

City of Kelowna

Regular Council Meeting

AGENDA



Monday, February 18, 2013
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. **Call to Order**
This meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.
2. **Confirmation of Minutes**
Regular PM Meeting - January 14, 2013

Chauffeur's Permit Appeal - January 15, 2013

Regular PM Meeting - January 21, 2013

Special Committee-of-the-Whole Meeting - January 22, 2013

Regular PM Meeting - January 28, 2013

Regular PM Meeting - February 4, 2013
3. **Public in Attendance**
 - 3.1 **Central Okanagan Heritage Society - Annual Report**
To update Council on the activities of the Central Okanagan Heritage Society. 32 - 45
 - 3.2 **City of Kelowna Heritage Grants Program - Annual Report**
To provide Council with an update regarding the City of Kelowna's Heritage Grants Program Committee. 46 - 70

4. Development Application Reports & Related Bylaws

- 4.1 Official Community Plan Amendment Application No. OCP12-0009 & Rezoning Application No. Z12-0055 - 2980 Gallagher Road 71 - 85
The applicant is proposing to amend the Official Community Plan (OCP) Future Land Use designations for a portion of the Kirschner Mountain development lands, and to rezone a small portion of one of the subject properties.

- 4.1.1 Bylaw No. 10806 (OCP12-0009) - 2980 Gallagher Road 86 - 88
Requires a majority of all members of Council (5).

To give Bylaw No. 10806 first reading.

- 4.1.2 Bylaw No. 10807 (Z12-0055) - 2980 Gallagher Road 89 - 90
To give Bylaw No. 10807 first reading.

5. Non-Development Reports & Related Bylaws

- 5.1 Development Application Fees Bylaw Amendment 91 - 99
Staff are recommending updates to the existing Development Application Fee Bylaw to remove all references to the APC fee and to implement changes to reflect current application types.

- 5.1.1 Bylaw No. 10749 - Amendment No. 2 to Development Application Fees Bylaw No. 10560 100 - 102
To give Bylaw No. 10749 first, second and third readings.

- 5.2 Development Application - Public Notification and Consultation Procedures & Miscellaneous Amendments to the Development Application Procedures Bylaw 103 - 111
In response to Council direction to eliminate the APC role in development application processing, this Text Amendment seeks to update the Development Application Procedures Bylaw to reflect an amended public consultation process. Specifically, the proposal: • expands the role of Public Information Sessions for major development applications; • introduces Project Boards for major development applications; • formalizes the requirement for neighbour consultation; and • removes all references to the Advisory Planning Commission. The proposal also includes three miscellaneous amendments: a change to the maximum timeframe for development application extensions from six (6) months to twelve (12) months; a change to clarify the criteria for amendments to issued Development Permits that can be approved by the Director of Land Use Management; and a change to clarify the intent of the requirement that all Development Permits adjacent to residential development be considered by Council.

5.2.1	Bylaw No. 10654 - Amendment No. 1 to Development Application Procedures Bylaw No. 10540	112 - 126
	To give Bylaw No. 10654 first, second and third readings.	
5.3	Beach Water Quality Update and Recommendation to SILGA To update Council on the beach water sampling program with Interior Health, and gain Council approval to forward a recommendation on the future of the program to the Southern Interior Local Government Association (SILGA).	127 - 130
5.4	2013 Federation of Canadian Municipalities Sustainable Community Award To advise Council that the City of Kelowna received a 2013 Federation of Canadian Municipalities Sustainable Community Award in the Energy Category for the City's Community Climate Action Plan and Corporate Energy and Emissions Plan.	131 - 136
5.5	Proposed Renaming of a Section of Horn Crescent to Tungsten Court To rename a portion of Horn Crescent to Tungsten Court.	137 - 140
5.5.1	Bylaw No. 10799 - A Bylaw to Rename Horn Crescent to Tungsten Court To give Bylaw No. 10799 first, second and third readings.	141 - 142
5.6	Proposed Renaming of a Section of Upper Canyon Drive To rename a portion of Upper Canyon Drive to Upper Canyon Drive North.	143 - 145
5.6.1	Bylaw No. 10803 - A Bylaw to Rename a portion of Upper Canyon Drive to Upper Canyon Drive North To give Bylaw No. 10803 first, second and third readings.	146 - 147
5.7	Proposed Road Closure - Lane Adjacent to 384 Glenwood Avenue The excess closed road is to be consolidated with the adjacent property at 384 Glenwood Avenue in return for market value compensation and a statutory right of way to protect utilities within the road closure area.	148 - 150
5.7.1	Bylaw No. 10805 - Road Closure Bylaw - Portion of lane adjacent to 384 Glenwood Avenue To give Bylaw No. 10805 first, second and third readings.	151 - 152
6.	Bylaws for Adoption (Non-Development Related)	
6.1	Bylaw No. 10797 - Amendment No. 1 to Parks and Public Spaces Bylaw No. 10680 - Adoption Report To adopt Bylaw No. 10797 being Amendment No. 1 to Parks and Public Spaces Bylaw No. 10680.	153 - 155

7. Mayor and Councillor Items
8. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 14, 2013
Time: 1:30 pm
Location: Council Chamber
City Hall, 1435 Water Street

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

Council Members Absent: Councillor Maxine DeHart

Staff Present: City Manager, Ron Mattiussi*; City Clerk, Stephen Fleming; Acting General Manager, Community Sustainability, Doug Gilchrist*; Acting Director, Real Estate & Building Services, Derek Edstrom*; Manager, Environment & Land Use, Todd Cashin*; Systems Development Manager, Brian Butchart*; Performance Improvement Consultant, Clint McKenzie*; Community Planning Manager, Theresa Eichler*; Sustainability Coordinator, Michelle Kam*; Sustainability Coordinator, Tracy Guidi*; Long Range Planning Manager, Gary Stephen*; Parking Operations Coordinator, Dave Duncan*; and Council Recording Secretary, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 1:40 p.m.

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

2. Confirmation of Minutes

2.1 Regular PM Minutes - December 17, 2012

Moved By: Councillor Zimmermann/ Seconded By: Councillor Singh

R010/13/01/14 THAT the Minutes of the Regular PM Meeting of December 17, 2012 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 Diamond Jubilee Award Presentations

Mayor Gray:

- Presented a Diamond Jubilee Award to Tom Budd and Chrissy Leathley.
- Advised that James Stuart would also be receiving a Diamond Jubilee Award upon his return to Kelowna.

4. Development Application Reports & Related Bylaws

4.1 Land Use Management Department, dated December 21, 2012, re: OCP12-0018 and Z12-0058, Blaskovich and Mair Developments Ltd., (N of) Steele Road and 1450 Steele Road

Moved By: Councillor Given/Seconded By: Councillor Hobson

R011/13/01/14 THAT OCP Bylaw Amendment No. OCP12-0018 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designation of Lot A Sections 20 and 29 Township 29 Similkameen Division Yale District Plan KAP44335 Except Plan KAP92565, located at 1450 Steele Road and Lot 1 Section 29 Township 29 Similkameen Division Yale District Plan EPP23066, located at (N OF) Steele Road from Single / Two Unit Residential (S2RES), Single / Two Unit Residential - Hillside (S2RESH), Multiple Unit Residential - Cluster (MRC) and Major Park/Open Space (PARK) to Single / Two Unit Residential (S2RES) and Major Park and Open Space, as shown on Map "A" attached to the report of the Land Use Management Department, dated December 21st, 2012, be considered by Council;

AND THAT the requirement to hold a public information meeting, prior to the bylaws receiving first reading, in accordance with the Local Government Act and the City of Kelowna's Development Applications Procedures Bylaw No. 10540, be waived;

AND THAT Rezoning Application No. Z12-0058 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 29 Township 29 Similkameen Division Yale District Plan EPP23066, located at (N OF) Steele Road from A1 - Agriculture 1 to RU1 - Large Lot Housing and by changing the zoning classification of a portion of Lot A Sections 20 and 29 Township 29 Similkameen Division Yale District Plan KAP44335 Except Plan KAP92565, located at 1450 Steele Road from A1 - Agriculture 1 to P3 - Parks & Open Space as shown on Map "B" attached to the report of the Land Use Management Department, dated December 21st, 2012, be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP12-0018 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the ravine area being rezoned to P3 - Major Parks and Open Space be dedicated to the City as a titled lot;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the applicant entering into a Parks Agreement with the City for construction of a public trail within 10m from the Ravine's top of bank;

AND THAT final adoption of the zone amending bylaw be considered subsequent to a Natural Environment Development Permit being issued for the proposed development;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the issuance of a PLR for the proposed subdivision.

Carried

4.1.1 Bylaw No. 10791 (OCP12-0018), Blaskovich and Mair Developments Ltd., (N of) Steele Road and 1450 Steele Road

Moved By: Councillor Given/Seconded By: Councillor Stack

R012/13/01/14 THAT Bylaw No. 10791 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

4.1.2 Bylaw No. 10792 (Z12-0058), Blaskovich and Mair Developments Ltd., (N of) Steele Road and 1450 Steele Road

Moved By: Councillor Stack/Seconded By: Councillor Given

R013/13/01/14 THAT Bylaw No. 10792 be read a first time.

Carried

4.2 Land Use Management Department, dated December 21, 2012, re: OCP12-0019 and Z12-0057, Interval Investment Inc., (E of) Steele Road

Moved By: Councillor Hobson/Seconded By: Councillor Zimmermann

R014/13/01/14 THAT OCP Bylaw Amendment No. OCP12-0019 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Part 8.1 acres more or less of the South West ¼ Section 29 shown outlined green on Plan B4787 Township 29 Similkameen Division Yale District, located at (E OF) Steele Road, Kelowna, B.C. from Single / Two Unit Residential (S2RES) and Single / Two Unit Residential - Hillside (S2RESH) to Single / Two Unit Residential (S2RES), Single / Two Unit Residential - Hillside (S2RESH) and Major Park and Open Space, as shown on Map "A" attached to the report of the Land Use Management Department, dated December 21st, 2012, be considered by Council;

AND THAT the requirement to hold a public information meeting, prior to the bylaws receiving first reading, in accordance with the Local Government Act and the City of Kelowna's Development Applications Procedures Bylaw No. 10540, be waived;

AND THAT Rezoning Application No. Z12-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for a portion of Part 8.1 acres

more or less of the South West ¼ Section 29 shown outlined green on Plan B4787 Township 29 Similkameen Division Yale District, located at (E OF) Steele Road, Kelowna, B.C. from A1 - Agriculture 1 to RU3 - Small Lot Housing, P3 - Parks & Open Space, A1 - Agriculture 1 as shown on Map "B" attached to the report of the Land Use Management Department, dated December 21st, 2012, be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP12-0002 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject properties;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the gully area shown on the attached rezoning and OCP Amendment plans by Ecora be dedicated to the City as a titled lot;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the issuance of a PLR for the proposed subdivision.

Carried

4.2.1 Bylaw No. 10793 (OCP12-0019), Interval Investment Inc., (E of) Steele Road

Moved By: Councillor Zimmermann/Seconded By: Councillor Given

R015/13/01/14 THAT Bylaw No. 10793 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

4.2.2 Bylaw No. 10794 (Z12-0057), Interval Investment Inc., (E of) Street Road

Moved By: Councillor Given/Seconded By: Councillor Zimmermann

R016/13/01/14 THAT Bylaw No. 10794 be read a first time.

Carried

5. Bylaws for Adoption (Development Related)

5.1 City Clerk, dated December 14, 2012, re: Rezoning Application No. Z12-0067 - 3563 Scott Road

Moved By: Councillor Blanleil/Seconded By: Councillor Basran

R017/13/01/14 THAT Bylaw No. 10785, being Rezoning Application No. Z12-0067 for 3563 Scott Road be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Acting General Manager, Community Sustainability, General Manager, Community Services and Acting General Manager, Corporate Sustainability, dated January 9, 2013, re: Quarterly Report Update

Acting General Manager, Community Sustainability:

- Displayed a PowerPoint Presentation and provided an overview of the Quarterly Report.
- Responded to questions from Council.

The City Manager joined the meeting at 2:12 pm.

Moved By: Councillor Hobson/Seconded By: Councillor Given

R018/13/01/14 THAT Council receives, for information, the Quarterly Report from the Acting General Manager, Community Sustainability, Acting General Manager, Corporate Sustainability and General Manager, Community Services dated January 9, 2013.

Carried

6.2 Performance Improvement Consultant, dated January 14, 2013, re: Service Requests - Deployment to Mobile Devices

Staff:

- Provided an overview of the new Mobile Service Request System.
- Conducted a live demo of the Mobile Service Request System and responded to questions from Council.

Moved By: Councillor Basran/Seconded By: Councillor Blanteil

R019/13/01/14 THAT Council receives, for information, the Report from the Performance Improvement Consultant dated January 14, 2013 with respect to deployment of the Service Request (SR) system to mobile devices such as smartphones and tablets.

Carried

6.3 Sustainability Coordinators, dated December 21, 2012, re: Social Policy Update

Staff:

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

Moved By: Councillor Stack/Seconded By: Councillor Given

R020/13/01/14 THAT Council receives for information the report from the Sustainability Coordinator dated December 21, 2012, with respect to the Social Policy Update;

AND THAT Council adopts revised Council Policy 360 Social Policy, as attached to the report of the Sustainability Coordinator dated December 21, 2012;

AND THAT Council endorses the Social Framework, as attached to the report of the Sustainability Coordinator dated December 21, 2012;

AND FURTHER THAT Council direct staff to initiate amendments to the Official Community Plan as noted in the report of the Sustainability Coordinator dated December 21, 2012 as part of the next staff-initiated OCP amendments.

Carried

6.4 Long Range Planning Manager, dated January 4, 2013, re: Outdated Policy Documents

Staff:

- Provided an overview of the outdated policy documents and responded to questions from Council.

Moved By: Councillor Stack/Seconded By: Councillor Hobson

R021/13/01/14 THAT Council receives, for information, the report from the Long Range Planning Manager dated January 4, 2013 with respect to outdated policy documents;

AND THAT staff be directed to no longer use or reference the outdated policy documents, plans and guidelines indicated in the report (Attachments 1 & 2) from the Long Range Planning Manager dated January 4, 2013;

AND THAT the Southwest Mission Sector Plan be removed as policy when a new Council Policy to address the on-going servicing requirements for the area has been endorsed by Council;

AND THAT Council Policy No. 303 - Development Guidelines be rescinded;

AND FURTHER THAT staff be directed to remove or update outdated policy document references in the OCP as part of the next staff initiated OCP Amendment bylaw.

Carried

6.5 Acting Director, Real Estate & Building Services, dated January 3, 2013, re: Residential Parking Program, New Council Policy & Bylaw Amendments

Staff:

- Provided an overview of the Residential Parking Program, the new Council Policy and Bylaw amendments.
- Responded to questions from Council.

Moved By: Councillor Blanteil/Seconded By: Councillor Zimmermann

R022/13/01/14 THAT Council receives for information, the report from the Acting Director, Real Estate & Building Services dated January 3, 2013, with respect to the Residential Permit Program;

AND THAT Council supports the inclusion of a \$5 fee for replacement Residential Permits, this fee is in addition to the \$30 annual fee for new permits approved by council at the July 9, 2012 Regular Meeting;

AND THAT Bylaw No. 10787, being Amendment No. 21 to Traffic Bylaw No. 8120, be forwarded for reading and consideration;

AND THAT Council approves, effective February 1, 2013, the new Council Policy 366 Residential Permit Program as attached to the Report of the Acting Director, Real Estate & Building Services dated January 3, 2013;

AND FURTHER THAT Council Policy 107 - Residential Parking Permit Program be rescinded.

Carried

6.5.1 Bylaw No. 10787 - Amendment No. 21 to City of Kelowna Traffic Bylaw No. 8120

Moved By: Councillor Basran/Seconded By: Councillor Blanleil

R023/13/01/14 THAT Bylaw No. 10787 be read a first, second and third time.

Carried

6.6 Manager, Real Estate Services, dated December 12, 2012, re: Proposed Road Closure, Land Adjacent to Knox Mountain Park

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R024/13/01/14 THAT Council receives for information, the Report from the Manager, Real Estate Services dated December 12, 2012, recommending that Council adopt the proposed road closures of two portions of land adjacent to Knox Mountain Park;

AND THAT Bylaw No. 10769 being Road Closure Bylaw for a portion of road adjacent to 580 Knox Mountain Drive be forwarded for reading consideration;

AND FURTHER THAT Bylaw No. 10770 being Road Closure bylaw for a portion of road adjacent to 591 Poplar Point Drive be forwarded for reading consideration.

Carried

6.6.1 Bylaw No. 10769, Road Closure Bylaw, Portion of Road Adjacent to 580 Knox Mountain Drive

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R025/13/01/14 THAT Bylaw No. 10769 be read a first, second and third time.

Carried

6.6.2 Bylaw No. 10770, Road Closure Bylaw, Portion of Road Adjacent to 591 Poplar Point Drive

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R026/13/01/14 THAT Bylaw No. 10770 be read a first, second and third time.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 City Clerk, dated January 7, 2013, re: Adoption of Bylaw No. 10790 - Amendment No. 30 to Electricity Regulation Bylaw No. 7639

Moved By: Councillor Hobson/Seconded By: Councillor Singh

R027/13/01/14 THAT Bylaw No. 10790 being Amendment No. 30 to Electricity Regulation Bylaw No. 7639 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Given:

- Thanked the local churches for organizing the "Week of Prayer".

Councillor Stack:

- Advised that he attended the Grand Opening of the new Shoppers Drug Mart in Glenmore this past weekend.

Mayor Gray:

- Made reference to the Boulder, Colorado programs and approaches to encouraging economic development and diversity for young entrepreneurs.

9. Termination

This meeting was declared terminated at 3:11 p.m.

Mayor

/slh



City Clerk

A Regular Meeting of the Municipal Council of the City of Kelowna was held in the Knox Mountain Meeting Room, 1435 Water Street, Kelowna, B.C., on Tuesday, January 15, 2013.

Council members in attendance: Mayor Walter Gray, Councillors Andre Blaneil; Colin Basran, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann.

Council members absent: Councillor Maxine DeHart.

Staff members in attendance were: Acting City Manager, Rob Mayne; and City Clerk, Stephen Fleming.

Guests: RCMP Sgt. Jayson Lucash, NCO in charge of the Central Okanagan Traffic Section; and Limousine Driver, Roy Stein.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 4:01 p.m.

2. CHAUFFEUR'S PERMIT APPEAL HEARING

Mayor Gray provided opening remarks with respect to the conduct of the Chauffeur's Permit Appeal Hearing.

RCMP Sgt. Jayson Lucash:

- There was one incident which resulted in an impaired charge in which Mr. Stein was operating a limo with 18 passengers while under the influence. This incident took place in Vernon on June 2, 2012.
- Provided further details of the June 2nd incident.
- Confirmed that the decision to revoke the licence, as indicated in the letter dated August 16, 2012, was based on upon the June 2nd incident.
- Advised that Mr. Stein does not have a valid BC Drivers Licence as of this afternoon and that Mr. Stein would need to undertake various steps before he could legally drive a limo again.
- Read from the Crown Counsel decision not to proceed with a criminal impaired charge due to procedural issues of how the blood alcohol level was obtained by the RCMP.
- Confirmed that the issue was that the Crown did not support the RCMP's decision to obtain a blood alcohol level via a blood sample when the reasons for using this more obtrusive option were questionable.
- The Officer on the scene was concerned that the use of an inhaler by Mr. Stein may distort the breathalyzer reading.
- Confirmed that there were no other driving incidents on record.

Mr. Stein:

- Has no history of driving offences.
- Admits he made a serious mistake. He thought he was okay to drive as he had waited "hours and hours" between his last drink and driving.
- Guaranteed it would not happen again.
- Spoke to his recent back surgery.
- Spoke to the June 2nd incident from his perspective. He had been drinking wine with friends earlier in the afternoon while watching a hockey game.
- Confirmed that he did not think he was over the limit.
- Hasn't driven in many months.

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- Has to take a Safe Driving Program course and have a screening device installed in his vehicle prior to receiving his licence back.

Moved by Councillor Blaneil/Seconded by Councillor Singh

R028/13/01/15 THAT Council authorizes the re-issuance of the Chauffeur's Permit to Roy Stein subject to provincial approval of his driver's licence, installation of an intralock device and the approval of the National Safety Council commercial driver's licence.

Carried4. TERMINATION

The meeting was declared terminated at 4:58 p.m.

Certified Correct:

Mayor

/scf/slh



City Clerk



City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 21, 2013
Time: 1:30 pm
Location: Council Chamber
City Hall, 1435 Water Street

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

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Acting Director, Policy & Planning, Shelley Gambacort*; Community Planning Manager, Theresa Eichler*; Manager, Property Management, Ron Forbes*; Manager, Sport & Event Development, Don Backmeyer*; Manager, Finance & Administration, Lori Angus*; Director, Recreation & Cultural Services, Jim Gabriel*; and Council Recording Secretary, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 1:36 p.m.

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

2. Development Application Reports & Related Bylaws

2.1 Rezoning Application No. Z10-0100 - 445 Pearson Road

Moved By: Councillor Hobson/Seconded By: Councillor Blanleil

R037/13/01/21 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10522, Lot 67, Section 26, Township 26, O.D.Y.D., Plan 22239, located on 445 Pearson Road, Kelowna, BC be extended from November 17, 2012 to May 17, 2013.

Carried

2.2. Rezoning Application No. Z10-0028 - 1020 Graham Road

Staff:

- As this rezoning application was as a result of a bylaw enforcement action, staff will not be supporting any further extension requests.

Moved By: Councillor Hobson/Seconded By: Councillor Zimmermann

R038/13/01/21 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10551 (Z10-0028), Lot 43, Section 22, Township 26, ODYD Plan 28367, located on Graham Road, Kelowna, BC be extended from January 11, 2013 to July 11, 2013.

Carried

2.3. Development Permit Application No. DP12-0219 - 1515 Highland Drive North

Staff:

- Provided an overview of the development and responded to questions from Council.
- Confirmed that access will be off of Highway Drive North.

Moved By: Councillor Zimmermann/Seconded By: Councillor Hobson

R039/13/01/21 THAT Council authorizes the issuance of Development Permit No. DP12-0219 for Lot 1, Section 29, Township 26, ODYD, Plan EPP14446, located at 1515 Highland Drive N., Kelowna B.C., subject to the following:

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

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

Carried

3. Non-Development Reports & Related Bylaws

3.1. Recreation & Cultural Services Conditions of Use & Allocation Policy Manual

Staff:

- Provided an overview of the Recreation & Cultural Services Conditions of Use and Allocation Policy Manual and responded to questions from Council.

Moved By: Councillor Hobson/Seconded By: Councillor Basran

R040/13/01/21 THAT Council receives the report from the Manager, Administration & Finance and Manager, Sport & Event Development, dated January 16, 2013 to update the Recreation & Cultural Services Conditions of Use and Allocation Policies Manual;

AND THAT Council endorses the updates to the Recreation & Cultural Services Conditions of Use and Allocation Policies Manual as outlined in the report from the Manager, Administration & Finance and Manager, Sport & Event Development dated January 16, 2013.

Carried

3.2. Rental Housing Grant Recommended For 2013

Staff:

- Displayed a PowerPoint Presentation and responded to questions from Council.

Moved By: Councillor Hobson/Seconded By: Councillor Given

R041/13/01/21 THAT Council approves the 2013 Rental Housing Grants as identified in the report from the Community Planning Manager dated January 7, 2013, in accordance with the Housing Opportunities Reserve Fund Bylaw No.8593 and Council Policy No. 335, Rental Housing Grants Policy.

Carried

3.3. KLO Ball Fields Lease Renewal

Staff:

- Provided background information and an overview of the Lease Renewal Agreement.

Moved By: Councillor Hobson/Seconded By: Councillor Singh

R042/13/01/21 THAT City Council approves a three (3) year Lease Renewal Agreement with Central Okanagan Regional District based on the criteria set out in the Report from the Property Manager dated January 7, 2013 for the lease of the ball fields at 1456 KLO Road for the purposes of recreational playing fields;

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

Carried

3.4. Road Closure - 3756 Lakeshore Road

Moved By: Councillor Given/Seconded By: Councillor Stack

R043/13/01/21 THAT Council receives for information, the Report from the Manager, Real Estate Services dated November 13, 2012, recommending that Council adopt the proposed road closure of a portion of Lakeshore Road;

AND THAT Bylaw No. 10780, being proposed road closure of a portion of Lakeshore Road, be forwarded for reading consideration.

Carried

3.4.1. Bylaw No. 10780 - Road Closure Bylaw - Portion of Road adjacent to 3756 Lakeshore Road

Moved By: Councillor Given/Seconded By: Councillor Stack

R044/13/01/21 THAT Bylaw No. 10780 be read a first, second and third time.

Carried

4. Bylaws for Adoption (Non-Development Related)

4.1. Bylaw Adoption - Amendment No. 21 to Traffic Bylaw No. 8120

Moved By: Councillor DeHart/Seconded By: Councillor Zimmermann

R045/13/01/21 THAT Bylaw No. 10787 being Amendment No. 21 to Traffic Bylaw No. 8120 be adopted.

Carried

5. Mayor and Councillor Items

Councillor Basran:

- Congratulated Kelly Scott and team for winning the BC Women's Curling Championship.
- Noted that there is an Alzheimer's Walk being held this Sunday at 10:00 a.m. at the Capital News Centre.

Councillor Singh:

- Noted that there is a Chinese New Year Celebration being held tomorrow at 6:30 p.m. at the College.

6. Termination

This meeting was declared terminated at 2:24 p.m.

Mayor

/slh



City Clerk

A Special Committee-of-the-Whole Meeting of the Municipal Council of the City of Kelowna was held in the Parkinson Activity Centre, Main Hall, 1700 Parkinson Way, Kelowna, B.C., on Tuesday, January 22, 2013.

