## City of Kelowna Regular Council Meeting AGENDA



Pages

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Monday, January 12, 2015 1:30 pm Council Chamber City Hall, 1435 Water Street

## 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

Regular PM Meeting - December 15, 2014

## 3. Development Application Reports & Related Bylaws

- Agricultural Land Reserve Appeal Application No. A14-0011 499 Valley Road 15 - 30 3.1 North, Jane & Anthony Reschke, Deanna Sills, Gregory & Jennifer Reschke 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 (ALC) under Section 20(3) of the ALC Act for a "Non-Farm use" within the Agricultural Land Reserve (ALR) to allow 0.101 ha (0.25 acres) of the property to be leased to a tree service company. 31 - 53 3.2 Agricultural Land Reserve Appeal Application No. A14-0010 - 1301 Glenmore Road North, Kelowna Pet Resort Ltd. 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 (ALC) to allow an existing mobile home to be used by a caretaker for the kennel business on the property.
- 3.3 Rezoning Application No. Z14-0055 650-652 Wardlaw, Laren & Janette 54 74 Desaultels

To rezone the subject property in order to permit a fourplex.

	3.3.1	Bylaw No. 11049 (Z14-0055) - 650-652 Wardlaw Avenue, Loren & Janette Desautels	75 - 75
		To give Bylaw No. 11049 first reading.	
3.4		endment Application No. TA14-0013 - Various Addresses, Kettle Valley ment Ltd.	76 - 82
	amendm	approval for changes to the development regulations and housekeeping ents in the CD2 Comprehensive Zone 2, Kettle Valley Comprehensive tial Development zone.	
	3.4.1	Bylaw No. 11046 (TA14-0013) - CD2 - Kettle Valley Comprehensive Residential Development Zone	83 - 88
		To give Bylaw No. 11046 first reading.	
3.5	Text Am Union Ro	endment Application No. TA14-0015, Supplemental Report - 1975 bad, 657139 BC Ltd.	89 - 103
	recomm	nd the C5 - Transition Commercial zone by replacing the previously ended "Service Stations, Minor" use with the "Rapid Drive-Through Services" use on one explicit legal parcel.	
	3.5.1	Bylaw No. 10996 (TA14-0015) - 1975 Union Road, Amendment to C5 - Transition Commercial Zone	104 - 104
		To give Bylaw No. 10996 first reading as amended.	
3.6	Rezoning & Melitt	g Application No. Z11-0083, Extension Request - 1429 KLO Road, Arnold a Frank	105 - 110
		nd the date for adoption of Zone Amending bylaw No. 10782 from er 11, 2014 to December 11, 2015.	
3.7		g Application No. Z12-0047, Extension Request - 875 & 885 Mayfair nkar & Ranjit Dhillon	111 - 114
		nd the date for adoption of the Zone Amending Bylaw No. 10768 from er 13, 2014 to November 13, 2015.	
Bylaws	s for Adop	tion (Development Related)	
4.1	Bylaw No C10 Zon	o. 11026 (TA14-0019) - Breweries and Distilleries, Minor in C3, C6 and es	115 - 115
	-	t Bylaw No. 11026 in order to include 'Breweries and Distilleries, minor' nciple use in the C3, C6 and C10 zones.	

4.

### 4.2 Bylaw No. 11031 (OCP14-0015) - 1501 & 1511 Tower Ranch Drive and 2160 Tower Ranch Boulevard, Parkbridge Lifestyle Communities Inc., City of Kelowna & 0977415 BC Ltd.

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

To adopt Bylaw No. 11031 in order to change the future land use designation of a portion of the subject properties from MRL – Multiple Unit Residential (Low Density) to S2RES – Single/Two Unit Residential; PARK - Park and Open Space (public) to S2RES – Single / Two Unit Residential; S2RESH – Single/Two Unit Residential- Hillside to MRL – Multiple Unit Residential (Low Density); S2RESH - Single/Two Unit Residential- Hillside to PARK - Major Park and Open Space (public); and PARK – Park and Open Space (public) to S2RESH – Single / Two Unit Residential – Hillside; from S2RES – Single/Two Unit Residential to PARK - Park and Open Space (public); from PARK - Park and Open Space (public) to S2RES - Single/Two Unit Residential; from S2RES - Single/Two Unit Residential to S2RESH - Single/Two Unit Residential - Hillside; from S2RESH -Single/Two Unit Residential – Hillside to S2RESH - Single/Two Unit Residential; and from REC - Private Recreation (private) to S2RESH - Single/Two Unit Residential - Hillside; from S2RESH - Single/Two Unit Residential - Hillside to PARK - Major Park and Open Space (public); from S2RESH - Single/Two Unit Residential - Hillside to- PSU - Public Services / Utilities; from Private Recreation (private) to- PSU - Public Services / Utilities; and from PARK -Major Park and Open Space (public) to S2RESH - Single/Two Unit Residential -Hillside; and from PARK - Major Park and Open Space (public) to S2RES -Single/Two Unit Residential; and from Public Service Utilities (PSU) to Single/Two Unit Residential - Hillside (S2RESH); and from Resource Protection Area (REP) to Single/Two Unit Residential - Hillside (S2RESH).

## 4.3 Rezoning Application No. Z10-0028 - 1020 Graham Road, Lyall Watson Grexton 123 - 125

To extend the date for adoption of Zone Amending Bylaw No. 10551 from July 11, 2014 to July 11, 2015; To consider waiving the requirement for a Development Variance Permit and to adopt Zone Amending Bylaw No. 10551 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone to permit the construction of a second single-family dwelling on the subject property.

# **4.3.1 Bylaw No. 10551 (Z10-0028) - 1020 Graham Road, Lyall Watson** 126 - 126 Grexton

To adopt Bylaw No. 10551 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Dwelling Housing zone to permit the construction of a second single-family dwelling on the subject property.

## 5. Non-Development Reports & Related Bylaws

	5.1	2015 Financial Plan	127 - 167
		To provide an overview of the 2015 Financial Plan.	
	5.2	South Perimeter Road - Results of Public Engagement	168 - 230
		At the October 6, 2014 Regular Meeting, Council considered a proposal by the development community to accelerate the design and construction of South Perimeter Road (SPR) between Stewart Rd West and Gordon Drive. This report provides the results of the community input.	
6.	Mayor	and Councillor Items	

7. Termination



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, December 15, 2014 Location: Council Chamber City Hall, 1435 Water Street

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

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Deputy City Clerk, Karen Needham\*; Urban Planning Manager, Ryan Smith\*; Urban Planning Supervisor, Lindsey Ganczar\*; Manager, Subdivision, Agriculture & Environment, Todd Cashin\*; Property Manager, John Saufferer\*; Planner Specialist, Pat McCormick\*; and Council Recording Secretary, Arlene McClelland

(\* denotes partial attendance)

### 1. Call to Order

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

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

2. Confirmation of Minutes

Moved By Councillor Sieben/Seconded By Councillor Donn

<u>**R900/14/12/15</u>** THAT the Minutes of the Regular Meetings of December 8, 2014 be confirmed as circulated.</u>

Carried

#### 3. Committee Reports

#### 3.1. External Committee Appointments

#### Moved By Councillor DeHart/Seconded By Councillor Singh

<u>**R901/14/12/15</u>** THAT Council appoints Councillor Hodge as Council representative to the Central Okanagan Committee for Safe Schools for the 2014-2018 term;</u>

AND THAT Council appoints Councillor DeHart as Council representative to the Citizen of the Year/Civic Awards Committee;

AND THAT Council appoints Councillor Donn as Council representative to the City of Vernon Biosolids Advisory Committee;

AND THAT Council appoints Councillor DeHart as Council representative to the Downtown Kelowna Association, with Councillor Hodge as the alternate for the 2014-2018 term;

AND THAT Council appoints Councillor Sieben as Council representative to the Economic Development Commission, with Councillor Gray as the alternate for the 2014-2018 term;

AND THAT Council appoints Councillor Donn as Council representative to the Kasugai Sister City Association for the 2014-2018 term;

AND THAT Council appoints Councillor Gray as Council representative to the Kelowna Chamber of Commerce, with Councillor DeHart as the alternate for the 2014-2018 term;

AND THAT Council appoints Mayor Basran as Council representative to the Kelowna Joint Water Committee, with Councillor Given as the alternate for the 2014-2018 term;

AND THAT Council appoints Councillor Gray as Council representative to the Okanagan Regional Library District, with Councillor Given as the alternate for the 2014-2018 term;

AND THAT Council appoints Mayor Basran as Council representative to the Southern Interior Local Government Association, with Councillor Hodge as the alternate for the 2014-2018 term;

AND THAT Council appoints Councillor Given as Council representative to the Tourism Kelowna Committee, with Councillor Donn as the alternate for the 2014-2018 term;

AND THAT Council appoints Mayor Basran as Council representative to the UBC Okanagan External Community Advisory Council for the 2014-2018 term;

AND THAT Council appoints Councillor Sieben as Council representative to the Uptown Rutland Business Association, with Councillor Gray as the alternate for the 2014-2018 term;

AND FURTHER THAT Council appoints Councillor Hodge as Council representative to the Veendam Sister City Society for the 2014-2018 term.

Carried

### 3.2. Council Committee Appointments

Moved By Councillor Sieben/Seconded By Councillor DeHart

<u>**R902/14/12/15**</u> THAT Council appoints the Airport Advisory Committee as a committee of Council for the 2014-2018 term;

AND THAT Council appoints Councillor Stack as Councillor representative to the Airport Advisory Committee for the 2014-2018 term;

AND THAT Council directs staff to report back with an updated 2014-2018 Terms of Reference for the Airport Advisory Committee;

AND THAT Council appoints the Audit Committee as a committee of Council for the 2014-2018 term;

AND THAT Council appoints Mayor Basran, Councillor Given and Councillor Stack as Council representatives to the Audit Committee for the 2014-2018 term;

AND THAT Council directs staff to report back with an updated 2014-2018 Terms of Reference for the Audit Committee;

AND THAT Council appoints the Parcel Tax Roll Review Panel as a committee of Council for the 2014-2018 term;

AND FURTHER THAT Council appoints Councillor Hodge, Councillor DeHart and Councillor Singh as Council representative to the Parcel Tax Roll Review for the 2014-2018 term.

Carried

#### **Development Application Reports & Related Bylaws** 4.

#### Agricultural Land Reserve Appeal Application No. A14-0010 - 1301 4.1. Glenmore Road North, Kelowna Pet Resort Ltd.

Item 4.1 Withdrawn and rescheduled to January 12, 2015 PM Council Meeting.

Agricultural Land Reserve Appeal Application No. A14-0005 - 1590 Pioneer 4.2. Road, 11.2 Acre Holding Co. Ltd.

Staff:

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

## Mayor to invite the Applicant, or Applicant's Representative to come forward.

Bob Holtby, Agrologist, Applicant Representative

- Performed a lab analysis on the fill material and found the fill material will enhance the value of this land and will provide more sand which will allow for better drainage.
- Examined the site and stated that placing fill for pasture is an accepted farm practice protected under the Right to Farm Act.
- Displayed a photo of the property taken on December 11, 2014 and noted a great deal of effort to provide land clearing. There was also no evidence of water drainage on neighbouring properties.
- Responded to questions from Council.

Moved By Councillor Hodge/

R/14/12/15 THAT Council support staff's Alternate Recommendation.

Motion failed due to lack of a seconder.

## Moved By Councillor Singh/Seconded By Councillor Donn

R903/14/12/15 THAT Agricultural Land Reserve Appeal Application No. A14-0005 for Lot A, Section 8, TWP 26, ODYD Plan KAP60919 Except Plan KAP60920, located at 1590 Pioneer Road for Non-farm Use, pursuant to Section 20(3) 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.

#### Carried Councillor Hodge - Opposed

## 4.3. Rezoning Application No. Z14-0043 & Land Use Contract Application No. LUC14-0001 - 1020 Sutcliffe Court, 1009440 BC Ltd.

Staff:

Displayed a PowerPoint presentation summarizing the application and responded to guestions from Council.

## Moved By Councillor Stack/Seconded By Councillor Given

**R904/14/12/15** THAT Application No. LUC14-0001 to discharge LUC 76-1043 from Lot 2, Section 25, Township 26, ODYD, Plan 31812, located on 1020 Sutcliffe Court, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z14-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 25, Township 26, ODYD, Plan 31812, located on 1020 Sutcliffe Court, Kelowna, BC, from the RR3 - Rural Residential 3 zone to the RU1 - Large Lot Housing zone, as shown on Map "A" attached to the Report of the Urban Planning Department dated December 8, 2014, be considered by Council;

AND THAT the Land Use Contract Discharge 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 issuance of a Preliminary Layout Review Letter by the Approving Officer;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the discharge of the Land Use Contract.

Carried

4.3.1. Bylaw No. 11043 (LUC14-0001) - 1020 Sutcliffe Court, 1009440 BC Ltd.

#### Moved By Councillor Hodge/Seconded By Councillor Donn

R905/14/12/15 THAT Bylaw No. 11043 be read a first time.

Carried

4.3.2. Bylaw No. 11044 (Z14-0043) - 1020 Sutcliffe Court, 1009440 BC Ltd.

Moved By Councillor Hodge/Seconded By Councillor Donn

R906/14/12/15 THAT Bylaw No. 11044 be read a first time.

#### Carried

## 4.4. Rezoning Application No. Z14-0040 - 4065 Lakeshore Road, City of Kelowna

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to guestions from Council.

## Moved By Councillor Sieben/Seconded By Councillor Donn

**R907/14/12/15** THAT Rezoning Application No. Z14-0040 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of That Part of the Fractional South West 1/4 of Section 6 Included in Plan Attached to D.D. 190710F; Township 26, ODYD, located on 4065 Lakeshore Road, Kelowna, BC from the P1 - Major Institutional zone to the P3 - Parks and Open Space and RU2 - Medium Lot Housing zones, as shown on Map "A" attached to the Report of the Urban Planning Department dated November 26, 2014, be considered by Council;

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

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

#### Carried

4.4.1. Bylaw No. 11042 (Z14-0040) - 4065 Lakeshore Road, City of Kelowna

## Moved By Councillor Hodge/Seconded By Councillor Donn

R908/14/12/15 THAT Bylaw No. 11042 be read a first time.

### Carried

4.5. Rezoning Application No. Z14-0046 - 822 McCurdy Place, Hyatt Auto Sales Ltd.

#### Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to guestions from Council.

## Moved By Councillor Sieben/Seconded By Councillor Hodge

**R909/14/12/15** THAT Rezoning Application No. Z14-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 22, District Lot 124, ODYD, Strata Plan KAS3323 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V, located on 822 McCurdy Place, Kelowna, BC from the I1 - Business Industrial zone to the I2 - General Industrial zone as shown on Map "A" attached to the Report of the Urban Planning Department dated November 26, 2014, be considered by Council;

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

#### Carried

#### 4.5.1. Bylaw No. 11040 (Z14-0046) - 822 McCurdy Place, Hyatt Auto Sales Ltd.

Moved By Councillor Hodge/Seconded By Councillor Donn

R910/14/12/15 THAT Bylaw No. 11040 be read a first time.

#### Carried

4.6. Rezoning Application No. Z14-0045 - 828, 834, 871 & 877 McCurdy Place, Harmony Holdings Limited Displayed a map of the properties at McCurdy Place and responded to questions from Council.

## Moved By Councillor Gray/Seconded By Councillor Hodge

**R911/14/12/15** THAT Rezoning Application No. Z14-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 24, 26, 27, and 29, District Lot 124, ODYD, Strata Plan KAS3323 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V located on 828, 834, 871 and 877 McCurdy Place, Kelowna, BC from the I1 – Business Industrial zone to the I2 – General Industrial zone as shown on Map "A" attached to the Report of the Urban Planning Department dated November 26, 2014, be considered by Council;

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

#### Carried

## 4.6.1. Bylaw No. 11039 (Z14-0045) - 828, 834, 871 & 877 McCurdy Place, Harmony Holdings Limited

## Moved By Councillor Singh/Seconded By Councillor Stack

R912/14/12/15 THAT Bylaw No. 11039 be read a first time.

#### Carried

## 4.7. Rezoning Application No. Z14-0042 - 2210 Abbott Street, Strandhaus Developments Inc.

Staff:

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

Moved By Councillor Given/Seconded By Councillor DeHart

**R913/14/12/15** THAT Rezoning Application No. Z14-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 27, District Lot 14, ODYD, Plan 535, located on 2210 Abbott Street, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone, as shown on Map "A" attached to the Report of the Urban Planning Department dated December 3, 2014, be considered by Council;

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

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

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

#### Carried

4.7.1. Bylaw No. 11045 (Z14-0042) - 2210 Abbott Street, Strandhaus Developments Inc.

### Moved By Councillor Singh/Seconded By Councillor Stack

**R914/14/12/15** THAT Bylaw No. 11045 be read a first time.

#### Carried

4.8. Bylaw No. 10757 (Z12-0046) - 1350 St. Paul Street, 564913 BC Ltd.

Moved By Councillor DeHart/Seconded By Councillor Singh

**R915/14/12/15** THAT Bylaw No. 10757 be adopted.

Carried

### 4.9. Bylaw No. 10979 (Z14-0019) - 260 Ponto Road, Alexander Ryan Tull

Moved By Councillor Sieben/Seconded By Councillor Singh

R916/14/12/15 THAT Bylaw No. 10979 be adopted.

Carried

## 4.8.1. Development Permit Application No. DP14-0169 - 1350 St. Paul Street, 564913 BC Ltd.

#### Staff:

- Displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor DeHart

**R918/14/12/15** THAT final adoption of Zone Amending Bylaw No. 10757 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP14-0169 for Lot 1, District Lot 139, ODYD, Plan KAP68461 located on 1350 St. Paul Street, Kelowna, BC subject to the following:

- 1. The dimensions and siting of the parking lot to be constructed on the land be in general accordance with Schedule "A";
- Landscaping to be provided on the land be in general accordance with Schedule "C";
- 3. The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council's approval of the Development Permit Application in order for the permit to be issued.

Carried

### 4.9.1. Development Permit Application No. DP14-0084 - 260 Ponto Road, Alexander Ryan Tull

Staff:

- Displayed a PowerPoint presentation summarizing the application.

### Moved By Councillor Stack/Seconded By Councillor Donn

**R919/14/12/15** THAT Council authorize the issuance of DP14-0084 on Lot 17, Section 26, Township 26, ODYD, Plan 4414 located on 260 Ponto Road, Kelowna, BC subject to the following:

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

AND FUTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council's approval of the Development Permit Application in order for the permit to be issued.

Carried

## 4.10. Rezoning Application No. Z11-0018 - 1500 Friesen Road, Gwynne Johnson

#### Staff:

- Displayed a PowerPoint presentation summarizing the application.

#### Moved By Councillor Stack/Seconded By Councillor Singh

**R920/14/12/15** THAT Council receives, for information, the report from the Community Planning & Real Estate Division, dated November 28, 2014 with respect to Rezoning Bylaw Application 10536 (Z11-0018 - Gwynne Johnson - 1500 Friesen Road - Lot14 Section 35 Township 26 ODYD Plan 18660);

THAT Bylaw No. 10536 be forwarded for rescindment consideration and Staff be directed to close the related files.

### <u>Carried</u>

#### 4.10.1. Bylaw No. 10536 (Z11-0018) - 1500 Friesen Road, Gwynne Johnson

Moved By Councillor Given/Seconded By Councillor Hodge

R917/14/12/15 THAT Bylaw No. 10536 be rescinded;

AND THAT the file be closed.

### Carried

### 5. Non-Development Reports & Related Bylaws

### 5.1. Lease - 1014 Glenmore Road

Staff:

- Displayed a PowerPoint presentation summarizing the lease agreement for 1014 Glenmore Road.

#### Moved By Councillor Donn/Seconded By Councillor DeHart

**R921/14/12/15** THAT Council approve the City entering into a two (2) year Lease Agreement with Glenmore Store Limited for office space at 1014 Glenmore Road, with the option to renew for an additional one (1) year term (for a total potential lease period of three years), in the form attached to the Report of the Manager, Property Management, dated December 15, 2014;

AND THAT the Mayor and City Clerk be authorized to execute the Lease Agreement;

AND THAT all costs associated with the Lease Agreement be charged to the Property Management Leased Building (General) Budget;

AND FURTHER THAT the 2015 and 2016 Financial Plan be amended accordingly.

#### Carried

## 5.2. Sublease of 346 Lawrence Avenue, Southern Interior Development Initiative Trust

Staff:

- Displayed a PowerPoint presentation summarizing the Sublease for 346 Lawrence Avenue and responded to questions from Council.

#### Moved By Councillor DeHart/Seconded By Councillor Gray

**R922/14/12/15** THAT Council approves the City entering into a one (1) year Sublease Agreement, with Southern Interior Development Initiative Trust, for office use, with the option to renew for an additional one (1) year term, in the form attached to the Report of the Property Manager, dated December 15, 2014;

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

Carried

### 5.3. Partnership for the Provision of Public Art

Staff:

- Displayed a PowerPoint presentation summarizing the public art project and funding partnership with Davara Holdings Ltd. and responded to questions from Council.

Council:

- Raised questions regarding local artist preferences.

Staff:

- Confirmed there are legal constraints on the City's ability to favour local artists.

Moved By Councillor Singh/Seconded By Councillor Sieben

**R923/14/12/15** THAT Council approves the City of Kelowna entering into a Public Art Financial Contribution Agreement with Davara Holdings Ltd. for a public art installation at 550 Rowcliffe Avenue/555 Buckland Avenue in the form attached to the Report of the Planner Specialist, Urban Design dated December 10, 2014;

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete the Agreement.

Carried

## 5.4. 2014 Election Results Report

Staff:

- Summarized the 2014 Election Results and responded to questions from Council.

## Moved By Councillor DeHart/Seconded By Councillor Sieben

**<u>R924/14/12/15</u>** THAT Council receives, for information, the Report from the Deputy City Clerk dated December 10, 2014 with respect to the 2014 Election Results.

## 6. Mayor and Councillor Items

Carried

Councillors:

- Gave season greetings to the public, staff and their fellow Council members.

Councillor Gray:

- Spoke to the success of the recent fundraiser for Kate Roswell.

Councillor Singh:

- Congratulated Councillor Stack on the completion of the Pleasantvale Homes Project.

Councillor DeHart:

- Spoke to the success of the recent fundraiser for Kate Roswell.

Councillor Stack:

- Spoke to his attendance, along with the Mayor, at the Opera Kelowna Event held on Saturday, December 13<sup>th</sup>.

Mayor Basran;

- Reminded Council on the Hanukkah Celebrations happening Saturday, December 20<sup>th</sup>.

7. Termination

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

CityClerk 'n

Mayor /acm

# **REPORT TO COUNCIL**



Date:	12/8/2014			Kelown
RIM No.	1210-21			
То:	City Manager			
From:	Subdivision, A	Agriculture & Environn	nent Services	(MS)
Application:	A14-0011		Owners:	Jane Reschke Anthony Reschke Deanna Sills Gregory Reschke Jennifer Reschke
Address:	499 Valley Ro	ad North	Applicant:	Arda Consultants Ltd.
Subject:	Non-Farm use	e application in the Ag	ricultural Lan	d Reserve (ALR)
Existing OCP D	esignation:	Resource Protection	Area	
Existing Zone:		A1 - Agriculture 1		

## 1.0 Recommendation

THAT Agricultural Land Reserve Appeal Application No. A14-0011 for *Lot 3 Block 16 Section 3 TWP 23 ODYD Plan 1068*, located at *499 Valley Road* for a 'Non-Farm use' to allow 0.101 ha (0.25 acres) of the property to be leased to a tree service company, pursuant to Section 20 (3) 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 (ALC) under Section 20(3) of the *ALC Act* for a "Non-Farm use" within the Agricultural Land Reserve (ALR) to allow 0.101 ha (0.25 acres) of the property to be leased to a tree service company.

