



CITY OF WEST KELOWNA REGULAR COUNCIL AGENDA

Tuesday, March 25, 2025, 6:00 P.M.

COUNCIL CHAMBERS

3731 OLD OKANAGAN HWY, WEST KELOWNA, BC

Pages

1. CALL 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. 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 March 11, 2025 Special and Regular Council Minutes

6

Recommendation to Consider and Resolve:

THAT the March 11, 2025 Special and Regular Council minutes be adopted.

5. MAYOR AND COUNCILLORS' REPORTS

5.1 Regional District of Central Okanagan Highlights from the March 20, 2025 Regional Board Meeting

17

6. PRESENTATIONS

6.1 Regional District of Central Okanagan Economic Development Commission Strategic Plan

19

Krista Mallory, Manager of the Economic Development Commission

Shelley Martens, Manager, Community & Indigenous Relations

7. DELEGATIONS

8. UNFINISHED BUSINESS

8.1 Councillor Johnston - Notice of Motion

At the March 11, 2025 Regular Council Meeting, Councillor Johnston provided the following Notice of Motion, which is now before Council for consideration:

Recommendation to Consider and Resolve:

THAT staff be directed to conduct a preliminary, high-level review of the portion of 2490 Shannon Woods Drive fronting Shannon Lake Road to generally determine whether there are potential challenges, such as encumbrances on the land, that would prevent the construction of a Community Centre/Day Care Facility as proposed by the Shannon Lake Neighbourhood Association;

AND THAT staff report back to Council with a brief report summarizing their findings.

9. DIVISION REPORTS

9.1 CORPORATE SERVICES

9.1.1 Contract Award – City Hall Council Chambers Acoustic Upgrade

52

Recommendation to Consider and Resolve:

THAT Council award the City Hall Council Chambers Acoustic Upgrade (C2025-39) contract to Sunco Drywall Ltd for the amount of \$112,540.00 + GST.

9.2 LEGISLATIVE & LEGAL

9.3 FINANCE

9.3.1 Utility Fee Amendments Bylaw 0028.83, 2025

55

Recommendation to Consider and Resolve:

THAT Council adopt “City of West Kelowna Fees and Charges Amendment Bylaw No. 0028.83, 2025”.

Recommendation to Consider and Resolve:

THAT Council appoint at least three members of Council to form a Parcel Tax Roll Review Panel;

AND THAT Council direct staff to schedule a meeting of the Parcel Tax Roll Review Panel for 1:15 pm on Tuesday, April 8th, 2025;

AND FURTHER THAT Council direct staff to give notice of the meeting in accordance with Section 94 of the *Community Charter*.

9.4 COMMUNITY DEVELOPMENT

9.4.1 Z 24-06; Zoning Amendment; 3011, 3021 & 3031 Ourtoland Road

Recommendation to Consider and Resolve:

THAT Zoning Amendment Bylaw No. 0265.31 be given first, second and third reading;

AND THAT Council direct staff to schedule Zoning Bylaw Amendment No. 0265.31 for adoption following the completion of the following third reading conditions:

- A no build covenant be registered across two subject properties (3021, 3031 Ourtoland Road) to ensure construction completion of a pedestrian connection and off-site improvements between Oak Barrel Place and Ourtoland Road;
- Dedication of right of way on 3031 Ourtoland for the pedestrian connection;
- A road reserve covenant be registered to provide access to 3080 Boucherie Road; and
- An agricultural protection covenant be registered on 3011 Ourtoland Road.

9.5 OPERATIONS

9.5.1 Waterfront Licenses of Occupation

Recommendation to Consider and Resolve:

THAT Council agree to acquire a License of Occupation for a term of 30 years for the purposes of public swimming and a

boat ramp for the following properties:

- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 487, Osoyoos Division Yale District, shown as Park and Road on Plan 35335, containing 0.150 hectares, more or less (Pebble Beach Park);
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 487, Osoyoos Division Yale District, shown as Park on Plan 18840, containing 0.30 hectares, more or less (Marina Park);
- All the unsurveyed Crown Foreshore being part of the bed of Okanagan Lake and fronting on that part of DL434, shown as Road on Plan 16444, ODYD, containing 0.70ha, more or less (Pritchard Park);
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 485, Osoyoos Division Yale District, shown as Park and Road on Plan 42401, containing 0.13 hectares, more or less (Casa Rio Park);
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on District Lots 521 and 485, Osoyoos Division Yale District, containing 0.23 hectares, more or less (Casa Loma Beach, Dupuis Boat Launch, Casa Loma Dock and Casa Loma Waterfront Access).

AND THAT Council agree to acquire a License of Occupation for a term of 30 years for public recreation and park purposes for the lands located at:

- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on Gellatly Bay, Osoyoos Division Yale District, containing 47.90 hectares, more or less (Gellatly Bay).

9.5.2 West Kelowna Cemetery Bylaw No. 318 – Consideration of Adoption

88

Recommendation to Consider and Resolve:

THAT Council adopt “West Kelowna Cemetery Bylaw No. 318.”

9.6 FIRE RESCUE

10. CORRESPONDENCE AND INFORMATION ITEMS

11. NOTICE OF MOTION

12. ADJOURNMENT

The next Council meeting is scheduled for Tuesday, April 8, 2025.



CITY OF WEST KELOWNA
MINUTES OF THE SPECIAL MEETING OF COUNCIL

Tuesday, March 11, 2025
COUNCIL CHAMBERS
3731 OLD OKANAGAN HWY, WEST KELOWNA, BC

MEMBERS PRESENT: Mayor Gord Milsom
Councillor Tasha Da Silva
Councillor Rick de Jong
Councillor Jason Friesen
Councillor Stephen Johnston
Councillor Garrett Millsap
Councillor Carol Zanon

Staff Present: Ron Bowles, Chief Administrative Officer
Mark Panneton, Director of Legislative and Legal Services/Corporate Officer
Rob Hillis, Acting Director of Engineering and Operations
Warren Everton, Director of Finance/Chief Financial Officer
Jason Brolund, Fire Chief
Brent Magnan, Director of Community Development
Lisa Siavashi, Financial Services Manager/Deputy Chief Financial Officer

1. CALL THE SPECIAL COUNCIL MEETING TO ORDER

The meeting was called to order at 11:07 a.m.

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

This meeting was open to the public. All representations to Council form part of the public record.

2. ADDITIONS OR CHANGES TO PROCEDURAL MOTION

There were no additions or changes to the procedural motion.

3. ADOPTION OF AGENDA

It was moved and seconded

Resolution No. C050/25

THAT the agenda be adopted as presented.

CARRIED UNANIMOUSLY

4. PROCEDURAL MOTION

It was moved and seconded

Resolution No. C051/25

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

(c) labour relations or other employee relations;

(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;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED UNANIMOUSLY

Council then proceeded with the closed session.

5. ADJOURNMENT OF THE SPECIAL COUNCIL MEETING

The Special Council meeting adjourned at 12:50 p.m.

MAYOR

DIRECTOR OF LEGISLATIVE & LEGAL SERVICES/
CORPORATE OFFICER



CITY OF WEST KELOWNA
MINUTES OF THE REGULAR MEETING OF COUNCIL

Tuesday, March 11, 2025
COUNCIL CHAMBERS
3731 OLD OKANAGAN HWY, WEST KELOWNA, BC

MEMBERS PRESENT: Mayor Gord Milsom
Councillor Tasha Da Silva
Councillor Rick de Jong
Councillor Jason Friesen
Councillor Stephen Johnston
Councillor Garrett Millsap
Councillor Carol Zanon

Staff Present: Ron Bowles, Chief Administrative Officer
Mark Panneton, Director of Legislative and Legal Services/Corporate Officer
Rob Hillis, Acting Director of Engineering and Operations
Warren Everton, Director of Finance/Chief Financial Officer
Brent Magnan, Director of Community Development
Lisa Siavashi, Financial Services Manager/Deputy Chief Financial Officer
Chris Oliver, Planning Manager
Mark Roberts, Parks Manager
Brittany Nichols, Long Range Planning Manager
Carla Eaton, Senior Planner - Long Range

1. CALL THE REGULAR COUNCIL MEETING TO ORDER

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

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

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

2. INTRODUCTION OF LATE ITEMS

2.1 Replacement of West Kelowna Cemetery Bylaw No. 318 and Modified Recommended Motion (Item 9.5.1)

A replacement bylaw was provided for Council's consideration due to modifications required prior to bylaw adoption.

2.2 Councillor Johnston - Notice of Motion (Item 11.1)

Councillor Johnston provided a Notice of Motion. It may be scheduled for Council consideration at a future regular Council meeting.

3. ADOPTION OF AGENDA

It was moved and seconded

Resolution No. C052/25

THAT the March 11, 2025 regular Council agenda be amended by:

- moving consideration of Item 9.4.2. regarding P 22-08, Zoning Bylaw No. 320 (Discussion Points following Deferral of Adoption) to immediately following consideration of Item 9.6.1;
- adding to Item 9.5.1 a modified copy of 'West Kelowna Cemetery Bylaw No. 318'; and
- adding new Item 11.1 regarding 2490 Shannon Woods Drive – Request for Staff Report to Section 11 – Notice of Motion;

AND THAT the agenda be adopted as amended.

CARRIED UNANIMOUSLY

4. ADOPTION OF MINUTES

4.1 Minutes of the Special Council Meeting held Tuesday, February 25, 2025 in the City of West Kelowna Council Chambers

It was moved and seconded

Resolution No. C053/25

THAT the minutes of the Special Council meeting held Tuesday, February 25, 2025 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

4.2 Minutes of the Public Hearing held Tuesday, February 25, 2025 in the City of West Kelowna Council Chambers

It was moved and seconded

Resolution No. C054/25

THAT the minutes of the Public Hearing held Tuesday, February 25, 2025 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

4.3 Minutes of the Regular Council Meeting held Tuesday, February 25, 2025 in the City of West Kelowna Council Chambers

Mayor Milsom informed that he had voted in opposition to Item 8.1.1, and requested that the February 25, 2025 regular Council minutes be amended accordingly.

It was moved and seconded

Resolution No. C055/25

THAT the minutes of the Regular Council Meeting held Tuesday, February 25, 2025 in the City of West Kelowna Council Chambers be amended to reflect Mayor Milsom's opposition to Item 8.1.1;

AND THAT the February 25, 2025 regular Council minutes be adopted as amended.

CARRIED UNANIMOUSLY

5. MAYOR AND COUNCILLOR'S REPORTS

Council congratulated the recipients of the Greater Westside Board of Trade's annual Key Business Awards that were held on February 27. Nicole Richard of Wax Pencil Imagery received the Geoffrey Paynter Citizen of the Year Award. Lakesider Brewing was awarded Business of the Year. Other winners were:

- Brent Ducharme Marketing;
- Bylands Garden Centre;
- Dr. Cara Curtis and NEXT Clinic;

- Hergott Law;
- Okanagan Pasta Company;
- Potentia Human Resources;
- Rose Valley Veterinary Hospital;
- Sncewips Heritage Museum;
- The Cake Mama; and
- Westbank Museum.

Council also thanked the Government of Canada and the Canada Mortgage and Housing Corporation for providing the City with nearly \$8 million under the Housing Accelerator Fund to help fast-track 233 additional homes within the next three years and to support the construction of 780 units over the next decade.

6. PRESENTATIONS

6.1 BDO Canada LLP

Sinéad Scanlon, CPA, CA Engagement Partner, BDO provided an Audit Planning PowerPoint presentation and responded to Council's questions. She also congratulated the City of West Kelowna on receiving the Canadian Award for Financial Reporting from the Government Finance Officers Association of Canada and the United States for the 2023 Audited Financial Statements and Annual Report.

7. DELEGATIONS

No items.

8. UNFINISHED BUSINESS

No items.

9. DIVISION REPORTS

9.1 CORPORATE SERVICES

No items.

9.2 LEGISLATIVE & LEGAL

No items.

9.3 FINANCE

9.3.1 Utility and Financial Fee Amendments Bylaw No. 0028.83, 2025

It was moved and seconded

Resolution No. C056/25

THAT Council give first, second and third reading to “Fees and Charges Amendment Bylaw No. 0028.83, 2025”.

CARRIED UNANIMOUSLY

9.3.2 Adoption of the 2025-2029 Financial Plan and Ten-Year Capital Plan

It was moved and seconded

Resolution No. C057/25

THAT Council adopt the “City of West Kelowna Financial Plan Bylaw 0323, 2024”.

CARRIED UNANIMOUSLY

9.4 COMMUNITY DEVELOPMENT

9.4.1 Provincial Housing Target Order – Progress Report 1.1

It was moved and seconded

Resolution No. C058/25

THAT Council receive, for information, the Provincial Housing Target Order Progress Report 1.1 for the first six-month period from August 1, 2024, to January 31, 2025.

CARRIED UNANIMOUSLY

9.4.2 P 22-08, Zoning Bylaw No. 320 (Discussion Points following Deferral of Adoption)

It was moved and seconded

Resolution No. C063/25

THAT Council vary the provisions of “Council Procedure Bylaw No. 0258, 2018” (as amended) to allow for informal discussion during Item 9.4.2 regarding P 22-08, Zoning Bylaw No. 320 (Discussion Points following Deferral of Adoption) only, including discussion of the item without a motion on the floor.

CARRIED UNANIMOUSLY

The meeting recessed at 2:45 p.m.

The meeting reconvened at 3:00 p.m., with all members of Council present.

The Director of Community Development provided a PowerPoint presentation regarding Zoning Bylaw No. 320 which included discussion points following the deferral of adoption.

9.5 OPERATIONS

9.5.1 West Kelowna Cemetery Bylaw No. 318 – Consideration of Adoption

It was moved and seconded

Resolution No. C059/25

THAT Council rescind third reading of proposed "West Kelowna Cemetery Bylaw No. 318."

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C060/25

THAT Council modify proposed "West Kelowna Cemetery Bylaw No. 318" by:

- replacing the words "a fund" with "an account" in Section 15.2;
- replacing the words "Care Fund" with "Capital Reserve Account" in Section 15.2 (a);
- removing the words "Reserve Fund" in Section 15.3; and
- replacing Schedule A with a new Schedule A.

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C061/25

THAT Council give third reading to proposed "West Kelowna Cemetery Bylaw No. 318", as modified.

CARRIED UNANIMOUSLY

9.6 FIRE RESCUE

9.6.1 2025 UBCM-CEPF Grant for EOC Training and Equipment

It was moved and seconded

Resolution No. C062/25

THAT Council support the Regional District of the Central Okanagan (RDCO) 2025 grant application to the Union of British Columbia Municipalities (UBCM) Community Emergency Preparedness Fund (CEPF) for Emergency Operations Centre (EOC) and Training stream;

AND THAT the RDCO be authorized to apply for, receive and manage the grant funding on behalf of the City of West Kelowna.

CARRIED UNANIMOUSLY

10. CORRESPONDENCE AND INFORMATION ITEMS

No items.

11. NOTICE OF MOTION

11.1 Councillor Johnston - Notice of Motion

The following Notice of Motion was provided and is scheduled for Council's consideration at the March 25, 2025 regular Council meeting:

THAT staff be directed to conduct a preliminary, high-level review of the portion of 2490 Shannon Woods Drive fronting Shannon Lake Road to generally determine whether there are potential challenges, such as encumbrances on the land, that would prevent the construction of a Community Centre/Day Care Facility as proposed by the Shannon Lake Neighbourhood Association;

AND THAT staff report back to Council with a brief report summarizing their findings.

12. ADJOURNMENT OF THE REGULAR MEETING

The meeting adjourned at 5:36 p.m.

MAYOR

DIRECTOR OF LEGISLATIVE & LEGAL SERVICES/
CORPORATE OFFICER

Highlights of the Regional Board meeting – March 20, 2025

Regional Agricultural Strategy (Phase 2) update

The Regional Board received and update from staff on the Regional Agricultural Strategy (Phase 2) and directed staff to proceed with developing the Draft Regional Agricultural Strategy. The Regional Agricultural Strategy will include policies, actions, and an implementation plan to address key challenges facing agriculture and support a thriving agricultural sector in the Central Okanagan, now and into the future.

Application for a Rural Licensee Retail Store

The Regional Board provided a non-support referral to the Liquor and Cannabis Regulation Branch, in response to an application for a Rural Licensee Retail Store at Lot 1, Plan KAP54481, District Lot 3688 in Westshore Estates.

FrontCounter BC Referral Application - CL-24-01- Mountain Bikers of Central Okanagan - EA East

The Regional Board supported the Mountain Bikers of the Central Okanagan FrontCounter BC referral application No. 779319 to permit the construction, maintenance and rehabilitation of a recreational trail.

FrontCounter BC Referral Application - CL-24-02 - Mountain Bikers of the Central Okanagan

The Regional Board supported the Mountain

Bikers of the Central Okanagan FrontCounter BC referral application No. 780043 to permit the expansion of The Gillard Recreation Trail Network parking lot.

Kelowna Dirt Bike Club Annual Special Events Permit Request - 2025

The Regional Board approved two Special Event Permits for the Kelowna Dirt Bike Club for April 18th to 20th, and September 26th to 28th, 2025.

Notice of Motion: Review of Bylaw No. 1066 – Fire Prevention and Regulations Consolidated

In response to a notice of motion brought forward by Director Kraft, the Regional Board directed staff to review Bylaw No. 1066 – Fire Prevention and Regulations Consolidated to recommend if the Regional Board should consider amending the minimum ventilation index threshold to align with the provincial standard.

Bylaw No. 1066 - Fire Prevention and Regulations

The Regional Board directed staff to amend Fire Prevention and Regulation Bylaw No. 1066 to lower the minimum ventilation index threshold from sixty-five (65) to fifty-five (55) in alignment with the Province of BC - Environmental Management Act – Open Burning Smoke Control Regulation – 152-2019. The proposed bylaw amendment will enable increased fire mitigation efforts and better protect the residents of the RDCO from wildfire risks and is based on thorough

consideration of fire prevention needs and alignment with provincial standards. The amending bylaw will be brought forward to a future meeting for reading consideration.

2025-2029 Five-Year Financial Plan Bylaw No. 1563

The 2025-2029 Five-Year Financial Plan Bylaw No. 1563 be given first, second and third reading and adopted by the Regional Board. The plan was previously approved by the Board at the February 20, 2025, meeting. For more information about the 2025-2029 Five-Year Financial Plan and financial planning process, visit yoursay.rdco.com/five-year-financial-plan-2025-2029.

Alternative Approval Process for Okanagan Regional Library Loan Authorization Bylaw No. 1558

The Regional Board authorized staff to proceed with an alternate approval process for proposed borrowing to cover construction costs associated with the Okanagan Regional Library (ORL) branch in West Kelowna. The purpose of the AAP is to gauge elector support before authorizing bylaws that would permit the RDCO to borrow \$2,500,000 on behalf of the ORL. For more information visit yoursay.rdco.com/orl-aap.

Attendance Approval for Electoral Area East Director – 2025 Keeping It Rural Conference

In accordance with Board Expense Policy 7.15, the Regional Board approved Director Kraft to attend the 2025 Keeping it Rural Conference.

Regional Board meetings

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

- April 3 – 8:30 a.m.
- April 17 – 8:30 a.m.

A live stream video link will be available for each meeting in the Upcoming Meeting agenda section of rdco.com/agenda. When available, a link to the Video recording will be posted in the Past Meetings section.

Stay informed about the Regional District

Sign up at rdco.com/subscribe for customized news and information from the Regional District of Central Okanagan.