Council members in attendance: Mayor Walter Gray, Councillors Colin Basran, Andre Blanleil, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann.

Council members absent: Councillor Maxine DeHart.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Strategic Initiatives Manager, Eric Carr; and Council Recording Secretary, Arlene McClelland.

Residents Associations attendance were: Black Mountain Belgo Residents Association, Julee Ann Richmond Vice President; Clifton Highlands Community Association, Tara Godwin Vice President; Glenmore Valley Community Association, Kim Dodds, President and Marlene Miller, Treasurer; Kelowna Downtown Knox Mountain Neighbourhood Association, Lisa Masini, Vice President; Kelowna South Central Association of Neighbourhood Association, Wayne Dods and Bev Kalmakoff Secretary; KLO Central Neighbourhood Association, Richard Burroughs, President; McKinley Landing Residents Association, Brad Dahl, President; Okanagan Mission Residents Association, Mark Thompson, President; Rutland Residents Association, John Huston, President.

(* denotes partial attendance)

CALL TO ORDER

Mayor Gray called the special meeting to order at 2:03 p.m.

1. WELCOME AND INTRODUCTIONS

Mayor Gray made introductory remarks and introductions were made.

2. CITY UPDATES

- 2.1 Service Request System
- 2.2 eSubscribe (RSS Feed)

Strategic Initiatives Manager, Eric Carr provided a power point presentation and responded to questions from Council.

3. RESIDENTS ASSOCIATION REPRESENTATIVE

Representatives were asked to comment on the following questions:

- 3.1 What makes your Neighbourhood great?
- 3.2 What would it take to make it even better?
- 3.3 How can the Residents' Associations get involved to further enhance their area?

Black Mountain-Belgo Residents Association

Julee Anne Richmond, Vice President:

- Association formed in 2010 with approximately 100 Members to date.
- Rapid population growth including many children.
- Amenities should be family focussed.

- Location makes our Neighbourhood great with being close to shopping, Big White, green space and scenery. Members were surveyed for responses.
- Additional parks and trails, dog parks, sidewalks, meeting space, more recreation areas, more commercial and transit, safety measures regarding speeding would make our neighbourhood better.
- Developed good relationships with MLA's, City planning staff, developers and businesses; use of Association website and social media; focus on existing infrastructure.

Clifton Highlands Community Association

Tara Godwin, Vice President:

- Association formed 18 years ago.
- Community is safe and quiet; large lots; access to parks and trails. Solid core of resident's active in association but going through a transition period with older members leaving and challenges recruiting new members.
- Road improvements; safer roads, sidewalks and lighting; more transit, new development will open up access and create through roads.
- Need to recruit new members. Records missing due to death or illness of long time members who kept the information.

Glenmore Valley Community Association

Kim Dodds, President

- Sense of community; recent initiatives such as lands purchased for future recreation location and John Hindle Drive.
- Additional commercial rezonings, early interactions with developers critical for successful development into community.
- Communication with City, how to determine right person to contact at City depending upon issue or problem; encouraging that City is taking more of an initiative when communicating with Associations; City attitude towards role of Associations needs to be expanded upon.

Kelowna Downtown Knox Mountain Neighbourhood Association

Lisa Masini, Vice President

- Formerly the North End Residents' Association.
- Abundant natural space; mix of building stock by type, age and land uses.
- Create a mutually beneficial relationship between Associations and Council/City; a lot of untapped potential; Associations may be used to further enhance the dissemination of information; Need to increase membership base, currently 30 Members; lack of a website.
- Pleasantville development will have significant impact on neighbourhood; dialogue between Community and BC Housing has been positive to date; could use more public access space around Sutherland Park.

City Clerk displayed Association contact information and map of Association boundaries as found on the City website.

Kelowna South Central Association of Neighbourhood Association

Bev Kalmakoff, Secretary and Wayne Dods

- Read a prepared statement. Copy retained for file.
- Association formed 20 years ago. Approximately 30 Members not including KGH Neighbourhood Liaison group or FRACAS.
- Strengths and assets are the older homes in the area with many carefully restored by owners. Historical signage has been installed beside many homes and a newly created self-guided walking tour brochure has been distributed.
- Preservation, promotion and protection of the areas historical significance.

- Continued commitment of Council and City staff to protect the historical areas in respect to rezoning applications and future developments.
- KGH Development continues to have a negative impact on the neighbourhood. Insufficient Bylaw Officers on staff to adequately enforce parking regulations.
- Being informed of all development proposals within our area will enable us to provide both positive and negative input to the developer early in the process.

City Manager:

- KGH has become a regional hospital and it does have an impact on the neighbourhood in ways the City is not always able to control. Having good communications between all parties helps mitigate the problems.

KLO Central Neighbourhood Association

Richard Burroughs, President

- Provided a handout. Copy retained for file.
- The area is a multi-purpose community, live, work, play and Okanagan College; diverse and vibrant people, approximately 14,000; golden triangle location; Pandosy village by the lake.
- Requested \$1000 for website development to enhance membership communication and city communication channel to neighbourhood. Charrette requested for Pandosy Village/Cedar Park Plaza.
- Lack of Business Improvement Area (BIA) organization; lack of parking enforcement.

McKinley Landing Residents Association

Brad Dahl, President

- Currently 100 Members with 45 waiting to join.
- Residential neighbourhood.
- Fire safety and road safety are primary concerns. There is a lack of volunteers for McKinley firehall. Fire access road is needed; currently outside the emergency response time of 5 minutes.
- Melcor development will create access issues; more people and more traffic. Provided input to the Melcor Traffic Study but no response has been received. Uncertain if traffic study has been seen by City staff.
- Waterfront public waterfront land is being encroached upon by some property owners.
- Centralized Resident Association website is needed. On-line survey input results from Members much better than in-person meetings. When working with Melcor 13 residents participated and when the same questions were asked via an online survey 97 households participated.

Okanagan Mission Residents Association

Mark Thompson, President

- Gave a Powerpoint presentation. Copy retained for file.
- Association Membership is at 450.
- Relatively new housing and continuing new development; influenced by positive attributes of the lake; generally considered safe; ample green and park space; several public facilities.
- Would like completion or partial improvement of DeHart Park; completion of Lakeshore Road widening/Mission Creek bridge; additional arterial connection to the area due to summer congestion; significant speeding issue; improved transit services; two Councillors designated as liaisons; city participation in community use of Okanagan Mission Secondary expansion; longer library hours; improved park maintenance.
- Developing of a Facebook page; need to develop better relationship with city planners, MLA's, MP's and other government contacts; more social events to bring residents together; work closely with other Community Associations.

Rutland Residents Association

John Huston, President

- Association Membership fluctuates between 40 and 60.
- Mature established infrastructure which is a base to build upon to enhance the community; have many restaurants and parks; would like to know how to make better use of parks.
- Would like to have a stronger relationship with City with respect to long term planning; have a Councillor dedicated to the Rutland area.
- Alliance with Centennial Park Society and URBA will be beneficiary.

Councillor Blanleil departed the meeting at 4:25 p.m.

Okanagan Mission Resident Association President distributed discussion paper.

Councillor Basran departed the meeting at 4:28 p.m.

4. ROUND TABLE DISCUSSION

Council agreed to meet with Residents Associations again for feedback.

5. The meeting adjourned at 4:30 p.m.

Certified Correct:

Mayor

/scf/acm



City Clerk



City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 28, 2013
Time: 1:30 pm
Location: Council Chamber
City Hall, 1435 Water Street

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

Council Members Absent: Mayor Walter Gray

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Manager, Urban Land Use, Danielle Noble*; and Council Recording Secretary, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Deputy Mayor Singh called the meeting to order at 1:33 p.m.

Deputy Mayor Singh 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. Development Application Reports & Related Bylaws

2.1 Text Amendment No. TA12-0013- Text Amendment to Zoning Bylaw for various section updates

Staff:

- Clarified the height measurement for 'pitched roof b' on Page 11 of the staff report.

- Confirmed that the Bylaw will be read with the "top of supporting wall" drawing matching the written text.
- Clarified that a Report to Council defining building grade definition will be coming to Council for determining height on sloping lands.
- Responded to questions from Council.

Moved By: Councillor Hobson/Seconded By: Councillor Zimmermann

R051/13/01/28 THAT Zoning Bylaw Text Amendment No. TA12-0013 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule 'A' attached to the Report of the Land Use Management Department dated January 3, 2013, be considered by Council;

AND THAT the Text Amendment No. TA12-0013 bylaw be forwarded to a Public Hearing for further consideration.

Carried

2.1.1 Bylaw No. 10796 (Z12-0013) - City of Kelowna - Text Amendments to Zoning Bylaw No. 8000

Moved By: Councillor Blangleil/Seconded By: Councillor Basran

R052/13/01/28 THAT Bylaw No. 10796 be read a first time.

Carried

City Clerk:

- Recommended that Council cancel the Public Hearing and Regular Meeting scheduled for February 12, 2013 as the only business is a City text amendment.
- Confirmed that there are no Liquor Licence Applications or Development Variance Permit Applications scheduled for February 12, 2013.

Moved By: Councillor Hobson/Seconded By: Councillor Blangleil

R053/13/01/28 THAT the February 12, 2013 Public Hearing and Regular Meeting be cancelled.

Carried

2.2 Rezoning Application No. Z10-0040, Extension Request

Moved By: Councillor Hobson/Seconded By: Councillor Stack

R054/13/01/28 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw Nos. 10439 AND 10440, (OCP10-0008 & Z110-0040, John & Alana Marrington and John Balla for 2149, 2159, 2169, 2179, 2189 Pandosy Street, Kelowna, B.C.) be extended from January 10, 2013 to July 10, 2013.

Carried

3. Bylaws for Adoption (Non-Development Related)

3.1 Road Closure and Removal of Highway Dedication Bylaw No. 10769

Deputy Mayor Singh invited anyone in the public gallery who deemed themselves affected by the proposed road closure to come forward. No one came forward.

Moved By: Councillor DeHart/Seconded By: Councillor Zimmermann

R055/13/01/28 THAT Bylaw No. 10769, being Road Closure and Removal of Highway Dedication for a portion of road adjacent to 580 Knox Mountain Drive, be adopted.

Carried

3.2 Road Closure and Removal of Highway Dedication Bylaw No. 10770

Deputy Mayor Singh invited anyone in the public gallery who deemed themselves affected by the proposed road closure to come forward. No one came forward.

Moved By: Councillor Given/Seconded By: Councillor Stack

R056/13/01/28 THAT Bylaw No. 10770, being Road Closure and Removal of Highway Dedication for a portion of road adjacent to 591 Poplar Point Drive, be adopted.

Carried

4. Mayor and Councillor Items

4.1 Councillor Stack, re: Height Determination on Sloping Grade Lots

Moved By: Councillor Stack/Seconded By: Councillor Given

R057/13/01/28 THAT Council directs staff to include clear wording, including diagrams, to define how height is measured for principle dwellings, accessory buildings and carriage homes.

Carried

4.2 Councillor Items

Councillor DeHart:

- Advised that she attended the 2012 Tommie Awards with Deputy Mayor Stack.

Councillor Basran:

- Reminded everyone that this Wednesday is Wendy's Dream Lift Day.

5. Termination

This meeting was declared terminated at 1:57 p.m.

Deputy Mayor Singh

/slh



City Clerk



City of Kelowna Regular Council Meeting Minutes

Date: Monday, February 4, 2013
Time: 1:30 pm
Location: Council Chamber
City Hall, 1435 Water Street

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

Council Members Absent: Mayor Walter Gray and Councillor Gerry Zimmermann

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Manager, Urban Land Use, Danielle Noble*; Manager, Cultural Services, Sandra Kochan*; Parks Planner, Barb Davidson*; Manager, Parks & Public Places, Terry Barton*; Urban Forestry Supervisor, Blair Stewart*; and Council Recording Secretary, Sandi Horning

(* denotes partial attendance)

1. Call to Order

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

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

2. Public in Attendance

2.1 Nancy Cameron, CEO, Tourism Kelowna, re: Annual Report

Brad Sieben, Chair, Board of Directors, Tourism Kelowna:

- Introduced the presentation.

Nancy Cameron, CEO, Tourism Kelowna:

- Displayed a PowerPoint Presentation with respect to Tourism Kelowna's Annual Report to Kelowna City Council and responded to questions from Council.

3. Committee Reports

3.1 Member Appointment - Community Heritage Committee

City Clerk:

- Provided background information.

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R064/13/02/04 THAT Council appoints Rudy Schoenfeld as a member of the Community Heritage Committee.

Carried

4. Development Application Reports & Related Bylaws

4.1 Text Amendment No. TA12-0010 - 1310-1352 Water Street

Councillor DeHart declared a perceived conflict of interest for Agenda Items 4.1 & 4.2 as she is employed in the Hotel/Motel industry and left the meeting at 2:12 p.m.

Staff:

- Provided an overview of the Text Amendments.

Moved By: Councillor Hobson/Seconded By: Councillor Basran

R065/13/02/04 THAT Zoning Bylaw Text Amendment No. TA12-0010 to amend City of Kelowna Zoning Bylaw No. 8000, as outlined in Schedule 'A' of the report of the Land Use Management Department dated January 18, 2013 be considered by Council;

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

Carried

4.1.1 Bylaw No. 10801 (TA12-0010) - Amending Section 14 - Commercial Zone

Moved By: Councillor Basran/Seconded By: Councillor Given

R066/13/02/04 THAT Bylaw No. 10801 be read a first time.

Carried

4.2 Rezoning Application No. Z12-0071 - 1789 KLO Road

Staff:

- Provided an overview of the rezoning application and responded to questions from Council.
- Confirmed that the Liquor Licence will be relocated from an existing location on Springfield Road should the rezoning be successful.

Moved By: Councillor Hobson/Seconded By: Councillor Singh

R067/13/02/04 THAT Rezoning Application No. Z12-0071 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 2, D.L. 131, ODYD, Strata Plan EP51034, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V, located on 1789 KLO Road, Kelowna, BC, from the C2- Neighbourhood Commercial zone to the C2rls - Neighbourhood Commercial (Retail Liquor Sales) zone, be considered by Council;

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

Carried

4.2.1 Bylaw No. 10802 (Z12-0071) - 1789 KLO Road

Moved By: Councillor Given/Seconded By: Councillor Basran

R068/13/02/04 THAT Bylaw No. 10802 be read a first time.

Carried

4.3. Rezoning Application No. Z11-0018, Extension Request - 1500 Friesen Road

Councillor DeHart rejoined the meeting at 2:20 p.m.

Moved By: Councillor Hobson/Seconded By: Councillor Basran

R069/13/02/04 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10536, Lot 14, Section 35, Township 26, ODYD, Plan 18660, located on 1500 Friesen Road, Kelowna, BC be extended from November 31, 2012 to May 31, 2013.

Carried

5. Bylaws for Adoption (Development Related)

5.1. BL10784 (TA12-0011) - Amendments to RM6 - High Rise Apartment Housing Zone

Moved By: Councillor Blanche/Seconded By: Councillor Basran

R070/13/02/04 THAT Bylaw No. 10784 being TA12-0011 - Amendment to the City of Kelowna Zoning Bylaw No. 8000 - RM6 - High Rise Apartment Housing Zone be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1. 2013 Operating and Project Grants for Arts, Culture and Heritage Organizations

Staff:

- Provided an overview of the 2013 Operating and Project Grants for Arts, Culture and Heritage Organizations.

Moved By: Councillor Given/Seconded By: Councillor DeHart

R071/13/02/04 THAT Council receives, for information, the list of 2013 recipients for Arts, Culture & Heritage Operating Grants and Arts, Culture & Heritage Project Grants as outlined in the report dated January 30, 2013, from the Cultural Services Manager.

Carried

6.2. On-leash Dog Parks - Additions and deletions

Staff:

- Provided an overview of the proposed amendments and responded to questions from Council.

Moved By: Councillor Hobson/Seconded By: Councillor Singh

R072/13/02/04 THAT Council receives, for information, the report from the Parks Planner dated January 15, 2013 with respect to On-leash Dog Parks - Additions and deletions;

AND THAT Council designate by resolution that dogs on-leash is permitted in the parks outlined in this report;

AND FURTHER THAT Bylaw No. 10797, being Amendment No. 1 the Parks and Public Spaces Bylaw No. 10680 be given reading consideration.

Carried

6.2.1. Bylaw No. 10797 - Amendment No. 1 to City of Kelowna Parks and Public Spaces Bylaw No. 10680

Moved By: Councillor Basran/Seconded By: Councillor Blanteil

R073/13/02/04 THAT Bylaw No. 10797 be read a first, second and third time.

Carried

6.3. Okanagan Basin Water Board Water Conservation and Quality Improvement Grants - 2013-2014

Staff:

- Provided an overview of the Okanagan Basin Water Board Water Conservation and Quality Improvement Grants;

Moved By: Councillor Basran/Seconded By: Councillor Singh

R074/13/02/04 THAT Council receives, for information, the report from the Parks Planner and the Planning Utility Services Manager dated January 15, 2013, with respect to 2 Okanagan Basin Water Board Water Conservation and Quality Improvement Grants - 2013-14.

Carried

Moved By: Councillor Singh/Seconded By: Councillor DeHart

R075/13/02/04 THAT Council endorses the application to the Okanagan Basin Water Board Water Conservation and Quality Improvement Grants 2013-14 for the Poplar Point Shoreline Restoration.

Carried

Moved By: Councillor Given/Seconded By: Councillor Singh

R076/13/02/04 THAT Council endorses the application to the Okanagan Basin Water Board Water Conservation and Quality Improvement Grants 2013-14 for the Water Smart Contractor Program.

Carried

6.4. Knox Mountain Park Update

Staff:

- Displayed a PowerPoint Presentation and responded to questions from Council.

Moved By: Councillor Hobson/Seconded By: Councillor Blanche

R077/13/02/04 THAT Council receives, for information, the Knox Mountain Park Update, dated January 15, 2013 from the Parks Planner, Infrastructure Planning and the Urban Forestry Supervisor, Park Services.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1. Bylaw No. 10780 - Road Closure and Removal of Highway Dedication (Portion of Road Adjacent to 3756 Lakeshore Road)

Deputy Mayor Stack invited anyone in the public gallery who deemed themselves affected by the proposed road closure to come forward. No one came forward.

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R078/13/02/04 THAT Bylaw No. 10780, being Road Closure and Removal of Highway Dedication for a portion of Road adjacent to 3756 Lakeshore Road be adopted.

Carried

8. Mayor and Councillor Items

Councillor Singh:

- Advised that a vigil will be held at the Sails at 12:00 pm on February 15, 2013 to recognize Violence Against Indigenous Women.

Councillor DeHart:


- Advised that the Sport Kelowna, Community Sports Hero Awards are being held on February 5, 2013.

9. Termination

This meeting was declared terminated at 3:12 p.m.

Deputy Mayor Stack

/slh



City Clerk

DRAFT



Heritage Week 2013

Good Neighbors - Heritage
Homes and Neighborhoods



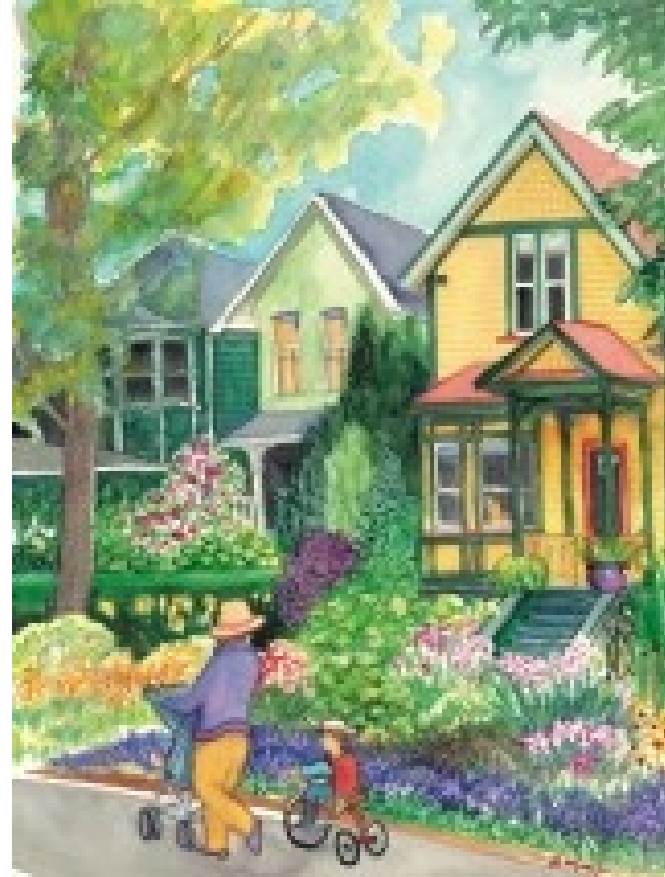


Declared both Nationally and Provincially

The theme explores the warmth and character of historic homes, and the timeless appeal of older, established neighborhoods with vintage house styles, gardens, landscaping trees and boulevards.



Good Neighbors Heritage Homes & Neighborhoods



Member groups:

Association of Artists for Creative Alliance
Central Okanagan Regional District
Central Okanagan Heritage Society
City of Kelowna Heritage Grants Program
FRACHAS
Kelowna Museums
Kelowna & District Genealogical Society
KSAN
Rutland Residents Association
Okanagan Historical Society
Okanagan Regional Library
OMRA
UBCO – Creative Studies department

Heritage Homes and Neighbourhoods

36

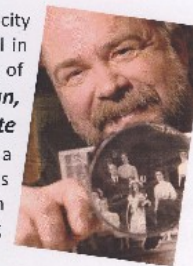
Taking Stock of NEIGHBOURHOOD HERITAGE

Strathcona on the Front Lines

Strathcona, in Vancouver's historic East End, is home to the vast majority of that city's Victorian and Edwardian heritage houses.



Much of the area is protected from redevelopment, but past city rezoning and pressures to solve the homelessness issue, all in one area of the city, puts other heritage at risk. Using a mix of archival and modern images, **our presenter, house historian, neighbourhood history walk guide, heritage advocate and Strathcona resident James Johnstone** takes us on a virtual tour through Vancouver's oldest neighbourhood; and as he does, he poses the question: How can we have a clear vision of a neighbourhood's future without a deep understanding and appreciation of its past?



O K A N A G A N
OK REGIONAL LIBRARY
A haven for curious minds.

orl

Kick-Off Breakfast – COHS and RRA



Beach Avenue- Peachland





CENTRAL OKANAGAN HERITAGE SOCIETY

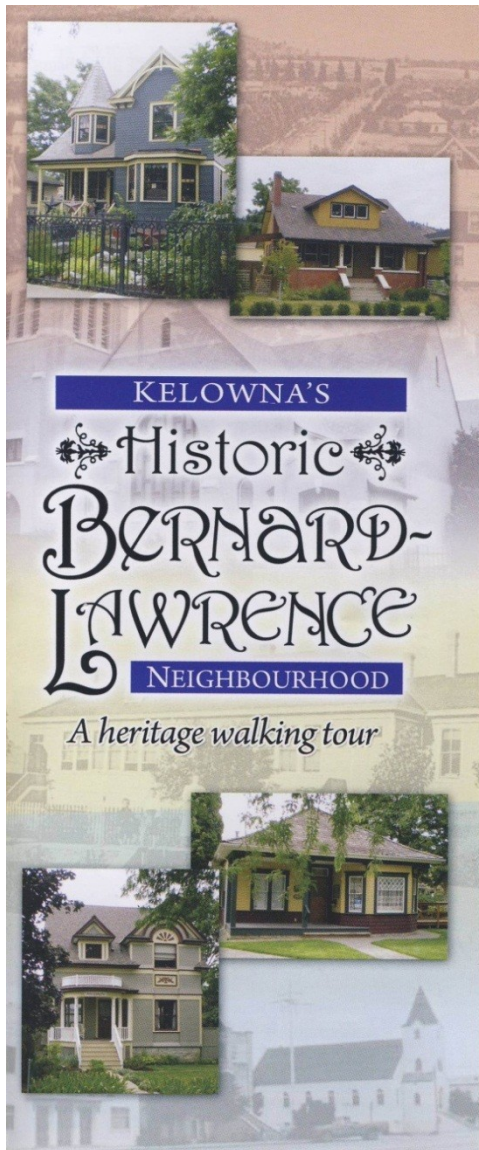
Kelowna, British Columbia



*Preserving
Our Past*

Courtesy: L. Dauncey

COHS Annual Heritage Awards and AGM



Heritage Home Tour and Tea:

Hosted by KSAN and FRACHAS

Kelowna & District Genealogical Society



Audubon Peregrine Falcon





Foundations

To Build On

A new exhibit opening at the Okanagan Heritage Museum

Save the Date
May 2nd, 2013
7:00 p.m.

Invitations and details coming soon - events@kelownamuseums.ca



Heritage Week 2013

Good Neighbors - Heritage
Homes and Neighborhoods



City of Kelowna Heritage Grants Program (CoKHGP)
City Council Presentation
Monday, February 20 @ 1:30pm

Presenter: Janet Digby, Chair of CoKHGP Committee

Introduction of Grant Committee Members, Program Manager & COHS Board Members in attendance

Acknowledgement of the \$30,000 annual allotment received from the City of Kelowna for the CoKHGP in 2011 and again in 2012

2011 Grants Approved: (Power Point Presentation of photographs of projects funded by Program; including the grant amount awarded and what the grant was for)

CITY of KELOWNA HERITAGE GRANTS PROGRAM

Annual Report: 2012

The City of Kelowna Heritage Grants Program (CoKHGP) is completing its fifth year under the management of the Central Okanagan Heritage Society (COHS). During this period, the mandate of the program has become focused primarily on informing the public about the program, administering the application process and educating heritage building owners on good heritage conservation practices. Over the past year, the City of Kelowna Heritage Grants Program has observed that many residents of our community are interested in the conservation of our heritage buildings and in raising public awareness of the heritage of our community. Many owners of heritage buildings have obtained financial assistance and advice from the Heritage Grants Program on conserving their heritage properties. The following summarizes the City of Kelowna Heritage Grant Program's activities for the past year.

