Apr 2014



The Finances...

Membership Retention Trends Jan 2013 – Apr 2014



What's next...

Do what we do **even better!**

Continue to grow and involve more of our community in the good things going on at the H2O Centre.

We look forward to another amazing year at H2O!

Questions?....



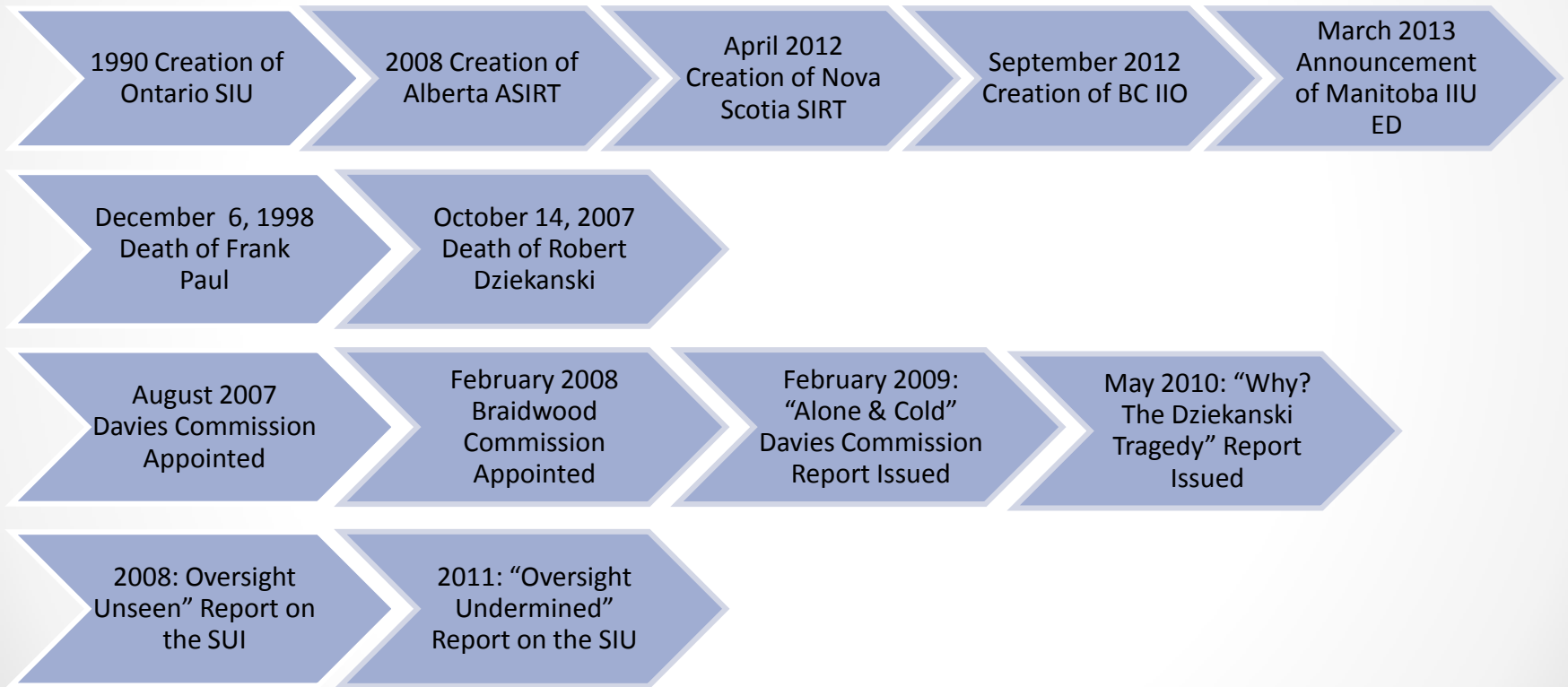


INDEPENDENT
Investigations Office of BC

Overview

- Creation of the IIO
- The Jurisdiction of the IIO
- The composition of the IIO
- Notification
- Investigation framework/MOU
- Reporting

Creation of Civilian Oversight in Canada



Independent Investigations

- The Independent Investigations Office (IIO) has jurisdiction over incidents in B.C. involving on-duty and off-duty municipal police and the RCMP that result in serious harm or death
- The IIO also has jurisdiction over on-duty Provincial Special Constables

Defining Serious Harm

- Part 11 of the Police Act defines serious harm as:
 - “Injury that
 - may result in death,
 - may cause serious disfigurement, or
 - may cause substantial loss or impairment of mobility of the body as a whole or of the function of any limb or organ”

The CCD and IIO Investigators

- The CCD is not permitted to have ever served as a police officer
- The CCD and IIO investigators have “all of the powers, duties and immunities of a peace officer and constable at common law and jurisdiction throughout the Province (s. 38.07(1))
- Approximately 2/3 of IIO investigators have experience as former police investigators; the other 1/3 have investigative experience in areas other than policing
- No investigator may have served as an officer in BC during the 5 years preceding his/her appointment

Goals of the IIO

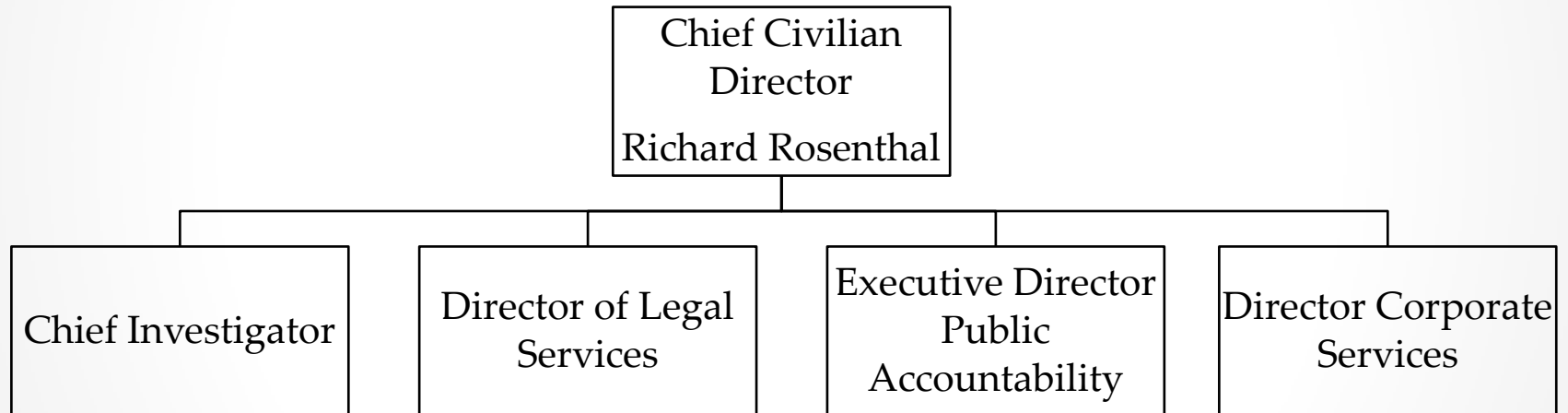
- To complete fair, thorough investigations
- To improve the timeliness of investigations
- Transparency and accountability through public reporting

Office Location

The IIO is located at Surrey Central

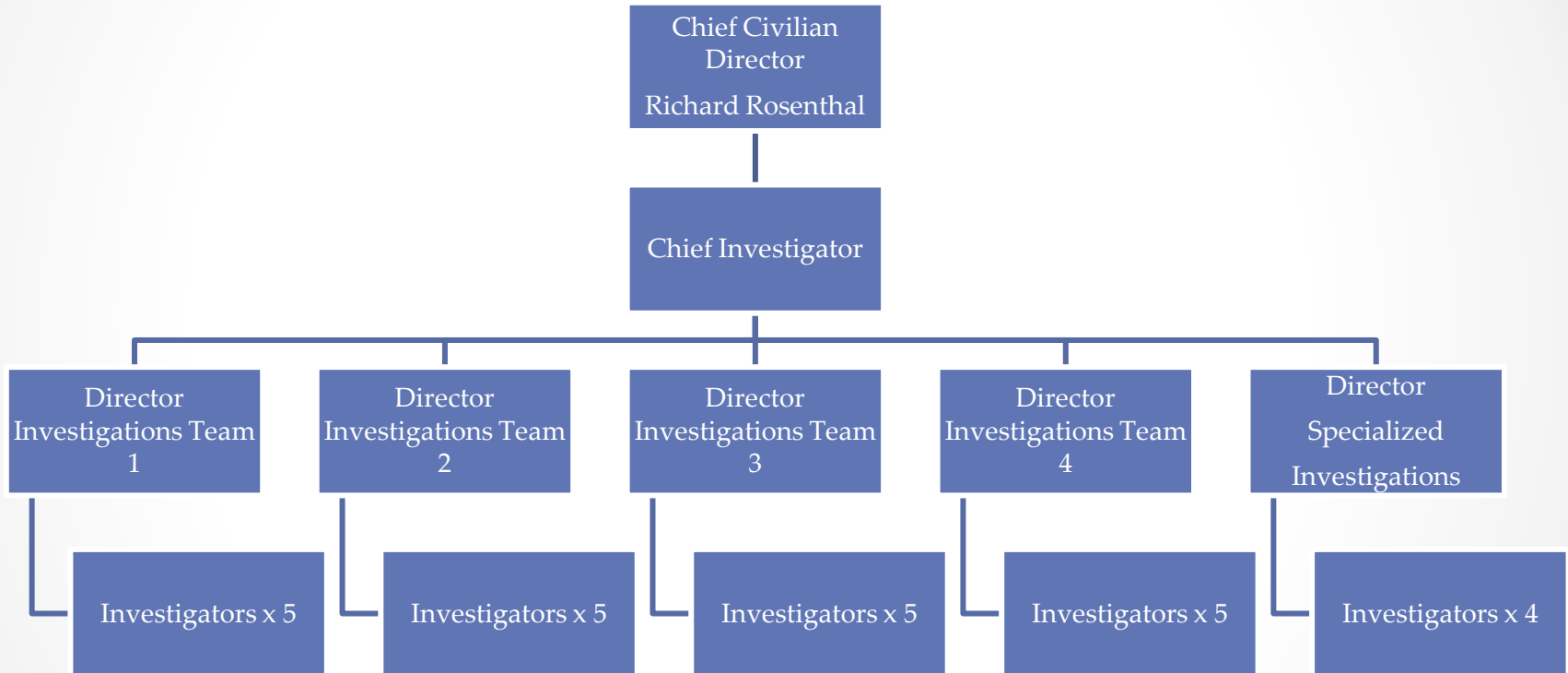


Executive Team



*One year secondment

Investigation Teams



*One year secondment

Memorandum of Understanding with the Policing Community

Key concepts

- Notification
- Scene Security
- Parallel (concurrent) Investigations
- Specialized Field Services
- Forensic Support
- Exhibit Storage
- Officer Sequestration
- Witness Officer Responsibilities
- Timing of Interviews
- Video Recorded Interviews

Statutory Requirements Applicable to Police Agencies

- Immediate notification of the IIO with respect to cases falling within its mandate (38.09(1))
- Until IIO arrives at the scene of an incident, officers must take any lawful measures necessary to obtain and preserve evidence
- Upon IIO arrival, officers must relinquish control over the investigation of the incident

Statutory Requirements Applicable to Police Witnesses

- 38.101: An officer must cooperate fully with an IIO Investigator in the IIO Investigator's exercise of powers or performance of duties
- As such, officers designated as “witness officers” may be compelled to make a statement to the IIO in a timely fashion
- Pursuant to 38.102(1): a statement provided during an IIO investigation is inadmissible in evidence in court in a civil proceeding where the officer is a defendant

Responsibilities of the Chief Civilian Director

- Reporting to Crown Counsel if the CCD “considers that an officer may have committed an offence under any enactment”
- Where CCD does not make a report to crown, he will conclude the case with a public report after consulting with the Information and Privacy Commissioner

Public Reporting

- Where there is a death or significant public interest in a case, and no report to Crown has been made, the CCD will issue a public report containing:
 - A summary of the investigation and its findings; and
 - An explanation as to why the matter is not being reported to Crown Counsel.
- Annual report containing statistical information including, the number and frequency of types of investigations, their outcome and any identified trend.

2013/14 Statistics

- 223 Notifications
- 105 Declined
- 60 Jurisdiction Asserted & Not Sustained
- 58 Jurisdiction Asserted & Sustained
- 18 Active Investigations
- 39 Closed Investigations
 - 26 Public Reports Issued
 - 13 RTCC submitted
 - 7 No charges approved
 - 4 Pending
 - 2 charges approved

Legislative Review

- A Special Committee been struck to review the administration and general operations of the independent Investigations Office and progress in staffing employees with civilian backgrounds.
- To submit written and oral submissions from any interested person or organization by any means the committee considers appropriate.
<http://www.leg.bc.ca/cmt/40thParl/session-2/iio/index.htm>
- A report will be submitted, to the Legislative Assembly within one year , including any recommendations respecting the results of the review.

Contacting the IIO

- If you would like to know more about the IIO, please contact:

info@iioabc.ca

Tel: 604 586 5668

Questions?



INDEPENDENT
Investigations Office of BC



Kelowna RCMP Report to Mayor and Council



Detachment Priorities

1. Contribute to Community Safety
2. Enhance Police-Community Relations
3. Reduce files associated to domestic violence
4. Contribute to Safe Roads
5. Recruiting



Contribute to Community Safety

1. 5% increase in charged files to Prolific Offenders
2. 5% increase in charged files for Organized Crime targets
3. 10% decrease in Criminal Code founded files
4. 5% increase in Breach charges
5. 5% increase in Street Check files
6. 5% increase in Drug Charges





Enhance Police-Community Relations

1. 5% increase in the number of volunteer hours
2. 5% increase in the number of events directed at youth





Reduce files associated to Domestic Violence

1. 5% reduction on all repeat victimization for Domestic Violence
2. 5% reduction of all repeat offenders for Domestic Violence



Contribute to Safe Roads

1. 5% reduction in injury Motor Vehicle crashes
2. 5% increase in Charges for Impaired Driving
3. Education and enforcement of excessive noise from motorcycles and other vehicles





Recruiting

1. Engage employees and veterans in conveying proactive messaging: “We’re hiring!”



REPORT TO COUNCIL



Date: 5/26/2014
RIM No. 1210-21
To: City Manager
From: Subdivision, Agriculture & Environment Services (MS)
Application: A14-0002
Address: 1980 Union Road,
1982-1984 Union Road,
2048 Union Road &
(N of) Union Road
Subject: Agricultural Land Reserve (ALR) Exclusion
Existing OCP Designation: Resource Protection Area & Single/Two Unit Residential
Existing Zone: A1 - Agriculture 1

Owners: Union Road Properties Ltd.
MM Corp. Inc.
City of Kelowna
Applicant: Protech Consulting Ltd.

1.0 Recommendation

THAT Agricultural Land Reserve Appeal Application No. A14-0002 for Lot A, Section 4 TWP 23 ODYD Plan KAP75150; Lot B Section 4, TWP 23, ODYD Plan KAP 75150; Lot 12 Block 5 Section 4 TWP 23 ODYD Plan 896 Except Plans H8323 and H14719; and that part of Lot 12 Block 5 Section 4 TWP 23 ODYD Plan 896 shown outlined in green on Plan H8323 (PID 025-283-995); that part of Lot 12 Block 5 Section 4 TWP 23 ODYD Plan 896 shown as parcel 12 on Plan H8323 (PID 025-283-979), located at 1982-1984 Union Road, 1980 Union Road, 2048 Union Road, and (N of) Union Road for exclusion, pursuant to Section 30(1) of the Agricultural Land Commission Act, NOT be supported by Municipal Council;

AND THAT the Municipal Council directs staff to forward the subject application to the Agricultural Land Commission for consideration.

2.0 Purpose

To consider a staff recommendation NOT to support an application to the Agricultural Land Commission pursuant to Section 30(1) of the *Agricultural Land Commission Act* for exclusion from the Agricultural Land Reserve.

3.0 Subdivision, Agriculture & Environment Services

The applicant is applying for permission from the Agricultural Land Commission (ALC) to exclude three privately owned parcels with a combined area of 9.83 ha (24.4 ac) and 0.8 ha (1.97 ac) of City of Kelowna lands from the Agricultural Land Reserve (ALR). The exclusion is requested to

facilitate a mix of single and multi-family residential development on the subject properties, and the realignment of Union Road.

In exchange for the exclusion, the applicant is proposing the inclusion into the ALR of 61.52 ha (152.1 ac) of arable land located in the Regional District of North Okanagan (RDNO) near Lumby along with drilling a water well on the inclusion lands.

The application is for exclusion of five parcels from the ALR (Map 1), and is presented with an offer to include land near Lumby into the ALR, as well as establish a well on the property. Exclusion / inclusion proposals are site specific in terms of their potential impacts and possible benefits to agriculture, and need to be evaluated carefully, both from the context of their agricultural potential as well as the impacts of the future proposed land use within the community.

City of Kelowna Transportation and Land Use Plans

The City of Kelowna (the City) Transportation Plan shows the realignment of Union Road, across the southern corner of 2048 Union Road and two City owned parcels, with a future land use designation south of the realignment of Single / Two Unit Residential (S2Res). The Union Road extension and lands south of this realignment are within the Permanent Growth Boundary (Map 2).

The lands north of the Union Road Realignment are outside of the Permanent Growth Boundary and are within the Resource Protection Area (REP) future land use designation. The Ministry of Agriculture has reviewed and approved our Official Community Plan. As such, they have provided an indication of support for applications to allow the Union Road Realignment and the future land use of lands south of the realignment as Single / Two Unit Residential (Map 2, below).

The applicant's proposed land use of the area north of the Union Road Extension, should the exclusion be approved, is for a combination of multi-family rental units and RU2 single family lots. A 10 metres agricultural buffer is proposed, consisting of a laneway and landscaping all around the northern perimeter¹. Staff notes that the Ministry of Agriculture guidelines² state a minimum of 15 metres buffer (roadways not included) on the non-farm side of properties adjoining agricultural land.

Summary of Exclusion / Inclusion Plan

In exchange for the exclusion, the applicant is proposing:

- the inclusion of 61.52 ha (152.1 ac) of arable land near Lumby into the ALR; and
- \$475,000 to the owners of the inclusion lands (the Ferrie's)³,

The funds are intended to assist the Ferrie's with drilling a well on the property (estimated at \$100,000) as well as generally assist them in preparing the land to restart the farming operations, which would be comprised of a planned cow-calf operation, as well as asparagus, huckleberry and blueberry production. The plan also includes the management of sulphur cinquefoil from the property, a weed listed as noxious in the North Okanagan Regional District by the Ministry of Agriculture and regulated by the *BC Weed Control Act*⁴. Some of the lands will be planted with hay, oats and barley to support the cow/calf operation, with the intent on making the operation and the beef organic. Funds received will also contribute to establishing deer fencing around the property.

¹ Protect Consulting, Jan. 2012. Application Documents, Section 6 – ALR Exclusion Overview.

² Ministry of Agriculture, 2009. Guide to Edge Planning – Promoting Compatibility Along Urban Agricultural Edges

³ Elliot, B. April, 2014. Amendment to the Exclusion Package.

⁴ Ministry of Agriculture, 2014. BC Weed Control Act Noxious Weeds in BC <http://www.agf.gov.bc.ca/cropprot/noxious.htm>

Inclusion Lands

The inclusion lands are located approximately 2 km east of Lumby, and have been owned by the Ferrie family since 1972. The Ferrie's own other properties in the Lumby area and currently breed and train quarter horses for sale in the rodeo business. The subject property was used to raise cows / calves until 2000, when the operation stopped, resulting from concerns about the mad cow disease present at that time in the US and UK. The inclusion lands have remained unused since 2000.

The property is south facing with a 10-15% slope, and ranges from 625 metres above sea level (masl) to 695 masl. The 63 ha property has 61.5 ha of farmable land. The proponent's Land Assessment Report⁵ has classified the lands as Class 4. With improvements, primarily the addition of irrigation, the assessed capability is 68% Class 3 and 32% remains at Class 4.

The required volume of water to adequately service the 61.52 ha has not been confirmed. The well has an anticipated volume of 300 to 500 gallons of water per minute, based on adjacent wells. Based on an average irrigation requirement of 5.5 gallons per minute per acre, this may not be sufficient to service the area. The irrigation requirements and the quantity potential of the well have been estimated but not assessed.

The applicant has indicated they are willing to post a letter of credit or other security for \$50,000 with the Agricultural Land Commission to cover the cost of drilling a well on the property.

Agricultural Capability

The agricultural capability of the Union Road properties was assessed at Class 5. With irrigation, 51% of the portion of the property available for agriculture could be improved to Class 2 (11%) and Class 3 (40%). Class 3 land and better (Classes 1 to 3) is considered to be prime agricultural land in the Okanagan. Approximately 28% would be improved to Class 4. The remaining 21% of the subject properties were determined to be unavailable to agriculture⁶.

The inclusion lands in Lumby were assessed⁷ at an agricultural land capability of Class 4A (unimproved) limited by soil moisture for the entire property. Potential improvements include the addition of irrigation. As part of the inclusion package the applicant included drilling a well for irrigation on the property. With improvements, the agricultural capability is expected to improve to Class 3 for 68% of the property. The remaining 32% of the property would remain at Class 4.

The Agricultural Capability Assessment report describes the inclusion lands as 'equivalent or better' than the exclusion lands, citing a greater percentage Class 3 improved capability, as well as factors of greater size and no fragmentation, such is present at the Union Road properties, which is described as being fragmented and disturbed by historic development⁸.

Other Exclusion / Inclusion Applications

Staff have been asked what conditions and factors surround other exclusion / inclusion applications. The recent exclusion / inclusion application at 2025 Springfield Road / 2120 Cooper Road was supported by staff. A key consideration was that this exclusion was specifically supported through the City of Kelowna Agriculture Plan

⁵ Valhalla, 2013. Land Capability Assessment, McKinnes Rd., Lumby BC

⁶ Valhalla Env. Consulting Inc., 2014. Agricultural Capability Assessment for 1982-1984, 1980 and 2048 Union Road, and 2 Lots North of Union Road.

⁷ Valhalla, 2013. Land Capability Assessment, McKinnes Rd., Lumby BC

⁸ Davidson, M. May 12, 2014. Email Re: Questions about Ferrie Land Assessment.

Considerations on the Application

Both the City's Agriculture Plan and the OCP recommend non-support with respect to exclusion. ALC policies state that consideration of any exclusion should be reviewed in the context of the overall agricultural integrity of the proposal.

Inclusion in the ALR is not a guarantee that the area proposed will be actively farmed, although the proponent has indicated the well and funds provided will facilitate the establishment of a cow/calf operation and the production of asparagus, huckleberries and blueberries. The City of Kelowna is not able to take bonding for works outside the municipality, so fulfillment of the inclusion plans cannot be monitored or guaranteed. However, the ALC could decide to take bonding to ensure this is done.

If approved, the exclusion would be a direct loss of arable land within the City. Agricultural land that can support cow/calf operations, as well as asparagus and huckleberry & blueberry production is more abundant in British Columbia than that which can support a variety of tree fruits, including soft tree fruits.

The description of Resource Protection Area in the OCP states that:

Generally land areas within this designation (whether they are within the permanent growth boundary or not) will not be supported for exclusion from the ALR or for more intensive development than that allowed under current zoning regulations, except in specific circumstances where the City of Kelowna will allow exceptions to satisfy civic objectives for the provision of park/recreation uses.

Based on current City policy, staff do not support the application as proposed and provides an alternate recommendation for Council's consideration where only the lands for Union Road Realignment, and those lands south specified for Single / Two Unit Residential in the Official Community Plan, are considered for exclusion.

4.0 Proposal

4.1 Project Description

The applicant is proposing to exclude three private properties with a combined area of 9.83 ha (24.4 ac) and 0.8 ha (1.97 ac) of City of Kelowna lands from the ALR. The exclusion is intended to facilitate future applications for OCP Future Land Use and zoning amendments of the land into single and multi-family residential, and the realignment of Union Road.

In exchange for the exclusion, the applicant is proposing to include into the ALR, 61.52 ha (152.1 ac) of arable land located in the Regional District of North Okanagan (RDNO) near Lumby along with drilling a water well on the inclusion lands.

Please note that this application is for an exclusion from the ALR only.

4.2 Background

The application includes 5 properties. Three private properties are 1982-1984 Union Road, 1980 Union Road, 2048 Union Road and two City properties North of Union Road (see Map 1, below). The property of 2048 is currently farmed in hay and has a residence at the southwest corner. Properties 1982-1984 and 1980 were previously one parcel. In 2003, the previous owner applied to the Agricultural Land Commission for a subdivision, due to their inability to get insurance for their property because of the Agri-tourist RV Park on one portion, and residential on the other portion of the property. The ALR permitted the subdivision, with the condition that there be a

covenant on the property that the two parcels could only be sold together such that they would remain one farming operation⁹ (attached).

The properties of 1982-1984 Union Road have some light agricultural uses, with some orchard trees, and a residence on the property. A plateau lies in the central and eastern portion of the property, facing south with an average grade of 5 percent. At the western portion of the property, slopes fall towards Glenmore Road with an average slope of 20%. The Agricultural Capability Assessment indicates some erosion is present in this location. The property has historically grown tree fruits¹⁰. An air photo showing the area planted in tree fruits is shown below (Map 3).

1980 Union Road has an RV Park on the southern portion of the property. According to the application documents, there is light agricultural use at the northeast portion with orchard trees and irrigation is in place. A store and a manager's residence are located on the property.¹¹ The slopes on the property average between 4% and 8%, facing south and southeast. Historical agricultural use included tree fruits¹².

2048 Union Road is currently farmed for hay. A residence is present on the southwest corner of the property. The eastern portion of the property is currently used for recreational bike use. Historical agricultural use included tree fruits¹³.

The City properties North of Union Road are planned for the realignment of Union Road and currently used for a bike track and have no structures.

4.3 Site Context

The subject properties are located on the north side of Union Road, between Glenmore and Valley Roads. The subject properties are in North Glenmore, and are outside of the area designated as the Permanent Growth Boundary, with the exception of a portion on the southeast corner, which is south of the proposed Union Road alignment.

The subject properties are located in North Glenmore, east of Glenmore Road and north of Union Road, as shown on Map 1, which follows on the next page.

⁹ ALC, July 25, 2003. Application #G-34703 – Lot 2, Section 4, TWP 23, ODYD Plan KAP60991.Resolution #349/2003.

¹⁰ Valhalla Env. Consulting Inc., 2014. Agricultural Capability Assessment for 1982-1984, 1980 and 2048 Union Road, and 2 Lots North of Union Road.

¹¹ Valhalla Env. Consulting Inc., 2014. Agricultural Capability Assessment for 1982-1984, 1980 and 2048 Union Road, and 2 Lots North of Union Road.

¹² Valhalla Env. Consulting Inc., 2014. Agricultural Capability Assessment for 1982-1984, 1980 and 2048 Union Road, and 2 Lots North of Union Road.

¹³ Valhalla Env. Consulting Inc., 2014. Agricultural Capability Assessment for 1982-1984, 1980 and 2048 Union Road, and 2 Lots North of Union Road.

Map 1: Subject Properties



Map 2: Permanent Growth Boundary



4.4 Site Historic Land Use

Air photos and anecdotal information from long-time residents indicate that the subject properties and surrounding area was extensively planted in tree fruits. Below is an air photo of the area from 1963.

Map 3: Union Road Air Photo - 1963

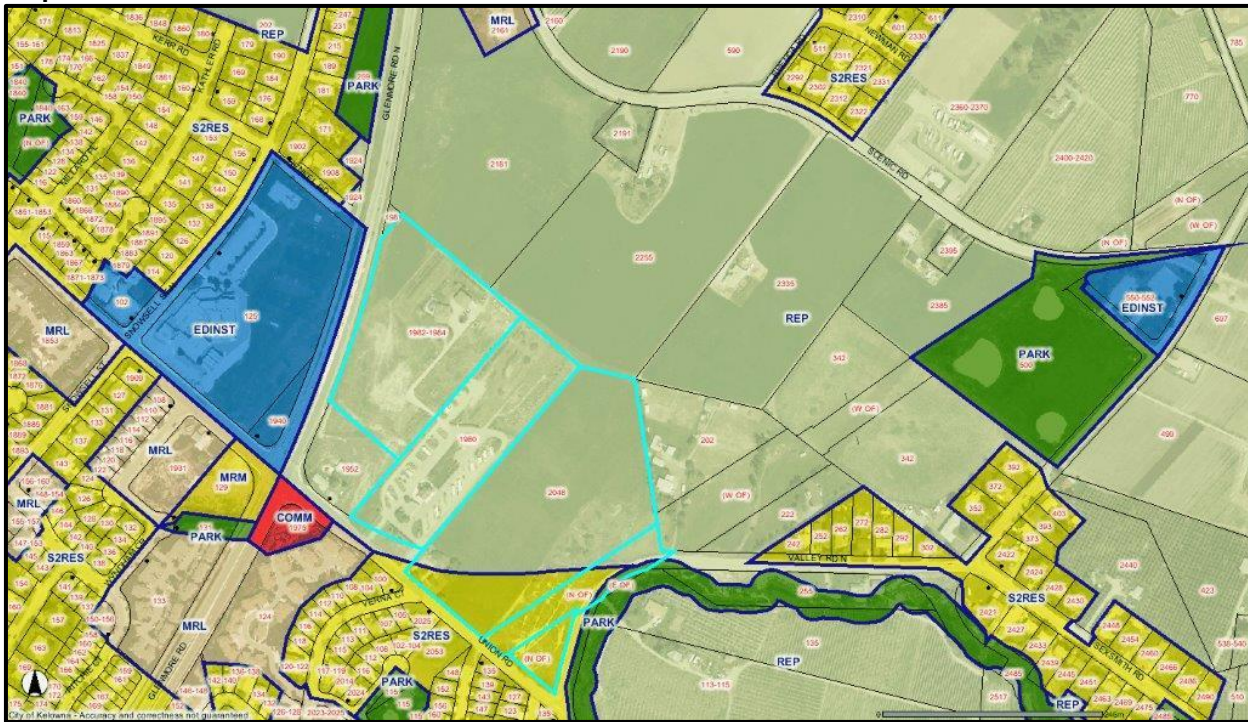


4.5 Future Land Use

The subject properties have a future land use of Resource Protection Area (REP) for the lands north of the proposed Union Road Realignment, according to the City of Kelowna Official Community Plan¹⁴ 2030. The properties south of the proposed Union Road Realignment have a future land use designation of Single / Two Unit Residential (S2 Residential).

¹⁴ City of Kelowna 2030 Official Community Plan. Future Land Use Chapter.

Map 4: Future Land Use



4.6 Future Government Properties

The City of Kelowna holds two parcels, as road reserve, in the southeast corner of the subject properties.

Parcel Summary:

1982-1984 Union Road

Parcel Size: 3.0 ha (7.44 acres)
 Elevation: 428 m.a.s.l. to 445 m.a.s.l.

1980 Union Road

Parcel Size: 2.4 ha (6.02 acres)
 Elevation: 428 m.a.s.l. to 440 m.a.s.l.

2048 Union Road

Parcel Size: 4.4 ha (10.95 acres)
 Elevation: 425 m.a.s.l. to 431 m.a.s.l.

North of Union Road

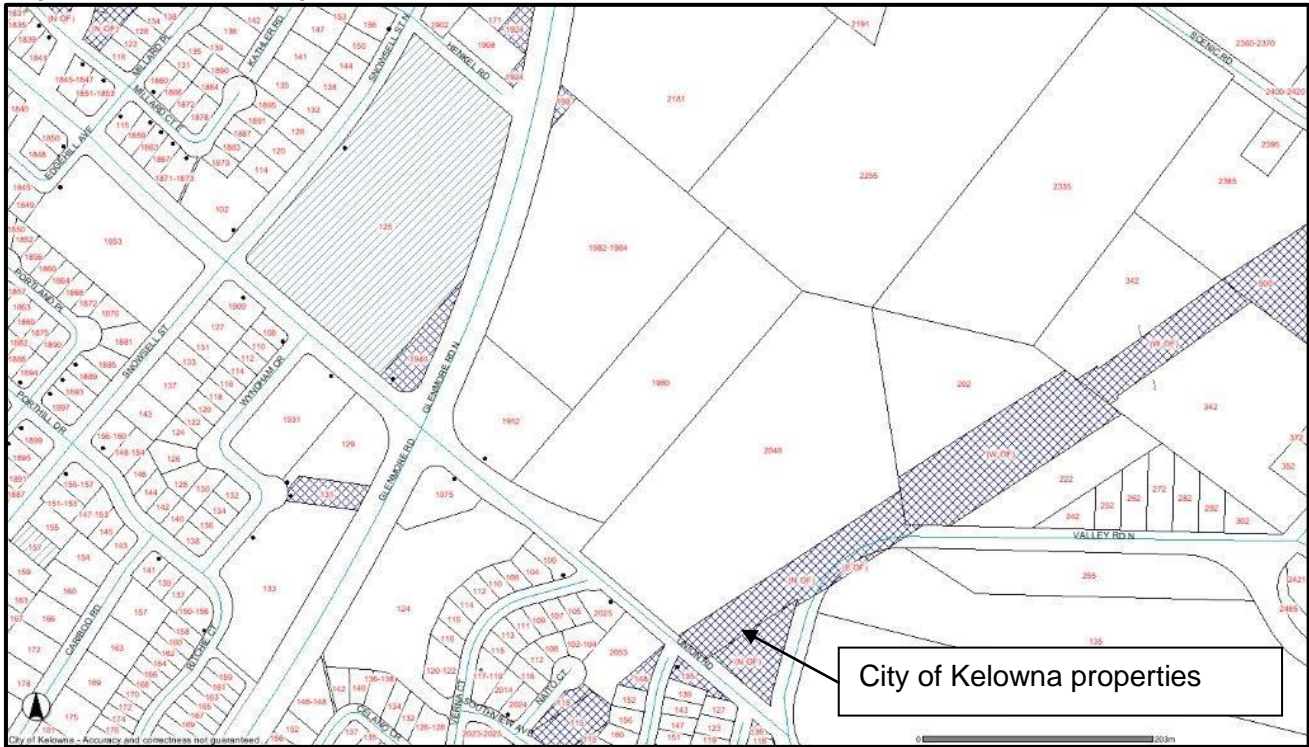
Parcel Size: 0.51 ha (1.26 acres)
 Elevation: 422 m.a.s.l. to 426 m.a.s.l.

North of Union Road

Parcel Size: 0.29 ha (0.72 acres)
 Elevation: 421 m.a.s.l. to 426 m.a.s.l.

The City of Kelowna owns two parcels for future road reserve for the Union Road Alignment at the southeast corner of the subject properties.

Map 5: Government Properties



4.7 Zoning of Adjacent Property

The zoning of adjacency properties is outlined in the table below:

Table1: Zoning of Adjacent Property

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	A1- Agricultural	Agricultural
East	A1- Agricultural RR3 - Rural Residential	Agricultural Rural Residential
South	RU2 - Urban Residential RM5 - Multi-family Residential C5 - Commercial	Urban single / two residential Multi-family residential Vacant
West	P2 - Park	School / Park

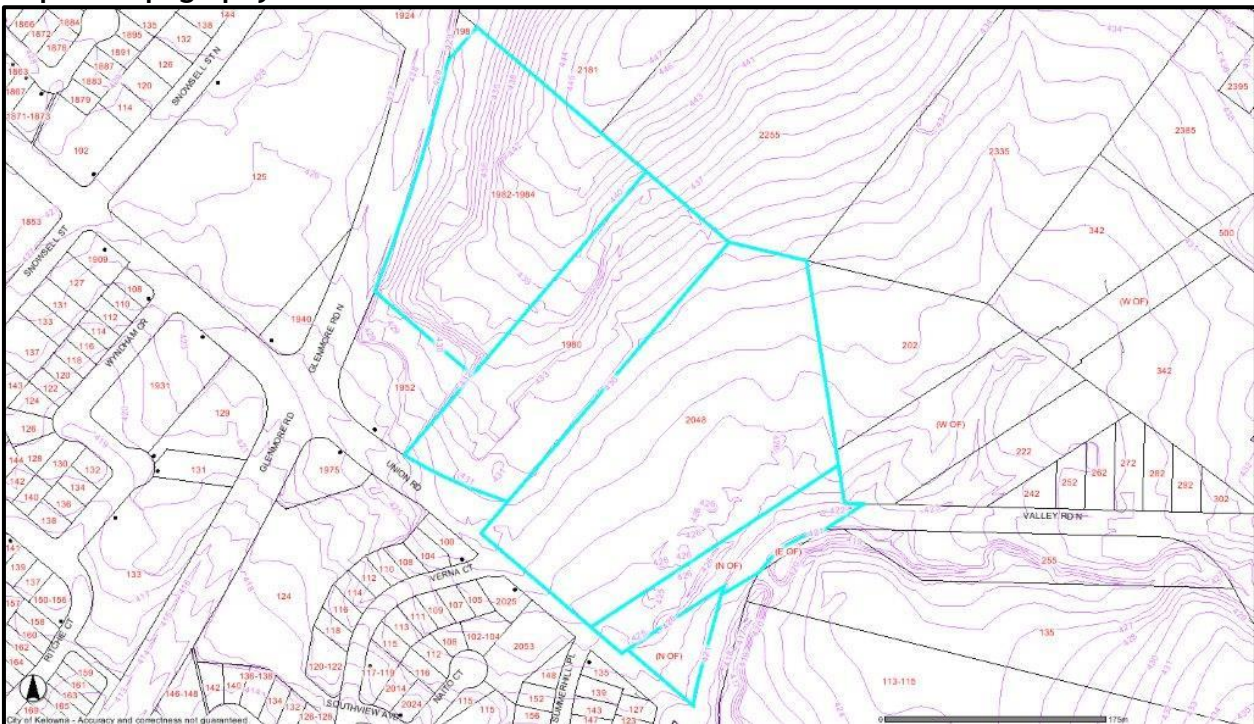
The properties are in the ALR, with ALR properties adjacent to the north and east.

Map 6: ALR



The topography is shown in the map below. The elevation of the subject properties ranges from 421 m.a.s.l. to 445 m.a.s.l. Contours indicate that slopes averaging 20% are present on the westernmost parcel (1982-1984), with slopes averaging from 4 to 8% on the remainder of the parcel properties, with the exception of localized slopes.

Map 7: Topography



The subject properties have localized areas of steep slopes, through the centre of 1980 Union Road, and along the western portion of 1982-1984 Union Road. However, the majority of the property has low to moderate slopes, as shown by the hillshade map, below.

Map 8: Slopes



4.8 Public Notification and Comment

The Applicant undertook the following notification in accordance with Agricultural Land Commission policy for exclusion notification, and provided photos of posting and records of newspaper advertising and registered mail to adjacent landowners. This included:

- Advertising in the Capital News - January 9th and January 17th, 2014;
- Advertising in the Valleywide Classifieds - January 9th and January 16th, 2014;
- Proof of Serving Notice for adjacent landowners by registered mail - January 10th, 2014; and
- Photos of Posting Signage - 5 signs along roadways (approx. 1.5 x 1.5m) - prior to January 31st, 2014.

The City of Kelowna received 5 items of written correspondence regarding the exclusion application. Of these, 4 are opposed to the application and one is in support (attached).

4.9 Exclusion Lands - Agricultural Capability

The applicant's Agricultural Capability Assessment¹⁵ identifies the Union Road proposed exclusion lands as having an agricultural capability of 5A (unimproved), limited primarily by soil moisture. The primary improvement for these lands is irrigation, with which the land capability is improved

¹⁵ Valhalla Env. Consulting Inc., 2014. Agricultural Capability Assessment for 1982-1984, 1980 and 2048 Union Road, and 2 Lots North of Union Road.

to Class 2, 3 and 4¹⁶. Class 1 to Class 3 is considered relatively rare in the Okanagan. A table outlining the potential improved agricultural capability is shown below.

Table 1: Agricultural Capability and Capability with Improvements - Union Road

Unimproved Agricultural Capability	Improved Agricultural Capability	Percentage of Land Available for Agriculture
Class 5	Class 4	28%
Class 5	Class 3	30%
Class 5	Class *3	10%
Class 5	Class 2	8%
Class 5	Class *2	3%
Unavailable to Agriculture	-	21%

Note 1: The primary improvement is the addition of irrigation.

Note 2: The * indicates improved capability with limitation classifications for tree fruits and grapes.

The above table indicates that 51% of the portion of the property available for agriculture could be improved to Class 2 (11%) and Class 3 (40%). Class 3 land and better is considered to be quite rare in the Okanagan. Approximately 28% would be improved to Class 4. The remaining 21% of the subject properties were determined to be unavailable to agriculture.

The Agricultural Capability Assessment¹⁷ indicates that soil moisture deficiency is variable throughout the site depending on soil texture. The assessment found soil texture limitations resulting from low permeability clay soils for 45% of the site, and topography limitations for 10% of the site. Limitations due to stoniness of gravels (<2.5 cm to 5 cm diameter) were assessed for 16% of the site.

The Climate Capability Classification for Agriculture in British Columbia rates the properties as Classes 5A(1F) and 5A(1aF), Class 5A(1aF) having freeze free periods between 120 and 155 days per season, with occurrences of minimum temperature near freezing.

4.10 Inclusion Lands - Agricultural Capability

The agricultural capability of the inclusion lands (McKinnes Lands) has been provided by the applicant through the Land Capability Assessment - McKinnes Road Report¹⁸ and the Agrology Report - Agrology Assessment McKinnes Road¹⁹.

The proposed inclusion lands lie northeast of Lumby, BC. Average slopes range from 6% to 13%²⁰. The agricultural use of the property has been for grain crops such as barley, oats, hay and pasture. Currently the property is infested by sulphur cinquefoil, a weed listed as noxious in the North Okanagan Regional District by the Ministry of Agriculture and regulated by the *BC Weed Control Act*²¹. The inclusion proposal includes measures for weed control on the property.

¹⁶ Valhalla Env. Consulting Inc., 2014. Agricultural Capability Assessment for 1982-1984, 1980 and 2048 Union Road, and 2 Lots North of Union Road.

¹⁷ Valhalla Env. Consulting Inc., 2014. Agricultural Capability Assessment for 1982-1984, 1980 and 2048 Union Road, and 2 Lots North of Union Road.

¹⁸ Valhalla, 2013. Land Capability Assessment, McKinnes Rd., Lumby BC

¹⁹ Calissi, James, 2013. Agrology Report – Agrology Assessment McKinnes Road

²⁰ Calissi, James, 2013. Agrology Report – Agrology Assessment McKinnes Road

²¹ Ministry of Agriculture, 2014. BC Weed Control Act Noxious Weeds in BC <http://www.agf.gov.bc.ca/cropprot/noxious.htm>

The Valhalla land assessment report states that the historical agricultural use of the inclusion lands (McKinnes Lands) have an agricultural land capability of Class 4A (unimproved) limited by soil moisture for the entire property. Potential improvements to the McInnes Lands include the addition of irrigation during dry months. The applicant included drilling a well for irrigation on the property as part of the inclusion package. With improvements, the agricultural capability is expected to improve from Class 4 to Class 3 for 68% of the property. The remaining 32% of the property would remain at Class 4. This is illustrated in Table 2, modified from Table 7 of the Land Capability Assessment²² (attached).

Table 2: Agricultural Capability and Capability with Improvements - Ferrie Lands

Unimproved Agricultural Capability	Improved Agricultural Capability	Percentage of Land Available for Agriculture
Class 4	Class 4	32%
Class 4	Class 3	68%

Note 1: The primary improvement is the addition of irrigation.

Note 2: The * indicates improved capability with limitation classifications for tree fruits and grapes.

The Ministry of Environment climate data indicates that the property has 120 to 150 frost free days and a risk of near freezing that adversely affects plant growth (Class 1aF) and the risk of insufficient heat units during the growing season (Class 1aFG). The agrology report indicates that the land has good air drainage, southern exposure and little risk of cold air settling in periods of temperature inversions. The report indicated that the temperatures for the site would not make it suitable for wine grapes or stone fruits (e.g. peaches). Some apple varieties which have shorter growing seasons (e.g. MacIntosh) may be suitable. However other varieties have a longer growing season (e.g. red delicious) and would require 160 frost free days. Potential crops include vegetables including lettuce, broccoli, sweet corn, asparagus and huckleberries. Hot season crops such as tomatoes and eggplants are a possibility but would be more economically produced in locations with higher heat units, such as the Okanagan. Root crops, such as potatoes, are not advisable because of the gravel content of the soil. Woody ornamentals, especially winter hardy species, could be produced. However, the topography may pose a challenge for container grown material.

The applicant has provided future land use mapping for the inclusion lands²³ (attached). The future land use for the proposed inclusion property is Country Residential. The applicant has noted in the Amendment to the Exclusion Package²⁴ that the Country Residential designation allows for 2.0 ha parcels. The document indicates that the land to the east of the proposed inclusion lands was owned by the Ferries, and was rezoned and developed into Country Residential properties. The document further notes that this is the likely destiny of the Ferrie inclusion lands, should it not be included in the ALR²⁵.

5.0 Current Development Policies

5.1 City of Kelowna Agriculture Plan (1998)

ALR Application Criteria²⁶

²² Valhalla, 2013. Land Capability Assessment, McKinnes Rd., Lumby BC

²³ RDNO, 2014. Regional District of the North Okanagan Mapping Site.

²⁴ Elliot, B. April, 2014. Amendment to the Exclusion Package.

²⁵ Elliot, B. April, 2014. Amendment to the Exclusion Package.

²⁶ City of Kelowna Agriculture Plan. 1998. P. 130.

Exclusion, subdivision, or non-farm use of ALR lands will generally not be supported. General non-support for ALR applications is in the interest of protecting farmland through retention of larger parcels, protection of the land base from impacts of urban encroachment, reducing land speculation and the cost of entering the farm business, and encouraging increased farm capitalization.

5.2 City of Kelowna 2030 Official Community Plan

Land Use Designation Definitions

Resource Protection Area (REP)²⁷

Rural land preserved for agricultural, environmental and recreational purposes, including the ALR, other resource lands with environmental value and protected natural open spaces, including private open space, steeply sloped lands, Natural Environment/Hazardous Condition DP Areas, and other natural features such as watercourses, water bodies, wetlands, plant and wildlife habitat, and significant aesthetic value. Allowable uses would be agriculture / resource use including farming, forestry, wood lots and silviculture as well as public or private open space on lands considered environmentally sensitive or hazardous (steep slopes). Generally land areas within this designation (whether they are within the permanent growth boundary or not) will not be supported for exclusion from the ALR or for more intensive development than that allowed under current zoning regulations, except in specific circumstances where the City of Kelowna will allow exceptions to satisfy civic objectives for the provision of park/recreation uses. Minimum parcel size for ALR land is 2.0 ha and non-ALR land is 4.0 ha as indicated in the A1 Agricultural Zone of Zoning Bylaw 8000.

Single / Two Unit Residential (S2RES)²⁸

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. Nonresidential 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.

Permanent Growth boundary²⁹

Lands within the permanent growth boundary may be considered for urban uses within the 20 year planning horizon ending 2030. Lands designated as Future Urban Reserve within the permanent growth boundary may be considered for urban uses beyond 2030. Lands outside the permanent growth boundary will not be supported for urban uses.

Chapter 5 - Development Process

Focus development to designated growth areas.

Permanent Growth Boundary³⁰. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. Support development of property outside the Permanent Growth Boundary for more intensive uses **only** to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except as per Council's specific amendment of this policy. Resource Protection Area designated properties not in the ALR and outside the Permanent

²⁷ City of Kelowna 2030 Official Community Plan. Future Land Use Chapter. P. 4.2.

²⁸ City of Kelowna 2030 Official Community Plan. Future Land Use Chapter. P. 4.6.

²⁹ City of Kelowna 2030 Official Community Plan. Future Land Use Chapter. P. 4.6.

³⁰ City of Kelowna 2030 Official Community Plan. Development Process Chapter. P. 5.2.

Growth Boundary will not be supported for subdivision below parcel sizes of 4.0 ha (10 acres). The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

Agricultural Land Use Policies

Protect and enhance local agriculture³¹.

Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

ALR Exclusions. ALR Exclusions. The City of Kelowna will not support ALR exclusion applications to the ALC except in extraordinary circumstances where such exclusions are otherwise consistent with the goals, objectives and other policies of this OCP. Soil capability alone should not be used as justification for exclusion.

Urban Uses. Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Chapter 15 - Farm Protection DP Guidelines³²

Objectives

- Protect farm land and farm operations;
- Minimize the impact of urban encroachment and land use conflicts on agricultural land;
- Minimize conflicts created by activities designated as farm use by ALC regulation and non-farm uses within agricultural areas.

5.3 City of Kelowna Agriculture Plan

New Growth Areas³³. Discourage the establishment of new growth areas within or beyond agricultural areas that create additional traffic pressure on the local rural road network.

Farmland Preservation³⁴. Direct urban land uses to areas within the permanent growth boundary, in order to reduce development and speculative pressure. This is to encourage the preservation of agricultural lands and discourage further extension of existing urban areas into agricultural lands.

Urban Buffers. Require new development, adjacent to agricultural areas, to establish setbacks, fencing and landscape buffers on the urban side of the defined urban - rural/agricultural boundary.

Parcel Size: Agricultural Land³⁵. Discourage the subdivision of agricultural land into smaller parcels, except where positive benefits to agriculture can be demonstrated.

³¹ City of Kelowna 2030 Official Community Plan: Agricultural Land Use Policies Chapter. P. 5.35.

³² City of Kelowna 2030 Official Community Plan (2011) - Farm Protection Development Permit Chapter; p. 15.2 - 15.4.

³³ City of Kelowna Agriculture Plan (1998); p. 99.

³⁴ City of Kelowna Agriculture Plan (1998); p. 131 & 132.

³⁵ City of Kelowna Agriculture Plan (1998); p. 131 & 132.

Parcel Size: Non - Agricultural Land³⁶. Discourage subdivision to smaller parcel sizes on lands beyond agricultural areas in order to reduce negative impacts on the farming community and encourage the Central Okanagan Regional District and the Ministry of Environment, Land and Parks to consider maintaining larger minimum parcel sizes for Crown Lands within and adjacent to the City in recognition of the provincial interest in retaining farming.

Isolated Development. In general, not support extensions to existing development or new development isolated within agricultural areas, regardless of ALR status.

6.0 Referral Comments

The referral comments from external agencies and City departments are noted in the sections below.

1.1 Ministry of Agriculture

This application appears to be an exclusion/inclusion application for lands within the ALR and therefore the Ministry of Agriculture defers to the decision making processes of the ALC.

Should this application be supported by the ALC the Ministry requests an opportunity to make comment regarding zoning changes, bylaw application, placement of covenants and other land use matters focused on reducing the urban/rural conflict. The Ministry has retained this application package and will wait for a response from the City of Kelowna regarding the ultimate disposition of this application.

1.2 Interior Health

Interior Health are reviewing the application and will provide comment following consultation with the Ministry of Agriculture.

1.3 Policy & Planning Department

Should the applicant be successful at removing the land from the ALR then they will require an OCP amendment as well as a rezoning to facilitate their proposed use of approximately 240 multi-unit rental units and fee simple lots for the properties.

This application is contrary to the following policies in the current OCP. Objective 5.33; Policy 1 (Protect Agricultural Land), is intended to retain the agricultural land base. Objective 5.33; Policy 2 (ALR Exclusions), says that the City will not support ALR exclusions except in specific circumstances. Furthermore, Goal 9 of the OCP (Enable Healthy and Productive Agriculture), speaks to protecting agricultural lands. Therefore, the majority of this application does not comply with the current OCP.

Only that portion of the site south and east of the proposed extension of Sexsmith Road into Union Rd designated as Single / Two Unit Residential would be supported for exclusion and subsequent development.

7.0 Application Chronology

Public Notification:	March 26, 2013
Application Received:	February 24, 2014
Agricultural Advisory Committee:	March 27, 2014

³⁶ City of Kelowna Agriculture Plan (1998); p. 131 & 132.

MOVED BY John Janmatt /SECONDED BY Leo Gebert

THAT the Agricultural Advisory Committee recommends that Council NOT support Agricultural Land Reserve Appeal Application No. A14-0014, for the property located at 1982, 1980 and 2048 Union Road together with two unnamed lots North of Union Road, Kelowna, BC for an application to the Agricultural Land Commission to exclude two (2) properties with a combined area of 9.83 ha (24.4 ac) of private lands and 0.8 ha (1.97 ac) of City of Kelowna lands from the Agricultural Land Reserve to facilitate a mix of single and multi-family residential, and the realignment of Union Road.

CARRIED

ANECDOTAL COMMENT:

The Agricultural Advisory Committee is recommending non-support and expressed a concern where productive land has been made less capable by the owner and creating issues to the productive soil with realignment and development. The Committee also noted that there is no net benefit to agriculture in Kelowna.

Application request for temporary hold:

March 28, 2014

Owner requested a temporary hold on advancing the file to Council pending the adoption of the Minutes of the March 27th AAC Meeting at the April 24th AAC Meeting, and their review of the same.

Application Request to Forward File to Council

May 9, 2014

The owner requested to staff that the report be forwarded to Council for the May 26th, 2014 Council Meeting.

8.0 Alternate Recommendation

Staff proposes the following alternate recommendation for Council’s consideration, where only the lands for Union Road Realignment, and those lands south specified for Single / Two Unit Residential in the Official Community Plan, are supported for exclusion.

THAT Agricultural Land Reserve Appeal Application No. A14-0002 for part of Lot 12 Block 5 Section 4 TWP 23 ODYD Plan 896 Except Plans H8323 and H14719; and that part of Lot 12 Block 5 Section 4 TWP 23 ODYD Plan 896 shown outlined in green on Plan H8323 (PID 025-283-995); that part of Lot 12 Block 5 Section 4 TWP 23 ODYD Plan 896 shown as parcel 12 on Plan H8323 (PID 025-283-979), located at part of 2048 Union Road, and 2 parcels (N of) of Union Road, in accordance with the City of Kelowna Future Land Use Plan and Map 2 - Permanent Growth Boundary shown in grey, for exclusion, pursuant to Section 30(1) of the Agricultural Land Commission Act, be supported by Municipal Council;

AND THAT the Municipal Council directs staff to forward the subject application to the Agricultural Land Commission for consideration.

