

City of Kelowna

Regular Council Meeting

AGENDA



Monday, June 15, 2015
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

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

2. Confirmation of Minutes

4 - 9

Regular PM Meeting - June 1, 2015

3. Public in Attendance

3.1 Rotary Centre for the Arts

10 - 24

Annual presentation to Council by the General Manager, Patrick LeBlanc.

4. Development Application Reports & Related Bylaws

4.1 700 Highway 33 East, TA15-0002, Supplemental Report - Hillcrest Farm Market Inc.

25 - 48

To amend the A1 - Agriculture 1 zone to permit the use of a primary food establishment (Café) at 700 Hwy 33 E in accordance with Agricultural Land Commission Resolution # 101/2014.

4.2 505-525 Snowsell Road N, OCP14-0027 & Z14-0059 - Garoslav & Catherine Maruszczak

49 - 63

The purpose of this application is to change the Official Community Plan future land use designation to "Commercial" and to rezone the property to the "C2 - Neighbourhood Commercial" zone in order to develop a new gas bar facility.

- | | | |
|--|--|------------------|
| 4.3 | 505-525 Snowsell Road North, BL11105 (OCP14-0027) - Garoslav & Catherine Maruszczak | 64 - 64 |
| | <p>Requires a majority of all members of Council (5).
 To give Bylaw No. 11105 first reading in order to change the future land use designation of the subject properties in order to develop a new gas bar facility.</p> | |
| 4.4 | 505-525 Snowsell Road North, BL11106 (Z14-0059) - Garoslav & Catherine Maruszczak | 65 - 65 |
| | <p>To give Bylaw No. 11106 first reading in order to rezone the subject properties to develop a new gas bar facility.</p> | |
| 4.5 | 883 McCurdy Place, Z15-0012 - Hyatt Auto Sales Ltd. | 66 - 71 |
| | <p>To consider a Rezoning application to rezone the subject property from the I1 - Business Industrial zone to the I2 - General Industrial zone to allow general industrial uses with outdoor storage.</p> | |
| 4.6 | 883 McCurdy Place, BL11104 (Z15-0012) - Hyatt Auto Sales Ltd. | 72 - 72 |
| | <p>To give Bylaw No. 11104 first reading in order to rezone the subject property to allow general industrial uses with outdoor storage.</p> | |
| 4.7 | 1760 Quail Ridge Boulevard, DP14-0260 - Pier Mac Petroleum Installation | 73 - 108 |
| | <p>To consider a Development Permit application for the form and character of a commercial development on the subject property.</p> | |
| 5. Non-Development Reports & Related Bylaws | | |
| 5.1 | City Park - Waterfront Promenade Upgrade | 109 - 113 |
| | <p>To seek Council support in making an application to Western Economic Diversification Canada (WED) for the upgrade of the Waterfront Promenade in City Park.</p> | |
| 5.2 | 1760 Quail Ridge Boulevard (Adjacent to) - Proposed Road Closure & Sale | 114 - 116 |
| | <p>To close a portion of surplus roadway adjacent to 1760 Quail Ridge Boulevard and transfer the same to the adjacent property owner.</p> | |
| 5.3 | 1760 Quail Ridge Boulevard (Adjacent to), BL11081 - Road Closure Bylaw | 117 - 118 |
| | <p>To give Bylaw No. 11081 first, second and third readings in order to permanently close and remove the highway dedication.</p> | |

5.4 Discharge of Firearms Bylaw Amendment - Ballistics Research Testing Labs 119 - 120

To amend the Discharge of Firearms Bylaw to exclude ballistics research testing labs from the provisions of the Bylaw

5.5 BL11103 - Amendment No. 1 to Discharge of Firearms Bylaw No. 9779 121 - 121

To give Bylaw No. 11103 first, second and third readings in order to amend the Discharge of Firearms Bylaw.

6. Resolutions

6.1 Draft Resolution, Request to Vary Kelowna Noise and Disturbances Control Bylaw No. 6647 - The Cathedral Church of St. Michael and All Angels 122 - 123

To consider a request to vary Kelowna Noise and Disburances Control Bylaw No. 6647 for a special event on Sunday, June 21, 2015.

7. Mayor and Councillor Items

8. Termination



City of Kelowna

Regular Council Meeting

Minutes

Date: Monday, June 1, 2015
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Staff Present Acting City Manager, Rob Mayne; City Clerk, Stephen Fleming; Cultural Services Manager, Sandra Kochan*; Urban Planning Manager, Ryan Smith*; Policy & Planning Manager, Danielle Noble-Brandt*; Real Estate Services Manager, John Saufferer*; Infrastructure Planning Manager, Joel Shaw*; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Deputy Mayor Donn called the meeting to order at 1:31 p.m.

Deputy Mayor Donn 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.

Mayor Basran will join the meeting after he has welcomed the Kelowna Rockets back home from the Memorial Cup Tournament.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Gray

R421/15/06/01 THAT the Minutes of the Regular Meetings of May 25, 2015 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 Ballet Kelowna

Cultural Services Manager, Sandra Kochan
 - Introduced Ballet Kelowna's Artistic Director & CEO

Simone Orlando, Artist Director and CEO, Ballet Kelowna

- Introduced Ballet Kelowna Board Members
- Provided a PowerPoint Presentation outlining Ballet Kelowna's 2014 Activities.
- Responded to questions from Council.

4. Development Application Reports & Related Bylaws

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

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Given

R422/15/06/01 THAT Zoning Bylaw Text Amendment No. TA14-0021 to amend City of Kelowna Zoning Bylaw No. 8000 by amending Section 18 Comprehensive Development Zones as outlined in Schedule 'A', be considered by Council.

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

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

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

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

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

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

Carried

Mayor Basran joined the meeting at 2:12 p.m.

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

Moved By Councillor Singh/Seconded By Councillor Sieben

R423/15/06/01 THAT Bylaw No. 11100 be read a first time.

Carried

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

Moved By Councillor Singh/Seconded By Councillor Sieben

R424/15/06/01 THAT Bylaw No. 11101 be read a first time;

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

Carried

4.4 205 Lougheed Road, BL11102 (Z14-0021) - Watermark Ventures Ltd.

Moved By Councillor Singh/Seconded By Councillor Sieben

R425/15/06/01 THAT Bylaw No. 11102 be read a first time.

Carried

4.5 Multi-Residential Shared Garden Amendments, OCP15-0002 & TA15-0001

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Singh

R426/15/06/01 THAT Official Community Plan Bylaw Text Amendment No. OCP15-0002 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 as outlined in the report of the Urban Planning and Policy & Planning Departments dated May 25, 2015 be considered by Council;

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

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

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

Carried

4.6 BL11056 (OCP15-0001) - Shared Gardens Amendments to OCP Bylaw No. 10500

Moved By Councillor Singh/Seconded By Councillor Sieben

R427/15/06/01 THAT Bylaw No. 11056 be read a first time;

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

Carried

4.7 BL11096 (TA15-0001) - Amendments to include Multi-Residential Shared and Community Gardens in Zoning Bylaw No. 8000

Moved By Councillor Sieben/Seconded By Councillor Singh

R428/15/06/01 THAT Bylaw No. 11096 be read a first time.

Carried

4.8 1470 Guisachan Place, Z14-0009, Extension Request - Sohayl & Sholen Ghadirian

Staff:

- Provided a PowerPoint Presentation summarizing the application and extension request.

Moved By Councillor Stack/Seconded By Councillor Donn

R429/15/06/01 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10954, for Lot 3, DL 136, ODYD, Plan 9353 located at 1470 Guisachan Place, Kelowna, BC, be extended from May 13, 2015 to May 13, 2016;

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

Carried

5. Bylaws for Adoption (Development Related)

5.1 5000 Gordon Drive, BL11037 (OCP14-0020) - No. 21 Great Projects Ltd.

Moved By Councillor Donn/Seconded By Councillor Hodge

R430/15/06/01 THAT Bylaw No. 11037 be adopted.

Carried

5.2 5000 Gordon Drive, BL11038 (Z14-0037) - No. 21 Great Projects Ltd.

Moved By Councillor Gray/Seconded By Councillor Hodge

R431/15/06/01 THAT Bylaw No. 11038 be adopted.

Carried

5.3 773 Glenmore Road & 720 Valley Road, BL11090 (OCP14-0005) - 0904419 BC Ltd.

Moved By Councillor Hodge/Seconded By Councillor Gray

R432/15/06/01 THAT Bylaw No. 11090 be adopted.

Carried

5.4 BL11091 (TA14-0005) - Replacing the CD3 - Comprehensive Development Three Zone in Zoning Bylaw No. 8000

Moved By Councillor Gray/Seconded By Councillor Hodge

R433/15/06/01 THAT Bylaw No. 11091 be adopted.

Carried

5.5 773 Glenmore Road & 720 Valley Road, BL11092 (Z14-0010) - 0904419 BC Ltd.

Moved By Councillor Hodge/Seconded By Councillor Gray

R434/15/06/01 THAT Bylaw No. 11092 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Knox Mountain Disc Golf - License of Occupation

Staff:

- Provided a PowerPoint Presentation summarizing the proposed license of occupation and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Gray

R435/15/06/01 THAT Council approve the City entering into a three (3) year License of Occupation THAT Council approve the City entering into a three (3) year License of Occupation with the Kelowna Disc Golf Association, with the option to renew an additional three (3) year term, in the form attached as Schedule A to the Report of the Manager, Real Estate Services, dated May 25, 2015;

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

Carried

6.2 Corporate GHG Emissions Update

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Sieben

R436/15/06/01 THAT Council receives, for information, the report from the Infrastructure Planning Manager dated May 21th, 2015 with respect to corporate GHG emissions data and emission reduction projects.

Carried

7. Mayor and Councillor Items

Councillor Singh:

- Spoke to her attendance at the ReStore Grand Opening.

Councillor Gray:

- Mentioned upcoming Gutsy Walk for the Crohn's & Colitis Foundation on Sunday, June 7th.

Councillor Given:

- Spoke to ReStore's efforts of keeping items out of the landfill and the benefits of recycling materials.
- Spoke to Council's attendance at the upcoming FCM Conference, and as a result, there is no meeting on Monday, June 8th.

Mayor Basran:

- Provided a CN Rail Injunction Claim update referencing the City's media release.
- Commented on the great job the Kelowna Rockets did at the Memorial Cup.

8. Termination

This meeting was declared terminated at 3:05 p.m.

Mayor


City Clerk

Deputy Mayor

/acm

DRAFT



Vision Statement

KVPACS' vision is to champion arts and culture in the Central Okanagan.

We strive to improve the economic, cultural and social quality of life in the community by fostering participation in, and appreciation of the Arts.

We act as a catalyst for the creation, presentation and appreciation of the Arts by managing and operating the RCA.

If you build it, they will come...



A Destination



For all ages
(Preschool to
seniors)



Arts Education
(6,000 students)



Entertainment
(18,000 tickets sold)

A Centre for Everyone

225,000 visits

Up +13%



We're seeing record breaking numbers!



Everyone Plays Here!



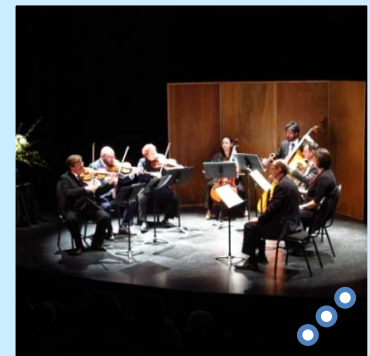
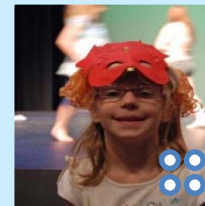
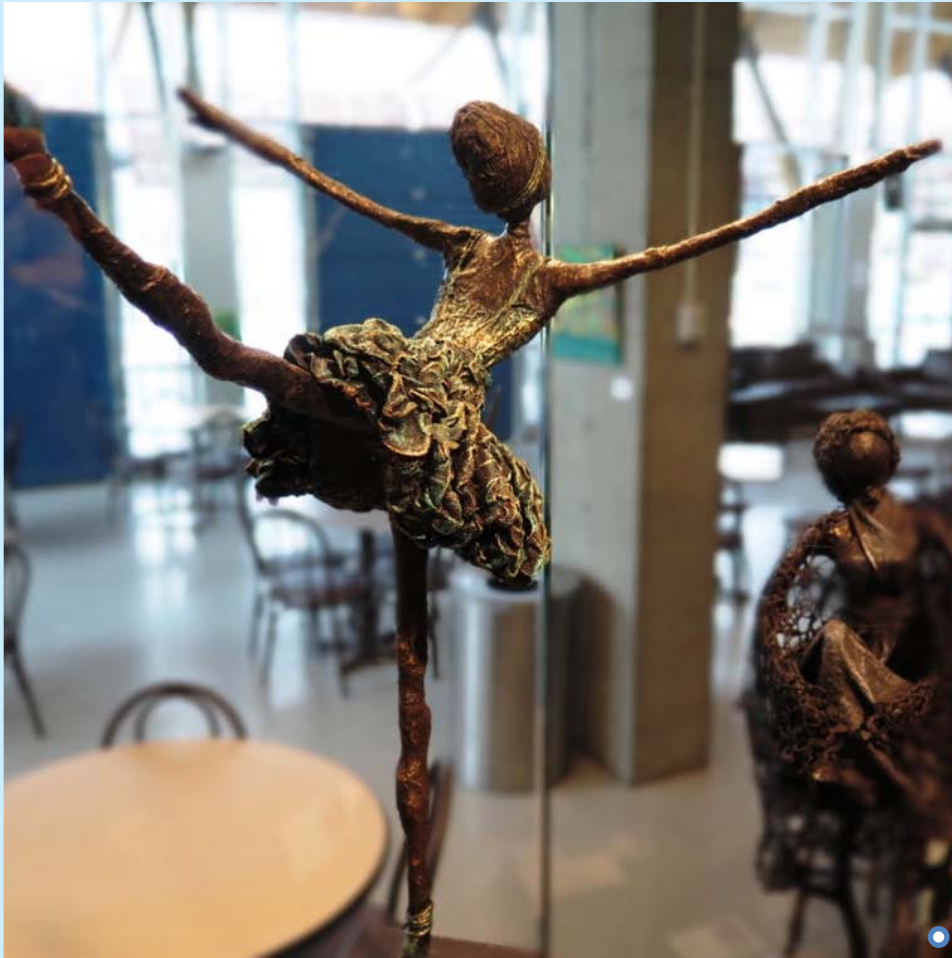
UBC Distinguished Speaker Series with Jay Ingram



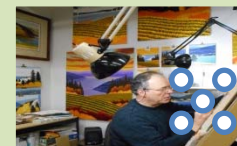
Love Bomb Fundraiser

2,169 total programs, 7,555 rental hours, 1,750 bookings for community organizations, 153 bookings for SD #23

Over 300 Artists in 4 Galleries & Over 2,000 Performers on Stage



10 Visual Artists in Residence & 6 Arts Organizations





Supporting Art in our
community



Develop relationships
with community partners

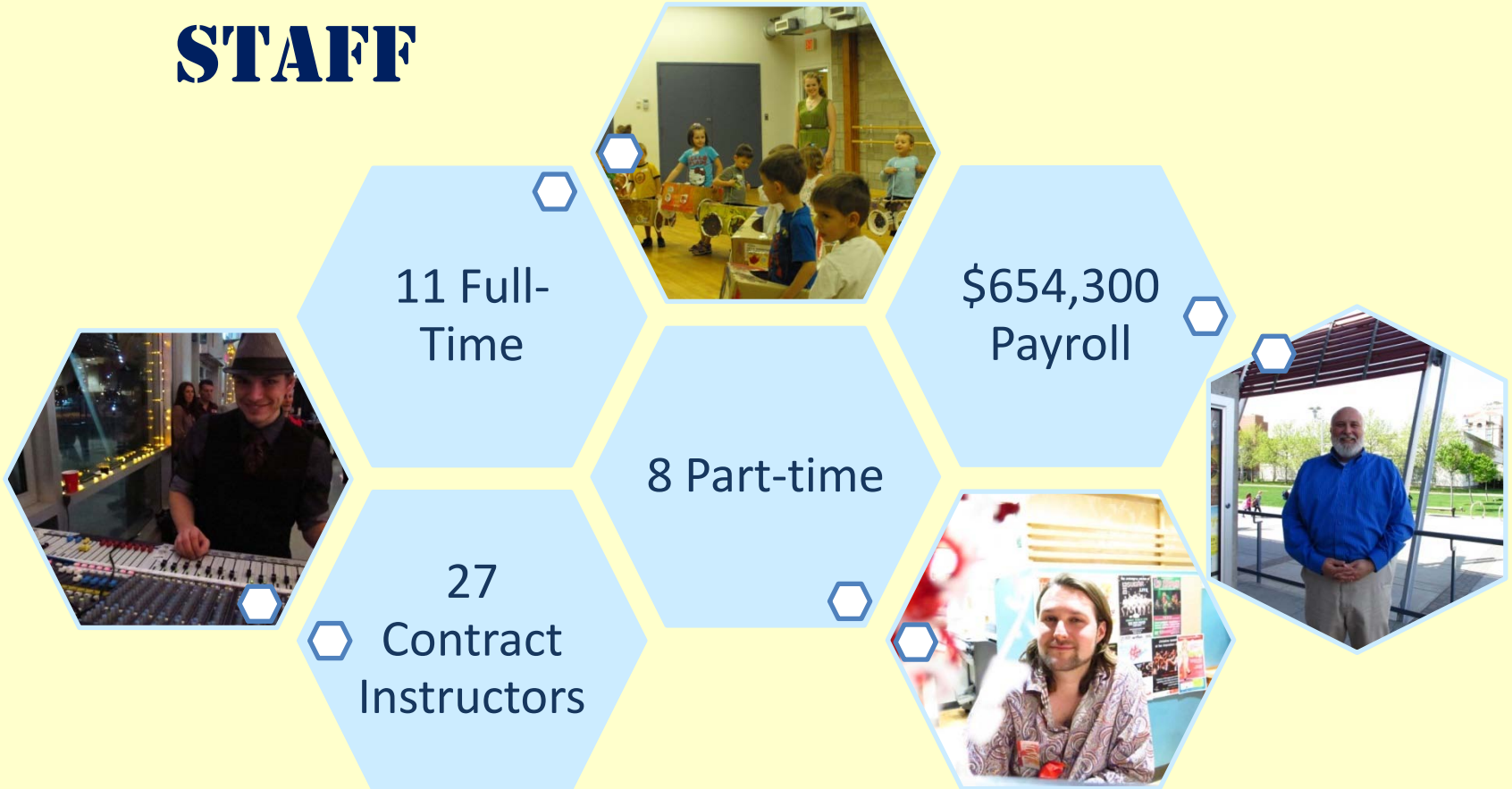


Local Indigenous Art
Exhibit in October



Continue to be UBCO's
downtown home

THE RCA STAFF



Our volunteers help make everything possible



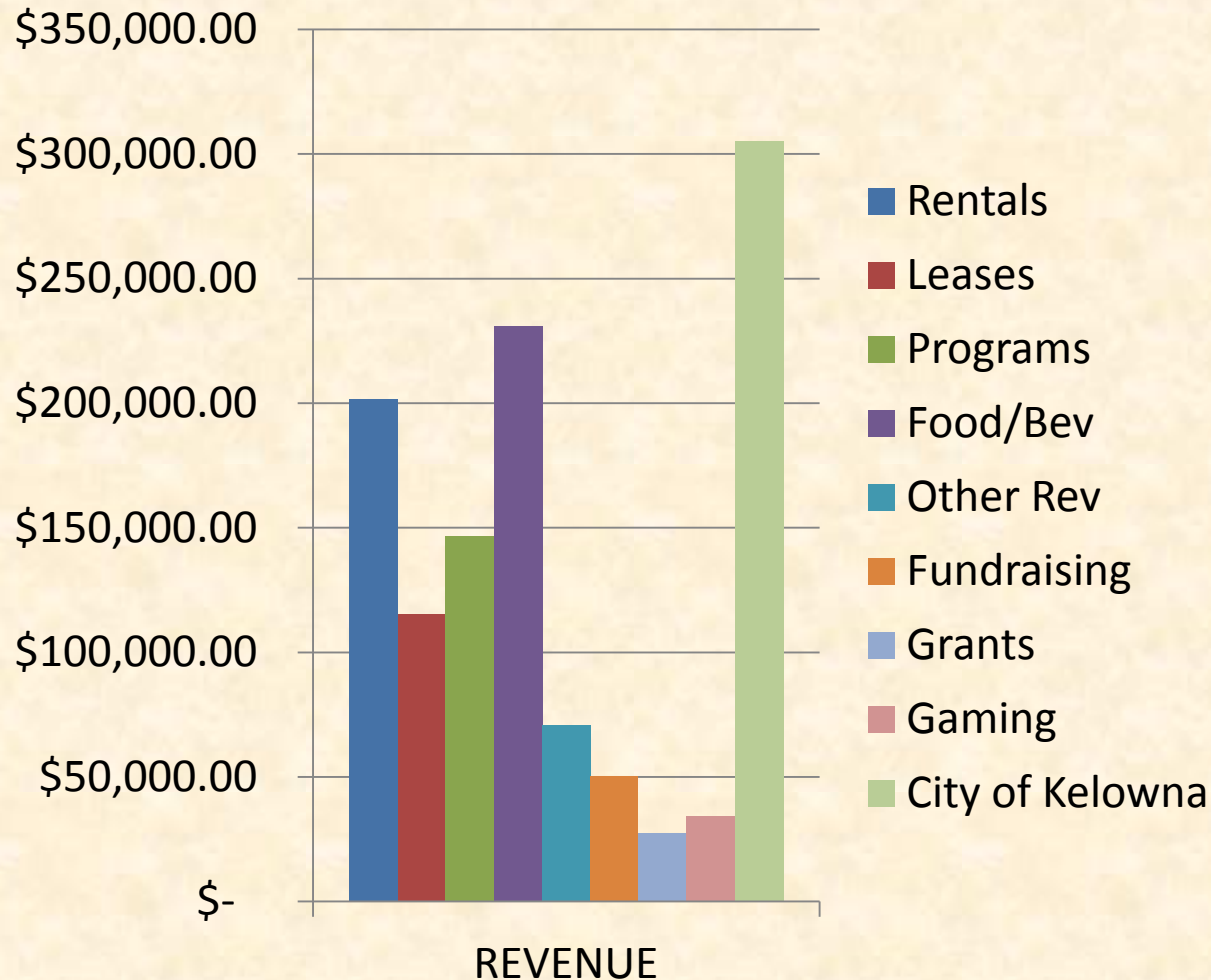
Board of Directors 10
Members



80 Volunteers + 2,895
hours = \$40,000+

Thank you!

Annual Budget



- 2015 Annual Operating Budget - \$1,175,000
 - 26% (\$305,300) from City of Kelowna

We Are Proud!!!





Thank you!

SUPPLEMENTAL REPORT TO COUNCIL



Date: June 15, 2015

RIM No. 1250-30

To: City Manager

From: Suburban & Rural Planning (TC)

Application: TA15-0002

Owner: Hillcrest Farm Market Inc.

Address: 700 Hwy 33 E

Applicant: Chanchal Bal
Barbara Bal

Subject: Text Amendment to the A1 - Agriculture Zone to allow a Non-Farm Use (Café)
at 700 Hwy 33 E

Existing OCP Designation: Resource Protection Area (REP)

Existing Zone: A1 - Agriculture

1.0 Recommendation

THAT Council receives, for information, the Supplemental Report from the Suburban & Rural Planning Department dated June 15, 2015 with respect to Zoning Bylaw Text Amendment No TA15-0002;

AND THAT Bylaw No. 11083 be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Text Amendment Bylaw be considered subsequent to the registration of a Section 219 Restrictive Covenant that restricts the Non-Farm Use of a Café to the existing owners only and is non-transferable, in accordance with the ALC Resolution #101/2014;

AND FURTHER THAT final adoption of the Text Amendment Bylaw be considered subsequent to City of Kelowna requirements as outlined in Attachment D of the Supplemental Report dated June 15, 2015.

2.0 Purpose

To amend the A1 - Agriculture zone to permit the use of a primary food establishment (Café) at 700 Hwy 33 E in accordance with Agriculture Land Commission Resolution # 101/ 2014.

3.0 Subdivision, Agriculture & Environment Services

At the May 4th 2015 Council meeting, Council passed First Reading on the subject property and directed staff to forward the application to Public Hearing. On May 22nd 2015, staff received new information from Black Mountain Irrigation District (BMID) regarding water infrastructure requirements and fire protection capacity in the area. Given the new information and the requirement for City staff to review the new information, staff recommended at the May 26th 2015 Public Hearing that Council defer the application. Staff have reviewed the new information as well as the potential issues to existing structures at 700 Hwy 33 East.

Staff do support the Text Amendment for Hillcrest Farm subject to the completion of outstanding requirements noted through the circulation process including:

- The occupancy load of the Café cannot exceed 30 persons;
- A permanent sign be posted inside the Café that indicates the maximum occupant load of the cafe cannot exceed 30 persons at any given time;
- The Hillcrest Farm sign including sign size and sign location be resolved; and
- The number of access roads to Bal Place be resolved.

and together with the conditions as resolved by the ALC (ALC Resolution attached):

- Covenant on property that the use of the café will not transfer to future owners (in accordance with ALC Resolution #101/2014); and
- Covenant on property that the café will not expand beyond the size approved by the ALC, without a resolution from the ALC authorizing the same.

In addition, City staff recommend that Council also ensure that the remaining outstanding issues be resolved in a timely manner:

- Occupancy of the cherry packing plant (under construction) cannot occur without sufficient fire flows and a fire alarm;
- Occupancy load of the Temporary Farm Worker Housing at Bal Place cannot exceed 10 persons without a fire alarm;
- Submission of a Non-farm Use application for weddings & special events;
- Resolution of loading dock location(s) including associated safe turning movements to Bal Place;
- Development Permit requirements for the restoration of Francis Brook; and
- Development Permit landscaping requirements for Temporary Farm Worker Housing on McKenzie Road.

4.0 Proposal

4.1 Background

The subject property is part of a larger agricultural operation (three properties totalling approximately 35 hectares). In addition to these parcels, the owners of the subject property also own additional agricultural parcels elsewhere (i.e. McCurdy Road).

In November 2010, the landowner was issued a Building Permit to construct an approximately 800 m² accessory structure with two floors (i.e. ~400 m²/floor). The Building Permit plans provided to the City reflected a main floor which was largely dedicated to the display and sale of fruit and vegetables with pie and jam preparation areas, large coolers and office space. All seating appeared as picnic tables outside under the covered entry. The second floor was shown with a four unit Bed & Breakfast facility with a manager/operator's suite as is required to conduct this use. Building & Permitting staff reviewed the plans submitted and made the following conditions of the issued Building Permit:

2. See attached ALC Policy #2 dated March 2003 ACTIVITIES DESIGNATED AS FARM USE: FARM RETAIL SALES IN THE ALR. Be advised that all of the farm product offered for sale must be produced on the farm on which the retail sales are taking place as the retail sales area exceeds the max 300 m².

Building & Permitting staff correctly noted that due to the size, to operate the building as proposed, the landowners may only retail farm product produced on this parcel or others operated by them.

However, the building was not constructed as proposed. Rather, the southern portion of the structure was altered to a café format with interior seating (see attached as-built floor plan and photos). The café currently occupies approximately 276 ft² indoors and 372 ft² outdoor exclusively. The café also occupies other areas of the structure which is estimated by the applicant to be an additional 1,090 ft² with shared areas including the kitchen, pie preparation area and washrooms. Staff notes that retail sales is considered an 'ancillary farm use' under the Regulation as long as 50% of the product is grown on the farm and the area does not exceed 300 square metres.

A café is a use consistent with a "Food Primary Establishment". The use is not however, a permitted use in the ALR or in the City's A1 - Agriculture zone. An exception is where a Food Primary Establishment is developed in conjunction with a winery or cidery.

The Hillcrest Farm Market Café as it is referred, began operating in the summer of 2012 and has been operating since that time. The business is being operated without a City issued business license which cannot be issued given the non-conforming use in the zone and City Bylaw Services staff have been seeking compliance since this time. This application addresses the legalization of this use.

In 2014, Hillcrest Farm applied to the Agriculture Land Commission (ALC) for authorization to allow the Non-Farm Use of a 'primary food establishment' (café) along Hwy 33 E. The café was established without prior authorization by the City of Kelowna nor the Agricultural Land Commission (ALC) and is not a permitted use under the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*¹ (the Regulation). The applicants subsequently applied for a Non-Farm Use to allow the café use and in March of 2014 received Resolution #101/2014 (attached) to allow the use under the following conditions:

1. That the café be limited to its current size and that there be submission of notification or an application to the Commission should there be plans in the future for any significant changes or plans to expand the current footprint.
2. Approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

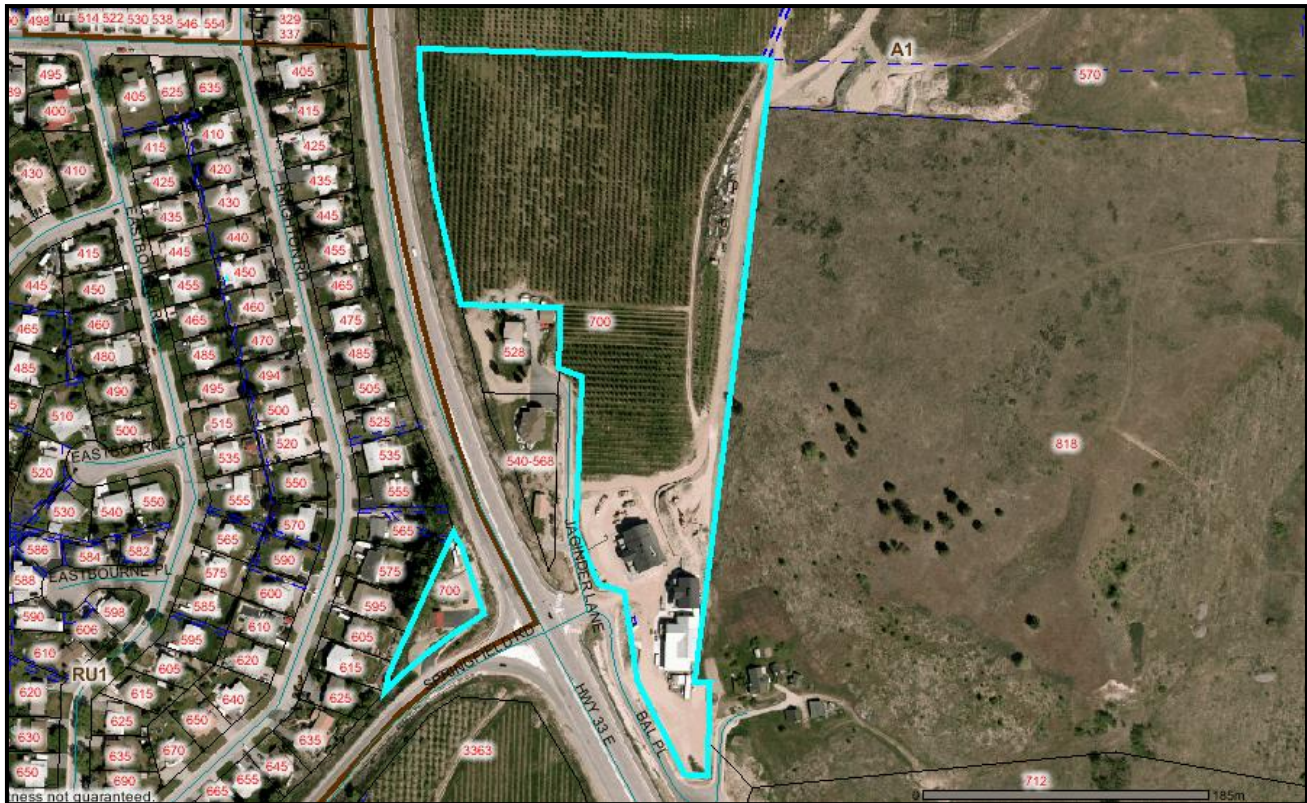
4.2 Project Description

Staff recommends that the A1-Agriculture zone be amended to include the ALC Resolution # 101/2014, to permit the use of a 'primary food establishment' at 700 Hwy 33 E, as outlined in Attachment A.

