



CITY OF WEST KELOWNA REGULAR COUNCIL AGENDA

Tuesday, May 12, 2020, 1:30 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. M139 (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. M139 (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

4. ADOPTION OF MINUTES

- | | | |
|-----|---|----|
| 4.1 | Minutes of the Special Council Meeting held Tuesday, April 21, 2020 at the Lions Community Centre | 4 |
| 4.2 | Minutes of the Regular Council Meeting held Tuesday, April 21, 2020 at the Lions Community Centre | 6 |
| 4.3 | Minutes of the Special Council Meeting held Tuesday, April 28, 2020 at the Lions Community Centre | 11 |

5. MAYOR AND COUNCILLOR'S REPORTS

- | | | |
|-------|---|----|
| 5.1 | Mayor Milsom | |
| 5.1.1 | Regional District of Central Okanagan Highlights from the April 27, 2020 Regional Board Meeting | 15 |

6. DELEGATIONS

7. UNFINISHED BUSINESS

8. DIVISION REPORTS

8.1 DEVELOPMENT SERVICES

8.1.1 TUP 20-01; Temporary Use Permit; 3595 Elliott Road 17

Recommended Motion:

THAT Council approve the issuance of a Temporary Use Permit (File: TUP 20-01) to permit outdoor storage and accessory parking at 3595 Elliott Road until December 31, 2020 subject to the conditions of the attached permit.

8.1.2 DVP 20-04; Development Variance Permit; 2659 Auburn Road 27

Recommended Motion:

THAT Council authorize the issuance of a Development Variance Permit (DVP 20-04) for Lot 2 District Lot 2601 ODYD Plan KAP54083 Except Plan KAP69132 (2659 Auburn Road) in general accordance with the attached permit to vary Zoning Bylaw No. 0154:

- S 3.7.2 (a) to permit a metal shipping container to be used for office and operations in addition to storage purposes;
- S 3.7.2 (b) to permit a metal shipping container to be stacked on top of two other metal shipping containers; and
- S 3.7.2 (f) to permit 4 metal shipping containers on the site.

8.1.3 Z 19-05; Official Community Plan Amendment Bylaw No. 0100.56, 2019 and Zoning Amendment Bylaw No. 0154.76, 2019 (Adoption); 2370 Tallus Ridge Drive 42

Recommended Motion:

THAT Council adopt City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.56, 2019 (File: Z 19-05); and

THAT Council adopt City of West Kelowna Zoning Amendment Bylaw No. 0154.76, 2019 (File: Z 19-05).

8.1.4 Council Appointment of Bylaw Enforcement Officer 49

Recommended Motion:

THAT Council appoint Brad Batter as a Bylaw Enforcement Officer for the City of West Kelowna.

8.2 ENGINEERING / PUBLIC WORKS / PARKS

8.3 FIRE RESCUE SERVICES

8.3.1 Emergency Preparedness – Wildfire and Flooding Update 50

8.4 CORPORATE INITIATIVES

8.4.1 Corporate Initiatives Update 56

Information Report from the Director of Corporate Initiatives

8.4.2 Economic Development Committee End of Term Review 68

Recommended Motion:

THAT Council reappoint Laurie Evans, Chris Kotscha, Tyler Neels, Michael Porter, Lorrie Whiteway and Nick Wizinsky to the City of West Kelowna Economic Development Committee for a term ending October, 2022 or until such time that successors are appointed.

8.4.3 COVID-19 Economic Development and Tourism Response Update #1 76

Information Report from the Economic Development and Tourism Manager

8.5 FINANCIAL SERVICES

8.6 CORPORATE SERVICES / RECREATION AND CULTURE

8.6.1 Central Okanagan Essential Services Mutual Aid Agreement 84

Recommended Motion:

THAT Council authorize the Mayor and Corporate Officer to execute the "Central Okanagan Essential Services Mutual Aid Agreement" between the City of West Kelowna and the Regional District of Central Okanagan, District of Peachland, City of Kelowna, District of Lake Country and Westbank First Nation for a period of two years commencing on the date of execution by all parties.

8.7 CHIEF ADMINISTRATIVE OFFICER

9. CORRESPONDENCE AND INFORMATION ITEMS

10. NOTICE OF MOTION

11. ADJOURNMENT OF THE REGULAR MEETING

The next Council meeting is scheduled for 6:00 p.m., Tuesday, May 26, 2020.



CITY OF WEST KELOWNA
MINUTES OF THE SPECIAL MEETING OF COUNCIL

Tuesday, April 21, 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
Mark Koch, Director of Development Services
Michelle Reid, Director of Human Resources
Jason Brolund, Fire Chief

1. CALL THE SPECIAL COUNCIL MEETING TO ORDER

The Special Council meeting was called to order at 3:03 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 Special 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.

2. ADDITIONS OR CHANGES TO PROCEDURAL MOTION

3. **ADOPTION OF AGENDA**

It was moved and seconded

Resolution No. C108/20

THAT the agenda be adopted as presented.

CARRIED UNANIMOUSLY

4. **PROCEDURAL MOTION**

It was moved and seconded

Resolution No. C109/20

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

(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; and

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 4:59 p.m.

MAYOR

DEPUTY CAO/CORPORATE OFFICER



CITY OF WEST KELOWNA
MINUTES OF THE REGULAR MEETING OF COUNCIL

Tuesday, April 21, 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 (All Staff attended at Lion's Community Centre via ZOOM)
Tracey Batten, Deputy CAO / Corporate Officer
Warren Everton, Director of Finance / CFO
Jason Brolund, Fire Chief
Brent Magnan, Planning Manager
Bob Dargatz, Development Services/Approving Officer
Brandon Mayne, Help Desk Assistant

1. CALL THE REGULAR COUNCIL MEETING TO ORDER

The meeting was called to order at 6:06 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 however, available to the public via a live webcast which is 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 Replacement Pages 41 and 42 (remove pages 41 and 42 and replace with the attached 3 pages), see Item 8.2.2 under Division Reports.
- 2.2 Letter dated April 20, 2020, from Lea Anne Sexton, Stakeholder Engagement Advisor, BC Hydro, re West Kelowna Transmission Project Update (see Item 9.1 under Correspondence and Information Items)
- 2.3 Council Resolution re: Meeting Procedure

3. ADOPTION OF AGENDA

It was moved and seconded

Resolution No. C110/20

THAT the Agenda be adopted as amended.

CARRIED UNANIMOUSLY

It was moved and seconded

Resolution No. C111/20

WHEREAS the Minister of Public Safety and Solicitor General under the *Emergency Program Act* has issued Ministerial Order No. M083 in regards to Local Government Meetings and Bylaw Process (COVID-19) Order, therefore be it resolved;

THAT Council authorize that all regular meetings, special meetings, Committee of the Whole meetings and committee meetings of the City of West Kelowna be conducted by electronic means allowing all members of Council, including the Mayor or presiding member, to attend electronically for the duration of the British Columbia provincial state of emergency in response to the COVID-19 pandemic; and,

THAT Council not allow members of the public to attend open meetings for the duration of the British Columbia provincial state of emergency in response to the COVID-19 pandemic.

CARRIED UNANIMOUSLY

4. ADOPTION OF MINUTES

4.1 Minutes of the Special Council Meeting held Tuesday, April 7, 2020 at the Lions Community Centre

It was moved and seconded

Resolution No. C112/20

THAT the minutes of the Special Council Meeting held Tuesday, April 7, 2020 at the Lions Community Centre be adopted.

CARRIED UNANIMOUSLY

4.2 Minutes of the Regular Council Meeting held Tuesday, April 7, 2020 at the Lions Community Centre

It was moved and seconded

Resolution No. C113/20

THAT the minutes of the Regular Council Meeting held Tuesday, April 7, 2020 at the Lions Community Centre be adopted.

CARRIED UNANIMOUSLY

5. MAYOR AND COUNCILLOR'S REPORTS

5.1 Mayor Milsom

5.1.1 Regional Economic Recovery Task Force - Press Release

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

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

It was moved and seconded

Resolution No. C114/20

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.

CARRIED UNANIMOUSLY

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

It was moved and seconded

Resolution No. C115/20

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 amendments for Public Hearing when appropriate.

CARRIED UNANIMOUSLY

8.1.3 Council Appointment of Bylaw Enforcement Officer

It was moved and seconded

Resolution No. C116/20

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

CARRIED UNANIMOUSLY

8.2 ENGINEERING / PUBLIC WORKS / PARKS

8.3 FIRE RESCUE SERVICES

8.4 CORPORATE INITIATIVES

8.5 FINANCIAL SERVICES

8.5.1 Province of BC Announcement on Regulations for Temporary Finance and Cash Flow Management

It was moved and seconded

Resolution No. C117/20

THAT Council direct staff to schedule a Special Council meeting on Tuesday, April 28, 2020 to discuss outstanding property taxation items.

CARRIED UNANIMOUSLY

8.6 CORPORATE SERVICES / RECREATION AND CULTURE

8.7 CHIEF ADMINISTRATIVE OFFICER

9. CORRESPONDENCE AND INFORMATION ITEMS

- 9.1 Letter dated April 20, 2020, from Lea Anne Sexton, Stakeholder Engagement Advisor, BC Hydro, re West Kelowna Transmission Project Update

10. NOTICE OF MOTION

11. ADJOURNMENT OF THE REGULAR MEETING

The meeting adjourned at 7:39 p.m.

MAYOR

DEPUTY CAO/CORPORATE OFFICER



CITY OF WEST KELOWNA
MINUTES OF THE SPECIAL MEETING OF COUNCIL

Tuesday, April 28, 2020
LIONS COMMUNITY CENTRE
2466 MAIN STREET, WEST KELOWNA, BC

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

Paul Gipps, CAO
Tracey Batten, Deputy CAO/Corporate Officer
Warren Everton, CFO
Allen Fillion, Director of Engineering and Public Works
Sandy Webster, Director of Corporate Initiatives
Jason Brolund, Fire Chief
Lisa Siavashi, Financial Services Manager,/Deputy CFO
Brandon Mayne, IS Support

1. CALL THE SPECIAL COUNCIL MEETING TO ORDER

The meeting was called to order at 1:33 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 however, available to the public via a live webcast which is 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 2020 Tax Rates Bylaw 0279, 2020 Information Report from CAO (See item 8.1.2.1 under Financial Services)

2.2 2020 Tax Rates Bylaw No. 0279, 2020 (See item 8.1.2.2 under Financial Services)

3. ADOPTION OF AGENDA

It was moved and seconded

Resolution No. C118/20

THAT the Agenda be adopted as amended.

CARRIED UNANIMOUSLY

4. ADOPTION OF MINUTES

5. MAYOR AND COUNCILLOR'S REPORTS

6. DELEGATIONS

7. UNFINISHED BUSINESS

8. DIVISION REPORTS

8.1 FINANCIAL SERVICES

8.1.1 Revenue Anticipation Borrowing Bylaw No. 0275, 2020

It was moved and seconded

Resolution No. C119/20

THAT Council adopt the "City of West Kelowna Revenue Anticipation Borrowing Bylaw No. 0275, 2020".

CARRIED UNANIMOUSLY

8.1.2 2020 Tax Rates

8.1.2.1 2020 Tax Rates Bylaw 0279, 2020

Information Report from CAO

8.1.2.2 2020 Tax Rates Bylaw No. 0279, 2020

It was moved and seconded

Resolution No. C120/20

THAT Council adopt the tax ratio schedule as presented: and,

THAT Council amend the tax penalty due date to 10% on outstanding amounts on all tax classes as of October 1, 2020 and give 1st, 2nd, and 3rd reading to “City of West Kelowna Tax Rates Bylaw No. 0279, 2020”; 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 Tax Rates Bylaw No. 0279, 2020”.

CARRIED UNANIMOUSLY

8.1.3 2020 Sterile Insect Release Parcel Tax Bylaw

It was moved and seconded

Resolution No. C121/20

THAT Council give first, second and third readings to the “City of West Kelowna Sterile Insect Release Parcel Tax Bylaw No. 0276, 2020”; 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 Sterile Insect Release Parcel Tax Bylaw No. 0276, 2020”.

CARRIED UNANIMOUSLY

8.1.4 2020 Transfer Station Parcel Tax Bylaw

It was moved and seconded

Resolution No. C122/20

THAT Council give first, second and third readings to the “City of West Kelowna Transfer Station Parcel Tax Bylaw No. 0277, 2020”; 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 Transfer Station Parcel Tax Bylaw No. 0277, 2020”.

CARRIED UNANIMOUSLY

8.1.5 2020 RDCO Solid Waste and Recycling Program Parcel Tax Bylaw

It was moved and seconded

Resolution No. C123/20

THAT Council give first, second and third readings to the “City of West Kelowna RDCO Solid Waste and Recycling Program Parcel Tax Bylaw No. 0278, 2020”; 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 RDCO Solid Waste and Recycling Program Parcel Tax Bylaw No. 0278, 2020”.

CARRIED UNANIMOUSLY

9. CORRESPONDENCE AND INFORMATION ITEMS

10. NOTICE OF MOTION

11. ADJOURNMENT OF THE SPECIAL MEETING

The meeting adjourned at 2:49 p.m.

MAYOR

DEPUTY CAO/CORPORATE OFFICER

Highlights of the Regional Board Meeting – April 27, 2020

COVID-19 Utility Bill Late Payment Relief

The Regional Board has adopted nine amendment bylaws providing relief from late payment penalties on utility bills to help those facing financial hardship due to the COVID-19 pandemic. No late payment fees will be charged on outstanding balances for water, solid waste management and sewer utility invoices in the electoral areas for the rest of 2020. Penalty charges will resume in 2021 for outstanding utility payment balances. Residents that can afford to pay their utility bills on time are urged to do so in order to provide cash flow and help in mitigating potential interim borrowing costs for operations.

RDCO Response to Pandemic

The Regional Board has received a report on how the RDCO organization is responding to the COVID-19 pandemic emergency. The areas of focus include:

- Community and staff safety
- Provision of essential services
- Balanced use of financial resources and resident/business support
- Contribution to regional economic recovery

It's important to note that regional districts operate differently than municipal governments as they do not directly tax property owners and are required to submit a budget bylaw to the Provincial Government by March 31. Any changes made to the budget now will not change the 2020 tax requisition but may offset costs in 2021 through surplus funds.

Regional Essential Services Agreement

The Regional Board has approved a region-wide agreement for the provision of essential services during the coronavirus emergency. Each local government in the Central Okanagan has agreed to this mutual aid agreement providing staff and equipment as available to ensure continued drinking water, waste water treatment and solid waste management services for a partner requesting assistance in these critical service areas. Emergency Management BC has indicated eligible costs under the agreement will be recoverable.

Solid Waste Management Plan Approved

The Regional Board has given final approval to the new Central Okanagan Solid Waste Management Plan. The updated plan includes two amendments required with the approval from the Minister of Environment and Climate Change Strategy:

- Completion of a Five Year Effectiveness Review by December 31, 2024
- Re-evaluation by December 31, 2030 of organic waste diversion opportunities and an assessment of the effectiveness of maintaining landfill gas collection and use at the Glenmore landfill.

The plan outlines initiatives that initially target the reduction of waste; increased reuse of waste materials and the increased collection of recyclable and compostable components of the waste stream. When fully implemented over the next ten years, the initiatives have the potential to reduce the amount of waste sent to landfill and increase the region's diversion rate from 43% to 50%.

Economic Response and Recovery Efforts

The Regional Board has received an update on the Central Okanagan Economic Development Commission response to the economic impact of the pandemic. An Economic Response Action Team is working to help local businesses over the next few months while a longer term strategy is being guided by the Regional Mayors and Westbank First Nation Chief's Economic Task Force to emerge from the crisis stronger and with new opportunities for economic prosperity.

Emergency Preparedness Fund Application

The Regional Board supports submitting a grant application to the Union of BC Municipalities (UBCM) Community Emergency Preparedness Fund. The request for a maximum \$25,000 grant would be used to purchase needed equipment for the Central Okanagan Emergency Operations Centre.

Planning Applications

The Regional Board has considered the following planning applications:

- First Reading for Zoning Amendment Bylaw 871-261 at 6880 Sierra Drive (S Tulloch, owner) – Public Hearing will be scheduled for this application to add a Secondary Suite to an existing dwelling.
- First Reading for OCP Amendment Bylaw 1304-02 and Zoning Amendment Bylaw No. 871-258 at 4429 June Springs Road (R Schoenherr, owner) to permit existing outdoor recreational ropes course and zipline business – Public Hearing will be scheduled once comments are received from Provincial Resource Management Branch and Interior Health and confirmation from owner that public access will be maintained over KLO Creek.
- One year Extension Request approved for OCP Amendment Bylaw No. 1274-06 and Zoning Amendment Bylaw No. 871-246 at 6972 Barcelona Drive East (C Roy, owner) as the owner continues to satisfy concerns of the Ministry of Transportation and Infrastructure.

Electoral Area Grant-in-Aid

The Regional Board has approved the following Central Okanagan East Electoral Area Grant-in-Aid:

- \$400 for Joe Rich Ratepayers and Tenants Society community information mail-out

Regional Board Meetings

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

- **Thursday, May 14** – following 8:30 am Governance and Services Committee
- **Monday, May 25** – 7:00 pm

Audio of the Regional Board meeting at:

rdco.com/media/283658/Audio_20_04_27brd.mp3

KLO Road Building Closure



The health and safety of the public and staff is our top priority.

In-person services at the RDCO office have been suspended in support of health authorities efforts to reduce the spread of the COVID-19 virus.

Staff are available weekdays 8:00 am - 4:00 pm by phone or by email. Responses will be provided as quickly as possible during regular hours of operation. During this health emergency, the RDCO will continue to provide essential services such as garbage and recycling, water and fire services, dog control and the Westside Regional Wastewater Treatment Plant.

The Regional District continues to follow the direction of public health experts for the safety of its staff and residents to reduce the impact on our community and our health system.

For updates on the RDCO response to COVID-19 and our provision of essential services visit rdco.com/covid-19.



COUNCIL REPORT
Development Services
For the May 12, 2020 Council Meeting

DATE: April 30, 2020
TO: Paul Gipps, CAO
FROM: Hailey Rilkoff, Planner II
RE: TUP 20-01; Temporary Use Permit; 3595 Elliott Road
Legal: Lot 18 District Lot 486 ODYD Plan 27961
Owner: WIC Properties Inc., Inc.No. BC0773399
Applicant: Ironclad Developments Inc.

RECOMMENDED MOTION:

THAT Council approve the issuance of a Temporary Use Permit (File: TUP 20-01) to permit outdoor storage and accessory parking at 3595 Elliott Road until December 31, 2020 subject to the conditions of the attached permit.

RATIONALE:

The recommended motion is based on the following:

- The applicant has proposed to screen the outdoor storage areas appropriately to act as an enclosure and visual barrier;
- The anticipated use timeline is short term, approximately 6 months, to accommodate the completion of the multi-family development at 3623 Elliott Road; and
- The proposal addresses issues and challenges with material storage and traffic on the road network adjacent to the construction site.

LEGISLATIVE REQUIREMENTS:

Council has the authority under Section 493 (2) (b) of the *Local Government Act* to issue a Temporary Use Permit (TUP) to allow a use that is not permitted in the applicable zoning regulations. A TUP may allow a use on a property for up to three years and specify conditions under which the use may be carried out. A TUP may be extended once for up to three years at the discretion of Council.

BACKGROUND:

The applicant, Ironclad Developments Inc. is currently engaged in the construction of a multi-family development at 3623 Elliott Road (the construction site), which is located approximately 50m from the subject property. This multi-family development consists of 193 units in four apartment buildings and was approved under DP 18-41 in May of 2019.

Location and Surrounding Uses

The Subject property, situated in Westbank Centre, is within the Neighbourhood Commercial Zone (C2) and has a future Land Use Designation (LUD) of Commercial. The subject property is currently vacant and has historically been used as a surface parking lot by the adjacent commercial building (both properties have the same owner).

The surrounding land uses are predominantly residential and commercial which include:

- North - C2 Neighbourhood Commercial zoned parcel
- East- RC1 Westbank Centre Compact Residential zoned parcels
- South – R5 Westbank Centre Multiple Residential
- West - R1L Large Parcel Single Detached Residential, R1 Single Detached Residential and A1 Agricultural zoned parcels

Proposal

Site constraints have led to challenges with the storage and delivery of construction materials on the construction site and sub-trade parking along road shoulders and within the road rights of way. In order to address these challenges and to maintain the anticipated construction schedule, the applicant has proposed to use the nearby, vacant, subject property for construction material laydown and storage as well as parking for staff and sub-trades.

The use of the subject property for outdoors storage and parking is anticipated to alleviate some of the parking issues the neighbourhood has experienced due to increased parking demand from construction workers and sub-trades along Elliott and Brown Road.



