



CITY OF WEST KELOWNA REGULAR COUNCIL AGENDA

Tuesday, April 21, 2020, 6:00 P.M.

LIONS COMMUNITY CENTRE
2466 MAIN STREET, WEST KELOWNA, BC

Pages

1. CALL THE REGULAR COUNCIL MEETING TO ORDER

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

In response to the COVID-19 pandemic, the Orders of the Provincial Health Officer and the Province of BC Ministerial Order No. M083 (Emergency Program Act), the Council meeting space is not open to the public. The meeting is however, available to the public via a live webcast which will be archived on the City's website.

Additionally, in accordance with the Province of BC Ministerial Order No. M083 (Emergency Program Act), the Council of the City of West Kelowna is attending the meeting by electronic means.

2. INTRODUCTION OF LATE ITEMS

3. ADOPTION OF AGENDA

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5.1.1 Regional Economic Recovery Task Force - Press Release 12

5.1.2 Okanagan Basin Water Board Highlights from the April 8, 2020 Board Meeting 14

6. DELEGATIONS

7. UNFINISHED BUSINESS

8. DIVISION REPORTS

8.1 DEVELOPMENT SERVICES

- 8.1.1 **Z 19-12; Official Community Plan Amendment Bylaw No. 0100.58 and Zoning Amendment Bylaw No. 0154.89 (1st and 2nd Reading); 1080 Devon Road** 15

Recommended Motion:

THAT Council give first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.58, 2020;

THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.89, 2020; and

THAT Council direct staff to schedule the proposed bylaw amendments for Public Hearing, when appropriate.

- 8.1.2 **Z 20-01; Zoning Bylaw Amendment No. 0154.88; 2648 Kyle Road** 33

Recommended Motion:

THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.88, 2020 (File Z 20-01); and

THAT Council direct staff to waive the Public Hearing for the proposed Zoning Amendment Bylaw.

- 8.1.3 **Council Appointment of Bylaw Enforcement Officer** 43

Recommended Motion:

THAT Council appoint Shaun Matthews as a Bylaw Enforcement Officer for the City of West Kelowna.

8.2 ENGINEERING / PUBLIC WORKS / PARKS

8.3 FIRE RESCUE SERVICES

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8.6 CORPORATE SERVICES / RECREATION AND CULTURE

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9. CORRESPONDENCE AND INFORMATION ITEMS
10. NOTICE OF MOTION
11. ADJOURNMENT OF THE REGULAR MEETING



CITY OF WEST KELOWNA
MINUTES OF THE SPECIAL MEETING OF COUNCIL

Tuesday, April 7, 2020
LIONS COMMUNITY CENTRE
2466 MAIN STREET, WEST KELOWNA, BC

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

Paul Gipps, CAO
Tracey Batten, Deputy CAO / Corporate Officer
Allen Fillion, Director of Engineering / Public Works
Warren Everton, Director of Finance / CFO
Sandy Webster, Director of Corporate Initiatives
Michelle Reid, Director of Human Resources
Jason Brolund, Fire Chief
JoAnne Kleb, Communications Manager

1. CALL THE SPECIAL COUNCIL MEETING TO ORDER

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

In response to the COVID-19 pandemic, the orders of the Medical Health Officer and the Province of BC Ministerial Order No. M083 (Emergency Program Act), the Council meeting space was not open to the public.

Additionally, in accordance with the Province of BC Ministerial Order No. M083 (Emergency Program Act), the Council of the City of West Kelowna attended the meeting by electronic means.

The Special Council meeting was called to order at 11:36 a.m.

2. ADDITIONS OR CHANGES TO PROCEDURAL MOTION

3. ADOPTION OF AGENDA

It was moved and seconded

Resolution No. C096/20

THAT the agenda be adopted as presented.

CARRIED UNANIMOUSLY

4. PROCEDURAL MOTION

It was moved and seconded

Resolution No. C097/20

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

(c) labour relations or other employee relations;

(g) litigation or potential litigation affecting the municipality; and,

THAT Council close the meeting in accordance with Section 90(2) of the *Community Charter* for:

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED UNANIMOUSLY

5. ADJOURNMENT OF THE SPECIAL COUNCIL MEETING

The Special Council meeting adjourned at 12:40 p.m.

MAYOR

DEPUTY CAO/CORPORATE OFFICER



CITY OF WEST KELOWNA
MINUTES OF THE REGULAR MEETING OF COUNCIL

Tuesday, April 7, 2020
LIONS COMMUNITY CENTRE
2466 MAIN STREET, WEST KELOWNA, BC

MEMBERS PRESENT: Mayor Gord Milsom
Councillor Rick de Jong
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Paul Gipps, CAO
Tracey Batten, Deputy CAO / Corporate Officer
Allen Fillion, Director of Engineering / Public Works
Warren Everton, Director of Finance / CFO
Sandy Webster, Director of Corporate Initiatives
Michelle Reid, Director of Human Resources
Jason Brolund, Fire Chief
Brent Magnan, Planning Manager
Bob Dargatz, Development Services/Approving Officer
JoAnne Kleb, Communications Manager
Neil Wyatt, IS Support
Eugene Harley, IS Support

1. CALL THE REGULAR COUNCIL MEETING TO ORDER

The meeting was called to order at 1:34 p.m.

Due to an audio problem, the meeting paused at 1:50 p.m. and resumed from the beginning at 2:20 p.m.

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

In response to the COVID-19 pandemic, the orders of the Provincial Health Officer and the Province of BC Ministerial Order No. M083 (Emergency Program Act), the Council

meeting space was not open to the public. The meeting was available to the public via a live webcast and archived on the City's website.

Additionally, in accordance with the Province of BC Ministerial Order No. M083 (Emergency Program Act), the Council of the City of West Kelowna attended the meeting by electronic means.

2. INTRODUCTION OF LATE ITEMS

2.1 Adoption of Water Rates Bylaw No. 0028.66, 2020 (see Item 8.2.2 under Division Reports)

2.2 Adoption of 2020-2024 Financial Plan (see Item 8.2.3 under Division Reports)

3. ADOPTION OF AGENDA

It was moved and seconded

Resolution No. C098/20

THAT the Agenda be adopted as amended.

CARRIED UNANIMOUSLY

4. ADOPTION OF MINUTES

4.1 Minutes of the Special Council Meeting held Tuesday, March 24, 2020 at the Lions Community Centre

It was moved and seconded

Resolution No. C099/20

THAT the minutes of the Special Council Meeting held Tuesday, March 24, 2020 at the Lions Community Centre be adopted.

CARRIED UNANIMOUSLY

4.2 Minutes of the Regular Council Meeting held Tuesday, March 24, 2020 at the Lions Community Centre

It was moved and seconded

Resolution No. C100/20

THAT the minutes of the Regular Council Meeting held Tuesday, March 24, 2020 at the Lions Community Centre be adopted.

CARRIED UNANIMOUSLY

5. MAYOR AND COUNCILLOR'S REPORTS

5.1 Mayor Milsom

5.1.1 Covid-19 Update

5.1.2 Regional District of Central Okanagan Highlights from the March 23, 2020 Regional Board Meeting

6. DELEGATIONS

7. UNFINISHED BUSINESS

8. DIVISION REPORTS

8.1 CHIEF ADMINISTRATIVE OFFICER

8.1.1 CAO COVID-19 Status Update

Information Report from the CAO

8.2 FINANCIAL SERVICES

8.2.1 Revenue Anticipation Borrowing Bylaw No. 0275, 2020

It was moved and seconded

Recommended Motion: C101/20

THAT Council give 1st, 2nd and 3rd readings to the “City of West Kelowna Revenue Anticipation Borrowing Bylaw No. 0275, 2020”.

CARRIED UNANIMOUSLY

8.2.2 Adoption of Water Rates Bylaw No. 0028.66, 2020

It was moved and seconded

Recommended Motion: C102/20

THAT Council rescind third reading of the “City of West Kelowna Fees and Charges Amendment Bylaw No. 0028.66, 2020”, and re-read a third time as amended; and, as permitted under the Province of BC Order of the Minister of Public Safety and Solicitor General (Ministerial Order No. M083);

THAT Council adopt the “City of West Kelowna Fees and Charges Amendment Bylaw No. 0028.66, 2020” (Schedule 8).

CARRIED UNANIMOUSLY

8.2.3 Adoption of 2020 - 2024 Financial Plan

It was moved and seconded

Recommended Motion: C103/20

THAT Council rescind third reading of the “City of West Kelowna Financial Plan Bylaw No. 0271, 2019”, and re-read a third time as amended, by revising Schedule A, page B1, line "Transfer from Reserves - Operating Purposes", with a tax rate increase set at 2.8%; and, as permitted under the Province of BC Order of the Minister of Public Safety and Solicitor General (Ministerial Order No. M083);

THAT Council adopt the “City of West Kelowna Financial Plan Bylaw No. 0271, 2019”.

CARRIED UNANIMOUSLY

The meeting recessed at 4:19 p.m.

The meeting reconvened at 4:31 p.m.

8.3 DEVELOPMENT SERVICES

8.3.1 Z 18-08; Official Community Plan Amendment Bylaw No. 0100.55 and Zoning Amendment Bylaw No. 0154.74; 2377 Thacker Drive

It was moved and seconded

Resolution No. C104/20

THAT Council rescind first and second reading of Official Community Plan Amendment Bylaw No. 0100.55, 2019;

THAT Council rescind second reading of City of West Kelowna Zoning Amendment Bylaw No. 0154.74, 2019 and re-read a second reading as amended; and

THAT Council direct staff to waive the Public Hearing for the proposed Zoning Amendment Bylaw.

CARRIED UNANIMOUSLY

8.3.2 Corporate Climate Action Update

Information Report from the Planner II

8.3.3 Central Okanagan Wellness and Poverty Strategy Grant Application

It was moved and seconded

Resolution No. C105/20

THAT Council support the collaborative application to the Union of B.C. Municipalities for the development of a Central Okanagan Wellness and Poverty Strategy of \$149,000 in partnership with the District of Lake Country, City of West Kelowna, District of Peachland, City of Kelowna, and the Regional District of the Central Okanagan with the Regional District of the Central Okanagan being the primary applicant to apply for, receive and manage the grant funding for the Central Okanagan Wellness and Poverty Strategy; and

THAT Council appoint a staff liaison for the duration of the project (approximately one year).

CARRIED Opposed: Councillor Zanon

8.4 ENGINEERING / PUBLIC WORKS / PARKS

8.4.1 Willow Park Shoreline Recovery Works – Contract Award

It was moved and seconded

Resolution No. C106/20

THAT the Council meeting be extended to 5:35 p.m.

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C107/20

THAT Council award the construction contract for the Willow Park Shoreline Recovery Works to Landmark Solutions Ltd., for a total value of \$471,314.50 excluding taxes.

CARRIED UNANIMOUSLY

8.5 FIRE RESCUE SERVICES

8.6 CORPORATE INITIATIVES

8.7 CORPORATE SERVICES / RECREATION AND CULTURE

9. CORRESPONDENCE AND INFORMATION ITEMS

10. NOTICE OF MOTION

11. ADJOURNMENT OF THE REGULAR MEETING

The meeting adjourned at 5:32 p.m.

MAYOR

DEPUTY CAO/CORPORATE OFFICER



News Release

April 15, 2020

Supporting Business and Driving Economic Recovery in the Central Okanagan

In response to the COVID-19 pandemic, the Regional Mayors' and WFN Chief's Economic Recovery Task Force (Economic Recovery Task Force) was launched today. The Economic Recovery Task Force was initiated by the Mayors of Kelowna, West Kelowna, Lake County and Peachland, as well as the Regional Board Chair and Chief of Westbank First Nation. They will act to support the immediate needs of local business and drive for full economic recovery in the Central Okanagan.

The Economic Recovery Task Force is co-chaired by Regional Board Chair Gail Given and Kelowna Mayor Colin Basran and is supported by the Central Okanagan Economic Development Commission (COEDC) and senior staff from participating jurisdictions. The Central Okanagan communities recognize they can combat economic impacts of COVID-19 more soundly as a group since businesses and the workforce move fluidly across the region.

The Economic Recovery Task Force will first support action already underway through the COEDC to help businesses focus in the short term on maintaining public and work force health and by connecting businesses with resources to assist them through temporary business closures or reduced revenues.

