

City of Kelowna

Regular Council Meeting

AGENDA



Monday, June 1, 2015

1:30 pm

Council Chamber

City Hall, 1435 Water Street

Pages

1. Call to Order

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

2. Confirmation of Minutes

4 - 9

Regular PM Meeting - May 25, 2015

3. Public in Attendance

3.1 Ballet Kelowna

10 - 23

Annual presentation by the Artistic Director and CEO, Simone Orlando.

4. Development Application Reports & Related Bylaws

4.1 205 Lougheed Road, TA14-0021, OCP14-0023, & Z14-0048 - Watermark Ventures Ltd.

24 - 73

To create the CD25 - Light Industrial / Residential Mixed Use zone and to rezone the subject property to CD25 - Light Industrial / Residential Mixed Use zone in order to develop a 9 residential unit and 9 industrial unit development.

4.2 BL11100 (TA14-0021) - New CD25 Light Industrial-Residential Mixed Use Zone

74 - 79

To give Bylaw No. 11100 first reading in order to create a new CD25 zone.

4.3 205 Lougheed Road, BL11101 (OCP14-0023) - Watermark Ventures Ltd.

80 - 80

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

To give Bylaw No. 11101 first reading in order to change the future land use designation of the subject property.

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|------------|---|------------------|
| 4.4 | 205 Loughheed Road, BL11102 (Z14-0021) - Watermark Ventures Ltd. | 81 - 81 |
| | To give Bylaw No. 11102 first reading in order to rezone the subject property. | |
| 4.5 | Multi-Residential Shared Garden Amendments, OCP15-0002 & TA15-0001 | 82 - 105 |
| | To introduce specific policy direction with respect to community gardens (public) and private sector multi-residential shared garden space. | |
| 4.6 | BL11056 (OCP15-0001) - Shared Gardens Amendments to OCP Bylaw No. 10500 | 106 - 107 |
| | Requires a majority of all members of Council (5). | |
| | To give Bylaw No. 11056 first reading in order amend Official Community Plan Bylaw No. 10500. | |
| 4.7 | BL11096 (TA15-0001) - Amendments to include Multi-Residential Shared and Community Gardens in Zoning Bylaw No. 8000 | 108 - 113 |
| | To give Bylaw No. 11096 first reading in order to amend City of Kelowna Zoning Bylaw No. 8000. | |
| 4.8 | 1470 Guisachan Place, Z14-0009, Extension Request - Sohayl & Sholen Ghadirian | 114 - 116 |
| | To extend the date for adoption of Zone Amending Bylaw No. 10954 (Z14-0009) from May 13, 2015 to May 13, 2016. | |

5. Bylaws for Adoption (Development Related)

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|------------|--|------------------|
| 5.1 | 5000 Gordon Drive, BL11037 (OCP14-0020) - No. 21 Great Projects Ltd. | 117 - 118 |
| | Requires a majority of all members of Council (5). | |
| | To adopt Bylaw No. 11037 in order to change the future land use designations of the subject property. | |
| 5.2 | 5000 Gordon Drive, BL11038 (Z14-0037) - No. 21 Great Projects Ltd. | 119 - 120 |
| | To adopt Bylaw No. 11038 in order to rezone the subject property. | |
| 5.3 | 773 Glenmore Road & 720 Valley Road, BL11090 (OCP14-0005) - 0904419 BC Ltd. | 121 - 122 |
| | Requires a majority of all members of Council (5). | |
| | To adopt Bylaw No. 11090 in order to change the future land use designations of the subject properties. | |
| 5.4 | BL11091 (TA14-0005) - Replacing the CD3 - Comprehensive Development Three Zone in Zoning Bylaw No. 8000 | 123 - 126 |
| | To adopt Bylaw No. 11091 in order to amend City of Kelowna Zoning Bylaw No. 8000. | |

5.5	773 Glenmore Road & 720 Valley Road, BL11092 (Z14-0010) - 0904419 BC Ltd.	127 - 128
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To adopt Bylaw No. 11092 in order to rezone the subject properties.

6. Non-Development Reports & Related Bylaws

6.1	Knox Mountain Disc Golf - License of Occupation	129 - 156
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That Council approves a three-year License of Occupation agreement with the Kelowna Disc Golf Association for a portion of the City-owned lands at 563 Poplar Point Drive, 565 Poplar Point Drive, and 580 Knox Mountain Drive.

6.2	Corporate GHG Emissions Update	157 - 164
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To present the latest corporate GHG emissions data and highlight GHG emissions reduction projects and to make the final corporate GHG values public to meet the provincial requirements for the Climate Action Revenue Incentive Program.

7. Mayor and Councillor Items

8. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, May 25, 2015
Location: Council Chamber
City Hall, 1435 Water Street

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

Staff Present Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Cultural Services Manager, Sandra Kochan*; Subdivision, Agriculture & Environment Planner, Damien Burggraeve*; Urban Planning Manager, Ryan Smith*; Event Development Supervisor, Mariko Siggers*; Real Estate Services Manager, John Saufferer*; Park & Landscape Planner, Barb Davidson*; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:31 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 Hodge/Seconded By Councillor DeHart

R386/15/05/25 THAT the Minutes of the Regular Meeting of May 11, 2015 be confirmed as circulated.

Carried

3. Public in Attendance

Councillor Donn declared a perceived conflict of interest as he is the Program Coordinator for Festivals Kelowna and departed the meeting at 1:32 p.m.

3.1 Festivals Kelowna

Cultural Services Manager, Sandra Kochan

- Introduced Festivals Kelowna Executive Director

Renata Mills, Executive Director, Festivals Kelowna

- Displayed a video highlighting the 2014 Festivals Kelowna events.

Willy Kovasic, President, Board of Directors, Festivals Kelowna

- Provided comments regarding the successful year Festivals Kelowna had and responded to questions from Council.

Councillor Donn rejoined the meeting at 1:41 p.m.

4. Development Application Reports & Related Bylaws

4.1 5000 Gordon Drive, OCP15-0005 & Z15-0019 - No 21 Great Projects Ltd.

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Singh

R387/15/05/25 THAT Official Community Plan Bylaw Amendment No. OCP15-0005 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of part of The South ½, District Lot 579, SDYD, Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670 and EPP22118, located on 5000 Gordon Drive, Kelowna, BC from the MRC - Multiple Unit Residential - Cluster Housing designation to the S2RESH - Single / Two Unit Residential - Hillside designation, as shown on Map "A" attached to the Report of the Subdivision, Agriculture & Environment Department, dated May 25, 2015, be considered by Council;

AND THAT Council considers the Public Hearing public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Subdivision, Agriculture & Environment Department, dated May 25, 2015;

AND THAT Rezoning Application No. Z15-0019 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of The South ½, District Lot 579, SDYD, Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670 and EPP22118, located on 5000 Gordon Drive, Kelowna, BC from the A1 - Agriculture 1 zone to the RU2h - Medium Lot Housing (Hillside Area) zone, as shown on Map "B" attached to the Report of the Subdivision, Agriculture & Environment Department, dated May 25, 2015, be considered by Council;

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

Carried

4.2 5000 Gordon Drive, BL11098 (OCP15-0005) - No. 21 Great Projects Ltd.

Moved By Councillor Donn/Seconded By Councillor Gray

R388/15/05/25 THAT Bylaw No. 11098 be read a first time;

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

Carried

4.3 5000 Gordon Drive, BL11099 (Z15-0019) - No. 21 Great Projects Ltd.

Moved By Councillor Gray/Seconded By Councillor Hodge

R389/15/05/25 THAT Bylaw No. 11099 be read a first time.

Carried

4.4 1908 and 1924 Henkel Road, Z14-0002 - Surinder Gosal

Staff:

- Provided a PowerPoint Presentation summarizing the application and extension request and responded to questions from Council.

Councillor Stack joined the meeting at 1:47 p.m.

Moved By Councillor Sieben/Seconded By Councillor Gray

R390/15/05/25 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10941 (Z14-0002, 1908 & 1924 Henkel Rd), be extended from April 15, 2015 to April 15, 2016.

Carried

4.5 721-725 Francis Avenue, Rezoning Extension Application Z13-0038 - Aldo & Wilma Clinaz

Staff:

- Provided a PowerPoint Presentation summarizing the application and extension request and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R391/15/05/25 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10933 (Z13-0038), Strata Lot 1 and 2, District Lot 136, ODYD, Strata Plan KAS1005, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown in Form 1, located at 721 - 725 Francis Avenue, Kelowna, BC; be extended from April 15, 2015 to October 15, 2015.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Revitalization Tax Exemption Agreement, 460 Doyle Avenue

Staff:

- Provided a PowerPoint Presentation summarizing the exemption application.
- Confirmed the proposed agreement is for 10 years.
- Confirmed the estimated exemption would be approximately \$120,000 per year for each year of the agreement.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Stack

R392/15/05/25 THAT Council approves the City of Kelowna entering into a Revitalization Tax Exemption Agreement with Kelowna Sustainable Innovation Group Ltd. for Lot 4 District Lot 139 ODYD Plan KAP57837, located on 460 Doyle Avenue, Kelowna BC, in the form attached to the report from Urban Planning dated May 11, 2014;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Revitalization Tax Exemption Agreement.

Carried

5.2 Mobile Food Concession Contract - City Park

Staff:

- Provided a PowerPoint Presentation summarizing the Contract and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Singh

R393/15/05/25 THAT Council approve the City entering into a Mobile Food Concession Contract, in the form attached to the Report of the Manager, Real Estate Services dated May 25, 2015, between the City of Kelowna and Konz Pizza In A Cone to provide a mobile food concession service to City Park for a term of three years with two further one year renewal terms at the City's sole discretion;

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

Carried

5.3 55+ BC Games Bid

Staff:

- Provided an overview of the report, summarized support received and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Hodge

R394/15/05/25 THAT Council receives, for information, the report from the Event Development Supervisor dated May 20, 2015 regarding the opportunity to bid on the 55+ BC Games;

AND THAT Council direct staff to proceed with submitting a bid to host the 55+ BC Games in either 2017, 2018 or 2019.

AND THAT Council direct staff to rank 2019 as Kelowna's preference with 2018 as Kelowna's second choice and 2017 as Kelowna's third choice for hosting.

AND THAT Council will commit to the Games a cash contribution of \$60,000 as well as providing in-kind support of services and facilities with a deemed value of \$55,000 should the bid be successful.

AND FURTHER THAT Council directs staff to bring forward to the 2016 Provisional Budget, an operating request that includes detail of the budget funding required and the in-kind contributions.

Carried

Mayor Basran acknowledged Don Backmeyer, Event Manager, who is soon to retire.

5.4 Crown Land Tenure Application - At 1844 Dewdney Road

Staff:

- Provided an overview of the application and confirmed that there has been great cooperation from the Residents Association and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

R395/15/05/25 THAT Council supports by resolution the application by the City of Kelowna for Crown Land Tenure at 1844 Dewdney Road.

Carried

5.5 Partial Road Closure - Adjacent to GEID Flume Lands

Moved By Councillor Stack/Seconded By Councillor Sieben

R396/15/05/25 THAT Council receive for information the Report from the Manager, Real Estate Services dated May 25, 2015, recommending that Council adopt a Road Closure Bylaw to close an unused portion of roadway adjacent to GEID Flume Lands;

AND FURTHER THAT Bylaw No. 11097, being the proposed closure of a portion of Curtis Road adjacent to GEID Flume Lands, be given reading consideration.

Carried

5.6 1079 Curtis Road (Road at end of) Adjacent to GEID Flume, BL11097 - Road Closure Bylaw

Moved By Councillor Hodge/Seconded By Councillor DeHart

R397/15/05/25 THAT Bylaw No. 11097 be read a first, second and third time.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 Osprey Avenue (portion of) Adjacent to 561 McKay Avenue and 2600 Richter Street, BL11089 - Road Closure Bylaw

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward. No one came forward.

Moved By Councillor DeHart/Seconded By Councillor Sieben

R398/15/05/25 THAT Bylaw No. 11089 be adopted.

Carried

7. Draft Resolution

Moved By Councillor Sieben/Seconded By Councillor DeHart

R399/15/05/25 THAT Councillor Donn replace Councillor Hodge as the Council Representative on the Safe Schools Committee.

Carried

8. Mayor and Councillor Items

Councillor Gray:

- Reminder of the Heart and Stroke Big Bike Event on Thursday, May 28th

Councillor DeHart:

- Spoke to the Kelowna Rockets promotional video involving Council members.

Councillor Staff:

- Requested that staff look into opportunities to tender investment portfolio opportunities.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R400/15/05/25 THAT Council direct staff to investigate the tendering of investment portfolio opportunities and report back to Council.

Carried

Mayor Basran:

- Spoke to his and Council's participation during Bike to Work week.
- Congratulated Barry Lapointe upon receiving the prestigious Order of BC Award.

9. Termination

This meeting was declared terminated at 2:35 p.m.

Mayor

/acm



City Clerk



Ballet
Kelowna

Simone Orlando
ARTISTIC DIRECTOR & CEO

**PRESENTATION TO
CITY COUNCIL**

JUNE 1, 2015

OUTLINE

- Ballet Kelowna's Mandate
- Recent Achievements
- 2014/15 Budget Review
- Community Support and Demand
- Strategic Plan
- 2015/16 Goals
- Conclusion

BALLET KELOWNA'S MANDATE

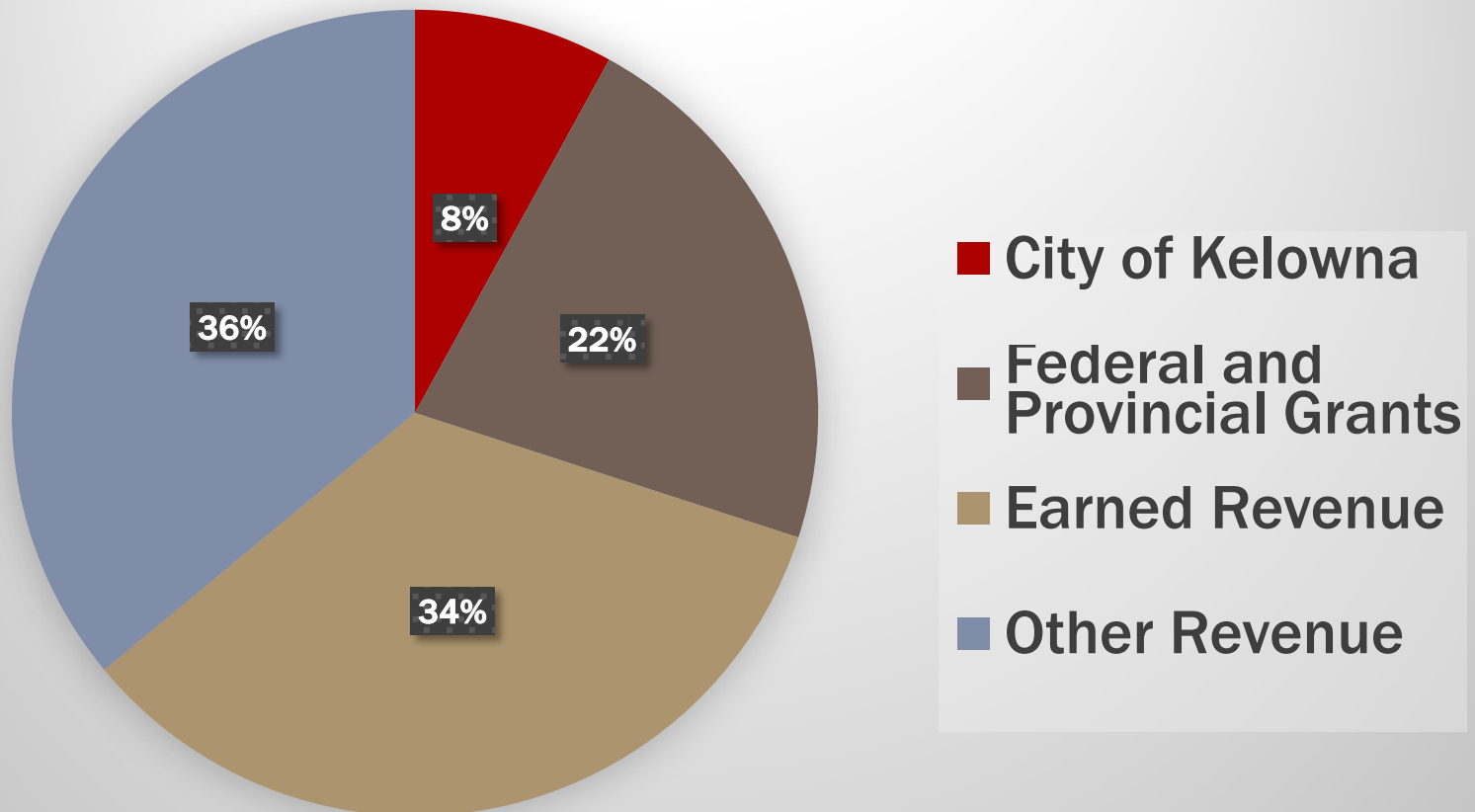


RECENT ACHIEVEMENTS

- *Launch* season preview
- 62% increase in subscription sales
- Healthy audience attendance
- Initiated new programs
- Successful tour

2014/15 BUDGET

Budget Breakdown



RESULT OF CITY SUPPORT



COMMUNITY SUPPORT AND DEMAND

- Testimonials
- Surveys
- Donations
- Program enrollment
- Partner organizations

Ballet Kelowna's new direction involves creating new sources of earned revenue and deepening our roots in this community.

MAIN TACTICS

- Opening our doors
- New training programs
- Tiered ticket pricing and discounts
- Ongoing communication with the public

2015/16 GOALS

- **Find a New Home**
- **Increase ticket sales**
- **Increase performances**
- **Introduce and expand upon programs**
- **Produce Youth Engagement Collaboration Piece**
- **Initiate off-season activities**

SEEKING A NEW HOME

- At least 3500 square feet
- Open concept (free of support pillars)
- Minimum ceiling height of 18 feet
- Minimum 2 washrooms
- HVAC
- Central location preferred

2 TO 5 YEAR GOALS



CONCLUSION



THANK YOU

REPORT TO COUNCIL



Date: 1/16/2015

RIM No. 1250-30

To: City Manager

From: Urban Planning, Community Planning & Real Estate (AC)

Application: OCP14-0023, Z14-0048 & TA14-0021 **Owner:** Watermark Ventures Ltd.

Address: 205 Lougheed Road **Applicant:** CTQ Consultants Ltd.

Subject: Rezoning and Text Amendment Application

Existing OCP Designation: IND - Industrial

Proposed OCP Designation: IND-T Industrial - Transitional

Existing Zone: I1 - Business Industrial

Proposed Zone: CD25 - Light Industrial / Residential Mixed Use Zone

1.0 Recommendation

THAT Zoning Bylaw Text Amendment No. TA14-0021 to amend City of Kelowna Zoning Bylaw No. 8000 by amending Section 18 Comprehensive Development Zones as outlined in Schedule 'A', be considered by Council.

AND THAT Official Community Plan Amendment Application No. OCP14-0023 to amend the City of Kelowna Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot A, Section 2, Township 23, ODYD, Plan KAP84518, located on 205 Lougheed Road, Kelowna, BC from IND - Industrial to IND-T Industrial - Transitional designation, be considered by Council;

AND THAT Rezoning Application No. Z14-0048 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 2, Township 23, ODYD, Plan KAP84518, located on 205 Lougheed Road, Kelowna, BC from the I1 - Business Industrial zone to CD25 - Light Industrial / Residential Mixed Use zone, be considered by Council;

AND THAT the Zone Amending Bylaw, OCP Amending Bylaw, and Text Amendment Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zone Amending Bylaw be subsequent to the following:

1. Requirements of Development Engineering Branch being completed to their satisfaction;

AND FURTHER THAT Council direct Staff not to support any further industrial / residential mixed use applications until after Staff has reviewed the success of this application (1 year after occupancy permit has been granted for this development).

2.0 Purpose

To create the CD25 - Light Industrial / Residential Mixed Use zone and to rezone the subject property to CD25 - Light Industrial / Residential Mixed Use zone in order to develop a 9 residential unit and 9 industrial unit development.

3.0 Urban Planning

The Official Community Plan (OCP) designates the area as industrial which does not permit any residential uses. However, the Advisory Planning Commission and the previous Council endorsed an affordable housing strategy that stated the idea of mixing industrial and residential land uses should be explored. Therefore, Staff support the proposed OCP amendment, text amendment and rezoning to the CD25 - Light Industrial / Residential Mixed Use Zone as an experimental land use case study. Further, Staff recommends that Council not consider any further mixed industrial / residential applications until this development can be evaluated for its success at mitigating the inherent land use conflicts.

The founding principles of zoning and planning were to separate incompatible uses such as polluting industrial uses and residential uses. Ironically, recent planning trends have seen many previously thought incompatible uses with residential uses being mixed together. The City of Kelowna is not the only City considering mixed industrial and residential uses. The City of Vancouver is considering a residential-industrial project in the Strathcona Village area (see attached media article).

This application to mix light industrial uses with residential uses is seen as a way to facilitate affordable housing. The applicant explains the compatibility between the proposed residential and industrial uses will be controlled through the zoning regulations and within the strata bylaws (limiting the hours of operation for the industrial component). Further, the strata corporation could provide within their bylaws, notification to each industrial and residential tenant that they are living / operating within a mixed-use development.

The residential units may attract buyers/tenants that typically desire an affiliation with an industrial shop/work space. However, there will be no restrictions on who can occupy the units. The applicant feels that the volume of delivery trucks and vehicle trips will not pose a problem as sufficient and dedicated parking spaces, garages, and loading areas have been made available on the site. However, each residential unit only has access to one immediately adjacent parking stall. This increases the probability that residential parking may intermingle with the industrial parking. Each residential parking garage and residential unit will not be permitted to be converted into expanded industrial space as indicated in the proposed zoning regulations. This should avoid any potential "creep" of industrial activity into the residential area on the upper floor. Further, on-site storage of goods and materials for the businesses would be located indoors as outdoor storage is prohibited in the proposed CD-25 zone.

While the overall intent of this application is generally consistent with OCP policy, it should be noted that residential uses in industrial areas should be monitored as recommended in the Housing Strategy and Staff's recommendation. The purpose is to protect lands to serve industrial needs and to limit potential conflict between industrial and residential uses, which could threaten the viability of existing and future industrial operations.

If the zoning, OCP, and text amendment applications are approved, a Development Permit will be necessary to approve the form and character of the proposed development. Currently, there

remains unresolved design issues which will be resolved at Development Permit stage. These include:

- Minimum distance to residential units for fire department access.
- Maximum turning radius for fire department driveway access.

The applicant is required to hire a civil engineer to determine the finished grading prior to resolving the above issues. The applicant wished to gain approval of the proposed land use prior to engaging a civil engineer.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation program including a information session which was held on March 24th 2015. The details of the consultation are described in the Council Report 'Attachments'. The neighbouring residents brought up the following questions:

- Stability of slope below the residential area;
- Views overtop of the building;
- Access into the site and assurance that traffic would not have to go into their residential area;
- Type of use.

4.0 Proposal

4.1 Project Description

The applicant is proposing to rezone the subject property to allow a mixed use industrial and residential vertically-integrated building, located at 205 Lougheed Road. The subject property is situated between a light industrial precinct to the east (Hollywood Road) and a residential neighbourhood to the west (College Heights). The applicant is proposing to achieve the mixed uses into a single building regulated by a custom Comprehensive Development (CD) zone.

The uses permitted in the proposed CD zone are limited to light industrial uses (see attached CD zone). Residential development is only permitted above the first floor, and industrial uses are only permitted on the first floor. Industrial uses that were not included are: recycling depot, automotive repair, bulk fuel depots, gas bars, and other medium / heavy industrial uses. Typical industrial uses that are proposed include: commercial storage, equipment rentals, industrial high technology research and product design, custom indoor manufacturing, as well as other light industrial uses (for a full list industrial uses see the attached proposed Comprehensive Development zone).

The applicant's rationale letter states that the overlap in parking needs (hours of day) between industry workers / customers, and the residential tenants can be managed by the Strata Corporation and the City would not be responsible for regulating such issues. This provides some comfort to City Staff that the parking issues will be managed.

Light exposure and high illumination will be limited through the proposed zoning regulations and Development Permit guidelines. Regulations will help mitigate the lighting impacts on the residents in the evenings and night time while considering the needs of the industrial tenants to have sufficient illumination.

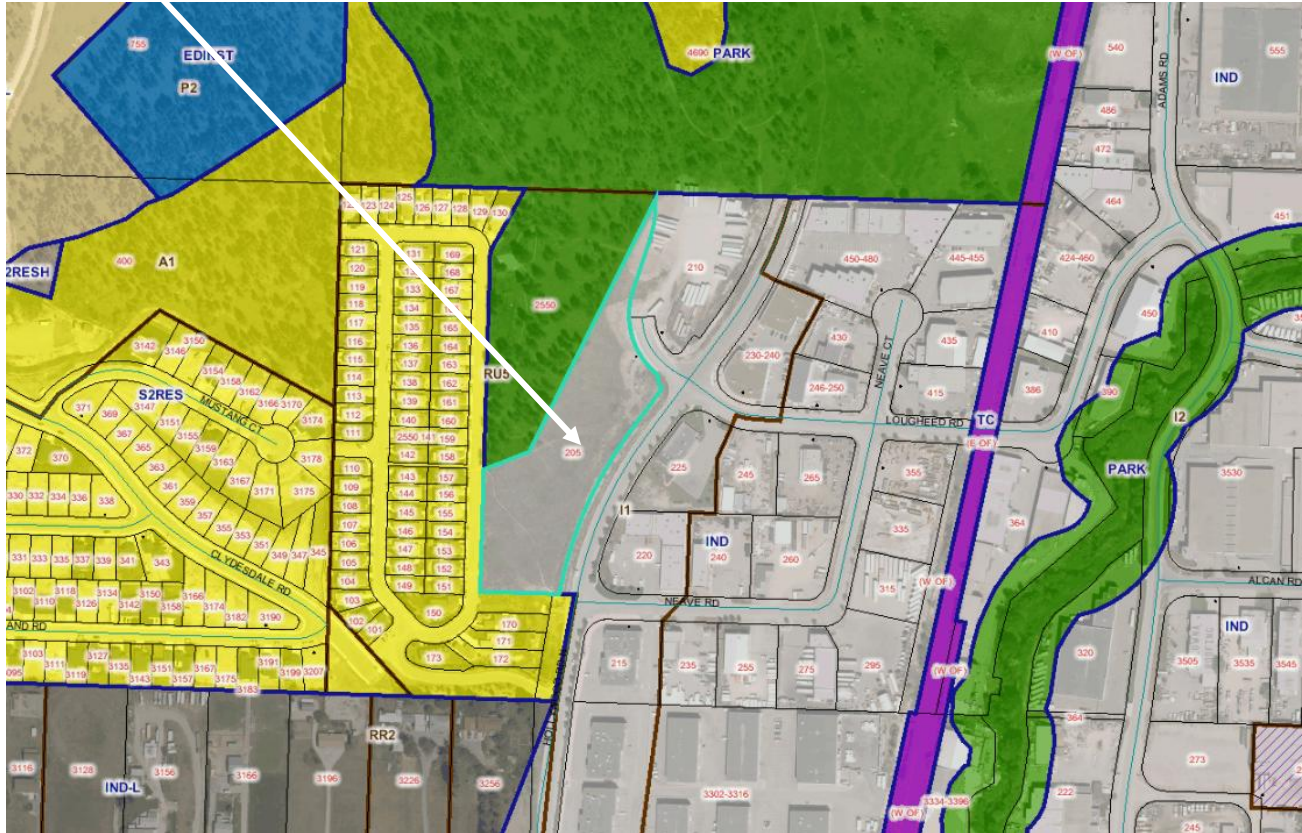
4.2 Site Context

The site is approximately 15,898 m² in area and is located within an Industrial area. The subject parcel is located adjacent to the College Heights bareland strata housing development. The

subject property is designated as Industrial (IND) in the OCP and the lot is within the Permanent Growth Boundary. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU5 - Bareland Strata Housing I1 - Business Industrial	Vacant Industrial
East	I1 - Business Industrial	Industrial
South	RU5 - Bareland Strata Housing I1 - Business Industrial	Residential Industrial
West	RU5 - Bareland Strata Housing	Residential

Subject Property Map: 205 Loughheed Ave



4.3 Zoning Analysis

See the attached CD-25 zone (Schedule 'A').

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

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.² 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.

Industrial - Transition³. Light industrial and residential uses located in areas as a transition between industrial and residential that must include provision for residential use as live / work space. Generally the residential component would be adjacent to nearby residential uses and the industrial component would be adjacent to nearby industrial uses.

The Official Community Plan (OCP) designates the subject property as industrial which does not permit any residential uses, with the exception of a security operator unit. The proposed designation, Industrial - Transitional (IND-T), fits the proposed land uses. That designation states

"Light industrial and residential uses located in areas as a transition between industrial and residential that must include provision for residential use as live / work space. Generally the residential component would be adjacent to residential uses and the industrial component would be adjacent to nearby industrial uses."

The subject property meets the criteria stated above with the exception of live / work space. All the residential and industrial units will have separate entrances. The location of the site fits the transitional industrial goal as there is residential located to the west and up the hill while being located adjacent to a future arterial road and an established industrial area to the east and down the hill.

The City of Kelowna's Housing Strategy recommended:

"Housing as Secondary to Light Industrial:

Create policy to explore limited expansion of housing options as secondary uses in light/transitional industrial areas."

This was thought to be a way to create housing that may be less costly but attractive to specific populations like young working people and students. This recommendation was adopted into the Official Community Plan as Policy 5.29.2, Secondary Housing in Light Industrial Areas, supports consideration of "limited expansion of housing as a secondary use within industrial buildings in light or transitional industrial areas." Further the OCP's future land use designation definition of Industrial (IND) states that it may also include Comprehensive Development (CD) zoning that provides for industrial uses.

6.0 Technical Comments

6.1 Building & Permitting Department

- a) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- b) A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
- c) Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- d) Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Chapter 4 (Future Land Use).

- e) A second exit will be required for the upper storey deck that all the units access
- f) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- g) Guards are required for all decks and parking areas. The drawings provided don't clearly identification of compliance to these minimum requirements, but will be reviewed at time of building permit application. The appearance of these guards may affect the form and character of the building.
- h) Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- i) An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units, number of required exits per area, door swing direction, handrails on each side of exit stairs, width of exits etc.