Figure 1 - Site Area Map

The property has been secured with a short term lease, however the properties zoning does not permit the proposed uses, requiring a Temporary Use Permit (TUP). The applicant expects to require the site for approximately 6 months, however has requested the TUP to extend until the end of this year to account for any unforeseen delays in the construction schedule.

Applicant Rationale

The applicant has provided a proposal summary (*Attachment 4*) which outlines the following rationale:

- Subject property is less than 50m from the construction site;
- Site will be fenced and movement of material will be between 8am and 8pm Monday to Saturday;
- All paving and landscaping will be returned to the current conditions should it suffer any damage; and
- The proposed use will alleviate traffic congestion along Elliott and Brown Roads near the construction site at 3623 Elliott Road.

Bylaw and Policy Review

Zoning Bylaw No. 0154

The subject property is within the Neighbourhood Commercial Zone (C2), which accommodates a limited range of convenience services. Section 3.2.1(k) of the Zoning Bylaw only permits the storage of construction materials on a parcel where the authorized construction is taking place. A Temporary Use Permit is required as the proposed construction material laydown and storage is proposed to take place on a different parcel than the construction and Outdoor Storage is not a permitted use in the C2 Zone.

Section 3.11.1(a).2 requires a screening in the form of a solid fence or wall to act as an enclosure and visual barrier around all outdoor storage areas in Commercial Zones. The screening shall be not less than 2.0m in height and shall comply with the material regulations within section 3.11.3(a) of the Zoning Bylaw.

APC CONSIDERATION

This application has not been considered by the Advisory Planning Commission (APC) as the APC meetings were temporarily postponed due to the ongoing provincial state of emergency and public health orders restricting public gatherings. Should Council wish the application to be forwarded to the APC, the next scheduled meeting will take place virtually on May 20, 2020.

PUBLIC NOTIFICATION

A Notice of Application sign has been posted on site as per the Development Applications Procedures Bylaw No. 0131. Additionally, a mail out was sent to all property owners (*Attachment 5*) and their tenants within 100 meters of the subject property (65 letters total) and an advertisement will be placed in the local newspaper on May 6, 2020.

At time of writing this report, correspondence was received from one nearby resident with questions in regards to items such as proposed lighting, hours of access, the height of the stored materials, and the Temporary Use Permit process. The applicant has provided confirmation that no lighting will be used to secure the storage and parking site and that a solid screen will be installed to provide a visual barrier from the construction materials, in addition to proposed hours of access.

ALTERNATE MOTIONS:

1. **THAT** Council postpone the issuance of a Temporary Use Permit (File TUP 20-01) to permit Outdoor Storage and Accessory Parking at 3595 Elliott Road and direct staff to schedule the application be forwarded to the Advisory Planning Commission for consideration.

Should Council direct staff to forward the application to the Advisory Planning Commission (APC), the application would be forwarded to the May 20, 2020 APC Meeting for consideration. This application would then be scheduled for a subsequent Council Meeting for reconsideration.

2. **THAT** Council deny the issuance of a Temporary Use Permit (File TUP 20-01) to permit Outdoor Storage and Accessory Parking at 3595 Elliott Road.

Should Council deny the proposal, the file will be closed. As per the City's Development Application Procedures Bylaw, the applicant could not re-apply for a similar proposal within 6 months after Council's 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. Draft Temporary Use Permit 20-01
2. Context Map
3. Subject Property Map
4. Applicant's Rational Letter
5. TUP 20-01 Public Notification Map



**CITY OF WEST KELOWNA
TEMPORARY USE PERMIT
TUP 20-01**

TO: Ironclad Developments Inc.
c/o WIC Properties Inc
3595 Elliott Road
West Kelowna, BC, V4T 1N9

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

Lot 18 District Lot 486 ODYD Plan 27961 (3595 Elliott Rd)

3. This Temporary Use Permit (TUP 20-01) allows for the uses of Outdoor Storage and Accessory Parking at 3595 Elliott Road, subject to the following conditions:
 - i. A solid screen shall be installed to act as an enclosure and a visual barrier in accordance with Section 3.11 of Zoning Bylaw No. 0154.
 - ii. Existing landscaping shall be protected by appropriate fencing or barriers
 - iii. Landscaping and paving shall be returned to its pre-lease condition if any damage is suffered due to the Outdoor Storage or Accessory Parking uses.
 - iv. Deliveries and movement of material to and from the site shall only occur between 8am-8pm from Monday to Saturday.
 - v. Shared driveway access with adjacent property at 3591 Elliott Road shall not be blocked (see site plan on Schedule A).
5. The land described herein shall be used strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof.
6. **This Permit is not a Building Permit.**

AUTHORIZING RESOLUTION NO. CXXX/20 PASSED BY THE MUNICIPAL COUNCIL ON MAY 12, 2020.

EXPIRY DATE: DECEMBER 31, 2020

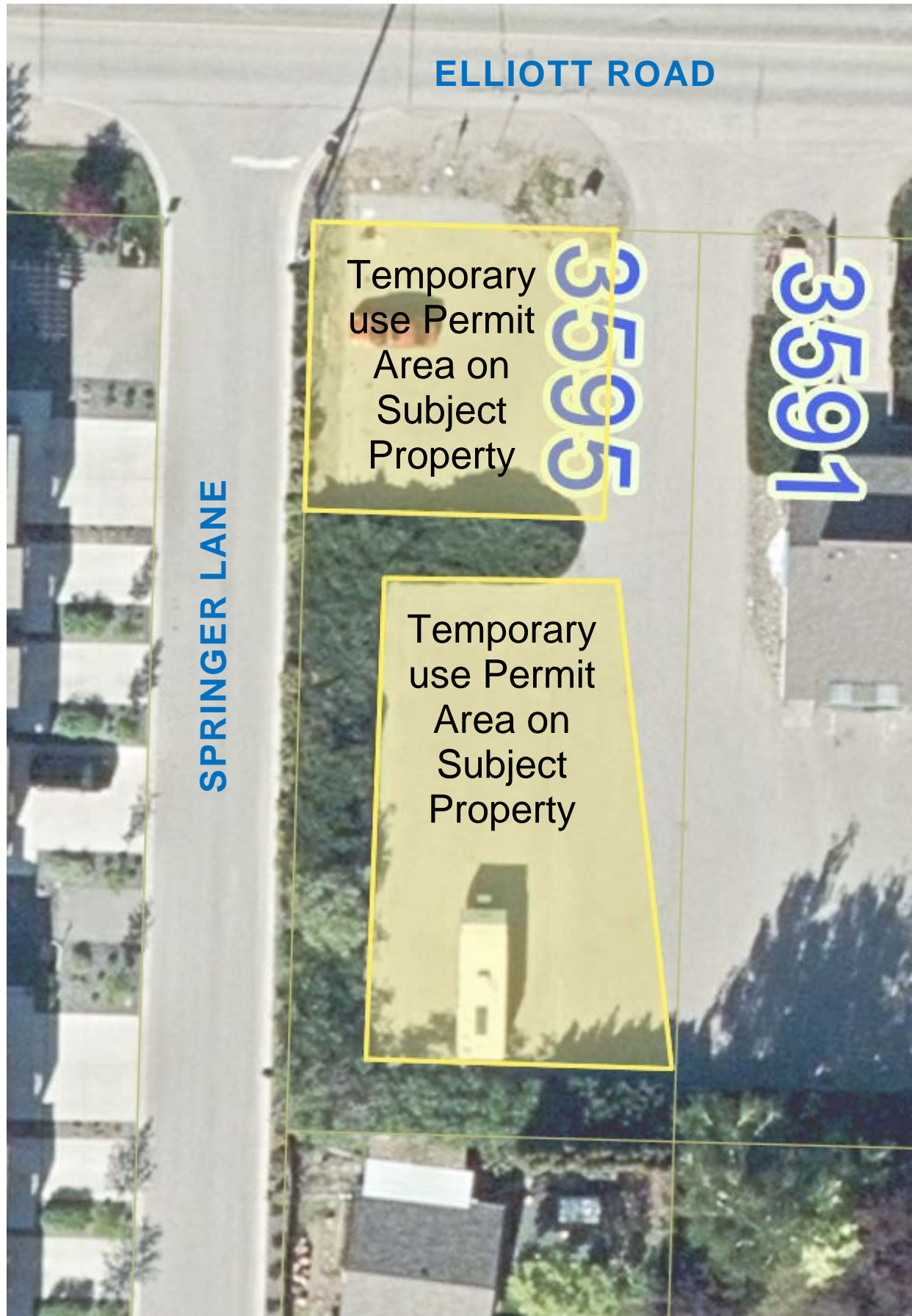
ISSUED ON: DATE XXX

Signed on

City Clerk

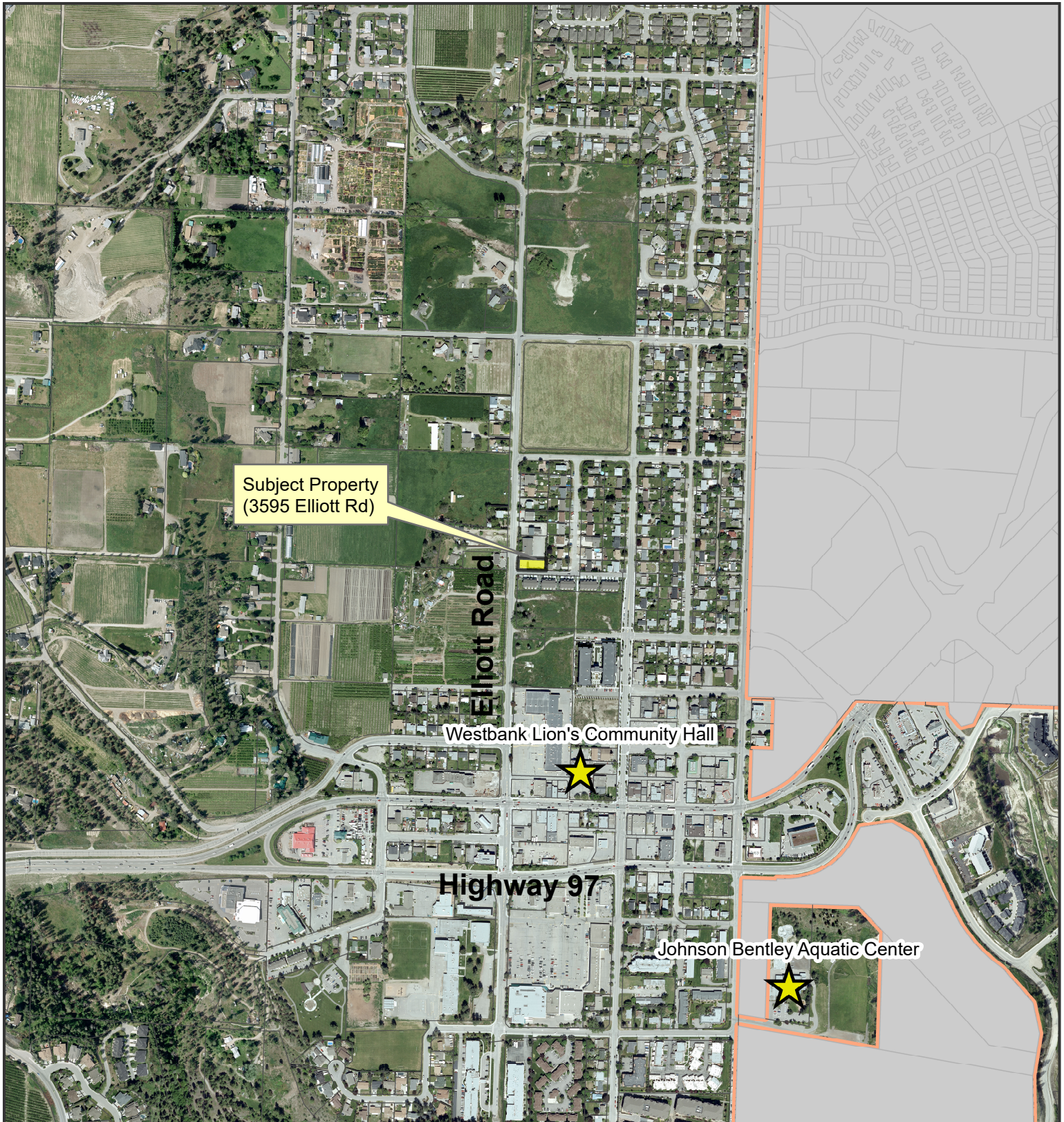
Schedules:
Schedule A – Site Plan

Schedule A – Site Plan – TUP 20-01



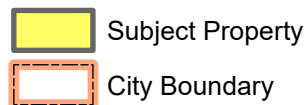


CONTEXT MAP: TUP 20-01



File: TUP 20-01

Legal Description: Lot 18, DL 486, ODYD, Plan 27961



0 135 270 540
Metres





File: TUP 20-01

Legal Description: Lot 18, DL 486, ODYD, Plan 27961

LEGEND

- Subject Property
- Zoning Boundary
- Parcels

0 5 10 20 Metres





BUILDING THE FUTURE
IRONCLAD DEVELOPMENTS INC.

www.ironcladdevelopments.com

March 26, 2020

Development Services
City of West Kelowna
2760 Cameron Road
West Kelowna, BC
V1Z 2T6



Re: Temporary Use Permit for
3595 Elliot Rd. Lot 18 District Lot 486 Osoyoos Division Yale District Plan 27961

ATTN: Hailey Rickoff

Dear Ms. Rickoff,

Ironclad Developments Inc. (ICD) is applying for a Temporary Use Permit for land leased from WIC Properties Inc. located at 3595 Elliot Rd. in West Kelowna. The subject site is currently zoned C2 and is primarily used for parking of motor vehicles.

ICD is applying for a Temporary Use Permit to allow the site to be used for Construction Material laydown and storage as well as Staff and Sub-Trade parking to facilitate the construction of a multi-family residential development currently being constructed at 3623 Elliot Rd. The construction site is less than 50m away from the proposed laydown yard. The site will be in use for the duration of the agreed lease with WIC properties, which is six (6) months from the date of this letter.

The site will be fenced around the perimeter to secure the construction material stored. Deliveries and movement of material to and from the site will be between 8am-8pm from Monday to Saturday. All paving or landscaping will be returned to its pre-lease state should it suffer any damage from the material storage and parking.

Use of the site for construction material laydown and storage will alleviate traffic congestion along Elliot and Brown Roads near the construction site at 3623 Elliot Rd. The parking of sub-trade and employee vehicles will avoid such vehicles being parked along neighboring streets or shoulders along Elliot Rd.

I hope this letter finds you in good standing.

Sincerely,










Pascal Toupin-Selinger
Director of Development



GIS Mail Notification Map TUP 20-01

Legend

Landmarks

-  Cemetery
-  City Hall
-  Community Centre
-  Dam
-  Fire Hall
-  Museum
-  RCMP
-  School
-  Tax Parcels

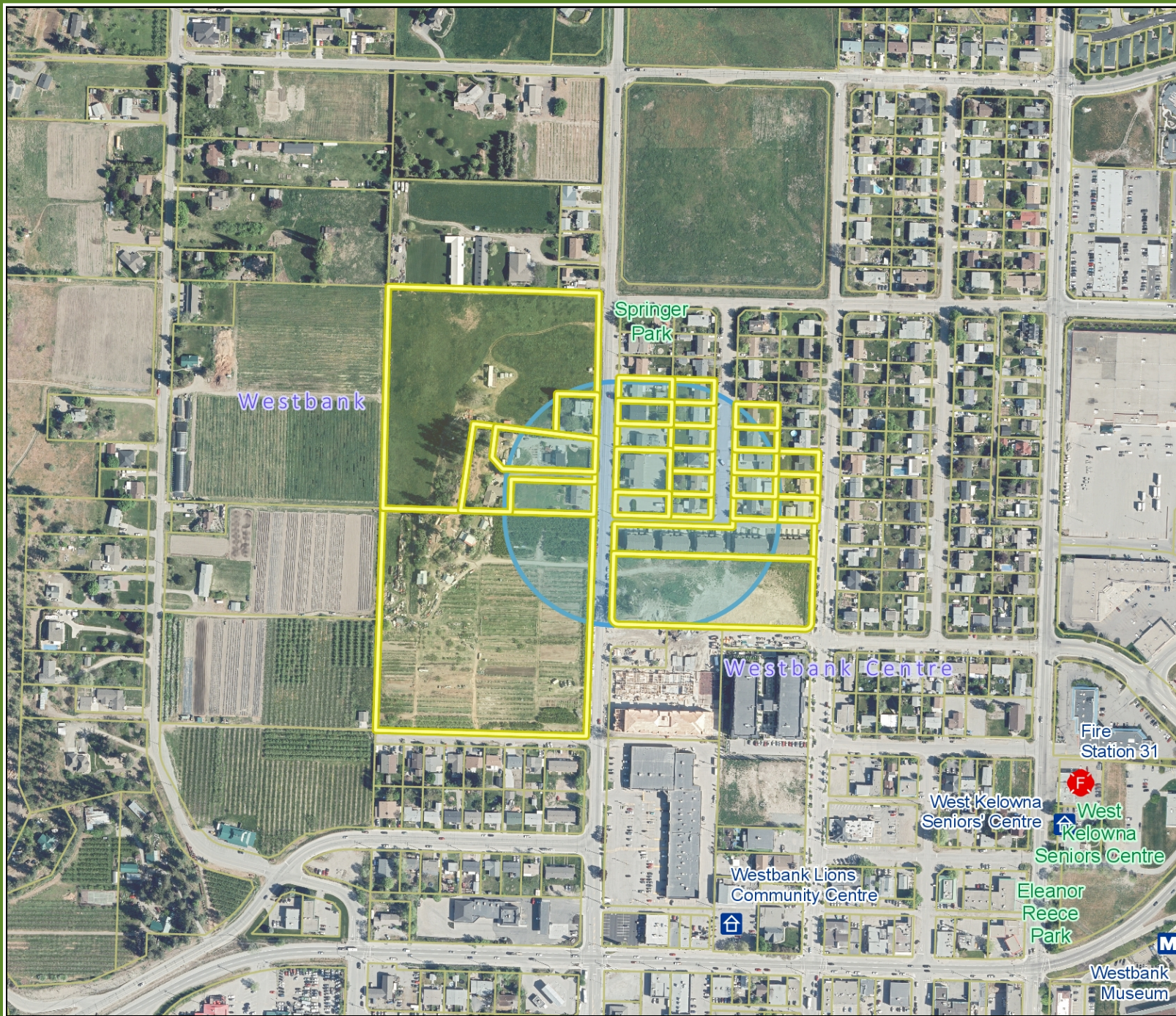
Basemap Parcel Type

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



Scale 1 : 5,000

Notes



0 127 254 Meters

Map Projection: NAD_1983_UTM_Zone_11N

© City of West Kelowna

Map Produced on: 4/27/2020 9:46:21 AM



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



COUNCIL REPORT
Development Services
For the May 12, 2020 Council Meeting

DATE: April 30, 2020
TO: Paul Gipps, CAO
FROM: Hailey Rilkoff, Planner II
RE: DVP 20-04; Development Variance Permit; 2659 Auburn Road
Legal: Lot 2 District Lot 2601 ODYD Plan KAP54083 Except Plan KAP69132
Address: 2659 Auburn Road
Owner: Far Forty Holdings Ltd., Inc. No. 273208
Applicant: Burnco Rock Products

RECOMMENDED MOTION:

THAT Council authorize the issuance of a Development Variance Permit (DVP 20-04) for Lot 2 District Lot 2601 ODYD Plan KAP54083 Except Plan KAP69132 (2659 Auburn Road) in general accordance with the attached permit to vary Zoning Bylaw No. 0154:

- S 3.7.2 (a) to permit a metal shipping container to be used for office and operations in addition to storage purposes;
- S 3.7.2 (b) to permit a metal shipping container to be stacked on top of two other metal shipping containers; and
- S 3.7.2 (f) to permit 4 metal shipping containers on the site.

RATIONALE:

The recommended motion is based on the following:

- The proposed variances are expected to have limited negative community impact due to the site's location in an industrial business park.
- Professional engineers and electricians have been engaged to ensure the metal shipping containers are designed appropriately for the proposed uses.
- The context of an industrial business park, with multiple operators on one parcel, warrant individual site considerations, as opposed to the entire property.
- A Building Permit has been applied for to address the technical requirements in order to properly install the shipping containers for occupancy uses.

LEGISLATIVE REQUIREMENTS:

Section 498 of the *Local Government Act* gives Council the authority to issue a Development Variance Permit that varies, in respect of the land covered in the permit, the provisions of the Zoning Bylaw.