### 3.0 Land Use Management

Staff does not support the application for a "Non-Farm use" within the ALR to allow 0.101 ha (0.25 acres) of the property to be leased to a Cody Tree Service. The use is industrial, with no benefit to agriculture demonstrated.

Staff notes that the use of the land for a tree service company is not a farm use or a permitted use under the ALC Regulation.

In addition, the use does not conform with the designated Future Land Use of Resource Protection Area, or the A1 - Agriculture zone. In the event that the ALC allowed the continuation

of this existing Non-Farm use, the City would still be faced with legalizing the use on either a temporary (i.e. Temporary Use Permit) or permanent (e.g. rezone to an industrial zone) to allow this use to continue. If an application for a rezoning was submitted, an amendment to the Official Community Plan would also be required, as industrial uses are not supported in the Resource Protection Area.

Staff notes that, regardless of an ALC Application, the City of Kelowna Zoning Bylaw does not allow landscaping or tree service companies as a permitted use on A1 - Agriculture Zones. These are considered 'CONTRACTOR SERVICES, GENERAL' in the Zoning Bylaw, and are a permitted use in the following industrial zones:

- I2 General Industrial
- I4 Central Industrial
- 16 Low Impact Transitional Industrial

No business license has been issued for the subject property where Cody Tree Service currently has its operations. The current business license issued to Cody Tree Service is for a home based business at 535 Milton Road. Based on the parking area and storage building, the number of employees, the outdoor storage of equipment, and traffic including large trucks, the business does not conform to home based business regulations.

Staff also notes that the use of agricultural land for contractor services is currently a significant bylaw enforcement issue on agricultural land, requiring a significant amount of time and resources from staff.

## 4.0 Proposal

## 4.1 Background

The owners of the subject property have requested a Non-Farm Use of land in the Glenmore area of the City to continue to operate Cody Tree Service which is consistent with an industrial use. A business license was first issued to Cody Tree Service in 2006 to operate a small contracting business as a "Home Based Business" from a Milton Road location.

The farm is primarily planted in cherry trees. The owners work on the farm and live in the two residences on the property. (See attached Site Plan). Approximately 0.101 ha (0.25 acres) of their 3.49 ha (8.6 acre) property is currently leased to Cody Tree Service.

## 4.2 Project Description

The applicants are seeking permission from the ALC to lease 0.101 ha (0.25 acres) of their property to Cody Tree Service. Of this area, they share the storage portion with the owners. The owners used the storage area to work on farm equipment, and have access to the storage shed. The owners estimate that the tree service company uses approximately 0.16 acres (0.065 ha) of the property. Of this, approximately 0.06 acres is used for vehicle storage. The owners also indicate that leasing of the land helps with income and farm surveillance.

The owners note that the storage yard does not have:

- Direct sales from the site;
- Full or part-time employees on site;
- Visits from the public;
- Wood or wood products; or
- Fuel or hazardous waste.

## 4.3 Site Context

The subject property is located in the Glenmore - Clifton - Dilworth Sector of the City and is within the Agricultural Land Reserve. The Future Land Use of the property is Resource Protection Area (REP). It is zoned A1 - Agriculture 1 (Maps 1 - 3, below) and is outside of the Permanent Growth Boundary. The applicants have owned the property since 1973.

## Parcel Summary:

Parcel Size:	3.49 ha (8.6 acres)
Elevation:	435 to 450 metres above sea level (masl)

Map 1 - Neighbourhood







Map 3 - Agricultural Land Reserve







Zoning and land uses adjacent to the property are as follows:

Direction	Zoning	ALR	Land Use
North	A1 - Agriculture 1	Yes	Agriculture
South	A1 - Agriculture 1	Yes	Orchard
East	A1 - Agriculture 1	Yes	Rural Residential
West	A1 - Agriculture 1 / P4	Yes	Recreation / Park / Firehall

## 5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.33 Protect and enhance local agriculture<sup>1</sup>.

Policy. 1 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.

Policy .7 Non-Farm Uses. Support Non-Farm use applications on agricultural lands only where approved by the ALC and where the proposed uses:

- are consistent with the Zoning Bylaw and OCP;
- provide significant benefits to local agriculture;
- can be accommodated using existing municipal infrastructure;

<sup>&</sup>lt;sup>1</sup> City of Kelowna 2030 Official Community Plan: Greening Our Future (2011), Development Process Chapter; p. 5.33.

- minimize impacts on productive agricultural lands;
- will not preclude future use of the lands for agriculture;
- will not harm adjacent farm operations.

## Objective 5.34 Preserve productive agricultural land<sup>2</sup>.

## 5.2 <u>City of Kelowna Agriculture Plan</u>

## ALR Application Criteria<sup>3</sup>

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.

## 5.3 <u>City of Kelowna Zoning Bylaw No. 8000</u>

Section 11 - Agriculture Zones. The property is within the A1- Agriculture 1 zone. This zone allows for farming and a single family residence, and additional residences when required for farm help. The zone also allows greenhouses and nurseries as a secondary use. Greenhouses and nurseries specifically excludes landscaping companies in the definition under Section 2, below.

Section 2 - Interpretation. Section 2 of the Zoning Bylaw provides definitions, including:

**GREENHOUSES AND PLANT NURSERIES** means **development** used primarily for the cultivation, storage and sale of produce, bedding, household and ornamental plants, trees, bushes, sod and related materials and may include the **accessory** sale of landscaping and gardening products and materials such as tools, soil, and fertilizers, provided that this accessory use is limited to 400 m2 on the **lot**. This use does not include landscaping, excavating or soil processing businesses or operations.

**CONTRACTOR SERVICES, GENERAL** means **premises** used for the provision of **building** and road **construction** services including **landscaping**, concrete, electrical, excavation, drilling, heating and plumbing or similar services of a **construction** nature which require on-**site** storage and warehouse space. Any sales, display, office or technical support service areas shall be accessory to the principal **general contractor services use** only.

## 6.0 Technical Comments

## 6.1 Bylaw Services

There have been a few Bylaw Enforcement files relating to Non-Farm uses occurring on this property, which may have triggered this application. Staff had done research a few years ago which prompted some of the Bylaw activity. The use of a storage compound for a commercial contractor is another component of our interaction with the applicant.

## 6.2 Development Engineering Department

The Development Engineering comments regarding this Non-Farm use within the Agricultural Land Reserve are as follows:

<sup>&</sup>lt;sup>2</sup> City of Kelowna 2030 Official Community Plan: Greening Our Future (2011), Development Process Chapter; p. 5.34.

<sup>&</sup>lt;sup>3</sup> City of Kelowna Agriculture Plan (1998); p. 130.

## **General and Access**

- a) The existing storage yard shall have adequate space to manoeuvre the intended vehicles onto and off the site without requiring a reverse movement onto public roadways (Valley Road North.
- b) No servicing upgrades are anticipated with this application.

## 6.3 Policy & Planning

This Non-Farm use proposal seeks industrial uses on agricultural land. Staff note that there is no agricultural benefit from this proposal and that this application is inconsistent with the 'Non-Farm Uses' policy in the OCP.

6.4 Glenmore Ellison Irrigation District

The property has two domestic connections and a separate irrigation connection supplying water to the property. GEID has no concerns with this application.

## 7.0 Application Chronology

Date of Application Received:	October 28, 2014	

Agricultural Advisory Committee No Quorum - No AAC Meeting available

## Report prepared by:

Melanie Steppuhn, Land Use Planner

Reviewed by:



Todd Cashin, Manager, Subdivision, Agriculture & Environment Services

Approved by:

Shelley Gambacort, Director, Subdivision, Agriculture & Environment Department

Attachments:

Subject Property Map ALR Map Site Plan - Drawing No. 1007.P1 (Arda Consultants Ltd.) Letter of Rationale (Arda Consultants Ltd.)



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.



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Arda Consultants Ltd.

#7-3304 Appaloosa Road Kelowna, BC, V1V 2W5 Tel: 250.807.7903 gr@ardaconsultants.com

Oct. 16, 2014

OUR FILE: 1007

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

Attention: Melanie Steppuhn, Agriculture and Environmental Services Dept.

## Re: Proposed ALC Application for Non-Farm Use Lot 3, Block 16, Plan 1068, Sec. 3, TP 23 ODYD – P.I.D. 011-844-493

Allow me to provide some background & comments:

## **Re: Residences**

The subject property is located at 499 Valley Road North, across from the Fire Hall & sportsfield. The property is 8.6 Acres in size.



Aerial Photo of Subject Property

There are two homes on the property. Both residences on the farm are owner occupied. We have owned the property since 1973. My mother lives in the older house (primary residence) and I live in the secondary residence. As I am the caretaker for the property, some of my duties include:

- Irrigation & plantings
- Gate & fence maintenance
- Lawn & garden care
- Weed removal
- Burning permit applications
- Insurance
- Management
- General upkeep etc.

## **Re: Primary Land Use & Farm Operation**

In addition to the fruit, nut and ornamental trees on the property, approximately 2000 cherry trees, of various varieties, were planted in 2012. The property has 'farm status' and we intend to maintain the farm operation for the foreseeable future.

## Re: Cody Tree Service & Storage Yard

In an effort to minimize our farm expenses and in order to maintain the status of our farm, we have a simple arrangement with the arborists of Cody Tree Service. They provide invaluable oversight, care and maintenance on the property in exchange for a miniscule area to park some of their vehicles and store equipment related to their tree contracting service.

We have taken the following steps to minimize the visual impact & provide the following comments:

- The yard is kept clean
- > One commercial vehicle was removed from the site earlier this year.
- Storage containers, chippers and farm implements remain on-site but the visual impact of our operations is kept to a minimum.
- > Unused vehicles will be removed from the site

Just to clarify, the storage yard:

- Does NOT have off-sales of any kind
- > Does NOT have any full-time or part-time employees on-site
- Does NOT allow visits from the public
- > Does NOT cut wood or store wood products
- > Does NOT store fuel or hazardous chemicals

The total storage yard is approximately 0.25 acres in size and is located in northwest corner of the property. This represents only 2.9% of the land. As owners of the property also use the storage yard, it would be fair to say that the tree service company only uses 0.16 acres of the **existing** 0.25 acre yard.



Picture 1: From Primary Residence looking west towards storage yard



Picture 2: From Fire Hall looking east towards storage yard

**Only 0.06 acres is dedicated for commercial vehicle storage** and the remaining 0.19 acres considered to be area for **common storage** (to property owners & Cody Tree Service). This common area also provides room to work on farm equipment, and allows access to the storage shed.



Picture 3: Common Storage Area with shed (in foreground)



Picture 4: Common Storage Area with shed (in background)



Picture 5: Commercial vehicle Storage Area along north property boundary

The City of Kelowna (Bylaw Services) has expressed concerns over use of the storage yard...in particular, the parking of commercial vehicles from Cody Tree Service Ltd.

With that in mind, we would like to apply to the ALC for a non-farm use permit to allow the tree contracting service to be able to park vehicles and store equipment within the owners **existing storage yard**. The total storage yard area encompasses only 0.25 acres of the 8.6 acre property, and the **vehicle storage area is only 0.06 acres**.

If you have any questions or require additional information, please do not hesitate to contact us.

Yours truly,

Greg Reschke Civil Engineering Technologist

Cc: Cody Tree Service Box 20100 RPO Town Centre Kelowna, B.C. V1Y 9H2

> Jane Reschke 1-499 Valley Road North Kelowna, BC V1V 2G1



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# **REPORT TO COUNCIL**



Date:	12/8/2014			Kelowna
RIM No.	1210-21			
То:	City Manager			
From:	Subdivision, A	griculture & Environn	nent Services	(MS)
Application:	A14-0010		Owner:	Kelowna Pet Resort Ltd. Inc. No. BC1011608
Address:	1301 Glenmor	re Road North	Applicant:	Chad Clark
Subject:	Non-farm use	application - Mobile H	Home as 'Carr	iage House'
Existing OCP D	esignation:	Resource Protection	Area	
Existing Zone:		A1 - Agriculture 1		

## 1.0 Recommendation

THAT Agricultural Land Reserve Appeal Application No. A14-0010 for Lot 3 Block 10 Sections 9 and 16 TWP 23 ODYD Plan 1068, located at 1301 Glenmore Road for a 'Non-farm use', to allow a mobile home as a 'Carriage House', pursuant to Section 20 (3) 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

The applicant is seeking permission from the Agricultural Land Commission (ALC) to allow an existing mobile home to be used by a caretaker for the kennel business on the property.

## 3.0 Subdivision, Agriculture & Environment Services

Staff does not support the application for a non-farm use of a mobile home as a second dwelling to be used by a caretaker for the kennel business on the property.

Section 18 of the Agricultural Land Reserve Act<sup>1</sup> prohibits local government from approving more than one residence on an ALR parcel unless it is necessary for *farm use*. The ALC Regulation permits, unless prohibited by local government bylaw, one manufactured home for a member of the owner's immediate family only.

<sup>&</sup>lt;sup>1</sup> SBC, 2002. Agricultural Land Commission Act. Chapter 36 <u>http://www.bclaws.ca/Recon/document/ID/freeside/00\_02036\_01</u>

In this case, the property is owned by Kelowna Pet Resort Ltd. The owners of the company do not live on the property, and the immediate family of the owners live in the primary residence.

Kennels are a permitted secondary use in the A1-Agriculture zone under the City of Kelowna Zoning Bylaw, as well as the ALC Regulation.

Ministry of Agriculture guidelines with respect to second dwellings for farm help do not include employees of secondary businesses such as kennels. Further, the guidelines indicate that, for farm help employees, the property does not qualify for a farm help dwelling if alternative accommodation is available within 20 kilometers.

Daily traffic to and from the farm is expected to increase due to the expansion of the kennel. As part of application DP14-0202, the Development Engineering Branch requires that one of the two existing accesses be closed. The Subdivision, Development and Servicing Bylaw No. 7900 allows only one access per parcel unless it is required for farm use. In this case, the hayfield is leased to a neighbour and can be managed with one access. (See Section 6.2, below). Glenmore is an arterial road. Staff have been consistent with this stretch of Glenmore, given traffic complaints in the past. In addition, traffic is expected to increase once the connection to the University via John Hindle Drive is built (estimated completion 2016).

There is potential this kennel business will become the primary use of the A1-Agriculture parcel, instead of the secondary use as specified by the Zoning Bylaw.

## 4.0 Proposal

4.1 Background

The property has a dog and cat kennel business on the property. Kelowna Pet Resort Ltd. has recently purchased the property and plans to expand the dog kennel with capacity for 50 more dogs, including facilities for an indoor and outdoor dog run, and dog grooming. The project also includes a dog blanket business that is in accordance with a rural home based business under the Agricultural Land Reserve Use, Subdivision and Procedure Regulation B.C. Reg. 171/2002 (*the "ALR Regulation*") and Section 11 of the City of Kelowna Zoning Bylaw No. 8000.

Approximately 1.9 ha (4.7 acres) of the property is farmed for hay. The property has 2 existing barns, and an agricultural accessory building that will house the dog blanket business. There is one single family dwelling and a mobile home on the property.

The mobile home was placed in the property in 1981 with an affidavit that it would be used solely for members of full time agricultural workers and their family, or seasonal farm workers, and also that it would not be rented or leased out.

## 4.2 Project Description

The applicant wishes to be able to rent an existing mobile home to a caretaker that will work at the kennel and be able to help in providing 24 hour care to the dog and cat kennels. (Refer to statement of purpose, attached). The plans for the new dog kennel and grooming business, are also attached.

## 4.3 Site Context

The subject property is located in the McKinley Sector of the City and is within the Agricultural Land Reserve. The future land use of the property is Resource Protection Area (REP). It is zoned A1 - Agriculture 1. It is outside of the Permanent Growth Boundary. (Maps 1 - 4, below). It is within the Glenmore Ellison Irrigation District water supply area.

Parcel Summary:

Parcel Size:	3.45 ha (8.54 ac)
Elevation:	440 to 458 metres above sea level (masl)

Direction	ction Zoning		Land Use
North	RR1 - Rural Residential 1	Yes	Rural Residential
South	A1 - Agriculture 1	Yes	Agriculture
East	A1 - Agriculture 1	No	Agriculture
West	A1 - Agriculture 1	Yes	Agriculture

Specifically, adjacent land uses are as follows:

## Map 1 - Subject Property





## Map 2 - Neighbourhood Context







## Map 4 - Future Land Use

## 5.0 Current Development Policies

The subject property has a future land use designation of Resource Protection Area and relevant policies are included below:

## 2030 Official Community Plan: Greening Our Future

Objective 5.33 Protect and enhance local agriculture<sup>2</sup>.

Policy. 1 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.

Policy .3 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.

Policy .7 Non-farm Uses. Support non-farm use applications on agricultural lands only where approved by the ALC and where the proposed uses:

- are consistent with the Zoning Bylaw and OCP;
- provide significant benefits to local agriculture;
- can be accommodated using existing municipal infrastructure;
- minimize impacts on productive agricultural lands;
- will not preclude future use of the lands for agriculture;
- will not harm adjacent farm operations.

Objective 5.34 Preserve productive agricultural land<sup>3</sup>.

<sup>&</sup>lt;sup>2</sup> City of Kelowna 2030 Official Community Plan: Greening Our Future (2011), Development Process Chapter; p. 5.33.

## 5.1 City of Kelowna Agriculture Plan

## ALR Application Criteria<sup>4</sup>

*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.

*Defined Urban - Rural/Agricultural Boundary.* Confirm support for the Agricultural Land Reserve and establish a defined urban - rural/agricultural boundary, as indicated on Map 14 - Urban - Rural/Agricultural Boundary, utilizing existing roads, topographic features, or watercourses wherever possible;

*Farmland Preservation*. Direct urban uses to land within the urban portion of the defined urban - rural / agricultural boundary, in the interest of reducing development and speculative pressure, toward the preservation of agricultural lands and discourage further extension of existing urban areas into agricultural lands;

## 5.2 Agricultural Land Commission

The Agricultural Land Commission (ALC) has no limit on the number of residences permitted on a parcel, but all residences must be required for farm use. The policies which outline residential use are outlined below.

Policy #9 - Additional Residences for Farm Use<sup>5</sup>

Agricultural Land Commission Act, 2002, Section 18

- 18 Unless permitted by this Act, the regulations or the terms imposed in an order of the commission,
  (a) a local government, or an authority, a board or another agency established by it or a person or an agency that enters into an agreement under the Local Services Act may not
  - (ii) approve more than one residence on a parcel of land unless the additional residences are necessary for farm use

Policy # 8 - Permitted Uses in the ALR: Residential Use<sup>6</sup>

Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg. 171/2002), the "Regulation", Section 3 (1) (b)

Section 3 (1) "the following land uses are permitted in an agricultural land reserve unless otherwise prohibited by a local government bylaw:

(b) for each parcel,

- (i) one secondary suite within a single family dwelling, and
- (ii) one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family;

<sup>&</sup>lt;sup>3</sup> City of Kelowna 2030 Official Community Plan: Greening Our Future (2011), Development Process Chapter; p. 5.34.

<sup>&</sup>lt;sup>4</sup> City of Kelowna Agriculture Plan (1998); p. 130.

<sup>&</sup>lt;sup>5</sup> BC Reg., 2002. Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg. 171/2002); Policy #9

<sup>&</sup>lt;sup>6</sup> BC Reg., 2002. Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg. 171/2002); Policy #8
- Section 1 (1) "immediate family" means, with respect to an owner, the owner's
  - (a) parents, grandparents and great grandparents,
  - (b) spouse, parents of spouse and stepparents of spouse,
  - (c) brothers and sisters, and
  - (d) children or stepchildren, grandchildren and great grandchildren;

# 6.0 Technical Comments

6.1 Building & Permitting Department

Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.

Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

Comments provided for DP14-0202 (Kennel Building) per below:

### Domestic water and fire protection

The property is located within the Glenmore Ellison Improvement District service area.

Ensure an adequately sized domestic water and fire protection system is in place. The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID.

# Sanitary Sewer

- a) This subject parcel is within the City service area. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs.
- b) The developer at his cost, will arrange for the installation of the service. Performance security and a Servicing Agreement is required for work within the road right-of-way
- c) On-site servicing will be reviewed by Building & Permitting.

# Road Access

a) With regards to driveway access onto Glenmore Road North, the property will be limited to one access. Ensure that sightlines are not obstructed for a minimum of 110 meters in both directions.

### 6.3 Irrigation District

The property is currently supplied with domestic and irrigation water for the two existing residences and the acreage. In addition, the kennel operations on the property are interconnected to the water supply for one of the residences.

GEID has provided comments (see DP14-0202) regarding the new kennel building. GEID has no comments regarding this ALR application.

7.0 Application Chronology				
Date of Application Received:	October 16, 2014			
Agricultural Advisory Committee	No Quorum - No AAC Meeting available			
Report prepared by:				
Melanie Steppuhn, Land Use Planne	r			
Reviewed by:	Todd Cashin, Manager, Environment & Land Use			
Approved for Inclusion	Doug Gilchrist, Divisional Director, Community Planning & Real Estate			
Attachments:				
Photos Subject Property Map				
ALR Map				
Letter of Rationale				
Site Plan - Kennel Conceptual Elevations - Kennel				
Conceptual Lievations - Refillet				

# PHOTOS





Photo 2: Mobile Home





Photo 3: Mobile Home looking South

Photo 4: Mobile Home





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.



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Non form application for the mobile home for either 18 For Family use home Carriage house lease consider choice, (1) first (Please describe and show on plan or sketch) pussib PROPOSAL P mah ъ 0 nn M P Δ Cr.Gi 4 m Fam, А Findy's わい Witer E m 4 44 NPIA moin dad and ny Vent an one UPCZ when their AU/ 10 stay main ٢ R Werger 11e 00 5 safety of oni CURRENT USE OF LAND (Show information on plan or sketch) Car List all existing uses on the parcel(s) and describe all buildings busness UF 4 heanel bat Mean notel M home

USES ON A	DJACENT LOTS (Show information on plan or sketch)
North	"Youver it my hay then single family hope
East	forest
South	single family parcel up lage acreage
West	glenmore road then cherry harvesting facility

### DECLARATION

I/we consent to the use of the information provided in the application and all supporting documents to process the application in accordance with the Agricultural Land Commission Act and regulation. Furthermore, I/we declare that the information provided in the application and all the supporting documents are, to the best of my/our knowledge, true and correct. I/we understand that the Agricultural Land Commission will take the steps necessary to confirm the accuracy of the information and documents provided.

Print Name

Date

Signature of Owner or Agent

Print Name

Date

Date

Signature of Owner or Agent

Signature of Owner or Agent

Print Name

### Please ensure the following documents are enclosed with your application:

- Application fee payable to the Local Government
- Certificate of Title or Title Search Print
- Agent authorization (if using agent)
- Map or sketch showing proposal & adjacent uses
- Proof of Notice of Application \*(See instructions)
- Photographs (optional)



AGRICULTURAL - A1 KENNELS AND STABLES 453.5 M<sup>2</sup> 251.7 M<sup>2</sup> 705.2 M<sup>2</sup> 34,568 M<sup>2</sup> (3.45 HA) 2.04% ,0 1 CURRENT BUILDING CODES, BY-LAWS AND REGULATIONS. 3. THESE PLANS ARE FOR A SINGLE PROJECT GENERAL NOTES AND THE COPYRIGHT BELONGS TO UPRISE DESIGN + DRAFTING INC. THE DESIGN MUST DONE. REVIEWED BY CONTRACTOR BEFORE CONSTRUCTION AND MUST VERIFY ANY 2. CONTRACTOR MUST COMPLY WITH ALL EXISTING CONDITIONS PRIOR TO WORK BEING DISCREPANCIES BETWEEN THE DRAWING AND 1. ALL PLANS AND DIMENSIONS MUST BE ISSUED FOR DP **UPRISE DESIGN + DRAFTING INC** NOT BE COPIED AND THESE DRAWINGS MUST NOT BE DUPLICATED BY ANY PERSONS. KELOWNA PET RESORT 12909 SHORELINE DR, WINFIELD, BC MALKIN CONSTRUCTION PH: 778.480.0341 REVISIONS SITE DEVELOPMENT PERMIT DRAWINGS DATE: SEPT 08, 2014 09/08/2014 SCALE: AS NOTED



MASSING















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.

