

**City of Kelowna  
Regular Council Meeting  
AGENDA**



Monday, April 15, 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** 4 - 13  
Regular PM Meeting - April 8, 2013
3. **Public in Attendance**
  - 3.1 **Kelowna Art Gallery - Annual Report** 14 - 38  
To update Council on the activities of the Kelowna Art Gallery.
4. **Development Application Reports & Related Bylaws**
  - 4.1 **Development Permit Application No. DP12-0209 - Architecturally Distinct Solutions, 1502-1504 Sutherland Avenue** 39 - 68  
To consider a Development Permit for the form and character of the proposed 4 storey mixed use development.
  - 4.2 **Area Structure Plan Application No. ASP12-0001 - Troika Developments Ltd., 2250 & 2285 Galiano Road, 1555 Glenmore Road North and 855 Packinghouse Road, Boundary Adjustment & Public Consultation Strategy** 69 - 80  
To consider a proposal to amend the boundaries of the Area Structure Plan (ASP), which were originally authorized by Council on December 3, 2012. In addition, Council is being asked to consider a Public Consultation Strategy for the ASP project, as prepared by the applicant team.
  - 4.3 **Official Community Plan Bylaw Amendment No. OCP09-0001 and Rezoning Application No. Z09-0007, Extension Request - P255 Enterprises Ltd., 245 Briarwood Road** 81 - 83

To extend the deadline for adoption of the OCP and Zone Amending Bylaws from January 14, 2013 to January 14, 2014.

- 4.4 Official Community Plan Bylaw Amendment Application No. OCP10-0006 and Rezoning Application No. Z10-0031, Extension Request - GTA Tomporowski, 1045 Laurier Avenue 84 - 86  
To extend the deadline for adoption of the OCP and Zone Amending Bylaws from February 10, 2013 to February 10, 2014.

- 4.5 Official Community Plan Bylaw Amendment Application No. OCP07-0037 and Rezoning Application No. Z07-0093, Extension Request - 0781540 BC Ltd., 560, 561, 582 & 583 McKay Avenue 87 - 89  
To extend the deadline for adoption of the OCP and Zone Amending Bylaws from May 3, 2013 to May 4, 2014.

## 5. Non-Development Reports & Related Bylaws

- 5.1 Quarterly Report Update 90 - 106  
To provide Council with an update of the City's activities for the first quarter of 2013.

- 5.2 Amendment #1 to Five Year Financial Plan, 2012-2016 107 - 114  
To amend the Five Year Financial Plan as required by the Community Charter so that it includes the authorized transfers and amendments that occurred throughout the year.

- 5.2.1 Bylaw No. 10835 - Amendment No. 1 to the Five Year Financial Plan 2012-2016 Bylaw No. 106888 115 - 119  
To give Bylaw No. 10835 first, second and third readings.

- 5.3 Request for Financial Assistance - Friends of the South Slopes 120 - 125  
The purpose of this report is to obtain Council direction to allow staff to respond to an unsolicited request from the Friends of the South Slopes (FOSS) to secure public access on a number of trail corridors on private land in the Southwest Mission neighbourhood adjacent to Myra-Bellevue Provincial Park.

- 5.4 Downtown Plan Annual Update 126 - 153  
To provide Council with an annual update on the initiatives and the indicators included in the 2012 Council Endorsed Downtown Plan, My Downtown.

- 5.5 Proposed Road Closure - Adjacent to 1502 Sutherland Avenue 154 - 157  
Sutherland Ave has recently been upgraded and a portion of land has been determined as excess and available to be closed.

- 5.5.1 Bylaw No. 10836 - Road Closure Bylaw, Portion of Sutherland Avenue 158 - 159  
To give Bylaw No. 10836 first, second and third readings.

5.6 Proposed Road Closure - West of 4753 Gordon Drive 160 - 163  
The excess closed road is to be consolidated with lands making up the future  
Bellevue Creek Corridor.

5.6.1 Bylaw No. 10842 - Road Closure Bylaw, Portion of Land West of 4753 164 - 165  
Gordon Drive  
To give Bylaw No. 10842 first, second and third readings.

6. Mayor and Councillor Items

7. Termination



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 8, 2013  
Location: Council Chamber  
City Hall, 1435 Water Street

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

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, Property Management, Ron Forbes\*; Manager, Cultural Services, Sandra Kochan\*; Manager, Development Engineering, Steve Muenz\*; Acting Manager, Urban Land Use, Alec Warrander\*; and Council Recording Secretary, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Mayor Gray called the meeting to order at 1:30 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.

2. Confirmation of Minutes

Moved By: Councillor Given/Seconded By: Councillor Basran

R222/13/04/08 THAT the Minutes of the Regular PM Meetings of March 18, 2013 and March 25, 2013 be confirmed as circulated.

Carried

3. Public in Attendance

3.1. Rotary Centre for the Arts - Annual Report

Staff:

- Introduced the presentation.

Patrick LeBlanc, General Manager, Rotary Centre for the Arts:

- Displayed a video celebrating the 10th Anniversary of the Rotary Centre for the Arts.
- Provided an overview of the previous year and responded to questions from Council.

4. Unfinished Business

4.1. Rezoning Application No. Z12-0039, Supplemental Report - Westcorp Properties Inc., Mobile Home Relocation Plan, 3787, 3791 & 3795 Lakeshore Road

Councillor Blanleil:

- Advised that he has read the Public Hearing Minutes from March 26, 2013, the speaking notes that were submitted as well as the correspondence.

Councillor Singh:

- Advised that he has read the Public Hearing Minutes from March 26, 2013, the speaking notes that were submitted as well as the correspondence.

Moved By: Councillor Basran/Seconded By: Councillor Zimmermann

R223/13/04/08 THAT Council receives for information the supplemental report from the Land Use Management Department dated April 3rd, 2013 with respect to clarification on Application No's. OCP12-0006, TA12-0007 & Z12-0039.

Carried

4.1.1. Bylaw No. 10817 (OCP12-0006) - Westcorp Properties Inc., 3787, 3791 and 3795 Lakeshore Road

Moved By: Councillor Stack/Seconded By: Councillor Zimmermann

R224/13/04/08 THAT Bylaw No. 10817 be read a second and third time.

Carried  
Councillors Given, Hobson and Singh - Opposed.

4.1.2. Bylaw No. 10812 (TA12-0007) - Westcorp Properties Inc., New CD 24 Comprehensive Development Zone 24 - Zoning Bylaw No. 8000

Moved By: Councillor Stack/Seconded By: Councillor Zimmermann

R225/13/04/08 THAT Bylaw No. 10812 be read a second and third time.

Carried  
Councillors Given, Hobson and Singh - Opposed.

4.1.3. Bylaw No. 10818 (Z12-0039) - Westcorp Properties Inc., 3787, 3791 and 3795 Lakeshore Road

Moved By: Councillor Zimmermann/Seconded By: Councillor Stack

R226/13/04/08 THAT Bylaw No. 10818 be read a second and third time.

Carried  
Councillors Given, Hobson and Singh - Opposed.

5. Development Application Reports & Related Bylaws

5.1. Bylaw No. 10837 (OCP13-0001) - Graeme James, 1242-1244 Pheasant Street

Moved By: Councillor Zimmermann/Seconded By: Councillor Blanleil

R227/13/04/08 THAT Council receives, for information, the verbal report from the Acting Manager, Urban Land Use dated April 8, 2013 with respect to Official Community Plan Bylaw Amendment Application No. OCP13-0001 and Rezoning Application No. Z13-0002 for 1242-1244 Pheasant Street.

Carried

Moved By: Councillor Given/Seconded By: Councillor Stack

R228/13/04/08 THAT Bylaw No. 10837 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

5.1.1. Bylaw No. 10838 (Z13-0002) - Graeme James, 1242-1244 Pheasant Street

Moved By: Councillor Zimmermann/Seconded By: Councillor DeHart

R229/13/04/08 THAT Bylaw No. 10838 be read a first time.

Carried

**5.2. Rezoning Application No. Z13-0012 - Blenk Development Corp., Various Wilden Properties**

**Moved By: Councillor Given/Seconded By: Councillor Hobson**

**R230/13/04/08** THAT Rezoning Application No. Z13-0012 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of The North West ¼ of Section 5, Township 23, ODYD, Except Plans 20895, KAP88266, and EPP24895, located at 185 Clifton Road North, The South West ¼ of Section 5, Township 23, ODYD, Except Plans KAP83526, KAP88266, EPP9195, and EPP24895, located at (E OF) Upper Canyon Drive, The North East ¼ of Section 5, Township 23, ODYD, Except Plans 896, B645, KAP69724, and EPP24895, located at (W OF) Union Road, Lot D, Section 8, Township 23, ODYD, Plan KAP75116, Except Plan EPP24895, located at 225 Clifton Road from P3 - Parks and Open Space, RU2H - Medium Lot Housing (Hillside Area), RU1H - Large Lot Housing (Hillside Area) and Agriculture 1 to RU2H - Medium Lot Housing (Hillside Area) & RU1H - Large Lot Housing (Hillside Area) as shown on Map 'B' attached to the report of the Land Use Management Department, dated March 15, 2013 be considered by Council;

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

**Carried**

**5.2.1. Bylaw No. 10839 (Z13-0012) - Blenk Development Corp, Various Wilden Properties**

**Moved By: Councillor DeHart/Seconded By: Councillor Zimmermann**

**R231/13/04/08** THAT Bylaw No. 10839 be read a first time.

**Carried**

**5.3. Official Community Plan Bylaw Amendment Application No. OCP12-0015 - 0754028 BC Ltd., 526 Doyle Avenue & 1368 St. Paul Street**

Staff:

- Provided an overview of the proposed Official Community Plan amendment;
- Displayed a conceptual drawing of the proposed towers.
- Responded to questions from Council.

**Moved By: Councillor Zimmermann/Seconded By: Councillor Hobson**

**R232/13/04/08** THAT Official Community Plan Bylaw Amendment No. OCP12-0015 to amend the 2030 Official Community Plan Bylaw No. 10500, for Objective 5.5, Policy .1, Building Height to exclude the development proposed at 526 Doyle Avenue and 1368 St. Paul Street from the City Centre Building Heights Map in order to permit one 30 storey (88m) mixed use tower be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP12-0015 to amend the 2030 Official Community Plan Bylaw No. 10500, for Objective 5.5, Policy .1, Building Height to exclude the development proposed at 526 Doyle Avenue and 1368 St. Paul Street in order to permit a 22 storey and 30 storey mixed use development with the two towers having a separation of 32.0m where the minimum tower separation for a project with a tower floor plate greater than 697m<sup>2</sup> is 36.5m., be considered by Council;

AND THAT Council considers the applicant's March 8th, 2013 Public Information Meeting 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 March 15th, 2013;

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

Carried

**5.3.1. Bylaw No. 10825 (OCP12-0015) - 0754028 BC Ltd., 526 Doyle Avenue & 1368 St. Paul Street**

Moved By: Councillor Zimmermann/Seconded By: Councillor DeHart

**R233/13/04/08** THAT Bylaw No. 10825 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

**5.4. Official Community Plan Bylaw Amendment Application No. OCP13-0002, Rezoning Application No. Z13-0003 and Text Amendment Application No. TA13-0004 - Protech Consultants Ltd., 1760, 2025 & 2137 Quail Ridge Blvd.**

Staff:

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

Moved By: Councillor Hobson/Seconded By: Councillor Given

**R234/13/04/08** THAT Official Community Plan Bylaw Amendment No. OCP13-0002 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of The West ½ of Section 14 Township 23 ODYD Except Plans H16596, KAP47192, KAP51877, KAP53641, KAP53790, KAP57365, KAP73608 and KAP82802 located at 1760 Quail Ridge Blvd; Lot A District Lot 32 and Section 14 Township 23 ODYD Plan KAP52924 located at 2137 Quail Ridge Blvd; and Lot B District Lot 32 and Section 14 Township 23 ODYD Plan KAP52924 located at 2025 Quail Ridge Blvd, Kelowna, BC from the Resource Protection Area (REP), Commercial (COMM), Industrial (IND) and Parks & Open Space (PARK) designation, to the Commercial (COMM), Industrial (IND) and Parks & Open Space (PARK) designation, as shown on Map "A" attached to the Report of the Land Use Management Department dated March 13, 2013, be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP13-0002 to amend Map 5.8 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by adding the 'Comprehensive Development Permit Area' designation to The West ½ of Section 14 Township 23 ODYD Except Plans H16596, KAP47192, KAP51877, KAP53641, KAP53790, KAP57365, KAP73608 and KAP82802 located at 1760 Quail Ridge Blvd; Lot A District Lot 32 and Section 14 Township 23 ODYD Plan KAP52924 located at 2137 Quail Ridge Blvd; and Lot B District Lot 32 and Section 14 Township 23 ODYD Plan KAP52924 located at 2025 Quail Ridge Blvd, Kelowna, B.C., as shown on Map "C" attached to the Report of Land Use Management Department dated March 13, 2013, be considered by Council;

AND THAT Official Community Plan Bylaw No. OCP13-0002 to amend Table 4.2 - Potential ASP Development Components of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by removing reference to "1. Pier Mac" as shown on Schedule

“A” attached to the Report of the Land Use Management Department dated March 13, 2013, be considered by Council;

AND THAT Rezoning Application No. Z13-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of The West ½ of Section 14 Township 23 ODYD Except Plans H16596, KAP47192, KAP51877, KAP53641, KAP53790, KAP57365, KAP73608 and KAP82802 located at 1760 Quail Ridge Blvd; Lot A District Lot 32 and Section 14 Township 23 ODYD Plan KAP52924 located at 2137 Quail Ridge Blvd; and Lot B District Lot 32 and Section 14 Township 23 ODYD Plan KAP52924 located at 2025 Quail Ridge Blvd, Kelowna, BC from the A1- Agriculture 1, CD15 - Airport Business Park, I5 - Extraction, and P3 - Parks & Open Space zone to the CD15 - Airport Business Park and P3 - Parks and Open Space zone, as shown on Map “B” attached to the Report of the Land Use Management Department dated March 13, 2013, be considered by Council;

AND THAT Zoning Bylaw Text Amendment No. TA13-0004 to amend City of Kelowna Zoning Bylaw No. 8000 by amending the CD15 - Airport Business Park zone, as outlined in Schedule “B” of the Report of the Land Use Management Department dated March 13, 2013, be considered by Council;

AND THAT the City of Kelowna Zoning Bylaw be amended by removing and replacing the CD15 - Airport Business Park zone “Map 1” as outlined in Schedule “C” of the Report of the Land Use Management Department dated March 13, 2013 be considered by Council;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch, Environment & Land Use Branch, Ministry of Transportation and the Glenmore Ellison Irrigation District being met.

Carried

5.4.1. Bylaw No. 10832 (OCP13-0002) - Protech Consultants Ltd., 1760, 2025 & 2137 Quail Ridge Road

Moved By: Councillor DeHart/Seconded By: Councillor Zimmermann

R235/13/04/08 THAT Bylaw No. 10832 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

5.4.2. Bylaw No. 10833 (TA13-0004) - Protech Consultants Ltd., CD15 Airport Business Park

Moved By: Councillor Zimmermann/Seconded By: Councillor DeHart

R236/13/04/08 THAT Bylaw No. 10833 be read a first time.

Carried

5.4.3. Bylaw No. 10834 (Z13-0003) - Protech Consultants Ltd., 1760, 2025 & 2137 Quail Ridge Road

Moved By: Councillor Blanleil/Seconded By: Councillor Basran

R237/13/04/08 THAT Bylaw No. 10834 be read a first time.

Carried

5.5. Bylaw No. 10703 (OCP11-0018) - JB Developments Inc., 373-375 Fizet Avenue

Moved By: Councillor Basran/Seconded By: Councillor Blanleil

R238/13/04/08 THAT Bylaw No. 10703 be adopted.

Carried

5.5.1. Bylaw No. 10704 (Z11-0090) - JB Developments Inc., 373-375 Fizet Avenue

Moved By: Councillor Blanleil/Seconded By: Councillor Basran

R239/13/04/08 THAT Bylaw No. 10704 be adopted.

Carried

5.5.2. Development Permit Application No. DP12-0171 - JB Developments Inc., 373-375 Fizet Avenue

Moved By: Councillor Stack/Seconded By: Councillor Zimmermann

R240/13/04/08 THAT Final Adoption of Official Community Plan Amending Bylaw No. 10703 and the Zone Amending Bylaw No. 10704 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP12-0171 for Lot 47, Section 26, Twp. 26, ODYD, Plan KAP52738, located at 373 - 375 Fizet Avenue, 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"; and
3. Landscaping to be provided on the land be in general accordance with Schedule "C".

Carried

5.6. Rezoning Application No. Z10-0091, Extension Request - Siegfried Schulz, 196 Cariboo Road

Moved By: Councillor Hobson/Seconded By: Councillor Basran

R241/13/04/08 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10536, Lot H, Section

4, Township 23, O.D.Y.D., Plan 20088, located on 196 Cariboo Road, Kelowna, BC, be extended from October 19, 2012 to October 19, 2013.

Carried

**6. Bylaws for Adoption (Development Related)**

**6.1. Bylaw No. 10791 (OCP12-0018) - The Creeks Kelowna, (N of) Steele Road & 1450 Steele Road**

Moved By: Councillor Basran/Seconded By: Councillor Blanleil

R242/13/04/08 THAT Bylaw No. 10791 be adopted.

Carried

**6.1.1. Bylaw No. 10792 (Z12-0058) - The Creeks Kelowna, (N of) Steele Road and 1450 Steele Road**

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R243/13/04/08 THAT Bylaw No. 10792 be adopted.

Carried

**6.2. Bylaw No. 10796 - City of Kelowna Text Amendment Application No. TA12-0013, Text Amendments to Zoning Bylaw No. 8000 (Carriage House)**

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R244/13/04/08 THAT Bylaw No. 10796 be adopted.

Carried

**6.3. Bylaw No. 10801 - City of Kelowna Text Amendment No. TA12-0010, Amending Section 14, Commercial Zone**

Councillor DeHart declared a conflict of interest as she works in the hotel/motel industry and left the meeting at 3:03 p.m.

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R245/13/04/08 THAT Bylaw No. 10801 be adopted.

Carried

**7. Non-Development Reports & Related Bylaws**

**7.1. Licence and Management Agreement - Downtown Marina**

Councillor DeHart rejoined the meeting at 3:04 p.m.

Staff:

- Provided an overview of the terms of the Licence and Management Agreement for the Downtown Marina.

Moved By: Councillor Given/Seconded By: Councillor Blanleil

R246/13/04/08 THAT Council approves the City entering into a fifteen (15) year Licence and Management Agreement, with Downtown Marina Inc., with the option to renew for an additional five (5) year term, in the form attached to the Report of the Manager, Property Management, dated April 3, 2013;

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

Carried

**8. Bylaws for Adoption (Non-Development Related)**

**8.1. Bylaw No. 10814 - Amendment No. 22 to Traffic Bylaw No. 8120**

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R247/13/04/08 THAT Bylaw No. 10814, being Amendment No. 22 to Traffic Bylaw No. 8120 be adopted.

Carried

**9. Mayor and Councillor Items**

**Councillor Stack:**

- Noted that he attended the launch of the RapidBus announcement on behalf of the Mayor.
- Commented on the 'trip hazards' on Bernard Avenue as a result of the revitalization project and requested that staff provide information on how the 'trip hazards' are being addressed.

**Councillor Blanleil:**

- Noted that the FortisBC deal with the City has now been officially approved and congratulated City staff on the successful completion of the deal.

**Councillor Singh:**

- Noted that she attended 'Small Shops Saturday' this past Saturday.

**Councillor Hobson:**

- Noted that Paul Macklem is scheduled to return to the City from his interim position on the Regional District next week and thanked the City Manager for loaning Mr. Macklem to the Regional District for the past year.
- Thanked Councillor DeHart for her comments in her recent column concerning the late Mike Doherty and his passion for public transit.
- Raised the idea of a tour with UDI of larger development projects that have been approved by the City and are now at the build-out stage.

**Mayor Gray:**

- Reminded Council of the Strategic Planning Workshop session scheduled for tomorrow.

10. Termination

This meeting was declared terminated at 3:17 p.m.

\_\_\_\_\_  
Mayor



\_\_\_\_\_  
City Clerk

/slh

DRAFT



# **REPORT TO KELOWNA CITY COUNCIL**

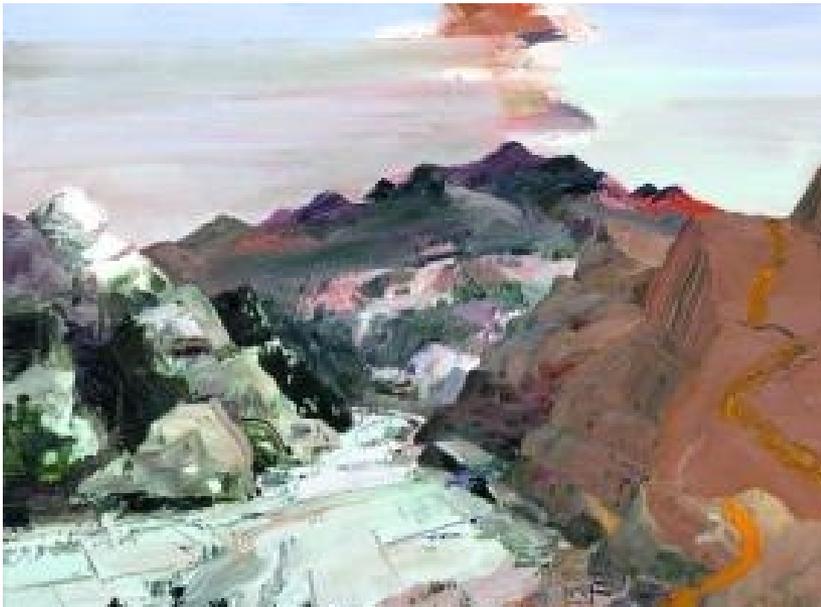


Who we are,  
what we do

# A Class A Facility

Who we are,  
what we do

# A Place that Originates and Hosts Exhibitions of National Calibre



## Who we are, what we do

# A Place that Hosts Community Perspectives

- ✓ Just Imagine
- ✓ Please Touch the Art
- ✓ Canadian Mental Health exhibition



Who we are,  
what we do

# A Place for Education

- ✓ 8,000 schoolchildren
- ✓ Adult Classes
- ✓ March Break and Summer Classes
- ✓ School District #23



Who we are,  
what we do



## Engaging the Community

- ✓ Participatory art projects
- ✓ Art in public places
- ✓ Increasing the relevance of our exhibitions and programs

Who we are,  
what we do

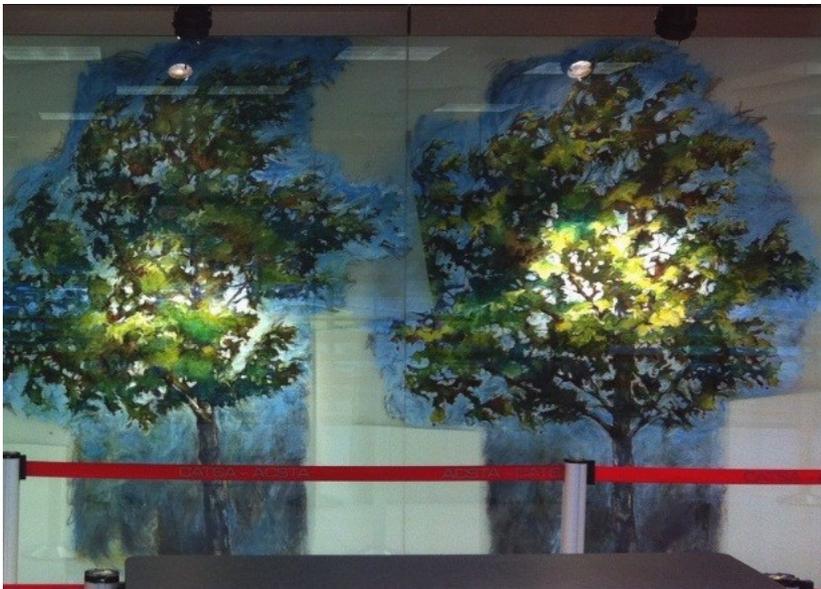


# Teaching and Empowering Young People

- ✓ Engage new generations of creatively-engaged cultural consumers through special programs: Youth InSights, Aboriginal Youth Program



Who we are,  
what we do



## Increasing Access

- ✓ Expand programs for visually impaired and mentally challenged
- ✓ Continue outreach to new Canadians
- ✓ Satellite exhibit opportunities for regional artists
- ✓ Increase traveling exhibitions across Canada

# Leveraging the City's Investment

- ✓ Increase attendance and membership
- ✓ Increase private support base
- ✓ Bring increased provincial and federal support to the community



# Who we are, what we do



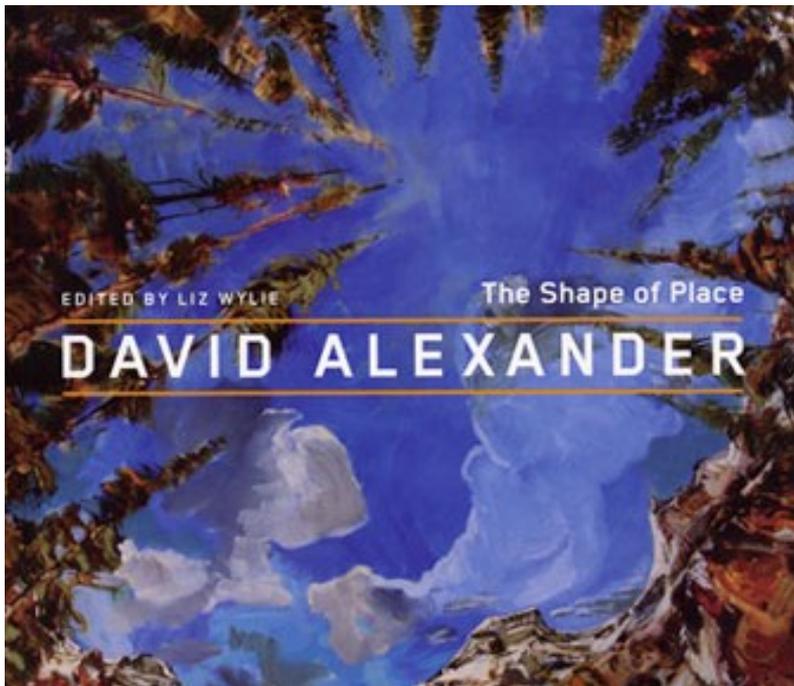
## Home to a Permanent Collection of Canadian Art

- ✓ More than 700 works
- ✓ Now fully digitized

# Who we are, what we do

**ABC** Art Books Canada

National and International Distribution of Canadian Art Publications



## A Place of Scholarship

- ✓ Printed or online catalogues for every exhibition

# Who we are, what we do



An Originator of  
Traveling Exhibitions  
that Tour Canada



But we are much more than the sum  
of these parts...