Report prepared by:

Melanie Steppuhn, Land Use Planner

Reviewed by: Todd Cashin, Manager, Environment & Land Use

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

Attachments:

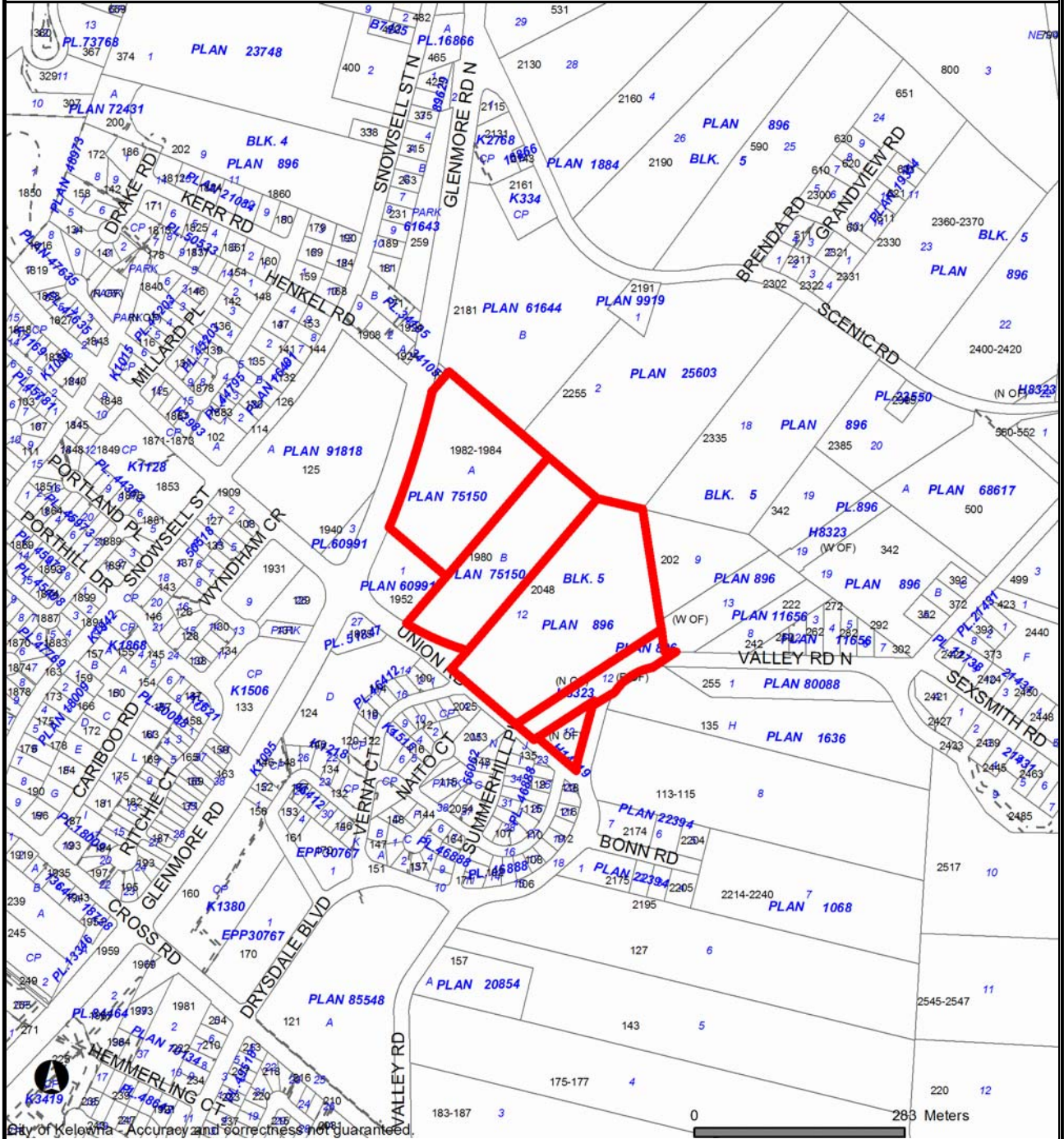
- Subject Property Map
- ALR Map
- Application - Executive Summary Exhibits 1,2,3 Photo 1
- Application - Exclusion Overview
- Application - ALR Inclusion Lands
- Application - Agrology Report
- Regional District of North Okanagan Mapping Site
- Public Correspondence

A14-0002

SUBJECT PROPERTIES



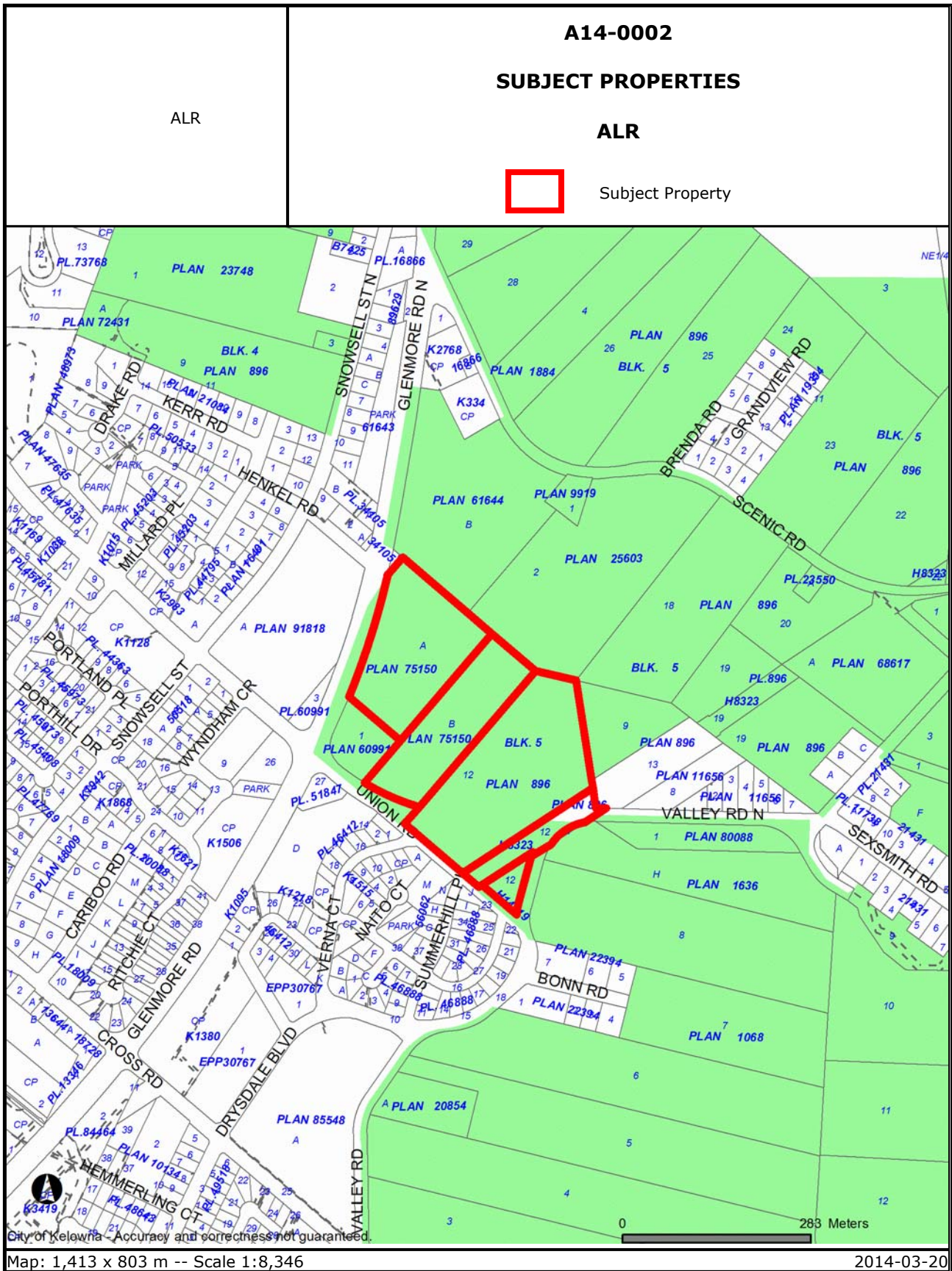
Subject Property



Map: 1,413 x 803 m -- Scale 1:8,346

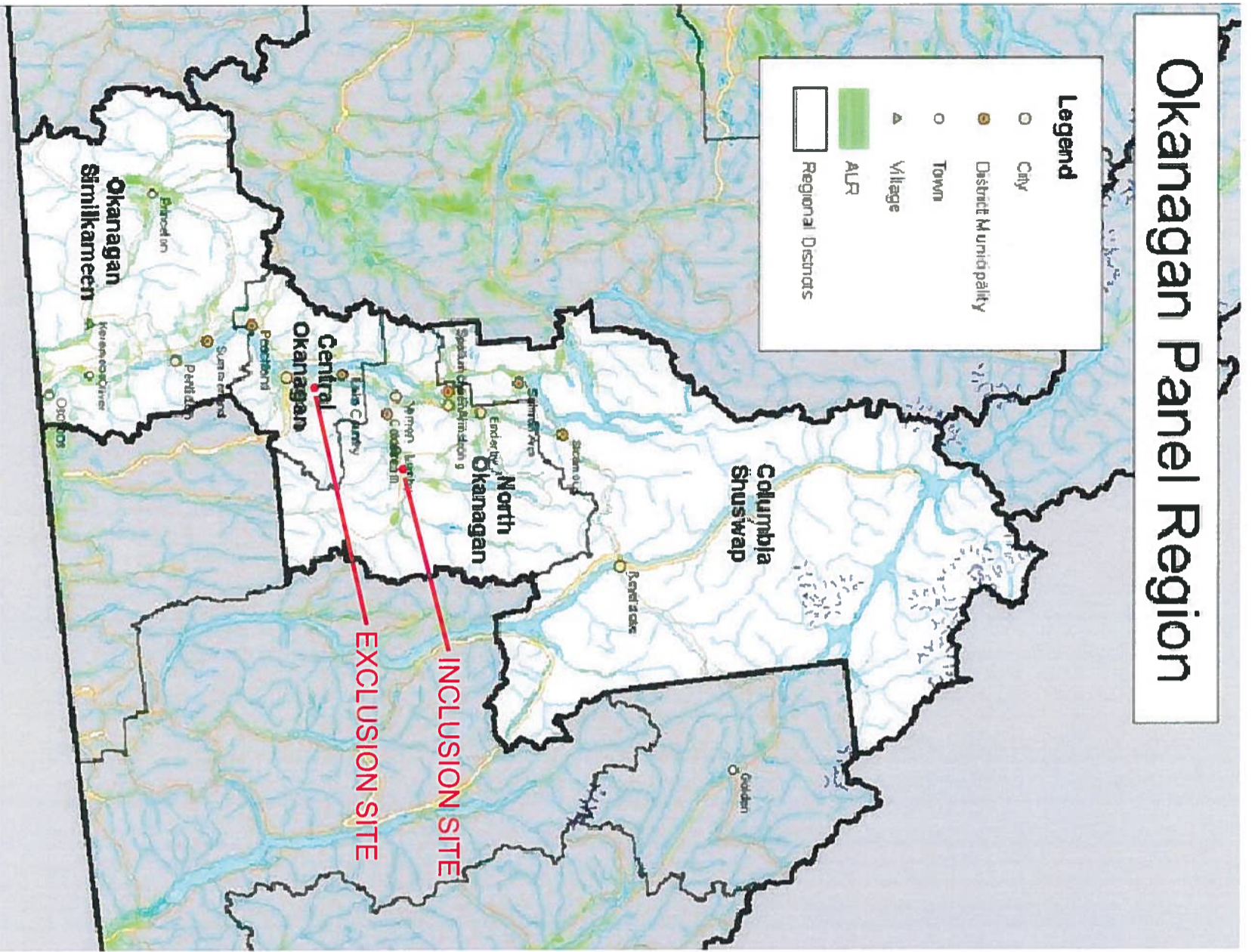
2014-03-20

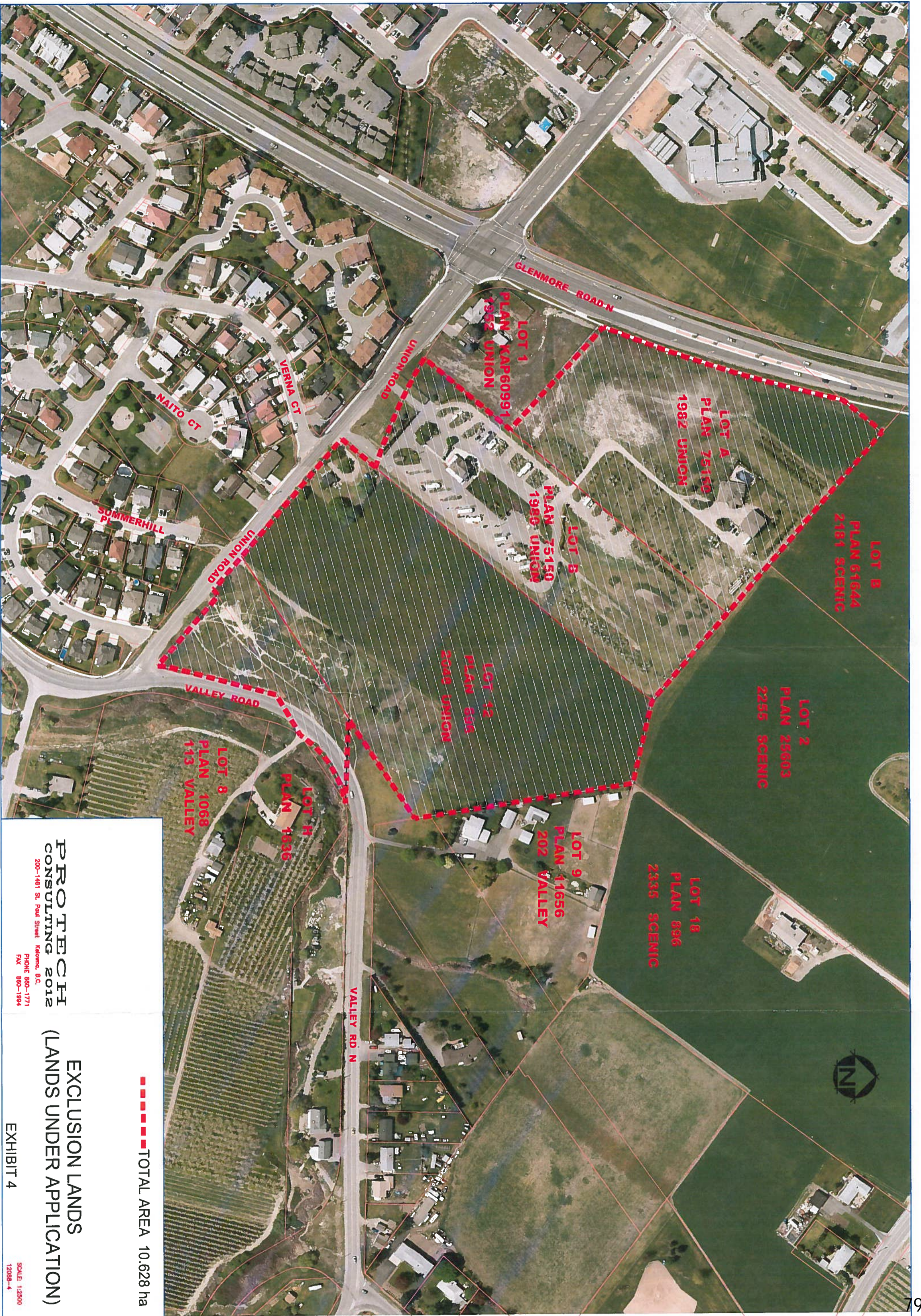
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



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.

Okanagan Panel Region





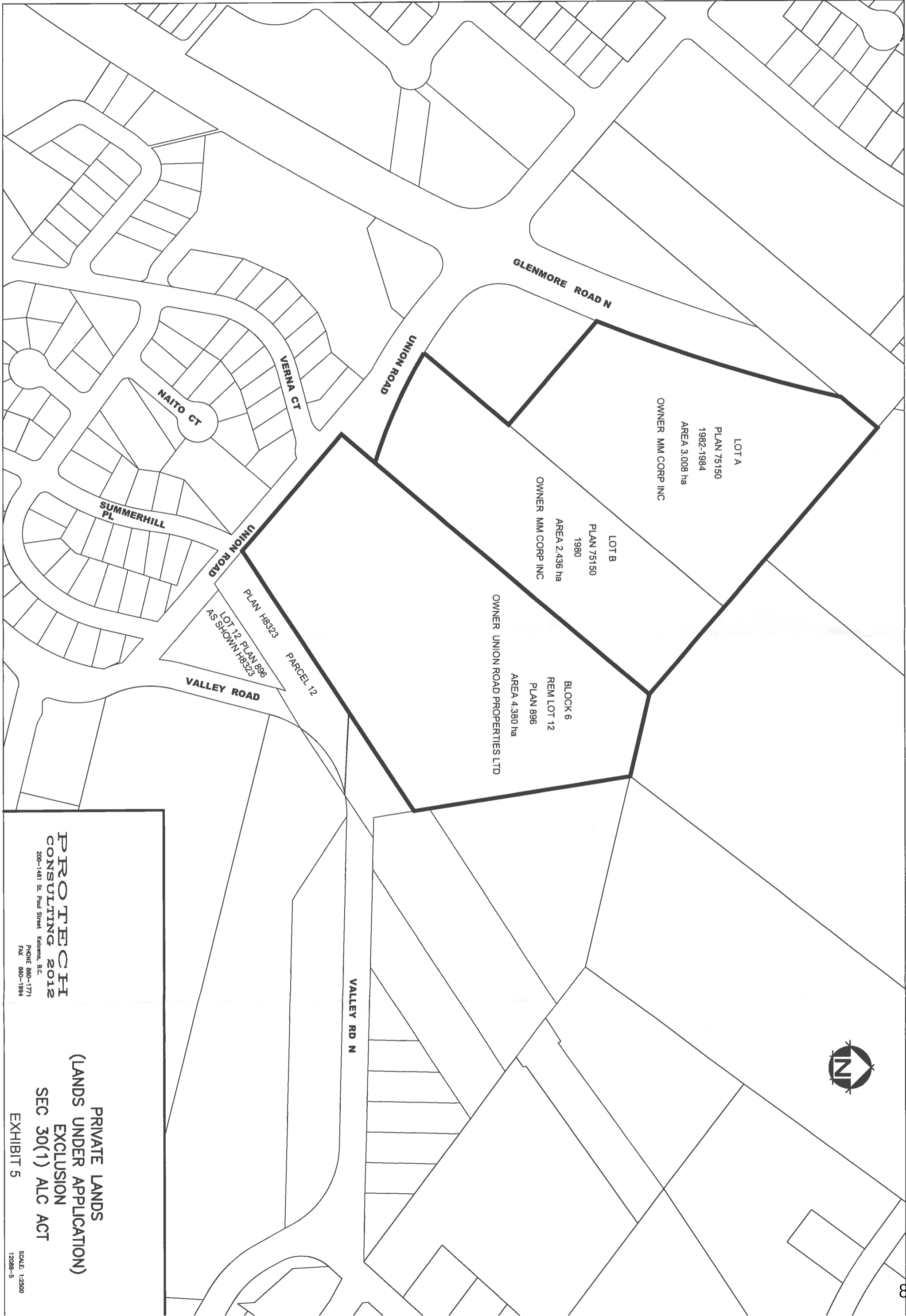
--- TOTAL AREA 10.628 ha

PROTECH CONSULTING 2012
 (LANDS UNDER APPLICATION)

EXHIBIT 4

PHONE 800-1771
 200-1461 St. Paul Street Kelowna, B.C.
 FAX 800-1894

SCALE 1:2500
 12088-4



LOT A
 PLAN 75150
 1982-1984
 AREA 3.008 ha
 OWNER MM CORP INC

LOT B
 PLAN 75150
 1980
 AREA 2.436 ha
 OWNER MM CORP INC

BLOCK 6
 REM LOT 12
 PLAN 896
 AREA 4.380 ha
 OWNER UNION ROAD PROPERTIES LTD

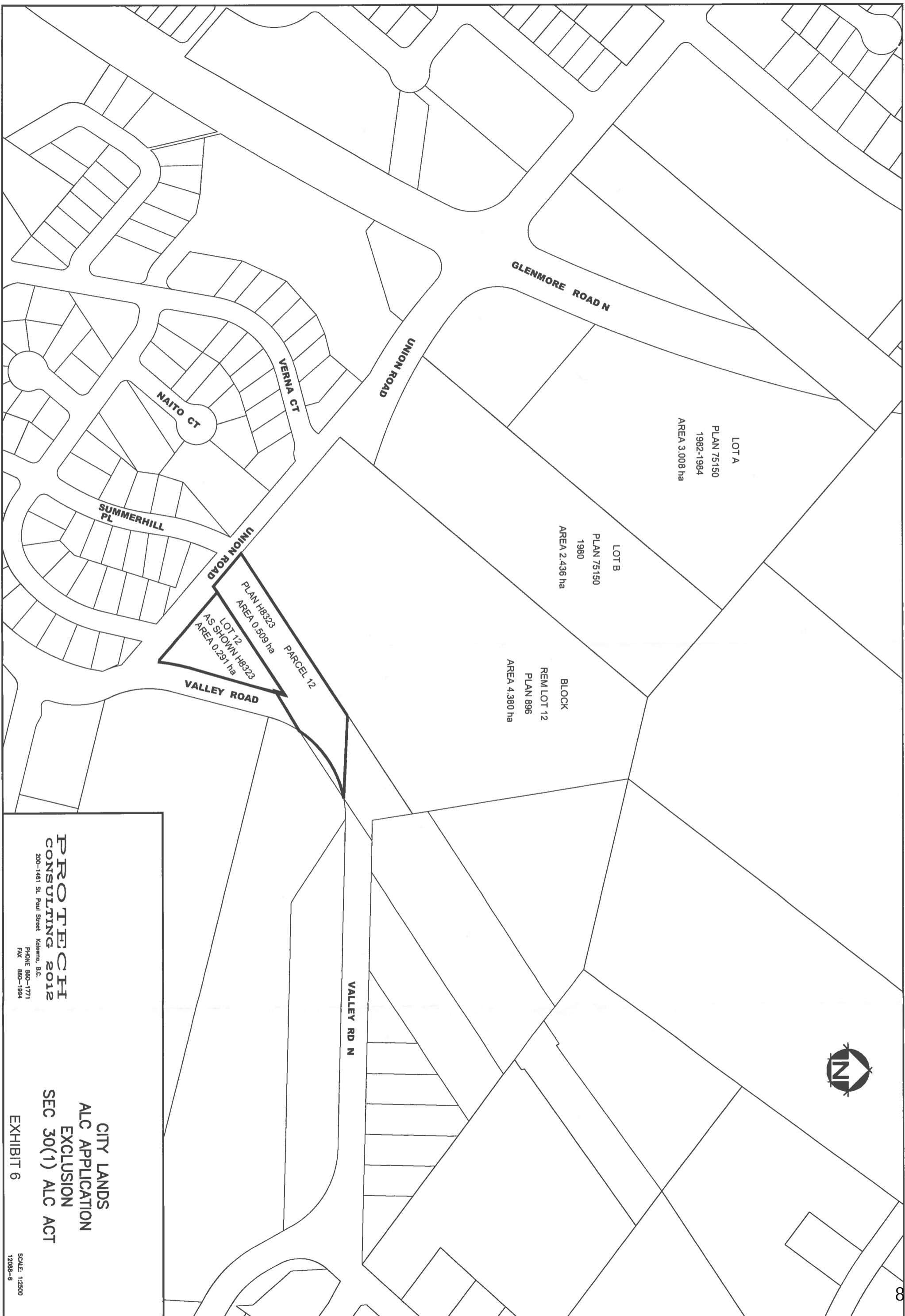
PARCEL 12
 PLAN H8323
 LOT 12, PLAN 896
 AS SHOWN H8323



PROTECH CONSULTING 2012
 200-1461 St. Paul Street Kelowna, B.C.
 PHONE 800-1771
 FAX 800-1994

**PRIVATE LANDS
 (LANDS UNDER APPLICATION)
 EXCLUSION
 SEC 30(1) ALC ACT
 EXHIBIT 5**

SCALE: 1:2500
 12088-5

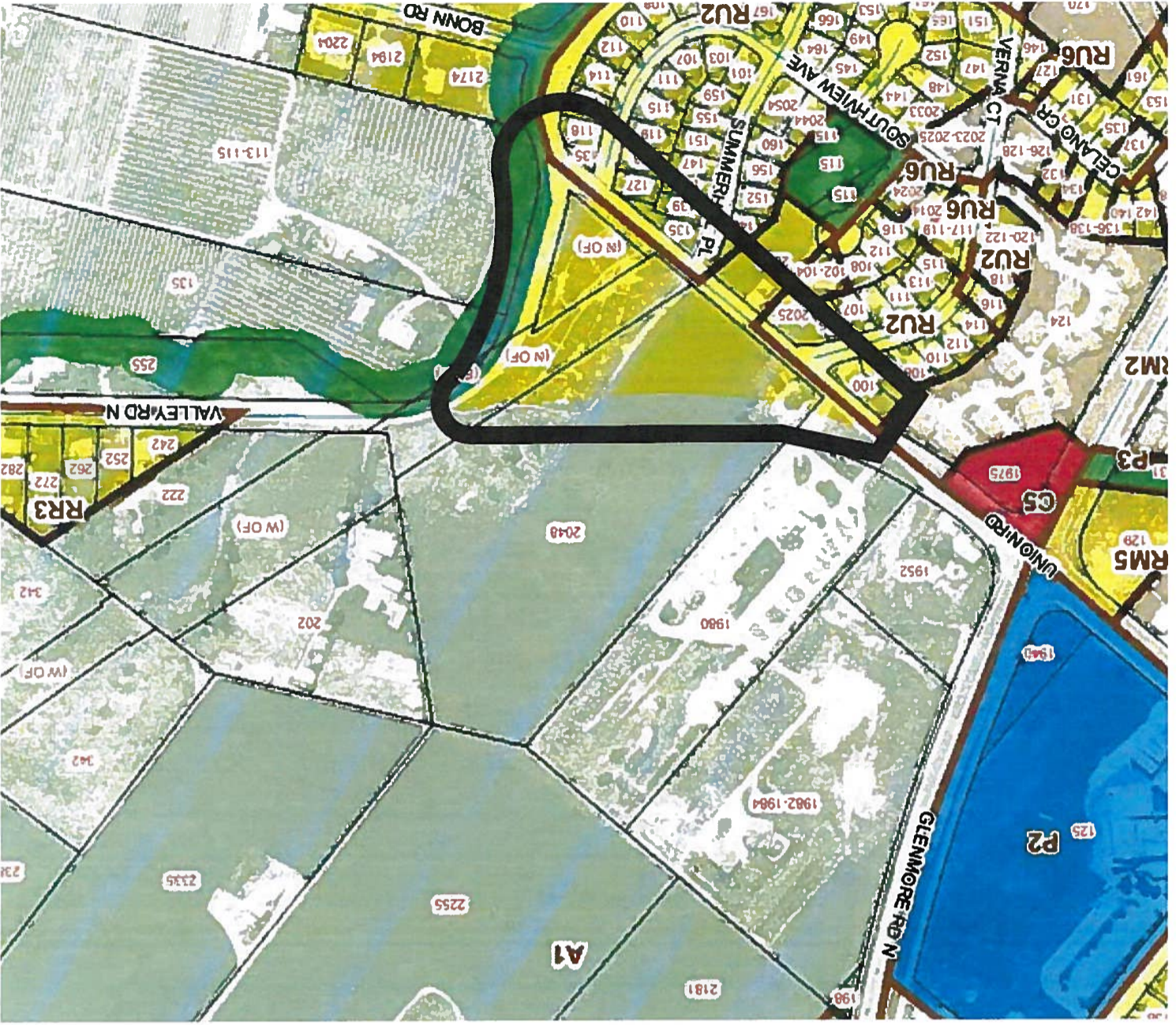


PROTECH CONSULTING 2012
 200-1481 St. Paul Street Kelowna, B.C.
 PHONE 880-1771
 FAX 880-1994

CITY LANDS ALC APPLICATION EXCLUSION SEC 30(1) ALC ACT

EXHIBIT 6

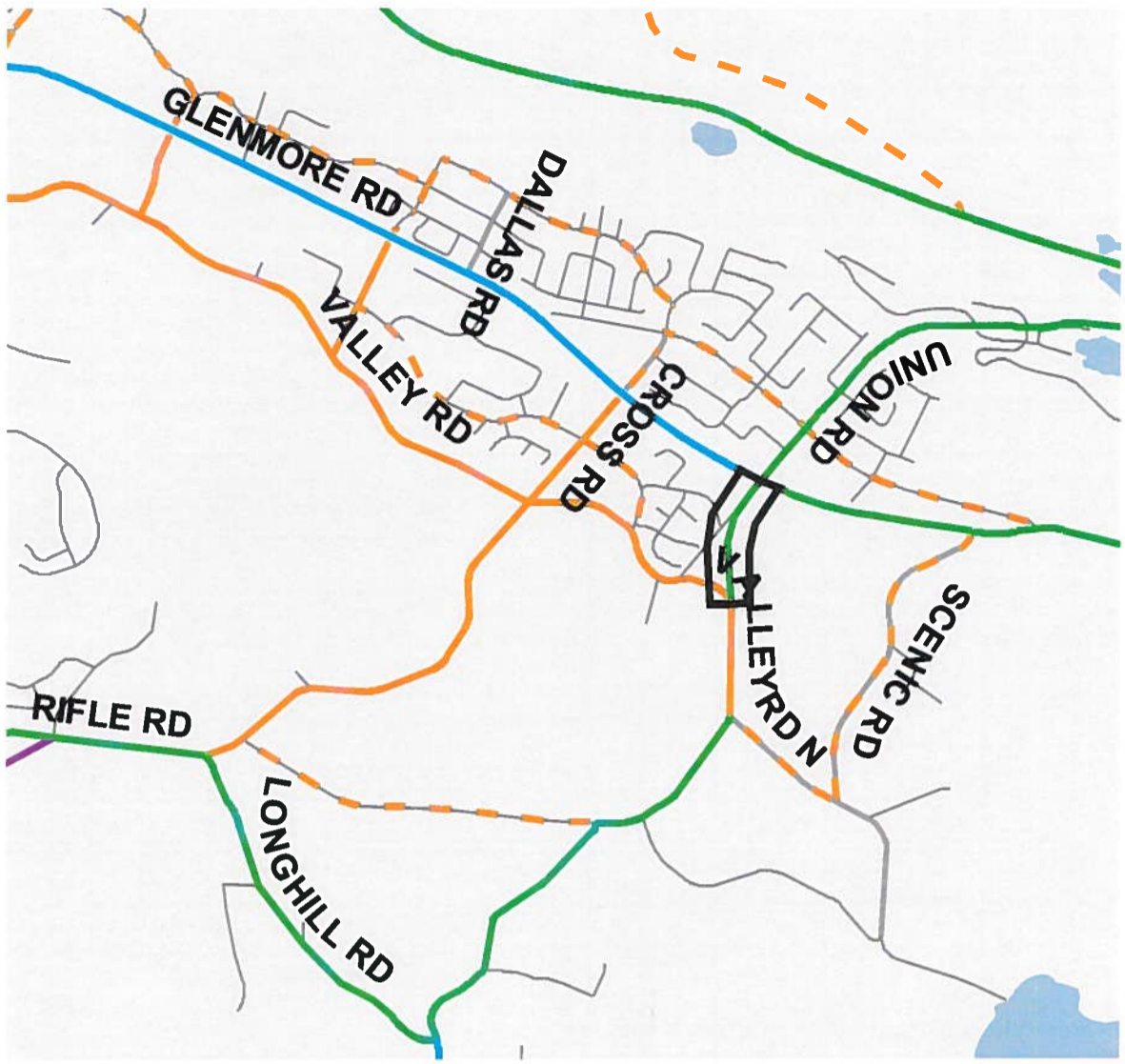
SCALE: 1:2500
 12088-6



FUTURE RESIDENTIAL

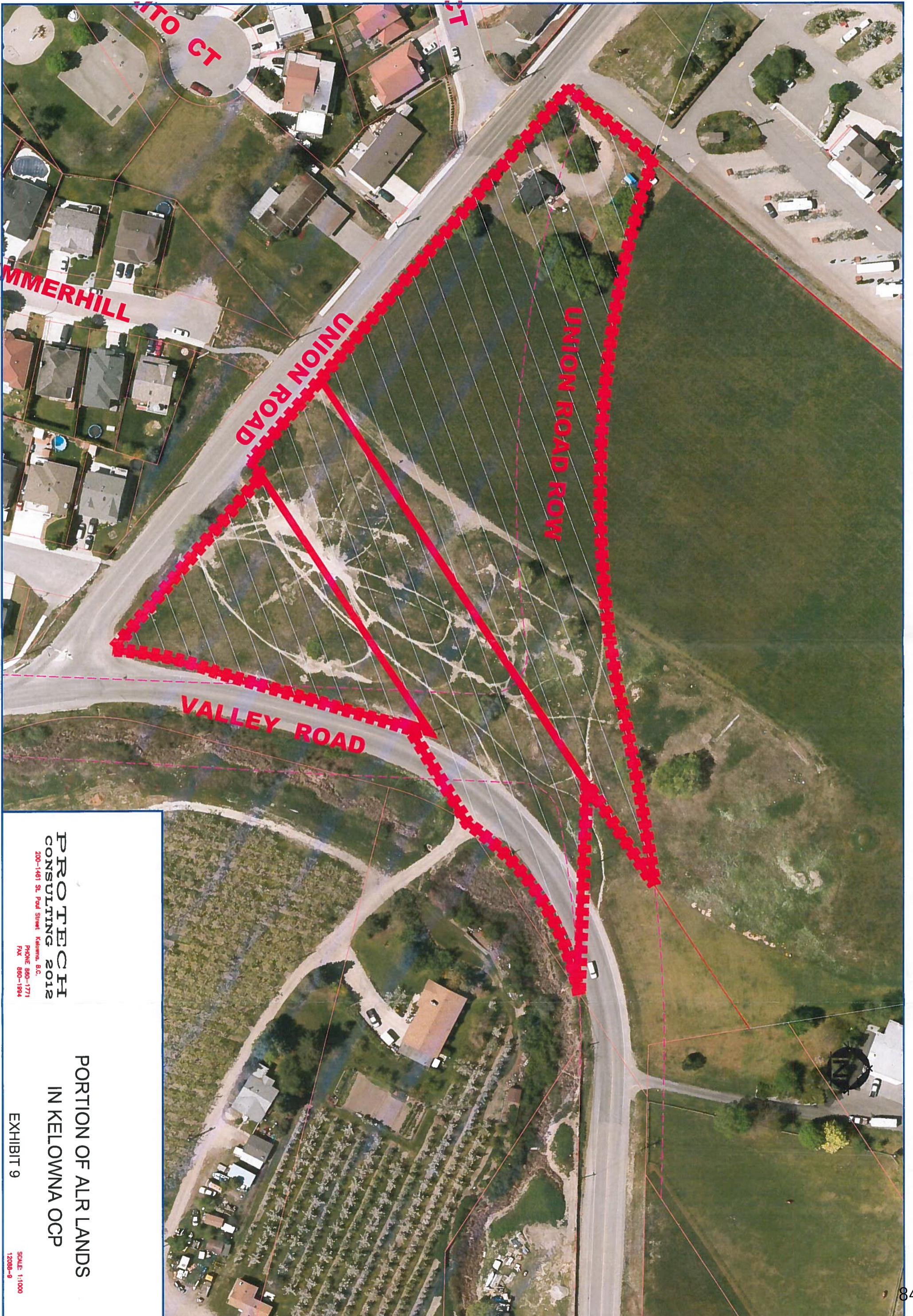
CITY OF KELOWNA - OCP
FUTURE LAND USE MAP

EXHIBIT 7



CITY OF KELOWNA - OCP
TRANSPORTATION MAP

EXHIBIT 8

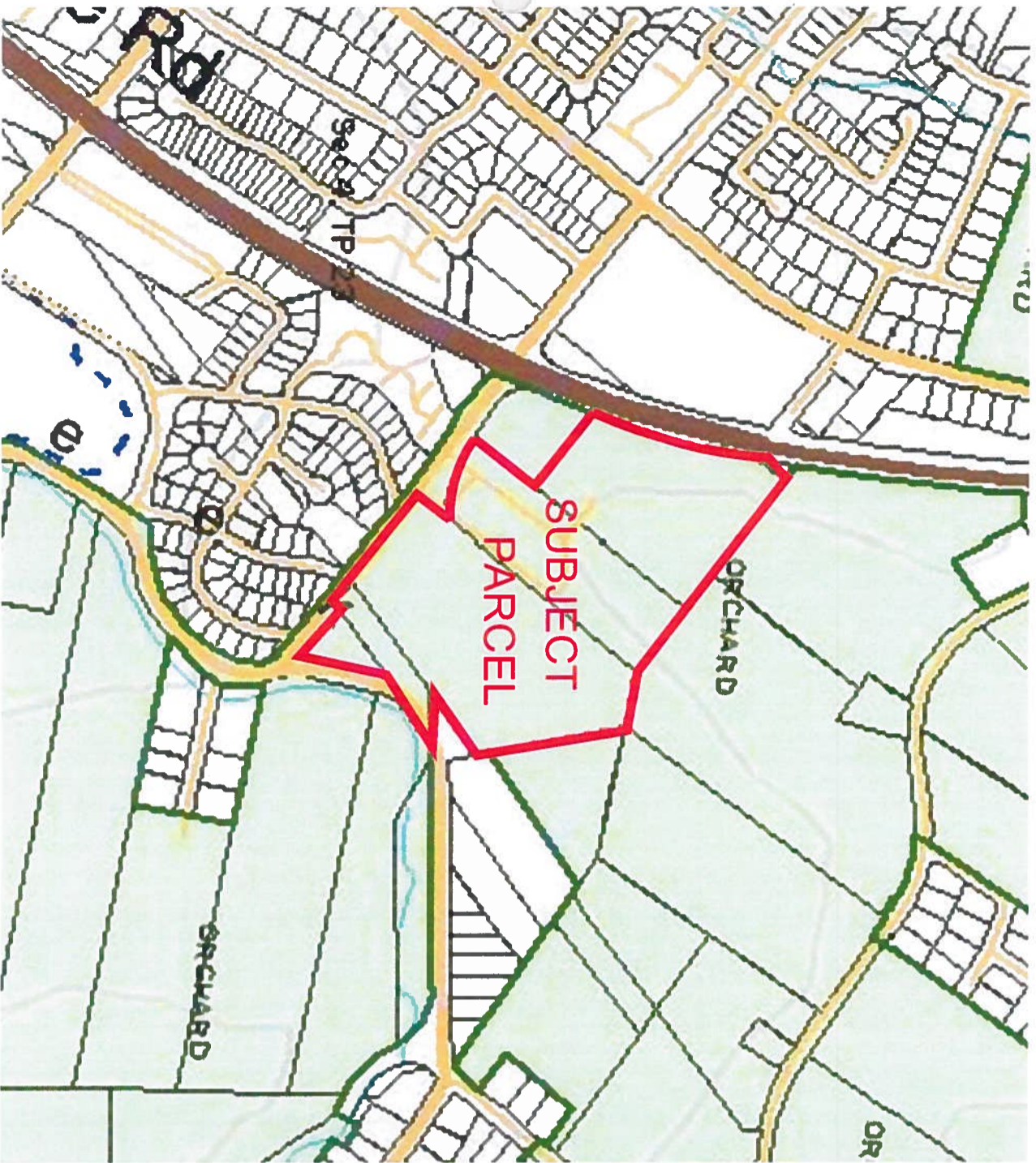


**PROTECH
CONSULTING 2012**
200-1461 St. Paul Street Kelowna, B.C.
PHONE 880-1771
FAX 880-1894

**PORTION OF ALR LANDS
IN KELOWNA OCP**

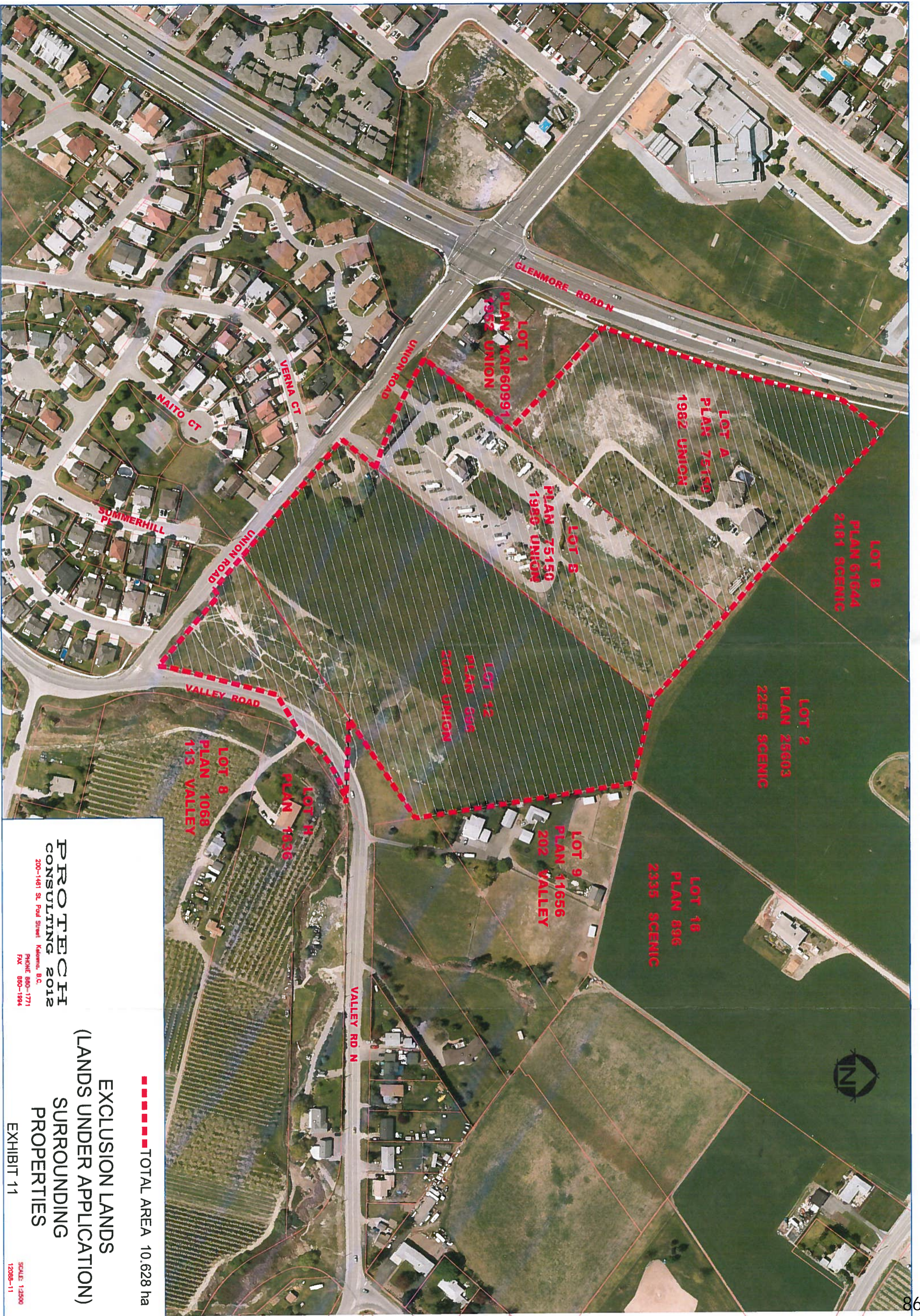
EXHIBIT 9

**SCALE 1:1000
12088-9**



ALR MAP, UNION ROAD
PARCEL KELOWNA, BC
PROPOSED EXCLUSION
10.628 ha

EXHIBIT 10



--- TOTAL AREA 10.628 ha

**EXCLUSION LANDS
(LANDS UNDER APPLICATION)**

**PROTECH
CONSULTING 2012**
200-1461 St. Paul Street Kelowna, B.C.
PHONE 800-1771
FAX 800-1994

**SURROUNDING
PROPERTIES**
EXHIBIT 11

SCALE 1:2500
12088-11



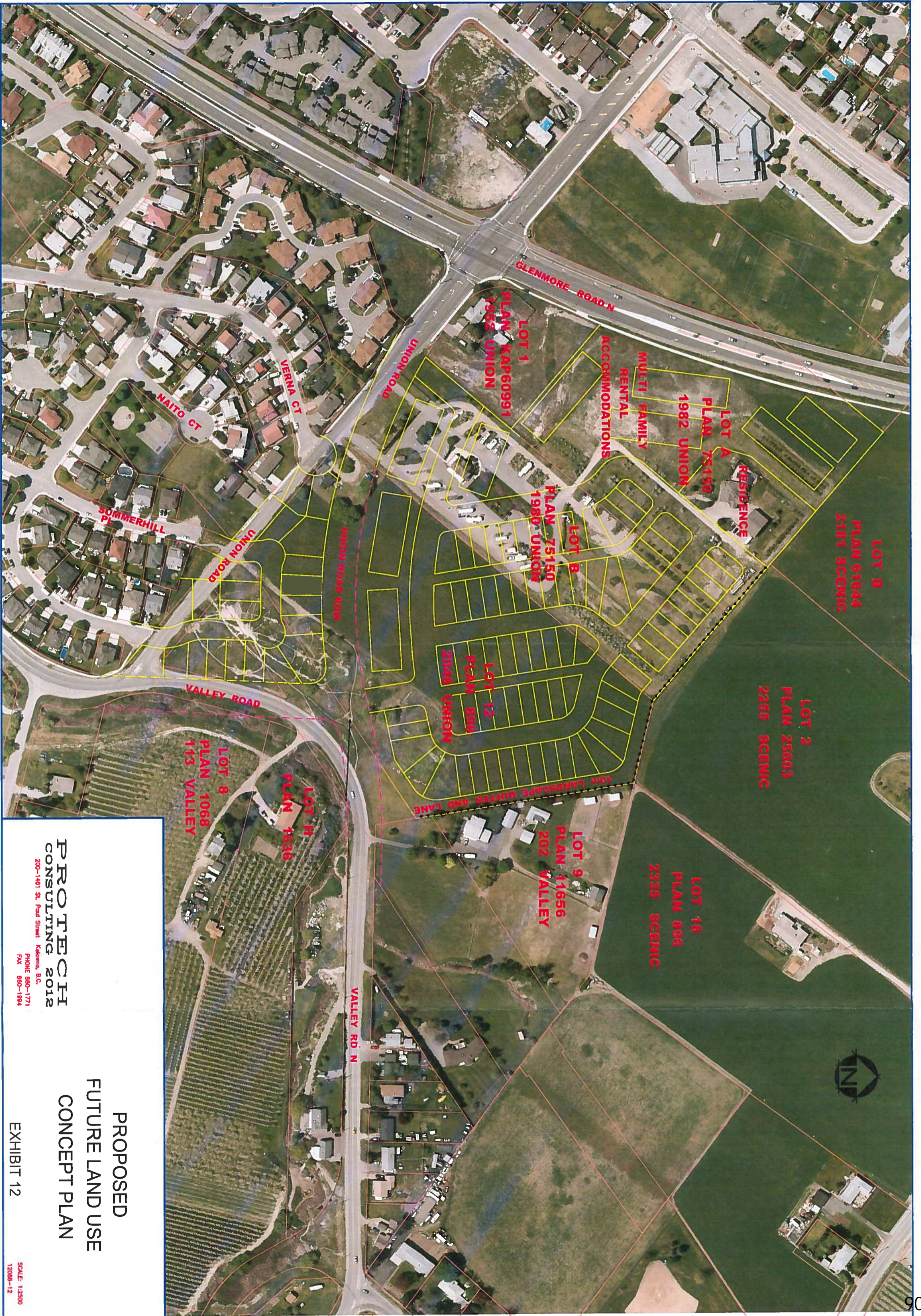
PHOTO 1



PHOTO 2



PHOTO 3

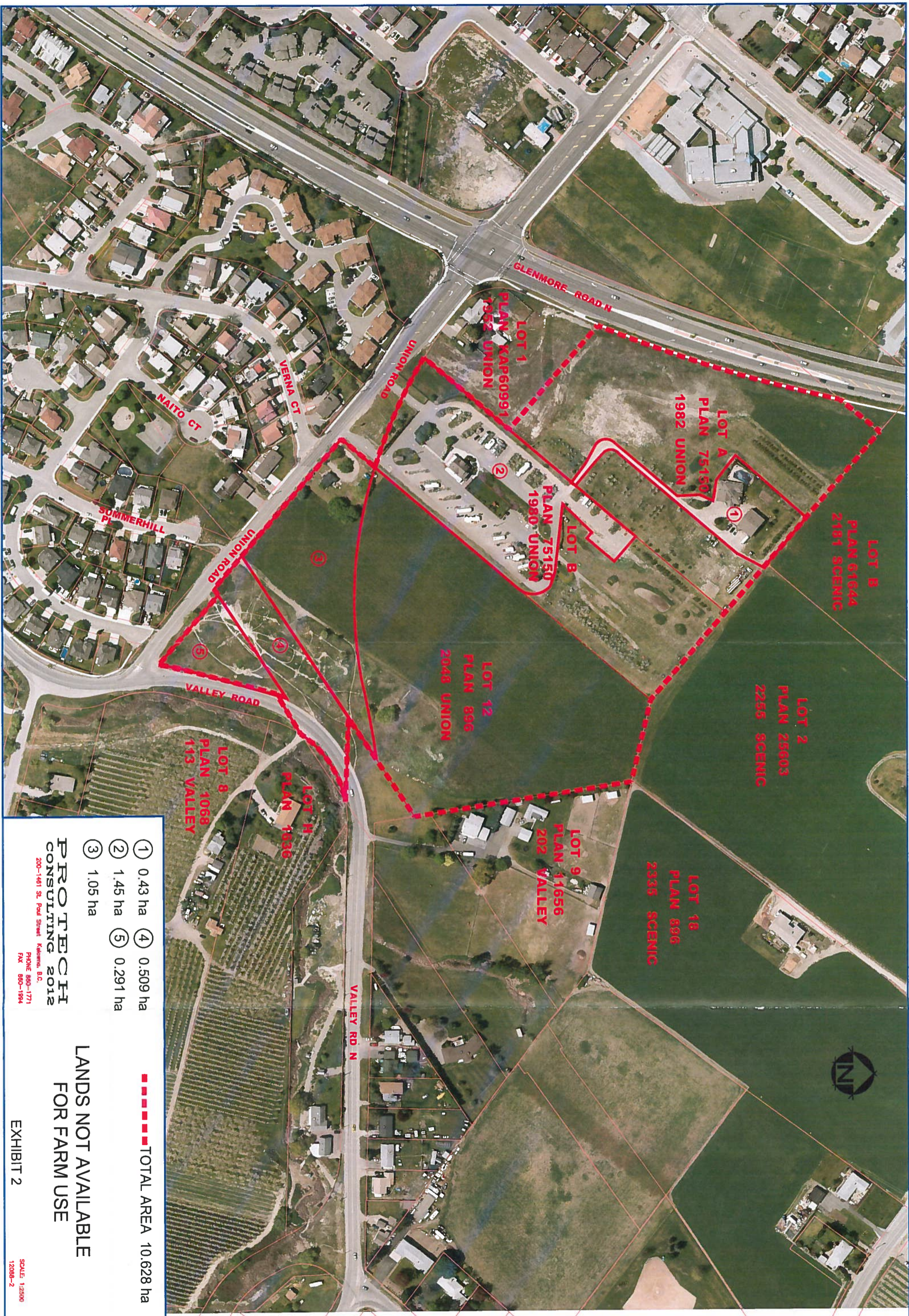


PROPOSED
FUTURE LAND USE
CONCEPT PLAN

PROTECH
CONSULTING 2012
 200-1461 St. Paul Street
 Kalamita, B.C.
 PHONE 800-1771
 FAX 800-1994

EXHIBIT 12

SCALE: 1:2500
 12088-12



- ① 0.43 ha ④ 0.509 ha
- ② 1.45 ha ⑤ 0.291 ha
- ③ 1.05 ha

--- TOTAL AREA 10.628 ha

LANDS NOT AVAILABLE
FOR FARM USE

PROTECH
CONSULTING 2012
200-1451 St. Paul Street Kelowna, B.C.
PHONE 800-1771
FAX 800-1994

EXHIBIT 2

SCALE 1:2500
12096-2

INCLUSION LANDS PHOTO 1
VIEW SW



EXHIBIT 3



Summary of Agricultural Capability Assessments
McKlimes Rd, Lumby BC
1982-1984, 1980 & 2048 Union Rd, Kelowna BC
13E009_Elliott_Financial
Page 1 of 4

January 20, 2014

Union Rd. Properties Ltd
4486 Walker Rd.
Kelowna BC V1W 1Z6
ATTN: Bob Elliott

Via Email: elliottfinancial@telus.net

RE: Summary of Agricultural Capability Assessments for a proposed ALR 'Exchange'

Agricultural Capability Assessment, June 2013 (PROPOSED INCLUSION)
Northeast 1/4 Section 31, Township 41, ODYD, PID 013-585-398,
(McKlimes Rd, Lumby BC)

Agricultural Capability Assessment, January 2014 (PROPOSED EXCLUSION)
Lot A, Plan 75150 (1982-1984 Union Rd. Kelowna, BC)
Lot B, Plan 75150, PID 025-883-372 (1980 Union Rd. Kelowna, BC)
Lot 12, Block 5, Plan 896, PID 012-018-481 (2048 Union Rd. Kelowna, BC)
That Part of Lot 12, Block 5, Section 4, Township 23, ODYD, Plan 896,
Shown as Parcel 12 on Plan H8323, PID 025-283-979
That Part of Lot 12, Block 5, Section 4, Township 23, ODYD, Plan 896,
Shown Outlined in Green on Plan H8323, PID 025-283-995

INTRODUCTION

Valhalla Environmental was retained by Bob Elliott of Union Rd. Properties Ltd. to perform detailed Agricultural Capability Assessments of the above noted properties, to explore the opportunity of an ALR 'exchange' of parcels. The purpose of this document is to summarize the findings of the Agricultural Capability Assessments for both the proposed inclusion parcel (Lumby) and the proposed exclusion parcel (Kelowna).

EXCHANGE DETAILS

The proposed exchange ratio is approximately 6:1 (inclusion/exclusion) and will occur entirely within the Okanagan region. Table 1., below summarizes the agricultural capability of each parcel under consideration.

Table 1. Exchange Summary Comparison Displaying Agricultural Capability, Areas and Current Availability for Agriculture

	Parcel for Inclusion			Parcel for Exclusion				
	Unimproved	Improved	Size (ha)	Area %	Unimproved	Improved	Size (ha)	Area %
Agricultural Capability	Class 4AT	Class 4TP	18.365	29%	Class 5AD	Class 4D	2.975	28%
	Class 4AT	Class 3TP	43.159	68%	Class 5A	Class 3D	1.857	17%
	<i>Cleared for Agriculture</i>		61.524	98%	Class 5A	Class 3A*P	1.411	13%
					Class 5AT	Class 3A*3T	1.053	10%
					Class 5AD	Class 2A	0.868	8%
					Class 5A	Class *2PA	0.366	3%
					<i>Available to Agriculture</i>		8.530	80%
					<i>Unavailable to Agriculture</i>		2.098	20%
					<i>Forested Portion</i>		1.500	2%
							1.500	2%
Total			63.024	100%		10.628	100%	

* Indicates improved capability with limitation classifications for tree fruits and grapes.

PROPOSED INCLUSION PARCEL

The parcel proposed for inclusion (Inclusion Parcel) is a single lot on McKinnes Rd., in Lumby, BC. The lot is legally described as Northeast ¼ Section 31, Township 41, ODYD, PID 013-585-398. This parcel is approximately 63.014 ha (155.7acres) in size. The parcel is southward sloping with rolling topography. The Inclusion Parcel is located in a rural/residential area east of the City of Lumby, BC. The parcel was cleared of trees in the 1970s for agricultural purposes. This parcel is outside the ALR, see attached Figure 1 for more detail.

The agricultural capability of the Inclusion Parcel is limited by soil moisture deficiencies, topography, and stoniness. Site topography and soil characteristics are relatively consistent across the parcel. Supplemental irrigation during the dry months is the primary improvement proposed for the Inclusion Parcel. The results of the Agricultural Capability Assessment indicate that this improvement would be feasible for the entire parcel. The recent agricultural capability assessment rated the Inclusion Property at Class 4, improvable to Class 3 to 4. All areas of this parcel are available for agriculture.

With improved agricultural capability ratings of Class 3 and 4, and a history of agricultural use including grain crops (barley and oats), hay production and grazing, the parcel has proven agricultural capability and suitability. The recent lack of agricultural activity on the parcel has allowed invasive species encroachment, primarily sulphur cinquefoil. With proper management this parcel could once again provide benefit to the local agricultural capacity of the Lumby region. Detailed agricultural capability, and ALR mapping pertaining to this parcel is provided on Figures 1 and 2, attached.

PROPOSED EXCLUSION PARCEL

The parcel proposed for exclusion (Exclusion Parcel) encompasses +/- 10.628 ha (26.3 acres) of land within the ALR. The exclusion parcel is located in a

rural/residential area of the City of Kelowna, BC. This parcel has a history of agricultural use including tree fruits and hay. The Exclusion Parcel is entirely within the ALR. The parcel consists of five lots:

- o Lot A, Plan 75150 (1982-1984 Union Rd. Kelowna, BC)
- o Lot B, Plan 75150, PID 025-883-372 (1980 Union Rd. Kelowna, BC)
- o Lot 12, Block 5, Plan 896, PID 012-018-481 (2048 Union Rd. Kelowna, BC)
- o That Part of Lot 12, Block 5, Section 4, Township 23, ODYD, Plan 896, Shown as Parcel 12 on Plan H8323, PID 025-283-979
- o That Part of Lot 12, Block 5, Section 4, Township 23, ODYD, Plan 896, Shown Outlined in Green on Plan H8323, PID 025-283-995

The agricultural capability of the Exclusion Parcel is limited by soil moisture deficiencies, soil structure, topography, and stoniness. The topography and soil characteristics of this parcel are variable and fragmented. As a result, the recent agricultural capability assessment rated the Exclusion Parcel at Class 5, improvable to Class 2 to 4. Approximately 20% of this parcel is not available for agriculture.