Committee Members:

The CoKHGP committee is composed of five regular members and a maximum of five alternate members as outlined below:

- a) One person from the Central Okanagan Heritage Society Board;
- b) One person from the architectural field;
- c) One person from the construction industry;
- d) Interested private citizens.

All new regular CoKHGP committee members receive an orientation prior to their attendance at their first grant committee meeting.

The following lists the names of the 2012 CoKHGP committee members.

Janet Digby, *Committee Chair* (Architect)

Shona Harrison, new *COHS Board Representative* (UBCO and OC Professor, Heritage Advocate)

Peter Chataway (Building Designer, Heritage Advocate)

Marietta Lightbody (Local Historian, Heritage Advocate)

Ian Crichton (Retired Carpenter, Heritage Building Owner)

Lorri Dauncey, *Program Manager, non-voting* (Heritage Conservation Consultant)

Julie Cosgrave, alternate (Writer, Heritage Advocate)

Justin Hettinga, alternate (Engineer)

Ben Lee, alternate (Founding Kelowna Heritage Foundation member, Retired City Councillor)

R.J. Bennett, alternate (Founding Kelowna Heritage Foundation member, Retired Developer)

Gordon Hartley, alternate (Retired Architect, Past Heritage BC Board Member)

Grant Summary:

The City of Kelowna Heritage Grants program committee had four regular meetings (*Refer to: Attached CoKHGP Regular Meeting Minutes for 2012*) to review grant applications for heritage register buildings. During 2012, the grant committee approved ten (10) heritage grants for a total of \$39,618.00. No grant applications received this year were declined because all the applications met the grant requirements and were considered good conservation projects. There was one application that was received by the manager that did not go to a grants meeting, as the building was not on the Kelowna Heritage Register and therefore did not qualify for a grant. There were two grant applications that were looked at by the committee at the September meeting that will be brought to the first meeting in 2013 due to lack of funds. There were also a couple of building owners that did not apply for a grant this fall because the funds had already been allotted for the year. At least one of these potential applicants won't be submitting an application as their conservation project will have been completed by spring 2013. There were three grants from previous years that were rescinded this year, as the homeowners did not complete their projects by the extension date due to financial constraints. A total of \$6,800.00 was returned to the program in 2012 due to rescinded grants. When the approved grants were completed in 2012, there was a grant savings of \$1,908.00 that will go back into the program as rollover funds for 2013. Heritage grants awarded this year ranged from \$897.00 to \$10,000.

A compilation of figures on the CoKHGP approved, declined and withdrawn grant applications for 2007 (Kelowna Heritage Foundation), 2008, 2009, 2010, 2011 and 2012 is provided. (*Refer to: Appendix 1: City of Kelowna Heritage Grants Program Applications 2007-2012*)

Grants Requests Reviewed ~ 2012

702 Bernard Avenue; Completed (\$5,000)

A grant towards the prep and painting of the exterior of the Christ Evangelical Lutheran Church (now known as the Centre Cultural Francophone) was approved at the April 3rd meeting.

2796 KLO Road; Active (\$3,750 approved)

A grant towards the prep and painting of the exterior of the KLO House was approved at the April 3rd meeting.

3685 Benvoulin Road (Christien House); Completed (\$1,288 approved; paid out \$897)

A grant towards the cost of repairs, new putty and new paint on the window sashes for the Christien House was approved at the April 3rd meeting.

2279 Benvoulin Road (Benvoulin Church); Completed (\$10,000)

A grant towards a new cedar shingle roof for the Benvoulin Heritage Church was approved for \$6,000 at the April 3rd meeting. The approved grant was increased to the maximum \$10,000 and was approved at the June 19th meeting (at the request for consideration by the building owner).

334 Beach Avenue; Completed (\$2,660)

A grant towards new window putty, and the prep and painting of the exterior of the Cummings House was approved at the April 3rd meeting.

1978 McDougall Street; Active (\$5,000 approved)

A grant towards a new asphalt shingle roof on the Jennens house was approved at the April 3rd meeting.

4193 Gordon Drive; Active (\$5,000 approved)

A grant towards the cost of a new metal roof and the replication of the roof cupola ventilators on the Thomson Barn was approved at the April 3rd meeting.

825 Lawrence Avenue; Active (\$1,480 approved)

A grant towards a new asphalt shingle roof for the Lawrence Avenue house was approved at the June 19th meeting.

784 Elliot Avenue; Active (\$3,540 approved)

A grant towards the prep and painting of the front façade of the Copeland House (Elliot Apartments) was approved at the September 18th meeting.

796 Bernard Avenue; Active (\$3,800 approved)

A grant towards the cost of a new asphalt shingle roof for the William Harvey House was approved at the September 18th meeting.

1922 Abbott Street; (Moved to the March 26th meeting)

The grant application for the prep and painting of the wood trim on the exterior of the Fumerton House was deferred at the September 18th meeting, due to lack of funds.

715 Sutherland Avenue; (Moved to the March 26th meeting)

The grant application for the conservation of the front and back porches of the Charles Harvey House was deferred at the September 18th meeting, due to lack of funds.

CoKHGP Manager and Committee Activities:

Committee Meetings and Follow up

There were four *Regular Meetings in 2012* (April 3, June 19, September 18 and November 20) to consider grant applications and other program business. A significant amount of the manager's time was spent preparing for each meeting (agenda, gathering up material and applications, ensuring a quorum), attending and recording the meeting, transcribing the minutes, writing letters to grant applicants re: the Committee's decisions and any other follow up required.

Committee Members

The manager is responsible for ensuring that there is a full committee. There was little change this year, except for a newly appointed COHS representative, as Lorainne McLarty retired off of the COHS Board. A new COHS Board representative (Shona Harrison) was appointed for 2012. There were five regular members and five alternate members of the committee during 2012.

Financials

The manager pulled together a review of the Grant Program's allotted funds prior to each meeting for the Committee's information. This review indicated how much money had been allocated and how much was left for the rest of the year.

Program and Heritage Inquiries

The manager spent a significant amount of time each month answering e-mail and telephone inquiries about the grant program, new applications, approved applications and other heritage-related questions. In 2012, there were approximately 50 inquiries (Note1) from property owners requesting information on the City of Kelowna Heritage Grants Program and/or other heritage related questions. Some of these inquiries lead to CoKHGP applications. Many people either do not end up applying or apply for a grant at a later date. With the various ways that the CoKHGP has been promoted to the public and specifically to Heritage Register Building Owners, we have seen a continued interest in the program. A significant portion of the Manager's time is used to set up and update files on each inquiry by building address.

(Note1: Each inquiry usually requires at least two to three (and many even more) phone calls, e-mails and even meetings to answer the various questions and concerns.)

Applications Process

A significant amount of the manager's time has gone into organizing the year, meetings with the COHS executive director and compiling the year-end report to the city.

Committee Communications

The manager regularly passes on information to the grants committee on heritage events, workshops, forums, issues, etc. in Kelowna, the Okanagan, and BC.

Volunteer Appreciation Event

The manager provided refreshments/appetizers prior to the November meeting to the committee members. This provided the committee and manager some social time, in which the manager was able to thank the grants committee for their hard work and dedication to the program.

Education and Awareness ("Getting the Word Out"):

There were a couple of 'educational' opportunities that the committee and manager were able to take advantage of. These included the following:

*The manager has continued to build (and organize) a resource area for the use of the grant program (committee members and heritage building owners) and COHS. This collection of reference materials has been and will continue to be helpful in researching and recommending good conservation practice when dealing with heritage resources.

*The City of Kelowna organized a Statement of Significance (SOS) Workshop in May 2012 that was put on by the BC Heritage Branch. A number of invited community members attended, including members of the CHC, COHS and CoKHGP. There were four Heritage Grant committee members that attended this workshop. This informative workshop was helpful for committee members to better understand heritage value, character defining elements and the process of creating SOS's.

*Kelowna Museum's interdisciplinary Heritage Forum was held in June 2012. The forum brought heritage and museum people together to share their experiences. Lorri Dauncey, heritage grants manager, gave a presentation (with Janice Henry, COHS executive director) on the Benvoulin Heritage Church, a municipal designated building. Presentations also included Lauren Sanbrook's, city planner, summary of Kelowna's Heritage Strategy.

*Peter Chataway and Lorri Dauncey gave a talk on the heritage conservation movement in Canada, with a focus on BC and Kelowna on September 13th as part of the Okanagan Institute's lecture series in downtown Kelowna. This talk was organized by Julie Cosgrave, an alternate member of the committee, and was another avenue to both educate the public on heritage and to raise awareness of the program. The notes for this talk have been added to the resource library at the COHS office.

*Heritage BC Annual Conference, held at the Shadbolt Centre in Burnaby on Oct 19th and 20 2012 was attended by a number of Kelowna people including the Heritage Grants manager and one of the committee members (at no cost to the program).

There were a number of opportunities to get out the word about the grant program in 2012. These activities included the following:

*For the fifth year, a letter about the grant program was sent out to each building (owner in 2012) on the heritage register. The mail out was completed by the end of January 2012.

* Janet Digby, the grant committee chair, gave a power point presentation (created by the program manager) on the grant program to City Council on February 20th 2012, during Heritage Week (Note 2), along with thanking council for their continued support for heritage grants in Kelowna. A number of committee members attended the council meeting to show their support.

*The program manager, Lorri Dauncey, spoke about the grant program and the projects funded at the COHS~AGM on February 23, during Heritage Week.

*The media published a couple of articles in the local papers following the COHS ~ AGM and the City Council presentation.

*Articles on the heritage grants program were included in the two COHS newsletters.

*The manager, the committee, the COHS executive director, and the COHS Board took every opportunity to let the public know about the grants program. Opportunities included: Heritage Week events including the Heritage Kick off Breakfast, the City Council presentation and COHS's AGM & Heritage Awards Ceremony; Kelowna Museum's Interdisciplinary Heritage Forum; COHS's Benvoulin

Heritage Church's 120th Anniversary Celebration (part of COHS display); Okanagan Institute's lecture series entitled "Finding Heritage: Making the Past Come Alive"; Heritage BC Conference (Note 3 & 4). *On the COHS website, there is a link to the City of Kelowna website and the CoKHGP Guidelines and Application form. Beginning in 2011, a page on the COHS website, has been dedicated to information about the grants program.

(Note 2: Heritage Week offers a time for citizens across Canada to give recognition and pay special tribute to the heritage of their communities. The Heritage Week celebrations continue to be very successful and the many events that take place during the week provide the community with an opportunity to witness the strong commitment of Kelowna citizens towards raising awareness of the City's heritage resources.)

(Note 3: The grant program has not renewed its membership in Heritage BC or with the Heritage Canada Foundation, due to funding cuts, however, the program still does receive the Heritage BC e-mails through COHS' membership.)

(Note 4: The grant committee and manager continue to take part in heritage conferences and workshops on their own time and own expense. Two committee members attended the Heritage BC conference in Burnaby in October. The committee continues to be very active heritage advocates in Kelowna, which is a huge benefit to the grants program.)

Recommendations for the Program ~ 2013:

One of the recommendation of the CoKHGP committee members, Lorri Dauncey the program manager and Janice Henry COHS executive director is to increase the allotment grant until it reaches the amount recommended in the *2007/2008 Heritage Strategy*. The committee recommends that the annual allotment continue to increase each year until it reaches \$50,000. The program began in 1991 with \$20,000 an amount that remained unchanged till 2009. The amount was increased to \$30,000 in 2010. The last three years have shown that there is a demand for the grant money and that the program has the potential to continue to grow each year.

The second recommendation is to increase the administration amount, in order to allow more time for the manager to carry out an education component to the program. A very successful heritage workshop was planned and carried out in 2011, with funding through Heritage BC's workshop grant (we were the last group to receive a grant as the program has now been discontinued due to financial cuts). However the committee and manager would like to continue offering workshops and/or lectures every year or two that would appeal to the heritage building owner and community in order to educate the public on good conservation practices. This would also continue the tradition of the Kelowna Heritage Foundation, who would periodically host workshops.

Conclusion:

As the manager of the City of Kelowna Heritage Grants Program, I wish to acknowledge and thank the CoKHGP committee members for their dedication and service during the past year. I would also like to thank the City of Kelowna for the ongoing financial commitment that enables heritage property owners to undertake heritage conservation projects and maintain their heritage buildings.

The conservation of built heritage and the awareness of our past benefit the community in many ways. The following quote by Gail Salter is a good summary of the importance of retaining our local heritage resources.

We believe that heritage conservation is basic to quality of life and the sense of place that is distinctive to each community. Maintaining our heritage resources is a positive investment in the local economy and important stimulus to tourism. Heritage conservation should also be a part of a sustainable future. (Gail Salter, chair, Armstrong Heritage Advisory Committee, 2011)

Respectively Submitted,

Lorri Dauncey, manager, CoKHGP

MA (Urban Planning/ Heritage Conservation, Dip (Cultural Resource Management/ Heritage Conservation), BA

CITY OF KELOWNA HERITAGE GRANTS PROGRAM (CoKHGP)



THE BENEFITS COHS PROVIDES BY MANAGING THE CITY OF KELOWNA HERITAGE GRANTS PROGRAM:

- **Expertise in administration (6th year)**
- **Grants Manager is a heritage consultant**
- **Grants Committee is comprised of a select group of heritage specialists**

- **Four Committee meetings a year**
- **Committee members keep up to date on heritage issues in Kelowna, British Columbia and Canada**
- **Answering inquiries on heritage matters**
- **Promoters for the program**

GETTING THE WORD OUT:

- **Annual mail out to Heritage Register building owners**
- **City Council presentation**
- **COHS AGM display and during other COHS events throughout the year**
- **COHS newsletters**
- **Kelowna Residential Associations'**
- **City of Kelowna Website and COHS Website**
- **Promoted at local events (i.e. Heritage Week, Kelowna Museum's Interdisciplinary Heritage Forum, Okanagan Institute's lecture series & Heritage BC annual conference)**

GRANTS APPROVED 2007 - 2012

Total Approved Grants 2007-2012	\$214,490.79
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Total Grants Paid Out	\$156,562.01
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Grants Outstanding	\$28,197.89
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Total	\$184,859.90
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*\$29,730.89 DIFFERENCE: due to grants rescinded & grant savings

702 Bernard Avenue

\$5,000 (New Paint) Completed



Before



After

2796 KLO Road

\$3,750 (New Paint) Active



Christien House at Father Pandosy Site

\$897 (Window repairs) Completed



Before



After

Benvoulin Heritage Church

\$10,000 (New Cedar Shingle Roof) Completed



Before



During



After

334 Beach Avenue

\$2,660 (Window repairs & new paint)
Completed



Before



After

1978 McDougall Street

\$5,000 (New roof) Active



4193 Gordon Drive

\$5,000 (New roof with cupola ventilators)

Active



825 Lawrence Avenue

\$1,480 (New roof) Active



784 Elliot Avenue

\$3,540 (New paint) Active



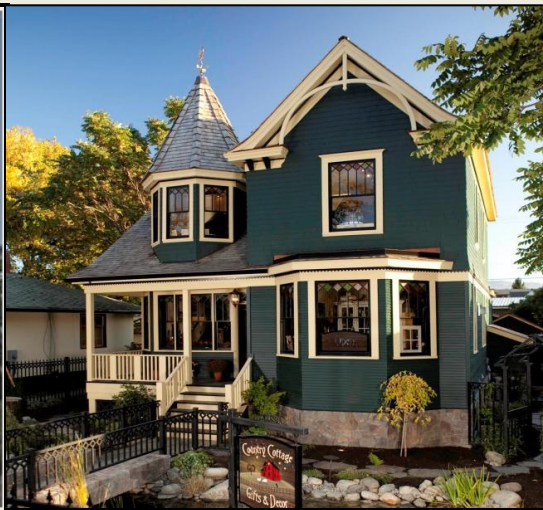
796 Bernard Avenue

\$3,800 (New roof) Active



We believe that heritage conservation is basic to quality of life and the sense of place that is distinctive to each community. Maintaining our heritage resources is a positive investment in the local economy and important stimulus to tourism. Heritage conservation should also be a part of a sustainable future. (Gail Salter, chair, Armstrong Heritage Advisory Committee, 2011)

CITY OF KELOWNA HERITAGE GRANTS PROGRAM (CoKHGP)



REPORT TO COUNCIL



Date: January 23, 2013

RIM No. 1250 - 20/1250 - 30

To: City Manager

From: Land Use Management, Community Sustainability (JM)

Application: OCP12-0009 / Z12-0055 **Owners:** Allan, Donald, Heidi-Sabine, Amy, Angelica & Gordon Kirschner

Address: 2980 Gallagher Road **Applicant:** Kirschner Mountain Estates Ltd. (Allan Kirschner)

Subject: Official Community Plan Amendment & Rezoning Application

Existing OCP Designation: AGR - Resource Protection Area
PARK - Major Park & Open Space (Public)
S2RES - Single / Two Unit Residential
S2RESH - Single / Two Unit Residential (Hillside)
MRL - Multiple Unit Residential (Low Density)

Proposed OCP Designation: AGR - Resource Protection Area
PARK - Major Park & Open Space (Public)
S2RES - Single / Two Unit Residential
S2RESH - Single / Two Unit Residential (Hillside)
MRL - Multiple Unit Residential (Low Density)

Existing Zone: P3 - Parks and Open Space
A1 - Agriculture 1
RU1h - Large Lot Housing (Hillside Area)

Proposed Zone: RU1h - Large Lot Housing (Hillside Area)

1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP 12-0009 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of portions Lot 1, Sections 12 and 13, Township 26, and Sections 7 and 18, Township 27, ODYD, Plan KAP71697, Except Plans KAP84278, KAP86315, KAP86363, and KAP88598, located on 2980 Gallagher Road, Kelowna, BC from the Multiple Unit Residential (Low Density) designation to the Major Park and Open Space (public) designation, from the Multiple Unit Residential (Low Density) designation to the Single / Two Unit Residential - Hillside designation, from the Single / Two Unit Residential designation to the Major Park and Open Space (public) designation, from the Single / Two Unit Residential designation to the Single / Two Unit

Residential - Hillside designation, from the Single / Two Unit Residential designation to the Multiple Unit Residential (Low Density) designation, from the Single / Two Unit Residential - Hillside designation to the Major Park and Open Space (public) designation, from the Single / Two Unit Residential - Hillside designation to the Multiple Unit Residential (Low Density) designation, Major Park and Open Space (public) designation to the Single / Two Unit Residential - Hillside designation, from the Major Park and Open Space (public) designation to the Multiple Unit Residential (Low Density) designation, from the Major Park and Open Space (public) designation to the Single / Two Unit Residential designation, as shown on Map “A” attached to the Report of Land Use Management Department dated January 23, 2013, be considered by Council;

AND THAT Council considers the neighbour consultation public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Land Use Management Department dated January 23, 2013;

AND THAT Rezoning Application No. Z12-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot 1, Sections 12 and 13, Township 26, and Sections 7 and 18, Township 27, ODYD, Plan KAP71697, Except Plans KAP84278, KAP86315, KAP86363, and KAP88598, located on 2980 Gallagher Road, Kelowna, BC, from the P3 - Parks and Open Space and A1 - Agriculture 1 zones to the RU1h - Large Lot Housing (Hillside Area) zone as shown on Map “B” attached to the Report of the Land Use Management Department dated January 23, 2013, be considered by Council;

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

AND THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council’s consideration of Development Permits for the subject property;

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

2.0 Purpose

To consider the merits of a proposal to amend the Official Community Plan (OCP) Future Land Use designations for a portion of the Kirschner Mountain development lands, and to rezone a small portion of one of the subject properties.

3.0 Land Use Management

Land Use Management is generally supportive of the proposed rezoning and broader amendment to the Official Community Plan (OCP), as there is a resulting net benefit to the overall park and open space network for the Kirschner Mountain development. Nevertheless, staff have reservations about the initial course of action taken by the applicant, undertaking substantial development works without any permits on lands zoned for public park use.

However, through negotiations with City staff, the applicant will see the legalization of the partially developed residential lots, and the City will benefit from an improved parks and open space network, enhanced wildlife connections, and protection of steep slopes. It should be noted that the changes to the OCP future land use designations has been completed at a gross scale. As development proceeds in the area in the future, more detailed site investigations will likely trigger the need for some changes to these conceptual designations.

4.0 Proposal

4.1 Background

In 2002, the applicant completed an Area Structure Plan (ASP) for the Kirschner Mountain area, which resulted in a long-term plan for a predominantly single family residential community, interspersed with natural open space and recreational trails. While significant residential development has taken place in accordance with the ASP, there remains a large proportion of the plan area that is undeveloped.

In 2010/2011, the applicant proceeded to develop five single family parcels on lands located within the Kirschner Mountain development that are zoned P3 - Parks and Open Space, and A1 - Agriculture 1, and designated PARK - Major Parks and Open Space (public) in the Official Community Plan. This development of designated parkland was undertaken without any permits or authorizations. While not subdivided or built upon, the lots are graded and serviced (see attached photos).

Upon the discovery by the City of this unauthorized work, the applicant began working with City staff to determine a reasonable way to formalize the five residential lots, while demonstrating a benefit to the future park network for the Kirschner Mountain development.

The applicant has visited each occupied residential property within approximately 150m of the subject property to discuss the proposal. Staff have received signatures from all properties within that area which are not owned by the applicant (unsold lots), with the exception of four (4) parcels of a possible 29. The applicant has advised that, despite several attempts, the owners of these four parcels were not available. No objections have been received to date.

4.2 Project Description

There are two significant aspects to this application: the rezoning to formalize the existing residential lots, and the amendment of the OCP future land use designations to demonstrate a benefit to the future park network. Each item will be discussed separately below.

Rezoning

The applicant proposes to rezone a 0.43ha portion of the northernmost subject property, on the east side of Loseth Road, near its intersection with Monte Vista Avenue, from the P3 - Parks and Open Space, and A1 - Agriculture 1 zones, to the RU1h - Large Lot Housing (Hillside Area). The purpose of the zoning is to formalize the residential lots that have already been serviced and graded.

Official Community Plan Amendment

As a result of City action to halt the development of lands zoned and designated for park use, the applicant worked with City staff to arrive at resolution that would demonstrate a net benefit to the future park network of the Kirschner Mountain community. Through this cooperative process, a broader amendment to the OCP future land use designations for the area is proposed, including the following elements:

- Improved linear park/wildlife corridor connections and connections to adjoining regional park lands;
- Consolidation of multi-unit residential sites into one area; and
- Improve protection of steep slopes and natural features.

These OCP changes have been completed using up-to-date topographic and environmental information; however, it should be clearly noted that site-specific, detailed investigations

required as part of future hillside development work will likely trigger the need to adjust OCP boundaries further.

4.3 Site Context

The subject property is the large undeveloped remainder parcel (85ha) left over from the initial phases of development at Kirschner Mountain. The portion of this large lot under consideration is situated in the southwest corner, close to the current end of Loseth Road.

The site is subject to typical hillside conditions, and includes a variety of topography, from natural benches to steep slopes in excess of 45% grade. Given this, the site is subject to Natural Environment, Wildland Fire Hazard and Hazardous Conditions Development Permits.

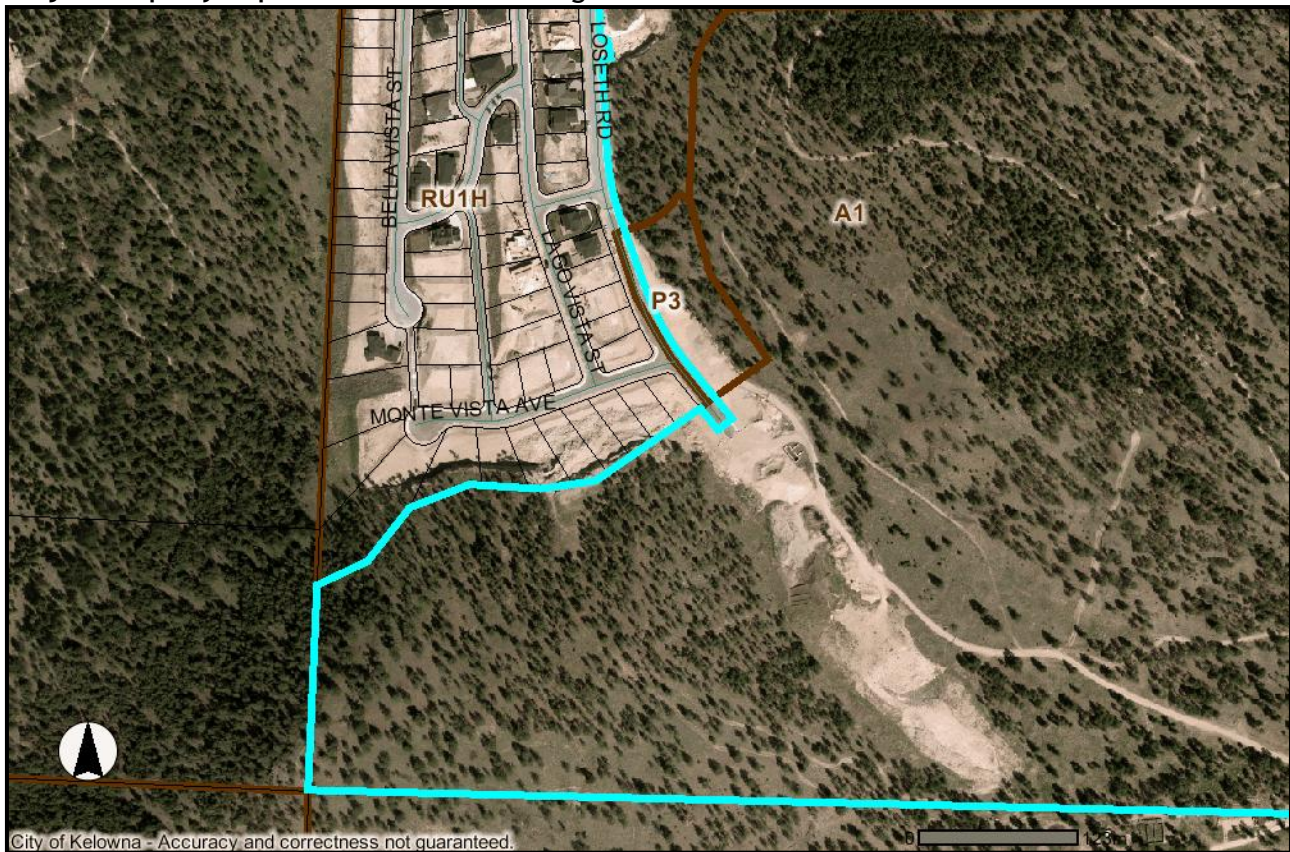
A small, approximately 0.3ha portion of the far southeastern corner of the subject property is located within the Agricultural Land Reserve (ALR); however, since the proposed changes will have no impact on the ALR lands, no additional approvals are required.