6.2 Development Engineering

- See attached

6.3 Fire Department

- a) Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.
- b) A visible address must be posted on Loughheed depending on access as per City of Kelowna By-Laws.
- c) Sprinkler drawings are to be submitted to the Fire Dept. for review when available. Ensure that isolation valves are at an acceptable level as per the COK Bylaw 10760.
- d) A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD or DVD to facilitate Fire Department pre-planning for this structure. The fire safety plan should clearly detail the unique requirements for this structure. A copy of the sprinkler system owner's certificate is to be included in the fire safety plan.
- e) Fire Department access is to be met as per BCBC 3.2.5.6 - access to the residential area with a place to turn around?
- f) Fire Department steel lock box or key tube acceptable to the fire dept. is required by the fire dept. entrance. Kurt's Lock & Safe at 100A - 1021 Ellis Street, Kelowna is the approved supplier for flush mount lock boxes.
- g) All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- h) Fire alarm system is to be monitored by an agency meeting the CAN/ULC S562 Standard.
- i) Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- j) Fire department connection is to be within 45M of a fire hydrant - please ensure this is possible and that the FD connection is clearly marked and visible from the street.

7.0 Application Chronology

Date of Application Received: October 3rd 2014
Date of Public consultation: March 30th 2015

Report prepared by:

Adam Cseke, Planner

Reviewed by:



Ryan Smith, Urban Planning Manager

Attachments:

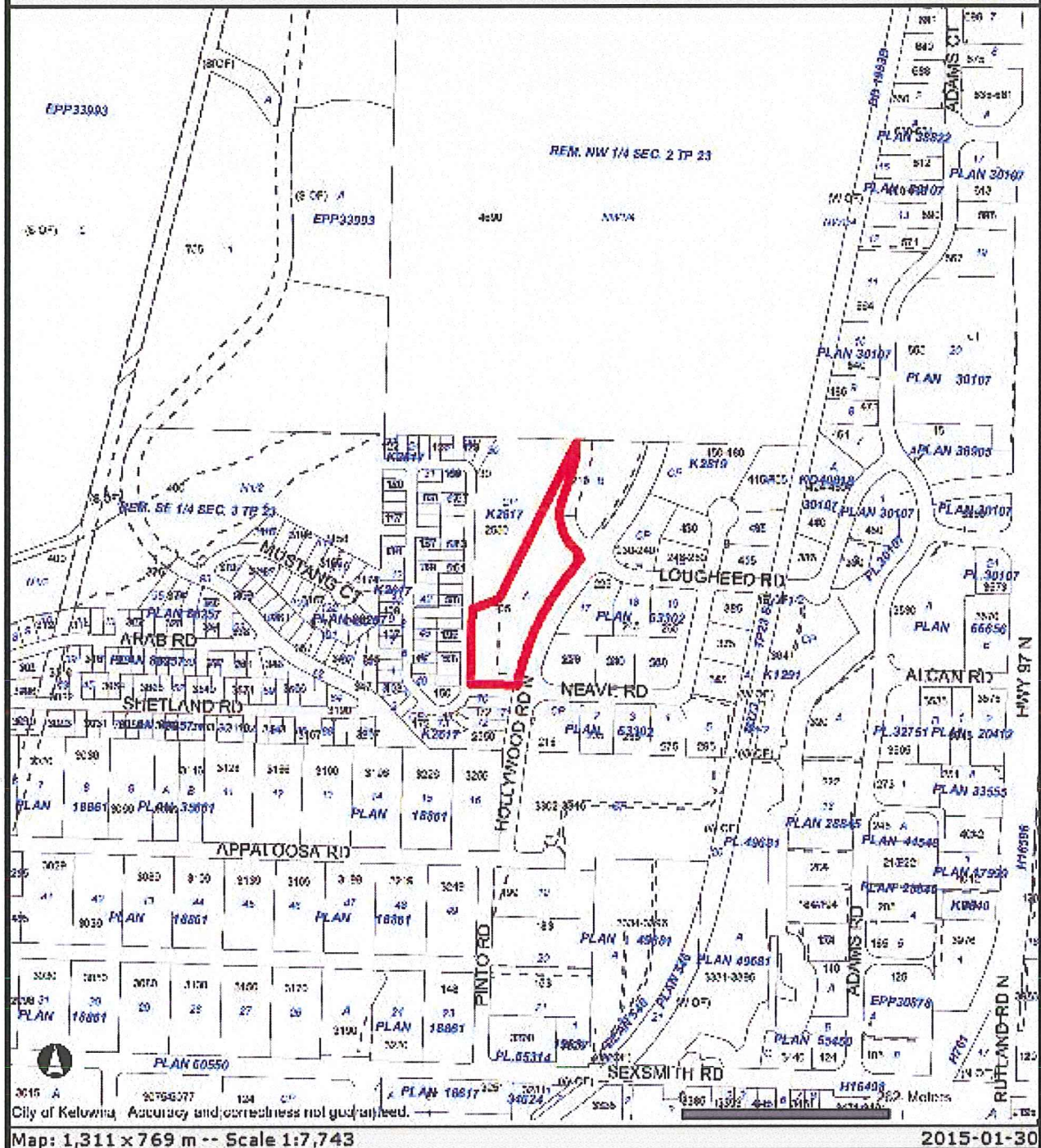
Subject Property Map
Applicant's rationale
Proposed CD-25 zone
Application Package
Development Engineering Comments dated Oct 28th 2014
Strathcona Village news article (January 20th 2015)

214-0048

TA14-0021



Subject Property





Community Planning
1435 Water Street
Kelowna, BC V1Y 1J4
250-469-8626
kelowna.ca

Application Form

Development Proposal

TYPE OF APPLICATION

Please check all that apply

<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Heritage Revitalization Permit
<input checked="" type="checkbox"/> Official Community Plan Amendment TEXT ONLY	<input type="checkbox"/> Heritage Alteration Permit
<input checked="" type="checkbox"/> Development Permit (all types)	<input type="checkbox"/> File Extension request
<input type="checkbox"/> Development Variance Permit	<input type="checkbox"/> LUC discharge
<input checked="" type="checkbox"/> Text Amendment	<input type="checkbox"/> Other:

APPLICANT

Development Application Primary Contact:

Full Legal Name:	
CTQ CONSULTANTS LTD (E. GRIFONE)	
Corporate Owner: (if applicable)	
Mailing Address:	
1334 ST. PAUL STREET	
City:	Postal Code:
KELOWNA BC	V1Y 2E1
Primary Contact No.:	Secondary Contact No.:
250-919-1221	250-212-6763
Email / Fax:	
egrifone@ctqconsultants.ca	

Registered Owner(s) of the Property:

Full Legal Name:	
WATERMARK VENTURES LTD	
Corporate Owner: (if applicable)	
Mailing Address:	
#106 ACADEMY WAY	
City:	Postal Code:
KELOWNA BC	V1V 3C8
Phone:	Cell:
250-763-8840	250-878-7755
Email / Fax:	
Johnhertay@highlinerealty.com	

NOTE: If the applicant is other than the registered owner(s), a Letter of Authorization is required.

PROPERTY(IES) DESCRIPTION

Legal Description:	
LOTA SECTION 2 TOWNSHIP 23 OSOYDOS DIV. YALE DIST KAPB4518	
Civic Address:	
205 LOUGHEED ROAD	
Current Zoning:	Proposed Zoning:
	COMPREHENSIVE DEVELOPMENT
Purpose & Variances if any proposed:	
To Rezone the property from I1-Business Industrial to a Comprehensive Development zone (C.D.) to permit a mixed use vertically integrated industrial-residential complex (strata) to accommodate 9 industrial units and 9 residential units.	
Form and Character D.P. materials are included herewith	

DEVELOPMENT PROPOSAL

Please describe your development proposal: (A supplemental letter of rationale is strongly encouraged to be submitted)

It has been determined that the subject property warrants a special approach due to the location and the topography of the site. A CD Zone is proposed for this unique approach and setting, and that accommodates a limited/controlled amount of light industrial that is compatible with residential (affordable) units. Rationale report along with the CD zone is attached.

COORDINATING PROFESSIONALS

List any professionals known to date (e.g. Architect, Landscape Architect, Engineer, Biologist, etc):

Name:	
ED GRIFONE, MCIP, RPP	
Title:	
SENIOR CONSULTANT/PRINCIPAL	
Address:	
1334 ST. PAUL STREET	
Phone:	Cell:
250-979-1221	250-212-6763
Email:	
egrifone@ctqconsultants.ca	

Name:	
JIM MEIKLEJOHN, MAIBC, MRAC, (CBE) AP	
Title:	
ARCHITECT	
Address:	
233 BERNARD AVE. KELOWNA	
Phone:	Cell:
250-762-3004	
Email:	
jim@mai@shaw.ca	

APPLICANT CONFIRMATION

A. As applicant or approved agent, I confirm that I have read all relevant City of Kelowna bylaws and policies and that this application is in conformance (unless a bylaw amendment forms part of this application).

I have attached to this application the required plans and specifications of the proposed development in accordance with the application checklist. I accept responsibility for processing delays caused by incorrect or insufficient submission materials.

I understand that this application form is a public document and that any and all information contained in it, including personal information as that term is defined in the Freedom of Information and Protection of Privacy Act of B.C., is open for inspection by the public and may be reproduced and distributed to the public as part of a report(s) to Council or for purposes of a public hearing. I am aware that I am responsible to display and remove the development sign.

I understand that I am responsible for obtaining development authorizations and permissions from Telus, FortisBC, Terasen, and Shaw Cable and for providing the File Manager with copies of responses from these utilities.

B. I further acknowledge that Development Cost Charges (DCC's) may be payable at the time of subdivision or Building Permit for the construction of new dwelling units, commercial, institutional or industrial development.

Applicant Signature: _____

E. C. Grifone

Dated: _____

SEPT. 17. 2014

FEES

For completion by One Window Staff:

Fees submitted:	Received by:	Date:

Fees are as per City of Kelowna Development Application Fee Bylaw No. 10560 (kelowna.ca/bylaws). Acceptance of fees does not imply or guarantee application approval.

ZONING ANALYSIS TABLE

This zoning table applies to all Rezoning and Development Permit applications for:

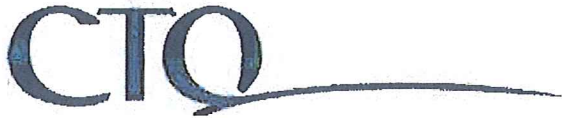
- ▶ Multi-family / Intensive Residential
 - ▶ Commercial Development
 - ▶ Industrial Development
 - ▶ Comprehensive Development and Institutional Applications
 - ▶ Heritage Alteration Permit / Heritage Revitalization Permit
 - ▶ Development Variance Applications
 - ▶ Carriage House Application
 - ▶ Text Amendment
- ALL MEASUREMENTS TO BE PROVIDED IN METRIC**

This analysis table provides the applicant an opportunity to demonstrate that the proposal meets the regulations of the Zoning Bylaw 8000. Please refer to the Zoning Bylaw 8000 on line at kelowna.ca/bylaws when completing this table.

CRITERIA FOR COMMERCIAL, INSTITUTIONAL, INDUSTRIAL, MULTIPLE UNIT/INTENSIVE RESIDENTIAL APPLICATIONS *

Site Details:	Proposal
Site Area (m ²)	15,884
Site Width (m)	60
Site Depth (m)	22.5
Site Coverage of Building(s) (%)	15
Site Coverage buildings, driveways, and parking (%)	50

Development Regulations:	Proposal
Total number & break down of units	9 INDUSTRIAL / 9 RESIDENTIAL
Floor area gross / Floor area net	3,405 SM
Floor Area Ratio (FAR)	.20
Building height (stories/meters)	2 / 14 M
Building(s) Setbacks (m):	
Front	10
Side (include direction)	25 (E)
Side (include direction)	11.5 (W)
Rear	41
Number of Parking stalls/Loading spaces	55 (9 LOADING)
Setbacks to Parking (m):	N/A "MEETS REQUIREMENTS OF FUTURE ROAD WIDENING ALONG HOLLYWOOD ROAD N."
Front	
Side (include direction)	
Side (include direction)	
Rear	
Drive Aisle Width (m)	7
Number of Bicycle Parking Spaces	17 (9 FOR RES.; 8 IND.)
Private open space	550 SM
Daylight Angle, Podium Height & Floor Plate Size (if a tower)	N/A



Engineering

Date: December 10, 2014

Project No: 12094

Planning

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

Urban Design

Attention: Mr. Adam Cseke, Planner

RE: Light Industrial-Residential CD Zone Application – Loughheed and Hollywood Rd. North

Further to our submission of September 17, 2014 and your reply of November 7, along with our recent meeting with you, Ryan Smith and members of the Building Dept, I am resubmitting the package, acknowledging the appropriate and necessary changes.

Please note the following action regarding your comments from the November 7 email:

Building Department

1. DCCs required prior to issuance of Building Permit – *Acknowledged*
2. Access to roof per NFPA if required – *Acknowledged*
3. A second exit will be required for the upper storey deck that all units access – *As per discussion; there was agreement that it is not required*
4. Fire walls between each unit as per the F2 article – *Acknowledged*
5. Geotechnical Report required at time of building permit application – *Acknowledged*
6. Guards are required for all decks and parking areas – *Acknowledged to be addressed at BP stage*
7. Fire resistance ratings – *See Code Review Summary (A2.00) attached*
8. An exit analysis is required as part of the code analysis at time of building permit application – *Acknowledged; See Code Review Summary (A2.00) attached (See Location of Access Routes)*

Fire Department

1. Location of Access Routes (residential units) – *Acknowledged; See Code Review Summary (A2.00) attached*
2. Fire Department pumper truck access routes – *Acknowledged; See Code Review Summary (A2.00) and Fire Truck Turning Plan (Oct 3, 2013) reflecting "Design Requirements for Access Routes" provided by City of Kelowna.*

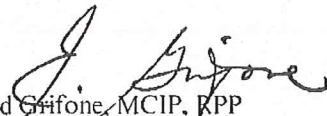
3. Sprinklered building – See clarification in Code Review Summary (A2.00)
4. Unobstructed path of travel for firefighters – *Acknowledged; See Code Review Summary (A2.00) and Fire Truck Turning Plan (Oct 3, 2013).*
5. If portion of building is completely cut off from remainder (residential suites); location of access routes – *Acknowledged; See Code Review Summary and statement under "Fire Protection" 3.2.4/3.2.5/3.2.6*
6. Access Route Design - (Clear width of 6 m; centerline radius not less than 12 m; gradient change not more than 1 in 12.5 over min distance of 15 m; turnaround for any dead-end portion of the access route) – *Acknowledged; See Fire Truck Turning Plan (Oct 3, 2013) reflecting "Design Requirements for Access Routes" provided by City of Kelowna. Also see: Site Layout Plan for CL Radius.*
7. Fire Flow Requirements – *Acknowledged; please refer to "Fire Flow Calculation Sheet" prepared and signed by Matt Cameron, P.Eng. Also refer to Hydrants Area Plan, which includes new on-site hydrant.*

Planning and Design

1. CD Zone – *We have made changes in accordance to your suggestions. NOTE: It was difficult to understand all of your handmade comments, but if more changes are required, please let us know. It appears different staff had varying opinions. Our inclusions respect legal opinion, other bylaws in BC and our experience in preparing CD zones. Zone name has been changed to: "Light Industrial-Residential CD Zone", in accordance to your suggestion.*
2. DP Guideline – *One shade tree per parking stall – Acknowledged; Note that the DP drawing (LP-01) references the type and quantity of various tree species.*

Thank you for your feedback on our initial submission and for arranging the meeting with your Building Department officials. We would now appreciate having this application for rezoning move forward as quickly as possible. Any further questions, please do not hesitate to give me or Jim Meiklejohn a call to discuss.

Sincerely,


Ed Grifone, MCIP, RPP
Senior Consultant/Principal
CTQ Consultants Ltd.

C: Jim Meiklejohn, Meiklejohn Architects Inc.

C: John Hertay, President, Watermark Ventures Ltd.

Enclosure

Introduction

Watermark Developments Ltd. of Kelowna, BC is proposing to rezone property to permit a mixed use industrial and residential vertically-integrated building, located at 205 Loughheed Road. This is a unique site that warrants a special zoning approach. The land is situated between a light industrial precinct on one side (Hollywood Road) and a residential neighbourhood on the other flank (College Heights). Highest and best use, and most compatible use, has been determined to be a combination of the two uses in one building; the lower floor accommodating light industrial uses, while the upper floor will accommodate residential uses. Due to the sloping topography of the site, the upper floor residential uses will be compatible with the nearby residential that is located just upslope from the proposed project.

A Comprehensive Development (CD) Zone is proposed to permit nine units of industrial and nine units of multi-family residential above the industrial uses. The project development and ultimate uses will be regulated by this CD zone (attached), development permit, building code, and covenants. Furthermore, a strata corporation will control the residential and industrial use responsibilities that extend beyond zoning regulations.

Watermark Developments and CTQ Consultants have discussed this unique but strategic development with City Planning Department staff. It was agreed that a rationale statement should accompany the (CD) Rezoning Application and Development Permit Submission. The following is offered for Council's consideration:

1. Protecting Employment Lands

The concern for the protection of "employment lands" from encroaching residential use should not apply here. Typically, mixed use industrial/residential are avoided due to the disparate uses that are in close proximity to one another. Industrial/employment land use will not be threatened in this case. The project does not subtract from the amount of building area for industrial use, if the land were developed under its current I1 zoning. In other words the residential component is added to the allowable industrial building area foot print.

2. Topographic Relief of Site

The topographic relief of the site allows for both buffer and transition towards the residential use in College Heights. The building has been designed and sited so that residential units that are located on the upper floor can relate to the College Heights residential area. The elevation of the residential uses provides a transition with the

Rezoning Rationale for Industrial/Residential Mixed Use

Hollywood Road North

adjacent existing neighbourhood while offering a buffer to the industrial uses along Hollywood Road.

3. Compatibility between Residential and Industrial Uses

Relationship with adjacent industrial and the type of light/business industrial proposed for the site allows for complete compatibility. The proposed industrial use does not have the nuisances that would otherwise inhibit the businesses from conducting their work in the area. The permitted industrial uses are not much different from typical commercial uses that are often found in mixed use commercial/residential vertically integrated buildings. As an example a plumbing fixture store is a commercial use that would allow residential above. In this project the plumbing contractor's use (activity) is industrial and the residential would be above, similar to the commercial plumbing fixture use.

4. Size of Site is Limited

The mixed use building will be located in a confined area that would not have extraneous impacts due to the limitations of the size of the site. This implies full containment of the industrial uses and any associated activities.

5. Residential is Limited

Residential is a principal use, and is limited to only nine (9) units. This limits the amount of residents that will reside in close proximity to the industrial lands.

6. Control of Uses

The compatibility between residential and industrial uses can be easily controlled by zoning regulations, development permit provisions, building code, covenants, and by addressing the hours of operation for the industrial component. Further, the Strata Corporation will control the residential use and require each tenant to complete the Strata Property Act Form K that sets out the Tenant's Responsibilities. In addition an acknowledgement of the industrial uses on the property could be incorporated into the Form K.

"Notice of special restriction" can be signed (by both residential and industrial owners) to acknowledge living in a mixed-use development.

Rezoning Rationale for Industrial/Residential Mixed Use

Hollywood Road North

7. Residential Market Type

The residential units will attract special buyers/tenants that will typically desire an affiliation with an industrial shop/work space.

8. Delivery Vehicles

Delivery trucks and vehicles should not pose a problem as sufficient and dedicated parking spaces, garages and loading areas has been made available.

9. Storage

On-site storage of goods and materials for the businesses would only occur indoors.

The site premises would be kept clean and void of outdoor storage, consistent with a multi-family residential development and potentially cleaner than most commercial use areas.

10. Size of Industrial Units

Dimensions/size of industrial space for viable use is restricted by zoning and Development Permit.

11. Size of Residential Units

Size and Floor Area Ratio (FAR) limitations on the residential units are controlled by zoning. They are intended to be relatively small and affordable apartment units encouraging compatibility with the location and the mixed use concept.

12. Conversions

Parking garage and residential unit conversions will not be permitted as per zoning regulations.

This will avoid any potential "creep" of the industrial activity into the residential area on the upper floor.

13. Outdoor Lights

Light exposure/high lumination will be limited as per zoning regulations and DP.

This will help ensure disruption of the residents in the evenings and night time is avoided, but that there is sufficient lumination to meet industrial tenants' needs.



Rezoning Rationale for Industrial/Residential Mixed Use

Hollywood Road North

14. Parking Management

Overlap in parking needs (hours of day) between industry workers/customers and residential tenants can be managed by the Strata Corporation. The City would not be responsible for regulating such issues.

15. Nuisance Control

Noise, vibration, dust and other emissions are not permitted as per zoning or code (e.g. fire restrictive construction).

16. Retail

On-site retail would only be permitted as ancillary to primary/principal use. This implies retail traffic to the site would be extremely limited regardless of the ultimate industrial uses.

17. Additional Controls by D.P.

The Development Permit calls for landscaping, limited signs (amount and size) and low light lumination.

18. Disposal Bins

Trash and disposal bins for industrial tenants are kept separate from bins for residential tenants.

19. Affordable Housing

There is an emphasis in providing affordable housing that is near an employment area, the growing university and airport precinct.

This proposed project allows for the development of nine quality homes that are affordable to a cross-section of the market that is continuing to seek out attainable housing.

20. Industrial Jobs/Economic Impact

Industrial jobs are provided for local residents and students that may be attending nearby UBCO.

The development keeps industrial jobs intact while promoting compatibility with adjacent residential above the subject site.

Rezoning Rationale for Industrial/Residential Mixed Use Hollywood Road North

The residential component allows economic impact from the industrial use on a site that may otherwise be much more limited due to proximity to the single family residential area.

The industrial use permits 'flex' incubator space for a variety of small business enterprises.

21. Nuisance Complaints

Nuisance complaints will be minimized by ensuring that an active working and living environment will be developed and is central to the project.

22. Crime Prevention

Residents occupying the premises in the evenings and weekends will dissuade "break and enters" in the industrial units of the building and surrounding industrial buildings that are usually targeted because of limited policing in industrial areas.

CITY OF KELOWNA
BYLAW NO. 11100
TA14-0021 - New CD25 - Light Industrial-Residential Mixed Use 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 City of Kelowna Zoning Bylaw No. 8000, **Section 1 - General Administration, 1.3 Zoning Map, 1.3.1** be amended by adding the following to the table under **Section 18 - Comprehensive Development Zone**:

CD25	Light Industrial-Residential Mixed Use Zone
------	---

2. AND THAT **Schedule 'B' - Comprehensive Development Zones**, be amended by adding a new **CD25 - Light Industrial-Residential Mixed Use Zone** as attached to and forming part of this bylaw.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

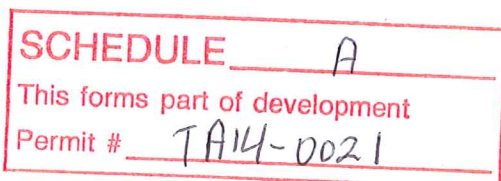
Considered at a Public Hearing on the

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

Schedule 'B' Comprehensive Development Zones

CD25 - Light Industrial-Residential Mixed Use Zone

1.1 Purpose

The intent of this zone is to permit a mixed light industrial and residential use development. The development will consist of residential uses in combination with small light industrial uses to be contained in the same structure. The purpose for this zone is to provide for a transition between the adjacent residential on one side and the light industrial on the other side. This strategic use of the site allows a residence in close proximity to a superior class of clean industrial and office space where compatibility amongst all uses is paramount.

1.2 Principal Uses

The principal uses in this zone are as follows:

- a) **broadcasting studios**
- b) **commercial storage**
- c) **contractor servi.ces, limited**
- d) **custom indoor manufacturing**
- e) **equipment rentals**
- f) **food primary establishment**
- g) **household repair services**
- h) **industrial high technology research and product design**
- i) **liquor primary establishment, minor**
- j) **mobile catering food services**
- k) **participant recreation services, indoor**
- l) **private clubs**
- m) **multiple dwelling housing**

1.3 Secondary Uses

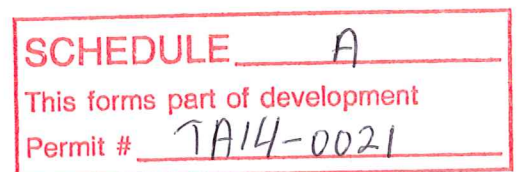
The secondary uses in this zone are as follows:

- a) **home based business, minor**
- b) **retail (ancillary to principle uses)**

1.4 General Conditions of Use

1.4.1 Industrial

- a) No use shall produce dust or other emissions that exceed standards set by provincial legislation without the authorization from appropriate provincial agency.



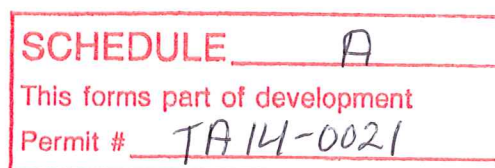
- b) No use shall produce odor, glare, vibration or noise that creates a nuisance or that impairs the use, safety or livability of adjacent properties including the residential units above the industrial.
- c) All principal uses, except residential, shall be confined to the lower units with all operations, storage, office and administration functions.
- d) Outdoor operations, storage or associated long term **vehicle** parking is not permitted on the premises.
- e) Contractors and other similar operators requiring fleet vehicles are not permitted to park more than two **vehicles** in outdoor parking areas.
- f) **Drive-in food services** are not a permitted form of development in this zone.
- g) All lighting shall be of a residential character in design, downward directional and constructed at the lowest elevation practical for the intended application so as to minimize light trespass to residential units above.
- h) Mezzanine floors within the first storey may only be used for office or light storage. Operations, residential use and associated industrial activity are not permitted on mezzanine floors.
- i) Principal uses other than residential are not permitted above the first storey.
- j) Auto body repair and paint shops are prohibited in this zone.

1.4.2 Residential

- a) All residential uses shall be located above the first storey.
- b) Garages for residential units shall be on the second storey, accessed from ground level from the rear of the building.
- c) Residential outdoor space is restricted to amenity areas on decks and balconies. Common landscaped areas are accessible as passive green space for all homeowners.
- d) Separate entrances to each residential unit will be located on the upper floor and separated from the industrial uses respecting all British Columbia Building Code requirements that are in force.
- e) **Home based businesses** shall only be permitted within a dwelling unit.

1.4.3 Outdoor Storage

- a) No outdoor storage of any kind is permitted.
- b) **Ancillary** storage shall not be permitted in compounds, **accessory buildings**, or **storage containers**. Outdoor storage racks are also not permitted on site, except when exchanging equipment and apparatus from inside the industrial



units. Duration of such racking will not be permitted longer than one (24 hour) day.

- c) All garbage bins shall be located and screened in accordance with the City of Kelowna Zoning Bylaw requirements. Access for pick up and drop off of garbage bins shall not conflict with residential or customer traffic and parking.
- d) Trucks and company fleet vehicles may not be parked in designated on-site parking spaces while being used for storage, outdoor displays or sales and in any state of disrepair.

1.4.4 Parking

- a) Parking for residential tenants shall be separate from parking designated for the industrial uses and associated customers.
- b) Residential uses will be required to contain their own parking spaces within the structure in accordance to the City of Kelowna Zoning Bylaw.

1.4.5 Home Based Business

- a) A **home based business, minor** will be permitted in accordance to the City of Kelowna zoning provisions and only if associated with the principal residential use.
- b) A home occupation/home based business will not be permitted to occupy additional residential units in the building.

1.4.6 Retail Commercial

- a) Retail for the purposes of the CD25 zone means where goods, merchandise and other materials are offered for sale at retail to the general public.
- b) Retailing of any goods and services may only be permitted if such goods and services are directly related to the principal use, must entail minor retail occurrences and occupy very limited space to displays within the industrial unit. The maximum floor area devoted to retailing and such accessory activities shall not exceed 25% of the **gross floor area** of the **building(s)**.

1.4.7 Signs

- a) The type, size, design, amount and placement of signs shall be subject to Development Permit Area Guidelines and provisions of the City of Kelowna Sign Bylaw.

1.4.8 Landscaping, Screening and Fencing

- a) All landscaping of yards shall be in accordance with the City of Kelowna Zoning Bylaw.
- b) Visual screening of any appurtenances and equipment on building walls and rooftops is required in accordance with the Development Permit Area Guidelines.

SCHEDULE <u>A</u>
This forms part of development
Permit # <u>TA 14-0021</u>

- c) Garbage receptacles and bins must be screened from view with appropriate opaque fencing and landscape materials which are consistent with the overall site design.
- d) All other requirements shall be subject to the Development Permit Area Guidelines.

1.4.9 Appurtenances/Mechanical

- a) Vents, ducts, stacks and any other appurtenances or mechanical equipment that may be required for the lower floor uses shall not direct noise, dust or odors towards or onto the upper floor uses or adjacent uses.
- b) All external appurtenances and mechanical equipment must be designed to not be visually obtrusive or are to be properly screened.

1.5 Floor Area Ratio/Lot Coverage

- a) The maximum **floor area ratio** is 0.20.
- b) The maximum **site coverage** is 50% including building, drive lanes and parking areas.

1.6 Setbacks

- a) The minimum front yard is 10m for all buildings and structures.
- b) The minimum side yards are 25m (east side) and 11.5m (west side) for all buildings and structures.
- c) The minimum rear yard is 41m for all buildings and structures (abutting other zones).

1.7 Height

- a) The maximum height is 14m for the combined industrial and residential building.

1.8 Parking and Loading (Off-street)

- a) Parking shall be provided in accordance with the Parking and Loading regulations of the City of Kelowna Zoning Bylaw.
- b) Off-street parking space requirements for the industrial uses will account for 41 stalls, including space for tenants and customers.
- c) Off-street parking space requirements for the residential uses will account for 14 stalls, including the enclosed garages and visitor parking spaces.
- d) Loading and unloading bays are required at one stall per industrial unit (9 oversized stalls).