# *Who Are the People that are Important to Our Present and Future?*

## **An expanding circle of**

- residents
- young people and students
- life-long learners
- underserved audiences
- new Canadians
- people who invest in creating a better community through the arts



Life and Arts Festival, Cultural District

## *What Do We Want them to Know?*

The Kelowna Art Gallery is a place that invites people to be inspired, to learn, create, debate and to be challenged...



## *What Do We Want them to Know?*

that we are a key partner in increasing the quality of life in our community...



## *What Do We Want them to Know?*

that we are an organization that helps foster arts and culture, to create a legacy for future generations of Canadians



# *Is it Something Our Community Cares About?*

“When asked about the importance of arts and cultural pursuits to the quality of life in Kelowna, 64% believed these pursuits were important or very important”

*OUR CITY, OURSELVES: A CULTURAL LANDSCAPE ASSESSMENT OF KELOWNA*



## *Is it Something Our Community Cares About?*

*“Just Imagine* was Life changing... a Wonderful Journey from beginning to the end... the show was so powerful, and made people think, everyone was amazed... It was a great way to show people that even vision impaired and blind artists can still be creative and do great art... Thanks so much to all the Art Galley staff for making dreams come true...”

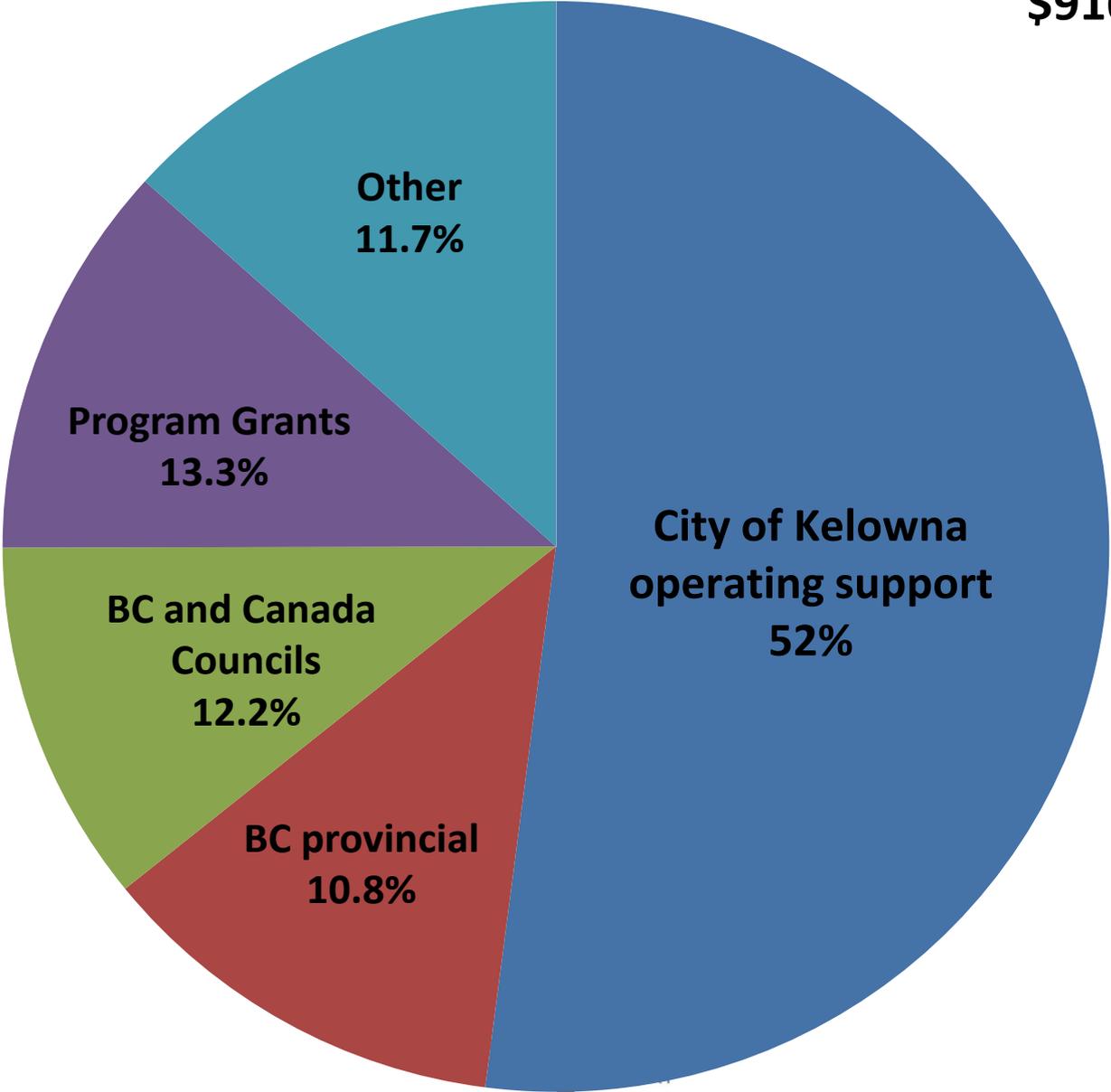
*PJ Artman*

# *How Do We Ensure that What We Say About Ourselves is True?*

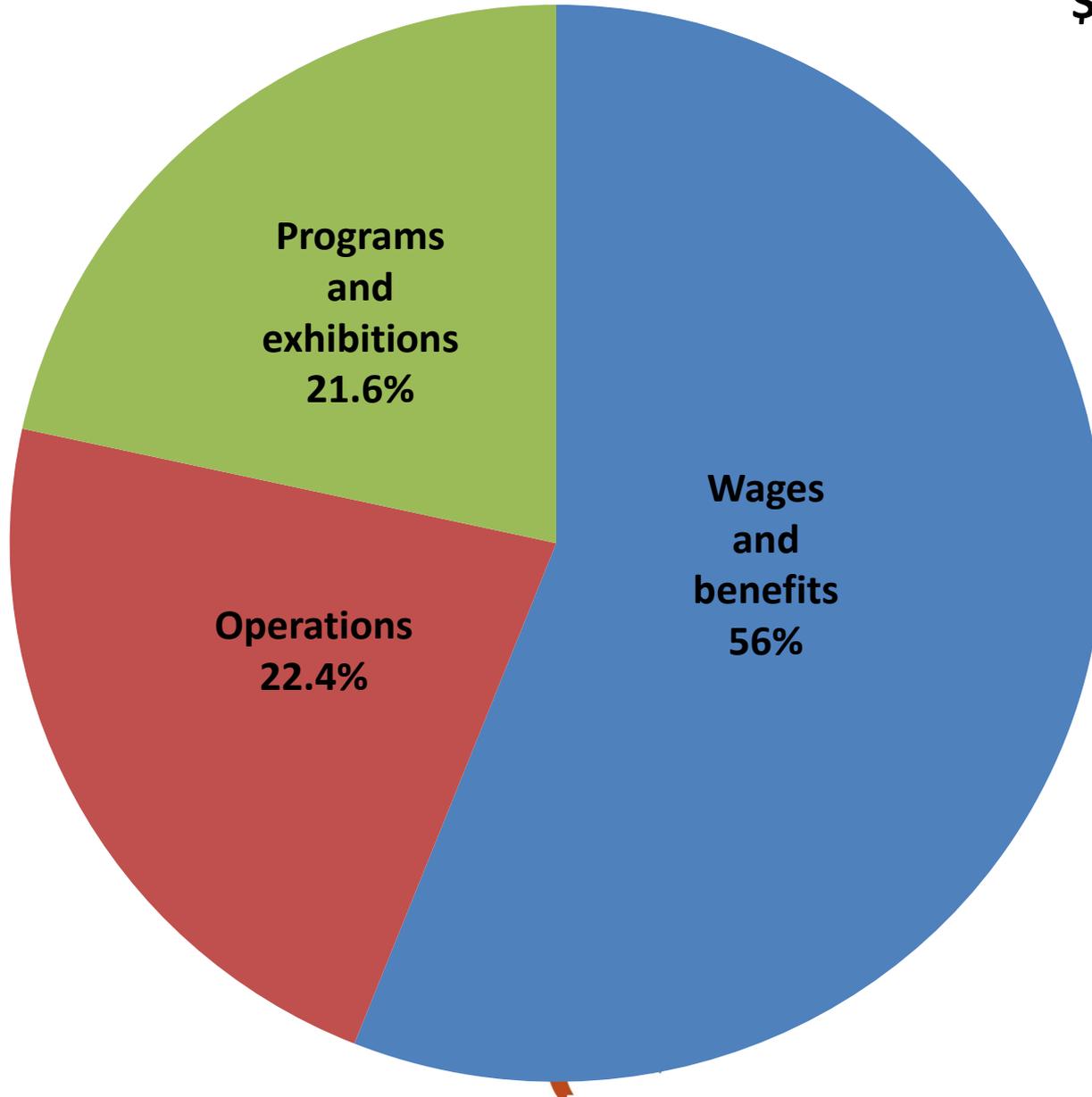
- We are constantly improving programs to ensure that they are relevant and valuable
- We continually seek to improve the quality of our customer service and visitor amenities



**2012 Revenues  
\$916,982**



**2012 Expenses  
\$910,603**



Working together, we can create a shared creative and cultural vision – for the city, for the province, and for all Canadians.





KELOWNA  GALLERY

**thank you!**

# REPORT TO COUNCIL



**Date:** April 5<sup>th</sup>, 2013  
**RIM No.** 0940-40  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (AW)  
**Application:** DP12-0209                      **Owner:** 0806068 B.C. Ltd., Inc. No. BC0806068  
**Address:** 1502-1504 Sutherland Ave.    **Applicant:** Architecturally Distinct Solutions  
**Subject:** Development Permit  
  
**Existing OCP Designation:** Mixed Use (Residential / Commercial)  
**Existing Zone:** C3 - Community Commercial

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## 1.0 Recommendation

THAT Council authorize the issuance of Development Permit No. DP12-0209 for Lot A, District Lot 141, ODYD, Plan 19444, located at 1502-1504 Sutherland Avenue, 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;
5. The issuance of a Natural Environment Development Permit by the City of Kelowna's Environment Branch;
6. Completion of the proposed road closure and land swap with the City of Kelowna's Real Estate & Building Services Department.
7. The requirements of the Development Engineering Branch completed to their satisfaction;

AND FURTHER 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.

## **2.0 Purpose**

To consider a Development Permit for the form and character of the proposed 4 storey mixed use development.

## **3.0 Land Use Management**

Land Use Management staff are supportive of the proposal, as it is seen to meet the objectives and supporting policies of the Official Community Plan (OCP), as well as the applicable urban design guidelines. The subject property is located at the corner of two busy roads in a location well suited for an urban form of development. The proposed development places a clear emphasis on the pedestrian featuring a strong relationship to adjoining streets.

The building represents a unique response to a constrained development site that needed to accommodate an RMA setback and two street frontages. The building footprint had to be molded to fit the site while accommodating the required parking under building. The subject property has been vacant for a number of years and this development will help to anchor and improve the aesthetic of this urban centre location. The supportive housing project is ideally located along the developing Sutherland Multi-Modal corridor in close proximity to employment, community amenities and transit connections. The building has been oriented to the corner to create a strong streetscape presence and as this area redevelops this will influence others to pursue this form of development. The building finishes feature glazing, grey stucco and galvanized metal siding. Most of the residential units have small decks while common amenity space is included within the enlarged corridor of each floor and on top of the roof. Landscaping, including street trees, ornamental grasses and shrubs, will be planted around the perimeter of the site highlighting the main entrance from Sutherland and the coffee shop patio. The 12m Riparian Management Area at the northern edge of the property will be rehabilitated to help improve the health of the creek in this location, these details are being addressed as part of the Natural Environment Development Permit.

## **4.0 Proposal**

### **4.1 Project Description**

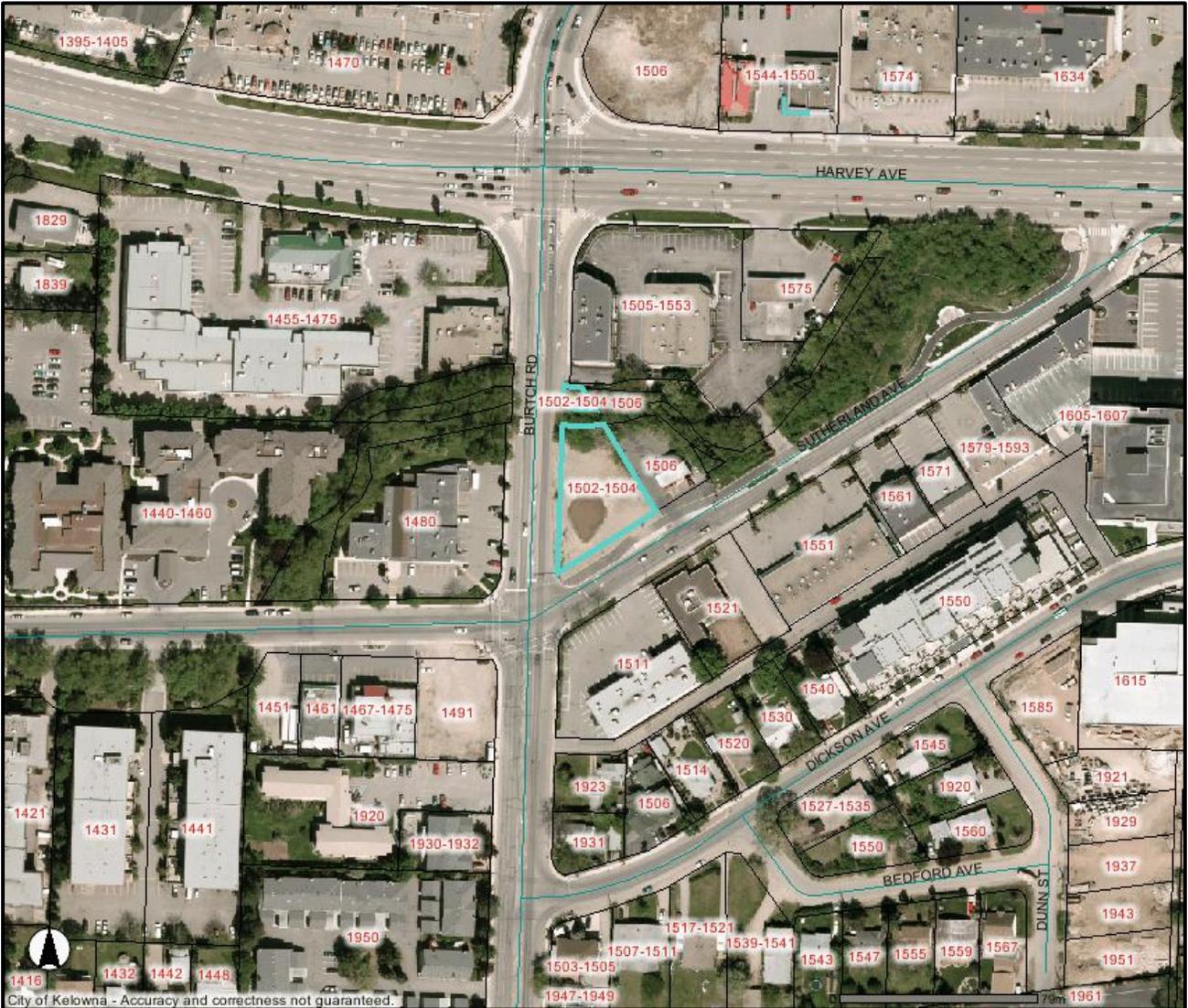
The proposed 4 storey development consists of a total of 24 supportive housing units divided over the top three storeys. The ground floor consists of the caretaker's lodging, a dining area for residents and a coffee shop. Vehicular access will be from Sutherland Avenue with egress onto Burtch Road. Parking for the development is located under building with access from the internal drive aisle. The City has recently completed the Sutherland Multi-modal corridor along the subject property's Sutherland frontage and the applicant will be upgrading the Burtch Road frontage to an urban standard.

Building elevations are 4 storeys in height and feature a high level of detail and finishing. Staff would prefer a stronger pedestrian orientation on both street frontages but the site is challenging from a design point of view. Having said that, where there are ground oriented uses these elevations maintain strong pedestrian orientation, with building entrances and the coffee shop patio. Such design elements serve to activate these building frontages with heightened levels of animation. The building is representative of a more contemporary aesthetic, having a flat roof with roof top amenity space for residents. The eastern frontage is required to be treated as a 'fire wall' by the BC building code due to the 0.0m setback, as this area redevelops the goal is to

have the adjacent property build to its full potential which would hide the blank fire wall. Landscaping for the development is provided both on and off-site. The applicant team is providing boulevard trees and shrubs fronting the development. The Riparian Management Area at the northern tip of the property will also be rehabilitated to help improve the health of the creek in this location.

4.2 Site Context

Subject Property Map: 1502-1504 Sutherland Ave.



The subject property is located at the Burtch Road and Sutherland Avenue, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 - Community Commercial	Commercial
East	C3 - Community Commercial	Car Wash
South	RU1 - Large Lot Housing	Commercial
West	P2 - Educational & Minor Institutional	Salvation Army

The proposal compares to the C3 zone requirements is as follows:

Zoning Analysis Table		
CRITERIA	C3 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	1.0	1.0
Site Coverage	50%	48%
Height	15m / 4 Storeys	15m / 4 Storeys
Front Yard	3.0m	3.0m
Side Yard (w)	2.0m	2.0m
Side Yard (e)	0.0m	0.0m
Rear Yard	0.0m	12.0m
Other Regulations		
Minimum Parking Requirements	13 stalls	13 stalls
Bicycle Parking	Class I: 8 Spaces Class II: 6 Spaces	Class I: 8 Spaces Class II: 6 Spaces
Private Open Space	270m <sup>2</sup>	574m <sup>2</sup>

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Urban Design Development Permit Areas (Chapter 14) - Revitalization Design Guidelines

##### Objectives

- Use appropriate architectural features and detailing of buildings and landscapes to define area character;
- Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;
- Enhance the urban centre’s main street character in a manner consistent with the area’s character;
- Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;
- Encourage an appropriate mix of uses and housing types and sizes;
- Design and facilitate beautiful public open spaces that encourage year-round enjoyment;
- Create open, architecturally-pleasing and accessible building facades to the street; and
- Improve existing streets and sidewalks to promote alternative transportation.

##### Guidelines

###### *Relationship to the Street* (Objective 2.0)

- Ensure streetwall height is proportional (0.75:1 maximum) to the width of the street as measured from building face to building face. Any development that exceeds this height must utilize a podium and step back above the streetwall;
- Provide for public movement, street furniture, and building access zones to be incorporated into sidewalks adjacent to development;
- Design buildings to occupy 100% of a property’s frontage along streets, eliminating elements that disrupt the streetwall such as off-street parking, dead spaces, empty lots, or driveways;

- Coordinate building setbacks with adjacent sidewalks to increase the space for public use (i.e., utilize a building setback or building indentation as a patio space or seating area, incorporate corner rounding into the public realm with specialized paving treatment and street furniture);
- Provide a high quality public realm consistent with the character of urban development (i.e. incorporate focal points/plazas, pedestrian pathways, parks and open space, enhanced streetscapes, and landscaping).

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

- Demolition Permits required for any structures prior to them being taken down.
- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s) for new construction
- This property falls within the Mill Creek flood plain bylaw area and compliance is required. Minimum building elevations are required to be established prior to the release of the Development Permit. This building may be designed to low, which may affect the form and character of the building.
- Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building.
  - One of the two exit stair shafts must exit directly to the exterior (not into the covered parking) if the other stairwell meets the requirements of exit thru lobby in the code.
  - Vestibule(s) are required at either the parking levels or at the suite levels as per BCBC.
  - The cantilever decks appear to project over setback allowances.
  - Second, third and fourth floors plans do not appear to meet the requirements for dead end corridors or an alternate solution is provided and acceptable to the chief building inspector prior to the release of the development permit.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications

### **6.2 Development Engineering Department**

See Attached

### **6.3 Fire Department**

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. The Subdivision Bylaw requires a minimum of 150ltr/sec flow. Additional comments will be required at the building code application and when we receive a building code analysis.

## **7.0 Application Chronology**

Date of Application Received: November 22<sup>nd</sup>, 2012  
Technical Details addressed: March 1<sup>st</sup>, 2013

**Report prepared by:**

\_\_\_\_\_  
Alec Warrender, Land Use Planner

**Reviewed by:**

Danielle Noble, Manager, Urban Land Use

**Approved for Inclusion:**

Doug Gilchrist, A. General Manager, Community Sustainability

**Attachments:**

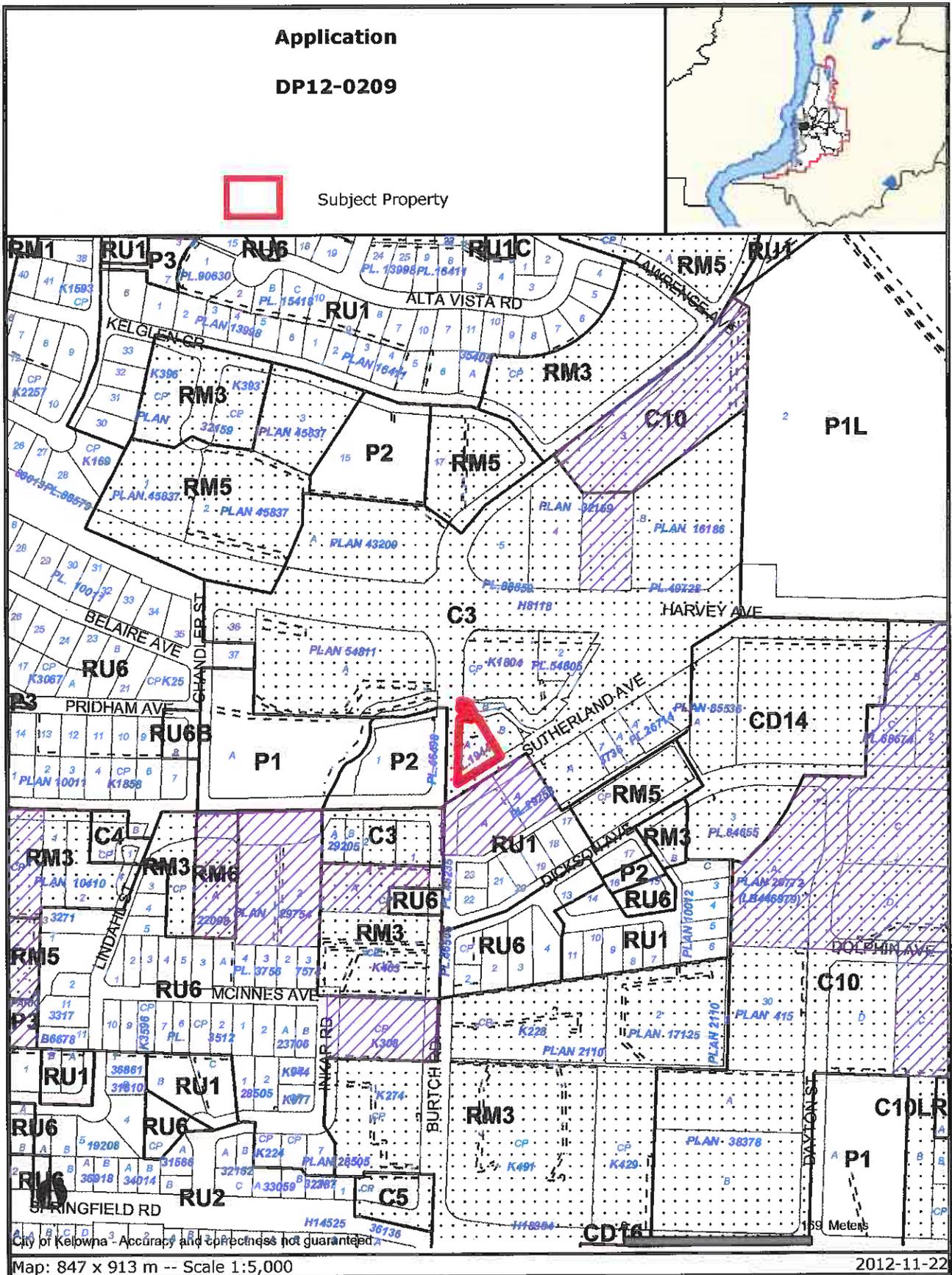
Site Plan

Conceptual Elevations

Landscape Plan

Development Engineering Requirements

Applicant's Design Rationale



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.