Existing land uses in the area include a mix of single family residential development in the Kirschner Mountain community, undeveloped lands, and some agricultural lands. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1h - Large Lot Housing (Hillside Area) P3 - Parks and Open Space	Single family residential development Open space
East	P3 - Parks and Open Space A1 - Agriculture 1	Open space Undeveloped lands
South	A1 - Agriculture 1	Undeveloped lands/low intensity agriculture
West	RU1h - Large Lot Housing (Hillside Area)	Single family residential development

The portion of the subject property under consideration contains a variety of OCP designations, including: Single / Two Unit Residential, Single / Two Unit Residential (hillside), Multiple Unit Residential (low density), and Major Park and Open Space (public).

Subject Property Map: Portion of 2980 Gallagher Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1h ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550 m ²	806 - 944 m ²
Lot Width	16.5 m	20.0 - 27.1 m
Lot Depth	30.0 m	37.8 - 43.0 m
Development Regulations		
Height	9.5 m or 2 ½ storeys	TBD
Front Yard	6.0 m	TBD
Side Yard (south)	2.0 m for 1 ½ storeys 2.3 m for 2 storeys or greater	TBD
Side Yard (north)	2.0 m for 1 ½ storeys 2.3 m for 2 storeys or greater	TBD
Rear Yard	7.5 m	TBD
Other Regulations		
Minimum Parking Requirements	2 stalls	TBD

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Permanent Growth Boundary.¹ Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. Support development of property outside the Permanent Growth Boundary for more intensive uses only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except as per Council's specific amendment of this policy. Resource Protection Area designated properties not in the ALR and outside the Permanent Growth Boundary will not be supported for subdivision below parcel sizes of 4.0 ha (10 acres). The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

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

Environmentally Sensitive Area Linkages.³ Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors.

Steep Slopes.⁴ Prohibit development on steep slopes (+30% or greater for a minimum distance of 10 metres) except where provided for in ASPs adopted or subdivisions approved prior to adoption of OCP Bylaw 10500.

Hydro-Geologically Sensitive Areas.⁵ Require an assessment of potential ground and surface water seepage as part of any subdivision on hillside lands in excess of 20% slope. Require reduced or no irrigation water use in areas where limited or no infiltration capacity exists based on hydro-geological assessments of sensitive areas.

5.2 Kirschner Mountain Area Structure Plan (ASP)

Parks and Open Space⁶

Active and passive open space, with significant inter-connected pedestrian access, will help create an integrated and cohesive community;

6.0 Technical Comments

6.1 Subdivision Branch

Driveway slopes, retaining walls, lot drainage and storm water management will all be addressed at subdivision stage.

6.2 Development Engineering Department

No off-site requirements.

¹ City of Kelowna Official Community Plan, Policy 5.3.1 (Development Process Chapter).

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

³ City of Kelowna Official Community Plan, Policy 5.15.3 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.15.12 (Development Process Chapter).

⁵ City of Kelowna Official Community Plan, Policy 5.36.1 (Development Process Chapter).

⁶ Stantec Consulting (March, 2001). Kirschner Mountain Area Structure Plan, Policy 4.3(c).

6.3 Fire Department

No comments.

6.4 Public Health Inspector

Wastewater Disposal:

We have no comments on wastewater disposal based on the referenced property having connection to the City of Kelowna municipal sewer system.

Drinking Water:

Please note that the community water system (BMID) indicated for connection to this proposed development does not meet the Provincial Drinking Water Objectives and has not provided an approved long-term plan to meet these objectives. We recommend that approvals should be contingent upon the completion of necessary treatment upgrades or where there is evidence that an approved plan is under implementation to meet the required treatment objectives. The transfer of property to prospective purchasers should also be contingent upon the sharing of information on the current status of this system *[see response from BMID below also note that this issue will be addressed as part of the Subdivision Approval process]*.

6.5 Black Mountain Irrigation District (BMID)

BMID has no issues related to the proposed rezoning and OCP amendments. We understand that this may be going to council in the near future.

At time of subdivision, normal BMID fees and capital charges will apply as per BMID bylaws as will subdivision servicing requirements as per City Subdivision Servicing bylaw. Service capacity exists in the distribution system and pump station to service the 5 lots.

The applicant is fully aware of the water requirements and the application / approval process through BMID.

Currently BMID does not meet the Provincial Drinking water objective. We have provided IH with written documentation of the attached letter of how we are going to achieve the objective. The letter was written in Dec. of 2011. In order to meet the Provincial Objective, we must construct an Ultraviolet disinfection facility, which is planned at the base of the future dam site on the east slope. A future water filtration plant site is also being planned at this same location. The proposed site is one of four major domestic water supply sources set out for Kelowna for the long term, in conformance with the 2012 Kelowna Integrated Water Supply Plan.

6.6 FortisBC - Gas

No concerns.

6.7 FortisBC - Electric

No concerns.

6.8 Telus Communications

No concerns.

6.9 Shaw Cable

Owner/developer to install underground conduit system.

7.0 Application Chronology

Date of Application Received: July 17, 2012

Final agreement on OCP amendment: January 18, 2013

Report prepared by:

James Moore, Land Use Planner

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

Approved for Inclusion: ☐ Doug Gilchrist, Acting GM of Community Sustainability

Attachments:

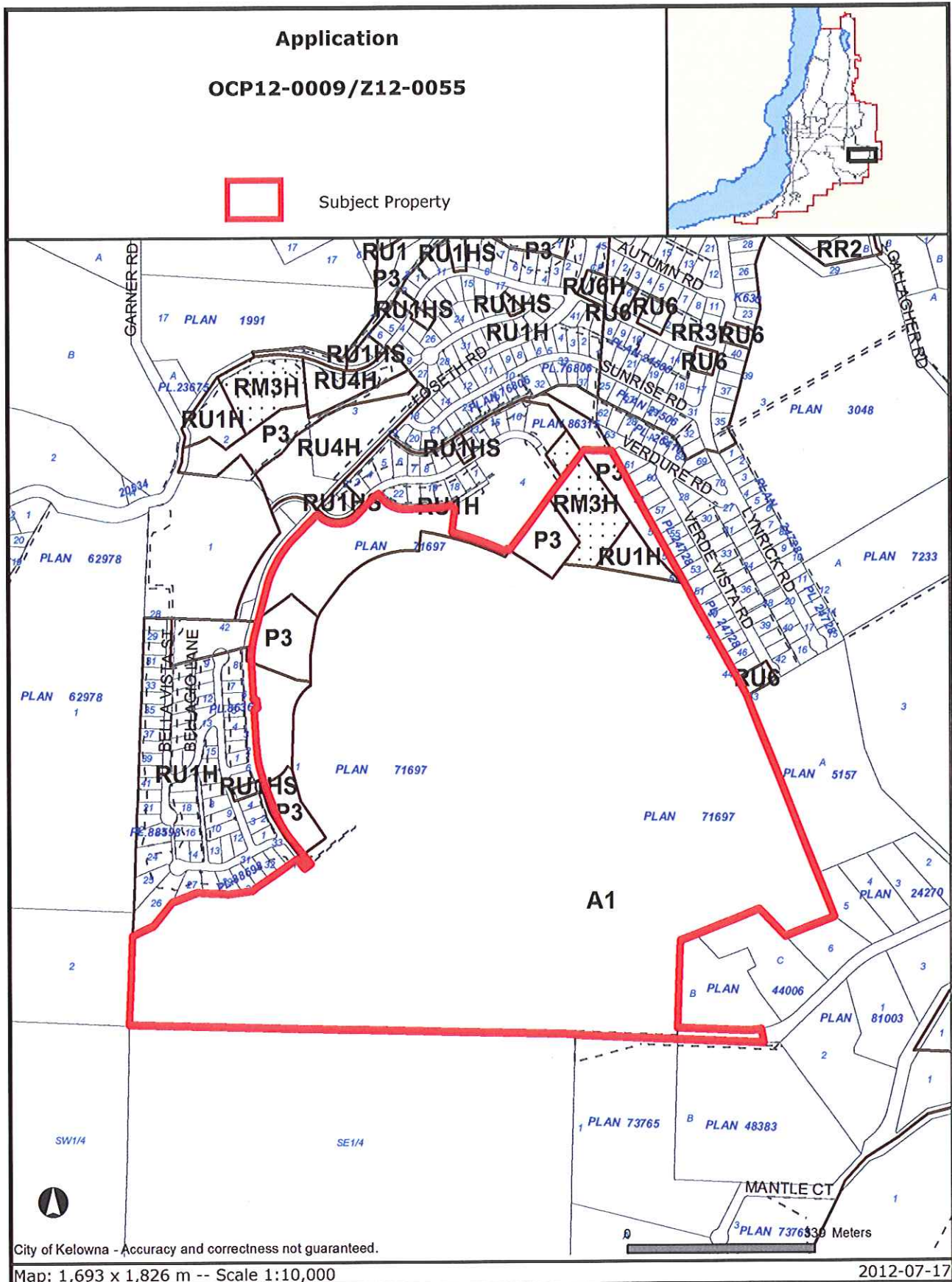
Subject Property Map (1 page)

Applicant's Site Plan (1 page)

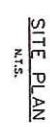
Applicant's Site Photos (3 pages)

Schedule "A" - OCP Amendment Map (1 page)

Schedule "B" - Rezoning Map (1 page)



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.



- SUBDIVISION BOUNDARY
- EXISTING ZONING BOUNDARY

 Piling Engineering CONSULTING ENGINEERS 1000-308 Steeles Avenue East, Suite 308 Scarborough, Ontario M1V 4Y7 Tel: 416-291-1111 Fax: 416-291-1112	DATE: 11/11/2010 DRAWN: JMT/TA CHECKED: JMT/TA APPROVED: D.E.F. DATE: JUL, 2012 SCALE: H = 1:500		THE CITY OF KELOWNA BUILDING DEPARTMENT 2077-P PRELIMINARY LOT LAYOUT		DRAWING NO. 2077-P DIVISION 0	CITY FILE NO.
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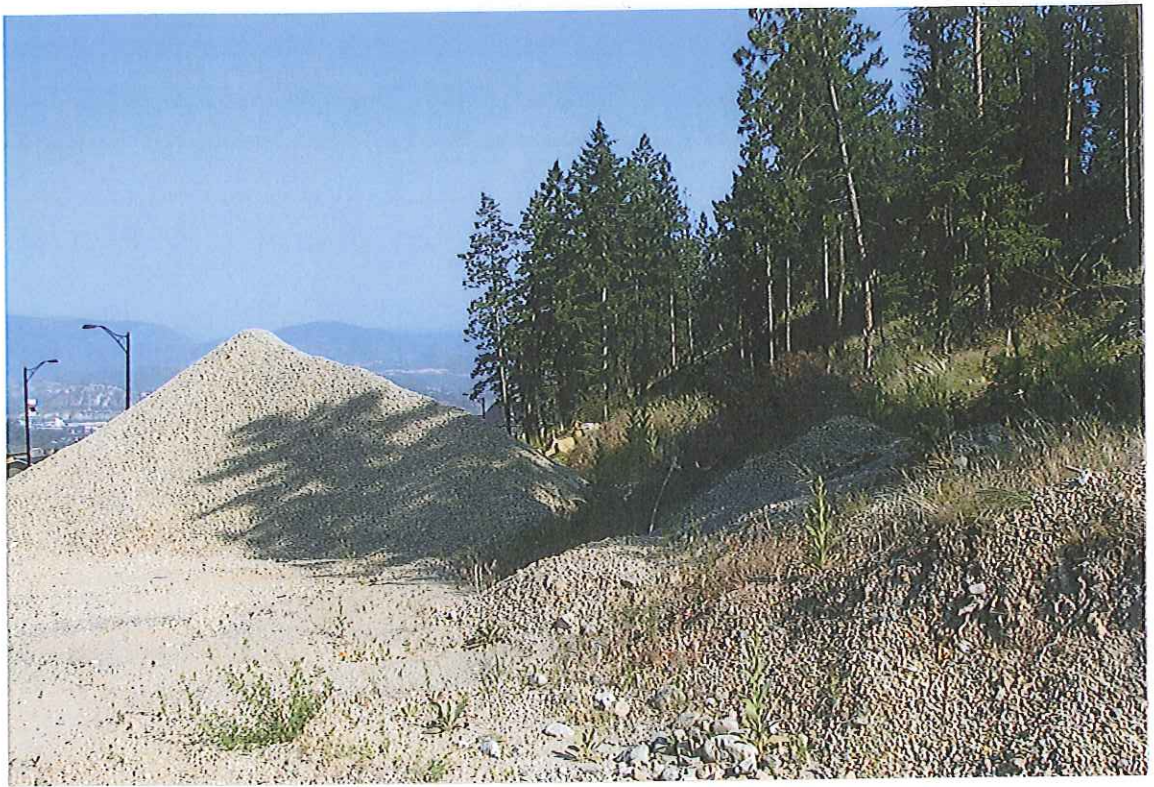
APPLICANT'S SITE PHOTOS



View from lots looking south



View from lots looking south



View from lots looking north



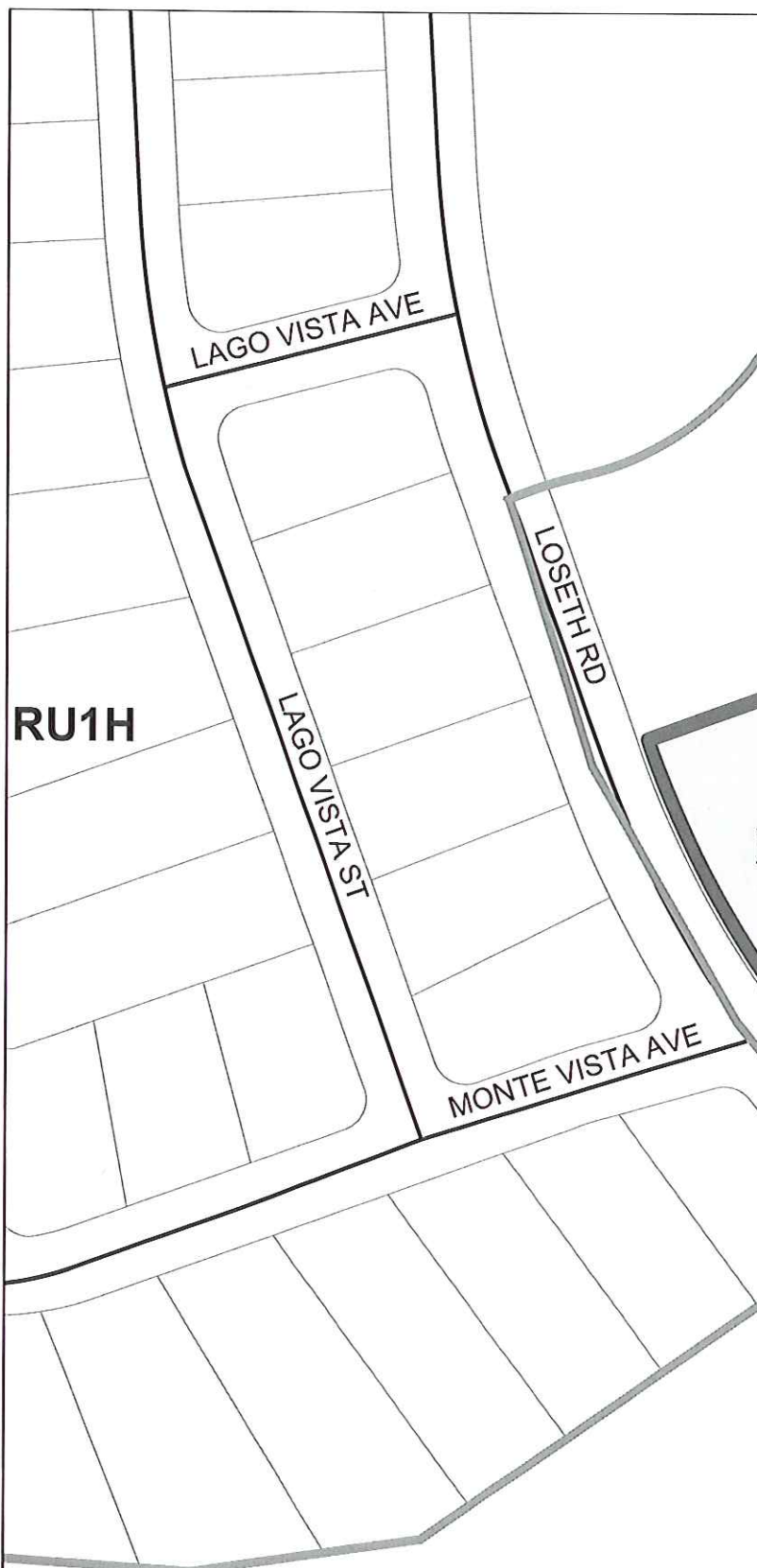
View from lots looking east



View from lots looking east



View from lots looking east



Subject Property Notes:





- Rezone the Subject Area from P3 Parks and Open Space to RU1H Large Lot Housing (Hillside Area)

Subject Property Notes:

- Rezone the Subject Area from A1 Agricultural to RU1H Large Lot Housing (Hillside Area)

A1

MAP "B" PROPOSED ZONING
Application #Z12-0055

-  Zoning
-  Legal Parcel
-  A1 to RU1H
-  P3 to RU1H

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. 10806

Official Community Plan Amendment No. OCP12-0009 - Allan, Donald, Heidi-Sabine, Amy, Angelica and Gordon Kirschner 2980 Gallagher 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 a portion of Lot 1, Sections 12 and 13, Township 26, and Sections 7 and 18, Township 27, ODYD, Plan KAP71697, Except Plans KAP84278, KAP86315, KAP86363 and KAP88598, located on Gallagher Road, Kelowna, B.C., from the Multiple Unit Residential (Low Density) designation to the Major Park and Open Space (public) designation, from the Multiple Unit Residential (Low Density) designation to the Single / Two Unit Residential - Hillside designation, from the Single / Two Unit Residential designation to the Major Park and Open Space (public) designation, from the Single / Two Unit Residential designation to the Single / Two Unit Residential - Hillside designation, from the Single / Two Unit Residential designation to the Multiple Unit Residential (Low Density) designation, from the Single / Two Unit Residential - Hillside designation to the Major Park and Open Space (public) designation, from the Single / Two Unit Residential - Hillside designation to the Multiple Unit Residential (Low Density) designation, Major Park and Open Space (public) designation to the Single / Two Unit Residential - Hillside designation, from the Major Park and Open Space (public) designation to the Multiple Unit Residential (Low Density) designation, from the Major Park and Open Space (public) designation to the Single / Two Unit Residential designation, as shown on Map "A" attached to and forming part of this bylaw;
2. AND THAT pursuant to Section 882 of the *Local Government Act*, each reading of this bylaw receive an affirmative vote of a majority of all members of the Council;
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

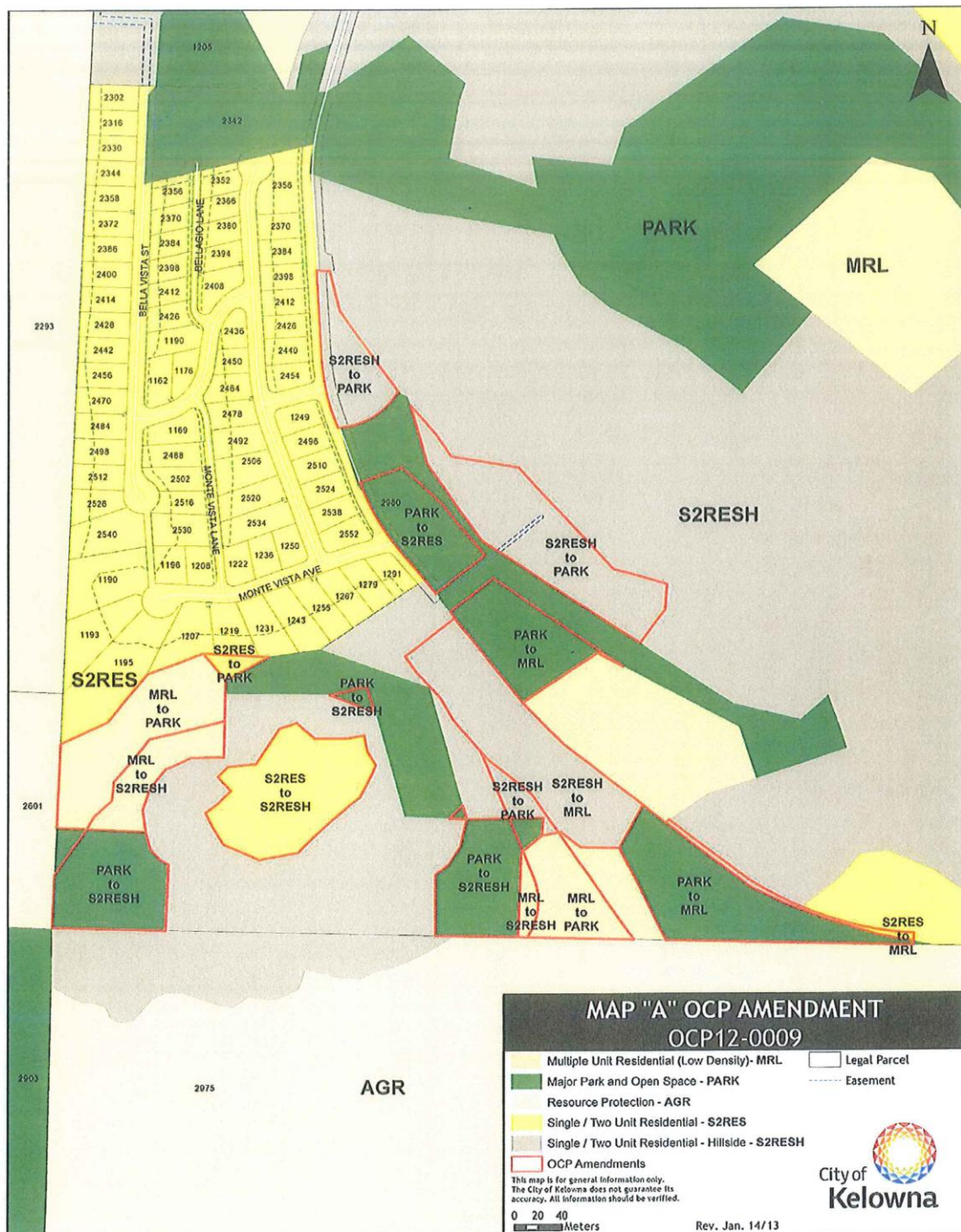
Considered at a Public Hearing on the

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. 10807
Z12-0055 - Allan, Donald, Heidi-Sabine, Amy, Angelica and
Gordon Kirschner
2980 Gallagher 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 Part of Lot 1, Sections 12 and 13, Township 26, and Sections 7 and 18, Township 27, ODYD, Plan KAP71697, Except Plans KAP84278, KAP86315, KAP86363 and KAP88598 located on Gallagher Road, Kelowna, B.C., from the P3 - Parks and Open Space zone and the A1 - Agriculture 1 zone to the RU1h - Large Lot Housing (Hillside Area) zone as shown on Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

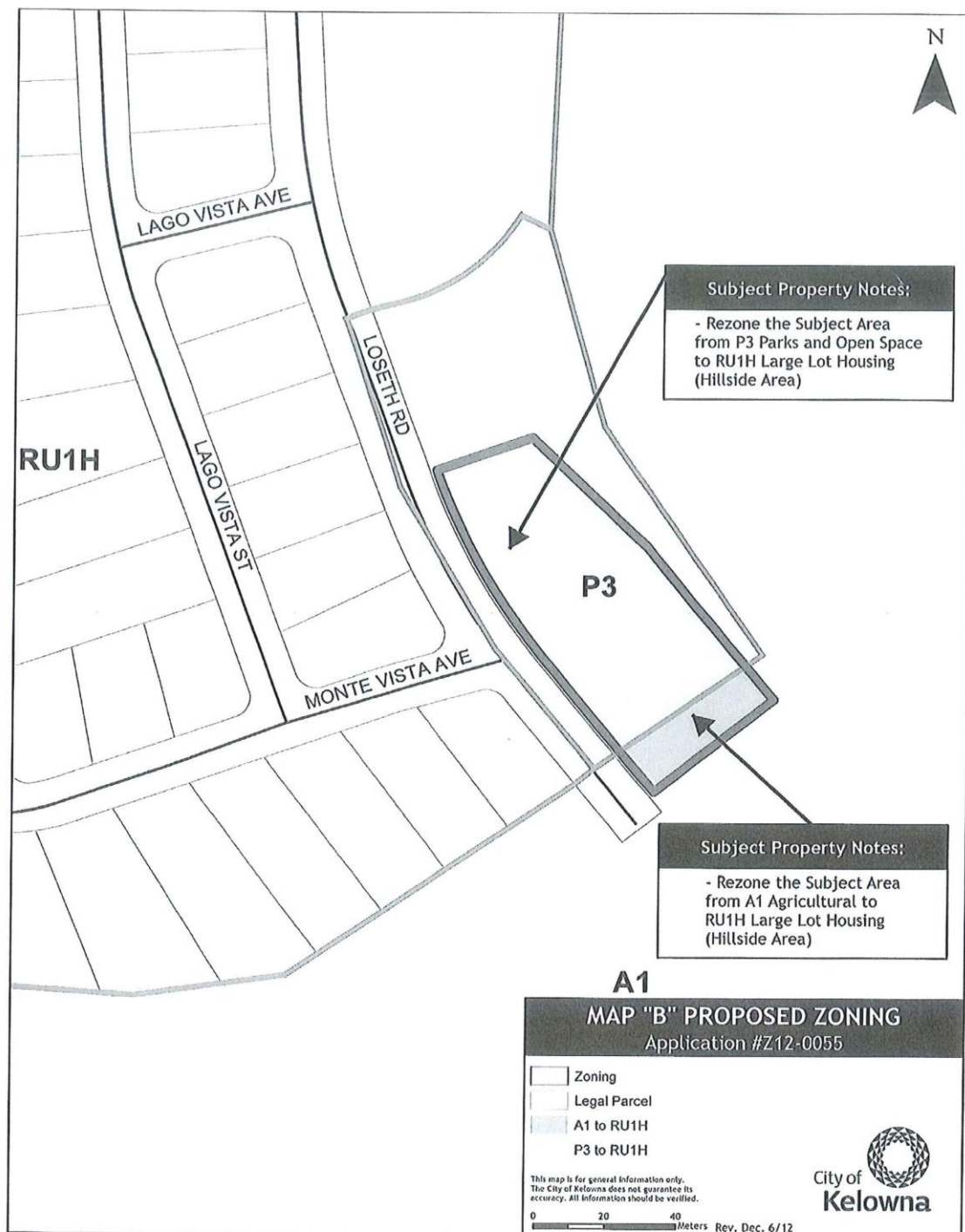
Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date: February 8, 2013
To: City Manager
From: Land Use Management Department
Subject: Development Application Fee Bylaw Amendment
Report Prepared by: Alec Warrender

Recommendation:

THAT Council receives, for information, the report from the Land Use Management Department dated January 4, 2013 with respect to amending Development Application Fee Bylaw No. 10560;

AND THAT Council gives reading consideration to Bylaw No.10749 being Amendment No. 2 to the Development Application Fee Bylaw No. 10560.