With Class 5 capability improvable to Class 2 to Class 4, this parcel exhibits low to moderately high agricultural capability. As a result of the diverse history of development and topographical limitations the areas suitable to agriculture are fragmented on this parcel rather than contiguous. The parcel has been farmed since the 1950s and 1960s with poor to moderate success as reported by previous land owners and the current farmer. Exclusion of this parcel from the ALR would represent a minor decrease in local agricultural capacity. Detailed agricultural capability and ALR mapping pertaining to the Exclusion Parcel is provided on Figures 3 and 4 attached.

FUTURE OCP USE OF THE EXCLUSION PARCEL

A portion of the exclusion parcel has been designated for future use in the City of Kelowna OCP. Approximately 1.632 ha of the land that is currently available to agriculture on the exclusion parcel is indicated in the OCP for a future road straightening project for Union rd. and Valley Rd. The following Table 2 outlines a summary of land areas by agricultural capability currently and after this proposed road straightening project.

Table 2. Exclusion Parcel Comparison Chart Showing Current Areas Available to Agriculture and Areas Available to Agriculture after the OCP Road Straightening Project

Parcel for Exclusion, Current			OCP Future Use			
Unimproved	Improved	Size (ha)	Area %	OCP Area Change	Size (ha)	Area %
Class 5AD	Class 4D	2.975	28%	-0.5712	2.404	23%
Class 5A	Class 3D	1.857	17%	-1.0608	0.797	7%
Class 5A	Class 3A*P	1.411	13%	-	1.411	13%
Class 5AT	Class 3A*3T	1.053	10%	-	1.053	10%
Class 5AD	Class 2A	0.868	8%	-	0.868	8%
Class 5A	Class *2PA	0.366	3%	-	0.366	3%
<i>Total Net Farmable</i>		8.530	80%		6.898	65%
Unavailable to Agriculture		2.098	20%	1.632	3.730	35%
Total		10.628	100%		10.628	100%

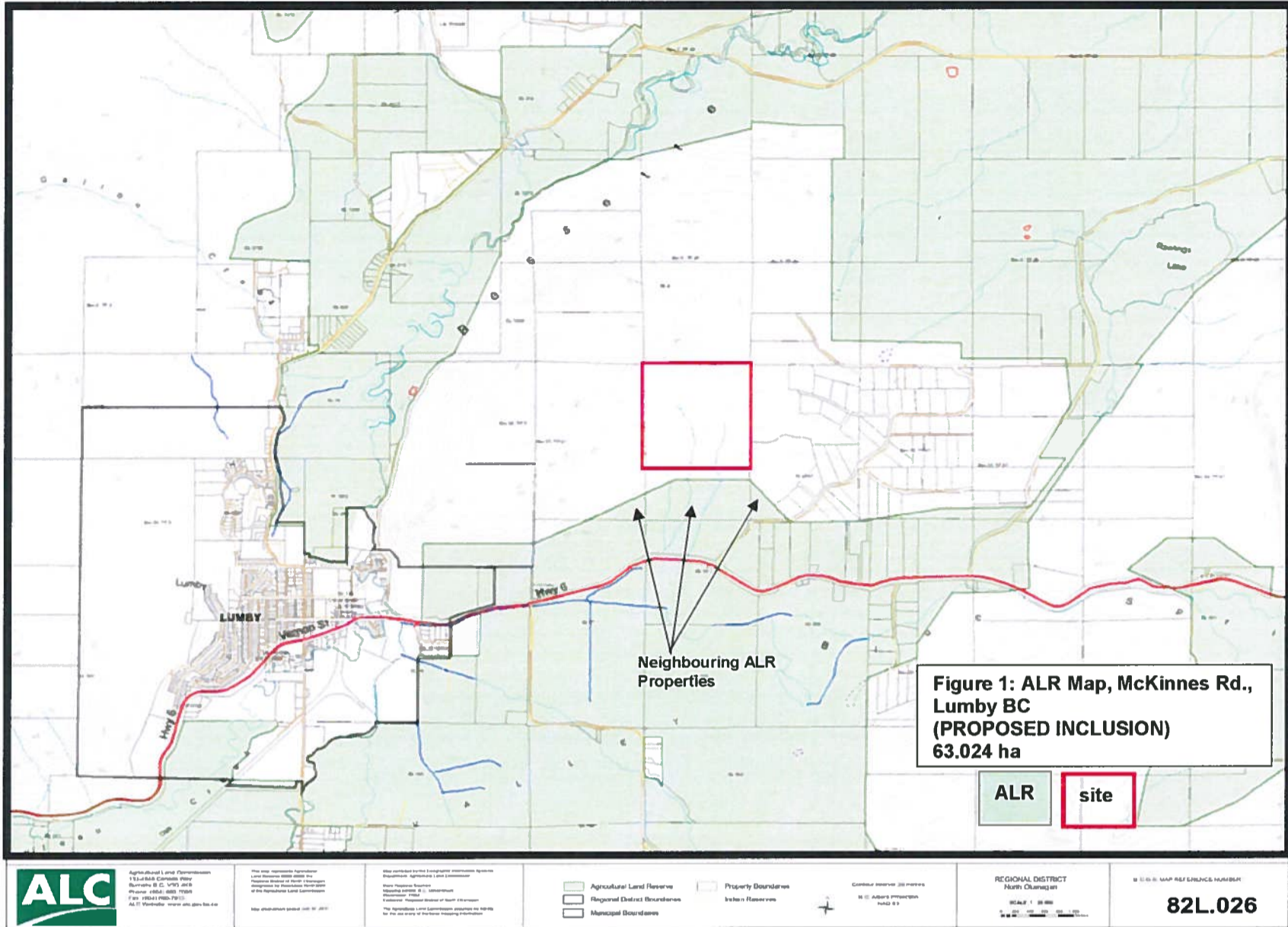
RESULTS OF THE EXCHANGE

- o The proposed 'exchange' would add a net +/-50 ha of moderate to high capability agricultural land to the ALR in the Okanagan region.
- o The exchange ratio for total area in the ALR is approximately 6:1 (Inclusion : exclusion).
- o The exchange ratio for land currently available to agriculture is approximately 7:1 (inclusion : exclusion).
- o Should the road straightening project indicated in the City of Kelowna OCP proceed, the exchange ratio for land available to agriculture is approximately 9:1 (inclusion : exclusion)

I trust this document meets your needs.

Respectfully Submitted,

Matthew Davidson, P.Ag.



CAPABILITY CLASSIFICATIONS

5AP - Unimproved Rating

(3AP) - Improved Rating

*The asterisk is used with the Modified Land Capability Classification for Tree Fruits and Grapes.

It indicates the modified topography and/or stoniness classes have been used.

CLASS RATINGS

1. Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.
2. Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
3. Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
4. Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.
5. Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
6. Land in this class is nonarable but is capable of producing native and/or uncultivated perennial forage crops.
7. Land in this class has no capability for arable culture or sustained natural grazing.

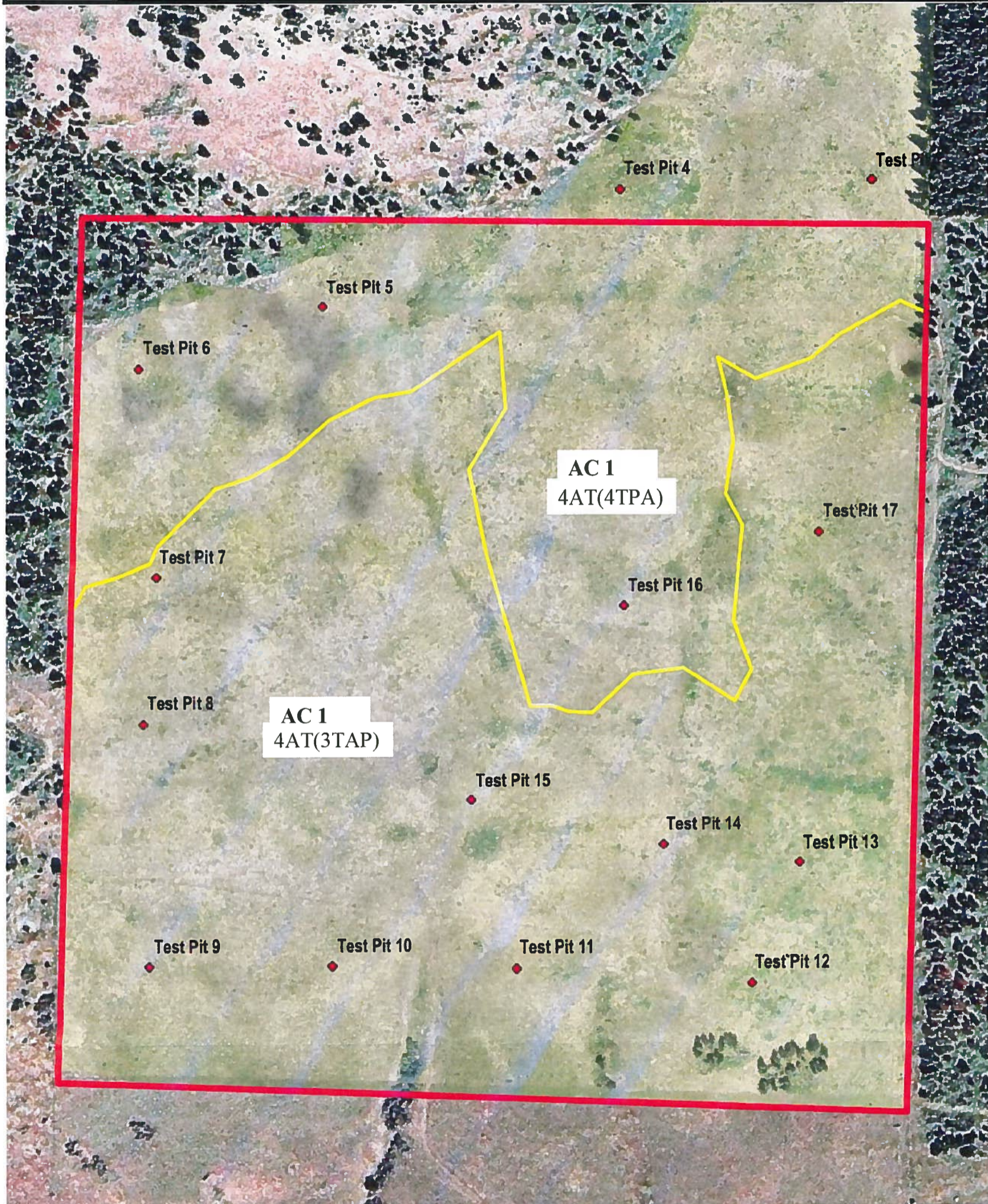


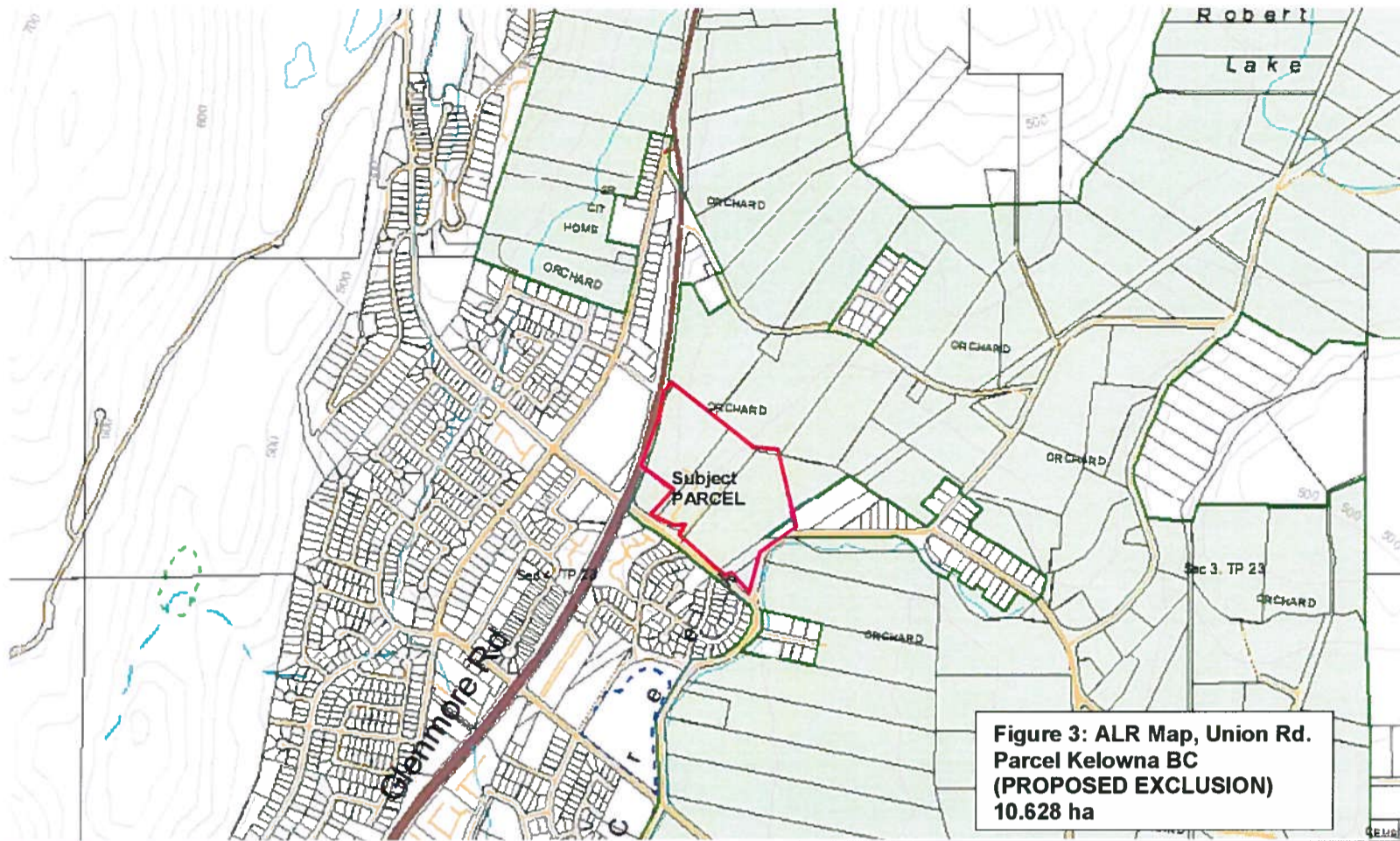
Figure 2: Agricultural Capability Units and Test Pit Mapping, Subject Parcel, McKinnes Rd. Lumby BC (PROPOSED INCLUSION)

Photo orthomosaic of the Subject Parcel captured on May 17th 2013, showing current condition

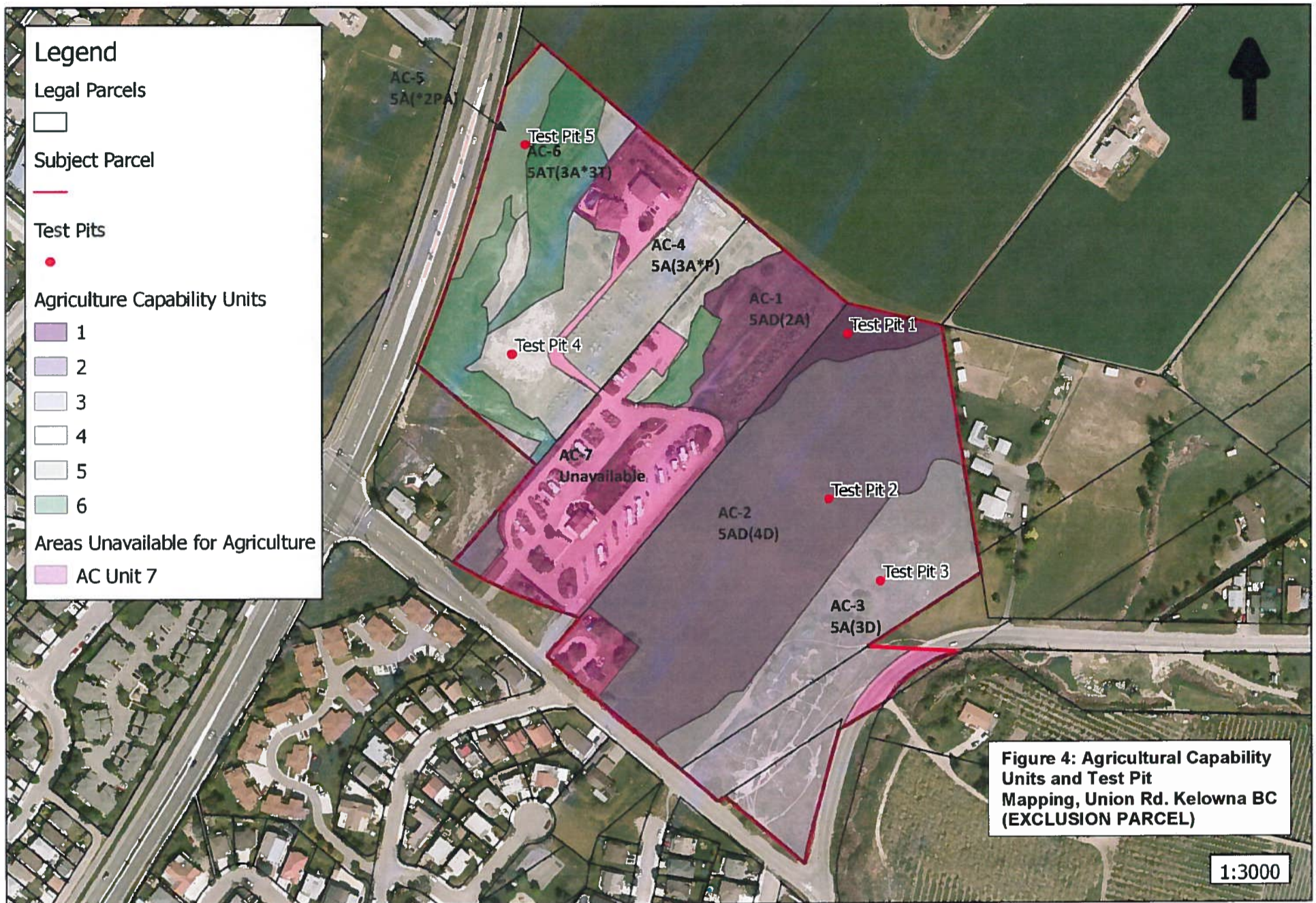
1:4000



Legend	
Subject Property	
Agricultural Capability Boundaries	
Test Pits	



<p>ALC AGRICULTURAL LAND COMMISSION 25,000 Columbia Ave Kelowna BC V1Y 9P8 Phone: 250-860-7800 Fax: 250-860-7810 E: T. Anderson, t.anton@alc.ca</p>	<p>This map is a reproduction of the map as published in the Agricultural Land Reserve Act and Regulations. The map is a reproduction of the map as published in the Agricultural Land Reserve Act and Regulations. The map is a reproduction of the map as published in the Agricultural Land Reserve Act and Regulations.</p>	<p>Map prepared by the Strategic Information Systems Department of Valhalla Environmental Consulting Inc. Scale: 1:50,000 Projection: UTM Datum: NAD 83 Elevation: Mean Sea Level Map prepared by the Strategic Information Systems Department of Valhalla Environmental Consulting Inc.</p>	<p> <input type="checkbox"/> Agricultural Land Reserve <input type="checkbox"/> Regional District Boundaries <input type="checkbox"/> Municipal Boundaries <input type="checkbox"/> Primary Roads <input type="checkbox"/> Other Reserves </p>	<p> <input type="checkbox"/> Contour interval: 20 metres <input type="checkbox"/> S.C. 1:50,000 <input type="checkbox"/> NAD 83 </p>	<p>REGIONAL DISTRICT District Engineer 1998-01-01 82E.093</p>	<p>B.C. & N.P. REGISTERED MAPS 82E.093</p>
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CAPABILITY CLASSIFICATIONS

5AP - Unimproved Rating

(3AP) - Improved Rating

*The asterisk is used with the Modified Land Capability Classification for Tree Fruits and Grapes.

It indicates the modified topography and/or stoniness classes have been used.

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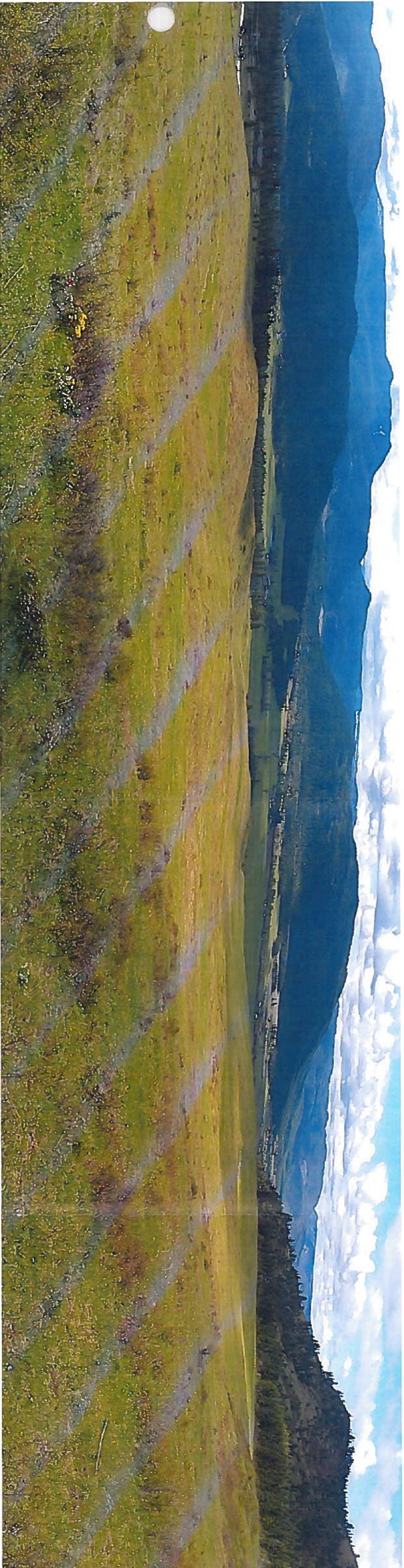
ALR INCLUSION APPLICATION
63.024 ha (NET FARMABLE 61.5 ha)
FERRIE FARM - LUMBY
LUMBY B.C.
PREPARED FOR:
B.C AGRICULTURAL LAND COMMISSION



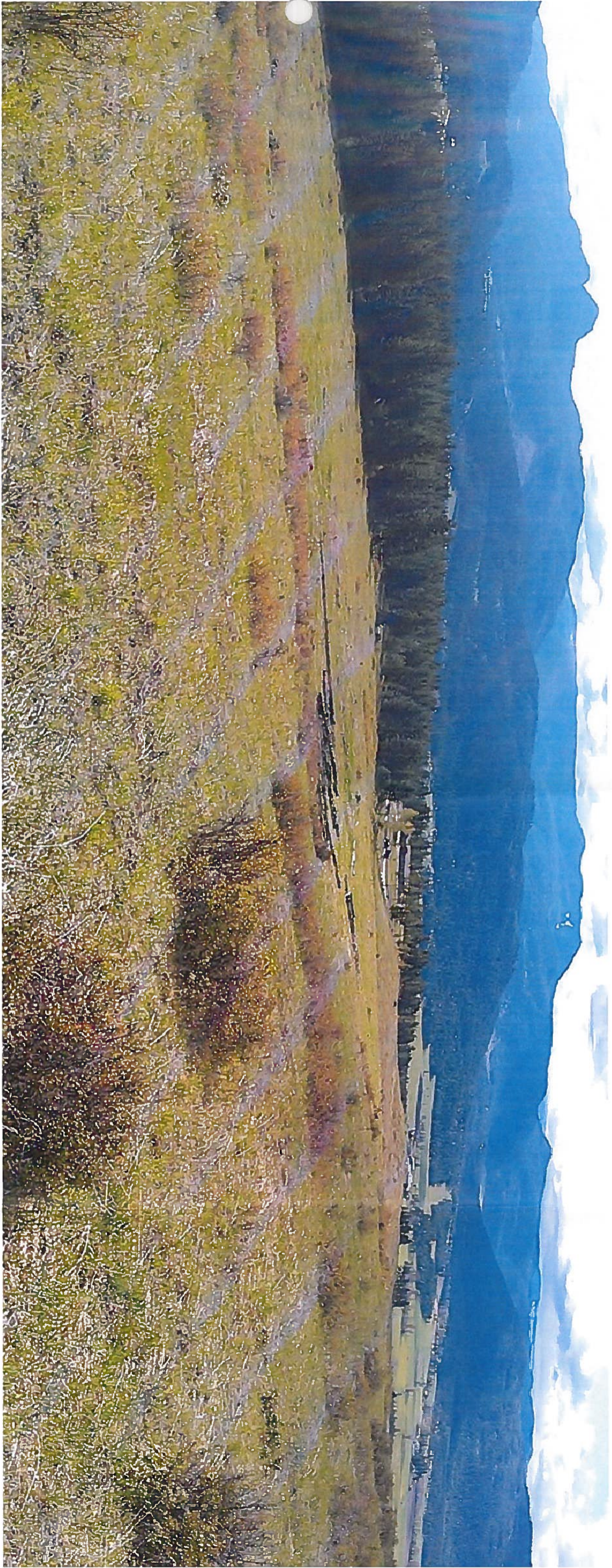
PROTECH
CONSULTING 2012
200-1481 St. Paul Street Kelowna, B.C.
PHONE 880-1771
FAX 880-1894

JANUARY 27, 2014

**INCLUSION LANDS PHOTO 1
VIEW SW**



**INCLUSION LANDS PHOTO 2
VIEW SE**



**INCLUSION LANDS PHOTO 3
VIEW NW**



**INCLUSION LANDS PHOTO 4
VIEW NE**



Agrology Report

Agrology Assessment McInnes Road

NE 1/4, Section 31, Township 41 ODYD

PID 013-585-398

Lumby, BC

Prepared for:
Union Road Properties Ltd
4486 Walker Road
Kelowna, BC
V1W 1Z6

August 23, 2013

Prepared by:
James Calissi,
B.Sc, M.Sc., P.Ag.
Calissi Farms Inc.
3810 East Kelowna Road
Kelowna, BC
V1W 4H2

Scope

Mr. Bob Elliot has engaged James Calissi P.Ag of Calissi Farms Inc. to prepare an agrologist's report concerning a parcel of land on McInnes Road in Lumby BC. The property had received a climate and soils assessment by Valhalla Environmental Consulting Inc. This report is intended to assess the agricultural capability based on the Valhalla report and a site visit by James Calissi.

Site Description

The property consists of rolling hills, surrounded by hillside forests, sloping southward. The properties surrounding the land are used for forestry, grazing and rural residential or hobby type farms. The elevation of the farm is 650 meters.

Historically the land was forested, but was cleared in the 1970s and used for small grain and forage production. The land is not irrigated; however the land owner states that a water engineer believes there to be adequate ground water on the south west corner of the property. An electric pump could be installed, as there is electrical service to the western edge of the property.

The property consists of one title, totaling 61.5 hectares (152 acres) in size.

Soils

According to the Valhalla report, the soils are classified by the Ministry of Environment as Tunkwa, Chasm and Nickle Plate. These soils are described as loamy or silty soils with gravel and sand components mixed in. Calcium Carbonate deposits can be mixed into the top 30 cm. Their site inspection demonstrated that soils where 10 to 35 centimeters deep with less than 5% gravel content and that the soils were well drained. Their site inspection illustrated that the gravel content was not a major limiting factor to agricultural production.

The topography was 0 to 30% slopes with averages ranging from 6 to 13%.

Climate Capability for Agriculture

The Valhalla report reviewed climate data from the Ministry of Environment. Mapping by the Ministry of Environment describe the property as having 120 to 150 frost free days and 1505 to 1779 growing degree days (above 5 Celsius) and a risk of minimum temperatures near freezing that adversely affect plant growth during the growing season (Class 1aF) and the risk of insufficient heat units during the growing season (Class 1aFG).

2

The land has good air drainage, with a southern exposure, with little risk of cold air settling on the land during cold air inversion periods.

I could not find site specific temperature data for the site. In my professional opinion, I feel that the risk of minimum temperatures, below 25 degrees Celsius is too great for some perennial crops, such as vinifera wine grapes and stone fruits, such as peaches. However, more hardy perennial crops such as apples may be suitable, but would require more climate research, and only varieties requiring less than 120 - 150 frost free days would be suitable. As an example, the apple variety McIntosh requires 140 frost free days and Red Delicious requires 160 frost free days.

Agricultural Capability

The agricultural capability of the land is considered 4AT in an unimproved state. This refers to a class 4 land due to aridity and stoniness. With irrigation, the aridity constraint can be eliminated. Valahalla's site inspection felt that stoniness was not a major constraint to agriculture, and that once the land was irrigated it would be improved to a Class 1.

Class 1 land either has no or very slight limitations that restrict its use for the production of common agricultural crops.

Class 4 land is considered to have limitations which make it suitable only for a few crop, or the yield for a wide range of crops is low, or the risk of crop failure is high, or the soil conditions are such that special development and management practices are required.

Class 1 land with a good climate, is suitable for a host of crops. As mentioned above, there is concern over the risk of winter injury to some perennial plants such as vinifera grapes, peaches, sweet cherries and perhaps apples. However other horticultural crops could be produced.

Higher valued vegetable crops would be suitable. The range of these crops is large. Many cool season crops, such as lettuce, require 60 growing days, broccoli requires 80 growing day, Sweet corn requires 80 growing days. All of these are well within the 120 to 150 frost free days. Hot season crops such as tomatoes and eggplants could be produced but would be more economically challenged than competing regions, with better heat units in the Okanagan. I would caution the planting of root crops, such as potatoes due to the stone content of the soil.

Woody ornamentals could be easily produced, especially winter hardy species destined for the Canadian prairie market. The extremes of topography may pose a challenge to the operator, especially if containerized production systems are used.

Other higher valued perennial crops, which have come into demand recently, are Huckleberries. Huckleberries have been largely harvested as a wild crop in the Pacific Northwest, including areas in southeastern British Columbia. Botanically the plants are a relative of blueberries but are more winter hardy. From a climate perspective the site is suitable for huckleberry production. Soils may need to be acidified with sulfur or sulfates to accommodate soil pH needs. There are several species of huckleberries. The website www.wildhuckleberry.com is a good starting reference.

Asparagus, mostly noted as a vegetable, is a perennial crop. It can be grown on the site; since the plant overwinters underground and winter temperatures are of less concern. The crop will grow in a wide range of soils and prefers well drained soils. The amount of gravel in the soils should not present a challenge to the production of the crop.

As with any newly grown crop, farmers should be cautioned to plant a trial planting first before a larger scale planting to ensure the site truly meets economic expectations.

Annual grains and forage crops would be suitable for production as well.

Summary

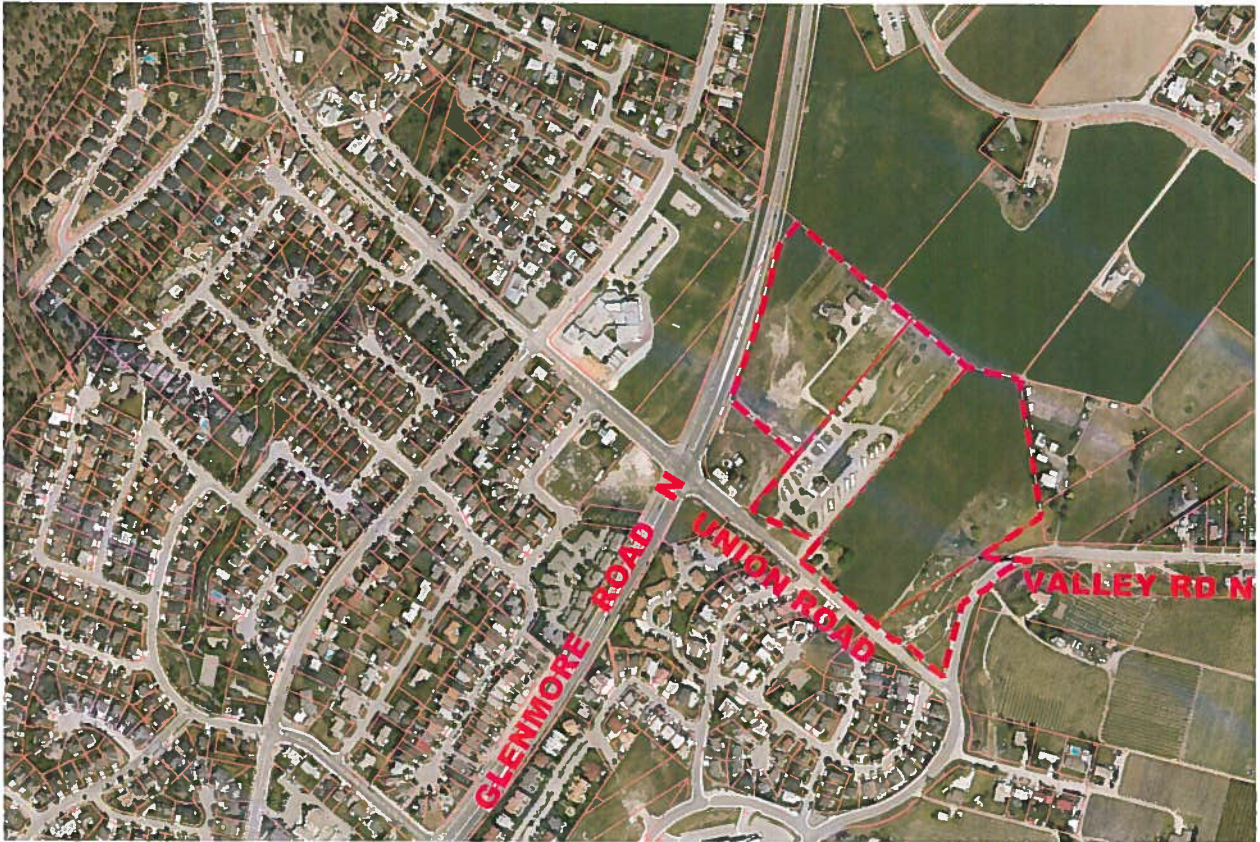
The land is a parcel of Class 4 land which can be improved to Class 1 land with irrigation. The soils are loamy / silty with less than 5% stoniness, and are well suited (from a soils point of view) to a wide range of crop production, including higher valued horticultural crops. The topography of land is moderately sloping but has some extreme 30% slopes. These extremes occupy less than 5% of the land and do not impose a great cropping impediment.

The climate is a cooler Okanagan climate. The heat units and frost free periods are adequate for the production of apples. In fact, the climate is similar to higher elevation orchards in South Kelowna and the Glenmore valley of Kelowna. Of more concern are cold winter temperatures, below 25 degrees Celsius which can cause winter injury and death to perennial plants. This factor is unknown and cannot be commented on in this report. However, even if this were a high risk factor, there are many high valued annual vegetables crops that can be produced, due to the high class of soil and summer climate. In addition, the site is suitable for hardy ornamental production.

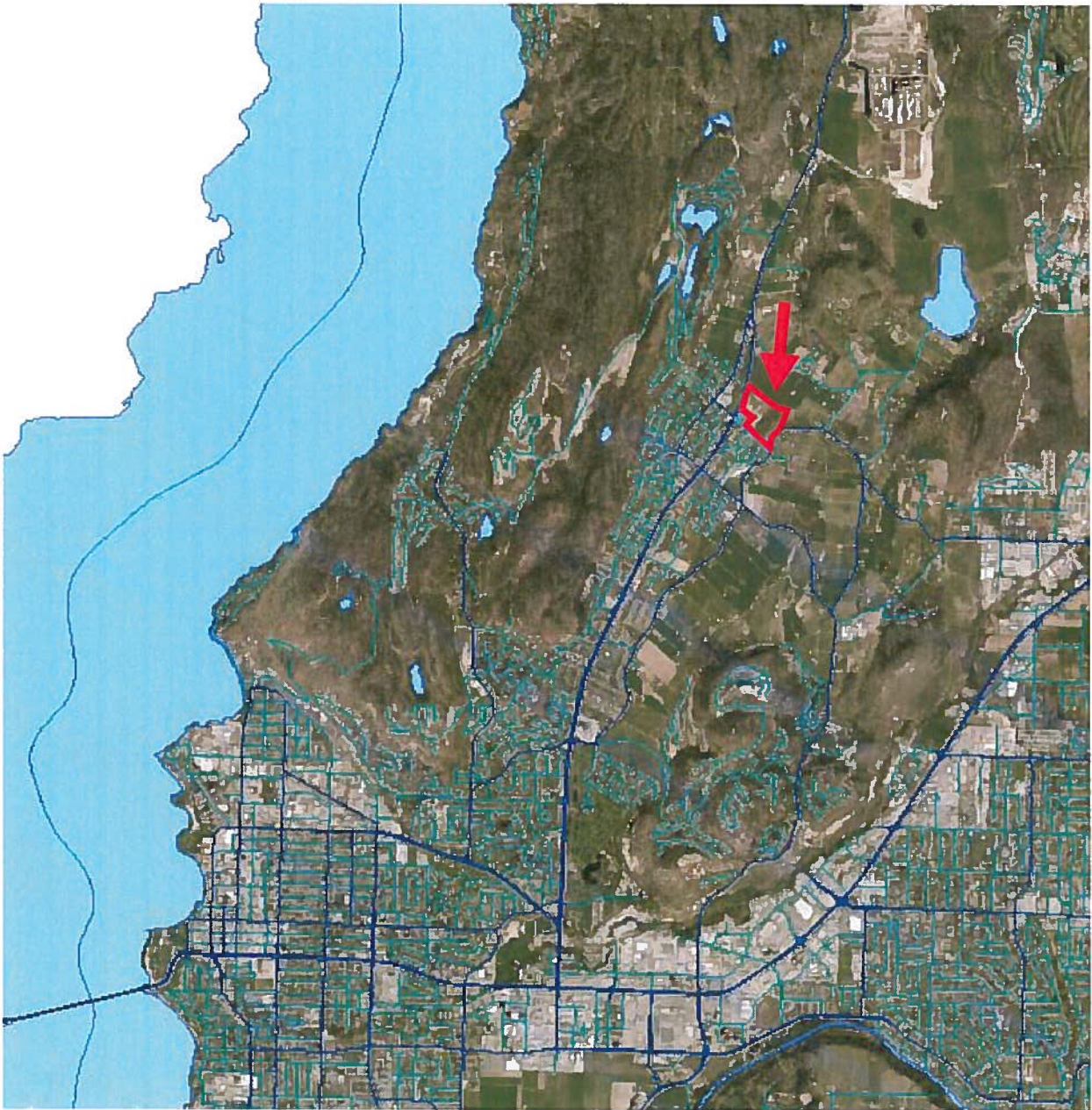
References

1. Land Capability Assessment. McKinnes Road. Lumby, BC, NE 1/4. Section 31. Township 41 ODYD PIDs 013-585-398. 023-627-042. Valhalla Environmental Consulting Inc.

ALR EXCLUSION APPLICATION
10.628 ha (NET FARMABLE 6.898 ha)
GLENMORE/UNION/VALLEY ROADS
KELOWNA B.C.
PREPARED FOR:
CITY OF KELOWNA
B.C AGRICULTURAL LAND COMMISSION



 SUBJECT



ALR EXCLUSION APPLICATION

Private Lands

Lot A, Plan 75150	3.008 ha
Lot B, Plan 75150	2.436 ha
Lot 12, Plan 896	4.380 ha
TOTAL	9.828 ha

City of Kelowna Lands

Lot 12, Plan 896, Parcel 12	.509 ha
Parcel 12, Plan H8323	.291 ha
TOTAL	.800 ha

Prepared For Submission by
Protech Consulting 2012

To:

City of Kelowna and
Agricultural Land Commission

January 31, 2014

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

Attention: Ms. Shelley Gambacort

Dear Ms. Gambacort:

Re: ALR Exclusion Application
Union Road / Glenmore Road / Valley Road, Kelowna, B.C.

As a requirement of the ALC, Act and Regulations, Sec. 30(1) Exclusion, attached is the ALR Exclusion Application for the above noted properties located at 1982, 1980 and 2048 Union Road, together with 2 City of Kelowna lots owned by them and which lands are contiguous to each other.

These properties are legally described as:

Lot A & B, Plan 75150
Lot 12, Plan 896
Plan 896 Parcel 12
Lot 12, Plan 896, Plan H8323

Please refer all inquiries and questions pertaining to the application to:

Protech Consulting 2012
Attn: Grant Maddock

Yours truly,

PROTECH CONSULTING 2012

H. Grant Maddock

cc: Union Road Properties Ltd.
MM Corp. Inc.
City of Kelowna

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EXECUTIVE SUMMARY

This application involves the exclusion of certain lands in the City of Kelowna (Table A below) from the ALR in exchange for lands near Lumby B.C., being included in the ALR.

The net farmable lands to be excluded are 6.898 ha (Table A) and the Lumby lands to be included are net 61.524 ha for an inclusion/exclusion ratio of 9 to 1.

The agricultural capability of the Lumby lands are equal to or better then the exclusion land in the City of Kelowna (See Table B)

EXCLUSION LANDS – TABLE “A”

	Total	Exhibit 2 Deduct Land Dedicated for City OCP (1)	Exhibit 2 Deduct Land permanently not available for farm use	Net land Available for Farm Uses
	HA	HA	HA	HA
Private Lands				
Lot A Plan 75150	3.008		(2) .430	2.578
Lot B Plan 75150	2.436		(3) 1.450	.986
Lot 12 Plan 896	4.384	1.050		3.334
	<u>9.828</u>	<u>1.050</u>	<u>1.880</u>	<u>6.898</u>
City of Kelowna Lands				
Lot 12 Plan 896 parcel 12	.509	.509		Nil
Lot 12 plan 896 Plan H8323	.291	.291		Nil
	.800	.800		<u>Nil</u>
Total	<u>10.628</u>	<u>1.850</u>	<u>1.880</u>	<u>6.898</u>

1. The current City of Kelowna OCP Transportation Plan identifies the realignment of Union Road through the Southern 1/3rd of Lot 12, including a portion of Lot 12, Plan 896, shown as Parcel 12 on Plan H8323. The land south of the realignment of Union Road is shown as single family residential in the City OCP Future Land Use Plan.
2. The present residential house and shop together with road access to Union Road through Lot B.
3. The present area used by the RV park and office/washroom facility.

EXCLUSION LANDS

This application is for the exclusion of 9.828 ha private lands and (6.898 ha) net farmable lands (See Table A) and .80 ha of City owned lands (Nil farmable land (See Table A)

The subject properties are contiguous and are located on Union Road, a future arterial road tying Glenmore Drive to Highway 97. The properties are flanked on 2 sides by arterial roads, being Glenmore Drive Bypass and Union Road and the third side is Valley Road north, designated as a major connector.

In the Kelowna OCP, approximately 1.85 ha of the exclusion lands are designated as “non ALR use” to provide for the right of way of the new Union Road and single family residential to the south. (See Table A and Exhibits 4 & 5)

Lot A has a single family home together with a separate shop all of which was constructed in 2001 and 2002.

Lot B contains a 20 unit tourist RV Facility together with office building, washrooms and laundry facilities.

AGRICULTURAL BENEFITS

The Land Commission objectives are outlined in Section 6 of the Agricultural Land Commission Act (The Act). Section 6 states, “The following are the purposes of the commission;

6a – to preserve agricultural land”

It is the intent of this application under Section 17(3) of the ALC Act to include 61.52 ha of presently farmable lands into the ALR, in exchange for the removal of 6.898 ha of presently farmable lands (Union Road) – a net increase to agricultural land of 54.62 ha equivalent to a 9:1 Ratio

The agricultural capability of the inclusion/exclusion lands are as follows:

See Exhibit 3 – Valhalla Summary Letter

TABLE B
Agricultural Capability Reports

<u>Exhibit 3 - Table 1</u>					<u>Exhibit 3- Table 2</u>			
<u>Parcel for Inclusion</u>					<u>Parcel for Exclusion when considering Future OCP Use</u>			
<u>Unimproved</u>	<u>Improved</u>	<u>Size (ha)</u>	<u>Area %</u>		<u>Unimproved</u>	<u>Improved</u>	<u>Size (ha)</u>	<u>Area %</u>
Class 4	Class 4	18.365	30%		Class 5	Class 4	2.404	23%
Class 4	Class 3	43.159	68%		Class 5	Class 3	3.261	31%
					Class 5	Class 2	1.233	11%
<u>NET FARMABLE AREA</u>		<u>61.524</u>	<u>98%</u>		<u>NET FARMABLE AREA</u>		<u>6.898</u>	<u>65%</u>
Area not cleared of trees		1.500	2%		Unavailable to Agriculture		3.730	35%
<u>GROSS AREA</u>		<u>63.024</u>	<u>100%</u>		<u>GROSS AREA</u>		<u>10.628</u>	<u>100%</u>

Net Farmable area - inclusion/exclusion ratio - 9 to 1.

Gross area - inclusion/exclusion ratio - 6 to 1.

Refer to Exhibit 3 and Addendum 1 for the Agricultural Capability Assessment prepared by Valhalla Environmental Consulting Inc. for more details.

Furthermore, to enhance the inclusion lands, the owners will commit to drilling an irrigation well on the inclusion land. Based on the surrounding wells, it is anticipated that the well yield will provide irrigation to all of the 63.024 lands to be included. As to past and future activity on the inclusion lands see “Inclusion Lands” later in this application.

6b - to encourage farming on agricultural land in collaboration with other communities of interest;

By incorporating a road buffer, landscaping and fencing in accordance with “Guide to Edge Planning” standards as recommended by the Ministry of Agriculture and Lands, the urban agriculture interfaces along the north property boundaries of the exclusion lands should eliminate any agricultural interference.

The registration of a Section 219 Covenant on the excluded lands will notify future property owners, tenants of the existing farm practices on neighbouring ALR properties to eliminate complaints.

6c – to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Municipalities and Regional Districts throughout the valley have been encouraged to support agricultural activities, including lands that have never been farmed. The inclusion lands will further expand the Lumby rural lands and could possibly include crops that haven’t been farmed in the surrounding Lumby area.

Inclusion Lands

Gross ALR Inclusion	63.024ha (Net 61.52h
Areas Previously Farmed	61.52ha
Land Characteristics	South Sloping 10 – 15% Cleared of trees, shrubs & Rocks
Soil Classification	Unimproved – Class 4

See Photo 1 attached to Executive Summary.

Both the Exclusion and the Inclusion lands are located in the Okanagan Panel Region (See Exhibit 1)

In Summary:

- The exclusion of 6.898 ha of net farmable land (10.628 ha gross)
- The inclusion of 61.52 ha of net farmable land (63.024 ha gross)
- The owners of the inclusion Lands have committed to constructing an irrigation well at an estimated cost of \$100,000.00 in order to increase the agricultural capabilities of the land.
- Provide the City of Kelowna the opportunity to meet its OCP Transportation and Future Land Use goals for Union Road by providing for the new right of way and the creation of new single family residential south of the new road realignment to integrate into the present residential subdivision known as Summerhill Estates
- Provide the City of Kelowna an increased property tax base, DCC's and the creation of multi-family rental housing and single family lots on the north side of the new Union Road. (See Exhibit 12).

ALR Exclusion Application Overview Exclusion Lands.
Refer to Exhibits 4,5,6

<u>Lot A, Plan 75150</u>	3.008 ha - Gross	2.578 ha Net Farmable
Land Characteristics	Variable Slope - 5-20% West Disturbed - Residence - 18%	
Soil Classification	See Table B and Exhibit 3	

<u>Lot B, Plan 75150</u>	2.436 ha- Gross	.986 ha Net Farmable
Land Characteristics	Variable Slope - 5 - 15% East Disturbed - RV Park - 62%	
Soil Classification	See Table B and Exhibit 3	

<u>Lot 12, Plan 896</u>	4.384ha - Gross	3.334 ha Net Farmable
Land Characteristics	See Table B and Exhibit 3	
Soil Classification	See Table B and Exhibit 3	

<u>Lot 12, Plan 896, Parcel 12</u>	.509 ha - Gross	Nil - Net Farmable
Land Characteristics	Uniform Slope - 5% All Disturbed	
Soil Classification	See Table B and Exhibit 3	

<u>Lot 12, Plan 896, Plan H8323</u>	.329 ha - Gross	Nil - Net Farmable
Land Characteristics	Uniform Slope - 5% All Disturbed	
Soil Classification	See Table and Exhibit 3	

Summary of Facts Pertaining to Exclusion Lands

1. Legal Descriptions

Legal Description	P.I.D.	Address
Lot A, Plan 75150	025-883-364	1982 – 1984 Union Road
Lot B, Plan 75150	025-883-372	1980 Union Road
Lot 12, Plan 896	012-018-481	2048 Union Road
Lot 12, Plan 896, Parcel 12	025-283-979	City of Kelowna Lands
Lot 12, Plan 896, Plan H8323	025-283-995	City of Kelowna Lands

2. Owners

Lot A, Plan 75150	3.008 ha	MM Corp. Inc
Lot B, Plan 75150	2.436 ha	200, 1281 – 91 st St., SW
		Edmonton, Alberta
		T6X 1H1

Lot 12, Plan 896	4.384 ha	Union Road Properties Ltd.
		4486 Walker Road
		Kelowna, B.C.

Lot 12, Plan 896, Parcel 12 and Lot 12, Plan 896, Plan H8323	0.509 ha <u>0.291 ha</u>	City of Kelowna
TOTAL:	0.800 ha	

3. Site Area

See Table A – Executive Summary

	Gross HA	Net Farmable HA
Lot A	3.008	2.578
Lot B	2.436	.986
Lot 12	4.384	3.334
TOTAL:	9.828	6.898
Lot 12, Plan 896, Parcel 12	.509	Nil
Lot 12, Plan 896, Plan H8323	.291	Nil
TOTAL:	10.628	6.898

4. Zoning

Zoning	Lot A, B & 12	A-1 Agriculture
	City Lands	A-1 Agricultural

5. OCP Designation Exhibit 7, 8 and 9

Lot A & B	Agricultural
Lot 12, Plan 896	Agricultural Future Union Road R/W Future Residential South of New Union Road
Lot 12 , Parcel 12	Future Union Road R/W Residential
Lot 12 Plan H8323	Valley Road / Residential

6. Agricultural Plan

Exclusion / Non Farm Use

7. Current ALR Status See Exhibit 10

Lot A	ALR
Lot B	ALR Conditional Use – RV Park
Lot 12	ALR
Lot 12 , Parcel 12	ALR (Portion)
Lot 12, Plan H8323	ALR

8. Proposed Exclusion

	Gross	Net Farmable		Owners
Lot A & B & 12	9.828	6.898 ha		Private
Lot 12, Parcel 12 & Lot 12, Plan H8323	.80 ha	Nil		City of Kelowna

9. Surrounding Properties and Uses (See Exhibit 11)

North	Hayfield
East	Valley Road
South	Residential
West	Glenmore Bypass

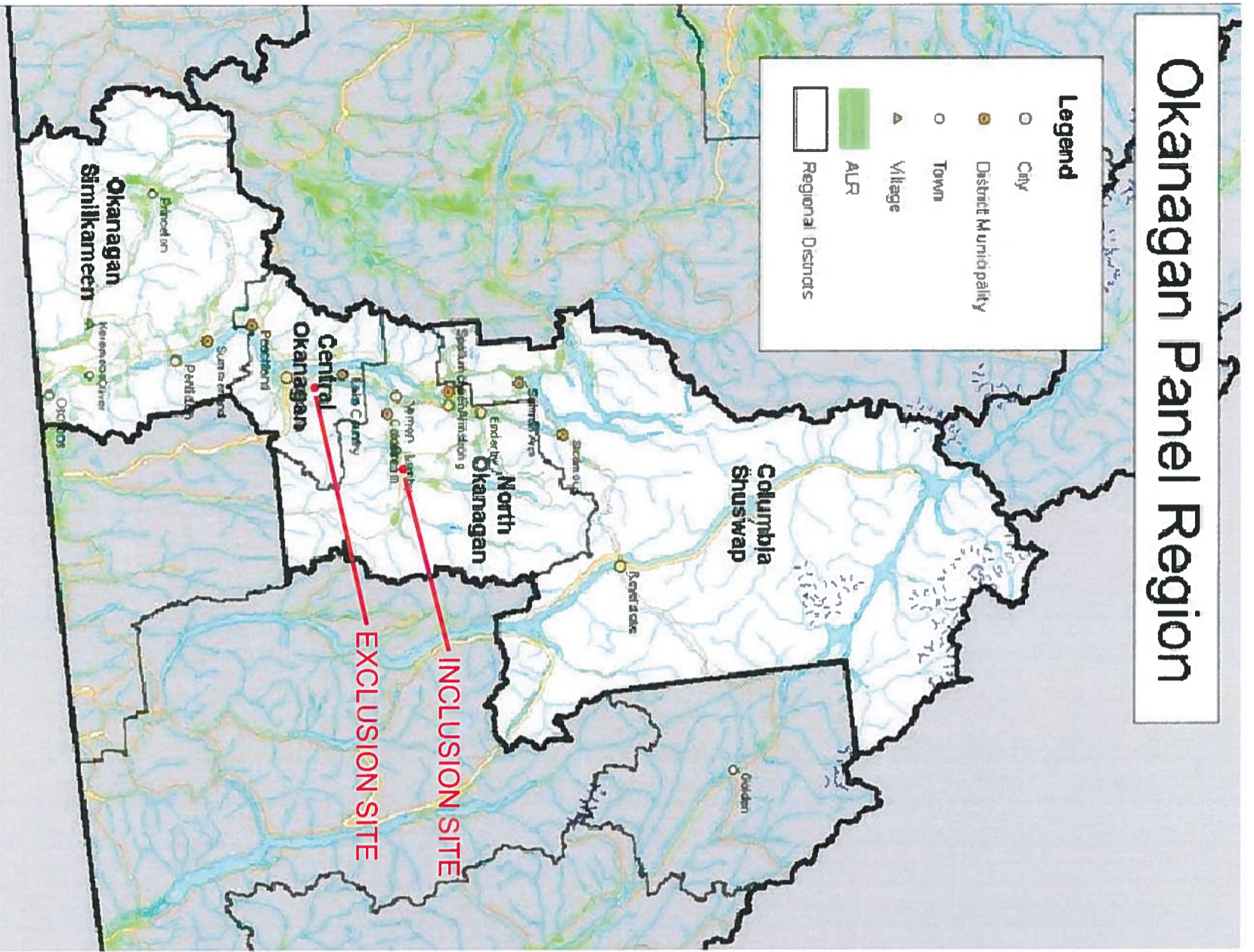
10. Proposed Use of Exclusion Land (See Exhibit 12)

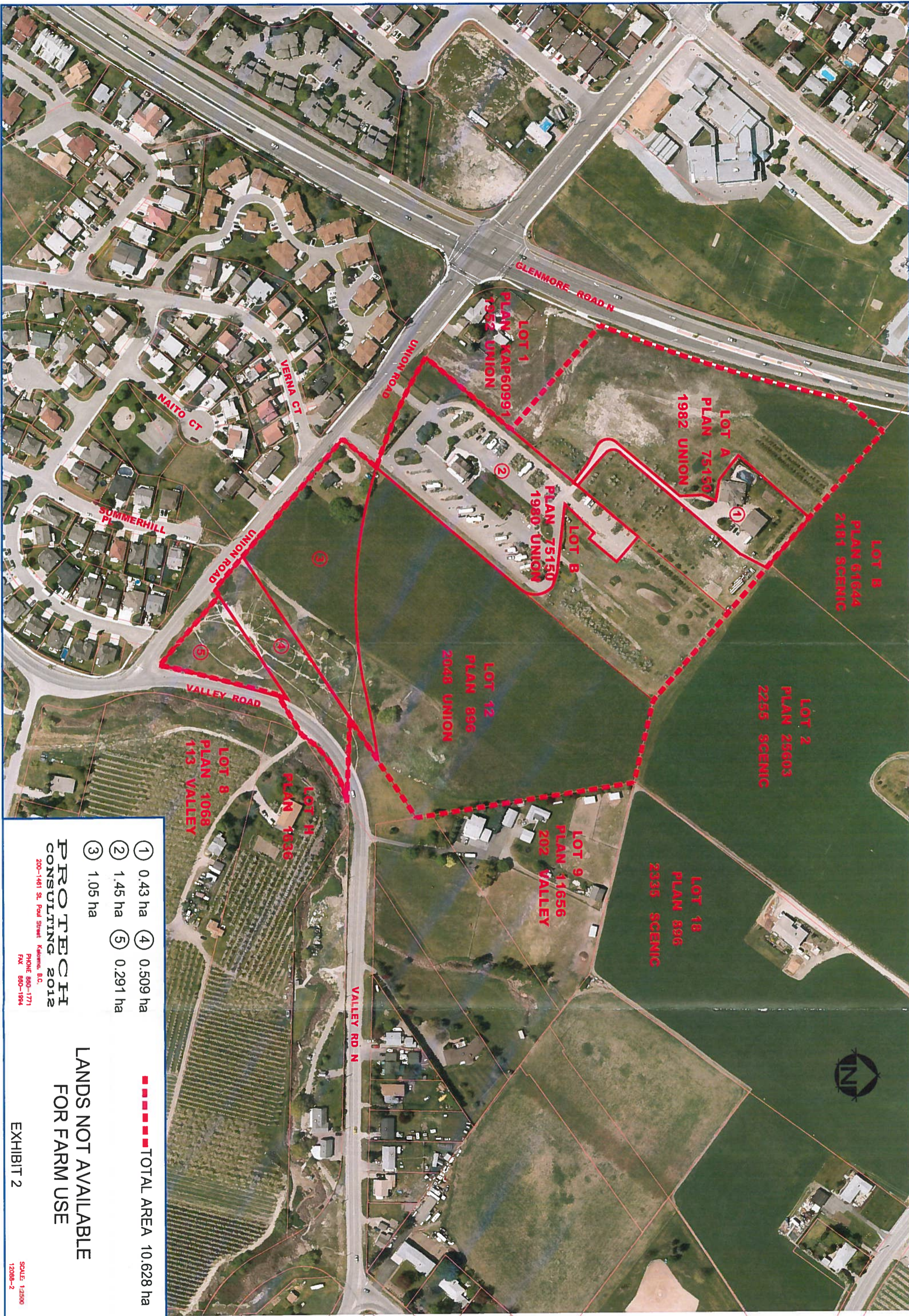
Subject to future rezoning and OCP Amendments it is intended to develop the lands into a mixed use residential as depicted in Exhibit 12 and Photo 1, 2, 3 and 4.