4.3 Site Context

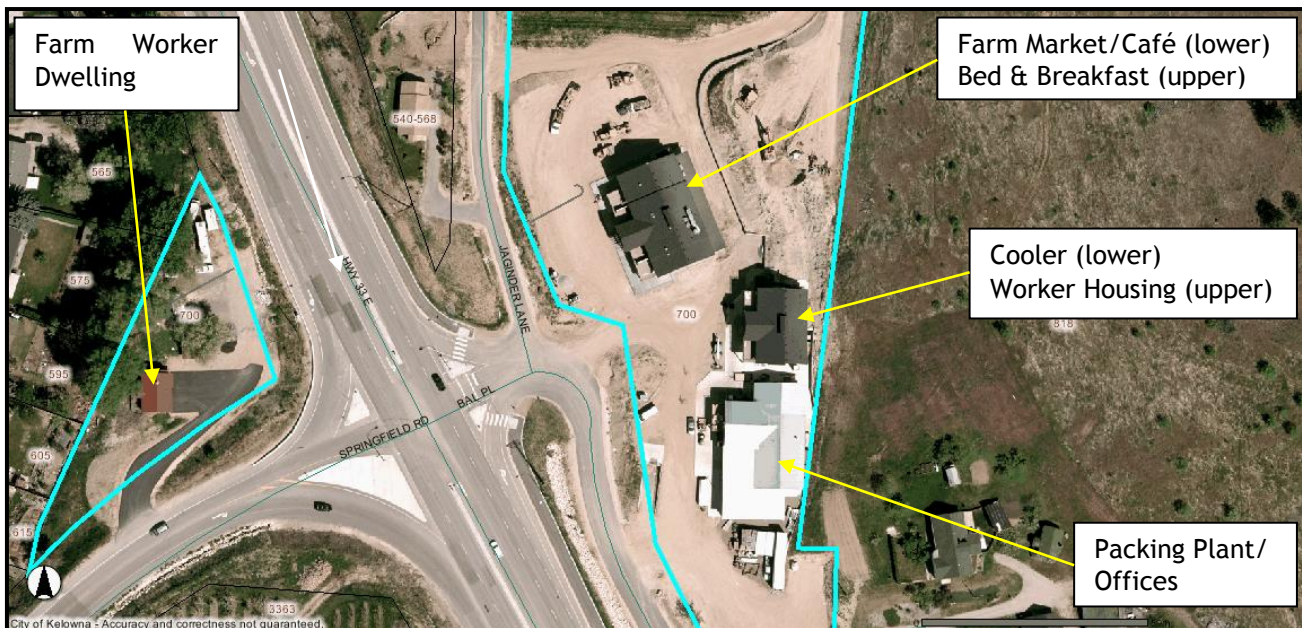
The subject property is located east of Highway 33 E at the intersection with Springfield Road in the Rutland Sector. The site area is ~5.8 hectares (14.3 acres) and the site elevation varies between 457 and 493 metres. The subject property includes a ~0.22 ha hooked portion (across Hwy 33 E) which is zoned RU1 - Large Lot Housing.

¹ RSBC, 2002. *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*, incl. Amendments up to BC Reg. 167/2014. http://www.bclaws.ca/civix/document/id/complete/statreg/171_2002

Map 1 - Subject Property - 700 Highway 33 E

The subject property is at an urban/rural interface area with the Permanent Growth Boundary directly across Highway 33 (to the west). The large road cross section (averaging approximately 50 metres) does however provide extensive buffering from farm practices. Zoning and land uses adjacent to the property are as follows:

Direction	Zoning	ALR	Land Use
North	A1 - Agriculture 1	Yes	Orchard
South	A1 - Agriculture 1 Roadway	Yes No	Rural Residential Highway
East	A1 - Agriculture 1	Yes	Rural/agricultural
West	A1 - Agriculture 1 RU1 - Large Lot Housing	Yes No	Rural/agricultural Residential

Map 2 - Hillcrest Farm Structures

4.4 Current Development Policies

4.5 Kelowna Official Community Plan (OCP)

The subject property has a future land use designation of Resource Protection Area and relevant policies are included below:

Objective 5.33 Protect and enhance local agriculture².

Policy. 1 Protect Agricultural Land. 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.

Policy .3 Urban Uses. Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Policy .7 Non-farm Uses. Support non-farm use applications on agricultural lands only where approved by the ALC and where the proposed uses:

- are consistent with the Zoning Bylaw and OCP;
- provide significant benefits to local agriculture;
- can be accommodated using existing municipal infrastructure;
- minimize impacts on productive agricultural lands;
- will not preclude future use of the lands for agriculture;
- will not harm adjacent farm operations.

Objective 5.34 Preserve productive agricultural land³.

Policy .3 Homeplating. Locate buildings and structures, including farm help housing and farm retail sales area and structures, on agricultural parcels in close proximity to one another and

² City of Kelowna 2030 Official Community Plan: Greening Our Future (2011), Development Process Chapter; p. 5.33.

³ City of Kelowna 2030 Official Community Plan: Greening Our Future (2011), Development Process Chapter; p. 5.34.

where appropriate, near the existing road frontage. The goal should be to maximize use of existing infrastructure and reduce impacts on productive agricultural lands.

4.1 City of Kelowna Agriculture Plan (1998)

Farm Retail Sales

For some time the use of agricultural land to sell products grown or reared on that farm operation has been permitted within the ALR. In addition, it was possible to receive permission from the Land Commission to sell products not produced on site under Regulation 313/78. In recognizing that farm retail sales contribute to the productive use of farmland without interfering or prohibiting agriculture the Land Commission has acknowledged the traditional role of marketing of farm products, particularly in the Okanagan. The Land Commission has established a policy that encourages retail activity associated with the direct sale of farm products, processed farm products, and some off-farm products subject to that portion of the retail sales building used for the sale of off farm products does not exceed one-third of the building floor area, up to a maximum of 100 square metres. In addition, where off-farm products are sold, farm products and processed farm products must also concurrently be offered for sale.

ALR Application Criteria⁴

Exclusion, subdivision, or non-farm use of ALR lands will generally not be supported. General non-support for ALR applications is in the interest of protecting farmland through retention of larger parcels, protection of the land base from impacts of urban encroachment, reducing land speculation and the cost of entering the farm business, and encouraging increased farm capitalization.

Economic Enhancement Policies⁵

Integration. Support the establishment of a process to consider, in addition to the promotion of agri-tourism and direct farm marketing businesses within the community, an integrated approach that creates linkages to the cultural and heritage tourism sectors, in terms of marketing an identity of Kelowna.

4.2 Zoning Bylaw

11.1.7 (c) Agricultural and garden stands selling only produce grown on the site or another site operated by the same producer do not have a maximum area. The maximum gross floor area of stands selling produce that is produced off-site shall be 50.0 m². For sites within the Agricultural Land Reserve, the maximum gross floor area of agricultural and garden sales for produce produced off-site or off-farm products shall be the lesser of one-third of the total floor area of the agricultural and garden sales stand or 100.0 m².

4.3 Agricultural Land Reserve Use, Subdivision and Procedure Regulation

Section 2 (2) The following activities are designated as farm use for the purposes of the Act and may be regulated but must not be prohibited by any local government bylaw except a bylaw under Section 917 of the Local Government Act:

(a) farm retail sales if

- (i) all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or
- (ii) at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area,

⁴ City of Kelowna Agriculture Plan (1998); p. 130.

⁵ City of Kelowna Agriculture Plan (1998); p. 150 - 152.

both indoors and outdoors, used for the retail sales of all products does not exceed 300 m²;

Section 1 (1) "farm product" means a commodity that is produced from a farm use as defined in the Act or designated by this regulation.

Farm retail sales – means the retail sale to the public of tangible products grown or raised on a farm, from that farm and may include the sale of non-farm products as permitted by the regulation.

Retail sales area – means the floor area or dedicated outside area on which the farm retail sales are taking place and includes areas used for retail purposes inside buildings (indoors) and areas outside buildings (outdoors). It does not include parking, driveways, office space, washrooms or areas for processing or product storage.

5.0 Technical Comments

5.1 Black Mountain Irrigation District

Black Mountain Irrigation District has outlined the outstanding water servicing requirements and a number of concerns with the application (Attachment C). More specifically, the concerns are:

- No fire capacity to the area;
- No fire hydrants; and
- Limited flow capacity through the existing mains that service the area.

5.2 Building & Permitting Branch

Building & Permitting staff completed a full plan check for BC Building Code related issues at time of Building Permit application (April 2010). Please note that this building was originally constructed as a Fruit Stand and Jammery with a Single Family Dwelling and a Bed and Breakfast on the upper floor. The cafe was added after Final Occupancy was granted.

Further to the new information provided by BMID, Building & Permitting staff inspected (June 3, 2015) the structure as it relates to Fire Department Access in the BC Building Code:

For Part 9 Buildings the BC Building Code states:

9.10.20.3 Fire Department Access To Buildings

- 1) *Access for fire department equipment shall be provided to each building by means of a street, private roadway or yard.*

Specific to the access requirement, staff identified that fire department access requirement was adequately provided at the time of inspection and further that both the Owners Unit and the Bed & Breakfast have the two required exits leading directly to the exterior.

For Part 3 Buildings the BC Building Code states:

3.2.5.7. Water Supply

- 1) *Every building shall be provided with adequate water supply for firefighting.*
- 2) *Buildings that are sprinklered throughout with a sprinkler system conforming to Article 3.2.5.12 or have a standpipe system conforming to Article 3.2.5.9. to 3.2.5.11 need not comply with Sentence 3.2.5.7.1*

Specific to the water supply requirement, staff identified that the cafe was nearly at capacity and the existing seating layout allowed a total seating for 28 people. The Low Occupant Load for an Assembly Use permits less than 30 occupants. If kept under 30 occupants, the building and the use are considered under Part 9 of the BC Building Code as a Personal and Business Services use and no water supply would be required for firefighting purposes.

However, should the occupancy load in the cafe be greater than 30 occupants then the following Part 3 building requirements are required:

- Adequate water supply to be provided for firefighting;
- Building to be sprinklered; and
- Fire alarm is required in the building.

Based on this information, staff require that a permanent sign be posted inside that indicates the maximum occupant load of the cafe cannot exceed 30 persons at any given time.

5.3 Kelowna Fire Department (KFD)

The Kelowna Fire Department initially had no concerns with the Text Amendment given that the building already existed.

However, further to the cafe being added and new information provided by BMID, KFD staff reviewed the structure as it relates to the BC Building Code and fire protection as it relates to the City of Kelowna's Fire & Life Safety Bylaw:

- At the time of reviewing the BMID report identifying flows and infrastructure, KFD staff are concerned that the existing fire flows and existing fire hydrant locations are insufficient to provide adequate fire protection to the structures on the property (including the cafe).
- At the time of inspection (on May 25th), KFD staff were concerned with the number of sleeping units on the second floor given that the building plans indicate 6 bedrooms on the second floor and given that the BC Building Code indicates that a fire alarm shall be installed in a residential occupancy with sleeping accommodation for more than 10 persons:
 - Division B, Section 3.2.4.1(4)(I)) - a fire alarm shall be installed in a residential occupancy with sleeping accommodation for more than 10 persons.
 - Division B, Section 3.1.17.1(1)(b) - the occupant load determination is 2 persons per sleeping unit.

5.4 Development Engineering Branch

Development Engineering have identified a number of bylaw requirements and outstanding non-conforming issues on the farm including:

- The applicant is to confirm with Black Mountain Irrigation District (BMID) that the water supply system is capable of supplying domestic and fire flow demands, for the contemplated uses on the subject property, in accordance with the Subdivision, Development & Servicing Bylaw. The applicant is to also ensure that every building within the property is located at an elevation allowing water pressure within the Bylaw pressure limits.
- Although not directly related to the Cafe, there are on-sites issues that have been identified in previous Development Engineering reports and must be addressed and corrected by the owner prior to the adoption of the Text Amendment. The outstanding issues include:
 - Sign Location;
 - Loading Bay Accessibility & Turning Movements; and
 - Number of Driveways.

5.5 Bylaw Services

Although not directly related to the Cafe, Bylaw Services have a number of concerns with respect to non-conforming uses, outstanding issues and violations on the farm including:

- The Hillcrest Farm Market website currently advertises both Wedding & Special Promotional Events. The wedding and events venue on the farm is not a permitted use.
- An application for a Non-farm Use to allow weddings / events on the property is required.
- Bylaw staff received noise complaints and issued bylaw violations last Summer.
- No Special Events Licenses were obtained for wedding events last year.
- Completion of required Development Permit conditions on the adjacent farm parcel (1071 McKenzie Road).
- Building inspection for the house on the linked lot across Hwy 33 E, to determine if it is safe for occupancy.
- Possible Assembly Hall being constructed above the cherry packing plant.

5.6 Real Estate Services

Real Estate Services have identified a couple of concerns with respect to outstanding issues on the farm including:

- Parking requirements should be reviewed to ensure that parking and access issues are not exacerbated based on the commercial parking and seating required for the Market, Cafe and Bed & Breakfast.
- The applicant recently made application to Real Estate staff to acquire a portion of roadway to legalize both a sign and an existing loading bay but the application was not supported by City staff.

5.7 Policy & Planning

Policy & Planning recognize that this is a unique situation and is subject to strict limitations in its ALC approval, Policy & Planning staff would strongly urge caution in considering further expansion on the property or further proliferation of the cafe concept to other farm operations.

6.0 Application Chronology

Date of Application Received:	February 27 th , 2015
Date Circulation Completed:	March 27 th , 2015
First Reading:	May 4 th , 2015
Application Deferred at Public Hearing:	May 26 th , 2015

Report prepared by:

Todd Cashin, Suburban & Rural Planning Manager

Reviewed by:

☐

Ryan Smith, Community Planning Department Manager

Approved for Inclusion:

☐

Doug Gilchrist, Community Planning & Real Estate Director

Attachments:

Attachment 'A' - Proposed A1 - Agricultural Zones Text Amendments
Attachment 'B' - ALC Resolution #101/2014
Attachment 'C' - BMID Letter - Outstanding Water Servicing Requirements
Attachment 'D' - City of Kelowna - Outstanding Bylaw Requirements
Attachment 'E' - ALR Map
Attachment 'F' - Plans - Café
Attachment 'G' - Market / Café Elevations
Attachment 'H' - Context/Site Photos

ATTACHMENT 'A' Proposed A1 - Agricultural Zones Text Amendments
TA15-0002

Section	Existing Text	Proposed Text	Rationale
Section 11 - Agricultural Zones Secondary Uses	<p>11.1.3 Secondary Uses The secondary uses in this zone are:</p> <ul style="list-style-type: none"> (a) agricultural dwellings, additional (b) agri-tourism (c) agri-tourist accommodation (A1t only) (d) animal clinics, major (e) animal clinics, minor (f) bed and breakfast homes (g) care centres, intermediate (h) carriage house (A1c only) (i) forestry (j) group homes, minor (k) home based businesses, major (l) home based businesses, minor (m) home based businesses, rural (n) kennels and stables (o) secondary suite (p) wineries and cideries 	<p>11.1.3 Secondary Uses The secondary uses in this zone are:</p> <ul style="list-style-type: none"> (a) agricultural dwellings, additional (b) agri-tourism (c) agri-tourist accommodation (A1t only) (d) animal clinics, major (e) animal clinics, minor (f) bed and breakfast homes (g) care centres, intermediate (h) carriage house (A1c only) (i) forestry (j) group homes, minor (k) home based businesses, major (l) home based businesses, minor (m) home based businesses, rural (n) kennels and stables (o) secondary suite (p) wineries and cideries (q) Non-Farm Use in accordance with ALC Resolution #101/2014 attached as Schedule B to Section 11 – Agricultural Zones applicable only to Lot A, Section 24, Township 26 ODYD Plan EPP7145 (700 Hwy 33 E). 	<p>The subject property is zoned A1 which is the appropriate zone for this parcel. Based on the ALC Resolution #101/2014, the use of a food primary establishment in accordance with the conditions of that resolution, per Schedule B.</p> <p>Staff does not want to see <i>food primary establishment</i> added to the entire A1 zone as food primary establishments would not be appropriate on other parcels zoned A1 in the city, and are not permitted without an ALC Resolution where the A1 parcels are also in the Agricultural Land Reserve.</p>

Updated: 05/05/2015

SCHEDULE 'B'



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 26, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53542.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Ron Wallace	Planner
Colin J. Fry	Chief Tribunal Officer

PROPOSAL (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

To legalize an existing "food and beverage service lounge" (café) on the subject property. The facility includes approximately 272 ft² of indoor and 372 ft² of outdoor seating for café customers, along with a display and retail sales area. The café also shares approximately 1,090 ft² with the farm market. The shared space includes the kitchen area, staff and public washrooms, storage and pie preparation areas.

PROPERTY INFORMATION:

Owner: Hillcrest Farm Market Inc.

Legal: PID: 028-389-387
Lot A, Section 24, Township 26, Osoyoos Division Yale District, Plan EPP7145

Location: 700 Highway 33 East, Kelowna

Size: 5.8 ha (5.6 ha in the ALR)

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and

- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

COMMISSION CONSIDERATION

The Commission reviewed a previous application involving the subject property:

Application #18547 (Basran, 1989)	To subdivide Lot 3 (being 29.2 ha) into three lots of approximately 9.7 ha. The Commission, by Resolution #9/89, approved the request for subdivision into three lots.
--------------------------------------	--

Note: The subject property was created from this approval.

In its consideration of this application the Commission reviewed some of the chronology of events – as outlined by both the applicant and in the City's 'Report to Council' – to better understand the details of this non-farm use proposal.

The application is to legalize an existing "food and beverage service lounge" (i.e. Hillcrest Farm Market Café) on the subject property.

At issue – as the Commission understands – is that the proposed building was not constructed as authorized by the City of Kelowna's building permit for a farm retail sales and Bed & Breakfast (issued in November 2010); as the main floor was altered to include a café with interior seating. The facility includes approximately 272 ft² of indoor and 372 ft² of outdoor seating for café customers, along with a display and retail sales area. The café is considered a "Food Primary Establishment" pursuant to the City of Kelowna Zoning Bylaw which is not allowed on parcels (like the subject property) zoned for agriculture (A-1 designation). As a result, the business has been operating without a business license since the summer of 2012 as a non-conforming use.

The Commission wishes to express its disapproval of the process of receiving an application for the purpose of reviewing the option to either 'legalizing an existing non-farm use' or refusing the existing use (which implies the requirement to bring the use into compliance with the *ALC Act* and its Regulations) on ALR land. The Commission is extremely frustrated that this proposal was not submitted before construction so that it could carefully consider the use in context to Section 6 of the *ALC Act* as noted above.

In its consideration the Commission noted the subject property is part of a larger agricultural operation consisting of three properties totaling approximately 35 ha. Further, each of these parcels is in agricultural production which helps supply the farm products sold from the farm market and provide for the meals sold from the café. It was expressed by the applicant that the café has become an integral component of the overall business plan of the farm; and that if required to be removed, the impact to the overall business would be significant. As a result the Commission is prepared to support the proposal subject to the conditions outlined below.

IT WAS

MOVED BY:	Commissioner Thibeault
SECONDED BY:	Commissioner Gillette

THAT the request to legalize an existing "food and beverage service lounge" (café) on the subject property be conditionally approved.

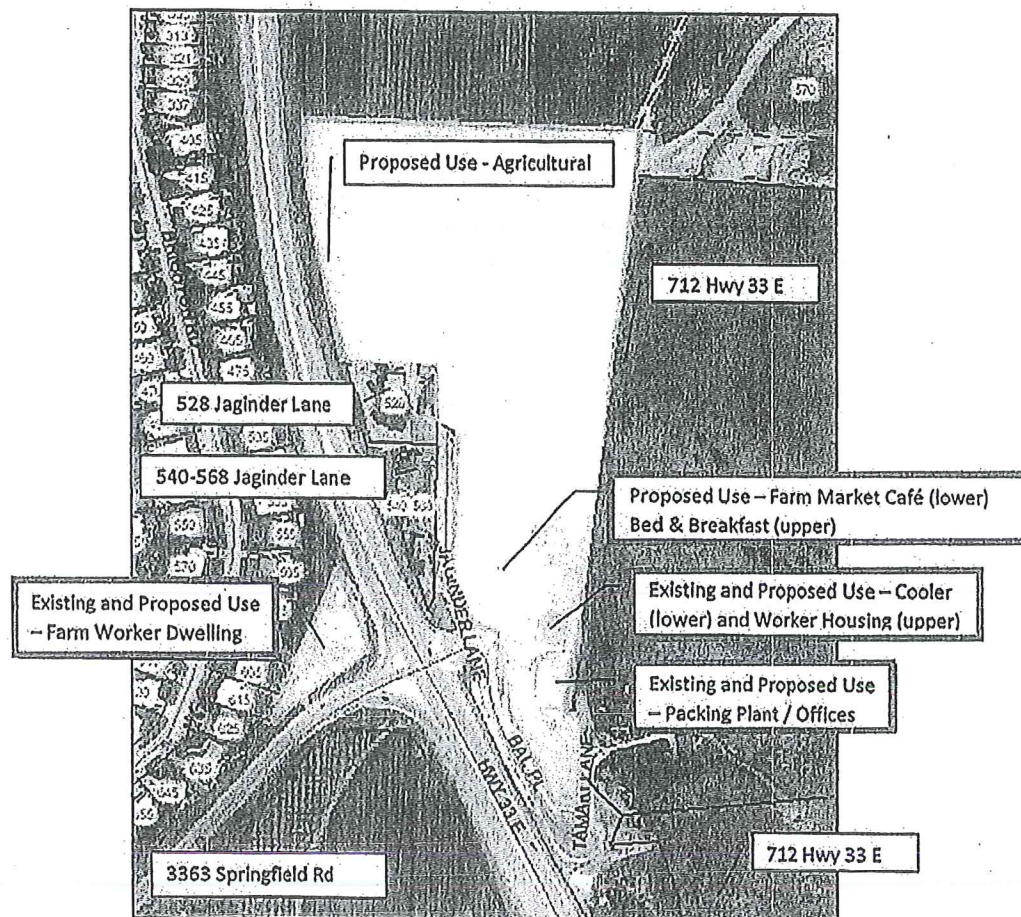
AND THAT the approval is subject to the following conditions:


1. That the Café facility be limited to its current size and that there be submission of notification or an application to the Commission should there be plans in the future for any significant changes or plans to expand the current footprint.
2. Approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution #101/2014

ALC Application # 53542 (Hillcrest Farm Market Inc.)



 Non farm uses conditionally
Approved by Resolution # 101/2014



Office: (250) 765-5169
Fax: (250) 765-0277
www.bmid.ca

BMID File No. 2015.43

May 22, 2015

Mr. Chanchal Bal
1795 McCurdy Road East
Kelowna, BC
V1P 1B5

Attention: Mr. Chanchal Bal,

**RE: 700 HIGHWAY 33 EAST – HILLCREST FARM MARKET INC. TA15-0002 / Z15-007
OUTSTANDING WATER SERVICING REQUIREMENTS**

Dear Mr. Bal

I am writing in response to COK's rezoning application referral Z15-007 (TA15-002) to allow a non-farm use (café) at the above noted property, dated March 2, 2015.

BMID had previously issued a letter to you, dated April 11, 2014. The letter (attached) outlined the requirements necessary for BMID's to review the domestic water supply and fire protection for the development area and the building which was already constructed. Further information with respect to BMID's requirements has been obtained, subsequent to your recent rezoning application to City of Kelowna. Our concerns with this application are as follows:

Requirements outlined in this letter remaining outstanding. **Specifically, BMID still has no fire protection capacity to this area.** There are no fire hydrants and there is limited flow capacity through the existing mains that service this area.

In this letter BMID required a Fire Underwriters Survey (FUS) form for fire protection requirements be submitted and sealed by a professional Engineer. This FUS form sets out the fire protection flows that must be available from the water system for the building(s). Items such as construction materials, exposures to/from other structures, building size, fire sprinkler system, etc. all form part of the calculation. BMID requires this information to ensure that the fire protection from our water mains to this area is adequate to service the existing and proposed buildings.

Subsequent to COK's rezoning referral last month, I requested your Engineer, Mike Young of Ecora Engineering Ltd, submit the FUS calculations necessary for us to complete our review. This information had not been provided previously.

Ecora provided a fire flow requirement of 250l/s to BMID on May 12, 2015.

BMID retained AF Consulting Ltd. to run our water distribution model with the fire protection requirement of 250 l/s. I have attached his report dated May 12, 2015 for your review.

In summary:

- **Significant Water Distribution Upgrades:** Water system upgrades are still required to be construction to provide fire protection and increase the servicing capacity to the site. Analyses and three upgrade options are outlined in the report. Major upgrades or new mains total length ranging from 1.15 to 1.4km based on the required flow provided by your Engineer. Cost analysis and review of each option can also be complete by your Engineer based on the data presented in the report. Finalized design drawings, signed and sealed by a Professional Engineer, must be submitted to BMID for written approval prior to construction.
- **Water Main Ownership:** The water main must be installed by the applicant and assigned to BMID for ownership and maintenance. The main must be installed on a Statutory Right-of-Way (SRW) in favour of BMID that permits access for maintenance, repairs and eventual replacement when required. Standard Terms of Instrument for a SRW have been previously provided to you for review prior to agreement to this condition;
- **Water Main Design and Workmanship:** Water system materials must be in conformance with the Kelowna Joint Water Committee approved materials list. Design and installation standards must meet the municipal standard for new waterworks installations including professional design, Interior Health approval, construction inspections by a professional engineering firm, and pressure testing and disinfection as per BMID requirements;
- **Building Plumbing Design Submission:** Drawings of mechanical building plumbing for the existing buildings must be still submitted to confirm that the existing water meter and water service to the building is adequate and whether a larger meter is required.
- **Hydrant Locations:** Future Hydrants locations are to be on the public right-of-way. The location on public right-of-way will eliminate the issue of it being a public hydrant, resulting in regular annual service of this hydrant by BMID;

We trust that these requirements are clear. We strongly recommend that improvements to the water distribution system are carried out to provide fire protection to the existing structures prior to this application being approved by City Council. If you have any questions regarding these requirements, please contact our office.

Yours truly,



Dawn Williams.
Administrator
BLACK MOUNTAIN IRRIGATION DISTRICT

cc: BMID Board of Trustees
Todd Cashin – City of Kelowna

Hillcrest Farm Market & Café - Attachment D

City of Kelowna Requirements:

- The occupancy load of the Café cannot exceed 30 persons;
- A permanent sign be posted inside the Café that indicates the maximum occupant load of the Café cannot exceed 30 persons at any given time;
- The Hillcrest Farm sign including sign size and sign location be resolved; and
- The number of access roads to Bal Place be resolved.

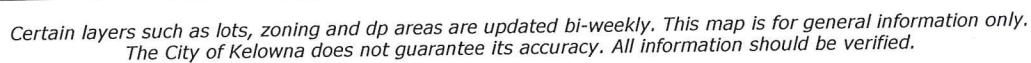
Agricultural Land Commission Requirements:

As per ALC Resolution #101/2014 (attached to Council Report):

- Covenant on property that the use of the Café will not transfer to future owners; and
- Covenant on property that the Café will not expand beyond the size approved, without a resolution from the ALC authorizing the same.