PROJECT DESCRIPTION  
 CINC. 1500 S.W. 4th Street, Columbus, NC  
 (LEGAL LOT 1, 1/4N 2 1/4, D.L. 125 BUCKINGHAM KINGS AND YAKS  
 Zoning Codebook:  
 City of Wilson C2 Zoning (Commercial, Community)

2711 INFORMATION  
 Gross Site Area = 13,744 SF (1,444 sq ft)  
 Site Coverage (RSH) = 75.9%  
 F.A.L. (F.A.L.) = 13,744 SF (1,444 sq ft)

Site Width = 300'  
 Site Depth = 300'  
 Max. Height = 15m (49' 2" or 4 stories)  
 Verticality:  
 1st floor - 3.0m (9.84ft)  
 2nd floor - 3.0m (9.84ft)  
 3rd floor - 3.0m (9.84ft)  
 4th floor - 3.0m (9.84ft)  
 Total height = 12.0m (39.37ft) where subject is located

Building setbacks:  
 Side yard - 1.5m (4.92ft)  
 Rear yard - 1.5m (4.92ft)  
 Front yard - 1.5m (4.92ft)  
 Total setbacks = 4.5m (14.76ft)

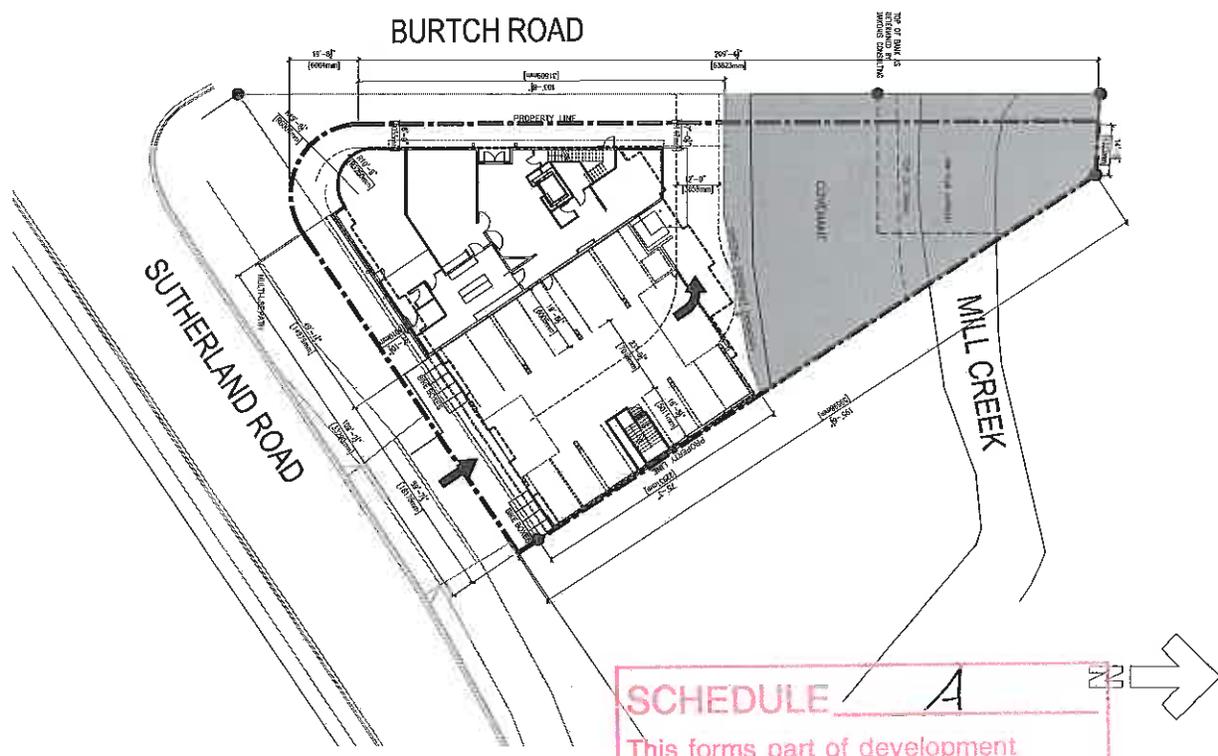
Proposed  
 Gross Site Area = 13,744 SF (1,444 sq ft)  
 Site Coverage (RSH) = 75.9%  
 F.A.L. (F.A.L.) = 13,744 SF (1,444 sq ft)

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DRAWING LIST:

ARCHITECTURE	DESCRIPTION
A-101	SITE PLAN WITH INFORMATION RE BUILDING CODE INFORMATION
A-102	GENERAL LOCATION PLAN
A-103	3D SITE ELEVATION
A-104	EXTERIOR ELEVATION
A-105	INTERIOR ELEVATION
A-106	SECTION
A-107	DETAILS
A-108	LANDSCAPE ARCHITECTURE
A-109	MECHANICAL
A-110	ELECTRICAL
A-111	PLUMBING
A-112	HEATING, VENTILATION AND AIR CONDITIONING
A-113	STRUCTURAL
A-114	ENVIRONMENTAL
A-115	TRAVEL
A-116	CONCRETE
A-117	WOODWORK
A-118	PAINT
A-119	GLASS
A-120	IRONWORK
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A-249	WOODWORK
A-250	PAINT



AS SHOWN FOR DESIGNER'S FINAL APPROVAL  
 APRIL 2018

1500 S.W. 4th Street, Columbus, NC 28701 P: 252-448-7801 F: 252-448-7802	
PROJECT: BURTCH ROAD AND SUTHERLAND ROAD DRAWING TITLE: SITE PLAN	PROJECT NO.: 1500 SW 4TH ST DRAWING NO.: 020811 DATE: 04/18/18 DESIGNER: [Signature] CHECKED: [Signature] APPROVED: [Signature]





1 2ND FLOOR PLAN  
 1/7/16 - 1'-0"  
 AREA=72711'

SCHEDULE A  
 This forms part of development  
 Permit # NP12-0209

RESERVED FOR DEVELOPMENT IDENTIFICATION  
 DATE: 11/11/16

<p>REVISION NO. DATE</p> <p>1) REVISION FOR COMMENTS</p> <p>2) REVISION FOR PERMITS</p>	<p>PROJECT NO. DATE</p> <p>16-000011 0000011</p> <p>16-000011 0000011</p> <p>16-000011 0000011</p>
<p>DESIGNED BY</p> <p>REVISED BY</p>	<p>PROJECT NO. DATE</p> <p>16-000011 0000011</p> <p>16-000011 0000011</p> <p>16-000011 0000011</p>
<p>PROJECT NO. DATE</p> <p>16-000011 0000011</p> <p>16-000011 0000011</p> <p>16-000011 0000011</p>	<p>PROJECT NO. DATE</p> <p>16-000011 0000011</p> <p>16-000011 0000011</p> <p>16-000011 0000011</p>

**DISTINCT SOLUTIONS**

4000 20th Street  
 Suite 100  
 Denver, CO 80202  
 P: 303.448.7801  
 F: 303.448.7802  
 W: www.distinctcs.com

16-000011 0000011



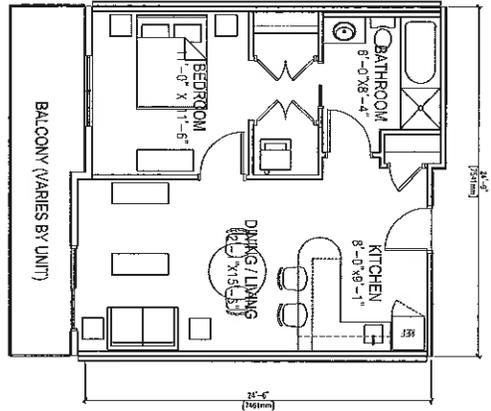
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SCHEDULE A  
 This forms part of development  
 Permit # DPC-0209

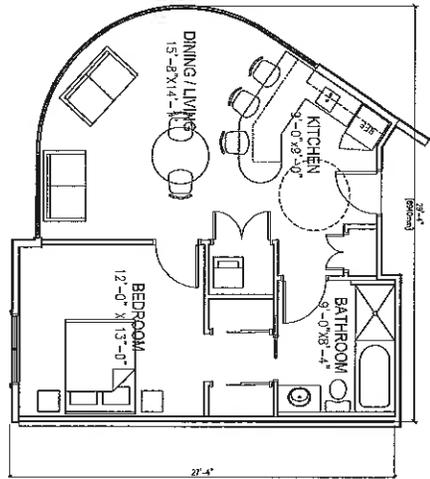
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100	03/01/14	REVISION FOR PERMIT

**DISTINCT SOLUTIONS**  
 10000 Woodloch Forest  
 Houston, TX 77055  
 P: 281-448-7800  
 F: 281-448-7802  
 WWW.DISTINCTSOLUTIONS.COM

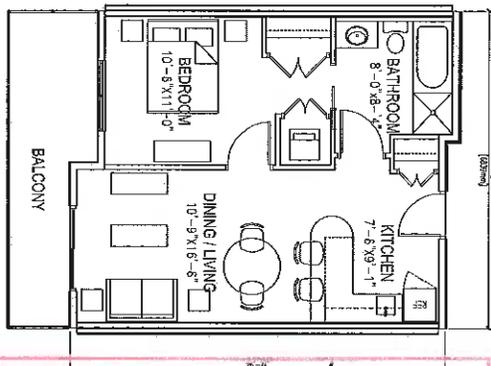




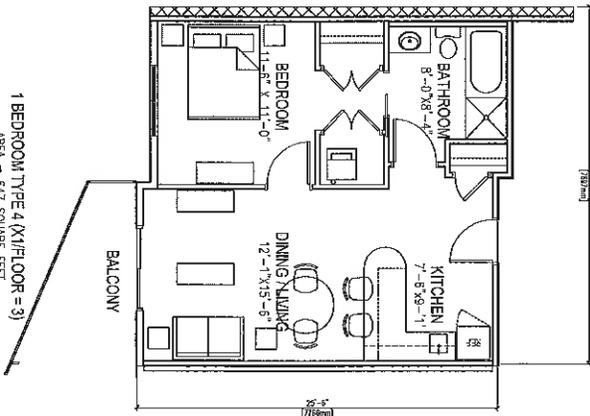
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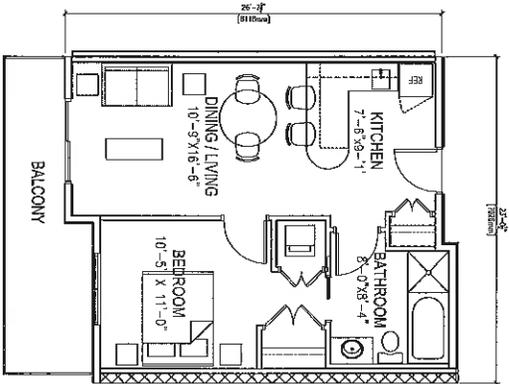
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AREA = 692 SQUARE FEET



1 BEDROOM TYPE 2 (2/FLOOR = 9)  
AREA = 586 SQUARE FEET



1 BEDROOM TYPE 4 (1/FLOOR = 3)  
AREA = 647 SQUARE FEET



1 BEDROOM TYPE 5 (1/FLOOR = 3)  
AREA = 601 SQUARE FEET

**SCHEDULE A**  
This forms part of development  
Permit # DP12-0209

RESIDENTIAL DEVELOPMENT PERMIT APPLICATION  
APRIL 2, 2013

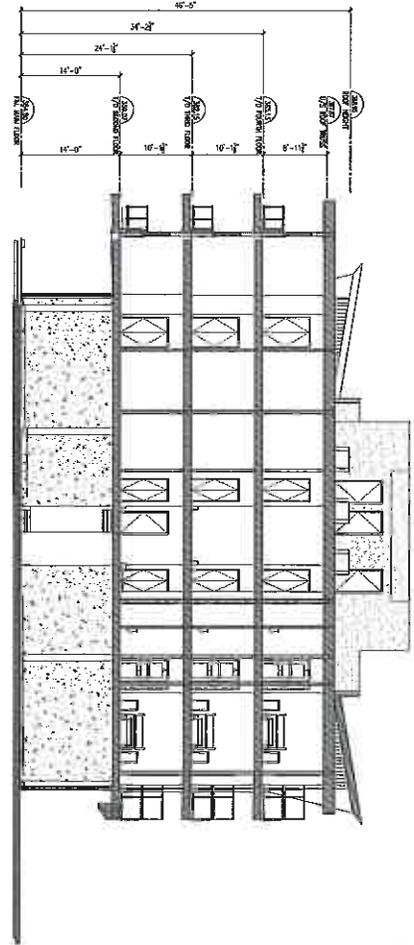
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DATE	04/02/13
DRAWING TITLE	FLOOR PLANS
DESIGNED BY	CHANG
CHECKED BY	CHANG
DATE	04/02/13
PROJECT NO.	11
DATE	04/02/13
DRAWING TITLE	FLOOR PLANS
DESIGNED BY	CHANG
CHECKED BY	CHANG
DATE	04/02/13

**DISTINCT SOLUTIONS INC.**  
6904-2030 Highway 104  
Calgary, AB T2C 1A9  
P: 403-248-2801  
F: 403-248-7822

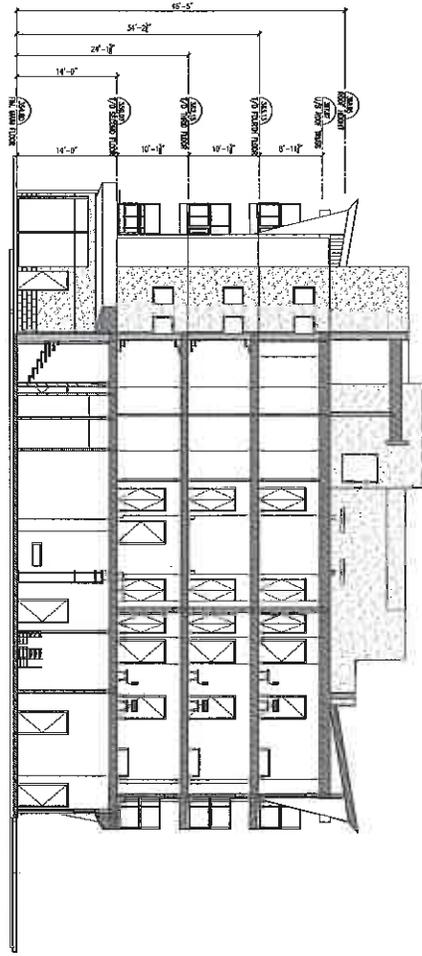
PROJECT NO. 11  
DATE 04/02/13  
DRAWING TITLE FLOOR PLANS  
DESIGNED BY CHANG  
CHECKED BY CHANG  
DATE 04/02/13







1 BUILDING SECTION



2 SECTION (A)

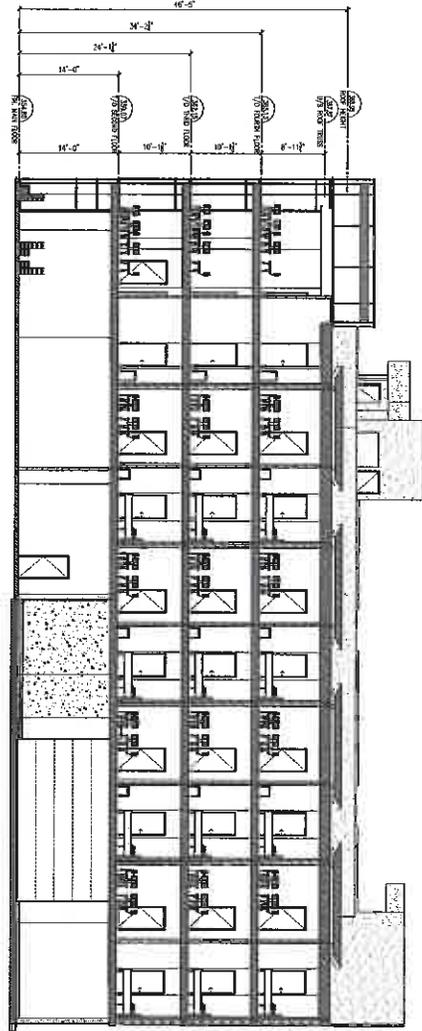
SCHEDULE A  
 This forms part of development  
 Permit # DP12-0209

REVISION TO DEVELOPMENT PERMIT APPLICATION  
 APRIL 2012

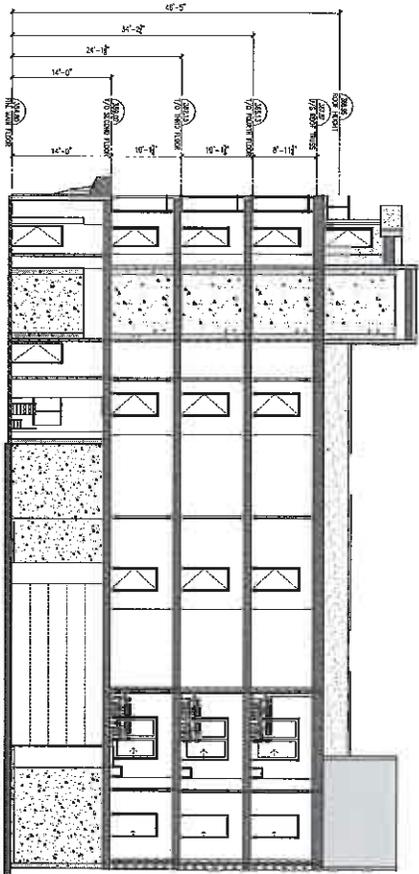
PROJECT INFORMATION PROJECT NO. _____ PROJECT NAME _____ DRAWING TITLE _____ DRAWING NUMBER _____		CLIENT INFORMATION CLIENT NAME _____ CLIENT ADDRESS _____ CLIENT CONTACT _____		DESIGNER INFORMATION DESIGNER NAME _____ DESIGNER ADDRESS _____ DESIGNER CONTACT _____	
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**DISTINCT SOLUTIONS**  
 4240-2803 Highway 200, Suite 100  
 Edmonton, AB T6B 1K1  
 Phone: 780-444-1801  
 Fax: 780-444-1802  
 Email: info@distinct.ca  
 Website: www.distinct.ca

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1 BUILDING SECTION



2 BUILDING SECTION

SCHEDULE     A      
 This forms part of development  
 Permit # DP12-0209

RESUB FOR SECTION/STAMP APPLICATION  
 APRIL 2, 2013

PROJECT NO. 12-0209 1) SCALE FOR SECTION 1/8"=1'-0" 2) RESUB FOR SECTION OF 07/24/13	
CLIENT NAME AND NO. 303-44-12 052014	PROJECT NAME 4-02
DRAWN BY EBY/AK	CHECKED BY EBY/AK
PROJECT LOCATION 1000 SOUTH HIGHLAND AVE. APPOINTEE HOUSING BIRMINGHAM, ALABAMA	

**DISTINCT SOLUTIONS INC.**  
 6704-001 Highway 206  
 Columbus, MS 39211  
 P: 662-448-1833  
 F: 662-448-1792  
 www.distinctinc.com

**CONTRACTOR:**  
 The contractor shall be responsible for obtaining all necessary permits and approvals from the local, state, and federal agencies. The contractor shall also be responsible for ensuring that all work is completed in accordance with the applicable codes and regulations. The contractor shall also be responsible for ensuring that all work is completed in a timely and efficient manner.



SOUTH EAST PROSPECTIVE



WEST PROSPECTIVE



NORTH ELEVATION



SOUTH EAST ELEVATION

DESIGNED BY DISTINGUISHMENT DESIGN ARCHITECTS  
APRIL 2, 2013



PROJECT NO.	
DATE	
DESIGNED BY	
CHECKED BY	
DATE	
SCALE	
PROJECT NO.	
DATE	
DESIGNED BY	
CHECKED BY	
DATE	
SCALE	

**SCHEDULE R**  
 This forms part of development  
 Permit # DR12-0209

**DISTINCT SOLUTIONS**  
 4450-1001 South Shore  
 Vancouver, BC V6V 2G1  
 P: 250-440-7801  
 F: 250-440-7802  
 www.distinctsolutions.com



WOOD COMPOSITE PANELS  
OR STUCCO



WINDOW AND DOOR TRIM  
CLEAR ANODIZED ALUMINUM



VERTICAL GALVANIZED  
METAL SIDING



PREFINISHED METAL FLASHING  
(Black)



WOOD TIMBERS  
(Stained to match SICO,  
walnut brown 954)

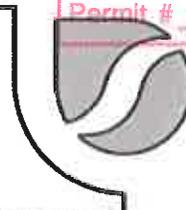


STONE  
(Cultured Stone Cast-Fit  
French Grey, stack bond)

SCHEDULE B  
This forms part of development  
Permit # DP12-0209

<b>PROJECT</b> 1502-1504 Sutherland Avenue Kelowna, BC
<b>DRAWING</b> DP MATERIALS/COLOURS

<b>DATE</b> 10.24.12	<b>SCALE</b> N.T.S.
<b>DWG No.</b> DP-SK1	



**DISTINCT SOLUTIONS INC.**  
phone: 250-448-7801 fax: 250-448-7802  
#204-2903 Furdoy St., Kelowna, BC V1Y 1W1



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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** December 11, 2012  
**File No.:** DP12-0209

FILE COPY

**To:** Land Use Management Department (AW)

**From:** Development Engineering Manager

**Subject:** 1502-1504 Sutherland Ave                      Lot A Plan 19444                      Mixed Use

---

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

The Development Engineering Technologist for this project is Sergio Sartori

**1.     Domestic Water and Fire Protection**

- (a)     The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the disconnection and replacement of the existing service. Upgrades to the existing hydrant and the installation of an additional hydrant, if required, will be at the applicants cost.
  
- (b)     A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

**2.     Sanitary Sewer**

The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing service and the installation of one new larger service.

**3.     Storm Drainage**

- (a)     The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. A connection into Mill creek will not be permitted.

#### 4. **Road Improvements**

- (a) Sutherland Avenue has been upgraded to a Multi-use corridor urban standard along the full frontage of this proposed development. A landscaped boulevard complete with underground irrigation system is required and must be approved by Development Engineering.
- (b) Burtch Road must be upgraded to a urban standard along the full frontage of this proposed development, including curb and gutter, monolithic sidewalk, a raised concrete median, a concrete foundation wall to facilitate the galvanized steel railing at the creek crossing, storm drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- (c) Provide street sign and pavement marking drawing. The developer's consulting engineer will be required, in consultation with the City, based on the existing design, to determine the required radius for the corner rounding at the property corner. The City will install the required signs and traffic control devices.

#### 5. **Road Dedication and Subdivision Requirements**

By registered plan to provide the following:

- (a) Provide a Certificate of Compliance from the Ministry of Environment prior to dedicating an additional highway allowance widening of ~2.60m for the full frontage of Burtch Rd (Or as required to agree with registered Plan No. 57579 Lot CP).
- (b) Provide a Certificate of Compliance from the Ministry of Environment prior to dedicating a corner rounding of the Burtch Rd and Sutherland Rd intersection. (See item 4. (c) )
- (c) Excess road right of way (2.2m) on the Sutherland Avenue frontage (20.0m road right-of-way width) may be available to the developer.
- (d) If any road dedication affects lands encumbered by a Utility right-of-way (such as Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.
- (e) Grant Statutory Rights Of Way if required for utility services.

#### 6. **Electric Power and Telecommunication Services**

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

## 7. **Design and Construction**

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

## 8. **Servicing Agreements for Works and Services**

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

## 9. **Other Engineering Comments**

- (a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

## 10. **Geotechnical Report**

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

The Geotechnical reports must be submitted to the Development Engineering Department prior to submission of Engineering drawings or application for subdivision approval.

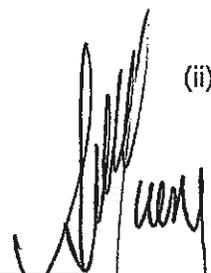
- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water, including effects upon adjoining lands in accordance with the Subdivision, Development and Servicing Bylaw, Schedule 4 Sanitary Item 2.18.
- viii) Any items required in other sections of this document.
- ix) Recommendations for roof drains and perimeter drains.

#### 11. **Survey Monuments and Iron Pins**

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

#### 12. **Development Permit and Site Related Issues**

- (a) The development will be required to contain and dispose of site generated storm water on the site by installing an oil separator and ground recharge system consisting of drywells and perforated pipe bedded in drain rock.
- (b) Access and Manoeuvrability
  - (i) An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.
  - (ii) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.



---

Steve Muenz, P. Eng.  
Development Engineering Manager  
ss

11/20/2012

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

**Dear City of Kelowna:**

**Re: 1502-1504 Sutherland Avenue, Kelowna, BC  
DP Application**

**Design Rationale (to be read in conjunction with the Application for this project)**

### **Introduction**

We are pleased to present to you the design rationale for the mixed-use development proposed for 1502-1504 Sutherland Avenue (The Site). This design rationale is for the benefit of the Planning Department during its consideration of the DP Application submissions associated with The Site.