"The COEDC has already established an Economic Response Action Team made up of key representatives from our local business community who will provide input on what the needs are across industries," said Regional Board Chair Gail Given. "This is a critical first step in knowing what we can do to assist".

The COEDC will lead the group to:

- Keep local businesses informed and connected to provincial and federal programs
- Establish evolving needs in the community as the pandemic shifts to recovery
- Provide one to one guidance for struggling businesses
- Advocate on behalf of the local business community to senior levels of government

Next, the Economic Recovery Task Force will guide the development of an economic recovery plan which the COEDC and partners will implement over the next four to 18 months. The plan will leverage the broad industry expertise and be geared to re-energize the Central Okanagan economy, retain the business base and support employers and workers in getting people back to work as soon as possible.

"We've achieved significant economic success in the City of Kelowna and across the region but like economies worldwide, we've been impacted by the COVID-19 pandemic," said Mayor Colin Basran. "The Economic Recovery Task Force will be providing guidance to make sure our businesses emerge from the pandemic stronger and ready to continue building on local success. With a solid strategy, we'll know what economic stimuli are required. We'll be able to act quickly and position ourselves for new economic opportunities like funding programs from senior governments. And we'll be able to bounce back more quickly."

For more information on what each Central Okanagan community is doing in their own communities visit:

- [Regional District of Central Okanagan](#)
- [City of Kelowna](#)
- [City of West Kelowna](#)
- [District of Peachland](#)
- [District of Lake Country](#)
- [Westbank First Nation](#)

And to keep up to date on the Regional Mayors' and WFN Chief's Economic Recovery Task Force actions and current resources for local businesses, visit the Central Okanagan Economic Development Commission at investkelowna.com.



Backgrounder

The Regional Mayors' and WFN Chief's Recovery Task Force is co-chaired by Chair Given and Mayor Basran and comprised of:

- Chief Christopher R. Derickson, Westbank First Nation
- Regional Board Chair Gail Given, Regional District of Central Okanagan
- Mayor Colin Basran, City of Kelowna
- Mayor Gord Milsom, City of West Kelowna
- Mayor James Baker, District of Lake Country
- Mayor Cindy Fortin, District of Peachland

The Economic Response Action Team is led by the Central Okanagan Economic Development Commission and is comprised of:

- Support staff from the District of Lake Country, City of Kelowna, Westbank First Nation, City of West Kelowna and District of Peachland
- Representatives from the Chambers of Commerce/Boards of Trade of Lake Country, Kelowna, Greater Westside and Peachland
- Community Futures Central Okanagan
- Women's Enterprise Centre
- Tourism Kelowna
- Southern Interior Development Initiative Trust
- Business Associations
- Accelerate Okanagan
- COEDC staff who act as a conduit for the [COEDC Advisory Council](#)



BOARD REPORT: April 8, 2020

1450 KLO Road, Kelowna, BC V1W 3Z4

P 250.469.6271 F 250.762.7011

www.obwb.ca



Okanagan Basin

WATER BOARD

Okanagan Basin Water Board Meeting Highlights

OBWB Directors

Sue McKortoff - Chair,
Regional District of Okanagan-Similkameen

Cindy Fortin - Vice-Chair,
Regional District of Central Okanagan

Victor Cumming, Regional
District of North Okanagan

Rick Fairbairn, Regional
District of North Okanagan

Bob Fleming, Regional District
of North Okanagan

James Baker, Regional
District of Central Okanagan

Colin Basran, Regional District
of Central Okanagan

Toni Boot, Regional District of
Okanagan-Similkameen

Rick Knodel, Regional District
of Okanagan-Similkameen

Chris Derickson, Okanagan
Nation Alliance

Bob Hrasko, Water Supply
Association of B.C.

Denise Neilsen, Okanagan
Water Stewardship Council

The next regular meeting of
the OBWB will be 10 a.m.
Tuesday, May 5, 2020.
Location to be determined.

Water Board work continues despite office closure: In response to the COVID-19 pandemic, Water Board staff are working from home as much as possible, and our offices are now closed to the public, following the recommendations of provincial and federal officials to help “flatten the curve.” Staff continue to receive emails and voicemail messages and are responding as they are able. All meetings have been moved online until further notice. Contact details are available at www.OBWB.ca/contact.

Directors approve community water grants: The Board approved \$350,000 in funding for 16 projects through its Water Conservation and Quality Improvement Grant Program. There were 21 applications this year with a total ask worth \$448,186. Last year, the board voted to increase the program by \$50,000 for the first time since it began in 2006, recognizing the importance of the program, the rise in inflation and growing interest in the grants. Applicants were required to show valley-wide benefit and collaboration. The board voted to support an additional project, separate from the grant program, acknowledging that it is a good fit with another OBWB initiative. Applicants will be notified of the results in the days ahead.

Annual state of Okanagan water supply webinar set for April 16: The OBWB is hosting its annual Water Supply Webinar on Thurs., April 16, 11 a.m. to 12 noon. This online seminar will include updates on the current state of reservoir levels, snow pack, groundwater, as well as a look at the weather and wildfire forecast. This event will be of interest to local government staff and elected officials, the agricultural community, water managers, water professionals and others. Details posted soon at www.OBWB.ca.

Milfoil control moves from rototilling to harvesting: The milfoil control crew is completing rototilling work in valley lakes and will be heading into the maintenance shop to prepare their machines for harvesting season. Rototilling (de-rooting) the invasive weed is the most effective control method, but can only be done when temperatures are below 10 degrees Celsius when the plant cannot re-root. Harvesting (or mowing) is done in summer. The crew is following physical distancing measures, and other best practices while working, to prevent the spread of COVID-19.

B.C. AquaHacking Challenge goes fully virtual: The AquaHacking Challenge BC 2020 Semi-Final went ahead as a fully virtual event on March 21. Participants, judges, mentors and others, logged in remotely to hear and see teams from across Canada pitch solutions to some of B.C.’s greatest water challenges. Some 195 participants registered from post-secondary institutes across B.C., Alberta, Ontario and Quebec, forming 30 teams. In the end, 20 teams pitched at the semi-final. The public was invited to join participants and judges and tune in for the announcement of the five finalists during a Facebook Live event. The five finalists include *Atlantis* from Vancouver, addressing flood risk, *Ozero* from Quebec, tackling invasive zebra and quagga mussels, *Elite* and *Hydrodynamic Labs*, both from Kelowna and both addressing stormwater contamination, and *Agricultural Decision Support* from Victoria and Toronto, also working on stormwater contamination. These teams are now competing for \$50,000 in seed funding and placement in a start-up incubator to further refine their solution and bring it to market. Find their pitches on the OBWB’s Okanagan WaterWise Facebook page at https://bit.ly/BC-AH_semi-final_FBLive. A date for the final is still to be determined, but will also be virtual.



COUNCIL REPORT
Development Services
For the April 21, 2020 Council Meeting

DATE: April 14, 2020 File: Z 19-12

TO: Paul Gipps, CAO

FROM: Jayden Riley, Planner II

RE: Z 19-12; Official Community Plan Amendment Bylaw No. 0100.58 and Zoning Amendment Bylaw No. 0154.89 (1st and 2nd Reading); 1080 Devon Road
Legal: Lot 26, District Lot 505, ODYD, Plan 24204
Owner: Evangel Christian Baptist Church
Agent: Andrew Schaefer

This file is being brought forward with the intention of furthering the proposed land use approval process. Should this application receive first and second reading, there will be an opportunity for additional public comment or input at a future Public Hearing.

RECOMMENDED MOTION

THAT Council give first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.58, 2020;

THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.89, 2020; and

THAT Council direct staff to schedule the proposed bylaw amendments for Public Hearing, when appropriate.

RATIONALE

- Preliminary information provided with the application concludes the site can be developed for the intended use;
- Rezoning is not anticipated to create large-scale development opportunities, regardless of the permitted uses in the P2 Zone, due to existing steep slopes and environmentally sensitive areas;
- Concerns related to on-street parking and added traffic on local collector roads are not anticipated due to the proposed principal access/egress proposed from Westlake Road and with access from Devon Road / Devon Court limited to emergency purposes;
- Should the applicant be successful in rezoning the property, more detailed geotechnical and environmental information will be required at development permit to ensure proposed development conforms to specific hillside and environmental guidelines;

- Staff will recommend the registration of a covenant to protect the ESA 1 area identified by the Environmental Report;
- Church development aligns with the purpose of the 'Neighbourhood' Growth Management Designation for complete communities; and
- Additional details regarding proposed grading will be available prior to Public Hearing to confirm degree of buffering and retaining between the access road and adjacent properties.

LEGISLATIVE REQUIREMENTS

Council has the authority under Part 14, s. 472, of the *Local Government Act* to amend the Official Community Plan. Council has the authority under Part 14, s. 479, of the *Local Government Act (LGA)* to amend its Zoning Bylaw. At the time this report was written, the City is in the process of determining best methods for establishing Public Hearings.

BACKGROUND

Location and Context

The subject property is approximately 1.5 hectares, located in the West Kelowna Estates / Rose Valley Neighbourhood. It is surrounded by Single Detached Residential (R1) to the north and east, Country Residential (RU1) to the south, and Westlake Road to the west – see Figure 1 for context.

Proposal

The applicant is proposing to amend the Official Community Plan (OCP) Land Use Designation from Rural Residential to Institutional and rezone from Rural Residential Small Parcel (R2) to Institutional and Assembly (P2). The intent of rezoning is to accommodate the development of a 6,000 sq. ft. church, access road, and parking area. The applicant has submitted a site plan (*Figure 2, Attachments 4 and 5*) as well as professional reports and conceptual drawings related to siting, servicing, access, and geotechnical and environmental site features.



Figure 1: Subject Property

Additional Background

The subject property was created as part of a 26-lot subdivision in 1973 that included the single family subdivision of Sussex, Hants, and Devon Road. A covenant from 1973 is registered on the property that restricts construction on the subject property to one single family dwelling. Other restrictions of the building scheme include no businesses, no storage of vehicles or machinery, no poultry, swine, sheep or cows, and height restrictions on fencing. The owner has been advised of the covenant; however, due to the City of West Kelowna not being party to this covenant it does not prevent the application from being accepted and considered by Council.

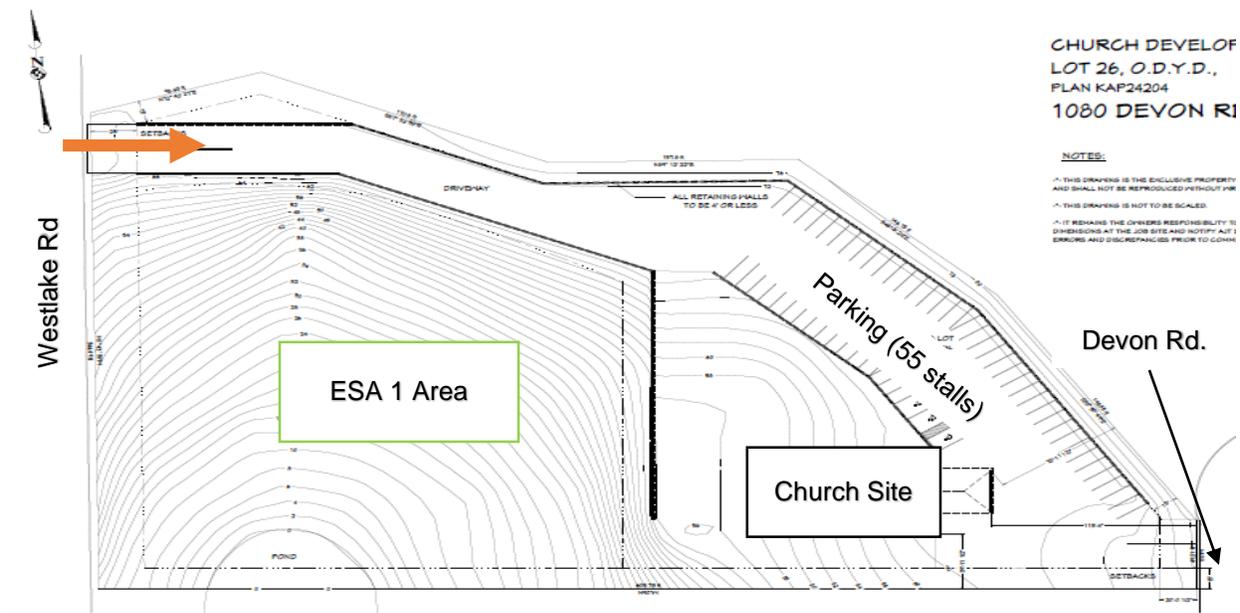


Figure 2: Conceptual Site Plan / Grading Plan

BYLAW AND POLICY REVIEW

Official Community Plan Bylaw No. 0100

The subject property has a Land Use Designation of Rural Residential, which is intended to support agriculture production and other land-intensive home industries. An amendment to the Land Use Designation from Rural Residential to Institutional is required to support church development.

