

**City of Kelowna  
Regular Council Meeting  
AGENDA**



Monday, March 24, 2014  
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 3 - 10  

Regular PM Meeting - March 17, 2014
3. Public in Attendance  
  - 3.1 Lorna McParland, Artistic & Administrative Director, Alternator Centre for Contemporary Art, re: Annual Report 11 - 26  

To provide an Annual Report to Council.
4. Development Application Reports & Related Bylaws  
  - 4.1 Rezoning Application No. Z13-0038 - 721-725 Francis Avenue, Aldo & Wilma Clinaz 27 - 45  

To consider a proposal to legalize through zoning an existing fourplex that was originally approved as a duplex.

    - 4.1.1 Bylaw No. 10933 (Z13-0038) - 721-725 Francis Avenue, Aldo & Wilma Clinaz 46 - 49  

To give Bylaw No. 10933 first reading.
  - 4.2 Rezoning Application No. Z13-0037 - 3657 Highway 97 North, Raul Holdings Inc. 50 - 72  

To consider a proposal to rezone the subject property from the A1 – Agriculture 1 zone to the C10 – Service Commercial zone in order to develop a service commercial building containing four (4) tenant spaces.

4.2.1	Bylaw No. 10934 (Z13-0037) - 3657 Highway 97 North, Raul Holdings Inc.	73 - 76
	To give Bylaw No. 10934 first reading.	
4.3	Farm Help Housing Permit Application No. FH14-0002 - 1090 McKenzie Road, GP Sandher Holdings Ltd.	77 - 90
	To consider a request for a farm help permit for proposed renovations / addition to an existing dwelling to accommodate 48 seasonal agricultural workers.	
4.4	Farm Help Housing Permit Application No. FH14-0003 - 1240 Latta Road, GP Sandher Holdings Ltd.	91 - 99
	To consider a request for a farm help permit for proposed renovations/additions to an existing dwelling to accommodate 21 seasonal agricultural workers.	
5.	<b>Bylaws for Adoption (Development Related)</b>	
5.1	Bylaw No. 10916 (Z14-0003) - 4377 Gordon Drive, Richard & Michelle Kooistra	100 - 100
	To adopt Bylaw No. 10916 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone in order to allow a second dwelling on the parcel.	
6.	<b>Non-Development Reports &amp; Related Bylaws</b>	
6.1	2014 Carryovers	101 - 103
	To present the Volume 2 - 2014 Financial Plan to Council for approval and inclusion in the 2014 Financial Plan.	
6.2	Lakeshore Road - Dehart to McClure	104 - 107
	To seek Council approval to proceed with the design, property acquisition and construction of Lakeshore Road from Dehart to McClure Roads.	
6.3	New Council Policy No. 373 - Tourist Oriented Destination Signs	108 - 118
	To consider a Council Policy on responding to requests for tourism related directional signage.	
7.	<b>Mayor and Councillor Items</b>	
8.	<b>Termination</b>	



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, March 17, 2014  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Members Present: Mayor Walter Gray and Councillors Colin Basran, Maxine DeHart, Gail Given, Mohini Singh, Robert Hobson and Gerry Zimmermann

Members Absent: Councillors Andre Blanleil and Luke Stack

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Divisional Director, Active Living & Culture, Jim, Gabriel\*; Divisional Director Community Planning & Real Estate, Doug Gilchrist\*; Cultural Services Manager, Sandra Kochan\*; Community & Neighbourhood Programs Manager, Louise Roberts-Taylor\*; Revenue Manger, George King\*; Subdivision, Agriculture & Environment Director, Shelley Gambacort\*; Recreation Technician, Amber Gilbert; Council Recording Secretary, Arlene McClelland\* and Council Recording Secretary, Tania Tishenko

(\* 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 DeHart/Seconded By Councillor Zimmermann

R162/14/03/17 THAT the Minutes of the Regular Meetings of March 10, 2014 be confirmed as circulated.

Carried

## 3. Public in Attendance

### 3.1. Deborah Ward, President, Ballet Kelowna, re: Annual Report

Deborah Ward, President Ballet Kelowna:

- Displayed a PowerPoint Presentation summarizing Ballet Kelowna's Annual Report before Council.
- Responded to comments from Council.

### 3.2. Nancy Cameron, President & CEO, and Stan Martindale, Board of Directors Chair, Tourism Kelowna, re: Annual Report

Stan Martindale, Board of Directors Chair and Nancy Cameron, President & CEO Tourism Kelowna:

- Displayed a PowerPoint presentation to Council regarding Tourism Kelowna's Annual Report.
- Responded to questions from Council.

## 4. Committee Reports

### 4.1. Civic and Community Awards 2013 Finalists

Beryl Itani, Civic Awards Committee:

- Displayed a PowerPoint presentation summarizing the Civic Awards 2013 Finalists and responded to comments from Council.

## 5. Development Application Reports & Related Bylaws

### 5.1. Agricultural Land Reserve Appeal Application No. A13-0013 - 3030-3150 Balldock Road, Geraldine Weninger-Soetart

Staff:

- Presented a synopsis of the application.

- Responded to questions from Council.
- Mayor invited Applicant, or Applicant's Representative to address Council.
- No one came forward.

**Moved By Councillor Zimmermann/Seconded By Councillor Basran**

**R163/14/03/17** THAT Agricultural Land Reserve Appeal Application No. A13-0013 for Lot A Section 34 TWP 29 ODYD Plan KAP66973, located at 3030-3150 Balldock Road, for a two lot subdivision, pursuant to Section 21 (2) of the Agricultural Land Commission Act, be supported by Municipal Council;

AND THAT the Municipal Council directs staff to forward the subject application to the Agricultural Land Commission for consideration.

**Carried**

**5.2. Rezoning Application No. Z14-0007 - 375 Gibson Road, Karmjit & Balvir Gill**

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.
- Responded to questions from Council.

**Moved By Councillor Singh/Seconded By Councillor Given**

**R164/14/03/17** THAT Rezoning Application No. Z14-0007 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 Section 25 TWP 26 ODYD Plan 1760 Except Plan KAP60715 located on 375 Gibson Road, Kelowna, BC from the A1 - Agriculture zone to the A1t - Agriculture 1 with Agri-tourist Accommodation zone, be considered by Council;

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

**Carried**

**5.2.1. Bylaw No. 10930 (Z14-0007) - 375 Gibson Road, Robert Holden**

City Clerk :

- Advised that this application will be scheduled to the April 1, 2014 Public Hearing

**Moved By Councillor Given/Seconded By Councillor Zimmermann**

**R165/14/03/17** THAT Bylaw No. 10930 be read a first time.

Carried

**5.3. Official Community Plan Bylaw Amendment Application No. OCP14-0003 & Rezoning Application No. Z14-0004 - 145 Clifton Road North, Glenwest Properties Ltd.**

Staff:

- Displayed a PowerPoint Presentation before Council.
- Responded to questions from Council.

Moved By Councillor Hobson/Seconded By Councillor Zimmermann

**R166/14/03/17** THAT Official Community Plan Bylaw Amendment No. OCP14-0003 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of:

1. Part of the South West ¼ of Section 5 Township 23 ODYD Except Plans KAP83526, KAP88266, EPP9195, EPP24895 and EPP24897 located (W of) Union Rd. from the Major Park & Open Space designation to the Single/Two Unit Residential-Hillside designation and from the Single/Two Unit Residential-Hillside designation to the Major Park & Open Space designation;
2. Part of the North West ¼ of Section 5 Township 23 ODYD Except Plans 20895, KAP88266, EPP24895 and EPP24897, located at 185 Clifton Rd. N. from the Major Park & Open Space designation to the Single/Two Unit Residential-Hillside designation and from the Single/Two Unit Residential-Hillside designation to the Major Park & Open Space designation;
3. Part of Lot A Section 6 Township 23 ODYD Plan KAP70041, located at 145 Clifton Rd from the Major Park & Open Space designation to the Single/Two Unit Residential-Hillside designation and from the Single/Two Unit Residential-Hillside designation to the Major Park & Open Space designation; and
4. Part of The Fractional North East ¼ Section 6 Township 23 ODYD Except Plans 25017, KAP82511 and EPP12985, located at 103 Clifton Rd N from the Major Park & Open Space designation to the Single/Two Unit Residential-Hillside designation and from the Single/Two Unit Residential-Hillside designation to the Major Park & Open Space designation;  
as shown Map "A" attached to the report of Subdivision, Agriculture & Environment Services, dated March 5, 2014 be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Subdivision, Agriculture & Environment Services, dated March 5, 2014;

AND THAT Rezoning Application No. Z14-0004 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

1. Part of the South West  $\frac{1}{4}$  of Section 5 Township 23 ODYD Except Plans KAP83526, KAP88266, EPP9195, EPP24895 and EPP24897 located (W of) Union Rd. from the P3 -Parks and Open Space zone to the RU1H - Large Lot Housing (Hillside Area) zone and from the RU1H-Large Lot Housing (Hillside Area) zone to the P3 - Parks & Open Space zone;
2. Part of the North West  $\frac{1}{4}$  of Section 5 Township 23 ODYD Except Plans 20895, KAP88266, EPP24895 and EPP24897, located at 185 Clifton Rd. N. from the P3 - Parks and Open Space zone to the RU1H - Large Lot Housing (Hillside Area) zone and from the RU1H-Large Lot Housing (Hillside Area) zone to the P3 - Parks & Open Space zone;
3. Part of Lot A Section 6 Township 23 ODYD Plan KAP70041, located at 145 Clifton Rd. from the P3 -Parks and Open Space zone to the RU1H - Large Lot Housing (Hillside Area) zone and from the RU1H-Large Lot Housing (Hillside Area) zone to the P3 - Parks & Open Space zone; and
4. Part of The Fractional North East  $\frac{1}{4}$  Section 6 Township 23 ODYD Except Plans 25017, KAP82511 and EPP12985, located at 103 Clifton Rd N from the RR1 - Rural Residential 1 zone to the RU1H-Large Lot Housing (Hillside Area) zone.as shown on Map "B" attached to the report of Subdivision, Agriculture & Environment Services, dated March 5, 2014, be considered by Council;

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

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the 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 issuance of a Preliminary Layout Review by the City of Kelowna's Subdivision Approving Officer.

Carried

5.3.1. Bylaw No. 10929 (OCP14-0003) - 103 Clifton Road N, 145 Clifton Road, 185 Clifton Road N, and (E of) Upper Canyon Drive, Glenwest Properties Ltd.

Moved By Councillor Given/Seconded By Councillor DeHart

R167/14/03/17 THAT Bylaw No. 10929 be read a first time.

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

Carried

5.3.2. Bylaw No. 10931 (Z14-0004) - 103 Clifton Road N, 145 Clifton Road, 185 Clifton Road N and (E of) Upper Canyon Drive, Glenwest Properties Ltd.

Moved By Councillor DeHart/Seconded By Councillor Given

R168/14/03/17 THAT Bylaw No. 10931 be read a first time.

Carried

City Clerk:

- Advised that this application will be scheduled to the April 1, 2014 Public Hearing.

## 6. Non-Development Reports & Related Bylaws

### 6.1. Downtown Kelowna Association 2014 Budget

Staff:

- Provided a verbal report on the Downtown Kelowna Association 2014 Budget .

Moved By Councillor Given/Seconded By Councillor Hobson

R169/14/03/17..THAT Council approves the Downtown Kelowna Association 2014 Budget as outlined in the report of the Revenue Manager dated March 17, 2014;

AND THAT Council Approve the 2014 levy of \$780,850 on Class 5 and Class 6 properties located within the boundaries of the Kelowna Downtown Business Improvement Area.

Carried

## 6.2. Uptown Rutland Business Association 2014 Budget

Staff:

- Provided a verbal report on the Uptown Rutland Business Association 2014 Budget.
- Responded to questions from Council.

Moved By Councillor Zimmermann/Seconded By Councillor Basran

R170/14/03/17 THAT Council approves the Uptown Rutland Business Association 2014 Budget as outlined in the report of the Revenue Manager dated March 17, 2014;

AND THAT Council approve the 2014 levy of \$166,000 on Class 5 and Class 6 properties located within the boundaries of the Uptown Rutland Business Improvement Area.

Carried

## 6.3. Road Closure - Adjacent to 1935 Glenmore Road North

Moved By Councillor Basran/Seconded By Councillor Singh

R171/14/03/17 THAT Council receives the Report from the Manager, Real Estate Services dated March 4, 2014, recommending that Council adopt the proposed road closure of a portion of land adjacent to 1935 Glenmore Road North;

AND THAT Bylaw No. 10926, being proposed road closure of a portion of land adjacent to 1935 Glenmore Road North, be given reading consideration.

### 6.3.1. Bylaw No. 10926 - Road Closure Bylaw, Portion of Glenmore Road N

Moved By Councillor Basran/Seconded By Councillor Singh

R172/14/03/17 THAT Bylaw No. 10926 be read a first, second and third time.

Carried

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

### 7.1. Bylaw No. 10927 - Amendment No. 32 to Sewerage System User Bylaw No. 3480

Moved By Councillor Basran/Seconded By Councillor Singh

R173/14/03/17 THAT Bylaw No. 10927 be adopted.

Carried

7.2. Bylaw No. 10928 - Amendment No. 3 to Water Regulation Bylaw No. 10480

Moved By Councillor Basran/Seconded By Councillor Singh

R174/14/03/17 THAT Bylaw No. 10928 be adopted.

Carried

## 8. Mayor and Councillor Items

Councillor DeHart:

- Spoke to her attendance, along with Councillors Zimmerman and Hobson at the Okanagan Historical Society AGM, and encouraged all Councillors to attend next year's event.

## 9. Termination

This meeting was declared terminated at 3:13 p.m.

\_\_\_\_\_  
Mayor

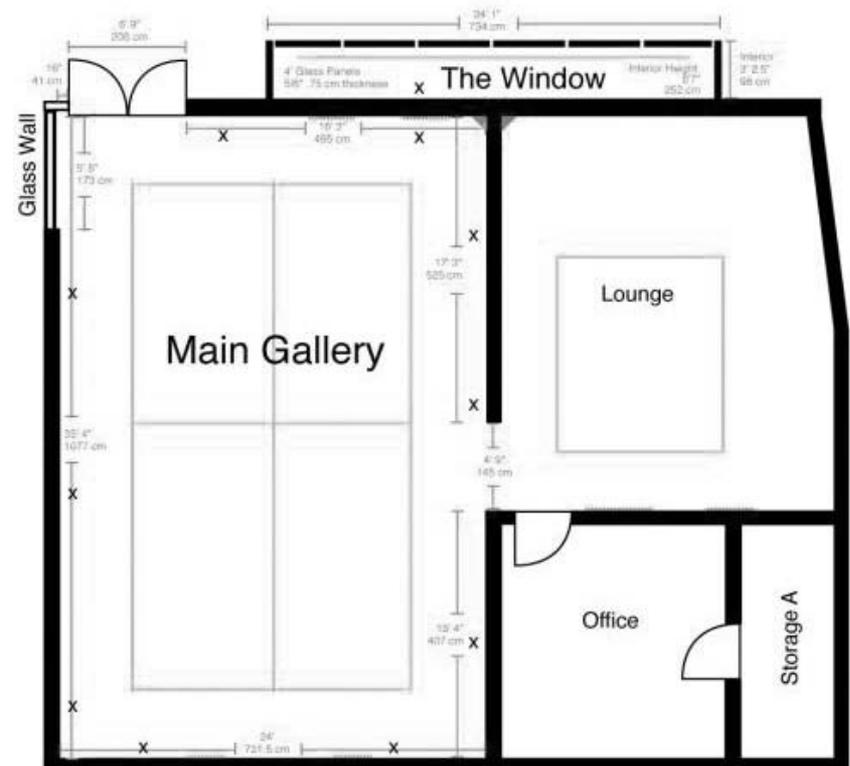
  
\_\_\_\_\_  
City Clerk

**ALTERNATOR**  

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**centre for contemporary art**

We are an Artist Run Centre in the Rotary Centre for the Arts in the heart of Kelowna's Cultural District.



## What we do:

- We Present exhibitions, site-specific installations, performances, interactive works and film-screenings
- We Provide support for emerging and alternative local artists by providing a network of collaboration and sharing, as well as studio space, workshops, mentorships and exhibition opportunities.
- We Create a gathering place for energetic and creative discourse.
- ACCA is committed to supporting people to live as artists through adherence to **CAR/FAC** (Canadian Artists Representation) fees.

## Our Role in the Cultural Climate of Kelowna

- We provide **accessible, dynamic and adaptable** opportunities to local artists and arts supporters.
- We play an important role in the lives of **young professionals** who see sophisticated and diverse arts experiences as part of an attractive and vibrant **community**.



## Our Role in the Cultural Climate of Kelowna

*I just wanted to reiterate how much we enjoy having the Alternator as part of the **Rotary Centre for the Arts**.*

*Not only do you contribute to the great **energy** of the building with your exhibits, events and receptions, we also benefit from the **younger audience demographic** that the Alternator attracts to the centre. The gallery's **collaborative** nature is really appreciated when we are hosting large scale events, and your presence was instrumental to us in developing our new relationship with UBC Okanagan.*

*Overall, the Alternator helps the RCA fulfill our **mandate** to provide arts educational and appreciation events and we truly value that.*

**Patrick LeBlanc**  
General Manager, RCA

2014 Programming  
Ella Morton • **Geotrope**



## 2014 Programming

Serge Oliver Rondeau & Charles-Antoine Blais Métivier • **After Faceb00k**



2014 Programming  
Tony Stallard • **New Breed**



## Our Audience

*“It's great to see art from local artists, and non-traditional pieces. I love interactive art, and art that combines technology and an appeal for younger audiences.”*

*“Love what the Alternator does - continue to take risks, you bring a really unique perspective to the local arts scene. Also wanted to mention the great job you do with social media and running contests!”*

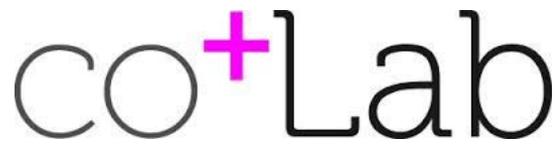
*“I love the Idea of the window possibly being a separate space. I am sure it will encourage more emerging artists to apply.”*

# Our Audience

## Community Engagement



## Our Partners



En'owkin Centre



## Our Impact

### Employment Impact

- 1 full-time staff
- 3 part-time staff
- 2 part-time practicum students
- 1 full-time summer student

### Economic Impact

In addition to the funds invested in the Alternator by the City of Kelowna, annually we generate in excess of \$100,000 from external funding sources for our region.

# Links with the Cultural Plan

## Goal 2

### Optimize Existing Cultural Facilities



# Links with the Cultural Plan

## Goal 3

### Find More & Different Kinds of Affordable Cultural Spaces



## Links with the Cultural Plan

### Goal 6

### Cultural Citizenship and Creative Fitness

*‘The interests, needs and behaviours of young adults, who tend to have less disposable income, are different and are at risk of being swept aside by an aging demographic wave.’*

*‘Cultural growth should be organic, not just the result of City programming. More structure does not always equal more creative success.’*

*Engaging, Inspiring*

*Thriving,*

*2012-2017 Cultural Plan  
City of Kelowna*

**ALTERNATOR**  

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**centre for contemporary art**

# REPORT TO COUNCIL



**Date:** March 17, 2014  
**RIM No.** 1250-30  
**To:** City Manager  
**From:** Urban Planning, Community Planning & Real Estate (JM)  
**Application:** Z13-0038 **Owner:** Aldo & Wilma Clinaz  
**Address:** 721-725 Francis Avenue **Applicant:** Lynn Welder Lalonde  
**Subject:** 2014 03 24 Report Z13-0038 721-725 Francis Ave  
**Existing OCP Designation:** MRL - Multiple Unit Residential (Low Density)  
**Existing Zone:** RU6 - Two Dwelling Housing  
**Proposed Zone:** RM1 - Four Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z13-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lots 1 and 2, District Lot 136, ODYD, Strata Plan KAS1005 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown In Form 1, located on 721-725 Francis Avenue, Kelowna, BC from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling Housing zone be, considered by Council;

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

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

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

## 2.0 Purpose

To consider a proposal to legalize through zoning an existing fourplex that was originally approved as a duplex.

### 3.0 Urban Planning Department

Urban Planning Department staff are supportive of the land use, as it furthers the long-range policy objectives of the Official Community Plan, which anticipates low density multiple unit residential development fronting Richter Street. Also, the applicant has in this case, been cooperative in working with staff to make improvements to the exterior of the building and to the site's landscaping.

Nevertheless, even where supported by the OCP, the legalization of existing illegal fourplexes - usually constructed as duplexes - presents substantial challenges both for staff and for applicants. For staff, the most significant of these challenges is one of form and character. As it is, the proposal does not meet the necessary Development Permit Guidelines within the OCP, and, were this new construction, staff would not support the proposal on the grounds that it does not meet the overall standards for design quality for multiple unit residential development. As further evidence of this, requests for these legalizations often trigger multiple variances and encounter challenges with Floor Area Ratio regulations because the manner in which the sites were originally subdivided and developed is not suited to accommodating the additional units.

This leaves staff in a very challenging position where they are forced to negotiate for whatever form and character improvements that applicants are prepared to provide. This changes on a case-by-case basis and sets an uneven playing field for applicants and staff. In addition, allowing the legalization of these structures - which were not originally designed as four-plexes and which do not meet many of the OCP's form and character objectives - erodes the valuable cooperative work that staff and applicants undertake in designing *new* fourplexes that meet the OCP's objectives.

From the applicant's standpoint, the conversion of duplexes to fourplexes can be a costly exercise. Building Code requirements between the two housing forms are substantially different, and it can be very expensive to upgrade an older building to bring it into compliance with current standards.

Finally, in a competitive housing market, legalizing fourplexes originally approved as duplexes reduces the incentive to develop new, appropriately designed fourplex housing, particularly from a price competition perspective.

In order to address these concerns, Urban Planning staff will be preparing a Bulletin for members of the public that will establish baseline expectations for the legalization of fourplex development.

## 4.0 Proposal

### 4.1 Background

The structure on site that presently contains four dwellings was originally permitted as a duplex in 1991. At some point after its original construction, the building was illegally converted into a fourplex. While staff suspect that the fourplex has been operating illegally for several years, City of Kelowna Bylaw Services staff only became formally involved as of February, 2013. Following action by Bylaw staff, a formal application to legalize the fourplex was made in October, 2013.

### 4.2 Project Description

The subject property is presently zoned RU6 - Two Dwelling Housing, and contains one two-storey principal structure consisting of four dwelling units. Each unit has separate access at grade, with two units located on the main floor accessing directly off the carports, and two additional units above accessing from each side of the building.

The site's east side flanks a lane, and takes vehicular access from two driveways on Francis Avenue and one driveway on the laneway. Private open space for residents is principally contained in the rear yard.

In concert with the Rezoning, the proponent has also made application for a Development Variance Permit for two items: to increase the maximum site coverage for buildings, driveways and parking areas from 50% permitted to 57% proposed, and to permit vehicular access from the lane as well as the fronting street.

A Development Permit is also required in order to evaluate the form and character of the fourplex.