Our proposal for The Site includes a 4 storey building that addresses the corner condition at the intersection of Sutherland Avenue and Burch Road in Kelowna. The project includes:

1. 24 independent Seniors' residences located in three stories above the ground floor.
2. Provide a common Care Taker's residence, dining facilities and a commercial space on the main floor.
3. Provide a commercial in the form of a boutique coffee shop that would share a commercial kitchen for serving both the Dining space for the residences as well as the coffee shop.
4. Include a community benefit by providing needed Seniors' residences in an urban setting as well as proposing to enhance the natural DND areas adjacent to the adjacent Creek and integrate into the urban setting where the building is located.
5. Creating a safe place to live.

As part of this proposal, we have spent time corresponding with the City of Kelowna in pre-application meetings to ensure the vision of the proposal is in keeping with the intent for the area. To date, the Land Use department has provided positive responses to the project (size, form & character, use...) as well as noting that the project aim to avoid any variance applications through the process. Further to the building design, we are actively engaged in correspondence with FortisBC to provide an alternative energy source for heating and cooling. Our Team's commitment to more sustainable communities can be best illustrated with recent awards in this area, notably:

- 2012 - Okanagan Powersense Conservation Leadership Award
- 2012 - Mayor's Environmental Award for Most Sustainable Development (Kelowna)
- 2012 - Fortis BC Award for Building Energy Efficient (Tommie Silver)

and it is our Team's intent to apply our experience and expertise to work toward sustainable detailing and solutions as part of this project to ensure to the benefit of the City and building users alike.

### **The Neighbourhood**

Situated between the intersection of Sutherland Avenue and Burtch Road, this site is conveniently located to amenities, Hwy 97, as well as existing in a high energy urban setting. Taking cues from nearby building styles like that of the Mode and Landmark Towers, our proposal includes a building design that is modern, urban and integrates into a busy corner and existing neighbourhood while creating safe, inward oriented living spaces for the occupants. The inward orientation includes wide central hallways that will facilitate shared amenity opportunities and strength the sense of community for the occupants. Complimenting the safe, community inward orientation is the private exterior spaces that will allow occupants opportunities to connect with the energy of the location (See Photos of surrounding context below):



**View looking North from the intersection of Sutherland and Burtch**



**View looking East from the intersection of Sutherland and Burtch**



**View looking South from The Site.**



**View looking West from the intersection of Sutherland and Burch**

### **Summary**

The proposed development of The Site as a Community Commercial development (C3) is being presented to the City of Kelowna as part of our commitment to healthy, safe and sustainable developments in our community. Our team believes that the property at 1502-1504 Sutherland Avenue provides an excellent opportunity to be developed in a manner that is beneficial to the City by increasing residential density in a compact form resulting in more efficient land use and reducing land consumption, introducing mixed-use to help integrate the building into an existing neighbourhood and enhance environmentally sensitive area adjacent to the building. We also feel that the convenient location within easy walking distance to a myriad of community services will help to contribute to the success of the proposed development at The Site and we look forward to your review, consideration and support of our DP Application.

Please do not hesitate to contact our office if you have any questions or require additional information.

Sincerely,  
Matt Johnston, MAIBC, MRAIC, LEED AP  
Architecturally Distinct Solutions Inc.

# CITY OF KELOWNA

**APPROVED ISSUANCE OF A:**

**Development Permit No.:** **DP12-0209**

EXISTING ZONING DESIGNATION:	C3 - Community Commercial
WITHIN DEVELOPMENT PERMIT AREA:	Revitalization Development Permit Area

ISSUED TO:	Architecturally Distinct Solutions
LOCATION OF SUBJECT SITE:	1502-1504 Sutherland Ave

	LOT	SECTION	TWP	DISTRICT	PLAN
LEGAL DESCRIPTION:	A	D.L. 141		ODYD	19444

<u>SCOPE OF APPROVAL</u>
<p><input type="checkbox"/> This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.</p> <p><input type="checkbox"/> This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.</p> <p><input type="checkbox"/> Applicants for a Heritage Alteration Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.</p>

**1. TERMS AND CONDITIONS:**

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";

2. The development shall commence by and in accordance with an approved Building Permit within ONE YEAR of the date of the Municipal Council authorization resolution.

**3. DEVELOPMENT:**

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

**THIS Permit IS NOT A BUILDING Permit.**

3. PERFORMANCE SECURITY:

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development Permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- (a) Cash in the amount of \$                   N/A                  .
- (b) A Certified Cheque in the amount of \$                   N/A                  .
- (c) An Irrevocable Letter of Credit in the amount of \$                   60,702.00                  .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

5. APPLICANT'S AGREEMENT:

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- (a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- (b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Director of Planning & Development Services.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management Department immediately to avoid any unnecessary delay in processing the application.

**I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.**

\_\_\_\_\_  
Signature of Owner/Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name in Bold Letters

\_\_\_\_\_  
Telephone No.

5. APPROVALS:

DEVELOPMENT PERMIT AUTHORIZED BY THE COUNCIL ON THE 26<sup>th</sup> DAY OF APRIL, 2013

ISSUED BY THE ACTING GENERAL MANAGER OF COMMUNITY SUSTAINABILITY OF THE CITY OF KELOWNA THE \_\_\_\_\_ DAY OF APRIL, 2013.

---

Doug Gilchrist, A. General Manager, Community Sustainability

# REPORT TO COUNCIL



**Date:** April 9, 2013  
**RIM No.** 1200-10  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (JM)

**Application:** ASP12-0001      **Owner:** Sun Holdings 4 Inc.  
Gary & Karyn Brandel  
Diamond-T Ranch Ltd.  
338089 BC Ltd.

**Address:** 2250 Galiano Road  
2285 Galiano Road      **Applicant:** Troika Developments Ltd.  
1555 Glenmore Road North  
855 Packinghouse Road

**Subject:** Area Structure Plan - Boundary Adjustment & Public Consultation Strategy

**Existing OCP Designation:** FUR - Future Urban Reserve  
Area Structure Plan No. 4

**Existing Zone:** A1 - Agriculture<sup>1</sup>

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## 1.0 Recommendation

THAT Council authorize the amendment of the Area Structure Plan boundary for the Diamond Mountain Area Structure Plan, as outlined on Attachment 2 of the report of Land Use Management, dated April 9, 2013;

AND THAT Council endorse the Public Consultation Strategy, prepared by the applicant team, as outlined in Attachment 4 of the report of Land Use Management, dated April 9, 2013.

## 2.0 Purpose

To consider a proposal to amend the boundaries of the Area Structure Plan (ASP), which were originally authorized by Council on December 3, 2012. In addition, Council is being asked to consider a Public Consultation Strategy for the ASP project, as prepared by the applicant team.

## 3.0 Land Use Management

Land Use Management staff have no substantial concerns regarding the addition of this property to the ASP boundary previously approved by Council. Staff recommend that the applicant team be permitted investigate the parcel's development potential.

The proposed Public Consultation Strategy is supported by staff, and represents a positive effort to engage affected land owners and area residents in the plan development process. Staff will

monitor the process to ensure that it meets the public consultation standards of the City, including City staff attendance at any public information sessions.

It is noteworthy that staff remain extremely concerned with the density proposed on the site. The Kelowna 2030 Official Community Plan (OCP) only contemplates 460 dwelling units for the area, where the applicant is proposing 1,405. To that end, no approvals, commitments or authorizations have been granted for the proposed unit yield. The applicant must provide a clear rationale for how the proposal will accommodate an appropriate and pleasing form of development and be phased over time in a manner consistent with the long-term objectives of the OCP and the associated 20-Year Servicing Plan & Financial Strategy.

## 4.0 Proposal

### 4.1 Background

#### Boundary Amendment:

At its regular meeting on December 3, 2012, Council authorized the applicant to begin preparation of an Area Structure Plan (ASP) for the following three (3) properties shown on Attachment 1:

- Lot A, Sections 9, 10 and 16, Township 23, ODYD, Plan 30819, Except Plan KAP81434;
- Lot 1, Sections 9 and 10, Township 23, ODYD, Plan 1884, Except Plan 31642; and
- Lot B, Section 9, Township 23, ODYD, Plan 30819, Except Plan 38902.

On April 9, 2013, Staff received a request from the applicant to include an additional property within the ASP boundary, as shown on Attachment 2. The property being added, located at 2285 Galiano Road, is still within the ASP boundary originally indicated in the City's Official Community Plan (OCP), as shown on Attachment 3. The additional property has the following legal description:

- Lot 5, Section 9, Township 21, ODYD, Plan KAP1884.

#### Public Consultation:

As part of the two-phased ASP process (as outlined in the Terms of Reference accepted by the applicant), the applicant team is required to undertake one Public Information Session at the conclusion of each phase, in addition to notification of affected property owners and area residents. Building on these requirements, the applicant team is also responsible for the preparation of a Public Consultation Strategy.

### 4.2 Project Description

#### Boundary Amendment:

The applicant proposes to amend the approved boundary for the Diamond Mountain Area Structure Plan in order to include an additional property located at 2285 Galiano Road, being approximately 9.4ha in area.

As rationale for the change, the applicant has noted that "this parcel of land is being added to the ASP area at the request of the landowner, and will provide enhanced access opportunities for the ASP."

The majority of this parcel is not likely to prove developable due to extreme slope conditions; however, it provides an important link to Galiano Road and to two potential development areas, thereby providing a logical link to the previously authorized ASP boundary.

**Public Consultation:**

The proposed Public Consultation Strategy (Attachment 4) prepared by the applicant exceeds the minimum requirements established in the Terms of Reference (described above) by adding a Notice Board, a website and newsletter, and regular meetings with affected Residents' Associations.

Other property owners within the OCP's ASP boundary have been notified of the ASP process and have indicated interest in staying involved as the process moves forward.

**4.3 Site Context**

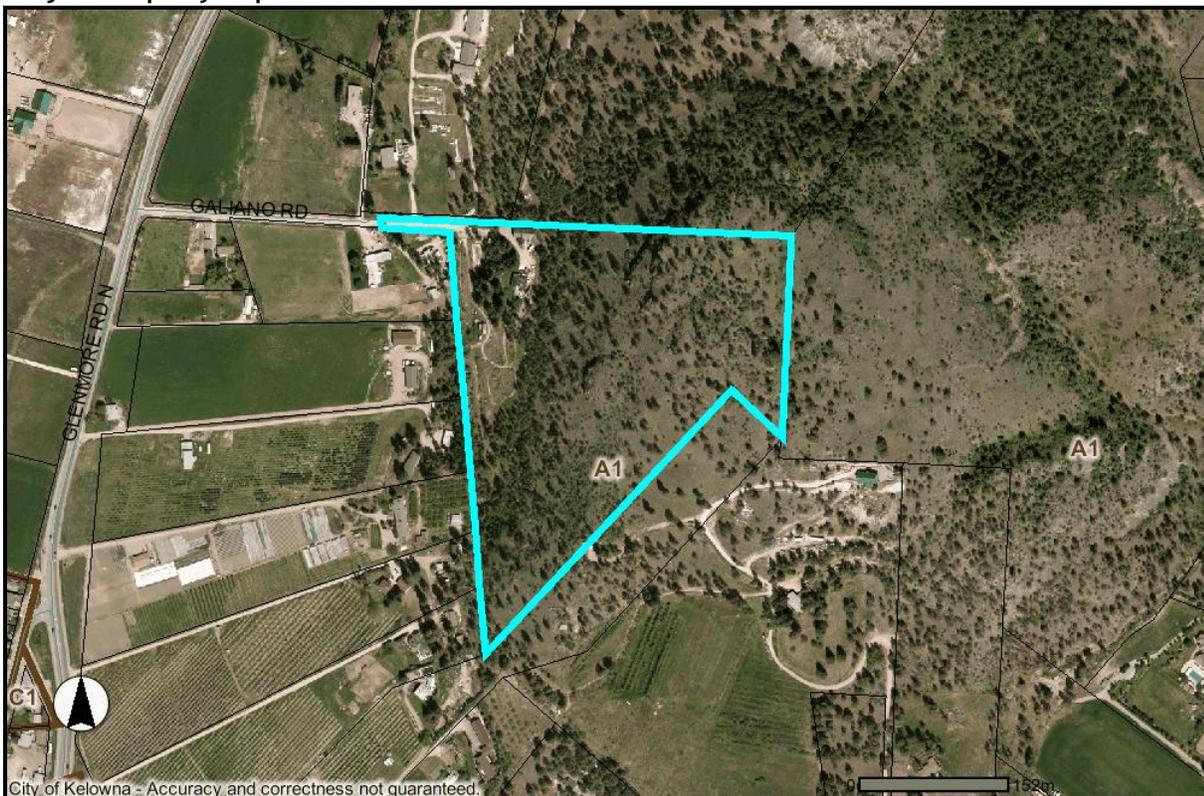
The additional property is situated at the east end of Galiano Road, and accesses Galiano Road directly via a small panhandle. The property consists of varied topography, from gentle slopes on the northwest side of the parcel, to very steep slopes exceeding 45% on the east side. The lot presently contains one single detached dwelling and accessory buildings located on the northwestern side of the parcel, with driveway access from Galiano Road.

While not located within the Agricultural Land Reserve (ALR), the property directly abuts ALR lands to the west.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use	ALR status
North	A1 - Agriculture 1	Agriculture/Open Forest	Yes
East	A1 - Agriculture 1	Open Forest	Yes
South	A1 - Agriculture 1	Agriculture	Partial
West	A1 - Agriculture 1	Agriculture	Yes

**Subject Property Map: 2285 Galiano Road**



#### 4.4 Current Development Policies

##### 4.5 Kelowna Official Community Plan (OCP)

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

**Environmentally Sensitive Area Linkages.**<sup>2</sup> 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.**<sup>3</sup> 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.

**Cluster Housing.**<sup>4</sup> Require new residential development to be in the form of cluster housing on / or near environmentally sensitive areas and areas of steeper slopes to lessen site disturbance and environmental impact on those areas identified on the Future Land Use Map 4.1 as single-two unit residential hillside. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features identified through the Development Permit process that otherwise might be developed and to maximize open space in order to:

- Protect environmentally sensitive areas of a development site and preserve them on a permanent basis utilizing the most appropriate tools available;
- Facilitate creative and flexible site design that is sensitive to the land's natural features and adaptive to the natural topography;
- Decrease or minimize non-point source (i.e. asphalt roofs, driveways and parking) pollution impacts by reducing the amount of impervious surfaces in site development;
- Promote overall cost savings on infrastructure installation and maintenance; and
- Provide opportunities for social interaction, walking and hiking in open space areas.

#### 5.0 Application Chronology

Date of Application Received: November 8, 2012

Date of Council Authorization: December 3, 2012

Request for Boundary Adjustment: April 9, 2013

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

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.15.3 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.15.12 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.22.1 (Development Process Chapter).

**Report prepared by:**

---

James Moore, Land Use Planner

**Reviewed by:**

Todd Cashin, Manager, Environment & Land Use

**Approved for Inclusion:**

Doug Gilchrist, Acting Director, Land Use Management

**Attachments:**

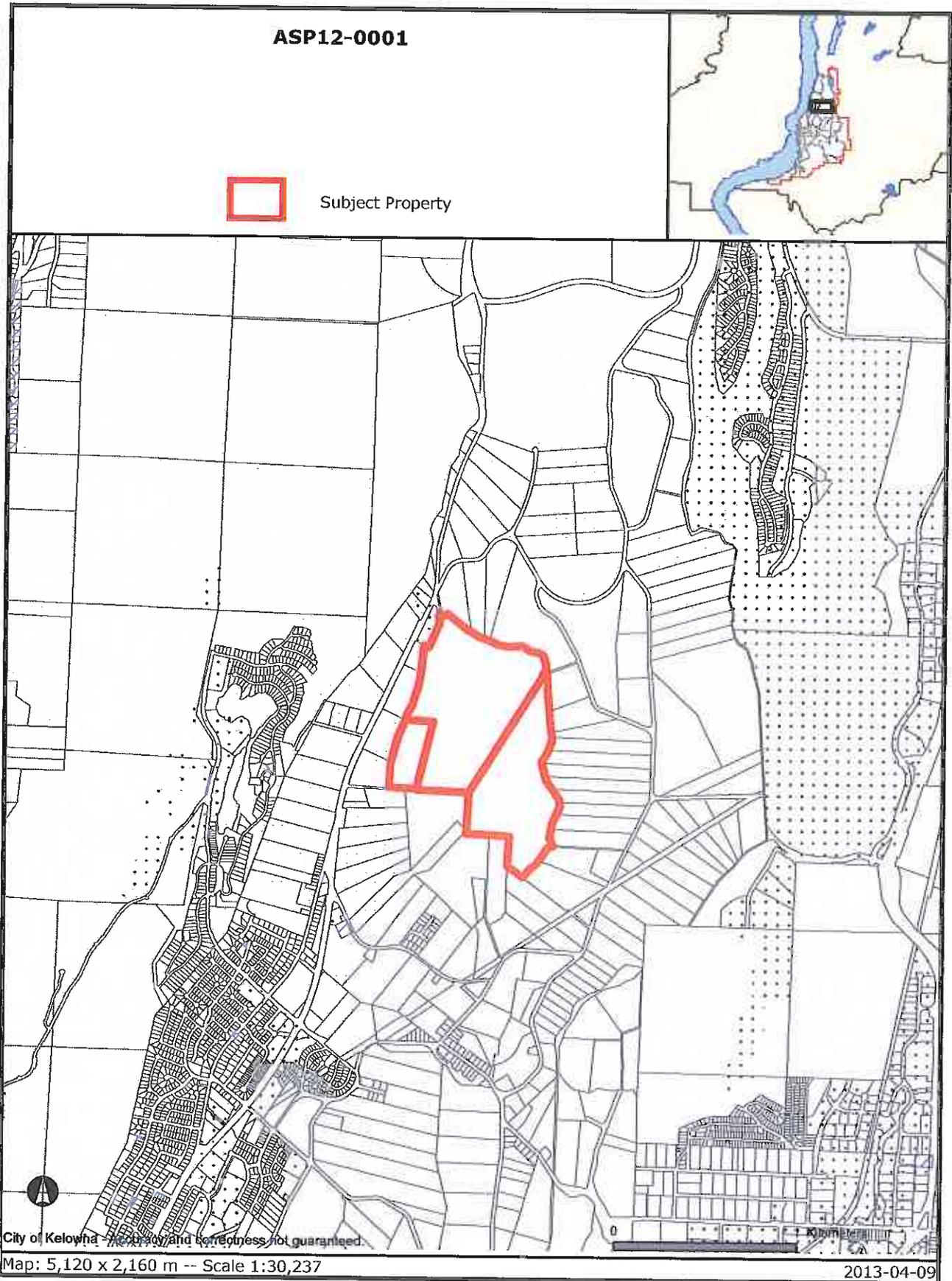
Subject Properties Map

Attachment 1 - Previous ASP Boundary

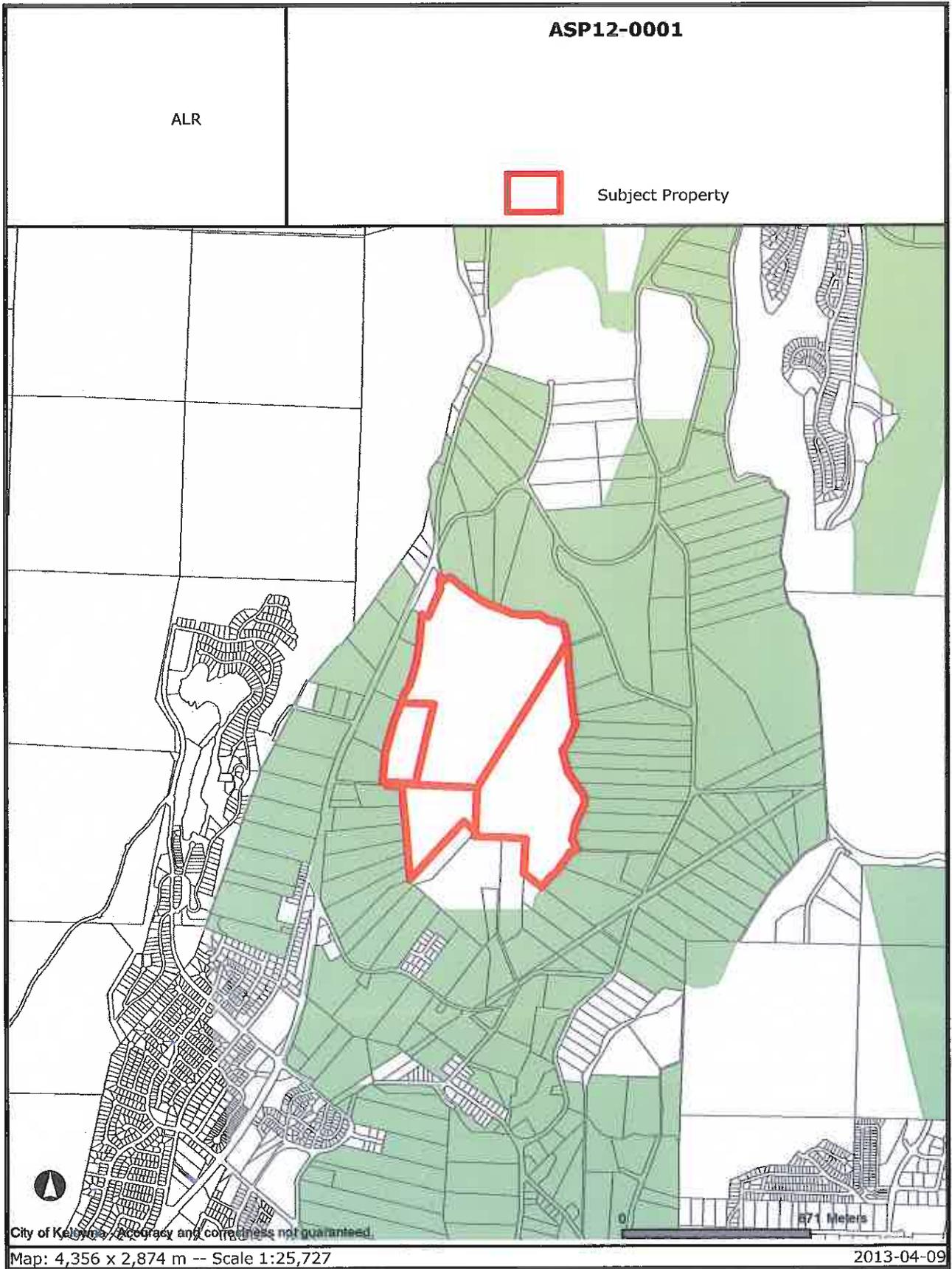
Attachment 2 - Applicant's Proposed ASP Boundary

Attachment 3 - ASP Boundary in OCP

Attachment 4 - Applicant's Public Consultation Plan

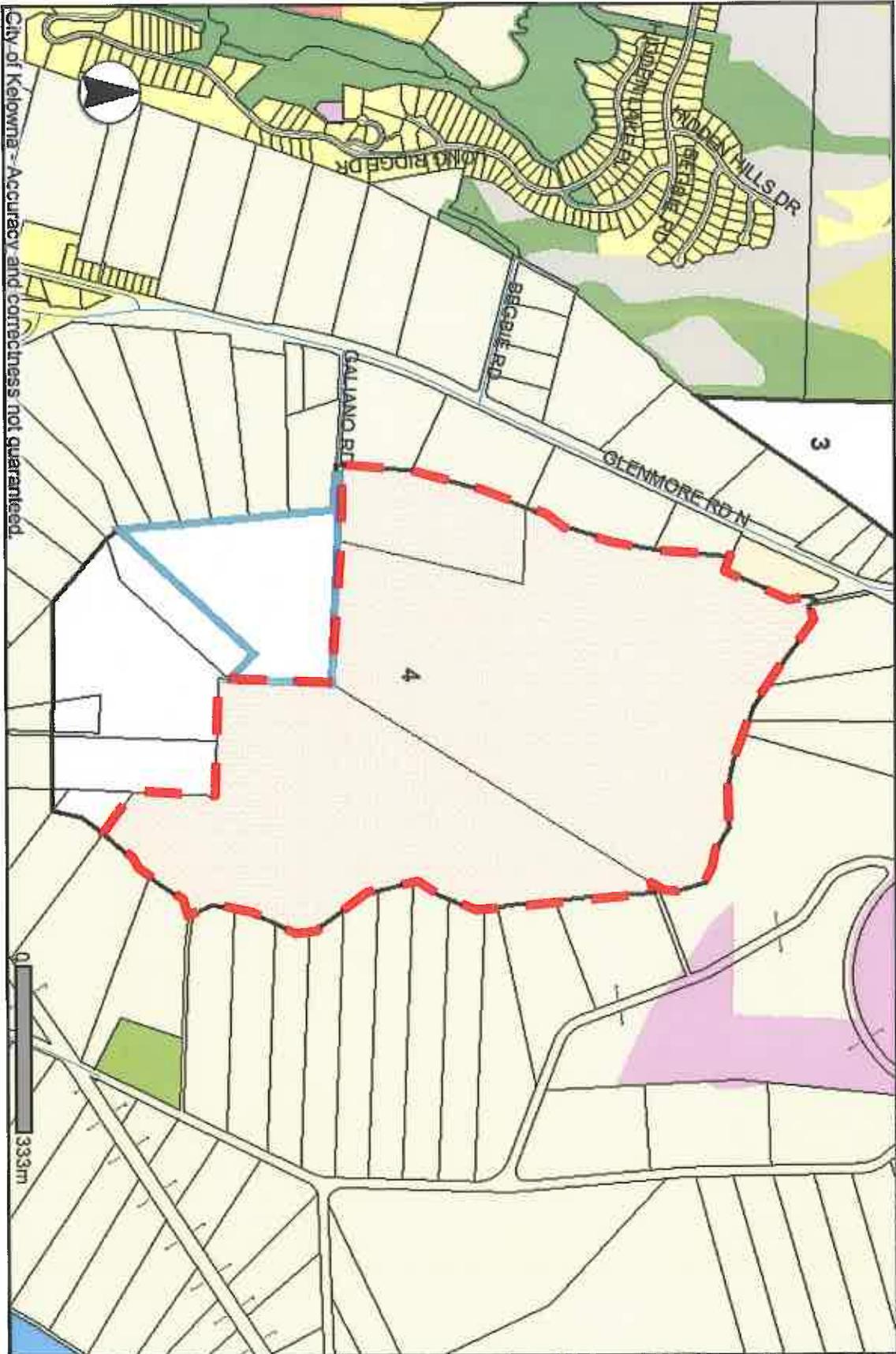


*Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.*



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Attachment 1 - Previous Diamond Mountain ASP Area