BACKGROUND:

Subject Property

The site, (2659 Auburn Road) is located within an industrial business park within the subject property (2575 Auburn Road). A variety of industrial developments on the site has taken place over the years. Burnco Rock Products, has been operating a ready mix concrete production plant on the site for many years.

While the subject property is a single parcel with a single owner and is not stratified, the industrial business park operates closer to an industrial strata with multiple industrial tenants, multiple addresses and multiple buildings.

On December 27, 2019, there was an electrical fire in Burnco's main office. The office building and the shed, which housed most of the operational equipment, were damaged beyond repair.



Figure 1 - Subject Property (Burnco site in Purple)

Location and Surrounding Uses

The subject property is located in the West Kelowna Business Park and is split zoned with different areas zoned I1 - Light Industrial Zone, I2 - Heavy Industrial Zone, and I4 - Gravel Extraction Zone.

The subject property is adjacent to Constable Neil Bruce Middle School and the surrounding land uses are as follows:

Direction	Zone	Land Use
North	RMP – Manufactured Home Park	Mobile Home Park
East	I1 – Light Industrial	Various Industrial Uses
South	P2 – Institutional and Assembly	Middle School
West	RU4 – Rural Residential Large Parcel R3 – Low Density Multiple Residential	Single Detached Residential

Proposal

The applicant proposes to replace the buildings destroyed in the fire with four metal shipping containers. The applicant feels that this is a functional and cost effective option to rebuild their operation after the fire. Each shipping container is proposed to be used to house a different business/equipment component as shown in *Figure 4*:

1. Storage & Mechanical Equipment (Storage Room and Electrical Motor Control Centre)
2. Mechanical Equipment (Steam Generator and Water Tank)
3. Office (Batch Office)
4. Storage (Admixture Storage)



Figure 4 – Shipping containers installed on site



Figure 3 - Site Photo (from internal road)

Three of the containers have been placed at grade, with one (batch office) stacked on top of two others. All of the containers will be required to meet requirements from the Building Department to address the technical challenges in modifying metal shipping containers to meet the BC Building Code.

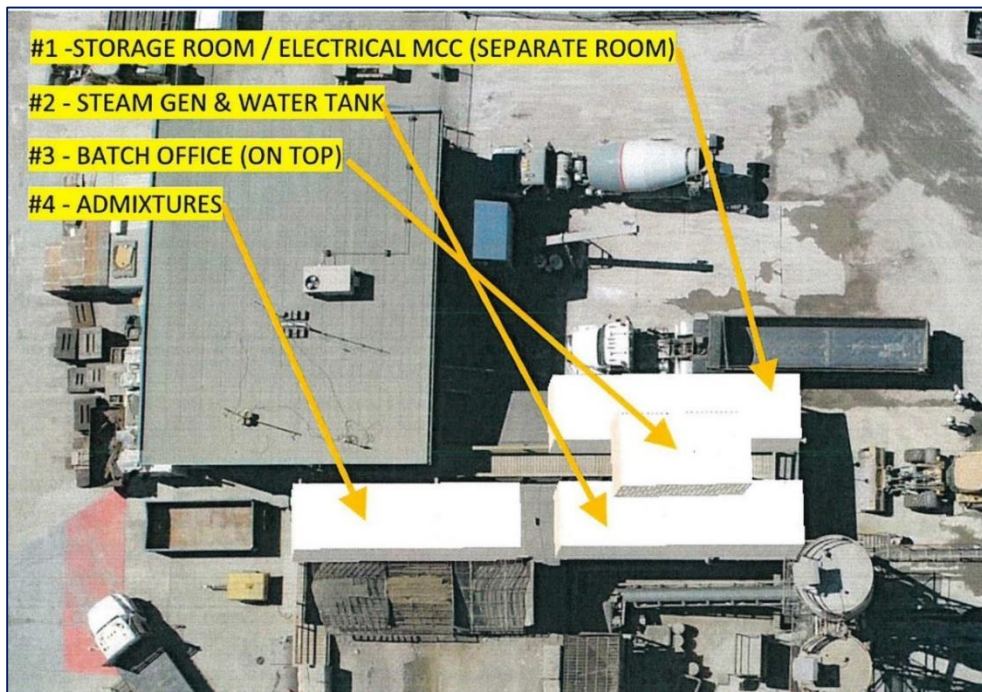


Figure 2 - Proposed Uses

Applicant's Rationale

The applicant has provided a proposal letter (*Attachment 4*) which outlines their rationale for the requested variances. The applicant has indicated that the metal shipping containers are a functional and cost effective replacement to building destroyed in the fire last winter. The applicants have advised that as they only leased the building that was destroyed in the fire, the proposed shipping containers provide flexibility to move, maintain or shift their operations in the future as they will not be utilizing on structures owned by the property owner.

BYLAW AND POLICY REVIEW:

Zoning Bylaw No. 0154

The City's Zoning Bylaw regulates the use of metal shipping containers. The proposal requires variances to three regulations in order to stack the containers, have more than two containers on one property and to use the containers for a purpose other than storage.

S. 3.7.2 (a) A metal shipping container shall only be used for storage purposes.

The applicants propose to utilize the shipping containers for various operational and office uses in addition to storage on the site. A Building Permit has been applied for in order to ensure each metal shipping container is installed and serviced appropriately to accommodate these expanded uses. Professional engineers and electricians have been involved in the design of the modifications and installation of the metal shipping containers to ensure they can be used safely by the occupants.

S. 3.7.2 (b) A metal shipping container shall not be stacked, accessible to the general public or rented or leased as part of a commercial storage facility.

One of the metal shipping containers is intended to be stacked on top of two others to be used as the batch office for the industrial business. The Building Permit will ensure the stacked metal shipping container is installed safely and with appropriate access/egress for the occupancy use proposed.

S. 3.7.2 (f) The maximum number of metal shipping containers on any parcel is 2.

This regulation applies to all industrial, commercial, agricultural and parks & institutional properties in the City. The context of the site within an industrial business park, in a predominantly industrial area of the City warrants unique consideration. The subject property has a number of industrial uses/businesses, many of which utilize metal shipping containers within their sites.

PUBLIC NOTIFICATION:

In accordance with the *Local Government Act*, 299 notification letters were sent (255 mailed, 44 hand delivered) to all property owners and their tenants within 100 metres of the subject property (*Attachment 5*) and a notice of application sign has been placed on the subject property in accordance with the Development Applications Procedures Bylaw No. 0260. At the time of writing this report, no submissions from the public had been received.

ALTERNATE MOTIONS:

Alternate Motion 1: Postpone

THAT Council postpone consideration of a Development Variance Permit (DVP 20-04) for Lot 2 District Lot 2601 ODYD Plan KAP54083 Except Plan KAP69132 (2659 Auburn Road).

Should Council postpone consideration of the requested variance, further Council direction to staff is required.

Alternate Motion 2: Deny

THAT Council deny the issuance of a Development Variance Permit (DVP 20-04) for Lot 2 District Lot 2601 ODYD Plan KAP54083 Except Plan KAP69132 (2659 Auburn Road).

Should Council deny the requested variance, the file will be closed. As per the City's Development Applications Procedures Bylaw No. 0260, 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. Draft DVP 20-04
2. Context Map
3. Subject Property Map
4. Proposal Letter
5. Site Photos
6. Public Notification Map



**CITY OF WEST KELOWNA
DEVELOPMENT VARIANCE PERMIT
DVP 20-04**

To: Burnco Rock Products
2659 Auburn Road
West Kelowna, BC
V1Z 3H7

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

Lot 2 District Lot 2601 ODYD Plan KAP54083 Except Plan KAP69132 (2659 Auburn Road)

3. This permit allows for four metal shipping containers to be constructed on the site, to be used for uses other than storage, as shown in Schedule A. Specifically this permit varies Zoning Bylaw No. 0154:
 - S 3.7.2 (a) to permit a metal shipping container to be used for office and operations in addition to storage purposes;
 - S 3.7.2 (b) to permit a metal shipping container to be stacked on top of two other metal shipping containers; and
 - S 3.7.2 (f) to permit 4 metal shipping containers on the site.
4. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof.
5. **This Permit is not a Building Permit.**

AUTHORIZING RESOLUTION NO. CXXX/20 PASSED BY THE MUNICIPAL COUNCIL ON

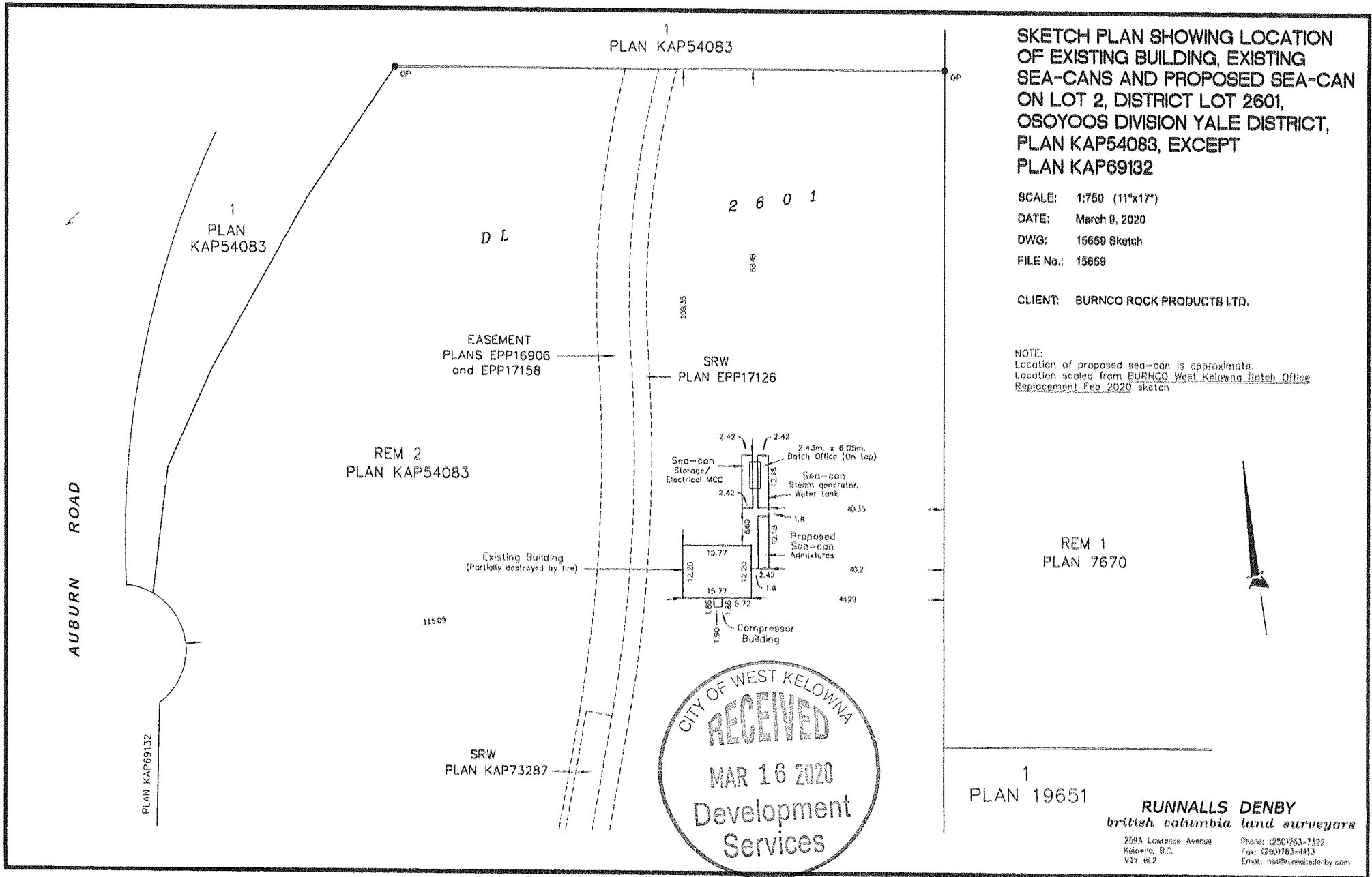
ISSUED ON

Signed on _____, 2020

City Clerk

Schedule A:



1. Site Plan





File: DVP 20-04

Legal Description: Lot 2, DL 2601, ODYD, Plan 54083,
Except Plan KAP69132

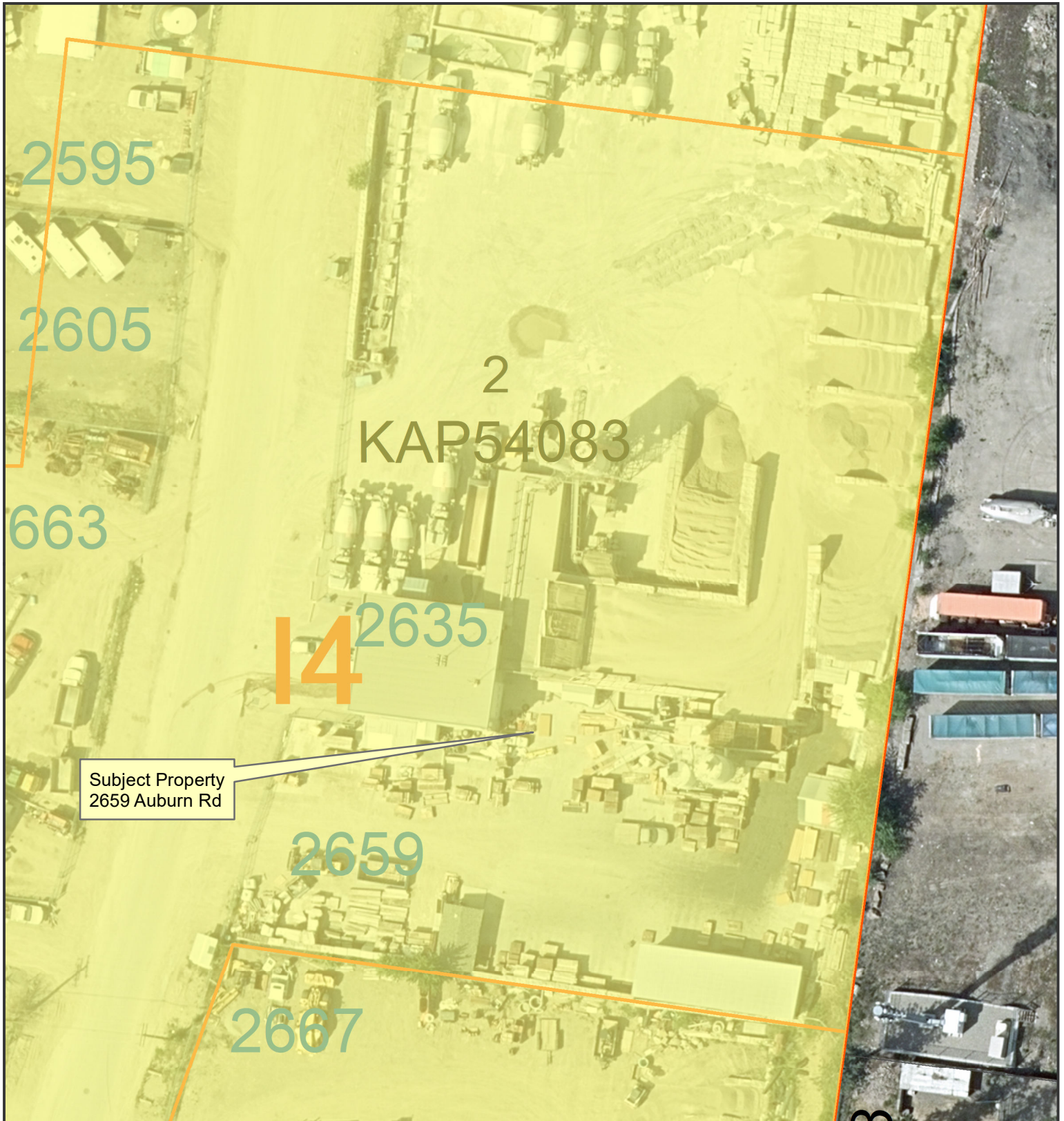
 Subject Property
 City Boundary

0 150 300 600
Metres





SUBJECT PROPERTY: DVP 20-04



File: DVP 20-04

Legal Description: Lot 2, DL 2601, ODYD, Plan KAP54083,
Except Plan KAP69132

LEGEND

- Subject Property
- Zoning Boundary
- Parcels

0 5 10 20 Metres



Overhead of proposed sea can building replacement

- BURNCO intends to replace the destroyed steam gen shed with sea cans that house the same components that existed previously in the space. Our intent is to install four sea cans in place of the building, for the following uses:
 - #1 - The storage and electrical MCC will be in one forty-foot sea can, divided by a wall with ventilation. This sea can has egress doors / windows installed and has been reinforced to ensure there is no structural compromise. This sea can is non-occupancy except for lockout and repairs.
 - #2 - Another forty-foot sea can houses our steam generator and water tank. This sea can is non-occupied unless repairs are being completed and as such has only been modified to add doors for access and ventilation.
 - #3 - A twenty-foot sea can has been made into a batch office, made for controlling the main batch plants on site. This is placed on top. This has been built to code with a certified electrician with applicable permits for install and pictures have been taken through the process detailing the work done. There is also appropriate emergency egress on this unit. There is no plumbing to be installed in this unit.
 - #4 - A fourth sea can is for admix storage, hooked up to the plant and operated from the batch office. This is a non-occupancy unit

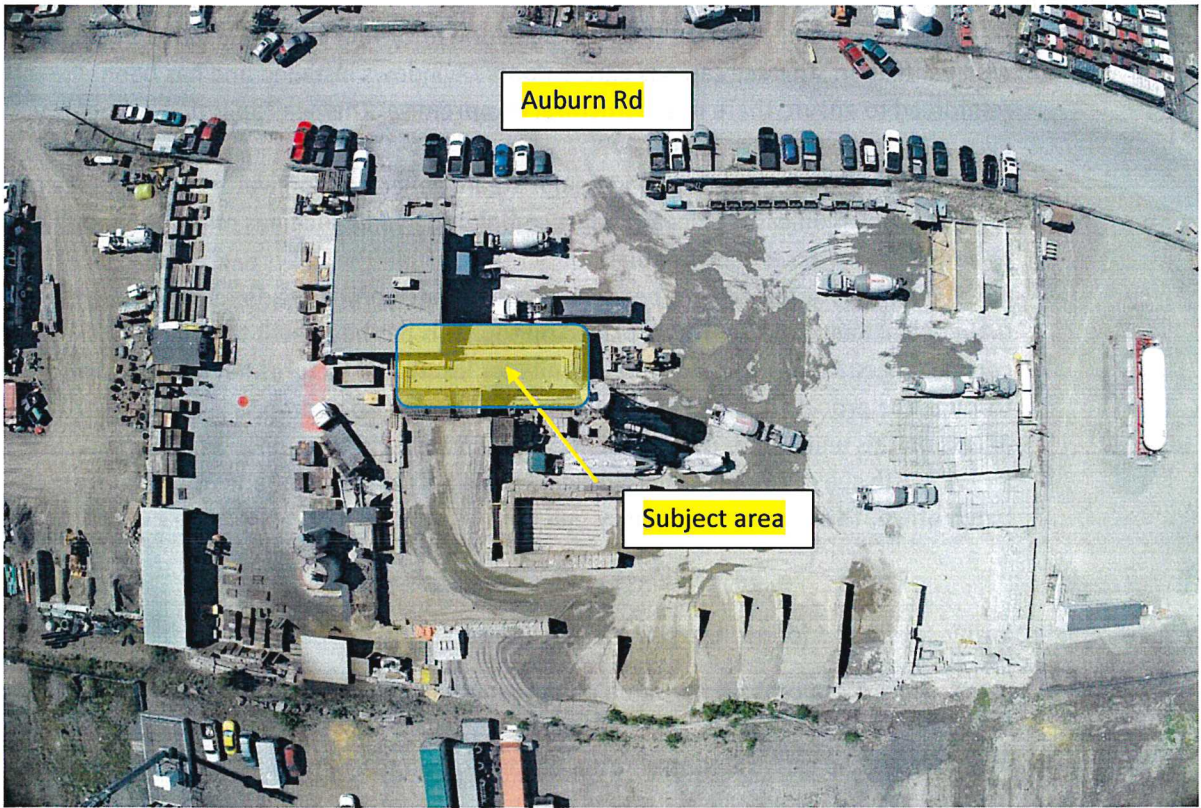
We are seeking variances for the following bylaws:

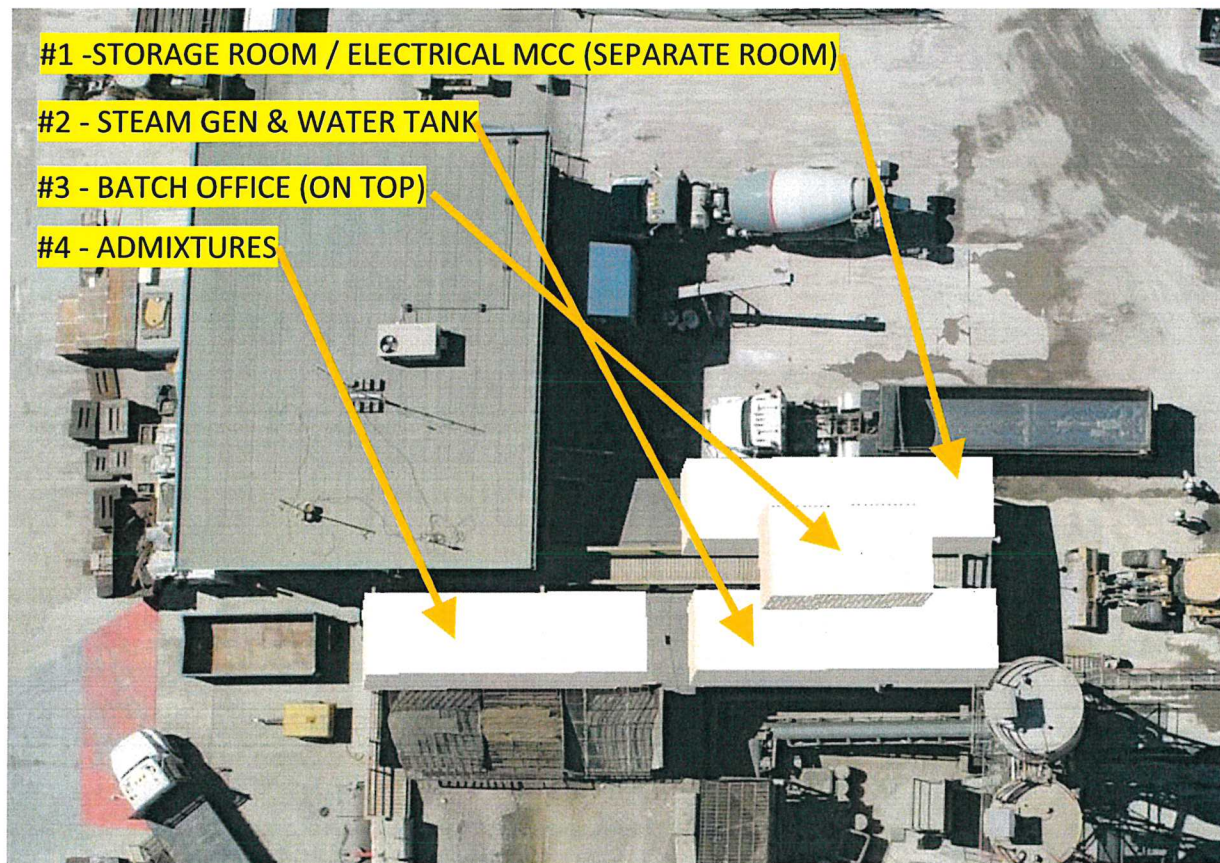
1. We propose to have 4 sea cans on the same parcel requiring an approved variance of bylaw 154 sec 3.7.1 (e)
2. We propose to use 1 sea can as a control room office requiring an approved variance of bylaw 154 sec 3.7.2 (a)
3. We propose to stack 1 20' sea can on two others requiring an approved variance to bylaw 154 sec 3.7.2(b)



BURNCO 2659 Auburn Rd. Bylaw Variance Application

Overhead of building position relative to Auburn Rd














Professionals engaged for the DP process:

- Architect: Paul Schuster – Novation Architecture
- Structural Engineer: Michael Naylor- Elemental Engineering
- Mechanical Engineer: Chris Kroening - Delta-T Consultants
- Geo-Technical Engineer: Tyler Smith - Insite Group
- Building Envelope Specialist: TBD

GIS Notification Map DVP 20-04

Legend

Landmarks

-  Cemetery
-  City Hall
-  Community Centre
-  Dam
-  Fire Hall
-  Museum
-  RCMP
-  School
-  Tax Parcels

Basemap Parcel Type

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



Scale 1 : 10,000

Notes



0 254 508 Meters

Map Projection: NAD_1983_UTM_Zone_11N

© City of West Kelowna

Map Produced on: 4/27/2020 4:13:20 PM



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



SITE PHOTOS

File No: DVP 20-04
Location: 2659 Auburn Road (2575 Auburn)
Legal: Lot 2, DL 2601, ODYD, Plan KAP54083, Except Plan KAP69132
Owner: Far Forty Holdings Ltd.
Agent: Burnco Rock Products
Subject: DVP 20-04, Burnco Rock Product, Auburn Rd



Figure 1 - Site Photo (from internal road)



Figure 2 - Shipping containers installed on site



Figure 3 - Side View of stacked containers



Figure 4 - Walkway underneath stacked containers



Figure 5 - Container #2 - Water Tank & Steam Generator



Figure 6 - Container #3 - Batch Office (stacked)



Figure 7 - Container #4 - Admixture Storage



Figure 8 - Site Photo (from Auburn Road)



COUNCIL REPORT
Development Services
For the May 12, 2020 Council Meeting

DATE: April 27, 2020

TO: Paul Gipps, CAO

FROM: Carla Eaton, Planner III

RE: Z 19-05; Official Community Plan Amendment Bylaw No. 0100.56, 2019 and Zoning Amendment Bylaw No. 0154.76, 2019 (Adoption); 2370 Tallus Ridge Drive
Legal: Lot 1, DL 2602, ODYD, Plan KAP85779, Except Plan EPP21757
Owner: Uday Development Inc. (BC1080647)
Agent: Protech Consulting / Kyle Lorincz

RECOMMENDED MOTION:

THAT Council adopt City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.56, 2019 (File: Z 19-05); and

THAT Council adopt City of West Kelowna Zoning Amendment Bylaw No. 0154.76, 2019 (File: Z 19-05).

RATIONALE:

The recommended motion is based on the following:

- As a condition of adoption, the required restrictive covenants have been registered.
- Residential policies encourage the sensitive integration of different housing forms in all residential growth areas in support of neighbourhood diversity and healthy communities.
- Infill development makes more efficient use of community services and reduces development pressures at the urban fringes.
- While increasing the density from 8 units to approximately 17 units over the new R3 area, no additional disturbance is anticipated as the townhouse units will roughly follow the original site layout for the single family development.
- The future development permit process will address hillside (grading and rock fall mitigation) and form and character issues with the proposed townhouse development.
- The previous rezoning process already protected sensitive areas through the registration of a covenant, as well as secured right of way for trail connections through the site.
- The applicant has agreed to provide additional trail connections through the new development area at time of future development to be finalized as part of the future development permit.
- The proposal was supported by the City's Advisory Planning Commission (APC) and Agricultural Advisory Committee (AAC).

LEGISLATIVE REQUIREMENTS:

Council has the authority under Part 14, s. 472 of the *Local Government Act* to amend the Official Community Plan and s. 479 to create and amend the Zoning Bylaw.

BACKGROUND:

Overview of Proposal

This Official Community Plan (OCP) and Zoning Amendment Application proposes to adjust the OCP land use designations and zoning boundaries to expand an existing multiple family (R3) zoned area and reduce the existing single detached (R1) zoned area (*Attachments 1 and 2*). The new R3 zone (approx. 17 townhouse units) will be combined with the existing R3 zone (approx. 9 townhouse units) to facilitate the proposed 26 unit townhouse strata development (Figure 1 – shows the combined R3 zones in black dotted line). The proposed amendments will also allow realignment of the A1 zone along the proposed strata road to ensure the Low Density Residential strata lot is not split zoned. The amendment will increase the proposed residential density from 8 single family dwelling units to approximately 17 townhouse dwelling units.

Zoning Conditions

The Council resolution at third reading established two zoning conditions, as noted in the Council Report/Resolution History table below. The zoning conditions have now been satisfied and it is recommended that the amendment bylaws be adopted.

COUNCIL REPORT/RESOLUTION HISTORY

Date	Report Topic/Resolution	Resolution No.
Sep 3, 2019	<p>THAT Council give third reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.56, 2019 (File: Z 19-05); and</p> <p>THAT Council give third reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.76, 2019 (File: Z 19-05); and</p> <p>THAT Council direct staff to schedule the bylaws for consideration of adoption following:</p> <ul style="list-style-type: none">• Submission of design drawings and cost estimates to the satisfaction of the Director of Development Services for the following:<ul style="list-style-type: none">○ Construction of municipal road and utilities connecting Mountain Hollows Lane to the subject property;○ Upgrades to the pedestrian right of way at the north end of the property (CA5016164); and○ Construction of a 3 m wide pedestrian right of way through the south end of the property;• Confirmation of the registration of a Section 219 covenant to require:	C318/19

	<ul style="list-style-type: none"> ○ Construction of the extension of the municipal road and utilities connecting Mountain Hollows Lane with the development site; ○ Upgrades to the registered pedestrian right of way (CA5016164) to the City's Nature Trail Standard at time of future development; ○ Registration of a statutory right of way and construction of a 3.0 m wide pedestrian access connecting through the proposed strata lot and Tallus Ridge Drive at time of future development; and ○ Ongoing maintenance and inspection of rock fall areas by property owners, including debris removal, in accordance with the updated geotechnical recommendations. 	
Jul 9, 2019	Public Hearing held	N/A
Jun 11, 2019	<p>THAT Council give first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.56, 2019; and</p> <p>THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.76, 2019; and</p> <p>THAT Council direct staff to schedule the proposed bylaw amendments for Public Hearing.</p>	C231/19

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. Official Community Plan Amendment Bylaw No. 0100.56
2. Zoning Amendment Bylaw No. 0154.76

CITY OF WEST KELOWNA

BYLAW NO. 0100.56

A BYLAW TO AMEND “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. 0100.56, 2019”.

2. Amendments

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

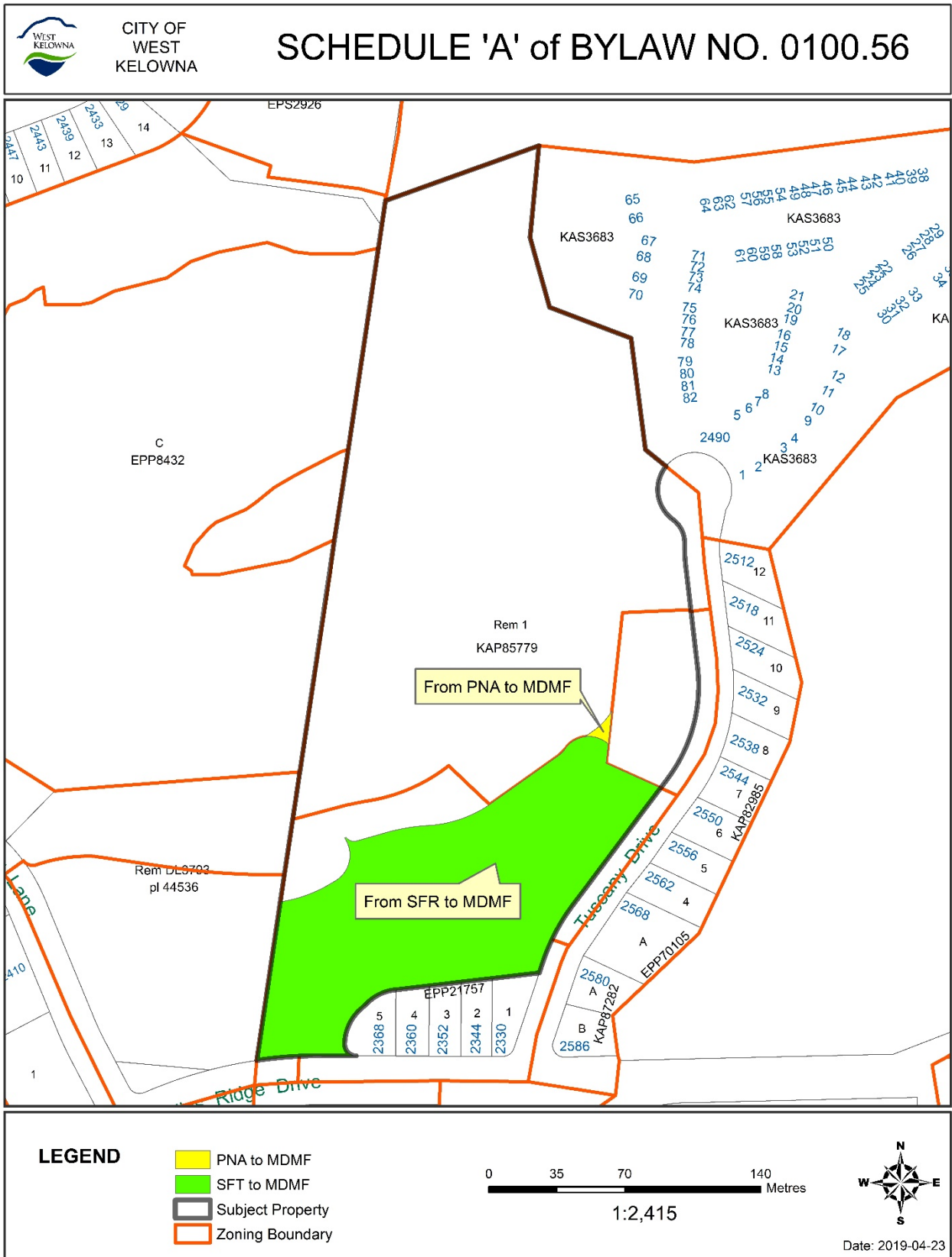
2.1 By changing the designation on a portion of Lot 1, District Lot 2602, ODYD, Plan KAP85779, Except Plan EPP21757, as shown on Schedule ‘A’ attached to and forming part of this bylaw, from Single Family Residential and Parks and Natural Area to Medium Density Multiple Family.

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

READ A FIRST AND SECOND TIME THIS 11TH DAY OF JUNE, 2019
PUBLIC HEARING HELD THIS 9TH DAY OF JULY, 2019
READ A THIRD TIME THIS 3RD DAY OF SEPTEMBER, 2019
ADOPTED

MAYOR

CITY CLERK



CITY OF WEST KELOWNA

BYLAW NO. 0154.76

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. 0154.76, 2019".

2. Amendments

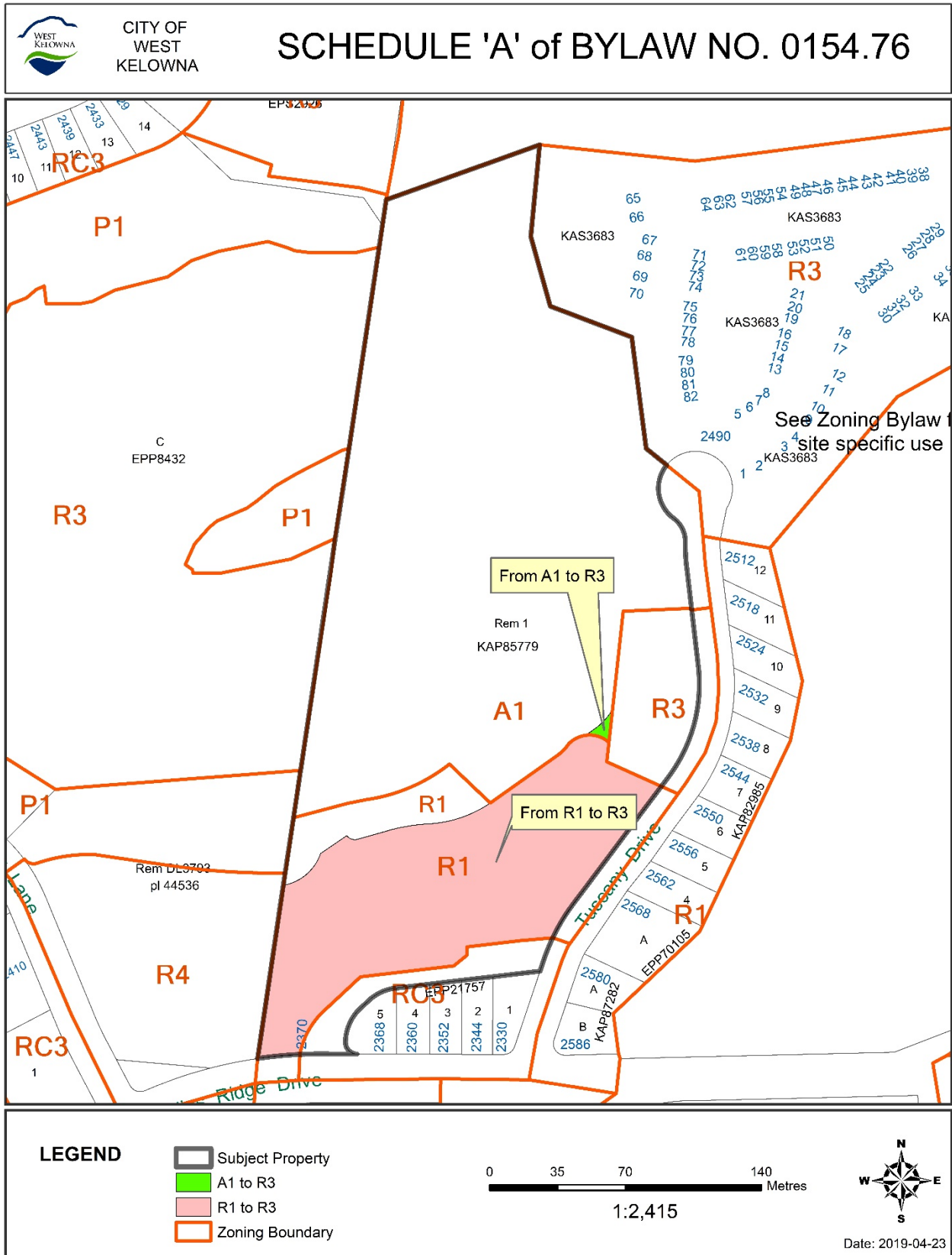
"Zoning Bylaw No. 0154" is hereby amended as follows:

- 2.1 By changing the zoning on a portion of Lot 1, District Lot 2602, ODYD, Plan KAP85779, Except Plan EPP21757, as shown on Schedule 'A' attached to and forming part of this bylaw, from Single Detached Residential Zone (R1) and Agricultural (A1) to Low Density Multiple Residential Zone (R3).
- 2.2 By depicting the change on "Zoning Bylaw No. 0154 Schedule B" (Zoning Bylaw map).

READ A FIRST AND SECOND TIME THIS THIS 11TH DAY OF JUNE, 2019
PUBLIC HEARING HELD THIS 9TH DAY OF JULY, 2019
READ A THIRD TIME THIS 3RD DAY OF SEPTEMBER, 2019
ADOPTED

MAYOR

CITY CLERK





COUNCIL REPORT
Development Services
For the May 12, 2020 Council Meeting

DATE: April 28, 2020
TO: Paul Gipps, CAO
FROM: Mike Cain, Bylaw Compliance Supervisor
RE: Council Appointment of Bylaw Enforcement Officer

RECOMMENDED MOTION:

THAT Council appoint Brad Batter 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:

Brad Batter has recently filled the position of Bylaw Enforcement and Compliance Officer II in the City's Bylaw Compliance department.

FINANCIAL IMPLICATIONS:

This position is a current position within the Bylaw Compliance department and is included in the 2020 City of West Kelowna Financial Plan.

ALTERNATE MOTIONS(S):

THAT Council postpone consideration of Mr. Batters Bylaw Officer appointment and requests further information from staff.

REVIEWED AND APPROVED BY:

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

Powerpoint: Yes ☐ No ☒



INFORMATION ONLY COUNCIL REPORT
Engineering / Public Works
For the May 12, 2020 Council Meeting

DATE: April 29, 2020
TO: Paul Gipps, CAO
FROM: Jason Brolund, Fire Chief
Stacey Harding, Parks & Fleet Operations Manager
RE: Emergency Preparedness – Wildfire and Flooding Update

STRATEGIC PRIORITY OBJECTIVE:

Foster Safety and Well-being – Emergency Preparedness and Wildfire Mitigation Measures

BACKGROUND:

This report continues the series of annual updates Council is provided on activities and progress to reduce the impacts of Wildfire in the City of West Kelowna as well as a review of Flood Planning for the 2020 freshet season. All of these emergency preparedness and response plans are now significantly affected by COVID-19.

Mitigation through forest fire fuel reduction is an annual ongoing activity involving City staff, contractors and the general public. Mitigation activities are driven by scientific direction outlined in the 2018 West Kelowna Community Wildfire Protection Plan, which was adopted by Council in December 2018. The plan can be viewed at:

<https://www.westkelownacity.ca/en/city-hall/resources/Documents/CWPPUpdate-26OCT2018.pdf>

In 2019 and 2020, funding has been provided by Provincial 'Community Resiliency Investment' (CRI) and 'FireSmart' grants as well as from budgeted City funds. The CRI funding condition to date has been focused on protecting critical public infrastructure.