The Growth Management Designation (GMD) for the subject property is Neighbourhood¹. The desired attributes of this GMD include low and medium residential areas and accessible neighbourhood parks. The purpose of the GMD is to protect and enhance neighbourhood character and work towards compact, complete communities that reduce vehicle trips, greenhouse gases and foster a healthy, involved community.

Development Permit Areas

Due to the steep slopes, forested area, and wetlands, the property is subject to Aquatic, Terrestrial, and Hillside Development Permit Areas – see *Attachment 3*. Should the applicant be successful in rezoning the property, they will be required to submit detailed reports that more specifically address their proposal as it relates to hillside, environmental and aquatic features of the site. At Development Permit, these reports will be reviewed against the applicable OCP guidelines and may be approved via delegated authority, as per *Development Applications Procedures Bylaw No. 0260*. Understanding the extent of delegated authority as it related to issuing development permits, and

¹ The West Kelowna Official Community Plan (S.3.2) delineates and describes the Growth Management Designations throughout the community. Growth Management Designations are intended to identify growth priority areas and support OCP Land Use Designations. Although Growth Management Designations are more descriptive than they are regulatory, a proposal to amend the OCP Land Use Designation for a property should be considered with regard to the policies contained in both the respective Growth Management Designation and the Land Use Designation.

that institutional development does not require a form and character development permit, the file would not require further Council consideration or public consultation following rezoning, assuming no variances are required.

Zoning Bylaw No. 0154

The subject property is zoned Rural Residential Small Parcel (RU2), intended to accommodate rural, agriculture and residential uses on parcels of land that are 1 hectare or greater. In order to accommodate a church development, an amendment from the Rural Residential Small Parcel Zone (RU2) to the Institutional and Assembly Zone (P2) is required.

The P2 Zone permits a variety of uses, in addition to community or assembly hall (i.e. church), such as education facility, congregate housing, fire, police or ambulance services, library, and office. Rezoning the subject property would therefore open development potential of the site beyond the proposed church use. However, considering existing topography and environmental features, development of the property under the P2 Zone would be anticipated to be of a relatively small scale and impact. See *Attachment 6* for a list of permitted uses, buildings and structure, and development and siting regulations of the P2 Zone.

TECHNICAL REVIEW

Environmental Assessment

The subject property contains High (ESA 1) and Moderate (ESA 2) Environmentally Sensitive Areas. *Figure 3* identifies ESA 1 (dark green) adjacent to the wetland area, located south west of the property, and ESA 2 (light green) comprising the remainder of the site. The diagonal red lines over the ESA 2 area in *Figure 3* indicate the maximum development footprint based on the maximum 50% coverage of the P2 Zone.



Fig. 3 ESA Areas

Based on the proposed site plan, the primary environmental concern is for the continued functionality and connectivity of the site's wetland community (i.e. ESA 1). The environmental assessment submitted with the application states that as long as the recommended mitigation measures are incorporated into design and construction, such as limiting construction activities to the above footprint, the proposed development is not anticipated to have a significant effect on the habitat values within the project area.

Servicing

The applicant is proposing to connect to water located at Westlake Road and connect to sewer via pump to an existing sanitary sewer main on Devon Court. Further information will be provided prior to Public Hearing to confirm if upgrades to the lift station on Devon Court will be required as a result of development of the site. An on-site storm sewer system is proposed to include dry wells and rock pits. See preliminary lot layout for conceptual servicing plan (*Attachment 4*).

Roads and Access

Principal access/egress is proposed from Westlake Road, located north-west of the property. The access road is planned to travel adjacent to the north property boundary until reaching a parking area located at the north-east of the property near the church – see *Figure 2, Attachments 4 and 5*. Staff will recommend the registration of a covenant at 3rd reading to gate and limit access to the site from Devon Road for emergency purposes only.

The Westlake Road right of way at the frontage of the subject property is approximately 105 m. The road has been upgraded through a previous Public Works project, therefore no upgrades are anticipated as a condition of rezoning. Upgrades to the Devon Road right of way frontage, which is approximately 15 m in length, are also not anticipated as the road generally meets existing design standards.

The proposed 6,000 sq. ft. church concept has been determined not to require a traffic impact assessment or any offsite road upgrades (e.g. turning lane), as per the City's Terms of Reference for Professional Reports and confirmed by the City's Traffic Engineer. Should the concept change following rezoning, further analysis regarding traffic impacts may be requested at either development permit or building permit.

Geotechnical

The geotechnical report submitted with the application concludes that the site appears generally suited for development and safe building sites outside of the wetland area. No increased risk of landslide, flooding, or other geotechnical hazards are anticipated as a result of the proposed church development. A preliminary grading plan has been provided with the application (*Attachment 5*), however further details regarding the access road, buffering between it and adjacent parcels, and proposed retaining will be available prior to Public Hearing should the application receive first and second reading. A detailed grading plan will be required at development permit, subject to adoption of the proposed zoning.

REFERRAL RESPONSES

The application was referred to various internal departments and external agencies. The majority of the referral comments did not identify any concerns with the proposal. Following the conclusion of the referral period, concerns regarding access and grading have either been addressed or will be addressed prior to Public Hearing.

The application was presented to the Advisory Planning Commission (APC) on November 20, 2019. It was moved and seconded that the APC recommend support for File Z 19-12, as presented, subject to Council consideration of:

- 1) an expanded public notification area to include all the impacted residents within the Sussex / Somerset / Devon Rd. neighbourhood;
- 2) the registration of a restrictive covenant to restrict the permitted use to a community or assembly hall; and
- 3) the requirement for a storm water management system designed to ensure that there are no impacts to the ESA 1 area from run-off from the site (contaminants, sediment, etc.).

Development Applications Procedures Bylaw No. 0260 requires notification to property owners and their tenants within 100 m of the subject property. This notification requirement is consistent with the all other rezoning applications processed by City, therefore an expansion of the notification requirement is not recommended. Staff will recommend registration of a covenant to gate and limit the Devon Road access for emergency purposes. Registration of a covenant to restrict use is also not recommended, although an option, as development of the site is limited in scale due to steep slopes and environmentally sensitive areas. Should the P2 Zone be in place, any development proposal will need to obtain development permits and building permits which will carry a host of conditions to confirm development feasibly as it relates to City Bylaws. Finally, the storm drainage will be contained on site and require quality control measures if discharge is proposed within the ESA 1 areas – this will be confirmed at development permit.

PUBLIC NOTIFICATION

Development Proposal a sign has been posted on site in accordance with *Development Applications Procedures Bylaw No. 0260*.

ALTERNATE MOTIONS:

1. **THAT** Council deny application file Z 19-12 (1080 Devon Road) and direct staff to close the file.

Should Council deny the proposal, the file will be closed. As per the City's Procedures Bylaw, the applicant may re-apply for a similar proposal 6 months after initial Council Consideration.

2. **THAT** Council postpone consideration of first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.58, 2020 and Zoning Amendment Bylaw No. 0154.89, 2020.

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

REVIEWED AND APPROVED BY

Brent Magnan, Planning Manager
Mark Koch, Director of Development Services
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Powerpoint: Yes No

Attachments:

1. Context Map
2. Subject Property Map
3. Development Permit Areas Map
4. Conceptual Servicing Plan
5. Conceptual Site Plan / Grading Plan
6. P2 Zoning Criteria
7. BOCP No. 0100.58
8. ZB No. 0154.89

H:\DEVELOPMENT SERVICES\PLANNING\3360 Zoning & Rezoning\20 Applications\2019\Z 19-12 1080 Devon Rd\Bylaw_Rpts_Minutes\1st a



CONTEXT MAP: Z 19-12



Subject Property
(1080 Devon Rd)

