

**City of Kelowna  
Regular Council Meeting  
AGENDA**



Monday, December 9, 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**

5 - 9

Regular PM Meeting - December 2, 2013

**3. Development Application Reports & Related Bylaws**

**3.1 Rezoning Application No. Z12-0069 - 1215 St Paul Street and 557 & 567  
Clement Avenue, Joseph Higgins et al**

10 - 28

To amend the Official Community Plan Future Land Use Designation from Multiple Unit Residential - Medium Density to Mixed Use (Residential / Commercial) and to rezone from RU2 - Medium Lot Housing to C7 - Central Business Commercial zone in order to permit the construction of a 4 storey commercial building.

**3.1.1 Bylaw No. 10901 (OCP12-0017) - 1215 St. Paul Street and 557 & 567  
Clement Avenue, Joseph Higgins et al**

29 - 29

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

To give Bylaw No. 10901 first reading.

**3.1.2 Bylaw No. 10902 (Z12-0069) - 1215 St. Paul Street and 557 & 567  
Clement Avenue, Joseph Higgins et al**

30 - 30

To give Bylaw No. 10902 first reading.

**3.2 Bylaw No. 10817 (OCP12-0006) - 3787, 3791 & 3795 Lakeshore Road, Westcorp  
On the Lake Inc.**

31 - 33

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

To adopt Bylaw No. 10817 in order to change the future land use designation for the subject properties from the Mixed Use Tourism/Multiple Unit Residential - Medium Density/Multiple Unit Residential - Low Density/Major Park & Open Space designations to the Mixed Use Tourism/Multiple Unit Residential - High Density/Multiple Unit Residential - Medium Density/Major Park & Open Space designations.

- |       |   |           |
|-------|---|-----------|
| 3.2.1 | Bylaw No. 10812 (TA12-0007) - New CD24 Comprehensive Development Zone 24  | 34 - 77   |
|       | To adopt Bylaw No. 10812 in order to create a new CD24 Comprehensive Development Zone   |           |
| 3.2.2 | Bylaw No. 10818 (Z12-0039) - 3787, 3791 & 3795 Lakeshore Road, Westcorp on the Lake Inc.  | 78 - 79   |
|       | To adopt Bylaw No. 10818 in order to rezone the subject properties from the C1 - Local Commercial, C9 - Tourist Commercial, RM7 - Mobile Home Park and RR3 - Rural Residential 3 zones to the CD24 - Comprehensive Development 24 and the P3 - Parks & Open Space zones.  |           |
| 3.2.3 | Bylaw No. 10813 - Amendment No. 20 to Sign Bylaw No. 8235   | 80 - 80   |
|       | To adopt Bylaw No. 10813 in order to amend Sign Bylaw No. 8235 to include the new CD24 Comprehensive Development 24 Zone.   |           |
| 3.2.4 | Development Permit Application No. DP12-0094 - 3787, 3791 & 3795 Lakeshore Road, Westcorp On The Lake Inc.  | 81 - 128  |
|       | To consider an overarching Form and Character Development Permit that will apply to the entire CD24 development site. These planning and design principles, including landscaping, open space and architectural guidelines, will ensure development proceeds in a cohesive and integrated manner. Individual Form and Character Development Permits will be required for each building in the development process.  |           |
| 3.3   | Rezoning Application No. Z11-0083, Extension Request - 1429 KLO Rd, Arnold & Melitta Frank  | 129 - 131 |
|       | To consider a final extension to extend the date for adoption of Zone Amending Bylaw No. 10782 from December 11, 2013 to December 11, 2014 in order to facilitate the rezoning of the subject property from the A1 - Agriculture zone to the RM7 - Mobile Home Park zone to develop a modular home park containing a total of 92-94 units. The extension is required to provide additional time for the applicant team to satisfy the outstanding conditions of zoning, which has taken longer than anticipated due in part to health related issues. |           |



3.4	<b>Rezoning Application No. Z09-0062, Extension Request, W of South Perimeter Way, 0775362 BC Ltd/0775362 BC Ltd.</b>	132 - 134
	To consider a final extension to extend the date for adoption of Zone Amending Bylaw No. 10471 from November 27, 2013 to November 27, 2014 in order to facilitate the rezoning of the subject property from the A1 - Agriculture zone to the A1- Agriculture, RU1-Large Lot Housing, RR1-Rural Residential 1, & P3- Parks and Open Space zones in order to facilitate a 24 lot residential subdivision. The extension is required in order to have all the legal documentation in place as to the exchange of land over many properties and owners.	
3.5	<b>Rezoning Application No. Z09-0077, Extension Request, 4064 Lakeshore Rd, Rex Carter Jardine</b>	135 - 137
	To consider a final extension to extend the date for adoption of Zone Amending Bylaw No. 10306 from December 15, 2013 to December 15, 2014 in order to facilitate the rezoning of the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone in order to facilitate a two lot subdivision for the establishment of two dwellings on the proposed lakefront property.	
4.	<b>Non-Development Reports &amp; Related Bylaws</b>	
4.1	<b>2014 Financial Plan</b>	138 - 180
	To provide an overview of the 2014 Financial Plan.	
4.2	<b>Neighbourhood Learning Centre Joint Use Agreement - School District No.23</b>	181 - 194
	To seek Council's endorsement of a Joint Use Agreement with School District 23 for a Neighbourhood Learning Centre at Okanagan Mission Secondary School.	
4.3	<b>Shaw WiFi</b>	195 - 208
	To inform council of an opportunity to provide City residents and visitors with Wi-Fi access at certain City facilities and public places through a proposal from Shaw Cablesystems Limited and to obtain Council endorsement to enter into a five year license agreement with Shaw for the provision of this service.	
4.4	<b>Kelowna Memorial Park Cemetery Fees</b>	209 - 213
	To ensure fees and charges reflect operational costs and to introduce a non resident fee where applicable.	
4.4.1	<b>Bylaw No. 10903 - Amendment No. 5 to Kelowna Memorial Park Cemetery Bylaw No.8807</b>	214 - 220
	To give first, second and third readings to Bylaw No. 10903 in order to amend Kelowna Memorial Park Cemetery Bylaw No. 8807.	

5. Mayor and Councillor Items
6. Termination



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, December 2, 2013  
Location: Council Chamber  
City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran, 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; Interim Divisional Director, Infrastructure, John Vos\*; Divisional Director, Active Living & Culture, Jim Gabriel\*; Manager, Long Range Planning, Gary Stephen\*; Planner II, Lindsey Ganczar\*; Director, Development Services, Mo Bayat\*; Manager, Community & Neighbourhood Programs, Louise Roberts\*; Recreation Technician, Amber Gilbert\*; Planner II, James Moore\*; Manager, Utility & Building Projects, Kevin Van Vliet\*; Manager, Police Services, Kerry Solinsky\*; Manager, Parks & Public Space Projects, Andrew Gibbs\*; 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 and a delayed broadcast is shown on Shaw Cable.

## 2. Confirmation of Minutes

Moved By Councillor Hobson/Seconded By Councillor DeHart

R754/13/12/02 THAT the Minutes of the Regular PM Meeting of November 25, 2013 be confirmed as circulated.

Carried

## 3. Public in Attendance

### 3.1. Rochelle Hoffman, re: Presentation to Council

Rochelle Hoffman:

- Provided Council with an overview of her experience at the "All Ireland's".

Divisional Director, Active Living & Culture:

- Provided an overview of the Grant-in-Aid Program that assisted with funding for Ms. Hoffman's travel.

### 3.2. President, International Accreditation

Director, Development Services:

- Displayed a PowerPoint Presentation with respect to the City's Development Services' Building & Permitting Accreditation.

Manjit Sohi, President, and Dr. Richard Bushey, Executive Director, Building Official Association of BC:

- Congratulated the City on receiving the Accreditation.

Mayor Gray accepted the Award on behalf of the City of Kelowna's Development Services Branch.

## 4. Committee Reports

### 4.1. Civic Awards Nomination Period

Staff:

- Introduced the presentation.

Beryl Itani, Chair, Civic & Community Awards Nomination Committee:

- Displayed a PowerPoint presentation announcing the nomination period for the Civic & Community Awards.

Staff:

- Conducted a demonstration of how to complete a nomination form via the City's website at [www.kelowna.ca/residents/civicawards](http://www.kelowna.ca/residents/civicawards).
- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor DeHart

R755/13/12/02 THAT Council receives, for information, the Report from the Manager, Community & Neighbourhood Programs dated November 27th, 2013, that outlines the Civic & Community Award categories and nomination period.

Carried

#### 4.2. Council Appointment for the Community Heritage Committee

Moved By Councillor Hobson/Seconded By Councillor Singh

R756/13/12/02 THAT Council receives, for information, the Report from the Long Range Planning Manager dated December 2, 2013;

AND THAT Council appoints Alice Arsenault as a community-at-large member of the Community Heritage Committee (CHC) for the balance of the 2012 - 2014 term;

AND FURTHER THAT Council recognizes Leanne Spanza in her retirement and thanks Ms. Spanza for her contribution to the Community Heritage Committee.

Carried

#### 5. Development Application Reports & Related Bylaws

##### 5.1. Rezoning Application No. Z12-0054, Extension Request - 551 Glenwood Ave, John & Alana Marrington

Staff:

- Advised that the Applicants are aware that this will be the final extension supported by staff.
- Confirmed that the reference to the "restaurant use" was an error in the Report.

Moved By Councillor Basran/Seconded By Councillor Stack

R757/13/12/02 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Official Community Plan Amending Bylaw No. 10772 and Zone Amending Bylaw No. 10773, for Lot 2, D.L. 14, ODYD, Plan 1251 located on 551 Glenwood Avenue, Kelowna, BC, be extended from November 13, 2013 to November 13, 2014.

Carried

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

##### 6.1. New Kelowna Police Services Building

Interim Divisional Director, Infrastructure:

- Introduced the presentation and the staff team involved in the planning process.

Staff:

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

City Manager:

- Provided comment regarding the potential for the Province to fund some of the cells proposed for the new Kelowna Detachment;

Interim Divisional Director, Infrastructure:

- Advised that the lands are currently zoned industrial and need to be rezoned to P1.

Moved By Councillor Blanleil/Seconded By Councillor Zimmermann

R758/13/12/02 THAT Council receives, for information, the Report from the Infrastructure Division Director dated December 02, 2013, with regards to the new Kelowna Police Services Building;

AND THAT Council directs staff to proceed with an Alternative Approval Process opportunity open to all electors within the City of Kelowna for borrowing the necessary funds for the proposed new Kelowna Police Services Building;

AND THAT Council directs staff to bring forward a rezoning application for the location of the proposed Kelowna Police Services Building

Carried

## 6.2. Stuart Park Update

Staff:

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

Moved By Councillor Hobson/Seconded By Councillor Basran

R759/13/12/02 THAT Council receives, for information, the Report from the Manager of Park and Public Space projects, dated November 26, 2013, with respect to the development of the second phase of Stuart Park.

Carried

## 7. Bylaws for Adoption (Non-Development Related)

7.1. Bylaw No. 10883 - Amendment No. 7 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Given/Seconded By Councillor Stack

R760/13/12/02 THAT Bylaw No. 10883 be adopted.

Carried

## 8. Mayor and Councillor Items

Councillor DeHart:

- Commented on her and Councillor Zimmermann's performance in Cinderella and displayed a photo of them in costume.

Councillor Basran:

- Noted that the Uptown Rutland Business Association's Christmas Tree Light Up is scheduled for Sunday, December 8<sup>th</sup> from 4:00 pm - 6:00 pm at Roxby Park.

Councillor Singh:

- Commented on the City's Banner Program with Westbank First Nation.

Mayor Gray:

- Commented on his attendance at yesterday's 3rd Annual lighting of the Menorah.

City Manager:

- Made notes of some of the 'Best of Kelowna' Awards that were bestowed on the City.

## 9. Termination

This meeting was declared terminated at 3:22 p.m.

\_\_\_\_\_  
Mayor

/slh

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

DRAFT

# REPORT TO COUNCIL



**Date:** December 9<sup>th</sup>, 2013

**RIM No.** 1250-30

**To:** City Manager

**From:** Urban Planning, Community Planning & Real Estate (AW)

**Application:** OCP12-0017 / Z12-0069  
**Owner:** Joseph Higgins  
Fresh Start Enterprises  
Retaine Financial Corp &  
Fresh Start Enterprises

**Address:** 1215 St. Paul Street  
567 & 557 Clement Avenue  
**Applicant:** Cathy Higgins

**Subject:** 2013-12-09 Report Z12-0069 Clement and St Paul

**Existing OCP Designation:** Multiple Unite Residential - Medium Density

**Proposed OCP Designation:** Mixed Use (Residential / Commercial)

**Existing Zone:** RU2 - Medium Lot Housing

**Proposed Zone:** C7 - Central Business Commercial

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## 1.0 Recommendation

That Official Community Plan Bylaw Amendment No. OCP12-0017 to amend Map 19.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 26, District Lot 139, ODYD, Plan 1303 located at 1215 St. Paul Street, Lot 27 & 28, District Lot 139, ODYD, Plan 1303, located at 557 & 567 Clement Avenue from Multiple Unit Residential - Medium Density to Mixed Use (Residential / Commercial), as shown on Map "A" attached to the Report of the Land Use Management Department dated December 9, 2013, be considered by Council;

AND THAT Council considers the applicant's November 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 December 9, 2013;

AND THAT Rezoning Application No. Z12-0069 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 26, District Lot 139, ODYD, Plan 1303 located at 1215 St. Paul Street, Lot 27 & 28, District Lot 139, ODYD, Plan 1303, located at 557 & 567 Clement Avenue from RU2 - Medium Lot Housing to C7 - Central Business Commercial be



considered by Council;

AND THAT the Official Community Plan Bylaw Amendment and the Zone Amending Bylaw be forwarded to the February 4, 2014 Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit on the subject properties;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the submission of a plan of subdivision to consolidate the properties.

## **2.0 Purpose**

To amend the Official Community Plan Future Land Use Designation from Multiple Unit Residential - Medium Density to Mixed Use (Residential / Commercial) and to rezone from RU2 - Medium Lot Housing to C7 - Central Business Commercial zone in order to permit the construction of a 4 storey commercial building.

## **3.0 Land Use Management**

The subject properties are within the Downtown Urban Centre, located at the corner of St. Paul Street and Clement Avenue. The applicant's land assembly efforts will allow for a coordinated approach to the redevelopment of this corner.

### *OCP Future Land Use Designation*

The existing medium density residential designation was intended to provide a housing mix to support the principles of live, work, play for the Downtown urban centre. The Mixed Use / Residential designation within the Downtown Urban Centre was intended to accommodate the existing and future commercial needs within the Downtown and the surrounding residentially designated properties would provide support those businesses. While Staff would prefer a residential component to support the future land use designation change, the subject properties had been designated commercial in the 2020 OCP and there is some merit to having a commercial development in this location as you enter Downtown from Clement. Having said that, Staff would not support future commercial or mixed use proposals further east along Clement Avenue. Containing the commercial core while providing future opportunities for residential intensification is an integral component to the balanced growth of the Downtown Urban Centre. Taking these details into consideration and recognizing the mix of uses and objectives that must be achieved on the edge of the Downtown Urban Centre, this project would be a welcomed addition to the area and would provide an appropriate transition to the adjacent residential properties.

### *Site Planning*

The applicant has oriented the building towards Clement Avenue with parking located at the rear with access from the lane. This will help to provide a noise buffer from traffic along Clement Avenue while creating a more urbanized street frontage as you enter downtown. As part of the proposal the applicant will be applying a similar level of streetscaping that can be found further along St. Paul Street where other projects have proceeded.

In summary, Staff are supportive of the proposed development. It will help to introduce more retail and office within this important town centre location. The building and site design are appropriate forms of development that will help to animate Clement Avenue and improve its aesthetic as you approach Downtown. Should Council support the land use, a Development Permit and Development Variance Permit will be submitted for Council consideration at a later date.

#### 4.0 Proposal

##### 4.1 Background

Even though this property is within the Downtown Urban Centre, not all properties in this area are designated commercial. The Urban Centre contains a mix of uses including high, medium and low density residential uses that are all integral to the Downtown Urban Centres viability. The subject properties were designated Commercial in the 1995, 2004 and 2020 versions of the OCP and they have not had any development applications or even any serious development inquiries. The change in designation to Multiple Unit Residential - Medium Density occurred as part of the 2030 OCP review during which time many properties throughout the city changed designation. Given that there is an abundance of available designated land nearby it was felt that removing some commercial designated land along the east side of St. Paul Street was appropriate. In addition, establishing the boundary of commercial development on the west side of St. Paul is a much more defensible boundary than allowing commercial growth on the east side of St. Paul where there is no obvious boundary to limit further expansion and impact to adjoining residential properties. However, this specific corner location makes sense as a mixed use or commercial project as it will signal that St. Paul Street is transitioning towards mixed use and higher density residential.

##### 4.2 Project Description

The proposed development contemplates the consolidation of three single family lots in order to accommodate the proposed 4 storey commercial development. The building has been oriented towards Clement Avenue and St. Paul Street with the parking located at the rear. The lower level is intended to accommodate general commercial/retail. Office space is planned for the upper storeys of the development. Individual tenant spaces would have entrances from the frontage roads and/or the internal parking area, as well as the internal lobby spaces. The proposed building materials & colours consist primarily of neutral-toned stucco, canopies and window trim, grey window sills/headers and brick.

Site access would be limited to the rear lane. Although 27 parking stalls are required the applicant will be providing 24 stalls and paying cash in lieu for 4 stalls (4 x \$22,500.00 = \$90,000.00). Landscaping will be provided throughout the surface parking area, but the landscape buffers may require a variance, that will be confirmed once a Landscape Architect has created a plan as part of the Development Permit that will be forwarded to Council should the proposed land use be supported.

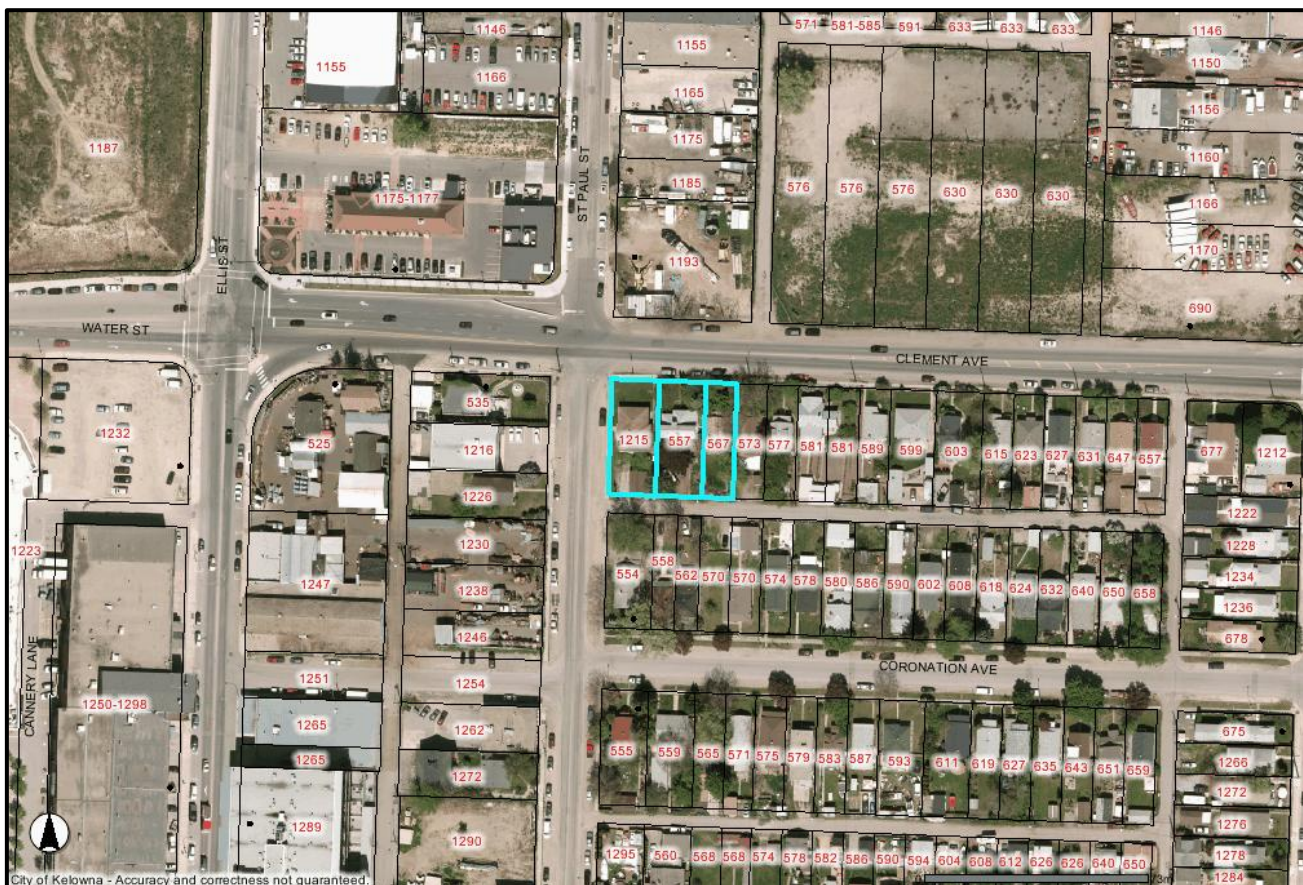
The project compares to Zoning Bylaw No. 8000 as follows:

Zoning Analysis Table		
CRITERIA	C7 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	9.0	1.32
Height	22.0m	15.6m / 4 storeys
Front Yard	0.0m	0.3m

Side Yard (west)	0.0m	0.3m
Side Yard (east)	0.0m	1.2m
Rear Yard	0.0m	19.63m
Site Coverage	75%	50%
<b>Other Regulations</b>		
Minimum Parking Requirements	27 stalls	23 stalls
Bicycle Parking	Class I: 4 spaces Class II: 1 spaces	Class I: 6 spaces Class II: 11 spaces
Loading Space	1 stalls	1 stalls
* Landscape Buffer variances may be required, to be confirmed with landscape plan at DP stage		

#### 4.3 Site Context

##### Subject Property Map:



The subject property is located in an area of transition on the corner of St. Paul Street and Clement Avenue in the Downtown Urban Centre area. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I4 - Central Industrial	Industrial (Designated Commercial)

East	RU2 - Medium Lot Housing	Single Family Housing (Designated Multiple Unit Residential - Medium Density)
South	RU2 - Medium Lot Housing	Single Family Housing (Designated Multiple Unit Residential - Medium Density)
West	I4 - Central Industrial	Industrial Mixed Use (Residential / Commercial)

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

Staff recommends that the November 8<sup>th</sup>, 2013 Public Information Meeting held by the applicant be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act*, and that the process is sufficiently early and does not need to be ongoing. Furthermore, additional consultation with the Regional District of Central Okanagan is not required in this case.

### 5.2 Current Development Policies - Kelowna Official Community Plan 2030 (OCP)

#### 5.2.1 Development Process (Chapter 5) - Considerations in Reviewing Development Applications

##### Development Process

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

#### 5.2.2 Development Process (Chapter 14) - Urban 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.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

No Comment.

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

6.2 Development Engineering Department

See Attached.

6.3 Fire Department

No comment.

6.4 Fortis BC - Gas

Please be advised FortisBC has reviewed the above mentioned referral and we have no objections with the proposal. There is a requirement for abandonment of existing service lines to accommodate demolition.

**7.0 Application Chronology**

Date of Application Received: November 28<sup>th</sup>, 2012

Applicant Hosted Public Open House: November 8<sup>th</sup>, 2013

**Report prepared by:**

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Alec Warrender, Land Use Planner

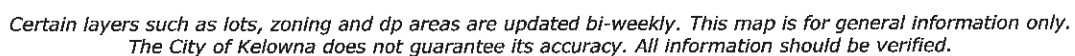
**Reviewed by:** ☐ Ryan Smith, Manager, Urban Land Use

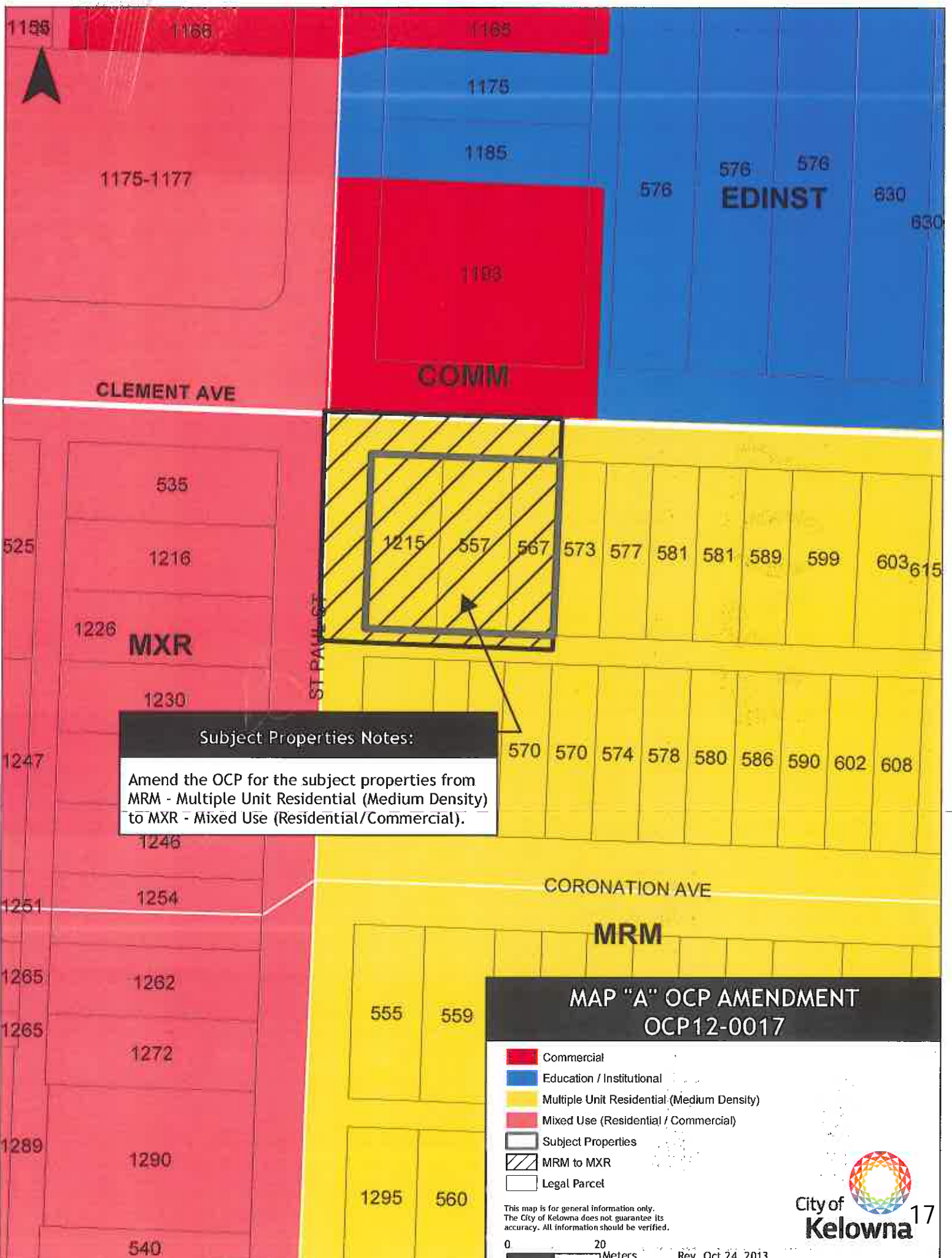
**Approved Inclusion:** ☐ D. Gilchrist, Community Planning & Real Estate Divisional Director

**Attachments:**

Map A  
Subject Property Map  
Sit Plan  
Elevations  
Development Engineering Requirements  
Open House Summary







**Subject Properties Notes:**

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

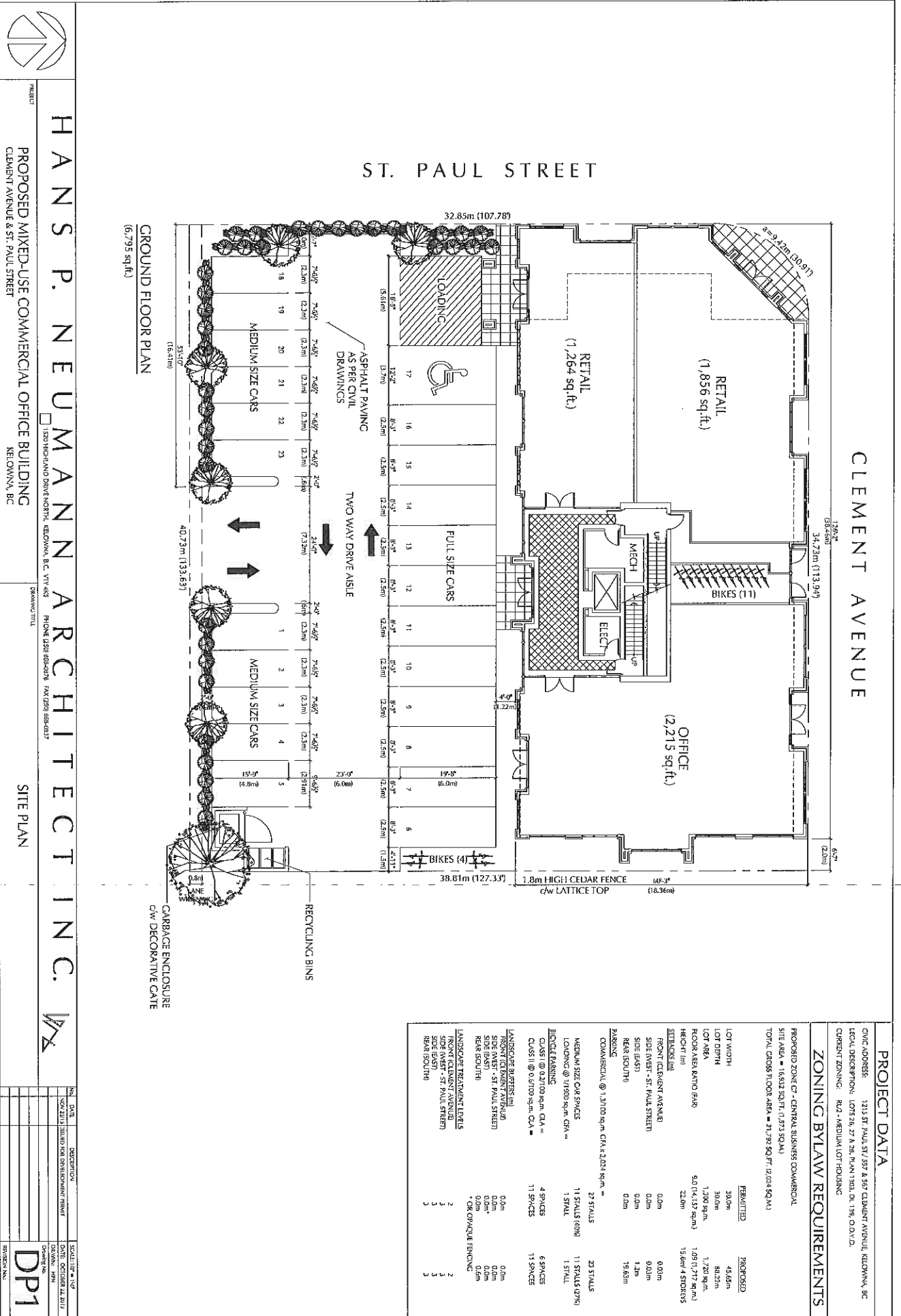
**MAP "A" OCP AMENDMENT  
OCP12-0017**

- Commercial
- Education / Institutional
- Multiple Unit Residential (Medium Density)
- Mixed Use (Residential / Commercial)
- Subject Properties
- MRM to MXR
- Legal Parcel

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

0 20  
Meters

Rev. Oct 24, 2013



**PROJECT DATA**

CIVIC ADDRESS:	1315 ST. PAUL ST. S7 & S67 CLEMENT AVENUE, KELLOWNA, BC
LEGAL DESCRIPTION:	LOT 16, 27 & 28, PLAN 1783, O.L. 194, O.A. 12.
CURRENT ZONING:	R42 - MEDIUM LOT HOUSING
<b>ZONING BYLAW REQUIREMENTS</b>	

PROPOSED ZONE C7 - CENTRAL BUSINESS COMMERCIAL  
 SITE AREA = 16,832 SQ. FT. (1,571 SQ. M.)  
 TOTAL CROSS FLOOR AREA = 21,792 SQ. FT. (2,024 SQ. M.)

	PERMITTED	PROPOSED
LOT WIDTH	30.0m	45.65m
LOT DEPTH	30.0m	80.22m
FLOOR AREA RATIO (FAR)	9.0 (14,137 sq.m.)	1.08 (1,717 sq.m.)
HEIGHT (m)	22.0m	15.6m 4 STOREYS

STREETCLOSURE	0.0m	0.0m
FRONT CLOSURE (AVENUE)	0.0m	0.0m
SIDE (WEST - ST. PAUL STREET)	0.0m	1.2m
SIDE (EAST)	0.0m	19.63m
REAR (SOUTH)	0.0m	

COMMERCIAL @ 1,310 sq.m. CFA, 2,024 sq.m. =	27 STALLS	23 STALLS
MEDIUM SIZE CAR SPACES	11 STALLS (079)	11 STALLS (079)
LOADING @ 11500 sq.m. CFA =	1 STALL	1 STALL

BICYCLE PARKING	4 SPACES	6 SPACES
CLASS I @ 0.2100 sq.m. CFA =	11 SPACES	11 SPACES
CLASS II @ 0.0700 sq.m. CFA =		

LANDSCAPE TREATMENT LEVELS	0.0m	0.0m
FRONT (CLEMENT AVENUE)	0.0m	0.0m
SIDE (WEST - ST. PAUL STREET)	0.0m	0.0m
SIDE (EAST)	0.0m	0.0m
REAR (SOUTH)	0.0m	0.0m

LANDSCAPE TREATMENT LEVELS	0.0m	0.0m
FRONT (CLEMENT AVENUE)	0.0m	0.0m
SIDE (WEST - ST. PAUL STREET)	0.0m	0.0m
SIDE (EAST)	0.0m	0.0m
REAR (SOUTH)	0.0m	0.0m

NO.	DATE	DESCRIPTION	SCALE: 1/8" = 1'-0"
1	NOV 2011	SECOND FOR ENVIRONMENTAL REVIEW	DATE: OCTOBER 22, 2011
2			DESIGNER: HPI
3			PROJECT NO.
4			REVISION NO.
5			REVISION DATE

**HANS P. NEUMANN ARCHITECT INC.**

PROPOSED MIXED-USE COMMERCIAL OFFICE BUILDING

CLEMENT AVENUE & ST. PAUL STREET

KELLOWNA, BC

1350 HIGHLAND DRIVE NORTH, KELLOWNA, B.C. V1Y 4G3

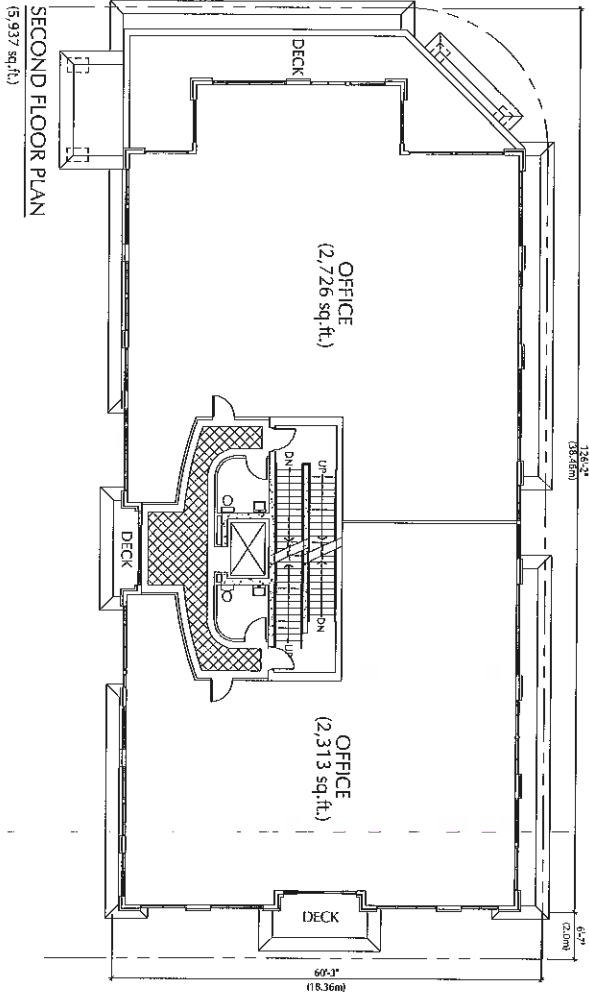
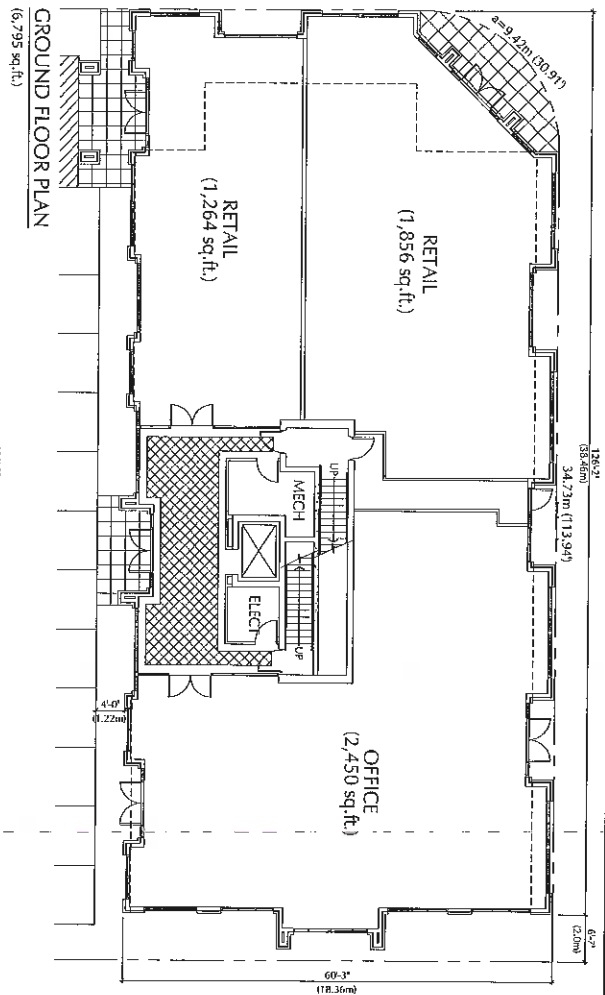
PHONE: 822-80-8278 FAX: 822-888-9437

DRIVING TITLE

SITE PLAN

DP1





# HANS P. NEUMANN ARCHITECT INC.

PROPOSED MIXED-USE COMMERCIAL OFFICE BUILDING

CLEMENT AVENUE & ST. PAUL STREET

KELOWNA, BC

DRAWING TITLE

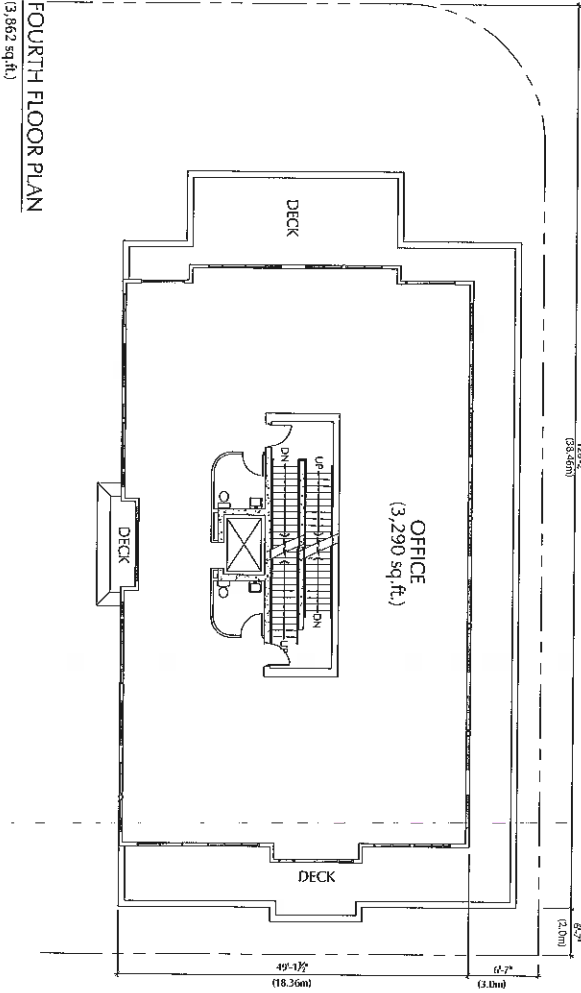
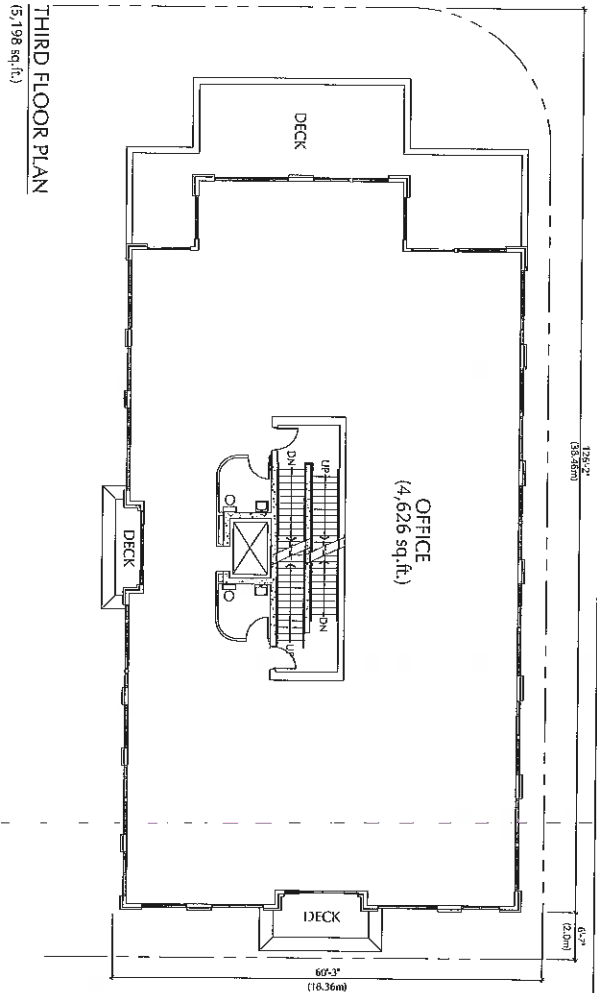
MAIN/SECOND FLOOR PLANS

REV.	DATE	DESCRIPTION	SCALE (1/8" = 1'-0")
1	NOV 22/11	ISSUED FOR DEVELOPMENT PERMIT	DATE: 01/03/08 (2.01)

DRAWING NO.

DP2

REVISION NO.





**HANS P. NEUMANN ARCHITECT INC.**

PROPOSED MIXED-USE COMMERCIAL OFFICE BUILDING

CLEMENT AVENUE & ST. PAUL STREET

KELOWNA, BC

1350 HIGHLAND DRIVE NORTH, KELOWNA, B.C. V1Y 4A5

PHONE (250) 864-9278 FAX (250) 868-4227

DATE: 2013.10.22

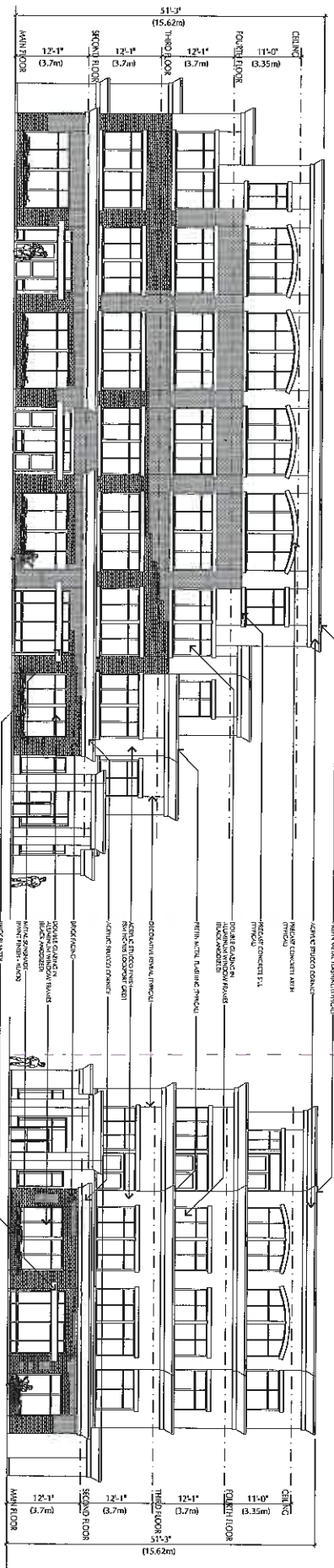
PROJECT: 1350 HIGHLAND DRIVE NORTH, KELOWNA, B.C. V1Y 4A5

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

DATE: OCTOBER 22, 2013

DESIGNER: DP3

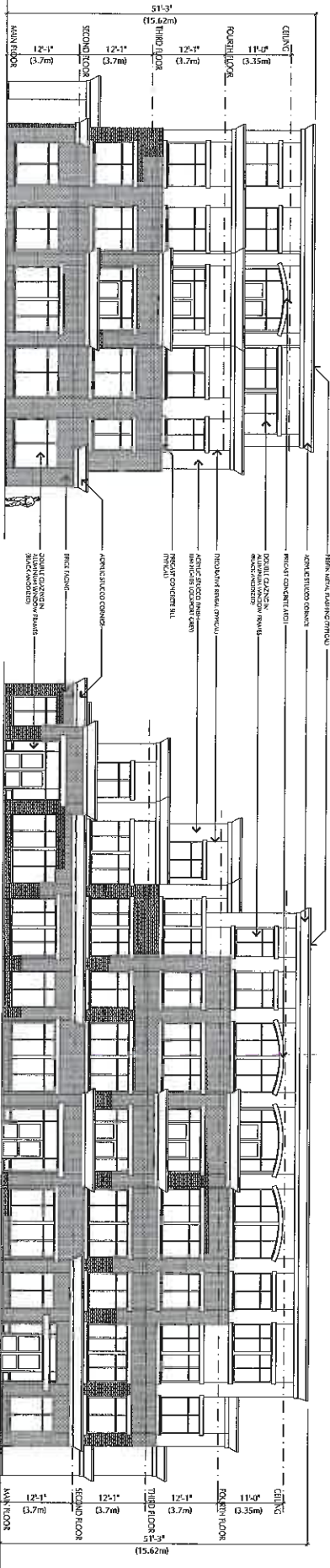
REVISION: 1



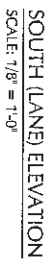
**CLEMENT AVENUE ELEVATION**  
**SCALE: 1/8" = 1'-0"**



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



EAST (SIDE) ELEVATION  
SCALE: 1/8" = 1'-0"



SOUTH (LANE) ELEVATION  
SCALE: 7/8" = 1'-0"

HANS P. NEUMANN ARCHITECT INC.