SCHEDULE <u>A</u>
This forms part of development
Permit # <u>TA14-0021</u>

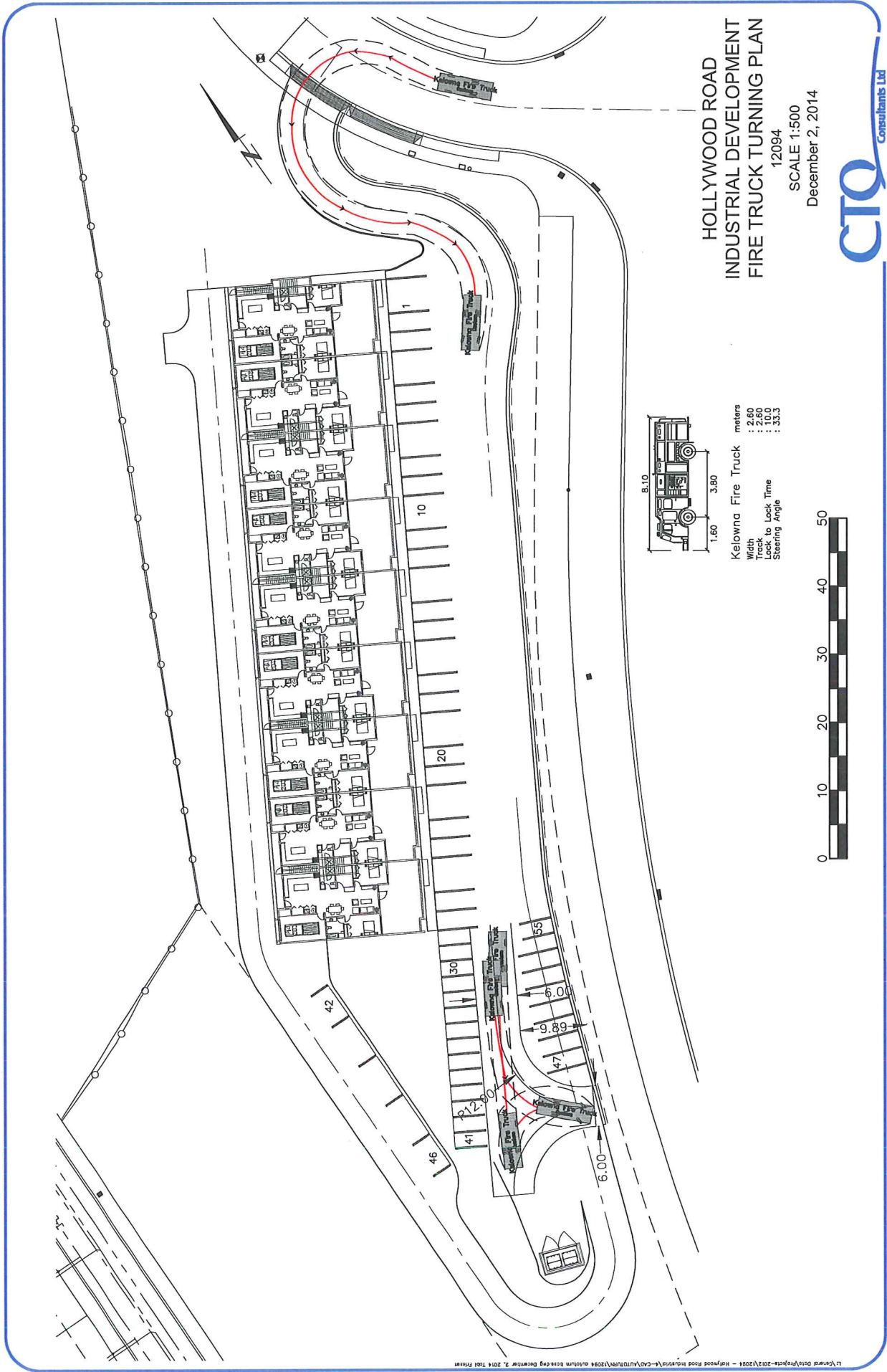
1.9 Development Permit Guidelines

- a) Every application for CD25 Zone shall be accompanied by an application for a Development Permit.

SCHEDULE <u>A</u>
This forms part of development
Permit # <u>TA/4-0021</u>



SCHEDULE A



[illegible]



m + m a

Hollywood mixed-use industrial building

shop front facing hollywood road north

sept 8, 2014



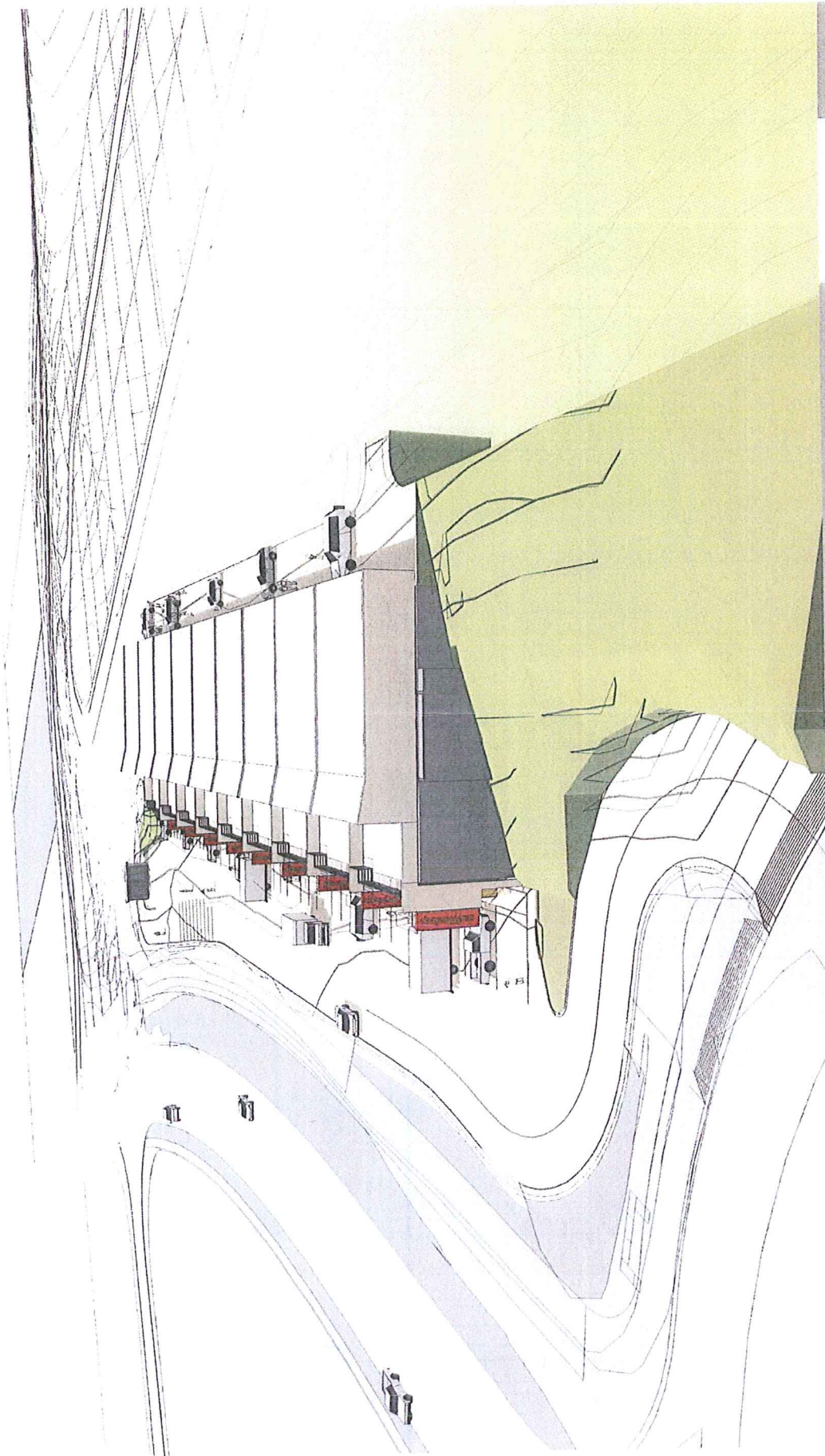
m + m a

Hollywood mixed-use industrial building

parking stalls at front of shop

sept 8, 2014

2



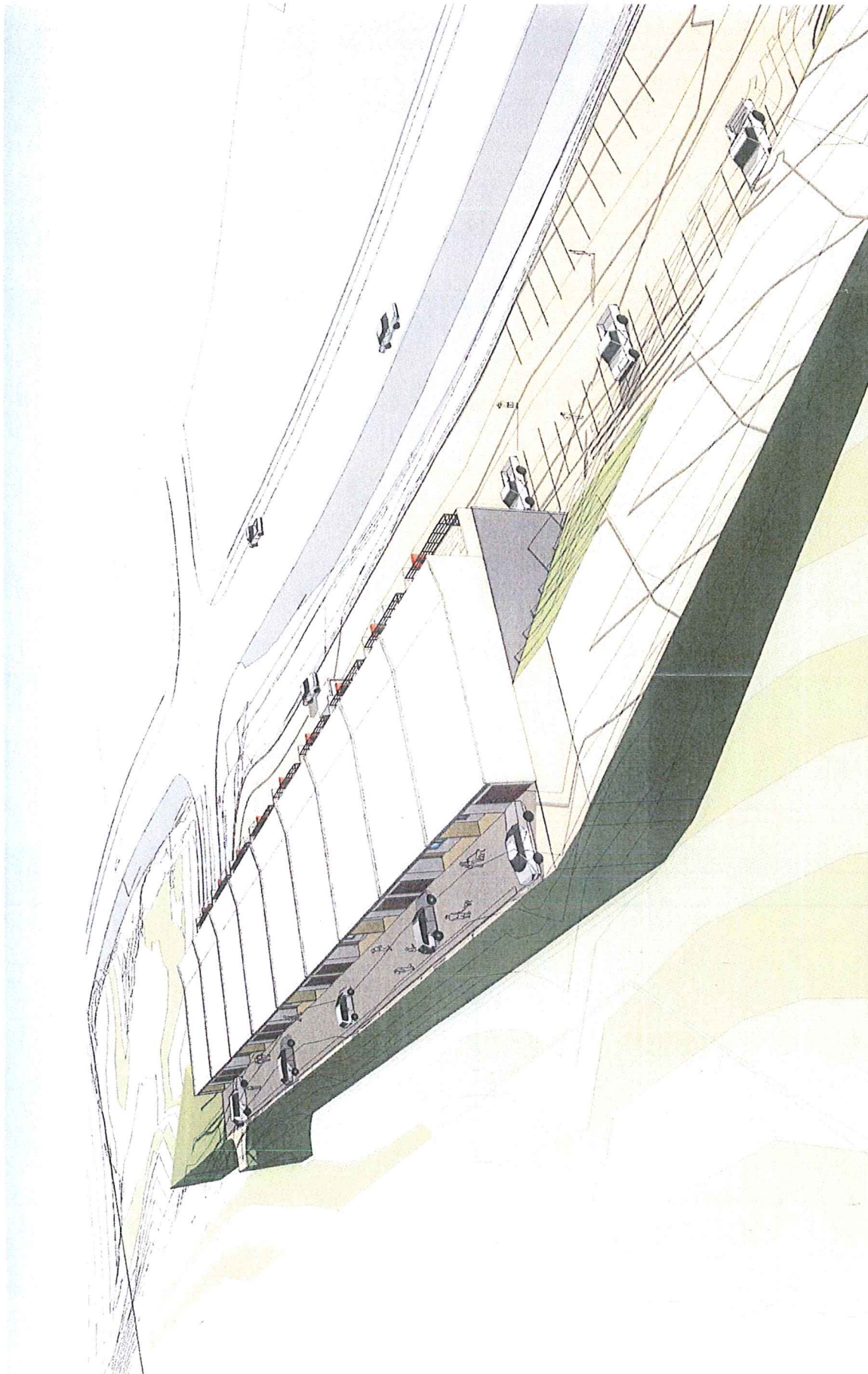
m + m a

Hollywood mixed-use industrial building

aerial view of front & back of building

sept 8, 2014

3



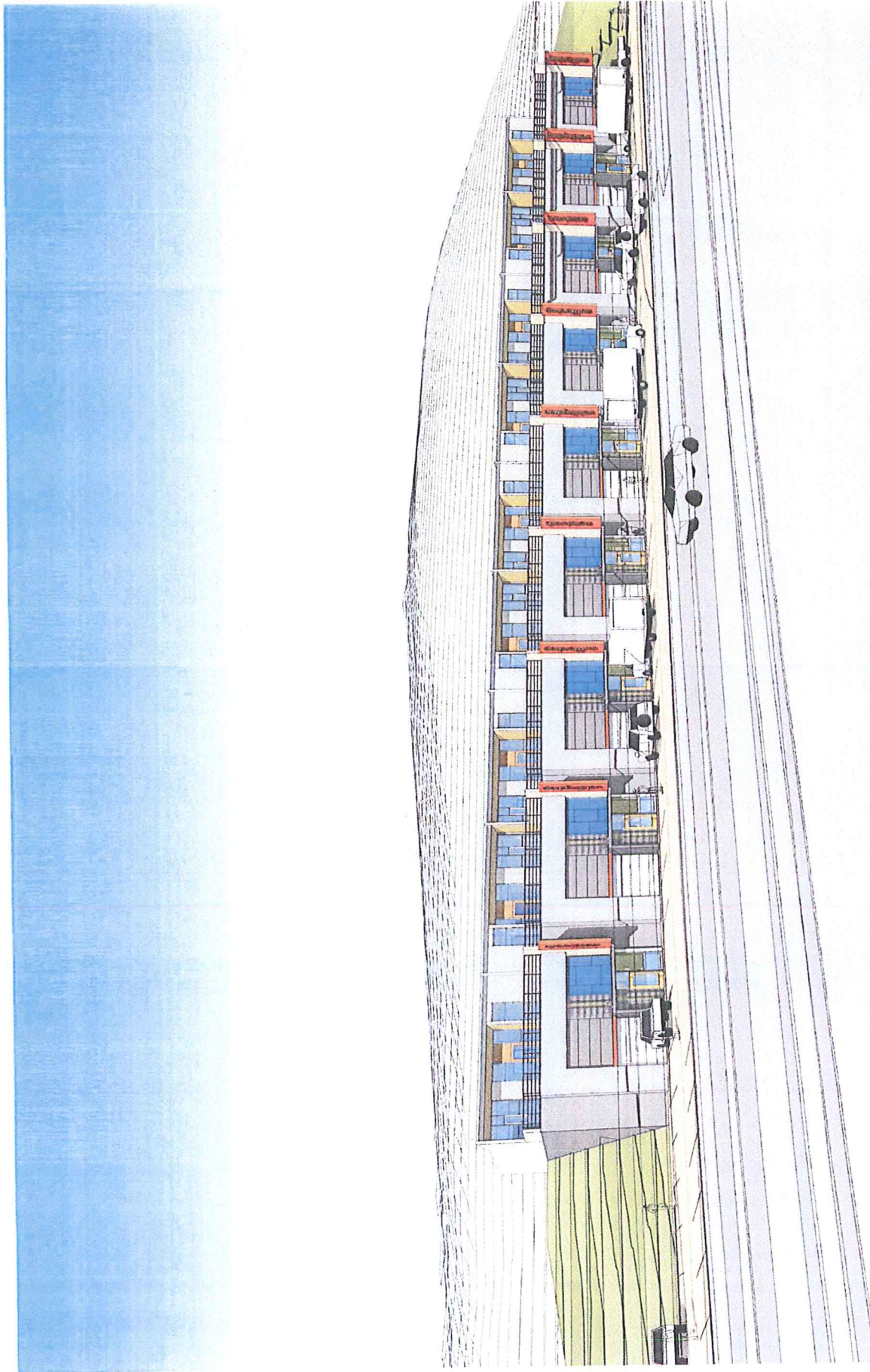
m + m a

Hollywood mixed-use industrial building

residential entry door & garage

sept 8, 2014

4



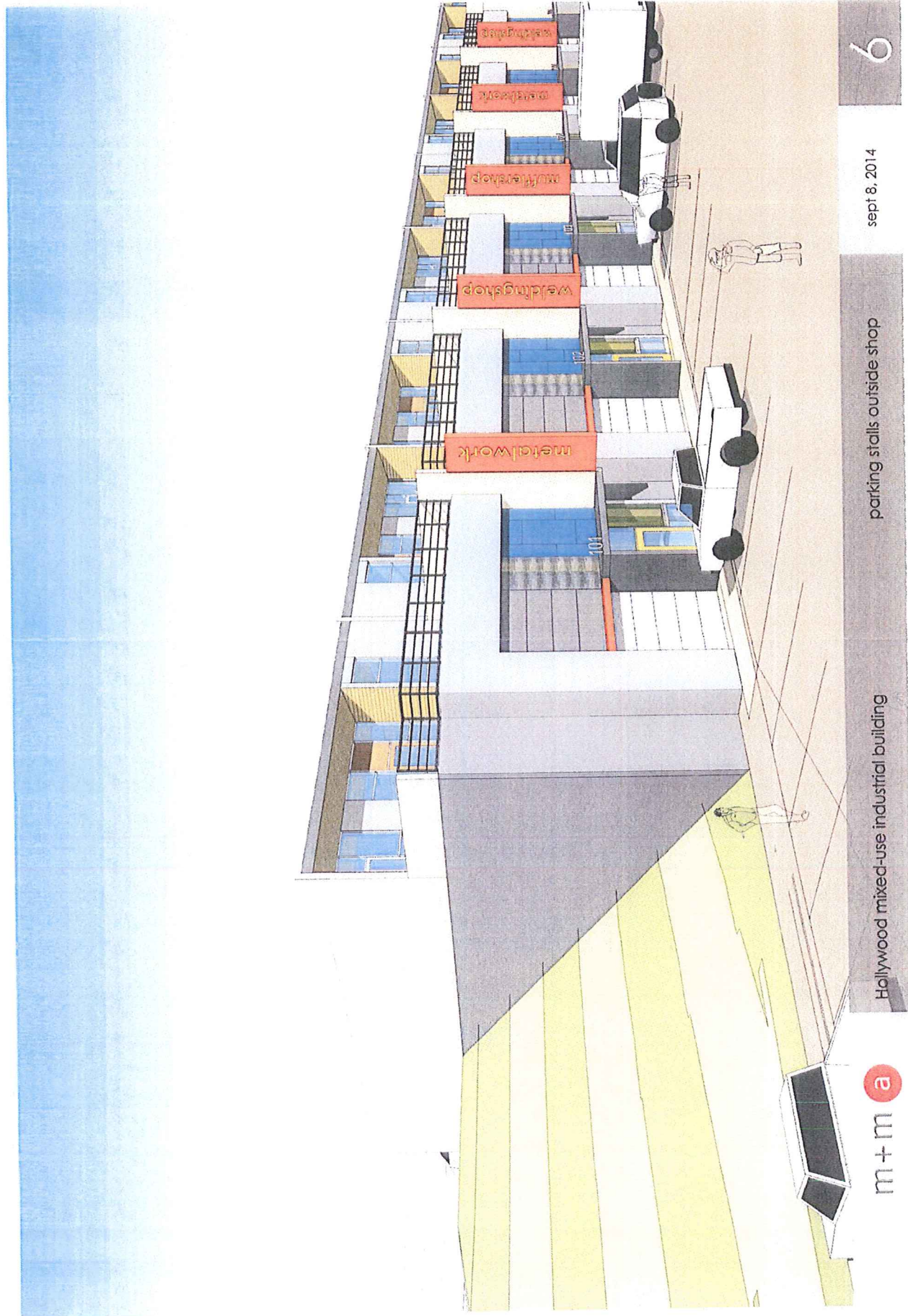
m + m a

Hollywood mixed-use industrial building

2nd floor residential deck

sept 8, 2014

5



m + m a

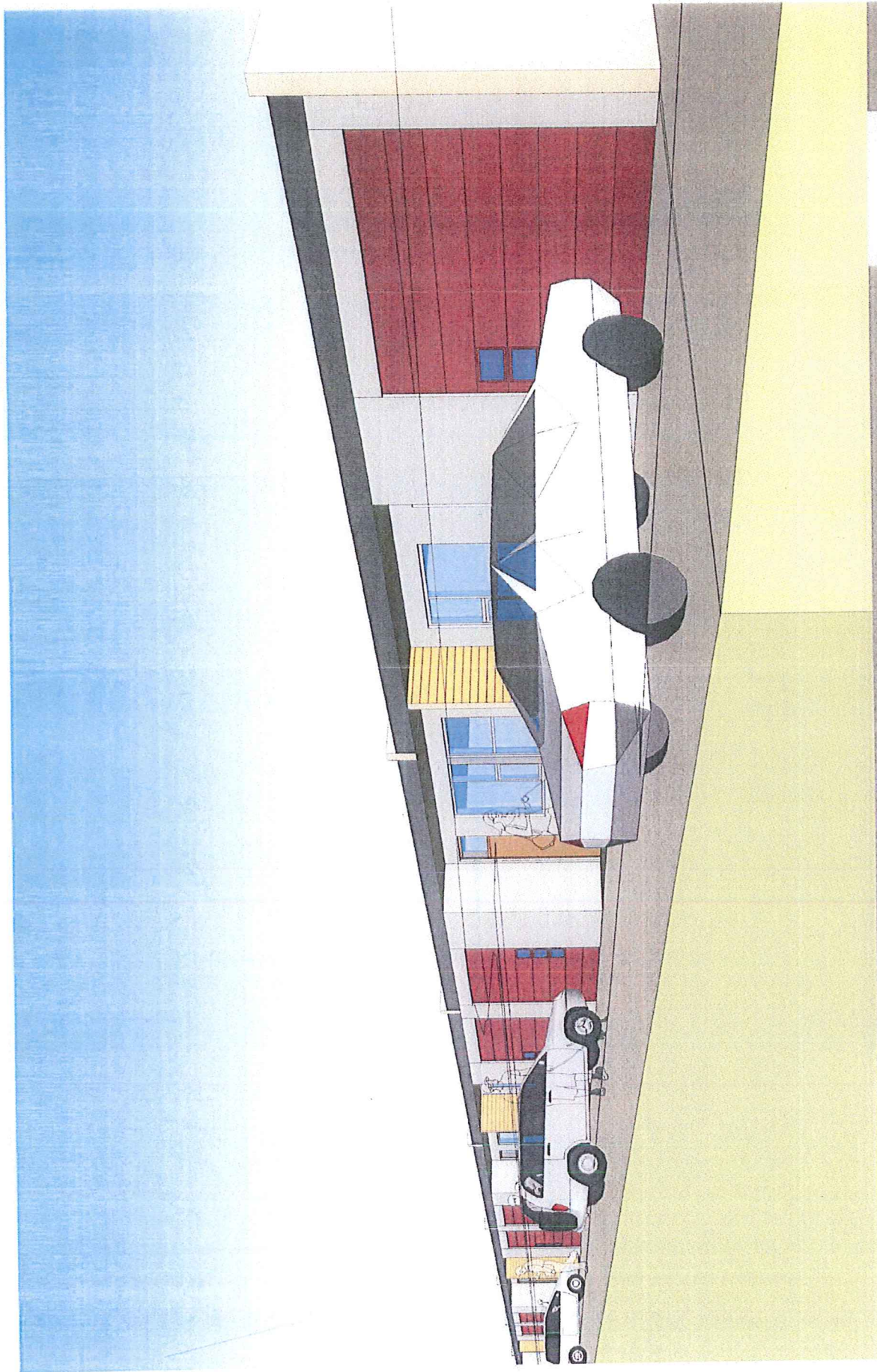
Hollywood mixed-use industrial building

parking stalls outside shop

sept 8, 2014

6





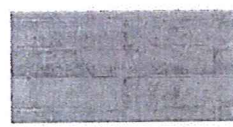
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Hollywood mixed-use industrial building

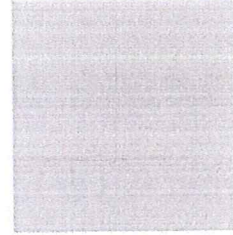
residential garage & entry door

sept 8, 2014

8



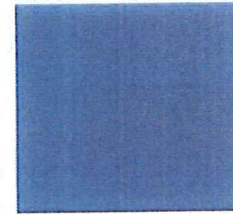
board-form
concrete



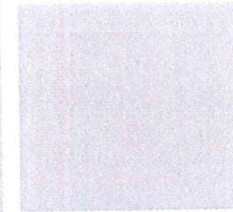
metal panel



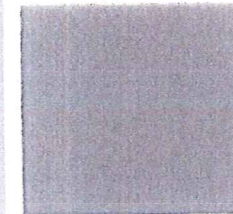
bm - 2017-10
orange juice



bm - 2065-20
dark royal blue



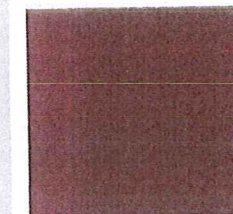
bm - 1613
silent night



bm - 1615
rock gray



bm - 2141-60
titanium



bm - AF-295
pomegranate

m + m a

Hollywood mixed-use industrial building

material board

sept 8, 2014

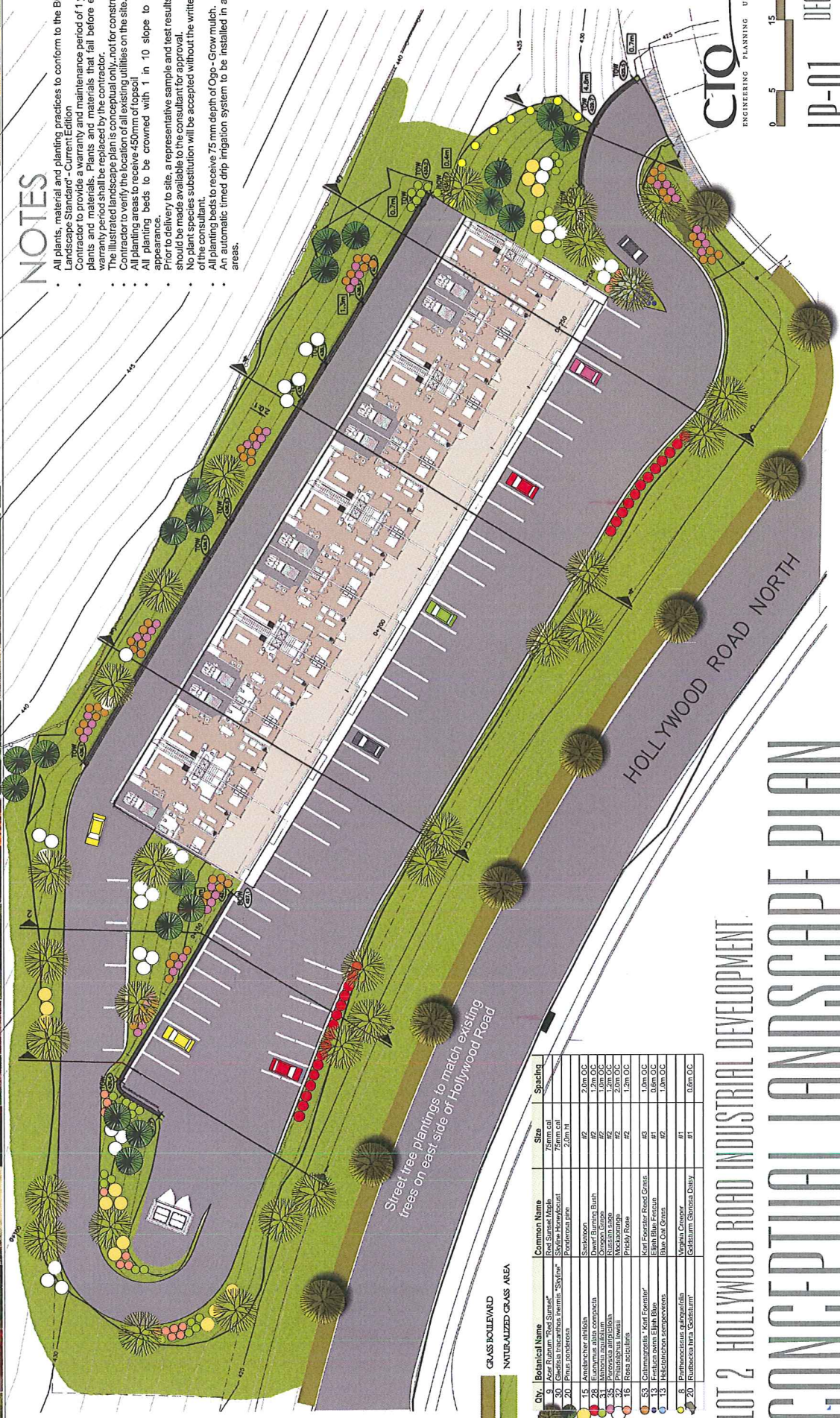
9



PROPOSED PLANT MATERIAL

NOTES

- All plants, material and planting practices to conform to the BCLNA BC Landscape Standard - Current Edition
- Contractor to provide a warranty and maintenance period of 1 year on all plants and materials. Plants and materials that fail before end of the warranty period shall be replaced by the contractor.
- The illustrated landscape plan is conceptual only, not for construction.
- Contractor to verify the location of all existing utilities on the site.
- All planting beds to be crowned with 1 in 10 slope to avoid flat appearance
- Prior to site, a representative sample and test results of topsoil should be made available to the consultant for approval.
- No plant species substitution will be accepted without the written consent of the consultant.
- All planting beds to receive 75 mm depth of Ogo - Grow mulch.
- An automatic timed drip irrigation system to be installed in all planting areas.