The scope of this report will be a review of 2019 wildfire mitigation initiatives and a look forward to 2020 freshet, flooding and wildfire mitigation activities.

CRI 2019

In 2019 the City of West Kelowna was awarded a \$100,000 grant and in combination with City funds completed the 'Prescriptions' or working documents to clean up the fuel loading in four different areas of the City.

1. East side of Mount Boucherie (currently underway)
2. Around the perimeter of the Powers Creek Treatment Plant (complete)

3. North Rosewood slope (coming weeks)
4. Davidson Creek Park, north of Shannon Woods (coming weeks)

This spring, contracted crews are busy falling trees and cleaning up needles and limbs on the forest floor in these locations. The debris will either be piled and burned through a Special Burning Permit issued by Chief Brolund or will be finely chipped and evenly spread for decomposition. It is anticipated these works will be completed before winter 2020.

CRI 2020

Again, in 2020 the focus remained on mitigation activities to protect critical public infrastructure as defined in the CWPP.

The CWK was awarded a grant for \$64,500 for the creation of prescriptions and operational treatments of two primary areas.

1. The lower west and north face of Mount Boucherie
2. The wooded area around the chlorine intake for the Rose Valley Dam

Adding protection for one of drinking water sources and also our only high school and City Hall which houses critical records and electronics.

These projects will be tendered in May 2020 and projected to start in the fall of 2020. The Province is expected to offer another CRI uptake this fall for 2021 projects and staff will bring forward a request for Council to endorse this application in due course.

FireSmart Programs

Local governments have very limited statutory authority to enforce fuel mitigation and fire prevention activities on private land. Consequently, public education and awareness of "FireSmart" principles has been the primary focus of wildfire prevention and mitigation.

Due to the provincial restriction on public gatherings, the 6th annual 2020 FireSmart Family Day has been postponed. This flagship FireSmart event will be hosted once the COVID pandemic situation has passed.

In 2019, as a pilot project, WKFR staff established innovative, out-of-the-box solutions to incite and encourage private property owners to do work to improve the survivability of their homes in a wildfire. The program resulted in the following:

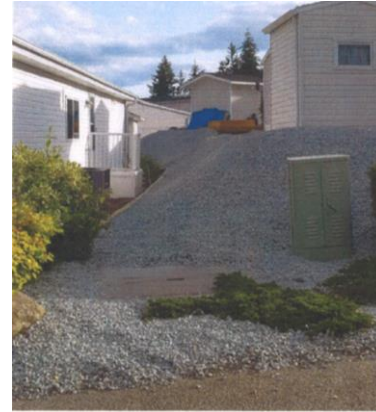
- \$5,850 in FireSmart Mitigation Grants were provided to 23 individuals who undertook a wide variety of activities to mitigate their private properties against wildfire threats.
- \$534 was distributed in the form of dumpster bin rentals for neighbourhoods and for 36 loads of wood debris that was taken to the regional landfill, at no cost to the property owner.

For example - 1850 Shannon Lake Road:

Using the FireSmart Home Assessment, residents in a mobile home community identified that junipers presented a high fire hazard that affected four surrounding properties. The four individual residents worked in partnership to remove the combustible vegetation, rented a stump grinder, dumpster, and stone slinger truck. Residents landscaped the treated area with a non combustible alternative (rock). For this application a total of \$1000.00 was distributed between the homeowners and is a great example of using FireSmart principles to reduce wildfire risk.



Before



After

In 2020 and despite COVID, these activities will continue. Staff hopes to expand the reach and success of the program electronically. The new FireSmart App will be available to help property owners with assessments. Applications will be available online and will be submitted electronically. Vouchers will be e-distributed to the public.

While subject to change, staff anticipates allocating funding as follows:

- **\$2,000** –to offset tipping fees at the Westside Transfer Station for private property owners who have completed mitigation works as per the FireSmart Guidelines. WKFR staff trained in FireSmart Assessments will verify and approve.
- **\$3,000** –to provide collection bins or chipping services at the neighbourhood level for residents to deposit materials from mitigation activities on private properties.
- **\$15,000** –to provide thirty \$500 grants to private property owners who undertake larger scale activities to improve their properties as per FireSmart guidelines. WKFR staff trained in FireSmart Assessments will give approval following verification. This could include actions such as: (but not limited to)
 - Replacing combustible roof and siding materials
 - Removing cedar hedges and replacement with low density, fire-resistant plants
 - Increasing tree spacing, removing limbs and creating defensible space around structures
 - Installing dedicated wildfire suppression systems (sprinklers on buildings)
- **\$6,000** - advertising and providing promotional materials related to the initiatives above.



Door “wrap” installed for 2020 at Fire Station #34 (Glenrosa) to promote Grant Program

WFN Partnership

In 2020, WFN will also participate in the FireSmart Grant Program. Their portion of grant funding will be fully covered under our long term fire service agreement.

Prescribed Burning

Prescribed burning is a highly regulated, controlled and confined process of intentionally lighting low burning forest floor fires to consume forest fuels via natural processes. Detailed ‘Burn Plans’ are created by professional foresters and vetted through the Province for authorization. Historically they have been done in remote Crown or First Nations lands but CWK staff have been working towards a Provincial first, employing this cost saving method to treat City owned parkland as well as bordering crown lands.

The program in development would be done via a conglomeration of industry experts and safety officials. The City would be represented by West Kelowna Fire Rescue and Parks, BC Wildfire crews, contracted fuel modifications crews and registered foresters acting as the ‘Burn Boss’. Control lines staffed by fire fighters and post monitoring are components of the “Burn Plan” which is reviewed and approved by the province.

The program would be supported by an extensive public Information effort and could only be done when stringent air quality conditions permit open burning. The preparation and logistical planning is also extensive. All conditions aligning themselves may be challenging however staff wish to be staged to utilise the opportunities of working with BC Wildfire crews and industry experts in reducing costs and increasing City fire protection.

Unfortunately, due to the suspension of all Open Burning Activities by the province in April 2020 – forward progress on this initiative has been paused. It is expected that open burning will not be allowed until the fall of 2020. The burn plans that were developed are under a 3 year approval for action during the spring or fall season – so progress will resume as permitted by the Province, when air quality objectives can be met.

Freshet and Flood Preparation 2020

West Kelowna staff have received accolades for their planning, preparation and execution of measures during the 2017 and 2018 floods. Fortunately, 2019 was a quiet year on the freshet and flood front. However, this same level of professionalism remains today and is ongoing. Freshet and Flood season brings together CWK staff from across the organization to protect the community. Teams not normally tasked to work together stand alongside each other and strong relationships are forged between departments.

The City has an internal Flood Preparation Committee chaired by the Parks & Fleet Operations Manager and is comprised of the following departments:

- Engineering
- Public Works
- Parks
- West Kelowna Fire Rescue
- Roads & Drainage
- Utilities
- Finance
- Communications
- Flood Remediation
- Planning

CWK and WKFR staff maintain a strong link to Emergency Management BC, the Regional Emergency Program and the Emergency Operations Centre. Planning for potential events in 2020 is well underway, working alongside our Regional and Provincial colleagues. Activities include but are not limited to,

- Sand bag orders and stockpiling
- Public sand bag station preparation
- Detailed weather monitoring
- Groundwater monitoring
- Drainage patrols
- Creek and culvert clearing
- Snow shed calculations
- Storm pattern development
- Equipment preparations

Should the situation worsen, planning is well underway in drafting Local State of Emergency declarations, provincial resource requests and expenditure authorizations. Delayed snow pack melt, sudden warming trends and heavy spring rains are trends we watch for, however our staff are mindful and preparing.

Current (Mid April) Flooding Forecast

City staff are actively involved with snow pillow monitoring and reviewing the BC River Forecast Centers predications. A critical sequence of events of 'rain on top of snow events' are monitored through Environment Canada. At present Provincial officials share optimism that Okanagan Lake flood risks are low. However, the slow to emerge spring melt and plenty of snow in the mid and higher levels has staff keenly aware of daily forecasts and changing conditions.

Impact of COVID-19

The worldwide impact of COVID-19 has played heavily into Emergency Preparedness in CWK. Events such as FireSmart Family Day (May 2020) have been cancelled due to restrictions on gatherings. The cancellation of open burning has impacted wildfire mitigation projects. Many planning meetings and EOC meetings have been migrated to virtual platforms.

Staff have worked hard to prepare for a Freshet, Flood and Wildfire season under very different conditions than ever before. If flooding or wildfire events are to occur in our region, the response will be far different from what staff have been accustomed to in the past. Factors such as physical distancing will require new methods of conducting emergency work. Assistance from Provincial (BC Wildfire) and Federal (Canadian Armed Forces) may be less available and/or operate differently than we are used to. In all cases, tasks will take longer in order to maintain the health and safety of all involved. However, plans have been adapted and staff feels we are adequately prepared for conditions we will face.

Striving to protect staff is a 2020 Safety Goal that is in the process of adoption. One of the measures completed are individual departments completing Hazard Assessments specific to their areas of work. In addition, staff is working alongside the Province to comply with safety precautions for front line responders to flood and fire. WorkSafe BC has been very clear with respect to social distancing and staff want to ensure compliance.

FINANCIAL IMPLICATIONS:

Grant funding is represented in the Annual Financial plan as both revenue and expense.

Existing budgeted funds of \$25,000 will be used for prescriptions and operational treatments as per the CWPP and the remaining \$25,000 budgeted will be used by WKFR to incent mitigation on private properties. WFN will fund their portion on grants given to WFN properties under the program.

REVIEWED AND APPROVED BY:

Allen Fillion, Director of Engineering & PW
Warren Everton, Director of Finance/CFO
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

PowerPoint: Yes ☒ No ☐



INFORMATION ONLY COUNCIL REPORT
Corporate Initiatives
For the May 12, 2020 Council Meeting

DATE: May 7, 2020
TO: Paul Gipps, CAO
FROM: Sandy Webster, Director of Corporate Initiatives
RE: Corporate Initiatives Update

EXECUTIVE SUMMARY:

The purpose of this report is to provide a summary of staff's major projects progress within Council's *2020 – 2022 Strategic Priorities*, particularly during times of uncertainty with the current COVID-19 pandemic. And, more specifically, it is also important to keep Council and our community updated about our efforts to ease the financial hardship of COVID-19 as it relates to the future users of the Rose Valley Water Treatment Plant.

This report provides a status summary for initiatives underway, and provides a look-ahead of next steps as best as staff can forecast during COVID-19.

BACKGROUND:

Council's *2020 – 2022 Strategic Priorities* are organized under four distinct pillars developed by Council with support from staff and its consultant. These pillars and priorities reflect Council's sense of future challenges and opportunities on the Greater Westside. Council's January 28, 2020 adoption of its *2020 – 2022 Strategic Priorities* speaks to a continued shared vision of West Kelowna as a vibrant and resilient community and together we all strive to deliver these priorities for the community.

Updates regarding major projects with moderate-to-significant progress are grouped under the four pillars following this page. Staff are also continuing to champion and deliver other strategic priority projects not listed in this report, and we'll keep Council and the community informed and engaged as we re-set our work plans with the COVID-19 recovery phase and beyond.



INVEST IN INFRASTRUCTURE - to invest in building, improving and maintaining quality infrastructure to meet the needs of, and to provide a high quality of life for, current and future generations.

ROSE VALLEY WATER TREATMENT PLANT (RVWTP) EARLY WORKS BEGIN

First of Two Tenders Awarded

The first tender was awarded in March 2020 that includes excavation and blasting, roadworks, utilities and other site works scheduled to continue through early summer.

The second tender is being finalized and a pre-qualification process is scheduled to begin this spring. Qualified construction companies would then bid on this second and final tender that includes fixed facilities, such as reservoir, foundation and plant structure construction.

Before the second tender is awarded this summer, staff will have its updated detailed design and financial model completed to present to Council that includes the updated project cost, borrowing and the legislative process.

Anticipated Cost for Design, Construction and Borrowing

As outlined by our Chief Administrative Officer during the March 24, 2020 regular Council meeting, the difference in debt payment (design, construction and borrowing) for future RVWTP users is estimated to rise from \$116 today to \$150 in 2022 – a difference of \$34.

This means the total cost to design, build and finance the RVWTP would result in no more than a \$34 increase from what users pay today.

As part of the annual water rate bylaw for the next two years, staff would propose a small water utility rate increase once per year in planned increments for the RVWTP:

- The 2021 increase would be \$13 for a total of \$129.
- The 2022 increase would be \$21 for a total of \$150.
- In 2023, there would be no further increases for design, construction and financing the plant. The \$150 debt payment would then be shifted from the water utility bill into a parcel tax to allow for tax deferment options.

Please also refer to the pie charts and infographics in Attachment 1 of this report.

Before the City can award the second tender this summer, a borrowing bylaw must go before Council – why?

- To award the second tender with cost and payment certainty, the City would first need to determine if there is local service area (majority) opposition to an increase of \$34
- To ensure the City does not lose its \$41 million grant funding
- To keep construction on-schedule so the plant goes into operation in 2022
- To deliver Council's top-priority project to provide clean, safe and reliable drinking water to future RVWTP users in 2022

Staff are highly sensitive to the community impacts of COVID-19 and want to assure RVWTP users that when the borrowing bylaw is ready for Council's consideration this summer, the annual debt repayment (by 2022) of no more than \$150 per property includes the \$34 increase.

Helping To Ease The Financial Hardship of COVID-19:

As part of Council's direction to staff to help ease the financial hardship of COVID-19, staff has also identified these factors:

- **Construction costs are lower with an increased competitive market** – staff have now established a pre-qualification process for the second tender to allow for greater cost competitiveness with interested construction companies. Since the economic slow-down with COVID-19, the market has responded favourably on other capital projects with lower unit pricing.
- **Anticipated water rate increases may be lower** – West Kelowna is receiving continued development applications (despite COVID-19) in the area where new users will pay into the new system. This is expected to reduce the amount that users will pay in 2022. Additionally, with construction costs decreasing and if the City is successful in receiving a grant for water system interconnections (\$M), the City would borrow less. This means that despite previous project cost escalation (new land, updated design, increased pumping stations etc), the amount users would pay starting in 2022 may be lower with more new residents sharing the cost.
- **Shifting the debt payment into a parcel tax in 2023 for RVWTP users** – by simply shifting the water rate debt payment (\$150) portion into a parcel tax, qualifying residents could defer the \$150 as many do with their taxes (staff are also looking into this for existing Powers Creek water users). This would allow our community to have greater flexibility with payment options.

Next Steps: Staff anticipate providing a Report to Council this summer including the updated project value (\$M) factoring in the new land purchase, updated design and construction of the plant, borrowing process recommendations, etc. The RVWTP increase proposed in staff's report will remain at no more than \$34.

Staff would like to sincerely thank our community for their understanding that we must go forward and present a borrowing bylaw to Council this summer even during these unprecedented times with COVID-19. This is a priority in order to keep the project on-schedule.

Informing and engaging the community leading up to and throughout the legislative borrowing process remains very important. Until further notice, this would be completed virtually through the use of small group and one-on-one information sessions, Webex/Zoom meetings, digital handouts, news releases/media interviews and so on. Staff kindly asks the public to sign up to receive e-updates via the website at www.westkelownacity.ca/subscribe.

GLENROSA-MCIVER ROAD UPGRADES BEGIN

BC General Contracting is mobilizing to the project corridor and scheduled to begin construction from mid-May through early 2021 (note their schedule and procedures are being updated to adhere to the current COVID-19 public health orders).

A project kick-off letter was mailed to nearly 1,200 area residents at the end of April, staff updated the Glenrosa Community Association, updates were posted on the City's website, newspaper ads were placed and awareness was created through our social media channels.

Major stages of activity for this significant infrastructure investment include:

- Site mobilization, area clearing and utility relocation
- Implementation of temporary traffic detours
- Foundation and grading roadworks
- Sidewalk, curb and gutter work
- Road paving and area restoration

Next Steps: Staff will keep the community updated as the contractor's staging and traffic management plans are confirmed. Ongoing updates will also be located on the project webpage: www.westkelownacity.ca/glenrosamciverupgrades.

GELLATLY BRIDGE REPLACEMENT COMPLETED

The new Gellatly Bridge over Powers Creek infrastructure opened to the public on May 1, 2020, on time and within budget. Bridge replacement construction began in January 2020, and despite minor service changes during COVID-19, the project finished on schedule and incurred no cost overruns. Along with the opening of the bridge, Rotary Trails Park and parking lot, which crews used for a construction staging area, have also reopened.

Just to recap, the new bridge is a 14-metre long precast concrete girder bridge on cast-in-place concrete abutments, founded on 10 steel-pipe piles. The structure has a life expectancy of 75 years. The new span features an added sidewalk on the upstream side of the bridge and includes dedicated cycling lanes. The old wooden deck, which required routine maintenance, has been replaced with a far more durable asphalt surface. Another key component of the project was adding resiliency to withstand the effects of climate change. In 2017 and 2018, flooding significantly impacted the structure, forcing a full closure of the bridge. The design incorporates a much higher elevation capable of accommodating 1-in-200-year flows of Powers Creek.

Next Steps: Crews will return to the site to complete in-stream work in August to avoid disruption to fish habitat. This phase includes the final installation of channel rip rap and embankment protection. Minor delays to vehicle traffic may occur for about two weeks, if required, but pedestrian/cyclist access is expected to be maintained.

POWER REDUNDANCY PROGRESS

Council and staff have been championing power redundancy since 2007 and we can confirm this project is moving forward. By way of background, in 2018 as part of the West Kelowna Transmission Project, BC Hydro indicated they would be pursuing the most viable option of a redundant (second) transmission line. However, in late 2019, BC Hydro presented to Council that power resiliency was looking more probable. Escalating costs and the order of priority for competing power projects remained key factors with the Ministry's decision-making, and staff continued to press on by broadening discussions with FortisBC to review alternative options.

In mid-April, Mayor Milsom, West Kelowna senior staff along with MLA Ben Stewart conducted a call with Honourable Bruce Ralston, Minister of Energy, Mines and Petroleum Resources, as we continue to advocate for a redundant power solution. The City strongly advocated to the Minister conveying how great the human risk is of a very probable power loss to the 70,000 people served by the single power line, particularly with a continued rapidly growing community and the increase in flood and fires in our area. The current single-source power infrastructure is located through very rough terrain between Merritt and West Kelowna and currently serves all of West Kelowna, Westbank First Nation and Peachland.

The City was pleased to receive a letter from BC Hydro in late April 2020 reaffirming that this capital project is proceeding and that, based on their detailed review and evaluation, a resiliency alternative would not protect the existing, single transmission line from wildfires. Thus, BC Hydro has abandoned the resiliency option and are working with FortisBC to determine the feasibility of what they refer to as "Alternative 3d" – to build a second (new) transmission line connecting the Westbank Substation to the FortisBC system with new infrastructure work from BC Hydro that generally includes:

- A new substation on Westbank First Nation land or in the City of West Kelowna;
- Transmission line to connect the new substation to FortisBC's Saucier substation in Kelowna; and
- Distribution line to connect the new substation with the existing Westbank Substation in the City of West Kelowna.

Along with consulting with the City of West Kelowna on the way forward, BC Hydro indicated they are in continued discussions with the Westbank First Nation.

Next Steps: BC Hydro is scheduling an online meeting in late May with senior City staff to provide a high level overview of Alternative 3d and discuss any areas of concern or opportunity. Subsequently, BC Hydro would arrange to present Council this summer with an update of their analysis, feedback, progress and next steps.

PLAN FOR CITY HALL

Council's top priority project to help the community remains the Rose Valley Water Treatment Plant, and helping the community during the unprecedented events of COVID-19. No significant activity for the planning of West Kelowna's first City Hall has taken place since the Chief Administrative Officer's last Report to Council on February 11, 2020. There is currently no estimated target date for a staff report to Council.

Staff would also like to reassure the community that the planned community-wide consultations outlined in the February report (Preliminary Design Consultation and Detailed Design

Consultation Programs) will definitely occur to ensure that community feedback is incorporated. No updated project timeline has been established as staff address other priority projects.



ECONOMIC GROWTH AND PROSPERITY - to advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute toward prosperity for all.

ECONOMIC RECOVERY STRATEGIES: COVID-19

The focus of local and regional economic response and recovery from the COVID-19 pandemic is a top priority of staff. A number of strategies and initiatives have been implemented by all levels of government, which has been outlined in today's Council reports provided by Mr. John Perrott, Economic Development and Tourism Manager with the City and are not repeated here.