Mar Jok Elementary

Horizon Dr

Westlake Rd

Devon Rd

Hwy 97

Hudson Road Elementary

File: Z 19-12

Legal Description: Lot 26, DL 505, ODYD, Plan 24204

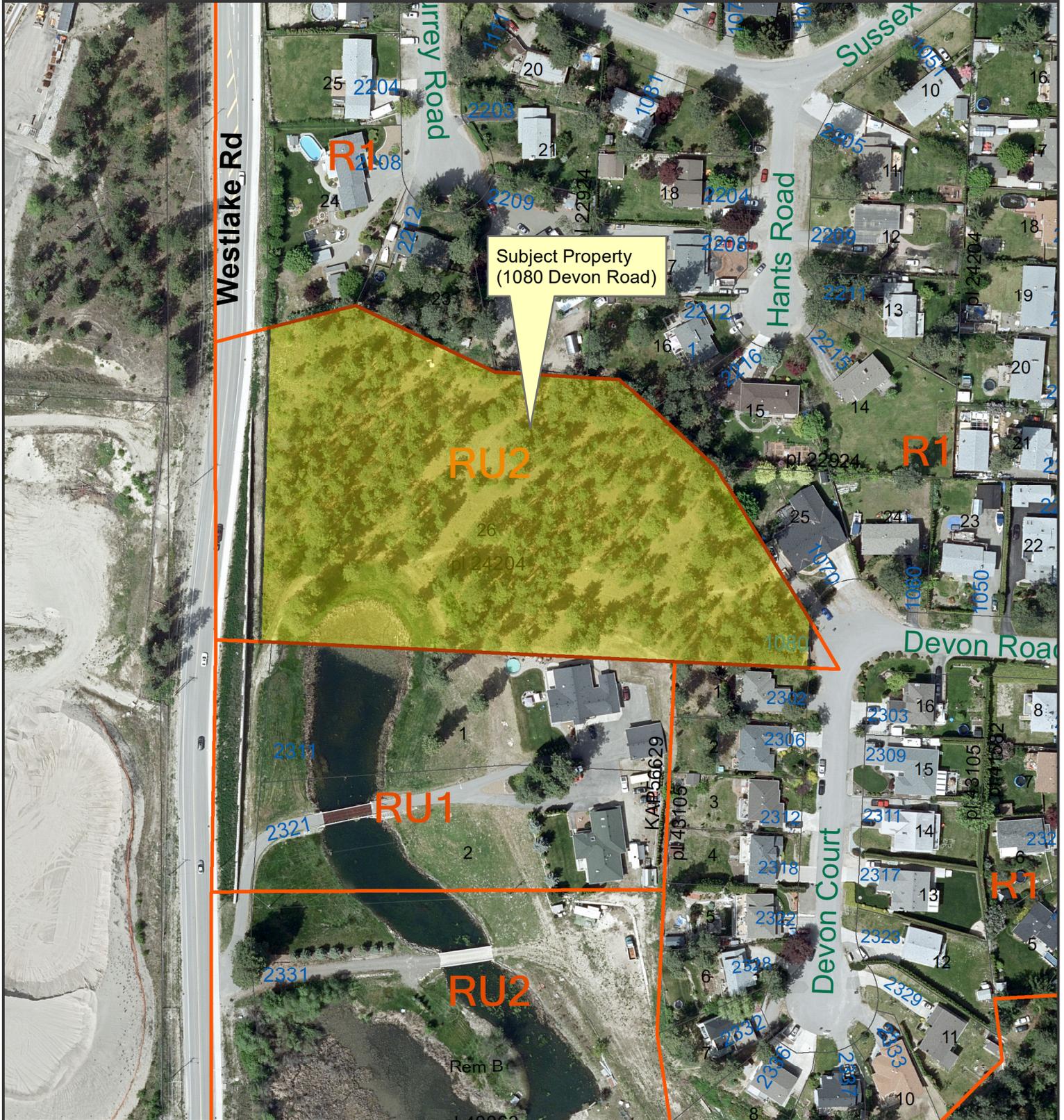
 Subject Property

 City Boundary





SUBJECT PROPERTY: Z 19-12



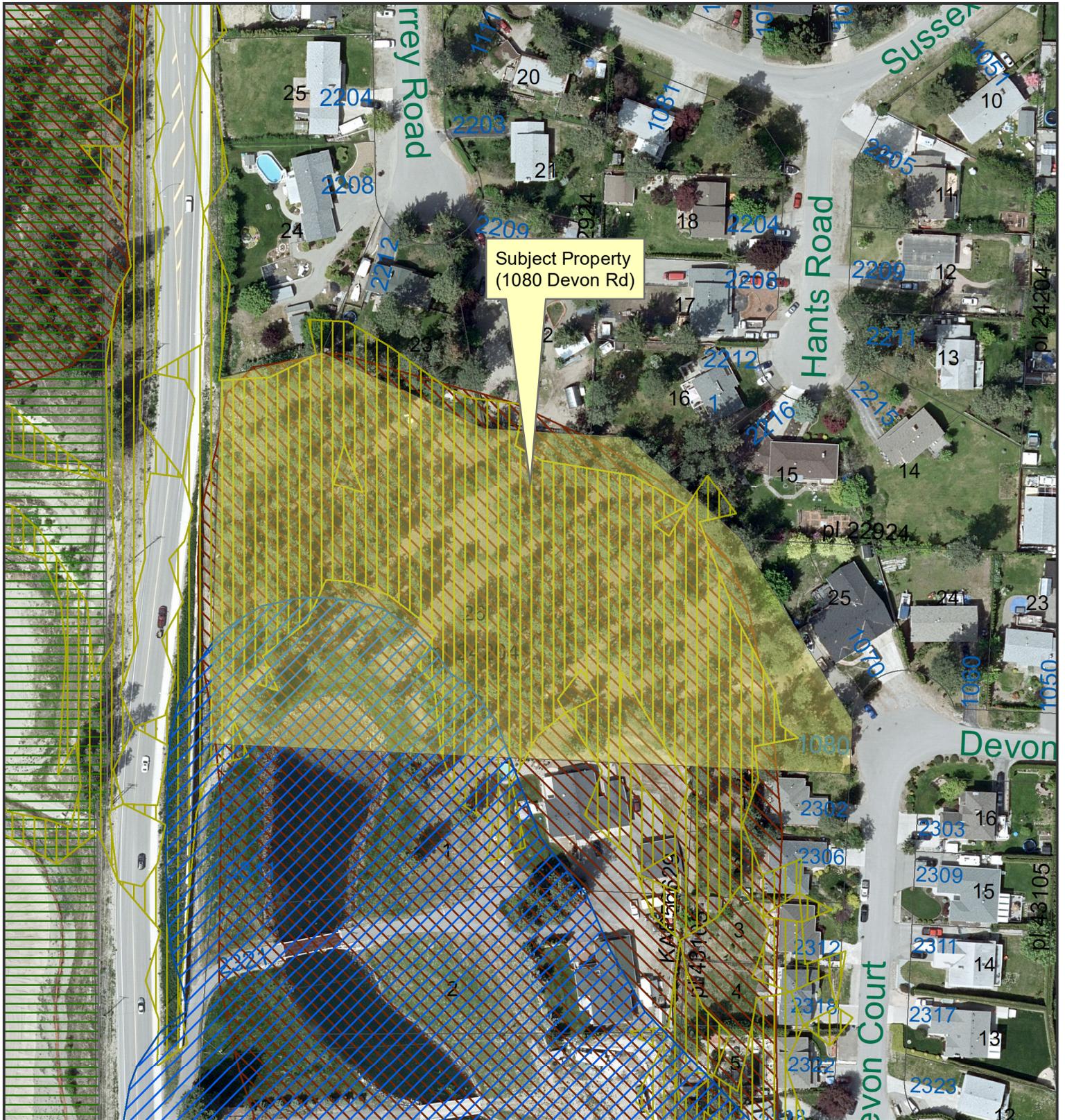
File: Z 19-12

Legal Description: Lot 26, DL 505, ODYD, Plan 24204

LEGEND

- Subject Property
- Zoning Boundary
- Parcels





- Legend**
- Aquatic DP Area
 - Fire DP Area
 - Slope DP Area
 - Terrestrial DP Area
 - Form and Character DP Area



1:1,500





- LEGEND**
- - - - - SUBDIVISION BOUNDARY
 - 190 EXISTING GROUND CONTOUR

LEGAL DESCRIPTION
 PROPOSED DEVELOPMENT OF LOT 26, O.D.Y.D.,
 PLAN KAP24204

CIVIC ADDRESS
 1080 DEVON ROAD

- EXISTING ZONING - RU2**
- MIN. PARCEL AREA ————— 1.0ha
 - MIN. PARCEL FRONTAGE ————— 30.0m
- SETBACKS**
- MIN. FRONT SETBACK ————— 6.0m
 - MIN. INTERIOR SIDE SETBACK ————— 4.5m
 - MIN. EXTERIOR SIDE SETBACK ————— 4.5m
 - MIN. REAR SETBACK ————— 7.5m

- PROPOSED ZONING - P2**
- MIN. PARCEL AREA ————— 700m²
 - MIN. PARCEL COVERAGE ————— 50%
 - MIN. PARCEL FRONTAGE ————— 18.0m

* USABLE PARCEL AREA IS THE CONTIGUOUS AREA OF THE PARCEL EXCLUDING LAND WHERE THE NATURAL SLOPE EXCEEDS 40% FOR A MIN. HORIZONTAL DISTANCE OF 10m

- SETBACKS**
- MIN. FRONT SETBACK ————— 4.5m
 - MIN. INTERIOR SIDE SETBACK ————— 3.0m
 - MIN. EXTERIOR SIDE SETBACK ————— 4.5m
 - MIN. REAR SETBACK ————— 3.0m

- UTILITIES**
- POTABLE WATER ————— C.W.K. — LAKEVIEW IRRIGATION DISTRICT
 - NATURAL GAS ————— FORTIS BC GAS
 - TELEPHONE ————— TELUS
 - ELECTRICITY ————— B.C. HYDRO
 - SEWAGE DISPOSAL ————— REGIONAL DISTRICT SEWER
 - FIRE PROTECTION ————— WEST KELOWNA FIRE DEPARTMENT
 - GARBAGE COLLECTION ————— COMMUNITY

LEGEND	
	CABLE TV
	GAS
	SAN. SEWER
	STORM SEWER
	U.G. ELECTRICAL
	U.G. TELEPHONE
	WATER
	CATCH BASIN
	ELECTRICAL BOX
	HYDRANT
	VALVE
	LAMP STANDARD
	SAN# SANITARY MH (EXISTING OR FUTURE)
	SAN# SANITARY MH (PROPOSED)
	STM# STORM MH (EXISTING OR FUTURE)
	STM# STORM MH (PROPOSED)
	TRANSFORMER
	UTILITY JUNCTION BOX

No.	MM/DD/YY DATE	BY	REVISION	Chk'd	No.	MM/DD/YY DATE	BY	REVISION	Chk'd
1	03/26/20	AW	GENERAL REVISIONS	DM					



DAVID K.Y. MORI, P.ENG.

DRAWN	A.W.
DESIGN	P.A.C.E.
APPROVED	D.K.Y.M.
DATE	OCTOBER, 2019
SCALE	1:500

Pilling & ASSOC.
 CONSULTING ENGINEERING

#200-540 Groves Avenue, Kelowna, B.C. V1Y 4Y7
 PH: 250.763.2315
 FX: 250.763.6559
 E: reception@pilling.ca

DRAWING NO.
2476-P1

1080 DEVON ROAD
CHURCH DEVELOPMENT

PRELIMINARY LOT LAYOUT PLAN

REV. NO.
1

**CHURCH DEVELOPMENT OF
LOT 26, O.D.Y.D.,
PLAN KAP24204
1080 DEVON RD.**

NOTES:

- THIS DRAWING IS THE EXCLUSIVE PROPERTY OF AJT DRAFTING & DESIGN AND SHALL NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION.
- THIS DRAWING IS NOT TO BE SCALED.
- IT REMAINS THE OWNERS RESPONSIBILITY TO VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY AJT DRAFTING & DESIGN OF ANY ERRORS AND DISCREPANCIES PRIOR TO COMMENCING WORK.

1080 DEVON RD.
CHURCH DEVELOPMENT
PRELIMINARY ELEVATION PLAN

PRELIMINARY ELEVATION
PLAN

DRAWINGS PROVIDED BY:
AJT Design
Tel: 778-594-7711
Email: ajtessmann@gmail.com

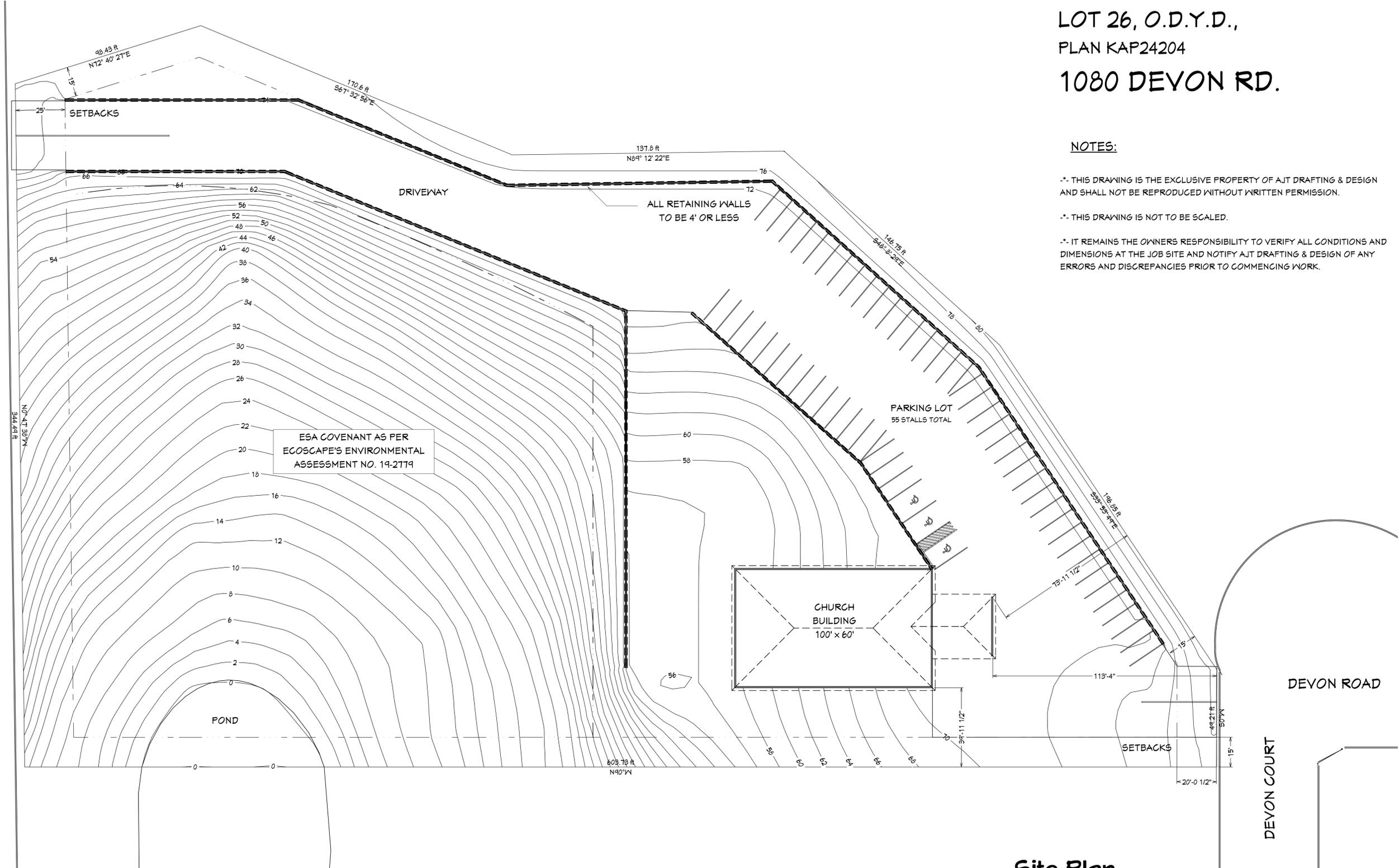
DATE:
2020-01-06

SCALE:
1/24"=1'0"

SHEET:
P-2



WESTLAKE ROAD



Site Plan
Scale = 1/24"=1'0"

13.2. INSTITUTIONAL AND ASSEMBLY ZONE (P2)

.1 Purpose

To accommodate institutional, administrative and associated uses.