GRASS BOLLERWARD
NATURALIZED GRASS AREA

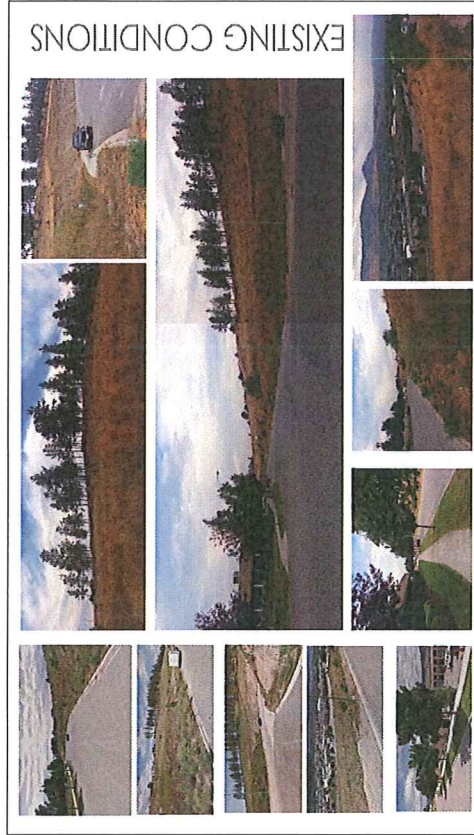
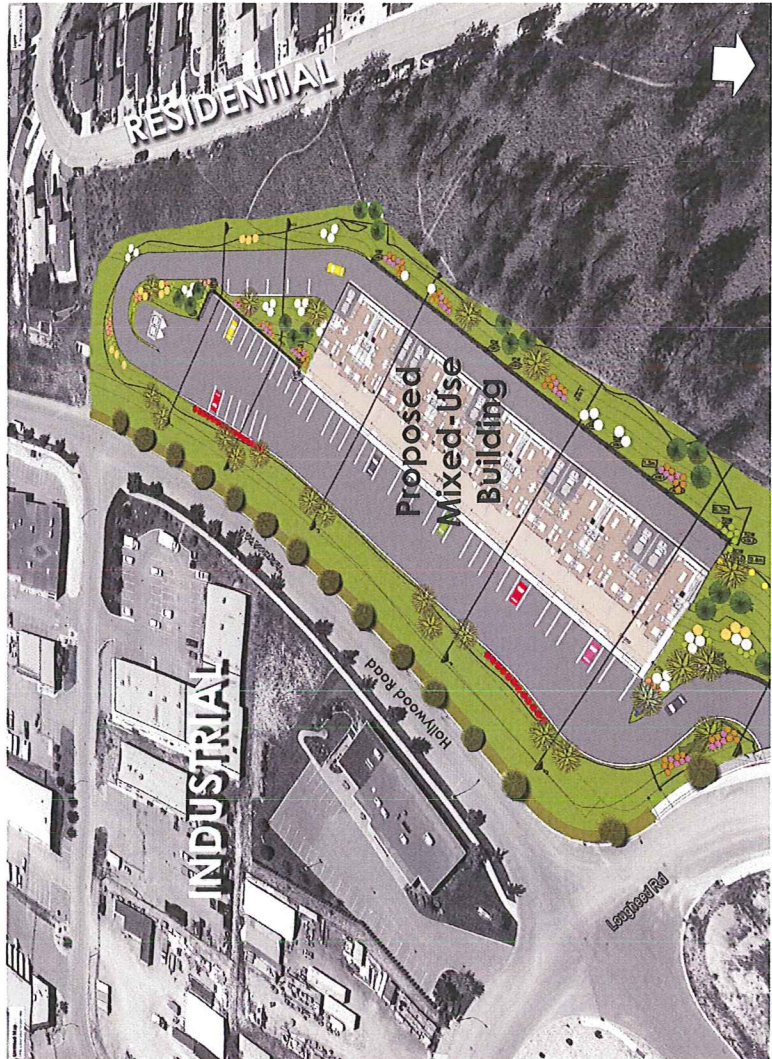
Qty	Botanical Name	Common Name	Size	Spacing
6	Aster sp.	Aster sp.	75mm call	2.0m x 1
30	Gaillardia rigida 'Savanna'	Red Flame Gaillardia	75mm call	2.0m x 1
20	Phlox paniculata	Phlox paniculata	75mm call	2.0m x 1
15	Asclepias tuberosa	Asclepias tuberosa	75mm call	2.0m x 1
28	Eurotia aspera	Eurotia aspera	75mm call	2.0m x 1
31	Maranta arundinacea	Maranta arundinacea	75mm call	2.0m x 1
32	Philadelphus lewisii	Philadelphus lewisii	75mm call	2.0m x 1
16	Rosa acicularis	Rosa acicularis	75mm call	2.0m x 1
43	Calluna vulgaris 'Karl Foerster'	Calluna vulgaris 'Karl Foerster'	75mm call	2.0m x 1
13	Festuca ovina 'Elijah Blue'	Festuca ovina 'Elijah Blue'	75mm call	2.0m x 1
13	Helianthus annuus	Helianthus annuus	75mm call	2.0m x 1
8	Drumstick cactus	Drumstick cactus	75mm call	2.0m x 1
20	Rudbeckia hirta 'Goldsturm'	Rudbeckia hirta 'Goldsturm'	75mm call	2.0m x 1

LOT 2 HOLLYWOOD ROAD INDUSTRIAL DEVELOPMENT

CONCEPTUAL LANDSCAPE PLAN

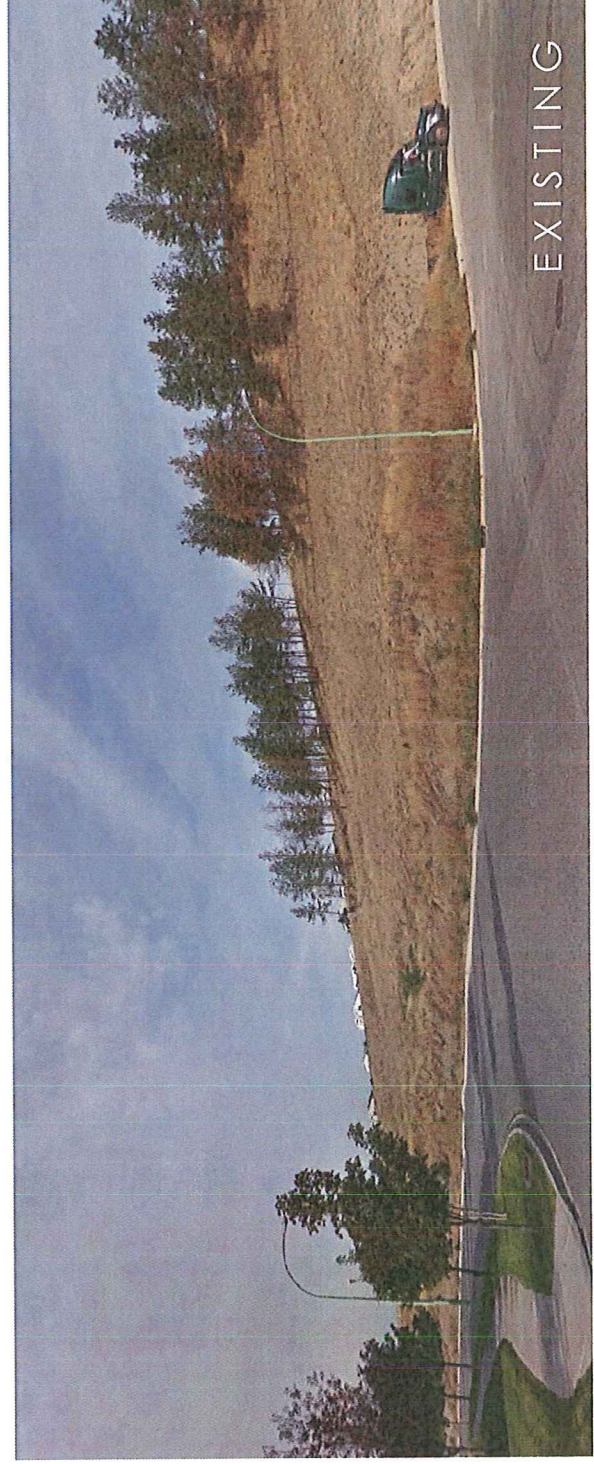


SCHEMATIC SECTION



CONCEPTUAL LANDSCAPE PLAN

CTO
ENGINEERING PLANNING URBAN DESIGN
LOT 2 HOLLYWOOD ROAD INDUSTRIAL DEVELOPMENT
LP-02 DEC. 2014 12054

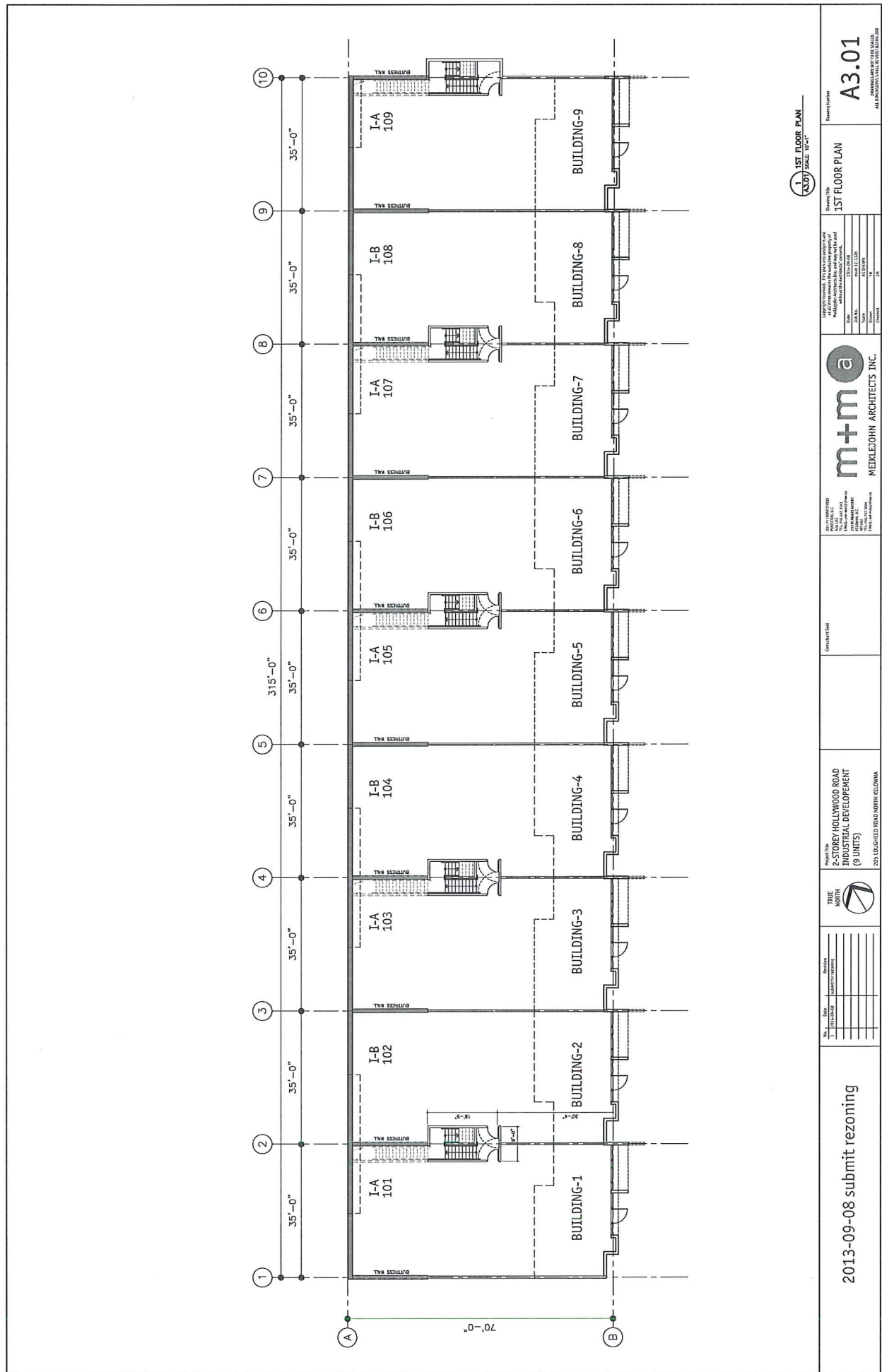


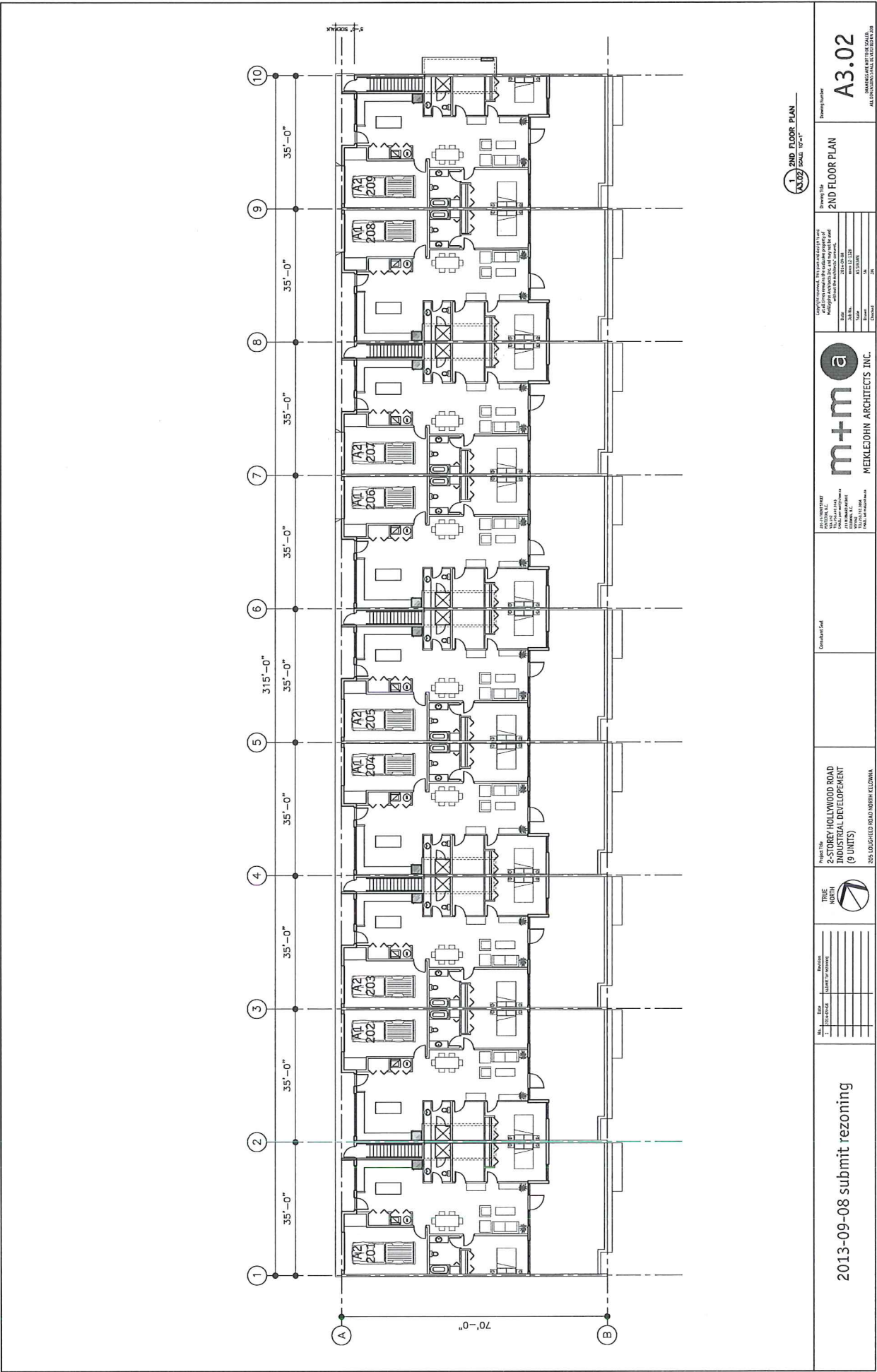
LOT 2 HOLLYWOOD ROAD INDUSTRIAL DEVELOPMENT

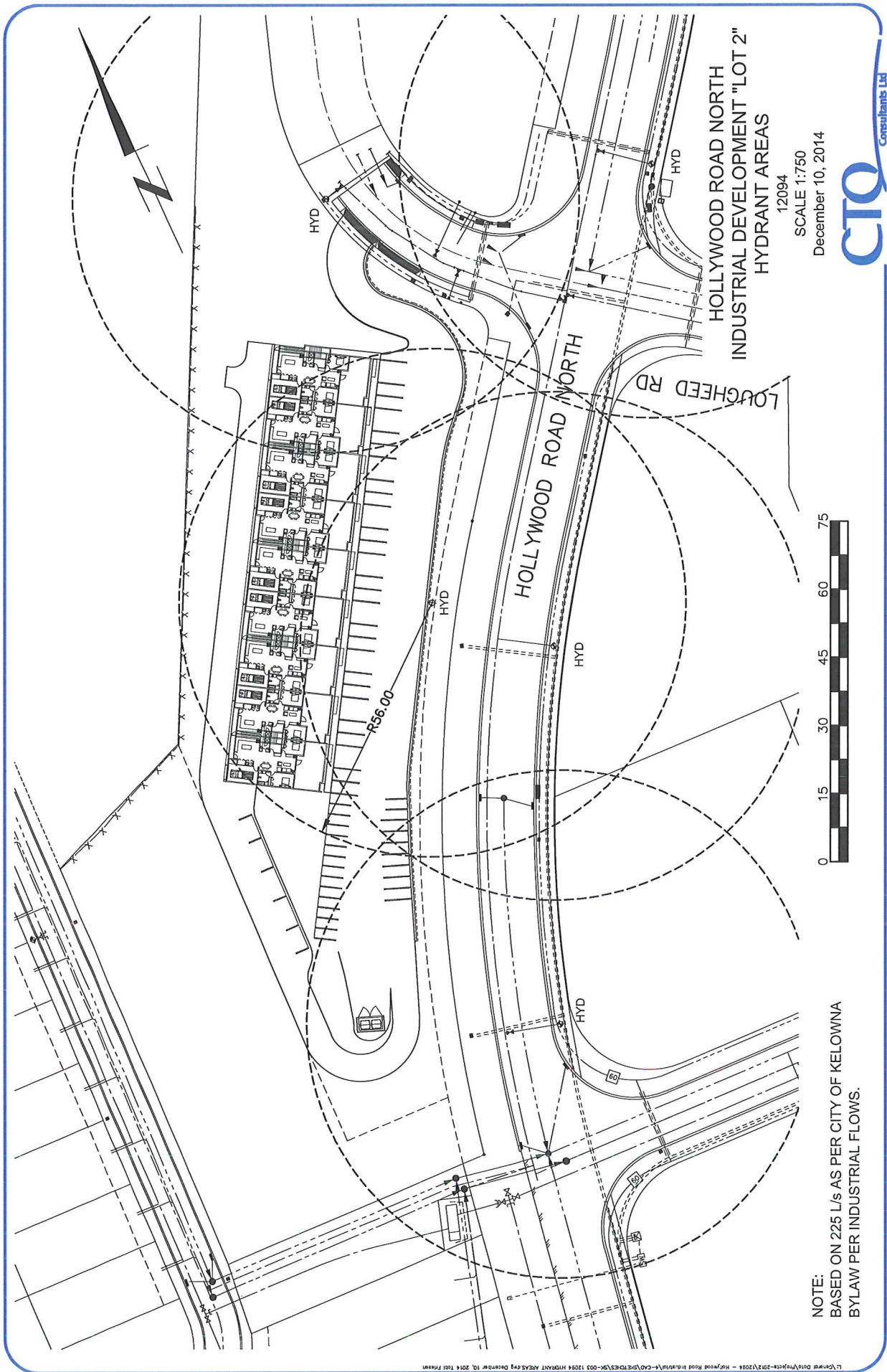
CONCEPTUAL

LANDSCAPE

PLAN CIO
ENGINEERING PLANNING URBAN DESIGN
IP-03 DEC. 2014
12094









FIRE FLOW CALCULATION SHEET

(Based on "Water Supply for Public Fire Protection 1999, Part II - Guide
for Determination of Required Fire Flow" by Fire Underwriter's Survey)

Project: Hollywood Road Industrial
Project No: 12094
Client: Watermark Ventures Ltd
Building ID: Industrial/Residential

By: MHC
Date: 2014-12-10

1. Type of Construction (TC): Non Combustible
 Coefficient (C) based on type of construction = 0.8
 Total Floor Area: 6,448 m² 69,406 ft²

Fire Flow From Formula ($F = 220 C A^{0.5}$): (rounded) 14,000 l/min. (a)

2. Type of Occupancy: Residential / Light Industrial Hazard: Medium
 Hazard Allowance: -20% x (a) = -2,800 l/min.
 Sub-Total: 11,200 l/min. (b)

3. Automatic Sprinklers: Yes - Standard
 Sprinkler Allowance: 40% x (b) = 4,480 l/min. (c)

4. Exposures:	<u>Description</u>	<u>Distance</u>	<u>TC</u>	<u>Sprinklered</u>	<u>Exposure</u>	
	North	Residential	> 45m	N/A	Yes	0%
	South	Industrial	> 45m	N/A	Yes	0%
	East	Industrial	> 45m	N/A	Yes	0%
	West	Residential	> 45m	N/A	Yes	0%

Total Exposure Allowance: 0% x (b) = 0 l/min. (d)

TOTAL FIRE FLOW REQUIRED: (rounded) 7,000 l/min. (b-c+d)
 TOTAL FIRE FLOW REQUIRED: 117 l/s
 BYLAW REQUIREMENTS: 225 l/s

Notes:

The Average Area Per Hydrant is based on **Total Fire Flow Required**
 (Fire Underwriters Survey - Table Pg 16)

Average Area per Hydrant (See Table - Pg. 16) 14,000 m²
 Maximum Spacing of Hydrant 134 m

CITY OF KELOWNA

MEMORANDUM

Date: October 28, 2014
File No.: DP14-0204
To: Urban Planning (AC)
From: Development Engineer Manager (SM)
Subject: 205 Loughheed Road, Lot A, plan KAP84518, Sec. 2, Twp. 23, ODYD.

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

1. Subdivision

- a) Provide easement as may be required.

2. Geotechnical Study.

A comprehensive Geotechnical Study is required (3 reports), which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

- a) Overall site suitability for development.
- b) Presence of ground water and/or springs.
- c) Presence of fill areas.
- d) Presence of swelling clays.
- e) Presence of sulfates.
- f) Potential site erosion.
- g) Provide specific requirements for footings and foundation construction.

3. Domestic water and fire protection.

This development is within the service area of the Glenmore Ellison Improvement District (GEID). 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. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements for the proposed development.

A watermeter is mandatory as well as a sewer credit meter to measure all the irrigation water. Watermeters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

.../2

4. Sanitary Sewer.

The subject property is serviced by the Municipal wastewater collection system and is located within specified area Specified Area #. The existing service connection is 150mm. and this application does not trigger any upgrades or Specified Area charges.

5. Drainage.

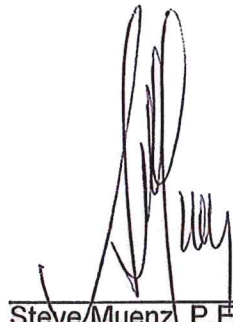
A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, will be a requirement under the building and plumbing permit application.

6. Power and Telecommunication Services.

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

7. Road improvements.

The frontages of Loughheed Road and Hollywood Road North have been constructed under previous phase of development. This application does not trigger any further upgrades.



Steve Muenz, P.Eng.
Development Engineering Manager

B²


CITY OF KELOWNA
MEMORANDUM

Date: October 28, 2014
File No.: Z14-0048
To: Urban Planning (AC)
From: Development Engineering Manager (SM)
Subject: 205 Loughheed Road, Lot A, plan KAP84518, Sec. 2, Twp. 23, ODYD.

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

1. General.

- a) The property is connected to all the Municipal infrastructure services in accordance with Bylaw 7900, this application does not trigger any offsite upgrades.



Steve Muenz, P.Eng.
Development Engineering Manager

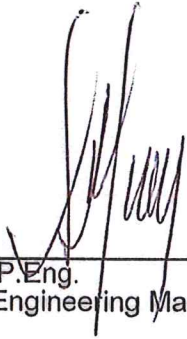
B²

CITY OF KELOWNA
MEMORANDUM

Date: October 28, 2014
File No.: OCP14-0023
To: Urban Planning (AC)
From: Development Engineer Manager (SM)
Subject: 205 Lougheed Road, Lot A, plan KAP84518, Sec. 2, Twp. 23, ODYD.

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

1. General.
 - a) This application does not compromise any Municipal services.
 - b) Development Engineering has no requirements associated with this application.



Steve Muenz, P.Eng.
Development Engineering Manager


B²

CITY OF KELOWNA
MEMORANDUM

Date: October 28, 2014
File No.: TA14-0021
To: Urban Planning (AC)
From: Development Engineering Manager (SM)
Subject: 205 Loughheed Road, Lot A, plan KAP84518, Sec. 2, Twp. 23, ODYD.

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

1. General.
 - a) This application does not compromise any Municipal services.
 - b) Development Engineering has no requirements associated with this application.



Steve Muenz, P.Eng.
Development Engineering Manager

B²

6.5%

Biggest one-week REIT gainer: WPT Industrial
» CIBC

5.6%

Biggest one-week REIT decliner: Morguard
» CIBC

6.0%

Vancouver's downtown office space vacancy rate in Q4 2014, up from 5.4% in Q3. » Colliers

8.5%

Calgary's downtown office space vacancy rate in Q4 2014, up from 7.3% in Q3. » Colliers

PLANNING

Industrial grit meets residential glass in Vancouver

In new twist, Strathcona Village port project puts housing units on top with light industrial space at street level

FRANCES BULA VANCOUVER

Erin Sinclair loves the sounds of Vancouver's port – the trains shunting, the foghorns, the trucks rumbling by.

That's a good thing, since she and her husband, Rob Forbes, have chosen to buy a condo in an unusual Vancouver development – the city's first effort to combine industrial and residential space in a single building in an industrial zone near the port.

It's a first for Canada, as far as anyone knows. But it's an idea that has been getting attention in San Francisco and New York, as those cities look at how to retain or expand industrial jobs, which typically pay substantially more than service jobs, and also provide low-cost housing.

For city planners and developers, the emerging solution is to combine the two in a single building.

Ms. Sinclair doesn't know yet what will occupy the two big floors at the base of her condo project, which is being built on the site of a former glove-manufacturing company. It might be a commercial bakery, a clothing factory, someone making boots or wood furniture, or any number of other light-industrial uses.

"It's a big mystery," says Ms. Sinclair, a graphic designer who works in the film industry. "But we love the area. Vancouver is a city that can be ugly at times, with all the new glass, but at least this has some grit."

That enthusiasm, which appears to have been shared by enough buyers that Wall Financial Corp. has sold almost all of its 280 units in the euphemistically named Strathcona Village, is demonstrating that at least the residential side is popular.

Now the company's president, Bruno Wall, has to see what will happen with the other part of the equation – the industries that might move in.

Talks are just beginning, as Mr. Wall feels out bakeries, local artists and others. (Commercial clients usually make commitments only 12 months ahead of time, and the building, due to start construction in February, will take 30 months to build.)

"Our approach is to be as open as possible. And our strategy has been to see if the residential works first," Mr. Wall said.

But the company was willing to take the gamble, which has brought extra construction costs with it in order to comply with requirements for industrial buildings, as well as ensuring that odours and noise don't intrude on the condo residents. That's



A rendering of Strathcona Village, a residential-industrial project located a few kilometres east of Vancouver's central business district. The city has designated a strip along East Hastings as a PDR – production, design and repair – area, in an effort to retain or grow light industry. DESIGNATOR

66

It's not your grandmother's industry. It's less noxious than when zoning laws were first put in place.

Mark Foggin
Principal, Public Works Partners,
N.Y. public-policy consulting firm

meant a separate ventilation system, among other things.

Mr. Wall's experiment is attracting attention. He's had a call from New York public-policy consulting firm Public Works Partners to talk about the details of this kind of project.

Principal Mark Foggin said cities are re-evaluating how to incorporate industrial into neighbourhoods, as the nature of industrial activity has taken some new turns.

"In general, there's been an increase in smaller-scale manufacturing lately," he said. Small food operations, producing anything from pickles to ice cream to salami, Etsy-focused craft operations, artisan studios for furniture and glass, craft brewing and more have created a demand for small-scale industrial space.

"I don't want to over-romanti-

cize this. And there are many immigrants starting their own small operations," Mr. Foggin said. "But it is happening. It's not your grandmother's industry. It's less noxious than when zoning laws were first put in place."

Cities started to separate residential, commercial and industrial uses in the early 20th century, as newcomers packed into cities to work in the factories that proliferated during the Industrial Revolution. They crowded into blocks that also had everything from slaughterhouses to tanning factories to welding operations. Health officials, in particular, drove the effort to get people's living quarters away from factories that produced smells, waste and toxic substances.

But New York city council just started discussing in November a new report it commissioned on how to revitalize its industrial sector. One of the recommendations: a new mixed commercial-residential-industrial district.

"The creation of the 'MX' zone acknowledged the value of mixed-use neighborhoods and tried to find a solution that could increase the residential capacity while maintaining their dynamism," the report said.

San Francisco has developed a strategy to combine industrial

and residential in some neighbourhoods near its downtown. Vancouver hasn't gone that far. It has designated only a small strip along East Hastings, bordering the port industrial zone a few kilometres east of the central business district, for this new combination of condos with a sector of industrial called PDR – production, design and repair.

The tricky part in Vancouver, where land and housing prices have skyrocketed to unprecedented levels, is to ensure that any new zoning doesn't set off a frenzy of land speculation, as developers bet on the possibility of industrial land being converted to residential.

The city's assistant planning director, Kevin McNaney, said the city is allowing this kind of combination, which will also have a small amount of retail, in a very limited area.

"We put this forward as a possibility, a chance to get different kinds of jobs," he said. "Vancouver has fewer large-scale operations or wholesale that is space-intensive. It is more artisans and small-scale. They need cheap space. If we want to keep those jobs, we need to keep those low values and rents."

The combination also allows for low housing prices, since the

industrial-zoned land is cheaper than other kinds. Ms. Sinclair and her husband bought a two-bedroom condo in the project, where those units are priced in the high \$300,000s – a good deal for Vancouver.

As well, as a condition of the rezoning, Mr. Wall is building 70 units, aside from the market condos, that will be turned over to the city to be used for social housing. Those will be rented at rates ranging from \$375 a month to market levels – a pool of relatively low-cost rentals that wouldn't have been possible on another site.

Will this project be replicated in Vancouver? Mr. Wall says it would be difficult. His company bought a piece of land that was large enough to accommodate a big project, which this kind of combination needs. But there aren't a lot of similar large lots around.

Since this project was approved, the city has also put in new requirements for an even higher proportion of social housing in any project.

But, says Mr. Wall, "as other developers see our success, they'll be able to project whether it will work for them."

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CITY OF KELOWNA
BYLAW NO. 11100
TA14-0021 - New CD25 - Light Industrial-Residential Mixed Use 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 City of Kelowna Zoning Bylaw No. 8000, **Section 1 - General Administration, 1.3 Zoning Map, 1.3.1** be amended by adding the following to the table under **Section 18 - Comprehensive Development Zone**:

CD25	Light Industrial-Residential Mixed Use Zone
------	---

2. AND THAT **Schedule 'B' - Comprehensive Development Zones**, be amended by adding a new **CD25 - Light Industrial-Residential Mixed Use Zone** as attached to and forming part of this bylaw.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

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

Schedule 'B' Comprehensive Development Zones

CD25 - Light Industrial-Residential Mixed Use Zone

1.1 Purpose

The intent of this zone is to permit a mixed light industrial and residential use development. The development will consist of residential uses in combination with small light industrial uses to be contained in the same structure. The purpose for this zone is to provide for a transition between the adjacent residential on one side and the light industrial on the other side. This strategic use of the site allows a residence in close proximity to a superior class of clean industrial and office space where compatibility amongst all uses is paramount.

1.2 Principal Uses

The principal uses in this zone are as follows:

- a) **broadcasting studios**
- b) **commercial storage**
- c) **contractor services, limited**
- d) **custom indoor manufacturing**
- e) **equipment rentals**
- f) **food primary establishment**
- g) **household repair services**
- h) **industrial high technology research and product design**
- i) **liquor primary establishment, minor**
- j) **mobile catering food services**
- k) **participant recreation services, indoor**
- l) **private clubs**
- m) **multiple dwelling housing**

1.3 Secondary Uses

The secondary uses in this zone are as follows:

- a) **home based business, minor**
- b) **retail (ancillary to principle uses)**

1.4 General Conditions of Use

1.4.1 Industrial

- a) No use shall produce dust or other emissions that exceed standards set by provincial legislation without the authorization from appropriate provincial agency.

- b) No use shall produce odor, glare, vibration or noise that creates a nuisance or that impairs the use, safety or livability of adjacent properties including the residential units above the industrial.
- c) All principal uses, except residential, shall be confined to the lower units with all operations, storage, office and administration functions.
- d) Outdoor operations, storage or associated long term **vehicle** parking is not permitted on the premises.
- e) Contractors and other similar operators requiring fleet vehicles are not permitted to park more than two **vehicles** in outdoor parking areas.
- f) **Drive-in food services** are not a permitted form of development in this zone.
- g) All lighting shall be of a residential character in design, downward directional and constructed at the lowest elevation practical for the intended application so as to minimize light trespass to residential units above.
- h) Mezzanine floors within the first storey may only be used for office or light storage. Operations, residential use and associated industrial activity are not permitted on mezzanine floors.
- i) Principal uses other than residential are not permitted above the first storey.
- j) Auto body repair and paint shops are prohibited in this zone.