This residential shows a combination of multi-family rental units and RU-2 single family lots.

There will be a buffer zone of 10 meters consisting of a laneway and landscaping all around the north boundary of Lot A, B and 12 to act as a separation from the ALR lands to the north.

Okanagan Panel Region





- ① 0.43 ha ④ 0.509 ha
- ② 1.45 ha ⑤ 0.291 ha
- ③ 1.05 ha

--- TOTAL AREA 10.628 ha

LANDS NOT AVAILABLE
FOR FARM USE

PROTECH
CONSULTING 2012
200-1451 St. Paul Street Kelowna, B.C.
PHONE 800-1771
FAX 800-1994

EXHIBIT 2

SCALE 1:2500
12096-2

INCLUSION LANDS PHOTO 1
VIEW SW



EXHIBIT 3



Summary of Agricultural Capability Assessments
McKlimes Rd, Lumby BC
1982-1984, 1980 & 2048 Union Rd, Kelowna BC
13E009_Elliott_Financial
Page 1 of 4

January 20, 2014

Union Rd. Properties Ltd
4486 Walker Rd.
Kelowna BC V1W 1Z6
ATTN: Bob Elliott

Via Email: elliottfinancial@telus.net

RE: Summary of Agricultural Capability Assessments for a proposed ALR 'Exchange'

Agricultural Capability Assessment, June 2013 (PROPOSED INCLUSION)
Northeast 1/4 Section 31, Township 41, ODYD, PID 013-585-398,
(McKlimes Rd, Lumby BC)

Agricultural Capability Assessment, January 2014 (PROPOSED EXCLUSION)
Lot A, Plan 75150 (1982-1984 Union Rd. Kelowna, BC)
Lot B, Plan 75150, PID 025-883-372 (1980 Union Rd. Kelowna, BC)
Lot 12, Block 5, Plan 896, PID 012-018-481 (2048 Union Rd. Kelowna, BC)
That Part of Lot 12, Block 5, Section 4, Township 23, ODYD, Plan 896,
Shown as Parcel 12 on Plan H8323, PID 025-283-979
That Part of Lot 12, Block 5, Section 4, Township 23, ODYD, Plan 896,
Shown Outlined in Green on Plan H8323, PID 025-283-995

INTRODUCTION

Valhalla Environmental was retained by Bob Elliott of Union Rd. Properties Ltd. to perform detailed Agricultural Capability Assessments of the above noted properties, to explore the opportunity of an ALR 'exchange' of parcels. The purpose of this document is to summarize the findings of the Agricultural Capability Assessments for both the proposed inclusion parcel (Lumby) and the proposed exclusion parcel (Kelowna).

EXCHANGE DETAILS

The proposed exchange ratio is approximately 6:1 (inclusion/exclusion) and will occur entirely within the Okanagan region. Table 1., below summarizes the agricultural capability of each parcel under consideration.

Table 1. Exchange Summary Comparison Displaying Agricultural Capability, Areas and Current Availability for Agriculture

	Parcel for Inclusion			Parcel for Exclusion				
	Unimproved	Improved	Size (ha)	Area %	Unimproved	Improved	Size (ha)	Area %
Agricultural Capability	Class 4AT	Class 4TP	18,365	29%	Class 5AD	Class 4D	2,975	28%
	Class 4AT	Class 3TP	43,159	68%	Class 5A	Class 3D	1,857	17%
	<i>Cleared for Agriculture</i>		61,524	98%	Class 5A	Class 3A*P	1,411	13%
					Class 5AT	Class 3A*3T	1,053	10%
					Class 5AD	Class 2A	0,868	8%
					Class 5A	Class *2PA	0,366	3%
					<i>Available to Agriculture</i>		8,530	80%
	Class 4AT	Class 4TP	1,500	2%	<i>Unavailable to Agriculture</i>		2,098	20%
	<i>Forested Portion</i>		1,500	2%				
	Total		63,024	100%			10,628	100%

* Indicates improved capability with limitation classifications for tree fruits and grapes.

PROPOSED INCLUSION PARCEL

The parcel proposed for inclusion (Inclusion Parcel) is a single lot on McKinnes Rd., in Lumby, BC. The lot is legally described as Northeast ¼ Section 31, Township 41, ODYD, PID 013-585-398. This parcel is approximately 63.014 ha (155.7acres) in size. The parcel is southward sloping with rolling topography. The Inclusion Parcel is located in a rural/residential area east of the City of Lumby, BC. The parcel was cleared of trees in the 1970s for agricultural purposes. This parcel is outside the ALR, see attached Figure 1 for more detail.

The agricultural capability of the Inclusion Parcel is limited by soil moisture deficiencies, topography, and stoniness. Site topography and soil characteristics are relatively consistent across the parcel. Supplemental irrigation during the dry months is the primary improvement proposed for the Inclusion Parcel. The results of the Agricultural Capability Assessment indicate that this improvement would be feasible for the entire parcel. The recent agricultural capability assessment rated the Inclusion Property at Class 4, improvable to Class 3 to 4. All areas of this parcel are available for agriculture.

With improved agricultural capability ratings of Class 3 and 4, and a history of agricultural use including grain crops (barley and oats), hay production and grazing, the parcel has proven agricultural capability and suitability. The recent lack of agricultural activity on the parcel has allowed invasive species encroachment, primarily sulphur cinquefoil. With proper management this parcel could once again provide benefit to the local agricultural capacity of the Lumby region. Detailed agricultural capability, and ALR mapping pertaining to this parcel is provided on Figures 1 and 2, attached.

PROPOSED EXCLUSION PARCEL

The parcel proposed for exclusion (Exclusion Parcel) encompasses +/- 10,628 ha (26.3 acres) of land within the ALR. The exclusion parcel is located in a

rural/residential area of the City of Kelowna, BC. This parcel has a history of agricultural use including tree fruits and hay. The Exclusion Parcel is entirely within the ALR. The parcel consists of five lots:

- o Lot A, Plan 75150 (1982-1984 Union Rd. Kelowna, BC)
- o Lot B, Plan 75150, PID 025-883-372 (1980 Union Rd. Kelowna, BC)
- o Lot 12, Block 5, Plan 896, PID 012-018-481 (2048 Union Rd. Kelowna, BC)
- o That Part of Lot 12, Block 5, Section 4, Township 23, ODYD, Plan 896, Shown as Parcel 12 on Plan H8323, PID 025-283-979
- o That Part of Lot 12, Block 5, Section 4, Township 23, ODYD, Plan 896, Shown Outlined in Green on Plan H8323, PID 025-283-995

The agricultural capability of the Exclusion Parcel is limited by soil moisture deficiencies, soil structure, topography, and stoniness. The topography and soil characteristics of this parcel are variable and fragmented. As a result, the recent agricultural capability assessment rated the Exclusion Parcel at Class 5, improvable to Class 2 to 4. Approximately 20% of this parcel is not available for agriculture.

With Class 5 capability improvable to Class 2 to Class 4, this parcel exhibits low to moderately high agricultural capability. As a result of the diverse history of development and topographical limitations the areas suitable to agriculture are fragmented on this parcel rather than contiguous. The parcel has been farmed since the 1950s and 1960s with poor to moderate success as reported by previous land owners and the current farmer. Exclusion of this parcel from the ALR would represent a minor decrease in local agricultural capacity. Detailed agricultural capability and ALR mapping pertaining to the Exclusion Parcel is provided on Figures 3 and 4 attached.

FUTURE OCP USE OF THE EXCLUSION PARCEL

A portion of the exclusion parcel has been designated for future use in the City of Kelowna OCP. Approximately 1.632 ha of the land that is currently available to agriculture on the exclusion parcel is indicated in the OCP for a future road straightening project for Union rd. and Valley Rd. The following Table 2 outlines a summary of land areas by agricultural capability currently and after this proposed road straightening project.

Table 2. Exclusion Parcel Comparison Chart Showing Current Areas Available to Agriculture and Areas Available to Agriculture after the OCP Road Straightening Project

Parcel for Exclusion, Current		OCP Future Use				
Unimproved	Improved	OCP Area Change	Size (ha)	Area %		
Class 5AD	Class 4D	2.975	28%	-0.5712	2.404	23%
Class 5A	Class 3D	1.857	17%	-1.0608	0.797	7%
Class 5A	Class 3A*P	1.411	13%	-	1.411	13%
Class 5AT	Class 3A*3T	1.053	10%	-	1.053	10%
Class 5AD	Class 2A	0.868	8%	-	0.868	8%
Class 5A	Class *2PA	0.366	3%	-	0.366	3%
<i>Total Net Farmable</i>		8.530	80%		6.898	65%
Unavailable to Agriculture		2.098	20%	1.632	3.730	35%
Total	10.628	100%			10.628	100%

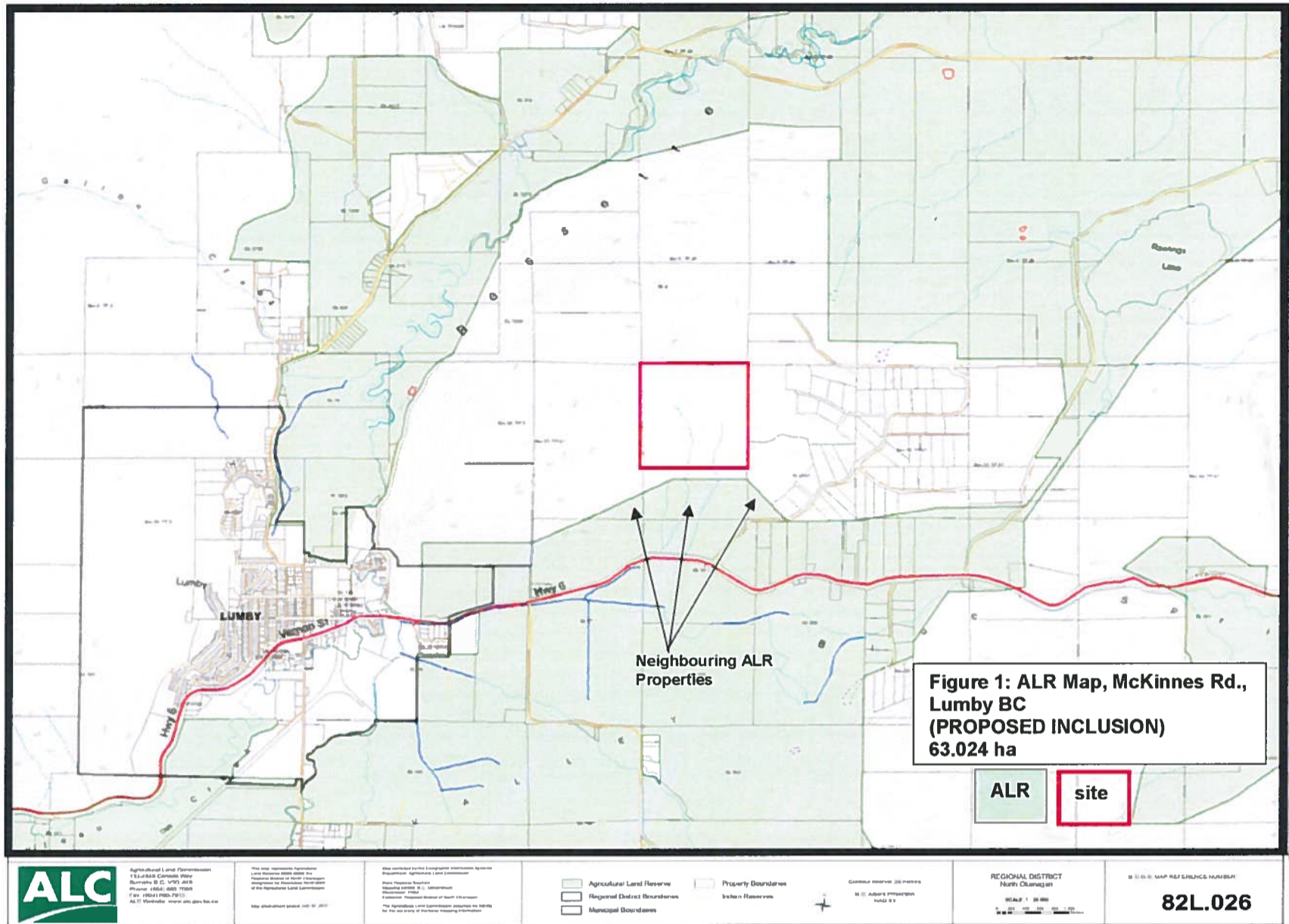
RESULTS OF THE EXCHANGE

- o The proposed 'exchange' would add a net +/-50 ha of moderate to high capability agricultural land to the ALR in the Okanagan region.
- o The exchange ratio for total area in the ALR is approximately 6:1 (Inclusion : exclusion).
- o The exchange ratio for land currently available to agriculture is approximately 7:1 (inclusion : exclusion).
- o Should the road straightening project indicated in the City of Kelowna OCP proceed, the exchange ratio for land available to agriculture is approximately 9:1 (inclusion : exclusion)

I trust this document meets your needs.

Respectfully Submitted,

Matthew Davidson, P.Ag.



CAPABILITY CLASSIFICATIONS

5AP - Unimproved Rating

(3AP) - Improved Rating

*The asterisk is used with the Modified Land Capability Classification for Tree Fruits and Grapes.

It indicates the modified topography and/or stoniness classes have been used.

CLASS RATINGS

1. Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.
2. Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
3. Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
4. Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.
5. Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
6. Land in this class is nonarable but is capable of producing native and/or uncultivated perennial forage crops.
7. Land in this class has no capability for arable culture or sustained natural grazing.

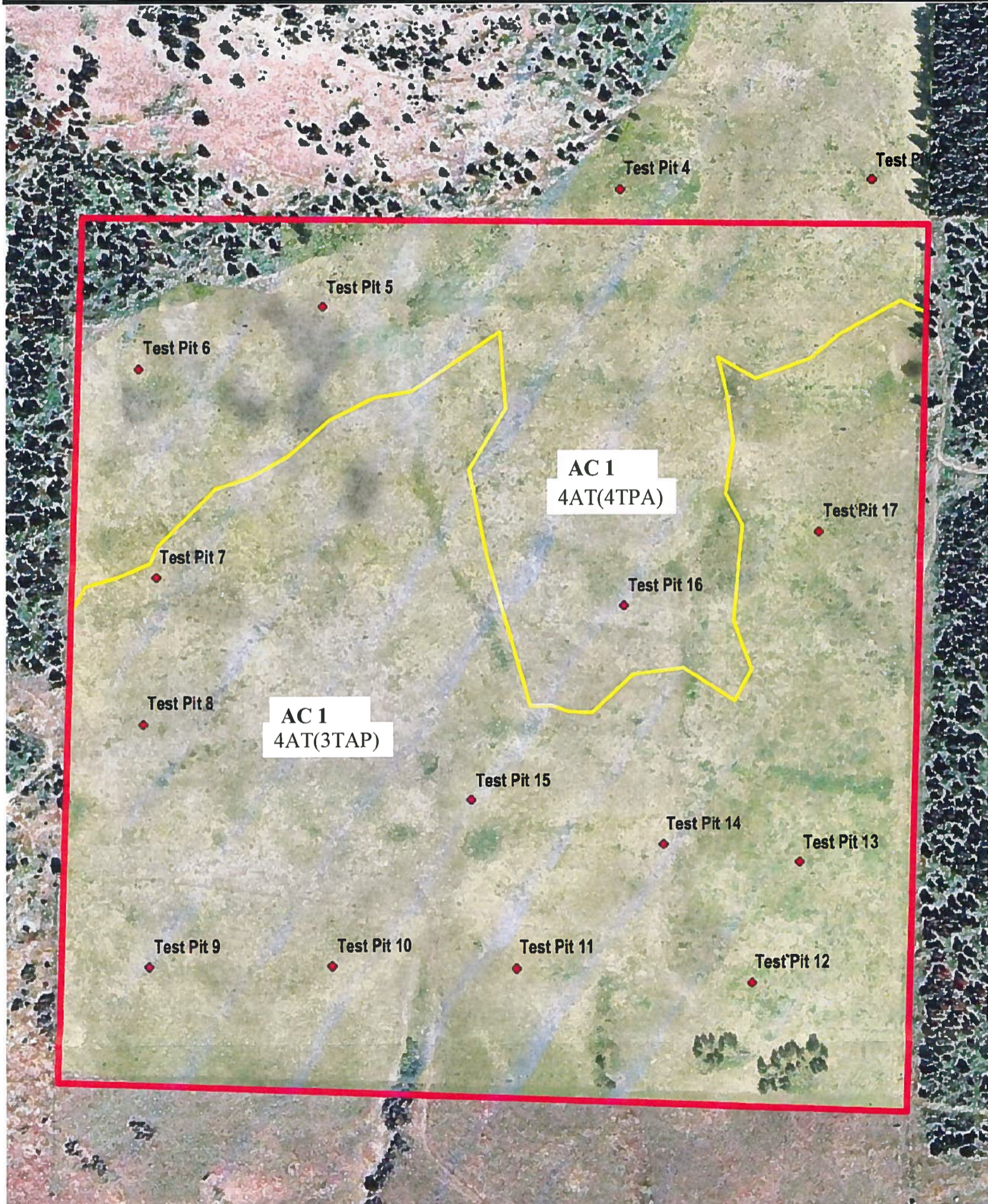


Figure 2: Agricultural Capability Units and Test Pit Mapping, Subject Parcel, McKinnes Rd. Lumby BC (PROPOSED INCLUSION)

Photo orthomosaic of the Subject Parcel captured on May 17th 2013, showing current condition

1:4000



Legend	
Subject Property	
Agricultural Capability Boundaries	
Test Pits	

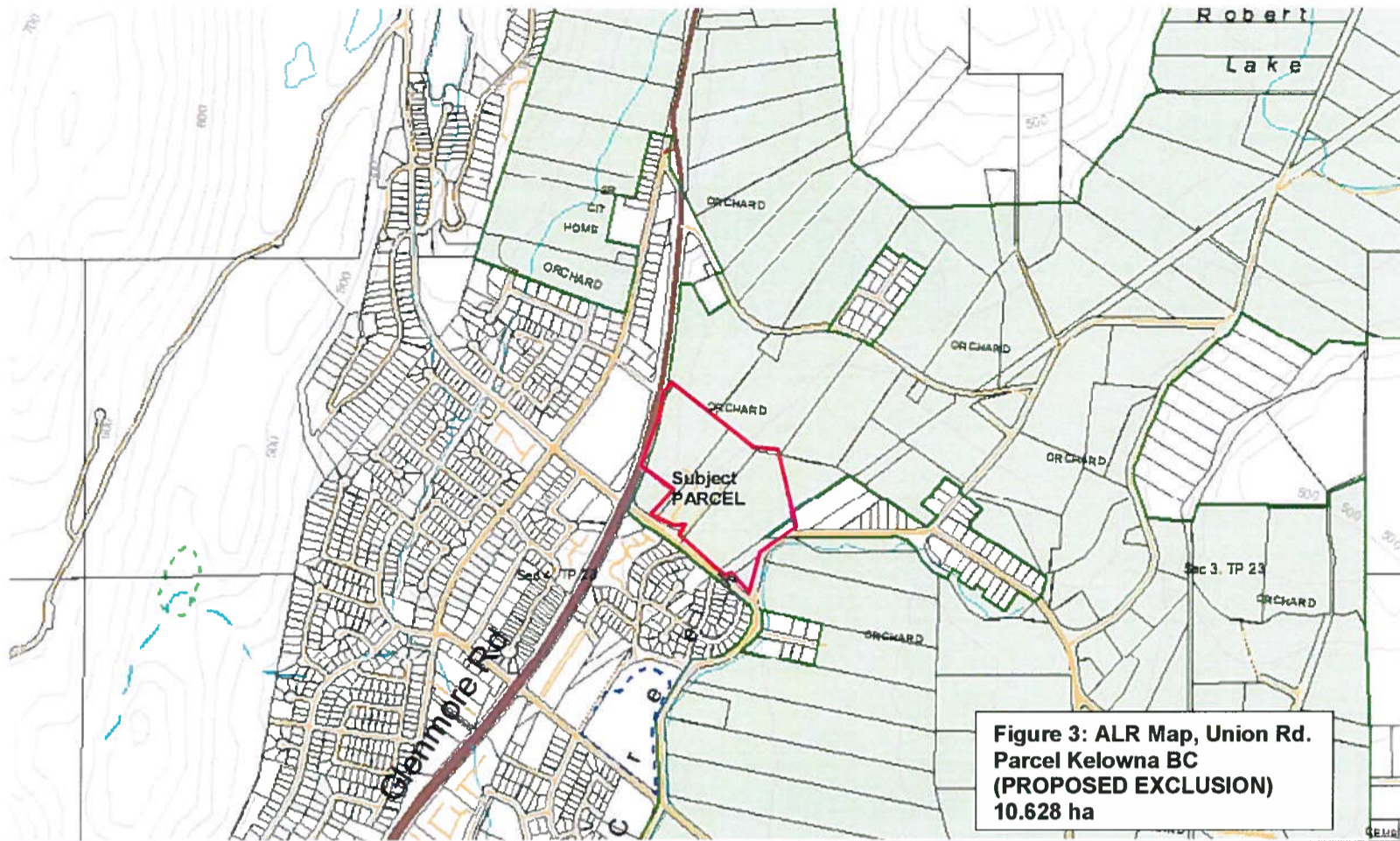


Figure 3: ALR Map, Union Rd. Parcel Kelowna BC (PROPOSED EXCLUSION) 10.628 ha

<p>ALC AGRICULTURAL LAND COMMISSION 25,2600 Columbia Street Burnaby B.C. V5A 4R5 Phone: 604-456-7800 Fax: 604-456-7810 E: T. Anderson, m.rose@gac.bc.ca</p>	<p>This map is a reproduction of the original map for the Agricultural Land Reserve. It is not a legal document and should not be used for legal purposes. The map is for informational purposes only.</p>	<p>Map prepared by the Agricultural Land Commission. The map is based on the Agricultural Land Reserve. The map is for informational purposes only.</p>	<p>Agri-land Reserve</p>	<p>Primary Parks</p>	<p>Other Reserves</p>	<p>REGIONAL DISTRICT Central Okanagan 82E.093</p>
			<p>Regional District Boundaries</p>	<p>Municipal Boundaries</p>	<p>Other Reserves</p>	

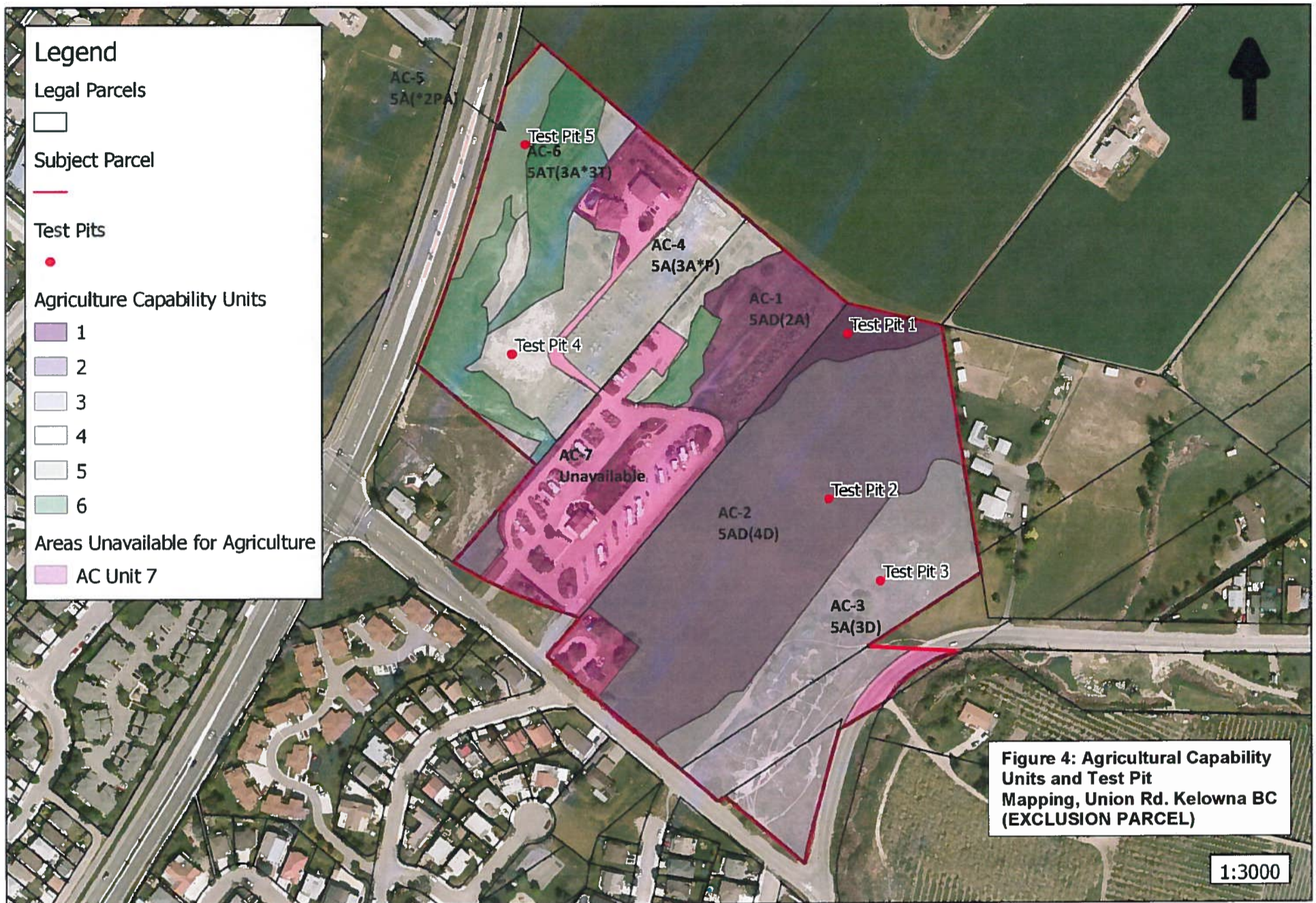


Figure 4: Agricultural Capability Units and Test Pit Mapping, Union Rd. Kelowna BC (EXCLUSION PARCEL)

1:3000

CAPABILITY CLASSIFICATIONS

5AP - Unimproved Rating

(3AP) - Improved Rating

*The asterisk is used with the Modified Land Capability Classification for Tree Fruits and Grapes.

It indicates the modified topography and/or stoniness classes have been used.

CLASS RATINGS

1. Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.
2. Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
3. Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
4. Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.
5. Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
6. Land in this class is nonarable but is capable of producing native and/or uncultivated perennial forage crops.
7. Land in this class has no capability for arable culture or sustained natural grazing.

April 11, 2014

Memo to Melanie Steppuhn, City of Kelowna

Copy to Protech Consultants – Grant Maddock

RE: Agricultural land Exclusion – your file #A14-0002

Further to our telephone discussion yesterday, I wish to confirm the process going forward. You are awaiting for the approved AAC minutes of March 27, 2014 dealing with this matter. You expect that to happen at the AAC's next meeting on April 24, 2014 and then the approved minutes will be posted on the City website. After that you will prepare another report for City Council with a recommendation and forward it to the appropriate people – us? – and proceed to get the matter on the next available Council meeting agenda. At that meeting we will be provided 15 minutes to present to Council and take questions from them.

I also want to see the March 27, 2014 AAC minutes and perhaps revise our previous exclusion package to the City taking into account matters that came up at the AAC meeting. So I would ask that you not finalize your report until I contact you after I or Grant Maddock have reviewed the AAC minutes – hopefully by April 30, 2014.

In the meantime, to assist you in preparing the Report to Council, I provide you with the following comments and information (consider it to be an amendment to the exclusion package we have already provided you):

Inclusion Land near Lumby (page 14 and 15 of application package)

The owners of the Exclusion lands (Union Road) have committed \$475,000.00 to the Ferries (owners of the Inclusion Lands) to assist them in constructing the irrigation well at an estimated cost of \$100,000.00 and to generally provide funds to assist them in preparing the land and restarting the farming operations (cow-calf and asparagus and huckleberry growing).

The Inclusion Lands are currently zoned "CR" – country residential which allows for subdivision of the land into parcels no smaller than 2.0 HA (5 acres). It is noted that the land is not zoned Agriculture. The land immediately to the east along Louie View Drive (also CR zone) consisting of about 12 lots was owned by the Ferries and has been developed as 2 HA residential acreages and sold with the purchasers constructing large homes with outbuildings such as large garages, shops and small barns. In fact all of the land in the immediate vicinity to the Inclusion Lands and zoned CR has been over the years fully developed as country residential (up McInnes Road from Highway 6 and east and west on Louie View Drive). IN THE ABSENCE OF THE INCLUSION LANDS STAYING OUT OF THE ALR, IT MUST BE ASSUMED THAT THE PROPOSED INCLUSION LANDS WOULD EVENTUALLY BE SUBDIVIDED AND DEVELOPED INTO RESIDENTIAL THE SAME AS THE NEIGHBORING LANDS TO THE EAST.

I attach a Zoning Map of the area to show these facts. The light beige color is the CR zone and the inclusion land is TWP 41 – NE1/4.

Also in the Agrology report prepared by Calissi (copy in your files) at page 3 (last page) he refers to the fact that the land would be capable of other higher valued crops such as huckleberries and asparagus. In

your report to the AAC at paragraph 3.2 – 5th paragraph – your refer to “Potential crops include vegetables including lettuce, broccoli and sweet corn” – please add huckleberries and asparagus since the Ferries intend to plant a portion of the Inclusion land in such crops.

Union Road Agricultural Capability

For the report to City Counsellors, you have agreed to restate your paragraph 3.1 to reflect the facts in the Valhalla Capability Assessment and as summarized on the Valhalla email dated March 25, 2014 (attached). I also include our analysis and comparison of the agricultural capabilities of the Inclusion Land and the Exclusion land which was taken from the two Valhalla Capability Assessment reports. This analysis was presented by us at the AAC.

Union Road land available for agriculture

We have presented a reconciliation of gross HA to what we consider to be net HA on Table A of our exclusion package that you have in your files. I suppose it could be argued that the land under the main residential house and shop and Agra Tourist Facility could be available for agriculture if it was not there. However it cannot be argued that the land set aside in Kelowna’s OCP for the Union Road subdivision and residential to the south can be available for future agriculture. So, for your consideration, I have attached a revised schedule of HA involved to come to a maximum of 8.778HA that might be considered available for agriculture.

As there was a question at the AAC meeting about the land to the south of the new road alignment, I will have Grant send you another map, just showing this land and future use which clearly shows the residential lots and tying into the residential subdivision to the south.

Agra Tourist Facility

This is a properly approved use by the ALC (copy of letter attached) and all the required City of Kelowna building permits were obtained at the time.

In the report to the Mayor and Counsellors please refer to this facility as an “Agra tourist Facility” versus a “RV Park”.

Agrology report versus Agricultural Capability Assessment

In the original exclusion package to you we included 3 agricultural reports:

- Valhalla Agricultural Capability Assessment report on Union Road Land
- Valhalla Agricultural Capability Assessment report on the Ferrie Land
- Calissi Agrology Report on the Ferrie land.

In your report to the AAC you use these terms interchangeably although in your footnotes you refer to the correct report. I believe when you are referring to the Valhalla report(s) the correct term is “Agricultural Capability Assessment” versus “agrology report”.

Thank you – Bob Elliott (co-owner of Exclusion Lands)

Bob Elliott

From: mattrdavidson@gmail.com on behalf of Matt Davidson <matt@valhallaconsulting.ca>
Sent: Tuesday, March 25, 2014 3:45 PM
To: Grant Maddock
Cc: Bob Elliott
Subject: RE City Report Section 3.1

Thanks Grant.

Regarding Section 3.1 of the City of Kelowna's. Report to Committee, March 19 2014.

It looks like the City report refers to the Climatic Capability in place of Agricultural Capability in section 3.1. It is unfortunate that both assessment terms have the word "capability". Agricultural Capability considers climatic capability but that is not the only component. Agricultural Capability also considers topography, soil structure, erosion, fertility, inundation, stoniness, depth to bedrock, excess water etc.... The Subject Parcel in this case is limited by soil moisture deficiencies (which is a climatic/soil concern), topography, stoniness, and soil structure.

An excerpt from the Agricultural Capability report is provided below which summarizes the unimproved and improved ratings for this parcel (section 8.2).

"The results of this assessment suggest that these improvements would be feasible for the 80% Subject Parcel and the agricultural capability ratings are expected to improve from:

- o Class 5 to Class 4 for 28% of the Parcel.
- o Class 5 to Class 3 for 30% of the Parcel.
- o Class 5 to Class *3 for 10% of the Parcel.
- o Class 5 to Class 2 for 8% of the Parcel.
- o Class 5 to Class *2 for 3% of the Parcel.

The remaining +/- 20% of the parcel is unavailable to agriculture. The * indicates improved capability with limitation classifications for tree fruits and grapes."

As well I would refer you to Table 2 and Figure 4 of the Agricultural Capability Summary (pgs 21 and 25 respectively of the City report package). This table and figure are specific to the Union Rd parcel and indicated improved and unimproved ratings per mapped areas. Eg. 5:A(3D) indicates unimproved Class 5 and improved Class 3.

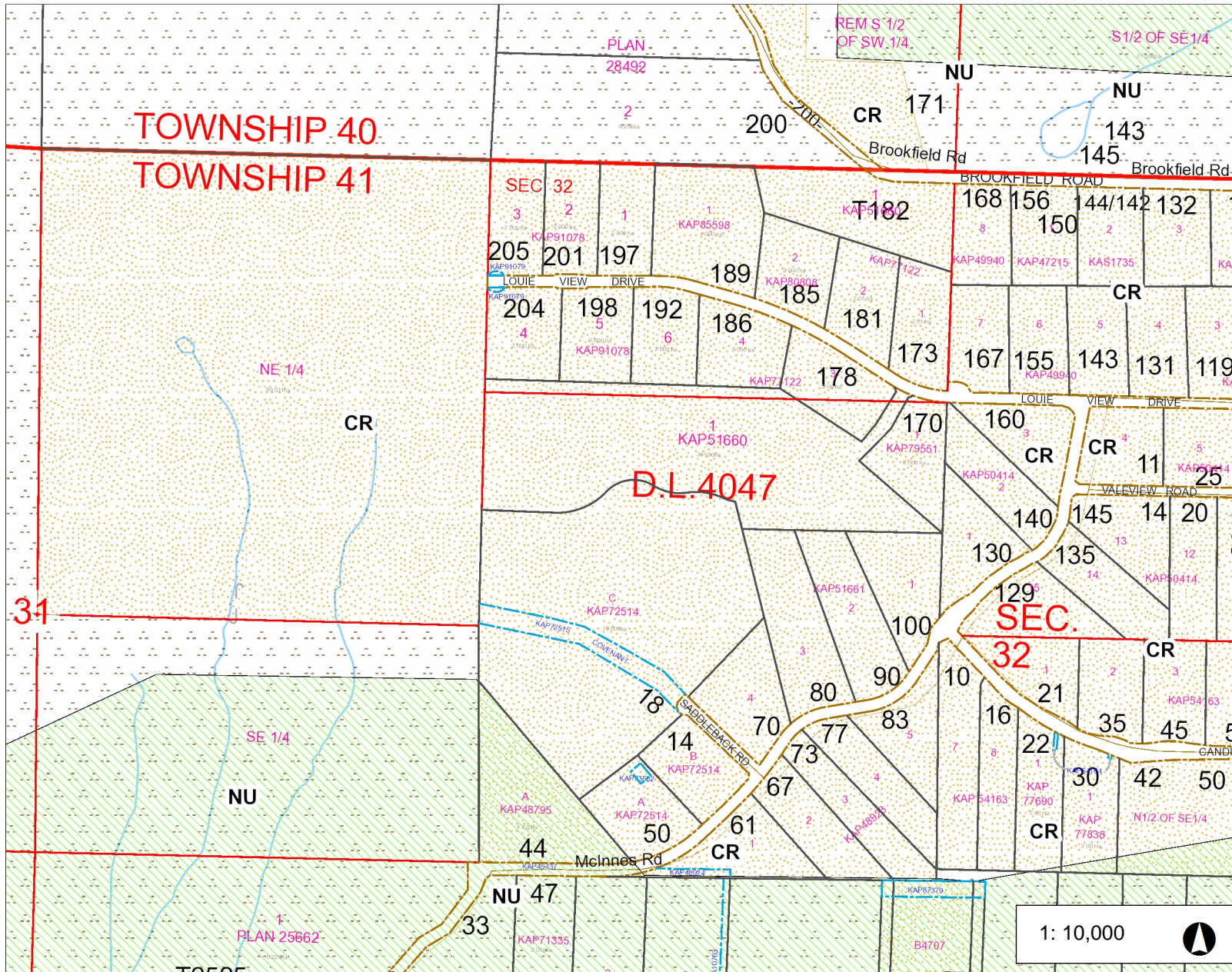
Please let me know if you require any further information at this time.

Kind Regards,
Matt Davidson

Matthew Davidson B.Sc. P.Ag., EP, AScT.
Environmental Scientist
Valhalla Environmental Consulting
Cell 1-250-307-7364
Office 1-250-275-1471 ext 3
www.valhallaconsulting.ca



Regional District of North Okanagan Mapping Site



- ### Legend
- Area B CAD Lines
 - Easement RW
 - Electrical RW
 - Gas RW
 - GVW RW
 - Railway RW
 - Roadway RW
 - Utility RW
 - GV Parks RW
 - LUC
 - Prop_SRW
 - Creeks
 - Hooks
 - LD_DL_LS
 - Lease Lot
 - Lot Lines
 - River
 - Strata Lot
 - Strata Rd
 - Stream
 - Swamp
 - Trailer Lot
 - Trailer Rd
 - TWP_RGE_LINE
 - Water Body
 - Int Bdry
 - Des Area Bdry
 - IR Bdry

1: 10,000



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Notes

Agrology Report

Agrology Assessment McInnes Road

NE 1/4, Section 31, Township 41 ODYD

PID 013-585-398

Lumby, BC

Prepared for:
Union Road Properties Ltd
4486 Walker Road
Kelowna, BC
V1W 1Z6

August 23, 2013

Prepared by:
James Calissi,
B.Sc, M.Sc., P.Ag.
Calissi Farms Inc.
3810 East Kelowna Road
Kelowna, BC
V1W 4H2

Scope

Mr. Bob Elliot has engaged James Calissi P.Ag of Calissi Farms Inc. to prepare an agrologist's report concerning a parcel of land on McInnes Road in Lumby BC. The property had received a climate and soils assessment by Valhalla Environmental Consulting Inc. This report is intended to assess the agricultural capability based on the Valhalla report and a site visit by James Calissi.

Site Description

The property consists of rolling hills, surrounded by hillside forests, sloping southward. The properties surrounding the land are used for forestry, grazing and rural residential or hobby type farms. The elevation of the farm is 650 meters.

Historically the land was forested, but was cleared in the 1970s and used for small grain and forage production. The land is not irrigated; however the land owner states that a water engineer believes there to be adequate ground water on the south west corner of the property. An electric pump could be installed, as there is electrical service to the western edge of the property.

The property consists of one title, totaling 61.5 hectares (152 acres) in size.

Soils

According to the Valhalla report, the soils are classified by the Ministry of Environment as Tunkwa, Chasm and Nickle Plate. These soils are described as loamy or silty soils with gravel and sand components mixed in. Calcium Carbonate deposits can be mixed into the top 30 cm. Their site inspection demonstrated that soils where 10 to 35 centimeters deep with less than 5% gravel content and that the soils were well drained. Their site inspection illustrated that the gravel content was not a major limiting factor to agricultural production.

The topography was 0 to 30% slopes with averages ranging from 6 to 13%.

Climate Capability for Agriculture

The Valhalla report reviewed climate data from the Ministry of Environment. Mapping by the Ministry of Environment describe the property as having 120 to 150 frost free days and 1505 to 1779 growing degree days (above 5 Celsius) and a risk of minimum temperatures near freezing that adversely affect plant growth during the growing season (Class 1aF) and the risk of insufficient heat units during the growing season (Class 1aFG).

2

The land has good air drainage, with a southern exposure, with little risk of cold air settling on the land during cold air inversion periods.

I could not find site specific temperature data for the site. In my professional opinion, I feel that the risk of minimum temperatures, below 25 degrees Celsius is too great for some perennial crops, such as vinifera wine grapes and stone fruits, such as peaches. However, more hardy perennial crops such as apples may be suitable, but would require more climate research, and only varieties requiring less than 120 - 150 frost free days would be suitable. As an example, the apple variety McIntosh requires 140 frost free days and Red Delicious requires 160 frost free days.

Agricultural Capability

The agricultural capability of the land is considered 4AT in an unimproved state. This refers to a class 4 land due to aridity and stoniness. With irrigation, the aridity constraint can be eliminated. Valahalla's site inspection felt that stoniness was not a major constraint to agriculture, and that once the land was irrigated it would be improved to a Class 1.

Class 1 land either has no or very slight limitations that restrict its use for the production of common agricultural crops.

Class 4 land is considered to have limitations which make it suitable only for a few crop, or the yield for a wide range of crops is low, or the risk of crop failure is high, or the soil conditions are such that special development and management practices are required.

Class 1 land with a good climate, is suitable for a host of crops. As mentioned above, there is concern over the risk of winter injury to some perennial plants such as vinifera grapes, peaches, sweet cherries and perhaps apples. However other horticultural crops could be produced.

Higher valued vegetable crops would be suitable. The range of these crops is large. Many cool season crops, such as lettuce, require 60 growing days, broccoli requires 80 growing day, Sweet corn requires 80 growing days. All of these are well within the 120 to 150 frost free days. Hot season crops such as tomatoes and eggplants could be produced but would be more economically challenged than competing regions, with better heat units in the Okanagan. I would caution the planting of root crops, such as potatoes due to the stone content of the soil.

Woody ornamentals could be easily produced, especially winter hardy species destined for the Canadian prairie market. The extremes of topography may pose a challenge to the operator, especially if containerized production systems are used.

Other higher valued perennial crops, which have come into demand recently, are Huckleberries. Huckleberries have been largely harvested as a wild crop in the Pacific Northwest, including areas in southeastern British Columbia. Botanically the plants are a relative of blueberries but are more winter hardy. From a climate perspective the site is suitable for huckleberry production. Soils may need to be acidified with sulfur or sulfates to accommodate soil pH needs. There are several species of huckleberries. The website www.wildhuckleberry.com is a good starting reference.

Asparagus, mostly noted as a vegetable, is a perennial crop. It can be grown on the site; since the plant overwinters underground and winter temperatures are of less concern. The crop will grow in a wide range of soils and prefers well drained soils. The amount of gravel in the soils should not present a challenge to the production of the crop.

As with any newly grown crop, farmers should be cautioned to plant a trial planting first before a larger scale planting to ensure the site truly meets economic expectations.

Annual grains and forage crops would be suitable for production as well.

Summary

The land is a parcel of Class 4 land which can be improved to Class 1 land with irrigation. The soils are loamy / silty with less than 5% stoniness, and are well suited (from a soils point of view) to a wide range of crop production, including higher valued horticultural crops. The topography of land is moderately sloping but has some extreme 30% slopes. These extremes occupy less than 5% of the land and do not impose a great cropping impediment.

The climate is a cooler Okanagan climate. The heat units and frost free periods are adequate for the production of apples. In fact, the climate is similar to higher elevation orchards in South Kelowna and the Glenmore valley of Kelowna. Of more concern are cold winter temperatures, below 25 degrees Celsius which can cause winter injury and death to perennial plants. This factor is unknown and cannot be commented on in this report. However, even if this were a high risk factor, there are many high valued annual vegetables crops that can be produced, due to the high class of soil and summer climate. In addition, the site is suitable for hardy ornamental production.

References

1. Land Capability Assessment, McKinnes Road, Lumby, BC, NE 1/4, Section 31, Township 41 ODYD PIDs 013-585-398, 023-627-042. Valhalla Environmental Consulting Inc.

January 15, 2014
#108-1311 Rd. on Ave
Kelowna B.C.

Mr. Shelley Gambaent
City of Kelowna
1435 Water Street
Kelowna, B.C.
V1Y 1S4

RECEIVED

JAN 17 2014

City of Kelowna
Subdivision, Agriculture, & Environment

Dear Mr. Gambaent:

I am writing - regards to your three notices: "Notice of Excursion application regarding Land in the Agricultural Land Reserve,"

Looking to the future, for our children, I am totally against any move to exclude ^{land} from the Agricultural Land Reserve.

We are importing more and more foods from other countries, which is a unwise move. Saving our agricultural land is a responsibility of our governments to our future generations.

I hope our Kelowna Council will ^{show} responsibility and leadership in this regard.

Thank you.

Yours sincerely
Pat Thomson

Triple R Orchards Corp.
c/o Garry Rieger,
3940 Senger Road,
Kelowna, BC V1W 4S4
250-860-1149, cell 250-212-0836

RECEIVED

JAN 22 2014

City of Kelowna
Subdivision, Agriculture, & Environment

January 17, 2014

Agricultural Land Commission,
133 – 4940 Canada Way,
Burnaby, BC V5G 4K6

Re: ALC exclusion request – see attached copy of properties in question.

Dear Sir/Madame,

I am writing in regards to the ALR exclusion request of the attached mentioned lands controlled by the ALC.

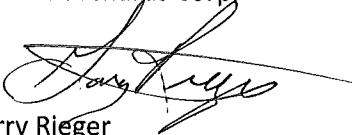
I am also an ALR land owner within the city limits of Kelowna, with subdivision around my lands. I have a Mobile Home Park on my ALR land, which was there prior to the implementing of the ALR in 1973. The ALC shut me down prior to developing all my lands. Having land in the ALR virtually decreases the value of the land to the point of losing more than 50% of the land's value. This allows the government of B.C. to steal my land value with no compensation. Farming is dead in the city of Kelowna, as agriculture does not return income that is needed to cover the expenses and value of the ALR land within the City limits of Kelowna. I am totally against any land being excluded from the ALR, unless the ALC removes all lands within the ALR.

How can the ALC give preferable treatment to some ALR land owners, including the City and not to ALL ALR land owners? Does the ALC only exclude ALR land for the rich or politically connected? The first lands removed from the ALR in Kelowna was the land owned by Mr. Bennett, so why was I stopped from developing all my ALR land in 1973 when we had all the necessary approvals from the province?

I look forward to your response.

Thank you,

Triple R Orchards Corp,



Garry Rieger
President

Darlene Rojem,
2385 Scenic Road,
Kelowna, B.C. V1V 2C8
250-763-8330

January 17, 2014

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

Dear Ms. Gambacort,

Re: Letter from Protech Consulting dated January 9, 2014, regarding pending ALR exclusion application.

I wish to comment on the pending application to remove properties of the advertised legal descriptions, from the ALR, by the City of Kelowna, Union Road Properties and MMC Corp. Inc.

I am against the proposal to have the said lands removed from the ALR for the purpose of developing rental properties, compact market housing or any other such development.

In the City of Kelowna's Official Community Plan (revised May 21, 2013) the said lands North of Union Road are not within the current 20 year plan. The lands being applied for are listed in the 'Resource Protection Area's (REP's)' and are as well outside of the 'Permanent Growth Boundary (PGB)' in the OCP. The OCP states that the City will not support exclusion of lands which are within the REP's or outside of the PGB designation with the exception to satisfy civic objectives for the provision of parks-recreation uses. None of the applications comply with the City Council approved Official Community Plan and thus should not be supported by the City for ALR exclusion by the ALC.

We have enough hassle with trespassers walking to bus and schools and walking pets going through our property now. I have had to totally chain link fence my property to stop people from walking through my fields, and they still continue to trespass. With this type of proposal it will become even worse. What will happen when I have to do farming activities in the late evening and very early morning with the amount of complaints I will be receiving? The complaints will be a nightmare, but I can do nothing about what has to be done to complete my farming activities.

Also, the land being removed is even better than my property for farming, as it is not restricted by frost as mine is. That is why I can only produce hay on my parcels and not fruit. I do not understand how the areas requesting exclusion can be deemed removable and mine not.

I have subdivision across the road from me on Scenic, also residential below me on Scenic and Glenmore, and a large playfield next to me on Scenic and Valley North. Why am I subject to even more population density and be left in the ALR?

I request a letter from the Mayor and Council guaranteeing their support for my ALR exclusion application if the above properties receive City support.

Sincerely,

Darlene Rojem

January 27, 2014

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

Attn.: Ms. Shelley Gambacourt

**Re: Notice of Exclusion Application regarding land in the
Agricultural Land Reserve**

Land: Lot 12, Plan 896, 2048 Union Road

Land: Lot A & B, 1982 & 1980 Union Road

Land: Unused Road Plan H 8323 Union Road

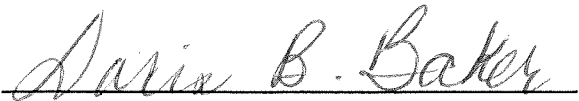
Our property borders the East side of lot 12.

We are in favour of the exclusion from the ALR for the above properties.

Sydney Craig Baker



Doris B. Baker



Lot 9, 202 Valley Road North

March 18, 2014

City of Kelowna

Community Planning & Real Estate Division
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Deb Champion [via email: dchampion@kelowna.ca]

Re: ALR Application A14-0002

Our initial reply to this pending application dated January 17, 2014 [attached] was submitted prior to the deadline of Jan 31/14 as advertised. It is now known that the applicants did not have their application package to the City nor available to the public for viewing or comment prior to the advertised date. It was not until Feb 25, 2014 that the application was sent out for referrals. In light of this I believe it only fair that as a neighboring property we are allowed to present additional comments based on the complete application package.

1. The exchange of the 6.898ha of agricultural land within the City of Kelowna limits for the inclusion application lands in Lumby has no benefit to the local Kelowna residents.
2. Protech states the OCP Future Transportation Plan identifies the re-alignment of Union Road. The current alignment varies from the 2008/09 final version provided by the City we have seen. Either alignment shows a small residential component on the remaining lands South of the alignment. I would agree the lands South of the future Union Road could be considered for removal from the ALR for the reasoning that the alignment change is for the greater good of the community as the current Valley Road/ Union Road intersection is not safe due to very poor sight lines. A reasonable compromise may be to allow the City to remove the lands required for the alignment from the ALR, sell or exchange the remaining Southern portion of lot 12 plan 896 and plan H8323 to the owner of lot 2048 Union Road, lot 12 plan 896 for residential development as shown on Protechs exhibit #12. The owner of lot 12, 2048 Union Road should be required to reestablish the Eastern portion of this property to a producing agricultural state. This at least has a minimal variance to the current farmed area.
3. I find that the City's involvement contradicts the OCP Agricultural Land Use Policies chapter 5 objective 5.33, policy 1, 2, and 7 and has allowed their own land to remain unfarmed, unmaintained, and basically derelict for years leaving the public to believe this land is not viable. In fact this land and the other lands listed in the application for exclusion had been viably farmed since the early 1900's.
4. The other lands included in the application, such as lot A- 1982 and lot B- 1980 Union Road, were also once profitable farm lands since that same time period. I do not feel it is just to allow the owners to profit from the the destruction of farmland by the previous owner using a D-8 Cat to turn the once farmland into a motorcycle racetrack and paving over the area which once grew fruit trees to an Agri-tourism R.V. Park.
5. The agricultural/rural buffer proposed is insufficient and has not worked with any success in other developed areas. I note the Day property on Benvolin Road as example. People who move into these areas do not understand the Right to Farm Act and the necessity at times to farm outside the City Noise Bylaw timeframes creating disgruntled neighbors and false bylaw infraction claims. In one section of the proposal they list a 10m lane, landscaped buffer and fence. Another section only list the lane and landscaping. Without a reasonable fence the neighboring properties will be treated as a dog park and playground for those who do not believe they are hurting anything and do not respect private property.
6. In regards to the Ferris land in Lumby I note that the assumption that a well capable of 300 usgpm is very presumptuous. In order to validate a claim of reliable aquifer capacity, a test well needs to be drilled and a hydrologist retained to oversee a well drawdown test in order to confirm the available flow. Schibli Drilling is well known to the industry, but his assumption is a guess. Neighboring wells need to be monitored at the same time to properly calculate the storage capacity and sustainability of that flow.
7. I find it concerning that they offer a letter of Credit of \$50,000.00 when they estimate the well will cost \$100,000.00 according to their estimate. Typically any performance bonds are for 125% of the projects value.
8. The soil moisture requirements for land of this nature is around 5 to 5.5 usgpm per acre. The 63.024ha [155.732 acres]. would require a well capable of over 775 usgpm to adequately irrigate this property.
9. The Valhalla report list that shallow rooted plantings would do well as only 10-35cm of soil exist over?. The indication of shallow soils and shallow root plantings indicate a high soil moisture requirement as well.

10. With the operational cost and increasing power cost to operate a well what commitment is there from the landowners to maintain its operation?

These are all concerns the Agricultural Land Commission needs to be aware of prior to making a decision on this application.