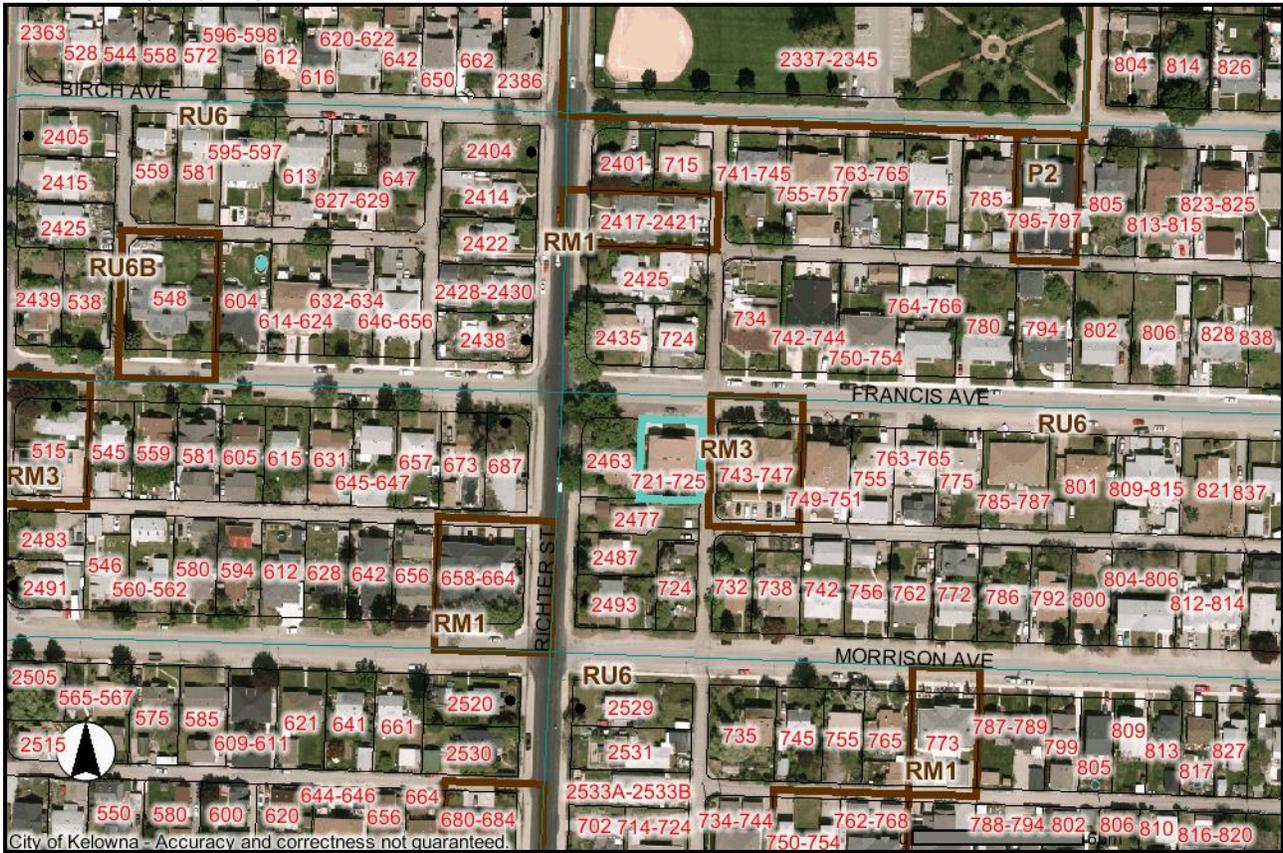
#### 4.3 Site Context

The subject property is located on the south side of Francis Avenue, approximately 20m east of its intersection with Richter Street. The lot currently contains an illegal fourplex structure, and two accessory buildings in the rear yard. The surrounding area is characterized by a mix of single dwelling housing, duplex housing, and low density multiple dwelling housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	Single detached dwellings Duplex dwellings
East	RU6 - Two Dwelling Housing	Single detached dwellings Duplex dwellings
South	RU6 - Two Dwelling Housing	Single detached dwellings
West	RU6 - Two Dwelling Housing	Single detached dwellings Fourplex

Subject Property Map: 721-725 Francis Avenue



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	700 m <sup>2</sup>	707 m <sup>2</sup>
Lot Width	20.0 m	23.20 m
Lot Depth	30.0 m	30.47 m
Development Regulations		
Floor Area Ratio	0.6	0.594
Height	Lesser of 9.5 m or 2 ½ storeys	7.9 m / Two storeys
Front Yard	6.0 m	6.33 m
Side Yard (east)	2.5 m	3.38 m
Side Yard (west)	2.5 m	3.38 m
Rear Yard	7.5 m	8.81 m
Site Coverage (buildings)	40%	36.26%
Site Coverage (buildings, driveways & parking areas)	50%	57%●
Other Regulations		
Minimum Parking Requirements	7 stalls	8 stalls
Private Open Space	100 m <sup>2</sup>	-109 m <sup>2</sup>
Access Restrictions	Lane Only	Frontage Street & Lane●

- Indicates a requested variance to the maximum a site coverage of buildings, driveways, and parking areas from 50% permitted to 57% proposed.
- Indicates a requested variance to allow from the lane and from the fronting street.

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

The Future Land Use designation of the subject property in the OCP is MRL - Multiple Unit Residential (low density).

#### 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.

**Complete Suburbs.**<sup>2</sup> Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context. Building heights in excess of four storeys will not be supported within the suburban areas, unless provided for by zoning existing prior to adoption of OCP Bylaw 10500.

**Ensure adherence to form and character, natural environment, hazardous condition and conservation guidelines.**<sup>3</sup>

**Sensitive Infill.**<sup>4</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- 2) Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- 3) Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 06, so provide size of ducts and fire separation details at time of Building Permit Applications.
- 4) A fire rated exit stairwell is required from the 2nd Floor to the exterior. Please provide these details on the building permit drawing sets at time of application.

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

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

<sup>3</sup> City of Kelowna Official Community Plan, Objective 5.4 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

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

6.2 Development Engineering Department

See attached Memorandum, dated October 17, 2013.

6.3 Bylaw Services

City of Kelowna Bylaw Services has an open Service Request, #248729, for illegal suites at this location. The file was generated on February 1, 2013 and remains open to this day.

6.4 Fire Department

No concerns.

6.5 Interior Health Authority

As the subject property is serviced by community sanitary sewer and community water systems and the proposed development would serve to increase density this office has no concern or objection to the proposed development.

6.6 RCMP

The RCMP have no comments regarding this application.

6.7 Shaw

Shaw Cable approves the proposed new 4 plex development at 721/725 Francis Avenue.

Owner/ developer to supply and install an underground conduit system per Shaw Cable drawings and specifications.

6.8 Telus

No Comment.

6.9 FortisBC

There are primary distribution facilities within the laneway adjacent to the subject's east property line. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

6.10 FortisBC Energy

No comment.

**7.0 Application Chronology**

Date of Application Received: October 10, 2013

Date Circulation Complete: November 13, 2013

Public Notification & Consultation: July 9-29, 2013

Additional Information Requested: November 29, 2013

Additional Information Received: February 15, 2014

Outstanding Information Received: March 3, 2014

**Report prepared by:**

---

James Moore, Land Use Planner

**Reviewed by:**

Ryan Smith, Urban Land Use Manager

**Approved for Inclusion:**

D. Gilchrist, Div. Director, Community Planning & Real Estate

**Attachments:**

Subject Property Map

Site Plan

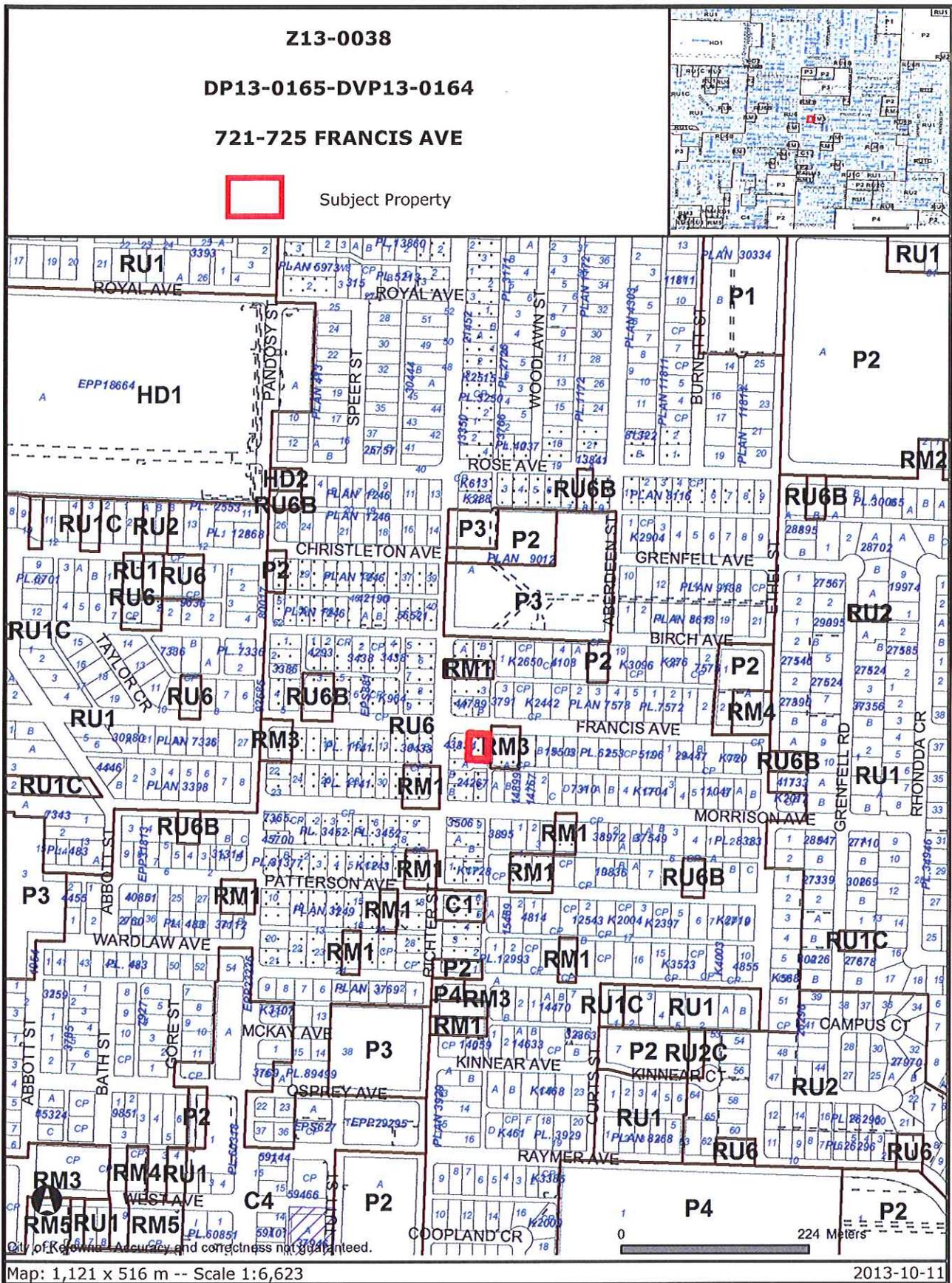
Floor Plans

Conceptual Elevations

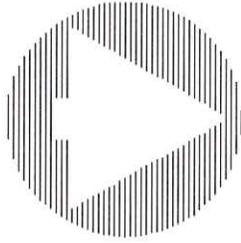
Landscape Plan

Context/Site Photo

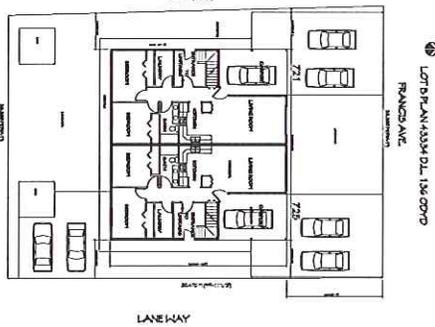
Development Engineering Memorandum, dated October 17, 2013



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



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AS BUILT DRAWINGS FOR:  
 MR. AND MRS. WILMA AND ALDO CLINAZ  
 PROPERTY LOCATED AT:  
 721 AND 725 FRANCIS AVE.,  
 KELOWNA, B.C. CANADA  
 V1Y 5G5  
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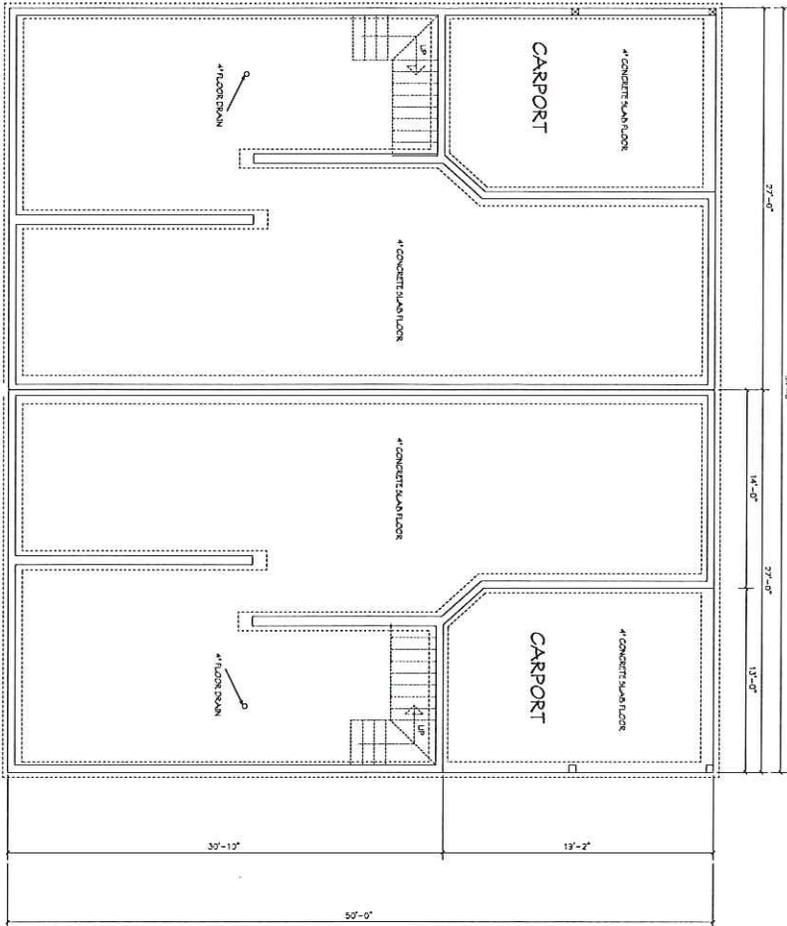
PROJECT NO. RST 13-015  
 PAGE 1

PURCHASER TO VERIFY ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION- ALL CONSTRUCTION MUST COMPLY WITH ALL LOCAL BUILDING CODES											
<table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>1</td> <td>AS BUILT DRAWINGS</td> <td>NOV. 12, 2015</td> </tr> </table>	NO.	DESCRIPTION	DATE	1	AS BUILT DRAWINGS	NOV. 12, 2015	<table border="1"> <tr> <td>DATE: NOV 12, 2015</td> <td>DRAWN BY: RSM</td> </tr> <tr> <td>CHECKED BY: RSM</td> <td>SCALE: 1/4" = 1'-0"</td> </tr> </table>	DATE: NOV 12, 2015	DRAWN BY: RSM	CHECKED BY: RSM	SCALE: 1/4" = 1'-0"
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DATE: NOV 12, 2015	DRAWN BY: RSM										
CHECKED BY: RSM	SCALE: 1/4" = 1'-0"										
<p><b>AS BUILT DRWGS.</b></p>											


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# AS BUILT DRAWINGS FOR

721 725 FRANCIS AVE.



## FOOTING AND FOUNDATION PLAN

ALL MEASUREMENTS HAVE BEEN SUPPLIED BY THE OWNER

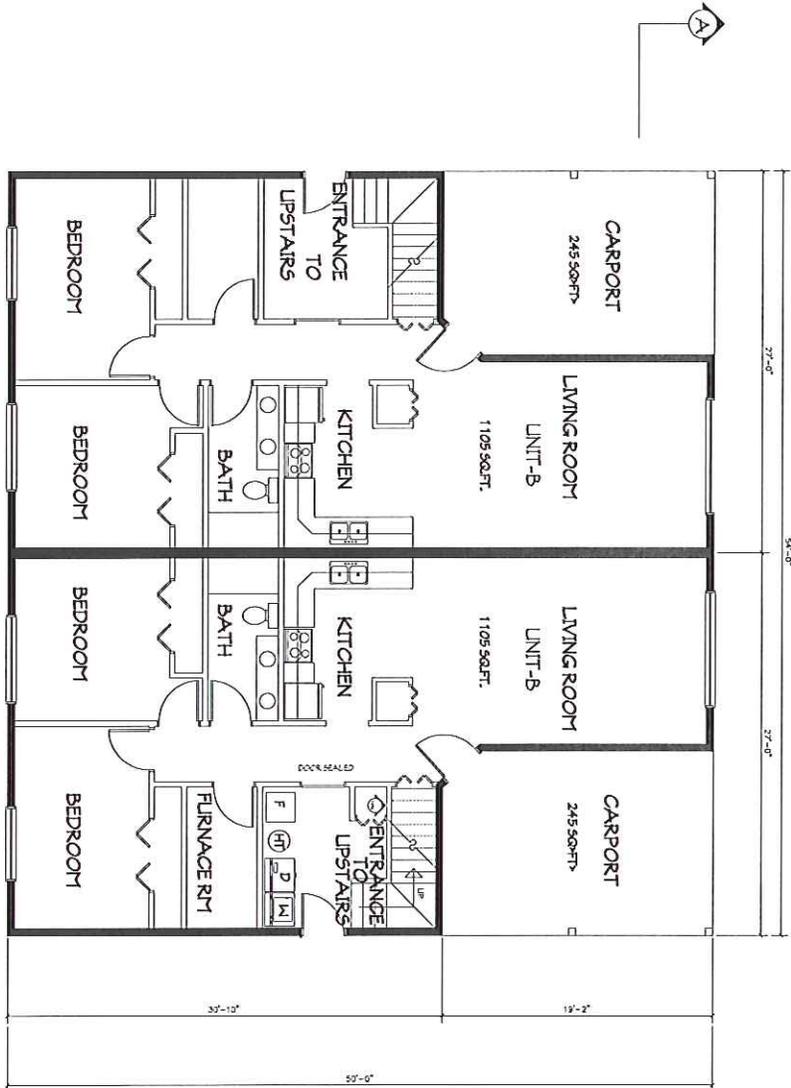


PURCHASER TO VERIFY ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION- ALL CONSTRUCTION MUST COMPLY WITH ALL LOCAL BUILDING CODES

<b>AS BUILT DRWGS.</b> PROJECT NO. RSM 13-015 PAGE 2	<b>AS BUILT DRAWINGS</b> MR. & MRS. ALDO CLINAZ KELOWNA, B.C.	<b>SCALE: 1/4" = 1'-0"</b> UNLESS INDICATED	RSM DRAFTING SERVICES LTD. 453 GILCHENA DR. KELOWNA, B.C. CANADA V1Y 4E8 TEL: 250-212-3212 'WE DRAH-YOUR DREAMS' WWW.RSM-DRAFTING.COM COPYRIGHT © RSM DRAFTING SERVICES LTD.
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# AS BUILT DRAWINGS FOR

721 725 FRANCIS AVE.



## BASEMENT LAYOUT

NOTES:  
1. THIS DRAWING HAS BEEN MADE TO  
ASSURE THE ACCURACY OF DIMENSIONS  
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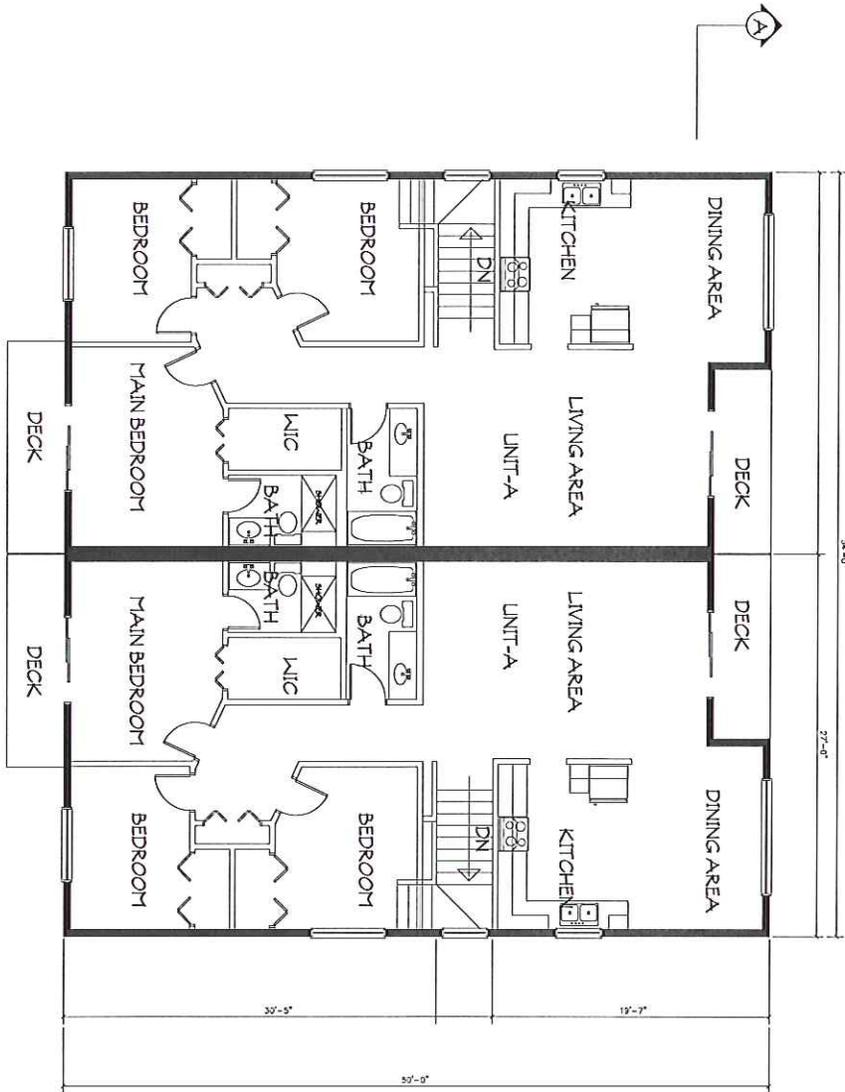
PURCHASER TO VERIFY ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION- ALL CONSTRUCTION MUST COMPLY WITH ALL LOCAL BUILDING CODES

SHEET INDEX NO. SHEET TITLE 1. COVER SHEET 2. FOUNDATION 3. FLOOR PLAN 4. WALL SECTION 5. WINDOW SECTION 6. DOOR SECTION 7. STAIRS	HISTORY DATE: 26.12.2013 DRAWN BY: J.S. CHECKED BY: J.S. NO. 12013	SHEET TITLE <b>BASEMENT LAYOUT</b>	RSM DRAFTING SERVICES LTD. 453 GULCHENA DR. KELOWNA, B.C. CANADA V1Y 1A5 PH. 250-212-2212 "WE DRAH-YOUR DREAMS" WWW.RSM-DRAFTING.COM
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PAGE: 3	A3.1	COPYRIGHT OF: RSM DRAFTING SERVICES LTD.	37