1.4.2 Residential

- a) All residential uses shall be located above the first storey.
- b) Garages for residential units shall be on the second storey, accessed from ground level from the rear of the building.
- c) Residential outdoor space is restricted to amenity areas on decks and balconies. Common landscaped areas are accessible as passive green space for all homeowners.
- d) Separate entrances to each residential unit will be located on the upper floor and separated from the industrial uses respecting all British Columbia Building Code requirements that are in force.
- e) **Home based businesses** shall only be permitted within a dwelling unit.

1.4.3 Outdoor Storage

- a) No outdoor storage of any kind is permitted.
- b) **Ancillary** storage shall not be permitted in compounds, **accessory buildings**, or **storage containers**. Outdoor storage racks are also not permitted on site, except when exchanging equipment and apparatus from inside the industrial

units. Duration of such racking will not be permitted longer than one (24 hour) day.

- c) All garbage bins shall be located and screened in accordance with the City of Kelowna Zoning Bylaw requirements. Access for pick up and drop off of garbage bins shall not conflict with residential or customer traffic and parking.
- d) Trucks and company fleet vehicles may not be parked in designated on-site parking spaces while being used for storage, outdoor displays or sales and in any state of disrepair.

1.4.4 Parking

- a) Parking for residential tenants shall be separate from parking designated for the industrial uses and associated customers.
- b) Residential uses will be required to contain their own parking spaces within the structure in accordance to the City of Kelowna Zoning Bylaw.

1.4.5 Home Based Business

- a) A **home based business, minor** will be permitted in accordance to the City of Kelowna zoning provisions and only if associated with the principal residential use.
- b) A home occupation/home based business will not be permitted to occupy additional residential units in the building.

1.4.6 Retail Commercial

- a) Retail for the purposes of the CD25 zone means where goods, merchandise and other materials are offered for sale at retail to the general public.
- b) Retailing of any goods and services may only be permitted if such goods and services are directly related to the principal use, must entail minor retail occurrences and occupy very limited space to displays within the industrial unit. The maximum floor area devoted to retailing and such accessory activities shall not exceed 25% of the **gross floor area** of the **building(s)**.

1.4.7 Signs

- a) The type, size, design, amount and placement of signs shall be subject to Development Permit Area Guidelines and provisions of the City of Kelowna Sign Bylaw.

1.4.8 Landscaping, Screening and Fencing

- a) All landscaping of yards shall be in accordance with the City of Kelowna Zoning Bylaw.
- b) Visual screening of any appurtenances and equipment on building walls and rooftops is required in accordance with the Development Permit Area Guidelines.

- c) Garbage receptacles and bins must be screened from view with appropriate opaque fencing and landscape materials which are consistent with the overall site design.
- d) All other requirements shall be subject to the Development Permit Area Guidelines.

1.4.9 Appurtenances/Mechanical

- a) Vents, ducts, stacks and any other appurtenances or mechanical equipment that may be required for the lower floor uses shall not direct noise, dust or odors towards or onto the upper floor uses or adjacent uses.
- b) All external appurtenances and mechanical equipment must be designed to not be visually obtrusive or are to be properly screened.

1.5 Floor Area Ratio/Lot Coverage

- a) The maximum **floor area ratio** is 0.20.
- b) The maximum **site coverage** is 50% including building, drive lanes and parking areas.

1.6 Setbacks

- a) The minimum front yard is 10m for all buildings and structures.
- b) The minimum side yards are 25m (east side) and 11.5m (west side) for all buildings and structures.
- c) The minimum rear yard is 41m for all buildings and structures (abutting other zones).

1.7 Height

- a) The maximum height is 14m for the combined industrial and residential building.

1.8 Parking and Loading (Off-street)

- a) Parking shall be provided in accordance with the Parking and Loading regulations of the City of Kelowna Zoning Bylaw.
- b) Off-street parking space requirements for the industrial uses will account for 41 stalls, including space for tenants and customers.
- c) Off-street parking space requirements for the residential uses will account for 14 stalls, including the enclosed garages and visitor parking spaces.
- d) Loading and unloading bays are required at one stall per industrial unit (9 oversized stalls).

1.9 Development Permit Guidelines

- a) Every application for CD25 Zone shall be accompanied by an application for a Development Permit.

CITY OF KELOWNA

BYLAW NO. 11101

**Official Community Plan Amendment No. OCP14-0023 -
Watermark Ventures Ltd. formerly known as Georg-Michael Holzhey
Ltd. Inc. No. BC0812540
205 Lougheed Road**

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 Lot A, Section 2, Township 23, ODYD, Plan KAP84518, located on Lougheed Road, Kelowna, B.C., from the IND - Industrial designation to the IND-T - Industrial -Transitional designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11102
Z14-0048 - Watermark Ventures Ltd. formerly known as
Georg-Michael Holzhey Ltd. Inc. No. BC0812540
205 Lougheed 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 A, Section 2, Township 23, ODYD, Plan KAP84518, located on Lougheed Road, Kelowna, B.C., from the I1 - Business Industrial zone to the CD25 - Light Industrial/Residential Mixed Use 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

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: May 25, 2015
File: 1200-30
To: City Manager
From: Ryan Smith, Urban Planning Manager and Danielle Noble-Brandt, Policy & Planning Department Manager
Subject: OCP15-0002 and TA15-0001 Multi-Residential Shared Garden Amendments
Report Prepared by: Tracy Guidi, Sustainability Coordinator

Recommendation:

THAT Official Community Plan Bylaw Text Amendment No. OCP15-0002 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 as outlined in the report of the Urban Planning and Policy & Planning Departments dated May 25, 2015 be considered by Council;

AND THAT Zoning Bylaw Text Amendment No. TA15-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by amending the text found in "Schedule A" of the report of the Urban Planning and Policy & Planning Departments, dated May 25, 2015, be considered by Council;

AND THAT Council considers the public process outlined in the Report of the Urban Planning and Policy & Planning Departments, dated May 25, 2015, to be appropriate consultation for the purpose of Section 879 of the Local Government Act;

AND FURTHER THAT the OCP Official Community Plan Bylaw Amendment and the Zoning Bylaw Amendment be forwarded to Public Hearing for further consideration.

Purpose:

To introduce specific policy direction with respect to community gardens (public) and private sector multi-residential shared garden space. This is the first of a series of City initiated actions to increase urban food opportunities for community food security.

Text amendments are being proposed for both the OCP and the Zoning Bylaw such that the two policies will align.

Background:

Food security exists when all community residents have access to sufficient, safe, healthy and culturally acceptable foods produced in a manner that promotes health, protects the

environment and adds economic and social value to communities. To help achieve food security in Kelowna, objective 5.13 of the 2030 Official Community Plan is to “increase local food production.”

The City has partnered and encouraged the development of community gardens in Kelowna as one way to increase local food production. There are 11 publically accessible community gardens in Kelowna, managed by the Central Okanagan Community Garden Society (COCGS), 8 of which are on City property. The popularity and demand for garden space continues to rise, and currently the Society has a 200 person waitlist for plots. Staff was approached by the COCGS enquiring about potential options for garden space for residents in new multi-family developments to help alleviate the waitlist for community garden plots.

Best practice research revealed that several BC municipalities¹ have policies and bylaws to encourage the provision of garden space for the use of residents in new multi-unit housing. Further, research by UBC Okanagan in conjunction with the COCGS determined that eight multi-residential developments and three care facilities in Kelowna currently have shared garden spaces for residents.

The proposed OCP amendments (Schedule A, attached) and supporting Zoning Bylaw amendments (Schedule B, attached), are based on best practices from other BC communities and provide policy to encourage the development of multi-residential shared gardens in new developments. The COCGS and Interior Health both support these proposed amendments (see attached letters of support) as a way of expanding opportunities for local food production while easing pressure for community garden plots.

Proposal:

The proposed OCP text amendments (Schedule A, attached) introduce policies to encourage urban agriculture in multi residential developments. Amendments include:

- Food security definition - Developed through a combination of best practices research and consultation with Interior Health’s Population Health Services, this definition provides a building block for future food security initiatives and policy.
- Integrated land use policy - The purpose of this policy is to encourage the integration of land use approaches to improve opportunities for biodiversity, connectivity and food production.
- Multi-residential shared garden policy - This policy complements the existing OCP community garden policy, by encouraging garden space in private multi-family developments.
- Multi-residential shared garden plots design guidelines - These guidelines are based on similar landscaping design guidelines outlined in Chapter 12 of the OCP.

Based on these OCP proposed amendments as well as current OCP Policy on community gardens, the following proposed Zoning Bylaw amendments translate the policy direction into zone regulations:

- Define community garden and multi-residential shared garden;
- List community gardens as principal use in all residential, commercial, public and institutional zones; and

¹ Research from Victoria, Vancouver, port moody, Richmond, Sooke, Vernon, Nanaimo

- Outline specific use regulations for both community gardens and multi-residential shared gardens. These regulations are based on recommended best practices recommended in the provincial “Local Government Toolkit for Community Gardening” (2009) and the City of Vancouver’s Urban Agriculture Design Guidelines for the Private Realm.”

Further, the proposed amendments to Zoning Bylaw provide incentives to encourage the development of garden space in conjunction with multi-residential developments including:

- Allowing 10% of private amenity space (balconies, roof top open spaces) in multi-residential developments to be transferred to a shared garden space elsewhere on the parcel.
- Exchange of up to 1.0m of rear landscaping buffer for an on-site shared garden space, with a 2.0m landscaping buffer remaining.

Note: total shared garden space for the multi-residential development would be equivalent to the private amenity space or landscaping buffer area which is being taken.

In summary, the intent of this comprehensive package of OCP policy update and corresponding Zoning Bylaw amendments puts in motion an increased opportunity for new multi-family developments to incorporate shared garden space that serves a host of economic, social and land use objectives. The goal of creating this type of policy is to support, encourage, and facilitate an array of opportunities to support food production and population health. By removing barriers and/or providing incentives, it is likely that local food production activities will increase, and the multitude of benefits for this type of activity can be realized. The City of Kelowna (in partnership with other stakeholders) is moving towards local food system resiliency, and this is the first of a series of proposed amendments to encourage this use within an urban setting.

Internal Circulation:

Divisional Director, Community Planning and Real Estate
 Manager, Parks Services
 Manager, Community and Neighbourhood Services
 Manager, Building and Permitting
 Manager, Park and Building Planning
 Park and Landscape Planner

Legal/Statutory Authority:

Local Government Act Part 26, Division 2 - Official Community Plans, Section 875-882 and Part 26, Division 7 - Zoning and Other Development Regulation, Section 903.

Legal/Statutory Procedural Requirements:

Local Government Act Section 879 (1) specifies that a local government must, during the development, repeal or amendment of an official community plan, provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. This consultation is in addition to the required public hearing.

Existing Policy:

Including policy to increase access to garden plots in multi-family developments will help achieve *OCP Objective 5.13 Increase Local Food Production* and provide for food security.

External Agency/Public Comments:

The proposed OCP and Zoning Bylaw amendments were circulated to the Central Okanagan Community Garden Society (COCGS) and Interior Health (IH):

- COCGS provided a letter of support (attached)
- Interior Health provided input to the food security definition as well as a letter of support on the proposed changes (attached)

Further, the requirement for consultation under Section 879 (1) of the *Local Government Act* was addressed by advertising in the May 8 and May 15, 2015 Capital News and posted the information on the website. Only one positive comment was received, from a Registered Dietician with the Central Okanagan Food Policy Council.

Considerations not applicable to this report:

Financial/Budgetary Considerations:

Personnel Implications:

Communications Comments:

Alternate Recommendation:

Submitted by:

R. Smith, Urban Planning Manager

D. Noble-Brandt, P&P Manager

Approved for inclusion:



Doug Gilchrist, CP&RE Divisional Director

cc:

Director, Community Planning and Real Estate
Manager, Parks Services
Manager, Community and Neighbourhood Services
Manager, Building and Permitting
Manager, Park and Building Planning
Park and Landscape Planner

Official Community Plan 2030 Bylaw No. 10500

OCP15-0002

No.	Section	Existing Text	Proposed Text
1	<p>Chapter 5 - Development Process</p> <p>Add a new policy under Objective 5.2 as Policy 5.2.5 in Chapter 5 – Development Process. Also add the Economic Sustainability, Social Sustainability, Environmental Sustainability and Cultural Sustainability icons.</p>	None	<p>Integrated Land Use. Integrate land use approaches wherever possible to improve opportunities for biodiversity, ecosystem connectivity, recreation, agriculture and local food production, while reducing conflicts.</p>
2	<p>Chapter 5 - Development Process</p> <p>Add a new policy under Objective 5.13 as Policy 5.13.4 in Chapter 5 – Development Process. Also add the Economic Sustainability, Social Sustainability, Environmental Sustainability and Cultural Sustainability icons.</p>	None	<p>Multi-Residential Shared Garden. Encourage new development to include contiguous space intended for garden space for residents.</p>
3	<p>Chapter 14 - Urban Design DP Guidelines</p> <p>Add a new Guideline under section 10.0 Decks, balconies, rooftops, and common</p>	None	<p>Multi-Residential Shared Garden plots should:</p> <ul style="list-style-type: none"> • Take inspiration from the site's architecture and landscape treatments for design and layout. • Be located to maximize sunlight access. • Incorporate enhanced universal

Official Community Plan 2030 Bylaw No. 10500			
OCP15-0002			
No.	Section	Existing Text	Proposed Text
	outdoor amenity space as Guideline 10.5 in Chapter 14 – Urban Design Development Permit Areas		<p>accessibility features on some plots.</p> <ul style="list-style-type: none"> • Ensure landscape installation standards including growing medium depth and quality meet the requirements of the BC Landscape Standard (Latest Edition) and/or the Master Municipal Construction Document (Year 2000 Gold Edition).
4	<p>Chapter 17 Definitions</p> <p>Add a new definition to section 'F' in Chapter 17 – Definitions.</p>	None	<p>FOOD SECURITY</p> <p>All community residents have access to sufficient, safe, healthy and culturally acceptable foods produced in a manner that promotes health, protects the environment and adds economic and social value to communities.</p>

Zoning Bylaw No. 8000

TA15-0001

No.	Section	Existing Text	Proposed Text
1	2 - Definitions 2.3 General Definitions	None	MULTI-RESIDENTIAL SHARED GARDEN means a portion of a parcel, shared with a multi-residential dwelling that is used for the recreational growing of plants for food and/or pleasure for the residents of the multi-residential dwelling. It does not include the growing and sale of produce for commercial purposes.
3	2 - Definitions 2.3 General Definitions	None	COMMUNITY GARDEN means the recreational growing of plants, on a publically or privately owned parcel, and does not include the growing and subsequent sale of produce for commercial purposes. This use is limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public. This definition does not include the keeping of poultry and/or livestock.
	Section 9	None	9.11 Multi-Residential Shared Garden
4	9 - Specific Use Regulations 9. 11 Multi-Residential Shared Gardens	None	<p>9.11.1 A Multi-residential shared garden must be solely for the use of the residents on the parcel.</p> <p>Multi-residential shared gardens shall:</p> <ul style="list-style-type: none"> (a) be screened from adjacent streets and/or parking area by landscaping; (b) be integrated into the overall landscape design; (c) be located on a parcel where exposure to

Zoning Bylaw No. 8000

TA15-0001

No.	Section	Existing Text	Proposed Text
			<p>sunlight is optimal;</p> <p>(d) have no outdoor storage of equipment and materials related to the multi-residential shared garden kept on the parcel;</p> <p>(e) not have equipment, building or structures of any sort within 3m of a property line flanking a street;</p> <p>(f) an accessory building or structure may be constructed to support a multi-residential shared garden which may be no larger than 30m² ;</p> <p>(g) have an easily accessible water source;</p> <p>(h) not block emergency routes or access;</p> <p>(i) follow the City of Kelowna's Pesticide Use Regulation Bylaw No. 9920;</p> <p>(j) not take up a designated vehicle parking or loading spaces; and</p> <p>(k) provide an onsite location for odour-free organic waste disposal or transport organic waste to a suitable disposal facility.</p>
5	Section 9 9.11 Multi-Residential Shared Garden	None	9.11.2 Multi- residential Shared Gardens shall provide a minimum of one garden plot that is universally accessible, a minimum of 0.75m high and located closest to the principal building and/or multi-residential shared garden entrance.
7	Section 9	None	9.12 Community Garden

Zoning Bylaw No. 8000

TA15-0001

No.	Section	Existing Text	Proposed Text
8	Section 9 9.12 Community Garden	None	<p>9.12.1 In order to be permitted on a parcel a Community Garden shall:</p> <ul style="list-style-type: none"> (a) conform to the applicable zoning requirements for accessory buildings or structures, or greenhouse when accommodating these structures in conjunction with a community garden; (b) be delineated from adjacent streets and/or parking areas by landscaping; (c) have no or materials related to the community garden stored outside on the parcel; (d) not have any equipment, building or structures of any sort within 3m of an adjacent street; (e) have an easily accessible water source; (f) follow the City of Kelowna's Pesticide Use Regulation Bylaw No. 9920; (g) provide an onsite location for odour-free organic waste disposal or transport organic waste to a suitable disposal facility; (h) not take up designated vehicle parking or loading spaces; and (i) be limited to one freestanding sign or a fence mounted sign that is a maximum of 2.0m high and a maximum of 3.0m² sign area that displays the name of the community garden.

Zoning Bylaw No. 8000

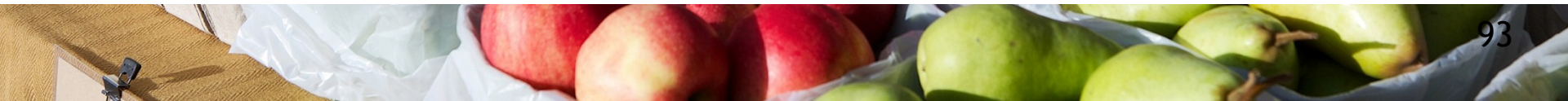
TA15-0001

No.	Section	Existing Text	Proposed Text
9	All Urban Residential, Rural Residential, Commercial, and Public and Institutional Zones Sections 12, 13, 14, & 16.	None	List Community Garden as a Principal Use
10	Section 13 - Urban Residential Zones 13.8.6 (i) 13.9.6 (h) 13.10.6 (h) 13.11.6 (g) 13.12.6 (g) 13.16.7 (c)	None	For multiple dwelling housing, congregate housing, group home, major or supportive housing, major developments up to 1.0m of required rear yard landscaping buffer may be transferred to a multi-residential shared garden on the same parcel.
11	Section 13 - Urban Residential Zones 13.8.7 (j) 13.9.6 (i) 13.10.6 (i) 13.11.6 (h) 13.12.6 (h) 13.16.7 (d)	None	For multiple dwelling housing, congregate housing or group home, major developments 10% of the private open space requirement per unit may be transferred to a multi-residential shared garden located on the same parcel.
12	Section 13 - Urban Residential Zones 13.8.3 (d) 13.9.3 (e)	None	List multi-residential shared gardens in conjunction with multiple dwelling housing, congregate housing, group home, major or supportive housing, major as a secondary use

Zoning Bylaw No. 8000			
TA15-0001			
No.	Section	Existing Text	Proposed Text
	13.10.3 (e) 13.11.3 (e) 13.12.3 (i) 13.16.4 (d)		

OCP15-0002 AND TA15-0001

Multi-Residential Shared Gardens



WHAT IS FOOD SECURITY?

All community residents have access to sufficient, safe, healthy and culturally acceptable foods produced in a manner that promotes health, protects the environment and adds economic and social value to communities.



CURRENT OCP POLICY

- ▶ Objective 5.13 - Increase local food production
- ▶ Policy 5.13.2 - Community Gardens. Encourage private and non-profit sector universally-accessible community gardening. Where appropriate, consider the use of city-owned land for use as community gardens.



BACKGROUND

In Kelowna there are:

- ▶ **11** community gardens
 - ▶ 8 are located on City of Kelowna property
 - ▶ All managed by Central Okanagan Community Garden Society
- ▶ **200+** people on a wait list for a community garden plot



Hartman Road Community Garden
One universally accessible garden plot

BACKGROUND

- ▶ 8 multi-residential developments which have on-site shared garden spaces for residents
- ▶ 3 care facilities which have on-site shared garden space for residents



Winsome Hill – Mission Group

Shared garden space for a townhouse
development

OCP PROPOSED AMENDMENTS

- ▶ Food security definition
- ▶ Integrated land use policy
- ▶ Multi-residential shared garden policy
- ▶ Multi-residential shared garden plot design guidelines



Gordon Drive Short Term Housing

Shared garden space for an apartment style
affordable housing development

ZONING BYLAW PROPOSED AMENDMENTS

COMMUNITY GARDENS

- ▶ Introduce Community Garden definition
- ▶ List community gardens as principal use in all residential, commercial, public and institutional zones
- ▶ Introduce specific use regulations.



Lindahl Community Garden

ZONING BYLAW PROPOSED AMENDMENTS

MULTI-RESIDENTIAL SHARED GARDENS

- ▶ Introduce Multi-Residential Shared Gardens definition
- ▶ Outline specific use regulations
- ▶ Introduce incentives to encourage multi-residential developments to incorporate gardens



St. Paul Community Garden

ZONING BYLAW PROPOSED AMENDMENTS

SHARED GARDENS INCENTIVES

- ▶ Up to 10% of private open space requirement per unit may be transferred to multi-residential shared garden located on the same parcel.

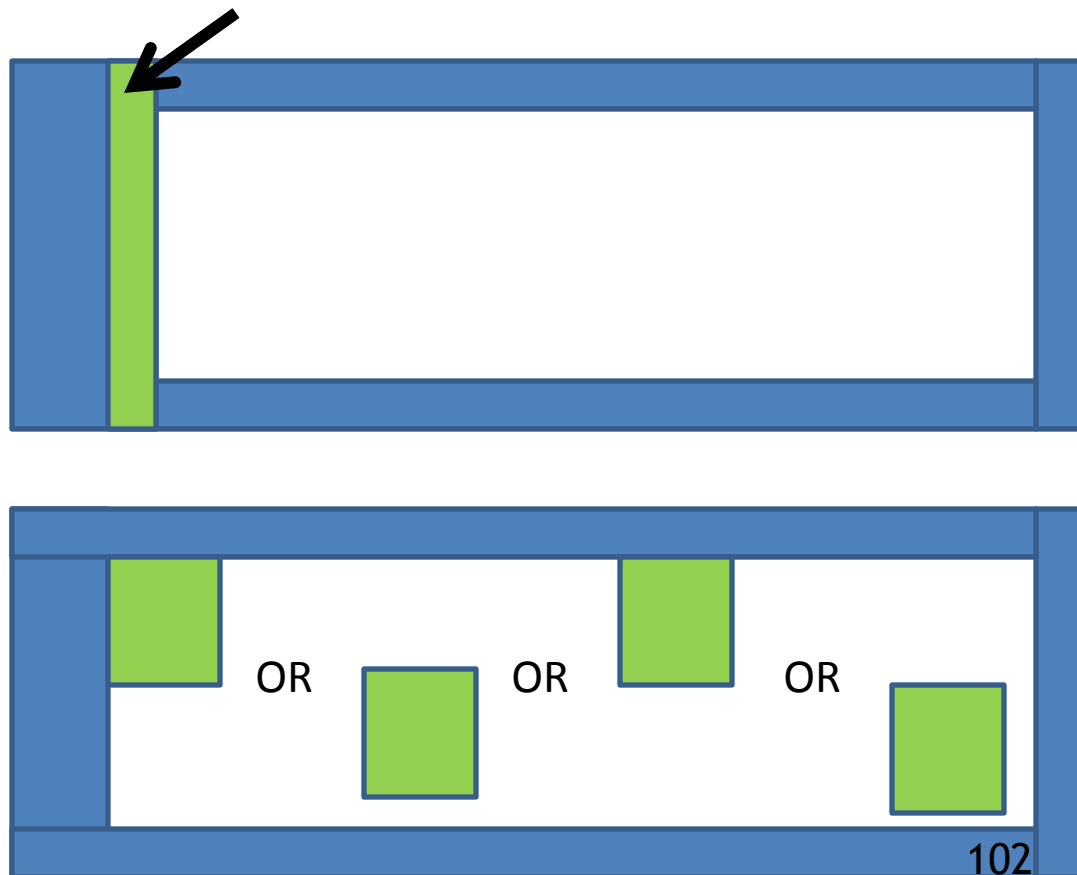
	Private open space requirement	Private open space after 10% reduction
Bachelor	7.5 m ²	6.75 m ²
1 bedroom dwelling	15 m ²	13.5 m ²
2 bedroom dwelling	25 m ²	22.5 m ²

***Example: RM3 Low Density Multiple Housing
Private Open Space Reduction Impacts***

ZONING BYLAW PROPOSED AMENDMENTS

SHARED GARDENS INCENTIVES

- ▶ 1m of rear landscaping buffer may be exchanged for a shared garden space on the parcel
- ▶ A 2m rear landscape buffer would remain and an on-site garden area is provided for residents to enjoy



SUMMARY

- ▶ Local food systems build vibrant and healthy food systems, environments, and communities.
- ▶ By ensuring that local policy is supportive, we ensure that all residents can benefit from a thriving local food economy.





City of Kelowna Council,
c/o Tracey Guidi, Sustainability Coordinator,
City of Kelowna

Feb 3, 2015

Central Okanagan Community Gardens Society (COCG) has long been advocating for more multifamily housing to include garden space. As the city has grown with more and more condos and apartments, the desire for urban garden space has also grown. In Kelowna alone, COCG oversees 11 community gardens, through a volunteer board and one part-time paid coordinator and the demand is far from being met. Some of the gardens currently have in excess of 50 names on their wait lists.

Therefore COCG is happy to endorse the new by-laws proposed by the City of Kelowna Planning department as a large step in the right direction, encouraging the building of garden space in multifamily developments within the guidelines suggested.

COCG would hope that City of Kelowna Councillors would see the merit in these proposals and pass the new by-laws.

Sincerely,

Ruth Mellor,

A handwritten signature in black ink that reads "Ruth M. Mellor".

Chair, COCG

On behalf of the COCG Board



Interior Health
Every person matters

May 12, 2015

Tracy Guidi
Sustainability Coordinator
City of Kelowna

Dear Ms. Guidi

RE: OCP & Zoning Bylaw amendments for multi-residential shared garden

Interior Health supports the proposed Official Community Plan and Zoning Bylaw amendments that will encourage local food production through community gardens and shared garden space in multi-residential developments.

Gardening has a positive impact on many aspects of health and wellbeing. People who participate in gardening activities consume more fruits and vegetables. This contributes to improved health and reduced risk of chronic disease. Not only does gardening improve access to healthy food, it also increases physical activity through digging, turning compost and raking.

The mental health benefits of gardening, viewing green space and being in green space include reduced stress, depression and anxiety levels. The heightened sense of community among those who participate in community gardening and increased social connection opportunities, contribute to an overall sense of belonging in the broader community context.

The City of Kelowna's Official Community Plan policies and zoning bylaws currently address some aspects of food security. Interior Health commends the leadership Kelowna is demonstrating by strengthening its policies to include a greater variety of activities that facilitate easier access to healthy food and healthy behaviours, and ultimately increased health of the community.

Kind Regards,

Heather Deegan, MSc, RD
Manager, Population Health Services

Bus: (250) 868-7887
Fax: (250) 868-7809
Email: Heather.Deegan@interiorhealth.ca
Web: www.interiorhealth.ca

INTERIOR HEALTH
PROMOTION & PREVENTION, CIHS
1340 Ellis Street
Kelowna, BC V1Y 9N1

CITY OF KELOWNA

BYLAW NO. 11056

Official Community Plan Amendment No. OCP15 - 0002 Shared Gardens Amendments to Official Community Plan Bylaw No. 10500

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 **Chapter 5 - Development Process**, Objective 5.2 Develop sustainability be amended by adding in its appropriate location the following new Policy .5 with the Economic Sustainability, Social Sustainability, Environmental Sustainability and Cultural Sustainability icons that reads:

"Policy .5 **Integrated Land Use.** Integrate land use approaches wherever possible to improve opportunities for biodiversity, ecosystem connectivity, recreation, agriculture and local food production, while reducing conflicts."

2. AND THAT **Chapter 5 - Development Process**, Objective 5.13 Develop process be amended by adding in its appropriate location the following new Policy .13 with the Economic Sustainability, Social Sustainability, Environmental Sustainability and Cultural Sustainability icons that reads:

"Policy .4 **Multi-Residential Shared Garden.** Encourage new development to include contiguous space intended for garden space for residents."

3. AND THAT **Chapter 14 - Urban Design DP Guidelines**, 10.0 Decks, balconies, rooftops, and common outdoor amenity space be amended by adding a new 10.5 as follows:

"10.5 Multi-Residential Shared Garden plots should:

- Take inspiration from the site's architecture and landscape treatments for design and layout.
- Be located to maximize sunlight access.
- Incorporate enhanced universal accessibility features on some plots.
- Ensure landscape installation standards including growing medium depth and quality meet the requirements of the BC Landscape Standard (Latest Edition) and/or the Master Municipal Construction Document (Year 2000 Gold Edition)."

4. AND THAT **Chapter 17 - Definitions**, be amended by adding a new section F with a new definition for **Food Security** as follows:

“FOOD SECURITY

All community residents have access to sufficient, safe, healthy and culturally acceptable foods produced in a manner that promotes health, protects the environment and adds economic and social value to communities.”

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

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11096
**TA15-0001 - Amendments to Include Multi-Residential Shared
and Community Gardens**

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, **Section 2 - Interpretation** be amended by adding the following new definitions in their appropriate location:

"COMMUNITY GARDEN means the recreational growing of plants, on a publically or privately owned parcel, and does not include the growing and subsequent sale of produce for commercial purposes. This use is limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public. This definition does not include the keeping of poultry and/or livestock.

MULTI-RESIDENTIAL SHARED GARDEN means a portion of a parcel, shared with a multi-residential dwelling that is used for the recreational growing of plants for food and/or pleasure for the residents of the multi-residential dwelling. It does not include the growing and sale of produce for commercial purposes."

2. AND THAT **Section 9 - Specific Use Regulations** be amended by adding the following new sub-sections as follows in their appropriate location:

"9.11 Multi-Residential Shared Garden

- 9.11.1 A **Multi-residential shared garden** must be solely for the use of the residents on the parcel. **Multi-residential shared gardens** shall:

- (a) be screened from adjacent **streets** and/or parking area by **landscaping**;
- (b) be integrated into the overall **landscape** design;
- (c) be located on a parcel where exposure to sunlight is optimal;
- (d) have no outdoor storage of equipment and materials related to the **multi-residential shared garden** kept on the parcel;
- (e) not have equipment, building or structures of any sort within 3m of a property line flanking a street;
- (f) an **accessory building or structure** may be constructed to support a **multi-residential shared garden** which may be no larger than 30m²;
- (g) have an easily accessible water source;
- (h) not block emergency routes or access;
- (i) follow the City of Kelowna's Pesticide Use Regulation Bylaw No. 9920;
- (j) not take up a designated vehicle parking or loading spaces; and
- (k) provide an onsite location for odour-free organic waste disposal or transport organic waste to a suitable disposal facility.