Purpose:

Staff are recommending updates to the existing Development Application Fee Bylaw to remove all references to the APC fee and to implement changes to reflect current application types.

Background:

Council endorsed modest fee increases at the June 13th, 2011 Regular Council meeting, prior to that the Development Application Fee Bylaw had not been updated since 1997. Council's resolution at the January 16, 2012 Regular Council Meeting to rescind the Advisory Planning Committee Bylaw No. 8546 prompted another review of the Development Application Fees Bylaw No. 10560. The fees and charges need to be updated to reflect the current development application processes and category types.

Proposed Amendments:

Staff are recommending updates to the existing Development Application Fee Bylaw to remove all references to the APC fee and to implement modest changes to reflect current application types as follows:

- Add an application category and fee for Seasonal Farm Worker Housing Permits (to be consistent with Direct Development Permit fees);
- Add an application category and reduced fee for Farm Protection Development Permits (to be consistent with Minor Development Permit fees);
- Add an application fee for Director and Council approved Heritage Alteration Permits (to be consistent with a Minor Urban Design Development Permit fee as there is currently no HAP fee);
- Increase Road Renaming applications from \$500.00 to \$1,000.00;
- Add an application category and fee for Airspace Parcel Subdivisions;

- Add an application category and processing fee for review/registration of restrictive covenants;
- Refined fee for Non-Standardized Legal Reviews.

The majority of these changes are due to applications that both Land Use Management and Subdivision Branch Staff currently process but do not have the ability to charge for as they are not itemized in the Development Application Fee Bylaw No. 10560. Additionally, rescinding Advisory Planning Committee Bylaw No. 8546 necessitated a broader review of the structure of the Development Application Fee Bylaw.

Notably, the changes to the Fee Bylaw related to the Land Use Management Department are considered administrative with some minor fee changes but each category is still charging well below a cost recovery level.

With respect to the Subdivision Approvals Branch fee changes, the proposed amendments are more substantial in nature but are an attempt to reflect the complexity and time/resources that are typically required of those subdivision processes via technical review. Often, there is a requirement to employ City legal review for non-standard documents which is currently borne by the City and not by the applicant. Schedule “A” (as attached) is an approximate breakdown of each category undergoing a fee change. Notably, these fees are still not at a full cost recovery.

Internal Circulation:

City Clerk
Subdivision Approving Officer

Legal/Statutory Authority:

Section 194 of the *Community Charter* gives a municipality the authority to charge fees for processing applications for development permits and approvals. Section 194(4) of the *Charter* requires a municipality to make available to the public a report that outlines how the fees charged are determined. Implicit in this section is the expectation that fees will be structured to reflect, among other considerations, the costs incurred by the municipality in processing the various applications it receives.

Existing Policy:

- Development Application Fees Bylaw No. 10560.
- Miscellaneous Fees and Charges Bylaw No. 9381

Financial/Budgetary Considerations:

This will result in a modest increase for cost recovery for the Land Use Management Department and a more substantial cost recovery for the Subdivision Approval Branch, but these departments will not be at a full cost recovery.

Legal/Statutory Procedural Requirements: N/A

External Agency/Public Comments: N/A

Personnel Implications: - N/A

Community & Media Relations Comments: - N/A

Alternate Recommendation: - N/A

Considerations not applicable to this report: - N/A

Submitted by:

Danielle Noble, Urban Land Use Manager

Ryan Smith, Subdivision Approving Officer

Approved for inclusion:

D. Gilchrist, A. General Manager, Community Sustainability ☐

cc: Director of Development Services

Attachments:

Schedule “A” - Summary of Subdivision Approval Branch Fee Breakdown

Schedule “A” - Summary of Subdivision Approval Branch Fee Breakdown

Road Renaming Application Costs to City:

- File Set-up and circulation (\$50)
- Planner review (\$150)
- Report to Council (including Director/GM review) (\$200)
- Clerks office bylaw creation and advertising (\$100)
- Planner/Manager presentation to Council (\$50)
- Resident re-imbursement for addressing changes (\$0 - \$500)
- Addressing Clerk update to street files (\$150)

Total costs can range between: \$800 and \$1200

Restrictive Covenant - Review, Change, Removal

- Subdivision Clerk Processing (\$50)
- Subdivision Approving Officer Review/Consultation with impacted departments (\$100 - \$450)
- Subdivision Clerk document retrieval from archives (\$25)
- Subdivision Approving Officer/Clerk forward documents to City Clerks Office for Mayor/Clerk Execution (\$25)
- Documents copied for City files and made available to applicant for pick-up (\$25)

Total Cost Range: \$350 - \$625

Air Space Parcel Subdivision

- Similar scope of work to regular subdivision PLR application (additional legal review required) \$1,500-\$5,000)
- Legal Review: \$5000 - Simple Air Space Parcel Subdivision/ \$15,000 Complicated Air Space Parcel Subdivision

Total Cost Range: \$6,500 - \$18,000

Schedule "A" - Summary of Subdivision Approval Branch Fee Breakdown

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Total Cost Range: \$6,500 - \$18,000

Development Application Fees - Table 1

Development Category	Application Fee ¹
Area Structure Plans & Area Redevelopment Plans	\$5,500.00 base fee + \$75.00/ha
OCP Amendments	\$3,262.00
<u>Comprehensive Development Zone</u>	<u>\$3,262.00</u>
Phased Development Agreement	\$3,262.00 + City's Legal Review Fees
Zoning Amendments	
<u>"C" for Carriage House</u>	<u>\$694.00</u>
<u>Bylaw Enforcement - Add 'C' for Carriage House</u>	<u>\$964.00</u>
Add "t" Designation for Agri-Tourist Accommodation	\$636.00
RU6, RR & A1	\$1,386.00
Text Amendments	\$1,386.00
<u>Comprehensive Development Zone</u>	<u>\$3,262.00</u>
All Other Zones	\$1,779.00
Urban Design Development Permits	
Major (Council Reviewed) Development Permit	\$1,386.00
Minor Direct Development Permit	\$694.00
Natural Environment Development Permits	
Council Review - Natural Environment Development Permit	\$1,386.00
Major Direct Natural Environment Development Permit	\$694.00
Minor Direct Natural Environment Development Permit	\$150.00
<u>Seasonal Farm Worker Housing Permit</u>	
<u>Council Review - Seasonal Farm Worker Housing Permit</u>	<u>\$694.00</u>
<u>Direct Temporary Farm Worker Housing Permit</u>	<u>\$150.00</u>
Farm Protection Development Permit	\$694.00 \$150.00
Development Variance Permit	\$694.00 + \$100.00 per Variance
Development Application Renewal Fee	\$150.00
Pre-Application Meeting (2 Free Meetings)	\$150.00
Non-Standardized Legal Document Review	Legal Review Fees \$500.00 Base + \$300.00 per hour (after the first 3 hours)
Development Application Amendments (Applicant Initiated)	
Major Amendments Requiring Recirculation	\$636.00
Minor Amendments to Approved Development Permits	\$100.00
Public Hearing Advertising / Public Hearing Re-Advertising (hearing cancelled by applicant)	\$500.00 Minimum. If maps are required for advertising, additional costs will be incurred prior to Public Hearing
Land Use Contracts	
Discharge	\$0.00
Amendments	\$3,262.00
Temporary Use Permit	\$1,779.00
Heritage	
Heritage Revitalization Agreement	\$1,779.00
Heritage Alteration Permit (Variances associated with project)	<u>\$1,388.00 + \$100.00 per Variance</u> \$694.00 + \$100.00 per Variance
Heritage Alteration Permit - Director & Council approval	<u>\$694.00</u> \$0 - \$694.00
Heritage Conservation Covenant	\$150.00
Heritage Designation	\$150.00

¹ Refundable Amounts:

- (a) Development Fees which are refunded prior to Land Use Management Department report to Council for consideration are eligible for the cost of the Development Fee less 50% administrative costs.
- (b) No development fees will be refunded if the application has been submitted to Council.
- (c) Subdivision fees are non-refundable.

(d) Board of Variance Fees for appeals withdrawn prior to the Secretary preparing the appeal for advertising and circulation to City staff and Board of Variance members are eligible for a \$200.00 refund.

² An application fee for heritage designation will not be required if processed in conjunction with a Heritage Revitalization Agreement.

Category	Application Fee
ALR Applications (City retains \$250.00 of permit fees)	
Subdivision/Non-Farming	\$600.00
Application for Exclusion	\$600.00
Board of Variance Application	\$578.00

Document Administration Fee ⁴ (Restrictive covenants, utility right-of-ways, road reservation agreements, road exchanges, road closures, servicing agreements, developer initiated road name changes, quit claim documents excluding land use contracts, written response to inquiry etc.) (Not applicable for documents forming part of a subdivision application)	\$150.00
Land Title Office Registration	\$50.00
Site Profile Fees	\$50.00

Category	Application Fee
Liquor License Applications Requiring Public Meeting ⁵	
New Liquor Primary License (100 persons or greater)	\$700.00 + \$1,500.00 for notification
New Liquor Primary License (less than 100 persons)	\$450.00 + \$1,500.00 for notification
Change to Existing License	\$450.00 + \$1,500.00 for notification
Liquor License Applications (No Council Resolution)	\$50.00

⁴ Requests for information not available in published form requiring research will be charged a fee of \$30.00 per hour.

⁵ This application fee does not eliminate the need to pay for rezoning and/or development permit application fees where required.

DEVELOPMENT FEES - TABLE 2

FEES PURSUANT TO SUBDIVISION, DEVELOPMENT, AND SERVICING BYLAW NO. 7900 AND LAND TITLE ACT

Subdivision Applications	Application Fee
Fee Simple Subdivision and Bare Land Strata Subdivisions(Preliminary Layout Review)	(0 - 5 Lots) - \$1,500.00 (6 - 10 Lots) - \$2,000.00 (5 - 10 Lots) - \$2000.00 (Over 10 Lots) - \$3,000.00 Plus \$100.00 per total # of Lots created
Technical Subdivision Approval	\$350.00
Phased Strata Development	\$150.00
Form "P" Approval	300.00
Preliminary Layout Review Renewal	\$250.00 Per Year
Subdivision , Bare Land Strata, Phased Strata & Form "E" Final Re-Approval Fee	\$150.00
Building Strata Conversions	\$1,000.00 Plus \$100.00 Per Unit Over 5 Units
Soil Removal/Deposit Permit for applications made after work in progress (fines may also be applicable)	\$250.00
Road Renaming Applications	\$1000.00
<u>Restrictive Covenant - Review, change or removal</u>	<u>\$500.00</u>
<u>Airspace Parcel Subdivision</u>	<u>\$10,000.00</u>
Document Execution Fee - Including but not limited to: No Build / No Disturb Covenant Wildfire Covenant ALC Conservation Covenant	\$150.00

Development Category	Application Fee
Street / Traffic Sign (Installed by City)	The Owner is responsible for the purchase and installation costs of all signs required for their development. Costs will be determined by Development Engineering. (Third party developer to apply for) (Tax exempt)
Survey Monument Fee	\$50.00 per new lot (Tax exempt)
Survey Monument Replacements (If disturbed by Construction)	\$1200.00 (Tax. exempt)
Fire Hydrant Levy	For subdivisions serviced by community water distribution systems: \$250.00 per newly created lot (Tax exempt) Note: In subdivisions where the developer is extending the water mains and installing fire hydrants this levy does not apply. The City shall accumulate the funds accrued from the hydrant levy and these funds shall be used to install fire hydrants as may be required.
Latecomer Agreement Processing Fee	\$1000.00 per agreement (No charge for agreements of one day duration)

Subdivision and Development Engineering and Inspections Fee Assessed for the Following:	3.0% of the total cost of off-site and on-site construction (minimum \$300.00) determined as follows:
<ul style="list-style-type: none"> • Fee Simple Subdivision • Off-site Works 	<ol style="list-style-type: none"> 1. Full cost of construction for "on-site" (new roads) and "off-site" (existing fronting roads), including clearing, grubbing, blasting, cuts and fills, gravel, compaction, pavement, concrete work, ditches, boulevard work if applicable, etc. 2. All deep utilities such as storm drainage works, sanitary sewer work if applicable and water and fire protection including water utility construction of other water irrigation districts. 3. Costs of civil works only for shallow utilities such as installation costs of ducting for power, telephone and cable TV. The cost of private utility cable work, BC Gas works, service lines, street lighting etc. is <u>not</u> included in the construction cost for administration charge calculations. 4. Consulting Engineering design fees are <u>not</u> included in the administration fee calculation. 5. Administration charge is calculated at 3.0% of the actual construction costs as determined using the above identified items, substantiated by contractor unit prices, or payment invoices, or if levied before construction costs are in, by using the consulting engineer's construction cost estimates. These figures may be adjusted up or down by the City, if in our opinion an adjustment is warranted. This may take the form of a 10% contingency added or deletion of certain items. It is incumbent on the developer to provide actual construction costs if he does not agree with the engineers estimate.

DEVELOPMENT FEES - TABLE 3

FEES PURSUANT TO SIGN BYLAW NO. 8235

Category	Application Fee
Temporary Portable Signs	For a period of 30 days or less \$30.00 per sign. For a period of 31 days to 60 days \$40.00 per sign. For a period of 61 days and 90 days \$50.00 per sign.
All Signs (Excluding temporary signs)	\$30.00 Minimum plus \$5.00 for each square meter of sign area. For the purposes of fee calculation, sign areas involving a fraction of a square meter shall be calculated to the closest whole meter, and only one side of a two-sided sign shall be counted.

Note: Sign permit fees are not refundable if the work authorized by the permit is not commenced.

CITY OF KELOWNA

BYLAW NO. 10749

Amendment No. 2 to Development Application Fees Bylaw No. 10560

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Development Application Fees Bylaw No. 10560 be amended as follows:

1. THAT the **DEVELOPMENT APPLICATION FEES - TABLE 1** be deleted in its entirety and replaced with a new **DEVELOPMENT APPLICATION FEES - TABLE 1** as attached to and forming part of this bylaw as Schedule "A";
2. THAT THE **DEVELOPMENT APPLICATION FEES - TABLE 2 FEES PURSUANT TO SUBDIVISION, DEVELOPMENT, AND SERVICING BYLAW NO. 7900 AND LAND TITLE ACT** be amended by:
 - a) Changing "(5-10 Lots)" under the **Application Fee** column to read "(6-10 Lots)";
 - b) Inserting above the Document Execution Fee line the following:

Restrictive Covenant - Review, change or removal	\$500.00
Airspace Parcel Subdivision	\$15,000.00

3. This bylaw may be cited as 'Bylaw No. 10749, being Amendment No. 2 to Development Application Fees Bylaw No. 10560.
4. This bylaw shall come into full force and effect and be binding on all persons on the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

BL10749 - Page 2
Development Application Fees - Table 1

Development Category	Application Fee ¹
Area Structure Plans & Area Redevelopment Plans	\$5,500.00 base fee + \$75.00/ha
OCP Amendments	\$3,262.00
Phased Development Agreement	\$3,262.00 + City's Legal Review Fees
Zoning Amendments	
"C" for Carriage House	\$694.00
Bylaw Enforcement - Add 'C' for Carriage House	\$964.00
Add "t" Designation for Agri-Tourist Accommodation	\$636.00
RU6, RR & A1	\$1,386.00
Text Amendments	\$1,386.00
Comprehensive Development Zone	\$3,262.00
All Other Zones	\$1,779.00
Urban Design Development Permits	
Major (Council Reviewed) Development Permit	\$1,386.00
Minor Direct Development Permit	\$694.00
Natural Environment Development Permits	
Council Review - Natural Environment Development Permit	\$1,386.00
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Seasonal Farm Worker Housing Permit	
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Development Application Renewal Fee	\$150.00
Pre-Application Meeting (2 Free Meetings)	\$150.00
Non-Standardized Legal Document Review	\$500.00 Base + \$300.00 per hour (after the first 3 hours)
Development Application Amendments (Applicant Initiated)	
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¹ Refundable Amounts:

- (a) Development Fees which are refunded prior to Land Use Management Department report to Council for consideration are eligible for the cost of the Development Fee less 50% administrative costs.
- (b) No development fees will be refunded if the application has been submitted to Council.
- (c) Subdivision fees are non-refundable.
- (d) Board of Variance Fees for appeals withdrawn prior to the Secretary preparing the appeal for advertising and circulation to City staff and Board of Variance members are eligible for a \$200.00 refund.

² An application fee for heritage designation will not be required if processed in conjunction with a Heritage Revitalization Agreement.

Category	Application Fee
ALR Applications (City retains \$250.00 of permit fees)	
Subdivision/Non-Farming	\$600.00
Application for Exclusion	\$600.00
Board of Variance Application	\$578.00

Document Administration Fee ⁴ (Restrictive covenants, utility right-of-ways, road reservation agreements, road exchanges, road closures, servicing agreements, developer initiated road name changes, quit claim documents excluding land use contracts, written response to inquiry etc.) (Not applicable for documents forming part of a subdivision application)	\$150.00
Land Title Office Registration	\$50.00
Site Profile Fees	\$50.00

Category	Application Fee
Liquor License Applications Requiring Public Meeting ⁵	
New Liquor Primary License (100 persons or greater)	\$700.00 + \$1,500.00 for notification
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Liquor License Applications (No Council Resolution)	\$50.00

⁴ Requests for information not available in published form requiring research will be charged a fee of \$30.00 per hour.

⁵ This application fee does not eliminate the need to pay for rezoning and/or development permit application fees where required.

REPORT TO COUNCIL



Date: February 8, 2013

RIM No. 1250-04

To: City Manager

From: Land Use Management, Community Sustainability (JM)

Application: TA12-0009 **Applicant:** City of Kelowna

Subject: Development Application - Public Notification and Consultation Procedures & Miscellaneous Amendments to the Development Application Procedures Bylaw

1.0 Recommendation

THAT Council receives, for information, the Report from the Land Use Management Department dated February 8, 2013 with respect to amending City of Kelowna Development Application Procedures Bylaw No. 10540 by revising the public notification and consultation requirements;

AND THAT Bylaw No. 10654, being Amendment No. 1 to Development Application Procedures Bylaw No. 10540 be forwarded for reading consideration;

AND THAT Council adopts Council Policy No. 367, being Development Application - Public Notification and Consultation Procedures, as outlined in the Report of the Land Use Management Department, dated February 8, 2013;

AND FURTHER THAT Council directs staff to report back on the effectiveness of the new public consultation strategies within one (1) year of implementation.

2.0 Purpose

In response to Council direction to move away from the Advisory Planning Commission (APC) role in development application processing, this Text Amendment seeks to update the Development Application Procedures Bylaw to reflect an amended public consultation process. Specifically, the proposal:

- expands the role of Public Information Sessions for major development applications;
- introduces Project Boards for major development applications;
- formalizes the requirement for neighbour consultation; and
- removes all references to the Advisory Planning Commission.

The proposal also includes three miscellaneous amendments: a change to the maximum timeframe for development application extensions from six (6) months to twelve (12) months; a change to clarify the criteria for amendments to issued Development Permits that can be approved by the Director of Land Use Management; and a change to clarify the intent of the requirement that all Development Permits adjacent to residential development be considered by Council.

3.0 Land Use Management

Land Use Management staff are supportive of these amendments, and anticipate that they will foster communication with the public that is efficient, transparent and consistent. These requirements are proposed in an effort to ensure meaningful engagement with affected residents. The proposal also assists in ensuring that legislative obligations for early and ongoing consultation are met, and is consistent with the *Public Engagement Guiding Principles*, recently endorsed by Council.

In particular, the proposal draws an important line between “notification” and true “consultation”. In most cases, simple notification of a project is seen to be sufficient, and no changes to existing expectations are proposed. However, where a project represents a major change (as defined in Policy), this proposal will give affected residents opportunities to engage in a dialogue (“consultation”) early in the development process. This will assist in reducing the number of situations where a lack of information or misinformation leads to conflict.

In addition, Staff feel that the use of a Council Policy to implement these new tools will be a significant benefit, setting out clear expectations, but remaining flexible enough to respond to unique or exceptional circumstances without adding unnecessary processes.

Staff also support the proposed miscellaneous amendments to the Procedures Bylaw, as they represent small, but important changes to improve the efficiency of the development approval process.

4.0 Proposal

4.1 Background

As a result of the APC no longer being involved in the development process, Council directed staff to review the City’s requirements for public consultation in development applications. A second impetus behind this review is the legislative requirement for “early and ongoing consultation” for all amendments to the Official Community Plan, which was previously satisfied through the APC. While in some cases, meeting this requirement may necessitate the development of project-specific consultation strategies, general standards applicable to most situations should suffice for the majority of applications. To date, such standards do not exist, leaving both staff and applicants with minimal direction.

A final rationale for the changes is the City’s broad goal of ensuring that the development application process is efficient, transparent and consistent for all those involved, from affected residents, to members of the development community.

Staff have met with representatives from the Urban Development Institute (UDI) on two separate occasions (October 25 & November 15, 2012), and have collaborated to arrive at a balanced proposal addressing Council’s direction.

4.2 Project Description

Under the present bylaw requirements, applicants are rarely responsible for any public consultation. For most applications, the public is only notified of a development via a Development Notice Sign posted on the subject properties. In some cases, the City sends nearby residents a notification letter. Should an application require a formal Public Hearing before Council, a newspaper advertisement is taken out by the City. Out of the above, the only responsibility of the applicant is to erect a sign. Only in rare instances for large scale changes to the Official Community Plan (OCP) is the applicant responsible for hosting a public information session.

It should be noted that staff do presently encourage applicants to consult with their neighbours prior to Council consideration of their application. However, this is not a formal requirement.

The proposed Council Policy and corresponding changes to the Procedures Bylaw recognize that the status quo may represent a desirable level of consultation for many minor applications, where the impacts of a given development are likely to be minimal. In these cases, the process will remain identical to what it is now. However, the existing system has substantial gaps when it comes to engaging affected residents meaningfully for major applications that may have significant impacts. At the most basic level, residents may not be aware of a development proposal. If they are, they may not understand the proposal or its impacts. And, there is no opportunity beyond a formal Public Hearing (where required) for affected residents to have a meaningful dialogue with an applicant. The proposal under consideration represents an attempt to remedy these situations by relating the level of public engagement required directly to the scale and significance of a given application.

To achieve this, applications are divided into categories of “major” or “minor”, based on whether or not an application meets certain criteria (as per proposed Council policy). For instance, a “major” amendment to the OCP will have a higher standard of public engagement required than will a “minor” amendment. The following table summarizes the proposed system:

Table 1: Forms of Public Notification & Consultation

Application Type	Project Board	Neighbour Consultation	Public Information Session
OCP Major	✓	✓	✓
OCP Minor	-	✓	-
Zoning Major	-	✓	✓
Zoning Minor	-	✓	-
LUC Land Use Contract	-	✓	-
DVP	-	✓	-
TUP Temporary Use Permit	-	✓	-
DP Development Permit	-	-	-
ALR* Agricultural Land Reserve	-	-	-
SFWH Seasonal Farm Worker Housing	-	✓	-
Direct SFWH	-	-	-

- ✓ indicates a required form of notification or consultation.
- indicates a form of notification or consultation not required.
- * please refer to Agricultural Land Commission requirements.