☐ 1520 HIGHLAND DRIVE NORTH, KELOWNA, B.C. V7Y 4K5      PHONE (250) 866-0078 FAX (250) 866-0837

**PROPOSED MIXED-USE COMMERCIAL OFFICE BUILDING**  
CLEMENT AVENUE & ST. PAUL STREET  
KELOWNA, BC

KELOWNA, BC

## ELEVATIONS

No.	DATE	DESCRIPTION	SCALE IN INCH
		NOV 22/1 ISSUED FOR GUYE KEMANET PERHAT	
		Drawing No.	DP4
		REVISION No.	

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

FILE COPY

**Date:** January 14, 2013  
**File No.:** Z12-0069  
**To:** Land Use Management Department (AW)  
**From:** Development Engineering Manager  
**Subject:** 1215 St. Paul Street, 557 & 567 Clement Ave

RU2 to C7

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

The Development Engineering Technologist for this project is Sergio Sartori

**1. Domestic Water and Fire Protection**

- a) The subject properties are currently serviced with 13mm-diameter water services. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the disconnection of existing services and the installation of a new service.
- b) The area has two hydrants 140m apart which exceeds the Bylaw for commercial developments. Also the hydrants are color coded green which indicates a maximum of 110 l/s capacity. A new hydrant will be required for the proposed development and the existing 250mm. C.I. main between the hydrants should be replaced with a 250mm. PVC.

**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 services 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.

**4. Transportation**

- a) The proposed development triggers the requirement for a limited scope Traffic Impact Study. Recommendations from the Traffic Impact Assessment (TIA) will become requirements of this application. Prior to commencing the TIA, the developer's traffic consultant should meet with staff from the City of Kelowna to agree on the terms of reference for the study.

**5. Road Improvements**

- (a) Clement Ave must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, separate sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- (b) St Paul Street must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, monolithic sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- (c) Lane adjacent to this development site will require widening and reconstruction to a paved commercial standard.

**6. Road Dedication and Subdivision Requirements**

- (a) Dedicate widening of the rear lane to provide the required widening to provide an ultimate 7.6m wide commercial standard lane.
- (b) Dedicate a 6.0m radius corner rounding at the St Paul Street & Clement Ave corner.
- (c) Lot consolidation is required.
- (d) Grant statutory rights-of-way if required for utility services.

**7. Electric Power and Telecommunication Services**

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as the subject properties are within the "City Center Urban Center".
- b) Streetlights must be installed on Clement Ave & St Paul Street.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).



**8. 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.

**9. 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.

**10. Other Engineering Comments**

- (a) Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- (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.

**11. 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.**
  - Overall site suitability for development.
  - Presence of ground water and/or springs.
  - Presence of fill areas.

- Presence of swelling clays.
- Presence of sulphates.
- Potential site erosion.
- Provide specific requirements for footings and foundation construction.
- Provide specific construction design sections for roads and utilities over and above the City's current construction standards

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

- (a) No driveway access will be permitted to Clement Ave or St Paul Street. The vehicular access to the development site is to be provided from the lane.
- (b) The proposed parking stalls must meet the zoning bylaw requirements.
- (c) 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

FRESH START ENTERPRISES INC./RETAINÉ FINANCIAL CORP.  
PO Box 2309 Banks Centre RPO  
Kelowna, BC V1X 6A5

November 12, 2013

To: City of Kelowna Planning Department  
1435 Water Street  
Kelowna, BC V1Y 1J4  
Attention: Alec Warrender, Land Use Planner, RPP, MCIP

From: Fresh Start Enterprises Inc. and Retainé Financial Corp.  
Cathy and Joe Higgins

Re: Second Public Information Meeting in Support of Plans to Apply for OCP Amendment  
557 and 567 Clement Avenue, 1215 St. Paul Street, Kelowna BC

We, the owners of the above named properties, held a Public Information Meeting (PIM) on November 8, 2013, in support of our Official Community Plan (OCP) Amendment and Rezoning Application #Z12-0069. The meeting was announced and held in compliance with City of Kelowna Council Policy 367 entitled "Public Notification & Consultation for Development Applications". The three properties which are the subject of the application are shown on the attached survey sketch dated August 8, 2012.

The application is considered a "major" zoning application as defined in the Policy, since it involves an OCP amendment for future land use, from the currently proposed MRM, to C7 land use.

It should be noted that this was the second such public information meeting held in support of the OCP amendment and rezoning application. We have attached the text of our report dated November 13, 2012, which summarized the results of the first meeting held on November 9, 2012.

The PIM was conducted in compliance with Section 4c of the Policy. The remainder of this report and attachments provide information to summarize how the meeting was planned, advertised, and conducted. Where applicable, we have summarized the combined outcomes of both the first and the second meetings.

Location:

The Bean Scene Coffee House, 274 Bernard Avenue, Kelowna - This venue is within walking distance or a short drive from the subject properties.

Date/Time, and Duration:

Friday, November 8, 2013 from 4 pm to 7 pm. This timeframe allowed flexibility to those who work and was not disruptive of plans that neighbours may have had for the evening.

Planning/Advertising:

Prior to this second PIM, we met with various City Councillors to obtain a sense of what their concerns would be in considering our application. For our first meeting, we obtained copies of the legal titles for all properties within a 50m radius of our properties, and sent out and/or dropped off letters inviting these neighbours to our meeting. Certain Councillors suggested that we expand our title search beyond 50m and make an effort to speak to our neighbours directly, rather than just mailing or dropping off invitations.

In response to these suggestions, we obtained legal titles for properties along Clement Avenue and Coronation Avenue a distance of 100m from our properties. For those properties where the title searches indicated the owner lived on site, we knocked on doors before dropping off the invitations. Attached is a sample of the letter of



invitation we issued. Also attached is a map indicating the radius covered by our delivery (by hand or mailing). The letters were dropped off or mailed on October 26, 2013.

We also advertised our PIM twice in the Kelowna Daily Courier; on Tuesday October 29, and Friday November 1, 2013. Copies of these advertisements are attached.

**Meeting Format:**

The PIM was intended to be informal and allow one-on-one discussion between neighbours and the applicants. Cathy Higgins attended to represent the applicants, as well as Hans Neumann, who is our architect for the project.

We had the following materials on hand:

- Sign-in sheet which also asked for attendees to indicate their support of the application (attached).
- letter of support which attendees were asked to fill out if they were in support (completed letters attached).
- zoning maps - current zoning; future zoning according to the OCP that was in place when we purchased 1215 St. Paul Street and 557 Clement Avenue; and future zoning according to the 2030 OCP.
- various drawings which the City Planning Department has on file which show the general form and character of the project we propose for the property (3 storey).
- sketches of more recently prepared option of adding a 4th storey.

The City Planner responsible for the application, Alec Warrender, was also on hand to answer questions.

**Meeting Attendance/Results:**

At this second PIM, only two neighbours attended. Their feedback is summarized below. For the sake of completeness, we have also summarized the feedback from those neighbours who attended the first PIM. The attached map provides colour coding to illustrate who was invited, who attended, and whether they indicated support or not. NOTE: All attendees indicated support of the project, either verbally or in writing. We did not ask for written letters of support at the first PIM, so support is noted as verbal.

**FIRST PIM:**

1) Holly and Barry Grapentin - 535 Clement Avenue (straight across St. Paul Street). They indicated full and absolute support for our project and concept, including the plan to apply for C7 zoning. They had no concerns or problems associated with commercial vs. residential development.

2) Lynda and Nelson Rogers - 573 Clement Avenue (directly next door). The Rogers' had recently purchased this property for investment and eventual development. They indicated an intent to pursue commercial zoning. Due to their close proximity, they asked a lot of questions about our intentions and timing. Their only apparent concern was that we not build right up to their property line. We answered all of their questions, and exchanged business cards so that we could keep in touch. They later signed a letter of support (attached).

3) Louis and Regina Bazzana and their son Jerry - 581 Clement Avenue (2 lots). At the time of the first PIM, they had lived at 581 Clement Avenue for 56 years and have seen many changes. They realized that changes will occur along the street as time goes on, and were curious about what we were proposing. They had no apparent concerns or opposition to the information provided, or the intended application for OCP amendment. They mentioned the fact that many of the houses in the area are rentals now, and not well cared for. Their son Jerry attended the second PIM (see below).

4) Perry Freeman representing 1177 Ellis Street (The Train Station Pub): Perry is a managing director of Colliers International, and reviewed the concept for the 3 storey commercial building. He did not voice any objections, but requested that we email him a copy of the conceptual rendering drawing. We did as he asked.

5) Esther Merwin - 570 Coronation Avenue (2 lots). She was interested in what the project would look like on the south side (alley access side) since her property is located to the southeast of the subject properties, across the alley. She did not indicate any concern related to the rezoning of the properties from residential to commercial, but indicated that she would be interested in seeing how the project would look as more details are available. She also attended the second PIM (see below).

**SECOND PIM:**

1) Jerry Bazzana - 581 Clement Avenue. Jerry's parents have moved into a seniors home since last year's meeting. He asked a number of questions, including the implications of the rezoning and the project on his parents' property value. He signed a letter of support (attached).

2) Esther Merwin - 570 Coronation Avenue. Esther and her nephew attended. She signed a letter of support (attached).

Also attached is a letter of support related to the property at 1193 St. Paul Street (directly north at the NE corner of St. Paul and Clement. We received a phone call from the owner of 608 Coronation Avenue the day after the meeting. The owner, Mr. Tulloch, indicated his support and willingness to sign a letter of support. We have mailed him the letter for his signature

We trust that this report and attachments provide the information necessary to satisfy the City's requirement for a Public Information Meeting in support of our OCP amendment and rezoning application. Please contact us if you have any questions or concerns.

Sincerely,



Cathy Higgins, Fresh Start Enterprises Inc.



Joe Higgins, Retaine Financial Corp.

**Attachments:**

- (1) Survey sketch of subject properties
- (2) Report on First Public Information Meeting dated November 13, 2012
- (3) Example of the Invitation Letter
- (4) Map of Neighbours invited to the PIMs and illustrating those in support
- (5) Advertisements in Capital News (October 29 and November 1, 2013)
- (6) Sign-In Sheet
- (7) Letters of Support

# CITY OF KELOWNA

## BYLAW NO. 10901

**Official Community Plan Amendment No. OCP12-0017 -  
Joseph Higgins, Fresh Start Enterprises, Retaine Financial Corp. &  
Fresh Start Enterprises  
1215 St. Paul Street and 557 & 567 Clement Avenue**

---

A bylaw to amend the "*Kelowna 2030* - Official Community Plan Bylaw No. 10500".

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot 26, District Lot 139, ODYD, Plan 1303, located on 1215 St. Paul Street, Kelowna, B.C., and Lots 27 & 28, District Lot 139, ODYD, Plan 1303, located on 557 & 567 Clement Avenue, Kelowna, B.C., from the Multiple Unit Residential - Medium Density designation to the Mixed Use (Residential / Commercial) designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

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

## **CITY OF KELOWNA**

### **BYLAW NO. 10902**

#### **Z12-0069 - Joseph Higgins, Fresh Start Enterprises, Retaine Financial Corp. & Fresh Start Enterprises 1215 St. Paul Street and 557 & 567 Clement Avenue**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 26, District Lot 139, ODYD, Plan 1303, located on 1215 St. Paul Street, Kelowna, B.C., and Lots 27 & 28, District Lot 139, ODYD, Plan 1303, located at 557 & 567 Clement Avenue from the RU2 - Medium Lot Housing zone to the C7 - Central Business Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

# CITY OF KELOWNA

## BYLAW NO. 10817

### Official Community Plan Amendment No. OCP12 - 0006 Westcorp on the Lake Inc. No. A75763 3787, 3791 and 3795 Lakeshore Road

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WHEREAS Council wishes to adopt certain text amendments to Bylaw No. 10500 - *Kelowna 2030 - Official Community Plan*;

AND WHEREAS Council may adopt an official community plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all members of Council;

AND WHEREAS after first reading of the bylaw and before third reading of the bylaw, Council held a public hearing on the proposed amendments to the official community plan in accordance with Sections 890 through 894 of the *Local Government Act*;

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030 - Official Community Plan* Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation for Lot 2, D.L. 134, ODYD, Plan 3420 Except Parcel A (Plan B6180 and Plan H9673), located at 3791 Lakeshore Road; Lot 3, DL 134, ODYD, Plan 3420 Except Plan H9673, located at 3795 Lakeshore Road, and Lot B, D.L. 134, ODYD, Plan 12063 located at 3787 Lakeshore Road, Kelowna B.C. from the Mixed Use Tourism / Multiple Unit Residential - Medium Density / Multiple Unit Residential - Low Density / Major Park & Open Space to the Mixed Use Tourism / Multiple Unit Residential - High Density / Multiple Unit Residential - Medium Density / Major Park & Open Space, as shown on Map "A" attached to and forming part of this bylaw;
2. AND THAT Chapter 5 - Development Process, Objective 5.5 Ensure appropriate and context sensitive built form, Policy .1 Building Height, OTHER URBAN CENTRES, Elsewhere be amended by adding to the table titled, "Policy .1 Building Heights Does Not Apply to the following:" the following civic and legal addresses:

3787 Lakeshore Road	Lot B, D.L. 134, ODYD, Plan 12063
3791 Lakeshore Road	Lot 2, D.L. 134, ODYD, Plan 3420 Except Parcel A (Plan B6180 and Plan H9673)
3795 Lakeshore Road	Lot 3, DL 134, ODYD, Plan 3420 Except Plan H9673

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

Read a first time by the Municipal Council this 11<sup>th</sup> day of March, 2013.

Considered at a Public Hearing on the 26<sup>th</sup> day of March, 2013.

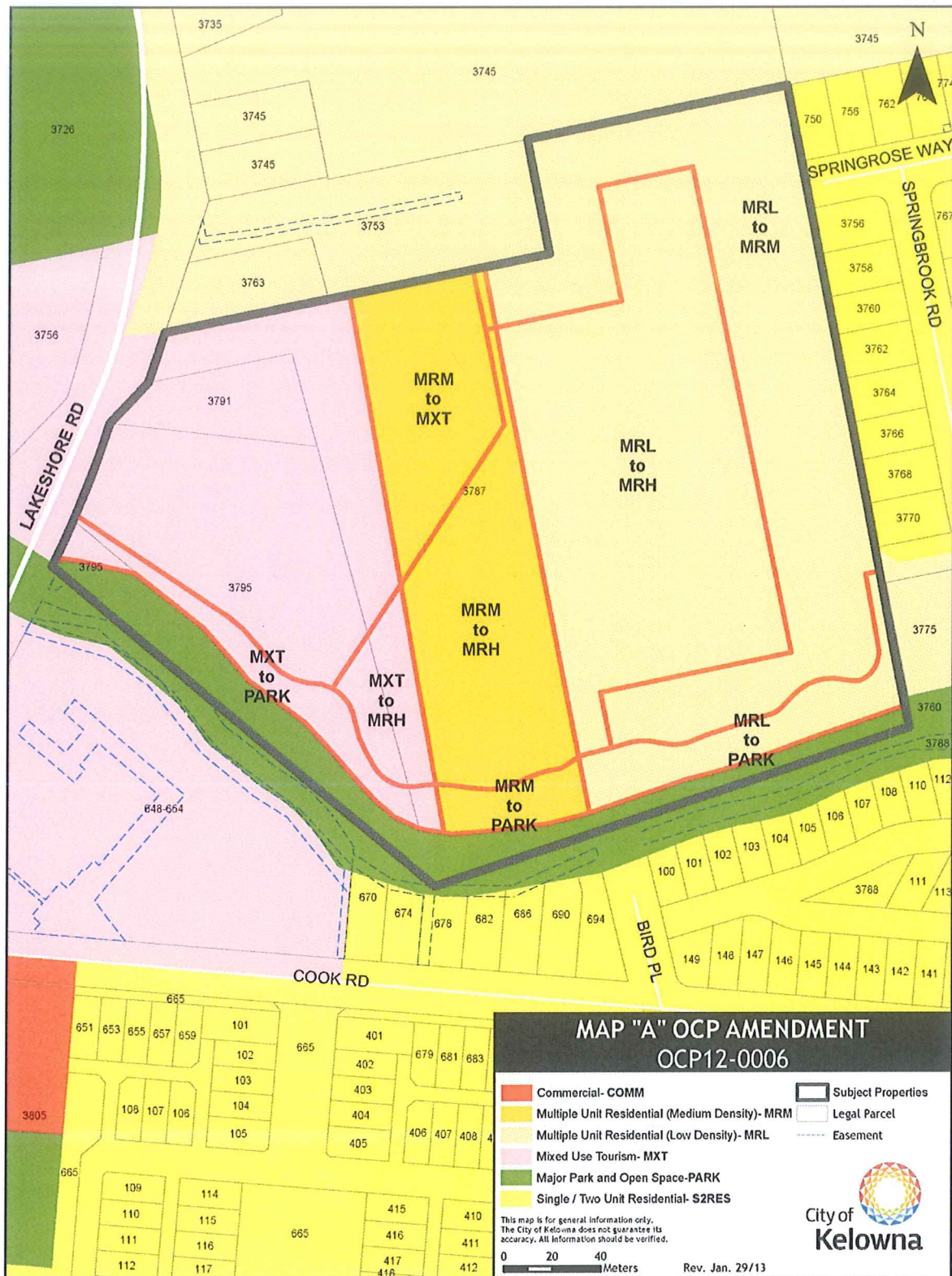
Read a second and third time by the Municipal Council this 8<sup>th</sup> day of April, 2013.

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

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





# CITY OF KELOWNA

## BYLAW NO. 10812

### Text Amendment No. TA12-0007 -Amendment to the City of Kelowna Zoning Bylaw No. 8000 - New CD24 - Comprehensive Development Zone 24

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

1. THAT **Section 1 - General Administration, 1.3 Zoning Map, 1.3.1** be amended by adding to the end of **Section 18 - Comprehensive Development Zones** the following:

CD23	(Intentionally Blank)
CD24	Comprehensive Development Zone 24

2. AND THAT **Section 7 - Landscaping and Screening, Table 7.1 - Minimum Landscape Buffer Treatment Levels Schedule,**
  - a) be amended in **Commercial Zones**, under **Location** by adding “CD24 Sub-Area A”; and
  - b) be amended in **Urban Residential Zones**, under **Location** by adding “CD24 Sub-Area B”
3. AND THAT a new **CD24 - Comprehensive Development Zone 24** be added to **Section 18 - Schedule B - Comprehensive Development Zones** as attached outlined in Schedule “A” attached;
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 11<sup>th</sup> day of March, 2013.

Considered at a Public Hearing on the 26<sup>th</sup> day of March, 2013.

Read a second and third time by the Municipal Council this 8<sup>th</sup> day of April, 2013.

Adopted by the Municipal Council of City of Kelowna on the

\_\_\_\_\_  
Mayor

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



## Schedule 'A'

**CD24 – Comprehensive Development Zone****1.1 Purpose**

The purpose is to provide for the integrated design of a comprehensive mixed-use development which includes tourist commercial and residential uses.

**1.2 CD24 Lands**

The CD24 Lands consist of two Sub-Areas A and B inclusive ("CD24 Sub-Areas") as shown on Plan HW-1. The boundaries of Areas A and B will generally conform to Plan HW-1.

**1.3 Regulations**

In the CD24 Comprehensive Development Zone, regulations may be different for each CD24 Sub-Area as set out in the CD24 Sub-Area Zoning as shown on Schedules 1 and 2.

**1.4 General Regulations of the Comprehensive Site**

- (a) **Section 6 – General Development Regulations** of this bylaw applies;
- (b) **Section 7 – Landscaping and Screening** of this bylaw applies;
- (c) **Section 9 – Specific Use Regulations** of this bylaw does not apply with the exception of:
  - Sub-Section **9.2 – Home Based Business, Minor**;
  - Sub-Section **9.3 – Home Based Business, Major**.
- (d) The CD24 Comprehensive Development Zone has been designated as a Development Permit Area by "Kelowna 2030 – Official Community Plan Bylaw No. 10500" for the purpose of guiding the form and character of development. The guidelines applicable to the CD24 Comprehensive Development Zone are annexed to this Bylaw as Annexure "1" and entitled "CD24 Comprehensive Development Area Design Guidelines".

**1.5 Site Coverage**

- (a) The maximum **site coverage** is 40%, provided that the maximum **site coverage of buildings**, driveways, and above ground parking areas is 50%.
- (b) Parking structures located above natural finished grade and surfaced with landscaping or useable open space shall not be included in the calculation of site coverage.

**1.6 Other Regulations**

- (a) A total of fifty (50) purpose-built rental units shall be included in the CD24 zone prior to the completion of 570 units.
- (b) No commercial uses shall be located beyond 250 metres of Lakeshore Drive frontage.

## 1.7 Parking and Loading

- 1.7.1 Loading facilities shall be designed in accordance with the loading regulations of **Section 8 – Parking and Loading** of this bylaw, with the exception that the minimum number of loading spaces required must be in accordance with **Table 2** of this CD24 Zone.
- 1.7.2 **Parking spaces** shall be designed in accordance with the parking regulations of **Section 8 – Parking and Loading** of this bylaw, with the exception that the minimum number of **parking spaces** required must be in accordance with **Table 1** of this CD24 Zone.
- 1.7.3 Bicycle parking shall be provided in accordance with the bicycle parking regulations of **Section 8 – Parking and Loading** of this bylaw.
- 1.7.4 Co-op cars or pool cars provided for shared use by residential development shall equate to five parking stalls per pool car provided. A maximum of 10 pool cars can be used for parking stall credits within the zone. The provision of pool cars shall be considered as part of a Development Permit and will be secured by way of agreement with the developer.

**Table 1: Parking**

Use	Minimum Parking Space Requirement
Commercial	2.5 spaces per 100 m <sup>2</sup> Gross Floor Area
Residential	1.4 spaces per dwelling unit / 3 bedroom apartment 1.2 space per dwelling unit / 2 bedroom apartment 1.0 spaces per dwelling unit / 1 bedroom apartment 0.8 spaces per dwelling unit / studio apartment 1.55 spaces for dwelling unit/ 3+ bedroom townhouse unit 1.35 spaces per dwelling unit/2 bedroom townhouse unit 1.10 spaces per dwelling unit/ 1 bedroom townhouse unit Additional parking shall be designated for residential visitor parking at a rate of 1 space for every 7 dwelling units
Supportive Housing	1 space per three bed spaces
Hotels	0.75 spaces per sleeping unit
Hotel Ancillary Uses (restaurant/lounge, conference/meeting rooms, retail shops)	4.0 spaces per 100 m <sup>2</sup> of Gross Floor Area

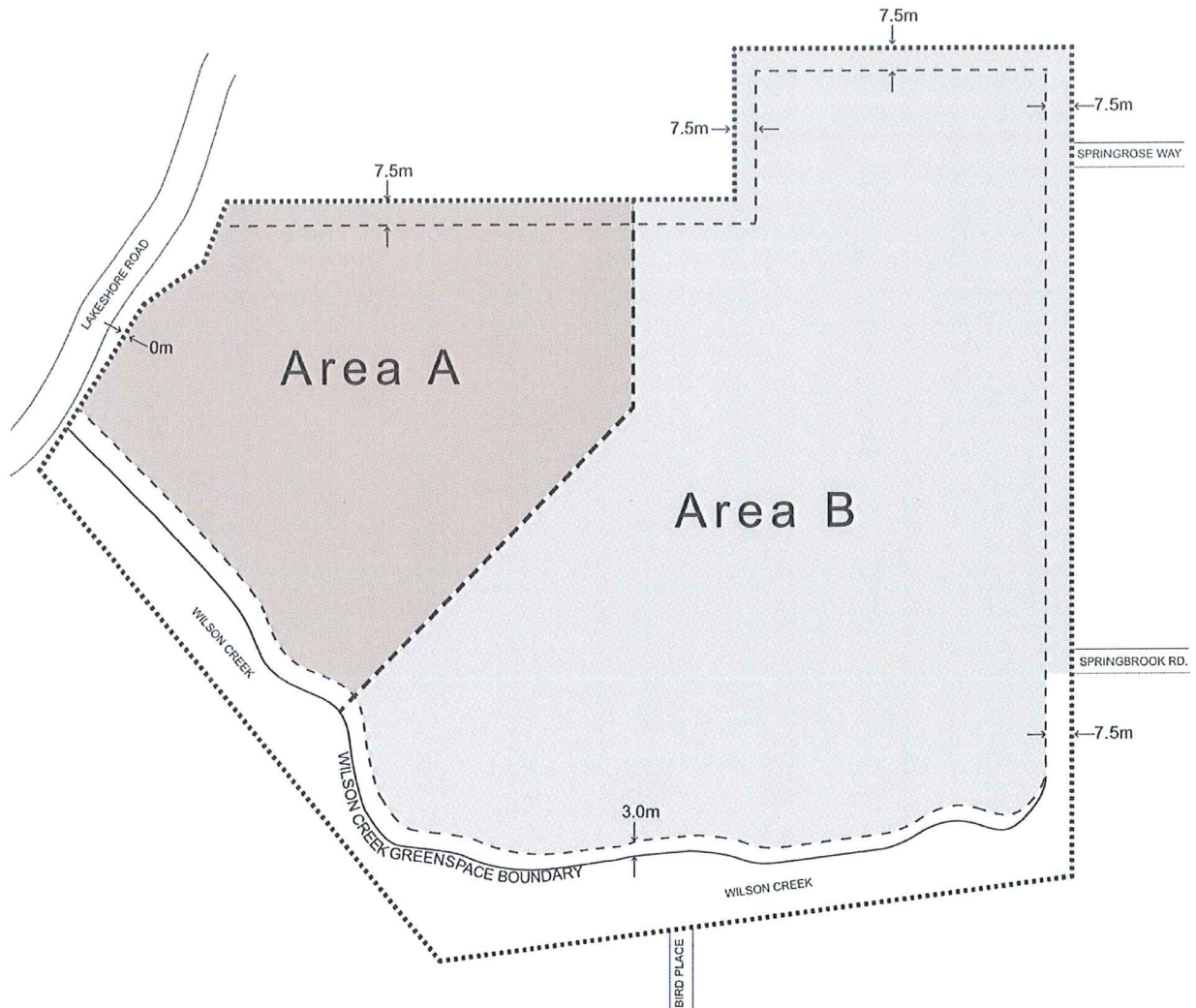
**Table 2: Loading**

Use	Minimum Parking Space Requirement
Commercial/Hotel	2 Large scale loading stalls 1 per 2,800 m <sup>2</sup> gross floor area

## 2.1 Subdivision Regulations

- (a) Each lot created that is serviced by the common lot access shall have a minimum frontage on the common lot access of 10 metres
- (b) Area B minimum lot width is 25 metres
- (c) Area B minimum lot depth is 30 metres
- (d) Area B minimum lot area is 750 m<sup>2</sup>
- (e) At the time of subdivision, a Section 219 Restrictive Covenant will be registered on all properties indicating the allocation of I Net Floor Area to each of the lots being created. The sum of all allocation covenants cannot exceed 90,990 m<sup>2</sup> or 1.25 FAR.

PLAN HW-1





**SCHEDULE 1 – CD24 SUB-AREA A ZONING****7.1 Purpose**

The purpose of Sub-Area A is to provide a mix of tourist commercial and residential uses.

**7.2.1 Principal Uses**

The **principal uses** in this Sub-Area are:

- a) apartment hotels
- b) boarding or lodging houses
- c) congregate housing
- d) group home major
- e) hotels
- f) motels
- g) multiple dwelling housing
- h) supportive housing
- i) tourist campsites

**7.2.2 Secondary Uses**

- a) agriculture, urban
- b) boat storage (only within an enclosed building or structure)
- c) care centre major
- d) community recreation services
- e) financial services
- f) food primary establishment
- g) health services
- h) liquor primary establishment , major
- i) liquor primary establishment, minor
- j) liquor primary license
- k) non-accessory parking
- l) home based business minor
- m) offices
- n) participant recreation services, indoor
- o) personal services establishments
- p) retail liquor sales (establishments)
- q) retail store, general

**7.3 Density**

- a) Area A has a maximum F.A.R. of 1.5. The overall site density shall not exceed a Net Floor Area of 90,990 m<sup>2</sup> or an F.A.R. of 1.25 calculated on the gross site area, whichever is the greater.
- b) Area A has a minimum ground floor commercial area of 2,500 m<sup>2</sup>.
- c) A minimum of 50% ground floor commercial area within Area A must front Lakeshore Drive.

**7.4 Height**

The maximum **height** of one **building** within Area A shall be the lesser of 36 metres or 11 **storeys**, not including rooftop mechanical penthouse, antenna or other ancillary structures. For all other buildings in Area A, the maximum height should be the lesser of

33 metres or ten (10) **storeys**, not including rooftop mechanical penthouse, antenna or other ancillary structures.

### 7.5.1 Site Setbacks

#### *Perimeter Property Line Setbacks*

- a) South Side – 3.0 metres from the boundary of the Wilson Creek green space for any **buildings** and **structures** less than 15 metres in **height**. All portions of **buildings** and **structures** above 15 metres in **height** will require an additional 1.5 metre setback for a total of 4.5 metre setback from the boundary of the Wilson Creek Green Space.
- b) North Side – 7.5 metres for all **buildings** and **structures** up to 10 metres in **height**; 15 metres for any **buildings** and **structures** greater than 10 metres in **height**.
- c) West Side / Lakeshore Road Frontage – 0.0 metres for 50% of the **frontage** and 3.0 metres for 50% of the **frontage** for any **buildings** or **structures** under 10 metres in **height**. 3.0 metres for any portion of **buildings** or **structures** above 10 metres in **height**. Notwithstanding this provision, architectural features that are less than 25% of the building face width may encroach into the 3.0 metre setback requirement, to a maximum of 1.5 metres.

### 7.5.2 Internal Site Setbacks

- a) The site is intended to be subdivided further into individual parcels served by a common lot access road. The minimum setbacks for all internal parcels are:
  - i. 0 metres for all parking structures;
  - ii. 0 metres for front yard setback; and
  - iii. 3.0 metre setback from all internal side and rear yards.

### 7.6 Private Open Space

A minimum area of 7.5 m<sup>2</sup> of private open space shall be provided per **bachelor dwelling, apartment hotel unit, or congregate housing bedroom**; 15 m<sup>2</sup> of **private open space** shall be provided per **1 bedroom dwelling**, and 25 m<sup>2</sup> of **private open space** shall be provided per **dwelling** with more than **1 bedroom**, except for hotel where no minimum private open space is required.

### 7.7 Other Regulations

- a) The maximum site area of Sub-Area A is 35,000 m<sup>2</sup>.
- b) Financial services use shall not have a floor area greater than 280 m<sup>2</sup>
- c) Health services and office uses shall not have a cumulative floor area that exceeds 500 m<sup>2</sup>
- d) Retail store, general use shall be limited to a maximum single tenancy of 1,400 m<sup>2</sup>

## Annexure 1

**SCHEDULE 2 – CD24 SUB-AREA B ZONING****8.1 Purpose**

The purpose of Sub-Area B is to provide multi-family residential housing.

**8.2.1 Principal Uses**

The **principal uses** in Sub-Area B are:

- a) **congregate housing**
- b) **group home major**
- c) **multiple dwelling housing**
- d) **supportive housing**

**8.2.1 Secondary Uses**

The **secondary uses** in Sub-Area B are:

- a) **agriculture, urban**
- b) **boarding or lodging houses**
- c) **care centre major**
- d) **care Centre, major**
- e) **non-accessory parking**
- f) **community recreation services**
- g) **home based business, minor**

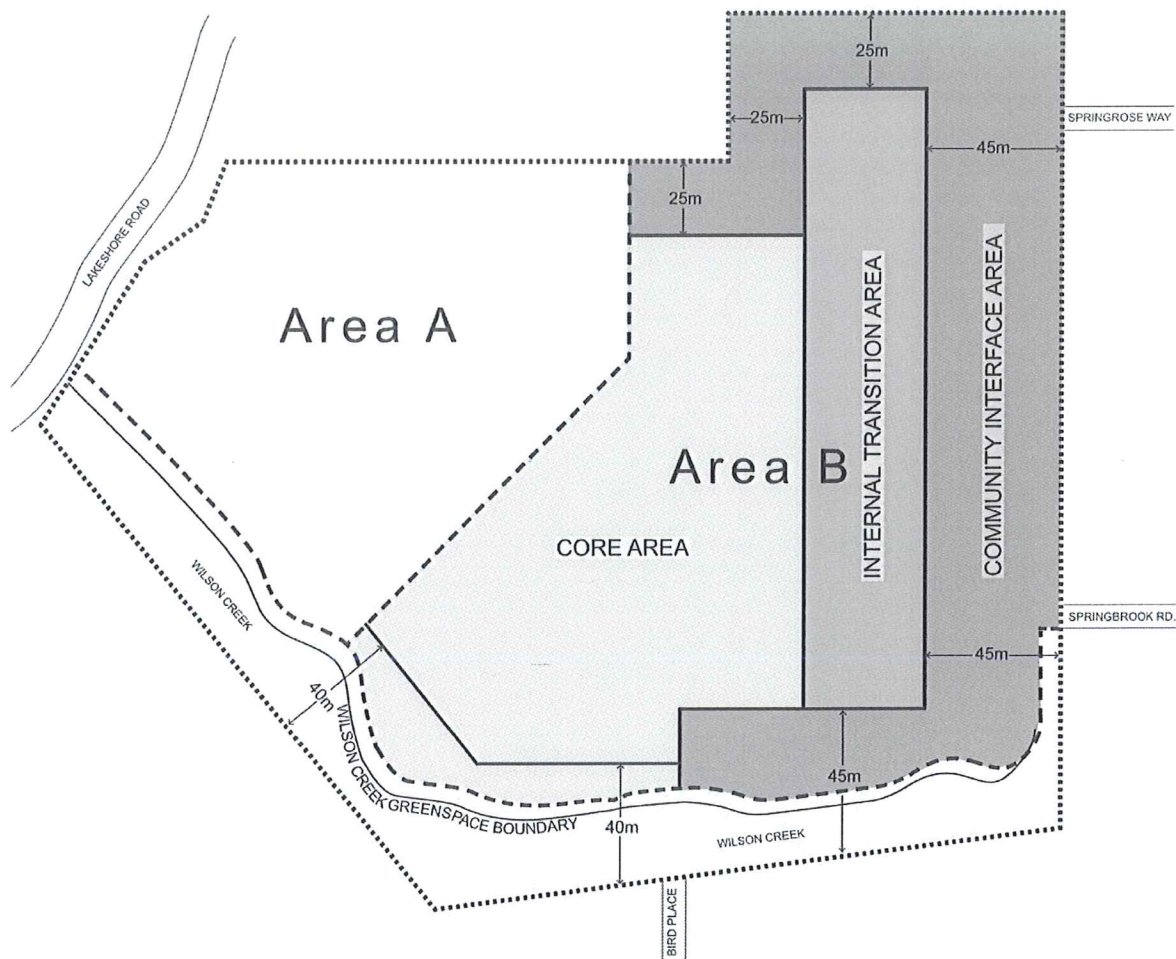
**8.3 Density**

Sub-Area B has a maximum density of 1.20 F.A.R. In addition, the overall site density shall not exceed a Net Floor Area of 90,990 m<sup>2</sup> or an F.A.R. of 1.25 calculated on the gross site area, whichever is the greater.

**8.4 Height**

For the purposes of **height**, Sub-Area B will be made up of three (3) distinct areas as illustrated on Plan HW-2. **Building heights** within the Community Interface area shall be the lesser of 11.5 metres or 3.5 **storeys**. **Building heights** within the Internal Transition area shall be the lesser of 20.5 metres or 6 **storeys**. **Building heights** within the Core Area shall be the lesser of 29.5 metres or 9 **storeys**.

PLAN HW-2





## 8.5 Site Setbacks

### *Perimeter Setbacks*

- a) South Side – 3.0 metres from the boundary of the Wilson Creek green space for any **buildings** and **structures** less than 15 metres in **height**. All portions of **buildings** and **structures** above 15 metres in height will require an additional 1.5 metre setback for a total of 4.5 metre setback from the boundary of the Wilson Creek green space.
- b) North Side – 7.5 metres for all **buildings**.
- c) East Side – 7.5 metres for all **buildings**.

### *Internal Setbacks*

- a) The site is intended to be subdivided further into individual parcels served by a common lot access road. The minimum setbacks for all internal parcels are:
  - o 0 metres for all parking structures;
  - o 2 metres from the fronting road, and
  - o 3.0 metres from all side and rear yards.

## 8.6 Private Open Space

A minimum area of 7.5 m<sup>2</sup> of private open space shall be provided per **bachelor dwelling or congregate housing bedroom**; 15 m<sup>2</sup> of **private open space** shall be provided per **1 bedroom dwelling**; and 25 m<sup>2</sup> of **private open space** shall be provided per **dwelling** with more than **1 bedroom**.

## 8.7 Other Regulations

- a) The maximum site area of Sub-Area B is 60,000 m<sup>2</sup>.
- b) The uses set within Section 8.2 are only permitted provided that off-street vehicular parking and off-street loading must be screened from public view with a minimum 2.0 metre landscape buffer. This buffer can be reduced to a 1.0 metre width when provided in combination with a decorative fence or wall with a minimum height of 1.2 metres. A minimum of 50 family-oriented **dwellings** shall be included in Sub-Area B prior to the completion of 400 residential units. Family-oriented dwellings, for purposes of this zone, are defined as a **dwelling** suitable as a residence for a **household** with children which meets the following criteria:
  - i. The lowest **storey** of the **dwelling** is no higher than the third storey of the building;
  - ii. The **dwelling** has two bedrooms or more, and the average number of bedrooms per **dwelling** is not less than 2.25 for all such dwellings in a development;
  - iii. The **dwelling** has individual and private access to grade, except that in the case of stacked row housing access to **dwellings** above the first **storey** may be shared by two **dwellings**. In the case of **apartment housing**, access to **dwellings** above the first storey may be shared, provided that entrances to not more than six **dwellings** are located on any one **storey** or landing.

Annexure 1



# CD24 COMPREHENSIVE DEVELOPMENT DESIGN GUIDELINES



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# INTRODUCTION AND OVERVIEW

The development envisioned under the CD24 zone is to be a place where a sense of community thrives and pride in the neighbourhood is evident.

The CD24 development will be an inviting and sustainable mixed-use commercial residential neighbourhood that will support the tourism potential of this unique area of Kelowna. The overall vision for CD24 is forward thinking; incorporating principles of smart growth development, a high level of urban design and best management practices for sustainability. The following are the over-arching development objectives for CD24:

- ≈ Promote the City of Kelowna's vision for new communities and development, as outlined in Chapter 5.0 of the 2030 Overall Community Plan (OCP): *develop in a sustainable manner; focus development in established growth areas; ensure appropriate and context sensitive built form; create a sense of community; provide high quality urban design; create opportunities for greater pedestrian, active transportation and public transit use.*
- ≈ Promote the creation of a *Complete Communities and Compact Urban Form* that combines a variety of residential building types with a tourism based commercial and retail component that is responsive to the surrounding context.
- ≈ Promote a pedestrian-oriented lifestyle community that integrates mixed-use development with park-like open spaces that are inter-connected by pathways both internally and externally.



SITE PLAN



MIXED USE – COMMERCIAL TOURISM



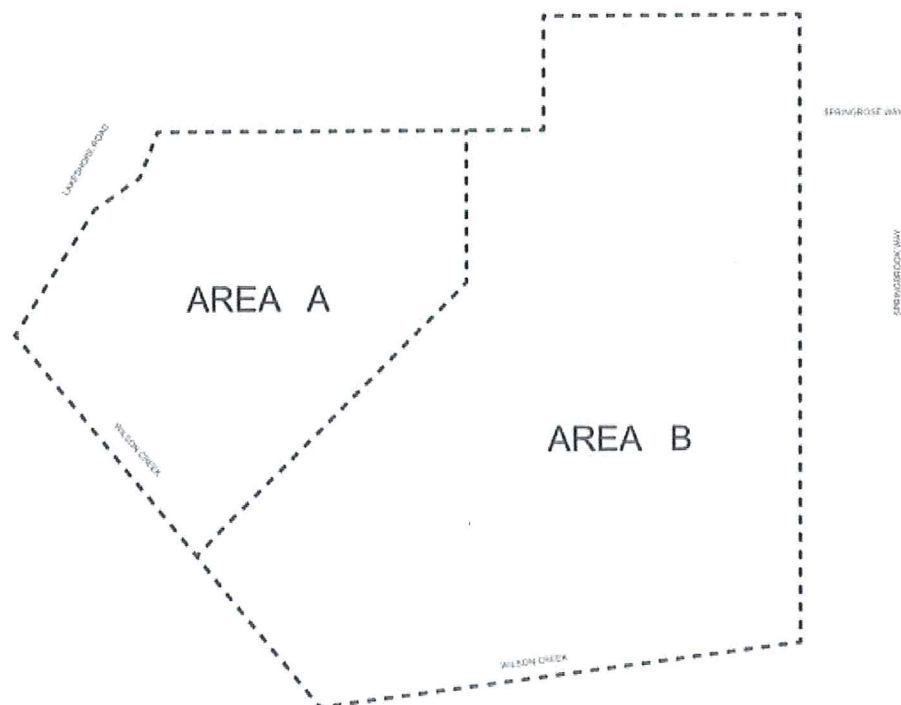
SUSTAINABILITY

- ≈ Promote the construction of energy efficient buildings and best management practices with regards to sustainability initiatives for community design, energy efficiency, reduced water consumption, active transportation, increased biodiversity and preservation of ecology.

The following *Design Guidelines* will ensure a harmonious understanding of the 'vision', with a strong focus on environmental, economic and social sustainability.

### 1.1 USING THE DESIGN GUIDELINES

These Design Guidelines form part of a Comprehensive Development (CD24) agreement that will shape the future of this multi-phased mixed-use development. The site has been divided into two distinct areas (Area A and Area B). Area A has both residential and commercial uses and Area B has only residential uses. As such, these guidelines have been structured to include overall guidelines for both Area A and Area B and commercial specific guidelines for Area A.





The intent of the Design Guidelines is to provide the following:

- ≈ Provide the framework that will be used by individuals preparing the form and character Development Permit applications relating to buildings and open spaces within the CD24 boundary.
- ≈ Assist the City of Kelowna's planning staff with individual Development Permit applications within the CD24 boundary.
- ≈ Provide general guidance as to the level of detailed design needed to ensure that each individual development is compatible with the overall urban design concept established for CD24 Zone.
- ≈ Provide, through high-level graphic examples, to illustrate potential applications of the design guidelines.

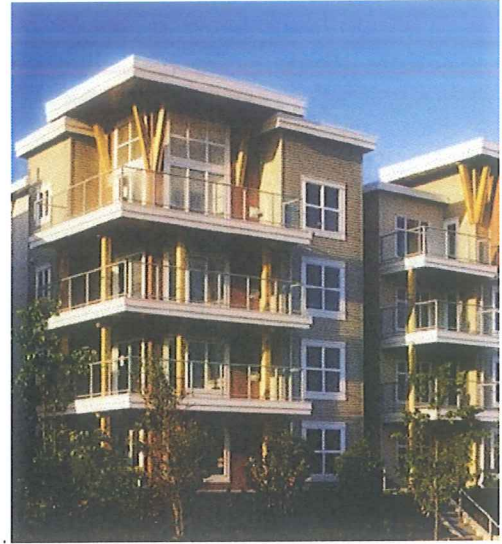
These guidelines are not intended to be the final form of development, but rather represent a 'conforming outline' to be used as a starting point for detailed design to build upon.

## 1.2 GUIDING PRINCIPLES

Guiding principles represent the larger planning and design objectives that are to be reinforced whenever possible during subsequent development stages.

### 1.2.1 LAND USE PRINCIPLES

- ≈ The development of the CD24 site will incorporate a mix of land uses including retail, commercial, hotel and residential with associated residential uses.
- ≈ Land use for the CD24 site has been allocated to two different areas ('Area A' and 'Area B').



RESIDENTIAL BUILDING



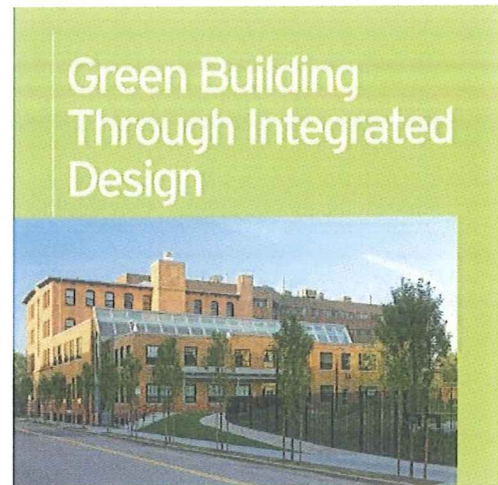
RESIDENTIAL BUILDING



- ≈ Area A's core land use will be tourism-based commercial that includes hotel and conference space, ground floor retail, and residential use located above retail. Commercial development will be complemented with an urban plaza space that accommodates some surface parking.
- ≈ Area A's building forms respond to the Lakeshore Road frontage and will have a landmark structure in terms of scale and architecture.
- ≈ Area B's land use will be residential, with no commercial or retail use, and will be complemented by an inter-connected network of landscaped open spaces.
- ≈ Area B's building forms will be mid-rise, multi-unit structures that step back in height from the site edges in response to adjacent existing residential.
- ≈ Vehicular traffic within the site will be accommodated by an internal road network, with limited surface parking and an easily accessible parking structure.

#### 1.2.2 SUSTAINABILITY PRINCIPLES

- ≈ To promote higher density mixed-use development near existing communities and public infrastructure to reduce adverse environmental and public health effects associated with low density urban sprawl.
- ≈ To encourage the development of energy-efficient buildings by employing strict heating and cooling strategies that will reduce dependency on natural resources.
- ≈ To reduce pollution and flooding associated with major storm events through on-site stormwater capture and treatment to promote aquifer recharge and improve water quality by emulating natural conditions.
- ≈ To reduce energy consumption and pollution from motor vehicles by providing high levels of external connectivity and by encouraging alternative modes of transportation such as public transit, cycling, car sharing and walking.
- ≈ To promote a healthy lifestyle by providing safe, appealing and comfortable street, pathway and open space environments.



GREEN BUILDING



ACTIVE TRANSPORTATION



COMMUNITY GARDENS



- ≈ To preserve water quality, natural hydrology, habitat, and biodiversity through conservation and rehabilitation of wetlands and Wilson Creek.
- ≈ To enable the widest spectrum of people, regardless of age or ability, to more easily participate in community life by incorporating principles of universal accessibility into the design process.
- ≈ To promote community-based food production, access to fresh produce, and improve nutrition through provision of community gardens.
- ≈ To limit or eliminate the use of potable water for irrigation by use of captured or recycled water for use in landscape irrigation.
- ≈ To minimize amounts of sod lawn provided and to use a planting palette of drought tolerant native, or native-adaptive, plant species to minimize water consumption for irrigation.