- 9.11.2 **Multi- residential Shared Gardens** shall provide a minimum of one garden plot that is universally accessible, a minimum of 0.75m high and located closest to the principal building and/or **multi-residential shared garden** entrance.

9.12 Community Garden

9.12.1 In order to be permitted on a parcel a **Community Garden** shall:

- (a) conform to the applicable zoning requirements for **accessory buildings or structures**, or **greenhouse** when accommodating these structures in conjunction with a **community garden**;
- (b) be delineated from adjacent **streets** and/or parking areas by **landscaping**;
- (c) have no or materials related to the **community garden** stored outside on the parcel;
- (d) not have any equipment, building or structures of any sort within 3m of an adjacent street;
- (e) have an easily accessible water source;
- (f) follow the City of Kelowna's Pesticide Use Regulation Bylaw No. 9920;
- (g) provide an onsite location for odour-free organic waste disposal or transport organic waste to a suitable disposal facility;
- (h) not take up designated vehicle parking or loading spaces; and
- (i) be limited to one **freestanding sign** or a fence mounted **sign** that is a maximum of 2.0m high and a maximum of 3.0m² sign area that displays the name of the **community garden**."

3. AND THAT Section 12 - Rural Residential Zones be amended by:

- a) adding "**Community Garden**" as a **Principal Use**, it is appropriate location in **Sub-Section 12.1.2 Principal Uses** and renumber subsequent subparagraphs;
- b) adding "**Community Garden**" as a **Principal Use**, it is appropriate location in **Sub-Section 12.2.2 Principal Uses** and renumber subsequent subparagraphs;
- c) adding "**Community Garden**" as a **Principal Use**, it is appropriate location in **Sub-Section 12.3.2 Principal Uses** and renumber subsequent subparagraphs.

4. AND THAT Section 13 - Urban Residential Zones be amended by:

- a) adding "**Community Garden**" as a **Principal Use**, it is appropriate location in **Sub-Section 13.1.2 Principal Uses** and renumber subsequent subparagraphs;
- b) adding "**Community Garden**" as a **Principal Use**, it is appropriate location in **Sub-Section 13.2.2 Principal Uses** and renumber subsequent subparagraphs;
- c) adding "**Community Garden**" as a **Principal Use**, it is appropriate location in **Sub-Section 13.3.2 Principal Uses** and renumber subsequent subparagraphs;
- d) adding "**Community Garden**" as a **Principal Use**, it is appropriate location in **Sub-Section 13.4.2 Principal Uses** and renumber subsequent subparagraphs;
- e) adding "**Community Garden**" as a **Principal Use**, it is appropriate location in **Sub-Section 13.5.2 Principal Uses** and renumber subsequent subparagraphs;
- f) adding "**Community Garden**" as a **Principal Use**, it is appropriate location in **Sub-Section 13.6.2 Principal Uses** and renumber subsequent subparagraphs;
- g) adding "**Community Garden**" as a **Principal Use**, it is appropriate location in **Sub-Section 13.7.2 Principal Uses** and renumber subsequent subparagraphs;

- h) adding **"Community Garden"** as a **Principal Use**, it is appropriate location in **Sub Section 13.8.2 Principal Uses** and renumber subsequent subparagraphs;
- i) adding **"Multi-Residential Shared Gardens"** as a **Secondary Use**, it is appropriate location in **Sub-Section 13.8.3 Secondary Uses** and renumber subsequent subparagraphs;
- j) adding to **Sub-Section 13.8.6 Development Regulations**, a new sub-paragraphs (i) and (j) that reads:
 - "(i) For multiple dwelling housing, congregate housing, group home, major or supportive housing, major developments up to 1.0m of required rear yard landscaping buffer may be transferred to a multi-residential shared garden on the same parcel.
 - (j) For multiple dwelling housing, congregate housing or group home, major developments 10% of the private open space requirement per unit may be transferred to a multi-residential shared garden located on the same parcel."
- k) adding **"Community Garden"** as a **Principal Use**, it is appropriate location in **Sub Section 13.9.2 Principal Uses** and renumber subsequent subparagraphs;
- l) adding **"Multi-Residential Shared Gardens"** as a **Secondary Use**, it is appropriate location in **Sub-Section 13.9.3 Secondary Uses** and renumber subsequent subparagraphs;
- m) adding to **Sub-Section 13.9.6 Development Regulations**, a new sub-paragraphs (h) and (i) that reads:
 - "(h) For multiple dwelling housing, congregate housing, group home, major or supportive housing, major developments up to 1.0m of required rear yard landscaping buffer may be transferred to a multi-residential shared garden on the same parcel.
 - (i) For multiple dwelling housing, congregate housing or group home, major developments 10% of the private open space requirement per unit may be transferred to a multi-residential shared garden located on the same parcel."
- n) adding **"Community Garden"** as a **Principal Use**, it is appropriate location in **Sub Section 13.10.2 Principal Uses** and renumber subsequent subparagraphs;
- o) adding **"Multi-Residential Shared Gardens"** as a **Secondary Use**, it is appropriate location in **Sub-Section 13.10.3 Secondary Uses** and renumber subsequent subparagraphs;
- p) adding to **Sub-Section 13.10.6 Development Regulations**, a new sub-paragraphs (h) and (i) that reads:
 - "(h) For multiple dwelling housing, congregate housing, group home, major or supportive housing, major developments up to 1.0m of required rear yard landscaping buffer may be transferred to a multi-residential shared garden on the same parcel.
 - (i) For multiple dwelling housing, congregate housing or group home, major developments 10% of the private open space requirement per

unit may be transferred to a **multi-residential shared garden** located on the same parcel.”

- q) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 13.11.2 Principal Uses** and renumber subsequent subparagraphs;
- r) adding “**Multi-Residential Shared Gardens**” as a **Secondary Use**, it is appropriate location in **Sub-Section 13.11.3 Secondary Uses** and renumber subsequent subparagraphs;
- s) adding to **Sub-Section 13.11.6 Development Regulations**, a new sub-paragraphs (g) and (h) that reads:
 - “(g) For multiple dwelling housing, congregate housing, group home, major or supportive housing, major developments up to 1.0m of required rear yard landscaping buffer may be transferred to a **multi-residential shared garden** on the same parcel.
 - (h) For multiple dwelling housing, congregate housing or group home, major developments 10% of the private open space requirement per unit may be transferred to a **multi-residential shared garden** located on the same parcel.”
- t) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 13.12.2 Principal Uses** and renumber subsequent subparagraphs;
- u) adding “**Multi-Residential Shared Gardens**” as a **Secondary Use**, it is appropriate location in **Sub-Section 13.12.3 Secondary Uses** and renumber subsequent subparagraphs;
- v) adding to **Sub-Section 13.12.6 Development Regulations**, a new sub-paragraphs (g) and (h) that reads:
 - “(g) For multiple dwelling housing, congregate housing, group home, major or supportive housing, major developments up to 1.0m of required rear yard landscaping buffer may be transferred to a **multi-residential shared garden** on the same parcel.
 - (h) For multiple dwelling housing, congregate housing or group home, major developments 10% of the private open space requirement per unit may be transferred to a **multi-residential shared garden** located on the same parcel.”
- w) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 13.13.2 Principal Uses** and renumber subsequent subparagraphs;
- x) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 13.14.3 Principal Uses** and renumber subsequent subparagraphs;
- y) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 13.15.3 Principal Uses** and renumber subsequent subparagraphs; and
- z) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 13.16.3 Principal Uses** and renumber subsequent subparagraphs;
- aa) adding “**Multi-Residential Shared Gardens**” as a **Secondary Use**, it is appropriate location in **Sub-Section 13.16.4 Secondary Uses** and renumber subsequent subparagraphs;

bb) adding to **Sub-Section 13.16.7 Development Regulations**, a new sub-paragraphs (c) and (d) that reads:

- “(c) For multiple dwelling housing, congregate housing, group home, major or supportive housing, major developments up to 1.0m of required rear yard landscaping buffer may be transferred to a multi-residential shared garden on the same parcel.
- (d) For multiple dwelling housing, congregate housing or group home, major developments 10% of the private open space requirement per unit may be transferred to a multi-residential shared garden located on the same parcel.”

5. AND THAT **Section 14 - Commercial Zones** be amended by:

- a) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 14.1.2 Principal Uses** and renumber subsequent subparagraphs;
- b) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 14.2.2 Principal Uses** and renumber subsequent subparagraphs;
- c) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 14.3.2 Principal Uses** and renumber subsequent subparagraphs;
- d) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 14.4.2 Principal Uses** and renumber subsequent subparagraphs;
- e) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 14.5.2 Principal Uses** and renumber subsequent subparagraphs;
- f) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 14.6.2 Principal Uses** and renumber subsequent subparagraphs;
- g) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 14.7.2 Principal Uses** and renumber subsequent subparagraphs;
- h) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 14.8.2 Principal Uses** and renumber subsequent subparagraphs;
- i) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 14.9.2 Principal Uses** and renumber subsequent subparagraphs; and
- j) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 14.10.2 Principal Uses** and renumber subsequent subparagraphs.

6. AND THAT **Section 16 - Public & Institutional Zones** be amended by:

- a) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 16.1.2 Principal Uses** and renumber subsequent subparagraphs;
- b) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 16.2.2 Principal Uses** and renumber subsequent subparagraphs;
- c) adding “**Community Garden**” as a **Principal Use**, it is appropriate location in **Sub Section 16.3.2 Principal Uses** and renumber subsequent subparagraphs;

- d) adding "Community Garden" as a **Principal Use**, it is appropriate location in **Sub Section 16.4.2 Principal Uses** and renumber subsequent subparagraphs;
- e) adding "Community Garden" as a **Principal Use**, it is appropriate location in **Sub Section 16.5.2 Principal Uses** and renumber subsequent subparagraphs;
- f) adding "Community Garden" as a **Principal Use**, it is appropriate location in **Sub Section 16.6.2 Principal Uses** and renumber subsequent subparagraphs;
- g) adding "Community Garden" as a **Principal Use**, it is appropriate location in **Sub Section 16.7.2 Principal Uses** and renumber subsequent subparagraphs;
- h) adding "Community Garden" as a **Principal Use**, it is appropriate location in **Sub Section 16.8.2 Principal Uses** and renumber subsequent subparagraphs;

- 7. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 8, 2015
RIM No. 1250-30
To: City Manager
From: Urban Planning, Community Planning and Real Estate (DB)
Application: Z14-0009 **Owner:** Sohayl & Sholen Ghadirian
Address: 1470 Guisachan Place **Applicant:** Sohayl Ghadirian
Subject: Rezoning Application, Extension Request
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU2 - Medium Lot Housing
RU6 - Two Dwelling Housing

1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zoning Amending Bylaw No. 10954, for Lot 3, D.L. 136, ODYD, Plan 9353 located on 1470 Guisachan Place, Kelowna, BC, be extended from May 13, 2015 to May 13, 2016;

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

2.0 Purpose

To consider a final extension to facilitate the rezoning of the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing and RU6 - Two Dwelling Housing zones to allow the applicant one more year to address the conditions of this project.

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-Laws No. 10954 received second and third readings on May 13, 2014 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional twelve (12) months to complete the conditions of adoption. Given the recent activity on the application, a final extension to May 13, 2016 is supported.

Report prepared by:

Damien Burggraeve, Planner

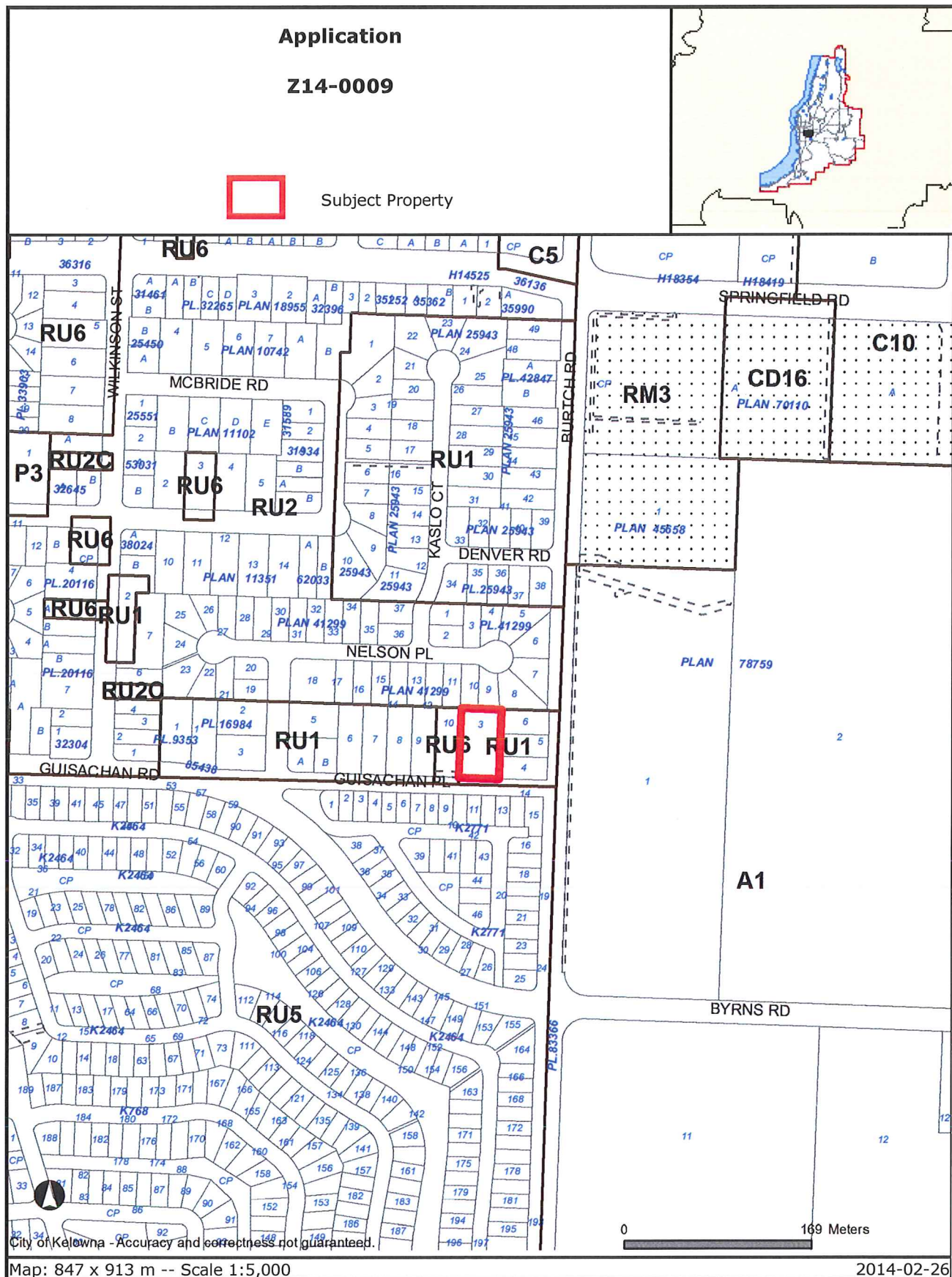
Approved for Inclusion:



Shelley Gambacort, Director
Subdivision, Agriculture & Environment

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. 11037

Official Community Plan Amendment No. OCP14-0020 No. 21 Great Projects Ltd. Inc. No. 355991 5000 Gordon 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 the South ½ , District Lot 579, SDYD, Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670 and EPP22118, located on Gordon Drive, Kelowna, B.C., from the S2RESH - Single/Two Unit Residential - Hillside designation to the PSU - Public Services/Utilities designation, from the PARK - Major Park/Open Space designation to the S2RESH - Single/Two Unit Residential - Hillside designation, from the MRC - Multiple Unit Residential - Cluster Housing designation to the S2RESH - Single/Two Unit Residential - Hillside designation and from the MRC - Multiple Unit Residential - Cluster Housing designation to the PSU - Public Services/Utilities designation as per Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 8th day of December, 2014.

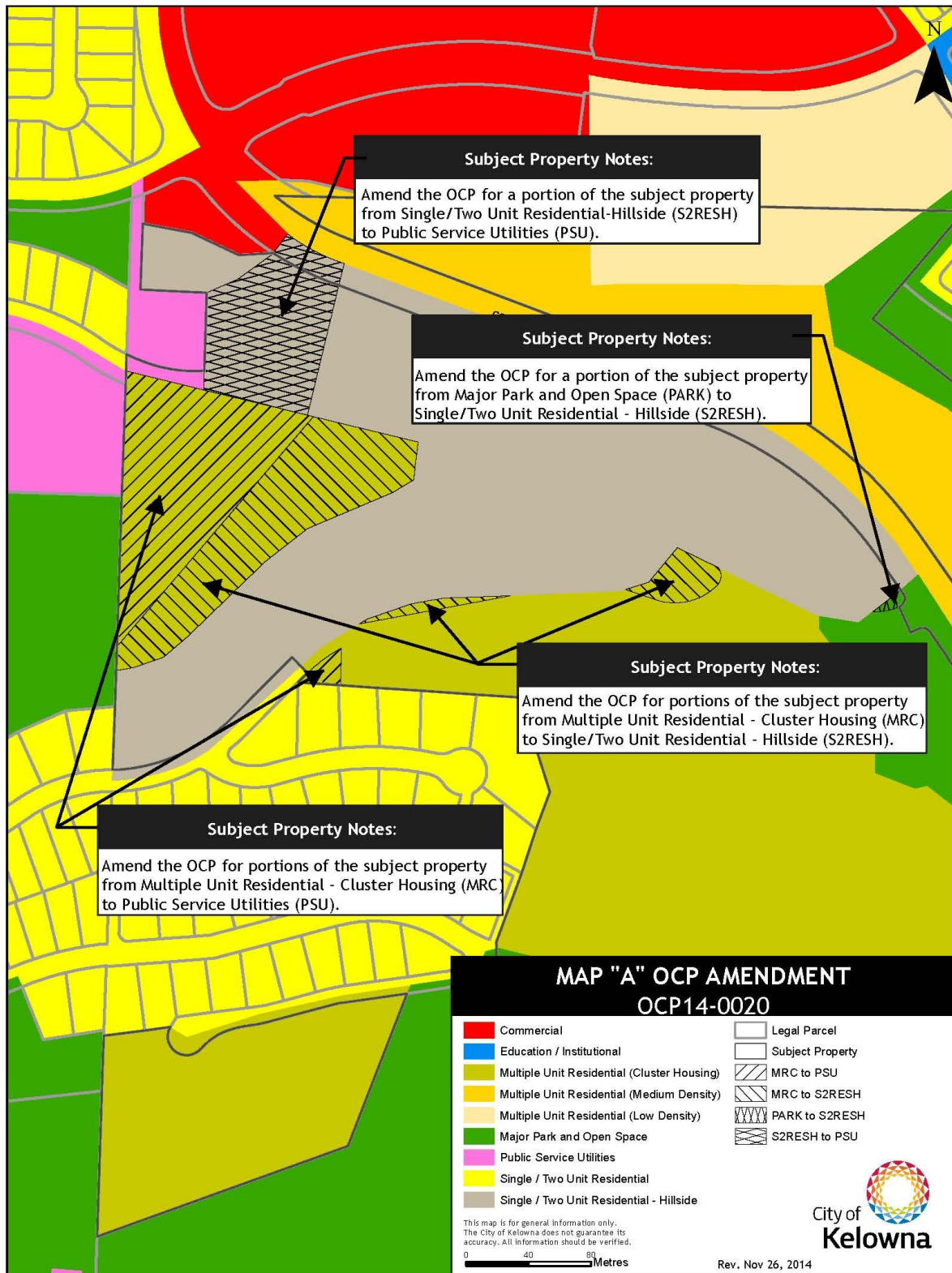
Considered at a Public Hearing on the 13th day of January, 2015.

Read a second and third time by the Municipal Council this 13th day of January, 2015.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11038
Z14-0037 - No. 21 Great Projects Ltd. Inc.No. 355991
5000 Gordon Drive

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 a portion of the South ½ , District Lot 579, SDYD, Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670 and EPP22118 located on Gordon Drive, Kelowna, B.C., from the A1 - Agriculture 1 zone to the RU2h - Medium Lot Housing (Hillside Area) zone and the P4 - Utilities zone as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 8th day of December, 2014.

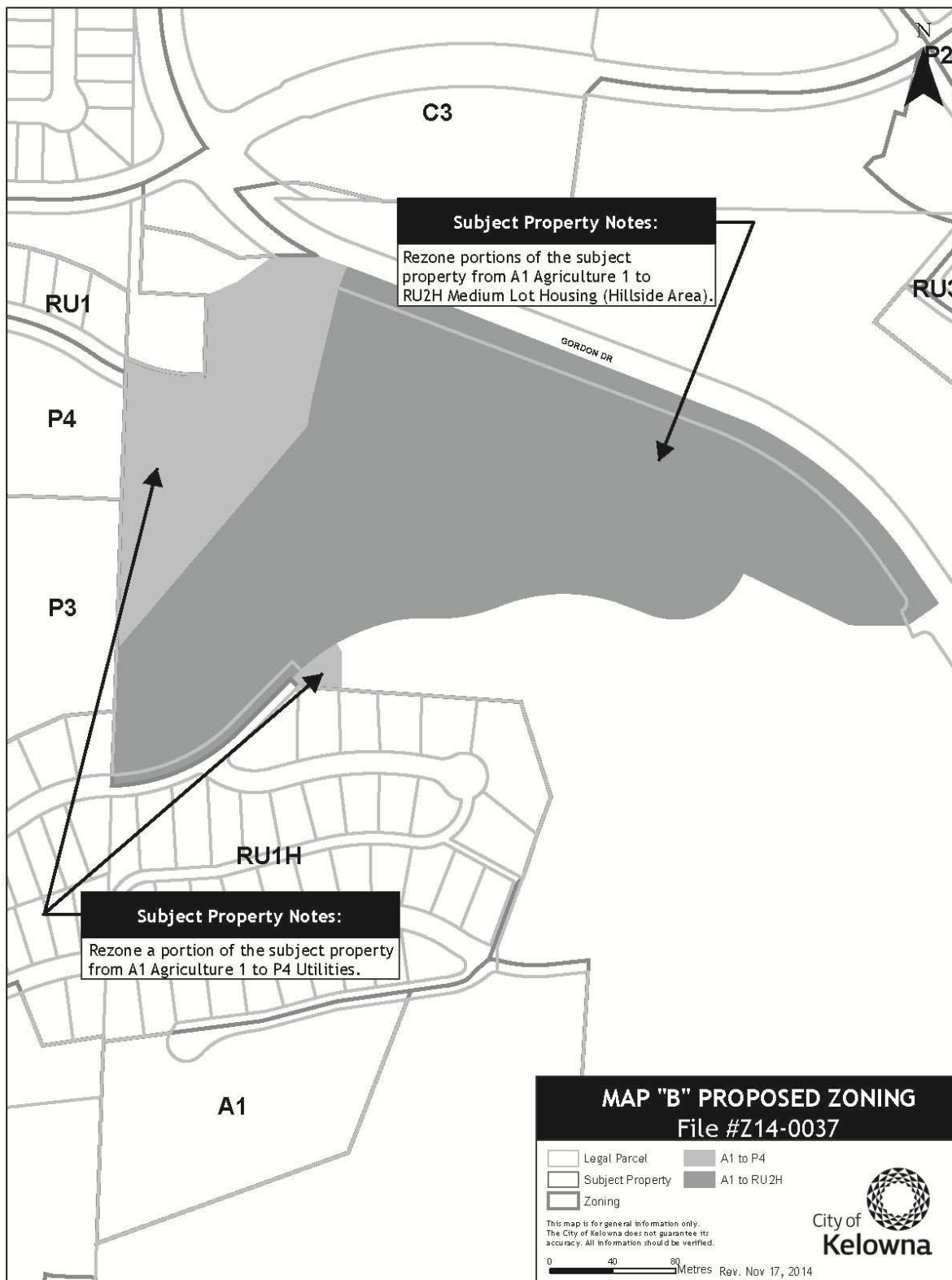
Considered at a Public Hearing on the 13th day of January, 2015.

Read a second and third time by the Municipal Council this 13th day of January, 2015.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA

BYLAW NO. 11090

Official Community Plan Amendment No. OCP14 - 0005 0904419 BC Ltd. Inc. No. BC0904419 773 Glenmore Road and 720 Valley Road

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 Portions of Lot 1, Sections 32 and 29, Township 26, ODYD, Plan EPP24068 and Portions of Lot 2, Section 29, Township 26, ODYD, Plan EPP24068, located on Glenmore Road and Valley Road, Kelowna, B.C., from the MRM - Multiple Unit Residential (Medium Density) designation to the COMM - Commercial designation as per Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 4th day of May, 2015.

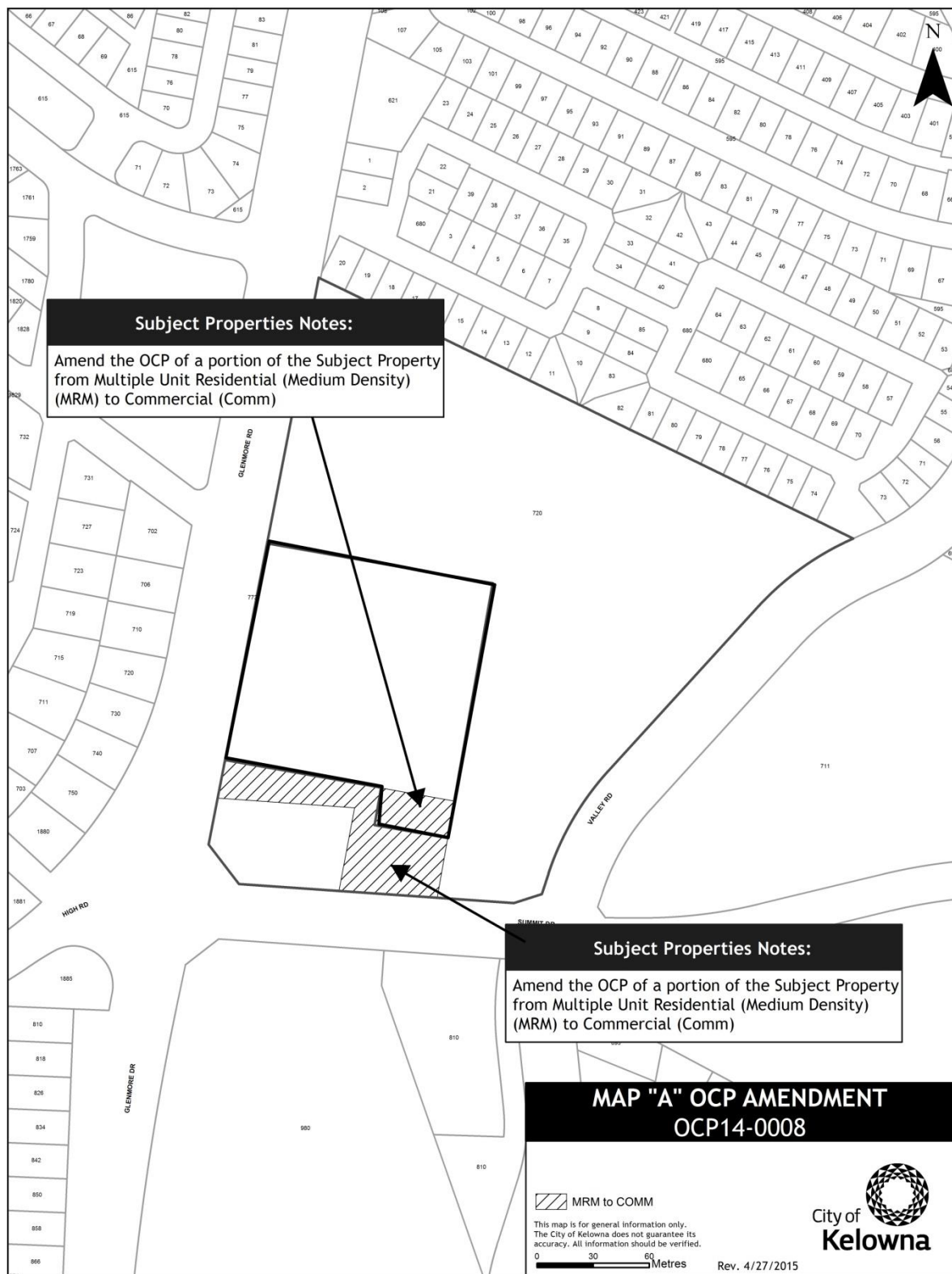
Considered at a Public Hearing on the 26th day of May, 2015.

Read a second and third time by the Municipal Council this 26th day of May, 2015.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11091
TA14-0005
Replacing CD3 - Comprehensive Development Three Zone in
Zoning Bylaw No. 8000

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 deleting in its entirety **Schedule 'B' - Comprehensive Development Zones, CD3 - Comprehensive Development Three Zone** and replacing it with a new **CD3 - Comprehensive Development Three Zone** 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 4th day of May, 2015.

Considered at a Public Hearing on the 26th day of May, 2015.

Read a second and third time by the Municipal Council this 26th day of May, 2015.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule 'B' - Comprehensive Development Zones

CD3 - Comprehensive Development Three

1.1 Purpose

The purpose of this zone is to permit the development of a comprehensively planned, integrated community consisting of multi-family residential uses and local commercial uses.

1.2 Permitted Uses

The permitted **principal uses** in Area 1 of this zone, as shown on Figure CD 3.1, are:

- (a) apartment housing
- (b) congregate housing
- (c) row housing
- (d) stacked row housing

The permitted **secondary uses** in Area 1 of this zone, as shown on Figure CD 3.1, are:

- (a) community recreation services
- (b) health services
- (c) home based business, minor
- (d) participant recreation services, indoor
- (e) personal service establishments

The permitted **principal uses** in Area 2 of this zone, as shown on Figure CD 3.1, are:

- (a) child care centre, major
- (b) community recreation services
- (c) financial services
- (d) food primary establishment
- (e) health services
- (f) liquor primary establishment, minor
- (g) offices
- (h) participant recreation services, indoor
- (i) personal service establishments
- (j) public libraries and cultural exhibits
- (k) retail stores, convenience
- (l) retail stores, general

1.3 Subdivision Regulations

- (a) Lots should be configured approximately as shown on Figure CD3.1.
- (b) The minimum **lot width** is 45.0 m.
- (c) The minimum **lot depth** is 35.0 m.
- (d) The minimum **lot area** is 1400 m²

1.4 Development Regulations

- (a) The maximum **site coverage** for all principal and **accessory buildings** combined in this zone shall be 40%. Not more than 70% of the surface of the land in the zone shall be covered with **buildings**, parking areas and driveways.
- (b) The maximum **height** in Area 1 is the lesser of 6½ **storeys** or 33.0 m.
The maximum **height** in Area 2 is the lesser of 2 ½ **storeys** or 10.5 m.
- (c) The minimum **site front yard** is 6.0 m in Area 1.
The minimum **site front yard** is 3.0 m in Area 2.
- (d) The minimum **site rear yard** is 6.0 m.
- (e) The minimum **site side yard** is 6.0 m, except it is 3.0 m from **flanking streets**. Entrance canopies may be sited a minimum of 1.5 m from the boundaries of Glenmore Road and Summit Drive.