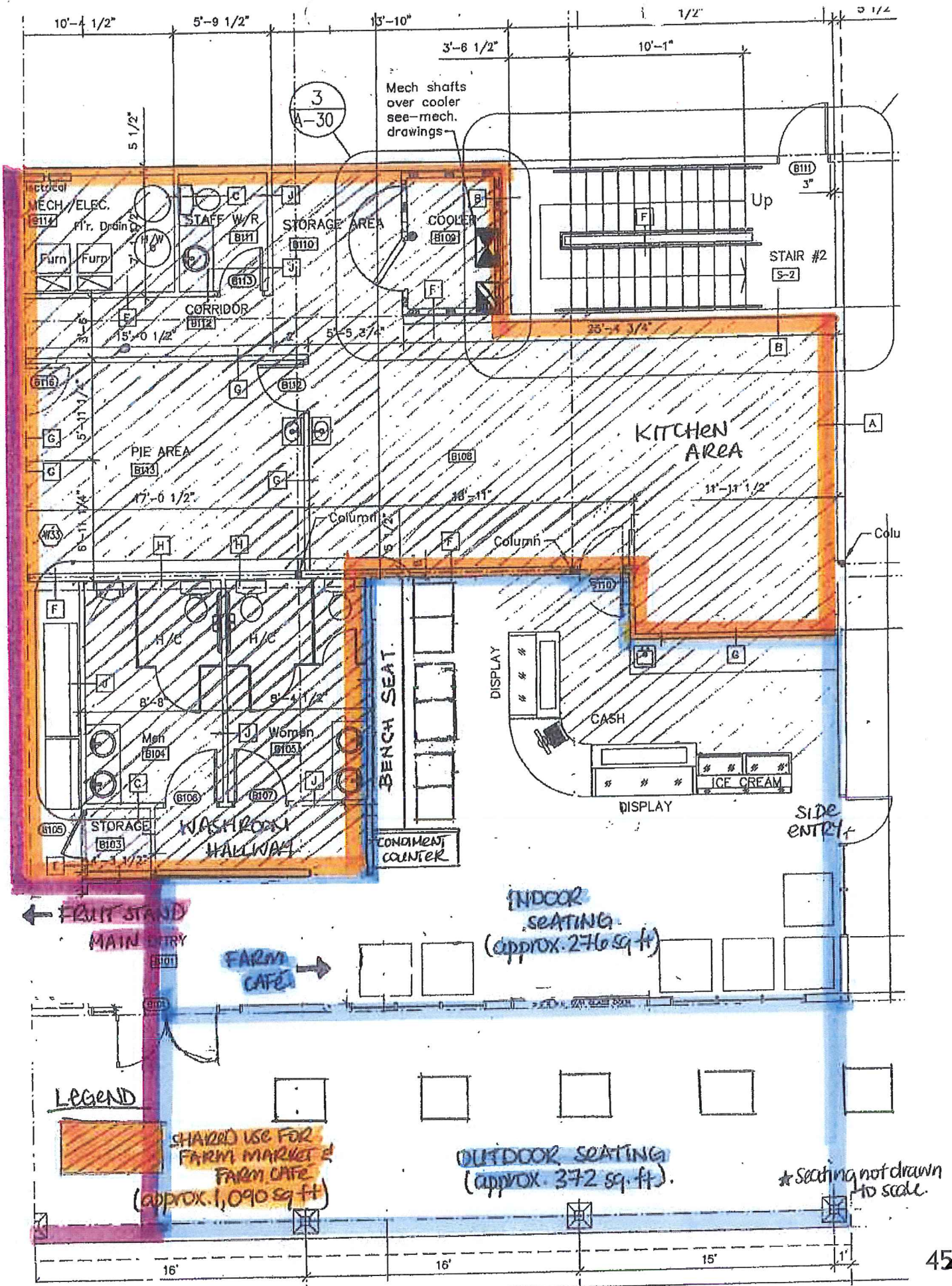
Additional Outstanding Issues:

- Occupancy of the Cherry Packing Plant (under construction) cannot occur without sufficient fire flows and a fire alarm;
- Occupancy load of the Temporary Farm Worker Housing at Bal Place cannot exceed 10 persons without a fire alarm;
- Submission of a Non-Farm Use application for weddings (& special events);
- Resolution of loading dock location(s) including associated safe turning movements to Bal Place;
- Development Permit requirements for the restoration of Francis Brook; and
- Development Permit landscaping requirements for Temporary Farm Worker Housing on McKenzie Road.



[illegible]

Attachment F: Updated Plans





1 Laminated 30 year Asphalt shingles
NO Cambridge Weatherwood or
approved equal

2 5" saw trough system C/W 5" downspouts
to all roof crests as required &/or shown
on drawings. Coordinate downspout locations
with developer/contractor on site as required.
Colour to be tan or as specified by developer.

3 Windows:
Exterior metal clad, Color
finish as specified. Interior
finish to be wood frames. Stain grade
wood - NO Finger joints allowed.
Tempered glazing where req'd.
by building code.

4 U/S Roof Joints

5 5 1/2" Hardi trim to
exterior windows & doors.

6 Top of Pinned 2nd floor

7 5" + - of Sills to crests
to indicate on drawings.
Include Store of solid wood
(painted) Caps as indicated.
Flashing as required.

8 Top of Conc. Ground Floor

9 Simulated Cedar Shake panels
painted color as
specified by developer.

10 5 1/2" Hardi trim

11 11 1/2" Horizontal Hardi trim

12 Railing: Prefinished metal posts,
tempered glass panels

13 Narrow style Hardi board siding
color as directed by developer

14 Overhead doors:
Prefinished metal with
tempered glazing

15 11 1/2" Horizontal Hardi trim

16 Fresh Fruit

17 1" FRONT ELEVATION - B&B / FRUIT STAND
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219 1/4" = 1'-0"

220 1/4" = 1'-0"

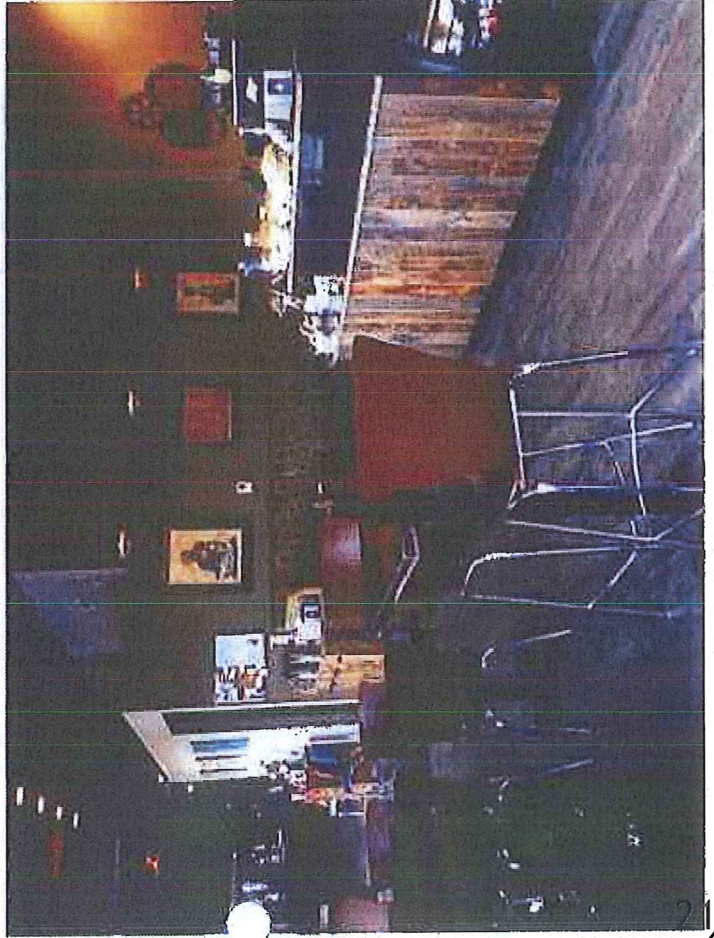
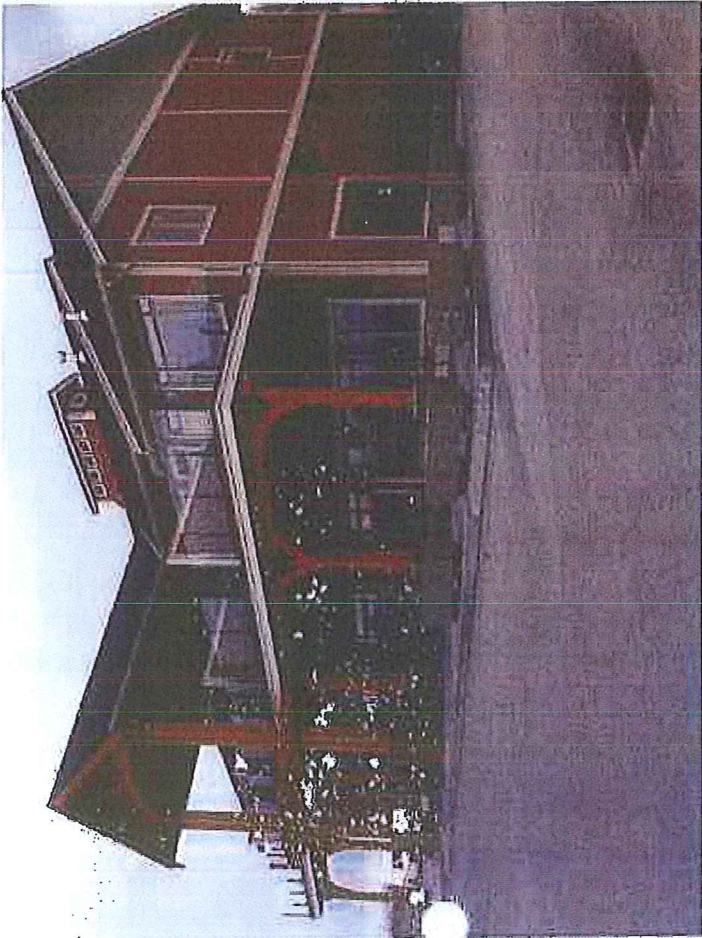
221 1/4" = 1'-0"

222 1/4" = 1'-0"

223 1/4" = 1'-0"

224 1/4" = 1'-0"

225



REPORT TO COUNCIL



Date: 6/15/2015

RIM No. 1250-30

To: City Manager

From: Urban Planning, Community Planning and Real Estate (PMc)

Application: OCP14-0027 / Z14-0059 **Owner:** Garoslav Joseph & Catherine Margaret Maruszczak

Address: 505 - 525 Snowsell Road N **Applicant:** Eric Huber

Subject: Official Community Plan Amendment / Rezoning Application

Existing OCP Designation: (S2RES) Single/Two Unit Residential

Proposed OCP Designation: (COMM) Commercial

Existing Zone: C1 - Local Commercial

Proposed Zone: C2 - Neighbourhood Commercial

1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP OCP14-0027 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of Lot 1, DL 9, TWP 23, O.D.Y.D., Plan EPP21900, located on 505 - 525 Snowsell St N., Kelowna, BC from the "Single / Two Unit Residential (S2RES)" designation to the "Commercial (COMM)" designation, be considered by Council;

THAT Rezoning Application No. Z14-0059 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, DL 9, TWP 23, O.D.Y.D., Plan EPP21900, located on 505 - 525 Snowsell St N., Kelowna, BC from the C1 - Local Commercial zone to the C2 - Neighbourhood Commercial zone be, considered by Council.

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

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Department and FortisBC - Electricity being completed to their satisfaction, and the applicant acquiring a Certificate of Compliance for contaminated site remediation.

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

2.0 Purpose

The purpose of this application is to change the Official Community Plan future land use designation to "Commercial" and to rezone the property to the "C2 - Neighbourhood Commercial" zone in order to develop a new gas bar facility.

3.0 Urban Planning

Urban Planning supports the applications for an Official Community Plan amendment and associated change in zoning. The applicant has been involved with the City relating to issues associated to the potential impact of the road alignment of the "Glenmore Bypass", as well as related road dedications and purchase of surplus lands.

The operators of the gas bar had let their business license for a gas bar lapse for longer than six months during the construction phase of the "Glenmore Bypass", and as a result lost their legal non-conforming use status. The current "C1 - Local Commercial" zone contains specific language relating to gas bars, and limits gas bars to those sites where the gas bar was in use prior to July 1, 1998.

As a remedy to this situation, staff have agreed to support a rezoning to the C2 - Neighbourhood Commercial zone which would allow the new gas bar to operate at this location. This rezoning application also requires an Official Community Plan amendment to change the future land use designation of this property from the current "Single / Two unit residential (S2RES)" to the proposed Commercial (COMM) designation in order to support the proposed change in zoning.

The subject property is located more than 1km from the nearest Village Centre (Glenmore Valley), and more than 1km from the proposed commercial centre identified in the Glenmore Highland Area Structure Plan.

The applicant has provided a reasonable design for the proposed development which contemplates a single storey commercial development that incorporates quality finish materials and a strong residential form and character which will complement the existing neighbourhood.

The applicant has reviewed the proposed site development and land use with the neighbourhood and has provided signed letters of support from those neighbours that were comfortable providing a signature. The other neighbours who did not wish to provide signatures of support, did not oppose the proposed development. This meets the requirements of Council Policy 367.

Should Council support this application for OCP amendment and Rezoning, Council will have an opportunity to consider the associated Development Permit application for form and character prior to adoption of the zone amending bylaw.

4.0 Proposal

4.1 Background

There has been a convenience store and gas bar in the location of the intersection of Scenic Road and Glenmore Road for many years. However, this location was a critical component of the recent relocation and upgrade of Glenmore Road (the Glenmore Bypass). The owners of the property had been involved in many design reviews with City staff regarding the design and proposed location of the "Glenmore Bypass" as well as the potential impact on the store site.

The construction of the "Glenmore Bypass" in this location commenced in 2009. In preparation for that activity, the fuel storage tanks were removed and that portion of the property was decontaminated in preparation for road construction activity. The business license for the gas

pumps was left to lapse in 2011. It was not until 2012 that the final “closed road” was consolidated with the property.

There had been a level of contaminated site clean-up done on the property as part of the road construction project. However, it was also identified that there was possible contamination under the buildings located on the property. The applicant wishes to have a level of support for the change in zoning prior to the demolition of the buildings on the site to facilitate the remainder of the site decontamination.

4.2 Project Description

The applicant is proposing to rezone the subject property from the current “C1 - Local Commercial” zone to the proposed “C2 - Neighbourhood Commercial” zone in order to allow the redevelopment of the site with a new gas bar and convenience store. The convenience store is located at the south end of the property. The pump island and canopy is located in front of the convenience store. The northern end of the site is designed to form a patio area.

Access to the property is from Snowsell Road, while there is also an egress onto Glenmore Road.

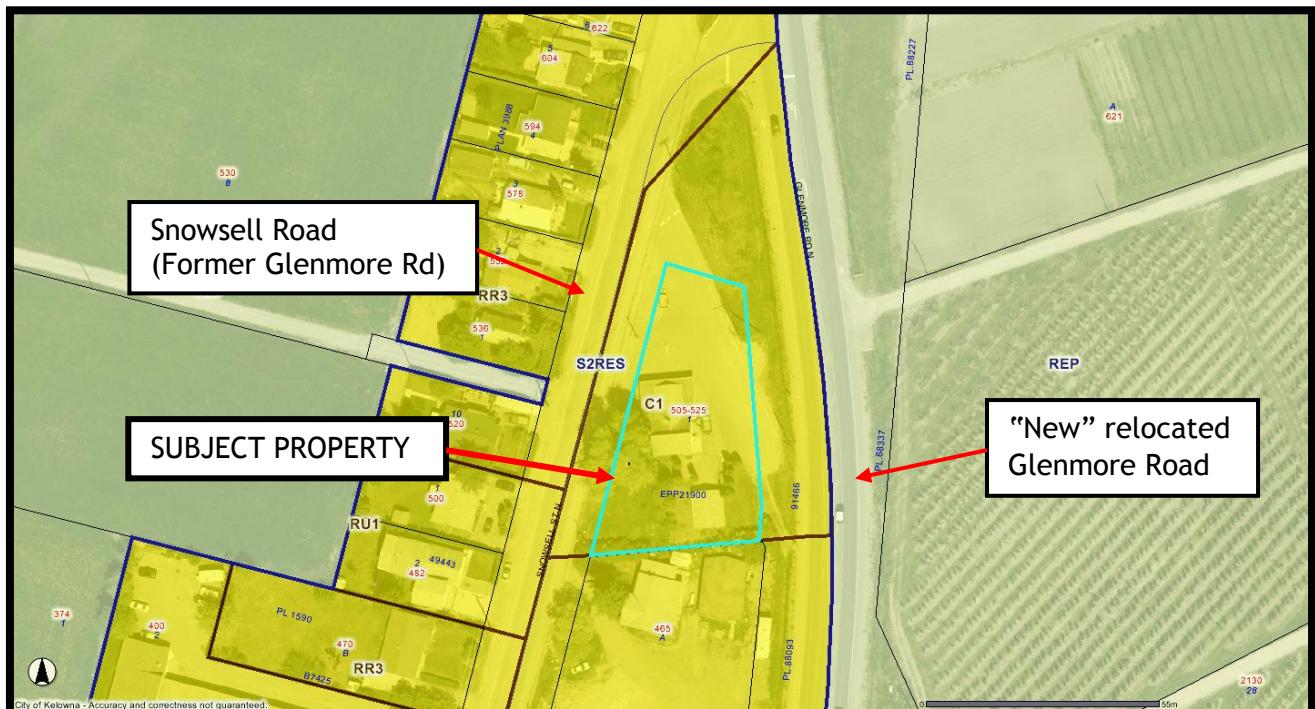
Should the change in land use be supported, the applicant will make a Development Permit application to address the form and character of the proposed development.

4.3 Site Context

The subject property is located south of the intersection of Snowsell Road N. and Glenmore Rd. The property was amended by the consolidation of a surplus closed road dedication in 2012, as part of the adjacent Glenmore Bypass project.

Subject Property Map:

505 - 525 Snowsell Road N



Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 - Rural Residential	Single unit housing
East	A1 - Agriculture 1	ALR - agricultural uses
South	A1 - Agriculture 1	Single unit housing & accessory buildings
West	RR3 - Rural Residential 3 RU1 - Large Lot Housing	Single unit housing Single unit housing

4.4 Zone Analysis Table

Zoning Analysis Table		
CRITERIA	C2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1,500m ²	1,900m ²
Lot Width	40m	59m
Lot Depth	30m	39m
Development Regulations		
Floor Area Ratio	Max 0.3 FAR	0.18
Height	10.5m/ 2½ storeys	4.0m / 1 storey
Front Yard (Snowsell Rd. N.)	4.5m	7.3m
Rear Yard (Glenmore Rd.)	3.0m	3.0m
Flanking Side Yard (north)	4.5m	38m
Side Yard (south)	1 or 1½ storey - 2.0m	2.0m
Other Regulations		
Minimum Parking Requirements	2 stalls / 100m ²	7 stalls required
Bicycle Parking Class I	0.20 / 100m ²	1 stall required
Class II	0.60 / 100m ²	3 stalls required
Loading Space	1 stall / 1,900m ²	1 stall required

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Complete Suburbs.¹ 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.

Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter), page 5.2.

6.0 Technical Comments

6.1 Building & Permitting Department

No comment.

6.2 Development Engineering Department

See attached memo.

6.3 Fire Department

The Fire Department has no issues with the zoning. As per the Fire and Life Safety Bylaw 10760, a permit shall be obtained for installation and removal of gasoline, diesel or oil tanks or dispensing pumps through the Fire Prevention Officer.

6.4 FortisBC Electric

There are primary distribution facilities along Snowsell Street, Glenmore Road and within the boundary of the subject property. Based on the plans provided, the proposed drive aisle exiting onto Glenmore Road as well as the signage will be incompatible with the existing powerline. Further, at least part of the relaxation area will be directly below the power line. It is unlikely that the proposed design will be supported by FBC (Electric) as there appears to be significant safety and operational issues. It is possible that the existing electrical facilities could be reconfigured to accommodate, however, the cost to do so is the responsibility of the applicant and may be significant.
(the applicant has been in communication with FortisBC)

6.5 FortisBC Gas

No concerns.

6.6 Irrigation District - GEID

See attached memo

7.0 Application Chronology

Date of Application Received: December 23, 2014

Revised Dev. Eng. Comments: April 16, 2015

Report prepared by:

Paul McVey, Urban Planner

Reviewed by:



Lindsey Ganczar, Urban Planning Supervisor

Approved for Inclusion:



Ryan Smith, Urban Planning Manager

Attachments:

Subject Property map

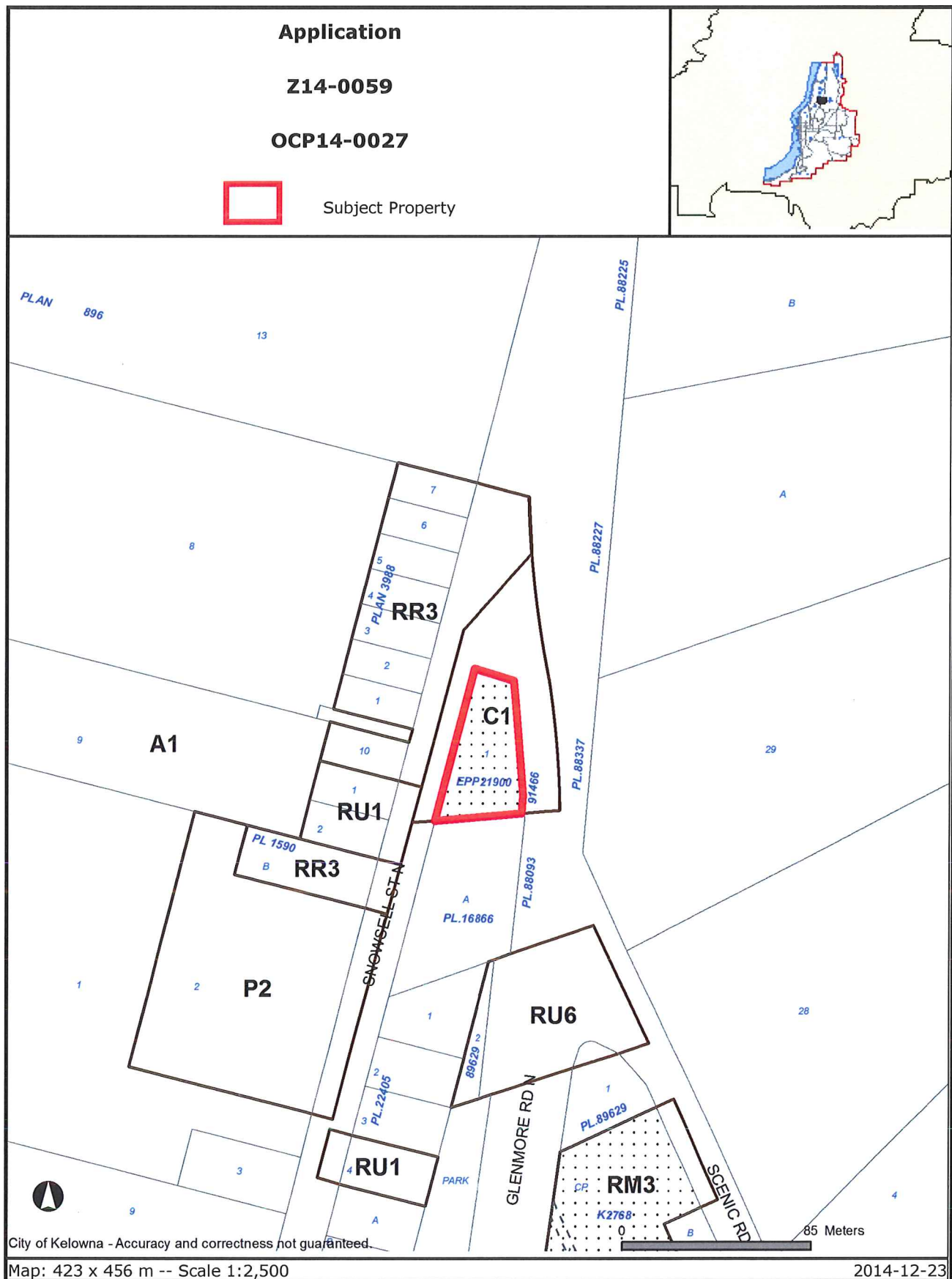
Site Plan

Conceptual Elevations

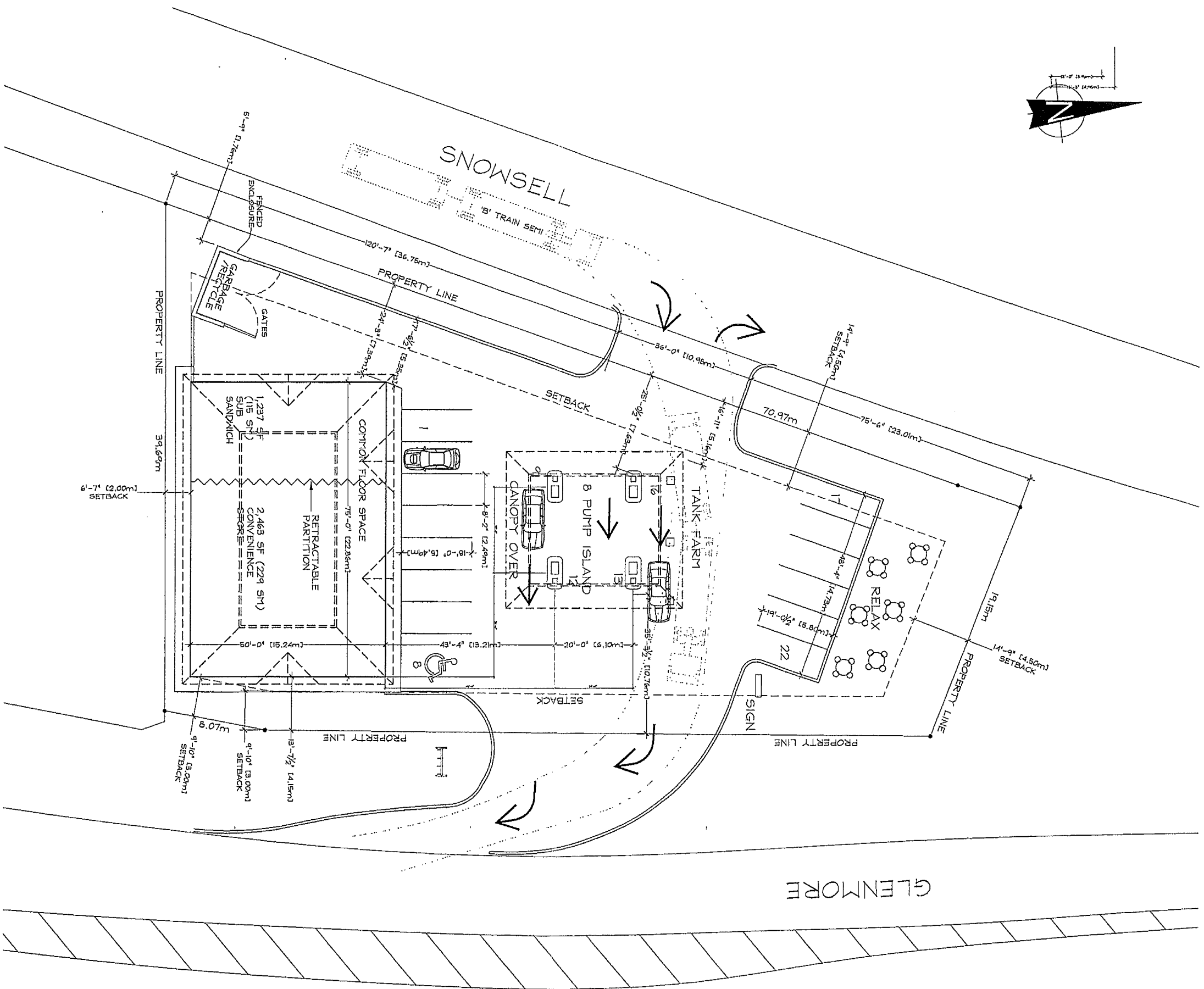
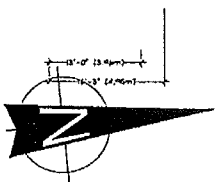
Context/Site Photos

Development Engineering Technical Comments

GEID Memo



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.