### 1.2.3 URBAN DESIGN PRINCIPLES

- ≈ It is the overall intent that the CD24 development site incorporates a high level of urban design and character into its buildings and outdoor open spaces that is responsive to the functional requirements of a mixed-use development, the site's unique context, and the promotion of a pedestrian-oriented neighbourhood.
- ≈ Building and open space design should convey human scale, address pedestrian comfort and safety, and complement the surrounding community as well as existing buildings.
- ≈ Create opportunities for public open space as part of the development that is safe, of high-quality and human scale.
- ≈ Consider a road network as part of the public open space that will include amenities that promote pedestrian comfort and use.



MINIMAL SOD PLANTING



MIXED-USE – URBAN DESIGN



PEDESTRIAN FRIENDLY STREETSCAPE



TOURISM - COMMERCIAL

## 1.2.4 RESPONSE TO CONTEXT

- ≈ Development in Area A will have a strong urban character in the treatment of buildings and open spaces in response to the context of Lakeshore Road, Manteo Resort and other major commercial developments within the Cook Road Tourist Commercial Area.
- ≈ Development in Area B will have a residential character through scale and material treatment of buildings, landscape buffers and landscape treatment of open spaces that respond to the context of adjacent existing residential uses.
- ≈ Development in both Area A and Area B will respond to the highly naturalized character of the Wilson Creek wetland and riparian corridor by providing the required building setbacks from the City of Kelowna Wilson Creek Linear Park and accompanying environmental green space.
- ≈ Character of exterior spaces and selection of plant material is to transition from cultured (inside site) to natural (edge of site at environmental riparian zone).
- ≈ The character of buildings and public spaces within the CD24 site should celebrate that which is unique and distinctive about the Okanagan Valley by drawing inspiration from the region's natural and cultural landscapes.



WILSON CREEK



OKANAGAN INSPIRED LANDSCAPING

## 1.2.5 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- ≈ Provide sufficient density to help ensure enough “eyes and ears” on the street.
- ≈ Improve public safety through the creation of public spaces that instil a sense of pride and ownership.
- ≈ Provide natural surveillance and sight lines to ensure unobstructed views in areas where public safety and pedestrian / vehicle conflicts will be a factor.
- ≈ Provide lighting at a sufficient enough level to uniformly light adjacent sidewalks so as to provide a high level of “psychological comfort and safety” for pedestrian use at night.



# OVERALL DEVELOPMENT GUIDELINES

The following guidelines apply to both Area A and Area B. Additionally, at the end of each section, commercial specific guidelines for Area A only have been highlighted.

## 2.1. BUILDING SITING, MASSING AND PROPORTION

- ≈ In general, building massing will respond to adjacent existing land uses by stepping the heights of buildings from the edges of the site (lower building heights) to the core of site (higher building heights).
- ≈ Where residential buildings are situated in close proximity to each other, consideration should be given to stepping back the upper floors of the building to visually reduce the massing by expanding the horizontal relationship between the upper levels when compared to the lower levels.
- ≈ Consideration should be given at the site planning level to provide private open space at grade for each ground unit along with transitional landscaped open space from private to semi-private / semi-public space (see CD24 Comprehensive Zoning Bylaw for minimum private open space requirements).
- ≈ Buildings should be sited with sensitivity to future development on adjacent properties and in a way that promotes the creation of functional and interconnected outdoor spaces for residents within the community.
- ≈ Building siting should consider placement and orientation to maximize use of natural light in building design, and maximize view corridors to Wilson Creek while minimizing views into adjacent developments.



HOTEL CONFERENCE PODIUM

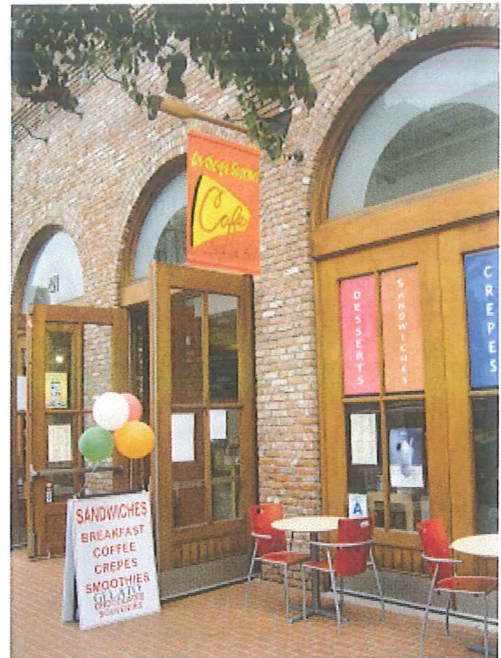


TOWER PODIUM ASSEMBLY



SUSTAINABILITY

- ≈ Buildings should demonstrate a high degree of human scale through emphasis of doors and windows and through appropriate choice of materials and surface detailing to create a rich visual interest at the pedestrian level.
- ≈ Building articulation refers generally to the exterior details and the arrangement of both specific and repetitive features. As it is not intended that the CD24 site be developed under one specific architectural theme, care and attention at the preliminary design stage should be made to ensure that different architectural styles be complementary in detail to each other.
- ≈ Building facades should have a balance of vertical and horizontal proportions.
- ≈ Vertical accents should occur on a regular basis to reinforce a pedestrian-scaled rhythm and are preferred for windows.
- ≈ Horizontally-extended glazed areas should be subdivided into vertically proportioned windows separated by mullions or building structure.
- ≈ Building siting and massing for structures over 2 stories should be comprised of a podium and a tower element.
- ≈ Building tower and podium should be perceived as assemblages of forms through overlapping of building elements to break-up massing. Homogenous building treatments that tend to create monolithic building massing are strongly discouraged.
- ≈ Building towers should be designed to help reduce perceptions of bulk as well as contribute to a distinct identity for the architectural expression of development.
- ≈ Towers should have a minimum 25 metre separation from any other tower, with the distance between buildings measured from the nearest vertical plane, not including balconies or building overhangs.



PEDESTRIAN LEVEL INTEREST



WILSON CREEK GREEN SPACE

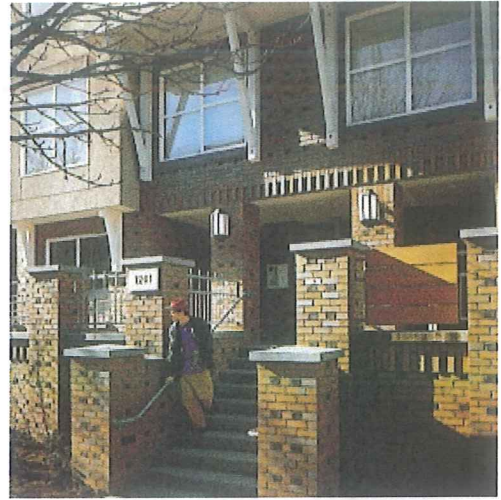


## 2.2. BUILDING HEIGHTS AND SETBACKS

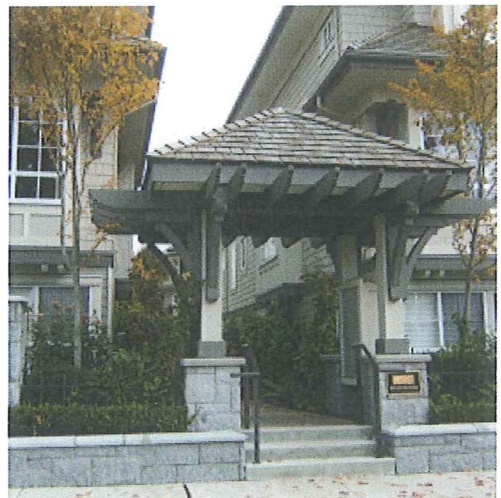
- ≈ The CD24 Zone prescribes minimum setbacks to the external property boundaries on the CD24 site.
- ≈ Building heights will step in response to the prescribed setbacks as outlined in the CD24 Zone Site Setbacks.
- ≈ Designated setback areas along the north and eastern property lines which are immediate to existing residential development should be primarily treated as semi-private to private space allowing for maximum landscape planting and screening and minimum pedestrian access.
- ≈ In residential units located at the ground level adjacent to the Wilson Creek Green Space, it is recommended that buildings be sited to maximize the potential for on-grade outdoor private patio spaces.

### 2.2.1 COMMERCIAL BUILDING HEIGHTS AND SETBACKS

- ≈ The podium for each building should be no more than 3 stories above grade.
- ≈ Where residential uses are proposed above retail or commercial uses, the first level of residential should be set back slightly further than the commercial or retail façade.
- ≈ Where buildings face the commercial piazza, floors above the first 2 stories should be slightly set back from the lower façade in order to create an appropriate pedestrian scale of building at the commercial level.
- ≈ The first 2 stories of a building is where design elements can be most effective to provide a human scale to the building, regardless of its overall size and massing. Lower levels should be designed to accentuate the horizontal elements and to provide a separation between the lower retail uses and upper mixed use levels.



INVITING ENTRANCES



COVERED ENTRANCES



UNIVERSALLY ACCESSIBLE MAIN ENTRANCE

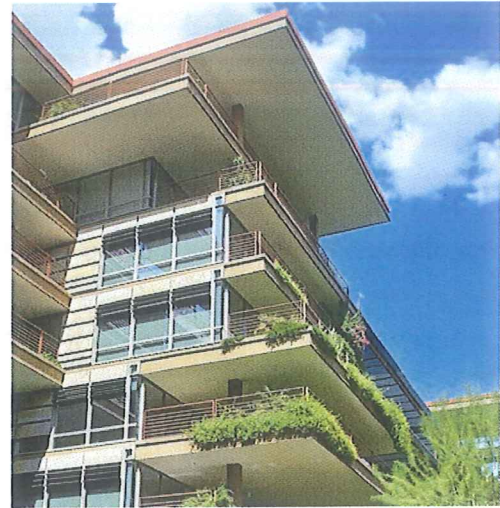


### 2.3. BUILDING ENTRANCES

- ≈ All entrances should be inviting from the street and create a comfortable and welcoming experience through attention to details, proportions, materials, and lighting.
- ≈ Principal entrances should be easy to identify from the street or any adjoining public open space.
- ≈ If the principal building entrance is located within a courtyard/ garden space, there should be adequate address identification in close proximity to street or adjoining open space, and an appropriate walkway through the space to the main entry door.
- ≈ Principal entrances should include a canopy, overhang, portico or other similar structure to provide appropriate weather protection, without sacrificing visibility.
- ≈ Principal entrances should be universally accessible.
- ≈ Principal entrances should be in close proximity to a vehicular lay-by or drop off area, without compromising pedestrian safety.
- ≈ The building address should be clearly visible and located near the principle building entrance.
- ≈ The principal entrance should be designed so that it is secure and that visitors can be identified from within the building without opening the door.
- ≈ Secondary entrances and exits should be designed for safety and visibility.
- ≈ If the route of access to secondary entrances crosses through a courtyard / garden space or landscaped area, there should be a defined path.
- ≈ If a secondary entrance is not frequently used, the pathway does not necessarily have to be a hard surface. Crushed gravel could be an adequate treatment.

#### 2.3.1 COMMERCIAL BUILDING ENTRANCES

- ≈ Retail spaces should be easy to see into from the adjoining commercial plaza and outdoor space(s). A high degree of transparency should not preclude use of mullion patterns to add visual interest and human scale to the building.



BALCONY AND OVERHANG RESPOND TO CLIMATE



LANDSCAPED DECKS AND ROOFTOPS



SOLAR SHADING



## 2.4. BUILDING ROOFTOPS, BALCONIES, OVERHANGS, AND SOFFITS

- ≈ Buildings should be articulated with the aim of creating shadows through indentations and projections of elements within a façade composition on all sides – not just the front building elevation. (i.e. windows and doors, cornice lines, pilasters, balconies, and/or base-relief detailing).
- ≈ Buildings with flat roof areas, whether actively used or not, should be enhanced by use of texture, colour, and/or landscaping, especially when visible from habitable spaces above.
- ≈ Rooftops designed as active outdoor social spaces are encouraged and should be designed to withstand the weight of mature trees and plantings.
- ≈ All mechanical equipment and elevator penthouses should be integrated with the architectural treatment of the roof, or be screened with materials and finishes compatible with the building's design.
- ≈ In response to a regional expression, building detailing should emphasize shade from summer sun with overhangs and recesses of sufficient depth that are appropriate responses to solar exposure.
- ≈ Upper levels of buildings should incorporate decks, balconies, or other building features as outdoor amenity space for occupants. Balconies should be designed to maximize outdoor living opportunities.
- ≈ Where appropriate, Green Roofs should be considered as a viable option to tar and gravel ballast roofs in response to sustainable building practices and the reduction of heat island effect on roofs.
- ≈ Any soffits or the underside of any portion of a building, including the undersides of balconies, within the first 2 stories and exposed to public view should be treated in a manner as to provide visual interest and show attention to detail.



REGIONAL EXPRESSION – TRANSITION TO OUTSIDE



SOFFIT TREATMENT



BALCONY AND OVERHANGS RESPOND TO CLIMATE



LANDSCAPED DECKS AND ROOFTOPS



#### 2.4.1 COMMERCIAL BUILDING ROOFTOPS, BALCONIES, OVERHANGS AND SOFFITS

- ≈ Where at-grade patios are to be provided in support of commercial uses, consideration should be given to provide a landscape buffer between the public realm and outdoor patio.
- ≈ Outdoor patios should be delineated with decorative fencing of a high quality and durable material (i.e. metal) and should not exceed 1.2 metres in height unless considered as part of a gateway treatment.



OUTDOOR PATIO DECORATIVE FENCING

#### 2.5. EXTERIOR MATERIALS, TREATMENT AND WINDOWS

- ≈ In response to a regional expression, the character of building, detailing and selection of materials should celebrate the unique and distinctive qualities of the Okanagan Valley and draw inspiration from the region's natural and cultural landscapes.
- ≈ In response to a regional expression, consider techniques and treatments that emphasize the transition between inside and outside through the differing seasons such as; retractable windows, overhead rolling doors, canopies, trellises, and extended building planes.
- ≈ Window and balcony sizes and spacing should create a comfortable rhythm that is consistent through the majority of the floors above the lowest level.
- ≈ Windows should be maximized to create natural light penetration into the buildings. Positioning of windows will consider solar effects during both the hottest summer months and the cooler and greyer winter months.
- ≈ Windows that open for natural ventilation should be encouraged, but the windows must also have a means to be secured at lower levels on the buildings.
- ≈ Windows should incorporate an appropriate trim detail that will be suited to the exterior materials and colours of the building.



COMPLEMENTARY MATERIAL CHANGE



WINDOW BALCONY RHYTHM



- ≈ All roof flashings and vents exposed to public view should be painted to match adjacent surfaces or disguised in a manner consistent with the visual characteristics of the building.
- ≈ Materials should be durable and appropriate to the character of community development. No vinyl siding or non-vision (mirrored) window glass is to be used as part of building fenestration.

## 2.6. PARKING, LOADING, FIRE AND EMERGENCY ACCESS

- ≈ Vehicle drop off and temporary lay-by parking should be provided in close proximity to residential buildings, or by having a single drop off serving a grouping of buildings.
- ≈ Vehicle drop off and temporary lay-by parking should be located in a manner as to ensure adequate access by the appropriate sized vehicles, while minimizing pedestrian conflicts and visual impacts from principle building entries and outdoor patios.
- ≈ Vehicle drop off and temporary lay-by parking should be treated so that pedestrians and vehicles have equal status.
- ≈ Vehicle drop off and temporary lay-by parking should offer visual interest (i.e. stamped concrete, concrete pavers, etc.) such that the space takes on a higher quality and distinction from the asphalt roadway surface.
- ≈ The majority of the required parking will be located in parking structures. Due to the high water table, it is not practical to construct the parking structures completely underground.
- ≈ Under-building parking structures should be built to internal property lines to ensure a contiguous public open space can be created on top of the structure.
- ≈ Parking garage interconnectivity should be encouraged between adjacent building sites.



REGIONAL EXPRESSION – TRANSITION TO OUTSIDE



VEHICLE DROP OFF PAVING



ARCHITECTURAL INTEGRATED PARKADE ENTRY



- ≈ The lowest level parkade can have approximately ½ storey of the parking structure wall height exposed, provide that it is treated in a manner as outlined in these guidelines.
- ≈ The second level parkade should be integrated into buildings and may include portions of the parkade structure that will have a full one-storey potentially exposed, provide that it is treated in a manner as outlined in these guidelines.
- ≈ Exposed parkade walls in areas with no pedestrian access have the potential to be naturally ventilated using screened openings. The design of screens should be decorative with be a powder-coated finished metal material.
- ≈ Exposed parkade walls in areas with pedestrian access will, at minimum, include; colour parging or cast-in-place concrete reveals, and if possible, sloped landscape with plant screening to minimize visual impact of walls. Any landscaping associated with parkade structures will consider CPTED guidelines.
- ≈ Exposed parkade walls in areas with pedestrian access and associated with second level parking should also function as pedestrian access points to the network of open spaces by incorporated into their design stairs and/or ramps for pedestrian access.
- ≈ Terraced landscaping should be used to complement pedestrian access points and be integrated into the overall landscape open space design.
- ≈ Exposed parkade walls in highly visible areas should have equal treatment as building exteriors in terms of articulated surface, reveals and applied detailing to visually break-up wall surfaces.
- ≈ Garage doors and vehicle access points into building should not terminate on axial views (i.e. views down streets within the vicinity of the site).
- ≈ Where axial views are terminated, design consideration should be given to mitigating the visual impact of such views and to otherwise provide a high degree of human scale and visual interest at visual termination points.



CONSOLIDATED LOADING AND PARKING



EXTERNAL TREATMENT OF PARKADE WALLS



UNOBTRUSIVE PARKADE ENTRY



- ≈ Doors and entrances into parking garages should not be visually obtrusive and should not be more visually prominent than any principal entrance to the building.
- ≈ Garage entrances should be architecturally integrated into the overall building design with street-level exterior building finishes wrapping into the garage opening for a minimum of 2 metres in depth.
- ≈ Doors to parking garages should have an architectural treatment that is primarily expressed as an opaque or semi-opaque door rather than an open screen. Open screens are acceptable if highly detailed and rich in visual interest.
- ≈ Garbage and recycling facilities should be located away from public sidewalks and screened from view. The materials used for such purposes should be common to the building's exterior finishes.
- ≈ Surface parking should consider the use of permeable pavers as a means for passive storm water management to control surface water run-off.

#### 2.6.1 COMMERCIAL PARKING, LOADING, FIRE AND EMERGENCY ACCESS

- ≈ There is to be one access off of Lakeshore Road that will serve as the main entrance for the commercial and hotel uses.
- ≈ Surface parking lots should be exclusively for commercial and retail uses and temporary drop off areas; structured parking (except for drop-off zones) will be created for residential uses.
- ≈ Loading areas for commercial and hotel uses should be consolidated into one area that provides safe and efficient access and minimizes exposure to adjacent commercial uses.



LAY-BY PARKING



PARKING PLAZA

## 2.7. SIGNAGE

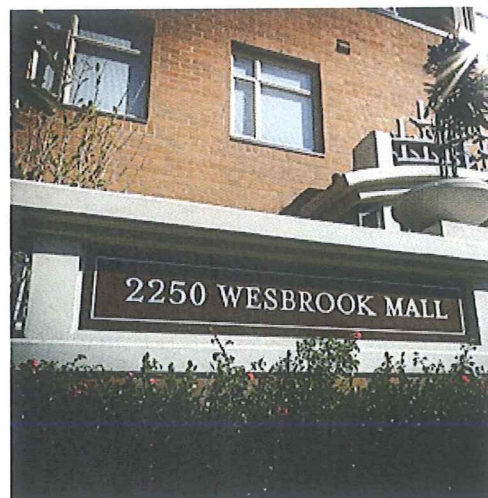
- ≈ Building signage should be made of durable, weather-resistant materials, and be professionally fabricated and installed. No box signs are permitted.
- ≈ The size of any individual sign should follow a common theme of building signage as well as the appearance on an individual building's facade.
- ≈ The scale and visual qualities of a building should not be compromised by the size and/or number of building and address signs.
- ≈ Address signage should be of a pedestrian scale that is proportionate to the residential building frontage that it promotes.
- ≈ Free standing entry features that include building / address signage, and that are integrated with a site's landscape design, should be encouraged.
- ≈ Any free standing entry feature should be built to internal property lines to ensure a contiguous public open space.
- ≈ Any free standing entry feature, as part of the building design, should be included in the Development Permit package and include detail elevations and material selection.

### 2.7.1 COMMERCIAL SIGNAGE

- ≈ Signage should create a rich visual character to enhance an overall festive character of the commercial area. Signage should be made of durable, weather-resistant materials, and be professionally fabricated and installed. No box signs or back-lit signs are permitted.
- ≈ Signage should consist of fascia signage, projecting signage and a free standing main project sign located along Lakeshore Road frontage.
- ≈ The main project sign should include the name of the project (yet to be determined) and identification for the commercial hotel. Individual retailers and commercial businesses should have an opportunity for secondary placement on this sign.



DURABLE BUILDING SIGNAGE



FREE STANDING BUILDING SIGNAGE



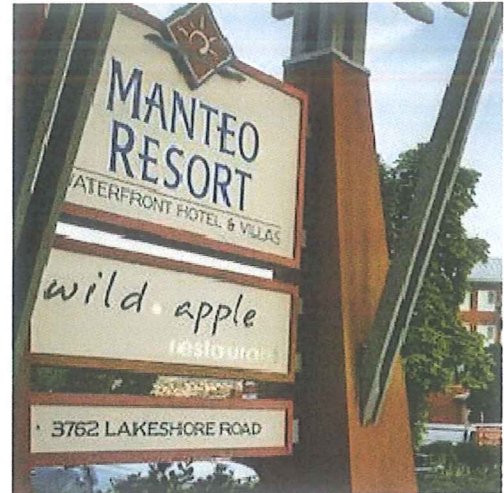
FREE STANDING BUILDING SIGNAGE



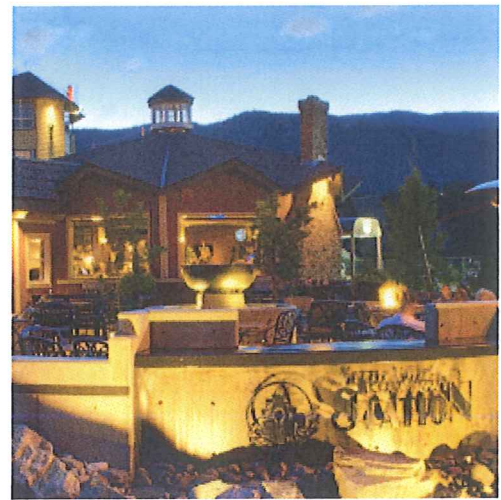
- ≈ Fascia signage should be of a pedestrian scale that is proportionate to the retail frontage that it promotes.
- ≈ Projecting signage should not extend over large areas unless incorporated as part of an awning, with text located within the awning valance. Letters should be of appropriate scale and size to complement the character of the awning design.
- ≈ The size of any individual sign should follow a common theme of building signage as well as the appearance on an individual building's facade.

## 2.8. LIGHTING

- ≈ Illumination should be planned as a key element in a façade's design with consideration for the effect on the façade and on adjoining buildings and open spaces.
- ≈ All exterior lighting should follow best practice methods to preserve the Dark Sky by limiting light pollution and to include selection of high performance fixtures that conserve energy.
- ≈ Lighting should not contribute to glare through use of full cut-off or low-wattage luminaries.
- ≈ Designs should also incorporate shielded fixtures and/or appropriate mounting heights, as well as be aimed appropriately.
- ≈ Building and wall sconce lighting should be in response to the individual building's architectural character, while complementary to the overall character of the residential area.
- ≈ Building and parkade entry lighting should be of sufficient illumination levels as to clearly indicate principle entries from secondary, and to provide a high level of "psychological comfort" for persons using each entrance.
- ≈ Directional or accent lighting should be limited to specific exterior feature elements of notable distinction.



PROJECT SIGNAGE



DARK SKY EXTERIOR LIGHTING



FAÇADE LIGHTING EFFECTS

- ≈ Street and pedestrian light fixtures should add daytime visual interest and human scale to the exterior environment and be complimentary to the building design, as well as help accentuate the rhythm of the building façade.
- ≈ Lighting should be designed for high-quality environmental performance. Only one style of street and pedestrian fixture should be used within the residential areas.
- ≈ Lighting of sidewalks and bike paths adjacent to roadways should provide for continuous and uniform lighting of ground level.

#### 2.8.1 COMMERCIAL LIGHTING

- ≈ Window displays should be lit from the inside of the tenant space with directional lighting such that there is minimum light spillage outside of the tenant space.

#### 2.9. SCREENING AND FENCING

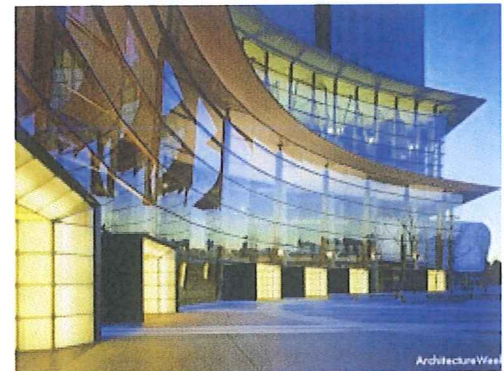
- ≈ Areas for consideration for buffering and fencing will be along the property boundary between the CD24 site and the adjacent residential properties and should respond to privacy issues.
- ≈ All buffering and fencing should be an appropriate response to adjacent social interaction, security and safety.
- ≈ A solid privacy fence, along with supplemental planting, should be provided in response to landscape aesthetics and to assist with sound attenuation.
- ≈ Fence height and landscape buffer screening should be maximized in these areas and meet, as a minimum the City of Kelowna's Section 7 Landscaping and Screening Level 3 Landscape Buffer Requirements.
- ≈ Level 3 Landscape Buffer Requirements: a minimum 3 metre landscape buffer is required to separate uses from adjacent existing properties and will consist of a vegetative buffer or a continuous opaque barrier.



PATHWAY LIGHTING



SHIELDED AIMED LIGHTING



PRINCIPLE ENTRY LIGHTING



INDIVIDUAL UNIT FENCING



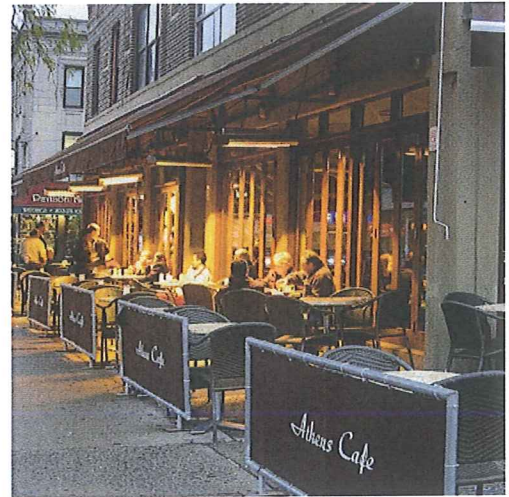
- ≈ Fencing should be treated simply and in a similar manner between individual parcels and buildings to create a sense of harmony and unification with the residential area.
- ≈ Ground level private patios should be delineated with fencing of a high quality and durable material (i.e. wood or metal) and should not exceed 1.5 metres in height unless considered as part of a gateway treatment.
- ≈ In all public to semi-private open areas, fencing should be visually permeable and its height should be such that it is not imposing to the pedestrian realm and maintain CPTED sightlines.
- ≈ The use of chain link as a fencing should be discouraged in public open space and private landscaped areas, with the exception of the delineation of the Wilson Creek wetland and riparian corridor.
- ≈ Variations in fence treatment can be presented at the Development Permit stage, and should only be considered when the fence design is in response to a specific microclimate to increase pedestrian comfort or to increase usability of an outdoor space (i.e. patio).

#### 2.9.1 COMMERCIAL SCREENING AND FENCING

- ≈ The commercial area and associated parking plaza should be considered as an urban plaza. As such, the City of Kelowna's Section 7.0 Landscaping and Screening requirements of surface parking lots should be relaxed in consideration of this higher urban treatment.
- ≈ No major conflicting land uses are proposed with the commercial area that will require significant screening. Any requirements to separate adjacent building uses or create exterior territorial definition should be accomplished through planting.
- ≈ Landscape screening and buffer should be considered along the Lakeshore Road corridor in response to any outdoor activities related to commercial uses. Any planting in close proximity to intersections and pedestrian and vehicle conflict points will respond to visual sight lines and CPTED safety requirements.



INDIVIDUAL UNIT FENCING



VARIATION ON FENCE



PRIVACY FENCING



- ≈ Outdoor patios should be delineated with decorative fencing of a high quality and durable material (i.e. metal) and should not exceed 1.2 metres in height unless considered as part of a gateway treatment.

## 2.10. SITE ACCESS AND CONNECTIONS

- ≈ Primary access into the CD24 site is provided off of Lakeshore Road along with a secondary access off of Bird Place (via a new bridge over Wilson Creek).
- ≈ A secondary vehicular and pedestrian access into the CD24 site will be provided from Springrose Way.
- ≈ Emergency vehicle access into the CD24 site is provided off of Springbrook Road. This access will provide important emergency access into the CD24 site and improved pedestrian connectivity to the larger community.
- ≈ Circulation and connectivity between the four vehicle access points will consist of an interior road network as part of a bare-land strata development and should be designed in a manner that will reduce the potential for short cutting.
- ≈ All internal roads and access points into / out of the CD24 site should be designed in a manner that promotes pedestrian and cycling in a safe and comfortable public realm environment.
- ≈ Bridge access off Bird Place will include appropriate Wilson Creek environmental approvals in conjunction with the bridge design and construction.
- ≈ Bridge access off Bird Place will be constructed over Wilson Creek and designed as a gateway entrance to the site and the bridge design should be included as part of the form and character Development Permit application.
- ≈ Bridge access off Bird Place will accommodate pedestrian and cyclists, and the north side approach will also be designed to accommodate a pedestrian crossing of the secondary entry road for the Wilson Creek trail.



SITE ACCESS AND CONNECTIONS



PERSPECTIVE – LOOKING SOUTH

- ≈ For any pedestrian underpass associated with the Bird Place bridge access, consideration should be given to increasing the amounts of pedestrian level lighting under bridge structure and additional considerations for CPTED principles at bridge abutments to minimize potential hiding places.
- ≈ It is anticipated that vehicle access off of Lakeshore Road will be associated with a new controlled intersection which will serve as the main entrance for the commercial and hotel uses.
- ≈ The Lakeshore Road entry is considered a major pedestrian and commuter cycle connection with safe and convenient access to the adjacent Multi-Use Corridor (MUC) that connects Upper Mission to Downtown. As such, consideration should be given to the commercial plaza and adjacent ground floor retail design for the accommodation of multi-modal movement.

#### 2.10.1 COMMERCIAL SITE ACCESS AND CONNECTIONS

- ≈ Pedestrian walkways adjacent to ground floor retail should be wide enough to accommodate retail overflow into the public realm frontage zone without restricting pedestrian circulation.
- ≈ The commercial area will be an area where the public is invited to be, and security within public areas should be considered in conjunction with building development.
- ≈ All security devices such as gates or screens should be located on the inside of the retail frontages. Corridors or entry ways that need to be secured should be either doors or gates in keeping with the architectural style of the exterior of the building. Roller gates and shutters are not permitted.



COMMERCIAL AREA SITE ACCESS

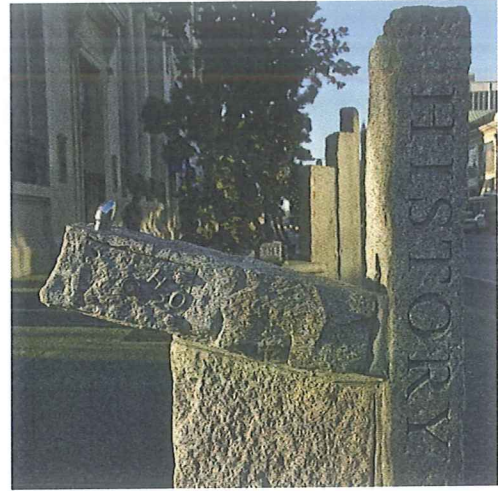


PROVIDE LARGE PUBLIC OPEN SPACES



## 2.11. PUBLIC AND PRIVATE OPEN SPACE

- ≈ The provision of large usable areas designated for use by CD24 residents should be promoted in the building siting and design of exterior spaces.
- ≈ Private open space should be limited to exterior spaces immediately adjacent to residential units (private patios and balconies) and to principle/ secondary building entrances - to promote a continuous and integrated series of open spaces.
- ≈ In situations where private areas will not be secured, landscape design and planting should create a territorial separation between semi-public and private spaces, without necessitating the use of fencing that will disrupt the visual continuity of the landscaped open spaces; fencing should be provided only when security is an issue.
- ≈ Spatial separation, combined with landscape planting, should be considered in all locations where there is an interface between a road and a building, or a major pedestrian access route and a building.
- ≈ Open spaces should be highly accessible and primarily promote passive recreational uses such as walking, jogging, cycling, and informal play opportunities.
- ≈ Open spaces should provide for some level of pedestrian scale lighting to promote safety and encourage limited night-time use.
- ≈ The provision of landscape feature elements such as gazebos, trellises, and pergolas should be encouraged as a way to enhance the visual interest and use of open spaces and should be attractive when viewed from above.
- ≈ A continuous pedestrian connection should be provided to link all major open spaces, including the Wilson Creek wetland and riparian corridor, which limits any potential for pedestrian and vehicle conflicts.



URBAN DESIGN



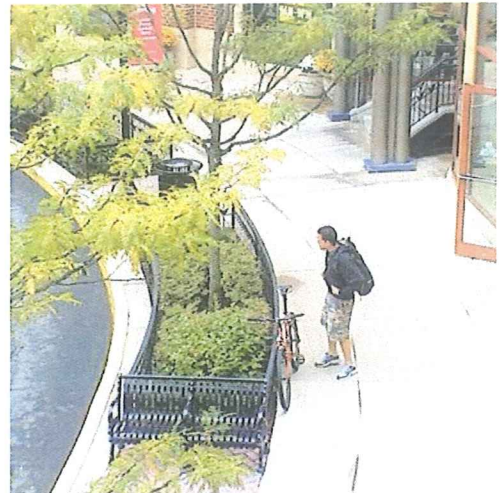
ENHANCED PUBLIC REALM



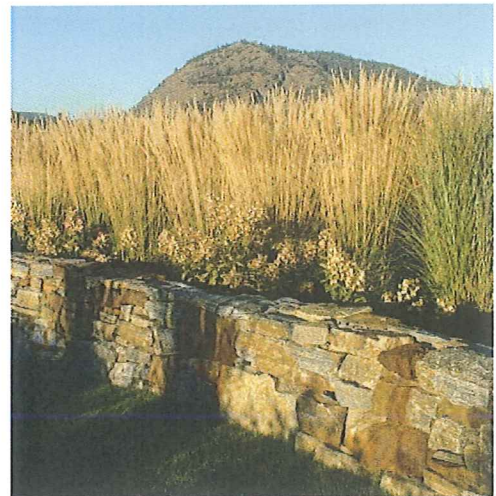
HIGH QUALITY PLAY EQUIPMENT



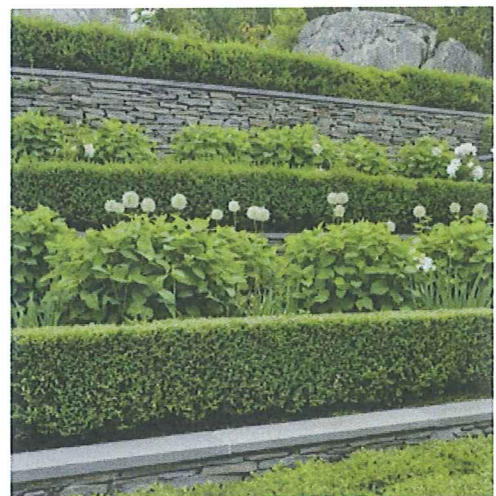
- ≈ Portions of the Wilson Creek's northern boundary will be reserved as public open space, and will be protected by covenant against development in order to preserve and enhance the creek's wetland and riparian habitat.
- ≈ Any new work associated with Wilson Creek's northern boundary will be designed in a manner to meet City of Kelowna design and construction standards and any environmental mitigation recommendations.
- ≈ Provision of community gardens should be considered either as part of the overall development's common open space, or as part of an individual building's garden space. Community gardens provide a direct sustainability feature and also create more of a community presence in the development.
- ≈ Community gardens should be considered as part of a private or semi-private open space development and be designed in a manner that provides some level of security and controlled access for users.
- ≈ Provision of structured play areas should be considered either as part of the overall development's common open space, or as part of an individual building's garden space.
- ≈ Structured play should consist of play equipment that promoted physical play and social interaction among its users.
- ≈ Any play equipment should conform to current CSA playground standards and be of high quality design and durable materials and include appropriate safety surfacing.
- ≈ No black colour rubber tile safety surfacing should be used due to potential heat absorption.
- ≈ Non-structural retaining walls used in open spaces should not be greater than 1.2 metres in height and made from local stone or of modular/ segmental block construction.



PEDESTRIAN AMENITIES



LOW NATURAL STONE WALLS



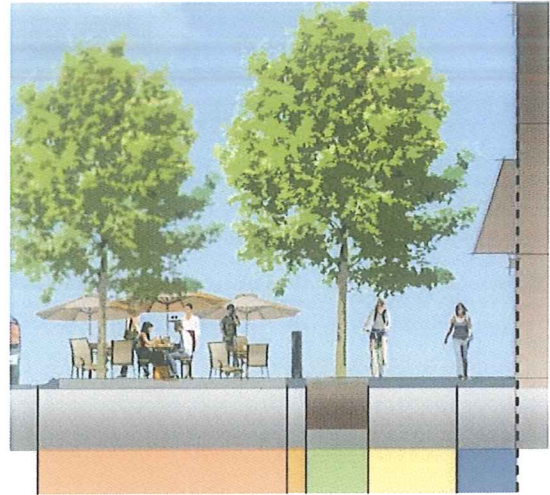
TERRACED LANDSCAPE TREATMENT



- ≈ Where structural retaining walls are required, exposed faces should be treated in a manner that is complementary with adjacent landscaping and/or architectural details - so as to limit their overall mass, height and visual impact.
- ≈ Where structural retaining walls are required, exposed faces should be treated in a manner that will discourage graffiti (i.e. treated with anti-graffiti coating). Photo image vinyl wraps should be provided on all utility boxes that are susceptible to graffiti (i.e. tagging).

#### 2.11.1 COMMERCIAL PUBLIC AND PRIVATE OPEN SPACE

- ≈ The Commercial plaza should be fully accessible to the public as it depends on pedestrian and vehicular traffic. Open spaces within this area should serve either as aesthetic landscaped areas relating to retail activity or routes of access.
- ≈ The character of the commercial open space should have an “urban plaza character” in support of retail activities and promote a pedestrian friendly environment through spatial continuity between the public and private realms.
- ≈ The design of open spaces within the commercial plaza should promote social interaction throughout the following site planning considerations: orient the spaces to take advantage of natural sunlight and key views; provide shade and protection from wind and other climatic elements.
- ≈ Encourage the provision of streetscape elements of greater distinction within the public realm that should incorporate a high level of urban and functional design. The intent is to create a unique and memorable experience through innovative and creative design.
- ≈ Consideration should be given to placement of streetscape elements within the commercial area’s public realm so as not to create clutter or restrict



PEDESTRIAN ZONES

##### PUBLIC REALM ZONE LEGEND:

	FRONTAGE ZONE
	SIDEWALK (PEDESTRIAN CLEARANCE ZONE)
	FURNITURE / PLANTING ZONE
	EDGE ZONE
	ENHANCED PUBLIC REALM ZONE (FLEX PARKING/PATIO SPACE)

PEDESTRIAN ZONE LEGEND



PEDESTRIAN SIDEWALK

pedestrian movement.

- ≈ The public realm for Area “A” should be considered as a series of pedestrian zones in which specific site furnishing, planting and streetscape elements will be located. Zones may include any of the following:
- ≈ Edge Zone: immediately adjacent to parking and provides a safety buffer for pedestrian against vehicle encroachment;
- ≈ Furniture and Planting Zone: accommodates street tree planting, lighting, site furniture and other fixed objects;
- ≈ Pedestrian Clearance Zone: must be kept free of obstructions and provide a continuous linear pathway of an appropriate width to serve anticipated pedestrian flow;
- ≈ Frontage and Marketing Zone: is the area directly in front of the building and/or property line. It can be used as flow-out space, patios and outdoor display areas for merchants.
- ≈ Enhanced Public Realm Zone: is the flexible parking space that can be utilized for seating areas.
- ≈ Consideration should be given to the use of brick pavers as the primary surface treatment to promote a sense of ‘high quality urban design’ and promote passive stormwater management through porous pavement.
- ≈ Consideration should be given to the use of rolled curbing in association with decorative metal bollards in high pedestrian and vehicle circulation areas to define and separate movement while maintaining continuity of paving treatment.
- ≈ Open space areas closer to Lakeshore Road should be used to complement the main signage opportunities and create an aesthetic buffer between the site and the boulevard.



URBAN PLAZA CHARACTER



SOCIAL INTERACTION



# LANDSCAPE DESIGN GUIDELINES

## 3.1. PEDESTRIANS

- ≈ All major pedestrian walkways within the semi-private and public open spaces should be accessible at all hours and to all users, and conform to best practices for barrier-free design.
- ≈ All internal roads should include sidewalks of a minimum 1.8 metre width.
- ≈ Wherever possible, sidewalks should be separated by a planted boulevard of minimum 2.0 metre width.
- ≈ All major pedestrian walkways should provide for some level of pedestrian scale lighting to promote safety and encourage limited night-time use.
- ≈ Pedestrian network should be considered in conjunction with overall roadway network and building siting, so as to maximize interconnectivity between roads private and public open spaces and minimize pedestrian and vehicle conflicts.
- ≈ A hierarchy of pedestrian pathways should be developed in conjunction with overall pedestrian network system. Paving surface treatment and pathway widths should be used as part of the pedestrian hierarchy.
- ≈ Consideration should be given for the following pathway hierarchy system;
  - brick pavers in urban areas where pedestrian and vehicles have equal importance;
  - concrete paving for major pathways and sidewalks within public realm;
  - combination concrete and brick paving for pathways within the private realm;
  - asphalt paving for multi-modal and high traffic pathways in natural areas;
  - compacted crushed granular in low traffic natural areas.



SEPARATED WALKWAY



HIERARCHY PATHS



BRICK PAVERS IN URBAN PLAZA AREA

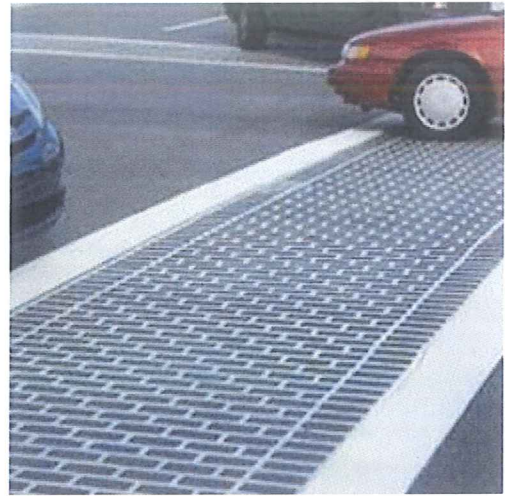


ROLLED CURB WITH BRICK PAVERS

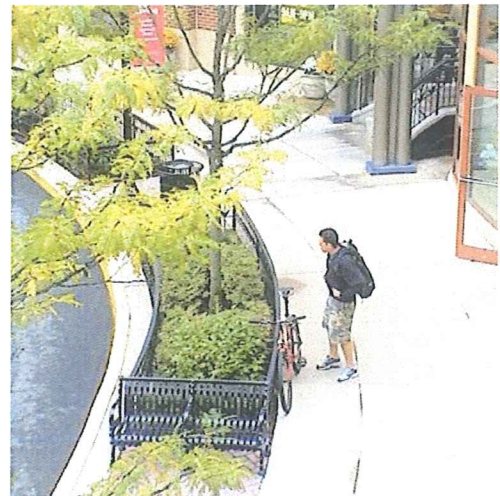
- ≈ Public realm should provide site furnishing, comfort amenities, shade trees, low level planting, and landscape / urban design elements that will create a pedestrian friendly streetscape environment and promote pedestrian use.
- ≈ Pedestrian crosswalks should be treated in a manner that provides paving contrast, in an aesthetically pleasing manner, between pedestrian zones within roadway.
- ≈ Pedestrian crosswalks paving treatment should be limited to:
  - stamped and tinted concrete,
  - wear-resistant thermal plastic traffic patterns (i.e. SquareOne Paving),
  - or at minimum, painted zebra lines.

### 3.2. CYCLING

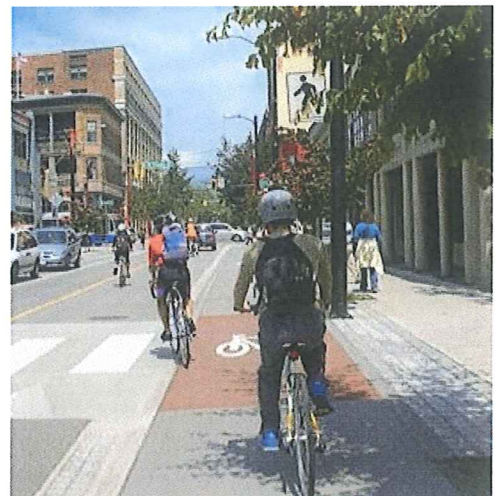
- ≈ Bike paths for recreation, commuter bike lanes and multi-use shared bike and pedestrian corridors shall promote alternative modes of transportation and increased physical activity that provides a direct sustainability feature to the CD24 site, and also creates more of a community presence in the development.
- ≈ Pathway connections into the CD24 site should take full advantage of the adjacent Lakeshore Multi-Use Corridor (MUC) that connects Upper Mission to Downtown. As such, consideration should be given to the Commercial Plaza and adjacent ground floor retail design for the accommodation of multi-modal movement.
- ≈ Given the residential nature of the development, with lower traffic volumes when compared to city collector and arterial roads, no painting should be required to delineate commuter bike lanes on internal roads.
- ≈ Bollards are recommended in areas where separated bike paths join-up with vehicle intersections as a way to encourage the slowing down and dismounting of cyclists before crossing roadway.



PEDESTRIAN SIDEWALK



PEDESTRIAN AMENITIES



PROMOTE CYCLING



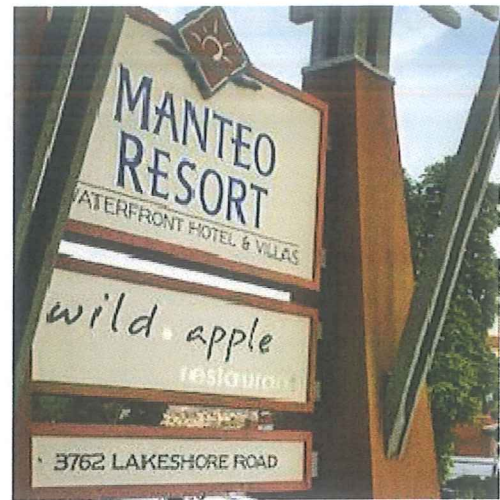
- ≈ Provisions should be made for safe and reliable bicycle storage in key public open space areas and within every private building site in the development.