Non Form application for the mobile home for either: 18 Mobile home for family used Carriage house lease consider Ofirst choice, if (Please describe and show on plan or sketch) poss PROPOSAL mol 1 CEN hine 4 NA occust ich nh m a Famil 40 Sinds-GN wife Wefer m moin 60 nobi an A when the main operators stay Story the 11/ to O, 12)01 121 CURRENT USE OF LAND (Show information on plan or sketch) Care oni Safet of List all existing uses on the parcel(s) and describe all buildings P mi **USES ON ADJACENT LOTS** (Show information on plan or skeich)

11-G sincle thmil North ha / East South bores 6 the West

### DECLARATION

I/we consent to the use of the information provided in the application and all supporting documents to process the application in accordance with the Agricultural Land Commission Act and regulation. Furthermore, I/we declare that the information provided in the application and all the supporting documents are, to the best of my/our knowledge, true and correct. I/we understand that the Agricultural Land Commission will take the steps necessary to confirm the accuracy of the information and documents provided.

2

Date Signature of Owner or Agent Print Name

Date

Signature of Owner or Agent

Date

Signature of Owner or Agent

Print Name

Print Name

#### Please ensure the following documents are enclosed with your application:

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- Certificate of Title or Title Search Print Ħ
- 11 Agent authorization (if using agent)
- 11 Map or sketch showing proposal & adjacent uses
- Proof of Notice of Application \*(See instructions) Photographs (optional)
- ŧ









# **REPORT TO COUNCIL**



Date:	December 1,	2014		Kelowna
RIM No.	0940-50			
То:	City Manager			
From:	Urban Planning, Community Planning & Real Estate (AC)			
Application:	Z14-0055		Owner:	Loren & Janette Desautels
Address:	650-652 Ward	llaw Ave	Applicant:	Mark Ameerali
Subject:	Rezoning			
Existing OCP Designation:		MRL - Multiple Unit Residential (Low Density)		
Existing Zone: RU6 - Two Dwelling		RU6 - Two Dwelling	Housing	
Proposed Zone	2:	RM1 - Four Dwelling	Housing	

# 1.0 Recommendation

THAT Rezoning Application No. Z14-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 1 & 2, District Lot 14, ODYD, Strata Plan KAS3613 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V, located at 650-652 Wardlaw Avenue, Kelowna, BC from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling Housing zone be considered by Council;

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

AND THAT a section 219 covenant be registered on title stating that the land and any buildings shall not be used or occupied until such time as a occupancy permit can be issued by the city and that the occupancy permit must be obtained by the owner no later than 120 days after the issuance of the Building Permit. Further, that the covenant require the owner to submit a building permit no later than 30 days after the date of adoption of the rezoning bylaw.

# 2.0 Purpose

To rezone the subject property in order to permit a fourplex.

# 3.0 Urban Planning

Staff support the proposed rezoning proposal to allow for the Four Dwelling Housing use (RM1).

The Multiple Residential Low Density (MRL) land use designation permits the proposed RM1 -FourDwelling Housing zone. Several nearby properties have successfully rezoned to the RM1 zone. The proposed multi-family use is consistent with the Future Land Use designation (Objective 5.22, Policy .5 - Multi Unit in Character Areas) and redevelopment to a fourplex would be consistent with the existing transition character of the neighbourhood (Objective 5.22, Policy .6 - Sensitive Infill).

Staff are recommending a Section 219 restrictive covenant be registered on title outlining that the building must meet the minimum safety standards for a multi-family building as outlined in the BC Building Code and further restricts the use and occupancy of the property until such time as the necessary renovations can be completed.

To address Council Policy No. 367 with respect to public consultation, the applicant has undertaken neighbour consultation by individually contacting the adjacent neighbours as described in the attached *Schedule 'A'*. No major issues were identified during the initial consultation with neighbouring parcels.

# 4.0 Proposal

# 4.1 Background

In 2007, a Development Permit was reviewed and approved for a duplex house. In 2013, bylaw enforcement action was taken on the subject property after the investigation confirmed the duplex was being used as a fourplex. The conversion to a fourplex was done without proper permits and the owner was given the option to decommission the additional units or to legalize the fourplex.

# 4.2 Project Description

The subject property has a land use designation of MRL - Multiple Unit Residential (Low Density) in the Official Community Plan (OCP) and is currently zoned RU6 (Two Dwelling Housing). The subject property is within a Character Neighbourhood Development Permit Area which requires that all multi-family developments acquire a Comprehensive Development Permit to review the form and character of the proposed development prior to the building permit.

The current building meets all the setback and parking requirements for a duplex in the RU6 -Two Dwelling Housing zone. However, after rezoning to allow for a fourplex, the RM1 - Four Dwelling Housing zone has increased side yard setback requirements (up from 2.3 metres to 2.5 metres). One side of the building would not meet the 2.5 metre setback requirement, however, no variance would be required because the new zone (if approved) grants existing non conforming status to the building. Additionally, section 8.1.9 of Zoning Bylaw no. 8000 states: "except for developments with 2 or less dwelling units, no off-street parking shall be located within 1.5 metres of any side or rear property line." The applicant will need a variance for this parking setback rule as the minimum parking for their four dwelling units is six parking stalls and this can only be arranged along the rear property line with 0.5 metres as the setback distance.

# 4.3 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing & RM1 - Four Dwelling Housing	Residential
East	RU6 - Two Dwelling Housing	Residential
South	RU6 - Two Dwelling Housing & P3 - Parks and Open Space	Residential Park
West	RU6 - Two Dwelling Housing & RM1 - Four Dwelling Housing	Residential

# Subject Property Map: 650-652 Wardlaw Ave



# 4.4 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	RM1 ZONE REQUIREMENTS	PROPOSAL	
Site Details			
Lot Area	700 m <sup>2</sup>	910.4 m <sup>2</sup>	
Lot Width	20 m	21.3 m	
Lot Depth	30 m	42.7 m	
Site Coverage Buildings	Max 40 %	34.9 %	
Site Coverage Buildings, Driveways and parking	Max 50 %	40.0 %	
Front Yard	Min 4.5 m	4.5 m	
Side Yard (east)	Min 2.5 m	2.8 m	
Side Yard (west)	Min 2.5 m	2.3 m <b>0</b>	
Rear Yard	Min 7.5 m	7.5 m	
Height of buildings/number of storeys	Max 9.5m / 2½ Storeys	7.3 m / 2 stories	
Floor Area Ratio	Max 0.6	0.252	
Number of on-site parking stalls	Min 6	Min 6	
Setbacks from lot line to parking	Min 1.5m	0.5 m 🛛	
Private Open Space	Min 75 m <sup>2</sup>	Min 87.8 m <sup>2</sup>	
• Variance not needed as building	will get non-conforming siting prote	ection if zoning is approved.	

Variance not needed as building will get non-conforming siting protection if Zoning is approved.
A variance will be required and will be considered at Development Permit stage if zoning is approved.

# 5.0 Current Development Policies

# 5.1 Kelowna Official Community Plan (OCP)

# **Development Process**

**Compact Urban Form.**<sup>1</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

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

<sup>&</sup>lt;sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>&</sup>lt;sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

# 6.0 Technical Comments

- 6.1 Building & Permitting Department
  - Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
  - A central water service is required to a common mechanical room well as separate heating systems for each unit. An upgrade of the water piping system to the house as well as the distribution system with the house may be required.
  - Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- 6.2 Development Engineering Department See Attached

# 7.0 Application Chronology

Date of Application Received:	November 13 <sup>th</sup> 2014
Date of Public Consultation:	November 24 <sup>th</sup> 2014

Report	prepared	by:
--------	----------	-----

Adam Cseke, Urban Planner

Approved for Inclusion:	Ryan Smith, Urban Planning Mana	iger
Approved for metasion.		igui

# Attachments:

Subject Property Map Development Engineering Memo Site Plan Floor Plans Conceptual Elevations Context/Site Photos Draft Covenant Map Output



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

# CITY OF KELOWNA

# MEMORANDUM

**Date:** November 19, 2014 **File No.:** Z14-0055

To: Urban Planning Department (AC)

From: Development Engineering Manager

Subject: 650-652 Wardlaw Ave

RU6 to RM1

The Development Engineering Department has the following comments and requirements associated with this rezoning 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

The subject property is currently serviced with two (2) - 19mm water services. The developer will need to determine the domestic and fire protection requirements of this proposed development. Only one service/lot will be permitted for this development. The applicant, at his cost, will arrange for the disconnection of existing service and the installation of a new service. The disconnection of the existing small diameter water services and the tie-in of a larger new service can be provided by City forces at the developer's expense. One metered water service will supply the development. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades. For estimate inquiry's please contact Sergio Sartori, by email sartori@kelowna.ca or phone, 250-469-8589.

### 2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box should be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Sergio Sartori, by email <u>ssartori@kelowna.ca</u> or phone, 250-469-8589.

### 3. Road Improvements

(a) Wardlaw Ave must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$11,400.00** <u>not including utility service cost</u>

Z14-0031

d)

-1

Only the service upgrades must be completed at this time. The City wishes to defer the upgrades to Wardlaw Ave fronting this development. Therefore, cashin-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule.

Wardlaw Ave Cost Item \$3,396.00 Drainage **Curb & Gutter** \$1,867.00 \$2,668.00 Sidewalk \$ 720.00 Street Lighting Landscape Boulevard \$ 800.00 Road Fillet \$1,921.00 \$11,400.00 Total

### 4. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits.

Driveway access is permitted from the lane only.

#### 5. Electric Power and Telecommunication Services

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



Development Engineering Manager

















### TERMS OF INSTRUMENT – PART 2

### **SECTION 219 COVENANT**

THIS AGREEMENT dated for reference \_\_\_\_\_, 2014 is

### **BETWEEN:**

Name Address

(the "Owner")

### AND:

CITY OF KELOWNA 1435 Water Street Kelowna, BC V1Y 1J4

(the "City")

### GIVEN THAT:

A. The Owner is the registered owner in fee simple of the lands and improvements at [civic address], which land is legally described as:

[PID] [Legal description]

(the "Land")

- B. Section 219 of the *Land Title Act* permits the registration of a covenant of a positive or negative nature in favour of the City in respect of the use of land or building or construction on land.
- C. The Owner has made application to the City to rezone the Land to \_\_\_\_\_\_ [specify requested zoning district] to allow the Owner to construct and/or modify the existing building on the Land and to allow the modified building to be used as \_\_\_\_\_\_ [i.e. a boarding or lodging house].
- D. The Owner is unable to secure financing for the proposed construction/modification unless the City adopts a bylaw rezoning the Land to \_\_\_\_\_\_ [again reference requested zoning district].
- E. The City considers it would not be in the public interest to rezone the Land to \_\_\_\_\_\_, except on condition that the Owner enter into this Agreement.

**THIS AGREEMENT IS EVIDENCE** that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner), the Owner covenants and agrees with the City, in accordance with section 219 of the *Land Title Act*, as follows:

1. As soon as practicable after the adoption by the Council of the City of a bylaw rezoning the Land to \_\_\_\_\_\_, and in any event no later than 30 days after the date of adoption of the rezoning bylaw, the Owner must submit a complete application for a building permit to the City, together with all required fees and charges, for the new or modified building on the Land intended to be used in conformance with the \_\_\_\_\_\_ zoning.

### **Owner to Diligently Prosecute Construction**

2. Forthwith upon the issuance of the building permit, (and any other associated permits required to enable the construction, (collectively the "Building Permit) contemplated by the application referred to in section 1, the Owner must diligently and without delay undertake the construction authorized by the building permit and pursue it continuously until an occupancy permit for the building has been issued by the City.

### No Use of Occupancy Without Completion by Specified Date

3. The Land and any buildings thereon may not be used or occupied unless and until an occupancy permit has been issued by the City for the building and construction specified in the Building Permit. The occupancy permit must be obtained by the Owner no later than \_\_\_\_\_ (120?) days after the issuance of the Building Permit.

### **Discharge of Covenant Upon Completion**

4. The City agrees to release this Agreement from the title to the Land upon the Owner compying with sections 1 to 3 of this Agreement.

### Runs with the Land

5. Every obligation and covenant of the Owner in this agreement constitutes both a contractual obligation and a covenant granted under section 219 of the *Land Title Act* in respect of the Land. This agreement burdens and runs with, and binds the successors in title to, the Land and each and every part into which the Land may be subdivided or consolidated by any means.

### **Compliance with Laws**

6. The Owner must, in performing its obligations under this Agreement, at all times comply with all enactments applicable to the Land or the Building, including City bylaws, the *Community Charter* and the *Local Government Act* and must obtain all permits, licences and authorizations required by law to enable the Owner to perform any work contemplated by this Agreement and any other obligations under this Agreement, including those required by City bylaws.

### **Owner's Expense**

7. The Owner will perform all of its obligations under this Agreement at its own expense.

### **Specific Relief**

8. Because of the public interest in ensuring that all of the matters described in this Agreement, and the provisions of all applicable laws, are complied with, the public interest strongly favours the award of a prohibitory or mandatory injunction, or an order for specific performance or other specific relief, by the British Columbia Supreme Court at the instance of the City, in the event of an actual or threatened breach of this Agreement.

### **No Effect on Powers**

- 9. Except as expressly provided under the *Community Charter* or *Local Government Act*, this Agreement does not:
  - a. affect or limit the discretion, rights or powers of the City under any enactment;
  - b. affect or limit any enactment applying to the Land; or
  - c. relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Land.

### Discretion

- 10. Wherever in this Agreement the approval of the City is required, some act or thing is to be done to the City's satisfaction, the City is entitled to form an opinion, or the City is given a sole discretion:
  - a. the relevant provision is not to be considered fulfilled or waived unless the approval, opinion or expression of satisfaction is in writing signed by the City's Urban Planning Manager (the "City Representative");
  - b. the approval, opinion or satisfaction is in the discretion of the City Representative acting reasonably in accordance with municipal engineering practice; and
  - c. any discretion of the City is deemed to be the sole, absolute and unfettered discretion of the City.

### No Public Law Duty

11. Where the City is required or permitted by this agreement to form an opinion, exercise its discretion, express satisfaction, make a determination or give its consent, the City is under no public law duty of fairness or natural justice in that regard and the City may do any of those things in the same manner as if it were a private entity and not a public body.

### Indemnity

12. The Owner hereby releases the City, and indemnifies and saves the City harmless, from and against any and all actions, causes of actions, suits, claims, expenses (including legal fees and disbursements), losses (including economic loss), debts, demands and liabilities of whatsoever kind that the City is or may become liable for, incur or suffer arising out of or in any way
connected or related to the granting or existence of this Agreement, the restrictions or obligations contained in this Agreement or the performance or non-performance by the Owner of this Agreement.

#### Joint and Several

13. If at any time more than one person (as defined in the *Interpretation Act* (British Columbia)) owns the Land, each of those persons will be jointly and severally liable for all of the obligations of the Owner under this Agreement.

#### Notice

14. Any notice to be given pursuant to this Agreement must be in writing and must be delivered personally or sent by registered or express mail. The addresses of the parties for the purpose of notice are the addresses on the first page of this Agreement and in the case of any subsequent owner of the Land, the address will be the address shown on the title to the Land in the land title office. If notice is delivered personally, it may be left at the relevant address in the same manner as ordinary mail is left by Canada Post and is deemed given when delivered. If notice is sent by registered or express mail, it is to be deemed given 3 days after mailing by deposit at a Canada Post office. In the case of any strike or other event causing disruption of ordinary Canada Post operations, notices must be delivered personally. A party may change its address for delivery by giving notice of the new address in accordance with this section.

#### Waiver

15. An alleged waiver of any breach of this agreement is effective only if it is an express waiver in writing of the breach in respect of which the waiver is asserted. A waiver of a breach of this Agreement does not operate as a waiver of any other breach or continuing breach of this Agreement.

#### Priority

16. The Owner will, at the Owner's expense, do or cause to be done all acts reasonably necessary to obtain priority for this Agreement over all financial charges, liens and encumbrances registered, or pending registration, at the time of application for filing of a notice of this Agreement against the title to the Land in the appropriate land title office.

#### Interpretation

- 17. In this Agreement:
  - a. reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
  - b. article and section headings have been inserted for ease of reference only and are not to be used in interpreting this agreement;
  - c. the term "enactment" has the meaning given to it under the Interpretation Act (British Columbia) on the reference date of this agreement;

- d. reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- e. reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- f. reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this agreement and any Schedules to this agreement form part of this agreement; and
- g. time is of the essence.

#### **Further Assurances**

18. The Owner must do and cause to be done all things and execute all documents necessary to give effect to the intention of this Agreement.

#### Severance

19. If any part of this Agreement is for any reason held to be invalid by a decision of a court with the jurisdiction to do so, the invalid portion is to be considered severed from the rest of this Agreement and the decision that it is invalid does not affect the validity of the remainder of this Agreement.

#### **Governing Law**

20. This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia which is deemed to be the proper law thereof.

#### Enurement

21. This Agreement and each and every provision hereof shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns, as the case may be.

#### **Entire Agreement**

22. This agreement is the entire agreement between the parties regarding its subject.

#### **Contract and Deed**

23. By executing and delivering this Agreement, each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Office Form C which is attached hereto and forms part of this Agreement.

# **CITY OF KELOWNA**

# BYLAW NO. 11049 Z14-0055 - Loren & Janette Desautels 650-652 Wardlaw 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 Strata Lot 1 & 2, District Lot 14, ODYD, Strata Plan KAS3613 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V located on 650-652 Wardlaw Avenue, Kelowna, B.C., from the RU6 Two Dwelling Housing zone to the RM1 Four Dwelling Housing Zone zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



#### 1.0 Recommendation

THAT Zoning Bylaw Text Amendment No. TA13-0013 to amend Section 18, Schedule B CD2 - Kettle Valley Comprehensive Residential Development Zone of City of Kelowna Zoning Bylaw No. 8000 as outlined in the report from Urban Planning dated December 8, 2014 be considered by Council.

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

AND THAT final adoption of the Text Amendment Bylaw be considered subsequent to the review and approval of the Ministry of Transportation and Infrastructure;

#### 2.0 Purpose

To seek approval for changes to the development regulations and housekeeping amendments in the CD2 Comprehensive Zone 2, Kettle Valley Comprehensive Residential Development zone.

#### 3.0 Urban Planning

The proposed text amendment to the CD2 zone is a result of the current Type I, "Hillside Single Family" setbacks being too restrictive to implement for hillside development as they the size of the building envelope area. When the CD2 zone was first adopted in the mid 1990's the City had little experience using specific setback requirements for hillside development. In the last few years greater consideration has been given to the impact the setback requirements have on development in the hillside areas and having reduced setbacks has resulted in more suitable building envelopes. For comparison, parcels designated Type 1 in the CD2 zone require a 6.0 m front yard setback whereas the front yard setback requirement in the RU1h - Large Lot Housing

(Hillside Area) zone is 3.0 m, except for a garage which is 6.0 m measured from the back of curb. Therefore, the proposed amendments will provide greater clarity and consistency with other hillside zone setbacks.

In addition to the proposed revisions to the setback requirements, the text amendment application proposes to replace the original CD2 illustrations, which detail the development design rules for the specific development "Type", with a table which will correspond to a revised Map 1 - Overview Map. The table is being introduced for ease of interpretation and implementation.

The Urban Planning Department supports the proposed text amendments to the CD2 Zone a summary of which is:

- Map 1 has been amended so that parcels previously designated under Type I, "Hillside Single Family" will be re-designated Type III "Village/Park Single Family"
- removing Type I "Hillside Single Family" from the CD2 zone
- Map 1 has been amended so that parcels previously designated under Type VII "Cluster Estate" will be re-designated Type III "Village/Park Single Family".
- amendments to the development regulations for Type III "Village/Park Single Family type"
- replacing illustrations (Map pages 2 17) detailing with a table which coordinates with Map 1

These changes will improve the clarity and implementation of the CD2 regulations.

#### 4.0 Application Chronology

Date of Application Received: July 30, 2014

Report prepared by:

Lauren Morhart, Urban Planner

Approved for Inclusion:

\_\_\_\_\_ Ryan Smith, Urban Planning Manager

#### Attachments:

- Schedule 'A' Proposed Text Amendment
- Schedule 'B' Subject Property Map
- Schedule 'B' Map 1 showing proposed changes
- Schedule 'C' Final Map 1
- Schedule 'D' Table



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.