SPECULATION AND VACANCY TAX STATUS

Council passed a resolution at the February 25, 2020 Council meeting that was sent to the Ministry of Finance as part of continued efforts to have the City removed from the Speculation and Vacancy Tax (SVT).

In fall 2019, Council and staff met with the Minister of Finance to provide the justification for allowing West Kelowna to opt-out of the SVT. City staff also provided the Minister with comprehensive facts that demonstrated why the City of West Kelowna does not fit the criteria and objectives of the SVT, especially that our City is not an 'urban centre.' Following the City's submissions to the Ministry of Finance, no reply was received so Council proceeded to pass a resolution reiterating to the Ministry that West Kelowna should be removed from the SVT.

In 2019, the vacancy rate increased higher than the provincial average to 2.7 per cent, up from 1.9 per cent in 2018. This increased vacancy rate is, in part, attributed to the hundreds of new rental housing units provided in the City of West Kelowna. Further, the significant funds collected from our property owners subjected to the SVT in West Kelowna have not yet been received or reinvested into the West Kelowna housing market.

Next Steps: In-person meetings with the Minister of Finance have been postponed until further notice during COVID-19. In early May, Mayor Milsom sent a follow-up letter to Honorable Carole James, Minister of Finance requesting an online meeting this spring. Removing West Kelowna property owners from the SVT is an additional measure to help ease the financial burden of COVID-19.



STRENGTHEN OUR COMMUNITY - to 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.

COMMUNITY VISIONING

The Community Visioning project continues to be a priority, knowing that the outcome will serve as the building blocks for the Official Community Plan update in 2021. With COVID-19, staff have been working hard to reconfigure the work plan to focus on digital engagement opportunities, while still allowing for potential limited in-person engagement opportunities, as may be possible. Based on the progress of COVID-19 recovery efforts, staff will be bringing a report to Council in the near future outlining updates to the project.

PUBLIC COMMUNICATIONS AND ENGAGEMENT

Prior to and throughout COVID-19, staff have increased the use of digital communications to keep our community informed and engaged primarily through video and social media posts. A new look for our e-news is also on the horizon this spring that will incorporate images with text updates that would be scaled for easy viewing on all mobile and desktop devices.

Staff are also developing a new Communication and Engagement Policy that would be presented in draft for Council's consideration. Staff would recommend consulting with the community about the tools and methods that have worked well since incorporation, what enhancements that stakeholders and the public would like to see and so on.

Additionally, staff are developing the City's first Communications and Engagement Plan as a framework to support corporate and departmental objectives and outcomes. This would also include input from our local media as we continue to increase access to information and support their changing needs, particularly with daily updates provided during and after the COVID-19 response and recovery.

Next Steps: Staff anticipate providing Council with a draft Communications and Engagement Policy this spring followed by a draft Communication and Engagement Plan this summer.



FOSTER SAFETY AND WELL-BEING - to pursue through direction action, advocacy, and partnerships with Westbank First Nation and local service providers, investments in community health, needs-based housing, emergency preparedness, policing, and other services that foster safety and well-being.

WINTER SHELTER DECOMMISSIONING

On March 31, 2020 and as originally planned, BC Housing and the West Kelowna Shelter Society (WKSS) decommissioned the temporary emergency winter shelter located at 1160 Stevens Road. At the time of decommissioning, the City was advised by WKSS that 11 individuals staying at the shelter would be without adequate housing. BC Housing and the WKSS advised the City that they

are working toward a transition solution that was changing daily with the rapid outbreak of COVID-19.

City Bylaw Officer's indicated that during emergency shelter operations, the increased calls to the 1160 Stevens Road location was not significant and no increase in budget or resources were incurred.

The West Kelowna RCMP provided staff with the following statistics from when the shelter opened on January 24 until it closed on March 31, 2020:

- The entire City of West Kelowna files responded to during that time was 2209 compared to 2193 files in 2019, which is an increase of 16 files city-wide.
- The area near the shelter location, including shelter site was 134 files responded to compared to 54 files in 2019, which is an increase of 80 files.
- Attendance to the 1160 Stevens Road site was 53 files compared to 0 in 2019, as the lot was empty.

Staff are in regular contact with BC Housing and the WKSS as all organizations continue to work together to help the vulnerable community during and after COVID-19.

URGENT AND PRIMARY CARE CENTRE ADVOCACY

A Primary Care Network (PCN) with the Interior Health Authority (IHA) is a clinical network of health care providers in geographic areas in British Columbia (BC) where patients received expanded, comprehensive care, and improved access to primary care. For the Greater Westside, this would include IHA's intent to attach patients to doctors who are not currently attached (e.g. using walk-in clinics) by potentially establishing an Urgent and Primary Care Centre in the City of West Kelowna.

Council has been advocating for increased health care facilities and services on the Greater Westside for many years. Most recently, in September 2019, Council and staff met with the Minister of Health, Honorable Adrian Dix, at the Union of British Columbia Municipalities (UBCM) as part of the City's continued advocacy for increased health services specific to the Greater Westside area. Preliminary feedback from the Minister suggested that the Ministry is focussing on a PCN model for short and long-term care and facilities across the province.

Subsequently, Mayor Milsom and senior staff have participated in several meetings with senior staff at IHA and the Ministry to discuss increased comprehensive care specific to the Greater Westside. In light of COVID-19, staff have been conducting regular update calls with IHA and/or Ministry staff, including participation in a call hosted by MLA Ben Stewart on March 3, 2020.

Next Steps: IHA staff anticipate scheduling a progress update call with West Kelowna City staff later this month, subject to potential delays with managing the competing priorities of COVID-19.

ADDITIONAL BYLAW COMPLIANCE CAPACITY TO RESPOND TO COVID-19

With recent orders from BC's Provincial Health Officer specifically during COVID-19, our City Bylaw Enforcement Officers now have additional public education responsibilities and the ability to ensure compliance with various Provincial requirements. As such, the Bylaw Compliance team has seen almost double the number of calls compared to this time last year. The City has been able to recruit personnel to address this need, with the ability to recover some of the additional

expenses from the Province. The team is currently onboarding new personnel, while continuing to address ongoing Bylaw Compliance needs.

FINANCIAL IMPLICATIONS:

Financial impacts of these projects are included within current capital and/or operating budgets, with the exception of the Rose Valley Water Treatment Plant future borrowing consideration to be brought forward for Council's consideration this summer.

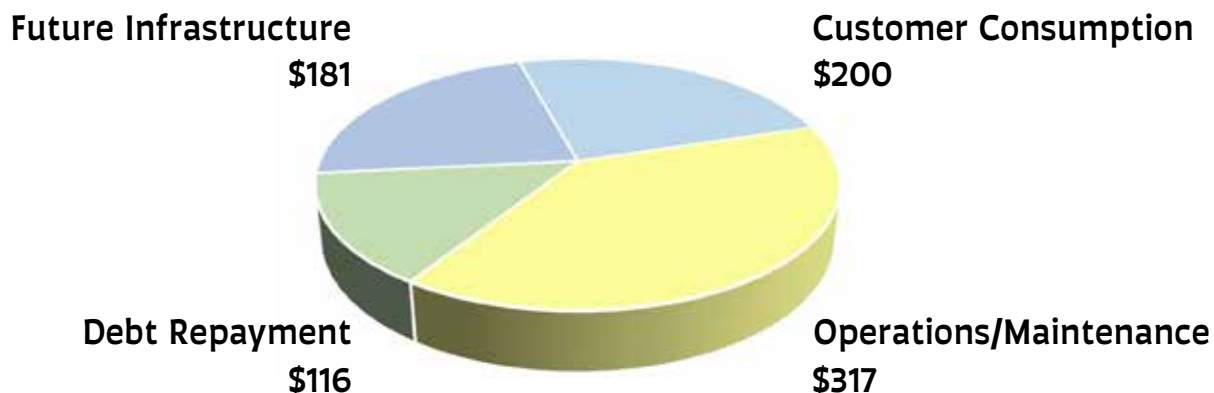
PowerPoint: Yes ☐ No ☒

Reviewed and Approved By:

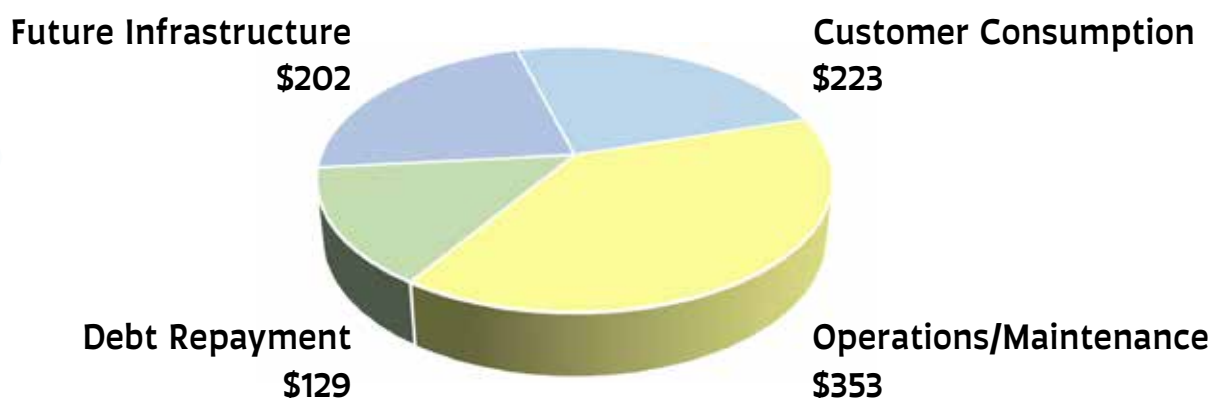
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Attachments: Balancing Out The Costs Infographics

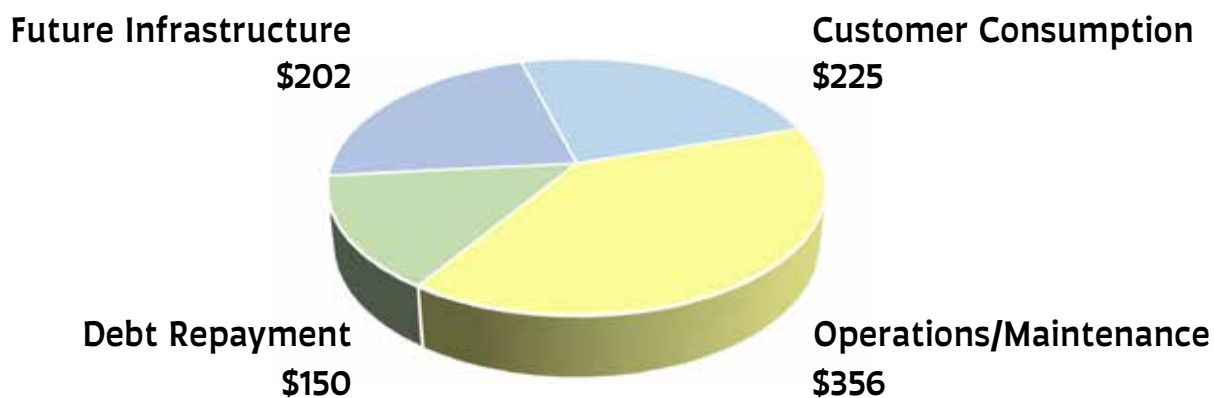
2020 - \$815



2021 - \$907



2022 - \$933



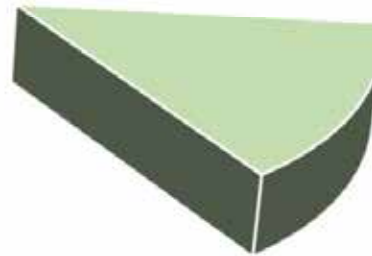
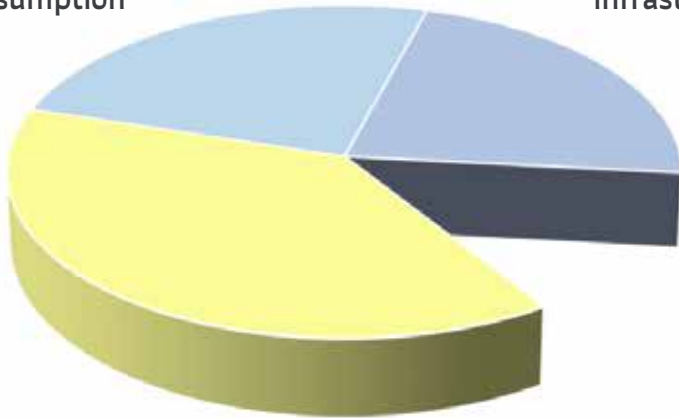
Balancing Out the Costs

FROM WATER RATES

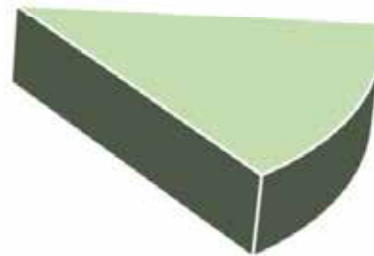
\$225 for your consumption

\$202 for future infrastructure

\$356 for operations and maintenance



TO PARCEL TAX



\$150



\$150 is removed from your annual utility bill

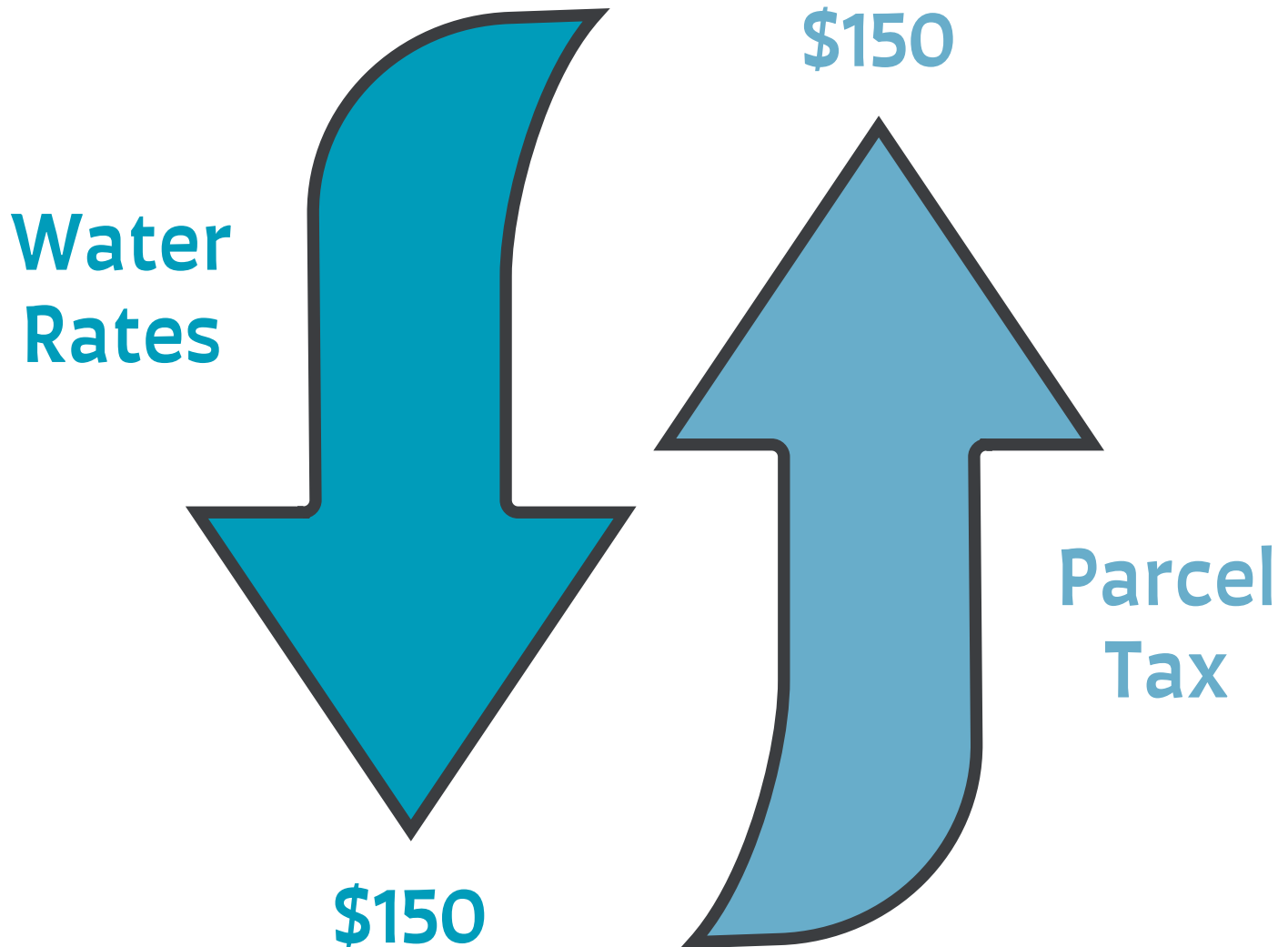


Page 66 of 93



Giving you a choice to pay your share up front or through a parcel tax of \$150 per year for 25 years.

Balancing Out the Costs



The parcel tax lowers your annual utility bill by \$150 and gives you a choice on how to pay for your portion of the water treatment plant - all at once, up front, or added as a \$150 annual parcel tax paid over 25 years.



COUNCIL REPORT
Corporate Initiatives
For the May 12, 2020 Council Meeting

DATE: May 5, 2020
TO: Paul Gipps, CAO
FROM: John Perrott, Economic Development & Tourism Manager
RE: Economic Development Committee End of Term Review

RECOMMENDED MOTION:

THAT Council reappoint Laurie Evans, Chris Kotscha, Tyler Neels, Michael Porter, Lorrie Whiteway and Nick Wizinsky to the City of West Kelowna Economic Development Committee for a term ending October, 2022 or until such time that successors are appointed.

RATIONALE:

The City's Economic Development Committee held its first meeting of the current term in April 2018 and concluded its final meeting in April 2020. As identified within the Terms of Reference, Council can review and assess the Economic Development Committee (EDC) following the conclusion of the term to ensure that the scope, mandate, and operation of the committee met the expectations of Council and the community.

BACKGROUND:

Members of the City's Economic Development Committee were appointed by Council on February 27, 2018. The first meeting of the Committee was on April 10, 2018 with the purpose to provide advice to Staff and Council on matters relating to the local economy and business issues in West Kelowna. As outlined in the Economic Development Terms of Reference (Attachment A), the Committee concluded their final meeting on April 21, 2020, 24 months after their first meeting.

The Committee was comprised of seven voting members: Chair Lorrie Whiteway, Laurie Evans, Stephen Johnston (2018), Chris Kotscha, Tyler Neels, Nick Wizinsky, and the Greater Westside Board of Trade appointees Craig Garries (2018/2019) and Calvin Barr (2019/2020). Michael Porter was appointed on March 26th, 2019 to following Stephen Johnson's resignation due to being elected to City Council. Krista Mallory attended as a non-voting member appointed to represent the Central Okanagan Economic Development Commission. The committee was supported by John Perrott, Chris Oliver, and Salina Petschulate-Curtis from the City of West Kelowna.

Committee members met 14 times over the current term, reviewing annual Economic Development and Tourism operational plans, reviewing the current multi-year Economic Development and Tourism Strategy, reviewing and providing comment on various development

applications, and sharing insights and observations relating to the local economy utilizing their professional and community background and networks.

Staff have benefitted greatly from the collective knowledge, contributions, and connections from the committee members over the course of term in terms of supporting Council's goals for expanding the economy, increased employment, and community development.

Prior to the conclusion of the current term of the EDC, members reviewed the committee's Terms of Reference and provided the following feedback for Council to consider:

- Members appreciated the opportunity to learn about the community and upcoming projects through their involvement with the EDC.
- Members were interested for Council to consider whether to extend the term of the committee and/or consider staggering member terms to increase continuity of the committee.
- Members were happy to review and provide input on economic development and tourism operational plans, be a sounding board for staff, and be a conduit of information from their networks into City Hall.
- Members commented that they believe that their backgrounds, education, and expertise could be better utilized to provide input on City plans and strategies (e.g. strategic plans, official community plans, etc) beyond economic development and tourism that would help shape the future of the community.
- Members were curious about whether shifting to a monthly meeting schedule would provide an opportunity to provide input and comment on more applications without impeding the development application process.
- Members enjoyed participating in numerous community outreach activities as representatives of the EDC including the annual businesses walks, business visits, and community business events on the Greater Westside.
- Members appreciated the composition of the committee members.

The last meeting of the EDC for their term occurred virtually on April 21, 2020 during the heart of the response phase of the COVID-19 event. During this meeting, members of the committee were able to provide updates on the impacts, both negative and positive, that they were hearing and seeing from their professional and personal networks to City staff. Members were also able to provide a number of suggestions for ways in which the City could support businesses in the coming weeks.