### 3.3. WAYFINDING AND SIGNAGE

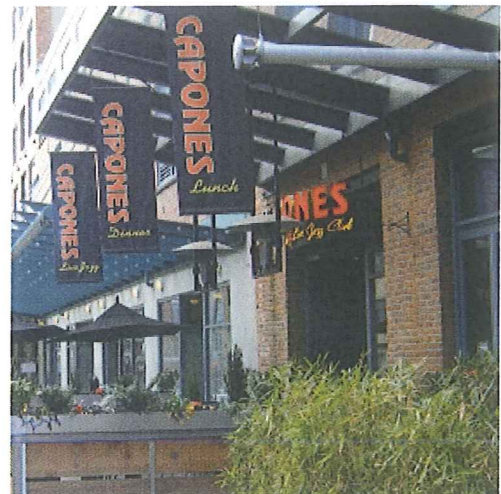
- ≈ Buildings in the residential area should have adequate directional signage at the main entries to the CD24 site.
- ≈ All of the internal roads will be private roads and should be properly named and addressed to orient and direct local residents and visitors within the development.
- ≈ A logical addressing system should be developed in conjunction with the City of Kelowna and the emergency response providers, to ensure that each building or cluster of town houses is easily identifiable.
- ≈ Any wayfinding and directional signage associated with the Wilson Creek wetland and riparian corridor should be coordinated with the City of Kelowna's wayfinding and park signage requirements.

### 3.4. WILSON CREEK GREEN SPACE LANDSCAPING

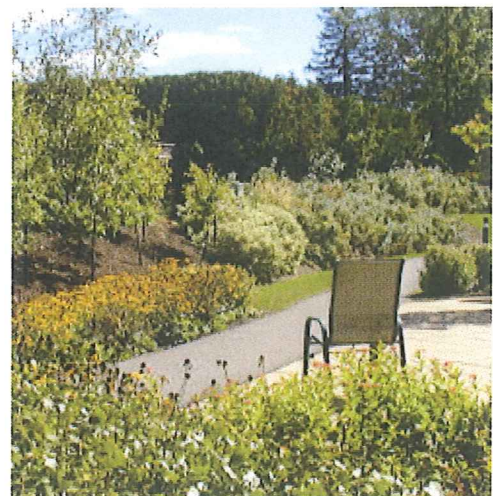
- ≈ Portions of the Wilson Creek's northern boundary will be reserved as public open space, and will be protected by covenant against development in order to preserve and enhance the creek's wetland and riparian habitat.
- ≈ Private open space landscaping adjacent to the Wilson Creek Green Space should consist primarily of native and indigenous plant species in natural plant groupings that is complementary of the public open space treatment for the adjacent Wilson Creek wetland and riparian corridor.
- ≈ Private patios adjacent to the Wilson Creek Green Space should provide some fencing in response to security and delineation of private and public spaces.



PROJECT SIGNAGE



AWNING SIGNAGE



WILSON CREEK SPACE SETBACK



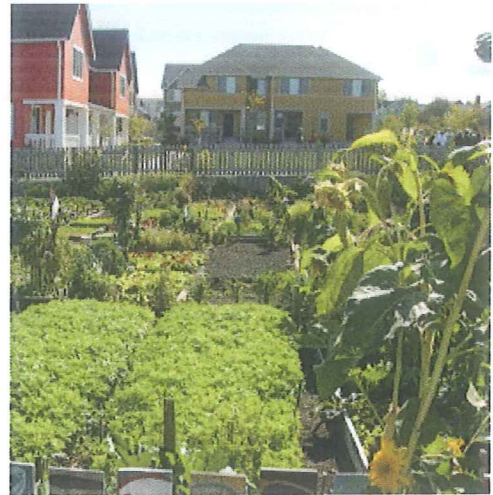
- ≈ Private patio spaces should be delineated with decorative fencing of a high quality and durable material (i.e. metal, glass) and should not exceed 1.2 metres in height unless considered as part of a gateway treatment.
- ≈ Private patio fencing should encourage views to the adjacent naturalized landscape and be constructed in a manner that minimizes its opacity.
- ≈ Non-structural retaining walls used in open spaces should not be greater than 1.2 metres in height and made from local stone or of modular/ segmental block construction.

### 3.5. COMMUNITY GARDENS

- ≈ Provision of community gardens should be considered either as part of the overall development's common open space, or as part of an individual building's garden space. Community gardens provide a direct sustainability feature and also create more of a community presence in the development.
- ≈ Maintenance agreements between developers and users should be developed in coordination with the establishment of any community garden, to ensure proper stewardship, access control and visual tidiness of these unique garden spaces.
- ≈ The provision of landscape feature elements such as gazebos, trellises, and a storage shed should be encouraged to enhance the visual interest and functionality of the community gardens, and should be attractive when viewed from above.

### 3.6. STREET TREE PLANTING

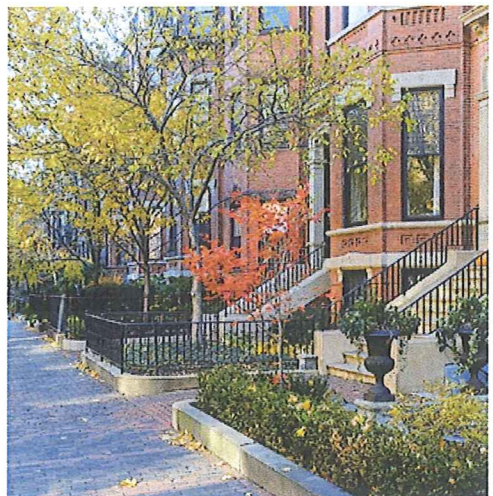
- ≈ Street trees can significantly contribute to the overall beauty and increased property values of the CD24 site and therefore should be provide wherever possible.



PUBLIC SPACE COMMUNITY GARDENS



STREET TREES ADAPTED TO REGION



STREET TREES TO CELEBRATE SEASONS



- ≈ Street trees should be of a deciduous species that has a non-aggressive root habit and tolerant of urban conditions (i.e. road salt) with a minimum 7.5 cm (3") calliper size measured at Circumference at Breast Height (CBH).
- ≈ At minimum, street tree selection should be cross-referenced to the City of Kelowna's Tree Selection Guidelines for appropriateness of tree species:  
<http://www.kelowna.ca/CM/Page292.aspx>
- ≈ Street tree species selection should be suitable for the Okanagan climate and growing conditions and have been grown locally.
- ≈ Street tree species selection should celebrate seasonal variations through changing colour of leaves, winter and summer bark and branching interest, etc.
- ≈ Street tree species selection should provide enough diversity of species as to protect against the spread of disease and pests that can devastate monoculture plantings (i.e. Dutch Elm disease).
- ≈ Street tree planting (i.e species and spacing) should be treated in a similar manner on both sides of the internal road ROW to create a unified appearance.
- ≈ Changes in street tree species should be in logical locations such as roadway intersections, changes in road directions, and termination of key roadway vistas. Avoid random or multiple specie changes along a single stretch of roadway.
- ≈ Soil volumes for street tree planting should be maximized to increase the area available for root growth.
- ≈ Consideration should be given to providing continuous soil trenches, root zone break-out areas to adjacent green spaces, structural soil, and use of suspended pavement systems such as SilvaCell® as possible strategies of increasing soil volumes.
- ≈ Wherever possible, all trees should be offset back from sidewalk and major utility services by a minimum of 2.0 metres measured from edge of conflict to edge of tree rootball. If not possible root barriers should be used.



MAXIMIZE SOIL AREA FOR TREES



ROOT BARRIERS ADJACENT TO UTILITIES



STREET TREE DRIP IRRIGATION



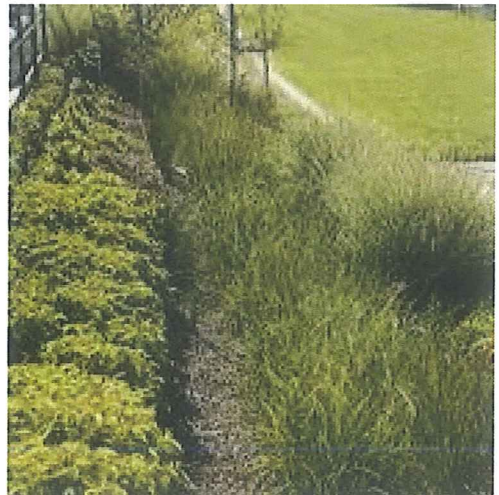
- ≈ Root barriers should be provided at critical root zones areas adjacent to sidewalks, utilities and other vulnerable infrastructure, to direct surface roots downward and away from potential conflicts.
- ≈ All street trees should be irrigated with an automatic underground irrigation system. System controls and zoning should be such as to allow trees to be irrigated independently of other planting.
- ≈ All irrigation should conform to the highest standards and irrigation best practices for reduced water consumption and usage.
- ≈ Drip and Drip manifold should be the preferred method of irrigation, to eliminate water loss due to over-spraying and evaporation and provide equal distribution of water directly to the root zone area.

### 3.7. LANDSCAPE PLANTING

- ≈ Landscape planting (including trees) should include species adapted and suitable for the Okanagan's hot-dry climate and growing conditions and have been grown locally.
- ≈ Plant material should be of various species and genus as to provide a high level of visual and seasonal interest in form, colour and texture.
- ≈ Landscape trees should be large enough at maturity to create a park-like setting, especially along roadside boulevards.
- ≈ Plant material should be specified at a sufficient installation sizes as to provide an immediate landscape impact.
- ≈ Planting areas should include a mixture of deciduous and evergreen plants in combinations of perennials, ornamental grasses, shrubs, and trees in response a building's specific exterior space programming and buffering requirements.
- ≈ All planting should conform to the BC Landscape Standards, current edition, for minimum plant and installation specifications.



MAXIMIZE LANDSCAPE BUFFERING AT EDGES



SCREEN PRIVATE FROM PUBLIC SPACES



GREEN STREETS

- ≈ All planting should be irrigated with an automatic underground irrigation system. System controls and zoning should be such as to allow planting to be irrigated independently of landscape trees and street tree planting.
- ≈ All irrigation should conform to the highest standards and irrigation best practices for reduced water consumption and usage.
- ≈ Drip and Drip manifold should be the preferred method of irrigation, to eliminate water loss due to over-spraying and evaporation and provide equal distribution of water directly to the root zone area.



VARIETY OF PLANT SPECIES



PLANTING ENTRY



NATURALIZED PLANTING



**CITY OF KELOWNA**  
**BYLAW NO. 10818**  
**Z12-0039 - Westcorp On The Lake Inc.**  
**3787, 3791 and 3795 Lakeshore Road**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot 2, District Lot 134, ODYD, Plan 3420, Except Parcel A (Plan B6180) and Plan H9673; Lot 3, District Lot 134, ODYD, Plan 3420, Except Plan H9673; and Lot B, District Lot 134, ODYD, Plan 12063 located on Lakeshore Road, Kelowna, B.C., from the C1 - Local Commercial zone, the C9 - Tourist Commercial zone, the RM7 - Mobile Home Park zone and the RR3 - Rural Residential 3 zone to the CD24 - Comprehensive Development 24 zone and the P3 - Parks & Open Space zone as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 11<sup>th</sup> day of March, 2013.

Considered at a Public Hearing on the 26<sup>th</sup> day of March, 2013.

Read a second and third time by the Municipal Council this 8<sup>th</sup> day of April, 2013.

Adopted by the Municipal Council of the City of Kelowna this

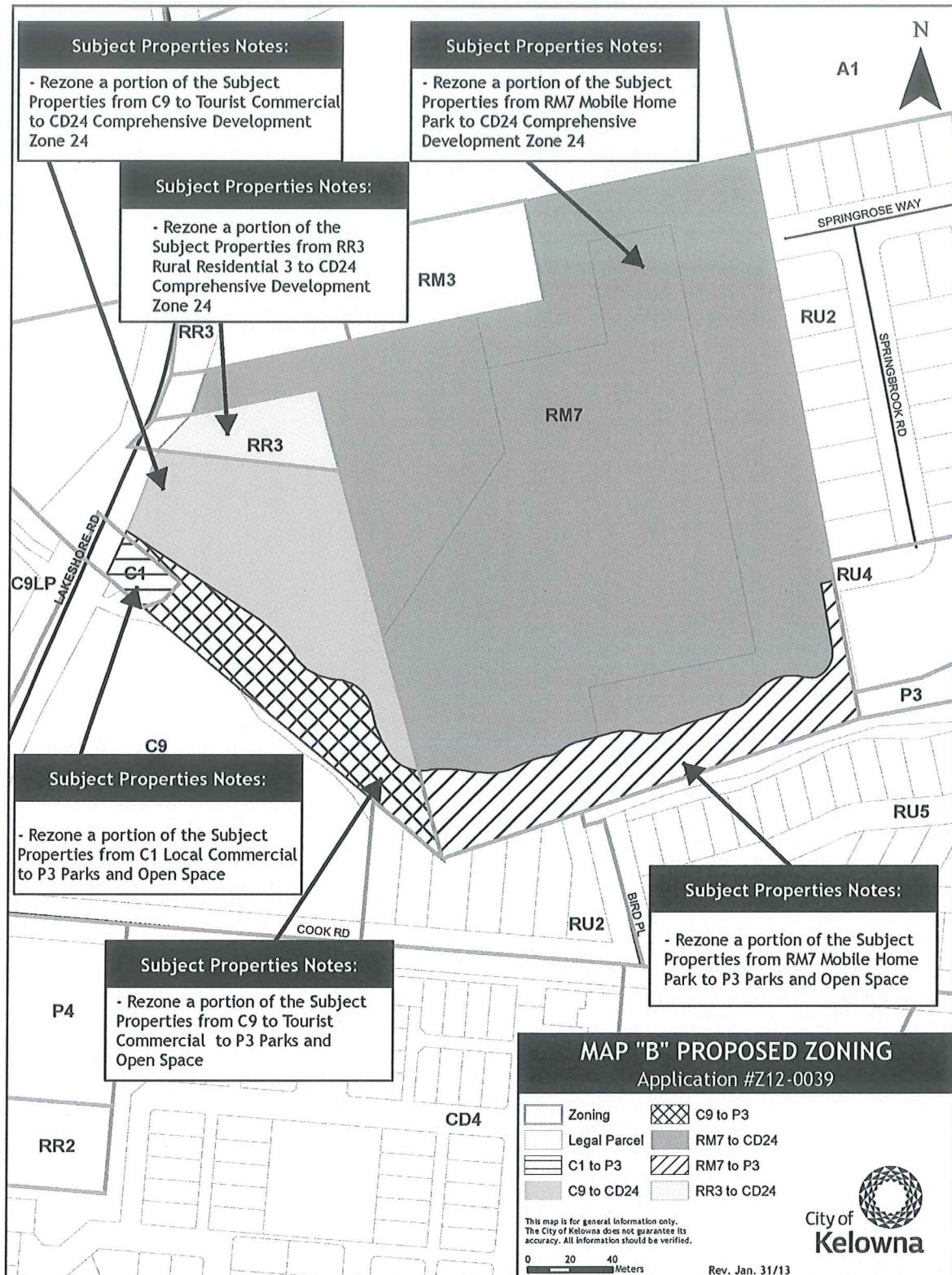
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Mayor

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City Clerk





# CITY OF KELOWNA

## BYLAW NO. 10813

### Amendment No. 20 to "Sign Bylaw No. 8235"

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

1. THAT the City of Kelowna, Sign Bylaw No. 8235, **SECTION 6 - SPECIFIC ZONE REGULATIONS**, sub- section 6.1, be amended by
  - a) deleting "Higher Density Residential Zones (RM1, RM2, RM3, RM4, RM5, RM6, RM7 and CD22 Sub Areas C,D,E,F,G,H)\*" and replacing it with "Higher Density Residential Zones (RM1, RM2, RM3, RM4, RM5, RM6, RM7, CD22 Sub Areas C,D,E,F,G,H and CD24 Sub Area B)\*"; and
  - b) deleting "Major Commercial (C3, C4, C6, C7, C8 and CD22 Sub-Areas A&B)\*" and replacing it with "Major Commercial (C3, C4, C6, C7, C8, CD22 Sub-Areas A&B and CD24 Sub Area A)\*"
2. This bylaw may be cited as "Bylaw No. 10813, being Amendment No. 20 to the Sign Bylaw No. 8235".

Read a first, second and third time by the Municipal Council this 11<sup>th</sup> day of March, 2013.

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:** December 9<sup>th</sup>, 2013

**RIM No.** 1250-30

**To:** City Manager

**From:** Urban Planning, Community Planning & Real Estate (AW)

**Application:** DP12-0094      **Owner:** Westcorp On The Lake Inc.,  
Inc. No. A75763

**Address:** 3787, 3791, 3795 Lakeshore Road      **Applicant:** Westcorp Properties Inc.

**Subject:** 2013 12 09 Report DP12-0094 Lakeshore Rd

**Existing OCP Designation:** Mixed Use Tourism / Multiple Unit Residential - Medium Density /  
Multiple Unit Residential - Low Density / Major Park & Open Space

**Proposed OCP Designation:** Mixed Use Tourism / Multiple Unit Residential - High Density /  
Multiple Unit Residential - Medium Density / Major Park & Open  
Space

**Existing Zone:** C1 - Local Commercial, C9 - Tourist Commercial, RM7 - Mobile Home  
Park and RR3 - Rural Residential 3

**Proposed Zone:** CD24 - Comprehensive Development 24 zone (newly created) &  
P3 - Parks & Open Space

---

## 1.0 Recommendation

THAT Final Adoption of the OCP Amending Bylaw No. 10817, Zone Amending Bylaw No. 10818 and Text Amending Bylaw No. 10812 be considered by Council;

THAT Council authorize the issuance of Development Permit No. DP10-0131 for Lot 2, D.L. 134, ODYD, Plan 3420 Except Parcel A (Plan B6180) and H9673, located at 3791 Lakeshore Road; Lot 3, DL 134, ODYD, Plan 3420 Except Plan H9673, located at 3795 Lakeshore Road, and Lot B, D.L. 134, ODYD, Plan 12063 located at 3787 Lakeshore Road, Kelowna B.C. Kelowna B.C., subject to the following:

1) The development shall be phased over time and designed in accordance with pages 1-32 of the CD24 Comprehensive Development Design Guidelines attached as Schedule "A";

## 2.0 Purpose

To consider an overarching Form and Character Development Permit that will apply to the entire CD24 development site. These planning and design principles, including landscaping, open space and architectural guidelines, will ensure development proceeds in a cohesive and integrated manner. Individual Form and Character Development Permits will be required for each building in the development process.



### 3.0 Urban Planning Department

The application for a comprehensively planned development is being advanced for the subject properties. As a walk-able and transit oriented development Hiawatha will benefit the Mixed Use Tourist Area by providing opportunities to live/work/play. The benefits of the project include the comprehensive planning of the subject properties and the design guidelines that will help to ensure consistency and quality as the project comes to fruition. The result is a distinct set of building forms and public spaces that must be communicated to developers that choose to participate in the realization of the vision. To best achieve the desired outcome, a Comprehensive Development (CD) Zone is proposed for implementation of the concept plan. This zone will allow a customized approach to development of the site setting out maximum allowable building heights, setbacks, etc. Additionally, the design guidelines are important to the realization of the urban design vision. The CD zone has the design guidelines referenced to the zone, making them an integral component of the policy direction for the site. These Guidelines describe elements of urban form that will be addressed in the ongoing development of Hiawatha, serving two purposes:

- To provide prospective designers with a checklist of issues that must be addressed in their development proposals to be in concert with or add to the Vision; and
- To provide an overall conceptual approach and consistent basis for the evaluation of development proposals by the City of Kelowna.

#### Overarching Site Development Permit - Form & Character

The applicant has proposed underground / under-building parking for a significant portion of the development. As this area has a very high water table it is important to note that a 2 storey parking structure will take up most of the 'Core Area' and 'Internal Transition Area' of Sub Area 'B' and that approximately 1½ storeys of the parking structure will be located above natural grade. The parking structure will be wrapped with residential buildings where possible, but there will be locations where the parking structure is exposed. It is imperative that these areas are treated appropriately as they will have a significant impact on the overall form and character of the project. The parking structure also presents a challenge as it will be difficult to integrate with the broader community as many of the open spaces and pathways will be located on top of the structure, public access will be via stairs and ramps. Design Guidelines have been created to provide assurance that the objectives and principles of the development will be incorporated, while allowing flexibility for viable and innovative development proposals. By adhering to this framework, the development team will create proposals that are consistent with the vision for the redevelopment of the 17.8 acre site.

These Design Guidelines are part of a series of over-arching regulations that when combined, will shape future development of Hiawatha. The Design Guidelines are intended to influence the form and character of buildings and open spaces within the boundary of the Comprehensive Development 24. By adhering to the guidelines, each and every development will contribute to a well defined and coordinated urban form. By providing a comprehensively planned development proposal there is a vision for how the project will achieve full build-out in the future. The eventual construction of the Wilson Creek trail and RMA area will help to further enhance the livability and vibrancy of this area.

In summary, while the proposed height and form of density is a departure from the vision of OCP for this tourist commercial area, there are merits to the long-term comprehensive plan of this significant land assembly for this area. By providing a comprehensively planned development proposal there is vision for how the project will achieve full build-out in the future. The

rehabilitation and restoration of the Wilson Creek RMA will enhance the environmental integrity of Wilson Creek and the immediate Okanagan Lake area. A public trail will be constructed along Wilson Creek providing enhanced pedestrian linkages. The Lakeshore Road frontage is envisioned to become an animated and active streetscape, while the property will have a west to east height profile that provides a reasonable transition to the adjoining single family neighbourhoods. The proposed housing mix will provide a variety of options for a wide demographic profile and the boutique hotel will contribute to the economic development of the Mixed Use Tourist area. The applicant has worked with Staff to reduce the negative impacts associated with the proposal and has created a development concept that will satisfy the overall tourism destination intent of the OCP. As such, Staff are recommending a positive consideration of the proposed comprehensive development design guidelines.

## 4.0 Proposal

### 4.1 Project Description

The overarching Form and Character Development Permit applies to the entire Hiawatha development site. The objective of the broad DP is to provide certainty regarding the main objectives and principles of the development. By adhering to this framework, the development team will create proposals that are consistent with the vision for the comprehensively planned site. The Ministry of Environment has approved the proposed restoration work for Wilson Creek and the Natural Environment Development Permit has been executed by the City of Kelowna.

### Project Overview

The proposed CD zone sets out two different Sub-Areas for the redevelopment of the Hiawatha properties while the Wilson Creek corridor will be rezoned to P3 - Parks & Open Space. The Sub-Areas have been set out in a way to program the largest structures adjacent to Lakeshore Road with an overall height profile that transitions to lower forms of development adjacent to established residential neighbourhoods. A Zoning Comparison Table indicating how the proposed CD24 zone compares to the City's existing zones has been attached.

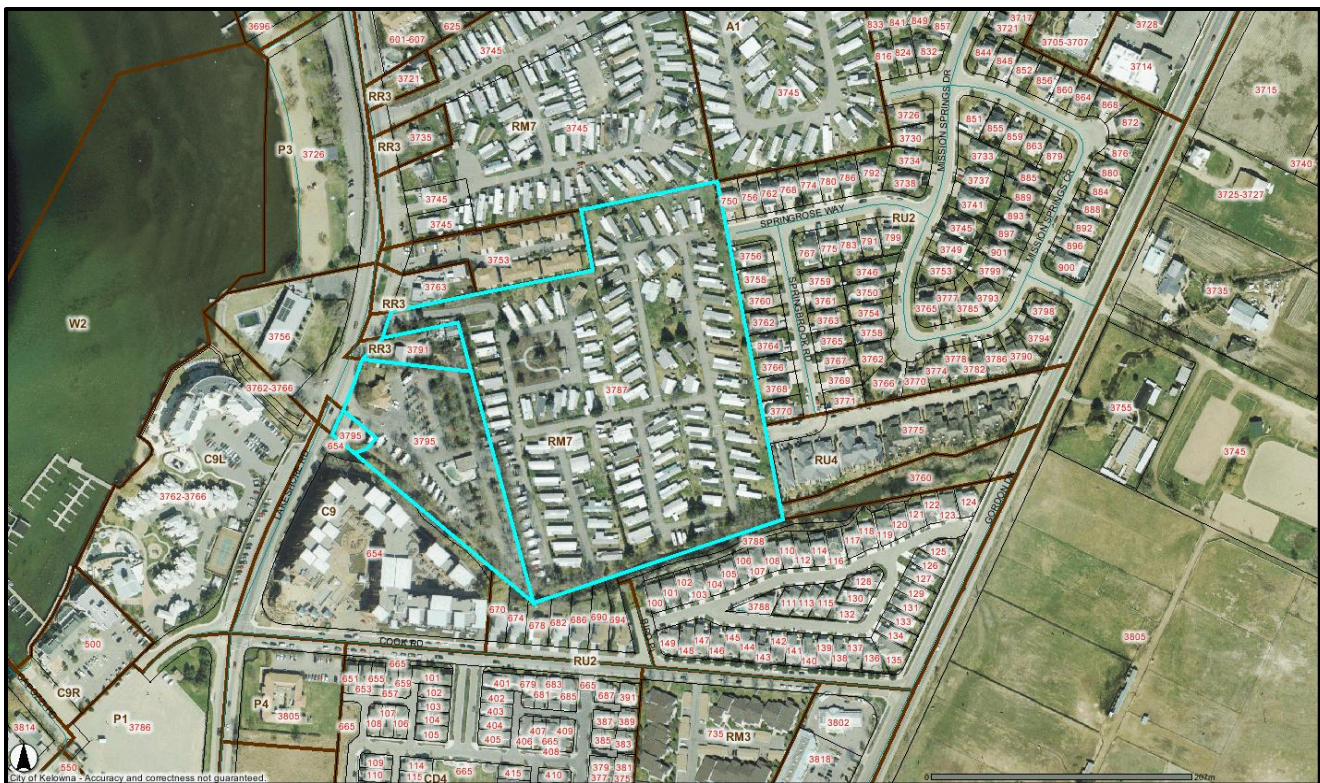
Proposed Sub-Area A will accommodate the 'boutique' hotel with a height of 11 storeys, an apartment hotel of 9 storeys, a 2.5 storey Conference Centre, an 8 storey mixed use development and an 8 storey apartment building. Sub Area A has a minimum ground floor commercial area requirement of 2,500m<sup>2</sup>, which will ensure that an active commercial frontage is provided.

Proposed Sub-Area B has been broken down into a 'Core Area' where the larger apartment buildings will be located as an 'Internal Transition Area' and a 'Community Interface Area'. Schematically there will be seven residential apartment buildings and seven 3.5-storey stacked townhouse buildings.

Wilson Creek will be restored and be enjoyed as a public amenity. A 25m strip along the length of Wilson Creek equals approximately 10,292m<sup>2</sup> of land which would allow for a significant natural area and public trail. The applicant has proposed that 7,536m<sup>2</sup> (approx. ~18.5m) of land be dedicated to the City as a titled lot and that the remaining 2,756m<sup>2</sup> be held in private ownership secured as open space through a no build / no disturb covenant.

It is important to note that a 2 storey parking structure will take up most of 'Core Area' and 'Internal Transition Area' of Sub Area B and that approximately 1 ½ stories of the parking structure will be located above natural grade. The parking structure will be wrapped with residential buildings where possible, but there will be locations where the parking structure is exposed. The primary vehicular and pedestrian access for the commercial area will be from Lakeshore Road while a new bridge will be constructed at Bird Place securing access over Wilson Creek. Additionally, a full pedestrian and vehicular access point will be created at Springrose Way and an emergency access will be built at Springbrook Road. Although the public (pedestrian & vehicular) will be able to move through the site, the internal road network will be maintained by the strata. The applicant will also be contributing towards a signalized intersection or roundabout at the Lakeshore Road access point. The intersection will be coordinated with the future development of the 'Lakeshore Inn' property.

#### 4.2 Site Context



Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 - Rural Residential 3 RM3 - Low Density Multiple Housing RM7 - Mobile Home Park	Residential
East	RU2 - Medium Lot Housing RU4 - Low Density Cluster Housing	Residential
South	C9 - Tourist Commercial RU2 - Medium Lot Housing	Playa Del Sol Residential
West	C9 - Tourist Commercial	Apartment hotel (Manteo)



## **5.0 Current Development Policies - Kelowna Official Community Plan 2030 (OCP)**

### **5.1.1 Development Process (Chapter 5) - Considerations in Reviewing Development Applications**

#### **Ensure appropriate and context sensitive built form (Objective 5.5)**

**Building Height (Policy .1).** Locate taller buildings in the geographic centre of Urban Centres and generally decrease height moving away from the centre, to a maximum of 4 storeys at the periphery of the Urban Centres, where adjoining land is designated for single/two unit housing.

- Elsewhere: Four storeys for residential and six storeys for apartment hotels and hotels. Additional height restrictions may be imposed as a result of airport-related zoning regulations.

**View Corridors (Policy .2).** Where multiple unit or commercial development along the shore zone is permitted, require that a view corridor to the lake from inland be maintained and ensure that the public use and enjoyment of the lakefront is enhanced as a result of the development.

#### **Provide parks for a diversity of people and a variety of uses (Objective 5.14)**

**Site Density Calculations (Policy .1).** Allow the owner(s) and developers who contribute land for park dedications, to use the original site area in computing density and floor area ratios and minimum area for development or subdivision purposes.

**Protect Sensitive Areas (Policy .4).** Sensitive environmental areas and riparian management areas (RMA) will be protected by siting trails beyond their boundaries, unless there are absolutely no alternatives.

#### **Encourage uses and commercial ventures that promote local tourism (Objective 5.26).**

**Tourist Commercial (Policy .1).** Consider commercial development for tourism related uses in the Capozzi / Truswell, Lakeshore, Cook Road area.

**Visitor Accommodation (Policy .2).** Consider allowing visitor accommodation along the shore zone provided that such a use protects the riparian area, would be compatible with the neighbourhood and site context, and public enjoyment of the lakefront is enhanced as a result of the development.

**Waterfront Commercial (Policy .3).** Waterfront commercial and multiple unit housing must facilitate and enhance public enjoyment of or access to the lakefront.

### **5.1.2 Urban Design Guidelines (Chapter 14) - Comprehensive Development Permit Area (Multiple Unit Residential, Commercial, and Industrial Design guidelines)**

#### **Objectives**

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;

- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;
- Highlight the significance of community institutional and heritage buildings; and
- Protect and restore the urban ecology (i.e. architectural and site consideration with respect to the ecological impact on urban design).
- Moderate urban water demand in the City so that adequate water supply is reserved for agriculture and for natural ecosystem processes.
- Reduce outdoor water use in new or renovated landscape areas in the City by a target of 30%, when compared to 2007.

## **Guidelines**

### **Authenticity and regional expression**

- Incorporate landscaping and building form and character that is distinct to Kelowna and the Central Okanagan and conveys a sense of authenticity;
- Incorporate forms and images that relate to the region's natural and cultural landscapes (e.g. incorporate winery or orchard inspired trellises or rooflines that reflect those found on barns and older homes located on/around agricultural lands);
- Respond architecturally to summer sun with buildings that have overhangs and recesses of sufficient depth to provide comfort and shade;
- Incorporate materials that relate to the character of the region and the context of the surrounding neighbourhood;
- Use colours found in the region's natural and cultural landscape;
- Provide generous outdoor spaces, including rooftops, balconies, patios and courtyards, to allow residents to benefit from the favourable Okanagan weather;
- Incorporate techniques and treatments that emphasize the transition between inside and outside (e.g. operable windows, overhead rolling doors, canopies, trellises, recessed entrances, and extended building planes).

### **Relationship to the street**

- Locate buildings to provide an effective street edge while respecting the established, desired streetscape rhythm;
- Develop visual and physical connections between the public street and private buildings (e.g. patios and spill-out activity, views to and from active interior spaces, awnings and canopies);
- Avoid split level, raised or sunken parkade entrances;
- Design buildings with multiple street frontages to give equal emphasis to each frontage with respect to building massing, materials, details, and landscaping.

### **Massing and height**

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:

- Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
- Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);
- Step back upper floors to reduce visual impact;
- Detailing that creates a rhythm and visual interest along the line of the building;
- Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades;
- Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.
- Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape;
- Design developments with multiple, separate buildings such that individual buildings are of different but compatible shapes, masses, and exterior finishes;
- Design with consideration for the effect of building height on shading and views.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s) for new construction.
- A minimum Geodetic Elevation of 343.66 meters is required for all habitable spaces including parking and storage space.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- Additional comment may be made at time of DP application.

### 6.2 Development Engineering Department

Satisfied as part of Z12-0039

### 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. The access roads should have loading or unloading areas in front of each building. Additional comments will be required when detailed plans are submitted for the building permit application.

### 6.4 Infrastructure Planning

Satisfied as part of Z12-0039.

## 7.0 Application Chronology

Date of Application Received: May 27<sup>th</sup>, 2008 (Original Application)  
May 5<sup>th</sup>, 2012 (Revised Proposal Package)  
December 18<sup>th</sup>, 2012 (Final Proposal)

Advisory Planning Commission: August 31<sup>st</sup>, 2010



Applicant Hosted Public Open House:      Scheduled for February 27<sup>th</sup>, 2013

Council Consideration of Zone & OCP amendments:      April 8<sup>th</sup>, 2013

Satisfaction of Zoning Conditions:      November 22<sup>nd</sup>, 2013

**Report prepared by:**

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Alec Warrender, Land Use Planner

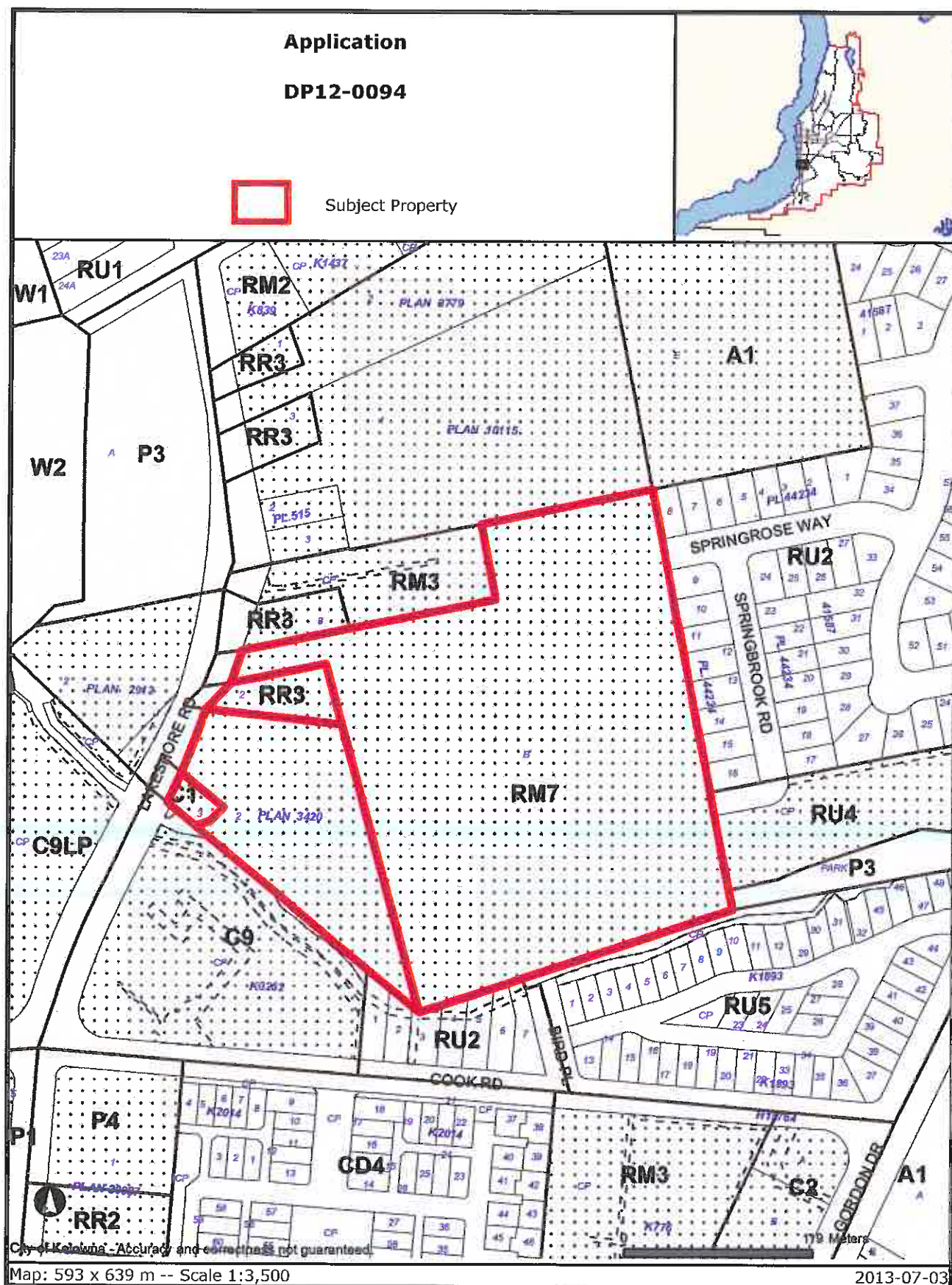
**Reviewed by:**      ☐ Ryan Smith, Manager, Urban Land Use

**Approved Inclusion:**      ☐ D. Gilchrist, Community Planning & Real Estate Divisional Director

**Attachments:**

Subject Property Map

Schedule "A" - CD24 Comprehensive Development Design Guidelines



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

# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

☐ Development Permit No.:

DP12-0094

EXISTING ZONING DESIGNATION:

CD24 - Comprehensive Development 24 Zone

WITHIN DEVELOPMENT PERMIT AREA:

Revitalization Development Permit Area

ISSUED TO: Westcorp Properties Inc.

LOCATION OF SUBJECT SITE: 3787, 3791, 3795 Lakeshore Road

	SECTION	DISTRICT LOT	TWP	DISTRICT	PLAN
LEGAL DESCRIPTION:					

### SCOPE OF APPROVAL

- ☐ 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.
- ☐ 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.
- ☐ 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.

#### 1. TERMS AND CONDITIONS:

- 1) The development shall be phased over time and designed in accordance with pages 1-32 of the CD24 Comprehensive Development Design Guidelines attached as Schedule "A";

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 \$ N/A.

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 9<sup>th</sup> DAY OF DECEMBER, 2013

ISSUED BY THE DIVISIONAL DIRECTOR OF COMMUNITY PLANNING & REAL ESTATE OF THE CITY OF KELOWNA THE  
\_\_\_\_\_ DAY OF DECEMBER, 2013.

\_\_\_\_\_  
Doug Gilchrist, Divisional Director Community Planning & Real Estate

SCHEDULE A

# CD24 COMPREHENSIVE DEVELOPMENT DESIGN GUIDELINES

JANUARY 2013





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## STANDARD LIMITATIONS

This report was prepared by MMM Group Limited (MMM) for the account of Westcorp Properties (Westcorp). The disclosure of any information contained in this report is the sole responsibility of Westcorp. The material in this report reflects MMM's best judgment in light of the information available to it at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. MMM accepts no responsibility for damages, if any, suffered by a third party as a result of decisions made or actions based on this report.



# INTRODUCTION AND OVERVIEW

**T**he development envisioned under the CD24 zone is to be a place where a sense of community thrives and pride in the neighbourhood is evident.

The CD24 development will be an inviting and sustainable mixed-use commercial residential neighbourhood that will support the tourism potential of this unique area of Kelowna. The overall vision for CD24 is forward thinking; incorporating principles of smart growth development, a high level of urban design and best management practices for sustainability. The following are the over-arching development objectives for CD24:

- » Promote the City of Kelowna's vision for new communities and development, as outlined in Chapter 5.0 of the 2030 Overall Community Plan (OCP): *develop in a sustainable manner; focus development in established growth areas; ensure appropriate and context sensitive built form; create a sense of community; provide high quality urban design; create opportunities for greater pedestrian, active transportation and public transit use.*
- » Promote the creation of a *Complete Communities and Compact Urban Form* that combines a variety of residential building types with a tourism based commercial and retail component that is responsive to the surrounding context.
- » Promote a pedestrian-oriented lifestyle community that integrates mixed-use development with park-like open spaces that are inter-connected by pathways both internally and externally.



Site Plan



Mixed Use – Commercial Tourism



Sustainability

- » Promote the construction of energy efficient buildings and best management practices with regards to sustainability initiatives for community design, energy efficiency, reduced water consumption, active transportation, increased biodiversity and preservation of ecology.

The following *Design Guidelines* will ensure a harmonious understanding of the 'vision', with a strong focus on environmental, economic and social sustainability.

### 1.1. USING THE DESIGN GUIDELINES

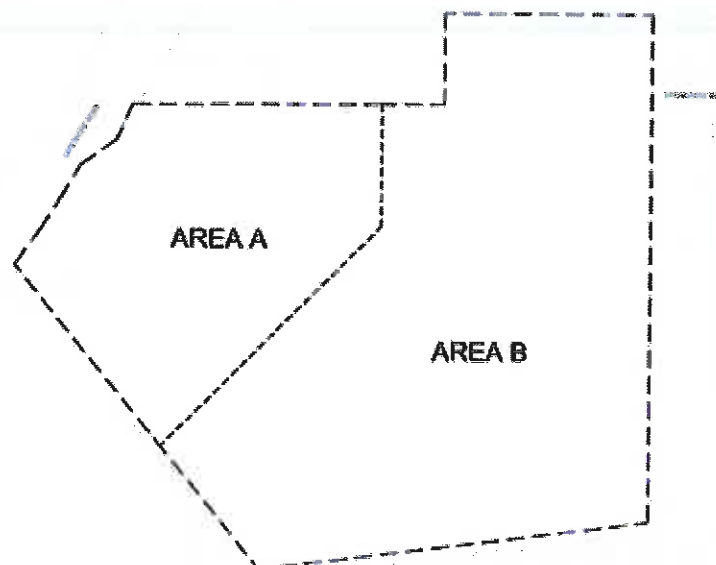
These Design Guidelines form part of a Comprehensive Development (CD24) agreement that will shape the future of this multi-phased mixed-use development. The site has been divided into two distinct areas (Area A and Area B). Area A has both residential and commercial uses and Area B has only residential uses. As such, these guidelines have been structured to include overall guidelines for both Area A and Area B and commercial specific guidelines for Area A.



Perspective - Looking North



Perspective - Looking South



The intent of the Design Guidelines is to provide the following:

- » Provide the framework that will be used by individuals preparing the form and character Development Permit applications relating to buildings and open spaces within the CD24 boundary.
- » Assist the City of Kelowna's planning staff with individual Development Permit applications within the CD24 boundary.
- » Provide general guidance as to the level of detailed design needed to ensure that each individual development is compatible with the overall urban design concept established for CD24 Zone.
- » Provide, through high-level graphic examples, to illustrate potential applications of the design guidelines.

These guidelines are not intended to be the final form of development, but rather represent a 'conforming outline' to be used as a starting point for detailed design to build upon.

## 1.2. GUIDING PRINCIPLES

Guiding principles represent the larger planning and design objectives that are to be reinforced whenever possible during subsequent development stages.

### 1.2.1. LAND USE PRINCIPLES

- » The development of the CD24 site will incorporate a mix of land uses including retail, commercial, hotel and residential with associated residential uses.
- » Land use for the CD24 site has been allocated to two different areas ('Area A' and 'Area B').



Residential Building



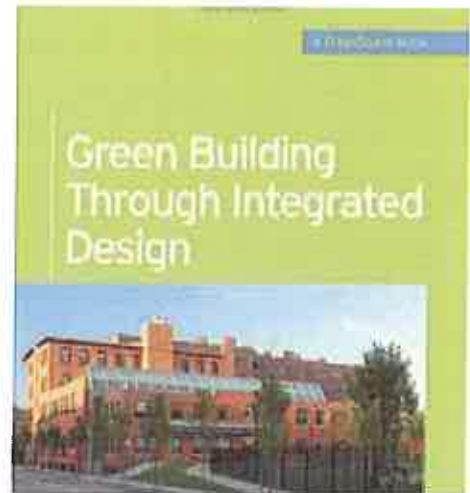
Residential Building



- » Area A's core land use will be tourism-based commercial that includes hotel and conference space, ground floor retail, and residential use located above retail. Commercial development will be complemented with an urban plaza space that accommodates some surface parking.
- » Area A's building forms respond to the Lakeshore Road frontage and will have a landmark structure in terms of scale and architecture.
- » Area B's land use will be residential, with no commercial or retail use, and will be complemented by an interconnected network of landscaped open spaces.
- » Area B's building forms will be mid-rise, multi-unit structures that step back in height from the site edges in response to adjacent existing residential.
- » Vehicular traffic within the site will be accommodated by an internal road network, with limited surface parking and an easily accessible parking structure.

#### 1.2.2. SUSTAINABILITY PRINCIPLES

- » To promote higher density mixed-use development near existing communities and public infrastructure to reduce adverse environmental and public health effects associated with low density urban sprawl.
- » To encourage the development of energy-efficient buildings by employing strict heating and cooling strategies that will reduce dependency on natural resources.
- » To reduce pollution and flooding associated with major storm events through on-site stormwater capture and treatment to promote aquifer recharge and improve water quality by emulating natural conditions.
- » To reduce energy consumption and pollution from motor vehicles by providing high levels of external connectivity and by encouraging alternative modes of transportation such as public transit, cycling, car sharing and walking.
- » To promote a healthy lifestyle by providing safe, appealing and comfortable street, pathway and open space environments.



Green Building



Active Transportation



Community Gardens

- » To preserve water quality, natural hydrology, habitat, and biodiversity through conservation and rehabilitation of wetlands and Wilson Creek.
- » To enable the widest spectrum of people, regardless of age or ability, to more easily participate in community life by incorporating principles of universal accessibility into the design process.
- » To promote community-based food production, access to fresh produce, and improve nutrition through provision of community gardens.
- » To limit or eliminate the use of potable water for irrigation by use of captured or recycled water for use in landscape irrigation.
- » To minimize amounts of sod lawn provided and to use a planting palette of drought tolerant native, or native-adaptive, plant species to minimize water consumption for irrigation.

### 1.2.3. URBAN DESIGN PRINCIPLES

- » It is the overall intent that the CD24 development site incorporate a high level of urban design and character into its buildings and outdoor open spaces that is responsive to the functional requirements of a mixed-use development, the site's unique context, and the promotion of a pedestrian-oriented neighbourhood.
- » Building and open space design should convey human scale, address pedestrian comfort and safety, and complement the surrounding community as well as existing buildings.
- » Create opportunities for public open space as part of the development that is safe, of high-quality and human scale.
- » Consider a road network as part of the public open space that will include amenities that promote pedestrian comfort and use.



Minimal Sod Planting



Mixed-Use – Urban Design



Pedestrian Friendly Streetscape



Tourism - Commercial

#### 1.2.4. RESPONSE TO CONTEXT

- » Development in Area A will have a strong urban character in the treatment of buildings and open spaces in response to the context of Lakeshore Road, Manteo Resort and other major commercial developments within the Cook Road Tourist Commercial Area.
- » Development in Area B will have a residential character through scale and material treatment of buildings, landscape buffers and landscape treatment of open spaces that respond to the context of adjacent existing residential uses.
- » Development in both Area A and Area B will respond to the highly naturalized character of the Wilson Creek wetland and riparian corridor by providing the required building setbacks from the City of Kelowna Wilson Creek Linear Park and accompanying environmental green space.
- » Character of exterior spaces and selection of plant material is to transition from cultured (inside site) to natural (edge of site at environmental riparian zone).
- » The character of buildings and public spaces within the CD24 site should celebrate that which is unique and distinctive about the Okanagan Valley by drawing inspiration from the region's natural and cultural landscapes.