Your Truly

Darlene Rojem
2335 Scenic Road , Kelowna, B.C.
V1V 2C8
250-763-8330

Yellow Rose Ventures Ltd
Box 334-101-1865 Dilworth Drive
Kelowna, BC
V1Y 9T1

February 17, 2014

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

Att: Ms Shelley Gambacort

We have received the letter dated January 9, 2014 from Protech Consulting relating to an ALC Exclusion application for Lot A and B, Sec 4 Twp23 ODYD, Plan KAP60991 at 1982 and 1980 Union road, Kelowna, BC (copy of letter attached).

We own the property on the corner of Union Road and Glenmore Drive - 1952 Union Road, Kelowna - which land abuts both Lot A and B.

We have no objections to the above noted properties being excluded from the ALR.

Yours Truly



James Eidse, Owner

PROTECH

CONSULTING 2012

#200 - 1461 ST PAUL STREET, KELOWNA, B.C. V1Y 2E4
TELEPHONE 250-860-1771 • FAX 250-860-1994
www.protech-consulting.com

January 9, 2014
Our File 12088

Yellow Rose Ventures Ltd.
Box 334 - 101 - 1865 Dilworth Drive
Kelowna, B.C. V1Y 9T1

Dear Sir or Madam:

Re: Your Property: P.I.D. 024-018-864 Lot 1, Sec 4, Twp 23, ODYD, Plan KAP60991
Registered Owner: Yellow Rose Ventures Ltd.

ALC Exclusion Application under Sec. 30(1) of the Agricultural Land Commission Act

Lot A & B, Sec 4, Twp 23, ODYD, Plan KAP75150
1982 and 1980 Union Road, Kelowna, B.C.

Applicant: Protech Consulting 2012, agent for property owner MM Corp. Inc.

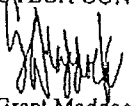
As per the Agricultural Land Commission's exclusion application requirements regarding notification of adjacent Agricultural Land Reserve property owners, attached please find copies of the following, namely:

1. Signed copy of the Exclusion Application by Land Owner
2. An Ortho of the subject properties
3. Proof of Advertising in local newspapers

Any questions or comments regarding the pending application can be forwarded to Ms. Shelley Gambacort, City of Kelowna, 1435 Water Street, Kelowna, B.C. V1Y 1J4 in writing on or before January 31, 2014.

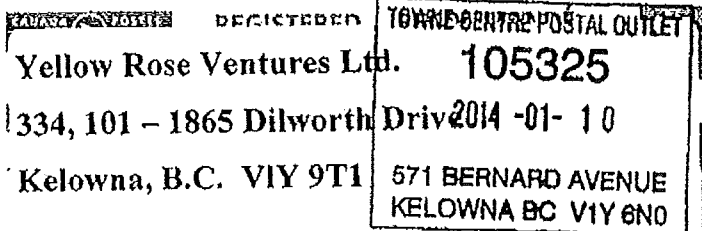
Yours truly,

PROTECH CONSULTING 2012


H. Grant Maddock

'sam
Encl.

Via Registered Mail



33-286-554 (11-04) RW 753 993 126 CA

CONSULTING ENGINEERS

Melanie Steppuhn

From: Lance Macdonald [amyandlance5@gmail.com]
Sent: Friday, May 02, 2014 10:57 AM
To: Melanie Steppuhn
Subject: A14-0002

The application to exclude this acreage from ALR should be denied.

I find it appalling that this particular property owner has been 'playing the game' for many years, leaving the majority of the property fallow while renting out RV parking pads.

The lands are supposed to be agricultural.

The owner clearly has no interest in agriculture, merely development.

So many owners of agricultural lands simply have their eyes on the cash out associated with subdivision and they, in my opinion, abuse the rules around temporary housing on agricultural lands in order to simply rent out RV spaces. I find this practice to be disgusting and clearly abusive of the spirit of the law.

I would hope this application and others like it are categorically denied.

We continue to give away truly valuable agricultural lands and take trade offs that can not be farmed in return.

Please accept this note as at least one very strongly felt vote against supporting this application for re-development.

REPORT TO COUNCIL



Date: May 9, 2014
RIM No. 1250-30
To: City Manager
From: Urban Planning, Community Planning & Real Estate (AR)
Application: Z14-0008 & OCP14-0006 **Owner:** 0781540 BC Ltd.,
Inc. No. BC0781540
Address: 560 & 582 McKay Avenue **Applicant:** G Group Land Development
(Andrew Gaucher)
Subject: Rezoning & Official Community Plan Amendment Applications
Existing OCP Designation: MRM - Multiple Unit Residential (Medium Density)
Proposed OCP Designation: MXR - Mixed Use (Residential/Commercial)
Existing Zone: RU6 - Two Dwelling Housing
Proposed Zone: C4 - Urban Centre Commercial

1.0 Recommendation

That Official Community Plan Bylaw Amendment No. OCP14-0006 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of Lot 12, District Lot 14, ODYD, Plan 3769, located at 560 McKay Avenue, Kelowna, BC; Lot 13, District Lot 14, ODYD, Plan 3769, located at 582 McKay Avenue, Kelowna, BC; and the portion of McKay Avenue to be closed adjacent to Lots 12 and 13, from the MRM - Multiple Unit Residential (Medium Density) designation to the MXR - Mixed Use (Residential/ Commercial) designation, as shown on Map "A" attached to the Report of the Urban Planning Department dated May 9, 2014, be considered by Council;

AND THAT Rezoning Application No. Z14-0008 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 12, District Lot 14, ODYD, Plan 3769, located at 560 McKay Avenue, Kelowna, BC; Lot 13, District Lot 14, ODYD, Plan 3769, located at 582 McKay Avenue, Kelowna, BC; and the portion of McKay Avenue to be closed adjacent to Lots 12 and 13, from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre Commercial zone, as shown on Map "B" attached to the Report of the Urban Planning Department dated May 9, 2014, be considered by Council;

AND THAT Council considers the APC public process under OCP07-0032 and Z07-0093 to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Urban Planning Department dated May 9, 2014;

AND THAT the Official Community Plan Bylaw Amendment Bylaw 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 completion of a Purchase/Sale Agreement with the City, finalization of the road closure adjacent to Lots 12 & 13, District Lot 14, ODYD, Plan 3769 (560 & 582 McKay Avenue), and registration of the public access Right-of-Way agreement, to the satisfaction of the City of Kelowna;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the dedication of a 0.75 m widening of the north lane;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the registration of a plan of subdivision to consolidated the properties into one title;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the registration of an agreement in the Land Titles Office, to the satisfaction of the City of Kelowna, securing the provision of six (6) required parking spaces on the property at 561 & 583 McKay Avenue upon its redevelopment;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Parks & Public Places Branch and Development Engineering Branch, as attached to the Report of the Urban Planning Department dated May 9, 2014, being completed to its satisfaction;

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 properties;

AND FURTHER THAT Bylaw No. 10246 and Bylaw No. 10245, for Rezoning Application Z07-0093 and for OCP Amendment Application OCP07-0032 respectively, be forwarded for rescindment consideration, and the files be closed.

2.0 Purpose

These applications seek to amend the Official Community Plan (OCP) future land use designation for the subject lands from MRM - Multiple Unit Residential (Medium Density) to MXR - Mixed Use (Residential/Commercial), per attached Map 'A', and to rezone them from RU6 - Two Dwelling Housing to C4 - Urban Centre Commercial, per attached Map 'B', to facilitate the development of a 3-storey mixed-use development.

In conjunction with the subject applications, staff is also recommending that Council rescind 1st, 2nd and 3rd readings for the previous 2007 OCP Amendment and Rezoning applications for the subject lands, which have now expired and are superseded by the current applications under consideration.

3.0 Urban Planning Department

In terms of land use and form of the development, the subject applications are consistent with the 2007 OCP Amendment and Rezoning applications that received favourable consideration by Council at Public Hearing in 2009 with the exception that the project is now proposed to be phased. (See the Background and Proposal sections below for more detail).

The subject properties are located in the South Pandosy Urban Centre. The current designation of Multiple Unit Residential (Medium Density) is intended to reflect the principle of residential densification in urban centres to support the centre's commercial component and to promote Transportation Demand Management (TDM) objectives. While there are concerns regarding the further expansion of commercially designated lands within the urban centre, the proposed mixed-use project does include live-work units —2 in phase one, and a commitment to the minimum provision of a further 2 in phase two. Further, the proposed development would pose minimal intrusion into the existing neighbourhood, as it is discretely located between an existing commercial frontage on Pandosy Street and Osprey Park, and bordered by a public parking facility and new commercial development to the south.

The proposal is consistent with City policies to maximize and secure pedestrian and cycling connectivity with the provision of an ultimate 6m wide, east-west connection through the development site to Osprey Park, as well as landscaped plaza/seating area at the building's southwest corner adjacent to McKay Avenue. Overall the project will foster a mix of uses including retail, office space, and a residential component that will support the pedestrian-friendly environment envisioned for the South Pandosy area, and will contribute to achieving a highly urbanized concentration of complementary land uses.

Staff has received a letter from the KLO Central Neighbourhood Association (KLOCNA), dated April 9, 2014, regarding several concerns with the proposed applications and development. KLOCNA notes that the provision of the 2 live-work units is not sufficient to meet the OCP's intent for medium density residential in this location, nor does it guarantee long-term residential use. Further, KLOCNA is not supportive of a proposal to vary parking, nor the related loss of on-street parking with the proposed closure of McKay Avenue, given the area's ongoing difficulties with parking. (Refer to the attached KLOCNA letter for further detailed comments).

4.0 Proposal

4.1 Background

On November 3, 2009, OCP Amendment and Rezoning applications (under OCP07-0032 and Z07-0093) for the four properties at 560, 561, 582 and 583 McKay Avenue received 2nd and 3rd reading, following the Public Hearing held on the same date. Under these applications, the same developer as the present proposed to amend the OCP designation to Commercial and to rezone to the C4 zone to facilitate the development of a 4-storey mixed-use development at 560 & 582 McKay Avenue and 561 & 583 McKay Avenue, with 4 live-work units and a total commercial floor area of 3,703 m². The proposed development was to be constructed over an under-building parking structure partially set into the ground, and arranged on either side of a central courtyard area. Under conditions of adoption, it was required that the McKay Avenue roadway be closed and consolidated with the four properties, with a public access right-of-way secured over the central courtyard to maintain an east-west public pedestrian link with Osprey Park. Additionally, a new, north-south local road connection was required as an extension of McKay Avenue south to Osprey Avenue.

Council has subsequently approved several extensions to these 2007 applications, with the latest extension having recently expired on May 3, 2014. In tandem with the subject applications under consideration, staff is advancing a report to rescind 2nd and 3rd reading of the 2007 applications.

4.2 Project Description

Subsequent to the 2007 applications, the developer now wishes to revise the proposal to phase the proposed development, and proceed with the first phase at 560 & 582 McKay Avenue. When the developer wishes to proceed with the second phase of the development at 561 & 583 McKay Avenue, separate OCP Amendment and Rezoning applications will need to be submitted at that time for Council consideration. It is anticipated that the second phase would mirror the design of the first phase, and potentially be connected by elevated walkways over the pedestrian walkway.

Under the subject applications for phase one, the developer is proposing to develop the properties at 560 & 582 McKay Avenue with a 3-storey mixed-use building, to include 2 live-work units and a total commercial floor area of 1,411 m². (The developer has indicated that a minimum of a further 2 live-work units will be included in the project's second phase). The live-work and smaller commercial units are located at grade toward the front (west end) of the building. Parking is provided at grade under-building toward the rear (east end) of the building, with access from the north lane.

As part of the subject development proposal for phase one, the developer proposes to close and consolidate the portion of McKay Avenue roadway adjacent to the subject site. As in the earlier 2007 proposal, a public access right-of-way is required to be secured within this former roadway to maintain an east-west public pedestrian connection with Osprey Park. In the interim, until phase two of the development proceeds, it is proposed that fire access to phase one also be accommodated within the former McKay Avenue roadway (see attached site plan).

The proposed mixed-use building is presently conceived of as a stepped, flat-roof contemporary design, transitioning from one storey at the east end of the building up to 3 storeys. The building integrates a number of deck spaces to serve as gathering areas for future building occupants and to activate building elevations, notably adjacent to the proposed pedestrian connection and Osprey Park. The proposed building materials are primarily stucco, corrugated metal cladding, and pre-finished metal panels, in combination with aluminium frame glazing. Along the building's rear elevation adjacent to Osprey Park, the at-grade, under-building parking area will be screened and secured by a stainless steel grille, with regular vertical break elements to provide visual interest. A 1.5 m landscape buffer, with columnar trees and grasses, will further screen the building's parking area from the park.

The majority of the proposed east-west pedestrian connection will be constructed with phase one (at approx. 4.5 m of the ultimate 6 m width) - the remaining 1.5 m will be constructed at phase two. The connection includes a feature landscape/sculptural element and seating area adjacent to the McKay Avenue frontage, and the proposed surface is to be a broom-finish, saw-cut concrete with concrete banding. Bollards placed along the east and west ends of the pedestrian connection will ensure no vehicular access through this area.

A Development Variance Permit is required to vary the required parking for phase one of the development from 28 spaces required to 22 spaces proposed, and to vary the number of loading spaces from 1 required to 0 provided. The developer proposes to accommodate the 6 varied parking spaces for phase one within the project's second phase, upon construction. Council will have an opportunity to consider the associated Development Permit and Development Variance Permit applications pending favourable consideration of the land use.

4.3 Site Context

The subject properties are located in an area of transition between Pandosy Street and Osprey Park in the South Pandosy Urban Centre area. The area is designated for future Multiple Unit Residential (Medium Density) development. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	Single Family Residential
East	P3 - Parks & Open Space	Osprey Park
South	RU6 - Two Dwelling Housing	Single Family Residential & Public Parking
West	C4- Urban Centre Commercial	Mixed Use & Commercial

Subject Property Map: 560 & 582 McKay Avenue



4.4 Zoning Analysis

The project compares the requirements of Zoning Bylaw No. 8000 as follows:

Zoning Analysis Table			
CRITERIA	C4 ZONE REQUIREMENTS	RM5 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations			
Site Area	460 m ²	460 m ²	1,646 m ² (Consolidated)
Development Regulations			
Floor Area Ratio	1.5 FAR Permitted 1.3 - mixed use project 0.2 - covered parking	1.3 FAR Permitted 1.1 - base density 0.2 covered parking	0.86
Height	15 m / 4 storeys	15 m / 4 storeys	15 m / 3 storeys
Front Yard (E)	0 m	6.0 m	1.12 m
Side Yard (S)	2.0 m (abutting RU6 zone)	7.5 m	Approx. 13 m
Side Yard (N)	0 m	7.5 m	0 m
Rear Yard (W)	0 m	9.0 m	1.5 m
Other Regulations			
Minimum Parking Requirements	Min. 28 spaces		22 spaces ●
Bicycle Parking	4 class I / 10 class II		Meets requirements
Private Open Space	6 m ² (per bachelor unit)		Meets requirements
Loading Space	1 space		0 spaces ●
● Indicates a requested variance to vary parking from 28 spaces required to 22 spaces provided. ● Indicates a requested variance to vary loading from 1 space required to 0 spaces provided.			

5.0 Current Development Policies

Staff recommends that the APC public process under OCP07-0032 and Z07-0093 be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act*, and that the process is sufficiently early and does not need to be further ongoing in this case. Furthermore, additional consultation with the Regional District of Central Okanagan, other boards, councils or agencies listed in Section 879, is not required in this case.

Staff has reviewed this application and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Policy 5.3.2 - Compact Urban Form. 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.

Policy 5.8.1 - Public Space. Integrate safe, high-quality, human-scaled, multi-use public spaces, such as parks, plazas, and squares as part of development or redevelopment within Urban and Village Centres.

Policy 5.10.1 - Maximize Pedestrian / Cycling Connectivity. Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes. With new developments, require dedication of on-site walking and cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.

Policy 5.11.1 - Parking Relaxations. Consider parking requirement relaxations, in areas that are not part of a cash-in-lieu program, where an approved TDM strategy indicates a lower use of vehicles and the City is satisfied that parking relaxations would not create parking spill-over problems on adjoining neighbourhood streets. Parking relaxations will not be considered in hillside areas (as defined on Map 4.1 - Future Land Use).

Policy 5.25.3 - Office Building Location. Encourage office buildings providing more than 929 m² of useable space to locate in the City Centre or the Town Centres. This policy does not include offices integral to business park/industrial uses and “corporate offices” allowable under relevant industrial zones.

Policy 5.27.2 - Offices Near Transit. Direct new office development to areas served by public transit.

Policy 5.40.1 - Evaluation Checklist. Evaluate development applications that require an OCP Amendment on the basis of the extent to which they comply with underlying OCP objectives, including the following:

- Does the proposed development contribute to preserving lands with slopes greater than 30%? *N/A*
- Does the proposed development respect the OCP Permanent Growth Boundary (OCP Maps 4.1 and 5.2)? *Yes*
- Does the proposed development feature a mix of residential, employment, institutional, and/or recreational uses within individual buildings or larger development projects? *Yes*
- Is the proposed development located in an Urban Centre? *Yes*
- Does the proposed development increase the supply of affordable (as defined in the OCP) apartments or townhouses? *No*
- Is the property serviced with water and City sanitary sewer at the time of application? *Yes*
- Could the proposed project be built at no financial cost to the City? (This should consider operational and maintenance costs.) *Yes*
- Would the proposed project help decrease the rate of travel by private automobile, especially during peak hours? *Yes - the proposed development would locate employment uses in an urban centre and near transit.*
- Is there transit service within 400 m of non-residential projects or major employment generators (50+ employees)? *Yes*
- Does the proposed project involve redevelopment of currently under-utilized, urbanized land? *Yes.*
- Does the proposed project result in the creation of substantially more public open space than would be available if the development were not to proceed (not including required open space dedications or non-developable areas)? *No*
- Is there a deficiency of properties within the applicable Sector (see Map 5.4) that already have the required OCP designation? *No*

- Does the project avoid negative impacts (shadowing, traffic, etc.) on adjoining properties where those adjoining properties are not slated for land use changes? *Yes*
- Is the project consistent with the height principles established in the OCP? *Yes*
- If the project goes ahead, would surrounding property owners be likely to develop their properties as per OCP Future Land Use and other City policy provisions? *Yes*
- Would the additional density or new land use designation enhance the surrounding neighbourhood in a way that the current land use designation does not? *No*
- Could the project be supported without over-burdening existing park and other community resources or threatening the viability of existing neighbourhood resources? *Yes*

6.0 Technical Comments

6.1 Building & Permitting Department

Building related comments will be provided at time of Development Permit application.

6.2 Development Engineering Department

Refer to attached Development Engineering Department Memorandum, dated March 10, 2014.

6.3 Fire Department

Rezoning approval is based on adequate fire department access. Fire Department access is required to be a minimum of 6 m and the turning radius on to the east access lane adequate to accommodate a fire truck (BCBC 3.2.5.6). Additional comments will be required with the development permit application.

6.4 Parks & Public Places Department

- Ensure spacing of bollards on McKay Avenue and Osprey Park frontages prevents access by motor vehicles.
- Based on TAC standards for two-way bike travel, provide along the pedestrian walkway a clear lane of travel of a min. 4 m without obstruction, such as bicycles and bicycle racks.
- Provide a cross-section to scale that spans the eastern property line and includes grading information for the parkade, planting bed, plant material, and park.
- Provide a detail of the proposed parking screen along the park frontage including information on proposed dimensions and material specifications.

6.5 Interior Health Authority

This application is located in the South Pandosy area and has been identified as a growth area within the OCP. Interior Health is in support of the application as it aligns with the concept of creation of mixed land use and improved health outcomes.

Neighbourhoods with mixed land use and access to schools, civic services, green space, retail, employment opportunities, and residential can improve opportunities to engage in physical activity (walking, cycling) and a reduction in vehicle miles travelled. The research has shown that there is strong link between mixed land use and reduction in unintentional injury, mental health issues, and premature mortality. There is indirect evidence that creation of mixed land use reduces obesity and body mass index.

All of these health impacts help to begin the shift towards healthier behaviours and a healthier population.

6.6 RCMP

Along the development's proposed north elevation, it appears that covered carport-style parking is planned for approx. five vehicles, in addition to "secure" bike racks. It is strongly recommended that mitigation measures be implemented to prevent this area from being used for inappropriate and/or criminal activities.

6.7 FortisBC (Electric)

There are primary distribution facilities along the subject site's west (neighbouring property) and north (laneway) property lines. There are also primary distribution facilities within McKay Avenue but do not extend along the subject site's frontage. 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.

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

6.8 FortisBC (Gas)

No comments received.

6.9 Shaw Cable

Shaw Communications' interests are unaffected. The applicant should contact Shaw regarding future cable services.

6.10 TELUS

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

7.0 Application Chronology

Date of Application Received: February 21, 2014

Advisory Planning Commission September 1, 2009

The above noted application was reviewed by the Advisory Planning Commission at the meeting of September 1, 2009 and the following recommendations were passed:

THAT the Advisory Planning Commission support Official Community Plan Application No. OCP07-0032, for 560, 561, 582 & 583 McKay Avenue; Lots 12, 13, 14 & 15, Plan 3769, Section 13, Twp. 25 & Sec. 18, Twp. 26, ODYD; to amend the Official Community Plan from Multiple Unit Residential (Medium Density) to Commercial in order to accommodate the proposed mixed use development, and

THAT the Advisory Planning Commission support Rezoning Application No. Z07-0093, for 560, 561, 582 & 583 McKay Avenue; Lots 12, 13, 14 & 15, Plan 3769, Section 13, Twp. 25 & Sec. 18, Twp. 26, ODYD; to rezone the subject properties from the RU6 - Two Dwelling Housing zone to the proposed C4 - Urban Centre Commercial in order to accommodate the proposed mixed use development.

Report prepared by:

Abigail Riley, Planner

Reviewed by:

Ryan Smith, Manager, Urban Planning

Approved for Inclusion:

Doug Gilchrist, Divisional Director of Community Planning & Real Estate

Attachments:

Subject Property Map

Maps 'A' & 'B'

Site Plan

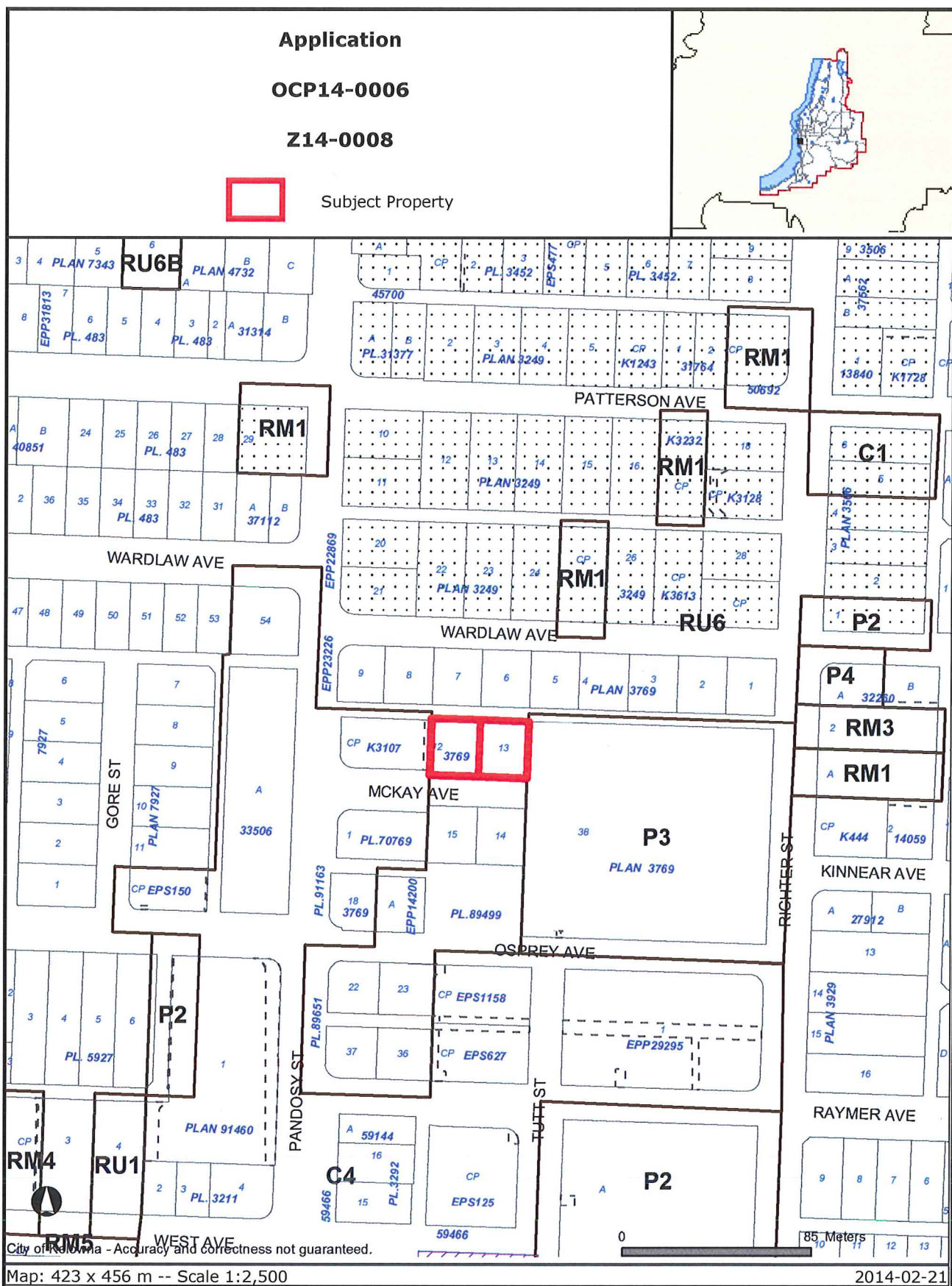
Conceptual Floor Plans

Conceptual Elevations

Conceptual Landscape Plan

KLOCNA letter, dated April 9, 2014

Development Engineering Department Memorandums, dated March 10, 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.

WARDLAW AVE

N

605

583

517

Subject Properties Notes:

Amend the OCP for the subject properties from Multiple Unit Residential (Medium Density)(MRM) to Mixed Use (Residential/Commercial) (MXR).

538

560

562

MCKAY AVE

Subject Road Right-of-Way Notes:

Amend the OCP for a portion of the road right-of-way from Multiple Unit Residential (Medium Density)(MRM) to Mixed Use (Residential/Commercial) (MXR).

583

2600

2695

540

**MAP "A" OCP AMENDMENT
OCP14-0006**

-  Proposed Property Lines
-  MRM to MXR
-  Multiple Unit Residential (Medium Density)
-  Multiple Unit Residential (Low Density)
-  Mixed Use (Residential / Commercial)
-  Major Park and Open Space
-  Legal Parcel

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

0 5 10 Metres

Rev. May 08, 2014



WARDLAW AVE

N



517

541

559

583

605

RU6

Subject Properties Notes:

Rezone the subject properties from RU6 Two Dwelling Housing to C4 Urban Centre Commercial.

560

582

MCKAY AVE

C4

2689

Subject Road Right-of-Way Notes:

Rezone a portion of the road right-of-way from RU6 Two Dwelling Housing to C4 Urban Centre Commercial.

P3





2600

2695

540

MAP "B" PROPOSED ZONING

File #Z14-0008

-  RU6 to C4
-  Subject Properties
-  Proposed Property Lines
-  Legal Parcel

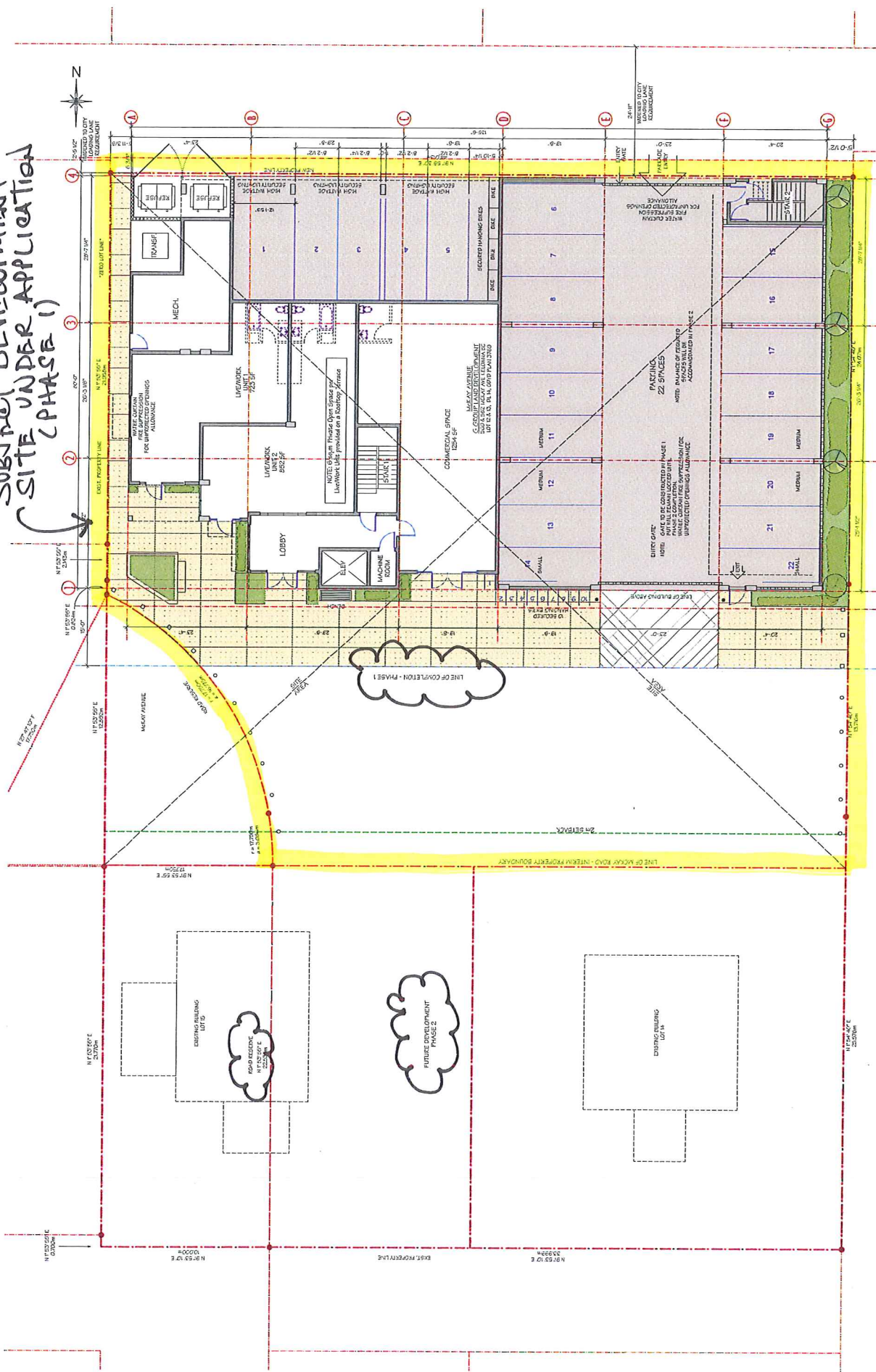
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

0 5 10 Metres



Rev. May 08, 2014

**SUBJECT DEVELOPMENT
SITE UNDER APPLICATION
(PHASE 1)**



**BLUEGREEN
ARCHITECTURE INC.**
255-110-0000
1-800-268-2222
1-250-771-1111

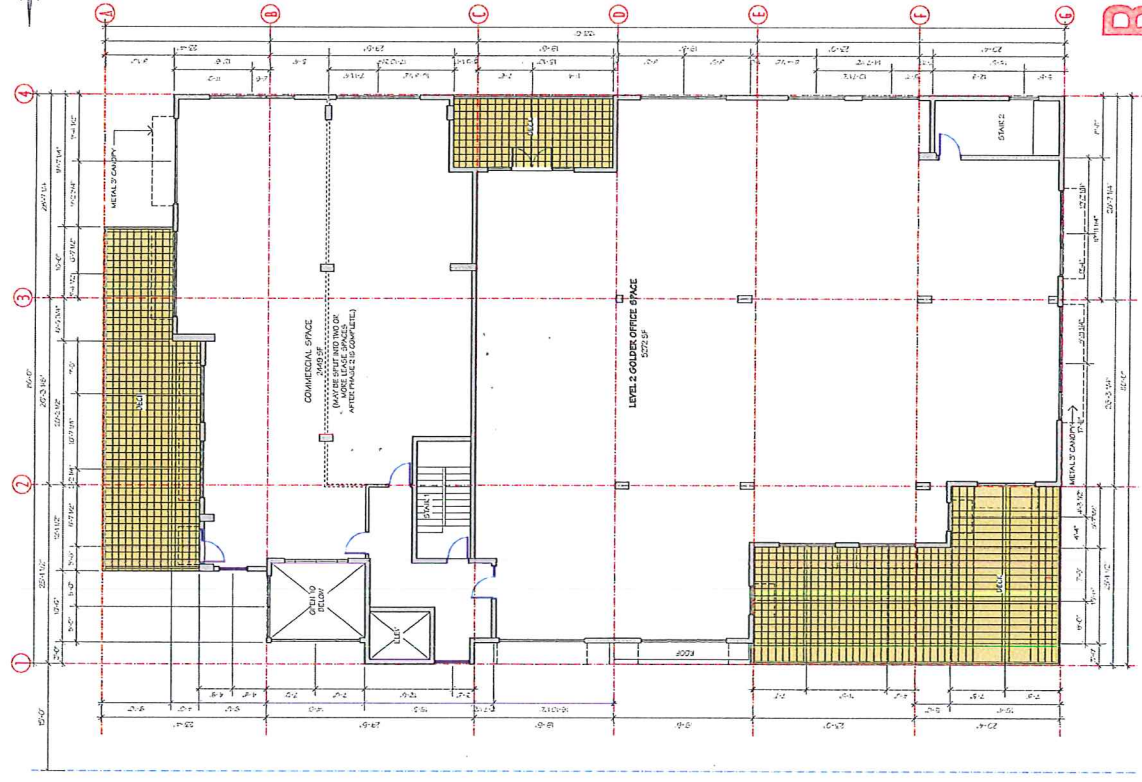
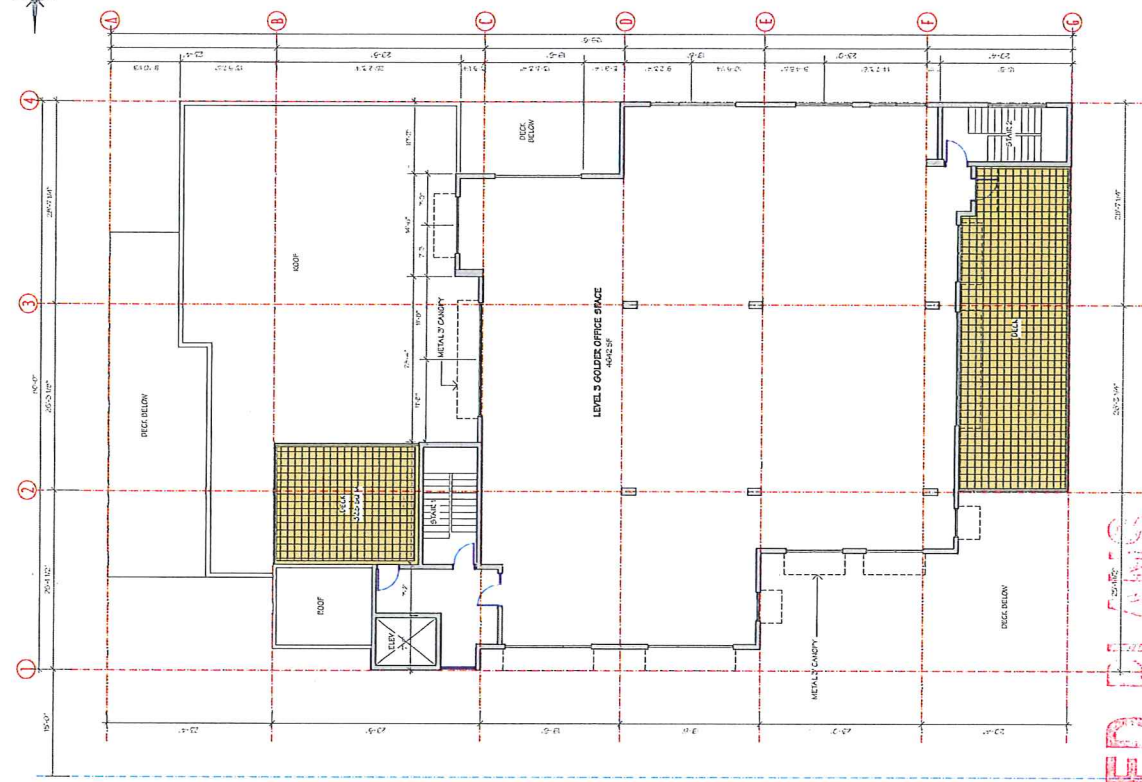
5500A B.C. VEX 100
www.bluegreenarchitecture.com

MCKAY COMMERCIAL DEVELOPMENT
KELOWNA, BC

SITE PLAN / MAIN FLOOR PLAN

REVISED PLANS

APR 10 2014



REVISED PLANS

MCKAY COMMERCIAL DEVELOPMENT
KELOWNA, BC

APR 09 2014

SECOND FLOOR PLAN

CITY OF KELOWNA
Land Use Management

DATE: 2013.04.01
SCALE: 1/8" = 1'-0"
ISSUED FOR: JLD
PROJECT: JLD A2

**BLUEGREEN
ARCHITECTURE INC**
www.bluegreenarchitect.com
202-10-009033 656661 BC VIK 102
11444-144th St #177777 Kelowna BC V1Y 1C7
P: 250-861-1112 F: 250-861-2256





BUILDING LOCATION



APPROX. BUILDING OUTLINE

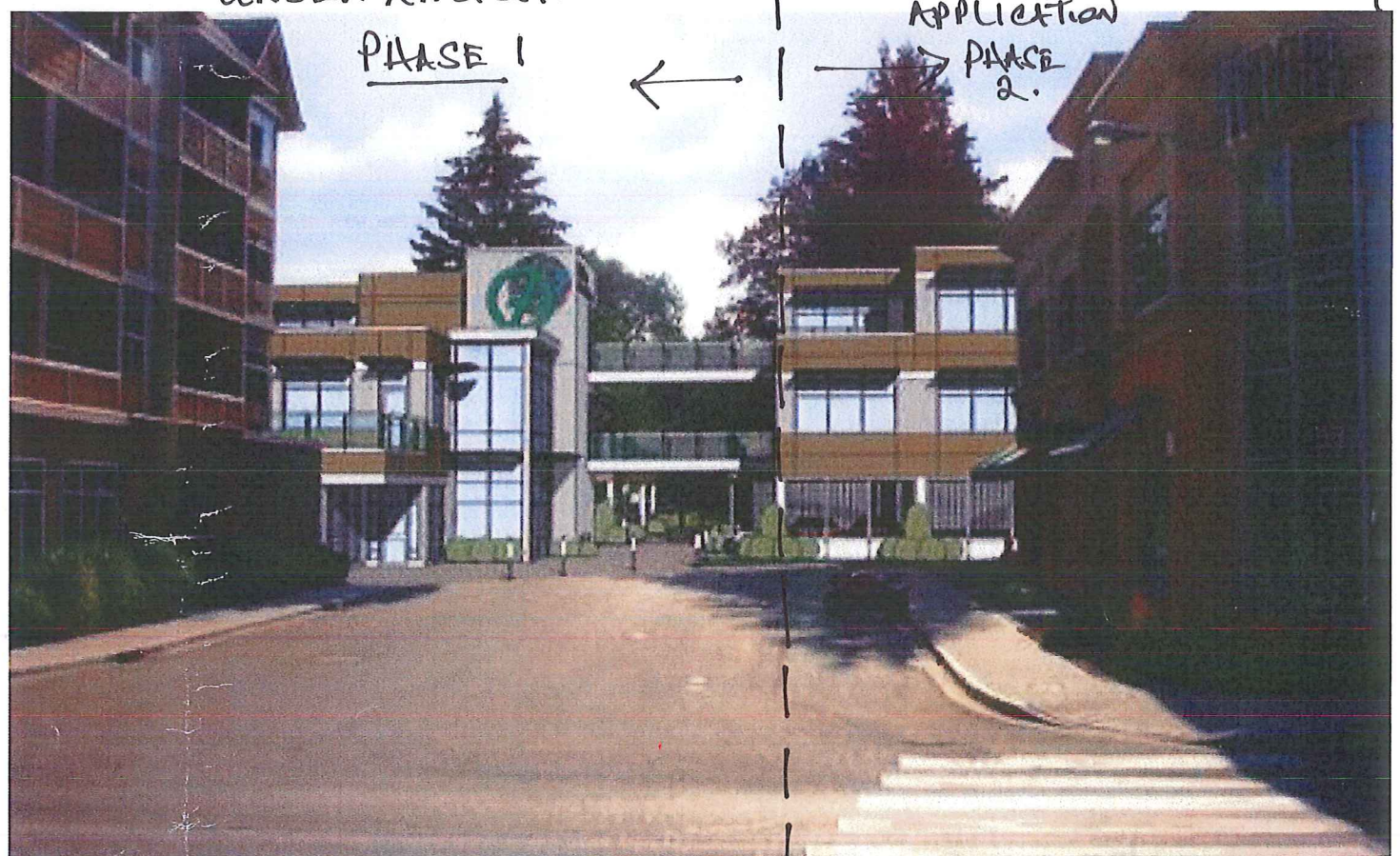


1 SITE LOCATION
NOT TO SCALE

SUBJECT DEVELOPMENT UNDER APPLICATION

2 SITE CONTEXT PLAN
THIS

FUTURE DEVELOPMENT UNDER SEPARATE PENDING APPLICATION



PHASE 1

PHASE 2

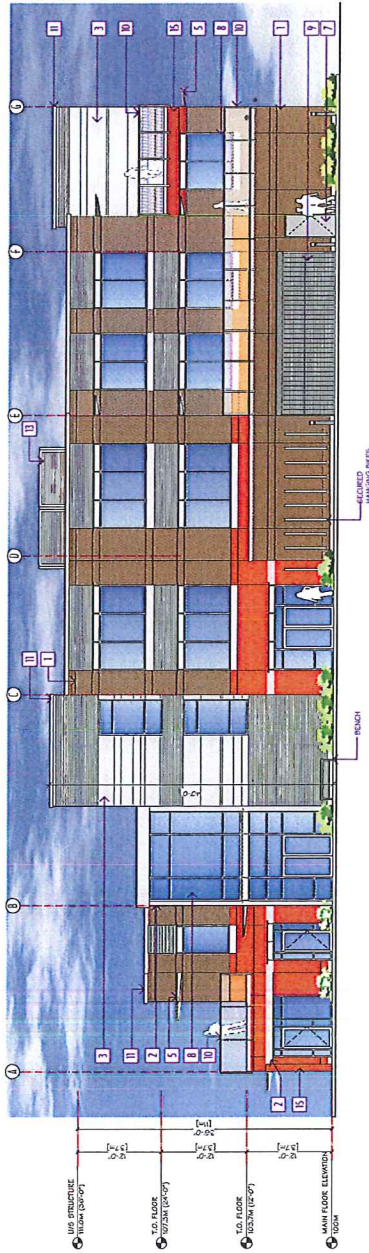
36

3 VIEW ONE
NOT TO SCALE

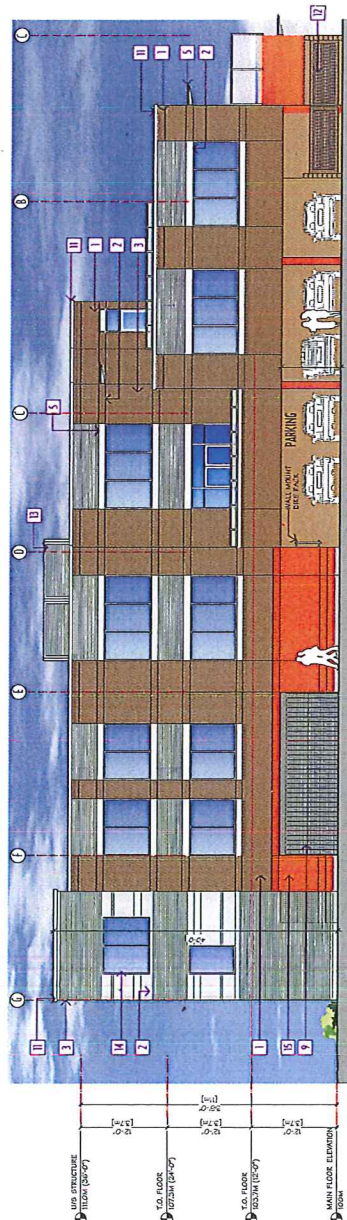
VIEW EAST - TO ASPRAY PARK FROM PANDOSY ST.

AL DEVELOPMENT	SITE CONTEXT & INFO	<p>REVISE</p> <p>DATE 2014.09.01 SCALE AS NOTED ISSUED FOR DP PROJECT 13.323</p>
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APR
CITY OF
Land Use



SOUTH ELEVATION
A3 / 1/8" = 1'-0"



NORTH ELEVATION
A3 / 1/8" = 1'-0"

EXTERIOR FINISH LEGEND	
1	BRICK FINISH COLOUR: PATRIAL GREY DULUX LC FANS84 #4077-20081
2	PRE-FINISHED METAL FINISH COLOUR: CLEAR ANODIZED ALUMINUM
3	CORRUGATED METAL CLADDING COLOUR: CLEAR ANODIZED ALUMINUM PROFILE: WESTFORM W-206
4	CONCRETE SURFACING, PAINTED COLOUR: POTTERS CLAY DULUX LC FANS83 #4077-26107
5	METAL CLADDING COLOUR: CLEAR ANODIZED ALUMINUM
6	STAINLESS STEEL GRILLE
7	PAINTED STEEL DOORS COLOUR: POTTERS CLAY DULUX LC FANS83 #4077-26107
8	COMMERCIAL STORE FRONT GLAZING PRE-FINISHED CLEAR ANODIZED ALUMINUM
9	COMMERCIAL GARAGE GATE COLOUR: POTTERS CLAY DULUX LC FANS83 #4077-26107
10	ALUMINUM AND CLEAR GLASS GUARDS PRE-FINISHED GREY
11	PRE-FINISHED METAL FLASHING COLOUR: CASCADE STONE GREY
12	PAINTED STEEL GRILLE GARAGE ENCLOSURE COLOUR: POTTERS CLAY DULUX LC FANS83 #4077-26107
13	PRE-FINISHED LOWEED GRILLE ROOFTOP WING SCREEN
14	ALUMINUM FRAME GLAZING PRE-FINISHED CLEAR ANODIZED ALUMINUM
15	STUCCO FINISH COLOUR: CULTURE GENERAL PAINT CL 1507A LVT 17

REVISED PLANS

APR 10 2014

CITY OF KELOWNA
Land Use Management

ELEVATIONS

MCKAY COMMERCIAL DEVELOPMENT
KELOWNA, BC

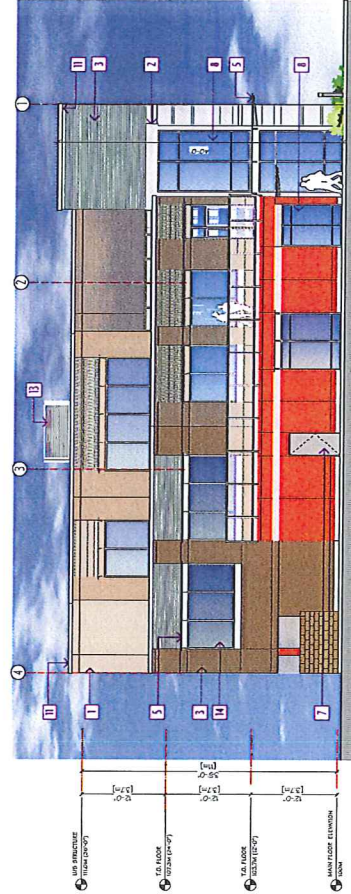
BLUE GREEN ARCHITECTURE INC.
www.bluegreenarchitecture.com
1780 23249 St. Kelowna BC V1Y 1K7
P: 778.232.888 F: 778.232.889

DATE: 2014.04.10
BY: JLB
ISSUED FOR: LUM
PROJECT: 14-018

A3



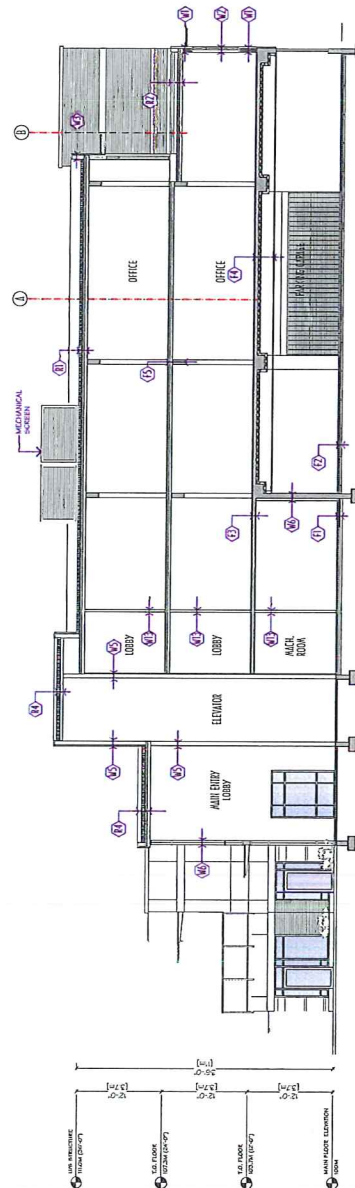
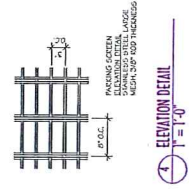
1 EAST ELEVATION
1/8" = 1'-0"



2 WEST (McKay) ELEVATION
1/8" = 1'-0"

EXTERIOR FINISH LEGEND

1	STUCCO FINISH COLOUR: PLATEAU GREY, DULUX # PA054 #07Y 20/081
2	PREFINISHED METAL PANEL COLOUR: CLEAR ANODIZED ALUMINUM
3	CONTEGRATED METAL CLADDING FINISH: GALVALUME
4	CONCRETE UPSTAND: PAINTED COLOUR: POTTERS CLAY, DULUX # PA053 #07Y 30/027
5	METAL CANOPY COLOUR: CLEAR ANODIZED ALUMINUM
6	STAINLESS STEEL GRELLE
7	PAINTED STEEL BOLTS COLOUR: POTTERS CLAY, DULUX # PA053 #07Y 30/027
8	COMMERCIAL STORE FRONT GLAZING PREFINISHED CLEAR ANODIZED ALUMINUM
9	COMMERCIAL STORE FRONT GLAZING COLOUR: POTTERS CLAY, DULUX # PA053 #07Y 30/027
10	ALUMINUM AND CLARK GLASS GUARDS PREFINISHED GREY
11	PREFINISHED METAL FLASHING COLOUR: CARBON STONE GREY
12	PAINTED STEEL GRELLE GARDING ENCLOSURE DULUX # PA053 #07Y 30/027
13	PREFINISHED LOUVERED GRELLE ROOF TOP: WHITE GREEN
14	ALUMINUM FRAME GLAZING PREFINISHED CLEAR ANODIZED ALUMINUM
15	STUCCO FINISH COLOUR: OUTRICE, GENERAL PAINT CC 1029A L07 R7



3 BUILDING SECTION
1/8" = 1'-0"

REVISED PLANS

APR 09 2014

MCKAY COMMERCIAL DEVELOPMENT
KELOWNA, BC

**BLUE GREEN
ARCHITECTURE INC.**
280 - 110 BOWY ST. Kelowna BC, V1Y 1S7
71 799 2550
P: 1-250-861-1117 F: 250-861-2525

DATE: 2014-04-01
SCALE: 1/8" = 1'-0"
ISSUED FOR: CP
PROJECT: 10318

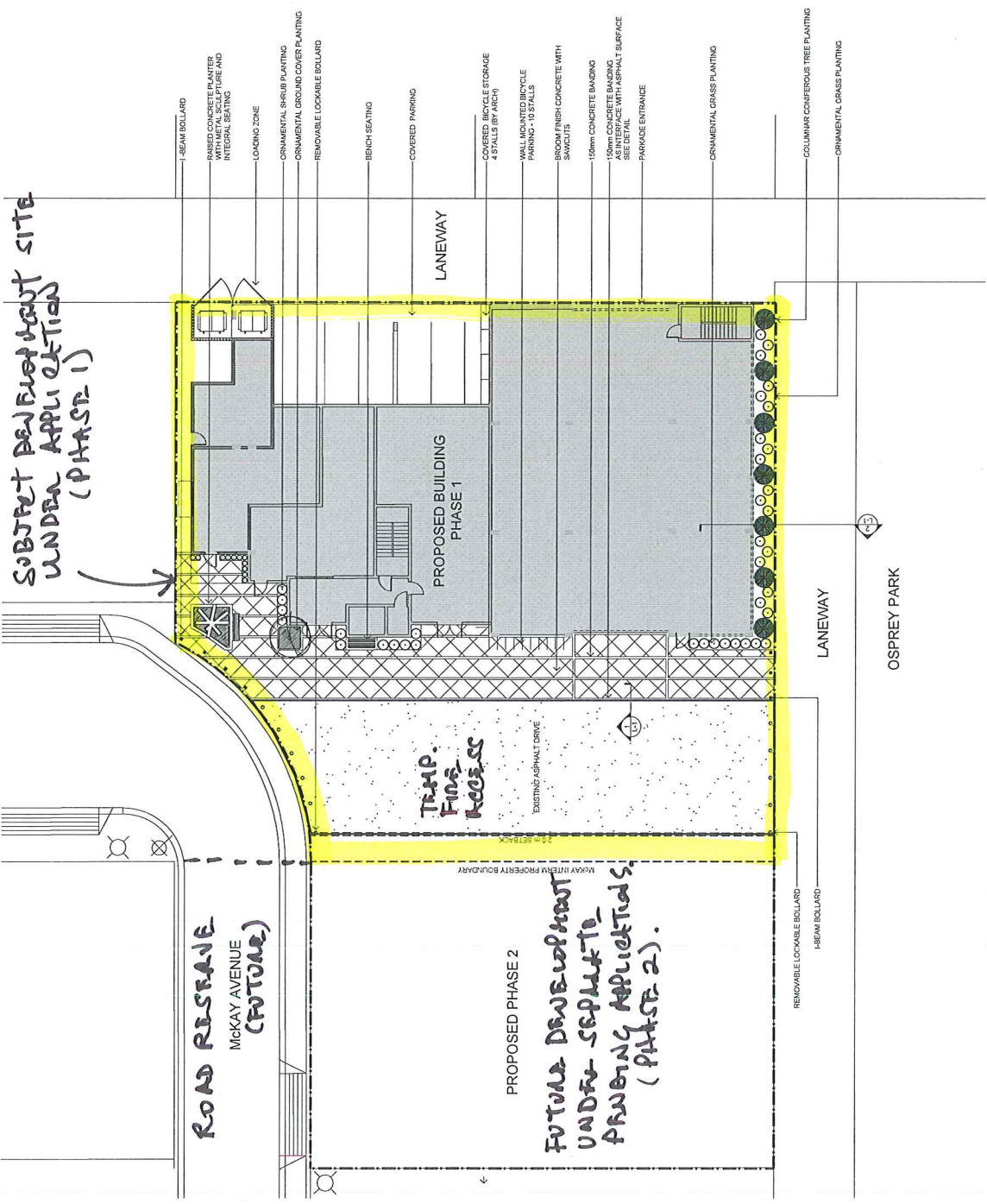
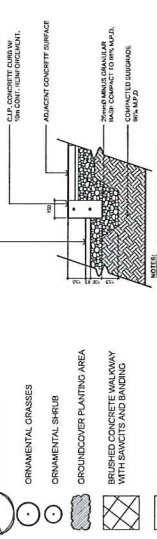
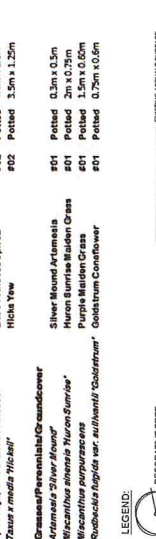
A4

CITY OF KELOWNA
Land Use Management

- GENERAL NOTES:**
1. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE B.C. LANDSCAPE DESIGN ACT AND REGULATIONS AND THE B.C. LANDSCAPE DESIGN REGULATIONS. THE MINIMUM ACCEPTABLE QUALITY AND SIZE OF PLANT MATERIALS SHALL BE SPECIFIED IN THE LANDSCAPE DESIGN SUBMISSION. THE MINIMUM ACCEPTABLE QUALITY AND SIZE OF PLANT MATERIALS SHALL BE SPECIFIED IN THE LANDSCAPE DESIGN SUBMISSION.
 2. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY.
 3. SHRUB AND TREE CLUSTER AREAS TO BE PLACED WITHIN PLANTING BEDS. ALL PLANTING BEDS SHALL HAVE APPROVED IRRIGATION SYSTEMS. IRRIGATION SYSTEMS SHALL BE INSTALLED IN ALL LANDSCAPED AREAS. OFF SITE IRRIGATION SYSTEMS SHALL BE INSTALLED IN ALL LANDSCAPED AREAS. OFF SITE IRRIGATION SYSTEMS SHALL BE INSTALLED IN ALL LANDSCAPED AREAS.
 4. AN AUTOMATIC TIMED IRRIGATION SYSTEM SHALL BE INSTALLED IN ALL LANDSCAPED AREAS. OFF SITE IRRIGATION SYSTEMS SHALL BE INSTALLED IN ALL LANDSCAPED AREAS. OFF SITE IRRIGATION SYSTEMS SHALL BE INSTALLED IN ALL LANDSCAPED AREAS.
 5. THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.