ATTACHMENT 2 - PROPOSED ASP BOUNDARY



DIAMOND MOUNTAIN ASP - KELOWNA, BC

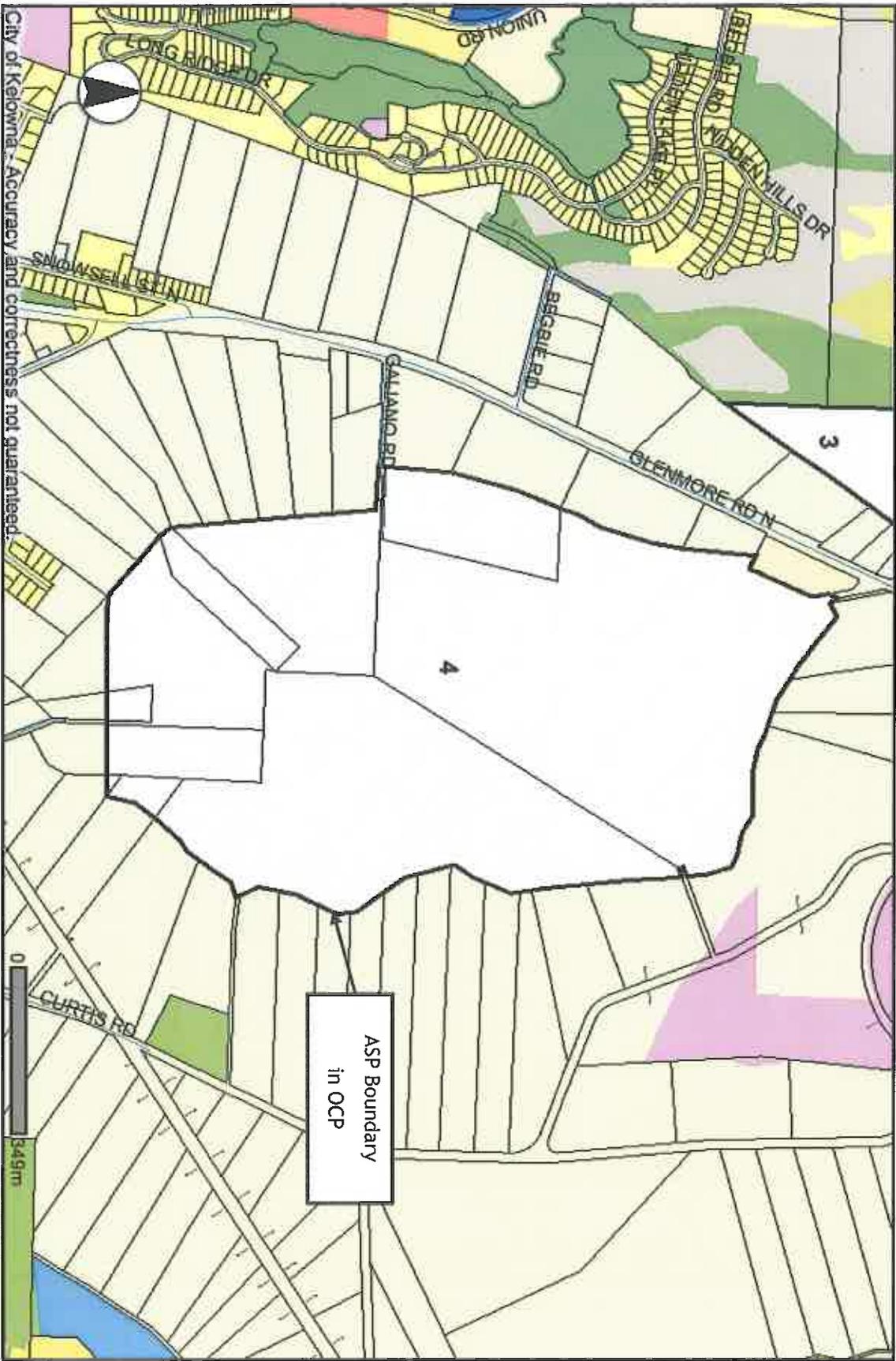
APRIL 2013

ASP PROPERTIES



FIGURE 2.1





City of Kelowna. Accuracy and correctness not guaranteed.

Attachment 3 - ASP Boundary in OCP

**RE: Public Consultation Strategy**

The below points outline the public consultation strategy that Troika Management will implement for the Diamond Mountain Area Structure Plan.

**1. Website**

Troika Management will maintain and update a website on a monthly, or as needed basis, that is generally accessible to all interested members of the public, and which contains basic information regarding the status of the Area Structure Plan. The website will also contain information on the history of the Diamond Mountain development as well as contact information in case area residents or members of the public wish to contact the developer with any questions or concerns. The website will be linked to and from the corporate page of Troika Developments.

**2. Notice Boards**

Troika Management will place a large notice board on the corner of Glenmore RD and the new John Hindle road. This area will serve as the main access to the development and also provides the highest traffic exposure for public awareness. The board will contain current information regarding the status of the ASP process and contact information, should members of the public have questions or concerns. The notice board will be updated on a monthly, or as needed basis.

**3. Canada Post Mail Out**

It is possible some residents within the area may rent or lease a home from a landowner that may not live in the area. When the City of Kelowna distributes a notification about the Diamond Mountain process, they will be mailed to properties within the City's address database. These addresses are primarily linked to the landowners and not renters or leases. In an effort to adequately inform all residents, Troika will forward an information notice based on postal codes within the area.

**4. Monthly Newsletter Email List**

Troika Management will maintain a list of the email addresses for all those residents and stakeholders who have advised that they wish to be kept informed of the ASP process. The online website will include a registration page for members of the public who wish to be informed with updates on the ASP process. This will occur on an as needed basis.

**5. Residents'/Community Association Meetings**

Troika Management will stay in regular contact with interested Residents' Associations during the early stages of the ASP process. Troika Management plans to maintain these lines of communication and to meet with the residents'/community associations as often as necessary.

**6. Public Open Houses**

Troika Management will host two (2) public open houses at a venue within close proximity to the ASP area. Troika will host the first open house in spring 2013 to involve residents in the development of the ASP by identifying their priorities and concerns as early as possible. It is anticipated that the second open house will be held at the conclusion of the second (final) phase of the ASP in winter 2013. The second event will allow residents to see how Troika took their concerns into careful consideration to shape the ultimate development proposal.

In addition to the above strategies, Troika Management will maintain open lines of communications with all area residents and interested members of the public. Troika will remain very open and transparent throughout the entire ASP process, as the public's view of our development is extremely important to our process.

# REPORT TO COUNCIL



**Date:** April 8, 2013  
**RIM No.** 1250-30  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (AW)  
**Application:** OCP09-0001 / Z09-0007      **Owner:** P255 Enterprises Ltd., Inc.  
No. BC0920989  
**Address:** 245 Briarwood Road      **Applicant:** P255 Enterprises Ltd., Inc.  
No. BC0920989  
**Subject:** Rezoning Application, Extension Request  
**Existing Zone:** RM3 - Low Density Multiple Housing  
**Proposed Zone:** RM5 - Medium Density Multiple Housing

---

## 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10198 (OCP09-0001) & 10199 (Z09-0007), for 245 Briarwood Road by P255 Enterprises Ltd., Inc. No. BC0920989, be extended from January 14, 2013 to January 14, 2014.

## 2.0 Purpose

The applicant proposes an extension for the project which is to include a 67-unit rental apartment complex, with a one storey parkade below grade. The application requires both an OCP amendment from Multiple Unit Residential (Low Density) to Multiple Unit Residential (Medium Density), as well as a zoning amendment from RM3 - Low Density Multiple Housing to RM5 - Medium Density Multiple Housing.

## 3.0 Land Use Management

Section 2.12.1 of Procedure Bylaw No. 10540 states that:

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

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

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

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

Bylaw Nos. 10198 (OCP09-0001) & 10199 (Z09-0007) received second and third readings on July 14, 2009 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional twelve (12) months in order to reconsider the project and to study their market options. This project remains unchanged and is the same in all respects as originally applied for.

The Land Use Management Department recommends Council consider the request for an extension favourably.

**Report prepared by:**

---

Alec Warrender, Land Use Planner  
/hb

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

**Approved for Inclusion**  Doug Gilchrist, Acting General Manager, Community Sustainability

**Attachments:**

Site Plan



# REPORT TO COUNCIL



**Date:** April 9, 2013  
**RIM No.** 1250-30  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (AW)  
**Application:** OCP10-0006 / Z10-0031      **Owner:** Jasvinder & Navjot Kandola  
**Address:** 1045 Laurier Avenue      **Applicant:** GTA Tomporowski  
**Subject:** Rezoning Application, Extension Request  
**Existing Zone:** RU6 - Two Dwelling Housing  
**Proposed Zone:** RM3 - Low Density Multiple Housing

---

## 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw Nos. 10380 (OCP10-0006) and 10379 (Z10-0031) for Lot 1, DL 138, ODYD, Plan KAP91928, for 1045 Laurier Avenue, Jasvinder & Navjot Kandola), be extended from February 10, 2013 to February 10, 2014.

## 2.0 Purpose

The applicant proposes to rezone the subject properties from RU6 - Two Dwelling Housing to RM3 - Low Density Multiple Housing to accommodate 12 units within three separate 4-plex developments.

## 3.0 Land Use Management

Section 2.12.1 of Procedure Bylaw No. 10540 states that:

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

- a) The application will be deemed to be abandoned and the applicant will be notified in writing that the file will be closed;
- b) Any bylaw that has not received final adoption will be of no force and effect;
- c) In the case of an amendment application, the City Clerk will place on the agenda of a meeting of **Council** a motion to rescind all readings of the bylaw associated with that Amendment application.

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

By-Law Nos. 10380/10379 received second and third readings on August 10, 2010 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional twelve (12) months in order to allow the applicant more time to deal with the technical requirements. This project remains unchanged and is the same in all respects as originally applied for.

The Land Use Management Department recommends Council consider the request for this third extension favourably.

**Report prepared by:**

\_\_\_\_\_  
Alec Warrender, Land Use Planner  
/hb

**Reviewed by:**

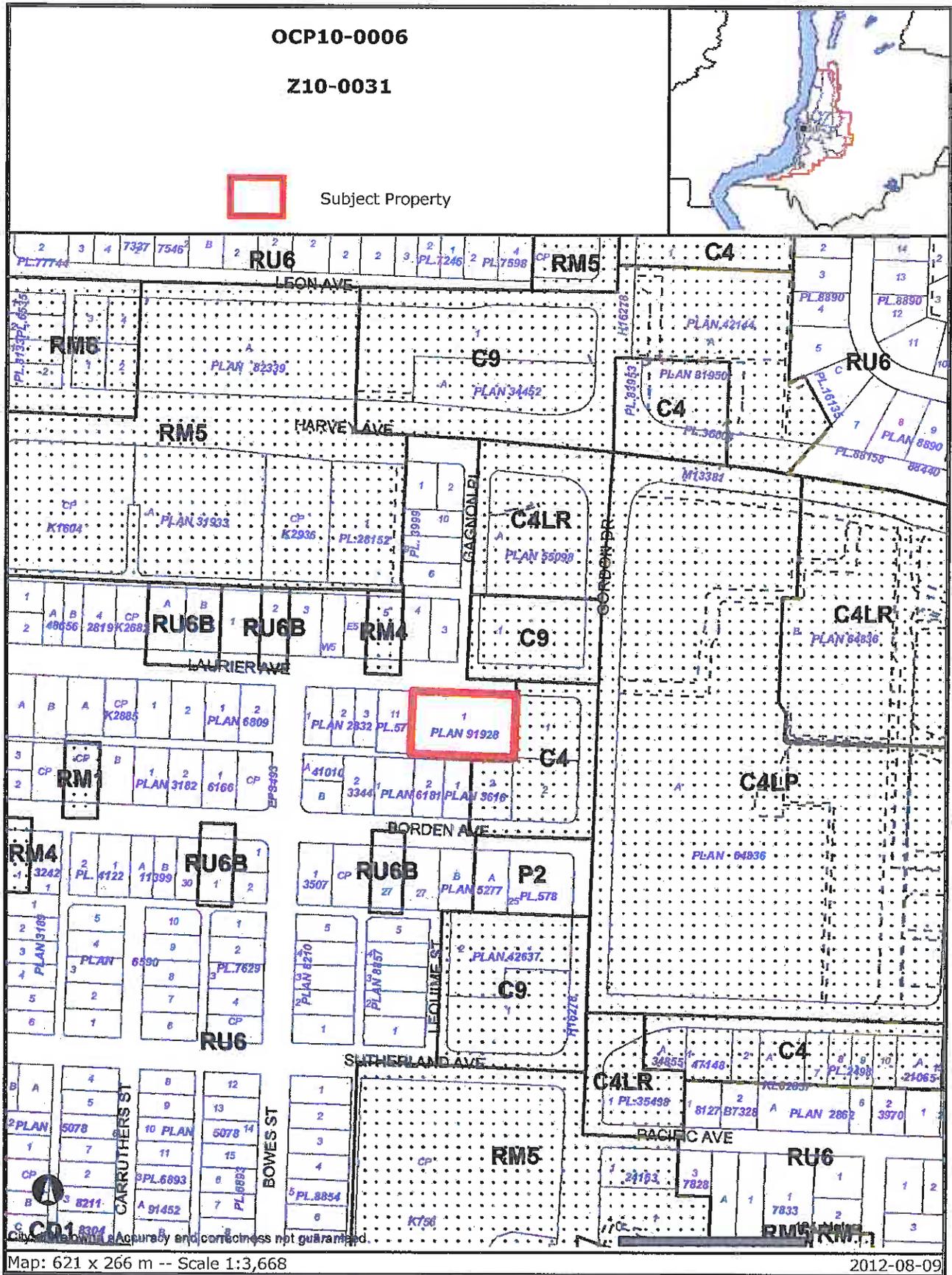
Todd Cashin, Manager, Environment & Land Use

**Approved for Inclusion**

Doug Gilchrist, Acting GM, Community Sustainability

**Attachments:**

Subject Property Map



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

# REPORT TO COUNCIL



**Date:** April 5, 2013

**RIM No.** 1250-30

**To:** City Manager

**From:** Land Use Management, Community Sustainability (AW)

**Application:** OCP07-0037 / Z07-0093      **Owner:** 0781540 B.C. Ltd. Inc. No. BC0781540

**Address:** 560, 561, 582 & 583 McKay Avenue      **Applicant:** 0781540 B.C. Ltd. (A. Gaucher)

**Subject:** Rezoning Application, Extension Request

**Existing Zone:** RU6-Two Dwelling Housing

**Proposed Zone:** C4-Urban Centre Commercial

---

## 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw Nos. 10245 (OCP07-0037) & 10246 (Z07-0093) for 560, 561, 582 & 583 McKay Avenue, be extended from May 3, 2013 to May 3, 2014.

## 2.0 Purpose

The application was for the extension of the Bylaws relating to the Official Community Plan future land use designation amendment from “Multiple Unit Residential - Medium Density” to “Commercial” and the rezoning of the subject property from the existing RU6 - Two Dwelling Housing zone to the proposed C4 - Urban Centre Commercial zone in order to permit the construction of the proposed mixed-use development.

## 3.0 Land Use Management

Section 2.12.1 of Procedure Bylaw No. 10540 states that:

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

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

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

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

By-Law No's. 10245 & 10246 received second and third readings on November 3, 2009 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional twelve (12) months in order to allow the applicant more time to address the outstanding technical requirements. This project remains unchanged and is the same in all respects as originally applied for.

The Land Use Management Department recommends Council consider the request for an extension favourably.

**Report prepared by:**

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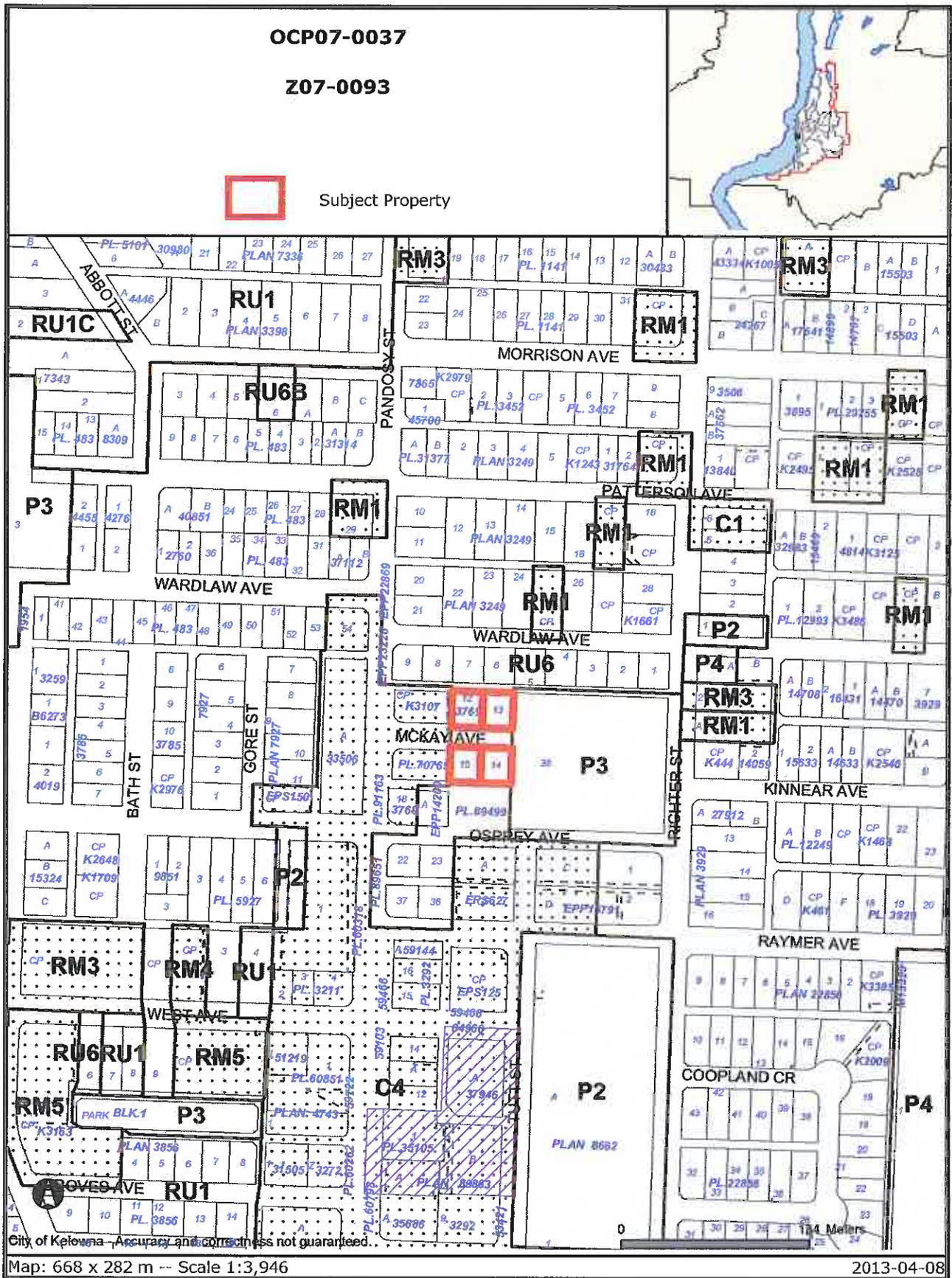
Alec Warrender, Land Use Planner  
/hb

**Reviewed by:**  Todd Cashin, Manager, Environment and Land Use

**Approved for Inclusion**  Doug Gilchrist, Acting General Manager, Community Sustainability

**Attachments:**

Site Plan



City of Kelowna - Accuracy and completeness not guaranteed.

Map: 668 x 282 m -- Scale 1:3,946

2013-04-08

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.

# Report to Council



**Date:** April 10, 2013  
**File:** 0165-30  
**To:** City Manager  
**From:** Acting General Manager Community Sustainability, General Manager Community Services, Acting General Manager Corporate Sustainability  
**Subject:** Quarterly Report Update

Report Prepared by: Althea Livingston

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**Recommendation:**

THAT Council receives, for information, the Quarterly Report from the General Manager, Community Services, Acting General Manager, Community Sustainability and Acting General Manager, Corporate Sustainability, dated April 10, 2013.

**Purpose:**

To provide Council with an update of the City's activities for the first Quarter of 2013.

**Background:**

The attached PowerPoint presentation provides a brief summary of some key activities undertaken in the last quarter by the corporation.

The content of the presentation continues to evolve and staff welcomes Council's suggestions in ensuring the report is both informative and timely for our community. All contributors and contributing departments are not expected to attend the Council presentation, however if Council has specific questions that require a staff member attend the meeting, it is requested that the City Clerk be advised in advance of the meeting.

**Internal Circulation:**

Presentation distributed to all Directors.

**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:

Submitted by:

A handwritten signature in cursive script that reads "John Vos".

John Vos, General Manager, Community Services

cc: D. Gilchrist, Acting General Manager, Community Sustainability  
R. Mayne, Acting General Manager, Corporate Sustainability



City of  
**Kelowna**



## PASSIONATE PUBLIC SERVICE

- ▶ **Bernard Avenue Revitalization**
  - ▶ Phase 2 is underway
    - ▶ Daily site visits
    - ▶ Finalized Sidewalk Program
- ▶ **By the numbers:**
  - ▶ **3,148** views of the YouTube Phase 1 timelapse video
  - ▶ **2,038** Bernard Avenue Revitalization page views in Q1; **15,863** page views in lifetime
  - ▶ **35** news stories



## PASSIONATE PUBLIC SERVICE

### ▶ Financial Services

- ▶ Property Tax Estimator went live

### ▶ Human Resources

- ▶ Vacancies filled

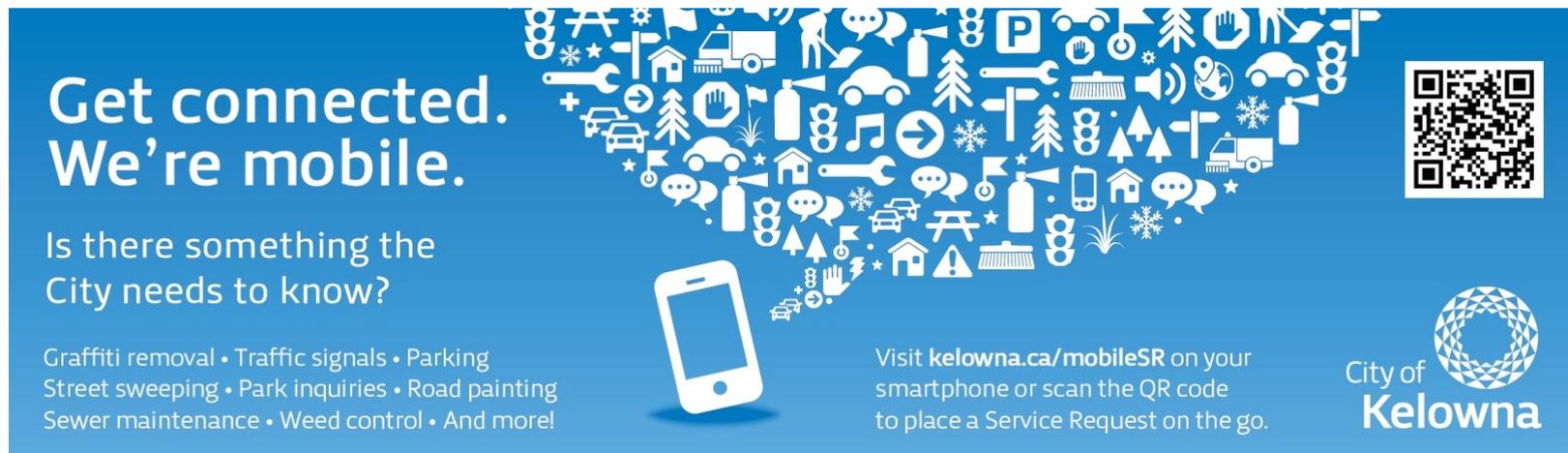
2011	2012	2013
43	24	51

## PERFORMANCE EXCELLENCE

- ▶ Kelowna Joint Water Committee Implementation Plan completed
- ▶ The City of Kelowna's electrical utility was transferred to FortisBC
  - ▶ March 29, 2013
- ▶ **Real Estate & Building Services**
  - ▶ Completed the demolition of the Water Street Seniors Centre March 19
- ▶ **Policy and Planning**
  - ▶ 94 new rental properties were approved

# RESPONSIVE CUSTOMER SERVICE

- ▶ Launched mobile Service Request web app
  - ▶ 183 Mobile Service Requests have been placed at [kelowna.ca/mobileSR](http://kelowna.ca/mobileSR)
- ▶ Deployed an online service that allows residents to their track Service Requests



**Get connected.  
We're mobile.**

Is there something the  
City needs to know?