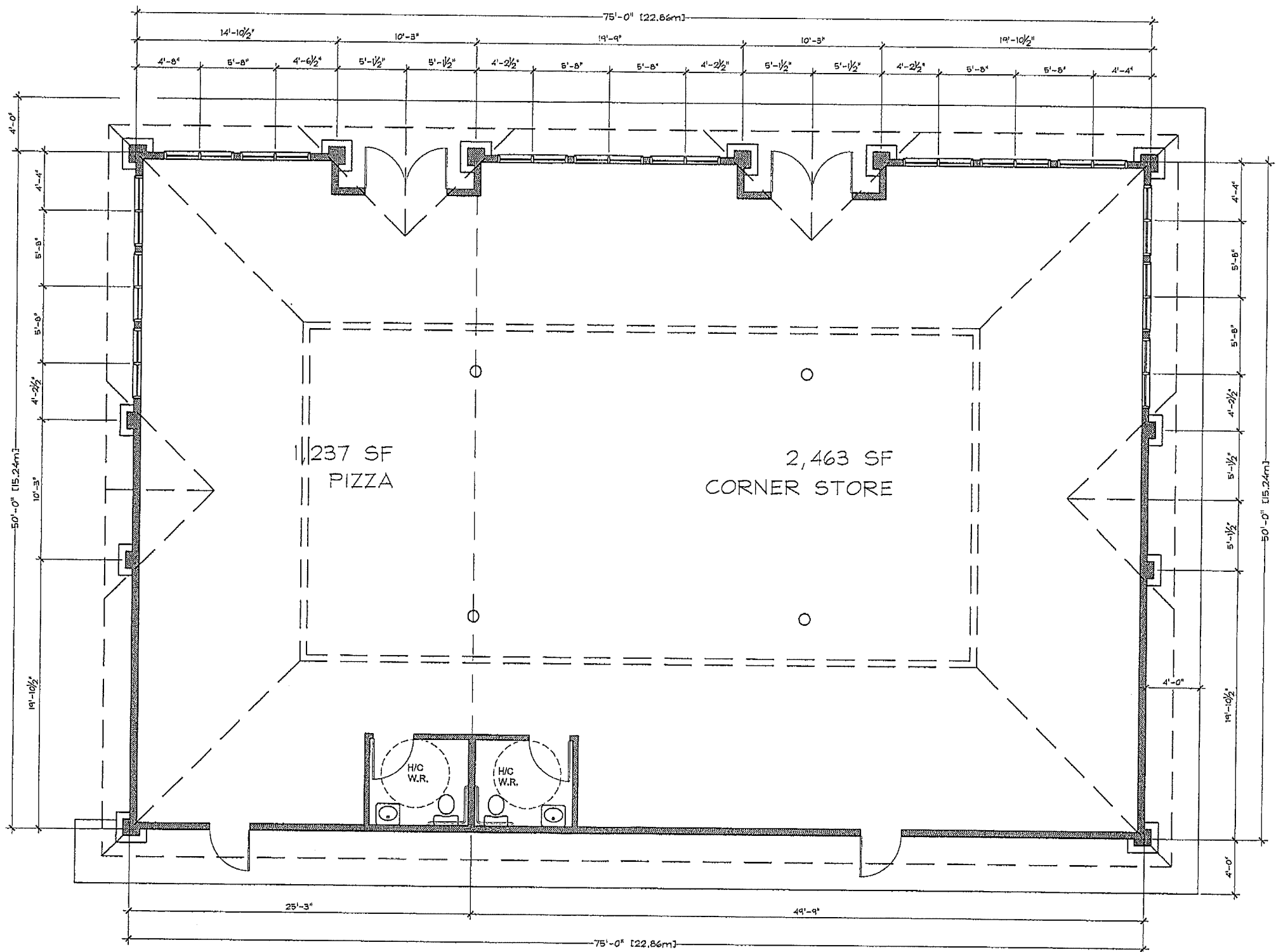


"Proposed Commercial Project"

LOT A, PLAN 33728, 525 Snowsell St N, Kelowna, BC
ERIC HUBER 250-470-2325

TGM
Drafting & Design
Tom Masters
Kelowna, BC (250)317-2446
kelowna635@gmail.com

SCALE: 1/16" = 1'-0"
DATE: DEC 10/2014
SHEET NO. **A1**
SITE PLAN



"Proposed Commercial Project"

LOT A, PLAN 33728, 525 Grouseall St. N, KELLOWNA, BC
ERIC HUBER 250-470-2325

TGM
Drafting & Design
Tom Masters
Kelowna, BC (250)317-2446
kelowna635@gmail.com

SCALE: 3/16" = 1'-0"
DATE: DEC 10/2014
MAIN FLOOR
PLAN
SHEET NO. A2

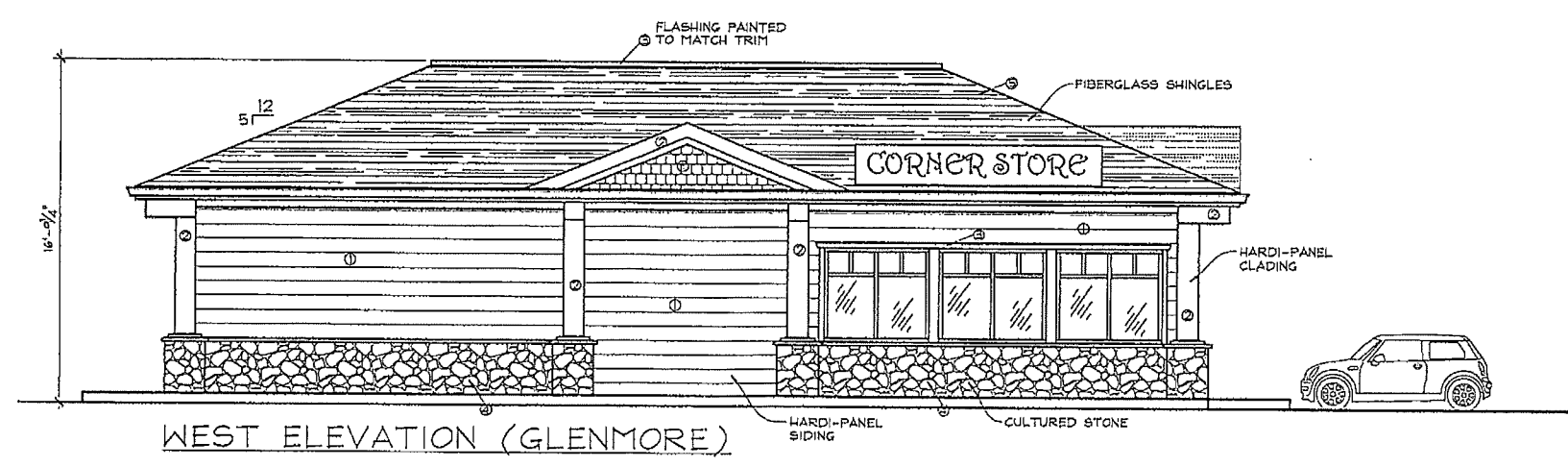
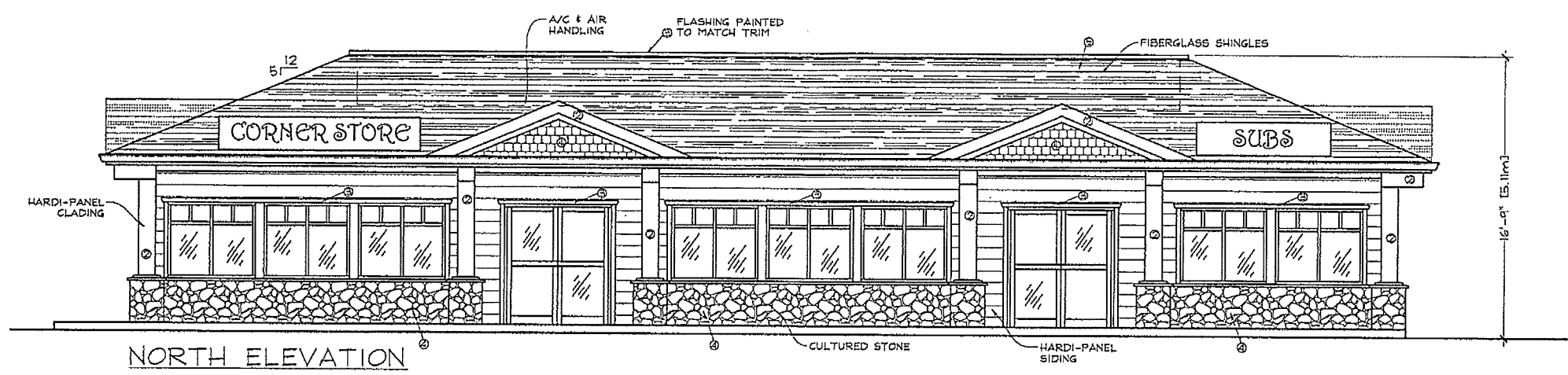
"Proposed Commercial Project"

LOT A, PLAN 33729, 525 Snowsill St. N, KELLOWNA, BC
ERIC HUBER 250-470-2325

TGM
 Drafting & Design
 Tom Masters
 Kelowna, BC (250)317-2446
 kelowna6335@gmail.com

SCALE: 3/16"=1'-0"
 DATE: DEC 10/2014
 ELEVATIONS

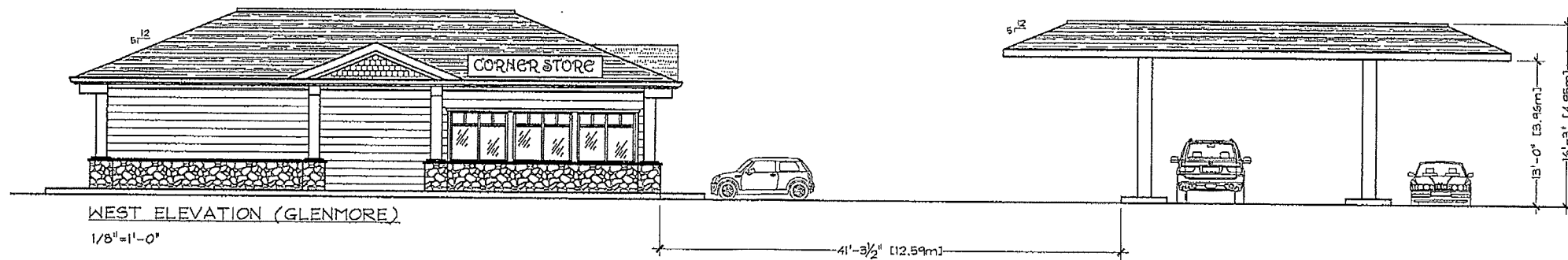
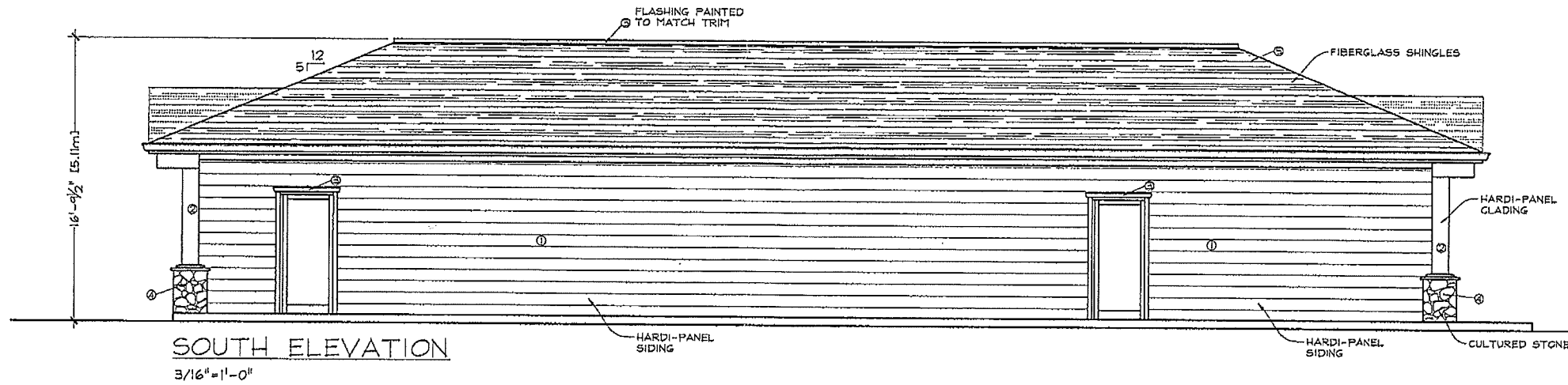
SHEET NO.
A3



- COLOR LEGEND:
- 1. SIDING COLOR HEATHERED MOSS
 - 2. SIDING COLOR NAVAJO BEIGE
 - 3. TRIM COLOR COBBLE STONE
 - 4. SPRING STREAM STONE
 - 5. EARTHTONE CEDAR CAMBRIDGE

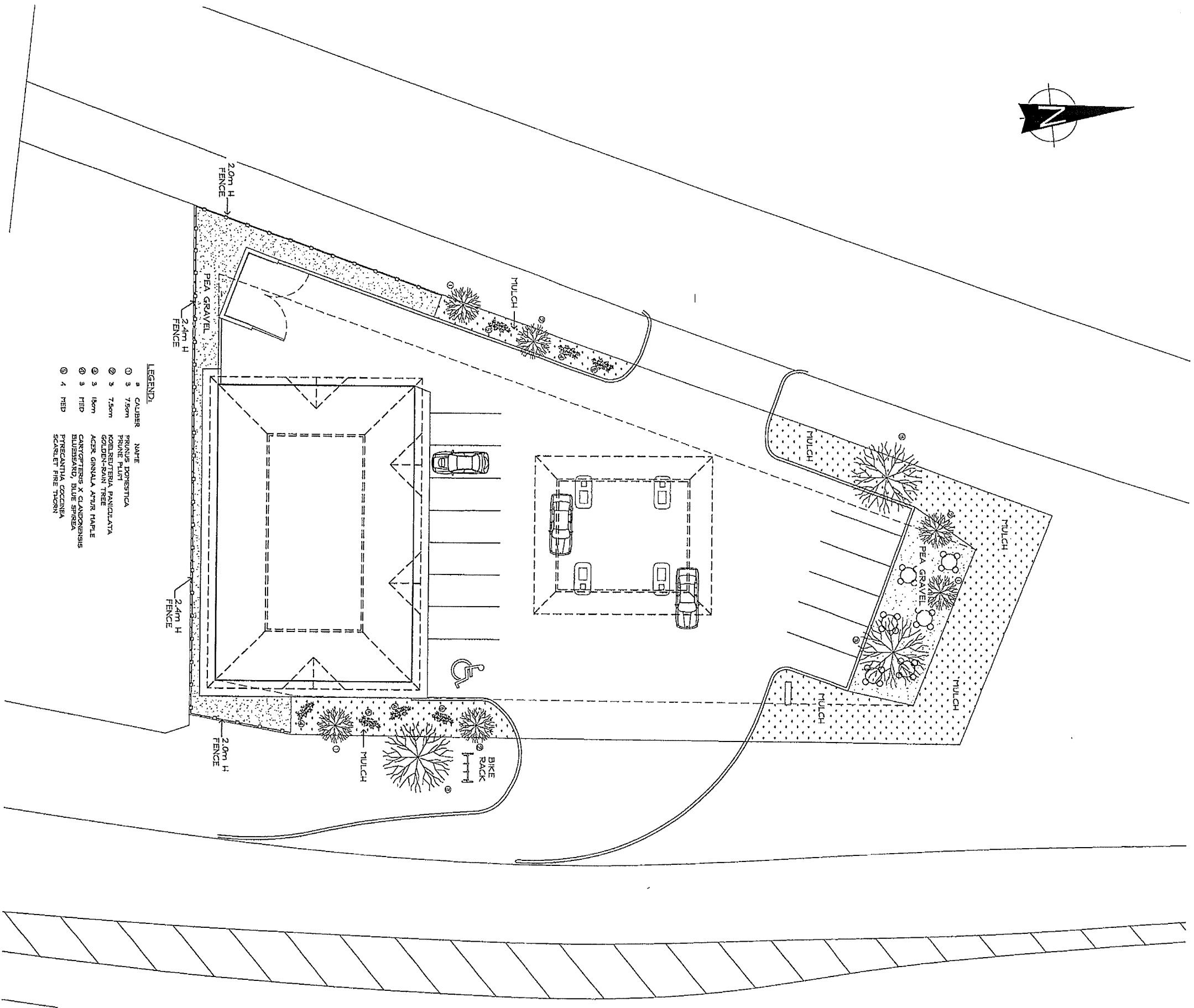
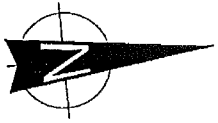
"Proposed Commercial Project"

LOT A, PLAN 33728, 525 5th Avenue, St. N., Kelowna, BC
ERIC HUBER 250-470-2325



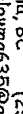
TGM
Drafting & Design
Tom Masters
Kelowna, BC (250)317-2446
kelowna635@gmail.com

SCALE: AS NOTED
DATE: DEC 10/2014
SHEET NO. A4



"Proposed Commercial Project"

LOT A, PLAN 33728, 525 Snowsell St N, KELLOWNA, BC
ERIC HUBER 250-470-2325

		SHEET NO. <div style="font-size: 48pt; font-weight: bold;">L1</div>
Drafting & Design Tom Masters Kelowna, BC (250)317-2446 kelowna0635@gmail.com		
SCALE:	1/16"=1'-0"	
DATE:	DEC 10/2014	
LANDSCAPE PLAN		





Glenmore-Ellison Improvement District

445 Glenmore Road
Kelowna, BC V1V 1Z6

Email: glenmore.ellison@shaw.ca
Website: www.glenmoreellison.com

Phone: 250-763-6506

Fax: 250-763-5688

December 24, 2014

City of Kelowna
Community Planning & Real Estate
1435 Water St.
Kelowna, BC V1Y 1J4

Attention: Paul McVey (via email: dchampton@kelowna.ca)

Re: City of Kelowna Files Z14-0059 & OCP14-0027
505/525 Snowsell St. North – Lot 1, Plan EPP21900
Maruszczak, Joseph & Catherine / Huber, Eric

GEID is in receipt of a referral concerning the rezoning and OCP amendment for Lot 1, Plan EPP21900 at 505/525 Snowsell St. North. It appears that the applicant is proposing to install gas pumps on the site, which are in addition to the existing store and residence.

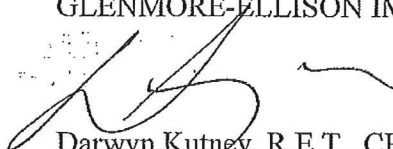
The subject property is within the District's servicing area and is currently assessed with 0.340 acres of "R" grade (residential) and 0.13 acres of "D" grade (dry, with no water).

A ¾" domestic service off Snowsell St. North is supplying water to the existing building and a separate service off Glenmore Rd North supplies seasonal irrigation. Development will require the abandonment of the seasonal connection, installation of a separate, metered commercial connection, and possibly the installation of a fire hydrant in close vicinity to the property. GEID's consulting engineer will be required to review the project to determine the best servicing option for the new commercial venture. All costs and fees associated with any review and water works are the responsibility of the applicant.

GEID has no other comments on the current application. Additional information will be provided at a later date, upon receipt of a development permit or building permit application and will include Capital Expenditure Charges, connection fees, engineering review and other fees.

If you have any questions on this application, please do not hesitate to contact me.

Yours truly,
GLENMORE-ELLISON IMPROVEMENT DISTRICT


Darwyn Kutney, R.E.T., CRM
General Manager
c.c. Mike Rojem, GEID Projects Coordinator
Drew Allingham, GEID Foreman

Paul McVey

From: Yahoo [hubereric78@yahoo.ca]
Sent: Thursday, May 21, 2015 6:07 AM
To: Paul McVey
Subject: Corbin's store

Hi Paul. Arrangements are underway with Fortis to move poles to accommodate the redevelopment of this property. Fortis also will be providing a 400 amp three phase service to the store. I also thought I would let you know that the lot lighting for this site will be engineered in such a way not to impact the neighboring properties. I have done this on several of the fuel facilities I have developed in the past with great success. Eric
Huber

CITY OF KELOWNA

BYLAW NO. 11105

Official Community Plan Amendment No. OCP14-0027 - Garoslav and Catherine Maruszczak 505-525 Snowsell Road North

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

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot 1, District Lot 9, Township 23, ODYD, Plan EPP21900, located on Snowsell Road North, Kelowna, B.C., from the Single / Two Unit Residential (S2RES) designation to the Commercial (COMM) designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11106
Z14-0059 - Garoslav and Catherine Maruszczak
505-525 Snowsell Road 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 1, District Lot 9, Township 23, ODYD, Plan EPP21900, located on Snowsell Road North, Kelowna, B.C., from the C1 - Local Commercial zone to the C2 - Neighbourhood Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 15, 2015

RIM No. 1250-30

To: City Manager

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

Application: Z15-0012

Owner: Hyatt Auto Sales Ltd.

Address: 883 McCurdy Place

Applicant: Hyatt Auto Sales Ltd.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: I1 - Business Industrial

Proposed Zone: I2 - General Industrial

1.0 Recommendation

THAT Rezoning Application No.Z15-0012 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 25, District Lot 124, ODYD, Strata Plan KAS3323, Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V, located on 883 McCurdy Place, Kelowna, BC from the I1 - Business Industrial zone to the I2 - General Industrial zone be considered by Council;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Ministry of Transportation and Infrastructure being completed to their satisfaction.

2.0 Purpose

To consider a Rezoning application to rezone the subject property from the I1 - Business Industrial zone to the I2 - General Industrial zone to allow general industrial uses with outdoor storage.

3.0 Urban Planning

Urban Planning Staff supports the proposal to rezone the subject property from the I1 - Business Industrial zone to the I2 - General Industrial zone to allow general industrial uses with outdoor storage on the subject property. The Official Community Plan supports more intensive use of under-utilized industrial sites, and encourages protection of existing industrial land. Rezoning the

subject property to the I2 zone protects the industrial land supply and supports more efficient use of industrial sites in this area.

The main differences between the I1 and I2 zones are the permitted uses and regulations regarding outdoor storage. The I1 zone allows some light industrial and office uses, with very limited outdoor storage. The I2 zone permits a greater range of industrial uses and fewer restrictions on outdoor storage. Offices are not a permitted use in the I2 zone.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by presenting the proposed rezoning at the Marshall Business Centre Strata Annual General Meeting on March 30, 2015. The strata owners, which include all properties within the required 50 m consultation area, have indicated support for the rezoning. To date, staff have not been contacted with any questions or concerns.

4.0 Proposal

4.1 Background

The Marshall Business Centre was created as a bareland strata industrial park in 2007 through rezoning and subdivision of a former feedlot. The lots on the outside of McCurdy Place are zoned I2 and the inside lots were all originally zoned I1, intended for light industrial and office uses with limited outdoor storage. Several of the outer lots zoned I2 have been purchased and developed with various general industrial uses, including automotive, motorcycle and minor recreational vehicle retailers, manufacturing, and equipment sales and rentals. The majority of these uses involve some outdoor storage on the property.

One inner lot zoned I1 was developed in 2012 with two multi-unit buildings, on 840-842 McCurdy Place. Some units are occupied while others remain vacant, and there has been little interest in developing other lots under the I1 zone. In February 2015, five inner lots were rezoned from I1 to I2 to respond to the demand for industrial property zoned I2.

4.2 Site Context

The subject property is located within the Marshall Business Centre, southwest of the intersection of McCurdy Road and Highway 97 in the City's Highway 97 Sector. The property is designated IND - Industrial in the Official Community Plan and is within the Permanent Growth Boundary. The area surrounding the property is industrial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I1 - Business Industrial	Vacant
East	I2 - General Industrial	General industrial
South	I2 - General Industrial	Vacant
West	I2 - General Industrial	Vacant

Subject Property Map: 883 McCurdy Place



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Industrial Land Use Intensification.¹ Encourage more intensive industrial use of currently under-utilized industrial sites during site redevelopment or by permitting lot subdivision where new lots can meet the minimum lot size requirements of the Zoning Bylaw.

Industrial Supply Protection.² Protect existing industrial lands from conversion to other land uses by not supporting the rezoning of industrial land to preclude industrial activities unless there are environmental reasons for encouraging a change of use.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments.

6.2 Development Engineering Department

- See attached memorandum, dated April 8, 2015.

¹ City of Kelowna Official Community Plan, Policy 5.29.1 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.30.1 (Development Process Chapter).

6.3 FortisBC - Electric

- There are primary distribution facilities along McCurdy Place. 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.

7.0 Application Chronology

Date of Application Received: March 19, 2015
Date Public Consultation Completed: March 30, 2015

Report prepared by:

Laura Bentley, Planner

Reviewed by:

☐

Lindsey Ganczar, Urban Planning Supervisor

Approved for Inclusion:

☐

Ryan Smith, Urban Planning Manager

Attachments:

Subject Property Map
Development Engineering Memorandum




CITY OF KELOWNA
MEMORANDUM

Date: April 8, 2015
File No.: Z15-0012
To: Urban Planning Services (LB)
From: Development Engineer Manager (SM)
Subject: 883 McCurdy Place Lot 25, Plan K3323, DL124, ODYD

The Developments Engineering comments and requirements regarding this application to rezone the subject properties from I1 to I2 are as follows

1. General.
 - a) This development is within a strata industrial park. All Municipal services have been provided to the property line.
 - b) This application does not trigger any offsite upgrades.



Steve Muenz, P. Eng.
Development Engineering Manager

B²

CITY OF KELOWNA
BYLAW NO. 11104
Z15-0012 - Hyatt Auto Sales Ltd
883 McCurdy Place

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 Lot 25, District Lot 124, ODYD, Strata Plan KAS3323 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V, located on McCurdy Place, Kelowna, B.C., from the I1 - Business Industrial zone to the I2 - General Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: March 9th, 2015

RIM No. 0940-40

To: City Manager

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

Application: DP14-0260 **Owner:** Pier Mac Petroleum Installation., Inc. No. 88127 c/o

Address: 1760 Quail Ridge Boulevard **Applicant:** Mission Group Commercial Ltd.

Title: Development Permit

Existing OCP Designation: COMM - Commercial

Existing Zone: CD15 - Airport Business Park

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP14-0260 for Lot A & B, District Lot 32, Section 14, Township 23, ODYD, Plan KAP52924 and The West ½ of Section 14 Township 23 ODYD, except Plans H16596, KAP47192, KAP51877, KAP53641, KAP53790, KAP57365, KAP73608 and KAP82802, located on 1760 Quail Ridge Boulevard, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied as described in the attached report dated January 30th 2015";
5. The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;
6. The applicant be required to post with the City, a Bicycle Parking Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the Class 1 Bicycle Parking;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Applications in order for the permit to be issued.

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider a Development Permit application for the form and character of a commercial development on the subject property.

3.0 Urban Planning

Staff are supportive of the proposed Development Permit. A Development Permit is necessary in this case as the subject property is located within a Comprehensive Development Permit Area.

Staff has worked with the applicant on a number of design revisions to the concept originally presented to Staff. The CD-15 zone has more design requirements than other zones which the applicant had to meet which included significant glazing and other architectural relief requirements as well as roof top screening of mechanical equipment. The main design improvements were a grade separated pedestrian spine through the middle of the parking lot and a relocation of the drive thru away from the corner of the lot. The applicant could not commit to the required class 1 bicycle parking (secured parking for tenants / employees) as the buildings are not fully leased. The applicant is proposing to designate a common area for Class 1 bicycle parking at the time of tenant improvements. To ensure the bicycle parking is provided and the project meets the Zoning Bylaw, Staff are recommending the applicant post a bond for the value of the bicycle parking. Lastly, the off-site works, as seen in Figure 1, shows the improvements that will need to be completed prior to occupancy permit issuance.

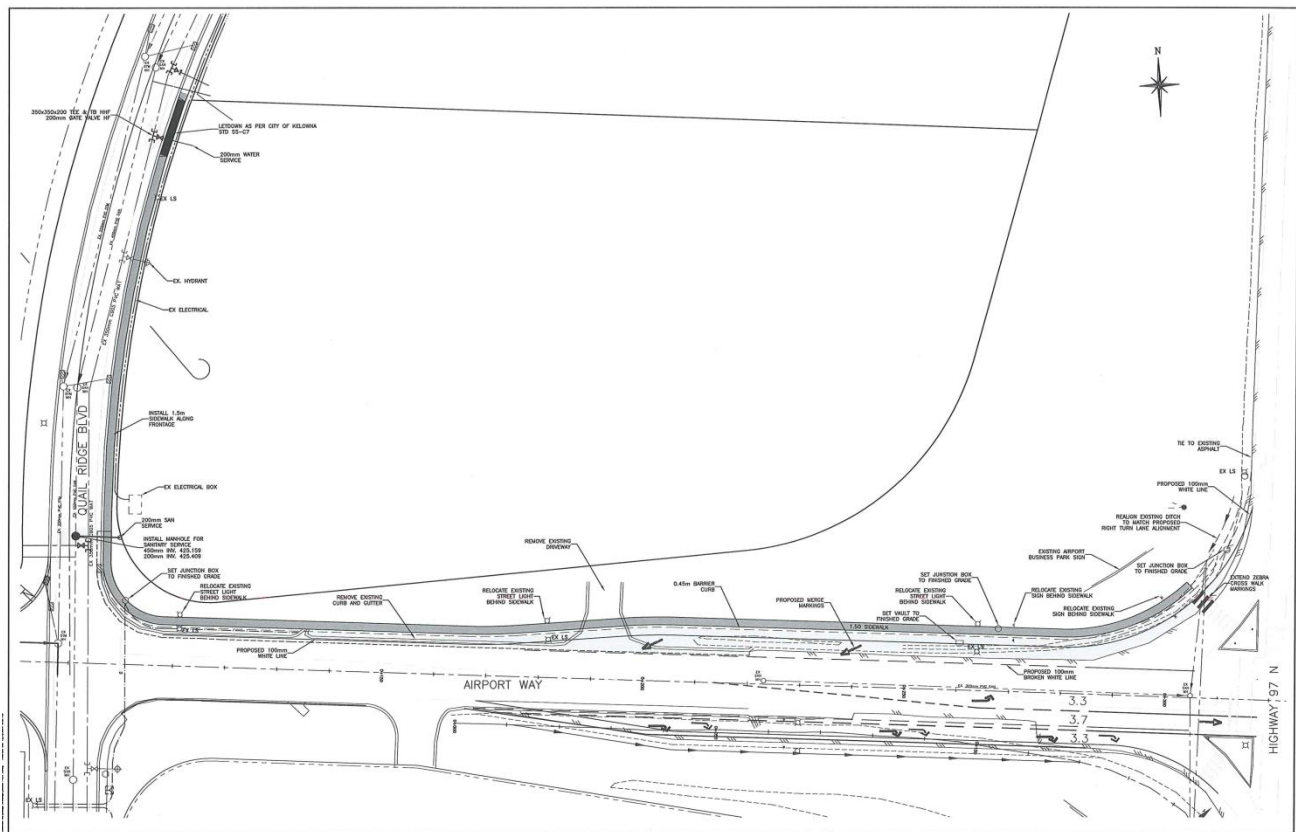


Figure 1: Off-site works

Development Permits without any variances do not require public consultation as per Council Policy No. 367.

4.0 Proposal

4.1 Project Description

The proposal is for a single-storey commercial development of approximately 39,987 ft² (3,715m²) with a primary grocery establishment and several small commercial retail stores. There are two drive-thru retail units proposed. There are three stand-alone buildings that front onto Airport Way Quail Ridge Boulevard, and Highway 97 to form a street wall for each respective street and highway. The building occupies approximately 95% and 80% of the property's frontage along Highway 91 and Airport Way, respectively.

Vehicle access to the site will be via Quail Ridge Boulevard located at the north end of the subject property. A total of 162 parking stalls are provided to service the development. There is provision for pedestrian and bicycle linkages to all 3 buildings. Loading and recycling facilities are located away from the street to conceal their views from the street. Parking lighting fixtures are in compliance with dark sky policy and will be located to provide general ambiance and safety.

The architectural character of the project is grounded in the contemporary modernist vernacular found in the area, with a simple strong rectilinear geometry. Repetitive vertical elements with roof overhang and facade fenestrations are utilized throughout all three buildings. Facades facing the highway and streets are stepped to create visual interest. Simple durable contemporary building materials primarily consist of metal cladding and stucco. The proposed colour scheme is composed of monochromatic tones with accent colour to express the regional character. Site landscaping will incorporate both hard and soft elements to compliment the architectural character of the development. High and low growing native trees and shrub materials are proposed to be used to enhance the site. Outdoor patio areas will be paved. Sustainability principles incorporated in the proposal include:

- Compact design and built form.
- Building materials with recycled content, low VOC, and locally sourced energy efficient component integrating.
- Thermally broken, low, double glazed storefront units.
- Shading of storefronts with canopy and sun shading overhangs to reduce cooling loads and provide weather protection.
- Low-flow fixtures to reduce water consumption.
- Provision of bicycles storage/racks on site.
- Maximize indigenous drought tolerant plant material to minimize water demand.
- Garbage bins facilities for recyclables.