Wilson Creek



Okanagan Inspired Landscaping

#### 1.2.5. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- » Provide sufficient density to help ensure enough “eyes and ears” on the street.
- » Improve public safety through the creation of public spaces that instill a sense of pride and ownership.
- » Provide natural surveillance and sight lines to ensure unobstructed views in areas where public safety and pedestrian / vehicle conflicts will be a factor.
- » Provide lighting at a sufficient enough level to uniformly light adjacent sidewalks so as to provide a high level of “psychological comfort and safety” for pedestrian use at night.



# OVERALL DEVELOPMENT GUIDELINES

The following guidelines apply to both Area A and Area B. Additionally, at the end of each section, commercial specific guidelines for Area A only have been highlighted.

## 2.1. BUILDING SITING, MASSING AND PROPORTION

- » In general, building massing will respond to adjacent existing land uses by stepping the heights of buildings from the edges of the site (lower building heights) to the core of site (higher building heights).
- » Where residential buildings are situated in close proximity to each other, consideration should be given to stepping back the upper floors of the building to visually reduce the massing by expanding the horizontal relationship between the upper levels when compared to the lower levels.
- » Consideration should be given at the site planning level to provide private open space at grade for each ground unit along with transitional landscaped open space from private to semi-private / semi-public space (see CD24 Comprehensive Zoning Bylaw for minimum private open space requirements).
- » Buildings should be sited with sensitivity to future development on adjacent properties and in a way that promotes the creation of functional and interconnected outdoor spaces for residents within the community.
- » Building siting should consider placement and orientation to maximize use of natural light in building design, and maximize view corridors to Wilson Creek while minimizing views into adjacent developments.



Hotel Conference Podium



Tower Podium Assembly



Functional Public Spaces

- » Buildings should demonstrate a high degree of human scale through emphasis of doors and windows and through appropriate choice of materials and surface detailing to create a rich visual interest at the pedestrian level.
- » Building articulation refers generally to the exterior details and the arrangement of both specific and repetitive features. As it is not intended that the CD24 site be developed under one specific architectural theme, care and attention at the preliminary design stage should be made to ensure that different architectural styles be complementary in detail to each other.
- » Building facades should have a balance of vertical and horizontal proportions.
- » Vertical accents should occur on a regular basis to reinforce a pedestrian-scaled rhythm and are preferred for windows.
- » Horizontally-extended glazed areas should be subdivided into vertically proportioned windows separated by mullions or building structure.
- » Building siting and massing for structures over 2 stories should be comprised of a podium and a tower element.
- » Building tower and podium should be perceived as assemblages of forms through overlapping of building elements to break-up massing. Homogenous building treatments that tend to create monolithic building massing are strongly discouraged.
- » Building towers should be designed to help reduce perceptions of bulk as well as contribute to a distinct identity for the architectural expression of development.
- » Towers should have a minimum 25 metre separation from any other tower, with the distance between buildings measured from the nearest vertical plane, not including balconies or building overhangs.



Pedestrian Level Interest



Wilson Creek Green Space

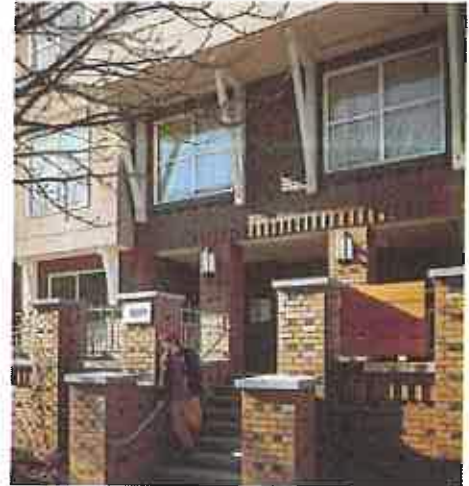


## 2.2. BUILDING HEIGHTS AND SETBACKS

- » The CD24 Zone prescribes minimum setbacks to the external property boundaries on the CD24 site.
- » Building heights will step in response to the prescribed setbacks as outlined in the CD24 Zone Site Setbacks.
- » Designated setback areas along the north and eastern property lines which are immediate to existing residential development should be primarily treated as semi-private to private space allowing for maximum landscape planting and screening and minimum pedestrian access.
- » In residential units located at the ground level adjacent to the Wilson Creek Green Space, it is recommended that buildings be sited to maximize the potential for on-grade outdoor private patio spaces.

### 2.2.1 COMMERCIAL BUILDING HEIGHTS AND SETBACKS

- » The podium for each building should be no more than 3 stories above grade.
- » Where residential uses are proposed above retail or commercial uses, the first level of residential should be set back slightly further than the commercial or retail façade.
- » Where buildings face the commercial piazza, floors above the first 2 stories should be slightly set back from the lower façade in order to create an appropriate pedestrian scale of building at the commercial level.
- » The first 2 stories of a building is where design elements can be most effective to provide a human scale to the building, regardless of its overall size and massing. Lower levels should be designed to accentuate the horizontal elements and to provide a separation between the lower retail uses and upper mixed use levels.



Inviting Entrances



Covered Entrances



Universally Accessible Main Entrance



### 2.3. BUILDING ENTRANCES

- » All entrances should be inviting from the street and create a comfortable and welcoming experience through attention to details, proportions, materials, and lighting.
- » Principal entrances should be easy to identify from the street or any adjoining public open space.
- » If the principal building entrance is located within a courtyard/ garden space, there should be adequate address identification in close proximity to street or adjoining open space, and an appropriate walkway through the space to the main entry door.
- » Principal entrances should include a canopy, overhang, portico or other similar structure to provide appropriate weather protection, without sacrificing visibility.
- » Principal entrances should be universally accessible.
- » Principal entrances should be in close proximity to a vehicular lay-by or drop off area, without compromising pedestrian safety.
- » The building address should be clearly visible and well lit and located near the principle building entrance.
- » The principal entrance should be designed so that it is secure and that visitors can be identified from within the building without opening the door.
- » Secondary entrances and exits should be designed for safety and visibility.
- » If the route of access to secondary entrances crosses through a courtyard / garden space or landscaped area, there should be a defined travel path.
- » If a secondary entrance is not frequently used, the pathway does not necessarily have to be a hard surface. Crushed gravel could be an adequate treatment.

#### 2.3.1 COMMERCIAL BUILDING ENTRANCES

- » Retail spaces should be easy to see into from the adjoining commercial plaza and outdoor space(s). A high degree of transparency should not preclude use of mullion patterns to add visual interest and human scale to the building.



Balcony and Overhang Respond to Climate



Landscaped Decks and Rooftops



Solar Shading

## 2.4. BUILDING ROOFTOPS, BALCONIES, OVERHANGS, AND SOFFITS

- » Buildings should be articulated with the aim of creating shadows through indentations and projections of elements within a façade composition on all sides – not just the front building elevation. (i.e. windows and doors, cornice lines, pilasters, balconies, and/or base-relief detailing).
- » Buildings with flat roof areas, whether actively used or not, should be enhanced by use of texture, colour, and/or landscaping, especially when visible from habitable spaces above.
- » Rooftops designed as active outdoor social spaces are encouraged and should be designed to withstand the weight of mature trees and plantings.
- » All mechanical equipment and elevator penthouses should be integrated with the architectural treatment of the roof, or be screened with materials and finishes compatible with the building's design.
- » In response to a regional expression, building detailing should emphasize shade from summer sun with overhangs and recesses of sufficient depth that are appropriate responses to solar exposure.
- » Upper levels of buildings should incorporate decks, balconies, or other building features as outdoor amenity space for occupants. Balconies should be designed to maximize outdoor living opportunities.
- » Where appropriate, Green Roofs should be considered as a viable option to tar and gravel ballast roofs in response to sustainable building practices and the reduction of heat island effect on roofs.
- » Any soffits or the underside of any portion of a building, including the undersides of balconies, within the first 2 stories and exposed to public view should be treated in a manner as to provide visual interest and show attention to detail.



Regional Expression – Transition to Outside



Soffit Treatment



Balcony & Overhangs Respond to Climate



Landscaped Decks and Rooftops



#### 2.4.1 COMMERCIAL BUILDING ROOFTOPS, BALCONIES, OVERHANGS AND SOFFITS

- » Where at-grade patios are to be provided in support of commercial uses, consideration should be given to provide a landscape buffer between the public realm and outdoor patio.
- » Outdoor patios should be delineated with decorative fencing of a high quality and durable material (i.e. metal) and should not exceed 1.2 metres in height unless considered as part of a gateway treatment.

#### 2.5. EXTERIOR MATERIALS, TREATMENT AND WINDOWS

- » In response to a regional expression, the character of building, detailing and selection of materials should celebrate the unique and distinctive qualities of the Okanagan Valley and draw inspiration from the region's natural and cultural landscapes.
- » In response to a regional expression, consider techniques and treatments that emphasize the transition between inside and outside through the differing seasons such as; retractable windows, overhead rolling doors, canopies, trellises, and extended building planes.
- » Window and balcony sizes and spacing should create a comfortable rhythm that is consistent through the majority of the floors above the lowest level.
- » Windows should be maximized to create natural light penetration into the buildings. Positioning of windows will consider solar effects during both the hottest summer months and the cooler and greyer winter months.
- » Windows that open for natural ventilation should be encouraged, but the windows must also have a means to be secured at lower levels on the buildings.
- » Windows should incorporate an appropriate trim detail that will be suited to the exterior materials and colours of the building.



Soffit Treatment



Outdoor Patio Decorative Fencing



Complementary Material Changes



Window Balcony Rhythm



- » All roof flashings and vents exposed to public view should be painted to match adjacent surfaces or disguised in a manner consistent with the visual characteristics of the building.
- » Materials should be durable and appropriate to the character of community development. No vinyl siding or non-vision (mirrored) window glass is to be used as part of building fenestration.

## 2.6. PARKING, LOADING, FIRE AND EMERGENCY ACCESS

- » Vehicle drop off and temporary lay-by parking should be provided in close proximity to residential buildings, or by having a single drop off serving a grouping of buildings.
- » Vehicle drop off and temporary lay-by parking should be located in a manner as to ensure adequate access by the appropriate sized vehicles, while minimizing pedestrian conflicts and visual impacts from principle building entries and outdoor patios.
- » Vehicle drop off and temporary lay-by parking should be treated so that pedestrians and vehicles have equal status.
- » Vehicle drop off and temporary lay-by parking should offer visual interest (i.e. stamped concrete, concrete pavers, etc.) such that the space takes on a higher quality and distinction from the asphalt roadway surface.
- » The majority of the required parking will be located in parking structures. Due to the high water table, it is not practical to construct the parking structures completely underground.
- » Under-building parking structures should be built to internal property lines to ensure a contiguous public open space can be created on top of the structure.
- » Parking garage interconnectivity should be encouraged between adjacent building sites.



Regional Expression – Transition to Outside



Vehicle Drop Off Paving



Architectural Integrated Parkade Entry

- » The lowest level parkade can have approximately 1/2 storey of the parking structure wall height exposed, provide that it is treated in a manner as outlined in these guidelines.
- » The second level parkade should be integrated into buildings and may include portions of the parkade structure that will have a full one-storey potentially exposed, provide that it is treated in a manner as outlined in these guidelines.
- » Exposed parkade walls in areas with no pedestrian access have the potential to be naturally ventilated using screened openings. The design of screens should be decorative with be a powder-coated finished metal material.
- » Exposed parkade walls in areas with pedestrian access will, at minimum, include; colour parging or cast-in-place concrete reveals, and if possible, sloped landscape with plant screening to minimize visual impact of walls. Any landscaping associated with parkade structures will consider CPTED safety guidelines.
- » Exposed parkade walls in areas with pedestrian access and associated with second level parking should also function as pedestrian access points to the network of open spaces by incorporated into their design stairs and/or ramps for pedestrian access.
- » Terraced landscaping should be used to complement pedestrian access points and be integrated into the overall landscape open space design.
- » Exposed parkade walls in highly visible areas should have equal treatment as building exteriors in terms of articulated surface, reveals and applied detailing to visually break-up wall surfaces.
- » Garage doors and vehicle access points into building should not terminate on axial views (i.e. views down streets within the vicinity of the site).
- » Where axial views are terminated, design consideration should be given to mitigating the visual impact of such views and to otherwise provide a high degree of human scale and visual interest at visual termination points.



Consolidated Loading and Parking



External Treatment of Parkade Walls



Unobtrusive Parkade Entry

- » Doors and entrances into parking garages should not be visually obtrusive and should not be more visually prominent than any principal entrance to the building.
- » Garage entrances should be architecturally integrated into the overall building design with street-level exterior building finishes wrapping into the garage opening for a minimum of 2 metres in depth.
- » Doors to parking garages should have an architectural treatment that is primarily expressed as an opaque or semi-opaque door rather than an open screen. Open screens are acceptable if highly detailed and rich in visual interest.
- » Garbage and recycling facilities should be located away from public sidewalks and screened from view. The materials used for such purposes should be common to the building's exterior finishes.
- » Surface parking should consider the use of permeable pavers as a means for passive storm water management to control surface water run-off.

#### 2.6.1 COMMERCIAL PARKING, LOADING, FIRE AND EMERGENCY ACCESS

- » There is to be one access off of Lakeshore Road that will serve as the main entrance for the commercial and hotel uses.
- » Surface parking lots should be exclusively for commercial and retail uses and temporary drop off areas; structured parking (except for drop-off zones) will be created for residential uses.
- » Loading areas for commercial and hotel uses should be consolidated into one area that provides safe and efficient access and minimizes exposure to adjacent commercial uses.



Lay-By Parking



Parking Plaza



## 2.7. SIGNAGE

- » Building signage should be made of durable, weather-resistant materials, and be professionally fabricated and installed. No box signs are permitted.
- » The size of any individual sign should follow a common theme of building signage as well as the appearance on an individual building's facade.
- » The scale and visual qualities of a building should not be compromised by the size and/or number of building and address signs.
- » Address signage should be of a pedestrian scale that is proportionate to the residential building frontage that it promotes.
- » Free standing entry features that include building / address signage, and that are integrated with a site's landscape design, should be encouraged.
- » Any free standing entry feature should be built to internal property lines to ensure a contiguous public open space.
- » Any free standing entry feature, as part of the building design, should be included in the Development Permit package and include detail elevations and material selection.



Durable Building Signage



Free Standing Building Signage

### 2.7.1 COMMERCIAL SIGNAGE

- » Signage should create a rich visual character to enhance an overall festive character of the commercial area. Signage should be made of durable, weather-resistant materials, and be professionally fabricated and installed. No box signs or back-lit signs are permitted.
- » Signage should consist of fascia signage, projecting signage and a free standing main project sign located along Lakeshore Road frontage.
- » The main project sign should include the name of the project (yet to be determined) and identification for the commercial hotel. Individual retailers and commercial businesses should have an opportunity for secondary placement on this sign.

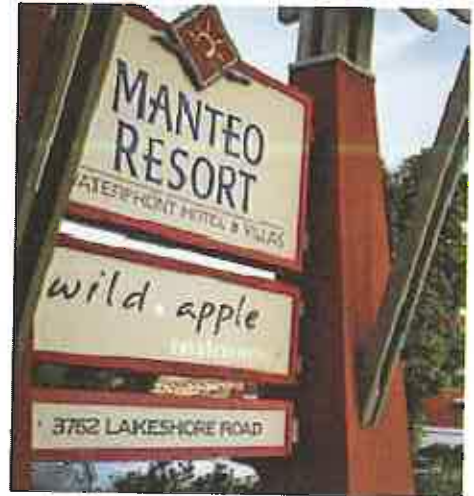


Free Standing Building Signage

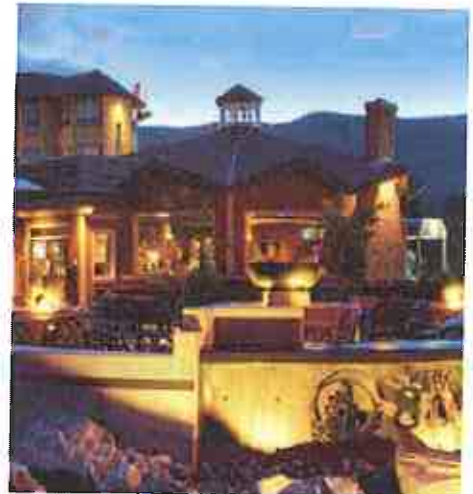
- » Fascia signage should be of a pedestrian scale that is proportionate to the retail frontage that it promotes.
- » Projecting signage should not extend over large areas unless incorporated as part of an awning, with text located within the awning valance. Letters should be of appropriate scale and size to complement the character of the awning design.
- » The size of any individual sign should follow a common theme of building signage as well as the appearance on an individual building's facade.

## 2.8. LIGHTING

- » Illumination should be planned as a key element in a façade's design with consideration for the effect on the façade and on adjoining buildings and open spaces.
- » All exterior lighting should follow best practice methods to preserve the Dark Sky by limiting light pollution and to include selection of high performance fixtures that conserve energy.
- » Lighting should not contribute to glare through use of full cut-off or low-wattage luminaries.
- » Designs should also incorporate shielded fixtures and/or appropriate mounting heights, as well as be aimed appropriately.
- » Building and wall scone lighting should be in response to the individual building's architectural character, while complementary to the overall character of the residential area.
- » Building and parkade entry lighting should be of sufficient illumination levels as to clearly indicate principle entries from secondary, and to provide a high level of "psychological comfort" for persons using each entrance.
- » Directional or accent lighting should be limited to specific exterior feature elements of notable distinction.



Project Signage



Dark Sky Exterior Lighting



Facade Lighting Effects



- » Street and pedestrian light fixtures should add daytime visual interest and human scale to the exterior environment and be complimentary to the building design, as well as help accentuate the rhythm of the building façade.
- » Lighting should be designed for high-quality environmental performance. Only one style of street and pedestrian fixture should be used within the residential areas.
- » Lighting of sidewalks and bike paths adjacent to roadways should provide for continuous and uniform lighting of ground level.

### 2.8.1 COMMERCIAL LIGHTING

- » Window displays should be lit from the inside of the tenant space with directional lighting such that there is minimum light spillage outside of the tenant space.

## 2.9. SCREENING AND FENCING

- » Areas for consideration for buffering and fencing will be along the property boundary between the CD24 site and the adjacent residential properties and should respond to privacy issues.
- » All buffering and fencing should be an appropriate response to adjacent social interaction, security and safety.
- » A solid privacy fence, along with supplemental planting, should be provided in response to landscape aesthetics and to assist with sound attenuation.
- » Fence height and landscape buffer screening should be maximized in these areas and meet, as a minimum the City of Kelowna's Section 7 Landscaping and Screening Level 3 Landscape Buffer Requirements.
- » Level 3 Landscape Buffer Requirements: a minimum 3 metre landscape buffer is required to separate uses from adjacent existing properties and will consist of a vegetative buffer or a continuous opaque barrier.



Pathway Lighting



Shielded Aimed Lighting



Principle Entry Lighting



Individual Unit Fencing



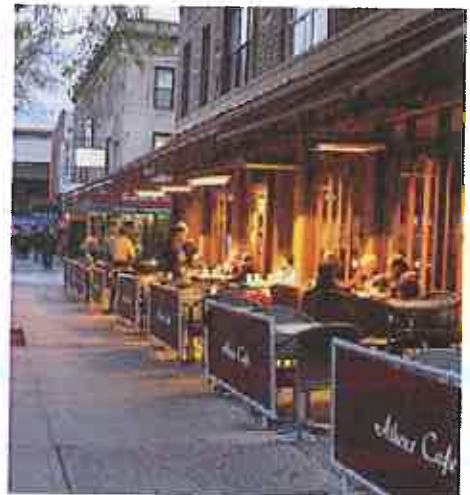
- » Fencing should be treated simply and in a similar manner between individual parcels and buildings to create a sense of harmony and unification with the residential area.
- » Ground level private patios should be delineated with fencing of a high quality and durable material (i.e. wood or metal) and should not exceed 1.5 metres in height unless considered as part of a gateway treatment.
- » In all public to semi-private open areas, fencing should be visually permeable and its height should be such that it is not imposing to the pedestrian realm and maintain CPTED sightlines.
- » The use of chain link as a fencing should be discouraged in public open space and private landscaped areas, with the exception of the delineation of the Wilson Creek wetland and riparian corridor.
- » Variations in fence treatment can be presented at the Development Permit stage, and should only be considered when the fence design is in response to a specific microclimate to increase pedestrian comfort or to increase usability of an outdoor space (i.e. patio).

### 2.9.1 COMMERCIAL SCREENING AND FENCING

- » The commercial area and associated parking plaza should be considered as an urban plaza. As such, the City of Kelowna's Section 7.0 Landscaping and Screening requirements of surface parking lots should be relaxed in consideration of this higher urban treatment.
- » No major conflicting land uses are proposed with the commercial area that will require significant screening. Any requirements to separate adjacent building uses or create exterior territorial definition should be accomplished through planting.
- » Landscape screening and buffer should be considered along the Lakeshore Road corridor in response to any outdoor activities related to commercial uses. Any planting in close proximity to intersections and pedestrian and vehicle conflict points will respond to visual sight lines and CPTED safety requirements.



Individual Unit Fencing



Variation on Fence



Privacy Fencing

- » Outdoor patios should be delineated with decorative fencing of a high quality and durable material (i.e. metal) and should not exceed 1.2 metres in height unless considered as part of a gateway treatment.

## 2.10. SITE ACCESS AND CONNECTIONS

- » Primary access into the CD24 site is provided off of Lakeshore Road along with a secondary access off of Bird Place (via a new bridge over Wilson Creek).
- » A secondary vehicular and pedestrian access into the CD24 site will be provided from Springrose Way.
- » Emergency vehicle access into the CD24 site is provided off of Springbrook Road. This access will provide important emergency access into the CD24 site and improved pedestrian connectivity to the larger community.
- » Circulation and connectivity between the four vehicle access points will consist of an interior road network as part of a bare-land strata development and should be designed in a manner that will reduce the potential for short cutting.
- » All internal roads and access points into / out of the CD24 site should be designed in a manner that promotes pedestrian and cycling in a safe and comfortable public realm environment.
- » Bridge access off Bird Place will include appropriate Wilson Creek environmental approvals in conjunction with the bridge design and construction.
- » Bridge access off Bird Place will be constructed over Wilson Creek and designed as a gateway entrance to the site and the bridge design should be included as part of the form and character Development Permit application.
- » Bridge access off Bird Place will accommodate pedestrian and cyclists, and the north side approach will also be designed to accommodate a pedestrian crossing of the secondary entry road for the Wilson Creek trail.



Site Access and Connections



Perspective - Looking South

- » For any pedestrian underpass associated with the Bird Place bridge access, consideration should be given to increasing the amounts of pedestrian level lighting under bridge structure and additional considerations for CPTED principles at bridge abutments to minimize potential hiding places.
- » It is anticipated that vehicle access off of Lakeshore Road will be associated with a new controlled intersection which will serve as the main entrance for the commercial and hotel uses.
- » The Lakeshore Road entry is considered a major pedestrian and commuter cycle connection with safe and convenient access to the adjacent Multi-Use Corridor (MUC) that connects Upper Mission to Downtown. As such, consideration should be given to the commercial plaza and adjacent ground floor retail design for the accommodation of multi-modal movement.

#### 2.10.1 COMMERCIAL SITE ACCESS AND CONNECTIONS

- » Pedestrian walkways adjacent to ground floor retail should be wide enough to accommodate retail overflow into the public realm frontage zone without restricting pedestrian circulation.
- » The commercial area will be an area where the public is invited to be, and security within public areas should be considered in conjunction with building development.
- » All security devices such as gates or screens should be located on the inside of the retail frontages. Corridors or entry ways that need to be secured should be either doors or gates in keeping with the architectural style of the exterior of the building. Roller gates and shutters are not permitted.



Commercial Area Site Access



Provide Large Public Open Spaces



## 2.11. PUBLIC AND PRIVATE OPEN SPACE

- » The provision of large usable areas designated for use by CD24 residents should be promoted in the building siting and design of exterior spaces.
- » Private open space should be limited to exterior spaces immediately adjacent to residential units (private patios and balconies) and to principle/secondary building entrances - to promote a continuous and integrated series of open spaces.
- » In situations where private areas will not be secured, landscape design and planting should create a territorial separation between semi-public and private spaces, without necessitating the use of fencing that will disrupt the visual continuity of the landscaped open spaces; fencing should be provided only when security is an issue.
- » Spatial separation, combined with landscape planting, should be considered in all locations where there is an interface between a road and a building, or a major pedestrian access route and a building.
- » Open spaces should be highly accessible and primarily promote passive recreational uses such as walking, jogging, cycling, and informal play opportunities.
- » Open spaces should provide for some level of pedestrian scale lighting to promote safety and encourage limited nighttime use.
- » The provision of landscape feature elements such as gazebos, trellises, and pergolas should be encouraged as a way to enhance the visual interest and use of open spaces and should be attractive when viewed from above.
- » A continuous pedestrian connection should be provided to link all major open spaces, including the Wilson Creek wetland and riparian corridor, which limits any potential for pedestrian and vehicle conflicts.



Urban Design



Enhanced Public Realm



High Quality Play Equipment

- » Portions of the Wilson Creek's northern boundary will be reserved as public open space, and will be protected by covenant against development in order to preserve and enhance the creek's wetland and riparian habitat.
- » Any new work associated with Wilson Creek's northern boundary will be designed in a manner to meet City of Kelowna design and construction standards and any environmental mitigation recommendations.
- » Provision of community gardens should be considered either as part of the overall development's common open space, or as part of an individual building's garden space. Community gardens provide a direct sustainability feature and also create more of a community presence in the development.
- » Community gardens should be considered as part of a private or semi-private open space development and be designed in a manner that provides some level of security and controlled access for users.
- » Provision of structured play areas should be considered either as part of the overall development's common open space, or as part of an individual building's garden space.
- » Structured play should consist of play equipment that promoted physical play and social interaction among its users.
- » Any play equipment should conform to current CSA playground standards and be of high quality design and durable materials and include appropriate safety surfacing.
- » No black colour rubber tile safety surfacing should be used due to potential heat absorption.
- » Non-structural retaining walls used in open spaces should not be greater than 1.2 metres in height and made from local stone or of modular/ segmental block construction.



Pedestrian Amenities



Low Natural Stone Walls



Terraced Landscape Treatment



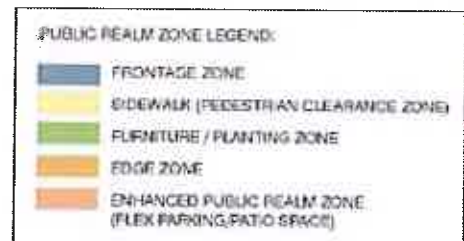
- » Where structural retaining walls are required, exposed faces should be treated in a manner that is complementary with adjacent landscaping and/or architectural details - so as to limit their overall mass, height and visual impact.
- » Where structural retaining walls are required, exposed faces should be treated in a manner that will discourage graffiti (i.e. treated with anti-graffiti coating). Photo image vinyl wraps should be provided on all utility boxes that are susceptible to graffiti (i.e. tagging).

#### 2.11.1 COMMERCIAL PUBLIC AND PRIVATE OPEN SPACE

- » The Commercial plaza should be fully accessible to the public as it depends on pedestrian and vehicular traffic. Open spaces within this area should serve either as aesthetic landscaped areas relating to retail activity or routes of access.
- » The character of the commercial open space should have an “urban plaza character” in support of retail activities and promote a pedestrian friendly environment through spatial continuity between the public and private realms.
- » The design of open spaces within the commercial plaza should promote social interaction throughout the following site planning considerations: orient the spaces to take advantage of natural sunlight and key views; provide shade and protection from wind and other climatic elements.
- » Encourage the provision of streetscape elements of greater distinction within the public realm that should incorporate a high level of urban and functional design. The intent is to create a unique and memorable experience through innovative and creative design.
- » Consideration should be given to placement of streetscape elements within the commercial area's



Pedestrian Zones



Pedestrian Zone Legend



Pedestrian Sidewalk



public realm so as not to create clutter or restrict pedestrian movement.

- » The public realm for Area “A” should be considered as a series of pedestrian zones in which specific site furnishing, planting and streetscape elements will be located. Zones may include any of the following:
  - Edge Zone: immediately adjacent to parking and provides a safety buffer for pedestrian against vehicle encroachment;
  - Furniture and Planting Zone: accommodates street tree planting, lighting, site furniture and other fixed objects;
  - Pedestrian Clearance Zone: must be kept free of obstructions and provide a continuous linear pathway of an appropriate width to serve anticipated pedestrian flow;
  - Frontage and Marketing Zone: is the area directly in front of the building and/or property line. It can be used as flow-out space, patios and outdoor display areas for merchants.
  - Enhanced Public Realm Zone: is the flexible parking space that can be utilized for seating areas.
- » Consideration should be given to the use of brick pavers as the primary surface treatment to promote a sense of ‘high quality urban design’ and promote passive stormwater management through porous pavement.
- » Consideration should be given to the use of rolled curbing in association with decorative metal bollards in high pedestrian and vehicle circulation areas to define and separate movement while maintaining continuity of paving treatment.
- » Open space areas closer to Lakeshore Road should be used to complement the main signage opportunities and create an aesthetic buffer between the site and the boulevard.



Urban Plaza Character



Social Interaction

# LANDSCAPE DESIGN GUIDELINES

## 3.1. PEDESTRIANS

- » All major pedestrian walkways within the semi-private and public open spaces should be accessible at all hours and to all users, and conform to best practices for barrier-free design.
- » All internal roads should include sidewalks of a minimum 1.8 metre width.
- » Wherever possible, sidewalks should be separated by a planted boulevard of minimum 2.0 metre width.
- » All major pedestrian walkways should provide for some level of pedestrian scale lighting to promote safety and encourage limited nighttime use.
- » Pedestrian network should be considered in conjunction with overall roadway network and building siting, so as to maximize interconnectivity between roads private and public open spaces and minimize pedestrian and vehicle conflicts.
- » A hierarchy of pedestrian pathways should be developed in conjunction with overall pedestrian network system. Paving surface treatment and pathway widths should be used as part of the pedestrian hierarchy.
- » Consideration should be given for the following pathway hierarchy system;
  - brick pavers in urban areas where pedestrian and vehicles have equal importance;
  - concrete paving for major pathways and sidewalks within public realm;
  - combination concrete and brick paving for pathways within the private realm;
  - asphalt paving for multi-modal and high traffic pathways in natural areas;
  - compacted crushed granular in low traffic natural areas.



Separated Walkway



Hierarchy Paths



Brick Pavers in Urban Plaza Area



Rolled Curb with Brick Pavers

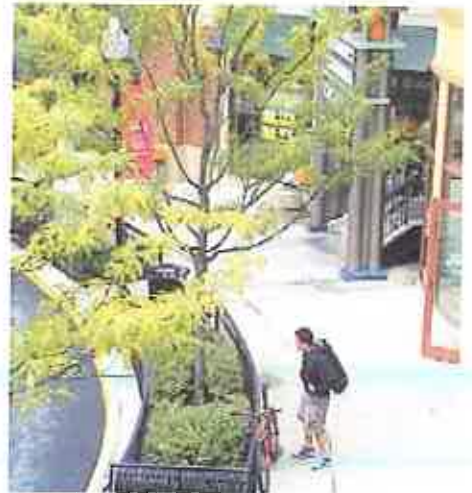
- » Public realm should provide site furnishing, comfort amenities, shade trees, low level planting, and landscape / urban design elements that will create a pedestrian friendly streetscape environment and promote pedestrian use.
- » Pedestrian crosswalks should be treated in a manner that provides paving contrast, in an aesthetically pleasing manner, between pedestrian zones within roadway.
- » Pedestrian crosswalks paving treatment should be limited to:
  - stamped and tinted concrete,
  - wear-resistant thermal plastic traffic patterns (i.e. SquareOne Paving),
  - or at minimum, painted zebra lines.

### 3.2. CYCLING

- » Bike paths for recreation, commuter bike lanes and multi-use shared bike and pedestrian corridors shall promote alternative modes of transportation and increased physical activity that provides a direct sustainability feature to the CD24 site, and also creates more of a community presence in the development.
- » Pathway connections into the CD24 site should take full advantage of the adjacent Lakeshore Multi-Use Corridor (MUC) that connects Upper Mission to Downtown. As such, consideration should be given to the Commercial Plaza and adjacent ground floor retail design for the accommodation of multi-modal movement.
- » Given the residential nature of the development, with lower traffic volumes when compared to city collector and arterial roads, no painting should be required to delineate commuter bike lanes on internal roads.
- » Bollards are recommended in areas where separated bike paths join-up with vehicle intersections as a way to encourage the slowing down and dismounting of cyclists before crossing roadway.



Pedestrian Sidewalk



Pedestrian Amenities



Promote Cycling



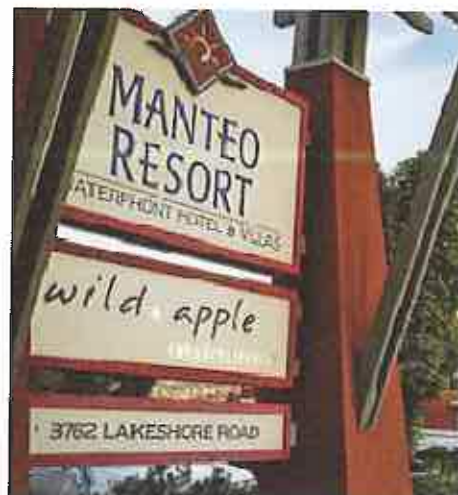
- » Provisions should be made for safe and reliable bicycle storage in key public open space areas and within every private building site in the development.

### 3.3. WAYFINDING AND SIGNAGE

- » Buildings in the residential area should have adequate directional signage at the main entries to the CD24 site.
- » All of the internal roads will be private roads and should be properly named and addressed to orient and direct local residents and visitors within the development.
- » A logical addressing system should be developed in conjunction with the City of Kelowna and the emergency response providers, to ensure that each building or cluster of town houses is easily identifiable.
- » Any wayfinding and directional signage associated with the Wilson Creek wetland and riparian corridor should be coordinated with the City of Kelowna's wayfinding and park signage requirements.

### 3.4. WILSON CREEK GREEN SPACE LANDSCAPING

- » Portions of the Wilson Creek's northern boundary will be reserved as public open space, and will be protected by covenant against development in order to preserve and enhance the creek's wetland and riparian habitat.
- » Private open space landscaping adjacent to the Wilson Creek Green Space should consist primarily of native and indigenous plant species in natural plant groupings that is complementary of the public open space treatment for the adjacent Wilson Creek wetland and riparian corridor.
- » Private patios adjacent to the Wilson Creek Green Space should provide some fencing in response to security and delineation of private and public spaces.



Project Signage



Awning Signage



Wilson Creek Space Setback

- » Private patio spaces should be delineated with decorative fencing of a high quality and durable material (i.e. metal, glass) and should not exceed 1.2 metres in height unless considered as part of a gateway treatment.
- » Private patio fencing should encourage views to the adjacent naturalized landscape and be constructed in a manner that minimizes its opaqueness.
- » Non-structural retaining walls used in open spaces should not be greater than 1.2 metres in height and made from local stone or of modular/ segmental block construction.

### 3.5. COMMUNITY GARDENS

- » Provision of community gardens should be considered either as part of the overall development's common open space, or as part of an individual building's garden space. Community gardens provide a direct sustainability feature and also create more of a community presence in the development.
- » Maintenance agreements between developers and users should be developed in coordination with the establishment of any community garden, to ensure proper stewardship, access control and visual tidiness of these unique garden spaces.
- » The provision of landscape feature elements such as gazebos, trellises, and a storage shed should be encouraged to enhance the visual interest and functionality of the community gardens, and should be attractive when viewed from above.

### 3.6. STREET TREE PLANTING

- » Street trees can significantly contribute to the overall beauty and increased property values of the CD24 site and therefore should be provided wherever possible.



Public Space Community Gardens



Street Trees Adapted to Region



Street Trees Celebrate Seasons



- » Street trees should be of a deciduous species that has a non-aggressive root habit and tolerant of urban conditions (i.e. road salt) with a minimum 7.5 cm (3") calliper size measured at Circumference at Breast Height (CBH).
- » At minimum, street tree selection should be cross-referenced to the City of Kelowna's Tree Selection Guidelines for appropriateness of tree species:  
<http://www.kelowna.ca/CM/Page292.aspx>
- » Street tree species selection should be suitable for the Okanagan climate and growing conditions and have been grown locally.
- » Street tree species selection should celebrate seasonal variations through changing colour of leaves, winter and summer bark and branching interest, etc.
- » Street tree species selection should provide enough diversity of species as to protect against the spread of disease and pests that can devastate monoculture plantings (i.e. Dutch Elm disease).
- » Street tree planting (i.e species and spacing) should be treated in a similar manner on both sides of the internal road ROW to create a unified appearance.
- » Changes in street tree species should be in logical locations such as roadway intersections, changes in road directions, and termination of key roadway vistas. Avoid random or multiple specie changes along a single stretch of roadway.
- » Soil volumes for street tree planting should be maximized to increase the area available for root growth.
- » Consideration should be given to providing continuous soil trenches, root zone break-out areas to adjacent green spaces, structural soil, and use of suspended pavement systems such as SilvaCell® as possible strategies of increasing soil volumes.
- » Wherever possible, all trees should be offset back from sidewalk and major utility services by a minimum of 2.0 metres measured from edge of conflict to edge of tree rootball. If not possible root barriers should be used.



Maximize Landscape Buffering at Edges



Screen Private from Public Spaces



Green Streets



- » Root barriers should be provided at critical root zones areas adjacent to sidewalks, utilities and other vulnerable infrastructure, to direct surface roots downward and away from potential conflicts.
- » All street trees should be irrigated with an automatic underground irrigation system. System controls and zoning should be such as to allow trees to be irrigated independently of other planting.
- » All irrigation should conform to the highest standards and irrigation best practices for reduced water consumption and usage.
- » Drip and Drip manifold should be the preferred method of irrigation, to eliminate water loss due to over-spraying and evaporation and provide equal distribution of water directly to the root zone area.

### 3.7. LANDSCAPE PLANTING

- » Landscape planting (including trees) should include species adapted and suitable for the Okanagan's hot-dry climate and growing conditions and have been grown locally.
- » Plant material should be of various species and genus as to provide a high level of visual and seasonal interest in form, colour and texture.
- » Landscape trees should be large enough at maturity to create a park-like setting, especially along roadside boulevards.
- » Plant material should be specified at a sufficient installation sizes as to provide an immediate landscape impact.
- » Planting areas should include a mixture of deciduous and evergreen plants in combinations of perennials, ornamental grasses, shrubs, and trees in response a building's specific exterior space programming and buffering requirements.
- » All planting should conform to the BC Landscape Standards, current edition, for minimum plant and installation specifications.



Maximize Soil Area for Trees



Root Barriers Adjacent To Utilities



Street Tree Drip Irrigation



Okanagan Inspired Landscape

- » All planting should be irrigated with an automatic underground irrigation system. System controls and zoning should be such as to allow planting to be irrigated independently of landscape trees and street tree planting.
- » All irrigation should conform to the highest standards and irrigation best practices for reduced water consumption and usage.
- » Drip and Drip manifold should be the preferred method of irrigation, to eliminate water loss due to over-spraying and evaporation and provide equal distribution of water directly to the root zone area.



Variety of Plant Species



Planting Entry

# REPORT TO COUNCIL



**Date:** December 2, 2013

**RIM No.** 1250-30

**To:** City Manager

**From:** Urban Planning, Community Planning and Real Estate (JM)

**Application:** Z11-0083 **Owner:** Arnold & Melitta Frank

**Address:** 1429 KLO Rd **Applicant:** Arnold & Melitta Frank

**Subject:** Rezoning Application, Extension Request

**Existing Zone:** A1 - Agriculture 1

**Proposed Zone:** RM7 - Mobile Home Park

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## 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10782, for Lot 52, D.L. 131, ODYD, Plan 186 except Plan KAP78326 located on 1429 KLO Road, Kelowna, BC, to be extended from December 11, 2013 to December 11, 2014.

## 2.0 Purpose

To consider an extension to facilitate the rezoning of the subject property from the A1 - Agriculture zone to the RM7 - Mobile Home Park zone to develop a modular home park containing a total of 92-94 units. The extension is required to provide additional time for the applicant team to satisfy the outstanding conditions of zoning, which has taken longer than anticipated due in part to health related issues.

## 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. 10782 received second and third readings on December 11, 2012 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional twelve (12) months in order to address the outstanding conditions for final adoption, which include:

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

In support of their extension request, the applicant team has noted that they are currently working actively towards completing the outstanding requirements, but that doing so has taken longer than expected due to family health issues. Staff note that work with the applicant team is active and ongoing and is supportive of this extension request. Additional extension requests in the future may be more challenging to support.

**Report prepared by:**

\_\_\_\_\_  
James Moore, Urban Planner

/dc

**Reviewed by:**

☐

Ryan Smith, Manager, Urban Planning

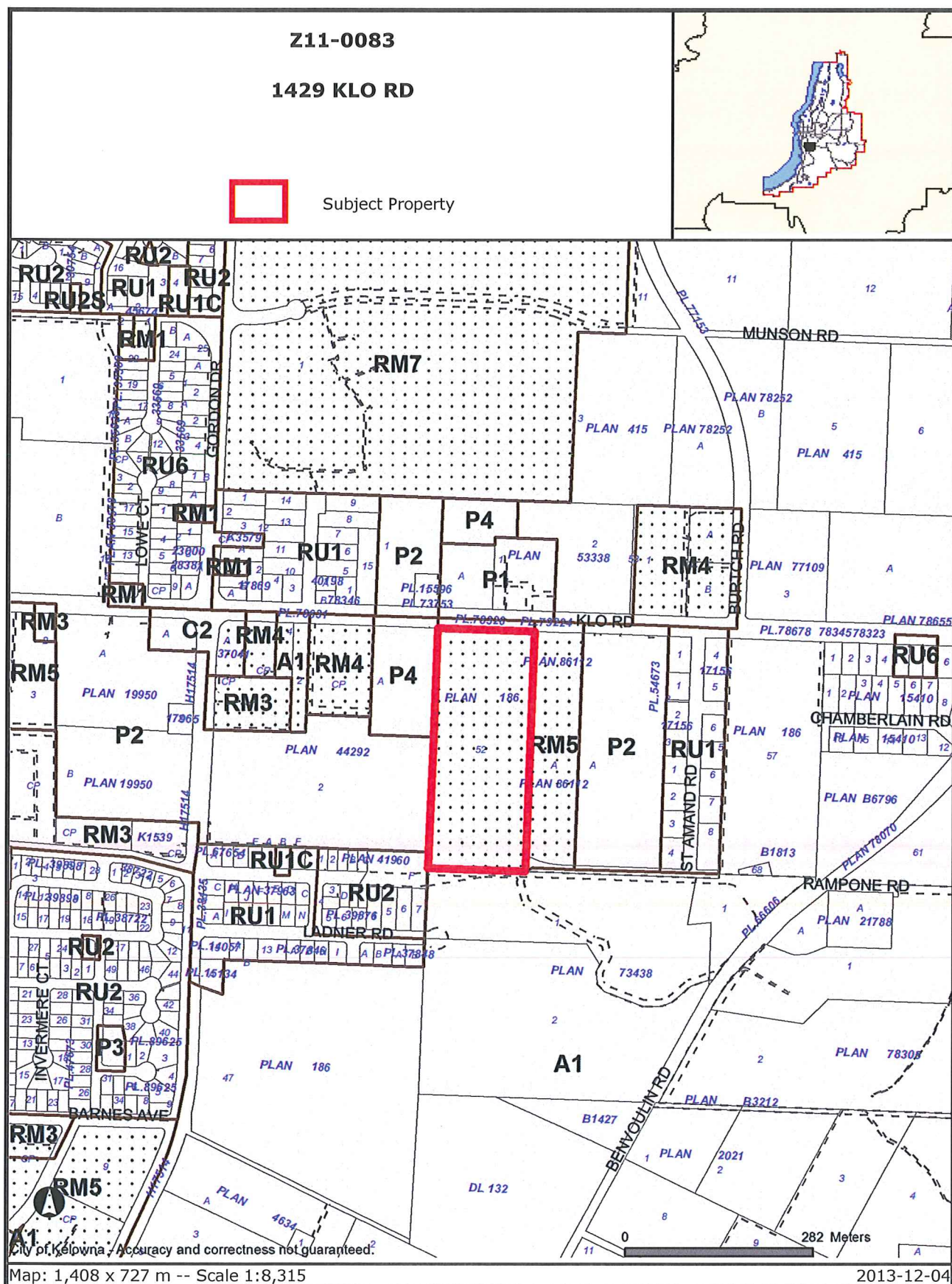
**Approved for Inclusion**

☐

Doug Gilchrist, Divisional Director, Community Planning and Real Estate

**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:** November 27, 2013

**RIM No.** 1250-30

**To:** City Manager

**From:** Subdivision Agriculture & Environment,  
Community Planning and Real Estate (TC)

**Application:** Z09-0062

**Owner:** 0775362 BC Ltd

**Address:** W of South Perimeter Way

**Applicant:** 0775362 BC Ltd  
(Gary Tebbutt)

**Subject:** Rezoning Application, Extension Request

**Existing Zone:** A1 - Agriculture

**Proposed Zone:** A1 - Agriculture, RU1- Large Lot Housing,  
RR1-Rural Residential 1, P3-Parks and Open Space

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## 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10471, for Lot A, Section 23, Township 28, SDYD, Plan KAP89051 located on (W of ) South Perimeter Way, Kelowna, BC, be extended from November 27, 2013 to November 27, 2014.

## 2.0 Purpose

To consider a final extension to facilitate the rezoning of the subject property from the A1 - Agriculture zone to the A1- Agriculture, RU1-Large Lot Housing, RR1-Rural Residential 1, & P3-Parks and Open Space zones in order to facilitate a 24 lot residential subdivision. The extension is required in order to have all the legal documentation in place as to the exchange of land over many properties and owners.

### 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. 10471 received second and third readings on November 27, 2012 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional twelve (12) months as they are actively working on meeting all of the conditions for final adoption.