Graffiti removal • Traffic signals • Parking  
Street sweeping • Park inquiries • Road painting  
Sewer maintenance • Weed control • And more!

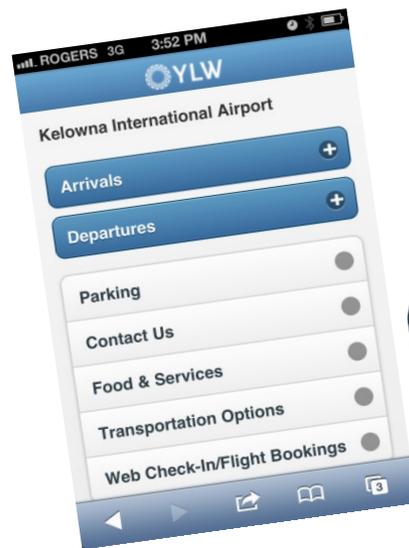
Visit [kelowna.ca/mobileSR](http://kelowna.ca/mobileSR) on your  
smartphone or scan the QR code  
to place a Service Request on the go.



City of  
Kelowna

## RESPONSIVE CUSTOMER SERVICE

- ▶ Kelowna International Airport (YLW)
  - ▶ Launched mobile web app
  - ▶ Northwestern Air increased its Red Deer & Abbotsford service
  - ▶ YLW hosted & participated in a multi-agency Search and Rescue exercise
  - ▶ The European Travel event was held



## ENGAGED COMMUNITIES

- ▶ Kelowna Fire Department
  - ▶ “Spring Forward” smoke alarm campaign



# ENGAGED COMMUNITIES

- ▶ **Public Engagement Policy & Framework**
  - ▶ Guiding principles endorsed
  - ▶ Hosted a workshop with community
  - ▶ Hosted 4 public info tables
- ▶ **Launched online platform for City Park Concept plan**
  - ▶ 1,584 site visitors
  - ▶ 11,230 page views
  - ▶ 120 ideas



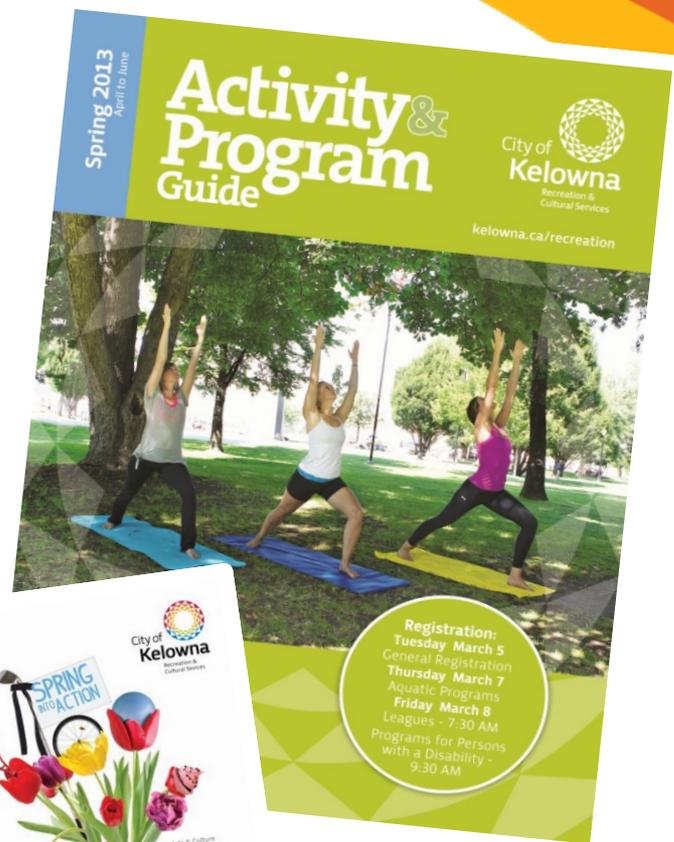
## PIONEERING LEADERSHIP

- ▶ **Business Development Office**
  - ▶ The Downtown Prospectus was completed in January
    - ▶ Partnership with the Downtown Kelowna Association
    - ▶ Used as a recruitment tool to promote investment within the Downtown



## PIONEERING LEADERSHIP

- ▶ New online Program & Activity Guide
  - ▶ 3,400 visitors and 218 clicks to the online registration system



## PIONEERING LEADERSHIP

### ▶ Cultural Services

- ▶ Arts, Culture & Heritage Grants - distribution of \$255,000
- ▶ Kelowna confirmed as host city for the **artsVest** program
- ▶ \$130,000 grant from the Department of Canadian Heritage



## SUSTAINABLE CITY

- ▶ **Infrastructure Planning**
  - ▶ \$100,000 grant received for Knox Mountain Apex Trail
- ▶ **Design & Construction**
  - ▶ Sidewalk constructed from Birch Ave. to Christleton Ave.
  - ▶ City staff completing landscaping of the H<sub>2</sub>O parking lot



## SUSTAINABLE CITY

- ▶ Manteo properties
  - ▶ Approval of redevelopment
  - ▶ The final concept includes three phases of development
  - ▶ Phase 1 will take place on the 'Lakeshore Inn' property
  - ▶ Phase 2 and 3 are long term phases



## SUSTAINABLE CITY

- ▶ Development
  - ▶ 40 permits issued for single family dwellings
  - ▶ 7 permits issued for new townhouse developments
  - ▶ 99 new lots were created in comparison to 14 last year
  - ▶ 31 new applications for subdivisions
  - ▶ 97 new development applications

	2011	2012	2013
Building Permits	\$64.9m	\$64.3m	\$60.1m
Development Applications	90	107	97

## SUSTAINABLE CITY

- ▶ Sustainable Community Award received for Corporate Climate Action Plan
- ▶ **Policy & Planning**
  - ▶ Social Framework endorsed by Council



# FIRST QUARTER REPORT

▶ [kelowna.ca/connect](https://kelowna.ca/connect)



# Report to Council



**Date:** April 4, 2013  
**Rim No.** 0220-20  
**To:** City Manager  
**From:** Genelle Davidson, Financial Planning Manager  
**Subject:** Amendment #1 to Five Year Financial Plan, 2012-2016  
Report Prepared by: Debra Hutton, Accountant

---

## **Recommendation:**

THAT Council direct staff to amend the Five Year Financial Plan 2012-2016 Bylaw No. 10688 as required by the Community Charter, to reflect changes in the Operating Budget and Capital Expenditure Program for 2012;

AND THAT Bylaw No. 10835 being Amendment No. 1 to the Five Year Financial Plan 2012-2016 Bylaw No. 10688 be advanced for reading consideration;

## **Purpose:**

To amend the Five Year Financial Plan as required by the Community Charter so that it includes the authorized transfers and amendments that occurred throughout the year.

## **Background:**

The City of Kelowna, in order to comply with section 165(1) of the Community Charter (Financial Management), amends the financial plan to provide for expenditures required after adoption of the Five Year Financial Plan Bylaw. These expenditures, in all cases, do not impact taxation demand but rather result in the shift of funding from one source to another and/or shifts in expenditures within, or from, one municipal purpose area to another.

The amended financial plan is impacted on a departmental basis by contingency fund transfers, disbursements of Other Working Capital, transfers from the City Manager's training account and other transfers as permitted under the Budget Amendment Policy #262 and Budget Transfer Policy #261, which are excluded from the analysis below.

The attached Schedule A reflects the following material amendments and transfers that are being brought before Council for the first time:

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### Real Estate & Building Services

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Transfer \$84,220 in Building Services from wages to salaries account to accommodate the Arena Stadium Supervisor position change from a foreman to a management position.

Combine Hot Sands Beach Concession Renovation budget of \$175,000 with the City Park Washroom Building project.

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### Civic Operations

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#### **General Fund**

Reduce DCC Reserve funding by \$181,100 on the Hwy 33 project for 2012. The City paid for works in 2011 on behalf of the Province and the City portion was reduced in 2012.

Remove carryover grant funding of \$127,060 from Sutherland Ave multi-use corridor project because grant funding for this project ended in the fall of 2011.

Increase budget for the Community Theatre sound system upgrade due to a federal grant of \$130,000.

Increase Provincial funding (\$2,743,110) and Gas Tax funding (\$321,530) for the transit improvements in Rutland, Pandosy and Orchard Park.

Move budget of \$90,430 from Parkland Acquisition to Glenmore Recreation Park for additional legal and survey costs.

Combine Shepherd Road Extension and Rutland Centre Streetscaping projects budgets totaling \$512,670 with Rutland Transit Improvements. All is related to Rutland Town Centre improvements.

#### **Electrical Fund**

Significant emergency electrical repairs have resulted in more costs than originally predicted, so additional funding of \$113,690 was transferred from within this electrical fund.

#### **Wastewater Fund**

Add \$212,530 in developer funding for the upgrade to the Wilson Lift Station.

Combine the Lanes N of Burne budget of \$342,310 with the Lane N of Sutherland Pipe Replacement in order to manage them as one project.

There are additional costs of \$275,000 associated with the Wastewater Treatment Plant Upgrade. Funds were transferred from several Wastewater projects that had been completed under budget. The total capital cost of the project was under budget, however, the 2012 carryover requirement was under estimated.

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### Other Departments

---

Remove budget of \$175,000 for Low Carbon Economic Development Zones & Form-based Codes project. The project has been cancelled due to staffing constraints.

Reduce mortgage budget by \$365,700 for property at 3717 & 3723 Casorso Rd to reflect actual principal and interest payments required.

Purchase fire truck for Airport ahead of the scheduled 2013 timeline due to a used vehicle becoming available at a greatly reduced price of \$175,000. Funding is from the Airport & Airside reserve.

A position in Regional Services was not filled and instead, the work has been done on a contract basis. Budget of \$105,000 was moved from Salaries to Consulting.

Insurance proceeds of \$510,560 were received for the Pavilion Fire, which included demolition costs, contents replacement, extra expense to maintain business operations and planning for replacement of space and functionality.

Transfer \$296,480 within Communications to reorganize and re-class various positions.

This amendment is being presented for Council to approve the changes to the 2012 Financial Plan that have occurred since Final budget was approved in May of 2012.

**Legal/Statutory Authority:** Community Charter section 165.

**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:

G Davidson, Financial Planning Manager

Approved for inclusion:



K. Grayston, Director of Financial Services

## Financial Plan 2012 - 2016

	<u>2012 Amended Budget</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017-2030</u>
<b>REVENUE</b>							
PROPERTY VALUE TAX	99,498,000	99,498,000	105,886,994	111,174,332	116,638,496	122,904,899	2,239,132,149
LIBRARY REQUISITION	5,085,447	5,085,447	5,187,156	5,290,899	5,396,717	5,504,651	100,286,010
PARCEL TAXES	3,512,905	3,512,905	3,280,944	3,303,992	3,295,340	3,246,223	50,711,981
FEES AND CHARGES	121,103,255	121,103,255	124,359,469	129,814,920	134,563,666	139,738,151	2,276,828,741
BORROWING PROCEEDS	8,291,150	8,291,150			20,000,000	20,000,000	60,000,000
OTHER SOURCES	61,813,561	59,349,390	43,407,222	46,292,705	49,669,582	47,231,326	720,499,865
	<u>299,304,318</u>	<u>296,840,147</u>	<u>282,121,785</u>	<u>295,876,849</u>	<u>329,563,802</u>	<u>338,625,250</u>	<u>5,447,458,745</u>
<b>TRANSFERS BETWEEN FUNDS</b>							
RESERVE FUNDS	13,303,561	5,950,445	4,394,485	4,395,505	4,396,545	5,114,061	79,891,036
DCC FUNDS	26,689,618	27,294,946	26,436,040	20,561,393	20,474,950	22,037,929	285,399,008
SURPLUS/RESERVE ACCOUNTS	91,306,126	88,804,089	32,521,201	29,568,493	20,041,446	15,925,346	209,015,236
	<u>131,299,305</u>	<u>122,049,480</u>	<u>63,351,726</u>	<u>54,525,391</u>	<u>44,912,941</u>	<u>43,077,335</u>	<u>574,305,280</u>
<b>TOTAL REVENUE</b>	<u><u>430,603,623</u></u>	<u><u>418,889,627</u></u>	<u><u>345,473,510</u></u>	<u><u>350,402,240</u></u>	<u><u>374,476,743</u></u>	<u><u>381,702,586</u></u>	<u><u>6,021,764,025</u></u>
<b>EXPENDITURES</b>							
<b>MUNICIPAL DEBT</b>							
DEBT INTEREST	10,452,941	10,452,941	10,151,048	9,978,757	10,057,456	10,877,447	92,834,058
DEBT PRINCIPAL	13,633,810	13,633,810	12,893,692	11,233,095	11,432,268	12,884,729	102,500,333
CAPITAL EXPENDITURES	161,756,610	150,869,270	75,748,705	71,462,155	88,848,004	84,319,294	1,161,838,505
<b>OTHER MUNICIPAL PURPOSES</b>							
GENERAL GOVERNMENT	27,131,505	28,630,602	28,944,402	29,662,001	30,367,672	31,087,181	535,521,759
PLANNING, DEVELOPMENT & BUILDING SERVICES	21,973,169	21,623,371	19,118,995	19,697,734	20,287,805	20,889,430	359,850,708
COMMUNITY SERVICES	67,773,769	67,658,381	68,999,945	71,193,133	73,366,323	75,482,023	1,300,287,250
PROTECTIVE SERVICES	42,580,591	41,285,932	44,488,519	47,431,215	49,935,351	52,104,657	897,578,246
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	<u>401,805,055</u>	<u>390,091,059</u>	<u>316,719,041</u>	<u>319,258,585</u>	<u>345,237,745</u>	<u>351,209,683</u>	<u>5,545,408,774</u>
<b>TRANSFERS BETWEEN FUNDS</b>							
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DCC FUNDS							
SURPLUS/RESERVE ACCOUNTS	18,174,702	18,174,702	18,030,568	20,324,753	18,429,597	19,671,702	307,308,181
	<u>28,798,568</u>	<u>28,798,568</u>	<u>28,754,469</u>	<u>31,143,654</u>	<u>29,238,998</u>	<u>30,492,903</u>	<u>476,355,250</u>
<b>TOTAL EXPENDITURES</b>	<u><u>430,603,623</u></u>	<u><u>418,889,627</u></u>	<u><u>345,473,510</u></u>	<u><u>350,402,240</u></u>	<u><u>374,476,743</u></u>	<u><u>381,702,586</u></u>	<u><u>6,021,764,025</u></u>

**Bylaw No. 10835  
Schedule "B"  
Statement of Objectives and Policies**

In accordance with Section 165(3.1) of the *Community Charter*, municipalities are required to include in the Five Year Financial Plan, objectives and policies regarding each of the following:

- (a) For each of the funding sources described in Section 165(7) of the *Community Charter*, the proportion of total revenue that is proposed to come from that funding source;
- (b) The distribution of property value taxes among the property classes that may be subject to taxes; and
- (c) The use of permissive tax exemptions.

**Funding Sources**

Table 1 shows the proportion of total revenue proposed to be raised from each funding source in 2012. Property taxes and fees and charges are two of the largest sources of revenue. Both have advantages in that they are stable, relatively simple to administer and are generally understood by citizens. The City of Kelowna also utilizes funds from reserves and surplus as another main source of financial support. Reserve funds are closely managed to ensure and protect the current and future financial viability of the municipality. Other sources of revenue may be variable and fluctuate from year to year depending on the economic influences and capital programs undertaken by the City.

Objectives

- Investigate other potential funding sources and securing opportunities for additional revenues.
- Begin to decrease the municipality's reliance on property taxes and explore opportunities to increase the percent of total revenue received from user fees and charges and senior government grants.
- Maintain a fees and charges structure whereby increases are applied on a regular basis in line with inflation, while ensuring that service levels remain competitive and affordable.

Policies

- Pursue non-property tax revenues whenever possible through applying for government grants and charging user fees at appropriate levels.
- Perform regular reviews of revenue generating areas for appropriate application of rate increases.
  - Planning and Development Fees.
  - Recreation & Cultural Services - application of BC Consumer Price Index.
  - Utility Revenues - ensure Utilities operate as self supporting enterprise funds.
- Increase provincial and federal grant revenue through maximum utilization of the City's Grant Manager position.

**Table 1: Sources of Revenue**

Revenue Source	Revenue \$ (000's)	% of Revenue
Property Value Tax	99,498	24%
Library Requisition	5,085	1%
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Other Sources	59,324	14%
Reserve Funds/Accounts	122,049	29%
<b>Total</b>	<b>418,890</b>	<b>100%</b>

## Distribution of Property Tax Rates

Table 2 outlines the council approved municipal tax distribution policy for 2012 and the relative proportion of tax revenues. Projected revenues from the combined residential, recreational and Non-Profit classes, provides the largest proportion of property tax revenue. This cumulative class represents the largest tax assessment base and hence utilizes the majority of City services.

### Objectives

- Provide an effective tax change that is the same for all property classes.
- Ensure that business and light industry property tax ratios remain below the average of BC municipalities with populations greater than 75,000.
- Allow for a maximum ratio cap of 3.00:1 for the Light Industrial/Business class.

### Policies

- Council will annually review and modify tax class ratios to provide an effective tax change that is the same for all classes.
- The impacts on other property classes from administering a ratio cap on the Light Industrial/Business classes will be reported to Council during the annual Tax Distribution Policy review.
- Regularly review and compare the City's relative position in terms of distribution of taxes to other similarly sized municipalities in British Columbia.

**Table 2: Tax Class Ratios and Projected Revenues**

Property Class	Description	2012 Tax Class Ratios	Tax Revenue (000's)	2011 Tax Class Ratios
01/08/03	Res/Rec/NP/SH	1.0000:1	69,264	1.0000:1
02	Utilities	5.3811:1	470	5.6660:1
04	Major Industrial	3.1155:1	351	3.3237:1
05/06	Light Ind/Bus/Other	2.1905:1	29,017	2.3714:1
09	Farm Land	0.1363:1	10	0.1493:1
91	Farm Improvements	0.5003:1	386	0.5174:1
	<b>Total Revenues</b>		<b>99,498</b>	

## Permissive Tax Exemptions

The City has an existing permissive tax exemption policy which guides the administration and approval of permissive tax exemptions. Some of the eligibility criteria for permissive tax exemptions that are outlined in the policy include the following:

- The applicant must qualify for an exemption under the provisions of the Community Charter.
- The organization receiving an exemption must be a registered non-profit society or registered charity, as the support of the municipality will not be used for commercial and private gain.
- The tax exemption must demonstrate benefit to the community and residents of the City by enhancing the quality of life (spiritually, educationally, socially and culturally), while delivering services economically to the citizens within the community.

The value of tax exemptions provided by Council for 2012 (based on 2011 assessment totals and tax rates) is \$4,238,321. The following breaks down the total into various exemption categories and the exemption value for the category:

Schedule A - Places of Worship - \$621,524

Schedule B - Private schools - \$508,164  
Schedule C - Hospitals - \$ 1,696,197  
Schedule D - Special Needs Housing - \$ 67,743  
Schedule E - Social Services - \$202,585  
Schedule F - Public Park, Athletic or Recreational - \$ 806,094  
Schedule G - Cultural - \$275,660  
Schedule H & I - Partnering, Heritage or Other Special Exemptions Authority - \$60,354

In order to encourage the restoration and preservation of commercial, industrial and institutional building, properties that meet the criteria outlined in the Heritage Building Tax Incentive Program policy can receive a tax exemption.

The establishment of the Revitalization Tax Exemption policy allows qualifying properties within the Downtown Urban Centre and Rutland Urban Centre areas to receive a tax exemption.

#### Objectives

- Continue to provide permissive tax exemptions to support qualifying organizations that improve the well-being of the community.
- The municipality will continue to provide heritage and revitalization tax exemptions for qualifying properties.

#### Policies

- Permissive tax exemptions will be considered to encourage activities that: (a) are consistent with the quality of life objectives of the municipality; (b) provide direct access and benefit to the public; and (c) would otherwise be provided by the municipality.
- To meet the city's commitment to the ongoing restoration, preservation and maintenance of buildings and structures on its Heritage Register, eligible properties will be considered for a tax exemption.
- To support the city's revitalization program of the Downtown Urban Centre and Rutland Urban Centre, qualifying properties will be considered for a tax exemption.



# CITY OF KELOWNA

## BYLAW NO. 10835

### Amendment No. 1 to the Five Year Financial Plan 2012-2016 Bylaw No. 10688

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

1. THAT the Five Year Financial Plan 2012-2016 Bylaw No. 10688 be amended by:
  - a) Deleting Schedules "A" and "B" in their entirety and replacing with them new Schedules "A" and "B" as attached to and forming part of this bylaw;
2. Schedule "A" attached hereto and forming part of this bylaw is hereby declared to be the Five Year Financial Plan of the City of Kelowna for the period January 1<sup>st</sup>, 2012 to and including December 31<sup>st</sup>, 2016.
3. Schedule "B" attached hereto and forming part of this bylaw is hereby declared to be the Statement of Objectives and Policies in accordance with Section 165 (3.1) of the *Community Charter*.
4. This bylaw may be cited for all purposes as Bylaw No. 10835 being "Amendment No. 1 to the Five Year Financial Plan Bylaw, 2012-2016, No. 10688."

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

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

## Financial Plan 2012 - 2016

	<u>2012 Amended Budget</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017-2030</u>
<b>REVENUE</b>							
PROPERTY VALUE TAX	99,498,000	99,498,000	105,886,994	111,174,332	116,638,496	122,904,899	2,239,132,149
LIBRARY REQUISITION	5,085,447	5,085,447	5,187,156	5,290,899	5,396,717	5,504,651	100,286,010
PARCEL TAXES	3,512,905	3,512,905	3,280,944	3,303,992	3,295,340	3,246,223	50,711,981
FEES AND CHARGES	121,103,255	121,103,255	124,359,469	129,814,920	134,563,666	139,738,151	2,276,828,741
BORROWING PROCEEDS	8,291,150	8,291,150			20,000,000	20,000,000	60,000,000
OTHER SOURCES	61,813,561	59,349,390	43,407,222	46,292,705	49,669,582	47,231,326	720,499,865
	<u>299,304,318</u>	<u>296,840,147</u>	<u>282,121,785</u>	<u>295,876,849</u>	<u>329,563,802</u>	<u>338,625,250</u>	<u>5,447,458,745</u>
<b>TRANSFERS BETWEEN FUNDS</b>							
RESERVE FUNDS	13,303,561	5,950,445	4,394,485	4,395,505	4,396,545	5,114,061	79,891,036
DCC FUNDS	26,689,618	27,294,946	26,436,040	20,561,393	20,474,950	22,037,929	285,399,008
SURPLUS/RESERVE ACCOUNTS	91,306,126	88,804,089	32,521,201	29,568,493	20,041,446	15,925,346	209,015,236
	<u>131,299,305</u>	<u>122,049,480</u>	<u>63,351,726</u>	<u>54,525,391</u>	<u>44,912,941</u>	<u>43,077,335</u>	<u>574,305,280</u>
<b>TOTAL REVENUE</b>	<u><u>430,603,623</u></u>	<u><u>418,889,627</u></u>	<u><u>345,473,510</u></u>	<u><u>350,402,240</u></u>	<u><u>374,476,743</u></u>	<u><u>381,702,586</u></u>	<u><u>6,021,764,025</u></u>
<b>EXPENDITURES</b>							
<b>MUNICIPAL DEBT</b>							
DEBT INTEREST	10,452,941	10,452,941	10,151,048	9,978,757	10,057,456	10,877,447	92,834,058
DEBT PRINCIPAL	13,633,810	13,633,810	12,893,692	11,233,095	11,432,268	12,884,729	102,500,333
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- To meet the city's commitment to the ongoing restoration, preservation and maintenance of buildings and structures on its Heritage Register, eligible properties will be considered for a tax exemption.
- To support the city's revitalization program of the Downtown Urban Centre and Rutland Urban Centre, qualifying properties will be considered for a tax exemption.

# Report to Council



**Date:** April 9, 2013  
**Rim No.** 1340-20  
**To:** City Manager  
**From:** B. Davidson, Parks Planner, Infrastructure Planning  
**Subject:** Request for Financial Assistance - Friends of the South Slopes

---

## **Recommendation:**

THAT Council receives, for information, the report from the Parks Planner dated April 9, 2013 with respect to a request for financial assistance - Friends of the South Slopes;

AND THAT Council support Option 2 as outlined in the report of the Park Planner dated April 9, 2013;

AND FURTHER THAT Council approve a one-time grant in the amount of \$ 5,000 for the Friends of the South Slopes as a one-time exception to the Partners-in-Parks Program guidelines, in order to support the Friends of the South Slopes efforts to facilitate public access to trails on private land that connect to Myra-Bellevue Provincial Park.

## **Purpose:**

The purpose of this report is to obtain Council direction to allow staff to respond to an unsolicited request from the Friends of the South Slopes (FOSS) to secure public access on a number of trail corridors on private land in the Southwest Mission neighbourhood adjacent to Myra-Bellevue Provincial Park.