At the time of writing this report, there are indications from the BC Provincial Health Officer and Provincial Government that some of the restrictions on individuals and businesses due to the COVID-19 pandemic put into place on March 17, 2020 will begin to ease in the coming weeks. This will result in beginning the transition from response activities (support during the emergency event) to recovery activities focused on supporting the economy to return towards pre-COVID-19 levels. By extending the term of the EDC until October 2022, staff and members of Council will benefit from the continuity existing committee members can provide as they work on identifying recovery phase initiatives while aligning their term to that of Council.

NEXT STEPS:

Should Council extend the current term of the existing members of the Economic Development Committee, members would be notified of the extension, a new meeting schedule established, and the next meeting scheduled for late May or early June based on the availability of committee members.

Should Council wish to establish a new committee and advertise for new members, the next steps would include:

- Staff would advertise for new members and accept applications
- Staff would prepare a report for Council to consider and appoint applicants
- Staff would develop a meeting schedule and advise new committee members

FINANCIAL IMPLICATIONS:

When the Economic Development Committee was established in 2016, it was provided with an annual budget of \$4,000 for committee costs. Since then, committee costs have been reviewed annually by staff and adjusted to \$800 based on actual expenses as part of the Council approved 2020 Economic Development & Tourism budget.

ALTERNATE MOTION(S):

THAT Council direct staff to advertise for interested individuals to serve as a member of a new term of the Economic Development Committee.

REVIEWED AND APPROVED BY:

Sandy Webster, Director of Corporate Initiatives
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

PowerPoint: Yes ☒ No ☐

Attachments:

Attachment A: Economic Development Committee Terms of Reference



TERMS OF REFERENCE

Economic Development Committee

1.0 Introduction:

The Economic Development Committee (“EDC”) will assist City of West Kelowna staff and Council in supporting, enhancing, and promoting business and economic activity within West Kelowna. The Committee’s role is to review, advise, and support West Kelowna Council (“Council”) on matters relating to the local economy and business community, and to act as a liaison between Council and the business community.

The Economic Development Committee has been established by Council in accordance with these adopted Terms of Reference. Committee members are bound by these Terms of Reference, and the Committee recommendations are non-binding and intended to be advisory in nature.

The provisions of Council’s Procedure Bylaw govern the procedure of the EDC.

2.0 Mandate and Scope:

The Economic Development Committee shall provide advice to Staff and Council on matters relating to the local economy and business issues in West Kelowna including:

- Promote sustainable community economic development activities in the City including marketing of the community;
- Provide advice and support on regional, national, and international economic trends affecting the Municipality as well as the Municipality’s strengths, weaknesses, and threats from a competitive and comparative prospective;
- Participate in an annual economic development planning event to help provide input on economic development activity planning;
- Provide advice and support to the City in its economic development initiatives including, but not limited to:
 - Provide input into the annual economic development strategy;
 - Providing input into Economic Development marketing materials on the City;
 - Exploring opportunities for strengthening the municipality’s business and tax base including marketing and partnerships initiatives;
 - Promoting job creation and business retention;
 - Reviewing and advising Council on any matters referred by Council.

3.0 Structure and Operation:

3.1 Membership:

- 3.1.1 The EDC shall consist of up to seven (7) voting members appointed by the City Council who meet the membership criteria as outlined in these Terms of Reference. Included as a voting member of the EDC, at the appointment of Council, will be a representative from the Greater Westside Board of Trade. Non-voting members may attend and participate in the Committee.
- 3.1.2 Non-voting members may include:
- Representative from Council
 - Representative from the Central Okanagan Economic Development Commission (staff or advisory board member).
 - An academic representative actively involved in business research;
 - Representative from the Provincial government;
- 3.1.3 Members will be selected from the business community at large on the basis of their demonstrated interest and participation in business matters; academic or technical qualifications; availability; work and volunteer experience; knowledge and professional expertise.
- 3.1.4 Members will generally be a West Kelowna business license holder or employed by a West Kelowna licenced business. Others may be considered where they have professional experience or other required qualifications not represented on the committee.
- 3.1.5 Areas of expertise that may be sought include:
- Manufacturing
 - Retail or Restaurant
 - Tourism
 - Agriculture
 - Aviation
 - Professional Services (i.e. Accounting, Legal, Health Care, Technology, etc.)
 - Land Development (i.e. Developer, Construction, or Real Estate)
- 3.1.6 Participation in the committee is voluntary.
- 3.1.7 Voting members of the EDC shall generally participate as independent members at EDC meetings, not as a representative of another body of which they may be a member, employee, or owner.
- 3.2 Reporting to Council:
- 3.2.1 Recommendations of the EDC must be adopted by committee resolution and recorded in the minutes prior to presentation to Council.
- 3.2.2 City staff will incorporate the EDC recommendations, where applicable, as part of the Staff Report to Council on the applicable development proposal, plan, bylaw, or policy. Committee minutes will be placed on the Council agenda for information only.
- 3.2.3 The Economic Development Officer will include Committee activities updates as part of quarterly reports to Council.
- 3.3 Appointment Process and Term:

- 3.3.1 The Appointments to the EDC shall be by resolution of City Council.
- 3.3.2 Appointments are for a two (2) year term, with a maximum continuous tenure of three (3) consecutive two (2) year terms.
- 3.3.3 The first term of the Committee is to expire 24 months after the initial meeting.
- 3.3.4 Upon expiry of a member's term of appointment, the member may be re-appointed for another term by Council if eligible. If a member has served the maximum tenure permitted, Council shall appoint a replacement.
- 3.3.5 Members who have served the maximum tenure permitted are subject to a mandatory one (1) year absence from the Committee prior to seeking re-appointment for any subsequent term.
- 3.3.6 Members may also be appointed for shorter or more flexible terms in consideration of special circumstances, e.g., student representative, non-resident expert, or to fill a prematurely vacated term.
- 3.3.7 Council will review and assess the EDC after 24 months of operation to ensure that the scope, mandate, and operation of the committee meet the expectations of Council and the community.

3.4 Remuneration:

- 3.4.1 Members of the Committee shall serve without remuneration, but may be paid reasonable and necessary expenses directly arising from the performance of their duties as pre-approved by the General Manager of Development Services.
- 3.4.2 Staff will administer any budget allocation for Committee expenses.

3.5 Vacancies:

- 3.5.1 The Council, may, at any time, terminate the appointment of a member for cause.
- 3.5.2 Committee members who are absent for three (3) consecutive meeting shall forfeit their appointment, unless such absences are authorized by resolution of the Committee.
- 3.5.3 A member of the Committee may resign at any time upon sending written notice to the General Manager of Development Services.
- 3.5.4 Council retains the right to appoint a new Committee member to fill the vacancy for the remainder of the unexpired term should a vacancy occur on the EDC due to the above circumstances, or in the event of the death or disability of a member.

3.6 Conflict of Interest:

- 3.6.1 If a Member attending a meeting of the Economic Development Committee considers that he or she is not entitled to participate in the discussion of a matter or to vote on a question in respect of a matter because the Member has a direct or indirect pecuniary interest in the matter or for any other reason, the Member must declare this, state the general nature of why the Member considers this to be the case, and leave the meeting during the discussion of the matter.

Public Relations:

- 3.7 When speaking in public or to the media on an issue, Committee members must distinguish whether they are speaking as a member of the EDC, or as a representative of another agency, community group, business, or as an individual.
- 3.8 Committee members need to convey the public interest and remember that they represent the City of West Kelowna. This means they must be consistent with the City's position on specific Issues.

4.0 Meetings Procedures:

4.1 Chairperson / Deputy Chairperson

- 4.1.1 The Committee shall elect a Chairperson and a Vice-Chairperson at their first meeting each year. This vote requires the participation of no less than two thirds of the Committee membership.
- 4.1.2 The Chairperson is appointed to a term of one year.
- 4.1.3 In the absence of the Chairperson, the Vice Chairperson will serve as the acting Chairperson for the meeting. Should the Chairperson or Vice Chairperson not be in attendance, the Committee may elect an Acting Chairperson from those members present at the individual meeting.

4.2 Frequencies of Meetings:

- 4.2.1 The committee will meet up to eight (8) times throughout the year with additional meetings added at the determination of Staff, Council, or the Committee.
- 4.2.2 The Chairperson may call a meeting in addition to the scheduled meetings or may cancel a meeting.
- 4.2.3 After the Committee has established its annual meeting schedule of meetings, including the time, date, and place of the meetings, notice of the schedule must be given by:
- Providing a copy of the schedule to each member of the Committee;
 - Posting a copy of the schedule at the applicable Public Notice Posting Place; and the municipality's website.

4.3 Quorum:

- 4.3.1 The minimum number required for a quorum is considered to be half of the active committee membership plus one;
- 4.3.2 If there is no quorum present within 30 minutes after the time appointed for the meeting, the names of the members present shall be recorded and the meeting shall be adjourned.

4.4 Open and In Camera Meetings:

- 4.4.1 Unless otherwise authorized by the *Community Charter*, all meetings will be held in open session and in a location accessible to the public.
- 4.4.2 Unless otherwise authorized by the Committee through Council's Procedure Bylaw, the public shall only address the Committee when they are a scheduled delegation on the Committee meeting agenda.

- 4.4.3 Requests by any person(s) wishing to appear before the Committee as part of a delegation must follow Council's Procedure Bylaw.
- 4.4.4 The Committee may from time to time invite individuals or representatives to attend and participate in a meeting. This may include making presentations.
- 4.5 Agendas and Information Packages:
 - 4.5.1 Agendas and Information Packages will be provided to Committee members at least three (3) working days prior to the scheduled meeting date.
 - 4.5.2 The order of business for the meeting shall be governed by the agenda. Late agenda items will be governed by Council's Procedure Bylaw.
- 4.6 Minutes:
 - 4.6.1 Minutes will be recorded by City staff recording secretary for all Committee meetings and shall:
 - Record the motion and voting on all resolutions;
 - Be secured at the Municipal Hall offices and signed by the Chairperson and recording secretary as true record of the decisions made;
 - Be subject to correction at the next Committee meeting; and
 - Be available to the public upon request and on the municipality's website.

5.0 Staff Support:

Legislative Services will coordinate the process for new appointments including advertising for applicants, review of applications, and bring appointment recommendations to Council for approval.

The Chief Administration Officer will delegate the Economic Development Officer and/or Senior Staff to act as a Staff Liaison for the Committee to provide support and resources as needed, and as allowed by Council priorities and operational workload. The Committee does not direct the Staff Liaison, nor can they request other staff resources. Such requests must go through the Chief Administration Officer or Council.

Development Services will provide administrative, technical and secretarial support for the EDC.

Typical support functions include:

- Organizing and preparing meeting agendas;
- Distributing the agenda, forwarding information packages to Committee members, posting notices of meetings at the City's office and contacting applicants;
- Presenting the technical information to the Committee relevant to the annual Economic Development Strategic Plan.
- Taking and preparing draft minutes, and providing final minutes to Committee members and staff;
- Receiving all correspondence and preparing reports on behalf of the Committee;
- Maintaining a list of outstanding issues for committee action;
- Assisting the Committee with special projects such as tours, educational materials and workshops.



INFORMATION ONLY COUNCIL REPORT
Corporate Initiatives
For the May 12, 2020 Council Meeting

DATE: May 5, 2020
TO: Paul Gipps, CAO
FROM: John Perrott, Economic Development and Tourism Manager
RE: COVID-19 Economic Development and Tourism Response Update #1

EXECUTIVE SUMMARY:

This report provides members of Council with an update on the City's Economic Development and Tourism response efforts to date in regards to the COVID-19 pandemic.

2020 – 2022 STRATEGIC PRIORITIES OF COUNCIL:

Economic Growth and Prosperity – to advance opportunities to expand our economy, increase employment, and develop a community in ways that contribute toward prosperity for all.

BACKGROUND:

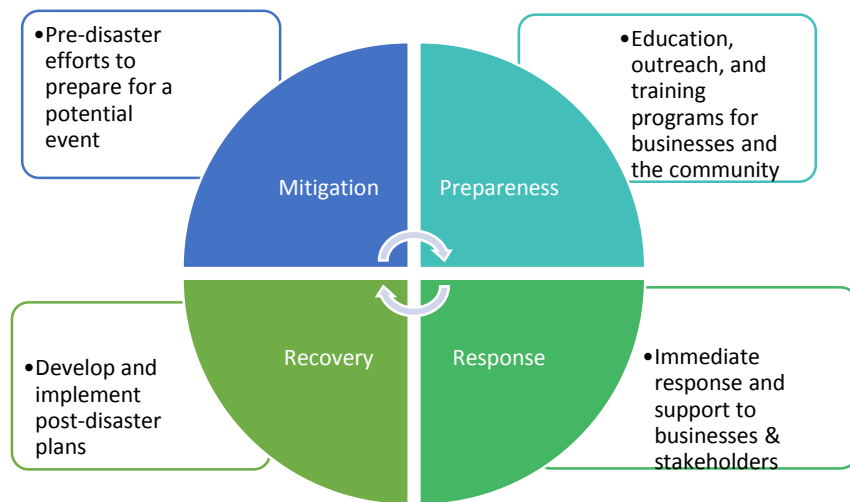
The City's Economic Development and Tourism office is part of the Corporate Initiatives Department and is responsible for being the primary point of contact for businesses to City Hall, to provide initiatives and services that benefit businesses and entrepreneurs, welcome new business and investment into the community, and manages the Visit Westside cooperative destination management program. The office is resourced by two full-time staff: the Economic Development and Tourism Manager and the Economic Development and Tourism Coordinator. Visitor Services are traditionally delivered through a seasonal contract (May to Thanksgiving) with the Westbank Museum.

On March 17, 2020, British Columbia (BC) Provincial Health Officer Dr. Bonnie Henry declared a public health emergency in BC that resulted in the immediate temporary closure of all restaurants, bars, nightclubs and pubs with some shifting to take out only. Other businesses also adopted new social distancing measures. Additionally, Dr. Henry encouraged individuals to cease travel and stay home unless necessary to procure household supplies and medical care. Similar directives were emulated across the country as provincial and federal governments looked to protect citizens during this pandemic.

These dramatic directives have had immediate effects on every level of the economy with varying levels of impact depending on the industry and business type. Fortunately, each level of government immediately began looking at financial supports and programs to provide relief to individuals and businesses impacted by COVID-19. Within days, many federal programs were announced to provide businesses and affected staff with financial support. At the local level,

municipalities and community groups started to look at various emergency protocols and plans to support public safety and operational continuity.

Unfortunately, in BC many communities and regions have experienced significant economic disruption over the past decade due to forest fires, floods, and industry shutdowns. As a result, the British Columbia Economic Development Association in collaboration with other economic development agencies developed “The Recovery and Resiliency Roadmap: A Toolkit for Economic Preparedness” to assist communities when faced with economic disruption. From this toolkit, an adapted version of the “life cycle emergency management model,” as shown below, identifies the various stages of a response model for communities.



Unlike the economic disruptions previously experienced in communities around the province where events resulted in limited duration response phases (e.g. days or a few weeks) and generally isolated to a specific area (i.e. community or region), this COVID-19 impact is vastly different. This event is resulting in a multi-month response period that impacts at a local, national, and international level.

In discussions with other economic development professionals around the province, response activities vary in each community based on available resources, the capacities of local business support organizations, and the diversity of their community economies. Some communities have found success with their ability to collaborate with their local independent business groups (e.g. Chambers, Tourism, Community Futures, etc) to implement outreach supports to their businesses while others took the lead in their communities with programs outside of their traditional scope.

Within the Central Okanagan, local governments, business support organizations, and industry groups began to initiate response efforts almost immediately. Weekly virtual meetings were scheduled and implemented to facilitate collaboration amongst the various business support organizations to distribute information, administer aid programs, and provide individual guidance. This group has evolved to become the Central Okanagan Economic Development Commission's Economic Response Team who will work to “provide support and services to help Central Okanagan businesses respond to the immediate economic impact of COVID-19” (Attachment A).

It is vital that the City's Economic Development and Tourism office work in collaboration with not only Greater Westside partners like the Westbank First Nation and the Greater Westside Board of Trade, but also with a range of service providers and organizations within the Central Okanagan and beyond to provide a wide range of support to local businesses. With so many organizations,

government initiatives, and group all working to provide support, communication and coordination is critical to reduce the number of instances of unintentional overlaps.

CITY ECONOMIC DEVELOPMENT RESPONSE:

Beginning on the week of March 16, the City of West Kelowna's Economic Development and Tourism staff rapidly shifted away from planned economic development and tourism activities to conducting outreach to businesses in West Kelowna and developed response initiatives. These efforts have been based on feedback gathered from West Kelowna businesses that are within a local government's authority and resource capabilities.

As the recovery phase for this event has stretched over several months so far, activities have been separated into phases to address opportunities and challenges associated with what businesses are facing during each period. At the time of this report, Phase I and II are completed, and work has begun on Phase III for the period of May 4 to 22, 2020. There is indication from the BC Provincial Health Officer that some restrictions may be begin to be lifted during this period and if they are, activities may pivot away from response activities toward recovery activities.

Phase I Activities - March 16 to April 3, 2020

Economic Development Activity Highlights:

- Research of best practice economic response activities
- Reminder to front line staff in City Hall to refer any incoming business support inquiries to the Economic Development Office
- Outreach to business service support organizations to understand their referral processes and what types of business supports they were able to provide
- Frequent outreach with regional Economic Development partners to identify response activities, available resources, and areas for potential collaboration
- Development of a spreadsheet tracking business impacts in the community
- Links on the City's COVID-19 website to provincial and federal support programs for businesses and individuals
- Outreach to Council's Economic Development Committee outlining activities underway and encouraging referrals and feedback from members
- Collaborating with Board Members and Staff at the Greater Westside Board of Trade for COVID-19 response activities to benefit local businesses

Tourism Activities Highlights:

- Deployment of weekly newsletter to Greater Westside tourism stakeholders/businesses with information available on federal business support programs, local resources for businesses, etc.
- Development of new Industry website page with resources and a website page outlining the operating status of local restaurants and tourism attractions initially used by hoteliers to direct patrons, then promoted out to the public
- Continued work on annual tourism publications (e.g. Visitor Guide, Hiking Brochure, Farm Loop Brochure, etc) in preparation for electronic distribution and possible print distribution following easing of travel restrictions on the advice of Destination BC
- Refocusing on social media posts to align with Destination BC's recommendation to #explorebclater while still working to provide content to maintain the Westside as top of mind for future visitation:



facebook.com/visitwestside
1,347 Followers



instagram.com/visitwestside
2,182 Followers



@VisitWestside
4,744 Followers

- Outreach to tourism businesses (e.g. wineries, farms, hoteliers, etc) to identify and understand COVID-19 related impacts on businesses and to identify potential support activities

Phase II Activities – April 6 to May 1, 2020

Economic Development Highlights:

- Ongoing outreach to some West Kelowna businesses to ascertain impacts COVID-19 has had on their operations and if any support is required
- Ongoing outreach to business support organizations including commercial lenders, commercial lease agents and commercial property owners, etc. to gain information on impacts and implementation of support programs
- Held meeting with the City's Economic Development Committee to discuss COVID-19 impacts on local businesses and identify potential support opportunities
- Development of a detailed one-stop resource repository of support links and learning opportunities for local businesses as part of the City's Economic Development Webpage (<https://www.westkelownacity.ca/en/building-business-and-development/covid-19-resources-for-businesses.aspx>)
- Hosted virtual roundtable with Greater Westside craft beverage manufacturers (e.g. wineries, cidery, brewery, & distillery) to discuss current business operations as well as discuss potential operation models this year once restrictions begin to rescind and how the City's Economic Development & Tourism Office can support.
- Hosted virtual roundtable with members of the Westside Farm Loop to discuss the current state of farm operations on the Greater Westside, potential operational models for the upcoming season, and what supports the City's Economic Development & Tourism Office could provide.
- Sent a letter to each West Kelowna business license holder from the Mayor's Office outlining supports Council has provided to businesses, City and community support efforts underway, and an open offer for assistance by City staff.
- Ongoing participation and support to the Greater Westside Board of Trade Board of Directors and Staff to connect to regional support efforts (e.g. launch of the regional #OkWeGotThis initiative) and emerging resources for members.