.2 Principal Uses, Buildings and Structures

- (a) Cemetery
- (b) Community or assembly hall
- (c) Care facility, major
- (d) Congregate housing
- (e) Education facility
- (f) Extended medical treatment facility
- (g) Fire, police or ambulance service
- (h) Food bank
- (i) Group camp
- (j) Group home
- (k) Library, museum, or art gallery
- (l) Office
- (m) Recreation services, indoor
- (n) Recreation services, outdoor
- (o) Transportation station

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Restaurant
- (c) Retail, general

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	700 m ² (7,534.7 ft ²)
(b)	Minimum parcel frontage	18.0 m (59.1 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum parcel coverage	50%
(d)	Maximum building height	12.0 m (39.4 ft)
SITING REGULATIONS		
(e)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	4.5 m (14.8 ft)
.2	Rear parcel boundary	3.0 m (9.8 ft)

.3	Interior side parcel boundary	3.0 m (9.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	A1 Zone or ALR	<p>15.0 m (49.2 ft) for the first two storeys or portion of the building less than or equal to 6.0 m (19.7 ft) in height, whichever is less</p> <p>18.0 m (59.1 ft) for the third storey or portion of the building above 6.0 m (19.7 ft) but less than or equal to 9 m (29.5 ft) in height, whichever is less</p> <p>21.0 m (68.9 ft) for the fourth storey or portion of the building above 9.0 m (29.5 ft) in height, whichever is less</p>

.6 Other Regulations - *Reserved*

CITY OF WEST KELOWNA

BYLAW NO. 0100.58

A BYLAW TO AMEND “CITY OF WEST KELOWNA OFFICIAL COMMUNITY PLAN BYLAW NO. 0100”

WHEREAS the Council of the City of West Kelowna desires to amend “CITY OF WEST KELOWNA OFFICIAL COMMUNITY PLAN BYLAW NO. 0100” 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 OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 0100.58, 2020”.

2. Amendments

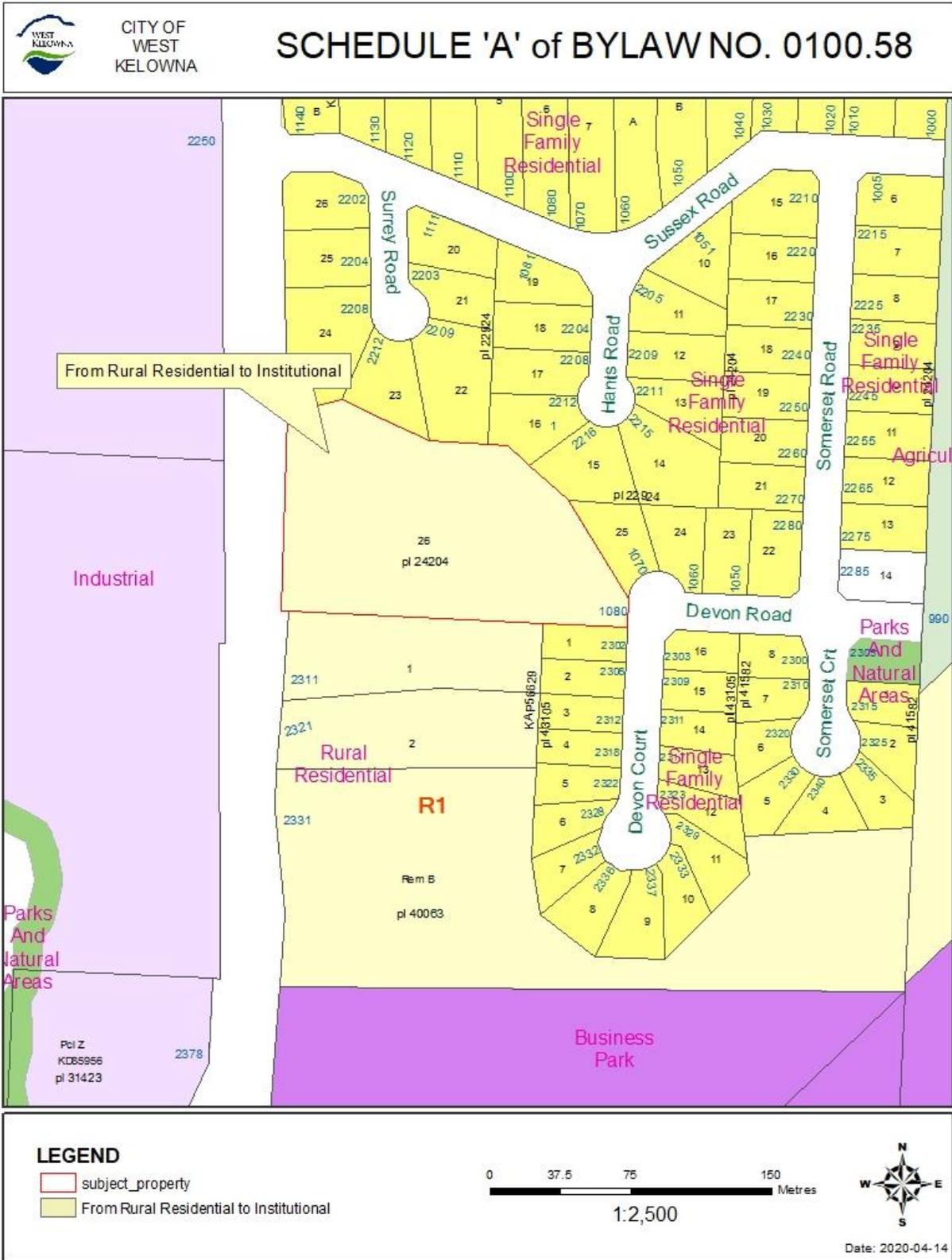
“City of West Kelowna Official Community Plan Bylaw No. 0100” is hereby amended as follows:

2.1 By changing the designation on Lot 26, DL 505, ODYD PLAN 24204, as shown on Schedule ‘A’ attached to and forming part of this bylaw, from Rural Residential (RR) to Institutional (Inst).

2.2 By depicting the change on “City of West Kelowna Official Community Plan Bylaw No. 0100 Schedule B” (Land Use map).

MAYOR

CITY CLERK



CITY OF WEST KELOWNA

BYLAW NO. 0154.89

A BYLAW TO AMEND "ZONING BYLAW NO. 0154"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" 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. 0154.89, 2020".

2. Amendments

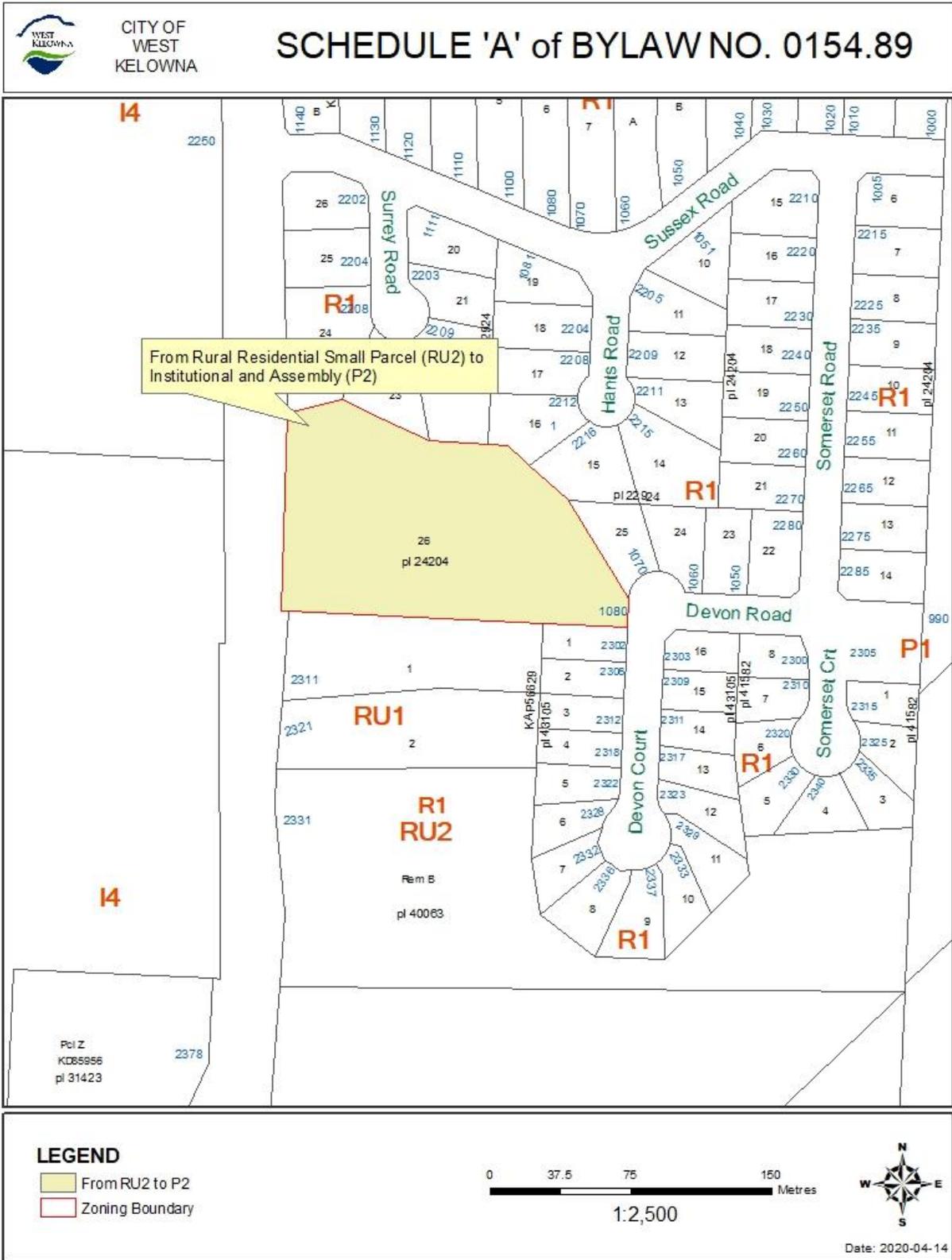
"Zoning Bylaw No. 0154" is hereby amended as follows:

2.1 By changing the zoning on Lot 26, DL 505, ODYD PLAN 24204, as shown on Schedule 'A' attached to and forming part of this bylaw, from Rural Residential Small Parcel Zone (RU2) to Institutional and Assembly Zone (P2).

2.2 By depicting the change on "Zoning Bylaw No. 0154 Schedule B" (Zoning Bylaw map).

MAYOR

CITY CLERK





COUNCIL REPORT
Development Services
For the April 21, 2020 Council Meeting

DATE: April 14, 2020 File: Z 20-01

TO: Paul Gipps, CAO

FROM: Hailey Rilkoﬀ, Planner II

RE: Z 20-01; Zoning Bylaw Amendment No. 0154.88; 2648 Kyle Road
Legal: Lot 1 District Lot 2601 ODYD Plan 7670 except Plans 13775, 14130,
15302, 15847, 16899, 19651 and 31194
Owner: Denciti Kyle Rd Holdings Ltd., Inc.No. BC1178060
Agent: Urban Design Group Architects Ltd.

This file is being brought forward to Council with the intention of furthering the proposed land use approval process. The subject property is currently under construction with issued Building Permits for Buildings 1 and 2 and a Building Permit application for Building 3. A development of six multi-tenant buildings was approved under an Industrial Development Permit (DP 18-35) in March of 2018.

RECOMMENDED MOTION:

THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.88, 2020 (File Z 20-01); and

THAT Council direct staff to waive the Public Hearing for the proposed Zoning Amendment Bylaw.

RATIONALE:

The recommended motion is based on the following considerations:

- The proposal would allow greater flexibility for the owners of the subject buildings while addressing the intent of the Zoning Bylaw's requirements (proposing a covenant to notify owners of cannabis production);
- Cannabis Production is permitted in Buildings 1 and 2 (if all tenants are cannabis production);
- The adjacent P2 Zone parcel is well buffered from the subject property (McDougal Creek); and
- Recent amendments to the Zoning Bylaw ensure that air filtration requirements are addressed.

LEGISLATIVE REQUIREMENTS:

Council has the authority under Part 14 (S.479) of the *Local Government Act (LGA)* to create and amend its Zoning Bylaw, including the creation of provisions specific to different locations within a single zone.