# AS BUILT DRAWINGS FOR

721

725 FRANCIS AVE.



## MAIN FLOOR LAYOUT

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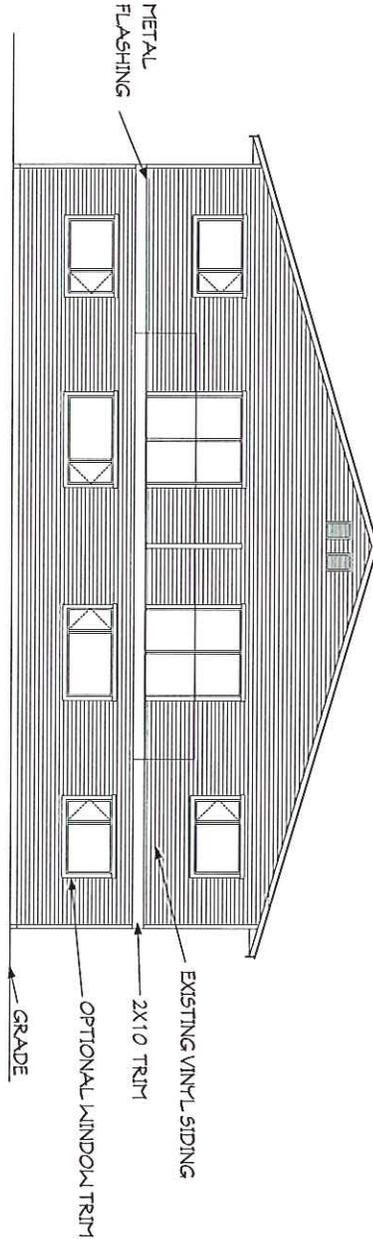
PURCHASER TO VERIFY ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION- ALL CONSTRUCTION MUST COMPLY WITH ALL LOCAL BUILDING CODES

<p>PROJECT NO. RSM 13-015</p> <p>AS BUILT DWGS.</p>		<p>DATE: MAY 28, 2013</p> <p>NO. 13-015</p> <p>NOV. 12, 2013</p>	<p>REVISIONS:</p> <p>NO. DESCRIPTION</p>	<p>PROJECT: RSM 13-015</p> <p>CLIENT: MR. &amp; MRS. ALDO CLINAZ</p> <p>LOCATION: KELOWNA, B.C.</p>	<p>2-SHEET TITLE</p> <p>MAIN FLOOR LAYOUT</p>
<p>NO. SHEET TITLE</p> <p>ZONE</p> <p>DESCRIPTION</p> <p>REVISIONS</p> <p>DATE</p> <p>BY</p> <p>REVIEWED</p> <p>DATE</p> <p>BY</p>	<p>NO. SHEET TITLE</p> <p>ZONE</p> <p>DESCRIPTION</p> <p>REVISIONS</p> <p>DATE</p> <p>BY</p> <p>REVIEWED</p> <p>DATE</p> <p>BY</p>	<p>NO. SHEET TITLE</p> <p>ZONE</p> <p>DESCRIPTION</p> <p>REVISIONS</p> <p>DATE</p> <p>BY</p> <p>REVIEWED</p> <p>DATE</p> <p>BY</p>	<p>NO. SHEET TITLE</p> <p>ZONE</p> <p>DESCRIPTION</p> <p>REVISIONS</p> <p>DATE</p> <p>BY</p> <p>REVIEWED</p> <p>DATE</p> <p>BY</p>	<p>NO. SHEET TITLE</p> <p>ZONE</p> <p>DESCRIPTION</p> <p>REVISIONS</p> <p>DATE</p> <p>BY</p> <p>REVIEWED</p> <p>DATE</p> <p>BY</p>	<p>NO. SHEET TITLE</p> <p>ZONE</p> <p>DESCRIPTION</p> <p>REVISIONS</p> <p>DATE</p> <p>BY</p> <p>REVIEWED</p> <p>DATE</p> <p>BY</p>

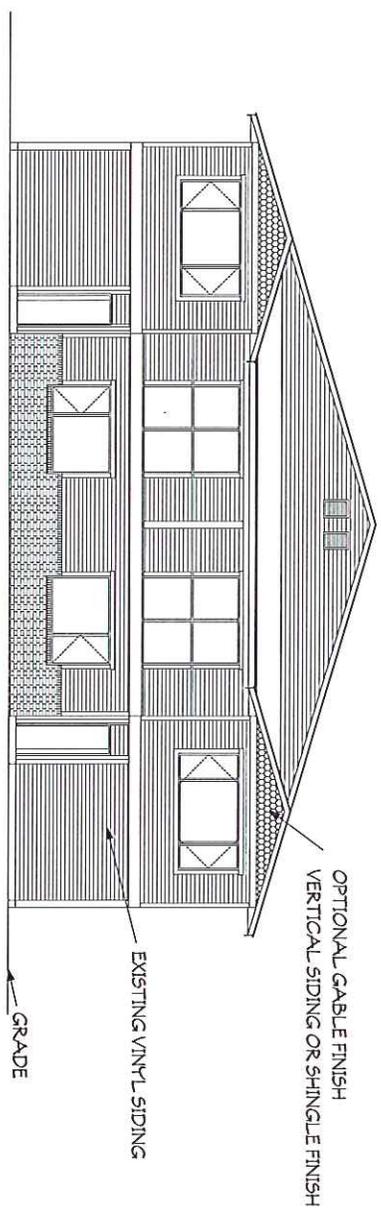

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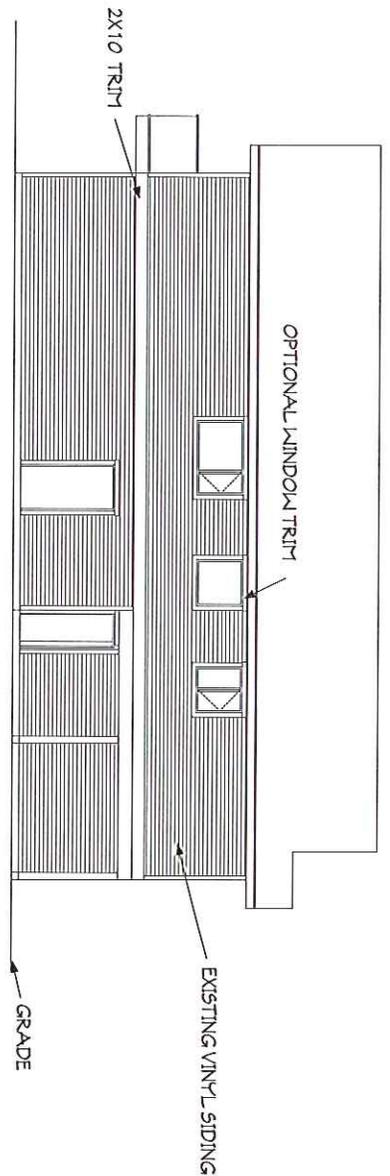
REAR ELEVATION



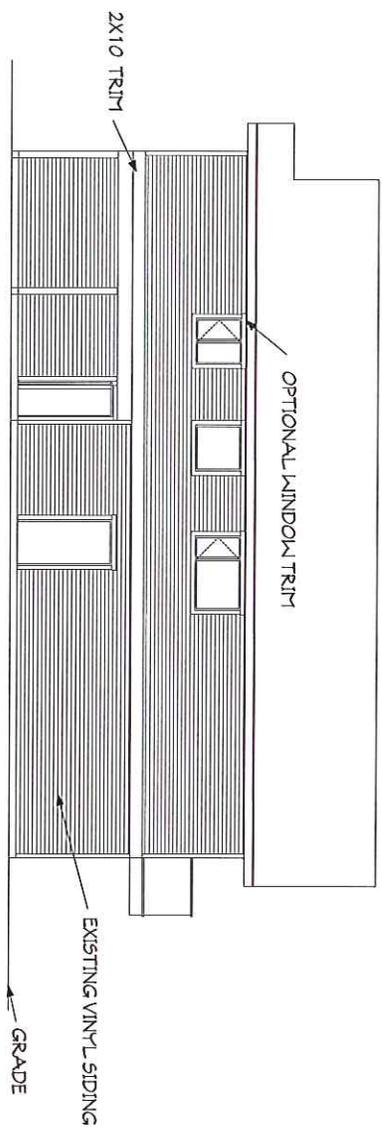
FRONT ELEVATION  
ALTERNATE

PURCHASER TO VERIFY ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION- ALL CONSTRUCTION MUST COMPLY WITH ALL LOCAL BUILDING CODES

PROJECT NO. RSM 13-015 PAGE 5	SHEET INDEX NO. SHEET TITLE NO. COVER NO. FOUNDATION NO. FLOORING NO. FINISHES NO. EXTERIOR BLIND NO. SECTIONS NO. DETAILS	HISTORY DATE: 24.02.13 DRAWN BY: J.S. CHECKED BY: J.S. DATE: 24.02.13 NO. 128913	2-BEST TITLE <b>ELEVATIONS</b>	 RSM DRAFTING SERVICES LTD. 453 QUELCH-DNA ER, KELOWNA, B.C. CANADA V1Y4A5B PH: 250-212-3212 "WE DRAW YOUR DREAMS" WWW.RSM-DRAFTING.COM
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LEFT ELEVATION



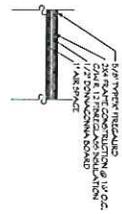
RIGHT ELEVATION  
ALTERNATE

PURCHASER TO VERIFY ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION- ALL CONSTRUCTION MUST COMPLY WITH ALL LOCAL BUILDING CODES

PROJECT NO. <b>RSM 13-015</b>	SHEET INDEX NO. SHEET TITLE 1. FOUNDATION 2. EXTERIOR WALLS 3. ROOFING 4. FLOORING 5. INTERIORS 6. FINISHES 7. MECHANICAL 8. ELECTRICAL 9. SANITARY 10. OTHER	DRAWING DATE: <b>FEB 2015</b>	SHEET TITLE: <b>ELEVATIONS</b>	RSM DRAFTING SERVICES LTD. 450 BULLOCK AVE. KELOWNA, B.C. CANADA V1Y 4S8 PH. 250-212-3212
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PAGE <b>6</b>	A2.0			

**NOTES:**

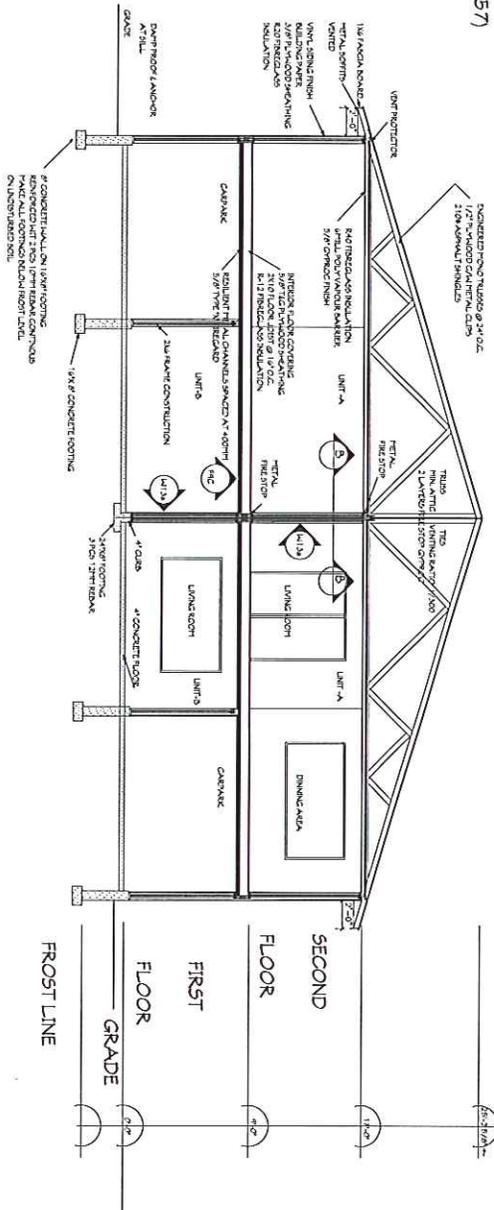
- F9C - INTERIOR FLOOR COVERING
- 5/8" SUB FLOOR
- 2X10 FLOOR JOISTS @ 16" O.C.
- R-12 INSULATION
- RESILIENT METAL CHANNELS SPACED AT 400MM O.C.
- 5/8" TYPE IX FREGARD



**SECTION B-B**  
COMMON WALL-M13A

- M13A COMMON WALL (60 MIN. RATING STG 57)
- 5/8" TYPE IX FREGARD
- 2X4 STUD WALLS @ 16" O.C.
- C/M R12 INSULATION
- BOTH SIDES AND 1" AIRSPACE
- 5/8" TYPE IX FREGARD

- M4A WALL BETWEEN SUITE AND UPPER FLOOR ENTRANCE (60 MIN. RATING STG 51)
- 5/8" TYPE IX FREGARD
- 2X4 STUD WALL @ 16" O.C.
- C/M R12 INSULATION
- RESILIENT METAL CHANNELS ON ONE SIDE SPACED 400MM OR 600MM O.C.
- 2-LAYERS 5/8" TYPE IX FREGARD



**SECTION A-A**

- RERER TO BCBC 9.10.3.1A
- STC - SOUND TRANSMISSION CODE
- CO2 DETECTORS TO BE INSTALLED IN ALL SUITES

PURCHASER TO VERIFY ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION. ALL CONSTRUCTION MUST COMPLY WITH ALL LOCAL BUILDING CODES

<p><b>SHEET INDEX</b></p> <table border="1"> <tr><th>NO.</th><th>SHEET TITLE</th></tr> <tr><td>1</td><td>COVER</td></tr> <tr><td>2</td><td>FOUNDATION</td></tr> <tr><td>3</td><td>CONSTRUCTION</td></tr> <tr><td>4</td><td>1ST FLOOR PLAN</td></tr> <tr><td>5</td><td>2ND FLOOR PLAN</td></tr> <tr><td>6</td><td>DETAILS</td></tr> </table>		NO.	SHEET TITLE	1	COVER	2	FOUNDATION	3	CONSTRUCTION	4	1ST FLOOR PLAN	5	2ND FLOOR PLAN	6	DETAILS	<p><b>PROJECT NO.</b> RSM13-015</p> <p><b>PAGE</b> 7</p>		
NO.	SHEET TITLE																	
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<p><b>SECTION &amp; DETAILS</b></p> <p>AS BUILT DRAWINGS MR. &amp; MRS. ALDO CLINAZ KELOWNA, B.C.</p>		<p><b>RSM DRAFTING SERVICES LTD.</b> 453 OULDOENA DR. KELOWNA, B.C. CANADA V1W 4S8 P4. 250-212-3212</p> <p>"WE DREAM YOUR DREAMS" WWW.RSM-DRAFTING.COM</p> <p>COPYRIGHT OF: RSM DRAFTING SERVICES LTD.</p>																





## Z13-0038 SITE PHOTOS



View of the subject property from Francis Avenue looking south.



View of the subject property from the adjacent laneway, looking west.

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

---

**Date:** October 17, 2013  
**File No.:** Z13-0038  
**To:** Urban Planning (JM)  
**From:** Development Engineering Manager  
**Subject:** 721 – 725 Francis Ave

RU6 to RM1

---

Development Engineering has the following comments and requirements associated with this application to rezone from RU6 to RM1.

1. Domestic Water and Fire Protection

Our records indicate that this property is serviced with two 19mm diameter copper water services. The current by-law requires that only one service be permitted for this application. **The disconnection of the existing services and the tie-in of a larger new service can be provided by City forces at the applicant's expense.** For estimate inquiry's please contact Sergio Sartori, by email [ssartori@kelowna.ca](mailto:ssartori@kelowna.ca) or phone, 250-469-8589.

2. Sanitary Sewer

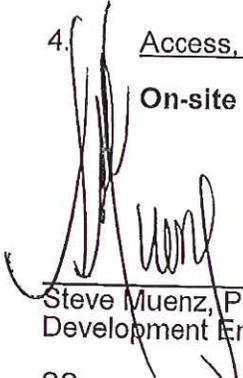
Our records indicate that this property is currently serviced with two 100mm-diameter sanitary sewer services. The current by-law requires that only one service be permitted for this application. An inspection chamber (IC) complete with brooks box must be installed on the remaining service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Sergio Sartori, by email [ssartori@kelowna.ca](mailto:ssartori@kelowna.ca) or phone, 250-469-8589.

3. Road Improvements

Francis Ave must be upgraded to an urban standard along the full frontage of this property, including curb and gutter, piped storm drainage facilities, and pavement widening. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$8,397.00 not including utility service costs**

4. Access, Manoeuvrability and Parking Requirements

**On-site parking modules must meet bylaw requirements.**



---

Steve Muenz, P. Eng.  
Development Engineering Manager

SS

**CITY OF KELOWNA**  
**BYLAW NO. 10933**  
**Z13-0038 - Aldo and Wilma Clinaz**  
**721 - 725 Francis Avenue**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Strata Lots 1 and 2, District Lot 136, ODYD, Strata Plan KAS1005 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown In Form 1, located on 721 - 725 Francis Avenue, Kelowna, B.C., from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling Housing Zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

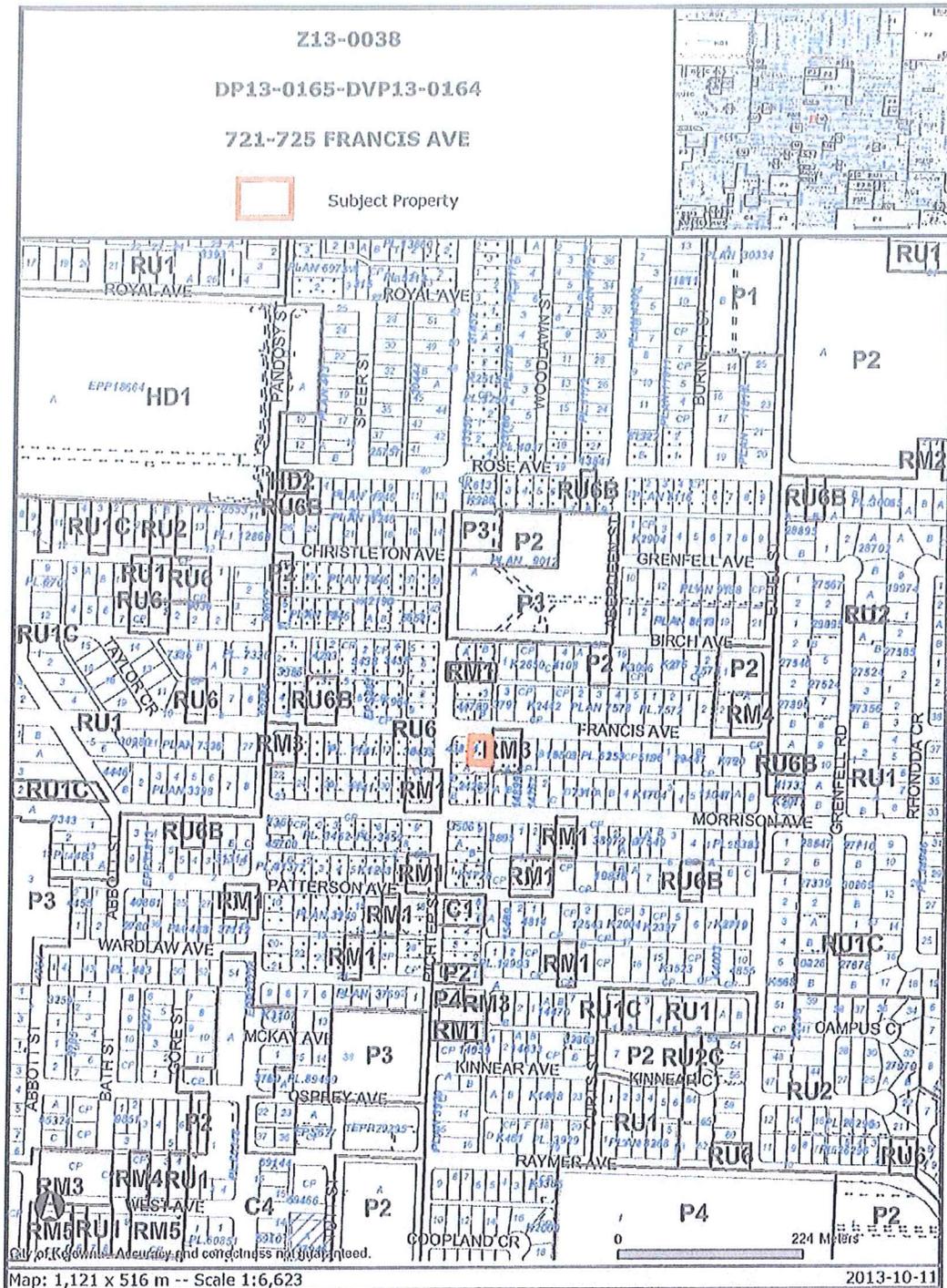
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

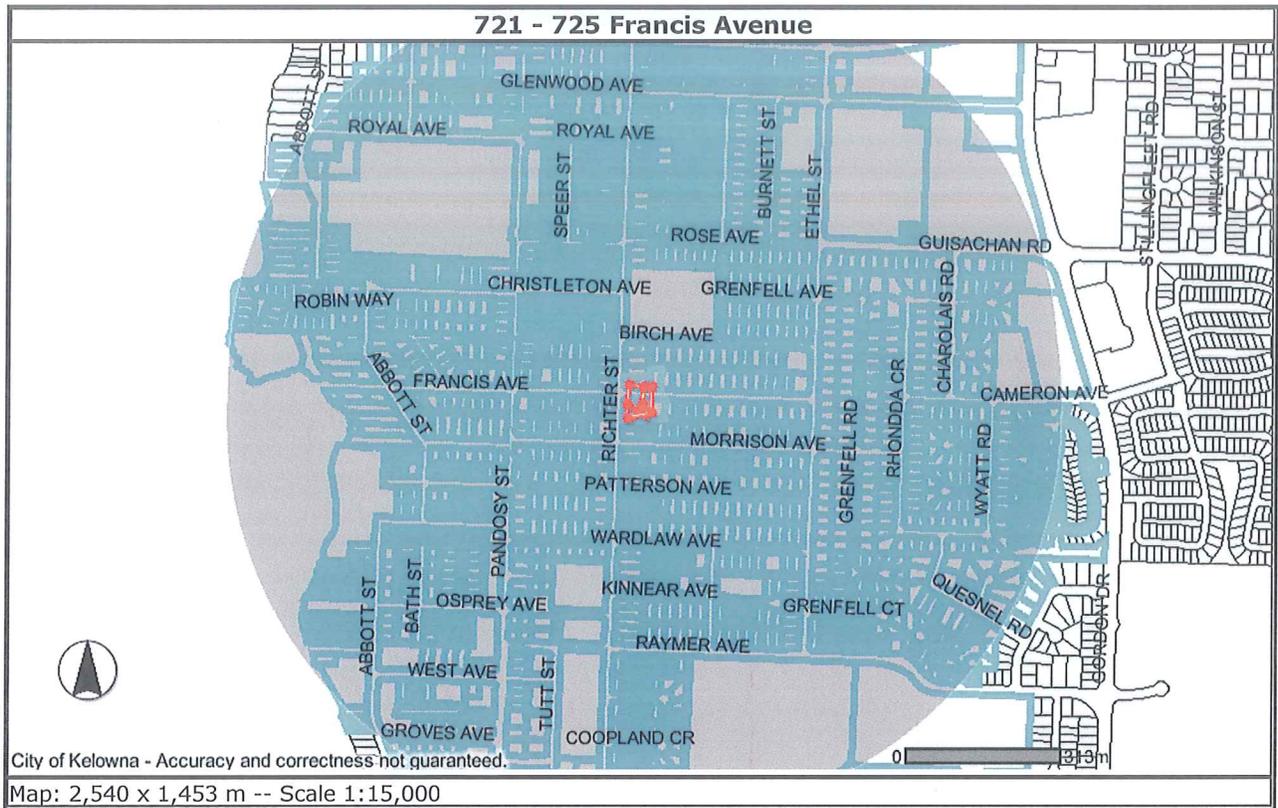
Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