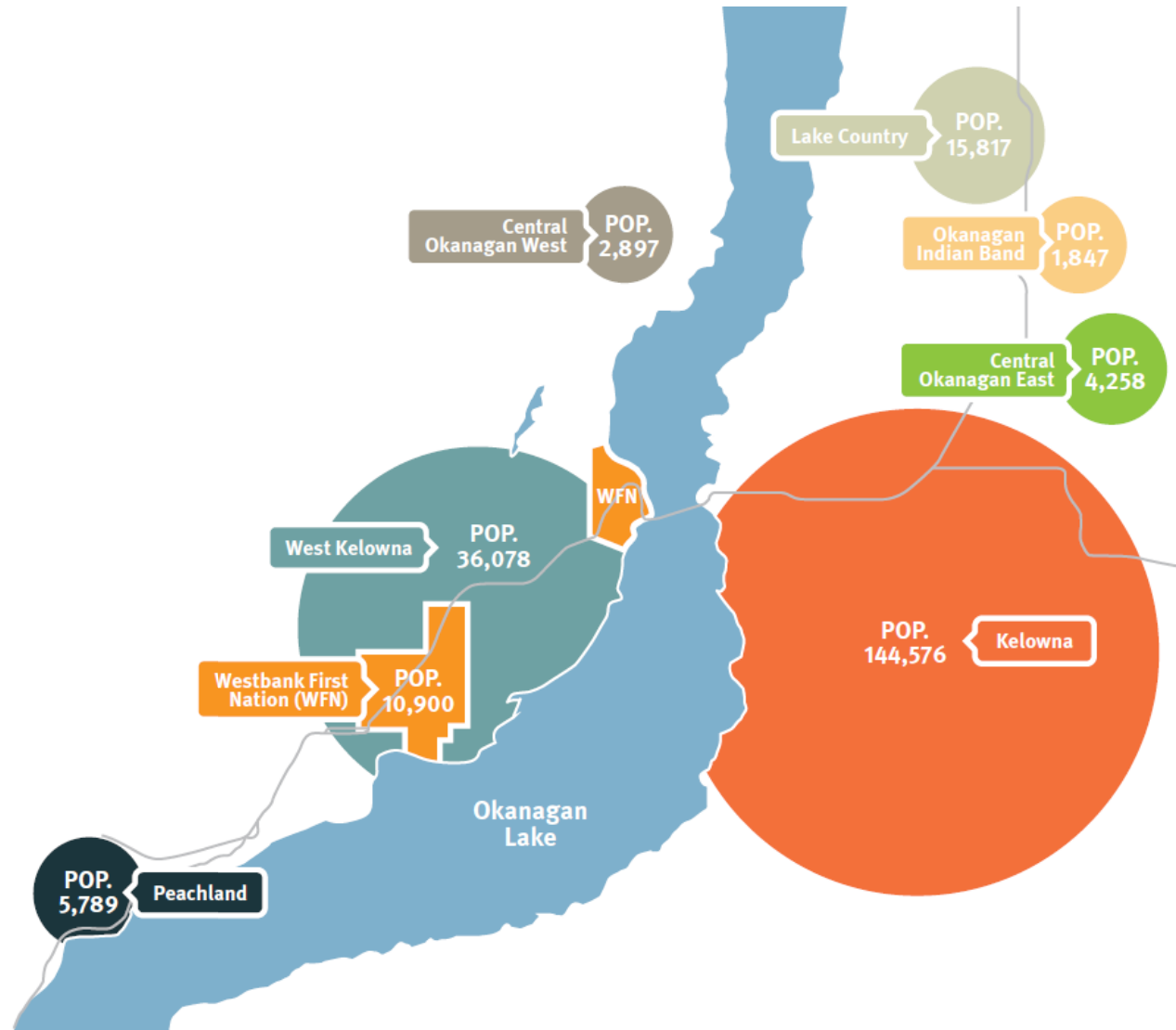
Roadmap to Resiliency

COEDC Strategy 2025-2030

City of West Kelowna
March 25, 2025



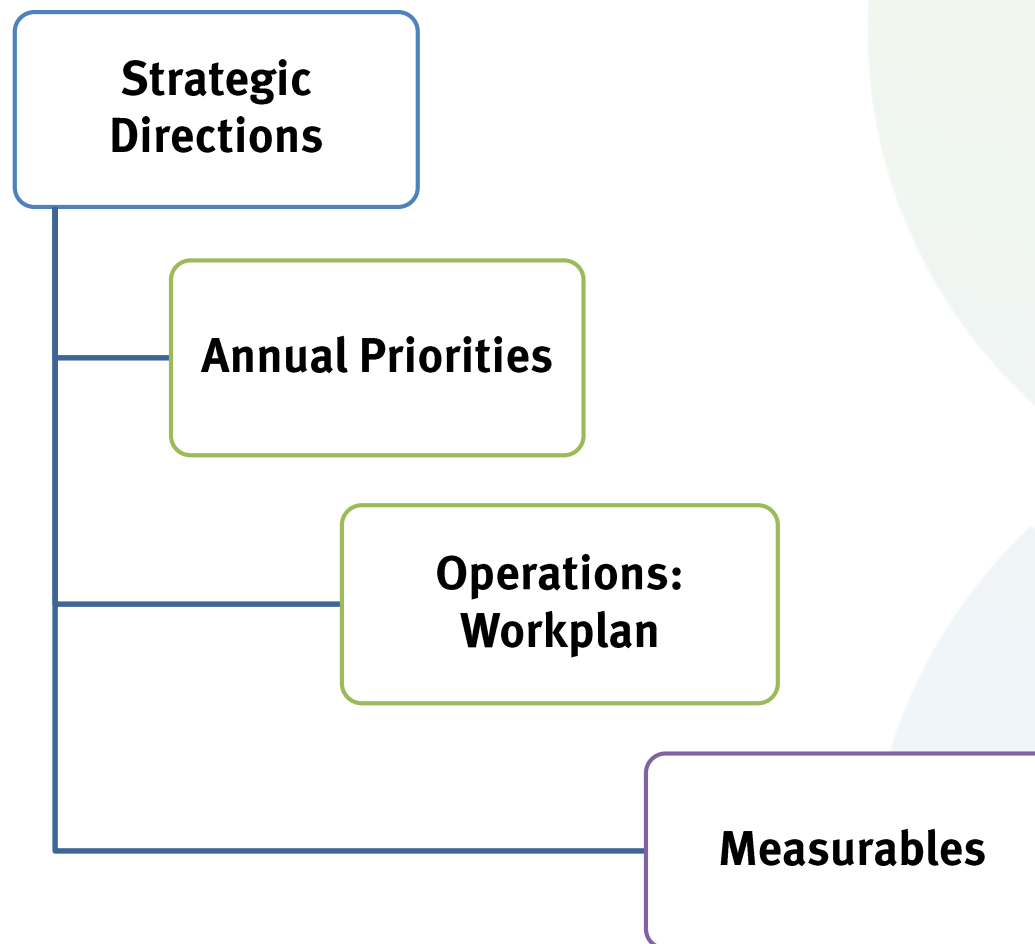
Regional Model



Recognized Best Practice

- Highly integrated regional economy
- Economies of scale
- Impact on national and global stage

Strategic Plan to Workplan



In Action



Business Retention and Enhancement

- Site visits & 1-1 support
- Agriculture support
- Manufacturing sector programming
- Referrals

Workforce Development

- Connector program
- Okanagan Young Professionals Collective
- Workforce profile and strategy

In Action



Investment Attraction

- OKGo partnership
- Digital and in-person marketing
- Trade and Invest BC
- Global Affairs Canada, Invest in Canada

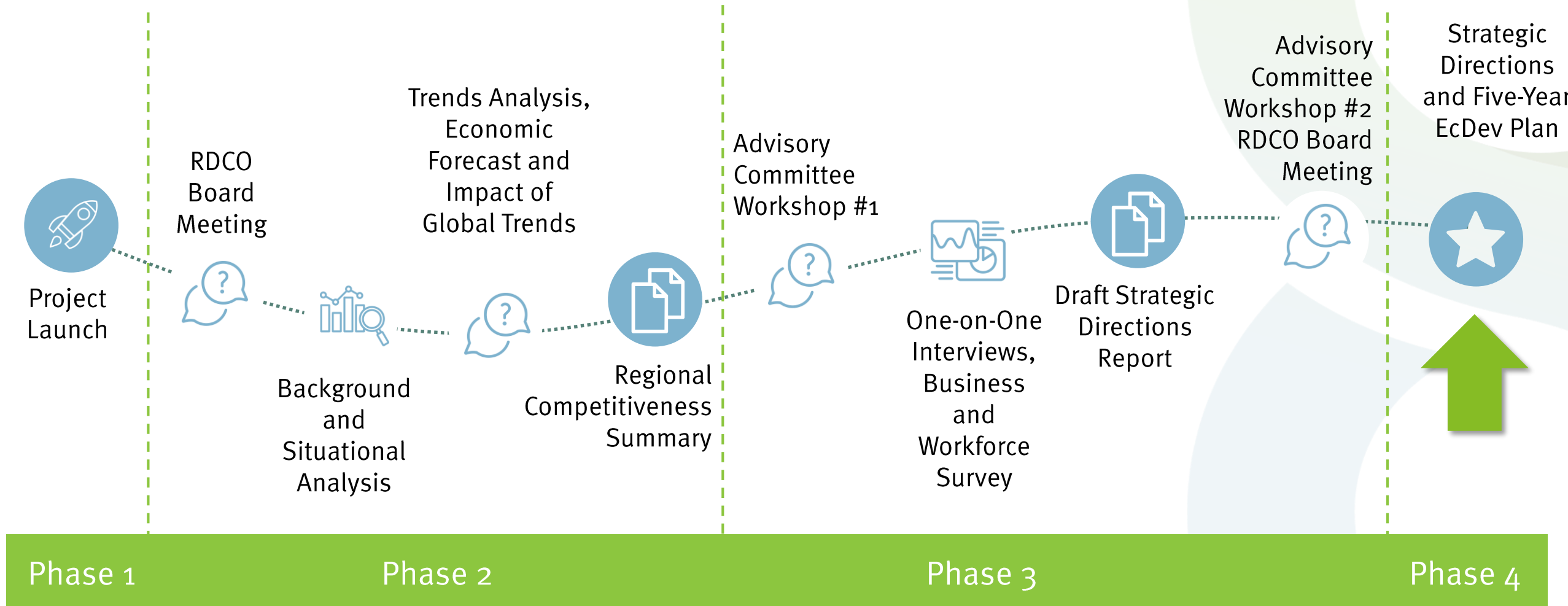
Coordination, Communication, and Facilitation

- Economic data: portal, profile, presentations
- Business resources
- Advisory committee
- Economic development partners

Roadmap to Resiliency

COEDC Strategy 2025-2030

Project Overview



How did we get here?



Strategic Directions



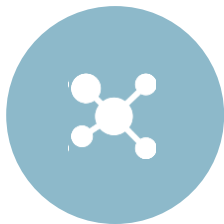
Strategic directions provide an overall framework for operational actions, potential key performance indicators (KPIs), and COEDC's recommended role.



Drive Economic Resilience



Build a Skilled Workforce



Promote Innovation



Grow Export-Focused Industries



COEDC Strategy 2025 to 2030 is in **alignment with projected resources** outlined in COEDC's 5-year financial plan, as well as grant and partnership funding opportunities.

The scope and breadth of the **plan is adaptable** to changing regional needs, available resources, and external economic conditions (such as USA trade barriers).

Drive Economic Resilience

Support businesses in adapting to a changing landscape.

ACTIONS

COEDC ROLE

- 1

Focus investment initiatives on attracting innovative businesses to bolster existing sectors and address local challenges.

LEAD
- 2

Develop educational resources and tailored adaptation strategies to address challenges and promote resilience.

LEAD & SUPPORT
- 3

Establish a network of resilience champions to mentor businesses in enhancing their resilience.

SUPPORT
- 4

Support resiliency and diversification initiatives by engaging with the innovation ecosystem.

SUPPORT

KPI'S

EVENTS (INVESTMENT ATTRACTION, WORKSHOPS ETC), site visits, resource development & analytics

Build a Skilled Workforce

Foster a skilled regional workforce by focusing on talent development, attraction, and retention.

ACTIONS

COEDC ROLE

- 1** Conduct a labour market study to gather critical intelligence on workforce gaps. **LEAD**
- 2** Develop targeted talent attraction initiatives based on identified needs. **LEAD**
- 3** Continue to partner with post-secondary institutions to support program development that aligns with regional industry needs. **SUPPORT**
- 4** Support regional and municipal housing initiatives by providing a link to regional workforce intelligence and associated housing needs. **SUPPORT**

KPI'S

Partner & grant funding, events, presentations, labour market strategy completion

Promote Innovation

Promote innovation to boost labor productivity and resource efficiency.

ACTIONS

COEDC ROLE

- 1 Enhance existing business outreach programming by providing technology adoption tools and resources.
- 2 Showcase regional innovations through storytelling.
- 3 Facilitate industry and cross-industry roundtables to share innovation best practices.
- 4 Support post-secondary in connecting faculties with industry to foster research and innovation addressing community needs.

LEAD

LEAD

LEAD & SUPPORT

SUPPORT

KPI'S

Events, site visits, presentations, digital analytics (website, social media, newsletters)

Grow Export-Focused Industries

Strengthen export base by attracting high-value companies, supporting market expansion, and building regional supply chains.

ACTIONS

COEDC ROLE

- 1** Concentrate investment attraction initiatives on export-oriented sectors with growth potential that align with federal/provincial targets.
- 2** Conduct a regional supply chain study to enhance export industry integration with the regional economy.
- 3** Maintain high level of regional business intelligence by actively engaging with export-oriented industries.
- 4** Support businesses with export development by connecting to Federal and Provincial resources.

LEAD

LEAD

LEAD &
SUPPORT

SUPPORT

KPI'S

Export-focused events, site visits, presentations, supply chain study completion


Target Sectors

 Agriculture

 Clean Technology

 Manufacturing

 Digital Technology

 Health

 Aerospace

Canada

Central Okanagan

British Columbia

Agriculture
Aerospace
Cleantech

Manufacturing

Digital
Technology

Automotive
Technology
Natural Resources
EV Supply Chain

Health

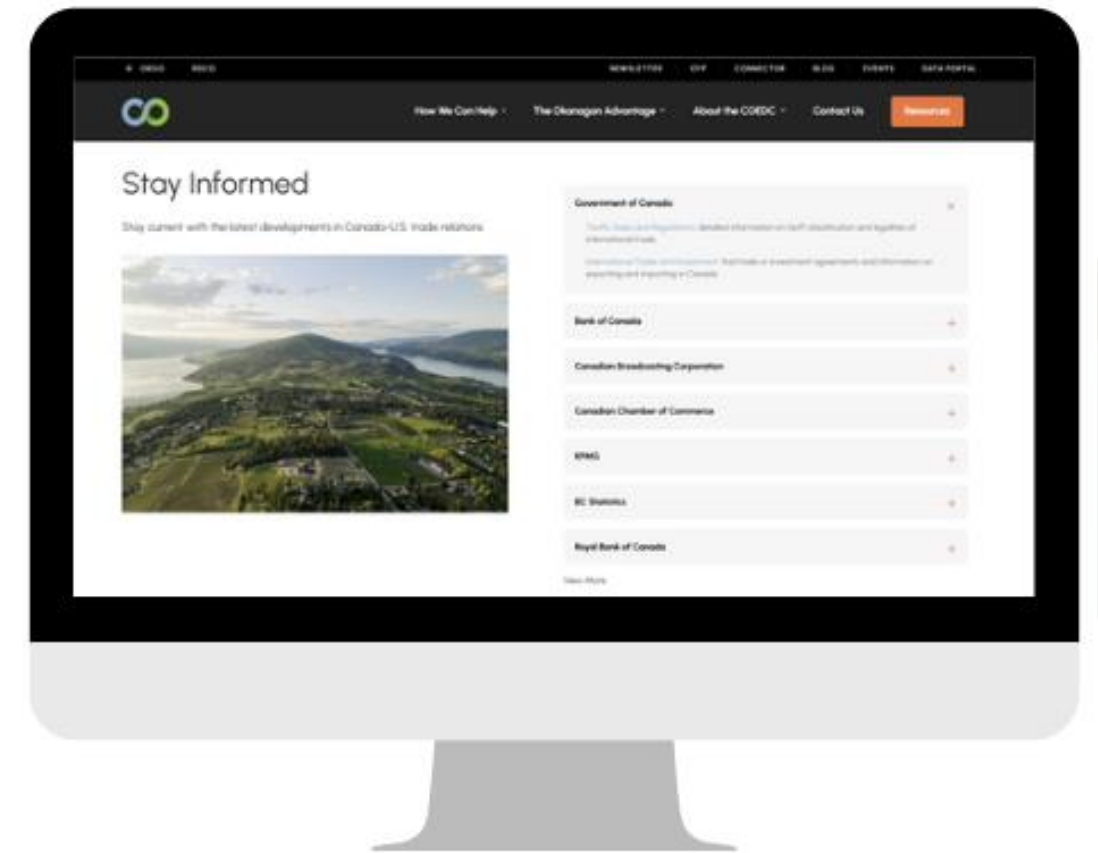
Clean Energy
Entertainment
Forestry
Natural Gas
ICT

CANADA/ US Trade Relations



Actions

- **COEDC Tariff Resources Webpage**
 - Latest developments in Canada-US trade relations
 - Programs and resources for business
 - Events & information sessions
 - www.investkelowna.com/tariffs
- **Navigating Tariffs: Strategies for Resilience**
 - Industry roundtables and panel, April 3rd, 2025
- **Manufacturing Supplier Database**



Resources



Krista Mallory
Manager | Central Okanagan Economic
Development Commission
250-469-6182
kmallory@investkelowna.com

LOOKING FOR:

- General information?
- Statistics?
- Quarterly Economic Indicators?
- Industry-specific profiles?
- Export advice?
- Local government connections?
- Workforce sourcing?
- Housing prices?
- Business development assistance?



City of West Kelowna – FortisBC Operating Agreement Overview

Interior Municipal Operating Agreements

- What is an Operating Agreement?
 - contract between municipality and FortisBC Energy Inc. (FEI)
 - terms & conditions set out for installation, operation & maintenance of natural gas distribution pipes and related facilities within public streets & roads
 - formerly referred to as *franchise agreements* due to exclusivity agreement with municipality
 - agreements now called Operating Agreements

Interior Municipal Operating Agreements

Background

- original agreements negotiated in 1957 under Inland Natural Gas
- 49 Interior Municipalities currently have operating agreements
- 20-year term
- negotiated master operating agreement with UBCM in 2005 and approved by BCUC

Municipal Operating Agreements

- Objective

- increase operating efficiencies
- reduce customer wait times
- improve construction scheduling
- consistent operating practices across the region
- create contractual certainty with operating issues
- improve relationship between FEI and City of West Kelowna



Operating Agreement – Definitions

- 1 (d): Company Facilities
- 1 (l): Municipal Facilities
- 1 (n): New Work
- 1 (p): Planned Facilities
- 1 (q): Public Places

Operating Agreement – Key Sections

- 4: FortisBC Rights to Access & Use Public Spaces
- 5.1: FortisBC Compliance with Standards for Use of Public Places
- 6.1: FortisBC Work Obligations
- 6.2: Notice of Service Lines
- 6.3: FortisBC to Obtain Locate Information
- 8: Facility Changes Required
- 9.2: Communication and Coordination of Activities
- 12: Other Permits, Approvals or Licences

Operating Agreement – Key Terms

4. FortisBC Rights to Access & Use Public Spaces

The Municipality acknowledges FortisBC's rights to:

- a) develop, construct, install, maintain or remove Company Facilities on, over, in and under Public Places
- b) enter on Public Places as may be reasonably necessary to maintain, repair, or operate the Facilities;
- c) place pipeline identification markers where a Transmission Pipeline or Distribution Pipeline crosses

Operating Agreement – Key Terms

5.1: Non-discriminatory Standards for FortisBC

- FortisBC shall comply with all Federal and Provincial laws, regulations and codes and Municipal bylaws, standards and policies
- Except:
 - where they may conflict with terms of the Operating Agreement
 - limit rights or concessions granted to FortisBC by the City of West Kelowna under the Agreement; or
 - where they conflict with other legislation governing FortisBC

Operating Agreement – Key Terms

6.1: Notices – General Requirements

6.1.1. Notice for New Work

For New Work, FortisBC shall give notice to the City of West Kelowna that it intends to perform New Work

6.1.3. Municipal Approval for New Work

The Municipality may object to the New Work on grounds set out in the Agreement within the timeline outlined

Operating Agreement – Key Terms

6.3: FortisBC to Obtain Locate Information

- Prior to conducting any New Work, FortisBC shall locate other Utilities and satisfy itself that it is clear to proceed



Operating Agreement – Key Terms

8.1: Facility Changes Required by FortisBC

FortisBC may provide Notice that it requires Municipal Facilities to be altered, changed, temporarily shut-down, temporarily by-passed, or relocated to accommodate its requirements.

- The Municipality will comply to the extent it is reasonably able to do so
- FortisBC agrees to pay for all costs for changes to the affected Municipal Facilities

Operating Agreement – Key Terms

8.2: Facility Changes Required by City of West Kelowna

The Municipality may provide Notice that it requires FortisBC Facilities to be altered, changed, temporarily shut-down, temporarily by-passed, or relocated to accommodate its requirements.