-		Zoning Bylaw No. 8000	
No.	Section	Existing Text	Proposed Text
-	Schedule B Comprehensive Development Zones CD2 Kettle Valley Comprehensive Residential District	(c) The maximum site coverage shall be in accordance with the plans of the Comprehensive Development Project, as approved and incorporated as CD2, Map 1.	(c) The maximum site coverage shall be in accordance with the Table of the Comprehensive Development Project, as approved and incorporated as CD2, Map 1.
	1.4 Development Regulations		References the new Table instead of the plans
2	Schedule B Comprehensive Development Zones	(d) The maximum height for buildings and structures within the CD2 zone shall be as	d) The maximum height for buildings and structures within the CD2 zone shall be as follows:
	cuz kettle valley Comprehensive Residential District	Single detached housing, semi-detached housing (Tynes I-VII CD2 Man	Single detached housing, semi-detached housing and row housing (Types II-VII CD2 Map 1): 9.5 m
	1.4 Development Regulations	1): 9.5 m	Townhouse Village Centre and apartment housing (Tvpe VIII - CD2,
		Townhouse Village Centre and apartment	Map 1): 16 m
		Map 1): 16 m	Mixed Use Village Centre (Type IX - CD2, Map 1): 16 m excluding accessory structures
		Mixed Use Village Centre (Type IX - CD2, Map 1): 16 m excluding accessory structures	Village Centre Commercial (Type X - CD2, Map 1): 13 m
		Village Centre Commercial (Type X - CD2, Map 1): 13 m	Delete reference to Type 1
m	Schedule B Comprehensive Development Zones	(e) The siting of buildings shall be in accordance with the plans of the Comprehensive	None
	CD2 Kettle Valley Comprehensive Residential	Development Project as approved and incorporated as CD2, Map 1, attached to this	Removed plans which showed siting of buildings and replaced with Table which
	District	bylaw.	clearly displays setbacks
	1.4 Development Regulations	(f) The fallouting fastures may be normitted to	(f) The following features may be permitted
4	schedule b Lomprenensive	(I) The following reactives may be permitted to	(1) The following reacures may be permitted

SCHEDULE 'A' Text amendments to Comprehensive Development 2 Zone TA14-0013

Page 1

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A.	4	Zoning Bylaw No. 8000		
Ň	No. Section	Existing Text	Proposed Text	
	Development Zones CD2 Kettle Valley Comprehensive Residential District 1.4 Development Regulations	project into the front and flanking yards as provided for below: (i) architectural features (ii) unenclosed porch and deck areas; and (iii) unenclosed balconies and canopies. The amount of the projection shall be in accordance with the plans of the Comprehensive Development Project, as approved and incorporated as CD2, Map 1, attached to this bylaw.	to project into encroachment areas, which run the perimeter of the front and street flanking yards, as provided for below: (i) architectural features (ii) unenclosed porch and deck areas; and (iii) unenclosed balconies and canopies. The size of the encroachment area shall be in accordance with the Table, as approved and incorporated as CD2, Map 1, attached to this bylaw. <i>References new Table instead of the plans</i>	
· · ·	<ul> <li>5 18- Schedule B Comprehensive</li> <li>Development Zones (CD2)</li> <li>1.5 Other Regulations</li> </ul>	(g) The minimum required landscape buffer level is Level 1 for all required yards for residential housing Types I through VIII inclusive	(g) The minimum required landscape buffer level is Level 1 for all required yards for residential housing Types II through VIII inclusive	
	<ul><li>6 18 - Schedule B Comprehensive</li><li>Development Zones (CD2)</li><li>1.5 Other Regulations</li></ul>	(i) Signs for residential housing Types I through VIII inclusive shall be regulated as if the site is in an RU1 zone.	(i) Signs for residential housing Types II through VIII inclusive shall be regulated as if the site is in an RU1 zone Delete reference to Type 1	
	18 - Schedule B Comprehensive Development Zones (CD2) 1.5 Other Regulations	None	(o) For Type IX, Mixed Use Village Centre, all buildings shall be oriented facing a street with the Commercial/Apartment buildings orientated facing Main Street Added to Other Regulations as rule will be lost when Table replaces plans	1
	18 - Schedule B Comprehensive Development Zones (CD2)	None	(p) For Type X, Village Centre Commercial, street oriented retail/office buildings shall be oriented facing towards Main Street and one storey retail buildings shall be oriented facing	
		Page 2		

Page 2

No. Section 1.5 Oth 7 18 - Sche Developr			
1.5 Oth 7 18 - Sch		Existing Text	Proposed Text
7 18 - Schi Developi	1.5 Other Regulations		Chute Lake Road.
7 18 - Sch Developi		Ţ	Added to Other Regulations as rule will be lost when Table replaces plans
•	18 - Schedule B Comprehensive Development Zones (CD2)		Amended to remove "Type I" area, and change those designated Type I to Type III,
Map 1 of 17	17 .		crimise one instance of Type VII (upprox 9 parcels) to Type III
8 Map 1 pages 2-17	ges 2-17	Plans	Replaced by table

Page 3

CD-2 - Kettle Valley Comprehensive Develo Table - Kettle Valley Regulating Plan CD2 Map 1	opment Zones												
Map Color Code	Lot Type	Dwelling Style:	Minimum Lot Area	Minimum Parcel Width	Average Parcel Depth	Maximum Lot Coverage	Maximum Floor Area Ration (FAR)	Net Density (units per hectare)	Vehicle Access	Maximum Building Height	Primary Dwelling Front Y ard Setback	Accessory Building Front Yard Setback	Side Yard Se buildii

	<b>Type II</b> - Estate Single Family	Single Family	700 m2	20 m	35 m	35%	NA	NA	Street	9.5m	4m Enroachment Line: 2m	6m	1.5
	<b>Type III or IV</b> - Village - Park Single Family	Single Family/Hillside Single Family	455 m2	13 m	35 m	40%	NA	NA	Street/ Lane	9.5m	4 m Enroachment Line: 2m	Access from street: 6m Access from lane: 12m	1.5
	<b>Type V</b> - Village Single Family - Multi-Family	Row Houses and/or Narrow Single Family	245 m2 per dwelling unit	9.4 m	35 m	50%	NA	NA	Lane	9.5m	4m	12m	Between un dwelling
I	<b>Type VI</b> - Village Muiti- Family	Row Houses	5000m2	100 m	25 m	45%	NA	35	Lane	9.5m	4m	12m	Between un

now nouses	5000112	100 111	25 111	45%	NA	35	Lane	9.5m		12m	d
									Enroachment Line:		
									2m		
											-

Type VII - Cluster estate	Single Family, Semi- detached Dwellings up to 4 dwelling units per	Parcel: 5000m2 Bareland Strata	9 m	NA	Parcel = 35% Bareland Strata Lot	NA	15	Street	9.5m	4 m	12m	Cluster Estate unattached dw
	building	Lot: 225m2			= 60%					Encroachment Line =		1.5

Туре VIIa - Cluster Estate/Estate	Single Family, Semi- detached Dwellings up to 4 dwelling units per building	Parcel: 5000m2 Bareland Strata Lot: 225m2	9 m	NA	Parcel = 35% Bareland Strata Lot = 60%	NA	20	Street	9.5m	4 m Encroachment Line =	12m	Cluster Estate: : unattached dwel 1.5m
										2 m		

Town House/Mixed Use/ Commercial

	<b>Type VIII -</b> Townhouse Village Centre	Townhouses	4000m2	NA	NA	40%	1	Maximum of 21 Self contained suites	Internal Lane	16m	4 m	NA	4 m
	<b>Type IX - M</b> ixed Use Village Centre	Mixed use Building(Commercial, Apartments) & Townhomes	4000m2	NA	NA	50%	1 (0.2 FAR bonus for under ground parking for a total FAR of 1.2)	107	Strata/Off Street Parking	16m	4.5 m Enroachment Line: Apartments= 1.2m for balconies Townhomes = 2.0m Commercial = 2.4m for awnings	NA	1.2 m
	<b>Type X -</b> Commercial Village Centre	Commercial	4000m2	NA	NA	50%	0.7	NA	Strata/ Off Street Parking Lot	13m	4.5 m Enroachment Line: Awnings = 1.2 m All other encroachments = 2.4m	NA	Between una buildings =

de Yard Setback (all buildings)	Setbacks From Property Line Flanking A Street	Principle Dwelling Rear Yard Setback	Accessory Buildin Rear Yard Setback
1.5m	4 m Encroachment Line: 2m	7.5m	Access from street: 7.5m Access from lane: 1.5m
1.5m	4m Enroachment Line: 2m	6m	Access from street: 7.5m Access from lane: 1.5m
Between unattached dwellings: 3m	4m	бm	1.5m
Setween unattached dwellings: 3m	4m Encroachment Line: 2m	6m	1.5m
uster Estate: 3m between attached dwellings Estate: 1.5m	4 m Encroachment Line: 2m	Cluster Estate: 6.0m Estate: 7.5m	Cluster Estate: NA Estate: 7.5m
ister Estate: 3m between Ittached dwellings Estate: 1.5m	4m Enroachment Line: 2m	Cluster Estate: 6.0m Estate: 7.5m	Cluster Estate: NA Estate: 7.5 m
4 m	4m	Varies (parking at rear)	NA
			¢
1.2 m	4.5m Enroachment Line: Apartments= 1.2m for balconies only; Townhomes = 2.0m; Commercial = 2.4m for awnings only	Townhomes: 30m (parking at rear)	NA
etween unattached buildings = 6 m	4.5 m Enroachment Line: 2.4m; 1.2m for awnings	30m (parking at rear)	NA

### CITY OF KELOWNA

# BYLAW NO. 11046 TA14-0013 - CD2 - Kettle Valley Comprehensive Residential Development Zone

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

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

- 1. THAT SCHEDULE 'B' Comprehensive Development Zones, CD2 Kettle Valley Comprehensive Residential Development be amended by:
  - a) Deleting 1.4 Development Regulations, (c) in its entirety that reads:
    - "(c) The maximum site coverage shall be in accordance with the plans of the Comprehensive Development Project, as approved and incorporated as CD2, Map 1.

And replacing it with:

- "(c) The maximum site coverage shall be in accordance with the Table of the Comprehensive Development Project, as approved and incorporated as CD2, Map 1."
- b) Deleting the following from 1.4 Development Regulations, (d):

"Single detached housing, semi-detached housing and row housing (Types I-VII CD2 Map 1): 9.5 m"

And replacing it with:

"Single detached housing, semi-detached housing and row housing (Types II-VII CD2 Map 1): 9.5 m"

- c) Deleting the from **1.4 Development Regulations**, sub-paragraph (e) in its entirety that reads:
  - "(e) The siting of buildings shall be in accordance with the plans of the Comprehensive Development Project as approved and incorporated as CD2, Map 1, attached to this bylaw."
- d) Deleting the following from **1.4 Development Regulations**, sub-paragraph (f) that reads:

"The amount of the projection shall be in accordance with the plans of the Comprehensive Development Project, as approved and incorporated as CD2, Map 1, attached to this bylaw."

And replace it with:

"The size of the encroachment area shall be in accordance with the Table, as approved and incorporated as CD2, Map 1, attached to this bylaw."

- e) Deleting the words "Types I through VIII inclusive." **1.5 Other Regulations**, (g) in and replacing it with the words "Types II through VIII inclusive."
- f) Deleting the words "Types I through VIII inclusive" **1.5 Other Regulations**, (i) in and replacing it with the words "Types II through VIII inclusive"
- g) Adding new sub-paragraphs (o)and (p) to **1.5 Other Regulations** in its appropriate location that reads:
  - "(o) For Type IX, Mixed Use Village Centre, all buildings shall be oriented facing a street with the Commercial/Apartment buildings orientated facing Main Street.
  - (p) For Type X, Village Centre Commercial, street oriented retail/office buildings shall be oriented facing towards Main Street and one storey retail buildings shall be oriented facing Chute Lake Road."
- h) Deleting the Kettle Valley Regulating Plan Overview Map and replacing it with new Kettle Valley Regulating Plan Overview Maps as attached to and forming part of this bylaw; and
- i) Adding in its appropriate location a new CD2 Kettle Valley Comprehensive Development Zones, Table Kettle Valley Regulating Plan as 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

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk





CD 2 Kettle Valley Comprehensive Development Zone

Table: Kettle Valley Regulating Plan

CD2 Map 1

	Type II	Type III or IV	Type V	Type VI	Type VII	Type Vila
Map Colour Code						
Lot type	Estate Single Family	Village Park Single Family	Village Single, Multi- Family	Village Multi-Family	Cluster Estate	Cluster Estate, Estate
Dwelling Style	Single Family	Single Family, Hillside Single Family	Row Houses, Narrow Single Family	Row Houses	Single Family, Semi- detached Houses , Multi-Family Housing (up to 4 units)	Single Family, Semi- detached, Multi- Family Housing (up to 4 Units)
Minimum Lot Area	700 m <sup>2</sup>	455 m <sup>2</sup>	245 m <sup>2</sup> per dwelling unit	5000 m <sup>2</sup>	Parcel: 5000 m <sup>2</sup> Bareland Strata Lot: 225 m <sup>2</sup>	Parcel: 5000 m <sup>2</sup> Bareland Strata Lot: 225 m <sup>2</sup>
Minimum Parcel Width	20 m	13 m	9.4 m	L		9 m
Average Parcel Depth	35 m	35 m	35 m	25 m	NA	NA
Maximum Lot Coverage	35%	40%	50%	45%	Parcel: 35% Bareland Strata Lot: 60%	Parcel: 35% Bareland Strata Lot: 60%
Net Density (Units Per Hectare)	NA	NA	NA	35	15	20
Vehicle Access	Street	Street, Lane	Lane	Lane	Street	Street
Maximum Building Height	9.5 m	9.5 m	9.5 m	9.5 m	9.5 m	9.5 m
Primary Dwelling Front Yard Setback	4 m Encroachment Line: 2 m	4 m Encroachment Line: 2 m	4 m	4 m Encroachment Line: 2 m	4 m Encroachment Line: 2 m	4 m Encroachment Line: 2 m
Accessory Building Front Yard Setback	6 M	Access from Street: 6 m Access from Lane: 12 m	12 m	12 m	12 m	12 m
Setback From Property Line Flanking a Street	4 m Encroachment Line: 2 m	4 m Encroachment Line: 2 m	4 m	4 m Encroachment Line: 2 m	4 m Encroachment Line: 2 m	4 m Encroachment Line: 2 m
Principle Dwelling Rear Setback	7.5 m	6 m	6 m	6 m	Cluster Estate: 6 m Estate: 7.5m	Cluster Estate: 6 m Estate: 7.5m
Accessory Building Rear Yard Setback	7.5m	from S	1.5 m	1.5 m	Cluster Estate: NA Estate: 7.5 m	Cluster Estate: NA Estate: 7.5 m
	Access from Lane: 1.5m	Access from Lane: 1.5m				

	Type VIII	Tvpe IX	Tvpe X
Map Colour Code			
Lot Type	Townhouse Village Centre	Mixed Use Village Centre	Commercial Village Centre
Dwelling Style	Townhouses	Mixed Use (Commercial & Residential Multi-Family)	Commercial
		& Townhouses	
Minimum Lot Area	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>
Maximum Lot Coverage	40%	50%	50%
Maximum Floor		~	0.7
Ratio (FAR)		(0.2 FAR bonus for providing parking underground)	
Net Density (UPH)	21 self contained suites	107	NA
Vehicle Access	Internal Lane	Strata/Off street parking	Strata/Off street parking
Maximum Building Height	16 m	16 m	13 m
Primary Dwelling	4 m	4.5 m	4.5 m
Front Yard Setback		Encroachment Line: Apartments = 1.2 m for balconies	Encroachment Line: Awnings = 1.2 m for balconies
		Townnomes = ∠.0 m Commercial = 2.4 m for awnings	All Other Encroachments= 2.4 m
Side Yard Setback (all buildings)	4 m	1.2 m	Between unattached buildings: 6 m
	Same as Front Yard Setback		4.5 m
Property Line Flanking a Street			Encroachment Line: 2.4 m Awnings= 1.2 m
Principal Building Rear Yard Setback	Varies (barking at rear)	Townhomes: 30 m (barking at rear)	30 m (parking at rear)

# **REPORT TO COUNCIL**



Date:	December 15, 2014			Kelowna
RIM No.	1250-30			
То:	City Manager			
From:	Urban Plannin	ng, Community Plannin	ıg & Real Esta	te (LK)
Application:	TA14-0015		Owner:	657139 BC Ltd.
Address:	1975 Union Road		Applicant:	Dawn Williams (D.E. Pillings & Associates)
Subject:	2015 01 12 Re	port TA14-0015 Amen	ded 1975 Unic	on Rd
Existing OCP De	esignation:	Commercial		
Existing Zone:		C5 - Transition Comm	nercial	

#### 1.0 Recommendation

THAT Council receives, for information, the Supplemental Report from the Urban Planning Department dated December 8, 2014 with respect to Text Amendment Application No. TA14-0015;

AND THAT Council rescinds second and third reading given to Bylaw No. 10996;

AND THAT Council directs staff to amend Bylaw No. 10996 at first reading to delete "Service Stations, Minor" and replace it with "Rapid Drive-Through Vehicle Services" as a Principal Use for one explicit legal parcel within the C5 - Transition Commercial zone;

AND THAT Text Amendment Bylaw No. 10996, as amended, be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Text Amendment Bylaw be considered subsequent to the requirements of the Real Estate Department;

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

#### 2.0 Purpose

To amend the C5 - Transition Commercial zone by replacing the previously recommended "Service Stations, Minor" use with the "Rapid Drive-Through Vehicle Services" use on one explicit legal parcel.

#### 3.0 Urban Planning

Urban Planning supports the proposed text amendment to the Zoning Bylaw. Upon further review of the original application, Urban Planning determined that *Rapid Drive-Through Vehicle Services* is the more appropriate use, rather than the previously recommended *Service Stations, Minor* use. As with the previous report, Staff suggests adding *Rapid Drive-Through Vehicle Services* as a permitted use to C5 - Transition Commercial *for this parcel only* (and not as a permitted use in the entire C5 zone).

Service Stations, Minor, which allows for vehicle washing, also allows for servicing and repair of vehicles within a building. These are uses that would not be considered appropriate due to the proximity to adjacent residential and the type of work involved. *Rapid Drive-Through Vehicle Services* specifically indicates coin operated car washes within this use.

#### 4.0 Proposal

#### 4.1 Background

In December, 2013 the applicant sumitted a proposal for a car wash on Glenmore Road that was subsequently rejected by Council. Council's decision was based on neighbourhood concerns regarding noise and the proposed location adjacent to a park.

In August, 2014, Staff brought the recommendation of *Service Stations, Minor* before Council. Second and third readings were received on September 9, 2014 after the Public Hearing held on the same date.

The Development Permit and Text Amendment applications have undergone revisions to ensure they meet the intent of the Zoning Bylaw. Through this process, it was determined that *Rapid Drive-Through Vehicle Services* would be the most appropriate use for this site specific application.

#### 4.2 Project Description

Staff received an application for a car wash in this new location along Glenmore Road by the same applicant. The subject site is located at Union Road and is currently zoned C5 - Transition Commercial. Based on the location of the site, C5 is the appropriate zone for this parcel because it is used to provide for limited commercial on the edge of a community or as a transition to residential. However, it does not list *Rapid Drive-Through Vehicle Services* as an allowed use.

The proposed car wash is located on a larger site allowing the developers to provide adequate landscaping and buffering as per the Zoning Bylaw. One site access is proposed off of Union road. These details are currently being determined through the development permit process.

#### 4.3 Site Context

The subject property is located at the south corner of Glenmore Road and Union Road. Neighbouring the site is North Glenmore Elementary School and a vacant lot to the north, a vacant medium density multiple residential lot and small park to the northwest, a single family dwelling on an agriculture lot to the northeast, and low density row housing to the south.

Orientation	Zoning	Future Land Use
North	P2 - Education and Minor Institutional	EDINST - Educational / Institutional
West	RM5 - Medium Density Multiple Housing, P3 - Parks and Open Space	MRM - Multiple Unit Residential (Medium Density), PARK - major Park and Open Space

Specifically, adjacent land uses are as follows:

East	A1 - Agriculture 1	REP - Resource Protection Area
South	RM2 - Low Density Row Housing	MRL - Multiple Unit Residential (Low Density)

# Subject Property Map: 1975 Union Road



#### 4.4 Zoning Analysis Table

Zoning Analysis Table					
CRITERIA	PROPOSAL				
Development Regulations					
Height Max. (To mid-point of roof)	9.50m	8.41m			
Front Yard	4.5m	10.67m (Union Rd)			
Side Yard (Flanking Street)	4.5m	4.52m (Glenmore Rd)			
Rear Yard	6.0m	8.7m			
Site Coverage Max.	40.0%	15.6%			
Floor Area Ratio Max.	0.4	0.26			
Other Regulations					
Min. Parking Requirements	Staff parking = 1 stall	2 stalls provided			
Min. Uncovered Space	370m² / wash bay	282m <sup>2</sup> / wash bay①			

Zoning Analysis Table				
CRITERIA	C5 ZONE REQUIREMENTS	PROPOSAL		
Upstream Vehicle Storage (Automated)	5/ bay = 10 req.	10 spaces provided		
Upstream Vehicle Storage (Manual Wash)	2/ bay = 10 req.	10 spaces provided		
① Indicates required variance for uncovered space.				

#### 5.0 Current Development Policies

Recognizing that car washes can be both land consumptive and nuisance generating, the Zoning Bylaw provides specific rules for car wash developments. One of these regulations addresses the proportion of the site covered by buildings by requiring a minimum amount of land area per wash bay that is to remain free of buildings. The requirement is  $370m^2$  per wash bay. Contrary to the applicant's original proposal where they were only able to supply  $194m^2$  per bay, this proposal is large enough to provide  $283m^2$  per bay as well as a wide landscaping buffer from the adjacent residential area. The previous application was not able to provide the appropriate landscape buffer.

Design details and confirmation of required variances will be further explored when the applicants makes their permits applications.

The proposal is also consistent with the Official Community Plan (OCP) future land use designation. The subject parcel is designated Commercial.

#### Kelowna Official Community Plan (OCP)

#### **Development Process**

**Retention of Commercial Land.**<sup>1</sup> In order to ensure that the City's commercial land supply is not eroded, where the OCP Bylaw 10500 indicated a commercial land use designation for the property, the expectation would be that there be no net loss of commercial space on the site as a result of the redevelopment to include other uses.

#### 6.0 Technical Comments

- 6.1 Development Engineering Department
  - See attached memorandum dated November 12, 2014.

#### 6.2 Fire Department

- Ensure appropriate unobstructed distance to a fire hydrant and proper fire department access. A visible address must be posted as per City of Kelowna By-Laws.
- 6.3 FortisBC Electric
  - There are primary distribution facilities along Union Road. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.
- 6.4 Glenmore-Ellison Improvement District

<sup>&</sup>lt;sup>1</sup> City of Kelowna Official Community Plan, Policy 5.24.2 (Development Process Chapter).

- See attached letter dated October 30, 2014.
- 6.5 Real Estate and Building Services
  - Please work with Real Estate Services for the required SRW for storm on property. Also, please note significant landscaping is proposed over required SRW area.
- 7.0 Application Chronology

Date of Application Received: June 26, 2014

Report	prepared	by:
--------	----------	-----

Lydia Korolchuk, Planner		
Reviewed by:		Lindsey Ganczar, Urban Planning Supervisor
Approved for Inclusion:		Ryan Smith, Urban Planning Manager
Attachments:		
Subject Property Map		
Schedule 'A' - Proposed Text A	mendment	
Conceptual Site Plan		
Conceptual Elevations		
Development Engineering Memo	orandum	
GEID Letter		

Map Output



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.

Section	Existing Text	Proposed Text	Rationale
Section 14.5.2 Principal Uses	Principal Uses	Principal Uses	The subject property is zoned C5 which is the appropriate zone
	The principal uses in this zone are:	The principal uses in this zone are:	for this parcel. Urban Planning has received a development
	(a) boarding or lodging houses	(a) boarding or lodging houses	permit application for a car wash at this site. Rapid Drive-
	(c) commercial schools	(c) commercial schools	i nrougn Venicle Services is not a listed use in the C5 zone but
	(d) financial services	(d) financial services	staff feels that the use is
	(e) funeral services	(e) funeral services	appropriate on this parcel.
	(f) government services	(f) government services	
	(g) group homes, major	(g) group homes, major	Staff does not want to see Rapid
	(h) health services	(h) health services	Drive-Through Vehicle Services
	(i) offices	(i) offices	added to the entire C5 zone as
	(j) personal service establishments	(j) personal service establishments	car washes would not be
	(k) religious assemblies	(k) rapid drive-through vehicle services*	appropriate on other parcels
	(I) retail stores, convenience	(I) religious assemblies	zoned C5 in the city.
	(m) single detached housing	(m) retail stores, convenience	*
	(n) temporary shelter services	(n) single detached housing	
	(o) utility services, minor impact	(o) temporary shelter services	
		(p) utility services, minor impact	
		* Applicable only to Lot 27, Section 4, Township 23 ODYD Plan KAP51847 (1975 Union Road).	

# SCHEDULE 'A' Proposed C5 Text Amendments TA14-0015

## **CITY OF KELOWNA**

# MEMORANDUM

Date: File No.:	October 14 2014 DVP14-0211	
То:	Land Use Management Department (PMcV)	
From:	Development Engineering Manager	
Subject:	1975 Union Road Glenmore Rd Lot 27 Plan 51847	Car Wash

Development Engineering has the following comments and requirements associated with this development permit application.

#### 1. General.

- a) The request the vary site area, site coverage and building height will not compromise municipal servicing requirements.
- b) All the offsite infrastructure and services upgrades are addressed in the Development Engineering Report under file Z14-0028.

NM Steve Muenz, P. Eng. Development Engineering Manager

JF



Phone: 250-763-6506

Glenmore-Ellison Improvement District 445 Glenmore Road Kelowna, BC V1V 1Z6

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

Fax: 250-763-5688

October 30, 2014

City of Kelowna Land Use Management Dept. Community Planning & Real Estate 1435 Water St. Kelowna, BC V1Y 1J4

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

#### Re: City of Kelowna Files DP14-0127 & TA14-0015 1975 Union Rd. – Lot 27, Plan KAP51847 657139 BC Ltd. /D.E. Pilling & Assoc. Ltd.c 0076

GEID provided comments on July 9, 2014 regarding the development (attached) and the further information has been provided by the developer's engineer.

D.E. Pilling will also be supplying GEID with more site servicing details, including expected flows, meter details and an FUS calculation for the facility, at a later date, once application is made for a building permit. Upon receipt and review, as well as payment of the various fees and charges, GEID will be in a position to issue a water letter.

GEID has no concerns regarding this development permit/text amendment file. If you have any questions please do not hesitate to contact me at 250-763-6506.