As shown in Table 1, the proposed changes include the introduction of a new form of public engagement: project boards. As opposed to Development Notice Signs, which fulfil a statutory obligation and provide little information, project boards are updated regularly and include detailed information about the application, such as site plans, building elevations, and other useful information.

Beyond this new form of consultation, staff are recommending the expanded use of applicant-hosted public information sessions for large scale applications. Where a development proposal is of a significant scale, targeted public information sessions can provide the opportunity for effective dialogue between the applicant team and concerned or interested residents. Residents are able to become more informed about the potential impacts of a proposal, and applicants are able to discuss and respond to concerns raised, all in advance of Council consideration.

For most applications, consultation requirements are not proposed to change. However, major OCP amendments, Rezoning and Development Variance Permits will need additional consultation over what is presently required. For a major amendment to the OCP, a project board will be added. For a major Rezoning, a Public Information Session will be added.

In crafting the proposal, staff have made an effort to avoid being overly prescriptive, opting instead to allow flexibility by setting an overall objective for consultation and asking that applicants meet that objective in their efforts. Staff reports to Council will describe consultation efforts undertaken and their general outcomes.

Miscellaneous Amendments

Three additional amendments to the Development Application Procedures Bylaw No. 10540 are also proposed. The first is a change to the maximum timeframe for the extension of inactive development applications. Presently, the maximum extension is six (6) months, where the proposal seeks to change this to twelve (12) in an effort to reduce the frequency that such applications require formal Council review.

The second miscellaneous amendment to the Procedures Bylaw clarifies the types of amendments to approved Development Permits that can be executed internally by the Director of Land Use Management without having to seek Council approval. This change will provide certainty and clarity for the development community and staff, while also improving timelines by reducing the number of minor changes to approved Development Permits that need to go to Council. As proposed, only minor changes not affecting overall form and character, not reducing setbacks, and not increasing height or density would be eligible for approval by the Director of Land Use Management.

The final miscellaneous change addresses a longstanding requirement that any Development Permit adjacent to residential development requires Council consideration. Staff wish to clarify the wording of this section to ensure that only those Development Permits that have an impact on adjacent residential developments need go to Council.

5.0 Internal Circulation

Office of the City Clerk
Communications
Policy and Planning

6.0 Legal/Statutory Authority

Section 895 of the Local Government Act obligates local governments to establish procedures by which the general public may apply to amend an Official Community Plan or Zoning Bylaw or to issue a permit under those bylaws. Section 928(4) of the Local Government Act authorizes local governments to designate the form of development permits, temporary use permits, and development variance permits by bylaw. Section 892 of the Local Government Act authorizes

local governments to require the posting of development notice signs and notification for bylaw amendments. Section 922 of the Local Government Act details the requirements for notification in respect of Development Variance Permits.

7.0 Existing Policy

Currently, all consultation and notification requirements are contained within the Development Application Procedures Bylaw No. 10540. However, supplementing this in the specific area of residents' associations is Council Policy No. 305 "Guidelines for Communications & Cooperation Between the City and Residents Associations".

8.0 Personnel Implications

It is anticipated that some additional time for Land Use Management staff will be required in order to monitor the new forms of public consultation.

9.0 External Agency/Public Comments

The Urban Development Institute has also expressed its support for the proposal.

10.0 Considerations Not Applicable to this Report

Legal/Statutory Procedural Requirements
Financial/Budgetary Considerations
Communications Comments

Report prepared by:

James Moore, Land Use Planner

Reviewed by:

☐

Danielle Noble, Manager, Urban Land Use

Approved for Inclusion:

☐

Doug Gilchrist, Acting GM of Community Sustainability

Attachments:

DRAFT Council Policy No. 367



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

Council Policy

Public Notification & Consultation for Development Applications

APPROVED @

RESOLUTION:
REPLACING:
DATE OF LAST REVIEW:

A. PURPOSE

To establish standards and procedures for applicant-driven public notification and consultation in respect of development applications. This will ensure transparent and consistent application of standards for the benefit of affected residents, the development community and the City.

B. PUBLIC NOTIFICATION & CONSULTATION PROCEDURES

1. OBJECTIVE

To ensure that those parties affected by an application made pursuant to this policy are given adequate notice and one or more meaningful opportunities to provide input, where appropriate and in keeping with the nature and scale of the application.

2. RESPONSIBILITY FOR NOTIFICATION AND CONSULTATION

Unless otherwise indicated, all costs associated with the Notification and Consultation required under this policy are the sole responsibility of the applicant.

3. REQUIREMENT FOR NOTIFICATION AND CONSULTATION

- a. All applications made pursuant to this policy must undertake the forms of public notification and consultation identified in Table 1 below and in accordance with the specifications identified in Development Application Procedures Bylaw No. 10540.

Table 1 - Forms of Public Notification & Consultation

Application Type	Project Board	Neighbour Consultation	Public Information Session
OCP Major	✓	✓	✓
OCP Minor	-	✓	-
Zoning Major	-	✓	✓
Zoning Minor	-	✓	-
LUC Land Use Contract	-	✓	-
DVP	-	✓	-
TUP Temporary Use Permit	-	✓	-
DP Development Permit	-	-	-
ALR* Agricultural Land Reserve	-	-	-
SFWH Seasonal Farm Worker Housing	-	✓	-
Direct SFWH	-	-	-

- ✓ indicates a required form of notification or consultation.
- indicates a form of notification or consultation not required.
- * please refer to Agricultural Land Commission requirements

- b. Fulfilling the requirements of this policy does not relieve the owner or applicant of the responsibility to comply with applicable regulations and bylaws of the City of Kelowna, and those requirements of any body having jurisdiction over the land.
- c. Failure to undertake the form(s) of Notification and Consultation in accordance with this policy may result in the postponement of initial consideration of the application by Council. All costs incurred by the City for public notification as a result of such postponement will be the responsibility of the applicant.
- d. Applicants are encouraged wherever possible to use online or web-based tools to enhance public engagement strategies.
- e. For the purposes of this policy, the following criteria will apply to Official Community Plan amendment applications, and Zoning Bylaw amendment applications made pursuant to this policy:

Official Community Plan Amendment – Major (“OCP Major”) means an OCP Amendment Application that:

- Involves a major change to the Future Land Use class (including, but not limited to, Residential to Commercial, Commercial to Industrial, Resource Protection to Residential) of the applicable parcel(s) or portions thereof; or
- Involves a change of two (2) increments within a Future Land Use class (including, but not limited to, Single / Two Unit Residential to Multiple Unit Residential (Medium Density)).

Official Community Plan Amendment – Minor (“OCP Minor”) means an OCP Amendment application that is not an OCP Major, or one that is limited to text amendments.

Zoning Amendment – Major (“Zoning Major”) means a Zoning Amendment Application that:

- Involves creation of a Comprehensive Development zone; or
- Involves a total land area of 2 hectares or greater; or
- Involves the addition of 50 or more dwelling units and/or parcels; or
- Involves a major change in land use intensity (including, but not limited to, local to urban centre commercial, or business to heavy industrial).

Zoning Amendment – Minor (“Zoning Minor”) means a Zoning Amendment application that is not a Zoning Major.

4. NOTIFICATION AND CONSULTATION SPECIFICATIONS

a. Project Board

Where required, an applicant must erect a Project Board on that parcel of land which is the subject of the application, in accordance with the following specifications:

Timing:

Project Boards will be posted a minimum of thirty (30) days in advance of Council initial consideration. Project Boards must remain in place until the conclusion of the Public Hearing, until Council has adopted the amending bylaw if the Public Hearing has been waived, or until the development application has been abandoned. Project Boards must be removed within seven (7) days of the conclusion of a Public Hearing.

Location:

All Project Boards will be placed on a property that is subject to an application pursuant to this policy so that they are clearly visible from the street, approximately three (3) metres inside the property line.

Number:

One Project Board is required for each road frontage provided that no more than three (3) signs are required for any one Site.

Size and Content:

The Project Board(s) will include the following information approved by the Director of Land Use Management, as applicable to the application, and will be sized to accommodate this information for viewing by vehicular and pedestrian traffic:

- Detailed description of the proposal, including number of units, lot area, floor area ratio, gross floor area, if applicable;

- Development approval process updates;
- Visual rendering and/or site plan illustrating the proposal;
- Contact information for the applicant or authorized agent, including project website (if any); and
- Contact information for the Land Use Management Department.

Sign Installation:

Project Boards will be located in a manner which does not interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes or driveways and must be installed in a safe, sturdy manner capable of withstanding wind and weather.

The applicant must provide the Director of Land Use Management with evidence in the form of photographs that the Project Board(s) required by this policy has been installed on the subject property before the application will be considered at a Public Hearing or a regular meeting of Council.

b. Neighbour Consultation

Objective:

Neighbour consultation aims to promote, where possible, direct, face-to-face conversations between an applicant and their immediate neighbours.

Applicable Parcels:

For parcels located within the Permanent Growth Boundary, as shown on Official Community Plan Map 5.2, all abutting and adjoining parcels and any parcels within 50m of the subject property must be consulted.

For parcels located outside of the Permanent Growth Boundary, as shown on Official Community Plan Map 5.2, all abutting and adjoining parcels and any parcels within 300m of the subject property must be consulted, or as determined by the Director of Land Use Management.

Neighbour Consultation Content:

- Location of the proposal;
- Detailed description of the proposal, including the specific changes proposed;
- Visual rendering and/or site plan of the proposal;
- Contact information for the applicant or authorized agent;
- Contact information for the Land Use Management department;
- Identifications of available methods for feedback.

Evidence of Consultation:

A summary of neighbour consultation efforts must be provided to Land Use Management, identifying how the efforts meet the objective of this form of consultation. This must be provided to Land Use Management a minimum of 15 days prior to Council initial consideration of the application(s).

c. Public Information Session

Where required, an applicant must conduct a Public Information Session in accordance with the following requirements:

The Public Information Session must be held a minimum of 15 days prior to Council initial consideration and after submission of a complete application;

The date, time, duration and location of a Public Information Session are to be determined by the applicant, but shall be organized pursuant to the Objective set out in Section 1 of this policy;

A Public Information Session must be advertised by both mailout and by local newspaper advertisements, which must be delivered or printed, as applicable, a minimum of two (2) weeks in advance of holding of a Public Information Session;

The applicant must make available for review all relevant appropriate plans, studies, and technical information regarding the proposal;

The City of Kelowna must be notified of the meeting, and a staff representative from Land Use Management shall have the option to attend;

A summary report, prepared and signed by applicant or authorized agent must be submitted to the Land Use Management, which provides, at a minimum, responses to the following questions:

- Where was the information session held?
- At what time and for what duration was the information session held?
- How many people attended the information session?
- How was the information session advertised (include copies of all advertising)?
- How were affected property owners notified of the information session?
- What information was provided at the information session?
- How was the input received at the information session used?
- Was the information session organized and conducted in a manner consistent with the Objective of this policy?

REASON FOR POLICY

The *Local Government Act* sets out minimum standards for notification of, and consultation with, the general public with respect to some forms of development applications. With the forms of notification and consultation specified being limited to a formal statutory Public Hearing, this policy seeks to increase public engagement in development proposals that will be considered by Council through an approach that is consistent and appropriate to each type of application.

LEGISLATIVE AUTHORITY

Local Government Act – Section 922 – Development Variance Permits

Local Government Act – Section 879 – Consultation during the OCP development

PROCEDURE FOR IMPLEMENTATION

As noted in policy.

CITY OF KELOWNA

BYLAW NO. 10654

Amendment No. 1 to Development Application Procedures Bylaw No. 10540

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

1. THAT **SECTION 1 - INTRODUCTION, 1.4 Definitions, 1.4.1** be amended by deleting the definition for '**Advisory Planning Commission**' that reads:

"Advisory Planning Commission" means an advisory commission established by Council pursuant to Section 898 of the *Local Government Act* and operating in accordance with the **Advisory Planning Commission** Bylaw No. 8546, as amended or replaced from time to time."

2. AND THAT **"2 GENERAL PROVISIONS"** be amended as follows:

- a) deleting in its entirety the heading **"2 GENERAL PROVISIONS"** and replacing it with **"SECTION 2 - GENERAL PROVISIONS"**;
- b) deleting **2.3 DELEGATION OF AUTHORITY, 2.3.5 Development Permits** subparagraph (b) that reads:

"Amendments to Development Permits that deal with form and character involving design modifications, having no bearing or impact on the form and character relating to location, setback, height, shape, size, floor area or parcel coverage of a building or structure."

And replace it with:

"Amendments to Development Permits that are limited to minor design modifications that do not alter the overall form and character of development, and that do not reduce minimum setbacks, or increase height or density."

- c) deleting in **2.12 LAPSE OF APPLICATION, 2.12.2**, the words "six (6)" after the words "may extend the deadline for a period of" and replacing it with "twelve (12)".
3. AND THAT **"3 APPLICATION FEES"** heading be deleted in its entirety and replaced with **"SECTION 3 - APPLICATION FEES"**;

4. AND THAT “4 PUBLIC NOTIFICATION & CONSULTATION” be deleted in its entirety that reads:

“4 PUBLIC NOTIFICATION & CONSULTATION

4.1 PUBLIC NOTIFICATION

4.1.1 Giving Notice

- a) In accordance with the *Local Government Act*, the **City** will mail or otherwise deliver individual notices to all **Owners** and tenants of the subject property for which an application is being made, and all **Owners** and tenants of all other properties within a distance of not less than 50 metres measured from the boundaries of any subject property to which the application pertains, advising of:
- A scheduled **Public Hearing** for an **Official Community Plan**, **Zoning Bylaw** amendment, **Phased Development Agreement**, or **Land Use Contract** Discharge or Amendment;
 - A scheduled **Council** meeting for considering a **Development Variance Permit**; or
 - A scheduled **Council** meeting for considering a **Temporary Use Permit**.
- b) The notification outlined in Sub-Section 4.1.1(a) is not required if 10 or more parcels owned by 10 or more persons are subject of the application.
- c) Individual notices will be mailed or otherwise delivered not less than ten (10) days prior to **Council** consideration of a **Temporary Use Permit** or **Development Variance Permit**, and not less than ten (10) days prior to the holding of a **Public Hearing** for an **Official Community Plan** or **Zoning Bylaw** amendment, or a **Land Use Contract** discharge or amendment.

4.1.2 Posting a Development Notice Sign

Except for **Development Permit** and **Phased Development Agreement** applications, and Amendment Applications involving ten (10) or more parcels owned by ten (10) or more persons, an applicant under this bylaw must, at his or her cost, erect a Development Notice Sign on that parcel of land which is the subject of the application, in accordance with the following:

- a) Timing:

Development Notice Signs will be posted a minimum of ten (10) days prior to the **Advisory Planning Commission** meeting date at which the application is being considered, and a minimum of ten (10) days prior to the **Council** meeting date at which the application will be considered.

b) Location:

All Development Notice Signs will be placed on a property that is subject to an application pursuant to this bylaw so that they are clearly visible from the street, approximately three (3) metres inside the property line.

c) Number

One sign is required for each 100 metres of road frontage provided that no more than three (3) signs are required for any one **Site**.

d) Sign Content

The sign(s) will include the following information, as applicable to the application:

- Present and proposed Zone of the property;
- The **City's** development application file number;
- Any requested variances of **City** bylaws;
- A brief description of the proposal;
- The date(s) of relevant **Advisory Planning Commission** meetings, **Public Hearing**, **Council** meeting at which the application is to be considered, or the final date for receipt of public input if the **Public Hearing** has been waived; and
- Any additional information the **Director of Land Use Management** may require.

e) Sign Installation:

Development Notice Signs will be located in a manner which does not interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes or driveways and must be installed in a safe, sturdy manner capable of withstanding wind and weather.

f) Sign Purchase:

Development Notice Signs will be purchased from the **City** at the applicant's expense for the fee described in the **Development Application Fees Bylaw**.

g) Sign Removal:

Development Notice Signs must remain in place until the conclusion of the **Public Hearing**, until **Council** has considered the **Development Variance Permit** or **Temporary Use Permit**, as applicable, until **Council** has adopted the amending bylaw if the **Public Hearing** has been waived, or until the development application has been abandoned. Development notice signs must be removed within seven days of the conclusion of a **Public Hearing**.

h) Statutory Declaration Required:

The applicant must provide the **Director of Land Use Management** with a Statutory Declaration in the approved format confirming that all Development Notice Signs required by this Bylaw have been installed on the subject property before the application will be considered at an **Advisory Planning Commission** meeting, a **Public Hearing** or a regular meeting of **Council**.

i) Failure to Post:

Failure to post the required Development Notice Sign(s) in accordance with this bylaw will result in the postponement of consideration of the application by the **Advisory Planning Commission** or **Council**. All costs incurred by the **City** for public notification as a result of such postponement will be the responsibility of the applicant.

4.2 PUBLIC INFORMATION MEETINGS

4.2.1 Public Information Meeting Requirement

- a) A Public Information Meeting must be held prior to **Council** consideration of an application to amend the **OCP**, in order to provide an additional opportunity for the public to access information and to inquire about the proposal beyond that available through the regular application referral and **Public Hearing** processes, where any of the following criteria are met:
- The **OCP** amendment would result in a significant land use change, this includes, but not limited to, a change from agriculture to residential use, from commercial to industrial use, from residential to institutional, or a two increment increase in land use designation for residential uses; or
 - The **OCP** amendment involves more than 10 hectares of land; or
 - The **OCP** amendment involves the proposed creation of more than 30 parcels or housing units.
- b) For all development applications not subject to Section 4.2.1(a), **Council** encourages a Public Information Meeting to be held prior to consideration by **Council**.

4.2.2 Public Information Meeting Standards

If a Public Information Meeting is required, it is the applicant's responsibility to arrange and conduct the meeting to the satisfaction of the **City**, and according to the following guidelines:

- a) The location, time and duration of a Public Information Meeting shall be set in accordance with the intent to provide a reasonable opportunity for the public to access information and to inquire thoroughly about the proposal. Where possible, the meeting should be held in the area most impacted by the proposal.
- b) Prior to initial consideration by **Council**, the applicant shall submit to **City** staff a report summarizing the Public Information Meeting and providing, at a minimum, responses to the following questions:
 - Where was the meeting held?
 - At what time and for what duration was the meeting held?
 - How many people attended the meeting?
 - How was the meeting advertised?
 - How were surrounding property owners notified of the meeting?
 - What information was provided at the meeting?

4.3 AGENCY REFERRAL PROCESS

- 4.3.1 When dealing with an application under this bylaw, the **Land Use Management** Department will develop a referral list of agencies, organizations or levels of government to which the amendment must be sent for review and comment.
- 4.3.2 Each agency, organization or level of government will be given thirty (30) days, from receipt of the referral, to provide any comments. If after thirty (30) working days the agency, organization or level of government has not notified the **City** in writing about their concerns, the agency, organization or level of government is considered to have no concern.”

And replacing it with:

SECTION 4 - PUBLIC NOTIFICATION & CONSULTATION

4.1 PUBLIC NOTIFICATION & CONSULTATION REQUIREMENT

All applications made pursuant to the Bylaw will undertake the forms of public notification required by this section. Consultation requirements as identified in Council Policy No. 367 must be held prior to Council initial consideration of an application.

4.2 PUBLIC NOTIFICATION

4.2.1 Giving Notice

- a) In accordance with the *Local Government Act*, the **City** will mail or otherwise deliver individual notices to all **Owners** and tenants of the subject property for which an application is being made, and all **Owners** and tenants of all other properties within a distance of not less than 50 metres measured from the boundaries of any subject property to which the application pertains, advising of:
 - A scheduled **Public Hearing** for an **Official Community Plan**, **Zoning Bylaw** amendment, **Phased Development Agreement**, or **Land Use Contract** Discharge or Amendment;
 - A scheduled **Council** meeting for considering a **Development Variance Permit**; or
 - A scheduled **Council** meeting for considering a **Temporary Use Permit**.
- b) The notification outlined in Sub-Section 4.1.1(a) is not required if 10 or more parcels owned by 10 or more persons are subject of the application.
- c) Individual notices will be mailed or otherwise delivered not less than ten (10) days prior to **Council** consideration of a **Temporary Use Permit** or **Development Variance Permit**, and not less than ten (10) days prior to the holding of a **Public Hearing** for an **Official Community Plan** or **Zoning Bylaw** amendment, or a **Land Use Contract** discharge or amendment.

4.2.2 Posting a Development Notice Sign

Except for **Development Permit**, **Additional Dwelling for Farm Employee Permit** and **Phased Development Agreement** applications, and Amendment Applications involving ten (10) or more parcels owned by ten (10) or more persons, an applicant under this bylaw must, at his or her cost, erect a Development Notice Sign on that parcel of land which is the subject of the application, in accordance with the following:

a) Timing:

For applications that require a statutory Public Hearing, Development Notice Signs will be posted a minimum of ten (10) days prior to the Public Hearing for the application. For all other applications, Development Notice Signs will be posted a minimum of ten (10) days prior to the Council meeting at which the application is scheduled for consideration.

Development Notice Signs must remain in place until the conclusion of the Public Hearing, until Council has considered the Development Variance Permit or Temporary Use Permit, as applicable, until Council has adopted the amending bylaw if the Public Hearing has been waived, or until the development application has been abandoned. Development notice signs must be removed within seven (7) days of the conclusion of a Public Hearing.

b) Location:

All Development Notice Signs will be placed on a property that is subject to an application pursuant to this bylaw so that they are clearly visible from the street, approximately three (3) metres inside the property line.

c) Number

One sign is required for each 100 metres of road frontage provided that no more than three (3) signs are required for any one **Site**.

d) Sign Content

The sign(s) will include the following information, as applicable to the application:

- Present and proposed Zone of the property;
- The **City's** development application file number;
- Any requested variances of **City** bylaws;
- A brief description of the proposal;
- The date(s) of the relevant **Public Hearing** and/or **Council** meeting at which the application is to be considered, or the final date for receipt of public input if the **Public Hearing** has been waived; and
- Any additional information the **Director of Land Use Management** may require.

e) Sign Installation:

Development Notice Signs will be located in a manner which does not interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes or driveways and must be installed in a safe, sturdy manner capable of withstanding wind and weather.

f) Sign Purchase:

Development Notice Signs will be purchased from the **City** at the applicant's expense for the fee described in the **Development Application Fees Bylaw**.

g) Photographic Evidence Required:

The applicant must provide the **Director of Land Use Management** with photographic evidence confirming that all Development Notice Signs required by this Bylaw have been installed on the subject property before the application will be considered at a **Public Hearing** or a regular meeting of **Council**.

h) Failure to Post:

Failure to post the required Development Notice Sign(s) in accordance with this bylaw will result in the postponement of consideration of the application by **Council**. All costs incurred by the **City** for public notification as a result of such postponement will be the responsibility of the applicant.

4.3 AGENCY REFERRAL PROCESS

4.3.1 When dealing with an application under this bylaw, the **Land Use Management** Department will develop a referral list of agencies, organizations or levels of government to which the amendment must be sent for review and comment.

4.3.2 Each agency, organization or level of government will be given a minimum of fifteen (15) working days from receipt of the referral to provide any comments. If after a minimum of fifteen (15) working days the agency, organization or level of government has not notified the **City** in writing about their concerns, the agency, organization or level of government is considered to have no concern."

5. AND THAT Schedule '2' - Application to Amend an Official Community Plan Bylaw or a Zoning Bylaw, 2.0 PROCESSING PROCEDURE, 2.4 to 2.15 inclusive be deleted in its entirety that reads:

"2.4 Land Use Management will evaluate the proposal for compliance with relevant City bylaws and policies.

- 2.5 Council or the Director of Land Use Management may request that an applicant advertise and host a Public Information Meeting or open house at their own expense in accordance with the requirements of Section 4.2 of this bylaw.
- 2.6 Land Use Management will prepare a staff report and refer the application to the relevant Council Committee(s).
- 2.7 The applicant will install a Development Notice Sign in accordance with Section 4.1.2 of this Bylaw.
- 2.8 The applicant is encouraged to attend the meeting of the relevant Council Committee(s) at which the amendment application is being considered.
- 2.9 Upon receipt of the recommendation of the Council Committee, Land Use Management will prepare a staff report, including technical agency comments for consideration by Council.
- 2.10 The applicant is encouraged to attend the Council meeting at which the amendment application will be considered.
- 2.11 The applicant will update or install a Development Notice Sign as necessary and in accordance with Section 4.1.2 of this bylaw.
- 2.12 If Council decides to proceed with the amendment application, an amending bylaw will be given first reading (including the placement of conditions, where appropriate). Council may alternatively decide to refer, table or deny the application.
- 2.13 Should the amending bylaw receive first reading, a Public Hearing, if required, will be held to allow the public to comment on the application. Notice of a Public Hearing will be given pursuant to the Local Government Act.
- 2.14 Following the Public Hearing, Council will consider the amendment bylaw and may proceed with second and third readings, refer, table or deny the application. Upon third reading, an amendment bylaw may need to be sent to relevant provincial ministry(s) for approval before proceeding to adoption.
- 2.15 Once the applicant has adequately addressed all of the outstanding conditions identified (if any), Council will consider the adoption of the bylaw(s), subject to Section 2.2.1(b).
- 2.16 Following reading consideration, the Office of the City Clerk will notify the applicant in writing of the decision of Council.”

And replacing it with:

- 2.4 Land Use Management will evaluate the proposal for compliance with relevant City bylaws and policies.