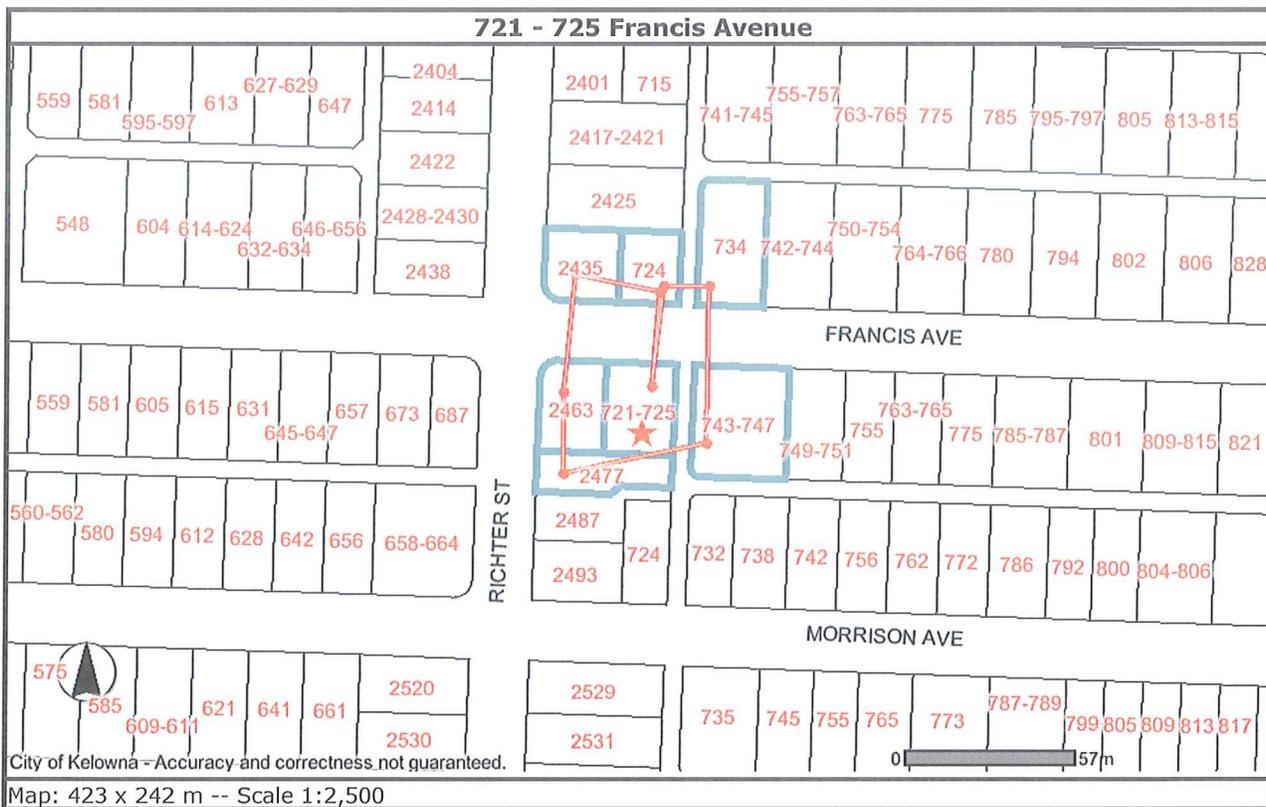
\_\_\_\_\_  
City Clerk



*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.*



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



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



landscaping place considerable design effort on the site's Highway 97 frontage, which contributes to the development of an improved highway corridor.

The proposal contemplates a significant reduction in the required landscape buffer directly abutting lands in the ALR. Following OCP direction, staff seek to ensure the compatibility of adjacent development with agricultural lands. However, given the location of the building on the site, the nature of the proposed development, and the proposed buffer treatment, staff feel that the proposal adequately mitigates any potential negative impacts. Should the land use be supported by Council, the variance request will be explored more fully by staff at a later date.

## **4.0 Proposal**

### **4.1 Background**

The applicant has conducted Neighbour Consultation in accordance with the requirements of Council Policy No. 367. Of the 6 properties contacted with regards to the development proposal, none were opposed, and one was in support.

### **4.2 Project Description**

The applicant is proposing to develop a service commercial building on the subject property. The building will be a single storey with a mezzanine, having a total building footprint of 590m<sup>2</sup> and a total floor area of 826m<sup>2</sup> (including mezzanine). The building will contain space for up to four tenants, each having their own loading bay access at the rear of the building.

The building is oriented so that it fronts Highway 97N, and it is from that frontage that the main entrances for all the tenant spaces are taken. It is also the highway frontage of the proposed building that benefits from the highest level of design detail and visual interest.

While the building fronts Highway 97, its access is located at the opposite side of the site at Lansdowne Place. Garbage and recycling for the development is located on the south side of the building, and is appropriately screened from view.

The southern property line directly abuts agricultural land situated within the Agricultural Land Reserve (ALR). Accordingly, increased buffer requirements are triggered on the subject property in accordance with both City and ALC policy. Beyond the policy direction for a larger landscape buffer adjacent to ALR lands, there is a minimum Zoning Bylaw standard of a 3.0m buffer. The proponent has made application for a Development Variance Permit to reduce the landscape buffer requirement from 3.0m required to 1.0m proposed.

Alongside the Development Variance Permit, Development permits are also required to evaluate the form and character of the proposed development as well as its impact on adjacent farmland. Should Council give favourable consideration to the proposal, both application will be brought forward in concert with final adoption of the rezoning.

### **4.3 Site Context**

The subject property fronts the south side of Highway 97N, approximately 150m southwest of its intersection with Commercial Drive in the Rutland sector of the city. The 0.36ha lot is generally triangular in shape, and takes its principal access from the east at Lansdowne Place.

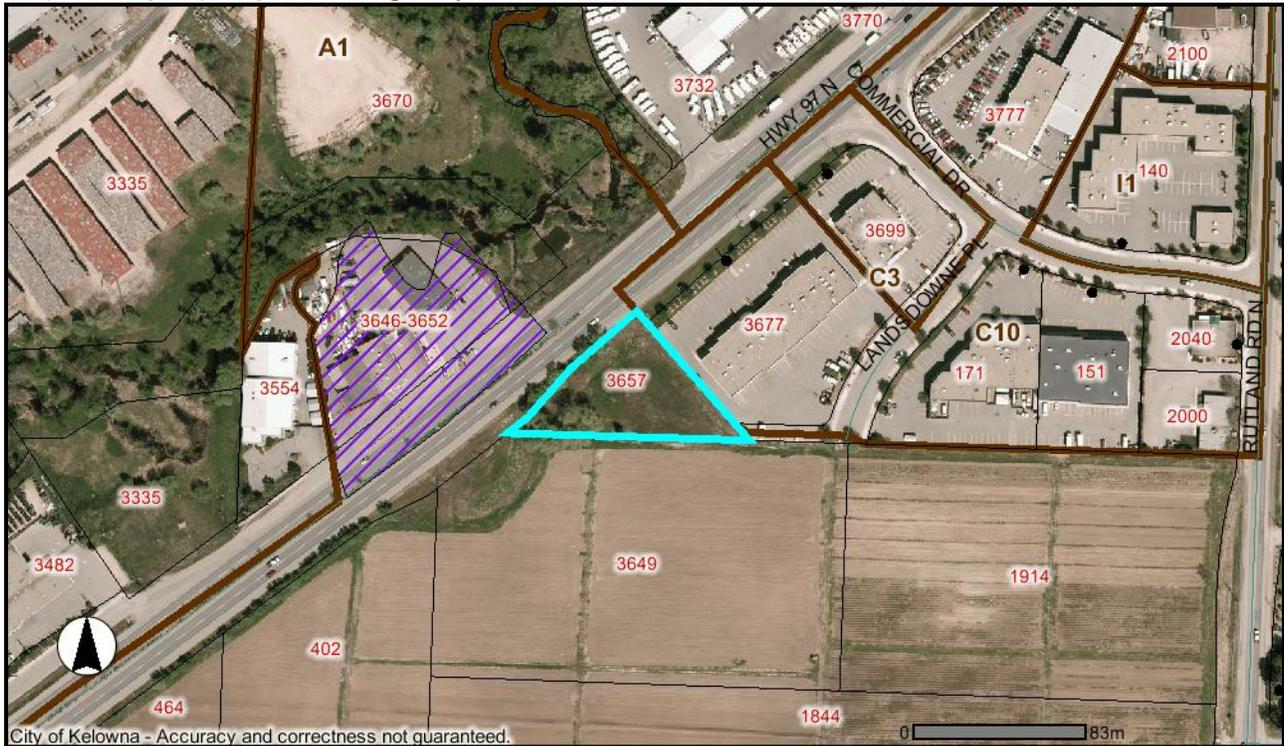
The lot is situated in an area characterized by land uses which are sharply divided between a mix of service commercial and industrial set against agricultural lands in the Agricultural Land Reserve (ALR). The lot is zoned A1 - Agriculture 1 zone, but is designated as SC - Service

Commercial in the OCP and is within the Permanent Growth Boundary. The parcel is not within the ALR, but it does share its southern lot line with lands that are in the ALR.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C10 - Service Commercial	Service commercial development
East	C10 - Service Commercial	Service commercial development
South	A1 - Agriculture 1	Agriculture
West	A1 - Agriculture 1/Land Use Contract 77-1040	General industrial uses

Subject Property Map: 3657 Highway 97N



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C10 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1,000 m <sup>2</sup>	3,583 m <sup>2</sup>
Lot Width	30.0 m	Approx 75.0 m
Lot Depth	30.0 m	Approx 90.0 m
Development Regulations		
Floor Area Ratio	0.65	0.23
Height	12.0 m / 3 storeys	11.5 m / 1 storey + mezzanine
Front Yard (hwy 97)	4.5 m	exceeds
Side Yard (south)	4.5 m	6.0 m
Side Yard (northeast)	0.0 m	10.0 m
Rear Yard (east corner)	0.0 m	exceeds

Other Regulations		
Minimum Parking Requirements	2 stalls / 100m <sup>2</sup> = 17 stalls	20 stalls
Bicycle Parking	Class I: 2 Class II: 5	Class I: TBD Class II: TBD
Loading Space	1 per 1,900m <sup>2</sup>	4 stalls
Landscape Buffer Requirements		
Front	Level 4 (3.0m planting)	Level 4 (3.0m planting)
Side (northeast)	Level 3 (3.0m or fence)	Level 3 (3.0m or fence)
Side (south)	Level 5 (3.0m planting & fence)	Level 1 (1.0m planting & fence) ●
Rear (east corner)	Level 3 (3.0m or fence)	Level 3 (3.0m or fence)
● Indicates a requested variance to the minimum landscape buffer abutting lands within the ALR from Level 5 required to Level 1 proposed.		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Protect Agricultural Land.**<sup>1</sup> Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

**Retention of Commercial Land.**<sup>2</sup> In order to ensure that the City's commercial land supply is not eroded, where the OCP Bylaw 10500 indicated a commercial land use designation for the property, the expectation would be that there be no net loss of commercial space on the site as a result of the redevelopment to include other uses.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- 2) Full Plan check for Building Code related issues will be done at time of Building Permit applications. The submitted drawings do not show floor plans to make building comments on.
- 3) The fire department may have access issues to get to the front of the building as required by code. Please have the fire department comment on access and required turn radius requirements.

### 6.2 Development Engineering Department

See attached Memorandum, dated October 31, 2013.

### 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 #7900 requires a minimum of 150ltr/sec fire flows. KFD has concerns that if the building is addressed off of Highway 97N then access shall be

<sup>1</sup> City of Kelowna Official Community Plan. Chapter 5 (Development Process), Policy 5.33.1.

<sup>2</sup> City of Kelowna Official Community Plan. Chapter 5 (Development Process), Policy 5.24.2.

off of the same. The plan indicates access off of Lansdowne Place - should this be the case, please ensure address is the same as access. Additional comments will be required at the building permit application.

#### 6.4 FortisBC (electric)

There are primary distribution facilities along Highway 97N as well as Lansdowne Place. However, an extension will be required in order to service the proposed development. The design process required to plan such an extension does not yet appear to have been initiated. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.

#### 6.5 Black Mountain Irrigation District

See attached email, dated November 1, 2013.

#### 6.6 Ministry of Transportation

Approved.

#### 6.7 Shaw Cable

Shaw Communications' interests are unaffected. The applicant should contact Shaw regarding future cable services.

#### 6.8 Telus Communications

TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.

#### 6.9 Agricultural Advisory Committee

The above noted application was reviewed by the Agricultural Advisory Committee at the meeting on November 28, 2013 and the following referral comments were provided:

*The Committee did not have any concerns with respect to the proposed variance and ALR landscape buffering provided that there is a 'solid' fence constructed.*

### 7.0 Application Chronology

Date of Application Received:	October 4, 2013
Date Circulation Complete:	November 1, 2013
Advisory Design Team:	November 7, 2013
Public Notification & Consultation:	February 17 & 18, 2014

**Report prepared by:**

---

James Moore, Land Use Planner

**Reviewed by:**

Ryan Smith, Urban Planning Manager

**Approved for Inclusion:**

D. Gilchrist, Div. Director, Community Planning & Real Estate

**Attachments:**

Subject Property Map

ALR Map

Site Plan

Conceptual Elevations

Landscape Plan

Record of Public Notification and Consultation

Email from the Black Mountain Irrigation District

Development Engineering Memorandum, dated October 31, 2013





Raul Holdings Inc.

Address: 0000 Lansdowne Place, Kelowna, B.C.  
 Legal: Lot A, PLAN 19674 ODYD, TWP 26

Zoning (Current): A1 Non-ALR  
 Permitted Use: Refer to Zoning bylaw #8000  
 Zoning: (Proposed) C10 Service Commercial  
 Permitted Use: Refer to Zoning bylaw #8000 section 14.10

3.712.5	sq.m.
39,963	sq.ft.
0.3713	Ha

ALLOWED	PROPOSED
40.0	128.0 m
30.0	44.5 m
1000.0	2 7270 m <sup>2</sup>

Min Lot Width  
 Min Lot Depth  
 Min Parcel Size

ALLOWED	PROPOSED
Front yard	15.0m
Front yard parking	6.0m
Side yard (East)	0.0 m
Side yard (West)	0.0 m
	7 m

Setbacks

LANDSCAPE BUFFER	
Level 4	4.5 m
	14.72 ft
Level 3	3.0 m
	9.84 ft
Level 5	3.0 m
	9.84 ft

Front

Side

Adjacent ALR

1.0 m provided for portion of property

Parcel Coverage Maximum 60%  
 (Building Footprint)  
 Maximum # of dwelling units

Floor Area Ratio Maximum .65

Height Principal buildings  
 or 3 storeys

Parking 2.0 stalls/100 m<sup>2</sup> (main floor)  
 2.0 stalls/100 m<sup>2</sup> (40% mezzanine)

Regular Size (9m x 2.5m) Max 50%  
 Medium Size (4.8m x 2.3) Max 40%  
 Compact Size (3.4m x 2.0m) Max 10%

ALLOWED/REQUIRED		PROPOSED	
2,228	sq.m.	590	sq.m.
23,978	sq.ft.	6,350	sq.ft.
1 unit		N/A	

2,413	sq.m.	826	sq.m.
25,976	sq.ft.	0	sq.ft.
12.0	m	11.5	m
39.4	ft	37.0	ft

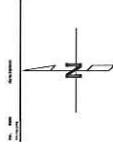
Required	11.8	spaces
	4.7	spaces
	0	spaces
<b>Total Required</b>	<b>17</b>	<b>spaces</b>

Covered	0	spaces
On Grade	20	spaces
<b>Total Provided</b>	<b>20</b>	<b>spaces</b>
Visitor	0	spaces
Loading	4	spaces



NOTES:  
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
 3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
 4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
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 7. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
 8. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
 9. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
 10. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

- The following items are to be shown on the site plan:
- ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
  - ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.

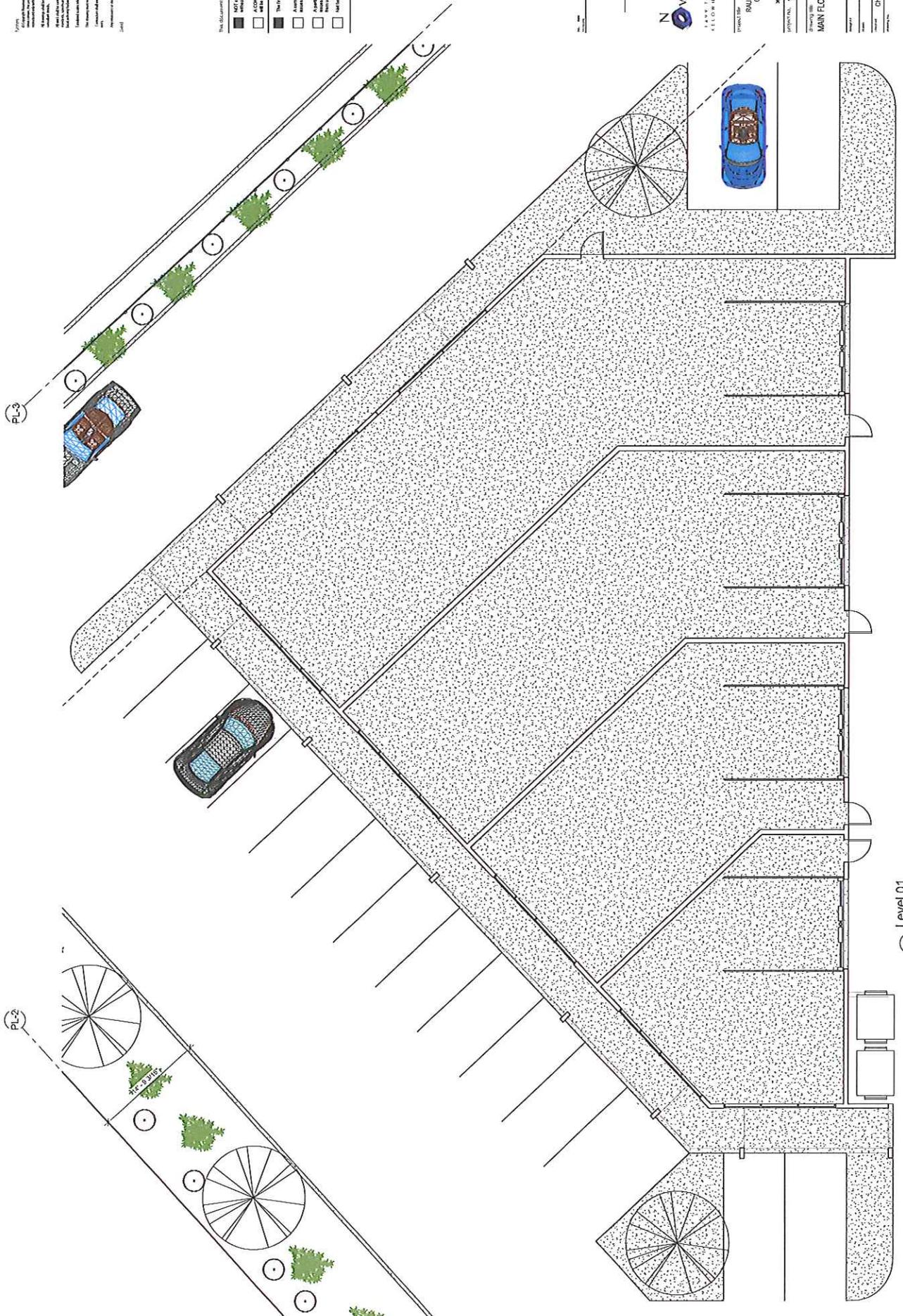


**NAVION**  
 CONSULTING ENGINEERS  
 1100 N. W. 10th St.  
 Ft. Lauderdale, FL 33304  
 (954) 575-1100

PROJECT NO. **1001**  
 DRAWING NO. **1001**  
 DATE: **01/15/14**  
 SCALE: **AS SHOWN**

**DP102**  
 CONSTRUCTION

ISSUED FOR DEVELOPMENT PERMIT



1 Level 01  
 3/16" = 1'-0"

1. Plans  
 2. Elevation  
 3. Section  
 4. Detail  
 5. Foundation  
 6. Mechanical  
 7. Electrical  
 8. Plumbing  
 9. Fire Protection  
 10. Other

- The following items are required for all projects:
- 1. All work shall conform to the applicable code requirements.
  - 2. All work shall be done in accordance with the approved plans.
  - 3. All work shall be done in accordance with the approved specifications.
  - 4. All work shall be done in accordance with the approved schedule.
  - 5. All work shall be done in accordance with the approved budget.
  - 6. All work shall be done in accordance with the approved quality control plan.
  - 7. All work shall be done in accordance with the approved safety plan.
  - 8. All work shall be done in accordance with the approved environmental plan.
  - 9. All work shall be done in accordance with the approved risk management plan.
  - 10. All work shall be done in accordance with the approved communication plan.