Yours truly, GLENMORE-ELLISON IMPROVEMENT DISTRICT

Darwyn Kutney, R.E.T., CRM General Manager

c.c. Dawn Williams, D.E.Pilling & Assoc. Ltd. (via email: dawnw@pilling.ca)



Phone: 250-763-6506

Glenmore-Ellison Improvement District 445 Glenmore Road Kelowna, BC V1V 1Z6

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

Fax: 250-763-5688

July 9, 2014

City of Kelowna Land Use Management Dept. Community Planning & Real Estate 1435 Water St. Kelowna, BC V1Y 1J4

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

#### Re: City of Kelowna Files Z14-0028, DP14-0127 1975 Union Rd. – Lot 27, Plan KAP51847 657139 BC Ltd. /D.E. Pilling & Assoc. Ltd.

GEID is in receipt of a referral concerning the rezoning and development for Lot 27, Plan KAP51847 at 1975 Union Rd. to accommodate a car wash facility.

The subject vacant property is within the District's servicing area and is currently classified with 0.578 acres "R" grade (residential). Upon development, the property will be classified as "C" grade (commercial).

#### **Capital Expenditure Charges (CECs)**

Payment of Capital Expenditure Charges (CECs) is required for each new parcel or new development connecting to GEID. For the proposed development, CECs are payable for each sprinklered building at a rate of \$4,800 minimum charge for the first 250 m<sup>2</sup> of each building floor area, and a rate of \$8/ m<sup>2</sup> for additional floor area over 250 m<sup>2</sup>, and a rate of \$10/m<sup>2</sup> for buildings without fire sprinkler systems. CECs are payable according to the bylaw in force at time of payment.

Please note that no CECs were paid for the lot when it was subdivided and registered in 1994 therefore no CEC credit is available for this development.

#### **Fireflow Availability and Hydrants**

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

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

#### Water Works

No information has been provided regarding expected flows, demands, or the size of the service required for the car wash. We note that there is a water service on Union Rd. for the property. The service was installed at GEID expense during 2009 road construction.

#### Meters

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

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

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

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

#### **Development Application Fee**

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

#### New Account Fees

GEID Bylaw #149 states that all new accounts or transfers of ownership shall pay a fee of \$20.00/parcel. For the proposed development, a \$20.00 fee will be applicable.

#### **Tolls and Taxes**

Under Tolls Bylaw #155, a new account will be set up to invoice the car wash at a metered commercial rate. The 2014 monthly minimum rate is \$48.25 for the first 30  $\text{m}^3$ , with excess water charged at \$0.40/m<sup>3</sup>.

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

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

#### Summary

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

File Z14-0028, DP14-0127 1975 Union Rd.

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

Yours truly, GLENMORE-ELLISON IMPROVEMENT DISTRICT

Darwyn Kutney, R.E.T., CRM General Manager

c.c. Dawn Williams, D.E.Pilling & Assoc. Ltd. (via email: dawnw@pilling.ca)



	PROJECT DATA		
	CIVIC ADDRESS: 1975 UNION ROAD, LEGAL DESCRIPTION: LOT 27, SEC 4, TWP	. KELOWNA B.C. 23, O.D.Y.D., PLAN KAF	1017
	CURRENT ZONING: C5 - TRANSITION CO		51847
	ZONING BYLAW REQ	UIREMEINTS	
	SITE AREA = 25,231 SQ.FT. (2.344 SQ.M.)		
	BUILDING AREA: MAIN FLOOR =3,932 SQ.FT. (365)	3 SQ.M.)	
	UPPER FLOOR = <u>2,505 5Q.FT. (232</u> TOTAL =6,437 5Q.FT. (598	7 <u>5Q.M.)</u> 0 5Q.M.)	
	LOT WIDTH	40.0m	PROPOSED 40.0m
	LOT DEPTH	35.0m	43.94m
	LOT AREA COMMERCIAL FLOOR AREA RATIO (FAR)	1,300 sq.m. 0.4 (937.6 SQ.M.)	2,344 sq.m. .26 (598 0 SQ.M.)
	SITE COVERAGE HEIGHT (m/STOREYS (#)	40% (937.6 SQ.M.) 9.5 m/ 2 1/2 STOREYS	15.6% (365.3 SQ.M.)
	SETBACKS (m)		
	FRONT (UNION ROAD) REAR (SOUTH)	4.5 m 6.0 m	8.90 m 6.70 m
	SIDE (FLANKING- GLENMORE ROAD) SIDE	4.5 m 4.5 m	4.50 m 13.80 m
	PARKING		
	CAR WASH 2/SERVICE BAY x 2 AUTO SERVICE		1 STALL *
	1/2 EMPLOYEES + CARETAKER LOADING @ 1/1,900 sq.m. CFA =	1 STALL 1 STALL	1 STALL 1 STALL
	BICYCLE (CLASS I) @ .2/100 sq.m. GLA =	2 SPACES	2 SPACES
	BICYCLE (CLASS II) @ .6/100 sq.m. GLA =	4 SPACES	4 SPACES
	LANDSCAPE BUFFERS (m)		
	FRONT (UNION ROAD)	2.0 m	2.13 m
	REAR (SOUTH)	3.0 m	2.13 m* (OPAQUE FENCE)
	SIDE (FLANKING - CLENMORE ROAD) SIDE	3.0 m 3.0 m	2.13 m* 2.13 m *
		-31051001	(OPAQUE FENCE)
	LANDSCAPE TREATMENT LEVELS FRONT (UNION ROAD)	2	2
	REAR (SOUTH)	3	3
	SIDE (FLANKING - GLENMORE ROAD)	3	(OPAQUE FENCE) 3
	SIDE (SOUTH)	3	(OPAQUE FENCE) 3
		-	(OPAQUE FENCE)
	CARWASH REQUIREMENTS VEHICLE UPSTREAM STORAGE (AUTOMATED)	5	5
	VEHICLE UPSTREAM STORAGE (MANUAU)	2	2
$\backslash$			INCL INSIDE BAY)
$\backslash$	OPEN SITE AREA @ 370 sq.m/ BAY x 7 BAYS =	2,590 sq.m.	1,446 sq.m. *
	* VARIANCE	REQUIRED	
2056			
			32* = 1 <sup>1</sup> 0'
			PTEMBER 22, 2014
		DATE: SE	PTEMBER 22, 2014 HPN
		DATE: SE DRAWN:	РТЕМВЕК 22, 2014 НРN No.
		DATE: SE DRAWN:	PTEMBER 22, 2014 HPN



DRAWN: HPN	1
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REVISION No.:	-



# **CITY OF KELOWNA**

# BYLAW NO. 10996 TA14-0015 - 657139 BC Ltd., Inc. No. 657139 Amendment to C5 - Transition Commercial Zone for 1975 Union Road

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

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

- 1. THAT Section 14 Commercial Zones, 14.5 C5 Transition Commercial, 14.5.2 Principal Uses be amended by adding "Rapid Drive-Through Vehicle Services applicable only to Lot 27, Section 4, Township 23, ODYD, Plan KAP51847 (1975 Union Road)" in its appropriate location and renumbering 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 25<sup>th</sup> day of August, 2014.

Considered at a Public Hearing on the 9<sup>th</sup> day of September, 2014.

Read a second and third time by the Municipal Council this 9<sup>th</sup> day of September, 2014.

Rescinded second and third readings by the Municipal Council this

Amended at first reading by the Municipal Council this

Re-considered at a Public Hearing on the

Re-Read a second and third time as amended by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

City Clerk

Mayor

# **REPORT TO COUNCIL**



Date:	December 8,	2014		Kelown
RIM No.	1250-30			
То:	City Manager			
From:	Urban Plannir	ng, Community Plannin	ıg & Real Esta	te (LK)
Application:	Z11-0083		Owner:	Arnold & Melitta Frank
Address:	1429 KLO Roa	d	Applicant:	Arnold & Melitta Frank
Subject:	2015 01 12 Re	port 1429 KLO Rd Exte	ension to Dec	12 2015
Existing OCP D	esignation:	MRL		
Existing Zone:		A1 - Agriculture 1		
Proposed Zone:		RM7 - Mobile Home P	ark	

#### 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10782, for Lot 52, D.L. 131, ODYD, Plan 186 except Plan KAP78326 located on 1429 KLO Road, Kelowna, BC, to be extended from December 11, 2014 to December 11, 2015.

AND THAT Council direct staff not to accept any further extension requests.

#### 2.0 Purpose

To extend the date for adoption of Zone Amending bylaw No. 10782 from December 11, 2014 to December 11, 2015.

#### 3.0 Urban Planning

Section 2.12.1 of Procedure Bylaw No. 10540 states that:

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

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

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

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

By-Law No. 10782 received second and third readings on December 11, 2012 after the Public Hearing held on the same date. Council granted an extension to the application from December 11, 2013 to December 11, 2014. The applicant wishes to have this application remain open for an additional twelve (12) months in order to address the outstanding conditions for final adoption, which include:

- Preparation of a Development Permit;
- Preparation of a Development Variance Permit;
- Registration of a restrictive covenant; and
- Satisfaction of Development Engineering requirements.

In support of their extension request, the applicant team has noted that they are currently working actively towards completing the outstanding requirements. Staff note that work with the applicant team is active and ongoing and is supportive of this extension request. The DP and DVP application were recently submitted and are under review.

Report prepared by:

Lydia Korolchuk, Planner

Lindsey Ganczar, Urban Planning Supervisor

Reviewed by:

**Reviewed by:** 

Ryan Smith, Urban Planning Manager

Attachments: Subject Property Map Site Plan Map Output



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.

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## **REPORT TO COUNCIL**



Date:	December 8,	2014		Kelown	
RIM No.	1250-30				
То:	City Manager				
From:	Urban Planning, Community Planning & Real Estate (LK)				
Application:	Z12-0047		Owner:	Onkar & Ranjit Dhillon	
Address:	875 Mayfair R	d, 885 Mayfair Rd	Applicant:	Phillip Patara	
Subject:	2014 01 12 Report Z12-0047 extend to Nov 13 2015			15	
Existing OCP D	esignation:	S2Res - Single/Two U	Init Residentia	al	
Existing Zone:		RU1 - Large Lot Hous	ing		
Proposed Zone	:	RU6 - Two Dwelling H	lousing		

#### 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10768 for Lot 4 District Lot 143 ODYD Plan 22026 located on 875 Mayfair Road and Lot 3 District Lot 143 ODYD Plan 22026 located on 885 Mayfair Road, be extended from November 13, 2014 to November 13, 2015.

AND FURTHER THAT Council direct staff not to accept any further extension requests.

#### 2.0 Purpose

To extend the date for adoption of the Zone Amending Bylaw No. 10768 from November 13, 2014 to November 13, 2015.

#### 3.0 Urban Planning Department

Section 2.12.1 of Procedure Bylaw No. 10540 states that:

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

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

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

Section 2.12.2 of Procedure Bylaw No. 10540 states that:

Upon written request by the applicant prior to the lapse of the application, Council may extend the deadline for a period of twelve (12) months by passing a resolution to that effect.

By-Law No. 10768 received second and third readings on November 13, 2012 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional twelve (12) months. This project remains unchanged and is the same in all respects as originally applied for. The rationale for the extension is that the applicant needs to raise enough funds to meet the final conditions of the rezoning application; which are:

- 1) Development Engineering requirements:
  - Sanitary Sewer charges \$7,191.12 (valid until March 31, 2015);
  - Road Frontage Upgrades \$23,500.00;
  - > Servicing Agreement for Works and Services
- 2) FortisBC Inc Electric : SRW required

In support of this request, the applicant has stated that they are moving forward in completing the rezoning. The Urban Planning Branch recommends Council consider the request for an extension favourably. The applicants are working on financing and hope to move forward in the spring of 2015.

#### Report prepared by:

 Lydia Korolchuk, Planner

 Reviewed by:
 Lindsey Ganczar, Urban Planning Supervisor

 Reviewed by:
 Ryan Smith, Urban Planning Manager

 Attachments:
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Subject Property Map Site Plan



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.



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NOTES LEGAL LOT5 3 4 4, PLAN 22026, DL. 143, OD.Y.D.

CMIC 885 # 875 MAYFAIR ROAD, KELOWNA

## Zoning Current zoning ru i Proposed zoning ru 6

PROPOSED ZONIUS (#) 6 RV 5 ZONIUS ( ALLOWARLE ) MINIAN MOTH BOOM (FOR SNALE DETACHED DWELLING ) MINIAN DETHI SOZOM AREA. 400 SCH (BULDING / AND MOTH STORES ) SERVICE (BULDING / FANTO / DRAMBAYS ) 50% SERVICE 354 REAR 20/23 (RULECT TO BULDING STORES ) SDES 60 / 15 (SUBJECT TO BULDING STORES )

PROPOSED LOT A NIDTH 1462M DEPTH 37.47M AREA S47.01 Stat NIDTH 1462M DEPTH 37.47M AREA 547.01 SQ. M.

AREA 547.01 50. M. RROPOSED LOT C NOTH 165.04 DETEN 37.47 HOUSE AREA 50.10 HOUSE AREA 50.10 HOUSE AREA 50.10 HOUSE AREA 50.10 REAK 1.32M HOUSE 1055 555M SOTH SDE 5.25M

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

## **CITY OF KELOWNA**

### BYLAW NO. 11026

## TA14-0019 - Breweries and Distilleries, Minor in the C3, C6 and C10 Zones

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

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

- 1. THAT Section 14.3, C3 Community Commercial/C3lp/rls Community Commercial (Liquor Primary/Retail Liquor Sales), 14.3.2 Principal Uses be amended by adding in its appropriate location a new subsection "breweries and distilleries, minor" and renumbering subsequent subsections;
- 2. AND THAT Section 14.6, C6 Regional Commercial/C6rls Regional Commercial (Retail Liquor Sales)/C6lp Regional Commercial (Liquor Primary), 14.6.2 Principal Uses be amended by adding in its appropriate location a new subsection "breweries and distilleries, minor" and renumbering subsequent subsections;
- 3. AND THAT Section 14.10, C10 Service Commercial/C10lp Service Commercial (Liquor Primary)/ C10lp/rls Service Commercial (Liquor Primary/Retail Liquor Sales), 14.10.2 Principal Uses be amended by adding in its appropriate location a new subsection "breweries and distilleries, minor" and renumbering subsequent subsections;
- 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 time by the Municipal Council this 3<sup>rd</sup> day of November, 2014.

Considered at a Public Hearing on the 9<sup>th</sup> day of December, 2014.

Read a second and third time by the Municipal Council this 9<sup>th</sup> day of December, 2014.

Approved under the Transportation Act this 16<sup>th</sup> day of December, 2014.

Audrie Henry

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

### CITY OF KELOWNA

### BYLAW NO. 11031

### Official Community Plan Amendment No. OCP14-0015 Parkbridge Lifestyle Communities Inc., City of Kelowna and 0977415 BC Ltd. 1511 Tower Ranch Drive, 2160 Tower Ranch Boulevard and 1501 Tower Ranch Drive

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 a portion of Lot 3, Section 31, Township 27, ODYD, Plan KAP80993, located on Tower Ranch Drive, Kelowna, B.C., from the MRL - Multiple Unit Residential (Low Density) designation to the S2RES - Single/Two Unit Residential designation; from the PARK - Park and Open Space (public) designation to the S2RES -Single / Two Unit Residential designation; from the S2RESH - Single/Two Unit Residential- Hillside designation to the MRL - Multiple Unit Residential (Low Density) designation; from the S2RESH - Single/Two Unit Residential- Hillside designation to the PARK - Major Park and Open Space (public) designation; from the PARK - Park and Open Space (public) designation to the S2RESH - Single / Two Unit Residential -Hillside designation; from the S2RES - Single/Two Unit Residential designation to the PARK - Park and Open Space (public) designation; from the PARK - Park and Open Space (public) designation to the S2RES - Single/Two Unit Residential designation; from the S2RES - Single/Two Unit Residential designation to the S2RESH - Single/Two Unit Residential - Hillside designation; and from the S2RESH - Single/Two Unit Residential - Hillside designation to the S2RESH - Single/Two Unit Residential designation, as per Map "A" #3 and Map "A" #4 attached to and forming part of this bylaw;
- 2. 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 a portion of Lot 4, Section 31, Township 27, ODYD, Plan KAP80993, located on Tower Ranch Boulevard, Kelowna, B.C., from the S2RESH Single/Two Unit Residential Hillside designation to the REC Private Recreation (private) designation; from the S2RESH Single/Two Unit Residential Hillside designation to the PARK Major Park and Open Space (public) designation; from the S2RESH Single/Two Unit Residential Hillside designation; from the REC Private Recreation (private) designation; from the S2RESH Single/Two Unit Residential Hillside designation to the PARK Major Park and Open Space (public) designation; from the S2RESH Single/Two Unit Residential Hillside designation; from the REC Private Recreation (private) designation; from the S2RESH Single/Two Unit Residential Hillside designation to the PARK Major Park and Open Space (public) designation; from the S2RESH Single/Two Unit Residential Hillside designation to the PARK Major Park and Open Space (public) designation; from the S2RESH Single/Two Unit Residential Hillside designation to the PSU Public Services / Utilities designation; from the REC Private Recreation (private) designation to the PSU Public Services / Utilities designation as per Map "A" #1 and Map "A" #2 attached to and forming part of this bylaw;

- 3. 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 a portion of Lot 5, Section 31, Township 27, ODYD, Plan KAP80993, located on Tower Ranch Drive, Kelowna, B.C., from the PARK Major Park and Open Space (public) designation to the S2RESH Single/Two Unit Residential Hillside designation; and from the PARK Major Park and Open Space (public) designation to the S2RES Single/Two Unit Residential designation as per Map "A" #4 attached to and forming part of this bylaw;
- 4. 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 a portion of part of Tower Ranch Drive, located south of 1511 Tower Ranch Drive, being approximately 520 m<sup>2</sup>, from the PSU Public Service Utilities designation to the S2RESH Single/Two Unit Residential Hillside designation; and from the REP Resource Protection Area designation to the S2RESH Single/Two Unit Residential Hillside designation; and from the REP Resource Protection, as per Map "A" #5 attached to and forming part of this bylaw;
- 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 10<sup>th</sup> day of November, 2014.

Considered at a Public Hearing on the 9<sup>th</sup> day of December, 2014.

Read a second and third time by the Municipal Council this 9<sup>th</sup> day of December, 2014.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk











## **REPORT TO COUNCIL**



Date:	December 23	, 2014		Kelowi	
RIM No.	1250-30				
То:	City Manager				
From:	Urban Planning, Community Planning & Real Estate (RS)				
Application:	Z10-0028		Owner:	Lyall Watson Grexton	
Address:	1020 Graham Road		Applicant:	Peter Chataway	
Title:	Rezoning Exte	ension Application and	d Adoption of	Bylaw No. 10551	
Existing Zone:		RU1 - Large Lot Hou	sing		
Proposed Zone	::	RU6 - Two Dwelling	Housing		

#### 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10551(Z10-0028), Lot 43, Section 22, Township 26, ODYD, Plan 28367 located at 1020 Graham Road, Kelowna, BC be extended from July 11, 2014 to July 11, 2015;

AND THAT Council waives the requirement for a Development Variance Permit to be considered in conjunction with final adoption of Zone Amending Bylaw No. 10551;

AND FURTHER THAT Zone Amending Bylaw No. 10551 be forwarded for adoption consideration.

#### 2.0 Purpose

To extend the date for adoption of Zone Amending Bylaw No. 10551 from July 11, 2014 to July 11, 2015; To consider waiving the requirement for a Development Variance Permit and to adopt Zone Amending Bylaw No. 10551 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone to permit the construction of a second single-family dwelling on the subject property.

#### 3.0 Urban Planning Department

Section 2.12.1 of Procedure Bylaw No. 10540 states that:

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

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

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

Section 2.12.2 of the Procedures Bylaw makes provision for Council to consider an extension to an amending bylaw for up to a period of twelve (12) months.

By-Law No. 10551 received second and third readings on July 26, 2011 after the Public Hearing held on the same date. The bylaw has received three (3) prior extensions from Council, the latest of which expired on July 11, 2014.

This is the third extension that the applicant has requested. The requested extension would afford reasonable time in which to allow for the application to be presented to Council for adoption of the rezoning bylaw application no. 10551.

The applicant has made some adjustments to the proposed development of the site and therefore the Development Variance Permit is no longer required.

The Urban Planning Branch recommends Council consider the subject request for an extension favourably, waives the requirement for the Development Variance Permit, and that Council adopt the zone amending bylaw. The applicant has addressed the technical requirements made the necessary payments and no further conditions remain outstanding. Staff will monitor the file through the Development Permit and Building Permit processes to ensure compliance with the Zoning Bylaw (file was generated as a result of bylaw enforcement action).

#### Report prepared by:

Ryan Smith - Manager, Urban Planning

Approved for Inclusion: Ryan Smith - Manager, Urban Planning

Attachments: Subject Property Map



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

### **CITY OF KELOWNA**

### BYLAW NO. 10551 Z10-0028 - Lyall Grexton 1020 Graham Road

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 43, Section 22, Township 26, ODYD, Plan 28367 located on Graham Road, Kelowna, B.C., from the RU1 Large Lot Housing zone to the RU6 Two Dwelling Housing zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 30<sup>th</sup> day of May, 2011.

Considered at a Public Hearing on the 26<sup>th</sup> day of July, 2011.

Read a second and third time by the Municipal Council this 26<sup>th</sup> day of July, 2011.

Approved under the Transportation Act this 2<sup>nd</sup> day of August, 2011.

R.M. Clifford

(Approving Officer-Ministry of Transportation)

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Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

## **Report to Council**



Date: January 5, 2015

**Rim No.** 1700-20

To: City Manager

From: Genelle Davidson, Financial Services Director

Subject: 2015 Financial Plan

#### **Recommendation:**

THAT Council receives, for information, the presentation from the Financial Services Director and the Capital Assets and Investment Manager dated January 5, 2015 with respect to the 2015 Financial Plan.

#### Purpose:

To provide an overview of the 2015 Financial Plan.

#### Background:

See attached memo.

Submitted by:

Genelle Davidson, CPA, CMA Financial Services Director

Approved for inclusion:

Rob Mayne, Divisional Director, Corporate & Protective

Attachments: City Manager's 2015 Financial Plan Memo Powerpoint Presentation cc: Capital Assets and Investment Manager

# Memo



Date:December 5, 2014File:1700-20To:Mayor and CouncillorsFrom:City ManagerSubject:2015 FINANCIAL PLAN

I am pleased to present the provisional 2015 Financial Plan to Council. The 2015 budget focus is to foster a corporate culture of innovation and continuous improvement while providing the highest value when delivering Council priorities.

The Financial Plan also represents responsible choices that follow through on the City's priorities while keeping property taxes and fees affordable. Each Division has reviewed and identified key programs, service and projects that meet our priorities and provide value for citizens.

I would like to acknowledge the effort put forth by the Leadership Team, their Managers and staff, along with the Financial Services Financial Planning team in the preparation of budget submissions. Budgeting for results means starting with the results the public want and balancing them with what the public is willing to pay for those results. This year's budget presented a number of challenges to deliver on our plans to enhance citizens' quality of life through community safety, continuing to grow the local economy, and to give citizens the services they expect.

Our objective as a local government is to give all citizens the best quality of life we can afford while shifting our existing resources to high-priority services. The 2015 Financial Plan provides for basic operating cost increases and continued investment in infrastructure, particularly the new police service building. The recommendation presented is for a 1.7% increase for City operations and capital and 1.77% for the new Police Services Building and Police contract cost increases, for a total 3.47% tax increase for 2015. This tax increase recognizes the need for intergenerational equity for a unique facility and the desire of our citizens to maintain and improve public safety.

The development of the 2015 Financial Plan has followed the focus provided by Council in its "Moving Opportunities Forward" priority setting process along with the traditional citizen service demands from the Community Strategic Plan.

#### Focus on Results

#### Strong, innovative leadership

Partnership opportunities will continue to bolster accomplishments with fresh new ideas to accelerate projects and make City resources go farther. In 2015, that emphasis will continue with the building of the Okanagan Innovation Centre, the Centennial Park redevelopment and the funding partnership to complete John Hindle Drive two years ahead of schedule at a reduced cost to the City. The Healthy

City Partnership is a collaborative research partnership with the University of BC Okanagan campus and the Interior Health Authority that will help all three organizations understand the relationship between healthy citizens and performance of the built environments.