**Report prepared by:**

\_\_\_\_\_  
Todd Cashin, Manager  
Subdivision, Agriculture & Environment

/hb

**Reviewed by:**

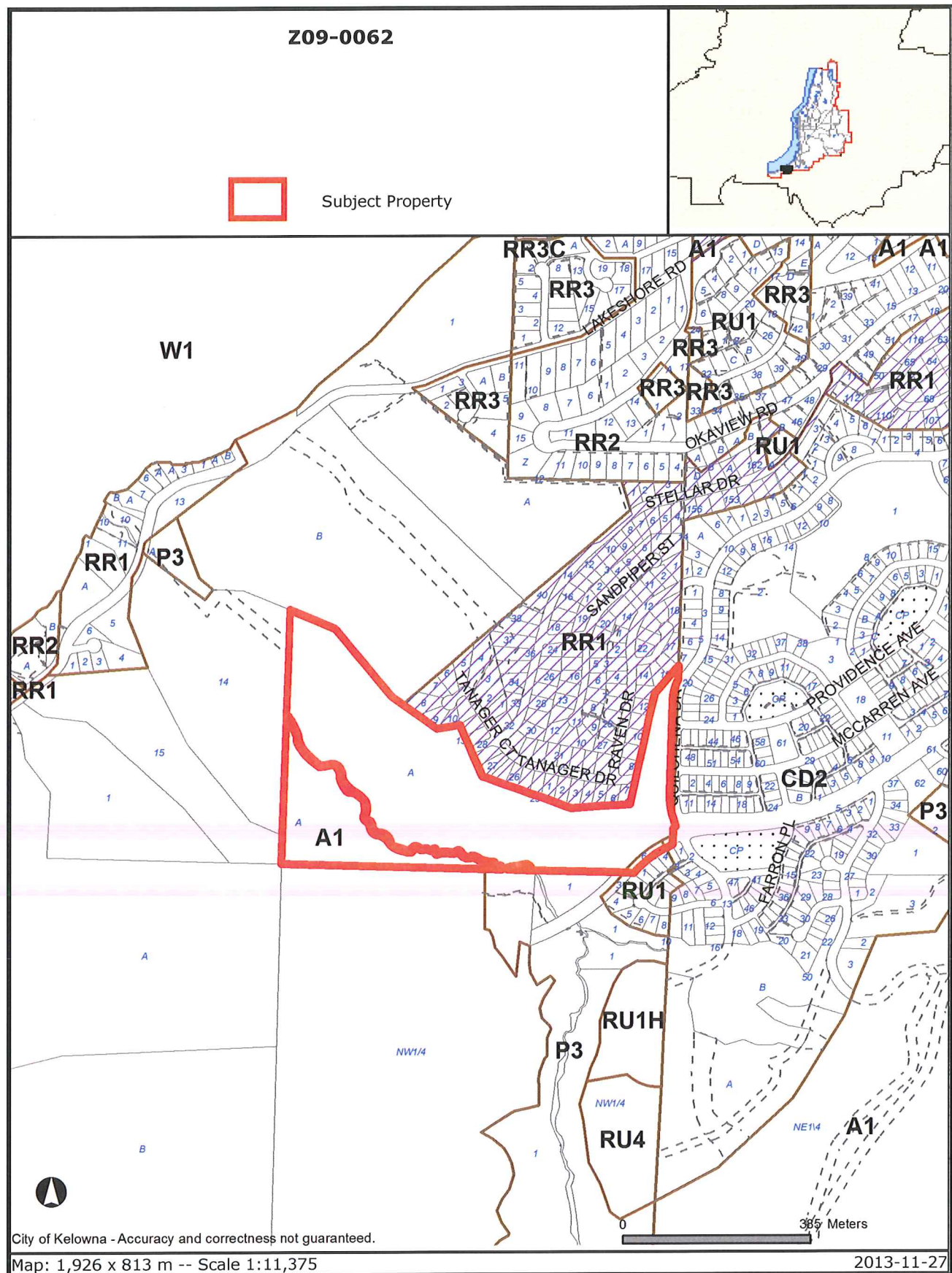
**Approved for Inclusion**



Shelley Gambacort, Director/Subdivision Approving Officer  
Subdivision, Agriculture & Environment Services

**Attachments:**

Site Plan



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

# REPORT TO COUNCIL



**Date:** December 9, 2013

**RIM No.** 1250-30

**To:** City Manager

**From:** Subdivision Agriculture & Environment, Community Planning & Real Estate (TC)

**Application:** Z09-0077      **Owner:** Rex Carter Jardine

**Address:** 4064 Lakeshore Rd      **Applicant:** Rex Jardine/Jardine Investments Inc.

**Subject:** Rezoning Application, Extension Request

**Existing Zone:** RU1- Large Lot Housing

**Proposed Zone:** RU2- Medium Lot Housing

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## 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10306, for Lot 1, Section 1 Township 25 and Section 6 Township 26, ODYD, Plan KAP89719 located on 4064 Lakeshore Road, Kelowna, BC, be extended from December 15, 2013 to December 15, 2014.

## 2.0 Purpose

To consider a final extension to facilitate the rezoning of the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone in order to facilitate a two lot subdivision for the lakefront property.

## 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. 10306 received second and third readings on June 15, 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 provide flexibility in their options to sell the property as either one large lot or two smaller single family lots. As it has been 3 ½ years since the zone amending bylaw received 3<sup>rd</sup> reading, and there has been no progress made in meeting the requirements for final adoption, staff are recommending that this be the last extension granted.

**Report prepared by:**

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Todd Cashin - Manager  
Subdivision Agriculture & Environment

/dc

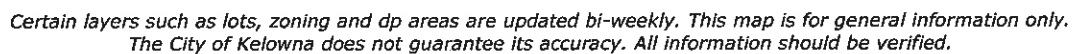
**Reviewed by:**



Shelley Gambacort , Director, Subdivision Agriculture & Environment

**Attachments:**

Site Plan



# Report to Council



**Date:** December 4, 2013  
**Rim No.** 1700-20  
**To:** City Manager  
**From:** Keith Grayston, Director, Financial Services  
**Subject:** 2014 FP Cover Report to Council

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## **Recommendation:**

THAT Council receives, for information, the presentation from the Director, Financial Services and the Capital Assets and Investment Manager dated December 9, 2013 with respect to the 2014 Financial Plan.

## **Purpose:**

To provide an overview of the 2014 Financial Plan.

## **Background:**

See attached memo.

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

**Internal Circulation:**

**Legal/Statutory Authority:**

**Legal/Statutory Procedural Requirements:**

**Existing Policy:**

**Financial/Budgetary Considerations:**

**Personnel Implications:**

**External Agency/Public Comments:**

**Communications Comments:**

**Alternate Recommendation:**

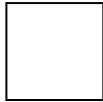


Submitted by:



Keith Grayston, CGA  
Director, Financial Services

**Approved for inclusion:**



Rob Mayne, Divisional Director, Corporate & Protective

Attachments:

City Manager's 2014 Financial Plan Memo  
Powerpoint Presentation

cc:

Capital Assets and Investment Manager

# Memo



**Date:** December 2, 2013  
**File:** 1700-20  
**To:** Mayor and Councillors  
**From:** City Manager  
**Subject:** 2014 FINANCIAL PLAN

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I am pleased to present the provisional 2014 Financial Plan to Council. The 2014 plan continues to respond to an economic climate in which revenues are growing at a slower rate than required expenditures. As this "new normal" economic trend continues into the foreseeable future, we will continue to focus on adapting to maintain services levels and improve service delivery.

I would like to acknowledge the effort put forth by the Leadership Team, their Managers and staff, along with the Financial Services Financial Planning team in the preparation of budget submissions. Once again, this year's budget presented a number of challenges to deliver on our plans to grow the local economy and gives citizens the services they expect. This year's budget balances services with taxation, recognizing that the economy continues to improve at a moderate pace.

Our objective as a local government is to give all citizens the best quality of life we can afford. For the 2014 Financial Plan, my goal is to continue to balance the community's interest in maintaining existing levels of services while planning for significant infrastructure needs. We can only prepare for the future if we maintain a solid financial base in the present. The 2014 Financial Plan provides for basic operating cost increases and continues a strong pay-as-you-go capital program to support asset preservation and maintain our capital infrastructure standards. **The recommendation presented is for a 2.67% tax increase for 2014.**

The development of the 2014 Financial Plan has followed the focus provided by Council in their "Moving Opportunities Forward" priority setting process along with traditional citizen service demands from the Community Strategic Plan.

## ***GROW OUR ECONOMY***

**Economic Situation** - The global economy is slowly improving and that optimism is reflected in the local economy as several developments are preparing to move forward. The construction sector has been slowly gaining momentum as increased residential and commercial developments proceed. Canada Mortgage and Housing Corporation is projecting Kelowna area housing demand and existing home prices to edge up in 2014 as stronger employment growth occurs.

A total of 1,876 building permits valued at \$321 million were issued through November 2013. This compares to 1,779 permits valued at \$271 million in 2012. The City's highest value for building permits was recorded in 2007, where 2,139 permits were issued with a value of \$586 million (Jan-Nov). In 2014, a revenue increase of \$100,000 is included in the Development Services area to reflect actual experience in 2013 and expectations for 2014.

Passenger activity at the Kelowna International Airport is expected to finish 2013 at a record breaking 1.5 million passengers. The Airport development plan "Drive to 1.6 Million Passengers" provides for future airport expansion over the next four years. Construction of Phase I is complete and has expanded the international arrivals, with capacity improvements to the life safety systems. Phase 2 of the program includes a new outbound baggage area and improvements to the passenger check-in area.

The City's first ever Executive Director of Business Development was created late in 2012. This position supports Council's focus on business development by providing a direct link between businesses and City services. Working closely with key partners such as the Economic Development Commission the intent is to facilitate new business development opportunities and support existing businesses while building strong relationships with major employers and strategic growth industries. Partnership opportunities are continually being examined and additional budget funding has been included in 2014 to advance this important initiative.

There has been significant growth at the Kelowna campus' of the University of British Columbia and Okanagan College. Partnership opportunities with these organizations is vital as we support the provision of infrastructure required for their operations. Kelowna General Hospital also continues to expand in their provision of health care services for the region. These institutions are an important link in training the emerging generation in Kelowna's trend to a more knowledge based economy.

**Town Centre Revitalization** - Several projects are included in the 2014 financial plan to provide support to various town centres. The revitalization of Bernard Avenue began in 2012 and will continue until the spring of 2014. Aside from the road works and underground infrastructure, there is a significant streetscape and pedestrian focus to the project. The look and feel of Kelowna's downtown core has been positively changed by this project.

Phase 2 of the Stuart Park works are scheduled for 2014, demolition of the former Yacht Club building and the continuation of the waterfront walkway to further enhance the downtown waterscape will proceed in step with the construction of the new Yacht Club facility.

Construction of a new parkade and expansion of an existing one is to proceed in 2014, to help with the parking impacts of the proposed Interior Health Building. This exciting partnership will bring nearly 1,000 people into the downtown core.

In the Rutland town centre the Shepherd Road extension will improve traffic flow and provide better access to the new Rutland Transit exchange. Improvements to Centennial Park will also encourage activity within the town centre area. A community engagement and project delivery initiative in the Rutland town centre will focus actions on their priorities to strengthen growth in that area.

Expansion of the Queensway Transit exchange will improve the flow of transit service to the downtown and perhaps encourage further commercial and residential developments along the transit routes or near to the exchanges.

A parking management strategy to improve short term customer parking in various town centres will be a focus of works in 2014.

### ***ENHANCE CITIZENS QUALITY OF LIFE***

**Parks and Recreational Facilities** - In conjunction with development, new park construction is planned for a couple areas of the city in 2014. There are also improvements to existing parks to preserve or repair parks infrastructure. The Rutland Senior Centre has some restoration works and the Parkinson Recreation Centre will have concept design work done in preparation of future construction. Continuing with the Event Development program and also a focus on strengthening neighbourhoods is planned for next year.

**Transportation** - The road infrastructure renewal strategy continues through the \$2.6 million road resurfacing program budget. There are several transportation projects put forward that will assist in improving vehicular traffic, bicycle and pedestrian movement throughout the City. Sidewalk and bicycle



network construction, along with traffic signal and neighbourhood traffic improvements, will continue to emphasize active transportation and safety.

Although we were not successful for Gas Tax Grant funding, a \$7.5 million project to improve Lakeshore Road, replace the Mission Creek Bridge and provide active transportation infrastructure is budgeted to begin in 2014. Completion of the design for John Hindle Drive is a further development cost charge funded project that is planned.

**Protective Services and Public Safety** - Continuing the Council approved RCMP resourcing plan and crime reduction strategy will require three additional RCMP members in each of 2014 and 2015. Crime reduction targets are in place and will be reviewed each year to determine progress towards a reduction in the number of calls for service and in the crime rate.

Per member contract cost increases are lower this year, due to an adjustment to cancel \$437,000 of base salary that was previously added in response to a court action.

Work continues on a new protective services facility on Clement Avenue as we plan for the replacement of the current detachment building. The RFP for a design build contract is expected to be complete and awarded in 2014. Construction of the facility is expected to begin in 2015 with occupancy in 2017.

Additional shift coverage funding and fire equipment reserve contribution is included for the Fire Department in the 2014 budget.

## ***FOCUS ON RESULTS***

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

New approaches in service delivery are being investigated to provide the best service in the most cost efficient manner. The Fire Department is requesting additional software tools that will support strategic decision making for the best use of staff deployment. This tool will also provide information on the most efficient placement of firefighters in the field to improve services.

## ***DELIVER ON OUR PLAN***

The corporate planning process will continue for 2014 with a more integrated approach to prioritizing projects to deliver on Council's direction and the goals of the community. Excellence in customer service and achieving results, along with a renewed commitment to pioneer new ideas for continuous improvement in our service delivery continues to be a corporate focus. A new long range capital program will be developed in 2014 to provide a more comprehensive long term capital planning tool that will lead to a fiscally healthier, less costly and more sustainable community.

**Revenue & Expenditure Pressures** - A focus for 2014 is to maintain the current level of service in most of the operating departments with a slight increase in service for the protective services area. The onetime expenditure reductions from 2013 were reviewed to determine if further reductions could be achieved and over \$161,000 in operating budget savings are included in this budget.

Revenues are increasing in the Development Services area (rezoning and subdivision fees) and for parking, casino revenues, Fire Department recoveries and Water/Wastewater Utilities. A reduction of revenues is forecast for payments in-lieu of taxes, in the rental properties/concessions areas and due to the sale of the Electrical Utility.

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

**Infrastructure Renewal** - The City's inventory of roads, pipes, buildings and playgrounds has grown rapidly since the early 1990's. The need for infrastructure preservation and renewal programs is critical to maintaining levels of service consistent with citizen expectations. A sound infrastructure preservation program is a risk management issue and if ignored can be considerably more costly in the long term. We want to ensure the best value for our capital investments and the balance between the renewal of existing assets or the provision of new capital must be considered each year. A longer term capital plan along with the implementation of an asset management system will provide improved planning capabilities to ensure the City's infrastructure can support the appropriate level of service.

On the utilities side the replacement of the water and sewer mains continues on a coordinated, priority basis. Growth related requirements are provided through the development cost charge program and in 2014 the sewer trunk works on Lakeshore Road will be completed in conjunction with the road improvements.

### **Other Challenges**

The increase in **tax revenues generated from new construction is estimated at \$1.5 Million**. This is slightly higher than the \$1.4 million received in 2013. The average new construction revenue received over the last five years is \$1.75 million. Final assessment information will not be available until April 2014 and any adjustments required to this estimate will be applied at Final Budget in early May.

The **Pay-As-You-Go capital** program is increased slightly from the 2013 level. Council strategy has been to provide 40% of new construction revenue towards the taxation capital program which, in 2014, would normally require an increase of \$600,000 to the taxation capital program. This was not able to be achieved this year while meeting the goal of reducing the taxation requirement. As a consequence, there is greater pressure on the 10 Year Capital Plan as other funding is required or projects must be deferred beyond the projected year of need. Grant funding obtained over the last few years and reserve funding has helped to mitigate the shortfall and come closer to the Council strategy.

The 2013 Final Budget resulted in a General Taxation Demand of \$103.7 Million that included a **Pay-As-You-Go capital expenditure program** of \$14.0 Million or 14% of the General Taxation Demand. The percentage is down from previous years as many projects previously considered capital are now funded through the operating component of the budget to meet mandated government reporting requirements.

**The Pay-As-You-Go capital expenditure program of \$14.1 Million represents 13% of the projected General Taxation Demand of \$107.9 Million for 2014. The total General Fund capital expenditure program, including funding from all sources, is budgeted at \$38.3 Million in 2014.**

*There are a number of operating and capital projects that are currently included as Priority 2 requests that would normally have been included within the budget except for the taxation pressures this year. These are provided in the document should Council wish to consider them further.*

### **Reserve Position**

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

- Replacement of equipment
- Averaging of expenditures that are partially unpredictable from year to year (i.e. snow and ice control, spring sweeping)

- Funding of emergent repairs or replacement or unanticipated revenue loss
- Saving for eventual purchase of goods or construction of projects that would result in an unacceptable taxation impact in any one year

Reserve funding has helped the City take advantage of the grant funding in earlier years and provides the flexibility to react quickly to opportunities. However, this use has reduced the General Reserves and replacement of reserve funds to prepare for future capital projects is a challenge given the current economic conditions.

## Debt Management

Although a few communities have targeted debt-free balance sheets, the effective use of debt for specific projects can more accurately reflect the benefit of assets acquired by debt financing to existing and future citizens while removing spikes in taxation requirements. There was a conscious effort made to reduce annual general fund debt servicing obligations between the years 1999 - 2003 to better position the City to undertake planned large capital expenditures. Debt servicing of 4.7% of taxation in 1999 was reduced to a low of 1.6% of taxation in 2007. Council's adopted strategy is to keep tax supported debt servicing to no greater than 5% of each tax dollar collected.

The overall net general debt servicing costs (including internal financing) of \$4,135,100 for 2014 remains similar to 2013 cost levels. This represents 3.8% of the 2014 projected general taxation demand.

## Property Assessments

The annual assessment roll has not been completed yet but preliminary indications are that City of Kelowna residential property values, on average, are **1.0% lower than 2013**. The market change for the Industrial and Business classes is expected to be approximately 2% lower than last year's value.

As occurs annually, there will be properties that experience a greater taxation impact if their property assessment increase is greater than the average for their class. Adjustments between the property classes can be mitigated by our tax distribution policy that will be presented to Council in April, 2014.

## 2013 Accomplishments/Future Budgets

Beginning on page A8 there is a summary of 2013 City of Kelowna accomplishments that highlights most of the major areas of operation. As well, the City and city staff were the recipients of a number of awards and recognition in 2013 including:

- Sustainable Community Award for the Community Climate Action Plan, Corporate Energy and Green House Gas Emissions Plan.
- Federation of Canadian Municipalities' Partners for Climate Protection Milestone 4 for both Community and Corporate Green House Gas actions.
- UBCM Awards:
  - Open for Business Award
  - Community Excellence Award for Best Practices, for the Mobile Service Request system
  - Community Recognition Award from the Canadian Wood Council
- Southern Interior Construction Association Commercial Building Awards
  - Community Merit Award for the City Park Washrooms
  - Nominated for the Community Green Award for the Parkinson Activity Centre
- The Government Finance Officers Association's **Distinguished Budget Presentation Award** for the City's 2013-2017 Financial Plan. This is the twelfth consecutive year that the City has earned the award.
- The Government Finance Officers Association's **Canadian Award for Financial Reporting** for the tenth time for the City's 2012 Annual Report.
- Kelowna is the first municipal government in Canada to have their Building Department obtain professional accreditation from the International Accreditation Services. This provides objective



evidence that an organization operates at the highest level of ethical, legal and technical standards.

I am very proud of our City staff's and Council members' leadership and participation in a number of community initiatives and fundraising events in 2013 including:

- United Way
- Heart and Stroke Foundation
- Terry Fox Day in support of cancer research
- Run For The Cure in support of breast cancer research
- Movember in support of prostate cancer research
- BC Professional Firefighters Benevolent Fund
- Canadian Diabetes Association
- Salvation Army
- Canadian Blood Services
- Kelowna Food Bank drive
- Adopt-a-Family at Christmas

We are fortunate to have an engaged and spirited staff who demonstrate their commitment to the community in many ways and who are contributing to the development of a great city!

A comparison with any city would show that the City of Kelowna has been a top performer with high service levels, strong fiscal management and relatively low taxation for the quality and number of services provided. This has been accomplished through great political leadership, talented hard working staff and a committed group of volunteers in our community.

The 2014 Financial Plan presents staff recommendations for the best ways to continue to provide services, infrastructure and other amenities consistent with Council priorities amid current economic conditions.

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

Yours very truly,



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

# 2014 FINANCIAL PLAN

Council, December 9, 2013



## AGENDA

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



## ANALYSIS OF TAX DEMAND

\$ Millions

	2013	2014
Operating	\$101.5	105.4
General revenues	-11.9	-11.6
Taxation capital	14.1	14.1
	<hr/>	<hr/>
	\$103.7	\$107.9
New construction revenue	-\$1.44	-\$1.50
Tax increase	2.74%	2.67%

## 2014 BASE BUDGET CHANGES

- ▶ 2013 budget impacts:

- ▶ Annualized

- ▶ One-time

- ▶ Department changes

- ▶ Other adjustments

\$230,000

280,000

63,000

162,000

Base changes

\$735,000

## 2014 OPERATING BUDGET

- ▶ General Revenue
- ▶ Expenditure Reductions
- ▶ P1 Operating Requests

Operating Changes

\$158,600

-161,600

3,490,400

\$3,487,400



## 2014 TAXATION CAPITAL

- ▶ Pay-As-You-Go Tax Capital \$14,102,130
- ▶ Change from 2013 41,340

Required to meet 40% of new construction  
\$600,000

...potential long term impacts

## 2014 BUDGET SUMMARY

- 2013 Decisions
- 2014 Operating Budget  
Operating Change
- 2014 Tax Capital
- New Construction Rev.

New Taxation Demand

\$0.7 M

\$3.5 M

\$4.2 M

\$0.0 M

(\$1.5) M

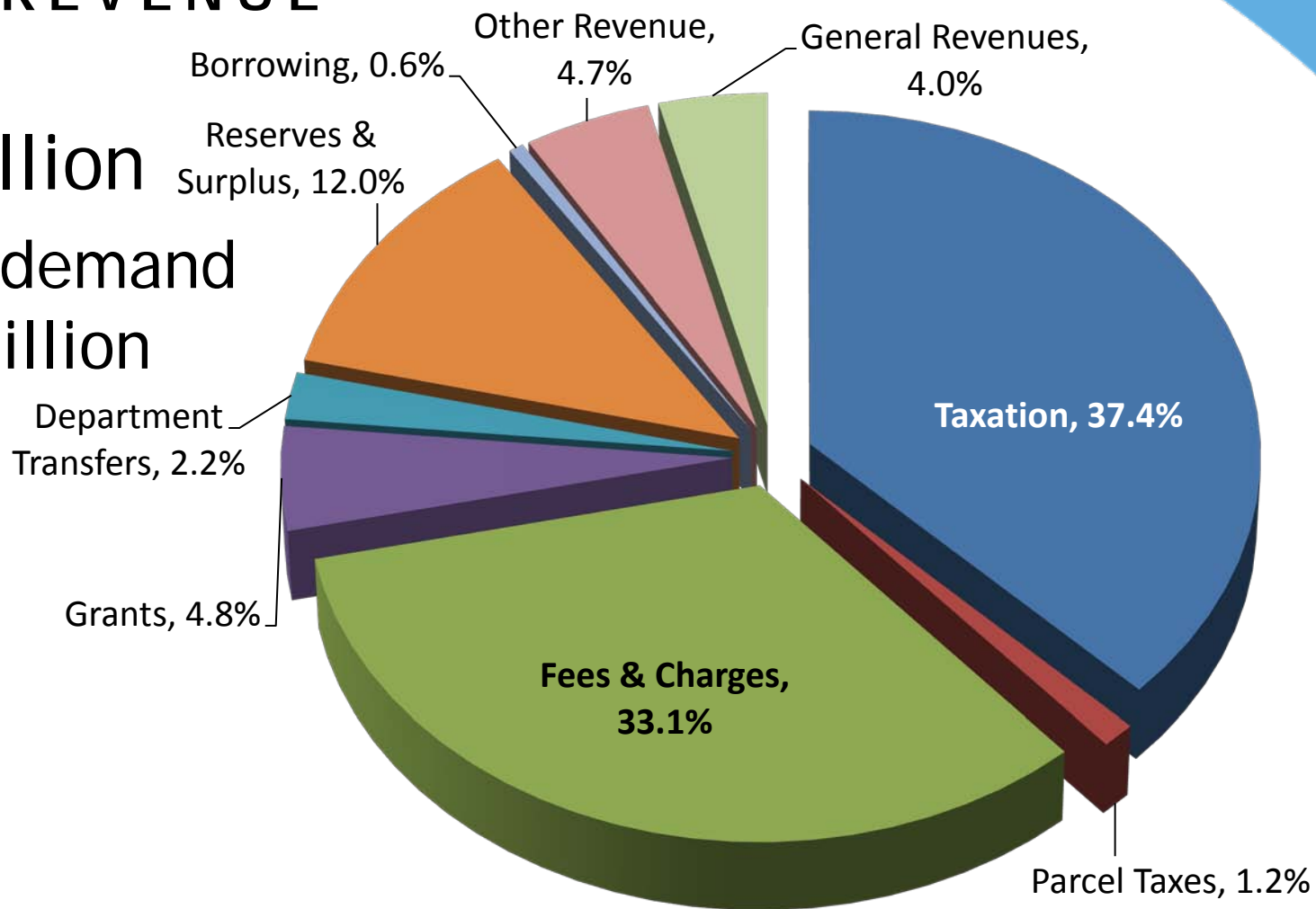
\$2.8 M

2.67%

# TOTAL REVENUE

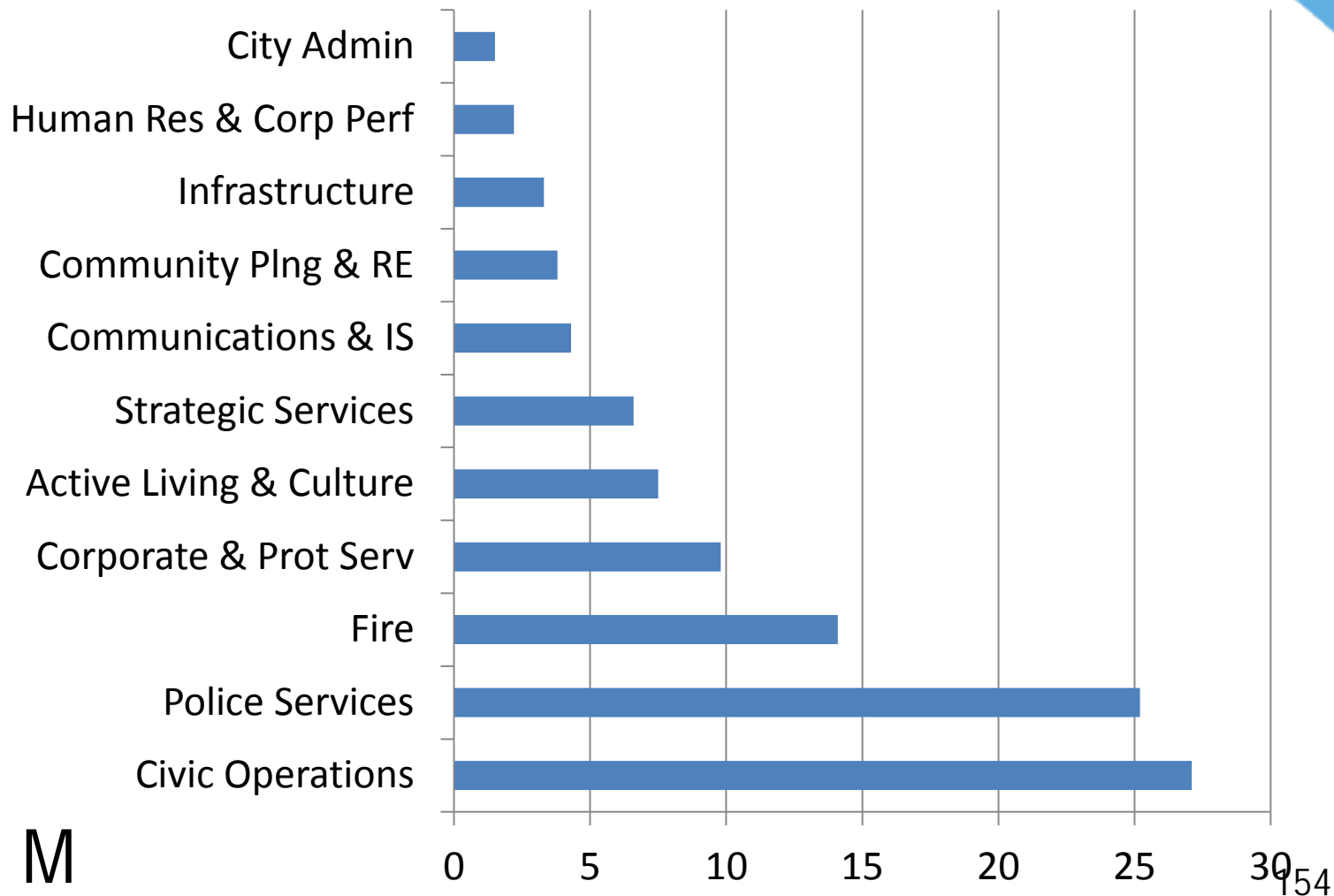
▶ \$289 million

▶ Taxation demand  
\$107.9 million





# OPERATING (GENERAL FUND)



▶ \$105.4 M

# 2014 CAPITAL REVIEW

## Infrastructure Planning

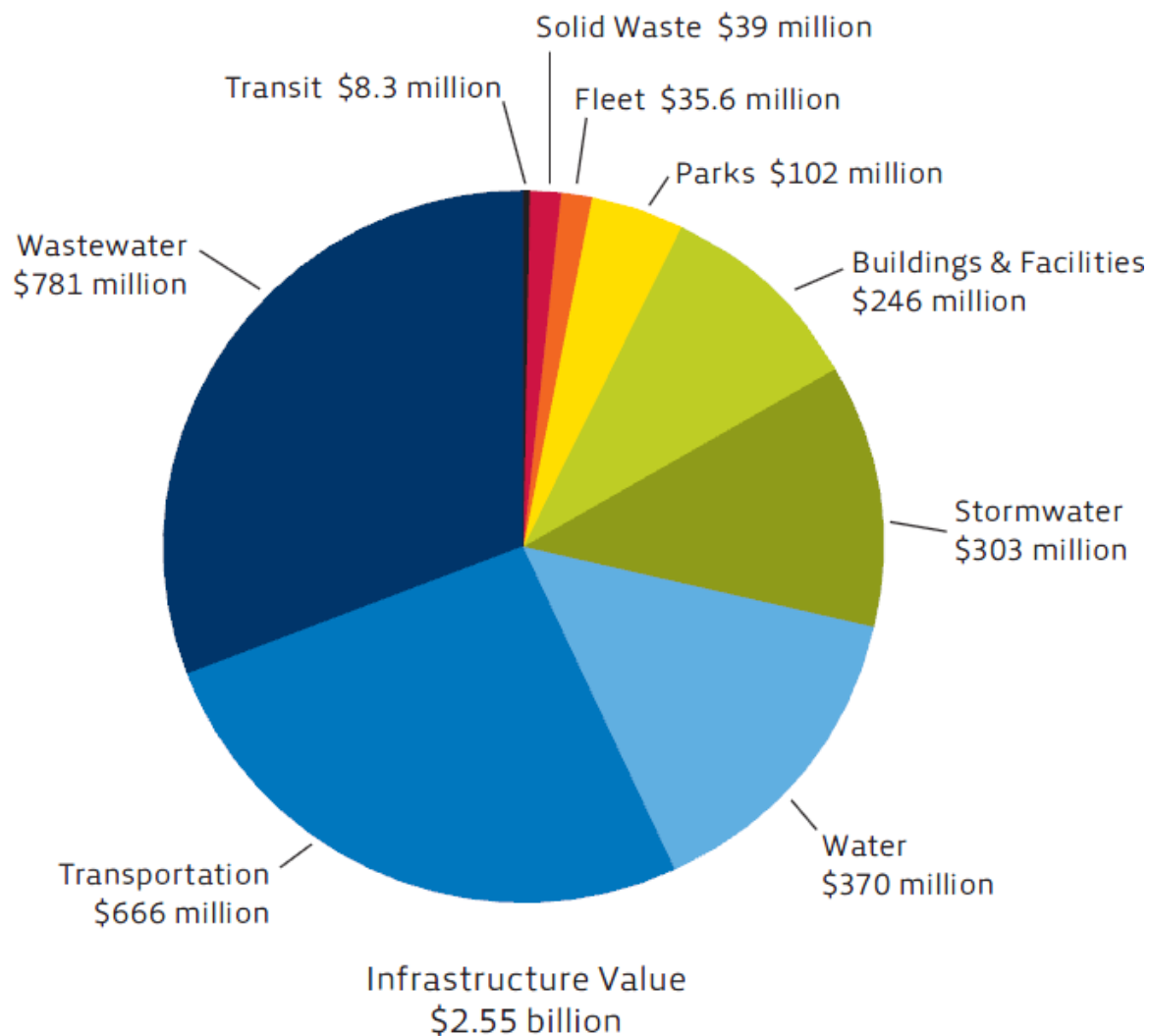


## Infrastructure Today

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

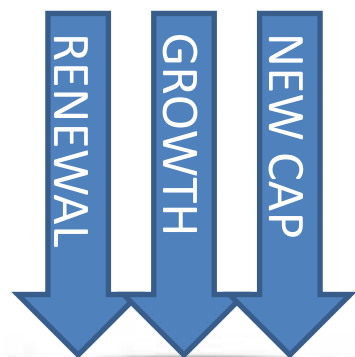


## Replacement Value of Infrastructure System



# BALANCING CAPITAL DEMANDS

CAPITAL COSTS



FUNDING



## CAPITAL BUDGET CHALLENGES

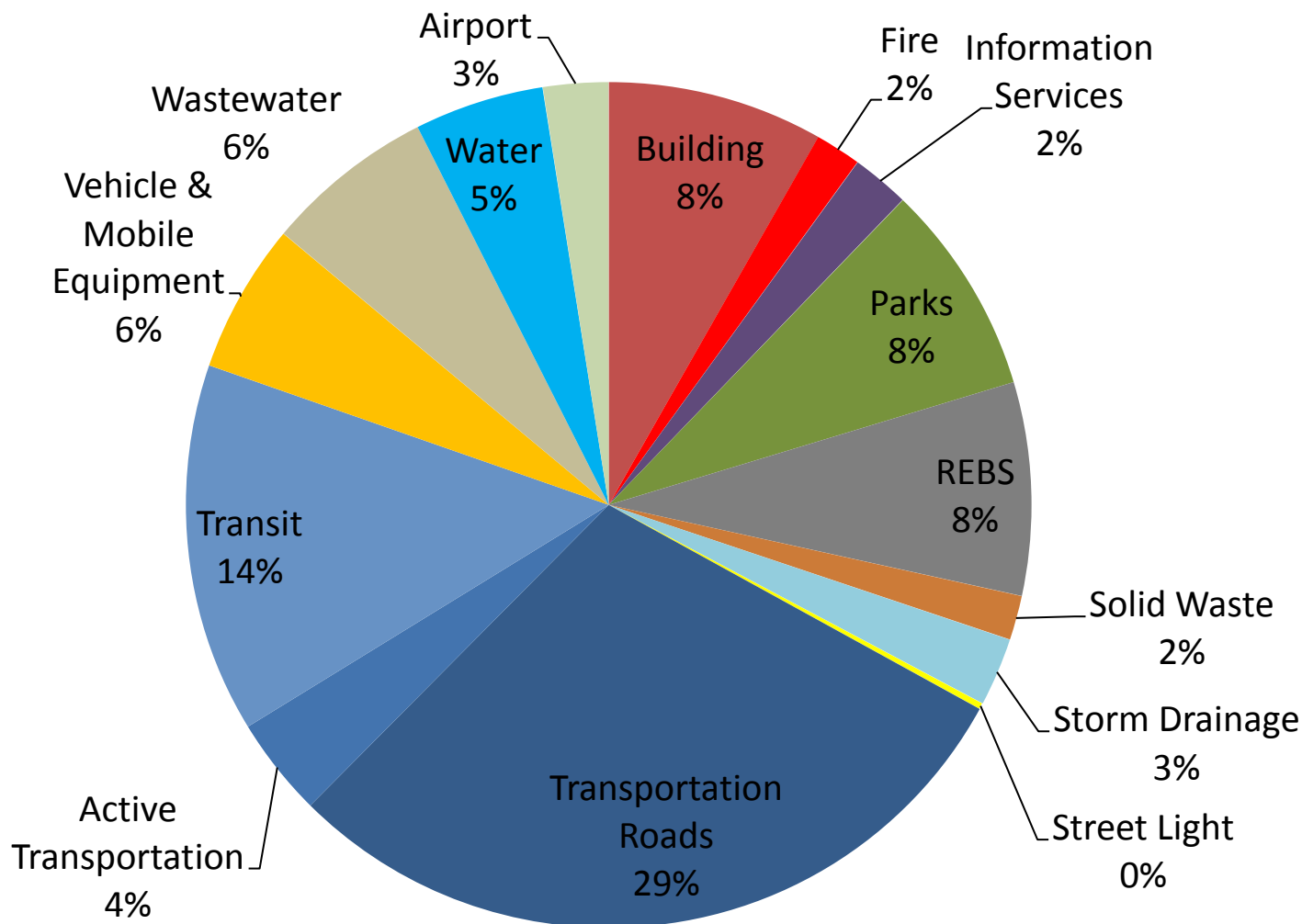
- ▶ \$14.1 M - Available Taxation for Capital Projects.
- ▶ Lakeshore Rd/Bridge did not receive \$8 M grant.
- ▶ Reserves are low and are being maximized to support capital
- ▶ Future borrowing commitments limit borrowing capacity
- ▶ Few grants



## BUDGET PROCESS

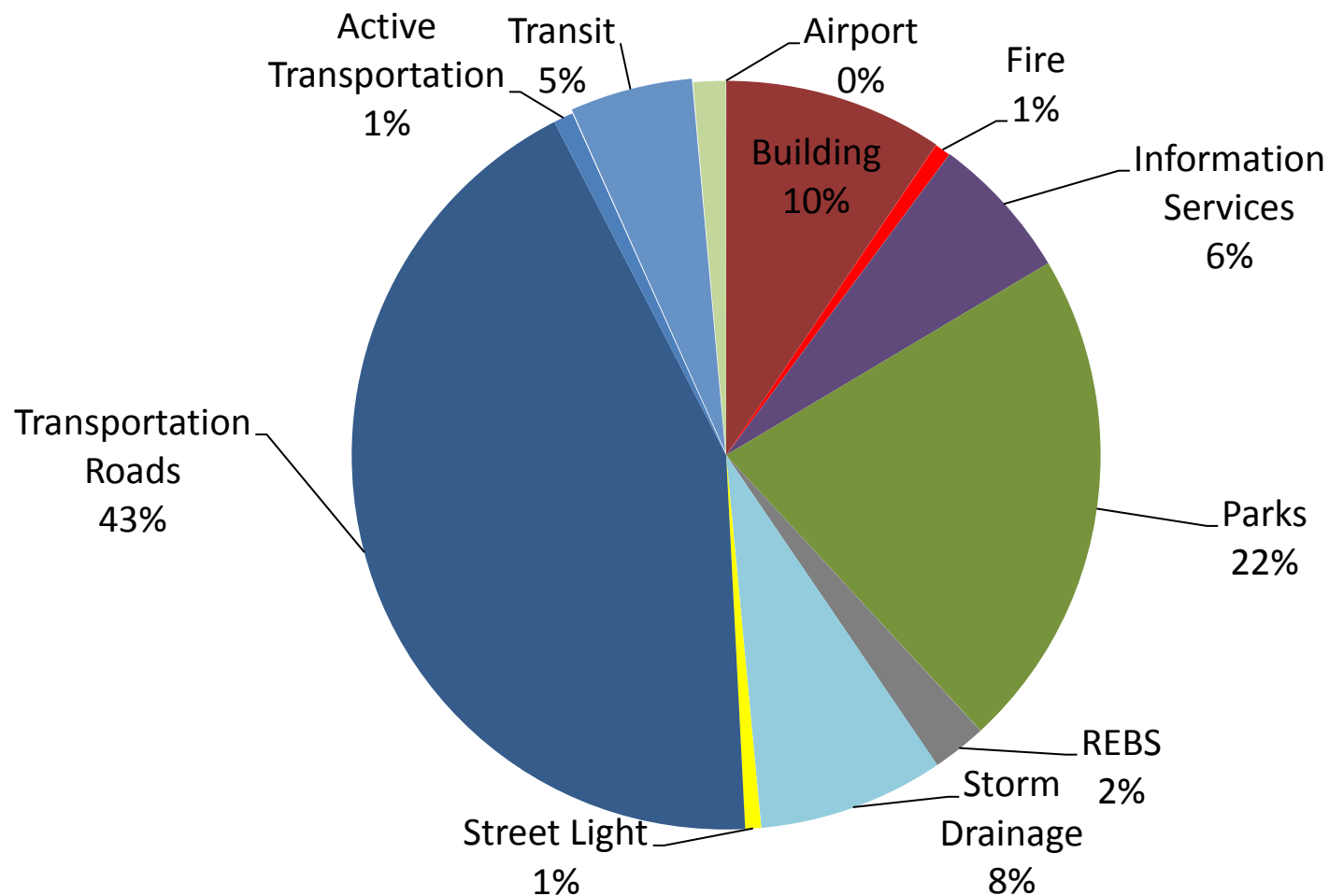
- ▶ 2020 Capital Plan
- ▶ Initial Uptake
- ▶ Project MBL Analysis
- ▶ Detailed Project Costing
- ▶ Hand-off to Finance
- ▶ City Manager Review

# 2014 CAPITAL PROJECTS



**P1 REQUESTS = \$44.5 M**

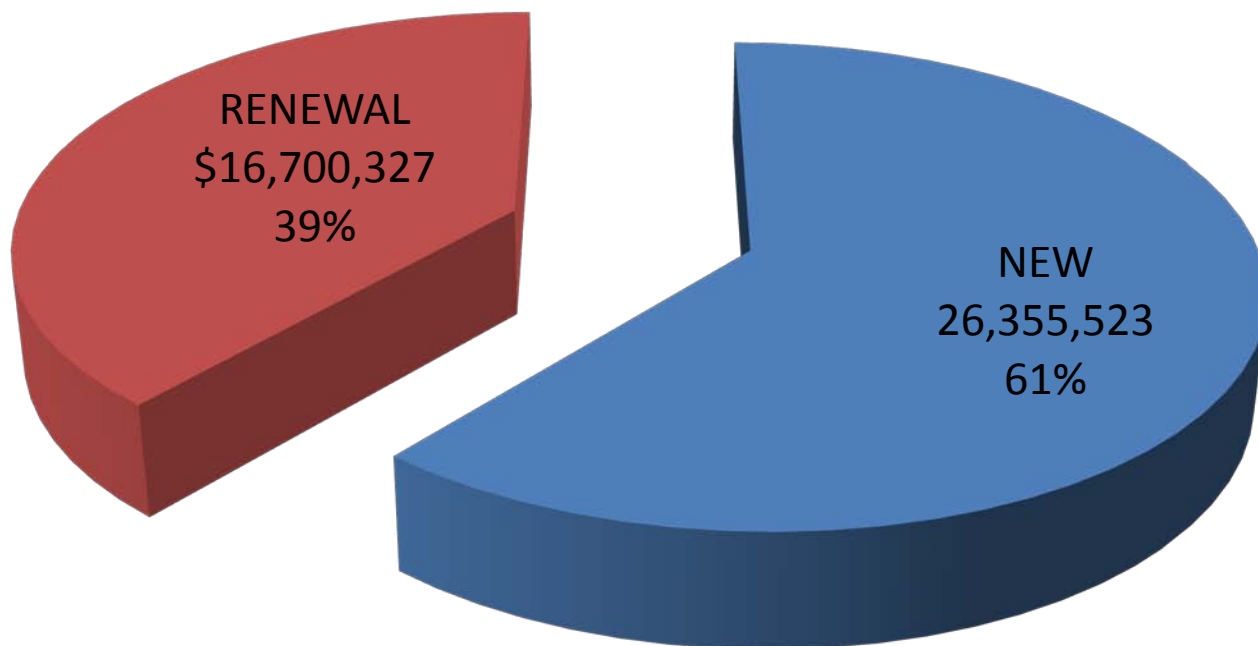
# 2014 TAXATION REQUESTS



**P1 TAX FUNDING = \$14.1 M**



## PERCENT TO ASSET RENEWAL



# ASSET RENEWAL

## 20-Year Funding Needs

millions



# CAPITAL BUDGET COMPARISON

Measures	2011	2012	2013	2014
Total Projects (P1)	122	109	94	108
Provisional Budget	\$67.7M	\$75.2M	\$89.7M	\$44.5
Total Taxation	\$16.4M	\$15.5M	\$14.0M	\$14.1
Fed/Prov Grants	\$0M	\$12.2M	\$4.3M	\$4.7
Total Added Carryover	\$88.7M	\$74.0M	\$50.0M	~\$50.0M
Final Budget	\$0.3M	\$0.6M	\$-.04M	TBD
Total Managed Capital	\$156.7M	\$149.8M	\$139.7M	~\$94.5M
Emphasis	Finishing delayed projects	Bernard Revite, Transit, PAC	Downtown Renewal, Transit	Lakeshore Bridge, Queensway Transit



## OTHER MUNICIPAL FUNDS

- ▶ Water Utility
- ▶ Wastewater Utility
- ▶ Natural Gas Fund
- ▶ Kelowna International Airport

## WATER UTILITY

- ▶ Revenue
  - ▶ Operating Cost
  - ▶ Capital Program
- Planned Surplus

\$13.4 M

\$9.1 M

\$1.9 M

\$2.4 M



## WASTEWATER UTILITY

- ▶ Revenue
  - ▶ Operating Cost
  - ▶ Capital Program
- Planned Surplus

\$23.0 M

\$18.1 M

\$2.4 M

\$2.5 M





## NATURAL GAS

- ▶ Revenue
- ▶ Operating Cost
- ▶ Capital Program

Planned Deficit

\$4.4 M

\$4.6 M

\$0.0 M

(\$172,000)