**NOVION**  
 ARCHITECTURAL  
 1100 W. 14TH AVENUE  
 DENVER, CO 80202

Project Name: **RETAIL BUILDING INC.**  
 CONSTRUCTION

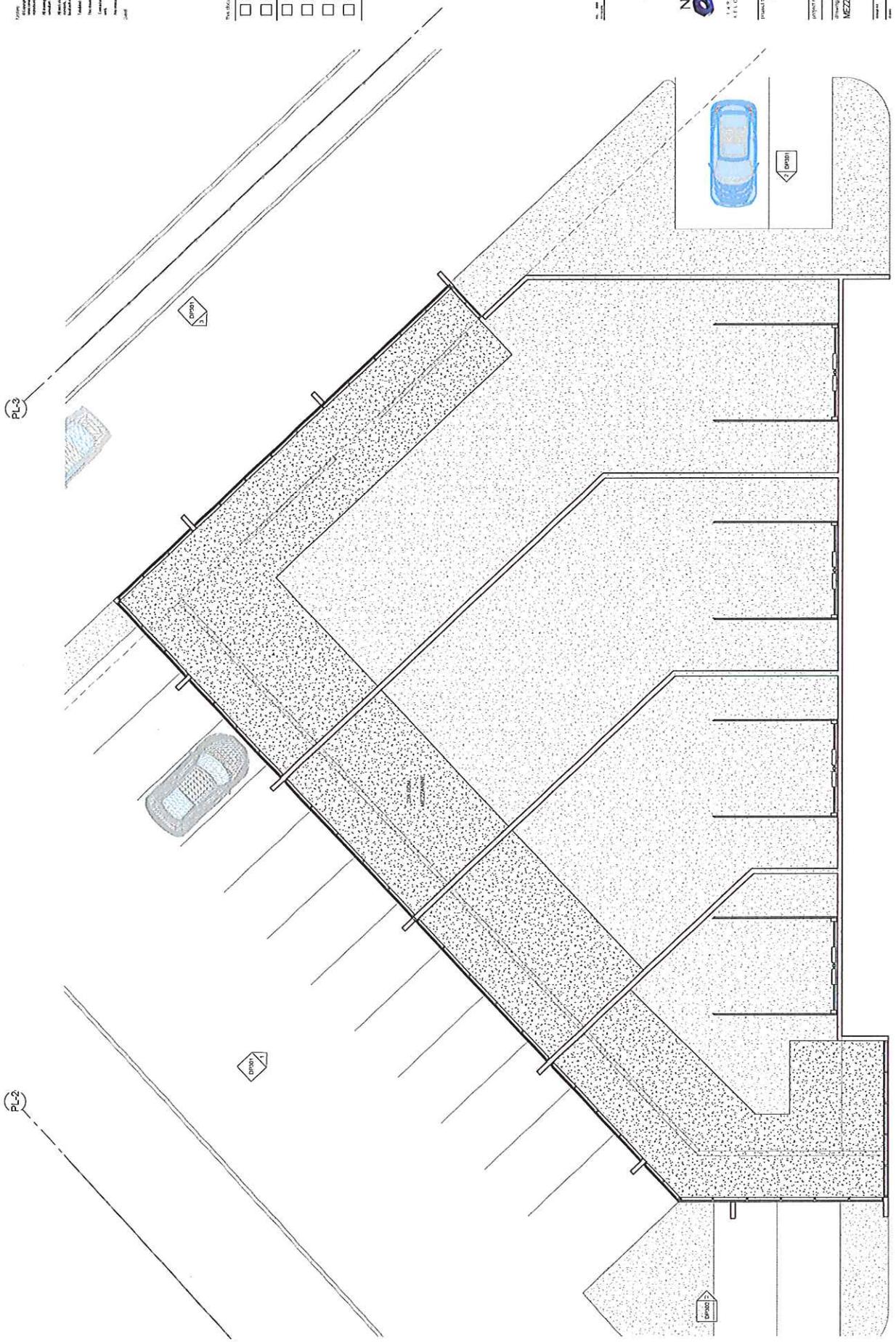
Project No.: 1001

Sheet No.: **MEZZANINE FLOOR**

Scale: 1/8" = 1'-0"  
 Date: 10/1/2010  
 Checked: [Signature]

**DP103**

ISSUED FOR DEVELOPMENT PERMIT









PROJECT TITLE  
**HIGHWAY 97  
COMMERCIAL**  
Houston, TX

OWNER'S TITLE  
**CONCEPTUAL  
LANDSCAPE PLAN**

NO.	DATE	DESCRIPTION
1	01/15/2014	Final Design
2		
3		
4		
5		

PROJECT NO.	14001
DATE	01/15/2014
DRAWN BY	EC
CHECKED BY	PL
DATE	01/15/2014
SCALE	1"=20'

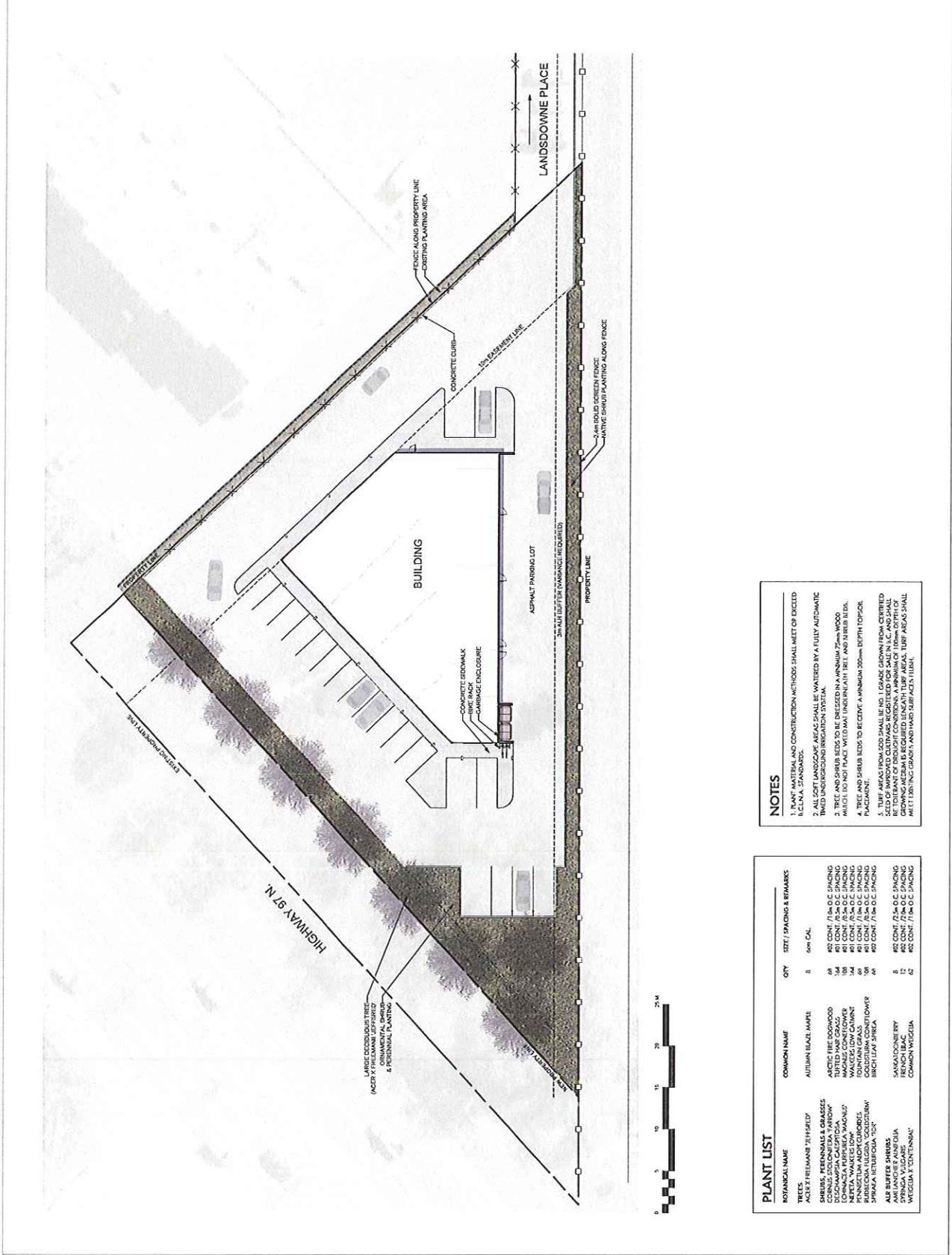
USA



ISSUED FOR REVIEW ONLY

**L1/2**

ISSUED FOR REVIEW ONLY  
This drawing is not to be used for construction without the written approval of the architect.



- NOTES**
1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED I.R.C.A. STANDARDS.
  2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC SYSTEM.
  3. TREES AND SHRUBS SHALL BE PLANTED IN SYSTEMS WITH MULCH. MULCH SHALL NOT TRAIL INTO ADJACENT DRIVEWAYS AND SIDEWALKS.
  4. TREES AND SHRUBS BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
  5. TURF AREAS FROM SOIL SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN S.C. AND SHALL BE GROWN IN A MEDIA. GROWING MEDIA IS REQUIRED IN TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACE FINISH.

**PLANT LIST**

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			6m CAL
ACER FREEMANS 'HERSTED'	AUTUMN BURNING MAPLE	8	
SHRUBS, PERENNIALS & GRASSES			
CORNUS COLONICA 'FERNOW'	ARCTIC FIRE DOGWOOD	48	R22 CONT / 7.5m O.C. SPACING
COMNAGA HYDRICOLA 'MAGNOL'	WALKER LOW CAMMERT	108	R12 CONT / 7.5m O.C. SPACING
NETETA 'WALKER LOW'	WALKER LOW CAMMERT	144	R12 CONT / 7.5m O.C. SPACING
BURBECIA 'LUGGIA'	COQUETUM COQUETOWER	108	R12 CONT / 7.5m O.C. SPACING
SHRUBS			
AR BUTTER SHRUBS	SANICULONARY	8	R22 CONT / 7.5m O.C. SPACING
SPRING V. LIGNS	FRENCH BEECH	12	R12 CONT / 7.5m O.C. SPACING
WETGELIA 'COTENNAU'	COMMON WETGELIA	42	R12 CONT / 7.5m O.C. SPACING



To: James Moore, MCIP,RPP

From: Paul Schuster NOVATION DESIGN STUDIO

Date: March 04, 2014

NOTIFICATION and CONSULTATION SPECIFICATIONS  
FOR 3657 HWY 97 NORTH, KELOWNA

Property Owner	Address	Method of Delivery	FEEDBACK
Ernie Falk	3649-1914	Emailed Feb 17	Verbal Support
Selka Drywall <a href="mailto:selkadrywall@kelos.net">selkadrywall@kelos.net</a>	3677-3699	Emailed Feb 17 bounce back mailed to Coldwell Banker to give to Strata Att: Shirley Mehus	No Response
Roy Lazic- Esso Station and Cutting Edge	3646-3652	Delivery to Mail slot office.	No Response
John Spareboom and Ken Munkhlm	171	Hand Deliver Feb 17	No Response
Garth Leigh -Timely Motors and Western Rim Industries	3554	Hand Deliver Feb 17	No Response
BC Packers Rutland Division	3670	Hand Deliver Feb 18 BC Tree Fruits Water St.	No Response



## James Moore

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**From:** Bob Hrasko [rhrasko@shaw.ca]  
**Sent:** Friday, November 01, 2013 2:38 PM  
**To:** Deb Champion  
**Cc:** James Moore; 'Trena Phillips'; paul@novationdesignstudio.com; 'Kevin Burtch'  
**Subject:** Rezoning Application - Z13-0037 - 3657 Highway 97N Commercial Development - BMID Comments

Attention: City Planning Department

**RE: 3657 HIGHWAY 97N WATER SERVICING REQUIREMENTS - BMID FILE 2013-50**

Please find enclosed comments from BMID in regards to water servicing for the proposed development. We have reviewed the rezoning submission and have the following comments related to water supply.

1. **Service Provider:** The location is within the service area of the Black Mountain Irrigation District (BMID) and new development is subject to the bylaws and requirements of BMID with respect to obtaining water for fire protection, irrigation and potable water;
2. **Land Use:** BMID understands the rezoning request and have no opposition in regards to the proposed change in land use;
3. **Water Rights:** The land parcel has water rights, sufficient to irrigate the property, however, building charges will apply for new construction as per BMID Capital Expenditure Charge Bylaw No. 678
4. **Service Connection:** The lot has no water service presently and the owner will require a new service of sufficient size to provide water for the proposed development. BMID will await recommendation by developer's consultant in this regard, but at this time, with the information we have received, BMID would recommend installation of a 50mm diameter service and have provided a cost estimate using this information;
5. **New BMID Service:** A new service connection will be required to be live-tapped onto the 200mm main that is on the highway frontage of the property. The work for the new service is **estimated** to cost **\$2,000** and would be done by BMID upon request through "Work Order Application" at the BMID office and deposit of sufficient funds to cover the work. The work would be done by BMID at cost and would include all water works installation including excavation, installation and backfilling;
6. **New Private Service:** On private property, the developers contractor is to install a new service line from the Building the BMID point of connection. The line must be verified to be water tight prior to connection to BMID main. A budget number for on-site service work is **\$3000**, however, the owner should consult with a Civil engineer who would be required to carry out the on-site Civil works;
7. **Notification of connection.** The property owner or their representative is to contact BMID office 48 hours prior to the time intended to connect to the BMID water system. BMID staff will either make the connection at cost, or will allow the developers contractor to make the connection under the review of BMID Operator present.
8. **Fire Protection:** Land developer's consultant is to provide BMID with fire demand of the building in the form of and Engineer Sealed Fire Underwriters Survey calculation. Consultant is to advise as to whether or not the building will be sprinkler protected. The building fire demand must be below 180 L/s, otherwise off-site improvements may be required to secure additional flow capacity to fight a fire;
9. **Hydrant Coverage:** It appears that a hydrant will be required along the highway frontage of the building with hydrant lead off of the 200mm main. Developer's consultant is to review and determine optimum location and to make a recommendation in this regard to BMID. BMID will review and approve prior to any of this work being completed. Est. budget cost for installation of a hydrant is **\$6,000**

10. **Capital Charge Fee:** The new building is subject to a Capital Expenditure Charge in the amount of \$4,500 for the first 100m<sup>2</sup> of office space and at a rate of \$8.00/m<sup>2</sup> thereafter. The CEC goes to a fund to replace eroded system capacity due to densification and the need for additional water. The building floor area from Drawing DP101 is 599.4m<sup>2</sup>. This works out to a Capital Charge payable of **\$8,095.20**. This cost may be adjusted, based on final building floor area, including mezzanines.
11. **Meter Fee:** A 50mm diameter flow meter is expected for the raw water. The cost to supply, install, and integrate the meter into the BMID metered system is **\$899.55**.
12. **Engineering Review costs:** BMID retains a professional engineer to review new development and the impact on the BMID water system. The engineering costs for review is \$100.

TOTAL ESTIMATED COST -	New Public Service Line	\$ 2,000 (est.)	
	Private Service Line	\$ 0,000	\$ 3,000
	New Hydrant install	\$ 6,000 (est.)	
	CEC fee	\$ 8,095.20 (fixed)	
	Meter Fee (2")	\$ 899.55 (fixed)	
	<u>BMID Engineering fee</u>	<u>\$ 100.00 (fixed)</u>	
	TOTAL CHARGES	\$ 17,094.75	\$ 3,000

For the developer to begin the process with BMID, they should come into the BMID office to fill out an "Application for Building" form and pay the applicable charges. Once completed, BMID will issue a "Water Service Certificate" that will be required by the City of Kelowna. Please contact the BMID office if you have questions

Thanks

Bob

Bob Hrasko, P.Eng.  
Administrator

**BLACK MOUNTAIN IRRIGATION DISTRICT**  
285 Gray Road  
Kelowna, BC  
V1X 1W8

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

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**File No.:** Z13-0037  
**Date:** October 31, 2013  
**To:** Land Use Planner (JM)  
**From:** Development Engineering Manager (SM)  
**Subject:** 3657 Hwy 97 N. - Lot A, Plan 19674, Sec. 35, Twp. 26 ODYD

---

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to C10 are as follows:

**These are Works and Utilities initial comments and they may be subject to the MOT comments and requirements.**

1. General

- a) Dedicate a road dedication along the highway frontage necessary to accommodate the impending widening of Hwy 97. The amount of dedication is to be determined.
- b) Provide easements as may be required.

2. Geotechnical Study.

We recommend that a comprehensive geotechnical study be undertaken over the entire site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays. This study can be deferred to the building permit.

3. Domestic water and fire protection.

- a) The subject property is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection and upgrading costs are to be paid directly to the BMID.

4. Sanitary Sewer.

- a) The property is located within Specified Area #1 and therefore is not subject to any Specified Area charges. The Municipal wastewater collection system is available in the vicinity of the subject property but there are no services to the property line. The manhole located at the Southerly end of Landsdowne Place appears to be too shallow to service the proposed building by gravity. The most likely connection would be to the existing wastewater trunk main located along the East shoulder of Hwy 97.

- b) A new wastewater service service can be provided for the proposed development at the applicant's cost. The service installation estimate must be paid prior to the adoption of the zone amending Bylaw. **Prior to the adoption of the zone amending Bylaw, the applicant is required to sign a Third Party Work Order and pay the estimated cost of the new service installation.** For estimate inquiry's please contact Bernard Burgat at [bburgat@kelowna.ca](mailto:bburgat@kelowna.ca) or phone 250-469-8590.

5. Drainage.

- a) A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual is a requirement of the development of the subject property but can be deferred until the application for a building permit is made.
- b) The property does not have a storm sewer service. Should a service be required to accommodate an overflow system to the Municipal Storm drainage system, the owner will be required to sign a Third Party Work Order and pay the estimated cost of the new storm drain service. The installation of the storm drain service can be deferred to the application for a plumbing permit at the time of the building permit application.

6. Power and Telecommunication Services.

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

7. Road improvements.

Hwy 97

- a) The proposed development, being so far removed from any Town or Village Centre, does not trigger any frontage upgrades under the Municipal Bylaws or Policies.
- b) It should be pointed that the Ministry of Transportation and Infrastructure (MOTI) may require some contribution towards some Highway frontage upgrades. Development Engineering comments may be amended, in that regard, upon receiving feedback from the MOTI.

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.

.../3

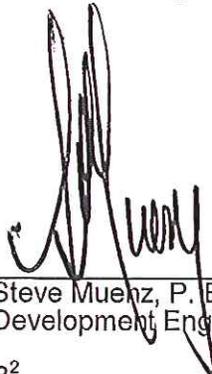
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination 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 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 or reports 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. Bonding and Levies Summary.

Hwy frontage (if required by the MOTI)	<b>To be determined</b>
Wastewater Service (Third Party Work Order)	<b>To be determined</b>
Storm Drain overflow (Third Party Work Order)	<b>To be determined or Deferred to Building permit</b>
Engineering and Admin. Fee (3% of construction costs)	<b>To be determined</b>

  
 \_\_\_\_\_  
 Steve Muenz, P. Eng.  
 Development Engineering Manager

B<sup>2</sup>

**CITY OF KELOWNA**  
**BYLAW NO. 10934**  
**Z13-0037 - Raul Holdings Inc.**  
**3657 Highway 97 North**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Section 35, Township 26, ODYD, Plan 19674, Except Plan 23587 located on 3657 Highway 97 North, Kelowna, B.C., from the A1 - Agriculture 1 zone to the C10 - Service 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

Approved under the Transportation Act

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(Approving Officer-Ministry of Transportation)

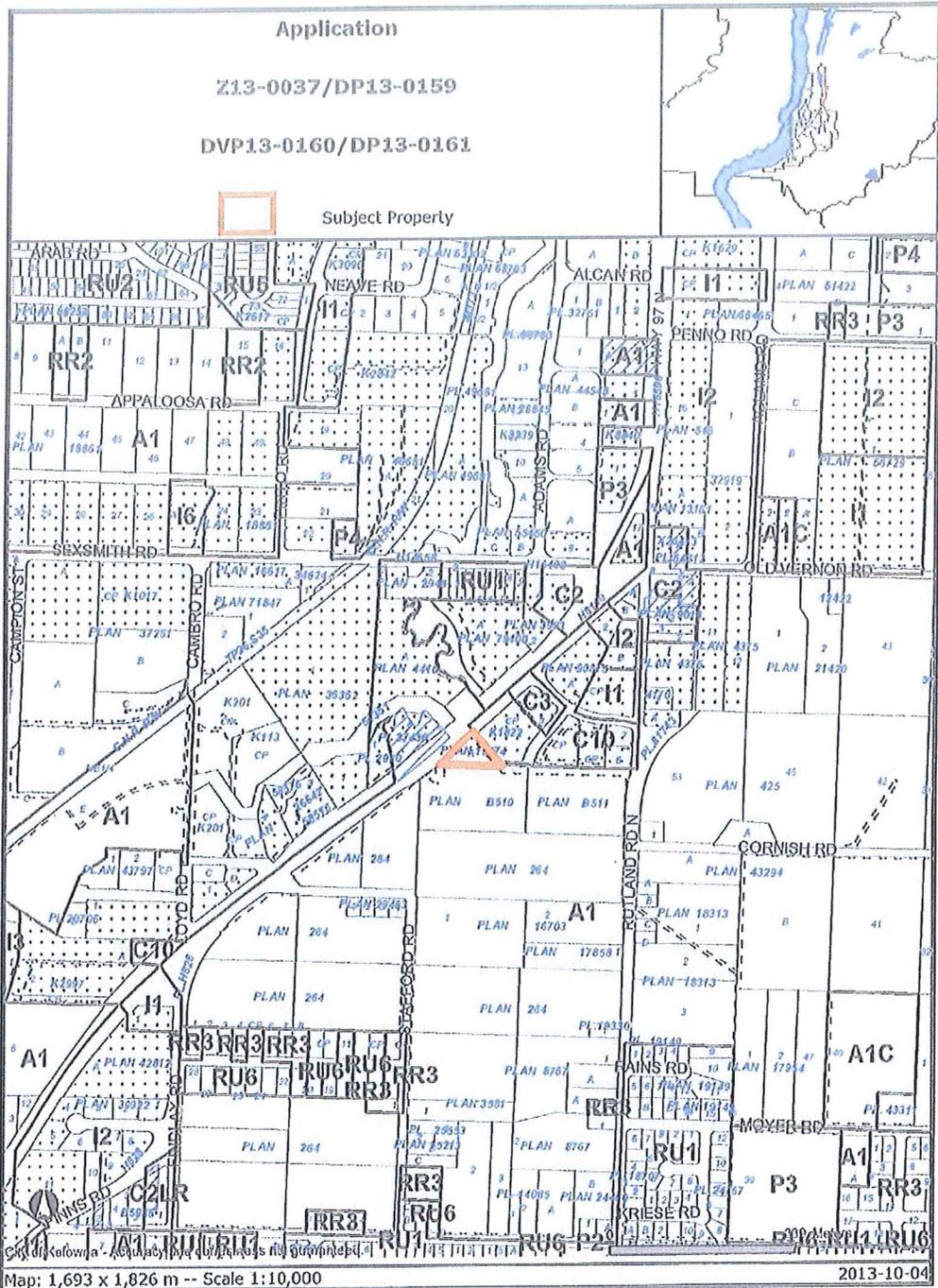
Adopted by the Municipal Council of the City of Kelowna this