This collaborative approach is being extended to organizations operating City-owned recreation facilities to ensure better maintenance and long-term improvements. Some examples include the Kelowna Outrigger Canoe Club Association (Kelowna Paddle Centre), Kelowna Minor Fastball Association (High Noon Ball Park) and Major Men's Fastball Association (King Stadium).

Innovative use of technology continues to improve citizen interactions with the City of Kelowna. Our Online Service Requests System processed more than 19,000 requests from the public in 2014 for services or information, while access to and interaction with the Annual Report is improving by moving to an online version that includes hyperlinks to additional information sources, videos and info graphics.

#### Enhance Citizen's quality of life

#### Protective services & safety

Innovative technology is also advancing methods to enhance public safety, with new predictive modeling and mapping tools to identify crime patterns, or data that shows locations of medical first-responses for more efficient deployment and allocation of firefighters. The replacement of an aging fire truck will reduce increased maintenance costs while improving services provided.

The RCMP's coordination of the Downtown Enforcement Unit has increased police presence in the downtown with foot patrols and increased bicycle patrols in parks and in 2015 the Kelowna RCMP will continue to focus efforts to reduce illicit drugs on the streets through arrests and seizures.

Six new RCMP staff will be in place in 2015, three of these resulting from the Crime Reduction Financial Strategy created by Council in 2012 to begin to bring RCMP staffing to a level appropriate for a city the size of Kelowna. With the increased mitigation of crime provided by these additional RCMP officers follows the need for incremental administrative support and this is provided for.

After the successful completion of the alternative approval process in 2014, work will progress in the year ahead on the contract to design and build the Police Services Building within the total budget of \$48M. The detailed statement of requirements has been provided to the short-listed design-build teams who will employ their expertise to prepare designs and estimates for the development of this specialized facility that meets the project requirements in a cost competitive manner. The project schedule is to award the contract by April 2015 with construction substantially complete and the facility operational by spring 2017.

Storm drainage improvements that include the design and construction of manholes, headwalls and mains to divert storm water are planned at various priority locations throughout the City.

#### Grow our Economy

#### Development & revitalization

In 2015 we expect the general improvement in the development environment to continue. A total of 2,023 building permits valued at \$331M were issued through November 2014. This compares to 1,876 permits valued at \$320M in 2013. The City's highest value for building permits was recorded in 2007, where 2,139 permits were issued with a value of \$586 million (Jan-Nov). In 2015, a one-time revenue increase of \$400,000 is included in the Development Services area to reflect actual experience and expectations for 2015, and then in 2016 will be reduced to a \$300,000 increase.

Passenger activity at the Kelowna International Airport in 2014 will again set a new record with a growth rate of approximately 5% over 2013. The Airport will eclipse the "Drive to 1.6 Million Passengers" one full year ahead of the medium range master plan forecast. The Airport Master Plan Land Development Guideline to be undertaken in 2015 will provide a land inventory and identify revenue and economic growth opportunities through future development of City of Kelowna airport lands.

The capital projects required to service growth are identified in the 20 year Servicing Plan and Financing Strategy which was last updated in 2010. The project costs included in this plan require upgrading to ensure the development cost charge rates are set at a fair market value and that the City will receive sufficient revenue to fund these infrastructure improvements for development servicing. This DCC capital cost project update is budgeted at \$150,000.

#### Active Living & Culture

The City of Kelowna takes full advantage of our natural environment and climate to enhance citizens' quality of life with waterfront pathways, clean beaches and investments in parks and public spaces.

The Knox Mountain park improvements will provide public recreation in a sustainable manner that respects the high environmental value of the park. The improvements to the trail system will reduce user conflicts, provide for the environmental restoration of eroded areas and the installation of way-finding signage. The Ponds trail building partnership continues the top-of-ravine trail along Bellevue Creek and is part of the Bellevue Creek Greenway that will eventually lead to Crawford Falls.

The Kelowna Community Theatre will upgrade the theatres stage lighting in order to meet the requirements of touring performers as well as to improve the visual component of the productions.

#### Transit, transportation and parking

Improved accessibility and user comfort at bus stop locations will encourage ongoing use. There is a \$635,500 budget provision for additional base funding in 2015 for increased operating costs to support transit management and labour, fuel, maintenance and fees.

There are six priority sidewalk expansion projects with funding of \$600,000 through taxation and reserve identified in 2015 that will improve pedestrian safety, accessibility and comfort.

The first segment of the Ethel Street active transportation corridor is planned to begin in 2015 at a total budget of \$1.6M and will provide a safe, accessible and convenient walking and cycling route.

A transportation initiative to improve pedestrian and cycling safety near Anne McClymont School by adding sidewalks, curb and gutter, lighting and other safety features along with the proposed continuous three lanes, bus pull-outs and pathways are all expected to improve traffic flow through this congested section. The total budget is \$4.48M.

Ongoing road resurfacing is required to maintain an acceptable operating level of service and preserve our asset. The 2015 priorities include Rutland Road North and South, KLO, Sexsmith and Baron Road, Abbott and Richter Street, and Dilworth Drive and Lawrence Avenue.

The \$241,000 investment in additional parking for the South Pandosy area and replacement of outdated parking meter technology in the downtown area will improve parking efficiencies.

#### Deliver on our plan

#### Connected & engaged community

The City's current Planning continuum calls for master planning works to be completed prior to the next Official Community Plan (OCP) update in 2017. The Transportation Modeling and Master Plan update budget of \$200,000 will provide necessary input to this OCP update.

We continue to expand opportunities to engage with citizens on a wide variety of topics and projects. Our Communications group works with all departments to maintain a vast amount of City information online at kelowna.ca. Social media channels feed into the City of Kelowna's website to ensure convenient, mobile access to information. Communicating with citizens is essential to ensure broad awareness among residents of complex projects and initiatives. By doing this, we clarify expenditures and expectations to meet community goals for Kelowna. Continuing with e-Subscribe, 'City Views', social media, quarterly reports to Council and the annual report are some of the ways we provide information to the public. Public engagement through satisfaction surveys, open houses and other participation methods also ensure we are keeping residents and businesses informed.

#### Sound, financial management

Kelowna Memorial Park Cemetery is more than 100 years old and much of the infrastructure is aging. The Cemetery master plan will include plans for the site over the next 25 years. Phase 1 of the renovation includes the Bennett Memorial and a geotechnical analysis on a section of the property. This project is budgeted at \$660,000.

Annual funding is in place to mitigate the loss of annual taxation revenues due to the BC Assessment Authority (BCAA) property assessment appeal process that is wholly managed by BCAA where annual loss to roll risk is approximately 0.37%.

#### Revenue & Expenditure Pressures

A focus for 2015 is to maintain the current level of service in the operating departments with an increase in service provided for in the protective services police area. Economic pressures continue to influence external revenue sources, and increases to the risk to roll provision account for a decrease in overall general revenues.

Provincial gaming revenues are projected to remain stable, building permit revenues continue to show growth, and the 1% in lieu of property taxes from Utility companies is projected to increase. A reduction of revenues is forecast for Fortis BC franchise fees.

On the expenditure side most areas have slight inflationary or contract increases and increases to maintain recently developed new capital. As growth and service requests increase there is a need to increase staffing in areas that previously had vacancies or are experiencing increased workloads. Efficiency changes are made and different options to provide service are examined prior to submitting a request to increase staff.

#### Other Challenges

The increase in tax revenues generated from new construction is estimated at \$1.6M. This is higher than the \$1.45M received in 2014. The average new construction revenue received over the last five years is \$1.5M. Final assessment information will not be available until April 2015 and any adjustments required to this estimate will be applied at Final Budget in early May.

The Pay-As-You-Go capital program is decreased from the 2014 level. Council strategy has been to provide 40% of new construction revenue towards the taxation capital program which, in 2015, would normally require an increase of \$640,000 to the taxation capital program. This was not able to be achieved this year while meeting the goal of reducing the taxation requirement. As a consequence, there is greater pressure on the 10 Year Capital Plan, as other funding is required or projects must be

deferred beyond the projected year of need. Grant funding obtained over the last few years and reserve funding has helped to mitigate the shortfall and come closer to the Council strategy.

The 2014 Final Budget resulted in a General Taxation Demand of \$107.7 Million that included a Pay-As-You-Go capital expenditure program of \$13.9M or 13% of the General Taxation Demand. The percentage is down from previous years as many projects previously considered capital are now funded through the operating component of the budget to meet mandated government reporting requirements.

The Pay-As-You-Go capital expenditure program of \$12.9M represents 11% of the projected General Taxation Demand of \$113.9M for 2015. The total General Fund capital expenditure program, including funding from all sources, is budgeted at \$39.8M in 2015.

#### **Reserve Position**

The judicious use and replacement of reserves remains paramount to the financial health of the City. There is a long history of maintaining a number of reserve accounts and funds that are critically important in order to achieve a number of objectives including:

- Replacement of equipment
- Averaging of expenditures that are partially unpredictable from year to year (i.e. snow and ice control, spring sweeping)
- Funding of emergent repairs or replacement or unanticipated revenue loss
- Saving for eventual purchase of goods or construction of projects that would result in an unacceptable taxation impact in any one year

Reserve funding has helped the City take advantage of opportunities for grant funding and provides the flexibility to react quickly to opportunities. However, this use has reduced the reserve balances and the replacement of reserve funds to prepare for future capital projects is an ongoing challenge.

#### Debt Management

Although a few communities have targeted debt-free balance sheets, the effective use of debt for specific projects can more accurately reflect the benefit of assets acquired by debt financing to existing and future citizens while removing spikes in taxation requirements. Council's adopted strategy is to keep tax supported debt servicing to no greater than 5% of each tax dollar collected. Taxpayers have most recently approved debt financing for the Ellis Street Parkade (\$15M) and the Police Services Building (\$42M).

The overall net general debt servicing costs (including internal financing) of \$3,706,019 for 2015 represents an increase of \$1,262,881 from the 2014 budgeted amount. This represents 3.3% of the 2015 projected general taxation demand.

#### Property Assessments

The annual assessment roll has not been completed yet but preliminary indications are that City of Kelowna residential property values, on average, are 3.5% higher than 2014. The market change for the Industrial and Business classes is expected to be approximately 1.4% higher than last year's value.

As occurs annually, there will be properties that experience a greater taxation impact if their property assessment increase is greater than the average for their class. Adjustments between the property classes can be mitigated by our tax distribution policy that will be presented to Council in April, 2015.

#### 2014 Accomplishments

In the A section there is a summary of 2014 City of Kelowna accomplishments that highlights most of the major areas of operation.

As well, the City and city staff were the recipients of a number of awards and recognition in 2014 including:

- B.C. Small Business Roundtable's Open for Business Award for the second consecutive year
- IABC Gold Quill Excellence Award for My Downtown: Bernard Avenue Revitalization Community Engagement
- PIBC Gold Award in the category of Planning Practice City & Urban Areas for the Bernard Avenue Revitalization
- International Downtown Association (IDA) Downtown Pinnacle Award for the Bernard Avenue Revitalization
- Best of the Best Tap Water taste challenge by BC Water & Wastewater Association
- Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for 2014, the highest form of recognition in governmental budgeting and represents a significant achievement for the organization
- GFOA's Canadian Award for Financial Reporting for the City's December 31, 2012 Annual Financial Report
- The Building & Permitting Branch achieved building department accreditation with the International Accreditation Service, becoming the only accredited building department in Canada
- City of Kelowna's building department practices recognized as best practices by International Accredited Services
- Crystal Moose Award for Most Improved Landfill in BC for Glenmore Landfill
- WorkSafeBC and BC Municipal Safety Association Certificate of Recognition, which carries with it a financial incentive of more than \$125,000 annually so long as it is maintained, joining the ranks of 17 other BC municipalities for excellence in occupational health & safety
- North American Occupational Safety and Health (NAOSH) Week Steering Committee BC Government Category Award
- Green Communities Committee Level 2 recognition 'Measurement'

I am proud of the work that our staff and leadership team provide toward ensuring Kelowna becomes the best mid-size City in North America.

A comparison with any city would show that the City of Kelowna is a top performer with high service levels, strong financial management and relatively low taxation for the quality and number of services provided.

The City, as a collective team of Council and staff, continue to look for innovative ways to provide services while remaining disciplined about controlling costs in our development of a safe, active and sustainable city.

Yours very truly,

Azel clater-

R.L. (Ron) Mattiussi, MCIP City Manager



# 2015 FINANCIAL PLAN COUNCIL, JANUARY 12, 2015



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# AGENDA

- Taxation Impact
- General Fund
  - Operating & Capital
- Municipal Funds
  - Water, Wastewater, Natural Gas, Airport
- Reserves & Debt
- Assessment & Tax



ANALYSIS OF TAX	DEMAND	Kelowna
\$ Millions	2014	2015
Operating	\$105.5	112.8
General revenues	-11.8	-11.7
Taxation capital	<u>13.9</u>	12.8
	\$107.6	113.9
New construction revenue	-1.45	-1.60
New BCAA Desktop revenue	-	94
Protective Services	.64	1.77
Other	<u>1.85</u>	<u>1.70</u>
Tax increase	2.49%	3.47%

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# 2015 BASE BUDGET CHANGES

- 2014 budget impacts:
   Annualized
   One-time
   Department changes
- Other adjustments

Base changes

\$ 957,000 75,000 37,000 75,000

\$1,144,000



# 2015 OPERATING BUDGET

General Revenue
Expenditure Reductions
P1 Operating Requests

**Operating Changes** 

\$ 246,600 -670,800 <u>6,859,900</u> \$6,435,700



# **2015 TAXATION CAPITAL**

Pay-As-You-Go Tax Capital \$12,847,000
 Change from 2014 (1,095,000)

Police Services Building \$48M \$42M debt financed, \$3.2M principal & interest payments phased in over 3 years



2015 BUDGET SUMMARY 2014 Decisions 2015 Operating Budget **Operating Change** 2015 Tax Capital New Construction Rev. New BCAA Desktop Rev. New Taxation Demand **Protective Services** Other

Tax Increase

\$ 1.1 M 6.2 M 7.3 M (1.1)M(1.6)M(0.9)M\$3.7M 1.77% 1.70% 3.47%



# TOTAL REVENUE



141



## **OPERATING** (GENERAL FUND)



\$112.85 M

## 2015 CAPITAL REVIEW



Infrastructure Planning





## **Infrastructure Today**

- 810 kms of paved roads, sidewalks, bridges, and traffic control,
- 410 kms water mains, PRV's and booster stations,
- 590 kms sewer mains and 33 lift stations,
- 380 kms storm water mains and 68 detention ponds,
- 5 water pump stations and 24 reservoirs,
- 2 wastewater treatment plants,
- 118 Buildings and Facilities (approx. 1.6 M Sq Ft),
- 220 park locations (920 Ha of parkland),
- Fleet Vehicles,
- Transit Facilities,
- Regional Landfill and Solid Waste Compost facility,
- International Airport.


### Replacement Value of Infrastructure System





### BALANCING CAPITAL DEMANDS



146



### CAPITAL BUDGET CHALLENGES

- \$12.85 M Available Taxation for Capital Projects.
- Reserves are low and are being maximized to support capital
- Future borrowing commitments for Police Services Building limit borrowing capacity



### BUDGET PROCESS

- 2020 Capital Plan
- Initial Uptake
- Project MBL Analysis
- Detailed Project Costing
- Hand-off to Finance
- City Manager Review



### 2015 CAPITAL COSTS





#### **2015 TAXATION REQUESTS Street Light** Information Fire 100,000 Vehicle & **Real Estate** Services 95,000 1% Mobile 200,000 791,000 1% Equipment 1% 6%\_ **Storm Drainage** 0% 1,060,000 8% Building 3,070,000 24% Parks 1,760,000 **Transportation** 14% 5,770,585 45%

### P1 TAX FUNDING = \$12.85 M



## PERCENT OF BUDGET SPENT ON NEW VERSUS RENEWAL OF EXISTING INFRASTRUCTURE





## CAPITAL BUDGET COMPARISON

Measures	2011	2012	2013	2014	2015
Total Projects (P1)	122	117	97	105	102
Provisional Budget	\$56.0M	\$61.4M	\$67.6M	\$43.0M	\$46.3M
Total Taxation	\$16.4M	\$15.4M	\$14.0M	\$13.9M	\$12.9M
Fed/Prov Grants	\$0M	\$12.6M	\$3.4M	\$4.70	\$7.2M
Final Budget	\$0.5M	\$0.6M	(\$12.7M)	\$48.1M	TBD
Total Budget	\$56.5M	\$62.0M	\$54.8M	\$91.1M	TBD
Emphasis	Landfill	Bernard	Downtown	Police	John
	Entrance,	Revite,	Parkades,	Services	Hindle,
	Transit	Transit	Transit,	Building,	Lakeshore
			Rails with	Lakeshore	Rd
			Trails	Bridge,	
				Transit	

\*Airport Capital not included.

## OTHER MUNICIPAL FUNDS

Water Utility
Wastewater Utility
Natural Gas Fund
Kelowna International Airport



## WATER UTILITY

- Revenue
- Operating Cost
   Capital Program
   Planned Surplus

\$13.3 M \$9.1 M \$1.4 M \$2.8 M





## WASTEWATER UTILITY

Revenue
 Operating Cost
 Capital Program
 Planned Surplus

\$22.8 M \$19.0 M \$3.8 M \$0





# NATURAL GAS

- Revenue
- Operating Cost
- Capital Program Planned Deficit

\$4.3 M \$4.6 M \$0.0 M (\$304,000)



# AIRPORT

- Revenue
- Operating Cost
- Capital Program Planned Surplus

\$31.4 M \$31.4 M \$44.8 M \$0



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## EXPENDITURES (BY FUND)



## **RESERVES AND DEBT**





## **RESERVE BALANCES** (MILLIONS \$'S)





## **GENERAL FUND**



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## ASSESSMENT & TAX





### ASSESSMENT VS TAXATION REVENUE

## Assessment \$25.3 B

## Revenue \$113.9 M

Industrial

2.5%

26.3%





## TAXATION IMPACT

- Average Single Family Home assessed at \$467,330
- Municipal Tax est. \$1,791.90 for 2015
- Increase of approx \$60.00
- Also a solid waste reduction charge of \$35 for all residential units



## 2014 TAX INFORMATION > 75K



165



## Inside the City Budget



## kelowna.ca/budget

Kelowna

## FINANCIAL PLAN REVIEW

January 15, 2015 8:30 a.m. Council Chambers

## **Report to Council**



Date: January 6, 2015

File: 1850-20

To: City Manager

From: Director, Corporate Business Ventures

Subject: South Perimeter Road - Results of Public Engagement

### Recommendation:

THAT Council receives for information the report of the Director of Corporate Business Ventures dated January 6, 2015 with respect to South Perimeter Rd, Results of Public Engagement;

AND THAT Council supports the accelerated design and construction of South Perimeter Rd on the basis of the results of the community input;

AND THAT Council direct staff to work with the developers leading to fulfilling all conditions required to allow accelerated delivery of this roadway;

AND FURTHER THAT Council direct staff, subject to the developers fulfilling all conditions leading to design and construction of South Perimeter Rd, to bring forward 2015 final budget submissions for the design and land acquisition leading to improvements to Stewart Rd West, Saucier Rd, and Bedford Rd.

### Purpose:

At the October 6, 2014 Regular Meeting, Council considered a proposal by the development community to accelerate the design and construction of South Perimeter Road (SPR) between Stewart Rd West and Gordon Drive. This report provides the results of the community input.

### Background:

At the Regular meeting of Council on October 6, 2014, Council considered the staff report regarding the above matter (see Appendix A). The development community has proposed to accelerate the design and construction of this road for reasons outlined in that report.

Council concluded that community input was required since this acceleration would result in delays to improvements to other roads identified in the SW Mission Sector B DCC Road Plan, the City's 2030 Official Community Plan and 20 Year Servicing Plan and Financing Strategy.

To seek the community's input, the City implemented the following through quantitative and qualitative methods:

- 1) Development of information on the City's website including advertisement, social media posts, an information video, ongoing updates and information circulars to those interested through e-Subscribe
- 2) Hosting of an Open House on November 26 at the Capital News Center
- 3) Inviting email comments to spr@kelowna.ca up to Dec. 7th
- 4) Media releases and interviews with various media outlets
- 5) Deployment of a statistically valid independent telephone survey of Mission residents

Community response has been very good with over 2,051 page views (1,630 unique views) on the City's webpage, over 300 residents attended the Open House with 216 exit surveys completed, a statistically valid telephone survey of 300 Mission residents successfully lead by NGR Research (Appendix B) and numerous emails received with feedback and questions on the proposal.

#### Summary of Results

#### Statistically Valid Survey

The statistically valid survey interviews were conducted November 27 to December 2. The qualitative research was an important means to provide unbiased and reliable data to aid Council's decision making for a project of this magnitude. The data reflected in the report is an accurate representation of the Mission area as a whole. Results carry a maximum margin of error of +/-5.6% at the 95% level of confidence.

Respondents were asked to:

- Rate the overall capacity of the arterial roads under typical conditions in the Mission area
- Describe the frequency of use
- Prioritize future road projects to be completed, and then gauge residents' support for the advancement SPR sooner than originally scheduled.

Initial road priorities, before introducing the proposal for SPR, were ranked by Mission residents in the following order - Lakeshore Road (48%), South Perimeter (34%) and Casorso Road (14%) as the first projects to be completed, with 4% not knowing/refused to answer.

Respondents were then informed of the proposal to advance SPR and the impact it would have to timing of other area road projects. Interestingly 64% either strongly, or somewhat supported, the advancement of SPR.

The full survey report is in Appendix B.

Qualitative results to this community input process were as follows:

Channel	Supportive	Non Support	No Opinion
Open House Exit Surveys (208 responses)	62.5%	37.5%	-
SPR Emails (43)	25	15	3
Mayor and Council Correspondence (12)			

Of the input received through email, face-to-face discussions with residents at the open house and during one-on-one meetings, the majority of those in favour who provided comment indicated their reasons were:

- 1) Provision of an alternate access in and out of the Upper Mission allowing reduced traffic and congestion on Gordon and Lakeshore Roads in the lower Mission areas
- 2) Provision of larger commercial area in Upper Mission area which reduces travel requirements to much farther locations to get these services.

Those who expressed opposition to this acceleration provided the following reasons:

- 1) Desire to see other lower Mission roads, particularly Lakeshore from Dehart to Old Meadows, as well as Dehart Rd from Lakeshore to Gordon, fully upgraded prior to constructing SPR.
- 2) Concerns that Stewart Rd West, Saucier and Bedford require improvements to safely handle additional traffic as well as needing bike paths. Some felt that these improvements are required before SPR should be connected.
- 3) Concerns with existing traffic conditions on Benvoulin and Casorso.
- 4) Concerns with the premature increase in traffic, speeding and noise in the Crawford neighborhood area as well as risk to wildlife currently in the undeveloped and agricultural areas.

A group of Crawford residents who, while not opposed to the road proceeding at this time, continue to propose that the road be realigned. This was dealt with by Council at the October  $6^{th}$  meeting.

Both the Open House exit surveys and also the statistically valid Mission resident survey found a majority of Mission residents support the accelerated construction of South Perimeter Road. On the basis of this feedback, staff believes it appropriate to continue negotiations with the proponents leading to construction of this roadway starting in 2015.

As indicated in the October 6<sup>th</sup> staff report, and supported by community feedback, there are concerns with the safety and traffic capacity of Stewart Rd West, Saucier and Bedford. Upgrades to these roads are identified as part of the Sector A and B DCC Road Plan with some \$6.5 Million identified for improvements to curves, sightlines, intersections and provision of bikepaths. Staff are recommending that, upon successful negotiations for SPR, budget recommendations be brought forward to allow design, land acquisition and construction of improvements to these roads. It is expected that upgrades to these roads would take approximately three years to be fully completed.