REPRESENTATIVE PLANTING LIST:

Botanical Name	Common Name	Size	Root	Standard Pl. Size (HxW)
<i>Crataegus mordana</i>	Yew	6cm	BBB	7m x 7m
<i>Shorea rostrata</i>	Shorea	602	Potted	1.2m x 1.2m
<i>Sporobolus virginicus</i>	Little Bluestem	602	Potted	0.8m x 1.2m
<i>Taxus canadensis</i>	White Pine	602	Potted	3.5m x 1.25m
<i>Grasses/Perennials/Conifers</i>				
<i>Artemisia tridentata</i>	Silver Cholla	601	Potted	0.3m x 0.3m
<i>Artemisia tridentata</i>	Silver Cholla	601	Potted	0.3m x 0.3m
<i>Artemisia tridentata</i>	Silver Cholla	601	Potted	0.3m x 0.3m
<i>Artemisia tridentata</i>	Silver Cholla	601	Potted	0.3m x 0.3m
<i>Artemisia tridentata</i>	Silver Cholla	601	Potted	0.3m x 0.3m



MMM GROUP
 LANDSCAPE ARCHITECTURE, URBAN DESIGN, PLANNING, ENGINEERING
 1100 WESTERN AVENUE, SUITE 100, VANCOUVER, BC V6E 2R6

PROJECT: MCKAY COMMERCIAL DEVELOPMENT
CLIENT: G GROUP DEVELOPMENTS
CONSULTANT: MMM GROUP

REVISIONS / REVISED:

NO.	DATE	DESCRIPTION
3	2024	REVISED FOR DP
2	2024	REVISED FOR DP
1	2024	REVISED FOR DP

PROJECT TITLE: SITE PLAN
SCALE: 1:150
DATE: 11/15/2024
PROJECT NO.: 24-0000000000
PROJECT NAME: MCKAY COMMERCIAL DEVELOPMENT
PROJECT LOCATION: ROAD

OF 2

KLOCNA
KLO Central
Neighbourhood Association



April 9, 2014

RECEIVED

APR 09 2013

Abigail Riley
Planner II
Urban Planning
Community Planning & Real Estate
City of Kelowna

Re: DVP 14 -0041 – 0041, McKay Avenue

The KLO Central Neighbourhood Association is opposed not only to the proposal to reduce the amount of parking provided but also to several other aspects of the proposed development.

In 2009 the applicant, who owns property on both sides of McKay, submitted a DVP that reached 3rd reading from City Council before it was allowed to lapse. They are currently proposing to reinstate the northern portion of that application for development.

KLOCNA would argue that a great deal has changed in the Village neighbourhood since 2009. In 2011, Council adopted the Official Community Plan 2030 after much citizen consultation. The OCP, in the Pandosy Village area, calls for medium density residential commercial redevelopment and in particular medium density residential development adjacent to Osprey Park. This current proposal does not recognize the changes mandated by the OCP.

The current application proposed a three-storey office building with the possibility of “life work” space of 159 m² on the main floor to allow the project to qualify as a residential/commercial complex. This “life work” space represents approximately 10% of the gross floor area of the project. While technically meeting the requirement of a mixed-use

residential/commercial building, it does not meet the spirit of the OCP or fit in with the surrounding mixed-use buildings. The “life-work” areas do not mirror the surrounding residential uses in the area. The “life work” designation is better suited to a purely commercial or commercial/industrial area since it will not guarantee long term residential use as imagined and required by the OCP. As a result, the building in the application should be seen as purely a commercial building. KLOCNA believes that only truly residential/commercial buildings should be allowed in the redevelopment area of Pandosy Village.

The overall complex envisioned and proposed would encompass both sides of McKay, require the re-routing of McKay Avenue south, and have a 1.5 m transition on the east side of the complex between the building and the park. Except for an approximately 6 meter, partially covered corridor running east from McKay, access to Osprey Park is completely blocked by the proposed building complex. Furthermore, once the second phase of this development is completed this corridor will also be used as a north/south driveway link connection the parking facilities of the two buildings. This would not be conducive to pedestrian access to Osprey Park.

The eastern building façade, with its 1.5m transition zone, presents a physical and visual barrier between the community park to the east and the residential/commercial area of Pandosy Village to the west. If this proposal were a true residential/commercial project, this would be less of a problem. The OCP requires that this area to the west of the park be used as medium density residential. This designated usage, along with a substantial and dedicated “corridor linking McKay Avenue to the park, would allow a true and inviting transition between the park and the residential/commercial area of Pandosy Village. The KLOCNA believes that Osprey Park must genuinely link to the Village in as many physical and visual ways possible. The applicant’s present proposal is in opposition to the future neighbourhood plan.

Within the past year the City has conducted, at the request of the Pandosy merchants and residents of the neighbourhood, a detailed parking study. One of the principal findings of the study is that short term parking in the area is at a premium. The request by the applicant to reduce the required number of parking spaces within in the building complex by 6 would only exacerbate the problem. The project will also remove significant on street parking from McKay only making worse an already difficult situation. If the applicant

were to remove the buildings on the lots it owns on the south side of McKay and temporally convert those lots to parking it may be considered the first step in the solution to the problem. The next step would be for the City to require that the applicant dedicate the six lost parking stalls from phase one of the project and the six lost street-parking spaces along McKay within the parking requirements of the second phase. This would ensure that with this particular development, its net effect on Pandosy Village parking would be zero. Ideally steps should be taken to improve the parking situation over the long term not aim for the status quo.

The form and character of the current redevelopment of the Pandosy Village area involves the building of legitimate residential/commercial structures. The OCP and the KLOCNA envision the future of Pandosy Village to a vibrant and family orientated residential/commercial neighbourhood. This vision promotes increased density through true residential/commercial development that provides improved east-west links between parks and the lake, improved transit, and improved parking.

While we cannot support this application at this time and in its present form, we look forward to future dialogue with the applicant and the City on this application. We remain committed to the responsible redevelopment of the Pandosy Village that truly respects the spirit and wording of the OCP 2030.

Regards,

O.J. (John) Mardall
Vice president
KLOCNA

CITY OF KELOWNA

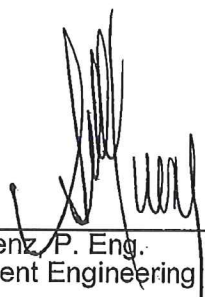
MEMORANDUM

Date: March 10, 2014
File No.: OCP14-0006
To: Urban Planning (AR)
From: Development Engineer Manager (SM)
Subject: 560 & 582 McKay Ave

The Development Engineering comments and requirements regarding this OCP amendment application are as follows:

1. **General.**

- a) All the offsite infrastructure and services upgrades are addressed in the Development Engineering Report under file Z14-0008.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: March 10, 2014
File No.: Z14-0008

To: Urban Planning (AR)

From: Development Engineering Manager

Subject: 560 & 582 McKay Avenue Mixed Use Development

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

The Development Engineering Technologist for this project is Sergio Sartori

1. Domestic Water and Fire Protection

- (a) The existing lots are serviced with small diameter water services. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- (b) The applicant, at his cost, will arrange for the removal of the existing main within the closed road and the installation of one new larger metered water service.
- (c) Provide a Watermain link within the created McKay Ave extension right-of-way, from the Watermain in McKay Avenue, to the existing main within Osprey Avenue.
- (d) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

- (a) The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing small diameter services and the installation of a new larger service.
- (b) A downstream flow analysis check is required by a consulting civil engineer to determine the impact of additional flow contributions on the existing pipe system and sewer lift station. If it is determined that upgrades to the existing facilities must be made, additional bonding will be required.

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
- (b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of the existing main within the closed road, installation of a terminal manhole, and the installation of one new overflow service.

4. Road Improvements

- (a) The extension of McKay Avenue will require the construction of a modified local road standard (10.0m width), from McKay Avenue, south to Osprey Avenue. Construction will include curb and gutter, monolithic sidewalk, storm drainage system including catch basins and manholes, pavement, street lights as required, and relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- (b) The lane fronting the northerly boundary on this development must be upgraded to a paved standard along the full frontage length of this development. Install a storm drainage system including a catch basin and drywell.
- (c) McKay Ave prior to the closure will require interim measures for traffic and pedestrian safety. All interim measure will be at the developer's expense

5. Subdivision

By registered plan to provide the following:

- (a) Provide a 10.0m road reserve to extend McKay Avenue south, to Osprey Avenue.
- (b) Dedicate 0.75 widening of the north lane.
- (c) Lot consolidation.
- (d) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

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

7. Street Lighting

Street lighting including underground ducts must be installed on all roads fronting on the proposed development. The cost of this requirement is included in the roads upgrading item.

8. 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.

Should traffic conditions dictate, the City of Kelowna wishes to reserve the right to restrict lane access onto Pandosy Road to right in right out.

9. Design and Construction

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

10. Servicing Agreements for Works and Services

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

11. Geotechnical Report

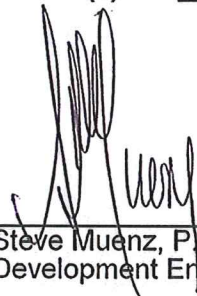
As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

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

12. Bonding and Levy Summary

(a) Bonding

To be determined.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA

BYLAW NO. 10245

**Official Community Plan Amendment No. OCP07-0032
0781540 BC Ltd., Inc. No. BC0781540
560, 561, 582, & 583 McKay Ave**

A bylaw to amend the "*Kelowna 2020* – Official Community Plan Bylaw No. 7600".

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

1. THAT Map 19.1 - **GENERALIZED FUTURE LAND USE** of Schedule "A" of "*Kelowna 2020* – Official Community Plan Bylaw No. 7600" be amended by changing the Generalized Future Land Use designation of Lot 12, 13, 14, 15, District Lot 14, ODYD, Plan 3769, located on 560, 561, 582, & 583 McKay Ave, Kelowna, B.C., from the "Multiple Unit Residential - Medium Density " designation to the "Commercial" designation;
2. AND THAT pursuant to Section 882 of the *Local Government Act*, each reading of this bylaw receive an affirmative vote of a majority of all members of the Council;
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 5th day of October, 2009.

Considered at a Public Hearing on the 3rd day of November, 2009.

Read a second and third time by the Municipal Council this 3rd day of November, 2009.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 10246

**Z07-0093 - 0781540 BC Ltd., Inc. No. BC0781540
560, 561, 582, & 583 McKay Ave**

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 12, 13, 14, 15, District Lot 14, ODYD, Plan 3769 located on 560, 561, 582, & 583 McKay Ave Kelowna, B.C., from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre 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 5th day of October, 2009.

Considered at a Public Hearing on the 3rd day of November, 2009.

Read a second and third time by the Municipal Council this 3rd day of November, 2009.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 10968

**Official Community Plan Amendment No. OCP14 - 0006
0781540 B.C. Ltd
560 & 582 McKay Avenue**

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 Lots 12 & 13, District Lot 14, ODYD, Plan 3769, located on McKay Avenue, Kelowna, B.C., and the portion of McKay Avenue to be closed adjacent to Lots 12 and 13 from the MRM - Multiple Unit Residential (Medium Density) designation to the MXR - Mixed Use (Residential/Commercial) 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

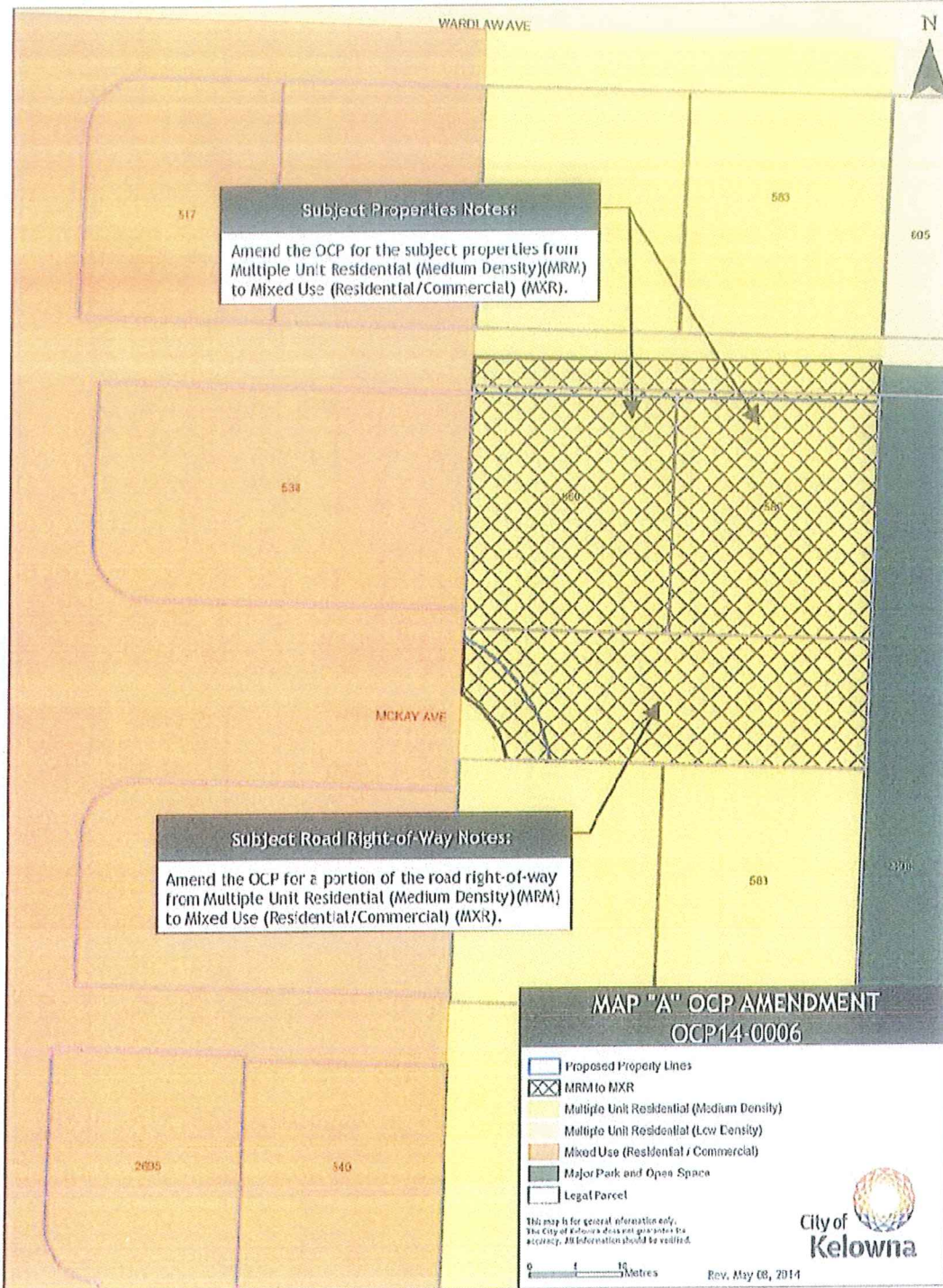
Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Map "A"



CITY OF KELOWNA
BYLAW NO. 10969
Z14-0008 - 0781540 BC Ltd
560 & 582 McKay Avenue

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 Lots 12 & 13, District Lot 14, ODYD, Plan 3769, located on McKay Avenue, Kelowna, B.C., and the portion of McKay Avenue to be closed adjacent to Lots 12 and 13 located on McKay Avenue, Kelowna, B.C., from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre Commercial 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

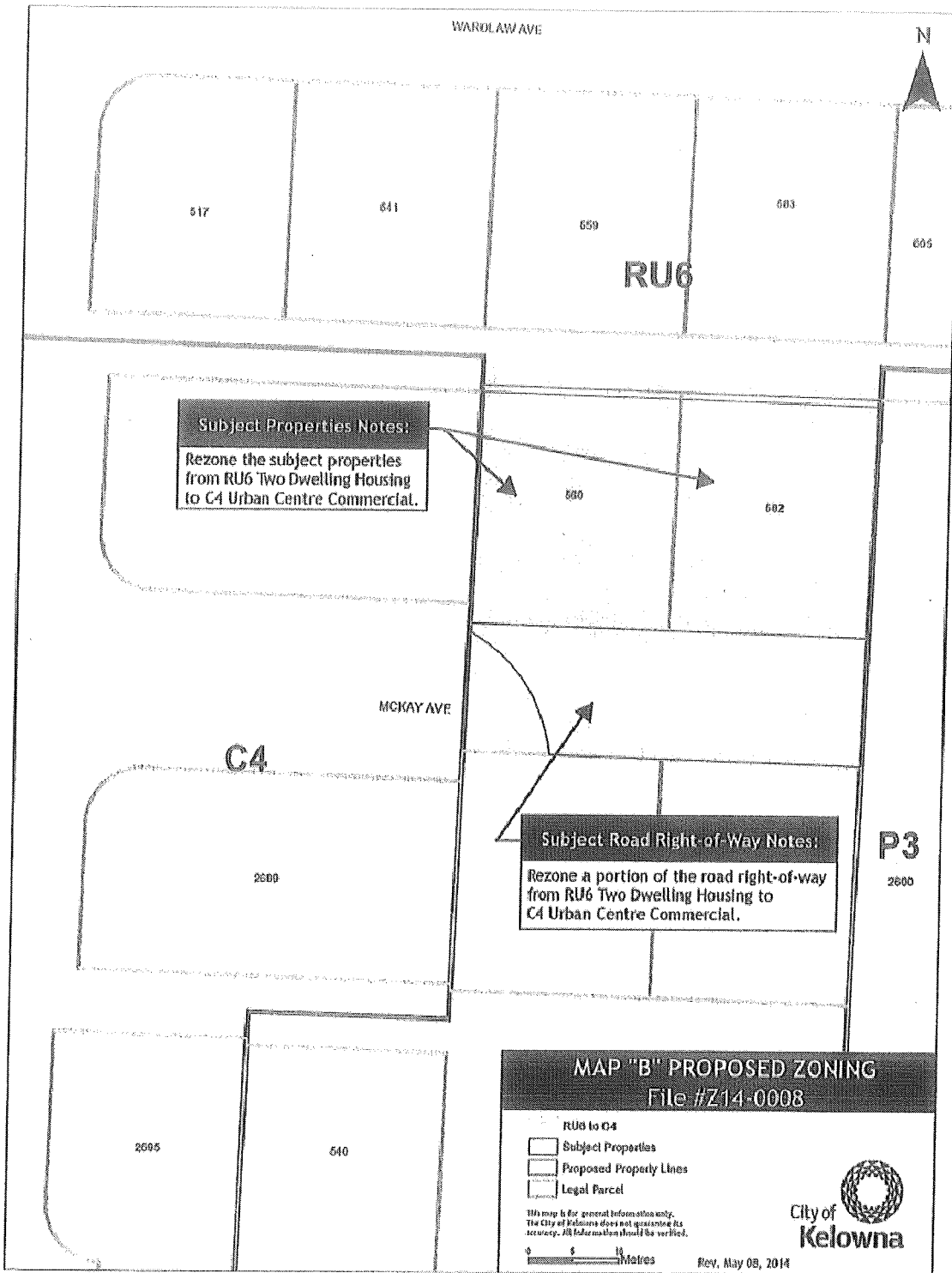
Considered at a Public Hearing on the

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



CITY OF KELOWNA

BYLAW NO. 10917

TA14-0002 - City of Kelowna

Medical Marihuana Production Facilities - Industrial Zones

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Zoning Bylaw No. 8000 be amended as follows:

1. THAT **Section 2 - Interpretation, 2.3.3** be amended by adding in its appropriate location the definition for **Medical Marihuana Production Facility** that reads:

“**MEDICAL MARIHUANA PRODUCTION FACILITY** means a facility for the producing, processing, selling, providing, shipping, delivering, and destroying of marihuana and must be licenced under the Health Canada Marihuana for Medical Purposes Regulations (SOR/2013-119).
2. AND THAT **Section 15 - Industrial Zones, 15.2 I2-General Industrial, 15.2.2 Principal Uses** be amended by adding in its appropriate location a new sub-paragraph for **Medical Marihuana Production Facilities** and renumber subsequent sub-paragraphs;
3. AND THAT **Section 15 - Industrial Zones, 15.3 I3-Heavy Industrial, 15.3.2 Principal Uses** be amended by adding in its appropriate location a new sub-paragraph for **Medical Marihuana Production Facilities** and renumber subsequent sub-paragraphs;
4. AND THAT **Section 15 - Industrial Zones, 15.4 I4-Central Industrial, 15.4.2 Principal Uses** be amended by adding in its appropriate location a new sub-paragraph for **Medical Marihuana Production Facilities** and renumber subsequent sub-paragraphs;
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 time by the Municipal Council this 24th day of February, 2014.

Considered at a Public Hearing on the 18th day of March, 2014.

Read a second and third time by the Municipal Council this 18th day of March, 2014.

Approved under the Transportation Act this 9th day of May, 2014.

Lynday Lochhead

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 10920

A bylaw pursuant to the provisions of the Community Charter S.B.C. [2003] Chapter 26 to provide for the Licencing and Regulating of Health Canada Licenced Medical Marihuana businesses within the City of Kelowna

WHEREAS it is the purpose of this bylaw to:

- (a) require an owner or operator of an **MMPR business** within the City of Kelowna to hold a valid and subsisting licence for the carrying on of such **MMPR business** and,
- (b) fix and impose licence fees for licences; and,
- (c) provide for the collection of licence fees and the granting, issuing and transferring of licences, subject to the limitations contained within the bylaw;

AND WHEREAS it is also the purpose of this bylaw to regulate the carrying on of **MMPR business** within the City of Kelowna, to the extent not inconsistent with the intent of this bylaw, for the purpose of protecting the public or preventing or minimizing nuisances and misleading **business** practices;

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

1. CITATION

This bylaw may be cited for all purposes as 'Medical Marihuana Producer Business Licence and Regulation Bylaw No. 10920.'

2. DEFINITIONS

In this bylaw unless the context otherwise requires:

"**Applicant**" means any person who makes application for a licence under the provisions of this Bylaw;

"**Medical Marihuana Production Regulation Business**" or "**MMPR Business**" means carrying on a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services, whether or not for the purpose of gain or profit, under the authority of the Health Canada Medical Marihuana Production Regulations, as amended or replaced from time to time;

"**City**" means the City of Kelowna or the area within the Municipal boundaries thereof;

"**Council**" means the Municipal **Council** of the City of Kelowna;

"**Licence Inspector**" means the officials appointed by **Council** under Section 14 of this bylaw and includes Building Inspectors, Bylaw Enforcement Officers, and Plumbing Inspectors;

"**Premises**" means a building, portion of a building or an area of land where **business** is carried on;

3. LICENCING PERIOD

3.1 A licence period shall be one (1) year, to commence on the first day of January to terminate on the 31st day of December in each and every year.

4. LICENCE REQUIRED

4.1 Every person who owns or operates an **MMPR business** within the **City** shall apply for, obtain and hold a licence for each **MMPR business**.

4.2 In the case of different **MMPR businesses** in one building which are operated or owned by the same person and which are accessible to each other through internal doorways without leaving the structure, such **MMPR businesses** shall be considered one **premises** for the purposes of this bylaw.

4.3 Every person who carries on a **MMPR business** from more than one **premises** in the **City** shall obtain a separate licence for each **premises**, whether or not the **premises** are located in the same building.

4.4 No person shall carry on a **MMPR business** for which a licence is required by this bylaw within the **City** without holding a valid and subsisting licence for the carrying on of such **MMPR business**.

5. LICENCE APPLICATION AND FEE

5.1 An application for an initial licence for a **MMPR business** shall be made on the application form set out in Business Licence and Regulation Bylaw No. 7878, as amended or replaced from time to time, and shall be signed by an owner or operator of the **MMPR business**, or the owner or operator's agent duly authorized in writing.

5.2 Every application for an initial licence for a **MMPR business** shall include a detailed description of the **premises** in or upon which the **applicant** intends to carry on the **MMPR business**. All such licences shall be subject to the provisions of the **City** of Kelowna Zoning Bylaw No. 8000 as amended or replaced from time to time.

5.3 Every application for an initial licence for a **MMPR business** must obtain any required building, plumbing, natural gas, propane and electrical installation permits applicable to the **MMPR business**.

5.4 It is the responsibility of the **applicant** for a licence, not the responsibility of the **Licence Inspector**, to obtain the inspection and confirmations required under this bylaw.

5.5 Where an **applicant** applies for more than one licence, the particulars of each licence applied for shall be included on a separate application form for each licence.

5.6 The application form shall be delivered to the **Licence Inspector** and shall be accompanied by a fee of \$510.00 and any inspection forms and confirmations required under this bylaw.

5.7 Licence fees paid hereunder shall not be refundable.

6. PRO-RATING OF LICENCE FEE

6.1 The licence fees described in this bylaw may be reduced pro-rata in respect of any person who becomes liable to be licenced after the commencement of the licence period on a quarterly basis.

7. FORM OF LICENCE

7.1 Every licence granted pursuant to this bylaw shall be in the form outlined in Business Licence and Regulation Bylaw No. 7878, as amended or replaced from time to time.

8. TRANSFER

8.1 Any person proposing to obtain a transfer of a licence with respect to a change of **Premises** shall make application in the form set out in Business Licence and Regulation Bylaw No. 7878, as amended or replaced from time to time, and the powers, conditions, requirements, and procedures relating to the initial licence application apply, except as to fees.

8.2 Any person proposing to obtain a transfer of a licence shall pay a licence transfer fee of \$30.00 at the time of application.

9. EFFECT OF LICENCE

9.1 A licence authorises only the person named in the licence to carry on only the **MMPR business** described in the licence, and only at the **premises** or locations described in the licence.

9.2 A licence is not a representation or warranty that the licenced **MMPR business** or the **business premises** comply with the bylaws of the **City** or with any regulations or standards.

10. LICENCE RENEWAL

10.1 A licensee is responsible for submitting a licence renewal form and the annual licence fee outlined in Section 5.6 of this Bylaw prior to the expiration of the licence.

10.2 If a licence is not renewed as required by this bylaw, the licence shall be terminated and the licensee who wishes to continue to carry on the **MMPR business** shall submit an application form and supporting documentation in the same manner as an application for an initial licence for a **MMPR business** and shall pay an additional licence fee as set out in set out in Business Licence and Regulation Bylaw No. 7878, as amended or replaced from time to time.

11. REQUIREMENTS

11.1 Every person or individual carrying on the **MMPR business** shall submit to the **Licence Inspector**, as part of an application, the following:

- a) A ventilation plan used to control the environment detailing how such system(s) prevents the escape of pollen, and other particles through exhausted air ensuring no odours leaving the **premises** can be detected by a person with a normal sense of smell at the exterior of the **premises**;
- b) A plan that specifies the methods to be used to prevent the growth of harmful mould and achieve compliance with limitations on discharge into the waste water system of the **City**;
- c) A security and exterior lighting plan consistent with the requirements of the Health Canada MMPR regulations, including monitored alarm system;
- d) A plan of the placement and use of security cameras consistent with the Health Canada MMPR regulations;
- e) A storage plan for the Medical Marihuana produced and/or otherwise stored on the **premises**;

- f) A plan for disposal of any Medical Marihuana or Infused Marihuana that is not consumed by patients in a manner that protects any portion thereof being possessed or ingested by any person or animal;
 - g) A plan for packaging and delivery of Medical Marihuana to patients, including the loading and transport of product;
 - h) Provide a signed declaration that no pesticides or other toxic substance shall be used in Medical Marihuana production and that the operation will meet the Health Canada Technical Specifications for Dried Marihuana for Medical Purposes document;
 - i) A copy of the Health Canada Medical Marihuana Producer licence;
 - j) a Health Canada identification number;
 - k) The names of every individual employed in the MMPR business and provide updates within 72 hours of any change in personnel;
 - l) Documentation that the **applicant** and all employees have passed an RCMP criminal records check on an annual basis;
- 11.2 Upon the termination of the MMPR business, an owner is required to clean the **premises** to the standard contained in the Nuisance Controlled Substance Bylaw No. 9510 as amended or replaced from time to time.

12. GRANTING AND SUSPENSION OF LICENCES

- 12.1 The **Licence Inspector** may grant a licence where he is satisfied that the **applicant** therefore has complied with the requirements of the bylaws of the **City** regulating building, zoning, health, sanitation and **MMPR business** and may suspend for such period as he may determine any licence if the holder of the Licence:
- (a) is convicted of an offence indictable in Canada;
 - (b) is convicted of any offence under any Municipal Bylaw or Statute of the Province in respect of the **MMPR business** for which he is licenced or with respect to the **premises** named in his licence;
 - (c) has, in the opinion of the Official, been guilty of such gross misconduct in respect of the **MMPR business** or in or with respect to the **premises** named in his licence that it warrants the suspension of his licence;
 - (d) has ceased to meet the lawful requirements of Health Canada to carry on the **MMPR business** for which he is licenced or with respect to the **premises** named in the licence;
 - (e) Failure to comply with or refusal to submit any of the requirements identified in **Part 11 REQUIREMENTS** of this Bylaw;
 - (f) The suspension of a licence by the **Licence Inspector** shall be made, in writing, signed by the Inspector and served on the person holding such licence or delivered to the holder of such licence by registered mail to the address given by the Licencee on the application for the licence. A notice of suspension of licence may be posted by the **Licence Inspector** upon the **premises** for which the licence was issued and such notice shall not be removed until the licence is reinstated, the former Licencee ceases to occupy the **premises**, or a new **MMPR business** other than the one carried on by the former Licencee is started in the **premises**. The **Licence Inspector** may also pick up any licence held by the Licencee during such period of suspension.
 - (g) The **Council** may revoke a licence for reasonable cause after giving notice to the Licencee and after giving him an opportunity to be heard.

13. LICENCE TO BE DISPLAYED

13.1 The Licencee or person in charge or control of **premises** where the **MMPR business** for which the licence is issued is carried on, shall at all times keep the licence or licences prominently displayed in the **MMPR business** area of the **premises** to which the public have access.

14. LICENCE INSPECTOR

14.1 The **Council** may, by resolution, appoint a person to be the **Licence Inspector**.

14.2 **Licence Inspectors** appointed pursuant to Section 14.1 are hereby authorized to enter at all reasonable times on any property that is subject to the direction to ascertain whether the requirement is being met or the regulations observed.

15. INSPECTION

15.1 The **Licence Inspector** is hereby authorized to enter at all reasonable time, on any property that is subject to the regulation of this bylaw in order to ascertain whether such regulations are being observed.

16. PENALTIES

16.1 Any person guilty of an infraction of this Bylaw shall be liable for a penalty under the City of Kelowna Bylaw Notice of Enforcement Bylaw No. 10475 as amended or replaced from time to time.

16.1.2 A person who:

- a) contravenes, violates or fails to comply with any provision of this Bylaw or of any permit or order issued under this Bylaw;
- b) suffers or allows any act or thing to be done in contravention or violation of this Bylaw or any permit or order issued under this Bylaw; or
- c) fails or neglects to do anything required to be done under this Bylaw or any permit or order issued under this Bylaw;

commits an offence and is liable on summary conviction to a penalty not exceeding Ten Thousand Dollars (\$10,000.00) and the cost of prosecution.

Each day a violation of the provisions of this bylaw exists or is permitted to exist shall constitute a separate offence.

17. SEVERABILITY

17.1 In the event that any section of this bylaw is for any reason held invalid by a decision of a court of competent jurisdiction, the invalid section or sub-section shall be severed from and not affect the remaining provisions of this bylaw.

20. EFFECTIVE DATE

20.1 This bylaw comes into full force and effect and is binding on all persons as from the date of adoption.

Read a first, second and third time by the Municipal Council this 24th day of February, 2014.

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 10921

**Amendment No. 8 to Bylaw Notice Enforcement Bylaw No.
10475**

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Bylaw Notice Enforcement Bylaw No. 10475 be amended as follows:

1. THAT Schedule "A" be amended by adding in its appropriate location a new section for Medical Marihuana Producer Business Licence and Regulation Bylaw No. 10920 as attached to and forming part of this bylaw;
2. This bylaw may be cited for all purposes as "Bylaw No. 10921, being Amendment No. 8 to Bylaw Notice Enforcement Bylaw No."
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 24th day of February, 2014.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule 'A'

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as "Yes")
Medical Marihuana Producer Business Licence and Regulation Bylaw No. 10920						
10920	4.4	Carry on business without a licence	\$500.00	\$450.00	\$500.00	Yes
10920	8.1	Transfer a business without approval	\$100.00	\$90.00	\$110.00	Yes
10920	8.2	Fail to pay transfer fee	\$50.00	\$45.00	\$55.00	Yes
10920	9.1	Use contrary to issued licence	\$500.00	\$450.00	\$500.00	Yes
10920	11.1 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j)	Fail to submit required plan, declaration, licence or identification number (for each offence)	\$100.00	\$90.00	\$110.00	Yes
10920	11.1 (k)	Fail to submit names of employees	\$100.00	\$90.00	\$110.00	Yes
10920	11.1 (k)	Fail to provide employee changes	\$100.00	\$90.00	\$110.00	Yes
10920	11.1 (j)	Fail to submit criminal records check	\$100.00	\$90.00	\$110.00	Yes
10920	13.1	Fail to display business license	\$50.00	\$45.00	\$55.00	Yes
10920	15.1	Prohibit entry of License Inspector	\$500.00	\$450.00	\$500.00	Yes

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 31st day of March, 2014.

Considered at a Public Hearing on the 15th day of April, 2014.

Read a second and third time by the Municipal Council this 15th day of April, 2014.

Approved under the Transportation Act this 9th day of May, 2014.

Lynda Lochhead
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: 5/16/2014
File: 1405-01
To: City Manager
From: Keith Grayston, Financial Services Manager
Subject: Transit 2014/2015 Annual Operating Agreements

Recommendation:

THAT Council approve the 2014/2015 Annual Operating Agreements for conventional and custom transit services for the City of Kelowna;

AND THAT Council approve the amendment to the 2013/2014 Annual Operating Agreement for conventional transit;

AND THAT Council approve the Master Operating Agreement to be in effect June 1, 2014 to March 31, 2023;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute all of these Operating Agreements between BC Transit, the City of Kelowna and FirstCanada ULC.

Purpose:

To provide Council with information on Transit costs for the current year and receive Council authorization to sign the Annual Operating Agreements for the current year, with the amended agreement for last year and the Master Operating Agreement.

Background:

Conventional Transit Service

The total costs for the regular conventional transit agreement for the 2014 fiscal year is estimated to be \$18,493,800, a 3.3% decrease compared to the 2013 amended Annual Operating Agreement. This is for a total of 153,157 service hours, a reduction of 4,379 compared to the 2013 level of service. The service hour reduction mainly relates to a reduced

schedule of conventional transit in West Kelowna, with a change to Community bus usage. For the Community Bus program the cost estimate for 2014 is \$1,905,700 an increase of 13.1% but includes an increase of 3,084 service hours. The main areas of cost change are: an increase in the operating company's fixed costs, in fleet maintenance, bus rapid transit shelter maintenance (new) and equipment lease fees; along with decreases in the variable costs, insurance costs and vehicle lease fees (Gas Tax funding used for new vehicles).

Transit ridership for the period is forecast to increase slightly to 4,855,100 passengers with revenues projected to increase slightly. Overall there is a \$423,400 decrease in local cost requirements and a \$6,000 increase in BC Transit's cost share. Cost recovery is estimated at 27.2% for 2014 up from 26.6% in the amended 2013 budget.

This agreement covers the annualization of the 2013 amended service for September 2013. An AOA amendment will be required for the additional improvement in service levels for 2014 as approved by Council at Provisional Budget.

The City of Kelowna is responsible for \$4.3 million of the estimated \$6.0 million net Municipal Share of the regional Conventional Transit program.

Custom Transit Service

The total costs under this agreement for the 2014 fiscal year are estimated to be \$2,969,300 (excluding Peachland Paratransit), which is a 6.4% increase from the 2013 operating budget. The cost adjustment is primarily due to a re-allocation of fixed costs and property charges along with a reduction in vehicle lease fees (Gas Tax funding used for new vehicles).

Passengers for the period are forecast at 165,000, similar to the 2013 level, with revenues increasing by \$6,400. Net municipal share is reduced by \$56,600 for 2014 while BC Transit's share increases by \$226,600. BC Transit has absorbed most of the cost increase as the municipal portion has been reduced in the debt (lease vehicle) area and BC Transit has their debt costs recorded elsewhere. Cost recovery is estimated at 8.8%, down from the 9.1% level estimated for the 2013.

The City of Kelowna is responsible for \$582,100 of the estimated \$789,900 net Municipal Share of the Custom Transit program.

Attached are Information & Performance Summaries for the Regional Conventional, Community and Custom Transit operations. These schedules outline some of the changes to the current year operating agreement for costs and revenues as well as performance information. Also included are conventional transit revenue and cost comparisons for the 2006 to 2013 period.

A further request is for the approval of an amendment to the 2013/14 Conventional Transit Annual Operating Agreement. This amendment covers the conventional transit changes that occurred last September, including items related to the City of Kelowna and also our regional partners:

- Changes to the #17 Southridge route
- Reviewed and adjusted the run times on a number of routes to address some of the most significant schedule reliability issues
- Reallocation of the service hours between conventional and community service to match actual delivery under the collective agreement

The amendment was received at the City late January but was held for review and for inclusion with the 2014 Annual Operating Agreement report to Council.

The Master Operating Agreement has been refreshed to provide additional support to the contract management activities with respect to the operating company. There are more details regarding the operating company’s requirements and obligations to allow better monitoring of the company’s performance. The changes are primarily focused on the operating company and are to the advantage of BC Transit and local government. The obligations between BC Transit and the City have not materially changed.

Internal Circulation:

Director, Regional Services
Regional Programs Manager
Revenue Manager

Legal/Statutory Authority:

Annual Operating Agreement is required to authorize funding for payment of transit contractor.

Financial/Budgetary Considerations:

Existing budget provides for these Annual Operating requirements.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:

K. Grayston, CPA, CGA
Financial Services Manager

Approved for inclusion:

Divisional Director, Corporate & Protective Services

cc: Director, Regional Services
Regional Programs Manager
Revenue Manager

Information & Performance Summary				
Kelowna Conventional Transit				
Kelowna Regional		Kelowna Regional		
Amended AOA		Official AOA		Variance
	2013/2014	2014/2015	\$	%
ANNUAL OPERATING AGREEMENT				
BUDGET SUMMARY				
Total Costs	\$19,121,555	\$18,493,797	-\$627,758	-3.3%
Total Revenue	\$5,532,233	\$5,540,054	\$7,821	0.1%
BCT Share of Costs	\$7,851,550	\$7,642,949	-\$208,601	-2.7%
Net Municipal Share	\$5,450,938	\$5,021,920	-\$429,018	-7.9%
PERFORMANCE SUMMARY				
Level of Service				
Population Served	131,162	133,100	1,938	1.5%
Number of Vehicles in Service	64	65	1	1.6%
Revenue Hours of Service	157,536	153,157	-4,379	-2.8%
Effectiveness				
Annual Revenue Passengers	4,769,124	4,855,098	85,974	1.8%
Conventional	4,769,124	4,855,098	85,974	1.8%
Total Revenue Passengers per Capita	36.4	36.5	0	0.3%
Total Passengers per Hour	30	32	1	4.7%
Total Cost per Passenger	\$4.36	\$4.20	\$0.05	1.1%
Cost Recovery (including Community)	26.59%	27.16%		0.6%
Efficiency				
Total Operating Cost per Revenue Hour	\$106.75	\$106.88	\$0.13	0.1%
Total Cost of Service per Revenue Hour	\$121.38	\$120.75	-\$0.63	-0.5%

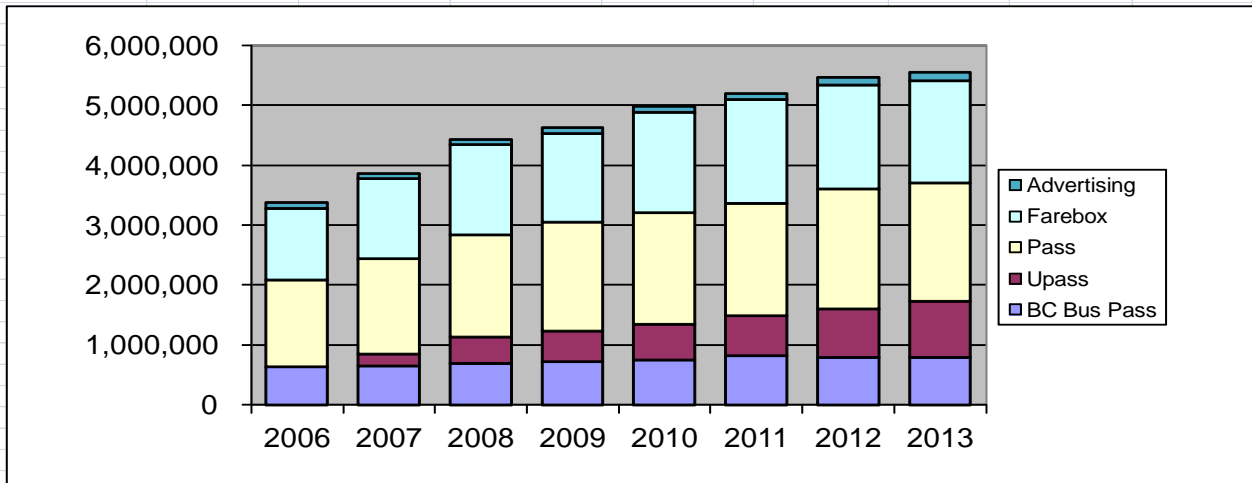
Information & Performance Summary				
Kelowna Community Bus				
	Amended AOA	Official AOA	Variance	
	2013/2014	2014/2015	\$	%
ANNUAL OPERATING AGREEMENT				
BUDGET SUMMARY				
Total Costs	\$1,684,860	\$1,905,691	\$220,831	13.1%
BCT Share of Costs	\$650,254	\$864,836	\$214,582	33.0%
Net Municipal Share	\$1,013,100	\$1,018,706	\$5,606	0.6%
PERFORMANCE SUMMARY				
Level of Service				
Population Served	131,162	133,100	1,938	1.5%
Number of Vehicles in Service	8	11	3	37.5%
Revenue Hours of Service	20,308	23,392	3,084	15.2%
Efficiency				
Total Operating Cost per Revenue Hour	\$74.97	\$79.18	\$4.21	5.6%
Total Cost of Service per Revenue Hour	\$82.97	\$81.47	-\$1.50	-1.8%

Information & Performance Summary				
Kelowna Regional Custom				
	Official AOA	Official AOA	Variance	
	2013/2014	2014/2015	\$	%
ANNUAL OPERATING AGREEMENT				
BUDGET SUMMARY				
Total Costs	\$2,791,608	\$2,969,295	\$177,687	6.4%
Total Revenue	\$254,760	\$261,145	\$6,385	2.5%
BCT Share of Costs	\$1,646,664	\$1,873,216	\$226,552	13.8%
Net Municipal Share	\$846,416	\$789,852	-\$56,564	-6.7%
PERFORMANCE SUMMARY				
Level of Service				
Population Served	188,567	191,400	2,833	1.5%
Registered Users	7,284	5,172	(2,112)	-29.0%
Number of Vehicles in Service	22	22	0	0.0%
Revenue Hours of Service	36,300	36,170	(130)	-0.4%
Effectiveness				
Annual Revenue Passengers	164,759	164,997	238	0.1%
Custom/Para - Vans	126,531	128,617	2,086	1.6%
Custom/Para - Taxi Supplement	12,250	10,402	-1,848	-15.1%
Taxi Saver	25,978	25,978	0	0.0%
Van Passengers per Revenue Hour	3.5	3.6	0.1	2.0%
Total Cost per Passenger	\$16.94	\$18.00	\$1.05	6.2%
Cost Recovery	9.13%	8.79%	0.00	-3.6%
Efficiency				
Total Operating Cost per Revenue Hour	\$68.02	\$77.66	\$9.64	14.2%
Total Cost of Service per Revenue Hour	\$76.90	\$82.09	\$5.19	6.7%

KELOWNA REGIONAL TRANSIT SYSTEM

Conventional Transit

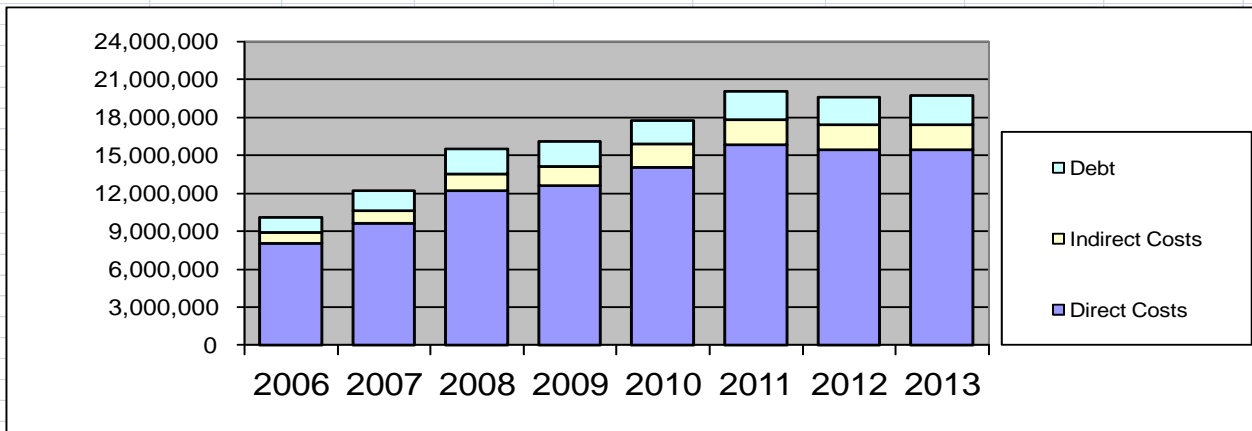
Revenues



	2006	2007	2008	2009	2010	2011	2012	2013
BC Bus Pass	636,080	642,031	693,224	723,981	747,027	819,938	782,838	793,831
Upass	201,207	201,207	433,904	506,519	589,850	663,734	813,796	927,841
Pass	1,444,836	1,594,970	1,712,729	1,809,912	1,860,079	1,876,993	2,009,193	1,984,321
Farebox	1,189,528	1,328,437	1,493,307	1,488,070	1,681,385	1,724,878	1,730,694	1,694,906
Advertising	104,259	90,000	93,000	96,000	99,000	102,000	123,735	143,648
Total	3,374,703	3,856,645	4,426,164	4,624,482	4,977,341	5,187,543	5,460,256	5,544,547

KELOWNA REGIONAL TRANSIT SYSTEM

Expenditures



	2006	2007	2008	2009	2010	2011	2012	2013
Direct Costs	8,005,899	9,588,939	12,213,064	12,587,501	14,032,398	15,795,667	15,435,583	15,403,273
Indirect Costs	867,721	1,009,417	1,323,769	1,519,451	1,831,169	2,001,793	1,946,786	1,976,118
Debt	1,236,321	1,561,656	1,920,169	1,970,773	1,880,359	2,254,781	2,206,424	2,299,482
Total	10,109,941	12,160,012	15,457,002	16,077,725	17,743,926	20,052,241	19,588,793	19,678,873
Service Hours	115,373	141,603	160,377	171,339	176,318	179,519	176,007	175,875
Cost per Hour	\$ 87.63	\$ 85.87	\$ 96.38	\$ 93.84	\$ 100.64	\$ 111.70	\$ 111.30	\$ 111.89
Recovery %	33.4%	31.7%	28.6%	28.8%	28.1%	25.9%	27.9%	28.2%

Report to Council



Date: May 14, 2014
File: 5320-20
To: City Manager
From: Genelle Davidson, Financial Services Director
Subject: Lawrence Avenue Local Area Service
Report Prepared by: Aaron Stuart, Financial Analyst

Recommendation:

THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2014 fall issue, \$345,000 as authorized through Loan Authorization Bylaw No. 10748 which authorized the construction of the local improvements.

AND THAT the Regional District of Central Okanagan be requested to prepare a security issuing bylaw with a 20 year term.

Purpose:

To obtain Council approval that the Regional District of Central Okanagan be requested to prepare a security issuing bylaw with a 20 year term.

Background:

This loan authorization Bylaw is funding the following local improvements:

- a) Paved parking areas
- b) End and mid street landscape bulbs with character pieces
- c) Curb and gutter
- d) Storm sewer system
- e) Sod, irrigation and trees on the South boulevard

On August 20th, 2012, Bylaw No. 10748 was read a first, second, and third time by Municipal Council. The approval of the Inspector of Municipalities was received on August 31st, 2012, and the approval of the Electors by an Owner Initiated process under the Community Charter was completed on November 26th, 2012. Bylaw No. 10748 was adopted by the Municipal Council of the City of Kelowna on November 26, 2012.

Legal/Statutory Procedural Requirements:

Under the Community Charter, Section 182, Municipal financing through regional district, the authority for the Regional District to proceed with borrowing through the Municipal Finance Authority of British Columbia requires a Council resolution and the adoption of a municipal loan authorization bylaw by the Regional District (previously under the Local Government Act a security issue bylaw was required by the municipality).

Internal Circulation:

Lynn Walter, Revenue Manager
George King, Financial Planning Manager

Submitted by:

G. Davidson, Financial Services Director

Approved for inclusion: RM

Considerations not applicable to this report:

Legal/Statutory Authority:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Report to Council



Date: 5/7/2014
File: 0705-10
To: City Manager
From: Rafael Villarreal, Regional Planning Manager
Subject: 2013 Household Travel Survey

Recommendation:

THAT Council receives for information, the report from the Regional Planning Manager, dated May 7, 2014, regarding the results of the 2013 Household Travel Survey and trend comparison to the 2007 Household Travel Survey.

Purpose:

To present the results of the 2013 Household Travel Survey conducted in the fall of 2013 to households in the Central Okanagan Region and City of Vernon. The report will also compare results to those from the 2007 Household Travel Survey.

Background:

Travel surveys are data collection tools vital in the development of “market assessments” of current travel characteristics of residents in a region. This type of survey provides key information to help governments ensure the development of an effective, sustainable and financially sound transportation system. They are essential for making informed decisions in transportation planning processes such as regional and municipal growth strategies, and in developing transportation policies. They also assist in measuring the success of plans and infrastructure investments.

Household Travel surveys are conducted approximately every three to five years in most major regions and cities across Canada and around the world. In this province, other organizations that regularly conduct surveys include Greater Vancouver and the Fraser Valley regions, Capital Regional District (Victoria region), Nanaimo region, and the City of Kamloops.

A “baseline” Household Travel Survey was conducted in 2007. The results of this previous survey were used in a number of ways:

- informed local and regional transportation planning studies and the development policies and targets;
- applied to the calibration of the transportation demand forecasting models, in both the North and Central Okanagan regions, to forecast transportation demand under various “what-if” scenarios and used to develop transportation plans;
- instrumental for the 20 year servicing plan.

The project was initiated through collaboration with local and regional governments of the Central Okanagan and the City of Vernon. Through this collaboration, 100% percent of the Central Okanagan’s funding was secured through Regionally Significant Gas Tax allocation to the region.

2013 Survey Data Collection

The survey was commissioned by the City of Kelowna, City of Vernon, Districts of Lake Country, West Kelowna, and Peachland, Westbank First Nation, and the Regional District of Central Okanagan. It was a household-based survey to obtain data on the travel patterns of residents in the Central Okanagan and the City of Vernon (more than 91,000 households). Invitation cards with unique access codes were mailed to households, inviting residents to participate. Each person in the household (ages 5 or older) was asked to record their travel for the complete day during their designated “survey day”. A total of 6,750 people living in 3,050 Households filled out the survey, resulting in information for about 22,450 trips over a typical fall weekday. Based on this total of trip records, the survey has a margin of error interval of plus or minus 0.62 percent, 19 times out of 20 (i.e. 95 percent confidence level that this interval includes the true value). Survey responses were correlated and expanded using census data to ensure representation to the overall population.

Survey Results

The data from this survey will be vital in helping the Central Okanagan local governments and their senior government partners evaluate and monitor the effectiveness of infrastructure and program investments. It will also inform decisions about spending tax dollars for transportation infrastructure and services such as roads, bridges, and public transit. As the 2013 survey data will be the first set of data since the baseline 2007 survey, a trend analysis can be made for the first time to determine changes in travel patterns by the residents of the region.

Household Travel Survey data combined with other data such as traffic surveys, travel time surveys, land use data, regional transportation road network (supply) will be used to update the 2007 Regional Transportation Model to 2013 conditions and will provide a more accurate base to forecast and test future transportation scenarios.

This model helps to answer questions such as:

- What will be the impact of a bypass, road network changes or transit expansions on the transportation system?

- What will be the impact of planned land use changes to the transportation system?
- How will future land uses or new developments influence travel patterns?

2013 Result Highlights

Transportation patterns are regional. The Central Okanagan shares many facilities including educational institutions, health care centres, the Kelowna International Airport, etc. Furthermore, we share a regional economy and the workforce is distributed throughout the region.

Some key findings of this survey for the Central Okanagan region include:

- A total of 571,600 trips originated from the Central Okanagan on a typical 2013 fall weekday, up 11% from 515,200 daily trips in 2007.
- 11% increase in total number of trips (all modes) in the region compared to 2007. For the City of Kelowna, the increase in trips was 8.8%.
- 20% of trips originating in the Central Okanagan cross municipal boundaries (e.g. Kelowna to West Kelowna). Specifically for trips (all modes) originating from Kelowna, 90% stay in Kelowna, while 10% of trips are destined to areas outside of Kelowna.
- Kelowna is the main trip destination in the region: 430,000 of the trip destinations in the region are to Kelowna and of those 90% originated from Kelowna, 7% are from Westside (e.g. WFN, West Kelowna and Peachland), and 3% are from the north (e.g. Lake Country and Vernon).
- Over 2% decrease in the auto driver modal share region-wide to 66.7% compared to 2007. Specifically for Kelowna, a 3% decrease in the auto driver mode share to 66.4%.
- A doubling of transit modal share to 4.3% region-wide, and a similar transit mode share increase to 4.8% from 1.7% in 2007 in Kelowna .
- An increase in active transportation mode shares from 7.2% in 2007 to 9.8% in 2013 region-wide, and a 3.1% increase in Kelowna from 8% in 2007 to 11.1% in 2013.

As can be seen from the last three bullets, new infrastructure and service investments in sustainable modes are clearly being used across the region.

* Note: mode share figures are based on trip origins.

Next Steps:

The highlighted results are only a sample of the information that can be mined from the travel survey. The survey data will be used in the development of evidence-based transportation policies. Most specifically, the data will be used in developing a Regional Strategic Transportation Plan, which is currently in the scoping phase by the local and regional governments of the Central Okanagan.