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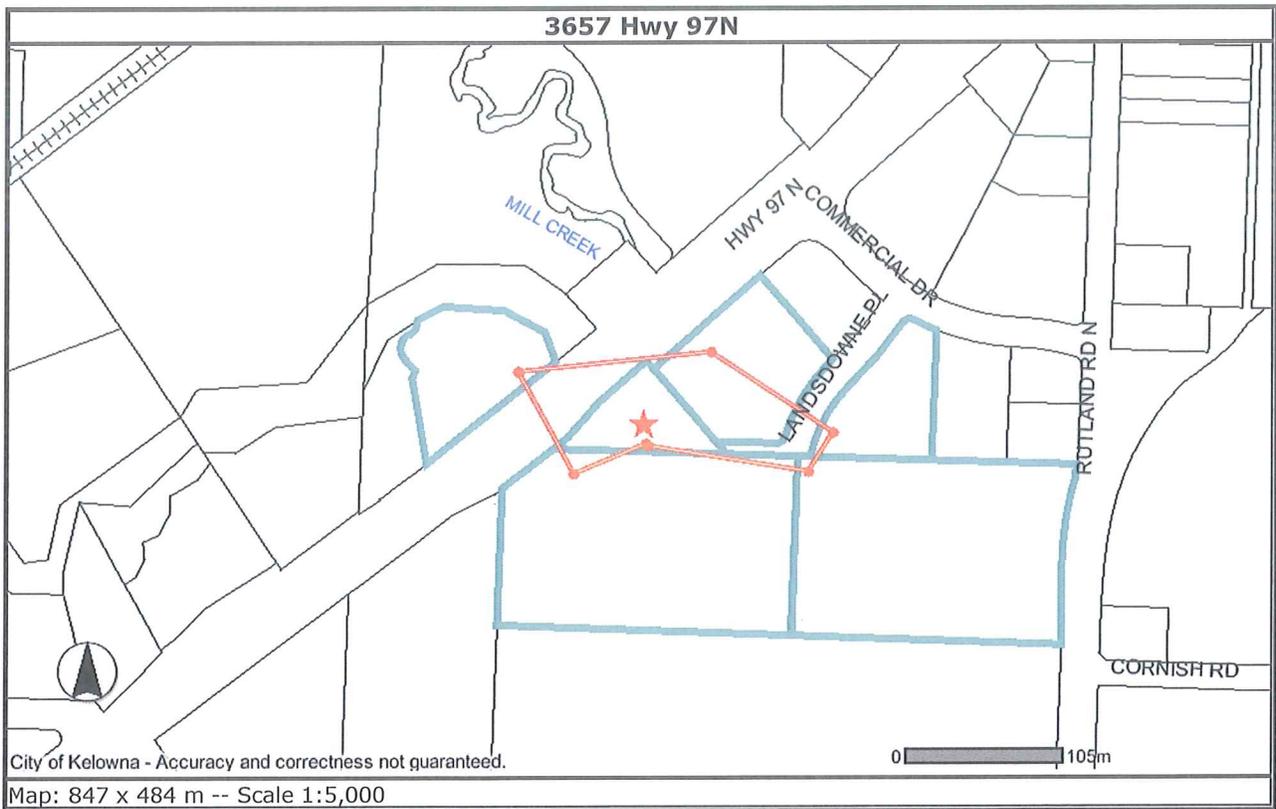
Mayor

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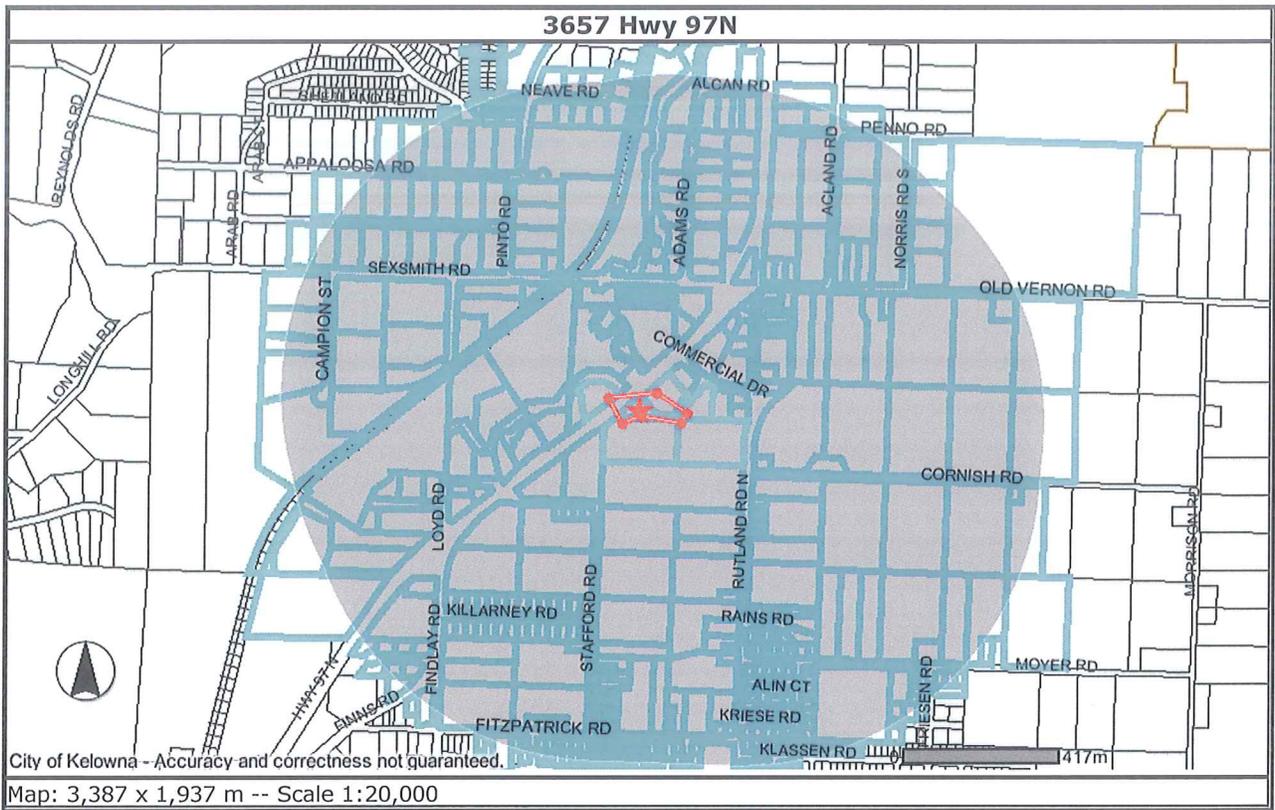
City Clerk



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.



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



*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:** 3/24/2014  
**RIM No.** 1210-24  
**To:** City Manager  
**From:** Subdivision, Agriculture & Environment Services (MS)  
**Application:** FH14-0002      **Owner:** GP Sandher Holdings Ltd.,  
Inc.No. BC0844388  
**Address:** 1090 McKenzie Road      **Applicants:** Biri Sandher  
Sukhwinderjit Sandher  
**Subject:** Farm Help Permit  
**Existing OCP Designation:** Resource Protection Area (REP)  
**Existing Zone:** A1 - Agriculture 1

---

## 1.0 Recommendation

THAT Council authorize the issuance of Farm Help Housing Permit No. FH14-0002 for Lot 2, Section 25 TWP 26 ODYD Plan 4586 Except (1) Parcel A Plan B7112 (2) Plans 19263 and 20308 located at 1090 McKenzie Road, Kelowna B.C., subject to the following:

1. The dimensions of the addition to the existing dwelling be constructed on the land be in general accordance with attached Drawings S1 to S5;
2. The Seasonal Farm Worker Housing be constructed in accordance with Seasonal Agricultural Worker Program (SAWP) / BC Agriculture Council Housing Standards, and the maximum number of workers housed is in accordance with provincial and federal housing requirements for agricultural workers, as they may be amended from time to time;
3. The improvements are in accordance with the BC Building Code, and that all conditions of the City of Kelowna Building and Permitting Services be met (letter attached);
4. Registration of a Section 219 Restrictive Covenant restricting the use of the Seasonal Farm Worker Housing to use by farm employees only, and which is restricted to a maximum occupation of 6 months of the year, and that this restriction be applied to the entire second dwelling of the above property, described in the attached drawings S1 to S5.

## 2.0 Purpose

To consider a request for a farm help permit for proposed renovations / addition to an existing dwelling to accommodate 48 seasonal agricultural workers.

## 3.0 Subdivision, Agriculture & Environment Services

The Federal Government has recognized that there is a shortage of farm workers throughout Canada. As part of the SAWP Program, the owner must provide accommodation for their foreign workers. Seasonal dwellings for farm help are considered a 'farm use' by the Agricultural Land Commission. According to the Ministry of Agriculture, seasonal worker housing should be communal in nature, with shared kitchens, and conform to SAWP / BC Agriculture Council standards.

Staff supports the application for a Farm Help Permit for the proposed renovation, with the conditions identified in this memo, together with the requirements of the Building and Permitting Services (attached).

## 4.0 Proposal

### 4.1 Background

The subject property is an agricultural property of approximately 12.9 hectares in the Rutland Bench Sector and in the Agricultural Land Reserve (ALR). The subject property is one of over 230 acres farmed by the applicant in the Kelowna area. The subject property is fully planted in apples. The applicant has registered through the Seasonal Agricultural Workers Program, and has received approvals for 100 foreign agricultural workers through the SAWP Approval # 8078888<sup>1</sup>. The federal approval notes that 19 workers are due to arrive on June 15, 2014, and 81 workers are due to arrive on July 15, 2014. The SAWP Permit for the workers expires on December 15, 2014.

Based on information from the applicant, 48 workers will be housed at 1090 McKenzie Road. We understand that there will be accommodation for 32 workers in the lower level of the dwelling. The others will need to be adequately accommodated in the upper level, in accordance with SAWP guidelines, or be housed at another location. The applicant has a current Farm Help Permit application for 1240 Latta Road, where they intend to house 21 workers. The remainder of their workers will be housed in other accommodation in the Central Okanagan Regional District Area.

The registration of a Section 219 Restrictive Covenant on the subject property will be required prior to issuance of this permit. The covenant will restrict the use of the dwelling to seasonal farm workers only and for a maximum time limit of six months each year. The covenant will need to be placed on title prior to the issuance of the permit.

### 4.2 Project Description

The proposed changes to the dwelling involve the renovation / addition of an existing storage area into a dorm style bunkhouse with a common kitchen, eating and living area. The changes involve the extension of the existing dwelling (as shown on Drawing S2), as well as the installation of common kitchen facilities, washroom facilities, and a common living area.

### 4.3 Legislative Context

According to Section 18 of the Agricultural Land Commission Act (2002)<sup>2</sup>, a local government may not approve more than one residence on a parcel within the ALR unless the additional residences are necessary for farm use. Given that the applicant has approved agreements through the federal SAWP program, the additional dwelling is deemed necessary for farm use, provided it is and will be continued to be used for agricultural workers in the long term.

<sup>1</sup> Government of Canada, Feb. 20, 2014. Labour Market Opinion SF#8078888 SAWP.

<sup>2</sup> RSBC, 2002. Agricultural Land Commission Act, 2002, Section 18.

4.4 Foreign Farm Workers in Canada

The SAWP Program, together with the BC Agriculture Council, establishes standards for housing foreign farm workers. The housing is required to be inspected twice per year by an accredited inspector for the SAWP program, once prior to arrival of the workers, and once during the season. A condition of this Farm Help Permit is that the housing complies with SAWP / BC Agriculture Council standards.

4.5 Site Context

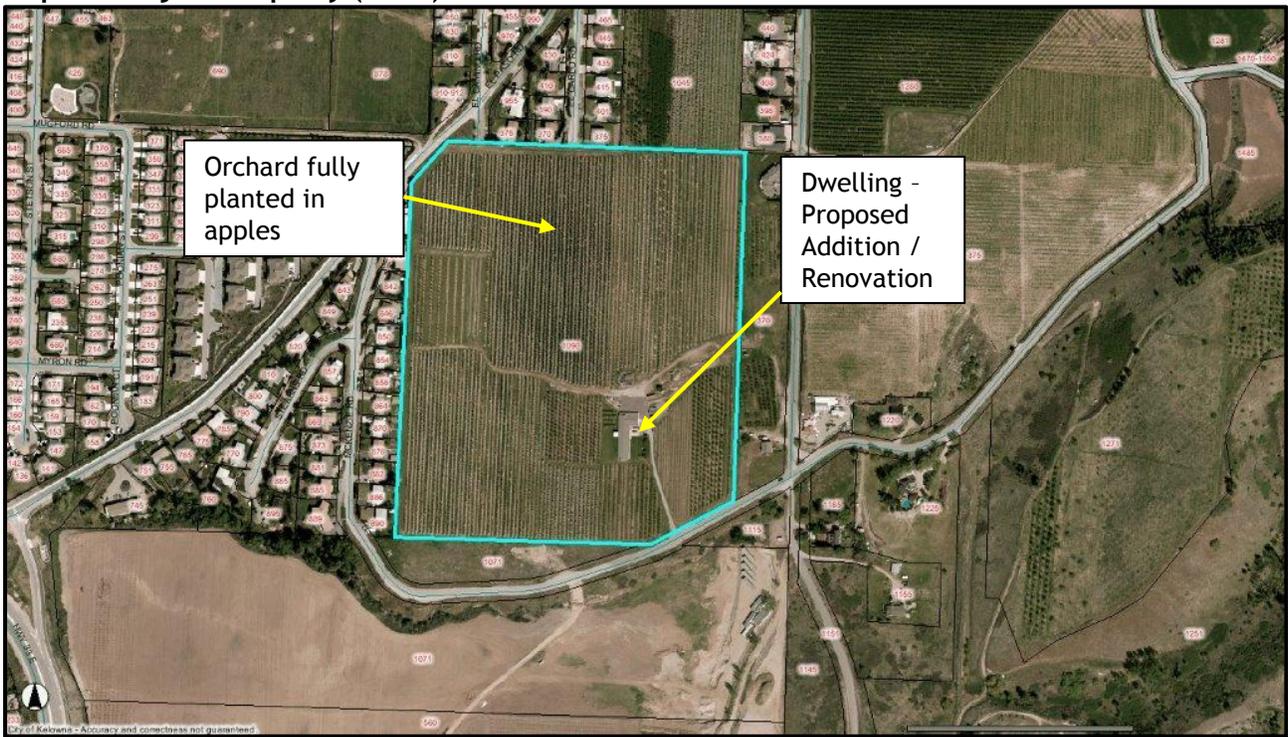
The zoning and land uses of adjacent properties are shown in Table 1, below.

**Table 1: Zoning and Land Use of Adjacent Property**

Direction	Zoning Designation	Land Use	ALR
North	A1 - Agriculture 1 / RU6 - Two Dwelling Housing	Agricultural / Residential	Yes / No
West	A1 - Agriculture 1 / RU1 - Residential / RU4 Low Density Cluster Housing	Rural Residential / Residential	No
South	A1 - Agriculture 1	Agricultural / Public Service Utilities	Yes
East	A1 - Agriculture 1	Agricultural	Yes

The subject property map, ALR map and the future land use map of the area are included below.

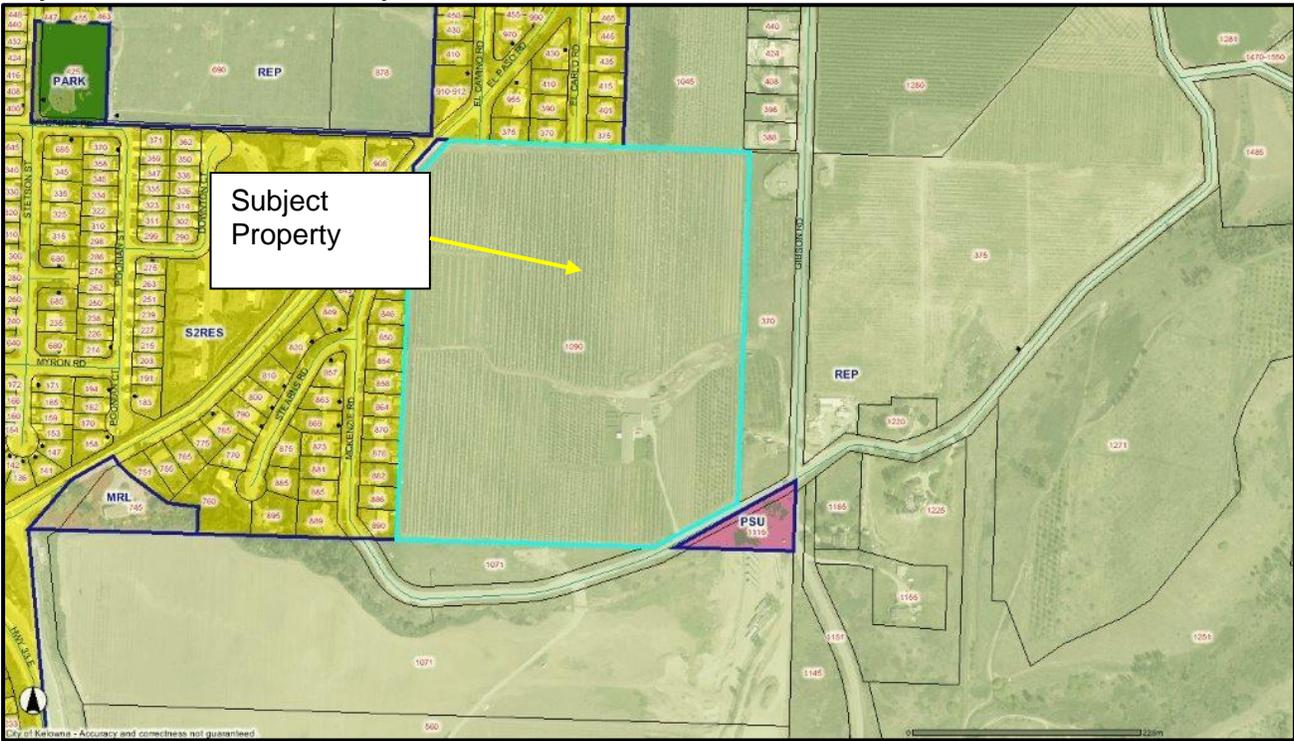
**Map 1 - Subject Property (2012)**



Map 2 - ALR Map



Map 3 - Future Land Use Map



## 5.0 Technical Comments

### 5.1 Building & Permitting Department

The following are comments from the Building and Permitting Department:

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).

Also see the letter to applicants from the Building and Permitting Department (attached).

### 5.2 Ministry of Agriculture

The Ministry of Agriculture's comments are as noted:

It is assumed that in identifying that our interests are unaffected that the placement of this TFWH structure minimizes loss of productive farm land to TFWH.

#### Report prepared by:

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Melanie Steppuhn, Land Use Planner

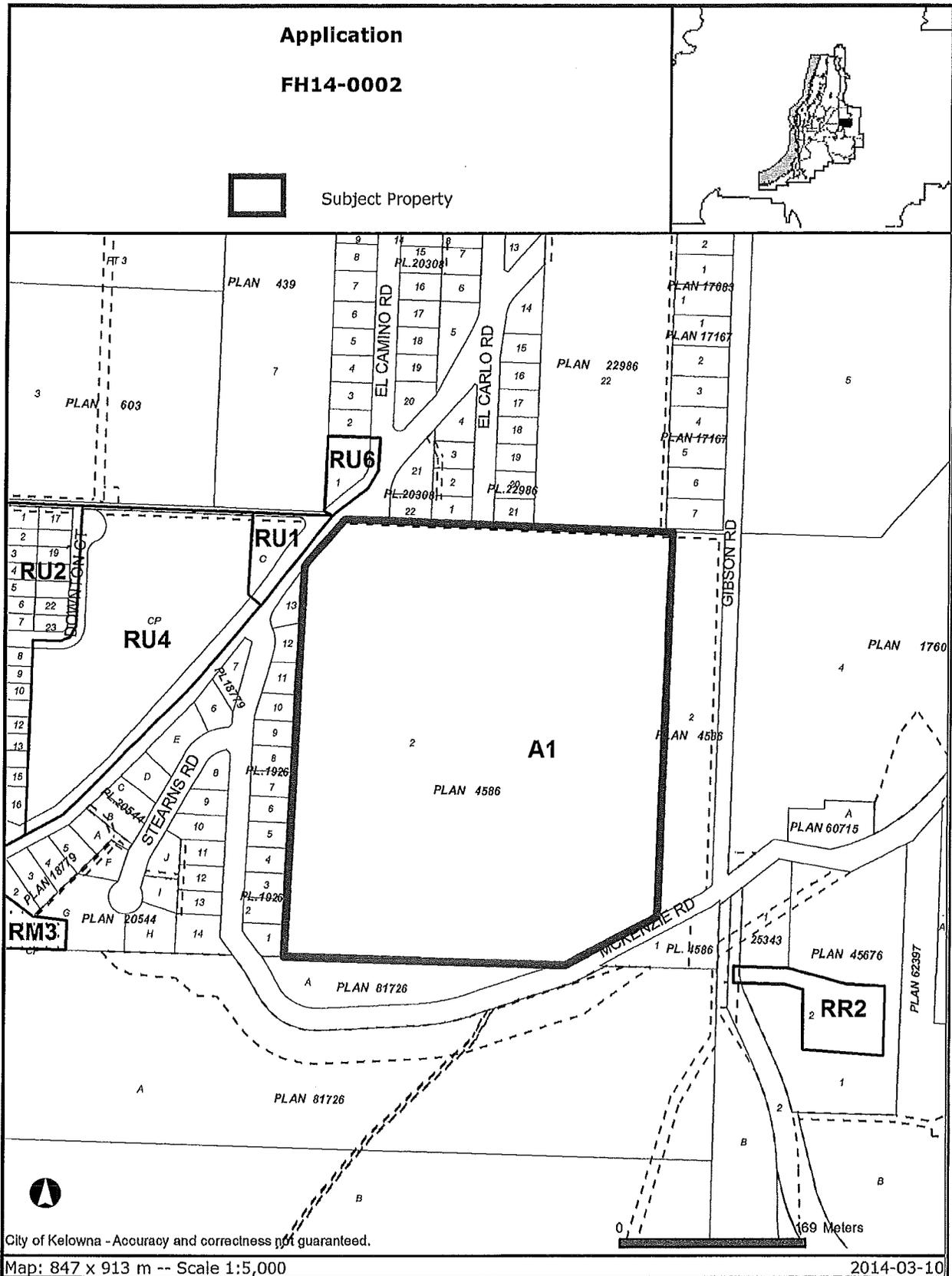
#### Reviewed by:



Shelley Gambacort, Director  
Subdivision, Agriculture & Environment Services

#### Attachments:

Development Application and Drawings  
Building and Permitting Services letter



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.











March 17, 2014



G. P. Sandher Holdings  
1610 Swainson Rd  
Kelowna, BC  
V1P 1C3

**Building Permit Application BP47932 for Agri-Accessory-Addition at 1090  
McKenzie Rd; Lot: 2; Plan: 4586**

**The Building and Permitting Branch has reviewed your application and additional information is required in order to be able to properly review the permit. In conjunction with the above application please address the following:**

Building area exceeds 600 m<sup>2</sup> therefore making this a part 3 building as per 2012 BC Building code. As per section 2.2.7 of Division C of 2012 BC Building Code schedules from a coordinating registered professional will be required and 2 completed sets of working drawings (architectural, electrical and (site services drawings and , heating-plumbing if applicable), etc) along with the schedule B's from each registered professional and schedule D with confirmation of insurance coverage. We have received two copies of the structural design drawings with the schedule B from each registered professional and schedule D with confirmation of insurance coverage. Please be advised that your submission is incomplete and we are unable to begin reviewing your plans.

**Some additional information that is required in conjunction with the above application is:**

1. Construction value seems a bit low for the amount of work you are doing. Construction value as defined in our Building Bylaw #7245 states; "**Value of Building Construction**" means the completed **building** value of all



Building & Permitting Branch  
1435 Water Street  
Kelowna, BC V1Y 1J4  
TEL 250 469-8960  
FAX 250 862-3314  
kelowna.ca

**construction** or **work** related to the **building** including finishes, roofing, electrical, plumbing, heating, air-conditioning, fire extinguishing systems, elevators and any other **building** service equipment and materials, the current monetary worth of all plans and specifications, labour and fees for design, testing, consulting, management, contractors' profit and overhead, and current monetary worth of all contributed labour and material and site works. Please provide us a detailed estimate of your value of building construction so your construction value may be adjusted and additional building permit fees may have to be paid. NOTE: Development cost charges may have to be paid as per Council Policy #353.