1.5 Other Regulations

- (a) A minimum of 7.5 m² of private open space shall be provided for each bachelor unit, boarding or lodging unit, congregate care unit and group home unit, 15 m² for each one bedroom unit, and 20 m² for each unit of two bedrooms or more.
- (b) Commercial units within Area 1 shall be limited to a maximum Gross Floor Area of 240m² per unit.
- (c) Commercial units within Area 2 shall be limited to a maximum Gross Floor Area of 240 m² per unit, except that one unit may have a maximum Gross Floor Area of 635m².
- (d) No nuisance from noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the any commercial use within Area 1, as shown on Figure CD-3.1, and at all times, the privacy and enjoyment of residential dwellings shall be preserved and the commercial operations shall not adversely affect the amenities of the area.
- (e) Parking and loading for all uses shall be provided in accordance with the requirements of Section 8 of this Bylaw.

1.6 Sign Regulations

- (a) Signage for residential uses shall be in accordance with the sign regulations for land in the RM5 zone as determined by the City of Kelowna Sign Bylaw of the day.
- (b) Signage for **commercial uses** within Area 1 shown in Figure CD-3.1 shall be in accordance with the requirements for Identification Signs, as determined by the City of Kelowna Sign Bylaw of the day.

- (c) Signage for **commercial uses** in Area 2 shown in Figure CD-3.1 shall be in accordance with the sign regulations for land in the C4 zone as determined by the City of Kelowna Sign Bylaw of the day.

FIGURE CD-3.1



CITY OF KELOWNA
BYLAW NO. 11092
Z14-0010 - 0904419 BC Ltd. Inc No. BC0904419
773 Glenmore Road and 720 Valley 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 Portions of Lot 1, Sections 32 and 29, Township 26, ODYD, Plan EPP24068 and Portions of Lot 2, Section 29, Township 26, ODYD, Plan EPP24068 located on Glenmore Road and Valley Road, Kelowna, B.C., from the A1 - Agriculture 1 zone to the CD3 - Comprehensive Development 3 zone and from the CD3 - Comprehensive Development 3 zone to the A1 - Agriculture 1 zone as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 4th day of May, 2015.

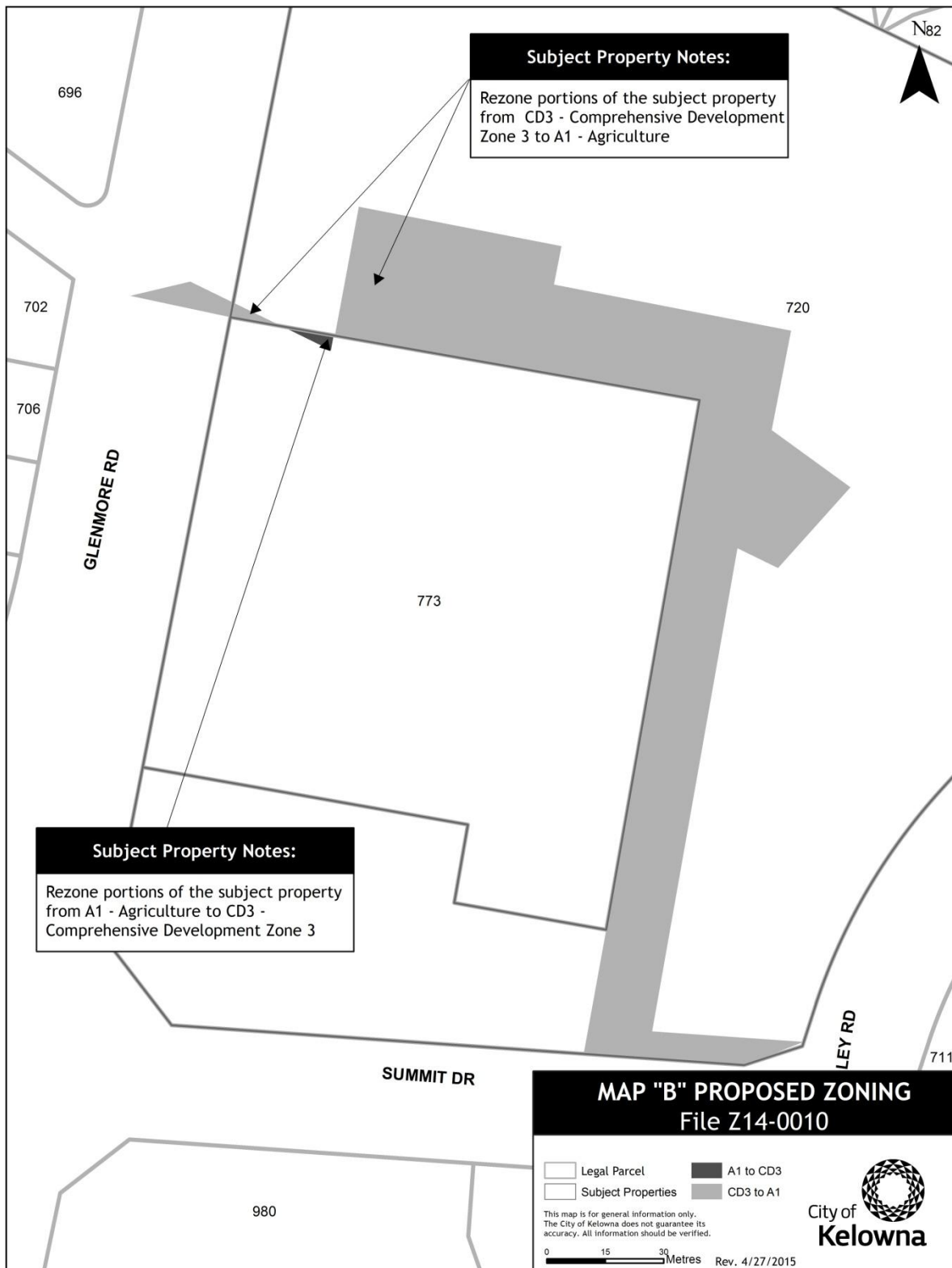
Considered at a Public Hearing on the 26th day of May, 2015.

Read a second and third time by the Municipal Council this 26th day of May, 2015.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



Report to Council



Date: June 1, 2015
Rim No. 1140-53
To: City Manager
From: J. Säufferer, Manager, Real Estate Services
Subject: LICENSE OF OCCUPATION - KNOX MOUNTAIN DISC GOLF

Recommendation:

THAT Council approve the City entering into a three (3) year License of Occupation with the Kelowna Disc Golf Association, with the option to renew an additional three (3) year term, in the form attached as Schedule A to the Report of the Manager, Real Estate Services, dated June 1, 2015;

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

Purpose:

That Council approves a three-year License of Occupation agreement with the Kelowna Disc Golf Association for a portion of the City-owned lands at 563 Poplar Point Drive, 565 Poplar Point Drive, and 580 Knox Mountain Drive.

Background:

The Kelowna Disc Golf Association ("KDGA") is an incorporated not for profit society with between 40 and 50 members that actively promotes the sport of Disc Golf in the Okanagan. KDGA, working in conjunction with City Staff, originally installed the Knox Mountain Disc Golf Course in 2003. As a result of recent growth in disc golf participants and course popularity, KDGA would like to make some minor improvements to the existing course at Knox Mountain. Prior to proceeding with the improvements, a formalized agreement between the City and KDGA (via the proposed License of Occupation) is being sought to endorse the present use of the site. It should be noted that all infrastructure relating to the disc golf course has been designed to be temporary, and is removable in short order in the event that the course is no longer active.

As shown in Schedule B, the proposed license area spans three legal city lots, with the civic addresses of 563 Poplar Point Drive, 565 Poplar Point Drive, and 580 Knox Mountain Drive. All three properties are currently zoned P3 (Parks and Open Spaces) with a future land use designation of 'Park'. The approximate layout of the existing disc golf course is shown in Schedule C.

The Knox Mountain Park Management Plan was prepared with public and stakeholder input, and endorsed by Council in 2011 as a guide to follow in future planning for the park. The proposed disc golf license does not conflict with short-term park planning goals, and the relatively short term (3 years) ensures that future planning for the area is not restricted as a result of this license.

Internal Circulation:

Manager, Risk Management
Manager, Park and Building Planning
Manager, Sport & Event Services
Manager, Parks Services

Considerations not applicable to this report:

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

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

Approved for inclusion: D. Edstrom, Director, Real Estate & Building Services

Attachments: Schedule A - License of Occupation Agreement
Schedule B - Proposed License Area
Schedule C - Layout of Existing Disc Golf Course
Schedule D - PowerPoint Presentation

cc: L. Kayfish, Manager, Risk Management
T. Barton, Manager, Park and Building Planning
D. Backmeyer, Manager, Sport & Event Services
I. Wilson, Manager, Parks Services

LICENCE OF OCCUPATION

Knox Mountain Park Disc Golf Course

THIS AGREEMENT dated for reference the 13th of February, 2015.

BETWEEN:

CITY OF KELOWNA, a municipal corporation having its
office at 1435 Water Street, Kelowna, BC., V1Y 1J4

(the "City")

OF THE FIRST PART

AND: **KELOWNA DISC GOLF ASSOCIATION**,
c/o Dan Singla, Board Member
678 Westpoint Ct
Kelowna, BC
V1W 4Y3,

(the "Licensee")

OF THE SECOND PART

WHEREAS:

A. The City is the owner of the properties located at

563 Poplar Point Drive (Plan KAP 1306 Lot 40 Blk 23)
587 Poplar Point Drive (Plan 1306 Lot 11)
591 Poplar Point Drive (Pln 1306 Lot 7)
565 Poplar Point Drive (Plan KAP 6755 Lot A)
580 Knox Mountain Drive (Plan KAP 8841 Lot 2),

in the City of Kelowna.

(collectively, the "Property").

B. The Licencee wishes to operate a ten basket Disc Golf Course (the "Works") on a portion of the Property (the "Licence Area", as shown in Schedule 'A' as attached to this Agreement);

C. The Kelowna Disc Golf Association Society is a not-for-profit organization registered (#S-0061002) under the Society's Act (British Columbia) with the mandate to promote, develop and encourage disc golf for the physical, competitive, and social well-being of the members of the Society and of the Central Okanagan community as a whole.

- D. The Licencee wishes to develop the Works with the following mission statement:

"To build and support the sport of Disc Golf in the Central Okanagan".

By introducing a disc golf course at the Property, various synergies may be achieved, such as; program and club development, recruiting and maintaining members, developing a sustainable financial model and establishing a community presence. Disc golf provides an opportunity for local citizens to participate in active play, is available to all age cohorts, and provides an environment for multi-generational participation from novice to competitive.

- E. The Kelowna Disc Golf Association goals include:

- a. To promote the sport of Disc Golf through new course development;
- b. To support, maintain and upgrade existing courses;
- c. To actively support and promote inexpensive play;
- d. To host events intended to introduce new players to the sport of Disc Golf;
- e. To support organized tournament play;
- f. To solicit, receive, acquire and hold donations, gifts and legacies and to collect and receive rents, profits and other revenues, grants, appropriations and subsidies, land, and to enjoy all of the benefits of ownership thereof;
- g. To market, promote, co-ordinate and manage all services provided by the Society;
- h. To do all other things as are incidental or conducive to the attainment of the purposes of the Society.
- i. To build stakeholder support for a sustainable business model to ensure that the club can become financially self-sufficient (i.e. not request financial assistance from the City of Kelowna annually.)

- F. The City is prepared to grant the Licencee a Licence of Occupation for a term of three (3) years pursuant to the terms and conditions of this Agreement.

NOW THEREFORE: in consideration of \$1 per year and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Licencee covenant and agree as follows:

1. **Grant** – The City grants to the Licencee the non-exclusive right and licence to enter onto and use the Licence Area for the purposes of operating a disc golf course including installation of equipment and signage, as approved by the City.
2. **Additional Rights** – For the purposes outlined in Section 1, the Licencee shall have the right to bring onto the Licence Area all necessary materials, and equipment.
3. **Term** – The duration of this Agreement and Licence herein granted shall be for a term of three (3) years commencing on the date of execution of this Agreement, unless earlier terminated in accordance with Section 17.
4. **Extension** – The term of this Licence of Occupation may be renewed for a further three (3) year period (the "Renewal Period") upon written agreement by the City and the Licencee. All other terms and conditions with the exception of Article 4 will apply.

5. **State of Licence Area at Termination** – In the event that this Agreement terminates or expires for any reason, the Licencee will cease all occupation of the Licence Area and will remove all equipment, chattels, fixtures, buildings and other improvements from the Licence Area. The Licencee will leave the Licence Area in a safe, clean and tidy condition and clear of contamination occurring since the date of commencement of this Agreement. In the event that the Licencee fails to remove any equipment or chattels upon termination of this Agreement then the City may do so and recover the expense thereof from the Licencee. All improvements and fixtures remaining on the Licence Area become the sole property of the City upon termination of this Agreement, without any compensation whatsoever to the Licencee.
6. **Services** – The City appoints the Club to provide the following services in consultation with the City and the Club hereby accepts such appointment:
- (a) Inspect the course on a regularly scheduled basis and record the results of the inspection on a predetermined inspection form; all records shall be made available to the City for inspection on 24 hours notice;
 - (b) Report to the City immediately any hazardous condition that poses a life threatening hazard and prevent the public from using the License Area until City Staff arrive to remedy the condition;
 - (c) Be responsible for picking up loose garbage within the License Area and place in trash container(s) provided by the City;
 - (d) In the interest of safety of workers / volunteers, the Club agrees to the Prime Contractor (see item 20) designation. The Club is responsible for having utility locates conducted prior to any digging onsite. In addition, general safety precautions should be exercised including safe use of hand tools and / or power tools, recognition of overhead hazards (power lines / tree branches), inclement weather (heat / wind, etc.) and the terrain itself (potential trip hazards);
 - (e) Set, implement, monitor and enforce Disc Golf Course rules and standards (the Disc Golf Course Rules); as posted onsite and updated from time to time; and,
 - (f) Host, and / or co-host recreational, training and competitive events at the Disc Golf Course. The Club will be responsible for receiving an outdoor events permit when hosting larger events. As part of the permit approval there may be the requirement to submit a parking plan and to address the impacts to neighbouring residents.
7. **Non-exclusive Use** – The Licencee agrees that:
- (a) the rights granted under this Agreement do not constitute any interest in the Licence Area or entitle the Licencee to exclusive possession of the Licence Area;
 - (b) the Licencee's rights under this Agreement are at all times subject to the rights and interest of the City as owner and possessor of the Licence Area.

- (c) Members of the public may enter into and use the License Area for the purpose of using the Works without any fee or admission charge.
8. **No Waste or Nuisance** – The Licencee will not do or permit anything that may become a nuisance to occupiers or invitees on adjoining lands.
 9. **Terms and Conditions** – The Licencee will comply with all the terms, conditions, rules or regulations that the City may from time to time impose in respect of the use and administration of the Licence Area. The Licencee acknowledges that the fact that the Licence is granted by the City does not excuse the Licencee from obtaining building permits, development permits, business licences and other required permissions.
 10. **Maintenance** – The Licencee will at its own expense keep the Licence Area in a safe, clean and tidy condition including maintenance, repair and replacement of all Disc Golf Course signage, tees, tee boxes, baskets and other features directly related to the operation of the disc golf course.
 11. **Signage** - The Club shall provide all safety and course signage consistent with the City's standards for park signage.
 12. **Compliance with Laws** – The Licencee will comply with all laws and regulations pertaining to its use and occupation of the Licence Area.
 13. **Inspection by the City** – The City may review and inspect the Licence Area and the work which the Licencee is undertaking pursuant to this Agreement to determine if the Licencee is in compliance with the terms of this Agreement.
 14. **No Transfer** – The rights granted to the Licencee under this Agreement may not be sub-licensed, assigned or otherwise transferred.
 15. **Risk** – The Licencee accepts the Licence Area on an as-is basis and agrees that it will use the Licence Area at its own risk, and the City will not be liable in respect of any loss of life, personal injury, damage to property, loss of property or other loss or damage suffered by the Licencee, its contractors, subcontractors, agents, invitees, employees or any other person arising out of this Agreement or the use and occupation of the Licence Area except in the case of negligence or wilful act or omission by the City, its employees, agents or invitees.
 16. **Indemnity** – The Licencee will indemnify and save harmless the City and its elected and appointed officials, officers, employees, agents and others from and against any claim, action, damage, liability, cost and expense in connection with loss of life, personal injury, loss of property, damage to property or other loss or damage arising from this Licence or any occurrence on or around the Licence Area during the term of this Licence, or by use or occupancy of the Licence Area by the Licencee or any default of the Licencee under this Agreement or any wrongful act, omission or negligence of the Licencee or its officers, employees, contractors, agents or others for whom the Licencee is responsible. This indemnity will survive the expiry or sooner termination of this Agreement.
 17. **Release** – The Licencee hereby releases and forever discharges the City, its elected officials, officers, employees, agents and invitees, of and from any claim, causes of action, suit, demand, expense, cost, legal fees and compensation of whatever kind, whether known or unknown, at law or in equity, including without limitation any claim

under the *Property Law Act* (collectively "Claims"), which the Licencee may have, sustain or suffer, as the case may be, now or in the future arising from the Works, other improvements in the Licence Area, the expiry or termination of this Licence, the exercise by the City of any of its rights under this Licence or from or in any way connected with the Licencee's use of the Licence Area, except claims arising from the exclusive negligence of the City.

18. **Insurance** – At all times during the Term hereof, the Club shall at no expense to the City maintain, to the City's satisfaction, commercial general liability insurance against any and all third party claims for bodily injury, death, or property damage whatsoever. Such insurance shall name the City as an ADDITIONAL INSURED but not as ADDITIONAL NAMED INSURED and shall cover for not less than Two Million Dollars (\$2,000,000).
19. **Certificate of Insurance** - Upon signing this Agreement, the Club shall promptly forward a Certificate of Insurance including insuring agreements acceptable to the City, as shown in Schedule "B". The City will supply a form of insurance certificate to be completed by the Club's insurer containing minimum insurance coverage required by the City. During the Term hereof, the City may obtain directly from the Club's insurer copies of all such Certificates of Insurance and all such insuring agreements required under this Agreement.
20. **Prime Contractor** – The agrees to be designated as the Prime Contractor as per the requirement of the British Columbia, *Workers Compensation Act Part 3, Division 3, Section 118*, in so doing the club agrees to be responsible for delivery and coordination of all occupational health and safety requirement on the site and licence area during the course of providing any of the Services, Signage, Maintenance, Hosting and events and other operations or works under this Agreement.
21. **Termination** – The City reserves the right to terminate this agreement, adjust the boundaries of the License Area, or in any other way alter the terms and conditions of this Agreement, at its sole discretion for any reason by providing 60 days notice in writing. The City may require the Licensee to cease using the License Area should the conduct of the members of the Club result in an unacceptable level of complaints from the neighbours. The City will not be liable to compensate the Licencee for damages, costs or losses resulting from the exercise of this right of termination or any termination of this Licence.
22. **Notices** – Any notice given pursuant to this Agreement will be sufficiently given if it is in writing and delivered by hand or mailed by prepaid registered mail or sent by facsimile transmission to the intended party at its address set out on page 1 of this Agreement or to such other address as either party may provide in writing to the other pursuant to the provisions of this paragraph.

All notices:

To the City:

Attention: Property Manager
1435 Water St.
Kelowna, BC V1Y 1J4

To the Licensee:

Attention: Kelowna Disc Golf Association

C/O Andrew Best
3413 Salmon River Bench Road
Falkland BC
V0E 1W1
250-379-2870

AND Kelowna Disc Golf Association
C/O Sheldon Whitford
928 Leon Rd
Kelowna, BC
V1Y 6J9
250-863-3113

A notice will be deemed to be received on the day it is delivered, if delivered by hand, on the day of transmission, if sent by facsimile, or 3 days after the date it was mailed or if that day is not a business day, the next day that is a business day. If mailed, should there be at the time of mailing or between the time of mailing and the deemed receipt of the notice, a mail strike or slowdown, labour or other dispute which might affect the delivery of such notice by the mails, then such notice will only be effective if delivered by hand or sent by facsimile transmission.

23. **Club Representative(s)** - The Club shall provide the names, phone numbers and email addresses of two Club members who are on the Executive, in good standing to act as liaisons between the City and the Club. In February of each year during the Term hereof, the Club shall renew the assignment of the Club Representative(s).
24. **No Effect on Laws or Powers** – Nothing contained or implied herein prejudices or affects the City's rights and powers in the exercise of its functions pursuant to the *Local Government Act* or its rights and powers under any enactment to the extent the same are applicable to the Licence Area, all of which may be fully and effectively exercised in relation to the Licence Area as if this Agreement had not been fully executed and delivered.
25. **Severance** – If any portion of this Agreement is held invalid by a Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid must not affect the validity of the remainder of the Agreement.
26. **Further Actions** – Each of the parties hereto shall from time to time hereafter and upon any reasonable request of the other, execute and deliver, make or cause to be made all such further acts, deeds, assurances and things as may be required or necessary to more effectually implement and carry out the true intent and meaning of this Agreement.
27. **Waiver or Non-action** – Waiver by the City of any breach of any term, covenant or condition of this Agreement by the Licencee must not be deemed to be a waiver of any subsequent default by the Licencee. Failure by the City to take any action in respect of any breach of any term, covenant or condition of this Agreement by the Licencee must not be deemed to be a waiver of such term, covenant or condition.
28. **Reference** – Every reference to a party is deemed to include the heirs, executors, administrators, successors, servants, employees, agents, contractors and officers of such party wherever the context so requires or allows.

29. **General –**

- a. This Agreement will bind and benefit each party to this Agreement, and its respective corporate successors;
- b. The Schedules attached to this Agreement form part of this Agreement;
- c. This Agreement constitutes the entire agreement between the parties and may not be amended except by agreement in writing signed by all parties to this Agreement;
- d. Time is of the essence of this Agreement;
- e. This Agreement must be construed according to the laws of the Province of British Columbia.
- f. This License of Occupation is subject to approval of City of Kelowna Council.
- g. The Licensee is to use the License Area only for the purpose of disc golfing or such activity as may be properly authorized, in writing, by the City and to operate to the satisfaction of the City and in accordance with any conditions or requirements as may from time to time be detailed by the City.
- h. The Licensee shall not construct or install any permanent structures (including tee boxes) or buildings.
- i. The Licensee shall not affix any signage or other features to existing trees in the Licence Area.
- j. The Licensee shall not display any signs without first obtaining approval from the City and following all appropriate sign bylaws.
- k. The Licensee shall not commit or permit: any waste or injury to the License Area including the Works; any conduct which impedes or, in the opinion of the City acting reasonably, could constitute a nuisance to the City or anyone else; any other use or manner of use which, in the opinion of the City acting reasonably, may have an adverse impact on the reputation of the Licence Area.
- l. The Licensee shall permit the City at any time and from time to time to enter and to have its authorized agents, employees, and contractors enter the License Area for the purpose of inspection or making repairs, alterations, or improvements to the Licensed Area as the Landlord may deem necessary or desirable, or as the City may be required to make by law. The City shall be allowed to take into the Premises all material which may be required for such purpose and the rent reserved shall in no way abate while such repairs, alterations or improvements are being made by reason of interruption of the business of the Licensee. The City shall exercise reasonable diligence as to minimize the disturbance or interruption of the Licensee's operation.
- m. No alcoholic beverages are permitted within the License Area;
- n. The Licensee shall take reasonable measures to ensure people utilizing the License Area do not adversely impact parking in the neighbourhood;

- o. The hours of use for the License Area are 6:00 am to 10:00pm or dawn to dusk whichever are shorter.
 - p. While it is recognized that there will be noise that comes from the nature of the activity within the License Area, the Licensee agrees to make reasonable efforts to control this noise. Noise should be reduced or eliminated between the hours of 8pm and 8 am daily (for example: participants must be discouraged from using automatic vehicle locking devices that emit a noise to confirm doors are locked).
 - q. The License Area will be used for the operation of a disc golf course by the Licensee. The License Area is not to be rented to another organization.
 - r. The Club and its members shall act as role model in the community with respect to the development, operation and promotion of the Disc Golf Course.
 - s. The Licensee shall take reasonable measures to inform the neighbourhood of the use of the site. This includes special events that will attract a large number of participants.
 - t. The Licensee shall take reasonable measures to ensure the daily activities and events associated with the Licensee work in harmony with the neighbourhood.
 - u. The Licensee is responsible to ensure safety of the License Area. The Club assumes the risk of maintaining the Works on public land. The City of Kelowna does not assume any liability for equipment maintenance.
 - v. The Licensee is responsible for all aspects of the daily operations.
 - w. The Licensee shall ensure any temporary toilet structure(s) are located as far away from neighbouring residents as possible while still maintaining access by service vehicles and that they are cleaned out on a regular basis to reduce the odour in the neighbourhood.
 - x. In the event that the operation of the Licensee in the License Area has an adverse effect on the neighbourhood, the City reserves the right to impose additional operational restrictions at its sole discretion;
 - y. The following schedules are attached to and form a part of this agreement:
 - Schedule "A" - Certificate of Insurance
 - Schedule "B" – Site Plan
 - Schedule "C" - Kelowna Disc Golf Association Constitution and Bylaws
30. **Garbage Collection** - The City will pay for garbage containers for the collection and disposal of refuse from the garbage containers. The City will provide and pay for portable toilets on site. Both of these services will be provided for day-to-day operations. Special events will require event organizers to pay for adequate garbage containers and collection as well as adequate on-site portable toilets.
31. The City will maintain the trees, fences and parking area on the Property.
32. **Operating Grant** - The City will not provide the Licensee an annual operating grant.
33. **Capital Grant** – The City will not provide the Licensee an annual capital grant.

As evidence of their agreement to be bound by the above terms and conditions, the parties have executed this Agreement below on the dates written below.

SIGNED, SEALED & DELIVERED by the)
CITY OF KELOWNA, in the presence of:)

Signature of Witness)

Print Name)

Address)

Occupation)

*As to both signatures)

CITY OF KELOWNA by its authorized
signatories:

SIGNED, SEALED & DELIVERED by the)
KELOWNA DISC GOLF ASSOCIATION)
in the presence of:)


_____)

Signature of Witness)


_____)

Print Name)


_____)

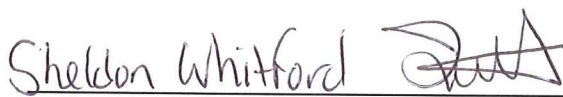
Address)

Occupation)

*As to both signatures)

KELOWNA DISC GOLF
ASSOCIATION by its authorized
signatories:


_____)
Print Name:

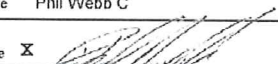

_____)
Print Name:

Schedule "A"
License Area



Proposed License of Occupation Area – Knox Mountain Disc Golf Course

Schedule "B"
Certificate of Insurance

CSIO CERTIFICATE OF LIABILITY INSURANCE <small>This certificate is issued as a matter of information only and confers no rights upon the certificate holder and imposes no liability on the insurer. This certificate does not amend, extend or alter the coverage afforded by the policies below.</small>						
1. CERTIFICATE HOLDER - NAME AND MAILING ADDRESS				2. INSURED'S FULL NAME AND MAILING ADDRESS		
City of Kelowna 1800 Parkinson Way Kelowna BC V1Y4P9				BC Disc Sport Society PO Box 29114 Granville Vancouver BC V6J 5C2		
3. DESCRIPTION OF OPERATIONS/LOCATIONS/AUTOMOBILES/SPECIAL ITEMS TO WHICH THIS CERTIFICATE APPLIES <small>(but only with respect to the operations of the Named Insured)</small>						
Provincial Disc Sport Association						
4. COVERAGES						
<small>This is to certify that the policies of insurance listed below have been issued to the insured named above for the policies period indicated notwithstanding any requirement, terms or conditions of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.</small> <small>LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS</small>						
TYPE OF INSURANCE	INSURANCE COMPANY AND POLICY NUMBER	EFFECTIVE DATE YYYY/MM/DD	EXPIRY DATE YYYY/MM/DD	LIMITS OF LIABILITY <small>(Canadian dollars unless indicated otherwise)</small>		
COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> Claims Made OR <input checked="" type="checkbox"/> Occurrence <input checked="" type="checkbox"/> Products and/or completed operations <input type="checkbox"/> Employer's Liability <input checked="" type="checkbox"/> Cross Liability <input checked="" type="checkbox"/> Tenants Legal Liability <input type="checkbox"/> Pollution Liability Extension <input checked="" type="checkbox"/> Non-Owned Automobiles <input type="checkbox"/> Hired Automobiles	Everest Insurance Company of Canada E2SB000008	2014/ 5/ 1	2015/ 5/ 1	Commercial General Liability		
				Bodily Injury and Property Damage Liability - General Aggregate	1,000	5,000,000
				- Each Occurrence	1,000	5,000,000
				Products and Completed Operations Aggregate	1,000	5,000,000
				<input checked="" type="checkbox"/> Personal Injury Liability	1,000	5,000,000
				<input type="checkbox"/> Personal and Advertising Injury Liability		
				Medical Payments		2,500
				Tenants Legal Liability	1,000	250,000
				Pollution Liability Extension		
				Non-Owned Automobile		1,000
AUTOMOBILE LIABILITY <input type="checkbox"/> Described Automobiles <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Leased Automobiles ** <input type="checkbox"/> <input type="checkbox"/> <small>** All Automobiles leased in excess of 30 days where the insured is required to provide insurance</small>				Bodily Injury and Property Damage Combined		
				Bodily Injury (Per Person)		
				Bodily Injury (Per Accident)		
				Property Damage		
EXCESS LIABILITY <input type="checkbox"/> Umbrella Form <input type="checkbox"/>				Each Occurrence		
				Aggregate		
OTHER LIABILITY (SPECIFY) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>						
5. CANCELLATION						
Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named above, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.						
6. BROKERAGE/AGENCY FULL NAME AND MAILING ADDRESS				7. ADDITIONAL INSURED NAME AND MAILING ADDRESS <small>(but only with respect to the operations of the Named Insured)</small>		
Johnston Meier Insurance Agencies Group 1944 Como Lake Avenue Coquitlam, BC V3J 3R3 BROKER CLIENT ID: BCD100				City of Kelowna 1800 Parkinson Way Kelowna BC V1Y4P9		
8. CERTIFICATE AUTHORIZATION						
Issuer Johnston Meier Insurance Agencies Group			Contact Number(s) Type No Type No No (604) 937-3601 No (604) 937-5062			
Authorized Representative Phil Webb C			Type Phone Type Fax No (604) 937-3601 No (604) 937-5062			
Signature of Authorized Representative  2014 5 13			Certificate Date 2014 5 13 EMail Address philip.webb@jmins.com			

CSIO C0910ECL - CERTIFICATE OF LIABILITY INSURANCE - 2010/09

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Schedule "C"
Kelowna Disc Golf Association
Constitution and Bylaws

Kelowna Disc Golf Association Constitution

1. The name of the society is the Kelowna Disc Golf Association (The "Society").
2. Purposes of the society are, on a non-profit, non-sectarian and non-political basis, to do the following:
 - To promote the sport of Disc Golf through new course development;
 - To support, maintain and upgrade existing courses;
 - To actively support and promote inexpensive play;
 - To host events intended to introduce new players to the sport of Disc Golf;
 - To support organized tournament play; and
 - To solicit, receive, acquire and hold donations, gifts and legacies and to collect and receive Rents, profits and other revenues, grants, appropriations and subsidies, land, and to Enjoy all of the benefits of ownership thereof;
 - To market, promote, co-ordinate and manage all services provided by the Society;
 - To do all other thing as are incidental or conducive to the attainment of the purposes of the Society.
3. The Society shall be carried on without the purpose of gain for its members and any funds other accretions to the Society shall be used in promoting its purposes. For the above purposes, and as incidental and ancillary thereto, the Society may exercise any of the powers normally associated with a non-profit, charitable organization. This Article is unalterable.
4. In the event of dissolution or winding-up of the Society in accordance with the provisions of the Society Act, all remaining assets, after payment of liabilities, shall be distributed to such other registered societies or charitable organization as the board may designate.