4.2 Site Context

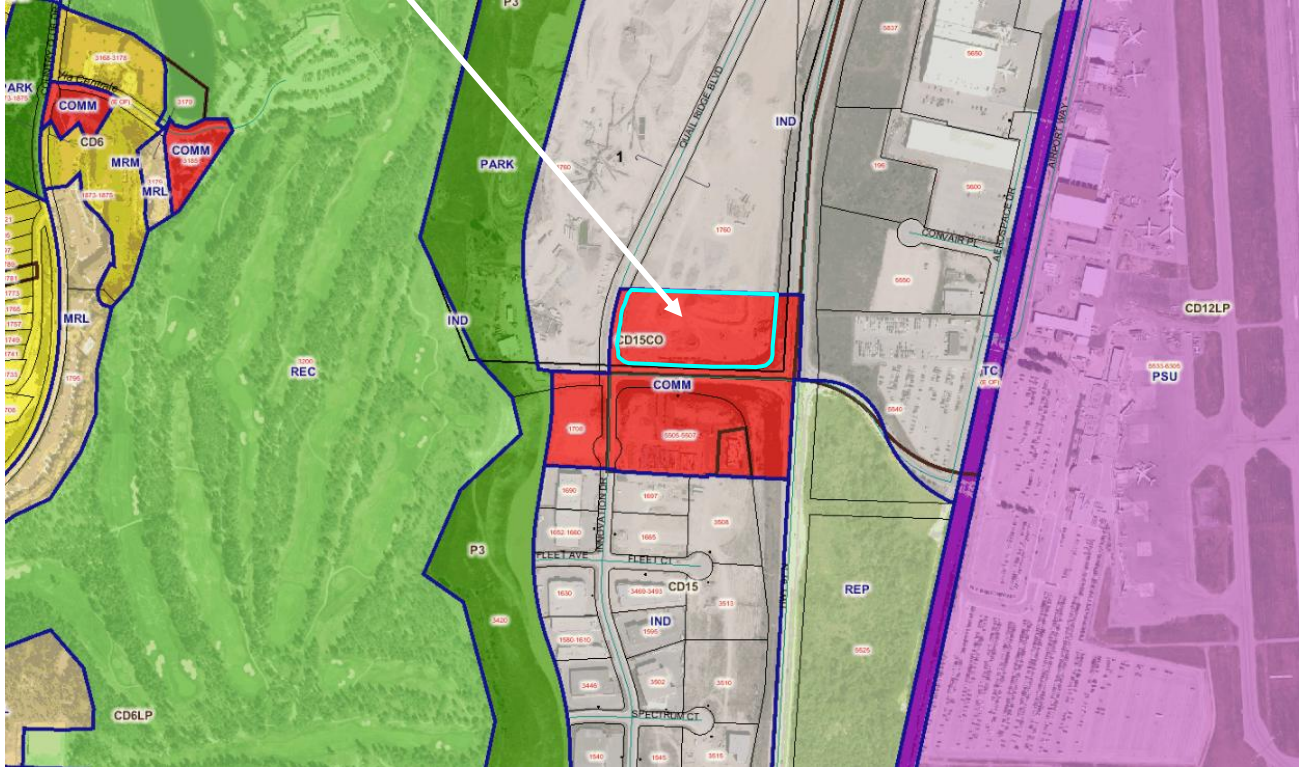
The subject property is located north of Airport Way and north of the existing commercial development. The subject property has a Future Land Use designation of COMM - Commercial in the Official Community Plan and is within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD15 - Airport Business Park (Industrial)	Vacant

East	CD12 - Airport	Parking lot and Commercial
South	CD15 - Airport Business Park (Commercial)	Multiple family dwellings
West	CD15 - Airport Business Park (Industrial)	Vacant

Subject Property Map: 1760 Quail Ridge Blvd



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	CD15 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1,500 m ²	13,790 m ²
Lot Width	30.0 m	83 m
Lot Depth	35.0 m	163 m
Development Regulations		
Site Coverage (buildings)	50 %	27 %
Max Floor Area for any commercial use	3,000 m ²	Maximum building area = 1,926 m ² Maximum commercial use = 1,240m ²
Height	2 ½ storeys	1 storeys
Front Yard (west)	3.0 m	5.5 m
Side Yard (north)	0.0 m	1.5 m
Flanking Side Yard (south)	4.5 m	4.5 m
Rear Yard (east)	4.5 m	4.5 m
Other Regulations		
Building Material	No Vinyl, Wood Siding, or unfinished concrete block	Stucco, steel, metal siding, and aluminum

Principal Facades articulated with glazing or other relief	Min 30%	Varies from 30% to 35.61%
Loading Space	1 per 1,900 m ² of Gross Floor Area = 2 loading bays req'd	3 loading bays provided
Parking Stalls	4.4 stalls per 100m ² of Gross Leasable Area = 162 parking stalls req'd	162
Bicycle Spaces	8 Class 1 spaces 22 Class 2 spaces	? Class 1 spaces 22 Class 2 spaces
OCP Policy		
Number of Trees	1 shade tree per parking space (41 trees)	58 trees
● Indicates a requested variance to reduce the minimum number of parking stalls from 167 required to 155 proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

Relevant Comprehensive Development Permit Area Guidelines

S.1.1. Incorporate landscaping and building form and character that is distinct to Kelowna and the Central Okanagan and conveys a sense of authenticity;

S.1.5. Use colours found in the region's natural and cultural landscape;

S.2.7. Design developments with multiple buildings such that there is a sense of architectural unity or cohesiveness;

S.3.1. Locate buildings to provide an effective street edge while respecting the established, desired streetscape rhythm;

S.3.4. Design buildings with multiple street frontages to give equal emphasis to each frontage with respect to building massing, materials, details, and landscaping;

S.5.2. Articulate facades by means of indentations and projections of elements (e.g. windows and doors, cornice lines, pilasters, balconies, and other detailing);

S.8.4. Provide an identifiable and well-lit pathway to the front entrance of every building from all adjoining public sidewalks and all on-site parking areas;

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

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

S.8.5. Ensure pedestrian circulation is convenient, safe, and clearly identifiable to drivers and pedestrians;

S. 8.14. Parking lots should have shade trees planted at 1 tree per 4 parking stalls.

S.16.4. Provide pathway lighting at a human scale (e.g. light standards of appropriate height for pedestrians). Pedestrian lights should address pedestrian safety, be vandal proof and easy/inexpensive to maintain;

S.16.5. Provide exterior street lighting that follows the International Dark Sky Model code in order to limit light pollution and save energy.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
 - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units, number of required exits per area, accessibility etc
- Washroom requirements for base building are to be addressed in the building permit application.
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Section 5.9 of the Fire and Life Safety Bylaw 10760 pertaining to Construction Sites shall be included.
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900.
- A visible address must be posted on Quail Ridge Blvd as per City of Kelowna Bylaw
- Sprinkler drawings are to be submitted to the Fire Dept. for review when available.
- A fire safety plan as per section 2.8 BCFC is required prior to occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD or DVD to facilitate Fire Department pre-planning for this structure. The fire safety plan should clearly detail the unique requirements for this structure. A copy of the sprinkler system owner's certificate is to be included in the fire safety plan.
- Fire Department access is to be met as per BCBC 3.2.5.6, from Quail Ridge Blvd to the buildings
- Fire Department steel lock box is required by the fire dept. entrance. Kurt's Lock & Safe at 100A - 1021 Ellis Street, Kelowna, is the approved supplier for flush mount lock boxes.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met
- Fire alarm system is to be monitored by an agency meeting the CAN/ULC S562 Standard and a copy of the agencies certification shall be attached to the Fire Safety Plan
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Fire department connection is to be within 45M of a fire hydrant - please ensure this is possible and that the FD connection is clearly marked and visible from the street

6.3 Development Engineering Department

- See attached memorandum.

6.4 Ministry of Transportation

- No concerns. Advised that we are holding securities for works and the works must be in place prior to opening. Also awaiting the signed Letter of Agreement.

7.0 Application Chronology

Date of Application Received: December 22nd, 2014

Report prepared by:

Adam Cseke, Planner

Reviewed by:



Ryan Smith, Urban Planning Manager

Attachments:

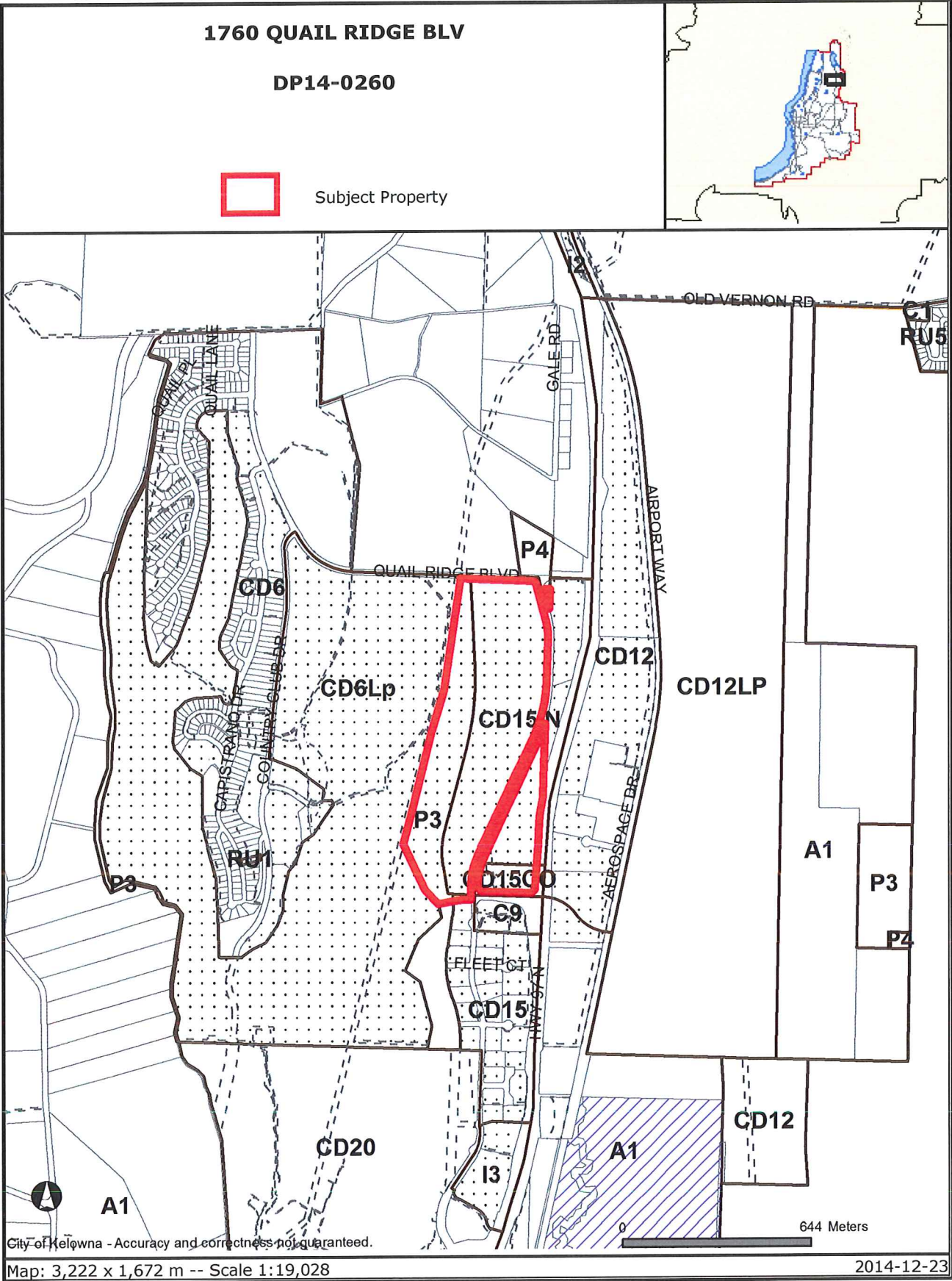
Subject Property Map

Development Engineering Memorandum

Applicant Rationale

Draft Development Permit / Development Variance Permit

- Schedule 'A'
 - Site Plan
 - Floor Plan
- Schedule 'B'
 - Elevations
- Schedule 'C'
 - Landscape Plan



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

CITY OF KELOWNA

MEMORANDUM

Date: January 13, 2015
File No.: DP14-0260
To: Urban Planning (AC)
From: Development Engineer Manager (SM)
Subject: 1760 quail Ridge Blvd., West ½ Sec. 14, Twp. 23, ODYD.

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

1. Subdivision

- a) Subdivision requirements have been addressed in the Development Engineering report under file S13-0003. Requirements identified in the subdivision report must be completed prior to the issuance of an occupancy permit.
- b) Provide Right of Way and Easement as may be required

2. Geotechnical Study.

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

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

3. Domestic water and fire protection.

This development is within the service area of the Glenmore Ellison Improvement District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements for the proposed development.

.../2

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

4. Sanitary Sewer.

The subject property is serviced by the Municipal wastewater collection system, a new service must be provided at the developer cost. The wastewater service must be installed prior to the issuance of a plumbing permit.

5. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage section of Bylaw 7900 and the City plumbing regulations will be a requirement under the building and plumbing permit application. Based upon the overall storm drainage management plan for the entire comprehensive development area, the subject property is not connected to the Municipal storm drainage system, all the storm drainage must be dealt with on site.

6. Power and Telecommunication Services.

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

7. Road improvements.

The frontages upgrades of Airport Way and Quail Ridge Boulevard have been identified in the subdivision servicing requirements and they must be constructed prior to the issuance of an occupancy permit.

Steve Muenz, P.Eng.
Development Engineering Manager

B²

Paul Chiu, Architect AIBC, MRAIC, AAA, SAA, MAA, OAA, SBA, Principal
Fariba Gharaei, Architect AIBC, MRAIC, OAA, LEED AP, SBA, Associate
Steven Wagner, Architect AIBC, MRAIC, AIA, LEED AP, Associate
Rudi Klauser, RID, NCIDQ, LEED AP, Senior Associate
Crosbby Chiu, MRAIC, SBA, Senior Associate

Rick Jones, Principal
Aaron Vornbrock, Senior Vice President
Eric Ching, CSBA, Vice President
Martin Grube, Associate
Bojan Ilic, Associate

December 18th, 2014

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

Attention: Planning Department

RE: Design Rationale for Commercial Development, Airport Business Park
1760 Quail Ridge Boulevard, Kelowna, BC

Our Project No. 3752

This report describes the proposed Design and Rationale for a comprehensive development in the City of Kelowna. The proposal addresses a number of main issues both in site planning and building form that are vital to the vibrancy of this area. They are outlined in the following.

Site Context:

The proposed development is in the Comprehensive Development Zone – CD15 Airport Business Park of the City of Kelowna. The project site is bounded on 3 sides by a major highway and 2 arterial streets.

- To the east by Highway 97 serving north/south communities.
- To the south by Airport Way that connects directly to Kelowna International Airport.
- To the west by Quail Ridge Boulevard.
- To the north by vacant site, designated for future phase of development.

Currently a “greenfield”, the site is approximately 148,495 SF (3.41 acres) and is irregular in shape. The topography of the site is generally flat with gentle embankment at the east property adjacent to the Highway. The site is currently zoned I5 (Extraction). The proposed re-zoning to CD15 Airport Business Park is in process.

The Project:

The proposal is for a single-storey commercial development of approximately 39,987 SF (3715sm) with a primary grocery establishment and several small commercial retail stores. There are 2 drive-thru retail units planned. The proposed use is consistent with the Airport Business Park Zone for a neighbourhood commercial area. There is provision for on-site parking for the development.

Site Design:

Three stand-alone buildings straddle along the edge of Airport Way; Quail Ridge Boulevard and Highway 97 to form a street wall for each respective street and highway. The building occupies approximately 95% and 80% of the property's frontages along Highway 97 and Airport Way, respectively.

Vehicular access to the site will be via Quail Ridge Boulevard with driveway access to the parking lot centrally located. A total of 162 parking stalls are provided to service the development. There is provision for pedestrian and bicycle linkages to all 3 buildings. A network of wide sidewalks connects all 3 buildings. Loading and garbage / recycling facilities are strategically located to be concealed from the street.

Site lighting will be integrated in the design including human scale pedestrian lighting treatment along the walkways and sidewalks. Parking lighting fixtures in compliance with dark sky policy will be strategically located to provide general ambiance and safety.

Building Design:

The architectural character of the project is grounded in the contemporary modernist vernacular found in the area, with a simple strong rectilinear geometry. Repetitive vertical elements with roof overhang and façade fenestrations are utilized throughout all 3 buildings.

Façades facing the highway and streets are stepped to create visual interest. Simple durable contemporary building materials primarily consist of metal cladding and stucco. Colour scheme is monochromatic tones with accent color to express the regional character.

Landscaping:

Site landscaping will incorporate both hard and soft elements to compliment the architectural character of the development. High and low growing native trees and shrub materials will be used to enhance the site. Outdoor patio areas will be paved.

Sustainability:

Sustainable principles incorporated in the proposal include:

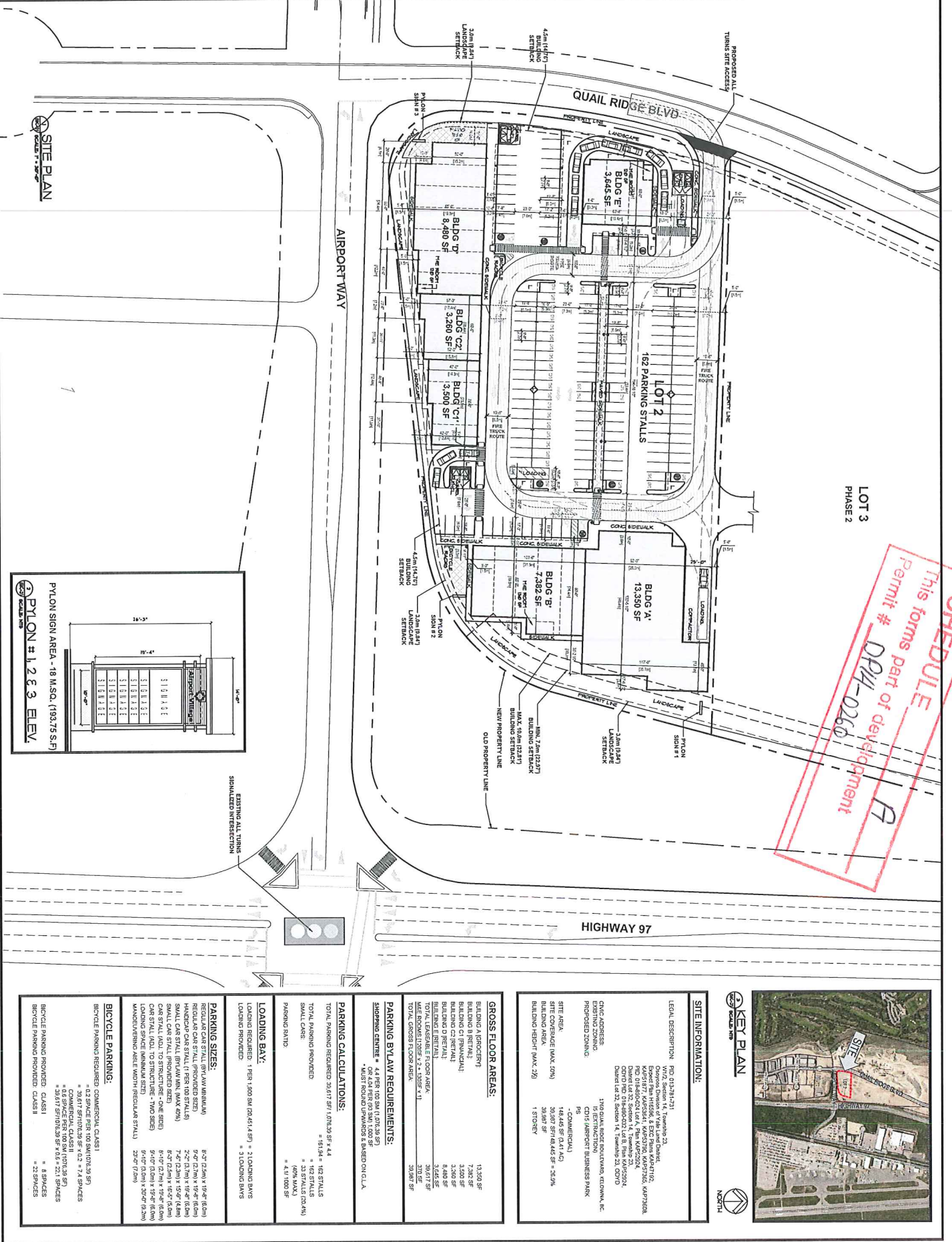
- Compact design and built form.
- Building materials with recycled content, low voc and locally sourced energy efficient component integrating.
- Thermally broken, low, double glazed storefront units.
- Shading of storefronts with canopy and sun shading overhangs to reduce cooling loads and provide weather protection.
- Encourage the use of low-flow fixtures to reduce water consumption.
- Provision of bicycle storage/racks on site
- Maximize indigenous drought tolerant plan material to minimize water demand.
- Garbage bins facilities for recyclables.

Yours truly,



Aaron Vornbrock, Senior Vice President
URBAN DESIGN GROUP ARCHITECTS LTD.

AV/mp



LOT 3
PHASE 2

SCHEDULE
This forms part of
Permit # DP44-0260
F

3
DEC-71
SCALE: MTD

KEY PLAN



SITE INFORMATION

LEGAL DESCRIPTION	TRAIL INFORMATION
W/2, Section 14, Township 25 N, Range 14E, Meridian 12E, Grand River HSE&C, B&C 40501877 4454341, 4052090 4052091, 4052092, 4052093, 4052094, 4052095, 4052096, 4052097, 4052098, 4052099, 4052100, 4052101, 4052102, 4052103, 4052104, 4052105, 4052106, 4052107, 4052108, 4052109, 4052110, 4052111, 4052112, 4052113, 4052114, 4052115, 4052116, 4052117, 4052118, 4052119, 4052120, 4052121, 4052122, 4052123, 4052124, 4052125, 4052126, 4052127, 4052128, 4052129, 4052130, 4052131, 4052132, 4052133, 4052134, 4052135, 4052136, 4052137, 4052138, 4052139, 4052140, 4052141, 4052142, 4052143, 4052144, 4052145, 4052146, 4052147, 4052148, 4052149, 4052150, 4052151, 4052152, 4052153, 4052154, 4052155, 4052156, 4052157, 4052158, 4052159, 4052160, 4052161, 4052162, 4052163, 4052164, 4052165, 4052166, 4052167, 4052168, 4052169, 4052170, 4052171, 4052172, 4052173, 4052174, 4052175, 4052176, 4052177, 4052178, 4052179, 4052180, 4052181, 4052182, 4052183, 4052184, 4052185, 4052186, 4052187, 4052188, 4052189, 4052190, 4052191, 4052192, 4052193, 4052194, 4052195, 4052196, 4052197, 4052198, 4052199, 4052200, 4052201, 4052202, 4052203, 4052204, 4052205, 4052206, 4052207, 4052208, 4052209, 4052210, 4052211, 4052212, 4052213, 4052214, 4052215, 4052216, 4052217, 4052218, 4052219, 4052220, 4052221, 4052222, 4052223, 4052224, 4052225, 4052226, 4052227, 4052228, 4052229, 4052230, 4052231, 4052232, 4052233, 4052234, 4052235, 4052236, 4052237, 4052238, 4052239, 4052240, 4052241, 4052242, 4052243, 4052244, 4052245, 4052246, 4052247, 4052248, 4052249, 4052250, 4052251, 4052252, 4052253, 4052254, 4052255, 4052256, 4052257, 4052258, 4052259, 4052260, 4052261, 4052262, 4052263, 4052264, 4052265, 4052266, 4052267, 4052268, 4052269, 4052270, 4052271, 4052272, 4052273, 4052274, 4052275, 4052276, 4052277, 4052278, 4052279, 4052280, 4052281, 4052282, 4052283, 4052284, 4052285, 4052286, 4052287, 4052288, 4052289, 4052290, 4052291, 4052292, 4052293, 4052294, 4052295, 4052296, 4052297, 4052298, 4052299, 4052300, 4052301, 4052302, 4052303, 4052304, 4052305, 4052306, 4052307, 4052308, 4052309, 4052310, 4052311, 4052312, 4052313, 4052314, 4052315, 4052316, 4052317, 4052318, 4052319, 4052320, 4052321, 4052322, 4052323, 4052324, 4052325, 4052326, 4052327, 4052328, 4052329, 4052330, 4052331, 4052332, 4052333, 4052334, 4052335, 4052336, 4052337, 4052338, 4052339, 4052340, 4052341, 4052342, 4052343, 4052344, 4052345, 4052346, 4052347, 4052348, 4052349, 4052350, 4052351, 4052352, 4052353, 4052354, 4052355, 4052356, 4052357, 4052358, 4052359, 4052360, 4052361, 4052362, 4052363, 4052364, 4052365, 4052366, 4052367, 4052368, 4052369, 4052370, 4052371, 4052372, 4052373, 4052374, 4052375, 4052376, 4052377, 4052378, 4052379, 4052380, 4052381, 4052382, 4052383, 4052384, 4052385, 4052386, 4052387, 4052388, 4052389, 4052390, 4052391, 4052392, 4052393, 4052394, 4052395, 4052396, 4052397, 4052398, 4052399, 4052400, 4052401, 4052402, 4052403, 4052404, 4052405, 4052406, 4052407, 4052408, 4052409, 4052410, 4052411, 4052412, 4052413, 4052414, 4052415, 4052416, 4052417, 4052418, 4052419, 4052420, 4052421, 4052422, 4052423, 4052424, 4052425, 4052426, 4052427, 4052428, 4052429, 4052430, 4052431, 4052432, 4052433, 4052434, 4052435, 4052436, 4052437, 4052438, 4052439, 4052440, 4052441, 4052442, 4052443, 4052444, 4052445, 4052446, 4052447, 4052448, 4052449, 4052450, 4052451, 4052452, 4052453, 4052454, 4052455, 4052456, 4052457, 4052458, 4052459, 4052460, 4052461, 4052462, 4052463, 4052464, 4052465, 4052466, 4052467, 4052468, 4052469, 4052470, 4052471, 4052472, 4052473, 4052474, 4052475, 4052476, 4052477, 4052478, 4052479, 4052480, 4052481, 4052482, 4052483, 4052484, 4052485, 4052486, 4052487, 4052488, 4052489, 4052490, 4052491, 4052492, 4052493, 4052494, 4052495, 4052496, 4052497, 4052498, 4052499, 4052500, 4052501, 4052502, 4052503, 4052504, 4052505, 4052506, 4052507, 4052508, 4052509, 4052510, 4052511, 4052512, 4052513, 4052514, 4052515, 4052516, 40	

GROSS E100B AREAS:

BUILDING A (FLOOR C)	13,300 SF
BUILDING B (FLOOR D)	7,382 SF
BUILDING C (FLOOR D)	3,200 SF
BUILDING C2 (FLOOR D)	3,260 SF
BUILDING E (FLOOR D)	3,245 SF
BUILDING F (FLOOR D)	3,245 SF
TOTAL FLOOR AREA	39,611 SF
TOTAL GROUND FLOOR AREA	370 SF
TOTAL GROSS FLOOR AREA	39,981 SF

PARKING BYLAW REQUIREMENTS:

SHOPPING CENTRE = 14 PER 100 SQ FT OF G.S.A.
*** W/ST ROUND (PARKING A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UU, UV, UW, UX, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.**

PARKING CALCULATIONS:

TOTAL PARKING REQUIRED:	30,617 SF	1,078.39 SF x 4.4	
		= 161.94	= 162 STALLS
TOTAL PARKING PROVIDED			= 162 STALLS
SMALL CARS:			= 33 STALLS (20.4%)
			(40% MAX.)
PARKING RATIO			= 4.1 / 1000 SF

LOADING BAY:

LOADING DATA:
LOADING REQUIRED: 1 PER 1,000 SM (20,451.4 SF) = 2 LOADING BAYS
LOADING PROVIDED: 2 LOADING BAYS

PARKING SIZES:

REGULAR CAR STALL (BY VEH MINIMUM)	8'-0" (2.44 m) x 15'-0" (4.60 m)
REGULAR CAR STALL (PROPOSED SIZE)	9'-0" (2.74 m) x 15'-0" (4.60 m)
HANDICAP CAR STALL (1 PER 100 STALLS)	7'-6" (2.31 m) x 15'-0" (4.60 m)
SMALL CAR STALL (BY VEH MIN. (MAX 40%))	7'-0" (2.13 m) x 15'-0" (4.60 m)
SMALL CAR STALL (PROPOSED SIZE)	8'-0" (2.44 m) x 15'-0" (4.60 m)
CAR STALL (ADJ. TO STRUCTURE - ONE SIDE)	9'-0" (2.74 m) x 19'-0" (5.79 m)
CAR STALL (ADJ. TO STRUCTURE - TWO SIDE)	9'-0" (2.74 m) x 30'-0" (9.14 m)
LOADING SPACE (MINIMUM SIZE)	9'-0" (2.74 m) x 30'-0" (9.14 m)
LOADING SPACE (ADJ. WIDTH (REGULAR STALL))	22'-0" (6.70 m)

DISYOL F. BAKIRKIN.

BICYCLE PARKING:

BICYCLE PARKING REQUIRED: COMMERCIAL CLASS I

- = 0.2 SPACE PER 100 SMT(DX),30 SF)
- = 30.67 SF(1070),30 SF * 0.2 = 7.4 SPACES

COMMERCIAL CLASS II

- = 0.6 SF/DX FOR 100 SMT(DX),30 SF)
- = 0.6 SF/DX FOR 100 SMT(DX),30 SF * 0.6 = 22.1 SPACES

BICYCLE PARKING PROVIDED: CLASS I

- = 8 SPACES

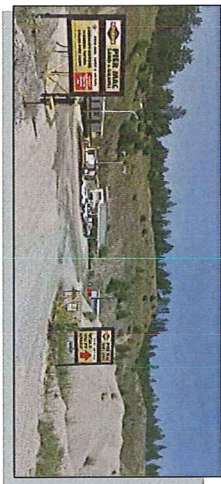
Bicycle Parking Provided: CLASS II

- = 22 SPACES

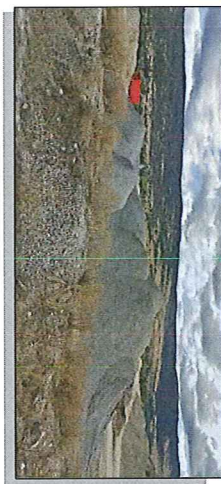
Permit # DP14-0260



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10

SCHEDULE A+B
This forms part of development
Permit # DP14-0260



An architectural rendering of a proposed retail development. The scene features a large, modern building with a mix of brick and stone cladding, a flat roof, and large glass windows. A prominent sign on the building reads "10000th AVENUE". To the left of the main building is a smaller structure with a gabled roof. In the foreground, there is a parking lot with several cars parked. A tall, multi-tiered signpost stands near the entrance, displaying "10000th AVENUE" and "RETAIL CENTER". The background shows a line of trees, including some with pink blossoms, under a clear blue sky.

This aerial photograph shows the proposed development site. The new building is a large, rectangular structure with a flat roof, situated on the left side of the site. To its right is a large parking lot filled with numerous cars. A road runs along the bottom of the site, with a sidewalk and landscaping. The surrounding area includes green grass and other buildings in the background.

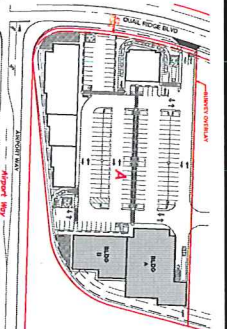
An aerial photograph of a busy city street intersection. Several cars are visible, including a white sedan, a black sedan, and a white van. The street is paved with asphalt and has white lane markings. In the background, there are several multi-story buildings, some with balconies and air conditioning units. A large green tree is on the left side of the frame. The overall scene depicts a typical urban environment.