2. Water letter from BMID Required.
3. Septic approval is required from a qualified waste water practitioner.
4. Development Permit FH14-0002 to be issued by Land Use management (LUM) Ph: 250-469-8626.
5. Plumbing inspector's comments yet to come for further details contact Maurice Poitras (Phone 469-8594).
6. City of Kelowna Works and Utilities comments yet to come for further details contact Bernard Burgat (Phone: 469-8590)
7. Some of the code items that registered professional may need to address:
  - How is section 3.2.5 (Provisions For Fire Fighting) met?
  - Are spatial separation requirements met i.e. 3.2.3.14 (Wall exposed to another wall)?
  - Are exiting and egress requirements met as per section 3.3 (Safety within Floor Areas) and 3.4.(Exits)?
  - How is radon gas mitigation addressed as per 2012 BC Building code? Etc.

Once we receive a complete application we will be able to distribute the completed application to Works and Utilities, and the plumbing inspector. The resubmission process could take two weeks or more before we have a chance to begin to review the drawings.



Building & Permitting Branch  
1435 Water Street  
Kelowna, BC V1Y 1J4  
TEL 250 469-8639  
FAX 250 862-3314  
kelowna.ca

Please call me at 469-8580 or email me at [dmisutka@kelowna.ca](mailto:dmisutka@kelowna.ca) if you have any questions or concerns and I will be pleased to help.

**Note:** The City of Kelowna Building By-Law No. 7245 states “a building permit application shall expire within six (6) months of the application date if the building permit has not been issued.”

Dani Misutka  
Plan Checker

cc: Harvey Spittal  
Building Inspector

Doug Patan  
Building and Permitting Branch Manager



Building & Permitting Branch  
1435 Water Street  
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[kelowna.ca](http://kelowna.ca)

# REPORT TO COUNCIL



**Date:** 3/24/2014  
**RIM No.** 1210-24  
**To:** City Manager  
**From:** Subdivision, Agriculture & Environment Services (MS)  
**Application:** FH14-0003  
**Owner:** GP Sandher Holdings Ltd.,  
Inc. No. 844388  
**Address:** 1240 Latta Road  
**Applicant:** Biri Sandher  
Sukhwinderjit Sandher  
**Subject:** Farm Help Permit  
**Existing OCP Designation:** Resource Protection Area (REP)  
**Existing Zone:** A1 - Agriculture 1

---

## 1.0 Recommendation

THAT Council authorize the issuance of Farm Help Housing Permit No. FH14-0003 for Lot 26 Section 36 TWP 26 ODYD Plan 1760 except Plan 30358 located at 1240 Latta Road, Kelowna B.C., subject to the following:

1. The dimensions of the addition to the existing dwelling be constructed on the land be in general accordance with the attached sketch;
2. The Seasonal Farm Worker Housing be constructed in accordance with Seasonal Agricultural Worker Program (SAWP) / BC Agriculture Council Housing Standards, and the maximum number of workers housed is in accordance with provincial and federal housing requirements for agricultural workers, as they may be amended from time to time;
3. The improvements are in accordance with the BC Building Code, and that all conditions of the City of Kelowna Building and Permitting Services be met (letter attached);
4. Registration of a Section 219 Restrictive Covenant restricting the use of the Seasonal Farm Worker Housing to use by farm employees only, and which is restricted to a maximum occupation of 6 months of the year, and that this restriction be applied to the entire dwelling, described in the attached sketch.

## 2.0 Purpose

To consider a request for a farm help permit for proposed renovations / addition to an existing dwelling to accommodate 21 seasonal agricultural workers.

### 3.0 Subdivision, Agriculture & Environment Services

The Federal Government has recognized that there is a shortage of farm workers throughout Canada. As part of the SAWP Program, the owner must provide accommodation for their foreign workers. Seasonal dwellings for farm help are considered a 'farm use' by the Agricultural Land Commission. According to the Ministry of Agriculture, seasonal worker housing should be communal in nature, with shared kitchens, and conform to SAWP / BC Agriculture Council standards.

Staff supports the application for a Farm Help Permit for the proposed renovation, with the conditions identified in this memo, together with the requirements of the Building and Permitting Services (attached).

### 4.0 Proposal

#### 4.1 Background

The subject property is an agricultural property of approximately 12.37 hectares in the Rutland Bench Sector and in the Agricultural Land Reserve (ALR). The subject property is one of over 230 acres farmed by the applicant in the Kelowna area. The subject property is fully planted in cherries. The applicant has registered through the Seasonal Agricultural Workers Program, and has received approvals for 100 foreign agricultural workers through the SAWP Approval # 8078888<sup>1</sup>. The federal approval notes that 19 workers are due to arrive on June 15, 2014, and 81 workers are due to arrive on July 15, 2014. The SAWP Permit for the workers expires on December 15, 2014.

Based on information from the applicant, 21 workers will be housed at 1240 Latta Road and they will be accommodated in the lower level of the dwelling. The applicant has a concurrent Farm Help Permit application for 1090 McKenzie Road, where they intend to house 48 workers, while the remainder of their workers will be housed in other accommodation in the Central Okanagan Regional District area.

The registration of a Section 219 Restrictive Covenant on the subject property will be required prior to issuance of this permit. The covenant will restrict the use of the dwelling to seasonal farm workers only, and for a maximum time limit of six months each year. The covenant will need to be placed on title prior to the issuance of the permit.

#### 4.2 Project Description

The proposed changes to the dwelling involve the addition of a washroom to qualify through by SAWP standards for an additional 7 workers. The dwelling currently has two existing washrooms, a dorm style bunkhouse with a common kitchen, eating and living area. The changes involve addition of a washroom, within the envelope of the existing dwelling (as shown on the attached sketch).

#### 4.3 Legislative Context

According to Section 18 of the Agricultural Land Commission Act (2002)<sup>2</sup>, a local government may not approve more than one residence on a parcel within the ALR unless the additional residences are necessary for farm use. Given that the applicant has approved agreements through the federal SAWP program, the additional dwelling is deemed necessary for farm use, provided it is and will be continued to be used for agricultural workers in the long term.

<sup>1</sup> Government of Canada, Feb. 20, 2014. Labour Market Opinion SF#8078888 SAWP.

<sup>2</sup> RSBC, 2002. Agricultural Land Commission Act, 2002, Section 18.

4.4 Foreign Farm Workers in Canada

The SAWP Program, together with the BC Agriculture Council, establishes standards for housing foreign farm workers. The housing is required to be inspected twice per year by an accredited inspector for the SAWP program, once prior to arrival of the workers, and once during the season. A condition of this Farm Help Permit is that the housing complies with SAWP / BC Agriculture Council standards.

4.5 Site Context

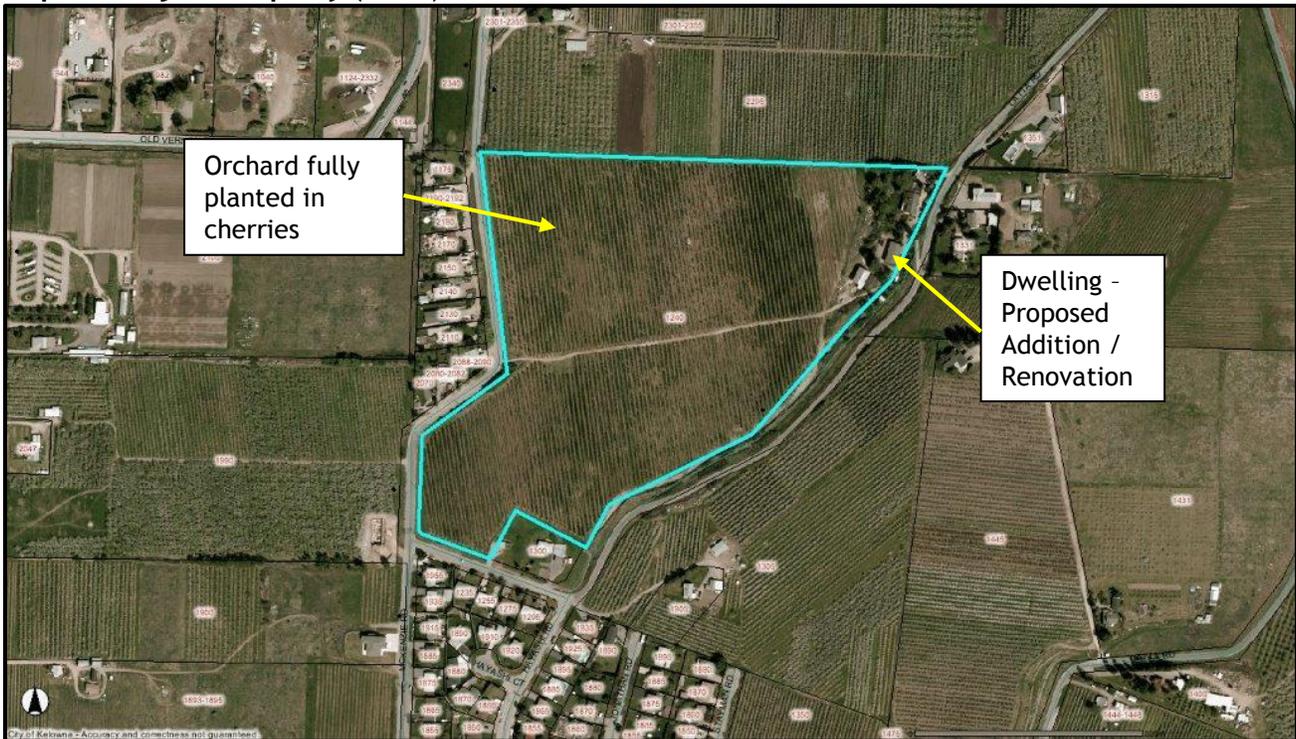
The zoning and land uses of adjacent properties are shown in Table 1, below.

**Table 1: Zoning and Land Use of Adjacent Property**

Direction	Zoning Designation	Land Use	ALR
North	A1 - Agriculture 1	Agricultural	Yes
West	A1 - Agriculture 1 / RR3 & RU6 Residential	Agricultural / Residential	Yes
South	RR3 & RU2 Residential	Residential	No
East	A1 - Agriculture 1	Agricultural	Yes

The subject property map, ALR map and the future land use map of the area are included below.

**Map 1 - Subject Property (2012)**



**Map 2 - ALR Map**



## 5.0 Technical Comments

### 5.1 Building & Permitting Department

The following are comments from the Building and Permitting Department:

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

Also see the letter to applicants from the Building and Permitting Department (attached).

### 5.2 Development Engineering

Development Engineering Services indicated that the proposed renovation and use did not trigger any off-site infrastructure upgrades.

### 5.3 Ministry of Agriculture

No comments.

### Report prepared by:

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Melanie Steppuhn, Land Use Planner

Approved for Inclusion:



Shelley Gambacort, Director, Subdivision, Agriculture & Environment Services

### Attachments:

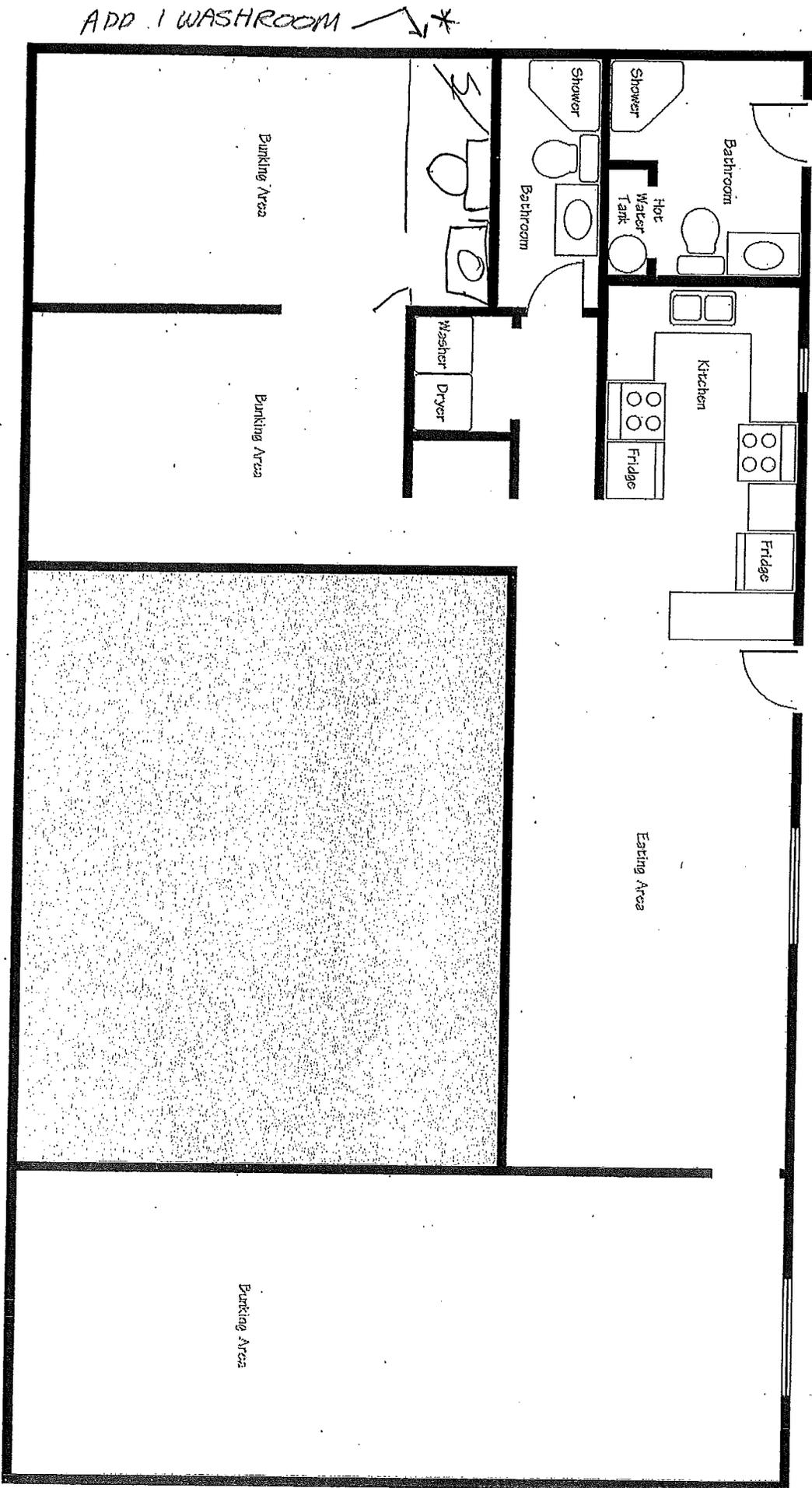
Development Application and Sketch  
Building and Permitting Services letter



1240 Lefts PD

Duplex

Lower Floor



March 12, 2014



G P Sandher Holdings  
1610 Swainson Rd  
Kelowna, BC  
V1P 1C5

**Building Permit Application BP47933 for Agri- Accessory-Addition at 1240 Latta Rd, Lot: 26, Plan: 1760**

**Note:** The owner should be aware that with reference to Section 290(1) of the Local Government Act, The City of Kelowna in reviewing the plans and supporting documents submitted with the application for building permit, relies exclusively on the Letters of Assurance prepared by the Registered Professionals.

**NOTE:** The City of Kelowna Building By-Law No. 7245 states “a building permit application shall expire within six (6) months of the application date if the building permit has not been issued.”

In conjunction with the above application please address the following:

1. Development Permit FH14-0003 exemption to be processed by Land Use Management (LUM) for further information contact Stuppahn at (ph: 250-469-8586).
2. Complete *Owner's Authorization* form signed by the property owner.(See attached)
3. Water letter from BMID required.
4. Qualified waste water practitioner to provide confirmation the septic system can accommodate the farm help dwelling.

Please call me at 469-8580 or email me at [dमितka@kelowna.ca](mailto:dमितka@kelowna.ca) if you have any questions or concerns and I will be pleased to help.



Building & Permitting Branch  
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TEL 250 469-8960  
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**Note:** The City of Kelowna Building By-Law No. 7245 states “a building permit application shall expire within six (6) months of the application date if the building permit has not been issued.”

Dani Misutka  
Plan Checker

cc: Harvey Spittal  
Building Inspector

Doug Patan  
Building and Permitting Branch Manager



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**CITY OF KELOWNA**  
**BYLAW NO. 10916**  
**Z14-0003 - Richard and Michelle Kooistra**  
**4377 Gordon Drive**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, District Lot 358, ODYD, Plan 21365, located on 4377 Gordon Drive, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this Monday, February 17, 2014.

Considered at a Public Hearing on the 4<sup>th</sup> day of March, 2014.

Read a second and third time by the Municipal Council this 4<sup>th</sup> day of March, 2014.

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

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

# Report to Council



**Date:** March 10, 2014  
**File:** 0220-20  
**To:** Mayor & Council  
**From:** City Manager  
**Subject:** VOLUME 2 - CARRYOVERS, 2014 FINANCIAL PLAN  
Report Prepared by: Financial Planning Manager

---

## **Recommendation:**

THAT the 2014 Financial Plan be increased by \$3,221,190 to provide for operating carryover projects and \$90,332,640 for capital carryover projects as summarized in Financial Plan Volume 2.

## **Purpose:**

To present the Volume 2 - 2014 Financial Plan to Council for approval and inclusion in the 2014 Financial Plan.

## **Background:**

The operating and capital projects listed in Volume 2 of the 2014 Financial Plan represent projects that were not able to be completed in 2013 or were originally planned to be completed over multiple years. These projects, in all cases, result in no additional taxation demand. The projects are funded from reserves, debt, and other levels of Government and/or other contributions. The timing of this budget volume is after the fiscal year-end so carryover projects can be presented with certainty of costs.

All 2013 approved capital projects and eligible operating programs were reviewed with each department. The carryover requests were examined and unspent budget funds were placed into reserve in 2013 for use in 2014. There are various reasons for a project being delayed or not completed. Of all projects, the majority are multi-year (82%), and the remaining projects are consolidated into a general "Other" category (18%). A summary of operating carryover requests greater than \$100,000 and capital carryover requests greater than \$500,000 is attached to provide Council with an indication of the reasons for those larger carryover projects.

Provided in Volume 2 of the 2014 Financial Plan is:

1. A summary of operating projects (blue sheets) for the general and utility funds.
2. Operating budget details for the general and utility funds.
3. A summary of capital projects (yellow sheets) for the general and utility funds.
4. Capital project details for the general and utility funds.

**Financial/Budgetary Considerations:**

A consolidated 2014-2018 5 Year Financial Plan will be brought to Council for adoption by bylaw at Final Budget on May 5, 2014. This will immediately precede adoption of the 2014 property tax bylaw, in accordance with Section 165 of the Community Charter.

**Considerations not applicable to this report:**

**Internal Circulation:**

**Legal/Statutory Authority:**

**Legal/Statutory Procedural Requirements:**

**Existing Policy:**

**Personnel Implications:**

**External Agency/Public Comments:**

**Communications Comments:**

**Alternate Recommendation:**

Submitted by:

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

Attach.

cc: Deputy City Manager, Divisional Directors, Director Financial Services

# City of Kelowna

## Summary of 2014 Large Carryover Projects

Title	Multi-Year	Other	Total
<b>Operating &gt; \$100,000</b>			
Explore Utility Billing Solution	-	189,760	189,760
Strategic Land Development Opportunities	472,710	-	472,710
Mission Community Policing Office Move	-	114,740	114,740
Fuel Modification & Pine Beetle	196,100	-	196,100
Safety and Operations, Investigations	151,850	-	151,850
Long Term Corporate Capital Plan	248,150	-	248,150
Sewer Master Plan Update	195,690	-	195,690
Operating Total	1,264,500	304,500	1,569,000
<b>Capital &gt; \$500,000</b>			
General Land	855,910	-	855,910
Police Facility Site	1,147,950	-	1,147,950
Ellis Street Parkade	14,076,590	-	14,076,590
Family Y, Structural Upgrade	-	1,241,710	1,241,710
Library Parkade, Expansion	6,137,970	-	6,137,970
Bernard Ave, Streetscaping	931,610	-	931,610
City Park - Foreshore Protection	-	558,650	558,650
Parks Land, Natural/Linear	890,640	-	890,640
Stuart Park Phase II, Waterfront Walkway	839,610	-	839,610
Alternate Hwy 97 Multi-use Pathway Access to UBC	-	3,391,540	3,391,540
Bernard Ave Revite - Transportation Services	1,363,580	-	1,363,580
Bus Rapid Transit Stations, Land	-	2,488,500	2,488,500
Hwy Link- Pandosy 3 (Land)	-	748,590	748,590
Lakeshore 3 (Richter - Old Meadows)	1,202,610	-	1,202,610
Okanagan College Transit Exchange	-	2,137,920	2,137,920
Pandosy Village Transit Exchange	1,802,880	-	1,802,880
Rails with Trails (Spall - Hardy)	2,314,910	-	2,314,910
Rutland Transit Improvements	-	1,103,610	1,103,610
Landfill, New Admin Building	734,170	-	734,170
Ladder Truck	-	1,192,560	1,192,560
Additional Land Purchases - Airport	1,600,000	-	1,600,000
Drive to 1.6 Million Passengers Program	26,708,780	-	26,708,780
Cedar Cr. Pump Station	5,591,060	-	5,591,060
Stellar Booster Station	-	2,055,720	2,055,720
Capital Total	66,198,270	14,918,800	81,117,070
Large Operating & Capital Projects Total	67,462,770	15,223,300	82,686,070
Percentage of Total	82%	18%	100%

# Report to Council



**Date:** 3/24/2014  
**File:** 1850-20  
**To:** City Manager  
**From:** Infrastructure Division Director  
**Subject:** Lakeshore Road - Dehart to McClure

---

## **Recommendation:**

THAT Council receives the report of the Infrastructure Division Director dated March 24, 2014 regarding Lakeshore Road from Dehart to McClure Roads;

AND THAT Council approves proceeding with the design and the construction of this section of Lakeshore in 2014 and 2015;

AND THAT Council approve the amendments to the 2014 Financial Plan in the amount of \$700,000 with \$577,142 from Sector B DCC Roads Reserve and \$122,858 from the Arterial Road Reserve to cover the costs of predesign, land acquisition and start of detailed design.

AND THAT Council direct staff to bring forward budget submissions to the 2015 Provisional Budget for the completion of design and construction of this section of Lakeshore.

## **Purpose:**

To seek Council approval to proceed with the design, property acquisition and construction of Lakeshore Road from Dehart to McClure Roads.

## **Background:**

Council and staff have received concerns from parents of the Anne McClymont Elementary School via a petition dated July 5, 2013 and also through direct communications. This section of Lakeshore currently lacks full urban infrastructure including sidewalks, curb and gutter, street lighting and other features that make the location safer. Parents were seeking improvements to allow safe pedestrian and cycling movements to the school. As well, there is a desire to improve traffic flow on Lakeshore Rd in the vicinity of the school.

In the City's 20 Year Servicing Plan, Lakeshore Rd at this location is scheduled to be upgraded at 3000 units of development in the south Mission. There currently are 2288 units of development with approximately 100 additional units annually being constructed in this sector. Therefore the road is some 7-8 years away from improvements in the current schedule.

Over the past number of months staff have been exploring on two options to improve safety and traffic movement along this section.

- 1) Due to lack of the city ownership to allow sidewalks in a permanent location, temporary sidewalks have been identified that could alleviate some of the concerns. These sidewalks would be removed when the permanent works are constructed. This option has been reviewed with School District 23 staff.
- 2) Since much of the works are funded through Development Cost Charges, staff have reviewed the South Mission Sector B DCC Program to see if funds can be freed up from other planned and scheduled road improvements in this area to accelerate construction of the permanent road works.