- FortisBC will comply to the extent it is reasonably able to do so
- City of West Kelowna agrees to pay for the costs for changes to the affected Facilities

Operating Agreement – Key Terms

12. Other Approvals, Permits or Licenses

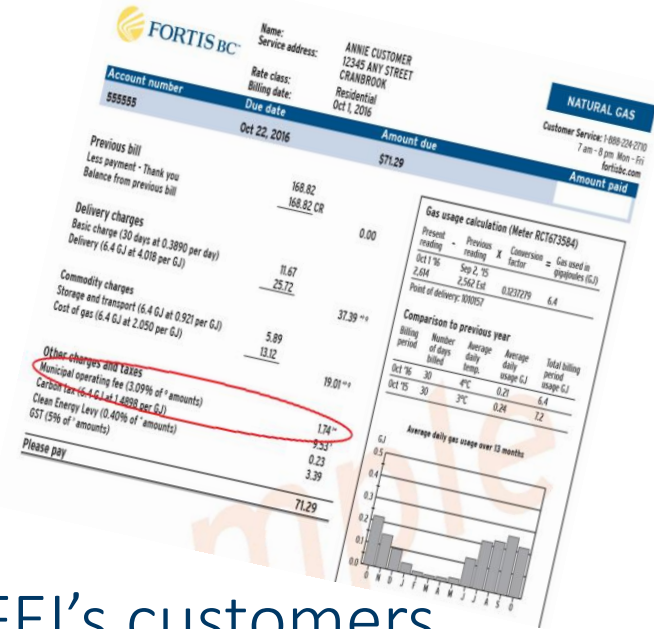
Except as specifically provided in this Agreement, City of West Kelowna

- will not require FortisBC to seek or obtain approvals, permits or licenses
- will not charge or levy against FortisBC any approval, license, inspection or permit fee, or charge of any other type associated with FortisBC constructing, installing, renewing, altering, repairing, maintaining or operating Facilities

Operating Fee

Based on 3% of gross revenue from the sale of natural gas in the municipality

- separate line item collected on FEI's customers bills
- fee is then transferred to the City
- doesn't result in additional revenue for FortisBC
- is in addition to existing 1% payment in lieu of property tax



Thank you



For further information, please contact:

Shelley Martens
Manager, Community & Indigenous Relations

Okanagan-Similkameen-Nicola-Thompson-Shuswap regions

Email: shelley.martens@fortisbc.com



COUNCIL REPORT

To: Mayor and Council

Date: March 25, 2025

From: Ron Bowles, Chief Administrative Officer

File No: 1220-20-2025-P002

Subject: **Contract Award – City Hall Council Chambers Acoustic Upgrade**

Report Prepared by: Erin Goodwin, Facilities and Recreation Manager

RECOMMENDATION to Consider and Resolve:

THAT Council award the City Hall Council Chambers Acoustic Upgrade (C2025-39) contract to Sunco Drywall Ltd for the amount of \$112,540.00 + GST.

STRATEGIC AREA(S) OF FOCUS

Invest in Infrastructure – We will invest in building, improving and maintaining infrastructure to meet the needs of, and to provide a high quality of life for, current and future generations.

BACKGROUND

During 2025 Capital Budget deliberations, the City established a budget of \$115,000 and Council granted early approval to complete an acoustic upgrade to the Council Chambers, inside City Hall (C2025-39).

An acoustic consultant assisted the City in creating a design for the project. The goal of the project was to improve the acoustics inside the room and maintain the wood aesthetics the current space provides.

A request for proposal (RFP) was created and a public procurement for the project was completed. The RFP was issued on January 27, 2025 and closed on February 21, 2025. Eleven (11) contractors registered for the project, but only one bid submission was received.

Section 5.1 of the City of West Kelowna Purchasing Policy provides parameters for when staff is authorized to commit to contracts for procurement of goods and services. Any purchasing commitment that does not meet the requirements of Section 5.1 must be approved by Council.

With only one (1) bid submitted for this project, Section 5.1 states that staff must seek Council's approval to award the contract.

DISCUSSION

The submission provided by Sunco Drywall Ltd has been reviewed by the City's acoustic design consultant. The consultant has confirmed that the contractor's proposal does meet the acoustic requirements for the project. The acoustic panels proposed for the project also meet the wood aesthetic appeal the City asked for in the RFP and the contractor's submission meets City budget.

As a result, staff is recommending that Council award the City Hall Council Chambers Acoustic Upgrade (C2025-39) contract to Sunco Drywall Ltd.

FINANCIAL IMPLICATIONS

Council Approved Budget: \$115,000

Sunco Drywall Ltd Proposal: \$112,540.00 + GST

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
Dec 19, 2024	THAT Council support the 2025 Capital Budget Request for Facilities as follows: C2025-39 City Hall - Council Chambers Acoustic Upgrade \$115,000 CARRIED UNANIMOUSLY	Resolution No. C326/24

REVIEWED BY

Warren Everton, Director of Finance/CFO

Mark Panneton, Director, Legislative & Legal Services

Trevor Seibel, Deputy CAO

APPROVED FOR THE AGENDA BY

Ron Bowles, Chief Administrative Officer

Powerpoint: Yes ☐ No ☒

Attachments:



COUNCIL REPORT

To: Mayor and Council

Date: March 25, 2025

From: Ron Bowles, Chief Administrative Officer

Subject: **Utility Fee Amendments Bylaw 0028.83, 2025**

Report Prepared by: Lisa Siavashi, Financial Services Manager /Deputy CFO

RECOMMENDATION to Consider and Resolve:

THAT Council adopt “City of West Kelowna Fees and Charges Amendment Bylaw No. 0028.83, 2025”.

STRATEGIC AREA(S) OF FOCUS

Invest in Infrastructure – We will invest in building, improving and maintaining infrastructure to meet the needs of, and to provide a high quality of life for, current and future generations.

Pursue Economic Growth and Prosperity – We will work with stakeholders throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

Strengthen Our Community – We will provide opportunities for the residents of West Kelowna to build connections, celebrate successes, embrace the community's strengths and diversity, address shared needs, and contribute to shaping the community's future.

Foster Safety and Well-Being – We will pursue through direct action, advocacy, and collaboration with local and regional service providers, investments in community health, needs-based housing, emergency preparedness, policing, and other services that foster safety and well-being in West Kelowna.

BACKGROUND

At the March 11, 2025, regular meeting, Council gave three readings to Bylaw Amendment 0028.83. Staff presented the new utility fees proposed for 2025 for Water and Sewer services and increases needed were approximately 6.3% for the sewer rates,

5.7% for Rose Valley water rates, and 9.45% for Powers Creek water rates. This bylaw is now before Council for consideration of adoption.

FINANCIAL IMPLICATIONS

The proposed sewer and water rates are designed to meet the financial needs of the City for 2025 and will be reviewed as part of our annual budget process and amended as required.

Staff will continue to review the timing of capital requests and operating needs year over year as well as prepare a new rate schedule for Council to review in 2026. A water rate study is currently on the 10 year capital plan for 2026.

The combined financial implications for the average residential customer are:

	Powers Creek	Rose Valley
Sewer	\$ 6.51	\$ 6.51
Water	\$ 25.00	\$ 15.00
Garbage	\$ -	\$ -
Total Quarterly Utility Increase	\$ 31.51	\$ 21.51
Total Annual Utiltiy Increase	\$ 126.04	\$ 86.04

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
March 11, 2025	THAT “City of West Kelowna Fees and Charges Amendment Bylaw No. 0028., 2025” be given first, second and third reading.	

Alternate Recommendation to Consider and Resolve:

THAT Council direct staff to modify “Fees and Charges Amendment Bylaw No. 0028.83, 2025” by [Council to provide direction].

REVIEWED BY

Trevor Seibel, Deputy CAO/Deputy Corporate Officer

APPROVED FOR THE AGENDA BY

Ron Bowles, Chief Administrative Officer

Powerpoint: Yes ☐ No ☒

Attachments: Fees and Charges Amendment Bylaw B0028.83, 2025

CITY OF WEST KELOWNA

BYLAW NO. 0028.83

A BYLAW TO AMEND THE FEES AND CHARGES BYLAW

WHEREAS the Council of the City of West Kelowna desires to amend the Fees and Charges Bylaw No. 0028,

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

1. Title

This Bylaw may be cited as the "FEES AND CHARGES AMENDMENT BYLAW NO. 0028.83, 2025."

2. Amendments

"Fees and Charges Bylaw No. 0028" is hereby amended as follows:

- 2.1 By deleting Schedule "7" in its entirety and replacing with the attached, and forming part of this bylaw, Schedule "7";
- 2.2 By deleting Schedule "8" in its entirety and replacing with attached, and forming part of this bylaw, Schedule "8"; and
- 2.3 By deleting Schedule "9" in its entirety and replacing with the attached, and forming part of this bylaw, Schedule "9".

READ A FIRST, SECOND AND THIRD TIME THIS 11TH DAY OF MARCH, 2025
ADOPTED

MAYOR

CORPORATE OFFICER

**SCHEDULE 7 SANITARY
SEWER USER FEES**

The following fees/charges shall apply on a quarterly basis in relation to the provision of municipal sanitary sewer-use services.

DESCRIPTION	RATE CODE	QUARTERLY RATE 2025
01 SA SEWER - SINGLE FAMILY	SA	\$109.74
01 SB SEWER - MULTI FAMILY NON STRATIFIED	SB	\$109.74
01 SC SEWER - LAUNDRY	SC	\$153.69
01 SD SEWER - SCHOOL	SD	\$5.70
01 SE SEWER - RESTAURANT	SE	\$439.00
01 SF SEWER - MARKET, MED FAC, SALON	SF	\$219.54
01 SG SEWER - SERV STATION, PUBLIC ASSEMBLY	SG	\$150.94
01 SI SEWER - COMMERCIAL	SI	\$109.74
01 SJ SEWER - HOSPITAL W/LAUNDRY	SJ	\$109.74
01 SL SEWER - INSTIT., RESTING HOME	SL	\$22.03
01 SM SEWER - CARE FACILITY	SM	\$65.90
01 SN SEWER -BED & BREAKFAST	SN	\$30.62
01 SO SEWER - MOTEL,HOTEL	SO	\$43.93
01 SQ SEWER - CAMPSITE (YEAR ROUND)	SQ	\$56.64
01 SR SWR COMM. BASED ON CALC FLOWS	SR	\$0.88
01 ST SEWER COMM METERED	ST	\$2.20
01 SU SEWER SECONDARY SUITE, SELF CONTAINED PERMITTED UNIT	SU	\$43.93
01 SV SEWER INHOME DAYCARE	SV	\$43.93

LATE PAYMENT CHARGE - A late payment charge of 1% per month (compounded monthly = 12.68% p.a.) will be levied on all overdue account balances.

TRANSFER TO TAXES - All utility charges imposed on benefitting premises under this bylaw will be transferred to tax arrears if unpaid as of December 31st of the year in which they are due. Interest thereon will accrue at rates established under Section 11(3) of the Taxation (Rural Area) Act.

SCHEDULE 8 - WATER RATES (Effective January 1, 2025)

CATEGORY	POWERS CREEK	ROSE VALLEY
Water Maintenance: Unimproved Parcels Only	\$56.35	\$53.79
Water Maintenance: Parcels under Construction	\$112.69	\$107.57
RESIDENTIAL- billed quarterly		
Water Flat Single Family	\$225.38	\$215.14
Up to four SFD Equivalent/unit	\$225.38	\$215.14
Secondary Suite or Self Contained Permitted Unit	\$90.15	\$86.06
Bed & Breakfast	\$63.11	\$60.24
Metered Consumption (per cubic meter):		
0 - 100	\$0.49	\$0.49
101 - 300	\$0.98	\$0.98
301 +	\$1.57	\$1.57
COMMERCIAL/INDUSTRIAL/INSTITUTIONAL/MULTI-FAMILY (> four units) - billed quarterly		
Flats: (based on meter size)		
5/8"-3/4"-1"	\$225.38	\$215.14
1.5"	\$507.11	\$484.07
2"	\$901.52	\$860.56
3"	\$2,028.42	\$1,936.26
4"	\$3,606.08	\$3,442.24
6"	\$8,113.67	\$7,745.03
8"	\$14,424.29	\$13,768.94
Metered Consumption (per cubic meter):	\$0.98	\$0.98
AGRICULTURAL		
Per hectare quarterly flat fee		\$36.13
Metered Consumption (per cubic meter):		
0 - 7,491 m3/hectare/year		\$0.03
7,492 m3/hectare/year +		\$0.10
BULK WATER SALES:		
Set up Fee - Residential	\$35.00	
Bulk Water rate per m3	\$1.57	
LATE PAYMENT CHARGE - A late payment charge of 1% per month (compounded monthly = 12.68% p.a.) will be levied on all overdue account balances.		
Unpermitted self-contained units will be charged as a Single Family Equivalent		
TRANSFER TO TAXES - All utility charges imposed on benefitting premises under this bylaw will be transferred to tax arrears if unpaid as of December 31st of the year in which they are due. Interest thereon will accrue at rates established under Section 150 of the Taxation (Rural Area) Act.		

**SCHEDULE 9 OF BYLAW NO. 0028
SOLID WASTE AND RECYCLING COLLECTION FEES**

The following fees/charges shall apply on a quarterly basis in relation to the provision of municipal solid waste and recycling services.

Description	Quarterly Flat Rate 2025
GARBAGE, YARD WASTE AND RECYCLING	\$ 46.66
OPTIONAL UPGRADE OF YARD WASTE CART (240L TO 360L)	\$ 2.50
OPTIONAL UPGRADE OF GARBAGE CART (120L TO 240L)	\$ 18.00
ADDITIONAL TAG-A-BAG	\$ 2.50

LATE PAYMENT CHARGE - A late payment charge of 1% per month (compounded monthly = 12.68% p.a.) will be levied on all overdue account balances.

TRANSFER TO TAXES - All utility charges imposed on benefitting premises under this bylaw will be transferred to tax arrears if unpaid as of December 31st of the year in which they are due. Interest thereon will accrue at rates established under Section 11(3) of the Taxation (Rural Area) Act.

1. Residential Dwelling Premises shall be invoiced with a utility bill sent quarterly by the City to cover the costs of the Garbage, Yard Waste and Mandatory Recyclable Material Collection Fee and the Solid Waste Reduction Services Fee. Payments received are applied firstly to arrears, then to current charges. New accounts are billed from the date of request of occupancy or on final inspection of the applicable building permit works, on a pro-rated basis.
2. Each individual Residential Dwelling Premise will receive one free Garbage, Yard Waste and Recyclables Cart. Change Out for different cart sizes as per Sections 2.2.15 and 2.2.16 of the Solid Waste Management Regulation Bylaw. Additional cart size Change Outs will be assessed a Change Out Fee of \$25.00 per Change Out exchange and will be invoiced to the Owner of the Residential Dwelling Premise. Residents may acquire up to two additional yard waste containers at a one-time cost of \$55 per extra cart and an annual \$30 additional pick-up fee. The \$55 per cart fee would be paid at the time of ordering the extra carts while the \$30 annual pick-up charge would be billed on the quarterly utility billing (at \$7.50/quarter).
3. If Garbage, Yard Waste and Recyclables Carts become damaged, upon approval by the Director of Engineering and Public Works, costs of the repairs may be charged to the Owner of the Residential Dwelling Premise.



COUNCIL REPORT

To: Mayor and Council

Date: March 25, 2025

From: Ron Bowles, Chief Administrative Officer

Subject: **2025 Parcel Tax Roll Review Panel**

Report Prepared by: Lisa Siavashi, Financial Services Manager / Deputy CFO

RECOMMENDATION to Consider and Resolve:

THAT Council appoint at least three members of Council to form a Parcel Tax Roll Review Panel;

AND THAT Council direct staff to schedule a meeting of the Parcel Tax Roll Review Panel for 1:15 pm on Tuesday, April 8th, 2025;

AND FURTHER THAT Council direct staff to give notice of the meeting in accordance with Section 94 of the *Community Charter*.

STRATEGIC AREA(S) OF FOCUS

Invest in Infrastructure – We will invest in building, improving and maintaining infrastructure to meet the needs of, and to provide a high quality of life for, current and future generations.

Pursue Economic Growth and Prosperity – We will work with stakeholders throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

LEGISLATIVE REQUIREMENTS:

Under Section 204 of the *Community Charter*, Council must establish a Parcel Tax Roll Review Panel in order to review the parcel tax roll, hold a Parcel Tax Roll Review Panel meeting to hear any complaints from the taxpayers and give proper notice of the meeting. Once Council has established the Panel and set a date for the meeting, staff will provide the Panel with a copy of the Parcel Tax Roll for their review. Letters are required to be sent to any taxpayers that are being charged a parcel tax for the first time advising them

of the Panel meeting date, time, and location. In 2025 owners of 249 parcels will receive such a letter.

BACKGROUND

As required in Section 204 (1) of the *Community Charter*, the City is required to establish a Parcel Tax Roll Review Panel (the Panel). The Panel will hear any complaints from the public regarding the assessment of a new parcel tax. The requirements for the Panel as per the *Community Charter* are as follows:

Section 204:

“(1) Before a parcel tax is imposed for the first time, a parcel tax roll review panel must consider any complaints respecting the parcel tax roll and must authenticate the roll in accordance with this Division.

(2) For the purposes of this Division, the Council must

(a) appoint at least 3 persons as the members of the parcel tax roll review panel,

(b) establish the time and place for the sitting of the panel, and

(c) have advance notice of the time and place published in accordance with Section 94 [public notice].”

As indicated above, the notice of the time and place of the Panel meeting must be given in advance in accordance with Section 94 of the *Community Charter*. In addition, at least 14 days before the date of the meeting, the City is required to mail to the owner of every parcel of land that is to be taxed a notice that outlines the date and time of the meeting and details of the parcel tax being charged. The Panel will then hear any complaints and make corrections to the parcel tax roll if required. As per Section 205 of the *Community Charter*, the conditions on which the City can make corrections are as follows:

Section 205:

“(1) Subject to subsection (2), a person may make a complaint to the parcel tax roll review panel on one or more of the following grounds:

(a) there is an error or omission respecting a name or address on the parcel tax roll;

(b) there is an error or omission respecting the inclusion of a parcel;

(c) there is an error or omission respecting the taxable area or the taxable frontage of a parcel;

(d) an exemption has been improperly allowed or disallowed.”

There are also various other limitations on what can be changed and notice requirements for any further additions to the parcel tax roll. In addition, complaints must be made to the Panel in writing, at least 48 hours prior to the meeting. Once all complaints have been addressed, notice of the Panel's decision must be sent in writing to the complainant within 10 days. The chair of the Panel reviews the amended parcel tax roll to ensure all corrections have been made, and reports this to the Panel. The Panel must then confirm and authenticate the parcel tax roll and prepare a parcel tax roll certificate signed by a majority of its members.

The number of parcel tax notices issued each year can vary substantially dependent upon what new parcel taxes are implemented from year-to-year. In 2025, notices are being sent to the owners of 249 parcels which are being levied a parcel tax for the first time. These would be new development or new subdivisions in West Kelowna in 2024.

FINANCIAL IMPLICATIONS

N/A

REVIEWED BY

Trevor Seibel, Deputy CAO/Deputy Corporate Officer

APPROVED FOR THE AGENDA BY

Ron Bowles, Chief Administrative Officer

Powerpoint: Yes ☐ No ☒

Attachments: Parcel Tax Letter to New Parcels 2025_Redacted



City of West Kelowna

3731 Old Okanagan Highway, West Kelowna, British Columbia V4T 0G7

Tel.: 778-797-1000 Fax: 778-797-1001

March 18, 2025

WEST KELOWNA BC V4T

Dear Sir/ Madame:

2025 PARCEL TAX ASSESSMENT NOTICE

Folio: 364
Service Address:
Legal Description:

The City of West Kelowna is required by provincial legislation to serve notice that the property described above is being assessed for a parcel tax levy as described below. This is standard practice for properties which are newly subdivided, consolidated, or stratified. The details of the amount which will be billed to you on your property tax notice are:

Parcel Tax Description	Effective Dates	Annual Parcel Tax Rate
Solid Waste & Recycling Program - Bylaw #0219	2025 - 9999	\$11.52
Landfill Transfer Station - Bylaw #0125	2025 - 9999	\$42.22

PLEASE DO NOT PAY AS THESE PARCEL TAXES WILL BE ADDED TO YOUR 2025 PROPERTY TAX NOTICE THAT WILL BE MAILED THE MIDDLE OF MAY 2025.

The City of West Kelowna's Parcel Tax Roll of all properties subject to a Parcel Tax in 2025 has been prepared and is available for inspection at City Hall, 3731 Old Okanagan Hwy, from 8:30 to 4:30, Monday through Friday (except statutory holidays). As an owner of property included on the Parcel Tax Roll, you may request an amendment to the roll by applying in writing to the City on or before the close of business on Friday, April 4, 2025. A request for an amendment may only be on one or more of the following grounds:

- (a) There is an error or omission respecting a name or address on the parcel tax roll;
- (b) There is an error or omission respecting the inclusion of a parcel;
- (c) There is an error or omission respecting the charge levied;
- (d) An exemption has been improperly allowed or disallowed.

The Parcel Tax Review panel, consisting of (3) members of Council, will convene at 1:15 on Tuesday, April 8th, 2025, at Municipal Hall, 3731 Old Okanagan Hwy to hear any complaints, make corrections to and authenticate the roll. All property owners who file a written complaint to the panel will be notified in writing of the panel decision.

If you have any questions regarding the Parcel Tax Roll, please contact our Tax staff at taxes@westkelownacity.ca or phone 778-797-8860.

Regards,

Lisa Siavashi, CPA, CMA
Financial Services Manager, Deputy CFO



DEVELOPMENT SERVICES COUNCIL REPORT

To: Mayor and Council

Date: March 25, 2025

From: Ron Bowles, Chief Administrative Officer

File No: Z 24-06

Subject: **Z 24-06; Zoning Amendment; 3011, 3021 & 3031 Ourtoland Road**

Report Prepared By: Cam Graham, Planner II

RECOMMENDATION to Consider and Resolve:

THAT Zoning Amendment Bylaw No. 0265.31 be given first, second and third reading;

AND THAT Council direct staff to schedule Zoning Bylaw Amendment No. 0265.31 for adoption following the completion of the following third reading conditions:

- A no build covenant be registered across two subject properties (3021, 3031 Ourtoland Road) to ensure construction completion of a pedestrian connection and off-site improvements between Oak Barrel Place and Ourtoland Road;
- Dedication of right of way on 3031 Ourtoland for the pedestrian connection;
- A road reserve covenant be registered to provide access to 3080 Boucherie Road; and
- An agricultural protection covenant be registered on 3011 Ourtoland Road.

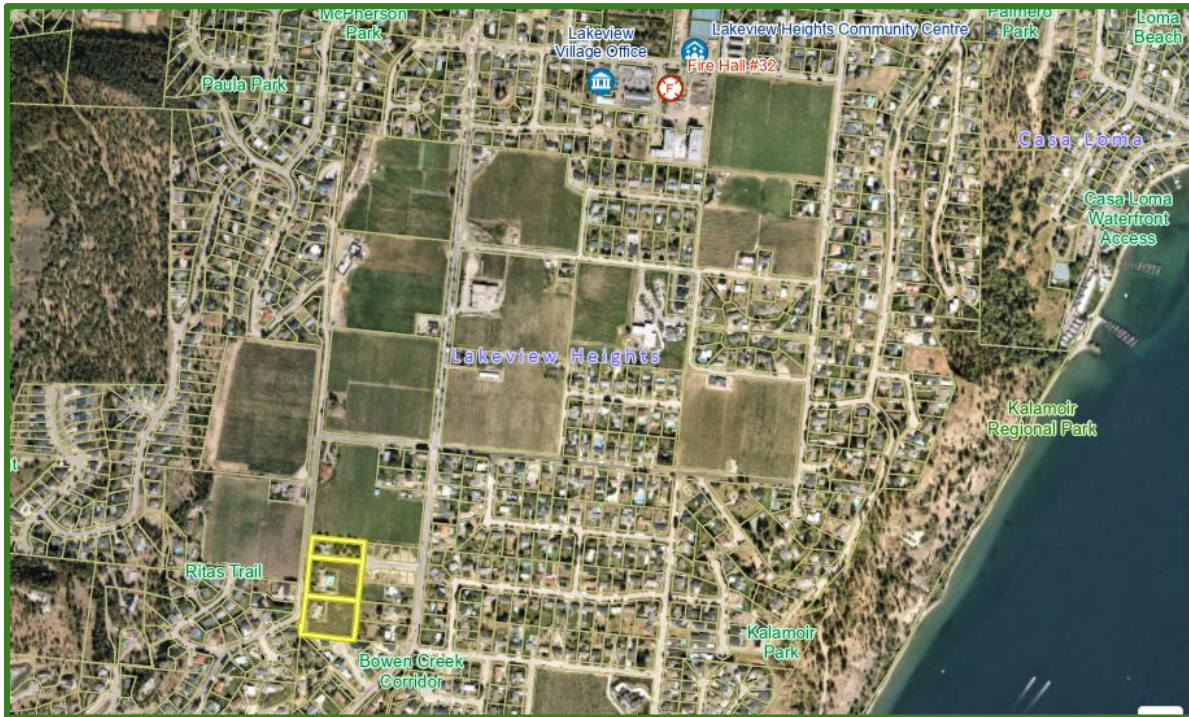
STRATEGIC AREA(S) OF FOCUS

Pursue Economic Growth and Prosperity – We will work with stakeholders throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

BACKGROUND

The subject properties are located within the Lakeview Heights Neighbourhood near the West Kelowna Wine Trail. Recent developments in the area include the Oak Barrel Place (Z 14-04) and Kitson Court (Z 18-11) subdivisions. During the Oak Barrel Place zoning, a condition of approval was that a 3.0m wide pedestrian walkway be dedicated for future connection to Ourtoland. This connection was constructed (Fall 2020) to a City-approved standard and could be connected through this potential approval as it is currently not connected. During these applications, the road network was planned to allow a future subdivision to connect these dead-end cul-de-sacs to reduce traffic on Boucherie Road.

NEIGHBOURHOOD MAP



PROPERTY DETAILS

Address	3011 Ourtoland Rd & 3021 Ourtoland Rd & 3031 Ourtoland Rd		
PID	007-408-641, 007-408-676, 007-408-692		
Folio	36413689.091, 36413689.093, 36413689.096		
Lot Size	21,570 m ² (4,290 m ² + 8,620 m ² + 8,660 m ²)		
Owner	Arthur Wannop Sun Zandong & Qi Zhang	Agent	Protech Consulting (Kyle Lorincz)
Current Zoning	R1L – Large Parcel Single Detached and Duplex Residential Zone (3011), RU1 - Country Residential Zone (3021 & 3031)	Proposed Zoning	R1 – Single Detached and Duplex Residential Zone
Current OCP	Low Density Residential	Proposed OCP	Low Density Residential
Current Use	Low Density Residential	Proposed Use	Low Density Residential

ADJACENT ZONING & LAND USES

North	^	A1- Agricultural, Winery use
East	>	R1 – Single Detached and Duplex Residential Zone & R1L - Large Parcel Single Detached and Duplex Residential Zone
West	<	A1 - Agricultural, R1 – Single Detached and Duplex Residential Zone
South	v	R1 – Single Detached and Duplex Residential Zone

PROPOSAL

The applicant is proposing to rezone three lots from Large Parcel Single Detached and Duplex Zone (R1L) for the northern property and Country Residential Zone (RU1) for the two southern properties to Single Detached and Duplex Residential Zone (R1) to facilitate a future subdivision involving a connection of two existing cul de sacs.

DISCUSSION

Policy & Bylaw Review

Official Community Plan No. 0300

The proposal is consistent with the existing Low Density Residential land use designation. Rezoning of larger rural and residential zones to smaller residential zones allows future development to be more consistent with surrounding areas and accommodate future infill through subdivision. The OCP has identified the subject properties for low-density infill housing. The OCP includes policies that support zoning amendments to accommodate infill with sensitive integration when aligning with OCP regulations.

Housing Strategy, Housing Needs Assessment and Infill Strategy

The proposed amendment aligns with the City's Housing Strategy, Infill Strategy and Housing Needs Assessment. By increasing density in our existing neighbourhoods, the City can more effectively meet its housing targets, support infrastructure investments, enhance walkability, and create vibrant, mixed-use communities that align with broader planning objectives. The proposal would also allow for the creation of more diverse housing potential in this area, including duplexes with secondary suites. This aligns with the City's priorities to provide diverse housing options to address the needs of underserved demographics, including seniors and young adults. This rezoning could accommodate an infill subdivision 20+ lots with potential for additional units based on the lot-specific design and permissions under Bill 44.

Zoning Bylaw No. 0265

Agricultural Setback Requirements

The Zoning bylaw includes increased setback requirements when adjacent to agricultural parcels. 3011 Ourtoland Road abuts an agricultural parcel to the North, and an agricultural protection covenant has been proposed. This covenant is standard practice and was also included as part of the previous rezoning application on Kitson Court.

Road Access

The proposed rezoning is intended to facilitate a subdivision that can allow for the connection between Oak Barrel Place and Kitson Court (Figure 1). The final alignment and road standard will be reviewed at time of subdivision.

Road access to lands beyond was reviewed as part of the rezoning process. Boucherie Road has seen increased traffic volumes from road improvements that support connectivity on the wine trail. The three lots fronting Boucherie Road would benefit from an alternate access to accommodate future development and minimize future accesses off Boucherie Road to address traffic safety concerns. This road reserve covenant provides a future developer and the City the tools to safely access similar to the Oak Barrel Place and Kitson Court subdivisions.

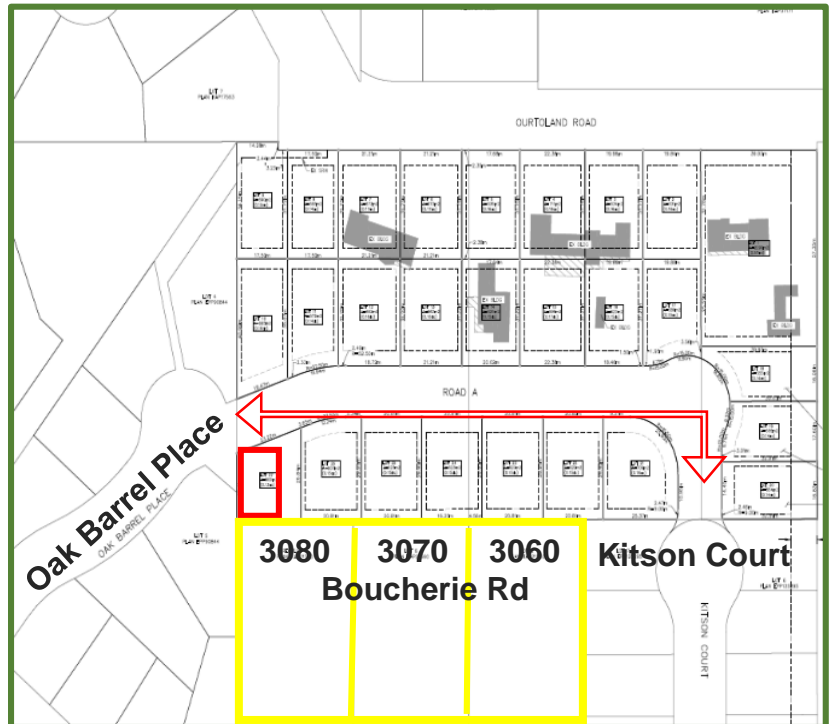


Figure 1: Subdivision Plan showing connection to existing roads (red arrow) and Potential Road Reserve (box) Location to 3080 Boucherie Road

Servicing

The Functional Servicing Report considered the subject properties to have suitable servicing potential with recommended infrastructure upgrades based on the conceptual subdivision plans and rezoning proposal. If the density changes at the time of subdivision, an updated Functional Servicing Report will be required.

Pedestrian Access

As part of this rezoning, it has been identified that the applicant will be required to provide a pedestrian access right of way and construct a walkway to join Ourtoland Road to Oak Barrel Place. This connection will formalize a connection to the existing pedestrian walkway, which provides access to Boucherie Rd (Figures 2, 3). This walkway will be required to match the existing walkway and stairs completed in Fall 2020.



Figure 2: Stairs completed In the Oak Barrel Place Subdivision

Geotechnical

The Geotechnical Report stated that “the site appears to be safe for the proposed residential subdivision from a geotechnical perspective.” No major concerns were identified in the report based on the conceptual subdivision plans and current lot conditions.

Referral Comments

Advisory Planning Commission (APC)

The APC considered the application on February 19th, 2025. The APC supported the application presented to them with discussion regarding the proposed off-site improvements. The APC inquired regarding a lack of connectivity to the transit stop across Boucherie Road (Figure 3). Staff evaluated the need for a crossing at this location during the recent wine trail improvements, and the City’s traffic consultant identified that the existing foot traffic did not warrant the construction of a crosswalk (average of 15 adults per hour). Another crosswalk was built ~270m to the south of the Oak Barrel and Boucherie Road intersection, further from the existing corner on Boucherie Road. Typically, crossings are located within 200m, but these distances can increase to 400m on arterial roads like this. As such, the crossing has not been recommended; however, the need for this crossing will be evaluated to determine if a crossing is warranted in the future.

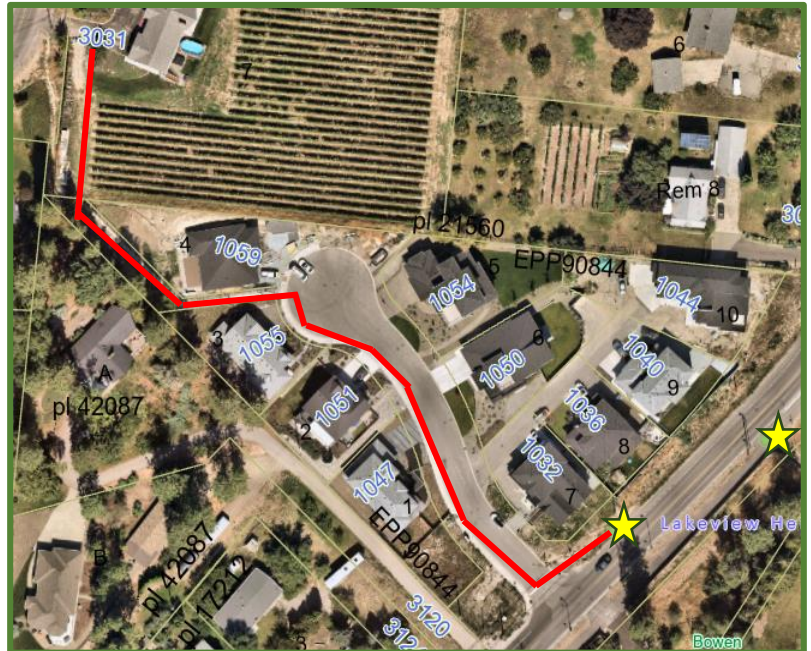


Figure 3: Aerial view of the pedestrian connection (red line) from Ourtoland through Oak Barrel Place to Boucherie Rd transit stops (yellow star).

PUBLIC NOTIFICATION

Two notification signs were required as part of this application with one sign posted fronting Ourtoland Road and the second sign posted fronting Oak Barrel Place both in accordance with Development Application Procedures Bylaw No. 0260. Additionally, as per the Development Application Procedures Bylaw No. 0260, notifications of first reading were delivered to surrounding residents within a 100 m buffer of the subject properties. There was also an advertisement in the local newspaper, and on the City’s website as per the *Local Government Act*.

CONCLUSION

The requested rezoning to R1 – Single Residential and Duplex Zones for the three subject properties represents alignment with the direction of the Official Community Plan, Housing Strategy and Infill Housing Strategy. It will also contribute to the success of the meeting Provincial Housing Target mandates. Pre-planning of previous development applications has allowed for enhancements to pedestrian and vehicular connectivity, promote transit accessibility, and efficiently utilized existing services.

Alternate Recommendation to Consider and Resolve:

1. **THAT** Council postpone first, second and third reading of Zoning Amendment Bylaw No. 0265.31 (File Z 24-06).

Should Council postpone consideration of the proposed amendment Bylaw, further direction to staff on how to proceed is requested.

2. **THAT** Council deny Zoning Amendment Bylaw No. 0265.31, 2025 (File Z 24-06);
and

THAT Council Direct Staff to close the file.

REVIEWED BY

Chris Oliver, Planning Manager

Brent Magnan, Director of Community Development

Lisa Siavashi, Financial Services Manager/Deputy CFO

Trevor Seibel, Deputy CAO/Deputy Corporate Officer

APPROVED FOR THE AGENDA BY

Ron Bowles, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

1. Zoning Bylaw Amendment No. 0265.31

CITY OF WEST KELOWNA

BYLAW NO. 0265.31

A BYLAW TO AMEND "ZONING BYLAW NO. 0265"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0265" under the provisions of the *Local Government Act*.

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

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0265.31, 2025".

2. Amendments

"City of West Kelowna Zoning Bylaw No. 0265" is hereby amended as follows:

- 2.1 By changing the zoning on PLAN KAP21560 LOT 2 DISTRICT LOT 1934 OSOYOOS DIV OF YALE DISTRICT, PLAN KAP21560 LOT 4 DISTRICT LOT 1934 OSOYOOS DIV OF YALE DISTRICT, PLAN KAP21560 LOT 7 DISTRICT LOT 1934 OSOYOOS DIV OF YALE DISTRICT as shown on Schedule 'A' attached to and forming part of this bylaw, from Large Parcel Single Detached and Duplex Residential Zone, and Country Residential Zone to Single Detached and Duplex Residential Zone.
- 2.2 By depicting the change on "City of West Kelowna Zoning Bylaw No. 0265 Schedule B" (Zoning Bylaw Map).

READ A FIRST TIME
READ A SECOND TIME
PUBLIC HEARING HELD
READ A THIRD TIME
ADOPTED

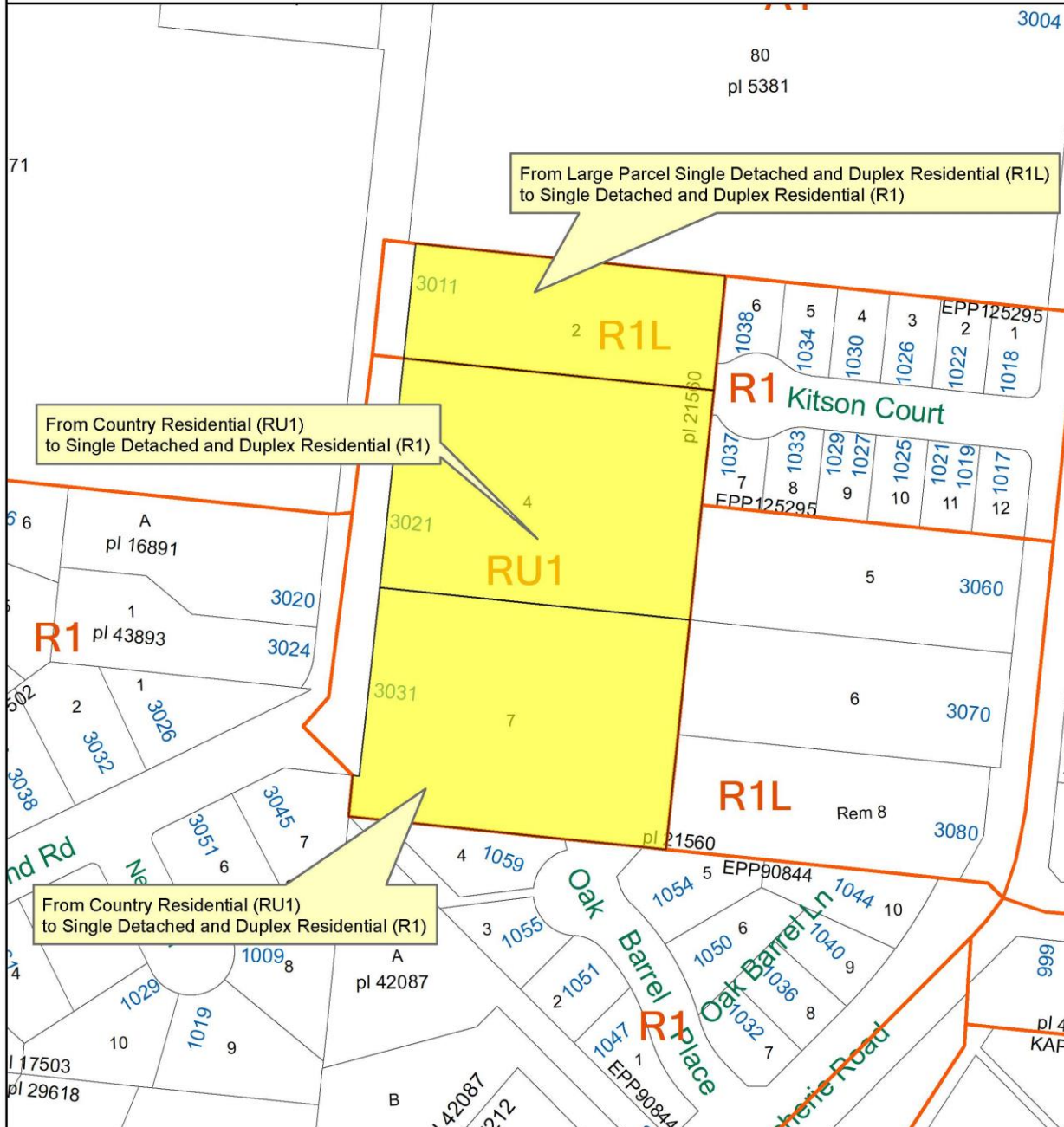
MAYOR

CORPORATE OFFICER



SCHEDULE 'A' of BYLAW NO. 0265.31

Date: 2025-02-04



Path: H:\DEVELOPMENT SERVICES\PLANNING\3360 Zoning & Rezoning\20 Applications\2024\Z 24-06 3011, 3021 & 3031 Ourtown Rd\Maps\Schedule A.mxd





COUNCIL REPORT

To: Mayor and Council

Date: March 25, 2025

From: Ron Bowles, Chief Administrative Officer

Subject: **Waterfront Licenses of Occupation**

Report Prepared by: Mark Roberts, Parks Manager

RECOMMENDATION to Consider and Resolve:

THAT Council agree to acquire a License of Occupation for a term of 30 years for the purposes of public swimming and a boat ramp for the following properties:

- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 487, Osoyoos Division Yale District, shown as Park and Road on Plan 35335, containing 0.150 hectares, more or less (Pebble Beach Park);
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 487, Osoyoos Division Yale District, shown as Park on Plan 18840, containing 0.30 hectares, more or less (Marina Park);
- All the unsurveyed Crown Foreshore being part of the bed of Okanagan Lake and fronting on that part of DL434, shown as Road on Plan 16444, ODYD, containing 0.70ha, more or less (Pritchard Park);
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 485, Osoyoos Division Yale District, shown as Park and Road on Plan 42401, containing 0.13 hectares, more or less (Casa Rio Park);
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on District Lots 521 and 485, Osoyoos Division Yale District, containing 0.23 hectares, more or less (Casa Loma Beach, Dupuis Boat Launch, Casa Loma Dock and Casa Loma Waterfront Access).

AND THAT Council agree to acquire a License of Occupation for a term of 30 years for public recreation and park purposes for the lands located at:

- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on Gellatly Bay, Osoyoos Division Yale District, containing 47.90 hectares, more or less (Gellatly Bay).

STRATEGIC AREA(S) OF FOCUS

Invest in Infrastructure – We will invest in building, improving and maintaining infrastructure to meet the needs of, and to provide a high quality of life for, current and future generations.

BACKGROUND

On September 2, 2021 the License of Occupation granted from the Province, for use of the following areas for public recreation and park purposes or swimming areas and boat ramp purposes, expired:

- Gellatly Bay from Rotary Dog Park south to Powers Point
- Pebble Beach
- Marina Park
- Pritchard Park
- Casa Rio Park
- Casa Loma Beach
- Dupuis Boat Launch
- Casa Loma Dock
- Casa Loma Waterfront Access

Since 2021 City staff have been working with Provincial authorities to renew these Licenses, however they are experiencing significant delays due to insufficient staffing and resources and have placed our application in an 'Overholding Position', which in the meantime grants the same rights and responsibilities as the original tenure.

Once our application has been processed, the City will receive an offer letter with a request for signatures which the City will then send back for the Province's representative signature. The Replacement Tenure will then be backdated to the expiry of the original tenure agreement.

The Parks Department have recently reached out to obtain an update on these applications and are waiting on a response.

DISCUSSION

As part of the 2024 Capital Budget, Council approved the replacement of the dock at Casa Loma Dock Park. This is required as the dock has passed its recommended usable lifespan, and the piles are showing signs of risk of failure.

An application was made in early 2024 to the Province for that replacement, and staff and their biological consultant have been working with those authorities to obtain approval. On March 5th, 2025 the City was informed that in the absence of an up-to-date tenure, a resolution from Council stating that they agree to acquire the License from the Province for a term of 30 years for the purposes of public swimming and a boat ramp:

- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 487, Osoyoos Division Yale District, shown as Park and Road on Plan 35335, containing 0.150 hectares, more or less (Pebble Beach Park)
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 487, Osoyoos Division Yale District, shown as Park on Plan 18840, containing 0.30 hectares, more or less (Marina Park)
- All the unsurveyed Crown Foreshore being part of the bed of Okanagan Lake and fronting on that part of DL434, shown as Road on Plan 16444, ODYD, containing 0.70ha, more or less (Pritchard Park)
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 485, Osoyoos Division Yale District, shown as Park and Road on Plan 42401, containing 0.13 hectares, more or less (Casa Rio Park)
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on District Lots 521 and 485, Osoyoos Division Yale District, containing 0.23 hectares, more or less (Casa Loma Beach, Dupuis Boat Launch, Casa Loma Dock and Casa Loma Waterfront Access)

While it hasn't been requested by the Province yet, as a precautionary measure for future work in Gellatly Bay (i.e. dredging Gellatly Boat Launch), and before License of Occupation approval is granted by the Province, it's recommended that Council provide resolution for the area in Gellatly Bay for public recreation and park purposes for the lands located at:

- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on Gellatly Bay, Osoyoos Division Yale District, containing 47.90 hectares, more or less, except those parts of the land that, on the Commencement Date, consist of highways (as defined in the Transportation Act).

FINANCIAL IMPLICATIONS

No new costs however, Council is committing to the ongoing costs of maintenance and operations at each of those Waterfront Parks for the next 30 years.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
N/A	N/A	N/A

REVIEWED BY

Trevor Seibel, Deputy CAO/Deputy Corporate Officer

APPROVED FOR THE AGENDA BY

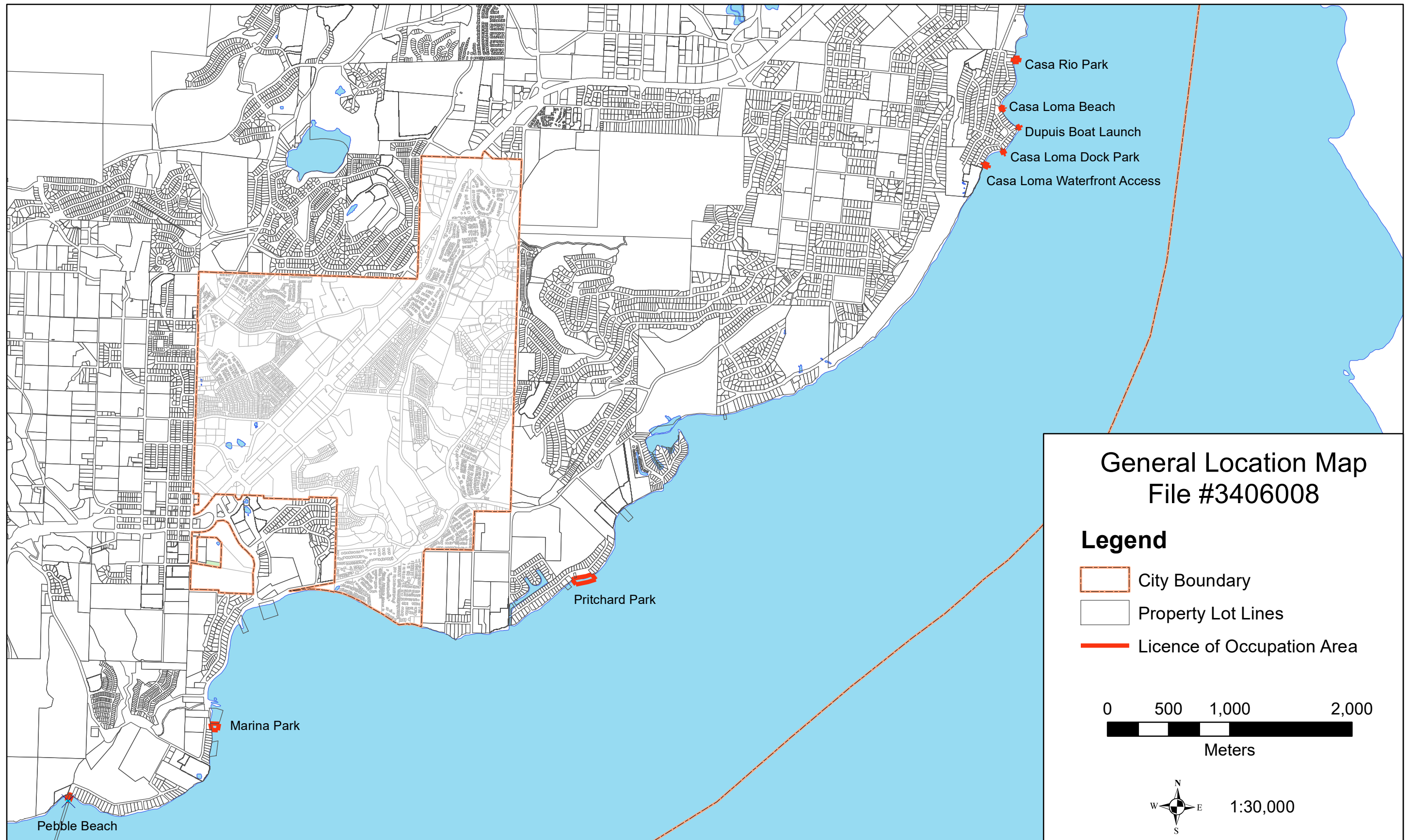
Ron Bowles, Chief Administrative Officer

PowerPoint: Yes ☐ No ☒

Attachments:

Attachment 1: Location Maps




Attachment 2: Gellatly Bay

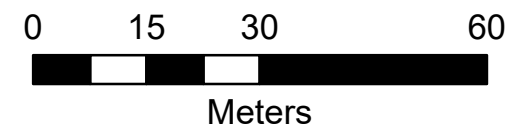




Casa Rio Park File #3406008

Legend

-  City Boundary
-  Property Lot Lines
-  Licence of Occupation Area






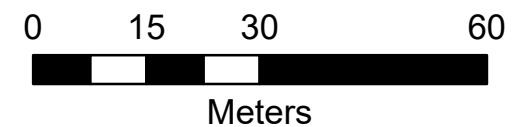
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Casa Loma Beach File #3406008

Legend

-  City Boundary
-  Property Lot Lines
-  Licence of Occupation Area






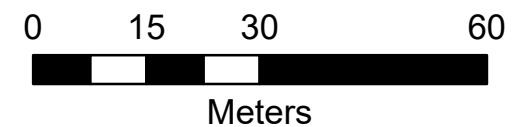
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Dupuis Boat Launch File #3406008

Legend

-  City Boundary
-  Property Lot Lines
-  Licence of Occupation Area







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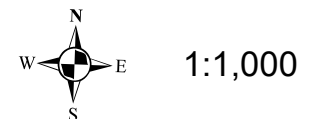


Casa Loma Dock File #3406008

Legend

-  City Boundary
-  Property Lot Lines
-  Licence of Occupation Area

0 15 30 60

Meters






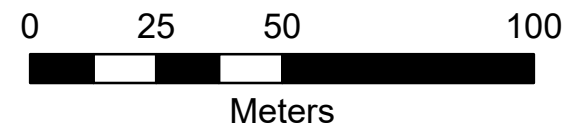




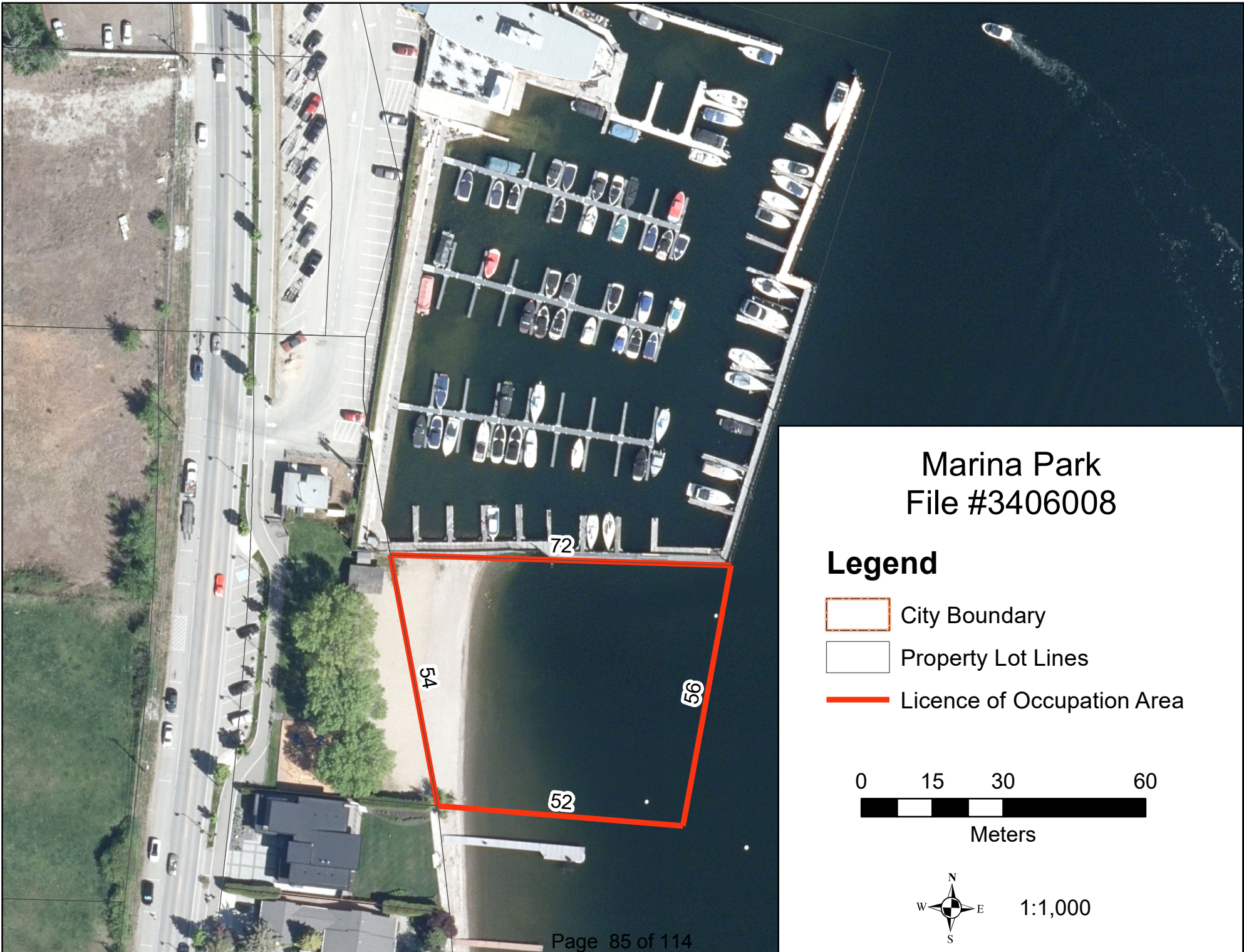
Pritchard Park File #3406008

Legend

-  City Boundary
-  Property Lot Lines
-  Licence of Occupation Area






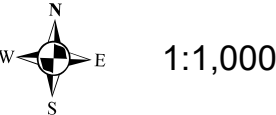
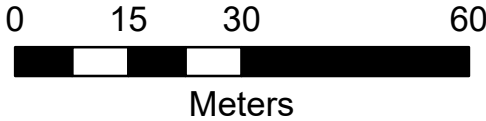
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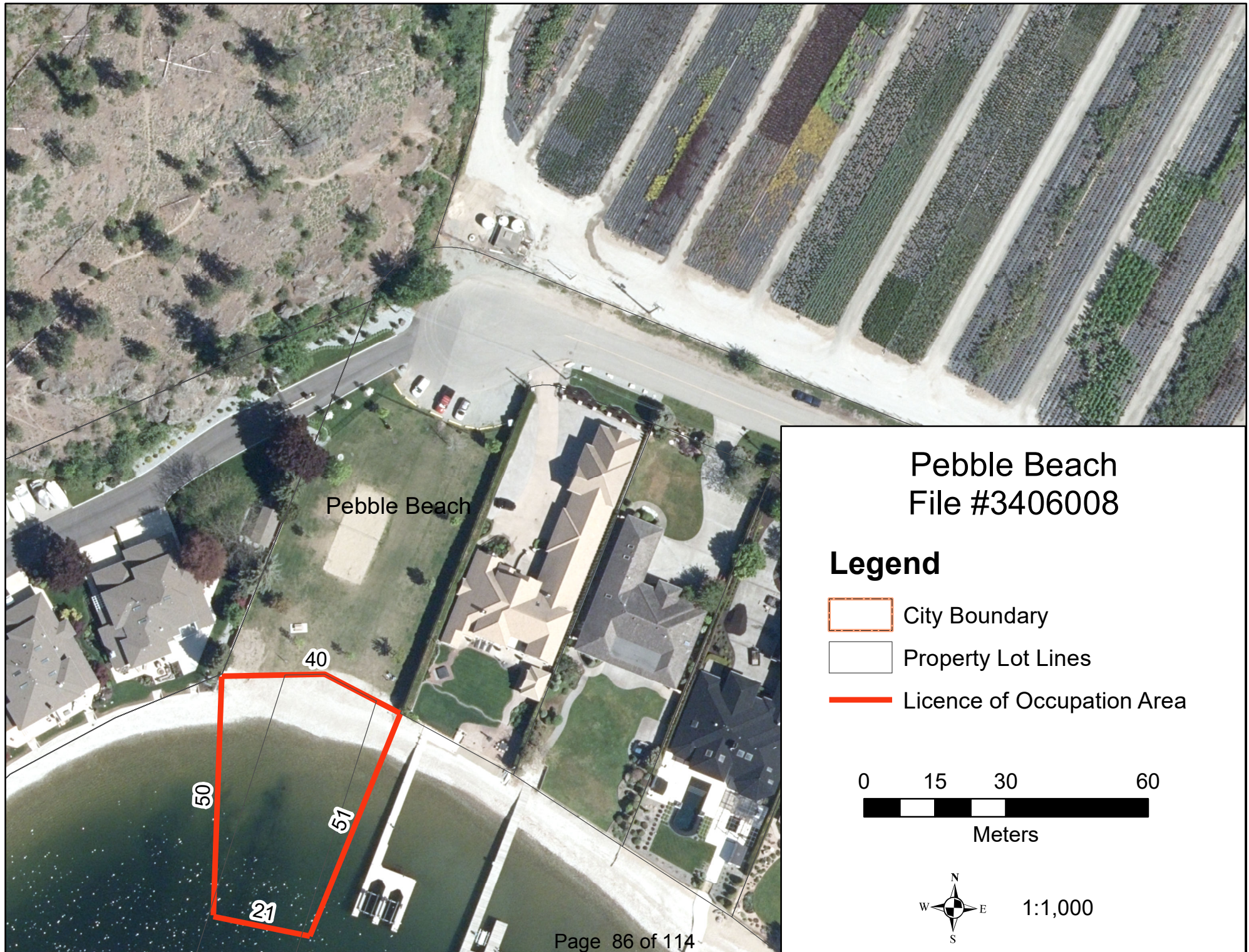


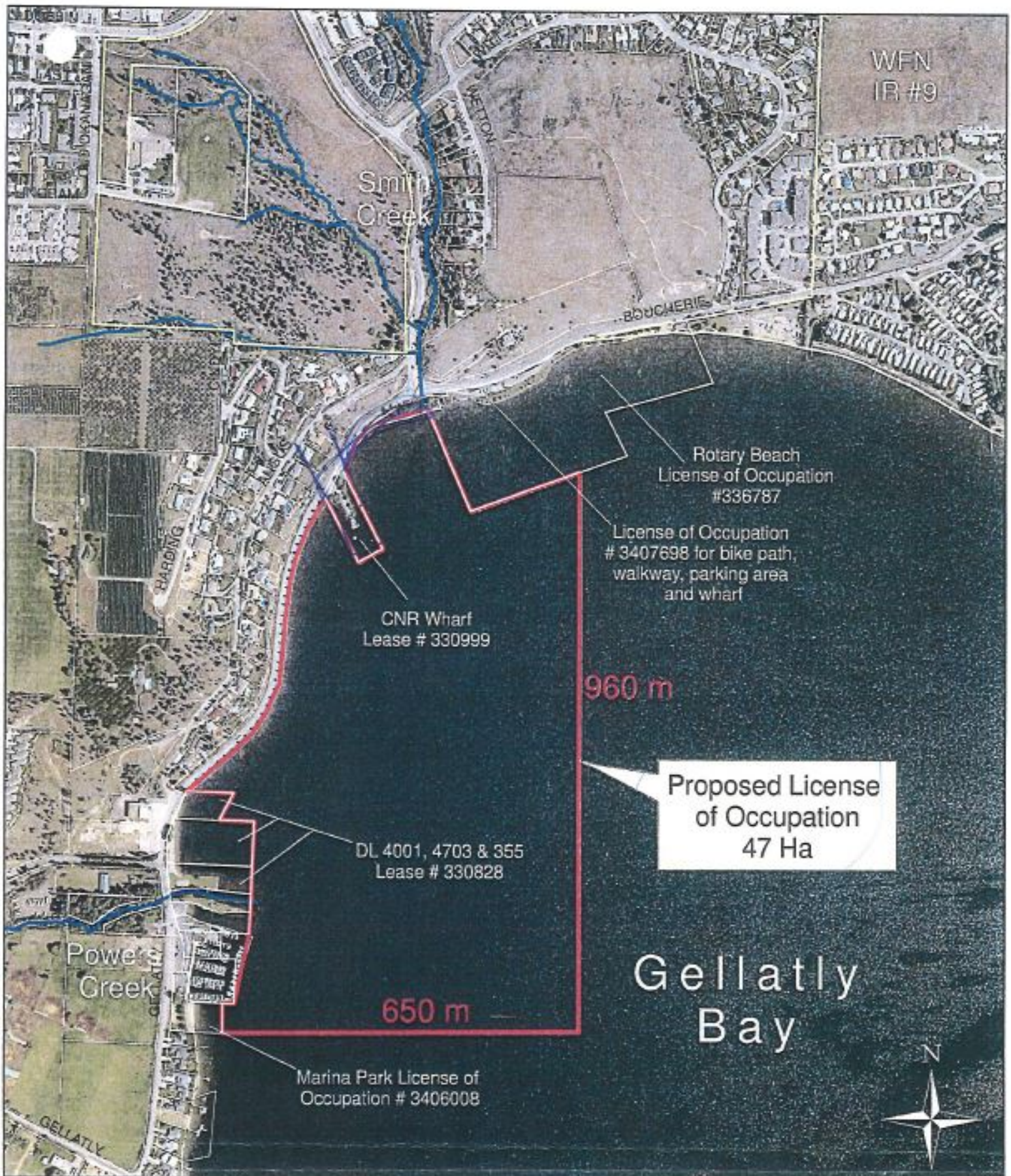
Marina Park
File #3406008

Legend

-  City Boundary
-  Property Lot Lines
-  Licence of Occupation Area









COUNCIL REPORT

To: Mayor and Council

Date: March 25, 2025

From: Ron Bowles, Chief Administrative Officer

File No: 3900-20-0318

Subject: **West Kelowna Cemetery Bylaw No. 318 – Consideration of Adoption**

Report Prepared by: Mark Roberts, Parks Manager

RECOMMENDATION to Consider and Resolve:

THAT Council adopt “West Kelowna Cemetery Bylaw No. 318.”

STRATEGIC AREA(S) OF FOCUS

Invest in Infrastructure – We will invest in building, improving and maintaining infrastructure to meet the needs of, and to provide a high quality of life for, current and future generations.

BACKGROUND

At the March 11th, 2025 regular meeting, Council gave third reading to Bylaw No. 0318, 2025. This bylaw replaces the existing Bylaw 0166 based upon recommendations from the City’s Cemetery Review and their consultant. Bylaw 0318 is now before Council for consideration of adoption.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
March 11, 2025	THAT Council rescind third reading of proposed West Kelowna Cemetery Bylaw No. 318. <u>CARRIED UNANIMOUSLY</u>	C059/25
	THAT Council modify proposed West Kelowna Cemetery Bylaw No. 318 by: <ul style="list-style-type: none">replacing the words “a fund” with “an account” in Section 15.2;	C060/25

	<ul style="list-style-type: none"> replacing the words “Care Fund” with “Capital Reserve Account” in Section 15.2 (a); removing the words “Reserve Fund” in Section 15.3; and replacing Schedule A with a new Schedule A. 	
	THAT Council give third reading to proposed West Kelowna Cemetery Bylaw No. 318, as modified.	C061/25
Feb 25, 2025	THAT Council rescinds third reading to West Kelowna Cemetery Bylaw No. 318; <u>CARRIED UNANIMOUSLY</u>	C047/25
	THAT Council modify proposed West Kelowna Cemetery Bylaw No. 318 by: <ul style="list-style-type: none"> removing section 11.2. (“Inscriptions”) and renumbering the subsequent sections accordingly; and in Schedule A, replacing all instances of “March 1, 2025” with “March 11, 2025”. <u>CARRIED</u> ; Councillor Zanon opposed	C048/25
	THAT Council give third reading to proposed West Kelowna Cemetery Bylaw No. 318, as amended. <u>CARRIED</u> ; Mayor Milsom and Councillor Zanon opposed	C049/25
Feb 11, 2025	THAT Council give first, second and third reading to the West Kelowna Cemetery Bylaw No. 318; AND THAT Council endorse Option #3 as presented in the “West Kelowna Cemetery Bylaw” report, from the Parks Manager, dated February 3, 2025; AND FURTHER THAT Council authorize staff to include the increased revenues and requested FTE’s into the 2025 Financial Plan. <u>CARRIED</u> ; Mayor Milsom and Councillor Johnston opposed	C035/25
Sept 10, 2024	Westbank Cemetery Update	N/A

REVIEWED BY

Rob Hillis, Acting Director of Engineering & Operations

Lisa Siavashi, Financial Services Manager / Deputy CFO

Trevor Seibel, Deputy CAO/Deputy Corporate Officer

APPROVED FOR THE AGENDA BY

Ron Bowles, Chief Administrative Officer

PowerPoint: Yes ☐ No ☒

Attachments:

Attachment 1: West Kelowna Cemetery Bylaw No. 318

CITY OF WEST KELOWNA

WEST KELOWNA CEMETERY BYLAW NO. 0318 - 2025

A Bylaw to provide for the regulation, management, operation, and maintenance of the
City of West Kelowna Cemeteries.

WHEREAS the *Community Charter* SBC 2003, s. 8, as amended from time to time, provides that a municipality has the fundamental powers to regulate, prohibit and impose requirements in relations to cemeteries, crematoriums, columbarium and mausoleums and the interment or other disposition of the dead by bylaw;

AND WHEREAS the Council of the City of West Kelowna wishes to enact a bylaw to regulate, prohibit and impose requirements respecting the regulation, management, operation, and maintenance of the City of West Kelowna Cemeteries;

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

1.0 CITATION

- 1.1 This Bylaw may be cited for all purposes as “WEST KELOWNA CEMETERY BYLAW NO. 0318.”

2.0 INTERPRETATION

- 2.1 Enactments: Any enactment referred to in this Bylaw is a reference to an enactment of British Columbia or Canada and regulations thereto, as amended, or repealed and replaced from time to time.
- 2.2 Bylaws: Any bylaw referred to in this Bylaw is a reference to an enactment of the Council of the City of West Kelowna, as amended, or repealed and replaced from time to time.
- 2.3 Severability: If any part, section, or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.
- 2.4 Schedules: *Schedule ‘A’: Cemetery Fees* as attached to and forming a part of this Bylaw.

3.0 DEFINITIONS

- 3.1 Defined Terms: In this Bylaw terms defined in the “*Cremation, Interment, and Funeral Services Act (SBC 2004) C.35*” and the “*Business Practices and Consumer Protection Authority Act (SBC 2004) C.2*” and all regulations made thereto, as amended, shall have the meaning ascribed to them unless expressly defined otherwise in this Bylaw.
- 3.2 Definitions: In this Bylaw, unless the context otherwise requires.

“Adult” means a person 13 years of age or older.

“Applicant” means a person who has applied to the City for a Right of Interment, an Interment, or a memorial Installation.

“At-Need” means at the time of a death or after a death has occurred.

"Turf Lot Cover" means an artificial grass cover placed over a Lot after Interment - Permitted in Blocks H, I, J, K, & O only.

"Burial Permit" means a legal document issued by the Vital Statistics Agency in the Province of B.C. acknowledging the registration of a death and required for an Interment or Cremation in B.C.

"Business Day" means every day of a year that is not a Saturday, a Sunday, a Day of Observance, or a Holiday observed by the City.

"Capital Reserve Account" means the *Capital and Major Maintenance Reserve Account* established by the City.

"Care Fund" means the *Cemetery Perpetual Care Fund* established in accordance with the *Cemetery Act* for the care and maintenance of the Cemetery.

"Cemetery" mean, together or separately.

- a) The Westbank Cemetery, legally described as being Lot 45, Plan 761, District Lot 805, ODYD, and, at the civic address of 3200 Elliot Road, West Kelowna, B.C, and / or
- b) any other real property established, owned, operated, and maintained as a Place of Interment ('Cemetery') by the city.

"Cemetery Act" means separately, or together, the *Cremation Interment and Funeral Services Act (SBC 2004) C.35*, and the *Business practices and Consumer Protection Act (SBC2004) C.2*, and all regulations made thereto.

"Child" means a person up to and including 12 years of age.

"City" means the City of West Kelowna.

"Co-Mingled" means the intentional, or unintentional, mixing of the Cremated Remains of more than 1 person.

"Council" means the Municipal Council of the City.

"Cremated Remains" means the remains resulting from cremation of a deceased human body.

"Curb & Seal" means a fabricated concrete slab, purchased from the City, to be placed on top of a lot after Interment.

"Disinterment" (may also include "Exhumation") means the opening of an Interment site for the purposes of exposing and/or removing and relocating the interred remains from the Interment Lot.

"Director" means a person, or their designate, responsible for Cemetery services in the City.

"Family Member" means, and for Cemetery purposes is limited to, a parent or stepparent, a grandparent or step-grandparent, a sibling, a spouse, a child, or a grandchild.

"Grave Liner" means a receptacle with, or without, a lid, constructed of a durable material, that may or may not have a bottom, into which a burial container holding Human Remains or an urn holding Cremated Remains is placed to provide reinforcement of a Lot as part of an Interment.

"Green Burial" (or "Natural Burial") means a form of environmentally sustainable Interment that meets specific criteria set out in this Bylaw.

“Legal Representative” means a person who, or an agency that, by order of priority set out in *Section 5* of the *Cemetery Act*, has the right to control the disposition of the Human Remains or Cremated Remains of a deceased person.

“Lot” means a designated space in the Cemetery, set out in a Right of Interment, to be used for,

- (a) the Interment of human remains or Cremated Remains.
- (b) the installation of a memorial to identify a Lot or memorialize a deceased person or stillborn child, and
- (c) includes but is not limited to a Plot, grave, crypt, or Niche.

“Memorial Permit” means a document, in a form prescribed by the City, used to approve and authorize a memorial for installation at the Cemetery.

“Medical Health Officer” means a person, or their delegate, appointed under the *Health Act*, *RSBC 1996 C. 179* to act as a Medical Health Officer in the Province of B.C.

“Niche” means each individual compartment to be used for the interment of cremated remains in a columbarium.

“Non-Resident” means a person who has not owned or resided within the City boundaries in the 12 months immediately preceding application to purchase of a Right of Interment.

“Operator” means a person, or their delegate, authorized or employed as such by the City.

“Ossuary” means a receptacle, usually located below ground, for the placement of nonrecoverable, co-mingled remains.

“Pillow” means a concrete base supplied by the City, or a granite base supplied by a memorial supplier, used for the foundation and placement of memorial markers.

“Plot” means a space used or intended to be used for the interment of human remains or cremated remains under a right of interment and includes a grave, crypt, Niche or Plot.

“Plot Apron” means a concrete strip, installed by the City, at the head of all burial lots within Section AB – CC for the foundation and placement of memorial markers.

“Resident” means a person who resides, or has resided, or has owned residential property within the City for not less than 12 months immediately preceding application to purchase of a Right of Interment.

“Right of Interment” means a right for the interment of human remains or Cremated Remains, in a Plot.

“Rights Holder” means a person that has purchased, or by assignment or permitted transfer, holds a Right of Interment in the Cemetery.

“Scattering” means the irreversible dispersal of Cremated Remains in a defined area or feature within the Cemetery where such dispersal may result in co-mingling with previously scattered Cremated Remains in the scattering location.

“Scatter Garden” means a designated area for the non-recoverable, co-mingled, dispersal of Cremated Remains.

“Treasurer” means a person, or their delegate, appointed by the City to manage the administration of the City’s finances.

“Urn” means a container used or intended to be used for the containment of Cremated Remains.

4.0 CEMETERY ESTABLISHMENT & ADMINISTRATION

4.1 Cemetery Establishment: A Cemetery established, owned, operated, and maintained by the City, is dedicated solely for use as a Cemetery, shall continue to be operated and maintained as a Cemetery.

4.2 Ownership: The City shall have and retain full ownership over the land, buildings, plantings, roads, utilities, books, and records of the Cemetery, and as they deem necessary, subject to compliance with the *Cemetery Act*, shall have the right to:

- (a) manage, maintain, or alter the Interment areas, roads, pathways, buildings, and infrastructure of the Cemetery, and
- (b) change or remove plantings, move, relocate, or remove memorials, grade, alter in shape or size, or otherwise change all or any part of the Cemetery.

4.3 Right of Passage: To ensure operation and maintenance of the Cemetery can be performed in a safe, efficient, and timely manner the City has a right of passage, at all times and in any manner, it deems necessary, over every Lot and all the land of the Cemetery.

4.4 Correction of Errors: The City, at its cost and in a timely manner, shall have the authority to correct any error that may be made by it:

- (a) in making an Interment, Disinterment or in the description of a Lot or the transfer or conveyance of a Right of Interment; and
- (b) grant in lieu thereof, a Right of Interment or Lot of equal value and location as far as is possible.
- (c) in the instance an error may involve an Interment or Disinterment of Human Remains the City shall correct the error in compliance with and under such terms as may be set out in the *Cemetery Act*.

4.5 Director’s Responsibilities: The Director shall be appointed by the City and shall be responsible for the administration, interpretation, and enforcement of this Bylaw, and in this capacity shall:

- (a) ensure all records and information for the management, administration, operation, and maintenance of the Cemetery are collected and retained as required under the *Cemetery Act*.
- (b) ensure all Rights of Interment, permits and contracts are issued and recorded as required and in compliance with the *Cemetery Act* and this Bylaw.
- (c) designate, as needed, other City employees to perform administrative and operational tasks and actions in support of the Cemetery and the provision of service therein.

5.0 RIGHT OF INTERMENT

5.1 Right of Interment Purchase: The Director, subject to payment of an established fee set out in *Schedule ‘A’: Cemetery Fees* of this Bylaw, may grant to an Applicant a Right of

Interment for a vacant Lot in the Cemetery on an at-need or a reserve basis, which sets out the rights of Lot use attributed to the purchaser.

5.2 Right of Interment Ownership: Ownership of a Right of Interment,

- (a) confers to a Rights Holder a right to use a Lot within the Cemetery.
- (b) does not confer to a Rights Holder any title to, ownership of, or interest in the land of the Cemetery, or of a Lot therein, or any other special privilege over the land of the Cemetery; and
- (c) does not entitle a Rights Holder to require the City to perform an Interment until the Rights Holder complies in all other respects with this Bylaw, as it relates to the interment of human remains or Cremated Remains.

5.3 Right of Interment Purchase Limit: No individual, without prior consent and agreement of the Director, may purchase the Right of Interment for more than 1 Lot in the Cemetery, where such consent and agreement may, at the Director's discretion, be withheld.

5.4 Lot Types, Sizes & Capacity: Rights of Interment for the following Lot types can be purchased from the City:

- (a) **Standard Casket Lot:** 5' x 10' (1.52 m x 3.04 m), limited to the interment of two human remains and not more than six Cremated Remains of Family Members, or 8 Cremated Remains only.
- (b) **Green Burial Lot:** 5' x 10' (1.52 m x 3.04 m), limited to the interment of two human remains and not more than six Cremated Remains of Family Members, or eith Cremated Remains only.
- (c) **Child Lot:** 3' x 5' (0.91 m x 1.52 m), limited to the Interment of the Human Remains of one child and not more than two Cremated Remains of Family Members, or three Cremated Remains only.
- (d) **Standard Cremation Lot:** 2' x 2' (0.61 m x 0.61 m), limited to the interment of two Cremated Remains only.
- (e) **Green Burial Cremation Lot:** 2' x 2' (0.61 m x 0.61 m), limited to the interment of one Cremated Remains only.
- (f) **Columbarium Niche Lot:** 11" W x 11" W x 13" D (0.28 m W x 0.28 m H X .33 m D), limited to the Interment of 2 Cremated Remains.
- (g) **Mausoleum Crypt Lot:** 31.8" W x 92" D x 25.9" H (0.8 m W x 2.3 m D x .65 m H), limited to the entombment of one Human Remains only.
- (h) **Family Estate Lot:** 24" W x 14.5" D x 12" H (0.6 m W x 0.37 m D x 0.30 m H), limited to the Interment of not more than 6 Cremated Remains.

5.5 Pre-Need Rights of Interment Reservation Suspension: Subject to at-need Lot demand, the Director may, if deemed necessary, limit or suspend the pre-need reservation of Rights of interment in the Cemetery.

5.6 Assignment or a Right of Interment: An applicant to purchase a Right of Interment shall, at the time of purchase reserve the right to use the Lot they are purchasing for them-self or assign the right of use and control of the Lot to a Family Member of their choosing.

5.7 Inheritance of a Right of Interment: In the instance evidence of a clear line of transfer for a Right of Interment that survives an original Rights Holder is not provided by a Legal Representative of the original Rights Holder the City shall have the authority to:

- (a) determine a process, and in a form prescribed by the City, the person or persons who may exercise a surviving Right of Interment and under what terms and conditions a surviving Right of Interment may be exercised; or
- (b) where a clear and distinct right of transfer or succession cannot be demonstrated or ascertained, prohibit the use of any surviving Interment rights in a Lot.

5.8 Transfer of a Right of Interment to a Family Member: Subject to the approval of the Director, the transfer of a Right of Interment for an unused Lot may be made subject to the following conditions:

- (a) no transfer of a Right of Interment shall be binding on the City until a duly executed transfer application has been submitted in writing to the Director specifying the name, address, or other description of the proposed transferee, who shall be and is limited to a Family Member as defined in this Bylaw and where such particulars are recorded in a Cemetery register to be kept for that purpose; and
- (b) a transfer records fee has been paid as set out in Schedule "A": Cemetery Fees of this Bylaw; and
- (c) the Director has amended the Cemetery records, accordingly, identifying the new Rights Holder.

5.9 Surrender / Cancellation of a Right of Interment: A Right of Interment for an unused Lot in the Cemetery may only be surrendered back to the City, and said transfer shall be made under the following terms:

- (a) the original Rights Holder or their Legal Representative provides written application to the City stating their intent to surrender the Right of Interment, and the notice must be forwarded to the City by a method that will allow proof proper notice was made, such as registered mail, email, or personal delivery.
- (b) there are no interments in, and no memorials installed on the Lot being surrendered.
- (c) where the application to surrender the is made within 30 days of the original purchase date then 100% of the fees paid shall be refunded; or
- (d) where the application to surrender the Right of Interment for an unused Lot is made 31 days or later after the original purchase date then 100% of the fees paid LESS the Care Fund contribution made and LESS the Administration Fee set out in Schedule 'A': Cemetery Fees shall be refunded.
- (e) where any customized goods have been pre-ordered and because of some unique characteristic, personalization or extraordinary cost, or the goods cannot be used in the ordinary course of business, the City may also deduct the itemized cost of those goods from the Right of Interment and the cost of those goods may be retained out of any money paid for the purposes of a Right of Interment surrender.

5.10 Reclamation of Unused Lots: Subject to compliance with *Section 25* of the *Cemetery Act*, and upon prior approval of a Director of Consumer Protection BC, the City may reclaim

and resell a Right of Interment for a Lot where the Right of Interment for the Lot was previously sold.

- 5.11 Replacement of Reclaimed Lot: In the instance an unused Lot has been reclaimed and resold, and the original Right of Interment is subsequently required for use, the City shall provide without charge another Right of Interment of equal or greater value from the available Lots in the Cemetery.
- 5.12 Exclusive Agreements Prohibited: The City shall not enter into any agreement with a society, church, or other organization to reserve a section or any portion of the Cemetery to be used exclusively for the Interment of deceased members of the society, church, or other organization.
- 5.13 Addition of New Rights of Interment: The City shall have the authority to establish Rights of Interment for Lots in the Cemetery that may have the same classification as the Lots described herein or may also have a different classification, interment capacity, interment rules and memorial criteria specific to their design and location in the Cemetery.

6.0 INTERMENT – GENERAL REQUIREMENTS

- 6.1 Permitted Interment: Only human remains or Cremated Remains may be interred in the Cemetery.
- 6.2 Interment Standards: The interment of human remains or Cremated Remains or the scattering of Cremated Remains in the Cemetery shall be conducted in a manner consistent with the *Cemetery Act*, this Bylaw, the dignity of adjacent Lots, the Cemetery and general community standards.
- 6.3 Interment Arrangement: Lot purchases, Interment arrangements and payment for all other Cemetery services shall be coordinated through the City.
- 6.4 Advance Notice: Advance notice of an interment is required. The notice, documents and fees for an interment shall be delivered to the City, where the notice shall be:
- (a) for an interment on a regular business day of the City, not less than 72 hours (3 business days) of the City, prior to the scheduled Interment.
 - (b) for a Saturday interment, not less than 96 hours (4 business days) of the City.
 - (c) for an interment after regular hours or on a day when the Cemetery is closed, subject to the Director's approval and the availability of staff.
- 6.5 Interment Application: No interment, Disinterment, exhumation, scattering or any other form of disposition of human remains or Cremated Remains at the Cemetery shall be permitted until:
- (a) the Legal Representative of a deceased makes application for, and completes and signs an interment authorization, in a form prescribed by the City; and
 - (b) all fees payable to the City for a Lot, the interment, and for any other service or product supplied by the City to facilitate the interment, are paid in full to the City, as set out in Schedule 'A': Cemetery Fees of this Bylaw; and
 - (c) for human remains, a B.C. Burial Permit has been surrendered to the City; or

- (d) for Cremated Remains, a Certificate of Cremation has been surrendered to the City.
 - (e) where a death has occurred in a jurisdiction other than the province of B.C., a legal registration of death document for the interment, deemed acceptable by the City, has been surrendered to the City.
- 6.6 Interment Delay: Prior to accepting custody of remains at a Lot the City shall not be liable for any delay in an interment service and, after accepting custody, shall not be liable for any delay in an interment arising from circumstances outside of the City's control.
- 6.7 Interment Suspension: The Director shall have the authority to suspend or cancel interment services at, and limit or prohibit public access to the Cemetery where severe weather, road or grounds conditions or other extraordinary circumstance may warrant or pose a hazard to the public, City personnel or their agents.
- 6.8 City Responsibility & Supervision: Every interment service in the Cemetery shall be conducted by or performed under the supervision of the City and only the City shall excavate, open, or close a Lot in the Cemetery.
- 6.9 Interment Participation: Under special circumstances, the Director at their discretion, may authorize the limited participation of interment attendees in the initial filling of an interment Lot, subject to the following criteria:
 - (a) the request to participate in an interment is communicated to the City as part of the advance notice of interment; and
 - (b) all proceedings at the interment site shall be under the direction of the City and those participating shall follow all instructions given by the City; and
 - (c) persons participating in the Interment process will be permitted to place not more than 10 shovel loads of soil into the open Lot; and
 - (d) after 10 shovel loads of soil have been deposited in the open Lot, all persons other than City staff, shall leave the Interment area, and no persons shall interfere or impede with the remainder of the interment process, and
 - (e) the time and staff required to accommodate attendee participation in an interment service may be subject to payment of an additional fee, as set out in *Schedule 'A': Cemetery Fees* of this Bylaw.
- 6.10 Grave Liner Optional: The use of a grave liner for Human or Cremated Remains Interment is permitted on an optional basis. Grave liners proposed for use shall meet in, every way, any standard established by the City for grave liners. Only the City shall install a grave liner into a Lot or, the City may require the supplier of a liner to install the liner under the direct supervision of the City and, any installation of a Grave Liner is to be made at the supplier's expense and at a day and time of the City's choosing. The supply and installation of a grave liner shall be subject to a fee set out in *Schedule 'A': Cemetery Fees* of this Bylaw and the fee shall be paid in full to the City prior to the delivery of the grave liner to a City cemetery or the installation of the grave liner into a Lot at City cemetery.
- 6.11 Interment / Disinterment Limited Liability: The City shall exercise due care and attention in making an Interment or Disinterment but shall not be liable for any emotional, psychological or physical injury that may occur to a living person or injury to human remains or Cremated Remains, or damage to a container, urn or other form of burial container sustained as part of an interment or Disinterment except where such injury or damage is caused by the negligence of the City.

7.0 INTERMENT – HUMAN REMAINS

7.1 Interment Times - Human Remains: Upon provision of proper application, notice and authorization, Human Remains Interment services may occur:

- (a) Monday through Friday, between 8:00 a.m. and 1:00 p.m.
- (b) at a set time arranged with the City, and the interment service must conclude within one hour of the arranged time.
- (c) on a Saturday, between 8:00 a.m. and 1:00 p.m. subject to the approval of the Director, and payment of an overtime fee set out in *Schedule 'A': Cemetery Fees* of this Bylaw, and the availability of staff.
- (d) where any interment service runs more than one hour past the established interment time, on any day, is automatically subject to Interment Extension fees for every hour.
- (e) no interments are permitted on a Sunday, Day of Observance or Holiday observed by the City, unless otherwise approved by the Director.

7.2 Interment Depth - Human Remains: Every in-ground interment of human remains in the Cemetery shall be made in a Lot, which when filled and closed, provides not less than 3 ft. (0.9 m) of earth between the finished surface level of the Lot and the upper surface of the casket, container, grave liner or human remains resting in the Lot.

7.3 Interment Containers - Human Remains: For interment in the Cemetery, human remains for interment shall for a:

- (a) Standard Interment Lot: be enclosed in a casket or container that complies with the *Cemetery Act* and, the casket or container shall not exceed 25" (0.6 m) H x 89" (2.2 m) L x 35" (0.9 m) W, and in any instance shall never exceed the size of the intended interment Lot.
- (b) Green Burial Lot: be enclosed, clothed, wrapped, or shrouded in a shroud, casket or container that complies in every way with section 9.2 of this Bylaw.
- (c) Mausoleum Crypt Lot: be embalmed, or if not embalmed, shall be enclosed in a hermetically sealed casket or container that is approved by the Director and that fits within the space of the crypt.

7.4 Double-Depth Interment – Human Remains: For Lots where a double-depth interment of human remains is permitted and anticipated to be made, then:

- (a) without exception, the 1st interment of human remains in the Lot shall be made at the lowest interment depth, with sufficient depth to permit a 2nd interment of human remains.
- (b) the 2nd interment of human remains shall be made at a depth sufficient to permit the secondary interment of Cremated Remains over the human remains.
- (c) each of the two interments in the Lot grave shall comply with the requirements of Section 7.2 of this Bylaw.

7.5 Medical Health Order – Human Remains: Where a Medical Health Officer directs an interment of human remains, the City shall be obligated to accommodate the interment as and when so ordered, and subject to:

- (a) as much advance notice as is possible shall be provided to the City prior to the interment; and
- (b) the Medical Health Officer providing full details and information about the deceased, the reason for the Medical Health Order, and such other information as the City deems necessary to facilitate the interment; and
- (c) instructions with respect to the procedures to be followed for the interment shall be provided to the City by the Medical Health Officer in advance of the interment, to protect the health and safety of all persons who may come into contact with the casket or container bearing the human remains; and
- (d) the Director shall convey the instructions of the Medical Health Officer to every City employee participating in the interment; and
- (e) the Director shall ensure the instructions of the Medical Health Officer are followed throughout the course of the interment.

8.0 INTERMENT – CREMATED REMAINS

8.1 Interment Times – Cremated Remains: Upon provision of proper application, notice and authorization, Cremated Remains interment services may occur:

- (a) Monday through Friday, between 8:00 a.m. and 1:30 p.m.
- (b) at a set time arranged with the City, and the interment service must conclude within one hour of the arranged time.
- (c) on a Saturday, between 8:00 a.m. and 1:00 p.m. subject to the approval of the Director, and payment of an overtime fee set out in *Schedule 'A': Cemetery Fees* of this Bylaw, and the availability of staff.
- (d) where any interment service runs more than one hour past the established Interment time, on any day, is automatically subject to overtime fees for every hour.
- (e) no interments will be permitted on a Sunday, Day of Observance or Holiday observed by the City, unless approved by the Director.

8.2 Interment Depth – Cremated Remains: Every in-ground interment of Cremated Remains interment in the Cemetery shall be made in a Lot, which when filled and closed, provides not less than 1 ft. (30 cm) of earth between the finished surface level of the Lot and the upper surface of the urn, container, vault, grave liner or Cremated Remains resting in the Lot.

8.3 Interment Containers - Cremated Remains: For interment in the Cemetery, Cremated Remains shall for a:

- (a) Standard In-Ground Lot or Niche: be enclosed in an urn manufactured for the express purpose of containing Cremated Remains, constructed of wood, engineered wood, metal, stone, plastic, porcelain, or other material approved by the Director, and no urn or combination of two urns shall exceed 14" (35.5 cm) H x 12" (30.4 cm) L x 12" (30.4 cm) W.
- (b) Green Burial Lot: be enclosed in an urn or container that, is designed to decompose once interred in the ground, is made of a fully biodegradable material, which may include recycled, unbleached paper or cardboard, shall not have any interior plastic, metal or other form of liner, container,

or bag, and is approved, prior to a scheduled interment, for use by the Director.

- 8.4 City Supervision: Only a person under the supervision of City personnel, is authorized to place Cremated Remains into an in-ground Lot or a niche Lot.
- 8.5 Scattering Limited: Cremated Remains may only be scattered in areas or features specifically designated for scattering by the City, in the Cemetery.
- 8.6 Non-Recoverable: Cremated Remains scattered at the Cemetery are considered, from the moment of scattering, non-recoverable.
- 8.7 Ossuary Scattering: Scattering of Cremated Remains in the Cemetery's Ossuary feature is subject to the following criteria:
- (a) Cremated Remains placed in the Ossuary will be co-mingled with the cremated remains of previous placements; and
 - (b) Cremated Remains placed in the Ossuary are permanently non-recoverable from the moment of placement; and
 - (c) placement of urns or other containers in the Ossuary is not permitted.
 - (d) placement of the Cremated Remains may be performed by the attending family representative, funeral provider, or Cemetery operators.
 - (e) use of the Ossuary can only be done under the supervision of the City.
- 8.7 Scattering at Plantings: The Director may permit, upon application, the scattering of a small portion of Cremated Remains at the base of some ornamental plantings in the Cemetery, with the majority of the Cremated Remains placed in the Ossuary.

9.0 INTERMENT - GREEN BURIAL

- 9.1 Lot Designation: The City shall have the right to designate Lots and areas within Cemetery where the Green Burial of Human Remains, and Cremated Remains may be accommodated.
- 9.2 Green Burial Lots: Rights of Interment for Green Burial Lots may be purchased where such Lots will be used for the interment of the human remains of two persons and the secondary Interment of the Cremated Remains of not more than two persons, or where no interment of human remains is intended, the interment of the Cremated Remains of not more than eight persons.
- 9.3 No-Embalming: Human Remains proposed for Green Burial interment shall be:
- (a) in a natural state and shall not be embalmed; and
 - (b) clothed or wrapped in natural and fully biodegradable fibers or material; and
 - (c) fully enclosed, clothed, wrapped, shrouded in a shroud, in a casket or alternative container with a rigid base that permits the dignified transport and safe handling of the human remains.
- 9.4 Green Burial Caskets / Containers: A shroud, casket or alternative container proposed for Green Burial shall:
- (a) comply with any provisions for caskets or containers set out in the *Cemetery Act*; and

- (b) be approved for use by the City prior to a scheduled Green Burial service; and
 - (c) be primarily constructed of fully biodegradable and environmentally sustainable materials; and
 - (d) have interior finishing fabricated of fully biodegradable and environmentally sustainable materials and natural fiber; and
 - (e) have, as a function of their design, a safe and secure means with which to facilitate the dignified transfer of the human remains enclosed to the interment site and lowered into the excavated Lot; and
 - (f) except for minimally necessary structural hinges, nails, and screws, not have any extraneous part, fixture or decoration attached that is made of plastic, metal, or other non-biodegradable material; and
 - (g) not have a high gloss or polish finish achieved through the application of any synthetic or environmentally hazardous, toxic, or non-biodegradable chemical or agent; and
 - (h) not have been constructed with the use of synthetic or environmentally hazardous, toxic, or non-biodegradable glue, epoxy, or other form of bonding agent; and
 - (i) not have any interior liner, shroud, bag, or other lining that is fabricated from nonbiodegradable materials; and
 - (j) not have any non-biodegradable personal items, mementos or articles placed inside the space occupied by the human remains.
- 9.5 Prohibited Materials: Shrouds, caskets or alternative containers that are constructed from fibreboard, particle board, plywood, non-sustainable or exotic wood, metal, bleached or non-recycled cardboard or other form of non-sustainable, non-biodegradable or artificial material are prohibited from interment in a Green Burial lot.
- 9.6 Container Approval: The City shall have the right to approve, or to refuse to accept for Green Burial, any shroud, casket, or alternative container proposed for interment in a Green Burial Lot.
- 9.7 Interment Depth: Interment of human remains in a Green Burial Lot shall be made at a depth deemed sufficient to achieve the effective, natural decomposition of the human remains interred and be of sufficient depth to ensure the interred human remains will not be disturbed by wildlife.
- 9.8 Grave Liner Prohibited: No form of exterior grave box, grave liner, or protective vault is permitted in a Green Burial Lot.
- 9.9 Applicant Responsibility: It is the responsibility of the Legal Representative of a deceased person being interred in a Green Burial Lot to:
- (a) ensure a shroud, casket or alternative container proposed for interment in a natural burial lot is a City approved container; and
 - (b) arrange for the dignified transfer of the human remains to the gravesite.
- 9.10 Lot Use Restricted: Where a Right of Interment has been purchased for a Green Burial Lot, the secondary disposition of Cremated Remains in the Lot shall not be made until all the permitted interment(s) of human remains have been made in the Lot.

- 9.11 Right of Passage: The City shall have the right to utilize such equipment, including motorized equipment, to open and close a Green Burial Lot as it deems operationally efficient and necessary to protect the safety of all City personnel, and any person participating in and attending the Interment service and to permit for the safe and dignified Interment of the Human Remains into the lot, and shall make every reasonable effort to replace soil in a grave occupied by human remains in as sensitive a manner as is practical.
- 9.12 Limited Warranty: The City makes no warranty to protection nor bears any liability for the aesthetic, structural or physical impact made to a casket or alternative container and the enclosed human remains that may arise from the replacement of gravesite soil into a Green Burial Lot.
- 9.13 Non-Recoverability: Human remains and Cremated Remains interred in a Green Burial Lot shall be considered non-recoverable from the date of interment and the City shall not be obligated to accommodate the discretionary request for any Disinterment from a Green Burial Lot.

10.0 DISINTERMENT (EXHUMATION)

- 10.1 Compliance: Every Disinterment of human remains, or Cremated Remains, shall be conducted in compliance with the *Cemetery Act*, this Bylaw, and in a manner consistent with the dignity of adjacent Lots, the City and general community standards.
- 10.2 Proof of Authority: An applicant requesting a discretionary Disinterment of human remains or Cremated Remains from a Lot shall provide to the City, at their expense and in a form prescribed by the City:
- (a) such proof as the City may request, up to and including sworn affidavits, to establish their identity and their legal right to authorize the Disinterment; and
 - (b) a reason, satisfactory to the City, for the Disinterment; and
 - (c) the City shall have the right to require the applicant, at their expense, to obtain a court order that compels the City to make the Disinterment requested.
- 10.3 Application for Disinterment: No Disinterment shall be allowed until:
- (a) the Legal Representative of the deceased to be disinterred applied, completed, and signed with the City a Disinterment authorization, in a form prescribed by the City; and
 - (b) all fees payable to the City for the Disinterment are paid in full to the City, where the fees for Disinterment are those set out in *Schedule 'A': Cemetery Fees* of this Bylaw; and
 - (c) a Disinterment permit, as may be required under the *Cemetery Act*, issued by a Consumer Protection BC, has been delivered to the City; and
 - (d) a copy of a transport permit, as may be required under the *Cemetery Act*, issued by Consumer Protection BC, has been provided to the City.
- 10.4 Limited Attendance: Except when ordered by a Court of competent jurisdiction or a Medical Health Officer, no person other than employees or authorized agents of the City along with a duly contracted funeral director shall be permitted to be present at the Disinterment of human remains or Cremated Remains in the Cemetery.

- 10.5 Disinterment Timing: A Disinterment in the Cemetery shall, without exception, be performed on a day and at a time of the City's choosing.
- 10.6 City Responsibility: The City's responsibility in a Disinterment is limited to:
- (a) the excavation of soil from a Lot to permit access to the human or Cremated Remains buried in the Lot.
 - (b) the opening of a sealed niche to permit access to the Cremated Remains interred in a niche.
 - (c) the removal of intact burial liners.
 - (d) the closure of the Lot when the Disinterment is complete.
- 10.7 Staff Limited: No employee of the City shall be compelled to handle or participate in the removal of exposed human remains from a Lot. The removal of exposed human remains and their transfer into a container that fully encloses the disinterred remains shall be performed by a funeral director authorized by and employed at the expense of the applicant requesting the Disinterment.
- 10.8 No Recovery of Other Materials: Other than the recovery of the human remains or Cremated Remains present in a Lot opened for a Disinterment the City shall make no commitment as to the recovery of any other material, personal effect or memento, or other extraneous item from a Disinterment Lot.
- 10.9 Disposal of Disinterment Spoils: The City shall dispose of, in a safe, environmentally sensitive manner, all extraneous materials that may incidentally be removed from a Disinterment Lot.

11.0 MEMORIALS: GENERAL REGULATIONS

- 11.1 Compliance: Every memorial and the installation thereof shall conform to this Bylaw, Cemetery design plan, and the Lot type on which the memorial is to be installed.
- 11.2 Memorial Standards: Every memorial, and the installation of every memorial, shall conform to all specifications and requirements established by the City for memorials at the time application is made for a memorial installation, not at the time an interment right was purchased, or an interment made.
- 11.3 City Maintenance Responsibility: The City is responsible to maintain the land of the Lot on which a memorial is installed but is not responsible for the maintenance of a memorial on a Lot.
- 11.4 Memorial Purchaser Responsibility: All memorials are the property of the memorial purchaser, and the care or repair of a memorial is the responsibility of the purchaser and, a Rights Holder or their successor is required to keep in good order and repair, at their expense and to the satisfaction of the City.
- 11.5 Limited Liability: The City is not liable for, the theft of any memorial, or obligated to repair, any damage to a memorial in the Cemetery except where it can be shown damage was caused by the negligence of the City.
- 11.6 Temporary Removal: The City, subject to the Director's authorization, shall have the right, without notice, to temporarily move a memorial from a Lot if, during the excavation of a Lot or an adjoining Lot, such removal is needed to gain access to a Lot, to ensure the safety of Cemetery Operators, or to protect the memorial from potential damage during the interment process. Memorials that have been moved shall be replaced, by the City, into its original position on the Lot from which it was removed as soon as possible after an interment has been completed.

- 11.7 Memorial Replacement / Modification: No memorial shall be installed, replaced, or modified within the Cemetery by any person other than the City or a person authorized by the Director. Every request to replace or modify an existing memorial must be with the consent of the Lot Rights Holder or their successors and/or the Family Members of the person(s) interred in the Lot or may be permitted at the discretion of the Director, in the event the Lot Rights Holder or their successors and/or the Family Members of the person(s) interred in the Lot cannot be located.
- 11.8 Memorial Refusal: The City has the authority to refuse to install a memorial if the applicant has failed to comply with any requirement established by the City governing memorials at the Cemetery. If a refusal occurs, the City shall inform the applicant what is deficient about the memorial or the installation application and the steps that need to be taken to resolve the deficiency.
- 11.9 Non-Conforming Memorials: Where it is determined a memorial has been installed that is inconsistent in any way with the design, size or material approved as part of a Memorial Permit application or does not comply in any other way with this Bylaw, a non-compliance order will be issued to the Lot Rights Holder or their successor at their last known address on file with the City. The Lot Rights Holder or their successor will then have 30-days from the date of issue of the non-compliance notice to resolve the issue. If the non-compliance has not been resolved within 30 days, the memorial may be ordered removed by the Director.
- 11.10 Permanent Removal: If any memorial, or part of a memorial, a grave cover or grave curbing placed or erected in the Cemetery be in a state of disrepair that may be hazardous to the public, Cemetery personnel, or become detrimental to the maintenance and overall appearance of the Cemetery, the Director, after providing 30-days notice in writing to the Lot Rights Holder or their successors at their last known address on file with the City, may have the memorial removed from the Cemetery if it has not been repaired in accordance with the notice provided.
- 11.11 Lot Embellishment: Except for Lots embellished prior to October 14, 2014, no Lot shall be defined by any fence, hedge, or railing except for a City approved and installed memorial, curb & seal, or a turf lot cover.

12.0 MEMORIALS: INSTALLATION & SPECIFICATIONS

- 12.1 Memorial Responsibility: It is the responsibility of a Rights Holder or the Legal Representative of a deceased to arrange for the supply of a memorial on a Cemetery Lot. The City has no responsibility to place, at the City's expense, any form of temporary or permanent memorial on a Lot.
- 12.2 Memorial Permit: No memorial shall be installed on a Lot until:
- (a) a Memorial Permit in a form prescribed by the City, has been submitted to the City and all associated Memorial Permit Fees paid; and
 - (b) it is determined by the City the memorial and inscription described on the application complies in every way with the specifications set out for memorial placement on the Lot where installation is proposed; and
 - (c) Memorialization's shall be consistent with the intent of a place of commemoration, serenity, reflection and remembrance; and
 - (d) Memorialization's shall not have language that could be interpreted as rude, derogatory, or discriminates or intends to discriminate against a person or group of people because of characteristics including race, place of origin, religion, disability, sex and gender identity; and

- (e) No marker shall have reference to media or websites beyond the control of the City; and
 - (f) all outstanding payment, as may apply, for a Right of Interment, interment, the memorial, and all Care Fund and Capital Reserve Account contributions are paid in full to the City.
- 12.3 Memorial Supplier Responsibility: Where a memorial installation Applicant is a memorial supplier other than the City, it is the responsibility of the memorial supplier to confirm the correct location for a companion memorial to confirm the correct layout and orientation for a companion inscription on the memorial. The City has no responsibility or financial liability for a memorial where it can be shown this task was not performed by a memorial supplier.
- 12.4 Memorial Installations: The installation of all memorials shall:
- (a) be made by the City; and
 - (b) occur during the regular hours of the Cemetery; and
 - (c) be made as soon as practicable after delivery of a memorial to the Cemetery; and
 - (d) be subject to service and staff scheduling, weather, and ground conditions.
- 12.5 Temporary Memorials: At the time of an interment the City may permit a temporary, non-permanent identification memorial that is:
- (a) of a design and size approved by the City; and
 - (b) placed on a Lot at a location determined by the City; and
 - (c) permitted to remain on the Lot for a period not to exceed six months from the date of Interment, and after six months the City has the authority to remove and dispose of the memorial, without prior notice.
- 12.6 Memorial Dimensions: All memorial sizes are measured in centimetres (inches), are always written - Length x Width x Height, and may have a variance of not more than plus or minus 1.0 cm.
- 12.7 Flat Markers: Flat Markers may be:
- (a) Stone: Made of granite or another type of hard stone approved by the City, shall be not less than 10 cm (4 in) thick and, shall have sides that are true and perpendicular to the top surface of the memorial; or
 - (b) Bronze: Comprised of a bronze marker securely attached to a concrete or granite pillow base, where the base shall be not less than 10 cm (4 in) thick and shall have sides that are true and perpendicular to the top surface of the marker.
- 12.8 Flat Marker Installations: Flat markers will be installed as follows here:
- (a) Sections A – O: Stone or bronze markers will be installed on top of a concrete pillow at ground level of the Lot, or on top of a concrete pillow on the surface of the curb.
 - (b) Sections AB – CC: Stone and bronze markers on a concrete or granite pillow base will be installed on a precast apron installed by the City.