8. AERIAL VIEW OF BUILDING C & D; BUILDING E

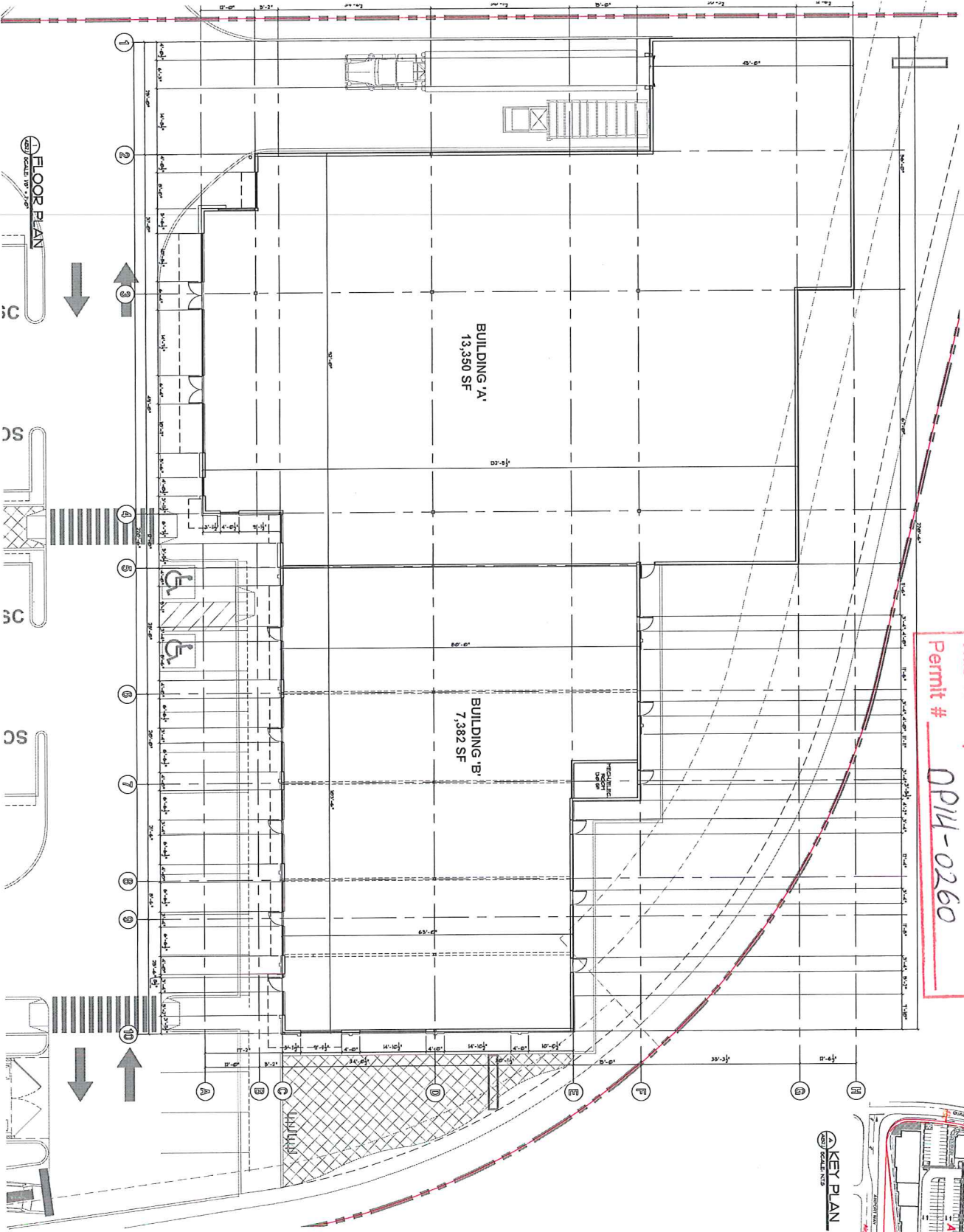


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SCHEDULE A
This forms part of development
Permit # **DP14-0260**



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



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



SC

SC

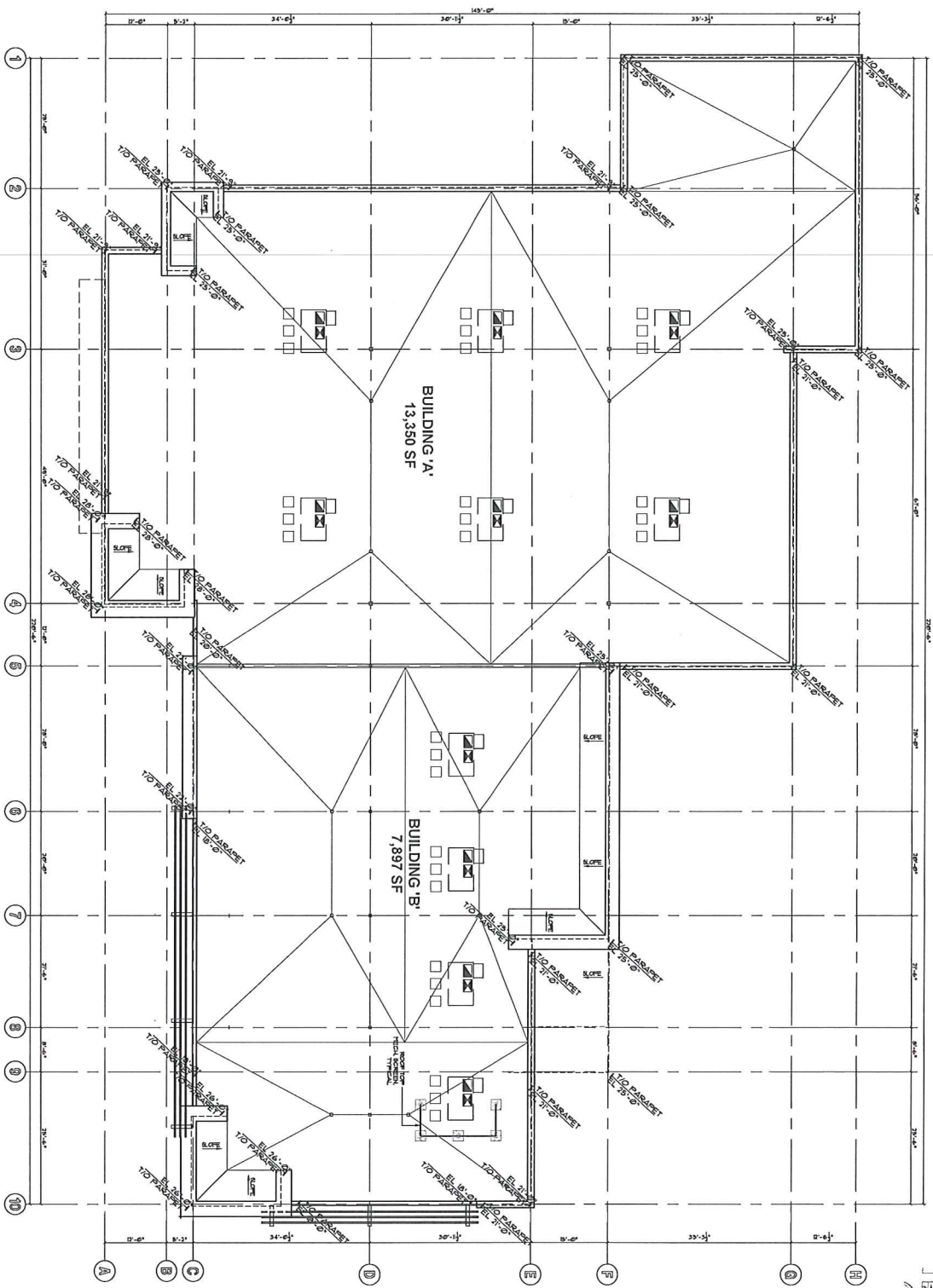
SC

AIRPORT VILLAGE
1760 QUAIL RIDGE BOULEVARD, KELOWNA, BC
For MISSION GROUP COMMERCIAL LTD.

The Applicant is a member of the Mission Group Commercial Ltd. and is not responsible for the design of the building. The design is the responsibility of the architect and the engineer. The architect and engineer are not responsible for the design of the building. The design is the responsibility of the architect and the engineer.

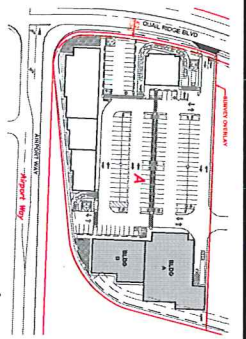
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1760 QUAIL RIDGE BOULEVARD, KELOWNA, BC
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TEL: 250-860-8888
FAX: 250-860-8889
www.architects-ltd.com

SCHEDULE A
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 Permit # **DP14-0260**



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

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



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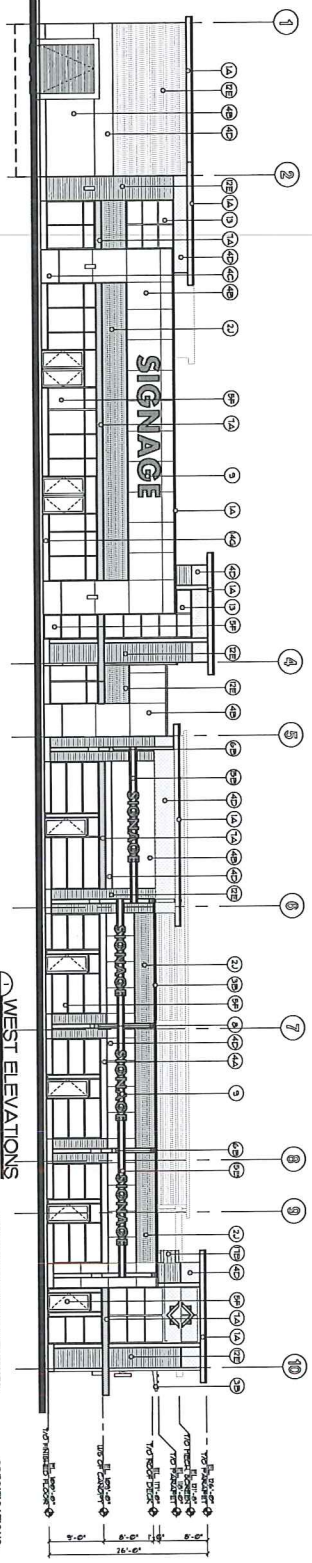
Architects Ltd
 4000 WEST RIVER
 SUITE 200
 RICHMOND BC V6X 3E8
 TEL: 604-271-1111
 FAX: 604-271-1112
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AIRPORT VILLAGE
 1760 QUAIL RIDGE BOULEVARD, KELOWNA, BC
 For MISSION GROUP COMMERCIAL LTD

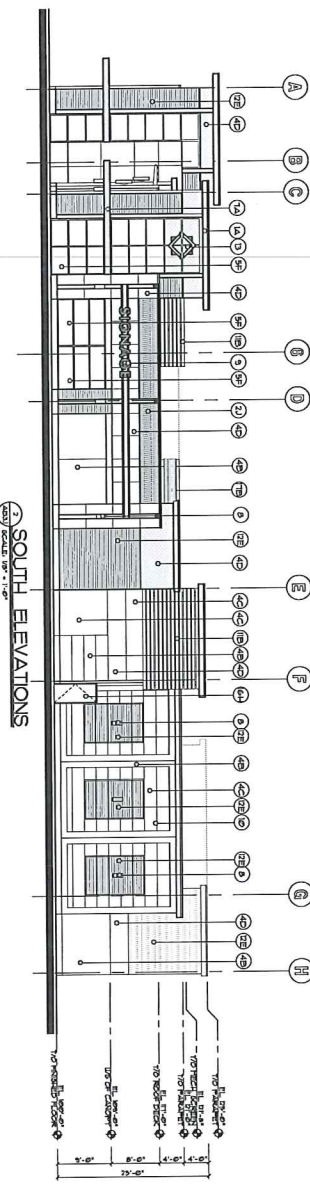
NOTES:
 1. THE ROOF PLAN IS A SUMMARY OF THE ROOF DESIGN AND IS NOT A SUBSTITUTE FOR THE ROOF STRUCTURE DESIGN.
 2. THE ROOF PLAN IS TO BE USED IN CONJUNCTION WITH THE ROOF STRUCTURE DESIGN AND THE ROOF FINISH SCHEDULE.
 3. THE ROOF PLAN IS TO BE USED IN CONJUNCTION WITH THE ROOF STRUCTURE DESIGN AND THE ROOF FINISH SCHEDULE.
 4. THE ROOF PLAN IS TO BE USED IN CONJUNCTION WITH THE ROOF STRUCTURE DESIGN AND THE ROOF FINISH SCHEDULE.

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	05/21/19
2	REVISED FOR COMMENTS	05/21/19
3	REVISED FOR COMMENTS	05/21/19
4	REVISED FOR COMMENTS	05/21/19
5	REVISED FOR COMMENTS	05/21/19
6	REVISED FOR COMMENTS	05/21/19
7	REVISED FOR COMMENTS	05/21/19
8	REVISED FOR COMMENTS	05/21/19
9	REVISED FOR COMMENTS	05/21/19
10	REVISED FOR COMMENTS	05/21/19

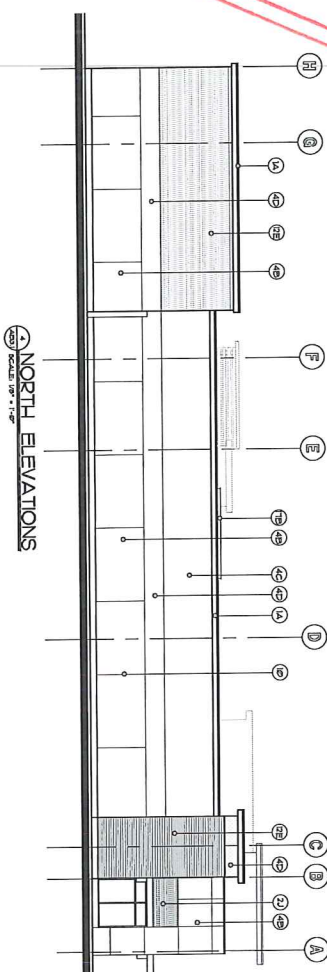
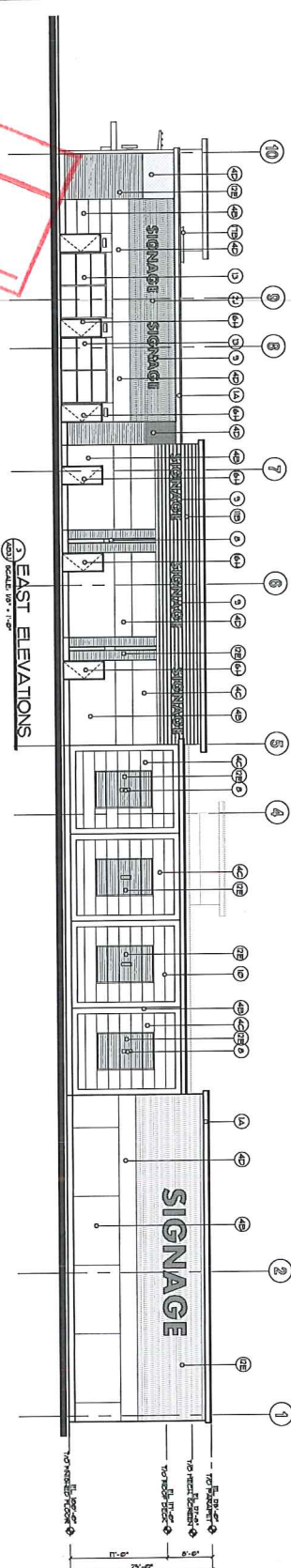
SCHEDULE
This forms part of development
Permit # **DP14-0260**



- EXTERIOR MATERIALS & FINISHES:**
- 1. PREPARED TITL, LAMP LAMING
 - 2. PREPARED TITL, LAMP LAMING
 - 3. PREPARED ALUMINUM SASH/DOOR, 1.5\"/>



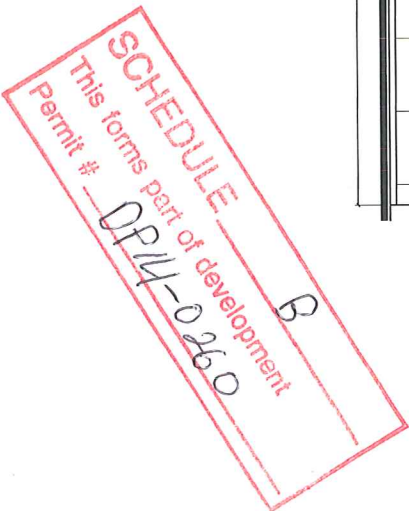
- EXTERIOR MATERIALS & FINISHES:**
- 1. PREPARED TITL, LAMP LAMING
 - 2. PREPARED TITL, LAMP LAMING
 - 3. PREPARED ALUMINUM SASH/DOOR, 1.5\"/>

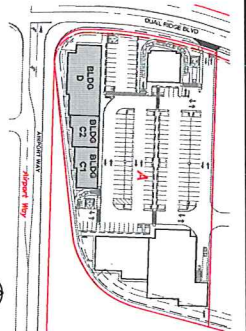
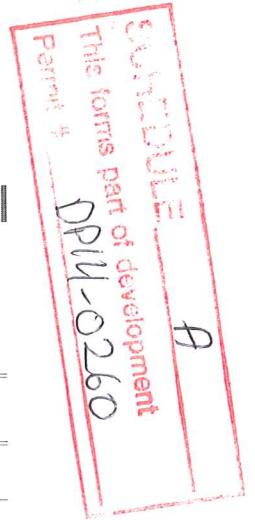


PRINCIPLE FACADES:

GLAZING/ARTICULATED RELIEF CALCULATION

FAÇADE	GLAZING AREA	ARTICULATED RELIEF AREA	TOTAL
NORTH ELEVATION	3000 SF	3000 SF	6000 SF
EAST ELEVATION	3000 SF	3000 SF	6000 SF
SOUTH ELEVATION	3000 SF	3000 SF	6000 SF
WEST ELEVATION	3000 SF	3000 SF	6000 SF
TOTAL	12000 SF	12000 SF	24000 SF



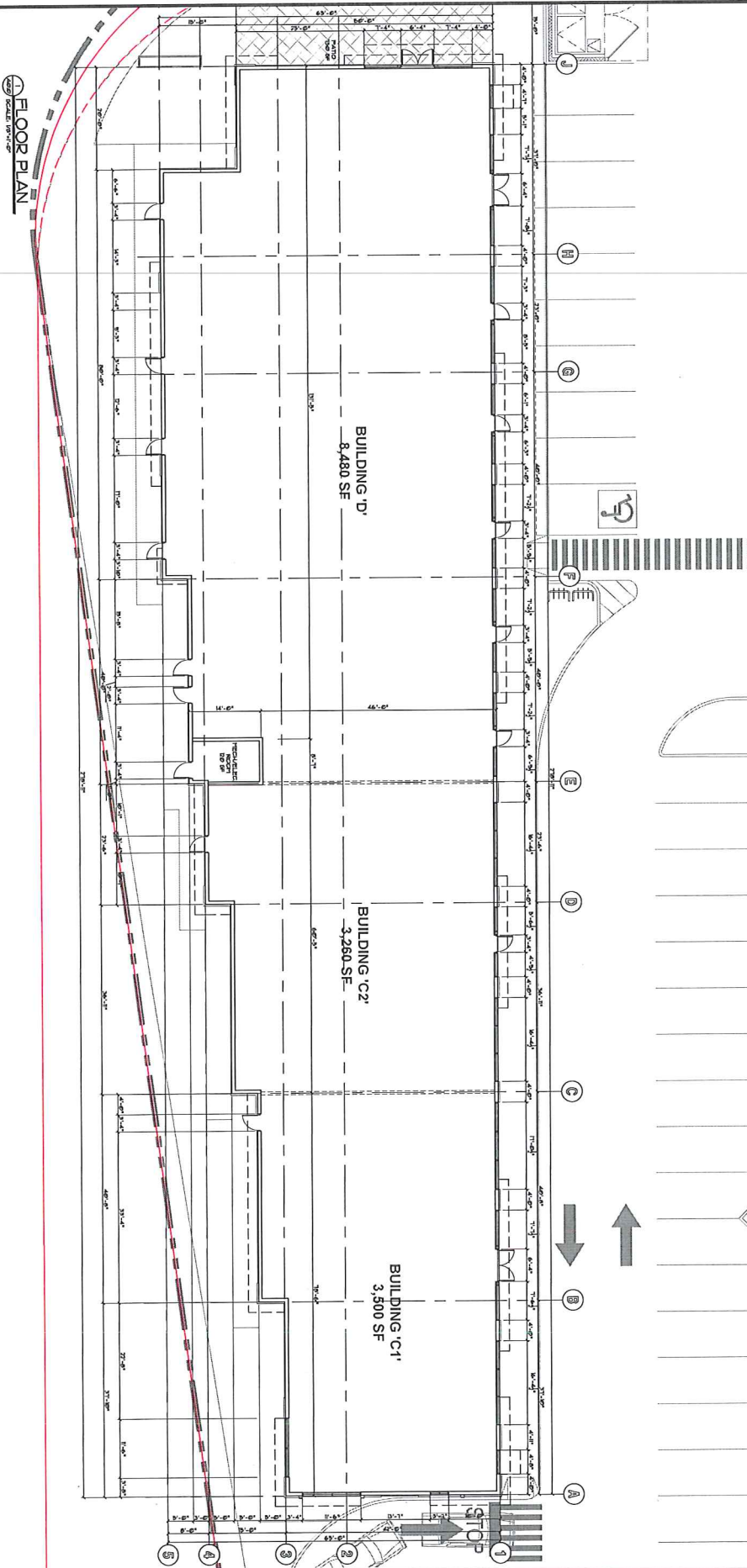


KEY PLAN
SCALE: 1:125



This drawing is the property of the City of Kelowna. It is not to be used for any other purpose without the written consent of the City of Kelowna. The City of Kelowna is not responsible for any errors or omissions in this drawing. The user of this drawing is advised to verify all information and dimensions before construction.

1. 1/4" = 1'-0"	2. 1/8" = 1'-0"	3. 1/16" = 1'-0"	4. 1/32" = 1'-0"
5. 1/64" = 1'-0"	6. 1/128" = 1'-0"	7. 1/256" = 1'-0"	8. 1/512" = 1'-0"



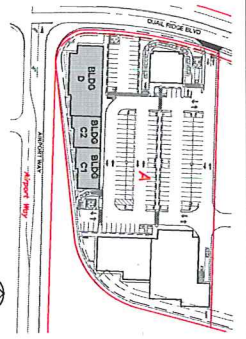
FLOOR PLAN
SCALE: 1/8" = 1'-0"

AIRPORT VILLAGE
1760 QUAIL RIDGE BOULEVARD, KELOWNA, BC
For MISSION GROUP COMMERCIAL LTD

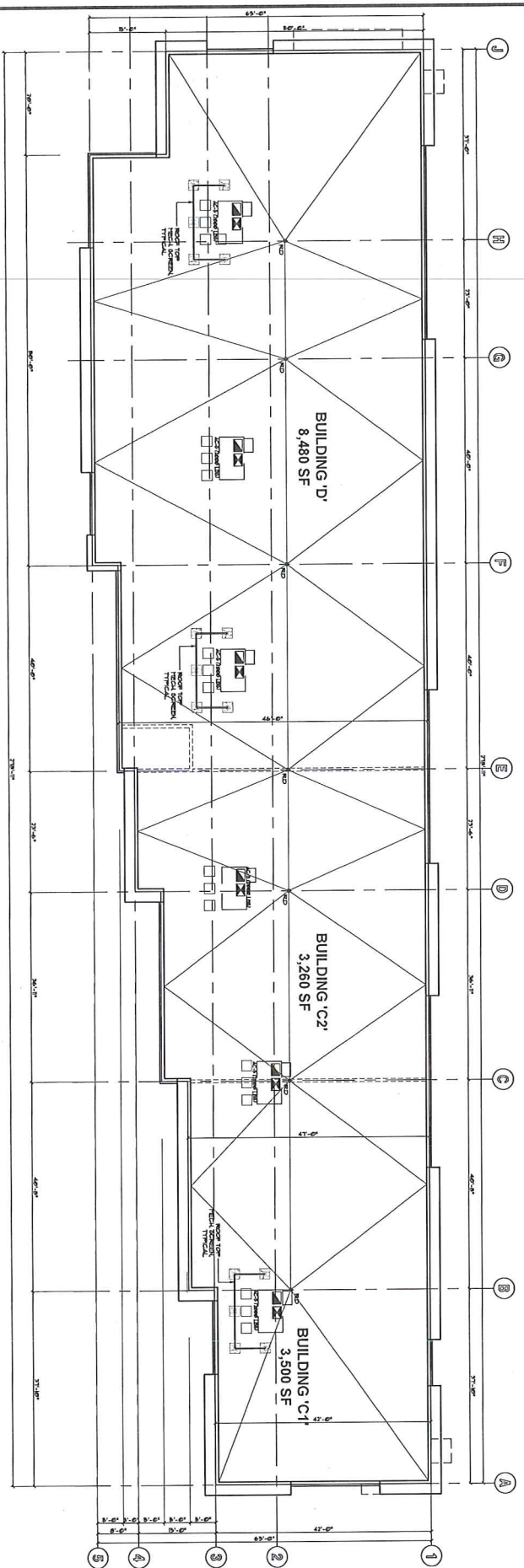
ordirects ltd
6000 WEST PACIFIC
VANCOUVER, BC V6K 3K4
TEL: 604-261-1111
FAX: 604-261-1112

FLOOR PLAN
BUILDING CD
1/8" = 1'-0"

SCHEDULE A
 This form part of development
 Permit # DP14-0260



KEY PLAN



FLOOR PLAN

P:\3723\3723A-0202.dwg PRINTED BY W3122 ON May-21-15 3:44:49 PM

AIRPORT VILLAGE
 1760 QUAIL RIDGE BOULEVARD, KELOWNA, BC
 For MISSION GROUP COMMERCIAL LTD.

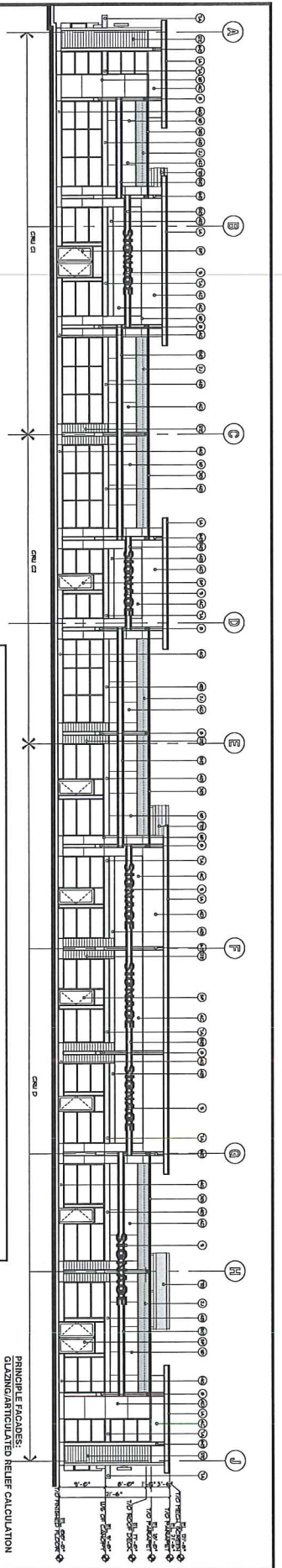
ordirects ltd
 400-100 WEST VESPER
 SUITE 200
 TEL: 250-866-8888
 FAX: 250-866-8889
 WWW.ORDIRECTS.COM

ROOF PLAN
 BUILDING CD

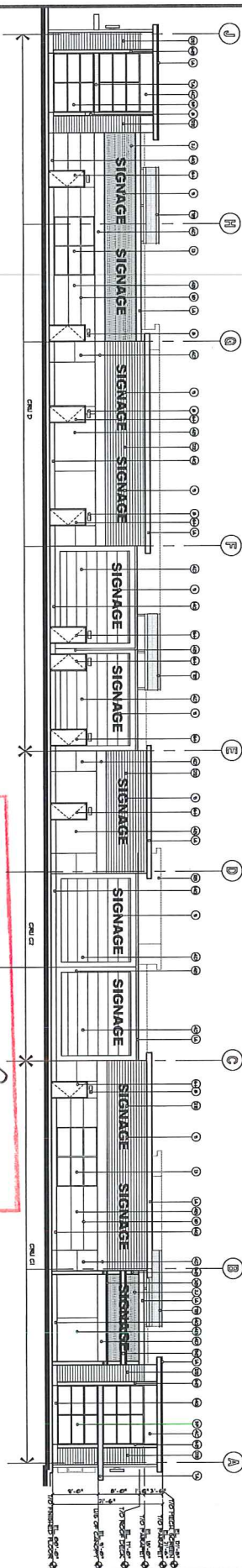
Scale: 1/8" = 1'-0"

The drawings are the property of the Architect and are not to be used for any other purpose without the written consent of the Architect. The drawings are not to be used for any other purpose without the written consent of the Architect.