- 2.5 The applicant will undertake the form(s) of public notification and consultation required in accordance with Section 4 of this Bylaw.
 - 2.6 Land Use Management will prepare a staff report and refer the application to the relevant Council Committee(s).
 - 2.7 The applicant is encouraged to attend the meeting of the relevant Council Committee(s) at which the amendment application is being considered.
 - 2.8 Upon receipt of the recommendation of the Council Committee, Land Use Management will prepare a staff report, including technical agency comments for consideration by Council.
 - 2.9 The applicant is encouraged to attend the Council meeting at which the amendment application will be considered.
 - 2.10 If Council decides to proceed with the amendment application, an amending bylaw will be given first reading (including the placement of conditions, where appropriate). Council may alternatively decide to refer, table or deny the application.
 - 2.11 Should the amending bylaw receive first reading, a Public Hearing, if required, will be held to allow the public to comment on the application. Notice of a Public Hearing will be given pursuant to the Local Government Act.
 - 2.12 Following the Public Hearing, Council will consider the amendment bylaw and may proceed with second and third readings, refer, table or deny the application. Upon third reading, an amendment bylaw may need to be sent to relevant provincial ministry(s) for approval before proceeding to adoption.
 - 2.13 Once the applicant has adequately addressed all of the outstanding conditions identified (if any), Council will consider the adoption of the bylaw(s), subject to Section 2.2.1(b).
 - 2.14 Following reading consideration, the Office of the City Clerk will notify the applicant in writing of the decision of Council.”
6. **AND THAT Schedule ‘3’ Development Permit Applications, 1.0 URBAN DESIGN & FARM PROTECTION DEVELOPMENT PERMITS** be amended as follows:
- a) deleting the words “or amend” after the words “the **Director of Land Use Management** may only issue” under **1.1.1 Restriction on Delegation**;
 - b) deleting the bullet under **1.1.1 Restriction on Delegation**, sub-paragraph (a) that reads:
 - “The proposed development is not directly adjacent to or abutting residential developments; and”
- And replacing it with the following:

- “The proposed development does not impact adjacent or abutting residential developments; and”
 - c) deleting the words “An internal staff” before the words “design review will consider the merits of the proposal.” And replacing it with “Where applicable, a staff” in sub-paragraph d. under **1.1.2 Processing Procedures**;
 - d) deleting the words “An internal staff” before the words design review will consider the merits of the proposal.” And replacing it with “Where applicable, a staff” in **1.2 URBAN DESIGN & FARM PROTECTION COUNCIL DEVELOPMENT PERMITS, 1.2.2 Processing Procedure**, sub-paragraph d.;
7. AND THAT **Schedule ‘4’ Application for a Development Variance Permit, 2.0 PROCESSING PROCEDURE**, Sections 2.4 to 2.11 inclusive be deleted that reads:
- “2.4 **Land Use Management** will evaluate the proposal for compliance with relevant **City** bylaws and policies.
- 2.5 **Land Use Management** will prepare a staff report and refer the application to the relevant Council Committee(s). Where the variance is deemed to be minor in nature by the **Director of Land Use Management**, and where confirmation from affected neighbours supporting the variance has been received, the application is not required to be forwarded to Council Committee(s).
- 2.6 Where an application requires Council Committee review, the applicant will post a Development Notice Sign, and **City** Staff will give notice in accordance with Section 4.1.2 of this bylaw.
- 2.7 The applicant is encouraged to attend the meeting of the Council Committee at which the application is being considered.
- 2.8 Upon receipt of the recommendation of the relevant Council Committee and the comments of other referral agencies, **Land Use Management** staff will prepare a staff report and draft **Development Variance Permit** for consideration by **Council**.
- 2.9 The Office of the **City Clerk** will notify the applicant in writing of the decision of **Council**.
- 2.10 If authorized for issuance by the **Council**, **Land Use Management** staff will prepare the required **Development Variance Permit** and related schedules for signature, and obtain the required Bonding (if any), pursuant to Section 2.8 of this bylaw.
- 2.11 Upon sign-off of the **Development Permit** by the **Director of Land Use Management** and receipt of the related bonding, the DP will be issued and then registered against the title of the property(s) at the Land Title Office.”

And replaced with:

- “2.4 **Land Use Management** will evaluate the proposal for compliance with relevant **City** bylaws and policies.
- 2.5 The applicant will undertake the form(s) of public notification and consultation required in accordance with Section 4 of this Bylaw.
- 2.6 **Land Use Management** will prepare a staff report and refer the application to the relevant Council Committee(s).
- 2.7 The applicant is encouraged to attend the meeting of the Council Committee at which the application is being considered.
- 2.8 Upon receipt of the comments of other referral agencies, **Land Use Management** staff will prepare a staff report and draft **Development Variance Permit** for consideration by **Council**.
- 2.9 The Office of the **City Clerk** will notify the applicant in writing of the decision of **Council**.
- 2.10 If authorized for issuance by the **Council**, **Land Use Management** staff will prepare the required **Development Variance Permit** and related schedules for signature, and obtain the required Bonding (if any), pursuant to Section 2.8 of this bylaw.
- 2.11 Upon sign-off of the **Development Variance Permit** by the **Director of Land Use Management** and receipt of the related bonding, the Development Variance Permit will be issued and then registered against the title of the property(s) at the Land Title Office.”
8. AND THAT **Schedule ‘5’ Applications for a Temporary Use Permit, 2.0 PROCESSING PROCEDURE** be amended as follows:
- a) section 2.3 be deleted in its entirety that reads:
- “**Council** and the **Director of Land Use Management** may request that an applicant advertise and host a Public Information Meeting or open house at their own expense in accordance with the requirements of Section 4.2 of this bylaw.”
- And replaced with:
- “The applicant will undertake the form(s) of public notification and consultation required in accordance with Section 4 of this Bylaw.”
- b) sections 2.6 to 2.14 be deleted in their entirety that reads:
- “2.6 The applicant will install a Development Notice Sign in accordance with Section 4.1.2 of this bylaw.
- 2.7 The applicant is encouraged to attend the meeting of the relevant Council Committee(s) at which the application is being considered.

- 2.8 Upon receipt of the recommendation of the Council Committee(s), **Land Use Management** staff will prepare a staff report, including technical agency comments for consideration by **Council**.
- 2.9 The applicant will update or install a Development Notice Sign as necessary and in accordance with Section 4.1.2 of this Bylaw.
- 2.10 The recommendation of the appropriate Council Committee(s) will be incorporated into a staff report for **Council** consideration and will be accompanied by a draft of the Permit.
- 2.11 The applicant is encouraged to attend the **Council** meeting at which the application will be considered.
- 2.12 **Council** will consider the staff report and may grant the requested permit, or may refer, table, direct back to the appropriate Council Committee(s), or deny the application.
- 2.13 The Office of the City Clerk will notify the applicant in writing of the decision of **Council**.
- 2.14 If a Permit is granted by **Council**, a Notice of Permit will be signed and sealed by the **Director of Land Use Management** and registered against the title of the property(s) at the Land Title Office.”

And replaced with:

- “2.6 The applicant is encouraged to attend the meeting of the relevant Council Committee(s) at which the application is being considered.
- 2.7 Upon receipt of the recommendation of the Council Committee(s), **Land Use Management** staff will prepare a staff report, including technical agency comments for consideration by **Council**.
- 2.8 The applicant is encouraged to attend the **Council** meeting at which the application will be considered.
- 2.9 **Council** will consider the staff report and may grant the requested permit, or may refer, table, direct back to the appropriate Council Committee(s), or deny the application.
- 2.10 The Office of the City Clerk will notify the applicant in writing of the decision of **Council**.
- 2.11 If a Permit is granted by **Council**, a Notice of Permit will be signed and sealed by the **Director of Land Use Management** and registered against the title of the property(s) at the Land Title Office.”

- 9. AND THAT Schedule ‘6’ Applications to Modify, Vary, Amend or Discharge a Land Use Contract, be amended as follows:

- a) Deleting in its entirety, **1.0 APPLICATIONS TO MODIFY OR TO VARY A LAND USE CONTRACT BY DEVELOPMENT PERMIT, 1.2 Notification** the following:

“Applications under this section will be subject to the notification requirements of Section 4.1.1 of this bylaw.”

And replacing it with:

“Applications under this section will be subject to the notification and consultation requirements established for the category of “DVP Minor”, pursuant to Council Policy No. 367.”

- b) **2.0 APPLICATIONS TO MODIFY OR TO VARY A LAND USE CONTRACT BY DEVELOPMENT VARIANCE PERMIT** be amended by:

- a) deleting **2.2 Notification** in its entirety the following:

“Applications under this section will be subject to the notification requirements of Section 4.1.1 of this bylaw.”

And replacing it with:

“Applications under this section will be subject to the notification and consultation requirements established for the category of “Development Variance Permit Minor”, pursuant to Council Policy No. 367.”

- b) deleting **3.0 APPLICATIONS TO AMEND OR TO DISCHARGE A LAND USE CONTRACT BY BYLAW, 3.2 Notification and Consultation** in its entirety that reads:

“Applications under this section will be subject to the notification and consultation requirements of Sections 4.1.1 and 4.1.2 of this bylaw.”

And replacing it with:

“Applications under this section will be subject to the notification and consultation requirements established for the category of “Zoning Minor”, pursuant to Council Policy No. 367.”

10. This bylaw may be cited as ‘Bylaw No. 10654, being Amendment No. 1 to Development Application Procedures Bylaw No. 10540.

11. This bylaw shall come into full force and effect and be binding on all persons on the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: February 6, 2013
Rim No. 6130-00
To: City Manager
From: Ian Wilson, Park Services Manager
Subject: Beach Water Quality Update and Recommendation to SILGA

Recommendation:

THAT Council receives, for information, the Report from the Manager, Park Services dated February 6, 2013 regarding beach water quality update and recommendation to the Southern Interior Local Government Association;

AND THAT Council directs staff to forward the Resolution outlined in the Report of the Manager, Park Services dated February 6, 2013 to the Southern Interior Local Government Association;

AND FURTHER THAT Council directs senior staff to write letters to the local health authority, as well as the Provincial and Federal governments expressing concern with proposed changes to the beach water quality sampling procedures.

Purpose:

To update Council on the beach water sampling program with Interior Health, and gain Council approval to forward a recommendation on the future of the program to the Southern Interior Local Government Association (SILGA).

Background:

Until 2012, the Interior Health Authority (IHA) collected and tested water samples from public beaches in the Central and South Okanagan to help protect public health and inform the public about possible beach advisories. Last summer, IHA asked local governments within the Central and South Okanagan to collect beach water samples at their own cost. IHA would then continue to test and analyze the samples, at their cost, and request advisory notification when required.

The City of Kelowna did not issue a beach advisory in 2012; however, some challenges with the new program and communication protocols were identified. For example, the time lag between the collection of samples and the communication of the results to staff sometimes led to delays of re-testing when required. This area needs more work between IHA and City staff.

Of more concern to staff, is the possibility that the testing and beach advisory protocol may be changing in 2014. Recently Health Canada published a new edition of the Guidelines for Canadian Recreation Water Quality. Staff received a letter from IHA stating that the new guidelines are being considered by the BC Health Authorities for possible implementation in 2014. No changes to the program are being considered in 2013.

The new guidelines include a provision that requires a beach water quality advisory to be issued after a single test yields a bacterial count greater than 400 *E. coli*/100 mL. Based on test results over the past 15 years, staff has seen temporary spikes in Okanagan Lake's bacterial count over the summer months; however, none of these have resulted in an advisory being issued after staff followed the existing IHA testing protocol.

Staff has seen considerable variation in sample counts and, for the most part, this is unexplained. On any given day the testing can yield a count greater than 400 *E. coli*/100 mL (although this is infrequent) and then return a normal or low count the following day. This inconsistency exists not only at a single site but between the testing sites along the lake. When a high count has been returned, staff has been instructed to re-test daily and calculate the geometric mean (requiring five samples), to ensure that the water is safe (the mean is below the 200 *E. coli*/100 mL threshold). An additional concern with the new test protocol is that it takes a minimum of 24 hours to do the test in the laboratory. With the passing of short term spikes this means posting of the beach can occur after the incident occurs and water has returned to low values.

These high *E. coli* counts are infrequent but could have a major impact under the proposed change in procedures. The City and IHA have established communication protocols regarding the testing of beach water as well as public notification. The challenge the City, other municipalities and IHA would have in implementing the timely notification of advisories is significant, especially if those advisories are rescinded the next day. A fragile tourism economy could be damaged if an advisory is issued when in fact there is no significant concern.

Our first mutual priority (the City and IHA) is to protect the public. If there is a significant risk to public health that needs to be communicated it should be done; however, when that risk is extremely low, the fear or confusion a temporary notice could cause may not be beneficial. From previous communication with the IHA, we understand that one per cent of the population might become ill (gastrointestinal discomfort and diarrhea) at 200 *E. coli*/100 mL; when the count doubles to 400 *E. coli*/100 mL, the percentage of people who might become ill only increases by 0.2 per cent. In other words if 1,000 people are on the beach, this is only an increased risk to two people. Therefore, even at 400 *E. coli*/100 mL, it does not appear the new guideline significantly improves the protection of public health.

For these reasons, staff recommends that IHA does not adopt the new Guidelines for Recreational Water Quality and that the program should be funded and run entirely by IHA in order to eliminate the delays and issues with communication protocols. Since this is a

Province-wide issue, staff are asking that Council endorse a resolution which would be forwarded to the Southern Interior Local Government Association (SILGA) prior to the March deadline. If accepted by SILGA, the resolution would then be forwarded to the Union of BC Municipalities (UBCM). Staff are also proposing to write letters to the IHA, the Provincial government and the Federal government to express these same concerns.

Proposed SILGA Resolution:

RECREATIONAL WATER QUALITY TESTING PROCEDURES

WHEREAS the BC Health Authorities are considering changes to the testing procedures for recreational water based upon the 3rd Edition of the Guidelines for Canadian Recreational Water Quality published by Health Canada;

AND WHEREAS the new Guidelines advise the issuing of a beach water quality advisory after a single sample maximum concentration of 400 *E. coli* / 100mL which may result in significantly more beach water advisories but may not result in a significant benefit to public health;

THEREFORE BE IT RESOLVED the Health Authorities do not adopt the new (3rd Edition) Guidelines for Canadian Recreational Water Quality.

Internal Circulation:

Communications
City Clerk

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

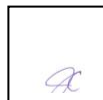
Alternate Recommendation:

Submitted by:



Ian Wilson, Park Services Manager

Approved for inclusion:



Joe Creron, Director, Civic Operations

cc: John Vos, General Manager Community Services
Adrian Weaden, Supervisor Pump Operations

Report to Council



Date: February 5, 2013

Rim No. 0115-10

To: City Manager

From: Tracy Guidi, Sustainability Coordinator

Subject: 2013 Federation of Canadian Municipality Sustainable Community Award

Recommendation:

THAT Council receives, for information, the report from the Sustainability Coordinator, dated February 5, 2013, with respect to the 2013 Federation of Canadian Municipalities Sustainable Community Award.

Purpose:

To advise Council that the City of Kelowna received a 2013 Federation of Canadian Municipalities Sustainable Community Award in the Energy Category for the City's Community Climate Action Plan and Corporate Energy and Emissions Plan.

Background:

Each year the Federation of Canadian Municipalities (FCM) celebrates best practices in sustainable community development with the FCM Sustainable Community Awards. Kelowna is one of twelve municipal governments receiving an award this year. Kelowna was recognized in the Energy (Plan) category for Kelowna's Community Climate Action Plan and Corporate Energy and GHG Emissions Plan. The award was presented on February 13th to Mayor Gray during FCM's Sustainable Communities Conference and Trade Show in Windsor, Ontario.

Endorsed by Council in May, 2012, the Community Climate Action Plan identifies actions to achieve the Official Community Plan's goal of reducing greenhouse gas (GHG) emissions by 33 per cent below 2007 levels by 2020 and making Kelowna a stronger, healthier, more resilient community. The Plan includes 87 actions to reduce emissions, with over half aimed at reducing transportation emissions, the largest GHG source in Kelowna.

Comprising 1 per cent of community greenhouse gas emissions, the Corporate Energy and GHG Emissions Plan identifies opportunities to reduce municipal energy, associated costs and GHG emissions, demonstrates leadership and the business case for implementing these initiatives.

The Plan, endorsed by Council in December 2010, identifies initiatives to reduce corporate GHG emissions by 22 per cent below 2007 levels by 2017.

Internal Circulation:

Acting Director Infrastructure Planning
Communications Supervisor
Capital Assets and Investment Manager
Communications Supervisor

Communications Comments:

Communications will be issuing a media release to announce the receipt of the award following the Council presentation. FCM also produced a short video on Kelowna's award submission. Once available, a link to the video will be made available on kelowna.ca.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Alternate Recommendation:

Submitted by:

T. Guidi, Sustainability Coordinator

Approved for inclusion:  (SG)

cc:

Acting Director Infrastructure Planning
Director Communications
Capital Assets and Investment Manager
Communications Supervisor

Attach: Award Announcement Letter



FEDERATION
OF CANADIAN
MUNICIPALITIES

FÉDÉRATION
CANADIENNE DES
MUNICIPALITÉS

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F. 613-244-1515

www.fcm.ca

November 1, 2012

His Worship Mayor Walter Gray and Members of Council
City of Kelowna
Mayor's Office
1435 Water Street
Kelowna, British Columbia V1Y 1J4

Dear Mayor Gray and Members of Council:

I am pleased to inform you that the **City of Kelowna** is one of 12 winners of the **2013 FCM Sustainable Communities Awards Program**. Your municipal government is being recognized in the **Energy (PLAN)** category for your submission entitled **Kelowna's Community Climate Action Plan and Corporate Energy and GHG Emissions Plan**. Your submission is one of over 50 initiatives (projects and plans) that were received this year from municipal governments across Canada.

Please read the following information carefully as we outline next steps on the announcement and presentation of your award. An email with additional details will be sent to the lead contact as identified on the application form that was submitted in September.

Awards ceremony

Your municipality's achievement will be celebrated at an awards reception on February 13, 2013, during FCM's 2013 Sustainable Communities Conference and Trade Show, which is being held in Windsor, ON. Members of your council and staff are encouraged to attend the ceremony, and it is important to note, that it is customary for the awards to be presented to either the mayor or their representative. Further details will be forthcoming to you via email in the coming weeks.

Showcasing your project

FCM would like to share your success with municipal governments across Canada who can learn valuable lessons from your leading example. FCM will develop a poster for your project that will be presented at the awards reception. Winners will also be profiled in a 1½-minute video and a case study, both of which will be posted on FCM's searchable website. In short order, you will be contacted by FCM's videographer to organize a time to capture some footage of your award-winning initiative and to tell your story through interviews with key contacts.

... / 2

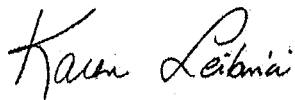
Media and communications

FCM will be announcing all of the winners immediately prior to the awards ceremony to maximize impact and potential media interest. We request that you withhold any public announcements of your award until after this announcement. Our Communications team will be happy to assist you in making local announcements in your municipality and will be contacting you regarding any requirements for the initial announcement.

If you have any questions, please do not hesitate to contact Donna Chiarelli at dchiarelli@fcm.ca or 613-907-6315.

FCM applauds the **City of Kelowna** for the effort and time you have committed to this project and to promoting sustainable community development. Congratulations on your winning submission!

Sincerely,



Karen Leibovici
FCM President
Councillor, City of Edmonton

KL/DC:gs

c: Tracy Guidi, Sustainability Coordinator
Joel Shaw, Capital Assets and Investment Manager



FCM SUSTAINABLE COMMUNITIES AWARD

February, 2013



2013 FCM Award Video

Report to Council



Date: February 12, 2013
Rim No. 0610-51
To: City Manager
From: Damien Burggraeve, Deputy Approving Officer
Subject: Proposed Renaming of Section of Horn Crescent to Tungsten Court

Recommendation:

THAT Council receives, for information, the Report from the Deputy Subdivision Approving Officer dated January 24, 2013 recommending the renaming of a section of Horn Crescent to Tungsten Court as shown on Map "A" as attached to and forming part of the Report from the Development Services Department dated January 24, 2013;

AND THAT Council gives reading consideration to Bylaw No. 10799 being "Renaming of a portion of Horn Crescent to Tungsten Court Road Name Change Bylaw".

Purpose:

To rename a portion of Horn Crescent to Tungsten Court.

Background:

The original development in this area envisioned that the two pieces Horn Cr would connect through as a transportation corridor. The developers on the east and west of 5081 Killdeer Rd aligned and named the roads accordingly. Based on environmental concerns, the City's Development and Engineering department determined that the connection is no longer necessary and that the sole road connection will be on South Crest Dr.

It is therefore necessary for the City to initiate a road name change in order to eliminate the potential for future confusion. The western portion was selected to be changed as only 5 residents will be affected. The numbers on the houses will remain the same which will simplify the process.

Internal Circulation:

Addressing Committee, Kelowna Fire Department, Traffic Technician, Canada Post, GIS Technician

Legal/Statutory Authority:

Bylaw No. 7071 - A bylaw to assign numbers to buildings and structures within the City of Kelowna, Local Government Act, Section 728.1 - House Numbering

Existing Policy:

Council Policy No. 363

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:



Damien Burggraeve
Deputy Subdivision Approving Officer

Approved for inclusion:



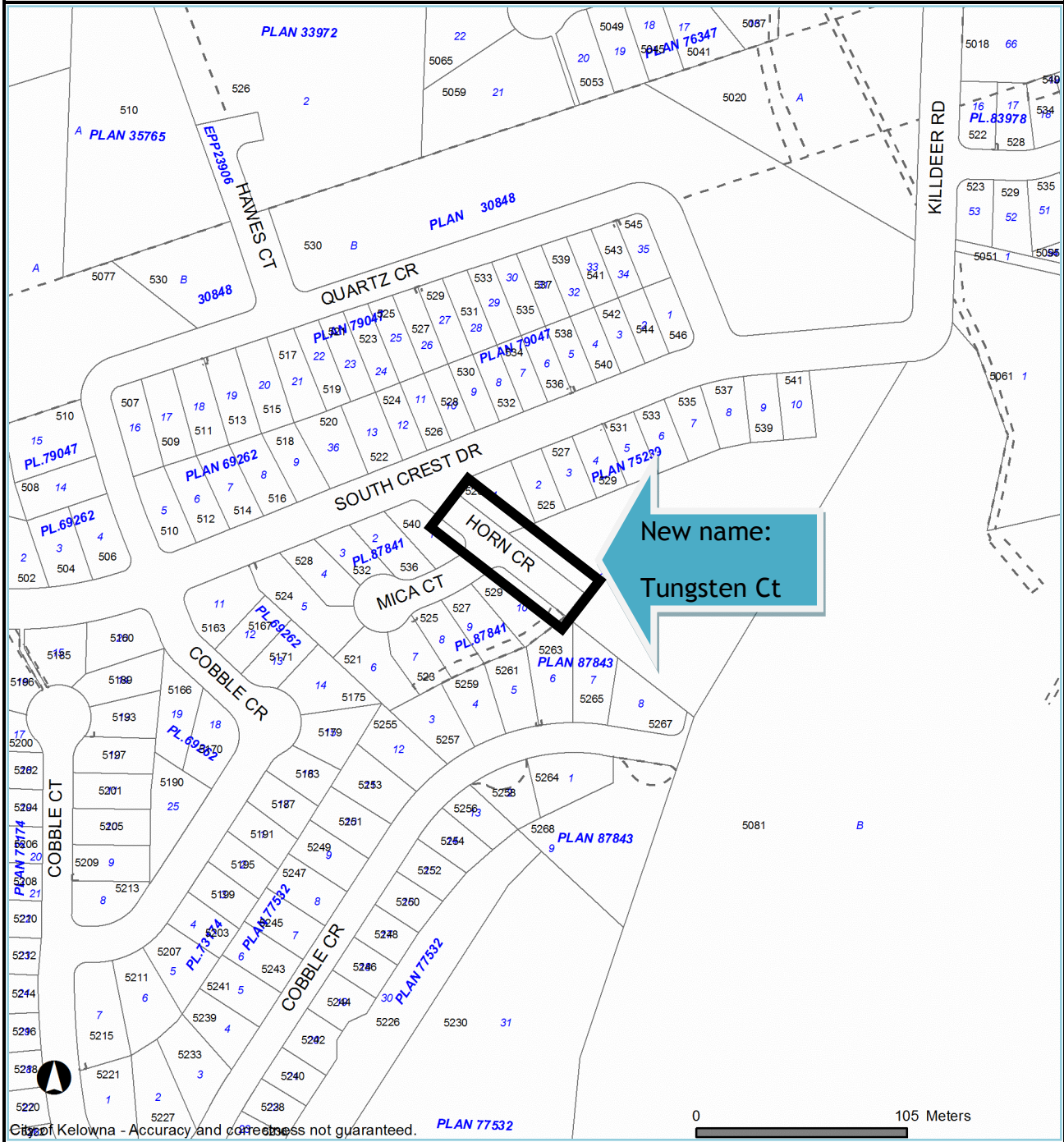
Mo Bayat, Director of Development Services

cc: Addressing Committee
Fire Department (Greg Daft)
Traffic Technician (Laurens Campbell)
GIS Technician (Naomi Pears)
Corporate Communications Coordinator (Kari O'Rourke)

RN13-0001

HORN CRES TO BECOME

TUNGSTEN CT



*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. 10799

A Bylaw to Rename a Portion of Horn Crescent to Tungsten Court

WHEREAS the Municipal Council of the City of Kelowna deems it desirable for a portion of Horn Crescent to be renamed Tungsten Court in the City of Kelowna;

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

1. THAT the name of a portion of Horn Crescent be changed to Tungsten Court as outlined in Map “A” attached to and forming part of this bylaw;
2. This bylaw may be cited for all purposes as the “Renaming a Portion of Horn Crescent to Tungsten Court Name Change Bylaw No. 10799”.