## AIRPORT

- ▶ Revenue
- ▶ Operating Cost
- ▶ Capital Program

Planned Surplus

\$28.6 M

\$28.6 M

\$1.1 M

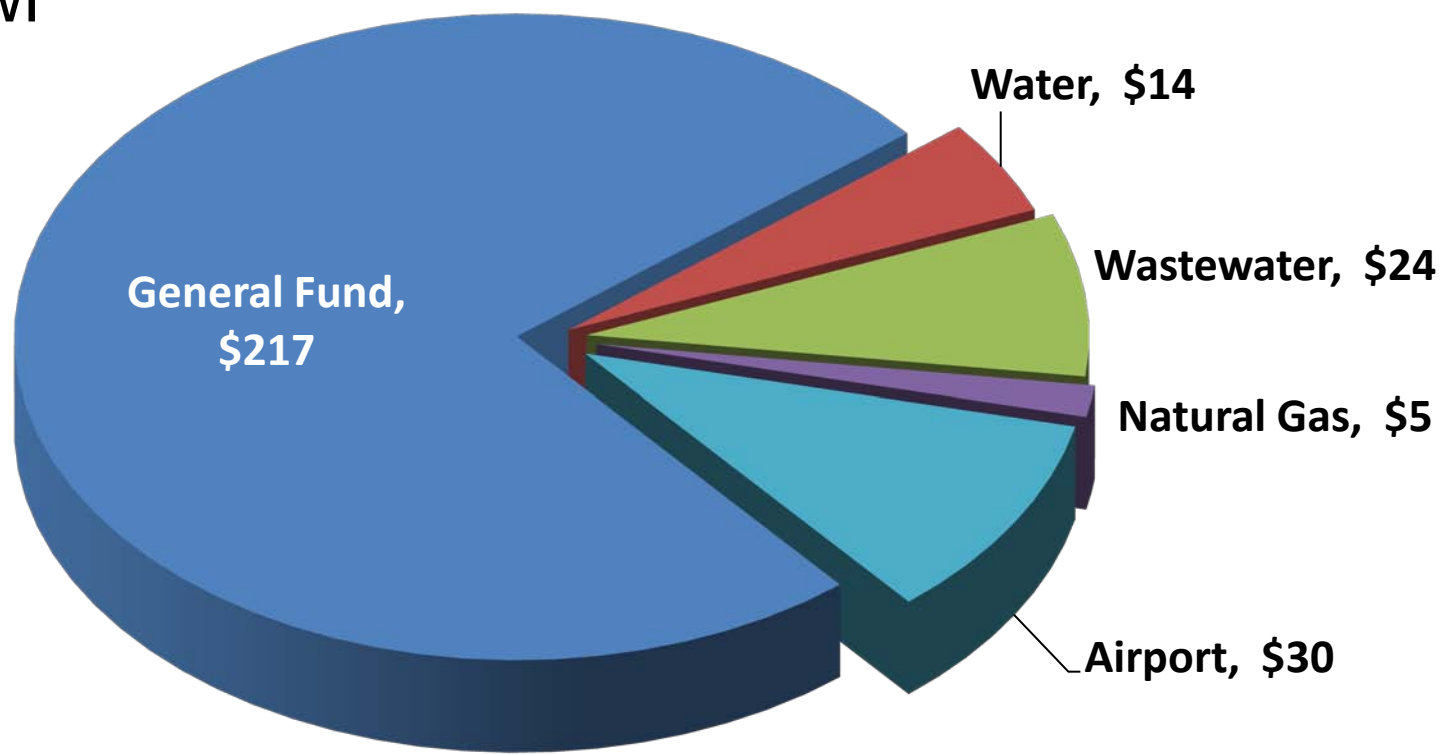
\$0



Your Link to the 170<sup>th</sup> Id

## EXPENDITURES (BY FUND)

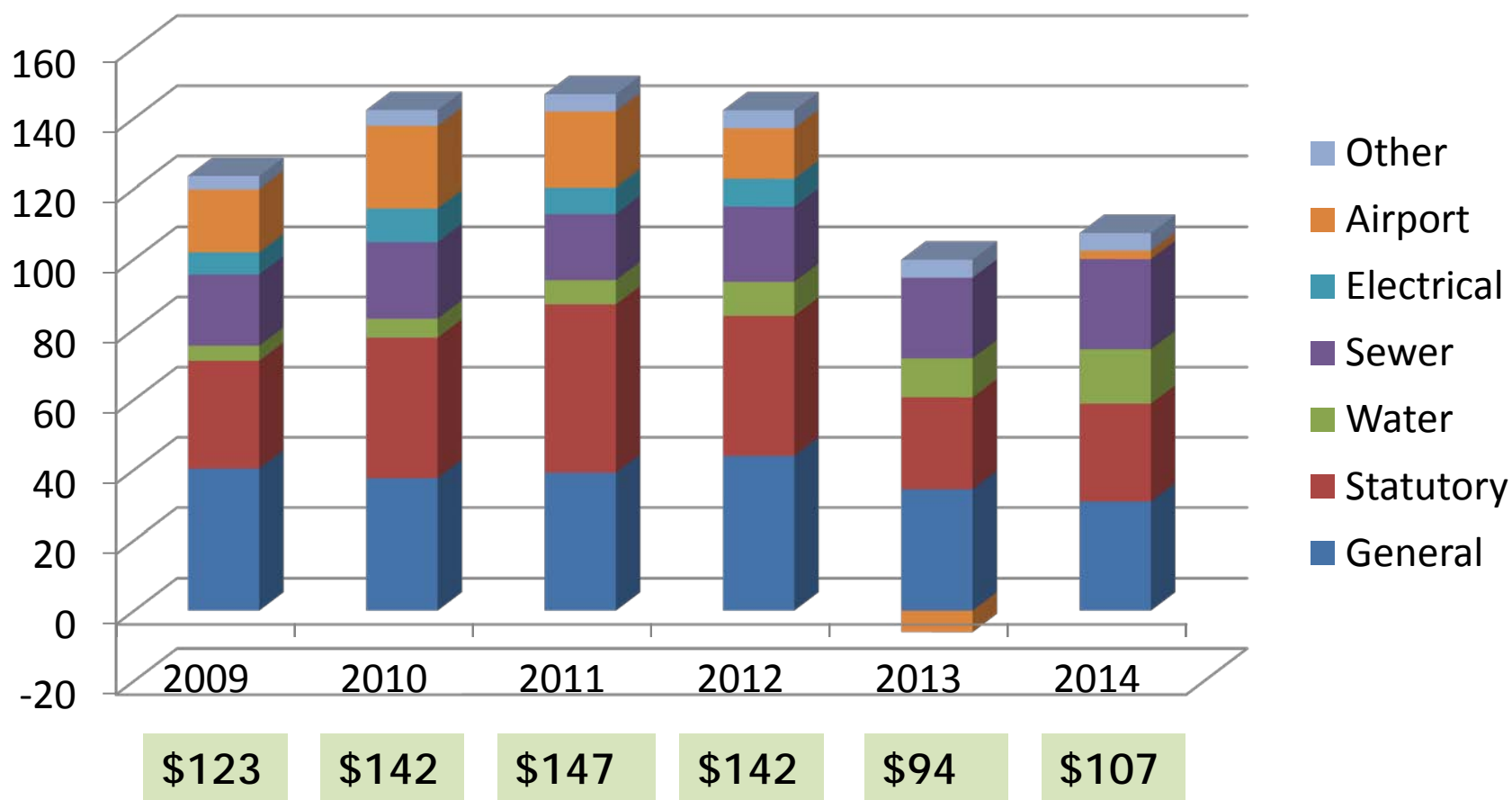
▶ \$289 M



# RESERVES AND DEBT

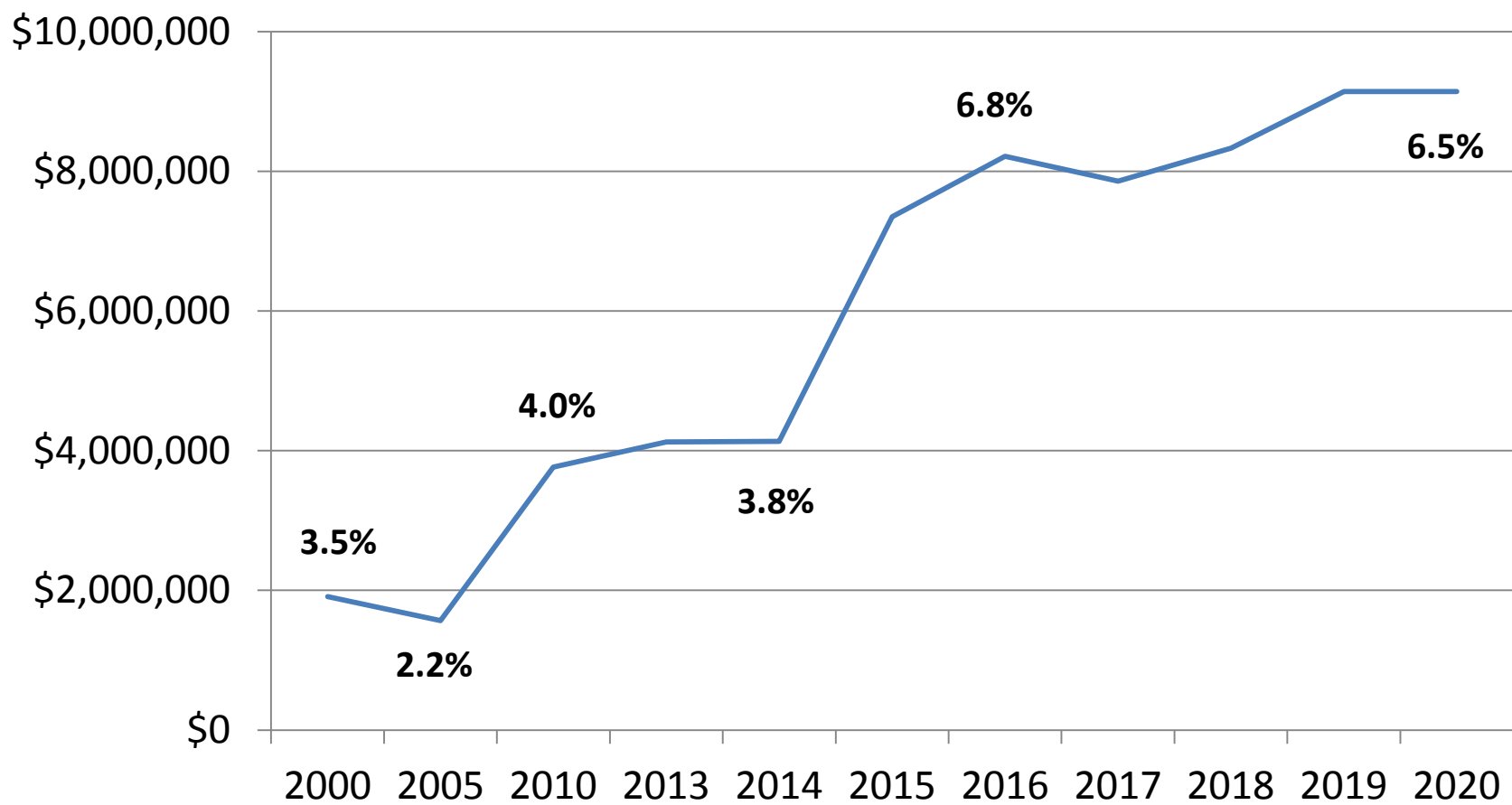


# RESERVE BALANCES (MILLIONS \$'S)



# GENERAL FUND NET DEBT

## Net Debt

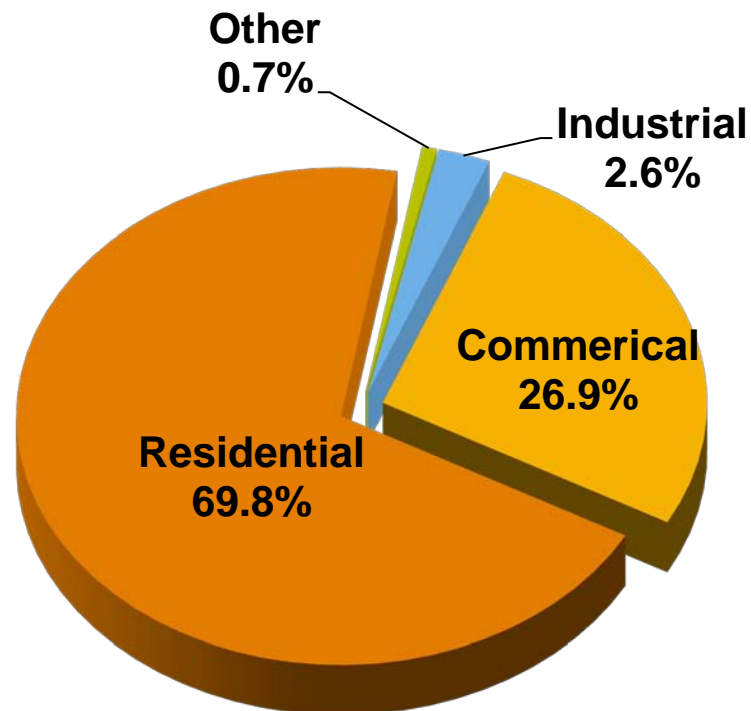
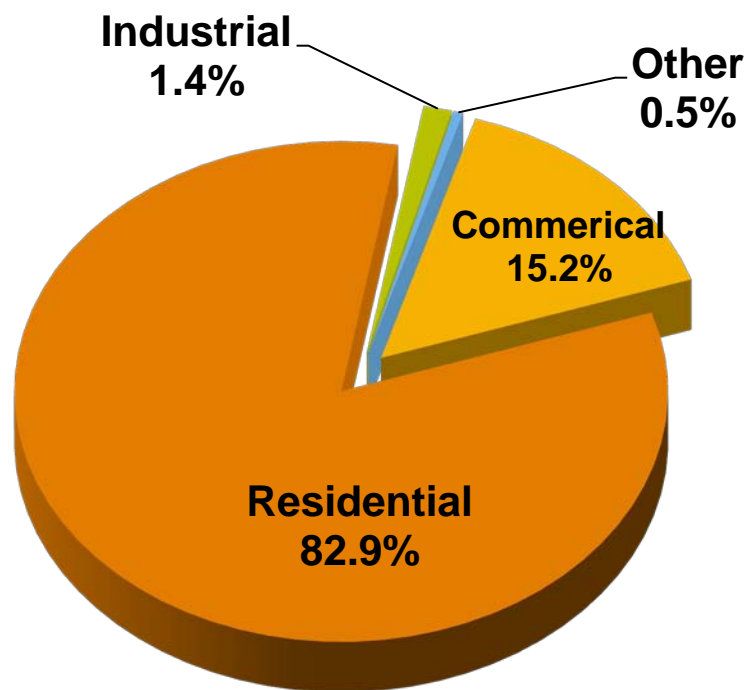


# ASSESSMENT & TAX

## ASSESSMENT VS TAXATION REVENUE

▶ Assessment \$23.7 B

▶ Revenue \$107.9 M

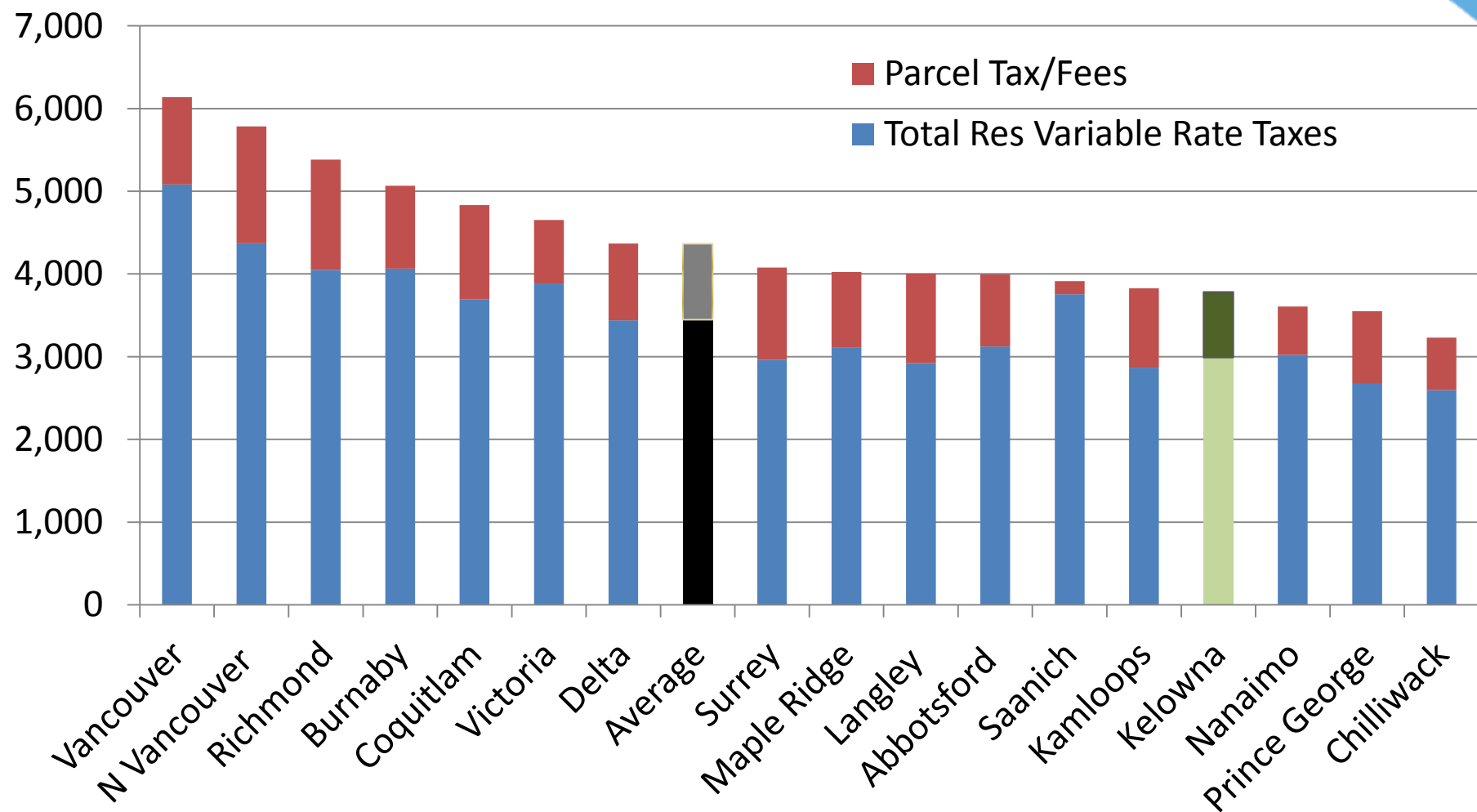




## TAXATION IMPACT

- ▶ Average Single Family Home assessed at \$451,440
  - ▶ Municipal Tax \$1,734.79 for 2014
  - ▶ Increase of \$45.11
  - ▶ A 1% tax increase = \$16.90
- 
- ▶ Also Solid Waste Reduction charge decrease anticipated for all residential units

# 2013 TAX INFORMATION



City Hall

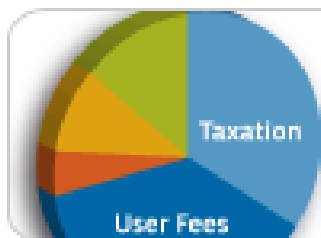
Residents

Business

Visitors

Search

## ► Inside the City Budget



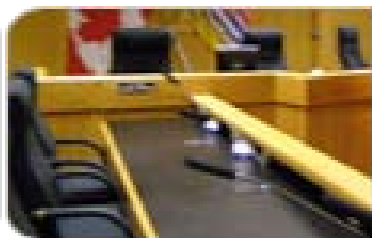
Where does  
the money  
come from?



Where the  
money goes



Document  
Centre



Budget  
Process

[kelowna.ca/budget](http://kelowna.ca/budget)

# FINANCIAL PLAN REVIEW

December 12, 2013  
8:30 a.m.  
Council Chambers



# Report to Council



**Date:** December 4, 2013

**Rim No.** 0610-53

**To:** City Manager

**From:** L. Roberts, Manager, Community & Neighbourhood Programs

**Subject:** 2013-12-04 Council Report Neighbourhood Learning Centre Joint Use Agreement OKM

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## **Recommendation:**

THAT Council receives the report from the Manager, Community & Neighbourhood Programs, dated December 4, 2013, regarding the Joint Use Agreement with Board of Education of School District No. 23 (Central Okanagan) for the Neighbourhood Learning Centre at Okanagan Mission Secondary School.

AND THAT Council approves the City entering into a Joint Use Agreement with the Board of Education of School District No. 23 (Central Okanagan) for the Neighbourhood Learning Centre at Okanagan Mission Secondary School, in the form attached to the report from the Manager, Community & Neighbourhood Programs dated December 4, 2013;

AND THAT Council considers the City's financial obligations in Joint Use Agreement during its review of the 2014 Provisional Budget;

AND FURTHER THAT, subject to 2014 Budget approval, the Mayor and City Clerk be authorized to execute the Joint Use Agreement.

## **Purpose:**

To seek Council's endorsement of a Joint Use Agreement with School District 23 for a Neighbourhood Learning Centre at Okanagan Mission Secondary School.

## **Background:**

School Districts are eligible to apply for up to an additional 15% of the total floor area proposed for a school expansion for the development of a Neighbourhood Learning Centre. Neighbourhood Learning Centre spaces:

- Are typically undertaken as a partnership involving the School District, the school, the community and local government.

- Form and function of the operating agreements vary widely from community to community.
- Serve as a neighbourhood gathering place for a range of activities, programs and services and reflects a collaborative approach between the school, local government and the community.
- Capital construction costs are generally borne by the school with provincial support.
- Operating, equipment and maintenance costs are shared, depending on the type and extent of community use and the terms of the negotiated agreement.

With Council's endorsement, staff has been in discussions with School District 23 regarding a Neighbourhood Learning Centre at Okanagan Mission Secondary School since March of 2012. The development of this Neighbourhood Learning Centre provides for the construction of a second gymnasium at the school and through the development of a Joint Use Agreement provides the City access to the new gym and other school program areas.

This type of partnership provides numerous benefits to the City, such as:

- Expanding program delivery opportunities at a neighbourhood level which aligns with both corporate and divisional goals and objectives.
- Accessing additional shared space beyond just the Neighbourhood Learning Centre space.
- Collaborating with School District 23 in the delivery of services.
- No initial capital investment is required by the City.

Activities and milestones related to the Neighbourhood Learning Centre include:

- School District 23 was in the process of expanding Okanagan Mission Secondary School which presented the opportunity for School District 23 to be considered for additional funding from the Provincial Ministry of Education for the development of community amenities through a Neighbourhood Learning Centre. Given the existing strong working relationship between the City and School District 23 and the three Joint Use Agreements currently in place, discussions commenced around the opportunity at Okanagan Mission Secondary School.
- As part of School District 23's submission to the Provincial Ministry of Education for the Neighbourhood Learning Centre, the City signed a Memorandum of Understanding (MOU) with School District 23. While the MOU was a non-binding document, it allowed School District 23 to proceed with the application. The MOU outlined that if the funding was approved the City and School District 23 would continue negotiations towards the development of a Joint Use Agreement. Key aspects of the MOU included:
  - School District 23 would be responsible for all initial capital development costs of the Neighbourhood Learning Centre space.
  - The City would be responsible for the operating and maintenance costs associated with the Neighbourhood Learning Centre space.
  - The Neighbourhood Learning Centre space (384m<sup>2</sup>) would contribute to an expanded new gym.
- In the fall of 2012 the Provincial Ministry of Education approved the addition of a Neighbourhood Learning Centre space at Okanagan Mission Secondary School. Upon that confirmation, the City and School District 23 resumed negotiations towards the development of a Joint Use Agreement. Preliminary discussions took place between

October and December of 2012 and focused on four key elements; parameters of access, programming model, financial requirements and term of agreement.

- The City completed an operation analysis (January to May of 2013) to determine the financial implications of a Joint Use Agreement for the Neighbourhood Learning Centre space. The results of the analysis are:
  - The City would have access to the school facility a minimum of 1,100 hours annually (800 hours/year new gym and 300 hours/year multi-purpose room).
  - Based on the projected annual revenue and expenses combined with internal budget reallocations, the City would need to subsidize the facility access at a maximum rate of \$18.00 per hour of use.
  - Program delivery would be consistent with results from the public consultation process and focus on fitness, drop-in sports and leagues, children's sports and camps, music, dance and art classes.
- Being that it is a School District 23 facility, the agreement was initiated by them and follows the same format and similar content to other Joint Use Agreements currently in place; Bankhead Elementary School, Watson Road Elementary School and Southeast Kelowna Elementary School. Details of the Joint Use Agreement were finalized in the fall of 2013.
- The Okanagan Mission Secondary School expansion project is scheduled to be completed by September 2014 and the Neighbourhood Learning Centre is expected to be operational by that time.

Key components of the Joint Use Agreement:

- Five year term with option for renewal.
- Parameters of facility access:
  - Neighbourhood Learning Centre - new gymnasium and storage space. City has first right of access as follows:
    - 6:00PM to 10:00PM on weekdays during the regular school year
    - 8:00AM to 10:00PM on weekdays during school holiday periods, subject to maintenance and security requirements
    - 8:00AM to 10:00PM on Saturdays and Sundays except as previously scheduled by the school Principal
  - School Facilities - parking areas, existing gymnasium, multi-use space, common public space and other spaces as mutually agreed to. City has first right of access as follows:
    - Multi-use space - 6:00PM to 10:00PM on Mondays, Wednesdays and Fridays from September 1 to March 31 of each year
    - 6:00PM to 10:00PM on weekdays during the regular school year except as previously scheduled by the school Principal
    - 8:00AM to 10PM on weekdays during school holiday periods, subject to maintenance and security requirements
    - 8:00AM to 10:00PM on Saturdays and Sundays throughout the calendar year, with consideration for closing security needs and custodial services, except as previously scheduled by the school principal
- Establishment of an Operating Committee with the mandate to collaborate in the coordination of the planning, programming and scheduling of the facility use.

- Financial Commitment, Schedule B of the Joint Use Agreement outlines the City's annual responsibility for operating and maintenance costs.

**Internal Circulation:** Director, Active Living & Cultural; Director, Financial Services; City Clerk; Marketing & Communications Advisor, Communications

**Financial/Budgetary Considerations:** The City would be financially responsible for the annual operating and maintenance costs associated with the Neighbourhood Learning Centre space (384m<sup>2</sup>), which was calculated at \$80/m<sup>2</sup> in 2011. This annual cost also includes the City's contribution to major capital repairs and/or replacement of the Neighbourhood Learning Centre space over the life of the facility.

Through program development and reallocation of existing facility rental budgets within the Active Living & Cultural Division the additional financial impact to the City will be \$19,600 per year commencing in 2015.

- In 2014, there will be no financial impact due to a partial year of operation and internal budget reallocation.
- The City operating and maintenance costs in the first year of the agreement, July 1, 2014 to June 30, 2015 is \$34,500.
- The operating and maintenance costs will increase annually by 4%.

**Considerations not applicable to this report:**

Legal/Statutory Authority

Legal/Statutory Procedural Requirements

Existing Policy

Personnel Implications

External Agency/Public Comments

Alternate Recommendation

Submitted by:



L. Roberts-Taylor, Manager, Community & Neighbourhood Programs

Approved for inclusion:



(J. Gabriel, Director, Active Living & Cultural)

**Attachments:**

- Okanagan Mission Secondary School Joint Use Agreement
- Neighbourhood Learning Centre Architectural Drawing

Cc: Divisional Director, Communications  
Director, Financial Services  
City Clerk



**Joint Use Agreement  
(Okanagan Mission Secondary School)**

THIS AGREEMENT made as of the \_\_\_\_\_ day of \_\_\_\_\_ 2013

BETWEEN:

**CITY OF KELOWNA**  
1435 Water Street,  
Kelowna, British Columbia

(hereinafter called the "City")

OF THE FIRST PART

AND:

**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 23 (CENTRAL OKANAGAN)**  
1940 Underhill Street  
Kelowna, British Columbia

(hereinafter called the "Board")

OF THE SECOND PART

**WHEREAS** the Board is the registered owner of lands located in the City of Kelowna, Province of British Columbia and legally described as:

Lot 1, Plan 39944 DL 358, O.D.Y.D.

(hereinafter called the "Board Lands" shown on Schedule "A")

**AND WHEREAS** the Board and the City desires to use the educational facilities for community use;

**AND WHEREAS** the City and the Board endeavour to maximize the use of public funds for community and educational purposes;

**AND WHEREAS** the Ministry of Education has contributed funds towards the capital construction of the school to enhance the facility for a Neighbourhoods of Learning Centre;

**AND WHEREAS** the City has agreed to contribute funds towards the operating and maintenance costs associated with the Neighbourhoods of Learning Centre space (as outlined on Schedule B).

**NOW THEREFORE THIS AGREEMENT WITNESS**, the Board and the City, in consideration of the covenants and agreements herein contained, agree as follows:

**1.0 PURPOSE**

The purpose of this Agreement is to provide a framework within which members of the local community, the Board, the public generally and students of the school can cooperate to maximize the development potential and use of educational and recreational facilities provided by the Board and the City for the efficient and effective management and administration of School and City Facilities.

**2.0 FACILITIES DEVELOPMENT**

The responsibility for future facilities improvements, including the capital costs thereof, shall be the responsibility of the Board except for improvement that are specifically requested for by the City.

**3.0 JOINT USE OF FACILITIES**

3.01 For the purpose of this Agreement, the “School Facilities” shall include the following components:

- (a) The parking areas;
- (b) The old gymnasium, multi-use space, common public areas and other space as mutually agreed upon within the School Facilities.

3.02 For the purposes of this Agreement, the “Neighbourhoods of Learning Centre (NLC) Facilities” shall include the following:

- (a) The ‘new’ gymnasium and storage space;

3.03 For the purpose of this agreement the School Facilities and the NLC Facilities shall be collectively called the “Facilities”.

3.04 For the purposes of this Agreement, in consideration of the financial commitment made by the City, the Board agrees that the City shall have first right of access to the School Facilities as set out in Clause 3.01 as follows:

- (a) From 6:00 p.m. to 10:00 p.m. on weekdays during the regular school year, except as previously scheduled by the school Principal;
- (b) The Multi use space from 6:00 p.m. to 10:00 p.m. on Mondays, Wednesdays and Fridays from September 1<sup>st</sup> to March 31<sup>st</sup> of each year;
- (c) From 8:00 a.m. to 10:00 p.m. on Saturdays and Sundays throughout the calendar year, with consideration for closing security needs and

custodial services, except as previously scheduled by the school Principal;

- (d) From 8:00 a.m. to 10:00 p.m. on weekdays during the school holiday periods, subject to maintenance requirements and security requirements.

3.05 For the purposes of this Agreement, in consideration of the financial commitment made by the City, the Board agrees that the City shall have first right of access to the NLC Facilities as set out in Clause 3.02 as follows:

- (a) From 6:00 p.m. to 10:00 p.m. on weekdays during the regular school year;
- (b) From 8:00 a.m. to 10:00 p.m. on Saturdays and Sundays throughout the calendar year except as previously scheduled by the school Principal;
- (c) From 8:00 a.m. to 10:00 p.m. on weekdays during the school holiday periods subject to maintenance and security requirements.

3.06 Any additional maintenance or security requirements for any planned activity by the City outside of the times outlined in Clause 3.04 and 3.05 and the costs thereof shall be agreed to in advance by the Operating Committee. Such maintenance and security requirements shall be consistent with the provisions of the collective agreements entered into by the Board and the City from time to time with their respective unions.

3.07 The purchase or replacement of jointly used program equipment by the City and the Board and the costs thereof shall be agreed to in advance by the Operating Committee.

#### 4.0 ADMINISTRATIVE RESPONSIBILITY

4.01 For the purposes of implementing and administering this Agreement, the administrative authority of the City shall be exercised by the City Manager and the administrative authority of the Board shall be exercised by Superintendent of Schools or their designates ("the Designated Representatives"). These two persons shall be responsible for determining operating parameters affecting the Facilities and for the delegation of operating authority within those parameters to the Operating Committee subject to Clause 4.02 following.

4.02 The use and operation of the Facilities shall be subject to the policies, regulations and conditions of the Board and City respectively as they shall, from time to time determine.

4.03 The Board will ensure that the activities under this Joint Use Agreement are not in conflict with the collective agreement with the Central Okanagan Teachers Association (COTA) and the Canadian Union of Public Employees (CUPE), Local 3523.

#### 5.0 OPERATING COMMITTEE

5.01 The Operating Committee shall be comprised of the following members:

- (a) One representative appointed by the Superintendent of Schools.
- (b) One representative appointed by the City Manager.
- (c) Other representatives from the School Parent Advisory Council, the local residents and the local residents association may at any time be invited to participate at the Operating Committee's request.

#### 5.02 OPERATING COMMITTEE MANDATE

The Operating Committee's mandate shall be to work in partnership to provide an inclusive and coordinated community based approach to the planning, programming and scheduling of the Facilities under the spirit of the Neighborhoods of Learning initiative. The Operating Committee shall consult, amend and cooperate to develop, maintain and coordinate an overall annual schedule of approved uses for the Facilities in order to assure maximum use of the Facilities meeting the needs of the Board, the City, local residents and the community at large.

#### 5.03 OPERATING COMMITTEE GUIDELINES

The Operating Committee shall work within policy guidelines and operating authorities established from time to time by the Board and City, which shall include the following:

##### (a) MEETINGS / REPORTING

The Operating Committee, shall meet as required, to be determined by mutual agreement. Minutes shall be taken of all matters discussed at each meeting.

##### (b) BUDGET / OPERATING COSTS

- i. The Board agrees that annual costs relating to the operations and maintenance of the Neighbourhoods of Learning space will be charged back to the City (as detailed in schedule B). These are limited to: custodial services, security services, facility maintenance, major repair and replacement of equipment, and utilities.
- ii. By June of each year the representative appointed by the Superintendent of Schools shall meet with the representative appointed by the City Manager to review the budget (as detailed in schedule B) and to discuss any additional anticipated operation, maintenance and equipment costs pertaining to the joint use of the Facilities as set out in Clause 3.06 and 3.07.
- iii. By June of each year the representative appointed by the City Manager shall provide the representative appointed by the Superintendent of Schools an annual report pertaining to the joint use of the Facilities.



(c) SCHEDULING /TIME AVAILABILITY

The Operating Committee shall develop criteria for the priority of use and access to the Facilities in order to maintain a schedule that meets the needs of the Board and the City.

The Operating Committee shall recognize the School's requirement for the Facilities, located on Board Lands from 8:00 a.m. until 6:00 p.m. during school days as well as special events as scheduled by the School Principal. Scheduling of remaining time of the facilities shall be jointly agreed upon between the Board and the City.

The Operating Committee will agree upon space allocation, as outlined in 3.04 and 3.05 prior to each season.

- By July 15 for the following September through December
- By October 15 for the following January through March
- By January 15 for the following April through June
- By April 15 for the following July and August

Any changes to the agreed upon space allocation, by either the City or the School District requires a minimum of 10 days notice prior to the event date.

(d) RENTAL OF FACILITIES

Rentals for use of the Facilities shall be regulated by Board Policy on the Board's form of Rental Agreement. All revenues for use of the Facilities shall be payable to the Board and managed by the Board.

(e) CUSTODIAL SERVICES

The Board shall determine the level of service required for the custodial maintenance of the Facilities. Should the City require additional custodial service the additional will be invoiced accordingly.

(f) INSURANCE / LIABILITY / SECURITY

- (i) The Board agrees that the use of the Facilities for Board activities thereon, will be at its own risk and the Board agrees to indemnify and save harmless the City from and against all actions, costs, claims and demands of every kind, description or nature arising out of or in any way connected with such use, including claims arising pursuant to the Occupiers' Liability Act, except where any such actions, costs, claims and demands arise from the negligent acts or omissions of the City or those for whom it is in law responsible.

- (ii) The City agrees that the use of the Facilities for City activities thereon, will be at its own risk and the City agrees to indemnify and save harmless the Board from and against all actions, costs, claims and demands of every kind, description or nature arising out of or in any way connected with such use, including claims arising pursuant to the Occupiers' Liability Act, except where any such actions, costs, claims and demands arise from the negligent acts of omissions of the Board or those for whom it is in law responsible.
- (iii) The City and the Board, subject to limitations placed on the Board by the Ministry of Education, further agree that each party shall maintain liability insurance while using the Facilities thereon, in an amount and form that is common and prudent to their respective activities.
- (iv) Any agreements for use of the Facilities by any third party shall require such third party to obtain comprehensive general liability insurance as specified in the rental agreement the Board, as Additional Insured
- (v) The security provisions established by the Board from time to time with respect to rental of the Facilities shall be set out in the Rental Agreement and shall be strictly enforced and adhered to by all parties using those Facilities.

(g) MONITORING / EVALUATING / RECOMMENDATIONS

The Operating Committee shall monitor the implementation of this Agreement and the participation by staff of the City and Board in the implementation of the joint use of the Facilities. The Committee shall recommend policy changes or operating authority guidelines to the Board and City for the better coordination of programs and the effective use of the facilities consistent with the mandate of the Operating Committee as defined in paragraph 5.02 herein.

(h) RESOLUTION OF DISPUTES

The Operating Committee shall mediate problems and concerns related to the use of the facilities. In the event the Designated Representatives are unable to resolve the dispute, they shall refer the dispute to the Board and City. In the event that the Board and City are unable to agree on a resolution of such dispute, the dispute shall be referred to arbitration pursuant to the Commercial Arbitration Act of British Columbia, for a final and binding decision on the parties.

(i) SMOKING AND TOBACCO USE /ALCOHOL

The use of Tobacco and smoking on school property is illegal and neither party will permit such activity on the premises. The Operating Committee

shall require that all Policies of the consumption of alcohol in or on the Facilities are adhered to.

6.0 DISPOSITION OF INTEREST

6.01 Neither party shall dispose of its interest in this Agreement or any renewal thereof without the prior written consent of the other party.

7.0 TERM / RENEWAL

7.01 This Agreement shall be for a term of five (5) years, commencing July, 1 2014 and terminating June 30, 2019, unless terminated by the mutual agreement of both parties hereto.

7.02 Six months prior to the termination of the agreement, the parties can enter into discussion to renew the agreement. If no agreement is concluded at the expiration of this agreement and negotiations are continued, this agreement shall remain in effect up to the time a subsequent agreement is reached or until negotiations are discontinued by either party.

7.03 This Agreement is subject to approval by the Board of Education of School District No.23 (Central Okanagan) and the City Council of the City of Kelowna.

7.04 This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successor and permitted assigns.

**IN WITNESS WHEREOF** the parties have hereunto executed this Agreement by their duly authorized signing officers on the day and year first above written.

**THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 23 (CENTRAL OKANAGAN)**  
by its authorized signatories:

**CITY OF KELOWNA** by its authorized signatories:

\_\_\_\_\_  
Secretary Treasurer

\_\_\_\_\_  
Mayor

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

**SITE PLAN OF LOT 1, D.L. 358, O.D.Y.D.,  
PLAN 39944 AND LOT A, D.L. 358,  
O.D.Y.D., PLAN 25832**

**OWN BY:**

**RUNNALLS DENBY**

*british columbia land surveyors*

259A Lawrence Avenue  
Kelowna, B.C.  
V1Y 6L2

Phone: (250) 763-7322  
Fax: (250) 763-4413  
Email: [neil@runnallsdenby.co](mailto:neil@runnallsdenby.co)

SCHOOL DISTRICT No. 23

FILE No:	13619	REV.	0
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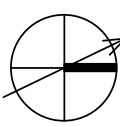
## Schedule B

Below are the NLC annual operating costs:

Year 1:	July 1, 2014 – June 30, 2015	\$34,500
Year 2:	July 1, 2015 – June 30, 2016	\$36,000
Year 3:	July 1, 2016 – June 30, 2017	\$37,500
Year 4:	July 1, 2017 – June 30, 2018	\$39,000
Year 5:	July 1, 2018 – June 30, 2019	\$40,500

Cost based on:

- 1) \$80.00 per square meter in 2011
- 2) City responsible for 384 square meters
- 3) 4% annual increase in costs



SEALS:

CONSULTANTS:

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ISSUED FOR		DESCRIPTION
NO.	DATE	
1	Dec 5_12	DD-REVIEW
2	Dec 14_12	DD-COSTING

PROJECT TITLE

**Okanagan Mission Secondary  
School - Additions and  
Renovations**



"Together We Learn"  
School District #23 (Central  
Okanagan)

4544 Gordon Drive  
Kelowna, BC, V1W 1T4

DRAWING TITLE

**Overall Building Plan - Level 0**

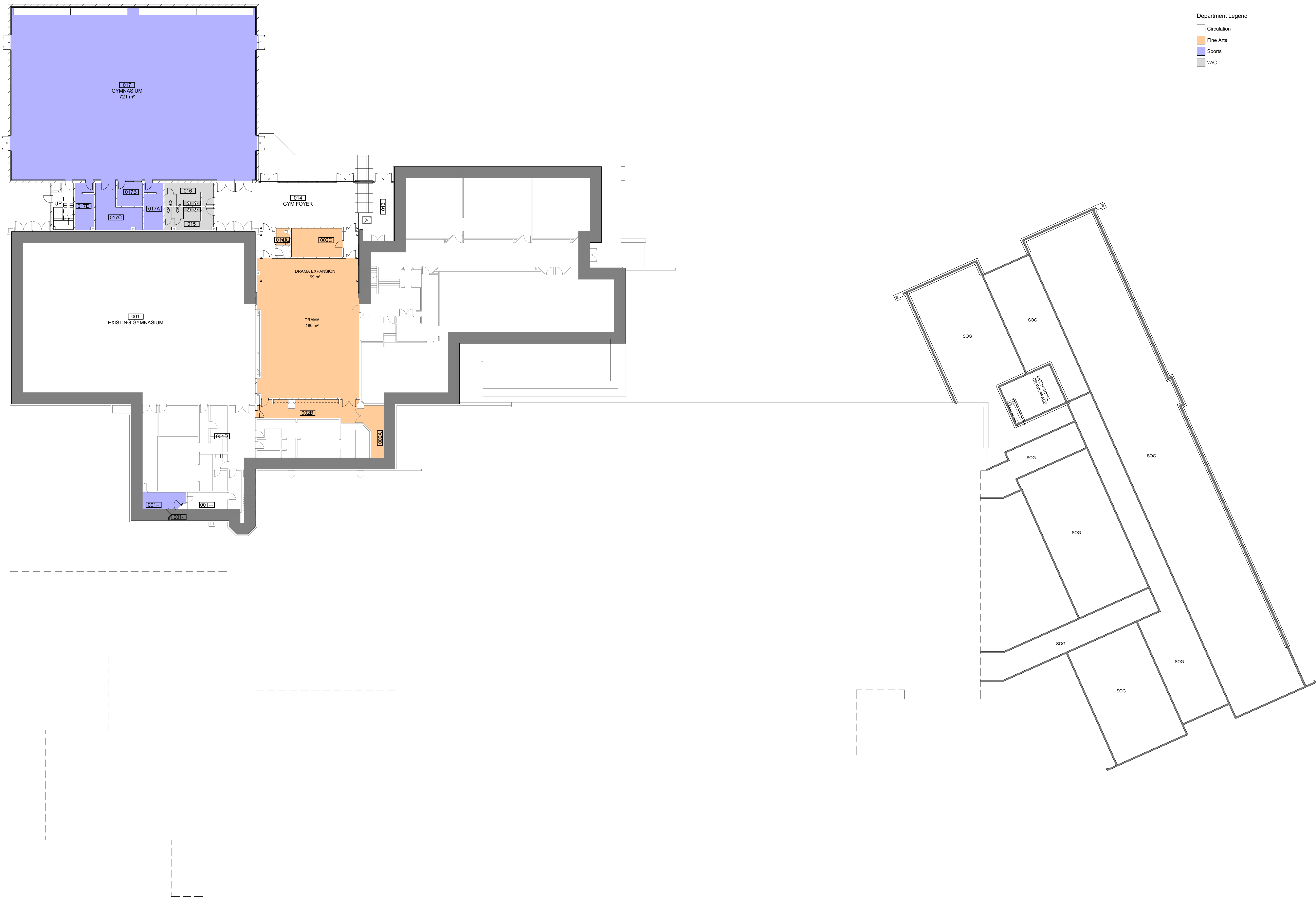
CHECKED BY: Checker DRAWN BY: Author

SCALE: 1 : 200 DATE: 04 Dec 12

PROJECT NO. DRAWING NO.

**2012-078**

**A1.5**



# Report to Council



**Date:** December 9, 2013  
**Rim No.** 0505-15  
**To:** City Manager  
**From:** Rob Entwistle, Information Services Manager  
**Subject:** Shaw WiFi Report to Council Final

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## **Recommendation:**

THAT Council receives, for information, the report from the Information Services Manager dated December 09, 2013, with respect to an agreement with Shaw Cablesystems Limited for provision of WiFi service at certain City facilities;

AND THAT Council approves entering into a five year license agreement with Shaw Cablesystems Limited, as outlined in the report of the Information Services Manager dated December 09, 2013;

AND THAT Council directs Mayor and Clerk to execute the "Facilities Attachment License Agreement" with Shaw Cablesystems Limited as attached to the report of the Information Services Manager, dated December 09, 2013.

## **Purpose:**

To inform council of an opportunity to provide City residents and visitors with Wi-Fi access at certain City facilities and public places through a proposal from Shaw Cablesystems Limited and to obtain Council endorsement to enter into a five year license agreement with Shaw for the provision of this service.

## **Background:**

Staff and residents have expressed interest in Wi-Fi hotspots in City facilities and public spaces for some time. Wi-Fi is currently available for staff and some guest access in most City buildings but guest access has been limited due to City resourcing. Parkinson Recreation Centre does have guest access and Wi-Fi service has been made available at times for special events, for example Hockeyville Canada voting at Sport Kelowna. The Kelowna Airport has had Wi-Fi services available for public use for a number of years.

Shaw Cablesystems Limited (Shaw) approached the City with a proposal for Shaw to provide Internet Wi-Fi access to citizens at City locations throughout Kelowna. Shaw is proposing to

install and operate Wi-Fi hotspots with no cost to the City. The City would be expected to provide space for Shaw infrastructure. Shaw will cover the electrical costs for the Wi-Fi hotspots. Wi-Fi hotspots would be located at specific sites including City buildings, parks, city centres and sports fields. See Schedule A for a detailed list of proposed sites.

Shaw creates a hotspot by attaching Wi-Fi radios to buildings or outside infrastructure such as light poles. Visitors will know there is hotspot available in the areas through small Shaw signage. The signage will be approved by the City and will meet all bylaw signage requirements.

The service offering will allow Shaw customers access through their account information and non-Shaw customers access by registering with an email address and password. The guest access will have some limitations on the amount of data that can be downloaded monthly as well as a requirement to register monthly. See Schedule B for guest access guidelines.

This Shaw service is also being rolled out in other businesses in the City including restaurants and stores. Municipalities such as Vancouver and Calgary have accepted this proposal and Shaw is currently implementing the system.

The Shaw license agreement is attached as Schedule C and includes the following provisions:

- This is a non exclusive-agreement which would allow for other carriers or the City to provide similar services at our facilities.
- Shaw would install signage at each location indicating a hotspot.
- Shaw is responsible for the capital and installation costs as well as operating and maintenance costs for their installations, including electricity costs.
- Free guest will be provided to the general public up to 250MB per month.
- Installation of Wi-Fi services will commence in 2013 and continue through 2014.

For the City to implement a Wi-Fi network of this scope would require significant capital and ongoing operational costs. Signing the agreement with Shaw provides visitors and residents access to Wi-Fi services in City facilities with only nominal cost and without the need for the City to build its own infrastructure.