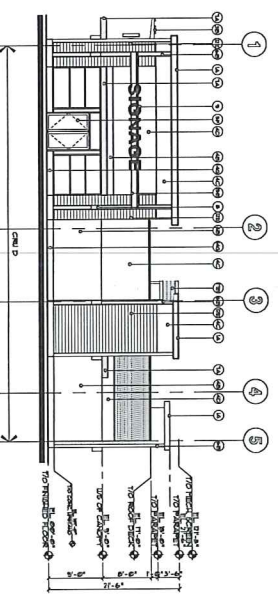
NO.	REVISION	DATE
1	ISSUED FOR PERMIT	2015-05-21
2	ISSUED FOR PERMIT	2015-05-21
3	ISSUED FOR PERMIT	2015-05-21
4	ISSUED FOR PERMIT	2015-05-21
5	ISSUED FOR PERMIT	2015-05-21
6	ISSUED FOR PERMIT	2015-05-21
7	ISSUED FOR PERMIT	2015-05-21
8	ISSUED FOR PERMIT	2015-05-21
9	ISSUED FOR PERMIT	2015-05-21
10	ISSUED FOR PERMIT	2015-05-21



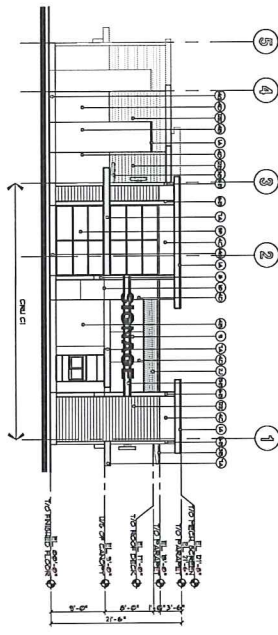
1 NORTH ELEVATION
SCALE 1/8" = 1'-0"



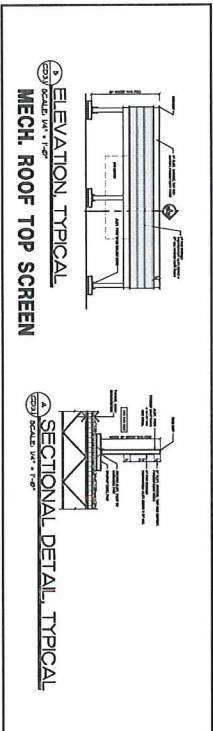
2 SOUTH ELEVATION
SCALE 1/8" = 1'-0"



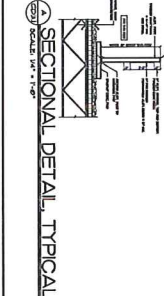
3 WEST ELEVATION
SCALE 1/8" = 1'-0"



4 EAST ELEVATION
SCALE 1/8" = 1'-0"



5 ELEVATION TYPICAL
SCALE 1/8" = 1'-0"
MECH. ROOF TOP SCREEN



6 SECTIONAL DETAIL TYPICAL
SCALE 1/8" = 1'-0"

SCHEDULE B
This forms part of development
Permit # DP14-0260

**PRINCIPLE FACADES:
GLAZING/ARTICULATED VENTILATION CALCULATION**

WEST ELEVATION	
BUILDING FLOOR AREA	2000 sq. ft.
ACTUAL GLAZING AREA	1473 sq. ft.
OTHER VENTILATION AREA	1000 sq. ft.
TOTAL	2473 sq. ft.

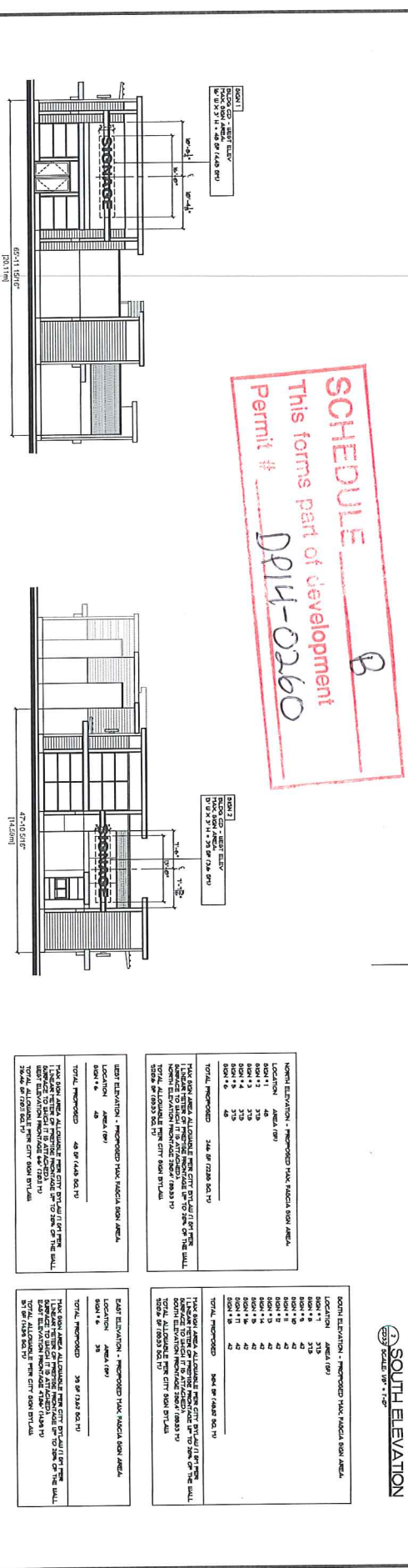
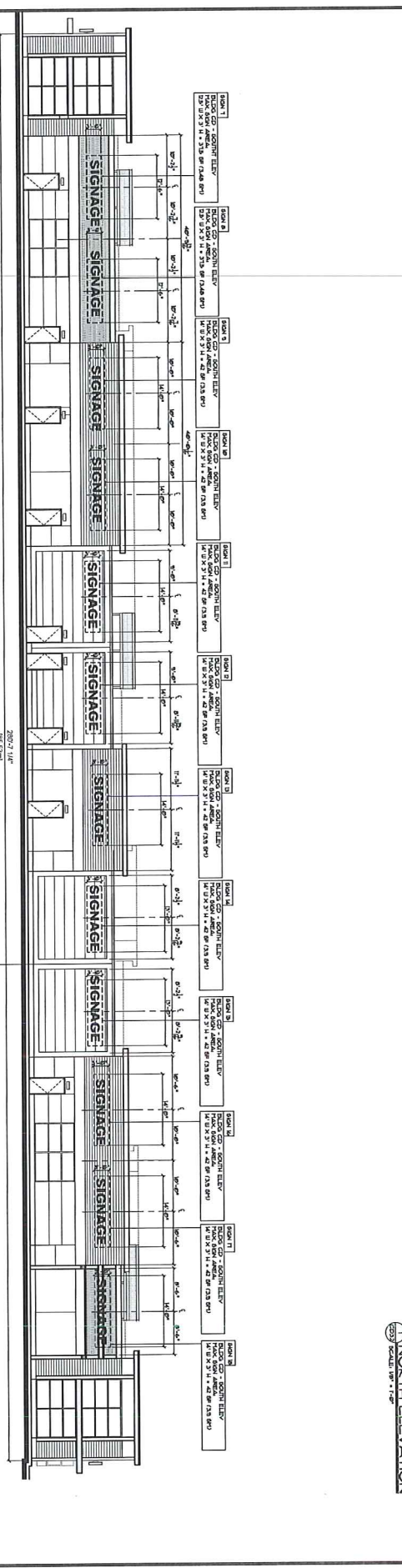
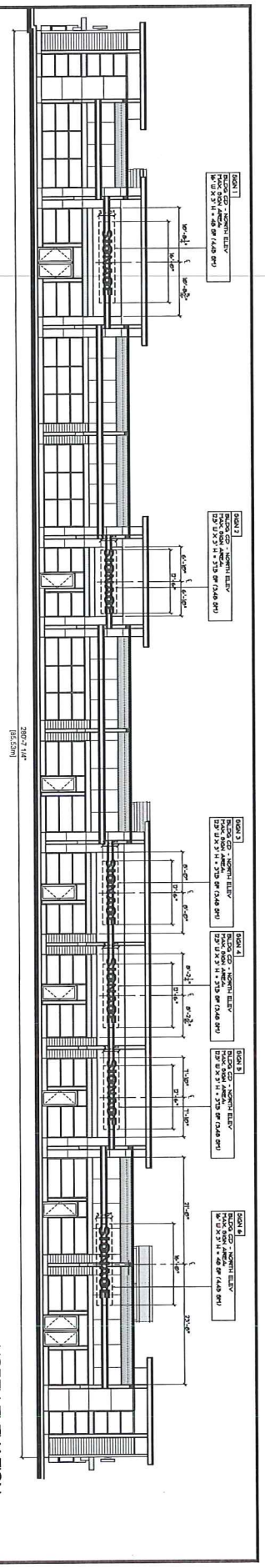
EAST ELEVATION	
BUILDING FLOOR AREA	2000 sq. ft.
ACTUAL GLAZING AREA	1473 sq. ft.
OTHER VENTILATION AREA	1000 sq. ft.
TOTAL	2473 sq. ft.

EXTERIOR MATERIALS & FINISHES:

1	PREPARED TITAN CLAY CLADDING
2	PREPARED TITAN CLAY CLADDING
3	PREPARED ALUMINUM EXTERIOR FINISHES
4	PREPARED ALUMINUM EXTERIOR FINISHES
5	PREPARED ALUMINUM EXTERIOR FINISHES
6	PREPARED ALUMINUM EXTERIOR FINISHES
7	PREPARED ALUMINUM EXTERIOR FINISHES
8	PREPARED ALUMINUM EXTERIOR FINISHES
9	PREPARED ALUMINUM EXTERIOR FINISHES
10	PREPARED ALUMINUM EXTERIOR FINISHES
11	PREPARED ALUMINUM EXTERIOR FINISHES
12	PREPARED ALUMINUM EXTERIOR FINISHES

SPECIFICATIONS:

1	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
2	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
3	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
4	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
5	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
6	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
7	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
8	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
9	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
10	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
11	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES
12	BUILDING FINISHES 2000 sq. ft. BUILDING FINISHES



SCHEDULE B
This forms part of development
Permit # **D14-0260**

WEST ELEVATION - IMPROVED TUX FACIA SIGN AREA

LOCATION	AREA (SQ)
800+1	48
800+2	48
800+3	48
800+4	48
800+5	48
800+6	48
TOTAL IMPROVED	288

EAST ELEVATION - IMPROVED TUX FACIA SIGN AREA

LOCATION	AREA (SQ)
800+1	48
800+2	48
800+3	48
800+4	48
800+5	48
800+6	48
TOTAL IMPROVED	288

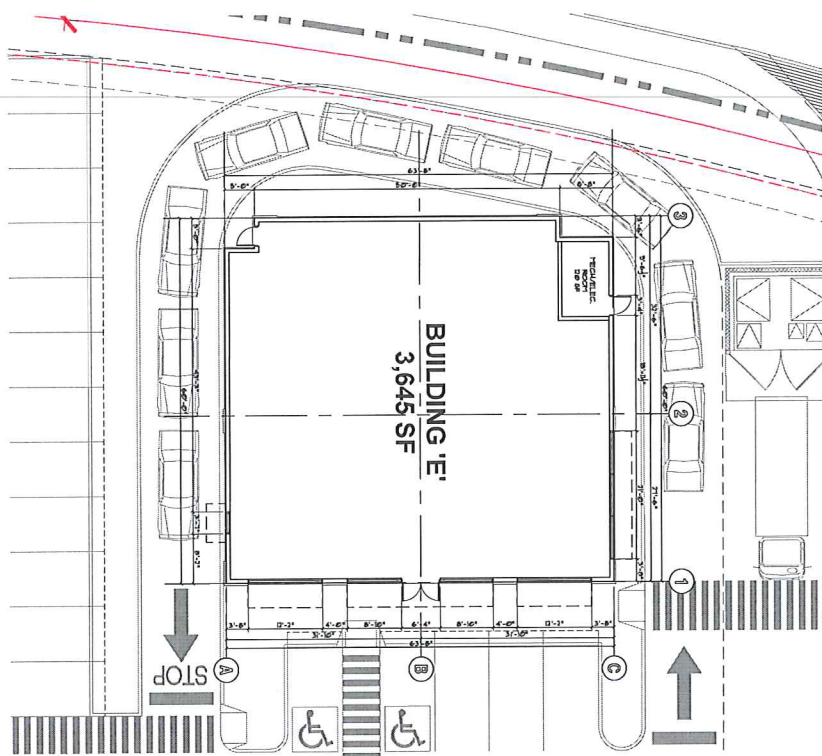
WEST ELEVATION - IMPROVED TUX FACIA SIGN AREA

LOCATION	AREA (SQ)
800+1	48
800+2	48
800+3	48
800+4	48
800+5	48
800+6	48
TOTAL IMPROVED	288

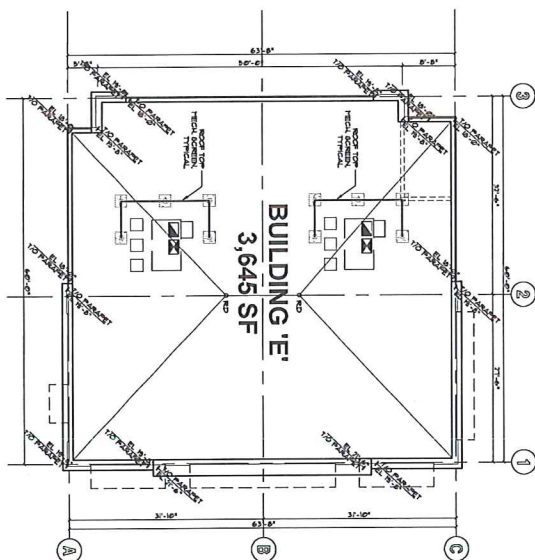
EAST ELEVATION - IMPROVED TUX FACIA SIGN AREA

LOCATION	AREA (SQ)
800+1	48
800+2	48
800+3	48
800+4	48
800+5	48
800+6	48
TOTAL IMPROVED	288

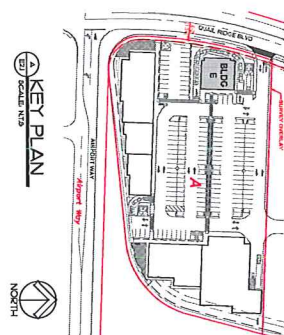
1 FLOOR PLAN: BUILDING 'E'

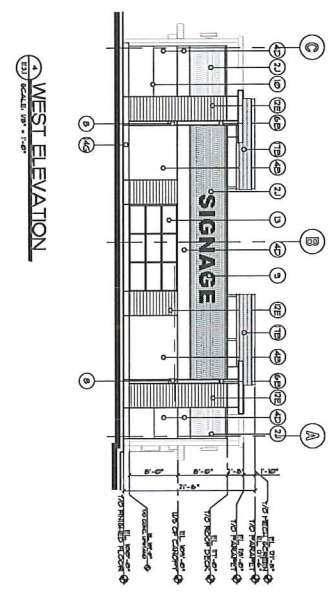
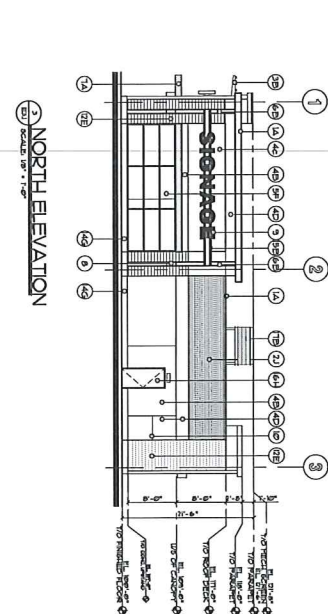
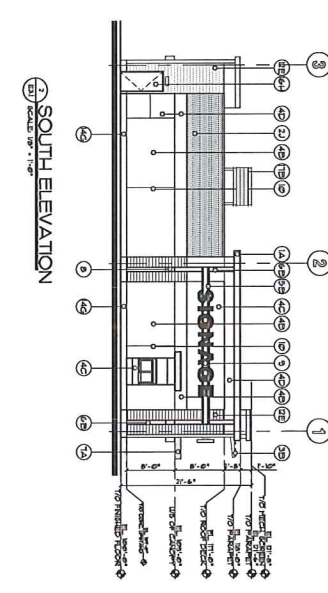
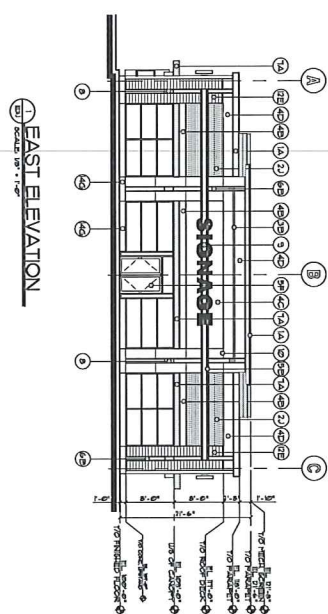


ROOF PLAN: BUILDING 'E'



SCHEDULE A
This forms part of development
permit # DP14-0260





SCHEDULE B
This forms part of development
Permit # DP14-0260

EXTERIOR MATERIALS & FINISHES:

1	PREPARED RETAIL CAR PLACING
2	COMBUSTIBLE RETAIL PANEL
3	PREPARED ALUMINUM SHADING 1 BRACKET
4	SPR STUCCO FINISH
5	TYPED GLASS THERMOFORM DOOR OR WINDOW
6	ALUMINUM FRAME
7	SOFT RETAIL PANEL PAINTED
8	OPEN RETAIL CLOSET
9	BRIDGE WALL MOUNTED LIGHT FIXTURES
10	BRIDGE KNOCKOUTS 1/2" CHANNEL LITTING (BY TRIMM)
11	STUCCO FINISH
12	TRIAL SKIN
13	UNDERGROUND RETAIL LIGHT
14	UNDERGROUND RETAIL LIGHT
15	TRIAL PANEL
16	TRIAL CONCRETE BASE
17	TRIAL CHANNEL
18	PREPARED ALUMINUM WINDOW FRAME

SPECIFICATIONS:

1	REQUIRE FINISHES TO BE BLACK PAINT
2	REQUIRE FINISHES TO BE BLACK PAINT
3	REQUIRE FINISHES TO BE BLACK PAINT
4	REQUIRE FINISHES TO BE BLACK PAINT
5	REQUIRE FINISHES TO BE BLACK PAINT
6	REQUIRE FINISHES TO BE BLACK PAINT
7	REQUIRE FINISHES TO BE BLACK PAINT
8	REQUIRE FINISHES TO BE BLACK PAINT
9	REQUIRE FINISHES TO BE BLACK PAINT
10	REQUIRE FINISHES TO BE BLACK PAINT
11	REQUIRE FINISHES TO BE BLACK PAINT
12	REQUIRE FINISHES TO BE BLACK PAINT
13	REQUIRE FINISHES TO BE BLACK PAINT
14	REQUIRE FINISHES TO BE BLACK PAINT
15	REQUIRE FINISHES TO BE BLACK PAINT
16	REQUIRE FINISHES TO BE BLACK PAINT
17	REQUIRE FINISHES TO BE BLACK PAINT
18	REQUIRE FINISHES TO BE BLACK PAINT

PRINCIPLE ELEVATIONS:

QUANTITY/CONTINGENT RELIEF CALCULATION

ELEVATION	BUILDING ELEVATION AREA	TOTAL SQ	PER %
EAST ELEVATION	1000 SQ	1000 SQ	100 %
SOUTH ELEVATION	1000 SQ	1000 SQ	100 %
NORTH ELEVATION	1000 SQ	1000 SQ	100 %
WEST ELEVATION	1000 SQ	1000 SQ	100 %
TOTAL	4000 SQ	4000 SQ	100 %

architects ltd
1000 WEST 10TH AVENUE
SUITE 100
VANCOUVER, BC V6H 1A1
TEL: 604-681-1234
FAX: 604-681-1235
www.architects.ca

3752

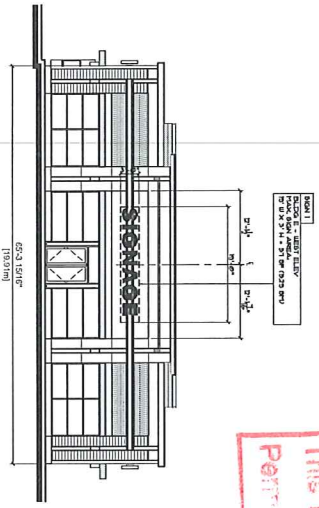
ELEVATIONS BUILDING E

AIRPORT VILLAGE
1760 QUAIL RIDGE BOULEVARD, KELOWNA, BC
For MISSION GROUP COMMERCIAL LTD

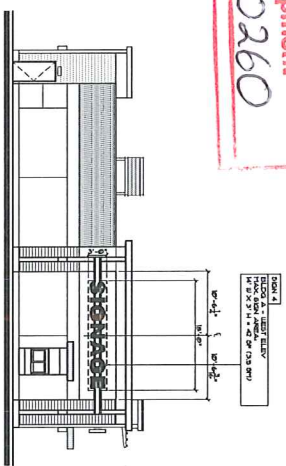
This drawing is the property of the Architect and is not to be used for any other purpose without the written consent of the Architect. The Architect is not responsible for the accuracy of the information provided by the client. The Architect is not responsible for the accuracy of the information provided by the client.

1	1000	1000	1000
2	1000	1000	1000
3	1000	1000	1000
4	1000	1000	1000
5	1000	1000	1000
6	1000	1000	1000
7	1000	1000	1000
8	1000	1000	1000
9	1000	1000	1000
10	1000	1000	1000
11	1000	1000	1000
12	1000	1000	1000
13	1000	1000	1000
14	1000	1000	1000
15	1000	1000	1000
16	1000	1000	1000
17	1000	1000	1000
18	1000	1000	1000
19	1000	1000	1000
20	1000	1000	1000

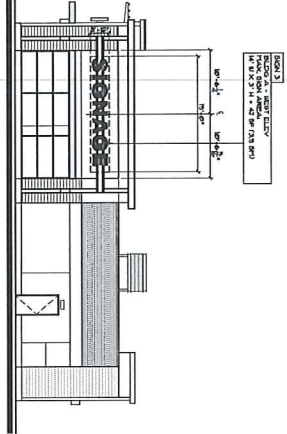
SCHEDULE B
 This forms part of development
 Permit # **DP14-0260**



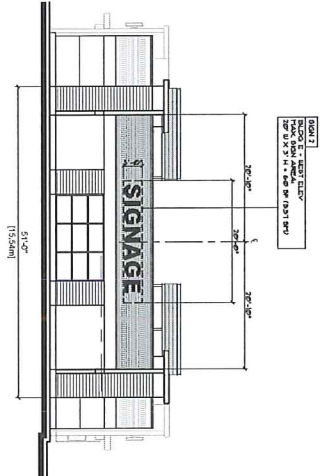
EAST ELEVATION
 SCALE 1/8" = 1'-0"



SOUTH ELEVATION
 SCALE 1/8" = 1'-0"



NORTH ELEVATION
 SCALE 1/8" = 1'-0"



WEST ELEVATION
 SCALE 1/8" = 1'-0"

EAST ELEVATION - PROPOSED SIGN AREA	
LOCATION	AREA (SQ FT)
SIGN 1	98

WEST ELEVATION - PROPOSED SIGN AREA	
LOCATION	AREA (SQ FT)
SIGN 1	98

NORTH ELEVATION - PROPOSED SIGN AREA	
LOCATION	AREA (SQ FT)
SIGN 1	98

SOUTH ELEVATION - PROPOSED SIGN AREA	
LOCATION	AREA (SQ FT)
SIGN 1	98

This drawing is the property of the City of Kelowna. It is to be used for the purpose of the development permit only. It is not to be used for any other purpose without the written consent of the City of Kelowna.

NO.	REVISION	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

AIRPORT VILLAGE
 1760 QUAIL RIDGE BOULEVARD, KELOWNA, BC
 For MISSION GROUP COMMERCIAL LTD

objects inc.
 4040 WEST ROBIN
 TEL: 250-860-7734
 FAX: 250-860-7734
 3752



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

May 21, 2015

Airport Business Park Commercial Development

C/o Mission Group Commercial Limited
Landmark Six, 10th Floor, 1631 Dickson Avenue
Kelowna, BC V1Y 0B5
Attn: Alex Polacco

Re: Proposed Airport Business Park Commercial Development – Preliminary Cost Estimate for Bonding

Dear Alex:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the Airport Business Park Commercial Development conceptual landscape plan dated 15.05.21;

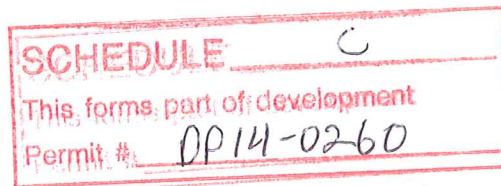
- 1,976 square metres (21,269 square feet) of improvements = \$147,836.00

This preliminary cost estimate is inclusive of trees, shrubs, turf, mulch, topsoil & irrigation.

You will be required to submit a performance bond to the City of Kelowna in the amount of 125% of the preliminary cost estimate. Please do not hesitate to contact me with any questions about the landscape plan.

Best regards,

Fiona Barton, MBCSLA, CSLA
as per
Outland Design Landscape Architecture





SCHEDULE

This forms part of development Permit # 0001

10

NOTE

- [illegible]

PLANT LIST

[illegible]OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

206 - 1820 Spall Road
Kelowna, BC V1Y 4R2
T 1250 858-9270
www.oilanddesign.ca

AIRPORT BUSINESS
PARK COMMERCIAL
DEVELOPMENT

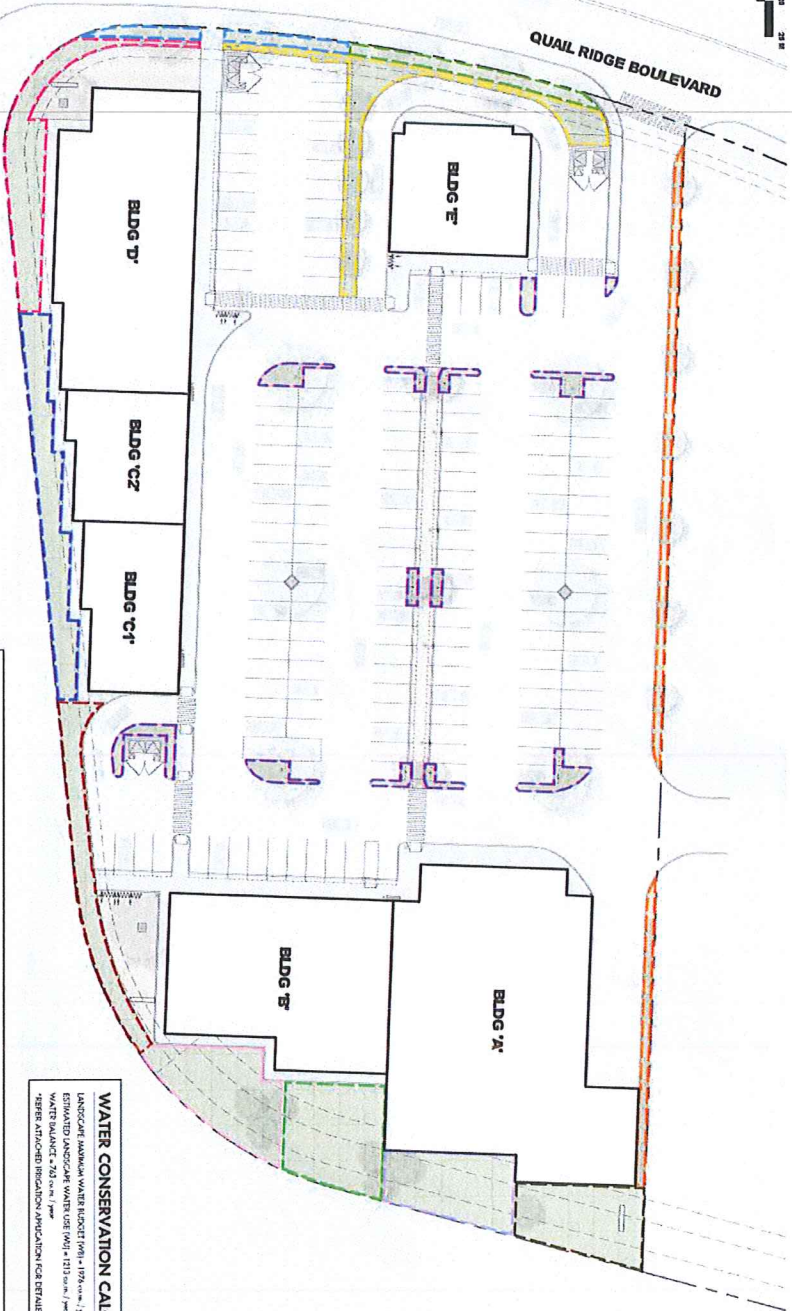
**CONCEPTUAL
LANDSCAPE PLAN**

1. <u>DATE</u> 10/21/2015 2. <u>TO</u> Mr. J. J. [unclear] 3. <u>FROM</u> [unclear] 4. <u>SUBJECT</u> [unclear] 5. <u>REMARKS</u> [unclear] 6. <u>INITIALS</u> [unclear] 7. <u>SIGNATURE</u> [unclear] 8. <u>DATE</u> 10/21/2015 9. <u>TIME</u> 4:00 PM 10. <u>LOCATION</u> [unclear]	
--	--



7/2

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SCHEDULE C

This forms part of development Permit # **DP167-0260**

- IRRIGATION NOTES**
1. IRRIGATION SYSTEMS AND EQUIPMENT SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE WATER USE REGULATION (PART 10) AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KIDONA BAY (PART 10, SECTION 1).
 2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER AUTHORITY.
 3. IRRIGATION SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE WATER AUTHORITY AND THE CITY OF KIDONA BAY (PART 10, SECTION 1).
 4. ALL IRRIGATION SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE WATER AUTHORITY AND THE CITY OF KIDONA BAY (PART 10, SECTION 1).
 5. IRRIGATION SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE WATER AUTHORITY AND THE CITY OF KIDONA BAY (PART 10, SECTION 1).
 6. IRRIGATION SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE WATER AUTHORITY AND THE CITY OF KIDONA BAY (PART 10, SECTION 1).
 7. IRRIGATION SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE WATER AUTHORITY AND THE CITY OF KIDONA BAY (PART 10, SECTION 1).
 8. A IRRIGATION SYSTEM SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE WATER AUTHORITY AND THE CITY OF KIDONA BAY (PART 10, SECTION 1).

IRRIGATION LEGEND

	ZONE 1: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)		ZONE 7: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)
	ZONE 2: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)		ZONE 8: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)
	ZONE 3: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)		ZONE 9: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)
	ZONE 4: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)		ZONE 10: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)
	ZONE 5: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)		ZONE 11: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)
	ZONE 6: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)		ZONE 12: HIGH EFFICIENCY SUBSURFACE IRRIGATION FOR MODERATE ACCUMULATIVE WATER USE (100-150 mm/year)

WATER CONSERVATION CALCULATIONS

UNSCALED LANDSCAPE WATER USE (LWU) = 170 mm/year
ESTIMATED LANDSCAPE WATER USE (LWU) = 170 mm/year
WATER SAVING = 70 mm/year
WATER SAVING PERCENTAGE = 41%

OUTLAND DESIGN
LANDSCAPE ARCHITECTURE
200 - 1800 South Road
Suite 100
T 5523 3882720
www.outlanddesign.co

PROJECT TITLE
AIRPORT BUSINESS
PARK COMMERCIAL
DEVELOPMENT
KIDONA BAY

DESIGNED BY

NAME	DATE
DESIGNED BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE



L2/12

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

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

☐ Development Permit No.: DP14-0260

EXISTING ZONING DESIGNATION:	CD15 - Airport Business Park
WITHIN DEVELOPMENT PERMIT AREA:	Comprehensive Development Permit Area

ISSUED TO:	Mission Group Commercial Ltd.
LOCATION OF SUBJECT SITE:	1760 Quail Ridge Boulevard

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	A & B		32	23	ODYD	52924
	West ½	14		23	ODYD	Except Plans H16596, KAP47192, KAP51877, KAP53641, KAP53790, KAP57365, KAP73608 and KAP82802

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

1. TERMS AND CONDITIONS:

- a) The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- c) Landscaping to be provided on the land be in general accordance with Schedule "C";
- d) Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied;
- e) The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

- f) The applicant be required to post with the City, a Bicycle Parking Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the Class 1 Bicycle Parking;

2. PERFORMANCE SECURITY:

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

- (a) Cash; OR
- (b) A Certified Cheque; OR
- (c) An Irrevocable Letter of Credit in the amount of \$ 184,795.00 for landscaping and \$ 5,000.00 for class 1 bicycle parking.

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

4. DEVELOPMENT:

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

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

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

THIS Permit IS NOT A BUILDING Permit.

5. APPLICANT'S AGREEMENT:

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

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

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

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning & Real Estate Department immediately to avoid any unnecessary delay in processing the application.

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

Signature of Owner/Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

6. APPROVALS:

ISSUED BY THE URBAN PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE ____ DAY OF _____, 2015 BY THE
DIVISIONAL DIRECTOR OF COMMUNITY PLANNING & REAL ESTATE.

Ryan Smith
Urban Planning Manager

Report to Council



Date: 6/10/2015
File: 1810-50
To: City Manager
From: T. Barton, Manager, Parks & Buildings Planning Manager
Subject: City Park - Waterfront Promenade Upgrade

Recommendation:

THAT Council receives, for information the report from the Parks & Buildings Planning Manager dated June 10, 2015, with respect to a 2015 grant for the redevelopment of the Waterfront Promenade in City Park;

AND THAT Council support the City submitting an application to Western Economic Diversification (WED) Canada for the Canada 150 Community Infrastructure Program;

AND THAT Council approves \$700,000 in capital funding for the City's share of the project from the Parks Purchasing & Development Reserve, pending successful award of the Canada 150 Community Infrastructure Grant to the City.

Purpose:

To ask for Council support in making an application to Western Economic Diversification Canada (WED) for the upgrade of the Waterfront Promenade in City Park. A requirement of the grant application is for the City to commit its share of the funds.

Background:

WED has announced a grant opportunity that supports improvements to community infrastructure, with the aim of giving back to Canadians and creating a lasting legacy as Canada prepares to celebrate the 150th anniversary of Confederation in 2017. Applications to WED must be made by June 17th, 2015.

The grant includes the following conditions:

- Projects must be aimed at the rehabilitation, renovation or expansion of public infrastructure for community use;
- The program targets parks, recreation and cultural infrastructure;

- The amount of funding requested under the Canada 150 Community Infrastructure Program cannot exceed 50% of the total costs of a project, up to a maximum of \$500,000;
- Be community-oriented, non-commercial in nature and open for use to the public and not limited to private membership.
- Funding from the grant would not be available until 2016; and
- The project needs to be materially complete by March 31, 2018

Staff have reviewed a number of potential projects throughout the City and have determined that upgrading the Waterfront Promenade in City Park as envisioned by the recent master planning process will be the best fit to meet the criteria of the grant. The Waterfront Promenade is nearing the end of its service life, poses accessibility challenges due to settlement issues, and no longer can effectively accommodate the high volumes of public use. The City receives complaints each year on the existing condition of the promenade. The objective of this project is to upgrade and expand approximately 300 linear metres of promenade so that residents and visitors can continue to enjoy a safe and accessible Waterfront Promenade (see Attachment 1).

Rationale

A key criterion of the grant is selecting an infrastructure project that can help mark the 150th anniversary of the country. The Waterfront Promenade has broad-level appeal, a high profile location, and symbolizes an enduring legacy of the City of Kelowna.

For more than a century, Kelowna's City Park has dominated the community's downtown waterfront. Throughout that time, the Park has changed dramatically as the City grew, yet it has remained a treasured asset and a focus of community interest and activity. From its purchase as a Park in 1909, through current planning work, successive City Councils and municipal staff have responded to changing community interests and needs to ensure that it retains its place as Kelowna's pre-eminent public park.

An early 1890s map of the area shows the City Park land was owned by Mr. August Gillard. At some time probably in the 1890s, he sold the property to the Lequime family and it came under Gaston Lequime's ownership. Gaston's brother, Bernard laid out, named and registered the Kelowna town site in 1892. Gaston passed away in 1889 and his daughter, Dorothy, who was a minor at the time, inherited the property. The land effectively lay in trust until 1908. In May that year the Courier reported that Mr. David Lloyd Jones had purchased the property and planned to build a promenade along the shoreline so that, "...Kelownians will not be deprived of the pleasure of a stroll amidst the shade by the sad sea waves!"

The Promenade in City Park is one of the park's most enduring features. Its design and placement is reminiscent of seaside promenades in the United Kingdom. Given that Kelowna's population in the 1910s and 1920s was overwhelmingly British by birth or by descent, it is not surprising that such a design was quickly adopted.

The 13 hectare park has been the focal point of community, sports, recreation events and tourism for over 100 years. The existing promenade along the City Park waterfront was

initially built as a wooden boardwalk that was eventually replaced by asphalt and subsequently interlocking pavers. It is an active corridor that is well used by all ages and abilities at all times of year and provides a beautiful area for regular physical activity beside Okanagan Lake and adjacent to the downtown core.

The waterfront promenade is used for both passive recreation (i.e., walkers, runners, cyclists, skateboarders, roller bladders) and highly attended programmed sports events and festivals (i.e., annual Okanagan Marathon, Run for the Cure, Centre of Gravity, and the past historic Kelowna Regatta). It is also immediately adjacent to Hot Sands Beach, one of the busiest tourist beaches in the Okanagan Valley.

The Promenade is logically divided into three sections. The first most southerly section was renovated between 2006 and 2008. It spans the waterfront between the William R. Bennett Bridge and an existing washroom/concession building at Hot Sands Beach. The second section continues on from the concession building northward following the shoreline and ending at a recently constructed plaza and second public washroom building. The third and final section, known as Brigadier Angle Walk (after local decorated WWII hero Brigadier General H.H. Angle of the BC Dragoons) continues eastward paralleling what is known as Cold Sands Beach and terminating at the iconic "Sails" sculpture.

Pedestrian count data at the south end of the promenade for the eight month period between mid-April 2014 and mid-December 2014 indicates that the waterfront promenade in City Park has a daily average of approximately 400 users, with a monthly average of approximately 12,000 users. The busiest recorded day was Canada Day with approximately 3,000 users.

The second section of waterfront promenade from the Hot Sands Beach Concession Stand to the recently constructed plaza near the Point is in poor condition and in need of replacement. Use and settlement over the past decades has resulted in uneven paving causing accessibility challenges. The second section will be the project scope for the grant application. By upgrading and expanding the promenade, it will reduce conflicts between users, increase capacity and help to rejuvenate the first public park to be developed within the City of Kelowna.

Financial/Budgetary Considerations

A concept design has been prepared for the project and the City's Quantity Surveyor has prepared a Class D Cost Estimate. Pricing for the project is based upon their opinion of current June 2015 standard construction industry market costs for this size and type of project in the Kelowna area. It has been assumed that the project will be procured on a fixed stipulated 'lump' contract basis, from a competitive bidding field of competent General Contractors. The estimate attempts to establish a fair and reasonable price for the proposed work and is not intended to be a prediction of 'low bid'. The Quantity Surveyor is advising of a full project cost of \$1,200,000 inclusive of construction costs, contingencies, design and consulting fees, permits, staff administration costs and applicable taxes. If the grant is

successful, the City would proceed with Detail Design in 2016 to refine both the design and cost estimate for anticipated construction in 2017.

The City will request the maximum allowable funding from WED of \$500,000 with the remaining costs to be funded by the City, currently estimated at \$700,000.

The City needs to commit the funds in 2015 as a requirement of the grant application and so funding will be budgeted from the Parks Purchase and Development Reserve R079. However, one of the terms of the grant is that awards will not be announced until the fall of 2015, with construction in 2016 and/or 2017, thus providing the opportunity for the City to source the funds for the project from future capital budgets, rather than from reserves. The benefit of this approach would be that the balance of the current reserve would be maintained for other emerging issues.

The Long Term Capital Plan included the Waterfront Promenade as a priority project in 2016 delivered under a funding partnership with senior levels of government. The Canada 150 Community Infrastructure Program is an ideal grant program to realize this project.

Internal Circulation:

Parks Services Manager, Civic Operations
Project Manager, Parks & Buildings, Infrastructure Delivery
Grants Manager, Active Living and Culture

Considerations not applicable to this report:

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

Submitted by:

T. Barton, Manager, Parks & Buildings Planning

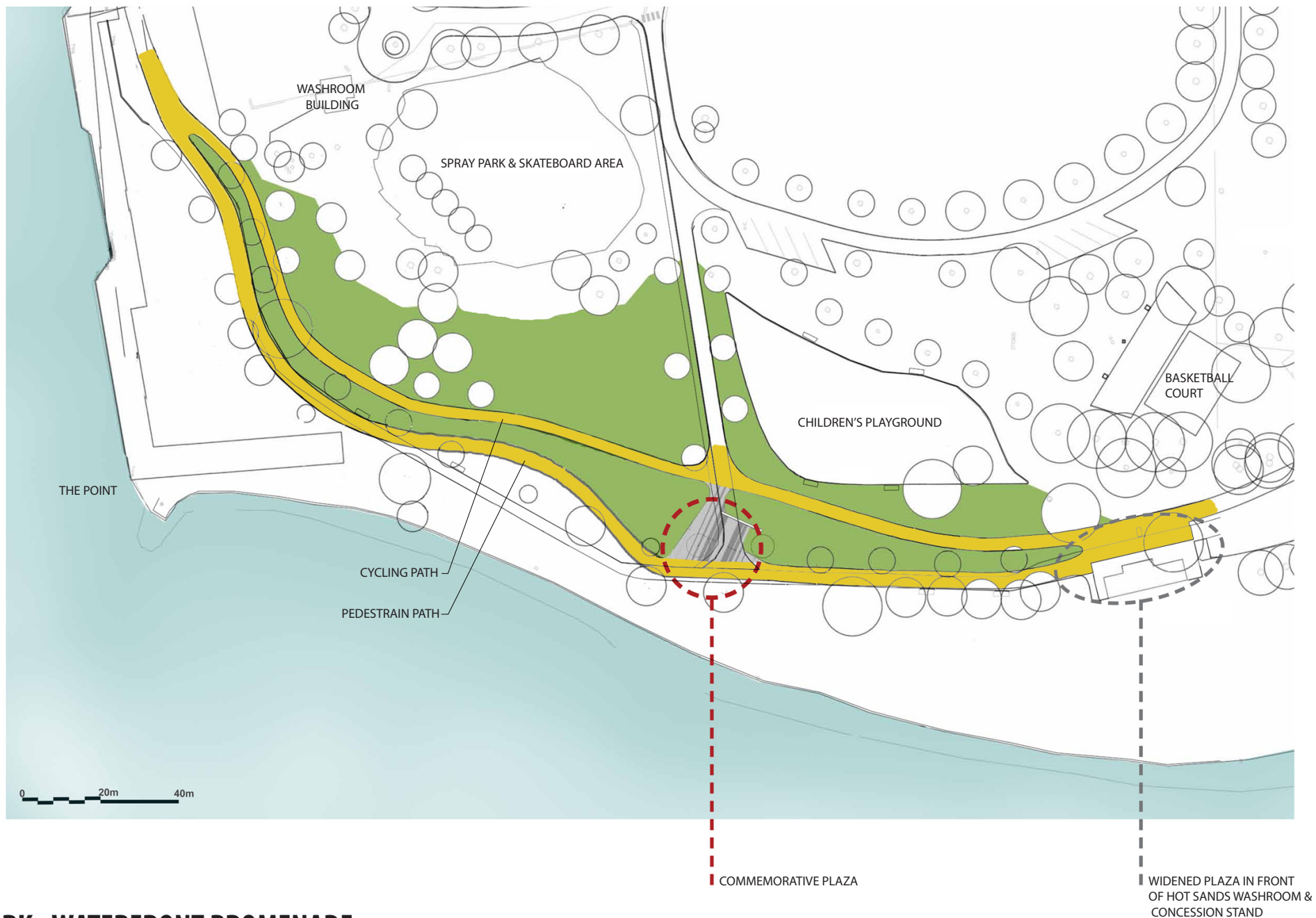
Approved for inclusion:



A. Newcombe, Director Infrastructure

Attachment 1 - Concept Plan

cc: Parks Services Manager, Civic Operations
Project Manager, Parks & Buildings, Infrastructure Delivery
Grants Manager, Active Living and Culture



CITY PARK - WATERFRONT PROMENADE

SECTION - HOT SANDS WASHROOM TO THE POINT

CONCEPT PLAN

Report to Council



Date: 6/15/2015
File: 1125-51
To: City Manager
From: J. Säufferer, Manager, Real Estate Services
Subject: Proposed Road Closure & Sale - adj. to 1760 Quail Ridge Blvd.

Recommendation:

THAT Council receive for information the report from the Manager, Real Estate Services dated June 15, 2015, recommending that Council adopt a Road Closure Bylaw to close an unused portion of roadway adjacent to 1760 Quail Ridge Boulevard;

AND FURTHER THAT Bylaw No. 11081, being the proposed closure of a portion of Quail Ridge Boulevard, be given reading consideration.

Purpose:

To close a portion of surplus roadway adjacent to 1760 Quail Ridge Boulevard and transfer the same to the adjacent property owner.

Background:

The portion of Quail Ridge Boulevard bisecting 1760 Quail Ridge Boulevard was originally dedicated by the existing property owner, Pier Mac Petroleum Installation Ltd. ("Pier Mac") in 1994. A portion of the originally dedicated Quail Ridge Boulevard has been deemed unnecessary, and Pier Mac has expressed an interest in raising title to the +/-196.4 square meter portion of excess roadway at the southern end of 1760 Quail Ridge Boulevard shown in the attached Schedule A. The road closure portion will be consolidated with the adjacent lands.

Legal/Statutory Authority:

Community Charter, Section 26 and 40

Internal Circulation:

Manager, Transportation & Mobility
Manager, Development Engineering

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

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

Approved for inclusion: D. Edstrom, Director, Real Estate

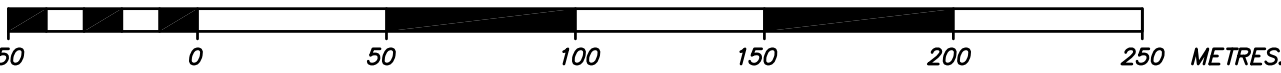
Attachments: Schedule A - Road Closure Survey Plan

cc: M. Hasan, Transportation & Mobility Manager
S. Muenz, Development Engineering Manager

REFERENCE PLAN TO ACCOMPANY CITY OF KELOWNA
ROAD CLOSURE AND REMOVAL OF HIGHWAY DEDICATION
BYLAW #11081 OF PART OF ROAD SHOWN DEDICATED
ON PLAN KAP51877 SEC. 14 TP. 23 O.D.Y.D.

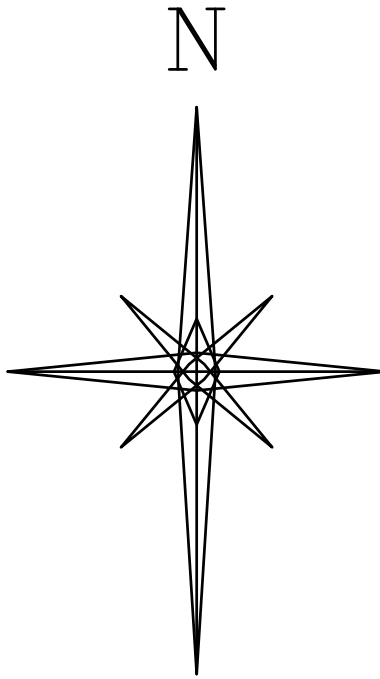
PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND SECTION 40 OF THE COMMUNITY CHARTER.

BCGS 82E.094

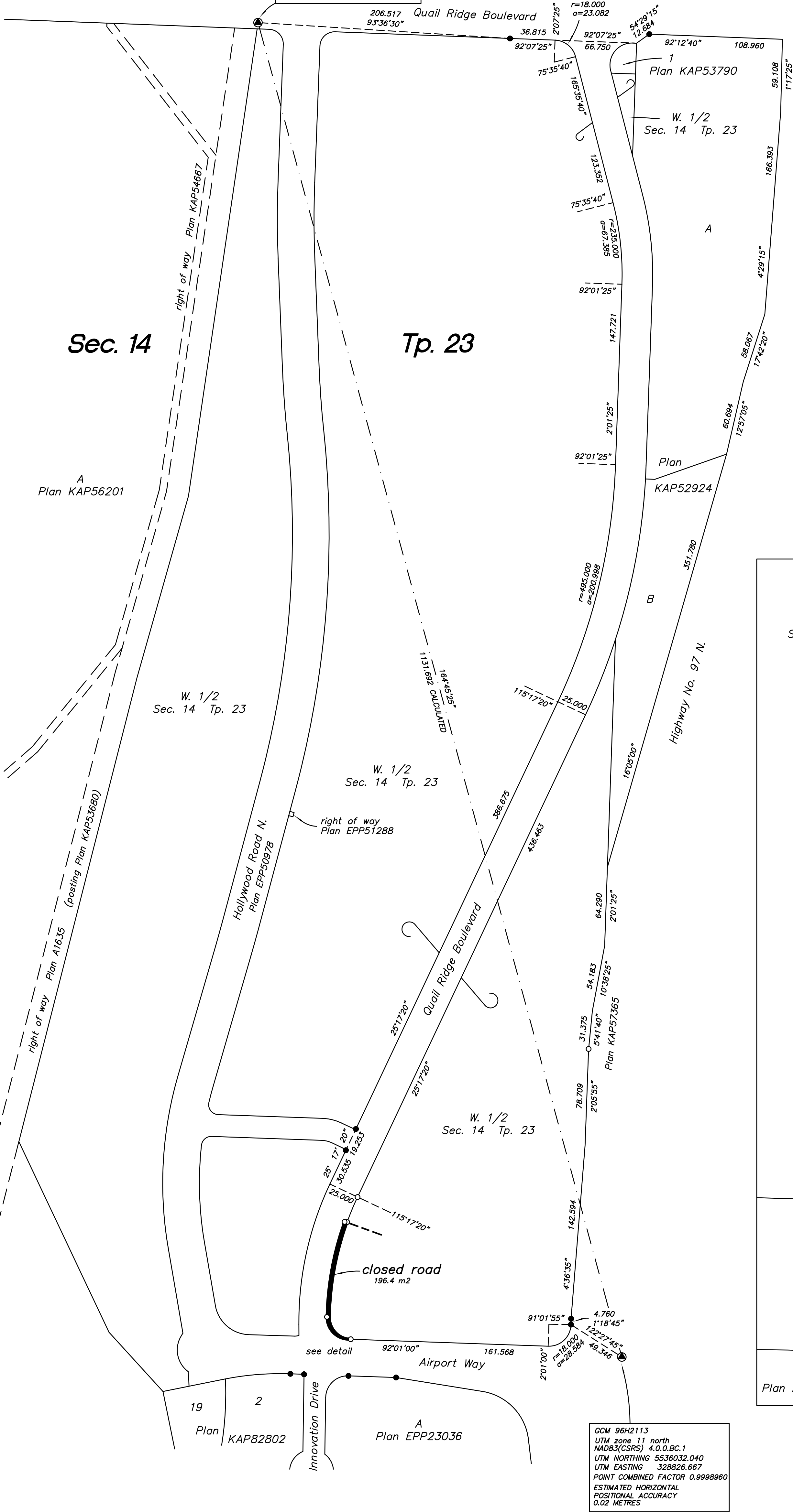


The intended size of this plan is 560 mm in width by 864 mm in height
(D size) when plotted at a scale of 1:2000.

GCM 96H2122
UTM zone 11 north
NAD83(CSRS) 4.0.0.BC.1
UTM NORTHING 5537123.801
UTM EASTING 328529.163
POINT COMBINED FACTOR 0.9998892
ESTIMATED HORIZONTAL
POSITIONAL ACCURACY
0.02 METRES



PLAN EPP47884



LEGEND

All distances are in metres.

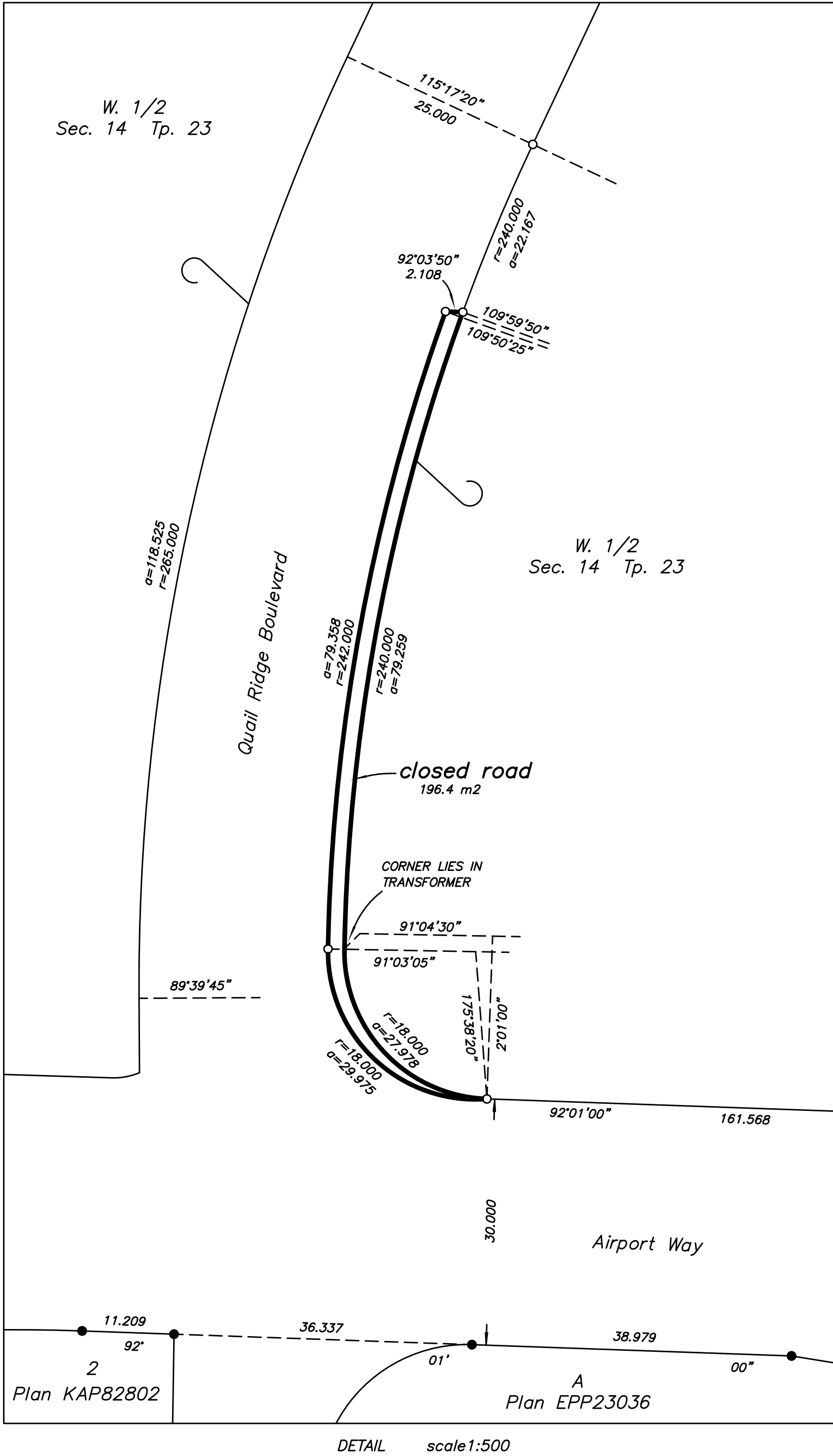
- Iron Post Found
- Iron Post Set
- ⊙ Control Monument Found

Integrated survey area No. 4 – Kelowna
NAD83 (CSRS) V.4.0.0.BC.1

Grid bearings are derived from observations between
geodetic control monuments 96H2113 and 96H2122.

This plan shows horizontal ground–level distances unless
otherwise specified. To compute grid distances, multiply
ground–level distances by the average combined factor of 0.9998923
which has been derived from geodetic control monuments 96H2113 and 96H2122.

The UTM coordinates and estimated horizontal positional accuracy
achieved are derived from conventional survey observations to
geodetic control monuments 96H2113 and 96H2122.



This plan lies within the Central Okanagan
Regional District.

This plan lies within the jurisdiction of the
approving officer for the City of Kelowna.

The field survey represented by this plan was
completed on the 2nd day of January, 2015.
by Douglas A. Goddard, BCLS 588.

file 16653 fb 376 16653 RD CLS1

D.A. Goddard Land Surveying Inc.
103–1358 ST. PAUL STREET KELOWNA PHONE 250–763–3733

CITY OF KELOWNA

BYLAW NO. 11081

Road Closure and Removal of Highway Dedication Bylaw **(Portion of Road adjacent to South of Quail Ridge Blvd)**

A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway adjacent to South of Quail Ridge Boulevard

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

1. That portion of highway attached as Schedule "A" comprising 186.4 m² shown in bold black as closed road on the Reference Plan EPP47884 prepared by DA Goddard Land Surveying Inc., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

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

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

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



Report to Council



Date: June 15, 2015
File: 0600-10
To: City Manager
From: City Clerk
Subject: Discharge of Firearms Bylaw Amendment - Ballistics Research Testing Labs

Recommendation:

THAT Council receives, for information, the report of the City Clerk dated June 15, 2015 regarding Discharge of Firearms Bylaw Amendment - Ballistics Research Testing Labs;

AND THAT Bylaw No. 11103, being amendment No. 1 to Discharge of Firearms Bylaw No. 9779 be forwarded for reading consideration

Purpose:

To amend the Discharge of Firearms Bylaw to exclude ballistics research testing labs from the provisions of the Bylaw

Background:

The University of British Columbia is constructing a ballistics research testing lab off-campus for research and development purposes. The UBC Ballistics Research Testing Lab will be constructed by Argus Properties Limited to BC Building Code requirements, with City Building Permits, and appropriate Kelowna Fire Department, RCMP and Canadian Firearms Program approvals will be obtained.

The purpose of the Discharge of Firearms Bylaw is to generally prohibit the shooting of firearms within the City, and to regulate specific circumstances where shooting may be permitted, in the interest of public safety. The discharge of a firearm inside a specially constructed facility such as a ballistics research testing lab does not pose a threat to public safety, and staff recommends this type of firearms discharge be specifically excluded from the Bylaw.

Internal Circulation:

Divisional Director, Corporate & Protective Services

Legal/Statutory Authority:

Community Charter, section 8(5) provides the authority for council to regulate and impose requirements in relation to the discharge of firearms.

Legal/Statutory Procedural Requirements:

Regulating or prohibiting the discharge of firearms must be by bylaw.

Existing Policy:

Discharge of Firearms Bylaw No. 9779

External Agency/Public Comments:

UBC is supportive of the bylaw amendment.

Considerations not applicable to this report:

Financial/Budgetary Considerations:

Personnel Implications:

Communications Comments:

Alternate Recommendation:

Submitted by:

Stephen Fleming, City Clerk

Approved for inclusion:



Divisional Director, Corporate & Protective Services

cc: Director, Campus Operations and Risk Management, UBC, Okanagan Campus

CITY OF KELOWNA

BYLAW NO. 11103

Amendment No. 1 to Discharge of Firearms Bylaw No. 9779

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Discharge of Firearms Bylaw No. 9779 be amended as follows:

1. THAT Part 4 - Exemptions, 4.1 be added by adding a new subsection 4.1(d) that reads:
“(d) a ballistics discharge testing lab facility.”
2. This bylaw may be cited for all purposes as “Bylaw No. 11103, being Amendment No. 1 to Discharge of Firearms Bylaw No. 9779.”
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

DRAFT RESOLUTION

Re: The Cathedral Church of St. Michael and All Angels - Request to vary Kelowna Noise and Disturbances Control Bylaw No. 6647

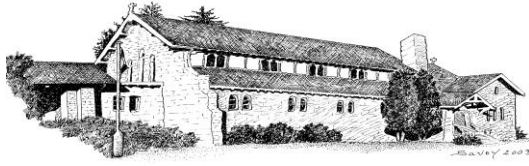
THAT Council considers the request by The Cathedral Church of St. Michael and All Angels to toll its bell 1,122 times beginning at approximately 11:30 am on Sunday, June 21, 2015 a special event in the public interest;

AND THAT for this special event, the noise from the tolling of the bell be permitted from 11:30 am on Sunday, June 21, 2015 until the special event is concluded.

BACKGROUND:

See attached letter from The Cathedral Church of St. Michael & All Angels.

Date: June 8, 2015



The Cathedral Church of St. Michael & All Angels
608 Sutherland Avenue Kelowna BC V1Y 5X1
250-762-3321 smichael@silk.net

The Mayor and Councillors,
The City of Kelowna,

Dear Members of the Council:

The thirty Anglican Cathedrals across Canada have been asked to toll their bells 1,122 times beginning at 2:00 pm each Wednesday between May 31st, the official end of the work of the Truth and Reconciliation Commission, and June 21st, National Aboriginal Day. It is to acknowledge and to remind us that there are 1,122 missing and unaccounted for First Nations women.

Our Cathedral is bordered on three sides by apartment buildings and we were concerned that such an action might inconvenience and distress our neighbours so we decided that instead we would like to toll our bell the appropriate number of times beginning at about 11:30 am on Sunday, June 21st. We have been in touch with the Friendship Centre and they are willing to arrange to have some elders present to bless the event with a smudge.

We respectfully request that you consider granting us a one-time exemption from the City's Noise Bylaw. If we are allowed to proceed we will hand-deliver a notice to all our neighbours, explaining what we are doing and why, inviting them to join us in tolling the bell.

Respectfully,

David Crawley, Archbishop (ret.)
Priest-in-Charge
The Cathedral Church of St. Michael and All Angels