The *Local Government Act* (s.464(2)) permits local governments to waive the holding of a public hearing on a proposed zoning bylaw amendment if there is an official community plan in effect for the area that is subject to the bylaw and the bylaw is consistent with the plan. With the recommended motion, the proposed site specific text amendment would be consistent with the underlying OCP land use designations. Should Council choose to waive the public hearing, in accordance with section 467 of the LGA, the City will be required to give notice that it is waiving the public hearing and providing opportunity for the public to review the bylaw.

BACKGROUND:

In March of 2019, an Industrial and Hillside Development Permit to allow for the construction of six multi-tenant industrial buildings (in two phases) subject to the conditions in the attached Development Permit (Attachment 1) was issued. Two Building Permits have been issued (for Buildings 1 and 2) and another Building Permit has been applied for (Building 3). The total density of the site is ~225,000 sq.ft. (209031m²) of industrial buildings with ~59 units ranging in size from 1,700 to 20,000 sq.ft (Figure 1).

Proposal

The applicant is requesting a site-specific text amendment to permit cannabis production in a building with multiple occupancies for Buildings 1-3 of the proposed development. As part of this request, Building 3 will encroach within the 150m buffer to the adjacent P2 Zoned parcel (Brookhaven) by approximately 40m.

The applicant has proposed to register a S.219 Covenant restricting cannabis production to the first three buildings. The covenant will also notify future owners that there is the potential for cannabis production in any or all of the various units within the first three buildings.

Location and Surrounding Context

The subject property is located adjacent to the Brookhaven Care Centre and Crystal Springs Mobile Home Park approximately 400m north-west of the Highway 97 intersection with Bartley Road. The subject property is zoned I1 – Light Industrial and has a Future Land Use Designation of Industrial. The property is approximately 10.33 acre (41804m²), and is surrounded by the following uses:

- North – Crystal Springs Mobile Home Park (RMP Zone)
- East – Brookhaven Care Facility (**P2 Zone**) and a similarly zoned I1 – Light Industrial Parcel (former pellet plant)

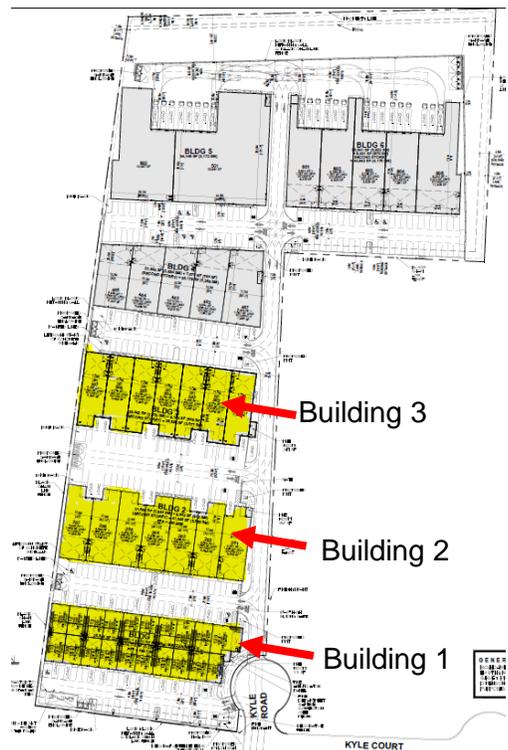


Figure 1. Site Plan DP 18-35.01

- South – Similarly zoned I1 parcels
- West – I1 – Light Industrial and I4 – Gravel Extraction Zoned properties (Auburn Rd. strata)

The subject property does include an existing Telus communications tower on the south-west portion of the site and is accessed through an existing SRW.

Policy and Bylaw Review

Zoning Bylaw No. 0154

The subject property is located within the Light Industrial Zone (I1), which permits a variety of retail, manufacturing, service-related uses and cannabis production facilities. Cannabis Production Facilities are defined as:

CANNABIS PRODUCTION FACILITY means premises used for cannabis production, including premises used for cannabis production by a licensed producer under Part 1 of the Federal Regulations and premises used for cannabis production by one or more persons under one or more registrations under Part 2 of the Federal Regulations, but not including residential premises used for the production, processing or storage of cannabis for the medicinal use of a resident of the premises under a registration under Part 2 of the Federal Regulations.

The Zoning Bylaw also regulations Cannabis Production Facilities in the General Regulation section as follows:

3.3.8 Except as expressly permitted by this bylaw, cannabis production facilities are prohibited in buildings with multiple occupancies unless all of the occupancies in the building are cannabis production facilities.

3.25.1 Cannabis production facilities shall be sited a minimum distance of 150 m (492 ft) from an abutting:

- zone that permits dwellings as a principal use; and
- P zone

3.25.2 Cannabis production facilities shall comply with, at a minimum, the air filtration and security requirements set out in Part 1 of the Federal Regulations.

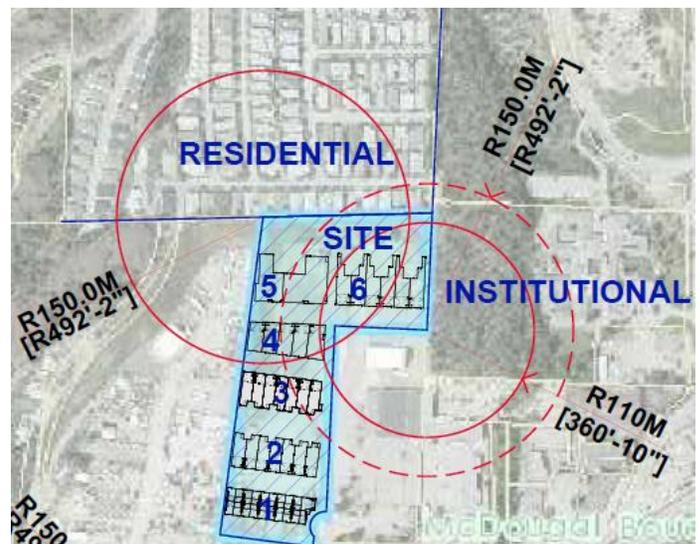


Figure 2. Setback from P2 Zoned Parcel

Discussion

The Zoning Bylaw regulation to not permit Cannabis Production in multi-tenant buildings was intended to protect the interest of and eliminate any potential impacts to existing tenants in multi-tenant buildings (e.g., have a cannabis production use move into an existing building with established tenants). While this proposal conflicts with the regulation, it is a different scenario as the proposed buildings are under construction and have no established tenants. The applicant is also proposing to address the intent of the Zoning Bylaw regulations by registering a covenant on title notifying future property owners of the potential for there to be cannabis production in the units.

In addition to the multi-tenant considerations, the site-specific text amendment is also proposing to allow production within the established 150m buffer from a P2 Zoned parcel. In this instance, the functional separation is ~245m from the buildings on the P2 parcel as it is separated by McDougal Creek (Figure 3).



Figure 3. Separation from P2 Zoned Parcel

APC CONSIDERATION

This application has not been considered by the Advisory Planning Commission (APC) as the APC meetings have been postponed indefinitely due to the ongoing provincial state of emergency and public health orders restricting public gatherings.

PUBLIC NOTIFICATION

A Notice of Application sign has been posted on site as per the Development Applications Procedures Bylaw No. 0260. Should Council give first and second reading to the proposed bylaw amendment, a Public Hearing will be held in accordance with the *Local Government Act*.

ALTERNATE MOTIONS(S):

1. **THAT** Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.88, 2020 (File Z 20-01); and

THAT Council direct staff to schedule the proposed bylaw amendment for Public Hearing, when appropriate.

Should Council not wish to waive the public hearing, a Public Hearing will be scheduled when appropriate. Staff are currently awaiting direction from the Province on how to hold meaningful Public Hearings while meeting all of the Provincial Health Orders and recommendations due to the COVID-19 pandemic.

2. **THAT** Council postpone first and second reading to City of West Kelowna Zoning Bylaw Amendment Bylaw No. 0154.88, 2020 (File: Z 20-01).

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

3. **THAT** Council deny File Application No.: Z 20-01 and direct staff to close the file.

Should Council deny the proposal, the file will be closed. As per the City's Procedures Bylaw, the applicant could re-apply for a similar proposal 6 months after initial Council consideration.

REVIEWED AND APPROVED BY:

Brent Magnan, Planning Manager
Mark Koch, Director of Development Services
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

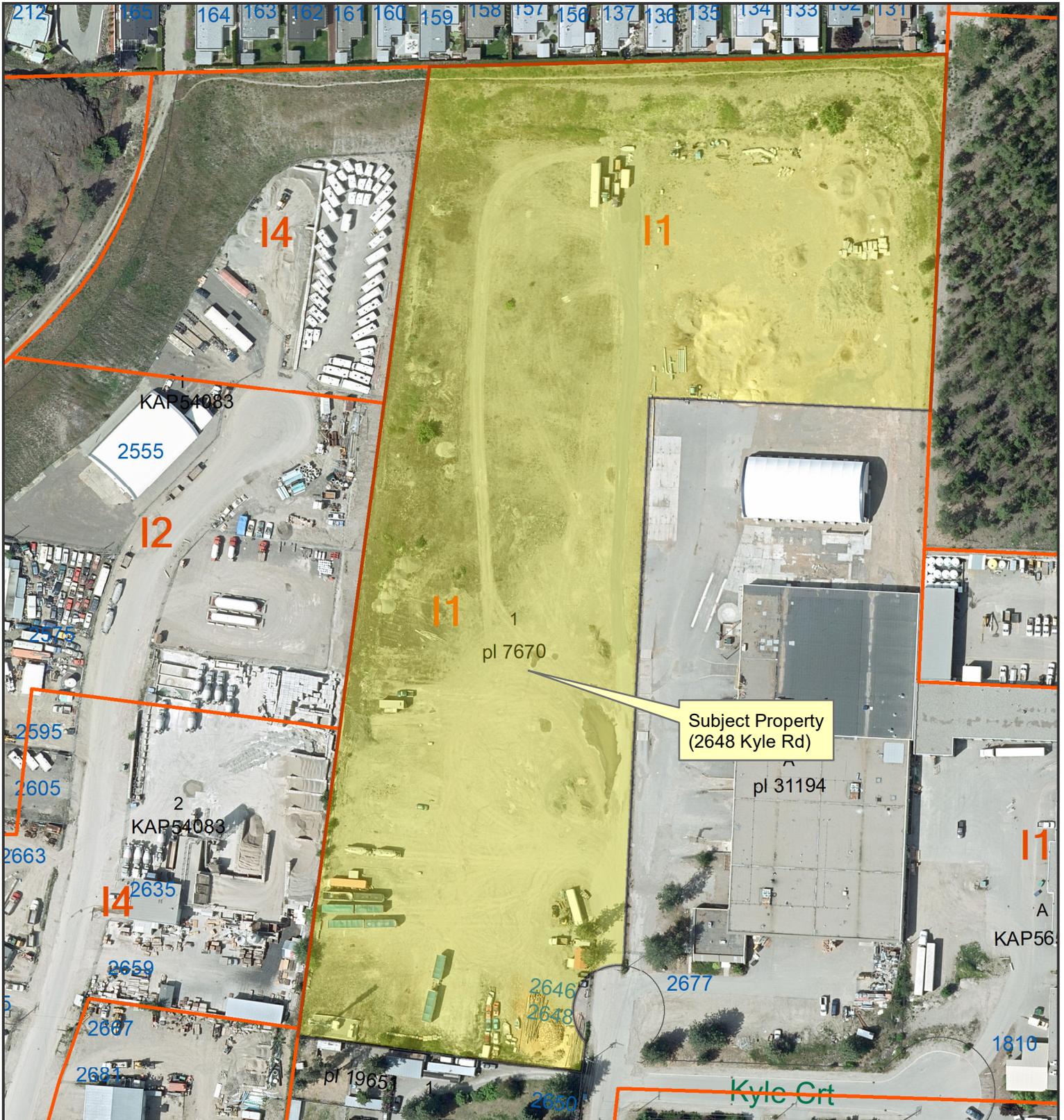
Powerpoint: Yes No

Attachments:

1. Subject Property Map
2. Context Map
3. Site Plan
4. ZB154.88



SUBJECT PROPERTY: Z 20-01



File: Z 20-01

Legal Description: Lot 1, DL 2601, ODYD, Plan 7670 except Plans.....