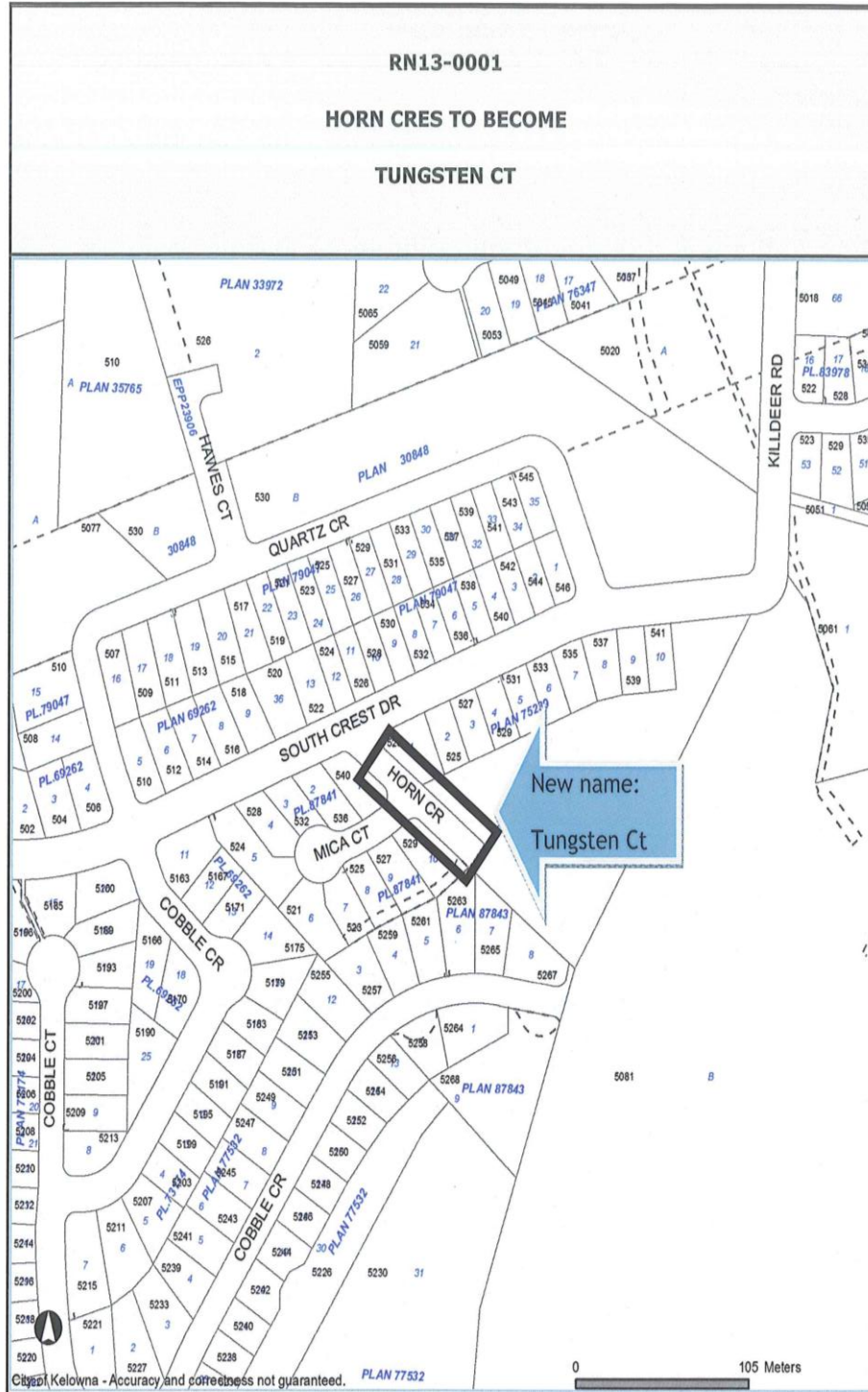
Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Map “A”



Report to Council



Date: January 28, 2013
Rim No. 0950-30
To: City Manager
From: Damien Burggraeve, Deputy Approving Officer
Subject: Proposed Renaming of a Section of Upper Canyon Drive

Recommendation:

THAT Council receives, for information, the Report from the Deputy Subdivision Approving officer dated January 28, 2013 recommending the renaming of a section of Upper Canyon Drive to Upper Canyon Drive N as shown on Map "A" as attached to and forming part of the Report from the Development Services Department dated January 28, 2013;

AND THAT Council gives reading consideration to Bylaw No. 10803 being "Renaming of a portion of Upper Canyon Drive to Upper Canyon Drive N Road Name Change Bylaw".

Purpose:

To rename a portion of Upper Canyon Dr to Upper Canyon Dr N.

Background:

The new section of Upper Canyon Drive was recently dedicated to the City of Kelowna in advance of the residential subdivision to provide a connection between phases of the Wilden development. Upon review of the proposed subdivision, it was determined that addressing was going to be an issue due to the nature of the City of Kelowna addressing grid. This particular section of Upper Canyon Drive was bisecting the South/North grid line requiring the City to rename the road to Upper Canyon Dr N (North).

This proposed road name change will not impact property owners as there are currently no buildings located... on this stretch of Upper Canyon Drive.

Internal Circulation:

Kelowna Fire Department, Traffic Technician, Canada Post,

GIS Technician

Legal/Statutory Authority:

Bylaw No. 7071 - A bylaw to assign numbers to buildings and structures within the City of Kelowna, Local Government Act, Section 728.1 - House Numbering

Existing Policy:

Council Policy No. 363

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:

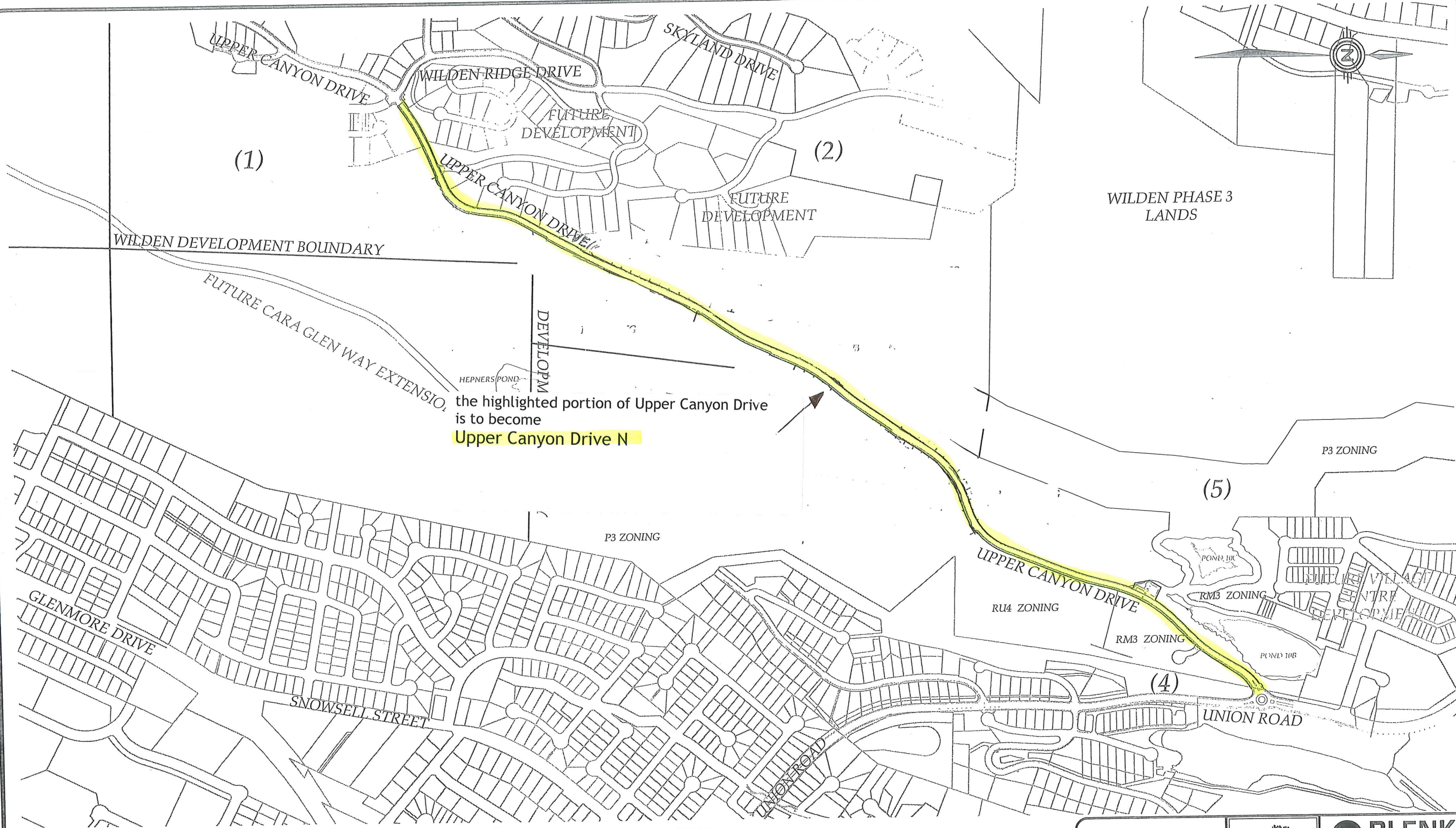
Damien Burggraeve
Deputy Subdivision Approving Officer

Approved for inclusion:



Mo Bayat, Director of Development Services

cc: Addressing Committee
Fire Department (Greg Daft)
Traffic Technician (Laurens Campbell)
GIS Technician (Naomi Pears)
Corporate Communications Coordinator (Kari O'Rourke)

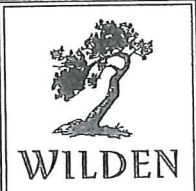


the highlighted portion of Upper Canyon Drive is to become
Upper Canyon Drive N

Legal Desc.:

- (1) Parcel ID: 013-779-796, South West 1/4 of Section 5 Township 23, ODYD;
- (2) Parcel ID: 013-779-818, North West 1/4 of Section 5, Township 23, ODYD, Except Plan KAP 20895;
- (3) Parcel ID: 013-780-051, North East 1/4 of Section 5, Township 23, ODYD, Except Plan KAP 69724, and Plans 896, B645;
- (4) Parcel ID: 025-117-513, Lot A, Sections 4,5,8 and 9, Township 23, ODYD, Except Plan KAP 71944;
- (5) Parcel ID: 025-879-677, Lot D, Plan KAP75116, Section 8, Township 23, ODYD, (Old Part SE 1/4 Section 8).

WILDEN PHASE 2D
UPPER CANYON DR.
PLR APPLICATION
OVERALL PLAN



BLENK DEVELOPMENT CORP.	
Drawing No:	Date: FEBRUARY 26, 2012
By: B. DARGATZ	Scale: N.T.S.
File: Phase 2D\PLR\PH2D_PLR_Base.dwg	Revision: 1

CITY OF KELOWNA

BYLAW NO. 10803

A Bylaw to Rename a Portion of Upper Canyon Drive to Upper Canyon Drive North

WHEREAS the Municipal Council of the City of Kelowna deems it desirable for a portion of Upper Canyon Drive to be renamed Upper Canyon Drive North in the City of Kelowna;

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

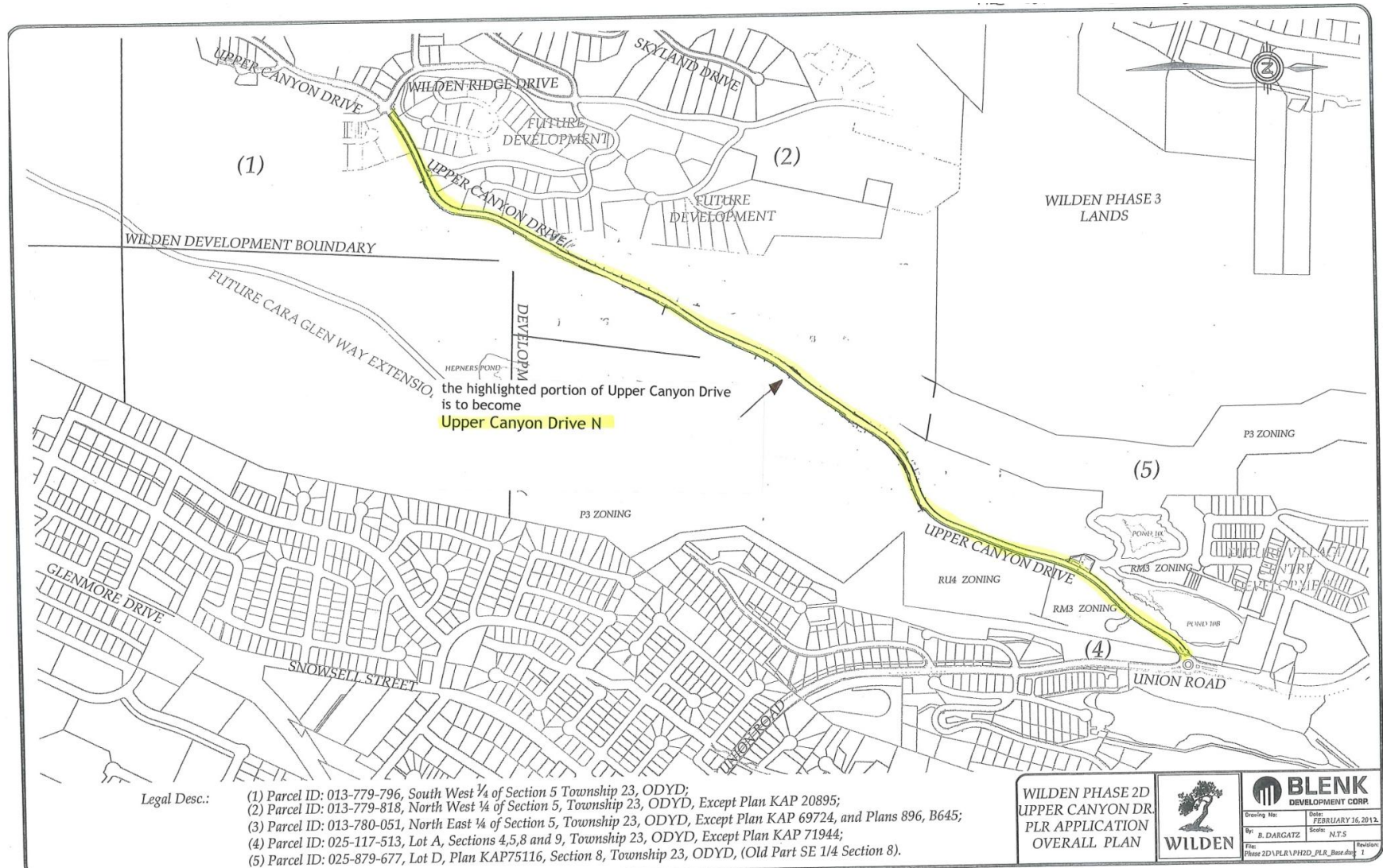
1. THAT the name of a portion of Upper Canyon Drive be changed to Upper Canyon Drive North as outlined in Map “A” attached to and forming part of this bylaw;
2. This bylaw may be cited for all purposes as the “Renaming a Portion of Upper Canyon Drive to Upper Canyon Drive North Name Change Bylaw No. 10803”.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



Report to Council



Date: February 8, 2013
Rim No. 1125-51-019
To: City Manager
From: Jordan Hettinga, Manager, Real Estate Services
Subject: Proposed Road Closure - Lane Adjacent to 384 Glenwood Avenue

Recommendation:

THAT Council receives for information, the Report from the Manager, Real Estate Services dated February 8, 2013, recommending that Council adopt the proposed road closure of a portion of land adjacent to 384 Glenwood Avenue;

AND THAT Bylaw No. 10805, being proposed road closure of a portion of land adjacent to 384 Glenwood Avenue, be given reading consideration.

Purpose:

The excess closed road is to be consolidated with the adjacent property at 384 Glenwood Avenue in return for market value compensation and a statutory right of way to protect utilities within the road closure area.

Background:

The City sees no future ownership requirement for the lane located between 384 Glenwood Avenue and 385 Cadder Avenue (Schedule "A").

The City has an underground power line in the lane servicing adjacent properties, which will be protected by a Statutory Right of Way, as a condition of lot consolidation.

Previously, Staff had brought the same road closure for Council approval (Road Closure Bylaw No. 10762). It has come to the attention of Staff that Road Closure Bylaw No. 10762 approval by Council had an error in the bylaw information. Bylaw No. 10805 will correct this error; therefore, Bylaw No. 10762 is no longer needed.

Legal/Statutory Authority:

Section 26 and 40, Community Charter
Considerations not applicable to this report
Internal Circulation:
Legal/Statutory Procedural Requirements:

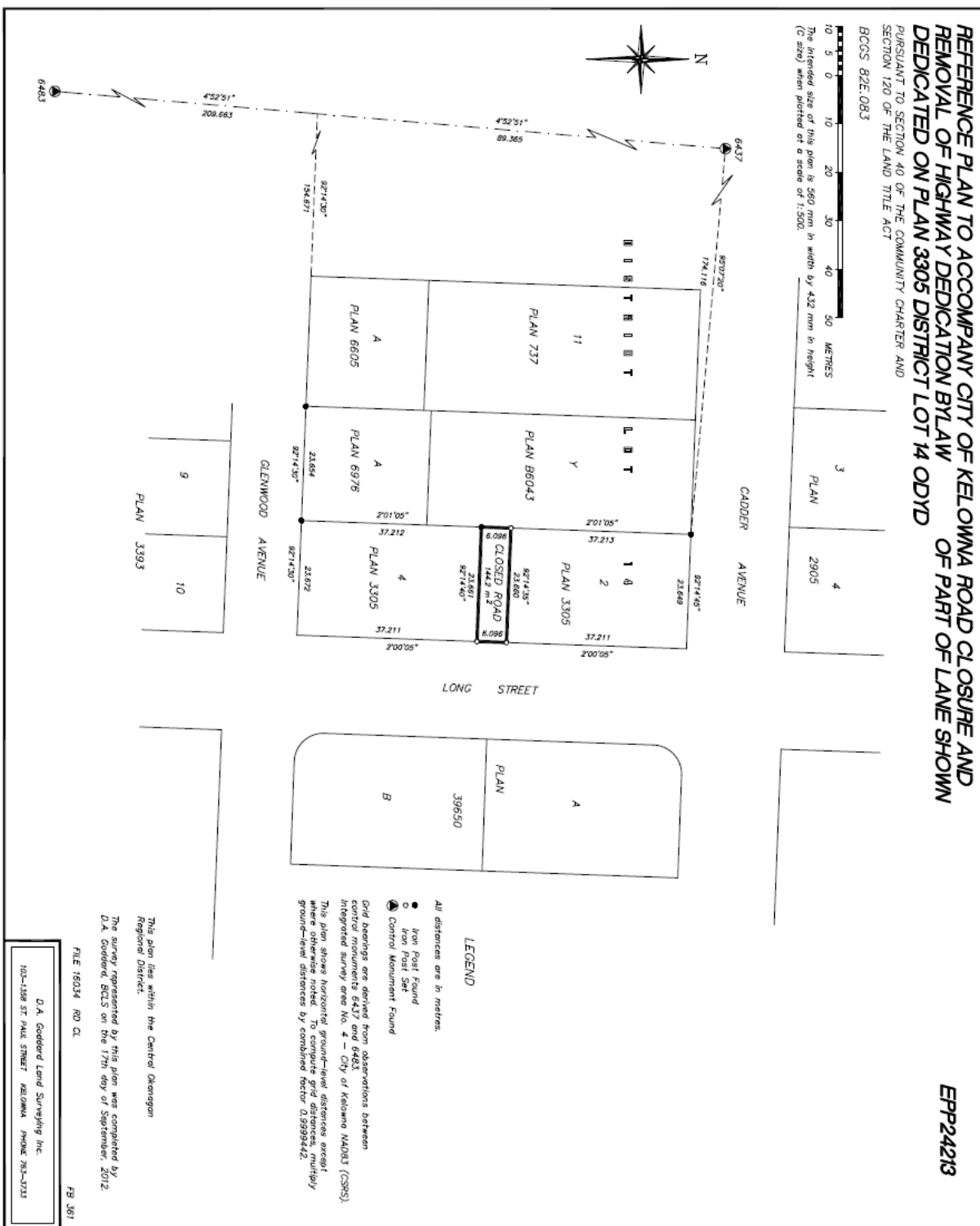
Existing Policy:
Financial/Budgetary Considerations:
Personnel Implications:
External Agency/Public Comments:
Communications Comments:
Alternate Recommendation:

Submitted by:

J. Hettinga, Manager
Real Estate Services

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

Schedule "A"



CITY OF KELOWNA

BYLAW NO. 10805

Road Closure and Removal of Highway Dedication Bylaw (Portion of 384 Glenwood Avenue)

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

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

1. That portion of highway attached as Schedule “A” comprising 144.2 m² shown in bold black as Closed Road on the Reference Plan EPP24213 prepared by Doug Goddard and completed on 17 day of September, 2012, is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.
3. City of Kelowna Road Closure and Removal of Highway Dedication Bylaw Portion of 384 Glenwood Avenue Bylaw No. 10762 and all amendments thereto, are hereby repealed.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: February 6, 2013
Rim No. 0600-10
To: City Manager
From: City Clerk
Subject: BL10797 - Amendment No. 1 to Parks and Public Spaces Bylaw No. 10680 -
Adoption Report
Report Prepared by: Corinne Boback, Legislative Coordinator

Recommendation:

THAT Bylaw No. 10797, being Amendment No. 1 to Parks and Public Spaces Bylaw No. 10680 be adopted.

Purpose:

To adopt Bylaw No. 10797 being Amendment No. 1 to Parks and Public Spaces Bylaw No. 10680.

Background:

Bylaw No. 10797 received first three readings by Council on Monday, February 4, 2013. A copy of the Bylaw is attached. All legislative requirements have been met.

Submitted by:

S. Fleming, City Clerk

CITY OF KELOWNA

BYLAW NO. 10797

Amendment No. 1 to City of Kelowna Parks and Public Spaces Bylaw No. 10680

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that City of Kelowna Parks and Public Spaces Bylaw No. 10680 be amended as follows:

1. **THAT SCHEDULE “E” Designated Dog On-Leash Parks** be amended as follows:

- a) by adding the following designations in their appropriate location within the table that reads as follows:

Name	Status	Address	Dog Status	Type	Area (ha)
Abbott Neighbourhood Park	DEVELOPED	2955 Abbott Street	ON-LEASH	SROW and PARKLAND	0.72
Bellevue Creek Greenway (between Varney Ct and Gordon Dr)	DEVELOPED	781 Varney Court	ON-LEASH	PARKLAND	0.1
Black Mountain Trails	DEVELOPED	1035 Stockley Street	ON-LEASH	PARKLAND	9.0
Dewdney #1 Beach Access	DEVELOPED	ROW South of 1844 Dewdney Road	ON-LEASH	ROAD ROW	0.02
Hill Spring Park (The Ponds)	DEVELOPED	South of Redstem Street and Bergamont Ave	ON-LEASH	PARKLAND	3.5
Kuipers Peak Park	DEVELOPED	792 Kuipers Cres, 1005 Hewetson Court, and 863 Hewetson Avenue	ON-LEASH	PARKLAND	10.80
Lochview Trail	DEVELOPED	Lochview Rd Beach Access and SROW for Public Access	ON-LEASH	SROW and ROAD ROW	1.10
Mount Royal Open Space (Knox Mountain Park)	DEVELOPED	715 Royal View Drive and (End of) Royal View Drive	ON-LEASH	PARKLAND	7.2
Mill Creek Linear Park	DEVELOPED	1991 Ethel Street (adjacent to Mill Bridge Park and Hospice)	ON-LEASH	PARKLAND	0.26
Shetland Linear Park	DEVELOPED	310 Shetland Road	ON-LEASH	PARKLAND	0.60

- b) deleting the following designations in their appropriate location within the table that reads as follows:

Name	Status	Address	Dog Status	Type	Area (ha)
Abbott Recreation Corridor	DEVELOPED	2288 Abbott St	ON-LEASH	ROAD ROW	0.72
Black Mountain Recreation	DEVELOPED	1200 Black Mountain	ON-LEASH	ROAD ROW	2.20

Corridor		Drive			
Casorso/Barrera Recreation Corridor	DEVELOPED	Various (Casorso/Barrera rd)	ON-LEASH	ROAD ROW	1.00
Cawston Avenue Recreation Corridor	DEVELOPED	Various (Cawston Ave)	ON-LEASH	ROAD ROW	3.14
Highway 33 Recreation Corridor	DEVELOPED	Various (Hwy 33)	ON-LEASH	ROAD ROW	9.26
Houghton Road Recreation Corridor	DEVELOPED	Various (Houghton Rd)	ON-LEASH	ROAD ROW	0.78
Lakeshore Recreation Corridor	DEVELOPED	Various (Lakeshore Rd)	ON-LEASH	ROAD ROW	1.00
Rails with Trails	DEVELOPED	Various (Clement Ave)	ON-LEASH	ROAD ROW	0.68
South Ridge Drive Recreation Corridor	DEVELOPED	4885 South Ridge Dr	ON-LEASH	ROAD ROW	0.84
Sutherland Avenue Recreation Corridor	DEVELOPED	Various (Sutherland Ave)	ON-LEASH	ROAD ROW	0.57

c) deleting the following line within the table that reads:

Cascia Recreation Corridor	DEVELOPED	430 Cascia Dr	ON-LEASH	PARKLAND	0.30
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and replacing it with the following:

Cascia Linear Park	DEVELOPED	430 Cascia Dr	ON-LEASH	PARKLAND	0.30
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2. This bylaw shall be cited for all purposes as “Bylaw No. 10797, being Amendment No. 1 to City of Kelowna Parks and Public Spaces Bylaw No. 10680”.
3. This bylaw shall come into full force and effect and is binding on all persons as of the date of adoption.

Read a first, second and third time by the Municipal Council this 4th day of February, 2013.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk