



CITY OF WEST KELOWNA REGULAR COUNCIL AGENDA

Tuesday, October 22, 2019, 6:00 P.M.

COUNCIL CHAMBERS

2760 CAMERON ROAD, WEST KELOWNA, BC

Pages

1. CALL THE REGULAR COUNCIL MEETING TO ORDER

It is acknowledged that this meeting is being held on the traditional territory of the Syilx/Okanagan Peoples.

This meeting is open to the public and all representations to Council form part of the public record. This meeting is being webcast live and will be archived on the City's website.

2. INTRODUCTION OF LATE ITEMS

3. ADOPTION OF AGENDA

4. ADOPTION OF MINUTES

4.1 Minutes of the Special Council meeting held Tuesday, October 8, 2019 in the City of West Kelowna Committee Room 5

4.2 Minutes of the Regular Council meeting held Tuesday, October 8, 2019 in the City of West Kelowna Council Chambers 7

5. MAYOR AND COUNCILLOR'S REPORTS

5.1 Mayor Milsom

5.1.1 Regional District of Central Okanagan Highlights from the October 10, 2019 Regional Board and Governance and Services Committee Meetings 11

6. PRESENTATIONS

6.1 Gladys Carlisle and Anne Fox, Royal Canadian Legion

Presentation of First Poppy to the Mayor

7. UNFINISHED BUSINESS

8. DIVISION REPORTS

8.1 DEVELOPMENT SERVICES

8.1.1 DVP 19-12 and DVP 19-06, Development Variance Permits, 1207 Trevor Drive

13

Recommended Motion:

THAT Council authorize a Development Variance Permit (DVP 19-12) for Lot 10, DL 2687, ODYD Plan 2498 (1207 Trevor Drive) in general accordance with the attached permit to vary Zoning Bylaw No. 0154:

- S.10.4.5 (b) to reduce the minimum usable parcel area from 330 m² to 121.45 m²; and
- S.10.4.5 (g) .1 to reduce the minimum front setback from the face of a garage to the private access road from 6.0 m to 4.5 m; and

THAT Council authorize a Development Permit for Lot 10, DL 2687, ODYD, Plan 2498 (1207 Trevor Drive) to allow for the development of a two lot subdivision, including retaining walls and construction of a single detached dwelling within a Hillside and Sensitive Terrestrial Ecosystems Development Permit Areas; and

THAT the issuance of DVP 19-12 and DP 19-06 be withheld pending:

- Confirmation that a no build no disturb covenant has been registered on title in accordance with the specification provided in the environmental assessment; and
- Receipt of landscape security for the restoration plan in the amount of \$5,875.00.

8.1.2 TUP 16-03.01, Temporary Use Permit, 1698 Ross Road

34

Recommended Motion:

THAT Council approve the renewal of Temporary Use Permit 16-03.01 to allow the sale and rental of compact construction machinery and equipment at 1698 Ross Road (a portion of Lot 1, DL 507, ODYD, Plan KAP15908, Except Plan H17081) for a period of three (3) years subject to the conditions outlined in the attached permit (Attachment #1):

- That the operation shall only consist of the sale, rental, and repair of compact construction machines and small equipment (i.e. light towers, man lifts, skid steers), with the maximum machine size being that of a self-propelled articulating boom (Model: Genie Z-62/40);
- That the land owner maintain a valid License of Occupation with the City of West Kelowna for the use of the lands within

the Bartley Road right-of-way for the duration of the temporary use permit;

- That the landscaping approved in conjunction with Temporary Use Permit 16-03 shall be maintained for the duration of the permit; and
- That the activities associated with the temporary use cease following expiration of the Temporary Use Permit.

8.2 ENGINEERING / PUBLIC WORKS / PARKS

8.2.1 Powers Creek - Gellatly Road Bridge Replacement - Project Update

55

Recommended Motion:

THAT Council direct staff to close Gellatly Road for the duration of the construction phase of the Powers Creek Gellatly Road Bridge Replacement Project.

8.3 FIRE RESCUE SERVICES

8.4 CORPORATE INITIATIVES

8.5 FINANCIAL SERVICES

8.6 CORPORATE SERVICES / RECREATION AND CULTURE

8.6.1 Elliott Operations Emergency Roof Repair

96

Information Report from the Facilities Manager

8.6.2 Sale of a Portion of Road for Consolidation with 2734 Lower Glenrosa Road

97

Recommended Motion:

THAT Council authorize the Mayor and Corporate Officer to execute all documents necessary to effect the road closure and sale of the (+/-) 460.9 m² portion adjacent to 2734 Lower Glenrosa Road for the purpose of consolidation with 2734 Lower Glenrosa Road, for the sale price of \$21,700 (plus applicable taxes);

THAT Council give first, second, and third reading to City of West Kelowna Road Closure and Disposition Bylaw No. 270, 2019; and

THAT Council direct staff to advertise Council's intention to close and sell the road closure area, as per *Section 94 of the Community Charter*.

8.7 CHIEF ADMINISTRATIVE OFFICER

9. CORRESPONDENCE AND INFORMATION ITEMS

10. NOTICE OF MOTION

11. ADJOURNMENT OF THE REGULAR MEETING

The next Council meeting is scheduled for Tuesday, November 12, 2019, at 1:30 p.m. in the City of West Kelowna Council Chambers.



CITY OF WEST KELOWNA
MINUTES OF THE SPECIAL MEETING OF COUNCIL

Tuesday, October 8, 2019
COMMITTEE ROOM
2760 Cameron Road, West Kelowna, BC

MEMBERS PRESENT: Councillor Rick de Jong
Councillor Doug Findlater
Councillor Jason Friesen
Councillor Stephen Johnston
Councillor Carol Zanon
Councillor Jayson Zilkie

MEMBERS ABSENT: Mayor Gord Milsom

Staff Present: Paul Gipps, CAO
Tracey Batten, Deputy CAO / Corporate Officer
Allen Fillion, Director of Engineering / Public Works
Warren Everton, Director of Finance / CFO
Sandy Webster, Director of Corporate Initiatives
Jason Brolund, Fire Chief
Chad Gartrell, Assistant Fire Chief

1. **CALL THE SPECIAL COUNCIL MEETING TO ORDER**

The Special Council meeting was called to order at 12:30 p.m.

2. **INTRODUCTION OF LATE ITEMS**

3. **ADOPTION OF AGENDA**

4. **PROCEDURAL MOTION**

It was moved and seconded

Resolution No. C335/19

THAT Council close the meeting in accordance with Section 90(1) of the *Community Charter* for:

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

(g) litigation or potential litigation affecting the municipality.

CARRIED UNANIMOUSLY

5. **ADJOURNMENT OF THE SPECIAL COUNCIL MEETING**

The Special Council meeting adjourned at 1:15 p.m.

MAYOR

DEPUTY CAO/CORPORATE OFFICER



CITY OF WEST KELOWNA
MINUTES OF THE REGULAR MEETING OF COUNCIL

Tuesday, October 8, 2019
COUNCIL CHAMBERS
2760 CAMERON ROAD, WEST KELOWNA, BC

MEMBERS PRESENT: Councillor Rick de Jong
Councillor Doug Findlater
Councillor Jason Friesen
Councillor Stephen Johnston
Councillor Carol Zanon
Councillor Jayson Zilkie

MEMBERS ABSENT: Mayor Gord Milsom

Staff Present: Paul Gipps, CAO
Tracey Batten, Deputy CAO / Corporate Officer
Allen Fillion, Director of Engineering / Public Works
Warren Everton, Director of Finance / CFO
Sandy Webster, Director of Corporate Initiatives
Brent Magnan, Planning Manager
Bob Kusch, Recreation & Culture Manager
Stacey Harding, Park & Fleet Manager
Mark Roberts, Flood Recovery Supervisor
Dallas Clowes, Sr. Planner
Brandon Mayne, Help Desk Assistant

1. CALL THE REGULAR COUNCIL MEETING TO ORDER

It was acknowledged that this meeting was held on the traditional territory of the Syilx/Okanagan Peoples.

This meeting was open to the public and all representations to Council form part of the public record. This meeting was webcast live and archived on the City's website.

The meeting was called to order at 1:31 p.m.

2. INTRODUCTION OF LATE ITEMS

3. ADOPTION OF AGENDA

It was moved and seconded.

Resolution No. C336/19

THAT the Agenda be adopted as presented.

CARRIED UNANIMOUSLY

4. ADOPTION OF MINUTES

4.1 Minutes of the Special Council meeting held September 17, 2019 in the City of West Kelowna Committee Room

It was moved and seconded

Resolution No. C337/19

THAT the minutes of the Special Council Meeting held September 17, 2019 in the city of West Kelowna Committee Room be adopted.

CARRIED UNANIMOUSLY

4.2 Minutes of the Regular Council meeting held September 17, 2019 in the City of West Kelowna Council Chambers

It was moved and seconded

Resolution No. C338/19

THAT the minutes of the Regular Council Meeting held September 17, 2019 in the city of West Kelowna Committee Room be adopted.

CARRIED UNANIMOUSLY

4.3 Minutes of the Special Council meeting held September 25, 2019, in the Harbour Centre Westcoast Energy Executive Meeting Room, 515 West Hasting Street, Vancouver, BC

It was moved and seconded

Resolution No. C339/19

THAT the minutes of the Special Council Meeting held September 25, 2019 in the Harbour Centre Westcoast Energy Executive Meeting Room, 515 Hasting Street, Vancouver, BC be adopted.

CARRIED UNANIMOUSLY

5. MAYOR AND COUNCILLOR'S REPORTS

5.1 Mayor Milsom

**5.1.1 Regional District of Central Okanagan Highlights from the
September 30, 2019 Regional Board Meeting**

6. DELEGATIONS

7. UNFINISHED BUSINESS

8. DIVISION REPORTS

8.1 DEVELOPMENT SERVICES

8.1.1 Z 19-11, Site Specific Zoning Text Amendment, 2475 Dobbin Road

It was moved and seconded

Resolution No. C340/19

THAT Council give first and second readings to City of West Kelowna Zoning Amendment Bylaw No. 0154.85, 2019 (BC Cannabis Store, Z19-11); and

THAT Council direct staff to schedule the bylaw for public hearing.

CARRIED Opposed: Councillor Findlater

8.2 ENGINEERING / PUBLIC WORKS / PARKS

8.2.1 Multi-Sport Centre Update No. 12 - October

Information Report from the Flood Recovery Supervisor

8.2.2 Cemetery Marker Theft Update

Information Report from the Parks and Fleet Operations Manager

8.3 FIRE RESCUE SERVICES

8.4 CORPORATE INITIATIVES

8.5 FINANCIAL SERVICES

8.5.1 2020 Permissive Property Tax Exemption Bylaw No. 0269, 2019

It was moved and seconded

Resolution No. C341/19

THAT Council adopt "Permissive Tax Exemption Bylaw No. 0269, 2019".

CARRIED UNANIMOUSLY

8.5.2 2019 Property Tax Sale - Results

8.6 CORPORATE SERVICES / RECREATION AND CULTURE

8.6.1 Council Meeting Schedule - 2020

It was moved and seconded

Resolution No. C342/19

THAT Council approve the 2020 City of West Kelowna Council Meeting Schedule.

CARRIED UNANIMOUSLY

8.7 CHIEF ADMINISTRATIVE OFFICER

9. CORRESPONDENCE AND INFORMATION ITEMS

10. NOTICE OF MOTION

11. ADJOURNMENT OF THE REGULAR MEETING

The meeting adjourned at 2:35 p.m.

MAYOR

DEPUTY CAO/CORPORATE OFFICER

Highlights of the Regional Board and Governance and Services Committee Meetings – October 10, 2019

Regional Growth Strategy Monitoring

The Regional Board has endorsed a program for monitoring the implementation of Regional Growth Strategy (RGS) initiatives. A five-year action plan identified priority projects to be undertaken in order to achieve objectives in the Regional Growth Strategy. The RGS monitoring and reporting program was developed in collaboration with stakeholders and other Central Okanagan local governments. The Regional Growth Strategy is a coordinated long-range planning tool mandated by the *Local Government Act* that helps local governments plan for their communities while keeping regional decisions and issues in focus.

EDC 2020-2025 Strategy

The Regional Board has endorsed the Moving Forward to 2025 Strategy for the Central Okanagan Economic Development Commission (EDC). It builds on the 2019 EDC Operational Plan and identifies priorities and recommended tactics for the EDC to foster economic growth and sustainability through 2025. The strategy provides a roadmap for building on past successes while leveraging the region's strengths and encouraging a strong economy in the future. The Global Affairs - Invest Canada Community Initiatives fund provided 50% funding toward development of the strategy.

Audio of the Regional Board meeting at:

https://www.regionaldistrict.com/media/274679/Audio_19_10_10brd.mp3

Regional Board Meetings

Regional District office – 1450 KLO Road, Kelowna (Woodhaven Boardroom).

- **Monday, October 28th** – 7:00 pm
- **Thursday, November 14th** – Inaugural meeting after 8:30 am Governance & Services Committee meeting

Development Cost Charges Update

The Governance and Services Committee has received information on the engagement process held in advance of proposed updates to the Development Cost Charges bylaws that would help fund future infrastructure needs of the East Trunk Sanitary Sewer and Westside Regional Wastewater Treatment Plant. It is anticipated new bylaws will be presented for Regional Board consideration at a future meeting.

Clean BC Plastics Submission

The Governance and Services Committee received an update from staff regarding the submission from the RDCO to the Clean BC Plastics Action Plan consultation. The response includes favouring the elimination of waste at the source rather than disposal bans; work to phase out materials that cannot first be recycled or composted; encouraging and supporting the repair of products to keep them in use and requirements that repair manuals be published.

BC Ambulance Service Presentation

The Governance and Services Committee has received a presentation from the BC Ambulance Service explaining the clinical response model that is used by BC Emergency Health Services in 9-1-1 dispatching of paramedics, ambulances and other resources to patients. The presentation addressed concerns expressed in the past about delays in patient care without the dispatching of first medical responders.

Parks Visitor Services Update

The Governance and Services Committee received a presentation from Parks Services about programs and visits. It's estimated that in 2018 more than 845,000 people visited regional parks in the Central Okanagan. So far this year over 43,000 have taken part in a park interpretive program or event. As well, over 350 people have volunteered in 2019 to assist programming or services.

Audio of the Committee meeting at:

https://www.regionaldistrict.com/media/274685/Audio_GS_19_10_10.mp3

The Board Report is published monthly after each regular meeting of the Board of the Regional District of Central Okanagan. The Regional Board meets twice a month in regular session in the Woodhaven Boardroom at the Regional District office, 1450 KLO Road. The public is welcome to attend.

Central Okanagan Regional Hospital District

The Central Okanagan Regional Hospital District (COHRD) Board has approved an amendment to the 2019-2022 Financial Plan to provide 40% funding (\$789,600) from reserves for renovations at the new Kelowna Urgent and Primary Care Centre. The amendment bylaw is subject to the facility receiving Designated Facility Status from the BC Health Ministry. Interior Health anticipates approval for that designation for new Centre will be given so that it would qualify for funding by the COHRD under the *Hospital District Act*.

Thanksgiving Holiday Closures

All services and programs provided from offices in the Regional District of Central Okanagan on KLO Road in Kelowna will be closed for the Thanksgiving holiday on Monday, October 14th.

Emergency service requests for Regional District water systems should be made to 250-868-5299.

We look forward to serving you again at 8:00 am Tuesday, October 15th.

Regular curbside garbage collection will continue on the holiday Monday and the Westside Residential Waste Disposal and Recycling Centre on Asquith Road in West Kelowna will also be open its normal hours Friday through Monday. The North Westside Transfer Station will be open its regular hours over the holiday weekend on Saturday, Sunday and Monday. The Trader's Cove Transfer Station will be open Sunday on its winter hour schedule.

Bertram Creek Scavenger Hunt



Agents of Discovery

Visit the Regional Parks tent at Bertram Creek Regional, at the south end of Lakeshore Rd., to participate in a virtual treasure hunt. Parks staff will be on hand to give you instructions to get started. You will need a smartphone and a sense of adventure. The treasure hunt will take about 1 hour and there are prizes for those completing!

Saturday Oct 12th
12pm–4pm
Bertram Creek
Regional Park

Parks Services
1450 KLO Road, Kelowna, BC
250-469-6232 | parks@rdco.com
rdco.com/parks



Household Items | Bikes | Clothing | Ceramics | & More...

Broken?
DON'T TOSS IT,
Repair it!

THE Repair Café!

OCT 26th from 10am-2pm
OKANAGAN COLLEGE TRADES BUILDING
1000 KLO Road, Okanagan College • Free Parking on site

250-469-6250 | www.regionaldistrict.com/repaircafe

Spooktacular Pumpkin Walk



Drop off your carved pumpkins at the EECO between 3 and 5pm. Please use LED tea lights in your jack-o-lanterns. From 5 to 8pm walk paths lit by the spooky jack-o-lanterns and vote for your favourites.

Prizes for scariest, funniest and most original.

Please bring a flashlight to navigate the dark paths.

Food bank donations will be accepted.

Sunday October 27th

5pm–8pm
Mission Creek
Regional Park

Parks Services
1450 KLO Road, Kelowna, BC
250-469-6232 | parks@rdco.com
rdco.com/parks



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COUNCIL REPORT
Development Services
For the October 22, 2019 Council Meeting

DATE: October 17, 2019

TO: Paul Gipps, CAO

FROM: Carla Eaton, Planner III

RE: Application: DVP 19-12 and DP 19-06, 1207 Trevor Dr
Legal: Lot 10, DL 2687, ODYD, Plan 24398
Owner/Agent: Kris Gibbs

RECOMMENDED MOTION:

THAT Council authorize a Development Variance Permit (DVP 19-12) for Lot 10, DL 2687, ODYD Plan 2498 (1207 Trevor Drive) in general accordance with the attached permit to vary Zoning Bylaw No. 0154:

- S.10.4.5 (b) to reduce the minimum usable parcel area from 330 m² to 121.45 m²; and
- S.10.4.5 (g) .1 to reduce the minimum front setback from the face of a garage to the private access road from 6.0 m to 4.5 m; and

THAT Council authorize a Development Permit for Lot 10, DL 2687, ODYD, Plan 2498 (1207 Trevor Drive) to allow for the development of a two lot subdivision, including retaining walls and construction of a single detached dwelling within a Hillside and Sensitive Terrestrial Ecosystems Development Permit Areas; and

THAT the issuance of DVP 19-12 and DP 19-06 be withheld pending:

- Confirmation that a no build no disturb covenant has been registered on title in accordance with the specification provided in the environmental assessment; and
- Receipt of landscape security for the restoration plan in the amount of \$5,875.00.

RATIONALE:

The recommended motion is based on the following:

Minimum Useable Parcel Area Variance

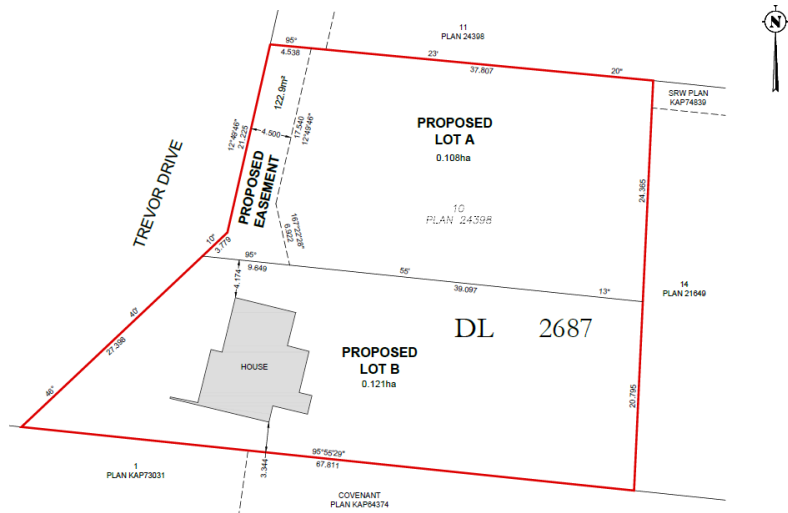
- The proposed variance to reduce the minimum usable parcel area will facilitate a subdivision creating one new lot that will contribute to new single family housing options consistent with the intent of the Official Community Plan.
- The variance to reduce the minimum usable parcel area is reasonable as the preliminary design concept drawings show that a single family residential dwelling can be designed to meet the hillside development permit guidelines.

- The proposed variance to reduce the required front setback from the face of a garage to the private access road will not impact road access and will allow the building footprint to be set farther back in order to reduce hillside disturbance.

- The proposal is consistent with the Hillside and Terrestrial Ecosystem Development Permit Area guidelines contained in the Official Community Plan, where the site grading includes a series of building steps and low retaining walls to follow the natural terrain in an effort to minimize hillside disturbance; and building design utilizes a unique foundation system to reduce ground level disturbance with cantilevered upper levels and a roof line at or below other surrounding existing dwellings
- The proposed Section 219 no build no disturb covenant will ensure that future development does not encroach into the Hillside and Sensitive Terrestrial Ecosystem.

Section 498 of the *Local Government Act* gives Council the authority to issue a development variance permit that varies, in respect of the land covered in the permit, the provisions of the Zoning Bylaw. Council has the authority under Part 14 (s. 490) of the *Local Government Act* to issue a development permit.

The applicant has applied for a Development Permit (*Attachment 1*) to facilitate a proposed two lot subdivision¹ (Figure 1: *Preliminary Lot Layout*) with access from a common easement which runs along the west side of the subject property. The new Lot A (1076 m²) is proposed to have a new single detached home constructed on the property. Lot B (1210.1 m²) will maintain the existing single family residential dwelling.



The proposed 213.3 m2 single detached dwelling on Lot A will be located on the west side of the subject property. The east side of the property will remain undisturbed hillside and is proposed to be protected with a Section 219 no build no disturb covenant. The house is designed with a set of external concrete stairs on the north side and a series of low (maximum 1.2 m) tiered natural stone rock retaining walls proposed along the north and south sides of the building, with the

DVP 19-12 and DP 19-06, 1207 Trevor Dr
Page 2 of 7

exception of one taller section of wall (maximum of 2.4 m) at the upper portion of the wall. Existing natural vegetation screens the taller section of wall limiting its visual disturbance and the applicant has provided a letter of support from the adjacent neighbour (*Attachment 2*).

In order to facilitate the proposed subdivision and development, the applicant has applied for two variances (as noted in Figure 2: *Site Plan & Proposed Variances*) which include reductions to the minimum useable parcel area and the front setback from the face of a garage to the access road.

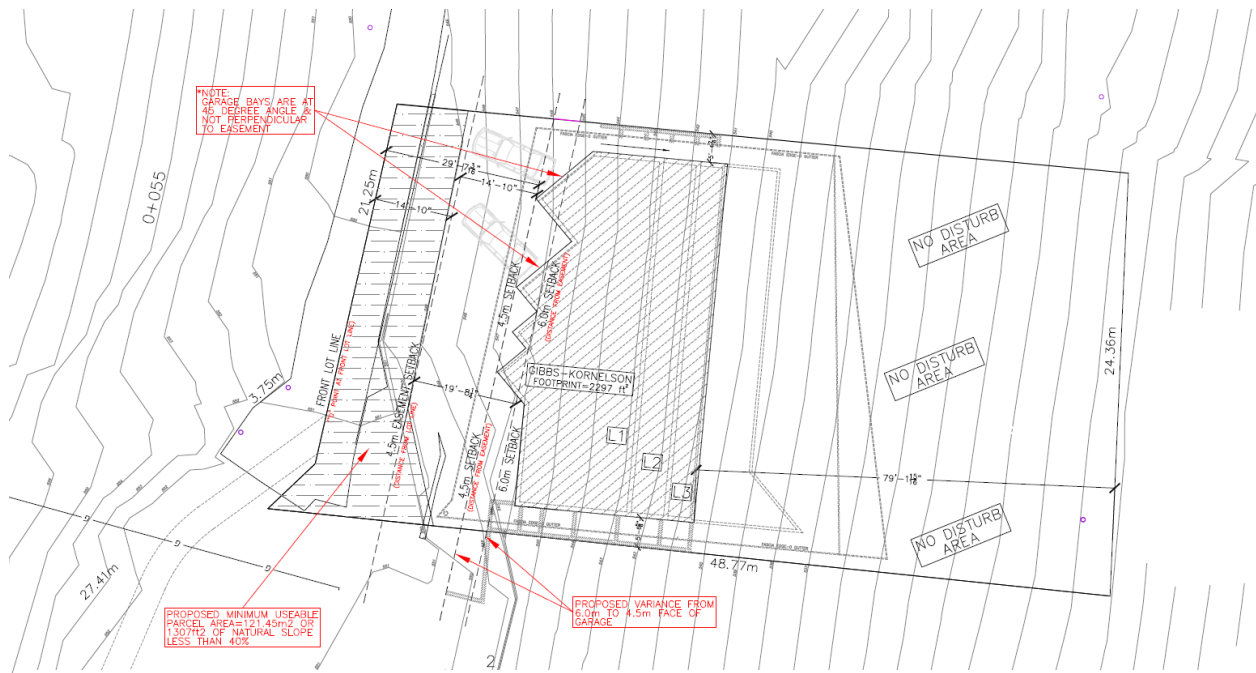


Figure 2: Site Plan & Proposed Variances

Applicant Rationale

As part of this application, the applicant submitted a rationale letter (*Attachment 3: Applicant Rationale*). The applicant noted that the proposed development is designed to fit effectively into the natural terrain of the subject property. In addition, the variance to the front garage setback, if supported, would reduce the extent to which the proposed dwelling would extend into the Hillside and Sensitive Terrestrial Ecosystem Development Permit Area.

Location and Surrounding Uses

The 2306.71 m² (0.57 acres) subject property is located in the Lakeview Heights neighbourhood accessed from a shared private lane off the upper loop of Trevor Drive (*Context and Subject Maps - Attachment 4 and 5*). The area slopes steeply downward from west to east toward the lower loop of Trevor Drive. The subject property is zoned for Single Family Residential (R1) use and surrounding land uses include:

- North – Single Detached Residential (R1)
- East – Single Detached Residential (R1)
- South – Single Detached Residential (R1) and Agricultural (A 1) parcels
- West – Single Detached Residential (R1) and Mount Boucherie crown lands

POLICY, LEGISLATION AND BYLAW REVIEW:

Official Community Plan (OCP) Bylaw No.0100

The Official Community Plan's land use designation for the subject property is Single Family Residential and the subject property is located within the Hillside and Sensitive Terrestrial Ecosystem Development Permit Areas.

The proposed variance to reduce the required minimum usable parcel area aligns with the intent of the OCP as it will lead to the creation of an additional residential lot providing traditional single family housing opportunities. In addition, the proposed development is visually integrated into the natural hillside of the subject property. Consistent with the OCP, the design of the proposed dwelling is tailored to the existing site topography minimizing the removal of natural vegetation, grading, and excavation².

Additional development permit guidelines specific to the hillside and sensitive terrestrial ecosystem development permit areas are addressed in the technical review sections below.

Zoning Bylaw No. 0154

The proposal conforms to the primary uses and regulation outlined in Zoning Bylaw No.0154 for the R1 Single Detached Residential Zone, with the exception of the following variances for usable parcel area, and setback from the front of the garage to the private access road.

Usable Parcel Area Variance:

Section 10.4.5 (b) of the City of West Kelowna Zoning Bylaw No. 0154 specifies the minimum usable parcel area³ required for a new parcel is 330 m². As shown in orange on Figure 3, the subject property has a usable parcel area of 121.45 m² which is limited to the flatter section of the parcel overlapping primarily with the private access road. As such, the applicant is requesting to reduce the required usable parcel area to 121.45 m² given that the proposed building design is tailored specifically to the unique topography of the site and meets the City's Hillside Development Permit Guidelines.

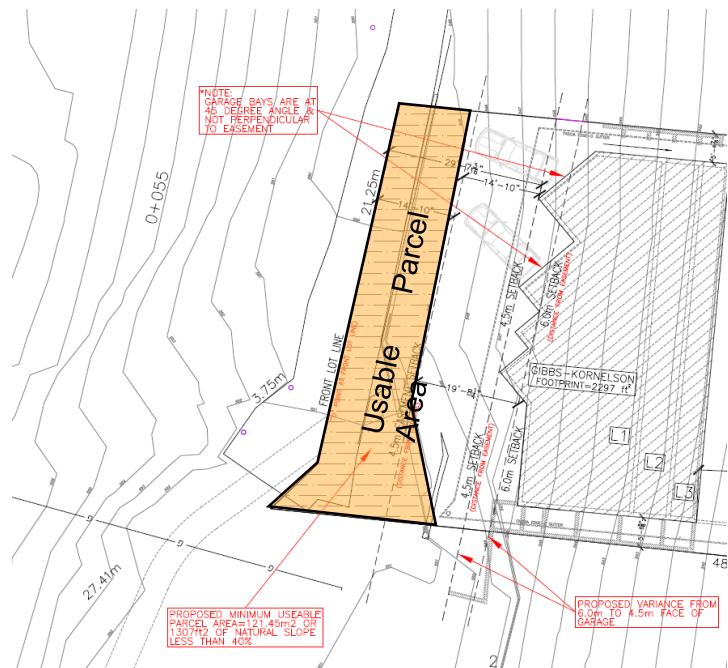


Figure 3: Useable Parcel Area Variance

Should Council choose to deny the proposed variance for usable parcel area, the proposed subdivision and development of the subject property will not be possible.

² OCP Bylaw No. 0100, Section 4, Guideline No. 22, General Guidelines that Apply to All Development Permit Areas

³ Minimum useable parcel area means a contiguous area of a parcel excluding land where the natural slope exceeds 40% for a minimum horizontal distance of 10m (32.8 ft) for lands zoned to permit single detached dwellings and duplexes

Setback from the Garage to the Private Access Road Variance:

Section 10.4.5(g).1 of the City of West Kelowna Zoning Bylaw No. 0154 specifies that the front setback for a garage with an entry facing the road must be 6.0 m (Figure 4: Blue Dashed Line), which is to allow adequate parking length for vehicles in front of the garage so that they do not impede vehicular or pedestrian traffic within the adjacent road. The applicant has requested that this setback be reduced to 4.5 m (Figure 4: Green Dashed Line), which is consistent with the setback

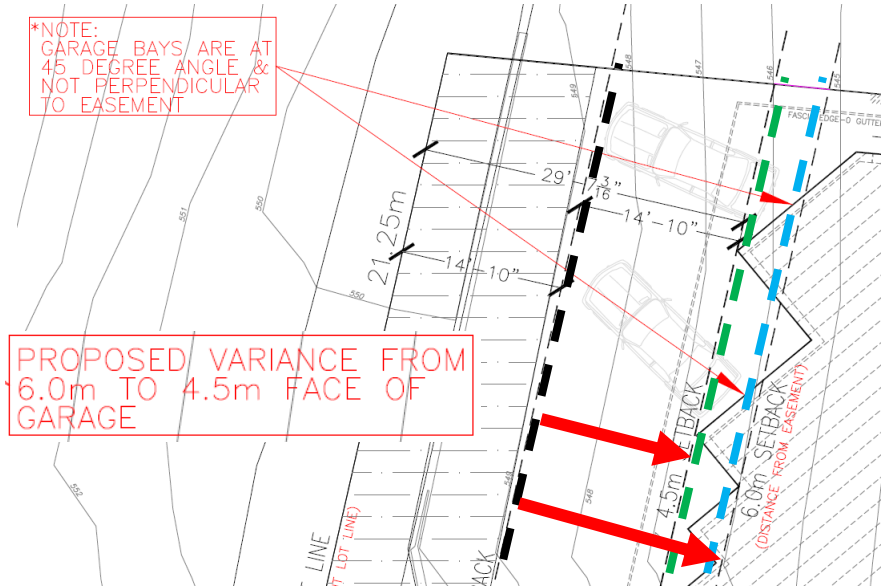


Figure 4: Front Setback from Face of Garage Variance

for garages with a side entry. The bylaw does not have regulations specific to garages that are set at an angle between 0 and 90 degrees to the road.

As noted previously, the applicant requested the variance to aid in siting the house so as to limit further disturbance into the hillside. In addition to limiting slope impacts, the angled garage face also accommodates a reasonable parking area and allows for sufficient turning movements from the shared access easement.

Should Council choose to deny the proposed variance to reduce the setback from the garage to the private access road, the siting of the proposed dwelling would need to be altered to meet the required setback of 6.0 m.

Technical Review

Geotechnical Review

A Geotechnical Report was provided that notes the site appears to be safe for the intended use, as well as providing additional recommendations regarding specific foundation, site preparation, site grading, and drainage that should be addressed at time of construction which will be reviewed with the future building permit process. This will include additional geotechnical review of the proposed piling system which was used in the design to reduce the need for additional retaining walls.

As the proposed house on Lot A was designed to fit the site rather than altering the site and supports continued protection of an undisturbed area along the lower slopes of the property, the proposal is consistent with the Hillside Development Permit Guidelines.

Environmental Review

An Environmental Assessment (EA) was provided noting that the proposed development on Lot A will be located entirely within an area of low environmental sensitivity (ESA 3). As this level of ESA may still contribute to diversity and may contain some features of interest, the applicant proposed a variance to reduce the setback from the front of the garage to the private access road. This will allow for the proposed dwelling to be sited further away from the ESA. This will leave 68% of the proposed new Lot A undisturbed. As this area also coincides with the steeper hillside area, it is recommended that a Section 219 no build no disturb covenant is registered as a condition of the issuance of the Development Permit to permanently protect this area from disturbance.

As much of the subject property is covered in native vegetation, the EA also recommended landscape mitigation work for any areas disturbed with the proposed development. Landscape work is proposed for the front yard of the subject property with some plantings located along the south side of the proposed dwelling. Consistent with the Sensitive Terrestrial Development Permit Guidelines, the proposed landscaping plan includes a mix of trees, shrubs and hydroseeded grasses. The landscape security is estimated at \$5,875.00. Prior to issuance of the Development Permit, it is recommended that the security is submitted to ensure installation of the proposed hillside restoration plantings and hydroseeding.

PUBLIC NOTIFICATION:

In accordance with the *Local Government Act*, 26 notification letters were sent to all property owners and their tenants within 100 metres of the subject property (Attachment 6) and a notice of application sign has been placed on the subject property in accordance with the Development Application Procedures Bylaw No. 0260. At the time of writing this report, no submissions have been received from the public other than the letter of support from the adjacent neighbour to the north noted previously.

ALTERNATE MOTIONS(S):

- 1) THAT Council deny a Development Variance Permit (DVP 19-12) for Lot 10, DL 2687, ODYD. Plan 2498 (1207 Trevor Drive) to vary Zoning Bylaw No.0154 to reduce the minimum useable parcel area from 330 m2 to 121.45 m2.

This alternative motion would prevent the applicant from subdividing the subject property and therefore would be unable to construct the proposed single detached dwelling and would not require the front setback variance or the Development Permit. Should Council deny the proposal, the files will be closed. As per the City's Procedures Bylaw, the applicant could re-apply for a similar proposal six months after initial Council consideration.

REVIEWED AND APPROVED BY:

Brent Magnan, Planning Manager
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

- 1) Draft DVP 19-12 and DP 19-06
- 2) Neighbour's Support Letter
- 3) Applicant Rationale Letter
- 4) Context Map
- 5) Subject Property Map
- 6) Notification Map



**CITY OF WEST KELOWNA
DEVELOPMENT VARIANCE PERMIT**

DVP 19-12

and

DEVELOPMENT PERMIT

DP 19-06

To: Kris Gibbs
1207 Trevor Drive
West Kelowna B.C

1. This Permit is issued subject to compliance with all of the Bylaws of the City of West Kelowna applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands within the City of West Kelowna described below, and any and all buildings, structures and other developments thereon:

LOT 10, DL 2687, ODYD, PLAN 24398 (1207 Trevor Drive)

3. **This Permit allows for the development of a two lot subdivision, including retaining walls and construction of a single detached home located on the proposed Lot A located at 1207 Trevor Drive in the Hillside and Sensitive Terrestrial Ecosystem Development Permit areas. This application includes a Variance request to reduce the minimum useable parcel area from 330 m² to 121.45 m² and to reduce the minimum front setback to the face of a garage from 6.0 m to 4.5 m. This permit is subject to the following conditions and related Schedules:**
 - a. Lot layout and dimensions and siting of the new single detached dwelling to be constructed on the land in accordance with Schedule 'A';
 - b. All landscape restoration shall be in general accordance with the recommendations in the Environmental Assessment prepared by Ecoscape, dated March 2019, and as per the bonding estimate in Schedule 'B';
 - c. The site grading, and siting and specifications of the proposed retaining walls shall be in accordance with Schedule 'C', with site disturbance further limited by the following:
 - i. A section 219 no build no disturb covenant shall be registered on title in accordance with the location specified on the Site, Landscape and Drainage Plan;
 - d. All construction activities to be conducted on the land in general accordance with the Geotechnical Review, prepared by Interior Testing Services Ltd., dated February 11, 2019; and
 - e. That the following variances to City of West Kelowna Zoning Bylaw No. 0154 in accordance with the attached Schedules be permitted on proposed Lot A of the subject property:
 - i. That the minimum useable parcel area (s.10.4.5(b)) be reduced from 330m² to 121.45m² as shown in Schedule 'A'; and
 - ii. That the minimum front setback from the face of garage to a private access road (s.10.4.5(g).1) be reduced from 6.0 m to 4.5 m as shown on Schedule 'B'.

Security

4. As a condition of the issuance of this permit, the property owner shall deposit 125% of the cost estimate to ensure the installation of restoration plantings in the Sensitive Terrestrial Ecosystem and environmental monitoring (\$5,875.00) as performance security in general

accordance with the Restoration Plan in Schedule 'B'. 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 the Permit within the time provided, the City of West Kelowna 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 below, the security shall be returned to the Permittee.

General Terms

5. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof. Should any changes be required to this permit, please ensure that you obtain written approval from City of West Kelowna prior to making any changes.
6. **This Permit is not a Building Permit.**
7. Subject to the terms of the permit, where the holder of a permit issued under the Local Government Act does not substantially commence any construction with respect to which the permit was issued within two years after the date it is issued, the permit lapses.

AUTHORIZING RESOLUTION NO. C _____/19 PASSED BY THE MUNICIPAL COUNCIL ON _____.

Signed on _____, 20____

City Clerk

As received on _____, 20____, there is filed accordingly al Irrevocable Letter of Credit or Bank Draft deposit in the amount of \$5,875.00.

I hereby confirm that I have read and agree with the conditions of Development Permit DP 19-06 with variances (Development Permit Variance DVP 19-12) and will ensure that copies of the Permit will be provided to onsite personnel at time of construction.

Signed on _____

Property Owner or Agent

ISSUED on _____

Schedules:

Schedule A:

1. Preliminary Lot Layout, prepared by Vector Geomatics Land Surveying Ltd., dated March 26, 2019
2. Legal Variance Plan, prepared by TALO Build, drawing A1.5b, Version A

Schedule B:

1. Landscape Estimate Excerpt, prepared by Ecoscape., dated March 2019

Schedule C:

1. Site, Landscape and Drainage Plan, prepared by TALO Build, drawing A1.5a, Version F
2. North and South Elevation Drawings, prepared by TALO Build, drawing A2.1 and A2.2, Version C

**SKETCH PLAN SHOWING PROPOSED
SUBDIVISION OF LOT 10 DISTRICT LOT
2687 OSOYOOS DIVISION YALE
DISTRICT PLAN 24398**

PID: 005-943-949

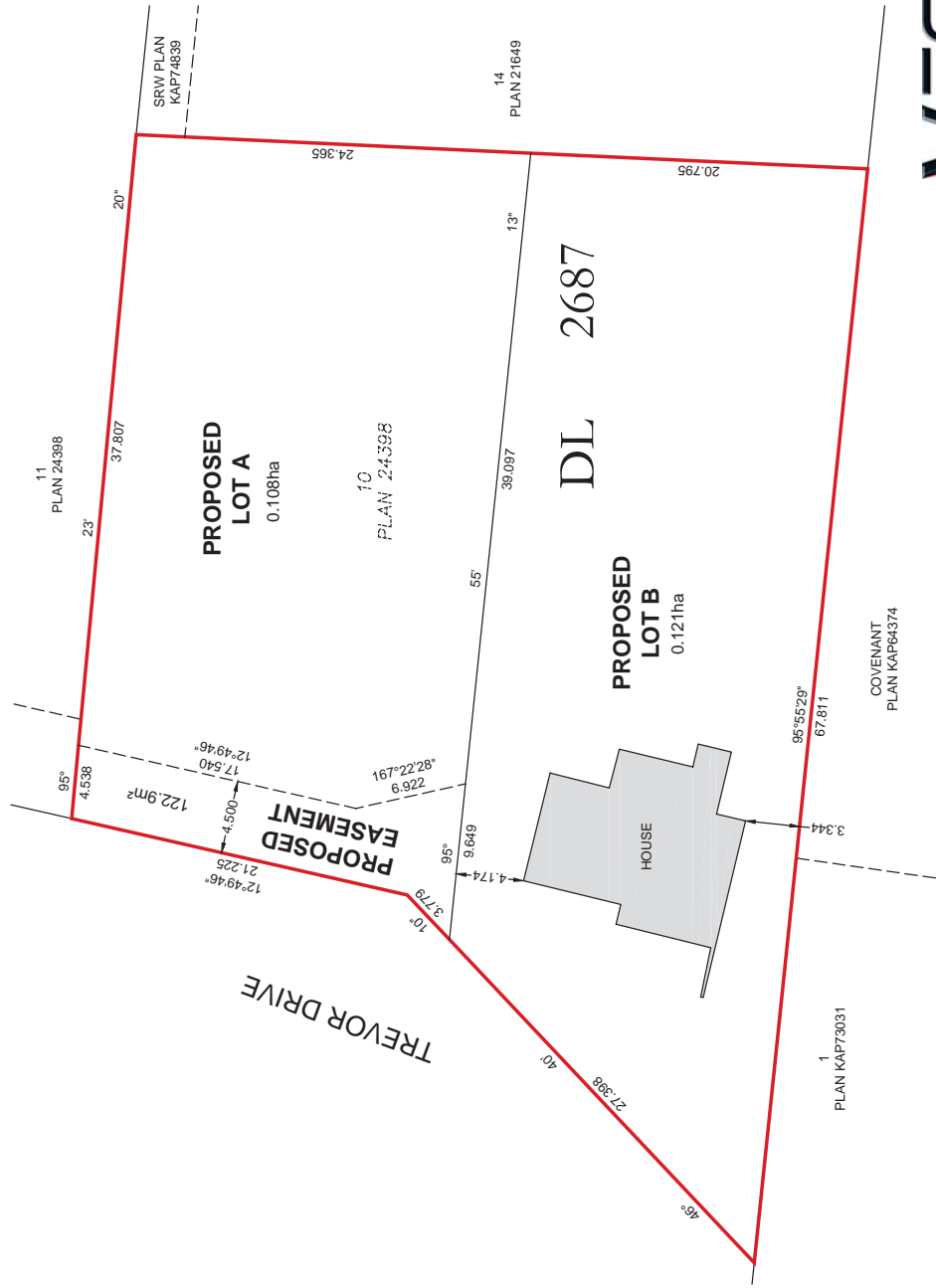
CLIENT: KRIS GIBBS

CIVIC ADDRESS: 1207 TREVOR DRIVE

HORIZONTAL COORDINATE SYSTEM: UTM 11 NAD83(CSRs)

REFER TO THE CURRENT STATE OF TITLE FOR CHARGES,
LIENS, AND INTERESTS AFFECTING THIS LAND.

SCALE 1:300



File: 1800714R0 Date: 2019-03-26
Drafted by: MM Checked by: TF

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CLIENT APPROVAL SIGNATURE:_____

CLIENT NAME(PRINT):

DATE: _____

*TB-CHANGE ORDERS REQUIRED FOR ALL/ANY CHANGES AFTER THIS DATE

DESIGNER: motakanen design



GIBBS-KORNELSON - SITE, LANDSCAPE & DRAINAGE PLAN-b

GIBBS-KORNELSON

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PLANNING—CONSULTING—MANAGEMENT TALO BUILD 2285 Lakeview Cove Road Suite 200, Vitz 441 +1.78.659.2717 info@talo-build.com www.talobuild.com	TALO Build 2285 Lakeview Cove Road Suite 200, Vitz 441 +1.78.659.2717 info@talo-build.com www.talobuild.com	Scale 1/8"=1' Date JULY-19 Sheet A1.5b Design MOT Drawn MOT	SPERSIDES PRINTS OF THIS NUMBER WITH LETTERS PREVIOUS TO —▶ A
	LEGAL VARIANCE PLAN		

4.9 Bonding

Performance bonding is typically required by the City of West Kelowna to ensure the recommended compensation and restoration measures are completed and an EM is retained to document compliance with provincial guidelines and BMPs. Bonding in the amount of 125% of the estimated value of restoration works is required to ensure faithful performance and that all mitigation measures are completed and function as intended.

Performance bonds shall remain in effect until the CWK has been notified, in writing, by the EM that the standards bonded for have been met and substantial completion of the works has been achieved. Table 6 outlines the proposed bonding amount for the recommended restoration within the no-disturb area.

Table 6. Bonding estimate for restoration work at subject property	
Item	Total
Native plantings	\$500
Hydro-seeding or broad cast seeding with tackifier of disturbed soils	\$200
Subtotal	\$700
Environmental Monitoring during construction, including restoration work (including a substantial completion report)	\$3,000
Weeding maintenance	\$1,000
Total (not including GST)	\$4,700
125% Bond	\$5,875

*please note that these estimates are for bonding purposes only, not to be used as a budget tool for restoration works. A landscape contractor can provide a more accurate cost estimate for restoration and maintenance works.

Ecoscape estimates that the total cost for restoration works and associated environmental monitoring during construction, including restoration and weed maintenance will be approximately \$4,700 (not including GST) (Table 6). Therefore, based on the standard security bonding requirement of 125%, the total additional bonding amount will be **\$5,875**.

5.0 CONCLUSION

This report summarizes the existing site conditions and natural areas within the study area and assesses the impacts that the proposed development may have on these values. This report also addresses the conditions of the City of West Kelowna Sensitive Terrestrial Development Permit area guidelines, as described in the Official Community Plan (City of West Kelowna Official Community Plan (OCP, Bylaw 2011 No. 0100).





GIBBS-KORNELSON - SITE, LANDSCAPE & DRAINAGE PLAN-a

GIBBS-KORNELSON

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PLANNING-CONSULTING-MANAGEMENT
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info@talobuild.com
www.talobuild.com

TALO Build
2895 Lokewna Cove Road
West Kelowna, CANADA, V1Z 4A1
+1-778-634-2771

Scale 1/8" = 1'
Date JULY-19
Sheet A1.50

Design MOT
Drawn MOT

SITE, LANDSCAPE & DRAINAGE PLAN
SUPERSEDES PRINTS OF THIS NUMBER WITH LETTERS PREVIOUS TO **F**



NATURAL STONE RETAINING WALLS

2019-09-22

City of West Kelowna

To whom it may concern:

Re: Gibbs-Kornelson sub-divide 1207 Trevor Drive

We, the undersigned, are the owners and residents of 1205 Trevor Drive and have reviewed the plans for the proposed sub-divide and house construction at 1207 Trevor Drive.

We have no objections to the proposed sub-divide and house construction, including the retaining wall which will be built along our property line.

We are confident that the work will be done with due consideration to the natural surroundings and will enhance the overall look of Trevor Drive.

Basil and Rita Skodyn
1205 Trevor Drive



Audit/Report

Date: 29/08/2019
TA: GK-1R
English

Project/Client: Gibbs-Kornelson Project/Kris Gibbs & Rachel Kornelson

Location: 1207 Trevor Drive, West Kelowna, British Columbia, Canada
Lot Subdivision & Development Permit

Summary: **Audit documents added after each report is deemed complete.*

Scope of work completed for this projects is as follows:

- Building design & siting with emphasis on natural terrain integration.
- All grading, drainage and landscaping c/w retaining walls designed and drafted site specific.
- Hydrology design includes "mot-Hydraulic Roof" for total water collection, storage & disposal.
- Elevations designed to compliment adjacent structures and topography of the existing land.
- Mechanics of home from cooling to heating are integrated into the structure.

Introduction:

The goal for TALO Build on this project was to introduce a building that works with the existing terrain from form to function. The design of the building is such that it integrates with not only the natural terrain, but also the surrounding area; including existing adjacent structures.

Prepared by: Mark O. Takanen

2895 Lakeview Cove Road, West Kelowna, British Columbia, Canada, V1Z 4A1

info@talobuild.com

Y-Tunnus: 2549985-6 – HST/GST#

www.talobuild.com

Details:

Parameters and accomplishments for this project:

- City of West Kelowna is encouraging sustainable hillside development. We design site spec..
- Little to no use of retaining walls.
- Little to no use for the introduction of foreign fill material.
- Minimal disturbance of land. Building footprint is the only excavation with natural stone walls daylighting into structure and existing ground. Limited walls only needed at sides of home.
- Building is sited to be solar ready with minimal impact to environment.
- Storm water collected and distributed evenly on the property. Option for water storage and re-use as grey water.
- Low pitch roof with large overhangs to minimize sun reflection(flashings).
- Garage bays angled for improved access and safety.
- 4.5m variance setback justified as garage bays are on 45degree angle. Not perpendicular to access/street. Allows better viewing when entering traffic.
- 6.0m to 4.5m decrease in setback reduces height of building at rear.
- Helicoil pilings introduced for ultimate structural integrity and safety. This system will be used if TALO Build renders virgin soil, bedrock or other material not acceptable for typical footing-foundation construction.
- Building is NOT built on compacted material suspended with retaining walls.

Prepared by: Mark O. Takanen

2895 Lakeview Cove Road, West Kelowna, British Columbia, Canada, V1Z 4A1

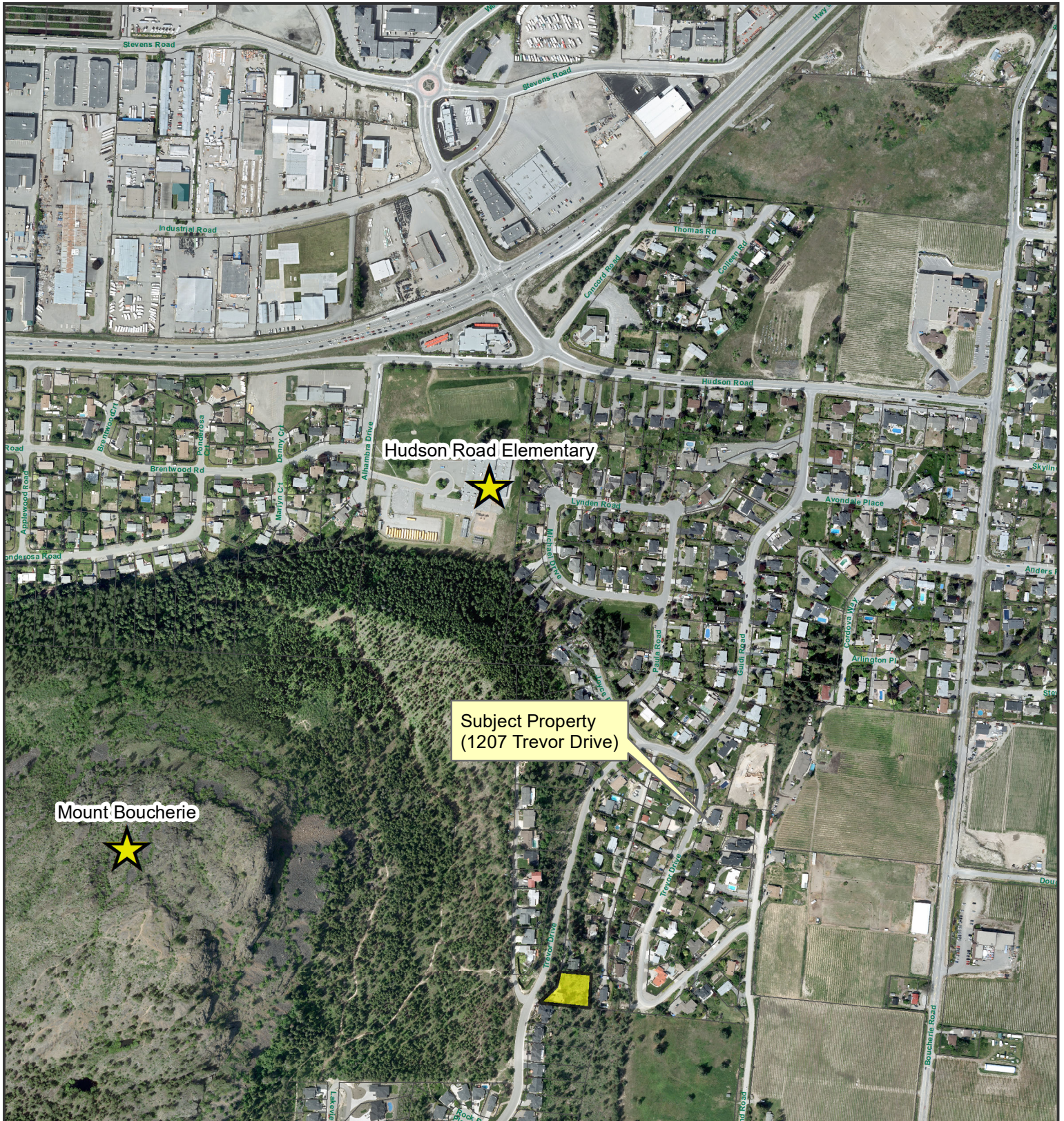
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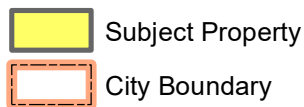


CONTEXT MAP: DVP 19-12 & DP 19-06



File: DP 19-06

Legal Description: Lot 10, DL 2687, ODYD, Plan 24398



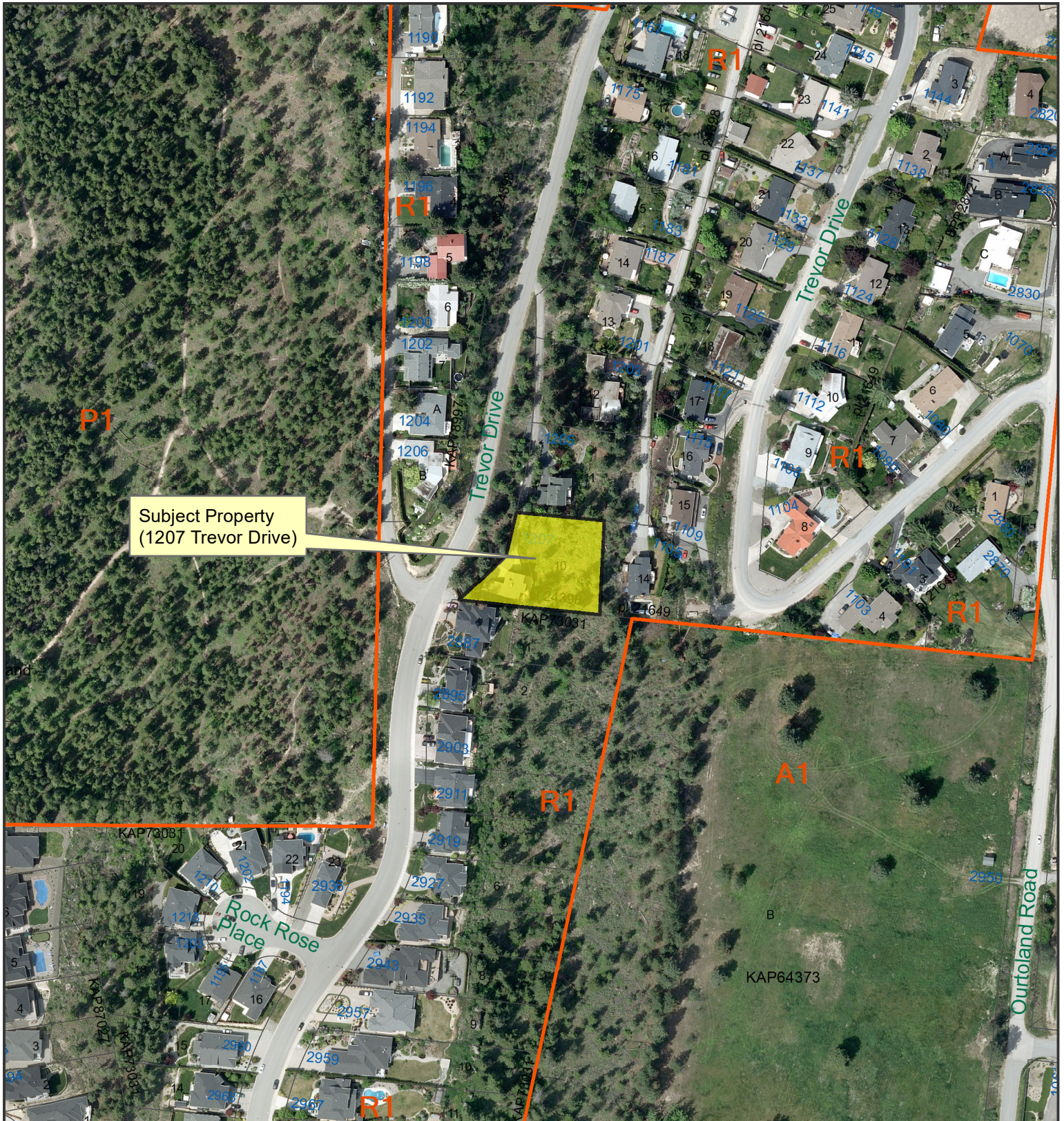
0 105 210 420 Metres





CITY OF
WEST
KELOWNA

SUBJECT PROPERTY: DVP 19-12 & DP 19-06



File: DP 19-06

Legal Description: Lot 10, DL 2687, ODYD, Plan 24398

LEGEND

- Subject Property
- Zoning Boundary
- Parcels

0 35 70 140
Metres



DVP 19-12 GIS Mail Notice Map



Legend

Landmarks

- Cemetery
- City Hall
- Community Centre
- Dam
- Fire Hall
- Museum

Basemap Layers

- WK Admin Boundary
- Regional Admin Boundary
- Highway
- River / Stream
- Intermittent Stream
- Waterbody
- Lake Access
- Regional Park
- Municipal Park
- Westbank First Nation

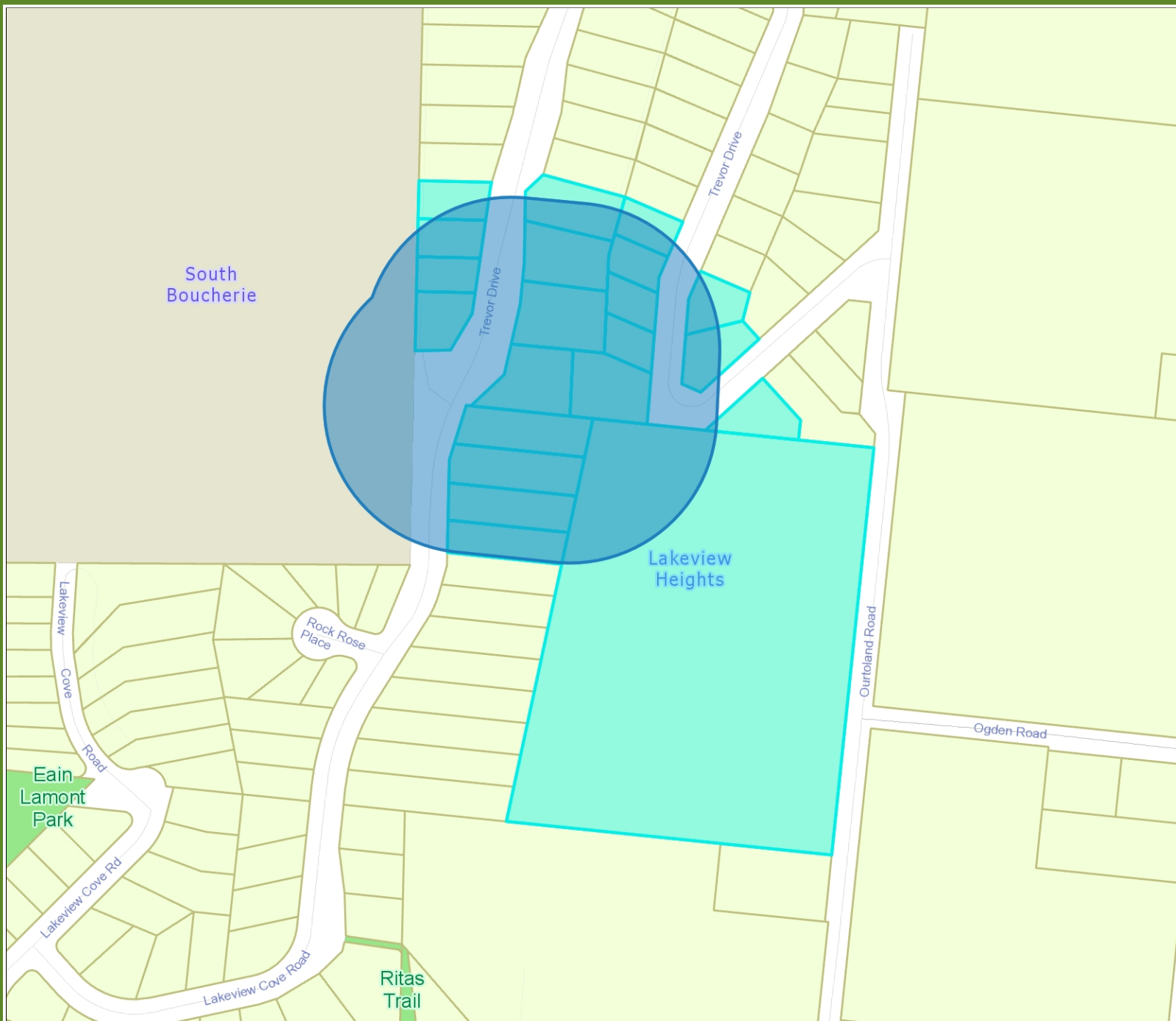
Parcels

- Ownership
- Land Strata
- Building Strata
- Common Property
- Crown Land
- Lease
- Park
- Road Right-Of-Way
- Walkway
- Common Access



Scale 1 : 3,780

Notes



0 96 192 Meters

Map Projection: NAD_1983_UTM_Zone_11N

© City of West Kelowna (2015)

Map Produced on: 8/30/2019 11:43:59 AM



This map has been produced by the City of West Kelowna's Geographic Information System. The data provided is derived from a variety of sources with varying levels of accuracy. The City of West Kelowna makes no warranty or representation, expressed or implied, with the regard to the correctness, accuracy and/or reliability of the information contained herein.



COUNCIL REPORT

To: Paul Gipps, CAO
From: Jayden Riley, Planner II

Date: 2019-10-16
File No: TUP 16-03.01

Subject: Application for Renewal of Temporary Use Permit 16-03.01

RECOMMENDATION

THAT Council approve the renewal of Temporary Use Permit 16-03.01 to allow the sale and rental of compact construction machinery and equipment at 1698 Ross Rd. (A portion of Lot 1, DL 507, ODYD, Plan KAP15908, Except Plan H17081) for a period of three (3) years subject to the conditions outlined in the attached permit (*Attachment #1*):

- That the operation shall only consist of the sale, rental, and repair of compact construction machines and small equipment (i.e. light towers, man lifts, skid steers), with the maximum machine size being that of a self-propelled articulating boom (Model: Genie Z-62/40);
- That the land owner maintain a valid license of occupation with the City of West Kelowna for the use of the lands within the Bartley Rd. right of way for the duration of the temporary use permit;
- That the landscaping approved in conjunction with Temporary Use Permit 16-03 shall be maintained for the duration of the permit; and
- That the activities associated with the temporary use cease following expiration of the Temporary Use Permit.

STRATEGIC AREA(S) OF FOCUS

Focus on Economic Growth (Strategic Plan Priorities, 2019 and 2020-2022)

BACKGROUND

The applicant is requesting to renew and expand the scope of the Temporary Use Permit to allow the sale and rental of compact machinery and equipment, including excavators and wheel loaders not specifically referenced in the original conditions of the permit, as well as larger models of excavators and loaders on a short-term basis. Staff have confirmed that various models of wheel loaders and excavators were displayed on the subject property throughout the duration of the original permit, but were not specifically permitted under the conditions of the original permit.

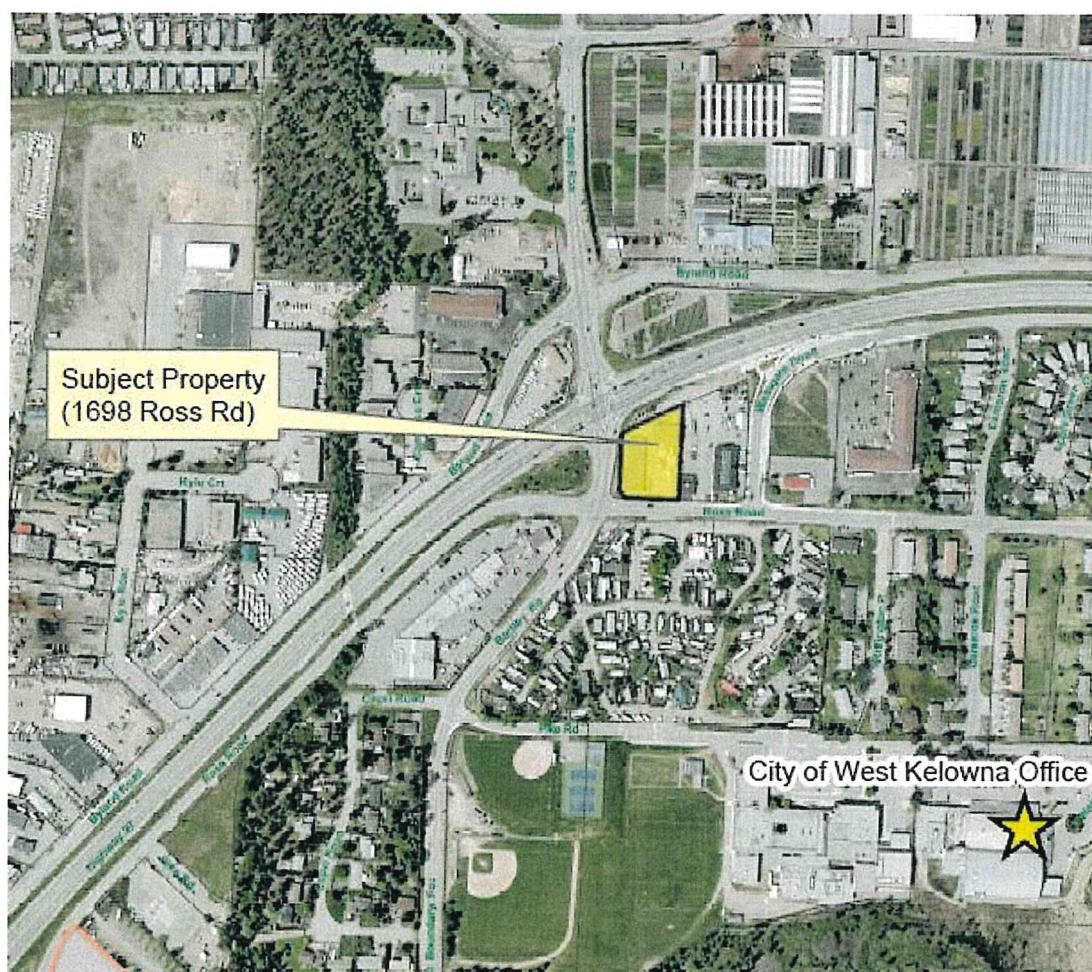
PROPERTY DETAILS	
Address:	1698 Ross Rd.
PID:	008-743-371
Legal:	A portion of Lot 1, DL 507, ODYD, Plan KAP15908 Except Plan H17081
Lot Size:	3,601.7 m ² (0.89 acres)

Owner:	Interlakes RV Adventures Inc.	Agent:	Mya Kuzmanovic (Finning International)
Current Zoning:	Urban Centre Commercial (C1)	Proposed Zoning	N/A
Current OCP:	Commercial (C)	Proposed OCP	N/A
Current Use:	Equipment sales and rental (temporary)	Proposed Use	Equipment sales and rental (temporary)
Development Permit Areas:	Form and Character		
Hazards:	None		
Agricultural Land Reserve:	N/A		

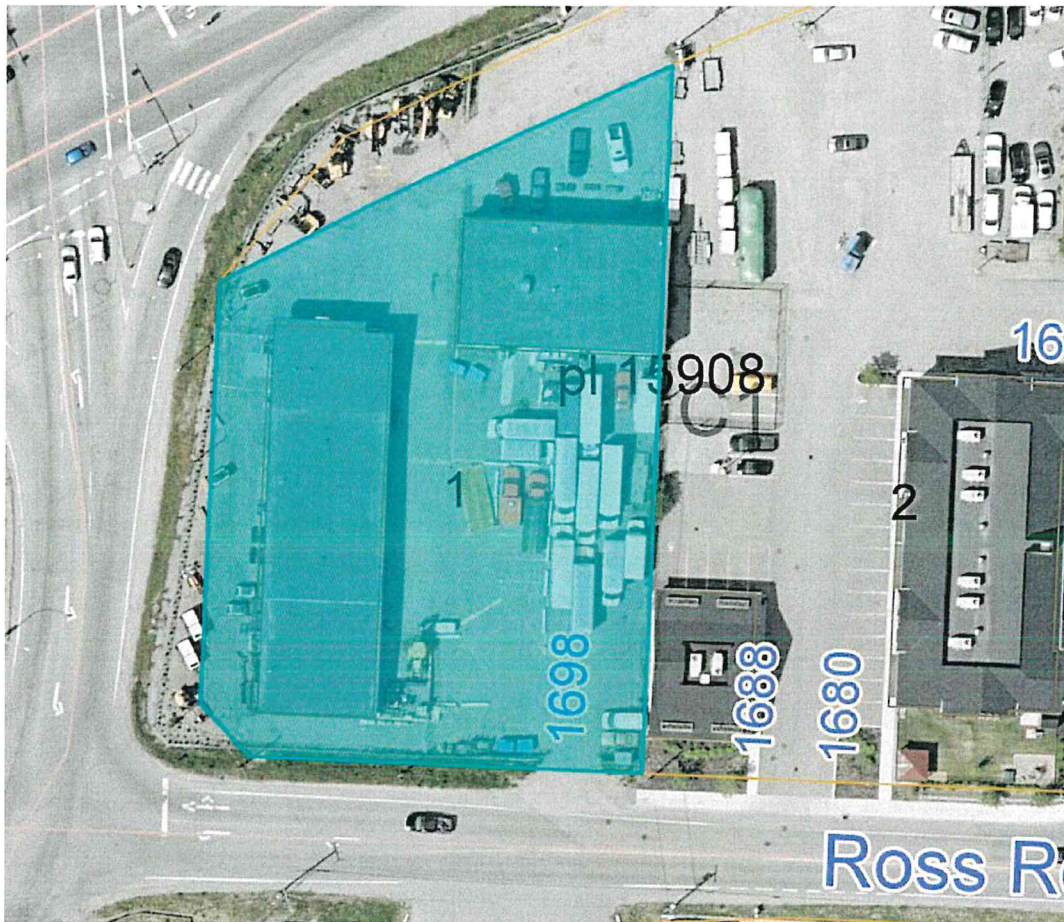
ADJACENT ZONING & LAND USES

North	^	Hwy 97, Rural Country Residential (RU1)
East	>	Urban Centre Commercial (C1)
West	<	Bartley Rd., Gasoline Service Station Commercial (C3)
South	v	Campground, Cabin, and Motel Commercial (C5)

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Temporary Use Permit 16-03 was approved by Council on August 23, 2016, and issued on August 29, 2016 under the following conditions (*Attachment #2*):

- That the sale and rental of compact construction machinery and equipment be permitted on the parcel for a period of three (3) years with one opportunity for a three (3) year extension granted by Council at the permit expiry;
- That the land owner submit a landscape security and plan to the satisfaction of the General Manager of Development Services prior to the issuance of the permit;
- That the land owner enters into a license of occupation with the City for the use and maintenance of the landscaping along Bartley Rd. for a period of three (3) years with a three (3) year renewal period, prior to the commencing of any works/landscaping;
- That the operation shall only consist of the sale, rental, and repair of compact construction machines and small equipment (i.e. light towers, man lifts, skid steers), with the maximum machine size being that of a self-propelled articulating boom (Model: Genie Z-62/40);
- That the activities associated with the temporary use cease following expiration of the Temporary Use Permit.

The applicant is requesting a renewal of the Temporary Use Permit to allow the sale and rental of compact machinery and equipment, including excavators and wheel loaders not specifically referenced in the original conditions of the permit, as well as larger models of excavators and loaders on a short-term basis, as reflected in table below:

Equipment Type Proposed	Model	Permitted Under Original TUP 16-03	Proposed Under Renewed Permit
Skid-Steer	246, 259, 262	Yes	Yes
Man Lift	Genie Z62/40	Yes (max size)	Yes
Wheel Loader	906, 908	No	Yes
Excavator	303.5, 305.5, 308	No	Yes
Wheel Loader	924	No	Short-term only, 3 times/year
Excavator	315	No	Short-term only, 3 times/year

The temporary use is proposed to continue within 1,722.74 m² of the subject property, with the remaining portion of the property occupied by other tenants. In addition to equipment rental and sales, a portion of the facility would continue to be used for minor repairs, such as cleaning machines, installing machine attachments, and minor replacements.

The conditions of the original Temporary Use Permit state that "the operation shall only consist of the sale, rental, and repair of compact construction machines and small equipment (i.e. light towers, man lifts, skid steers), with the maximum machine size being that of a self-propelled articulating boom (Model: Genie Z-62/40)". The intent of limiting the size of equipment under the original permit was to minimize the industrial appearance of the site, as the site is located at the gateway of the Boucherie Centre Neighbourhood and intended as a commercial, mixed-use area. The existing Urban Centre Commercial Zone (C1) also does not permit equipment sales and rental.

Equipment Size: Modifying the Conditions of the Temporary Use Permit

During the term of the original permit, the equipment displayed on the subject property did not firmly comply with the size limitation outlined in the conditions of the permit; however, the applicant is confident that a 308 excavator and 908 wheel loader is lesser in size than the man lift (Model: Genie Z62/40), described as the maximum size of equipment allowed under the permit conditions.



Image 1: 262 Skid-steer (for display throughout TUP)



Image 2: Genie Z62/40 (for display throughout TUP, "maximum size" of equipment under original TUP)

Understanding the challenges in comparing the size of various types of equipment and enforcing the duration in which they are permitted, staff do not consider wheel loaders and excavators to be “small equipment”, as outlined under the conditions of the permit, or part of the intent or rationale behind limiting the size of equipment.

The skid-steers and man lifts (images 1 and 2) are specifically listed in the original permit conditions.

The display, sale, and rental of this equipment would not warrant modification to the conditions of the Temporary Use Permit, if approved – see “Option 1” (Staff Recommendation).



Image 3: 908 Wheel Loader (for display throughout TUP)



Image 4: 308 Excavator (for display throughout TUP)

However, under the renewed permit, the applicant intends to display wheel loaders (i.e. 906 and 908 models, image 3) and excavators (i.e. 303.5, 305.5, and 308 models, image 4), including the short-term, transitory storage of larger model excavators (i.e. 315 model, image 5) and wheel loaders (i.e. 924 model, image 6), approximately 3 times a year. In consideration of this, staff have provided an alternate motion for Council's consideration, to modify the conditions of the Temporary Use Permit to include the proposed equipment – see “Option 2” (Applicant's Request).



Image 5: 315 Excavator (for short-term storage only)



Image 6: 924 Wheel Loader (for short-term storage only)

Local Government Act

Sec. 497(2) of the *Local Government Act* states a person to whom the temporary use permit has been issued may apply to have the permit renewed, subject to the restriction that the temporary use permit may be renewed only once. Sec. 497 of the *Local Government Act* also allows for the modification of conditions at time of renewal. Notification is not a requirement during the renewal of a Temporary Use Permit application.

Official Community Plan No. 0100

The property is located within the Boucherie Centre Growth Management Area. This GMA is intended to promote pedestrian-oriented, mixed-use development that uses smart growth practices to create a walkable and attractive neighbourhood. The property is also within a Commercial land use designation, intended to promote a variety of built form reflecting diversity of retail, office, and personal services uses, with opportunities for increased density and height for above street residential. The equipment sale and rental use does not align with the long-term vision of the Official Community Plan.

Zoning Bylaw No. 0154

The subject property is zoned Urban Centre Commercial (C1), permitting a range of commercial, retail and residential uses. The proposed use of equipment sales and rental with existing barbed wire fencing is permitted in the Light Industrial (I2) zone; therefore, a Temporary Use Permit is required to permit the proposed use.

License of Occupation

As a condition of the Temporary Use Permit 16-03, the land owner entered into a License of Occupation with the City of West Kelowna for the use of a portion of land within the Bartley Rd. right of way on May 31, 2016 – (*Attachment #3*). The subject property has historically encroached into the Bartley Rd. right of way and a portion of Hwy 97. The License of Occupation was renewed on May 3, 2018 for a period of 3 years, expiring May 31, 2021.

CONCLUSION

It is recommended that Council approve the renewal of the Temporary Use Permit TUP 16-03.01 to allow for the continued sale and rental of compact construction equipment and machines subject to the size limitations of the original permit (TUP 16-03).

The intent of the original permit was to limit the display, sale, and rental of heavy equipment, such as loaders and excavators, to small equipment, such as man lifts and skid-steers specifically mentioned in the permit. Without limiting the size of equipment, the industrial appearance of the site will be too significant of a departure from the objectives of the Official Community Plan.

Option 1: Approve (Recommendation, extension of original permit)

Council approve the renewal of Temporary Use Permit 16-03.01 to allow the sale and rental of compact construction machinery and equipment at 1698 Ross Rd. (A portion of Lot 1, DL 507, ODYD, Plan KAP15908, Except Plan H17081) for a period of three (3) years subject to the conditions outlined in the attached permit (*Attachment #1*):

- That the operation shall only consist of the sale, rental, and repair of compact construction machines and small equipment (i.e. light towers, man lifts, skid steers), with the maximum machine size being that of a self propelled articulating boom (Model: Genie Z-62/40);
- That the land owner maintain a valid license of occupation with the City of West Kelowna for the use of the lands within the Bartley Rd. right of way for the duration of the temporary use permit;
- That the landscaping approved in conjunction with TUP 16-03 shall be maintained for the duration of the permit; and
- That the activities associated with the temporary use cease following expiration of the temporary use permit.

Option 2: Approve (Applicant's Request, where conditions of original permit are expanded to include excavators and loaders throughout the duration of the permit, in addition to the short-term storage of larger excavators and wheel loaders)

Council approve the renewal of Temporary Use Permit 16-03.01 to allow the sale and rental of compact construction machinery and equipment at 1698 Ross Rd. (A portion of Lot 1, DL 507, ODYD, Plan KAP15908, Except Plan H17081) for a period of three (3) years subject to the following conditions:

- That the operation shall only consist of the sale, rental, and repair of construction machines and equipment (i.e. light towers, man lifts, skid steers), including excavators (models 303.5, 305.5, and 308) and wheel loaders (models 906 and 908), as well as the short-term, transitory storage of excavators (model 315) and wheel loaders (model 924) to maximum of 3 times per calendar year.
- That the land owner maintain a valid license of occupation with the City of West Kelowna for the use of the lands adjacent to Bartley Rd. for the duration of the temporary use permit;
- That the landscaping approved in conjunction with TUP 16-03 shall be maintained for the duration of the permit; and
- That the activities associated with the temporary use cease following expiration of the temporary use permit.

Option 3: Approve (where conditions of original permit are expanded to include excavators and loaders throughout the duration of the permit, but does not include the addition of short-term storage of larger excavators and wheel loaders)

Council approve the renewal of Temporary Use Permit 16-03.01 to allow the sale and rental of compact construction machinery and equipment at 1698 Ross Rd. (A portion of Lot 1, DL 507, ODYD, Plan KAP15908, Except Plan H17081) for a period of three (3) years subject to the following conditions:

- That the operation shall only consist of the sale, rental, and repair of construction machines and equipment (i.e. light towers, man lifts, skid steers), including excavators (models 303.5, 305.5, and 308) and wheel loaders (models 906 and 908);
- That the land owner maintain a valid license of occupation with the City of West Kelowna for the use of the lands adjacent to Bartley Rd. for the duration of the temporary use permit;
- That the landscaping approved in conjunction with TUP 16-03 shall be maintained for the duration of the permit; and
- That the activities associated with the temporary use cease following expiration of the temporary use permit.

Option 4: Deny

Council deny the renewal of Temporary Use Permit 16-03.01 at 1698 Ross Rd. (A portion of Lot 1, DL 507, ODYD, Plan KAP15908, Except Plan H17081).

Option 5: Refer to Staff

Council refer the renewal of Temporary Use Permit 16-03.01 at t 1698 Ross Rd. (A portion of Lot 1, DL 507, ODYD, Plan KAP15908, Except Plan H17081) to City of West Kelowna staff.

COMMENTS BY:

Brent Magnan, Manager of Planning: Reviewed and supported.

Tracey Batten, Deputy CAO/Corporate Officer: Reviewed.

Paul Gipps, CAO: Reviewed and supported.



**CITY OF WEST KELOWNA
TEMPORARY USE PERMIT
TUP 16-03.01**

To: Interlakes R/V Adventures Inc.
3301 McKellar Rd
West Kelowna, BC V4T 1W1

1. This Permit is issued subject to compliance with all of the Bylaws of the City of West Kelowna applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands within the City of West Kelowna described below, and any and all buildings, structures and other developments thereon:

A portion of Lot 1, DL 507, ODYD, Plan 15908, Except Plan H17081 (1698 Ross Rd.)

3. The conditions of the Temporary Use Permit (TUP 16-03.01) are as follows:
 - a. That the sale and rental of compact construction machinery and equipment be permitted on the aforementioned parcel for period of three (3) years;
 - b. That the operation shall only consist of the sale, rental, and repair of compact construction machines and small equipment (i.e. light towers, man lifts, skid steers), with the maximum machine size being that of a self-propelled articulating boom (Model: Genie Z-62/40);
 - c. That the landowner maintain a valid license of occupation with the City of West Kelowna for the use of the lands within the Bartley Rd. right of way for the duration of the temporary use permit;
 - d. That the landscaping installed in conjunction with TUP 16-03 shall be maintained for the duration of the temporary use permit; and
 - e. That the activities associated with the temporary use cease following expiration of the Temporary Use Permit.
4. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof.

5. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION NO. (C___/19) PASSED BY THE MUNICIPAL COUNCIL ON___

ISSUE DATE: _____

TUP EXPIRY DATE: August 23, 2022

Signed on _____

City Clerk



**CITY OF WEST KELOWNA
TEMPORARY USE PERMIT
TUP 16-03**

To: Interlakes R/V Adventures Inc.
3301 McKellar Rd
West Kelowna, BC V4T 1W1

1. This Permit is issued subject to compliance with all of the Bylaws of the City of West Kelowna applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands within the City of West Kelowna described below, and any and all buildings, structures and other developments thereon:

A portion of Lot 1, DL 507, ODYD, Plan 15908, Except Plan H17081

3. The conditions of the Temporary Use Permit (TUP 16-03) are as follows:
 - a. That the sale and rental of compact construction machinery and equipment be permitted on the aforementioned parcel for a period of three years, with one opportunity for a three year extension granted by Council at the permit expiry;
 - b. That the land owner submits landscape security in the amount of \$12,500.00 and a landscaping plan completed to the satisfaction of the General Manager of Development Services prior to the issuance of this permit. All landscaping is to be completed in accordance with the specifications of the plan;
 - c. That the land owner enters a license of occupation with the City for the use and maintenance of the landscaping area along Bartley and Ross Roads for a period of three years with a three-year renewal period, prior to the commencement of any works/landscaping;
 - d. That the operation shall only consist of the sale, rental, and repair of compact construction machines and small equipment (i.e. light towers, man lifts, skid steers), with the maximum machine size being that of a self-propelled articulating boom (Model: Genie Z-62/40); and
 - e. That the activities associated with the temporary use cease following expiration of the Temporary Use Permit.
4. As a condition of the issuance of this Permit, the City of West Kelowna 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 the Permit within the time provided, the City of West Kelowna 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 below, the security shall be returned to the Permittee. There is filed accordingly:
 - a) **Cheque (no. 228645) in the amount of \$12,500.00**
4. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof.

5. **This Permit is not a Building Permit.**

6. **This Permit is not a Sign Permit.**

7. Subject to the terms of this Permit, where the holder of a permit issued under the *Local Government Act* does not substantially commence any construction with respect to which the permit was issued within two years after the date it is issued, the permit lapses.

AUTHORIZING RESOLUTION NO. (C300/16) PASSED BY THE MUNICIPAL COUNCIL ON
ISSUE DATE: August 29, 2016

TUP EXPIRY DATE: August 23, 2019

Signed on September 1, 2016



City Clerk

I hereby confirm that I have read and agree with the conditions of this Temporary Use Permit (File: TUP 16-03).

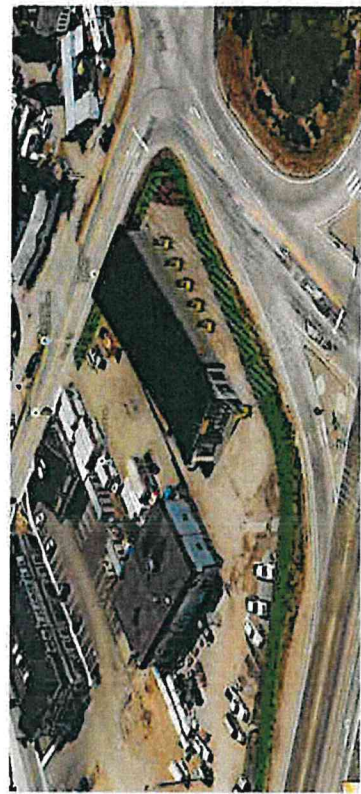
Signed on Aug 30/16



Property Owner or Agent

Attachments:

1. Site Plan
2. Site Rendering



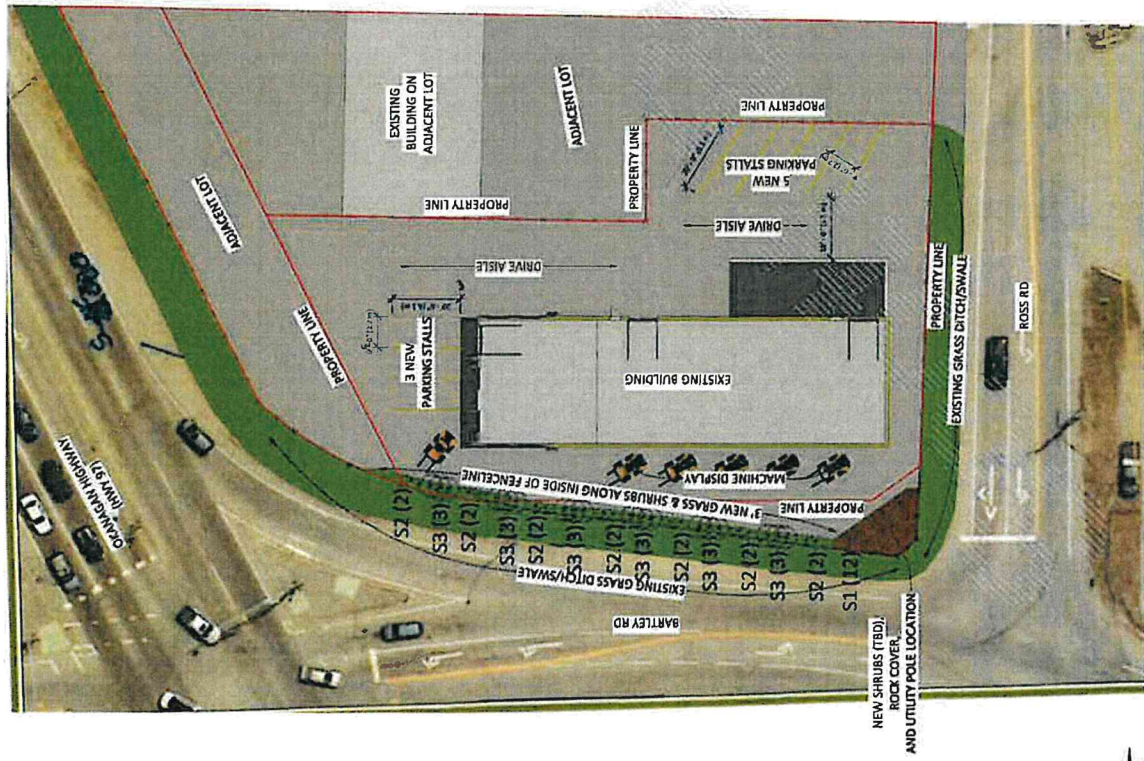
2 Aerial View 11/25am 072116



© 3D View L.L.C. All Rights Reserved



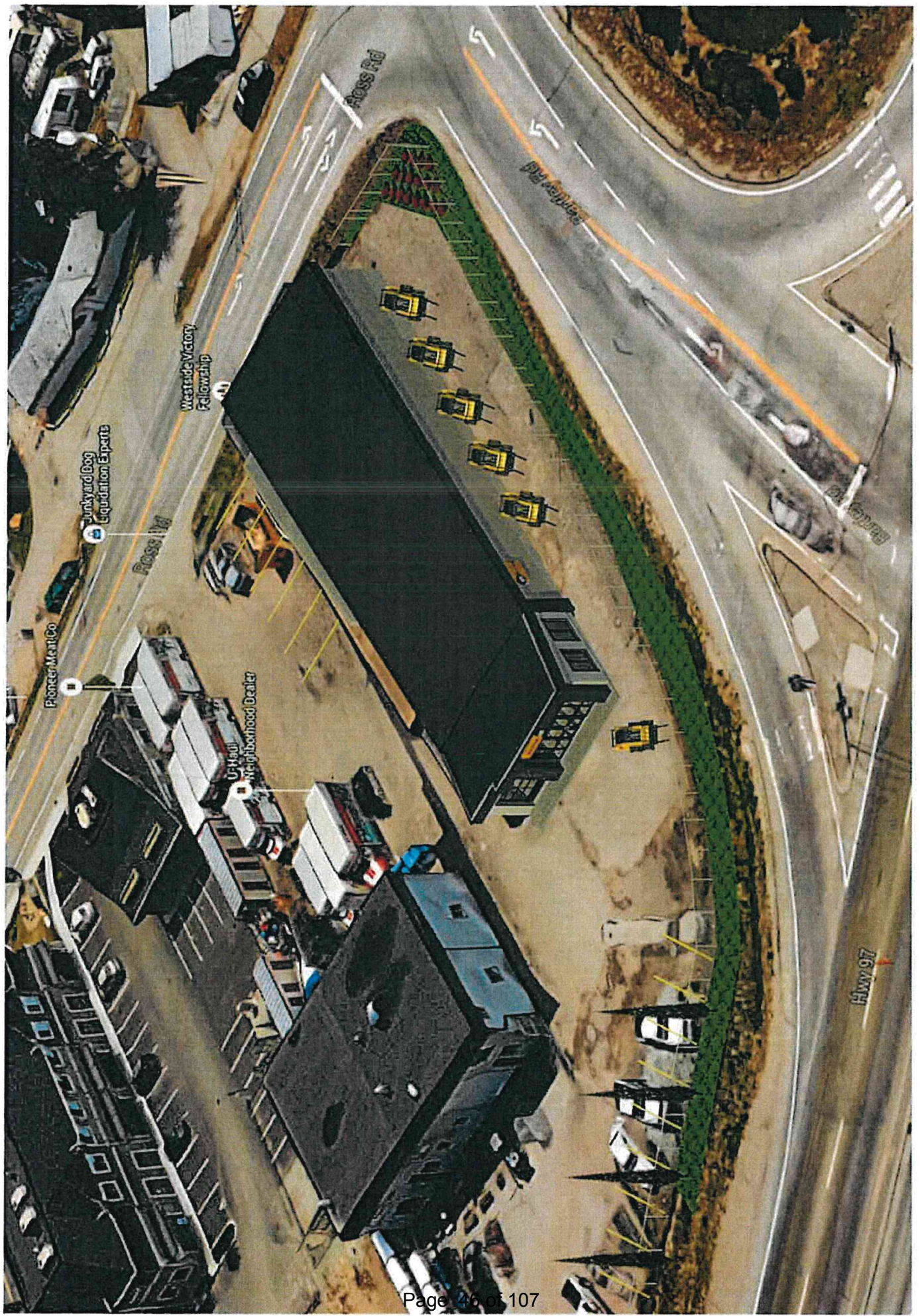
Actual View Size: 113mm C72116



NOTE:
EXACT SHRUB QUANTITY AND SPECIES
TO BE CONFIRMED AT A LATER DATE
BY FINNING

PARKING SCHEDULE			
Type	Count	Type	Description
1	1	STD 1041	Standard 1041
4	5	40 DB 1741	40 Degrees height 1741
			W 2 277
			W 2 277

$$\textcircled{1} \frac{\text{Site Plan}}{1/16"} = 17.0"$$





FILE COPY

LICENCE OF OCCUPATION

THIS AGREEMENT made as of the 31st day of May, 2018 (the "Effective Date")

BETWEEN:

CITY OF WEST KELOWNA

2760 Cameron Road
West Kelowna, BC
V1Z 2T6

(the "City")

AND: **Interlake R/V Adventures Inc.**

3301 McKellar Road
West Kelowna, BC
V4T 1W1

(the "Licensee")

WHEREAS:

- A. The City is the registered owner of the property in the City of West Kelowna, Province of British Columbia, more particularly known and as described as set out in Schedule "A" (the "Property");
- B. The Licensee wishes to use the portion of the Property, as shown on the sketches attached hereto and marked as Appendix A (the "Encroachment Area"), as a parking lot for commercial vehicles;
- C. The City is prepared to allow the Licensee to use the Encroachment Area in accordance with this Agreement:

NOW THEREFORE, in consideration of the covenants herein contained, the City and the Licensee agree as follows:

GRANT OF LICENCE

- 1. Subject to section 2, the City hereby grants a license of occupation to the Licensee to use the Encroachment Area for the parking of commercial vehicles (the "Permitted Use") for the period from May 31st, 2018 to May 30th, 2021, unless earlier terminated pursuant to the terms of this Agreement.
- 2. The Licensee's right to use the Encroachment Area is subject to:
 - (a) Any existing City infrastructure or other improvements and any future City infrastructure and other improvements in or on the Encroachment Area (the "City's Enhancements"). The City will use reasonable efforts to design, construct, repair and maintain the City's Enhancements in a manner that does not obstruct, limit, or otherwise hinder the Licensee's use of the Encroachment Area for the Permitted Purpose any more than is reasonably necessary;

- (b) All rights-of-way, easements, leases, licenses of occupation and other grants made either before or after the Effective Date by the City to any other person or entity. The City will use reasonable efforts to ensure that such grants do not obstruct, limit, or otherwise hinder the Licensee's use of the Encroachment Area for the Permitted Purpose any more than is reasonably necessary;
- (c) The City's right to sell, Lease, grant an interest in, or use for its own purposes all or any portion of the Encroachment Area. The Licensee does not acquire any interest in the Encroachment Area under this Agreement. The City does not grant to the Licensee either by this Agreement, through prescription or otherwise any interest in the Encroachment Area other than the right to use the Encroachment Area pursuant to the terms of this Agreement. The parties acknowledge that the City may require the use of the Encroachment Area for any of the aforementioned purposes during the term of this Agreement. In this case, the City shall give 6 months written notice to the Licensee to vacate the Encroachment Area, and remove any vehicles and equipment from the Encroachment Area, and shall issue a refund to the Licensee for the proportionate share of the pre-paid rent for any unused portion of the term;
- (d) The City's right to use all of part of the Encroachment Area for any purposes, including without limitation, the right of the City (including its employees, agents, contractors and licensees) to maintain, service and repair the City's Enhancements and to cross and re-cross the Encroachment Area for the purpose of accessing other land owned by the City. For greater certainty, the Licensee acknowledges that the City's operations are paramount to any activities of the Licensee on the Encroachment Area that the Licensee may have to cease or change the Licensee's use of the Encroachment Area while, and if, the City undertakes any servicing and repairs of the City's Enhancements. The City will use reasonable efforts to ensure that such activities do not obstruct, limit, or otherwise hinder the Licensee's use of the Encroachment Area for the Permitted Purpose any more than is reasonably necessary, but the Licensee agrees that City will not be responsible nor liable for any damages, costs or expenses that the Licensee incurs, including without limitation, greater operating costs, damages for down time and loss of profits, resulting from the servicing and repairs.

TERMINATION

- 3. Without prejudice to any other rights or remedies, the City may terminate the license granted under this Agreement:
 - (a) By giving the Licensee 30 days written notice if the Licensee breaches any of the Licensee's obligations under this Agreement; or
 - (b) at any time in the City's absolute discretion by giving the Licensee 6 months written notice of termination. In this case, the City will reimburse the Licensee for the proportionate share of the pre-paid rent for the unused portion of the term.
- 4. Notwithstanding the termination of the license granted under the Agreement, the Licensee shall continue to be liable to the City for all payments due and obligations assumed under this Agreement, including without limitation, sections 5 and 10.

LICENSEE OBLIGATIONS

5. The Licensee shall pay the following rent to the City:

- (i) Pay \$7,500 (plus any applicable taxes including GST) payable upon the execution of this Agreement for the 3 year term of this agreement;
 - (ii) The Licensee shall have the option to extend the License for an addition 3 year term upon giving the City 3 month's written notice, and a payment of an additional \$7,500 (plus any applicable taxes including GST).
- (c) Not use the Encroachment Area nor allow the Encroachment Area to be used for any purpose other than the Permitted Use;
- (d) Not assign or transfer this Agreement, including without limitation, the Licensee's rights to the Encroachment Area without the prior written consent of the City. The City, however, may assign this Agreement to a third party, including any purchaser of the Encroachment Area;
- (e) With the written consent of the City, be entitled to construct and install on the Encroachment Area such temporary improvements as the Licensee considers necessary or desirable to enable the Licensee to use the Encroachment Area for the Permitted Use provided that:
 - (i) No improvements shall be constructed or installed on the Encroachment Area unless the Licensee has first delivered plans and specifications to the City for the City's approval;
 - (ii) Before the Licensee initiates any work for any temporary improvements near the location of any the City's Enhancements, the Licensee shall obtain from the City information about the location of such City's Enhancements to ensure that they are not damaged nor affected during the progress of the work;
 - (iii) All work associated with the temporary improvements shall be done in a good and workmanlike manner by qualified and experienced contractors, professionals or tradespeople;
 - (iv) Any such construction or installation by the Licensee shall be at the Licensee's risk and it shall be the responsibility of the Licensee to verify in advance the condition of the Encroachment Area for such works, including without limitation the geotechnical condition of the Encroachment Area and their suitability for the intended improvements. Any consent provided by the City shall not constitute a representation or warranty by the City that the condition of the Encroachment Area is suitable for the proposed works;
- (f) Have permission for the continued existence of the temporary improvements constructed prior to the Effective Date of this Agreement;
- (g) Keep at all times and at the Licensee's expense the Encroachment Area and any improvements constructed on the Encroachment Area (whether or not such improvements were constructed by the Licensee, but excluding the City's

Enhancements) in good repair;

- (h) Not, at any time commit or suffer to be committed any waste upon the Encroachment Area;
- (i) Ensure that in using the Encroachment Area for the Permitted Use, no act whatsoever shall be done or omitted to be done in or upon the Encroachment Area which may result in nuisance, damage or disturbance to the occupiers or owners of any premises adjoining the Encroachment Area or to the holders of any easement, right of way or other encumbrance charging the whole or part of the Encroachment Area, including without limitation, the City's Enhancements;
- (j) Comply with any law, statute, by-law, regulation or lawful requirements of any governmental authority or any public utility lawfully acting under statutory authority and all demands and written notices in pursuance thereof whether given to the Licensee or the City and in any manner or degree affecting the exercise or fulfillment of any right or obligation arising under or as a result of this Agreement or the use or occupancy of the Encroachment Area by the Licensee. If a party receives any such demand or written notices, then that party shall forthwith deliver a copy thereof to the other party;
- (k) Obtain and maintain, during the term of this Agreement:
 - (i) the requisite approvals and certificates to permit the Licensee to use the Encroachment Area for the Permitted Use; and,
 - (ii) insurance coverage such as a reasonable and prudent owner/operator would obtain, having regard to the obligations assumed by the Licensee under this Agreement and the activities conducted by the Licensee, the Licensee's employees, workers, contractors, agents and invitees on the Encroachment Area;
- (l) Use all reasonable efforts to minimize the adverse environmental impact of the improvements and the Permitted Use on the Encroachment Area; and
- (m) By no later than 180 days after the expiry or the sooner termination of this Agreement, have removed, at the Licensee's expense, all improvements constructed after the Effective Date and, if requested by the City at its sole discretion, shall restore the Encroachment Area to their original state unless the City has elected to keep any of the improvements by written notice to Licensee prior to the expiry or the sooner termination of this Agreement, in which case the City may re-enter and take possession of those specified improvements.

6. If any party hereto is comprised of more than one person, all covenants and obligation of those persons shall be joint and several.

RIGHTS OF THE CITY

7. The City or its duly authorized employees, agents or contractors may:
- (a) enter upon the Encroachment Area for the purpose of examining the condition and state of repair of the Encroachment Area and the improvements, and if at any time

as a result of its inspection, the City gives to the Licensee notice of defect or want of repair, the Licensee shall cause the same to be repaired immediately at the expense of the Licensee. The City may only give such notice if the requested repairs are reasonably necessary and not of purely cosmetic nature; and

- (b) without prejudice to the City's other rights and remedies, re-enter the Encroachment Area and repair or maintain the same at the expense of the Licensee if the Licensee shall at any time default in the performance or observance of any of the covenants in this Agreement for or relating to the repair or maintenance of the Encroachment Area or the Licensee's improvements, and in the City's opinion such default affects the safe or lawful use or operation of the Encroachment Area or the improvements or the City's use of the Owner Enhancements or neighbouring lands.

INDEPENDENT CONTRACTOR

- 8. The Licensee enters into this Agreement as an independent contractor and in no sense is the Licensee or any of the Licensee's employees, invitees or agents to be considered an agent of or under the control of the City. No inspection undertaken by the City, granting of a consent by the City, delivery of plans, specifications or other information to the City, nor the Licensee's compliance with any orders or directions given by the City shall relieve the Licensee from complying with, or derogate from the Licensee's obligations to comply with the Licensee's obligations under this Agreement. Without limiting the foregoing, the City is under no obligation to inspect, repair or maintain the Encroachment Area or any improvements approved by the City, or to insure any improvements made or installed by or on behalf of the Licensee.

CONTROL

- 9. The Licensee shall, during the term of this license, be the party in control of the Encroachment Area, including without limitation the condition of the Encroachment Area for safe use for the Permitted Use hereunder, the activities conducted on the Encroachment Area and the persons allowed by the Licensee to enter on them. The Licensee confirms and agrees that the City shall not be liable for any personal injury, including death, or property damage arising from the use of the Encroachment Area by the Licensee or those for whom it is responsible at law.

INDEMNITY

- 10. The Licensee shall indemnify and save harmless the City, its directors, officers, employees and agents from all losses, damages, actions, suits, claims, demands, costs, expenses, fees (including actual legal costs and disbursements expended) and liabilities of any nature whatsoever by whomsoever brought, made or suffered for which the City is or may become liable, incur or suffer by reason of any injury to person (including death) or loss or damage to property or economic loss arising directly or indirectly based upon, arising out of or connected with the use of the Encroachment Area by the Licensee or by its employees, contractors, workers, licensees, invitees, or agents or for any action taken or things done or maintained in connection with this Agreement, the intent being that the City shall be at no expense, or loss, to which it would not have been put but for this Agreement. The foregoing obligations of the Licensee under this section 10 survive the termination of this Agreement.

NOTICE

11. Wherever any notice is required to be given to either party under the terms of this Agreement, the notice shall be in writing and shall be deemed to be sufficiently given if forward by registered mail addressed as follows:

If to the City: City of West Kelowna
2760 Cameron Rd
West Kelowna, BC
V1Z 2T6

If to the Licensee: Interlake R/V Adventures Inc.
3301 McKellar Road
West Kelowna, BC
V4T 1W1

ENTIRE AGREEMENT

12. This Agreement is the complete and exclusive agreement between the parties in respect of the Licensee's use of the Encroachment Area. It supersedes all other correspondence and agreements whether oral or written and any prescriptive rights the Licensee may have or may acquire by operation of law.

The parties intending to be legally bound have caused this Agreement to be executed on the Effective Date first above written.

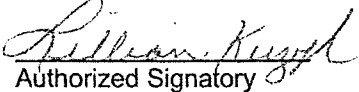
CITY OF WEST KELOWNA

Authorized Signatory

Authorized Signatory

Date

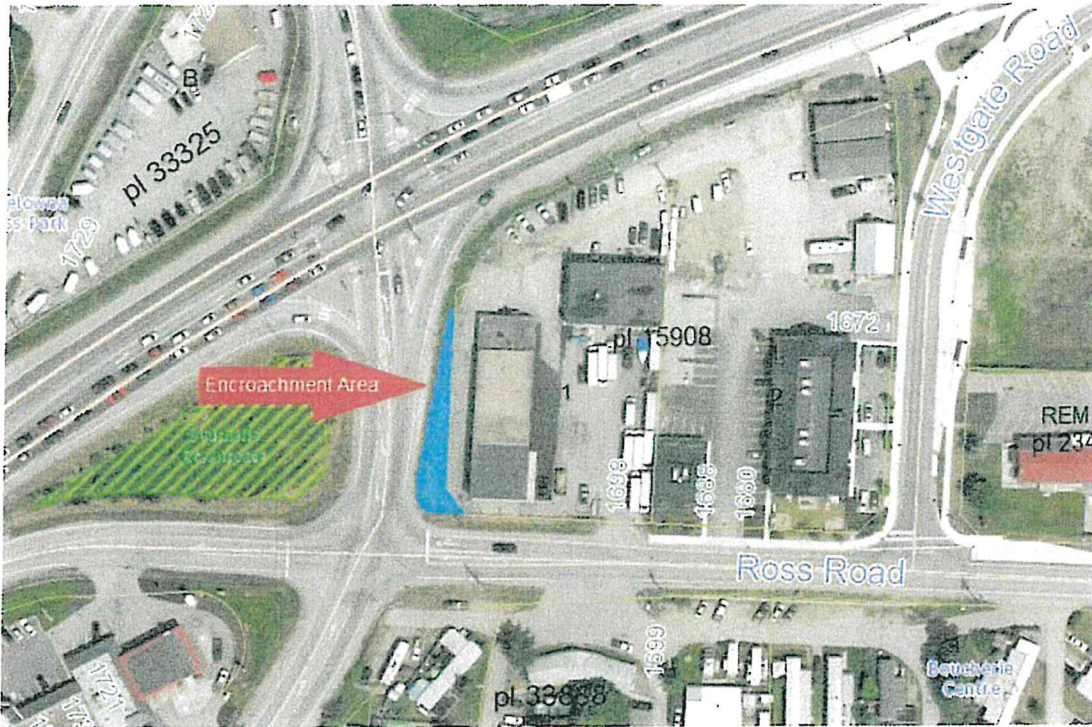
Interlake R/V Adventures Inc.


Authorized Signatory

May 31/18
Date

Schedule "A"

The Property



Encroachment Area for License of Occupation is the highlighted road area adjacent to:

Lot 1, DL 507, ODYD, Plan KAP15908, Except Plan H17081



COUNCIL REPORT
Engineering / Public Works
For the October 22, 2019 Council Meeting

DATE: October 15, 2019
TO: Paul Gipps, CAO
FROM: Steven Gubbels, Design and Inspection Technologist
RE: Powers Creek – Gellatly Road Bridge Replacement – Project Update

RECOMMENDED MOTION:

THAT Council direct staff to close Gellatly Road for the duration of the construction phase of the Powers Creek Gellatly Road Bridge Replacement Project.

RATIONALE:

A risk assessment of the impacts of a full road closure of the Gellatly Road Bridge during the bridge replacement project has been completed. This assessment identified several possible options to mitigate the effects of the closure. Upon review of these options, it was determined that the option of a full closure of the road and accepting the slightly increased risk associated with response times is the only feasible option.

BACKGROUND:

At the March 12, 2019 Council meeting, Staff provided Council a project update of the Gellatly Road Bridge Replacement and identified the need to complete a risk assessment of closing the bridge during construction. The risk assessment determined the impact to the emergency response to the affected area and provided options for staff to consider to mitigate the risks. Working with West Kelowna Fire Rescue, the Engineering Department engaged the Fire Underwriters Survey (FUS) to conduct the risk assessment of the road closure and associated detour. The FUS is a national organization that evaluated public fire protection and emergency response for Canadian communities. The FUS provides information to insurers and municipalities on matters relating to fire risk and public fire protection.

The FUS analysis examined the change in fire protection response routing to the Gellatly Road area that would result from the road closure, and reviewed the temporary re-alignment of emergency response services. The purpose of this was to provide a quantification of the risk level and to determine options for managing the change in risk.

The FUS issued a memorandum on June 20, 2019 (see attachment 1) that outlined the four main options to deal with the proposed bridge closure and resulting change to the response times to the area. The four options were:

1. Replace the bridge with a temporary bridge
2. Do not replace the bridge or make other arrangements – accept the increased risk
3. Use alternate private road/bridge access
4. Store fire engine and pumper at the West Kelowna Yacht Club parking lot and have responding firefighters cross the pedestrian bridge to continue their response

Option 1 was discussed at the Council meeting on March 12, 2019. Stantec explored the possibility of a temporary structure to maintain use of the crossing during construction. It was determined that a temporary bridge would be restricted to a single lane and require full time traffic control. A detour bridge located either up or downstream from the existing bridge would introduce private property encroachment issues, could lead to an increase in utilities conflicts, and increase the amount of instream works leading to further environmental impacts and review. In addition, the estimated cost for the temporary bridge was a minimum of \$550,000 to install a temporary structure. The estimated duration of the actual road and bridge closure is approximately three months within the January to May construction window. Therefore, it was determined that a temporary bridge would not be a feasible option. Instead of a significant additional project cost that provides no lasting benefit, Stantec proposed a full shut down of Gellatly Road during the construction project, while minimizing the impacts of the shut down by scheduling the closure during the off-season.

Option 4 was not supported by West Kelowna Fire Rescue due to concerns with the response times, with the risk of vandalism and increased maintenance costs of storing equipment at the Yacht Club, and the fact that this option adds complexity to the WKFR response.

The FUS recommendation in the report was to explore option 3, using the alternate access across a private road and bridge located at 4074 and 4224 Gellatly Road. The requirement for this option was that the City ensure that the private bridge would be accessible and would successfully support the fire apparatus that would use the private detour route.

Engineering staff requested that the consultant on the bridge project, Stantec Consulting Limited, perform a routine condition inspection and load rating on the private bridge. This inspection was completed on August 13th, 2019. The load rating procedure was completed by Stantec based on standard industry codes for bridge evaluation in British Columbia, using the appropriate WKFR design vehicle. After completing their review, Stantec issued a memo (see attachment 2) stating that the structure was inadequate to support the design fire truck, and their recommendation was that WKFR do not use the private detour and bridge as an emergency vehicle response route.

Staff provided this information to FUS for their consideration in the risk assessment. FUS provided Addendum #1 (see attachment 3) that considered that option 3 was not viable based on the Stantec assessment. This addendum also indicated with options 1,3 and 4 considered not viable, option 2 might be preferable to the City. The FUS considers Option 2 reasonable, as response times are not “not severely affected using the detour route”.

Addendum #1 provided an additional 5th option, which was exploring the use of a light attack first response vehicle across the private bridge. This option was discussed with WKFR, and after reviewing their capabilities, they indicated that this option is not supported operationally by the fire department as they do not have the appropriate “light” vehicle for an adequate response.

As the other options have been proven unfeasible, the final FUS recommendation (see attachment 5) is that Option 2 is the preferred option to the community. They also recommend that if the City proceed with this option, all affected property owners should be notified that the

service level in the area will be slightly delayed, and that residents should take due care and attention to mitigate their risk of fire and accidents during the length of the detour. FUS also suggests developing an emergency evacuation plan for the area, and any potential evacuations of the area should consider the amount of increased time to get all residents out along the single route. It is worth noting that construction is due to take place outside of the traditional wildfire season in order to reduce the risk of needing the second evacuation route.

The Municipal Insurance Association of BC (MIA) reviewed the FUS recommendations. MIA indicated that the notification to residents should include a recommendation that property owners contact their insurers to advise them of the temporary increase in fire service response times so that insurers are fully aware of the situation. They also agreed with the FUS recommendation that the evacuation plan for the area should consider the increased time required to get all residents out along a single route. Property owners and members of the community affected by these changes will be notified of the changes to the evacuation plan in the notice letter.

NEXT STEPS:

The Gellatly Road Bridge project is planned to be completed in three stages:

- Stage 1 – Utility Work on East side of Gellatly Road – Fortis gas line relocated to avoid conflict, work completed October 4, 2019.
- Stage 2 – Construction Phase (Bridge Replacement and road approaches) – anticipated to begin in January and be completed by May 2020, proposed full road closure.
- Stage 3 – Area finishing work – in stream works to be completed in August 2020, during the fish window. Does not require full road closure.

Stantec has completed their design and are in the process of preparing the documents for tender. Throughout the design phase of this project, Engineering and Communications staff have been providing updates to businesses and property owners in the area. City of West Kelowna staff will continue with the communication plan to inform affected residents of the remaining stages of the project, and any potential impacts. There is an Open House scheduled for October 30, 2019, where staff will engage with the public to provide information and receive feedback about the project.

Once these steps have been completed the project will be issued for tender with the intent that contractor can be secured to start the next stage of construction in January of 2020.

COUNCIL REPORT/RESOLUTION HISTORY:

Date	Report Topic/Resolution	Resolution No.
March 12, 2019	Powers Creek – Gellatly Road Bridge Replacement- Information Only Council Report	N/A

FINANCIAL IMPLICATIONS:

Council has approved \$2,000,000 for the construction of the bridge in the 2019 Budget. The estimated construction cost for this project based on the Class A estimate completed by Stantec based on the detailed design is \$1,762,692. This cost includes a 10% cost contingency which is typical for the detailed stage of the design.

ALTERNATE MOTIONS(S):

THAT Council direct staff to explore the temporary bridge option. This would significantly increase the cost of the project to the City and delay project timelines.

REVIEWED AND APPROVED BY:

Jason Brolund, Fire Chief
Rob Hillis, Engineering Manager
Allen Fillion, Director of Engineering and Public Works
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

1. City of West Kelowna - Proposed Gellatly Bridge Closure and Impact on Risk_rev01.pdf
2. Bennett Private Bridge Inspection and Load Rating.pdf
3. City of West Kelowna - Proposed Gellatly Bridge Closure and Impact on Risk - Addendum 1.pdf
4. Gellatly Alternate Access.jpg
5. City of West Kelowna - Proposed Gellatly Bridge Closure and Impact on Risk - Addendum 2.pdf



MEMORANDUM

date: June 20th, 2019
to: Jason Brolund, Fire Chief, West Kelowna Fire Rescue,
cc: Steven Gubbels, Design and Inspection Technologist
from: Michael Currie
file #: 5901111
subject: **Consultant Service to Review Proposed Temporary Fire Protection Response Re-alignment during Bridge replacement**

Dear Chief Brolund,

The City of West Kelowna advised Fire Underwriters Survey of a bridge replacement project that would impact fire department response to one area of the community. The City requested that FUS conduct a brief analysis and comment on the impact on risk levels that the project would have. As requested, FUS has completed an analysis of the response impacts and options for minimizing those impacts resulting from the bridge replacement project on Gellatly Road in West Kelowna.

The findings of the risk assessment and conclusions are provided within this letter for your review. These findings are not comprehensive and provide a simple, high level view of the impact on risk and mitigation options relevant to this project and change in response routing.

Fire Underwriters Survey (FUS) is a national organization that evaluates public fire protection and emergency response for all Canadian communities and publishes its findings in the Canadian Fire Insurance Grading Index for use in statistical and underwriting evaluation by the Property and Casualty insurers. In addition to providing data to insurers, FUS provides information to municipalities and other interested parties on matters relating to fire risk and public fire protection on request.

Please let us know if there are any questions or comments relating to the findings described in this letter. Thank you for your proactive interest in public fire protection and risk management.

Michael Currie, P.L. (Eng), PMSFPE

Fire Underwriters Survey



1 Description

The City of West Kelowna notified Fire Underwriters Survey (FUS) that there will be a change to public fire protection response routing in the Gellatly Road area in the southern portion of the municipality as shown in Figure 1. The small bridge that normally provides access in and out of this area along the waterfront will be removed from service for several months while being replaced.

During the period of time that the bridge is out of service, access to the affected area shown in Figure 1 will be limited to one primary access road, the western portion of Gellatly road. Under normal conditions there would also be access in and out of the area via the eastern portion of Gellatly Road along the waterfront.

The City of West Kelowna has requested that FUS review the proposed temporary re-alignment of emergency response services and provide a quantification of the change in risk level as well as a review of options for dealing with the risk change.

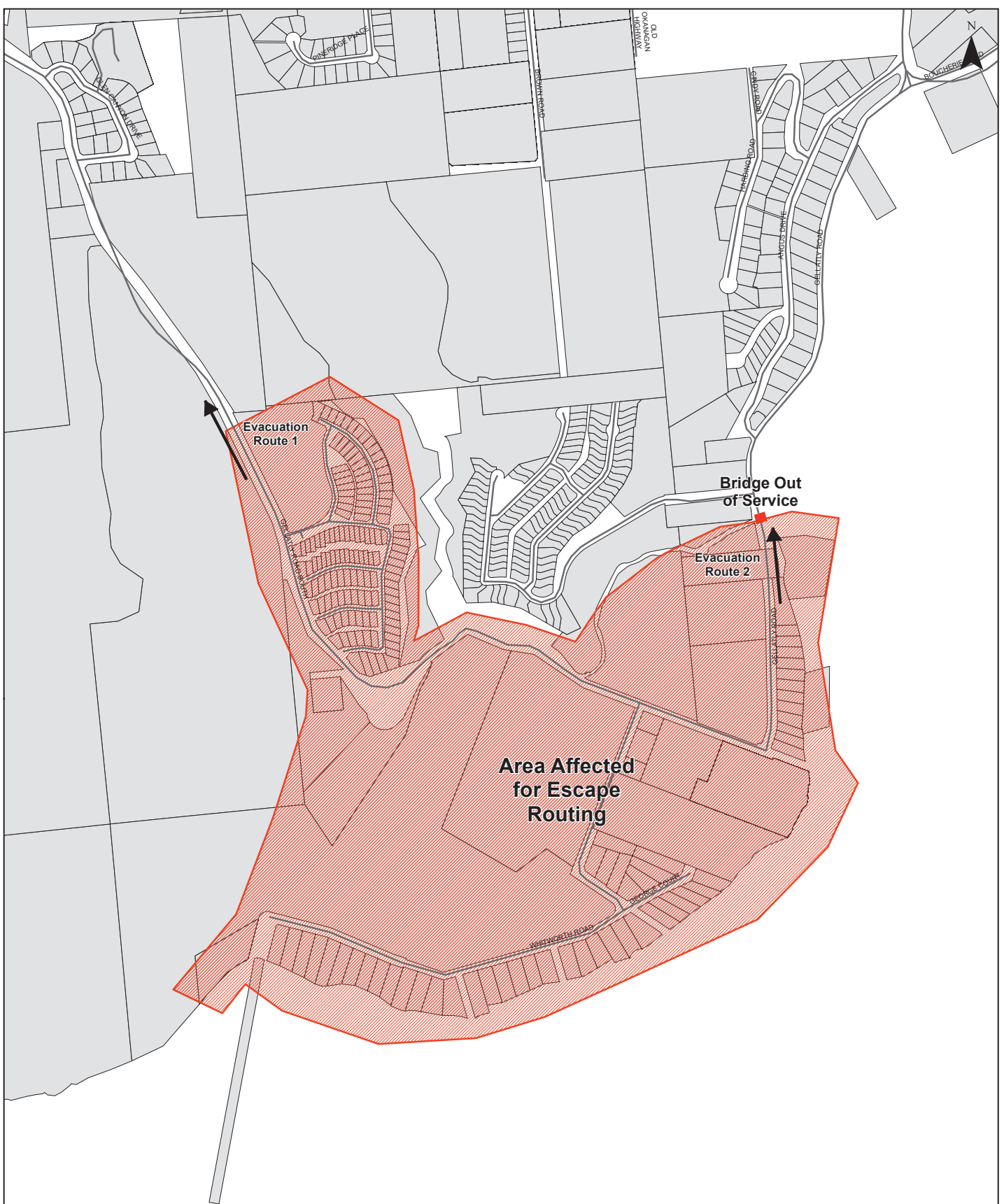
2 Quantification of Risk Change.

The risk in the affected area is quantified as follows:

- Approximately 200-300 buildings, mostly single family residential (SFR)
- Waterfront SFR notably large scale and high value
- Waterfront SFR not hydrant protected
- Canyon Park SFR – closely spaced and large dwellings (larger than typical dwellings)
- Some multi-family residential (MFR) buildings
- Some commercial (ex. Cove Resort, Yacht Club, marina)
- Some critical infrastructure (ex. Wastewater Treatment Plant)
- Population of area is not known, but estimated at under 1,000 at any given time

With respect to fire, the primary changes in risk levels resulting from the bridge closure relate to:

1. The change in response time for the risks in the affected area.
2. The change in available emergency evacuation routes for occupants of affected area.



Legend

- Road
- Affected Area
- Parcel

Figure 1 - Primary Area Affected by Bridge Closure

Scale = 1:2,500



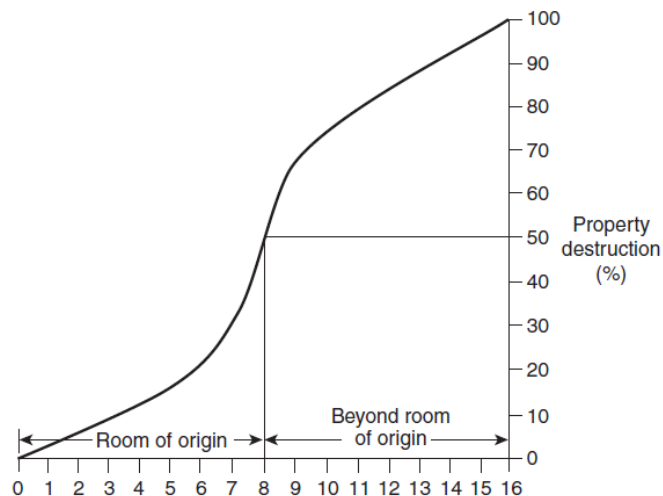
Fire Underwriter Survey
A Service for Insurers and Municipalities



2.1 Fire Propagation and Property Damage

Every fire propagates at a different rate and the speed of propagation is influenced by many variables. However when looking at large numbers of dwelling fires the National Fire Protection Association has developed the following fire propagation curve which is referenced for career fire department responses to dwelling fires.

Figure 2 Fire Propagation Curve for Typical Dwelling



Although some fires may burn more quickly than the one illustrated in Figure 2 other fires may burn more slowly. However the fires that are robust enough to become fully involved structure fires will generally follow a propagation curve that is similar to this. The curve is useful when considering probable impact on property damage as a result of changes to initial response times. Depending on how close the fire is to flashover (the almost vertical portion of the propagation curve), the percentage of property destruction could be less than 10 % for an increase of 2 minutes in response time or property damage could be increased by 20% for an increase in response time of 1 minute at, or near, the time of flash over.

As the proposed changes in response routes are considered and quantified in increased minutes for initial response, consideration should be given to this figure and potential impact on property destruction for any given fire that may occur.

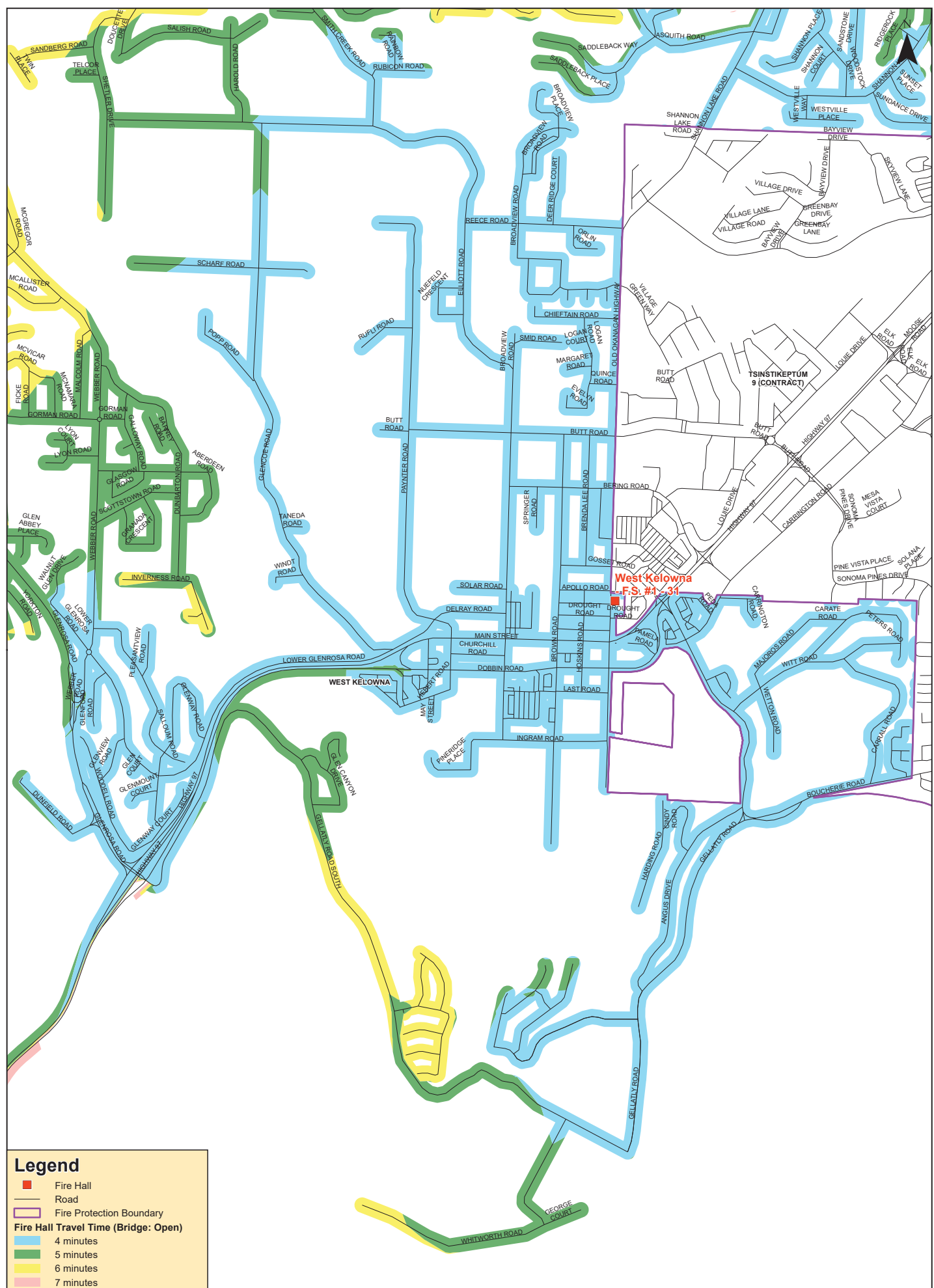
2.2 Issue 1 – Change in Emergency Response Times

When fire department response times increase, particularly with respect to initial response, then damages and risk of injuries also increase. This applies to calls for fires, medical response and other types of incidents such as motor vehicle accidents.



The response times for the first responding Fire Hall (31) to the affected area can be compared and contrasted between the bridge being in service (normal routing) and the bridge being out of service (routing that does not go across the bridge) in Figures 3 and 4.

In Figure 4, the response route for apparatus companies responding from FH31 are routed around to the west as the bridge is removed from service.





2.3 Issue 2 Change in available evacuation routes

The affected area has two primary ways in and out. Gellatly Road services the area in the shape of a “V” with “in” and “out” access in the north west and north east directions. The proposed bridge replacement would eliminate access to the north east evacuation route, leaving only the north west evacuation route for all properties and occupants in the affected area. The north west route is significantly exposed to wildfire risk in the Goats Peak Park and if this area has a significant wildfire, then moving all occupants out of the area may be challenged.

3 Options

Several options have been considered to deal with the proposed bridge closure and resulting altered emergency response times to the affected area.

- Option 1) Replace bridge with temporary bridge. Fully mitigate the risk. This option would be to build a temporary bridge that would ensure the same level of emergency response access throughout the project. This option would ensure that all emergency response times would remain the same during the project as at other times. Also, this option would maintain two primary access routes in and out of the area. The advantage of this option is that there is no increased risk. However, there is significant added cost with this option.
- Option 2) Do not replace the bridge or make other alternative arrangements. Accept the increased risk. This option would be to accept the risk of taking the bridge out of service. This would result in increased response times for fires, medical responses, motor vehicle accidents and other types of responses. The increase in initial response time would be in the order of 1-4 minutes in most cases. This option would also result in there only being one primary access route in or out of the area. The advantage of this option is that there is no added cost. However there is significant added risk with this option. If this option is selected, then careful advance planning should be undertaken to quickly evacuate the area if a wildfire grows in the Goats Peak Park Area.
- Option 3) Use alternate private road access. A property in the affected area (the Bennett property) has a small private road and bridge that could potentially be used as an alternative route during the time period where the bridge is out of service. This option would require that steps be taken to ensure that the private road and bridge are accessible and can successfully bear the appropriate loads for the fire apparatus that would use this route.



This option would incur some costs as the property owner may need to be compensated for maintaining this access as well as setting up signage etc., to reduce the risk of accidents or damage on the private property.

This option would result in the occupants of the area having a secondary evacuation route for use during emergencies as well as the fire department having access for initial response that does not require a significant increase in response distance.

Option 4) Store a fire engine/pumper at the Yacht Club parking lot and have fire fighters drop their primary apparatus at bridge, walk across and pick up temporary apparatus, then continue responding. See

- a. Keep engine in Yacht Club parking area at north end (short walk estimated 75 +/- 15 second delay)
- b. Keep engine in Yacht Club parking area at south end (longer walk estimated 150 +/- 30 second delay)

Although not ideal, the fire department could make arrangements to store an apparatus at the Yacht club parking lot for the duration of the project. With this option, fire fighters would respond from Fire Hall 31 normally, but would park their apparatus at the out of service bridge, then walk across (assumption that walk across access can be maintained throughout the project). If the fire department is able to temporarily store that apparatus at the north end of the Yacht Club Parking Lot, the walk across would be short, however it is unlikely this would be possible as it would interfere with boat launch access. Parking an apparatus at the south end of the parking lot would result in fire fighters having to make a longer trek from where they drop off the apparatus to where they pick up the temporarily stored apparatus, resulting in increasing delays to response times.

The “walk across” option would likely incur costs for the temporary use of a portion of the Yacht club parking area, however such costs would likely be low. There would be an increased risk of damage to apparatus resulting from mischief and vandalism if the apparatus is stored in the open as it is an attractive nuisance. Should this option be selected, consideration should be given to setting up a temporary shed/garage to protect the apparatus from the public.

The walk across option would limit the increase in response times, however, would not provide for a secondary emergency route out of the area in case the primary route becomes compromised. If this option is selected, then careful advance planning should be undertaken to quickly evacuate the area if a wildfire grows in the Goats Peak Park Area.

To give an estimate of the range of changes in response times for each of the options, the following risk example locations were selected to be analysed.



- Gellatly Place
- The Cove Resort
- Wastewater Treatment
- 2583 Whitworth Rd
- Canyon Ridge
- 2990 Seclusion Bay Rd

See Figure 5.

Total Response times were estimated using

- 1.5 minutes for call handling (includes alarm handling and dispatch)
- 2 minutes for career response turn out time (Fire Halls 31 and 32)
- 7 minutes for volunteer / paid on call response turn out time
- Travel time from wheel start to wheel stop using the insurance industry formula:

$$T(\text{min}) = 0.65(\text{min}) + 1.065(\text{min}/\text{km}) \times D(\text{km})$$

- The travel time formula considers an average speed during trip of 56km/hr and applies a constant (.65 min) for acceleration and deceleration during trip
- Note fire detection time is not factored in

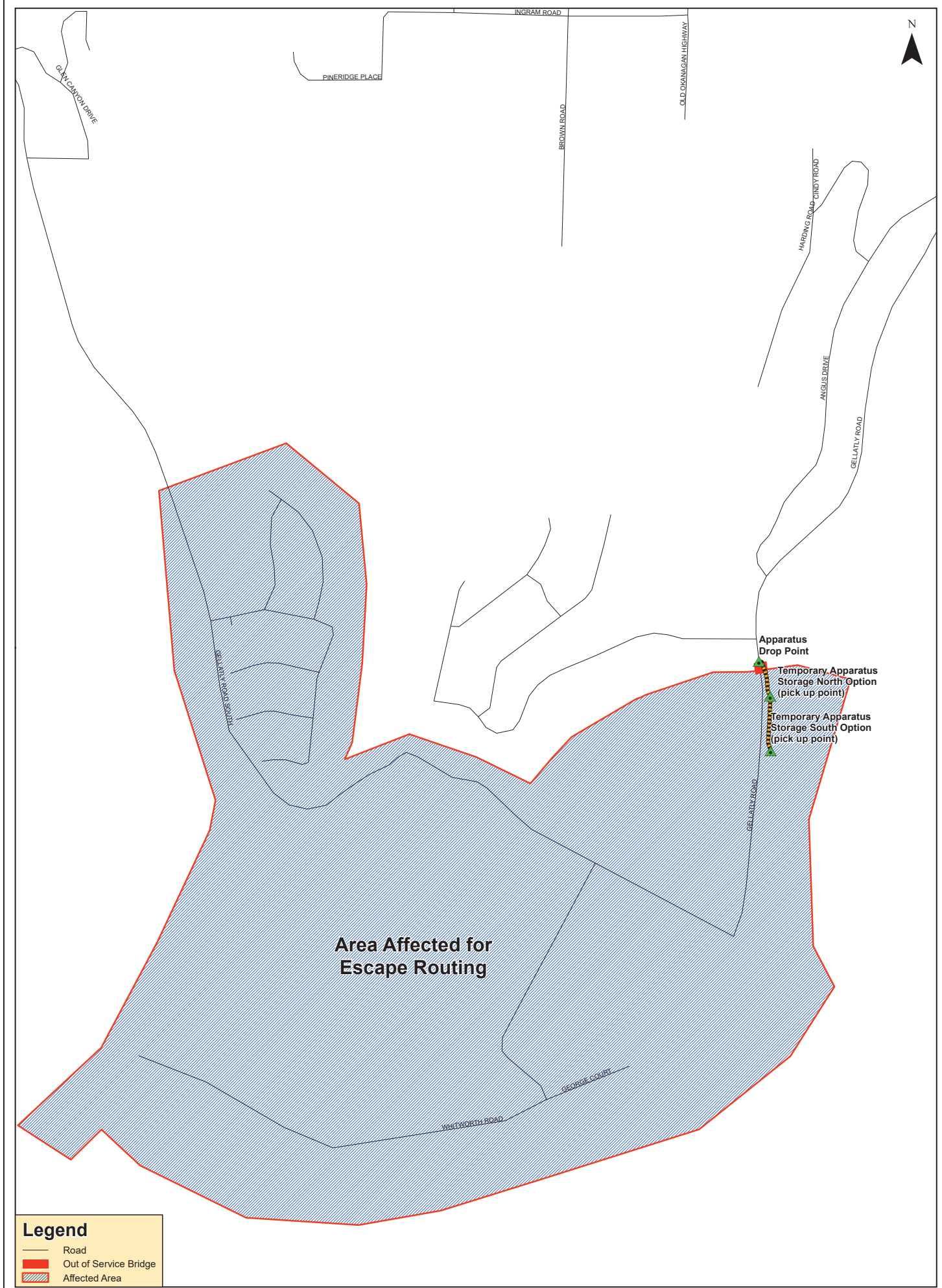
The difference in Total Response times from each of the respective firehalls to each of the selected representative risk locations is shown in Figure 7 through Figure 11.

Note that the Total Response times using the Options 4A and 4B shown in the figures as “Walk across” methods are only shown for responses from Fire Hall 31 as this option would include a single apparatus on the far side of the bridge so only Fire Hall 31 would use this option.

Note that the second option for each of these figures is “Using bridge out of service” which refers to the travel route where the bridge is out of service so the apparatus must travel around using the alternate route.

The third option shown in each figure refers to Option 3, the use of the private road (Bennett property).

The final two options shown in each figure refer to options 4A and 4B where the FH 31 responders would drop their apparatus off at the bridge, walk across and pick up a stored apparatus from the north or south end of the yacht club parking area.



Legend

- Road
- Out of Service Bridge
- Affected Area

Figure 5 - Image Access Options

Scale = 1:2,000



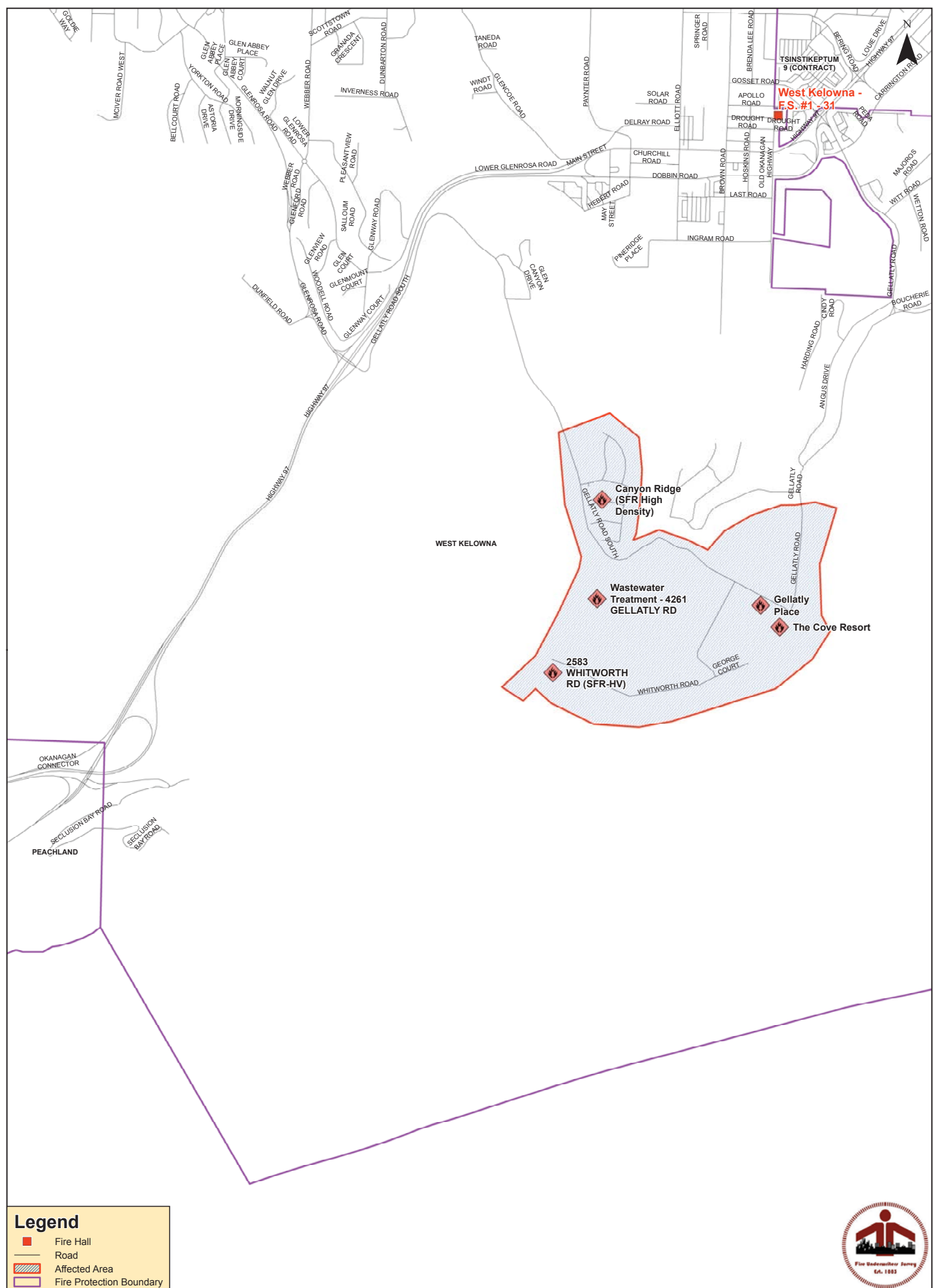




Figure 7

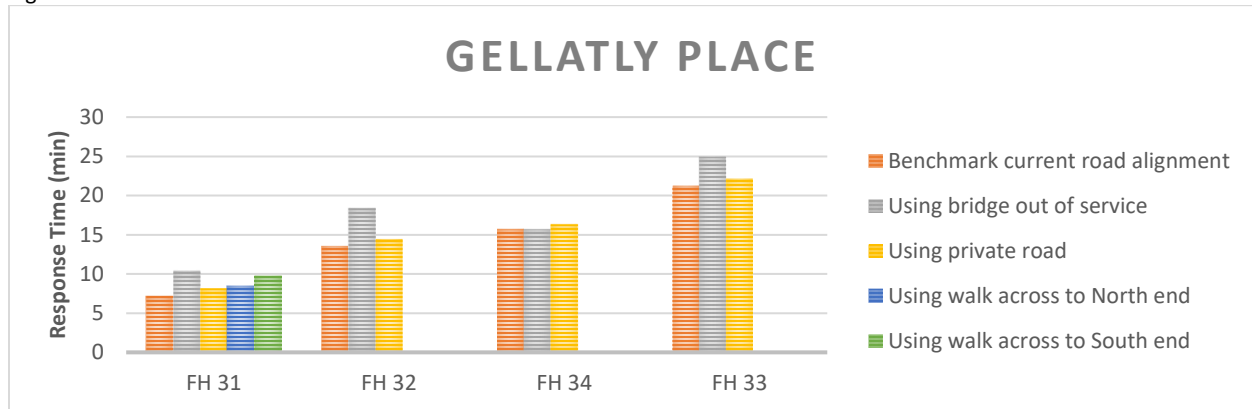


Figure 8

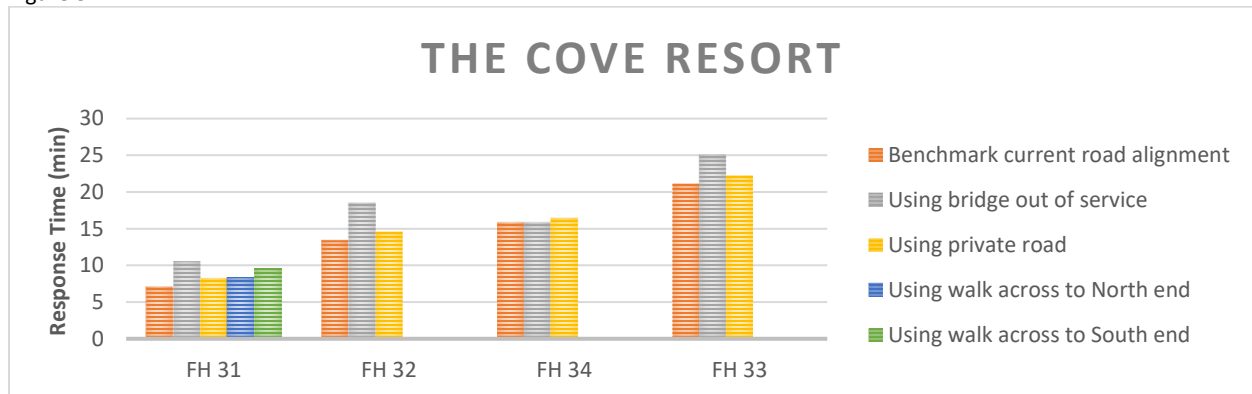


Figure 9

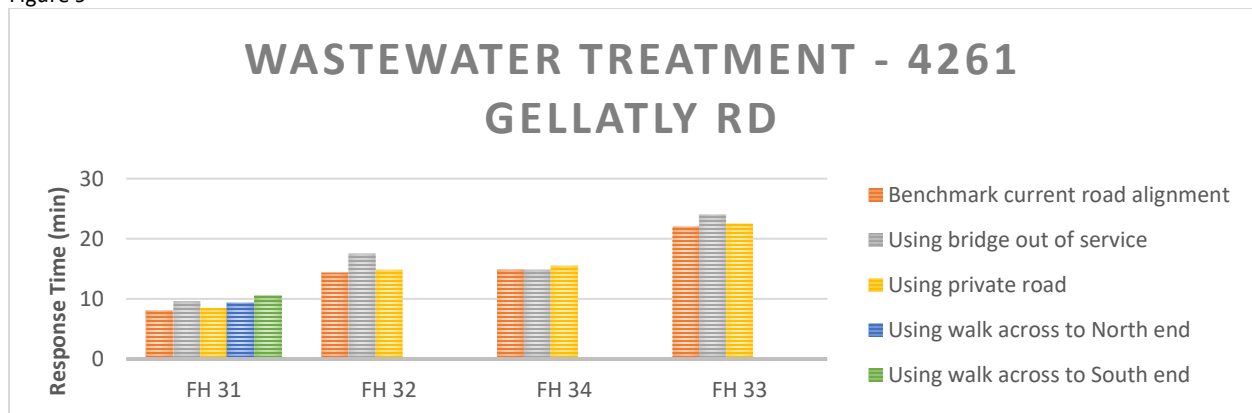




Figure 10



Figure 11

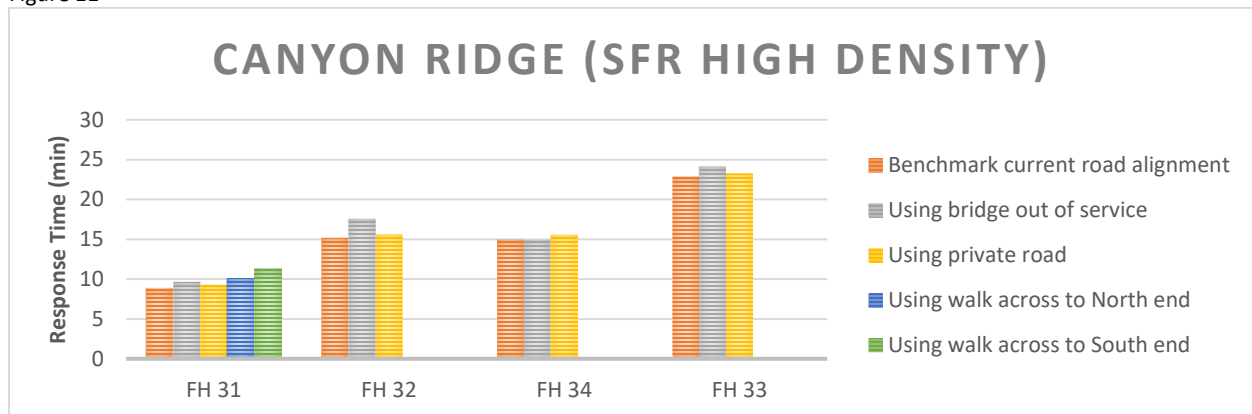


Figure 7 through Figure 11 illustrate the differences in minutes for Total Response times to each of the selected representative risk locations. To further clarify and more clearly compare the differences in Total Response times Figure 12 through Figure 16 have been created to show the percent difference in total response time of the different options. The percent difference is determined by comparing the benchmark, or “normal Total Response time” with the bridge in service, to the altered response time for the option considered.

For example, if the normal Total Response time was 10 minutes and the altered total response time was 14 minutes, the percent difference would be 40% increased.

Note that for some alternate response options, there is no change in response time, so the percent difference is shown as 0. Also note that the walk across options are only displayed for Fire Hall 31.



Figure 12

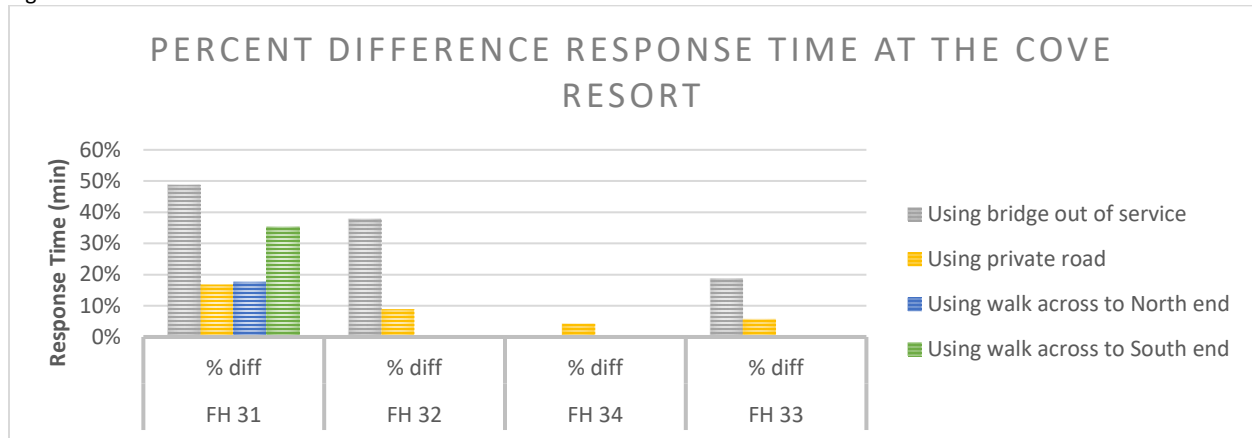


Figure 13

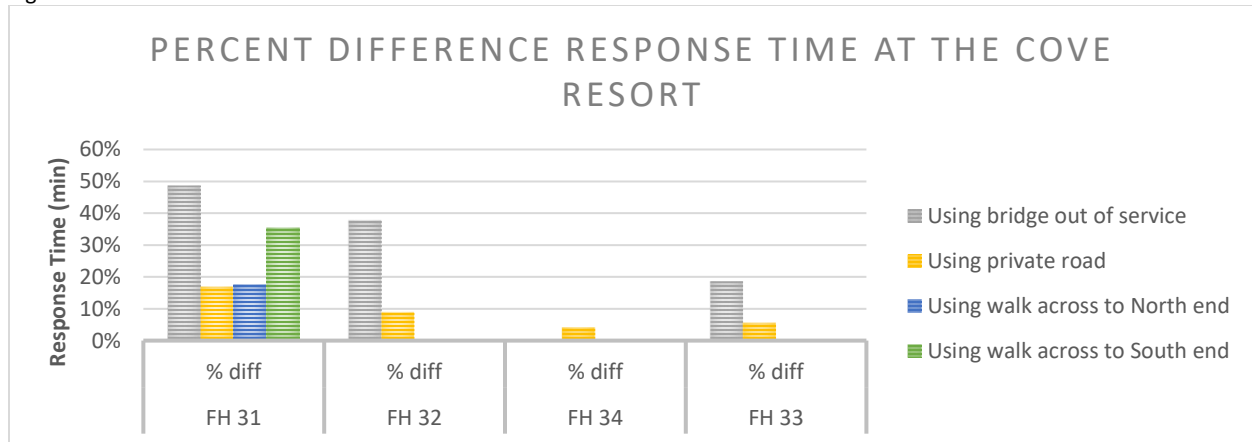


Figure 14

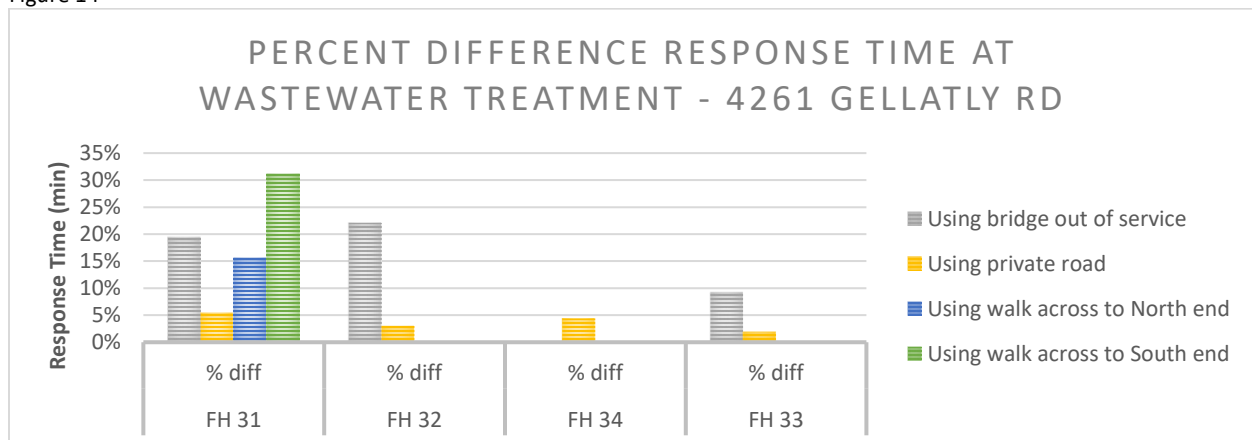




Figure 15

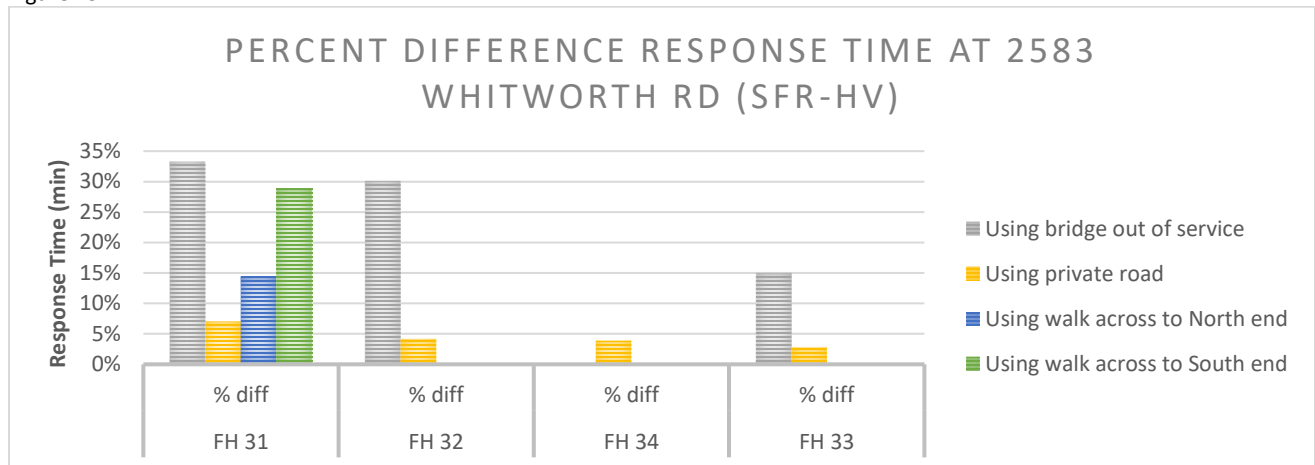
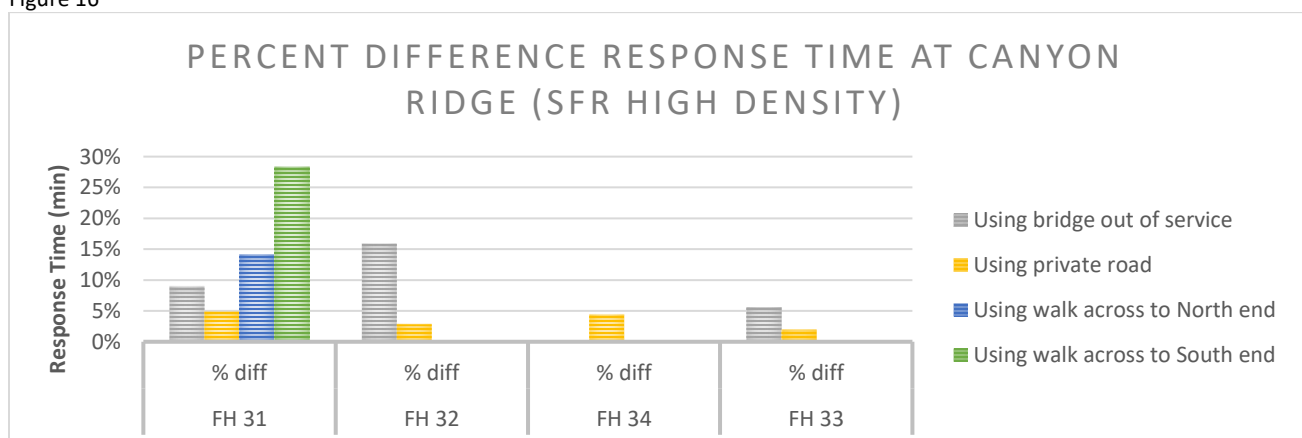


Figure 16



4 Conclusion

Based on this analysis, the impact to response times for initial response from Fire Hall 31 to properties in the affected area, vary by up to 50%. It is difficult to quantify exactly what this means in terms of dollar values, however each additional minute that a structure fire burns prior to intervention significantly increases property damage and the risk of injury to occupants and fire fighters responding. Review



Figure 2 Fire Propagation Curve for Typical Dwelling for a rough idea of the possible ranges of property destruction change per minutes in increased initial response time.

In NFPA 1710, the Standard for Career Fire Departments published by the National Fire Protection Association, the response standard of 4 minutes travel time, 2 minutes turn out time and 90 sec call handling time is the benchmark that should be achieved 90% of the time for typical dwellings.

Responses from Fire Hall 31 are the most impacted by the project as this Fire Hall is generally the first responding to the affected area. The first responding fire hall has the greatest impact on the severity of damage for structure fires.

Weighing the advantages and disadvantages of each of the options considered, **Option 3 is recommended as it results in the least impact on response times and provides a secondary evacuation route out of the area** in case of a severe emergency that limits access out of the area using the western portion of Gellatly Road.

Using Option 4, the walk across method, and storing an apparatus at the Yacht club parking lot does not significantly improve response times as compared to driving around and does not mitigate the secondary evacuation route issue.

Regardless of option selected, due care should be given to the creation of an evacuation plan in the case of wildfire.

August 22, 2019
File: 115818067

Attention: Steven Gubbels

City of West Kelowna
204 – 879 Anders Road
West Kelowna, BC
V1Z 1K2

Dear Mr. Gubbels,

Reference: R.J. Bennett Homestead Bridge Inspection and Load Rating

1 INTRODUCTION AND SCOPE

As per your request, Stantec Consulting Ltd. (Stantec) has performed a routine condition inspection and load rating evaluation of the R.J. Bennett Homestead Bridge. The subject bridge site is located over Powers Creek, upstream of the Gellatly bridge site on a private property accessed from Flying Horse Drive.

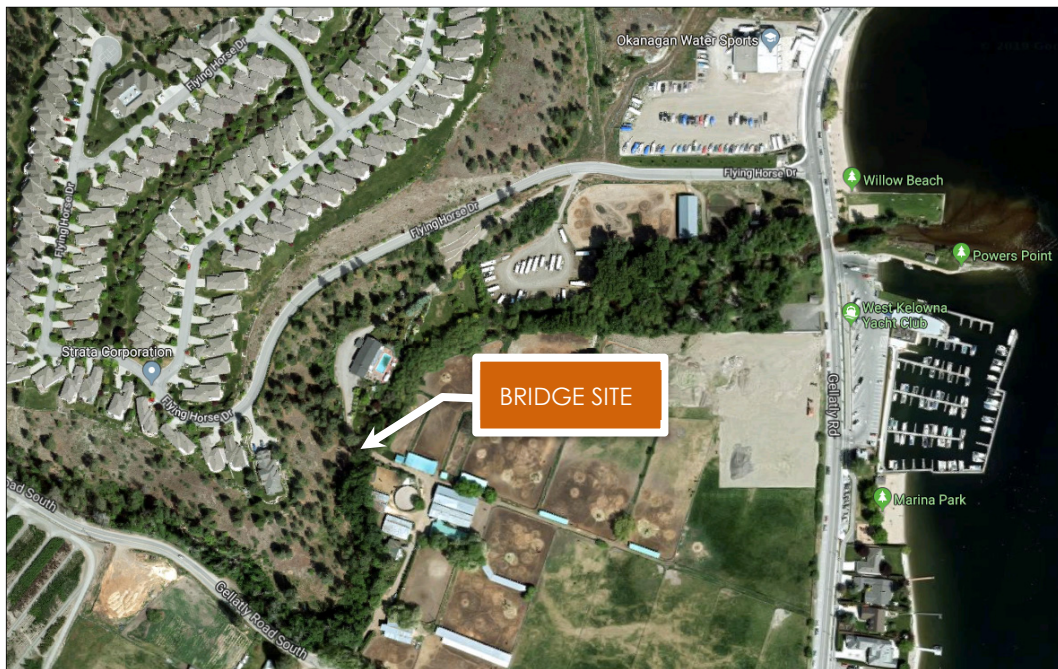


Figure 1: Vicinity Map¹

¹ <https://goo.gl/maps/vEcqSXk3dyM2>



August 22, 2019
Steven Gubbels
Page 2 of 6

Reference: R.J. Bennett Homested Bridge Inspection and Load Rating

The R.J. Bennett Homested Bridge is a 6.54m single span precast reinforced concrete girder structure supported on concrete abutments. The structure carries a single lane private road across Powers Creek. The original design load and history of past usage were unknown at the time of the inspection.



Figure 2: Bridge Elevation

We understand that City of West Kelowna Fire Rescue is reviewing a vehicle detour through this private property and over the afore mentioned bridge structure. Fire Rescue intends to complete a drive through of this potential detour using their emergency response vehicles to test the response time to the Gellatly Road South area should the Gellatly bridge be out of service.

2 CONDITION INSPECTION

A routine condition inspection of the bridge structure was performed on **August 13th, 2019** by Mike Unger, AScT and Craig Mankey. The purpose of the inspection was to document the existing site conditions to assist in determining the load carrying capacity of the structure.

The inspection was completed in accordance with the current BC MoTI bridge inspection standards. Note that BC MoTI defines a routine condition inspection as follows:



August 22, 2019
Steven Gubbels
Page 3 of 6

Reference: R.J. Bennett Homestead Bridge Inspection and Load Rating

"A visual inspection and condition rating of all the components in a structure. Some deteriorating components may receive a more thorough investigation. This inspection occurs on a routine basis. As of 1999, MoTI practice is to perform routine inspections once every calendar year."

The findings of the routine inspection are contained in the Structure Condition Inspection Report attached to this memo.

3 LOAD RATING PROCEDURE

Following the inspection, a load rating evaluation was completed for the R.J. Bennett Homestead Bridge based on the following industry codes for bridge evaluation in British Columbia:

- Bridge Standards and Procedures Manual, Volume 1 – Supplement to CHBDC S6-06, BC Ministry of Transportation and Infrastructure, August 2007 (Section 14 updated August 2009)
- Canadian Highway Bridge Design Code and Commentary, CAN/CSA S6-14

Applied loading on the structure was assumed as summarized in Table 1 below:

Table 1: Assumed Evaluation Loads

Load	Description
Dead Load Self-Weight	<ul style="list-style-type: none">• Precast Concrete Stringers and Deck• Bridge Curbs
Live Load	<ul style="list-style-type: none">• CL1-W truck load (60 tonnes G.V.W. approx.), lane load• E31 Fire Truck (21 tonne G.V.W.)

Per CSA S6-14 Section 14, the following evaluation parameters were selected:

- System Behavior Category S2 -- System behavior characterizes the consequences of failure of an element with respect to the overall structure. Category S2 assumes that element failure will probably not lead to total collapse.
- Element Behavior Category: E3 -- Element behavior is subject to gradual failure with warning of probable failure.



August 22, 2019
Steven Gubbels
Page 4 of 6

Reference: R.J. Bennett Homestead Bridge Inspection and Load Rating

- Inspection Level: INSP2 -- Inspection level characterizes the level of inspection completed. Level INSP2 refers to inspections completed to the satisfaction of the evaluator with results recorded and available for evaluation.
- Target Reliability Index, $\beta = 3.00$ -- The target reliability index incorporates the system behavior, element behavior and inspection level for the structure into a single number representing the uncertainty associated with the load evaluation results. A higher index requires higher load/safety factors.

The opinions and recommendations presented herein are subject to the following assumptions and limitations:

- Shop drawings for precast elements of the bridge from Advance Precast Ltd.
- No geotechnical reports, traffic volume data or other construction documents were available at the time of this report.
- The construction date, original design load, and history of past usage are unknown at the time of this report.
- Material properties for the concrete strength and the steel reinforcement grade were assumed as per CAN/CSA S6-14 Section 14 due to the lack of information.
- Load ratings were performed for the superstructure only. No substructure analyses have been performed.
- The standard CL1-W has been evaluated based on CAN/CSA S6 requirements. Per the City of West Kelowna request, a specific vehicular load case of a 21 tonne Fire Truck emergency vehicle was also evaluated.
- Detailed design review was not performed as part of this scope of work. Rigorous structural analyses/calculations and in-depth seismic evaluations were not performed.
- Load rating values are provided at a high-level only, based on Stantec's reasonable professional judgment, experience and information available at the time of this report.



August 22, 2019
Steven Gubbels
Page 5 of 6

Reference: R.J. Bennett Homestead Bridge Inspection and Load Rating

4 LOAD RATING RESULTS

The Live Load Capacity Factor (LLCF) ratings was develop using the equation taken from CAN/CSA S6-14 Section 14 and represents the ratio of the member resistance to the load demand. The rating factor incorporates dead and live load factors to adjust for uncertainties in the assumed design loads and variations in material properties. A LLCF below 1.0 indicates the subject component is not achieving the required resistance for the specific load demand under analysis.

A summary of the results can be found in the table below:

Table 2: Summary of Results

Element	Failure Mode (Units)	Critical Section	Factored Dead Loads (Per Element)	Live Load (Per Element)		Factored Resistance	LLCF
				Load Case	Factored Load		
Longitudinal Stringer	Positive Moment (kNm)	At Midspan	6.2	E31 Truck	43.9	41	0.61
Longitudinal Stringer	Shear (kN)	At Support	4.1	E31 Truck	50.1	226	4.33

The structure was found to be **INADEQUATE** to support the 21 tonne E31 Fire Truck. The governing structural member identified to be the Longitudinal Stringers under flexural demands due to the E31 vehicle.

5 RECOMMENDATIONS

Based on our findings, **we conclude that the structure is not suitable to carry the emergency response vehicle E31 and recommend that the City of West Kelowna Fire Rescue DO NOT use the proposed detour and private road as a possible emergency vehicle response route.**

6 CLOSURE

We trust you find this letter summarizing our inspection and evaluation of the structure acceptable. If you have any questions or require further information, please do not hesitate to contact the undersigned.



August 22, 2019
Steven Gubbels
Page 6 of 6

Reference: R.J. Bennett Homestead Bridge Inspection and Load Rating

Regards,

STANTEC CONSULTING LTD.

Mike Unger, ASCT
Senior Structural Technologist
Phone: (250) 852-5927
Mike.Unger@stantec.com

Eduardo Arellano, M.Eng., P.Eng.
Bridge Engineer
Phone: (778) 471-7739
Eduardo.Arellano@stantec.com

Attachments:

- Structure Condition Inspection Report (August 2019)

STRUCTURE CONDITION INSPECTION REPORT

Inspected by:	Mike Unger, ASCT & Craig Mankey	Date:	August 13, 2019
Reviewed by:	Mike Unger, ASCT	Inspection Type:	Routine

IDENTIFICATION

Structure No:	-	Feature Crossed:	Powers Creek
Status:	In Service	Detour Length (km):	6.9
Facility Carried:	Private Road	Latitude (Geographic):	49°48'52.66"N
Functional Class:	Local Road	Longitude (Geographic):	119°37'39.59"W

INVENTORY DATA

Year Built:	2004 superstructure (substructure unknown)	Roadway Width (m):	3.5
No. of Lanes:	1	Posted Speed (km/h):	N/A
Structure Length (m):	6.54	SADT:	N/A
Structure Width (m):	4.39	% Trucks:	N/A
Superstructure Type:	Concrete precast t-slabs	Sidewalks:	0
Substructure Type:	Concrete abutment on unknown foundation	Median Type:	N/A
Skew Angle:	0°	Utilities Carried:	pvc irrigation line on downstream exterior
No. Spans:	1	Vert. Clearance Above:	Unrestricted
Main Span Length:	6.54m	Vert. Clearance Below:	1.45m
Posted Load Limit:	N/A	Lat. Clearance Below:	5.25m

CONDITION RATING

Component Group/ Component

	E	G	F	P	V	X	N/A	Inspection Notes
HYDROTECHNICAL:								
1 Debris Risk				100			No	Skew and mature trees and vegetation along embankments upstream, minimal clearance
2 Channel			100				No	Narrow channel and sediment bars upstream.
3 Erosion Protection		100					No	Large rip rap at bridge
4 Substructure Scour		100					No	No evidence of scour at time of inspection.
SUBSTRUCTURE:								
5 Fdn. Movement		100					No	Evidence of previous settlement at west abutment, top of abutment wall add-on
6 Abutments		60	20	20			No	Hairline/narrow cracks weathering typical. Localized spall on east abutment at north end, exposed galv. pipe. Localized honeycombing, exposed reinforcing on west abutment. Wide crack/erosion at south end of west abutment wall.
7 Wing/Ret Walls		60	10	30			No	Normal wear and deterioration. Localized small areas of medium scaling and hairline cracking.
8 Embankment		100					No	Isolated areas of erosion
9 Footings/Pilings						100	No	Not inspected. Foundations are below ground/water level. No evidence of any problems.
10 Pier Col/Wall/Cribs							Yes	
11 Bearings		100					No	South exterior stringer not bearing on wingwall, as per original design.
12 Caps							Yes	
13 Corbels							Yes	
14 Dolphins/Fenders							Yes	
SUPERSTRUCTURE:								
15 Flr Beams/Transoms							Yes	
16 Stringers		100					No	Localized hairline/narrow cracks.
17 Girders							Yes	
18 Portals							Yes	
19 Bracing/Diaphragms		100					Yes	Localized hairline/narrow cracks.
20 Trus Chrds/Arch Ribs							Yes	
21 Arch Ties							Yes	
22 Truss Diagonals							Yes	

		E	G	F	P	V	X	N/A	Inspection Notes
23	Truss Rods/Verts							Yes	
24	Cables							Yes	
25	Panels							Yes	
26	Pins/Bolts/Rivets							Yes	
27	Camber/Sag	100						No	
28	Live Load Vibration						100	No	Not observed during inspection.
29	Coating (Struct)							Yes	
DECK:									
30	Sub Deck/X-Ties							Yes	
31	Wearing Surface		100					No	Good condtion.
32	Deck Joints							Yes	
33	Curb/Wheelguards		100					No	
34	Sidewalk(s)							Yes	
35	Railing/Parapets							Yes	
36	Median Barrier							Yes	
37	Drains/Pipes		100					No	
38	Coating (Railings)							Yes	
APPROACHES:									
39	Signing/Lighting					100		No	No hazard signs in place.
40	Roadway Approaches		100					No	Light rutting.
41	Roadway Flares					100		No	No flares in place.
APPRAISAL									
		Rating		Notes					
Urgency Rating:		4		No roadway flares or hazard signage in place.					
BCI Rating:		N/A							
Adjusted BCI Rating:		N/A							
Maintenance Work Notes (Refer to Attached Photo Log)									
Component No.		Notes							
Rehabilitation Work Notes (Refer to Attached Photo Log)									
Component No.		Notes							

2019 ROUTINE INSPECTION – TYPICAL PHOTOS



Looking west from east approach



Looking east from west approach

2019 ROUTINE INSPECTION – TYPICAL PHOTOS



Upstream looking south



Downstream looking north

2019 ROUTINE INSPECTION – TYPICAL PHOTOS



North elevation



South elevation

2019 ROUTINE INSPECTION – TYPICAL PHOTOS



South exterior stringer not bearing on east abutment



Southwest wingwall – note wide vertical crack and horizontal cold joint

2019 ROUTINE INSPECTION – TYPICAL PHOTOS



East abutment



West abutment

2019 ROUTINE INSPECTION – TYPICAL PHOTOS



Typical soffit



West abutment – honeycombing, exposed reinforcing

2019 ROUTINE INSPECTION – TYPICAL PHOTOS



East abutment – spall with galvanized pipe



Northwest wingwall – cold joint and honeycombing



ADDENDUM

date: September 30th, 2019
to: Jason Brolund, Fire Chief, West Kelowna Fire Rescue,
cc: Steven Gubbels, Design and Inspection Technologist
from: Michael Currie
file #: 5901111
subject: **Consultant Service to Review Proposed Temporary Fire Protection Response Re-alignment during Bridge replacement**

Dear Chief Brolund,

After the initial technical memo was reviewed by the City of West Kelowna, a review of the load bearing capacity and suitability of the bridge along the private road referenced in Option 3 was undertaken through the City by Stantec.

The findings of this report were forwarded by the City and have been reviewed. The findings indicate that the bridge along the private road is not suitable for the size and weight of vehicles that would be used by the fire department in responding to the affected area.

Further review has been completed of the options listed and the following commentary is provided as an addendum to the Technical Memo and considers that Option 3 will not be viable.

Remaining options

- Option 1) Replace bridge with temporary bridge. Fully mitigate the risk.
- Option 2) Do not replace the bridge or make other alternative arrangements. Accept the increased risk
- Option 3) Use alternate private road access.
- Option 4) Store a fire engine/pumper at the Yacht Club parking lot and have fire fighters drop their primary apparatus at bridge, walk across and pick up temporary apparatus, then continue responding.



Option 5) New option. Use Light Attack on private road and bridge as initial response. This option came out of a discussion following the results of the Stantec assessment of the Private Road and bridge suitability. This option would involve developing an alternative response protocol to emergencies (such as structure fire incidents in the affected area). The alternative response protocol would involve responding

- a. initially with a Light Attack Vehicle with 2 or 3 fire fighters, from fire hall 31, using the private road and bridge,
- b. responding with an engine company (or ladder as appropriate) and mobile water supply using the detour route
- c. Note that the Light Attack vehicle does not carry much water and its effectiveness will be limited, however this two stage initial response may be more effective than responding with the primary apparatus along detour as initial response would be slightly faster

To determine if this option would be viable, the municipality would need to verify that the road and bridge would be adequate for the light attack vehicle which is expected to be significantly smaller and lighter than an engine.

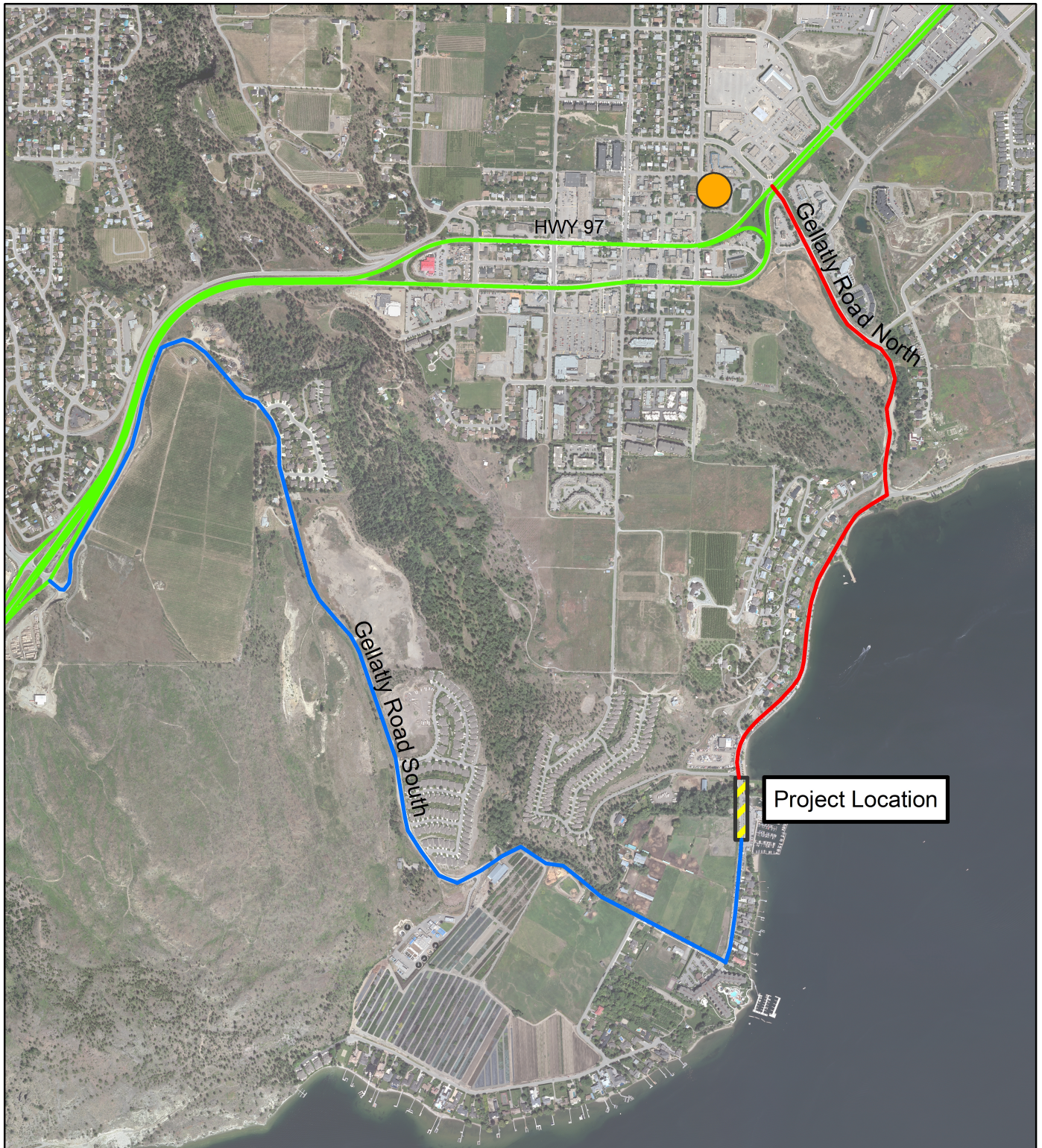
Options 1 and 4 were discussed but neither was considered to be preferable by the municipality for various reasons. Option 2 may be the most preferable to the community and is reasonable as response times are not severely affected using the detour route.

If Option 2 is selected, consideration should be given to:






- a) Providing a letter of notification to all affected property owners and residents of the affected area, to advise them that the service level in the area for emergency response will be slightly delayed during the project. Property owners and residents should take due care and attention to mitigate their risk of fire and accidents during this time. In particular, steps should be taken to ensure all occupied building have working smoke detectors and batteries have been replaced recently.
- b) Developing an emergency evacuation plan for the area and discussing the implications of having a single route out of the area. If there is a significant event (ex. wildfire, flood, ice storm, etc.) that poses a risk to the community and may require evacuation of the affected area, then the evacuation order should be given with adequate advance notice to take into account the increased time to get all residents out along a single route, and with adequate time to evacuate the area should the single egress route be compromised.

Please let us know if there are any questions or comments relating to the findings described in this letter. Thank you for your proactive interest in public fire protection and risk management.

Michael Currie, P.L. (Eng), PMSFPE
Fire Underwriters Survey



Legend

-  Project Location
-  Fire Hall
-  Alternate Access Gellatly South
-  Alternate Access Gellatly North
-  Hwy 97

City of West Kelowna

Gellatly Alternate Access Routes

0 190 380 760 Meters



ADDENDUM 2

date: October 17th, 2019
to: Jason Brolund, Fire Chief, West Kelowna Fire Rescue,
cc: Steven Gubbels, Design and Inspection Technologist
from: Michael Currie
file #: 5901111
subject: **Consultant Service to Review Proposed Temporary Fire Protection Response Re-alignment during Bridge replacement**

Dear Chief Brolund,

This addendum follows the review of options for emergency service delivery to an area of West Kelowna affected by a bridge replacement project. The City has worked with FUS to determine options for service delivery to the area and considered utilizing a private road and bridge however after review of load capacity, this option has been ruled out.

After determining that the private bridge was not suitable for supporting the load of the primary apparatus, further review and discussion was undertaken around remaining options for service delivery. A new option (Option 5) was tabled and considered. This option would entail creating a separate response protocol to the area with a smaller and lighter vehicle. After review, the fire department has indicated that this option would not be suitable due to the limited effectiveness of the more limited capabilities and carrying capacity of a small light attack apparatus.

Therefore Option 2 has been selected as the preferable option. Option 2 uses a detour route to the affected area for initial response. Notably the increase in response times are not severe and the increase in risk of property loss and injury is reasonable.

As there is a moderate increase in response times associated with Option 2, consideration should be given to:

- a) Providing a letter of notification to all affected property owners and residents of the affected area, to advise them that the service level in the area for emergency response will be slightly delayed during the project. Property owners and residents should take due care and attention to mitigate their risk of fire and accidents during this time. In particular, steps should be taken to ensure all occupied building have working smoke detectors and batteries have been replaced recently.



- b) Developing an emergency evacuation plan for the area and discussing the implications of having a single route out of the area. If there is a significant event (ex. wildfire, flood, ice storm, etc.) that poses a risk to the community and may require evacuation of the affected area, then the evacuation order should be given with adequate advance notice to take into account the increased time to get all residents out along a single route, and with adequate time to evacuate the area should the single egress route be compromised.

Please let us know if there are any questions or comments relating to the findings described in this letter. Thank you for your proactive interest in public fire protection and risk management.

Michael Currie, P.L. (Eng), PMSFPE
Fire Underwriters Survey



INFORMATION ONLY COUNCIL REPORT
Corporate Services
For the October 22, 2019 Council Meeting

DATE: October 8, 2019
TO: Paul Gipps, CAO
FROM: Erin Goodwin, Facilities Manager
RE: Elliott Operations Emergency Roof Repair

BACKGROUND:

The roofing system at Elliott Operations Building located at 3717 Elliott Road has been reported as being old, deteriorated, and needing replacement. Over the years, the CWK has completed multiple patches to try and extend the life of the roof, however, this past year has seen the City repair the roof three (3) times since May, 2019, with no success in stopping the leaks.

Total approximate cost to complete the roof repairs, since May: \$4,000

Leaks are continuing to happen due to water migrating to other parts of the roof that are damaged and deteriorated.

As a result, instead of continuing to try and patch the roof, it has been recommended to complete an emergency roof repair to prevent any serious damage to the building.

This building houses approximately 12 staff members year round and approximately 20 staff during the summer. It is comprised of offices, a lunch room, change room, and a server room for IT related equipment.

The CWK proceeded to move forward with an emergency roof replacement to ensure the facility, its equipment, and staff were not compromised or displaced due to roof related water issues.

FINANCIAL IMPLICATIONS:

Estimated cost to complete the work: \$25,000

REVIEWED AND APPROVED BY:

Warren Everton, Director of Finance/CFO
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Powerpoint: Yes ☒ No



COUNCIL REPORT
Corporate Services
For the October 22, 2019 Council Meeting

DATE: October 15, 2019
TO: Paul Gipps, CAO
FROM: Steve Neil, Land Agent
RE: Sale of 460.9m² of road for consolidation with 2734 Lower Glenrosa Road

RECOMMENDED MOTION:

THAT Council authorize the Mayor and Corporate Officer to execute all documents necessary to effect the road closure and sale of the (+/-) 460.9 m² portion adjacent to 2734 Lower Glenrosa Road for the purpose of consolidation with 2734 Lower Glenrosa Road, for the sale price of \$21,700 (plus applicable taxes);

THAT Council give first, second, and third reading to City of West Kelowna Road Closure and Disposition Bylaw No. 270, 2019; and

THAT Council direct staff to advertise Council's intention to close and sell the road closure area, as per *Section 94 of the Community Charter*.

RATIONALE:

The proposed road closure is for land considered to be surplus to the city's needs, and will facilitate a better layout for the proposed townhouse development at 2734 Lower Glenrosa Road.

LEGISLATIVE REQUIREMENTS:

Pursuant to *Section 40 of the Community Charter*, Council may, by bylaw, close a portion of a highway to traffic and remove the dedication of the highway, if prior to adopting the bylaw, Council publishes notices of its intention in accordance with *Section 94 of the Community Charter* in a newspaper and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council.

BACKGROUND:

The property owner of 2734 Lower Glenrosa Road is requesting an amendment to the Official Community Plan (OCP) land use designation from Resource Land and Single Family Residential to Low Density Multiple Family, and to rezone the subject properties from Rural Residential Small Lot

Parcel Zone (RU2) and Institutional & Assembly Zone (P2) to the Low Density Multiple Residential Zone (R3). The intent of the owner's application is to permit a multiple family development consisting of 24 townhomes, and includes a significant parkland dedication component. The proposed road closure is for land considered to be surplus to the city's needs, does not contain any city services, and will facilitate a better layout for the proposed townhouse development. The proposed road closure area is vacant, and borders a steep sloped area that is to be covenanted to protect it from future development.

Staff have confirmed that the proposed road closure area is surplus to the City's needs. The fair market value of the surplus land is estimated to be \$21,700, and preliminary negotiations with the property owner have resulted in the owner wishing to purchase the (+/-) 460.9 m² road area for the \$21,700 (plus any applicable taxes) purchase price.

FINANCIAL IMPLICATIONS:

The property owner of 2734 Lower Glenrosa Road has agreed to cover all legal and closing costs related to this transaction, so the net sale proceeds to be received by the City will be \$21,700. If the property is sold, it is recommended that the proceeds of the sale be deposited in the Land Acquisition Reserve Fund.

ALTERNATE MOTIONS(S):

THAT Council direct staff not to sell the (+/-) 460.9 m² portion of road adjacent to 2734 Lower Glenrosa Road.

REVIEWED AND APPROVED BY:

Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Attachments:

- Attachment 1 - Aerial map of subject property
- Attachment 2- Plan showing proposed subdivision & park dedication
- Attachment 3 - Plan showing proposed road closure area
- Attachment 4 – Road Closure Bylaw 270, 2019 with Survey Plan EPP97328
Showing road closure area.

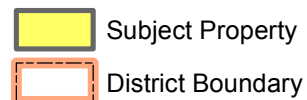


CONTEXT MAP: Z 17-18



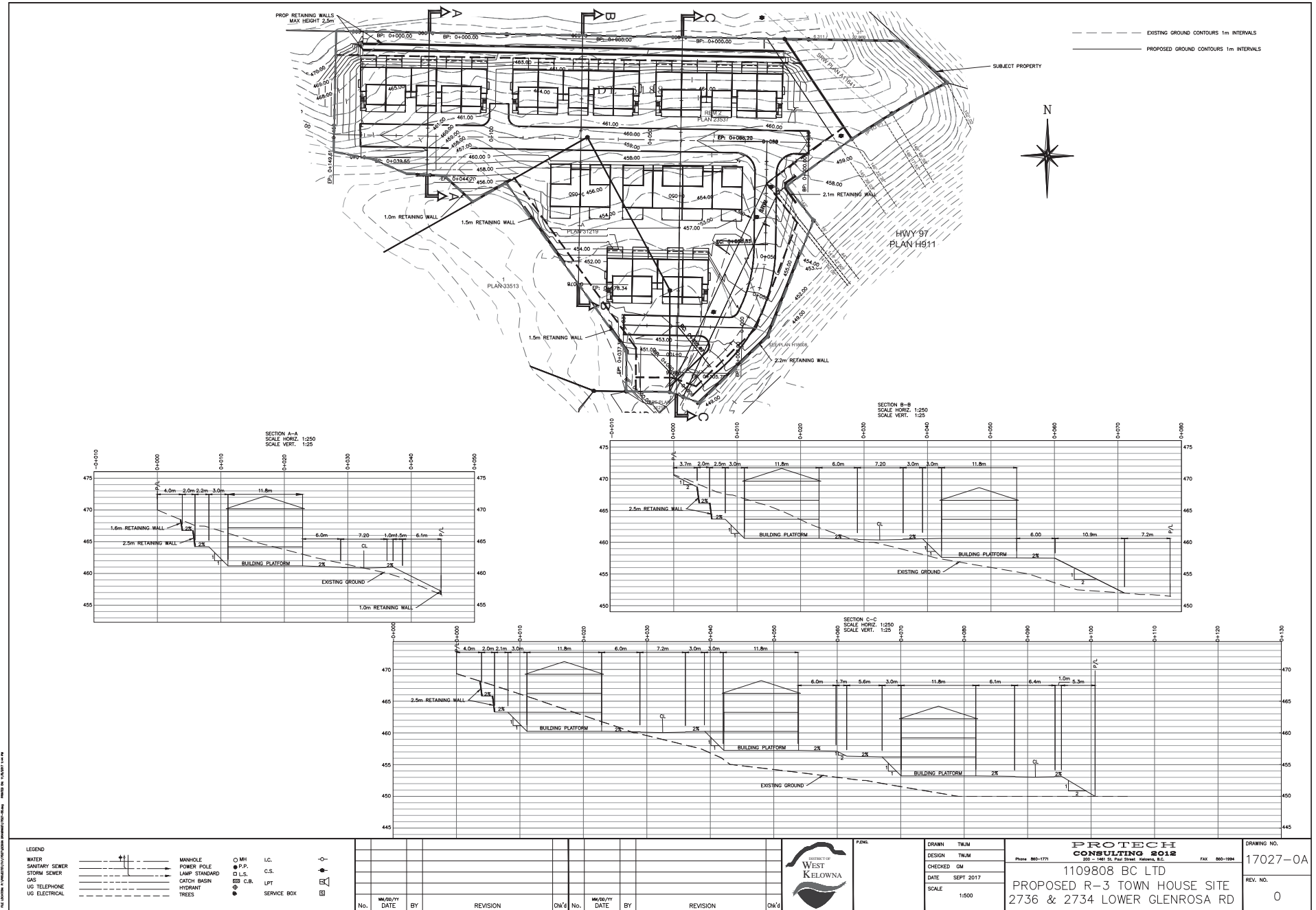
File: Z 17-18

Legal Description: Lot A, DL 3188, ODYD Plan KAP31219 and
Lot 2, DL 3188, ODYD Plan KAP23537

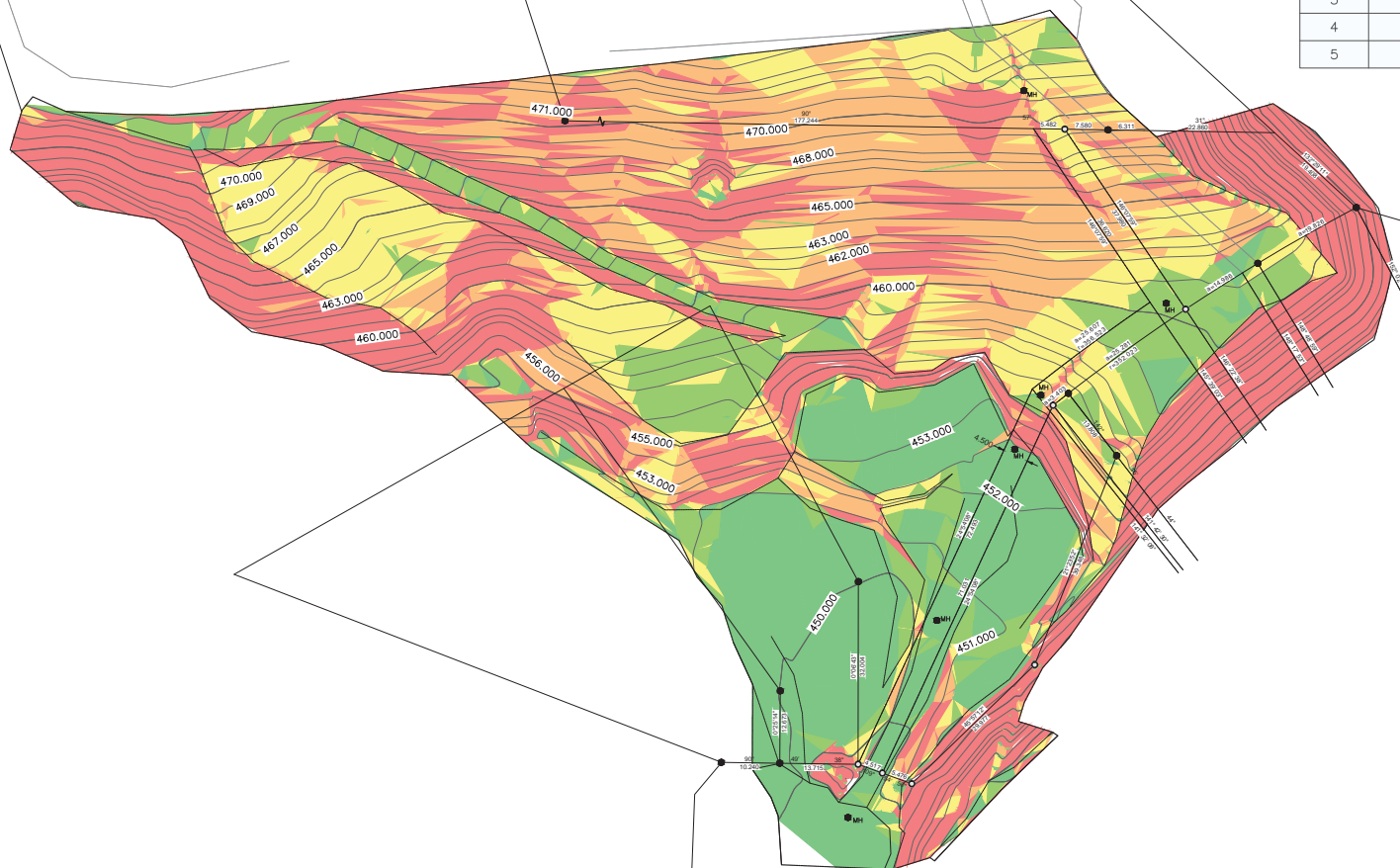


0 150 300 600 Metres





Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	Green
2	10.00%	20.00%	Light Green
3	20.00%	30.00%	Yellow
4	30.00%	35.00%	Orange
5	35.00%	100.00%	Red



- Legend**
- Water
 - San. Sewer
 - Storm Sewer
 - Gas
 - U.G. Telephone
 - U.G. Electrical
 - Manhole
 - Power Pole
 - Lamp Standard
 - Catch Basin
 - Hydrant
 - Trees
 - Design Invert of Sanitary Service at property line
 - Design Invert of Storm Service at property line
 - Existing Invert of Sanitary Service at property line
 - Existing Invert of Storm Service at property line

PROTECH CONSULTING 2012

200 - 1461 St. Paul Street Kelowna B.C. Phone 860-1771 FAX 860-1994

NO.	DATE	BY	REVISION	CHKD

DRAWN	TWJM
DESIGN	TWJM
APPROVED	DRP
DATE	MAY 16 2017
SCALE	1:400
HORIZ	N/A
VERT	N/A

THE CITY OF WEST KELOWNA
ENGINEERING DEPARTMENT
1109808 BC LTD
PROPOSED R-3 TOWN HOUSE SITE
2736 & 2734 LOWER GLENROSA ROAD

DIVISION	
DRAWING NO.	REV. NO.
17027-SA	0



CITY OF WEST KELOWNA

BYLAW NO. 270, 2019

A BYLAW TO AUTHORIZE THE CLOSURE OF A PORTION OF A ROAD AND DISPOSAL OF
THAT PORTION OF LOWER GLENROSA ROAD

WHEREAS pursuant to *Section 40 and 94 of the Community Charter*, Council may, by bylaw, close a portion of a highway to traffic and remove the dedication of the highway, if prior to adopting the bylaw, Council publishes notices of its intention in a newspaper and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council; and

WHEREAS the Council of the City of West Kelowna deems it expedient to close to traffic, remove the dedication of highway and dispose of that portion of highway comprising 460.9 m² of road area on Lower Glenrosa Road adjacent to 2734 Lower Glenrosa Road; and

WHEREAS notices of Council's intentions to close that portion of highway to traffic, to remove its dedication as highway, and to dispose of it were published in a newspaper and posted in the public notice posting place, and Council has provided an opportunity for persons who consider they are affected by the closure and disposition to make representation to Council;

THEREFORE BE IT RESOLVED THAT the Council of the City of West Kelowna, in open meeting assembled hereby enacts as follows:

1. This Bylaw may be cited for all purposes as "City of West Kelowna Road Closure and Disposition Bylaw No. 270, 2019".
2. Attached to this Bylaw as Schedule "A" and forming part of this Bylaw is a reduced copy of the reference plan of highway closure (the "Road Closure Plan") drawing number 3694-00-V-REFER.DWG prepared by McElhanney Associates Land Surveying Ltd. British Columbia Land Surveyors on the 19th day of October, 2019.
3. The City hereby authorizes the closure to traffic and removal of highway dedication of the 460.9 m² portion of highway, labelled "Closed Road" on the Road Closure Plan (the "Closed Road"), which is shown outlined in bold black on the attached reference Plan EPP97328.
4. On the deposit of the Road Closure Plan and all other documentation for the closure of the Closed Road in the Kamloops Land Title Office, the Closed Road is closed to public traffic, it shall cease to be public highway, and its dedication as a highway is cancelled.
5. The City of West Kelowna is hereby authorized to dispose of and convey the Closed Road in fee simple to the registered owners of the Adjacent Parcel at 2734 Lower Glenrosa Road for the purpose of consolidation of the Closed Road with the Adjacent Parcel at 2734 Lower Glenrosa Road.
6. The Mayor and the City Clerk of the City are authorized to execute all deeds of land, plans and other documentation necessary to effect this road closure and disposition.

READ A FIRST, SECOND AND THIRD TIME ON THIS _____ day of _____, 2019;

Notice of intention to proceed with this Bylaw was duly advertised in the Westside Weekly on _____, 2019, and on _____ 2019 as per *Section 94* of *The Community Charter*.

APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE ON _____, 2019.

ADOPTED ON _____, 2019.

Mayor

City Clerk

**SURVEY PLAN CERTIFICATION
PROVINCE OF BRITISH COLUMBIA**

PAGE 1 OF 2 PAGES

By incorporating your electronic signature into this form you are also incorporating your electronic signature into the attached plan and you

(a) represent that you are a subscriber and that you have incorporated your electronic signature to the attached electronic plan in accordance with section 168.73 (3) of the Land Title Act, RSBC 1996 c.250; and

(b) certify the matters set out in section 168.73 (4) of the Land Title Act,

Each term used in this representation and certification is to be given the meaning ascribed to it in part 10.1 of the Land Title Act.

David Sereda YJISPN	Digitally signed by David Sereda YJISPN Date: 2019.10.11 15:38:43 -07'00'
------------------------	------------------------------------------------------------------------------------

1. BC LAND SURVEYOR: (Name, address, phone number)

David G. Sereda, BCLS
290 Nanaimo Avenue W.

TELE 250-492-7399

Penticton

BC V2A 1N5

☐ Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:

Control Number: **157-115-6318**Plan Number: **EPP97328**This original plan number assignment was done under Commission #: **978**

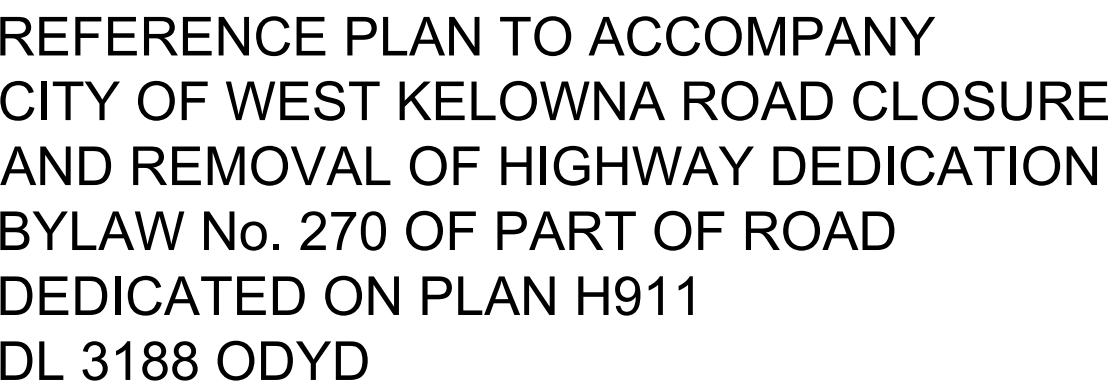
3. CERTIFICATION:

☒ Form 9☐ Explanatory Plan☐ Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

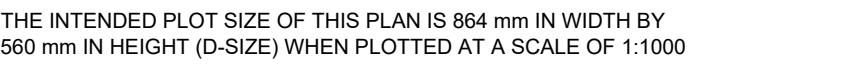
The field survey was completed on:	2019	September	24	(YYYY/Month/DD)	The checklist was filed under ECR#:
The plan was completed and checked on:	2019	October	11	(YYYY/Month/DD)	229265

☒ None ☐ Strata Form S☒ None☐ Strata Form U1☐ Strata Form U1/U2Arterial Highway ☐Remainder Parcel (Airspace) ☐4. ALTERATION: ☐



BCGS 82E.082

SCALE 1 : 1000






LEGEND:

GRID BEARINGS ARE DERIVED FROM GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 11.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED FROM DUAL FREQUENCY GNSS OBSERVATIONS TO PENTICTON (DRAO ACP (GCM# 890558) AND SUMMERLAND ACP (GCM# 506204).

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES, UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9999744. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON AN ELLIPSOIDAL ELEVATION OF 452 METRES.

SYMBOLS		DESCRIPTION
FOUND	PLACED	
		STANDARD ROCK POST
		STANDARD IRON POST
IMP		DENOTES IMPRACTICAL TO SET POST
NF		DENOTES NOTHING FOUND
Wt		DENOTES WEIGHT

NOTE:
THIS PLAN SHOWS ONE OR MORE WITNESS POSTS
WHICH ARE NOT SET ON THE TRUE CORNER(S).

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF CENTRAL OKANAGAN.

THE FIELD SURVEY REPRESENTED BY THIS PLAN
WAS COMPLETED ON THE 24th DAY OF SEPTEMBER, 2019.
DAVID G. SEREDA, BCLS 978

McElhanney
McELHANNEY ASSOCIATES
LAND SURVEYING LTD.
290 Nanaimo Ave. W
Penticton BC
Canada V2A 1N5
Tel 250 492 7399

FILE NO. 2422-03694-00
DRAWING NO. 3694-00-V-REFR.DWG