Council approval for the accelerated design and construction of this roadway will trigger further negotiations and steps with the developers. The developer will complete the preliminary design of the roadway and seek public input during its development. Updated project cost estimates will be reviewed by staff to ensure that the pricing reflects current construction costs. Should the City and developer fail to reach an agreement to proceed with the project, the City has agreed to reimburse costs for the preliminary design estimated at \$100,000 which will be paid through Sector B DCCs. This work is required regardless of when the project proceeds.

There are a number of other steps required to be completed before the project can proceed. The developers will also have to seek the formal approval of all major developers in the Upper Mission for this project and its costs. With the commitment to construct this road without taxpayer assist, the developer will also need to seek approval of the other Upper Mission developers for a Sector B SW Mission Roads DCC increase to cover the costs previously covered by the taxpayer. Staff will have to bring to Council new Roads DCC rates for Sector B to collect the additional revenues. The developer will also need to arrange their own financing and set up a formal agreement with the City for repayment over time for the estimated \$7.6 million project cost.

Should Council not support the recommendation to proceed with SPR at this time, staff have provided an alternate recommendation below. As a result of the community input regarding the need for improvements to the Stewart Rd West, Saucier, and Bedford Rd corridor staff recommend that the preliminary design of proceed irrespective of whether SPR proceeds at this time. This will allow establishment of the road alignment, property acquisition requirements, required improvements and firm up cost estimates for this corridor.

### Internal Circulation:

Director of Communications and Information Services Director of Community Planning and Real Estate Director of Corporate Services Director of Financial Services Director of Infrastructure Director of Real Estate Services Capital Assets and Investment Manager City Clerk Community Engagement Consultant Deputy City Manager Development Engineering Manager Transportation and Mobility Manager

### Financial/Budgetary Considerations:

- 1) While accelerated construction of SPR will not trigger direct costs to the City, it will require the City to update the SW Mission Sector B Roads DCCs and amend the DCC Bylaw to incorporate the additional costs developers have agreed to cover. This increase will have to be approved by the developers, Council and the Provincial Ministry.
- 2) Accelerated improvements to Stewart Rd West, Saucier and Bedford Roads have an estimated cost of S6.5M. Funding is 50% from Sector A and Sector B DCC Roads programs and will require a 15% assist (\$975,000) from the City which is not currently budgeted for in the 2015 Provisional Budget. It is estimated these improvements would take some three years to implement due to the design, land acquisition and related Agricultural Land Commission approvals, and construction. The taxpayer assist would be budgeted in future years' budgets as the project proceeds. There is funds available in currently in the Sector A reserve while Sector B funds would be accumulated over time.
- 3) The City will have to set up an agreement with the developer to make an annual payments to the developer based on a portion of the Sector B Roads DCC funds collected until the full estimated amount (\$7.6M) is reimbursed.

### Personnel Implications:

Delivery of the SPR would be managed through the Development Engineering Section of the Community Planning and Real Estate Division. The Infrastructure Division would be required to add the Stewart Rd corridor improvements to their 2015 work plan with support from the Real Estate and Communications departments.

#### External Agency/Public Comments:

Numerous emails and comments have been submitted directly to Council and staff.

#### **Communications Comments:**

Both the South Perimeter Rd project and upgrades to Stewart Rd West corridor will trigger the need for Open Houses to seek community input on the designs.

#### Alternate Recommendation:

THAT Council receives for information the report of the Director of Corporate Business Ventures dated January 6, 2015 with respect to South Perimeter Rd, Results of Public Engagement:

AND THAT Council not accept the offer from the development community to accelerate the design and construction of South Perimeter Road;

AND THAT Council direct staff to bring forward for Council consideration a 2015 Final Budget submission for the preliminary design of Stewart Rd West, Saucier, and Bedford Roads to be funded from Sector A DCC Road Reserves.

Considerations not applicable to this report: Legal/Statutory Authority: Legal/Statutory Procedural Requirements: Existing Policy: External Agency/Public Comments:

Submitted by:

John Vos, P. Eng.

Approved for inclusion:



P. Macklem, Deputy City Manager

Attachments: 2014-10-01 Attachment - SW Mission Sector B Road Map 2014-10-01 Report - South Perimeter Rd 2015-01-01 Presentation - South Perimeter Rd 2015-01-01 Presentation - SPR - NRG Survey Results Report

cc: Director of Communications and Information Services Director of Corporate Services Director of Corporate Services Director of Financial Services Director of Infrastructure Director of Real Estate Services Capital Assets and Investment Manager City Clerk Community Engagement Consultant Deputy City Manager Development Engineering Manager Transportation and Mobility Manager



## Report to Council



**Date:** 10/1/2014

File: 1850-20

To: City Manager

From: Director, Corporate Business Ventures

Subject: 2014-10-01 Report - South Perimeter Rd.docx

### Recommendation:

THAT Council receives for information the report of the Director, Corporate Business Ventures dated October 1, 2014, with respect to the Extension of Gordon Drive and South Perimeter Road;

AND THAT Council approves in principle the accelerated design and construction of these roadways under the conditions outlined in the report;

AND FURTHER THAT Council direct staff to inform citizens of the accelerated delivery of these roadways and report back to Council.

### Purpose:

The development industry has proposed to accelerate the design and construction of these roadways to provide a connection between the Crawford neighborhood to the rest of the Upper Mission development area. Council approval is sought to approve this in principle and direct staff to engage the community in discussions on the accelerated delivery of this important road link.

### Background:

The City Official Community Plan envisions the extension of Gordon Drive and construction of the South Perimeter Road from Gordon Drive to Stewart Road West to provide an alternative access and egress from the Upper Mission area. Through the Southwest Mission Sector Plan, development in the early to mid 1990s which involved extensive community consultation, key road links were developed and incorporated into subsequent Official Community Plans, 20 Year Servicing Plans, and Financing Strategy and related Development Cost Charges. These roadways were envisioned in the original plan to be constructed at 2700 units of development in the SW Mission though the latest OCP envisions the road at 3400 units. This was as a result of the desire to move up the construction of Lakeshore Road which originally was planned at 3800 units of development and was moved to 3000 units. Most recently, Council approved accelerating the section of Lakeshore Road at Anne McClymont Elementary School to proceed

in 2015. The level of development in this sector is at approximately 2300 units. With the sector plan in place, we note that during the development of the Canyon Ridge phase of the Crawford subdivision in the mid 1990s, the developer provided a road reserve over the required lands for the South Perimeter Road and also constructed a concrete wall to buffer homes from the roadway.

The development community has identified that accelerating the Gordon Drive and South Perimeter Road portions earlier than the plan would benefit the neighborhoods of Upper Mission and Crawford. In addition to providing an alternative egress and access for the residents, there is the potential for an enhanced commercial development within the Ponds neighborhood which is planned as a village center to serve the needs of the entire Upper Mission and Crawford areas. These roads will also provide a strong connection between two school sites; the middle school site within the Ponds development, which is priority for School District 23, and the elementary school site within the Crawford neighborhood. The catchments areas for both schools involve Upper Mission and Crawford neighborhoods, AND this road link avoids the need to travel the circuitous route via Crawford, Dehart and Gordon. The road also allows for improved transit circulation to service the Upper Mission and Crawford.

The developers propose to construct these roads and to be paid the agreed project cost by way of Developer Cost Charge credits and revenues as development occurs in the SW Mission Roads sector without direct taxpayer contribution. Gordon Drive would be funded through Developer Cost Charge Credits whereby the developers use these credits as they develop additional lots within their properties over the coming years. The South Perimeter Road costs are proposed to be initially funded by the development community with compensation from Roads Sector DCC revenues received by the City over time. Based on current rates of development in this sector, the developer would recover their estimated \$7.6 million investment over a 5-7 year period. The use of DCC credits to compensate developers for construction of sector roads has been a common practice in development of major roads in this sector.

Gordon Drive is planned to be constructed as an urban two lane arterial roadway complete with on street bikepaths, curb and gutter, boulevards and separated sidewalks on both sides. The South Perimeter Road is also envisioned to be an urban two lane arterial roadway in the longer term, with a multiuse pathway on the north side of the roadway. Because this roadway is within an area of the City currently not approved for development, the initial construction will be a rural two lane cross section with on road bikepaths. Where it abuts the Canyon Ridge area of Crawford, the multiuse pathway will be installed to provide access to the Bellevue Creek corridor. Particular attention will be paid to the future Bellevue Creek Corridor parking and public trail road crossings. Should this project proceed, the City will also need to advance improvements to Stewart Rd West which are also identified within both the South East Kelowna Sector Plan and the South West Mission Sector Road Plan. Funding is in place to complete the required safety improvements and these will be done, subject to Council approval, if the South Perimeter Road proceeds.

Another improvement to the Upper Mission road network to be brought forward is the connection of Frost Rd with Chute Lake Rd which is planned for 2016. This addresses long standing safety concerns at the Okaview and Chute Lake intersection, and reduces the circulation thru the present South Crest Dr/Killdeer connection.

While accelerating the timing of construction of these roads has no direct taxpayer impact, it will require the deferral in planned construction of other major roadways identified as part of this sector. The following planned major DCC roads improvements will be deferred due to DCC revenue shortfalls resulting from the combined effect of accelerating construction of Lakeshore Rd at Anne McClymont school, plus the construction of South Perimeter Road

- Dehart Rd (Gordon to Lakeshore) will be delayed from 2300 units to 3200 units,
- Lakeshore (Dehart to Old Meadows) will be delayed from 3000 to 3600 units,
- Casorso (Benvoulin to Swamp) will be delayed from 3,300 to 4,100 units,
- Plus a number of minor improvements throughout the sector will be delayed.

Current development rates within this sector are approximately 100 units per year and will vary annually depending on development interest in this area of the City. It should be noted that the deferred improvements are primarily road urbanization with improved pedestrian and cycling facilities, and with limited vehicle capacity improvements to the area.

The developer proponent still has a number of approval steps to go through with both the City and other developers in the SW Mission Sector before the project can proceed. They are optimistic these can be achieved in the near future. Staff believes that the community needs to be informed and consulted on as to the accelerated delivery on this project. While there currently is no preliminary or detailed design completed, staff and the developers can seek input on potential issues and concerns that the accelerated delivery of this roadway could present.

Internal Circulation: City Clerk Deputy City Manager Divisional Director, Communications and Information Systems Divisional Director, Community Planning and Real Estate Services Divisional Director, Financial Services Divisional Director, Infrastructure Manager, Capital Investments and Assets Manager, Development Engineering Manager, Transportation and Mobility Communications Consultant

**Financial/Budgetary Considerations:** Should this project proceed, the Financial Plan will need to be amended to incorporate the receipt of DCC revenues and payments to the developer over the coming years. The 20 Year Servicing Plan identifies funding for multiuse corridors from federal/provincial gas tax revenues. There are sufficient gas tax funds available to cover this portion of the work. There will be ongoing operating costs incurred for maintenance of the roadway, bikepaths, multiuse corridor and landscaping that may be installed.

**Personnel Implications:** Should this project proceed, the road construction would be managed by the Development Engineering Section.

**External Agency/Public Comments:** Residents in the Crawford neighborhood have expressed concerns regarding how this roadway, and its related increased traffic, will impact their neighborhood.

**Communications Comments:** Staff will lead community engagement activities to create awareness and invite feedback from citizens regarding accelerating construction of the road network. The plan will be developed following the City's Engage Policy. The results of the feedback will be included as part of technical and financial considerations.

**Considerations not applicable to this report:** Legal/Statutory Authority: Legal/Statutory Procedural Requirements: Existing Policy: Alternate Recommendation:

John Vos, P. Eng., Director, Corporate Business Ventures

Approved for inclusion:

Paul Macklem, Deputy City Manager

Attachment: 2014-10-01 Attachment - SW Mission Sector B Road Map

cc: City Clerk

Deputy City Manager Divisional Director, Communications and Information Systems Divisional Director, Community Planning and Real Estate Services Divisional Director, Financial Services Divisional Director, Infrastructure Manager, Capital Investments and Assets Manager, Development Engineering Manager, Transportation and Mobility Communications Consultant





## SOUTH PERIMETER ROAD

Developer Proposal to Accelerate Construction

**Results of Community Input Process** 





## BACKGROUND

- City received proposal from developers to accelerate SPR roadway construction to 2015
- 2030 OCP envisioned construction at 3400 units of development in Upper Mission (currently at 2400, increasing by 100 per year)






## DEVELOPER PROPOSAL

- Design and construct SPR roadway
- Front end road and bridge costs (estimated \$7.6 Million)
- Recovery through Sector B Road DCCs
- Estimated recovery over 7 years
- Developer waives 15% taxpayer assist (\$1.14 Million)



## SPR DESIGN STANDARD

- 2 lane arterial road
- Rural cross section (no curb and gutter)
- On road paved bikepaths, gravel shoulders
- Multiuse corridor on north side (initially from Stewart Rd West to Bellevue Creek Park)

NOTE: Design process will start once council decision made



## PROPOSED CROSS SECTION

Typical Cross Section: South Perimeter Road



#### Note:

- 1. Design reflects current Official Community Plan
- 2. Multi-use Pathway initially only between Stewart Rd W to Trail connection to Bellevue Creek Park
- 3. Exact road location will vary in road right of way depending on topography and other factors
- 4. Future design of cross section may vary depending on future development as approved by Council



## COUNCIL DIRECTION

## COUNCIL RESOLUTION of October 6, 2014

THAT Council receives the report for information of the Director of Corporate Business Ventures;

- AND THAT Council confirms the current alignment of the Extension of Gordon Drive and South Perimeter Road;
- AND FURTHER THAT Council direct staff to solicit community input on the implications on priorities and sequencing of other Mission DCC Road Improvements should the Gordon Drive Extension and South Perimeter Rd proceed in the near future.



## COMMUNITY INPUT PROCESS

OBJECTIVE - To get community input on impact of accelerating SPR on the timing of other planned Mission road projects

- Open House
- City website
- Independent statistically valid survey
- Collect and collate all public feedback and report back to Council



City of Kelowna



# COMMUNITY INPUT RESULTS Statistically Valid Survey SUPPORT - 64%

- NON SUPPORT 36%
- Open House Exit Surveys
  - SUPPORT 62.5%
  - NON-SUPPORT 37.5%

# SPR EMAILS

- SUPPORT 17
- NON SUPPORT 21



## OPEN HOUSE

- November 26 CNC
- 300 + in attendance
- 215 exit surveys completed
  - 135 supportive
  - 73 unsupportive
  - 7 undecided



## STATISTICALLY VALID SURVEY

- Phone survey Nov. 27 to Dec.2
- 300 Mission area residents
  - 4 neighbourhoods (Upper & Lower Mission, Crawford/East Kelowna, Kettle Valley/Chute Lake)
- margin of error +/-5.6% at the 95% level of confidence



## RESULTS

- 82% perceived the main roads in the Mission are either over or at capacity.
- Lakeshore Road garnered the lowest satisfaction with current traffic volume (28% satisfied) followed by Gordon Drive (44%) and Casorso Road (48%)



ROAD PRIORITY IF FUNDING AVAILABLE

- 48 % Lakeshore Road Dehart to Old Meadows
- 34% South Perimeter Road Gordon to Stewart Road West
- 14 % Casorso Road Benvoulin to Bedford



ADVANCING SOUTH PERIMETER ROAD

- 64% strongly or somewhat support
- Strongest support Kettle Valley/Chute Lake (74%) followed by Lower Mission (62%), Upper Mission (61%) and Crawford/East Kelowna (58%)



SUMMARY OF COMMUNITY FEEDBACK

- SUPPORT
  - Alternative access/egress for Upper Mission
  - Access to significant commercial node
- NON SUPPORT
  - Desire to see Lakeshore and other roads upgraded first
  - Capacity/safety of Stewart Rd West corridor
  - Impacts on Crawford subdivision



## STEWART RD WEST CORRIDOR IMPROVEMENTS

- Sector B Road Plan envisioned Stewart Rd W, Saucier, Bedford corridor improvements in tandem with SPR
- Improvements needed to sightlines, curves, intersections, and provision of bikepaths
- \$6.5 Million identified in plan, currently not in 2015 budget, requires \$1 Million of tax assist
- Will take 3 years to implement



## NEXT STEPS IF COUNCIL SUPPORTS ACCELERATION OF SPR

- Authorize staff to continue to work with developer to fulfill all conditions leading to design and construction of SPR
- If conditions fulfilled, staff to bring forward budget requests to start process to improve Stewart Rd West corridor



## ALTERNATIVE RECOMMENDATION IF COUNCIL DOES NOT SUPPORT ACCELERATION OF SPR

That Council decline offer of developers

Preliminary design of Stewart Rd West corridor



## **City of Kelowna**

## Mission – South Perimeter Road Project Survey Results

December 12, 2014

Prepared by:

Sandra Curiel

Phone: 604 676 5654

Email: scuriel@nrgresearchgroup.com

**Liddie Sorensen-Lawrence, MBA** Phone: 604 676 5649 Email: lsl@nrgresearchgroup.com



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In November of 2014, NRG Research Group was commissioned by the City of Kelowna to conduct a public engagement survey regarding the realignment of the South Perimeter Road.

#### About NRG

NRG is a Canadian-owned, national survey research company with more than 30 years of experience in qualitative and quantitative research. NRG consultants have designed and managed well over 2,500 quantitative research projects, including projects with local, national, and international scopes. NRG has been a research supplier for the City of Kelowna since 2009. NRG is an accredited *Gold Seal Executive Member* of the Market Research & Intelligence Association (MRIA).

#### **Objectives**

The City is looking to better understand Okanagan Mission residents' opinion about a proposal from the development community. The proposal aims to expedite the design and construction of the South Perimeter Road sooner than scheduled. The City also wishes to understand the effect of the delayed delivery of other related transportation improvements in the Mission area by approximately three to six years.

The primary objectives of the survey were to:

- Understand the perceptions of citizens regarding current road network capacity and traffic conditions in the Mission area;
- Identify citizens' priorities in terms of which project they would like to see completed in their community first; and,
- Gauge residents' support for the advancement of the scheduled construction for the South Perimeter Road.



NRG Research Group conducted telephone interviews for the *City of Kelowna's South Perimeter Road Project Survey* between November 27<sup>th</sup> and December 2<sup>nd</sup>, 2014 with 300 Okanagan Mission area residents. The survey instrument, available in the Appendix, was developed by NRG Research Group with input from the City of Kelowna's Community Engagement Team. Results for all respondents contained in this report carry an overall maximum margin of error of <u>+/-5.6</u>% at the 95% level of confidence.

The survey was conducted among residents of Kelowna's Okanagan Mission area (Mission) aged 18 years or older using a random digital dial (RDD) sample source of both cell phone and landline numbers. Quotas were set to ensure that respondents represented the population base of the four main neighborhoods in the Mission area. To account for over-sampling of certain areas, the results are weighted to adjust data to the proportion of volume that each area represents within the Mission area, according to the population information provided by the City of Kelowna. The table below details the weighting.

Mission Area	Total Completes	Proportion of Completes (unweighted)	Estimated Population (2014)	Proportion of Volume (weighted)
Upper Mission	70	23.3%	3,893	21.1%
Lower Mission	120	40.0%	6,564	35.6%
Crawford/East Kelowna	71	23.7%	4,064	22.0%
Kettle Valley/Chute Lake	39	13.0%	3,937	21.3%
Total	300	100%	18,457	100%



#### Analysis

The analysis contained in this report use the following guidelines:

- Most questions are reported as overall and then broken down by subgroups to highlight any differences.
- Statistical differences have been calculated at the 95% confidence level and are noted with a circle.
- In some cases, the summary statistics (e.g., the total percent positive) when compared to the sum of the individual percentages of the *very* and the *somewhat* may not appear to be added correctly (i.e., off by +/- 1 percentage point). However these differences are due to rounding and the percentages shown are correct.



## **Results**

## Use and Perceptions of Current Mission Area Road Network



#### **Use and Perceptions of Mission Road Network**

- All respondents were first asked to rate the overall capacity of the main roads in the Mission area today.
- Respondents were asked to describe the frequency of use of three of the main roads in the Mission area, under typical conditions, without factoring in the construction activity that residents are experiencing on Lakeshore Road currently. Those roads were described to respondents using the text below:
  - Lakeshore Road from Dehart to Old Meadows,
  - Casorso Road from Benvoulin to Bedford, and
  - Gordon Drive from Frost Road to Dehart Road.
- Respondents were then asked to rate their satisfaction with the current traffic volume for each of the named roads they use.



#### **Perceptions of Current Road Network**

- In general, almost one-half (48%) of residents indicate that the main roads in the Mission area are currently over capacity and 34% believe the roads are at capacity. Only 16% believe the roads are not yet at capacity.
- Those who live in the Kettle Valley (62%) area as well as those in Upper Mission (54%) and Lower Mission (50%) areas, are significantly more likely than those in Crawford/East Kelowna (27%) to indicate that the main roads in Mission are over capacity.
- Those in the Crawford/East Kelowna are more likely than residents in other areas to believe the roads are at capacity (42%). Although not significant, a notable proportion (24%) indicate that the roads are not yet at capacity.

## Q1. In general, would you say that the main roads in the Mission area are, on average.



Base: All respondents, n=300; Upper Mission n=70, Lower Mission n=120, Crawford/EK n=71, Kettle Valley n=39.

#### **Frequency of Use of Main Mission Roads**

- Of the three main roads of interest in the Mission area, Lakeshore is most often used. Two-thirds (67%) of residents indicate that they use Lakeshore Road at least once a week, which includes 38% of all residents who use this road daily.
- Casorso Road follows closely as the second most often used road with 63% using the road at least once a week.
- Gordon Drive is also used at least weekly by six-in-ten (59%) Mission area residents.

Q2. Under typical conditions, without factoring in the construction activity we're experiencing on Lakeshore today, please tell me how frequently you use[MENTION



#### **Frequency of Use of Main Mission Roads**

- Not surprisingly, the use of each road varies significantly for residents of each area within Mission based on proximity of the road to the neighborhood.
- Those living in Upper Mission, Lower Mission, and Kettle Valley/ Chute Lake are significantly more likely than those in the Crawford/ East Kelowna area to use Lakeshore Road from Dehart to Old Meadows and Gordon Drive from Frost Road to Dehart Road on a daily basis.
- Those in Upper Mission are significantly more likely than those in any other areas to use Casorso Road from Benyoulin to Bedford at least once a week. Meanwhile, residents of the Crawford/ East Kelowna area are particularly more likely than those in other neighborhoods to use Casorso Road daily (46%).

#### activity we're experiencing on Lakeshore today, please tell me how frequently you use[MENTION ROAD]? (Those who use each road at least weekly) 67% 82% 59% 41% (95% 63% 71% Casorso Road 55% to Bedford 67% 65% 59% 74% (56%) 40% 69% Total Upper Mission Lower Mission Crawford/ East Kelowna

Base=All respondents who use each road at least once a week; Lakeshore road, n=280, Casorso Road, n=278, Gordon Drive, n=273



Kettle Valley / Chute Lake

#### **Satisfaction With Main Mission Roads**

- Almost half (48%) of all residents who use Casorso Road are satisfied or extremely satisfied with the current traffic volume. Those in the Upper Mission area are more likely than those in other neighborhoods to indicate that they are extremely satisfied with the traffic volume on this road (27%).
- In all, 44% of Gordon Drive users are satisfied or extremely satisfied with the traffic volume in this road and one-quarter (26%) are dissatisfied. Those living in the Upper Mission (30%), Lower Mission (28%), and Kettle Valley (36%) areas are much more likely to indicate they are not satisfied or not at all satisfied compared to those in the Crawford/East neighborhood (10%).
- Among the three roads, Lakeshore Road garners the lowest satisfaction rating with the current traffic volume. Three-in-ten (30%) users are not satisfied or not at all satisfied with traffic on Lakeshore Road.
- Those in the Upper and Lower Mission areas (15% and 17%, respectively) are less likely than those in other Mission areas to be satisfied with Lakeshore Road.
- Despite the high proportion of dissatisfied Lakeshore users, nearly three-in-ten (28%) indicate that are satisfied or extremely satisfied.
- Not surprisingly, given that they use the road less frequently compared to any other neighborhoods, those in Crawford/East Kelowna tend to be more likely than those in any other area to be extremely satisfied with the traffic volume on the Lakeshore road (18%).