12.9 Flat Marker Sizes: Flat stone markers or bronze markers on a concrete or granite base shall be of the following sizes:

- (a) Standard Lot - Single Memorial: One memorial only that is 30 cm by 50 cm (20" x 12" x 4").
- (b) Standard Lot - Double Depth Memorial: One memorial only for two human remains that is 40 cm by 70 cm (28" x 16" x 4").
- (c) Standard Lot - Side by Side / Adjoining: One memorial only for two Human Remains that is 40 cm by 70 cm (28" x 16" x 4").
- (d) Child Lot: One memorial only that is 30 cm by 50 cm (20" x 12" x 4").
- (e) Cremation Lot - Single Interment: One memorial only that is 25 cm by 40 cm (16" x 10" x 4").
- (f) Cremation Lot – Companion Interment: One memorial only for two Cremated Remains that is 25 cm by 40 cm (16" x 10" x 4").
- (g) Cremated Remains – Single Interment in a Standard Lot: One memorial only that is 25 cm by 40 cm (16" x 10" x 4").
- (h) Cremated Remains – Companion Interment in a Standard Lot: One memorial only that is 25 cm by 40 cm (16" x 10" x 4").

12.10 Pillow Markers: Subject to the Cemetery design plan, pillow markers may be permitted on Lots as an alternative to a flat memorial. Pillow markers shall be the same size as the dimensions set out in Section 12.12 of this Bylaw but shall have a pitched / slanted face that is not more than 15.2 cm (6 ins.) high at the back of the memorial slanting to 10.1 cm (4 in.) high at the front of the memorial.

12.11 Upright Memorials: On Lots designated for upright memorial markers the memorial markers shall:

- (a) be constructed of granite; and
- (b) have the marker attached to a granite base with dowel pins and / or an adhesive epoxy compound approved by the City and, in instances where dowels are mandated by the City, the dowels shall be made of a non-corrosive material, be centered on the base, be not less than 15.2 cm (6 in) in length and evenly extended into both the markers and the base and installed in a 'dry' mode; and
- (c) have an inscription and design carved or engraved on the face of the marker, or a bronze plaque securely anchored to the face of the marker with non-corrosive fasteners and /or an adhesive epoxy approved by the City; and
- (d) not have any inscription, lettering, plaque or other form of adornment or decoration engraved, inscribed, or otherwise attached to the back or any side of the marker or its base.

12.12 Upright Marker Sizes: Upright memorial markers, shall:

- (a) not exceed 50.8 cm (20 in) height – marker and base combined; and
- (b) not exceed 76.2 cm (30 in) wide x 50.8 cm (20 in) high x 15.2 cm (6 in) deep; and
- (c) for a single standard Lot, have a base that is not more than 91.4 cm (36 in) wide and 15.2 cm (6 in) high; or

- (d) for a side-by-side standard companion Lot have a base that is not more than 101.6 cm (40 in) wide 15.2 cm (6 in) deep.
- 12.13 Flower Vases: Other than a metal or stone flower vase that is an integral part of the design of a memorial approved for installation by the Director, no other form of flower vase, candleholder, lantern, or other form of fixture may be attached in any manner to a memorial, placed adjacent to where a memorial is installed, or placed anywhere on a Lot in the Cemetery.
- 12.14 Columbarium Memorials: Memorials in a columbarium shall be in the form of an inscription engraved on a niche shutter, where the inscription shall:
- (a) be coordinated through the City; and
 - (b) have a short inscription engraved on the surface of the shutter that is consistent with the intent of the Permit, and may also include, the given name(s) or initial(s), the surname, the year of birth and the year of death of the deceased interred in the niche; and
 - (c) shall be made in a font style, size and layout that is consistent with adjacent shutters and with the overall design established for the columbarium of which the niche is a part; and
 - (d) not have any other form of symbol, decoration or other form of adornment engraved, inscribed, or attached to the surface of the shutter.
- 12.15 Memorial Wall Plaques: Bronze memorial wall plaques shall be coordinated through the City, and the plaques shall:
- (a) be 15.2 cm (6 in) wide x 10.1 cm (4 in) high; and
 - (b) be installed by the City, sequentially from the left to right, top to bottom on a memorial Wall.
- 12.16 Custom Memorial Donation / Dedication: The City, subject to the discretion and approval of the Director, may permit the donation and dedication of a memorial planting, memorial bench, or other form of custom memorial feature at the Cemetery, subject to the following criteria:
- (a) a Permit Application shall be made to the City giving the proposed specifications, design and materials of the custom memorial and the design must be approved in writing by the Director before any delivery or installation can proceed; and
 - (b) site selection in the Cemetery shall conform to the plan of the design plan of the Cemetery; and
 - (c) installation, if not performed by the City, shall be made under the supervision of the City; and
 - (d) the cost of memorial, any memorial site improvements, and installation of the memorial shall be borne by the applicant; and
 - (e) the installation of a custom memorial in the Cemetery does not entitle the donor or an applicant to any privilege or right over the land upon which the memorial may be situated.

13.0 CEMETERY RULES & REGULATIONS

- 13.1 Bylaw Compliance: The use of a Right of Interment, every interment, every memorial, the installation of every memorial and visitation within the Cemetery is subject to this Bylaw and, every person, upon entering and while within the Cemetery, shall comply with this Bylaw and follow every instruction of the City.
- 13.2 Cemetery Hours: The business days and hours of operation of the Cemetery shall, for the following purposes, be:
- (a) **Visiting**: open every day of the year from dawn to dusk.
 - (b) **Office**: closed on weekends, days of observance and holidays observed by the City.
- 13.3 Flower Rules & Restrictions: One or more of the following of Floral tributes may be placed at the Cemetery as follows:
- (a) on the day of an interment and for a period of seven days following interment, any type of floral tribute is permitted,
 - (b) between April 1 and October 31, only fresh cut flowers may be placed on a Lot. Potted plants, wreaths and artificial floral tributes of any type are prohibited during this period,
 - (c) between November 1 and March 31, in addition to fresh cut flowers, wreaths, artificial floral tributes and seasonal floral tributes may be placed on a Lot,
 - (d) only flower vases of a number and design approved by the City, shall be permitted on a Lot and the use of glass vases in any circumstance is prohibited,
 - (e) in the case of a columbarium niche or mausoleum crypt, artificial floral tributes may be placed in a vase approved, supplied, and installed by the City,
 - (f) except for the day of interment, the placement of floral tributes at a columbarium or at a mausoleum shall not be permitted,
 - (g) wreaths, artificial floral tributes, and seasonal floral tributes placed at the Cemetery between November 1 and March 31 will, without prior notice, be removed when Cemetery clean-up is carried out in the spring,
 - (h) the City is not liable for the deterioration, damage or loss of flowers, decorations or any item placed on a Lot or at a memorial site,
 - (i) the City has the right, without notice, to remove or order removed flowers, decorations or other items placed on a Lot or at a memorial site that may pose a safety risk or have deteriorated or otherwise become unsightly and detract from the maintenance standard of adjacent Lots and the Cemetery as a whole.
- 13.4 Cemetery Rules: No person shall:
- (a) be in the Cemetery outside those hours listed in the Parks Bylaw.
 - (b) scatter, dispose of, or inter any cremated remains within the limits of the Cemetery except in compliance with this Bylaw.

- (c) define or delineate any Lot or group of Lots in the Cemetery by a fence, railing, coping, hedge, grave cover or by any other marking except as may be permitted by the City.
- (d) place any form of decoration, adornment, personal memento, or other extraneous object on a Lot, a Niche, or a crypt, or in the Cemetery generally without the express consent of the Director and subject to any rules the Director may apply.
- (e) willfully or negligently destroy, mutilate, deface, damage, injure or remove anything from the Cemetery, including and without limitation, any memorial, plant, flower, tree, rock, or other item located in the Cemetery.
- (f) carry out any activity at the Cemetery other than attendance at an interment or memorial service or the visitation of a Lot for the purpose of paying respect to the dead.
- (g) conduct them self in a manner to disturb the peace, quiet and tranquility of the Cemetery or an interment or memorial service being conducted therein.
- (h) discharge any firearm in the Cemetery other than at a military funeral for which a firearm salute has been authorized by the City and is conducted under the direct command of a Federal Officer in charge and only during an interment or memorial service.
- (i) bring into or dump any rubbish, debris or other offensive item or matter in the Cemetery or make an unauthorized removal of any cemetery refuse, waste, or rubbish.
- (j) bring into the Cemetery any pet or animal, except for a certified personal assistance guidance animal.
- (k) drive any form of recreational utility vehicle, all terrain vehicle, or powered snow vehicle.
- (l) play any manner of sports game or sport activity within the limits of the Cemetery.
- (m) otherwise violate any provision of this *Bylaw* or the *Cemetery Act*.

- 13.5 No Planting or Site Alterations: No tree, shrub, plant, bulb, flower, or other decorative plant may be planted, pruned, cut down, removed, or otherwise altered on a Lot or anywhere else within the limits of the Cemetery. Subject to the consent of the Director, authorized persons may be permitted to utilize the features of a Planted Cutting Graden designated within the Cemetery and subject to the supervision of the City.
- 13.6 No Open Flame: No open flame, candle, or burning of any substance or other material may take place inside the Cemetery.
- 13.7 Special Events: Notwithstanding subsection 13.4(f), the City has the authority to permit special events to be conducted in the Cemetery that are, in the opinion of the City, deemed appropriate for and in keeping with the dignity and purpose of the Cemetery.
- 13.8 Hours of Work: No work may be performed at the Cemetery except during the regular hours of the City except where work outside of regular hours is authorized by the City.
- 13.9 Obey Operator: All persons and funeral processions while in the Cemetery shall obey the instructions of the City, and any person not behaving with proper decorum within the Cemetery or disturbing the quiet and good order of the Cemetery may be evicted from the Cemetery by the City.

- 13.10 No Solicitation or Gratuity: No person shall solicit orders for funeral services, markers, tablets, memorials, curbing, capping, or like works within the limits of the Cemetery and, no gratuity or extraordinary consideration shall be paid to or accepted by an employee or agent of the City for any service rendered or good provided in connection with the Cemetery.
- 13.11 Penalty for Infractions: An individual who or corporation that contravenes this *Bylaw* is guilty of an offence. Each contravention of this *Bylaw* shall be deemed to be a separate and distinct offence. An individual who or corporation that is cited for or found guilty of a contravention of this *Bylaw* is, upon conviction, liable for:
- (a) a fine for each infraction and for each day or part thereof during which an infraction has taken place; and
 - (b) may find contravention of this Bylaw that continues more than one day may constitute to be a continuous offence; and
 - (c) the amount of the fine levied for contravention of this Bylaw shall be set out in the City of West Kelowna Bylaw Notice Enforcement Bylaw No. 0093 and the City of West Kelowna Municipal Ticket Information Utilization Bylaw No. 0095.
 - (d) the cost of prosecution and any other penalty or order imposed pursuant to the *British Columbia Community Charter*, or the *British Columbia Offence Act* as amended from time to time.

14.0 CEMETERY FEES

- 14.1 Schedule 'A': The fees for all Rights of Interment, and all services and goods offered for sale by the City at the Cemetery shall be those set out in *Schedule "A": Cemetery Fees* that forms a part of this this Bylaw.
- 14.2 Fee Itemization: On the price listed for all Right of Interments for the reservation or use a Cemetery Lot, and on all sales and purchase contracts for Rights of Interment, the amount required to be set aside from the sales prices for the "*Cemetery Perpetual Care Fund*" and / or the "*Capital and Major Maintenance Reserve Account*" shall be disclosed and itemized.
- 14.3 Payment of Fees: The fees set out in *Schedule "A": Cemetery Fees* are due and shall be paid in full at the City offices at the time of purchase of a Right of Interment, or purchase of any goods or services sold by the City in connection with the operation of the Cemetery.
- 14.4 Cemetery Fee Sustainability: The Cemetery Fees shall be:
- (a) set at rates that ensure the Cemetery is operated in a fiscally sustainable manner and not create an unreasonable operational subsidy burden on the City's taxpayers; and
 - (b) with an annual 3% fee increase, as per Schedule A.

15.0 CEMETERY FUNDS

- 15.1 Cemetery Perpetual Care Fund ("Care Fund"): In compliance with the *Cemetery Act* the City shall establish and maintain at the City's financial institution, a *Care Fund* and the Treasurer shall be responsible for this account and for ensuring that:
- (a) from the proceeds charged and collected from the sale of all Rights of Interment and all memorial installations, the Treasurer shall pay into the *Care Fund* the amounts received for each transaction, as set out in *Schedule 'A': Cemetery Fees*, and ensure the deposit and investment of

the monies in the Care Fund are permitted by and comply with the *Cemetery Act*, the *Local Government Act*, and the *Community Charter*; and

(b) the interest earned on the investments of the Care Fund is used only for the maintenance and care of the Cemetery in the year in which the interest is earned or, when not needed, retained in the Care Fund to increase the principal sum of the fund; and

(c) the principal of the Care Fund is not to be reduced other than in accordance with *Consumer Protection BC* and pursuant to the *Cemetery Act*.

15.2 Capital and Major Maintenance Reserve Account (“Capital Reserve Account”): The City shall establish and maintain at the City’s financial institution an account to be known as the *Capital Reserve Account* and the Treasurer shall be responsible for this account and for ensuring that:

(a) from the proceeds charged and collected from the sale of all Rights of Interment and all memorial installations, the Treasurer shall pay into the *Capital Reserve Account* the amounts received for each transaction, as set out in *Schedule ‘A’: Cemetery Fees* and ensure the deposit and investment of the monies in the *Capital Reserve Account* are permitted by and comply with the, the *Local Government Act*, and the *Community Charter*; and

(b) *Capital Reserve Account* funds are intended to be used for Cemetery maintenance and capital project as approved by Council.

15.3 Donations Accepted: The City may accept voluntary donations to the *Care Fund* and *Capital Reserve Account* from any person or organization and said donations shall be added to the principal of the fund specified for the donation.

16.0 REPEAL & ENACTMENT

16.1 Repeal of Existing Bylaw: Westbank Cemetery Bylaw no. 0166 and all amendments are hereby repealed.

16.2 Effect of Bylaw: This Bylaw shall come into full force and effect and be binding on all persons as and from the date of adoption.

READ A FIRST, SECOND AND THIRD TIME THIS 11TH DAY OF FEBRUARY, 2025

THIRD READING RESCINDED, THE BYLAW WAS MODIFIED, AND READ A THIRD TIME AS MODIFIED THIS 25TH DAY OF FEBRUARY, 2025

THIRD READING RESCINDED, THE BYLAW WAS MODIFIED, AND READ A THIRD TIME AS MODIFIED THIS 11TH DAY OF MARCH, 2025

ADOPTED

MAYOR

CORPORATE OFFICER

WEST KELOWNA CEMETERY BYLAW NO. 0318

FEE SCHEDULE "A"

Plot Fees - Resident Rates			
Grave Space/Type	March 25th, 2025	March 1st, 2026	March 1st, 2027
Standard Casket Plot	\$ 4,000	\$ 4,120	\$ 4,244
Infant Casket Plot	\$ 1,163	\$ 1,197	\$ 1,233
Cremation Plot	\$ 1,188	\$ 1,223	\$ 1,260
Lakeside Columbarium – Level 1	\$ 7,862	\$ 8,098	\$ 8,341
Lakeside Columbarium – Level 2	\$ 7,599	\$ 7,826	\$ 8,061
Lakeside Columbarium – Level 3	\$ 6,773	\$ 6,976	\$ 7,185
Lakeside Columbarium – Level 4	\$ 5,985	\$ 6,165	\$ 6,350
Lakeside Columbarium – Level 5	\$ 5,501	\$ 5,666	\$ 5,836
Mountainside Columbarium – Level 1	\$ 7,126	\$ 7,339	\$ 7,560
Mountainside Columbarium – Level 2	\$ 6,890	\$ 7,097	\$ 7,310
Mountainside Columbarium – Level 3	\$ 6,141	\$ 6,325	\$ 6,515
Mountainside Columbarium – Level 4	\$ 5,430	\$ 5,593	\$ 5,761
Mountainside Columbarium – Level 5	\$ 4,991	\$ 5,141	\$ 5,295
Family Estate	\$ 20,218	\$ 20,824	\$ 21,449
Mausoleum – Level 1	\$ 32,570	\$ 33,547	\$ 34,554
Mausoleum – Level 2	\$ 29,311	\$ 30,191	\$ 31,096
Ossuary/Scatter	\$ 413	\$ 425	\$ 438
Service Fees			
Opening and Closing Lot for Internment	March 25th, 2025	March 1st, 2026	March 1st, 2027
Standard Casket Internment	\$ 1,920	\$ 1,978	\$ 2,037
Infant Casket Internment	\$ 938	\$ 966	\$ 995
Cremation Plot	\$ 656	\$ 676	\$ 696
Columbarium (2 nd interment only)	\$ 370	\$ 381	\$ 393
Family Estate (2 nd & subsequent interments only)	\$ 751	\$ 774	\$ 797
Ossuary Placement	\$ 126	\$ 130	\$ 134
Opening and Closing Lot for Disinterment:			
Standard Plot	\$ 3,598	\$ 3,705	\$ 3,817
Infant Plot	\$ 1,892	\$ 1,949	\$ 2,007
Cremation Plot	\$ 1,064	\$ 1,096	\$ 1,129
Columbarium	\$ 1,210	\$ 1,246	\$ 1,284
Mausoleum	\$ 2,474	\$ 2,548	\$ 2,624
Family Estate	\$ 1,233	\$ 1,269	\$ 1,308

WEST KELOWNA CEMETERY BYLAW NO. 0318

FEE SCHEDULE "A" Continued

Additional Service Fees			
	March 25th, 2025	March 1st, 2026	March 1st, 2027
Administrative Fee	\$ 50	\$ 52	\$ 53
Bud Vase – Columbarium/Mausoleum	\$ 600	\$ 618	\$ 637
Burial (Ash) after 1:30 pm; Mon. – Fri.	\$ 782	\$ 805	\$ 830
Burial (Casket) after 1:00 pm; Mon. – Fri.	\$ 863	\$ 888	\$ 915
Concrete Pillow (req'd for Bronze marker on top of concrete apron)	\$ 206	\$ 212	\$ 219
Curb & Seal - Single	\$ 2,673	\$ 2,753	\$ 2,836
Double Depth Casket Internment	\$ 1,807	\$ 1,861	\$ 1,917
Engraving - Columbarium Shutter (2nd Engraving)	\$ 675	\$ 695	\$ 716
Engraving – Family Estate (2nd Engraving)	\$ 675	\$ 695	\$ 716
Engraving – Family Estate Individual (2nd Engraving)	\$ 675	\$ 695	\$ 716
Engraving - Laser Etch Photo (Maus. Only)	\$ 920	\$ 947	\$ 975
Engraving - Mausoleum Shutter (2nd Engraving)	\$ 1,215	\$ 1,251	\$ 1,289
Grave Liner - Casket	\$ 876	\$ 902	\$ 929
Grave Liner - Cremation	\$ 249	\$ 256	\$ 264
Memorial Permit (marker)	\$ 536	\$ 552	\$ 568
Memorial Permit (memorial wall)	\$ 368	\$ 379	\$ 390
Pall Bearer (2)	\$ 400	\$ 412	\$ 424
Remove/Reinstall Memorial Marker	\$ 285	\$ 294	\$ 302
Remove/Replace Double Curb & Seal	\$ 534	\$ 550	\$ 567
Remove/Replace Single Curb & Seal	\$ 267	\$ 275	\$ 283
Artificial Turf Plot Cover	\$ 1,043	\$ 1,074	\$ 1,106
Transfer of Licence	\$ 200	\$ 206	\$ 212
Weekend Casket Interment (Incl. Stats)	\$ 1,228	\$ 1,264	\$ 1,302
Weekend Cremation Inurnment (incl. stat)	\$ 781	\$ 805	\$ 829
Concurrent cremation interment	\$ 500	\$ 515	\$ 530
Extended Interment Time (per hour)	\$ 200	\$ 206	\$ 212
Non-Resident Fees: 35% additional for each product/service			
Care Fund: 35% of Plot Fee and Niche/Crypt Fee			
Capital Reserve: 15% of all Plot Fees			
Columbarium & Mausoleum Fees include the 1st Open/Close and Shutter Engraving			