Existing Policy:

OCP Policies

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

Policy 6.2.1 GHG Reduction Target and Actions. The City of Kelowna will, in partnership with: senior governments; local residents and businesses; NGOs; external agencies; and utility providers, work towards reducing community greenhouse gas emissions by 33% (from 2007 levels) by 2020.

The City of Kelowna's efforts will be focussed on more mixed use neighbourhoods (as identified on the OCP Future Land Use Map) and on ensuring that residents can conveniently and safely travel by bus or by foot, bicycle and other forms of active transportation to get to major community destinations while ensuring the efficient movement of goods and services.

Policy 7.6.1 Transportation Infrastructure Priority. Transportation infrastructure will be funded, designed, constructed and maintained to meet the needs of users according to the following priority:

- i. Active Transportation (Walking and Cycling)
- ii. Transit
- iii. Movement of Goods and Services
- iv. High Occupancy Vehicles (HOVs)
- v. Single Occupant Vehicles (SOVs)

Objective 7.7 Reduce peak hour trips and the percentage of trips undertaken by single occupant vehicles, particularly in Urban Centres, in order to reduce or eliminate the expansion of the transportation network and capacity

Policy 7.7.1 Motorized Trips. Provide infrastructure to the Urban Centres based on the expectation that not more than 45% of total trips in the City Centre and other Town Centres will be by motor vehicle.

Objective 7.8. Provide more active transportation infrastructure to: increase resilience in the face of higher energy prices; improve community health; and reduce greenhouse gas emissions.

Internal Circulation:

Director, Policy and Planning
Sustainability Coordinator
Manager, Transportation & Mobility
Supervisor, Communications
Communications Consultant

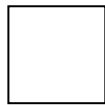
Considerations not applicable to this report:

Legal/Statutory Authority
Legal/Statutory Procedural Requirements
Existing Policy
Financial/Budgetary Considerations
Personnel Implications
External Agency/Public Comments
Communications Comments
Alternate Recommendation

Submitted by:

R. Villarreal, Regional Planning Manager

Approved for inclusion:



R. Westlake, Director, Regional Services

Attachments:

Presentation

cc: Director, Policy & Planning
Manager, Transportation & Mobility



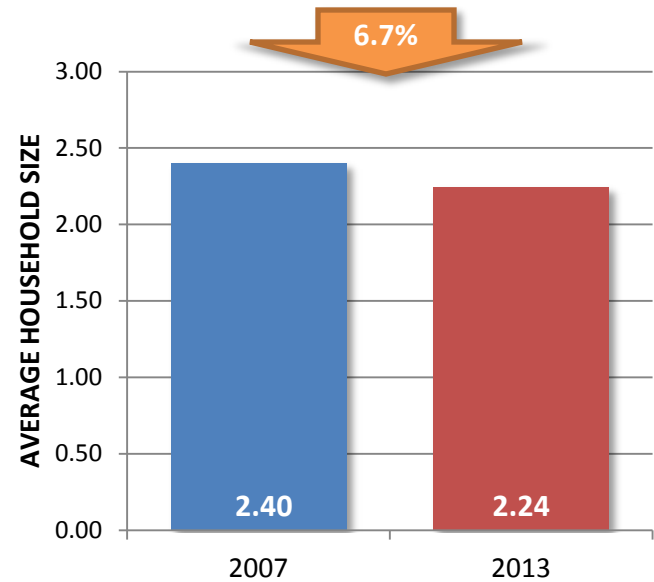
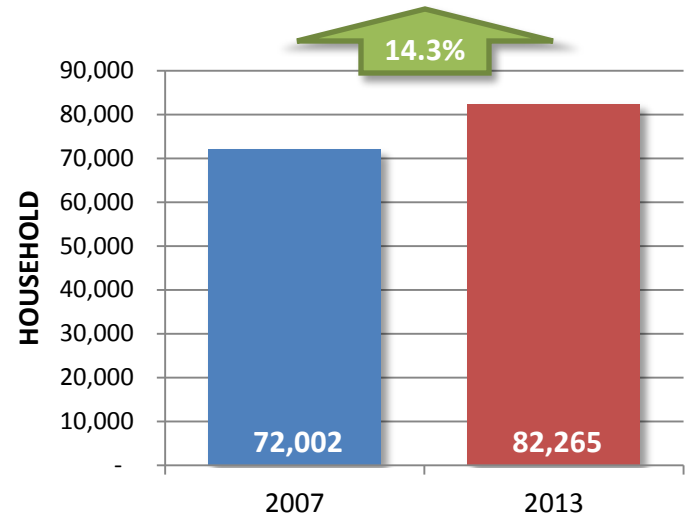
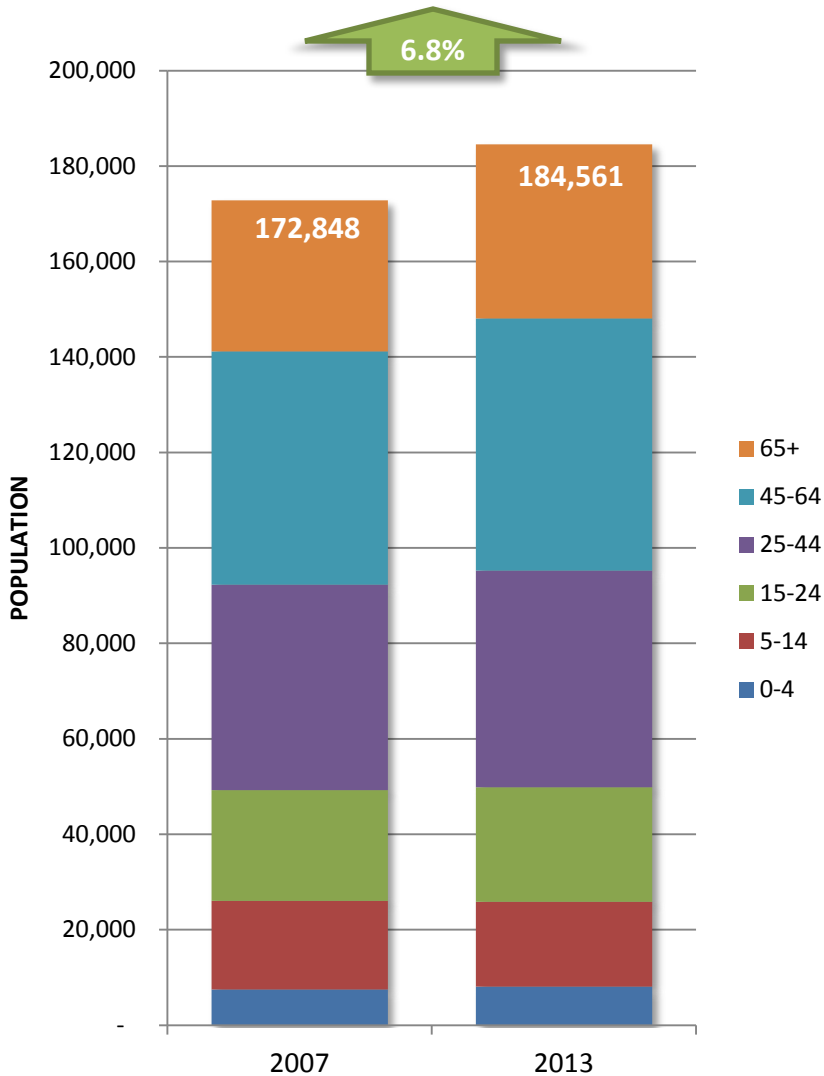
2013 Okanagan Travel Survey Findings & Comparison to 2007 Baseline



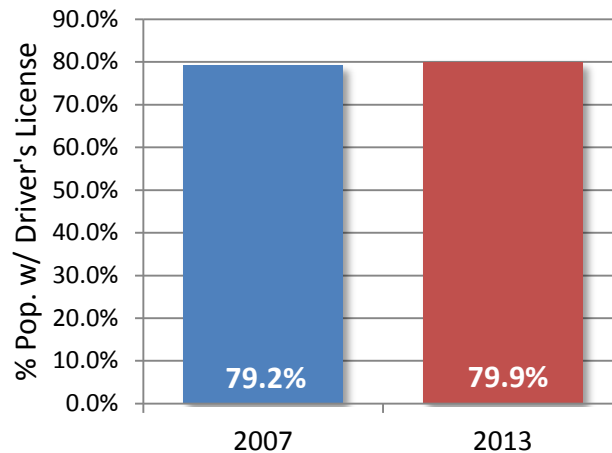
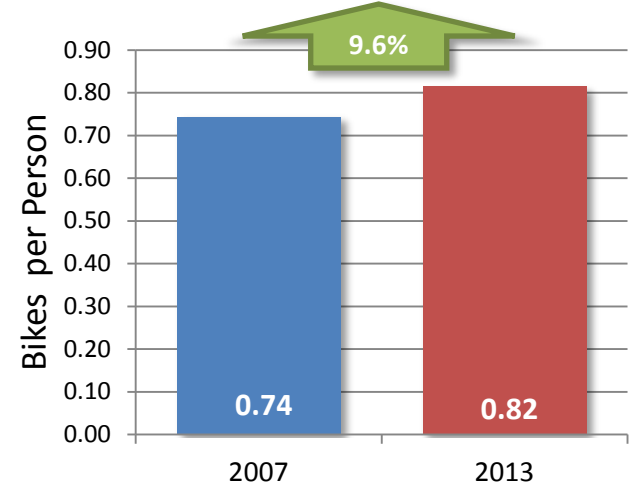
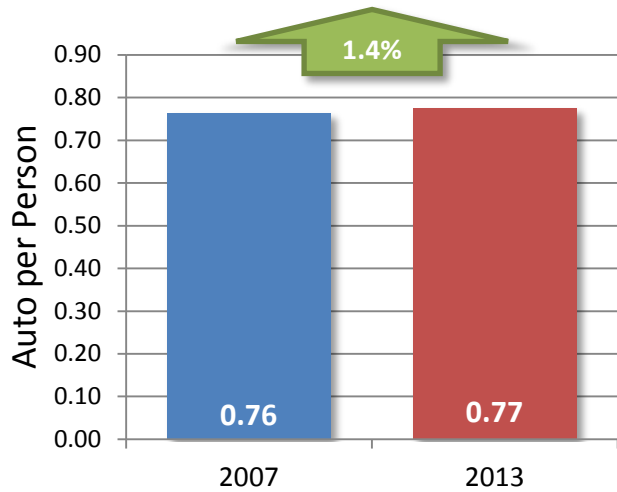
Survey Background & Conduct

- Household Travel Surveys
 - used worldwide
 - data used for policy and planning
 - primary means to measure sustainable transportation
- “Okanagan Travel Survey”
 - conducted Fall 2013 (late Sept – end of Nov)
 - Central Okanagan communities + City of Vernon
- Response:
 - 3,050 households comprising of 6,750 people
 - 22,500 trip records (+/- 0.61%, 19 out of 20 times)
- Comparison to 2007 Baseline Travel Survey

Background – Population & Household



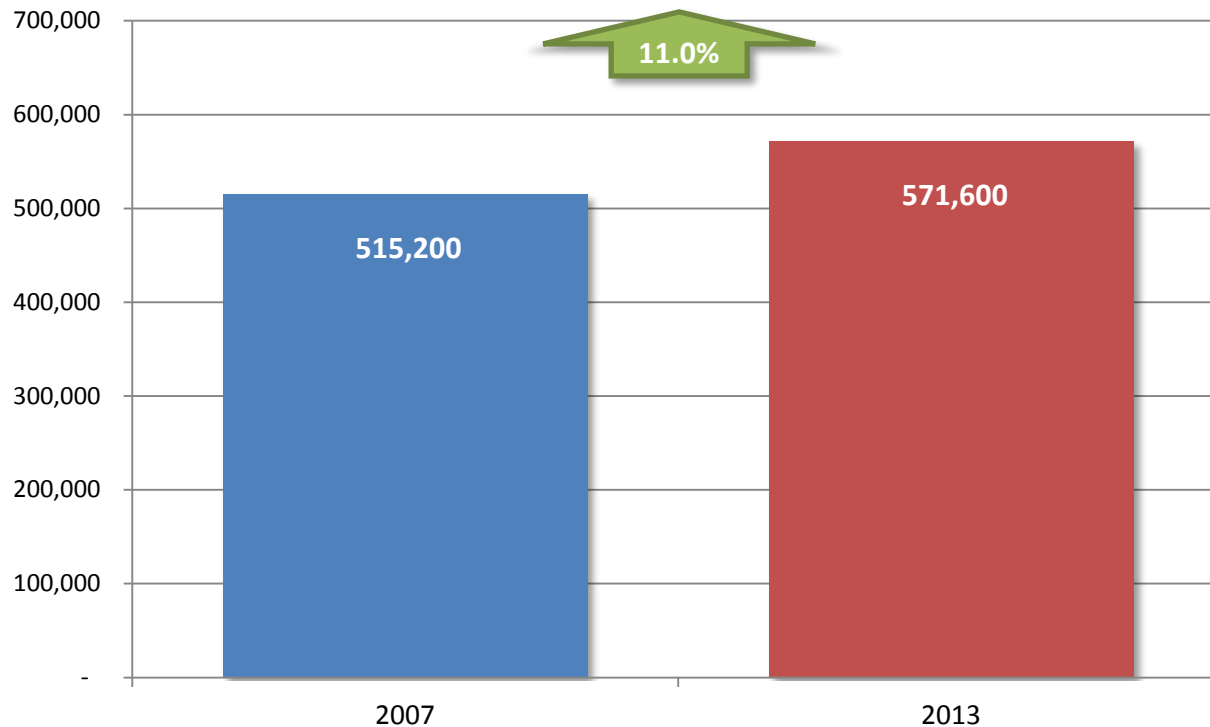
Background – Auto, Bicycle & Driver License Ownership



Total Trips

(24hr, Central Okanagan Residents)

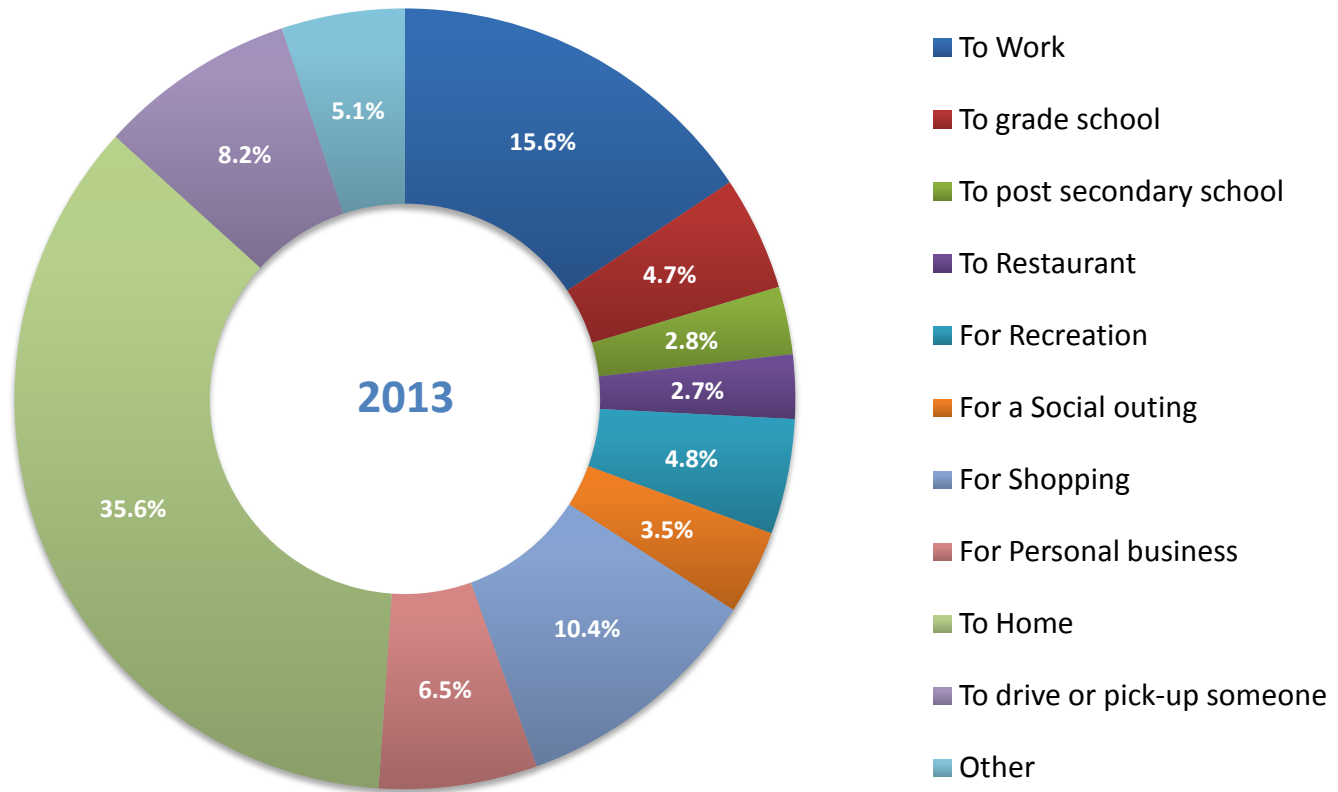
- How much travelling is there in a typical Fall weekday?



Trip Purpose

(24hr, Central Okanagan trip origins)

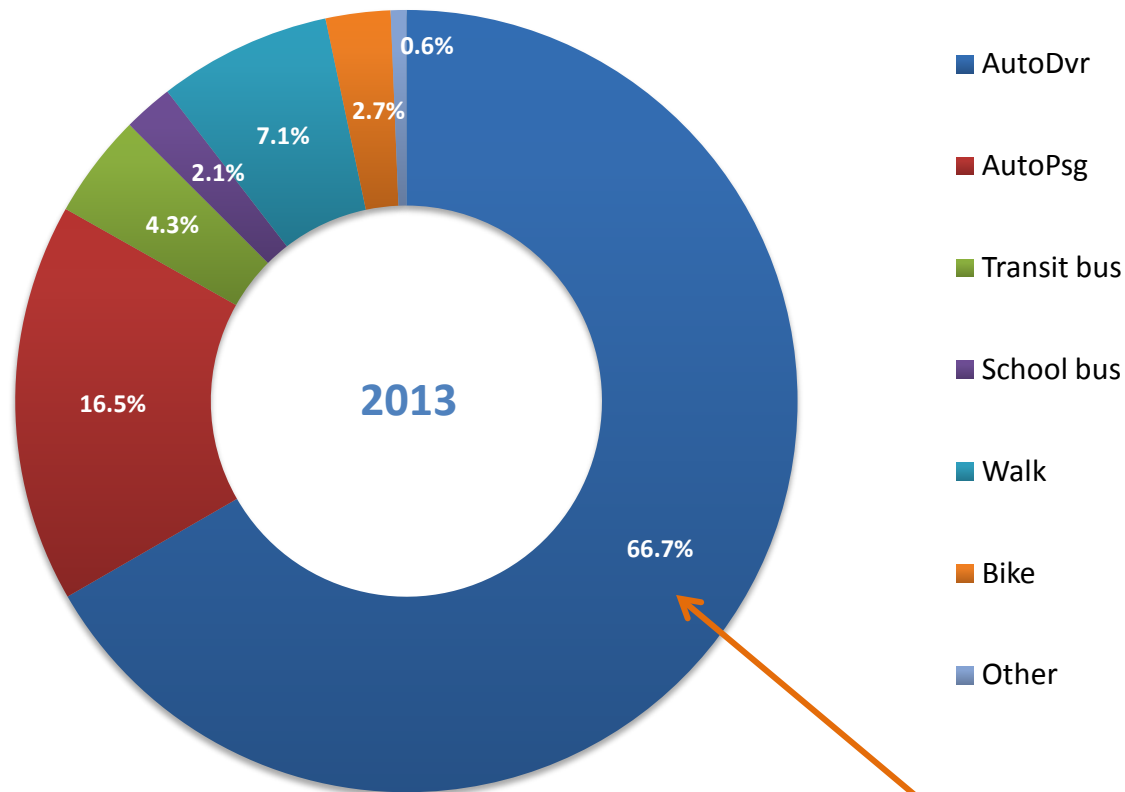
■ Why are residents travelling?



Mode Share

(24hr, Central Okanagan trip origins)

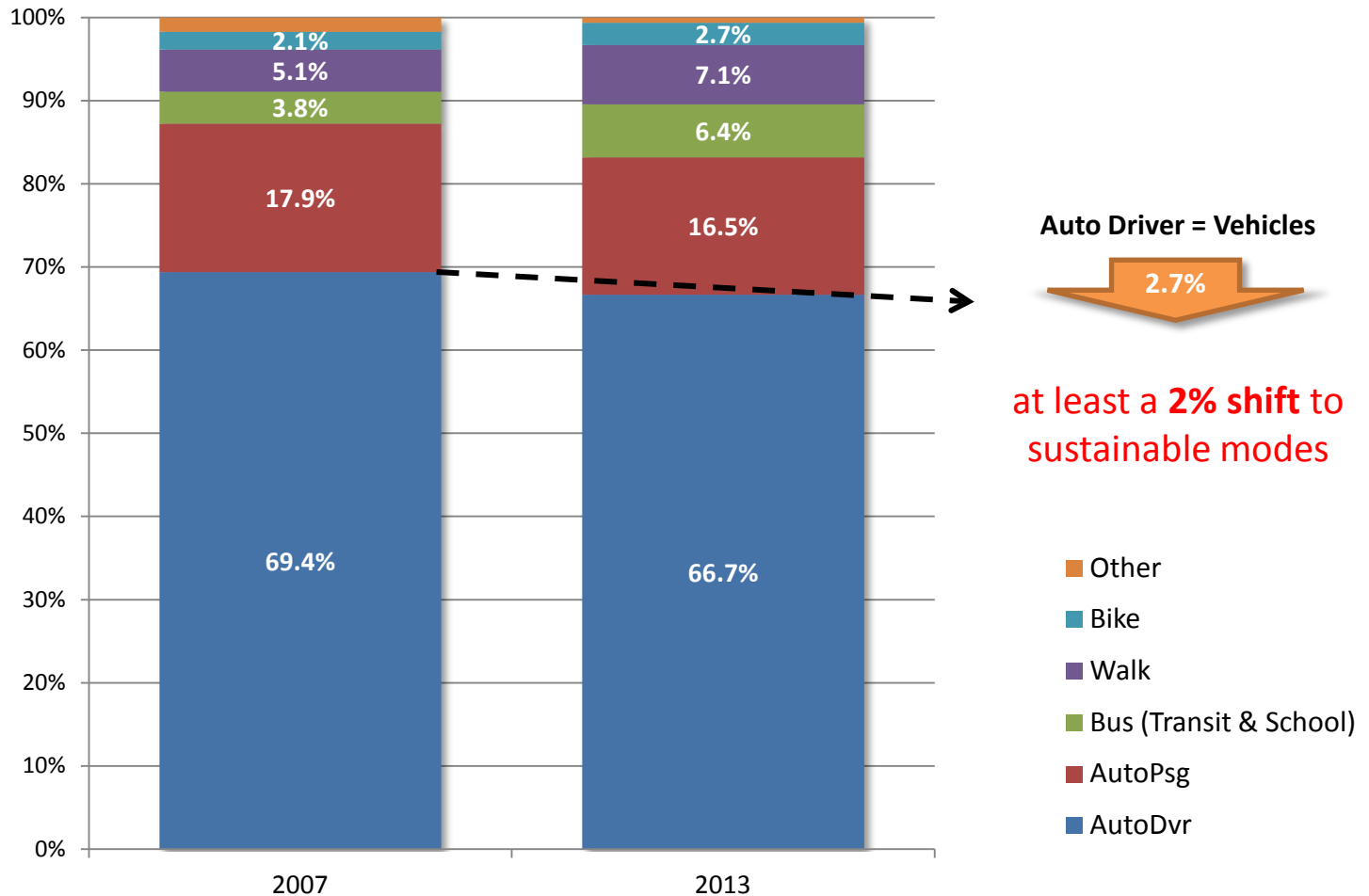
■ How are residents travelling?



Auto Driver mode accounts for 2/3 of all trips²¹⁷

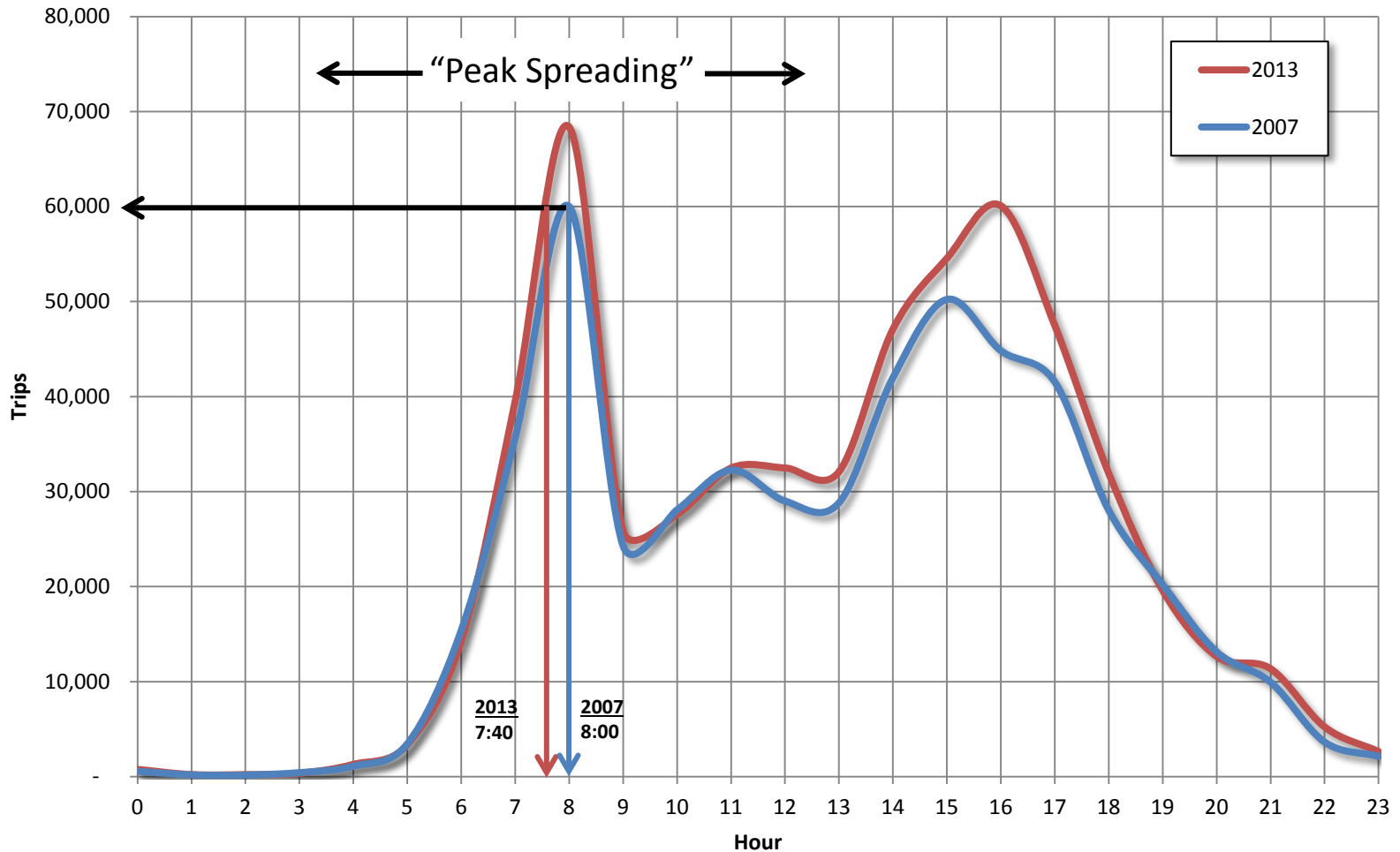
Trip Mode Trend

(24hr, Central Okanagan trip origins)



Total Trips by Starting Hour

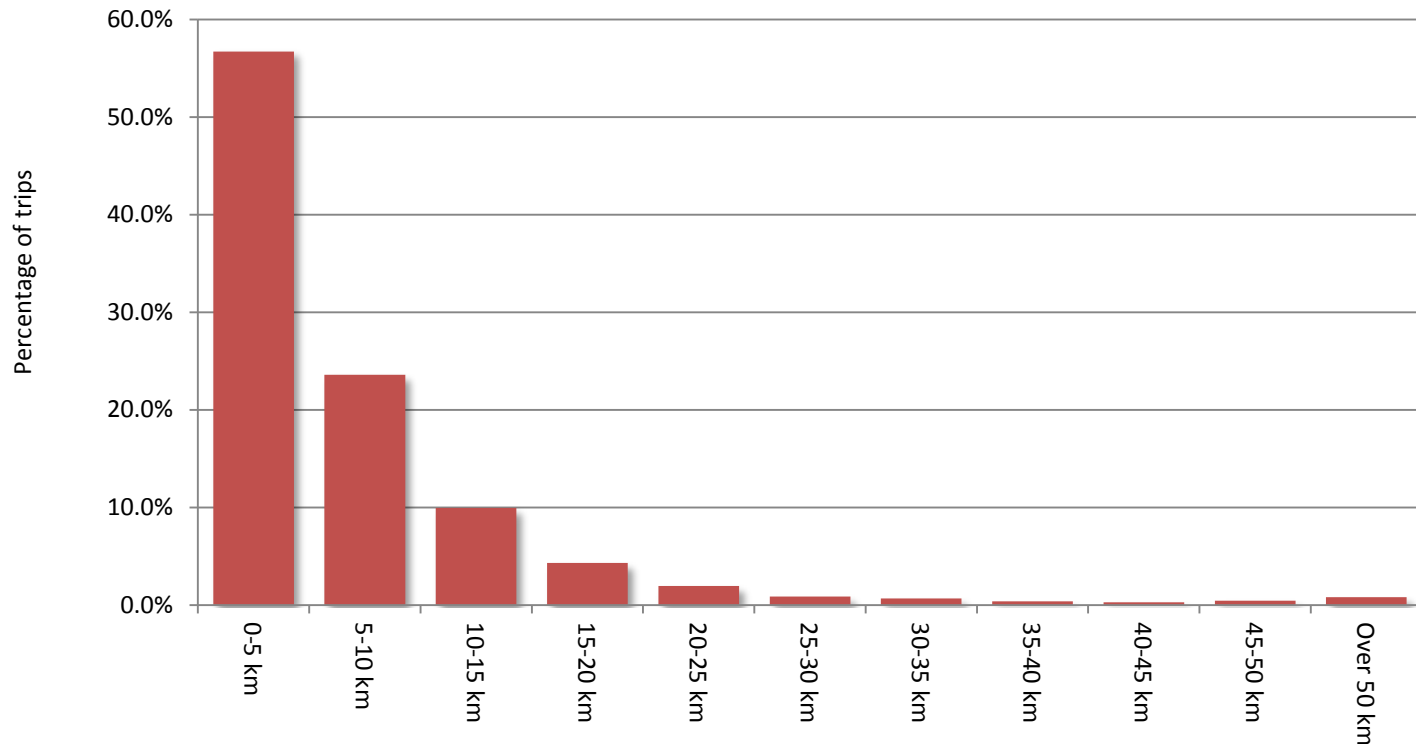
Central Okanagan Region - Trips by Start Hour
2007 - 2013



Trip Length Distribution

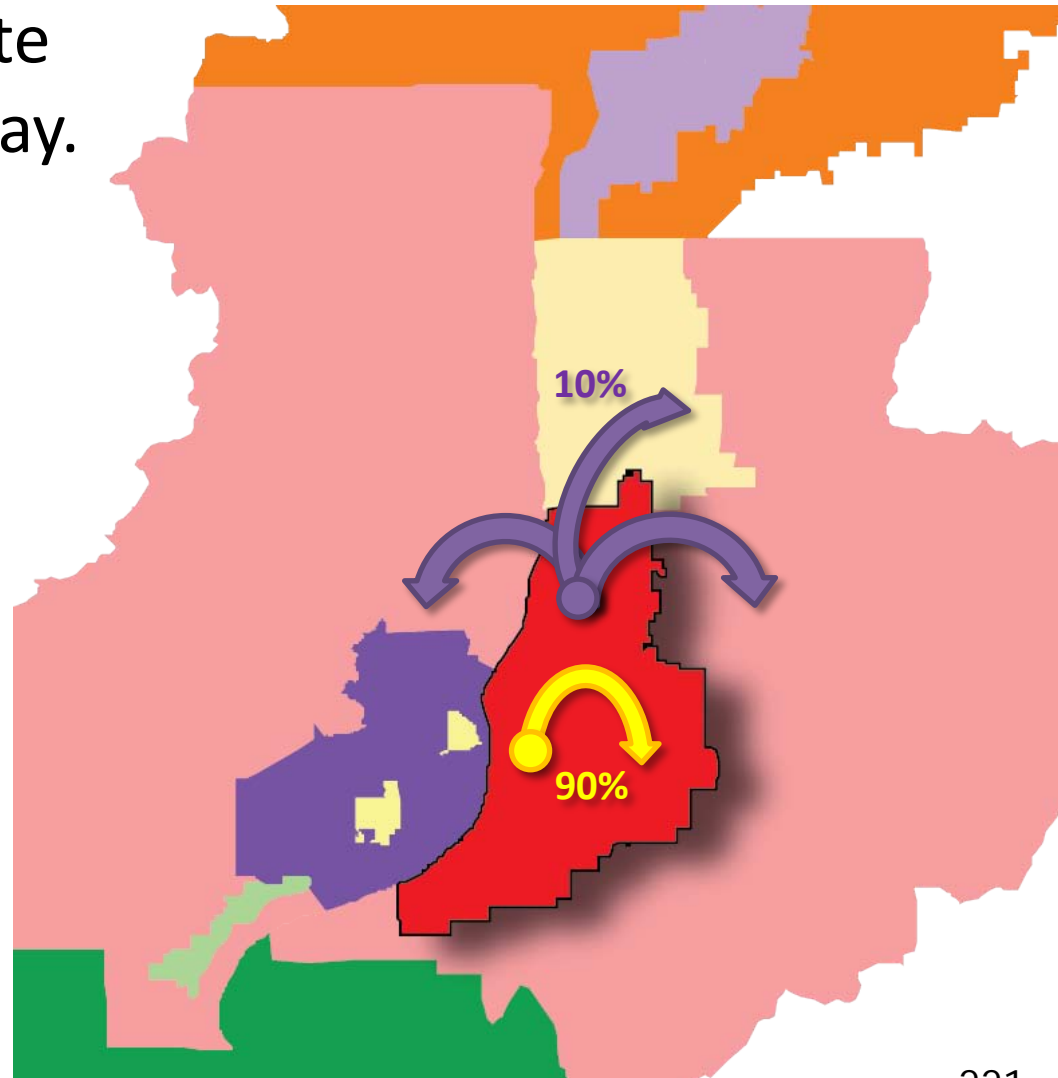
(24hr, Central Okanagan trip origins)

- 56% of trips less than 5km
- “distance market” for active transportation



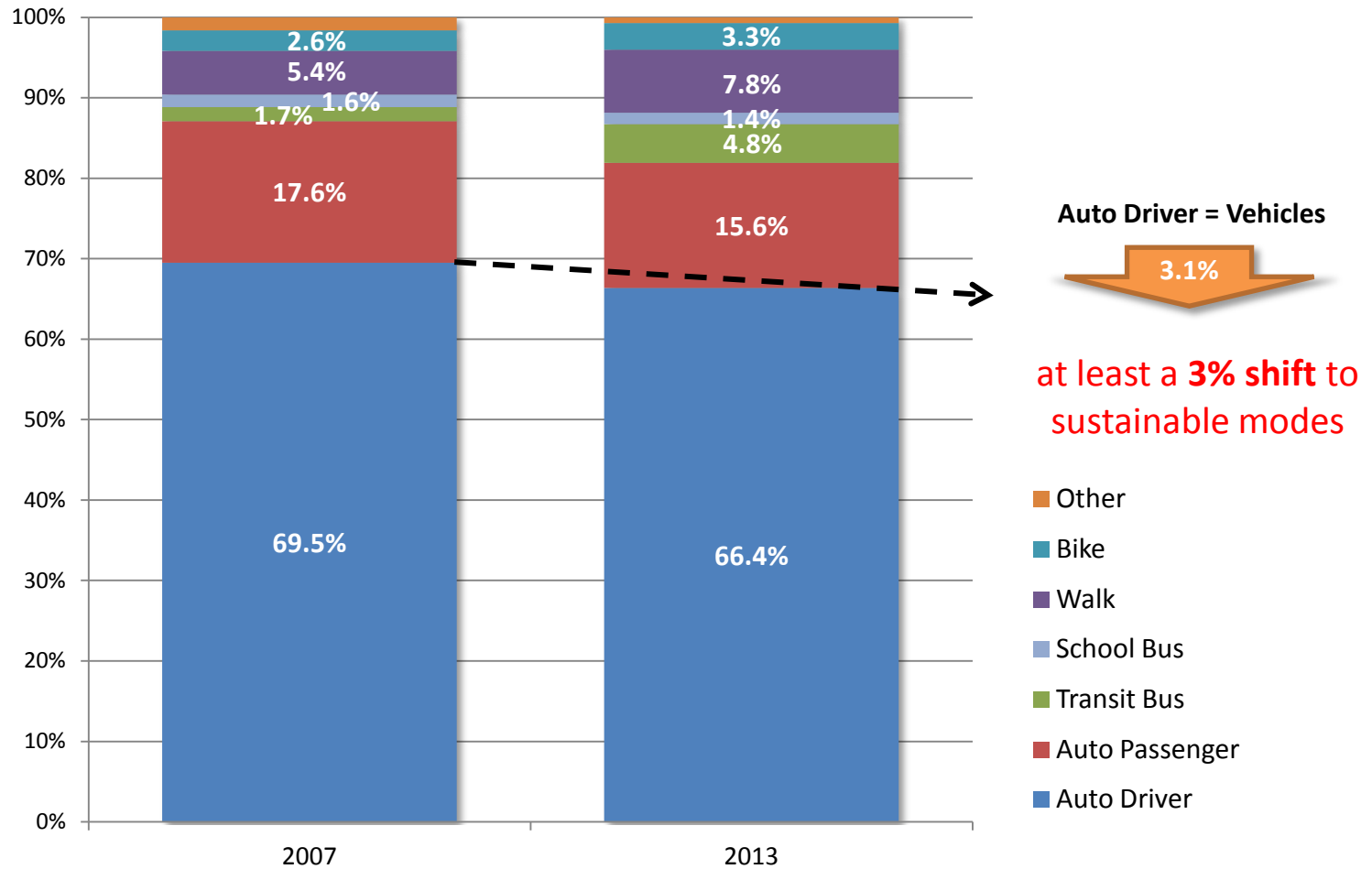
Kelowna-Originating Trips

- **429,600 trips** originate from Kelowna each day.
- Of these:
 - **90%** stay in Kelowna
 - **10%** leave Kelowna



Trip Mode Trend

(24hr, Kelowna trip origins)



Travel Survey Data Uses

- Understand **travel demand** or “**travel market**”
- Support **policy questions**
 - e.g. “Is there an increase in children being driven to school?”
 - Estimate **greenhouse gases** and other vehicular contaminants
 - Mine data for **planning and policy research/development**
- Used to develop a “**current**” **base scenario** for **transportation plan** development
- Used to calibrate and validate the **regional transportation model** – test “**what-if**” scenarios

Policy & Planning Implications

- Change in **demographic profile** may influence future trip patterns
 - age groups
 - household size and makeup
 - income, auto ownership
- **Mode share trends** can indicate ultimate potential for each mode
 - Can indicate effectiveness of **transportation investments**
 - “**leveling off**” may indicate increased marginal costs to further shift trips
- Need to focus on and monitoring the right indicators
 - i.e. auto driver mode

Summary

- Overall travel trends (2007-2013) indicate:
 - **rate of trips (11 %)** growing faster than **population (6.8%)**
 - majority of trips as **auto driver (2/3)** region-wide; **64.1%** in Kelowna
 - **shift towards sustainable modes** / reduction in auto driver mode share (**at least 2% net shift region-wide**)
 - **peak-spreading** phenomena emerging
- Trend helps to assess effectiveness and timing of **transportation investments**
- Survey data foundational to transportation planning & policy – **evidence based approach**



Questions?

Report to Council



Date: 5/26/2014

File: 1240-01
0280-70

To: City Manager

From: Danielle Noble-Brandt, Department Manager, Policy & Planning

Subject: Heritage Building Tax Incentive Agreement - 784 Elliot Avenue

Report Prepared by: Gary Stephen, Long Range Planning Manager

Recommendation:

THAT Council receives for information the report from the Department Manager of Policy and Planning dated May 26, 2014 regarding the Heritage Building Tax Incentive Agreement for the Copeland House at 784 Elliot Avenue;

AND THAT Bylaw No. 10966, being Heritage Building Tax Exemption Bylaw - 784 Elliot Avenue be forwarded for reading consideration;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Heritage Building Tax Exemption Agreement.

Purpose:

To have Council authorize entering into an agreement to allow a permissive tax exemption for the owner of the Copeland House located at 784 Elliot Avenue.

Background:

Council approved a revised policy to provide assistance in the form of tax exemptions for protected heritage properties (Council Policy 318). The incentive is intended to encourage and support the retention, on-going use, upkeep and adaptive reuse of heritage structures.

The policy allows a property owner to help off-set eligible costs associated with heritage building restoration and rehabilitation including: restoring exterior elements of heritage buildings such as doors, windows, roofing and siding; reconstruction of significant historical architectural features, structural rehabilitation works as well as consulting fees. The tax incentive is to be structured so that the property owner is exempt from all or a portion of the municipal share of taxes in relation to the assessed value of incremental improvements to the heritage buildings to a maximum of 75% of the eligible restoration costs. The tax incentive will be applied equally over a term of ten years.

The property known as the Copeland House at 784 Elliot Avenue is protected through a Heritage Revitalization Agreement (HRA) Bylaw No. 10840, pursuant to Section 966 of the *Local Government Act* and has been designated as a municipal heritage site (Heritage Designation Bylaw No. 10841). The owner of the building has submitted a list of expenses of work already completed for consideration under the Heritage Building Tax Incentive Program Policy No. 318 as well as a signed Heritage Building Tax Incentive Agreement.

Generally, the applicant would have been required to submit two cost estimates detailing the conservation work for approval before commencement of the work. In this case the work was completed prior to the property owner submitting the request. The heritage conservation works completed totaled approximately \$525,025. Of this total \$452,841 worth of work would qualify for a tax exemption under the policy. The heritage building tax incentive policy allows for 75% of these costs, or approximately \$339,631, to be considered for the tax exemption.

Internal Circulation:

Divisional Director, Community Planning & Real Estate
Revenue Manager
Council Services Supervisor

Legal/Statutory Authority:

Local Government Act - Section 810
Community Charter - Sections 25, 175 & 225

Legal/Statutory Procedural Requirements:

With a Heritage Revitalization Agreement in place, a Heritage Tax Exemption can be provided.

Existing Policy:

Heritage Building Tax Incentive Program Policy No. 318
Permissive Tax Exemption Policy No. 327

Financial/Budgetary Considerations:

Tax exemptions are not financed through a budgetary line item in the same way as municipal spending, nor do they affect the amount that has to be raised through property taxes. An increase in the value of tax exemptions increases the taxes paid by properties that are not tax exempt.

The amount of tax exemption will be included with the Permissive Tax Exemption bylaw submitted to council annually by the Revenue Manager.

Considerations not applicable to this report:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:

Gary Stephen,
Manager, Long Range Planning

Approved for inclusion:



Danielle Noble-Brandt,
Department Manager, Policy & Planning

cc: Divisional Director, Community Planning & Real Estate
Revenue Manager
Council Services Supervisor

CITY OF KELOWNA

BYLAW NO. 10966

Heritage Building Property Tax Exemption Bylaw - 784 Elliot Avenue

WHEREAS Council may, by bylaw under Section 225(3) of the *Community Charter*, exempt eligible heritage property from taxation under Section 197(i)(a);

AND WHEREAS the property at 784 Elliot Avenue, Kelowna (the "Property") is subject to a heritage revitalization agreement under Section 966 of the *Local Government Act*;

AND WHEREAS notice has been provided of the proposed adoption of the tax exemption bylaw as required by the *Community Charter*;

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

1. The property at 784 Elliot Avenue, legal described as Lot 3, District Lot 138, ODYD, Plan 9360, shall be exempt from taxation to the extent provided for the Heritage Building Property Tax Exemption Agreement, being Schedule A attached hereto.
2. The term of tax exemption for the Property shall be ten (10) years, commencing the calendar year following the submission of a permissive tax exemption application to the City Revenue Manager in compliance with Section 2 of Schedule A.
3. This bylaw may be cited for all purposes as "Bylaw No. 10966, being Heritage Building Property Tax Exemption Bylaw - 784 Elliot Avenue."
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule A

Heritage Building Tax Exemption Agreement

THIS AGREEMENT made this ___ day of _____, 20__

BETWEEN:

CITY OF KELOWNA
1435 Water Street
Kelowna, BC V1Y 1J4

(hereafter "the City")

OF THE FIRST PART

AND:

0874309 BC Ltd., Inc. No. BC00874309
(Jackie Gorton)
9 - 3151 Lakeshore Rd.
Suite 318
Kelowna, BC. V1W 3S9

(hereafter "the Applicant")

OF THE SECOND PART

WHEREAS

- A. The City as a municipality under section 225 of the *Community Charter SBC* 2003, c. 26 is authorized to enter into an agreement with an owner of property respecting the provision of a tax exemption that is eligible for such exemption.
- B. The Applicant owns property at 784 Elliot Ave. in Kelowna (the "Property") which is the subject of a heritage revitalization agreement.
- C. The Applicant has submitted a proposal for the development of the Property, that complies with City Council's Heritage Tax Incentive Program Policy No. 318 (the "Policy").
- D. The City has determined that the eligible costs (as defined in the Policy) in connection with the restoration of the Property are \$452,841.28. The Policy provides that the maximum tax incentive to an owner is 75% of the eligible costs, which, in the case of this Property, is \$339,630.96.

Schedule A

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NOW THEREFORE IN CONSIDERATION OF THE MUTUAL PREMISES AND AGREEMENTS CONTAINED HEREIN THE CITY AND APPLICANT AGREE AS FOLLOWS:

1. **Maximum Tax Exemption** - The maximum amount of the Tax Exemption available in respect of the Property is \$339,630.96. The Tax Exemption is applicable only in respect of the municipal property tax imposed pursuant to section 197(1)(a) of the *Community Charter*.
2. **Term of Exemption** - The term of the Heritage Building Tax Exemption is 10 years, commencing the calendar year following the Applicant's submission of a Comprehensive Heritage Tax Exemption application (the "Application"). The Application must be submitted no later than July 15 of the calendar year preceding the year in which the first installment of the Tax Exemption is applied. The Application may not be submitted before final inspection and approval by the City of the restoration work. For greater certainty, the term of the Tax Exemption is not extended as a result of any breach of the agreement or the Applicant losing its entitlement to the Tax Exemption.
3. **Compliance with Heritage Revitalization Agreement** - The granting of the Tax Exemption under this agreement is subject to the Applicant complying with all provisions of the Heritage Revitalization Agreement ("HRA"), being Schedule A to Bylaw No. 10840, including that construction on the Property must comply with the schedules to Bylaw No. 10840, and all criteria specified in section 3 of the Policy.
4. **Annual Application** - The Applicant must submit a Heritage Tax Exemption Annual Renewal application (the "Annual Application") no later than July 15th of the calendar year in which the Tax Exemption will be applied, confirming that the Applicant is in current compliance with the provisions of section 3 herein.

Schedule A

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5. **Certification of Eligible Costs** -- Following completion of the restoration of the Property in accordance with the HRA, the Applicant must submit to the City a certification (the "Certification") of the costs of the Property restoration project, based on the final inspection and approval of the City, from either a public accountant or professional quantity surveyor. If the final costs are less than the original estimate, the Tax Exemption will be reduced to reflect the lesser amount. Should the final costs exceed the original estimate; the original exemption approved by Council will apply unless the applicant wishes to return to Council to alter the amount.
6. **Calculation of Annual Tax Exemption** -- The amount of the Tax Exemption is based on the assessed value of incremental improvements to the heritage buildings as outlined in the Heritage Revitalization Agreement Bylaw No. 10840. This Tax Exemption amount will be applied equally over a term of 10 years. After the term has ended, the property shall be fully taxable.
7. **Payment to City** - In the event of a failure to comply with the terms of the HRA during a calendar year in which the Property has received a Tax Exemption, the Applicant must pay to the City an amount equal to the Tax Exemption provided in that calendar year. The requirement for payment under this section applies in addition to any disentitlement to a Tax Exemption in subsequent years by reason of failure to comply with the HRA.
8. **No Refund** -- For greater certainty, under no circumstances will the Applicant be entitled under or pursuant to this agreement or under or pursuant to the revitalization tax exemption program to any cash credit, any carry forward tax exemption credit or any refund for any property taxes paid.
9. **Condition Precedent of Bylaw Adoption** -- This agreement shall only take effect if the Council of the City adopts a bylaw pursuant to section 225(3) of the *Community Charter* in relation to the Property. This agreement will only take

Schedule A

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effect in the first calendar year if the bylaw came into force on or before October 31 in the preceding year. If the bylaw comes into force after October 31, this agreement takes effect in the second calendar year following the year in which the bylaw comes into effect.

10. **Notices.** Any notice or other writing required or permitted to be given hereunder or for the purposes hereof to any party shall be sufficiently given if delivered by hand or posted on the Property, or if sent by prepaid registered mail (Express Post) or if transmitted by facsimile to such party:

- (a) in the case of a notice to the City, at:

CITY OF KELOWNA
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: George King, Revenue Manager

Facsimile: 250-862-3391

- (b) in the case of a notice to the Applicant, at:

0874309 BC Ltd., Inc. No. BC00874309
9 - 3151 Lakeshore Rd.
Suite 318
Kelowna, BC. V1W 3S9

Attention: Jackie Gorton

Email: tangotipple@gmail.com

or at such other address or addresses as the party to whom such notice or other writing is to be given shall have last notified the party giving the same in the manner provided in this section.

Any notice or other writing sent in compliance with this section shall be deemed to have been given and received on the day it is given unless that day is not a Business Day, in which case the notice shall be deemed to have been given and

Schedule A

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received on the next day that is a Business Day. In this section, "Business Day" means any day other than Saturday, Sunday, any statutory holiday in the Province of British Columbia or any day on which banks generally are not open for business in Vancouver, British Columbia.

11. **No Assignment** – The Applicant may not assign its interest in this Agreement except to a subsequent owner in fee simple of the Property.
12. **Severance** - If any portion of this Agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Agreement.
13. **Interpretation** - Wherever the singular or masculine is used in this Agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so required.
14. **Further Assurances** - The parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this Agreement.
15. **Waiver** - Waiver by the City of a default by the Property Owner shall be in writing and shall not be deemed to be a waiver of any subsequent or other default.
16. **Powers Preserved** - This Agreement does not
 - (a) affect or limit the discretion, rights or powers of the City under any enactment (as defined in the *Interpretation Act*, on the reference date of this Agreement) or at common law, including in relation to the use or subdivision of the Property;
 - (b) affect or limit any enactment relating to the use or subdivision of the Property, or

Schedule A

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(c) relieve the Applicant from complying with any enactment, including in relation to the use or subdivision of the Property, and without limitation shall not confer directly or indirectly any exemption or right of set-off from development cost charges, connection charges application fees, user fees or other rates, levies and charges payable under any bylaw of the City.

17. **References** - Every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, assigns, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows.

18. **Enurement** - This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.

IN WITNESS WHEREOF the parties have executed the agreement as of the day and year first written above:

CITY OF KELOWNA by its authorized signatories:

, MAYOR

, CITY CLERK

by its authorized signatories:



Authorized Signatory

Authorized Signatory

Report to Council



Date: May 26, 2014
Rim No. 1825-40
To: City Manager
From: Capital Assets and Investment Manager
Subject: 2014.05.26 Report - Corporate Energy and GHG Emissions

Recommendation:

THAT Council receives, for information, the report from the Capital Assets and Investment Manager dated May 26th, 2014 with respect to corporate GHG emissions data and emission reduction projects.

Purpose:

Purpose of report is to present the latest corporate GHG emissions data and highlight GHG emissions reduction projects. The Community actions were highlighted in a separate Council report on March 3rd, 2014 (Climate Action Revenue Incentive Program Reporting Requirement). Further, the purpose of this report is to make the final corporate GHG values public to meet the provincial requirements for the Climate Action Revenue Incentive Program.

Background:

On September 21, 2007 the City of Kelowna signed the BC Climate Action Charter (CAC). By doing so, signatory Local Governments agreed to voluntarily develop strategies and take actions to achieve the following goals:

1. to become carbon neutral with respect to their corporate operations by 2012. The province has since approved 'making progress towards' as part of the common approach to carbon neutrality under the CAC. The City has taken this approach for meeting CAC commitments;
2. measure and report on their GHG emission profile; and
3. create complete, compact and more energy efficient communities.

As an incentive to achieving CAC goals, the province reimburses signatory Local Governments 100% of the carbon taxes paid on energy each year under the Climate Action Revenue Incentive Program (CARIP). Earlier this year, finance submitted a claim for \$238,500 for 2013

carbon tax expenditures. The continuation of this payment is connected to the City's compliance with the CAC.

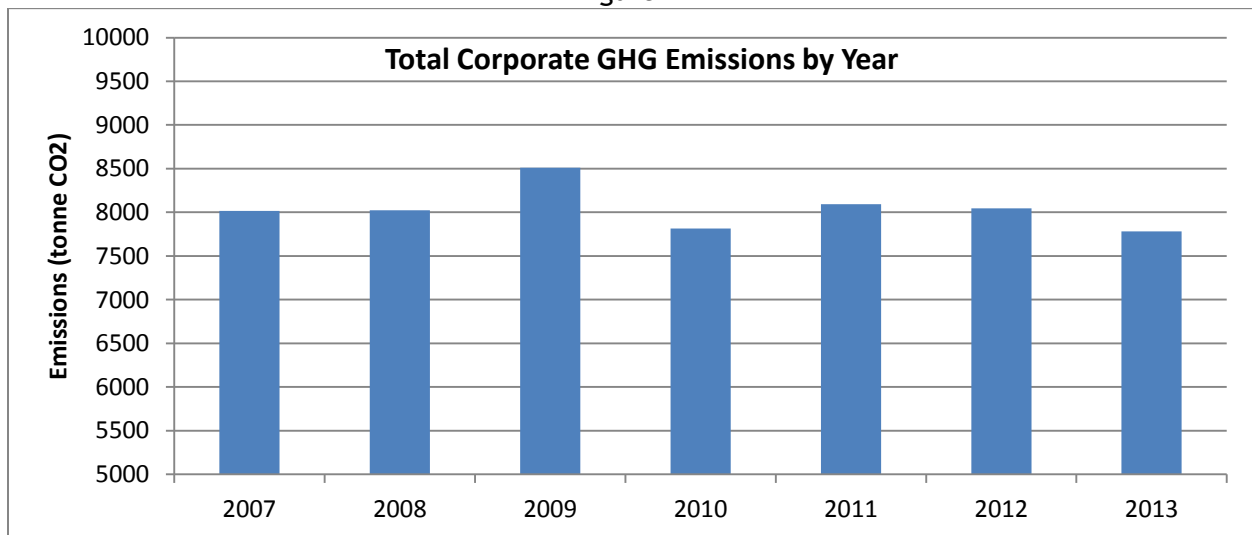
The City maintains all CARIP funds in a reserve (Carbon Energy Reserve) and uses these funds for capital projects, programs and operational costs that reduce GHG's and/or report on corporate GHG emissions.

The City tracks energy and emissions data from its corporate operations and this information is uploaded into the City's energy management system. Sources for the corporations GHG emissions include:

- Civic Buildings and Facilities (i.e. H₂O, Airport, Fire Halls, City Hall, RCMP, etc.),
- Outdoor Lighting
- Water, Wastewater and Solid Waste operations
- Vehicle Fleet.