#### **Internal Circulation:**

Ron Forbes, Property Manager  
Ian Wilson, Parks Services Manager  
Atif Khan, Traffic Signals & Systems Supervisor  
Jodie Foster Sexsmith, Communications Supervisor

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

#### **Legal/Statutory Authority:**

#### **Legal/Statutory Procedural Requirements:**

#### **Existing Policy:**

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



**Personnel Implications:**

**External Agency/Public Comments:**

**Communications Comments:**

**Alternate Recommendation:**

Submitted by:

R, Entwistle, Information Services Manager

**Approved for inclusion:**

☐

Attachments:

Schedule A: Shaw Wi-Fi Proposed Kelowna Locations

Schedule B: Shaw Public WiFi Service Policy and Terms of Use

Schedule C: Shaw WiFi Kelowna License Agreement

cc:

Ron Forbes

Ian Wilson

Atif Khan

Jodie Foster Sexsmith

## **Location**

### **Commercial Areas:**

Bernard Core  
Mission Town Centre/Pandosy Village  
Spall Plaza and parallel shopping corridor  
Abbott St. Pedestrian corridor

### **Community Centres & Recreation:**

Parkinson Recreation Centre  
Okanagan Mission Activity Centre  
Cedar Creek Community Centre  
Kinsmen Fieldhouse Hall (Mission Recreation Park)  
Kinsmen Media Centre (Mission Recreation Park)

### **Waterparks:**

Ben Lee Waterpark  
City Park Waterpark

### **Parks:**

Cedar Creek Park  
City Park  
Guisachan Heritage Park  
Knox Mountain Park  
Kasugai Garden  
Kerry Park  
Knowles Heritage Park  
Mission Creek Greenway  
Stuart Park  
Waterfront Park  
Stuart Park  
Strathcona Beach  
Gyro Beach

### **Arenas & Stadiums:**

Memorial Arena  
Rutland Arena  
Apple Bowl  
Kinsmen Softball Complex (Mission Recreation Park)

### **Baseball fields**

Edith Gay Park  
Lombardy Park  
Osprey Park  
Quarry Park  
Recreation Avenue Park

**Softball Fields**

Belgo Park  
Cameron Park  
Curlew Park  
East Kelowna Park  
Glenmore Sports Park  
Jack Robertson Memorial Park  
KLO Sportsfields  
Mission Recreation Park  
Parkinson Recreation Park  
Recreation Avenue Park  
Redridge Park  
Rutland Recreation Park  
South Kelowna Centennial Park  
Summerside Park

**Soccer Fields**

Curlew Park  
Dilworth Soccer Park  
Glenmore Sports Park  
Johnson Park  
Lillooet Park  
Martin Park  
Mission Recreation Park  
Parkinson Recreation Park  
Quarry Park  
Redridge Park  
Rutland Recreation Park  
South Kelowna Centennial Park  
Summerside Park

**Volleyball Courts**

City Park  
Gyro Beach Park  
Parkinson Recreation Park

Address	Area
Abbott St/Bernard Rd to Richter St/ Bernard Rd	Kelowna
Lakeshore Rd/Lanfranco Rd to Pandosy St/Wardlaw Ave	Kelowna
Spall Rd/Harvey Ave (Hwy 97) to Hardy St/Hwy 97	Kelowna
Abbott St/Hwy 97 to Abbott St/Rose Ave	Kelowna
1800 Parkinson Way	Kelowna
4398 Hobson Rd	Mission
5160 Chute Lake Road	Kelowna
3975 Gordon Drive	Kelowna
3975 Gordon Drive	Kelowna
464-518 McPhee St	Kelowna
1600 Abbott Street	Kelowna
5200 Lakeshore Road	Kelowna
1600 Abbott Street	Kelowna
1060 Cameron Avenue	
450 Knox Mountain Road	Kelowna
1435 Water Street	Kelowna
1480 Mill Street	Kelowna
Bernard Steet & Ethel Street	Kelowna
22 k from okanagan lake to mission creek falls	
1414 Water Street	Kelowna
1200 Water Street	Kelowna
1414 Water Street	Kelowna
2290 Abbott St	Kelowna
3400 Lakeshore Rd	
1424 Ellis Street	Kelowna
645 Dodd Road	Kelowna
1555 Burtch Rd	Kelowna
3975 Gordon Drive	Kelowna
305 Moyer Rd	RUTLAND
1320 Wilson Ave	GLENMORE
2600 Richter St	S. PANDOSY
4882 Quarry Ct	SW MISSION
552 Gaston Ave	DOWNTOWN



895 Belgo Rd  
2345 Richter St  
5210 Lark St  
2741 East Kelowna Rd  
500 Valley Rd  
1655 Willow Cr  
1456 KLO Rd  
4105 Gordon Dr  
1800 Parkinson Way  
552 Gaston Ave  
4805 Westridge Dr  
375 Hartman Rd  
4194 Spiers Rd  
3858 Summerside Dr

RUTLAND  
S. PANDOSY  
SW MISSION  
SE KELOWNA  
GLENMORE  
GLENMORE  
S. PANDOSY  
N. MISSION  
DOWNTOWN  
DOWNTOWN  
N. MISSION  
RUTLAND  
SE KELOWNA  
SE KELOWNA

5210 Lark St  
950 Dilworth Dr  
500 Valley Rd  
2540 Johnson Rd  
2180 Summit Dr  
1434 Graham St  
4105 Gordon Dr  
1800 Parkinson Way  
4882 Quarry Ct  
4805 Westridge Dr  
375 Hartman Rd  
4194 Spiers Rd  
3858 Summerside Dr

SW MISSION  
GLENMORE  
GLENMORE  
SE KELOWNA  
GLENMORE  
DOWNTOWN  
N. MISSION  
DOWNTOWN  
SW MISSION  
N. MISSION  
RUTLAND  
SE KELOWNA  
SE KELOWNA

1600 Abbott St  
3400 Lakeshore Rd  
1800 Parkinson Way

DOWNTOWN  
S. PANDOSY  
DOWNTOWN

## **SHAW PUBLIC WIFI SERVICE POLICY AND TERMS OF USE:**

The Guest Terms of Use (as shown below) of the Public WiFi network will be integral to the registration process: user will need to accept them in order to gain access to the Public WiFi

The authentication process will be supported by a registration page intended to provide prospective users with a username and password to login to the Public WiFi network. Once their information is validated, the user gains access to the Public WiFi.

### **Access and use of the Public WiFi is subject to the following:**

- Use is limited to the Municipality's facility where Shaw has installed attachment points;
- Non auto- authentication is provided;
- Guest Login Profile creation, requires guest to provide: Name address, phone and current ISP provider, email (email is subject to verification);
- Service offered at 5mbps download speeds;
- Data cap at 250MB (per month); and
- Additional service access and restrictions are identified in Terms of Use.

### **Terms of Use:**



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## **FACILITIES ATTACHMENT LICENSE AGREEMENT**

This Facilities Attachment License Agreement (this “**Agreement**”) between City of Kelowna (the “**City**”) and Shaw Cablesystems Limited (“**Shaw**”) outlines the terms agreed to by the parties regarding the granting of access to and use by Shaw of certain City facilities for the purpose of the provision of Shaw’s Wi-Fi services.

In consideration of the mutual agreements and promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, Shaw and the City agree as follows:

**1. Grant:** Upon and subject to the terms of this Agreement, the City hereby consents and grants to Shaw a non-exclusive right and license to install, operate, maintain, access and attach certain telecommunication devices, cables, and related equipment necessary in order to establish, install, operate and maintain up to 375 Wi-Fi access points (the “**Works**”), to be used for the purpose of transmission, emission or reception of signs, signals, writings, images, sounds or intelligence of any nature related to Shaw’s Wi-Fi services (the “**Shaw Wi-Fi Services**”) in, on, or to those City facilities identified in Schedule “A” (collectively, the “**Facilities**”). Shaw acknowledges and agrees that the license granted by this Agreement relates exclusively to the installation of Works and does not permit the installation of any other equipment in, on, or to Facilities. Shaw shall not make any installations to any City facilities other than those Facilities listed in Schedule “A” without the City’s prior written consent.

**2. Term:** The term of this Agreement shall commence on \_\_\_\_\_, 2013 and shall continue for a period of five (5) years (the “**Initial Term**”). Unless otherwise terminated as provided herein. Upon written notice from Shaw to the City no less than 90 days prior to the expiration of the Initial Term, this Agreement can be renewed by mutual agreement for a further five (5) year Term (the “**Renewal Term**”) on the same terms and conditions as are applicable during the Initial Term. For the purpose of this Agreement, “Initial Term” and “Renewal Term” shall be collectively referred to as “**Term**”.

**3. License Requirements:** Shaw and City shall establish a notification and consent process for installations of Shaw’s Work on and/or in Facilities to ensure compliance with all necessary regulations and safety requirements before Work commences. Nothing in this Agreement relieves Shaw from the ordinary jurisdiction of the City and, in particular, nothing relieves Shaw from the requirement for a highway use permit in order to dig in road allowances.

**4. Work on the Facilities:** Shaw shall, at its own cost and expense, install, operate, and maintain the Works:

- (a) in a good, workmanlike and timely manner;
- (b) such that they do not unduly interfere with the Facilities;
- (c) in compliance with all applicable laws, bylaws, and regulations, including construction and safety codes;
- (d) in a manner that minimizes disruption to the City and to adjacent residents and businesses.

Upon completion of the Work Shaw shall restore and repair any damage caused by the Work to the Facilities to the same or similar condition in which they existed prior to the Work.

**5. Shaw’s Costs:** Shaw is solely responsible for paying:

- (a) all capital costs related to installations of Works, including, but not limited to, access point hardware and software, network and telecommunications equipment, accessories and backhaul equipment; and
- (b) all operating and maintenance costs of the Works, including electricity costs.

**6. Consideration:** In consideration of the grant herein by the City to Shaw, Shaw hereby agrees to provide the general public with free guest access to use the Shaw Wi-Fi Services. Such general public use will be subject to Shaw's Guest Access terms and policies and will be limited to use at each Facility where Shaw has installed and is operating attachment points.

**7. Facilities Accepted "As Is":** Shaw accepts the Facilities "as is" and acknowledges that it has had the opportunity to undertake such inspections and tests of the Facilities as it considers necessary, and the City has made no representations or warranties respecting the Facilities.

**8. Priority for Existing Equipment:** Shaw agrees that any wireless internet services and related equipment located on the Facilities as of the date of this Agreement shall have priority over the Work in the event of any conflict or interference and, upon receipt of notice of any interference between the existing services and equipment with the Work, Shaw shall take all reasonable steps necessary to eliminate the interference.

**9. No Interference:** Except as otherwise provided in this Agreement, the City shall not alter or remove Shaw's Work without Shaw's prior written approval nor shall the City install or permit third parties to make installations of any equipment on or in the Facilities that causes interference with the Work without Shaw's prior written consent. The City agrees that upon receipt of notice by Shaw of such interference it shall take reasonable steps to make or cause to be made such adjustments to such equipment to eliminate the interference. The City shall have the right to access and inspect the Works at any time as may be considered necessary by the City to ensure compliance with this Agreement. Shaw shall not alter, remove or access any City property or third party property located on the Facilities without the City's prior written approval. For the purpose of clarity, except as otherwise provided in this Agreement, neither party is responsible for any interference caused by radio waves or other technologies used by any person at the Facilities where the Work is located.

**10. Promotion and Signage:** Shaw is responsible for all costs related to the promotion and advertisement of the Shaw Wi-Fi Services at any Facility; provided that any promotion and advertisement is entirely at Shaw's discretion. If Shaw intends to make reference to a Facility in any promotion and advertising campaigns for Shaw's Wi-Fi Services, Shaw shall obtain the City's approval of advertisements and promotional materials (including logos, media and social media releases, signage and brochures) prior to posting, publishing, or otherwise distributing such materials. Nothing herein relieves Shaw from the ordinary jurisdiction of the City and, in particular, nothing relieves Shaw from the requirement for a sign permit in accordance with the City's sign regulation bylaw.

**11. Indemnity:** Each party (an "**Indemnifying Party**") shall indemnify and save harmless the other party (the "**Indemnified Party**") from and against all actions, causes of action, proceedings, claims and demands brought against the Indemnified Party, for all losses, costs, or expenses incurred by the Indemnified Party, for damage to property, including property of the Indemnified Party or any third party, and for injury to persons incurred by the Indemnified Party, including its employees, servants, agents, and licensees or any third party, caused by, or attributable to, the negligence or willful act or omission of the Indemnifying Party or any of its employees, servants, agents or licensees as a result of this Agreement. Neither the City nor Shaw shall be liable for



indirect or consequential losses or damages, or for damages for pure economic loss, howsoever caused or contributed to, in connection with this Agreement or with any of Shaw's Work.

**12. Insurance:** Shaw shall maintain general liability insurance to protect from claims for damages, personal injury, including death, and for claims from property damages which may arise from the Work. Such insurance limits shall not be less than five million dollars (\$5,000,000.00) for each occurrence and shall add the City as an additional insured.

**13. Relocation:** If at any time during the Term, the City considers it necessary to relocate a particular Facility that has Work attached to it, the City shall provide Shaw with no less than ninety (90) calendar days notice. Shaw shall, at its cost, remove the Work from the affected Facility before the expiry of the notice period. If Shaw fails to remove such Work within the time required, the City may remove the Work and the reasonable costs incurred by the City shall be payable by Shaw promptly upon receipt of an invoice from the City. If the affected Facility is moved to a new location Shaw shall be permitted to relocate its Work to the Facility at the new location; or in the alternative if such relocation is not feasible or if the new location is not in the immediate area of the original site, the City will reasonably assist Shaw in finding a suitable alternative location for such Work.

**14. Cancellation:** This Agreement may be terminated as follows:

- (a) Default: Either party to this Agreement shall have the right to cancel this Agreement without penalty if the other party defaults on any of its material obligations hereunder and fails to remedy such default within thirty (30) days after receiving notice of such default from the non-defaulting party; provided, however, that if such a default is capable of being cured but cannot reasonably be cured within such thirty (30) days period and the defaulting party is prosecuting such cure with diligence, such longer time period as may be necessary to complete such cure if the same is prosecuted with due diligence;
- (b) Bankruptcy: The City may cancel this Agreement upon giving notice to Shaw if: (i) a proceeding is commenced in respect of Shaw under the *Bankruptcy and Insolvency Act* (Canada), the *Companies Creditors Arrangement Act* (Canada), the *Winding-up and Restructuring Act* (Canada) or any other bankruptcy, insolvency or other similar rules or laws of right benefit or for dealing with the rights of debtors and creditors, (ii) there has been an appointment of an interim receiver, receiver, receiver and manager or liquidator over a substantial portion of the assets of Shaw; or (iii) any enforcement of or realization upon any security over any portion of Shaw's Work has occurred.

**15. Removal of Improvements:** Upon expiration or termination of this Agreement, Shaw shall within sixty (60) days commence work remove its Work from the Facilities and shall restore the Facilities to their original condition, reasonable wear and tear excepted, and shall leave the same in a neat and tidy condition. If Shaw fails to commence work to remove its Work within ninety (90) days of expiration or termination of this Agreement, then the City may remove the Work and restore the area, and the reasonable costs incurred by the City shall be payable by Shaw upon receipt of an invoice from the City.

**16. Ownership:** The City acknowledges that notwithstanding any rule of law or equity to the contrary, all Work installed by Shaw will remain the property of Shaw even though it is attached to the Facilities. This Agreement does not grant Shaw any legal or equitable interest of any kind in the Facilities or any exclusive right to occupy the Facilities.

**17. No Assignment:** Shaw shall not enter into, consent to or permit any assignment of the rights granted in this Agreement, in whole or in part to any person other than an affiliate of Shaw, unless Shaw has first requested and obtained the written consent of the City. In the event the assignment is to a purchaser of substantially all of the Shaw's undertaking, such consent shall not

be unreasonably withheld or delayed if the provisions of this section are complied with. In requesting the City's consent to any assignment, Shaw must provide relevant information as requested by the City and Shaw must pay all of the City's reasonable costs and expenses incurred in relation to the assignment, including without limitation, legal expenses and disbursements. Any such assignment will be subject to all the terms, conditions and provisos of this Agreement. In addition, Shaw and the assignee may be required by the City to enter into an assignment agreement. Notwithstanding the foregoing, the City may withhold its consent if Shaw or the proposed assignee cannot or will not provide to the City any relevant information relating to the relationship of the proposed assignee to Shaw or the ability of the proposed assignee to undertake the rights, obligations and covenants of this Agreement.

**18. Notice:** Any notice, request, statement or other writing pursuant to this Agreement shall be in writing and given by personal delivery, or sent by registered mail postage prepaid, or transmitted by facsimile, addressed to the party for which it is intended at its address below:

To the City:

City of Kelowna  
1435 Water Street  
Kelowna, B.C. V1Y 1J4  
Attention: \_\_\_\_\_  
Facsimile: \_\_\_\_\_

To Shaw:

Shaw Cablesystems Limited  
Suite 900, 630 – 3<sup>rd</sup> Avenue SW  
Calgary, Alberta T2P 4L4  
Attention: VP, Operations  
With a copy to: General Counsel and Corporate Secretary  
Facsimile: 403-716-6544

Provided, however, either party may change its address for the purpose of receipt of any such communication by giving ten (10) business days prior written notice to the other party in the manner prescribed above. Any notice so given shall be deemed to have received on the date of which it was delivered if delivered in person, or, if transmitted by facsimile, on the date it was transmitted or if sent by registered mail on the tenth (10<sup>th</sup>) business day thereafter.

**19. Governing Law:** This Agreement will be governed by and construed under the laws of the Province of British Columbia. The parties agree to submit any dispute regarding this Agreement to the exclusive jurisdiction of a competent court located within the Province of British Columbia.

**20. Binding Agreement:** The parties agree that this Agreement and the agreements and understandings set out herein will be binding upon and enforceable against the parties.

**21. Entire Agreement:** The provisions herein contained constitute the entire agreement between the parties and supersede all previous communications, representations and agreements, whether verbal or written, between the parties with respect to the subject matter hereof.

**22. Severance:** If any portion of this Agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and decision that it is invalid shall not affect the validity of the remainder of this Agreement.

**23. Time of Essence:** Time is of the essence of this Agreement.

**24. No Joint Venture:** Nothing contained in this Agreement creates a relationship of principal and agent or of partnership or joint venture between the parties nor does it give one party any power or authority to bind the other party in any way.

**25. Amendment:** This Agreement may not be modified or amended except in writing signed by the City and Shaw.

**26. Compliance with Law:** Shaw will, at its own expense, promptly observe, perform, execute and comply with those applicable laws, regulations, orders and decisions of any federal, provincial or other governmental or local authority having proper jurisdiction concerning performance, safety, and operation of the Work.

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

**SHAW CABLESYSTEMS LIMITED**

By:

Name/Title:

Date:

**CITY OF KELOWNA**

By:

Name/Title:

Date:

**SCHEDULE “A”**

**LIST OF FACILITIES**



# Report to Council



**Date:** December 9, 2013

**Rim No.** 1815-01

**To:** City Manager

**From:** Ian Wilson, Park Services Manager

**Subject:** Kelowna Memorial Park Cemetery Fees

Report Prepared by: Norm Ryder, Cemetery Manager

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## **Recommendation:**

THAT Council receives for information the Report from the Park Services Manager, dated December 9, 2013 to amend cemetery fees;

AND THAT Bylaw No. 10903 being Amendment No. 5 to Kelowna Memorial Park Cemetery Bylaw No. 8807 be given reading consideration.

## **Purpose:**

To ensure fees and charges reflect operational costs and to introduce a non resident fee where applicable.

## **Background:**

The current Cemetery Operations contract expires April 30, 2014 and has no provision to extend further. A Request for Proposals was recently issued for the Maintenance and Operation of Kelowna Memorial Park Cemetery. All three proposals received significantly exceed the current budget, and two proposals contained a provision for annual increases over three years.

A current review of municipal cemetery fees in B.C. found that on average, the City's Cemetery fees are lower than fees in the Lower Mainland, Kamloops and Prince George. Kamloops and Prince George have a five per cent annual increase scheduled for the next few years and Vernon and Penticton are also contemplating fee increases.

Unlike most municipal Cemeteries in B.C., the City's Cemetery has operated on a full cost recovery basis for the last 15 years without taxpayer subsidy. In order for the Cemetery to match projected revenues with expenses, two options were explored and detailed below.

## **Guiding Principles**

In developing the new fee structure, the following principles were used by staff:

- the Cemetery should continue as a self-supporting business unit, without taxpayer subsidy for annual operations;
- the majority of Cemetery operations will continue to be contracted so that the Cemetery may benefit from competitive pricing for labour and equipment;
- Cemetery reserves need to continually be built up to help ensure that operations are sustainable and the City can meet the expectation of perpetual care even after the Cemetery property is fully occupied;
- at one time the Cemetery was subsidized by local taxpayers, and limited Cemetery spaces are for the benefit of Kelowna residents and taxpayers, while non-residents should pay a premium to get the same benefit;
- the Cemetery will maintain a variety of products in order to provide customers with affordable, low-cost options in addition to more premium products;
- price increases should be gradual and sensitive to the grieving public;
- fees should be comparable to other similar interior municipal cemeteries;
- the prices of in-ground burial options are higher, reflecting there is a finite supply of land for new plots at the Cemetery; and
- child plots and interment fee increases were not considered in order to help support grieving families dealing with the loss of a child, and staff recommend eliminating the interment fee for child burials.

### **Option #1: Two per cent (2%) fee increase for 2014, add non-resident fees**

A recent review of municipal cemetery fees in British Columbia found that non-resident fees have become increasingly common for larger cities and towns. In the Lower Mainland region, these fees are the norm. In the interior, Kamloops, Prince George, Vernon and Penticton all charge non-residents an additional fee when purchasing a plot or niche, which varies from 14-35 per cent higher (average 25%). The definition of “non-resident” varies but generally means a person who has not resided or owned property within the municipality for a certain period of time (usually one year but sometimes as short as 90 days).

Non-resident fees would provide a benefit to local taxpayers and may also help to reserve limited plot spaces for the benefit of local residents. The downside to non-resident fees is some additional administration, as a local resident would need to show evidence that they live or own property in Kelowna.

Data from the Cemetery over the last two years shows that approximately 20 per cent of interments are for non-residents. With Option #1 (detailed list of fees in Schedule A), residents would pay an additional two per cent (2%) per year from 2014 to 2016, while non-residents would pay an additional 25 per cent over resident fees. Fees for children under 12 years of age will not be increased and child interment fees would be eliminated. In addition, several specific items (Table 1) would be increased at a higher rate in order to bring fees in line with industry standards and several new product options would be added, including an affordable scattering option (without plaque) and dedicated memorial bench or tree (Table 1).

This fee increase is expected to generate approximately \$75,000 in revenues in 2014 offsetting Cemetery operation costs.

Under this option, the Kelowna Memorial Park Cemetery Bylaw No. 8842 will require an additional definition for "non-resident":

**Non-resident** shall mean any person who has not resided or owned property within the boundaries of the City of Kelowna for a period of twelve (12) months preceding the purchase of a right of interment in a cemetery plot.

#### **Option #2: 15 per cent general fee increase for 2014, without non-resident fees**

In order to raise approximately the same level of revenue as Option #1 but without non-resident fees, this option would require that all fees be increased by 15 per cent in 2014, followed by a two per cent increase in 2015 and 2016. As with Option #1, fees for children under 12 would not be increased, child interment fees would be eliminated, several specific items (Table 1) would be increased at a higher rate in order to bring costs more in line with industry standards and several new product options would be added, including an affordable scattering option (without plaque) as well as a dedicated memorial bench or tree (Table 1).

Due to the higher initial impact of Option #2 on Kelowna residents, staff are recommending Option #1.

#### **Other initiatives to increase revenue:**

In addition to fee increases, staff have been working on the following initiatives to improve the Cemetery's revenues:

- the implementation of an annual marketing plan;
- completed construction of an sign at the entrance of the Cemetery (corner of Bernard Avenue and Spall Road) in 2013 as many residents are not aware of our cemetery;
- completed construction of a trail at the back of the Cemetery, with the intention of creating an affordable "green interment" option for scattering of ashes. Staff will be coming back to Council in 2014 to include this option in the Cemetery bylaw;
- staff are proposing several budget requests for 2014 consideration, including:
  - an update of the Cemetery business plan;
  - construction of new Columbaria to replace dwindling inventory for the storage of urns; and
  - replacement of aging irrigation infrastructure.

#### **Internal Circulation:**

Communications

Finance

City Clerk

Purchasing

**Alternate Recommendation:**

THAT staff report back to Council with an updated amending bylaw for the Kelowna Memorial Park Cemetery Bylaw to increase fees for covering operating costs, without non-resident fees.

**Considerations not applicable to this report:**

**Financial/Budgetary Considerations:**

**Legal/Statutory Authority:**

**Legal/Statutory Procedural Requirements:**

**Existing Policy:**

**Personnel Implications:**

**External Agency/Public Comments:**

**Communications Comments:**

Submitted by:



Ian Wilson, Park Services Manager

Approved for inclusion:



Joe Creron, Divisional Director, Civic Operations

**Attachments:**

- Table 1: Recommended adjustments to specific base fees.
- Schedule A. Fee schedule to be included in Kelowna Memorial Park Bylaw No. 8842 under pricing Option #1.



**Table 1: Recommended adjustments to specific base fees**

The following base fee adjustments are recommended under either Option #1 or #2:

Product / Service	Current Price	2014 Price
Child Plot	\$ 297.00	\$ 297.00
Child interment fee	\$ 341.00	\$ 0.00
Weekend Fees	\$ 463.00	\$ 800.00
Interments after 3pm	\$ 285.00	\$ 450.00
Open/Close Casket	\$ 683.00	\$ 800.00
Open/Close Cremation	\$ 297.00	\$ 350.00
Burial Upright	\$ 3,725.00	\$ 4,200.00
Scatter (with plaque)	\$ 475.00	\$ 550.00
Scatter (no plaque)*	N/A	\$ 150.00
Bud Vase*	N/A	\$ 197.00
Memorial tree (w/plaque)*	N/A	\$ 1,100.00
Memorial bench (w/plaque)*	N/A	\$ 2,500.00

\*New product to be added.

# CITY OF KELOWNA

## BYLAW NO. 10903

### Amendment No. 5 to Kelowna Memorial Park Cemetery Bylaw No. 8807

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The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Memorial Park cemetery bylaw Bylaw No. 8807 be amended as follows:

1. THAT **PART 1 - GENERAL, 1.3 Definitions** be amended by adding in its appropriate location a new definition for “**Non-resident**” that reads:

“**Non-resident** shall mean any person who has not resided or owned property within the boundaries of the City of Kelowna for a period of twelve (12) months preceding the purchase of a right of interment in a cemetery plot.”

2. AND THAT **KELOWNA MEMORIAL PARK CEMETERY’S FEE SCHEDULE “A”** be deleted in its entirety and replaced with a new **KELOWNA MEMORIAL PARK CEMETERY’S FEE SCHEDULE “A”** as attached to and forming part of this bylaw
3. This bylaw may be cited for all purposes as “Bylaw No. 10903 being Amendment No. 5 to Kelowna Memorial Park Cemetery Bylaw No.8807.”
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

BL10903 - Page 2 - Schedule "A"  
**KELOWNA MEMORIAL PARK CEMETERY'S FEE SCHEDULE "A"**

KELOWNA MEMORIAL PARK CEMETERY - FEE SCHEDULE A						
PRODUCT/SERVICE	NO INCREASE		2.00%		2.00%	
Annual Increase	2013		2014		2015	
* Non-residents add 25% to base fees, for Plots, Niches or Scatterings						
	Base Fee		Base Fee		Base Fee	
RIGHT OF INTERMENT - G7 LAWN CRYPT (Upright Marker) NO LINER REQUIRED*						
PLOT PRICE	\$	2,083	\$	2,100	\$	2,142
CEMETERY REPLACEMENT FUND	\$	714	\$	1,050	\$	1,071
CEMETERY MAINTENANCE FUND	\$	927	\$	1,050	\$	1,071
Total	\$	3,724	\$	4,200	\$	4,370
RIGHT OF INTERMENT - G1, G7 LAWN CRYPT (Flat Marker G 7) NO LINER REQUIRED*						
PLOT PRICE	\$	1,484	\$	1,513	\$	1,544
CEMETERY REPLACEMENT FUND	\$	742	\$	757	\$	788
CEMETERY MAINTENANCE FUND	\$	742	\$	757	\$	788
Total	\$	2,968	\$	3,028	\$	3,150
RIGHT OF INTERMENT - G4 LARGE PLOT (Upright Marker)*						
PLOT PRICE	\$	998	\$	1,017	\$	1,038
CEMETERY REPLACEMENT FUND	\$	499	\$	509	\$	529
CEMETERY MAINTENANCE FUND	\$	499	\$	509	\$	529
Total	\$	1,995	\$	2,035	\$	2,117
RIGHT OF INTERMENT - G4 LARGE PLOT (Flat Marker)*						
PLOT PRICE	\$	712	\$	726	\$	741
CEMETERY REPLACEMENT FUND	\$	356	\$	363	\$	378
CEMETERY MAINTENANCE FUND	\$	356	\$	363	\$	378
Total	\$	1,424	\$	1,452	\$	1,511
RIGHT OF INTERMENT - SEC C,D,E (5'x10")*						
PLOT PRICE	\$	499	\$	509	\$	519
CEMETERY REPLACEMENT FUND	\$	250	\$	255	\$	260
CEMETERY MAINTENANCE FUND	\$	250	\$	255	\$	260
Total	\$	999	\$	1,019	\$	1,060
RIGHT OF INTERMENT - SEC A,B (5'x10')*						
PLOT PRICE	\$	250	\$	255	\$	260
CEMETERY REPLACEMENT FUND	\$	124	\$	126	\$	131
CEMETERY MAINTENANCE FUND	\$	124	\$	126	\$	131
Total	\$	498	\$	508	\$	528
RIGHT OF INTERMENT - G2 MAUSOLEUM COUCH CRYPT, LEVEL 1,2,&3, INCLUDES STANDARD CRYPT PLATE, VASE AND OPENING & CLOSING*						
PLOT PRICE	\$	10,087	\$	10,289	\$	10,495
CEMETERY REPLACEMENT FUND	\$	8,070	\$	8,232	\$	8,564
CEMETERY MAINTENANCE FUND	\$	2,017	\$	2,057	\$	2,141
Total	\$	20,175	\$	20,578	\$	21,410
RIGHT OF INTERMENT - G2 SINGLE CRYPT LEVEL 1, INCLUDES STANDARD CRYPT PLATE, VASE AND OPENING & CLOSING*						
PLOT PRICE	\$	6,055	\$	6,176	\$	6,426
CEMETERY REPLACEMENT FUND	\$	4,845	\$	4,942	\$	5,141
CEMETERY MAINTENANCE FUND	\$	1,212	\$	1,236	\$	1,286
Total	\$	12,112	\$	12,354	\$	12,853

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**RIGHT OF INTERMENT - G2 SINGLE CRYPT  
LEVEL 2, INCLUDES STANDARD CRYPT PLATE,  
VASE AND OPENING & CLOSING\***

PLOT PRICE	\$	7,266	\$	7,411	\$	7,560	\$	7,711
CEMETERY REPLACEMENT FUND	\$	5,813	\$	5,929	\$	6,048	\$	6,169
CEMETERY MAINTENANCE FUND	\$	1,453	\$	1,482	\$	1,512	\$	1,542
<b>Total</b>	\$	14,532	\$	14,823	\$	15,119	\$	15,421

**RIGHT OF INTERMENT - G2 SINGLE CRYPT  
LEVEL 3, INCLUDES STANDARD CRYPT PLATE,  
VASE AND OPENING & CLOSING\***

PLOT PRICE	\$	6,845	\$	6,982	\$	7,121	\$	7,264
CEMETERY REPLACEMENT FUND	\$	5,475	\$	5,584	\$	5,696	\$	5,810
CEMETERY MAINTENANCE FUND	\$	1,368	\$	1,396	\$	1,423	\$	1,452
<b>Total</b>	\$	13,688	\$	13,962	\$	14,241	\$	14,526

**RIGHT OF INTERMENT - SECTION A,C, D SMALL  
PLOT (3'x5')\***

PLOT PRICE	\$	148	\$	148	\$	151	\$	154
CEMETERY REPLACEMENT FUND	\$	75	\$	75	\$	76	\$	78
CEMETERY MAINTENANCE FUND	\$	75	\$	75	\$	76	\$	78
<b>Total</b>	\$	297	\$	297	\$	303	\$	309

**RIGHT OF INTERMENT - SECTION G7 - SEMI-  
PRIVATE ESTATE; INCLUDES 2 DOUBLE-DEPTH  
LAWN CRYPTS, 8 COMPANION CREMATION  
PLOTS, MARKER FOUNDATION, SHARED  
GRANITE BENCH AND GARDEN BEDS\***

PLOT PRICE	\$	21,163	\$	21,586	\$	22,018	\$	22,458
CEMETERY REPLACEMENT FUND	\$	10,581	\$	10,792	\$	11,008	\$	11,228
CEMETERY MAINTENANCE FUND	\$	10,581	\$	10,792	\$	11,008	\$	11,228
<b>Total</b>	\$	42,324	\$	43,171	\$	44,034	\$	44,915

**RIGHT OF INTERMENT - SECTION G7 - PRIVATE  
ESTATE; INCLUDES 2 DOUBLE-DEPTH LAWN  
CRYPTS, 8 COMPANION CREMATION PLOTS,  
MARKER FOUNDATION, GRANIT BENCH,  
ARCHED GATE FEATURE C/W BRONZE NAME  
PLATE AND GARDEN BEDS\***

PLOT PRICE	\$	28,691	\$	29,265	\$	29,850	\$	30,447
CEMETERY REPLACEMENT FUND	\$	14,346	\$	14,633	\$	14,926	\$	15,224
CEMETERY MAINTENANCE FUND	\$	14,346	\$	14,633	\$	14,926	\$	15,224
<b>Total</b>	\$	57,384	\$	58,531	\$	59,702	\$	60,896

**RIGHT OF INTERMENT - BENNETT MEMORIAL  
COLUMBARIUM - CONCORD - INCLUDES  
BRONZE WREATH - OPEN / CLOSING EXTRA\***

PLOT PRICE	\$	1,342	\$	1,369	\$	1,396	\$	1,424
CEMETERY REPLACEMENT FUND	\$	671	\$	684	\$	698	\$	712
CEMETERY MAINTENANCE FUND	\$	203	\$	207	\$	211	\$	215
<b>Total</b>	\$	2,216	\$	2,260	\$	2,305	\$	2,351

**RIGHT OF INTERMENT - BENNETT MEMORIAL  
COLUMBARIUM - CURVED WALL LEVEL 1,  
INCRAVING EXTRA, INCLUDES OPENING &  
CLOSING\***

PLOT PRICE	\$	1,484	\$	1,513	\$	1,544	\$	1,574
CEMETERY REPLACEMENT FUND	\$	1,188	\$	1,211	\$	1,236	\$	1,260
CEMETERY MAINTENANCE FUND	\$	297	\$	303	\$	309	\$	315
<b>Total</b>	\$	2,968	\$	3,028	\$	3,088	\$	3,150



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**RIGHT OF INTERMENT - BENNETT MEMORIAL  
COLUMBARIUM - CURVED WALL LEVEL 2,  
INCRAVING EXTRA, INCLUDES OPENING &  
CLOSING\***

PLOT PRICE	\$	1,573	\$	1,651.55	\$	1,685	\$	1,718
CEMETERY REPLACEMENT FUND	\$	1,259	\$	1,321.90	\$	1,348	\$	1,375
CEMETERY MAINTENANCE FUND	\$	314	\$	329.65	\$	336	\$	343
<b>Total</b>	\$	3,146	\$	3,303.09	\$	3,369	\$	3,437

**RIGHT OF INTERMENT - BENNETT MEMORIAL  
COLUMBARIUM - CURVED WALL LEVEL 3,  
INCRAVING EXTRA, INCLUDES OPENING &  
CLOSING\***

PLOT PRICE	\$	1,633	\$	1,665	\$	1,699	\$	1,733
CEMETERY REPLACEMENT FUND	\$	1,306	\$	1,332	\$	1,359	\$	1,386
CEMETERY MAINTENANCE FUND	\$	294	\$	300	\$	306	\$	312
<b>Total</b>	\$	3,233	\$	3,298	\$	3,364	\$	3,431

**RIGHT OF INTERMENT - BENNETT MEMORIAL  
COLUMBARIUM - ROUND UNIT - LEVEL 1 & 6,  
INCRAVING EXTRA, INCLUDES OPENING &  
CLOSING\***

PLOT PRICE	\$	1,484	\$	1,513	\$	1,544	\$	1,574
CEMETERY REPLACEMENT FUND	\$	1,188	\$	1,211	\$	1,236	\$	1,260
CEMETERY MAINTENANCE FUND	\$	297	\$	303	\$	309	\$	315
<b>Total</b>	\$	2,968	\$	3,028	\$	3,088	\$	3,150

**RIGHT OF INTERMENT - BENNETT MEMORIAL  
COLUMBARIUM - ROUND UNIT - LEVEL 2 & 5,  
INCRAVING EXTRA, INCLUDES OPENING &  
CLOSING\***

PLOT PRICE	\$	1,573	\$	1,604	\$	1,636	\$	1,669
CEMETERY REPLACEMENT FUND	\$	1,259	\$	1,284	\$	1,310	\$	1,336
CEMETERY MAINTENANCE FUND	\$	314	\$	320	\$	327	\$	333
<b>Total</b>	\$	3,146	\$	3,209	\$	3,273	\$	3,338

**RIGHT OF INTERMENT - BENNETT MEMORIAL  
COLUMBARIUM - ROUND UNIT - LEVEL 3 & 4,  
INCRAVING EXTRA, INCLUDES OPENING &  
CLOSING\***

PLOT PRICE	\$	1,633	\$	1,665	\$	1,699	\$	1,733
CEMETERY REPLACEMENT FUND	\$	1,306	\$	1,332	\$	1,359	\$	1,386
CEMETERY MAINTENANCE FUND	\$	294	\$	300	\$	306	\$	312
<b>Total</b>	\$	3,233	\$	3,298	\$	3,364	\$	3,431

**RIGHT OF INTERMENT - PROMONTORY GREEN  
INTERMENT GARDEN NICHE, SECTION G2 -  
LEVEL 1, INCLUDES STANDARD NICHE PLATE  
AND OPENING & CLOSING\***

PLOT PRICE	\$	1,484	\$	1,513	\$	1,544	\$	1,574
CEMETERY REPLACEMENT FUND	\$	1,188	\$	1,211	\$	1,236	\$	1,260
CEMETERY MAINTENANCE FUND	\$	297	\$	303	\$	309	\$	315
<b>Total</b>	\$	2,968	\$	3,028	\$	3,088	\$	3,150

**RIGHT OF INTERMENT - PROMONTORY GREEN  
INTERMENT GARDEN NICHE, SECTION G2 -  
LEVEL 2, INCLUDES STANDARD NICHE PLATE  
AND OPENING & CLOSING\***

PLOT PRICE	\$	1,573	\$	1,604	\$	1,636	\$	1,669
CEMETERY REPLACEMENT FUND	\$	1,259	\$	1,284	\$	1,310	\$	1,336
CEMETERY MAINTENANCE FUND	\$	314	\$	320	\$	327	\$	333
<b>Total</b>	\$	3,146	\$	3,209	\$	3,273	\$	3,338

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**RIGHT OF INTERMENT - PROMONTORY GREEN  
INTERMENT GARDEN NICHE, SECTION G2 -  
LEVEL 3, INCLUDES STANDARD NICHE PLATE  
AND OPENING & CLOSING\***

PLOT PRICE	\$	1,633	\$	1,665	\$	1,699	\$	1,733
CEMETERY REPLACEMENT FUND	\$	1,306	\$	1,332	\$	1,359	\$	1,386
CEMETERY MAINTENANCE FUND	\$	294	\$	300	\$	306	\$	312
<b>Total</b>	\$	3,233	\$	3,298	\$	3,364	\$	3,431

**RIGHT OF INTERMENT - PROMONTORY GREEN  
INTERMENT GARDEN NICHE, SECTION G2 -  
LEVEL 4, INCLUDES STANDARD NICHE PLATE  
AND OPENING & CLOSING\***

PLOT PRICE	\$	1,573	\$	1,604	\$	1,636	\$	1,669
CEMETERY REPLACEMENT FUND	\$	1,259	\$	1,284	\$	1,310	\$	1,336
CEMETERY MAINTENANCE FUND	\$	314	\$	320	\$	327	\$	333
<b>Total</b>	\$	3,146	\$	3,209	\$	3,273	\$	3,338

**RIGHT OF INTERMENT - PROMONTORY GREEN  
INTERMENT GARDEN CREMATION PLOT,  
SECTION G3 - FAMILY PLOT (3'x6')\***

PLOT PRICE	\$	712	\$	726	\$	741	\$	755
CEMETERY REPLACEMENT FUND	\$	356	\$	363	\$	370	\$	378
CEMETERY MAINTENANCE FUND	\$	356	\$	363	\$	370	\$	378
<b>Total</b>	\$	1,424	\$	1,452	\$	1,481	\$	1,511

**RIGHT OF INTERMENT - PROMONTORY GREEN  
INTERMENT GARDEN CREMATION PLOT -  
SECTION G3 - COMPANION PLOT (3'x3')\***

PLOT PRICE	\$	385	\$	393	\$	401	\$	409
CEMETERY REPLACEMENT FUND	\$	193	\$	197	\$	201	\$	205
CEMETERY MAINTENANCE FUND	\$	193	\$	197	\$	201	\$	205
<b>Total</b>	\$	772	\$	787	\$	803	\$	819

**RIGHT OF INTERMENT - CREMATION PLOT -  
SECTION G5 & G6 - FAMILY PLOT (3'x6')\***

PLOT PRICE	\$	593	\$	605	\$	617	\$	630
CEMETERY REPLACEMENT FUND	\$	297	\$	303	\$	309	\$	315
CEMETERY MAINTENANCE FUND	\$	297	\$	303	\$	309	\$	315
<b>Total</b>	\$	1,188	\$	1,211	\$	1,236	\$	1,260

**RIGHT OF INTERMENT - CREMATION PLOT - G5 &  
G6 - COMPANION PLOT (3'x3')\***

PLOT PRICE	\$	297	\$	303	\$	309	\$	315
CEMETERY REPLACEMENT FUND	\$	148	\$	151	\$	154	\$	157
CEMETERY MAINTENANCE FUND	\$	148	\$	151	\$	154	\$	157
<b>Total</b>	\$	593	\$	605	\$	617	\$	630

**RIGHT OF INTERMENT - CREMATION PLOTS -  
SECTION C (1.5' x 2') & SECTION D (2.5' x 1.5')\***

PLOT PRICE	\$	179	\$	182	\$	186	\$	189
CEMETERY REPLACEMENT FUND	\$	89	\$	91	\$	93	\$	95
CEMETERY MAINTENANCE FUND	\$	89	\$	91	\$	93	\$	95
<b>Total</b>	\$	357	\$	364	\$	371	\$	379

**MEMORIAL WALL SPACE - PROMONTORY  
GREEN\***

PLOT PRICE	\$	237	\$	274	\$	279	\$	285
CEMETERY REPLACEMENT FUND	\$	119	\$	138	\$	141	\$	144
CEMETERY MAINTENANCE FUND	\$	119	\$	138	\$	141	\$	144
<b>Total</b>	\$	475	\$	550	\$	561	\$	572

RIGHT OF INTERMENT - PROMONTORY GREEN  
INTERMENT GARDEN SCATTERING GARDEN  
OSSUARY INCLUDES NAME PLATE\*

PLOT PRICE	\$	237	\$	274	\$	279	\$	285
CEMETERY REPLACEMENT FUND	\$	119	\$	138	\$	141	\$	144
CEMETERY MAINTENANCE FUND	\$	119	\$	138	\$	141	\$	144
<b>Total</b>	\$	475	\$	550	\$	561	\$	572

RIGHT OF INTERMENT - SCATTERING TRAIL OR  
PROMONTORY GREEN INTERMENT GARDEN  
SCATTERING GARDEN\*

PLOT PRICE	N/A	\$	74	\$	75	\$	77
CEMETERY REPLACEMENT FUND	N/A	\$	38	\$	39	\$	40
CEMETERY MAINTENANCE FUND	N/A	\$	38	\$	39	\$	40
<b>Total</b>		\$	150	\$	153	\$	156

## Burial Services

**OPENING & CLOSING**

INTERMENT - CASKET	\$	683	\$	800	\$	816	\$	832
INTERMENT - CREMATED REMAINS	\$	297	\$	350	\$	357	\$	364
INTERMENT - CHILDREN UNDER 12 YEARS OF AGE	\$	341	\$	-	\$	-	\$	-
WEEKEND/HOLIDAY ADMINISTRATION FEE	\$	463	\$	800	\$	816	\$	832
INTERMENTS AFTER 3:00 PM ADMINISTRATION FEE	\$	285	\$	450	\$	459	\$	468
DEEPENING LARGE LOT ADMINISTRATION FEE	\$	1,188	\$	1,211	\$	1,236	\$	1,260
DEEPENING CREMATION LOT ADMINISTRATION FEE	\$	297	\$	303	\$	309	\$	315
DISINTERMENT - CASKET	\$	1,188	\$	1,211	\$	1,236	\$	1,260
DISINTERMENT - CREMATED REMAINS	\$	297	\$	303	\$	309	\$	315

**REINFORCED FIBREGLASS LINER SUPPLY**

STANDARD SIZE	\$	475	\$	484	\$	494	\$	504
CREMATION, INGROUND	\$	148	\$	151	\$	154	\$	157
CHILDS LINER	\$	179	\$	182	\$	186	\$	189
HANDLING & PLACING VAULTS SUPPLIED BY FUNERAL HOMES	\$	297	\$	303	\$	309	\$	315

**INSTALLATION OF PLAQUES BY CITY IN  
SECTIONS C, D, E1,E2,E3,G3,G4,G5 & G6**

CEMETERY MAINTENANCE FUND	\$	123	\$	125	\$	128	\$	130
INSTALLATION	\$	184	\$	187	\$	191	\$	195
<b>Total</b>	\$	307	\$	313	\$	319	\$	325

MARKER PERMIT FOR INSTALLATION OF  
MEMORIALS BY OTHERS IN PIONEER AREAS  
(A,B) AND UPRIGHT SECTIONS OF SECTION G

(A,B) AND UPRIGHT SECTIONS OF SECTION G	\$	179	\$	182	\$	186	\$	189
MODIFICATION (RE-SETTING) OF MEMORIAL	\$	60	\$	61	\$	62	\$	64
CANOPY SERVICE ( 2ND TENT)	\$	101	\$	103	\$	105	\$	107
BUD VASE - NICHES	N/A		\$	197	\$	201	\$	205
IN-GROUND GALVANIZED FLOWER VASE	\$	62	\$	63	\$	64	\$	66
IN-GROUND GALVANIZED FLOWER VASE (SUPPLIED BY FUNERAL HOME)	\$	24	\$	25	\$	25	\$	26

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FEE FOR PLOT TRANSFER	\$	60	\$	61	\$	62	\$	64
ADDITIONAL USE FEE (3RD/+ BURIAL)	\$	297	\$	303	\$	309	\$	315
SUPPLY 2ND NICHE PLATE	\$	89	\$	91	\$	93	\$	95
DISPOSAL OF MARKER	\$	81	\$	82	\$	84	\$	86
TO SUPPLY PALL BEARER PER (2 EMPLOYEES)	\$	87	\$	89	\$	91	\$	92
ENGRAVING OF GRANITE SHUTTER	\$	226	\$	230	\$	235	\$	240
MEMORIAL TREE (with plaque)		N/A	\$	1,100	\$	1,122	\$	1,144
MEMORIAL BENCH (with plaque)		N/A	\$	2,500	\$	2,550	\$	2,601