BYLAWS OF KELOWNA DISC GOLF ASSOCIATION

Part 1 – Interpretation

(a) In these bylaws, unless the context otherwise requires,

“directors” means the directors of the Society for the time being;

“*Society Act*” means the *Society Act* of the Province of British Columbia from time to time in force and all amendments to it;

“registered address” of a member means his address as recorded in the register of members.

The definitions in the *Society Act* on the date these bylaws become effective apply to these bylaws.

Words importing the singular include the plural and vice versa; and words importing a male person include a female person and a corporation.

Part 2 – Membership

The members of the Society are the applicants for incorporation of the Society, and those persons who subsequently have become members, in accordance with these bylaws and, in either case, have not ceased to be members.

A person may apply to the directors for membership in the Society and on acceptance by the directors and payment of the membership fee shall be a member. Every member shall uphold the constitution and comply with these bylaws.

The amount of the first annual membership dues shall be determined by the directors and thereafter the annual membership dues shall be determined by the annual general meeting of the Society.

A person shall cease to be a member of the Society:

by delivering his resignation in writing to the secretary of the Society or by mailing or delivering it to the address of the Society, or on the member’s death or in the case of a corporation on dissolution, or on being expelled, or on having been a member not in good standing for 12 consecutive months.

(a) A member may be expelled by a special resolution of the members passed at a general meeting.

The notice of special resolution for expulsion shall be accompanied by a brief statement of the reason or reasons for the proposed expulsion.

The person who is the subject of the proposed resolution for expulsion shall be given an opportunity to be heard at the general meeting before the special resolution is put to a vote.

All members are in good standing except a member who has failed to pay the current annual membership fee or any other subscription or debt due and owing by the member to the Society and the member is not in good standing so long as the debt remains unpaid.

Part 3 – Meetings of Members

General meetings of the Society shall be held at such time and place, in accordance with the *Society Act*, as the directors decide.

Every general meeting, other than an annual general meeting, is an extraordinary general meeting.

The directors may, whenever they think fit, convene an extraordinary general meeting.

(a) Notice of a general meeting shall specify the place, day and hour of meeting, and, in case of special business, the general nature of that business.

The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any of

the members entitled to receive notice does not invalidate proceedings at that meeting.
The first annual general meeting of the Society shall be held not more than 15 months after the date of incorporation and thereafter an annual general meeting shall be held at least once in every calendar year and not more than 15 months after the holding of the last preceding annual general meeting.

Part 4 – Proceedings at General Meetings

Special business is;

all business at an extraordinary general meeting except the adoption of rules of order, and
all business that is transacted at an annual general meeting, except,
the adoption of rules of order,
the consideration of the financial statements,
the report of the directors,
the report of the auditor, if any,
the election of directors,
the appointment of the auditor, if required, and
such other business as, under these bylaws, ought to be transacted at an annual general meeting, or business which is brought under consideration by the report of the directors issued with the notice convening the meeting.

(a) No business, other than the election of a chairman and the adjournment or termination of the meeting, shall be conducted at a general meeting at a time when a quorum is not present.

If at any time during a general meeting there ceases to be a quorum present, business then in progress shall be suspended until there is a quorum present or until the meeting is adjourned or terminated.

A quorum is 5 members present or such greater number as the members may determine at a general meeting.

If within 30 minutes from the time appointed for a general meeting a quorum is not present, the meeting, if convened on the requisition of members, shall be terminated; but in any other case, it shall stand adjourned to the same day in the next week, at the same time and place, and if, at the adjourned meeting, a quorum is not present within 30 minutes from the time appointed for the meeting, the members present constitute a quorum.

Subject to Bylaw 19, the president of the Society, the vice-president, or in the absence of both, one of the other directors present shall preside as chairman of a general meeting.

If at a general meeting there is no president, vice-president, or other director present within 15 minutes after the time appointed for holding the meeting, or the president and all the other directors present are unwilling to act as chairman, the members present shall choose one of their number to be chairman.

(b) A general meeting may be adjourned from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

When a meeting is adjourned for 10 days or more, notice of the adjourned meeting shall be given as in the case of the original meeting.

Except as provided in this bylaw, it is not necessary to give notice of an adjournment or of the

business to be transacted at an adjourned general meeting.

(c) Resolutions proposed at a meeting must be seconded and the chairman of a meeting may move or propose a resolution. In case of an equality of votes the chairman shall not have a casting or second vote in addition to the vote to which he may be entitled as a member and the proposed resolution shall not pass.

(d) A member in good standing, present at a meeting of members is entitled to one vote. Voting is by show of hands save for the election of directors which will be by secret ballot. Voting by proxy is not permitted.

A corporate member may vote by its authorized representative, who is entitled to speak and vote, and in all other respects exercise the rights of a member and that representative shall be reckoned as a member for all purposes with respect to a meeting of the Society.

Part 5 – Directors and Officers

(a) The directors may exercise all such powers and do all such acts and things as the Society may exercise and do, and which are not by these bylaws or by statute or otherwise lawfully directed or required to be exercised or done by the Society in general meeting, but subject, nevertheless, to the provisions of all laws affecting the Society, these bylaws, and rules, not being inconsistent with these bylaws, which are made from time to time by the Society in general meeting. No rule, made by the Society in general meeting, invalidates a prior act of the directors that would have been valid if that rule had not been made.

(b) The president, vice-president, secretary and treasurer shall be elected by the directors from persons serving as directors. The number of directors shall be 5 or such greater number as may be determined from time to time at a general meeting.

(c) The directors shall retire from office at each annual general meeting when their successors shall be elected. Directors are eligible for re-election as officers and directors. If no successor is elected the person previously elected or appointed continues to hold office.

(d) The directors may at any time and from time to time appoint a member as a director to fill a vacancy in the directors. A director so appointed holds office only until the conclusion of the next following annual general meeting of the Society, but is eligible for re-election at the meeting.

(e) If a director resigns his office or otherwise ceases to hold office, the remaining directors shall appoint a member to take the place of the former director. No act or proceeding of the directors is invalid only by reason of there being less than the prescribed number of directors in office. The members may by special resolution remove a director before the expiration of his term of office, and may elect a successor to complete the term of office. No director shall be remunerated for being or acting as a director but a director shall be

reimbursed for all expenses necessarily and reasonably incurred by him while engaged in the affairs of the Society.

Part 6 – Proceedings of Directors

(a) The directors may meet together at such places as they think fit for the dispatch of business, adjourn and otherwise regulate their meetings and proceedings, as they see fit. The directors may from time to time fix the quorum necessary for the transaction of business and unless so fixed the quorum shall be a majority of the directors then in office.

The president shall be chairman of all meetings of the directors; but if at any meeting the president is not present within 30 minutes after the time appointed for holding the meeting, the vice-president shall act as chairman, but if neither is present the directors present may choose one of their number to be chairman at that meeting.

A director may at any time, and the secretary, on the request of a director, shall, convene a meeting of the directors.

(b) The directors may delegate any, but not all, of their powers to committees consisting of such director or directors as they think fit.

A committee so formed in the exercise of the powers so delegated shall conform to any rules that may from time to time be imposed on it by the directors, and shall report every act or thing done in exercise of those powers to the earliest meeting of the directors to be held next after it has been done.

A committee shall elect a chairman of its meetings; but if no chairman is elected, or if at any meeting the chairman is not present within 30 minutes after the time appointed for holding the meeting, the directors present who are members of the committee shall choose one of their number to be chairman of the meeting.

The members of a committee may meet and adjourn as they think proper.

For a first meeting of directors held immediately following the appointment or election of a director or directors at an annual or other general meeting of members, or for a meeting of the directors at which a director is appointed to fill a vacancy in the directors, it is not necessary to give notice of the meeting to the newly-elected or appointed director or directors for the meeting to be duly constituted, if a quorum of the directors is present.

A director who may be absent temporarily from British Columbia may send or deliver to the address of the Society a waiver of notice, which may be by letter, telegram, telex, or cable, of any meeting of the directors and may, at any time, withdraw the waiver, and until the waiver is withdrawn, no notice of meetings of directors shall be sent to that director, and any and all meetings of the directors of the Society, notice of which has not been given to that director shall, if a quorum of the directors is present, be valid and effective.

(c) Questions arising at any meeting of the directors and committee of directors shall be decided by a majority of votes.

In case of an equality of votes the chairman does not have a second or casting vote.

No resolution proposed at a meeting of directors or committee of directors need be seconded and the chairman of a meeting may move or propose a resolution.

A resolution in writing, signed by all the directors and placed with the minutes of the directors is as valid and effective as if regularly passed at a meeting of directors.

Part 7 – Duties of Officers

(a) The president shall preside at all meetings of the Society and of the directors.

The president is the chief executive officer of the Society and shall supervise the other officers in the execution of their duties.

The vice-president shall carry out the duties of the president during his absence.

The secretary shall conduct the correspondence of the Society, issue notice of meetings of the Society and directors, keep minutes of all meetings of the Society and directors, have custody of all records and documents of the Society except those required to be kept by the treasurer, have custody of the common seal of the Society, and maintain the register of members.

The treasurer shall keep such financial records, including books of account, as are necessary to comply with the *Society Act*, and render financial statements to the directors, members and others when required.

In the absence of the secretary from a meeting, the directors shall appoint another person to act as secretary at the meeting.

Part 8 – Seal

The directors may provide a common seal for the Society and they shall have power from time to time to destroy it and substitute a new seal in place of the seal destroyed.

The common seal shall be affixed only when authorized by a resolution of the directors and then only in the presence of the persons prescribed in the resolution or if no persons are prescribed, in the presence of the president and secretary.

Part 9 – Borrowing

In order to carry out the purposes of the Society the directors may, on behalf of and in the name of the Society, raise or secure the payment or repayment of money in such manner as they decide and in particular but without limiting the generality of the foregoing, by the issue of debentures.

No debenture shall be issued without the sanction of a special resolution.

The members may by special resolution restrict the borrowing powers of the directors but a restriction so imposed expires at the next annual general meeting.

Part 10 – Auditor

This Part applies only where the Society is required or has resolved to have an auditor.

The first auditor shall be appointed by the directors who shall also fill all vacancies occurring in the office of auditor.

At each annual general meeting the Society shall appoint an auditor to hold office until he is reelected or his successor is elected at the next annual general meeting.

An auditor may be removed by ordinary resolution.

An auditor shall be informed forthwith in writing of appointment or removal.

No director and no employee of the Society shall be auditor.

The auditor may attend general meetings.

Part 11 – Notices to Members

A notice may be given to a member, either personally or by mail to him at his registered address.

A notice sent by mail shall be deemed to have been given on the second day following that on

which the notice is posted, and in proving that notice has been given it is sufficient to prove that the notice was properly addressed and put in a Canadian post office receptacle.

(a) Notice of a general meeting shall be given to every member shown on the register of members on the day notice is given, and the auditor, if Part 10 applies.

No other person is entitled to receive a notice of general meeting.

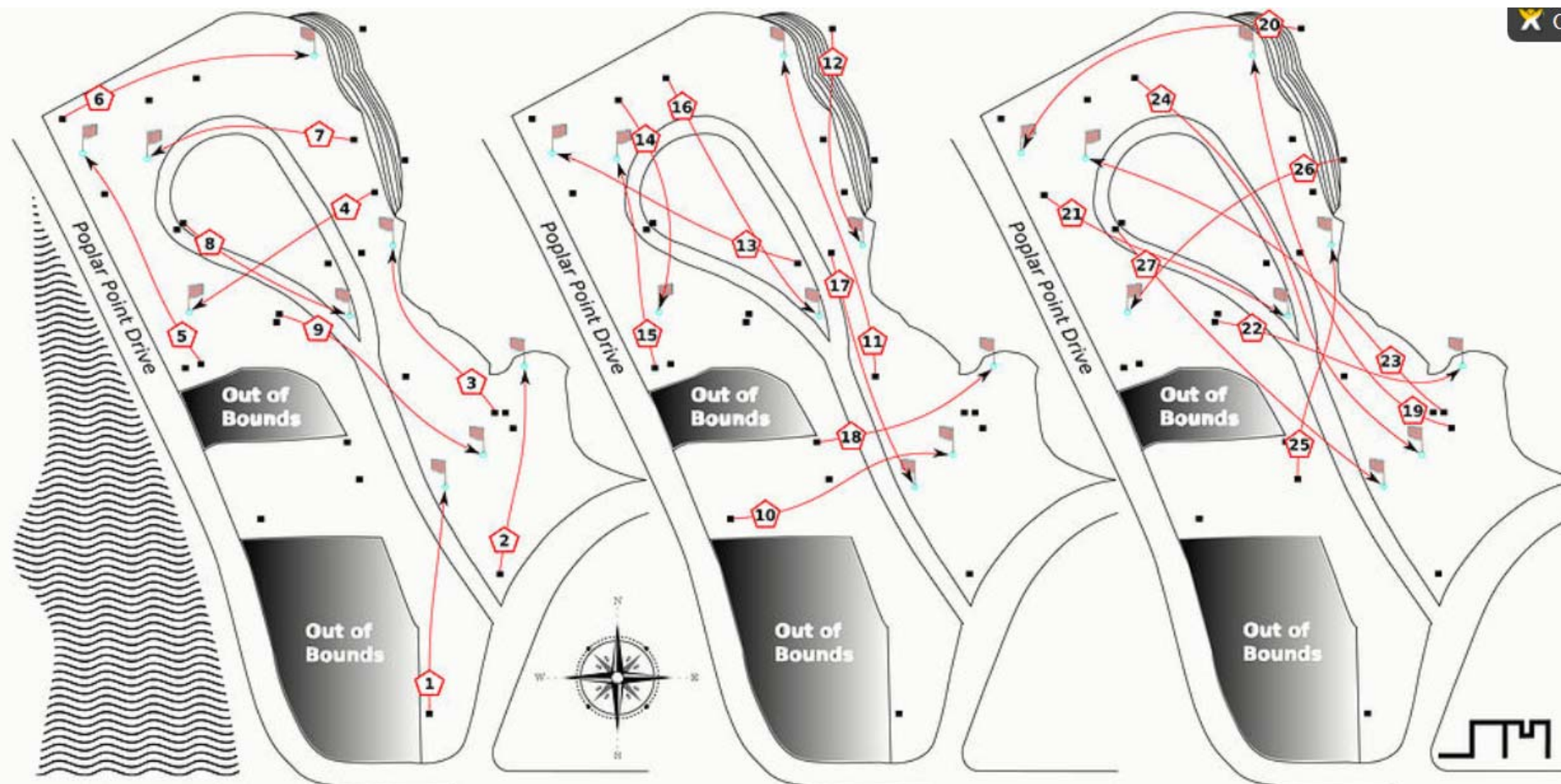
Part 12 – Bylaws

On being admitted to membership, each member is entitled to and the Society shall give him, without charge, a copy of the constitution and bylaws of the Society.

These bylaws shall not be altered or added to except by special resolution.



Proposed License of Occupation Area – Knox Mountain Disc Golf Course



Knox Mountain Disc Golf Course Front - 9											Knox Mountain Disc Golf Course Back - 9											Knox Mountain Disc Golf Course Third - 9										
HOLE (Tonal)	1	2	3	4	5	6	7	8	9	Total	HOLE (Tonal)	10	11	12	13	14	15	16	17	18	Total	HOLE (Tonal)	19	20	21	22	23	24	25	26	27	Total
FEET	217	238	204	218	239	271	221	205	271	2084	FEET	228	326	232	291	220	220	298	277	203	2295	FEET	428	321	269	276	444	500	235	258	414	3145
PAR	3	3	3	3	3	3	3	3	3	27	PAR	3	3	3	3	3	3	3	3	3	27	PAR	4	3	3	3	4	4	3	3	4	31

LICENSE OF OCCUPATION KELOWNA DISC GOLF ASSOCIATION



HISTORY

- ▶ KDGA incorporated non-profit
 - ▶ 40-50 members
 - ▶ Goal of promoting disc golf in the Okanagan
- ▶ Existing Knox course installed in 2003
 - ▶ Joint effort between City and KDGA
 - ▶ Improvements are temporary & removable
 - ▶ Proposed license formalizes use of site
- ▶ No conflict with Knox Park planning goals

LICENSE SUMMARY

KEY TERMS	
Commencement Date:	June 1, 2015
Initial Term:	3 years
Renewal Terms:	1 x 3 years
Permitted Use:	Disc golf course
Use Type:	Non-exclusive – open to public
Termination:	60 days notice without cause

LOCATION



Report to Council



Date: May 21, 2015
Rim No. 1825-40
To: City Manager
From: Infrastructure Planning Manager
Subject: Corporate GHG Emissions Update

Recommendation:

THAT Council receives, for information, the report from the Infrastructure Planning Manager dated May 21th, 2015 with respect to corporate GHG emissions data and emission reduction projects.

Purpose:

Purpose of report is to present the latest corporate GHG emissions data and highlight GHG emissions reduction projects. The Community actions were highlighted in a separate Council report on March 2rd, 2015 (Climate Action Revenue Incentive Program Reporting Requirement). Further, the purpose of this report is to make the final corporate GHG values public to meet the provincial requirements for the Climate Action Revenue Incentive Program.

Background:

On September 21, 2007 the City of Kelowna signed the BC Climate Action Charter (CAC). By doing so, signatory Local Governments agreed to voluntarily develop strategies and take actions to achieve the following goals:

1. to become carbon neutral with respect to their corporate operations by 2012. The province has since approved 'making progress towards' as part of the common approach to carbon neutrality under the CAC. The City has taken this approach for meeting CAC commitments;
2. measure and report on their GHG emission profile; and
3. create complete, compact and more energy efficient communities.

As an incentive to achieving CAC goals, the province reimburses signatory Local Governments 100% of the carbon taxes paid on energy each year under the Climate Action Revenue Incentive Program (CARIP). Earlier this year, finance submitted a claim for \$234,832 for 2014

carbon tax expenditures. The continuation of this payment is connected to the City's compliance with the CAC.

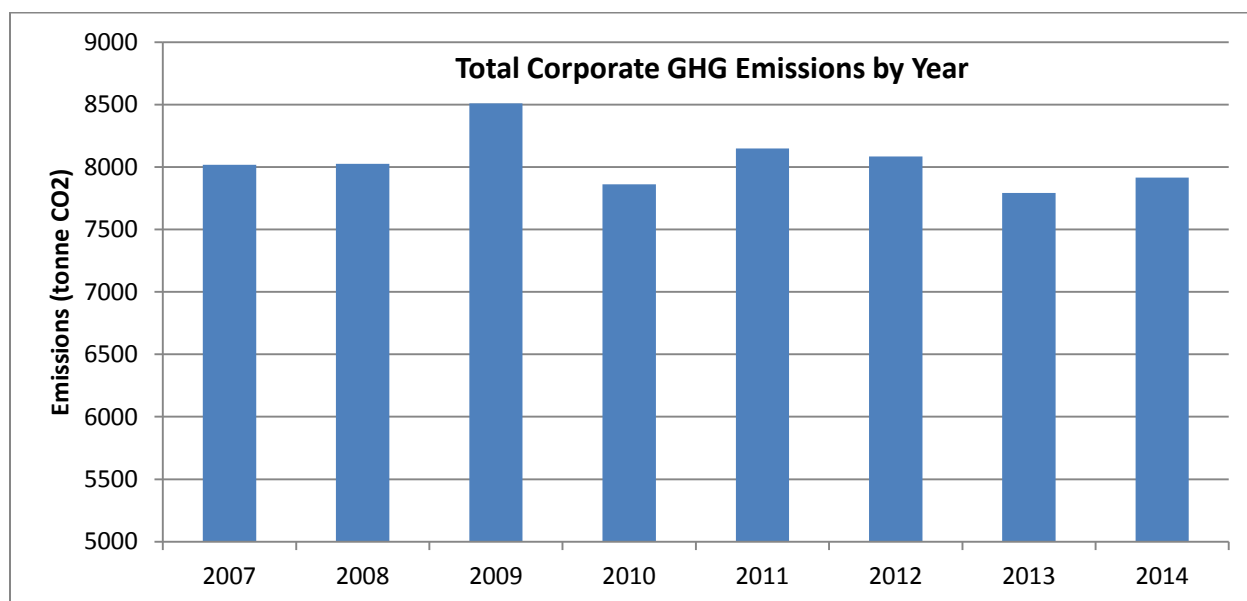
The City maintains all CARIP funds in a reserve (Carbon Energy Reserve) and uses these funds for capital projects, programs and operational costs that reduce GHG's and/or report on corporate GHG emissions. In 2015 the reserve will fund upgrades to Rutland Arena and an Energy Specialist to update the Corporate Energy and Emissions Plan.

The City tracks energy and emissions data from its corporate operations and this information is uploaded into the City's energy management system. Sources for the corporations GHG emissions include:

- Civic Buildings and Facilities (i.e. H₂O, Airport, Fire Halls, City Hall, RCMP, etc.),
- Outdoor Lighting
- Water, Wastewater and Solid Waste operations
- Vehicle Fleet.

The total GHG emission data for the period from 2007 to 2014 is shown in Figure 1. In 2007, the Corporation's total GHG emissions were estimated at 8,017 tonnes of CO₂ and in 2014 emissions were 7,915 tonnes CO₂. By implementing projects that reduce energy consumption, the corporation has seen a 1% reduction in GHG emissions levels since 2007. This reduction was achieved despite the addition of Fleet and Building inventory to support services to our growing community which has grown by approximately 12% over the same time period.

Figure 1



The CARIP reporting template (attached) provides corporate GHG emissions levels as required by the CAC and do not include GHG emissions for airport, police or solid waste operations as

these services are considered regional services under CAC. The CAC GHG emission level for 2014 was 6,109 tonne CO₂.

Listed below are corporate highlights for 2014.

- Change out of lights at Memorial and Rutland west arena resulting in electrical savings of 140,000 kWh/year;
- Upgraded lighting at H2O Aquatic Center;
- Gas meters installed throughout Waste Water Treatment Facility;
- Initiated a City Energy Management Committee;
- Work continued with Fortis on landfill gas to pipeline project;
- Partnered with Okanagan Car share Co-op to add another City vehicle to the fleet;
- Incorporated 10 new hybrid vehicles to the City's fleet;
- Staff developed a GPS sidewalk inspection vehicle;
- "Smart Driver" training was delivered to 24 staff;

Planned corporate actions in 2015 are detailed in the CARIP Reporting template and summarized as follows.

- Rutland Arena - domestic and ice making hot water recovery.
- Commissioning and start-up of Landfill Gas to Fortis Pipeline project.
- Optimization projects such as low flow water fixtures, variable frequency drives, lighting retrofits and lighting controls at various sites.
- Removal and replacement of space heating equipment of Parks headquarters and #2 Fire Hall.
- Water heater replacement to heat exchanger option of on demand system at City Hall.
- Boiler retrofit at Yards.
- Investigation and development of a business case for a city wide street lighting retrofit/adaptive control program.
- Monitor gas usage per area in an effort to reduce gas consumption at the Waste Water Treatment Facility.
- Investigating other methods to optimize arena operations to reduce natural gas consumption.
- Plan to update the 2011 Corporate Energy and Emissions Plan
- Energy Committee-Plan to hire an Energy Specialist position for 12 - 18 month term.
- Partial funding from FortisBC to contribute to Energy Specialist position
- Will review the corporate bike fleet program and determine expansion opportunities.
- Expansion of the City and Okanagan Car Share Co-op program.
- Planning to add more hybrid vehicles to the fleet.

Internal Circulation:

Sustainability Coordinator
Manager, Policy and Planning
Director, Financial Services
Manager, Fleet Services
Manager, Building Services

Existing Policy:

The Multiple Bottom Line framework pursuant to Council Policy 352: Sustainable Municipal Infrastructure targets climate change initiatives (mitigation and adaptation) including the reduction of GHG emissions. The corporation's goal is to reduce GHG emissions 22% below 2007 levels by 2017, as established on December 1, 2010. Given that corporate GHG emissions are 1% below 2007 levels it is unlikely that we will meet this rather ambitious goal by 2017.

Financial/Budgetary Considerations:

The annual CARIP grant will be placed in the Carbon Energy reserve and will be used for projects that will reduce corporate energy and GHG emissions. This reserve will also fund operational expenses, like software licenses, for data collection and reporting. Projects for 2016 will be prioritized based on their business case which will include consideration for environmental and economic benefit. The City has an Energy Management Committee to evaluate and prioritize projects.

Personnel Implications:

The data collection, reporting and management of the Corporate GHG Management plan will be completed with existing staff resources.

Considerations not applicable to this report:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Submitted by:

J. Shaw, P.Eng., Infrastructure Planning Manager

Approved for inclusion:



Alan Newcombe, Infrastructure Divisional Director

Attachment 1: CARIP Corporate Survey

cc:

Divisional Director, Civic Operations
Divisional Director, Communications & Information Services
Divisional Director, Community Planning & Real Estate
Divisional Director, Infrastructure
Director, Development Services
Director, Financial Services
Manager, Building Services
Manager, Fleet Services
Manager, Policy and Planning
Sustainability Coordinator

Climate Action Revenue Incentive Program (CARIP) Public Reporting - Carbon Neutral Progress Survey 2014

Measuring Corporate GHG Emissions

MEASURING CORPORATE GHG EMISSIONS

Q1. Did you measure your local government's corporate GHG emissions in 2014?

Yes

Reporting Corporate GHG Emissions and Reductions

REPORTING CORPORATE GHG EMISSIONS AND REDUCTIONS

A local government's Total Corporate GHG Emissions include direct and contracted GHG emissions that result from the delivery of "traditional services". Traditional services - services that are commonly provided by a majority of local governments and include: administration and governance; drinking, storm and waste water; solid waste collection, transportation and diversion; roads and traffic operations; arts, recreation and cultural services; and fire protection. Direct GHG emissions - emissions that are generated by the delivery of a traditional service by local government staff or a subsidiary organization. Contracted GHG emissions - emissions that are generated by the delivery of traditional services by contractors on behalf of local governments. For more information, see *Becoming Carbon Neutral: A Guide for Local Governments in British Columbia* and *The Workbook: Helping Local Governments Understand How to be Carbon Neutral in their Corporate Operations*.

Reporting Emissions

Q2. What were your local government's 2014 corporate GHG emissions from services delivered directly by your local government?

(in tonnes of carbon dioxide-equivalent, tCO₂e)

6,109 tCO₂e

Q3. What were your local government's 2014 corporate GHG emissions from contracted services?

(in tonnes of carbon dioxide-equivalent, tCO₂e)

Response:

We currently do not track contractor emissions but will investigate mechanisms in 2015 for collecting this data efficiently and accurately.

Total Corporate GHG Emissions for 2014 = 6,109 tCO₂e

Reporting Reductions and Offsets

To be carbon neutral, a local government must: balance their TOTAL corporate GHG emissions by undertaking Option 1 (GCC-supported) or Option 2 (alternative) community GHG emissions reduction projects that meet project eligibility requirements; and/or; purchase carbon offsets from a credible offset provider.

Q4. If applicable, please report the 2014 GHG emissions reductions being claimed from Option 1 GHG Reduction Projects.

Reductions from Option 1 Projects = 0.0 tCO₂e

Q5. If applicable, please list the names of and report the 2014 GHG emissions reductions being claimed from Option 2 GHG Reduction Projects.

Reductions from Option 2 Projects = 0 tCO₂e

Q6. If applicable, please report the number of offsets you purchased from an offset provider for the 2014 reporting year.

NOTE: Please do not include any climate action reserve funds in your response. Some local governments have put funds that they would otherwise use to purchase offsets into climate action reserve funds. A climate action reserve fund is a way of setting aside funding for emission reduction projects, and worth publicly reporting, but does not get a local government to carbon neutrality under the GCC's Carbon Neutral Framework.(in tonnes of carbon dioxide-equivalent)

Response:

No offsets were purchased

Q7. If you have purchased offsets, please identify the name of your offset provider.

N/A

Total Reductions from Projects and Offsets for 2014 = 0.0

Corporate GHG Emissions Balance

Your local government's Corporate GHG Emissions Balance is the difference between total corporate GHG emissions (direct + contracted emissions) and the GHG emissions reduced through GCC Option 1 and Option 2 projects and/or the purchase of offsets.

Corporate GHG Emissions Balance for 2014 = 6,109 tCO₂e

Making Progress Towards Carbon Neutrality

MAKING PROGRESS TOWARDS CARBON NEUTRALITY

Even if your local government did not measure corporate GHG emissions or achieve carbon neutrality for the 2014 reporting year, by identifying and committing to taking actions next year to bring you closer to carbon neutrality, your local government is meeting the spirit of the Climate Action Charter.

Q8. If you did not achieve carbon neutrality in 2014, did you undertake any of the following commonly reported corporate GHG reduction activities?

- Undertook civic building energy efficient retrofits
- Set aside funds in a climate action reserve fund

Q9. If you did not achieve carbon neutrality in 2014, please identify up to three key actions for 2015 that will help you make progress towards becoming carbon neutral.

Response

1. Commissioning and start-up of Landfill Gas to Fortis Pipeline project. This represents a significant offset opportunity for the City.
2. Hire an Energy Specialist to update the Corporate Energy and Emissions Plan
3. Continue to replace and retrofit equipment, buildings and facilities at the end of their service life with energy efficient alternatives when there is a good business case.