The total GHG emission data for the period from 2007 to 2013 is shown in Figure 1. In 2007, the Corporation's total GHG emissions were estimated at 8,017 tonnes of CO₂ and in 2013 emissions were 7,781 tonnes CO₂. By implementing projects that reduce energy consumption, since 2007 the corporation has been able to achieve an almost 3% reduction in GHG emissions levels. This reduction was achieved despite the addition of Fleet and Building inventory to support our growing community which has grown by 10% over the same time period.

Figure 1



There was minor corrections (<1%) to the numbers reported last year for the GHG levels in 2010 and 2011. This correction was a result of missed records during the compilation of historic records by the City and later than expected invoicing by energy suppliers

The CARIP reporting template (attached) provides corporate GHG emissions levels as required by the CAC and do not include GHG emissions for airport, police or solid waste operations as these services are considered regional services under CAC. The CAC GHG emission level for 2013 was 6,014 tonne CO₂.

Listed below are corporate highlights for 2013.

- Delivered Smart Driver program to approximately 200 employees
- Complete irrigation training and pre-qualification for City of Kelowna contractors to ensure compliance with irrigation standards
- sustainability advocates at 8 different City facilities promote and encourage sustainability within their workplace
- Re-roofing of Rutland Arena East with a white roof to reduce the solar load during the summer.
- Replacement of metal halide lights with T5 lights in Rutland East. This will reduce the lighting heat load in the arena and electrical consumption for the building.
- Replacement of Shell and Tube chiller with Plate and Frame chiller for Rutland East. This will reduce the BHP/Ton on the Refrigeration plant.
- New condenser complete with VFD for Memorial Arena will reduce electrical consumption.
- New Closed Circuit Fluid Cooler for the Art Gallery complete with VFD will reduce electrical consumption.
- Added 4 solar lighting equipped transit shelters
- added an additional bike in the corporate bike fleet (currently 13 bikes at 7 facilities)
- Incorporated an electric assist bike into the fleet to be used for activities such as sidewalk inspections and ditch line inspections.
- Purchased 1 hybrid bucket truck, 1 hybrid parking enforcement vehicle, 2 economy transit vans
- Purchased high density landfill compactor to reduce run time.
- Continue using 5-15% biodiesel blend for all diesel equipment.
- Purchased 2 high fuel efficient 4 cylinder engine trucks to replace traditional 8 cylinder gasoline engines
- Incorporate an on-site 3rd party parts procurement program which will consolidate part delivery and pickup reducing fuel consumption and kilometers travelled.

Planned corporate actions in 2014 are detailed in the CARIP Reporting template and summarized as follows.

- Continue to deliver Smart Driver training to more employees
- Energy Optimization at Wastewater Treatment Facility
- Replacement of metal halide lights with T5 lights in Rutland West and Memorial Arena. This will reduce the lighting heat load in the arena and electrical consumption for the building.
- Building Optimization for City Hall and H2O.
- Ice resurfacing pilot project will involve installing vortex mechanical de-aerator technology, which if successful would result in significant reduction in gas consumption and cost to heat hot water for ice maintenance.
- Expand the Fleet Management System to encourage user groups to monitor route planning, vehicle usage, etc.
- Purchase an electric assist bike to be used by Parks for Irrigation Inspection and repair
- Pilot a joint car share program with Okanagan Carshare (OGO) in 2014
- Purchase fuel efficient vehicle for corporate operations.

Internal Circulation:

Sustainability Coordinator
Manager, Policy and Planning
Director, Financial Services
Manager, Financial Accounting
Fleet Services Supervisor
Manager, Building Services

Existing Policy:

The Multiple Bottom Line framework pursuant to Council Policy 352: Sustainable Municipal Infrastructure targets climate change initiatives (mitigation and adaptation) including the reduction of GHG emissions. The corporation’s goal is to reduce GHG emissions 22% below 2007 levels by 2017, as established on December 1, 2010.

Financial/Budgetary Considerations:

The annual CARIP grant will be placed in the Carbon Energy reserve and will be used for projects that will reduce corporate energy and GHG emissions. This reserve will also fund operational expenses, like software licenses, for data collection and reporting. Projects for 2015 will be prioritized based on their business case which will include consideration for environmental and economic benefit. The City has formed a new Energy Management Committee to evaluate and prioritize projects.

Personnel Implications:

The data collection, reporting and management of the Corporate GHG Management plan will be completed with existing staff resources.

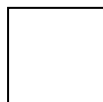
Considerations not applicable to this report:

External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:
Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:

Submitted by:

J. Shaw, P.Eng., Manager, Capital Assets and Investments

Approved for inclusion:



John Vos, Infrastructure Divisional Director

Attachment 1: CARIP Template

cc: Divisional Director, Infrastructure
Divisional Director, Communications & Information Services
Divisional Director, Civic Operations
Divisional Director, Community Planning & Real Estate
Director, Development Services

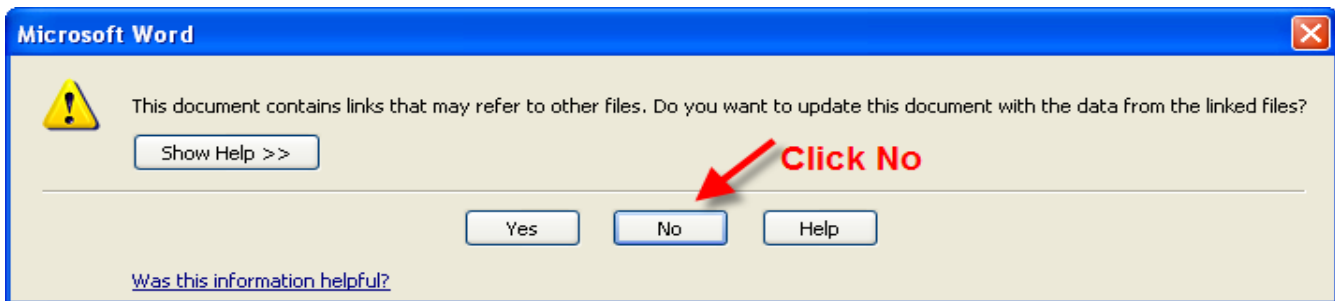


Instructions – Updating the Carip Report Template

1. Save the Zip file to Computer.
2. Unzip ("Extract All") the zip file to a folder on your computer
3. Open Excel File **FIRST** (CARIP-Public Reporting-Template.xls)
4. An additional feature has been added to enable the export of the Excel file information into a Word file to assist with reporting out (in order for this to work, you **MUST NOT** change the filename of the Excel file).
5. Complete your CARIP Public Report Excel template (it is in your best interest not to open the DOC file until you are finished using the Excel File).
6. Save & close the CARIP-Reporting-Template
7. **NOTE:** The excel file must be completed and **IN THE SAME FOLDER** as the DOC file in order for the DOC file to work! (i.e. generate your report)

Instructions – Carip Report Generator

1. Make sure your Excel template is closed.
2. Open the CARIP-Public Report-Generator Word Document (It is contained in the same zip file as the revises CARIP Public Report template).
3. Once it is opened you **may** be prompted with a dialogue box *"this document contains links that may refer to other files. Do you want to update this document with the data from the linked files"*.
4. Click "no" on popup box.



5. Select the whole document (Ctrl+A) and press F9 to update all the fields
 - a. **NOTE:** Some users of word may have error messages displayed the first time they attempt to update the data with the links. This is due to the fact that some versions of word and some office suite set ups do not make the connection to the data in the excel file automatically. For most users this error message on occurs the first time the document is run. Please click OK on all error messages and then repeat step 5
 - b. **NOTE:** It may take a few minutes for the information to transfer
6. Save & close document
7. Remember this is a work document that can be altered in whatever way will best suite your needs.

General Technical Q & A:

Can I cut and paste from other documents?

Answer: Yes. Copy the TEXT that you want to use, go to the XLS template, double-click on the cell you wish to paste this TEXT into, and Paste (unformatted text).

Can I send a separate folder (e.g. Corporate Actions) in the workbook to others to work on?

Answer: We recommend one person from your organization manage the Excel file (recall that the file location of the Excel document should "stay put" on your network drive).

It is recommended that each contributor take turns opening the Excel document from the same location to enter data. Alternatively, you may have colleagues answer the specific question by email and have the Excel file manager enter the information into the spreadsheet.

How do I insert a space in between two lines in the same cell?

Answer: Press Alt Enter.

What do I do if the transfer doesn't work?

Answer: Do not spend too much time trying to figure it out. You can call 250-387-8781 for help or consider cutting and pasting the material from your Excel spreadsheet to your word document.

CLIMATE ACTION REVENUE INCENTIVE PROGRAM (CARIP) PUBLIC REPORT

For Reporting Year = **2013**

GENERAL INFORMATION	Fill in the boxes below
Name of Local Government	City of Kelowna
Member of Regional District (RD)	Regional District of Central Okanagan
Regional Growth Strategy (RGS) in region	In Progress
Population	117,312
Report Submitted by	
Name	Tracy Guidi
Title	Sustainability Coordinator
Email	tguidi@kelowna.ca
Phone	250 469-8983

CLIMATE ACTION REVENUE INCENTIVE PROGRAM (CARIP) PUBLIC REPORT

For Reporting Year = 2013

Community-Wide Actions

1.1 MEASURE		
Community Wide Measurement Actions	ANSWER	ADDITIONAL INFORMATION
QUESTION Have you been using the <i>Community Energy and Emissions Inventory</i> (CEEI) to measure progress? What else have you been using instead of/in addition to CEEI?	Yes	It would be helpful to have more timely information for the CEEI.
1.2 PLAN		
Community Wide Targets	ANSWER	ADDITIONAL INFORMATION
QUESTION Do your OCP(s) have targets, policies and actions to reduce GHG emissions, as per the requirements under the <i>Local Governments Act</i> (LGA)? If yes, please identify the targets set. If no or in progress, please comment.	Yes	The City of Kelowna will, in partnership with: senior governments; local residents and businesses; NGOs; external agencies; and utility providers, work towards reducing community greenhouse gas emissions by 33% (from 2007 levels) by 2020.
1.3 REDUCE		
<i>Supportive Community-Wide Actions</i>		
Supportive Community-Wide Actions	Actions Taken in 2013	Proposed Actions for 2014
Broad Planning (e.g. creation/revision of OCPs, CEPs, transportation plans)	-Completion of research component of phase 1 of the Regional Airshed Management Plan	-Completion of Phase 2 - Consultation and Preparation of the Final Regional Airshed Management Plan
Building and Lighting (e.g. developed green building policy, increased density in the downtown)		

Energy Generation (e.g. signed on to provincial 'solar ready' regulation, explored options for bioheating for buildings)

Green Space (e.g. developed urban forestry policy, adopted park acquisition policy)

Transportation (e.g. developed sustainable transportation plan, completed bicycle master plan)

-Implementation team reviewed Sustainable Urban Forestry Strategy
-educate residents with pesticide free campaign (<http://www.kelowna.ca/CM/page1066.aspx>)

-Undertook a Regional Household Travel Survey in the Fall
-Assisted in UBCO Student Transit Ridership Satisfaction Survey
-The Sustainable Transportation Partnership of the Central Okanagan was formed
-Okanagan College U-Pass discussions initiated with Student Union and OC Administration and Kelowna Regional Transit
-Carpool promotions
-13 Bike Skills Rodeos at School District 23 elementary schools (<http://www.smarttrips.ca/CM/Page4139.aspx>)
-Ongoing support of Okanagan Carshare Co-op in development of regional car share program
-Renewed ad contracts for benches / shelters and bus advertising with increased revenue in support of bus stop improvements and maintenance
-Multi-modal cross sections update for Subdivision, Development and Servicing Bylaw initiated (Bylaw 7900)

-implementation team to select 6 actions from the Sustainable Urban Forestry Strategy and implement in 2014
-educate residents with pesticide free campaign

-Report out results of Regional Household Travel Survey
-Report results of UBCO Student Survey
-worked anticipated to begin on Regional Strategic Transportation Plan
-Okanagan College Upass negotiation
-Carpool programs and transit promotion on new routes
-Pedestrian and Cycling Master Plan
-Complete transportation updates to Subdivision, Development and Servicing Bylaw (Bylaw 7900) including:
 Multi-modal cross sections
 Update Transportation Network Configuration and Functional Systems
-Concept design of 4 active transportation corridors
-Detailed design of Ethel Active Transportation Corridor (Harvey - Bernard)
-Design of 1,400 m of bike lanes
-Design of 3,845 m of sidewalks
-Concept design of Snowsnell St. frontage improvements

<p>Waste (e.g. introduced composting and recycling education programs)</p> <p>Water/Sewer (e.g. participated in water smart initiatives, implemented Water Action Plan, introduced rebates on low flush toilets)</p> <p>Other Actions</p>	<p>-Completed two comprehensive waste compositions studies at the Glenmore Landfill. Shows 13% reduction in recyclables coming from commercial sector and 20% reduction in recyclables going into onsite transfer bins.</p> <p>-Continued to promote Paper Free Home program. Ran radio contests encouraging homes to take the pledge to become paper free. Outreach and education through various community events.</p> <p>-Continued use of RFID and camera technology to target education and bylaw enforcement related to residential waste disposal.</p> <p>-Conducted public survey to gauge impact of waste reduction programs</p>	<p>-Signed contract with Multi-Material BC for the Printed Paper and Packaging Stewardship Program.</p> <p>-Illegal dumping prevention program and enhanced mapping of past and present illegal dump sites.</p> <p>-Continued promotion of community cleanup month and 20 minute makeover event.</p> <p>-Planning to host a repair café event in the fall. Skilled people pass on tips and tricks to repairing items rather than having them tossed away.</p> <p>-Consider strategies for reduction of peak irrigation demand, evaluate and implement.</p>
<p>Direct Community-Wide Actions</p>	<p>-promoted Earth Hour</p>	<p>-Earth Hour promotions</p>
<p>Community-Wide Direct Actions</p> <p>Buildings (e.g. implement use of sustainability checklists and development permit guidelines for new buildings)</p> <p>Energy Generation (e.g. implement district energy, geothermal, solar)</p>	<p>Actions Taken in 2013</p> <p>-Partnered with FortisBC on the Okanagan Energy Diet by providing \$25 rebate for any Kelowna resident taking part in the program</p> <p>-Construction of a landfill gas to pipeline facility in cooperation with FortisBC</p>	<p>Proposed Actions for 2014</p> <p>-Landfill gas to pipeline project to be operational by spring 2014. The average volume of LFG is expected to be 51,000 GJ per year.</p>

Transportation (e.g. implement bike lanes, pedestrian paths, upgrade transit service and infrastructure, improve roads, parking fees etc.)

- Expansion of on-street Bike Locker Program (3 new)
- 30 new on street bike racks
- Bike to Work/School Week
- smartTrips Neighbourhood Travel Program delivered in Springvalley neighbourhood
- Participation in Carpool.ca week
- Began construction of Rails-with-Trails Phase 2 project between Spall Road and Dilworth Dr., 1.2 km extension of active transportation corridor
- Completed Rutland Centre Transit Exchange to enhance access to this commercial core via public transit while at the same time improving the economic opportunity of the private sector to invest in redevelopment of this urban centre.
- Started work on Highway 97 Rapid Bus stations at Richter St. and Gordon Drive
- constructed 2,880 meter of sidewalk
- installed bike detection system at Hwy 97 and Leathead/Enterprise intersection
- installed 8 green shared-use crossings
- installed green bike lanes at 8 locations
- installed a green bike box at one intersection
- constructed 2,100 meters of bike lanes

- Bike to Work Week 2014
- School Travel Planning / Safe Routes to School program to be delivered in one partner community
- Bike to Work/School Week 2014
- Completion of the Rapid Bus Phase 2 & 3 project including exchange at Okanagan College and Pandosy Village
- Upgrades to Queensway Transit Exchange
- Frequent transit service to be introduced on Gordon Drive between Mission Recreation Center and Downtown Kelowna
- Implementation of new Gordon Drive transit service
- Re-design and implementation of inner transit routes to create direct route access to Kelowna General Hospital
- Construction of Lakeshore Active Transportation Corridor from Cook Rd - Lexington Dr.
- Construct 4,080 m of bike lanes
- Install bike detection/activation at various locations
- Improve bike crossing at Gordon/Casorso intersection
- Install bike racks/lockers at various locations
- Installation of wayfinding on active transportation corridors
- Construct 2,985 m of sidewalks
- Installation of 5 pedestrian activated flashers

<p>Waste (e.g. introduce composting and recycling programs)</p>	<ul style="list-style-type: none"> -Held two Community Trunk Sale Events in 2013 (opportunity for multifamily residents to sell off reusable items) -Composter Sale. Sold more than 680 units throughout the region -Commercial Waste Diversion Program continued to encourage commercial, industrial and construction sectors to reduce recyclables going to landfill -Furniture deconstruction program resulted in 4200 pieces of furniture deconstructed. 58% were mattresses or box springs. -Continued a year round household hazardous waste collection facility (5347 users in 2013) -Over 900 volunteers participated in community cleanup events over the year. 	<ul style="list-style-type: none"> -Continue with Furniture Deconstruction Program. -Continue with Commercial Waste Diversion Program. -Implementation of the new Provincial Printed Paper and Packaging Stewardship program. Program includes a number of new recyclable items and will require extensive education of local residents. -Two Trunk Sales planned -Composter Sale planned
<p>Water/Sewer (e.g. implement water conservation and reduction initiatives)</p>	<ul style="list-style-type: none"> -Landscape and irrigation assessments for residential customers as requested 	<ul style="list-style-type: none"> -Landscape and irrigation assessments for residential customers as requested

Green Space (e.g. plant trees, conserve forest etc.)

-planted 206 trees in parks and on public property (85 of which were at Lions Park due to a grant from TD Canada Trust)
-400 trees were purchased by citizens through the City's Neighbourhoods program. This year the program was supported by a grant from Air Wick Canada's Freshest Smelling location contest. More information at <http://www.kelowna.ca/CM/Page2205.aspx>
-4,500 seedlings planted
-stewardship activities include Adopt A Stream (32 groups including 3 new ones) for a total of 732 volunteer hours. 118 volunteers painted 240 storm drains through the Yellow Fish Road program
-32 no disturb covenants and dedications
-2812 m² of Okanagan Lake Foreshore restoration and rehabilitation through development
-83,771 m² of streamside restoration and rehabilitation through development
-135,700 m² of natural slope restoration and rehabilitation through development

-Implementation team selected the top 6 recommendations from the Sustainable Urban Forestry Strategy plan to complete them before year end
-Plan to plant 100 – 150 trees
-Will plant approximately 2500 seedlings
-Neighbourhoods will be offered again with 350 - 400 trees available for purchase.
-Adopt a Stream and Yellow Fish Road programs will continue

Other Actions

1.4 COMMUNITY-WIDE INNOVATION

Is there any activity that you have been engaged in over the past year(s) that you are particularly proud of and would like to share with other local governments? Please describe and add links to additional information where possible

Answer

-The City received FCM Partners for Climate Protection Milestone 4 for both Corporate and Community climate action work.
'-Received the FCM's 2013 Sustainable Communities Award for Kelowna's Community Climate Action Plan and Corporate Energy and GHG Emissions Plan

CLIMATE ACTION REVENUE INCENTIVE PROGRAM (CARIP) PUBLIC REPORT

For Reporting Year = **2013**

Corporate Actions

2.1 MEASURE		
Corporate Measurement Actions	Answer	
QUESTION What steps has your local government taken toward completing its corporate emissions inventory (e.g. corporate assets identified related to energy and fuel data and calculated GHG emissions from energy use)? What tool are you using to measure, track and report on your corporate emissions (e.g. SMARTool, other tools including excel spreadsheets)?	The City of Kelowna completed its emissions inventory in 2011 as part of the Corporate Energy and Emissions Plan. See http://www.kelowna.ca/CityPage/Docs/PDFs//Environment%20Division/Climate%20Change/Corporate%20Energy%20and%20GHG%20Reduction%20Plan.pdf	
	FAME and Smart Tool Software programs	
2.2 REDUCE		
Supportive Corporate Actions	Actions Taken in 2013	Proposed Actions for 2014
Supportive Corporate Actions <i>Broad Planning</i> (e.g. developed corporate climate action plan) <i>Building and Lighting</i> (e.g. developed energy reduction plan for all corporate buildings) <i>Energy Generation</i> (e.g. undertook feasibility study of green energy generation for civic buildings) <i>Transportation</i> (e.g. created anti-idling policy for city vehicles, bike to work week promotion) <i>Waste</i> (e.g. completed waste audit of City Hall)	-Delivered Smart Driver program to approximately 200 employees	-Continue to deliver Smart Driver training to more employees -The Sustainability Action Team is working on “Green Events and Meetings” guidelines and procedures for City meetings.

Water/Sewer (e.g. completed study of sewer and water energy use)

Other Actions

-Complete irrigation training and pre-qualification for City of Kelowna contractors to ensure compliance with irrigation standards

-The Sustainability Action Team created a network of 22 Sustainability Advocates at 8 different City facilities that promote and encourage sustainability within their workplace

-The Sustainability Advocate program will continue to be expanded by the Sustainability Action Team

Direct Corporate Actions

Actions Taken in 2013

Proposed Actions for 2014

Building and Lighting (e.g. energy efficiency retrofits to municipal buildings)

- Re-roofing of Rutland Arena East with a white roof to reduce the solar load during the summer.
- Replacement of metal halide lights with T5 lights in Rutland East. This will reduce the lighting heat load in the arena and electrical consumption for the building.
- Replacement of Shell and Tube chiller with Plate and Frame chiller for Rutland East. This will reduce the BHP/Ton on the Refrigeration plant.
- New condenser complete with VFD for Memorial Arena will reduce electrical consumption.
- New Closed Circuit Fluid Cooler for the Art Gallery complete with VFD will reduce electrical consumption.
- Added 4 solar lighting equipped transit shelters

Energy Generation (e.g. implemented heat recovery systems, solar)

- Wastewater Treatment Energy Management Program:
- Install gas meters at various location throughout the facility to monitor individual process areas for consumption
 - Install inline polymer mix valves to increase the effectiveness of polymer to reduce usage
 - Install room temp monitoring and controls to gather information on and control room temperature
 - Install power monitoring equipment and software to allow monitoring of equipment and unit process to gather information and highlight high usage equipment and unit processes
 - Replacement of metal halide lights with T5 lights in Rutland West and memorial Arena. This will reduce the lighting heat load in the arena and electrical consumption for the building.
 - Building Optimization for Cityhall, H2O and the WWTP.
 - Ice resurfacing pilot project will involve installing vortex mechanical de-aerator technology, which if successful would result in significant reduction in gas consumption and cost to heat hotwater for ice maintenance.

Fleet (e.g. anti-idling policies for fleet vehicles, purchasing of hybrid)

- The Sustainability Action Team added an additional bike in the corporate bike fleet (currently 13 bikes at 7 facilities)
- Incorporated an electric bike into the fleet to be used for activities such as sidewalk inspections and ditch line inspections.
- Purchased 1 hybrid bucket truck, 1 hybrid parking enforcement vehicle, 2 economy transit vans
- Purchased high density landfill compactor to reduce run time.
- Continue using 5-15% biodiesel blend for all diesel equipment.
- Purchased 2 high fuel efficient 4 cylinder engine trucks to replace traditional 8 cylinder gasoline engines
- Incorporate an on-site 3rd party parts procurement program which will consolidate part delivery and pickup reducing fuel consumption and kilometers travelled.

- Expand the Fleet Management System to encourage user groups to monitor route planning, vehicle usage, etc.
- Purchase an electric bike to be used by Parks for Irrigation Inspection and repair
- Will pilot a joint carshare program with Okanagan Carshare (OGO) in 2014
- Will continue purchasing fuel economy wise vehicles including hybrid.

Waste (e.g. introduction of composting and recycling programs and education)

- The Sustainability Action Team continued the composting project at City Hall

-Composting will be expanded to Parkinson Recreation Centre facility by the Sustainability Action Team

Water/Sewer (e.g. initiated water conservation and reduction initiatives)

Green Space (e.g. planting of trees)

Other Actions

- ran a contest for City employees to encourage them to participate in Earth Hour

-develop green events and meetings guidelines

2.3 CORPORATE INNOVATION

Answer

Is there any activity that you have been engaged in over the past year(s) that you are particularly proud of and would like to share with other local governments? Please describe and add links to additional information where possible.

-The Sustainability Action Team is working on "Green Events and Meetings" guidelines and procedures for City meetings.

You MUST fill this in for the 2013 reporting year.

CLIMATE ACTION REVENUE INCENTIVE PROGRAM (CARIP) PUBLIC REPORT

For Reporting Year =

2013

Prior to completing this section, please ensure that you are familiar with the “Becoming Carbon Neutral guidebook” available on the BC

[BC Climate Action Toolkit Website](#)

Carbon Neutral Progress Reporting

<p>Is this your Final or Interim CARIP Report for 2013 ?</p> <p>Emissions/Offsets</p>	<p>Select Answer</p> <p>Tonnes CO2e</p> <p>Enter Values in White Boxes</p>	
<p>Annual corporate emissions using SMARTTool or equivalent inventory tool</p>	<p>6014</p>	<p>(+)</p>
<p><i>Emissions from services delivered directly by the local government</i></p> <p><i>Emissions from contracted services</i></p>	<p>6014</p>	
<p>Less:</p> <p>GHG reductions being claimed for this reporting year from Option 1 - GHG reduction project</p>	<p>0</p>	<p>(-)</p>
<p><i>Energy Efficient Building Retrofits and Fuel Switching</i></p> <p><i>Solar Thermal</i></p> <p><i>Household Organic Waste Composting</i></p> <p><i>Low Emissions Vehicles</i></p>		
<p>Less:</p> <p>GHG reductions being claimed for this reporting year from Option 2 - GHG reduction projects</p> <p><i>Please list all Option 2 Projects Implemented (insert title of the projects(s) as per project plan template. If you have more than two Option 2 projects you can add more lines at the bottom of this sheet)</i></p>	<p>0</p>	<p>(-)</p>
<p><i>Option 2 Project A</i></p> <p><i>Option 2 Project B</i></p>		

<i>Sum of Other Option 2 Projects (if you have added projects below)</i>	0
Less: Offsets purchased for this reporting year (Option 3). Please identify your offset provider in the offset provider information section below.	
Balance of corporate emissions for this reporting year. <i>(If the corporate emissions balance is zero, your local government is carbon neutral for this reporting year)</i>	6014
Making Progress on Your Carbon Neutral Commitment If your community has not achieved carbon neutrality for this reporting year please describe the actions that you intend to take next year to move you toward your carbon neutral goal.	
<p><i>The City's Mission Statement is to lead the development of a safe, vibrant and sustainable City. We have many success stories related to becoming a more active and environmentally sustainable City. In 2014 we will build on these successes through a number of programs and capital investment in sustainable infrastructure including:</i></p> <ul style="list-style-type: none"> <i>- Energy efficient building design for all new civic buildings including the planned Police Service Building,</i> <i>- Project at the City's landfill that will see landfill gas collected, processed and fed into Fortis natural gas pipeline for reuse.</i> <p><i>The City maintains all CARIP funds in a reserve (Carbon Energy Reserve) and uses these funds for capital projects, programs and operational costs that reduce GHG's and/or report on corporate GHG emissions.</i></p>	
Additional "Option 2" Projects	
<i>Option 2 Project C</i>	
<i>Option 2 Project D</i>	
<i>Option 2 Project E</i>	
<i>Option 2 Project F</i>	
<i>Option 2 Project G</i>	
<i>Option 2 Project H</i>	

(-)

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Offset Provider Information

(i) Please Identify the name(s) of your offset provider(s) (Please answer below):

(ii-a) The offsets being claimed in this CARIP Report were purchased from the offset provider(s) indicated above prior to making this CARIP report public (please indicate yes or no):

OR

(ii-b) There is a signed agreement in place between the reporting local government and the offset provider(s) indicated above to purchase the offsets by no later than June 1, 2014 (please indicate yes or no):

Do not do anything with this page, it is f

General Info	GENERAL INFORMATION	<i>Name of Local Government</i>
		<i>Name of Regional District</i>
		<i>Yes/No/In progress</i>
		<i>Population</i>
	REPORT SUBMITTED BY	<i>Name</i>
		<i>Title</i>
		<i>Email</i>
		<i>Phone</i>
CW Actions	1.1. MEASURE	<i>Answer</i>
		<i>Additional Information</i>
	1.2. PLAN	<i>Answer</i>
		<i>Additional Information</i>
	1.3. REDUCE (Supportive CW)	
	Broad Planning	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Building & Lighting	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Energy Generation	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Green Space	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Transportation	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Waste	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>

	Water/Sewer	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Other Actions	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	... (Direct CW)	
	Buildings	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Energy Supply	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Transportation	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Waste	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Water/Sewer	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Green Space	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Other Actions	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	1.4 COMMUNITY WIDE INNOVATION	<i>Is there an activity or activities that you have been engaged in over the past year that you are particularly proud of and would like to share with other local governments? Please describe and add links where possible.</i>

Corp Actions	2.1. CORPORATE MEASURE	STEPS
		<i>TOOLS</i>
	2.2. REDUCE (Supportive)	
	Broad Planning	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Building & Lighting	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Energy Generation	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Transportation	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Waste	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Water/Sewer	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Other Actions	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	... (Direct)	
	Building & Lighting	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Energy Generation	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Fleet	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Waste	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Water/Sewer	<i>Actions Taken in 2013</i>

		<i>Proposed Actions for 2014</i>
	Green Space	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	Other Actions	<i>Actions Taken in 2013</i>
		<i>Proposed Actions for 2014</i>
	2.3 CORPORATE INNOVATION	<i>Is there a activity that you have been engaged in over the past year that you are particularly proud of and would like to share with other local governments? Please describe and add links where possible.</i>
CN progress reporting	CARBON NEUTRAL PROGRESS REPORTING	
	Total corporate emissions using SMARTTool or equivalent inventory tool	
	Less: GHG reductions being claimed for this reporting year from Option 1 GHG reduction project	
	Energy Efficient Building Retrofits and Fuel Switching	
	Solar Thermal	
	Household Organic Waste Composting	
	Low Emissions Vehicles	

	Less: GHG reductions being claimed for this reporting year from Option 2 GHG reduction projects	
	Less: Offsets purchased for this reporting year (Option 3)	
	Balance of Corporate emissions for this reporting Year. (If the corporate emissions balance is zero, your local government is carbon neutral for this reporting year)	
	Making Progress on Your Carbon Neutral Commitment	<i>If your community has not achieved carbon neutrality for this reporting year please indicate actions that you intend to take next year to move you toward your carbon neutral goal.</i>
	Offset Provider	
	ii-a Purchased (Y/N)	
	ii-b Arranged already (Y/N)	

for data compiling purposes only.

City of Kelowna
Regional District of Central Okanagan
In Progress
117312
Tracy Guidi
Sustainability Coordinator
tguidi@kelowna.ca
250 469-8983
Yes
It would be helpful to have more timely information for the CEEI.
Yes
The City of Kelowna will, in partnership with: senior governments; local residents and businesses; NGOs; external agencies; and utility providers, w
-Completion of research component of phase 1 of the Regional Airshed Management Plan
-Completion of Phase 2 - Consultation and Preparation of the Final Regional Airshed Management Plan
0
0
0
0
-Implementation team reviewed Sustainable Urban Forestry Strategy
-implementaion team to select 6 actions from the Sustainable Urban Forestry Strategy and implement in 2014
-Undertook a Regional Household Travel Survey in the Fall
-Report out results of Regional Household Travel Survey
-Completed two comprehensive waste compositions studies at the Glenmore Landfill. Shows 13% reduction in recyclables coming from commer
-Signed contract with Multi-Material BC for the Printed Paper and Packaging Stewardship Program.

NGOs; external agencies; and utility providers, w

educate residents with pesticide free campaign (<http://www.kelowna.ca/CN>)

educate residents with pesticide f

The Sustainable Transp

worked anticipated to begin on Regional Strategi

0
-Consider strategies for reduction of peak irrigation demand, evaluate and implement. ☐
-promoted Earth Hour
-Earth Hour promotions
-Partnered with FortisBC on the Okanagan Energy Diet by providing \$25 rebate for any Kelowna resident taking part in the program
0
-Construction of a landfill gas to pipeline facility in cooperation with FortisBC
-Landfill gas to pipeline project to be operational by spring 2014. The average volume of LFG is expected to be 51,000 GJ per year.
-Expansion of on-street Bike Locker Program (3 new) ☐30 new on street bike racks ☐Bike to Work/School Week ☐SmartTrips Neighbourhood Travel Pr
-Bike to Work Week 2014 ☐School Travel Planning / Safe Routes to School program to be delivered in one partner community ☐Bike to Work/School
-Held two Community Trunk Sale Events in 2013 (opportunity for multifamily residents to sell off reusable items) ☐Composter Sale. Sold more than
-Continue with Furniture Deconstruction Program. ☐Continue with Commercial Waste Diversion Program. ☐Implementation of the new Provincial P
-Landscape and irrigation assessments for residential customers as requested
-Landscape and irrigation assessments for residential customers as requested
-planted 206 trees in parks and on public property (85 of which were at Lions Park due to a grant from TD Canada Trust) ☐400 trees were purchase
-Implementation team selected the top 6 recommendations from the Sustainable Urban Forestry Strategy plan to complete them before year end
0
0
-The City received FCM Partners for Climate Protection Milestone 4 for both Corporate and Community climate action work. ☐Received the FCM's

The City of Kelowna completed its emissions inventory in 2011 as part of the Corporate Energy and Emissions Plan. See <http://www.kelowna.ca>,

FAME and Smart Tool Software programs

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-Delivered Smart Driver program to approximately 200 employees

-Continue to deliver Smart Driver training to more employees

0

-The Sustainability Action Team is working on "Green Events and Meetings" guidelines and procedures for City meetings.

-Complete irrigation training and pre-qualification for City of Kelowna contractors to ensure compliance with irrigation standards

0

-The Sustainability Action Team created a network of 22 Sustainability Advocates at 8 different City facilities that promote and encourage sustain

-The Sustainability Advocate program will continue to be expanded by the Sustainability Action Team

-Re-roofing of Rutland Arena East with a white roof to reduce the solar load during the summer. ☐ Replacement of metal halide lights with T5 light

Wastewater Treatment Energy Management Program: ☐ Install gas meters at various location throughout the facility to monitor individual process

0

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-The Sustainability Action Team added an additional bike in the corporate bike fleet (currently 13 bikes at 7 facilities) ☐ Incorporated an electric bik

-Expand the Fleet Management System to encourage user groups to monitor route planning, vehicle usage, etc. ☐ Purchase an electric bike to be u

-The Sustainability Action Team continued the composting project at City Hall

-Composting will be expanded to Parkinson Recreation Centre facility by the Sustainability Action Team

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-ran a contest for City employees to encourage them to participate in Earth Hour
-develop green events and meetings guidelines
-The Sustainability Action Team is working on “Green Events and Meetings” guidelines and procedures for City meetings.
6014
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6014

The City's Mission Statement is to lead the development of a safe, vibrant and sustainable City. We have many succuess stories related to becom

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work towards reducing community greenhouse gas emissions by 33% (from 2007 levels) by 2020.

(/page1066.aspx)

free campaign

Transportation Partnership of the Central Okanagan was formed. Okanagan College U-Pass discussions initiated with Student Union and OC Administration and Transportation Plan. Okanagan College Upass negotiation. Carpool programs and transit promotion on new routes. Pedestrian and Cycling Master Plan. Commercial sector and 20% reduction in recyclables going into onsite transfer bins. Continued to promote Paper Free Home program. Ran radio contests encouraged mapping of past and present illegal dump sites. Continued promotion of community cleanup month and 20 minute makeover event. Planning to

Program delivered in Springvalley neighbourhood
Participation in Carpool.ca week
Began construction of Rails-with-Trails Phase 2 project between Spall
| Week 2014
Completion of the Rapid Bus Phase 2 & 3 project including exchange at Okanagan College and Pandosy Village
Upgrades to Queensway Tr
n 680 units throughout the region
Commercial Waste Diversion Program continued to encourage commercial, industrial and construction sectors to re
rinted Paper and Packaging Stewardship program. Program includes a number of new recyclable items and will require extensive education of local re:

ed by citizens through the City's Neighbourwoods program. This year the program was supported by a grant from Air Wick Canada's Freshest Smelling |
d
Plan to plant 100 – 150 trees
Will plant approximately 2500 seedlings
Neighbourwoods will be offered again with 350 - 400 trees available for purch

2013 Sustainable Communities Award for Kelowna's Community Climate Action Plan and Corporate Energy and GHG Emissions Plan

ability within their workplace

s in Rutland East. This will reduce the lighting heat load in the arena and electrical consumption for the building. ☐Replacement of Shell and Tube chiller areas for consumption ☐Install inline polymer mix valves to increase the effectiveness of polymer to reduce usage ☐Install room temp monitoring and c

e into the fleet to be used for activities such as sidewalk inspections and ditch line inspections. ☐Purchased 1 hybrid bucket truck, 1 hybrid parking enforcement by Parks for Irrigation Inspection and repair ☐Will pilot a joint carshare program with Okanagan Carshare (OGO) in 2014 ☐Will continue purchasing fi

ing a more active and environmentally sustainable City. In 2014 we will build on these successes through a number of programs and capital investmer

• Kelowna Regional Transit • Carpool promotions • 13 Bike Skills Rodeos at School District 23 elementary schools (<http://www.smarttrips.ca/CM/Page413>)
• Complete transportation updates to Subdivision, Development and Servicing Bylaw (Bylaw 7900) including: • Multi-modal cross sections • Update T
• Encouraging homes to take the pledge to become paper free. Outreach and education through various community events. • Continued use of RFID and cam
• host a repair café event in the fall. Skilled people pass on tips and tricks to repairing items rather than having them tossed away. •

Road and Dilworth Dr., 1.2 km extension of active transportation corridor
Completed Rutland Centre Transit Exchange to enhance access to this commu-
nity transit Exchange
Frequent transit service to be introduced on Gordon Drive between Mission Recreation Center and Downtown Kelowna
Implementatic
duce recyclables going to landfill
Furniture deconstruction program resulted in 4200 pieces of furniture deconstructed. 58% were mattresses or box sp
sidents.
Two Trunk Sales planned
Composter Sale planned

location contest. More information at <http://www.kelowna.ca/CM/Page2205.aspx>
4,500 seedlings planted
Stewardship activities include Adopt A Stre
e.
Adopt a Stream and Yellow Fish Road programs will continue

er with Plate and Frame chiller for Rutland East. This will reduce the BHP/Ton on the Refrigeration plant. 2 New condenser complete with VFD for Memori
controls to gather information on and control room temperature 2 Install power monitoring equipment and software to allow monitoring of equipment

orcement vehicle, 2 economy transit vans 2 Purchased high density landfill compactor to reduce run time. 2 Continue using 5-15% biodiesel blend for all di
uel economy wise vehicles including hybrid.

it in sustainable infrastructure including: ☒Energy efficient building design for all new civic buildings including the planned Police Service Building,☒Proj

9.aspx) Ongoing support of Okanagan Carshare Co-op in development of regional car share program Renewed ad contracts for benches / shelters and transportation Network Configuration and Functional Systems Concept design of 4 active transportation corridors Detailed design of Ethel Active Transportation Network era technology to target education and bylaw enforcement related to residential waste disposal. Conducted public survey to gauge impact of waste re

mercial core via public transit while at the same time improving the economic opportunity of the private sector to invest in redevelopment of this urban core. Re-design and implementation of inner transit routes to create direct route access to Kelowna General Hospital. Continued a year round household hazardous waste collection facility (5347 users in 2013). Over 900 volunteers participated in community clean-up events.

32 groups including 3 new ones) for a total of 732 volunteer hours. 118 volunteers painted 240 storm drains through the Yellow Fish Road program.

ial Arena will reduce electrical consumption.▣New Closed Circuit Fluid Cooler for the Art Gallery complete with VFD will reduce electrical consumption.
and unit process to gather information and highlight high usage equipment and unit processes▣Replacement of metal halide lights with T5 lights in Rut

esel equipment.▣Purchased 2 high fuel efficient 4 cylinder engine trucks to replace traditional 8 cylinder gasoline engines▣Incorporate an on-site 3rd pi

ect at the City's landfill that will see landfill gas collected, processed and fed into Fortis natural gas pipeline for reuse. The City maintains all CARIP funds

bus advertising with increased revenue in support of bus stop improvements and maintenance
Multi-modal cross sections update for Subdivision, Dev
Transportation Corridor (Harvey - Bernard)
Design of 1,400 m of bike lanes
Design of 3,845 m of sidewalks
Concept design of Snowsnell St. frontage im
duction programs

n centre. Started work on Highway 97 Rapid Bus stations at Richter St. and Gordon Drive. Constructed 2,880 meter of sidewalk. Installed bike detection.
Construction of Lakeshore Active Transportation Corridor from Cook Rd - Lexington Dr. Construct 4,080 m of bike lanes. Install bike detection/activation events over the year.

2 no disturb covenants and dedications. 2812 m2 of Okanagan Lake Foreshore restoration and rehabilitation through development. 3,771 m2 of s

.²Added 4 solar lighting equipped transit shelters²

land West and memorial Arena. This will reduce the lighting heat load in the arena and electrical consumption for the building.²Building Optimization f

arty parts procurement program which will consolidate part delivery and pickup reducing fuel consumption and kilometers travelled.

is in a reserve (Carbon Energy Reserve) and uses these funds for capital projects, programs and operational costs that reduce GHG's and/or report on cc

Development and Servicing Bylaw initiated (Bylaw 7900)
Improvements 

system at Hwy 97 and Leathead/Enterprise intersection
installed 8 green shared-use crossings
installed green bike lanes at 8 locations
installed a green bike lane at various locations
improve bike crossing at Gordon/Casorso intersection
install bike racks/lockers at various locations
installation of wayfinding on

treamside restoration and rehabilitation through development
135,700 m² of natural slope restoration and rehabilitation through development

or Cityhall, H2O and the WWTP. The resurfacing pilot project will involve installing vortex mechanical de-aerator technology, which if successful would r

orporate GHG emissions.

in bike box at one intersection
Constructed 2,100 meters of bike lanes
active transportation corridors
Construct 2,985 m of sidewalks
Installation of 5 pedestrian activated flashers
Construct 4 enhanced p

result in significant reduction in gas consumption and cost to heat hotwater for ice maintenance.☐

Name of Local Government	Name of Regional District	Population Range	Population Category
City of Kelowna	Regional District of Central Okanagan	117312	100,000+
City of Kelowna	Regional District of Central Okanagan	117312	100,000+
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City of Kelowna	Regional District of Central Okanagan	117312	100,000+
City of Kelowna	Regional District of Central Okanagan	117312	100,000+

- 0-5,000
- 10,000-50,000
- 100,000+
- 5,000-10,000
- 50,000-100,000

Action Type	Action Type	Supportive Action Area	Action Category	Action
Community Wide Actions	Supportive Action		Broad Planning	-Completion of research componer
Community Wide Actions	Supportive Action		Building & Lighting	0
Community Wide Actions	Supportive Action		Energy Generation	0
Community Wide Actions	Supportive Action		Green Space	-Implementation team reviewed Su
Community Wide Actions	Supportive Action		Transportation	-Undertook a Regional Household T
Community Wide Actions	Supportive Action		Waste	-Completed two comprehensive wa
Community Wide Actions	Supportive Action		Water/Sewer	0
Community Wide Actions	Supportive Action		Other Actions	-promoted Earth Hour
Community Wide Actions	Direct Action		Buildings	-Partnered with FortisBC on the Ok
Community Wide Actions	Direct Action		Energy Supply	-Construction of a landfill gas to piq
Community Wide Actions	Direct Action		Transportation	-Expansion of on-street Bike Locker
Community Wide Actions	Direct Action		Waste	-Held two Community Trunk Sale E
Community Wide Actions	Direct Action		Water/Sewer	-Landscape and irrigation assessme
Community Wide Actions	Direct Action		Green Space	-planted 206 trees in parks and on
Community Wide Actions	Direct Action		Other Actions	0
Corporate Actions	Supportive Action		Broad Planning	0
Corporate Actions	Supportive Action		Building & Lighting	0

Corporate Actions	Supportive Action	Energy Generation	0
Corporate Actions	Supportive Action	Transportation	-Delivered Smart Driver program to
Corporate Actions	Supportive Action	Waste	0
Corporate Actions	Supportive Action	Water/Sewer	-Complete irrigation training and pi
Corporate Actions	Supportive Action	Other Actions	-The Sustainability Action Team cre
Corporate Actions	Direct Action	Building & Lighting	-Re-roofing of Rutland Arena East w
Corporate Actions	Direct Action	Energy Generation	0
Corporate Actions	Direct Action	Fleet	-The Sustainability Action Team adc
Corporate Actions	Direct Action	Waste	-The Sustainability Action Team cor
Corporate Actions	Direct Action	Water/Sewer	0
Corporate Actions	Direct Action	Green Space	0
		Other Actions	-ran a contest for City employees to

it of phase 1 of the Regional Airshed Management Plan

Sustainable Urban Forestry Strategy Educate residents with pesticide free campaign (<http://www.kelowna.ca/CM/page1066.aspx>)

Travel Survey in the Fall Assisted in UBCO Student Transit Ridership Satisfaction Survey The Sustainable Transportation Partnership of the Central Okana

waste compositions studies at the Glenmore Landfill. Shows 13% reduction in recyclables coming from commercial sector and 20% reduction in recyclab

anagan Energy Diet by providing \$25 rebate for any Kelowna resident taking part in the program

veline facility in cooperation with FortisBC

Program (3 new) 30 new on street bike racks Bike to Work/School Week SmartTrips Neighbourhood Travel Program delivered in Springvalley neighbo

vents in 2013 (opportunity for multifamily residents to sell off reusable items) Composter Sale. Sold more than 680 units throughout the region Com

ments for residential customers as requested

public property (85 of which were at Lions Park due to a grant from TD Canada Trust) 400 trees were purchased by citizens through the City's Neighbo

o approximately 200 employees

re-qualification for City of Kelowna contractors to ensure compliance with irrigation standards

oated a network of 22 Sustainability Advocates at 8 different City facilities that promote and encourage sustainability within their workplace

with a white roof to reduce the solar load during the summer. o Replacement of metal halide lights with T5 lights in Rutland East. This will reduce the light

oled an additional bike in the corporate bike fleet (currently 13 bikes at 7 facilities) o Incorporated an electric bike into the fleet to be used for activities such as

o continued the composting project at City Hall

o encourage them to participate in Earth Hour

agan was formed. Okanagan College U-Pass discussions initiated with Student Union and OC Administration and Kelowna Regional Transit. Carpool programs going into onsite transfer bins. Continued to promote Paper Free Home program. Ran radio contests encouraging homes to take the pledge to become

urhood. Participation in Carpool.ca week. Began construction of Rails-with-Trails Phase 2 project between Spall Road and Dilworth Dr., 1.2 km extension. Commercial Waste Diversion Program continued to encourage commercial, industrial and construction sectors to reduce recyclables going to landfill. Furniture

urwoods program. This year the program was supported by a grant from Air Wick Canada's Freshest Smelling location contest. More information at [http://www.okeg.ca](#)

nting heat load in the arena and electrical consumption for the building. Replacement of Shell and Tube chiller with Plate and Frame chiller for Rutlanc

uch as sidewalk inspections and ditch line inspections. Purchased 1 hybrid bucket truck, 1 hybrid parking enforcement vehicle, 2 economy transit vans

otions 13 Bike Skills Rodeos at School District 23 elementary schools (<http://www.smarttrips.ca/CM/Page4139.aspx>) Ongoing support of Okanagan Ca
ome paper free. Outreach and education through various community events. Continued use of RFID and camera technology to target education and k

1 of active transportation corridor Completed Rutland Centre Transit Exchange to enhance access to this commercial core via public transit while at the
ire deconstruction program resulted in 4200 pieces of furniture deconstructed. 58% were mattresses or box springs. Continued a year round household

<http://www.kelowna.ca/CM/Page2205.aspx> 4,500 seedlings planted Stewardship activities include Adopt A Stream (32 groups including 3 new ones) for

East. This will reduce the BHP/Ton on the Refrigeration plant. New condenser complete with VFD for Memorial Arena will reduce electrical consumption.

Purchased high density landfill compactor to reduce run time. Continue using 5-15% biodiesel blend for all diesel equipment. Purchased 2 high fuel efficiency engines.

irshare Co-op in development of regional car share program. Renewed ad contracts for benches / shelters and bus advertising with increased revenue in
bylaw enforcement related to residential waste disposal. Conducted public survey to gauge impact of waste reduction programs

at the same time improving the economic opportunity of the private sector to invest in redevelopment of this urban centre. Started work on Highway 97 Re
d hazardous waste collection facility (5347 users in 2013). Over 900 volunteers participated in community cleanup events over the year.

· a total of 732 volunteer hours. 118 volunteers painted 240 storm drains through the Yellow Fish Road program. 2 no disturb covenants and dedicati

ion.☒New Closed Circuit Fluid Cooler for the Art Gallery complete with VFD will reduce electrical consumption.☒Added 4 solar lighting equipped transit

efficient 4 cylinder engine trucks to replace traditional 8 cylinder gasoline engines☒incorporate an on-site 3rd party parts procurement program which v

n support of bus stop improvements and maintenance. Multi-modal cross sections update for Subdivision, Development and Servicing Bylaw initiated (

apid Bus stations at Richter St. and Gordon Drive. Constructed 2,880 meter of sidewalk. Installed bike detection system at Hwy 97 and Leathead/Enterpr

ons. 2812 m2 of Okanagan Lake Foreshore restoration and rehabilitation through development. 3,771 m2 of streamside restoration and rehabilitation

shelters

will consolidate part delivery and pickup reducing fuel consumption and kilometers travelled.

Bylaw 7900)

rise intersection installed 8 green shared-use crossings installed green bike lanes at 8 locations installed a green bike box at one intersection constructed

through development 135,700 m² of natural slope restoration and rehabilitation through development

ed 2,100 meters of bike lanes

Report to Council



Date: 05/20/2014
File: 1125-51-030
To: City Manager
From: J. Hancock, Manager, Real Estate Services
Subject: 2014-05-26 Report - Bylaw 10958 - Bird Place

Recommendation:

THAT Council receives the Report from the Manager, Real Estate Services dated May 20, 2014, recommending that Council adopt the proposed closure of a portion of road near Bird Place;

AND FURTHER THAT Bylaw No. 10958, being proposed closure of a portion of road near Bird Place, be given reading consideration.

Purpose:

To transfer a portion of excess City roadway to Westcorp On The Lake Inc. (the "Purchaser") to be used as landing area for a bridge to be constructed over Wilson Creek.

Background:

Further to the Offer to Purchase entered into the by the City of Kelowna and the Purchaser, the City has agreed to sell to the Purchaser (subject to various terms and conditions), for the sum of \$10,202.08, a portion of road closure area near Bird Place to be used by the Purchaser to construct a bridge over Wilson Creek. Prior to the transfer of the road closure area to the Purchaser, a Public Access statutory right of way in favor of the City of Kelowna will be registered over the transfer area.

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: 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 #10958 OF PART OF ROAD
SHOWN DEDICATED ON PLAN KAP58993 DISTRICT LOT 134 ODYD**

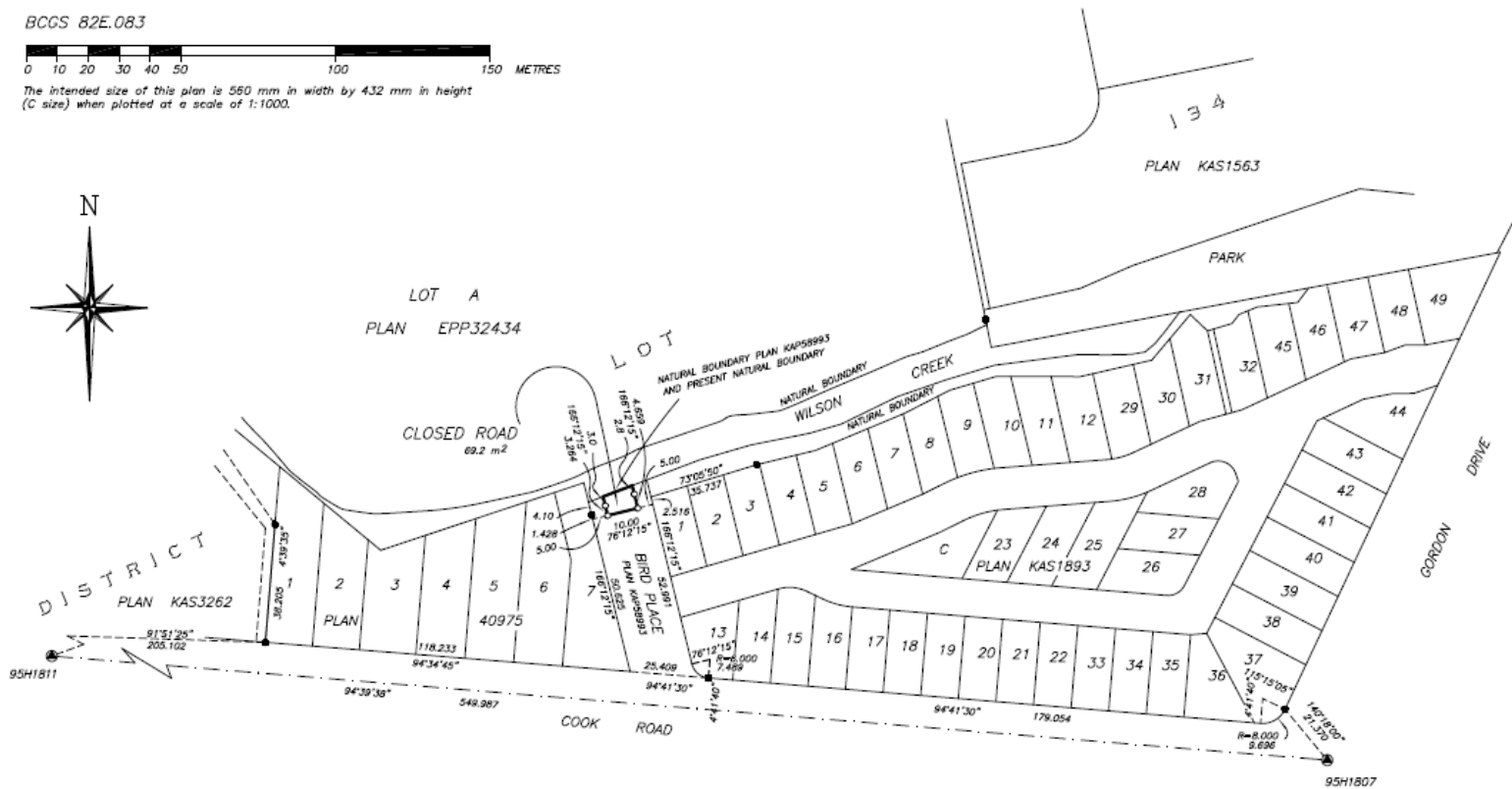
EPP41104

PURSUANT TO SECTION 40 OF THE COMMUNITY CHARTER
AND SECTION 120 OF THE LAND TITLE ACT

BCGS 82E.083



The intended size of this plan is 560 mm in width by 432 mm in height
(C size) when plotted at a scale of 1:1000.



All distances are in metres.

- Iron Post Found
- Iron Post Set

- ⊙ Control Monument Found

Grid bearings are derived from observations between
geodetic control monuments 95H1807 and 95H1811.
Integrated survey area No. 4 - City of Kelowna NAD83 (CSR5).

This plan shows horizontal ground-level distances unless

The field survey represented by this plan was completed
on the 7th day of May, by Douglas A. Goddard, BCLS (588)

CITY OF KELOWNA

BYLAW NO. 10958

Road Closure and Removal of Highway Dedication Bylaw
(Portion of Bird Place)

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 Bird Place

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 69.2 m² shown in bold black as Closed Road on the Reference Plan prepared by Douglas A. Goddard, 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"