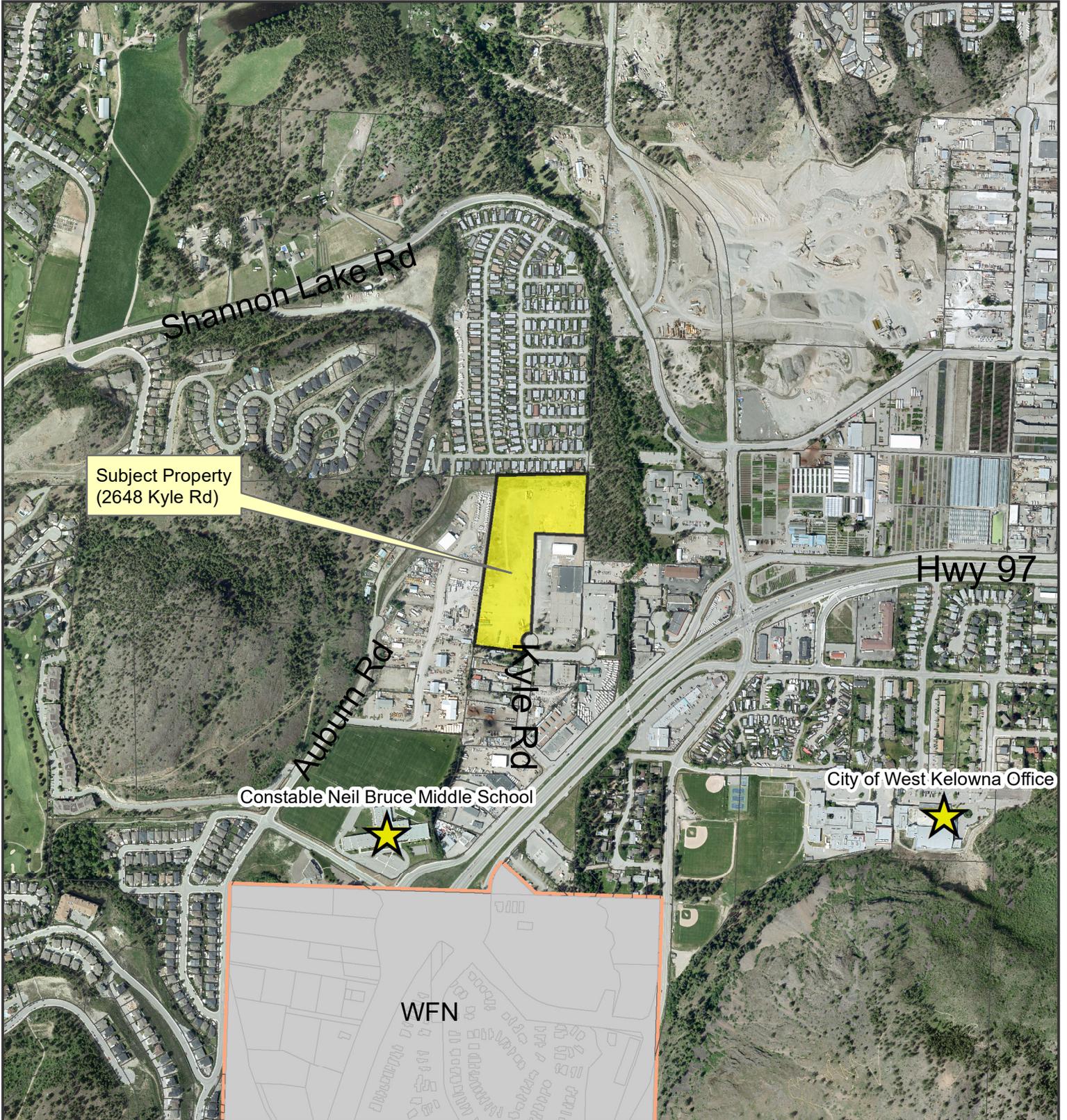
LEGEND

- Subject Property
- Zoning Boundary
- Parcels





CONTEXT MAP: Z 20-01



Subject Property
(2648 Kyle Rd)

-  Subject Property
-  City Boundary



File: Z 20-01

Legal Description: Lot 1, DL 2601, ODYD, Plan 7670 except Plans...

20/02/20	RE-ISSUED FOR DP AMENDMENT
19/11/19	ISSUED FOR DP AMENDMENT
11/05/19	ISSUED FOR DP AMENDMENT
19/03/19	ISSUED FOR TENDER
19/03/19	ISSUED FOR BP
19/03/19	RE-ISSUED FOR DP
19/02/19	ISSUED FOR REVIEW
18/07/18	ISSUED FOR BP
16/06/18	DESCRIPTION
revisions	



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All designs, concepts, and other information shown on this drawing, are for use on this project only, and shall not be used otherwise without written permission.

consultant



KEY PLAN
SCALE: N/A

SITE INFORMATION:

LEGAL DESCRIPTION:	LOT 1, DL 2601, ODYD, PLAN 7670 EXCEPT PLANS 13775, 14130, 15302, 15847, 16899, 19651 AND 31194.
CIVIC ADDRESS:	2648 KYLE ROAD, WEST KELOWNA, BC
ZONING :	I1 - LIGHT INDUSTRIAL ZONE
TOTAL SITE AREA:	449,400 SF (41,751 SM) (10.32 AC)
BUILDING AREA:	229,086 SF (21,282 SM)
LOT COVERAGE:	17,115 SM/ 41,751 SM X 100% = 41.0%

GROSS FLOOR AREAS:

BUILDING 1:	25,844 SF (2,401 SM) + 8,931 SF (830 SM)	MEZZANINE
BUILDING 2:	31,688 SF (2,944 SM) + 9,852 SF (915 SM)	2ND STOREY
BUILDING 3:	29,402 SF (2,732 SM) + 9,100 SF (845 SM)	2ND STOREY
BUILDING 4:	27,604 SF (2,564 SM) + 7,575 SF (704 SM)	2ND STOREY
BUILDING 5:	34,148 SF (3,172 SM)	
BUILDING 6:	35,541 SF (3,302 SM) + 9,401 SF (873 SM)	2ND STOREY
SUBTOTAL G.F.A.:	184,227 SF (17,115 SM) + 44,859 SF (4,167 SM)	UPPER FLRS
TOTAL G.F.A.:	229,086 SF (21,282 SM)	

PARKING & LOADING STALL REQUIREMENTS & CALCULATIONS:

INDUSTRIAL PARK PARKING = 1 SPACE PER 100 SM (1076.4 SF) G.F.A.

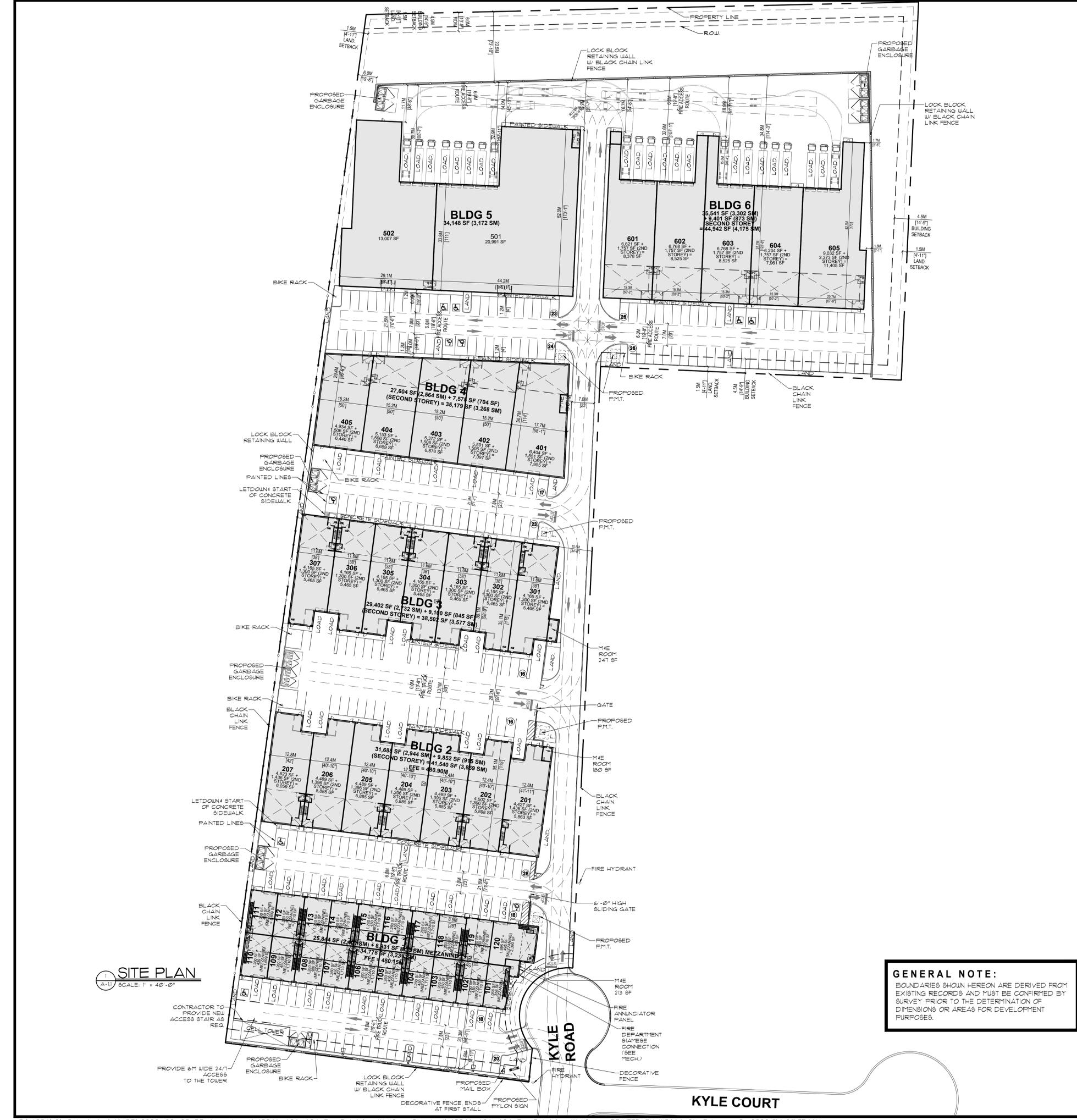
TOTAL PARKING REQUIRED =	21,282 SM / 100 SM X 1	= 212.82 SPACES
TOTAL PARKING PROVIDED =		= 255 SPACES
PARKING RATIO =		= 1.11 STALLS/ 1,000 SF (or 1.20 STALLS / 100 SM)

INDUSTRIAL PARK LOADING = 1 SPACE PER 300 SM TO 500 SM (3,229.2 SF TO 5,382.0 SF); 2 SPACES PER 501 SM TO 2,500 SM (5,392.7SF TO 26,909.8 SF); PLUS 1 ADDITIONAL SPACE PER EACH ADDITIONAL 2,500 SM (26,909.8 SF) OR FRACTION THEREOF.

TOTAL LOADING REQUIRED =	21,282 SM - 2,500 SM = 18,782 SM / 2,500 SM = 7.51 + 3	= 10.51 STALLS
---------------------------------	--	----------------

PARKING & LOADING BREAKDOWN:

STALL TYPE:	DIMENSIONS:	COUNT:
REGULAR CAR SPACE:	9'-0" (2.75m) x 19'-9" (6.0m)	245
HANDICAP CAR SPACE:	12'-10" (3.9m) x 19'-9" (6.0m)	10
SMALL CAR SPACE (MAX 30%):	8'-3" (2.5m) x 16'-5" (5.0m)	0
SUBTOTAL		255
REGULAR LOADING SPACE:	[9'-6" (2.90m) to 10'-0" (3.05m)] X 23'-9" (7.24m)	25
MEDIUM LOADING SPACE:	12'-8" (3.90m) X 41'-0" (12.5m)	37
LARGE LOADING SPACE:	12'-0" (3.66m) X 70'-0" (21.34m)	0
SUBTOTAL		62
TOTAL PARKING AND LOADING SPACES PROVIDED =		317
BIKE CLASS I (LOCKERS):	TO BE LOCATED INTERNALLY, BY TENANTS	
BIKE CLASS II (RACKS):	6 RACKS X 2 BIKES = 12	



GENERAL NOTE:
BOUNDARIES SHOWN HEREON ARE DERIVED FROM EXISTING RECORDS AND MUST BE CONFIRMED BY SURVEY PRIOR TO THE DETERMINATION OF DIMENSIONS OR AREAS FOR DEVELOPMENT PURPOSES.