## **Background:**

The Friends of the South Slopes (FOSS) maintains the trail network in Myra-Bellevue Provincial Park in partnership with the Province. FOSS has a desire to secure public trail corridors outside of the Park that provide additional connections. The FOSS Board has approached the City with a request to explore the possibility of entering into a trail agreement with private property owners (attachment 2).

The FOSS proposal is to partner with the City and several land owners in exchange for FOSS maintaining the trails for public use on private land under the liability insurance coverage of the City. FOSS would undertake trail maintenance to the same standards as the maintenance that they already provide within the Provincial Park. This proposal would require three-way Trail Licensing Agreements.

FOSS has also suggested a possible alternative model whereby the City would provide a one-time grant to FOSS which would enable FOSS to provide the required insurance coverage and

to enter into agreements directly with the landowners. This would remove the City of Kelowna from direct participation. Similar types of agreements have been executed by other Okanagan communities including a recent two way agreement between the Regional District of the Okanagan Similkameen (RDOS) and private land owners.

Staff recognizes the valuable contribution that FOSS provides to residents of Kelowna. This proposal would benefit Kelowna residents and supplement the existing trail system from the City's Canyon Falls Park along the route of the future Bellevue Creek Greenway. Formalizing these trails would provide residents with better access to Myra-Bellevue Provincial Park and the Crawford Trail system. The City's Linear Park Master Plan outlined the need for these trails with the acquisition strategy of securing them at the time of future subdivision development. If the property owners are supportive, the FOSS proposal would advance these trails for public use today.

FOSS is advocating that the property owners would voluntarily agree to the arrangement and would not require any remuneration.

There are three (3) possible ways to proceed with the FOSS request:

1) Three-way Trail Licensing Agreement Option

This option would require that the City negotiate directly with affected land owners (see Attachment 1).

FOSS would be responsible for trail maintenance which would include tasks such as regular trail inspections, general repair and upkeep, litter removal, sign installation and maintenance, and removal of hazardous conditions including trees. If FOSS defaults on maintenance, the responsibility would rest with the City.

One parcel identified by FOSS forms part of the provincial park trail network and City staff feel that the responsibility to secure these trail corridors should rest with the Province. An additional consideration with respect to this parcel is that it does not currently have legal road frontage and the owner could potentially demand that the City provide road frontage in exchange for allowing public access on the trails that bisect their property. Providing legal road frontage will be a challenge for the City because all adjacent properties to the north that front onto an existing road have already been developed, and the remaining three sides of the property are surrounded by Myra-Bellevue Provincial Park.

Public access could be accommodated by staff negotiating three-way Trail Licensing Agreements with affected property owners, excluding negotiations with the property owner of the above-noted landlocked parcel. Staff estimates the cost would be approximately \$6,000 for staff time, negotiations with property owners and legal counsel.

2) One-time Grant Option

With a one-time grant from the City, FOSS could have legal agreements prepared, secure appropriate liability insurance coverage and remove the need for direct City involvement. FOSS would then be able to negotiate with the owner of the landlocked

parcel. If FOSS defaulted on trail maintenance, the City would not be required to take on this responsibility. This option would be the least costly with FOSS suggesting that approximately \$5000 would be required for them to secure additional liability insurance coverage and prepare legal documents.

### 3) Secure Statutory Rights-of-way Option

Statutory rights-of-way for public access on existing trail corridors located on private land could be secured and the City could enter into Trail Maintenance Agreements with FOSS. This option would allow the greatest level of protection for the trail corridors long term. If FOSS defaults on trail maintenance, the responsibility would rest with the City. Option 3 would have the most significant costs as a legal surveyor would be required to survey the trails, prepare SROW drawings and have them registered with the Land Titles Office. In addition, possible compensation would be required for the landowners as well. Staff do not recommend this option due to the high cost and fact that SROW's are best achieved through future subdivision applications as requirements of development.

Staff recommend pursuing Option 2 - the Grant Option, as the City will not be directly involved in negotiations with private landowners, less staff time will be required and the City would not be obliged to assume maintenance responsibilities should FOSS default.

#### **Internal Circulation:**

Acting General Manager, Community Sustainability  
Manager, Property Management, Real Estate and Building Services  
Manager, Parks and Public Places, Infrastructure Planning  
Manager, Parks Services  
Risk Manager, Corporate Services  
Council Services Supervisor, Legislative Services

#### **Financial/Budgetary Considerations:**

Funding could be provided from the Partners-in-Parks program (operating budget 1119-08). However, it should be noted that Option 2 requires a one-time exception to use this fund as normal City policy for Partners-in-Parks stipulates that the projects must be located on City land.

The funding will only be provided to FOSS should they reach an agreement with the property owners.

#### **Existing Policy:**

OCP Chapter 7 Objective 7.15 Develop park partnerships.

#### **Considerations not applicable to this report:**

Legal/Statutory Authority:  
External Agency/Public Comments:  
Communications Comments:  
Personnel Implications:  
Legal/Statutory Procedural Requirements:

Submitted by:

B. Davidson, Parks Planner, Infrastructure Planning

Approved for inclusion:

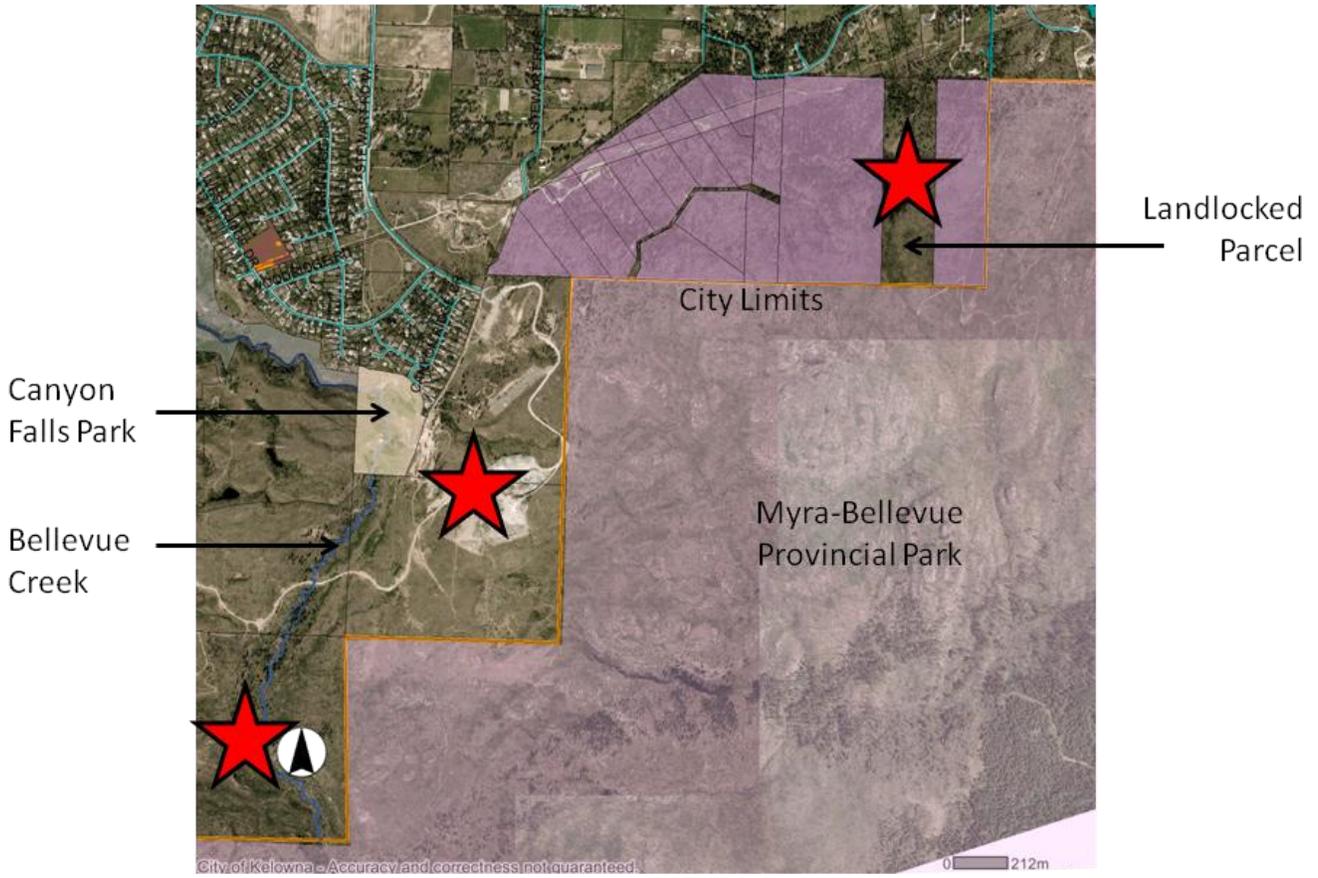


S. Bagh, Acting Director, Infrastructure Planning

Attachments: Attachment 1: FOSS Properties of Interest  
Attachment 2: FOSS letter of request

cc: General Manager Community Services  
Director, Civic Operations  
Acting General Manager, Community Sustainability  
Acting General Manager, Corporate Sustainability  
Acting Director, Real Estate and Building Services

Attachment 1: FOSS Properties of Interest



FOSS - Areas of Interest

## Attachment 2: FOSS letter of request



Barb Davidson  
Parks Planner, Infrastructure Planning  
City of Kelowna  
1435 Water Street  
Kelowna, BC  
V1Y 1J4

April 2, 2013

Dear Ms Davidson:

In order to facilitate public access to trails located on private property, the Friends of the South Slopes Society (FOSS) is requesting that the City of Kelowna provide a one-time funding of \$5,000 to be used towards this endeavour. The subject properties are adjacent to the Myra-Bellevue Provincial Park. Several major and well used trails cross these properties. Presently the property owners have not taken any steps to prevent public use of the trails however they would be entitled to do so at any time.

As there is no agreement in place between FOSS and the property owners at this time, FOSS cannot provide the sufficient trail maintenance needed for safe use by the public and to insure long-term sustainability of the trail network itself. Further, FOSS must omit important sections of trails on the park maps and on those sold at retailers. These omissions create frustration for residents and visitors alike when trying to navigate the over 100 km of trails in the park. BC Parks estimates over 100,000 park user visits for Myra-Bellevue Provincial Park each year.

The funding would be used to create a suitable trail use agreement with each property owner and to comply with the insurance stipulations as may be required. Further related costs include new signage at various locations along the trails and equipment rental costs. All labour will be provided by FOSS volunteers.

Regards,

**Ken Wiklund**  
President  
FOSS-Kelowna  
Box 28011 RPO East Kelowna  
Kelowna, BC  
V1W 4A6

250-764-2552

# Report to Council



**Date:** April 4, 2013  
**Rim No.** 1200-40  
**To:** City Manager  
**From:** Lauren Sanbrooks, Planner, Policy and Planning  
**Subject:** Downtown Plan Annual Update

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## **Recommendation:**

That Council, receive, for information, the April 4, 2013 report from the Policy and Planning Department with respect to an annual update on the Downtown Plan.

## **Purpose:**

To provide Council with an annual update on the initiatives and the indicators included in the 2012 Council Endorsed Downtown Plan, *My Downtown*.

## **Background:**

On February 27, 2012, City Council endorsed *My Downtown*, the Downtown Plan<sup>1</sup> which contains a strategy and 10 year action plan towards achievement of a long term (25 year) vision. The Downtown Plan (the Plan) applies to the area west of Richter Street, between Harvey Avenue and Clement Avenue as shown on Schedule "A" attached to this report. It is important to note that the creation of the Plan and the action items involved in the Plan involved a number of key internal and external stakeholders, including: Council, the Chamber of Commerce, the Downtown Kelowna Association (DKA), the RCMP and a number of City Departments, and they continue to remain important champions of the Plan.

The Plan identifies and prioritizes 25 project initiatives (action items) while acknowledging that not all of these projects are included in the City's 10 Year Capital Plan and that timing for these projects will be dependent on future budget considerations or external funding sources. As noted on page 52 of the Plan, the initiatives pursued over the life of the Plan may change in response to evolving opportunities. Thus the success of the Plan is not determined purely on the number of action plan initiatives ultimately pursued; a better indicator is the degree to which the goals, as noted in the Plan, have been achieved.

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<sup>1</sup> [2012 Downtown Plan](#)

The three goals listed in the Plan are;

1. Attract people to Downtown;
2. Increase sense of safety; and
3. Attract private sector development.

To monitor progress towards these goals, it was recommended in the Plan that the indicators that were established be monitored annually. Included in Schedule “B” attached to this report is the list of indicators that were refined in 2013 to reflect information that is meaningful and readily available. In order to finalize the indicators, staff from Policy and Planning worked with staff from Recreation and Cultural Services, Police Services and the Downtown Kelowna Association (DKA).

Noted in Schedule “C” attached to this report are the project initiatives that were identified for commencement or completion in 2012 and 2013. These can also be found on pages 22 to 35 of the Downtown Plan.

Due to time restrictions and other priorities, some initiatives scheduled for 2012 and 2013 have been deferred to a later date. Refer to Schedule “C” for deferred dates.

In addition to the initiatives and indicators noted above, the Downtown Area has had a number of other successes in 2012 and 2013. These successes include, but are not limited to:

- The Bernard Avenue Revitalization:
  - Phase 1A - Bernard Ave. utilities from Ellis Street to just west of St. Paul St. complete (streetscaping September to December 2013)
  - Phase 1B - Bernard Ave. from Richter St. to just west of St. Paul Street complete
  - Phase 2 - Bernard Ave. from Abbott St. to Pandosy St. underway
  - Installation of public art components to be completed by December 2013.
- Revised terms for the Bernard Avenue Sidewalk Program were endorsed by Council on March 25, 2013. The changes to the Program were in response to the opportunities offered by the wider sidewalks as a result of the revitalization of the street;
- The proposed centralization of the Interior Health Administration building downtown which will bring nearly 1000 people into the area; riding transit, supporting businesses and possibly choosing to live in the neighbourhood;
- The development approval of the Worman Commercial building at 265 Lawrence Avenue which took advantage of the changes to the Revitalization Tax Exemption program. Construction is well underway;
- The addition at the Streaming Café at 596 Leon Avenue. Construction is well underway; and
- A Text Amendment to the Zoning Bylaw, to support a craft brewing operation on the Delta Grand property, received second and third reading on February 26, 2013 with final reading of the zone amending bylaw imminent.

A number of financial incentives are in place to support and stimulate downtown development. These incentives include lowered Development Cost Charges (DCCs) which are 29% lower than rates in other parts of the City (see Bylaw No. 10515), lower parking requirements, cash in lieu of parking provisions (see Bylaw No. 8125), rental housing grants, the Revitalization Tax Exemption Program (see Bylaw No. 9561), the Heritage Tax Incentive Program (see Council Policy 318) and the Heritage Grants Program (City of Kelowna funded, managed by the Central Okanagan Heritage Society).

The Downtown Prospectus map (see Schedule “D”) highlights the activities and opportunities within in the downtown including the Plan area.

As noted in the beginning of the report, the data for the indicators had to be meaningful and based on data that would be readily available on an annual basis. The first set of data that will be collected in 2013 is for the 2012 year. The second set of data that will be collected in 2014 is for the 2013 year. This being said, the first two year trend analysis for all indicators will be available in 2015.

The following supporting documents are attached to this report:

- Schedule A - Downtown Plan boundary map
- Schedule B - Downtown Plan Indicators
- Schedule C - 2012 and 2013 Downtown Plan Initiatives
- Schedule D - Downtown Prospectus map

**Internal Circulation:**

General Manager, Community Sustainability  
General Manager, Community Services  
General Manager, Corporate Sustainability  
Director, Executive Director of Business Development  
Director, Civic Operations  
Director, Regional Services  
Director, Real Estate and Building Services  
Director, Infrastructure Planning  
Director, Design and Construction  
Director, Community and Media Relations  
Director, Corporate Services  
Director, Recreation and Cultural Services  
Manager, Parks & Public Places  
Manager, Park & Public Space Projects  
Manager, Cultural Services  
Manager, Sport & Event Development  
Manager, Long Range Planning  
Manager, Community Planning  
Manager, Electrical Administrative  
Urban Forestry Supervisor, Park Services  
City Clerk

**Existing Policy:**

Direction for Downtown is provided by the Downtown Plan (2012) and more generally speaking by the Official Community Plan, which includes policy and design guidelines applicable to the Downtown.

**Considerations not applicable to this report:**

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

Submitted by:

L. Sanbrooks, Planner

Approved for inclusion:



S. Gambacort, Acting Director, Policy and Planning

Attachments:

- Schedule A - Downtown Plan boundary map
- Schedule B - Downtown Plan Indicators
- Schedule C - 2012 and 2013 Downtown Plan Initiatives
- Schedule D - Downtown Prospectus map

cc:

General Manager, Community Sustainability  
General Manager, Community Services  
General Manager, Corporate Sustainability  
Director, Executive Director of Business Development  
Director, Civic Operations  
Director, Regional Services  
Director, Real Estate and Building Services  
Director, Infrastructure Planning  
Director, Design and Construction  
Director, Community and Media Relations  
Director, Corporate Services  
Director, Recreation and Cultural Services  
Manager, Parks & Public Places  
Manager, Park & Public Space Projects  
Manager, Cultural Services  
Manager, Sport & Event Development  
Manager, Long Range Planning  
Manager, Community Planning  
Manager, Electrical Administrative

Manager, Theatre  
Community Police Coordinator, Police Services  
Aquatics Coordinator, Sport & Facility Programs  
Urban Forestry Supervisor, Park Services  
City Clerk

## PROJECT SCOPE

The Downtown Plan (2012) contains a strategy and 10 year action plan towards achievement of a long term (25 year) vision.

The implementation strategy relates primarily to the area shown on Map 1 below within the Downtown Plan boundaries (purple line), but the downtown market is considered to be broader and includes those areas shown within the market boundaries (yellow line).

Map 1: Downtown Plan Boundary



Goals	Indicators  (tracked for Jan-Dec with exception of items marked with *, which will be tracked from Apr-Sept)	Desired Trend	Data (two year trend analysis available in 2015)	Proposed Data Source
<b>1. Attract people to downtown</b>	# outdoor <b>small</b> event permits provided by the City in downtown	Increase		City of Kelowna
	# outdoor <b>medium</b> event permits provided by the City in downtown	Increase		City of Kelowna
	# outdoor <b>large</b> event permits provided by the City in downtown	Increase		City of Kelowna
	# park rentals and sport field booking at City Park	Increase		City of Kelowna
	# events at the Community Theatre (Main Stage)	Increase		City of Kelowna
	# events at the Community Theatre (Black Box Theatre)	Increase		City of Kelowna
	# tournament bookings at Memorial Arena	Increase		City of Kelowna
	# hours of ice time at Memorial Arena	Increase		City of Kelowna
	# people using City Waterpark	Increase		City of Kelowna
	# people using Stuart Park	Increase		City of Kelowna
	# hours indoor city-owned cultural spaces and facilities in the Downtown Core are in use as a percentage of the time they are available.	Increase		City of Kelowna
# of and attendance at city-funded cultural facilities, programs and events in the Downtown Core.	Increase		City of Kelowna	
<b>2. Increase Sense of Safety</b>	# of crimes against person (s)* ( <i>this category includes offences related to murder, robbery, assault and sexual assault</i> )	Decrease		RCMP
	# of offences against property* ( <i>this category includes offences related to break and enter, theft, possession of stolen property and fraud</i> )	Decrease		RCMP
	# of other criminal code violations* ( <i>this category includes offences related to prostitution, mischief, trespassing, weapons and breach/bail violations</i> )	Decrease		RCMP

# of controlled drugs and substance act violations*	Decrease		RCMP
# of liquor violations* (this category includes intoxication in a public place)	Decrease		RCMP
# of pedestrian injuries	Decrease		ICBC
# of cyclist injuries	Decrease		ICBC
Do downtown business owners feel safe?	Increase		DKA (Survey)
% of residents who feel that crime is the most important issue facing Kelowna	Decrease		City of Kelowna Citizen Survey (note this survey covers all of Kelowna and is not specific to the Downtown Area)

### 3. Attract private sector investment

Value of private sector residential building permits for new construction issued within plan boundaries (as a percentage of City total)	Increase		City of Kelowna
Value of private sector commercial building permits for new construction issued within plan boundaries (as a percentage of City total)	Increase		City of Kelowna
Value of building permits issued for renovations within plan boundaries (as % of City total)	Increase		City of Kelowna
% of owner occupied housing units	Increase		City of Kelowna (through BC Assessment data)

#### Event Size Criteria:

<b>Small Events (any one item)</b>	Up to 500 people (spectators and participants)
	Simple Site requirements
	No road closures requested
	Event takes place in one day
<b>Medium Events (any one item)</b>	500 to 2,000 people (spectators and participants)
	Road closure(s) with little impact.
	Traffic management plan to be implemented
	Event may be more than one day with set up & take down
	Special Occasion Liquor Licence associated with the event
<b>Large Events (any one item)</b>	Over 2,000 people (spectators and participants)
	Complex site requirements
	Road closure(s) with impact to traffic flow
	Traffic management plan to be implemented

	Event may take place over several days with additional days
	for set up & take down.

## 2012

Initiatives	Task for 2012 (or ongoing)	Status (complete, deferred, in progress or ongoing)	Summary
<b>Make downtown more pedestrian friendly</b>			
1. Remove truck traffic from Ellis St.	1a) Gather public and stakeholder feedback received on the Ellis/Gordon truck route arrangement.	In progress	Went to Council on 2012-11-19. Ongoing communication in 2013.
	1b) Assemble information on truck trip counts.	In progress	Went to Council on 2012-11-19. Ongoing communication in 2013.
	1c) Bring report to Council with information on the impacts of the current arrangements, the feedback received, and the impacts that would be associated with removing truck traffic from Ellis St.	In progress	Went to Council on 2012-11-19. Ongoing communication in 2013.
	1d) Should Council direct that Ellis Street remain as a truck route, revisit the issue should Tolko in the future no longer be attracting logging trucks.	In progress	Went to Council on 2012-11-19. Ongoing communication in 2013.
4. Plant more street trees	4a) Consider modern technology to increase soil volume and survival. Example: Structural soil.	Complete	Street trees have been included as a key feature in the design of Bernard Avenue with the provision of structural soils to promote tree health.
	4b) Offer advice on tree location to ensure tree success (soil volume is very important for long term survival.)	Complete	Street trees have been included as a key feature in the design of Bernard Avenue with the provision of structural soils to promote tree health.
	4d) Ensure that trees are appropriately budgeted for as part of future civic investments (streetscaping, pedestrian/cyclist connections, park additions etc.)	In progress	The provision of street trees has been included in the City's Subdivision Bylaw as a requirement for development. The road-way cross sections are under review and redevelopment by our Transportation Planning group which will ultimately provide details on how the trees will be provided for (e.g. boulevard widths, planting details & specs, etc.)
7. Expand and Improve Queensway Transit Exchange	7a) Expand Queensway Transit Exchange to the West. Improve the area to make it more pedestrian friendly. Add street trees.	In progress	The 2013 budget request includes preliminary funding for urban and facility design. Construction scheduled for 2014.

**Increase Activity Downtown**

9. Rebuild Kerry Park	9a) Design updated Kerry Park.	In progress	The site design for Kerry Park continues to develop as the design influences of Bernard Avenue, the public pier, and the Mill Street re-development are incorporated.
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**2012**

10. Stuart Park (Phase 2)	10b) Detail Design of Stuart Park (Phase 2.)	Complete	Detail design of the second phase of Stuart Park is complete. The design provides for a new riparian area and public waterfront promenade just like that in Phase 1. The design also provides for basic landscaping and pedestrian amenities of the upland area between the existing plaza/rink and the future yacht club development. The basic treatment proposed for this upland area is intended as an interim treatment, so that as the downtown grows and prospers there is a future opportunity to for the community to make an investment in the downtown waterfront that best meets the needs of that time.
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12. Build conference centre	12a) Encourage private sector preparation of a feasibility study.	In progress	Facilities gap analysis being proposed and possibly led by the Chamber.
	12b) Should a feasibility study support the viability of a conference centre, consider the role that City owned land could play in locating such a facility on a strategic downtown property.	Deferred	This is not a priority initiative of Staff and Council at this point in time. Should a third party bring this matter forward REBS will consider the proposal. At this time there is nothing in City land inventory that would be appropriate for the proposed use.

13. Build technology hub	13a) Continue meetings between Accelerate Okanagan, UBCO, the Federal Government the Central Okanagan Economic Development Commission, as well as the City to discuss the concept.	In progress	Accelerate Okanagan has been coordinating regular meetings with regard to the goal of significantly building the Technology Sector within the Central Okanagan. Those meetings include, the 3 levels of Government, Industry leaders, the EDC, UBCO and OC, as well as representatives from Penticton and Vernon. One of the components of that discussion has been the feasibility of an Innovation Centre. Acting in support of that feasibility assessment, City staff will pursue a high level assessment of potential sites for such a Facility. Other components of the Initiative would consider the determination of projected labor force needs to inform post secondary education as well as branding and marketing to 'get the story out' regarding the Regions Technology attributes.
	13b) Consider partner funding a Feasibility Study.	TBD	Working with partners, refer to 13a).
	13c) Assess some potential sites within the Downtown; both city-owned and / or privately owned sites of interest.	In progress	Per 13a)
	13d) Prepare a package of potential high profile Downtown sites and prepare market estimates of value for consideration as a part of the Feasibility assessment.	TBD	Per 13b)
14. Attract government and utility company office buildings	14a) Politically engage in discussions with MLAs, MPs and key CEOs.	Ongoing	Ongoing - MLAs, MPs and key CEOs were involved in the discussions regarding the relocation of the Interior Health Authority building.
	14b) Consider the role the City can play in providing incentives to the location of key office buildings (land, parking etc.)	In progress	Consideration for the use of surplus lands (including for government agencies), in the form of a partnership, is an ongoing effort conducted by REBS. REBS also acts as an advisor/broker to locate developments to the downtown on lands NOT owned by the City.