Tourism Highlights

- Initiate discussions with the Westbank Museum to defer entering in to the annual Operating Agreement for the Visitor Information Centre until the Museum reopens to the general public – a contract this year would be pro-rated based the number of weeks between when the Museum reopens and the historic end of season contract date of Thanksgiving weekend.
- Ongoing social media posts of original content to keep the Westside as a top of mind destination within the Destination BC guidelines to #explorebclater.
- Amplification of local tourism business social media posts to help share their messages about new delivery, pick-up, or hours of operation changes due to COVID-19

- Continuing updates to the VisitWestside.com website with resource links and information on available support programs for tourism businesses.
- Ongoing updates to the VisitWestside.com website calendar of events page based on notification by tourism businesses whether events are cancelled due to COVID-19.
- Continuing weekly distribution of a newsletter to tourism businesses / stakeholders with updates on new and available business support resources.
- Participation on weekly regional destination marketing organization conference call (facilitated by the Thompson Okanagan Tourism Association) to share information, resources, and emerging programs to support the tourism industry.
- Outreach to tourism businesses and tourism organization (e.g. The Westside Wine Trail Association) to identify recovery activities and potential marketing support.

Phase III Activities – May 4 to 22, 2020

Economic Development Highlights:

- Continued outreach to some West Kelowna businesses to help understand COVID-19 operational impacts and identify potential supports.
- Ongoing updating of City's COVID-19 business resource webpages with information and updates on new programs, supports, and services for local businesses.
- Regular communication and collaboration with the Greater Westside Board of Trade and Westbank First Nation Economic Development & Communications Office to assist with communicating existing and emerging supports for businesses on the Greater Westside.
- Engage with the City's Economic Development Committee members regarding feedback from the community on current environment and possible city response actions.
- Weekly participation Central Okanagan Economic Development Commission's Regional Economic Response Team to identify supports and service for businesses in the Central Okanagan offered by local governments and business support organizations.

Tourism Highlights:

- Continued outreach to tourism businesses and organizations with a focus on identifying potential recovery activities.
- Ongoing social media posts of original content to keep the Westside as a top of mind destination within the Destination BC guidelines to #explorebclater.
- Finalize print ready & digital versions of the 2020 Visitor Guide, Hiking Brochure, and Westside Farm Loop brochure for digital distribution in June and potential printing depending on if travel restrictions are eased.
- Amplification of local tourism business social media posts to help share their messages about new delivery, pick-up, or hours of operation changes due to COVID-19.
- Continuing updates to the VisitWestside.com website with resource links and information on available support programs for tourism businesses.
- Ongoing updates to the VisitWestside.com website calendar of events page based on notification by tourism businesses whether events are cancelled due to COVID-19.
- Begin to plan tourism recovery activities based on consultations with Greater Westside Tourism businesses, regional tourism marketing organizations (e.g. Tourism Kelowna and Thompson Okanagan Tourism Association), and Destination BC in preparation towards a gradual reopening of businesses as defined by the BC Public Health Officer.

Recovery Phase

The BC Provincial Health Officer is anticipated to announce the easing on existing COVID-19 resident and business restrictions in the coming weeks. Through outreach efforts to local businesses and business support organizations, there has been a lot of interest by those businesses for information and guidelines on how they can responsibly reopen and re-establish regular business operations. City staff will continue to work with West Kelowna businesses to provide support and information where possible as part of the transition to recovery activities.

City Staff expect that tourism businesses on the Greater Westside will look for support to help recover some of revenues lost due to COVID-19 through the Visit Westside destination management and marketing program managed by the City. Savings from deferred or reduced programs budgeted for in the 2020 tourism operational budget will be used for recovery initiatives. Before initiating any recovery efforts, the City would look for cues from the BC Provincial Health Officer, Destination British Columbia, and regional destination marketing organizations like Tourism Kelowna and TOTA for timing to initiate these efforts.

Staff are also anticipating opportunities for marketing partnerships with Tourism Kelowna and the Thompson Okanagan Tourism Association to help stimulate leisure visitation to the region in 2020 and 2021.

Finally, on April 15, 2020 Mayor Milsom was named to the Central Okanagan Economic Development Commission's Regional Economic Recovery Task Force (Attachment A) – a collaborative effort comprising of Central Okanagan Mayors of the Chief of Westbank First Nation. This task force group will focus on “developing a long-term economic recovery plan to reenergize the Central Okanagan Economy, retain business base and support employers/workers in getting people back to work as soon as possible”. This task force is scheduled to convene in July and last between 4 to 18 months.

NEXT STEPS:

- Continued participation on the Central Okanagan Development Commission's Regional Economic Response Team to coordinate response activities and minimize service overlap
- Provide a COVID-19 Economic Development and Tourism Response Update #2 to Council in late June / early July
- Begin identifying recovery activities to assist West Kelowna businesses based on direction and timing set forth by the Provincial Health Officer

FINANCIAL IMPLICATIONS:

To date, the 2020 Economic Development and Tourism budget has covered costs associated with the various phases of the response plan through examining and reallocating existing project budgets. Funding required to facilitate recovery activities this year will utilize the current Economic Development and Tourism budget while any resources required for recovery activities in 2021 will be considered as part of the 2021 budgeting process.

REVIEWED AND APPROVED BY:

Sandy Webster, Director of Corporate Initiatives
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

PowerPoint: Yes ☒ No ☐

COVID-19

REGIONAL ECONOMIC RESPONSE & RECOVERY STRATEGY



RESPONSE

Regional Economic Response Team

“Weather the Storm”

RECOVERY

Regional Economic Recovery Task Force

“Emerge Stronger”

Objective

Provide support and services to help Central Okanagan businesses respond to the immediate economic impact of COVID-19.

Develop a long-term economic recovery plan to reenergize the Central Okanagan economy, retain business base and support employers/workers in getting people back to work as soon as possible.

Estimated Timing*

1 – 3 Months

4 – 18+ Months, Commence July 2020

Partners

Led by the COEDC and 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 Chambers of Commerce/Boards of Trade of Lake Country, Kelowna, Greater Westside and Peachland
- Tourism Kelowna
- Central Okanagan Business Service Providers
- COEDC staff who act as a conduit for the COEDC Advisory Council

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

Key Actions**

- Act as concierge service, providing one on one expertise to businesses
- Collect and share local data from existing survey mechanisms
- Facilitate industry sector roundtables for Aerospace, Manufacturing, Agriculture and other sectors
- Communicate business needs to Provincial/Federal government with One Voice
- Promote ‘support local’ initiatives
- Share all available business support and funding programs in centralized location (investkelowna.com/covid19)

- Provide Central Okanagan Communities a forum for identifying economic recovery needs.
- Position and advocate for anticipated stimulus program funding for Central Okanagan businesses and their employees.
- At a political level communicate Central Okanagan needs with One Voice.
- Identify available areas for collaborative projects to support economic recovery.

COEDC will work with partners to implement strategies identified by the Response Action Team and Recovery Task Force and communicate Central Okanagan business needs with One Voice.

www.investkelowna.com

*All timelines established are subject to change following guidelines and recommendations from Public Health authorities.
** All key actions are subject to change in response to evolving public health and economic conditions.





COUNCIL REPORT
Corporate Services
For the May 12, 2020 Council Meeting

DATE: May 4, 2020
TO: Paul Gipps, CAO
FROM: Tracey Batten, Deputy CAO/Corporate Officer
RE: Central Okanagan Essential Services Mutual Aid Agreement

RECOMMENDED MOTION:

THAT Council authorize the Mayor and Corporate Officer to execute the “Central Okanagan Essential Services Mutual Aid Agreement” between the City of West Kelowna and the Regional District of Central Okanagan, District of Peachland, City of Kelowna, District of Lake Country and Westbank First Nation for a period of two years commencing on the date of execution by all parties.

RATIONALE:

Minister of Public Safety and Solicitor General issued Ministerial Order M084 on March 26, 2020 requiring best efforts be used to enter into mutual aid agreements with neighbouring jurisdictions to ensure the continuity of essential services. This regional agreement meets the intention of M084.

LEGISLATIVE REQUIREMENTS:

Province of British Columbia, Order of the Minister of Public Safety and Solicitor General, *Emergency Program Act*, Ministerial Order No. M084 – Local Authorities and Essential Goods and Supplies (COVID-19) Order.

BACKGROUND:

Province of BC Ministerial Order No. M084 came into effect on March 26, 2020. Section 7 (of the Order) - Continuity of local authority services provides that:

- (1) *Each local authority must use best efforts to enter into mutual aid agreements with neighbouring jurisdictions to ensure that first responder, waste water and drinking water services are maintained during the period referred to in section 2 (duration of the state of emergency).*

The purpose of the legislation is to ensure continuity of essential services to our residents during the pandemic. In order to meet the requirements of M084, the regional approach taken identifies all “Local Authorities” in the Regional District of Central Okanagan as parties to the agreement:

- Regional District of Central Okanagan
- District of Peachland
- City of West Kelowna
- City of Kelowna
- District of Lake Country
- Westbank First Nation

(M084 does not over-ride First Nations jurisdiction nor the independent authority they have. WFN is recognized as a self-governing body as provided for in the 2005 Westbank First Nation Self-governing Agreement with Canada. This agreement reflects a government to government relationship within the framework of the Canadian constitution.)

As outlined in the agreement, essential services include water, waste water and solid waste infrastructure. The agreement enables one party to request assistance from another party where the requesting party's CAO determines they have insufficient resources to maintain essential services.

The requesting party shall reimburse the responding party's costs during the emergency situation within 30 days of receipt of an invoice. Waiver and indemnification clauses are included as well as the requirement for all parties to maintain 3rd party liability insurance. The agreement is for a period of two years however any party may terminate by giving ninety days written notice.

This agreement is the result of a collaborative effort which reflects the continuing regional commitment to emergencies.

ALTERNATE MOTIONS(S):

- THAT Council postpone consideration of the Central Okanagan Essential Services Agreement and request staff to bring back additional information.

REVIEWED AND APPROVED BY:

Paul Gipps, CAO

Powerpoint: Yes ☐ No ☒

Attachments:
Central Okanagan Essential Services Agreement

CENTRAL OKANAGAN ESSENTIAL SERVICES AGREEMENT

THIS AGREEMENT is dated for reference the _____ day of April, 2020.

BETWEEN:

The **Regional District of Central Okanagan**, a regional district incorporated pursuant to the *Local Government Act* and having its business office at 1405 KLO Road, Kelowna, British Columbia, V1W 3Z4 (the "RDCO")

OF THE FIRST PART

AND:

The **District of Peachland**, a municipality incorporated pursuant to the *Community Charter* and having its business office at 5806 Beach Avenue, Peachland, British Columbia, V0H 1X7 ("Peachland")

OF THE SECOND PART

AND:

The **City of West Kelowna**, a municipality incorporated pursuant to the *Community Charter* and having its business office at 2760 Cameron Road, West Kelowna, British Columbia, V1Z 2T6 ("West Kelowna")

OF THE THIRD PART

AND:

The **City of Kelowna**, a municipality incorporated pursuant to the *Community Charter* and having its business office at 1435 Water Street Kelowna BC, V1Y 1J4 ("Kelowna")

OF THE FOURTH PART

AND:

The **District of Lake Country**, a municipality incorporated pursuant to the *Community Charter* and having its business office at 10150 Bottom Wood Lake Road Lake Country, British Columbia, V4V 2M1 ("Lake Country")

OF THE FIFTH PART

AND:

Westbank First Nation, a self-governing First Nation in Canada pursuant to its *Self-Government Agreement with Canada* and having its business office at 515 Highway 97 South, Kelowna, British Columbia, V1Z 2J2 ("Westbank")

OF THE SIXTH PART

WHEREAS:

- A. ASSISTANCE is the sharing of supplies, equipment, personnel, information, or other resources across political boundaries; and,
- B. By Ministerial Order M084, the Minister of Public Safety and Solicitor General has declared that local authorities must exercise “best efforts” to enter into Assistance agreements with neighbouring jurisdictions to ensure continuity of essential services during the COVID-19 pandemic, and in particular to ensure that wastewater and drinking water services are maintained; and
- C. ESSENTIAL SERVICES for the purpose of this agreement include water, waste water and solid waste infrastructure; and
- D. The Parties desire to enter into an Agreement whereby supplies, equipment, personnel, information, or other resources of any Party can be deployed to assist the other Parties during an emergency;
- E. The RDCO, ~~Peachland~~, West Kelowna, Kelowna and Lake Country consider it to be of mutual benefit to enter into an arrangement whereby any one of them may, in situations where the resources of their own resources are insufficient, request Assistance from the others to bring the situation under control.

NOW THEREFORE THIS AGREEMENT WITNESSES THAT, in consideration of the mutual covenants and agreements herein contained and subject to the terms and conditions hereinafter set out, the Parties agree as follows:

Interpretation

- 1. Unless the context otherwise requires, in this Agreement:
 - (a) "Assistance" means assistance by providing, upon request, emergency resources to another Party outside the jurisdictional boundaries of the Party that provides the emergency resources;
 - (b) "CAO" means the person appointed by the Board of Directors or Council for each Party as the Chief Administrative Officer or City Manager;
 - (c) "Emergency Situation" means a real or anticipated occurrence that in the opinion of the CAO compromises the ability of the Requesting Party to provide an Essential Service to their constituents.
 - (d) "Requesting Party" means the local government requesting Assistance under this Agreement;
 - (e) "Responding Party" means the local government responding to a request for Assistance under this Agreement.

The Request for Assistance

2. Where the CAO of the Requesting Party determines that the resources of their local government are insufficient to provide an Essential Service, whether actual or imminent, they may request the Assistance of another Party for the purposes of maintaining that service and in submitting such request, the said CAO shall specify the type of assistance and the number of personnel required.
3. The Requesting Party shall first request Assistance from the Party that is closest in proximity to their location.
4. If the Party that is closest in proximity to the location of the Requesting Party is unable to provide some or all required Assistance, the Requesting Party may request Assistance from the Party that is next closest in proximity to their location.
5. All requests for Assistance under this Agreement shall be made by the CAO of the Requesting Party to the CAO of the Party from whom Assistance is being requested.

The Provision of Assistance

6. The CAO of a Party from whom Assistance has been requested under this Agreement shall immediately upon receiving the request determine, in their sole discretion, as soon as reasonably possible whether and to what extent the supplies, equipment, personnel, information, or other resources of their local government may be deployed to assist the Requesting Party and shall thereafter deploy to the extent available such supplies, equipment, personnel, information, or other resources.
7. Nothing in this Agreement requires the CAO of a Responding Party from whom Assistance has been requested under this Agreement to deploy supplies, equipment, personnel, information, or other resources to assist a Requesting Party that the CAO has determined are unavailable or are required to provide service within their local government.
8. All supplies, equipment, personnel, information, or other resources provided by a Responding Party to a Requesting Party under this Agreement shall, for the duration of the time that the Assistance is being provided under this Agreement, be under the direction of the CAO of the Requesting Party who shall adhere to recognized principles of accountability for responder personnel safety.
9. The Requesting Party is responsible for ensuring that any workers from the Responding Party understand the Safe Work Procedures required to undertake the tasks needed to assist and that all safety equipment and proper protective equipment is provided by the Requesting Party.

10. The CAO of a Responding Party may, in their sole discretion, recall at any time for whatever reason any resource provided by their local government to the Requesting Party under this Agreement and shall not be liable for any loss, costs, damages or expenses whatsoever as a result thereof.
11. Upon being notified, whether verbally or in writing, that the CAO of a Responding Party has recalled supplies, equipment, personnel, information, or other resources under section 9 of this Agreement, the CAO of the Requesting Party shall immediately release and return to the Responding Party all supplies, equipment, personnel, information, or other resources provided by the Responding Party that was recalled by the CAO of the Responding Party.
12. The CAO of a Requesting Party shall, as soon as practicable, release and return to the Responding Party all supplies, equipment, personnel, information, or other resources provided by the Responding Party that is no longer required to assist in Requesting local government.
13. The CAO of a Requesting Party shall release and return to the Responding Party all equipment or other resources provided by the Responding Party in the same working condition as when it was accepted by the Requesting Party.

The Cost of Assistance

14. The Requesting Party shall reimburse the Responding Party for all labour and equipment costs plus any consumable items used during the Emergency Situation and any equipment that is damaged beyond repair or destroyed as a result of the event.
15. The Requesting Party shall pay the Responding Party all costs described in clause 14 above, within 30 days from receipt of invoice from the Responding Party.
16. The Requesting Party shall be responsible for seeking recovery of costs for payments made to the Responding Party in clause 15 above, through EMBC or other senior level government program under which these costs are recoverable.

Waiver and Indemnification

17. No Party to this Agreement shall bring any claim, action, or demand against any other Party to this Agreement or its elected officials, officers, employees, agents, volunteers, or contractors and, without limiting the generality of the foregoing, in respect of or in any way related to the decision of a CAO as to the level of Assistance, if any, or the withdrawal of Assistance to be provided under this Agreement.

18. No Party to this Agreement, nor its elected officials, officers, employees, agents, volunteers or contractors, shall be liable to any other Party to this Agreement in respect of the decision of a CAO as to the level of Assistance, if any, or the withdrawal of Assistance to be provided under this Agreement.
19. The Requesting Party shall indemnify and save harmless the Responding Party, its elected officials, officers, employees, agents, volunteers, or contractors from and against any and all claims, demands, actions, causes of action, loss, costs, damages and expense (including legal fees on a solicitor-client basis) in respect of or in any way related to the provision of Assistance under this Agreement and, without limiting the generality of the foregoing, any action taken or thing done or any failure to take action or do a thing under this Agreement, save and except where the claim, demand, action, cause of action, loss, cost, damage, or expense arose from the negligence of the Assisting Party.
20. In the event that a Responding Party acts independently of the Requesting Party then the Responding Party shall not be entitled to any indemnity pursuant to this article, but shall be responsible for its own legal liabilities and shall accordingly indemnify and save harmless the Requesting Party for any and all liabilities, actions, damages and claims of whatever nature or kind arising out of the independent act of the Responding Party in connection with the Assistance.

Insurance

21. Each Party to this Agreement shall keep in force third party liability insurance coverage to a minimum of ten million (\$10,000,000.00), dollars and each such policy shall add all other Parties to this Agreement as additional named insured when rendering Assistance pursuant to this Agreement.
22. Each Party shall maintain insurance coverage on its own equipment.
23. Each Party shall maintain Workers' Compensation coverage and other required coverage for the personnel of its own local government.
24. This Agreement shall be in force for a period of Two Years (24 months) commencing on the date of its execution by all Parties.

Termination

25. Any Party to this Agreement may terminate its rights and obligations under this Agreement by giving ninety (90) days written notice of its intention to do so to the other Parties to this Agreement and thereafter shall be unconditionally released from any further obligation herein save and except any obligation up to the date of termination.

26. Where a Party to this Agreement terminates its rights and obligations under this Agreement, this Agreement shall continue in force between the remaining parties.

Miscellaneous Provisions

27. Any requests for Assistance shall be subject to any of the Parties obligations pursuant to the provisions of the *Emergency Program Act* R.S.B.C. c. 111.
28. The Parties agree to consult on a regular basis through their CAO to achieve the optimum deployment of Assistance.
29. The Parties hereto agree that in the event of dispute between any of the Parties, each of the Parties hereto shall meet with a qualified mediator in a timely manner and attempt in good faith to negotiate a settlement of such dispute during which time such representatives shall disclose to the other all relevant information relating to the dispute.
30. This Agreement shall be the entire agreement between the Parties in respect of the provision of Assistance by the Parties to one another for the purposes of bringing Emergency Situations under control.
31. The Parties may not assign this Agreement without the prior written consent of the other Parties to this Agreement.
32. This Agreement shall ensure to the benefit of, and be binding upon, the Parties and their respective successors and permitted assigns.
33. This Agreement shall be governed by and interpreted in accordance with the laws of the Province of British Columbia.
34. Unless otherwise authorized under this Agreement, all notices under this Agreement shall be given in writing to the CAO of the Parties to this Agreement.
35. This Agreement may be executed in any number of counterparts. Any executed counterpart shall be construed as an original. All executed counterparts together shall constitute the Agreement.

IN WITNESS WHEREOF the parties have signed, sealed, and delivered this Agreement as of the date first written above.

The Corporate Seal of the
REGIONAL DISTRICT OF CENTRAL OKANAGAN
was hereunto affixed in the presence of:

Chair

Chief Administrative Officer

The Corporate Seal of the
DISTRICT OF PEACHLAND
was hereunto affixed in the presence of:

Mayor

Corporate Officer

The Corporate Seal of the
CITY OF WEST KELOWNA
was hereunto affixed in the presence of:

Mayor

Corporate Officer

The Corporate Seal of the
CITY OF KELOWNA
was hereunto affixed in the presence of:

Mayor

Corporate Officer

The Corporate Seal of the
DISTRICT OF LAKE COUNTRY
was hereunto affixed in the presence of:

Mayor

Corporate Officer

The Corporate Seal of
WESTBANK FIRST NATION
was hereunto affixed in the presence of:

Chief

Chief Administrative Officer

END OF AGREEMENT