Upon completion of review of these options, staff have concluded it would be desirable to build the permanent works rather than spend hundreds of thousands of dollars on sidewalks that would be removed at a later date. As a result of discussions with the south Mission developers and review of related Road DCC revenues for the south Mission, there now is sufficient funds in this reserve to allow construction of this portion of Lakeshore Rd to address the safety concerns around the school and improve traffic flow.

The permanent road works will be similar to what is being constructed in the coming months on Lakeshore Rd between Cook and Lexington Roads. The road cross section (see attachment A) will consist of two lanes with a centre left turn lane. Bike paths will be provided on both sides of the road. A multiuse pathway will also be constructed on the west side of the road and a sidewalk on the east side. The permanent works will be constructed from Dehart to McClure Roads. There would be additional works done to connect with the Bellevue Creek Bridge.

Staff will work with School District 23 staff through the design process on ways to improve traffic flow on Lakeshore Road and related drop-off zones at the school.

The cost of this project is estimated at \$5.18M based on a recent high level Class D estimate provided by a consulting engineer. The funding for the works will be \$4,054,817 from South Mission Roads DCC, \$846,142 from taxation or other reserves and \$279,041 from gas tax funding. The works would be done over a two year period where in 2014 the predesign, land acquisition and start of detailed design would occur with completion of detailed design and construction occurring in 2015. This schedule is very ambitious and at risk due to property acquisition and other unexpected delays but is being strived for in the interest of addressing this safety concern.

Other projects in this sector will be delayed to later years as a result of accelerating these roads. Specifically Dehart from Gordon to Lakeshore, which was scheduled in the next couple of years, will not be urbanized until 3000 units as well as various final lift paving projects in this Sector on other roads will be delayed. Proceeding with this project in 2015 will also delay or defer other taxation funded projects scheduled in the 2020 Capital Plan.

Staff have had discussions with School District 23 senior staff and Anne McClymont Elementary staff as well as the parent who led the petition process for the upgrade. Based on these discussions we believe there is strong support to proceed with these improvements.

**Internal Circulation:**

Director, Communications  
Director, Civic Operations  
Director, Financial Services  
Manager, Capital Planning and Asset  
Manager, Transportation and Mobility  
Financial Analyst, Infrastructure

**Financial/Budgetary Considerations:**

The consultant's Class D cost estimate for this project is considerably higher than the 20 Year Servicing Plan estimate. These costs will be reviewed further through the pre-design process to provide a better level of costing estimate. Depending on the outcome of this review, this may result in the need to review the current Sector B Roads DCC Program.

**Personnel Implications:**

The city managed road projects will be handled through the Infrastructure Division and supported by the Real Estate, Communications and Civic Operations Divisions.

**Communications Comments:**

Once approval is received a public engagement strategy will be developed to involve the community directly affected and define areas for input and opportunities for involvement.

**Considerations not applicable to this report:**

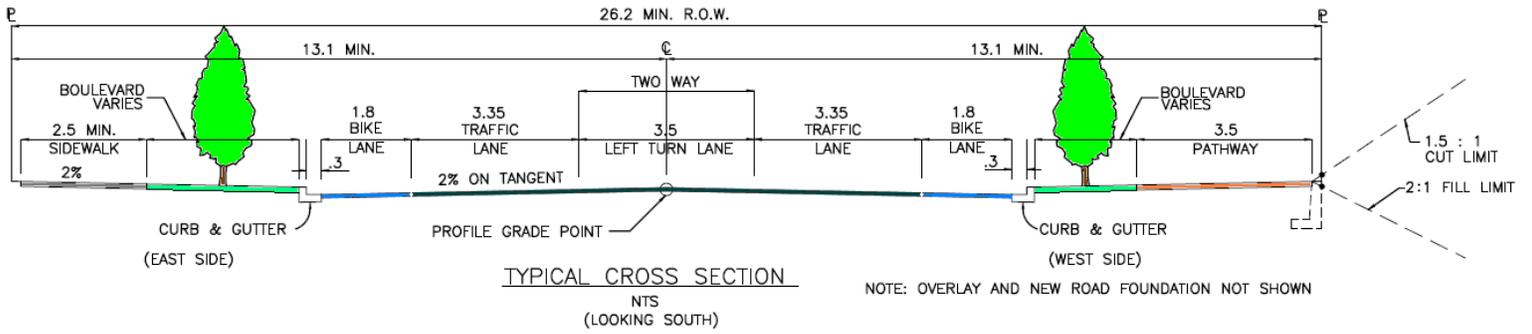
Legal/Statutory Authority  
Legal/Statutory Procedural Requirements  
Existing Policy  
External Agency/Public Comments  
Communications Comments  
Alternate Recommendation

Submitted by:

John Vos, P. Eng.  
Infrastructure Division Director

Attachment 1: Road Cross section Drawing

cc: Director, Corporate Services  
Director, Communications  
Director, Civic Operations  
Director, Financial Services  
Manager, Capital Planning and Asset  
Manager, Development Engineering  
Manager, Transportation and Mobility  
Manager, Purchasing  
Financial Analyst, Infrastructure



# REPORT TO COUNCIL



**Date:** March 11, 2014  
**File:** 5460-00  
**To:** City Manager  
**From:** Darryl Astofooroff, Public Works Manager  
**Subject:** New Council Policy No. 373 - Tourist Oriented Destination Signs  
Report Prepared by: Laurens Campbell, Engineering Traffic Technician

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## **Recommendation:**

THAT Council receives, for information, the Report from the Public Works Manager dated March 11, 2014 with respect to tourist oriented destination signs;

AND THAT Council adopts Council Policy No. 373, being Tourist Oriented Destination Signs, as outlined in the Report from the Public Works Manager, dated March 11, 2014.

## **Purpose:**

To consider a Council Policy that addresses requests for tourism related directional signage. Tourism Oriented Destination Signs (TODS) are intended to direct tourists from the provincial highway system, to local tourist destinations/attractions, along City of Kelowna roadways. This policy will assist visitors and residents with getting to major attractions, reduce roadside sign clutter, decrease driver confusion and create a safer road network by ensuring signage does not compete with other important traffic control devices.

## **Background:**

Historically, the City of Kelowna used the Ministry of Transportation and Infrastructure's Service and Attraction Sign Policy as a guideline for which signs were permitted for placement on City roads. If a sign was allowed on the highway then supporting signage was permitted on the City network. This was changed in 2011 when the province updated their policy, advising applicants that they would need to apply to the local road authority first, and if the signage was approved on the local road system, the Ministry of Transportation and Infrastructure (MoTI) would install the supporting signs on the provincial highway.

When staff began to receive numerous requests for signs and went to identify locations for their installation, it became apparent that many areas have such a proliferation that their messages and directions were difficult to understand. Adding, signs in these areas would make it even more difficult for drivers to get the information they need.

Staff has also received requests for signs that didn't fall into a specified category under MoTI's sign policy. It became apparent that the City needs to establish a policy, complete with qualification criteria and a formal application process for this type of third party signage.

Tourist Oriented Destination Sign programs from municipal and provincial road authorities across the country were reviewed. The attached policy is consistent with best practices and the BC Ministry of Transportation and Infrastructure's 2013 Service and Attraction Sign Manual.

The objectives of the policy are to:

- Ensure clear way-finding for tourists and residents in order to optimize business success and to present tourists with clear and consistent directional signage
- Set eligibility criteria for applicants
- Formalize the application process
- Minimize sign proliferation in order to maintain road safety and avoid driver confusion
- Create a self-funding program by recovering sign manufacturing, installation and administration costs

The implementation strategy includes:

1. Clean up of areas which currently have excessive or confusing signage
2. Consolidation of signs into a more legible format
3. Collection of applications for new signs
4. Removal of illegal signs, or those not in accordance with the policy.

Existing signs will be replaced and consolidated at no cost to the business.

**Internal Circulation:**

Stephen Fleming - City Clerk  
Fred Wollin - Traffic Operations Supervisor  
Moudud Hasan - Manager, Transportation and Mobility  
Jodie Foster Sexsmith - Communications Supervisor  
Greg Wise - Bylaw Services Manager

**Legal/Statutory Authority:**

City of Kelowna Traffic Bylaw 8120

**External Agency/Public Comments:**

An open house was held on February 19, 2014, with Tourism Kelowna and approximately 30 of their stakeholders. The information was well received and all attending were in favour of moving forward with the policy, with the hope that new applicants can have signs installed by the beginning of the tourist season.

**Considerations not applicable to this report:**

**Legal/Statutory Procedural Requirements:**

**Existing Policy:**

**Financial/Budgetary Considerations:**

**Personnel Implications:**

**Community & Media Relations Comments:**

**Alternate Recommendation:**

Submitted by:



Darryl Astooroff, Public Works Manager



**Approved for inclusion:** Joe Creron, Director, Civic Operations

cc: Corinne Boback, Legislative Coordinator



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

# Council Policy

## Tourist Oriented Destination Signs

Contact Department: Civic Operations – Traffic Operations

### **Policy Statement**

Clear and consistent Tourist Oriented Destination Signs (TODS) assist visitors and residents with getting to major attractions within the city. Less roadside sign clutter decreases driver confusion, is easier to understand and maintain and does not compete with other important traffic control devices. This contributes to a safer road network.

### **Purpose**

- To ensure clear way-finding for tourists in order to optimize business success and to present tourists with clear and consistent directional signage;
- Minimize sign proliferation on City roadways, in order to maintain safety and to avoid driver confusion at all times;
- Recover sign manufacturing, installation, maintenance and administration costs;
- integrate with the current provincial signage program;
- Set eligibility criteria for tourist oriented operators in the City of Kelowna; and
- Formalize the application process to qualified tourist oriented operators.

The following policy is intended to be consistent with the British Columbia Ministry of Transportation and Infrastructure's '2013 Service and Attraction Sign Manual' and the Transportation Association of Canada's 'Manual of Uniform Traffic Control Devices'. The current volume of signs at some locations is too high to be effective. The intent is to modify these installations for clarity and consistency with best practices.

### **Background**

The City of Kelowna's practice has been to allow attraction signs on the city road network, if the business qualified for the signs under the Provincial Service and Attraction Sign Policy. In 2011, the province changed their policy, advising applicants that they would need to apply to the local road authority first, and if the signage is approved on the local road system, the Ministry of Transportation and Infrastructure (MoTI) would install the supporting signs on the provincial highway.

Tourist oriented Destination Signs (TODS) are an integral part of our transportation system. The message conveyed on signs should be consistent with national standards so that they are easily recognized and interpreted. TODS benefit tourists and businesses but should not be so prolific as to detract from other traffic control devices. The TODS system is designed to direct road users, destined for tourist facilities, from provincial highways to local businesses. The signs are intended for traffic direction and not for advertising. All signs for tourist attractions on City of Kelowna roadways must be installed under the City of Kelowna TODS program. Home-made or unapproved signs are not permitted.

## Procedure

### Application

An application for Tourism Oriented Destination Signs on City of Kelowna roadways can be made through the City of Kelowna, Traffic Operations department, located at the City Works Yard or on-line at [www.kelowna.ca](http://www.kelowna.ca)

### Fees

All Fees are identified in Bylaw No. 8120 – City of Kelowna Traffic Bylaw

## Criteria

For an operator to be eligible for signs, it must be an eligible Tourist Oriented Operator as defined in this policy, and meet the following basic criteria:

- Comply with all Federal, Provincial and Municipal regulations.
- Maintain a valid Business License.
- If the attraction is located just outside the Kelowna city limits, but primary access is through Kelowna, consideration may be given to signs within Kelowna city limits.
- Be open to the general public and serve tourists.
- Be accessible by public roads.
- Be a registered stakeholder with Tourism Kelowna and advertise its location, season, hours of operation and contact information in tourism publications.
- Be open at least five days per week for a minimum of 12 consecutive weeks per year. Shorter term openings will only be considered if the attraction is a significant traffic generator and at the discretion of the program administrator. Dates should be displayed on the signs e.g. *May to Sept.*
- Must have regular, stated hours of operation.
- Facilities must have appropriate signage on their own property so that they are easily identifiable from the fronting roadway.

### Sign Types and Design:

**Mainline signs** - Signs located along provincial highways advising of the direction of local attractions or services (Ministry of Transportation guidelines).

**Trailblazing signs** - Signs located along City of Kelowna roadways, guiding tourists from provincial highways, to the attraction.

**Confirmatory Signs** - Signs located either after a turn or mid-block to confirm to drivers that they are on the correct route.

**Personalized Signs** – Standard trailblazing sign showing attraction/facility name

All sign graphics will be consistent with service and attraction signs specified by the BC Ministry of Transportation and Infrastructure. Signs will be made of retro-reflective sheeting material with white legend and symbol on a blue background and will show the same colour and shape by night or day. At minimum, signs will contain a symbol and a directional arrow.

Generally, symbol signs only will be permitted on major arterial roadways - no specific names of attractions on those roads. A personalized sign may be used where a turn off of the arterial road is required.

Where multiple similar attractions utilize the same route, a trailblazing sign with a symbol only will be used along the common route with the number of similar attractions identified.



Personalized signs will contain the standard symbols along with the destination name, directional arrow and possibly the distance. Logos will not be permitted. Personalized signs will be kept to a minimum and will only be permitted once the route to a single attraction splits from the main route and/or travel onto onto a minor road is required.

### Sign Size:

- Signs on arterial and major collector classes of roads will be the standard size of 30cm high x 120cm wide and will be grouped with other attraction signs on a single panel. There will be a maximum of four signs per panel.

- Stand-alone signs, for a single attraction, placed along minor collector or local classed roadways will be the standard size of 30cm high x 90 cm wide

**Sign Location:**

Where space permits, attractions will be signed along one route, which will lead motoring tourists to their destination in a reasonably direct manner. Signs will be limited to locations where a change in direction to the destination is required. Generally, signs for a single facility will not be permitted on multiple routes. Routes will be determined by the Public Works Manager or their designate, in consultation with the business owner/operator.

Attraction signs must not interfere or detract from other traffic control devices or signs. Priority will always be given to traffic signals, regulatory, warning and other signs used for traffic control by the City.

The number of attraction signs approaching an intersections will be limited to a single panel of up to four attractions. A second panel can be considered if it can be located at least 50m away from the first panel. Signs will be mounted on existing infrastructure, wherever possible.

Multiple similar tourist service or attractions, where signed along a common route, will utilize a single sign until a change in routing is required. For example, multiple golf course could be directed down an arterial road, from the highway, until the route splits in order to access the different golf courses.

Any variation will be at the discretion of the Public Works Manager or their designate.

Any existing unauthorized signs will be removed by the City of Kelowna and will not be returned to the owner.

Businesses that meet guidelines and wish to participate in the City of Kelowna's TODS Program, once it is at capacity, will be placed on a waiting list until a space becomes available.

**Sign Maintenance**

The City of Kelowna will maintain an inventory of signs. The City of Kelowna does not inspect attraction signs on a regular basis. Missing or damaged signs will need to be identified by the sign beneficiary. The City will replace signs where necessary. Repair/replacement costs will be as per the fee schedule.

**Eligibility**

Eligible tourist oriented operators can only be classified and signed as a single type of attraction. It is possible that, through the application process, not all eligible tourist oriented operators will be granted signs.

**The following are considered tourist oriented operators and are eligible for tourist oriented destination signs (TODS) as outlined in this policy:**

- Bed & Breakfast
- Wineries/Breweries/Distilleries
- Heritage Sites
- Cultural Attractions
- Entertainment Attractions
- Natural Attractions
- Educational Attractions
- Agri-Business Attractions

**Definitions: Tourist Oriented Operators****Bed & Breakfast**

Bed & Breakfasts are a type of smaller lodging establishment that are signed using a distinctive symbol and meet the following criteria:

- Provide, at a minimum, 3 units for overnight accommodation
- Lockable door for each unit
- Provide at least one meal for guests, typically breakfast
- Provide at least one dedicated bathroom for guests

**Wineries/Breweries/Distilleries**

- Registered with BC Wine Institute
- Participant of Kelowna 'Wine Trails' program
- Must produce the product on site
- Must offer tours/tasting on site

**Heritage Sites**

Heritage sites include significant heritage sites, typically registered with Heritage BC

Heritage Site Types:

- First Nations Heritage Sites
- Historic/Heritage Villages or Buildings
- Historic Train Tours
- Interpretive Centres
- Museums
- Provincial Historic Sites

**Cultural Attractions**

Cultural Attractions include attractions that express traditions, aesthetics, values and customs passed along from generation to generation

Cultural Attraction Types:

- Artisan Demonstration Studio
- Building of Unusual Construction
- Live Performing Arts Theatre
- Outdoor Live Performing Arts Theatre
- Public Art Gallery

**Entertainment Attractions**

Attractions with the main purpose providing an experience for tourists. These should involve amusement, excitement, fun and/or entertainment. This includes, but is not limited to:

- Aerial Tramway
- Casinos
- Horse Racing
- Racetracks/Raceways/Speedways
- Suspension Foot Bridge
- Theme (Amusement) Park
- Zip-lining

**Natural Attractions**

Natural Attractions are significant geographical, biological, or geological features in the environment, which may include a scenic destination with a combination of natural and man-made features. Destinations must be supported by infrastructure for travelling public (signage, access to public road, adequate parking)

Natural Attraction Types:

- Botanical or Display Garden
- Forest, Wood, or Tree Related
- Natural Hot or Mineral Spring
- Significant Public Beach

**Educational Attractions**

May be a natural or human-made attraction, whose main purpose is to educate from a social, business/industrial, cultural, scientific, and/or historical perspective, with the intent of providing visitors with the opportunity to acquire knowledge, skills or abilities. Educational attractions must be supported by infrastructure for travelling public (signage, access to road, adequate parking)

**Educational Attraction Types:**

- Fish Hatcheries
- Hydroelectric Dam Tours
- Industrial Tours
- Mine Tours
- Regional Zoo
- Colleges and Universities

**Agri-Business Attractions**

Agri-Business is an enterprise that combines the natural setting and agricultural products with a tourism experience. This includes a wide spectrum of products and services.

**Agri-Business Types:**

- Cidery
- Dairy Products
- Plant Tours
- Equestrian Centre
- Farm Tours
- Fish Farm (Commercial) Tours
- Honey/Mead Producer

**\*The following facilities/operators are not considered Tourist Oriented Operators under this policy, and are therefore not eligible for Tourist Oriented Destination Signs (TODS):**

- General commercial enterprises (including malls, plazas and shops)
- Restaurants, pubs, bars and, nightclubs
- Attractions located within urban centres
- Fruit/vegetable stands
- Cemeteries
- Antique Shops
- Cinemas/Theatres
- Bowling Alleys
- Driving Ranges
- Mini Golf Courses

- Souvenir/Gift Shops
- Public or private Primary, Elementary, Middle and High Schools
- Religious Facilities such as churches and mosques
- Essential Services such as gas, food, hotel/motel lodging
- U-pick operations
- Neighbourhood park facilities
- Subdivisions, neighbourhoods and real estate developments
- Facilities who's primary visitors are invited guests
- Locations already covered by existing way-finding sign programs

**Amendments**

DRAFT

**City of Kelowna  
Tourism Oriented Destination Signage (TODS) Program**

*Please read the following instructions carefully before completing this application*

- Provide information requested in the boxes provided
- Do not enter information in shaded boxes, which are for office use only
- Incomplete application form may delay the processing of your application
- Read the terms and conditions of the agreement and sign the application form
- Include the application fee with the application form – payable to City of Kelowna
- You will be advised of your eligibility, which signs have been approved and the total fees payable
- Upon receipt of the total fees payable, your signs will be ordered and installed

**For Office Use Only**

Application #

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Date of Receipt:

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Date of Approval:

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**Applicant Information**

Name:

Mailing Address:

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Telephone #:

E-mail:

--	--

**Attraction Operation Information**

Name of Operation:

Name to Appear on Signs

--	--

Business License #

--

Municipal Address of Operation

--

Nature of Business

--

**Attraction Information**

Answer Yes (Y) or No (N) to the following statements and supply information as requested

- |   |   |   |
|---|---|---|
| Y | N | My operation is within the City of Kelowna City Limits  |
| Y | N | I am registered with Tourism Kelowna  |
| Y | N | My operation has a current business license   |
| Y | N | My operation complies with all applicable federal, provincial and municipal regulations   |
| Y | N | My operation adheres to the safety standards and procedures that apply to the industry to which it belongs                            |
| Y | N | My operation serves predominantly tourism customers   |
| Y | N | My operation is open to the general public  |
| Y | N | My operation is accessible by public roads  |
| Y | N | My operation is open at least 5 days per week a minimum of at least 12 consecutive weeks per year. If not, indicate season and hours: |

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**Additional Information**

- |   |   |  |
|---|---|--|
| Y | N | My operation has a staffed reception and orientation point   |
| Y | N | My operation has a control gate  |
| Y | N | My operation has permanent interpretation panels and displays  |
| Y | N | My operation advertised its location, operating season and hours, contact information and facilities on the following media: |

--

Please enter the number from the list below that best describes your business.

- |   |  |
|---|--|
| 1 Bed and breakfast                           | 15 Industrial tours                            |
| 2 RV park or campground                       | 16 Performing arts theatre - Indoor or outdoor |
| 3 Winery, cider or mead producer              | 17 Art Gallery                                 |
| 4 Craft brewery, distillery                   | 18 Racetrack/Speedway                          |
| 5 Honey                                       | 19 Amusement/theme Park                        |
| 6 Farm market                                 | 20 Zip-lining                                  |
| 7 Farm tours/Agricultural interpretive centre | 21 Zoos  |
| 8 First Nation's heritage site                | 22 Conservation area                           |
| 9 Historic site or building                   | 23 Botanical gardens                           |
| 10 Park                                       | 24 Public golf course                          |
| 11 Artisan                                    | 25 Marina                                      |
| 12 Educational attraction                     | 26 Equestrian Facility/Trail riding            |
| 13 Fish farm/Hatchery                         | 27 Sports facility                             |
| 14 Interpretive Centre                        | 28 Museum                                      |
|   | 29 Other                                       |

**Sign Information**

Trailblazing Signs		From	Shaded area to be filled by City staff only			
To be placed on	Approaching	N, S, E, W	Size W x H cm	Km	Arrow	Fee
1						
2						
3						
4						
5						
6						
7						
8						
9						
10	<b>Application Fee</b>					\$ 100.00
<b>Total Sign Fees</b>						<b>\$ 100.00</b>
Application Fee \$100 (non-refundable)						PST 7% \$ 7.00
<b>Costs:</b>	Sign Manufacture and Install \$180 per sign					GST 5% \$ 5.00
	Sign repair/replacement \$120 per sign					<b>Total Payable \$ 112.00</b>

**Agreement**

Invoice #

I have read and understand the City of Kelowna TODS Council Policy No.373

I have supplied information on this form truthfully and to the best of my knowledge

I agree to the following conditions:

- My eligibility in the TODS program is subject to approval by the City of Kelowna.
- The City reserves the right to approve and decide on the type, size and location of the TODS signs I apply for.
- Signs will not be installed in a manner that may negatively impact traffic safety.
- All TODS signs installed on my behalf are the property of the City of Kelowna and can be moved or removed as required.
- Fees payable to the City of Kelowna are for services rendered in accordance with the TODS program as approved by City Council.

Signature:

Name:

Date:

Rev. Jan 21, 2014