## 2012

15. Improve Signage	Design unique, authentic and visually appealing entrance signage for Downtown at Ellis St. and Harvey Avenue (Anchor Park.)	Deferred	Project post-poned until 2015.
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## Increase number of people living downtown

16. Provide financial incentives for affordable housing	16a) Continue to provide 10 year incremental tax exemptions for affordable housing located downtown.	Ongoing	Revisions to the Revitalization Tax Exemption Bylaw were endorsed by Council in 2012. This task is ongoing.
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	16b) Continue offering Rental Housing Grants.	Ongoing	This task will be ongoing and will be dependent on annual Council budget decisions. The rental housing program was expanded in 2012, in accordance with the Housing Strategy to include purpose built rentals. The City provided \$100,000 to Davara for the provision of 8 purpose built rental units in the Rutland Urban Centre.
	16c) Reduce minimum parking requirements for new multi-unit housing Downtown (consistent with recommendations of Housing Strategy.)	Ongoing	This task will be ongoing and will be dependent on annual Council budget decisions.
17. Provide land for affordable housing	17a) Identify which downtown city-owned land could be made available for affordable housing.	Ongoing	Staff is aware of what sites exist downtown. The focus in 2012 was on sites that have been identified for Central Green and Pleasantvale, which is in good proximity to downtown.
	17b) Promote the availability of land for the provision of affordable housing.	Ongoing	The effort on promoting sites was focused on Central Green and Pleasantvale, which are both in close proximity to downtown.

### Reduce Crime and Increase Safety

19. Provide indoor queuing space	19a) Encourage businesses serving marginalized populations to provide sufficient space for indoor queuing for services.	<i>Removal of this initiative is recommended.</i>	After further review, it is recommended that this initiative be removed. Although this initiative is probably within the City's business regulation authority, such a regulation would have to apply to all businesses that have its clientele line up on the side walk, such as the movie theatre, nightclubs etc.. We think removing all outside line-ups would be counterproductive in making the Downtown a vibrant place.
20. Increase police visibility	20a) Encourage very visible deployment of existing police resources, particularly during summer months (5 RCMP officers are assigned to downtown.)	Complete	A Police Resourcing Strategy was endorsed by Council on April 16, 2012, to increase the number of police officers to meet the identified deficiency of 21 members, over a 4 year period. This, plus additional police officers budgeted based on population growth, will assist in ensuring there is greater police presence in the downtown part of the city over this period of time.

2012			
22.Reduce thefts from vehicles	22a) Explore ICBC partnership to reduce vehicle theft in the Downtown core.	In progress	The Downtown Kelowna Association (DKA) is researching a similar program in Winnipeg. The DKA is also exploring possible funding options through ICBC.

**Make it easier to park**

23.Build parkade at the east end of downtown	23a) Complete a Parking Management Study to identify whether there is a need for an additional parkade.	In progress	Parking Management Study by Real Estate and Building Services scheduled for completion in 2013.
25.Increase supply of parking for people with disabilities	25a) Include assessment of supply and demand for parking for those with disabilities in the Terms of Reference for the Parking Management Study referenced elsewhere in this Action Plan.	In progress	To be accomplished following completion of Parking Management Study.
	25b) Designate additional spaces, as identified in Parking Management Study.	In progress	To be determined following 25a).

**2013**

Initiatives	Task for 2013 (or ongoing)	Status (complete, deferred, in progress or ongoing)	Summary
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3. Add streetscaping to Leon and Lawrence	3a) Add banners and flower baskets, and improve lighting along Leon/Lawrence. Undertake improvements in such a way that they will not later be 'throw-aways' when the full Streetscape Plan is implemented. Budget item here is for banners, flower baskets etc. Amount for lighting is covered in Action Item #18.	In progress	Six additional hanging baskets were installed in 2012 following a recommendation from Communities in Bloom. Infrastructure Planning coordinated the Leon Banner program through public art program, which was implemented by Communities in Bloom and Park Services, as a short-term intervention completed in 2012. Streetscaping on Leon and Lawrence (wider sidewalks, street trees, etc.) depends upon the decision for two-waying the roads. Under the existing conditions, very little streetscaping can be achieved due to the limited width of the road ROW. The streetscaping will not be completed in 2013. Date TBD.
4. Plant more street trees	4c) Initiate bylaw changes to require more trees to be planted when properties are redeveloped (see recommendations in Urban Forest Strategy).	In progress	Research in 2013 to determine feasibility and timing.

2013

6. Improve pedestrian/cyclist connections across highway	6a) Opportunity Analysis (to improve pedestrian/cyclist connections across the highway)  Identify which intersections will become the focus for pedestrian and cyclist connections.  An overpass is planned at Central Green, but it is also suggested that an improved pedestrian crossing (could be at-grade?) be provided somewhere roughly halfway between Central Green and the underpass at City Park (between Abbott Street and Water Street).	Deferred	Timing to be determined in 2013.
	6b) Conceptual Design Study for Central Green Overpass  (Note that this overpass will also support the Rapidbus Stations which will be constructed on Hwy 97 near Richter Street, in 2012/13.)	In progress	Scheduled around existing priorities and implementation will be subject to funding availability.

8. Create easy to use zoning and building codes to enable more pedestrian friendly construction	8a) Revise C7 Zone.	In progress	Scheduled for 2013.
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**Increase Activity Downtown**

10. Stuart Park (Phase 2)	10a) Add Promenade and add turf once building is removed.	In progress	This work is included in Stuart Park construction. See #10c, below.
	10c) Construction of Stuart Park (Phase 2.)	In progress	Construction tender scheduled for February 2013. Construction start scheduled for September 2013. Completion of riparian area and waterfront promenade scheduled for May 2014. Completion of parking lot and old Kelowna Yacht Club building site scheduled for August 2014.
11. Add public pier	11a) RFP for the public pier.	Complete	RFP for new Queensway Marina has closed and was awarded by Council (March 2012).
	11b) Build pier.	In progress	Construction commenced in Feb. 2013 and will be completed May 2013.
15. Improve Signage	15b) Build entrance signage.	Deferred	Project post-poned until 2015.

**Increase number of people living downtown**

16. Provide financial incentives for affordable housing	16a) Continue to provide 10 year incremental tax exemptions for affordable housing located downtown.	Ongoing	This task will be ongoing.
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**2013**

	16b) Continue offering Rental Housing Grants.	Ongoing	In 2013, Council approved \$504,000 in rental housing grants to 94 units in 4 buildings. Two of these were purpose-built rentals and were close to Downtown (one on Sutherland (16), the other on Brookside (68) in the Capri area.
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	16c) Reduce minimum parking requirements for new multi-unit housing Downtown (consistent with recommendations of Housing Strategy.)	Ongoing	This task will be ongoing and will be dependent on annual Council budget decisions.
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## Reduce Crime and Increase Safety

17. Provide land for affordable housing	17a) Identify which downtown city-owned land could be made available for affordable housing.	Ongoing	Policy and Planning is working with Real Estate and Building Services to identify partnership opportunities, existing and potential. Downtown sites that are City owned will be in the discussions as to their viability for housing. These are existing but the information is in need of updating.
	17b) Promote the availability of land for the provision of affordable housing.	Ongoing	P&P is working with REBS on the process for promoting downtown sites for affordable and other housing partnerships should opportunities arise in 2013.
18. Improve lighting	18a) Assess the lighting along the western portions of Leon and Lawrence Avenue and the Queensway Transit Terminal and provide adequate lighting that will address overall safety and also reduce criminal activity.	Complete	Electrical/street light department are going ahead with lighting improvements on Lawrence (between Abbott and Pandosy) as per Capital project this year.

## Make it easier to park

23. Build parkade at the east end of downtown	23b) Increase parking rates, as to be identified in Parking Management Study, to build up enough funds to allow for borrowing that would in turn allow for construction to commence.	Deferred	As part of the City's commitment to IHA, two new parkades will be built in the Ellis/Doyle area. Future parking infrastructure, beyond these parkades, and the associated funding will be determined through a parking strategy.
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### PROPOSED AND IN-PROGRESS PROJECTS

1. Manhattan II - 1040 Manhattan Drive 8 story Class A Office	Argus Properties
2. Proposed Lucaya Residential Tower - 1151 Sunset Drive Proposed 21 storey, 94 luxury condo units	Jingon International Development
3. Waterscapes (Future Phases) - Sales Centre 1133 Sunset Drive	Ledingham McAllister
4. Protective Services Building (RCMP) 2015 start / 2016 completion \$ 41.6M	City of Kelowna
5. Delta Grand Okanagan Resort - 1310 Water Street \$ 14M upgrade and renovation	Delta Hotels
6. Sole Residential Development - 1290 St. Paul Street Mixed Use - 40 residential units, 13,300 sq.ft. commercial	Edgcombe Buildings
7. New Kelowna Yacht Club Building - 1360 Water Street 24,000 sq. ft. clubhouse	Kelowna Yacht Club
8. Library Parkade Expansion - 1360 Ellis Street \$ 3.5M, commercial frontage available (completion 2013)	City of Kelowna
9. Proposed Monaco Development - St. Paul Street 19 and 30 story residential towers 161 residential units, 128 hotel suites, 80,700 sq.ft. commercial	Premier Pacific Group
10. New Interior Health Headquarters - Ellis Street 150,000 sq.ft. - 2015 completion 1000 new employees to the downtown	Interior Health Authority
11. New Memorial Parkade - Ellis Street \$ 14 M (completion 2015)	City of Kelowna
12. New Kelowna Yacht Club Boat Slips 1115 total slips - largest Marina in Canada	Kelowna Yacht Club
13. New Public Pier & Commercial Wharf - Kerry Park \$ 5 M (completion 2013)	Westcorp Properties Inc.
14. Proposed Boutique Hotel/Conference Centre - 235 Queensway (coming soon)	Westcorp Properties Inc.
15. Project 24 - Bernard Street 27 story contemporary mixed-use \$ 55 M, 135,000 sq.ft., 207 residential Units	Aquilini Developments
16. Former Bargain Store - 560 Bernard Avenue Redevelopment 34,000 sq. ft. existing built, with parking	Shanri Investment Ltd./ Marketed by Colliers
17. Proposed Tourism Kelowna Facility City of Kelowna is currently undertaking the site planning (\$ 5.5 M estimated cost)	Tourism Kelowna
18. New Commercial Office Development - 285 Lawrence Avenue 4 story commercial	Worman Commercial/Marketed by Scott Brown MacDonald Realty
19. Proposed Commercial Office Development - 554 Leon Avenue 4 story - 6,877 sq.ft.	Troika Developments Marketed by Colliers
20. New Technology Office Development - 596 Leon 3 story office for new technology firm	Davara Enterprises

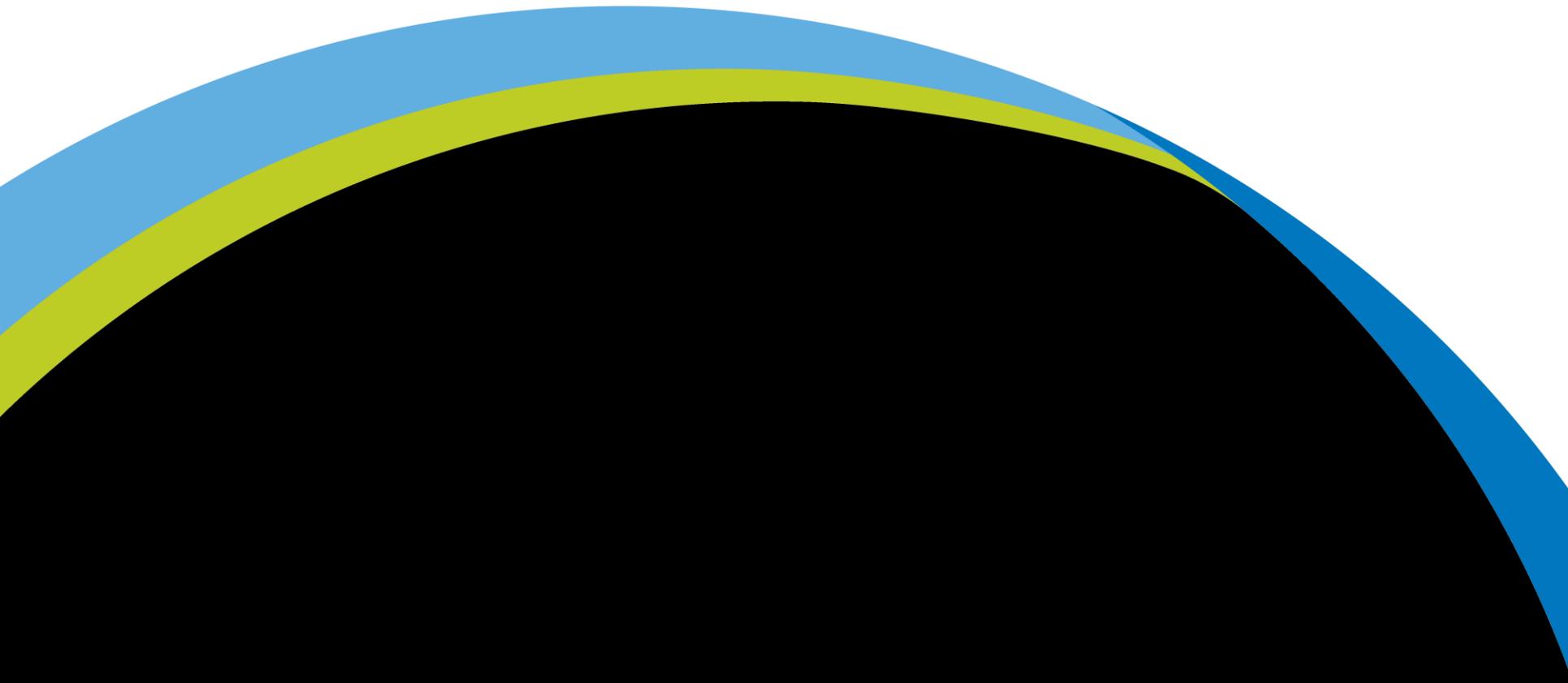
### SIGNIFICANT DEVELOPMENT SITES

A. Proposed Hotel - Class A office complex - 1000 Manhattan Drive	Argus Properties
B. Prime Location - 1187 Sunset Drive 2.84 ac. - Zoned C4	Sunset Drive Properties Ltd.
C. Strategic Location - 760 Vaughan Avenue 3.53 Acres Industrial land with 4 Buildings Zoned I4	Former Glencoe Trucking/ Marketed by Colliers
D. Strategic Location - 816-894 Clement, 880 Vaughan Avenue Zoned I2	Okanagan Tree Fruit Co-Operative/ Marketed by Colliers
E. Proposed Mixed Use Residential - 1301 Ellis Zoned C7	The Webster Group
F. Prime City Owned Location - 460 Doyle Avenue .5 acres - Zoned C7	City of Kelowna
G. Prime City Owned Location - 1580 Ellis Street .413 acres - Zoned C7	City of Kelowna
H. Central Green Mixed Use Development - Harvey and Richter 8 acres - 900,000 buildable - Zoned CD 22	City of Kelowna/ Marketed by Colliers

# IT'S HAPPENING DOWNTOWN

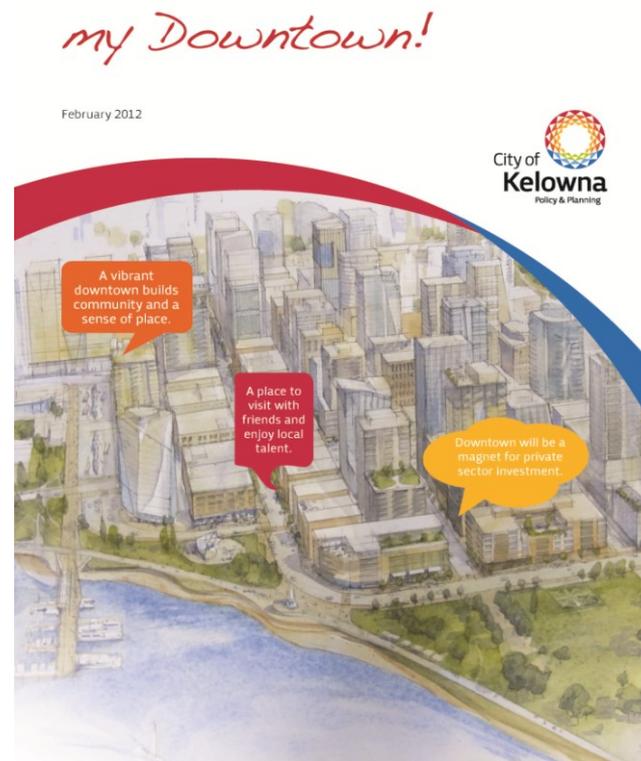
## DEVELOPMENT OPPORTUNITIES

# DOWNTOWN PLAN ANNUAL UPDATE



# PRESENTATION OVERVIEW

1. Background
2. Initiatives
3. Indicators
4. Data
5. Other Successes in 2012/2013
6. Moving forward / Next steps



## BACKGROUND

- ▶ February 27, 2012, Council endorsed the Downtown Plan - *My Downtown*
- ▶ 10 year action plan of a long term (25 year) vision
- ▶ 25 project initiatives (action items) - *Schedule C*
- ▶ Indicators developed for three goals - *Schedule B*



## PROPOSED INITIATIVES

- ▶ Reviewed initiatives from 2012 and 2013
  - ▶ Detailed information in *Schedule C* of the attached report
  - ▶ Majority of the initiatives - complete or in progress



## PROPOSED INITIATIVES CONT.

2012 (complete or in progress)

- ▶ Review Ellis Street Truck Route
- ▶ Plant more trees
- ▶ Expand and improve Queensway Transit Exchange
- ▶ Kerry Park
- ▶ Stuart Park (Phase 2)
- ▶ Increase police visibility

## INITIATIVES CONT.

2013

- ▶ Plant more trees
- ▶ Create easy to use zoning and building codes to enable more pedestrian friendly construction
- ▶ Stuart Park (Phase 2)
- ▶ Public pier
- ▶ Improve lighting

## INDICATORS

- ▶ Schedule B - Indicators refined in 2013
- ▶ Indicators selected to represent a balance between the three goals:
  - ▶ Attract people to Downtown;
  - ▶ Increase sense of safety; and
  - ▶ Attract private sector development.
- ▶ Indicators needed to be meaningful with data readily available on an annual basis

## DATA

- ▶ Dissecting the data:
  - ▶ Not all data for the indicators is available this year
  - ▶ Will have data for all indicators in 2015
    - ▶ First two year trend analysis



## OTHER SUCCESSES IN 2012 / 2013

- ▶ Bernard Avenue Revitalization
- ▶ Bernard Avenue Sidewalk Program
- ▶ Interior Health Administration building
- ▶ Worman Commercial building at 265 Lawrence Avenue
- ▶ Craft brewing operation at the Delta Grand
- ▶ A number of financial incentives to stimulate downtown development

## MOVING FORWARD / NEXT STEPS

- ▶ Continue to collect indicator data annually
- ▶ Report to Council annually



# Report to Council



**Date:** April 9, 2013  
**Rim No.** 0913-20-175  
**To:** City Manager  
**From:** J. Hettinga, Manager, Real Estate Services  
**Subject:** Proposed Road Closure - Adjacent to 1502 Sutherland Avenue

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## **Recommendation:**

THAT Council receives for information, the Report from the Manager, Real Estate Services dated April 9, 2013, recommending that Council adopt the proposed road closure of a portion of land adjacent to 1502 Sutherland Avenue (Schedule 'A');

AND THAT Bylaw No. 10836, being proposed road closure of a portion of land adjacent to 1502 Sutherland Avenue, be given reading consideration.

## **Purpose:**

Sutherland Ave has recently been upgraded and a portion of land has been determined as excess and available to be closed.

## **Background:**

The City sees no future ownership requirement of the road located south of 1570 Sutherland Avenue. By raising title to the subject property, the City will be able to undertake a land exchange for land to the west of 1502 Sutherland Avenue.

## **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:

In light of the above, the Real Estate & Building Services department request Council's support of this road closure.

Submitted by:

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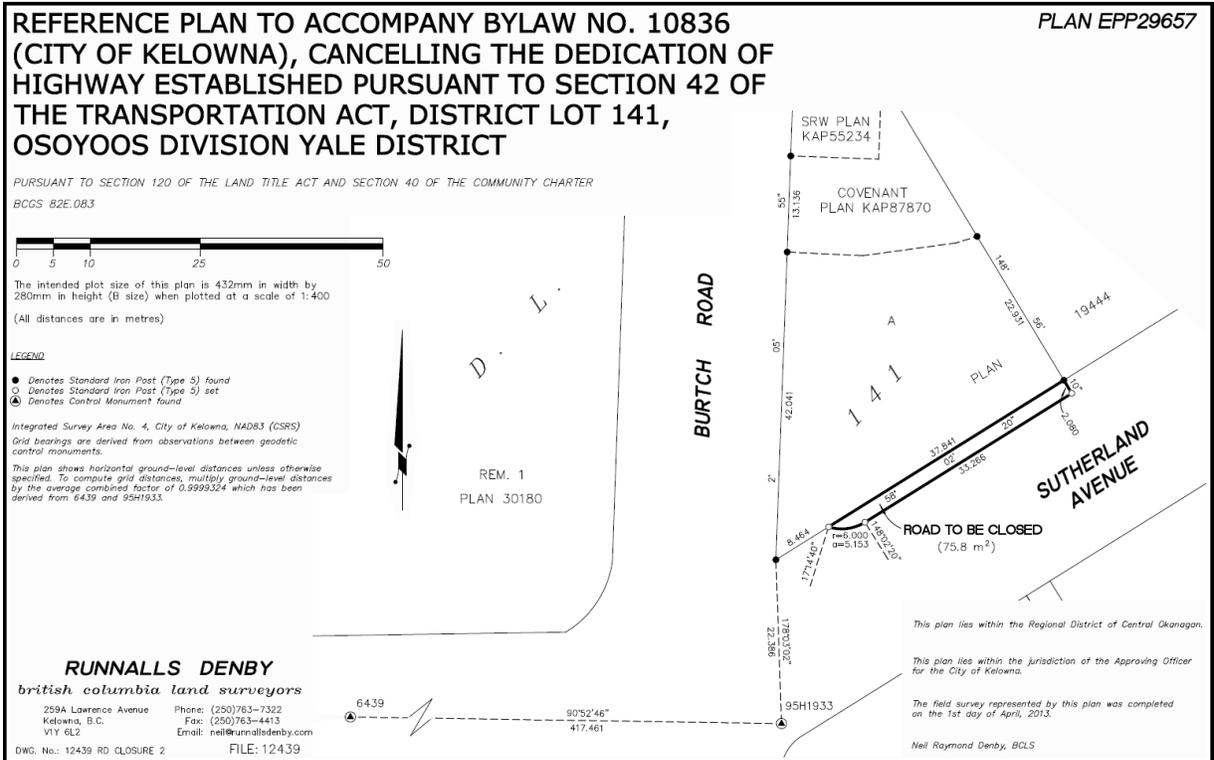
J. Hettinga, Manager  
Real Estate Services

Approved for inclusion:



D. Edstrom, Acting Director, Real Estate & Building Services

Schedule "A"





**CITY OF KELOWNA**

**BYLAW NO. 10836**

**Road Closure and Removal of Highway Dedication Bylaw**  
**(Portion of Sutherland Avenue)**

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

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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 75.8 m<sup>2</sup> shown in bold black as Road to be Closed on the Reference Plan prepared by Neil R. Denby, B.C.L.S. shown on Plan EPP29657, is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

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

Approved Pursuant to Section 41(3) of the Community Charter this

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(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



# Report to Council



**Date:** April 8, 2013  
**Rim No.** 1110-61-002  
**To:** City Manager  
**From:** J. Hettinga, Manager, Real Estate Services  
**Subject:** Proposed Road Closure - West of 4753 Gordon Drive

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## **Recommendation:**

THAT Council receives for information, the Report from the Manager, Real Estate Services dated April 8, 2013, recommending that Council adopt the proposed road closure of a portion of land west of 4753 Gordon Drive (Schedule 'A');

AND THAT Bylaw No. 10842, being proposed road closure of a portion of land west of 4753 Gordon Drive, be given reading consideration.

## **Purpose:**

The excess closed road is to be consolidated with lands making up the future Bellevue Creek Corridor.

## **Background:**

This road closure area west of 4753 Gordon Drive is an entrance point for the future Bellevue Creek Linear Trail. The property will have a greater protection from utilities being placed on the land and can be consolidated with parcels of land the City has previously purchased.

## **Legal/Statutory Authority:**

Section 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:

In light of the above, the Real Estate & Building Services department request Council's support of this road closure.

Submitted by:

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J. Hettinga, Manager  
Real Estate Services

Approved for inclusion:



D. Edstrom, Acting Director, Real Estate & Building Services





**CITY OF KELOWNA**

**BYLAW NO. 10842**

**Road Closure and Removal of Highway Dedication Bylaw**  
**(Portion of Gordon Drive)**

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

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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 0.107ha shown in bold black as Road to be Closed on Reference Plan EPP29741, prepared by Neil R. Denby, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

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

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

Schedule "A"