SITE PLAN
SCALE: 1" = 40'-0"

KYLE COURT

KYLE ROAD INDUSTRIAL DEVELOPMENT
2648 KYLE ROAD, WEST KELOWNA, BC
For DENCITI KYLE RD. HOLDINGS LTD



420 - 745 THURLOW ST
VANCOUVER, BC V6E 0C5
TELEPHONE 604-687-2334

project number **4884**
sheet title **SITE PLAN**

date 2020-01-09 sheet number
scale AS NOTED
draw CXC/BJ
checked WJ
A=1:1

CITY OF WEST KELOWNA

BYLAW NO. 0154.88

A BYLAW TO AMEND "ZONING BYLAW NO. 0154"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" 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. 0154.88, 2020".

2. Amendments

"Zoning Bylaw No. 0154" is hereby amended as follows:

2.1 By adding to the following to 12.1.4 Site Specific Uses, Buildings and Structures:

- (d) On Lot 1, DL 2601, ODYD, Plan 7670 except Plans 13775, 14130, 15302, 15847, 16899, 19651 and 31194 (2648 Kyle Road): a cannabis production facility in a multi-tenant building and sited a minimum distance of 110m from a P zoned parcel as indicated on Schedule 'B' attached to and forming part of this bylaw.

2.2 By depicting the change on "Zoning Bylaw No. 0152 Schedule B" (Zoning Bylaw Map) as shown on Schedule 'A' attached to and forming part of this bylaw.

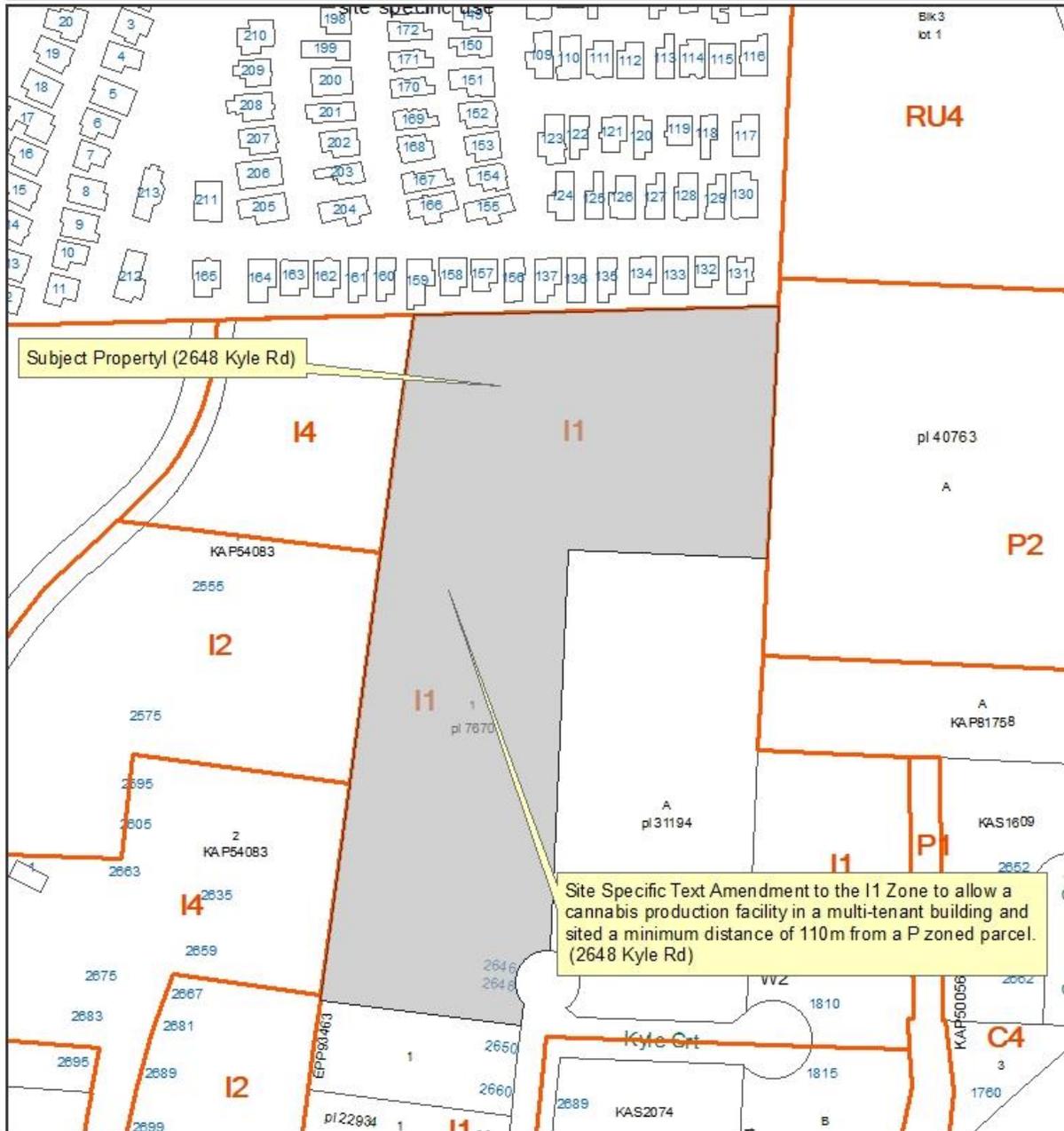
READ A FIRST AND SECOND TIME THIS DAY OF , 2020
PUBLIC HEARING HELD THIS
READ A THIRD TIME THIS
ADOPTED THIS

MAYOR

CITY CLERK

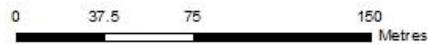


SCHEDULE 'A' of BYLAW NO. 0154.88



LEGEND

- Subject Property
- Zoning Boundary
- Parcels



1:2,500



Date: 2020-04-08



COUNCIL REPORT
Development Services
For the April 21, 2020 Council Meeting

DATE: April 9, 2020
TO: Paul Gipps, CAO
FROM: Mike Cain, Bylaw Compliance Supervisor
RE: Council Appointment of Bylaw Enforcement Officer

RECOMMENDED MOTION:

THAT Council appoint Shaun Matthews as a Bylaw Enforcement Officer for the City of West Kelowna

RATIONALE:

In accordance with Section 264 of the *Community Charter*, Bylaw Enforcement Officer positions require appointment by Council for the purpose of issuing a ticket for a bylaw infraction and in accordance with Section 28 of the *Offence Act* for the purpose of serving a summons.

BACKGROUND:

On March 25, 2020 the Minister of Public Safety and Solicitor General made the **Bylaw Enforcement Officer (COVID-19) Order**, pursuant to the *Emergency Program Act*.

The Order states, in part:

Bylaw enforcement officers to provide assistance

- 3 (1) To the greatest extent possible without unduly compromising any other bylaw enforcement objectives of the local authority, **each local authority must ensure that the local authority's bylaw enforcement officers provide such assistance as may be required for the purposes of enforcing public health orders, including, without limitation, the following:**
 - (a) monitoring facilities and areas closed to the public by a public health order;
 - (b) providing warnings, information and advice to businesses and members of the public in respect of public health orders, including warnings to businesses and members of the public who may be acting in contravention of a public health order;
 - (c) providing health officers with information in respect of potential contraventions of a public health order.

- (2) In providing assistance under this section, a bylaw enforcement officer is not authorized to
- (a) detain an individual as a result of a contravention or suspected contravention of a public health order, or
 - (b) issue a fine or penalty, including an administrative penalty, under the Public Health Act.
- 3) Nothing in this section is to be construed as limiting any powers or duties of a bylaw enforcement officer under the *Community Charter, Local Government Act, Vancouver Charter* and related regulations or local authority bylaws, as the case may be.

This casual position within the Bylaw Compliance Department is necessary to implement the above noted required assistance in the enforcement of public health orders.

FINANCIAL IMPLICATIONS:

The City is currently researching options in regards to funding of this position such as eligibility for pandemic response costs through EMBC. In the event that the costs for incremental bylaw support is not approved through the EMBC, the City will have to absorb the cost.

ALTERNATE MOTIONS(S):

- **THAT** Council postpone consideration of Mr. Matthews Bylaw Officer appointment and request further information from staff.

REVIEWED AND APPROVED BY:

Mark Koch, Director of Development Services
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Attachment: Order of the Minister of Public Safety and Solicitor General

Powerpoint: ___ Yes _X_ No

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF PUBLIC SAFETY AND
SOLICITOR GENERAL

Emergency Program Act

Ministerial Order No. M082

WHEREAS a declaration of a state of emergency throughout the whole of the Province of British Columbia was declared on March 18, 2020 because of the COVID-19 pandemic;

AND WHEREAS section 10 (1) of the *Emergency Program Act* provides that I may do all acts and implement all procedures that I consider necessary to prevent, respond to or alleviate the effects of any emergency or disaster;

I, Mike Farnworth, Minister of Public Safety and Solicitor General order that the attached Bylaw Enforcement Officer (COVID-19) Order is made.

March 26, 2020

Date



Minister of Public Safety and Solicitor General

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Emergency Program Act, R.S.B.C. 1996, c. 111, s. 10*

Other: MO 73/2020

BYLAW ENFORCEMENT OFFICER (COVID-19) ORDER

Definitions

1 In this order:

“**bylaw enforcement officer**” means the following:

- (a) a person in a class of persons described in section 3 (c), (d) or (f) of the Community Charter Bylaw Enforcement Ticket Regulation, B.C. Reg. 425/2003, who is designated as a bylaw enforcement officer under
 - (i) section 264 (1) (b) of the *Community Charter*, or
 - (ii) section 264 (1) (b) of the *Community Charter* as that section applies to a regional district for the purposes of section 414 of the *Local Government Act*;
- (b) a person in a class of persons described in section 3 (d) of the Vancouver Charter By-law Enforcement Ticket Regulation, B.C. Reg. 189/2007, who is designated as a bylaw enforcement officer under section 482.1 (1) (b) of the *Vancouver Charter*;

“**health officer**” means the provincial health officer or a medical health officer within the meaning of the *Public Health Act*;

“**public health order**” means an order made by a health officer under the *Public Health Act* in respect of the COVID-19 pandemic.

Application

2 This order only applies during the period that the declaration of a state of emergency made March 18, 2020 under section 9 (1) of the *Emergency Program Act*, and any extension of the duration of that declaration, is in effect.

Bylaw enforcement officers to provide assistance

- 3 (1) To the greatest extent possible without unduly compromising any other bylaw enforcement objectives of the local authority, each local authority must ensure that the local authority’s bylaw enforcement officers provide such assistance as may be required for the purposes of enforcing public health orders, including, without limitation, the following:
- (a) monitoring facilities and areas closed to the public by a public health order;
 - (b) providing warnings, information and advice to businesses and members of the public in respect of public health orders, including warnings to businesses and members of the public who may be acting in contravention of a public health order;
 - (c) providing health officers with information in respect of potential contraventions of a public health order.
- (2) In providing assistance under this section, a bylaw enforcement officer is not authorized to
- (a) detain an individual as a result of a contravention or suspected contravention of a public health order, or

- (b) issue a fine or penalty, including an administrative penalty, under the *Public Health Act*.
- (3) Nothing in this section is to be construed as limiting any powers or duties of a bylaw enforcement officer under the *Community Charter*, *Local Government Act*, *Vancouver Charter* and related regulations or local authority bylaws, as the case may be.



INFORMATION ONLY COUNCIL REPORT
Office of the CAO
For the April 21, 2020 Council Meeting

DATE: April 17, 2020
TO: Mayor and Council
FROM: Paul Gipps, CAO
RE: Province of BC Announcement on Regulations for Temporary Finance and Cash Flow Management

BACKGROUND:

On April 16, 2020, the Province of BC announced significant changes to local government around taxation of businesses, collection of school taxes, transfer payments to Regional Districts and Hospital Districts along with other significant changes to how we can manage our finances and cash flow.

The announcement is welcome news to us in our efforts to help our community during this pandemic. There are numerous questions generated in our finance world on the specific measures and how to draft the bylaw to implement a number of these options. Therefore we will are not able to have the bylaws and reports available for the Council meeting on Tuesday April 21, 2020.

I would suggest that Council consider establishing a special meeting in the next 7- 10 days just for this topic in hopes that the new regulations will be passed by the Province and questions will be clarified.

Powerpoint: Yes No