RESEARCH GROUP

## Q3. How satisfied are you with the current traffic volume on [MENTION ROAD]?



■ 5 - Extremely Satisfied ■ 4 ■ 3 ■ 2 ■ 1- Not at All Satisfied ■ Don't know

Base=All respondents who use each road; Lakeshore road, n=280, Casorso Road, n=278, Gordon Drive, n=273

## **Results**

## **Priority of Mission Road Development**



#### **Priority of Mission Road Development**

• All respondents were presented with an explanation of the City of Kelowna's plan regarding the future road network, which provided a description of the three major projects planned for the area over the long term. Those projects were described to respondents using the text below:

The City of Kelowna, through the Official Community Plan, has identified the future road network and financial strategy to accommodate growth in your area. It is expected that an additional 1,000 units of housing will be built within the next 10 years in the upper Mission which translates to 10,000 vehicle trips daily or a 25 percent increase in traffic on major roads in the area. The City will be improving Lakeshore Road in front of Anne McClymont School as early as next year to help . In addition to this project there are three major projects planned for the area over the long term. Each project has an estimated cost of approximately \$5 to \$7 million in today's dollars.

The first is Lakeshore Road from Dehart to Old Meadows. This would be built to the urban standard, which includes sidewalks, along Lakeshore Road.

The second is Casorso Road from Benvoulin to Bedford. This project would see improvements overall to traffic flow, including the addition of a centre turning lane.

The third project is the South Perimeter Road from Gordon Drive to Stewart Road West. This project includes the development of a new road, which is expected to increase traffic capacity within the Mission area. Specifically it will add access in and out of the Upper Mission and Crawford area.

So, to summarize the three main projects that I just described are:

- Lakeshore Road from Dehart to Old Meadows,
- Casorso Road from Benvoulin to Bedford, and
- South Perimeter Road from Gordon Drive to Stewart Road West.



#### **Priority of Mission Road Development**

- Following this explanation, respondents were asked to indicate which of the three projects they would like to see completed in their community first.
- Respondents were then asked to indicate of the other two projects, which should be the second priority for their community.



#### **Road Priority**

- Nearly one-half (48%) of all residents indicate that they would like to see the Lakeshore Road project completed first in their community.
- Not surprisingly, those in the Upper Mission area (57%) are particularly more likely than those in other areas to say that they want to see the Lakeshore Road project developed first.
- Those in the Kettle Valley/Chute Lake (49%) are notably more likely than those in other neighborhoods to say they want to see the South Perimeter Road developed first.
- Those living in Crawford/East Kelowna (25%) and Lower Mission (16%) are more likely than those in other neighborhoods to prefer the Casorso Road from Benvoulin to Bedford project be completed first, though Lakeshore Road is still chosen more often by area residents.

## Q4. Assuming that there is budget to accomplish the three projects, please tell me which of the projects you would like to see completed in your community <u>first</u>.



39% Old Meadows 44% Upper Mission South Perimeter 31% Road from Lower Mission 28% Gordon Drive to 31% Stewart Road Crawford/ (49%) West East Kelowna 9% Kettle Valley/ Casorso Road 16% Chute Lake from Benvoulin to Bedford 5%

> Base: All respondents, n=300; Upper Mission n=70, Lower Mission n=120, Crawford/EK n=71, Kettle Valley n=39.



#### **Road Priority**

- In all, Mission residents would like to see the Lakeshore road completed first, followed by South Perimeter Road as a second priority and lastly, the Casorso Road.
- Those in the Upper and Lower Mission areas rank their preference in this same order. Meanwhile, those in the Crawford/East Kelowna area also indicate that their first choice would be Lakeshore Road, their second would be Casorso Road, and thirdly the South Perimeter Road.
- Residents of the Kettle Valley/Chute Lake area would like to see the South Perimeter Road developed first, their second priority would be Lakeshore Road, and Casorso Road would be their last choice.

#### Ranking Kettle Crawford/ Vallev / Upper Lower Project Total Mission Mission East Chute Kelowna Lake Lakeshore Road 1.7 1.5 1.6 1.8 1.8 South Perimeter 2.0 2.0 2.1 2.1 1.6 Road Casorso Road 2.3 2.4 2.3 2.0 2.5

Ranked in 1st place

Ranked in 2nd place Ranked in 3rd place

Base: All respondents, n=300, Upper Mission n=70, Lower Mission n=120, Crawford/EK n=71, Kettle Valley n=39.



## **Results**

## Support for the South Perimeter Road Project



#### **Support for the South Perimeter Road Project**

• Respondents were presented with a brief explanation of the current plan timelines for the three roads of interest. Then, respondents were presented with details of the proposal from a developer to advance the schedule of the South Perimeter Road to be completed in 2016, including a description of the advantages and disadvantages of the reprioritization of this project. The text of this explanation is below:

The current plan has the Lakeshore Road project scheduled first with completion in 2023. The South Perimeter road is second priority with completion in 2025. These are followed by Casorso Road being completed in 2026. However, the City of Kelowna has received a proposal from a developer to advance the schedule of the South Perimeter Road to be completed in 2016. The project will be constructed by the developer without taxpayer contribution.

The reprioritization of the South Perimeter Road will accommodate the expected growth of traffic volume and see safety improvements on Stuart Road West. This project also facilitates the construction of the Pond's major commercial centre and creates a direct access to the middle school currently planned for in the area. Proceeding with this proposal, however, will delay the other two previously mentioned road projects approximately three to six years.

- Following this explanation, respondents were asked to indicate their level of support for the proposal to advance the South Perimeter Road project.
- Those who oppose the proposal were asked to explain why they were not in favour.



#### Level of Support to Advance the South Perimeter Road Project

- Overall, nearly two-thirds (64%) of Mission residents support the proposal to advance the South Perimeter Road project.
- Those living in the Upper and Lower Mission areas (37% each), and those in Kettle Valley/ Chute Lake (46%),a are significantly more likely than those in the Crawford/ East Kelowna area (20%) to strongly support the acceleration of the South Perimeter Road project.
- Interestingly, those who are satisfied or extremely satisfied with the current volume traffic on Lakeshore Road (33%) are significantly more likely than those who are dissatisfied to support this proposal to advance the South Perimeter Road. A similar pattern is noted in those who gave satisfaction ratings to Casorso Road traffic volumes. This indicates that residents are more willing to support the advancement of the South Perimeter Road project if the traffic volume on Lakeshore and Casorso Roads are currently within their satisfaction expectations.
- Given the proximity to the South Perimeter Road, not surprisingly those that indicated that are not at all satisfied with the current traffic volume on Gordon Drive (17%), are more likely than those satisfied to support the acceleration of the South Perimeter Road project.



Q5. Do you support or oppose the proposal to advance

Base: All respondents, n=300, Upper Mission n=70, Lower Mission n=120, Crawford/EK n=71, Kettle Valley n=39.
## **Reasons to Oppose**

- The most frequently-mentioned reason why residents oppose the advanced timeline of the South Perimeter roadway project is because they do not support the related delay of the Lakeshore Road construction, which is seen as a higher priority (29%). This is particularly mentioned by those living in the Lower Mission and Kettle Valley/ Chute Lake areas.
- Nearly two-in-ten (18%) indicate that they are opposed to this proposal because it will cause bottlenecks or increase traffic in the area. Just over one-in-ten (11%) express that the South Perimeter Road is not a road they would use or has no benefits to them, while 11% mention that other roads should be the priority and not be delayed.
- Another 7% share concerns about the need of prioritizing the improve of safety in other roads and thoughts about the developer doing this project for their own benefit (7%).

#### Q6. You mentioned that you oppose the advanced timeline of the South Perimeter roadway project. What is the main reason why you oppose this proposal? (Multiple Response)



Base=All respondents who oppose, n=80 Only responses with 3% or more mentions are shown.

City of Kelowna - Mission – South Perimete 2Rbad



# Appendix Demographics



## **Demographics – Household Composition**

- The vast majority (94%) of Mission residents interviewed own their property. Only 4% rent the home they currently reside in.
- Just over one-half (53%) have lived at their current property more than 10 years. Another 28% have lived in this property between 6-10 years.
- Almost one-half (46%) of residents indicate that there are two people in their household, while another three-in-ten (28%) indicate there are four or more people living in their household.





City of Kelowna - Mission – South Perimete 2Rb9d



## **Demographics**

- The profile of residents that participated in this survey is composed of 49% males and 51% females.
- Those 55 years or older comprise two-thirds (66%) of the sample. Another one-third (32%) of all respondents are between 35 to 54 years old.



Base=All respondents, n=300

(Unweighted data)

Refused

1%

## **Summary**



### Perceptions of Current Road Network

- The majority (82%) of residents believe that the current road network in the Mission area is at or over capacity. In fact, when asked to describe the capacity of three main roads in the Mission area, almost one-half (48%) of residents believe that the roads are over capacity and one-third (34%) indicate that they are at capacity. Just under two-in-ten (16%) indicate the roads are not yet at capacity.
  - The perception of current road network capacity differ somewhat by Mission neighborhood. Residents from three out of the four Mission areas, Kettle Valley/ Chute Lake (62%), Upper (54%), and Lower Mission (50%) are much more likely than those who live in the Crawford/ East Kelowna area (27%) to indicate that the main roads in Mission are over capacity.

### Frequency of Use of Main Mission Roads

- Among three main roads of interest in the Mission area, Lakeshore Road from Dehart to Old Meadows is the most frequently used. Two-thirds (67%) of residents indicate that they use Lakeshore Road at least once a week; including just over one-third (38%) who use this road on a daily basis.
- Casorso Road from Benvoulin to Bedford is the second most used road, with just over six-in-ten (63%) residents who indicate they use it frequently (at least once a week). Gordon Drive from Frost Road to Dehart Road is used at least once a week by 59% of residents.
  - As expected, the use of each main road within the Mission area varies by neighborhood and the proximity to each road. Residents of Upper and Lower Mission as well as those in the Kettle Valley/Chute Lake are more likely than those in the Crawford/ East Kelowna area to use Lakeshore Road and Gordon Drive on a daily basis. Whereas those who live in the Crawford/East Kelowna neighborhood are more likely than those in any other area to use Casorso Road daily.



### **Satisfaction With Main Mission Roads**

- **Residents users of Lakeshore Road are not satisfied with traffic volume.** In fact, three-in-ten Lakeshore Road are not satisfied or not at all satisfied with traffic on Lakeshore Road.
  - As expected, given the high frequency of use, those in the Upper Mission (15%) and Lower Mission (17%) areas are more likely than those in any other Mission neighborhoods to be dissatisfied with Lakeshore Road. Meanwhile, nearly two-in-ten (18%) of Crawford/ East Kelowna residents are more likely than those elsewhere to be extremely satisfied with the traffic volume on Lakeshore Road.
- Those who use Casorso Road are highly satisfied with almost one-half (48%) of residents stating they are satisfied or extremely satisfied with the traffic volume on this road. Just over seven-in-ten (71%) of Upper Mission residents indicate they use Casorso Road at least once a week and nearly one-quarter (27%) are more likely than those in other neighborhoods to indicate they are satisfied or extremely satisfied with the traffic volume on this road.
- Just over four-in-ten (44%) of Gordon Drive users are satisfied or extremely satisfied with the current traffic volume on this road. That said, 26% noted they are not satisfied or not at all satisfied.
  - Satisfaction with Gordon Drive's current traffic volume varies by neighborhood. Given that they use this road frequently, resident users of Upper Mission (30%), Lower Mission (28%), and Kettle Valley/ Chute Lake (36%) areas are significantly more likely to indicate they are dissatisfied compared to those in the Crawford/ East Kelowna area (10%), who use this road significantly less frequent than any other area.



## **Priority of Mission Road Development**

- *Given high use and low satisfaction levels, it is not surprising that Lakeshore Road is the top priority for most residents.* In fact, after residents were provided a description of the main three projects planned, just about half (48%) indicate that Lakeshore Road project should be the priority in their community.
  - Given that they use the road very frequently, not surprisingly nearly six-in-ten (57%) of Upper Mission residents are significantly more likely than those in other neighborhoods to say that they want to see the planned improvements to Lakeshore Road project completed first.
  - Although Lakeshore Road is still the top priority for most residents, one-quarter (25%) of those in Crawford/ East Kelowna and Lower Mission (16%) are more likely than those in other areas to indicate that Casorso Road from Benvoulin to Bedford should be completed first.
  - Given that the vast majority (85%) of Kettle Valley residents perceive the Mission road network at or over capacity, and almost all (95%) use Lakeshore Road at least once a week, nearly one-half (49%) are particularly more likely than those in other areas to indicate they want to see the South Perimeter Road constructed first.
- In general, when asked to rank their priority, Mission residents indicate that Lakeshore road should be the priority. Considering that almost half of Casorso Road users are satisfied with this road, residents would like to see the South Perimeter Road project constructed after Lakeshore Road, leaving Casorso Road as the last priority.



### **Support for the South Perimeter Road Project**

- Overall, the majority of Mission residents support the proposal to advance the South Perimeter Road project. In fact, after being presented with a brief explanation of current plan timelines and a description of the advantages and disadvantages of the reprioritization of this project, nearly two-thirds (64%) of residents support this proposal.
  - Not surprisingly, given that they consider that the current Mission road network is over capacity, those living in the Upper and Lower Mission areas (37% each) as well as those in Kettle Valley/ Chute Lake (46%) are significantly more likely than those in the Crawford/ East Kelowna neighborhood (20%), who perceive the roads at capacity or even not yet at capacity, to strongly support the proposal to expedite the construction of the South Perimeter Road sooner than scheduled.
- A notable proportion of residents users, who previously indicated they are highly satisfied with current traffic volume in Lakeshore and Casorso Roads, are willing to accept the trade-off of delaying the planned improvements to these Mission main roads in order to accelerate the South Perimeter Road development; this only if the traffic volume remains within their satisfaction expectations. In fact, those who are satisfied or extremely satisfied with the current volume traffic on Lakeshore Road (33%) are significantly more likely than those who indicated are not satisfied or not at all satisfied to support this proposal. Casorso Road users that are highly satisfied with the current traffic volume in this road are also much more likely to support the proposal (54%). On the other hand, those that are dissatisfied with current traffic volume on these roads oppose the proposal because they believe that Lakeshore Road improvements should be a priority.
- Given the proximity to the South Perimeter Road and perhaps because they perceive this new road could ease current traffic volume, Gordon Drive users that indicate they are not at all satisfied with the current traffic volume on this road, are also more likely than those who are satisfied to support this proposal.



### **Reasons to Oppose**

- Those who oppose the advanced timeline of the South Perimeter Road are not willing to accept the trade-off of delaying the improvements on Lakeshore Road, which they consider is a higher priority. In fact, that is the most frequently mentioned reason for why nearly three-in-ten (29%) residents oppose the proposal, especially those in the Lower Mission and Kettle Valley/ Chute Lake area.
- The second most commonly-voiced objection to this proposal is that it will cause bottlenecks or increase traffic in the area (18%). A number of comments also mention that the South Perimeter Road is not a road they would use or has no benefits to them and again that other roads should be the priority and not be delayed (11% each).
- There are also concerns about the need to prioritize the improvement of safety on other roads and about the developer doing this project for their own benefit (7% each).



## Appendix Questionnaire



## Questionnaire

#### 359-14-3083

enrg RESEARCH GROUP

Mission – South Perimeter Road Survey Final – November 28, 2014

#### Total completes = 300

Mission Areas	Quota	
Upper Mission	Min 70	
Lower Mission	Min 70	
Crawford / East Kelowna	Min 70	
Kettle Valley / Chute Lake	Min 70	

Hello, my name is \_\_\_\_\_. I'm calling from NRG Research Group on behalf of the City of Kelowna. [Today/This evening] we are conducting a brief survey among residents of the Okanangan Mission area to learn more about resident's knowledge and opinions about upcoming roadway projects in the area. May I speak to someone in your household who is 18 years old or older?

#### IF NECESSARY REINTRODUCE

#### ARRANGE CALLBACK IF NECESSARY.

#### IF RESPONDENT REFUSES, SAY:

- Your opinions and the information you provide will help ensure a more effective project
  planning and will help the City's staff understand resident's perceptions of the existing road
  network within the Mission area.
- You've been selected from among residents of the Mission area.
- Your responses remain strictly confidential as none of your individual answers will be identified.
- The survey should take approximately 5 minutes depending on your answers.

IF RESPONDENT WISHES TO VERIFY SURVEY, READ: You may call Kari O'Rourke, Community Engagement Consultant at 250-469-8485.

TO VERIFY THIS SURVEY WITH THE MRIA: Please call 1-888-602-6742, ext. 8728. (Service provided Monday to Friday, from 8:30 am to 5:00 pm Eastern Time). Or you can visit their website at <u>www.surveyverification.ca</u> (English) or <u>www.verificationsondage.ca</u> (French) and verify the following survey (D: 20141028-956U.

#### \*NOTE: ALL TEXT IN CAPS ARE NOT READ TO RESPONDENTS.

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#### 359-14-3083

enrg research group

S1. Which of the following best describes the neighbourhood within Kelowna that you live in? [READ – SELECT ONE ONLY]

Upper Mission, (IF ASKED: that is East of Chute Lake Road and above Barnaby or Steele)
 Lower Mission, (IF ASKED: that is below Barnaby or Steele Road to south of Mission Creek)
 Crawford East Kelowna (IF ASKED: anything east of Swamp Road)

 Kettle Valley Chute Lake (IF ASKED: Okaview or Rimrock or Cedar Creek – South of Barnaby Road and west of Chute Lake Road towards the lake)

97. None of these	>>THANK AND TERMINATE
98. Don't Know	>>THANK AND TERMINATE
99. Refused	>>THANK AND TERMINATE

C. RECORD GENDER

- Male
- 2. Female

The following questions are about your current usage and perceptions of the existing road network within the Mission area.

- In general, would you say that the main roads in the Mission area are, on average: [READ LIST]

   Underutilized
  - 2. Utilized but not at capacity
  - At capacity
  - 4. Over capacity
- 98. Don't Know [DO NOT READ]
- 99. Refused [DO NOT READ]
- Now I am going to read out roads that you may or may not use in the Mission area. Under typical conditions, without factoring in the construction activity we're experiencing on Lakeshore today. For each, please tell me how frequently you use...? [READ LIST THEN READ "Would you say..."THEN READ ANWER OPTIONS]

a) Lakeshore Road from Dehart to Old Meadows
 b) Casorso Road from Benvoulin to Bedford
 c) Gordon Drive from Frost Road to Dehart Road

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## Questionnaire

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#### ANSWER OPTIONS

1.	Daily	[GO TO Q3]
2.	Not daily but at least once a week	[GO TO Q3]
3.	Not weekly but at least once a month	[GO TO Q3]
4.	Less than once a month	[GO TO Q3]
5.	Never	[GO TO Q4]
98.	Don't Know [DO NOT READ]	[GO TO Q4]
99.	Refused [DO NOT READ]	[GO TO Q4]

3. [ASK FOR ALL ROADS WHERE ANSWERS ARE 1 through 4 IN Q2] You mentioned that you use the [PIPE IN ROAD FROM Q2, PIPE IN FREQUENCY FROM Q2]. Using a scale of 1 to 5 where 1 is 'Not at all Satisfied' and 5 is 'Extremely Satisfied', how satisfied are you with the current traffic volume on [PIPE IN ROAD FROM Q2].

a) Lakeshore Road from Dehart to Old Meadows

b) Casorso Road from Benvoulin to Bedford

c) Gordon Drive from Frost Road to Dehart Road

- 1. Not at All Satisfied
- 2
- 3
- 4
- 5. Extremely Satisfied
- 98. Don't Know [DO NOT READ]
- 99. Refused [DO NOT READ]

READ ALL: The City of Kelowna, through the Official Community Plan, has identified the future road network and financial strategy to accommodate growth in your area. It is expected that an additional 1,000 units of housing will be built within the next 10 years in the upper Mission which translates to 10,000 vehicle trips daily or a 25 percent increase in traffic on major roads in the area.

The City will be improving Lakeshore Road in front of Anne McClymont School as early as next year to help. In addition to this project there are three major projects planned for the area over the long term. Each project has an estimated cost of approximately \$5 to \$7 million in today's dollars.

The first is Lakeshore Road from Dehart to Old Meadows. This would be built to the urban standard, which includes sidewalks, along Lakeshore Road.

The second is Casorso Road from Benvoulin to Bedford. This project would see improvements overall to traffic flow, including the addition of a centre turning lane.

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enrg Research GROUP



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The third project is the South Perimeter Road from Gordon Drive to Stewart Road West. This project includes the development of a new road, which is expected to increase traffic capacity within the Mission area. Specifically it will add access in and out of the Upper Mission and Crawford area.

So, to summarize the three main projects that I just described are:

- Lakeshore Road from Dehart to Old Meadows.
- Casorso Road from Benvoulin to Bedford, and
- South Perimeter Road from Gordon Drive to Stewart Road West.
- Assuming that there is budget to accomplish the 3 projects, please tell me which of the projects you would like to see completed in your community first. [READ ROADS] [IF ANSWER DK OR REFUSE GO TO Q5]

4a. From the two others left [READ ROADS LEFT IN LIST], what would you say should be the second priority for your community?

- 1. Lakeshore Road from Dehart to Old Meadows
- 2. Casorso Road from Benvoulin to Bedford
- 3. South Perimeter Road from Gordon Drive to Stewart Road West
- 98. Don't Know [DO NOT READ]
- 99. Refused [DO NOT READ]
- 5. The current plan has the Lakeshore Road project scheduled first with completion in 2023. The South Perimeter road is second priority with completion in 2025. These are followed by Casorso Road being completed in 2026. However, the City of Kelowna has received a proposal from a developer to advance the schedule of the South Perimeter Road to be completed in 2016. The project will be constructed by the developer without taxpaver contribution.

The reprioritization of the South Perimeter Road will accommodate the expected growth of traffic volume and see safety improvements on Stuart Road West. This project also facilitates the construction of the Pond's major commercial centre and creates a direct access to the middle school currently planned for in the area. Proceeding with this proposal, however, will delay the other two previously mentioned road projects approximately 3 to 6 years. Understanding this, do you support or oppose the proposal to advance the South Perimeter Road? CLARIFY: Would that be somewhat or strongly [OPPOSE/SUPPORT]?

- 1. Strongly Oppose
- 2. Somewhat Oppose
- 3. Somewhat Support
- 4. Strongly Support
- 97. Need more information [DO NOT READ]
- 98. Don't Know [DO NOT READ]

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## Questionnaire

enrg research group

99. Refused [DO NOT READ]

 [ASK IF Q5 = 1 OR 2] You mentioned that you <u>oppose</u> the advanced timeline of the South Perimeter roadway project. What is the main reason why you oppose this proposal?

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#### DEMOGRAPHICS

And just a few questions for statistical purposes only.

D1. Including yourself, how many people in total are in your household? [READ LIST IF NECESSARY]

- 1. One
- 2. Two
- 3. Three
- 4. Four or more
- 99. Refused [DO NOT READ]

D2. Do you currently own or rent this property?

- 1. Own
- 2. Rent
- 98. Don't Know [DO NOT READ]
- 99. Refused [DO NOT READ]

D3. And, how long have you lived at this property?

- 1. Less than 1 year
- 2. 1-5 years
- 3. 6-10 years
- More than 10 years
- 98. Don't Know [DO NOT READ]
- 99. Refused [DO NOT READ]

D4. Lastly, which of the following categories best describes your age: [READ THE LIST]?

- 1. 18-34 years
- 2. 35-54 years
- 3. 55 or over
- 99. Refused [DO NOT READ]

Those are all my questions. Thank you very much for taking the time to participate in our survey.

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